

# AGENDA

TORRES STRAIT ISLAND REGIONAL COUNCIL

MAY 2021

Monday 24<sup>th</sup> May 2021, 10:30am – 5:00pm

Tuesday 25<sup>th</sup> May 2021, 9:00am – 4:40pm

Cairns

## **COUNCIL ORDINARY MEETING**

**Monday 24<sup>th</sup> May 2021**

### **Agenda Items**

- |     |                          |  |
|-----|--------------------------|--|
| 1.  | <u>10:30am – 10:35am</u> | <u>Welcome and Opening Remarks</u>   |
| 2.  | <u>10:35am – 10:40am</u> | <u>Apologies</u>   |
| 3.  | <u>10:40am – 10:45am</u> | <u>Declaration of Conflict of Interest (COI) (Prescribed and Declarable)</u>   |
| 4.  | <u>10:45am – 11:00am</u> | <u>Confirmation of Previous Council Ordinary Meeting Minutes</u> <ul style="list-style-type: none"><li>• 17<sup>th</sup> and 18<sup>th</sup> March 2021</li><li>• 21<sup>st</sup> and 22<sup>nd</sup> April 2021</li></ul> |
| 5.  | <u>11:00am – 11:15am</u> | <u>Outstanding Council Ordinary Meeting Action Items</u>   |
| 6.  | <u>11:15am – 11:15am</u> | <b><u>COUNCIL MOVE INTO CLOSED BUSINESS</u></b>  |
| 7.  | <u>11:15am – 11:30am</u> | <u>BUILDING – CB – Dauan Community Hall</u>  |
| 8.  | <u>11:30am – 11:45am</u> | <u>BUILDING – CB – Hammond Island Undercover Shelter</u>   |
| 9.  | <u>11:45am – 12:00pm</u> | <u>BUILDING – CB – Iama Covered Sports Facility</u>  |
| 10. | <u>12:00pm – 12:15pm</u> | <u>BUILDING – CB - Lot 162 Pedro Street, St Pauls</u>  |
| 11. | <u>12:15pm – 12:30pm</u> | <u>ENGINEERING – CB – Funding Matter – ATSI TIDS 2021/22 Funding Agreement</u>   |

### **LUNCH 12:30pm – 1:30pm**

- |     |                        |   |
|-----|------------------------|---|
| 12. | <u>1:30pm – 1:45pm</u> | <u>LEGAL – CB – RTC lease Mer Lot 531 on SP249793</u> |
| 13. | <u>1:45pm – 2:45pm</u> | <u>OCEO – CB – Certified Agreement</u>                |
| 14. | <u>2:45pm – 2:45pm</u> | <b><u>COUNCIL MOVE OUT OF CLOSED BUSINESS</u></b>     |
| 15. | <u>2:45pm – 3:05pm</u> | <u>CORPORATE – Community Grants</u>                   |

### **AFTERNOON TEA 3:05pm – 3:20pm**

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|-----|------------------------|--|
| 16. | <u>3:20pm – 4:20pm</u> | <u>CORPORATE – 2021 Operational Plan Q3 Update</u>   |
| 17. | <u>4:20pm – 4:40pm</u> | <u>ENGINEERING – Award Tender No. TSIRC2020-330 Badu and Iama Sewer Pump Stations (SPS) Upgrades</u> |
| 18. | <u>4:40pm – 4:55pm</u> | <u>ENGINEERING – Award Tender No. TSIRC2020-301 SCADA Upgrades</u>                                   |
| 19. | <u>4:55pm – 5:00pm</u> | <u>Closing Remarks and Prayer</u>  |

**COUNCIL ORDINARY MEETING**  
**Tuesday 25<sup>th</sup> May 2021**  
**Agenda Items**

20. 9:00am – 9:05am Welcome and opening prayer.
21. 9:05am – 10:00am **Deputation 1:** – Master Planning – Mr John Conroy - DATSIP

**MORNING TEA – 10:00am – 10:30am**

22. 10:30am – 11:00am **Deputation 2:** – Community Engagement – COVID Vaccine, Ms Helen Reed and Dr Brown, Torres and Cape Hospital and Health Service

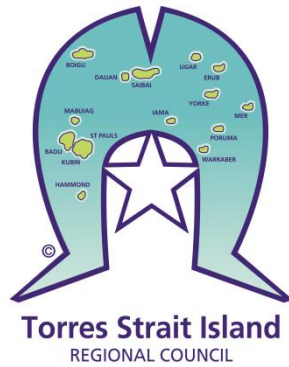
23. 11:00am – 12:00pm **Deputation 3:** – Skytrans – Ms Wendy Wilson

**LUNCH – 12:00pm – 1:00pm**

24. 1:00pm – 1:30pm FINANCE – Asset Valuation – Late
25. 1:30pm – 1:45pm FINANCE – Monthly Financial Report
26. 1:45pm – 2:00pm LEGAL – Correction of Minutes 21 July 2020 - Poruma
27. 2:00pm – 2:20pm OCEO – Audit Committee Proxies
28. 2:20pm – 2:40pm OCEO – Fuel Project Update – Late
29. 2:40pm – 3:00pm OCEO – Councillor Remuneration Policy – Late

**AFTERNOON TEA 3:00pm – 3:20pm**

30. 3:20pm – 3:50pm PEOPLE & WELLBEING – Policy Updates
31. 3:50pm – 4:00pm Business Arising from Information Reports
32. 4:00pm – 4:30pm Strategic Matters
33. 4:30pm – 4:35pm Next COM Meeting Date – 29<sup>th</sup> & 30<sup>th</sup> June 2021 – VC
34. 4:35pm – 4:40pm Closing Remarks and Prayers



# MINUTES

TORRES STRAIT ISLAND REGIONAL COUNCIL

MARCH 2021

Wednesday 17<sup>th</sup> March 2021, 11:00am – 5:00pm

Thursday 18<sup>th</sup> March 2021, 9:00am – 5:00pm

Video Conference



**Wednesday 17<sup>th</sup> March 2021**

**Present**

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

Mr Ilario Sabatino, Acting Chief Executive Officer (ACEO) (Poruma)  
Ms Hollie Faithfull, Chief Financial Officer (CFO) (Cairns)  
Mr David Baldwin, Chief Engineer (CE) (Cairns)  
Ms Rachel Pierce, Acting Chief Operating Officer (ACOO)(TI)  
Ms Julia Maurus, Manager Legal Services (MLS) (from home)  
Ms Ursula Nai, Senior Executive Assistant (SEA) (Poruma)  
Mrs Kathy Cochran – Secretariat Officer (SO) (Cairns)

**Apologies**

Cr Keith Fell, Division 4 – Mabuiag (intermittently - sorry business in his Division)

The following Councillors will be leaving the meeting when the visiting State Members arrive in their respective Division for their formal engagement and have given their apologies for this time.

Cr Francis Pearson, Division 11 – Poruma  
Cr Hilda Mosby, Division 12 – Masig  
Cr Rocky Stephen, Division 13 - Ugar

## **COUNCIL ORDINARY MEETING**

**Wednesday 17<sup>th</sup> March 2021**

### **Agenda Items**

**1. 11:00am – 11:01am Welcome and Opening Remarks**

Mayor welcomed everyone back and carried out a roll call to establish quorum. Mayor declared the March 2021 Ordinary meeting open.

**2. 11:01am – 11:04am Apologies**

- Cr Rocky Stephen – Division 13 – Ugar – Minister's visit
- Cr Francis Pearson – Division 11 – Poruma – Minister's visit
- Cr Hilda Mosby – Division 12 – Masig – Minister's visit

Councillors will be absent from the meeting during the Minister's visit to their respective Division.

**RESOLUTION:**

*Moved:* Cr Elisala; *Second:* Cr Trinkoon

**That Council accepts the apology of Cr Rock Stephen, Cr Francis Pearson, and Cr Hilda Mosby for their absence at the meeting during the Minister's visit to their respective Divisions.**

**MOTION CARRIED**

- Cr Keith Fell – Division 4 – Mabuiag – Sorry business in his Division and will be required to leave the meeting from time to time on day 1 and absent for day 2.

**RESOLUTION:**

*Moved:* Cr Tamu; *Second:* Cr Gela

**That Council accepts the apology of Cr Keith Fell for his absence at this meeting due to sorry business in his community.**

**MOTION CARRIED**

**3. 11:04am – 11:08pm**

**DEPUTATION 1:** Minister Craig Crawford MP – Minister for Seniors and Disability Services and Minister for Aboriginal and Torres Strait Islander Partnerships and **Minister Shannon Fentamen MP** – Attorney -General and Minister for Justice, Minister for Women and Minister for the Prevention of Domestic and Family Violence and Government Champion

Mayor advised, they had a meet and greet with Minister Crawford and Minister Fentamen at the community hall during the morning tea break. The planned State deputations next week will not be proceeding due to the risk associate with going to Brisbane due to recent COVID cases.

**11:08am** – Cr Tabuai joined the meeting.

Cr Toby mentioned he raised an issue with Ms Cynthia Lui and the Deputy Premier during their recent visit regarding the Lagoon incident and have not heard back from their office.

Mayor suggested to Councillors to inform him of matters they raise with visiting Ministers or MP's, so he is aware and to maintain consistency with what's being communicated. Mayor informed Cr Nona, Minister Fentamen will be contacting him directly to speak with him about issues he raised.

Mayor and Senior Executives' community visit to each Division. Advertise and promote the community visit well. TSIRC Deputation Policy is applied at all levels.

**ACTION:** Councillors to respond to Ursula's email regarding the Mayor's community visit.

4. **11:24pm – 11:27pm** **Declaration of Conflict of Interest (COI) (Prescribed and Declarable)**

- Cr Dorante declared a declarable COI for agenda item 9- Legal – CB – Delegation – Sea Swift dispute. Cr Dorante is a current employee of Sea Swift.
- Cr Noah declared a declarable conflict for agenda item 8 – Legal – CB – RTC Lease Mer Lot 531

5. **11:27am – 11:36am** **Confirmation of Meeting Minutes**

- 23<sup>rd</sup> February 2021 Ordinary Meeting – day 1

**RESOLUTION:**

*Moved:* Cr Gela; *Second:* Cr Noah

**That the Minutes of the Council Ordinary Meeting, held via video conference on 23<sup>rd</sup> and 24<sup>th</sup> February 2021, be adopted as a true and accurate record of that meeting.**

- Special Meeting – 1<sup>st</sup> February 2021

**RESOLUTION:**

*Moved:* Cr Tabuai; *Second:* Cr Nona

**That the Minutes of the Special Council Meeting, held via video conference on 1<sup>st</sup> February 2021, be adopted as a true and accurate record of that meeting.**

**MOTION CARRIED**

**MOTION RESCINDED** – Secretariat advised these minutes of Special Meeting 1<sup>st</sup> February had previously been endorsed and the minutes added was an administrative error. All Councillors present confirmed the rescission of the immediately preceding resolution to avoid a duplicated resolution.

