

AGENDA

TORRES STRAIT ISLAND REGIONAL COUNCIL

June 2022

Tuesday 28th June 2022, 10:30am – 5:00pm

Wednesday 29th June 2022, 9:00am – 5:00pm

Video Conference

COUNCIL ORDINARY MEETING

Tuesday, 28th June 2022

Agenda Items:

1. 10:30am – 10:35am Welcome and Opening Remarks
2. 10:35am – 10:40am Apologies
3. 10:40am – 10:45am Declaration of Conflict of Interest (COI) (Prescribed and Declarable)
4. 10:45am – 10:50am Confirmation of Previous Council Ordinary Meeting Minutes
 - 16th and 17th May 2022
5. 10:50am – 11:00am Confirmation of Previous SARG Committee Minutes
 - 14th June 2022
6. 11:00am – 11:10am Confirmation of Previous Governance and Leadership Committee Minutes
 - 13th June 2022
7. 11:10am – 11:15am Outstanding Council Ordinary Meeting Action Items
8. 11:15am – 11:35am COMMUNITIES – Funding Agreement - Forward Remote Capital Agreement
9. 11:35am – 11:50am COMMUNITIES – Funding Agreement – Torres Strait Islander Public Health Program
10. 11:50am – 12:10pm CORPORATE – Funding Acquisition Report
11. 11:50am – 12:35pm CORPORATE – Community Grant Program – June 2022

LUNCH 12:35pm – 1:35pm

12. 1:35pm – 1:55pm CORPORATE – Policy Matter – Meeting Policies
13. 1:55pm – 2:15pm CORPORATE – Council Policies – People and Wellbeing Policy
14. 2:15pm – 2:35pm CORPORATE – Policy Matter – Investigation Policy
15. 2:35pm – 2:55pm CORPORATE – Policy Matter – Councillor Remuneration, Reimbursement and Facilities Provision Policy
16. 2:55pm – 3:10pm CORPORATE – Policy Matter – Support Policies

AFTERNOON TEA 3:10pm – 3:30pm

17. 3:30pm – 3:50pm CORPORATE – Change of August 2022 OM meeting dates
18. 3:50pm – 4:10pm CORPORATE – Queensland Local Government Mutual Liability Membership Renewal 2022-2023
19. 4:10pm – 4:20pm FINANCE – Policy Matter – Financial Policy Review
20. 4:20pm – 4:40pm FINANCE – 2021/2022 Asset Desktop Indexation Results
21. 4:40pm – 4:55pm FINANCE – Auditor-General's Observation Report on the interim audit for the year ending 30 June 2022
22. 4:55pm – 5:00pm Closing Remarks and Prayer

COUNCIL ORDINARY MEETING

Wednesday 29th June 2022

Agenda Items:

23. 9:00am – 9:10am Welcome and opening prayer.
24. 9:10am – 9:10am COUNCIL MOVES INTO CLOSED BUSINESS
25. 9:10am – 9:30am BUILDING – CB – Contractual Matter – 13 Map Street, Mabuiag
26. 9:30am – 9:50am BUILDING – CB – Contractual Matter – 6 Charlies Road, Yorke
27. 9:50am – 10:10am BUILDING – CB – Contractual Matter – 104 Gibuma Street, Boiqu

MORNING TEA 10:00am – 10:30am

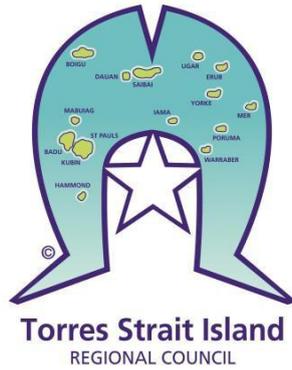
28. 10:30am – 11:00am BUILDING – CB – BSU Update
29. 11:00am – 11:30am FINANCE – CB – Financial Dashboard Report – May 2022
30. 11:30am – 11:50am ENGINEERING – CB – Fuel Improvement Program Status Update Report
31. 11:50am – 12:10pm ENGINEERING – CB – Approve variation to Global Synthetic PO # PEN0005954
32. 12:10pm – 12:30pm ENGINEERING – CB – Approve variation to MAL Engineering PO #PEN0005764

LUNCH 12:30pm – 1:30pm

33. 1:30pm – 2:00pm ENGINEERING – CB – Approve amendments to PO# PEN0006150 – TSIRC 2021 - 344 Marine Infrastructure Assessment and Upgrade Study
34. 2:00pm – 2:30pm ENGINEERING – CB – Award Tender No. TSIRC 2021-356 DFRA Works (Badu Island)
35. 2:30pm – 3:00pm LEGAL – CB – Vehicle Leasing Agreement – [Late](#)
36. 3:00pm – 3:20pm FINANCE – CB - Contract Award – Mer Rural Transaction Centre Demolition
37. 3:20pm – 3:20pm COUNCIL MOVES OUT OF CLOSED BUSINESS AND RESUMES IN OPEN BUSINESS

AFTERNOON TEA 3:20pm – 3:40pm

38. 3:40pm – 4:00pm FINANCE – 2022-23 Register of Fees and Charges
39. 4:00pm – 4:10pm Business Arising from Information Reports
40. 4:10pm – 4:15pm Next Council Meeting Date – 19th and 20th July 2022 – Mabuiag
41. 4:15pm – 4:45pm Strategic Matters
42. 4:45pm – 5:00pm Closing Remarks and Prayer



Draft Minutes

TORRES STRAIT ISLAND REGIONAL COUNCIL

May 2022

Monday 16th May 2022, 12:05pm – 3:18pm

Tuesday 17th May 2022, 9:05am – 2:50pm

Cairns

COUNCIL ORDINARY MEETING
Monday, 16th May 2022 – Day 1

PRESENT:

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

STAFF:

Mr James William, Chief Executive Officer (CEO)
Ms Hollie Faithfull, Executive Director, Financial Services (EDFS)
Mr David Baldwin, Executive Director, Engineering Services (EDES)
Ms Megan Barrett, Executive Director, Corporate Services (EDCS)
Mr Dawson Sailor, Head of Community Services (HOCS)
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:

Cr Aven Noah, Division 15 – Mer (Murray) – personal leave

Note: Cr Torenzo Elisala, Division 2 – Dauan – dialling in via telephone

COUNCIL ORDINARY MEETING
Monday 16th May 2022 – Day 1

1. **12:05pm – 12:06pm** **Welcome and Opening Remarks**

Mayor Phillemon Mosby convened the Council Ordinary Meeting for the month of May and welcomed everyone again to the meeting.

2. **12:06pm – 12:07pm** **Apologies**

- Cr Aven Noah – Division 15 – Mer – due to personal reasons

RESOLUTION:

Moved: Cr Keith Fell, Second: Cr Conwell Tabuai

That Council accepts the apology of Cr Aven Noah for the May 2022 Ordinary meeting.

MOTION CARRIED UNANIMOUS

3. **12:07am – 12:07pm** **Declaration of Conflict of Interest (COI) (Prescribed and Declarable)**

Cr Keith Fell declared a Prescribed Conflict of Interest in Council Meeting Agenda Item 9 – CORPORATE – Community Grant Program as the Individual Applicant, Anette Fell is his daughter and therefore are related parties under s150EP. Anette Fell is the applicant in this matter and Cr Keith Fell declared an interest under s150EQ(4).

Cr Jimmy Gela declared a Declarable Conflict of Interest in Council Meeting Agenda Item 9 – CORPORATE – Community Grant Program from Erubam Le Traditional Land and Sea TSI Corporation as he is the Chairperson of the Corporation and therefore a related party under s150EP. Cr Jimmy Gela declared an interest under s150EQ(4).

Cr Seriako Dorante declared a Declarable Conflict of Interest in Council Meeting Agenda Item 9 – CORPORATE – Community Grant Program as the Individual Applicant, Bernard Dorante is his cousin and therefore are related parties under s150EP. Bernard Dorante is the applicant in this matter and Cr Seriako Dorante declared an interest under s150EQ(4).

Cr Getano Lui declared a Prescribed Conflict of Interest in Council Meeting Agenda Item 9 – CORPORATE – Community Grant Program as the Individual Applicant, Harry Lui is his son and therefore are related parties under s150EP. Harry Lui is the applicant in this matter and Cr Getano Lui declared an interest under s150EQ(4).

Cr Francis Pearson declared a Prescribed Conflict of Interest in Council Meeting Agenda Item 9 – CORPORATE – Community Grant Program from New Day Torres Strait Islander Corporation as he is a Director of the Corporation and therefore a related party under s150EP. Cr Francis Pearson declared an interest under s150EQ(4).

Mayor Phillemon Mosby declared a Prescribed Conflict of Interest in Council Meeting Agenda Item 9 – CORPORATE – Community Grant Program from New Day Torres Strait Islander Corporation as he is involved in the project and therefore a related party under s150EP. Mayor Phillemon Mosby declared an interest under s150EQ(4).

4. **12:07pm – 12:15pm** **Confirmation of Previous Council Ordinary Meeting Minutes – Day 1**

- 20th April 2022

RESOLUTION:

Moved: Cr Francis Pearson; Second: Cr Laurie Nona

That Council resolves to accept the minutes of the Ordinary Meeting held on 20th April 2022, to be a true and accurate account of that meeting.

MOTION CARRIED UNANIMOUS

Day 2

- 21st April 2022

RESOLUTION:

Moved: Cr Laurie Nona; Second: Cr Rocky Stephen

That Council resolves to accept the minutes of the Ordinary Meeting held on 21st April 2022, to be a true and accurate account of that meeting.

MOTION CARRIED UNANIMOUS

5. **12:15pm – 12:16pm** **Confirmation of Previous Council Special Meeting Minutes**

- 13th April 2022

RESOLUTION:

Moved: Cr Jimmy Gela; Second: Cr Hilda Mosby

That Council resolves to accept the minutes of the Council Special Meeting held on 13th April 2022, to be a true and accurate account of that meeting.

MOTION CARRIED UNANIMOUS

6. **12:16pm – 12:30pm** **Outstanding Council Ordinary Meeting Action Items**

Leading Executive Officers provided an update on their action items from April's meeting.

LUNCH 12:30pm – 1:39pm

- 1:39 – 1:53pm** **Outstanding Council Ordinary Meeting Action Items**

Action Items continued with the Leading Executive Officers providing an update.

7. **1:53pm – 2:10pm** **Standing Agenda Items:**
- Executive Director, Communities and Building Services - Housing Authority (verbal)

Mr James William, Chief Executive Officer, spoke to this topic. The Chief Executive Officer referred to previous reports and gave verbal update on BSU's key priorities and the challenges faced. Focus will be to resolve operational matters in BSU and improve reporting to include graphics to provide clear direction going forward.

ACTION: Secretariat Remove as a Standing Agenda Item on the Ordinary Meeting Agenda and placed as standing agenda on the Housing and Safe and healthy Communities, Women and Employment Committee.

8. **2:10pm – 2:27pm** **CORPORATE – Funding Acquisition Report**

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

ACTION: Executive Director, Corporate Services to include key outcomes from successful grants and provide further information on a way forward for unsuccessful grants.

Resolution:

Move: Cr Lama Trinkoon; Second: Cr Francis Pearson

That Council resolves to note this report and its content.

MOTION CARRIED UNANIMOUS

Ms Megan Barrett, Executive Director Corporate Services spoke to the report on the following Community Grants Applications for the month of May:

Community Entities:

Mabuygiw Garkaziw Kupay TSI Corporation

RESOLUTION:

Move: Cr Keith Fell; Second: Cr Conwell Tabuai

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

- **Mabuygiw Garkaziw Kupay TSI Corporation for the eligible amount of \$1443.91.00 exclusive of GST, as per submitted application.**

MOTION CARRIED UNANIMOUS

Women of MABO

RESOLUTION:

Move: Mayor Phillemon Mosby; Second: Cr Keith Fell

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

- **Women of MABO for the eligible amount of \$3,351.26 exclusive of GST, as per submitted application noting that Women of Mabo applied for \$4,260.00.**

MOTION CARRIED UNANIMOUS

New Day Torres Strait Islander Corporation

RESOLUTION:

Move: Cr Cowell Tabuai; Second: Cr Keith Fell

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 \$4,268.00 exclusive of GST, as per submitted application.**

MOTION CARRIED UNANIMOUS

Tagai State College – Poruma Campus

RESOLUTION:

Move: Cr Francis Pearson; Second: Cr Lama Trinkoon

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

- **Tagai State College – Poruma Campus for the eligible amount of \$2,000.00 exclusive of GST, as per submitted application.**

MOTION CARRIED UNANIMOUS

Erubam Le Traditional Land and Sea Owners TSI Corporation

RESOLUTION:

Move: Cr Keith Fell; Second: Cr Laurie Nona

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

- **Erubam Le Traditional Land and Sea Owners TSI Corporation for the eligible amount of \$1,000.00 exclusive of GST, as per submitted application.**

MOTION CARRIED UNANIMOUS

Meuram Tribe

RESOLUTION:

Move: Cr Jimmy Gela; Second: Laurie Nona

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

- **Meuram Tribe for the eligible amount of \$2,000.00 exclusive of GST, as per submitted application.**

MOTION CARRIED UNANIMOUS

Australian Christian Churches – Dauan Island

RESOLUTION:

Move: Cr Francis Pearson; Second: Cr Keith Fell

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

- **Australian Christian Churches – Dauan Island for the eligible amount of \$2,500.00 exclusive of GST, as per submitted application noting that Australian Christian Churches – Dauan Island applied for \$10,000.00.**

MOTION CARRIED UNANIMOUS

Badu Futsal Club

RESOLUTION:

Move: Cr Francis Pearson; Second: Cr Conwell Tabuai

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

- **Badu Futsal Club for the eligible amount of \$2,772.00 exclusive of GST, as per submitted application**

MOTION CARRIED UNANIMOUS

It is noted that the current balance for Badu Community is \$265.35. Mayor Mosby advised that funding for this proposal would be provided from the *Community Grants, Funeral Grant and Funeral Travel Grant Torres Strait Island Regional Council Local Government Area* fund, to the value of \$2772.00.

Individual applicants:

Bernard Dorante

RESOLUTION:

Move: Cr Lama Trinkoon; Second: Cr Kabay Tamu

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

- **Bernard Dorante for the eligible amount of \$2,500.00 exclusive of GST, as per submitted application.**

MOTION CARRIED UNANIMOUS

Annette Fell

RESOLUTION:

Move: Cr Jimmy Gela; Second: Cr Rocky Stephen

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

- **Anette Fell for the eligible amount of \$2,500.00 exclusive of GST, as per submitted application.**

MOTION CARRIED UNANIMOUS

Harry Lui

Ms Megan Barrett advised that the individual application of Harry Lui for the eligible amount of \$2,000.00 is to be further reviewed due to the current balance of funds available for Warraber and would be brought back to the table.

AFTERNOON TEA 2:55pm – 3:06pm

3:06 – 3:08pm

COMMUNITY GRANTS PROGRAM – MAY 2022

Harry Lui

RESOLUTION:

Move: Cr Laurie Nona; Second: Cr Kabay Tamu

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

- **Harry Lui for the eligible amount of \$2,000.00 exclusive of GST, as per submitted application.**

MOTION CARRIED UNANIMOUS

10. **3:08pm – 3:09pm** **CORPORATE – Policy Review**

Ms Megan Barrett, Executive Director Corporate Services spoke to the report on the revised Fraud and Corruption Prevention Policy for adoption.

RESOLUTION:

Move: Cr Kabay Tamu; Second: Cr Keith Fell

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

MOTION CARRIED UNANIMOUS

11. **3:09pm – 3:12pm** **CORPORATE – Standing Committee Terms of Reference**

Ms Megan Barrett, Executive Director Corporate Services spoke to report Terms of Reference to lay on table for further discussions at the workshop. **MATTER TO LAY ON THE TABLE**

12. **3:12pm – 3:15pm** **LEGAL – Correction of March 2022 Ordinary Meeting Minutes**

Mr Peter Krebs, Manager Legal Services spoke to the report.

RESOLUTION:

Move: Cr Laurie Nona; Second: Cr Jimmy Gela

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

MOTION CARRIED UNANIMOUS

13. **3:15pm – 3:18pm** **Closing Remarks and Prayer**

Mayor Mosby thanked Councillors for their attendance and participation in today’s meeting and invited Cr Keith Fell to close the meeting in a word of prayer.

MEETING ADJOURNED – 3:18PM

COUNCIL ORDINARY MEETING – Day 2
Tuesday 17th May 2022

PRESENT:

Cr Phillemon Mosby, Mayor
Cr Dimas Toby, Division 1 – Boigu
Cr Conwell Tabuai, Division 3 – Saibai
Cr Keith Fell, Division 4 – Mabuia
Cr Laurie Nona, Division 5 – Badu
Cr Lama Trinkoon, Division 6 – Kubin (Arkai), Mua Island
Cr John Levi, Division 7 – Wug (St Pauls), Mua Island
Cr Seriako Dorante, Division 8 – Kirriri (Hammond)
Cr Getano Lui Jnr, Deputy Mayor, Division 9 – Iama (Yam)
Cr 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)

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, Head of Community Services (HOCS)
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:

Cr Aven Noah, Division 15 – Mer (Murray) – personal leave
Cr Kabay Tamu, Division 10 – Warraber (Sue) – in Sydney as guest speaker on NITV on climate change

Note: Cr Torenzo Elisala, Division 2 – Dauan – dialling in via telephone

COUNCIL ORDINARY MEETING – Day 2
Tuesday 17th May 2022

14. **9:05am – 9:10am** **Welcome and opening prayer**

The meeting resumed at 9:05am.

Mayor Mosby welcomed everyone to Day 2 of Council Ordinary Meeting and acknowledged our Heavenly Father and traditional owners of ples and asked everyone to be up standing and invited Cr John Levi to open the meeting in a word of prayer.

A minute's silence was observed for families in mourning.

15. **9:10am – 9:40am** **Deputation 1 | Rod Jensen – Candidate for Leichhardt**

Mayor Mosby welcomed Mr Rod Jensen to the meeting. Rod spoke of his candidacy for the seat of Leichardt in the upcoming Federal elections as a member of the Katter Australian Party.

9:28am - Cr Dimas Toby joined the meeting.

16. **9:40am – 9:40am** **COUNCIL MOVES INTO CLOSED BUSINESS**

RESOLUTION:

Move: Cr Keith Fell; Second: Cr Laurie Nona

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

- 17. **BUILDING – CB – BSU Update**
- 18. **ENGINEERING – CB – Fuel Improvement Program Status Update Report**
- 19. **FINANCE – CB – Financial Dashboard Report – May 2022**
- 20. **FINANCE – CB – Write off the amount of \$3,607.86**
- 21. **LEGAL – CB – LEGAL DISPUTE: Debtor Supplier – 11804 – ACN 088**

MORNING TEA – 10:15am – 10:40am

22. **2:00pm – 2:00pm** **COUNCIL MOVES OUT OF CLOSED BUSINESS AND RESUMES IN OPEN BUSINESS**

RESOLUTION:

Moved: Cr Laurie Nona; Second: Cr Jimmy Gela

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:

9:40am – 10:15am **BUILDING – CB – BSU Update**

RESOLUTION:

Move: Cr Lama Trinkoon; Second: Cr Conwell Tabuai

That Council notes the content of this report.

MOTION CARRIED UNANIMOUS

10:48am – 11:24am

ENGINEERING – CB – Fuel Improvement Program Status Update Report

ACTION: Cr Trinkoon requested additional fuel information/plans for Kubin from the Executive Director, Engineering Services.

RESOLUTION:

Move: Cr Laurie Nona; Second: Rocky Stephen

That the Council notes the report.

MOTION CARRIED UNANIMOUS

11:24am – 12:00pm

FINANCE – CB – Financial Dashboard Report – April 2022

RESOLUTION:

Move: Cr Francis Pearson; Second: Cr Conwell Tabuai

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

MOTION CARRIED UNANIMOUS

12:00pm – 12:10pm

FINANCE – CB – Write off the amount of \$3,607.86

RESOLUTION:

Move: Cr Keith Fell; Second: Cr Rocky Stephen

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

MOTION CARRIED UNANIMOUS

12:10pm – 12:25pm

LEGAL – CB – LEGAL DISPUTE: Debtor Supplier – 11804 – ACN 088 686 453

RESOLUTION:

Move: Cr Seriako Dorante; Second: Cr Hilda Mosby

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

MOTION CARRIED

AGAINST: Cr Seriako Dorante, Cr John Levi and Cr Rocky Stephen

LUNCH 12:25pm – 1:40pm

23. **1:40pm – 2:45pm**

Business Arising from Information Reports/Strategic Matters

Mayor Mosby gave an opportunity for Councillors to discuss the Information Reports.

Cr Lama Trinkoon – Division 6, Kubin raised the following:

- Diesel fuel bowser for Kubin. Access only from St Pauls.
- Civil roadworks

Cr Hilda Mosby – Division 12, Masig raised the following:

- Training and onsite support for current Trainees.

Cr Keith Fell – Division 4, Mabuiag raised concerns with the following:

- Environmental Health issues in relation to animal management and how it's working.
- Horses on Moa
- Dogs on Mabuiag

How can we manage and control this situation. Community concerns with horses on St Pauls.

Cr John Levi – Division 7, Moa Island raised the following:

- Enquired about the 2.3m plugins

Cr Laurie Nona - Division 5, Badu raised concerns with the following:

- Concerns with the jetty. Badly in need of repairs before an accident occurs.
- The Sporting facility
- Waste Management – rubbish getting burnt causing pollution and poison in the air and supports Cr Fell with the animal management issues.

Cr Seriako Dorante – Division 8, Hammond raised the following:

- Ergon – street light fixtures.
- Waste management – garbage collection, if something can be done. Raised this issue previously with the Environmental Health Worker.

Cr Conwell Tabuai – Division 3, Saibai raised the following:

- Scrap metal works. Scrapmetals are building up on the side of the road.

Cr Francis Pearson – Division 11, Poruma raised the following:

- Propose that a clock-in system is implemented to reduce fraudulent practices on timesheets.

Cr Torenzo Elisala – Division 2, Dauan raised the following:

- Engineering Officers on ground and their KPI's. Same with administration. What are their roles and responsibilities as this is not reflected on ground.

Cr Getano Lui – Division 9, lama raised the following:

- Expressed support for a clock-in system as well.
- Unaware of details of Plug-in project on lama

Cr Dimas Toby – Division 1, Boigu raised the following:

- Opening of Boigu seawall. If the location of the next face to face meeting be considered at Boigu to coincide with the opening of the seawall.

Apology – Cr Kabay Tamu

- Cr Kabay Tamu, Division 10 – Warraber

RESOLUTION:

Move: Cr Conwell Tabuai; Second: Cr Lama Trinkoon

That Council accept the apology of Cr Kabay Tamu for Day 2 of the May 2022 Ordinary Meeting.

MOTION CARRIED
AGAINST: Cr Keith Fell

24. **2:45pm – 2:46pm**

**Next Council Meeting Date – 28th and 29th June 2022 –
via Video Conference**

Mayor Mosby confirmed the dates for the next council meeting via video conference.

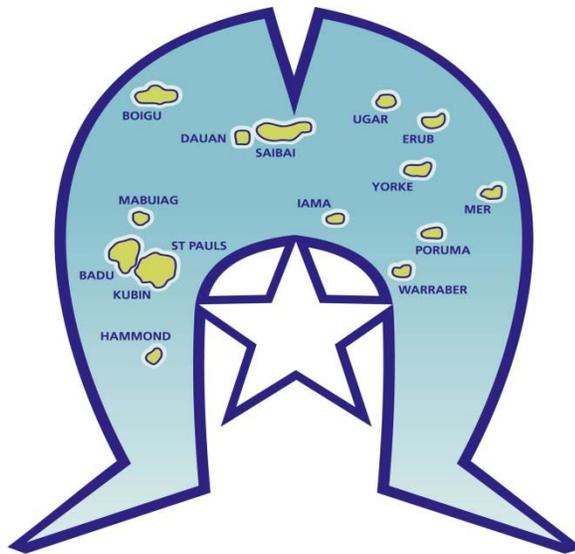
25. **2:45pm – 2:50pm** **Closing Remarks and Prayer**

Mayor Mosby thanked Councillors and Staff for their participation and engagement over the last two days of the meeting and asked everyone to be up standing and invited Cr Keith Fell to the close the meeting in prayer.

MEETING CLOSED – 2:50PM

.....
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

STRATEGIC ADVISORY REFERENCE GROUP

Date: Tuesday 14th June 2022

Time: 1:15pm to 4:00pm

Venue: Video Conference

PRESENT:

Cr Phillemon Mosby, Mayor, Poruma (Coconut)
Cr Cornwell Tabuai – Division 3, Saibai (Proxy for Cr Rocky Stephen)
Cr Keith Fell, Division 4, Mabuiag
Cr Hilda Mosby, Division 12, Masig (Yorke)

STAFF:

Mr James William, Chief Executive Officer
Ms Hollie Faithfull, Executive Director Financial Services
Ms Megan Barrett, Executive Director Corporate Services
Mr Dawson Sailor, Head of Community Services
Mr Peter Krebs, Manager Legal Services
Mrs Ursula Nai, Senior Executive Assistant to the CEO
Mr Jacob Matysek – Executive Assistant to the Mayor
Ms May Mosby – Secretariat Officer

APOLOGIES:

Cr Rocky Stephen, Division 13, Ugar (Stephen)
Cr Getano Lui, Deputy Mayor, Division 9, Iama (Yam)
Mr David Baldwin, Executive Director Engineering Services

1. Welcome (Chair)

Mayor Phillemon Mosby welcomed everyone to the June SARG meeting and acknowledged the following:

- Our Heavenly father for his awesome wisdom, knowledge and understanding, peace and joy upon our lives. Our families, our organisation and our team whom we are part of.
- Traditional owners from the land we are dialling from across the length and breadth of Zenadth Kes and Cairns.
- Families in mourning for the loss of their loved ones throughout the region and on the mainland.

2. Opening Prayer

Mayor Mosby invited Cr Keith Fell to open the meeting in a word of prayer at 1:15pm.

3. Apologies

- Cr Rocky Stephen, Division 13 – Ugar – Due to Zenadth Kes Fisheries Meeting
- Cr Getano Lui, Deputy Mayor, Division 9 – Iama (Yam) – Due to an urgent family matter

RESOLUTION:

Moved: Cr Conwell Tabuai; Second: Cr Hilda Mosby

That the Strategic Advisory Reference Group Committee accepts the apology of Cr Rocky Stephen for his absence at this meeting.

MOTION CARRIED UNANIMOUS

RESOLUTION:

Moved: Cr Hilda Mosby Second: Cr Conwell Tabuai

That the Strategic Advisory Reference Group Committee accepts the apology of Cr Getano Lui, Deputy Mayor for his 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

- 5th April 2022 – VC – ratified at April 2022 OM

RESOLUTION:

Moved: Cr Hilda Mosby; Second: Cr Keith Fell

That the Minutes for the SARG meeting held on 5th April 2022 be adopted as a true and correct account of the meeting.

MOTION CARRIED UNANIMOUS

6. Strategic Action Items Review

Mayor Mosby invited the Chief Executive Officer, Mr James William to provide an update on the current action items. Mr William delegated each of the leading Executive Officers to provide an update of their strategic priorities.

7. Mayor – Verbal

1. **TCICA Membership - Consideration for Resolution to go to next Full Council Meeting to re-join TCICA.**

Mayor Mosby spoke to this agenda topic regarding rejoining TCICA and gave Mr James William, Chief Executive Officer an opportunity to speak further on this topic. Chief Executive Officer advised that he is very supportive of this on the condition we have some level of engagement with them.

Ms Hollie Faithfull, Executive Director Financial Services, advised that the TCICA membership of \$10k is included in the draft 22/23 budget and advice has previously been provided that it would have to go to Council Resolution for Council to endorse the rejoining because Council made a resolution to rescind the membership. Payment can then be made.

2. **Discussion on whether we can make Council Ordinary meeting accessible (Live stream or video recorded to be played later).**

Mayor Mosby spoke to this topic on whether we can make Council Ordinary meeting accessible, live stream or video recording so community members are aware of the decisions Council makes and to make council meetings accessible. Mayor Mosby pointed out that community engagement is very important, and this would be a perfect opportunity for us to look at the practicality of what we can do now with the limited resources we have to make sure we are addressing this matter.

Mr James William, Chief Executive Officer advised he will investigate further. The main concern is TSIRCs current connectivity issues under existing band width, and if TSIRC currently has the facilities and necessary infrastructure to be able to accommodate live streaming of Council Meetings into all our communities?

Mr Peter Krebs, Manager Legal Services, advised that Cairns Regional Council live stream and record their proceedings so there are no legal obstacles.

ACTION: Chief Executive Officer to commence analysis to live stream or video record Council Meetings and present agenda report back to SARG.

3. **Update on the following items:**

- **August 23 Planning:**

- Sunday 21 August 2022 – Regional Leaders, Executives, key government agencies and Ministers arrive on Masig. Subject to funding, if sporting events are hosted, these would also commence.
- Monday 22 August 2022 - The Regional Leaders Forum (Ministers / Premier also invited).

- Tuesday 23 August 2022 – 85th anniversary / Main event celebrations (Ministers / Premier also invited).
- Wednesday 24 - Thursday 25 August 2022- TSIRC I Ordinary and Trust Meetings. The TSRA and other local governments might also want to think about scheduling Special Meetings. That way, there is potential to collaboratively ratify/endorse any special agreements (i.e., RIAC, QH Torch, Regional Governance Action Plan and/or MoUs/Agreements etc.).
- Friday, 26 August 2022 – End of event – parties and participants return home. (Corporate Affairs) Travel Policy & Procedure.

Mayor Mosby invited Cr Hilda Mosby to address SARG and the administration team of the upcoming August 23 event.

Cr Hilda Mosby provided feedback as to what has been done so far in holding meetings on Masig with key stakeholders and community people. Cr Hilda Mosby had the opportunity to meet with Qld Police, Defense, Department of Foreign Affairs, Australian Border Force and Bio Security, to ensure they are all on board and supporting this event. Qld Police will provide accommodation for the agencies on their boat and supply tents, stretchers, and catering on ground if needed.

Accommodation for Councillors and staff has been arranged. The Lodge and cabins have been booked.

Jacob Matysek, Executive Assistant to the Mayor spoke on the proposed schedule, timelines, and funding. 3 weeks to plan the event based on funding. Jacob Matysek also suggested that a meeting be scheduled with Torres Shire and NPAC whilst at the National Assembly in Canberra to discuss this concept further.

A request for the Prime Minister to be a patron for the event will require substantial funding. Funding needs to confirm before we send an official invite to the Prime Minister along with different VIP's.

Ms Hollie Faithfull, Executive Director Financial Services advised the current budget is \$60k and this amount will only cover Councillors and staff travel and accommodation along with the Welcome and Farewell Dinner and will not be enough to cover any additional requests.

Mr James William advised Committee that outcome from TSRA is not known at this time. Events and activities will depend on level of funding and timelines of this for the event.

- **Paper due to come to Council to change Council Ordinary Meeting for August from original date.**

Ms Megan Barrett, Executive Director Corporate Services spoke to this agenda topic and advised that a paper has been drafted pending approval to go to the next Council meeting.

- **First Partnership Choice Model/strategy | First Developers Choice Model/strategy.**

Mr James William, Chief Executive Officer spoke to this agenda topic around focusing on developing our region. The First Partnership Choice Model is about industry and government relationships. Mr James William, Chief Executive Officer suggested that this be kept as a standing agenda item to start building on and reporting back to SARG on how the model is progressing and to get guidance and leadership from SARG.

ACTION: Executive Director, Corporate Services draft a policy which captures what is the First Partnership Choice for Council and present to SARG.

- **Partnership Memorandum of Understanding/Agreement.
Linked to First Partnership.**

Mayor Mosby advised that this topic maybe linked to the First Partnership Choice in terms of the MOU or MOA. Mayor Mosby requested to see action in the next 3 months.

- **RIAC – Terms of Reference and RAIC Action Plan 2022-2023.**

Mayor Mosby spoke to this agenda topic and requested an update with regards to the Terms of Reference of RIAC as it has not been formally endorsed by Council nor through Housing and Safe and Health Communities Committee to SARG. Mayor Mosby stated he was not comfortable recommending it to full council if the Terms of Reference have not been reviewed appropriately. Full discussions took place on this topic.

ACTION: that administration follow up the make up of RAIC and MIP and report back to SARG.

Mayor Mosby also requested that Cr Keith Fell to follow on the progress to come back to SARG.

- **Regional Employment and Education Strategy.**

Mayor Mosby spoke to this agenda topic around the Transitional Action Plan (TAP) and Reconciliation Action Plan (RAP) and of the advice and recommendations that came up through discussions with the Chief Executive Officer, and Executive Director Corporate Services along with other Executive staff about building a workforce. Mayor Mosby asked if the Chief Executive Officer or his Executive staff could look into this matter further and come up with a potential model we can use. The Chief Executive Officer advised that so far it has been positive.

ACTION: Executive Director, Corporate Services to investigate different potential models that can be implemented for a Regional Employment and Education Strategy with cost reduction benefits and provide a report to SARG.

- **Media and Policy Procedure.**

Mayor Mosby enquired as to the status of the Media and Policy Procedure which has not been managed well and have not been for quite some time.

The Chief Executive Officer assured SARG members that he will work through those policies in the next couple of weeks and provide a report back at the next SARG meeting.

Ms Megan Barrett, Executive Director Corporate Services mentioned Corporate Services are currently working on the first working party for the social media policy and the media strategy along with Mr Jacob Matysek, Executive Assistant to the Mayor. They team has started to draft an Advocacy Action Plan and Policy and are hoping to convene a working group on that policy in the near future.

ACTION: Chief Executive Officer provide a report on the status of the Media Policy; the Advocacy Plan Policy; The Reconciliation Action Plan and the Transitional Action Plan to the next SARG meeting.

- **Refresher of TSIRC Corporate Plan.**

Ms Megan Barrett, Executive Director Corporate Services spoke to this topic and advised that during the Council workshop there were some nominal changes to the Corporate Plan. The Corporate Plan is now finalised which the Chief Executive Officer is refining over the last week and hope to have it digitally published next week.

2:45pm – Ms Ursula Nai left the meeting.

- **Strait Talk Council's regional newsletter.**

Ms Megan Barrett, Executive Director Corporate Services spoke to this topic. Ms Megan Barrett advised she is finalising the Chief Executive Officer's introduction to Strait Talk which is almost ready for press. Mr Brendan John, Graphic Officer is finalising the digitisation of some images.

- **Reconciliation Action Plan (RAP) and Transitional Action Plan (TAP).**

Ms Megan Barrett spoke to this topic. A Reconciliation Action Plan working group was convened in March and has had 4 meetings and making good progress in devising the RAP. As duty of care to our staff, the first meeting of the RAP working group ensured that everybody understood why TSIRC needs a RAP and what a RAP does so we are all working from a shared platform of understanding and information. The first draft of the RAP is proposed to be available by September. Once approved by Council the RAP will go to Reconciliation Australia. It is a further feedback process that can take an additional 6-8 months based on how quickly Reconciliation Australia turns the draft document around.

Further discussions then took place on the impacts this would have on the organisation.

- **Seawall project and funding.**

Mayor Mosby asked for an update on the Seawall project and funding in David's absence.

Mr James William, Chief Executive Officer provided an update on the seawall project and funding. Mr James William, Chief Executive Officer advised that Mr David Baldwin, Executive Director Engineering Services, is currently in meetings with the State and Federal representatives regarding the seawalls.

TSIRC will continue to push ahead with the remaining \$20m for Poruma, Masig and Yam.

4. **How we propose to run Council Meetings on Division for the remainder of the year:**

- Day 1: Consider Workshopping the agenda Day 1.
- Day 2: Running the Council Meeting Day 2.
- Day 3: Community Information Session with SARG and CEO Day 3.

Mr Jacob Matysek, Executive Assistant to the Mayor spoke to this topic following discussions with the Mayor, of having as many meetings back in Divisions. Mayor Mosby asked if this could be done from a budget perspective or does this require further investigations.

The Chief Executive Officer advised that this needs to be further investigated to come up with a plan and proposal on how this could work.

Mayor Mosby asked whether the Administration team could look into this further if it requires a budget or if there is scope in the current budget.

Further Discussions around funding for an additional day in community for a community information session with the SARG members and the Chief Executive Officer.

ACTION: That the Chief Executive Officer investigate the current budget allocated to face to face Council Meetings to see if SARG members are able to stay an additional day in divisions to attend Community Information Sessions hosted by the Mayor and Divisional Councillor.

5. **Update on the following Letters:**

Mayor Mosby asked for an update on the following letters:

Ms Megan Barrett, Executive Director Corporate Services provided an update and advised that most of the letters in those bullet points have been drafted with the assistance of Mr Jacob Matysek, Executive Assistant to the Mayor.

- **Response for Housing Letter from GBK**

The Chief Executive Officer gave assurance that he will look into this matter further and report back to the Committee within a month's time.

ACTION: That the Chief Executive Officer investigate whether a letter was sent to the Minister regarding a number of Councillors conflict of interest pertaining to GBK and provide feedback to SARG.

- Letter congratulating incoming Labor Government.
 - Letter inviting Labor Government Minister to the Torres Strait Penny Wong, Linda Berny, Pat Dodson,
 - Letter to TSRA, TSC, NPARC & GBK & Malu Lamar regarding 85th First Island Councillors Conference Anniversary.
 - Letter to State/Fed's minister regarding ribbon cutting projects Seawall Project on Boigu and Poruma, Multi-purpose Building on Saibai.
 - Letter to TSRA to fund Regional Leaders Forum in during December – February.
 - Letter to congratulate Vonda Malone on her appointment as TSRA CEO.
 - Letter to congratulate Mayor Yen Loban TSC.
- **(Corporate Affairs) Letter to Mirabou Energy:**
 - to confirm CEO James William affiliation to the company to address a potential COI matter.
 - to confirm what they are seeking from Council in the context of a potential limited Beneficial Enterprise or an approval from the Minister to participate or engage with Mirabou.

Mr James William, Chief Executive Officer advised on record that he does not have any links or shares or any former rights to the company but has declared his conflict of interest on a personal level to the proprietor, James Reynolds.

ACTION: Manager Legal Services to write to Mirabou Energy confirming Mr James William's affiliation to the company.

- Letter to Hawaiki Nui – requesting what information can be provided to TSIRC to make submission to Commonwealth/State.

ACTION: That the Executive Assistant to the Mayor have an offline conversation with the Mayor and Chief Executive Officer regarding Hawaiki Nui.

8. Executive Director Corporate Services

1. Council Policies – People and Wellbeing Policy.

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

RESOLUTION:

Move: Cr Keith Fell; Second: Cr Conwell Tabuai

That the Strategic Advisory Reference Group endorses the following policy and supports inclusion of this report and recommendation at the June 2022 Ordinary Meeting:

- People and Wellbeing Policy

MOTION CARRIED UNANIMOUS

9. SARG COMMITTEE MOVED INTO CLOSED BUSINESS

RESOLUTION:

Move: Cr Keith Fell; Second; Cr Conwell Tabuai

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:

(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.

- EDES – TSIRC Fuel Improvement Program Status Update Report.

COMMITTEE MOVED OUT OF CLOSED BUSINESS AND RESUME IN OPEN BUSINESS

RESOLUTION:

Move: Cr Keith Fell; Second: Cr Hilda Mosby

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

MOTION CARRIED UNANIMOUS

4:15pm - For minute taking purposes staff were asked to leave the meeting for a closed committee session.

10. General/ Other Business (on notice)

11. Next meeting date – Tuesday 5th July 2022 | 1pm – 4pm

Mayor Mosby confirmed the next meeting date as Tuesday 5th July 2022 via video conference.

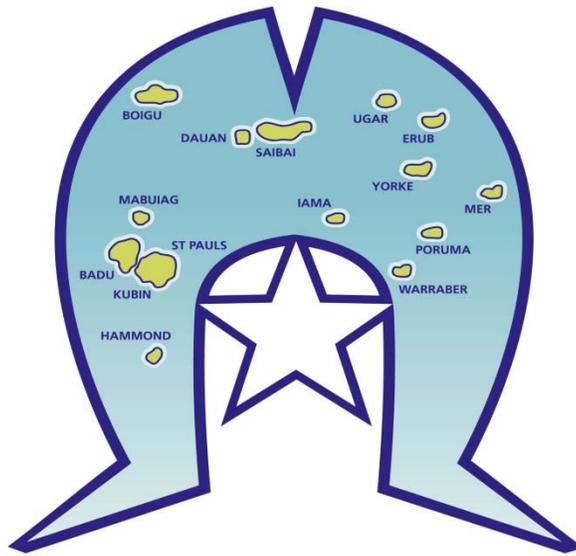
12. Closing Remarks and Prayer

Cr xxxxx closed the meeting in prayer.

MEETING CLOSED – 4:30PM

.....
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

GOVERNANCE AND LEADERSHIP COMMITTEE

Date: 13th June 2022

Time: 10:00am to 12:00pm

Venue: Video Conference #7 – 0299 165 401

PRESENT:

Cr Getano Lui – Chair, Division 9, Iama
Cr Lama Trinkoon – Committee Member, Division 6, Kubin
Cr Dimas Toby – Committee Member, Division 1, Boigu

STAFF:

Ms Megan Barrett – Executive Director Corporate Services
Mr Peter Krebs – Manager Legal Services
Ms Naila Nomoa – Minute Taker (Secretariat Team)

APOLOGIES:

Nil

1. **Welcome (Chair)**

Cr Getano Lui welcomed staff and councillors.

2. **Opening Prayer**

Cr Getano Lui invited Cr Dimas Toby to open with a word of prayer.

3. **Apologies**

Nil

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

No COI declared

5. **Confirmation of Minutes – 10th November 2021**

RESOLUTION:

Move: Lama Trinkoon; Second: Cr Dimas Toby

That the Committee notes the Minutes of the meeting held on 10th November 2021 as true and accurate account of that meeting.

MOTION CARRIED UNANIMOUS

6. **Confirmation of draft discussions of Committee Meeting – 28th February 2022**

Meeting was noted on Monday 28th of February 2022 as conversation.

Cr Getano Lui and Executive Director, Corporate Services Ms Megan Barret will meet in person for further discussion.

7. **Action Items List – Nil**

Nil.

8. LEGAL – Delegations Update:

Mr Peter Krebs, Manager Legal Services spoke to the report.

Cr Lama Trinkoon left meeting.

Recommendation:

Move: Cr Dimas Toby; Second: Cr Getano Lui

That the Committee recommend to Council that under section 257 of the Local Government Act 2009, Council delegate to the Chief Executive Officer the exercise of powers under the Residential Tenancies and Rooming Accommodation Act 2008 ('RTRA'), the water supply (Safety and Reliability) Act 2008 ('WSSR'), and the Public Health (Infection Control for Personal Appearance Services) Act 2003 (Qld) ('PHIC') and these powers must be exercised subject to Ailan Kastom and any limitations contained in Schedule 2 of the attached instruments of Delegation.

MOTION CARRIED UNANIMOUS

9. Culturally appropriate recruitment and orientation at TSIRC – Verbal

Ms Megan Barret, Executive Director Corporate Services provided a verbal update and invited committee to give feedback.

- Re-examine position description
- Standard interview questions e.g.; 'do you understand "Ailan Kustom"'
- Education around Belcarra reforms
- Revised standard wording of position description and advertisement
- Feedback of cultural awareness document
- Recruitment Guidelines similar to TSRA and DATSIP could be used as an example.

Chair, Cr Getano Lui

- Communication
- Working together
- Approach together
- Belcarra

Cr Dimas Toby

- Support Cr Getano Lui comments.
- Culture and drive behind on how council operates.

10. General/ Other Business (on notice)

Cr Getano Lui

- Enquired about the role of the Governance and Leadership Committee.
- Understands from emails from Mayor Phillemon Mosby that Corporate Services is short staffed.
- Need to prioritise if regional governance should be a No. 1 discussion.
- Previous Indigenous Leaders Forum, TSRA did not support secretariat.
- Have a proactive approach as ministers do not know the past existence.
- 85th year celebration of the first Councillors meeting held on Yorke Island.
- TSRA to hand-over native title to GBK.
- GBK constituents travelled to Yam Island to attend the 30th anniversary of the Torres Strait Flag and Mabo Day celebration.

Cr Dimas Toby

- Newly appointed Chief Executive Officer for TSRA had their 1st meeting with their board members.

Mr Peter Krebs, Manager Legal Services clarified Cr Getano Lui's enquiry about the role of the Governance and Leadership Committee and the reasons in having those Standing Committees.

11. Next meeting date

- Monday, 29th August 2022 |10am via Video Conference

Cr Getano Lui advised that an earlier meeting may be called however he will advise the Committee.

12. Closing Prayer

Cr Getano Lui closed the meeting with a word of prayer.

MEETING CLOSED – 12:30PM

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

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

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 Meeting	Year	Type of Meeting	Community	Agenda Report	Action	Lead Officer	Advisory Officer	Budget	Plans	Lead Officer Comments	ETA
16	May	2022	Ordinary	Cairns	Standing Agenda Items	Secretariat Remove as a Standing Agenda Item on the Ordinary Meeting Agenda and placed as standing agenda on the Housing and Safe and healthy Communities, Women and Employment Committee.	Secretariat				Completed	Completed
17	May	2022	Ordinary	Cairns	ENGINEERING - CB - Fuel Improvement Program Status Update Report	Cr Trinkoon requested additional fuel information/plans for Kubin from the Executive Director, Engineering Services.	Executive Director Engineering Services				Executive Director Engineering Services to have an offline conversation with Cr Trinkoon	



TORRES STRAIT ISLAND REGIONAL COUNCIL

AGENDA REPORT

ORDINARY MEETING:	June 2022
DATE:	28 & 29 June 2022
ITEM:	Agenda Item for <u>Resolution</u> by Council
SUBJECT:	Funding Agreement – Forward Remote Capital Program
AUTHORS:	Melissa Wright – Acting Manager, Enterprise Development & Delivery

Recommendation:

Council resolves to:

- Enter into the proposed funding agreement, administered by The Department of Communities, Housing & Digital Economy in relation to the Forward Remote Capital Program for the total grant sum of \$14,427,863 (incl. GST).

and

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

Executive Summary:

Council submitted a proposal to the Department of Communities, Housing and Digital Economy under the Forward Remote Capital Program to increase the supply of housing within our communities. The Department have approved the proposal with an offer of a formal agreement.

Background:

The Australian Government have committed \$105 million to the Forward Remote Capital Program with the intention of addressing housing needs in remote Indigenous communities. The allocation methodology was based on the following weightings: Population (60%), Overcrowding (30%) and Homelessness (10%). Further, a Building Price Indices using Rawlinson's Construction Cost Guide would be applied to calculate funding allocations for each Council.

The program allocation offered to Council is \$14,427,863, inclusive of GST, to construct five new houses, two new duplexes, and 16 extensions to existing social housing dwellings to help alleviate the issue of overcrowding.

In accordance with the agreement, funding to Council will be provided through three payments as detailed below:

- 30% on execution of the agreement - \$4,328,359
- 60% on completion of the planning preparation stage - \$8,656,718
- 10% on completion of the proposed works - \$1,442,786.

Proposed Works;

Location	Construction Details	
64 Dau Street, Boigu	Extension	2 bedroom, 1 bathroom plugin
33 Army Street, Boigu	Extension	2 bedroom, 1 bathroom plugin
109 Francis Close, Hammond	New House	3 Bedroom
Lot 49 Ikigau Street, Kubin	Extension	2 bedroom, 1 bathroom plugin
Lot 108, Meimakgau Street, Kubin	Extension	2 bedroom, 1 bathroom plugin
89 School Street, Mabuiag	New Duplex	2 x 3 bedroom duplex
Lot 122 Futuna Street, St Pauls	Extension	2 bedroom, 1 bathroom plugin
Lot 50 Levi Street, St Pauls	Extension	2 bedroom, 1 bathroom plugin
102 Main Road, Dauan	New House	4 bedroom house
Lot 12 Westside Penaro Hill, Erub	New Duplex	2 x 3 bedroom duplex
205 Depot Road, Saibai	Extension	2 bedroom, 1 bathroom plugin
81 Airport Drive, Saibai	Extension	2 bedroom, 1 bathroom plugin
TBD, Ugar	New House	4 bedroom house
TBD, lama	Extension	2 bedroom, 1 bathroom plugin
TBD, lama	Extension	2 bedroom, 1 bathroom plugin
Lot 102 Marou Road, Mer	New House	4 bedroom house
29D Murray Street, Poruma	Extension	2 bedroom, 1 bathroom plugin
29B Murray Street, Poruma	Extension	2 bedroom, 1 bathroom plugin
TBD Warraber	New House	3 bedroom detached house
215 Acus Street, Masig	Extension	2 bedroom, 1 bathroom plugin
35 Dans Street, Masig	Extension	2 bedroom, 1 bathroom plugin
TBD Badu	Extension	2 bedroom, 1 bathroom plugin
TBD Badu	Extension	2 bedroom, 1 bathroom plugin

The relevant teams will be revisiting the proposed allocations and consult with Councillors.

Consultation:

- Divisional Councillors
- Acting Chief Executive Officer
- Acting Executive Director, Community and Building Services
- Department of Seniors, Disability Services, and Aboriginal and Torres Strait Islander Partnerships
- Department of Communities, Housing and Digital Economy

Finance & Risk Considerations:

Risk Considerations

The key considerations for this agreement include:

- Native Title
- Indigenous Land Use Agreements (ILUA)
- Rent Increases
- Increases to construction and material costs
- Freight and other on costs

Council Finance

Council is not required to contribute funds towards the project.

Statutory Requirements:

Local Government Act 2009 (Qld)

Conclusion:

That Council enters into proposed funding agreement and delegates authority to the Chief Executive Officer to execute any and all matters associated with or in relation to this funding agreement.



Author:

Melissa Wright
Acting Manager,
Enterprise Development & Delivery



Endorsed/Recommended:

Dawson Sailor
Head of Community Services



Approved:

James William
Chief Executive Officer

Forward Remote Capital Program FUNDING AGREEMENT

BETWEEN: STATE OF QUEENSLAND through the Department of Communities,
Housing and Digital Economy
(the State)

AND: Torres Strait Island Regional Council
(the Council)

Background

The [Queensland Government Aboriginal and Torres Strait Islander Housing Action Plan 2019 – 2023](#) and [Action Plan Highlights](#) include commencing a \$40 million capital housing program in the first year of the plan. This \$40 million funding has been allocated equally among the 17 local governments for Aboriginal and Torres Strait Islander local government areas (including Torres Shire Council).

Since that time the Australian Government committed \$105 million to be used to address housing needs in remote Indigenous communities. A Mayors Workshop was held and an allocation methodology agreed for the distribution of the funds with weightings given for population (60%), overcrowding (30%) and homelessness (10%) and applying a Building Price Indices using Rawlinson’s Construction Cost Guide. This allocation has resulted in funding of **\$14,427,863 (GST inclusive)** being available to Torres Strait Island Regional Council. Funds must be applied to increase the supply of housing in the community, through lot development, new construction, or extension of existing dwellings.

The State agrees to pay the Funding to the Council to use as a contribution towards the cost of the Works, on the terms of this Agreement.

Agreement Particulars

Item 1	State contact:	Address:	PO Box 690, Brisbane, Queensland 4000
		Telephone:	07 3007 4453
		Email:	HHS-ATSIHU-OED-Executive-Requests@chde.qld.gov.au
		Attention:	Executive Director, Aboriginal and Torres Strait Islander Housing Unit

Item 2	Council contact:	Address: PO Box 7336, Cairns, Queensland 4875
		Telephone: 07 4034 5700
		Email: CEO@tsirc.qld.gov.au
		Attention: Name: Mr James William
		Position: CEO
Item 3	Funding:	\$14,427,863 (<i>Inclusive</i> of GST).
		<i>Note: The State will pay most of the Funding in advance as set out in the Steps below and the Council is responsible for efficient spending of the Funding and ensuring that Funding is spent only on the Works.</i>
		<i>Overspend:</i> <i>Spending in excess of the Funding is the responsibility of the Council. The State is not required to provide further funding, under clause 3.3 of the Agreement Standard Terms.</i>
		<i>Underspend:</i> <i>Must be returned to the State unless otherwise agreed, under clause 3.4 of the Agreement Standard Terms.</i>
Item 4	Land:	The land identified in the document in Schedule 3.
Item 5	Dwellings:	The Social Housing dwellings to be constructed on the Land through the Works.
Item 6	Works:	The following works to be carried out on the Land in accordance with the documents in Schedule 4: <ol style="list-style-type: none"> 1. Construct five new dwellings; 2. Construct two new duplexes; 3. Construct 16 extensions to existing social housing dwellings.
Item 7	Council Minimum Contribution:	Nil
Item 8	Start Date:	The date this Agreement is signed by the last party to sign this Agreement.

Steps

Note These are the main steps. The Agreement Standard Terms set out further and more detailed obligations and rights.

Payment **The State will pay to the Council the first instalment of the Funding of \$4,328,359 (GST inclusive), being 30% of the Funding, within 14 days after the Start Date.**

For clarity, the costs of carrying out the Stage 1 Steps are expected to be much less than the amount of this first instalment. The balance remaining must be used for Stage 2 Steps.

Stage 1 Planning and preparation

The Council must do the following:

- Administrative matters - Open a separate bank account for the Funding. Keep detailed expenditure records in relation to the Funding and Works. Provide the Quarterly Reports in the relevant form in Schedule 2 within 14 days after the end of each Quarter.
- Prepare and provide to the State, and obtain the State's approval to, a proposed:
 - complete description of the Land to be included in item 4 of the Agreement Particulars and documents to be included in Schedule 3; and
 - complete description of the Works to be included in item 6 of the Agreement Particulars and documents to be included in Schedule 4.

Upon the State's notice of approval to the Council, items 4 and 6 of the Agreement Particulars and Schedules 3 and 4 are deemed to include the descriptions and documents attached to the State's notice.

- Ensure that native title and cultural heritage matters are addressed.
 - Obtain development approval or seek an exemption through the Department of Communities, Housing and Digital Economy, if required.
 - Obtain tenure to the Land (if not already held).
 - Have the Land surveyed (if not already surveyed).
 - Have the Works designed generally consistent with the department's [Design and Construction Standards for Remote Housing](#) and obtain the State's approval of the design. Refer to **Annexure 1 (Design and Construction Standards for Remote Housing)**
 - Obtain structural certification of the design.
 - Invite tenders for the Works unless the Works are being carried out by Council
-

-
- Appoint appropriately licenced contractors to deliver the Works or nominate Council employees to deliver the Works.
 - Ensure any nominated Council employees undertaking the Works have the requisite skills, qualifications, licences and experience expected of a competent and appropriately qualified professional.
 - Obtain building approval for the Works. Ensure that all relevant approvals are obtained and ensure that all statutory requirements in connection with the Works are met by the Council and contractors.
 - Provide the Stage 1 Report to the State in the relevant form in Schedule 2 within 14 days after completing these steps.

Target Date for completion of Stage 1 Steps: 18 months after the date of the execution of the agreement.

Sunset Date for completion of Stage 1 Steps: 2 years after the date of the execution of the agreement.

Payment

The State will pay to the Council the second instalment of the Funding of \$8,656,718 (GST inclusive), being 60% of the Funding, within 14 days after the State has accepted, acting reasonably, that the Stage 1 Steps have been completed.

For clarity:

- the costs of carrying out Stages and Works may be more than the total instalments paid; and
 - the Council is responsible for completing the Stages and the Works even if the Funding instalments that have been paid are less than the costs the Council incurs to complete the Stages or the Works.
-

Stage 2

Works

The Council must do the following:

- Have the Works carried out.
- Provide the Quarterly Reports in the relevant form in Schedule 2 within 14 days after the end of each Quarter.
- Ensure Practical Completion is achieved.
- Comply with reasonable handover requirements specified by the State by notice to the Council. These requirements may include providing copies of warranties for fixtures and chattels and final plans or as-constructed drawings and attending a joint inspection of the Works with the State. Refer to **Annexure 2 (Property Handover Checklist)**.
- Provide a Stage 2 Report to the State in the relevant form in Schedule 2 within 14 days after completing these steps.

Target Date for completion of Stage 2 Steps: four years and six months from Start date

Sunset Date for completion of Stage 2 Steps: five years from Start date

Payment

The State will pay to the Council the final instalment of the Funding of up to \$1,442,786 (GST inclusive), being up to 10% of the Funding, within 14 days after the State, acting reasonably, has accepted that the Stage 2 Steps have been completed.

Overspend: Spending in excess of the Funding is the responsibility of the Council. The State is not required to provide further funding.

Underspend: The final instalment will be reduced by the amount of any underspend, that is, by an amount equal to the Funding plus the Minimum Council Contribution minus the Council's actual costs in delivering the Works.

Stage 3

Ongoing use

The Council must ensure that the Dwellings are used for Social Housing to accommodate individuals on the Housing Register.

Agreement Standard Terms

1. INTERPRETATION

1.1 In this Agreement the definitions in the Agreement Particulars and the following definitions apply:

Agreement Particulars means the agreement particulars at the start of this Agreement;

Business Day means a day that is not a Saturday, Sunday or a public holiday in the place where the matter or thing is to be done;

Claim includes any claim, action, proceeding, demand, liability, obligation, costs, loss, damages and expenses, including legal expenses;

Force Majeure Event means an unforeseeable event beyond the control of a party which occurs without fault or negligence of the affected party including:

- (a) acts of God;
- (b) war, riot, insurrection, vandalism or sabotage;
- (c) strike, lockout, ban, limitation of work or other industrial disturbance; and
- (d) law, rule or regulation of any government or governmental agency and executive or administrative order or act of general or particular application;

GST Act means *A New Tax System (Goods and Services Tax) Act 1999* (Cth);

GST Amount means the amount of GST on a Taxable Supply calculated at the rate of GST applicable at the time that the Taxable Supply is made;

GST has the same meaning as in the GST Act;

Housing Register means the single list of approved applicants waiting for social housing maintained by the State;

Input Tax Credit has the same meaning as in the GST Act;

Practical Completion means when:

- (a) the Works have reached completion except for minor omissions and defects and the Dwellings are capable of being properly used for Social Housing; and
- (b) all relevant statutory requirements have been complied with and certificates for those requirements have been obtained by the Council;

Program means the State's Forward Capital Works Program;

Proposal means the application for funding submitted by the Council to the State, a copy of which forms Schedule 1;

Quarter means each three month period ended 30 September, 31 December, 31 March and 30 June;

Quarterly Reports means a report for each Quarter in the relevant form in Schedule 2;

RCTI means a recipient created Tax Invoice;

Report means a Quarterly Report, Stage 1 Report or Stage 2 Report;

Social Housing has the same meaning as in the *Housing Act 2003*;

Stage 1 Report means a report for Stage 1 Steps in the relevant form in Schedule 2;

Stage 2 Report means a report for Stage 2 Steps in the relevant form in Schedule 2;

Stage means a stage set out in the Steps section at the start of this Agreement;

Steps means obligations of a party set out in the Steps section at the start of this Agreement;

Sunset Date for a Stage means the sunset date for the Stage specified in the Steps;

Target Date for a Stage means the target date for the Stage specified in the Steps;

Tax Invoice has the same meaning as in the GST Act;

Taxable Supply has the same meaning as in the GST Act.

1.2 In this Agreement:

- (a) words importing a gender include any other gender and words in the singular include the plural and vice versa;
- (a) any monetary amounts refer to Australian currency unless otherwise specified;
- (b) a reference to legislation includes subordinate legislation made under it and any legislation amending, consolidating or replacing it;
- (c) a reference to policies or procedures includes any policies or procedures amending, consolidating or replacing them;
- (d) a reference to an individual or person includes a corporation or other legal entity;
- (e) a reference to a clause, schedule or annexure means a clause, schedule or annexure to this Agreement;
- (f) the index and headings are included for convenience of reference only and are not intended to affect the meaning of this Agreement;
- (g) if an expression is defined, other grammatical forms of that expression will have corresponding meanings;
- (h) a reference to days or months means calendar days or months;

- (i) if the day on which any act or thing is to be done under this Agreement is a Saturday, Sunday or public holiday in the place where the act or thing is to be done, the act or thing may be done on the next business day in that place;

- (j) an obligation on the part of two or more persons binds them jointly and each of them individually; and

- (k) a reference to consent or approval means prior written consent.

1.3 In the event that a government department or agency mentioned in this Agreement:

- (a) ceases to exist; or

- (b) is reconstituted, renamed or replaced, and its powers or functions are transferred to another government department or agency, a reference to the government department or agency will include that other government department or agency.

1.4 In the event of any inconsistency between provisions in different parts of this Agreement the provisions will prevail in the following descending order of precedence:

- (a) Agreement Standard Terms.

- (b) Agreement Particulars.

- (c) Steps.

- (d) Schedules.

- (e) Annexures.

2. TERM

2.1 This Agreement will commence on the Start Date and continue indefinitely as there is an ongoing obligation for the Council to ensure the Dwellings are used for Social Housing.

3. FUNDING

3.1 The State will pay each instalment of the Funding set out in the Steps to the Council on the date for payment set out in the Steps, subject to the Council's continuing compliance with this Agreement.

- 3.2 Payment of the Funding does not constitute acceptance by the State that the Council has complied with its obligations with this Agreement.
- 3.3 Any expenditure incurred by the Council in excess of the Funding is the responsibility of the Council. The Council acknowledges that the State's contribution to the Works is capped at the amount of the Funding and the State is not obliged to contribute any additional amount.
- 3.4 If the Council's actual costs in delivering the Works are less than the amount of the Funding plus the Minimum Council Contribution, the Council must refund any excess monies to the State, including any GST component and any interest earned, unless otherwise agreed in writing by the State.
- 3.5 For the purpose of calculating actual costs in delivering the Works, Input Tax Credits that the Council can claim are excluded.
- Schedules 3 or 4 or any other provision of this Agreement; and
- (ii) in its reasonable discretion - in any other case; and
- (c) if an approval is declined the Council must resubmit the thing for approval with any changes reasonably requested by the State.
- 4.4 The Council must not materially change any part of the Works without first obtaining the State's approval.
- 4.5 The Council must do the following:
- (a) Keep the Funding in a separate bank account. Any interest earned on the Funding forms part of the Funding.
- (b) Spend the Funding:
- (i) only on costs of carrying out the Works incurred on or after the Start Date; and
- (ii) substantially in accordance with the budget in the Proposal.

4. COUNCIL'S OBLIGATIONS

- 4.1 The Council must use best endeavours to complete the Steps for a Stage by the Target Date for the completion of the Steps.
- 4.2 The Council must complete the Steps for a Stage by the Sunset Date for the Stage. The Council acknowledges that if the Council does not achieve the Steps for a Stage by the Sunset Date for the Stage the State may terminate this Agreement under clause 15.1(d).
- 4.3 If the Steps provide that the Council must obtain the State's approval to do something then:
- (a) the Council must promptly seek the State's approval;
- (b) the State may approve or refuse the approval or impose conditions on the approval:
- (i) in its entire discretion - if the thing is inconsistent with items 4 or 6 of the Agreement Particulars or
- (c) Exercise due care and skill in carrying out its obligations under this Agreement.
- (d) Comply with all applicable laws.
- (e) Contribute at least the Council Minimum Contribution towards the costs of the Works.
- 4.6 Costs of carrying out the Works under clause 4.5(b)(i) exclude:
- (a) general operating costs incurred by the Council including administrative, general business, training, operational, production and marketing costs; and
- (b) salary costs incurred by the Council other than a proportion of reasonable salary costs of individuals employed by the Council undertaking the Works equal to the percentage of the employee's total work hours spent carrying out the Works.

- 4.7 Payment of the Funding does not constitute approval by the State of anything submitted to the State for approval.
- 4.8 Approval or comment by the State on something submitted under this Agreement does not relieve the Council from any requirements to obtain approvals under relevant laws.
- 4.9 The Council must, no later than 5 Business Days after the State's request, provide details relating to nominated Council employees undertaking the Works, including but not limited to qualifications, experience and total work hours spent carrying out the Works.
- 4.10 The Council must ensure any nominated Council employee undertaking the Works have the requisite skills, qualifications, licences and experience expected of a competent and appropriately qualified professional.

5. ONGOING USE

- 5.1 The Council must ensure that the Dwellings are used for Social Housing to accommodate individuals on the Housing Register.
- 5.2 If Council intends to dispose of its interest in the Land or Dwellings to a third party, the Council must, prior to the disposal, enter into a deed with the buyer on terms satisfactory to the State under which the buyer agrees to ensure that the Dwellings are used for Social Housing.
- 5.3 If the Steps indicate that the Council agrees to grant and the State agrees to accept a 40-year lease of the Dwellings then:
- (a) the Council agrees to grant and the State agrees to accept a lease in substantially the same terms as the lease annexed in Schedule 5;
 - (b) the commencement date of the lease will be 14 days after the State pays to the Council the final instalment of the Funding and the expiry date will be the

date 40 years after that commencement date;

- (c) both parties must comply with the lease, even if the lease has not been signed or registered;
- (d) the State will prepare the lease and deliver it to the Council and the Council must promptly sign it and return it to the State;
- (e) the State will promptly sign the lease and provide a copy to the Council; and
- (f) the Council authorises the State to do anything reasonably required to register the lease, including completion of blank details and minor amendments to enable registration.

6. REPAYMENT

- 6.1 If, at any time, the State forms the reasonable opinion or otherwise becomes aware that:
- (a) any part of the Funding has been used, spent or committed by the Council other than in accordance with this Agreement; or
 - (b) the State has made payments of the Funding, or otherwise, to which the Council is not, in whole or part, entitled,

the State may by written notice to the Council require the Council to repay that part of the Funding, and the Council must repay to the State the amount set out in the notice within 20 Business Days of receipt of the notice.

7. RECORDS AND AUDIT

- 7.1 The Council must keep complete and accurate accounts in relation to the Funding and the Works and the performance of its obligations under this Agreement, including:
- (a) records of its receipt and expenditure of the Funding, the Council Maximum Contribution;

(b) records of expenditure on the Works and the performance of its obligations under this Agreement.

7.2 The Council must, if requested by the State:

(a) have its accounts kept under clause 7.1 audited by an independent auditor, and provide a copy of the audited accounts to the State within three months after the end of each financial year;

(b) produce any document, invoice or receipt connected with the Funding or the Works within one month after the request.

7.3 The Council must, no later than one month after the State's request, permit and provide persons nominated by the State (**Auditors**) access to the Council's employees, premises, books, records, documents, computer systems, equipment and other property to enable the Auditors to:

(a) inspect and copy:

(i) accounts kept under clause 7.1; and

(ii) documents related directly or indirectly to the receipt or expenditure of the Funding or the conduct of the Works; and

(b) discuss with the Council, any matter pertaining to the Works or the Council's compliance with its obligations under this Agreement.

7.4 The Auditors may make copies of books, records, documents and other materials, and the Council will provide the Auditors with the necessary facilities to enable them to do so.

8. REPORTS

8.1 The Council must give the State the Reports set out in the Steps. The Council must ensure that Reports are accurate, complete and not misleading.

8.2 The Council must provide further information about any matter connected with a Report or resubmit a Report to the

State, within 10 Business Days after the State's request.

8.3 The State, acting reasonably, may change the information required to be contained in Reports by notice to the Council. The Council must ensure that Reports it submits after it receives notice of the change contain the information required under the notice.

8.4 If the Council is aware of an allegation in connection with the Funding or the Works which raises a reasonable suspicion of misconduct, dishonesty or unlawful behaviour of a serious nature the Council must report the allegation to the relevant authority, including the Queensland Police Service, and notify the State of the allegation.

9. SITE VISITS

9.1 The Council must, no later than 5 Business Days after the State's request, allow persons nominated by the State to access the Land to view the progress of the Works. The Council must make its employees and contractors available to answer questions about the progress of the Works during the site visits. The parties acknowledge that these site visits will usually coincide with the State's review of Reports.

10. ACKNOWLEDGEMENT OF FUNDING

10.1 The Council must, in making any public statement or in any promotional or publicity material produced by the Council in relation to the Works, include an acknowledgment of the funding received from the State in a form approved by the State.

11. PRIVACY

11.1 The Council must comply with Parts 1 and 3 of Chapter 2 of the *Information Privacy Act 2009* (Qld) in relation to the discharge of its obligations under this Agreement as if it was the State.

12. INTELLECTUAL PROPERTY RIGHTS

12.1 The Council grants, and will ensure that any relevant third parties grant, the State a paid up, non-exclusive, irrevocable licence to use, reproduce, adapt and sub-license, for the purpose of administering this Agreement and for any purpose connected with social housing, including designing and building other social housing, material supplied by the Council to the State in connection with this Agreement.

13. INDEMNITY

13.1 The Council releases, discharges and indemnifies the State, to the full extent permitted by law, from and against any Claim that may be brought against or made upon or incurred by the State arising directly or indirectly out of:

- (a) the Works;
- (b) any wilful, negligent or unlawful act or omission of the Council; or
- (c) a breach of this Agreement by the Council.

except to the extent that any act or omission by the State caused or contributed to the claim.

13.2 The Council carries out the Works entirely at its own risk and the State will not be liable for any Claim brought against or made on or incurred by the Council in carrying out the Works.

14. INSURANCE

14.1 The Council must comply with the requirements of section 107 of the *Local Government Act 2009* and section 214 of the *Local Government Regulation 2012*.

14.2 The Council must take out and maintain a Workers' Compensation insurance policy in compliance with the requirements of the *Workers' Compensation and Rehabilitation Act 2003*.

14.3 The Council must, upon request in writing by the State, produce evidence to the State's

satisfaction of the insurances required by this clause.

15. TERMINATION

15.1 The State may immediately terminate this Agreement by notice in writing if:

- (a) the Council is in breach of the Agreement and the breach is not capable of being remedied or the breach is capable of being remedied and the Council fails to remedy the breach within 10 Business Days after a notice to remedy from the State specifying the breach;
- (b) any information the Council gives the State is false or misleading in any material respect;
- (c) the Council notifies the State that it is unable or unwilling to commence or continue with the Works; or
- (d) the Council has not completed its Steps for a Stage by the Sunset Date for those Steps.

15.2 If the State terminates this Agreement under clause 15.1, the State may, in the notice of termination, require the Council to immediately repay all or part of the Funding and such sum will be a debt due and recoverable by the State.

15.3 If this Agreement is terminated by the State under clause 15.1, then the State:

- (a) will have no obligation to pay to the Council any part of the Funding not already paid; and
- (b) may demand immediate and full repayment of all or any part of the Funding already provided to the Council, following which demand such amounts will be a debt immediately due and payable to the State.

15.4 Termination or expiry of this Agreement will not affect any rights or remedies already accrued to either party under, or in respect of any breach of, this Agreement and will not relieve either party of any obligation

under this Agreement that is expressed to continue after termination or expiry.

- 15.5 The following clauses will survive termination or expiry of this Agreement:
- (a) Clause 5 (Repayment).
 - (b) Clause 7 (Reports).
 - (c) Clause 7 (Records and Audit).
 - (d) Clause 11 (Privacy).
 - (e) Clause 12 (Intellectual Property Rights).
 - (f) Clause 13 (Indemnity).
 - (g) Clause 15 (Termination).

16. DISPUTE RESOLUTION

- 16.1 The Council and the State agree to follow the following procedure prior to the commencement of litigation or other external dispute resolution procedure.
- 16.2 If either party notifies the other in writing that a dispute exists, then the parties will meet within 5 Business Days after receipt of the notice at a mutually convenient time and place or by telephone conference and attempt to resolve the dispute.
- 16.3 If, after 5 Business Days after meeting in accordance with clause 16.2, the parties cannot resolve the dispute to their satisfaction as agreed in writing, then either of them may give notice of the inability to resolve such dispute to their respective nominated chief executives. Within 10 Business Days after receipt of the notice, the chief executives will meet at a mutually convenient place or by telephone conference and attempt to resolve the dispute.
- 16.4 If after 10 Business Days the chief executives have not resolved the dispute to their satisfaction as agreed in writing, then either party may proceed in accordance with its remedies at law.
- 16.5 The parties may agree to escalate the dispute to any level at any time, or to attempt to resolve the dispute through mediation.
- 16.6 Notwithstanding the existence of a dispute, each party will continue to perform its obligations under this Agreement.
- 16.7 Nothing in this clause prevents either party from commencing court proceedings relating to any dispute arising from this Agreement at any time where that party seeks urgent interlocutory relief.

17. CONFLICTS OF INTEREST

- 17.1 The Council warrants that no conflict of interest exists or is likely to arise in connection with the performance of this Agreement, and will promptly notify the State if any conflict of interest arises or, in the reasonable opinion of the Council, has the potential to arise.

18. FORCE MAJEURE

- 18.1 If the performance by a party of an obligation under this Agreement is affected by an unavoidable delay due to a Force Majeure Event:
- (a) the party must:
 - (i) promptly give notice of that fact to the other party; and
 - (ii) do all things necessary to mitigate remove the effects of the Force Majeure Event; and
 - (b) that obligation is suspended to the extent that the performance of the obligation is affected by the Force Majeure Event as long as the Force Majeure Event continues.
- 18.2 Notice of a Force Majeure Event must include:
- (a) the full particulars of the Force Majeure Event;
 - (b) the effect of the Force Majeure Event on the affected party's performance of their obligations;

- (c) the anticipated period for which the Force Majeure Event will continue; and
- (d) any action the affected Party intends to take to mitigate or remove the effect of the Force Majeure Event.

18.3 Either party may terminate this Agreement if a party is prevented from or delayed in performing its obligations because of a Force Majeure Event for at least six months. Within 14 days after the date of termination under this clause 18.3 the Council must refund any unspent Funding to the State and such sum will be a debt due and recoverable by the State.

19. NOTICES

19.1 All notices in connection with this Agreement must be in writing and must be delivered to the address of the party set out in Schedule 1 by hand or prepaid post or faxed to the party's facsimile number or emailed to its email address.

19.2 A notice will be deemed to be given:

- (b) if posted – 2 Business Days after the date of posting;
- (c) if delivered by hand during a Business Day– on the date of delivery; or
- (d) if emailed – on the date of the email.

except that a fax, email or delivery received after 5:00 pm will be deemed to be given on the next Business Day.

19.3 The parties may from time to time change their respective addresses, telephone and facsimile numbers and email addresses by providing the other party with written notice.

20. GST

20.1 The Funding is specified *inclusive* of GST.

20.2 The State is not required to pay any amount to the Council in addition to the Funding on account of any GST Amount.

20.3 The Council must remit the GST Amount to the Commissioner of Taxation in accordance with the GST Act.

20.4 The parties agree to RCTI being issued as follows:

- (a) The State must issue a RCTI in respect of Taxable Supplies by the Council to the State under this Agreement and give a copy to the Council within 10 Business Days after the date that the State pays the Funding to the Council.
- (b) The Council must not issue Tax Invoices in respect of those Taxable Supplies.
- (c) The Council is registered for GST when it enters into this Agreement and it must notify the State if it ceases to be registered.
- (d) The State is registered for GST when it enters into this Agreement and it must notify the Council if it ceases to be registered.

20.5 If, for any reason, including without limitation:

- (e) any amendment to the GST Legislation;
- (f) the issue of a ruling or advice by the Commissioner of Taxation;
- (g) a refund to the State or to the Council in respect of a supply made under this Agreement; or
- (h) a decision of any tribunal or court,

the amount of GST paid by the State differs from the amount of GST paid or payable by the Council to the Commissioner of Taxation, then the Council must issue an appropriate GST adjustment note and any difference must be paid by or to the State as the case may be.

20.6 The parties agree to exchange such information as is necessary to enable each party to accurately assess its rights and obligations under this clause.

21. GENERAL PROVISIONS

- 21.1 **Entire agreement** - This Agreement constitutes the entire agreement between the parties and supersedes all prior negotiations, arrangements and agreements.
- 21.2 **Waiver** - No provision of this Agreement will be deemed to be waived unless that waiver is in writing and signed by the waiving party. Any failure by a party at any time to enforce a clause of this Agreement, or any forbearance, delay or indulgence granted by a party to the other will not constitute a waiver of the party's rights. A waiver by a party of a breach of any provision of this Agreement will not operate as a waiver of any subsequent breach of the same provision or as a waiver of any other provision.
- 21.3 **Governing law** - This Agreement will be construed according to the law of Queensland and the parties agree to submit to the jurisdiction of the courts of Queensland.
- 21.4 **Compliance with all laws** – Both parties must comply with all relevant laws in performing their obligations under this Agreement.
- 21.5 **Severability** - If any part of this Agreement is determined to be invalid, unlawful or unenforceable for any reason then that part will be severed from the rest of the Agreement and the remaining terms and conditions will continue to be valid and enforceable to the fullest extent permitted by law.
- 21.6 **Further assistance** – Each party must do all things reasonably required to give effect to this Agreement.
- 21.7 **No assignment** - The Council agrees that it will not assign, transfer, subcontract or novate in whole or part or create any security interest over or otherwise deal with in any way its interest in this Agreement,
- without the prior written consent of the State whose decision will be final.
- 21.8 **Costs** - Each party must pay its own costs of and incidental to the negotiation, preparation and execution of this Agreement.
- 21.9 **Variation** - This Agreement may be varied by agreement signed by both parties.
- 21.10 **Execution** – This Agreement may be signed in any number of counterparts with the same effect as if the signatures to each counterpart were on the same instrument. This Agreement may be executed electronically with the same force and effect as if it were manually executed.
- 21.11 **No agency or partnership** – The Council will not by virtue of this Agreement be or become an agent or partner of the State or a joint venturer with the State and must not represent itself or allow itself to be represented as the State's agent, partner or joint venturer.

Schedule 1 – Proposal



Torres Strait Island
REGIONAL COUNCIL

Housing Investment Plan 2020-2021

1. Project Proposal

Please provide in the attached **Capital Works Schedule**, particulars regarding what Council would like to spend the funding allocation on.

Under this program the approved funding must be used to increase the supply of housing including new construction, extensions to existing houses, or land lot development, however there is flexibility in how this is delivered.

Please see the applicable schedule as shown on pages 6-15 of this document.

2. Outcomes / Need

To ensure Council delivers the best possible outcome for each unique individual island, the register of need for each community was considered in alignment with addressing the key priorities of overcrowding, homelessness and the existing state of tenant dwellings considering the majority of which were constructed ten or more years ago.

Further, the outcome of this project addresses:

- a. Register of Need i.e., Overcrowding and homelessness.
- b. Strategic Operational Objectives;
- c. Mental and Physical Health for families in difficult situations; and
- d. Needs for disability clients as required.

The allocated funding for each division was put to community consultations through their respective Divisional Councillor to ensure the best possible outcome in addressing their specific community's need. This was also an opportunity for community to share and advise where they see the need is. As identified, below is the current needs articulated in these consultations were:

- a. New housing to address waitlist and growing families
- b. New infrastructure to address overcrowding
- c. Funding for maintenance to existing dwellings
- d. Funding for upgrade programs for existing dwellings

Council's Community Services Department maintains a Regional Housing Register of Need as shown below (data current as of 01/09/21):

Categories of Need:	Households/Families:
Category 1 - Homelessness, child safety issues, <u>disability</u> or medical needs	70
Category 2 - Overcrowding	161
Category 3 – Request to relocate to community, currently without adequate housing	53
Category 4 – Request to relocate to community, currently with adequate housing	21
Total	305

3. Delivery

Please describe what role Council would like to take in delivery of the project, and how this would be approached. This may include:

Councils preferred model would be as follows:

- Council, through its Building Services Unit (BSU), will design the desired dwelling options through our existing architectural partners and in alignment with the existing Tropical design(s).
- Plugin options have already been designed.
- Council, through its Building Services Unit (BSU), will QS all projects, project manage the entirety of the program lifecycle, and oversee all aspects of construction to ensure milestones are met.
- As the Principal and Principal Contractor, Council will sub-contract the works out to fully qualified and insured QBCC contractors who have registered with Council as preferred Suppliers.
- Through Council's Vendor Panel software, contractors will be invited to Tender.
- All contractors invited to Tender will be subject to Council's Ethical Sourcing Policy and as such have a minimum of a 70% local Torres Strait Islander employment.

4. Funding method

The funding methodology utilised for the \$40M interim capital works program will be applied. This is a three-stage tiered funding methodology based upon the following Stages with 30% payable for Stage 1, 60% for Stage 2 and 10% for Stage 3:

- Stage 1 (Planning and preparation) works need to be completed and evidence provided to the department before funding can be provided.
- Stage 2 works (Building).
- Stage 3 payment paid upon satisfactory completion of the works.

5. Service delivery and ongoing management

- Upon completion of new construction properties, ongoing management of property maintenance, leasing, and tenancy management activities will be through Council. Further the allocation for properties will remain the responsibility for Council's Community Services Department to address the register of need (as shown on page 3).
- Maintenance for plug-ins to existing dwellings and underbuilds will be maintained by Council internally through its Building Services Unit. Tenancy Management responsibilities will remain under Council's oversight to address overcrowding at each regional division.
- Policies and procedures have been established to further the consultation process to support a formalised lease through native title, creation and / or amendments of ILUAs through each Divisional Councilor, Prescribed Body Corporate (PBC), Traditional Landowner (TLO), Department of Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnerships (DSDSATSIP), and Council's Legal Services.

Schedule 2 – Forms

Quarterly Report

A brief report signed on behalf of the Council:

- (a) setting out:
 - (i) percentage of works completed to date;
 - (ii) total expenditure by the Council on the Works to date;
 - (iii) the amount of any unspent Funding;
 - (iv) any adverse matter connected with the Funding or the Works;
 - (v) details of contributions towards the cost of the Works made by the Council and any other person;
 - (vi) total number of people employed on the projects and total number of local Aboriginal or Torres Strait Islander people employed on the projects;
 - (vii) total number of indigenous local businesses engaged; and
- (b) attaching:
 - (i) photographs of the Land and Works;
 - (ii) a statement itemising expenditure on the Works;
 - (iii) copy of bank statements for the bank account for the Funding;
 - (iv) evidence of the amount and type of financial contributions towards the cost of the Works made by the Council and any other person;
- (c) The Council may at its discretion provide evidence of achieving targets under the local Indigenous Employment and Business Plan as part of the Quarterly Report.

Stage 1 Report

A report signed on behalf of the Council:

- (a) setting out:
 - (i) the matters that would be set out in a Quarterly Report; and
 - (ii) a summary of the Stage 1 Steps completed; and
- (b) attaching:
 - (i) the attachments that would be provided with a Quarterly Report; and
 - (ii) a copy of documents produced and received through the Stage 1 Steps, including plans, tenders, tender responses and approvals.

Stage 2 Report

A report signed on behalf of the Council:

- (a) setting out:
 - (i) the matters that would be set out in a Quarterly Report; and
- (b) attaching:

- (i) the attachments that would be provided with a Quarterly Report; and
- (ii) a copy of documents produced and received through the Stage 1 Steps, including evidence of Practical Completion.

Forward Remote Capital Program Stage 1 - Planning and Preparation Report

Insert council name

Insert Project Description

Stage One	Checklist	Attachments
Separate Bank Account opened	<input type="checkbox"/>	
Quarterly report/s submitted	<input type="checkbox"/>	
Description of Land provided (item 4 of Funding Agreement)	<input type="checkbox"/>	
Land Documents attached as Schedule 3 to Funding Agreement	<input type="checkbox"/>	
Description of works provided (Item Six of Funding Agreement)	<input type="checkbox"/>	
Works documents attached as Schedule 4 of Funding Agreement	<input type="checkbox"/>	
Native Title addressed	<input type="checkbox"/>	
Cultural Heritage Agreement in place	<input type="checkbox"/>	
Dwellings designs provided and approved	<input type="checkbox"/>	Schematic Design/Detailed Design submitted and attach copy of correspondence from the Department indicating approval
Development approval obtained or exemption sought through DCHDE	<input type="checkbox"/>	Copy of DA or letter of exemption
Structural Certification of design obtained	<input type="checkbox"/>	Copy of certified drawings and specifications
Building approval obtained	<input type="checkbox"/>	Copy of approval on Council letterhead
Tenders invited	<input type="checkbox"/>	Provide copy of advertisement unless all works to be undertaken by staff employed by council
Licensed contractors appointed	<input type="checkbox"/>	Name and licence number/s of contractors appointed and Letter of Acceptance and particulars.

Forward Remote Capital Program Stage 2 - Works		
Insert council name		
Insert Project Description		
Stage Two	Checklist	Attachments
All works have been satisfactorily completed.	<input type="checkbox"/>	
Quarterly report/s have been submitted.	<input type="checkbox"/>	
Practical completion has been issued.	<input type="checkbox"/>	Certificate of Practical Completion
Handover requirements have been achieved.	<input type="checkbox"/>	Handover Manual has been provided in the required form

Forward Remote Capital Program Stage 3 - Ongoing Use		
Insert council name		
Insert Project Description		
Stage Three	Checklist	Attachments
40 Year Lease has been executed by both the State and the Council	<input type="checkbox"/>	Copy of executed lease

Schedule 3 – Land

Funding year: 2020/2021

Aboriginal and Torres Strait Islander Housing

Capital Grants Program

Torres Strait Island Regional Council

Total Budget allocation: \$14,427,863

Targeted Priority (e.g. Overcrowding, homelessness, senior's accommodation etc)	Location – Lot Number / Street Address	New Construction / Replacement <small>(include no. of bedrooms and building type for example: 3- bedroom detached dwelling, 2+2 bedroom duplex, 6- bedroom duplex detached dwelling etc)</small>	Extensions <small>(Describe the type of extension for example, build-under, attached extension, detached extension)</small>	Occupational Therapist Assessment requirement <small>(Indicate NO/No whether an Occupational Therapist assessment is required)</small>	Land Development <small>(Description of land development including yield, Registered (Pkg and lot number)</small>	Native Title Addressed <small>(Indicate NO/No whether Native Title has been addressed)</small> DATSIP comments in red	Estimated start date	Estimated completion date	Estimated number of local people that will be employed	Estimated total project cost. <small>(Indicate how much you think each project listed will cost to complete)</small>	DATSIP comments	Map
Overcrowding	64 Dau Street, Boigu. Existing dwelling is a 4B detached highest house	2 Bedroom 1 Bathroom Plugin	Detached Extension Lowset	No	64 Dau St, Boigu. Lot 64 SP273190 Fully surveyed 887m ²	NO Extensions covered by Boigu Regional ILUA (class 4). Definition from Regional ILUA re: extensions "Extension" means the construction of any additional improvement, including any additional living room, bathroom or bedroom, which improvement may or may not be joined to the existing dwelling house, <u>provided that such improvement shall not contain a kitchen</u> . Boigu ILUA NOT YET REGISTERED (due for registration by end Nov 21)	January 2022	May 2022	70%	\$480k	Lot 64 is subject to an LHA lease entitlement Applicant- Peter Rynda Should not build on LHA entitlement area (unless applicant wants to surrender entitlement to lease for the purpose of remaining in social housing-note once LHA is granted, applicant is then in home ownership). Is the applicant the current tenant? Will the applicant/owner surrender this lease?	
Overcrowding	33 Army Street Existing dwelling is a 5B detached highest house	2 Bedroom 1 Bathroom Plugin	Detached Extension Lowset	No	33 Army St, Boigu Lot 33 SP273190 Fully surveyed 1125m ²	NO Extensions covered by Boigu Regional ILUA (class 4). See definition above. Boigu ILUA NOT YET REGISTERED (due for registration by end Nov 21) TSIRC to put notice to PBC under the ILUA once the ILUA is registered.	January 2022	May 2022	70%	\$480k	No lease, LHA or LHA entitlement on this lot. OK to build subject to: <input type="checkbox"/> meeting TSIRC planning requirements <input type="checkbox"/> giving notice under Regional ILUA <input type="checkbox"/> No social housing lease required.	
Overcrowding	Hammond 109 Francis Close Existing dwelling is a 2B detached slab on ground house	3 Bedroom Is it proposed to be an extension OR Dual Occupancy OR is the lot to be subdivided?	New Build Lowset	No	To be confirmed. Will Lot 93SP248418 need to be subdivided to create new allotment? 2241m ² - TBC	NO Native title was addressed in 2015 under 24JAA, therefore would not have to be done again for an extension on that lot.	January 2022	May 2022	70%	\$981K	TSIRC will need to identify/confirm land for new build or advise if 109 Francis Close is an option for extension? Native title was addressed in 2015 under 24JAA, therefore would not have to be done again for an extension on that lot.	

Aboriginal and Torres Strait Islander Housing
 Capital Grants Program
 Torres Strait Island Regional Council

Targeted Priority (e.g. Overcrowding, homelessness, accessibility)	Location – Lot Number / Street Address	New Construction / Replacement (Indicate no. of bedrooms and building type for example, 2-bedroom detached dwelling, 2x2 bedroom duplex, 5-bedroom duplex)	Extensions (Describe the type of extension for example, build-under, attached extension, detached extension)	Occupational Therapist Assessment requirement (Indicate NO/No whether an Occupational Therapist assessment is required)	Land Development (Description of land development including yards, Registered Plans and lot number)	Native Title Addressed (Indicate NO/No whether Native Title has been addressed) DATSIP comments in red	Estimated start date	Estimated completion date	Estimated number of local people that will be employed	Estimated total project cost. (Indicate how much you think each project listed will cost to complete.)	DATSIP comments	Map
Overcrowding	Lot 49 Iklau St, Kubin Lot 77 SP271019 Inspection confirms sufficient land to accommodate plug-in footprint with the existing 3brm dwelling on site.	2 Bedroom 1 Bathroom Plug-in	Detached Extension Lowset	No	49 Iklau St, Kubin Lot 77 SP271019 Fully Surveyed	NO Extensions covered by Moa Regional ILUA (class 4). See definition above. TSIRC to put notice to PBC under the ILUA.	January 2022	May 2022	70%	480k	No lease, LHA or LHA entitlement on this lot. OK to build subject to: <input type="checkbox"/> meeting TSIRC planning requirements giving notice under Regional ILUA	
	Lot 108 Meimakaau Kubin Existing dwelling 3brm detached house	2 Bedroom 1 Bathroom Plug-in	Detached Extension Lowset	No	108 Meimakaau St, Kubin 108 SP271019 Fully surveyed 1411m ²	NO Extensions covered by Moa Regional ILUA (class 4). See definition above. TSIRC to put notice to PBC under the ILUA.	January 2022	May 2022	70%	480k	No lease, LHA or LHA entitlement on this lot. OK to build subject to: <ul style="list-style-type: none">meeting TSIRC planning requirementsgiving notice under Regional ILUANo social housing lease required.	
Overcrowding	89 School St Mabuiag Vacant Land	2x3 Bedroom Duplex	New Build Lowset	No	910m ²	NO Mabuiag Regional ILUA allows for extensions only. As this is a new build, a social housing ILUA or 24JAA process to seek native title consent will be required.	January 2022	May 2022	70%	\$961k Funding allocation for community is \$961,000 rather than costing for duplex which may increase to a triplex.	ILUA or 24JAA required for new build. NOTE: Lot 89 was removed from previous Social Housing ILUA in 2013, possibly because of no consent from TO. Need to discuss with TO prior to proceeding as native title consent may not be possible.	
Overcrowding	Lot 122 Futuna St Pauls Lot 122 on SP256048 Existing dwelling - 3brm detached highest house	2 Bedroom 1 Bathroom Plug-in	Detached Extension Lowset	No	122 Futuna St, St Pauls Lot 122 on SP256048 Fully Surveyed 2382m ²	NO Extensions covered by Moa Regional ILUA (class 4). See definition above. TSIRC to put notice to PBC under the ILUA.	January 2022	May 2022	70%	\$480k	No lease, LHA or LHA entitlement on this lot. OK to build subject to: <input type="checkbox"/> meeting TSIRC planning requirements <input type="checkbox"/> giving notice under Regional ILUA <input type="checkbox"/> No social housing lease required.	