**RESOLUTION:**

*Moved:* Cr Tabuai; *Second:* Cr Nona

**That the previous resolution be rescinded.**

**MOTION CARRIED**

6. **1:15pm – 1:30pm** **Outstanding Ordinary Meeting Action Items**

Acting Chief Executive Officer, Mr Ilario Sabatino provide Council with an update on all outstanding actions.

Chief Financial Officer requested a copy of the letter be forwarded to the Head of Corporate Affairs and Engagement to add to the document pack.

Acting Chief Executive Officer provide Council with a verbal updated on the Fuel report. The information report will be forwarded to Councillors and raised again later in the agenda in Strategic matters for further discussion.

**12:05pm** – Mayor Mosby delegated the Chair role to Deputy Lui and excused himself from the meeting.

Cr Fell asked for an update on the status of the Business cards. To be mentioned at the June meeting of the Culture Arts and Land standing committee.

**ACTION:** Secretariat Officer to place Business card on the agenda of the Culture, Arts and Land standing committee's June 2021 meeting.

**12:18pm – 1:15pm – LUNCH**

**1:15pm** - Secretariat conducted a roll call. All Councillors and staff in attendance except Cr Fell (apology), Cr Toby (yet to join) and Cr Noah who previously declared a prescribed conflict of interest in the Closed Business matter – LEGAL – RTC Lease Mer - Lot 531 on SP249793.

7. **1:24pm – 3:07pm** **COUNCIL MOVE INTO CLOSED BUSINESS**

**RESOLUTION:**

*Moved:* Cr Elisala; *Second:* Cr Nona

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

**MOTION CARRIED**

- 8. LEGAL – CB – RTC Lease Mer – Lot 531 on SP249793
- 9. LEGAL – CB – Delegation – Sea Swift dispute
- 10. ENGINEERING – CB – Variation to the construction of Boigu Coastal defence project – Stage 2
- 11. ENGINEERING – CB – Variation to Mer Sewerage Treatment Plant Renewal
- 12. ENGINEERING – CB – Re-allocation of 2020-2021 ATSI TIDS Funding associated EoT
- 13. ENGINEERING – CB – Information Report – MIP7 and Marine Infrastructure TSRA Program

14. **3:07pm – 3:07pm** **COUNCIL MOVE OUT OF CLOSED BUSINESS**

**RESOLUTION:**

*Moved:* Cr Gela; *Second:* Cr Elisala

That Council move out of Closed Business.

**MOTION CARRIED**

**8. LEGAL – CB – RTC Lease Mer Lot 531 on SP249793**

**RESOLUTION:**

*Moved:* Cr Tamu; *Second:* Cr Elisala

**That Council notes the report.**

**MOTION CARRIED**

**ACTION:** Acting CEO to meet with TSRA Native Title Office to discuss the lease.

**1:34pm** – Cr Toby joined the meeting.

**1:42pm** – Cr Noah re-joined the meeting.

**9. LEGAL – CB – Delegation – Sea Swift dispute**

Cr Dorante declared a prescribed conflict of interest as he is an employee of Sea Swift and left the meeting at 1:44pm.

**RESOLUTION:**

*Moved:* Cr Noah; *Second:* Cr Trinkoon

**That Council leave this matter lying on the table.**

**MOTION CARRIED**

**ACTION:** Invite Maurice Thompson of Clyde & Co to address Council at the next Council meeting.

**10. ENGINEERING – CB – Variation to the construction of Boigu Coastal Defence Project Stage 2**

**RESOLUTION:**

*Moved:* Cr Toby; *Second:* Cr Gela

**That Council resolves to delegate power to the Chief Executive Officer, pursuant to section 257 of the *Local Government Act 2009* to:**

- Approve, finalise, and execute any and all matters in relation to variations claimed to date 3<sup>rd</sup> March 2021 to the amount of \$228,414.13 excl GST for the Contract. TSIRC2019-203- Construction of Boigu Coastal Defence Structures (Stage 2) – Koppens Development.
- Approve, finalise, and execute any and all matters in relation to variations to date 9<sup>th</sup> February 2021 in the amount of \$233,245.00 (excl GST) for PBO0005490 – Construction Contract Administration and Project Management (Superintendent Duties) -AECOM Pty Ltd.
- Negotiate, finalise, and execute any and all matters associated with or in relation to this project, purchase orders and contract including without limitation any options and/or variations.

**MOTION CARRIED**

**11. ENGINEERING – CB – Variation to Mer Sewerage Treatment Plant Renewal**

**RESOLUTION:**

*Moved:* Cr Noah; *Second:* Cr Levi

That Council resolves to delegate power to the Chief Executive Officer, pursuant to section 257 of the *Local Government Act 2009* to:

- Approve, finalise, and execute any and all matters in relation to variations claimed up till 10/02/2021 to the amount of \$193,202.63 excl GST for Contract. TSRIC2019-154 – ICCIP Project #61 – Mer Sewerage Treatment Plant upgrade;
- Make, amend, and discharge ICCIP Project #61 – Mer Sewerage Treatment Plant; and
- Negotiate, finalise, and execute any and all matters associated with or in relation to this project and contract including without limitation any options and/or variations as per Council's procurement policy.

**MOTION CARRIED**

**12. ENGINEERING – CB – Re-allocation of 2020-2021 ATSI TIDS Funding Associated EoT**

**RESOLUTION:**

*Moved:* Cr Elisala; *Second:* Cr Noah

That Council resolves to delegate power to the Chief Executive Officer, pursuant to section 257 of the *Local Government Act 2009* to:

- Seek extension of time for the current 2020/21 ATSI TIDS Funded Projects;
  - Project No. 1620465 – Saibai Airport Apron Upgrade
  - Project No. 1620463 – Dauan Island Helipad Rd Upgrade; and
- Negotiate, finalise and executive any and all matters associated in relation to 202/201 ATSI TIDS Funded Projects, subject to Council's normal procurement policies and practices.

**MOTION CARRIED**

**13. ENGINEERING – CB – Information Report – MIP7 and Marine Infrastructure TSRA Program A**

**RESOLUTION:**

*Moved:* Cr Tamu; *Second:* Cr Gela

That the Council notes this report.

**MOTION CARRIED**

**14. ENGINEERING – CB – Information Report – Dauan Pontoon – verbal**

Chief Engineer, Mr David Baldwin tabled the information report for Council to note only.

Cr Elisala commended the Chief Engineer and his team on their great work and for their constant communication throughout the process.

**AFTERNOON TEA - 3:21pm – 3:45pm**

**3:45pm** - Secretariat conducted a roll call to establish quorum. Quorum met.

15. **3:49pm – 4:02pm** **ENGINEERING – Local Road and Community Infrastructure - R2**  
**Funding**

Chief Engineer, Mr David Baldwin spoke to the report.

**RESOLUTION:**

*Moved:* Cr Trinkoon; *Second:* Cr Gela

**That Council resolves to**

- allocate the Local Roads and Community Infrastructure (LRCI) – Round 2 funding of \$263,693 ex GST, to undertake repair/reinstatement works on the Arkai and Wug Jetty Structures.
- allocate any underspend of Council Funds allocated to Badu Jetty be allocated to jetty repair works at Arkai and Wug
- upon formalising LRCI - Round 2 Funding, award Badu, Arkai and Wug Jetty repairs to Paul Ware Constructions to the amount of \$715,000 ex GST and;
- Delegate the power to the Chief Executive Officer, pursuant to section 257 of the *Local Government Act 2009* to enter into contract, negotiate, finalise and execute any and all matters associated in relation to these projects, subject to Council's normal procurement policies and practices.

**MOTION CARRIED**

16. **4:02pm – 4:08pm** **ENGINEERING – Iama Rising Main Tender Award**

Chief Engineer, Mr David Baldwin spoke to the report. Cr Lui asked if he had a conflict of interest. The advice received is the Councillor's interest is no greater than the community interest therefore no conflict.

**RESOLUTION:**

*Moved:* Cr Noah; *Second:* Cr Levi

**That Council resolves to delegate power to the Chief Executive Officer, pursuant to section 257 of the Local Government Act 2009 to:**

- Award Tender No. TSIRC2019-207 ICCIP Project #40 – Iama Rising Main Renewal Project to Northern Water Ltd Pty for the amount of \$714,454.60 excl. GST; and
- Negotiate, finalise, and execute any and all matters associated with or in relation to this project and contract including without limitation any options and/or variations as per Council's procurement policy.

**MOTION CARRIED**

17. **4:08pm – 4:24pm** **ENGINEERING – Warraber Reservoir Tender Award**

Chief Engineer, Mr David Baldwin spoke to the report.

**4:11pm** - Cr Tamu joined the meeting. Cr Tamu declared a conflict of interest and mentioned Rob Clarke Builders is a sponsor of his football team. Legal advice is Cr Tamu has an indirect declarable conflict of interest.

**RESOLUTION:**

*Moved:* Cr Gela; *Second:* Cr Pearson

**That Council notes Cr Tamu have declared an indirect conflict of interest, and Council allows Cr Tamu to participate in the discussion and leave the room when voting and do not vote.**

**MOTION CARRIED**

**4:22pm** - Cr Tamu left the room.

**RESOLUTION:**

*Moved:* Cr Nona; *Second:* Cr Elisala

That Council resolves to delegate power to the Chief Executive Officer, pursuant to section 257 of the Local

Government Act 2009 to:

- Award Tender No. TSIRC2020-325 ICCIP Project #73 - Warraber Reservoir Renewal to Robert Clarke Builders for an amount of \$684,420.00 excl. GST;
- Negotiate, finalise, and execute any and all matters associated with or in relation to this project and contract including without limitation any options and/or variations as per Council's procurement policy.

**MOTION CARRIED**

18. **4:24pm – 4:33pm** **ENGINEERING – Poruma Seawall In-house Bid**

Cr Tamu back in the meeting at 4:24pm. Chief Engineer, Mr David Baldwin spoke to the report.

**RESOLUTION:**

*Moved:* Cr Noah; *Second:* Cr Nona

That Council resolves to delegate power to the Chief Executive Officer, pursuant to section 257 of the Local Government Act 2009 to:

- Submit an In-House Bid for Council's Civil Construction Crew to perform the construction of the Poruma Seawall, Stages 2 – 5, for an estimated value of \$5,000,000 excl. GST
- Negotiate, finalise, and execute any and all matters associated with or in relation to this project and In-House Bid/contract including without limitation any options and/or variations, as per Council procurement policy.

**MOTION CARRIED**

19. **4:33pm – 4:** **LATE REPORT – Interim Remote Capital Program – Variation to Funding Agreement**

Acting Chief Operating Officer, Ms Rachel Pierce spoke to the report.

Cr Toby requested if we could cap time – once we give the approval to the CEO then the CEO need to consult with the on ground Divisional Councillor.

Defer for further information to come to Council and put through the relevant Standing committee. Council can then decide on which project to progress out of the seven (7).

**RESOLUTION:**

*Moved:* Cr Tamu; *Second:* Cr Gela

That Council leave this matter lying on the table for further information and action.

**MOTION CARRIED**

**ACTION:** Update report to go to the Housing and Safe and Healthy Communities Committee review and recommendation.



20. **5:05pm – 5:20pm**

**LATE REPORT – Contractual Matter – Building – 24 Main St, St Pauls**

Acting Chief Operating Officer, Ms Rachel Pierce spoke to the report. Cr Levi declared a declarable conflict of interest as the Councillor for St Paul's Community – Division 7.

**RESOLUTION:**

*Moved:* Cr Nona; *Second:* Cr Elisala

**That Council notes Cr Levi's declarable conflict of interest and allow Cr Levi to remain in the room for the discussions and vote on the matter.**

**MOTION CARRIED**

**5:07pm** - Cr Fell apologised and excused himself from the meeting.

**MOTION:**

(No mover or seconder)

**That Council resolves to**

- **Award TSIRC2021-07-5572 – Upgrade Works to 24 Main Street, St Pauls, to Robert Clarke Builders for \$241,100 excluding GST. And**
- **That pursuant to Section 257 of the Local Government Act 2009, council delegates to the Chief Executive Officer;**
  - **Power to make, amend or discharge the contract TSIRC2021-07-5572; and**
  - **Power to negotiate, finalise and execute all matters associated with or in relation to this projects and contract including without limitation any options and/or variations as per Council's Procurement and Ethical Sourcing Policy.**

**The motion was put on the table – no one moved or second - MOTION LOST**

**ITEM LEFT LYING ON THE TABLE FOR FUTHER INFORMATION TO BE PROVIDED.**

21. **5:20pm – 5:22pm**

**Closing Remarks and Prayer**

Deputy Mayor Lui thanked the Acting Chief Executive Officer and staff and fellow Councillors for their attendance and contribution and invited Cr Levi to close the meeting in prayer.

**MEETING CLOSED – 5:22pm**

**Thursday 18<sup>th</sup> March 2021**

**Present**

Cr Phillemon Mosby, Mayor  
Cr Dimas Toby, Division 1 – Boigu  
Cr Torengo Elisala, Division 2 – Dauan  
Cr Conwell Tabuai, Division 3 – Saibai  
Cr Laurie Nona, Division 5 – Badu  
Cr Lama Trinkoon, Division 6 – Kubin, Mua Island  
Cr John Levi, Division 7 – St Pauls, Mua Island  
Cr Seriako Dorante, Division 8 – Kirriri  
Cr Getano Lui Jnr, Division 9 – Iama  
Cr Kabay Tamu, Division 10 – Warraber  
Cr Francis Pearson, Division 11 – Poruma  
Cr Hilda Mosby, Division 12 – Masig  
Cr Jimmy Gela, Division 14 – Erub  
Cr Aven Noah, Division 15 – Mer

Mr Ilario Sabatino, Acting Chief Executive Officer (ACEO) (Poruma)  
Ms Hollie Faithfull, Chief Financial Officer (CFO) (Cairns)  
Mr David Baldwin, Chief Engineer (CE) (Cairns)  
Ms Rachel Pierce, Acting Chief Operating Officer (ACOO) (TI)  
Ms Julia Maurus, Manager Legal Services (MLS) (from home)  
Ms Ursula Nai, Senior Executive Assistant (SEA)(Poruma)  
Mrs Kathy Cochran – Secretariat Officer (SO) (Cairns)

**Apologies**

Cr Keith Fell, Division 4 – Mabuiag  
Cr Rocky Stephen, Division 13 – Ugar

**COUNCIL ORDINARY MEETING**  
**Thursday 18<sup>th</sup> March 2021**  
**Agenda Items**

**22.      9:00am – 9:05am                              Welcome and opening prayer.**

Mayor Mosby welcomed everyone back and gave thanks and acknowledgements to Papa God, Traditional Owners across our region of Zenadth Kes and in the Cairns Region. Mayor thanked Deputy Mayor for chairing the meeting yesterday in his absence and invited Cr Elisala to open the meeting in prayer.

**23.      9:05am – 9:36am                              CORPORATE – Community Grants – Regional Grants Allocations**

Chief Financial Officer, Ms Hollie Faithfull spoke to the report and informed Council, Cr Nona did not support the Ballimore Broncos application, however he is in support of assisting if the application was for accommodation.

**9:09am** – Cr Tabuai joined the meeting. Mayor Mosby encouraged Councillors to declare if they have a conflict of interest at any time during the meeting. No declaration made.

**9:19am** – Cr Toby joined the meeting. Cr Tamu asked about an application from his Division. CFO to take offline with Cr Tamu.

Cr Tabuai asked for information regarding the Community grants go out to the community.

**ACTION:** Team Leader – Service Delivery to circulate to each Division, information for more community awareness on Community grants and the process.

**Application 1 – Elijah Tabernacle**

**RESOLUTION:**

*Moved:* Cr Trinkoon; *Second:* Cr Elisala

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

**Application 1:**

- **Elijah Tabernacle for the eligible amount of \$10,000.00 exclusive of GST, as per the submitted application.**

**MOTION CARRIED**

**Application 2 - Poruma Mens & Ladies Volleyball Teams**

**RESOLUTION:**

*Moved:* Cr Tabuai; *Second:* Cr Pearson

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

**Application 2:**

- **Poruma Mens & Ladies Volleyball Teams for the eligible amount of \$2,000.00 exclusive of GST, as per the submitted application.**

**MOTION CARRIED**

**Application 3 – Badu Touch Team**

**RESOLUTION:**

*Moved:* Cr Pearson; *Second:* Cr Trinkoon

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

**Application 3:**

- Badu Touch Team for the eligible amount of \$2,500.00 exclusive of GST, as per the submitted application.

**MOTION CARRIED**

**Application 4 – Thaiwa Volleyball Team**

**RESOLUTION:**

*Moved:* Cr Trinkoon; *Second:* Cr Levi

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

**Application 4:**

- Thaiwa Volleyball Team for the eligible amount of \$2,000.00 exclusive of GST, as per the submitted application.

**MOTION CARRIED**

**Application 5 – Anthony David**

**RESOLUTION:**

*Moved:* Cr Levi; *Second:* Cr Tabuai

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

**Application 5:**

- Anthony David for the eligible amount of \$2,500.00 exclusive of GST, as per the submitted application.

**MOTION CARRIED**

**Application 6 – Boigu Island Dance Team**

**RESOLUTION:**

*Moved:* Cr Elisala; *Second:* Cr Tabuai

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

**Application 6:**

- Boigu Island Dance Team for the eligible amount of \$5,000.00 exclusive of GST (plus in-kind assistance to the value of \$1,043.00 – approval pending), as per the submitted application.

**MOTION CARRIED**

## **Application 7 – Ballimore Broncos**

### **MOTION:**

*Moved:* Cr Gela; *Second:* Cr Pearson

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

#### **Application 6:**

- **Ballimore Broncos for the eligible amount of \$2,370.50 exclusive of GST, as per the submitted application.**

Cr Gela and Cr Pearson rescinded their motion. Council had further discussions. Motion put back on the table, no mover or seconder – motion lost.

**MOTION LOST**

**9:30am** – Cr Dorante joined the meeting.

**24. 9:36am – 9:25am**

### **CORPORATE – Contractual – Extension of Register of Pre-qualified Suppliers**

Chief Financial Officer, Ms Hollie Faithfull spoke to the report. Cr Tabuai asked how someone can become a prequalified supplier and Cr Toby commented, we should be empowering our people in the Region.

### **RESOLUTION:**

*Moved:* Cr Tabuai; *Second:* Cr Tamu

**That Council resolves to;**

- 1. Extend TSIRC 2019-208 Register of Pre-qualified Suppliers for Trade Services for one year and**
- 2. Extend TSRIC 2019 -209 Register of Pre-qualified Suppliers for Goods, Services and Materials for one year and**
- 3. Delegate power to the Chief Executive Officer, pursuant to section 257 of the Local Government Act 2009 to:**
  - a. Approve, finalise, and execute any and all matters in relation these extensions; and**
  - b. Make, amend, or discharge contract TSIRC 2019-208 Register of Pre-qualified Suppliers for Trade Services and contract TSRIC 2019-209 Register of Prequalified Suppliers for Goods, Services and Materials; and**
  - c. Negotiate, finalise, and execute any and all matters associated with or in relation to registers including without limitation any options and/or variations as per Council's Procurement and Ethical Sourcing Policy.**

**MOTION CARRIED**

**ACTION:** CFO to provide Councillors a full list of the Pre-Qualified suppliers.

**9:56am** – Cr Hilda Mosby joined the meeting.

25. **10:00am – 10:10am** **BUILDING – Contractual Matter – 112 Sadi Village, Erub**

Acting Chief Operating Officer, Ms Rachel Pierce spoke to the report.

**RESOLUTION:**

*Moved:* Cr Gela; *Second:* Cr Noah

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 112 Sadi Village, Erub Island (WS154466) with a tender price of 246,759.00 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.