Aboriginal and Torres Strait Islander Housing
 Capital Grants Program
 Torres Strait Island Regional Council

Targeted Priority (e.g. Overcrowding, homelessness, senior's accommodation etc)	Location – Lot Number / Street Address	New Construction / Replacement (Specify no. of bedrooms and building type for example: 3- bedroom detached dwelling, 2+2 bedroom duplex, 6-bedroom duplex)	Extensions (Describe the type of extension for example, built-under, attached extension, detached extension)	Occupational Therapist Assessment requirement (Indicate NO/No whether an Occupational Therapist assessment is required)	Land Development (Description of land development including yield, Registered Plans and lot numbers)	Native Title Addressed (Indicate NO/No whether Native Title has been addressed) DATSIP comments in red	Estimated start date	Estimated completion date	Estimated number of local people that will be employed	Estimated total project cost. (Indicate how much you think each project listed will cost to complete)	DATSIP comments	Map
Overcrowding	Lot 50 Levi St Pauls Lot 50 on SP256048 Existing dwelling – 2 brm detached lowset house	2 Bedroom 1 Bathroom Plug in	Detached Extension Lowset	No	50 Levi St, St Pauls Lot 50 on SP256048 Fully Surveyed 1288m ²	Extensions covered by Moa Regional ILUA (class 4). See definition above TSIRC to put notice to PBC under the ILUA.	January 2022	May 2022	70%	\$480k	No lease, LHA or LHA entitlement on this lot. OK to build subject to: <ul style="list-style-type: none"> <input type="checkbox"/> meeting TSIRC planning requirements <input type="checkbox"/> giving notice under Regional ILUA <input type="checkbox"/> No social housing lease required. 	
Overcrowding	Main Rd Dauan Lot 14 on SP270872 Existing dwelling – 2 brm dwelling	4 Bedroom house	New Home Lowset Proposed dual occupancy with no subdivision planned.	No	102 Main Rd, Duan Lot 14 on SP270872 Fully Surveyed 3320m ²	NO New build will need a Social Housing ILUA or s24JAA of the Native Title Act	January 2022	May 2022	70%	\$961	**ILUA or 24JAA required** OK to build subject to: <ul style="list-style-type: none"> <input type="checkbox"/> meeting TSIRC planning requirements <input type="checkbox"/> addressing native title by ILUA or 24JAA <input type="checkbox"/> No social housing lease required. 	
Overcrowding	Lot 12 Westside Papano Hill Erub Vacant land	2x 3 Bedroom Duplex	New Home Lowset	No	House to be built on one of the areas subject to orange arrow. Part of Lot 405 on SP270873 or part of Lot 400 SP270873. Lot subject to proposed house to be created by survey plan, subdivision of DOGIT and planning approval also required.	NO Regional ILUA only allows for extension to existing homes. New build will need a Social Housing ILUA or s24JAA of the Native Title Act.	January 2022	May 2022	70%	\$961k	**ILUA or 24JAA required** Planning approval required. Survey and subdivision required.	
Overcrowding	205 Main Saibai 205 Depot Road- Lot 116 on SP267944). Existing dwelling - 6 brm detached highest house	2 Bedroom 1 Bath Plug In Property will increase from 6brm up to 8 brm for a family of 15.	Detached Extension Lowset	No	Lot 116 on SP267944. Fully surveyed	NO Extensions covered by Saibai Regional ILUA (class 4). TSIRC to put notice to PBC under the ILUA.	January 2022	May 2022	70%	\$480k	No lease, LHA or LHA entitlement on this lot. OK to build subject to: <ul style="list-style-type: none"> • meeting TSIRC planning requirements • giving notice under Regional ILUA • No social housing lease required. 	

Aboriginal and Torres Strait Islander Housing

Capital Grants Program

Torres Strait Island Regional Council

Targeted Priority (e.g. Overcrowding, homelessness, seniors accommodation etc)	Location – Lot Number / Street Address	New Construction / Replacement <i>(include no. of bedrooms and building type for example, 3- bedroom detached dwelling, 2x2 bedroom duplex, 6-bedroom duplex)</i>	Extensions <i>(Describe the type of extension for example, build-under, attached extension, detached extension)</i>	Occupational Therapist Assessment requirement <i>(Indicate Y/O/no whether an Occupational Therapist assessment is required)</i>	Land Development <i>(Description of land development including yield, Registered #/tag and lot number)</i>	Native Title Addressed <i>(Indicate NO/no whether Native Title has been addressed)</i> <i>DATSIP comments in red</i>	Estimated start date	Estimated completion date	Estimated number of local people that will be employed	Estimated total project cost. <i>(Indicate how much you think each project listed will cost to complete)</i>	DATSIP comments	Map
Overcrowding	81 Airport Drive Saibai Lot 60 on SP267944 Existing dwelling is a 4B detached highest house	2 Bedroom 1 Bath Plug In	Detached Extension Lowset		81 Airport Dr, Saibai Lot 60 on SP267944 Fully Surveyed 965m ²	NO Extensions covered by Saibai Regional ILUA (class 4). See definition above. TSIRC to put notice to PBC under the ILUA.	January 2022	May 2022		\$480K	No lease, LHA or LHA entitlement on this lot. OK to build subject to: <ul style="list-style-type: none">meeting TSIRC planning requirementsgiving notice under Regional ILUANo social housing lease required.	
Overcrowding	Ugar To be built on land Identified by DATSIP available blocks TSIRC to put notice to PBC under the ILUA if lot is covered by the Regional ILUA.	4 Bedroom House	New Home Lowset	No	TBA Site details to be provided as part of land schedule submitted during Stage 1 Planning and Preparation Works	NO Regional ILUA only allows for extension to existing homes. New build will need a Social Housing ILUA or s24JAA	January 2022	May 2022	70%	\$961k	TSIRC will need to identify land **ILUA or 24JAA required for new build**	
Overcrowding	Iama To be built on land Identified by DATSIP available blocks TSIRC to put notice to PBC under the ILUA if lot is covered by the Regional ILUA	2 Bedroom 1 Bathroom Plugin	Detached Extension Lowset	No	Site details to be provided as part of land schedule submitted during Stage 1 Planning and Preparation Works	NO Extensions covered by Iama Regional ILUA (class 4). See definition above. TSIRC to put notice to PBC under the ILUA if lot is covered by the Regional ILUA.	January 2022	May 2022	\$480k	\$480k	TSIRC will need to identify land	
Overcrowding	Iama To be built on land Identified by DATSIP available blocks TSIRC to put notice to PBC under the ILUA if lot is covered by the Regional ILUA.	2 Bedroom 1 Bathroom Plugin	Detached Extension Lowset	No	Site details to be provided as part of land schedule submitted during Stage 1 Planning and Preparation Works	NO Extensions covered by Iama Regional ILUA (class 4). See definition above. TSIRC to put notice to PBC under the ILUA if lot is covered by the Regional ILUA.				\$480k	TSIRC will need to identify land	

Aboriginal and Torres Strait Islander Housing

Capital Grants Program

Torres Strait Island Regional Council

Targeted Priority (e.g. Overcrowding, homelessness, senior accommodation etc)	Location – Lot Number / Street Address	New Construction / Replacement <small>(Indicate no. of bedrooms and building type for example, 2-bedroom detached dwelling, 2x2 bedroom duplex, 5-bedroom duplex)</small>	Extensions <small>(Describe the type of extension for example, built-under, attached extension, detached extension)</small>	Occupational Therapist Assessment requirement <small>(Indicate NO/No whether an Occupational Therapist assessment is required)</small>	Land Development <small>(Description of land development including yard, Registered Plan and lot number)</small>	Native Title Addressed <small>(Indicate NO/no whether Native Title has been addressed)</small> DATSIP comments in red	Estimated start date	Estimated completion date	Estimated number of local people that will be employed	Estimated total project cost. <small>(Indicate how much you think each project listed will cost to complete)</small>	DATSIP comments	Map
Overcrowding	Lot 102 Marou Rd Mer Lot 102 on SP288906 Existing dwelling - 5 brm detached slab on ground house	4 Bedroom House	New Home Existing dwelling on demo register. Lowset. Further information required on existing dwelling in map. No demolition of existing dwelling planned.	No	102 Marou Rd, Mer Lot 102 on SP288906 Fully Surveyed 1275m ²	NO Regional ILUA only allows for extension to existing homes. New build will need a Social Housing ILUA or s24JAA of the Native Title Act.	January 2022	May 2022	70%	981k How is the proposed demo being funded?	**ILUA or 24JAA required** OK to build subject to: <ul style="list-style-type: none">meeting TSIRC planning requirementsaddressing native title by ILUA or 24JAAno social housing lease required.	
Overcrowding	29D Murray St Poruma Lot 73 on SP270862 Existing dwelling is a 3 brm detached lowset house	2 Bedroom 1 Bathroom Plugin	Detached Extension Lowset.	No	29D Murray St. Poruma Lot 73 on SP270862 Fully Surveyed 628m ²	NO Extensions covered by Poruma Regional ILUA (class 4). See definition above TSIRC to put notice to PBC under the ILUA.	January 2022	May 2022	70%	480K	No lease, LHA or LHA entitlement on this lot. OK to build subject to: <ul style="list-style-type: none">meeting TSIRC planning requirementsgiving notice under Regional ILUANo social housing lease required	
Overcrowding	29 B Murray street Poruma Lot 71 on SP270862 Existing dwelling - 4 brm detached lowset house	2 Bedroom 1 Bathroom Plugin 2 brm plug in extension was constructed under a previous program in 2016. This project will increase property to a total of 6 brm.	Detached Extension Lowset.	No	29B Murray St. Poruma Lot 71 on SP270862 Fully Surveyed 728m ²	NO Extensions covered by Poruma Regional ILUA (class 4). See definition above TSIRC to put notice to PBC under the ILUA.	January 2022	May 2022	70%	480k	No lease, LHA or LHA entitlement on this lot. OK to build subject to: <ul style="list-style-type: none">meeting TSIRC planning requirementsgiving notice under Regional ILUAno social housing lease required.	
Overcrowding	To be built on land identified by DATSIP available blocks Warraber	3 brm detached house	New Build Lowset.	No	TBA	Extensions covered by Warraber Regional ILUA (class 4). See definition above. TSIRC to put notice to PBC under the ILUA if lot is covered by the ILUA.				\$981K	TSIRC will need to identify land	

Aboriginal and Torres Strait Islander Housing

Capital Grants Program

Torres Strait Island Regional Council

Targeted Priority <small>(e.g. Overcrowding, homelessness, seniors' accommodation need)</small>	Location – Lot Number / Street Address	New Construction / Replacement <small>(Indicate no. of bedrooms and building type for example, 3- bedroom detached dwelling, 2x2 bedroom duplex, 5-bedroom duplex)</small>	Extensions <small>(Describe the type of extension for example, build-under, attached extension, detached extension)</small>	Occupational Therapist Assessment requirement <small>(Indicate NO/no whether an Occupational Therapist assessment is required)</small>	Land Development <small>(Description of land development including yield, Registered Flag and lot number)</small>	Native Title Addressed <small>(Indicate NO/no whether Native Title has been addressed)</small> DATSIP comments in red	Estimated start date	Estimated completion date	Estimated number of local people that will be employed	Estimated total project cost. <small>(Indicate how much you think each project listed will cost to complete)</small>	DATSIP comments	Map
Overcrowding	215 Agus St Masig Lot 111 on SP277431 Existing dwelling – 5 brm detached house	2 Bedroom 1 Bathroom Plugin	Detached Extension Lowset.	No	215 Agus St, Masig Island (Yorke Island) Lot 111 on SP277431 Fully Surveyed 1280m ²	NO Extensions covered by Masig Regional ILUA (class 4). See definition above TSIRC to put notice to PBC under the ILUA.	January 2022	May 2022	70%	\$480K	No lease, LHA or LHA entitlement on this lot. OK to build subject to: <ul style="list-style-type: none">meeting TSIRC planning requirementsgiving notice under Regional ILUAno social housing lease required.	
Overcrowding	35 Dans St, Masig Island Lot 183 on SP277431	2 Bedroom 1 Bathroom Plugin	Detached Extension Lowset.	No	35 Dans St, Masig Island (Yorke Island) Lot 183 on SP277431 Fully Surveyed 2216m ²	NO Extensions covered by Masig Regional ILUA (class 4). See definition above TSIRC to put notice to PBC under the ILUA.	January 2022	May 2022	70%	\$480k	No lease, LHA or LHA entitlement on this lot. OK to build subject to: <ul style="list-style-type: none">meeting TSIRC planning requirementsgiving notice under Regional ILUAno social housing lease required.	
Overcrowding	To be built on land Identified by DATSIP available blocks BADU <small>TSIRC to put notice to PBC under the ILUA if lot is covered by the ILUA.</small> Projects not rolled over from Interim Program which have been funded using an alternative source.	2 Bedroom 1 Bathroom Plugin	Detached Extension Lowset.	No	Site details to be provided as part of land schedule submitted during Stage 1 Planning and Preparation Works	NO Extensions covered by Badu Regional ILUA (class 4). See definition above.	January 2022	May 2022	70%	\$480k	TSIRC will need to identify land	
Overcrowding	To be built on land Identified by DATSIP available blocks Badu <small>TSIRC to put notice to PBC under the ILUA if lot is covered by the ILUA.</small> Projects not rolled over from Interim Program which have been funded using an alternative source.	2 Bedroom 1 Bathroom Plugin	Detached Extension Lowset.	No	Site details to be provided as part of land schedule submitted during Stage 1 Planning and Preparation Works	NO Extensions covered by Badu Regional ILUA (class 4). See definition above.	January 2022	May 2022	70%	\$480k	TSIRC will need to identify land	

Aboriginal and Torres Strait Islander Housing
Capital Grants Program
Torres Strait Island Regional Council

This document represents an accurate reflection of the proposed priority list of works as determined by the Torres Strait Island Regional Council.



_____ 30 / 9 / 2021

David Baldwin
A/Chief Executive Officer
Torres Strait Island Regional Council

Date

Schedule 4 – Works

To be provided as part of Stage 1

Schedule 5 – Lease

Not applicable

EXECUTED AS AN AGREEMENT by the parties on the dates set out below

EXECUTED on behalf of the **STATE OF QUEENSLAND THROUGH THE DEPARTMENT OF COMMUNITIES, HOUSING AND DIGITAL ECONOMY** by:

.....
(full name)

.....
(designation)

a duly authorised person

in the presence of:

.....
(print name of witness)

.....
(signature of witness)

.....
(signature)

..... / /
(date)

EXECUTED on behalf of the Council by

.....
(full name)

.....
(designation)

a duly authorised person

in the presence of:

.....
(print name of witness)

.....
(signature of witness)

.....
(signature)

..... / /
(date)

ANNEXURE 1

Design and Construction Guidelines for Remote Housing

Design and Construction Standards for Remote Housing.

August 2016



Table of contents

- Additional reference documentation 6**
- Introduction..... 6**
- Housing types..... 7**
- Accessibility..... 8**
 - Gold Level..... 8
 - Platinum Level 8
- Town planning 9**
- Design principles..... 10**
 - Basic approach 10
 - Facing the street or park 10
 - Fitting into the neighbourhood 11
 - Individuality, variety and scale within the streetscape 11
 - Car parking and street presentation..... 12
 - Privacy and the neighbours 12
 - Public spaces..... 12
 - Crime prevention through environmental design..... 13
 - Equitable design 13
 - Personalisation 13
 - Climatic design 13
 - Indoor/outdoor living connection 14
 - Covered outdoor spaces 14
 - Planting and turf 15
 - Innovation and Normality 16
- Building types..... 17**
 - Acceptable building styles..... 17

Target Floor Areas	19
Site Design	20
Drainage and Stormwater	21
Concrete driveway and paths	21
Carport	22
Letterbox	23
House numbering	23
Garden store	23
Rubbish bin storage	23
Clothes line	24
Yards	25
Fencing	25
Retaining walls	26
Water tanks	26
Cleaning bench	27
Internal Space	28
Corridors, thresholds and doorways	29
Entry porch and Foyer	30
Living and Dining	31
Kitchen	33
Cooking.....	33
Bench space and clearances	34
Fridge space	35
Cabinets.....	35
Sink and taps.....	36
Splashback	37
Bathrooms and toilets	38
Application of LHDG for bathrooms and toilets	38
Design and clearance considerations	38
Shower.....	39
Bathroom and shower floor drainage and membrane.....	40
Vanity.....	40
Storage	41
Toilet.....	41
Bath	42
Tapware.....	43
Towel rails and accessories	43
Wall coverings, skirtings, splashbacks	43
Laundry	44

Access and ventilation	44
Laundry tub and tapware	44
Appliance space	45
Circulation space	45
Storage	46
Floor waste	46
Skirting and splashback.....	46
Bedrooms.....	47
Bedroom 1	47
Bedroom 2.....	48
Bedrooms 3,4 and 5+	48
Linen cupboard and broom storage.....	49
Covered outdoor living space	50
Bedroom/bathroom additions	51
General construction (all house dwelling types)	52
Energy efficiency	52
Orientation	52
Shading.....	52
Air Movement and ceiling fans	52
Air conditioning	53
Thermal insulation	53
Use of timber	53
External walls/cladding	53
Sub floor screening (highset and lowset houses).....	54
Roofing.....	54
Floor Construction.....	55
Internal.....	55
Bathroom and laundry	55
Floor finishes	55
Internal.....	55
External.....	55
Steelwork - external	55
Fasteners.....	56
External Stairs.....	56
Internal Ceiling Linings	56
Internal Wall Linings and skirting boards	56
Doors	57
Aluminium framed sliding glass doors	57
External door thresholds.....	57

- Door hardware 57**
- Windows 58**
 - Glazing..... 58
 - Window coverings 58
- Security and insect screening 58**
- Paint and protectant finishes 59**
 - Internal walls..... 59
 - External walls and soffits 59
 - Colours 59
 - Natural Timber Decking..... 60
- Electrical..... 60**
- Gas..... 60**
- Television and internet reception 61**
- Meter box..... 61**
- Sewerage..... 61**
- Water Supply..... 62**
- Water Heating..... 62**
 - Hot water system capacities..... 62
 - Solar Hot Water Systems 63
 - Heat pumps 63
 - Gas Hot Water Systems 63

- APPENDIX 1: Furniture requirements and sizes..... 64**

- APPENDIX 2: Bathroom configurations 66**

- APPENDIX 3: Electrical requirements 67**

- APPENDIX 4: Version control..... 71**

Additional reference documentation

This document is to be read in conjunction with:

- All other relevant building codes, regulations and mandatory standards
- Relevant planning schemes and council policies
- Department of Housing and Public Works document: *Product Standards: Social Housing Dwellings*, which provides minimum standards for building products, fixtures, fittings and other items typically required in dwellings. This document is to be applied only to the extent that particular products are relevant to remote Indigenous housing
- *Livable Housing Design Guidelines* (LHDG) – as provided on the <http://livablehousingaustralia.org.au> website

For other design considerations refer to the Crime Prevention Through Environmental Design (CPTED) guidelines located on the Queensland Police website.

If there is an inconsistency between these Design Standards and the non-binding reference documents listed above, these design standards shall apply to the extent of the inconsistency.

Introduction

These standards apply to new construction in Indigenous communities, including remote communities, Cherbourg and Yarrabah. They aim to ensure that new dwellings are sustainable, meet service delivery and community requirements, provide appropriate amenity, and minimise ongoing maintenance.

Projects should look 'domestic', with design features and finishes avoiding any 'institutional' appearance. In principle, every dwelling should deliver a variety of qualities including:

- be comfortable, pleasant and safe to live in, and be designed to meet its residents' needs, both current and future
- use its site well and not waste built space or land
- respect neighbours' privacy and amenity
- overlook any adjacent street or parkland opposite to provide better 'neighbourhood watch'
- be well designed for the local climate and not rely substantially upon mechanical cooling or heating systems
- respond sensitively and creatively to the characteristics of its site.

Some possible alternative solutions are described in this document as 'not preferred'. Adopting items described as 'not preferred' requires written approval from the State. Items described as 'preferred' or 'preferable' must be provided unless otherwise approved by the State.

Housing types

This design standard describes the following housing types:

Dwelling type	Bedroom number	Description
Bedrooms / bathroom additions	2	Freestanding, bedrooms and bathroom additions, located on the same site as an existing house and typically connected to the house via a covered walkway. Does not contain a kitchen, dining or living room.
Duplex	2	Two single storey houses separated by a common wall.
Attached	2	Two storey houses sharing common walls. Allows two or more houses to be attached side-by-side typically with bedrooms upstairs, living downstairs.
Dual occupancy	1,2	Two detached houses on one site.
Cluster	1,2	Three or more detached houses on one site.
Detached	3,4,5 +	Completely separate structure on its own site which does not share any facilities with neighbours.

Accessibility

Features for enhanced mobility are an important component of housing. The State identifies two levels of accessibility for remote Indigenous housing, categorised as:

Gold Level

Incorporates:

- *Livable Housing Design Guidelines* (LHDG) Gold Level (developed by Livable Housing Australia)
- additional requirements as outlined in this document.

Application:

- minimum standard for all dwelling types
- note: LHDG Gold Level requirements are *not* required to:
 - the upper level of highset houses
 - pathway to the front door of lowset (*not* slab on ground) dwellings. Lowset dwellings are required to be designed internally to minimum Gold Level, assuming the possible future installation of ramps for access
- only one bathroom containing at least a shower, vanity and toilet in each dwelling is required to incorporate LHDG Gold Level features. (The *additional* requirements outlined in this document are still applicable).

Platinum Level

Incorporates:

- *Livable Housing Design Guidelines* (LHDG) Platinum Level (developed by Livable Housing Australia)
- additional requirements as outlined in this document.

Application:

- in response to identified portfolio or client need
- design allows for a *future* Platinum Level bathroom at the ground floor of highset dwellings, where the ground floor is a habitable level (e.g. not subject to flooding, tidal inundation or otherwise inaccessible)
- only one bathroom containing at least a shower, vanity and toilet in each Platinum Level dwelling is required to incorporate LHDG Platinum Level requirements.

Town planning

The majority of Indigenous Councils have planning schemes in place (with the remainder likely to have planning schemes adopted by mid to late-2016). These planning schemes outline local planning requirements and policies.

Under the *Sustainable Planning Act 2009*, where a local government planning scheme is in place, the State rather than the local government is required to assess State-subsidised housing developments against the relevant planning scheme.

For communities not operating under local planning schemes, the State Planning Policy 1/09 (SPP) applies – *Reconfiguration of a Lot Code for Land in Indigenous Local Government Areas to which a Local Planning Scheme does not apply*. The SPP details performance and acceptable outcomes addressing key planning principles.

Design of projects should consider the objectives of the SPP and comply with local planning scheme requirements to the maximum extent possible.

Service delivery requirements may on occasion result in non-compliance with the planning scheme and must be justified on town planning grounds and supported by good design practice.

Projects should address relevant Council policy requirements for operational activities such as waste collection.

The design principles and considerations outlined in this document, combined with those in the SPP and local planning schemes, will assist planners in meeting program objectives, with best practice design considerations fundamental to the solution.

Design principles

These design principles are provided to assist the design process.

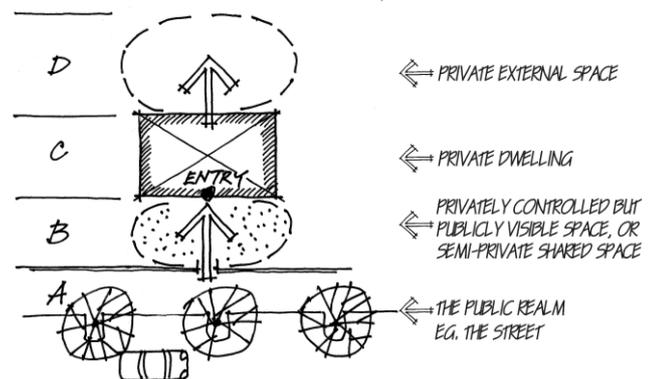
The order does not imply relative priorities and there are many points of overlap between the principles. If the pursuit of one principle compromises another, agreement with the State is required to determine the design priorities.

In all cases, the department is open to considering alternative solutions that achieve equivalent (or better) performance outcomes.

Basic approach

All housing must be consistent with the principles expressed in the diagram (see right).

This diagram represents the provision of spaces or zones with changing degrees of privacy and control, illustrating the transition from the public realm (usually a street) to the private territory of the dwelling and its spaces. It does not represent a site plan. For example, private external space need not necessarily be located in the backyard.

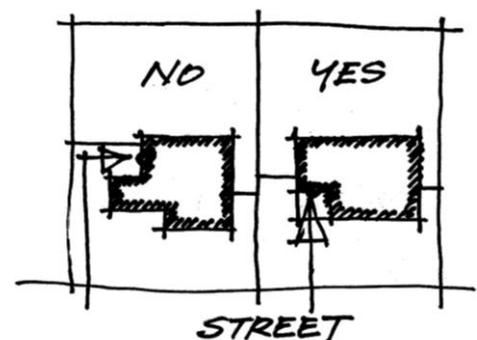


Facing the street or park

Houses on sites with a boundary to the street or public realm must face it both functionally (in terms of the location of the front door) and visually (such as the size and type of windows and treatment of the entry porch that face the street).

Houses adjacent to a park should overlook the park.

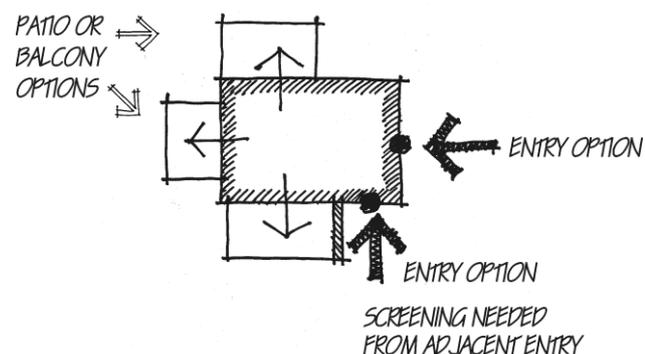
On a corner site, the housing must present well to both street frontages.



On 'cluster' housing sites with a shared internal driveway, houses that do not have a street frontage should face the driveway.

Visitors must have direct access to the front door without going through private outdoor space, the carport or the back yard first.

Only in extreme circumstances should housing present its side or back on the public realm, and then only as little as possible and with agreement from the State.



Fitting into the neighbourhood

Housing must 'fit in' to the community.

This is achieved through form, scale, variety, attention to detail, appearance, setbacks and relationship to the street.

This principle does not require imitation of adjoining houses, nor does it require deliberate assertion of a different style, particularly if it is just for the sake of difference.

It does require that the project avoid being set apart from neighbours in ways associated with lower quality outcomes.

Designs should meet the department's needs within the 'pattern' of the neighbourhood, where such a pattern is clear.

In new subdivisions or larger redevelopment sites, master planning of the area must be undertaken, identifying the lot yields and associated housing options in order to determine the intended 'pattern' of the new area.

Individuality, variety and scale within the streetscape

While new houses should 'fit in' with existing houses, they must also make a positive contribution to the character of remote communities and display variety and individuality.

Where multiple houses are constructed at about the same time and in close proximity (such as on adjoining or adjacent streets) designs must appear different.

While visual differences may be achieved in many ways, for the purpose of defining a minimum benchmark the department describes some possible points of difference. **At least two visible points of difference** (of which at least one is a *major* point of difference) are required between any two houses constructed at about the same time and in close proximity.

Major points of difference include:

- floor plans of the fronts of houses
- roof designs (such as gables, hips and Dutch gables)
- location of the car port relative to the house
- configuration of stairs, entry porch and front door placement
- external wall materials.

Other points of difference include:

- colour schemes
- front door designs
- window types and configurations
- window awnings, shade devices and privacy screen designs

- fence detailing and materials
- post/column design and/or materials.

Variation is also required between groups of houses. For example, a group of houses at one end of the street should not repeat the exact order of designs and colour schemes used for houses at the other end of the street.

The repeated use of a single design (unrelated to site conditions, neighbourhood context, orientation, group layout, etc.) is unacceptable.

Car parking and street presentation

The street design of housing must not be dominated by car parking.

Carports and garages must not dominate the street elevation and must be set back from the street with the house. On multi-dwelling sites entries to dwellings should not be hidden by parking structures.

Where cars and pedestrians share use of a space, careful design is essential to ensure access routes are clearly legible.

Privacy and the neighbours

The location and design of dwellings must not unreasonably impair the privacy of neighbouring properties.

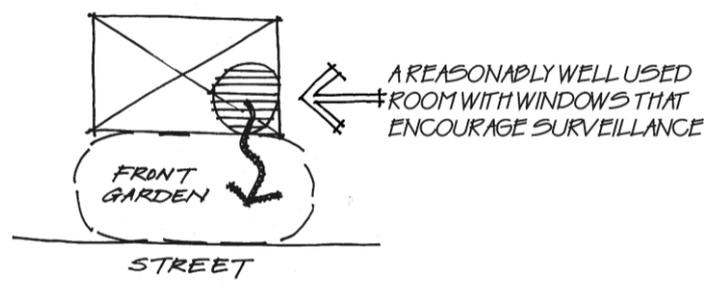
Outdoor living spaces of adjacent houses should be separated from each other.

Internal and external living areas should not overlook the private outdoor spaces of others.

Public spaces

On sites with multiple dwellings, access through the site by the general community should be discouraged, unless the path is designed and managed as a public space (such as a public street controlled by Council).

Facilities available for public use (such as parks, playgrounds or barbeque shelters) must not be provided on housing sites.



Crime prevention through environmental design

Housing must be designed to facilitate casual surveillance of the front garden, street, shared driveway or adjacent park as applicable.

Housing must not be hidden from the street or public realm behind high fences or car accommodation.

Where planting is provided, species and locations must be thoughtfully chosen so that planting does not obstruct the view of the street or the internal pathways of the dwelling.

Equitable design

While it is accepted that designs may differ from site to site based on site constraints, priorities and identified need (such as need for accessible housing), the application of these standards must be equitable.

The design of one or more dwellings (including the amenity of outdoor spaces etc.) must not be unfairly compromised by the design of other dwellings.

Personalisation

Housing, especially in its detailing, should allow for the personal expression of tenants in ways that do not create long-term maintenance issues.

Examples include rooms that allow flexible furniture arrangements and front yards that provide opportunities for gardens.

Climatic design

Design of new subdivisions should support the correct orientation of housing for climate.

The detailed design of dwellings must respond to the microclimate of the site and its locality, acknowledging the different climatic regions of Queensland and local knowledge conveyed by Councils.

In ways that are consistent with other design principles, the climatic response must be reflected in:

- the plan, shape and orientation of the dwelling
- location of particular rooms
- materials used for construction
- location and shape of openings
- location of internal walls with respect to cross-ventilation

- roof form
- landscaping of adjacent ground to provide shading
- protection of openings against excessive solar access and rain penetration
- insulation.

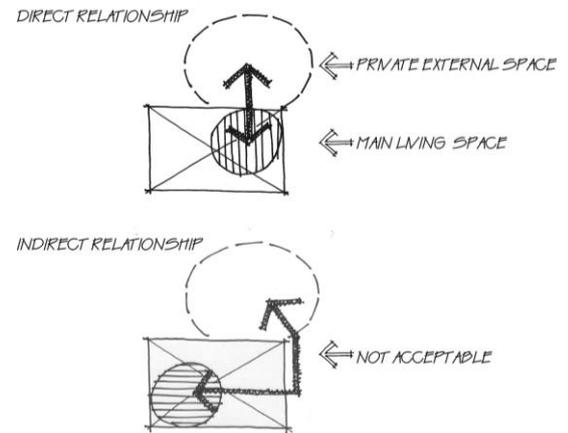
This principle does not require that all housing face north/south if this is at odds with other design principles. It does require that the design respond creatively and thoughtfully to the climatic context.

Indoor/outdoor living connection

A direct connection to outdoor living is important for living in the Queensland climate.

There must be a direct visual and physical relationship between the dwelling's living/dining area and the private outdoor living space.

It is not acceptable for occupants and visitors to only access outdoor living space through service areas such as laundries or kitchens.



Covered outdoor spaces

Covered outdoor space at the front of houses (such as an entry porch incorporating space to sit) offers the opportunity for casual surveillance of the street, informal interaction with people in the street and supervision of children in the front yard. Uninvited visitors to a house would typically approach the front door at the entry porch.

Covered outdoor living spaces are ideally located to provide privacy for outdoor living for the family and invited/welcome visitors, and a safe place for children to play associated with a yard. The space should be orientated and/or screened to provide a comfortable place for outdoor living throughout the year.

The location of covered outdoor spaces (entry porch or private outdoor living) should be considered on a site-by-site basis and take into account orientation (for sun, weather and breezes), relationship of the house to the street, views, site topography, access, proximity to neighbours, privacy and community expectations as conveyed by Councils.

Carports may be designed and located to provide additional covered outdoor living space, particularly for times of the year or social occasions that the dedicated covered outdoor living area is not suitable.

Planting and turf

Trees and plants can:

- improve the microclimate of the site and the locality
- improve the appearance of front gardens
- provide definition and amenity to private spaces
- shade or soften group car parking areas
- aid legibility within group schemes
- promote community acceptance of new development
- provide a habitat for wildlife.

Healthy, significant trees should be retained and protected wherever possible.

Ideally, front and back yards should be turfed. However, it is acknowledged that establishing turfed yards in some locations may not be viable, particular where turf is not readily available, imported topsoil is required and/or water supply limitations apply.

Alternative considerations may include fruit bearing trees, shade trees, or culturally significant species. Species selection should be low maintenance and appropriate for the climate.

Consider the mature height of planting and ensure that it:

- is appropriate for the location and capable of surviving with minimal ongoing maintenance and no ongoing watering (e.g. planting in under croft areas is not acceptable)
- allows adequate light into dwellings
- does not create maintenance issues for the dwelling
- is unlikely to cause health and safety issues .

The maximum gradient to garden areas is 1:4. The maximum gradient to turfed areas is 1:5.

The requirement for the provision of turf and/or other landscaping will be as instructed by the State and determined on a case by case basis in consultation with Councils and consider the cost and likelihood of successfully establishing and maintaining vegetation.

Innovation and Normality

The State seeks good housing design outcomes, and is open to innovation and change that may arise through different design approaches or the introduction of new products. The State however, does not look for:

- experimentation where there are no resources and processes for rectifying any problems that might arise
- the pursuit of difference *only* for the sake of being different (rather than better)
- the abandonment of conventional, comfortable and acceptable housing techniques or solutions for no gain
- inappropriate typecasting or attention seeking for social housing.

The development of innovations must consider cultural preferences, construction cost, maintenance requirements (including cleaning), running cost, and safety.

There are often judgements to be made about the right point of balance between innovation and normality. The State must be consulted when proposed alternative solutions conflict with these standards.

Building types

The choice of housing type should principally be in response to housing need and influenced by:

- cultural preferences
- regional housing styles
- local conditions
- availability of skilled trades
- availability of building materials and equipment.

Pre-fabricated, factory-built or 'flat-pack' houses must meet the standard of amenity, durability, maintainability and performance described by this document, and must not appear overtly transportable, temporary or inferior in any way to housing built conventionally on site.

Acceptable building styles

Slab on ground:

Particularly suitable in response to identified need for accessibility.

Low set:

Often suited to sloping sites and preferred for some types of prefabricated construction.

Lowset houses are required to be designed internally to minimum Gold Level, assuming the possible future installation of ramps for access.

High set:

Due to the increased cost of construction, and issues with accessibility, highset homes are generally not preferred; however, exceptions include:

- sites subject to flood, storm surges and/or tidal inundation (ideally, houses should not be built on sites subject to tidal inundation)
- sites where topography dictates high sets as the only suitable building style (for example, heavily sloping sites where it is not practical/possible to cut and fill).

The State must be consulted on proposals for highset (and two-storey) houses.

Considerations include:

- the state will typically not support 2 bedroom highset
- highset houses are limited to 3 to 4 bedrooms on the first floor
- identified current and future need for accessible houses and the capacity of the highset house design to cost-effectively provide accessible accommodation at the ground floor in the future
- site constraints
- efficient design and value for money.

The upper level of highset houses are not required to be designed to Gold Level or Platinum Level; however where the ground floor is a habitable level (e.g. not subject to flooding, tidal inundation or otherwise inaccessible) the design should allow for at least one future bedroom and a Platinum Level bathroom at the ground floor.

Target Floor Areas

The following table details the target floor areas for indoor and outdoor space. Note:

- Fully Enclosed Covered Area (FECA) is the indoor floor area measured to the inside face of all external walls. It excludes external wall widths but includes the floor area occupied by the thickness of internal walls.
- FECA does not include patios, carports or entry porches.
- Outdoor living area targets exclude carports and entry porches.
- With approval from the State, covered outdoor living areas may exceed the target areas where construction efficiencies are achieved (such as aligning the patio with the end of the house to remove a roof valley).
- Internal floor areas may be less or greater than the target areas provided all other design requirements are met and the floor-planning is practical and efficient in its use of space.
- The State may reject a design that it considers is not efficiently or practically planned.

Target floor areas for indoor and outdoor space (FECA m²).			
House Type	(General and LHDG Gold Level)	(LHDG Platinum Level)	Covered Outdoor Living Area (patio)
Cluster House 1-bedroom	55	65	15
Duplex 2-bedroom	95	100	20
Bedroom / Bathroom additions ('Plug-ins') 2- bedroom	35	N/A	15
Attached House 2-bedroom	105	N/A	20
Detached or Cluster House 2-bedroom	90	95	20
Detached House 3-bedroom ^a	105	110	24 (highset: 12) ^b
Detached House 4-bedroom ^a	130	135	30 (highset: 15) ^b
Detached House 5-bedroom ^a	155	160	36 (highset: 18) ^b

^a. The above target floor areas apply to lowset and slab-on-ground houses, and highset houses with no provision at the ground floor for future rooms.

^b. The size of the covered outdoor living area located on the same level as the internal living area is reduced for highset houses that have an undercroft capable of contributing to covered outdoor living.

Site Design

Dwellings should be sited to deliver a cost-effective, balanced and culturally sensitive response to all aspects of best practice design described in the Design Principles section.

For the site and ground level of highset houses, apply Gold Level requirements only. Apply referenced Livable Housing Design Guidelines Gold or Platinum Level requirements only to the extent that the ground level is intended for modification/upgrade to Gold Level or Platinum Level.

Drainage and Stormwater

Stormwater must be discharged away from the house, adjacent buildings, paths and functional outdoor spaces. Water **must not** be directed to flow under lowset or highset houses.

Every effort must be made to discharge stormwater to a designated stormwater system, preferably the kerb and channel. If it is not possible to discharge to the kerb and channel, alternatives such as stormwater pits should be investigated.

Concrete splash pads are not preferred and may only be provided with prior approval from the State.

Prevent water ponding under all water sources e.g. yard taps, downpipes, hot water system overflows etc.

Guttering is preferred. Provide downpipes with securing clips at 900 maximum centres, if guttering is provided.

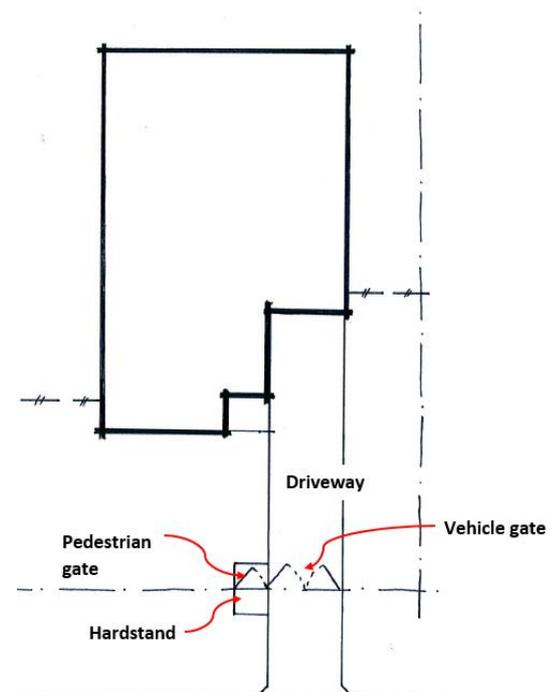
Concrete driveway and paths

Gold Level Requirements:

Livable Housing Design Guidelines Gold Level requirements (Elements 1 and 2), plus:

- Driveway to be 3000mm wide with appropriate grade transitions and drainage. At least one visitor parking space on the driveway is required and can be shared with the pedestrian path to the house.
- A pedestrian path from the kerb or road to the front door of the house is preferred. The (examples illustrated, right and below)
- Driveways to extend to the kerb or roadway providing appropriate crossovers, including culvert crossings where necessary to prevent damming of overland flow, table drains and road gullies, in accordance with Council requirements and other relevant standards such as the Far North Queensland Regional Organisation of Councils standard drawings:

<http://www.fnqroc.qld.gov.au/regional-programs/regional-development-manual/version-4-2009/standard-drawings>).
- Car tracks are not acceptable.
- 1:15 maximum design gradient is required along the driveway linking the carport to the letterbox (where a letterbox is requested) and footpath or



Example of pedestrian path to house from street.

street. Steeper driveways are acceptable in response to site constraints subject to approval of the State.

- Hard pathways (concrete preferred) are to be provided linking carport, pedestrian entry, rubbish bin areas, meter box and clothesline.
- Handrails are typically not required along paths.

Platinum Level Requirements:

- above requirements, and *Livable Housing Design Guidelines Platinum Level* requirements (Elements 1 and 2).

Carport

Gold Level requirements:

Livable Housing Design Guidelines Gold Level requirements (Element 3),

except:

- Carport length is to be 6000mm, not 5400mm.
- For highset houses, a reduced vertical clearance of 2400mm is acceptable, provided that other accessible spaces are not being provided on the ground floor.

plus:

- Clear space of 6000mm x 3200mm clear space is to be measured between posts.
- Car accommodation that is attached to the house is preferred. Carports must have open sides. If not attached to the house, a path (preferably sheltered) of minimum width 1000mm is to be provided between the carport and the house.
- Where possible, car accommodation should be behind the front building line. In instances in which houses share a site (duplex, dual occupancy, attached houses or cluster development) provide each house on that site with a carport.
- The design of the carport should be in keeping with the design of the house.

Platinum Level requirements:

- above requirements, and *Livable Housing Design Guidelines Platinum Level* requirements (Element 3).

Letterbox

Gold Level requirements:

- Where mail delivery services are available or where council encourage provision of a letterbox, place the letterbox adjacent to the driveway aligned with the front boundary. It can be stand alone or incorporated into the fence.
- The access point of the letterbox (for mail retrieval) should be within the range of 900mm to 1200mm above the finished surface level of a level hardstand (maximum 1:40 cross-fall) on the retrieval side of the letterboxes.
- Letterboxes should have capacity to have a padlock attached (by the tenant).

Platinum Level requirements:

- Above requirements apply.
- Provide a level hardstand. Minimum 1540mm wide x 1540 long, and extend 400mm past the letterbox.

House numbering

House numbers are required for all properties.

Numbering must be clearly visible from the street in a contrasting, reflective colour, to the background.

Numbers must be a minimum size of 150mm, made from a durable material and securely screw or rivet fixed to the house.

Garden store

9m² minimum floor area, 1800mm minimum height, located away from the house (including highset houses) and on a concrete slab with recessed edge to prevent water penetration. A path is not required between the house and the garden store.

The garden store must have a high-strength frame and be of an appropriate strength for the design wind classification of the site.

Rubbish bin storage

Gold Level requirements:

- Locate on a hard standing area adjacent to each dwelling, undercover if possible (e.g. under eaves, extended carport, or in undercroft space for highset houses) away from doors and windows to bedrooms and living spaces.

- A post or chain is to be provided to secure the bin to prevent it being knocked over by animals. The number of bins catered for must be in accordance with local requirements.

Platinum Level requirements:

- Above requirements, and *Livable Housing Design Guidelines* Platinum Level requirements for accessible paths (Element 1) apply.
- Provide an accessible path to the bins, with circulation space at the level hardstand (maximum 1:40 cross fall) in front of the bins minimum 1540mm wide x 1540mm long.
- Provide an accessible path to the street where practical.

Clothes line

Gold Level requirements:

T-Bar height adjustable style which is located at the rear or side of the property, preferably not visible from the street, easily accessible from the laundry and in a position which does not intrude on open recreational space as illustrated below. Mounting height of lines to be 1800mm above ground level. Rotary clotheslines are not permitted.

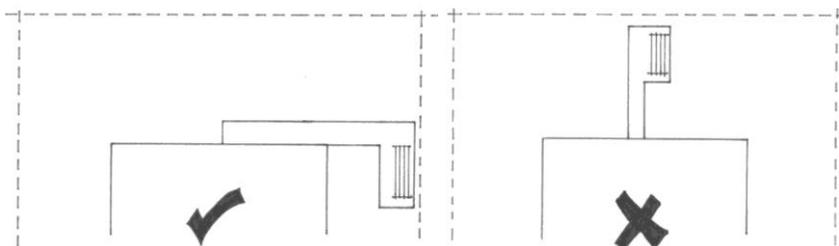
The clothesline must be constructed from hot-dipped galvanised steel. Aluminium (as noted in Product Standard) is not acceptable.

The clothesline base must be non-removable and secured in a concrete slab under the clothesline and extending 900mm along the length of the clothesline on one side. The length of clotheslines should be:

- 15 lineal metres for 2-bedroom duplexes
- 30 lineal metres for 3-bedroom houses
- 40 lineal metres for 4/5-bedroom houses

LHDG Platinum Level requirements:

As per General Level requirements, plus provide level hardstand (maximum 1:40 cross-fall) in front of the clothesline and extending under. Hardstand to extend 1540mm in front of the clothesline for the full length of the clothesline.



Position of clothesline does not intrude on main yard space

Yards

Unless otherwise approved by the State, yards must be fenced.

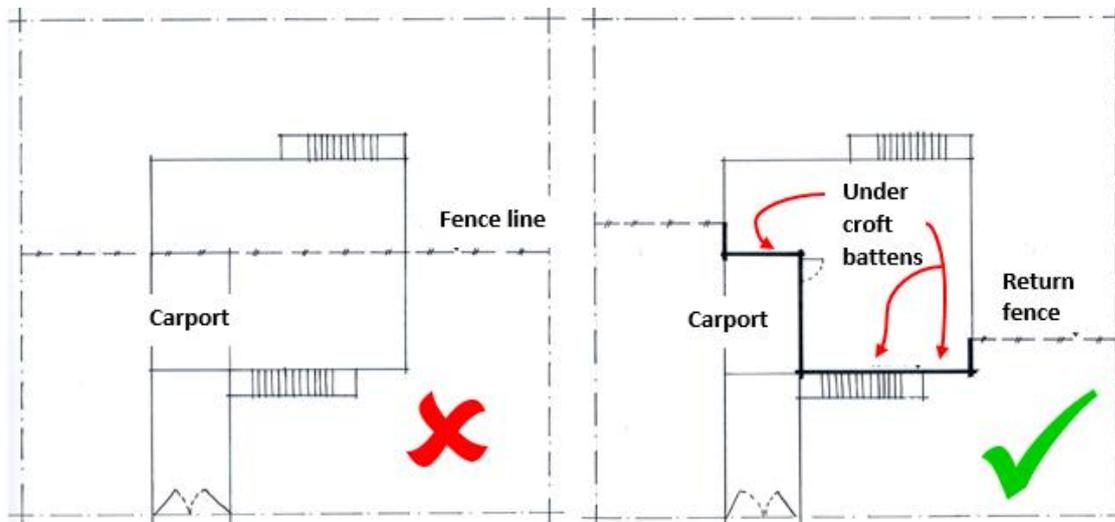
Private yard space (the yard that is suitable for children) should be accessible from the covered outdoor living area in low-set and slab-on-ground houses. The private yard need not necessarily be located to the rear of the house, particularly on battle-axe sites, corners, or at the ends of T-shaped cul-de-sacs. Provide access to private back yards from the front yard or driveway. This could typically be achieved through the use of gates or return fencing.

Front yards to have a maximum 1200mm high front fence with pedestrian gate (and vehicle gate where the fence extends across a driveway) allowing surveillance of the street.

Fencing

The following general requirements apply for fencing:

- Private yards must be fenced.
- Return fencing is to be provided between the side fencing and the house, other than for highset houses unless specifically required by the State.
- Gates must be provided in the return fencing on both sides of the house. One to be a pedestrian gate, one a vehicle gate (if possible).
- Where the State requires return fencing on highset houses, separation of the front yard from the back yard must be achieved, whilst maintaining the maximum amount of usable space under the house. The drawings below illustrate examples of an unacceptable and an acceptable solution for return fencing on highset houses.



- Front yards must be fenced, unless it is the Council's preference and common practice not to fence front yards in particular communities.
- 1200mm, 1500mm and 1800mm high chain wire for perimeter side and rear boundaries are acceptable, with raked sections if the front yard is fenced at a lower height. 1800mm high chain wire fencing requires a mid-rail.
- Incorporate lockable vehicle and pedestrian gates to the front of the property.

Fencing types should be suited to the climatic region and community and may be chain wire, timber or Colorbond (or similar). Wire fencing and gates to have galvanised posts, top rail and bottom rail. Gates in timber fencing to have galvanised steel frames.

Retaining walls

Retaining walls must be constructed of a suitably long-lasting material, requiring no ongoing treatment or maintenance to maintain its integrity and appearance. Timber is not permitted.

Retaining walls must be of a design, height and location that is safe for tenants, neighbours and the community. Retaining walls must not unduly restrict the light and/or views from the property or neighbours' properties.

The preferred maximum height for retaining walls is 1400mm.

Water tanks

The *Queensland Development Code (QDC) Part MP 4.2 Water Saving Targets*, which requires a supplementary water source (such as a water tank) for a class 1 building to be connected to a reticulated town water supply system, applies *only* when a Council has applied to and received approval from the minister to require the mandatory application of the Part.

Water tanks must be supplied in communities where this approval has been granted. Requests for provision of water tanks in communities where this approval has not been granted will be assessed on a case by case basis.

Tank capacities, number of tanks, their use and outlets to which they are connected should be generally consistent with local practices and in accordance with local government requirements.

Additional water tanks may be required for bedroom/bathroom additions.

Water tanks that may store untreated rainwater must not be connected to potable water fixtures.

Tank cocks must be lockable with all components secured against theft and damage.

Metal tanks are not acceptable in coastal or island areas.

Tanks must be fully sealed (as in the case of tanks that store town water only) or all tank openings screened to prevent mosquito infestation. Every effort must be made to discharge overflow from tanks away from the house, to a designated stormwater system, preferably the kerb and channel.

Pumps, if required, are to be submersible hardwired. Gravity fed pumps are preferred. If a continuous flow is desired (plumbed to the toilet) an automatic hardwired pump should be utilised.

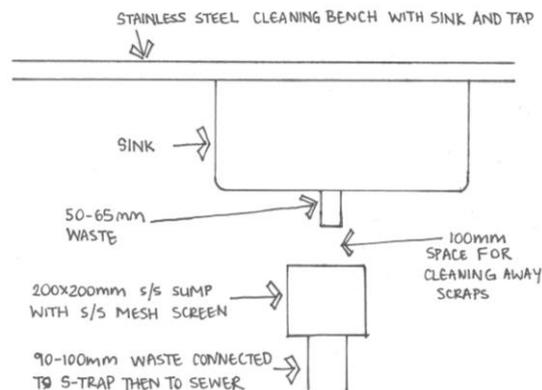
Rainwater tanks must not be able to be topped up from town water supply. Tanks fed from town water supply must not be topped up by rainwater.

The minimum height of a tank stand is to be 300mm above finished ground level. If two tanks are used and they flow into each other, then the base of the second shall be a minimum of 300mm above the base of the first.

Tank stands shall be either formed concrete; concrete slab; steel framed; or timber framed (treated to H5 standard or above) all with appropriate tie-down for tanks to stands.

Cleaning bench

A cleaning bench (for fish or game) may be installed (where approved by Councils) outside, away from outdoor and indoor living areas. It must be located under roof (such as carport or eaves) to shelter the sink from driving rain.



Internal Space

A furniture layout plan must be provided to demonstrate functional planning of spaces suitable for the maximum household population (refer to Appendix 1 for furniture sizes).

Unless noted otherwise, paths of travel past furniture must be a minimum of 900mm wide.

For the upper level of highset houses, apply the Gold requirements of this standard only. Referenced Livable Housing Design Guidelines Gold Level requirements do not apply.

Corridors, thresholds and doorways

Gold Level Requirements

Livable Housing Design Guidelines **Gold Level** (Elements 2, 4, 12,13) requirements:

except:

- Sliding glass doors: If a deeper door sill is required due to cyclone rating requirements, a slightly higher threshold is acceptable, provided that the sill allows for a proprietary ramp system to be easily attached at a later date. (Ramps only to be installed in response to identified client need).

plus:

- With the exception of doors to pantries and linen cupboards, door swings must not impede on the doorway and circulation clearances or door swings of other doors.

Platinum Level Requirements

Above requirements, and *Livable Housing Design Guidelines* **Platinum Level** (Element 2, 4,12, 13) requirements:

except:

- For 4 and 5 bedroom dwellings, Platinum Level access requirements are not required to the second bathroom or separate toilet.
- For hinged doors, provision of a 920mm door leaf is deemed acceptable in lieu of LHDG Platinum Level requirement for 900mm clear opening.

plus:

- Internal sliding doors are to be surface mounted (not cavity style).
- Provide circulation space at all doors in accordance with AS1428.1-2009. In addition, note that:
 - Where a surface-mounted sliding door intrudes into the required circulation space of another surface-mounted sliding door, the width of the hallway must be increased to meet the requirements of AS1428.1-2009, Clause 13.3.3.3.
 - Provide a minimum of 1000mm path past furniture through the space (excluding dining chairs). Furniture must not be placed within door circulation spaces.
 - Refer to LHDG Element 13 for door furniture.
- Sliding glass doors must be 2100mm wide.

Entry porch and Foyer

(Not applicable to bedroom / bathroom additions – ‘plug-ins’)

The front door must be a swing door with a security screen door.

Gold Level Requirements

Livable Housing Design Guidelines **Gold Level** (Elements 1, 2, 12, 13, 15, 16) requirements:

plus:

- Provide a covered entry porch at the front door.
- The porch must be visible from the street and contribute positively to the appearance of the house. The minimum size of the landing area is to be in accordance with LHDG, and may be up to 7.5 sq.m.
- Where the covered outdoor living area is located at the front of the house and incorporates the entry porch:
 - The path to the front swing door must be direct and the shortest possible distance across the porch or covered outdoor living.
 - The door from the living or dining room to the covered outdoor living area must not be the front door.
- A foyer may form part of the living/dining area (accounting for furniture layout) or be a separate space.
- The security swing door and front door should preferably open against walls allowing 90° (nominal) door swings.
- Unscreened glass (operable or fixed) beside the door latch is not permitted.
- Separate duplex entries and avoid creating paths of travel past entries of other dwellings.

Platinum Level Requirements

Above requirements, and *Livable Housing Design Guidelines* **Platinum Level** (Elements 1, 2, 12, 13, 15, 16) requirements:

plus:

- Ensure that the security screen is hinged on the same jamb as the front door.
- Only a latch-side approach or front approach is acceptable for entry doors (refer AS 1428.1-2009, Fig 31 (f), or (h)).

Living and Dining

Gold Level Requirements:

Livable Housing Design Guidelines **Gold Level** (Elements 12, 13, 14, 15, 16) requirements,

plus:

- Living and dining areas should have:
 - a direct visual and physical relationship with the kitchen and covered outdoor living space
 - visual remoteness and separation from private spaces (bedrooms and bathrooms)
 - easy access to a separate WC not associated with the bedrooms
 - at least one solid uninterrupted wall, to allow for the placement of entertainment units or other such furniture (without compromising natural ventilation).
- Living and dining areas may be separated to support separate activities (such as homework in the dining area and television viewing in the living area), particularly in 4 and 5 bedroom houses.
- In 1 and 2 bedroom houses, the living and dining spaces may be combined with the kitchen.
- A minimum clearance width of 1000mm for movement through the space is required without impeding on the functions of the space.
- Living and dining areas must facilitate the functional placement of furniture (refer Appendix 1 for furniture items and sizes).
- **Multi-purpose spaces** (one bedroom dwellings only):
 - An additional multi-purpose space (minimum dimensions 1900mm x 2100mm) must be provided.
 - The space must be flexible to accommodate possible uses such a storage of mobility equipment, using a desktop computer or sleepover for a carer or visitor.
 - It must be a separate, defined space, not inside the bedroom.
 - Must facilitate the functional placement of furniture (refer Appendix 1 for furniture items and sizes).

Separation from the living area, kitchen or dining may be achieved through passive measures such as by creating a recess in the larger room and/or the use of nib walls, half-height walls and ceiling bulk heads.

Platinum level Requirements:

Above requirements, and *Livable Housing Design Guidelines* **Platinum Level** (Elements 12, 13, 14, 15, 16) requirements,

plus:

- Circulation space past furniture, through the space and at doorways must be a minimum width of 1000mm without impeding on the functions of the space.
- Where separate dining *room* is designed, the path past the furniture and through the space must be a minimum width of 1000mm and measured to the dining chairs (not the dining table) with the chairs sitting 600mm out from the table.

Kitchen

The kitchen should have a direct physical relationship with the dining space and ideally with the covered outdoor living area, particularly when outdoor living is located at the back of the house.

The kitchen should not form part of the main thoroughfare through the dwelling. In four and five bedroom dwellings, the kitchen should be a separate, defined space, but not necessarily a separate room.

Natural and artificial lighting must be sufficient across bench tops for general food preparation.

Windows provided above bench to have sill 900mm above floor level.

Good natural ventilation is required. Range hoods are not preferred.

Provide exhaust fan, vented to the exterior of the house, with closing mechanism (when off), separately switched and ducted to the external wall in the kitchen, offset at least 500mm from the edge of the stove and 2000mm above floor level.

Cooking

Gold Level Requirements

Liveable Housing Design Guidelines **Gold Level** (Elements 9, 12, 13, 16) requirements, *plus:*

- Gas or electric cooking appliances are acceptable, to be determined in consultation with councils.
- Provide an upright range with four cooking elements located a minimum of 600mm from internal corner/s of the front edge of the bench. To facilitate cleaning, a 100mm gap must be provided between the joinery and each side of the range, with the bench overhanging to provide a 10mm gap each side of the range. Anti-tilt brackets are required.
- Hotplates are not to be installed under windows or within 300mm of a window.
- A microwave shelf must be provided. If necessary, it may be provided as a recess in the pantry space, creating two smaller pantry cupboards, one above and one below the microwave shelf. Microwave space must not be located under bench.

Note: In some instances the state may require provision of a wall oven and cooktop in lieu of an upright range. In these cases, unless specified otherwise, the wall oven and cooktop must be provided in accordance with the Platinum standard.

Platinum level Requirements

Above requirements, and *Livable Housing Design Guidelines Platinum Level* (Elements 9, 12, 13, 16) requirements,

except:

- A wall oven and separate hot plates are required.
- Hot plates are not to be installed in benches that are not against a wall, unless a suitable upstand is provided to the back of the bench.
- Hotplates are not to be installed at the end of a cupboard, adjacent to doors, windows, areas of heavy traffic, internal corners, or against side walls of a pantry. At least 300mm of bench space each side of a cooktop must be provided. (Refer AS4299-1995, Clauses 4.8.7: Cook tops, 4.5.8: Ovens, 4.5.9: Microwave Ovens).
- Provide for a microwave oven between 750mm and 1200mm above floor level (generally above the wall oven). (refer AS4299-1995, Clause 4.5.9) The top of the cabinet around the convection oven may serve as the microwave oven shelf.
- Hotplate controls may be located centre-front.

Bench space and clearances

Gold Level Requirements

Livable Housing Design Guidelines Gold Level (Elements 9, 12, 13, 16) requirements,

plus:

- Provide adequate free bench space for food preparation and set down beside appliances (including the oven and refrigerator). Bench space should be provided on each side of the cook top.
- Space between benches (or to dining table in combined kitchen/dining) and to face of refrigerator) is to be 1200mm for one and two bedroom dwellings, and 1350mm for 3, 4 and 5 bedroom dwellings.
- Sink and cook top should be located on the same, continuous bench (does not apply to highset dwellings and continuous bench-top may include corners).

Platinum level Requirements

Above requirements, and *Livable Housing Design Guidelines Platinum Level* (Elements 9, 12, 13, 16) requirements,

except:

- At least one 800mm work surface should be clear bench space.

plus:

- Allow a minimum clearance of 300mm between the hotplates and other appliances (i.e. wall oven, refrigerator) or other obstruction such as a wall.

- The top of the cabinet around the convection oven must be 1150mm to 1200mm above floor level.
- Locate the wall oven a minimum of 600mm from the internal corner of the front edge of the bench.
- Provide a work surface (800mm minimum length) beside the hotplates, wall oven and refrigerator. Two appliances may share a work surface. A sink drainer can form part of the work surface beside an appliance: hotplates can form part of the work surface beside the refrigerator (refer to AS 4299-1995, Clause 4.5.5).
- The work surface for the refrigerator must be measured in a straight line along the front edge of the bench. (i.e. must not be in a 'dead' corner).
- Provide a continuous bench-top between the wall oven and the refrigerator. The sink and hot plates are to be considered part of the continuous bench top (continuous bench-top may include corners).

Fridge space

Gold Level Requirements

Livable Housing Design Guidelines Gold Level (Elements 9, 12, 13, 16) requirements, plus:

- 1 & 2 bed dwellings: 850mm wide x 700mm deep x 1900mm high
- 3+ bed dwellings: 1050mm wide x 700mm deep x 1900mm high

Platinum level Requirements

Above requirements, and *Livable Housing Design Guidelines Platinum Level* (Elements 9, 12, 13, 16) requirements.

Cabinets

Gold Level Requirements

Livable Housing Design Guidelines Gold Level (Elements 9, 12, 13, 16) requirements, plus:

- Benches are to be 600mm deep and 900mm above floor level.
- Pantry must be provided and is to be ventilated and vermin proof. Minimum width: 1000mm (with 2 x swing doors), depth: 450-600mm.
- Provide a minimum of one bank of drawers (locate remote from the hotplates).
- Benchtops are to be laminated with a post formed outer edge and no sharp corners. Plain colours are not preferred.
- Cupboards must have doors. Doors and drawers to be laminate/melamine finish with PVC edging, and metal D-handles.
- Seal junctions to benches, cupboards, walls, architraves etc.

Overhead Cupboards:

- Overhead cupboards are to be installed wherever kitchen layout permits (but not above hotplates).
- Locate overhead cupboards a minimum of 500mm above the kitchen bench.
- Maximum 350mm deep.
- Top of wall cupboards shall be no higher than 2100mm from the floor.
- One cupboard must have a secured, childproof lock to store medications and/or chemicals.

Platinum level Requirements

Above requirements, and *Livable Housing Design Guidelines Platinum Level* (Elements 9, 12, 13, 16) requirements,

except:

- Benches must be 850mm above the finished floor level.

plus:

- The cupboard doors, plinth and shelf under the sink must be removable to a minimum length of 820mm (refer to AS4299-1995, Figure 4.8(b)). The under-sink space must provide the required knee space (refer to AS4299-1995, Clause 4.5.6(d)).
- The cupboard doors, plinth and shelf under or partly under the hotplates must be removable to a minimum length of 820mm. (refer to AS 4299-1995, Figure 4.8(b)). This section of removable cupboard is to form the work surface described in AS 4299-1995, Clause 4.5.5.
- Cupboard and pantry doors must have 170 degree opening hinges (except for doors that are restricted by walls, other cabinets etc.).
- Align the centreline of the hotplate controls with the centreline of the removable section. Hotplate controls may be located centre-front of the cooktop.

Sink and taps

Gold Level Requirements

Livable Housing Design Guidelines Gold Level (Elements 9, 12, 13, 16) requirements,

plus:

- single lever mixer tap. Chrome plated with swivel spout
- stainless steel sink. 1-2 bedroom: Single bowl with drainer. Minimum 900mm long. 3-5 bedroom: Double or 1 $\frac{3}{4}$ bowl with drainer.

Platinum level Requirements

Above requirements, and *Livable Housing Design Guidelines Platinum Level* (Elements 9, 12, 13, 16) requirements,

plus:

- The sink bowl must be to a maximum depth of 150mm (Refer AS4299-1995, Clause 4.5.6).
- Direct the waste(s) to a trap on the rear wall.
- Insulate exposed hot water pipes and metal surfaces under the sink in accordance with relevant Australian Standards.

Splashback

Gold Level Requirements

Livable Housing Design Guidelines Gold Level (Elements 9, 12, 13, 16) requirements,

plus:

- Splashbacks are required, and should continue into window reveals if applicable.
- Provide a splashback behind a kitchen bench to a height of 500mm or to the underside of overhead cupboards or microwave enclosure.
- Splash backs shall be ceramic tiled or melamine surfaced high pressure laminated sheeting (a 'Lamipanel' type product).
- The splashback behind an upright stove shall be ceramic tiled or stainless steel and extend for the entire width of the stove space, from finished floor level to the same height as the top of the splashback above the kitchen bench.

Platinum level Requirements

Above requirements, and *Livable Housing Design Guidelines Platinum Level* (Elements 9, 12, 13, 16) requirements.

Bathrooms and toilets

Refer to **Appendix 2** for bathroom configurations.

Application of LHDG for bathrooms and toilets

Platinum Level dwellings: At least one bathroom and toilet is required to meet all Platinum Level requirements (including LHDG requirements). Additional bathrooms and toilets must meet *additional* Gold Level requirements and exceptions only (*not* LHDG Gold Level requirements).

Gold Level dwellings: At least one bathroom and toilet is required to meet all Gold Level requirements (including LHDG requirements). Additional bathrooms and toilets must meet *additional* Gold Level requirements and exceptions only (not LHDG Gold Level requirements).

Upper level of highset dwellings: LHDG Gold Level requirements do not apply, however *additional* Gold Level requirements and exceptions outlined below do apply.

Refer to *Accessibility* (page 8) for more detail about the application of Gold and Platinum Level requirements.

Design and clearance considerations

Gold Level Requirements

Livable Housing Design Guidelines Gold Level (Elements 4, 5, 6, 7, 12, 13, 16) requirements,

plus:

- Bathrooms must be located on an external wall.
- Provide good natural lighting and ventilation, supplemented by mechanical ventilation in order to provide appropriate airflow. Mechanical ventilation must provide a minimum of 15 air changes per hour, and the fan and light must be switched separately.
- Bathrooms must not be accessed directly off bedrooms.
- Ensure visual privacy between the living areas (including kitchen) and the bathroom/s and toilet.
- At least one bathroom and toilet must be close to the bedrooms.
- Visitors should have easy access to a toilet and hand washing facility (a laundry tub near the WC is acceptable), separate from the main bathroom (except for 1 bedroom dwellings), and easily accessible from the living, dining and outdoor living space.

Platinum level Requirements

Above requirements, and *Livable Housing Design Guidelines Platinum Level* (Elements 4, 5, 6, 7, 12, 13, 16) requirements.

Shower

Gold Level Requirements

Livable Housing Design Guidelines Gold Level (Elements 6, 7, 13, 16) requirements,

except:

- Provide a 1000mm x 1000mm shower recess, reinforced to the full width of the shower recess (not 900mm wide as described in LHDG) to enable *future* installation of shower equipment.

plus:

- A shower screen with a minimum 800mm pivot type glass door, or shower curtain must be provided.
- Position the shower away from bathroom door to minimise splashing into other rooms.
- Walls to a shower or shower/bath area shall be ceramic tiles or melamine surfaced high pressure sheeting (a 'Lamipanel' type product) to minimum 2100mm high or to the top of half height walls.
- Soap holder must be recessed.

Platinum level Requirements

Above requirements, and *Livable Housing Design Guidelines Platinum Level* (Elements 6, 7, 13, 16) requirements.

Reinforce shower walls as per LHDG, *except:*

- Extend the reinforcing to full shower width (not 900mm).
- On wall without shower combination, extend reinforcement to within 200mm of finished floor line (for possible *future* shower seat).

plus:

- Recess must be open on 2 sides.
- Floor tiles are to be a different colour to the general floor tile (minimum 30% luminance contrast).
- Shower configuration is to be in accordance with AS 1428.1-2009, Figure 47(a); or Figure 47(b) if WC is located adjacent to open side of the shower. Note that actual disability equipment (e.g. shower seats, grab rails) must only be provided if specified by the State.
- Provide circulation space in accordance with LHDG Figure 5(b).

- Position shower away from doors that lead to other rooms (to minimise splashing).
- Walls of shower area are to be tiled to 1900mm minimum.
- Provide a shower curtain rail 1800mm above floor level, ensuring that it does not intrude on toilet circulation space. Provide weighted shower curtain.

Bathroom and shower floor drainage and membrane

Gold Level Requirements

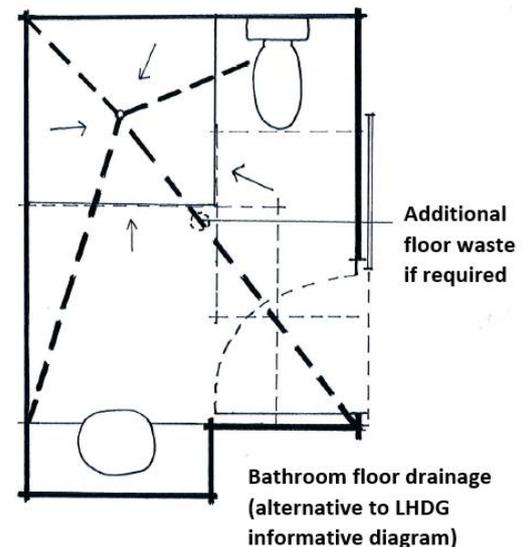
Livable Housing Design Guidelines Gold Level (Element 6, 7,16) requirements,

plus:

- A full seamless waterproof membrane shall be installed extended 300mm minimum up the wall.
- Bathroom floors are to drain in accordance with the method described in the LHDG Informative Diagram for bathrooms (floor gradients are to be between 1:60 and 1:80)

or

position shower waste in the centre of the shower area and fall entire bathroom floor to shower waste (as illustrated right). The fall at the shower shall be between 1 in 50 and 1 in 60. The fall in the bathroom shall be between 1 in 70 and 1 in 80. If this option is used, water must not be obstructed where a shower screen is provided. An additional 'back-up' floor waste may be provided outside the shower area.



Platinum level Requirements

Above requirements, and *Livable Housing Design Guidelines Platinum Level* (Element 6, 7, 16) requirements.

Vanity

Gold Level Requirements

Livable Housing Design Guidelines Gold Level (Elements 5, 6, 7, 12, 13) requirements,

plus:

- Minimum 1200mm long x 350mm deep (1050 long in additional bathrooms) x 800mm high. Vanity to include drawers.
- Allow 1000mm clear space in front of vanity.

- Vanity shall be 300mm clear of the finished floor level, fixed securely to the wall or on legs and fixed to the wall.
- Provide splashback to vanity.
- Minimum 750mm wide mirror behind vanity, from the top of splashback to joinery height. Mirror may be installed off centre if required due to window location.
- Vanity top and basin to be integral, one piece polymer.

Platinum level Requirements

Above requirements, and *Livable Housing Design Guidelines Platinum Level* (Elements 5, 6, 7, 12, 13) requirements,

except:

- Provide vanity with a bank of drawers and semi-recessed type basin with adequate circulation space (AS1428.1-2009, Figure 46).

plus:

- Position the basin to the end of the vanity unit that is away from the corner.
- Provide clearance under the vanity in accordance with AS4299-1995 (Figure 4.4: washbasin clearances).

Storage

Gold Level Requirements:

- Provide adequate storage in the bathroom through either wall shelves or under-vanity.
- Provide one lockable cupboard for storage of medicines.

Platinum level Requirements

No additional requirements

Toilet

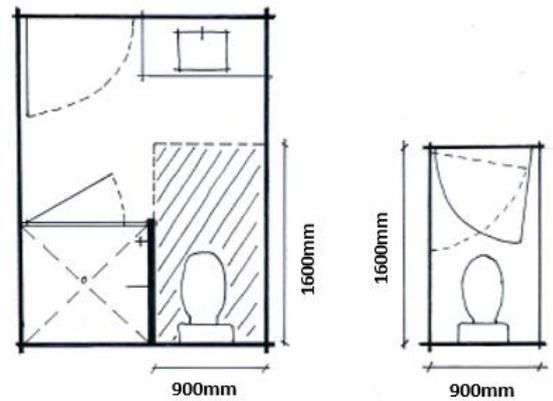
Gold Level Requirements

Livable Housing Design Guidelines Gold Level (Element 5,7) requirements,

plus:

- Provide a ceramic bowl, a plastic or ceramic cistern, and a seat with a lid.
- Provide standard right-angled chrome plated cistern tap and chrome plated supply pipe.

- Provide chrome plated or stainless steel toilet roll holder. For toilets in the upper level of highset houses, and additional toilets in other dwellings, the clear area incorporating the toilet, must be a minimum of 900mm wide and 1600mm long (as illustrated right).
- Separate toilet rooms:
 - Natural light and ventilation is required.
 - Provide direct access to hand washing facilities in, or immediately adjacent to the toilet room.
 - Provide 100mm diameter dry floor waste with 25mm minimum falls (graded from perimeter of walls to floor waste. The floor may drain directly to an external doorway).



Platinum level Requirements

Above requirements, and *Livable Housing Design Guidelines Platinum Level* (Element 5,7) requirements,

except:

- Reinforce the side wall as per LHDG, but reinforce rear wall as per AS4299-1995, Figure 4.5.
- Circulation space is to be in accordance with AS 1428.1-2009 (Figure 43). It is accepted that a future shower seat may encroach on circulation space when folded down.

plus:

- Locate adjacent to a side wall that is a minimum of 1200mm long.
- Set out WC as per LHDG Figure 4. In addition, minimum dimension from centre of toilet to edge of shower must be 500mm.

Bath

Gold Level Requirements

Livable Housing Design Guidelines Gold Level (Element 7) requirements,

plus:

- Minimum size 1500mm long x 720mm wide.
- Pressed steel, enamelled finish (acrylic, as noted in Product Standard, is not acceptable)
- Use either tiles or melamine surfaced high pressure laminated sheet (a 'Lamipanel' type product) to walls behind bath, from rim of bath to 1200mm above finished floor level, and to front and sides (if exposed) from finished floor level to bath rim.
- Provide a recessed soap holder.

Platinum level Requirements

Above requirements, and *Livable Housing Design Guidelines* **Platinum Level** (Element 7) requirements.

Tapware

Gold Level Requirements

Livable Housing Design Guidelines **Gold Level** (Element 13) requirements,

plus:

- Tapware is to be chrome plated with a fixed spout.
- Minimum heights: shower rose outlet: 1800mm, shower taps: 1000mm.

Platinum level Requirements

Above requirements, and *Livable Housing Design Guidelines* **Platinum Level** (Element 13) requirements.

Towel rails and accessories

Gold Level Requirements

Livable Housing Design Guidelines **Gold Level** (Element 7) requirements,

plus:

- Provide accessories (e.g. towel rails, toilet roll holders etc. as applicable).
- Finish: Stainless steel or chrome plated.
- Provide minimum 600mm long towel rails providing minimum 1200mm aggregate length of towel rail.
- Reinforce walls behind towel rails. Must be suitable for use as a grab rail.

Platinum level Requirements

No additional requirements.

Wall coverings, skirtings, splashbacks

Gold Level Requirements

- Ceramic tiles or melamine surfaced high pressure laminated sheeting is acceptable.

Platinum level Requirements

No additional requirements.

Laundry

Laundry requirements are applicable whether the laundry is provided as a separate room, in the bathroom, or as a recess off a larger space (e.g. accessed from a foyer)

Access and ventilation

Gold Level Requirements

Livable Housing Design Guidelines Gold Level (Element 4, 10) requirements,

plus:

- If the laundry provides access to a WC from both the outdoor and indoor living spaces through separate doors, provide an entry set to the door between the laundry and the house.
- If the laundry is provided as a recess along a corridor or similar (1 and 2 bedroom houses only) and is visible from entry or living area, doors must be provided that enable full use of the laundry space when open.
- For houses, provide direct access from the laundry to the clothesline, where possible.
- Where possible, provide natural ventilation to the laundry space.

Platinum level Requirements

Above requirements, and *Livable Housing Design Guidelines Platinum Level* (Element 4,10) requirements.

Laundry tub and tapware

Gold Level Requirements

Livable Housing Design Guidelines Gold Level (Element 4, 10, 13) requirements,

plus:

- **Tapware** to be chrome plated with swivel spout.
- **Laundry tub:** Stainless steel with powder coated stainless steel cabinet, installed in 'compact configuration' (door must open to front) minimum capacity:
 - 35 litres (1 bedroom dwellings)
 - 45 litres (2 bedroom dwellings)
 - 70 litres (3+ bedroom dwellings)

Platinum level Requirements

Above requirements, and *Livable Housing Design Guidelines Platinum Level* (Elements 4, 10, 13) requirements,

plus:

- Provide a 150mm swivel spout and mixer on the side wall at the laundry tub.
- The washing machine combination shall be 1300mm above finished floor level.

Appliance space

Gold Level Requirements

Livable Housing Design Guidelines Gold Level (Elements 4,10) requirements,

plus:

- Provide a 900mm wide space for a **small deep freezer** (may be beside the washing machine).
- Provide 650mm deep space for **washing machine** beside the tub:
 - 700mm wide (1 and 2 bedroom dwellings)
 - 900mm wide (3, 4 and 5 bedroom dwellings).
- Provide a 12mm thick, 600mm wide, 900mm high, painted, marine grade plywood surface mounted wall reinforcing, 1300mm to 2200mm above finished floor level behind washing machine position for **wall mounting clothes dryer**.

Platinum level Requirements

Above requirements, and *Livable Housing Design Guidelines Platinum Level* (Elements 4,10) requirements,

except:

- Provide spaces for **washing machine and clothes dryer** beside the tub (1250mm long x 650mm deep)

Circulation space

Gold Level Requirements

Livable Housing Design Guidelines Gold Level (Elements 4, 10) requirements.

Platinum level Requirements

Above requirements, and *Livable Housing Design Guidelines Platinum Level* (Elements 4,10) requirements,

plus:

Circulation space at the appliances and tub may be achieved in two ways, depending on the location of the laundry:

- As noted in LHDG, provide minimum clear area of 1550mm in front of tub and appliances (AS 4299-1995, Clause 4.8). This applies if laundry is provided in a separate room, within bathroom, or as a recess (e.g. accessed from a foyer).

or

- Provide clearances at doorways as per Figures 31 and 32 in AS1428.1-2009. Figure 32(b) may be particularly instructive in calculating clearances. This applies if laundry is provided as a recess in a hallway.

Note: if front of appliances and/or tub is recessed more than 300mm behind line of hallway wall, circulation clearances must increase by the same dimension (refer AS 1428.1-2009, Clause 13.3.3.3).

Storage

Gold Level Requirements

- Provide secure storage for chemicals.
- Fit two wall mounted shelves (minimum 1700mm above floor level). Minimum 600mm long x 300mm deep. 15mm laminated marine grade plywood.

Platinum level Requirements

- No additional requirements.

Floor waste

Gold Level Requirements

- Provide 100mm diameter dry floor waste with 25mm minimum falls (graded from perimeter of walls to floor waste). The floor may drain directly to an external doorway.

Platinum level Requirements

- No additional requirements.

Skirting and splashback

Gold Level Requirements

- Skirting: Ceramic tiles or coved vinyl. Minimum 200mm high.
- Splashback: Minimum 450mm above the tub, continuing as 450mm band in the appliance space, and on return wall.

Platinum level Requirements

- No additional requirements.

Bedrooms

Separate the sleeping areas from the living areas where possible (full separation may not be achievable in smaller houses), and position bedrooms close to bathroom facilities. Isolate sleeping areas from noise (coming from both within and outside the house).

Bedrooms should typically be grouped together. Four and five bedroom houses may have bedrooms in two separate 'wings', each supported by a bathroom and toilet. Entries to hallways that provide access to bedrooms should be visible from living areas.

Bedroom 1

Furniture requirements:

Must accommodate:

- 1 x Queen sized bed (with bedhead against a wall)
- 2 x bedside tables

Gold Level Requirements

Livable Housing Design Guidelines **Gold Level** requirements,

except:

- Minimum floor areas (excluding wardrobe), which override LHDG requirements, are:
 - 11m² (1 and 2 bedroom dwellings)
 - 12m² (3+ bedroom dwellings, and bedroom/bathroom additions).

plus:

- Provide a second window for cross ventilation where possible. Windows above intended bed-head space to have minimum 1500mm sill height.
- Provide built in wardrobe, with sliding doors, top shelf, hanging rail and 3 x 600mm wide shelves (not in the corner). Minimum length: 1800mm.
- Minimum clearance of 900mm around remaining sides of the bed.
- Minimum room width is 3000mm.
- Clearance around bed in accordance with LHDG, with the additional requirement for a minimum clearance of 900mm on the remaining side of the bed.

Platinum level Requirements

Above requirements, and *Livable Housing Design Guidelines* **Platinum Level** requirements.

plus:

- Provide a surface mounted sliding door hung inside the room wherever possible.
- Built in robes should be positioned away from the head of the bed.
- If the linen store is provided in Bedroom 1 (1-2 bedroom dwellings only), it may be located on the wall adjacent to the bed head.

Bedroom 2

Note: Livable Housing Design Guideline requirements (Element 11) do not apply to bedroom 2.

- Bedroom 2 must accommodate the following furniture:
 - **3 x single beds** (bedheads against the wall). In this bedroom only, beds may be as little as 500mm apart.
(Note: provision for three beds is to ensure the room is big enough and flexible to accommodate a range of configurations. It is not expected that three people would permanently occupy one bedroom)
 - **A Drawer unit** against a wall. The end of a drawer unit must be a minimum of 600mm from the front of a robe space.
- Minimum floor area (excluding building in wardrobe) to be 12 sq.m.
- Provide a second window for cross ventilation where possible.
- Windows above likely bed-head space to have 1500mm minimum sill height. Provide built in wardrobe, with sliding doors, top shelf, hanging rail and 3 x 600mm wide shelves (not in the corner). Minimum length: 1800mm.

Bedrooms 3,4 and 5+

Note: Livable Housing Design Guideline requirements (Element 11) do not apply to bedrooms 3, 4 and 5+.

- Bedrooms 3,4 and 5+ must each accommodate the following furniture:
 - **2 x single beds** – positioned to provide access to a minimum of two edges of each bed. Minimum distance between beds: 1000mm.
 - **Drawer unit against a wall.** The end of the drawer unit must be a minimum of 600mm from the front of the robe space.
- Provide a second window for cross ventilation where possible .
- Windows above intended bed-head space to have 1500mm minimum sill height.
- Provide built in wardrobe, with sliding doors, top shelf, hanging rail and 3 x 600mm wide shelves (not in the corner). Minimum length: 1800mm.
- Minimum floor area (excluding building in wardrobe): 10sq.m.

Linen cupboard and broom storage

Linen cupboard

In 1 and 2-bedroom dwellings, the linen cupboard may be located in a bedroom.

Provide a 600mm deep linen store inside the dwelling, preferably not accessed from the kitchen or bathroom. Minimum widths:

- 1 bedroom dwellings: 600mm
- 2 bedroom dwellings: 900mm
- 3 bedroom dwellings: 1200mm wide
- 4+ bedroom dwellings: 1200mm wide

Broom storage:

Provide a 500mm wide broom cupboard (this may be a dedicated cupboard, or may be incorporated as additional dedicated space in a laundry recess).

Covered outdoor living space

Provide a covered outdoor living space (refer to *Target Floor Areas* table), ideally located to provide private outdoor living and a safe place for children to play associated with a yard. The space should be located and/or screened to provide a comfortable place for outdoor living for as much of the year as possible.

The roofs of covered outdoor living spaces must be insulated, and it is preferred that they are under the main roof space.

Screening should be carefully considered in the context of privacy, the locality, sun paths and prevailing breezes (both welcome and unwelcome); and ability to provide control of the space to moderate breezes and sun penetration.

Where covered outdoor living and the entry porch are located together, visitors' paths to the front door should be the shortest possible distance across the porch or covered outdoor living area and not pass through the centre of the outdoor living area. Access from the house to the covered outdoor living area should be by a separate door, other than the front door.

If the covered outdoor living area and carport are connected, ensure cars are prevented from driving through (a gate is acceptable).

Covered outdoor living areas that are more than one step, but less than 1000mm to the adjacent surface (e.g. ground, car port, path) require a balustrade with a minimum of a top and mid rail.

If a gate is required at the top of stairs to an external outdoor living space, ensure that a threshold landing is provided.

For both Gold Level and Platinum level dwellings, where a useable, level yard is practically accessible from a covered outdoor space, provide a pathway in accordance with LHDG Element 1.

Bedroom/bathroom additions

A bedroom/bathroom addition may be identified as a suitable, cost effective method of addressing overcrowding and the undersupply of larger family houses.

Where a bedroom/bathroom addition is provided as a separate building (typically located in the backyard of an existing house with a covered link to the house), separation of the addition from the primary dwelling limits the use of the building to older children and independent adults. Lowset additions may not be suitable for people with a disability.

Bedroom / bathroom additions provided as a separate building must contain the following:

- a front door (may be a sliding glass door)
- 2 x bedrooms
- 1 x bathroom (toilet may be incorporated or separate)
- 1 x covered outdoor area (may also serve as the entry porch)
- 1 x 1100mm wide (minimum) covered pathway to the primary dwelling. Provide 300mm (minimum) roof overhang each side of path).

Internally, the additions must meet **LHDG Gold Level** requirements (with additional requirements) as outlined throughout this document.

Bedroom/bathroom additions must comply with all other requirements (e.g. electrical and stormwater management requirements) outlined throughout this document to the extent that they are relevant. Depending on the location of the addition, this may require the provision of separate items such as hot water systems and television antennas/satellite dishes.

General construction (all house dwelling types)

All construction and associated works must comply with all relevant building codes, regulations and mandatory standards.

Alternative construction must meet or exceed the performance outcomes of this standard and be approved by the department.

Energy efficiency

In addition to mandatory requirements, the design of houses must respond to site conditions and local climate.

Orientation

In order of priority, living areas (indoor and outdoor) then bedrooms should be orientated and / or designed to avoid the western sun and maximise exposure to the prevailing breezes. If possible, the narrow side of the building or the side that contains bathrooms and toilets should face west.

Shading

Houses with hip or gable roofs must have minimum 600mm eaves overhang.

Overhangs must be increased or additional sun and weather protection provided to external walls, windows and covered outdoor living spaces in the case of:

- roof pitch is less than 20 degrees
- roof pitching height is greater than 2700mm
- fascia gutters are not provided
- windows in gable end walls or under the top edge of a skillion roof.

External doors must have minimum 1200mm wide roof or eaves projection that also extends at least 450mm past the outside edges of the doorway along the line of the wall.

All windows exposed to direct western sun require additional sun shading without unduly restricting air movement.

Air Movement and ceiling fans

House design must facilitate good cross-ventilation.

Typically, habitable rooms with two or more external walls shall be provided with openable windows in both walls.

Window openings are to be in accordance with BCA energy efficiency minimum requirements for rooms without ceiling fans, even though ceiling fans (or an alternative method of creating equivalent air movement) are to be provided.

Ceiling fans (minimum 1300mm diameter) or an alternative method of creating equivalent air movement, are to be provided to all habitable rooms. Fan controllers with robust switches are to be provided if available.

The minimum height to the underside of exposed ceiling fan blades must be 2400mm (refer AS 4226-2008. Section 12.5.3). The clearance between the ceiling fan and the ceiling must be not less than 200mm (300mm preferred).

Ideally, warm air within the house should be vented at ceiling level or near the highest point in a raked ceiling.

Provide passive cross ventilation of the roof space. Ventilation openings are to be vermin proof and non-moving.

Bathrooms must have good passive ventilation and openable windows.

Air conditioning

Air conditioners are not supplied by the department.

An easily identifiable knockout panel and power outlet must be provided in all habitable rooms for future installation of air conditioners by tenants. Nominal size of knockout panels: 800mm wide x 500mm high (living areas), 700mm wide x 450mm high (bedrooms).

Thermal insulation

Thermal insulation is required to the entire roof, and/or over ceiling linings of all indoor and outdoor living spaces, and to attached carports.

For more information on ceiling insulation, refer to Product Standards.

Use of timber

Timber must not make contact with the ground.

Framing timber (other than prefabricated roof trusses) and external trim timbers shall be treated to a rating of H3 or above.

Timber should not be used as external wall cladding.

Avoid designs and detailing in which structural timber is unnecessarily exposed to the elements. Floor joists or bearers that continue out from buildings or decks are not acceptable.

External walls/cladding

External wall cladding shall be of an external grade, and must be water resistant and termite proof. Metal roof sheeting profiles (or similar) must not be used as the only cladding material on a house.

Cladding products of a composition that ignites or melts easily with a naked flame must not be used.

Sub floor screening (highset and lowset houses)

Sub floor screening, with lockable access panel, is to be provided on lowset houses. Sub floor screening is to be provided to the street elevations of highset houses.

Detailed requirements include:

- For highset houses, screening is required to the street frontage, returning to the first column on each side.
- For highset houses on corner blocks, screening is to be provided to both frontages and returned to the first column on the two adjacent sides. Battening that extends to over one metre in height must not be climbable. Where car parking is provided under the house, provide an opening nominal 3m wide x 2.3m high, with no gates.

Roofing

Minimise valleys. Box gutters are **not** acceptable.

The main body of the roof shall have a minimum pitch of 15 degrees and a maximum of 26 degrees. Other roofs can have a minimum pitch of 5 degrees.