**MOTION CARRIED**

**ACTION:** Provide feedback to Council in a report on whether TSIRC have been successful with the tenders.

26. **9:45am – 9:55am** **BUILDING – Contractual Matter – 62 Mualgal Street, Kubin**

Acting Chief Operating Officer, Ms Rachel Pierce spoke to the report.

**RESOLUTION:**

*Moved:* Cr Noah; *Second:* Cr Levi

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 62 Mualgau Street, Kubin Island (WS154978) with a tender price of \$270,010.00 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.

**MOTION CARRIED**

27. **10:15am – 10:31am** **LEGAL – Amending Subordinate Local Law 4**

Manager Legal Services, Ms Julia Maurus spoke to the report.

**ACTION:** MLS to add a report on dumping things at dump sites and to put through the Housing and Safe and Healthy Communities Committee for review.

**RESOLUTION:**

*Moved:* Cr Nona; *Second:* Cr Levi

1. That pursuant to section 28(1) of the Local Government Act 2009 (Qld), Council resolve to make Amending Subordinate Local Law No. 1 (Waste Management) 2021.

**MOTION CARRIED**

**RESOLUTION:**

*Moved:* Cr Elisala; *Second:* Cr Gela

2. That pursuant to section 32(1) of the Local Government Act 2009 (Qld), Council resolve to make Subordinate Local Law No.4 (Local Government Controlled Areas, Facilities and Roads) 2019 consolidated version no.1 as in force on 1 July 2021.

**MOTION CARRIED**

28. **10:31am – 10:15am**

**LEGAL – Delegation Register Update**

Manager Legal Services, Ms Julia Maurus spoke to this report. Mayor Mosby commented to take advantage of the Sub Committees.

**RESOLUTION:**

*Moved:* Cr Nona; *Second:* Cr Pearson

1. That under section 257 of the Local Government Act 2009, Council delegate to the Chief Executive Officer the exercise of the following powers, and these powers must be exercised subject to Ailan Kustom and any limitations contained in Schedule 2 of the corresponding attached Instruments of Delegation:

Statutory Instrument:	The powers delegated are contained in Schedule 1 of the Instrument of Delegation attached to this report as:
Public Health (Infection Control for Personal Appearance Services) Act 2003 (PHIC)	Attachment 1
Plumbing and Drainage Act 2018 (PLDA)	Attachment 2
Plumbing and Drainage Regulation 2019 (PLDR)	Attachment 3
Public Health Act 2005 (PUHA)	Attachment 4
Water Act 2000 (WATA)	Attachment 5
Waste Reduction and Recycling Act 2011 (WRRRA)	Attachment 6

29. **10:33am – 11:15am**

**PRESENTATION 2:** Torres Strait Marine Safety Program evaluation  
May 2021 - Mr Angus Mitchell, General Manager MSQ, Mr David Ferguson, Cairns Regional Harbour Master, Department of Transport and Main Roads – MSQ and Mr Anthony Dorante – MSQ TI

**10:43pm** – Cr Stephen joined the meeting.

30. **11:15am – 11:49am**

**PRESENTATION 3:** Lone Star Production Group - Mr Aaron Faaso

**RESOLUTION:**

Moved: Cr Noah; Second: Cr Nona

**That Council provide its approval to Lone Star Production Group, in partnership with the Australian Film Television Radio School (AFTRS) to engage and consult with the Zenadth Kes Island communities, subject to compliance with visitor protocol requirements for each visit:**

- a. **to develop a regional Zenadth Kes media and skills audit document, and a media scoping strategy for the AFTRS;**
- b. **to identify and develop a best-practice strategy to partner the Zenadth Kes stakeholders and communities to identify talent and deliver culturally appropriate film, television, radio, and digital media courses and to establish an AFTRS footprint to improve the overall media capacity and infrastructure in the Zenadth Kes Region;**
- c. **to assist the region to create and develop its film, television, radio and digital media industry, capacity, and infrastructure in order to foster training, employment, and career opportunities for our people; and**
- d. **to improve the overall accessibility, engagement, and visibility of our people across the media industry landscape.**

**MOTION CARRIED**

Mayor Mosby reiterated the need for everyone to always follow the visitor's protocol on the website.

Cr Noah suggested the Cultural Arts, Land, and Heritage Standing Committee to monitor this space closely.

**LUNCH – 11:49pm – 12:50pm**

Secretariat conducted a roll call to establish quorum. All staff and Councillors present except Cr Fell (apology).

31. **1:09pm – 1:30pm**

**PRESENTATION 4:** Mr Terrance Whap, Mr Sam Joe and Mr Simi Guise – Fuel Contamination on the island.

**Each community member raised the following concerns that have either impacted themselves individually and or other community members not only on Mabuiag but the wider Western islands;**

- **Safety issues for families and individuals when engines breakdown especially at sea.**
- **Financial and economic effect on livelihood and lifestyle**
- **Health and safety issues for TSIRC workers with no suitable PPE when handling fuel**
- **Facility that is accessible 24hr – crayfishing industry dependant on fuel at Mabuiag, as it is the main area for crayfishing and central to the western islands.**

**Questions:**

1. **Compensation for vehicles and outboard motors affected by contaminated fuel.**
2. **Suitable 24hr reliable facility or structure that addresses the health and safety of TSIRC staff handling fuel and community members accessing the service.**
3. **Undertaking to explore the contaminated fuel issue and doing something to fix the issue.**
4. **Support our local cray fishing industry with providing a reliable uncontaminated fuel supply.**



Mayor Mosby and Acting CEO, Mr Ilario Sabatino, both thanked the community members for their deputation and assured them Council is in the process of rectifying the fuel issue on Mabuiag and the wider Torres Strait Region and bringing our facilities up to WHS standard for all our community members.

**ACTION:** Manager, Strategic Projects, and Logistics to make contact with Mr Terrence Whap to discuss his question offline.

32. **1:38pm – 1:44pm** **PRESENTATION 5:** Mr John Repu – Small Business

Mr Repu was encouraged to speak with Division 4 – Divisional Manager in regard to being a preferred supplier with Council.

**ACTION:** Acting Chief Operating Officer will have a staff member contact Mr Repu regarding the process.

33. **1:44pm – 2:08pm** **PRESENTATION 6:** Ms Flora Warrior – Safe Community – Lighting, Funeral Fund and Unmaintained Service Areas and vacant lots.

Acting Chief Executive Officer, Mr Ilario Sabatino read out the written deputation that was submitted by Ms Warrior for Council's attention and/or action. Ms Warrior raised four (3) points;

1. Lighting for Safe Community
2. Incorrect labelling of Funeral Funds
3. Unmaintained Service areas and vacant Lots

**ACTION:** Chief Engineer to respond to and address point 1 and 3 – follow up to confirm who is responsible and scope on what to do. Possibly action with minister (announcement of Foreign Affairs Minister Dutton on Safe communities).

**ACTION:** Finance department to further investigate funds on hold, details of payments – point 2.

**ACTION:** Manager Legal Services to contact Cr Fell and inform him of the freeze to the funds – point 2.

– Cr Noah excused himself to attend an urgent community matter and left the room.

**2:11pm**

**AFTERNOON TEA – 2:15pm – 2:28pm**

Secretariat conducted a roll call to establish quorum. All staff and Councillors present except Cr Fell and Cr Noah.

34. **2:30pm – 2:32pm** **Confirmation of March 2021 Special Meeting Minutes**

**RESOLUTION:**

*Moved:* Cr Nona; *Second:* Cr Gela

**That the Minutes of the Council Special Meeting held on 11<sup>th</sup> March 2021 via video conference, be adopted as a true and accurate record of that meeting.**

**MOTION CARRIED**

**35. 2:32pm – 3:30pm**

**Project Recommendations – 2021-24 Works for Queensland Program**

Chief Financial Officer spoke to this report. Council had a robust discussion around the four options on the table.

**RESOLUTION:**

*Moved: Cr Lui; Second: Cr Nona*

**That council resolves to endorse;**

- The proposed project scope as per option 4, recommendations for the Works for Queensland 2021-24 funding program, and
- Delegate power to the Chief Executive Officer, pursuant to Section 257 of the Local Government Act 2009 to approve, finalise and execute any and all matters in relation to this funding application.

Cr Nona raised concerns regarding the Badu Island gazebo and wishes to withdraw from seconding the motion.

Cr Toby seconded the motion and further stressed the need to consult with the community.

**MOTION CARRIED**

**Against: Cr Nona**

**36. 3:34pm – 4:00pm**

**Standing Agenda items**

- Monthly Financial Report

Chief Financial Officer spoke to the report.

**RESOLUTION:**

*Moved: Cr Gela; Second: Cr Levi*

**That Council receive and endorse the Monthly Financial Statements attached to the officer's report for the 2020-21 year to date, for the period ended 28 February 2021 as required under Section 204 Local Government Regulation 2012.**

**MOTION CARRIED**

**ACTION:** Chief Financial Officer – applied category included in the report.

**37. 4:00pm – 4:01pm**

**Business Arising from Information Reports**

Cr Lui raised Capital Work. BSU Interim capital delivery – scoping only being done.

**38. 4:01pm – 4:06pm**

**Next Meeting Date – 20 & 21 April 2021 – Video Conference**

Council confirmed 20 & 21 April 2021 as meeting date for the April Ordinary Meeting being held via video conference.

**39. 4:06pm – 4:50pm**

**Strategic Matters**

Manager Legal Service updated Council on the funeral funds issue raised by Miss Flora Warrior's written deputation. This matter was previously investigated, and a previous Chief Executive Officer closed the matter. No evidence to substantiate, no supporting evidence. No claim by PBC. Flora not a representative of the PBC. Recommend to continue and proceed to make payment and formally respond to Ms Warrior.

**ACTION:** Response from the Office of the CEO to Ms Warrior regarding the Funeral Funds.

Cr Lui asked for a Notice to go out to all Divisions on the next QPS visit for driver's licence.

**ACTION:** Acting Chief Operating Officer to action notices going out in Division on QPS next visit for drivers' licences.

Cr Stephen mentioned the increase in COVID cases in PNG and the Premier raising concerns. Cr Lui suggested we keep the border closed and a strong presence on the border to remain. With our current housing crisis an outbreak will be impossible to control and for the Mayor to do a media release.