Roofing material shall be light-coloured Colorbond or similar metal profile roof sheeting. Roofs to be ventilated through passive, non-moving roof ventilators (may include roof ridge vents) and must be in accordance with Section 3.12.1.2 (b) (i) of the NCC (Energy Efficiency, Roofs)

Roof vents must be colour matched to the roof sheeting.

Locate roof vents as far apart as possible. Gable ventilation can be used instead of, or in addition to roof ventilation. Gable vents must be located as close as possible to the top of the roof and be weather proof.

Vermin proof all possible means of entry into roof/ceiling cavity.

Fascias and gutters, should be Colorbond or similar. Gutter leaf barrier systems may be installed.

All roofs, including roofs over outdoor living areas, and gable ends and the like must be insulated in contact with the roof sheeting or cladding.

Floor Construction

Internal

Floors shall be reinforced concrete, suspended timber and/or steel framed. Framed floors shall be sheeted with 19mm plywood treated to H3 or above, or 18mm compressed fibre cement sheeting; or similar.

Bathroom and laundry

Reinforced concrete or compressed fibre cement sheet subflooring.

Bathroom subfloor must be set down so that the finished floor incorporating falls is level with the house finished floor at the door.

Floor finishes

Internal

Requirements in addition to NCC 2016 slip resistance requirements for internal and external floor finishes (Volume 2, Section 3.9.1.4) are outlined in the DHPW Product Standards document. In summary, requirements for floor finishes include:

- bedrooms: Sheet vinyl or ceramic tiles
- wet areas: Slip resistant, tiles preferred
- living, dining, kitchen and corridor: Sheet vinyl or tiles (vinyl only for Platinum Level). If providing vinyl, a row of tiles is required at external door thresholds (including sliding doors)
- laundry or laundry recess: Slip resistant sheet vinyl or tiles

External

Floors shall be either concrete slab on ground or suspended timber/steel framed. Suspended floors for landings, verandas or covered outdoor areas will be minimum 19mm shot edge hardwood or 23mm composite strip flooring with a 3mm gap between boards.

For lowset dwellings, ensure a clearance between the ground surface and the underside of the lowest horizontal members of the subfloor of at least 400mm.

Floor finishes for covered outdoor areas must have a slip resistant finish. Pavers are not acceptable in any outdoor areas, including paths.

Steelwork - external

All exposed steelwork including stumps, stringers, brackets, plates etc. must be hot dipped galvanised after fabrication.

In marine environments, steel treatment must meet relevant standards for the protection of structural steel against atmospheric corrosion for a minimum maintenance period of not less than 10 years.

Fasteners

All bolts, washers, nuts, nails, screws, nail plates, tie down brackets and any other fastener shall be galvanised to standard.

External Stairs

All stringers shall be galvanised steel. All treads must be 250mm x 50mm (dressed all round) hardwood or precast reinforced concrete. Handrails and balustrade can be galvanised steel or powder coated aluminium. Provide handrails to both sides of stairs.

Internal Ceiling Linings

Internal ceiling linings must be:

- 6.0mm recessed edge, flush jointed, fibre cement
or
- 10mm (minimum) impact-resistant plasterboard
or
- similar resilient finish

Provide a minimum 600mm x 600mm framed access opening in the ceiling for each roof space.

Internal Wall Linings and skirting boards

Internal wall linings on timber or metal studs must be:

- 9.0mm recessed edge, flush jointed, fibre cement sheeting
or
- 10mm (minimum) plasterboard that is recognised as being impact resistant
or
- Similar resilient finish.

Skirting boards may be hardwood or pine.

Doors

All doors to have cushioned combination stops/catches.

Provide weather strips to external doors where appropriate.

External swing doors shall be solid core, waterproof plywood sheeted, with 3 x 100mm hinges and must swing inwards.

Internal doors shall be hollow core construction with 3 x 100mm stainless steel hinges. Unless otherwise specified in this document or recommended by an occupational therapist, sliding doors are not acceptable.

Steel door frames may not be suitable in coastal locations. Stainless or galvanised steel may be required. External grade timber door frames are also acceptable.

Aluminium framed sliding glass doors

Aluminium framed doors shall have a powder coated or anodised finish.

Sliding glass doors must not be used as a front entry door (with the exception of bedroom/bathroom additions).

Circulation space applies to the sliding leaf in Platinum Level dwellings.

External door thresholds

Thresholds at all external doors shall be as per LHDG, Element 2 (however, 10mm maximum vertical threshold is acceptable). Door seals must be provided.

Door hardware

External swing door: lever type entrance locksets with external key and internal lockable snib. Deadlocks are required.

Bedroom: lever type privacy lockset (*not* passage set as noted in product standard)

Bathrooms and WC: lever type privacy lockset.

Aluminium framed sliding glass doors: keyed lock and 'D' handle.

All keyed locksets and deadlocks in a house shall be keyed alike.

For more information about door hardware, refer to *Product Standards: Social Housing Dwellings (Door Furniture)*.

Windows

It is expected that glazed windows will typically have powder coated or anodised aluminium frames.

Double hung, hopper and casement windows may be used provided that they are security screened. Standard louvre windows without security screening are not appropriate. Fixed glass may be used where cross ventilation is provided by other openable windows.

Alternative and composite systems or a combination of window types may be provided that provide improved outcomes for ventilation, natural daylight, safety, security, privacy, heat gain, maintainability, robustness, dust exclusion and suitability for use with air conditioning may be provided.

Alternative systems that comprise materials other than glass and aluminium should be suitably robust and consistent with community expectations.

For Platinum Level dwellings, window sills are generally to be no higher than 900mm above floor level (typical exceptions include bathroom and kitchen windows, and the second window in the bedroom).

Glazing

Glazing used in windows shall be laminated or toughened glass.

Use obscure glass in bathrooms and toilets and clear glass elsewhere.

Polycarbonate 'glazing' should not be used due to the potential issues of increased scratching and discolouration. In addition, community Bushfire Management Plans may exclude the use of polycarbonate glazing by reference to AS 3959-2009: Construction of Buildings in Bushfire Prone Areas. Any identified need for polycarbonate windows on particular dwellings requires prior approval from the State.

Window coverings

Provide curtain brackets, curtain rods, and curtains, to all glazed windows and sliding glass doors, other than in wet areas, kitchens or where alternative methods of maintaining privacy are provided.

Curtains are to be fire retardant and washable without reducing fire retardant properties.

Security and insect screening

All external swing doors and openable sections of windows and sliding glass doors must provide both insect screening, and security screening. In coastal areas, only products suitable for corrosive salt environments are acceptable.

Acceptable screen types include:

- woven stainless steel security mesh
- aluminium diamond grille security screens, with fly mesh, that prevent a 50mm x 25mm x 15mm probe from passing through. Nylon or aluminium fly mesh is acceptable.

For further information about security screens, refer to *Product Standards: Social Housing Dwellings (P54: Security and insect screens for doors and windows)*.

In dwellings that require increased security, security screening may be applied to the fixed glass side of sliding windows and doors.

If security screens are applied to the fixed side of sliding glass windows and doors, then one bedroom in each group of bedrooms must include an openable security screen.

Where openable window security screens are required, preference is for top/horizontally hung screens.

Openable security screens must comply with Section 3.9.2.5 of the NCC (requirements for the protection of openable windows).

For further detail on security screen requirements, refer to *Product Standards: Social housing dwellings (Security and insect screens for doors and windows)*.

Paint and protectant finishes

All paints must be Australian Paint Approval Scheme (APAS) approved.

Anti-mould additive to be added to internal and external paint.

Prepare all surfaces using a trade approved method.

Galvanised metal surfaces to remain unpainted.

Painting to include a minimum of two finish coats.

Internal walls

Internal walls and ceilings should be painted using a three coat acrylic system, typically:

- walls: easy to clean semi-gloss or low sheen
- ceilings: low sheen
- Doors, architraves and skirtings: gloss enamel

External walls and soffits

External walls should be painted using a three coat acrylic or oil based system.

Colours

Community preference should be considered in the selection of colours.

Generally, internal colours, other than feature colours, should be light in tone.

External colour schemes can affect the thermal performance of a house. Light colours can reflect thermal radiation while dark colours will increase heat gain. To the extent that the energy efficiency rating of a house (as required by the National Construction Code (NCC) and Queensland Development Code (QDC) Mandatory Part 4.1) is negatively impacted, dark colours (particularly on roofs) should not be used (refer to solar absorbance guide in NCC Volume 2 Part 3.12.1.2).

Other considerations when selecting external colours include:

- Avoid glare caused by sunlight reflected off very light colours, particularly when overlooked by neighbouring properties and when looking out to bright sunlight from inside.
- In areas with red soil, earthy medium tones on external walls can be useful to disguise dust and mud staining.
- It may be possible to use dark colours on external feature walls or architectural details where they are well shaded.
- Light colour tones experience less fading over time.

Natural Timber Decking

Decks should be coated using two coat timber decking finishing system.

Electrical

Refer to **Appendix 3** for room requirements.

Electricity supply must conform to the electricity distributor's requirements and all relevant standards.

Overhead lines must be clear of trees.

All lights to be energy efficient and readily accessible for replacement.

Fluorescent lights to be provided with diffuser covers.

Kitchen GPOs must be on a separate circuit.

Residual current devices (RCDs) or safety switches, are required for all circuits within individual dwellings. For dwellings other than detached houses, RCDs must be able to be reset from the sub board within individual dwellings.

If deemed a requirement, a single phase generator inlet socket and manual changeover switch to connect a single phase portable generator to residence may be provided. This generator will be for powering the general power circuits (excluding air-conditioning) and light circuit only (wire and mark circuits accordingly)

Install 'surge diverter' in the main switch board, on the television power circuit.

Gas

Provision for LPG gas to dwellings for cooking is to be determined in consultation with councils and must include provision for both large (45kg) and small (9kg) LPG gas

bottles, to be securely attached to the outside of the house, on hardwearing, weatherproof brackets.

Television and internet reception

Television

Provide appropriate digital television antenna or satellite dish for free-to-air television reception, connected to antenna outlets (refer Appendix 3).

New houses entitled to receive Viewer Access Satellite Television (VAST) should be provided with one VAST certified set-top box (not installed).

Where antennas are provided in cyclonic regions provide additional metal stays.

Internet

Provision for NBN equipment is required for new construction projects, in accordance with the NBN Co. guideline documents:

- *Residential Preparation and Installation Guide: SDUs and MDUs*

or

- *Preparing for your NBN Sky Muster Service* (for areas not planned for NBN fibre optic cable infrastructure)

Refer www.nbnco.com.au and *Product Standards: Social Housing Dwellings (NBN Equipment)* for more information.

Meter box

Meter box is to be of robust, metal construction. Provide 30mA Residual Current Device (RCD) to all electrical circuits. Provide a socket outlet, circuit breakers and provision for two additional circuits inside the meter box.

Locate the meter box in an accessible (but not visually obvious) location, not adjacent to public spaces or visitor paths of travel.

Where dwellings share a meter box (such as for duplex or dual occupancy dwellings) locate the meter box in a common area with sub-boards in each dwelling.

Separate metering is not required to bedroom/bathroom additions.

Facilities for meter cards should only be provided in consultation with Councils.

Sewerage

General

Household sewerage systems shall be appropriate to the site conditions and community sewerage infrastructure, typically either:

- directly connected to a town sewerage system via a main line jump-up
or
- connected to a home sewer system.

Home sewer system

Home sewer systems shall be a proprietary brand sized according to household population.

Locate trenches away from areas of potential damage from vehicles, stormwater and earth inundation. If vehicle traffic will be a problem, consider fencing off area.

Water Supply

General

All pipes and fittings (including taps) should be suited to local conditions, such as using appropriate PVC or polybutylene pipes where there is acidic water or corrosive soils; or copper pipes where PVC or polybutylene is likely to be damaged. Stainless steel fixings and combinations are to be used where PH levels cause corrosion.

Water Isolating Valve

For town supply where no meter is supplied, provide a water isolating valve at the front of the property which is suited to local water quality, protected from mowers and cars, and positioned 300mm above the ground.

Garden Taps

Provide 2 standard garden taps with vacuum breakers, one at the front of the house and the second at the rear of the house.

Water Heating

Hot water systems must be energy efficient, and the type of system informed by local experience and water conditions.

Hot water system capacities.		
Dwelling size	Solar	Heat Pump
1 Bedroom	Minimum 125 litre	Minimum 125 litre
Bedroom/bathroom additions	Minimum 125 litre	Minimum 125 litre

2 - 4 Bedroom	300 litre	270 litre
5 Bedroom	400 litre	340 litre

Note: Bedroom/bathroom additions located away from the main dwelling are to be provided with a separate hot water system if required (although not separately metered).

Solar Hot Water Systems

Roof mounted, thermosiphon, solar hot water systems are preferred.

Solar hot water units shall be located on the roof in accordance with the manufacturer's specification, ideally facing north. It may be necessary to mount the solar hot water unit on a galvanised steel frame in order to achieve the correct orientation of the unit. Install anti-cyclone brackets where applicable.

The solar hot water system selected must be appropriate for the quality and harshness of the community's water supply.

Provide an electric 'one push' booster connected to a thermostat that automatically switches off when the hot water has reached the appropriate temperature. Labelled (engraved) booster switch to be located inside the house and have a neon indicator and timer controller. Mounting height: 1500mm.

Heater elements shall suit supply authority regulations for remote community areas.

Ensure that roof framing is able to support the additional weight of a solar hot water unit.

Collector panel protection grilles may be provided where there is an identified need.

Heat pumps

Electric heat pump hot water units shall be located externally, to the side or rear of the house away from bedrooms and living areas, as central as possible to the fixtures that they supply.

Units shall sit on a concrete base.

Gas Hot Water Systems

Gas hot water systems are not preferred.

APPENDIX 1: Furniture requirements and sizes

Minimum furniture sizes to be shown in developed design drawings (Note: Furniture not usually provided as part of the construction contract – refer to the brief for details)		
Room	Furniture piece	Dimensions
Bedroom	Single bed	1870mm long x 920mm wide
	Double bed	1870mm long x 1370mm wide
	Queen bed	2030mm long x 1530mm wide
	Bedside table	600mm wide x 400mm deep
Living room	Lounge seating (Single armchair)	900mm long x 900mm wide
	Lounge seating (2 seat sofa)	1500mm wide x 900mm deep
	Lounge seating (3 seat sofa)	2100mm wide x 900mm deep
	Coffee table	900mm long x 600mm deep
	Desk (1 bedroom dwellings - multi-purpose space)	1800mm wide x 600mm deep
	Entertainment unit (1-2 bed dwellings)	900mm wide x 400mm deep
	Entertainment unit (3-5 bed dwellings)	1200mm wide x 400mm deep
	Bookcase / storage (1-2 bed dwellings)	1200mm wide x 400mm deep
Book case / storage (3-5 bed dwellings)	1800mm wide x 400mm deep	
Dining room	Dining table (4 setting)	1200mm long x 900mm wide
	Dining table (6 setting)	1500mm long x 900mm wide (1800mm long if short side against wall)
	Dining table (8 setting)	1800mm long x 900mm wide (placed in the open)
	Dining table (10 setting)	2100mm long x 900mm wide (placed in open)
	Sideboard / buffet	1200mm wide x 400mm deep

Living room furniture requirements by dwelling size					
(For space planning purposes only. Furniture not to be supplied)					
Furniture item	Dwelling bedroom number				
	1 bedroom	2 bedroom	3 bedroom	4 bedroom	5+ bedroom
Coffee table	✓	✓	✓	✓	✓
Entertainment unit	✓	✓	✓	✓	✓
Storage cabinet / bookcase	✓	✓	✓	✓	✓
Four setting dining suite	✓				
Lounge seating for three people <i>(or two people acceptable for LHDG Platinum Level dwellings)</i>	✓				
Six setting dining suite		✓	✓		
Lounge seating for four people <i>(or three people acceptable for LHDG Platinum Level dwellings)</i>		✓			
Side board			✓	✓	✓
Lounge seating for six people			✓	✓	
Eight setting dining suite			✓	✓	
Ten setting dining suite					✓
1 x 1800mm desk and 1 x desk chair (multi-purpose space)	✓				
Lounge setting for eight people					✓
Bedroom 1: Queen sized bed and 2 x bedside tables	✓	✓	✓	✓	✓
Bedroom 2: Three single beds, drawer unit against the wall		✓	✓	✓	✓
Bedrooms 3, 4 and 5+: 2 x single beds, drawer unit against the wall.			✓	✓✓	✓✓✓

APPENDIX 2: Bathroom configurations

Applicable bathroom fittings by bathroom type.				
Bathroom type	Toilet	Shower	Bath tub	Vanity
Bathroom with toilet	✓	✓	✓	✓
Standard bathroom	n/a	✓	✓	✓
Compact bathroom	✓	✓	n/a	✓
Separate toilet	✓	n/a	n/a	✓ <i>(Compact basin may be provided where not associated with the laundry)</i>

Applicable bathroom types by dwelling type.				
Dwelling type	Bathroom type			
	Bathroom with toilet	Standard bathroom	Compact bathroom	Separate toilet
1 bedroom (cluster house)	n/a	n/a	✓	n/a
2 bedroom (duplex)	✓	n/a	n/a	✓
Bedroom/bathroom addition	✓	n/a	✓	✓
2 bedroom (attached house)	✓ (upstairs)	n/a	n/a	✓ (downstairs)
2 bedroom (cluster House)	✓	n/a	n/a	✓
3 bedroom (detached house)	✓	n/a	n/a	✓
4 bedroom (detached house)	n/a	✓	✓	✓
5 bedroom (detached house)	n/a	✓	✓	✓

APPENDIX 3: Electrical requirements

These documented electrical requirements are in addition to Livable Housing Design Guidelines Gold Level or Platinum level requirements (Elements 9, 10 and 12).

Note: Each light fitting must:

- Be compatible with compact fluorescent bulbs and have replaceable B22 bayonet or E27 Edison LED 'corn' bulb/s installed.
- Have a robust, polycarbonate diffuser cover that is easily removable for replacing bulbs.
- Be positioned to provide even lighting to the room (with the exception of task lighting) and be located at least one metre away from ceiling fans.
- Be ceiling mounted to provide even lighting to the room.
- Be located at least one metre away from ceiling fan blades.

Electrical requirements.					
Room	Electrical Item				
	Socket Outlet (SO)	Light & Switch (minimum requirements)	Ceiling Fan & Switch	TV Point	Phone Point
Internal Space					
Foyer	n/a	1 x oyster fitting (with 1 bulb) (Switch located indoors near front door)	n/a	n/a	n/a
Living	2 x double (1 additional required if phone installed in this room rather than dining room) 1 x A/C provision.	2 x oyster fittings (each with 2 bulbs) (switched together)	1 x ceiling fan and controller	1 x point (located near a SO)	1 x point (near a SO and away from TV point)
Dining	1 x double (1 additional required if phone installed in this room rather than dining room)	1 x oyster fitting (with 2 bulbs) (Switch to be located in appropriate position)	1 x ceiling fan and controller	n/a	1 x point (near a SO)

Electrical requirements.					
Room	Electrical Item				
	Socket Outlet (SO)	Light & Switch (minimum requirements)	Ceiling Fan & Switch	TV Point	Phone Point
Bedroom corridor	1 x double	1 x oyster fitting (with 1 bulb) with 2-way switch. (One switch located on either end of the hall space)	n/a	n/a	n/a
Kitchen	1 x isolating switch for cooktops/stoves. (max 100mm above benchtop, not behind hotplates, located at least 600mm from corners, preferably to the right-hand side of hotplates). 2 x double at kitchen bench level (minimum 600mm from corner. One of these to be with one within 300mm of front edge of bench). 1 x single (fridge space), 1800mm above the floor, remotely switched (switch, with neon or LED indicator lamp, to be located preferably on the return wall of fridge recess or on adjacent wall 1 x single (microwave space).	1 x oyster fitting (with 2 bulbs) (Switch to be located in appropriate position)	n/a	n/a	n/a
Laundry	3 x waterproof (washing machine and possible drier and freezer). Must be located 1500mm above floor level on wall behind appliance space	1 x oyster fitting (with 2 bulbs) (Switch located in appropriate position) 1 x light switch for external light	n/a	n/a	n/a
Bedroom 1	2 x double (max 500mm above floor level, and min	1 x oyster fitting (with 2 bulbs)	1 x ceiling	1 x point (located	1 x point (located

Electrical requirements.					
Room	Electrical Item				
	Socket Outlet (SO)	Light & Switch (minimum requirements)	Ceiling Fan & Switch	TV Point	Phone Point
	600mm from corner walls, adjacent to edges of likely bedhead location) 1 x double (wall opposite bed location, approximately 1200mm above floor level 1 x A/C provision.	(switch located in appropriate position)	fan and controller	near SO opposite bedhead location. Approx. 1200mm above floor level).	near SO next to bed head)
Bedrooms 2-5+ (including bedroom / bathroom additions	2 x double located in appropriate position for furniture placement 1 x A/C provision.	1 x oyster fitting (with 2 bulbs) (switch located in appropriate position)	1 x ceiling fan and controller	1 x point (located near a SO)	n/a
Bathrooms	1 x waterproof double. (600mm from corner and 100mm above bench on side wall of vanity in accordance with relevant codes/rules).	1 x oyster fitting (with 2 bulbs) (switch located in appropriate position)	n/a	n/a	n/a
Separate WC	n/a	1 x oyster fitting (with 1 bulb)	n/a	n/a	n/a
External Space					
External entry space (porch)	n/a	1 x external grade oyster fitting (with 2 bulbs) (with vandal proof diffuser. May be ceiling or wall mounted. Switch located indoors near front door)	n/a	n/a	n/a
Patio / veranda	1 x waterproof double	1 x external grade oyster fitting (with 2 bulbs) for up to 12 m ² , OR 2 x external grade oyster (each with	n/a	n/a	n/a

Electrical requirements.					
Room	Electrical Item				
	Socket Outlet (SO)	Light & Switch (minimum requirements)	Ceiling Fan & Switch	TV Point	Phone Point
		<p>2 bulbs)</p> <p>greater than 12 m² (switched together)</p> <p>Provide vandal proof diffusers.</p> <p>3000mm maximum centre spacing.</p>			
Carport	1 x waterproof double (attached to house)	<p>1 x external grade oyster fitting (with 2 bulbs)</p> <p>(with vandal proof diffuser attached to the house or to carport ceiling attached to the house. Switch located inside door that leads to carport)</p> <p>Two way switch. House and Carport.</p>	n/a	n/a	n/a

APPENDIX 4: Version control

Section	Sub section	Amendments to June 2016 version of RIH standards.
Site Design	Drainage and stormwater	Explicitly stated that guttering is preferred. Removed specification of downpipe size (had changed in June 2016 version to 100mm from 90mm)
	Concrete driveways and paths	Changed wording from 'sealed' pathways to 'hard' pathways (concrete preferred)
	Letterbox	Changed requirement for mail access point, to 900mm – 1200mm range (standard previously stated 700mm to 1200mm), to align with Australia Post guidelines.
	Clothesline	Added requirement for clothesline to be hot-dipped galvanised steel. Added additional word that clothesline base must be non-removable. Noted that aluminium (as noted in the product standard) is not acceptable.
Internal Space	Bathrooms and toilets – Baths	Noted that acrylic baths are included in the product standard, but are not acceptable.
General Construction (all dwelling types)	Energy Efficiency – thermal insulation	New section.
	Meter box	Removed statement about meter box being located 'behind side fence if possible'
	Use of timber	Deleted wording 'natural or composite' from description of framing timber, and requirement for roof trusses to be H3 treated.
	Roofing	Removed option for Zinalume roofing material.
	Door hardware	Acknowledged that requirement for privacy set differs from products standard

Section	Sub section	Notable changes since May 2014 version of RIH standards
Changes applicable throughout the document		Reference to specific LHDG elements in applicable sections, for clarity

Section	Sub section	Notable changes since May 2014 version of RIH standards
Additional Reference documentation		Reference to Product Standards document
Introduction		Swapped some content with beginning of Design Principles section. Moved accessibility information and reference to LHDG to new section.
Accessibility		New section, incorporating information previously in the introduction. Also, added more detail to this section about application of Gold and Platinum Level.
Town planning		Minor changes to reflect status of Councils' planning schemes. Changed position of this section in the document.
Design Principles		Swapped some content with Introduction.
	Facing the street or park	Additional paragraph added to the end (to align with non-remote design standards)
	Climatic Design	Changed position in document. Added an additional new paragraph to beginning of section re orientation and designing for particular lots.
	Indoor/outdoor living connection	Added additional first sentence
	Planting and turf	Changed title (from just 'Planting'). Added maximum gradients to garden and turfed areas. Also included information about mature height of planting (aligning with non-remote design standards)
	Innovation and normality	Slight change to wording. Stated importance of addressing local cultural requirements.
Building types		Noted that building types should be influenced by local cultural needs.
	Acceptable building styles	Reinforced requirements that are stated later in the standard i.e. that lowset houses are to be designed to Gold Level , and that upper level of high set houses are not (but make provision for Platinum Level bathroom at ground level)
Site design		At start of section noted that site and ground level only required application of Gold level requirements. LHDG Gold and Platinum only apply to the extent that the ground level is intended for modification.
	Drainage and stormwater	Stronger wording regarding stormwater discharge, including water not being directed under houses. Changed downpipes from 90mm to 100mm.
	Concrete driveway and paths	Specified sealed pathways (not gravel). New requirement that there should be a pathway to the meter box. Also, more detail provided about crossovers, including requirement for culvert crossings, table drains, road gullies etc. Included link to FNQ Regional organisation of Councils standard drawings

Section	Sub section	Notable changes since May 2014 version of RIH standards
		Addition of sketch for clarity
	Carport	<p>Specified minimum dimensions (missing from previous version)</p> <p>Noted that for highset houses, reduced vertical clearance of 2400mm acceptable.</p> <p>Noted minimum length and width dimensions are to be measured between posts</p> <p>Noted that the design of the car port must be in keeping with the design of the house.</p>
	Letterbox	Included access and height requirements. Also added requirement for capacity to be locked with tenant-supplied lock.
	House numbering	Included requirement for numbers to be reflective, and to be screw or rivet fixed to the house.
	Garden store	Added requirement for high strength frame appropriate for wind classification of site. Also added requirement for recessed edge to prevent water penetration. Clarified that sheds are required for high set houses.
	Rubbish bin storage	Expanded on preference for rubbish bin store to be undercover by providing examples (e.g. under eaves)
	Clothes line	<p>For 1-2 bedroom properties, changed minimum line requirements from 20 to 15 metres, to align with non-remote standard and product standard.</p> <p>Included requirement for the clothesline to be at the rear or side of the property, and also the required mounting height of 1800mm above ground level. Also included more detail about the requirements for the slab under the clothesline.</p>
	Fencing	<p>Clarification that return fencing is required for highset houses if specifically required by the State. Addition of diagram for clarity</p> <p>Noted that 1800mm high chain wire fencing requires a mid-rail and that gates require galvanised steel frames.</p>
	Retaining walls	New section to align with non-remote standards
	Water tanks	<p>Added statement that requests for tanks in communities where approval has not been granted will be assessed on a case by case basis. Added statement that additional tanks may be required for bedroom/bathroom additions.</p> <p>Also added clarification that water tanks which include rainwater storage must not be connected to potable water fixtures, and that rainwater tanks are not to be topped up with town water (and vice versa).</p> <p>Noted that tank overflow should discharge to designated stormwater system.</p>
Internal space		Changed layout of these sections, stating 'General' level as the exception for highset houses,

Section	Sub section	Notable changes since May 2014 version of RIH standards
		rather than having additional requirements for Gold Level.
	Corridors, thresholds and doorways	<p>New section (aligning with non-remote standard).</p> <p>Note that a 920mm door is deemed acceptable in lieu of LHDG Platinum Level requirement for 900mm clear opening (yet to be updated in non-remote standard)</p>
	Entry porch and foyer	<p>Clarified that front door must be a swing door with a security door.</p> <p>Deleted requirement for entry porch to be around 7.5sq.m. Added that minimum area should align with LHDG, and be up to 7.5sq.m.</p> <p>Added requirement that where outdoor living is at the front and incorporates the entry porch, path to the front swing door must be direct, and door from living to outdoor living must not be the front door.</p>
	Living and dining	<p>Noted that requirement for uninterrupted wall must not compromise natural ventilation.</p> <p>Added information regarding multi-purpose space (only applicable to one bedroom dwellings) to align with non-remote standard</p>
	Kitchen	<p>Noted that kitchen should not form part of the main thoroughfare through the house and that exhaust fans should be vented to the exterior of the house.</p> <p>Cooking:</p> <ul style="list-style-type: none"> - Noted that wall ovens in Gold Level for remote housing are by exception. Upright ranges to be standard in Gold Level, with 100mm side gaps for cleaning. - Microwave shelf may be provided as a recess in the pantry space. Noted that microwave space must not be located under bench. - Platinum level: Specified distances and clearances around cooktop. For platinum dwellings, hotplate controls maybe located centre-front <p>Bench space and clearances: Sink and cooktop to be on same, continuous bench. Locate wall oven a minimum 600mm from internal corners of front edge of bench.</p> <p>Fridge space: Increase from minimum 900mm wide to minimum 1050mm wide for 3+ bedroom dwellings.</p> <p>Cabinets: Benchtops: post formed with no sharp edges. More detail about requirement for laminate finish with PVC edging and metal D-handles. Added requirement that plain benchtop colours are not preferred. Platinum: Added reference to sections of AS 4299-1995, and requirement for 170 degree opening hinges.</p> <p>Taps: Added requirement for single lever mixer</p> <p>Splashback: specified that a splashback is required and should continue into reveal if required. Splashback to extend the entire width of the stove space.</p>
	Bathroom and toilets	<u>Application of LHDG for bathrooms and toilets</u>

Section	Sub section	Notable changes since May 2014 version of RIH standards
		<ul style="list-style-type: none"> - New heading, expanding on existing information, for clarity. <p><u>Design and clearance considerations:</u></p> <ul style="list-style-type: none"> - More detail about ventilation and added requirement for mechanical ventilation - Added requirement that bathrooms should not be accessed of bedrooms. For platinum Level, added door clearance requirements. <p><u>Shower:</u></p> <ul style="list-style-type: none"> - Clarified that shower screen or shower curtain may be provided for Gold Level - Clarified that disability equipment, including grab rails, are not required. - Noted for Platinum dwellings that walls are to be tiled to 1900mm high minimum. <p><u>Bathroom and shower floor drainage and membrane:</u></p> <ul style="list-style-type: none"> - Emphasised that falls must not be obstructed by the shower screen (if shower screen is provided) - Included new sketch of alternative floor drainage to LHDG informative diagram, for clarity. <p><u>Vanity:</u></p> <ul style="list-style-type: none"> - Noted that vanity mirror may be installed off centre if required due to window location. - Noted mirror to be <i>minimum</i> 750mm wide (previously stated 750mm wide). - Clarified that vanity top and basin to be integral, one piece polymer. <p><u>Storage</u></p> <ul style="list-style-type: none"> - Noted one lockable (rather than secure) cupboard required. <p><u>Toilet:</u></p> <ul style="list-style-type: none"> - Removed requirement for close coupled toilet, and clarified that plastic or ceramic cistern is acceptable. - Noted minimum dimension requirement (1600mm, previously 1500mm) for bathrooms at the upper level of highset houses (and additional toilets in other dwellings), including sketch for clarity. - Separate toilet rooms: clarified that natural light and ventilation required. Clarified that dry floor waste acceptable. - Platinum level requirements: Clarified circulation requirements for toilets, referencing As1428.1-2009 (figure 43) and noted that it is acceptable for future shower seat to encroach. <p><u>Wall coverings, skirtings and splashback:</u></p> <ul style="list-style-type: none"> - Removed requirement for minimum tiling height of 1200mm in areas outside the shower. - For skirtings, removed requirement for 45 degree cover strip tile to all wall and floor junctions.
	Laundry	<p>Houses: require direct access from the laundry to the clothesline, where possible.</p> <p>Noted to provide natural ventilation to the laundry space where possible.</p> <p>Changed requirement from plastic cabinet to powder coated stainless steel cabinet, due to availability issues.</p>

Section	Sub section	Notable changes since May 2014 version of RIH standards
		<p>Specified 900mm width required for small deep freezer (previously did not specify a width)</p> <p>Specified marine grade (rather than waterproof) ply for clothes drier wall reinforcement, and for wall shelves.</p> <p>Clarified that splashback required on return wall in appliance space.</p> <p>Changed tub capacity from 45 litres to 35 litres for one bedroom dwellings only (aligned with product standards)</p>
	Bedrooms	<p>Bedroom 1: Clarification regarding clearances around the bed and minimum room widths. Also, for Platinum Level, noted that built in robes to be positioned away from the head of the bed and that surface mounted sliding door preferred. Also, if the linen store is provided in bedroom 1 (1-2 bed dwellings only) it may be located on the wall adjacent to the bedhead.</p> <p>Changed minimum floor area (excluding wardrobe) to 12 sq.m (from 10 sq.m)</p> <p>Built in robes: Changed length of all robes to 1800mm (previous requirements were: Bedroom 1: 2100mm, Bedroom 2: 1800mm, Bedroom 3: 1500mm), aligning with non-remote design standard. Some more detail regarding shelving requirements.</p>
	Study nook	Removed requirement for study nook.
	Linen cupboard and broom storage	<p>Linen cupboard: Slight change to wording. Also, reduced size of linen cupboard in 4-5 bedroom dwellings, aligning with non-remote standard.</p> <p>Broom storage: Slight change to wording.</p>
Covered outdoor living		<p>Noted that roofs of covered outdoor living spaces must be insulated, and that it is preferred that they are under the main roof space.</p> <p>Noted that if a gate is required at the top of stairs to an external outdoor living space, ensure that a landing is provided at the top of the stairs.</p> <p>Noted that if covered outdoor living and the entry porch are located together, the path to the front door should be the shortest possible distance, and not pass through the centre of the outdoor living area.</p>
Bedroom/bathroom additions		<p>Clarified that the front door may be a sliding glass door.</p> <p>Clarified that depending on the location of the addition, compliance with all design standard requirements, may necessitate the provision of separate items such as hot water systems etc.</p> <p>Removed requirement for a study nook to the bedroom/bathroom addition.</p>

Section	Sub section	Notable changes since May 2014 version of RIH standards
General construction (all dwelling types)	Air movement and ceiling fans	<p>Specified ceiling fan diameter (1300mm)</p> <p>Reference to AS 4226-2008 (justifying existing requirement for 2400mm height to underside of fan blades.</p> <p>Noted fan controllers to have robust switches if available.</p>
	Air conditioning	<p>Knockout panels: noted that they must be easily identifiable, and noted nominal sizes.</p>
	Roofing	<p>Clarified that light colours must be used.</p> <p>More detail regarding roof ventilators (may include roof ridge vents and must be in accordance with Section 3.12.1.2 (b) (i) of the NCC (Energy Efficiency, Roofs)</p>
	Floor finishes	<p>Created a separate section. Content similar, with slight wording changes. Reference to Product Standards for more detail. Clarified slip resistance required to outdoor paths etc. and that pavers are not acceptable.</p> <p>For lowset dwellings, ensure clearance between the ground surface and the underside of the lowest horizontal members of the subfloor of at least 400mm.</p> <p>More detail regarding thickness of shot edge hardwood. Previously stated 20mm. Have updated to state 19mm shot edge hardwood OR 23mm composite strip flooring.</p>
	Internal wall linings and skirting boards	<p>Noted that skirting boards may be hardwood or pine.</p>
	Doors	<p>Emphasised that external doors must be solid core</p> <p>Noted requirement for stainless steel hinges.</p> <p>Alternatives to steel door frames, particularly for coastal locations.</p>
	Aluminium framed sliding glass doors	<p>Noted that anodised finish acceptable (to align with windows)</p> <p>Clarified that sliding glass doors may be used as the entry door for bedroom/bathroom additions.</p>
	Windows	<p>Platinum Level dwellings: added details that window sills are generally to be no higher than 900mm above floor level.</p> <p>Glazing: Emphasised that polycarbonate is not preferred.</p>
	Security and insect screening	<p>Changed requirements to allow expanded aluminium grille.</p> <p>Reduced amount of detail, making reference to the Product Standards document.</p> <p>Changed requirements for escape screens:</p> <ul style="list-style-type: none"> – Previous requirement: required two paths of escape from the internal doorway of a bedroom to separate external exits (an escape could be

Section	Sub section	Notable changes since May 2014 version of RIH standards
		<p>an external door or openable screen and operable screen could be in another room).</p> <ul style="list-style-type: none"> – New requirements: If security screens are applied to the fixed side of the sliding glass windows and doors, then one bedroom in each group of bedrooms must include an openable screen. <p>Noted that where openable security screens are required, preference is for top-hung screens. Also, openable screens must comply with Section 3.9.2.5 of the NCC</p>
	Paint and protectant finishes	<p>Added requirement for doors architraves and skirtings to be gloss enamel (previously no requirement stated)</p> <p>Natural timber decking: Rather than specifying decking oil, have stated requirement for deck finishing system</p> <p>Colours: Made statement that community preference should be considered in the selection of internal colours.</p>
	Electrical	<p>Specified that kitchen GPOs must be on a separate circuit.</p> <p>Specified that RCDs are required on all circuits within individual dwellings, and that for dwellings other than detached houses, RCDs must be able to be reset from the sub board within individual dwellings.</p> <p>Included requirement to install 'surge diverter' in the main switch board, on the television power circuit.</p>
	Gas	<p>More detail provided about securing gas bottles. Have added requirement to be securely attached to the outside of the house on hardwearing, weatherproof brackets.</p>
	Television and internet reception	<p>Included information about requirement for provision of NBN equipment</p>
	Water heating	<p>Added detail about possible requirements for separate hot water systems in bedroom/bathroom additions, noting a minimum size of 125 litres.</p> <p>Changed hot water system size requirements for one bedroom dwellings to 125 litre (previously stated 'minimum size available')</p> <p>Solar hot water systems: More detail about booster requirement and mounting height. Also, added preference for roof mounted, thermosiphon systems, and clarified that the system selected must be appropriate for the quality and harshness of the water in supply in the community</p> <p>Removed allowance for heat pumps to be located on a paved base (must be concrete)</p>
Appendix 1	Furniture requirements and sizes	<p>The table containing minimum furniture sizes: Existing. Just added minimum desk size (for desks in multi-purpose spaces).</p> <p>Table of living room furniture requirements by dwelling size is a new table, included to align with non-remote design standard.</p>
Appendix 2	Bathroom configurations	<p>Added applicable bathroom types for bedroom/bathroom additions.</p>

Section	Sub section	Notable changes since May 2014 version of RIH standards
Appendix 3	Electrical requirements	<p>Addition of oyster fittings that take either compact fluoroos or LED bulbs.</p> <p>Specific reference to LHDG requirements (Elements 9, 10,12)</p> <p>Kitchen requirements: More detail regarding isolating switch. Also provided more detail regarding GPO for fridge. Now require to be 1800mm above floor, remotely switched.</p> <p>Bedroom 1: heights and locations for SOs specified. Also specified height and location of TV point.</p> <p>Entry: specified that sensor lights required.</p>

ANNEXURE 2

Property Handover Checklist

Aboriginal and Torres Strait Islander Housing - New Construction Property Handover Checklist

Property Checklist for New Constructions

Handover Process

- This checklist is to be used at the formal handover phase of a project for Aboriginal and Torres Strait Islander Housing where the Indigenous Council is the lead contractor.
- This checklist does not release any party from ongoing responsibility as may be necessary under the terms and conditions of the contract and legal obligations.
- The main aim of the checklist is to ensure the accommodation is safe, secure and accessible for occupation. Items which will not hinder the safe, secure and accessible occupation of the accommodation should not delay handover where those items are agreed to be rectified prior to tenants taking occupation.¹
- Additionally the handover should not be delayed for the purpose of seeking additional fittings which are a variation to the contract.²
- This checklist also provides notification to activate the Property in Reside and ensures critical data and warranties are provided to the relevant parties.

Note: Completion of this checklist should be in conjunction with reading:

- **Aboriginal and Torres Strait Islander Housing (ATSIH) - Delivery** and Property Services Tenancy–**Housing Officer - HOME**, New Construction Procedures, [Construction Process including Inspection and Handover](#).
- Pages 8 to 30 (Section 5) are the extra tables for smoke alarms (print only required pages)

The Project Manager from Council is to provide the ATSIH Housing Officer from the department, with a construction handover folder that details all warranties, test certificates and other related information including soft copies of the fire evacuation diagrams, fire evacuation plan and certificate of classification, where applicable.

The ATSIH Housing Officer is to store the construction handover folder for reference at a later date as necessary.

¹ For example rectifying minor low cost cosmetic issues which can be completed within an agreed timeframe.

² For example adding railings or tenant specific items at the request an OT where they were not specified as an inclusion under the contract.

Section 1: To be completed by the Department Representative in conjunction with Council's Representative

PROPERTY DETAILS						
Housing Service Centre:	Remote Asset Management			Date:	/ /	
Project / Property Address:						
Reference No:	(Reference must be provided for each Property)					
PROJECT DETAILS						
Please nominate the applicable category from each column to identify this Project:						
New Construction:	<input type="checkbox"/>					
Major Capital Refurbishments:	<input type="checkbox"/>					
ELECTRICAL		YES	NO	N/A	COMMENTS	
Emergency Lighting (& Log Book)	Provided	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Hot Water Isolation Switch	Installed	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Installation of Meters (separate Hot Water Meter where Controlled Tariff installed)	Installed & Switched On	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Local Alarm Panel (LAP) & Log Book	Installed	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
	Log Book Provided	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Individual Unit & Communal Power NMIs (National Metering Identifier numbers). Meter Numbers if NMI Not Available	Provided	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Phone Cable, Connection Point or NBN	Installed	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Residual Current Devices (RCDs) (all circuits including air conditioners, stoves, HWS)	Installed	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Copy of the Builder's Application for Termination of Electrical Service	Provided	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
WATER / PLUMBING		YES	NO	N/A	COMMENTS	
Individual Unit & Communal Gas MIRN (Meter Installation Reference number)	Provided	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Adaptable/Semi-Adaptable Bathroom SR to perform bucket test to ensure visual drain to waste	Completed	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
OTHER ITEMS		YES	NO	N/A	COMMENTS	
Car Parking Signage	Installed	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Community Facilities	Installed	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Disability Modification (Clearance from OT)	Satisfactory	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Fire Rated Doors	Complies	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Keys Accepted (ensure keys are tagged)	Labelled	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Keys to Other Facilities	Labelled	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Letter Box Numbering (as per Reside)	Installed	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		

OTHER ITEMS - <i>continued</i>		YES	NO	N/A	COMMENTS
Lift Phone has been registered (must be 18 weeks prior to hand-over date)		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Phone No.:
Property Suitable to be let	Safe/Secure/Accessible	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Security and Insect Screens	Installed	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Site Drainage, Weep Holes Clear	Satisfactory	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Street Numbering (as per Reside)	Installed	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Termite Barrier 75mm Ground Clearance	Satisfactory	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Unit Direction Signage	Installed	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Unit Numbering (as per signed off plans)	Installed	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Visual Finish of Dwelling / Unit	Satisfactory	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Visual Finish of Site	Satisfactory	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
WARRANTY / CERTIFICATES & EXPIRY DATES		DATE	N/A	COMMENTS	
Appliances (white goods)	Expiry Dates	/ /	<input type="checkbox"/>		
Fire Extinguishers	Expiry Dates	/ /	<input type="checkbox"/>		
Fire Hose Compliance Certificate	Expiry Dates	/ /	<input type="checkbox"/>		
Smoke Alarms (tested) (Please complete the table in Section 4 & 5 for every smoke alarm in each unit)	Expiry Dates	/ /	<input type="checkbox"/>		
Termite Action (every type or treatment)	Expiry Dates	/ /	<input type="checkbox"/>		
TV Installation (tested)	Expiry Dates	/ /	<input type="checkbox"/>		
WARRANTY / CERTIFICATES		YES	NO	N/A	COMMENTS
Lift Emergency Kit	Provided	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<ul style="list-style-type: none"> Lift Manufactures/Installers company Name and Contact Details 		Company Name:			
		Contact Name:			
		Phone:			
		Email:			
<ul style="list-style-type: none"> 24hr Emergency Number 		Phone No:			
<ul style="list-style-type: none"> Defects Liability Period 		Expires:			/ /
Appliance Operating Instructions	Provided	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Concrete Test Certificate	Provided	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Form 4 Electrical Certificate	Provided	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Gas Installation Clearance Cert (Form 8)	Provided	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Glazing Certificate (Energy Rating)	Provided	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Inspection Certificate (where applicable)	Provided	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Plumbing Certificate / Clearance	Provided	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Practical Completion Certificate	Provided	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Metal Roofing Warranty	Provided	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Tile Roofing Warranty	Provided	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Water Proofing Certificate / Warranty	Provided	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

DOCUMENTATION		YES	NO	COMMENTS
As Constructed Plans & Specification (Includes sewerage, drainage, electricity, phone)	Provided	<input type="checkbox"/>	<input type="checkbox"/>	
Telephone Numbers used for Initial Connection for Each Unit	Provided	<input type="checkbox"/>	<input type="checkbox"/>	
Have the HSC (Inc. OT where appropriate) Comments / Suggestions been Incorporated. (if NO please detail)		<input type="checkbox"/>	<input type="checkbox"/>	
CONTRACTOR LIABILITY EXPIRY DATE		DATE		N/A COMMENTS
General Defects	Expiry Dates	/	/	<input type="checkbox"/>
Landscape Maintenance	Expiry Dates	/	/	<input type="checkbox"/>
QBCC Insurance	Expiry Dates	/	/	<input type="checkbox"/>

Items for Regional Property Asset Officer with Council's Representative to Complete

Cyclic Maintenance Requirements for Post-Construction Period

ATSIH Delivery - Tenancy Services to provide to the Maintenance Service Provider **immediately** after handover.

STATUTORY / MANDATORY ITEMS	No.	CONTRACTOR LIABILITY EXPIRY DATE	LOCATION & OTHER COMMENTS
Backflow Prevention Valve		/ /	
Grease Trap/Sump		/ /	
Emergency Lighting/Exit Signs		/ /	
Air Conditioning		/ /	
Fire Control Panel with link to QFES		/ /	
Fire Alarm Panel – Local Alarm Panel (LAP)		/ /	
Fire Extinguishers		/ /	
Fire Hoses		/ /	
Fire Hydrant		/ /	
Fire Rated Doors		/ /	
Lifts (Water / Hydraulic / Electrical) (cross-out as applicable)		/ / Lift Phone no.:	
Playground Equipment		/ /	
Thermostatic Mixing Valve		/ /	
Certificate of Classification (ATSIH Property Services to ensure a copy is provided to QBuild for inclusion in the Service Maintenance Agreements)		Soft copy to be provided to HSC by SR	
Fire Evacuation Diagrams and Plan (ATSIH Property Services to ensure a copy is provided to QBuild for inclusion in the Service Maintenance Agreements)		Soft copy to be provided to HSC by SR	

Note: The HSC (for Business Areas Public Housing, Community Housing and Aboriginal and Torres Strait Islander Housing) and Delivery - Property Services, Cairns (for Business Area Remote Aboriginal and Torres Strait Islander Housing) **must** retain the handover file so that warranties, etc, can be referred to if required.

Note: If applicable - Once the Certificate of Classification and Fire Evacuation diagram & plan are received by ATSIH, please forward copies to your Regional Property Asset Officer (RPAO) and HSHPOAssetManagement@chde.qld.gov.au.

Section 2: Items for HSC/Tenancy Services to Provide/Complete at Handover

ACTION	YES	NO	COMMENTS
Communal Lighting & Power Accounts Established (In name of Department of Housing - the old name is still used)	<input type="checkbox"/>	<input type="checkbox"/>	
Hot Water Heater Health Warning Sticker Installed on all Storage Type Hot Water Systems	<input type="checkbox"/>	<input type="checkbox"/>	
Water Compliance Sticker	<input type="checkbox"/>	<input type="checkbox"/>	
Landscape Maintenance Requirements Provided to QBuild Service Maintenance	<input type="checkbox"/>	<input type="checkbox"/>	
No Smoking Sticker (enclosed common areas)	<input type="checkbox"/>	<input type="checkbox"/>	
Refuse and Recycling Bins Ordered from Council	<input type="checkbox"/>	<input type="checkbox"/>	
RTA Entry Report/s	<input type="checkbox"/>	<input type="checkbox"/>	
Smoke Alarm Instruction Advice Sticker	<input type="checkbox"/>	<input type="checkbox"/>	
Warning Advice for Fire Rated Doors Sticker and 'Do Not Install Security Doors'	<input type="checkbox"/>	<input type="checkbox"/>	
Remote Aboriginal and Torres Strait Islander Housing only - save internal / external photos in - U:\General\CrossTransfer\New Construction Photos	<input type="checkbox"/>	<input type="checkbox"/>	
Summary			

Items for Rectification which Will Not Hinder Occupation:

Items which will not hinder the safe, secure and accessible occupation of the accommodation should not delay handover where those items are agreed to be rectified prior to tenants taking occupation.³ Additionally the handover should not be delayed for the purpose of seeking additional fittings which are a variation to the contract.⁴

List Items for Rectification which will not hinder the safe, secure and accessible occupation for the accommodation:	1. <input type="text"/>
	2. <input type="text"/>
	3. <input type="text"/>
	4. <input type="text"/>
	5. <input type="text"/>
Agreed Timeframe for Rectification:	Date: / / / /

Additional Comments for Remote Indigenous Capital Delivery:

If there are any performance/quality issues please email: HHSATSIURemoteIndigenousCapitalDelivery@chde.qld.gov.au

³ For example rectifying minor low cost cosmetic issues which can be completed prior to tenants taking occupation.

⁴ For example adding railings or tenant specific items at the request an OT where they were not specified as an inclusion under the contract.

Please provide any comments on the finished project, including products used in the construction:

Section 3: Checklist completed by Council Representative and ATSIH Representative

The signing of this document acknowledges that the information noted is a true and accurate record of the formal handover inspection. It also acknowledges that all items which will not hinder the safe, secure and accessible occupation of the accommodation will be rectified within an agreed time frame. A further handover inspection may be warranted as determined by the HSC if items identified are considered safety, security or accessibility issues which will preclude properties from being let. It remains the responsibility of the principal to ensure the project complies with all of the contract and technical requirements.

Dispatch of the signed form to Portfolio Information (PI) acknowledges:

- The property is in a condition to be activated in Reside and that,
- For new constructions, the Reside Structural Warranty and Defects Liability period should be activated from the date of practical completion (PC).

HSC Representative email completed checklist for Business Areas:

- Public Housing,
- Community Housing and,
- Aboriginal and Torres Strait Islander Housing,

to:

- 4,5 & 8 on the distribution list below (refer [Note 1](#)).

ATSIHU Representative email completed checklist to:

- 4,5 & 8 on the distribution list below (refer [Note 1 & 2](#)).

ATSIH Representative send completed checklist to:

- 1, 3 & 7 on the distribution list below for Remote Aboriginal and Torres Strait Islander Housing (refer [Note 1](#)).
- 1, 2 and 3 on the distribution list below for all other Business Areas.
- 8 on the distribution list below for all Business Areas for Smoke Alarm installation information

Building Classification (e.g.: Class 1a):

Practical Completion date: / /

HSC Representative – handover recommendation

Name:

Title:

Signature:

Date: / /

Phone:

Council Representative

Name:

Title:

Signature:

Date: / /

Phone:

HSC Area Manager – handover approved

Name:

Title:

Signature:

Date: / /

Phone:

Distribution List:

1. QBuild (to be included on mandatory service maintenance schedule for delivery by QBuild Regional Office)
2. Portfolio Information (PI) at HSHPOPortfolioInformation@chde.qld.gov.au (refer [Note 1](#))
3. ATSIHU Remote Indigenous Capital Delivery at HHSATSIHURemoteIndigenousCapitalDelivery@chde.qld.gov.au
4. ATSIHU Property Services, Cairns at HHSATSIHUPROPERTYFIELDOPERATIONS@chde.qld.gov.au

5. Asset Management at HSHPOAssetManagement@chde.qld.gov.au

Note 1: Scan the **fully signed** and **dated** form into an email, with the words '**Property Checklist**' and the **address** in the email subject line. Send to 3, 4 and 5 on the distribution list (see above) for all New Constructions and for major capital refurbishments (**where the number of bedrooms or rental units have changed**).

Note 2: New Rental Units **will not** be made active in Reside until PI has received and processed, the fully completed property checklist. PI will then advise the HSC when the properties have been activated. Remote Aboriginal and Torres Strait Islander Housing may be activated for tenancy prior to receipt of the Property Checklist.

Section 4: Smoke Alarm Installation Information

Note: This is **mandatory requirement** to be completed as this information must be retained by the department and **must be completed for each rental unit at the new construction.**

If the new construction is a multi-unit complex, you will find further tables in [Section 5 – Extra Smoke Alarm Installation Tables](#). Please be aware of how many tables you require (two a page) when **printing** out the document.

Address:		Reside Reference Number:							
	Bedroom 1	Bedroom 2	Bedroom 3	Bedroom 4	Living Room	Hallway			
Product Type	Photoelectric <input type="checkbox"/>								
Connectivity	Hardwired <input type="checkbox"/>								
	Wireless <input type="checkbox"/>								
Brand & Model	Brooks								
	EIB166e <input type="checkbox"/>								
	EIB3016 <input type="checkbox"/>								
	EIB605TYCRF <input type="checkbox"/>								
	EIB3000MRF <input type="checkbox"/>								
	EIB166e/ EIB100MRF + RF Base <input type="checkbox"/>								
	EIB3016/ EIB3000MRF + RF Base <input type="checkbox"/>								
	EIB650iC <input type="checkbox"/>								
	EIB650iC/600MRF + RF Base <input type="checkbox"/>								
	EIB166e/EIB100MRF/BAVI SA240 + RF Base + Visalert <input type="checkbox"/>	EIB166e/EIB100MRF/BAVI SA240 + RF Base + Visalert <input type="checkbox"/>	EIB166e/EIB100MRF/BAVI SA240 + RF Base + Visalert <input type="checkbox"/>	EIB166e/EIB100MRF/BAVI SA240 + RF Base + Visalert <input type="checkbox"/>	EIB166e/EIB100MRF/BAVI SA240 + RF Base + Visalert <input type="checkbox"/>	EIB166e/EIB100MRF/BAVI SA240 + RF Base + Visalert <input type="checkbox"/>	EIB166e/EIB100MRF/BAVI SA240 + RF Base + Visalert <input type="checkbox"/>	EIB166e/EIB100MRF/BAVI SA240 + RF Base + Visalert <input type="checkbox"/>	EIB166e/EIB100MRF/BAVI SA240 + RF Base + Visalert <input type="checkbox"/>
	EIB3016/ EIB3000MRF/BAVISA240+ RF Base + Visalert <input type="checkbox"/>	EIB3016/ EIB3000MRF/BAVISA240+ RF Base + Visalert <input type="checkbox"/>	EIB3016/ EIB3000MRF/BAVISA240+ RF Base + Visalert <input type="checkbox"/>	EIB3016/ EIB3000MRF/BAVISA240+ RF Base + Visalert <input type="checkbox"/>	EIB3016/ EIB3000MRF/BAVISA240+ RF Base + Visalert <input type="checkbox"/>	EIB3016/ EIB3000MRF/BAVISA240+ RF Base + Visalert <input type="checkbox"/>	EIB3016/ EIB3000MRF/BAVISA240+ RF Base + Visalert <input type="checkbox"/>	EIB3016/ EIB3000MRF/BAVISA240+ RF Base + Visalert <input type="checkbox"/>	EIB3016/ EIB3000MRF/BAVISA240+ RF Base + Visalert <input type="checkbox"/>
	EIB650iCRF <input type="checkbox"/>								
	Clipsal								
	755RLPSMA4 <input type="checkbox"/>								
	PSA LIF5800RL/2 <input type="checkbox"/>								
Visalert <input type="checkbox"/>	Visalert <input type="checkbox"/>	Visalert <input type="checkbox"/>	Visalert <input type="checkbox"/>	Visalert <input type="checkbox"/>	Visalert <input type="checkbox"/>	Visalert <input type="checkbox"/>	Visalert <input type="checkbox"/>	Visalert <input type="checkbox"/>	
Model # _____	Model # _____	Model # _____	Model # _____	Model # _____	Model # _____	Model # _____	Model # _____	Model # _____	
Installation Date	/ /	/ /	/ /	/ /	/ /	/ /	/ /	/ /	
Manufacture Date	/ /	/ /	/ /	/ /	/ /	/ /	/ /	/ /	

Section 5: Extra Smoke Alarm Installation Tables

(please print only as many as required)

Address:		Reside Reference Number:							
	Bedroom 1	Bedroom 2	Bedroom 3	Bedroom 4	Living Room	Hallway			
Product Type	Photoelectric <input type="checkbox"/>								
Connectivity	Hardwired <input type="checkbox"/>								
	Wireless <input type="checkbox"/>								
Brand & Model	Brooks EIB166e <input type="checkbox"/> EIB3016 <input type="checkbox"/> EIB605TYCRF <input type="checkbox"/> EIB3000MRF <input type="checkbox"/> EIB166e/ EIB100MRF + RF Base <input type="checkbox"/> EIB3016/ EIB3000MRF + RF Base <input type="checkbox"/> EIB650IC <input type="checkbox"/> EIB650IC/600MRF + RF Base <input type="checkbox"/> EIB166e/EIB100MRF/BAVI SA240 + RF Base + Visalert <input type="checkbox"/> EIB3016/ EIB3000MRF/BAVISA240+ RF Base + Visalert <input type="checkbox"/> EIB650iCRF <input type="checkbox"/> Clipsal 755RLPSMA4 <input type="checkbox"/> PSA LIF5800RL/2 <input type="checkbox"/> Visalert <input type="checkbox"/> Model # _____	Brooks EIB166e <input type="checkbox"/> EIB3016 <input type="checkbox"/> EIB605TYCRF <input type="checkbox"/> EIB3000MRF <input type="checkbox"/> EIB166e/ EIB100MRF + RF Base <input type="checkbox"/> EIB3016/ EIB3000MRF + RF Base <input type="checkbox"/> EIB650IC <input type="checkbox"/> EIB650IC/600MRF + RF Base <input type="checkbox"/> EIB166e/EIB100MRF/BAVI SA240 + RF Base + Visalert <input type="checkbox"/> EIB3016/ EIB3000MRF/BAVISA240+ RF Base + Visalert <input type="checkbox"/> EIB650iCRF <input type="checkbox"/> Clipsal 755RLPSMA4 <input type="checkbox"/> PSA LIF5800RL/2 <input type="checkbox"/> Visalert <input type="checkbox"/> Model # _____	Brooks EIB166e <input type="checkbox"/> EIB3016 <input type="checkbox"/> EIB605TYCRF <input type="checkbox"/> EIB3000MRF <input type="checkbox"/> EIB166e/ EIB100MRF + RF Base <input type="checkbox"/> EIB3016/ EIB3000MRF + RF Base <input type="checkbox"/> EIB650IC <input type="checkbox"/> EIB650IC/600MRF + RF Base <input type="checkbox"/> EIB166e/EIB100MRF/BAVI SA240 + RF Base + Visalert <input type="checkbox"/> EIB3016/ EIB3000MRF/BAVISA240+ RF Base + Visalert <input type="checkbox"/> EIB650iCRF <input type="checkbox"/> Clipsal 755RLPSMA4 <input type="checkbox"/> PSA LIF5800RL/2 <input type="checkbox"/> Visalert <input type="checkbox"/> Model # _____	Brooks EIB166e <input type="checkbox"/> EIB3016 <input type="checkbox"/> EIB605TYCRF <input type="checkbox"/> EIB3000MRF <input type="checkbox"/> EIB166e/ EIB100MRF + RF Base <input type="checkbox"/> EIB3016/ EIB3000MRF + RF Base <input type="checkbox"/> EIB650IC <input type="checkbox"/> EIB650IC/600MRF + RF Base <input type="checkbox"/> EIB166e/EIB100MRF/BAVI SA240 + RF Base + Visalert <input type="checkbox"/> EIB3016/ EIB3000MRF/BAVISA240+ RF Base + Visalert <input type="checkbox"/> EIB650iCRF <input type="checkbox"/> Clipsal 755RLPSMA4 <input type="checkbox"/> PSA LIF5800RL/2 <input type="checkbox"/> Visalert <input type="checkbox"/> Model # _____	Brooks EIB166e <input type="checkbox"/> EIB3016 <input type="checkbox"/> EIB605TYCRF <input type="checkbox"/> EIB3000MRF <input type="checkbox"/> EIB166e/ EIB100MRF + RF Base <input type="checkbox"/> EIB3016/ EIB3000MRF + RF Base <input type="checkbox"/> EIB650IC <input type="checkbox"/> EIB650IC/600MRF + RF Base <input type="checkbox"/> EIB166e/EIB100MRF/BAVI SA240 + RF Base + Visalert <input type="checkbox"/> EIB3016/ EIB3000MRF/BAVISA240+ RF Base + Visalert <input type="checkbox"/> EIB650iCRF <input type="checkbox"/> Clipsal 755RLPSMA4 <input type="checkbox"/> PSA LIF5800RL/2 <input type="checkbox"/> Visalert <input type="checkbox"/> Model # _____	Brooks EIB166e <input type="checkbox"/> EIB3016 <input type="checkbox"/> EIB605TYCRF <input type="checkbox"/> EIB3000MRF <input type="checkbox"/> EIB166e/ EIB100MRF + RF Base <input type="checkbox"/> EIB3016/ EIB3000MRF + RF Base <input type="checkbox"/> EIB650IC <input type="checkbox"/> EIB650IC/600MRF + RF Base <input type="checkbox"/> EIB166e/EIB100MRF/BAVI SA240 + RF Base + Visalert <input type="checkbox"/> EIB3016/ EIB3000MRF/BAVISA240+ RF Base + Visalert <input type="checkbox"/> EIB650iCRF <input type="checkbox"/> Clipsal 755RLPSMA4 <input type="checkbox"/> PSA LIF5800RL/2 <input type="checkbox"/> Visalert <input type="checkbox"/> Model # _____	Brooks EIB166e <input type="checkbox"/> EIB3016 <input type="checkbox"/> EIB605TYCRF <input type="checkbox"/> EIB3000MRF <input type="checkbox"/> EIB166e/ EIB100MRF + RF Base <input type="checkbox"/> EIB3016/ EIB3000MRF + RF Base <input type="checkbox"/> EIB650IC <input type="checkbox"/> EIB650IC/600MRF + RF Base <input type="checkbox"/> EIB166e/EIB100MRF/BAVI SA240 + RF Base + Visalert <input type="checkbox"/> EIB3016/ EIB3000MRF/BAVISA240+ RF Base + Visalert <input type="checkbox"/> EIB650iCRF <input type="checkbox"/> Clipsal 755RLPSMA4 <input type="checkbox"/> PSA LIF5800RL/2 <input type="checkbox"/> Visalert <input type="checkbox"/> Model # _____	Brooks EIB166e <input type="checkbox"/> EIB3016 <input type="checkbox"/> EIB605TYCRF <input type="checkbox"/> EIB3000MRF <input type="checkbox"/> EIB166e/ EIB100MRF + RF Base <input type="checkbox"/> EIB3016/ EIB3000MRF + RF Base <input type="checkbox"/> EIB650IC <input type="checkbox"/> EIB650IC/600MRF + RF Base <input type="checkbox"/> EIB166e/EIB100MRF/BAVI SA240 + RF Base + Visalert <input type="checkbox"/> EIB3016/ EIB3000MRF/BAVISA240+ RF Base + Visalert <input type="checkbox"/> EIB650iCRF <input type="checkbox"/> Clipsal 755RLPSMA4 <input type="checkbox"/> PSA LIF5800RL/2 <input type="checkbox"/> Visalert <input type="checkbox"/> Model # _____	
Installation Date	/ /	/ /	/ /	/ /	/ /	/ /	/ /	/ /	
Manufacture Date	/ /	/ /	/ /	/ /	/ /	/ /	/ /	/ /	



TORRES STRAIT ISLAND REGIONAL COUNCIL

AGENDA REPORT

ORDINARY MEETING:	June 2022
DATE:	28 & 29 June 2022
ITEM:	Agenda Item for <u>Resolution</u> by Council
SUBJECT:	Funding Agreement – Torres Strait Islander Public Health Program
AUTHORS:	Melissa Wright – Acting Manager, Enterprise Development & Delivery

Recommendation:

Council resolves to:

- Enter into the proposed funding agreement, administered by Queensland Health in relation to the Torres Strait Islander Public Health Program for the total grant sum of \$13,323,268 (excl. GST).

and

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

Executive Summary:

The State of Queensland acting through Queensland Health have presented a new Service Agreement to Council, offering a further 3 years of funding, with an option to extend for a further 4 years, to continue the delivery of the Torres Strait Islander Public Health Program.

Background:

The Torres Strait Islander Public Health Program has been operating successfully for over 17 years, with the first Agreement executed by Council in 2005 and annually thereafter, until a 5-year investment was made in 2017. The new agreement includes a 3-year funding investment, with a further 4-year option for extension, as outlined in the below funding table:

Funding 2022/2023 (excl. GST)	Funding 2023/2024 (excl. GST)	Funding 2024/2025 (excl. GST)	Extension Options				Total Project Funding (excl. GST)
			Funding 2025/2026 (excl. GST)	Funding 2026/2027 (excl. GST)	Funding 2027/2028 (excl. GST)	Funding 2028/2029 (excl. GST)	
\$1,903,324	\$1,903,324	\$1,903,324	\$1,903,324	\$1,903,324	\$1,903,324	\$1,903,324	\$13,323,268

Funding key dates:

Funding Schedule Commencement Date	1 st July 2022
Funding Schedule End Date	30 th June 2025
Funding Agreement End Date	30 th June 2029

The program funds the employment of 16 Environmental Health Worker positions, as well as the Environment and Health Manager and Program Management Support Officer positions. Key deliverables of the program include the following environmental health and animal management responsibilities:

- Food Regulation and Safe Handling,
- Water and Sanitisation Monitoring,
- Waste Management,
- Pest Management,
- Visiting Veterinary Program,
- Domestic Animal Management,
- Hygiene Education and Regulation,
- Public Health Complaint Handling,
- Recreational Water Monitoring,
- Public Health Incident, and
- Disaster Response Management.

Consultation:

- Queensland Health
- Environmental Health Team
- Finance
- Corporate Services

Finance & Risk Considerations:

Risk Management

The main risk associated with this funding agreement is the ability to deliver all objectives and reporting obligations outlined in the agreement. The Environmental Health Team are highly established with great staff retention and are supported by a highly skilled Program Management Support Officer and Environment and Health Manager, with a proven track record in meeting all performance objectives and reporting obligations on time. Training workshops are conducted for the Environmental Health Workers bi-annually to ensure skill levels are maintained in their respective fields. Therefore, the risk of Council not meeting its obligations are low.

Council Finance

There is nil contribution required by Council.

Statutory Requirements:

Local Government Act 2009 (Qld)

Conclusion:

That Council enters into proposed funding agreement and delegates authority to the Chief Executive Officer to execute any and all matters associated with or in relation to this funding agreement.



Author:
Melissa Wright
Acting Manager,
Enterprise Development & Delivery



Endorsed/Recommended:
Dawson Sailor
Head of Community Services



Approved:
James William
Chief Executive Officer

Service Agreement – Funding and Service Details

Version 1.4

PLEASE NOTE:

The Service Agreement comprises two parts:

- Funding and Service Details
- Standard Terms

THE PARTIES:

Us

The State of Queensland acting through Queensland Health ABN 66 329 169 412

and

You

Name of funded organisation	Torres Strait Island Regional Council (You, Your, the Organisation)
ABN/ACN	15 292 645 165

Service Agreement number	5907-2022-23-Agreement-001.0
---------------------------------	------------------------------

1. Formation of Service Agreement

1.1 Service Agreement

- (a) Subject to these Funding and Service Details being signed by both parties, a Service Agreement will commence with effect from the Agreement Commencement Date and will continue for the Term.
- (b) The Service Agreement comprises the documents specified in clause 1.2 of the Standard Terms.

1.2 Commencement and duration

Agreement Commencement Date	01/07/2022
Agreement Expiry Date	The date of expiry or termination of the last remaining Funding Schedule.

1.3 Funding Schedules

Each attached Funding Schedule describes:

- (a) Funding that We will provide to You, including the basis on which that Funding will be paid; and
- (b) the Services that You must provide and that You must use that Funding towards, including:
 - (i) the Establishment Date (if any) for the Services;
 - (ii) Deliverables and Service Delivery Requirements; and
 - (iii) some specific requirements that You must comply with, such as Reporting Requirements.

2. Terminology

- (c) Certain words or phrases with capital letters that are used only in these Funding and Service Details (e.g. "Quality Standards") are defined in clause 9.
- (d) Other words or phrases with capital letters that are used generally in the Service Agreement (e.g. "Funding") are defined in clause 31 of the Standard Terms.
- (e) In these Funding and Service Details, unless otherwise stated:
 - (i) references to "clauses" mean clauses in these Funding and Service Details and references to "Items" mean items in an attached Funding Schedule;
 - (ii) a reference to "Queensland Health", "the Department of Health", "Our", "We", "CSFB" and "Community Services Funding Branch", is a reference to Us; and
 - (iii) references to "Standard Terms" mean the document titled 'Service Agreement - Standard Terms' version 1.1.

3. Contact details

3.1 Your address and Contact Officer

Contact Officer (person or position)	Mr James William Chief Executive Officer
Postal address	PO Box 7336, CAIRNS QLD 4870
Physical address	46 Victoria Parade, THURSDAY ISLAND QLD 4875
Telephone number	(07) 4034 5700

E-mail address	ceo@tsirc.qld.gov.au
----------------	----------------------

3.2 Our address and Departmental Officer

Departmental Officer (person or position)	Senior Director, Community Services Funding Branch
Postal address	GPO Box 48, BRISBANE QLD 4001
Physical address	33 Charlotte Street, BRISBANE QLD 4000
Telephone number	07 3006 2815
E-mail address	CommunityFunding@health.qld.gov.au

4. Standard Queensland Health Departures from the Standard Terms

4.1 Clauses in Standard Terms that do not apply

The following clauses in the Standard Terms do not apply to the Service Agreement:

Not Used.

4.2 Clauses in Standard Terms that are modified

The following clauses in the Standard Terms are modified in the way specified below:

Not Used.

5. Governing Act

There is no Governing Act and for the purposes of the Service Agreement a reference to Governing Act is not applicable.

6. Notices

Any notification required under the Standard Terms or these Funding and Service Details must be provided in writing to the persons nominated in clause 3 above.

7. Specific Terms of Funding

7.1 Quality Standards

The Services must be delivered in compliance with the Quality Standards unless We notify You otherwise.

7.2 Accreditation Standards

(a) This clause applies for Accreditation Standards.

(b) You must:

- (i) attain, and provide Us with evidence of, Accreditation for each Accreditation Standard by the dates specified in the table in Item 7.2 of the Funding Schedule;
- (ii) ensure that the Services are included in the scope of Your Accreditation;
- (iii) maintain Your Accreditation for the Term; and
- (iv) if requested by Us, demonstrate or provide evidence, together with any supporting or additional information that We may request, that the Services are being delivered in compliance with the Accreditation Standards.

- (c) We may require You to comply with the Performance Framework until You attain and provide Us with evidence of Accreditation.
- (d) If you fail to achieve Accreditation within the timeframe specified in Item 0 of the Funding Schedule, or Your Accreditation expires or is suspended, cancelled or withdrawn, You will be in breach of the Service Agreement and the provisions of clause 13 of the Standard Terms will apply.
- (e) You must immediately notify Us in writing if You have conditions imposed on Your Accreditation at any time, in which case You must comply with Our reasonable requirements until such time as the conditions imposed on Your Accreditation are removed.

7.3 Performance Framework

- (a) This clause applies for the Performance Framework.
- (b) You must complete and submit to Us the Performance Framework (or that part of the Performance Framework required by Us) at the times specified in the table in Item 7.2 of the Funding Schedule.

7.4 Changes to contact details

You must notify Us in writing of any changes to Your details listed at clause 3.1 of the Funding and Service Details.

7.5 Nominated account for payment of funds

We will pay the Funding into the bank account nominated by You in Attachment 1 in accordance with the Standard Terms and the Funding Schedule. You must give Us notice of the nominated account in this attachment before any payments will be made. You must provide notice to Us of any information or changes to the account within seven days of You becoming aware of the change.

7.6 Other Insurances

You must hold and maintain professional indemnity insurance for the amount of \$10 million per claim in accordance with clause 20.1(a) of the Standard Terms at all times during the Term.

7.7 Pre-approved publications

Not applicable.

7.8 Financial reporting

You must complete and submit periodic Financial Acquittals and Financial Statements as specified in the table below.

<p>Financial Acquittals - Periodic</p>	<p>Reporting period: Six monthly</p> <p>Due date: 1 month after the end of each six month reporting period (31 January and 31 July of each year).</p>	<p>Financial data must be acquitted on the template at Attachment 2 for each project specified at item 5 of the Funding Schedule.</p> <p>If You are a local government authority or tertiary institution, You may submit a statement against the line-items specified at item 5 of the Funding Schedules and certified by the chief accounting officer or equivalent.</p> <p>If the Funding is provided for part of the reporting period, either at the Schedule Start Date or Schedule End Date, Financial Acquittals must still be submitted for the relevant part of that reporting period.</p>	<p><i>Financial Acquittals – Periodic</i> must be submitted via email at CommunityFunding@health.qld.gov.au</p>
---	---	--	---

Financial Statements – Audited Financial Statements	Reporting period: Annually Due date: In accordance with the lodgement period of Your incorporating legislation, or if not otherwise stated, within 3 months of the end of Your financial year.	You must provide a copy* of Your audited annual <i>General Purpose Financial Statement</i> prepared in accordance with the Australian Accounting Standards comprising the following documents: <ul style="list-style-type: none"> a. <i>Statement of profit and loss and other comprehensive income</i> b. <i>Statement of financial position</i> c. <i>Statement of changes in equity</i> d. <i>Statement of cashflows</i> e. <i>Notes to and forming part of the financial statement</i> f. <i>Directors’ statement/declaration</i> g. <i>Independent audit report, and</i> h. <i>Asset register in relation to Funded Assets (where applicable).</i> <p>* If You have more than one Service Agreement with Us, You are only required to submit one copy of the <i>General Purpose Financial Statement</i> to Us.</p>	<i>Audited Financial Statements</i> must be submitted via email at CommunityFunding@health.qld.gov.au
Financial Statements – Annual Financial Report	Reporting period: Annually Due date: As requested.	You must provide an <i>Annual Financial Report</i> completed in the format provided to You by Us at the end of Your financial year.	<i>Annual Financial Report</i> must be submitted via email at CommunityFunding@health.qld.gov.au

7.9 Certification of reporting

You must complete and submit certification by Your Directors as specified in the table below.

Directors’ Certification	Reporting period: Six monthly Due date: 1 month after the end of each six month reporting period (31 January and 31 July of each year).	You must complete and submit a <i>Directors’ Certification</i> signed by two members of Your executive or management committee responsible for Your activities certifying that the information contained in all reports submitted under this Service Agreement are an accurate reflection of the performance of the services. <p>*If You have more than one Service Agreement with Us, You are only required to complete and submit one <i>Director’s Certification</i> for each reporting period.</p>	<i>Director’s Certifications</i> must be submitted via email at CommunityFunding@health.qld.gov.au
---------------------------------	--	--	--

8 Special Conditions

8.1 We may assign this Service Agreement or any of Our benefits or obligations under the Service Agreement to a Hospital and Health Service on notice to You.

8.2 NDIS Transition

- (a) If, at any time, We determine, at Our discretion, that any of the Services under a Funding Schedule are no longer required because of the implementation of NDIS Arrangements, We may, by giving You notice, do any one or more of the following:
- (i) immediately stop the Funding or relevant part of the Funding related to those Services;
 - (ii) require You to repay any unspent part of that Funding to Us within the period stated in the notice, which will be not less than 20 Business Days. That amount will be a debt due and owing to Us by You;
 - (iii) reduce the amount of one or more future instalments of the Funding, whether in relation to a particular Service User or otherwise, to reflect any Funding already paid in relation to Services that We consider to fall within the scope of, or to have (or ought to have) transitioned to, the NDIS Arrangements; and
 - (iv) pay You the Funding at times and intervals provided in the notice.

We may do this without following the show cause process in the Standard Terms.

(b) If, under clause 8.2(a):

- (i) some, but not all, of the Funding under a Funding Schedule is stopped, or the amount of any future instalment is to be reduced, Our notice to You will specify the reduced amount of the Funding and, if relevant, the reduced amount of any future instalment(s) and the changed scope of the Services (if any) and the Service Agreement will be deemed varied in accordance with the notice; or
- (ii) all of the Funding under the Funding Schedule is stopped, the Funding Schedule will automatically terminate and the provisions in clauses 13.3(a) and 13.3(c) of the Standard Terms will apply.

(c) Clause 8.2(b) will survive termination of any Funding Schedule or the Service Agreement.

8.3 Subject to clause 9 of the Standard Terms, upon receipt of a valid Tax Invoice and in consideration of the Services provided under this Service Agreement, We will pay You the invoiced Funding at the times and intervals described in the Funding Schedule unless notice is otherwise provided in accordance with clause 8.2(a)(iv) above.

8.4 You must comply with the *Working with Children (Risk Management and Screening) Act 2000* (Qld).

8.5 Where You wish to publish a publication that mentions Us, You must obtain our prior written approval for Our mention in the publication, which approval will not be unreasonably withheld. Our approval is not required for the pre-approved publications set out in these Funding and Service Details.

8.6 Without limiting any other obligation set out in the Standard Terms, where you breach clause 16.5 of the Standard Terms You release, discharge, indemnify and hold Us, Our officers, employees and agents harmless from and against any Claim or potential Claim that may be made, brought or threatened by any person against Us.

9 Definitions and interpretation for Funding and Service Details

In these Funding and Service Details (including the Funding Schedules), unless otherwise stated or a contrary intention appears:

“Accreditation” means accreditation or certification granted to an entity by an external body, recognised by the Joint Accreditation System of Australian and New Zealand (JAS-ANZ) or the International Society for Quality in Health Care (ISQua), as meeting Accreditation Standards;

“Accreditation Standards” means the independent quality standards accepted by Queensland Health for the provision of health and community services specified in Item 6.3 of the Funding Schedule (if applicable);

“Hospital and Health Service” means a Hospital and Health Service established under section 17 of the *Hospital and Health Boards Act 2011* (Qld);

“NDIS” means the Commonwealth’s National Disability Insurance Scheme, contained in the *National Disability Insurance Scheme Act 2013* (Cth), as amended from time to time;

“NDIS Arrangements” means any agreement, understanding or other arrangement entered into by the State of Queensland with the Commonwealth in connection with the operation of the NDIS;

“Performance Framework” means the Queensland Health NGO Performance Framework as updated, amended or replaced from time to time (included as Annexure 1 of Funding Schedule if applicable); and

“Quality Standards” means the Accreditation Standards or Performance Framework, as the case may be, as specified in Item 7.3 of the Funding Schedule.

Attachment 1 Bank Details
Attachment 2 Financial Report Template
Attachment 3 Directors' Certification Template

EXECUTED as an Agreement

SIGNED for and on behalf of the State of Queensland
acting through Queensland Health ABN: 66 329 169 412
by its duly authorised representative:

)
) * _____
) (signature)
)
)
) * _____
) (name)
)

* _____
(position)

* _____
(date)

SIGNED for and on behalf of Torres Strait Island Regional
Council ABN: 15 292 645 165 as its duly authorised
officer:

)
)
) * _____
) (signature)
)
) * _____
) (name)

* _____
(position)

* _____
(date)

* _____
(signature of witness)

* _____
(name of witness)

Attachment 1

**BANKING DETAILS
EFT APPLICATION FORM ELECTRONIC DEPOSIT OF FUNDS**

SECTION A – YOUR FINANCIAL INSTITUTION ACCOUNT DETAILS

I/We hereby agree that the/all payment/s is/are to be made to

Torres Strait Island Regional Council

by way of direct deposit to the following account:

Name of Approved Financial Institution: _____

Institution/State/Branch Number:

(6 characters only)

Account number: _____

Account name: _____

Signature: _____

Name (please print): _____

Position: _____

Contact phone number: _____

SECTION B – CERTIFICATION BY YOUR FINANCIAL INSTITUTION

(Organisation must ensure Section B is completed by their relevant Financial Institution e.g. Bank, Building Society etc.)

The above account details have been verified and are correct:

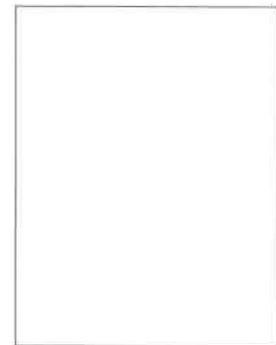
Name of Institution: _____

Signature: _____

Name (please print): _____

Position: _____

Date: _____



BANK STAMP

SECTION C – FOR FORWARDING OF REMITTANCE ADVICE DETAILS

Address: _____

Email: _____

Attachment 2 – Financial Report Template

Org Id: 3503	Organisation: Torres Strait Island Regional Council
SP Id: 5907	Service Provider: Torres Strait Island Regional Council
Project Id: 79417	Project Name: Aboriginal and Torres Strait Islander Public Health Program

Please tick the period relevant to this financial report

1 July to 31 December

1 July to 30 June

ABN:	<input type="text"/> <input type="text"/> - <input type="text"/> <input type="text"/> <input type="text"/> - <input type="text"/> <input type="text"/> <input type="text"/> - <input type="text"/> <input type="text"/> <input type="text"/>	Effective from:/...../.....
GST Status:	Registered <input type="checkbox"/> (please tick)	Effective from:/...../.....
	Not Registered <input type="checkbox"/> (please tick)	

The organisation must maintain separate and readily identifiable ledger accounts to record receipt and expenditure of Queensland Health funds for each funded project. If you have an accounting package, you must also submit a cumulative Project Profit and Loss Statement for each Project (Service). Please provide reasons for any overspend or underspend identified.

RECEIPTS		
	Annual Allocation	Actual Income to Date / /
Queensland Health Operating Funds	\$	\$
Queensland Health One-off Funds		\$
Rollover surplus from previous financial year approved for one-off expenditure		\$
Interest earned on Queensland Health Funds		\$
TOTAL INCOME TO DATE		\$
EXPENDITURE		
Budget Items	Forecast Budget for Financial Year to Date	Actual Expenditure for Financial Year to Date
Direct Expenditure E.g. Salaries / on costs		
TOTAL (Direct Expenditure)	\$	\$
Indirect Expenditure E.g. Admin / Operating		
TOTAL (Indirect Expenditure)	\$	\$
TOTAL OPERATING EXPENDITURE		
One-off Expenditure		
TOTAL ONE-OFF EXPENDITURE		\$
TOTAL EXPENDITURE TO DATE		\$

Attachment 3

Directors' Certification

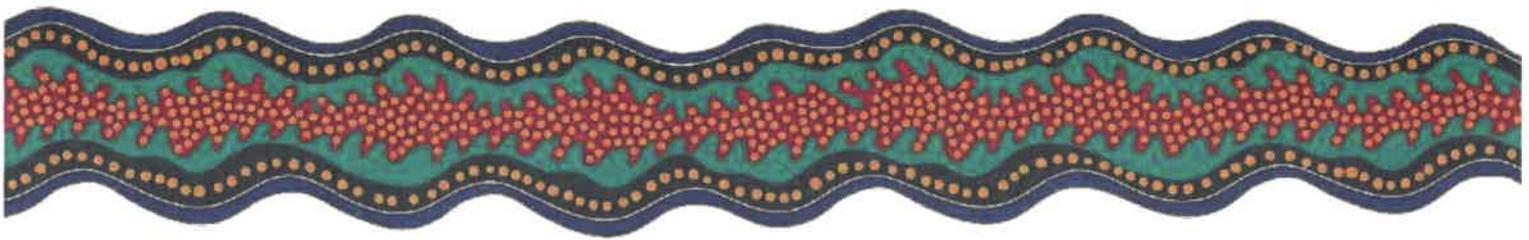
Organisation:	Torres Strait Island Regional Council
----------------------	---------------------------------------

<i>Please tick the reporting period end date relevant to this certification, or specify other</i>			
31 December	<input type="checkbox"/>	30 June	<input type="checkbox"/>
Other:	_____		

We hereby certify that:

- we have only used the Funding to deliver the Services specified in the Funding Schedule;
- we have not used the Funding to make payments that are inconsistent with the Services specified in the Funding Schedule;
- we have held the Funding in an account at an Approved Financial Institution;
- we have maintained separate and readily identifiable ledger accounts to record the Organisation's receipt and expenditure of the Funding;
- adequate control procedures exist in recording, authorising payments, recording receipts and bank reconciliations;
- the information contained in Financial Reports reflect the performance of the Services;
- all terms and conditions of the Service Agreement have been complied with; and
- the undersigned are authorised to sign on behalf of the Organisation.

Signature		Signature	
Print Full Name		Print Full Name	
Position (Authorised Officer)		Position (Authorised Officer)	
Date		Date	



FUNDING SCHEDULE: 1

1. SERVICE AGREEMENT

This Funding Schedule relates to Service Agreement number **5907-2022-23-Agreement-001.0**.

2. IMPORTANT DATES IN RELATION TO THIS SCHEDULE

Schedule Start Date	01/07/2022
Schedule End Date	30/06/2025
Establishment Date	Not Applicable

3. SERVICES

3.1. Services to be provided

The Services to be provided, and that the Funding must be used towards, are described in Item 6.1 of this Funding Schedule.

3.2. Subcontract, contact and other details

Not Applicable.

4. FUNDING UNDER FUNDING SCHEDULE

\$13,323,268 (excluding GST).

Refer to Item 5 for further details about the Funding under this Funding Schedule.

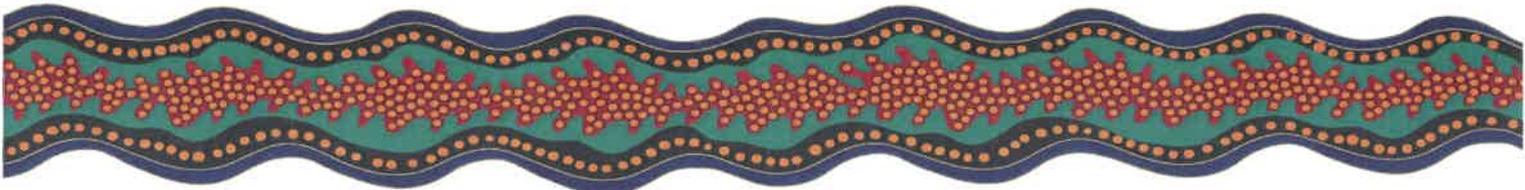
5. FUNDING DETAILS

5.1. Per annum Funding

Service Provider ID: 5907							
Project ID: 79417							
Project Name: Aboriginal and Torres Strait Islander Public Health Program							
Funding 2022/2023 (excl. GST)	Funding 2023/2024 (excl. GST)	Funding 2024/2025 (excl. GST)	Extension Option 1			Extension Option 2	Total Project Funding (excl. GST)
			Funding 2025/2026 (excl. GST)	Funding 2026/2027 (excl. GST)	Funding 2027/2028 (excl. GST)	Funding 2028/2029 (excl. GST)	
\$1,903,324	\$1,903,324	\$1,903,324	\$1,903,324	\$1,903,324	\$1,903,324	\$1,903,324	\$13,323,268

5.2. Funding Source

Queensland Government: Aboriginal and Torres Strait Islander Public Health Program.



6. ABORIGINAL AND TORRES STRAIT ISLANDER PUBLIC HEALTH PROGRAM

6.1. Queensland Aboriginal and Torres Strait Islander Environmental Health Plan

Living environments have a direct impact on human health, and management of these can reduce our risk of disease and support good health outcomes. Improving environmental health conditions is particularly important in remote Aboriginal and Torres Strait Islander communities where poorer environmental health management is contributing to higher levels of communicable diseases and hospitalisation rates than for the broader First Nations communities across Queensland.

The Queensland Aboriginal and Torres Strait Islander Environmental Health Plan 2019-2022 (the Plan) aligns with Queensland's commitment under the National Aboriginal and Torres Strait Islander Health Plan 2013-2023. In Queensland, Making Tracks toward closing the gap in health outcomes for Aboriginal and Torres Strait Islander Queenslanders by 2033 provides the overarching policy direction to guide the long-term effort towards closing the health gap to 2033. The Investment Strategy looks to develop culturally capable health services through targeted programs to tackle chronic disease. Environmental health is one of these target areas.

The vision for the Plan is for environmental health services that support the achievement of equality of health outcomes for all Aboriginal and Torres Strait Islander people in Queensland.

The Plan takes a multi-strategy approach to improving environmental health conditions in Aboriginal and Torres Strait Islander local governments. Work under the Plan is focussed on supporting healthy living environments through developing partnerships between environmental health and clinical care, providing advocacy across government, and supporting workforce training. It seeks to influence partners to ensure environmental health considerations are embedded in planning and delivery of services that influence healthy environments.

The Plan is available online at https://www.health.qld.gov.au/data/assets/pdf_file/0024/830445/atse-environmental-health-plan-2019-2022.pdf.

6.2. Partnership

We are partners in supporting implementation of the Plan through the Aboriginal and Torres Strait Islander Public Health Program (A&TSIPHP). The delivery of culturally safe, responsive and capable environmental health strategies for Aboriginal and Torres Strait Islander people is our shared priority and responsibility. We acknowledge the importance of building mutual trust and respect with Aboriginal and Torres Strait Islander people to effectively implement and achieve the outcomes of the A&TSIPHP.

Key partners in this agreement include:

- Aboriginal and Torres Strait Islander local governments and the communities that they represent.
- Health Protection Branch (Queensland Health).
- Public Health Units (Queensland Health).
- Community Services Funding Branch (Queensland Health).

Through our shared commitment, we will enable mechanisms that:

- Celebrate and recognise achievements and improvements;
- Support ongoing capacity, capability and flexibility to deliver the agreed outcomes;
- Manage issues and risks transparently to ensure the stable and uninterrupted delivery of services;
- Maintain clarity and accountability about how funds are being used to meet needs; and
- Demonstrate and enable continuous improvement in actions and behaviours.

7. DETAILS ABOUT SERVICES

7.1. Description of Services

The Aboriginal and Torres Strait Islander Public Health Program (A&TSIPHP) supports Aboriginal and Torres Strait Islander local governments (A&TSILG) to collaborate with key stakeholders to identify and mitigate the risks associated with public health hazards, and to build sustainable environmental health programs.