**40. 4:30pm – 4:48pm**

**COUNCIL MOVE INTO CLOSED BUSINESS**

**RESOLUTION:**

*Moved:* Cr Nona; *Second:* Cr Pearson

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

**b) industrial matters affecting employees;**

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

**MOTION CARRIED**

- Industrial Matter

**4:31pm** – Secretariat officer left the meeting.

**41. 4:48 pm – 4:48pm**

**COUNCIL MOVE OUT OF CLOSED BUSINESS**

**RESOLUTION:**

*Moved:* Cr Elisala; *Second:* Cr Nona

**That Council move out of closed business.**

**MOTION CARRIED**

42. **4:48pm – 5:00pm**

**Closing Remarks and Prayer**

Mayor Mosby thanked Councillors and staff for their attendance and contribution and closed the meeting in prayer.

**MEETING CLOSED – 5:00pm**

.....  
**Mr Ilario Sabatino**  
**Acting Chief Executive Officer**  
**Torres Strait Island Regional Council**  
**22<sup>nd</sup> April 2021**

.....  
**Mr Phillemon Mosby**  
**Mayor**  
**Torres Strait Island Regional Council**  
**22<sup>nd</sup> April 2021**



# MINUTES

TORRES STRAIT ISLAND REGIONAL COUNCIL

APRIL 2021

Wednesday 21<sup>st</sup> April 2021, 9:00am – 5:00pm

Thursday 22<sup>nd</sup> April 2021, 9:00am – 12:30pm

Video Conference

## **Present**

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

Mr Ilario Sabatino, Acting Chief Executive Officer (ACEO) (Hammond Island)  
Ms Hollie Faithfull, Chief Financial Officer (CFO) (Cairns)  
Mr David Baldwin, Chief Engineer (CE) (Cairns)  
Mr Dawson Sailor, Acting Chief Operating Officer (ACOO)(Warraber)  
Mr Peter Krebs, Senior Legal Counsel (Thursday Island)  
Ms Julia Maurus, Manager Legal Services (MLS) (Cairns)  
Ms Ursula Nai, Senior Executive Assistant (SEA) (Thursday Island)  
Ms Naila Nomoa, Acting Secretariat (Thursday Island)

## **Apologies**

Cr Laurie Nona, Division 5 – Badu

**COUNCIL ORDINARY MEETING**  
**Wednesday 21<sup>st</sup> April 2021**  
**Agenda Items**

**1. 09:10am – 09:15am Welcome and Opening Remarks**

Mayor Mosby welcomed Councillors and Staff to TSIRC April Ordinary Council meeting, acknowledging our Heavenly Father for his wisdom, knowledge and understanding upon our lives, his favour and blessing upon Councillors and their families, staff, and our People across Zenadth Kes.

Mayor Mosby acknowledge traditional lands and landowners throughout the length and breadth of Zenadth Kes and the respective divisional officers, Cairns Office, Thursday Island office and where Councillors and staff are dialling in from.

Mayor Mosby invited Cr Levi to open with a word of prayer.

Councillors and Staff observed a minute silence for our families who are grieving for their loss of their loved ones.

**2. 09:15am – 09:33am Apologies**

- Cr Nona- Medical reasons

**RESOLUTION:**

Moved: Cr John Levi; Second: Cr Conwell Tabuai  
That Council accepts the apology of Cr Nona due medical reason.

**MOTION CARRIED**

- Cr Toby apologies - 22<sup>nd</sup> April (Day 2 meeting) left lying on the table as the Senior Legal Counsel will investigate if this apology meets the criteria in the policy.

**3. 09:33am – 09:39am Declaration of Conflict of Interest (COI) (Prescribed and Declarable)**

- Cr Seriako Dorante declared a declarable conflict of interest for Agenda Item 7 – SeaSwift Dispute. Cr Dorante is an employee of SeaSwift Dispute – SeaSwift Employee
- Mayor Phillemon Mosby declared a declarable conflict of interest for Agenda Item 8 – CLOSED BUSINESS Industrial Relations Matter  
Mayor Mosby was a previous employee of TSIRC.
- Cr Conwell Tabuai declared a declarable conflict of interest for Agenda Item 8 – CLOSED BUSINESS – Industrial Relations Matter.  
Cr Tabuai was a previous employee of TSIRC
- Cr Keith Fell declared a declarable conflict of interest for Agenda Item 8 – CLOSED BUSINESS – Industrial Relations Matter.  
Cr Fell was a previous employee of TSIRC and a Councillor for the past three terms.

**4. 09:39am – 09:39am Confirmation of Meeting Minutes**

- 17<sup>th</sup> and 18<sup>th</sup> March 2021 – adjourned until May Ordinary Meeting

**5. 09:39am – 09:39am Outstanding Ordinary Meeting Action Items**

Adjourned until May Ordinary Meeting

6. **09:40am – 09:40am** **COUNCIL MOVE INTO CLOSED BUSINESS**

Moved: Cr Jimmy Gela, Second: Cr Aven Noah

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

**MOTION CARRIED**

7.	<b><u>9:40am – 10:03am</u></b>	<b><u>FINANCE – CB – Industrial Relations Matte</u></b>
8.	<b><u>10:03am – 10:38am</u></b>	<b><u>MAYOR – CB – Industrial Matter – Late</u></b>
9.	<b><u>10:38am – 11:32am</u></b>	<b><u>MAYOR – CB – Industrial Matter – Late</u></b>
10.	<b><u>11:32am – 11:38am</u></b>	<b><u>BSU – CB – Contractual Matter – 11 School Road, Badu</u></b>
11.	<b><u>11:38am – 12:15pm</u></b>	<b><u>BSU – CB – Contractual Matter – 24 Main Street, St Pauls</u></b>

12. **12:15pm – 12:15pm** **COUNCIL MOVE OUT OF CLOSED BUSINESS**

**RESOLUTION:**

Moved: Cr Noah Second: Cr Elisala

That Council move out of Closed Business.

**MOTION CARRIED**

10:38am – Cr Hilda Mosby joined Meeting

**ACTION:** Head of Building Services to Workshop Tender process in May Workshop 2021 or another ordinary meeting if time permits.

7. **FINANCE – CB – Industrial Relations Matter**

Chief Finance officer spoke to this report.

**RESOLUTION:**

Moved: Cr Aven Noah, Second: Cr Jimmy Gela

Council resolves to

- (a) make the payments to the Affected Employees, for the reasons, and on the terms, considered by Council during the closed session of this meeting; an
- (b) make any payment to a relevant body as required or allowed by law if payment cannot be made to an Affected Employee; and
- (c) delegate authority to the Chief Executive Officer in accordance with the *Local Government Act 2009* to liaise with employees and otherwise give effect to item (a) and (b) of this resolution.

**MOTION CARRIED**

8. **MAYOR – CB – Industrial Matter – Late**

Chief Finance officer reads resolution.

**RESOLUTION:**

Moved: Cr Francis Pearson; Second: Cr Lama Trinkoon

Council resolves:

- a) to confirm that Ilario Sabatino's appointment as Council's Acting Chief Executive Officer ends on 23 April 2021;
- (b) pursuant to section 195 of the *Local Government Act 2009*, to appoint David Baldwin as Council's Acting Chief Executive Officer for the period commencing 24 April 2021 until further resolution of Council ending David Baldwin's appointment as Acting Chief Executive Officer or such time as a permanent Chief Executive Officer is appointed by Council;
- (c) to delegate to the Mayor the power to negotiate and finalise a suitable higher duties arrangement with Mr Baldwin for the period in which Mr Baldwin is acting as Council's Chief Executive Officer.

**MOTION CARRIED**



**9. MAYOR – CB – Industrial Matter – Late**

Chief Finance officer spoke to this report.

**RESOLUTION:**

*Moved:* Cr Rocky Stephen; *Second:* Cr Aven Noah

**Council resolves to delegate to the Mayor the power to:**

- (a) initiate a recruitment and selection process for the appointment of a permanent Chief Executive Officer;
- (b) brief consultants to commence the recruitment process and provide advice in relation to the recruitment process;
- (c) appoint a selection panel, whose role will be to shortlist and interview candidates and provide a recommendation to Council about the appointment of a qualified person to be its Chief Executive Officer pursuant to section 194(1) of the *Local Government Act 2009*.

**MOTION CARRIED**

**10. BSU – CB – Contractual Matter – 11 School Road, Badu**

Head of Building Services spoke to this report.

**Resolution:**

*Moved:* Cr Jimmy Gela, *Second:* Cr Francis Pearson

**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 11 School Road, Badu Island (WS155543) with a tender price of \$251,849.00 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.

**MOTION CARRIED**

**11. BSU – CB – Contractual Matter – 24 Main Street, St Pauls**

Head of Building Services spoke to report.

**RESOLUTION:**

*Moved:* Cr Getano Lui; *Second:* Cr Aven Noah

**That Council Award contract TSIRC2021-07-5572 – Upgrade Works to 24 Main Street, St Pauls, to Robert Clarke Builders for \$241,100 excluding GST. and Pursuant to Section 257 of the *Local Government Act 2009*, Council delegates to the Chief Executive Officer:**

- o power to make, amend or discharge the contract TSIRC2021-07-5572; and
- o 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 as per Council's Procurement and Ethical Sourcing Policy.

**MOTION CARRIED**

**AGAINST - Cr Keith Fell and Cr John Levi**

**LUNCH 12:30pm – 1:30pm**

**13. 1:43pm – 1:56pm**

**BSU – Interim Remote Capital Program - Variation to Funding Agreement**

Head of Building services unit spoke to Report.

**RESOLUTION:**

*Moved:* Cr Torenzo Elisala; *Second:* Cr Jimmy Gela

**Council resolves to:**

- 1. Build 5/7 plug-ins only, and the 2 excluded are those allocated to Badu, under the \$2.35M Interim capital program.

**and**

- 2. Build the 2 plug-ins allocated under the Rural and remote program at Badu.

**And**

- 3. Delegate power to the Chief Executive Officer, pursuant to section 257 of the Local Government Act 2009 to enter into contract, negotiate, finalise, and execute any and all matters associated with or in relation to \$2.35M Interim capital program funding agreement, including any further variations to allow for extensions of time or increase in funding.

**MOTION CARRIED**

14. **1:56pm – 2:03pm** **COMMUNITY SERVICES – Removal of Donga, 95 Egriu Village Erub**

Acting Chief Executive Officer spoke to this report on behalf of the acting Chief Operating Officer.