Torres Strait Island Regional Council employ and train local community members to undertake the monitoring, regulation and surveillance of public and environmental health hazards and risks within their local government catchment area.

The scope of work and specific activities will be identified on a Work Plan approved by Queensland Health.

A&TSILGs are required to employ a First Nations person that is qualified* for the following roles:

- Indigenous Environmental Health Worker (EHW), i.e. that holds a Certificate III or higher relevant qualification in Indigenous Environmental Health; and
- Indigenous Animal Management Worker (AMW), i.e. that holds a Certificate IV in Animal Control and Regulation in Aboriginal and Torres Strait Island Communities, or equivalent.

**Current enrolment or intent to enrol (subject to course availability) in a relevant qualification is acceptable.*

Where suitable staff cannot be identified for the above roles, an agreed alternative arrangement must be noted as supplementary to the Work Plan.

Refer to the A&TSIPHP Specification provided to You by the Health Protection Branch for additional information about the expectations of the EHW and AMW roles.

7.2. Deliverables

You must deliver the output(s) specified below.

Deliverable	Description
Work Plan	<p>A three year Work Plan covering at least three of the focus areas under Environmental Health and/or Animal Management described in the A&TSIPHP Specification (provided by the Health Protection Branch to You).</p> <p>The Work Plan should reflect your community's priority areas of need and be developed in collaboration with your Local PHU using the template provided at Annexure 1.</p>
Employment of staff	As specified in Item 7.1
Annual engagement with the Department	<p>Participate in an annual engagement activity with your local PHU, HPB and Community Services Funding Branch (CSFB) representatives, to reflect on the previous 12 months service delivery.</p> <p>Discussion points to include (but not limited to):</p> <ul style="list-style-type: none"> • Torres Strait Island Regional Council to present an overview of progress against the Work Plan. • Departmental representatives to reflect on data provided to date by Torres Strait Island Regional Council and other information relating to the service. • All participants to reflect on learnings to date and as applicable develop agreed actions to further improve the service. <p>CSFB will negotiate with partners on a suitable date and mechanism for the annual engagement.</p>

7.3. Service Delivery Requirements

(a) Quality Standards

Refer to Special Condition item 10.2

(b) Other documents

The Services must be delivered in accordance with and meet the requirements set out in the document(s) specified below.

Document type	Document name	Document section
Plan	The Queensland Aboriginal and Torres Strait Islander Environmental Health Plan 2019 – 2022 (and subsequent updates). https://www.health.qld.gov.au/_data/assets/pdf_file/0024/830445/atsi-environmental-health-plan-2019-2022.pdf	All
Legislation	<i>Local Government Act 2009</i> (and subsequent updates). https://www.legislation.qld.gov.au	All
Regulation	<i>Local Government Regulation 2012</i> (and subsequent updates) https://www.legislation.qld.gov.au	All

8. REPORTING REQUIREMENTS

8.1. Performance measures

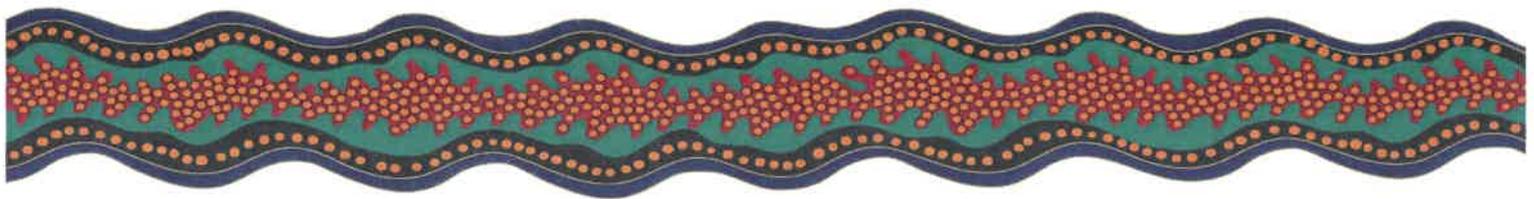
Not applicable.

Refer to the A&TSIPHP Specification for performance measurement reporting and other expectations that will be managed directly by the Health Protection Branch (HPB).

8.2. Data, statements and reports You are to submit

You must submit the data, statements and reports specified below, in each case by the due date and in accordance with the details and standard of reporting requirements and lodgement requirements specified below.

	Reporting period and due date	Details and standard of reporting	Lodgement
Work Plan	<p>Reporting period: Three yearly</p> <p>Due dates: (a) 31 July 2022 (b) 30 June 2025* (c) 30 June 2028* <i>*Pending approval of the option to extend</i></p>	<p>The Organisation shall provide a <i>Work Plan</i> as specified in Item 7.2.</p> <p>A <i>Work Plan</i> is required for each of the following periods:</p> <p>(a) 1 July 2022 – 30 June 2025 (b) 1 July 2025 – 30 June 2028* (c) 1 July 2028 – 30 June 2029* <i>*Pending approval of the option to extend</i></p>	<p>The <i>Work Plan</i> must be submitted via email at CommunityFunding@health.qld.gov.au</p>



	Reporting period and due date	Details and standard of reporting	Lodgement
Annual Engagement with the Department	Reporting period: July-June Due date: Between August and December of each year	Participate in an annual engagement activity to reflect on the previous 12 months service delivery, as specified in Item 7.2.	<i>To be organised by Queensland Health</i>
Financial reporting and certification	Requirements for <i>Financial Reporting</i> and <i>Certification of Reporting</i> are set out in clauses 7.8 and 7.9 of the Funding and Service Details with the following exception for this Funding Schedule only:		
	Financial Acquittals - Periodic	Reporting period: 1 July to 31 December of each year Due date: 31 January of each year	Financial data must be acquitted on the template at Attachment 2 for each project specified at item 5 of the Funding Schedule. If You are a local government authority or tertiary institution, You may submit a statement against the line-items specified at item 5 of the Funding Schedules and certified by the chief accounting officer or equivalent. If the Funding is provided for part of the reporting period, either at the Schedule Start Date or Schedule End Date, Financial Acquittals must still be submitted for the relevant part of that reporting period.
			Financial Acquittals – Periodic must be submitted via email at CommunityFunding@health.qld.gov.au

9. TIMING OF FUNDING PAYMENTS

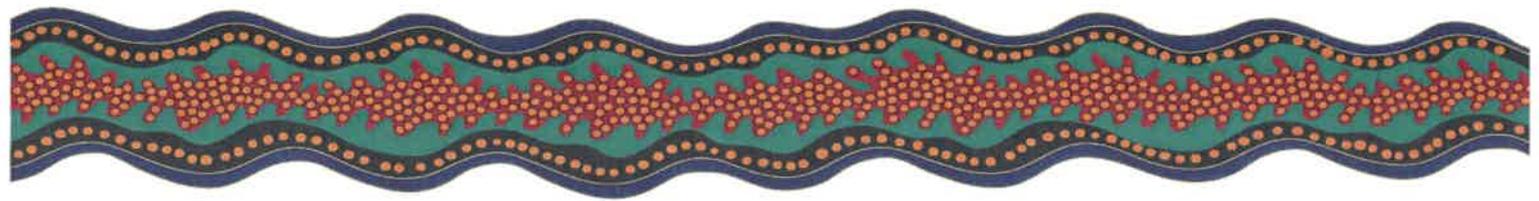
The Funding will be paid in instalments as specified below.

Funding type	Payment basis and due dates
Per annum Funding (see item 5.1 of this Schedule)	We will provide Funding as set out in item 5 of this Funding Schedule payable quarterly in advance, subject to You having complied with all of Your obligations in relation to the Funding and Services under this Funding Schedule.
One-off Funding (see item 5.2 of this Schedule)	Not applicable

10. SPECIAL CONDITIONS

10.1. Option to Extend

- (a) We may, in Our absolute discretion extend the Term of this Agreement by giving you an Extension Notice at least two (2) months prior to the Expiry Date, to extend the Term for the Extension Period. For clarity, if We exercise the Option, You must accept the Extension Period.



- (b) Despite Item 10.1 (a), if We do not give You the Extension Notice within the Notice Period, the Extension Notice is still valid.
- (c) If the Term is extended by the Extension Period, the:
 - (i) Agreement Expiry Date will be changed to the date at the end of the Extension Period; and
 - (ii) reference to the right which has been exercised for the Extension Period will be deleted in Item 10.1 (a).
- (d) An extension of the Term pursuant to Item 10.1 (a) will not:
 - (i) constitute a waiver by Us of any other rights We may have under this Agreement or at common law in relation to Your failure to provide the Deliverable and Services, and otherwise comply with the terms of this Agreement; and
 - (ii) entitle You to recover any payment for Deliverable or Services, other than the Deliverable and Services which You are obliged to provide under this Agreement by the Agreement Expiry Date.

10.2. Clauses 7.1 and 7.2 of the Funding and Service Details is deleted and replaced with:

- (e) You are exempt from submitting to Us the Performance Framework as evidence of Core Standards is covered by the obligations of Torres Strait Island Regional Council under the Local Government Act 2009 (LG Act) and Local Government Regulations (LG Regulations) (Exemption).
- (f) For the Exemption to continue during the Funding under this Funding Schedule and otherwise in accordance with the Service Agreement, Torres Strait Island Regional Council must comply with the LG Act and LG Regulations. A failure by Torres Strait Island Regional Council to comply with the LG Act and LG Regulations will result in the cessation of the Exemption, and compliance by You with the reporting requirements at item 8.2 of this Funding Schedule.
- (g) You will be responsible for determining compliance with the LG Act and LG Regulations.
- (h) You must as soon as practicable inform Us if the Torres Strait Island Regional Council is not or has not complied with its obligations under the LG Act and LG Regulations.

10.3. Definition and Interpretation for Funding Schedule

Extension Notice Period means the timeframe for Acceptance specified in the Extension Notice.

Extension Period means:

- Extension Option 1: a period of three (3) update years from the date of the Agreement Expiry Date.
- Extension Option 2: a period one (1) update years from the Agreement Expiry Date of Extension Option 1.

Extension Notice means notice to You from Us exercising the Option by way of letter to extend or renew contract.

Option means the option to extend the Term of this Agreement specified in Item 10.1 (a).

11. ATTACHMENTS

Annexure 1 – Work Plan template.

Annexure 1 – Work Plan template

WORK PLAN

Council

Details of Key Council Contact

Name: _____ Mobile: _____ Email: _____

Project Title

Aboriginal and Torres Strait Islander Public Health Program

Names of EHW and AMW

EHW: _____ AMW: _____

Report sign off by Council Contact

Signature: _____

For period:

1 July 2022 to 30 June 2025 1 July 2025 to 30 June 2028 1 July 2028 to 30 June 2029

Indicate at least three of the focus areas under **Environmental Health** and/or **Animal Management** described in the A&TSPHP Specification. The Work Plan should reflect your community's priority areas of need and be developed in collaboration with your Local PHU.

Food					
YES <input type="checkbox"/> NO <input type="checkbox"/>	<table border="1" style="width: 100%;"> <thead> <tr> <th style="width: 50%;">Mandatory activity</th> <th style="width: 50%;">Long term goals</th> </tr> </thead> <tbody> <tr> <td> <ul style="list-style-type: none"> Develop an action plan to establish a food business licencing system. Establish a food premises register including occasional home cooks cooking for events. Undertake at least annual health inspections of food premises as identified under the plan. At a minimum this should include pest management, cleanliness, hygiene practices, temperature control and provision of hand wash basins. Maintain a record of inspections, investigate complaints, and work with PHU to resolve issues. </td> <td> <ul style="list-style-type: none"> All food businesses registered and licensed in accordance with legislative requirements. </td> </tr> </tbody> </table>	Mandatory activity	Long term goals	<ul style="list-style-type: none"> Develop an action plan to establish a food business licencing system. Establish a food premises register including occasional home cooks cooking for events. Undertake at least annual health inspections of food premises as identified under the plan. At a minimum this should include pest management, cleanliness, hygiene practices, temperature control and provision of hand wash basins. Maintain a record of inspections, investigate complaints, and work with PHU to resolve issues. 	<ul style="list-style-type: none"> All food businesses registered and licensed in accordance with legislative requirements.
Mandatory activity	Long term goals				
<ul style="list-style-type: none"> Develop an action plan to establish a food business licencing system. Establish a food premises register including occasional home cooks cooking for events. Undertake at least annual health inspections of food premises as identified under the plan. At a minimum this should include pest management, cleanliness, hygiene practices, temperature control and provision of hand wash basins. Maintain a record of inspections, investigate complaints, and work with PHU to resolve issues. 	<ul style="list-style-type: none"> All food businesses registered and licensed in accordance with legislative requirements. 				

Annexure 1 – Work Plan template

Water and sanitation		
<p>YES <input type="checkbox"/> NO <input type="checkbox"/></p>	<p>Mandatory activity</p> <ul style="list-style-type: none"> Where appropriate the Indigenous EHW undertakes regular communications with the water and wastewater operators to ensure that appropriate public health responses can be instigated following a water quality failure or a sewerage incident. This includes direct communication with vulnerable users including aged care and childcare facilities. The Indigenous EHW will maintain a record of communications following a major incident. Identified public health risks are to be reported to council. Where appropriate include the role of the Indigenous EHW in any water management or sanitation plan and the public health response required in the event of a failure. This includes identifying the role of the Indigenous EHW in the Drinking Water Quality Management Plan (DWQMP). Their role may include: <ul style="list-style-type: none"> Regular water quality sampling Back up to operations in the absence of the ESO Incident management including ensuring appropriate communication and signage is available Providing feedback in the development of the DWQMP and assisting with regulatory reporting Supporting the Safe and Healthy Drinking Water program or sanitation program. 	<p>Long term goals</p> <ul style="list-style-type: none"> Certificate III water operations training Certificate III in sewerage operations training Develop water and sanitation incident communication procedures for use as part of drinking water and sanitation plans.

Annexure 1 – Work Plan template

Waste management	
YES <input type="checkbox"/> NO <input type="checkbox"/>	<p>Mandatory activity</p> <ul style="list-style-type: none"> • Undertake weekly monitoring of the waste management facility for public health risks including pests and fencing issues. Report to the Council for appropriate action. • Undertake a 6 monthly bin audit and report any broken or damaged bins to the Council for appropriate action. • Include any illegal dumping and littering issues in the EHW's monthly report to the Council. • Undertake an annual litter audit of the community to identify issues.
	<p>Long term goals</p> <ul style="list-style-type: none"> • Establish recycling practices. • Support implementation of a landfill facility plan that considers waste separation, leachate management, fire safety and incident management in line with DES licencing requirements. • Support removal of cars, whitegoods and other large objects from public and domestic spaces. • Develop a litter education program for the community. • Establish procedures for Council to action Indigenous EHW reports e.g. illegal dumping clean-up and clean-up of wind-blown rubbish at landfill.

Pest management	
YES <input type="checkbox"/> NO <input type="checkbox"/>	<p>Mandatory activity</p> <ul style="list-style-type: none"> • Undertake an annual inspection of the community including public spaces and household yards. At a minimum this is to include areas of potential vector breeding sites, provide treatment using a licenced Pest Management Technician where necessary. • Monitor pest activity and report to Council where a public health risk is identified. Focus on pests of public health significance such as rodents, cockroaches and fleas. • Work with council and community to remove or amend structures that harbour pests.
	<p>Long term goals</p> <ul style="list-style-type: none"> • Indigenous EHW to gain Pest Management Technicians Licence. • Council to maintain an integrated pest management program. • A record of monitoring outcomes and reactive treatments to be maintained.

Annexure 1 – Work Plan template

Visiting veterinary program		
<p>YES <input type="checkbox"/> NO <input type="checkbox"/></p>	<p>Mandatory activity</p> <ul style="list-style-type: none"> • Engage (as a minimum) an annual vet service to deliver the following services: <ul style="list-style-type: none"> – Humane euthanasia to sick or dangerous animals – Permanent desexing – Microchipping • Provision of treatments (including animal health treatments and health checks). • Promote vet visits with letter drops, radio announcements and community education and ensure community attend clinics. • Report on number of vet visits and animals treated/euthanased/desexed. • Report on reduction of risk of zoonotic infections from animals in the home and the community (this can be reported as the number of animals assessed as being in a healthy condition). 	<p>Long term goals</p> <ul style="list-style-type: none"> • Indigenous AMW trained to deliver parasite treatment programs to reduce animal related health impacts e.g. worms, scabies etc. • Indigenous AMW trained to obtain a Drug's Authority under the Medicines and Poisons (Medicines) Regulation 2021 for euthanasing animals and providing specific medical treatments under the direction of a vet. • Work towards 100% compliance with microchipping and 90% desexing of dog/cat population. • Work towards eradication of scabies in community.

Annexure 1 – Work Plan template

Domestic animals		
YES <input type="checkbox"/> NO <input type="checkbox"/>	Mandatory activity	Long term goals
	<ul style="list-style-type: none"> • Implement an animal census and maintain a record of animal populations in the community (regularly conduct an annual census of dogs and cats in the community). Collect the following information: Type of animal, name of animal, name and address of owner, address where animal lives, breed, colour, approx. age/DOB, whether desexed, microchipped and registered (Y/N), health status:- visible disease/injury, dangerous dog status, date of death/ left council area (as required) • Respond to complaints and maintain a record that includes details of the complaint, actions taken and outcomes • Develop and implement a pound maintenance system and ensure the pound and surgical areas are available for veterinary services. Regular pound activities to be undertaken include: <ul style="list-style-type: none"> – Daily check when animals are impounded – Feed and water animals daily – When animals are being housed, a daily cleansing and disinfection of soiled surfaces – Regular check and maintenance of pound security. 	<ul style="list-style-type: none"> • Work towards a 90% compliance for animal registrations by 2027. • Enact local laws and subordinate local laws and authorise staff to enforce registration requirements. • Indigenous AMW or the Indigenous EHW to develop checklist and procedures for pound management • Maintain Vet surgery area so as to comply with animal welfare guidelines • Develop an animal rehoming program.

Annexure 1 – Work Plan template

Hygiene, education and complaints management		
YES <input type="checkbox"/> NO <input type="checkbox"/>	<p>Mandatory activity</p> <ul style="list-style-type: none"> Provide education within the community on public health issues such as waste management, hygiene and sewerage (at least one public health education program annually) Respond to complaints about public health issues. Establish and maintain a complaints register that includes details of the complaint, actions taken and outcomes. Ensure the register is available to Queensland Health staff when visiting the community. 	<p>Long term goals</p> <ul style="list-style-type: none"> Undertake household hygiene surveys in partnership with community and the Public Health Unit to: <ul style="list-style-type: none"> Determine the nature of hygiene risks Determine the prevalence of these risks Inform community of actions to reduce risks.

Public Health Incident and Disaster Response		
YES <input type="checkbox"/> NO <input type="checkbox"/>	<p>Mandatory activity</p> <ul style="list-style-type: none"> Work with the LDMG and local health service to be included in the plan to prepare for and respond to disasters or incidences of disease of public health significance which may include vector borne; respiratory; skin; and gastrointestinal diseases. In consultation with the MEH, utilise Environmental Health Workers, Animal Management Workers and other Council staff, to support the local health service and/or public health unit in response to incidences of public health significance which may include vector borne respiratory; skin; and gastrointestinal diseases. 	<p>Long term goals</p> <ul style="list-style-type: none"> Work with the Public Health Unit and local primary care providers to reinforce messaging regarding local outbreak and pandemic responses.

Recreational waters	
YES <input type="checkbox"/> NO <input type="checkbox"/>	Mandatory activity <ul style="list-style-type: none"> • Identify recreational waters including splash parks, popular swimming spots, public pools • Identify hazards for each • Undertake necessary monitoring • Ensure adequate signage is available • Report to Council regarding issues identified including 'Do not swim/fish' • Establish council procedures for appropriate action to be taken.
Long term goals	
Other negotiated area (must be approved by the Manager of Environmental Health, Public Health Unit in consultation with the Environmental Hazards Unit. Refer to the Aboriginal and Torres Strait Islander Public Health Program Specification for more information)	
YES <input type="checkbox"/> NO <input type="checkbox"/>	Mandatory activity
Long term goals	



TORRES STRAIT ISLAND REGIONAL COUNCIL

AGENDA REPORT

ORDINARY MEETING:	June 2022
DATE:	28 th & 29 th June 2022
ITEM:	Agenda Report
SUBJECT:	Funding Acquisition Report
AUTHOR:	Melissa Wright - Acting Manager Enterprise Development & Delivery

Recommendation:

That Council resolves to note this report and its content.

Executive Summary:

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

New Agreements/Variations:

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

- ATSI TIDS – Erub Island Aerodrome Safety Improvement Project
New Agreement
Value \$280,000

The following is a list of all new agreements that were executed during the month of May 2022, that were outside the Chief Executive Officer's financial delegation limit of \$1,000,000 but had received formal resolution through a Council Ordinary Meeting.

- Queensland Reconstruction Authority - 0017.2021G.REC
Disaster Recovery Funding Arrangement, Reconstruction of Public Assets and Betterment fund – New Agreement
Value \$2,992,809.20

Current Application Status Report:

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

Funding Stream	Value	Project Details	Date of Application	Outcome	Current Status Report
<i>Reporting period - 1 July 2021 – 31 May 2022</i>					
<i>Building our Regions Round 6 – Warraber Sewer Replacement – Formal Application</i>	<i>\$1,875,000</i>	<i>Replacement of sewer Pumpstation 1 on Warraber Island</i>	<i>17th May 2022</i>	<i>Pending</i>	
<i>Building our Regions Round 6 – Badu & Mabuig Water Network Management – Formal Application</i>	<i>\$280,000</i>	<i>Implementation of smartmeters and additional valving into water network</i>	<i>17th May 2022</i>	<i>Pending</i>	
<i>Building our Regions Round 6 – Badu Reservoir Main – formal Application</i>	<i>\$500,000</i>	<i>Construction of a new section of water main from the reservoir to the town network – Badu</i>	<i>17th May 2022</i>	<i>Pending</i>	
<i>Qld Resilience & Risk Reduction Fund – Formal Application</i>	<i>\$290,000</i>	<i>Employment of a Coastal Hazard Resilience Officer</i>	<i>16th May 2022</i>	<i>Pending</i>	
<i>Enhancing Local Government Biosecurity Capacity in FNQ</i>	<i>\$403,000</i>	<i>Sustainability Biosecurity Project – Employment of 2 FTE Sustainability Biosecurity Officers to implement the Waste and Material Biosecurity Management Plan</i>	<i>14th May 2022</i>	<i>Pending</i>	
<i>ATSI Transport Infrastructure Development Scheme</i>	<i>\$280,000</i>	<i>Erub Island Aerodrome Safety Improvement Project</i>	<i>April 2022</i>	<i>Successful</i>	
<i>TSRA – Dauan Island Helicopter Subsidy</i>	<i>\$180,000</i>	<i>Application for continuation of funding to continue to provide subsidised Helicopter Flights.</i>	<i>29th April 2022</i>	<i>Pending</i>	
<i>TSRA – Ugar Helicopter Subsidy</i>	<i>\$200,000</i>	<i>Application for continuation of funding to continue to provide subsidised Helicopter Flights.</i>	<i>29th April 2022</i>	<i>Pending</i>	

Funding Stream	Value	Project Details	Date of Application	Outcome	Current Status Report
<i>TSRA – Tourism Officer and Events Coordinator</i>	\$862,500	<i>Application for continuation of funding to support the Tourism Officer and Events Coordinator positions</i>	<i>29th April 2022</i>	<i>Unsuccessful</i>	
<i>National Indigenous Australian's Agency</i>	\$350,000	<i>Application for continuation of funding to support the Healthy Lifestyle Officers –1 year program extension.</i>	<i>April 2022</i>	<i>Successful</i>	
<i>Queensland Health – ATSI Public Health Program</i>	<i>TBD</i>	<i>Application for continuation of funding to continue Environmental Health Program</i>	<i>April 2022</i>	<i>Pending</i>	
<i>Department of Sport & Rec</i>	\$225,000	<i>Application for continuation of funding to deliver the Sport & Rec program</i>	<i>April 2022</i>	<i>Pending</i>	
<i>University of Sydney</i>	\$55,000	<i>Service Learning in Indigenous Communities (SLIC) Program</i>	<i>22nd March 2022</i>	<i>Successful</i>	
<i>Local Government Grants and Subsidies Program</i>	\$1,200,000	<i>Fuel infrastructure upgrade for Poruma, Hammond and Dauan Islands</i>	<i>18th March 2022</i>	<i>Pending</i>	
<i>Local Government Grants and Subsidies Program</i>	\$497,192	<i>Upgrade of internet infrastructure from copper to satellite.</i>	<i>18th March 2022</i>	<i>Pending</i>	
<i>Remote Aerodrome Upgrade Programme</i>	\$2,154,557	<i>Upgrade of the York Island Aerodrome helicopter designated apron area‡</i>	<i>17th March 2022</i>	<i>Pending</i>	
<i>DESE – Community Child Care Funding</i>	\$18,000	<i>Structural Report and QS Completed for the Aragon Child Care Centre Building</i>	<i>16th February 2022</i>	<i>Successful</i>	
<i>Qld Resilience & Risk Reduction Fund – EOI</i>	\$295,000	<i>HF Radio Network Expansion</i>	<i>21st February 2022</i>	<i>Unsuccessful</i>	<i>Due to a heavily oversubscribed program, only our 1st preference was selected to proceed to a formal application stage.</i>
<i>Qld Resilience & Risk Reduction Fund – EOI</i>	\$2,000,000	<i>Purchase and installation of backup generators for disaster coordination centres</i>	<i>18th February 2022</i>	<i>Unsuccessful</i>	
<i>Qld Resilience & Risk Reduction Fund - EOI</i>	\$265,000	<i>Employment of a Coastal Hazard Resilience Officer</i>	<i>18th February 2022</i>	<i>Invited to submit a formal application</i>	

Funding Stream	Value	Project Details	Date of Application	Outcome	Current Status Report
<i>Saluting Their Service Commemorative Grant</i>	\$10,000	<i>Installation of a Defence Force Memorial on Erub Island</i>	<i>9th February 2022</i>	<i>Successful</i>	
<i>Regional & Remote Recycling Modernisation Fund</i>	\$517,550	<i>Development and implementation of a pilot program on Warraber Island to effectively manage recyclable materials and reduce landfill.</i>	<i>25th January 2022</i>	<i>Pending</i>	<i>The outcome of this funding is expected by June 2022</i>
<i>QRA – Disaster Recovery Funding Arrangements</i>	\$561,097.03	<i>Reconstruction of essential public assets, Tropical Low 24-30 January 2021 event. DRFA Various Islands.</i>	<i>December</i>	<i>Successful</i>	
<i>Building our Regions Round 6 – Reservoir Roads Design – EOI</i>	\$275,000	<i>Development of detailed engineering plans for all-weather access roads to reservoirs at Hammond, Badu, Mabuig, lama and Mer</i>	<i>21st December 2021</i>	<i>Pending</i>	<i>The outcome of this funding is expected by June 2022</i>
<i>Building our Regions Round 6 – lama Drinking Water Lagoon Study – EOI</i>	\$175,000	<i>Feasibility study for new water storage lagoon on lama Island</i>	<i>21st December 2021</i>	<i>Pending</i>	<i>The outcome of this funding is expected by June 2022</i>
<i>Building our Regions Round 6 – St Pauls Ladyhill Rd Drainage Design – EOI</i>	\$85,000	<i>Detailed drainage design and engineering report for Ladyhill Road on St Pauls</i>	<i>21st December 2021</i>	<i>Pending</i>	<i>The outcome of this funding is expected by June 2022</i>
<i>Building our Regions Round 6 – Warraber Sewer Replacement -EOI</i>	\$1,875,000	<i>Replacement of sewer Pumpstation 1 on Warraber Island</i>	<i>23rd November 2021</i>	<i>Invited to submit a formal application</i>	
<i>Building our Regions Round 6 – Badu Reservoir Main – EOI</i>	\$350,000	<i>Construction of a new section of water main from the reservoir to the town network – Badu</i>	<i>23rd November 2021</i>	<i>Invited to submit a formal application</i>	
<i>Building our Regions Round 6 – Badu & Mabuig Water Network Management – EOI</i>	\$280,000	<i>Implementation of smartmeters and additional valving into water network</i>	<i>23rd November 2021</i>	<i>Invited to submit a formal application</i>	

Funding Stream	Value	Project Details	Date of Application	Outcome	Current Status Report
QRA – Disaster Recovery Funding Arrangements	\$499,983.82	Reconstruction of essential public assets, Tropical Low 24-30 January 2021 event. Boigu, Dauan and Saibai Islands	November 2021	Successful	
QRA – Disaster Recovery Funding Arrangements	\$740,652.25	Reconstruction of essential public assets, Tropical Low 24-30 January 2021 event. Hammond Island	November 2021	Successful	
QRA – Disaster Recovery Funding Arrangements	\$89,697.95	Reconstruction of essential public assets, Tropical Low 24-30 January 2021 event. Ugar Island.	November 2021	Successful	
QRA – Disaster Recovery Funding Arrangements	\$2,992,809.20	Reconstruction of essential public assets, Tropical Low 24-30 January 2021 event. Various Roads.	November 2021	Successful	
LRCI Phase 3	\$388,576	Upgrade of Dauan Helipad Road	22 nd November 2021	Successful	
State Government Financial Aid	\$7,393,000	Recurring annual funding to assist local governments with operational costs	N/A	N/A	
Revenue Replacement Program	\$546,200	Recurring annual funding for Indigenous Councils that handed over profitable liquor licences	N/A	N/A	
LGAQ QCoast2100 2.0	\$247,500	Funding to complete phases 6-8 of the Coastal Hazard Adaption Strategy	5 th November 2021	Successful	
Indigenous Language Grants	\$20,000	Development of Environmental Health Material and other Community Messages using Torres Strait Language. The media will include posters, prints, and videography.	15 th October 2021	Unsuccessful	
Queensland Reconstruction Authority	\$67,554	Design of Dauan Island Western Reservoir Road.	August 21	Successful	
State Library of Qld	\$17,000	Extension of funding for a further one-year period.	5 th July 21	Successful	

Funding Stream	Value	Project Details	Date of Application	Outcome	Current Status Report
Department of Housing and Public Works	\$14,427,863	Housing Improvement Plan	Sept 21	Successful	
Dept. Sport & Rec	\$225,000	Funding to increase HLO's hours to deliver a fitness program under the direction of a qualified Personal Trainer	July 21	Successful	

Total Amount Applied for between 1 July 2021 and 31 May 2022
\$40,944,732.25

Total Amount Successful between 1 July 2021 and 31 May 2022	
Building Services	\$14,427,863.00
Engineering	\$5,867,870.25
Community Services	\$675,000.00
Business Services	\$7,393,000.00
Executive	\$546,200.00
Combined Total	\$28,909,933.25

Funding Applications in Progress:

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

-  Saluting their Service Commemorative Grant
 St. Paul's Anzac Memorial
 Value - \$10,000
-  Department of Health
 Major capital funding to complete rectification works at Aragon Child Care
 Value - To Be Determined

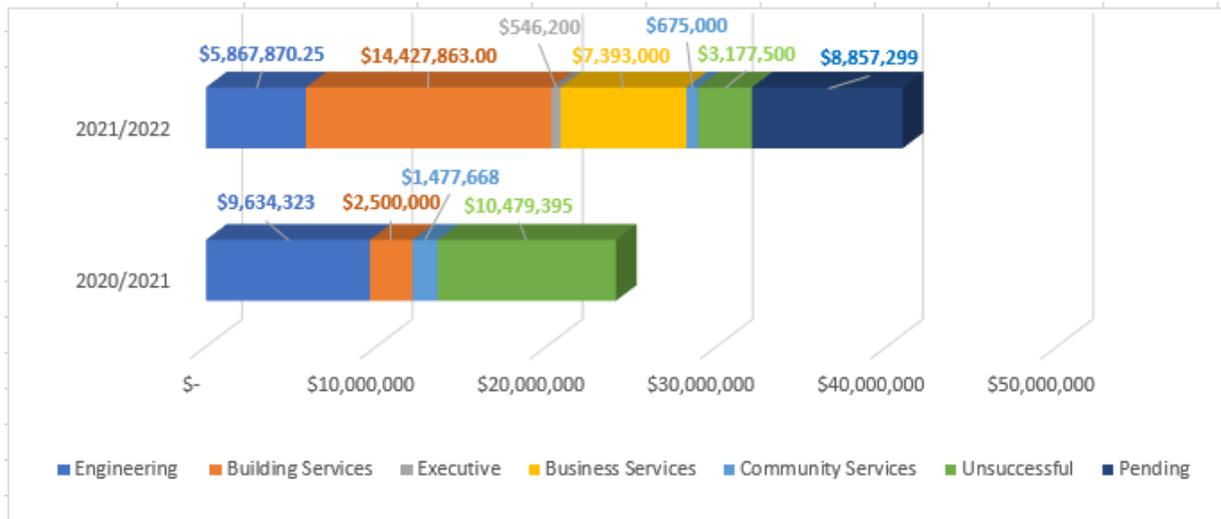
Feedback Received on Unsuccessful Applications:

The below table provides a summary on the feedback received for all unsuccessful funding notifications during the reporting period.

Project	Value	Date	Feedback Received
Tourism Officer & Events Coordinator	\$862,500	26 th May 2022	Feedback received from the TSRA on their decision to end the Tourism Officer and Events Coordinator Funding was that the program had been funded for over 5 years, and there had not been sufficient progress throughout this period to warrant a continuation. The TSRA did acknowledge that the current Tourism Officer and Events Coordinators were a pleasure to work with and were starting to achieve results, however this was not enough to continue such a substantial investment.

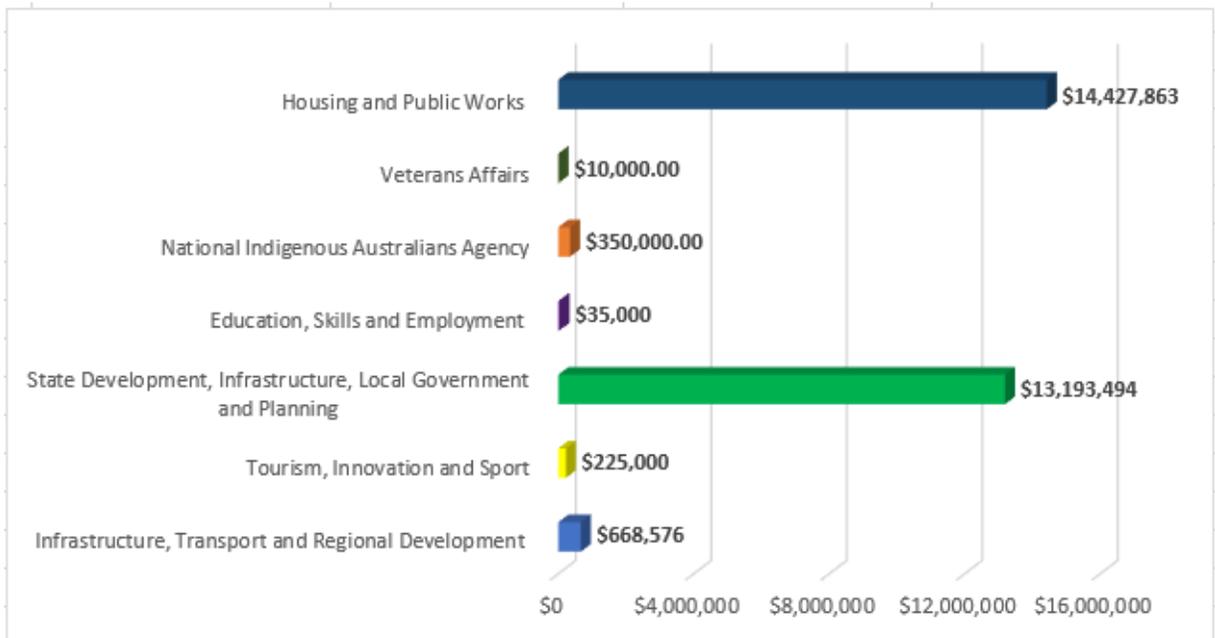
Historical Funding Comparison:

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



Breakup of Funding Per Portfolio:

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



Councillor's Top 5 Priorities Status:

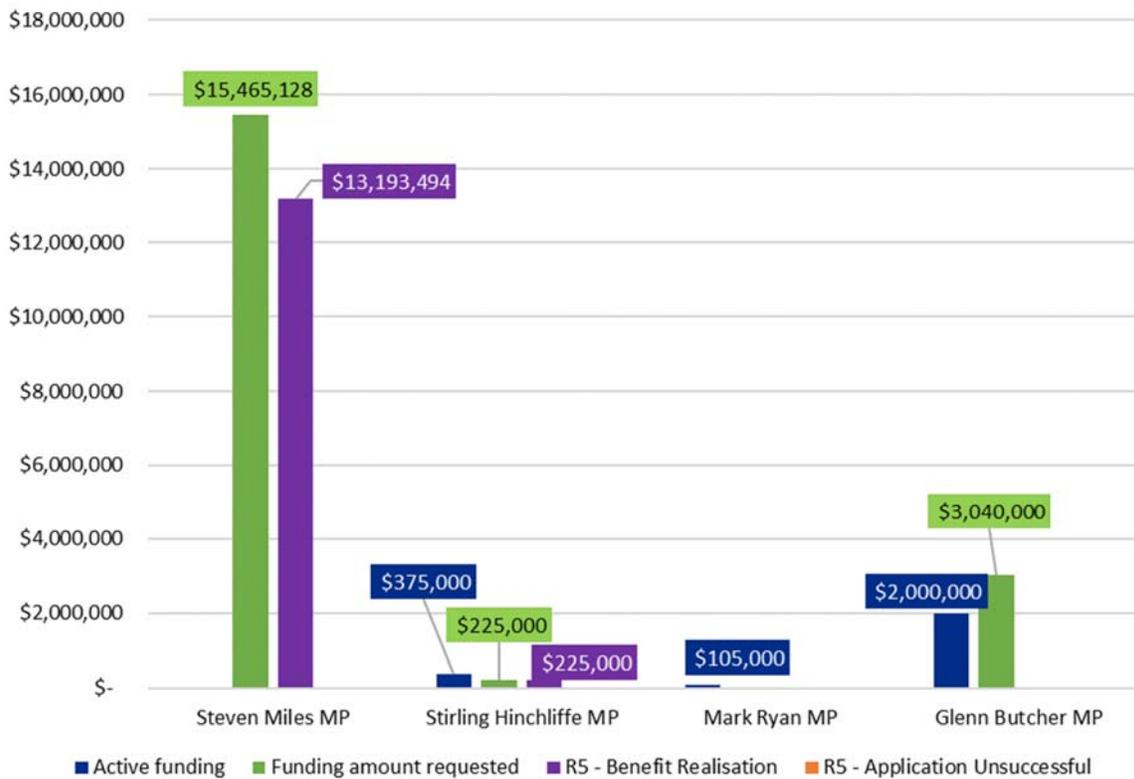
The following table provides an update on the current status of Councillor Top 5 Priority projects. Out of 75 identified projects there are currently 16 projects that have either been completed or are in the process of being completed, and a further 1 project that is in initial application stages. All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

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

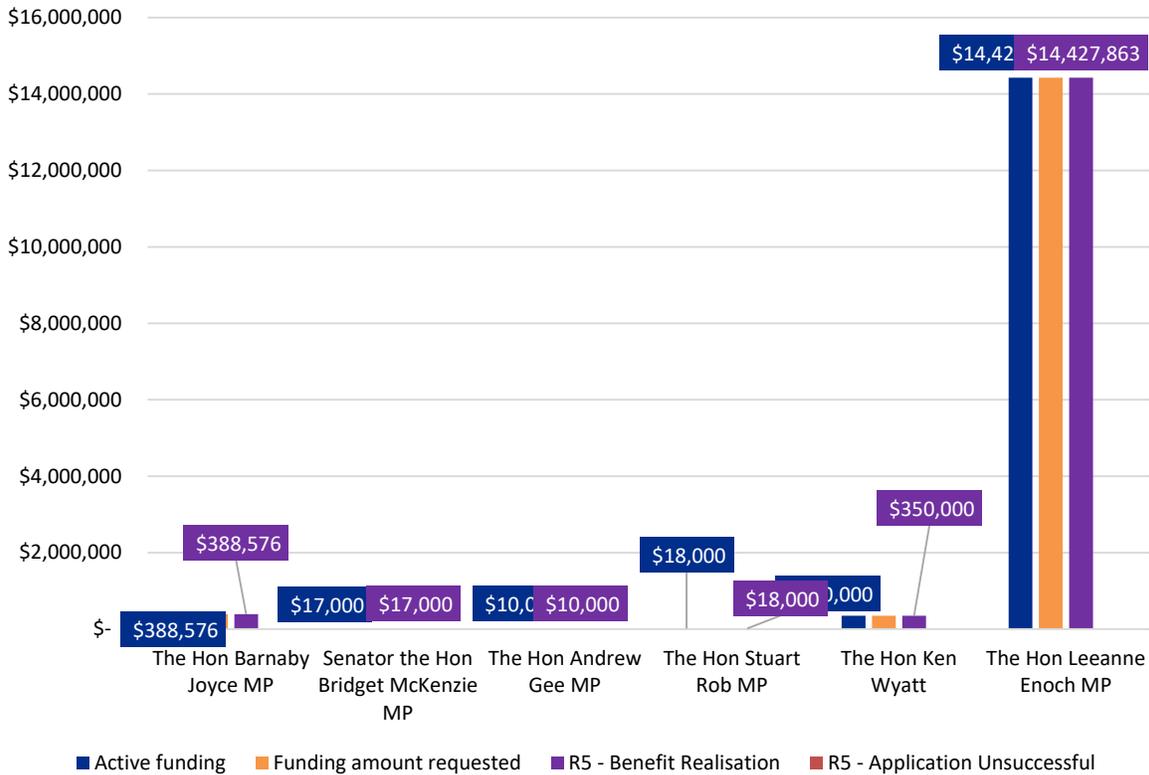
Funding Agency Portfolio Breakdown:

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

Funding Agency Portfolio (active funding only) by State



Funding Agency Portfolio (active funding only) by Federal

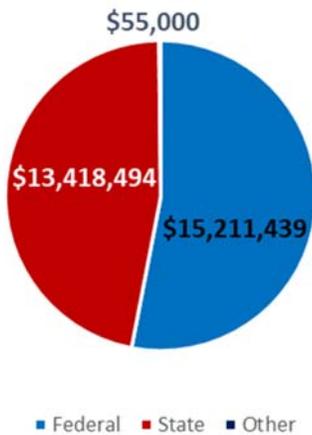


Value of Applications by Stage:

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

Graph 1

Successful Funding Only (Federal vs State)



Graph 2

Submitted - Benefit Realisation



Links to Strategic Plans:

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

Statutory Requirements:

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

Conclusion:

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



Recommended:
Megan Barrett
Executive Director Corporate Services



Approved:
James William
Chief Executive Officer



TORRES STRAIT ISLAND REGIONAL COUNCIL

AGENDA REPORT

ORDINARY MEETING:	June 2022
DATE:	28 th – 29 th June 2022
ITEM:	Agenda Item for Resolution by Council
SUBJECT:	Community Grants Program Allocation – June 2022
AUTHOR:	Katherine Epsseg, Customer Services Officer, Enterprise Development and Delivery Team – Corporate Services

Recommendation:

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

Community Grants applications must be submitted on the last Friday of the month to be tabled at the next Ordinary Council meeting. The following applications were received before the monthly deadline of 5pm, 27/05/2022.

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

- Full Gospel Church – Erub for the eligible amount of \$2,000.00 exclusive of GST, as per the submitted application.

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

- Anthony David for the eligible amount of \$1,500.00 exclusive of GST, as per the submitted application.

Executive Summary:

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

Community Grants Background:

For the month of June, two (2) 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 two (2) applications which meet eligibility requirements are:

Community Entity Applicants	Amount Requested	Project/Event	Amount Supported by Councillor	Location
Full Gospel Church – Erub Island	\$2,000.00	Contribution towards costs associated with celebrating the 2022 Coming of the Light Ceremony on Erub Island, 01/07-/2- /7/2022	\$2000.00	Erub

Individual Applicants	Amount Requested	Project/Event	Amount Supported by Councillor	Location
Anthony David	\$1,500.00	Contribution towards catering costs associated with celebrating the 2022 Coming of the Light Ceremony on lama Island, 01/07/2022	Not supported by Cr Lui due to exhausted community grants funds for lama.	lama

Out of Cycle – Community Grants Background:

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

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

<p><u>Applicant</u> Annette Fell, Dauan Island</p> <p><u>Reference</u> CG2022-093</p> <p><u>Received</u> Friday, 29/04/22</p> <p><u>Event</u> Peninsula School Sports Rugby League</p>	<p>A Community Grants application was received, and it was determined that if the application follows the Out of Cycle criteria of the community grants policy, it would be eligible to be submitted as an Out of Cycle community grants application. As the received date, and the dates of the event does not coincide with the submission timeframes of the May Ordinary Council meeting, this application was eligible to be processed as an Out of Cycle application. The balance of Community Grant Funds available for Dauan community was \$15,000.00. Cr Elisala had adequate funds at his disposal to support Dauan resident, Annette Fell's community grants application on behalf of her 17-year-old son, Vincent Mau, who has been selected to participate in the Peninsula School Sports for the 16-18 years Boys Rugby League Trials held in Gold Coast, 21st - 24th of May 2022.</p>
--	--

Regional Grants Background:

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

For the period April 15 to May 15, three (3) Regional Grants application was received, as follows:

- **New Day Torres Strait Islander Corporation** is requesting financial assistance through the Regional Grants Program to cover costs associated with hosting and participating in the Kulkalgal-Kulkalgaw Ya Recording Project. This community entity is eligible for the maximum threshold of \$2,500.00
- **Church of the Rock Ministry** is requesting financial assistance through the Regional Grants Program to cover travel costs associated with participating in the 2022 National Women's Conference on Iama Island, 05/08-07/08/2022. This community entity is eligible for the maximum threshold of \$2,500.00
- **Western United Under 10's and Under 12's Rugby League Team** is requesting financial assistance through the Regional Grants Program to cover catering costs associated with participating in the 2022 Country Challenge Week on Thursday Island, 22/07-24/07/2022. This community entity is eligible for the maximum threshold of \$2,500.00

Funeral Donations Background:

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

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

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

- Six (6) applications were received and approved.

Applicants	Amount Requested	Description	Amount Approved	Location
Clara Maggie Menegi	\$1,440.00	Contribution towards travel-related costs associated with attending a funeral on Iama Island, 17/05/2022. This application was approved for the purchase of fuel for nineteen (19) Saibai Island residents to travel via boats to attend a family funeral on Iama Island, 17/05/2022.	\$1,440.00	Saibai
Motulu Nai	\$1,310.00	Contribution towards travel-related costs associated with attending a funeral in Cairns, 21/05/2022. This application was approved to cover the travel expenses of the applicant and three (3) of his children to travel from Horn Island to Cairns for a family funeral, 21/05/2022.	\$1,310.00	Hammond

Wagie Ware	\$551.85	Contribution towards travel-related costs associated with attending a funeral in Townsville, 27/05/2022. This application was approved to cover the travel expenses of the applicant to travel from Horn Island to Cairns, 25/05/2022.	\$551.85	St Paul's
Robert Ware	\$695.56	Contribution towards travel-related costs associated with attending a funeral in Townsville, 27/05/2022. This application was approved to cover the travel expenses of the applicant and his wife, Gloria Ware to travel from Horn Island to Cairns, 25/05/2022.	\$695.56	St Paul's
Melora Noah	\$5600.00	Contribution towards funeral related costs associated with assisting the Passi family of Mer Island with the funeral of the Late Elder, Mr John Passi. Due to exhausted community grants funds of Mer Island, support was requested from the other divisions and eight (8) communities, including the Mayor, was able to contribute towards the requested total of \$5600.00.	\$5600.00 Contributions from Mabuiag, St Paul's, Boigu, Iama, Poruma, Yorke, Kubin, Erub & the Mayor.	Mer
Rannie Sam	\$2605.16	Contribution towards travel-related costs associated with attending a funeral in Cairns, 07/06/2022. This application was approved to cover the travel expenses of the applicant and two other family members, Rebecca Sam and Dalia Sam to attend the funeral in Cairns, 07/06/2022.	\$2605.16	Erub

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
Lighthouse Christian Community Church	Hire of Kubin's Pool Vehicle to assist the Lighthouse Christian Community Church host the 2022 Pentecost Conference, 03-05/06/2022.	Kubin	\$396.00
Mura Buway RBTBC (PBC)	Hire of Saibai Community Hall to host a community stakeholder's consultation, 08/06/2022.	Saibai	\$304.00
Saibai Island Holy Trinity Church	Hire of Saibai Community Hall and Pool Vehicle to host a community lunch and dinner, 11-12/06/2022	Saibai	\$568.00
Stanley Marama	Hire of Boigu's Pool Vehicle to assist family members with transportation during sorry business, 08-23/06/2022	Boigu	\$1716.00

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 April 2022 OM)

Division	Councillor	Budget	Less approved funding	Closing Balance
Boigu	Cr. Toby	\$25,000.00	\$18,630.45	\$6,396.55
Hammond	Cr. Dorante	\$25,000.00	\$10,470.94	\$14,529.06
St Pauls	Cr. Levi	\$25,000.00	\$24,381.61	\$618.39
Ugar	Cr. Stephen	\$25,000.00	\$11,176.66	\$13,823.34
Badu	Cr. Nona	\$25,000.00	\$24,574.65	\$425.35
Dauan	Cr. Elisala	\$25,000.00	\$16,259.55	\$8,740.45
Erub	Cr. Gela	\$25,000.00	\$23,542.86	\$1,457.14
Iama	Cr. Lui	\$25,000.00	\$24,942.00	\$58.00
Kubin	Cr. Trinkoon	\$25,000.00	\$13,862.29	\$11,137.71
Mabuiag	Cr. Fell	\$25,000.00	\$14,259.21	\$10,740.79
Mer	Cr. Noah	\$25,000.00	\$23,521.62	\$1,478.38
Poruma	Cr. Pearson	\$25,000.00	\$13,387.43	\$11,612.57
Saibai	Cr. Tabuai	\$25,000.00	\$21,757.97	\$3,242.03
Warraber	Cr. Tamu	\$25,000.00	\$25,052.00	-\$52.00
Yorke	Cr. Mosby	\$25,000.00	\$24,426.69	\$573.31
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	\$295,912.11	\$159,087.89



TORRES STRAIT ISLAND REGIONAL COUNCIL

COUNCIL REPORT

COUNCIL MEETING:	June 2022
DATE:	28/29 June 2022
ITEM:	Agenda Item for Resolution
SUBJECT:	Policy Matter – Meeting Policies
AUTHOR:	Mette Nordling, Manager of Governance and Compliance

Recommendation:

That Council resolves to:

1. amend and endorse the Torres Strait Island Regional Council's Meeting Procedure Policy and Standing Orders Policy previously endorsed by Council at its Ordinary Meeting on 17 November 2020 in the terms presented to Council
- and
2. delegate authority to the Chief Executive Officer in accordance with the *Local Government Act 2009* to exercise the functions and powers assigned to the Chief Executive Officer under the amended and endorsed policies, including the power to make any further minor administrative amendments to the policy as they arise.

Executive Summary:

In accordance with *Local Government Act 2009* and the *Local Government Regulation 2012* Council is required to have a number of written policies and procedures. Regular monitoring and review of these is necessary to reflect legislative changes and to continuously improve Council governance.

Council's *Meeting Procedure Policy* is based on the Model Meeting Procedure provide by the (then) Department of Local Government, Racing and Multicultural Affairs and the Standing Orders Policy is based on the Best Practice Meeting Standing Orders provided by the same Department.

Minor changes have been made to both policies at this time to reflect the expiry of the provisions relating to COVID-19 and the general provisions relating to meetings conducted via teleconference have been updated.

Following Council's Ordinary Meeting in October 2021, consideration of Ailan Kustom has been added to both policies.

Background

Following the Crime and Corruption Commission Operation Belcarra report, which was released in October 2017, stage 1 of the Local Government reform was introduced with the assent to the *Local Government Electoral (Implementing Stage 1 of Belcarra) and Other Legislation Amendment Act 2018* (the Amendment Act). This first stage introduced the Councillor complaints framework including:

- introducing a uniform Code of Conduct for Councillors in Queensland
- model meeting procedures for meeting behaviour
- amendment of the publicly available councillor conduct register
- creation of the Office of the Independent Assessor

- new annual report requirements.

In November 2019 the *Electoral and Other Legislation (Accountability, Integrity and Other Matters) Amendment Bill 2019* was introduced to Parliament, including:

- changes to register of interest requirements
- new and clarified conflict of interest requirements
- new requirements for political advisors.

Regulatory changes took effect from October 2020 and included:

- improved transparency through changes for meeting agendas, minutes, and closed meetings
- Councils being required to consult with the community on their budgets
- strengthening the requirements on the use of council-controlled entities.

The reforms strengthen the transparency, accountability and integrity measures that apply to the system of local government in Queensland with renewed focus on the five Local Government principles with which Councillors must comply while performing their roles as elected representatives.

These principles are:

- Transparent and effective processes, and decision-making in the public interest
- Sustainable development and management of assets and infrastructure, and delivery of effective services
- Democratic representation, social inclusion and meaningful community engagement
- Good governance of, and by, Local Government
- Ethical and legal behaviour of Councillors and Local Government employees.

Comment:

Section 150G of the *Local Government Act 2009* provides that Council must adopt either the model meeting procedures or other procedures for the conduct of its meetings. If the local government prepares other procedures, they must not be inconsistent with the model procedures.

The (then) Department of Local Government, Racing and Multicultural Affairs, made a model meeting procedure for Councils to adopt following the introduction of this requirement. This is the policy originally adopted by Council.

The Department also provided a Best Practice Meeting Standing Orders template which Council also adopted.

Following Council's Ordinary Meeting in October 2021, consideration of Ailan Kustom has been added to both policies.

Inclusion of Ailan Kustom in further detail will require a comprehensive consultation cycle and workshop before approval. Corporate Affairs welcomes any guidance Council, or a relevant Committee can provide.

Consultation:

Department of State Development, Infrastructure, Local Government and Planning.

Links to Strategic Plans:

This policy strategically aligns to specific delivery objectives under all 3 pillars of Council's Corporate Plan, being *People, Sustainability and Prosperity*.

Risk:

There is a risk to Council, if Council does not endorse the updated policies, as the current policies have expired.

Statutory Requirements:

Local Government Act 2009

Local Government Regulation 2012

Conclusion:

That Council endorse the amended policies and delegates to the Chief Executive Officer to make further minor administrative amendments as they arise.



Author:

Mette Nordling
Manager, Governance and Compliance



Recommended:

Megan Barrett
Executive Director Corporate Services



Approved:

James William
Chief Executive Officer

Attachments:

- Amended Meeting Procedures Policy
- Amended Standing Orders Policy

1. Purpose

The purpose of the model meeting procedures is to set out certain procedures to ensure the local government principles are reflected in the conduct of Council meetings, standing and advisory committee meetings as defined in the *Local Government Regulation 2012* (LGR). However, model meeting procedures do not apply to meetings of the Council's audit committee. It is not intended that the model meeting procedures would deal with all aspects of meeting conduct but only those required to strengthen public confidence in Council to deal with the conduct of Councillors in meetings.

Council is strongly committed to ensuring that Ailan Kustom is considered when conducting meetings and making decisions.

2. Scope/Application

A local government must either adopt the Model Meeting Procedures provided by the (then) Department of Local Government, Racing and Multicultural Affairs or prepare and adopt other procedures for the conduct of its meetings and meetings of its committees that are consistent with the Model Meeting Procedures.

A local government must conduct its meetings in a manner that is consistent with either the Model Meeting Procedures or its own procedures.

3. Provisions/Legal/Policies

As required under section 150F of the *Local Government Act 2009* (LGA) this document sets out:

- the process for how a Chairperson of a local government meeting may deal with instances of unsuitable meeting conduct by Councillors.
- the process for how suspected inappropriate conduct of a Councillor referred to the local government by the Independent Assessor (the Assessor) is to be dealt with at a local government meeting.

4. Dealing with unsuitable meeting conduct by a Councillor in a meeting

The conduct of a Councillor is unsuitable meeting conduct if the conduct happens during a Council meeting and contravenes a behavioural standard of the code of conduct for Councillors. When dealing with an instance of unsuitable conduct by a Councillor in a meeting, the following procedures must be followed:

- 4.1. The chairperson must reasonably believe that unsuitable meeting conduct has been displayed by a Councillor at a meeting.
- 4.2. If the Chairperson decides the unsuitable meeting conduct has occurred, the Chairperson must consider the severity of the conduct and whether the Councillor has had any previous warnings for unsuitable meeting conduct issued. If the Chairperson decides the conduct is of a serious nature or another warning is unwarranted, proceed to 4.7 for the steps to be taken.
- 4.3. If the Chairperson decides unsuitable meeting conduct has occurred but is of a less

serious nature, the Chairperson may request the Councillor take remedial actions such as:

- 4.3.1. Ceasing the unsuitable meeting conduct and refraining from exhibiting the conduct
 - 4.3.2. Apologising for their conduct
 - 4.3.3. Withdrawing their comments.
- 4.4. If the Councillor complies with the Chairperson's request for remedial action, no further action is required.
 - 4.5. If the Councillor fails to comply with the Chairperson's request for remedial action, the Chairperson may warn the Councillor that failing to comply with the request may result in an order being issued.
 - 4.6. If the Councillor complies with the Chairperson's warning and request for remedial action, no further action is required.
 - 4.7. If the Councillor continues to fail to comply with the chairperson's request for remedial action or the chairperson decided a warning was not appropriate under 4.3, the chairperson may make one or more of the orders below:
 - 4.7.1. an order reprimanding the Councillor for the conduct
 - 4.7.2. an order requiring the Councillor to leave the meeting, including any area set aside for the public and stay out for the duration of the meeting.
 - 4.8. If the Councillor fails to comply with an order to leave and stay away from the meeting, the Chairperson can issue an order that the Councillor be removed from the meeting.
 - 4.9. Following the completion of the meeting, the Chairperson must ensure:
 - 4.9.1. details of any order issued is recorded in the minutes of the meeting
 - 4.9.2. if it is the third (3rd) or more order within a 12-month period made against a Councillor or the Councillor has refused to leave following an order issued to leave the meeting, these matters are dealt with at the next meeting of the Council and treated as inappropriate conduct
 - 4.9.3. the Council's Chief Executive Officer is advised to ensure details of any order made is updated in the Council's Conduct Register.
 - 4.10. Any Councillor aggrieved with an order issued by the Chairperson can move a motion of dissent for parts 4.1, 4.7 and 4.8 above.

Note: Chairpersons of a meeting are carrying out a statutory responsibility under the LGA to manage and lead the meeting. As such, where a chairperson behaves inappropriately in a meeting, this involves a breach of the trust placed in them as the chairperson of the meeting and may be dealt with as misconduct. The breach can be referred to the Office of the Independent Assessor (OIA) to be dealt with. However, breaches of trust don't arise because Councillors disagree with the chairperson's decision or ruling during the meeting.

5. Meeting process for dealing with suspected Inappropriate Conduct which has been referred to a local government by the IA

Pursuant to Chapter 5A, Division 5 of the LGA (Referral of conduct to local government), a referral from the Independent Assessor of inappropriate conduct or an instance of suspected inappropriate conduct may arise from circumstances under paragraph 4.9.2 of this document.

In either case, the Council must complete an investigation into the alleged conduct:

- consistent with any recommendations from the IA; and
- consistent with the Council's investigation policy; or
- in another way decided by resolution of the Council.

After the completion of the investigation, the Council must decide in a Council meeting, whether the Councillor has engaged in inappropriate conduct, unless it has delegated responsibility for this decision under section 257 of the LGA.

When dealing with an instance of suspected inappropriate conduct which has been referred to a Council by the IA:

- 5.1. The Council must be consistent with the local government principle of transparent and accountable decision making in the public interest by dealing with suspected inappropriate conduct in an open meeting of the Council. However, where the matter may directly affect the health and safety of the complainant due to the nature of the complaint, the Council may resolve to go into closed session under section 254J of the LGR to discuss the allegation.
- 5.2. The subject Councillor has a declarable conflict of interest in the matter and is permitted by the Council to remain in the meeting during the debate about whether the Councillor engaged in the inappropriate conduct and answer questions put to the subject Councillor through the chairperson to assist the other Councillors in making a decision. The permission to remain in the meeting for the debate is on the condition that the subject Councillor must leave the place where the meeting is being held, including any area set aside for the public, during the vote on whether they have committed inappropriate conduct and what, if any, penalty to impose if the Councillor is found to have committed inappropriate conduct.
- 5.3. Should the complainant be a Councillor, that Councillor may have a declarable conflict of interest in the matter and if so, must follow the declarable conflict of interest procedures in section 7. If the complainant Councillor who has a conflict of interest, wishes to remain in the meeting during the debate and vote on the matter, the other Councillors must decide how to deal with the conflict of interest under section 7. The complainant Councillor can be ordered to leave the meeting place or conditions may be applied to allow that Councillor to participate in either the debate, the vote or the decision on any disciplinary action to be applied.
- 5.4. The Council must debate the issue and decide whether the subject Councillor engaged in inappropriate conduct. If the Council has lost quorum due to the number of conflicted Councillors or another reason, the matter must be delegated consistent with section 257 of the LGA or deferred to another date when a quorum will be present.
- 5.5. If a decision is reached that the subject Councillor has engaged in inappropriate conduct, then the Councillors must decide what penalty or penalties from the orders detailed in 5.6, if any, to impose on the Councillor. In deciding what penalty to impose, the Council may consider any previous inappropriate conduct of the Councillor and any allegation made in the investigation that was admitted, or not challenged, and that the Council is reasonably satisfied is true.
- 5.6. The Council may order that no action be taken against the Councillor or make one or more of the following:

- 5.6.1. an order that the Councillor make a public admission that the Councillor has engaged in inappropriate conduct
- 5.6.2. an order reprimanding the Councillor for the conduct
- 5.6.3. an order that the Councillor attend training or counselling to address the Councillor's conduct, including at the Councillor's expense
- 5.6.4. an order that the Councillor be excluded from a stated Council meeting
- 5.6.5. an order that the Councillor is removed, or must resign, from a position representing the local government, other than the office of Councillor, for example, the Councillor is ordered to resign from an appointment representing the local government on a State board or committee
- 5.6.6. an order that if the Councillor engages in the same type of conduct again, it will be treated as misconduct
- 5.6.7. an order that the Councillor reimburse the Council for all or some of the costs arising from the Councillor's inappropriate conduct.
- 5.7. A local government may not make an order under 5.6.3; 5.6.4; 5.6.5; 5.6.6 in relation to a person who is no longer a Councillor.
- 5.8. The subject Councillor, and where relevant, the complainant Councillor, must be invited back into the place where the meeting is being held once a decision has been made, and the chairperson must advise them of the details of the decision
- 5.9. The local government must ensure the meeting minutes reflect the resolution made.

6. Prescribed Conflict of Interest

Councillors are ultimately responsible for informing of any prescribed conflict of interest on matters to be discussed at a Council meeting, standing or advisory committee meeting (other than ordinary business matters). When dealing with a prescribed conflict of interest, Councillors must abide by the following procedures:

- 6.1. A Councillor who has notified the chief executive officer of a prescribed conflict of interest in a matter to be discussed in a Council meeting must also give notice during the meeting:
- 6.2. A Councillor who first becomes aware of a prescribed conflict of interest in a matter during a Council meeting must immediately inform the meeting of the conflict of interest.
- 6.3. When notifying the meeting of a prescribed conflict of interest, the following details must, at a minimum, be provided:
 - 6.3.1. if it arises because of a gift, loan or contract, the value of the gift, loan or contract
 - 6.3.2. if it arises because of an application or submission, the subject of the application or submission
 - 6.3.3. the name of any entity, other than the Councillor, that has an interest in the matter
 - 6.3.4. the nature of the Councillor's relationship with the entity that has an interest in a matter
 - 6.3.5. details of the Councillor's and any other entity's interest in the matter.
- 6.4. The Councillor must then leave the place of the meeting, including any area set aside

for the public, and stay away while the matter is being discussed and voted on, unless the subject Councillor has written notice from the Minister to participate in the matter.

- 6.5. Once the Councillor has left the area where the meeting is being conducted, the Council can continue discussing and deciding on the matter at hand.

7. Declarable Conflict of Interest

Councillors are ultimately responsible for informing of any declarable conflict of interest on matters to be discussed at Council meetings, standing or advisory committee meetings that might lead to a decision that is contrary to the public interest (other than ordinary business matters). A Councillor may raise their personal interests in a matter at the meeting to canvas the view of the other Councillors prior to deciding to declare a conflict of interest. If the other Councillors suspect the personal interest might be a conflict of interest, the Councillor may disclose their suspicion and the processes under section 150EW of the LGA applies. When dealing with a declarable conflict of interest, Councillors must abide by the following procedures:

- 7.1. A Councillor who has notified the chief executive officer of a declarable conflict of interest in a matter to be discussed at a Council meeting must also give notice during the meeting.
- 7.2. A Councillor who first becomes aware of a declarable conflict of interest in a matter during a Council meeting must inform the meeting of the conflict of interest.
- 7.3. When notifying the meeting of a declarable conflict of interest, Councillors should provide sufficient detail to allow the other Councillors to make an informed decision about how best to manage the declarable conflict of interest in the public interest. The following minimum details must be provided:
 - 7.3.1. the nature of the declarable conflict of interest
 - 7.3.2. if it arises because of the Councillor's relationship with a related party:
 - (i) the name of the related party to the Councillor
 - (ii) the nature of the relationship of the related party to the Councillor
 - (iii) the nature of the related party's interest in the matter
 - 7.3.3. if it arises because of a gift or loan from another person to the Councillor or a related party:
 - (i) the name of the other person
 - (ii) the nature of the relationship of the other person to the Councillor or related party
 - (iii) the nature of the other person's interest in the matter
 - (iv) the value of the gift or loan and the date the gift or loan was made.
- 7.4. After a Councillor has declared a conflict of interest, the Councillor should consider leaving the meeting while the matter is discussed unless they have reasons why their participation would improve making the decision in the public interest.
- 7.5. If the Councillor chooses not to leave the meeting, the Councillor may advise the other Councillors of their reasons for seeking permission to participate in making the decision.
- 7.6. The other Councillors at the meeting must then decide, by resolution, whether the

Councillor can participate in the decision making in relation to the matter, including voting on the matter, or whether they should not participate in the decision and leave the place of the meeting while the matter is decided by the non-conflicted Councillors. The non-conflicted Councillors may impose conditions on the Councillor under a decision to either participate or leave the meeting e.g. may stay for the debate but must leave for the vote. The Councillor must comply with any decision or condition imposed by the non-conflicted Councillors

- 7.7. In deciding on whether a Councillor may participate in a decision about a matter in which the Councillor has a declarable conflict of interest, only Councillors who do not themselves have a prescribed or declarable conflict of interest in the matter are eligible to participate in the decision making. The decision may be made even if the number of those Councillors is less than a majority or less than a quorum for the meeting consistent with section 150ET of the LGA.
- 7.8. The Councillor who is the subject of the decision may remain in the meeting while the debate is occurring and can participate by answering questions from the chairperson to assist the other Councillors in making their decision. The subject Councillor must not vote or otherwise participate in making the decision but may remain in the meeting while the vote on the matter takes place and the decision is declared by the chairperson, on whether the Councillor may remain in the meeting and participate in deciding the matter in which the Councillor has a declarable conflict of interest.
- 7.9. When deciding whether a Councillor may participate in the decision making on a matter in which they have a declarable conflict of interest, the other Councillors should consider the circumstances of the matter including, but not limited to:
 - 7.9.1. how does the inclusion of the Councillor in the deliberation affect the public trust
 - 7.9.2. how close or remote is the Councillor's relationship to the related party
 - 7.9.3. if the declarable conflict of interest relates to a gift or other benefit, how long ago was the gift or benefit received
 - 7.9.4. will the benefit or detriment the subject Councillor or their related party stands to receive from the decision have major or minor impact on them
 - 7.9.5. how does the benefit or detriment the subject Councillor stands to receive compare to others in the community
 - 7.9.6. how does this compare with similar matters that Council has decided and have other Councillors with the same or similar interests decided to leave the meeting
 - 7.9.7. whether the subject Councillor has unique skills, knowledge or expertise that might help make the best decision in the public interest.
- 7.10. If the non-conflicted Councillors cannot decide about the declarable conflict of interest of a Councillor, they are taken to have decided that the Councillor must leave and stay away from the meeting while the non-conflicted Councillors discuss and vote on the matter.
- 7.11. A decision about a Councillor who has a declarable conflict of interest in a matter applies in relation to the Councillor for participating in the decision, and subsequent decisions, about the same matter unless there is a change to the Councillor's personal interests and/or the nature of the matter being discussed. If the non-conflicted Councillors decide that the Councillor can act in the public interest on the matter, then the Councillor may

participate in the meeting and be involved in processes occurring outside of a Council meeting about the same matter e.g. briefing sessions or workshops.

- 7.12. In making the decision under 7.6 and 7.9, it is irrelevant how the subject Councillor intended to vote on the issue or any other issue (if known or suspected).
- 7.13. A Councillor does not contravene the above procedures if the Councillor participates in a decision under written approval from the Minister.

8. Reporting a Suspected Conflict of Interest

- 8.1. If a Councillor at a meeting reasonably believes or suspects that another Councillor has a personal interest in a matter that may be a prescribed or declarable conflict of interest, and that Councillor is participating in a decision on that matter, the Councillor must immediately inform the chairperson of the meeting of their belief or suspicion, and the facts and circumstances that led to their belief or suspicion.
- 8.2. The chairperson should ask the relevant Councillor with the suspected personal interest whether they have any prescribed or declarable conflict of interest in the matter. If the Councillor agrees they have a conflict of interest, the Councillor must follow the relevant procedures above.
- 8.3. If the Councillor believes they do not have a conflict of interest, they must inform the meeting of that belief and their reasons for that belief.
- 8.4. The non-conflicted Councillors must then decide whether the Councillor has a prescribed conflict of interest, a declarable conflict of interest or that the Councillor does not have a prescribed or declarable conflict of interest in the matter. If the meeting decides the Councillor has a conflict of interest, the Councillor must follow the relevant procedures above.
- 8.5. If the Councillors cannot reach a majority decision, then they are taken to have determined that the Councillor has a declarable conflict of interest.

9. Loss of quorum

- 9.1. In the event where one or more Councillors leave a meeting due to a prescribed or declarable conflict of interest in a matter that results in a loss of a quorum for deciding the matter, the Council must resolve to:
 - delegate the consideration and decision on the matter, pursuant to section 257 of the LGA; or
 - defer the matter to a later meeting
 - not to decide the matter and take no further action in relation to the matter. All Councillors including the conflicted Councillors, may participate in deciding to delegate or defer a matter.
- 9.2. The Council must not delegate a decision to an entity if the entity, or a majority being at least half of its members, has a prescribed or declarable conflict of interest in the matter.
- 9.3. If the matter cannot be delegated under an Act, the Council should seek ministerial approval for the Councillors to be able to consider and vote on the matter, subject to any conditions the Minister for local government may impose.

10. Recording prescribed and declarable conflicts of interest

When a Councillor informs a meeting that they or another Councillor have a prescribed or declarable conflict of interest in a matter, the minutes of the meeting must record all of the relevant details of how the conflict of interest was dealt with, being:

- the name of any Councillor and any other Councillor who may have a prescribed or declarable conflict of interest
- the particulars of the prescribed or declarable conflict of interest provided by the Councillor the actions taken by a Councillor after informing the meeting that they have, or they reasonably suspect another Councillor has a prescribed or declarable conflict of interest
- any decision then made by the eligible Councillors
- whether the Councillor with a prescribed or declarable conflict of interest participated in or was present for the decision under ministerial approval
- the Council's decision on what actions the Councillor with a declarable conflict of interest must take and the reasons for the decision
- the name of each Councillor who voted on the matter and how each voted
- If the Councillor has a declarable conflict of interest the following additional information must be recorded in the minutes of the meeting when the meeting is informed of a Councillor's personal interest by someone other than the Councillor, the name of each Councillor who voted in relation to whether the Councillor has a declarable conflict of interest, and how each of the Councillors voted
- where a decision has been made under section 7.6 above – the minutes must include the decision and reasons for the decision, and the name of each eligible Councillor who voted and how each eligible Councillor voted.

11. Closed meetings

Council meetings, standing and advisory committee meetings may resolve that a meeting be closed to the public if its Councillors consider it necessary to discuss any of the following matters:

- appointment, dismissal or discipline of the CEO or, in the case of Brisbane City Council only, for senior executive employees
- industrial matters affecting employees
- the Council's budget
- rating concessions
- legal advice obtained by the Council, including legal proceedings that may be taken by or against the Council
- matters that may directly affect the health and safety of an individual or a group of individuals
- negotiations relating to a commercial matter involving the Council for which a public discussion could prejudice the interests of the Council
- negotiations relating to the taking of land by the Council under the *Acquisition of Land Act 1967*
- a matter that the Council is required to keep confidential under a law of, or a formal agreement with, the Commonwealth or state.

A Council meeting, standing and advisory committee meeting cannot resolve that a meeting be closed where the meeting is informed of a Councillor's personal interest in the matter by

another person and the eligible Councillors at the meeting must decide whether the Councillor has a declarable conflict of interest in the matter.

Further, the meeting must not be closed if a quorum is lost due to the number of conflicted Councillors who leave the meeting and the Council must;

- delegate the matter
- decide by resolution to defer to a later meeting
- decide by resolution to take no further action on the matter.

None of the above will be considered, discussed, voted on or made during a closed session. If a closed session includes attendance by teleconference, the Councillor/s attending by teleconference must maintain confidentiality by ensuring no other person can hear their conversation while in the closed meeting. To take a matter into a closed session the Council must abide by the following:

11.1. Pass a resolution to close the meeting.

11.2. The resolution must state the matter to be discussed, an overview of what is to be discussed and why the meeting should be closed while the matter is considered.

11.3. If the matter is known in advance, the agenda should clearly identify that the matter will be considered in closed session, and an explanation of why it is deemed necessary to take the issue into closed session must be stated.

11.4. Not make a resolution while in a closed meeting (other than a procedural resolution).

12. Teleconferencing meetings

12.1. A Council or committee meeting may be held via teleconference.

12.2. When a Council or committee meeting is held by teleconference, or a person takes part in a meeting by tele- or videoconference the local government must ensure the meeting is available for real-time viewing or listening by the public at one of the local government's public offices or on the local government's website. This does not apply during a closed session.

~~12.1.~~12.3. If a Councillor wishes to be absent from a Council meeting place during a meeting, the Councillor must apply to the chairperson to participate by teleconference, at least three business days prior to the meeting or as soon as practicable once the Councillor becomes aware of their intended absence. The chairperson may allow a Councillor to participate in a Council meeting, standing or advisory committee meeting by teleconference.

~~12.2.~~12.4. A Councillor taking part by teleconference is taken to be present at the meeting if the Councillor was simultaneously in audio contact with each other person at the meeting. The attendance of the Councillor must be recorded in the minutes as present at the meeting.

Note: Teleconferencing includes the use of a telephone, video conferencing equipment or other means of instant communication that allows a person to take part in a discussion as it happens.

~~12.3. In order for Councils to manage the safety rules during the COVID-19 pandemic, changes have been added to the LGR that will expire in June 2021.~~

~~These provisions allow the Council:-~~

- ~~• the option to conduct the entire Council meeting via phone, teleconference or video conference~~
- ~~• where possible, that they must provide streaming or other facilities so that the public can observe or hear the meeting as it is happening, at one of the Council's public offices or on the Council's website~~
- ~~• chairperson the option to close the meeting on health and safety grounds to protect participants or observers from risk of exposure to COVID-19.~~

Manager Responsible for Review:

Manager, Governance and Compliance

Adoption:

xx ~~October June 2021~~2

Due for Revision:

~~October June 2023~~4

James William
Chief Executive Officer

Standing Orders Policy

Responsible Manager: Manager, Governance and Compliance

Head of power: *Local Government Act 2009*
Local Government Regulation 2012

Authorised by: Council

Authorised on: June 2022

Implemented from: July 2022

Last reviewed: June 2022

Review history: 2020, 2021

To be reviewed: June 2024

Corporate Plan: People, Sustainability and Prosperity

1. Purpose

Council is strongly committed to ensuring that the local government principles are reflected in the conduct of local government meetings and committee meetings. Council is also strongly committed to ensuring that Ailan Kustom is considered when conducting meetings and making decisions.

To assist local governments, the Department of ~~Local Government, Racing and Multicultural Affairs (DLGRMA)~~ State Development, Infrastructure, Local Government and Planning provides best practice standing orders that local governments can choose to adopt to provide written rules for the orderly conduct of local government meetings.

2. Application

This policy applies to local government meetings including standing committee meetings. These standing orders do not apply to meetings of the audit committee.

A provision of these standing orders may be suspended by resolution of any meeting of the local government except those sections that are mandatory under the model meeting procedures. A separate resolution is required for any suspension and must specify the application and duration of each suspension.

Where a matter arises at the local government meeting that is not provided for in these standing orders, the matters shall be determined by resolution of the local government upon a motion which may be put without notice but otherwise conforming with these standing orders.

3. Legislation/Policies

This policy is established with reference to obligations specified in the *Local Government Act 2009* (LGA), the *Local Government Regulation 2012* (LGR) and other guiding documents adopted by Council to ensure the orderly and proper conduct of meetings of the local government and its committees.

The Council has an obligation to act in accordance with the local government principles set out at Section 4 of the *Local Government Act 2009*, namely:

- a) transparent and effective processes, and decision-making in the public interest; and
- b) sustainable development and management of assets and infrastructure, and delivery of effective services; and
- c) democratic representation, social inclusion and meaningful community engagement; and
- d) good governance of, and by, local government; and
- e) ethical and legal behaviour of Councillors and local government employees

4. Presiding Officer

4.1 The Mayor will preside at a meeting of Council.

4.2 If the Mayor is absent or unavailable to preside, the Deputy Mayor will preside.

4.3 If both the Mayor and the Deputy Mayor, or the Mayors' delegate, are absent or unavailable to preside, a Councillor chosen by the Councillors present at the meeting

will preside at the meeting.

- 4.4 Council will choose the Chairperson for a Committee meeting. This Chairperson will normally preside over meetings of the Committee.
- 4.5 If the Chairperson of a Committee is absent or unavailable to preside, a Councillor chosen by the Councillors present will preside over the Committee meeting.
- 4.6 Before proceeding with the business of the Council meeting, the person presiding at the meeting will undertake the acknowledgement and/or greetings deemed appropriate by the local government.

5. Order of Business

- 5.1 The order of business shall be determined by resolution of Council from time to time. The order of business may be altered for a particular meeting where the Councillors at that meeting pass a motion to that effect. A motion to alter the order of business may be moved without notice.
- 5.2 Unless otherwise altered, the order of business shall be as follows:
 - attendances
 - apologies and granting of leaves of absence
 - confirmation of Minutes
 - Officers Reports.

Note: The minutes of a preceding meeting, whether an ordinary or a special meeting, not previously confirmed will be taken into consideration, at every ordinary meeting of the local government, in order that the minutes may be confirmed. No discussion will be permitted about these minutes except with respect to their accuracy as a record of the proceedings. Amendments to the minutes may be made prior to confirming the minutes. This must be done by moving a motion to amend the minutes that must be voted on and carried. Once the resolution is passed the minutes can be amended. All Councillors present at the meeting can vote to confirm the minutes including those who were absent at the previous meeting and those who had a conflict of interest at the previous meeting.

6. Agendas

- 6.1 The Agenda may contain:
 - Notice of meeting
 - Minutes of the previous meetings
 - Business arising out of previous meetings
 - Business which the Mayor wishes to have considered at that meeting without notice
 - Matters of which notice has been given
 - Committees' reports to Council referred to the meeting by the Chief Executive Officer
 - Officers' reports to Council referred to the meeting by the Chief Executive Officer
 - Deputations and delegations from the community that are approved to attend
 - Any other business Council determines by resolution be included in the agenda paper.
- 6.2 Business not on the Agenda or not fairly arising from the Agenda shall not be considered

at any meeting unless permission for that purpose is given by Council at the meeting. Business must be in accordance with the adopted Terms of Reference for each Committee.

- 6.3 The agenda for the local government must be made publicly available by 5pm on the business day after the notice of meeting is given to the Councillors. The related reports for the local government meeting must also be included and available to the public excluding confidential reports.
- 6.4 Matters on the agenda that will require the meeting to be in a closed session will be clearly identified including the reasons why the session will be closed.

7. Petitions

- 7.1 Any petition presented to a meeting of Council will:
- be in legible writing or typewritten and contain a minimum of ten (10) signatures
 - include the name and contact details of the Principal Petitioner (i.e., the key contact)
 - include the postcode of all petitioners, and
 - have the details of the specific request/matter appear on each page of the petition.
- 7.2 Where a Councillor presents a petition to a meeting of Council no debate on or in relation to it shall be allowed and the only motion which may be moved is:
- that the petition be received;
 - received and referred to a committee or officer for consideration and a report to Council; or
 - not be received because it is deemed invalid.
- 7.3 Council will respond to the Principal Petitioner in relation to all petitions deemed valid.

8. Deputations

- 8.1 A deputation wishing to attend and address a meeting of Council shall apply in writing to the Chief Executive Officer not less than seven (7) business days before the meeting.
- 8.2 The Chief Executive Officer, on receiving an application for a deputation shall notify the Chairperson who shall determine whether the deputation may be heard. The Chief Executive Officer shall inform the deputation of the determination in writing. Where it has been determined the deputation will be heard, a convenient time shall be arranged for that purpose, and an appropriate time period allowed (e.g. 15 minutes).
- 8.3 For deputations comprising three or more persons, only three persons shall be at liberty to address Council unless the Councillors at the meeting determine otherwise by resolution. A deputation shall be given adequate opportunity to explain the purpose of the deputation.
- 8.4 If a member of the deputation other than the appointed speakers interjects or attempts to address the Council, the Chairperson may finalise the deputation.
- 8.5 The Chairperson may terminate an address by a person in a deputation at any time where:
- the Chairperson is satisfied that the purpose of the deputation has been sufficiently explained to the Councillors at the meeting

- the time period allowed for a deputation has expired, or
- the person uses insulting or offensive language or is derogatory towards Councillors or staff members.

8.6 The Chief Executive Officer is responsible for the deputation including that the appointed speaker/s are notified in writing of developments or future actions as appropriate.

9. Public participation at meetings

9.1 A member of the public may take part in the proceeding of a meeting only when invited to do so by the chairperson.

9.2 In each local government meeting, time may be required to permit members of the public to address the local government on matters of public interest related to local government. The time allotted shall not exceed fifteen (15) minutes and no more than three (3) speakers shall be permitted to speak at one meeting. The right of any individual to address the local government during this period shall be at the absolute discretion of the local government.

9.3 If any address or comment is irrelevant, offensive, or unduly long, the chairperson may require the person to cease making the submission or comment.

9.4 For any matter arising from such an address, the local government may take the following actions:

- refer the matter to a committee
- deal with the matter immediately
- place the matter on notice for discussion at a future meeting
- note the matter and take no further action.

9.5 Any person addressing the local government shall stand, and act and speak with decorum and frame any remarks in respectful and courteous language.

9.6 Any person who is considered by the local government or the Mayor to be unsuitably dressed may be directed by the Mayor or chairperson to immediately withdraw from the meeting. Failure to comply with such a request may be considered an act of disorder.

10. Prescribed conflict of interest

Councillors are ultimately responsible for informing of any prescribed conflict of interest on matters to be discussed at a Council or committee meeting (other than ordinary business matters). When dealing with a prescribed conflict of interest, Councillors must abide by the following procedures:

10.1 A Councillor who has notified the Chief Executive Officer of a prescribed conflict of interest in a matter to be discussed in a Council meeting must also give notice during the meeting.

10.2 A Councillor who first becomes aware of a prescribed conflict of interest in a matter during a Council meeting must immediately inform the meeting of the conflict of the interest.

10.3 When notifying the meeting of a prescribed conflict of interest, the following details must be provided:

- if it arises because of a gift, loan or contract, the value of the gift, loan or contract

- if it arises because of an application or submission, the subject of the application or submission
- the name of any entity other than the Councillor that has an interest in the matter
- the nature of the Councillor's relationship with the entity that has an interest in a matter
- details of the Councillor's and any other entity's interest in the matter.

10.4 The Councillor must then leave the place of the meeting, including any area set aside for the public, and stay away while the matter is being discussed and voted on, unless the subject Councillor has written notice from the Minister to participate in the matter.

10.5 Once the Councillor has left the area where the meeting is being conducted, the Council can continue discussing and deciding on the matter at hand.

11. Declarable conflict of interest

Councillors are ultimately responsible for informing of any declarable conflict of interest on matters to be discussed at Council or committee meetings that might lead to a decision that is contrary to the public interest (other than ordinary business matters).

A Councillor may raise their personal interests in a matter at the meeting to canvas the view of the other Councillors prior to deciding to declare a conflict of interest. If the other Councillors suspect the personal interest might be a conflict of interest, the Councillor may disclose their suspicion and the processes under section 150EW of the LGA.

When dealing with a declarable conflict of interest, Councillors must abide by the following procedures:

11.1 A Councillor who has notified the Chief Executive Officer of a declarable conflict of interest in a matter to be discussed at a Council meeting must also give notice during the meeting.

11.2 A Councillor who first becomes aware of a declarable conflict of interest in a matter during a Council meeting must inform the meeting of the conflict of interest

11.3 When notifying the meeting of a declarable conflict of interest, Councillors should provide sufficient detail to allow the other Councillors to make an informed decision about how best to manage the declarable conflict of interest in the public interest. The following details must be provided:

- the nature of the declarable conflict of interest
- if it arises because of the Councillor's relationship with a related party:
 - (i) the name of the related party to the Councillor
 - (ii) the nature of the relationship of the related party to the Councillor
 - (iii) the nature of the related party's interest in the matter
- if it arises because of a gift or loan from another person to the Councillor or a related party:
 - (i) the name of the other person
 - (ii) the nature of the relationship of the other person to the Councillor or related party
 - (iii) the nature of the other person's interest in the matter
 - (iv) the value of the gift or loan and the date the gift or loan was made.

11.4 After a Councillor has declared a conflict of interest, the Councillor should consider

leaving the meeting while the matter is discussed unless they have reasons why their participation would improve making the decision in the public interest.

- 11.5 If the Councillor chooses not to leave the meeting, the Councillor may advise the other Councillors of their reasons for seeking permission to participate in making the decision.
- 11.6 The other non-conflicted Councillors at the meeting must then decide, by resolution, whether the Councillor can participate in the decision making in relation to the matter, including voting on the matter, or whether they should not participate in the decision and leave the place of the meeting while the matter is decided by the non-conflicted Councillors. The non-conflicted Councillors may impose conditions on the Councillor under a decision to either participate or leave the meeting e.g. may stay for the debate but must leave for the vote. The Councillor must comply with any decision or condition imposed by the non-conflicted Councillors.
- 11.7 In deciding on a Councillor's declarable conflict of interest in a matter, only Councillors who do not themselves have a prescribed or declarable conflict of interest in the matter are eligible to participate in the decision making. The decision may be made even if the number of those Councillors is less than a majority or less than a quorum for the meeting consistent with section 150ET of the LGA.
- 11.8 The Councillor who is the subject of the decision may remain in the meeting while the debate is occurring and can participate by answering questions from the chairperson to assist the other Councillors in making their decision. The subject Councillor must not vote or otherwise participate in making the decision but may remain in the meeting while the vote on the matter takes place and the decision is declared by the chairperson, on whether the Councillor may remain in the meeting and participate in deciding the matter in which the Councillor has a declarable conflict of interest.
- 11.9 When deciding whether a Councillor may participate in the decision making on a matter in which they have a declarable conflict of interest, the other Councillors should consider the particular circumstances of the matter including, but not limited to:
- how does the inclusion of the Councillor in the deliberation affect the public trust
 - how close or remote is the Councillor's relationship to the related part
 - if the declarable conflict of interest relates to a gift or other benefit, how long ago was the gift or benefit received
 - will the benefit or detriment the subject Councillor or their related party stands to receive from the decision have major or minor impact on them
 - how does the benefit or detriment the subject Councillor stands to receive compare to others in the community
 - how does this compare with similar matters that Council has decided and have other Councillors with the same or similar interests decided to leave the meeting
 - whether the subject Councillor has unique skills, knowledge or expertise that might help make the best decision in the public interest.
- 11.10 If the non-conflicted Councillors cannot decide about the declarable conflict of interest of a Councillor, they are taken to have decided that the Councillor must leave and stay away from the meeting while the non-conflicted Councillors discuss and vote on the matter.
- 11.11 A decision about a Councillor who has a declarable conflict of interest in a matter applies in relation to the Councillor for participating in the decision, and all subsequent decisions, about the same matter unless there is a change to the Councillor's personal interests

and/or the nature of the matter being discussed. If the non-conflicted Councillors decide that the Councillor can act in the public interest on the matter, then the Councillor may participate in the meeting and be involved in processes occurring outside of a Council meeting about the same matter e.g. briefing sessions or workshops.

11.12 In making the decision under 9.6 and 9.9, it is irrelevant how the subject Councillor intended to vote on the issue or any other issue (if known or suspected).

11.13 A Councillor does not contravene the above procedures if the Councillor participates in a decision under written approval from the Minister.

12. Reporting a suspected conflict of interest

12.1 If a Councillor at a meeting reasonably believes or suspects that another Councillor has a personal interest in a matter that may be a prescribed or declarable conflict of interest, and that Councillor is participating in a decision on that matter, the Councillor must immediately inform the chairperson of the meeting of their belief or suspicion, and the facts and circumstances that led to their belief or suspicion.

12.2 The chairperson then should ask the relevant Councillor with the suspected personal interest whether they have any prescribed or declarable conflict of interest in the matter. If the Councillor agrees they have a conflict of interest, the Councillor must follow the relevant procedures above.

12.3 If the Councillor believes they do not have a conflict of interest, they must inform the meeting of that belief and their reasons for that belief.

12.4 The non-conflicted Councillors must then decide whether the Councillor has a prescribed conflict of interest, a declarable conflict of interest or that the Councillor does not have prescribed or declarable conflict of interest in the matter. If the meeting decides the Councillor has a conflict of interest, the Councillor must follow the relevant procedures above.

12.5 If the Councillors cannot reach a majority decision, then they are taken to have determined that the Councillor has a declarable conflict of interest.