Cr Lui declared – COI as he is related to the owner/operator of Strait Support. Cr Lui left the room

**RESOLUTION:**

*Moved:* Cr Jimmy Gela; *Second:* Cr Francis Pearson

**Council resolves to:**

- request Department of Communities, Housing & Digital Economy (DCHDE) remove and demolish the donga at Lot 95 Egriu Village, Erub

And

- Delegate power to the Chief Executive Officer, pursuant to section 257 of the Local Government Act 2009 to enter into contract, negotiate, finalise and execute any and all matters associated with or in relation to this matter.

**MOTION CARRIED**

15. **2:03pm – 2:29pm** **CORPORATE – Community Grants**

The Chief Financial officer spoke to this report. The Chief Financial Officer advised that although Cr Nona is an apology for today's council meeting, he had sent an email declaring his conflict of interest regarding Sophie Nona's application as they are related.

**RESOLUTION:**

*Moved:* Cr Kabay Tamu, *Second:* Cr Francis Pearson

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

- Serub Serub Nar Racing Club for the eligible amount of \$1,978.75 exclusive of GST, as per the submitted application.

**MOTION CARRIED**

**RESOLUTION:**

*Moved:* Cr Aven Noah; *Second:* Cr John Levi

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

- Badu United Team for the eligible amount of \$1772.31 exclusive of GST, as per the submitted application.

**MOTION CARRIED**

**RESOLUTION:**

*Moved:* Cr Jimmy Gela, *Second:* Cr Conwell Tabuai

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

- Masigal Gal Community for the eligible amount of \$9,372.72 exclusive of GST, as per the submitted application.

**MOTION CARRIED**

**RESOLUTION:**

*Moved:* Cr Francis Pearson; *Second:* Cr Aven Noah

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

- Norita Kris for the eligible amount of \$2,500.00 exclusive of GST, as per the submitted application.

**MOTION CARRIED**

**RESOLUTION:**

*Moved:* Cr Torenzo Elisala; *Second:* Cr John Levi

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

- Dhadhin Geai Warriors & Sports for the eligible amount of \$5029.12 exclusive of GST, as per the submitted application.

**MOTION CARRIED**

**RESOLUTION:**

*Moved:* Cr Hilda Mosby; *Second:* Cr John Levi

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

- Sophie Nona for the eligible amount of \$632.72 exclusive of GST (plus in-kind assistance to the value of \$1,043.00 – approval pending), as per the submitted application.

**MOTION CARRIED**

**RESOLUTION:**

*Moved:* Cr Francis Pearson; *Second:* Cr Hilda Mosby

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

- Erub Arts for the eligible amount of \$7,985.10 exclusive of GST, as per the submitted application.

**MOTION CARRIED**

**RESOLUTION:**

*Moved:* Cr Kabay Tamu; *Second:* Cr Jimmy Gela

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

- Mui Kuzi Touch Football Team for the eligible amount of \$9,522.00 exclusive of GST, as per the submitted application.

**MOTION CARRIED**

**RESOLUTION:**

*Moved:* Cr Torenzo Elisala; *Second:* Cr Aven Noah

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

- Melita Hosea for the eligible amount of \$1772.31 exclusive of GST, as per the submitted application.

**MOTION CARRIED**

**RESOLUTION:**

*Moved:* Cr Kabay Tamu; *Second:* Cr Rocky Stephen

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

- St Pauls Anglican Church for the eligible amount of \$1,000.00 exclusive of GST, as per the submitted application.

**MOTION CARRIED**

16. **2:29pm – 2:35pm**

**CORPORATE – Public Interest Disclosure Policy and Management Program**

The Chief Financial Officer spoke to this report.

**RESOLUTION:**

*Moved:* Cr Torenzo Elisala; *Second:* Cr John Levi

**Council resolves to;**

**adopt the Public Interest Disclosure Policy and Management Program 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**

17. 2:35pm – 2:41pm CORPORATE – Ugar Community Safe Access – Deed of Variation

The Chief Financial Officer spoke to this report.

**RESOLUTION:**

*Moved:* Cr Rocky Stephen; *Second:* Cr Torenzo Elisala

**Council resolves to:**

endorse the proposed amendments to the original Funding Agreement for Ugar Community Safe Access, by the sum of \$180,000.00 excluding GST, and the extended time period within the terms and conditions contained in the Deed.

and

Delegate authority to the Chief Executive Officer in accordance with the *Local Government Act 2009*:

- power to make, amend or discharge the Deed of Variation relating to the Ugar Community Safe Access funding agreement; and
- power to negotiate, finalise and execute any and all matters associated with or in relation to this project and agreement including without limitation any options and/or variations.

**MOTION CARRIED**

18. 2:41pm – 2:54pm CORPORATE – Enterprise Risk Management Guidelines Document - **Late**

The Chief Financial officer spoke to this report.

**RESOLUTION:**

*Moved:* Cr Aven Noah; *Second:* Cr Jimmy Gela

**That Council adopts the Enterprise Risk Management Guidelines**

**MOTION CARRIED**

19. 2:54pm – 3:13pm CORPORATE – Policies Update – **Late**

The Chief Financial officer spoke to this report.

There was a discussion on the Audit Policy with the Chief Financial Officer noting there was a Council resolution back in 2019 stating the Chair of the Audit Committee is Mr Eric Muir and the Deputy Chair is Mr Paul Shipperley, and they were contracted for 2 years which will expire this year.

A discussion was held on the Conflict-of-Interest Policy and it was recommended that Conflict of interest should sit under Governance. I was also discussed that Conflicts of Interest will be completed annual whether a Staff or Councillors has a conflict or not.

**RESOLUTION:**

*Moved:* Cr Aven Noah; *Second:* Cr Francis Pearson

**Council resolves to:**

1. Endorse the following Torres Strait Island Regional Council policies:

- Advertising Spending Policy
- Conflict of Interest Policy
- Audit Policy

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 endorsed policies, including the power to make any further minor administrative amendments to the policies as they arise.

**MOTION CARRIED**

**AFTERNOON TEA 3:13pm – 3:27pm**

20. 3:29pm – 3:34pm CORPORATE – National Voice Proposal – **Late**

The Chief Financial officer spoke to this report.

An email has been sent to all Councillors for feedback. The submission date is the 31<sup>st</sup> April 2021. This paper will be discussed on Day 2 of the Council meeting.

**ITEM LEFT LAYING ON THE TABLE**

21. **3:34pm – 4:03pm** **ENGINEERING – LDMG Membership**

The Chief of Engineer spoke to this Report and provided an update of the current LDMG Membership and the proposed changes. Cr. Fell requested this Agenda item be added to the Housing and Safe and Healthy Communities Committee as a Standing Agenda Item.

**RESOLUTION:**

*Moved:* Cr Aven Noah; *Second:* Cr Keith Fell

**Council Resolves to:**

**Subject to the commencement of engagement by TSIRC Mayor and CEO with TSC in relation to the proposed disestablishment to the TSLDMG, as per resolution made at the May 2020 Ordinary Meeting.**

• **Engage with identified stakeholders to seek the formation of membership and advisors of the proposed TSIRC LDMG as outlined in this report.**  
**and**

• **Delegate the CEO to undertake engagement with proposed members and advisors to the proposed TSIRC LDMG, and undertake other administrative matters relating to the formation of a stand-alone TSIRC LDMG.**

**MOTION CARRIED**

22. **4:03pm – 4:10pm** **Closing Remarks**

Cr Dimas Toby raised his apologies for Day 2 of the Council Meeting due to other board commitments. After discussion with the Senior Legal Counsel officer Mayor Mosby accepted the Apology for Cr Toby for 22<sup>nd</sup> of April 2021 however notes that Sitting Fee's will not be paid as per policy.

Cr Keith Fell requested sitting fees be paid prior to 5pm however Chief Financial Officer advised that as per policy the fees are unable to be paid until the meeting has closed on the second day.

Mayor Mosby invited Cr Keith Fell to close in a word of prayer.

**MEETING CLOSED – 4:10pm**

## **Present**

Cr Phillemon Mosby, Mayor (Poruma) -  
Cr Torengo Elisala, Division 2 – Dauan  
Cr Conwell Tabuai, Division 3 – Saibai  
Cr Keith Fell, Division 4 – Mabuiag -  
Cr Lama Trinkoon, Division 6 – Kubin, Mua Island  
Cr John Levi, Division 7 – St Pauls, Mua Island -  
Cr Seriako Dorante, Division 8 – Kirriri -  
Cr Getano Lui Jnr, Division 9 – Iama -  
Cr Kabay Tamu, Division 10 – Warraber  
Cr Francis Pearson, Division 11 – Poruma -  
Cr Hilda Mosby, Division 12 – Masig -  
Cr Rocky Stephen, Division 13 – Ugar -  
Cr Jimmy Gela, Division 14 – Erub -  
Cr Aven Noah, Division 15 – Mer -

Mr Ilario Sabatino, Acting Chief Executive Officer (ACEO) (Hammond)  
Ms Hollie Faithfull, Chief Financial Officer (CFO) (Cairns)  
Dawson Sailor, Acting Chief Operating Officer (Warraber)  
Mr David Baldwin, Chief Engineer (CE) (Cairns)  
Mr Peter Krebs, Senior Legal Counsel (Thursday Island Office)  
Ms Ursula Nai, Senior Executive Assistant (SEA) (Thursday Island)  
Ms Naila Nomoa, Travel Officer (TO) (Thursday Island)

## **Apologies**

Cr Dimas Toby, Division 1 – Boigu  
Cr Laurie Nona, Division 5 – Badu

**COUNCIL ORDINARY MEETING**  
**Wednesday 21<sup>st</sup> April 2021**  
**Agenda Items**

**1. 9:03am – 9:10am Welcome and opening prayer.**

Mayor Mosby welcome Councillors, Staff and acknowledged Traditional landowners throughout the length and breadth of Zenadth Kes.

Mayor Mosby invited Cr Pearson to open with a word of prayer.

**2. 9:10am – 9:40am Deputation 1 – Gina Bin Juda – Social Justice Interagency Services**

Ms Gina Bin Juda discussed the Social Just Interagency Services and the Draft “Keeping community safe plan”. Mayor Mosby requested a copy of the plan and for this to be placed on the next SARG Agenda. It was recommended that the Social Justice Interagency Service work closely with Cr. Keith Fell to provide recommendations to SARG Committee.