13. Loss of quorum

13.1 In the event where one or more Councillors leave a meeting due to a prescribed or declarable conflict of interest in a matter that results in a loss of a quorum for deciding the matter, the Council must resolve to:

- delegate the consideration and decision on the matter, pursuant to section 257 of the LGA
- defer the matter to a later meeting
- not decide the matter and take no further action in relation to the matter.

13.2 All Councillors including the conflicted Councillors, may participate in deciding to delegate or defer a matter.

13.3 The Council must not delegate a decision to an entity if the entity, or a majority being at least half of its members, has a prescribed or declarable conflict of interest in the matter.

13.4 If the matter cannot be delegated under an Act, the Council should seek ministerial approval for the Councillors to be able to consider and vote on the matter, subject to any conditions the Minister may impose.

14. Motions to be moved

- 14.1 A Councillor is required to 'move' a motion and then another Councillor is required to 'second' the motion.
- 14.2 When a motion has been moved and seconded, it shall become subject to the control of Council and shall not be withdrawn without the consent of Council.
- 14.3 Other Councillors can propose amendments to the motion which must be voted on before voting on the final motion.
- A motion brought before a meeting of Council in accordance with the *Local Government Act 2009* or these Standing Orders shall be received and put to the meeting by the Chairperson.
 - The Chairperson may require a motion or amendment to a motion to be stated in full or be in writing before permitting it to be received.
 - The Chairperson may refuse to accept a motion if it is not within the meeting's jurisdiction and rule a motion out of order if necessary. Any motion that is vague, proposes an unlawful action, is outside the scope of the meeting, is defamatory, vexatious or is unnecessary, may be ruled out of order.
- 14.4 The Chairperson may call the notices of motion in the order in which they appear on the agenda. Where no objection is taken to a motion being taken as a formal motion, and the motion is then seconded, the Chairperson may put the motion to the vote without discussion and the vote occur.
- 14.5 Not more than one motion or one proposed amendment to a motion may be put before a meeting of a local government at any one time.

15. Absence of Mover of Motion

- 15.1 Where a Councillor who has given notice of a motion is absent from the meeting of Council at which the motion is to be considered, the motion may be:
- moved by another Councillor at the meeting, or
 - deferred to the next meeting.

16. Motions to be Seconded

- 16.1 A motion or an amendment to a motion shall not be debated at a meeting of Council unless or until the motion or the amendment is seconded, with the exception of Procedural Motions.

17. Amendment of Motion

- 17.1 An amendment to a motion will be in terms which maintain or further clarify the intent of the original motion and do not contradict the motion.
- 17.2 Where an amendment to a motion is before a meeting of Council, no other amendment to the motion shall be considered until after the first amendment has been put.
- 17.3 Where a motion is amended by another motion, the original motion shall not be put as a subsequent motion to amend that other motion.

18. Speaking to motions and amendments

- 18.1 The mover of a motion or amendment shall read it and shall state that it is so moved but will not speak to it until it is seconded.
- 18.2 The Chairperson will manage the debate by allowing the Councillor who proposed the motion the option of speaking first on the motion. The Chairperson will then call on any other Councillor who wishes to speak against the motion and then alternatively for and against the motion as available, until all Councillors who wish to speak have had the opportunity.
- 18.3 A Councillor may make a request to the Chairperson for further information before or after the motion or amendment is seconded.
- 18.4 The mover of a motion or an amendment has the right to reply. Each Councillor will speak no more than once to the same motion or same amendment except as a right of reply. Once the right of reply has been delivered the debate ends.
- 18.5 Each speaker shall be restricted to not more than five (5) minutes unless the Chairperson rules otherwise.
- 18.6 Where two or more Councillors indicate they may wish to speak at the same time, the Chairperson shall determine who is entitled to priority.
- 18.7 In accordance with Section 254H of the *Local Government Regulation 2012*, if a decision made at a meeting is inconsistent with a recommendation or advice given to Council by an advisor of the Council, the minutes of the meeting must include a statement of the reasons for not adopting the recommendation or advice.

19. Method of taking vote

- 19.1 The Chairperson will call for all Councillors in favour of the motion to indicate their support. The Chairperson will then call for all Councillors against the motion to indicate their objection. A Councillor may call for a 'division' to ensure their objection to the motion is recorded in the minutes. If a division is taken, the minute secretary shall record the names of Councillors voting in the affirmative and of those voting in the negative. The Chairperson shall declare the result of a vote or a division as soon as it has been determined.
- 19.2 Councillors have the right to request that their names and how they voted be recorded in the minutes if they so request, for voting other than by Division.
- 19.3 Except upon a motion to repeal or amend it, the resolution shall not be discussed after the vote has been declared.

Note: If a report contains distinct recommendations, the decision of Council may be taken separately on each recommendation. If a decision by the meeting is contra to a recommendation in a report the minutes must give the reasons for the decision.

20. Withdrawing a motion

- 20.1 A motion or amendment may be withdrawn by the mover with the consent of the Council, which will be without debate, and a Councillor will not speak to the motion or amendment after the mover has been granted permission by the Council meeting for its withdrawal.

21. Repealing or amending resolutions

- 21.1 A resolution of Council may not be amended or repealed unless notice of motion is given in accordance with the requirements of the legislation.
- 21.2 Councillors present at the meeting at which a motion to repeal or amend a resolution is put, may defer consideration of that motion. The deferral will not be longer than three (3) months.

22. Procedural motions

- 22.1 A Councillor at a meeting of Council may, during the debate of a matter at the meeting, move the following motions, as a procedural motion, without the need for a seconder:
- that the question/motion be now put
 - that the motion or amendment now before the meeting be adjourned
 - that the meeting proceeds to the next item of business
 - that the question lies on the table
 - a point of order
 - a motion of dissent against the Chairpersons decision
 - that this report/document be tabled
 - to suspend the rule requiring that (insert requirement)
 - that the meeting stands adjourned.
- 22.2 A procedural motion, that 'the question be put', may be moved and where such a procedural motion is carried, the Chairperson shall immediately 'put the question to the motion' or amendment to that motion under consideration. Where such procedural motion is lost, debate on the motion or amendment to that motion shall continue.
- 22.3 The procedural motion, that the motion or amendment now before the meeting be adjourned, may specify a time or date, to which the debate shall be adjourned. Where no date or time is specified:
- a further motion may be moved to specify such a time or date, or
 - the matter about which the debate is to be adjourned, shall be included in the business paper for the next meeting.
- 22.4 Where a procedural motion, that the meeting proceed to the next item is carried, debate on the matter that is the subject of the motion shall cease and may be considered again by Council on the giving of notice in accordance with the Standing Orders.
- 22.5 A procedural motion, that the question lie on the table, shall only be moved where the Chairperson or a Councillor requires additional information on the matter before the meeting (or the result of some other action of Council or person is required) before the matter may be concluded at the meeting. Where such a procedural motion is passed, the Council shall proceed with the next matter on the business paper. The motion, that the matter be taken from the table, may be moved at the meeting at which the procedural motion was carried or at any later meeting.
- 22.6 Any Councillor may ask the Chairperson to decide on a 'point of order' where it is believed that another Councillor:
- has failed to comply with proper procedures
 - is in contravention of the Local Government Act/Regulations, or
 - is beyond the jurisdiction power of Council.

Note: Points of order cannot be used as a means of contradicting a statement made by the Councillor speaking. Where a point of order is moved, consideration of the matter to which the motion was moved will be suspended. The Chairperson will determine whether the point of order is upheld.

Upon the question of order suddenly arising during the process of a debate, a Councillor may raise a point of order, and thereupon the Councillor against whom the point of order is raised, shall immediately cease speaking. Notwithstanding anything contained in these standing orders to the contrary, all questions or points of order at any time arising shall, until decided, suspend the consideration and decision of every other question.

22.7 A Councillor may move a motion of dissent in relation to a ruling of the Chairperson on a point of order. Where such motion is moved, further consideration of any matter shall be suspended until after a ruling is made. Where a motion of dissent is carried, the matter to which the ruling of the Chairperson was made shall proceed as though that ruling had not been made. Whereas a result of that ruling the matter was discharged as out of order, it shall be restored to the business paper and be dealt with in the normal course of business.

22.8 The motion, that this report/document be tabled, may be used by a Councillor to introduce a report or other document to the meeting, only if the report or other document is not otherwise protected under confidentiality or information privacy laws. On tabling the document, it ceases to be a confidential document and is available for public scrutiny.

22.9 A procedural motion, “to suspend the rule requiring that”, may be made by any Councillor in order to permit some action that otherwise would be prevented by a procedural rule. A motion to suspend a rule shall specify the duration of such a suspension.

22.10A procedural motion, that the meeting stands adjourned, may be moved by a Councillor at the conclusion of debate on any matter on the business paper or at the conclusion of a Councillor’s time for speaking to the matter, and shall be put without debate. Such a procedural motion will specify a time for the resumption of the meeting and on resumption of the meeting the Council shall continue with the business before the meeting at the point where it was discontinued on the adjournment.

23. Questions

23.1 A Councillor may at the Council meeting ask a question for reply by another Councillor or an officer regarding any matter under consideration at the meeting. A question will be asked categorically and without argument and no discussion will be permitted at the Council meeting in relation to a reply or a refusal to reply to the question. A Councillor or officer to whom a question is asked without notice may request that the question be taken on notice for the next meeting.

23.2 A Councillor who asks a question at a meeting, whether or not upon notice, will be deemed not to have spoken to the debate of the motion to which the question relates.

23.3 The Chairperson may disallow a question which is considered inconsistent with an acceptable request or good order, provided that a Councillor may move a motion that the Chairperson’s ruling be disagreed with, and if carried the chairperson will allow the question.

24. Process for dealing with Unsuitable Meeting Conduct

The conduct of a Councillor is unsuitable meeting conduct if the conduct happens during a Council meeting and contravenes a behavioural standard of the code of conduct for Councillors. When dealing with an instance of unsuitable conduct by a Councillor in a meeting, the following procedures must be followed:

- 24.1 The chairperson must reasonably believe that unsuitable meeting conduct has been displayed by a Councillor at a meeting.
- 24.2 If the chairperson decides the unsuitable meeting conduct has occurred, the chairperson may consider the severity of the conduct and whether the Councillor has had any previous warnings for unsuitable meeting conduct issued. If the chairperson decides the conduct is of a serious nature or another warning is unwarranted, proceed to step 23.7.
- 24.3 If the chairperson decides unsuitable meeting conduct has occurred but is of a less serious nature, the chairperson may request the Councillor take remedial actions such as:
 - ceasing the unsuitable meeting conduct and refraining from exhibiting the conduct;
 - apologising for their conduct;
 - withdrawing their comments.
- 24.4 If the Councillor complies with the chairperson's request for remedial action, no further action is required. If the Councillor fails to comply with the chairperson's request for remedial action, the chairperson may warn the Councillor that failing to comply with the request could result in an order being issued.
- 24.5 If the Councillor complies with the chairperson's warning and request for remedial action, no further action is required.
- 24.6 If the Councillor still continues to fail to comply with the chairperson's request for remedial action or the chairperson decided a warning was not appropriate under 22.3, the chairperson may make one or more of the orders below:
 - an order reprimanding the Councillor for the conduct
 - an order requiring the Councillor to leave the meeting, including any area set aside for the public and stay out for the duration of the meeting.
- 24.7 If the Councillor fails to comply with an order to leave and stay away from the meeting, the chairperson can issue an order that the Councillor be removed from the meeting.
- 24.8 Following the completion of the meeting, the chairperson must ensure:
 - details of any order issued is recorded in the minutes of the meeting
 - if it is the third or more order made within a 12-month period against a Councillor, or the Councillor has refused to comply with an order issued to leave the meeting, these matters are dealt with at the next meeting of the Council and treated as inappropriate conduct
- 24.9 the Council's Chief Executive Officer is advised to ensure details of any order made is updated in the Council's Councillor conduct register. Any Councillor aggrieved with an order issued by the chairperson can move a motion of dissent for parts 24.1, 24.7 and 24.8 above.

Note: Chairpersons of a meeting are carrying out a statutory responsibility under the LGA to manage and lead the meeting. As such, where a chairperson behaves inappropriately in a meeting this involves a serious breach of the trust placed in them as the chairperson of the

meeting and may be dealt with as misconduct. The breach can be referred to the Office of the Independent Assessor (OIA) to be dealt with. However, breaches of trust don't arise because Councillors disagree with the chairperson's decision or ruling during the meeting.

25. General conduct during meetings

- 25.1 After a meeting of the Council has been formally constituted and the business commenced, a Councillor will not enter or leave from the meeting without first notifying the chairperson.
- 25.2 Councillors will speak to each other or about each other during the local government meeting by their respective titles ('Mayor' or 'Councillor'), and when speaking of or addressing officers will call them by their respective official or departmental title and will confine their remarks to the matter under consideration.
- 25.3 No Councillor who is speaking will be interrupted except upon a point of order being raised either by the chairperson or by another Councillor.
- 25.4 When the chairperson speaks during the process of a debate, the Councillor speaking or offering to speak will immediately cease speaking, and each Councillor present will observe strict silence so that the chairperson may be heard without interruption.

26. Meeting process for dealing with suspected inappropriate conduct which has been referred to a local government by the Independent Assessor (IA)

Pursuant to Chapter 5A, Division 5 of the LGA (Referral of conduct to a local government) a referral from the IA of inappropriate conduct or an instance of suspected inappropriate conduct may arise from circumstances under paragraph 24.9 dot point two of this document.

When dealing with an instance of suspected inappropriate conduct which has been referred to a local government by the IA:

- 26.1 The Council must be consistent with the local government principle of transparent and accountable decision making in the public interest by dealing with suspected inappropriate conduct in an open meeting of the Council. However, where the matter may directly affect the health and safety of the complainant due to the nature of the complaint, the Council may resolve to go into closed session under section 254J of the LGR to discuss the allegation.
- 26.2 The subject Councillor has a declarable conflict of interest in the matter and is permitted by the Council to remain in the meeting during the debate about whether the Councillor engaged in the inappropriate conduct and answer questions put to the subject Councillor by the chairperson to assist the other Councillors in making a decision. This permission to remain in the meeting for the debate is on the condition that the subject Councillor must leave the place where the meeting is being held, including any area set aside for the public, during the vote on whether they have committed inappropriate conduct and what, if any, penalty to impose if the Councillor is found to have committed inappropriate conduct.
- 26.3 Should the complainant be a Councillor, that Councillor may have a declarable conflict of interest in the matter and if so, must follow the declarable conflict of interest procedures in section 11. If the complainant Councillor who has a declarable conflict of interest, wishes to remain in the meeting during the debate and vote on the matter, the other Councillors must decide how to deal with the conflict of interest under section 11.

The complainant Councillor can be ordered to leave the meeting place or conditions may be applied to allow that Councillor to participate in either the debate, the vote or the decision on any disciplinary action to be applied.

26.4 The Council must debate the issue and decide whether the accused Councillor engaged in inappropriate conduct. If the Council has lost quorum due to the number of conflicted Councillors or another reason, the matter must be delegated consistent with section 257 of the LGA or deferred to another date when a quorum will be present.

26.5 If a decision is reached that the accused Councillor has engaged in inappropriate conduct, then the Councillors must decide what penalty or penalties from the orders detailed in 26.6, if any, to impose on the Councillor. In deciding what penalty to impose, the Council may consider any previous inappropriate conduct of the Councillor and any allegation made in the investigation that was admitted, or not challenged, and that the Council is reasonably satisfied is true.

26.6 The Council may order that no action be taken against the Councillor or make one or more of the following:

- an order that the Councillor make a public admission that the Councillor has engaged in inappropriate conduct
- an order reprimanding the Councillor for the conduct
- an order that the Councillor attend training or counselling to address the Councillor's conduct, including at the Councillor's expense
- an order that the Councillor be excluded from a stated Council meeting
- an order that the Councillor is removed, or must resign, from a position representing the local government, other than the office of Councillor, for example that the Councillor is ordered to resign from an appointment representing the local government on a state board or committee
- an order that if the Councillor engages in the same type of conduct again, it will be treated as misconduct
- an order that the Councillor reimburse the Council for all or some of the costs arising from the Councillor's inappropriate conduct.

26.7 A local government may not make an order that the Councillor attend training/counselling, be suspended from a meeting, be removed or resign from a position or that the same conduct will be treated as misconduct in future, in relation to a person who is no longer a Councillor.

26.8 The subject Councillor, and where relevant, the complainant Councillor, must be invited back into the place where the meeting is being held once a decision has been made, and the chairperson must advise them of the details of the decision.

26.9 The chairperson must ensure the meeting minutes reflect the resolution made.

27. Disorder

27.1 The chairperson may adjourn the meeting of the local government, where disorder arises at a meeting other than by a Councillor. On resumption of the meeting, the chairperson will move a motion to be put without debate, to determine whether the meeting will proceed. Where the motion is lost, the chairperson shall declare the meeting closed, and any outstanding matters referred to a future meeting.

28. Attendance of public and the media at meeting

- 28.1 An area shall be made available at the place where any meeting of the local government is to take place for members of the public and representatives of the media to attend the meeting and as many members of the public as reasonably can be accommodated in that area will be permitted to attend the meeting.
- 28.2 When the local government is sitting in closed session, the public and representatives of the media will be excluded.

29. Closed session

- 29.1 Council and standing committee meetings may resolve that a meeting be closed to the public if its Councillors consider it necessary to discuss any of the following matters:
- appointment, dismissal or discipline of the Chief Executive Officer
 - industrial matters affecting employees
 - the Council's budget
 - rating concessions
 - legal advice obtained by the Council, including legal proceedings that may be taken by or against the Council
 - matters that may directly affect the health and safety of an individual or a group of individuals
 - negotiations relating to a commercial matter involving the Council for which a public discussion could prejudice the interests of the Council
 - negotiations relating to the taking of land by the Council under the *Acquisition of Land Act 1967*
 - a matter that the Council is required to keep confidential under a law of, or a formal agreement with, the Commonwealth or state.
- 29.2 A Council or committee meeting cannot resolve that a meeting be closed where the meeting is informed of a Councillor's personal interest in the matter by another person and the eligible Councillors at the meeting must decide whether the Councillor has a declarable conflict of interest in the matter.
- 29.3 Further, the meeting must not be closed if a quorum is lost due to the number of conflicted Councillors who leave the meeting, and the Council must;
- delegate the matter
 - decide by resolution to defer to a later meeting
 - decide by resolution to take no further action on the matter.

Note: None of the above will be considered, discussed, voted on or made during a closed session.

If a closed session includes attendance by teleconference, the Councillor/s attending by teleconference must maintain confidentiality by ensuring no other person can hear their conversation while in the closed meeting.

29.4 To take a matter into a closed session the Council must abide by the following:

- pass a resolution to close the meeting
- the resolution must state the matter to be discussed, an overview of what is to be

- discussed and why the meeting should be closed while the matter is considered
- if the matter is known in advance, the agenda should clearly identify that the matter will be considered in closed session, and an explanation of why it is deemed necessary to take the issue into closed session must be stated
- not make a resolution while in a closed meeting (other than a procedural resolution).

30. Teleconferencing of meetings

30.1 A Council or committee meeting may be held via teleconference.

30.2 When a Council or committee meeting is held by teleconference or a person takes part in a meeting by tele- or videoconference the local government must ensure the meeting is available for real-time viewing or listening by the public at 1 of the local government's public offices or on the local government's website. This does not apply during a closed session.

~~30.1~~30.3 If a Councillor wishes to be absent from a Council meeting place during a meeting, the Councillor must apply to the chairperson to participate by teleconference, at least three (3) business days prior to the meeting or as soon as practicable once the Councillor becomes aware of their intended absence. The chairperson may allow a Councillor to participate in a Council or committee meeting by teleconference.

~~30.2~~30.4 A Councillor taking part by teleconference is taken to be present at the meeting if the Councillor was simultaneously in audio contact with each other person at the meeting. The attendance of the Councillor must be recorded in the minutes as present at the meeting.

Note: Teleconferencing includes the use of a telephone, video conferencing equipment or other means of instant communication that allows a person to take part in a discussion as it happens.

~~30.3 In order for Councils to manage the safety rules during the COVID-19 pandemic, changes have been added to the LGR that will expire in June 2021.~~

~~30.4 These provisions allow the Council:~~

- ~~• the option to conduct the entire Council meeting via phone, teleconference or video conference~~
- ~~• where possible, must provide streaming or other facilities so that the public can observe or hear the meeting as it is happening, at one of the Council's public offices or on the Council's website~~
- ~~• chairperson has the option to close the meeting on health and safety grounds to protect participants or observers from risk of exposure to COVID-19.~~

Manager Responsible for Review:

Manager, Governance and Compliance

Adoption: ~~October 2021~~June 2022

Due for Revision: ~~October 2023~~June 2024

James William
Chief Executive Officer



TORRES STRAIT ISLAND REGIONAL COUNCIL

COUNCIL REPORT

ORDINARY MEETING:	June 2022
DATE:	28/29 June 2022
ITEM:	Agenda Item for Resolution by Council
SUBJECT:	Council Policies
AUTHOR:	Megan Barrett, Executive Director Corporate Services

Recommendation

That Council adopts the revised People and Wellbeing Policy.

Executive Summary:

The People and Wellbeing 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. The 14 June 2022 meeting of SARG recommended the policy be progressed to Council for resolution without further amendment.

Conclusion:

That Council adopts the revised People and Wellbeing Policy.

Attachments:

Attachment 1: Current policy with proposed changes tracked

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 'J William'.

James William
Chief Executive Officer

People & Wellbeing Policy

Responsible Manager	Head of Manager People and Wellbeing
Head of power	<i>Local Government Act 2009 Local Government Regulation 2012 Public Service Act 2008 Industrial Relations Act 1999 Anti-Discrimination Act 1991 Sex Discrimination Act 1984 Racial Discrimination Act 1975 (Cth) Disability Discrimination Act 1992 (Cth) Human Rights and Equal Opportunity Act 1986 (Cth) Public Sector Ethics Act 1994 Crime and Corruption Act 2001</i>
Authorised by	Council
Authorised on	July 2020 <u>?? June 2022</u>
Implemented from	July 2020
Last reviewed	2017, 2018, 2020 <u>May 2022</u>
Review history	2014, 2013, 2017, 2018, <u>2020, 2022</u>
To be reviewed on	June <u>2022 2024</u>
Corporate Plan	People, Sustainability and Prosperity

1. Purpose

Torres Strait Island Regional Council is committed to providing effective, legal and consistent human resource systems that benefit the organisation and its employees.

The purpose of this policy is to provide guidance to Council officers in developing and implementing People and Wellbeing systems so that such systems are equitable, efficient, transparent (where possible), communicated to all staff and comply with relevant legislation and regulations.

2. Application

This policy applies to all Councillors, Council Officers and Contractors

3. Legislation/Policies

This policy is established with reference to obligations specified in the relevant legislation.

4. Provisions

It is the policy of Council to operate in a manner that provides and preserves a harmonious place for all employees within the bounds of the applicable industrial relations instruments including agreements and awards, and where all levels of management are focused on ensuring that all work is carried out with minimal disruption and maintained industrial harmony.

Employees are valued and recognised for their contribution to the organisation's successful outcomes.

Council is an equal opportunity employer. Religion, age, gender, national origin, sexual orientation, race, or colour does not affect employment, promotion, development opportunities, pay or benefits. Council provides for fair treatment of employees based on merit.

Council considers that good management of industrial relations is an important aspect of the organisation.

To achieve this, Council will:

- Provide a safe and harmonious working environment which is conducive to keeping Council's employees content and achieving operational goals.
- Comply with all applicable industrial laws, regulations, statutory obligations, award, agreements and National and State codes of practice and guidelines.
- Monitor industrial relations performance and activities of suppliers, contractors ~~and~~ maintaining effective communication with them, while recognising their right to have their own industrial relations policies and arrangements.
- Develop and improve the skills of Council's employees to enable them to work efficiently in a constantly evolving environment and to strive to reach their maximum potential.

All levels of management will:

- Provide reasonable management of industrial issues and expect the same from all other interested parties.
- Maintain an open relationship with employees and any elected representatives and with other interested parties.
- Apply all policies and procedures in an equitable and fair manner regardless of position.
- Promote open and effective communication between employees at all levels and resolve disputes quickly and efficiently.
- Encourage open and honest communications at all times in industrial relations matters.

Council will develop, implement and monitor a suite of People & Wellbeing related procedure documents, that provide detailed operational directions, instructions or information, to ensure compliance with this Policy.

Council expects that all employees strive to work in accordance with the desired values and behaviours outlined in [the Code of Conduct and "Our Values"](#).

People and Wellbeing will make every effort to notify employees when an official change in policy or procedure has been made but employees are responsible for their own up-to-date knowledge about Council policies and procedures.

Manager Responsible for Review:
Wellbeing

~~Head of~~Manager People and

Adoption: ~~21 July 2020~~ ?? June 2022
Due for Revision: June ~~2022~~2024

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





TORRES STRAIT ISLAND REGIONAL COUNCIL

COUNCIL REPORT

ORDINARY MEETING:	June 2022
DATE:	28-29 June 2022
ITEM:	Agenda Item for Resolution
SUBJECT:	Policy Matter – Investigation Policy
AUTHOR:	Mette Nordling, Manager of Governance and Compliance

Recommendation:

That Council resolves to:

1. amend the Torres Strait Island Regional Council's Investigation Policy previously endorsed by Council at its Ordinary Meeting on 20 July 2021 in the terms presented to Council at today's Ordinary Meeting and endorse the same

and

2. delegate authority to the Chief Executive Officer in accordance with the *Local Government Act 2009* to exercise the functions and powers assigned to the Chief Executive Officer under the amended and endorsed policy, including the power to make any further minor administrative amendments to the policy as they arise.

Executive Summary:

In accordance with the *Local Government Act 2009* Council is required to adopt an investigation policy. The policy was originally adopted by Council in April 2020 but following legislative changes in 2021 was re-adopted in July 2021. Regular monitoring and review of policies is necessary to reflect legislative changes, operational governance and to continuously improve Council governance. Minor changes have been made following this 2022 review.

Background:

Following the Crime and Corruption Commission Operation Belcarra report, which was released in October 2017, stage 1 of the Local Government reform was introduced with the assent to the *Local Government Electoral (Implementing Stage 1 of Belcarra) and Other Legislation Amendment Act 2018* (the Amendment Act). This first stage introduced the Councillor complaints framework and the need for new documentation:

- uniform Code of Conduct for Councillors in Queensland
- adoption of formal meeting procedures including provisions relating to meeting behaviour
- adoption of an investigation policy
- up-to-date Councillor Conduct Register.

Comment:

Section 150AE of the *Local Government Act 2009* provides that Council must adopt, by resolution, a policy about how it deals with the suspected inappropriate conduct of Councillors referred, by the assessor to the local government to be dealt with.

The (then) Department of Local Government, Racing and Multicultural Affairs, provided a template policy for Councils to adopt following the introduction of this requirement. This was the policy originally adopted by Council.

Following legislative changes in 2021 the policy was updated based on the updated template policy from the Department of State Development, Infrastructure, Local Government and Planning, and re-adopted in July 2021.

The current iteration of the policy expires on 30 June 2022 and following a review, minor changes have been made in line with the template policy published by the Department.

Consultation:

Department of State Development, Infrastructure, Local Government and Planning.

Links to Strategic Plans:

This policy strategically aligns to specific delivery objectives under all three pillars of Council's Corporate Plan, being *People, Sustainability and Prosperity*.

Risk:

There is a risk to Council, if Council does not endorse the updated policy, as the current policy expires after 30 June 2022.

Statutory Requirements:

Local Government Act 2009

Local Government Regulation 2012

Conclusion:

That Council endorse the amended policy and delegates to the Chief Executive Officer to make further minor administrative amendments as they arise.



Author:

Mette Nordling
Manager, Governance and Compliance



Recommended:

Megan Barrett
Executive Director Corporate Services



Approved:

James William
Chief Executive Officer

Attachments:

- Amended Investigation Policy

Investigations Policy

Responsible Manager:	Manager, Governance and Compliance
Head of power:	<i>Local Government Act 2009</i> <i>Local Government Regulation 2012</i>
Authorised by:	Council
Authorised on:	June 2022
Implemented from:	July 2022
Last reviewed:	June 2022
Review history:	2020, 2021
To be reviewed:	June 2024
Corporate Plan:	People, Sustainability and Prosperity

1. Authority

This is Torres Strait Island Regional Council's investigation policy for how complaints about the inappropriate conduct of Councillors will be dealt with as required by the section 150AE of the *Local Government Act 2009* (the LGA). However, this policy does not relate to more serious Councillor conduct.

2. Commencement

The investigation policy was adopted by Council resolution on ~~20xx~~ June 202~~4~~2 and applies from 1 July 202~~4~~2.

3. Scope

This investigation policy applies to investigations and determinations of a complaint about the alleged inappropriate conduct of a Councillor/s which has been referred by the Independent Assessor.

4. Definitions

Assessor means the Independent Assessor appointed under section 150CV of the LGA

Behavioural standard means a standard of behaviour for Councillors set out in the Code of Conduct for Councillors in Queensland approved under section 150E of the LGA

Conduct includes -

- (a) failing to act; and
- (b) a conspiracy, or attempt, to engage in conduct

Councillor conduct register means the register required to be kept by Council as set out in section 150DX of the LGA

Inappropriate conduct see section 150K of the LGA

Investigation policy, refers to this policy, as required by section 150AE of the LGA

Investigator means the person responsible under this investigation policy for carrying out the investigation of the suspected inappropriate conduct of a Councillor or Mayor

LGA means the *Local Government Act 2009*

Local government meeting means a meeting of—

- (a) a local government; or
- (b) a committee of a local government.

Misconduct see section 150L of the LGA

Model procedures see section 150F of the LGA

Referral notice see section 150AC of the LGA

Tribunal means the Councillor Conduct Tribunal as established under section 150DK of the LGA

Unsuitable meeting conduct see section 150H of the LGA

5. Confidentiality

Matters of suspected inappropriate conduct of a Councillor are confidential except as otherwise

specifically provided for either in the LGA or this investigation policy.

Note: It must be kept in mind that the matter is an allegation only and not yet proven. Further, there will be circumstances where the detail of the referral will need to remain confidential to the *Local Government*. Any release of information that a *Councillor* knows, or should reasonably know, to be confidential to the local government, may be contrary to section 171(3) of the LGA and dealt with as misconduct.

6. Natural Justice

Any investigation of suspected inappropriate conduct of a Councillor/s must be carried out in accordance with natural justice. An overview of the principles of natural justice follows.

Natural justice or procedural fairness refers to three key principles:

- that the person being investigated has a chance to have his or her say before adverse formal findings are made and before any adverse action is taken (fair hearing)
- that the investigator(s) should be objective and impartial (absence of bias)
- that any action taken is based on evidence (not suspicion or speculation).

A fair hearing means the Councillor who is the subject of the suspected inappropriate conduct matter must be told of the case against them including any evidence and be provided with an opportunity to put their case in writing with the investigation report provided to the Councillors as part of the meeting agenda.

An absence of bias means that any investigation must not be biased or be seen to be biased in any way. This principle embodies the concept of impartiality.

Ensuring decisions are based on evidence requires that the investigation should not be based on mere speculation or suspicion but instead must be based upon evidence material.

A proper examination of all issues means the investigation must give a proper and genuine consideration to each party's case.

7. Assessor's referral

The Council will receive from the Assessor a referral notice about the suspected inappropriate conduct of a Councillor/s. The referral notice will include details of the conduct and any complaint received about the conduct, state why the assessor reasonably suspects that the Councillor has engaged in inappropriate conduct, and include information about the facts and circumstances that form the basis of the assessor's reasonable suspicion.

The referral notice may be accompanied by a recommendation from the assessor about how the local government may investigate or deal with the conduct. The recommendation of the assessor may be inconsistent with this policy.

The investigation must be conducted in a way consistent with:

- (i) any recommendation of the assessor
- (ii) to the extent that this policy is not inconsistent with the recommendation of the assessor – this investigation policy, or
- (iii) in another way the local government decides by resolution.

A resolution under subsection (iii) must state the decision and the reasons for the decision.

8. Receipt of Assessor's referral

On receipt of a referral notice about the suspected inappropriate conduct of a Councillor/s from the Assessor, the Council's Chief Executive Officer will forward a copy of that referral notice to the Mayor and all Councillors, other than the Councillor who is the subject of the complaint, or the complainant if the complainant is a Councillor, as a confidential document.

Should the Mayor or a Councillor/s disagree with any recommendation accompanying the Assessor's referral notice, or form the opinion that the complaint should be dealt with in a way other than under this policy, the Mayor or Councillor may request the matter be placed on the agenda of the next Council meeting for the Council to decide, by resolution, the appropriate process to investigate the complaint. Such a request must be made in accordance with the Council's meeting procedure requirements.

9. Investigator

Unless otherwise resolved by Council, the Mayor will manage the investigation of suspected inappropriate conduct of other Councillors.

If the suspected inappropriate conduct involves conduct where, in the circumstances, the Mayor believes it is in the best interests of the investigation to refer the matter for external investigation, then the Chief Executive Officer may refer the suspected inappropriate conduct to the President of the Councillor Conduct Tribunal (the Tribunal) or other entity to investigate and make recommendations to the Council about dealing with the conduct.

If the suspected inappropriate conduct involves:

- an allegation about the conduct of the Mayor, or
- the Mayor as the complainant, then

the Chief Executive Officer may refer the suspected inappropriate conduct to the President of the Tribunal, or another entity, to investigate and make recommendations to the Council about dealing with the conduct.

10. Early resolutions

Before beginning an investigation, the investigator should consider whether the matter is appropriate for resolution prior to the investigation. This consideration can include any recommendations made by the Assessor.

A matter is only appropriate for early resolution if the parties to the matter both voluntarily agree to explore early resolution.

The investigator may engage an independent person with suitable qualifications or experience to facilitate this process.

If the matter cannot be resolved, the matter will then be investigated as outlined in this investigation policy.

If the matter is resolved prior to investigation, the investigator will advise the Chief Executive Officer of this outcome. In turn, the Chief Executive Officer will advise the Mayor (if the Mayor is not the investigator) and all Councillors that the matter has been resolved. The Chief Executive Officer will also update the Councillor Conduct Register to reflect this.

11. Timeliness

The investigator will make all reasonable endeavours to complete the investigation and provide a report for inclusion on the agenda of a Council meeting no more than eight weeks after the receipt of the complaint.

Note: If the investigator is of the opinion that it may take longer than eight weeks to complete the investigation, the matter should be raised with the *Mayor* (if the *Mayor* is not the investigator) to seek an extension of time.

12. Assistance for investigator

If the Mayor, or another Councillor appointed by Council resolution, is the investigator of a matter of suspected inappropriate conduct, the Mayor or Councillor may use section 170A of the LGA to seek assistance during the investigation.

The Mayor is authorised by Council to expend money as reasonably needed to engage contractors in accordance with the Council's procurement policy.

13. Possible misconduct or corrupt conduct

If during the course of an investigation the investigator obtains information which indicates a Councillor/s may have engaged in misconduct, the investigator must cease the investigation and advise the Chief Executive Officer. The Chief Executive Officer will then notify the Assessor of the possible misconduct.

If during the course of an investigation, the investigator obtains information that indicates a Councillor/s may have engaged in corrupt conduct, the investigator must cease the investigation and advise the Chief Executive Officer. The Chief Executive Officer will then notify the Crime and Corruption Commission of the possible corrupt conduct.

Instances of suspected misconduct or corrupt conduct may be referred back to the Council if determined by the Assessor or Crime and Corruption Commission to be inappropriate conduct.

14. Completion of investigation

On the completion of an investigation, the investigator will provide a report to a Council meeting outlining as appropriate:.

- the investigation process
- any witnesses interviewed
- documents or other evidence obtained
- a statement of the relevant facts ascertained
- confirmation that the subject Councillor has been provided with an opportunity to respond to the complaint and the evidence gathered
- the investigation findings
- a statement of any relevant previous disciplinary history
- any recommendations about dealing with the conduct
- a record of the investigation costs.

~~If there is a risk to the health and safety of the complainant, under s 254J of the LGR the council may resolve that the meeting be closed to the public for the councillors to consider the investigation~~

~~report and any recommendations.~~

The Council (with the exception of the Councillor the subject of the investigation and the complainant, if another Councillor) will consider the findings and recommendations of the investigator's report and decide whether the Councillor has engaged in inappropriate conduct and, if so, what action it will take under section 150AH of the LGA.

The Chief Executive Officer is also required to ensure the details are entered into the Councillor conduct register.

If there is a risk to the health and safety of the complainant, under s 254J of the LGR the Council may resolve that the meeting be closed to the public for the Councillors to consider the investigation report and any recommendations.

~~-In accordance with s275254J(6)(3) of the LGR, the resolution in relation to what action is to be taken as a result of the investigation must be made after the meeting has been re-opened to the public and the decision recorded in the meeting minutes. The chief executive officer is also required to ensure the details are entered into the councillor conduct register.~~

15. Disciplinary action against Councillors

If the Council decides at the completion of the investigation that the Councillor has engaged in inappropriate conduct, the Council may:

- (i) order that no action be taken against the Councillor, or
- (ii) make an order outlining action the Councillor must undertake in accordance with section 150AH(1)(b) of the LGA.

16. Notice about the outcome of investigation

After an investigation is finalised, the Council must give notice about the outcome of the investigation to the person who made the complaint about the Councillor/s' conduct that was the subject of the investigation and the subject Councillor.

17. Councillor conduct register

The Chief Executive Officer must ensure decisions about suspected inappropriate conduct of a Councillor/s are entered into the Councillor conduct register.

Where a complaint has been resolved under section 10 of this policy, or otherwise withdrawn by the complainant, the Chief Executive Officer will update the register to reflect that the complaint was withdrawn.

18. Expenses

Council must pay any reasonable expenses of Council associated with the investigation of suspected inappropriate conduct of a Councillor including any costs of:

- the president of the Tribunal in undertaking an investigation for Council
- an independent investigator engaged on behalf of, or by the Tribunal
- an independent investigator engaged on behalf of the local government
- travel where the investigator needed to travel to undertake the investigation, or to interview witnesses

- seeking legal advice
- engaging an expert.

Note: Council may order the subject Councillor reimburse it for all or some of the costs arising from the Councillor's inappropriate conduct. Any costs incurred by complainants or the subject Councillors will not be met by Council.

Manager Responsible for Review:

Manager, Governance and Compliance

Adoption: June 2022

Due for Revision: June 2024

James William
Chief Executive Officer



TORRES STRAIT ISLAND REGIONAL COUNCIL

COUNCIL REPORT

ORDINARY MEETING:	June 2022
DATE:	28-29 June 2022
ITEM:	Agenda Item for Resolution
SUBJECT:	Policy Matter – Councillor Remuneration, Reimbursement and Facilities Provision Policy
AUTHOR:	Mette Nordling, Manager of Governance and Compliance

Recommendation:

That Council resolves to:

1. amend and endorse the Torres Strait Island Regional Council's Councillor Remuneration, Reimbursement and Facilities Provision Policy, previously endorsed by Council at its Ordinary Meeting on 30 June 2021, in the terms presented to Council
- and
2. delegate authority to the Chief Executive Officer in accordance with the *Local Government Act 2009* to exercise the functions and powers assigned to the Chief Executive Officer under the amended and endorsed policy, including the power to make any further minor administrative amendments to the policy as they arise.

Executive Summary:

In accordance with *Local Government Act 2009* and the *Local Government Regulation 2012* Council is required to endorse a Councillor remuneration policy. Regular monitoring and review of policies is necessary to reflect legislative changes, operational governance and to continuously improve Council governance.

The Councillor Remuneration, Reimbursement and Facilitates Provision Policy has been updated to reflect the Local Government Remuneration Commission Annual Report 2021 and advice received from internal audit in relation hire cars.

Comment:

On 30 November 2021, the Local Government Remuneration Commission (Commission) concluded its determination of the levels of remuneration for Mayors, Deputy Mayors and Councillors of Queensland local governments (excluding Brisbane City Council) as required by section 177(c) of the *Local Government Act 2009* and Chapter 8, Division 1 of the *Local Government Regulation 2012*. The Commission's determinations on these matters, together with the Remuneration Schedule apply from 1 July 2022.

Extract from Commission's report:

The Commission resolved to increase the maximum remuneration levels for Mayors, Deputy Mayors and Councillors by 2% from 1 July 2022.

In making its determination, the Commission considered the following:

- Increase in the Consumer Price Index (CPI) for the financial year ended 30 June 2021:
 - Weighted average of the eight capital cities: -3.8%
 - Brisbane: +4.9%
- Increases in the Wage Price Index (WPI) for the financial year ended 30 June 2021:
 - Australia (All Industries): +1.5%
 - Queensland (All Industries): +1.6%
 - Queensland and Australia (Public Sector): +1.3%
- Average Weekly Earnings for the period of May 2020 to May 2021:
 - Australia (All Industries): +2.3%
 - Australia (Public Sector): +1.7%
 - Queensland (All Industries): +0.2%
 - Queensland (Public Sector): +0.8%
- As in previous years, the Commission considered the Brisbane City Council's Independent Councillor Remuneration Tribunal (ICRT) remuneration determination as a potentially relevant factor. However, the ICRT reviews and resets Brisbane City Councillor remuneration arrangements every five years. The last increase was in 2017, at which time the ICRT accorded a 2.0% increase to salaries effective 1 July 2018. In its 20 November 2019 Report, the ICRT determined not to make any changes outside of its four yearly remuneration review cycle. The Commission also noted that in April 2020, the ICRT announced a two year freeze on wages.
- In its 31 May 2020 determination, the Queensland Independent Remuneration Tribunal (QIRT) determined that the Base and Additional Salary rates for members would be increased by:
 - 0% with effect on and from 1 September 2019;
 - 2.0% with effect on and from 1 September 2021;
 - 2.25% with effect on and from 1 March 2022; and
 - 2.5% with effect on and from 1 September 2022.
- On 1 March 2021, the Queensland Industrial Relations Commission (QIRC) made Wages Determination: Certification of Salary Schedules (Wages Determination) which varied the State Government Entities Certified Agreement 2019 (the 2019 Certified Agreement) to:
- set the salary rate for public service employees under the core agreement at 1 September 2020 as the award rate current at that time (this will be the rate upon which annual increases will be made);
- align the salary increase dates for public service employees as follows:
 - 2.5% wage increase from 1 September 2019;
 - 2.5% wage increase from 1 September 2021;
 - 2.5% wage increase from 1 March 2022; and
 - 2.5% wage increase from 1 September 2022.
- Decision of the Salaries and Allowances Tribunal of Western Australia determination dated 8 April 2021: no increase, and no changes to any council's category.
- Decision of the New South Wales Local Government Remuneration Tribunal Determination and Annual Report dated 23 April 2021: 2.0% increase in the minimum and maximum fees applicable in each category and that the current allocation of councils into the current categories of councils is appropriate.

- Decision of the Victorian Minister for Local Government: two per cent increase effective on 1 December 2019 – no update available since 2019. It is noted that a review is currently under way as a result of the passing of the *Local Government Act 2020* which transfers the responsibility for determining mayoral, deputy mayoral and councillor allowances to the Victorian Independent Remuneration Tribunal.
- In Tasmania, the remuneration for local government councillors is automatically increased under the provisions of the *Local Government (General) Regulations 2015*. The increase, effective 1 November 2021, is an automatic indexation of local government allowances provided for under the *Local Government Act 1993* (Tas) by multiplying the allowances for the previous year by the inflationary factor (determined by calculating the current year's June quarter Wage Price Index divided by the previous years' June Wage Price Index).
- In the Northern Territory, the allowances for local government council members are indexed by CPI (Darwin) at 1 July each year, including the application of principles of consistency and austerity, and general consideration of recent conservative wage review practices in both the public and private sectors.
- Further considerations include the impact of the COVID-19 pandemic, and signs of Queensland's improving economic recovery, and the disparity between different parts of the State.
- The Commission's inability to project the long-term impacts of COVID-19 with certainty.

The Commission also had regard to anecdotal reports and submissions received about:

- The impact of economic hardship experienced by local communities during and following the COVID-19 pandemic and natural disasters of 2019-2020.
- The potential disproportional impact of the COVID-19 pandemic restrictions throughout the State, particularly in rural and remote communities.
- The economic cost to communities of interruption to businesses and employment.
- The significant economic volatility and contraction during 2020 and the recent optimistic rebound in economic activity.
- The need to ensure sustainability for local governments and their communities.
- Local governments' role in Queensland's post COVID-19 economic recovery and development.

As required by section 246 of the *Local Government Regulation 2012* the Local Government Remuneration Commission has prepared a remuneration schedule for the 2022/23 Financial Year:

Position	Remuneration amount effective 1 July 2022
Mayor	\$110,386
Deputy Mayor	\$63,684
Councillor	\$55,192*

*The Commission has determined that for Category 1 Councils, including Torres Strait Island Regional Council, Councillor's remuneration will be paid a base salary of \$36,794.67 (50%) from 1 July 2022 and a meeting fee of \$1,533.11 per calendar month is payable for attendance at, and participation in, scheduled Council meetings. The Mayor or Chief Executive Officer must certify the attendance and

participation. This determination does not include the Mayor and the Deputy Mayor, who are to receive the full annual remuneration.

Consultation:

- Internal Audit
- Local Government Remuneration Commission

Links to Strategic Plans:

This policy strategically aligns to specific delivery objectives under all the *Sustainability* pillar of Council's Corporate Plan.

Risk:

1. There is a risk to Council and Councillors if Council does not endorse the updated Councillor Remuneration, Reimbursement and Facilities Provision Policy, as the current policy expires on 30 June 2022.
2. There is a reputational risk to Council if Council decides not to adopt the recommendations in this report, as there is a requirement to note the reason for not adopting Officer recommendations in the minutes of a meeting, as per section 254H of the *Local Government Regulation 2012*.
3. There is a risk to Council's financial sustainability if measures are not taken to reduce costs and find efficiencies and savings.

Statutory Requirements:

Local Government Act 2009

Local Government Regulation 2012

Conclusion:

That Council resolves to adopt the amended policy and delegates to the Chief Executive Officer to make further minor administrative amendments as they arise.



Endorsed:

Megan Barrett
Executive Director Corporate Services



Approved:

James William
Chief Executive Officer

Attachments:

- Amended Councillor Remuneration, Reimbursement and Facilities Provision Policy
- Local Government Remuneration Commission report 2021

Councillor Remuneration, Reimbursement and Facilities Provision Policy

Responsible Manager:	Head of Corporate Affairs
Head of power:	<i>Local Government Act 2009</i> <i>Local Government Regulation 2012</i>
Authorised by:	Council
Authorised on:	June 2022
Implemented from:	July 2022
Last reviewed:	June 2022
Review history:	2020, 2021
To be reviewed:	June 2023
Corporate Plan:	People, Sustainability and Prosperity

1. Purpose

To clarify the extent of remuneration, expense reimbursement and support provided to Torres Strait Island Regional Council Councillors.

2. Application

This policy applies to all duly elected representatives of Torres Strait Island Regional Council.

3. Legislation

In accordance with section 250 of the *Local Government Regulation 2012* (Regulation) Council must prepare an Expenses Reimbursement Policy and adopt this by resolution. The discussion and resolution of this policy must be conducted in open session.

This policy must provide for:

- Payment of reasonable expenses incurred, or to be incurred, by Councillors discharging their duties and responsibilities as councillors
- Provision of facilities to the councillors for that purpose

4. Councillor Remuneration

In accordance with section 177 of the *Local Government Act 2009*, the Local Government Remuneration Commission is responsible for deciding the maximum amount of remuneration that is payable to Councillors. The Commission must annually decide and publish the maximum amount of remuneration payable from 1 July of the following year to a Mayor, Deputy Mayor or a Councillor of a local government.

As required by section 246 of the Regulation the Local Government Remuneration Commission have prepared a remuneration schedule for the 2024~~2~~/~~23~~ Financial Year:

Position	Remuneration amount effective 1 July 2024 2
Mayor	\$ 108,222 <u>110,386</u>
Deputy Mayor	\$ 62,435 <u>63,684</u>
Councillor	\$ 54,110 <u>55,192</u> *

*The Commission has determined that for Category 1 Councils, including Torres Strait Island Regional Council, Councillors remuneration will be paid a base salary of \$~~36,073.28~~36,794.67 (50%) from 1 July 2024~~2~~ and a meeting fee of \$~~1,503.06~~1,533.11 per calendar month is payable for attendance at, and participation in, scheduled Council meetings. The Mayor and/or Chief Executive Officer must certify the attendance and participation. This determination does not include the Mayor and the Deputy Mayor, who are to receive the full annual remuneration.

The remuneration fixed above is all inclusive and no additional remuneration is payable for sick leave, annual leave, or any other benefits otherwise applicable to employees other than superannuation. Remuneration payments are made in fortnightly instalments.

Councillors who serve only part of a given financial year, shall receive remuneration pro-rata only.

Advance Payment

Meaning in this section:

Advance Payment means a payment of a Councillor's base salary in advance of when it is due to be paid.

This section applies to Advance Payments and the circumstances in which an Advance Payment may be paid to a Councillor on approval from the Chief Executive Officer. Any requests by Councillors which do not meet the requirements of this Policy will need to go to a Council meeting.

Upon a request being received by a Councillor, the Chief Executive Officer may approve for payment to a Councillor an Advance Payment if:

1. the Chief Executive Officer is satisfied that the Advance Payment is for:
 - financial hardship;
 - emergency relief; or
 - for another genuine reason
2. a Councillor has made the request in writing and has provided the information required to complete the Advance Payment Repayment Form demonstrating how it is intended to be repaid (attached as Appendix A to this Policy);
3. the payment of an Advance Payment is not requested to be made within the first two months of the Councillor's term;
4. the payment of an Advance Payment is not requested to be made within the last six months of the Councillor's term;
5. the total of Advance Payment/s made to any one Councillor does not exceed one fortnight's base salary.

All Advance Payments are to be repaid to Council by the Councillor within the following fortnightly pay period for the Councillor.

The Chief Executive Officer, may at the Chief Executive Officer's discretion, request a Councillor to produce material to substantiate their application for an Advance Payment which the Chief Executive Officer considers relevant to their assessment.

The Chief Executive Officer, in their discretion, can refuse any application by a Councillor for an Advance Payment whatsoever. Any approval given by the Chief Executive Officer must be in writing.

This section only applies to an Advance Payment, relating to a Councillor's base salary component, and does not cover or permit any other advance. To avoid any doubt, a Councillor's meeting fee component cannot be paid in advance.

Before any Advance Payment is made a signed copy of the Advance Payment Repayment Form must be provided.

Tax

At the beginning of each financial year, Councillors must nominate a tax withholding amount to be applied by Council.

More than one meeting per month

If there are two or more meetings scheduled in a given calendar month, Councillors shall be required to meet attend and participate in each meeting in order to be entitled to the meeting fee for that month. If a particular meeting commences in one calendar month and continues into the next calendar month, the meeting is treated as having taken place in the calendar month in which the meeting commenced.

Attendance at Meetings

There is a requirement that the Councillor attend the whole of the monthly meeting to ensure that the meeting fee is paid, unless there is an emergency circumstance approved the Mayor and Chief Executive Officer. The payment for partial attendance approval via emergency circumstances will be by a formal approval by the Mayor and Chief Executive Officer.

Approved Leave

Council will pay the monthly meeting fee to a Councillor who is absent from the monthly meeting only following approval being granted at that meeting and only for the following reasons:

1. Death of an immediate family member
2. Councillor attending other previously approved official Council business
3. Councillor or immediate family member is unwell or needing urgent medical attention
4. Councillor is required to attend court or tribunal as a witness
5. As a result of a natural disaster

The leave application must be provided to the Mayor and Chief Executive Officer prior to leave being taken.

5. Provision of Facilities and Support

Certain equipment separately identified in this policy is provided to the Councillor once; this equipment will remain the property of the Councillor upon the completion of the entire term of Council. All other equipment and facilities not separately identified remain the property of Council and must be returned to Council when a Councillor's term expires.

Private use of Council owned facilities

Based on the principle, that no private benefit is to be gained, the facilities provided to Councillor's by Council owned facilities are to be used only for Council business unless prior approval has been granted by resolution of Council.

Office Facilities

Councillors will be provided with the following facilities and support:

- Mayor: Separate office accommodation on home island, Thursday Island and in Cairns Office with Secretarial and Executive Assistant Support
- Deputy Mayor and Councillors: Office accommodation and administrative support in accordance with the established staff structure and Council's Communications Guidelines (Acceptable Request Guidelines) on the Councillor's home island.

Councillors are provided with access to shared facsimile, scanner, printer, photocopier and paper shredder for business use.

Use of Council landline telephones and internet access in Council offices for Council business.

Uniform Provision

The Council will provide Councillors with a Council uniform allocation, aligned to the general employee uniform allowance.

Motor Vehicles

On the choice of the Mayor or Councillor:

Council will provide a 2WD dual cab utility or similar vehicle dependent upon availability on a full private use basis, that being, any member of the Councillor's family with a current driver's licence can drive this vehicle and transport passengers.

The Councillor will pay \$25 a week as hire and provide all fuel.

The Council will be responsible for the routine maintenance and insurance of the vehicle and all fair wear and tear repairs. Where repairs are required other than as a result of fair wear and tear, the Councillor will pay the full cost (including any freight costs) of rectification or, if the vehicle cannot be repaired, replacement of the vehicle. Repair or replacement must be carried out in a timely manner– within two months of damage being identified, or as soon as reasonably practicable.

Vehicle hire may be suspended for a period of time where the vehicle is taken out of operation for repairs and maintenance and an alternative vehicle is not available.

Motor vehicles will not be allocated to Councillors with outstanding unpaid charges for maintenance and unfair wear and tear repairs from previous hire arrangements through Council.

Council shall retain property in the vehicle. At the end of the Councillor's term the vehicle shall be returned to Council in the same condition as when the vehicle was provided, subject to fair wear and tear.

A Councillor will not be entitled to access any other Council vehicle, for Council business or private.

Computers and Telecommunication

Council will only provide one mobile phone handset and one piece of portable IT hardware equipment to a Councillor at the start of their term of office. At the conclusion of the term these items will become the property of the Councillor. A standard suite of Council software will be provided with each piece of portable IT hardware equipment issued to the Councillor. Any additional software provision and/or installation will be at the discretion of the Chief Executive Officer and must comply with licencing and ICT Standard Operating Environment Procedure. This software will be removed at the end of the Councillor's term.

Support for the Council supplied IT hardware will be provided through the Information Services Helpdesk (within standard business hours). If rectification requires more than phone support the Council provided IT hardware must be returned to the Cairns office by the Councillor.

Any lost, damaged, stolen or superseded devices will be repaired or replaced by Council at the sole discretion of the Chief Executive Officer, who shall consider the reasonableness of the request.

Use of IT equipment provided by Council must comply with IT Policy and Procedures and in

particular the ICT Acceptable Use Procedure.

A voice and data plan will be paid for by Council for business use only during the term of the Councillor.

General legal advice

General legal advice is available to Councillors on Council-related matters. Legal advice is provided by Council's Legal Services Team.

6. Reimbursement of Expenses

Representing Council

Where Council resolves, or the Mayor and Chief Executive Officer consider relevant, that Councillors are required to attend study tours, conferences or workshops to either deliver a paper, to receive knowledge or as a delegate of Council; Council will pay for or reimburse expenses, associated with attending the event since participation is part of the business of Council.

Each Councillor who attends an event on behalf of Council must provide a written report to the whole Council at the second ordinary meeting after the event and a verbal report upon request.

Mandatory professional development

Where Council resolves or the Mayor and Chief Executive Officer consider, that all Councillors are to attend training courses or workshops for skills development related to a Councillor's role, the Council will pay for or reimburse expenses, being the total cost of the course plus associated expenses.

Discretionary professional development

Where a Councillor identifies a need to attend a conference, workshop or training to improve skills, other than mandatory training, Council will pay for or reimburse expenses to a maximum of \$5,000 for the current term of their office. The professional development must be related to the skill development of the Councillor in their capacity as Councillor.

Travel as required to represent Council

A local government may pay for or reimburse local, interstate and overseas travel expenses (e.g. flights, car, accommodation, meals and associated registration fees) deemed necessary to achieve the business of Council where:

- A Councillor is an official representative of Council; and
- The activity/event and travel have been endorsed by resolution of Council; or
- The Mayor and Chief Executive Officer consider necessary to incur the travel on behalf of Council

Council will pay for reasonable expenses incurred for overnight accommodation. All travel expenses will be paid in advance of travel with any unused allowance recovered from future claims.

If a Councillor travels using their private vehicle, a log is to be kept of the kilometres travelled and the reimbursement will be on a cents-per-kilometre method in accordance with the Australian Taxation Office rulings for the engine capacity of the vehicle used. Claim can only

be made to a maximum of 5,000 business kilometres per year per vehicle.

If a Councillor travels using a private vessel, reimbursement will be based on actual costs incurred (such as fuel costs). A log is to be kept and receipts provided to substantiate reimbursement of expenses. The claim must not exceed the cost of the same travel using economy flights plus taxi transfers.

Travel bookings

All Councillor approved air travel will be booked and paid for by Council. For the purpose of travelling for Council (not as a result of a third-party request and payment) economy class is to be used, however for journeys of two (2) hours or more, business class may be used where available.

Class of travel for third-party travel requests such as attendance at board or other meetings of the third party will be at the discretion of the Chief Executive Officer.

Airline tickets are not transferable and can only be procured for the Councillor's travel on Council business. They cannot be used to offset other unapproved expenses. (e.g. cost of partner or spouse accompanying the Councillor.)

Travel transfer costs

Any travel transfer expenses associated with Councillors travelling for Council approved business will be reimbursed. For example: trains, taxis, buses and ferry fares as well as possible hire cars.

Cab charge fast cards may also be used where Councillors are required to undertake duties relating to the business of Council. Cab charge statements are reviewed monthly by Councils Senior Executive Assistant to the Mayor and Chief Executive Officer against approved Council travel dates.

On the mainland only, for travel periods of longer than 3 days, the Councillor has an option of obtaining a hire car. The hire car will be the equivalent of the Avis car classes being either Full Size or Standard class vehicle. This is to be arranged by Council. All fuel costs and non-direct hire costs (e.g. cleaning) associated with the hire car will be borne by the Councillor.

If the Chief Executive Officer considers it an operational advantage or that savings can be achieved by hiring a car, this is at the Chief Executive Officer's discretion.

In exceptional circumstances where there is no Council vehicle or taxi service reasonably available, a hire car may be approved, for travel periods of less than 3 days, at the Chief Executive Officer discretion.

Travel costs including car-hire, parking costs and fuel, when attending conferences, will be considered by the Chief Executive Officer on a case by case basis. For example: hire car including fuel and parking to attend a conference or other official Council business requiring road-based travel from the nearest airport.

NOTE: Any fines incurred while travelling in Council-owned vehicles or Council arranged hire vehicles when attending to Council business, will be the responsibility of the Councillor incurring the fine.

Costs listed on invoices to Council which are not covered by the Council hire arrangement including fines, fees, refuelling, vehicle repairs and cleaning will be recovered by Council from the next payment made to the Councillor. A copy of the invoice will be forwarded to the Councillor to support the deduction made for the cost recoveries.

Accommodation

Council will pay for the most economical deal available. Where possible, the minimum and maximum standard for Councillors' accommodation will be four (4) star rating. Where particular accommodation is recommended by conference organisers, Council will take advantage of the package deal that is the most economical and convenient to the event.

For Cairns events Council has a list of pre-qualified suppliers who offer accommodation services, Councillors will be able to make a choice from these suppliers.

Where a Councillor prefers to organise their own accommodation, an accommodation allowance will be paid as per the Australian Taxation Office Tax Determination for accommodation expenses current at the date of travel. This arrangement must be pre-approved by the Chief Executive Officer.

Tax withholding rate for non-commercial accommodation allowance is a minimum of 20%. If Councillor's ordinary withholding rate is higher than 20%, the tax withholding rate will be at the Councillor's ordinary rate.

Meals

Council will provide an allowance for meals, in accordance with the Australian Taxation Office ruling on travel expenses current at the date of travel, for a Councillor when a meal is not provided:

- Within the registration costs of the approved activity/event
- During an approved flight
- Any time Councillor is on Council Business

No alcohol will be paid for by Council. If the Councillor is away from home or commences their travel before 8 am or concludes after 9 am a breakfast entitlement is provided. If the Councillor is away from home or commences travel before 12 noon or concludes after 1 pm a lunch entitlement is provided. If the Councillor is away from home or commences travel before 6 pm or concludes after 7 pm a dinner entitlement is provided.

Incidental allowance

Payment will be made for any overnight travel only; the calculation is to pay on the first day of travel, on the last day of travel and for any day in between. In effect the minimum payment will be two days entitlement.

Reimbursement of Travel Costs

In the event that a Councillor is absent without approved leave, from a workshop, training or any organised Council business event for which travel costs have been incurred and/or travel allowance paid, the Councillor will be liable for reimbursement of travel costs and/or travel allowance paid.

7. Legal Representation for Councillors

Councillors can seek legal representation by written request to the Chief Executive Officer in relation to a matter that arises from the Councillor's performance of his or her functions. Former Councillors may also request legal representation.

There are four major criteria for determining whether Council will pay the legal representation costs of a Councillor.

These are:

- the legal representation costs must relate to a matter that arises from the performance, by the Councillor, of his or her functions;
- the legal representation cost must be in respect of legal proceedings that have been, or may be, commenced;
- in performing his or her functions, to which the legal representation relates, the Councillor must have acted in good faith, and must not have acted unlawfully or in a way that constitutes improper conduct; and
- the legal representation costs do not relate to a matter that is of a personal or private nature.

If the above four (4) criteria are satisfied, Council may approve the payment of legal representation costs:

- where proceedings are brought against a Councillor in connection with his or her functions – for example, an action for defamation or negligence arising out of a decision made or action taken by the Councillor; or
- to enable proceedings to be commenced and/or maintained by a Councillor to permit the Councillor to carry out his or her functions – for example, where a Councillor seeks to take action to obtain a restraining order against a person using threatening behaviour to the Councillor; or
- where exceptional circumstances are involved – for example, where a person or organisation is lessening the confidence of the community in Council by publicly making adverse personal comments about Councillors.

Council shall only approve the payment of legal representation costs if the Councillor has signed a written statement confirming that the Councillor:

- has acted in good faith, and has not acted unlawfully or in a way that constitutes corrupt conduct or misconduct, in relation to the matter to which the request for legal representation relates;
- has read, and understands, the terms of this Policy relating to legal assistance and associated costs;
- acknowledges that any approval of legal representation costs is conditional on the repayment provisions of subclause R below and any other conditions to which the approval is subject; and
- undertakes to repay to Council any legal representation costs in accordance with subclause R. G. Council will not provide or fund legal advice or representation for Councillors in relation to personal or private matters.

Council will not, unless under exceptional circumstances, provide or fund legal advice or representation for a defamation action or a negligence action instituted by a Councillor.

Council will not, unless under exceptional circumstances, pay for legal advice or representation obtained by a Councillor where the Councillor has not obtained prior written approval from the Chief Executive Officer.

In assessing a request, Council may have regard to any insurance benefits that may be available to the Councillor under Council's insurance policies.

Council may:

- refuse;

- grant; or
- grant subject to conditions a Councillor's request for payment of legal representation costs.

Conditions may include, but are not restricted to:

- Council specifying who will provide the legal services (e.g. Council's Legal Services Division or an external law firm or legal services provider);
- a financial limit;
- a requirement to enter into a formal agreement, including a security agreement, relating to the payment, and repayment, of legal representation costs; and/or
- an obligation on the Councillor to act reasonably and to disclose to Council anything that could affect representation.

If Council approves a request for payment of legal representation costs, Council:

- shall confirm the scope of the approved legal representation;
- shall take advice on the estimated costs of the matter and set a limit on the costs to be paid by Council;
- shall require full and detailed accounts from the lawyer providing the legal representation to ensure that the representation complies with the scope of Council's approval;
- may make payment of approved legal representation costs either by a direct payment to the approved lawyer (or the relevant firm), or a reimbursement to the Councillor; and
- shall not make payment for any legal services that are outside the scope of Council's approval.

A Councillor may make a further request to Council in respect of the same matter.

Council may at any time revoke or vary an approval, or any conditions of approval, for the payment of legal representation costs.

Council may, subject to below, determine that a Councillor whose request for legal representation costs has been approved has, in respect of the matter for which legal representation costs were approved –

- not acted in good faith, or has acted unlawfully or in a way that constitutes corrupt conduct or misconduct; or
- given false or misleading information in respect of the request.

A determination under the above may be made by Council only on the basis of, and consistent with, the findings of a court, tribunal or inquiry. Where Council makes a determination under the above, the legal representation costs paid by Council are to be repaid by the Councillor:

- all or part of those costs – in accordance with a determination by Council as per above;
- as much of those costs as are available to be paid by way of set-off – where the Councillor receives monies paid for costs, damages or settlement in respect of the matter for which Council paid the legal representation costs.

Council may take action in a court of competent jurisdiction to recover any monies due to it under this policy.

8. Insurance cover

Councillors will be covered under relevant Council insurance policies while discharging civic duties. Specifically, insurance cover will be provided for public liability, professional indemnity, Councillors liability and personal accident.

Manager Responsible for Review:

Head of Corporate Affairs

Adoption: June 2022

Due for Revision: 30 June 2023

James William
Chief Executive Officer



TORRES STRAIT ISLAND REGIONAL COUNCIL COUNCILLOR ADVANCE PAYMENT REPAYMENT FORM

ADVANCE PAYMENT REPAYMENT AUTHORITY FORM
Surname or Family Name:
First Given Name:
Creditor ID:
Division:

Councillor Authorisation
<p>I authorise and request Torres Strait Island Regional Council (TSIRC) to deduct the sum of \$_____ from my fortnightly base salary which represents the total amount of Advance Payment.</p> <p>In the event that I cease being a Councillor for any reason before the total amount of the Advance Payment has been repaid, I agree that the entire remaining balance then owing is to be deducted from any monies which are or which may become payable to me.</p> <p>This authorisation is to remain in force until the Councillor has repaid the Advance Payment Amount.</p>
<p>Details/Comments</p> <hr style="border: 0; border-top: 1px solid black; margin: 10px 0;"/> <p>Frequency of repayment: Fortnightly base salary</p>

FOR_BS_#305024_v2

INFORMATION PRIVACY STATEMENT

Your Personal Information is protected by law and can only be released to someone else where authorised by law or where you give your permission. Council is collecting your personal information contained in this document for the purpose of Councillor's Remuneration Payment. This collection of Personal Information is authorised by law under the *Local Government Act 2009*. It is Council's usual practice that the Personal Information contained in this document is disclosed to Queensland Audit Office or its Agent(s) as part of its regulatory requirements under the *Local Government Act 2009*. Council is aware that Queensland Audit Office and its Agent(s) may pass your Personal Information on to the Department of State Development, Infrastructure, Local Government and Planning as part of its own regulatory requirements.

Councillor Signature: _____ Date: ____/____/____





TORRES STRAIT ISLAND REGIONAL COUNCIL

COUNCIL REPORT

COUNCIL MEETING:	June 2022
DATE:	28/29 June 2022
ITEM:	Agenda Item for Resolution
SUBJECT:	Policy Matter – Support policies
AUTHOR:	Executive Director, Corporate Services

Recommendation:

That Council resolves to:

1. amend and endorse the Torres Strait Island Regional Council's *Acceptable Request and Communication Protocol Policy* previously endorsed by Council at its Ordinary Meeting on 8 December 2020 in the terms presented to Council
and
2. delegate authority to the Chief Executive Officer in accordance with the *Local Government Act 2009* to exercise the functions and powers assigned to the Chief Executive Officer under the amended and endorsed policies, including the power to make any further minor administrative amendments to the policy as they arise.

Executive Summary:

In accordance with *Local Government Act 2009* and the *Local Government Regulation 2012* Council is required to have a number of written policies and procedures. Regular monitoring and review of these is necessary to reflect legislative changes and to continuously improve Council governance.

Minor changes have been made to the policy at this time to reflect the recommendation that policies include provision for an appropriate complaints process. Noting that the *Councillor Administrative Support policy* will be presented to Council for consideration, this policy also delineates the function of specific Councillor Administrative support from that of "Support Staff" referred to in this policy.

Background

Council is required to have an *Acceptable Request and Communication Protocol Policy* to fulfil its legislative obligations in accordance with the *Local Government Act 2009*. The policy provides clarification regarding the roles of Support Staff and the terms and conditions for appropriate engagement between Councillors and Support Staff.

Comment:

The changes to this policy are nominal, providing for a complaints process and updating position titles to reflect the current approved TSIRC organisational structure. Appendix 2 has been comprehensively updated to reflect position titles and portfolio structures.

Consultation:

Manager, Governance and Compliance
Executive Director, Corporate Services
Chief Executive Officer

Links to Strategic Plans:

This policy strategically aligns to specific delivery objectives under all 3 pillars of Council's Corporate Plan, being *People, Sustainability and Prosperity*.

Risk:

There is a risk to Council, if Council does not endorse the updated policy, as the current policy has expired.

Statutory Requirements:

Local Government Act 2009
Local Government Regulation 2012

Conclusion:

That Council endorse the amended policy and delegates to the Chief Executive Officer to make further minor administrative amendments as they arise.

**Recommended:**

Megan Barrett
Executive Director Corporate Services

**Approved:**

James William
Chief Executive Officer

Attachments:

- *Amended Acceptable Request and Communication Protocol Policy*

Acceptable Request and Communication Protocol Policy

Responsible Manager	Manager, Governance and Compliance
Head of power	<i>Local Government Act 2009 Local Government Regulation 2012</i>
Authorised by	Council
Authorised on	June 2022
Implemented from	2022
Last reviewed	June 2022
Review history	2020
To be reviewed on	June 2024
Corporate Plan	People, Sustainability and Prosperity

1. Purpose

Council is strongly committed to having an inclusive, collaborative and sensitive approach to working with Elected members, community members and Council employees.

The purpose of this policy is to recognise the unique nature of our region and its culture and history. It is important this unique history and culture is recognised and incorporated as part of Council's official protocol to facilitate better relationships between our communities, our Elected members and our Council employees.

The policy informs Councillors of their obligations in dealing with Council employees and provide a framework for constructive interactions between Councillors and Council employees.

Councillors, the Chief Executive Officer, Senior Executive Employees and Council Employees must each exhibit in their internal and external communications in an official capacity of Council: -

- a) the Core Values of Council contained in the Corporate Plan;

 RESPECT	<p>We have respect for each other and the communities we serve.</p>	<ul style="list-style-type: none"> We respect and exercise Ailan Kastom in everything we do. We are open and collaborative, valuing clear community engagement. We recognise and respect diversity, individual needs, experience and strengths.
 COURAGE	<p>We are courageous leaders, who think innovatively.</p>	<ul style="list-style-type: none"> We encourage, value and reward creative thinking. We respect and explore different ideas and perspectives. We embrace change and actively promote Council's vision.
 ACCOUNTABILITY	<p>We are accountable and responsive to our communities.</p>	<ul style="list-style-type: none"> We take pride in our work and pursue a standard of service excellence. We consistently strive for transparency and good governance to the benefit of public interest. We are reliable, honest and ethical in all we do.
 RESILIENCE	<p>We are builders of a sustainable and resilient region.</p>	<ul style="list-style-type: none"> We actively seek opportunities to continuously improve and bring growth to our region. We think globally, act regionally. We empower our people and communities; embracing local opportunity and participation.
 ONE	<p>We are one team who achieves together.</p>	<ul style="list-style-type: none"> We show care for people and look out for each other We speak up and support others to be safe and healthy We respectfully address behaviours that conflict with Council's values

- b) the Local Government Principles in the *Local Government Act 2009*; and

- c) the Ethics Principles in the *Public Service Ethics Act 1994*.

2. Application and Provisions

This policy applies to all Councillors and Council employees.

To the extent that a Councillor, other than the Mayor or the chairperson of a committee (when

the request relates to the role of the chairperson) makes a request for advice or information from a Council employee that does not comply with this policy, that request is of no effect.

This policy is intended to incorporate the 'acceptable requests guidelines' under section 170A(7) of the *Local Government Act 2009* (Qld) (LGA). This is a policy of Council the contravention of which:

- by a Councillor, may be 'misconduct' under the LGA; or
- by a Council employee, may involve disciplinary action being taken against the employee.

This policy does not deal specifically with issues regarding attempts to influence Council employees. Under section 150EZ of the LGA, it is an offence for a Councillor who has a prescribed or declarable interest in a matter, to direct, influence, attempt to influence, or discuss the matter with, another person who is participating in a decision of the local government relating to the matter.

[This policy does not cover administrative support to the Mayor and Councillors. This is covered in Councillor Administrative Support Policy.](#)

3. Scope

- 3.1. Councillors may require information or advice from Council employees in order to perform their responsibilities under the LGA.
- 3.2. In order to uphold the integrity of the relationship between the elected and administrative elements of Council, this Policy specifies:
 - (a) the ways in which Councillors may request information or advice from Council employees, including the reasonable limits on requests that a Councillor may make;
 - (b) from whom within the organisation Councillors may request information or advice; and
 - (c) the manner in which Council employees are to respond to Councillor requests for information or advice.

4. Legislation and Policies

- 4.1. This policy is to be read in conjunction with the following legislative provisions and Council policies:
 - (a) sections 4, 12, 13, 170, 170A, 170AA and 171 of the *Local Government Act 2009* (Qld) (LGA);
 - (b) the *Public Sector Ethics Act 1994* (Qld);
 - (c) Council's Code of Conduct and the Code of Conduct for Councillors in Queensland or any other code of conduct made by the Minister administering the LGA which has taken effect and applies to Council.
- 4.2. A word used in this policy that is not defined in Appendix 1 has the meaning given to it by the following:
 - (a) the LGA; or

- (b) if the word is not defined in the LGA, the Macquarie Dictionary.

5. Cultural Protocols to be Observed

There are certain Indigenous protocols that must be observed in Council communication:

- 5.1. The practice of not mentioning the name of a deceased Torres Strait Islander person, or displaying photographic images of a deceased person unless agreed to by the relevant family;
- 5.2. Sensitivity to knowledge that is specific to gender (commonly referred to as 'Women's Business' or 'Men's Business').
- 5.3. Appropriate acknowledgement of guest artists that are either from or supported by the local community. In most cases, members of the community will advise staff of intrusive behaviour and/or if they are not permitted to discuss the protocol or ceremony with staff because of age, gender, status or because staff do not belong to their clan or tribal group. If staff are in doubt, assistance should be sought in the first instance from the Council's Chief Operating Officer.

6. Information or Advice that a Councillor may Request from a Council Employee

- 6.1. Subject to clauses 7, 8, 9 and 10 of this policy, a Councillor may ask a Council employee to:
 - (a) provide advice to assist the Councillor to carry out his or her duties under the LGA; or
 - (b) provide information that Council has access to, relating to Council.

7. Information from Publicly Available Sources and Subscription Services

- 7.1. Wherever practicable, Councillors are encouraged to obtain information themselves from publicly available sources without making a request under this policy, such as:
 - (a) Council's intranet;
 - (b) Council's website; and
 - (c) State Government websites, including Queensland Globe.
- 7.2. Councillors are also encouraged to obtain information themselves from libraries and other services that Council has access to on a subscription basis, including the Local Government Association of Queensland.
- 7.3. Any requests from a Councillor about how to access or utilise the platforms referred to in clauses 7.1 and 7.2 above should ideally be directed to the Senior Executive Assistant to Mayor and CEO either orally or in writing and need not comply with clause 10 below.
- 7.4. However, this policy recognises that requests for publicly available information can be made to any Council officer and need not comply with clause 10 below, provided those requests are limited to Publicly Available Information.

8. Information/Advice that Cannot be Requested

- 8.1. Section 170A(4) of the LGA provides that a Councillor may not request information:
- a) that is a record of the conduct tribunal; or
 - b) that was a record of a former conduct review body; or
 - c) if disclosure of the information to the Councillor would be contrary to an order of a court or tribunal; or
 - d) that would be privileged from production in a legal proceeding on the ground of legal professional privilege.
- 8.2. In addition, a Councillor may not request information or advice involving any of the following:
- a) information or advice which is not of the type stated in clause 6 of this policy;
 - b) information which is a public interest disclosure under the *Public Interest Disclosure Act 2010* (Qld);
 - c) personal information under the *Information Privacy Act 2009* (Qld);
 - d) the employment records of a Council employee;
 - e) matters relating to the conduct of any Councillor, including any complaint, referral or investigation about that conduct to the extent it is not Publicly Available Information;
 - f) confidential information under the *Crime and Corruption Act 2001* (Qld); and
 - g) information about recruitment of an individual or a recruitment process for a particular role within Council.
- 8.3. However, a Councillor may request information or advice that is confidential information of Council (other than information noted in clause 8.2 above or section 170A(3) of the LGA) or involves a confidential matter provided that:
- a) the request is made under clause 10 of this policy and only to the CEO (and no other Council officer); and
 - b) any information is immediately returned to the CEO at his or her request.
- 8.4. Clause 8.2(e) does not apply to a Councillor who is managing the investigation of suspected inappropriate conduct of other Councillors in accordance with an investigation policy adopted by Council under section 150AE of the LGA.

9. Directions

- 9.1. Under no circumstances may a Councillor give a direction to a Council employee.
- 9.2. Despite clause 9.1, the Mayor may give a direction to the CEO in accordance with section 170 of the LGA.

10. Manner in which a Councillor can Request Information from a Council Employee

- 10.1. A Councillor may only request information from a Council employee if all the following criteria are satisfied:

- a) the request is made to:
 - (i) the CEO; or
 - (ii) an employee acting in a position identified in Column 1 in the table in Appendix 2, if:
 - A. the request is made in relation to a subject area identified as appropriate for that position in Column 2 of that table; and
 - B. the request is of an appropriate type identified for that employee in Column 3 of that table; and
- b) the request is made in writing, unless:
 - (i) the request involves information which is generally accessible to the public;
 - (ii) in the case of a request made to the CEO, Chief or Head of Department, the employee agrees that a verbal request is sufficient in the circumstances and the employee records the details of a request in a file note;
 - (iii) in the case of any other employee identified in Column 1 in the table in Appendix 2, the Chief or Head of Department to whom that employee reports has agreed that a verbal request is sufficient in the circumstances and the employee records the details of a request in a file note; or
 - (iv) in the case of an emergency; and
- c) the request is made in good faith; and
- d) the request would not involve an unreasonable use of a Council employee's time having regard to the resources available to Council.

11. Responding to Councillor Requests

11.1. If a Council employee receives a request from a Councillor that the employee considers does not comply with this policy, the employee may refuse to deal with that request by:

- a) in the case of the CEO, taking an Action in accordance with clause 11.4 of this policy;
- b) in the case of an Executive, notifying the CEO about the request and the reasons for the employee's concerns;
- c) in the case of a Head of Department, notifying the Executive to whom they report about the request and the reasons for the employee's concerns; or
- d) in the case of any other employee, notifying the Head of Department or Executive to whom they report about the request and the reasons for the employee's concerns.

11.2. If a Head of Department or an Executive receives a notification pursuant to clause 11.1 of this policy, that person must consider the concerns identified and make one of the following decisions:

- a) the Councillor's request does not comply with this policy, in which case that person must take an Action in accordance with clause 11.4 of this policy;
- b) the Councillor's request complies with this policy, in which case that person will

direct the relevant employee to comply with the Councillor's request in accordance with clause 11.5 of this policy; or

- c) the concerns raised in relation to the Councillor's request need to be elevated to a more senior employee for consideration.

11.3. If the CEO receives a notification pursuant to either clause 11.1 or clause 11.2 of this policy, the CEO must consider the concerns identified by the employee and make one of the following decisions:

- a) the Councillor's request does not comply with this policy, in which case the CEO must take an Action in accordance with clause 11.4 of this policy; or
- b) the Councillor's request complies with this policy, in which case the CEO will direct the relevant employee to comply with the Councillor's request in accordance with clause 11.5 of this policy.

11.4. If a Head of Department, an Executive or the CEO decides that a request made by a Councillor does not comply with this policy, that person must notify the Councillor that an Action is required to be taken in relation to the request for information or advice.

11.5. If an employee receives a request for information or advice from a Councillor that the employee considers, or that the employee has been directed pursuant to clause 11.2(b) or 11.3(b) of Guidelines, complies with this policy, the employee must:

- a) in writing to the Councillor:
 - (i) confirm receipt of the request and the scope of the request within 24 hours if possible;
 - (ii) indicate the turnaround time to provide the information or advice requested; and
- b) provide the information or advice requested to the Councillor within that turnaround time and as soon as reasonably practicable.

11.6. Paragraph 11.5(a) is subject to factors such as (but not limited to) availability of the recipient to acknowledge receipt, competing priorities of the recipient, and outage of communications.

11.7. Notwithstanding paragraph 11.6, Councillors, the Chief Executive Officer, Senior Executive Employees and Council Employees shall do all things reasonably practicable to meet acceptable response times whilst absent from duty/otherwise occupied (including enabling Outlook Out of Office Assistant, having staff check emails and acknowledge receipt in the recipient's absence, and diverting phones to alternate staff in the recipient's absence).

12. Councillor Challenge

12.1. If a Councillor is dissatisfied with an Action required under clause 11.4 of this policy, other than in relation to an Action required to be taken by the CEO, the Councillor may notify his or her concerns to the person to whom the employee reports.

12.2. If a Councillor is dissatisfied with either the proposed or actual turnaround time for a request or with the type or extent of information provided in response to a request under clause 11.5 of this policy, other than in relation to a request made to the CEO, the

Councillor may notify his or her concerns to the person to whom the employee reports.

- 12.3. If a Councillor has notified a person about a concern under clauses 12.1 or 12.2 of this policy, the person must undertake a review as soon as practicable and advise the Councillor in writing about how the concern will be addressed (if at all).
- 12.4. If a Councillor is dissatisfied with a review decision made pursuant to clause 12.3, and the person who made the review decision is not the CEO, the Councillor may notify his or her concerns to the CEO. The CEO must undertake a review as soon as practicable and advise the Councillor in writing about how the concern will be addressed (if at all).
- 12.5. If a Councillor (other than the Mayor) is dissatisfied with:
- a) an Action required by the CEO pursuant to clause 11.4 of this policy;
 - b) the CEO's proposed or actual turnaround time for a request under clause 11.5 of this policy;
 - c) the type or extent of information provided by the CEO in response to a request under clause 11.5 of this policy; or
 - d) a decision made by the CEO under either clause 12.3 or clause 12.4 of this policy, the Councillor may notify the Mayor about his or her concern.
- 12.6. Clause 12.7 applies if:
- a) a Councillor notifies the Mayor of a concern under clause 12.5 of this policy; or
 - b) with respect to a request by the Mayor under this policy, the Mayor is dissatisfied with the response to the request.
- 12.7. The Mayor may bring the matter to the attention of the CEO (either orally or in writing).
- 12.8. Unless the Mayor gives a direction to the CEO under section 170(1) of the LGA, the CEO may deal with the concern brought to his or her attention under clause 12.7 as the CEO considers appropriate.

13. Complaints

13.1. A Councillor's failure to follow any Council Policy regarding Support contravenes the behavioural standards set out under the Code of Conduct for Councillors in Queensland and is considered inappropriate conduct. Council employees including Support Staff, other Councillors or members of the community may lodge complaints about suspected inappropriate conduct to the Office of the Independent Assessor

13.2. When an individual feels that they are subject to Torres Strait Island Regional Council's failure to act compatibly with human rights, they can make a complaint directly to Torres Strait Island Regional Council. These complaints will be assessed against the *Human Rights Act 2019*.

13.14. Councillor Use of Information

A Councillor must only use information or advice obtained from a Council employee for a proper purpose and must not use the information or advice in contravention of section 171 of the LGA

14.15. Forms of address

14.1.15.1. When addressing a Councillor in conversation, the Chief Executive Officer, Senior Executive Employees and Council Employees shall seek to address:

- a) the Mayor as “Mayor”, “Mr/Mrs/Ms Mayor”, “Mayor [SURNAME]”, “Councillor [SURNAME]”, or “Councillor”; and
- b) the Deputy Mayor as “Deputy Mayor”, “Mr/Mrs/Ms Deputy Mayor”, “Deputy Mayor [SURNAME]”, “Councillor [SURNAME]”, or “Councillor”; and
- c) Councillors other than the Mayor as “Councillor [SURNAME]”, or “Councillor”.

14.2.15.2. When addressing Ministers or Members of Parliament, the Chief Executive Officer, Senior Executive Employees and Council Employees shall seek to address: -

- a) the Prime Minister as “Prime Minister”, “Mr/Mrs/Ms Prime Minister”; and
- b) the Premier as “Premier”, “Mr/Mrs/Ms Premier”; and
- c) Ministers, as “Minister [SURNAME]”, or “Minister”; and
- d) Members of Parliament as “Mr/Mrs/Ms/Dr Last Name”.

15.16. Updates

15.1.16.1. The Chief Executive Officer may make changes to, and update appendix 2 as required.

Manager Responsible for Review:

Manager, Governance and Compliance

Adoption: June 2022

Due for Revision: June 2024

James William
Chief Executive Officer

Appendix 1 – Definitions

Each of the terms in Column 1 in the below Table has the meaning given in Column 2

Term	Meaning
Action	<p>An action that may be taken in relation to a Councillor request pursuant to clause 11.4 of this Policy. An Action may include, for example, that:</p> <ul style="list-style-type: none"> a) the request be directed to another employee; b) the scope of the request be re-drafted; or c) the request be made in writing.
Head of Department	<p>Head of Department. A Head of Department is a senior Council employee, who reports directly to an Executive.</p>
CEO	<p>The Chief Executive Officer of Council appointed pursuant to section 194 of the LGA.</p>
Council	<p>Torres Strait Island Regional Council</p>
Councillor	<p>An elected member of Council, including the Mayor.</p>
Emergency	<p>An event or situation that involves an imminent and definite threat requiring immediate action (whether before, during or after the event or situation). An emergency may include a storm, fire, flood or similar happening, or a riot or open violence.</p>
Executive	<p>Chief Engineer, Chief Financial Officer, Chief Operational Officer. An Executive is a Senior Executive Employee.</p>
Policy	<p>This document, which is Council's 'acceptable requests guidelines' under section 170A(7) of the LGA.</p>
LGA	<p>Local Government Act 2009 (Qld)</p>
Publicly Available Information	<p>Information in a register or other instrument required to be kept by Council under a relevant Act or Regulation, including under the LGA, the <i>Planning Act 2016</i> (Qld) or the <i>Environmental Protection Act 1994</i> (Qld), that is accessible by a member of the public either free of charge or on payment of a fee.</p>
Senior Executive Employee	<p>A Council employee:</p> <ul style="list-style-type: none"> a) who reports directly to the Chief Executive Officer; and b) whose position ordinarily would be considered to be a senior position in the local government's corporate structure. <p>For clarity, an Executive is a Senior Executive Employee.</p>
Technical Advice	<p>Advice strictly limited to the mechanics or technicalities of a particular subject area of a Council employee's employment.</p>

Appendix 2

Position Name	Subject Area	Complexity (within subject area)	Other comments
Office of CEO			
Senior Executive Assistant to Mayor and CEO	Information regarding meetings, booking of flights to attend Council business	Any	Councillor Administrative Support Policy
Executive Assistant to the Mayor	As determined by the Mayor/CEO (note CEO reporting line)	Any, noting provisions of Councillor Administrative Support policy and parameters of Position Description	Councillor Administrative Support Policy
Building and Community Services			
Executive Director Building and Community Services	All matters pertaining to the portfolio	Any	
Head of Community Services	All responsible programs and services	Any	
Head of Building Services	All responsible programs and services	Any	
Financial Services			
Executive Director Financial Services	Finance, Procurement and Payables Operational issues.	Any	
Head of Financial Services	Financial reporting and performance, budget, treasury, asset management, payroll, and creditors.	Any	
Payroll Officers	Payment Summary	Any	
Procurement	Procurement and sourcing	Any	
Engineering			

Executive Director Engineering Services	Engineering Policy, Service delivery levels, Strategy, Climate change/environment, Community needs, Infrastructure needs	Any	
Manager Engineering Operations	Disaster Management, Engineering Operations	Any	
Manager Water and Wastewater	Water and Wastewater Service and Projects	Any	
Manager Capital Works	Engineering Infrastructure Project Delivery	Any	
Corporate Services			
Executive Director Corporate Services	All Corporate Services functions	Any	
Head of Corporate Affairs	Governance, Enterprise Development, Customer Services, Media	Any	
Manager Information Technology Services	IT Matters and Help Desk	Any	
Manager Governance and Compliance	Governance matters, Councillor meeting procedures, conflicts of interest, Belcarra reform	Any	
Enterprise Development Manager	Funding matters, enterprise development	Any	
Grants Officer	Funding matters, Grant applications and opportunities	Any	
Manager Legal Services	All legal matters being managed by legal services unit	Any	
Manager People & wellbeing	People and Wellbeing matters, noting confidentiality and privacy provisions	Any	



TORRES STRAIT ISLAND REGIONAL COUNCIL

AGENDA REPORT

SPECIAL MEETING:	June 2022
DATE:	28-29 June 2022
ITEM:	Agenda Item for Resolution by Council
SUBJECT:	Change of August 2022 OM meeting dates
AUTHOR:	Megan Barrett, Executive Director Corporate Services

Recommendation:

Council resolves to change the dates for the August 2022 Ordinary Meeting of Council from Tuesday 16 August 2022 and Wednesday 17 August 2022 to Wednesday 24 August and Thursday 25 August 2022.

Executive Summary:

23 August 2022 marks the 85th anniversary of the First Island Councillors Conference. Significant festivities are proposed for this milestone event. In order to accommodate travel logistics for guests and dignitaries attending both the festivities and the Council Ordinary Meeting, it is proposed to amend the dates of the August 2022 Council meeting to Wednesday 24 August and Thursday 25 August 2022.

Background:

Council has published its annual calendar of meetings, including dates and venues, in accordance with its obligations under the *Local Government Regulation 2012*. Any change of dates or venue requires a Council resolution, prior to revised information being disseminated to the public.

Comment:

Council may vary the details of meetings where sufficient advance notice is provided. The proposed festivities at Masig to celebrate the 85th anniversary of the First Island Councillors Conference are significant community events and have the potential to focus significant media and public attention on the Torres Strait Island Regional Council Communities. The proposed change will not impact on travel costs but may yield higher returns in terms of profiling communities by ensuring attendance by Councillors. It will be important for TSIRC to confirm venue availability for the meeting well in advance of the revised dates.

Considerations

Risk Management

Resolving to change the dates for the meeting as far in advance as possible will assist with mitigating risks such as availability of accommodation, transfers and meeting venues.

Council Finance

No cost associated with change of dates as proposed.

Consultation:

- Mayor
- Chief Executive Officer

Links to Strategic Plans:

This proposal strategically aligns to specific delivery objectives under the People and Sustainability pillars of Council's Corporate Plan.

Statutory Requirements:

Local Government Act 2009

Local Government Regulation 2012

Conclusion:

Council resolves to change the dates for the August 2022 Ordinary Meeting of Council from Tuesday 16 August 2022 and Wednesday 17 August 2022 to Wednesday 24 August and Thursday 25 August 2022.



Recommended:
Megan Barrett
Executive Director Corporate Services



Approved:
James William
Chief Executive Officer



TORRES STRAIT ISLAND REGIONAL COUNCIL

AGENDA REPORT

ORDINARY MEETING:	June 2022
DATE:	28-29 June 2022
ITEM:	Agenda Item for Resolution by Council
SUBJECT:	Queensland Local Government Mutual Liability Membership Renewal 2022-2023
AUTHOR:	Nerida Carr, Manager of Risk and Ethics

Recommendation:

Council resolves to

- Renew membership of Queensland Local Government Mutual (LGM Liability) per invoice 092-104930 and correspondence dated 1 June 2022, effective from 30 June 2022, for the amount of \$224,775.94 (excluding GST)
- and
- Delegate authority to the Chief Executive Officer in accordance with the *Local Government Act 2009*:
 - power to approve, finalise and execute all matters associated with or in relation to Queensland Local Government Mutual membership including without limitation any options and/or variations.

Executive Summary:

The purpose of this report is to present Local Government Mutual's Liability Membership Contribution Notice and supporting Liability cover arrangements for the 2022-23 financial year.

Local Government Mutual (LGM) was established by the Local Government Association of Queensland (LGAQ) in 1994. Torres Strait Island Regional Council (Council) joined the Liability Mutual in 2020-21, the Assets Mutual in 2021-22 and has covered its Workers Compensation risks via membership of another section of LGM – Local Government Workcare - for many years.

LGM's sole purpose is providing Queensland Councils with comprehensive cover (not otherwise available in the commercial insurance market) avoiding direct dependence on the traditional market. Of the 77 Queensland Councils, we are now one of the 74 Council members who act collectively to arrange liability covers, manage claims and the underlying risk exposure.

Background:

Liability Insurances are required under Chapter 4, Part 3, Section 107 of the *Local Government Act 2009*.

Comment:

Specifics of the LGM Liability Membership arrangements along with the covers, risk management and other services available to Council are detailed in the attached LGM Liability Membership Contribution Notice 2022-23 dated 1 June 2022.

The LGM Liability suite of covers provided with 2022-23 membership include the following:

- Public Liability (including operation of airports and aerodromes)
- Products Liability
- Professional Indemnity
- Councillors and Officers Liability
- Employment Practices Liability
- Cyber Liability
- Casual Hirers Liability

A range of supplementary covers can also be arranged when required.

Council's annual contribution to LGM Liability is not a contract of indemnity as is the case with commercial insurance policies. It is a contribution by a member to a discretionary trust held for its benefit, not a contract. While the default contracting provisions (contained in Chapter 6, Part 3 of the *Local Government Regulation 2012*) are quite specific in that they require Councils to tender for certain contracts, Members' contributions do not constitute a contract for the purposes of the legislation.

Council has been able to obtain a Risk Management rebate of 1% on the 2022-23 membership contribution by our voluntary participation in the annual LGM Risk Self-Assessment Survey. As an ongoing member, we also benefited from a share in the \$2.45million surplus distribution declared by the LGAQ as Trustee. The Risk Management Rebate is deducted from the next year's membership contribution, and the Surplus Distribution is issued as a credit note. Elected members have previously requested that this revenue, when received, is

- Visible in the budget for Risk Management
- Brought to the attention of the full Council
- Used to support our people by seeing the Manager of Risk and Ethics on the ground, division by division

The Risk Management Operational Plan objectives and budget have been formulated to include these requirements.

This is summarized below:

LGM LIABILITY MEMBERSHIP CONTRIBUTION 2022/23	
Membership Contribution	\$227,046.40
Risk Management Rebate	(\$2,270.46)
Membership Contribution Invoice (excl GST)	\$224,775.94
GST	\$22,477.59
Membership Contribution Invoice (incl GST)	\$247,253.53
Surplus Distribution	(\$18,905.50)

Considerations

Risk Management

The LGM schemes provide coverage and risk management solutions for the specific and specialised risks face by Queensland local government. Risk Management Services provided as part of membership include:

- risk management advice, guides and materials
- Enterprise Risk Management (ERM) guidance and support
- the ongoing assistance of the LGMS Regional Risk Coordinator

These services support Council in our journey to improve risk profiles and cost outcomes.

Council Finance

The risk management services, limits of indemnity and the breadth of cover able to be secured under the LGM Liability membership is at a cost not otherwise achievable individually by Council. As this is a mutual liability scheme, no stamp duty is applied to Council's membership contributions. There are also no insurance broker fees payable.

Consultation:

- Internal consultation comprised of the Manager Risk and Ethics liaising with relevant Executive, Information Technology, Legal Services, Management Accounting, People and Wellbeing, Assets, and Engineering.
- External consultation occurred with LGM's member services and Regional Risk Coordinator.

Links to Strategic Plans:

Corporate Plan 2020-2025: We manage Council affairs to the benefit of our communities.

Statutory Requirements:

Local Government Act 2009

Local Government Regulation 2012

Conclusion:

That Council resolves to renew membership of Queensland Local Government Mutual (LGM Liability) for the amount of \$224,775.94 (excluding GST) and delegate authority to the Chief Executive Officer in accordance with the *Local Government Act 2009* to approve, finalise and execute all matters associated with or in relation to Queensland Local Government Mutual membership including without limitation any options and/or variations.

Attachment:

- LGM Liability Membership Contribution Notice 2022-23



Recommended:
Megan Barrett
Executive Director Corporate Services



Approved:
James William
Chief Executive Officer



1 June 2022

Chief Executive Officer
Torres Strait Island Regional Council
PO Box 7336
CAIRNS Qld 4870

Queensland Local Government Mutual
ABN 48 871 511 808

Managed by
JLT Risk Solutions Pty Ltd
ABN 69 009 098 864

27 Evelyn Street
Newstead QLD 4006

PO Box 2321
Fortitude Valley BC QLD 4006
Tel +61 7 3000 5555
Direct +61 7 3000 5519
Mobile+61 418 430 174
Fax +61 7 3000 5550
Email Jenny.Dooley@jlta.com.au

LGM LIABILITY MEMBERSHIP 2022/23

The LGM Queensland Board of Management has established membership contributions and supporting liability cover arrangements for the 2022/23 period. Specifics of the LGM Liability membership arrangements along with the covers, risk management and other services available to Members are detailed below and in the attached invoice and certificate of currency.

While general insurance markets have hardened significantly in recent years, LGM Liability has continued to provide a stability in availability, cost and consistency in all risk solutions and initiatives.

The general market naturally has implications for necessary and prudently required supporting insurance. However it is important to recognise that LGM Liability has been deliberately structured as a member-owned mutual vehicle to:

- ensure long term availability of coverage
- ensure long term stability and sustainability of cost
- better understand and manage risks faced by the sector
- provide unrivalled value to members.

In addition to these underlying strengths and capacities of the mutual model, all member Councils that participated in the annual Risk Self-Assessment will again receive the benefit of available rebates to reduce their total membership contribution.

The LGAQ as Trustee has also declared a surplus distribution of \$2.45 million to be distributed to all continuing Members in proportion to member contributions. This distribution has been made possible by the ongoing commitment of Members to both the LGM Liability mutual as well as continuous improvement their individual and collective management of risk.

This distribution to Members continues to demonstrate benefits arising from mutual ownership, which allow operating surpluses to be retained and where appropriate distributed to Members in the form of financial dividends and additional services.

LGM LIABILITY MEMBERSHIP PERFORMANCE UPDATE

LGM Liability continues to exist for the sole purpose of benefiting Queensland local government by providing effective and appropriate coverage for the legal liability of Members with a long term goal of achieving cost stability and minimising the impacts of volatility experienced in the general insurance and financial sectors.

The LGW / LGM Annual Report for 2020/21 confirms that LGM continues to perform well financially.

While there has been some deterioration in LGM General Liability (public liability and professional indemnity) claims, the actuarial claims forecast remains generally positive. There have also been positive outcomes for a number of claims in excess of the \$1m that LGM Liability retains for each and every claim.

From 30 June 2019, LGM Liability members have been provided with Cyber Liability cover in response to the increased cyber exposure for all entities including local governments. This cover was provided to Members in 2019/20 at no additional membership contribution. The adoption of cover at that time has ensured all Members receive the benefit of what has been a rapidly evolving risk with significant losses and a particularly difficult market to enter at this stage. LGM will continue to partly fund the cost of this cover over the coming year.

The Councillors & Officers Liability (including Employment Practices Liability) claims experience has stabilised after a considerable deterioration in the preceding 5 years. This is due to a number of different factors including increases in the investigative focus of relevant agencies on the conduct of Councillors and Officers, related amendments to the relevant legislation and a number of significant employment related claims.

The LGM Casual Hirers Liability cover is unique in that it covers the liability of a casual hirer of any Council facility including parks and recreational areas. In doing so it provides Council with protection in the event of an injury or damage occurring on Council premises as a result of the hirer's negligence. The cover has been enhanced in recent years to cover not only individual ad hoc hirers of Council facilities but also group hirers. The broader cover has seen a significant increase in the number of hires per year reported by Members.

COMMERCIAL LIABILITY INSURANCE ENVIRONMENT

The ongoing COVID-19 pandemic continues to have global financial impacts with obvious implications for all sectors.

Overall conditions in the general insurance market appear to be starting to ease following a sustained period of hardened conditions. The major driver of these conditions has been the deteriorating loss experience of insurers resulting from an increase in significant and catastrophic claims.

Insurers have been seeking to respond to the deteriorating operating ratios and diminished investment returns in order to ensure that the market can continue to function and there is sufficient money available to meet claims. For some markets, that has meant a withdrawal from certain lines of cover. More commonly, the strategies adopted by insurers have included:

- reducing their capacity
- contractions in policy cover including reduced limits of liability, removal of cover for certain perils and narrower policy wording terms and conditions
- sustained and significant rate increases.

Cyber risk insurance remains particularly challenging as a result of frequent and severe ransomware losses. This has seen a rapid increase in pricing and deductibles, as well as a marked reduction in capacity and narrowing of key coverages.

LIABILITY COVERS

Limits for the **suite of covers** provided for each LGM Liability Member are:

LGM LIABILITY COVERS	LIMIT OF INDEMNITY
Public Liability Products Liability Professional Indemnity	\$600 million each claim \$600 million in the aggregate each Member \$600 million in the aggregate each Member
Councillors & Officers Liability Employment Practices Liability	\$10 million in the aggregate each Member \$2 million in the aggregate each Member
Cyber Liability	\$2 million in the aggregate each Member
Casual Hirers Liability	\$10 million (\$20 million automatic increase)

From 30 June 2019 the general liability cover was also extended to include Members' liability arising from their operation of airports and aerodromes.

The cover also extends to include Members' liability arising from their operation of Remotely Piloted Aircraft (RPA) as permitted by and on the basis of compliance with Civil Aviation Safety Authority (CASA) Regulations and a 500 metre height restriction.

Electrical Contractor Consumer Protection liability cover continues to be included where needed by Members to satisfy statutory requirements.

A range of **supplementary covers** can also be arranged on behalf of Members where required including:

SUPPLEMENTARY COVERS
Councillors & Officers Liability for limits in excess of \$10 million
Cyber Liability for limits in excess of \$2 million
Pollution Legal Liability (environment / effluent reuse)
Uninsured Community Groups
Stallholders, Buskers and Artists Liability
Council Swimming Pool Lessees Liability
Caravan Park Lessees Liability

SUPPORTING INSURANCE PROGRAMS

By acting cooperatively for over 25 years, LGM Liability has:

- adopted a \$1 million self-insured retention and **enabled collective engagement** of Queensland local government with reinsurance markets to achieve best outcomes possible
- avoided direct dependence upon the commercial public liability insurance market and its volatility in respect of availability and cost and need to satisfy the profit requirements of commercial insurer shareholders
- obtained further benefit by acting in concert with each of the state based Local Government liability schemes to purchase supporting public liability and professional indemnity excess layer cover
- achieved increased and enhanced cover with liability cover extended to Remotely Piloted Aircraft / Drone liability cover as well as Airport Operations liability
- ensured **certainty** about future programs.

RISK MANAGEMENT SERVICES

The LGM Risk Management Service continues to provide access to:

- technical yet **practical liability risk management advice** and materials, supported by a dedicated Senior Risk Consultant, including the development and release of new and reviewed Guides each year
- organisation wide Enterprise Risk Management (ERM) guidance and support
- the ongoing assistance of the LGMS Regional Risk Coordinators who partner at a strategic level with Councillors and senior officers to encourage ERM and respond to requirements of regulatory authorities including the Department of Local Government and the Queensland Audit Office
- JRS, an internet based risk management tool.

CLAIMS SERVICES

LGM Liability provides a unique claims management service which continues to develop processes to involve levels of **consultation with Members** which are not available from commercial insurers.

The claim services are delivered by

- a sophisticated and dedicated liability specialised team
- with high levels of relevant legal and risk industry qualifications, expertise and experience
- committed to Queensland Local Government demonstrated by long periods of involvement
- who continue to be based here in Queensland.

CLAIM NOTIFICATIONS

Please note that any matter that you are aware of or which you should reasonably be aware of for one of the 'claims made' covers should be notified to LGM by 30 June 2022. The claims made liability covers are Professional Indemnity, Councillors & Officers Liability, Employment Practices Liability and Cyber Liability.

LGM GOVERNANCE

As one of the three LGMS mutuals, LGM Liability has a robust governance framework which ensures that it operates effectively, remains accountable and is able to achieve its objectives. The LGM governance framework structures include:

- Local Government Association of Queensland trusteeship. As Trustee the LGAQ is bound by its fiduciary duty to act only in the interests of the scheme's beneficiaries, that being the Members, formalised through a Trust Deed
- Board oversight. The LGM scheme is directed by a Board of Management comprised of current elected members, senior representatives of local government and legal and industry specialists. Each board member comes with significant direct local government experience.
- Developed policies which are reviewed on an annual basis relating to risk management, corporate governance, capital management, investments, member contributions, related party disclosures and delegations
- The provision to Members of detailed financial statements by way of an Annual Report which is subject to audit by the Queensland Audit Office each year.

Members may at any time direct governance queries directly through to the LGAQ as scheme Trustee.

The LGM Board has considered and determined membership contributions and supporting liability cover arrangements for the 2022/23 period.

MEMBERSHIP CONTRIBUTIONS

When setting the LGM Liability membership contributions for 2022/23, the Board have taken into account:

- a positive actuarial claim forecast
- organic growth in legal liability exposures due to population and CPI increases
- the increased cost of the supporting insurance program
- anticipated future investment returns
- the desire to maintain and protect the **financial stability** enjoyed by LGM Members
- equity between Members with contributions consistent with Member's respective liability exposures and claims experiences
- application of a cap to protect individual Members against significant fluctuations.

STAMP DUTY

As LGM Liability is a mutual liability scheme, it is confirmed that **no stamp duty** has been applied to the Council's membership contributions.

SURPLUS DISTRIBUTION

A \$2.45 million surplus distribution has been declared by the LGAQ as Trustee that will be distributed to all ongoing Members:

- which acknowledges the continuing positive scheme performance, investment returns and its impact on the strength of LGM's accumulated financial reserves
- while maintaining financial reserves based on APRA prudential requirements and avoiding volatility in the various elements of the liability environment
- planning for future cost stability in membership contributions
- and considering the potential financial implications and the impacts of COVID-19.

RISK MANAGEMENT REBATE

The results of the annual LGM Risk Self-Assessment Survey results are being collated and will be communicated to participating Members.

Member Councils were again encouraged to complete the self-assessment, as it provides a process to review risk management systems and processes against recommended practice and identify opportunities and priorities for improvement.

Participation in the Survey is voluntary with a 1% participation rebate for participating Members. A further 1% performance rebate is applied where the results exceed the previous year's Scheme average.

Rebates are reflected in your contributions where available.

YOUR MEMBERSHIP CONTRIBUTION 2022/23

The resulting membership contribution and surplus distribution will be:

LGM LIABILITY MEMBERSHIP CONTRIBUTION 2022/23	
Membership Contribution	\$227,046.40
Risk Management Rebate	(\$2,270.46)
Membership Contribution Invoice (excl GST)	\$224,775.94
GST	\$22,477.59
Membership Contribution Invoice (incl GST)	\$247,253.53
Surplus Distribution	(\$18,905.50)
FINAL AMOUNT PAYABLE (incl GST)	\$228,348.03
FINAL AMOUNT PAYABLE (excl GST)	\$205,870.44

LGM LIABILITY STRENGTHS AND CAPACITIES

LGM Liability continues as:

- a body **entirely owned and operated by Queensland Local Government**
- with ongoing almost universal membership
- which exists for the sole purpose of benefiting Local Government by providing effective and appropriate coverage for the legal liability of Members
- achieving best possible outcomes in risk management, claims and supporting insurance outcomes and ultimately financial stability
- with the ultimate tangible manifestation of these benefits being the surplus distribution and the ongoing development of additional risk related services.

LGM has a proven track record of achieving the goals to:

- avoid direct dependence on the commercial insurance market (which continues to be increasingly characterised by volatility in availability and cost)
- provide effective and appropriate cover for liability risks tailored to the needs of local government
- provide consistent and stable annual contributions as a result of **long term strategic capacity**
- have a complete understanding of local government risks
- adopt a strategic rather than transactional approach
- provide a broad service offering – more than just liability cover
- provide a superior claims service with a consistent approach to claims management as well as financial data management
- support an intensive targeted collective approach to risk improvement which will lead to reduced costs and better outcomes.

Details of the covers provided pursuant to LGM Liability membership including all relevant complete Wordings and Risk Management materials can be found on the [LGMS Member Centre](#) website.

Should you require any further information or wish to discuss any aspect, please contact the LGM Liability team to discuss.

Yours faithfully,



Ian Leckenby
Chair, LGM Board of Management

Encl



1 June 2022

Chief Executive Officer
Torres Strait Island Regional Council
PO Box 7336
CAIRNS Qld 4870

Queensland Local Government Mutual
ABN 48 871 511 808

Managed by
JLT Risk Solutions Pty Ltd
ABN 69 009 098 864
27 Evelyn Street
Newstead QLD 4006

PO Box 2321
Fortitude Valley BC QLD 4006

Direct: +61 7 3000 5519
Mobile+61 418 430 174
Email Jenny.Dooley@jlta.com.au

Certificate of Currency

Coverage Class:	Public Liability, Products Liability and Professional Indemnity
Member Name:	Torres Strait Island Regional Council
Additional Name(s):	N/A
Coverage Expiry Date:	30 June 2023
Situation:	Worldwide excluding USA & Canada
Interest:	Legal liability to third parties; <ul style="list-style-type: none">• for Personal Injury and/or Damage to Property caused by an occurrence and/or,• arising out of any negligent act, error or omission whenever or wherever the same was or may have been committed or alleged to have been committed by the Member, in connection with, or in the conduct of, the Member's business.
Limit of Indemnity:	Public Liability: \$600,000,000 Products Liability: \$600,000,000 in the aggregate Professional Indemnity: \$600,000,000 in the aggregate.
Deductible:	\$7,500
Coverage Provided By:	Queensland Local Government Mutual (LGM Liability)
Reference Number:	TORRES000232
Special Provisions:	N/A

This certificate of currency provides a summary of the cover and is current on the date of issue. It is not intended to amend, extend, replace or override the terms and conditions contained in the actual coverage documents. This certificate of currency is issued as a matter of information only and confers no rights upon the certificate holder. We accept no responsibility whatsoever for any inadvertent or negligent act, error or omission on our part in preparing these statements or in transmitting this certificate by email or for any loss, damage or expense thereby occasioned to any recipient of this letter.

Yours faithfully,

Jenny Dooley
Divisional Manager – Liability & Risk



27 May 2022

Torres Strait Island Regional Council
The Chief Executive Officer
PO Box 7336
CAIRNS QLD 4870

Queensland Local Government Mutual
ABN 48 871 511 808

Managed by
JLT Risk Solutions Pty Ltd
ACN 009 098 864

27 Evelyn Street
NEWSTEAD QLD 4006
PO Box 2321
Fortitude Valley BC QLD 4006

Tel +61 7 3000 5555
Fax +61 7 3000 5550

www.lgm.qlta.com.au

Statement

Month May 2022
Client Code 092-TORRSTRA

Date	Ref No	Insurance Class/Details	Amount	Outstanding	Status
25/05/2022	092-104930	Public Liability-Professional Indemnity	247,253.53	247,253.53	30/06/2022
26/05/2022	092-104942	Local Government Liability	18,905.50CR	18,905.50CR	
			Balance Due	\$228,348.03	

Remittance Advice

Please forward your payment to:
LGM Queensland
27 Evelyn Street, NEWSTEAD QLD 4006
PO Box 2321, Fortitude Valley BC QLD 4006

Month May 2022
Client Code 092-TORRSTRA
Team 001
Balance Due \$228,348.03

Payment Options

Pay by cheque. Detach this remittance advice and return together with your payment.

Pay by direct credit into the following AUD account:

Bank: ANZ Banking Group Ltd
Branch: 3 Breakfast Creek Road, NEWSTEAD QLD 4000
Account Name: Queensland Local Govt Mutual
BSB: 014-245
Account No: 837322706



25 May 2022

Torres Strait Island Regional Council
The Chief Executive Officer
PO Box 7336
CAIRNS QLD 4870

Queensland Local Government Mutual

ABN 48 871 511 808

Managed by
JLT Risk Solutions Pty Ltd
ACN 009 098 864

27 Evelyn Street
NEWSTEAD QLD 4006
PO Box 2321
Fortitude Valley BC QLD 4006

Tel +61 7 3000 5555
Fax +61 7 3000 5550

www.lgm.jlta.com.au

Tax Invoice

YOUR SERVICE CONTACTS ARE JENNY DOOLEY (+61 7 3000 5519) & EMMA VAN KALKEN

Invoice #	092-104930	Client ID	092-TORRSTRA	<table> <tr> <td>Contribution</td> <td>224,775.94</td> </tr> <tr> <td>GST</td> <td>22,477.59</td> </tr> <tr> <td>Total Due</td> <td>\$247,253.53</td> </tr> </table>	Contribution	224,775.94	GST	22,477.59	Total Due	\$247,253.53
Contribution	224,775.94									
GST	22,477.59									
Total Due	\$247,253.53									
Our Ref	000252	Policy No	TORRES000232							
Class	Public Liability-Professional Indemnity									
Member	Torres Strait Island Regional Council									
Location	Anywhere in Australia									
Scheme	Qld Local Govt Mutual Brisbane Qld									
Inception	30/06/2022	To	30/06/2023	Renewal						

Remittance Advice

Please forward your payment to:
LGM Queensland
27 Evelyn Street, NEWSTEAD QLD 4006
PO Box 2321, FORTITUDE VALLEY BC QLD 4006

Invoice # 092-104930
Client Code 092-TORRSTRA
Payment Due 30/06/2022
Total Due \$247,253.53

Payment Options

Pay by cheque. Detach this remittance advice and return together with your payment.

Pay by direct credit into the following AUD account:

Bank: ANZ Banking Group Ltd
Branch: 3 Breakfast Creek Road, NEWSTEAD QLD 4000
Account Name: Queensland Local Govt Mutual
BSB: 014-245
Account No: 837322706



IMPORTANT INFORMATION

MUTUAL STATUTORY NOTICE

LGM Queensland is a Mutual Risk Product as defined by ASIC that is neither authorised under, nor subject to, the provisions of the Insurance Act 1973. LGM Queensland is not a product regulated by APRA. LGM Queensland estimates its future liabilities based upon procedures which are supported by both independent legal and actuarial experts. LGM Queensland also maintains specific financial provisions for late reported claims (IBNR) and future claim developments plus a prudential risk margin. These provisions are amounts in addition to specific claim estimates.

LGM Queensland and Jardine Lloyd Thompson Pty Ltd (JLT) as the Scheme Manager have established financial targets to ensure that adequate financial resources are available to discharge future liabilities and make future payments. This is achieved via a combination of financial management strategies which may include purchasing reinsurance, developing risk margins and retaining surplus funds. The LGM Queensland Board of Management review the operating financial statements at regular intervals and an independent audit occurs annually with its findings reported to Members.

The Queensland Local Government Mutual Trust Deed and Scheme Rules are the primary documents which govern the operation of the Mutual Schemes.

Wordings on each Scheme are issued as a guide as to the terms under which a claim will be considered and settled. A copy of the Queensland Local Government Mutual Trust Deed and Scheme Rules are available on the website at www.lgm.jlta.com.au.

DUTY OF DISCLOSURE

Before you enter into an insurance contract, you have a duty of disclosure under the Insurance Contracts Act 1984. You have a duty to tell us anything that you know, or could reasonably be expected to know, may affect the insurer's decision to insure you and on what terms. You have this duty until the insurer agrees to insure you. You have the same duty before you renew, extend, vary or reinstate an insurance contract.

If we ask you questions that are relevant to the insurer's decision to insure you and on what terms, you must tell us anything that you know and that a reasonable person in the circumstances would include in answering the questions.

Also, we may give you a copy of anything you have previously told us and ask you to tell us if it has changed. If we do this, you must tell us about any change or tell us that there is no change. If you do not tell us about a change to something you have previously told us, you will be taken to have told us that there is no change.

You do not need to tell us anything that: reduces the risk insured; or, is common knowledge; or, the insurer knows or should know as an insurer; or the insurer waives your duty to tell them about.

If you do not tell us something

If you do not tell us anything you are required to, the insurer may cancel your contract or reduce the amount it will pay you if you make a claim, or both. If your failure to tell us is fraudulent, the insurer may refuse to pay a claim and treat the contract as if it never existed.

CHANGE OF RISK OR CIRCUMSTANCES

Please tell us about any changes to your circumstances or business, such as any alteration of risk, location changes, new or changed business activities, as they could affect your insurances.

AVERAGE CLAUSE – UNDER INSURANCE

Home buildings and contents, fire, business interruption, industrial special risks, and other policies often contain an average clause. This means that you should declare full value which may be replacement, indemnity or market value depending on the type of insurance cover or protection arranged. If you are under insured your claim may be reduced in proportion to the amount under declared.

UNREPORTED LOSSES

Please let us know whether there are any losses which have occurred that have not been reported to us/the Scheme/insurers, whether you intend making a claim or not.

HOLD HARMLESS AGREEMENTS, CONTRACTING OUT, REMOVAL OF SUBROGATION RIGHTS

You may prejudice your rights to a claim if, without prior agreement from your insurer or relevant Scheme, you make any agreement that could prevent the insurer or Scheme from recovering the loss from a third party. These "hold harmless" clauses are often found in leases, licences and contracts for maintenance, supply, construction and repair.

PROTECTING THE INTEREST OF OTHER PARTIES

If you require the interest of another party to be covered by the policy or Scheme, you MUST request this. Most policies and scheme protection will attempt to exclude indemnity to other parties (e.g. mortgagees, lessors, principals etc.) unless their interest is expressly noted on the policy.

NEW CLAIMS

Any quotation we have obtained on your behalf is based on the understanding that there will be no deterioration in the claims experience (or change in the underwriting information) between the date insurers or LGM Queensland quoted their terms and the inception date of the cover. If changes do occur during this period, insurers/LGM Queensland have the right to revise the terms quoted or even withdraw their quotation.

SEVERAL LIABILITY

Where your cover is provided by more than one insurer/reinsurer it is important to note that each insurer/reinsurer is only responsible to the extent of their individual subscription and there is no obligation for that insurer/reinsurer to make up the shortfall of any other subscribing insurer/reinsurer in a claim or return premium or contribution payment.

CONFIRMATION OF TRANSACTION

You may contact us by telephone or in writing to confirm any transaction under your insurance policies or LGM Queensland Schemes, such as renewals and endorsements. If necessary, we will obtain the information for you from the insurer or reinsurer.

COOLING OFF PERIOD FOR RETAIL CLIENTS

If you are a retail client as defined in the Corporations Act 2001 as amended (the 'Act'), you may be entitled to a minimum 14 day cooling-off period during which you may return the insurance policy and receive a refund of the insurance premium paid (less amounts lawfully deducted), subject to the requirements of the Act and the terms and conditions of your policy.

This does not affect any other cancellation rights you may have under your policy.

Please check your policy and schedule upon receipt to be sure you have the cover you require. If the cover does not meet your needs, please contact your Jardine Lloyd Thompson Pty Ltd (JLT) account executive for advice as to your rights.

REMUNERATION AND OTHER INCOME

Our principal remuneration for arranging insurance on your behalf is either by way of commission paid by the Insurer and/or a fee including a service fee and an administration fee to be paid by you.

In addition to the above the Jardine Lloyd Thompson Group may receive income from insurers as follows: interest earned on insurance monies passing through our bank accounts; profit commissions or profit shares paid by insurers on specific classes of business; administrative service fees or expense reimbursements for limited specific services we provide to insurers as part of the placing or claims process.

Where we act as managers of a Mutual Scheme or Discretionary Trust, our fee is negotiated according to the services to be provided for that Scheme.

We will disclose any potential conflict of interest not included above which may occur and affect our relationship.

REFUND PREMIUMS OR CONTRIBUTIONS

In the event of any refund premium or contribution being allowed for the cancellation or adjustment of any insurance policy or scheme protection, JLT reserves the right to retain all brokerage, fees and charges.

RECEIVING INFORMATION ABOUT OTHER PRODUCTS AND SERVICES

JLT may, from time to time, offer you information about products and services which may be of interest to you. Please notify us if you do not wish to receive such additional information.

PRIVACY POLICY

JLT is committed to the protection of your privacy and is bound by the National Privacy Principles for the handling of your information. JLT's Privacy Policy can be examined by accessing our website www.au.jlt.com or by obtaining a copy from your account executive or the JLT Privacy Officer (at Jardine Lloyd Thompson Pty Ltd, One International Towers, 100 Barangaroo Ave, Sydney, NSW, 2000 or on telephone number 02 9290 8000).

SERVICE DIFFICULTIES

We would like to know if you are not satisfied with our services. If you have any difficulties please contact your JLT adviser or our Complaints Manager. JLT subscribes to the Australian Financial Complaints Authority (AFCA) (1800 931 678), which is a free consumer service, and the General Insurance Broker's Code of Practice. Additional information is available from your local JLT office.

IF THERE IS ANY PART OF THE ABOVE THAT YOU DO NOT UNDERSTAND OR YOU REQUIRE FURTHER EXPLANATION, PLEASE CONTACT US IMMEDIATELY.



MEMBER

Torres Strait Island Regional Council

PERIOD OF COVER

From: 30 June 2022 at 4 PM Local Time (QLD).

To: 30 June 2023 at 4 PM Local Time (QLD).

**LIMIT OF LIABILITY
AND DEDUCTIBLES**

Broadform Liability

Public Liability Limit of indemnity	\$600,000,000
Products Liability Aggregate Limit of indemnity	\$600,000,000
Professional Indemnity Aggregate Limit of indemnity	\$600,000,000
Deductible \$7,500	

Councillors & Officers Liability

Aggregate Limit of indemnity	\$10,000,000
Deductible \$15,000	

Employment Practices Liability

Aggregate Limit of indemnity	\$2,000,000
Deductible 10% of loss subject to minimum \$15,000 and maximum \$25,000	

Cyber Liability

Aggregate Limit of indemnity	\$2,000,000
Automatic Reinstatement	Yes
Deductible for business interruption 12 hours	
Deductible as per schedule for all other	

Casual Hirers Liability

Public Liability Limit of indemnity	\$10,000,000
Products Liability Limit of Indemnity (per occurrence)	\$10,000,000
Deductible \$2,000	

**RISK MANAGEMENT
REBATE**

Membership contribution includes Risk Self-Assessment participation rebate (1%) of \$2,270.46
performance rebate (1%) of \$Nil



26 May 2022

Torres Strait Island Regional Council
The Chief Executive Officer
PO Box 7336
CAIRNS QLD 4870

Queensland Local Government Mutual
ABN 48 871 511 808

Managed by
JLT Risk Solutions Pty Ltd
ACN 009 098 864

27 Evelyn Street
NEWSTEAD QLD 4006
PO Box 2321
Fortitude Valley BC QLD 4006

Tel +61 7 3000 5555
Fax +61 7 3000 5550

www.lgm.qlta.com.au

Credit/Adjustment Note

YOUR SERVICE CONTACTS ARE CRAIG HINCHLIFFE (+61 7 3000 5506) & JENNY DOOLEY (+61 7 3000 5519)

Credit #	092-104942	Client ID	092-TORRSTRA	
Our Ref	000274	Policy No	Equity Distribution	
Class	Local Government Liability			
Member	LGM Master Client			
Situation	Australia			
Scheme	Qld Local Govt Mutual Brisbane Qld			
Inception	30/06/2022	To	30/06/2023	Endorsement
Contribution				18,905.50
GST				0.00
Total Credit				\$18,905.50

Endorsement period 30/06/2022 to 30/06/2023.

A Surplus Distribution has been declared and applied to reduce the 2022/2023 membership contribution invoice amount.

LGM Queensland
27 Evelyn Street, NEWSTEAD QLD 4006
PO Box 2321, FORTITUDE VALLEY BC QLD 4006

Credit Note # 092-104942
Client Code 092-TORRSTRA
Date 26/05/2022
Total Credit \$18,905.50

IMPORTANT INFORMATION

MUTUAL STATUTORY NOTICE

LGM Queensland is a Mutual Risk Product as defined by ASIC that is neither authorised under, nor subject to, the provisions of the Insurance Act 1973. LGM Queensland is not a product regulated by APRA. LGM Queensland estimates its future liabilities based upon procedures which are supported by both independent legal and actuarial experts. LGM Queensland also maintains specific financial provisions for late reported claims (IBNR) and future claim developments plus a prudential risk margin. These provisions are amounts in addition to specific claim estimates.

LGM Queensland and Jardine Lloyd Thompson Pty Ltd (JLT) as the Scheme Manager have established financial targets to ensure that adequate financial resources are available to discharge future liabilities and make future payments. This is achieved via a combination of financial management strategies which may include purchasing reinsurance, developing risk margins and retaining surplus funds. The LGM Queensland Board of Management review the operating financial statements at regular intervals and an independent audit occurs annually with its findings reported to Members.

The Queensland Local Government Mutual Trust Deed and Scheme Rules are the primary documents which govern the operation of the Mutual Schemes.

Wordings on each Scheme are issued as a guide as to the terms under which a claim will be considered and settled. A copy of the Queensland Local Government Mutual Trust Deed and Scheme Rules are available on the website at www.lgm.jlta.com.au.

DUTY OF DISCLOSURE

Before you enter into an insurance contract, you have a duty of disclosure under the Insurance Contracts Act 1984. You have a duty to tell us anything that you know, or could reasonably be expected to know, may affect the insurer's decision to insure you and on what terms. You have this duty until the insurer agrees to insure you. You have the same duty before you renew, extend, vary or reinstate an insurance contract.

If we ask you questions that are relevant to the insurer's decision to insure you and on what terms, you must tell us anything that you know and that a reasonable person in the circumstances would include in answering the questions.

Also, we may give you a copy of anything you have previously told us and ask you to tell us if it has changed. If we do this, you must tell us about any change or tell us that there is no change. If you do not tell us about a change to something you have previously told us, you will be taken to have told us that there is no change.

You do not need to tell us anything that: reduces the risk insured; or; is common knowledge; or; the insurer knows or should know as an insurer; or the insurer waives your duty to tell them about.

If you do not tell us something

If you do not tell us anything you are required to, the insurer may cancel your contract or reduce the amount it will pay you if you make a claim, or both. If your failure to tell us is fraudulent, the insurer may refuse to pay a claim and treat the contract as if it never existed.

CHANGE OF RISK OR CIRCUMSTANCES

Please tell us about any changes to your circumstances or business, such as any alteration of risk, location changes, new or changed business activities, as they could affect your insurances.

AVERAGE CLAUSE – UNDER INSURANCE

Home buildings and contents, fire, business interruption, industrial special risks, and other policies often contain an average clause. This means that you should declare full value which may be replacement, indemnity or market value depending on the type of insurance cover or protection arranged. If you are under insured your claim may be reduced in proportion to the amount under declared.

UNREPORTED LOSSES

Please let us know whether there are any losses which have occurred that have not been reported to us/the Scheme/insurers, whether you intend making a claim or not.

HOLD HARMLESS AGREEMENTS, CONTRACTING OUT, REMOVAL OF SUBROGATION RIGHTS

You may prejudice your rights to a claim if, without prior agreement from your insurer or relevant Scheme, you make any agreement that could prevent the insurer or Scheme from recovering the loss from a third party. These "hold harmless" clauses are often found in leases, licences and contracts for maintenance, supply, construction and repair.

PROTECTING THE INTEREST OF OTHER PARTIES

If you require the interest of another party to be covered by the policy or Scheme, you MUST request this. Most policies and scheme protection will attempt to exclude indemnity to other parties (e.g. mortgagees, lessors, principals etc.) unless their interest is expressly noted on the policy.

NEW CLAIMS

Any quotation we have obtained on your behalf is based on the understanding that there will be no deterioration in the claims experience (or change in the underwriting information) between the date insurers or LGM Queensland quoted their terms and the inception date of the cover. If changes do occur during this period, insurers/LGM Queensland have the right to revise the terms quoted or even withdraw their quotation.

SEVERAL LIABILITY

Where your cover is provided by more than one insurer/reinsurer it is important to note that each insurer/reinsurer is only responsible to the extent of their individual subscription and there is no obligation for that insurer/reinsurer to make up the shortfall of any other subscribing insurer/reinsurer in a claim or return premium or contribution payment.

CONFIRMATION OF TRANSACTION

You may contact us by telephone or in writing to confirm any transaction under your insurance policies or LGM Queensland Schemes, such as renewals and endorsements. If necessary, we will obtain the information for you from the insurer or reinsurer.

COOLING OFF PERIOD FOR RETAIL CLIENTS

If you are a retail client as defined in the Corporations Act 2001 as amended (the 'Act'), you may be entitled to a minimum 14 day cooling-off period during which you may return the insurance policy and receive a refund of the insurance premium paid (less amounts lawfully deducted), subject to the requirements of the Act and the terms and conditions of your policy.

This does not affect any other cancellation rights you may have under your policy.

Please check your policy and schedule upon receipt to be sure you have the cover you require. If the cover does not meet your needs, please contact your Jardine Lloyd Thompson Pty Ltd (JLT) account executive for advice as to your rights.

REMUNERATION AND OTHER INCOME

Our principal remuneration for arranging insurance on your behalf is either by way of commission paid by the Insurer and/or a fee including a service fee and an administration fee to be paid by you.

In addition to the above the Jardine Lloyd Thompson Group may receive income from insurers as follows: interest earned on insurance monies passing through our bank accounts; profit commissions or profit shares paid by insurers on specific classes of business; administrative service fees or expense reimbursements for limited specific services we provide to insurers as part of the placing or claims process.

Where we act as managers of a Mutual Scheme or Discretionary Trust, our fee is negotiated according to the services to be provided for that Scheme.

We will disclose any potential conflict of interest not included above which may occur and affect our relationship.

REFUND PREMIUMS OR CONTRIBUTIONS

In the event of any refund premium or contribution being allowed for the cancellation or adjustment of any insurance policy or scheme protection, JLT reserves the right to retain all brokerage, fees and charges.

RECEIVING INFORMATION ABOUT OTHER PRODUCTS AND SERVICES

JLT may, from time to time, offer you information about products and services which may be of interest to you. Please notify us if you do not wish to receive such additional information.

PRIVACY POLICY

JLT is committed to the protection of your privacy and is bound by the National Privacy Principles for the handling of your information. JLT's Privacy Policy can be examined by accessing our website www.au.jlt.com or by obtaining a copy from your account executive or the JLT Privacy Officer (at Jardine Lloyd Thompson Pty Ltd, One International Towers, 100 Barangaroo Ave, Sydney, NSW, 2000 or on telephone number 02 9290 8000).

SERVICE DIFFICULTIES

We would like to know if you are not satisfied with our services. If you have any difficulties please contact your JLT adviser or our Complaints Manager. JLT subscribes to the Australian Financial Complaints Authority (AFCA) (1800 931 678), which is a free consumer service, and the General Insurance Broker's Code of Practice. Additional information is available from your local JLT office.

IF THERE IS ANY PART OF THE ABOVE THAT YOU DO NOT UNDERSTAND OR YOU REQUIRE FURTHER EXPLANATION, PLEASE CONTACT US IMMEDIATELY.



TORRES STRAIT ISLAND REGIONAL COUNCIL COUNCIL REPORT

ORDINARY MEETING:	June 2022
DATE:	28 – 29 June 2022
ITEM:	Agenda Item for Resolution by Council
SUBJECT:	Policy Matter – Financial Policies Review
AUTHOR:	Hollie Faithfull, Executive Director Financial Services

Recommendation:

Council resolves to:

1. amend and adopt the Torres Strait Island Regional Council's:

- Investment Policy;
- Debt Policy;
- Revenue Policy;
- Fiscal Governance Policy;
- Entertainment and Hospitality Policy;
- Audit Policy
- Asset Management Policy

previously adopted by Council, in the terms presented to Council at today's Ordinary Meeting

Executive Summary:

In accordance with the *Local Government Act 2009*, the *Local Government Regulation 2012* and good governance requirements Council is required to have a number of written policies and procedures and to review the statutory policies as required by the legislation. In addition, regular monitoring and review of these are necessary to reflect legislative changes and to continuously improve Council governance.

The listed policies have been drafted to include all legislative requirements and to provide an overview to Councillors, Council officers and the community of how Council functions.

Background:

There are a number of policies that are due for review, including statutory policies that are mandated under the *Local Government Regulation 2012*.

The statutory policies were all previously endorsed in June 2021 with an annual review date of June 2022.

Comment:

Policies to be endorsed are listed in the table below with a summary of changes.

Policy	Changes
Investment Policy	Minor grammatical / formatting changes
Debt Policy	Minor grammatical changes and removal of existing borrowings as loan has been fully repaid as of 1 November 2021.
Revenue Policy	Minor grammatical / formatting changes
Fiscal Governance Policy	Minor grammatical / formatting changes
Entertainment and Hospitality Policy	Major grammatical changes for better reading with removal of unnecessary/obsolete parts, reallocation of wording to more appropriate sections, update payments section as reimbursements are covered by the Reimbursement Policy
Audit Policy	3-year review date as annual review is not mandated
Asset Management Policy	Minor grammatical changes and updated to a 3-year review date as annual review is not mandated

Consultation:

Key personnel from internal functions:

- Corporate Affairs
- Financial Services
- MacDonnell Law

Links to Strategic Plans:

These policies strategically align to specific delivery objectives under all 3 pillars of Council's Corporate Plan, being *People*, *Sustainability* and *Prosperity*.

Risk:

As some of these policies must be updated annually there is a risk to Council if the updated policies are not endorsed.

Statutory Requirements:

Local Government Act 2009

Local Government Regulation 2012

Public Service Act 2008

Public Sector Ethics Act 1994

Statutory Bodies Financial Arrangements Act 1982

Statutory Bodies Financial Arrangements Regulation 2007

Conclusion:

That Council resolves to adopt the listed policies and delegates to the Chief Executive Officer to make further minor administrative amendments as they arise.


Endorsed:

Nicola Daniels
Head of Financial Services


Recommended:

Hollie Faithfull
Executive Director Financial Services



Approved:

James William
Chief Executive Officer

Attachments:

The following polices have been attached. Only tracked changes that are significant or that Council officers would like Council to pay specific attention to, have been kept.

- Investment Policy
- Debt Policy
- Revenue Policy
- Fiscal Governance Policy
- Entertainment and Hospitality Policy
- Audit Policy
- Asset Management Policy

Investment Policy

Responsible Manager	Executive Director, Financial Services
Head of power	<i>Local Government Act 2009 Local Government Regulation 2012 Statutory Bodies Financial Arrangements Act 1982 Statutory Bodies Financial Arrangements Regulation 2019</i>
Authorised by	Council
Authorised on	xx June 2022
Implemented from	1 July 2022
Last reviewed	2022
Review history	2012, 2013, 2015, 2016, 2017, 2018, 2019, 2020, 2021
To be reviewed on	June 2023
Corporate Plan	People, Sustainability and Prosperity

1. Purpose

To provide Torres Strait Island Regional Council (**Council**) with guidelines for the investment of Council's surplus cash in compliance with the Local Government Act 2009 (**LGA**), section 191 of the *Local Government Regulation 2012* (**LGR**), the *Statutory Bodies Financial Arrangements Act 1982* (**SBFA**) and the *Statutory Bodies Financial Arrangements Regulation 2019* (**SBFR**). This policy supports Council's investment objectives and risk philosophy and the process for undertaking investment activities.

2. Application

This policy applies to the investment of Council's Surplus Cash Balances.

3. Definitions

Surplus Cash Balances are Council's cash holdings available for investment at any one time after consideration of the amount and timing of Council's cash flow needs. Surplus Cash Balances do not include Council's trust account balances.

4. Legislation/Policies

The following sets out the Investment Policy as required by section 104(5)(c) of the LGA and section 191 of the LGR.

Council has authority to exercise Category 1 investment power (see Part 6 of the SBFA and Section 6 and Schedule 3 of the SBFR).

All investments are to be made in accordance with:

- *Statutory Bodies Financial Arrangements (SBFA) Act 1982*
- *Statutory Bodies Financial Arrangements (SBFA) Regulation 2007*
- *Local Government Act 2009*
- *Local Government Regulation 2012*

5. Ethics and Conflicts of Interest

(a) Prudent Person Standard

The standard of prudence is to be used by investment officers when managing the overall portfolio. Investments will be managed with the care, diligence and skills that a prudent person would exercise in managing the affairs of other persons. This includes having in place appropriate reporting requirements that ensure the investments are being reviewed and overseen regularly.

Investment officers are to manage the investment portfolios not for speculation, but for investment and in accordance with the spirit of this policy. Investment officers are to avoid any transaction that might harm confidence in Council. They will consider the safety of capital and income objectives when making an investment decision.

(b) Ethics and conflicts of interest

Investment officers and employees shall refrain from personal activities that would conflict with the proper execution and management of Council's investment portfolio. This includes activities that would impair the investment officer's or employee's ability to make impartial decisions as outlined in Council's Code of Conduct. This policy requires that employees and investment officials disclose to the Chief Financial Officer any

conflict of interest or any investment positions that could be related to the investment portfolio.

(c) Delegation of Authority

Authority for implementation of the Investment Policy is delegated by Council to the Chief Executive Officer in accordance with section 257 of the *Local Government Act 2009*.

Authority for the day-to-day management of Council's Investment Portfolio is delegated by the Chief Executive Officer to the Executive Director Financial Services in accordance with section 259 of the *Local Government Act 2009* and is subject to regular reviews with the Chief Executive Officer.

6. Investment Objectives

As the custodian of public monies, Council chooses to secure its capital base but takes the opportunity to produce revenue from cash assets as far as possible within established risk adverse constraints. At a minimum, any financial investment should offset the devaluing effects of inflation.

Investment Risk Philosophy

In order of priority, the objective of undertaking investment activities shall be preservation of capital, maintenance of liquidity and return on investment. Council maintains a conservative and risk adverse investment philosophy for investment of its Surplus Cash Balances.

Preservation of capital

Preservation of capital shall be the primary objective of the investment portfolio. This can be achieved by managing credit and interest rate risk with given risk management parameters and avoiding any transaction that would prejudice confidence in Council or its associated entities.

Credit Risk

Council will evaluate and assess credit risk prior to investment. Credit risk is the risk of loss due to the failure of an investment issuer or guarantor. The investment officer will minimise credit risk in the investment portfolio by pre-qualifying all transactions including the brokers/securities dealers with which they do business, diversify the portfolio and limit transactions to secure investments

Interest Rate Risk

Minimising the risk of a change in the market value can be managed by maintaining Council's investment portfolio in line with cash flow requirements and limiting investments to short term investments.

Maintenance of Liquidity

The investment portfolio will maintain sufficient liquidity to meet all reasonably anticipated operating cash flow requirements of Council, as and when they fall due, without incurring significant transaction costs due to being required to sell an investment. Surplus funds can only be invested in authorised investments for a maximum period of twelve months.

7. Investment Procedures

Authorised Investments

Authorised investments are as permitted in accordance with Category 1 Investment Powers applicable to Council under the SBFR.

New Investments

New investments are to be with either Queensland Investment Corporation or Queensland Treasury Corporation.

The available investment arrangements are as listed below:

- Queensland Investment Corporation Cash Fund
- Queensland Treasury Corporation Capital Guaranteed Cash Fund
- Queensland Treasury Corporation Fixed Rate Deposit (up to 12 months)
- Queensland Treasury Corporation Working Capital Facility

A new investment product requires a full risk assessment. It is permissible for working capital (non-surplus cash) to remain in the Council's nominated operating accounts.

Manager Responsible for Review:

Executive Director, Financial Services

Adopted:

Due for revision: 30/06/2023

Chief Executive Officer

Debt Policy

Responsible Manager	Executive Director, Financial Services
Head of power	<i>Local Government Act 2009 Local Government Regulation 2012 Statutory Bodies Financial Arrangements Act 1982 Statutory Bodies Financial Arrangements Regulation 2019</i>
Authorised by	Council
Authorised on	xx June 2022
Implemented from	1 July 2022
Last reviewed	2022
Review history	2011, 2013, 2015, 2016, 2017, 2018, 2019, 2020, 2021
To be reviewed on	June 2023
Corporate Plan	People, Sustainability and Prosperity

1. Purpose

Torres Strait Island Regional Council (**Council**) is strongly committed to ensuring robust financial management of Council's existing and future debt.

This policy provides Council with a debt management strategy based on sound financial management principles and guidelines.

2. Application

This policy applies to all borrowings associated with Torres Strait Island Regional Council and associated enterprises.

3. Legislation/Policies

This policy is established with reference to obligations specified in the *Local Government Act 2009*, *Local Government Regulation 2012*, *Statutory Bodies Financial Arrangements Act 1982* and *Statutory Bodies Financial Arrangements Regulation 2019*.

4. Principles

The following principles are accepted financial management principles associated with non-current liability management.

- (a) Borrowings will not be utilised to fund recurrent operations;
- (b) The term of any borrowings should not exceed the life of the asset being funded, unless a longer term is recommended by the Queensland Treasury Corporation;
- (c) Borrowings for new assets should be linked with income producing assets that create wealth;
- (d) Before any borrowings are undertaken a full risk evaluation and financial analysis on the asset or works is required to be undertaken to enable Council to make a fully informed decision and ensure it is receiving 'value for money';
- (e) Borrowings will only be for capital expenditure which has been approved through the annual budget and/or other documentation of a strategic nature e.g. State/Federal Government Planning;
- (f) Council will fund its capital works from revenue, grants and subsidies, contributions or specific reserves.
- (g) All borrowings will be considered in line with Council's long-term financial forecast and asset management plans.

5. Existing and Planning Borrowings

Current Borrowings

Council has no current borrowings

Borrowings planned for the next ten financial years

Council's current Long-Term Financial Plan does not identify any new borrowings for the next 10 financial years.

Manager Responsible for Review:

Executive Director, Financial Services

Adopted:

Due for revision: 30/06/2023

Chief Executive Officer

Revenue Policy

Responsible Manager	Executive Director, Financial Services
Head of power	<i>Local Government Act 2009</i> <i>Local Government Regulation 2012</i>
Authorised by	Council
Authorised on	xx June 2022
Implemented from	1 July 2022
Last reviewed	2022
Review history	2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021
To be reviewed in	June 2023
Corporate Plan	People, Sustainability and Prosperity

1. Purpose

The purpose of this policy is to provide details of the principles applied by Torres Strait Island Regional Council (**Council**) when:

- a) Making and levying rates and charges; and
- b) Granting concessions for rates and charges; and
- c) The purpose of concessions; and
- d) Recovering overdue rates and charges; and
- e) Cost recovery methods; and
- f) Infrastructure charges for a new development

2. Application

This policy applies to Council and associated enterprises (if any).

3. Legislation/Policies

This policy is established with reference to obligations specified in the *Local Government Act 2009* and the *Local Government Regulation 2012 (LGR)*, including Section 193 of the LGR.

4. Provisions

Making and Levying rates and charges – Section 193(1)(a)(i) of the LGR

In levying rates and charges the following principles will be applied:

- Consider the level of revenue that can be achieved from direct user charges, grants and subsidies, contributions and other sources;
- Consider the cost of maintaining existing facilities and necessary services and the need for additional facilities and services;
- Make clear what is the Council's and each ratepayer's responsibility ;
- Timing of any rates and charges to ensure a sustainable cash flow for the operation of Council and to spread the burden to the ratepayer over the financial year;
- Equity through flexible payment arrangements for ratepayers with a lower capacity to pay;
- Transparency in the making of rates and charges;
- Making the system for paying rates and charges simple and inexpensive to administer;
- Equity by taking account of the different levels of capacity to pay within the local community;
- Flexibility to take account of changes to the local economy;
- Council will consider National Competition Policy when considering utility charges;
- Council may consider levying special and separate rates and charges where appropriate, to recover the cost associated with a particular service, project ~~or~~ facility that provides direct or additional benefit to the ratepayers or class of ratepayers.

Granting Concessions for rates and charges – Section 193(1)(a)(ii) of the LGR

In considering the application of concessions, Council will comply with Chapter 4, Part 10 of the LGR and be guided by the principles of:

- Equity by having regard to the different levels of capacity to pay within the local community;
- The same treatment of ratepayers with similar circumstances;
- Transparency by making clear the requirements necessary to receive concessions;
- Flexibility to allow Council to respond to local economic issues.

~~Council may give consideration to granting a concession to a class of landowners without the need for an individual application in accordance with section 122(4) of the *Local Government Regulation 2012*.~~

The purpose of concessions – Section 193(1)(b) of the LGR

Council will support community objectives through the application of concessions to:

- Reduce the financial burden of rates and charges payable by pensioners;
- Support the community activities of not-for-profit organisations and support their economic development;
- Provide assistance to ratepayers suffering genuine financial hardship;
- Encourage the economic development of all or part of the local government area.

Recovering overdue rates and charges – Section 193(1)(a)(iii) of the LGR

Council will exercise its recovery powers in order to reduce the overall burden on ratepayers. It will be guided by the principles of:

- Transparency by making clear the obligations of ratepayers and the processes used by Council in assisting them to meet their financial obligations;
- Making the processes used to recover outstanding rates and charges clear, simple to administer and cost effective;
- Capacity to pay in determining appropriate arrangements for different sectors of the community;
- Equity by having regard to providing the same treatment for ratepayers with similar circumstances;
- Flexibility by responding where necessary to changes in the local economy;
- Council may charge interest on overdue rates and charges;
- Council's Debt Recovery Procedure PR-PO4-7 sets out the detail of the processes used to recover outstanding rates and charges.

Cost recovery methods – Section 193(1)(a)(iv) of the LGR

Section 97 of the *Local Government Act 2009* allows Council to set cost-recovery fees. Cost-recovery fees are fixed to cover the costs, including allocated administrative costs of each cost-recovery regime. These fees will not be set at more than the cost to Council for providing the service or taking the action for which the fee is charged. The user-pays principle is applied in setting the fees unless the imposition of the fee is contrary to its express social, economic, environmental and other corporate goals.

This is considered to be the most equitable and effective revenue approach and is founded on the basis that the Region's rating base cannot subsidise the specific users or clients of Council's regulatory products and services.

All cost-recovery fees set by Council are included in the Fees and Charges Register which is open for inspection at Council offices or on its website.

Infrastructure Charges for a New Development – Section 193(1)(c) of the LGR

~~While it is expected that developers will contribute to new physical and social infrastructure when they commence a new development, the amount of their contribution and how much of the infrastructure they fund may vary. This will depend on many factors and will be assessed for each development. The processes used in determining the contribution, however, will be transparent, fair and equitable.~~

Council does not presently impose charges for development. If charges are imposed, it is expected that developers will contribute significantly to the physical and infrastructure costs of the new development.

Manager Responsible for Review:
Executive Director, Financial Services

Adopted: XX/06/2021

Due for revision: 30/06/2023

Chief Executive Officer

Fiscal Governance Policy

Responsible Manager	Executive Director, Financial Services
Head of power	<i>Local Government Act 2009 Local Government Regulation 2012 Public Sector Ethics Act 1994</i>
Authorised by	Council
Authorised on	xx June 2022
Implemented from	1 July 2022
Last reviewed	2022
Review history	2013, 2015, 2016, 2017, 2018, 2019, 2020, 2021
To be reviewed on	June 2024
Corporate Plan	People, Sustainability and Prosperity

1. Purpose

Torres Strait Island Regional Council (**Council**) is strongly committed to ensuring robust fiscal governance.

2. Application

This policy applies to all local government employees, Councillors, contractors and agents of Council.

3. Legislation/Policies

This policy is established with reference to obligations specified in the *Local Government Act 2009* and the *Public Sector Ethics Act 1994*.

4. Principles

Council, local government employees, Councillors, contractors and agents of Council shall conduct itself/themselves strictly in accordance with:

The Local Government Principles set out in Section 4(2) of the *Local Government Act 2009*;

- (a) transparent and effective processes, and decision-making in the public interest; and
- (b) sustainable development and management of assets and infrastructure, and delivery of effective services; and
- (c) democratic representation, social inclusion and meaningful community engagement; and
- (d) good governance of, and by, local government; and
- (e) ethical and legal behaviour of Councillors, local government employees and councillor advisors (where applicable).

The ethics principles set out in Section 4(2) of the *Public Sector Ethics Act 1994*

- (a) integrity and impartiality; and
- (b) promoting the public good; and
- (c) commitment to the system of government; and
- (d) accountability and transparency.

5. Write-off Delegations

- The Chief Executive Officer has delegated authority to write-off amounts of up to \$1,000 for any one loss or series of losses arising out of one original source or cause, in respect of lost and stolen Council property. Amounts in excess of \$1,000 can only be written off by Council resolution.
- The Chief Executive Officer has delegated authority to write-off amounts of up to \$1,000 for rates, charges and sundry debtors, including interest and legal costs, per account as a bad debt.
- The Chief Executive Officer has delegated authority to write-off up to \$200,000 against a statute barred debtor or deceased debtor per account as a bad debt. Amounts in excess of \$200,000 can only be written off by Council resolution.

- The Executive Director Financial Services has delegated authority to write-off debt amounts of up to \$500 for rates, charges and sundry debtors, including interest and legal costs, per account as a bad debt.

Debt is “**bad debt**” where the Chief Executive Officer or Executive Director, Financial Services is satisfied that:

- the debtor is deceased and, as a matter of policy, Council should not seek to recover against the deceased estate; and/or
- pursuant to the Limitation of Actions Act 1974 (Qld), it is statute-barred debt and therefore cannot be legally enforced in a Court of competent jurisdiction; and/or
- it would not be commercial to pursue debt recovery, taking into account the anticipated time and cost of debt recovery.

6. Reversals and Adjustments

The Head of Financial Services and Executive Director Financial Services are delegated authority to approve the reversal of a charge or an adjustment of a charge that is deemed an administrative error.

A charge is an “**administrative error**” where the delegated officer is satisfied that Council has incorrectly levied a charge, for one or more of the following reasons:

- the wrong debtor account and or amount has been charged;
- GST was charged incorrectly;
- the charge involved a data keying error (typographical error), for example Council charged \$3,000 instead of \$300, or the narration (description of the charge) requires correction;
- there is no source documentation or data to substantiate the charge;
- a charge has been duplicated;
- for a social housing–related charge where:
 - rent charges were increased without a rent increase notice being served properly;
 - rent charges continued after the termination of a tenancy;
 - change in rent charges was implemented after change date;
 - there is no tenancy documentation to substantiate the charge;
- for local government charges, the debtor was not occupying the land or building and has no legal obligation to pay the charge confirmed by Council's Legal Services (or external legal advisors).
- there is no legal obligation for the debtor to pay the charge, as confirmed by Council's legal services team (or external legal advisors)

Manager Responsible for Review:

Executive Director, Financial Services

Adopted:

Due for revision: 30/06/2023

Chief Executive Officer

Entertainment and Hospitality Policy

Responsible Manager	Executive Director, Financial Services <u>Corporate Services</u>
Head of power	<i>Local Government Act 2009 Local Government Regulation 2012</i>
Authorised by	Council
Authorised on	xx June 2022
Implemented from	1 July 2022
Last reviewed	2022
Review history	2008, 2009, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, <u>2022</u>
To be reviewed on	June 2023
Corporate Plan	People, Sustainability and Prosperity

1. Purpose

The purpose of this policy is to provide clarity as to what Torres Strait Island Regional Council (**Council**) considers reasonable entertainment and hospitality expenses.

2. Application

This policy applies to ~~the Council and applies to~~ all entertainment and hospitality expenses.

3. Legislation/Policies

This policy is established with reference to obligations specified in the *Local Government Regulation 2012*.

4. Definitions

Charter means a contracted flight outside of scheduled RPT movements.

Chief Executive Officer means Chief Executive Officer of Council.

Civic Duty means the responsibility to attend (within Queensland) Sad News, Funerals and/or Tombstone Unveiling.

Council means the Torres Strait Island Regional Council

Deputy Mayor means Deputy Mayor of Council

Entertainment means:

(a) Entertainment by way of food, drink, or recreation or

(b) Accommodation or travel to do with providing entertainment by way of food, drink or recreation

Ferry means a local operating ferry service with scheduled movements for transport

Funeral means a ceremony for a deceased person prior to burial / cremation

Mayor means Mayor of Council

RPT or Regular Passenger Transport means a ~~Government Contracted~~ transporter for passengers operating in the Torres Strait to the public.

Sad News means terminology referring to the passing of a person

Tombstone Unveiling means a cultural event where the headstone is unveiled, and the spirit of the deceased has joined other ancestors and marks the end of the mourning period

5. Principles

~~Council understands that part of its~~Part of Council's role is to engage in entertainment activity at local, national and international levels ~~and that the engagement is~~ to further the economic, social and cultural development of the Torres Strait.

The provision of support further strengthens the cultural and social fabric of Torres Strait Communities.

As a publicly funded body, however, it must ensure that public sector standards of accountability are maintained, and that practice is consistent across the organisation. The guiding principles are that expenditure must be reasonable, properly documented and able to be justified:

- (a) as of benefit to the Torres Strait Communities; and
- (b) be consistent with Council's operational or strategic objectives.

5.1 Roles and activities

Mayoral Reception and Council Hosted Functions

The Council, Councillors or Council Officers may undertake the following roles and activities:

- (a) Building relationships with dignitaries (both local and international) that will benefit the Torres Strait in terms of access to people, services, goods and resources;
- (b) Forming regional links to ensure the continued economic development of the Torres Strait region;
- (c) Working within the Torres Strait community to further develop the social and cultural fabric binding the region;
- (d) Working with employees to recognise service and performance; and
- (e) Attendance at Council hosted events e.g., Australia Day Awards.

Mayoral Reception and Council Hosted Functions expenses shall be approved by the CEO.

Civic Duty role

Additionally:

- (f) The Mayor or Deputy Mayor (deputised by the Mayor) and the Divisional Councillor for the Division / Island that the past Leader represented may undertake the Civic Duty role.

Attendance for the Civic Duty role is restricted to events associated with past leaders, parent(s) of currently elected Councillors, elder statesmen or others generally recognised as contributing to the advancement of the Torres Strait.

Should a Councillor travel for Civic Duty purposes it is an express requirement that the Councillor is the Divisional Councillor for the Division / Island that the past Leader represented in a public office capacity.

Civic Duty expenses shall be ratified by the whole Council. Where this is not possible due to timing, a quorum of written Councillor(s) responses to the CEO shall provide the CEO with direction to proceed with expenditure or not – a quorum is taken to be eight (8) duly elected Councillors of the Council. Eight positive written responses from Councillors to the CEO are required before any travel is to be undertaken. Phone conversations are not considered a response.

Civic Duty travel is taken to be part of official business with the Mayor or Deputy Mayor or Councillor representing the Council at these significant events in the Community.

Civic Duty travel costs are to be recognised and kept to a reasonable limit. Payment by the Council shall occur at Council adopted travel rates.

All Civic Duty costs need to be funded from the adopted budget. ~~Any expenses that cause the budget to be exceeded will need to be paid proportionately by attendees.~~

~~Travel within the Torres Strait region will be limited to the value of RPT services (flight / ferry).~~

Criteria

In performing any of the aforementioned roles, it may be necessary from time to time for Council, Councillors or Council Officers to engage in entertainment activities.

Entertainment and hospitality expenditure will be considered appropriate for such activities if it conforms with the following criteria:

- it is considered reasonable and cost effective;
- it can be supported within adopted budget allocation;
- it is able to withstand public scrutiny;
- it serves an official purpose as described above;
- it complies with legal, financial, audit and ethical requirements; and
- it complies with Council's operational and strategic objectives.

All expenditure for entertainment and hospitality purposes must be pre-authorized ~~and Council officers must not authorise their own expenditure.~~ In assessing whether expenditure is reasonable, the person claiming the expenditure must be comfortable in publicly disclosing the expense, should that be required, and be able to identify the benefit for Council. Similarly, the person/s approving the payment or reimbursement should be comfortable that the claim was reasonable and meets the aforementioned criteria.

Table 1 lists the types of entertainment considered appropriate for Council business and who is authorised to approve such expenditure.

Table 1 Types of Roles / authorisations

Type of Function	Authorising Officer	Administration Roles
Mayoral Reception	+CEO	Budget Monitoring - CEO Budget to be expressly stated at Original Budget adoption *Supporting dDocumentation
Council Hosted Function	+CEO	Budget Monitoring - CEO Budget to be expressly stated at Original Budget adoption *Supporting Ddocumentation
Civic Duty Role	Council (or quorum of Council by Email)	Budget Monitoring - CEO Budget to be expressly stated at Original Budget adoption *Supporting documentation

*Supporting Documentation:

- Written request stating purpose and approval by the authorising officer
- Quotes approved by authorising officer
- Additional requirement where the event is not open to the public (invite only):
 - Total number of attendees (number of Council officers / number of non-Council officers)
 - Completed Fringe Benefits Tax Declaration Form

Only entertainment and hospitality expenses associated with aforementioned activities or roles will be allowed.

5.2 Allocated Budget and Approval Process

Annual budget allocation:

- Council provides a Council hosted function: -\$750 per annum Hospitality Budget for each Councillor
- Mayoral reception: \$2,500 (Mayor)-
- Any general allocation must be determined at the time of the original budget and to the extent it can be reasonably justified within any current restraints

Any payments payable under this policy will be made directly to the supplier unless there are extenuating circumstances, in which case the CEO must approve the alternative payment method.

5.3 Fringe Benefit Tax

A Fringe Benefit Tax (FBT) Declaration for Entertainment and Hospitality Expenditure Form is to be completed for all Council functions, where meals or entertainment are provided and they are not open to the general public.

~~“Entertainment” is defined in the Income Tax Assessment Act (ITAA) (1997) section 32-10 as below;~~

- ~~(a) Entertainment by way of food, drink, or recreation or~~
 - ~~(b) Accommodation or travel to do with providing entertainment by way of food, drink or recreation~~
- ~~Table 2 gives examples of the types of expenditure that would be considered Entertainment and therefore attract FBT, along with some examples of expenditure that would not be considered entertainment.~~

Table 2 Types of Entertainment

~~Note: only entertainment provided to employees and their associates (spouse) is subject to FBT.~~

Type of Food and Drink Provided	Meal- Entertainment
Food and drink consumed at a social function held on or off business premises (i.e. Christmas Party, Melbourne Cup lunch)	Y
A business lunch at a café or restaurant	Y
Tea / coffee provided for on-going consumption on business premises (i.e. for all employees and visitors)	N
Food and drink except for alcoholic drinks consumed during a work meeting or training session on business premises	N
Birthday cakes consumes on business premises during morning / afternoon tea	N
Food and drink consumed by an employee whilst travelling on business	N
Food and drink provided to employees at eligible seminar; Conference, workshop, meeting, training session course lasting at least four (4) hours.	N

Record Keeping and Costing

~~Entertainment can be provided to employees and their associates, customers, clients or suppliers. However, only entertainment provided to employees and their associates is subject to fringe benefit tax.~~

~~Employees are required to keep tThe following records are required when entertainment expenses occur is provided:~~

- ~~• Total cost of food and drinks consumed~~
- ~~• Duration of the event (i.e. hours)~~
- ~~• Total number of employees and associates, and other parties participating in the event~~

~~All entertainment and hospitality expenditure is to be charged to natural account 63462 in order to capture accurate financial information.~~

Manager Responsible for Review: Executive Director, ~~Financial Services~~Corporate Services

Adopted:

Due for revision: 30/06/2023

Chief Executive Officer

Audit Policy

Responsible Manager	Chief Executive Officer
Head of power	<i>Local Government Act 2009 Local Government Regulation 2012</i>
Authorised by	Council
Authorised on	xx June 2022
Implemented from	April 2021
Last reviewed	2022
Review history	2013, 2017, 2021
To be reviewed on	June 2025
Corporate Plan	People, Sustainability and Prosperity

1. Purpose

Torres Strait Island Regional Council (**Council**) is strongly committed to ensuring that the local government principles are reflected in its response to audit responsibilities.

Council is committed to ensuring the following with respect to its audit duties:

- Assisting the Council to deliver its strategic and governance responsibilities;
- Supporting management to discharge its financial management and operational responsibilities.

This will be achieved primarily through the establishment of an Audit Committee and Internal Audit function to deliver their key role in Council's strategic corporate governance objectives. The Audit Committee and Internal Audit do not replace the responsibilities of management, but act as an independent source of advice to Council and to management.

2. Application

This policy applies to all employees of Council.

3. Legislation/Policies

This policy is established with reference to obligations specified in the *Local Government Act 2009* and the *Local Government Regulation 2012* as well as Council's Code of Conduct.

4. Procedure

The following procedures will assist Council in ensuring audit responsibilities are achieved.

- Audit Committee Procedure
- Internal Audit Procedure

Manager Responsible for Review:

Chief Executive Officer

Adoption:

xx June 2022

Due for Revision:

June 2025

James William
Chief Executive Officer

Asset Management Policy

Responsible Manager	Executive Director, Financial Services
Head of power	<i>Local Government Act 2009</i> <i>Local Government Regulation 2012</i>
Authorised by	Council
Authorised on	Xx June 2022
Implemented from	1 July 2020
Last reviewed	June 2022
Review history	2013, 2014, 2017, 2019, 2020
To be reviewed on	June 2025
Corporate Plan	People, Sustainability and Prosperity

1. Purpose

Torres Strait Island Regional Council (**Council**) is strongly committed to ensuring assets are provided to support the delivery of services to the community in a sustainable manner.

It is the intention of Council to manage assets by incorporating good governance, economic, environmental and socially responsible principles whilst ensuring the most cost-effective methods for delivery of Council services results in value-for-money for the community.

Therefore, Council is committed to the development of sound asset management practices, processes and systems which will significantly contribute to the achievement of the strategic objectives identified in the Corporate Plan.

2. Application

This policy applies to all staff, Councillors and activities.

3. Legislation/Policies

This policy is established with reference to obligations specified in the *Local Government Act 2009* and the *Local Government Regulation 2012*.

4. Definitions

3.1 Asset management

The combination of management, financial, economic, engineering and other practices applied to physical assets with the objective of providing the required level of service in the most cost-effective manner.

3.2 Service level/Level of Service

The defined service quality for a particular service/activity against which service performance may be measured. Service levels usually relate to quality, quantity, reliability, responsiveness, environmental impact, acceptability and cost.

3.3 Capital expenditure

Expenditure, which has benefits, expected to last for more than 12 months. Capital expenditure includes renewal, expansion and upgrade that exceeds Council's current threshold

3.4 Asset renewal

Expenditure on an existing asset or replacing an existing asset, which returns the service capability of the asset up to that which it had originally. As it reinstates existing service potential, it generally has no impact on revenue, but may reduce future operations and maintenance expenditure if completed at the optimum time.

3.5 Whole of life cost

The cost of an asset throughout its life including planning, design, construction, acquisition, operation, maintenance, rehabilitation and disposal costs.

5. Principles

5.1 Ensure that Council's services and infrastructure are provided in a sustainable manner, with the appropriate levels of service to residents, visitors and the environment.

5.2 Ensure capital expenditure aligns with strategic objectives set out in the Corporate Plan

and risks are assessed according to the enterprise risk framework.

- 5.3 Ensuring that a whole-of-life cost approach is taken when investing in renewal or new assets; from planning and design through to disposal.
- 5.4 Capital expenditure will be rationed to asset renewals to meet agreed service levels and identified in asset management plans and long-term financial plans where it is possible to do so.
- 5.5 Systematic and cyclic reviews will be applied to all asset classes to ensure that the assets are managed, valued and depreciated in accordance with appropriate best practice and applicable Australian Standards.
- 5.6 Creating an environment whereby all Council employees take an integral part in overall management of Council assets by creating and sustaining asset management awareness throughout the Council.
- 5.7 Asset management principles will be integrated within existing planning and operational processes.
- 5.8 An inspection regime will be used as part of asset management to ensure agreed service levels are maintained and to identify asset renewal priorities.
- 5.9 Safeguarding Council assets including physical assets and community by implementing appropriate asset management strategies and appropriate financial resources for those assets;
- 5.10 Future service levels will be determined in consultation with the community.
- 5.11 All relevant legislative requirements together with political, social and economic environments are to be considered in asset management.

6. Responsibilities

- a) Councillors are responsible for adopting the policy, allocation of resources, providing high level oversight of the delivery of the organisation's asset management strategy and plan and maintaining accountability mechanisms to ensure that organisational resources are appropriately utilized to address the organisation's strategic plans and priorities.
- b) The Chief Executive Officer has overall responsibility for developing an asset management strategy, plans and procedures and reporting to Council on the status and effectiveness of asset management within Council.

Manager Responsible for Review:

Executive Director, Financial Services

Adopted:

Due for revision: 30/06/2025

Chief Executive Officer



TORRES STRAIT ISLAND REGIONAL COUNCIL

COUNCIL REPORT

ORDINARY MEETING:	June 2022
DATE:	28 th – 29 th June 2022
ITEM:	Agenda Item for Resolution by Council
SUBJECT:	2021/2022 Asset Desktop Indexation Results
AUTHOR:	Hollie Faithfull, Executive Director Financial Services

Recommendation:

Council resolves to:

- a) note the percentage increase movements from the asset desktop indexation review conducted by Jones Lang Lasalle; and
- b) delegate the authority to the Chief Executive Officer in accordance with the Local Government Act 2009 to finalise the 2021/2022 asset desktop indexation review including but not limited to applying the indexation percentages identified in the Jones Lang Lasalle Report in TSIRC's financial records to the various asset classes.

Executive Summary:

Council has undertaken a full review of the valuation of its property, plant and equipment carried at fair value as at 30 June 2022. This comprises the following asset classes:

- Buildings (community)
- Buildings (corporate)
- Recreational facilities
- Road/transport network
- Stormwater/drainage network
- Flood mitigation network
- Water supply network
- Sewerage network
- Wharves, piers, jetties and pontoons
- Waste and landfill
- Land

No consideration has been given to the valuation of plant and equipment, and capital work in progress as these classes are carried at cost.

Council undertook a full comprehensive valuation of the above noted asset classes carried at fair value as at 30 June 2020 and this was performed by valuation firm Jones Lang LaSalle (JLL) who are considered to be independent of Council and experts in their field. JLL were subsequently appointed to perform a desktop indexation review as at 30 June 2021.

Council has again appointed JLL to assist with the 2022 valuation process. JLL have been appointed in the current year to perform a desktop indexation review and provide suitable indexation rates to estimate the price movement from 30 June 2021 to 30 June 2022.

The following table summarises the indexation rates provided by JLL and an estimate of the likely impact of the valuation based on the 30 April 2022 asset class balances. This will be processed in Council's ledger for the 30 June 2022 year in July 2022 following the finalisation of additions and disposals for the 2022 financial year.

Asset class	Indexation rate	30 April 2022 WDV	Estimated valuation movement for the 2022 financial year *
	(%)	(\$)	(\$)
Buildings (community)	20.00%	276,201,260	55,240,252
Buildings (corporate)	20.00%	46,949,377	9,389,875
Recreational facilities	20.00%	10,246,675	2,049,335
Road/transport network	8.50%	166,137,182	14,121,660
Stormwater/drainage network	8.50%	8,274,574	703,339
Flood mitigation network	8.50%	27,749,102	2,358,674
Water supply network	10.00%	116,010,870	11,601,087
Sewerage network	10.00%	140,141,241	14,014,124
Wharves, piers, jetties and pontoons	8.50%	29,199,945	2,481,995
Waste and landfill	20.00%	1,208,613	241,723
Land	2.50%	2,559,563	63,989
Total		824,678,402	112,266,053

* based on April 2022 written down values and rounded to the nearest \$1,000.

Background:

Valuation history

Since amalgamation there have been four comprehensive asset valuations with the last being as at 30 June 2020. Per Council's Policy comprehensive asset valuations are completed every three years and desktop indexation review completed in the alternate years. In line with Policy, Management undertook a desktop indexation review for the 2021/2022 year.

The table below shows recent movements in asset valuations up to 30 June 2021:

	Full valuation 2016/17	Desktop valuation 2017/18	Desktop valuation 2018/19	Full valuation 2019/20	Desktop valuation 2020/21
Valuer	JLL	JLL	JLL	JLL	JLL
Asset Class					
Buildings (Community)	F.V	3.65%	1.35%	F.V	4.00%
Buildings (Corporate)	F.V	3.65%	1.35%	F.V	4.00%
Recreational facilities	F.V	3.65%	1.35%	F.V	4.00%
Roads/transport network	F.V	4.00%	2.50%	F.V	3.75%
Stormwater/drainage network	F.V	4.00%	2.50%	F.V	3.75%
Flood mitigation network	F.V	4.00%	2.50%	F.V	3.75%
Water supply network	F.V	4.00%	3.00%	F.V	4.00%
Sewerage network	F.V	4.00%	3.00%	F.V	4.00%
Wharves, piers, jetties and pontoons	F.V	4.00%	3.00%	F.V	3.75%
Waste/landfill	F.V	4.00%	2.50%	F.V	4.00%
Land	F.V	0.00%	0.00%	F.V	2.50%

The above indexation rates were applied in TSIRC's financial records to the various asset classes in the financial year of assessment.

This is in line with section 4 part C of Council's Asset Valuation – Non-current Assets Procedure

Any movement will be recognized in the financial year in which it is recorded. This ensures Council takes a conservative and prudent approach to the indexed valuation movement in that applicable period. This removes the greater fluctuations that may be required to be applied if only the movement between full valuations were to be recorded.

Officer comments:

Financial Services undertook extensive review and integrity testing of JLL's valuation report in consultation with numerous stakeholders including but not limited to JLL, Asset Class Managers and Executive Managers. Management is comfortable with the contents of the valuation report and the proposed indexation rates for each asset class.

Council's two internal audit committee members, Mayor Mosby and Cr Fell delegated authority to Paul Shipperley to liaise with council staff and provide clearance for the 21/22 desktop valuation results to external audit on behalf of the audit committee.

Mr Shipperley reviewed management briefing note and valuers reports and held discussions with key staff and consultants on 27 May 2022. The following TSIRC staff and consultants attended the above meeting:

- Hollie Faithfull, Executive Director Financial Services - TSIRC
- Perry Clunn, Manager Financial Accounting and Assets - TSIRC
- Todd Svanberg, Senior Director – JLL
- Edan Clark – Senior Manager – Grant Thornton

Based on discussions held Mr Shipperley provided clearance on behalf of Audit Committee on 27 May 2022

"The valuer has identified ranges of percentage increase within which it is estimated that asset values have increased during 2021-22. A specific percentage increase has been chosen for individual asset categories having regard to general economic and TSIRC centric circumstances. On the basis of the valuers' analysis, TSIRC management's reasonableness testing and explanations provided by the valuer and TSIRC management, the Audit Committee accepts the revaluation amounts calculated subject to further testing of assumptions and circumstances for the intervening period from revaluation date up to 30 June 2022."

This was further ratified at the 17 June 2022 Audit Committee Meeting where by the following resolution was passed:

Audit Committee resolves to:

- a) notes the out of session clearance of the 21/22 Desktop Valuation Results; and*
- b) recommend Council applies the percentage increase movements for each asset class in Council's asset register based the asset desktop indexation review conducted by Jones Lang Lasalle;*

Moved: Mr Paul Shipperley

Seconded: Cr Keith Fell

MOTION CARRIED UNANIMOUS

Given the indexation rates proposed by JLL are considered more than insignificant and in line with Council's policies and procedures relating to Asset Valuation for Non-current assets, management will process the revaluation using the rates proposed by JLL and reflect the result of the valuation assessment in Council's ledger as at 30 June 2022.

Management will liaise with JLL post 30 June 2022 to ensure there has been no material movements in indices since date of issue of valuation report.

Consultation:

- Jones Lang LaSalle
- Executive Management
- Asset Class Managers
- Finance and Asset Team
- Grant Thornton
- Audit Committee

Finance and Risk:

Applying the results of the desktop indexation review will have the following effect to Council's Financial Statements:

- Increase in Property Plant and Equipment (Asset)
- Increase in Asset Revaluation Reserve (Equity)
- Increase in annual depreciation (Expense)

Links with Strategic Plans:

Corporate Plan 2020-2025

- Accountability: We are reliable, honest and ethical in all that we do
- Sustainability: We manage council affairs responsibly to the benefit of our communities

Statutory Requirements:

Local Government Act 2009

Local Government Regulation 2012

Conclusion:

Council resolves to:

- a) note the percentage increase movements from the asset desktop indexation review conducted by Jones Lang Lasalle; and
- b) delegate the authority to the Chief Executive Officer in accordance with the Local Government Act 2009 to finalise the 2021/2022 asset desktop indexation review including but not limited to applying the indexation percentages identified in the Jones Lang Lasalle Report in TSIRC's financial records to the various asset classes.



Recommended:

Hollie Faithfull
Executive Director Financial Services



Endorsed:

James William
Chief Executive Officer



TORRES STRAIT ISLAND REGIONAL COUNCIL

AGENDA REPORT

ORDINARY MEETING:	June 2022
DATE:	28 & 29 June 2022
ITEM:	Agenda Item for Resolution by Council
SUBJECT:	Auditor-General's Observation Report on the interim audit for the year ending 30 June 2022.
AUTHOR:	Hollie Faithfull, Executive Director Financial Services

Recommendation:

That Council note the Auditor-General's Observation Report on the interim audit for the year ending 30 June 2022.

Executive Summary:

Each financial year Council's financial statements must be audited per section 212 of the *Local Government Regulation 2012*. The purpose of the audit is to express opinions on the financial statements and the current year financial sustainability statement.

Section 54 of the *Auditor-General Act 2009* enables the Queensland Audit Office (QAO) to prepare an audit report containing observations and suggestions about anything arising out of the audit. Per section 213 of the *Local Government Regulation 2012* this report must be presented at the next ordinary meeting of the Council after its receipt from QAO.

The Audit Committee has considered this report.

Comment:

One significant matter was identified by QAO whilst completing their audit procedures during interim visit. This matter has been resolved pending audit verification.

Management has provided a formal response to QAO on the issue raised. Management's response has been presented and supported by Council's Audit Committee. QAO has accepted Management's response and considers the matter resolved pending audit verification.

Consultation:

- External Audit
- Audit Committee
- Executive Team

Links to Strategic Plans:

These plans strategically aligns to specific delivery objectives under all the Sustainability pillar of Council's Corporate Plan.

Statutory Requirements:

Local Government Act 2009
Local Government Regulation 2012

Conclusion:

That Council note the Auditor-General's Observation Report on the interim audit for the year ending 30 June 2022.

Attachment:

- Auditor-General's Observation Report



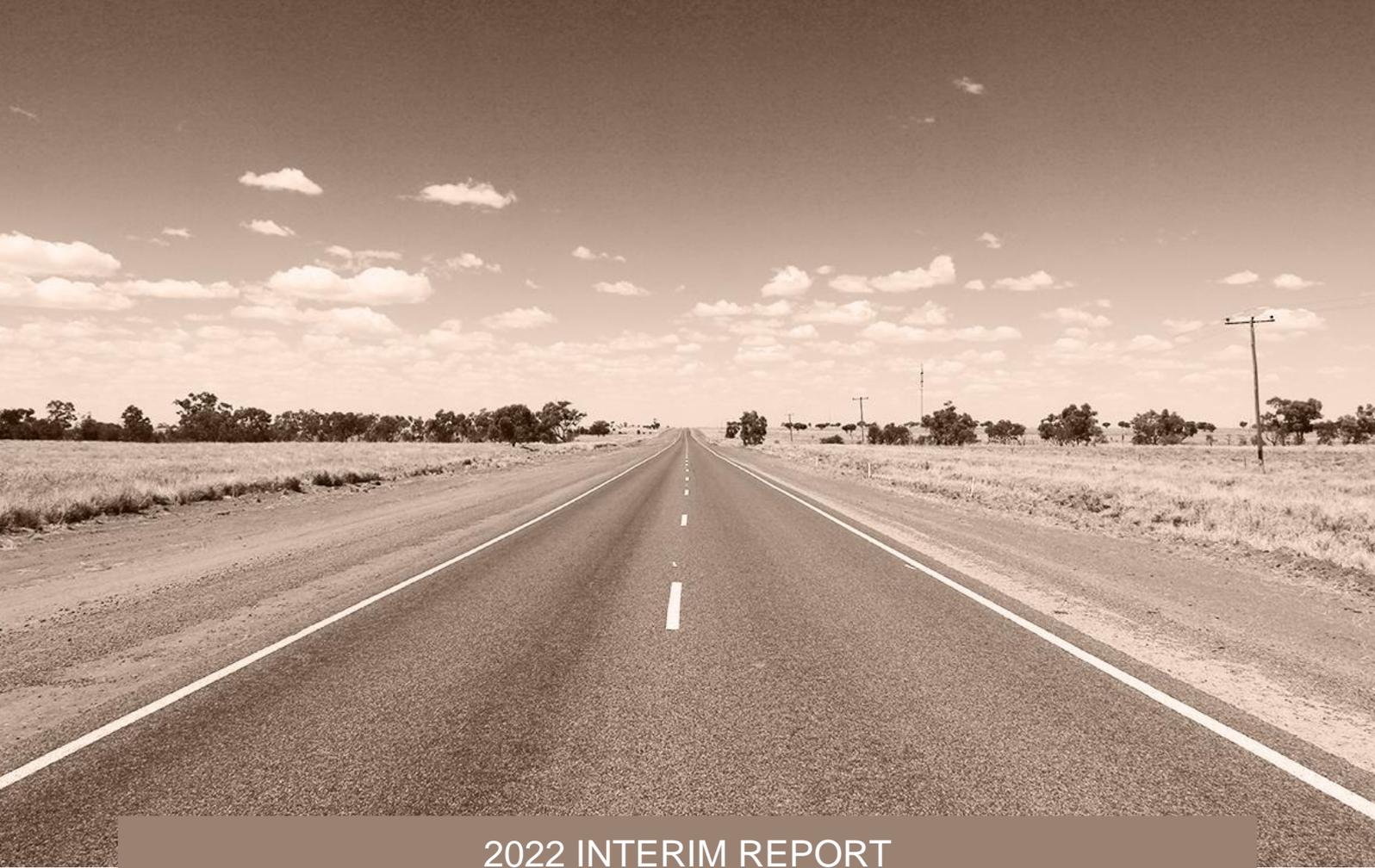
Recommended:

Hollie Faithfull
Executive Director Financial Services



Approved:

James Willam
Chief Executive Officer



2022 INTERIM REPORT

Torres Strait Island Regional Council

16 June 2022

Our ref: 100351

16 June 2022

Cr Phillemon Mosby
Mayor
Torres Strait Island Regional Council
PO Box 7336
CAIRNS QLD 4870

Dear Cr Mosby

2022 Interim report

We present to you our interim report for Torres Strait Island Regional Council (TSIRC) for the financial year ending 30 June 2022.

This report details the results of our interim work performed to date. In this we assessed the design and implementation of your internal controls, and whether they are operating effectively. The internal controls that we assessed are those key controls we intend to rely on in auditing your financial statements. Our audit does not assess all controls that Council have implemented across the organisation.

Under the Australian Auditing Standards, we are required to communicate to you any significant deficiencies in your control environment identified from our audit process.

We have also undertaken work over certain areas of audit focus that were communicated in our external audit plan. To date, our work has identified one significant deficiency in your internal controls. This is explained in detail in section 3 of this report.

Please note that under section 213 of the Local Government Regulation 2012, you must present a copy of this report at your Council's next ordinary meeting.

The *Auditor-General Act 2009* requires the Auditor-General to report to parliament on an issue raised during an audit if they consider it to be significant. The results of our audit will be included in our report to parliament on Local Governments.

If you have any questions or would like to discuss the audit report, please contact me on 4046 0051.

Yours sincerely



Margaret Dewhurst
Director
BDO Audit (NTH QLD) Pty Ltd

Enc.

cc. James William, Chief Executive Officer
Paul Shipperley, Acting Chair of the Audit Committee

1. Summary

We completed our audit planning phase and issued an external audit plan on 16 March 2022. This report details our audit findings from the work we performed on the key controls identified during the audit planning phase over revenue, expenditure, payroll, fixed assets and information technology controls.

Internal controls

Significant deficiencies:

- 1 new matter raised in the current year, relating to verification of employee bank account change requests
- No matters unresolved from prior years.

Deficiencies:

- No new matters raised
- 1 from prior year still in progress.

Other matters:

- No new matters raised
- 2 from prior year still in progress
- 3 from prior year now resolved.

Financial reporting matters:

- No new matters raised
- 1 from prior year still in progress.

Based on the results of our testing completed to date and the resolution of prior year issues, we have determined your internal control environment does support an audit strategy that can rely upon these controls.

2. Areas of audit focus

In our external audit plan, we identified those classes of transactions, accounts, and balances that we considered to present the greatest risk of material misstatement to the financial statements. The following table sets out our identified areas of audit focus, including any new areas, and progress on the audit procedures conducted to address the risk.