**ACTION:** Secretariat to add Keeping Community Safe Plan onto the next SARG Agenda.

**3. 9:41am – 9:41am COUNCIL MOVE INTO CLOSED BUSINESS**

**RESOLUTION:**

*Moved:* Cr Kabay Tamu; *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;
- (h) legal advice obtained by the local government or legal proceedings involving the local government including, for example, legal proceedings that may be taken by or against the local Government

Cr Seriako Dorante declared and prescribed conflict of interest as he is an employee of SeaSwift and left the room at 9:43am

**4. 9:41am – 10:39am LEGAL-CB-Delegation- Sea Swift Dispute**

**5. 10:39am – 10:40am COUNCIL MOVE OUT OF CLOSED BUSINESS**

**RESOLUTION:**

*Moved:* Cr Aven Noah; *Second:* Cr Jimmy Gela

That Council move out of Closed Business.

**MOTION CARRIED**

**4. LEGAL-CB-Delegation- SeaSwift Dispute**

**RESOLUTION:**

*Moved:* Cr Getano Lui; *Second:* Cr Rocky Stephen

1. That under section 257 of the Local Government Act 2009, Council empower the Chief Executive Officer to: a. decide to enter into any litigation funding agreement to pursue Council's interest in this dispute;

b. negotiate, execute, discharge, amend and renew any such litigation funding agreement, as the Chief Executive Officer considers appropriate taking into account any advice from Clyde & Co

c. decide to enter into any client costs agreement with Clyde & Co to pursue Council's interest in this dispute;

d. negotiate, execute, discharge, amend and renew any such client costs agreement with Clyde & Co, as the Chief Executive Officer considers appropriate;

e. provide instructions to Clyde & Co in the litigation of the dispute, including in respect of any settlement negotiations.

2. Council directs the Chief Executive Officer to report periodically to Council on the progress of the matter.

**MOTION CARRIED**

10:39am - Cr. Seriako Dorante returned to meeting.

**MORNING TEA – 10:40am – 10:48am**

**6. 11:00am – 11:08am OCEO- Change to May 2021 Ordinary Meeting Dates**

The Acting Chief Executive Officer spoke to this report.

**RESOLUTION:**

*Moved:* Cr Lama Trinkoon; *Second:* Cr Torenzo Elisala

**That Council change the dates for Council's May Ordinary Meeting to Monday 24<sup>th</sup> and Tuesday 25<sup>th</sup> May 2021, and confirm Cairns as the location for the meeting.**

**MOTION CARRIED**

**7. 11:08am – 11:36am Standing Agenda Item:**

**• Monthly Financial Report**

The Chief Finance officer spoke to report.

**RESOLUTION:**

*Moved:* Cr Aven Noah; *Second:* Cr Francis Pearson

**That Council Note this report.**

**MOTION CARRIED**

**8. 11:36am – 11:45am CORPORATE – National Voice Proposal – Late**

The Chief Finance officer spoke to report.

Cr Lui spoke about the conclusion our voice and added a number of suggestions. The final Draft will be sent to the Mayor for review prior to submission date of 31<sup>st</sup> of April 2021.

**ACTION:** Chief Financial Officer to send through final draft to Mayor Mosby for review prior to submission date of 31<sup>st</sup> April 2021

**9. 11:45am – 11:56am LEGAL – Complaint Management Policy Review – Late**

Senior Legal Counsel spoke to this report.

**RESOLUTION:**

*Moved:* Cr Rocky Stephen; *Second:* Cr Francis Pearson

**That Council endorse the updated SP09 Complaint Management Policy, as presented.**

**MOTION CARRIED**

**10. 11:56am – 12:09pm LEGAL- Strait Support, Erub**

The following Councillors declared COI and left the room at 12:08pm. Cr Lui

- Cr Noah – COI – Family member
- Cr Stephen – COI – Family member
- Cr Gela - COI – Family Member

The Senior Legal Counsel spoke to this report.

**RESOLUTION:**

*Moved:* Second:

**That Council resolve to;**

- **A waiver of commercial licensing agreement (at adopted General storage use rates) with Strait Support at Lot 91 Builders Shed, Erub totalling \$12,972.00 for six months occupancy between 1 July to 31 December 2019 is approved/not approved.**

**MOTION LOST**

**11. 12:09pm – 11:50 Business Arising from Information Reports**

The Acting Chief Engineer spoke to Engineering Information Reports.

Cr Fell would like sea rescue's to be included in monthly information reports

**ACTION:** Chief Engineer to include sea rescues in monthly information reports.



Cr Hilda Mosby raised concerns on the accuracy of information reports coming to Council especially in regard to the information on Masig Airport as the report does not reflect what is happening on ground.

Cr Getano Lui would like to see all report template to be standard, and the information reports provided to checked on ground so that what is happening on the ground is accuracy reflected in the information reports.

Cr Francis Pearson raised the Poruma Airport fence as being damaged.

**ACTION:** Chief Engineer to follow up offline on Cr. Mosby's concerns regarding the airport on Masig and Cr. Francis Pearson concerns regarding the Poruma Airport fence.

Cr Seriako Dorante met with Engineering Team on their recent trip to Hammond Island and discussed

- Roads (Potholes)
- Drain not cleaned out.
- Engineering does have a backhoe and a tractor on ground, staff training required to operate the machines.

The Acting Chief Operating officer spoke to information report.

Cr Getano Lui raised concerns about Indigenous Knowledge Centres and would like an information report to be presented to Council at the next Ordinary Meeting.

**ACTION:** Chief Operating officer to follow-up different programmes provided by the Indigenous Knowledge Centres and provide a status on Indigenous Knowledge Centres on each division.

Acting Chief Operation Officer spoke to their information report.

Cr Getano Lui raised concerns that the pallets that the fuel drums are put on do not correct align and the pallets do not fit.

**ACTION:** Chief Engineer to follow-up the pallet sizing of the fuel drums and confirm sizing at the next Ordinary Meeting.

Mayor Mosby discussed the Fuel health and safety issue and Financial risk to council. The Chief Finance Officer spoke on the Fuel (Catastrophic Risk).

**ACTION:** Chief Operating Officer to provide a total costing of removing the fuel drums from the remaining islands that have bowsers.

**ACTION:** Chief Operating Officer to email the stage 1 plan on the Fuel Safety completed by the Healthy and Safety officer to all Councillors.

**ACTION:** Chief Operating Officer to provide update to Council on project plan for fuel bowsers at the next Ordinary Meeting.

Cr Conwell Tabuai advised as per information report the temporary fuel shed on Saibai is due to finish by the end of April but there is no progress on ground.

**ACTION:** Chief Operating Officer to investigate the timeline of the temporary fuel shed on Saibai and advise Cr. Conwell Tabuai via email on the status.

Cr Keith Fell asked if Consultations could be involved as a committee, standing committee or SARG. This advice was provided to Cr. Keith Fell.

Moved: Cr Aven Noah, Second: Cr Conwell Tabuai

**That Council note all information reports.**

**MOTION CARRIED**

**12. 11:50am – 1:14pm Strategic Matters**

Cr Lui raised a late agenda item as a Community Grant. A robust discussion was held with involvement of the Senior Legal Counsel and Chief Financial Officer on the eligibility of the Community Grants and the timeline for applications to be submitted to Council.

**LUNCH – 1:38pm – 2:37pm**

**RESOLUTION:**

*Moved:* Cr Fell; *Second:* Cr Levi

Council endorses the grant of \$3800.00 to cover the funeral expenses of the Late Elizabeth Songoro and notes that the grant is outside of Council's Community Grants Procedure, but due to extenuating circumstances and Ailan Kustom, makes this grant as a one-off exception to the policy."

**MOTION CARRIED**  
**AGAINST - Cr Seriako Dorante**

It was noted during the deliberations of the above resolution, that the Chief Financial Officer and Senior Legal Counsel strongly advised of this resolution's failure to meet Council policy and procedure.

**ACTION ITEMS:** Chief Financial Officer to add Community Grants in May Workshop.

Cr Conwell Tabuai raised his disappointment at Qantas as Family members travelling on Qantas from Horn Island to Cairns did not receive their luggage on arrival.

Cr Hilda Mosby raised Asbestos on Yorke island building over 50 years old.

**ACTION:** Chief Operating Officer and Head of Building Services to have offline discussion on Asbestos Building on Masig

Cr Lui discussed the COVID-19 rollout.

Cr. Keith Fell discussed the Railway Courses currently being rolled out on certain islands.

**ACTION:** Cr Keith Fell to send email to all Councillors regarding information on the certificate II in railway.

Acting Chief Operating Officer discussed information sessions currently being held on Saibai for driver's licence and conversation with Legal Aid.

Cr Noah congratulated the Engineering team on the completion of the Mer Island lagoon which is finally full after so many restrictions.

**13.      12:20pm – 12:25pm                      Next Meeting Date – 17 & 18 May 2021 – Cairns**

Mayor Mosby reminded Councillors the next Ordinary Meeting has been changed to Monday 24<sup>th</sup> and Tuesday 25<sup>th</sup> May 2021 as per earlier resolution.