Risk	Description of risk	Audit response
1	<p>Valuation of non-current assets</p> <p>Valuations contain significant judgement and assumptions. A desktop valuation is due to be performed this year.</p>	<p>A review of the desktop valuation will occur in June once the valuation has been finalised.</p>
2	<p>Contract assets and liabilities</p> <p>There is judgement required in determining the timing of recognition of grant revenue, and the possibility that any error could be material.</p>	<p>Management is still reviewing grant agreements for material new funding received in the financial year. We will examine management's assessment once it has been completed.</p>
3	<p>Recognition of revenue</p> <p>There is a presumed risk of material misstatement in recognition of revenue. Council has material revenue streams for which the presumed risk cannot be rebutted.</p>	<p>We included a significant risk of material misstatement in regard to non-grant revenue streams in the external audit plan. Since issuing that document, we have revisited our risk ratings and determined that while there is a risk of misstatement in recognition of non-grant revenue, there is not a significant risk of material misstatement.</p> <p>We have carried out interim testing over a sample of non-grant revenue streams with no errors identified from the sample reviewed.</p>

3. Status of issues

Internal control issues

The following table identifies the number of deficiencies in internal controls and other matters we have identified. Further deficiencies were identified during interim testing. Refer to section 4 Prior year issues for the status of prior year issues.

Internal control issues by COSO element	Number of significant deficiencies		Number of deficiencies		Rating
	Current year issues	Prior year unresolved issues	Current year issues	Prior year unresolved issues	
Control environment <i>Structures, policies, attitudes and values that influence daily operations</i>	-	-	-	1	●
Risk assessment <i>Processes for identifying, assessing and managing risk</i>	-	-	-	-	●
Control activities <i>Implementation of policies and procedures to prevent or detect errors and safeguard assets</i>	1	-	-	-	●
Information and communication <i>Systems to capture and communicate information to achieve reliable financial reporting</i>	-	-	-	-	●
Monitoring activities <i>Oversight of internal controls for existence and effectiveness</i>	-	-	-	-	●

Our ratings: **Effective** – No significant deficiencies identified; **Partially effective** – One significant deficiency identified; **Ineffective** – More than one significant deficiency identified.

3. Status of issues (cont.)

The following section details control deficiencies and other matters identified as at the date of our interim visit. It includes a response from management.

Our ratings are as follows. For more information and detail on our rating definitions, please see the webpage here: www.qao.qld.gov.au/information-internal-controls or scan the QR code.



Significant deficiencies

22-IR1 Lack of independent verification of employee bank account change request

Control activities

Observation

The payroll team received an email requesting a change in a bank account from a fraudulent email account. The policy is for a Payroll Bank Authority Form to be completed by the employee with a screenshot of the bank account details to be provided. The payroll team requested the form and a screenshot, but ultimately processed the bank account change even though these documents were not provided. This resulted in the wages of one employee being paid to a fraudulent bank account. This was identified when the employee did not receive their wages. The fraudulent payment has not since been recovered.

In response to the fraud being carried out against Council, we extended our testing over these controls. We reviewed a sample of five employee bank account changes. We noted that the appropriate signed authority form and bank account extract were obtained from payroll before processing the change for all sampled.

Implication

The Council has incurred a financial loss as the incorrectly paid wage is unlikely to be recovered.

QAO recommendation

We recommend that the procedure over bank account change requests be enhanced to ensure that any request for a change in bank account details from employees or suppliers is independently verified by way of a phone call or an in-person discussion. A reply email confirmation is not sufficient verification.

We also recommend that all changes in bank account are reviewed prior to any payments being made, and the reviewer should not approve the change unless there is evidence of the independent verification. Finally, we recommend that training is provided to all payroll and finance staff on how to identify potential fraudulent bank account change requests, including 'phishing' emails, as Councils are regularly targeted with this tactic.

Management response

Council has enhanced their procedures over bank account change requests whereby evidence of a bank statement is required to be submitted by the employee to verify bank account details against the Payroll Bank Authority Form, along with a phone call or an in-person discussion to the employee to ensure that the Payroll Bank Authority Form has been submitted by themselves. The Payroll Bank Authority Form is currently being updated to include the date the Finance team verbally confirmed the request. Independent review by the Financial Operations Accountant occurs prior to any payment being released.

3. Status of issues (cont.)

Training and discussions were held with all Finance employees including Payroll immediately once fraudulent payment was identified. Council's Information Technology department has also simulated a phishing email across the organisation to identify where further targeted training is required. Ongoing training will be provided on a regular basis moving forward to Finance team members.

Responsible officer: Executive Director Financial Services

Status: Resolved pending audit verification

3. Status of issues (cont.)

Financial reporting issues

This table identifies the number of financial reporting issues we raised. No further financial reporting issues were identified during our interim audit. Refer to section 4 Prior year issues for the status of prior year financial reporting issues.

Year and status	High risk	Moderate risk	Low risk
Current year issues	-	-	-
Prior year issues – unresolved	-	-	1

Our risk ratings are as follows. For more information and detail on our rating definitions, please see the webpage here: www.qao.qld.gov.au/information-internal-controls or scan the QR code.



Financial reporting issues



High



Medium



Low

4. Prior year issues

The following table summarises the status of deficiencies, financial reporting issues and other matters reported in prior years.

Ref.	Rating	Issue	Status
21CR-2		<p>No formal policy for information technology (IT) change requests</p> <p>Council does not have a documented policy for managing IT change requests.</p>	<p>Work in progress – Testing is being carried out.</p> <p>Responsible officer: Executive Director Corporate Services</p> <p>Original action date: 30 November 2021</p> <p>New action date: 30 June 2022</p>
21CR-3		<p>Contract over \$200,000 not disclosed on Council website</p> <p>We identified one contract that was over \$200,000, but had been missed from disclosure on the website.</p>	<p>Resolved – Management have reviewed all contracts over \$200,000.</p>
21CR-4		<p>Approval of community grant payments that are outside of the adopted procedure</p> <p>We identified two examples where Councillors approved a community grant payment that was outside of the eligibility requirements as defined in the procedure. In both cases, Councillors were advised that the application did not comply with the documented procedure.</p>	<p>Resolved – New policy adopted in December Council meeting.</p>
21CR-5		<p>Cost to Council of providing fuel to residents</p> <p>Any fluctuations in the cost of purchasing fuel during the year are not passed on to customers. The cost to purchase fuel in drums is approximately three times the price of purchasing in bulk, plus Council also bears the cost of disposing of the drums after they are used.</p>	<p>Work in progress – Fuel price has been increased and Council is working towards having bulk fuel only (no drums), and will investigate electronic record keeping.</p> <p>Responsible officer: Executive Director Engineering Services</p> <p>Action date: 30 June 2022</p>
21CR-6		<p>Policies to be updated</p> <p>A number of Council policies and related procedures are past the date of review or have not been updated. Examples include the Equal Employment Opportunity Policy, Abandoned Properties Policy and the Rental Debt Policy.</p>	<p>Work in progress – Some have been updated but some are still being reviewed.</p> <p>Responsible officer: Executive Director Corporate Services</p> <p>Original action date: 30 November 2021</p> <p>New action date: 30 June 2022</p>

4. Prior year issues (cont.)

Ref.	Rating	Issue	Status
21IR-5		<p>Compliance with Local Government Act 2009 Section 150FA</p> <p>When conflicts are identified in the Council meetings, the names of each remaining Councillor and how they voted is to be recorded in the meeting minutes.</p>	<p>Resolved – The details of how each Councillor voted when a conflict is declared is now included in meeting minutes.</p>
21IR-4		<p>Not all material balances reconciled during the year</p> <p>AASB16 lease accounting and AASB15/1058 grant accounting not updated throughout the financial year; they are only updated at balance date.</p>	<p>Work in progress – Lease accounting is now carried out monthly and grant accounting is still annual at this stage.</p> <p>Responsible officer: Executive Director Corporate Services</p> <p>Original action date: 30 November 2021</p> <p>New action date: 30 June 2022</p>



qao.qld.gov.au/reports-resources/reports-parliament

Sri Narasimhan
Queensland Audit Office
T: 07 3149 6208
E: sri.narasimhan@qao.qld.gov.au

Margaret Dewhurst
BDO Audit (NTH QLD) Pty Ltd
T: 4046 0051
E: margaret.dewhurst@bdo.com.au



Suggest an audit topic

Contribute to an audit in progress

Subscribe to news and our blog

Connect with QAO on LinkedIn

T: (07) 3149 6000
E: qao@qao.qld.gov.au
W: www.qao.qld.gov.au
53 Albert Street, Brisbane Qld 4000
PO Box 15396, City East Qld 4002





TORRES STRAIT ISLAND REGIONAL COUNCIL

CLOSED BUSINESS REPORT

ORDINARY MEETING: June 2021

DATE: 28th- 29th June 2022

ITEM: Closed Session - Agenda Item for Resolution by Council

SUBJECT: Closed Session - Contractual Matter – 13 Map Street, Mabuiaig

AUTHOR: Nicholas Sturges, Manager, Construction Operations

Resolution:

Council resolves to:

1. Submit a tender to the Queensland State Government through the Department of Energy and Public Works- QBuild to carry out various upgrade works at 13 Map Street, Mabuiaig Island (QBFNQ0612UP1) with a tender price of \$316,751.68 excl of GST
- and
2. delegate to the Chief Executive Officer's submit the tender, enter into contracts, negotiate, finalise and execute any and all matters in relation to this tender.

Purpose:

The purpose of this report is to get Council's endorsement for Council to tender for this work with QBuild.

Background:

Division	Unique ID	Lease and other info.	TSIRC Asset# if applicable or NPARIH	Part (PT)	CSP Lot	Housing CLI #	Easement	Survey Plan (SP)	Tenure	Area (sq m)	Lot Number and Street Name by CSP - SLUP - DOH	Postal Address	Owner/Lessee of Registered Lease
Mabuiaig		Katter Lease (Pending)	1002566		13	13		SP273192	DOGIT	1170	Lot 13 on SP273192 Main St, Mabuiaig Island Qld 4875		TSIRC

Asset Details

Asset Register:* Infrastructure A

Asset Number:* House - Lot 13 Main St

Asset Structure: NNNNNNN

Asset Details		Attribute Details	Work Details
General			
Search Description:*	<input type="text" value="House - Lot 13 Main St"/>		
Description:	<input type="text" value="House - Lot 13 Map St Mabuiag"/> <input type="button" value="^"/> <input type="button" value="v"/>		
Short Description:*	<input type="text" value="House - Lot 13 Map"/>		
Asset Status:*	<input type="text" value="Commissioned"/> <input type="button" value="v"/>		
Bar Code:	<input type="text"/>		
Commission Date:	<input type="text" value="30/06/1989"/>		
Expected Commissioning:	<input type="text"/>		
Disposal/Write-off Date:	<input type="text"/>		
Asset Condition:*	<input type="text" value="2.5"/> <input type="button" value="Q"/>	Fair Condition	
AMP Category:*	<input type="text" value="BLDGCOMM"/> <input type="button" value="Q"/>	Buildings Community	
AMP Facility:*	<input type="text" value="HOUSING"/> <input type="button" value="Q"/>	Housing Network	
PPE Reporting Ctgry:*	<input type="text" value="BLDCOM"/> <input type="button" value="Q"/>	Buildings (Community	
Legacy PCS Number:	<input type="text" value="5574"/>		
SAM ID:	<input type="text" value="1002566.1"/>		
Heritage Asset:	<input type="text" value="NO"/> <input type="button" value="Q"/>	No	



Primary Image:

Home Ownership Works including internal and external upgrades. Works are inclusive of kitchen upgrade, bathroom upgrade, floor covering, roof screw and gutter replacement, general plumbing, electrical and general repairs, along with internal and external painting. These works are to renovate the dwelling back to a better standard for occupational living for the community members that occupy this residence.

Council has no influence on whether these works go ahead, as this is works commissioned by the State Government through the Department of Energy and Public Works- QBuild.

If Council does not tender for this work, QBuild will issue this work as a public tender or award the work to a State Government pre-qualified supplier.

TSIRC Building Services completes approximately 270 tenders for work commissioned by the State and Federal Governments each financial year. TSIRC BSU tender response is valid for a period of 60 days from date of tender submission, due to the current volatile construction material cost increases.

Department of Energy and Public Works through QBuild issue the tender documentation to TSIRC Building Services to respond to.

TSIRC Building Services must complete an estimation and the tender documentation for submission back to QBuild within an approximate 2-week timeframe.

The QBuild approved tender submission price becomes the formal agreement to initiate construction works.

The price submitted to QBuild includes a margin for Council. When the tender is awarded to Council, Council commences its own procurement process to engage a contractor to carry out the works on behalf of Council. The difference between the tendered price to QBuild and the contract award price to the contractor becomes Council's revenue.

Consultation:

- Chief Executive Officer
- Manager, Construction Operations
- Manager, Governance & Compliance

Finance & Risk:

TSIRC Building Services is bound by the tender submission to complete the works / services and invoice for the tendered amount.

TSIRC Building Services receive the first right of refusal for works to be carried out on TSIRC islands.

Non approved delays in submitting the tender could result in offer for works /services to be offered to another party.

Sustainability:

Tender submissions returned within the allocated timeframe enhances the workability of the relationship between TSIRC Building Services and QBuild for proactive outcomes.

Conclusion:

That Council resolves to submit this tender and delegate to the CEO to tender, enter into contracts, negotiate, finalise and execute any and all matters in relation to this Tender.



Endorsed:
Nicholas Sturges
Manager, Construction Operations



Recommended:
James William
Chief Executive Officer



TORRES STRAIT ISLAND REGIONAL COUNCIL

CLOSED BUSINESS REPORT

ORDINARY MEETING: June 2022

DATE: 28th- 29th June 2022

ITEM: Closed Session - Agenda Item for Resolution by Council

SUBJECT: Closed Session - Contractual Matter – 26 Charlies Road, Yorke

AUTHOR: Nicholas Sturges, Manager, Construction Operations

Resolution:

Council resolves to:

1. Submit a tender to the Queensland State Government through the Department of Housing and Public Works to carry out various upgrade works at 26 Charlies Road, Yorke Island (QBFNQ0613UP1) with a tender price of \$391,886.01 excl of GST
- and
2. delegate to the Chief Executive Officer's submit the tender, enter into contracts, negotiate, finalise and execute any and all matters in relation to this tender.

Purpose:

The purpose of this report is to get Council's endorsement for Council to tender for this work with QBuild.

Background:

Asset Details Attribute Details Work Details	
General	
Search Description:*	House - Lot 26 on SP 277431 Billys Rd ak
Description:	House - Lot 26 on SP 277431 Billys Rd aka Charlies Rd, Masig Island Qld 4875
Short Description:*	House - Lot 26 on SP
Asset Status:*	Commissioned
Bar Code:	
Commission Date:	30/06/1974
Expected Commissioning:	
Disposal/Write-off Date:	
Asset Condition:*	3.5 <input type="checkbox"/> Poor Condition
AMP Category:*	BLDGCOMM <input type="checkbox"/> Buildings Community
AMP Facility:*	HOUSING <input type="checkbox"/> Housing Network
PPE Reporting Ctrgy:*	BLDCOM <input type="checkbox"/> Buildings (Community)
Legacy PCS Number:	5949
SAM ID:	1002954.1
Heritage Asset:	NO <input type="checkbox"/> No



Primary Image: 1002954.jpg



Home Ownership Works including internal and external upgrades. Works are inclusive of kitchen upgrade, bathroom upgrade, floor covering, roof screw and gutter replacement, general plumbing, electrical and general repairs, along with internal and external painting. These works are to renovate the dwelling back to a better standard for occupational living for the community members that occupy this residence.

Council has no influence on whether this work go ahead, as this is works commissioned by the State Government through the Department of Housing and Public Works.

If Council does not tender for this work, QBuild will issue this work as a public tender or award the work to a State Government pre-qualified supplier.

TSIRC Building Services completes approximately 140 tenders for work commissioned by the State and Federal Governments each financial year.

Department of Housing and Public Works through QBuild issue the tender documentation to TSIRC Building Services to respond to.

TSIRC Building Services must complete an estimation and the tender documentation for submission back to QBuild within an approximate 2-week timeframe.

The QBuild approved tender submission price becomes the formal agreement to initiate construction works.

The price submitted to QBuild includes a margin for Council. When the tender is awarded to Council, Council commences its own procurement process to engage a contractor to carry out the works on behalf of Council. The difference between the tendered price to QBuild and the contract award price to the contractor becomes Council's revenue.

Consultation:

- Chief Executive Officer
- Manager, Construction Operations
- Manager, Governance & Compliance

Finance & Risk:

TSIRC Building Services is bound by the tender submission to complete the works / services and invoice for the tendered amount.

TSIRC Building Services receive the first right of refusal for works to be carried out on TSIRC islands.

Non approved delays in submitting the tender could result in offer for works /services to be offered to another party.

Sustainability:

Tender submissions returned within the allocated timeframe enhances the workability of the relationship between TSIRC Building Services and QBuild for proactive outcomes.

Conclusion:

That Council resolves to submit this tender and delegate to the CEO to tender, enter into contracts, negotiate, finalise and execute any and all matters in relation to this Tender.



Endorsed:
Nicholas Sturges
Manager, Construction Operations



Recommended:
James William
Chief Executive Officer



TORRES STRAIT ISLAND REGIONAL COUNCIL

CLOSED BUSINESS REPORT

ORDINARY MEETING: June 2022

DATE: 28th- 29th June 2022

ITEM: Closed Session - Agenda Item for Resolution by Council

SUBJECT: Closed Session - Contractual Matter – 104 Gibuma Street, Boigu

AUTHOR: Nicholas Sturges, Manager, Construction Operations

Resolution:

Council resolves to:

1. Submit a tender to the Queensland State Government through the Department of Housing and Public Works to carry out various upgrade works at 104 Gibuma Street, Boigu Island (BASFNQ0483BLD3) with a tender price of \$393,974.10 excl of GST
- and
2. delegate to the Chief Executive Officer's submit the tender, enter into contracts, negotiate, finalise and execute any and all matters in relation to this tender.

Purpose:

The purpose of this report is to get Council's endorsement for Council to tender for this work with QBuild.

Background:

Asset Details Attribute Details Work Details	
General	
Search Description:*	House - PT Lot 22 on SP273190 aka Lot 1C
Description:	House - PT Lot 22 on SP273190 aka Lot 104 (SLUP & DOH) Gibuma St, Boigu Island Qld 4875
Short Description:*	House - PT Lot 22 on
Asset Status:*	Commissioned
Bar Code:	
Commission Date:	30/06/1994
Expected Commissioning:	
Disposal/Write-off Date:	
Asset Condition:*	2.5 Fair Condition
AMP Category:*	BLDGCOMM Buildings Community
AMP Facility:*	HOUSING Housing Network
PPE Reporting Ctrgy:*	BLDCOM Buildings (Community)
Legacy PCS Number:	5210
SAM ID:	1002030.1
Heritage Asset:	NO No



Primary Image: 1002030.jpg



Home Ownership Works including internal and external upgrades. Works are inclusive of fencing upgrade, bathroom upgrade, floor covering, roof screw and gutter replacement, general plumbing, electrical and general repairs, along with internal and external painting. These works are to renovate the dwelling back to a better standard for occupational living for the community members that occupy this residence.

Council has no influence on whether this work go ahead, as this is works commissioned by the State Government through the Department of Housing and Public Works.

If Council does not tender for this work, QBuild will issue this work as a public tender or award the work to a State Government pre-qualified supplier.

TSIRC Building Services completes approximately 140 tenders for work commissioned by the State and Federal Governments each financial year.

Department of Housing and Public Works through QBuild issue the tender documentation to TSIRC Building Services to respond to.

TSIRC Building Services must complete an estimation and the tender documentation for submission back to QBuild within an approximate 2-week timeframe.

The QBuild approved tender submission price becomes the formal agreement to initiate construction works.

The price submitted to QBuild includes a margin for Council. When the tender is awarded to Council, Council commences its own procurement process to engage a contractor to carry out the works on behalf of Council. The difference between the tendered price to QBuild and the contract award price to the contractor becomes Council's revenue.

Consultation:

- Chief Executive Officer
- Manager, Construction Operations

Finance & Risk:

TSIRC Building Services is bound by the tender submission to complete the works / services and invoice for the tendered amount.

TSIRC Building Services receive the first right of refusal for works to be carried out on TSIRC islands.

Non approved delays in submitting the tender could result in offer for works /services to be offered to another party.

Sustainability:

Tender submissions returned within the allocated timeframe enhances the workability of the relationship between TSIRC Building Services and QBuild for proactive outcomes.

Conclusion:

That Council resolves to submit this tender and delegate to the CEO to tender, enter into contracts, negotiate, finalise and execute any and all matters in relation to this Tender.



Endorsed:
Nicholas Sturges
Manager, Construction Operations



Recommended:
James William
Chief Executive Officer



TORRES STRAIT ISLAND REGIONAL ORDINARY MEETING

COMMITTEE MEETING:	June 2022
DATE:	June 2022
ITEM:	OM – BSU Report
SUBJECT:	Closed Business - Building Services Update (May 2022)
AUTHOR:	Nicholas Sturges, Manager Construction Operations

Recommendation:

That the Building Services Report for May is noted for the Council ordinary meeting.

Executive Summary:

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

Performance – value of work

Globally the Building and Construction industry is experiencing unprecedented impacts from;

- Material supply availability
- Material cost increases
- Qualified Trade supplier
- Aging qualified trade base
- Fuel Cost increases

TSIRC BSU is experiencing all these impacts that are enhanced by its unique location of delivery.

These issues are combined with unique locality inhibitors including;

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

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

Upgrade & HO Program

Delivery of Upgrade and HO projects underperformed this month by a substantial amount. This was due to multiple factors that included

- Reduction in Qualified trades
- Inhibited travel / access in region
- Availability of accommodation
- Building Services staff on sick leave.
- Reduction in margins of completed works

This has been clearly identified to establish an understanding of actions and consequence to assist in mitigation actions return delivery and outcomes back to previous levels.

R&M Program

Reached forecasted revenue budget in Mid-May. Therefore, from Mid-May to end of June all



TORRES STRAIT ISLAND REGIONAL ORDINARY MEETING

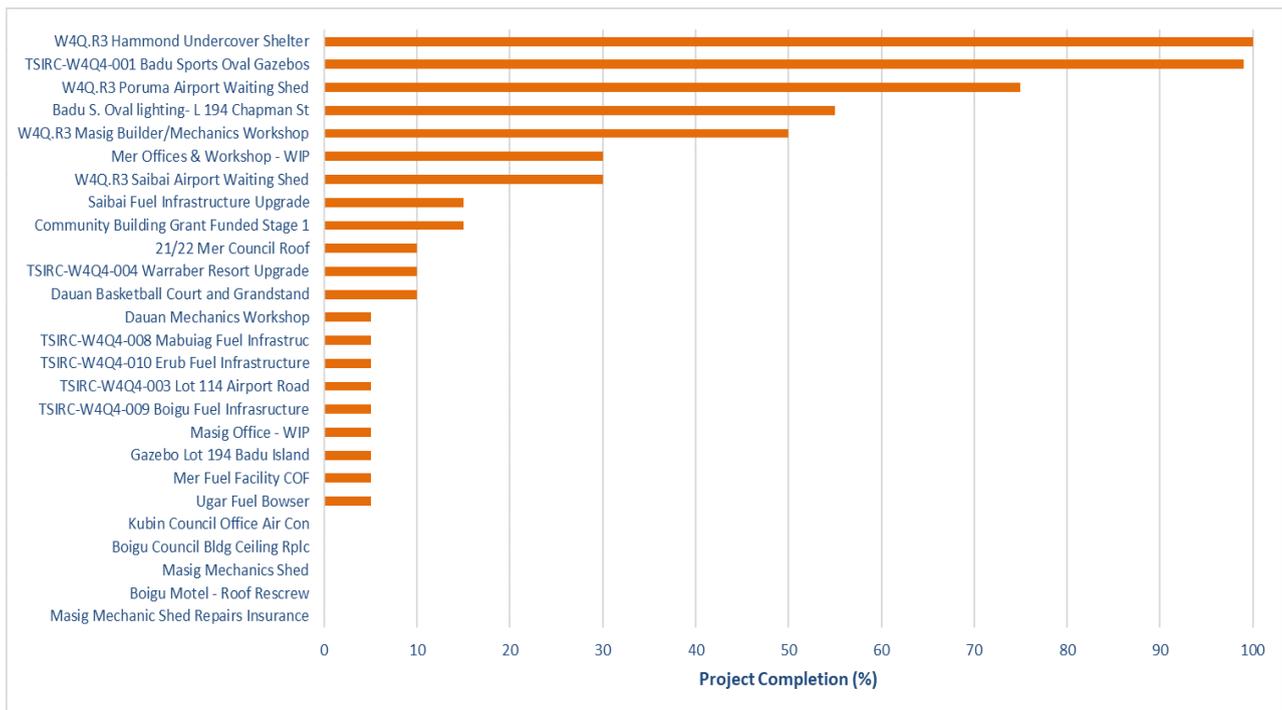
completions are culminating into additional revenue and profit for the R&M section.

QBuild are completing island community inspections. The island communities that they have inspected have increased the volume of R&M works being issued to TSIRC BSU. This has provided from April to May, an increase of 40% of received new R&M jobs.

It is expected that in the new Financial year that the numbers will reduce back to normal operating numbers.

Capital Works:

Capital Works projects are currently tracking as per below graph;



Estimating

Building and Construction costs continue to rise. Building Services are receiving prior notification from its suppliers that is communicated to QBuild and material item costs are constantly being adjusted.

Building Services, with the collaborative agreement of QBuild adjusted its tender /quotations validity periods from 9 days to 60 days. This effectively removes 33% of the price increase risk. Additionally the ordering of material once work are received from QBuild have increased priority for completion, this has been noted as an increase in BSU administration staff works loads that they have been completing.

Business Relationships

TSIRC Building Services have continued to focus on the rectification and clos out of Defects with QBuild.

This will take further collaborative action to complete and assist QBuild new employees, especially in reducing repeated actions and identifying actual Scope of Work items and Building Services actively inhibiting scope creep by QBuild.

The quarterly Joint Operations Meeting is scheduled for 8/6/2022.



TORRES STRAIT ISLAND REGIONAL ORDINARY MEETING

Logistics:

BSU is continuing to monitor its improved workflow for materials logistics, between delivery to Sea Swift Cairns and arrival on ground at the island community.

Fuel increases are impacting freighting costs.

Considerations

Risk Management

- Urgent review of tabled works for next financial year to clarify actual projects and financial impact.
- Urgent action to address with Dept. of Housing, to obtain designated works for the FY 22/23
- Contractor resourcing has reduced this financial year with 5 main contractors leaving the region.
- Monitoring of performance regularly being undertaken to manage revenue, expenses, and service delivery and outcomes to community
- Monitoring of supply chains and materials is ongoing.
- Operations working through logistics of stockpiling goods to effectively ease our supply problems. This is paramount to the ongoing success of Repairs and Maintenance and upgrades to our communities.
- The most run-down contractor's accommodation is being identified to upgrade the facility that will directly assist with contractor availability on certain island communities for work loads.
- Construction Waste removal from Island Communities is currently establishing a longer-term structure.

Consultation:

- Building Services Management
- Business Services Accountant
- External Project Managers for Capital Works
- Building Services Construction Software
- Procure Published Industry statistical data

Links to Strategic Plans:

Corporate Plan 2020-2025

- Sustainability - Objective 7: Our communities are consulted around liveable places, aligned to lifestyle and environmental suitability
- Operational Plan 2021-2022
- Delivery of Capital Works program

Statutory Requirements:

- *Local Government Act 2009*
- *Local Government Regulation 2012*
- *National Construction Code Building Act 1975,*



TORRES STRAIT ISLAND REGIONAL ORDINARY MEETING

- *Building Regulation 2006*
- *Queensland Building and Construction Commission Act 1991*
- *Queensland Building and Construction Commission Regulation 2018*

Conclusion:

That the OM notes the information contained in the report.

A handwritten signature in black ink, appearing to be "NS", written over a horizontal line.

Endorsed:

Nicholas Sturges
Manager Construction Operations

A handwritten signature in black ink, appearing to be "JW", written over a horizontal line.

Approved:

James William
Chief Executive Officer



TORRES STRAIT ISLAND REGIONAL COUNCIL

COUNCIL REPORT – CLOSED BUSINESS

ORDINARY MEETING:	June 2022
DATE:	28 & 29 June 2022
ITEM:	Agenda Item for Resolution by Council
SUBJECT:	Financial Dashboard Report – May 2022
AUTHOR:	Nicola Daniels, Head of Financial Services

Recommendation:

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

Purpose:

This report seeks Council endorse the monthly financial statements for the 2021-22 year to date, for the period ended 31 May 2022.

Background:

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

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

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

Resource implications:

The actual operating result for May 2022 YTD is a \$6.8M surplus, which is better than the YTD forecast operating deficit of \$13.1M for the 2021-22 financial year.

FINANCIAL PERFORMANCE AT A GLANCE – YTD 2022

Key financial results	Annual budget	YTD budget	YTD actual	YTD variance \$	YTD variance %	Status
Recurrent revenue	60,429,067	45,874,910	53,061,421	7,186,511	15.7%	●
Other income	5,761,581	5,339,224	5,246,067	(93,157)	(1.7%)	●
Recurrent expenditure (excl. depreciation)	(70,790,399)	(64,377,381)	(51,506,159)	12,871,222	20.0%	●
Operating result (excl. depreciation)	(4,599,751)	(13,163,247)	6,801,328	19,964,576	151.7%	●
Capital revenue	73,648,135	64,168,889	16,686,492	(47,482,397)	(74.0%)	●
Capital expenses	(1,500,000)	(1,150,000)	(3,104,377)	(1,954,377)	169.9%	●
Net result (excl. depreciation)	67,548,384	49,855,642	20,383,443	(29,472,199)	(59.1%)	●
Depreciation expense	(46,709,047)	(42,835,815)	(43,347,802)	(511,987)	(1.2%)	●
Net result	20,839,338	7,019,827	(22,964,359)	(29,984,186)	427.1%	●

Key:

Act Vs Bud Var % is <= -10%

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

Act Vs Bud Var % is > -5%



Operating Result

The YTD \$19.9M operating result variance mainly attributed to:

- **Financial Assistance Grant of \$10.4M was received in April (budgeted \$5.6M in June). These funds were paid in advance by the State Government and relate to the 22/23 financial year allocation; This prepayment will have a significant impact on the 22/23 Original Budget and 21/22 actual results.**
- Engineering recurrent revenue currently ahead of budget by \$1.6M for grant revenue (timing variance, excludes financial assistance grant), this is offset by BSU recurrent revenue tracking \$4.2M behind budget expectations (further details of department performance can be obtain in BSU Update Report)
- Reduction in employee expenditure due to extended vacancies
- Material & Services for most departments are currently under budget. This is due to a combination of factors; cost management, reduction in BSU expenditure due to reduced revenue from upgrades and timing of commissioning operating works, vacancy rates reducing capability to deliver services and projects
- Lower leasing expense as some leases are now recognised as a right of use asset which is subsequently amortised with a portion recognised as interest in line with AASB 16 (effect of new accounting standard not budgeted)
- Less residential rent as Katter / private home ownership leases are executed

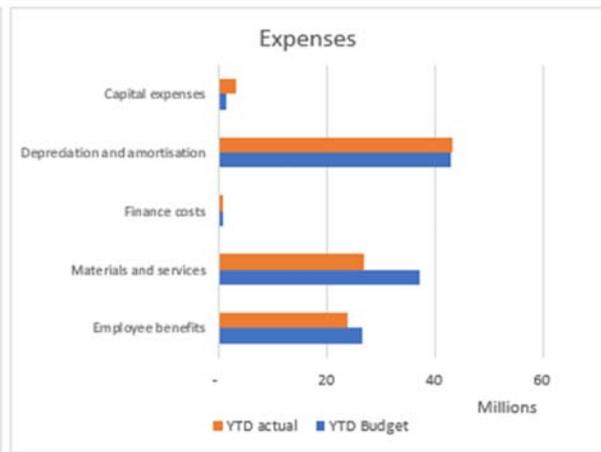
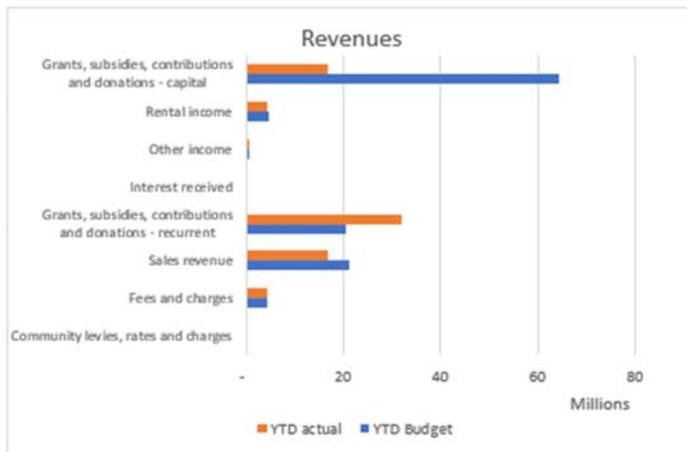
Net Result

The YTD (\$29.9M) net result variance mainly attributed to:

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

STATEMENT OF FINANCIAL PERFORMANCE

	Annual Budget	YTD Budget	YTD actual	YTD variance \$	YTD variance %
Income					
Recurrent revenue					
Community levies, rates and charges	1,607,282	58,637	62,774	4,137	0.0%
Fees and charges	4,575,813	4,163,567	4,334,164	170,597	4.1%
Sales revenue	23,896,691	21,269,087	16,872,274	(4,396,812)	(20.7%)
Grants, subsidies, contributions and donations	30,349,282	20,383,619	31,792,208	11,408,589	56.0%
	60,429,067	45,874,910	53,061,421	7,186,511	15.7%
Capital revenue					
Grants, subsidies, contributions and donations	73,648,135	64,168,889	16,686,492	(47,482,397)	(74.0%)
	73,648,135	64,168,889	16,686,492	(47,482,397)	(74.0%)
Interest received	194,956	182,174	166,008	(16,167)	(8.9%)
Other income	543,340	561,919	679,071	117,152	20.8%
Rental income	5,023,285	4,595,131	4,400,988	(194,142)	(4.2%)
Total income	139,838,783	115,383,023	74,993,979	(40,389,044)	(35.0%)
Expenses					
Recurrent expenses					
Employee benefits	28,975,142	26,443,127	23,939,102	2,504,025	9.5%
Materials and services	41,048,610	37,233,219	26,882,215	10,351,005	27.8%
Finance costs	766,648	701,034	684,843	16,192	2.3%
Depreciation and amortisation	46,709,047	42,835,815	43,347,802	(511,987)	(1.2%)
	117,499,446	107,213,196	94,853,961	12,359,235	11.5%
Capital expenses	1,500,000	1,150,000	3,104,377	1,954,377	169.9%
Total expenses	118,999,446	108,363,196	97,958,338	(10,404,858)	(9.6%)
Net result	20,839,338	7,019,827	(22,964,359)	(29,984,186)	(427.1%)

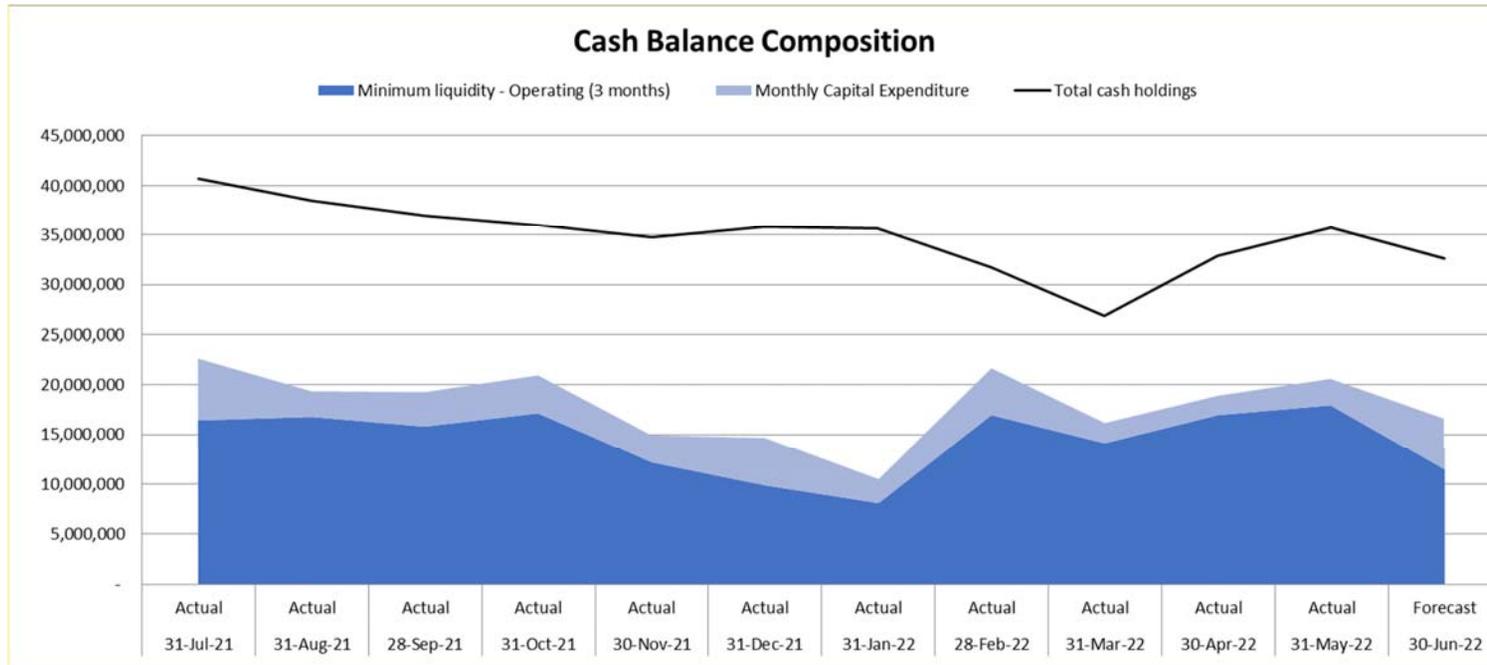


STATEMENT OF FINANCIAL POSITION

	Current Month	Prior Month	variance \$	variance %
Current assets				
Cash and cash equivalents	35,400,468	33,108,685	2,291,783	6.9%
Short term deposits	66,077	66,077	0	0.0%
Trade and other receivables	5,732,141	11,373,178	(5,641,037)	(49.6%)
Inventories	257,841	257,841	0	0.0%
Contract assets	7,850,786	8,014,224	(163,438)	(2.0%)
Lease receivables	-	4,699	4,699	(100.0%)
Total current assets	49,307,313	52,815,306	(3,507,993)	(6.6%)
Non-current assets				
Lease receivables	13,143,290	13,143,289	1	0.0%
Property, plant and equipment	886,875,572	888,025,387	(1,149,815)	(0.1%)
Right of use assets	117,511	170,141	(52,630)	(30.9%)
Total non-current assets	900,136,373	901,338,817	(1,202,444)	(0.1%)
Total assets	949,443,686	954,154,123	(4,710,437)	0.1%
Current liabilities				
Trade and other payables	6,239,563	5,246,972	(992,591)	(18.9%)
Borrowings	-	-	0	
Provisions	4,738,543	4,688,302	(50,241)	(1.1%)
Contract liabilities	21,304,105	21,304,105	0	0.0%
Lease liabilities	61,216	114,061	52,845	46.3%
Total current liabilities	32,343,427	31,353,440	(989,987)	(3.2%)
Non-current liabilities				
Provisions	4,603,440	4,622,754	19,314	0.4%
Lease liabilities	60,985	60,985	(0)	(0.0%)
Total non-current liabilities	4,664,426	4,683,739	19,314	0.4%
Net community assets	912,435,833	918,116,944	(5,681,111)	(0.6%)
Community Equity				
Asset revaluation surplus	514,581,024	514,581,024	0	0.0%
Retained surplus/(deficiency)	420,819,168	420,819,168	0	0.0%
Current Year Surplus/(Deficit)	- 22,964,359	- 17,283,248	(5,681,111)	32.9%
	912,435,833	918,116,944	(5,681,111)	(0.6%)

Cash Forecasting

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



Cashflow Comments

YTD May 2022 – Actual \$35.7M

- Although cash holdings remain above QTC recommendations, a majority of this is constrained funding. ICCP works which were originally forecast to complete at 30 June 2022 but several projects' extensions have been approved up to December 2022
- Financial Assistance Grant received in advance - \$10.4M. These funds are for the 22/23 financial year

YTD June 2022 – Forecast \$30.1M

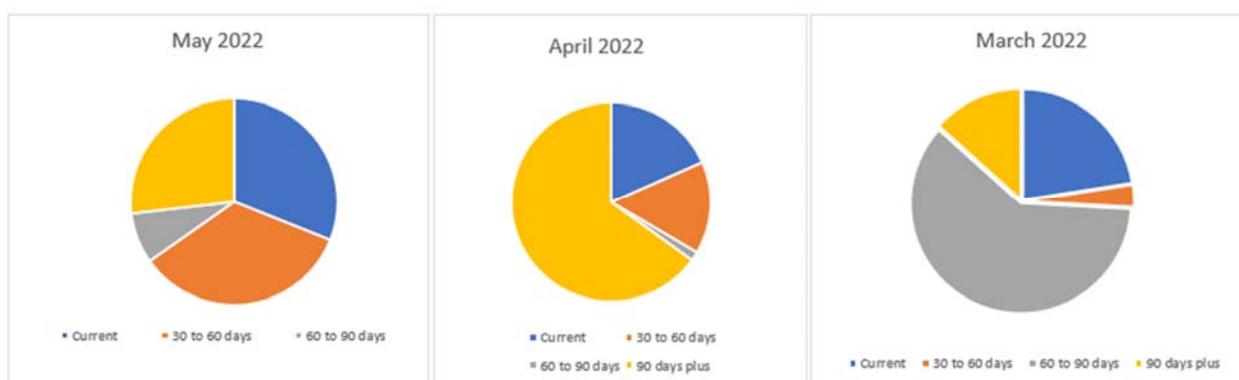
- Funds remain relatively high due to committed funding held for unfinished capital projects and Financial Assistance Grant received in advance.
- Financial Assistance Grant received in advance - \$10.4M. These funds are for the 22/23 financial year

Debtor Analysis

Days outstanding	As at 31 May 2022		As at 30 April 2022		As at 31 March 2022	
	\$	%	\$	%	\$	%
Current	1,297,806	31%	1,893,940	18%	2,032,911	23%
30 to 60 days	1,425,728	34%	1,559,713	15%	300,514	3%
60 to 90 days	331,914	8%	152,837	1%	5,484,672	61%
90 days plus	1,121,196	27%	6,701,189	65%	1,202,856	13%
Total aged debtors	4,176,645	100%	10,307,679	100%	9,020,954	100%
Housing debtors (Note 1)	12,909,846		13,029,956		12,989,684	
Provision	- 13,332,633		- 13,286,586		- 13,240,540	
Net debtors (exc. Unapplied credits)	3,753,858		10,051,049		8,770,098	
Unapplied Credits	- 222,865		- 90,241		- 136,796	

Notes to table:

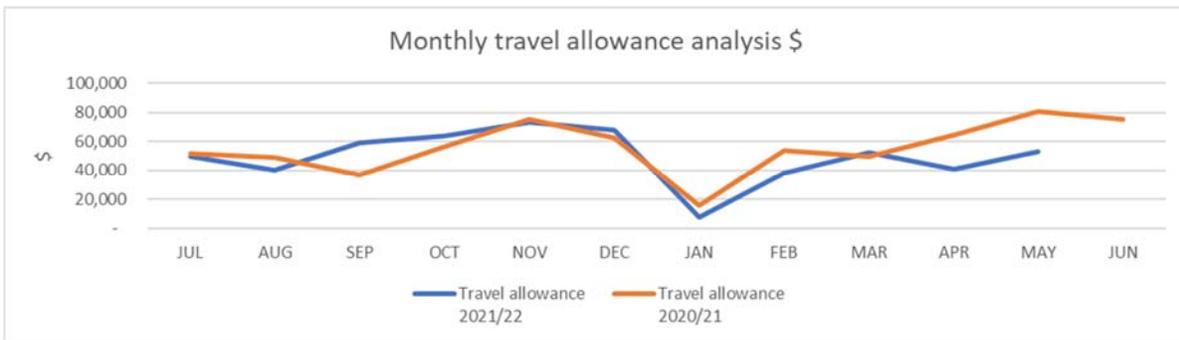
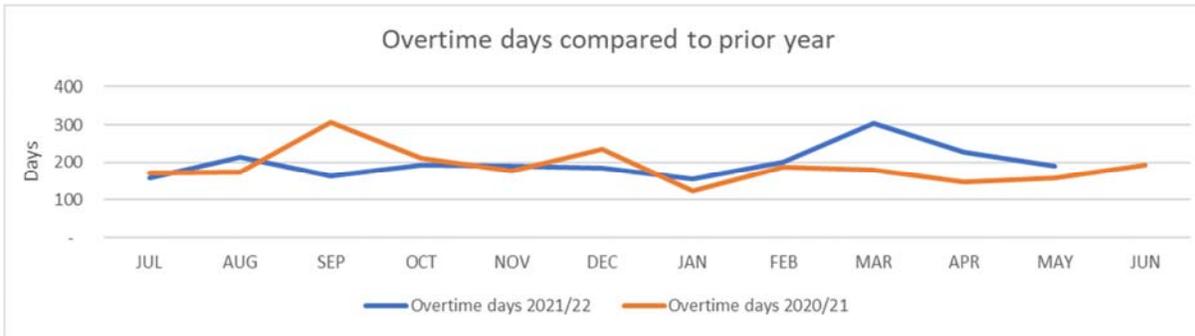
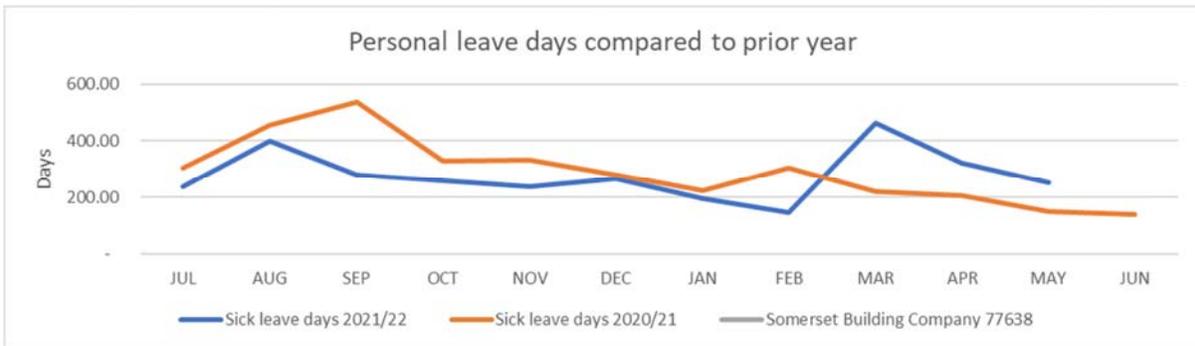
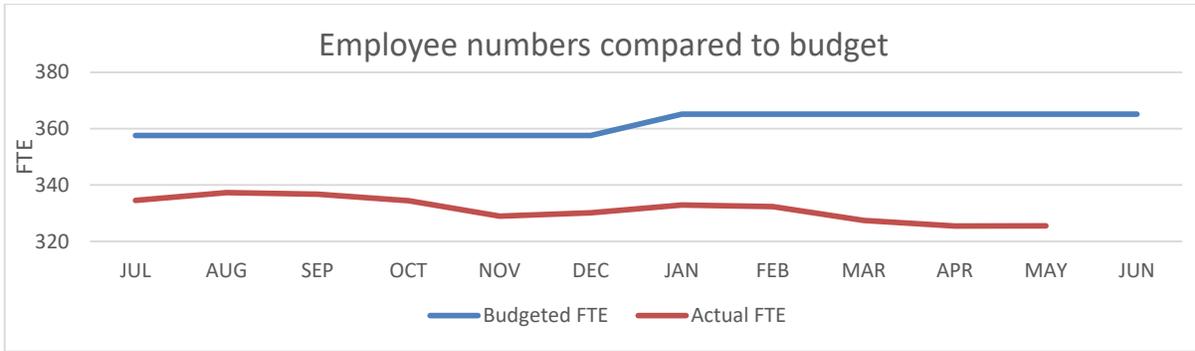
- For housing debtors and collection rates analysis refer to monthly Housing Information Report



Analysis of top five debtors in excess of 90 Days

Debtor name	Amount outstanding > 90 days	Commentary
Badhulgaw Kuthinaw Mudh TSI Corporation Badu Art Centre	\$98,378.40	A meeting was set with debtor and had to be cancelled. Legal to reschedule a new meeting date to discuss debt.
Tagai State College	\$93,845.66	Discrepancies confirmed by RDRO and a recommendation for approval based on the supporting evidence is being written. An endorsed plan by Manager of Financial Accounting and Head of Financial Services on how to rectify the outstanding debt will be provided.
Ged Erub Trading Homeland Enterprise (TSI) Corporation Tavern	\$75,928.29	Debtor applied for reduction/concession in charges and has been contacted for confirmation of some particulars. A report will be taken to Council OM in July for consideration per Council policy.
BIF Badu Island Foundation	\$59,464.31	A letter is being drafted by Legal outlining the proposed terms of settlement. Once the proposal has been finalised and approved by the CEO a meeting will be held with the Debtor to agree on the terms.
Strait Support Pty Ltd	\$50,000.00	Currently paying monthly instalments of \$10,000. Briefing note to be drafted regarding instalment plan for formal approval from CEO.

Payroll Analysis



Grant Analysis:

Refer to 'Funding Acquisition Report' by Corporate Affairs.

Corporate Plan Linkage:

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

Consultation and communication:

Senior Executive Team
Department Heads / Managers
Finance Department

Risk Management Implications:

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

Significant Risks:

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

Areas of Concern for Noting:

Risk	Comment
Influenza	While COVID has been the focus over the last few years the 'flu season' is coming in and there have been warnings of the likelihood of a very bad season with current hospitalisations and reports of influenza appearing to be quite high. There is evidence of the affect of continuing illness with the amount of personal leave days remaining above the prior year.

Final Considerations:

Risk Management

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

There are numerous drives which have affected Council operations during the financial year. Inflationary pressures are impacting not only Council but the whole of Australia (rising energy prices, global supply chain disruptions and labour shortages) sending the cost of goods and services higher.

It remains to be seen how this will affect Council operations in the next couple of months and years. Management will continue to progressively adapt, monitor, and plan into the future as the situation and its impact evolves over the coming months. With continuing uncertainty in the economic climate and due to the continual changes in market factors, it makes future forecasting quite challenging.

Endorsed:



Nicola Daniels
Head of Financial Services



Recommended:

Hollie Faithfull
Executive Director Financial Services



Approved:

James William
Chief Executive Officer

Appendix A

Executive Department

Key Financial Results	Annual Budget Review	YTD Budget Review	YTD Actual	YTD Variance \$	YTD Variance %	Status
Recurrent revenue	546,200	546,200	546,382	182	0.0%	●
Other income	0	0	0	0	0.0%	●
Recurrent expenditure (excl. depreciation)	(3,357,219)	(3,024,555)	(2,459,685)	564,870	18.7%	●
Operating surplus (exc. Depreciation)	(2,811,019)	(2,478,355)	(1,913,303) ↑	565,052	22.8%	●
Capital revenue	0	0	0	0	0.0%	●
Capital expenses	0	0	0	0	0.0%	●
Net result (excl. depreciation)	(2,811,019)	(2,478,355)	(1,913,303) ↑	565,052 ↑	22.8%	●
Depreciation Expense	0	0	0	0	0.0%	●
Net result	(2,811,019)	(2,478,355)	(1,913,303)	565,052	22.8%	●

Comments:

Expenses continue to be underbudget with the largest variances in donations, training and travel.

Building Services Department

Key Financial Results	Annual Budget Review	YTD Budget Review	YTD Actual	YTD Variance \$	YTD Variance %	Status
Recurrent revenue	21,205,164	18,798,618	14,595,428	(4,203,190)	-22.4%	●
Other income	0	0	0	0	0.0%	●
Recurrent expenditure (excl. depreciation)	(16,015,077)	(14,607,367)	(11,577,272)	3,030,095	20.7%	●
Operating surplus (exc. Depreciation)	5,190,087	4,191,251	3,018,156 ↑	(1,173,095)	-28.0%	●
Capital revenue	3,376,472	1,857,059	959,845	(897,214)	-48.3%	●
Capital expenses	0	0	0	0	0.0%	●
Net result (excl. depreciation)	8,566,559	6,048,310	3,978,001 ↑	(2,070,309)	-34.2%	●
Depreciation Expense	0	0	(22,006)	(22,006)	0.0%	↑
Net result	8,566,559	6,048,310	3,955,995	(2,092,315)	-34.6%	●

Comments:

Recurrent revenue is below budget due to underperformance in upgrade works. Year to date blockages include contractor resourcing, material supply, unsuitable accommodation, Qbuild pricing.

Factors specifically impacting the May month results include restricted staff travel, delays in internal approvals, restricted access to some divisions, no vehicle access on Mabuag.

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

Health and Community Services Department

Key Financial Results	Annual Budget Review	YTD Budget Review	YTD Actual	YTD Variance \$	YTD Variance %	Status
Recurrent revenue	13,744,747	12,751,858	11,816,779	(935,079)	-7.3%	●
Other income	489,805	449,403	499,330	49,927	11.1%	●
Recurrent expenditure (excl. depreciation)	(15,982,663)	(14,555,448)	(12,972,152)	1,583,296	10.9%	●
Operating surplus (exc. Depreciation)	(1,748,111)	(1,354,187)	(656,043) ↑	698,144	51.6%	●
Capital revenue	12,894,462	11,929,021	2,383,694	(9,545,327)	-80.0%	●
Capital expenses	0	0	0	0	0.0%	●
Net result (excl. depreciation)	11,146,351	10,574,834	1,727,651 ↑	(8,847,183)	-83.7%	●
Depreciation Expense	(23,988,759)	(21,996,433)	(21,855,638)	140,795	0.6%	●
Net result	(12,842,409)	(11,421,599)	(20,127,987)	(8,706,388)	-76.2%	●

Comments:

Recurrent Revenue - Travel restrictions have eased, however COVID impacts in the first part of 2022 where accommodation capacity was set at 50% have impacted revenue. Grant revenue is underbudget YTD due awaiting acquittal sign-off by funding bodies, along with difficulty delivering some programs with high staff vacancy rate. Housing revenue has not achieved budget due to vacancies and lower collection rates in some Divisions.

Recurrent Expenditure - Salaries are currently underbudget due to the staff vacancy rate remaining high. Reduction in Materials & Services spend due to travel restrictions, staff working from home through the Covid outbreak, and unspent grant funds.

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

Financial Services Department

Key Financial Results	Annual Budget Review	YTD Budget Review	YTD Actual	YTD Variance \$	YTD Variance %	Status
Recurrent revenue	19,496,758	13,895,364	24,030,487	10,135,123	72.9%	●
Other income	131,414	182,174	166,008	(16,166)	-8.9%	●
Recurrent expenditure (excl. depreciation)	(5,063,368)	(4,615,632)	(3,252,571)	1,363,061	29.5%	●
Operating surplus (exc. Depreciation)	14,564,804	9,461,906	20,943,924	11,482,018	121.3%	●
Capital revenue	3,739,312	3,346,281	730,000	(2,616,281)	-78.2%	●
Capital expenses	(3,500,000)	(3,150,000)	(3,104,377)	45,623	1.4%	●
Net result (excl. depreciation)	14,804,116	9,658,187	18,569,547	8,911,360	92.3%	●
Depreciation Expense	(543,994)	(499,562)	(1,055,261)	(555,699)	-111.2%	●
Net result	14,260,123	9,158,625	17,514,286	8,355,661	91.2%	●

Comments:**Operating result > budget**

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

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

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

Net result < budget

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

Engineering Services Department

Key Financial Results	Annual Budget Review	YTD Budget Review	YTD Actual	YTD Variance \$	YTD Variance %	Status
Recurrent revenue	9,107,891	3,228,969	5,210,354	1,981,385	61.4%	●
Other income	30,000	30,000	90,870	60,870	202.9%	●
Recurrent expenditure (excl. depreciation)	(19,388,135)	(17,563,137)	(12,050,507)	5,512,630	31.4%	●
Operating surplus (exc. Depreciation)	(10,250,244)	(14,304,168)	(6,749,283)	7,554,885	52.8%	●
Capital revenue	51,038,271	44,943,635	12,012,953	(32,930,682)	-73.3%	●
Capital expenses	2,000,000	2,000,000	0	(2,000,000)	-100.0%	●
Net result (excl. depreciation)	42,788,027	32,639,467	5,263,670	(27,375,797)	-83.9%	●
Depreciation Expense	(21,663,074)	(19,868,191)	(19,916,932)	(48,741)	-0.2%	●
Net result	21,124,953	12,771,276	(14,653,262)	(27,424,538)	214.7%	●

Comments:

Operating surplus due to:

- Recurrent Revenue - Received in advance Financial assistance payment of \$235K. \$200K advance payment from 2022/23
- transfer of ICCIP Waste project grant funds from capital to recurrent \$1.655M. New recurrent grant Bio-security officer \$166K
- Recurrent Expenditure - favourable due to lower contractor and M&S costs due to timing of operating works (including \$4.0M ICCIP Waste Management Project)

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

Capital expenses - waiting for insurance settlement on Dauan Pontoon

Appendix A

Corporate Services Department

Key Financial Results	Annual Budget Review	YTD Budget Review	YTD Actual	YTD Variance \$	YTD Variance %	Status
Recurrent revenue	24,899	23,171	27,382	4,211	18.2%	●
Other income	62,077	59,823	65,575	5,752	9.6%	●
Recurrent expenditure (excl. depreciation)	(4,961,555)	(4,522,089)	(3,425,703)	1,096,386	24.2%	●
Operating surplus (exc. Depreciation)	(4,874,579)	(4,439,095)	(3,332,746) ↑	1,106,349	24.9%	●
Capital revenue	0	0	0	0	0.0%	●
Capital expenses	0	0	0	0	0.0%	●
Net result (excl. depreciation)	(4,874,579)	(4,439,095)	(3,332,746) ↑	1,106,349 ↑	24.9%	●
Depreciation Expense	0	0	0	0	0.0%	●
Net result	(4,874,579)	(4,439,095)	(3,332,746)	1,106,349	24.9%	●

Comments:

Revenue - Slightly overbudget YTD

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

Corporate Affairs Department

Key Financial Results	Annual Budget Review	YTD Budget Review	YTD Actual	YTD Variance \$	YTD Variance %	Status
Recurrent revenue	0	0	0	0	0.0%	●
Other income	0	0	0	0	0.0%	●
Recurrent expenditure (excl. depreciation)	(1,289,133)	(1,183,978)	(909,381)	274,597	23.2%	●
Operating surplus (exc. Depreciation)	(1,289,133)	(1,183,978)	(909,381) ↑	274,597	23.2%	●
Capital revenue	0	0	0	0	0.0%	●
Capital expenses	0	0	0	0	0.0%	●
Net result (excl. depreciation)	(1,289,133)	(1,183,978)	(909,381) ↑	274,597 ↑	23.2%	●
Depreciation Expense	0	0	0	0	0.0%	●
Net result	(1,289,133)	(1,183,978)	(909,381)	274,597	23.2%	●

Comments:

Expenses: currently underbudget due to staff vacancies with surplus variances also in marketing, consultants and travel and associated costs

Fuel and Fleet Services Department

Key Financial Results	Annual Budget Review	YTD Budget Review	YTD Actual	YTD Variance \$	YTD Variance %	Status
Recurrent revenue	1,326,694	1,225,861	1,235,553	9,692	0.8%	●
Other income	25,000	22,692	23,340	648	2.9%	●
Recurrent expenditure (excl. depreciation)	(4,737,918)	(4,305,177)	(4,858,889)	(553,712)	-12.9%	●
Operating surplus (exc. Depreciation)	(3,386,224)	(3,056,624)	(3,599,996) ↓	(543,372)	-17.8%	●
Capital revenue	2,599,618	2,092,893	600,000	(1,492,893)	-71.3%	●
Capital expenses	0	0	0	0	0.0%	●
Net result (excl. depreciation)	(786,606)	(963,731)	(2,999,996) ↓	(2,036,265) ↓	-211.3%	●
Depreciation Expense	(513,220)	(471,630)	(497,964)	(26,334)	-5.6%	●
Net result	(1,299,826)	(1,435,361)	(3,497,960)	(2,062,599)	-143.7%	●

Comments:

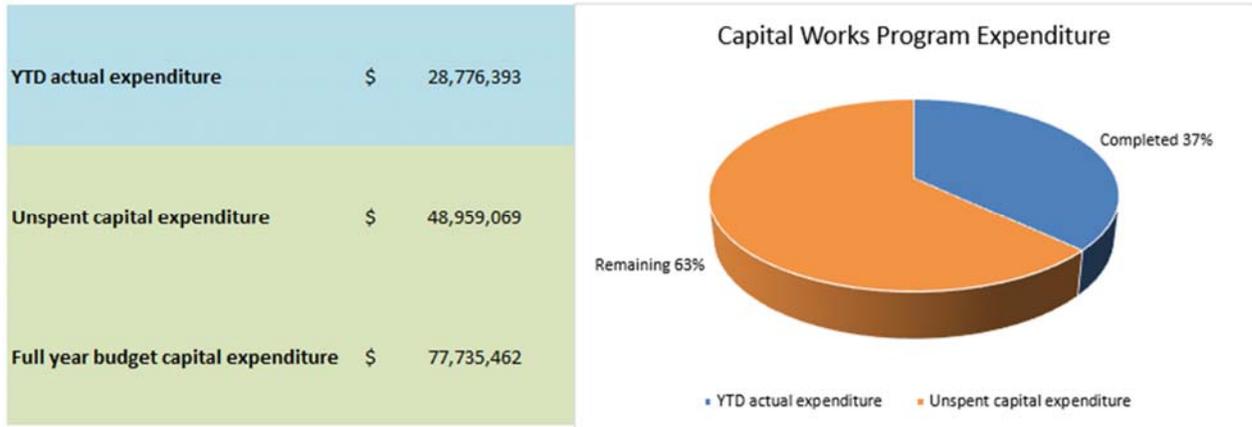
Operating result > budget

Recurrent Revenue - Variance less than 1% slightly greater than expected against budget

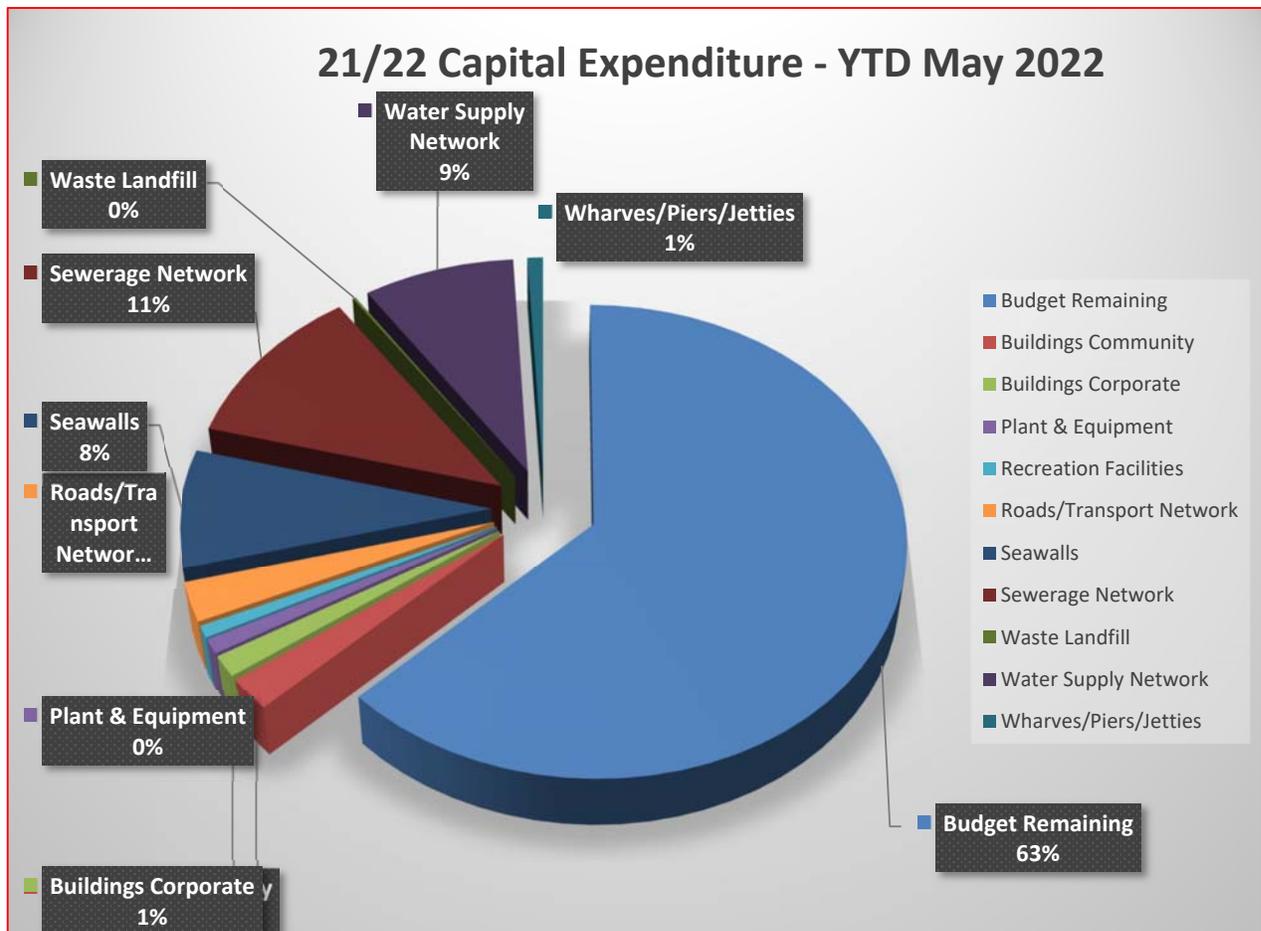
Recurrent Expenditure - Fleet costs are \$423k over budget, \$136k relates to unscheduled works and the majority of the remaining variance relates to higher scheduled maintenance costs. Fuel is \$155k over budget with fuel purchased for resale \$468k overbudget which has been offset by savings in r&m, waste disposal and gas purchases.

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

CAPITAL WORKS PROGRAM



CAPITAL SPEND BY ASSET CLASS





TORRES STRAIT ISLAND REGIONAL COUNCIL

CLOSED BUSINESS REPORT

COUNCIL MEETING:	June 2022
DATE:	28 th & 29 th June 2022
ITEM:	Agenda Item Council Meeting
SUBJECT:	TSIRC Fuel Improvement Program Status Update Report
AUTHOR:	Norman Griffett, Manager Fuel & Fleet

Recommendation

That Council notes the report.

Purpose

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

Background:

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

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

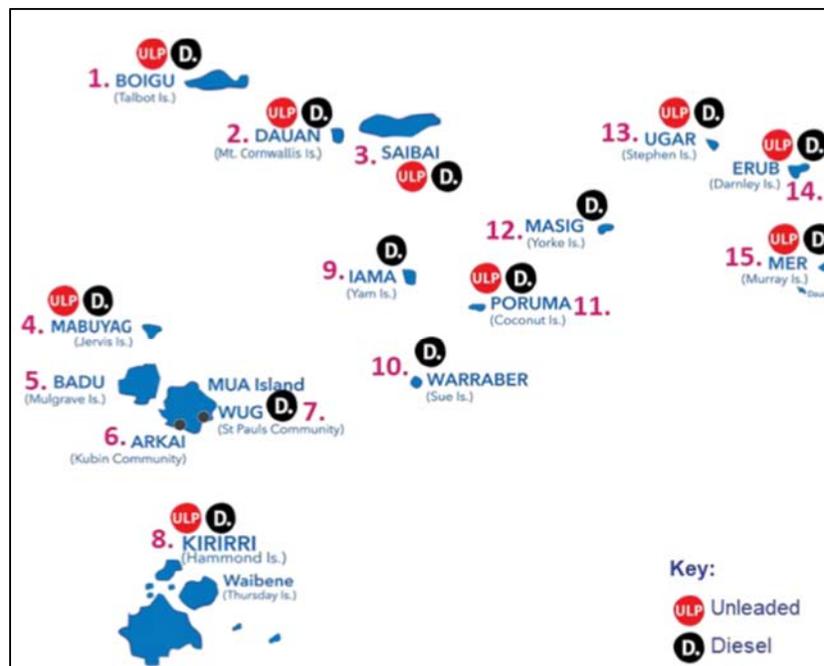


Figure 1- Fuel type provided by TSIRC

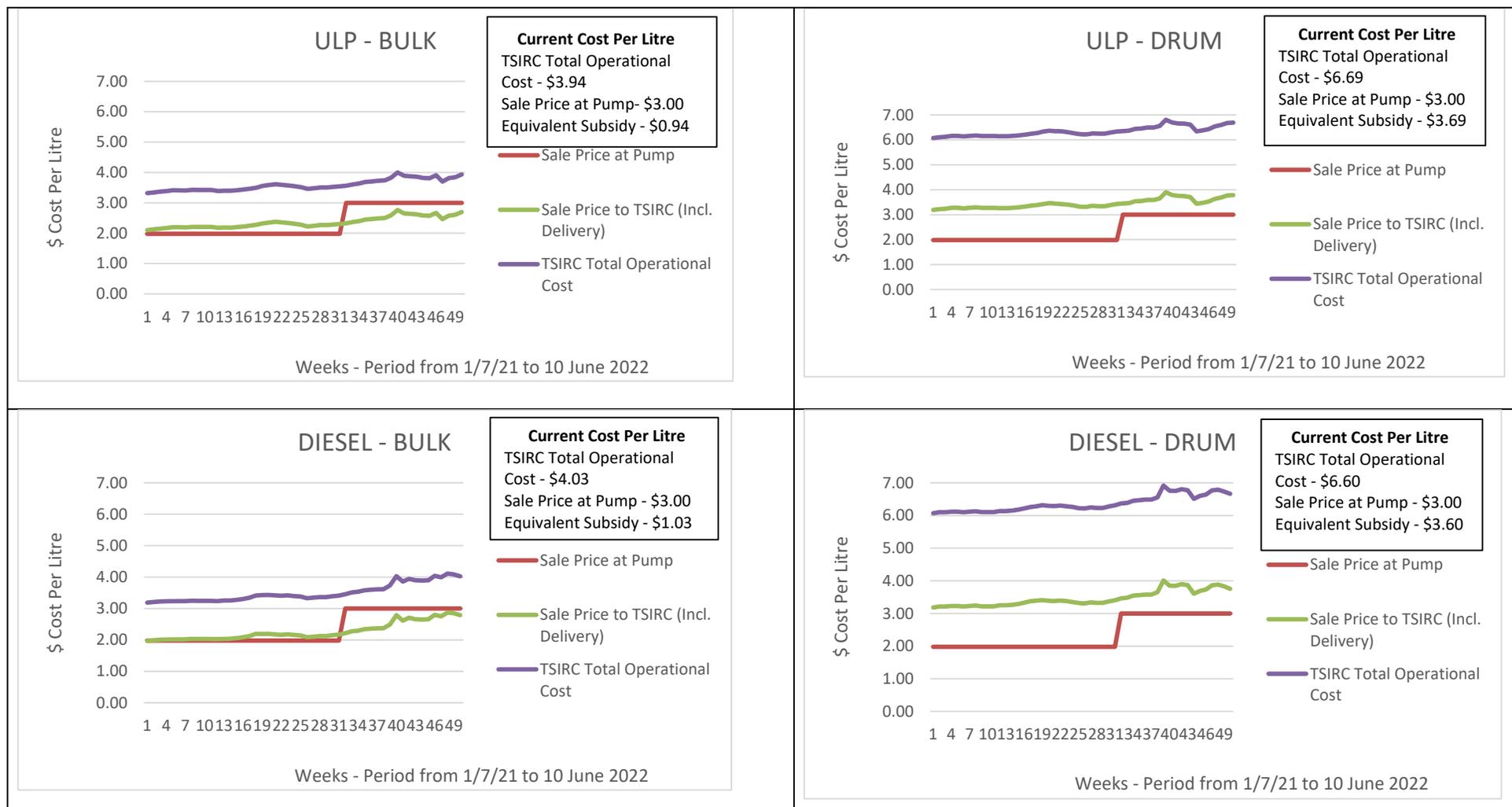
Fuel Status Summary

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

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

Table 1 TSIRC Fuel Status Summary

Table 2 Fuel price movement to 10th June 2022.



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

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

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

Table 3 - Fuel Status Program by Division

STATUS - OPERATIONS - Division 1 Boigu

Type	Approx. Litres per year	Infrastructure	Storage / Status	Delivery Type / Status	Operational Issues	Current Interim Storage Measure	Current Interim Delivery Measure	Planned Additional Interim Measures	Operating Times	Comments
ULP	115,535	6,000 Lts	Bulk / Non-Operational	Bowser / Non-Operational	Bowsers being inspected and will improve operational reliability – service visit completed to replace bowser displays and provide scoping for a possible upgrade	200 Litre Drums	Hand pumps from drums	Work completed on fuel site to bring back to operational capability. May 2022	Mon-Fri 10:30am-12:00noon then 2:30pm-4:00pm	Capital funding available as outlined below.
Diesel		2,000 Lts	Bulk / Non-Operational	Bowser / Non-Operational		200 Litre Drums	Hand pumps from drums			

STATUS - CAPITAL - Division 1 Boigu

Type	Funded Project	Funder	Amount	Project Description	Estimated Time of Completion	Project Issues / Risk	Risk Mitigation	Comments
ULP	✓	W4Q	\$ 400,000	Rollout program has been delayed while construction requirements are being assessed to fit within funding budget available.	June 30 2023	Fit requirements in funding package	Limit scope to compliance requirements	Existing Tanks are being assessed for remaining useful life. Project specifications are currently being finalised to fit within funding constraints and expect to be released for tender by (BSU) in next financial year 22/23.
Diesel	✓	W4Q						

STATUS - OPERATIONS - Division 2 Dauan

Type	Approx. Litres per year	Infrastructure	Storage / Status	Delivery Type / Status	Operational Issues	Current Interim Storage Measure	Current Interim Delivery Measure	Planned Additional Interim Measures	Operating Times	Comments
ULP	83,788	6,000 Lts	Bulk / Operational	Bowser / Operational	Bowsers being inspected and will improve operational reliability – service visit completed to replace bowser displays and provide scoping for a possible upgrade	200 Litre Drums	Hand pumps from drums (on standby if needed)	Work completed on fuel site to bring back to operational capability. April 2022	Mon-Wed & Fri 11:00am-12:00 noon then 2:00pm-4:00pm Thur. 9:00-10:00am 2:00-3:00pm	Funding Application lodged 18 March 2022 expect to know by 1 July 2022 if approved
Diesel		2,000 Lts	Bulk / Operational	Bowser / Operational		200 Litre Drums	Hand pumps from drums (on standby if needed)			

STATUS - CAPITAL - Division 2 Dauan

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

STATUS - OPERATIONS - Division 3 Saibai

Type	Approx. Litres per year	Infrastructure	Storage / Status	Delivery Type / Status	Operational Issues	Current Interim Storage Measure	Current Interim Delivery Measure	Planned Additional Interim Measures	Operating Times	Comments
ULP	139,115	4,880 Lts	Bulk / Non-Operational	Bowser / Non-Operational	Temporary tanks to be considered for install due to the delay in construction. Construction commenced in April 2022 temporary tanks deferred.	200 Litre Drums	Hand pumps from drums	Construction commenced fuel ordered for delivery 15 June to commission tanks. Decision to deliver temporary tanks deferred to save cost as construction commenced.	Mon-Fri 11:00am-12:00noon then 3:00pm-4:00pm	Capital funding available as outlined below.
Diesel		30,000 Lts	Bulk / Non-Operational	Bowser / Non-Operational		200 Litre Drums	Hand pumps from drums			

STATUS - CAPITAL - Division 3 Saibai

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

STATUS - OPERATIONS - Division 4 Mabuyag

Type	Approx. Litres per year	Infrastructure	Storage / Status	Delivery Type / Status	Operational Issues	Current Interim Storage Measure	Current Interim Delivery Measure	Planned Additional Interim Measures	Operating Times	Comments
ULP	94,171	6,000 Lts	Bulk / Non-Operational	Bowser / Operational	Assessment of project scope to fit within funding constraints conducted in January 2022 Diesel failed during month, repair plan in place for 3 rd week of June 2022.	200 Litre Drums	Hand pumps from drums (on standby if needed)	Work Completed on fuel site to bring back to operational capability. April 2022. May2022 Diesel pump failed, and parts ordered for installation June	Mon-Fri 11:00-12:00noon 3:00-4:00pm Emergency any time.	Capital funding available as outlined below.
Diesel		2,000 Lts	Bulk / Non-Operational	Bowser / Non-Operational		200 Litre Drums	Hand pumps from drums (on standby if needed)			

STATUS - CAPITAL - Division 4 Mabuyag

Type	Funded Project	Funder	Amount	Project Description	Estimated Time of Completion	Project Issues / Risk	Risk Mitigation	Comments
ULP	✓	W4Q	\$ 400,000	Construction requirements are being assessed to fit within the budget funding available	June 30 2023	Fit requirements in funding package	Limit scope to compliance requirements	Existing Tanks are being assessed for remaining useful life. Project specifications are currently being finalised to fit within funding constraints and expect to be released for tender by (BSU) in next financial year 22/23.
Diesel	✓	W4Q						

STATUS - OPERATIONS - Division 5 Badu

Type	Approx. Litres per year	Infrastructure	Storage / Status	Delivery Type / Status	Operational Issues	Current Interim Storage Measure	Current Interim Delivery Measure	Planned Additional Interim Measures	Operating Times	Comments
ULP - I&C		Island & Cape	External / PO	External / PO	Currently reviewing options to have facilities available for operational use only	N/A	External / On Site	Possible site for future utilisation of Temporary tanks for Diesel and ULP being reviewed in 2022	On Demand	Determine site location and requirements
Diesel - I&C		Island & Cape	External / PO	External / PO		Drums	External / On Site			

STATUS - CAPITAL - Division 5 Badu

Type	Funded Project	Funder	Amount	Project Description	Estimated Time of Completion	Project Issues / Risk	Risk Mitigation	Comments
ULP - I&C	✘			Currently reviewing options to have fuel facilities available for operational use only				Scoping for availability of Council use only facility to be completed by 31 March 2023
Diesel - I&C	✘							

STATUS - OPERATIONS - Division 6 Arkai (Kubin)

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

STATUS - CAPITAL - Division 6 Arkai (Kubin)

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

STATUS - OPERATIONS - Division 7 Wug (St Pauls)

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

STATUS - CAPITAL - Division 7 Wug (St Pauls)

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

STATUS - OPERATIONS - Division 8 Kirirri (Hammond)

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

STATUS - CAPITAL - Division 8 Kirirri (Hammond)

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

STATUS - OPERATIONS - Division 9 lama (Yam)

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

STATUS - CAPITAL - Division 9 lama (Yam)

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

STATUS - OPERATIONS - Division 10 Warraber

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

STATUS - CAPITAL - Division 10 Warraber

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

STATUS - OPERATIONS - Division 11 Poruma (Coconut)

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

STATUS - CAPITAL - Division 11 Poruma (Coconut)

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

STATUS - OPERATIONS - Division 12 Masig (Yorke)

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

STATUS - CAPITAL - Division 12 Masig (Yorke)

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

STATUS - OPERATIONS - Division 13 Ugar (Stephen)

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

STATUS - CAPITAL - Division 13 Ugar (Stephen)

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

STATUS - OPERATIONS - Division 14 Erub (Darnley)

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

STATUS - CAPITAL - Division 14 Erub (Darnley)

Type	Funded Project	Funder	Amount	Project Description	Estimated Time of Completion	Project Issues / Risk	Risk Mitigation	Comments
ULP	✓	W4Q	\$ 400,000	Rollout program has been delayed while construction requirements are being assessed to fit within the budget funding available.	June 30 2023	Fit requirements in funding package	Limit scope to compliance requirements	Existing Tanks are being assessed for remaining useful life. Project specifications are currently being finalised to fit within funding constraints and expect to be released for tender by (BSU) in next financial year 22/23.
Diesel	✓	W4Q						

STATUS - OPERATIONS - Division 15 Mer (Murray)

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

STATUS - CAPITAL - Division 15 Mer (Murray)

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

Conclusion:

That the Council notes the report.

Norman Griffett

Author:

Norman Griffett
Manager Fuel and Fleet

David Baldwin

Recommended

David Baldwin
Executive Director Engineering Services

James William

Approved:

James William
Chief Executive Officer

Attachments

1. Photographs of Temporary Tanks

Appendix

2500 Litre Diesel Tank



4,500 Litre ULP





TORRES STRAIT ISLAND REGIONAL COUNCIL

COUNCIL REPORT CLOSED BUSINESS

ORDINARY MEETING:	JUNE 2022
DATE:	28 th & 29 th June 2022
ITEM:	Agenda Item for Resolution by Council
SUBJECT:	Approve variation to Global Synthetic PO # PEN0005954
AUTHOR:	Adeah Kabai – Manager, Capital Works

Recommendation:

Council resolves:

- Approve variation to Purchase Order PEN0005954 up to the amount of \$247,850.24 excl. GST. and
- Pursuant to section 257 of the *Local Government Act 2009*, to delegate to the Chief Executive Officer:
 - power to make, amend or discharge the Purchase Order PEN0005954; and
 - power 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.

Purpose:

The purpose of this Agenda Report is to provide Council with a recommendation to approve the variation to existing Purchase Order PEN0005954 up to the amount of \$247,850.24 excl. GST. This will enable the extension of hire of the geobag filling frame from Global Synthetics PTY Ltd until the completion of the Poruma seawalls project in September 2022 and allow a six (6) week contingency.

Background:

The Poruma Seawalls capital works project is designed into 5 Stages, using geobags to form coastal defence structure (seawall).

Stage 1 was completed by Council's Civil Crew in late 2018, with additional stages currently being constructed under the Torres Strait Seawalls Programme Stage 2 MIOP Capital Works Grant Funding.

In the March 2021 Council Ordinary Meeting, Council resolved to submit an in In-House Bid for Council's own Civil Crew for the construction of the proposed Poruma Seawalls additional stages for an estimated value of \$5,000,000.00 excluding GST. This In-House Bid has since been approved by the Programme Governance Committee (PGC) and construction works commencing on site since September 2021.

The three (3) suppliers are listed below.

- Geofabrics
- Global Synthetics
- Polyfabrics

Based on detailed assessment of all three suppliers and increase in geo bag size from 0.75m³ to 1.0m³, it was recommended that Global Synthetics would be awarded the material supply including the hire of the custom-made filling and compaction frame for the geobags.

Please note that Global Synthetics is currently on LocalBuy Contract LBR288.

Officer Comment:

The original Purchase Order PEN0005954 was created for the value of \$174,102.40 (excl. gst) in September 2020 for Global Synthetics PTY LTD for the Supply of Materials for Poruma Seawalls Stages 2 & 3.

Breakdown of the Initial Purchase Order is outlined below.

Description	Amount (excl. gst)
1124 off 1.0m ³ Vandal Deterrent GSC Georock® Sand Bags	\$ 111,276.00
322 off 1.0m ³ Non-Vandal Deterrent GSC Georock® Sand Bags	\$ 16,422.00
9 off Profab Ultra AS600X Geotextile 6x50m roll	\$ 7,155.00
1 off Delivery of above quantities to Cairns	\$ 9,000.00
10 weeks Equipment hire of custom made filling and compaction equipment	\$ 10,670.00
Mobilisation/Demobilisation of specialised equipment Brisbane to Cairns	\$ 5,889.40
3 weeks Transit Charge while hire equipment is being transported to site	\$ 750.00
2 weeks Verification of competency/training of council personnel by Rycon	\$ 12,540.00
10 off Sewing Thread Spool	\$ 400.00
Total	\$ 174,102.40
GST	\$ 17,410.24
Total Including GST	\$ 191,512.64

Table 1 - Initial Purchase Order Breakdown

Note: The weekly hire rate for the filling frame is \$1,067.00. The initial PO only allowed for 10 weeks hire of the filling frame.

In October 2021, after the construction had commenced on site the Engineering Team discovered that the average production rate, and given the Christmas shutdown period, that the hire of the filling frame needed extending for an additional 19 weeks, forecasted for the completion of Stage 3 in March 2022.

Therefore, 19 weeks @ \$1,067.00 = \$20,273.00

Table below outlines revised the P.O Breakdown as at May 2022.

Description	Amount (excl. gst)
Initial P.O Value	\$ 174,102.40
Additional hire of filling frame (19 weeks)	\$ 20,273.00
Total	\$ 194,375.40
GST	\$ 19,437.54
Total including GST	\$ 213,812.94

Table 2 - Revised Purchase Order Breakdown

Total revised PO value remained less than \$200,000.00 so procurement was compliant and within CEO financial delegation.

Note: Current expenditure (June 2022) on Purchase Order is \$193,308.40 with only \$1,067.00 remaining on the current PO.

The hire period of the filling frame is recommended to be extended to the completion of the project, forecasted for September 2022 with allowances for any unknown delays (Covid19, machine failures etc).

This is estimated to include a time period of twenty three (23) weeks and includes an additional six (6) week contingency buffer.

Based on twenty three (23) weeks of additional hire (at \$1,067.00) and with a six (6) week contingency, the Purchase Order will need to be increased by \$30,943.00 to extend the hire on the filling frame until 29th September 2022.

Description	Amount (excl. GST)
Current Revised PO Value	\$194,375.40
Extend hire of filling frame to Sept. 2022 + 6 week contingency	\$30,943.00
Total	\$225,318.40
GST	\$22,531.84
Total including GST	\$247,850.24

Table 3 - Proposed revised Purchase Order Value

Therefore, the total proposed revised PO value is up to \$247,850.24 (excl. GST) which exceeds the \$200,000.00 threshold and will require Council Resolution to delegate authority to CEO to approve the Purchase Order.

Photos below show the Global Synthetics filling and compaction frame in action during the Poruma Seawalls construction.



Figure 1 - Global Synthetic geobag filling frame

Considerations

Risk Management

Schedule Risk – delaying Council Resolution at the June 2022 COM could directly impact the ongoing project timeline.

Council Finance

This project is fully funded by the Torres Strait Seawalls Programme Stage 2.

Consultation:

- Councillors as appropriate
- Executive Director, Engineering Services
- Executive Director, Financial Services
- Manager, Compliance and Governance
- Funders

Links to Strategic Plans:

- Sustainability
 - Outcome 6: Our communities remain resilient to the effects of climate change and natural disasters.
 - Objective 6.1: Protect communities through seawall and other coastal defence construction.

Statutory Requirements:

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

Conclusion:

That Council resolves to approve amendment to Purchase Order Purchase Order PEN0005954 up to the amount of \$218,916.40 (excl. GST) and delegate authority to the Chief Executive Officer in accordance with the *Local Government Act 2009* to execute and finalise this matter.

Endorsed:



Adeah Kabai
Manager, Capital Works

Recommended:



David Baldwin
Executive Director, Engineering Services

Approved:



James William
Chief Executive Officer



TORRES STRAIT ISLAND REGIONAL COUNCIL

COUNCIL REPORT

CLOSED BUSINESS

ORDINARY MEETING:	June 2022
DATE:	28 th & 29 th June 2022
ITEM:	Agenda Item for Resolution by Council
SUBJECT:	Approve variation to MAL Engineering
AUTHOR:	Adeah Kabai, Manager Capital Works

Recommendation:

Council resolves:

- Approve variation to MAL Engineering up to the amount of \$345,000.00 excluding GST.
and
- Pursuant to section 257 of the *Local Government Act 2009*, to delegate to the Chief Executive Officer:
 - power to make, amend or discharge the Purchase Order PEN0005764; and
 - power 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.

Purpose:

The purpose of this Agenda Report is to provide Council with a recommendation to approve the variation of the existing Purchase Order PEN0005764 up to the amount of \$345,000 excl GST. This will allow the extension of the engagement of MAL Engineering for the provision of Superintendent & Design Services for ICCIP.

Background:

In February 2020, Council have initially engaged Michael Lancini (via MAL Engineers) on a secondment type arrangement to assist with the Project Management, RPEQ design works, and Design management and delivery of multiple water and wastewater projects funded by the ICCIP Program. This arrangement required Michael Lancini to sit in the TSIRC office and perform duties on behalf of the Council.

In the initial agreement, Michael was required to complete minimum of 20 hours per week (and was engaged via Purchase Order PEN0004950 for the value of \$130,000.00

1040 hours @ \$125.00 p/h = \$130,000.00 (excl. GST)

Note: PEN0004950 expended all available funds on the P.O in April 2021.

In April 2021, under a separate arrangement, MAL Engineers were engaged via LocalBuy Contract BUS262 for ICCIP Superintendent and Design Works in the amount of \$195,000.00 (excl. GST), minimum 30 hours per week.

1560 hours @ \$125 p/h = \$195,000.00 (excl. GST)

New Purchase Order PEN0005764 was created and issued for this engagement.

The Scope of Works for PEN0005764 included assistance with the Superintendent Duties and Design Works on the ICCIP funded water and wastewater projects outlined below:

- Badu and Erub WTP Upgrade
- Badu and lama SPS Upgrades
- Warraber Reservoir Renewal
- TSIRC SCADA Upgrade
- Mabuaig, lama, St Pauls and Kubin Reservoir Upgrades
- Dauan Island Wells Upgrades
- Ugar Permanent Desalination Plant
- St Pauls, Kubin Weirs and Wells Upgrade
- Mabuiag, St Pauls and Kubin WTP Upgrades
- Badu, St Pauls and Kubin De-sludging

Note: The abovementioned projects are now either in the construction phase or in the defect's liability period.

The initial ICCIP Funding end date was 30 June 2022, however multiple projects have received extensions of time until 31 December 2022.

Officer Comment:

PEN0005764 currently has an expenditure of ~\$187,075.62 (excl. GST) and was initially forecasted for all projects to be completed by 30 June 2022. A proposed increase to the Purchase Order by \$150,000.00 for continued Superintendent Duties and Design Works will allow for the extended engagement until 31 December 2022.

To ensure value for money, TSIRC have issued RFQ's via VendorPanel to three (3) suitable Engineering Consultants to perform Superintendent and Design Works for the remaining ICCIP funded water and wastewater projects yet to be completed.

Tender and procurement process undertaken is outlined below.

Tender details and result

In accordance with the *Local Government Regulation 2012* and Council's Procurement and Ethical Sourcing Policy an RFQ process was undertaken for the additional Superintendent & Design engagement. Three consultants were invited directly for quotes in line with section 234 of the *Local Government Regulation 2012*, Exception for LGA arrangement.

Table 1 below outlines the quotation process undertaken

Description	Details
Advertising	VendorPanel Website
Advertising method	Closed Request for Quotation
Advertised Date	1 st June 2022
Tenders Due	10am 10 th June 2022
Tender Period	7 working days
Tenders received	Two (2) conforming quotes were received by TSIRC.

Table 1: Details of the tendering and procurement process

RFQs were issued via VendorPanel to the following suitable Engineering Consultants on 1st June 2021 for the ICCIP remaining Superintendent & Design works.

1. MAL Engineering
2. Sexton Engineering
3. ARO Industries

Respondents and prices are summarised in the Table 2 below

Respondent	Tendered price
MAL Engineering	\$125/hr (with total limit of \$150,000.00 excl. gst)
Sexton Engineering	\$125/hr (with total limit of \$150,000.00 excl. gst)
ARO Industries	Declined to respond

The assessment of the quotes was undertaken by the following TSIRC Engineering staff:

- Daniel Harrington – Senior Project Engineer (TSIRC)
- Adeah Kabai – Manager Capital Works (TSIRC)

At the completion of the assessment, the evaluation panel considered the Quote from MAL Engineers was considered the best value for money submission. MAL Engineers extensive recent experience and high level of performance on TSIRC's ICCIP projects to date favourably addressed the requirements of the project and enable continuity of service with multiple projects already in progress.

MAL Engineers has suitable resources and personnel available to ensure that projects are efficiently delivered on schedule and within budget before funding end date. Timing for some of the projects have become critical and will require increased Superintendent Duties and project management.

There is approximately over \$6.7M of construction works still to be completed for ICCIP projects, the increase of \$150,000 Superintendent and Design duties represents less than 2.3% of this total cost.

Considerations:

Risk Management

Schedule risk - delaying Council Resolution at the June 2022 Council Ordinary Meeting will directly impact the completion of the identified ICCIP Projects.

Council Finance

The engagement is fully funded by ICCIP.

Consultation:

- Councillors as appropriate
- MacDonnells Law
- ICCIP Program Manager
- Executive Director Financial Services
- TSIRC Engineering Management

Statutory Requirements:

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

Conclusion:

That Council resolves to approve amendment to Purchase Order Purchase Order PEN0005764 up to the amount of \$345,000 (excl. GST) for the engagement of MAL Engineering for the provision of Superintendent & Design Services for ICCIP. And delegate authority to the Chief Executive Officer in accordance with the *Local Government Act 2009* to execute and finalise this matter.



Endorsed:

Adeah Kabai
Manager – Capital Works



Recommended:

David Baldwin
Executive Director, Engineering



Approved:

James William
Chief Executive Officer



TORRES STRAIT ISLAND REGIONAL COUNCIL

COUNCIL REPORT CLOSED BUSINESS

ORDINARY MEETING:	JUNE 2022
DATE:	28 – 29 June 2022
ITEM:	Agenda Item for Resolution by Council
SUBJECT:	Approve amendment to PO# PEN0006150 – TSIRC 2021-344 Marine Infrastructure Assessment and Upgrade Study
AUTHOR:	Peter Price – Acting Senior Project Engineer

Recommendation:

That Council resolves to;

- Approve variation to Purchase Order PEN0006150 to Haskoning Australia Pty Ltd up to the amount of \$320,577.00 (ex GST), accounting for variation of additional works.

And,

- Delegate power to the Chief Executive Officer, pursuant to section 257 of the *Local Government Act 2009* to:
 - power to make, amend or discharge the Purchase Order PEN0006150; and
 - Negotiate, finalise, and execute all matters associated with or in relation to this project, funding 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 approve the variation to existing purchase PEN0006150 up to the amount of \$320,577.00 (ex GST), accounting for variation works. This will allow for a more suitable outcome for the Marine Infrastructure Audit Project.

Background:

Safe Communities Funding Program

The Safe Communities Programme recognises that if people are not safe in their homes and communities it is difficult to implement economic development, healthy lifestyles, environmental management, and other initiatives. The TSRA, through the Safe Communities Programme contributes directly to some public and community safety and accessibility outcomes through funding and support for targeted initiatives, including infrastructure or equipment (e.g. transportation related), and others focussed on awareness raising and capacity building (e.g. in emergency response).

Marine Infrastructure Condition

Marine infrastructure is critical to the Torres Strait to allow for the delivery of essential supplies (food, water, medical), accessibility for services (emergency services, medical, construction) and public livability. There are 15 barge ramps and 13 finger jetties across the 15 island communities within the Torres Strait Island Regional Council local government area, of which consists of the following structural elements;

- Finger Jetties
- Barge Ramps

- Moorings
- Other minor structural elements

The condition of these critical pieces of structural marine infrastructure varies from being in 'fair' condition to 'extremely deteriorated' which presents health and safety risk as well as access issues to our communities. Photo 1 below shows the condition of the 'headstock' on the Badu finger jetty and is an example of the extremely deteriorated condition of the marine infrastructure.



Photo 1 - Pile 'headstock' on Badu finger jetty - significant corrosion and delamination evident.

In late 2021, in accordance with Council Procurement and Ethical Sourcing Policy, Council awarded contract TSIRC 2021-344 Marine Infrastructure Assessment and Upgrade Study to Haskoning Australia Pty Ltd to the value of \$141,812.00 Exc. GST.

As the Marine Infrastructure Audit progressed the initial reports indicated that the Jetty structures had reached the end of their design life and that several barge ramps were severely damaged requiring major repairs to extend their design life.

Haskonings Australia Pty Ltd is currently on Local Buy Contract BUS262 and are experts in the Marine Infrastructure Field and are currently engaged for the contract.

Officer Comment:

The original Purchase Order PEN0006150 of value \$141,812.00 (Ex. GST) was issued to Haskonings Australia Pty Ltd for the supply of Engineering Services for the Marine Infrastructure Audit for 15 communities.

The breakdown of the original purchase order is outlined in Table 1.

Task	Description	Total
STAGE 1 – INCEPTION MEETING AND SITE INSPECTION		
1.1	RHDHV Fee	\$43,000
1.2	Expenses (provisional)	\$43,815
1.3	Additional expenses for invasive investigation	\$1,000
1.4	Additional RHDHV fee to arrange boats ahead of time	\$2,550
	Total Stage 1	\$90,497
STAGE 2 – CONDITION ASSESSMENT AND RANKED URGENCY REVIEW		
2.1	RHDHV Fee	\$30,165
2.2	Cost Estimation (Muller Partnership)	\$13,650
2.3	Additional RHDHV fee for invasive investigation	\$7,500
	Total Stage 2	\$51,315
	Condition Assessment Total (excl. GST)	\$141,812.00
	GST	\$14,181.20
	Condition Assessment Total (incl. GST)	\$155,993.20

Table 1: Initial Purchase Order Breakdown

The initial Tender Proposal Received also included “If Ordered” items for design works for Barge Ramp Remediation Design and Jetty Design works. As the condition of the Marine Infrastructure was not yet known, the commitment to these works was not included in the original Purchase Order, as this was to be a discussion at a later time, once the condition of the structures was assessed.

In May 2022, revised proposal costs were received by council for the variation works. These revised costs and original costs are outlined in table 2, below.

Description	Value (ex GST)
Marine Audit	\$ 141,812.00
<u>Variations</u>	
Marine Audit Extra Trip Excess Costs	\$ 1,000.00
Generic Ramp Remediation Works Design	\$ 31,460.00
Generic Jetty Design	\$ 113,445.00
Permanent Barge Ramp Concept Design	\$ 32,860.00
Total	\$ 320,577.00
<u>Funding Available</u>	\$ 500,000.00

Table 2: Amended Purchase Order to contain

The variations to the original purchase order are described as follows:

- Marine Audit Extra Trip Excess Costs
 - The Excess costs are associated with the current inspection for travel and accommodation delays.
- Generic Ramp Remediation Works Design
 - During the life of the barge ramps damage has occurred at the toes (the bottom edge) in particular. This damage to the barge ramps requires extensive remedial works. However, before remedial works occur on the barge ramps a

generic design is required. The remedial works will assist in extending the barge ramps design life. The fee proposal can be seen in table 3 below.

- Permanent Barge Ramp Concept Design
 - The barge ramps are an aging infrastructure and will require upgrading/replacement in the future. To ensure that the best possible solution occurs for each community, a concept barge ramp design will need to be established that is suitable for the region and usage. The fee proposal can be seen in table 3 below.

Component	Fee (excl. GST)	Total (excl. GST)
Generic Ramp Remediation Detailed Design		
Project Management	\$7,160.00	
Design (BoD, Drawings, SiD)	\$24,300.00	
Sub-total		\$31,460.00
Permanent Solution Concept Design		
Options study including workshop	\$10,800.00	
Reporting and Concept Design	\$22,060.00	
Sub-total		\$32,860.00
Combined Total		\$64,320.00

Table 3: Fee Proposal for Barge Ramp Generic remediation works and permanent solution concept design

- Generic Jetty Design
 - The Marine Infrastructure Audit has revealed that the timber finger jetties in each of the communities have reached the end of their design life. This end of life for the structural components of the jetties has resulted in any remedial works being futile, with full replacement as the only safe option for Council. To begin the process of jetty replacement, a generic jetty design that will function in all communities is required. This design will be used for an estimated costing to attempt to secure funding for the jetty replacement program. Table 4 below is a breakdown in design deliverables.

Component	Fee (excl. GST)	Total (excl. GST)
Jetty Design		
Management & Workshop	\$27,320.00	
BoD & Concept layout	\$16,990.00	
Detailed Design (Drawings, Specification & SiD Report)	\$62,445.00	
Cost Estimate and BoQ	\$6,590.00	
Sub-total		\$113,445.00

Table 4: Jetty Fee Proposal

Funding:

On the 7th of June 2021, Council received a letter from TSRA endorsing the project and confirming that a contribution of \$500,000 excluding GST would be made to Council under the Safe Communities Program to complete the required marine infrastructure audit activities, with a delivery date of 30th June 2022. However, an extension of time and scope variation has been requested to account for the extra works.

Procurement Process:

In accordance with the *Local Government Regulation 2012* and Council's Procurement and Ethical Sourcing Policy a tender process was undertaken for the procurement of engineering services for the Marine Infrastructure Audit. Submissions were invited under LocalBuy in line with section 234 of the *Local Government Regulation 2012*.

The tender process was conducted through VendorPanel.

Table 5 below outlines the tender process undertaken.

Description	Details
Advertising	13 th August 2021
Tender closing date and time	7 th September 2021
Tender period	25 Days
Submissions received	Ten (10) conforming tenders were received by TSIRC

Table 5: Summary of Tender Details

At the close of the public tender process on the 7th September 2021, Council received ten (10) conforming submissions from the following companies:

1. ADG Engineers (Aust) Pty Ltd (Submitted two (2) submissions)
2. Aecom Australia Pty Ltd
3. ARO Industries Pty Ltd
4. Arup
5. Black & More
6. Cardno QLD Pty Ltd
7. Haskoning Australia Pty Ltd
8. Shoreline Civil and Marine Consulting Pty Ltd; and
9. Thirkell Consulting Engineers & Building Design

The assessment was undertaken for the tender by:

1. Michael Lancini – Director/Director/Principal Engineer - MAL Engineers
2. Luke LaSpina – Structural/Civil Engineer - MAL Engineers
3. Peter Price – Acting Senior Project Engineer - TSIRC

The tender assessment was completed in accordance with the predefined tender evaluation criteria weighting as seen the table

Criteria	Weighting
Contract Price	40%
Relevant Skills and Experience	20%
Methodology and Program	20%
Key Personnel Skills and Qualifications	10%
Business Profile	5%
Resources and management systems	5%

Table 6: Evaluation Criteria

The tender assessment was completed in accordance with the predefined tender evaluation with the overall tender assessment summary and was finalised in accordance with post tender clarifications and is outlined in Table 7.

Tenderer	Value (100%)		Rank
ADG Engineers (Aust) Pty Ltd	39		9
ADG Engineers (Aust) Pty Ltd	38		10
Aecom Australia Pty Ltd	85		2
ARO Industries Pty Ltd	60		6
Arup	75.5		3
Black & More	52.5		8
Cardno QLD Pty Ltd	71.5		5
Haskoning Australia Pty Ltd	78.5		1
Shoreline Civil and Marine Consulting Pty Ltd; and	72.5		4
Thirkell Consulting Engineers & Building Design	57.5		7

Table 7: Overall tender assessment ranking. (NOTE: ADG Engineers submitted two tender submissions)

Considerations:

Risk Management

The main risk associated with the funding agreement is ensuring that sufficient funds are available to complete the required works. To minimise this risk, budget estimates from approved consultants have already been requested and reviewed in order to compile the project budget. As the completion date for the project is June 2022, an extension of time for the variation works has been sought to eliminate the risk to Council.

Council Finance

The approved project works will be funded solely by TSRA funding with no contribution from Council.

It is the Project Managers responsibility to track and forecast remaining works in conjunction with available funds. Where potential funding issues arise, TSRA and Council will be notified of the issue, and change management required to resolve.

Consultation:

- Department of Transport and Main Roads (TMR)
- Torres Strait Regional Authority (TSRA)
- Torres Strait Island Regional Council (TSIRC)
- Relevant design Consultants

Links to Strategic Plans:

The nominated works fit within Council's adopted 2020-2025 Corporate Plan - Objective 5.4 – *Advocate for the upgrade of essential marine, airport, and associated infrastructure.*

Statutory Requirements:

Local Government Act 2009

Local Government Regulation 2012

Conclusion

That Council resolves to approve amendment to Purchase Order PEN0006150 up to the amount of \$320,577.00 (ex GST), and delegate authority to the Chief Executive Officer in accordance with the *Local Government Act 2009* to execute and finalise this matter.



Author:
Peter Price
Acting Senior Project Engineer



Endorsed:
Adeah Kabai
Manager, Capital Works



Recommended:
David Baldwin
Executive Director, Engineering Services



Approved:
James William
Chief Executive Officer



TORRES STRAIT ISLAND REGIONAL COUNCIL

COUNCIL REPORT

CLOSED BUSINESS

ORDINARY MEETING: June 2022

DATE: 28th & 29th June 2022

ITEM: Agenda Item for Resolution by Council

SUBJECT: Award Tender No. TSIRC 2021-356 DFRA Works (Badu Island)

AUTHOR: Peter Price – Acting Senior Project Engineer

Recommendation:

That Council resolves to:

- Subject to funding approvals and finalisation, award the Tender No. TSIRC 2021-356 – Badu Island DRFA Works, Separable Portions A and B, to McMahon Services Pty Ltd for an amount of up to \$1,587,439.84 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 all matters associated with or in relation to this project and contract including without limitations to 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 2021-356 – Badu Island to McMahon Pty Ltd, for an amount of up to \$1,587,439.84 excl. GST.

Background:

The Torres Strait Island Regional Council (TSIRC) is undertaking restoration of the sealed and unsealed road network on Badu Island that sustained damage following the Disaster Relief Funding Arrangements (DRFA) eligible event: *Far North Queensland Tropical Low, 24-30 January 2021*. 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 project included two separable portions.

- 1) Separable Portion A is for the restoration of roads on Badu Island cluster that were 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.
 - Sealed Pavement Repairs.
 - Protection Works.
 - Concrete Works.
 - Signage; and
 - Any other works that could be reasonably expected to complete the works specified.
- 2) Separable Portion B is for the Reconstruction of the Badu Wells Access Road Culvert Crossing. This portion has QRA QRRRF funding allocated to the project. The scope of works include:
- Culvert crossing construction; and
 - Any other works that could be reasonably 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 REPA works. This funding is allocated based on benchmark rates and Contractor prices are updated through QRA Management and Reporting System (MARS) Portal. Final Contractor prices and funding amount is subject to QRA assessment and approval.

Separable Portion B – Reconstruction of the Badu Wells Access Road Culvert Crossing

Separable Portion B has QRA Resilience and Risk Reduction funding allocated to the project. However, current tender values exceed the available funding nominated to Separable Portion B. Solutions are being considered for the funding shortfall such as the possible utilisation of Local Roads and Community Infrastructure Round 3 (LRCI R3) funding.

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 2021-356. 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	Four (4) 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 four (4) conforming submissions from the following company:

- Durack Civil Pty Ltd
- Gulf Civil Pty Ltd
- Koppens Development Pty Ltd; and
- McMahon Services Pty Ltd

TSIRC have engaged external Engineering Consultant (ARO Industries) for the tender and procurement of the project. The assessment was overseen by TSIRC Manager Capital Works and undertaken by:

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 seen the table 2.

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 with the overall tender assessment summary as below.

Tenderer	Price	Value (100%)	Rank
Durack Civil Pty Ltd	\$8,514,991.39	0	4
Gulf Civil Pty Ltd	\$1,810,106.28	66.25	2
Koppen Development Pty Ltd	\$3,028,254.29	65	3
McMahons Services Pty Ltd	\$1,587,439.84	75.5	1

Table 3: Overall tender assessment ranking

Durack Civil Pty Ltd exceeded the projects budget and was not assessed any further.

Indigenous Employment and Business Plan (IEBP):

This tender value results in the following Indigenous Employment and Business Plan.

Core Requirement	Minimum Requirement	McMahons Proposed	Gulf Civil Proposed	Koppens Proposed
Apprentice/Trainees (new entrants)	228 hrs	317 hrs	Not Submitted	660 hrs
Other Workforce	152 hrs	210 hrs		440 hrs
Total Deemed Hours	380 hrs	527 hrs		1000 hrs
Local Indigenous Business Supply and/or Subcontractors	\$18,968	\$29,000		\$60,000

Table 4: Indigenous Employment and Business Plan.

At the completion of the assessment, the evaluation panel considered the Tender from McMahons Services Pty Ltd as the best value for money submission. McMahons have extensive industry experience and high level of performance on Civil Works projects to date favourably addressed the requirements of the project.

Koppens did propose high IEBP proposals however they were significantly more expensive than McMahons in their tender submission therefore was not deemed value for money.

Considerations:Risk Management**Funding**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 will be undertaken for Separable Portion A of the contract. Once DRFA funding has been approved and the funding contract has been executed, Separable Portion A is then to be awarded.

Funding – Separable Portion B (QRRRF)

Separable Portion B is funded by QRA QRRRF. These funds expire June 2022 with an extension of time currently being sought. It is noted that all revised tendered amounts for Separable Portion B are more than the available funding. Currently extra funding is being sought to cover the shortfall. Once funding has been approved and the funding contract executed, Separable Portion B is then to be awarded.

Project	Budget Estimate Required	Budget Available	Funding Source	Comments
Separable Portion A	\$1,149,564.66	\$2,241,893.17	QRA DRFA	Works only in estimated Budget Required, Project Management Costs Additional
Separable Portion B	\$437,875.18	\$177,211.61	QRA QRRRF	Works only in estimated Budget Required, Project Management Costs Additional
		\$17,144.00	QRA QRRRF Council Contribution	Agreed to be Koppens Contribution
		\$388,576.00	LRCI R3	In Process of project being nominated
TOTAL	\$1,587,439.84	\$2,824,824.78		

Council Finance

There is no financial risk to Council as the project, if awarded, is to be fully funded by the following external grants:

- A- Disaster Relief Funding Arrangements (DRFA)
- B- Queensland Resilience and Risk Reduction Fund (QRRRF) & Local Roads and Community Infrastructure Round 3 (LRCI R3)

Consultation:

- Councillors as appropriate
- TSIRC 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:

- Subject to funding approval and finalisation, award the Tender No. TSIRC 2021-356 – Badu Island DRFA Works to McMahons Services Pty Ltd for an amount of up to \$1,587,439.84 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:	June 2022
DATE:	28 th & 29 th June 2022
ITEM:	Agenda Item for Resolution by Council
SUBJECT:	Contract Award – Mer Rural Transaction Centre Demolition
AUTHOR:	Jamie Styles – Consultant for Building Services

Recommendation:

Council resolves to

- Award contract 2022_15_121542 – Mer Rural Transaction Centre (RTC) Demolition to Paul Ware Constructions Pty Ltd for the amount of \$ 467,700.00 excluding GST.
- and
- Delegate authority to the Chief Executive Officer in accordance with the *Local Government Act 2009*:
 - power to make, amend or discharge the Standard Terms and Conditions – Work Order; 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.

Executive Summary:

The purpose of this Agenda Report is to provide Council with a recommendation to award the Tender No. 2022_15_121542 – Mer Rural Transaction Centre (RTC) Demolition to Paul Ware Constructions Pty Ltd for the amount of \$ 467,700.00 excluding GST.

Background:

Approximately 12 years ago Council progressed construction of the Rural Transaction Centre which was subsequently discontinued prior to completion. The incomplete structure, which is substantial in size, over 600m² under roof line was never completed due to grant funding constraints. The incomplete building has now deteriorated significantly to an unrepairable state.

Council and PBC (Mer Gedkem Le (Torres Strait Islander) Corporation) have been advised by Torres Strait Regional Authority (TSRA), who are acting on behalf of The Traditional Owners that the lessee (Council) has not met its obligations under the lease.

Council has a 30-year lease, however there is a clause in the lease that states that if Council does not utilise the lot in 5 years, the lease expires. We have received clear request via TSRA Native Title Office who is acting on behalf of the Traditional Owners that the land be handed back to the Traditional Owners. To achieve this in accordance with the lease, the Rural Transaction Centre building will need to be demolished, and materials disposed and the land cleared back to its original state.

Comment:

Tender Scope

Mer RTC Building

Remove and demolish all fixtures and fittings, air conditioning, plumbing, electrical, walls, floors, ceilings and associated structures.

Make safe and removal of all services including electrical, mechanical and plumbing terminated back to point of supply.

Demolishment and removal of all external structures, sheds and transportable buildings.

Removal all foundations and any ground or freestanding tanks, footings or piers.

Make good, clean and present vacant land back to original condition. There is no requirement to reinstate the vegetation.

All site waste to be treated for biosecurity requirements & removed off-island.

Tender details and result

In accordance with the *Local Government Regulation 2012* and Council's Procurement and Ethical Sourcing Policy a quotation process was undertaken for contract number 2022_15_121542. Submission were invited under Council's Register of Pre-qualified Suppliers in line with section 232 of the *Local Government Regulation 2012*, Exception for register of pre-qualified suppliers.

The tender/quotation process was conducted through VendorPanel.

Table 1 below outlines the tender process undertaken for tender 2022_15_121542.

Description	Details
Advertising	Closed tender via Vendorpanel
Tender closing date and time	15 th March 2022 @ 12pm
Tender period	3 weeks and 4 days
Submissions received	Three conforming tenders were received by Council
Submissions via Vendorpanel	2
Submissions outside of Vendorpanel	1

Respondents and prices are summarised in the table 2 below (excluding GST).

Respondent	Tendered price	Rationalised tender price
Paul Ware Constructions Pty Ltd	\$ 467,700.00	-
Matt Birney Builders Pty Ltd	\$ 577,390.00	-
Down To Earth Demolitions	\$ 462,150.00	-

Tender review panel members

The tenders were assessed by the following TSIRC officers:

- Tony Wynen – Operations Engineer – Assets
- Jamie Styles – Consultant for Building Services
- Lochan Davison – Consultant for Building Services

Ranking of submissions

The evaluation was undertaken with regard to the sound contracting principles in the Local Government Act 2009, section 104 – Value for money, Open and effective competition, Development of competitive local business and industry, Environmental protection and Ethical behaviour and fair dealing.

The following evaluation criteria and weightings were utilised:

- Relevant experience and track record – 20%
- Key personnel, skills and communication – 10%
- Resources and management systems – 5%
- Demonstrated methodology and understanding – 20%
- Business profile (local, social and sustainability) – 5%
- Value for money – 40%

Following scoring and evaluation, Paul Ware Constructions Pty Ltd were the highest ranked submission (see Table 3 below).

Criteria	Paul Ware Constructions Pty Ltd	Matt Birney Builders Pty Ltd	Down To Earth Demolitions
Relevant experience and track record	3.4	3.8	3.4
Key personnel, skills and communication	1.8	2.2	1.9
Resources and management systems	0.8	0.8	0.8
Demonstrated methodology and understanding	4.8	4.4	2.6
Business profile (local, social and sustainability)	1.2	1.2	1.0
Value for money	6.8	5.2	8
Total score	18.8	17.6	17.7

A summary of the final tender evaluation scores are summarised in the table 4 below.

Respondent	Rank	Final tender price
Paul Ware Constructions Pty Ltd	1	\$ 467,700.00
Matt Birney Builders Pty Ltd	3	\$ 577,390.00
Down To Earth Demolitions	2	\$ 462,150.00

Provide commentary on the different submissions

- At the tender close, the Council received three (3) tender submissions. All submissions were evaluated by the evaluation panel. It was concluded that all tender submissions were substantially in the form and contained substantially all the information and documentation required by the Response Schedules.
- A post-tender clarification was issued to all three (3) tenderers, Matt Birney Builders Pty Ltd, Paul Ware Constructions and Down To Earth Demolitions, to confirm that all WUC had been allowed for in the project schedules.
- It was concluded that Down To Earth Demolitions were the cheapest tender submission, however were experiencing issues with time restraints and manpower on other projects currently underway.
- It was concluded that Matt Birney Builders Pty Ltd was significantly over the project budget.
- It was concluded that Paul Ware Constructions Pty Ltd were under the project budget and were able to complete the project within 2 months of Council Resolution and receipt of purchase order.

Projected Project Milestones

Table 5 below summarises the delivery milestones for this project, based on the Program submitted by Paul Ware Constructions Pty Ltd. Provide commentary on whether the recommended contractor can meet these (i.e., submitted commencement date may have passed before contract going to Council). Provide commentary on funding program and relevant deadlines.

Description	Forecast Completion Date
Council resolution or contract award	28 th – 29 th June 2022
Letter of award to be issued	Within 2 weeks following Council Resolution
Contractor to mobilise on site	TBC
Practical completion of siteworks	TBC

Summary and recommendation

The assessment and evaluation of submissions resulted in Paul Ware Constructions Pty Ltd being the recommended contractor. Therefore, it is recommended that Council award contract 2022_15_121542 for the Mer RTC Demolition to Paul Ware Constructions Pty Ltd.

Considerations

Risk Management

Council has a 30-year lease, however there is a clause in the lease that states that if Council does not utilise the lot in 5 years, the lease expires. Council have received clear request via TSRA Native Title Office who is acting on behalf of the Traditional Owners that the land be handed back to the Traditional Owners. To achieve this in accordance with the lease, the R.T.C building will need to be demolished, and materials disposed and the land cleared back to its original state.

To mitigate this risk TSIRC has sub-contracted the works under the contract to a local building contractor who has the capacity to deliver the project within the agreed budget and on the agreed timeframe.

Council Finance

Operational Cost

\$467,700.00 Ex GST

Consultation:

- TSIRC BSU
- TSIRC Assets
- TSIRC Legal
- Chief Executive Officer

Statutory Requirements:

Local Government Act 2009

Local Government Regulation 2012

Conclusion:

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

- award contract 2022_15_121542 Mer RTC Demolition to Paul Ware Construction Pty Ltd and delegate power to the Chief Executive Officer, finalise, and execute any and all matters associated with or in relation to this project.



Recommended:

Hollie Faithfull

Executive Director Financial Services



Approved:

James William

Chief Executive Officer



Recommended:

Tony Wynen

Operations Engineer – Assets



TORRES STRAIT ISLAND REGIONAL COUNCIL

COUNCIL REPORT

ORDINARY MEETING:	June 2022
DATE:	28 – 29 June 2022
ITEM:	Agenda Item for Resolution by Council
SUBJECT:	2022/23 Fees and Charges
AUTHOR:	Hollie Faithfull, Executive Director Financial Services

RECOMMENDATIONS

- I. That Council resolves to:
 - a. pursuant to Section 97(1) of the Local Government Act 2009, fix the cost-recovery fees set out in the attached 2022/23 Fees and Charges Schedule;
 - b. fix all other fees and charges set out in the attached 2022/23 Fees and Charges Schedule;
 - c. adopt the 2022/23 Fees and Charges Schedule;

EXECUTIVE SUMMARY

Pursuant to the *Local Government Act 2009*, Fees and Charges are reviewed and updated each financial year in line with the services provided by Council. In the development of these fees the cost of delivering each service is analysed to determine the applicable charge and any required change.

BACKGROUND

Section 98(1) of the *Local Government Act 2009* requires Council to adopt a register of its cost-recovery fees.

Each year, Council develops a Register of Fees and Charges to be adopted for the new financial year which includes those cost-recovery fees. In the construction of these new fees, consideration is given to factors such as the cost of delivering the service and the regulated requirement of the service.

OFFICER COMMENTS

- Fees and Charges have been formulated from analysing current operating activities unless a mandate requires otherwise.
- In prior years the Register of Fees and Charges have been adopted with the budget in July however the better practise would be to adopt the register in June so that it can be place from 1 July.
- The Revenue Statement will continue to be adopted in July 2022 with the budget so these charges will not be reflected until they are adopted
- Council has moved to an online web-based solution by LG Solutions, which will enhance the usability and functionality of the fees and charges for community members. Other councils have also used this platform.
- Individual departments are responsible for reviewing applicable fees & charges within their area. Executives have individually reviewed and approved the Fees and Charges, that they are responsible for, in the attached register.

LINKS WITH STRATEGIC PLANS

This objective strategically aligns with objectives under People and Sustainability.

STATUTORY REQUIREMENTS

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

Local Government Act 2009
Local Government Regulation 2012

CONSULTATION

- Departmental Managers
- Executive Team
- Financial Services
- MacDonnell Law

CONCLUSION

The 2022/23 Register of Fees and Charges have been prepared in accordance with the legislative requirements and are recommended for adoption, effective from 1 July 2022.



Endorsed:

Nicola Daniels
Head of Financial Services



Recommended:

Hollie Faithfull
Executive Director Financial Services

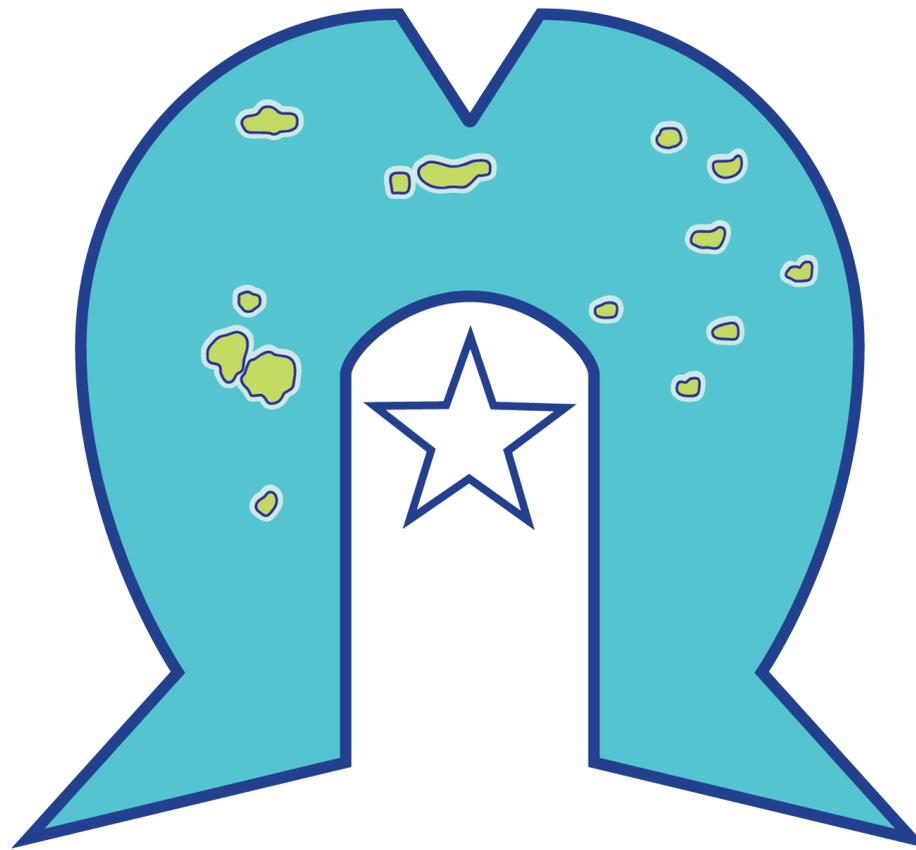


Approved:

James William
Chief Executive Officer

ATTACHMENTS:

1. *2022/23 Register of Fees and Charges.*



Torres Strait Island
REGIONAL COUNCIL

Fees and Charges 2022/23

Table Of Contents

COMMERCIAL FEES	6
Fuel	6
Gas.....	6
Swap & Go	6
Full Bottle Price (no empty return)	7
Powercards	7
Pest Treatments.....	7
Council Room / Facility Hire.....	8
Postage Services.....	8
Leasing / Trust Land	9
Bin Treatment	9
CHILDCARE	10
Badu	10
Hammond.....	10
PLANT HIRE	11
Utility	11
Loader	11
Bus.....	11
Operator	12
ADMINISTRATIVE SERVICES	13
Online/Digital Services	13
Photocopying & Printing	13
COMMERCIAL LICENCE FEES	14
REGULATORY FEES	15
Environmentally Relevant Activity	15
Development Applications	15

Table Of Contents [continued]

Development Assessment – Material Change of Use.....	15
Development Assessment – Reconfiguration of a Lot (Preliminary Approval and Development Permits).....	15
Development Assessment – Operational Works.....	16
Antenna Masts.....	16
Food Business License.....	17
Animal Registration.....	17
PORT FEES.....	18
Airport Landing Fees.....	18
Subsidised Helicopter Passenger Service.....	18
LOCAL LAWS.....	19
Prescribed Activity Permit.....	19
Legal Charges.....	20
Leasing.....	20
Licensing.....	20
Legal Services (other than Leasing and Licensing).....	20
Signing/Endorsement Services.....	20
Advisory Committee Services.....	21
MARITIME FEES.....	22
Harbour Dues.....	22
All Cargo.....	22
Tonnage Dues.....	23
Miscellaneous.....	24
RECORDS.....	25
Right to Information.....	25
WASTE & WASTEWATER CHARGES.....	26
Waste Management.....	26

Table Of Contents [continued]

Sewage Pump Outs	26
Sewage Disposal	27
SUNDRY CHARGES	28
ACCOMMODATION	29
Self-Contained Accommodation	29
Boigu – Motel (Lot 114)	29
Iama – Council Office Flat (Lot 20)	30
Kubin – Motel (Lot 41)	30
Mabuiag – Motel (Lot 16)	31
Warraber – Resort (Lot 201)	32
Shared Facilities Accommodation.....	33
Boigu – Highset Yellow House (Lot 113)	33
Boigu – Lowset Contractor Camp (Lot 116).....	33
Boigu – Lowset Donga (Lot 117).....	34
Boigu – Lowset House (Lot 95).....	35
Dauan – Guesthouse (Lot 50A)	36
Erub – Guesthouse (Five Star/Ocean View Lot 161)	36
Erub – Sunrise Lodge (Windsock Dongas) (Lot 38).....	37
Erub - Trades Cottage (Lot 22)	38
Iama – Kodakal Guesthouse (Cnr of Mosby St & Kebisu St)	38
Iama - Mabuiag Point Accommodation	39
Iama - Sundown Lodge Guesthouse	40
Kubin – Contractor Dongas (Lot 42).....	40
Poruma – Sawadgee Accommodation (Lot 216)	41
Saibai – Council House 1 (Lot 23).....	42
Saibai – Council House 2 (Lot 24).....	42
Saibai – Council House 3 (Lot 307).....	43

Table Of Contents [continued]

Saibai – Council House 4 (Lot 308).....	44
Saibai – Accommodation Donga (Lot 24A, B & C School Road).....	44
Saibai – Guesthouse (Lot 23).....	45
Sabai – Guesthouse (School Road, Lot 315).....	46
Ugar – Guesthouse (Lot 45).....	46
Ugar – Council Unit (Lot 56A).....	47
Ugar - Council Unit (Lot 56B).....	48
Ugar – Council Unit (Lot 56C).....	48
Warraber – Guesthouse (Lot 21).....	49
Short-Term Rental	50
Whole Accommodation Unit – incurs GST.....	50
INTERNAL CHARGES	51

COMMERCIAL FEES

Fuel

Council now subsidises fuel and gas costs.

Fee	Unit	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase \$	GST	Legislation
ULP	Litre	\$3.00	\$3.00	0.00%	\$0.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Diesel	Litre	\$3.00	\$3.00	0.00%	\$0.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Outboard Oil	Litre	\$13.00	\$13.00	0.00%	\$0.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
ULP (from Drum)	Litre	\$3.00	\$3.00	0.00%	\$0.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Diesel (from Drum)	Litre	\$3.00	\$3.00	0.00%	\$0.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)

Gas

Swap & Go

Fee	Unit	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase \$	GST	Legislation
Swap & Go 9kg Bottle	Each	\$69.00	\$90.00	30.43%	\$21.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Swap & Go 45kg Bottle	Each	\$198.09	\$345.00	74.16%	\$146.91	Y	Local Government Act 2009 LGA 2009 s262(3)(c)

Full Bottle Price (no empty return)

Fee	Unit	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase \$	GST	Legislation
9kg Bottle	Each	\$100.00	\$108.00	8.00%	\$8.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
45kg Bottle	Each	\$246.90	\$430.00	74.16%	\$183.10	Y	Local Government Act 2009 LGA 2009 s262(3)(c)

Powercards

Fee	Unit	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase \$	GST	Legislation
Powercard	Each				Value of credit placed on card	Y	Local Government Act 2009 LGA 2009 s262(3)(c)

Pest Treatments

Fee	Unit	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase \$	GST	Legislation
Pest treatment of a standard dwelling house	Each	\$402.00	\$413.00	2.74%	\$11.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Termite treatment of a standard dwelling house	Each				Price on application	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Commercial properties pest and termite treatments	Each				Price on application	Y	Local Government Act 2009 LGA 2009 s262(3)(c)

Council Room / Facility Hire

Additional:

- If available, tables are included in room hire rate.
- Catering is not included in room hire rates.
- Discounts on standard rates may be available to eligible community organisations upon submission and approval of a community grant.
- Cleaning will be charged extra if the premises not left as found.

Fee	Unit	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase \$	GST	Legislation
Commercial Hire of Grafton Street Committee Room	Day	\$625.00	\$641.00	2.56%	\$16.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Commercial Hire of Thursday Island Conference Room	Day	\$304.00	\$312.00	2.63%	\$8.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Commercial Hire of Community Building	Day	\$304.00	\$312.00	2.63%	\$8.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Commercial Hire of Community Building – partial use only	Square Metre - Per Day	\$11.00	\$11.40	3.64%	\$0.40	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Commercial Hire of Community Building – Local First Nations Community Members only	Day	\$152.00	\$156.00	2.63%	\$4.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Commercial Hire of Sports Stadium	Day	\$304.00	\$312.00	2.63%	\$8.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Stall Hire (Erub sporting facility)	Event	\$80.00	\$82.00	2.50%	\$2.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)

Postage Services

Fee	Unit	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase \$	GST	Legislation
Sale of Stamps, Parcel Packs, Express Post Packs	Each				Priced at Face Value	Y	Local Government Act 2009 LGA 2009 s262(3)(c)

Leasing / Trust Land

Fee	Unit	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase \$	GST	Legislation
Community / Residential	Square Metre Per Annum	\$4.40	\$4.60	4.55%	\$0.20	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Commercial / Government	Square Metre Per Annum	\$11.80	\$12.20	3.39%	\$0.40	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Minimum charge of \$6,000 per annum							

Bin Treatment

Fee	Unit	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase \$	GST	Legislation
Bin Treatment	Each	\$0.00	\$90.00	∞	\$90.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)

CHILDCARE

All centres and listed services are CCS eligible.

Badu

Fee	Unit	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase \$	GST	Legislation
Childcare – Daily Rate per Child	Daily	\$32.00	\$33.00	3.13%	\$1.00	N	Local Government Act 2009 LGA 2009 s262(3)(c)
Childcare – Weekly Rate per Child	Weekly	\$160.00	\$164.00	2.50%	\$4.00	N	Local Government Act 2009 LGA 2009 s262(3)(c)
Monday to Friday							

Hammond

Fee	Unit	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase \$	GST	Legislation
After School Care – Daily Rate per Child	Daily	\$6.00	\$6.20	3.33%	\$0.20	N	Local Government Act 2009 LGA 2009 s262(3)(c)
2 hours a day							
After School Care – Weekly Rate per Child	Weekly	\$30.00	\$31.00	3.33%	\$1.00	N	Local Government Act 2009 LGA 2009 s262(3)(c)
Monday to Friday, 2 hours a day							
Vacation Care – Daily Rate per Child	Daily	\$12.00	\$12.40	3.33%	\$0.40	N	Local Government Act 2009 LGA 2009 s262(3)(c)
Vacation Care – Weekly Rate per Child	Weekly	\$60.00	\$61.50	2.50%	\$1.50	N	Local Government Act 2009 LGA 2009 s262(3)(c)
Monday to Friday							

PLANT HIRE

- Hirer must provide credit card details prior to hire, or otherwise provide a bond of \$2,000 to cover for damage of vehicles/equipment.
- Wet Hire only (dry hire not available), customer pays for fuel + GST and is subject to TSIRC insurance, hire terms and conditions at time of hire.
- Minimum 3 hours hire: including 1 hour for mobilisation to and from site, plus time on site.

Utility

Fee	Unit	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase \$	GST	Legislation
Dual Cab – Hourly Rate	Hourly	\$22.00	\$23.00	4.55%	\$1.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Dual Cab – Daily Rate	Daily	\$132.00	\$135.50	2.65%	\$3.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)

Loader

Fee	Unit	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase \$	GST	Legislation
Backhoe – Hourly Rate	Hourly	\$157.00	\$161.00	2.55%	\$4.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Backhoe – Daily Rate	Daily	\$1,255.00	\$1,290.00	2.79%	\$35.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)

Bus

Fee	Unit	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase \$	GST	Legislation
Old Childcare Bus (Badu Only) – External Hire	Daily	\$154.00	\$158.00	2.60%	\$4.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Old Childcare Bus (Badu Only) – Local First Nations Community Hire	Daily	\$99.00	\$101.50	2.53%	\$2.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)

Operator

Fee	Unit	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase \$	GST	Legislation
Hourly Rate (3 hours minimum)	Hourly	\$80.00	\$80.00	0.00%	\$0.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)

ADMINISTRATIVE SERVICES

Online/Digital Services

Fee	Unit	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase \$	GST	Legislation
Video Conferencing	Hourly	\$230.00	\$240.00	4.35%	\$10.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
A cancellation fee of \$100 (incl. GST) will be charged for "No Shows"							
Wireless Internet Access – Indigenous Knowledge Centres (IKCs)	Hourly	\$0.00	\$0.00	0.00%	\$0.00	N	Local Government Act 2009 LGA 2009 s262(3)(c)

Photocopying & Printing

Fee	Unit	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase \$	GST	Legislation
Scanning – any size	Per Page	\$0.20	\$0.20	0.00%	\$0.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Laminating	Per Page	\$1.20	\$1.25	4.17%	\$0.05	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
A4 – Black & White	Per Page	\$0.30	\$0.30	0.00%	\$0.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
A4 – Colour	Per Page	\$0.50	\$0.50	0.00%	-\$0.01	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
A3 – Black and White	Per Page	\$0.50	\$0.50	0.00%	-\$0.01	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
A3 – Colour	Per Page	\$1.00	\$1.00	0.00%	\$0.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)

COMMERCIAL LICENCE FEES

Fee	Unit	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase \$	GST	Legislation
Office Space Use	Square Metre Per Annum	\$1,000.00	\$1,025.00	2.50%	\$25.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
General Storage Use	Square Metre Per Annum	\$392.00	\$402.00	2.55%	\$10.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Carports, awnings and airport IBC storage	Square Metre Per Annum	\$27.50	\$28.50	3.64%	\$1.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Communication Services	Facility/Month	\$631.00	\$647.00	2.54%	\$16.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)

REGULATORY FEES

Environmentally Relevant Activity

Fee	Unit	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase \$	GST	Legislation
Application Fee	Permit				Price on Application	N	Environmental Protection Regulation 2019 EPR 2019
Annual Fee	Permit				Price on Application	N	Environmental Protection Regulation 2019 EPR 2019

Development Applications

Development Assessment – Material Change of Use

Fee	Unit	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase \$	GST	Legislation
Minor Scale Development – Code Assessable – No referrals	Application	\$1,905.00	\$1,955.00	2.62%	\$50.00	N	Sustainable Planning Act 2009 SPA 2009
Medium Scale Development - Code Assessable - with referrals to State Agency	Application	\$5,714.00	\$5,860.00	2.56%	\$146.00	N	Sustainable Planning Act 2009 SPA 2009
Large Scale Development - Code Assessable - No referrals	Application	\$5,714.00	\$5,860.00	2.56%	\$146.00	N	Sustainable Planning Act 2009 SPA 2009
Large Scale Development - Impact Assessable or Complex Scale Development - as determined by the CEO or Manager	Application				Price on Application	N	Sustainable Planning Act 2009 SPA 2009

Development Assessment – Reconfiguration of a Lot (Preliminary Approval and Development Permits)

Fee	Unit	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase \$	GST	Legislation
Reconfiguration - Minor Scale Development - Code Assessable - up to 2 lots - with NO referrals and NO public notification AND compliant with applicable Acceptable Outcomes	Application	\$1,905.00	\$1,955.00	2.62%	\$50.00	N	Sustainable Planning Act 2009 SPA 2009

Development Assessment – Reconfiguration of a Lot (Preliminary Approval and Development Permits) [continued]

Fee	Unit	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase \$	GST	Legislation
Reconfiguration - Medium Scale Development - Code Assessable - between 3-10 lots - with NO referrals AND compliant with applicable Acceptable Outcomes	Application	\$3,808.00	\$3,905.00	2.55%	\$97.00	N	Sustainable Planning Act 2009 SPA 2009
Reconfiguration - Large Scale Development - as determined by the CEO or Manager	Application				Price on Application	N	Sustainable Planning Act 2009 SPA 2009

Development Assessment – Operational Works

Fee	Unit	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase \$	GST	Legislation
Operational Works associated with reconfiguration of a Lot	Application				Price on Application	N	Sustainable Planning Act 2009 SPA 2009
Operational Works – other works	Application				Price on Application	N	Sustainable Planning Act 2009 SPA 2009

Antenna Masts

These fees are applicable as "one off" charges.

Fee	Unit	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase \$	GST	Legislation
Height up to 1 metre	Application	\$1,775.00	\$1,820.00	2.54%	\$45.00	N	Local Government Act 2009 LGA 2009 s262(3)(c)
Height from 1 metre up to 3 metres	Application	\$5,909.00	\$6,060.00	2.56%	\$151.00	N	Local Government Act 2009 LGA 2009 s262(3)(c)
Height greater than 3 metres (permit also required under LL1)	Application	\$5,909.00	\$6,060.00	2.56%	\$151.00	N	Local Government Act 2009 LGA 2009 s262(3)(c)

Food Business License

Fee	Unit	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase \$	GST	Legislation
Annual Food Licence	Annual	\$361.00	\$371.00	2.77%	\$10.00	N	Local Government Act 2009 LGA 2009 s262(3)(c)

Animal Registration

Fee	Unit	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase \$	GST	Legislation
Animal Registration Fee – Dog and Cat (de-sexed)	Annual	\$10.00	\$10.40	4.00%	\$0.40	N	Local Government Act 2009 LGA 2009 s262(3)(c)

PORT FEES

Airport Landing Fees

Charges apply to airport usages and are expressed as \$/tonne. The normal charge is determined by multiplying the certified maximum take-off weight of an aircraft by the charge rate.

Avdata Australia engaged to collect charges on behalf of Council.

Fee	Unit	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase \$	GST	Legislation
All Airports & Aircraft Types	Tonne	\$9.80	\$10.00	2.04%	\$0.20	Y	Local Government Act 2009 LGA 2009 s262(3)(c)

Subsidised Helicopter Passenger Service

Private or personal travel only for residents in communities of Ugar and Dauan.

Note: Conditions apply – please contact your local Council office for more information.

Fee	Unit	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase \$	GST	Legislation
Ugar and Dauan Communities to/from Horn Island	One Way Travel				Price on application	Y	Local Government Act 2009 LGA 2009 s262(3)(c)

LOCAL LAWS

Prescribed Activity Permit

Fee	Unit	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase \$	GST	Legislation
Alteration or improvement to local government controlled areas and roads	Application	\$291.00	\$298.50	2.58%	\$7.50	N	Local Law 1 LL1
Commercial use of local government controlled areas and roads (general and moorings & landings applications)	Application	\$146.00	\$150.00	2.74%	\$4.00	N	Local Law 1 LL1
Establishment or occupation of a temporary home	Application	\$146.00	\$150.00	2.74%	\$4.00	N	Local Law 1 LL1
Installation of advertising devices	Application	\$146.00	\$150.00	2.74%	\$4.00	N	Local Law 1 LL1
Keeping of animals where permit is required	Application	\$146.00	\$150.00	2.74%	\$4.00	N	Local Law 1 LL1
Operation of camping grounds	Application	\$291.00	\$298.50	2.58%	\$7.50	N	Local Law 1 LL1
Operation of caravan parks	Application	\$291.00	\$298.50	2.58%	\$7.50	N	Local Law 1 LL1
Operation of cemeteries	Application	\$291.00	\$298.50	2.58%	\$7.50	N	Local Law 1 LL1
Operation of public swimming pools	Application	\$291.00	\$298.50	2.58%	\$7.50	N	Local Law 1 LL1
Operation of shared facility accommodation	Application	\$291.00	\$298.50	2.58%	\$7.50	N	Local Law 1 LL1
Operation of temporary entertainment	Application	\$146.00	\$150.00	2.74%	\$4.00	N	Local Law 1 LL1
Disturbance of human remains buried outside a cemetery	Application	\$0.00	\$0.00	0.00%	\$0.00	N	Local Law 1 LL1
Burial or disposal of human remains outside a cemetery	Application	\$0.00	\$0.00	0.00%	\$0.00	N	Local Law 1 LL1
Disturbance of human remains in a local government cemetery	Application	\$0.00	\$0.00	0.00%	\$0.00	N	Local Law 1 LL1
Driving or leading of animals to cross a road	Application	\$72.50	\$74.50	2.76%	\$2.00	N	Local Law 1 LL1
Depositing of goods or materials on a local government controlled area or road	Application				Price on application	N	Local Law 1 LL1
Holding of a public place activity	Application				Price on application	N	Local Law 1 LL1
Bringing or driving motor vehicles onto a park or reserve	Application				Price on application	N	Local Law 1 LL1
Bringing or driving prohibited vehicles onto motor vehicle access areas	Application				Price on application	N	Local Law 1 LL1
Carrying out works on a road or interfering with a road or its operation	Application	\$291.00	\$298.50	2.58%	\$7.50	N	Local Law 1 LL1
Entry to trust areas	Application	\$0.00	\$0.00	0.00%	\$0.00	N	Local Law 1 LL1
Undertaking scientific research on a Trust area	Application	\$0.00	\$0.00	0.00%	\$0.00	N	Local Law 1 LL1
Camping within a camping site in a Trust area	Application	\$0.00	\$0.00	0.00%	\$0.00	N	Local Law 1 LL1

Legal Charges

Leasing

Fee	Unit	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase \$	GST	Legislation
Care and Consideration	Lease	\$2,797.00	\$2,870.00	2.61%	\$73.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)

Licensing

Fee	Unit	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase \$	GST	Legislation
Care and Consideration	License	\$402.00	\$413.00	2.74%	\$11.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)

Legal Services (other than Leasing and Licensing)

Fee	Unit	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase \$	GST	Legislation
Care and Consideration	Hourly	\$153.00	\$157.00	2.61%	\$4.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Mediation (capped at \$1,000) per day	Hourly	\$204.00	\$209.50	2.70%	\$5.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)

Signing/Endorsement Services

Fee	Unit	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase \$	GST	Legislation
Instrument (eg Survey, Lease)	Instrument	\$255.00	\$261.50	2.55%	\$6.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)

Advisory Committee Services

Fee	Unit	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase \$	GST	Legislation
Meeting	Meeting	\$2,797.00	\$2,870.00	2.61%	\$73.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)

MARITIME FEES

Harbour Dues

Harbour Dues at the following rates are payable in respect of all goods discharged at or shipped from or transhipped.

All Cargo

Fee	Unit	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase \$	GST	Legislation
All cargo except petroleum based products sand, gravel, demountable buildings, motor vehicles and machinery (per tonne or cubic metre whichever is the greater)	Tonne	\$31.65	\$32.92	4.01%	\$1.27	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
All cargo except petroleum based products sand, gravel, demountable buildings, motor vehicles and machinery (per tonne or cubic metre whichever is the greater)	M3	\$31.65	\$32.92	4.01%	\$1.27	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Petroleum based products (per tonne or cubic metre whichever is the greater)	Tonne	\$0.00	\$32.92	∞	\$32.92	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Petroleum based products (per tonne or cubic metre whichever is the greater)	M3	\$0.00	\$32.92	∞	\$32.92	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Sand and Gravel (not in bulk a bag)	Tonne	\$8.12	\$8.44	3.94%	\$0.32	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Demountable Building	M3	\$15.88	\$16.52	4.03%	\$0.64	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Trucks Plant and Machinery (\$/tonne)	Tonne	\$0.00	\$32.92	∞	\$32.92	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Passenger Car/Motor Bike/Boat/Trailer (\$/item)	Each	\$0.00	\$49.45	∞	\$49.45	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Utility/Van/Bus (\$/item)	Each	\$0.00	\$67.99	∞	\$67.99	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Fuel/Bulk Fuel	Litre	\$0.05	\$0.05	0.00%	\$0.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)

Tonnage Dues

Payable in respect of vessels for each period of 24 hours or part thereof that a ship occupies a wharf or barge ramp under the control of the Torres Strait Island Regional Council.

Should a ship use more than one such wharf or facility within a 24 hour period a separate charge for each wharf or facility will apply.

Default Maritime Fees: Failure of permit holders to submit compliant maritime fees self-reporting may result in a Default Maritime Fee being applied. Please refer to your permit and related correspondence for details.

Fee	Unit	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase \$	GST	Legislation
Fuel levy	Daily	\$0.05	\$0.05	0.00%	\$0.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Vessels less than 50 tonnes	Daily	\$40.63	\$42.26	4.01%	\$1.63	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Vessels 51 – 100 tonnes	Daily	\$68.66	\$71.41	4.01%	\$2.75	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Vessels 101 – 1,500 tonnes	Daily	\$434.94	\$452.34	4.00%	\$17.40	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Vessels greater than 1,500 tonnes	Daily	\$531.71	\$552.98	4.00%	\$21.27	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Vessel laid up at wharf or facility	Daily	\$528.68	\$549.82	4.00%	\$21.14	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Passenger services – Daily	Daily	\$36.65	\$38.12	4.01%	\$1.47	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Passenger services – Annually	Annual	\$9,525.44	\$9,907.41	4.01%	\$381.97	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Other Commercial – Daily	Daily	\$97.12	\$101.00	4.00%	\$3.88	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Other Commercial Activity – Weekly	Weekly	\$485.13	\$504.54	4.00%	\$19.41	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Other Commercial Activity – Annually	Annual	\$25,250.45	\$26,260.46	4.00%	\$1,010.01	Y	Local Government Act 2009 LGA 2009 s262(3)(c)

Miscellaneous

Fee	Unit	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase \$	GST	Legislation
Wharf and facility lighting – if available – for working ship	Nightly	\$111.60	\$116.06	4.00%	\$4.46	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Water – minimum charge \$25	Kilolitre	\$9.42	\$9.80	4.03%	\$0.38	N	Local Government Act 2009 LGA 2009 s262(3)(c)
Surcharge for water sales on Sunday and Statutory Holidays	Kilolitre	\$4.58	\$4.75	3.71%	\$0.17	Y	Local Government Act 2009 LGA 2009 s262(3)(c)

RECORDS

Right to Information

Fee	Unit	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase \$	GST	Legislation
RTI Applications: Non-personal Application	Application	\$52.60	\$54.00	2.66%	\$1.40	N	Right to Information Act 2009 RTI 2009
Processing charges may also be payable							
Information Privacy Applications	Application	\$0.00	\$0.00	0.00%	\$0.00	N	Right to Information Act 2009 RTI 2009
RTI & IP Access Charges	Each	\$0.25	\$0.30	20.00%	\$0.05	N	
Per A4 black and white page, otherwise refer to Schedule of Administrative Services for further information							

WASTE & WASTEWATER CHARGES

Waste Management

Fee	Unit	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase \$	GST	Legislation
Construction waste disposal prohibited unless prior approval is granted by CEO or delegate	M3				Price on application	N	Local Government Act 2009 LGA 2009 s262(3)(c)
Note: a disposal approval and associated fee will only be granted in exceptional circumstances							
Commercial waste	M3				Price on application	N	Local Government Act 2009 LGA 2009 s262(3)(c)
(in addition to standard property bin collection)							
Domestic waste including green waste	M3	\$10.61	\$10.88	2.54%	\$0.27	N	Local Government Act 2009 LGA 2009 s262(3)(c)
(in addition to standard property bin collection and excluding construction and commercial waste)							

Sewage Pump Outs

Applicable where Council service is available.

Pump out fee for septic tanks (fee for each attendance)

Fee	Unit	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase \$	GST	Legislation
Residential Property	per pump out	\$450.00	\$461.30	2.51%	\$11.30	N	Local Government Act 2009 LGA 2009 s262(3)(c)
pump out fee for septic tanks							
Commercial Property	per pump out	\$562.00	\$576.10	2.51%	\$14.10	N	Local Government Act 2009 LGA 2009 s262(3)(c)
pump out fee for septic tanks							

Sewage Disposal

Applicable where Council service is available.

Liquid waste dumping fee – for disposal of waste into Council's sewage trenches and/or Council's treatment plants.

Fee	Unit	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase \$	GST	Legislation
Residential Property	per pump out	\$63.00	\$64.60	2.54%	\$1.60	N	Local Government Act 2009 LGA 2009 s262(3)(c)
waste from pump outs							
Commercial Property	per pump out	\$126.00	\$129.20	2.54%	\$3.20	N	Local Government Act 2009 LGA 2009 s262(3)(c)
waste from pump outs							

SUNDRY CHARGES

Fee	Unit	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase \$	GST	Legislation
Sundry Administrative/Financial Services	Each				Price on application	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Sundry Private Works – Engineering	Each				Price on application	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Sundry Private Works – Building	Each				Price on application	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Sundry Equipment Hire	Each				Price on application	Y	Local Government Act 2009 LGA 2009 s262(3)(c)

ACCOMMODATION

Accommodation is charged at a flat room/bed rate for singles or double based on bedding configuration. Payments must be made in advance, and "no-shows" will be charged at full rate.

Local First Nations community are people of Torres Strait Islander or Aboriginal descent, who identify as such, are accepted by the community as such, and who reside in the TSIRC Local Government Area.

Self-Contained Accommodation

Boigu – Motel (Lot 114)

Fee	Unit	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase \$	GST	Legislation
Daily rate – Single	Daily	\$225.00	\$231.00	2.67%	\$6.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Daily rate – Double	Daily	\$404.00	\$415.00	2.72%	\$11.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Half day rate (50% of room rate)	Half Day	\$112.50	\$115.50	2.67%	\$3.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Daily) – Single	Daily	\$112.50	\$115.50	2.67%	\$3.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Daily) – Double	Daily	\$202.00	\$207.50	2.72%	\$5.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Weekly rate (7 nights or more) – Single	Weekly	\$1,296.00	\$1,330.00	2.62%	\$34.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Weekly rate (7 nights or more) – Double	Weekly	\$2,485.00	\$2,550.00	2.62%	\$65.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Weekly) – Single	Weekly	\$648.00	\$665.00	2.62%	\$17.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Weekly) – Double	Weekly	\$1,242.50	\$1,275.00	2.62%	\$32.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)

Iama – Council Office Flat (Lot 20)

Fee	Unit	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase \$	GST	Legislation
Daily rate – Single	Daily	\$225.00	\$231.00	2.67%	\$6.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Daily rate – Double	Daily	\$404.00	\$415.00	2.72%	\$11.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Half day rate (50% of room rate)	Half Day	\$112.50	\$115.50	2.67%	\$3.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Daily) – Single	Daily	\$112.50	\$115.50	2.67%	\$3.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Daily) – Double	Daily	\$202.00	\$207.50	2.72%	\$5.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Weekly rate (7 nights or more) – Single	Weekly	\$1,296.00	\$1,330.00	2.62%	\$34.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Weekly rate (7 nights or more) – Double	Weekly	\$2,485.00	\$2,550.00	2.62%	\$65.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Weekly) – Single	Weekly	\$648.00	\$665.00	2.62%	\$17.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Weekly) – Double	Weekly	\$1,242.50	\$1,275.00	2.62%	\$32.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)

Kubin – Motel (Lot 41)

Fee	Unit	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase \$	GST	Legislation
Daily rate – Single	Daily	\$225.00	\$231.00	2.67%	\$6.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Daily rate – Double	Daily	\$404.00	\$415.00	2.72%	\$11.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Half day rate (50% of room rate)	Half Day	\$112.50	\$115.50	2.67%	\$3.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Daily) – Single	Daily	\$112.50	\$115.50	2.67%	\$3.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Daily) – Double	Daily	\$202.00	\$207.50	2.72%	\$5.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)

Kubin – Motel (Lot 41) [continued]

Fee	Unit	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase \$	GST	Legislation
Weekly rate (7 nights or more) – Single	Weekly	\$1,296.00	\$1,330.00	2.62%	\$34.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Weekly rate (7 nights or more) – Double	Weekly	\$2,485.00	\$2,550.00	2.62%	\$65.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Weekly) – Single	Weekly	\$648.00	\$665.00	2.62%	\$17.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Weekly) – Double	Weekly	\$1,242.50	\$1,275.00	2.62%	\$32.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)

Mabuiag – Motel (Lot 16)

Fee	Unit	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase \$	GST	Legislation
Daily rate – Single	Daily	\$225.00	\$231.00	2.67%	\$6.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Daily rate – Double	Daily	\$404.00	\$415.00	2.72%	\$11.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Half day rate (50% of room rate)	Half Day	\$112.50	\$115.50	2.67%	\$3.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Daily) – Single	Daily	\$112.50	\$115.50	2.67%	\$3.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Daily) – Double	Daily	\$202.00	\$207.50	2.72%	\$5.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Weekly rate (7 nights or more) – Single	Weekly	\$1,296.00	\$1,330.00	2.62%	\$34.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Weekly rate (7 nights or more) – Double	Weekly	\$2,485.00	\$2,550.00	2.62%	\$65.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Weekly) – Single	Weekly	\$648.00	\$665.00	2.62%	\$17.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Weekly) – Double	Weekly	\$1,242.50	\$1,275.00	2.62%	\$32.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)

Warraber – Resort (Lot 201)

Fee	Unit	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase \$	GST	Legislation
Daily rate – Single	Daily	\$225.00	\$231.00	2.67%	\$6.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Daily rate – Double	Daily	\$404.00	\$415.00	2.72%	\$11.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Daily Rate - Triple	Daily	\$404.00	\$472.00	16.83%	\$68.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Half day rate (50% of room rate)	Half Day	\$112.50	\$115.50	2.67%	\$3.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Daily) – Single	Daily	\$112.50	\$115.50	2.67%	\$3.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Daily) – Double	Daily	\$202.00	\$207.50	2.72%	\$5.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Daily) – Triple	Daily	\$202.00	\$236.50	17.08%	\$34.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Weekly rate (7 nights or more) – Single	Weekly	\$1,296.00	\$1,330.00	2.62%	\$34.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Weekly rate (7 nights or more) – Double	Weekly	\$2,485.00	\$2,550.00	2.62%	\$65.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Weekly rate (7 nights or more) – Triple	Weekly	\$2,485.00	\$2,880.00	15.90%	\$395.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Weekly) – Single	Weekly	\$648.00	\$665.00	2.62%	\$17.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Weekly) – Double	Weekly	\$1,242.50	\$1,275.00	2.62%	\$32.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Weekly) – Triple	Weekly	\$1,242.50	\$1,440.00	15.89%	\$197.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)

Shared Facilities Accommodation

Boigu – Highset Yellow House (Lot 113)

Fee	Unit	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase \$	GST	Legislation
Daily rate – Single	Daily	\$180.00	\$184.50	2.50%	\$4.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Daily rate – Double	Daily	\$323.00	\$332.00	2.79%	\$9.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Half day rate (50% of room rate)	Half Day	\$90.00	\$92.50	2.78%	\$2.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Daily) – Single	Daily	\$90.00	\$92.50	2.78%	\$2.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Daily) – Double	Daily	\$161.50	\$166.00	2.79%	\$4.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Weekly rate (7 nights or more) – Single	Weekly	\$982.00	\$1,010.00	2.85%	\$28.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Weekly rate (7 nights or more) – Double	Weekly	\$1,919.00	\$1,970.00	2.66%	\$51.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Weekly) – Single	Weekly	\$491.00	\$504.00	2.65%	\$13.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Weekly) – Double	Weekly	\$959.50	\$984.00	2.55%	\$24.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)

Boigu – Lowset Contractor Camp (Lot 116)

Fee	Unit	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase \$	GST	Legislation
Daily rate – Single	Daily	\$180.00	\$184.50	2.50%	\$4.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Daily rate – Double	Daily	\$323.00	\$332.00	2.79%	\$9.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Half day rate (50% of room rate)	Half Day	\$90.00	\$92.50	2.78%	\$2.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)

Boigu – Lowset Contractor Camp (Lot 116) [continued]

Fee	Unit	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase \$	GST	Legislation
Local Indigenous Stay (Non-commercial) 50% of room rate (Daily) – Single	Daily	\$90.00	\$92.50	2.78%	\$2.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Daily) – Double	Daily	\$161.50	\$166.00	2.79%	\$4.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Weekly rate (7 nights or more) – Single	Weekly	\$982.00	\$1,010.00	2.85%	\$28.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Weekly rate (7 nights or more) – Double	Weekly	\$1,919.00	\$1,970.00	2.66%	\$51.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Weekly) – Single	Weekly	\$491.00	\$504.00	2.65%	\$13.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Weekly) – Double	Weekly	\$959.50	\$984.00	2.55%	\$24.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)

Boigu – Lowset Donga (Lot 117)

Fee	Unit	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase \$	GST	Legislation
Daily rate – Single	Daily	\$180.00	\$184.50	2.50%	\$4.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Daily rate – Double	Daily	\$323.00	\$332.00	2.79%	\$9.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Half day rate (50% of room rate)	Half Day	\$90.00	\$92.50	2.78%	\$2.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Daily) – Single	Daily	\$90.00	\$92.50	2.78%	\$2.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Daily) – Double	Daily	\$161.50	\$166.00	2.79%	\$4.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Weekly rate (7 nights or more) – Single	Weekly	\$982.00	\$1,010.00	2.85%	\$28.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Weekly rate (7 nights or more) – Double	Weekly	\$1,919.00	\$1,970.00	2.66%	\$51.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Weekly) – Single	Weekly	\$491.00	\$504.00	2.65%	\$13.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)

Boigu – Lowset Donga (Lot 117) [continued]

Fee	Unit	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase \$	GST	Legislation
Local Indigenous Stay (Non-commercial) 50% of room rate (Weekly) – Double	Weekly	\$959.50	\$984.00	2.55%	\$24.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)

Boigu – Lowset House (Lot 95)

Fee	Unit	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase \$	GST	Legislation
Daily rate – Single	Daily	\$180.00	\$184.50	2.50%	\$4.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Daily rate – Double	Daily	\$323.00	\$332.00	2.79%	\$9.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Half day rate (50% of room rate)	Half Day	\$90.00	\$92.50	2.78%	\$2.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Daily) – Single	Daily	\$90.00	\$92.50	2.78%	\$2.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Daily) – Double	Daily	\$161.50	\$166.00	2.79%	\$4.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Weekly rate (7 nights or more) – Single	Weekly	\$982.00	\$1,010.00	2.85%	\$28.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Weekly rate (7 nights or more) – Double	Weekly	\$1,919.00	\$1,970.00	2.66%	\$51.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Weekly) – Single	Weekly	\$491.00	\$504.00	2.65%	\$13.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Weekly) – Double	Weekly	\$959.50	\$984.00	2.55%	\$24.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)

Dauan – Guesthouse (Lot 50A)

Fee	Unit	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase \$	GST	Legislation
Daily rate – Single	Daily	\$180.00	\$184.50	2.50%	\$4.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Daily rate – Double	Daily	\$323.00	\$332.00	2.79%	\$9.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Half day rate (50% of room rate)	Half Day	\$90.00	\$92.50	2.78%	\$2.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Daily) – Single	Daily	\$90.00	\$92.50	2.78%	\$2.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Daily) – Double	Daily	\$161.50	\$166.00	2.79%	\$4.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Weekly rate (7 nights or more) – Single	Weekly	\$982.00	\$1,010.00	2.85%	\$28.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Weekly rate (7 nights or more) – Double	Weekly	\$1,919.00	\$1,970.00	2.66%	\$51.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Weekly) – Single	Weekly	\$491.00	\$504.00	2.65%	\$13.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Weekly) – Double	Weekly	\$959.50	\$984.00	2.55%	\$24.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)

Erub – Guesthouse (Five Star/Ocean View Lot 161)

Fee	Unit	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase \$	GST	Legislation
Daily rate – Single	Daily	\$180.00	\$184.50	2.50%	\$4.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Daily rate – Double	Daily	\$323.00	\$332.00	2.79%	\$9.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Half day rate (50% of room rate)	Half Day	\$90.00	\$92.50	2.78%	\$2.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Daily) – Single	Daily	\$90.00	\$92.50	2.78%	\$2.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Daily) – Double	Daily	\$161.50	\$166.00	2.79%	\$4.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)

Erub – Guesthouse (Five Star/Ocean View Lot 161) [continued]

Fee	Unit	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase \$	GST	Legislation
Weekly rate (7 nights or more) – Single	Weekly	\$982.00	\$1,010.00	2.85%	\$28.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Weekly rate (7 nights or more) – Double	Weekly	\$1,919.00	\$1,970.00	2.66%	\$51.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Weekly) – Single	Weekly	\$491.00	\$504.00	2.65%	\$13.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Weekly) – Double	Weekly	\$959.50	\$984.00	2.55%	\$24.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)

Erub – Sunrise Lodge (Windsock Dongas) (Lot 38)

Fee	Unit	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase \$	GST	Legislation
Daily rate – Single	Daily	\$180.00	\$184.50	2.50%	\$4.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Daily rate – Double	Daily	\$323.00	\$332.00	2.79%	\$9.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Half day rate (50% of room rate)	Half Day	\$90.00	\$92.50	2.78%	\$2.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Daily) – Single	Daily	\$90.00	\$92.50	2.78%	\$2.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Daily) – Double	Daily	\$161.50	\$166.00	2.79%	\$4.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Weekly rate (7 nights or more) – Single	Weekly	\$982.00	\$1,010.00	2.85%	\$28.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Weekly rate (7 nights or more) – Double	Weekly	\$1,919.00	\$1,970.00	2.66%	\$51.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Weekly) – Single	Weekly	\$491.00	\$504.00	2.65%	\$13.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Weekly) – Double	Weekly	\$959.50	\$984.00	2.55%	\$24.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)

Erub - Trades Cottage (Lot 22)

Fee	Unit	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase \$	GST	Legislation
Daily rate – Single	Daily	\$180.00	\$184.50	2.50%	\$4.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Daily rate – Double	Daily	\$323.00	\$332.00	2.79%	\$9.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Half day rate (50% of room rate)	Half Day	\$90.00	\$92.50	2.78%	\$2.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Daily) – Single	Daily	\$90.00	\$92.50	2.78%	\$2.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Daily) – Double	Daily	\$161.50	\$166.00	2.79%	\$4.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Weekly rate (7 nights or more) – Single	Weekly	\$982.00	\$1,010.00	2.85%	\$28.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Weekly rate (7 nights or more) – Double	Weekly	\$1,919.00	\$1,970.00	2.66%	\$51.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Weekly) – Single	Weekly	\$491.00	\$504.00	2.65%	\$13.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Weekly) – Double	Weekly	\$959.50	\$984.00	2.55%	\$24.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)

Iama – Kodakal Guesthouse (Cnr of Mosby St & Kebisu St)

Fee	Unit	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase \$	GST	Legislation
Daily rate – Single	Daily	\$180.00	\$184.50	2.50%	\$4.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Daily rate – Double	Daily	\$323.00	\$332.00	2.79%	\$9.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Half day rate (50% of room rate)	Half Day	\$90.00	\$92.50	2.78%	\$2.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Daily) – Single	Daily	\$90.00	\$92.50	2.78%	\$2.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Daily) – Double	Daily	\$161.50	\$166.00	2.79%	\$4.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)

Iama – Kodakal Guesthouse (Cnr of Mosby St & Kebisu St) [continued]

Fee	Unit	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase \$	GST	Legislation
Weekly rate (7 nights or more) – Single	Weekly	\$982.00	\$1,010.00	2.85%	\$28.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Weekly rate (7 nights or more) – Double	Weekly	\$1,919.00	\$1,970.00	2.66%	\$51.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Weekly) – Single	Weekly	\$491.00	\$504.00	2.65%	\$13.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Weekly) – Double	Weekly	\$959.50	\$984.00	2.55%	\$24.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)

Iama - Mabuiag Point Accommodation

Fee	Unit	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase \$	GST	Legislation
Daily rate – Single	Daily	\$180.00	\$184.50	2.50%	\$4.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Daily rate – Double	Daily	\$323.00	\$332.00	2.79%	\$9.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Half day rate (50% of room rate)	Half Day	\$90.00	\$92.50	2.78%	\$2.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Daily) – Single	Daily	\$90.00	\$92.50	2.78%	\$2.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Daily) – Double	Daily	\$161.50	\$166.00	2.79%	\$4.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Weekly rate (7 nights or more) – Single	Weekly	\$982.00	\$1,010.00	2.85%	\$28.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Weekly rate (7 nights or more) – Double	Weekly	\$1,919.00	\$1,970.00	2.66%	\$51.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Weekly) – Double	Weekly	\$959.50	\$984.00	2.55%	\$24.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Weekly) – Single	Weekly	\$491.00	\$504.00	2.65%	\$13.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)

Iama - Sundown Lodge Guesthouse

Fee	Unit	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase \$	GST	Legislation
Daily rate – Single	Daily	\$180.00	\$184.50	2.50%	\$4.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Daily rate – Double	Daily	\$323.00	\$332.00	2.79%	\$9.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Half day rate (50% of room rate)	Half Day	\$90.00	\$92.50	2.78%	\$2.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Daily) – Single	Daily	\$90.00	\$92.50	2.78%	\$2.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Daily) – Double	Daily	\$161.50	\$166.00	2.79%	\$4.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Weekly rate (7 nights or more) – Single	Weekly	\$982.00	\$1,010.00	2.85%	\$28.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Weekly rate (7 nights or more) – Double	Weekly	\$1,919.00	\$1,970.00	2.66%	\$51.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Weekly) – Single	Weekly	\$491.00	\$504.00	2.65%	\$13.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Weekly) – Double	Weekly	\$959.50	\$984.00	2.55%	\$24.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)

Kubin – Contractor Dongas (Lot 42)

Fee	Unit	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase \$	GST	Legislation
Daily rate – Single	Daily	\$180.00	\$184.50	2.50%	\$4.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Daily rate – Double	Daily	\$323.00	\$332.00	2.79%	\$9.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Half day rate (50% of room rate)	Half Day	\$90.00	\$92.50	2.78%	\$2.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Daily) – Single	Daily	\$90.00	\$92.50	2.78%	\$2.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Daily) – Double	Daily	\$161.50	\$166.00	2.79%	\$4.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)

Kubin – Contractor Dongas (Lot 42) [continued]

Fee	Unit	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase \$	GST	Legislation
Weekly rate (7 nights or more) – Single	Weekly	\$982.00	\$1,010.00	2.85%	\$28.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Weekly rate (7 nights or more) – Double	Weekly	\$1,919.00	\$1,970.00	2.66%	\$51.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Weekly) – Single	Weekly	\$491.00	\$504.00	2.65%	\$13.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Weekly) – Double	Weekly	\$959.50	\$984.00	2.55%	\$24.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)

Poruma – Sawadgee Accommodation (Lot 216)

Fee	Unit	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase \$	GST	Legislation
Daily rate – Single	Daily	\$180.00	\$184.50	2.50%	\$4.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Daily rate – Double	Daily	\$323.00	\$332.00	2.79%	\$9.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Half day rate (50% of room rate)	Half Day	\$90.00	\$92.50	2.78%	\$2.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Daily) – Single	Daily	\$90.00	\$92.50	2.78%	\$2.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Daily) – Double	Daily	\$161.50	\$166.00	2.79%	\$4.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Weekly rate (7 nights or more) – Single	Weekly	\$982.00	\$1,010.00	2.85%	\$28.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Weekly rate (7 nights or more) – Double	Weekly	\$1,919.00	\$1,970.00	2.66%	\$51.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Weekly) – Single	Weekly	\$491.00	\$504.00	2.65%	\$13.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Weekly) – Double	Weekly	\$959.50	\$984.00	2.55%	\$24.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)

Saibai – Council House 1 (Lot 23)

Fee	Unit	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase \$	GST	Legislation
Daily rate – Single	Daily	\$180.00	\$184.50	2.50%	\$4.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Daily rate – Double	Daily	\$323.00	\$332.00	2.79%	\$9.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Half day rate (50% of room rate)	Half Day	\$90.00	\$92.50	2.78%	\$2.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Daily) – Single	Daily	\$90.00	\$92.50	2.78%	\$2.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Daily) – Double	Daily	\$161.50	\$166.00	2.79%	\$4.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Weekly rate (7 nights or more) – Single	Weekly	\$982.00	\$1,010.00	2.85%	\$28.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Weekly rate (7 nights or more) – Double	Weekly	\$1,919.00	\$1,970.00	2.66%	\$51.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Weekly) – Single	Weekly	\$491.00	\$504.00	2.65%	\$13.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Weekly) – Double	Weekly	\$959.50	\$984.00	2.55%	\$24.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)

Saibai – Council House 2 (Lot 24)

Fee	Unit	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase \$	GST	Legislation
Daily rate – Single	Daily	\$180.00	\$184.50	2.50%	\$4.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Daily rate – Double	Daily	\$323.00	\$332.00	2.79%	\$9.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Half day rate (50% of room rate)	Half Day	\$90.00	\$92.50	2.78%	\$2.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Daily) – Single	Daily	\$90.00	\$92.50	2.78%	\$2.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Daily) – Double	Daily	\$161.50	\$166.00	2.79%	\$4.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)

Saibai – Council House 2 (Lot 24) [continued]

Fee	Unit	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase \$	GST	Legislation
Weekly rate (7 nights or more) – Single	Weekly	\$982.00	\$1,010.00	2.85%	\$28.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Weekly rate (7 nights or more) – Double	Weekly	\$1,919.00	\$1,970.00	2.66%	\$51.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Weekly) – Single	Weekly	\$491.00	\$504.00	2.65%	\$13.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Weekly) – Double	Weekly	\$959.50	\$984.00	2.55%	\$24.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)

Saibai – Council House 3 (Lot 307)

Fee	Unit	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase \$	GST	Legislation
Daily rate – Single	Daily	\$180.00	\$184.50	2.50%	\$4.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Daily rate – Double	Daily	\$323.00	\$332.00	2.79%	\$9.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Half day rate (50% of room rate)	Half Day	\$90.00	\$92.50	2.78%	\$2.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Daily) – Single	Daily	\$90.00	\$92.50	2.78%	\$2.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Daily) – Double	Daily	\$161.50	\$166.00	2.79%	\$4.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Weekly rate (7 nights or more) – Single	Weekly	\$982.00	\$1,010.00	2.85%	\$28.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Weekly rate (7 nights or more) – Double	Weekly	\$1,919.00	\$1,970.00	2.66%	\$51.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Weekly) – Single	Weekly	\$491.00	\$504.00	2.65%	\$13.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Weekly) – Double	Weekly	\$959.50	\$984.00	2.55%	\$24.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)

Saibai – Council House 4 (Lot 308)

Fee	Unit	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase \$	GST	Legislation
Daily rate – Single	Daily	\$180.00	\$184.50	2.50%	\$4.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Daily rate – Double	Daily	\$323.00	\$332.00	2.79%	\$9.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Half day rate (50% of room rate)	Half Day	\$90.00	\$92.50	2.78%	\$2.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Daily) – Single	Daily	\$90.00	\$92.50	2.78%	\$2.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Daily) – Double	Daily	\$161.50	\$166.00	2.79%	\$4.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Weekly rate (7 nights or more) – Single	Weekly	\$982.00	\$1,010.00	2.85%	\$28.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Weekly rate (7 nights or more) – Double	Weekly	\$1,919.00	\$1,970.00	2.66%	\$51.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Weekly) – Single	Weekly	\$491.00	\$504.00	2.65%	\$13.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Weekly) – Double	Weekly	\$959.50	\$984.00	2.55%	\$24.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)

Saibai – Accommodation Donga (Lot 24A, B & C School Road)

Fee	Unit	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase \$	GST	Legislation
Daily rate – Single	Daily	\$180.00	\$184.50	2.50%	\$4.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Daily rate – Double	Daily	\$323.00	\$332.00	2.79%	\$9.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Half day rate (50% of room rate)	Half Day	\$90.00	\$92.50	2.78%	\$2.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Daily) – Single	Daily	\$90.00	\$92.50	2.78%	\$2.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Daily) – Double	Daily	\$161.50	\$166.00	2.79%	\$4.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)

Saibai – Accommodation Donga (Lot 24A, B & C School Road) [continued]

Fee	Unit	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase \$	GST	Legislation
Weekly rate (7 nights or more) – Single	Weekly	\$982.00	\$1,010.00	2.85%	\$28.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Weekly rate (7 nights or more) – Double	Weekly	\$1,919.00	\$1,970.00	2.66%	\$51.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Weekly) – Single	Weekly	\$491.00	\$504.00	2.65%	\$13.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Weekly) – Double	Weekly	\$959.50	\$984.00	2.55%	\$24.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)

Saibai – Guesthouse (Lot 23)

Fee	Unit	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase \$	GST	Legislation
Daily rate – Single	Daily	\$180.00	\$184.50	2.50%	\$4.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Daily rate – Double	Daily	\$323.00	\$332.00	2.79%	\$9.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Half day rate (50% of room rate)	Half Day	\$90.00	\$92.50	2.78%	\$2.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Daily) – Single	Daily	\$90.00	\$92.50	2.78%	\$2.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Daily) – Double	Daily	\$161.50	\$166.00	2.79%	\$4.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Weekly rate (7 nights or more) – Single	Weekly	\$982.00	\$1,010.00	2.85%	\$28.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Weekly rate (7 nights or more) – Double	Weekly	\$1,919.00	\$1,970.00	2.66%	\$51.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Weekly) – Single	Weekly	\$491.00	\$504.00	2.65%	\$13.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Weekly) – Double	Weekly	\$959.50	\$984.00	2.55%	\$24.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)

Sabai – Guesthouse (School Road, Lot 315)

Fee	Unit	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase \$	GST	Legislation
Daily rate – Single	Daily	\$180.00	\$184.50	2.50%	\$4.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Daily rate – Double	Daily	\$323.00	\$332.00	2.79%	\$9.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Half day rate (50% of room rate)	Half Day	\$90.00	\$92.50	2.78%	\$2.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Daily) – Single	Daily	\$90.00	\$92.50	2.78%	\$2.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Daily) – Double	Daily	\$161.50	\$166.00	2.79%	\$4.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Weekly rate (7 nights or more) – Single	Weekly	\$982.00	\$1,010.00	2.85%	\$28.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Weekly rate (7 nights or more) – Double	Weekly	\$1,919.00	\$1,970.00	2.66%	\$51.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Weekly) – Single	Weekly	\$491.00	\$504.00	2.65%	\$13.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Weekly) – Double	Weekly	\$959.50	\$984.00	2.55%	\$24.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)

Ugar – Guesthouse (Lot 45)

Fee	Unit	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase \$	GST	Legislation
Daily rate – Single	Daily	\$180.00	\$184.50	2.50%	\$4.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Daily rate – Double	Daily	\$323.00	\$332.00	2.79%	\$9.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Half day rate (50% of room rate)	Half Day	\$90.00	\$92.50	2.78%	\$2.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Daily) – Single	Daily	\$90.00	\$92.50	2.78%	\$2.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Daily) – Double	Daily	\$161.50	\$166.00	2.79%	\$4.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)

Ugar – Guesthouse (Lot 45) [continued]

Fee	Unit	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase \$	GST	Legislation
Weekly rate (7 nights or more) – Single	Weekly	\$982.00	\$1,010.00	2.85%	\$28.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Weekly rate (7 nights or more) – Double	Weekly	\$1,919.00	\$1,970.00	2.66%	\$51.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Weekly) – Single	Weekly	\$491.00	\$504.00	2.65%	\$13.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Weekly) – Double	Weekly	\$959.50	\$984.00	2.55%	\$24.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)

Ugar – Council Unit (Lot 56A)

Fee	Unit	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase \$	GST	Legislation
Daily rate – Single	Daily	\$180.00	\$184.50	2.50%	\$4.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Daily rate – Double	Daily	\$323.00	\$332.00	2.79%	\$9.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Half day rate (50% of room rate)	Half Day	\$90.00	\$92.50	2.78%	\$2.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Daily) – Single	Daily	\$90.00	\$92.50	2.78%	\$2.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Daily) – Double	Daily	\$161.50	\$166.00	2.79%	\$4.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Weekly rate (7 nights or more) – Single	Weekly	\$982.00	\$1,010.00	2.85%	\$28.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Weekly rate (7 nights or more) – Double	Weekly	\$1,919.00	\$1,970.00	2.66%	\$51.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Weekly) – Single	Weekly	\$491.00	\$504.00	2.65%	\$13.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Weekly) – Double	Weekly	\$959.50	\$984.00	2.55%	\$24.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)

Ugar - Council Unit (Lot 56B)

Fee	Unit	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase \$	GST	Legislation
Daily rate - Single	Daily	\$180.00	\$184.50	2.50%	\$4.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Daily rate - Double	Daily	\$323.00	\$332.00	2.79%	\$9.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Half day rate (50% of room rate)	Half Day	\$90.00	\$92.50	2.78%	\$2.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Daily) – Single	Daily	\$90.00	\$92.50	2.78%	\$2.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Daily) – Double	Daily	\$959.50	\$984.00	2.55%	\$24.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Weekly rate (7 nights or more) – Single	Weekly	\$982.00	\$1,010.00	2.85%	\$28.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Weekly rate (7 nights or more) – Double	Weekly	\$1,919.00	\$1,970.00	2.66%	\$51.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Weekly) – Single	Weekly	\$491.00	\$504.00	2.65%	\$13.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Weekly) – Double	Weekly	\$959.50	\$984.00	2.55%	\$24.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)

Ugar – Council Unit (Lot 56C)

Fee	Unit	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase \$	GST	Legislation
Daily rate – Single	Daily	\$180.00	\$184.50	2.50%	\$4.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Daily rate – Double	Daily	\$323.00	\$332.00	2.79%	\$9.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Half day rate (50% of room rate)	Half Day	\$90.00	\$92.50	2.78%	\$2.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Daily) – Single	Daily	\$90.00	\$92.50	2.78%	\$2.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Daily) – Double	Daily	\$161.50	\$166.00	2.79%	\$4.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)

Ugar – Council Unit (Lot 56C) [continued]

Fee	Unit	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase \$	GST	Legislation
Weekly rate (7 nights or more) – Single	Weekly	\$982.00	\$1,010.00	2.85%	\$28.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Weekly rate (7 nights or more) – Double	Weekly	\$1,919.00	\$1,970.00	2.66%	\$51.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Weekly) – Single	Weekly	\$491.00	\$504.00	2.65%	\$13.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Weekly) – Double	Weekly	\$959.50	\$984.00	2.55%	\$24.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)

Warraber – Guesthouse (Lot 21)

Fee	Unit	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase \$	GST	Legislation
Daily rate – Single	Daily	\$180.00	\$184.50	2.50%	\$4.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Daily rate – Double	Daily	\$323.00	\$332.00	2.79%	\$9.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Half day rate (50% of room rate)	Half Day	\$90.00	\$92.50	2.78%	\$2.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Daily) – Single	Daily	\$90.00	\$92.50	2.78%	\$2.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Daily) – Double	Daily	\$161.50	\$166.00	2.79%	\$4.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Weekly rate (7 nights or more) – Single	Weekly	\$982.00	\$1,010.00	2.85%	\$28.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Weekly rate (7 nights or more) – Double	Weekly	\$1,919.00	\$1,970.00	2.66%	\$51.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Weekly) – Single	Weekly	\$491.00	\$504.00	2.65%	\$13.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Weekly) – Double	Weekly	\$959.50	\$984.00	2.55%	\$24.50	Y	Local Government Act 2009 LGA 2009 s262(3)(c)

Short-Term Rental

- Minimum 3 months, Maximum 12 months stay.
- GST may be applicable and is determined on a case by case basis.
- All short term rentals are liable for gas, electricity, tv, repairs and any other running costs.
- Cleaning will be charged at the end if the premises are not vacated clean and tidy.

Whole Accommodation Unit – incurs GST

Fee	Unit	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase \$	GST	Legislation
3 Bedroom	Weekly	\$1,870.00	\$1,920.00	2.67%	\$50.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
2 Bedroom	Weekly	\$1,485.00	\$1,525.00	2.69%	\$40.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Each Additional Bedroom, above 3 bedrooms	Weekly	\$385.00	\$395.00	2.60%	\$10.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Caravan: 3 bedroom	Weekly	\$1,100.00	\$1,130.00	2.73%	\$30.00	Y	Local Government Act 2009 LGA 2009 s262(3)(c)
Includes one kitchen & laundry for each camp							

INTERNAL CHARGES

Fee	Unit	Year 21/22 Fee (incl. GST)	Year 22/23 Fee (incl. GST)	Increase %	Increase \$	GST	Legislation
Tip Truck - Civil Crew hourly rate	Hourly	\$84.00	\$86.50	2.98%	\$2.50	N	Local Government Act 2009 LGA 2009 s262(3)(c)
Tip Truck - Civil Crew daily rate	Daily	\$670.00	\$687.00	2.54%	\$17.00	N	Local Government Act 2009 LGA 2009 s262(3)(c)
Trailer - Daily rate	Daily	\$50.00	\$51.50	3.00%	\$1.50	N	Local Government Act 2009 LGA 2009 s262(3)(c)