**14.      2:55pm – 2:55pm                      Meeting Closed**

.....  
Mr David Baldwin  
Acting Chief Executive Officer  
Torres Strait Island Regional Council  
24<sup>th</sup> May 2021

.....  
Mr Phillemon Mosby  
Mayor  
Torres Strait Island Regional Council  
24<sup>th</sup> May 2021

DRAFT

# ORDINARY MEETING ACTION ITEMS

## April 2021 - VC

Meeting Date	Action Item	Action Officer	Update	Due Date
21 April 2021	Head of Building Services to Workshop Tender process in May Workshop 2021 or another ordinary meeting if time permits.	Head of Building Services	BSU Tender added to Workshop Agenda	Completed
21 April 2021 National Voice Proposal	Chief Financial Officer to send through final draft to Mayor Mosby for review prior to submission date of 31 <sup>st</sup> April 2021	Chief Financial Officer	National Voice Proposal sent to Mayor Mosby and submitted by deadline	Completed
22 April 2021	Secretariat to add Keeping Community Safe Plan onto the next SARG	Secretariat	Secretariat to add to June SARG Meeting as the May SARG did not proceed due to no quorum	
22 April 2021 Business arising from information report	Chief Engineer to include sea rescues in monthly information reports. Cr Hilda Mosby raised concerns on the accuracy of information reports coming to Council especially in regard to the information on Masig Airport as the report does not reflect what is happening on ground.	Chief Engineer	Acting Chief Engineer is checking the legality around requesting this information from Authorities. The Acting Chief Engineer is also investigating reformatting Information Reports.	
22 April 2021 Business arising from information report	Chief Engineer to follow up offline on Cr. Mosby's concerns regarding the airport on Masig and Cr. Francis Pearson concerns regarding the Poruma Airport fence	Chief Engineer	Acting Chief Engineer to have offline discussion with both Councillors during the May Workshop	
22 April 2021 Business arising from information report – Cr Lui – IKC	Chief Operating officer to follow-up different programmes provided by the Indigenous Knowledge Centres and provide a status on Indigenous Knowledge Centres on each division	Chief Operating Officer	This information is included in the Community Services Information Report submitted for the May Meeting	Completed
22 April 2021 Business arising from information report – Cr Lui – fuel	Chief Engineer to follow-up the pallet sizing of the fuel drums and confirm sizing at the next Ordinary Meeting.	Chief Engineer	Acting Chief Engineer has undertaken an investigation and confirmed all pallet sizing is correct.	Completed
22 April 2021 Business arising from information report –	Chief Executive Officer to provide a total costing of removing the fuel drums from the remaining islands that have bowsers.	Chief Executive Officer	This information will be included in the Fuel Project Update Agenda Report which has been added to the May OM Agenda	40

Mayor – Fuel WHS and financial risk				
22 April 2021 Business arising from information report – Mayor – Fuel WHS and financial risk	Chief Executive Officer to email the stage 1 plan on the Fuel Safety completed by the Healthy and Safety officer to all Councillors	Chief Executive Officer	The Fuel transition Project Plan Stage 1 document was emailed to all Councillors on 17.05.2021 by the SEA	Completed
22 April 2021 Business arising from information report – Mayor – Fuel WHS and financial risk	Chief Executive Officer to provide update to Council on project plan for fuel bowsers at the next Ordinary Meeting.	Chief Executive Officer	This information is included in the Fuel Project Update Agenda Report which has been added to the May OM Agenda	Completed
22 April 2021 Business arising from information report – Mayor – Fuel WHS and financial risk	Chief Executive Officer to investigate the timeline of the temporary fuel shed on Saibai and advise Cr. Conwell Tabuai via email on the status.	Chief Executive Officer	This information is included in the Fuel Project Update Agenda Report which has been added to the May OM Agenda	
22 April 2021 Late Community Grant application – Cr Lui	Chief Financial Officer to add Community Grants in May Workshop.	Chief Financial Officer	Due to full agenda for the May Workshop this will be discussed at the June SARG Meeting	
22 April 2021 Business arising from information report – Cr Mosby – asbestos in 50-year-old houses	Chief Operating Officer and Head of Building Services to have offline discussion on Asbestos Building on Masig	Chief Operating Officer	Head of Building Services will meet face to face with Cr. Mosby during the May two week workshop	
22 April 2021 Business arising from information report – Cr Fell – Railway course – Cert III	Cr Keith Fell to send email to all Councillors regarding information on the certificate II in railway.	Cr Fell		

## CLOSED SESSION REPORT

**ORDINARY MEETING:** May 2021

**DATE:** 24<sup>th</sup> – 25<sup>th</sup> May 2021

**ITEM:** Agenda Item for Resolution by Council- **Closed Session**

**SUBJECT:** Upgrade Works – Dauan Island Community Hall Contract No.: TSIRC 2021-335

**AUTHOR:** Peter Jacques- Head of Building Services

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### Recommendation:

Council resolves to

- Delegate authority to the Chief Executive Officer in accordance with the Local Government Act 2009:
  - o power to award, make, amend or discharge, contract TSIRC 2021-335; and
  - o 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, subject to confirmation of the granting for the Works 4 Queensland (round 3) extension of time.

### Executive Summary:

The Tender was prepared for the upgrade works of the Dauan Island Community Hall Contract no.: TSIRC 2021-335. In accordance with Council's adopted Procurement Policy it was necessary to undertake a tender process due to the estimated value of the Works, scope of the Works, and to mitigate unforeseen risks.

The Tender was prepared and issued to five (5) suitably capable and competent Contractors on the Council register of pre-qualified suppliers. At the close of the tender period Council received three (3) written submissions.


The Dauan Island Community Hall is a Works 4 Queensland Funded project. The expenditure to date on Dauan Island Community Hall details in the 2019/2020 & 2020/2021 financial year(s) was approximately \$6,462.26 excluding GST.

The recommended Tenderer is Robert Clarke Builders Pty Ltd due to the completeness of the tender submission (non-priced criteria), value for money, IEOP, Works timeframe, and locality.

## Background:



General	
Search Description:*	Community Hall - Part of Lot 39 on SP270
Description:	Community Hall - Part of Lot 39 on SP270872 aka Lot 80 (SLUP & DOH) Main Rd, Dauan Island Qld 4875.
Short Description:*	Community Hall - Par
Asset Status:*	Commissioned
Bar Code:	
Commission Date:	30/06/1999
Expected Commissioning:	
Disposal/Write-off Date:	
Asset Condition:*	4.5 <input type="button" value="Q"/> Extremely Poor Cond
AMP Category:*	BLDGCORP <input type="button" value="Q"/> Buildings Corporate
AMP Facility:*	HALL <input type="button" value="Q"/> Community Hall
PPE Reporting Ctrgy:*	BLDCRP <input type="button" value="Q"/> Buildings (Corporate)
Legacy PCS Number:	10090.01
SAM ID:	1000140.1
Heritage Asset:	NO <input type="button" value="Q"/> No



Primary Image: P1040558.JPG

Council invited tenders pursuant to section 228 and section 233 of the *Local Government Regulation 2012* (Qld) (**Regulation**).

The Tender was prepared and issued to five (5) suitably capable and competent Contractors on the Council register of pre-qualified suppliers. The tender was released on the 22<sup>nd</sup> of March 2021 via Local Government Tender box and Council allowed written submissions to be made until the 5:00pm on 13<sup>th</sup> April 2021. At the close of the tender period Council received three (3) written submissions.

Tenders were received from each of the tenderers identified below:

- (a) Matt Birney Builders Pty Ltd;
- (b) Paul Ware Constructions Pty Ltd; and
- (c) Robert Clarke Builders Pty Ltd.

Tenders were checked for conformance against the requirements of the request for tender, and the outcome recorded in the **Tender Evaluation Matrix and Conformance Checklist**

In selecting the successful tenderer, the evaluation panel had regard to the sound contracting principles described in section 104 of the *Local Government Act 2009* (Qld)

Each tender was assessed against the following assessment criteria:

- Relevant Experience and Track Record
- Key Personnel, Skills and Communication
- Resources and Management Systems
- Demonstrated Methodology and Understanding
- Business Profile (Local, Social and Sustainability)
- IEOP
- Value for Money

The Evaluation Panel consisted of the following members:

- (a) Peter Jacques: Head of Building Services: TSIRC BSU
- (b) Nicholas Sturges: Project Manager / Estimator: TSIRC BSU
- (c) Lochlan Davison: Project Manager: External Consultant

**Comment:**

The price schedules received at tender close:

Tenderer	Price (ex GST)	Score
Matt Birney Builders Pty Ltd	\$312,577.00	2
Paul Ware Constructions Pty Ltd	\$332,349.90	3
Robert Clarke Builders Pty Ltd	\$277,383.90	1

**OPTIONS:**

Option 1: (Recommended)

It is recommended that Council: Enters a contract for Dauan Island Community Hall Contract no.: TSIRC 2021-335 to Robert Clarke Builders Pty Ltd for a lump sum price of \$277,383.90 excluding GST.

**Considerations**

Risk Management

No	Risk Item	Risk Rating	Risk Controls (Prevention)	Proposed Treatments (Mitigation)	Risk Rating
1.1	Loss of key resources (core project team members)	Med	Knowledge sharing. Team communication. Core team Work Pairs.	Team knowledge sharing, Communication Protocols, Core team Pairs	Low
1.2	Overall schedule adherence	Med	Schedules control/updating. Monthly reporting. Project meeting review	Critical path analysis Regular updating Regular reporting and meetings	Low
1.3	Safety Incidents during construction, installation, and commissioning	Med	Training and Inductions Safety Mgmt Plans SWMS Reviews/Audits	Ensure Safety Plan in place. Induction process active. SWMS to be completed. Contractor Insurances in place. Audits By TSIRC safety	Low



1.4	Effective Communication between Stakeholders and External Consultants	Med	Schedule control/updating. Monthly reporting. Project meeting review	Regular updating Regular reporting and meetings	Low
1.5	Freight Delivery	High	Procurement scheduling	Schedule for lost time	Low
1.6	Builders accommodation availability	High	Contractor to supply their own accommodation facilities	Book accommodation through Building Services Unit. Schedule works around other projects to maximise accommodation availability.	Med
1.7	Temporary services approval	Med	Schedule works to commence when water provisions are at capacity. Communicate with TSIRC water and waste division	Contractor to allow for its own water and power services on island.	Low
1.8	Waste Removal – AQIS Approval	High	Maximise the amount of waste and debris that can be stored on-island. Limit the amount of waste and debris taken off-island	Ensure all waste has been inspected and certified by a AQIS Officer	Low
1.9	Covid-19 Lockdown – biosecurity determination act.	High	Ensure all contractors have all the necessary vaccinations and have completed TSIRC Covid safety documentation before arriving to island	Monitor Australian government department of health announcements	Med
1.10	Native title determination	High	Communicate with TSIRC legal team to advise when native title is enacted.	Send through appropriate notification forms to issue to applicable Island PBC.	Med
1.11	Budget expenditure / overruns during project	Med	Quantity surveyor estimation to determine project budget. Project estimates continually reviewed & forecasted. Monthly reporting Project meetings	Detailed budget forecasts Monthly reporting Project meetings	Low
1.12	Major head works required on existing facilities i.e. upgrades of site	Med	Review capacities Finalise site location Plan development	Select site and review site facilities. Manage work as separate early works project.	Low
1.13	Excessive wet weather delaying site progress	Med	Project scheduling around seasons	Schedule for lost time	Low

1.14	Latent conditions on site	Med	Provide site information report so that Principal Consultant can make an informed risk assessment and design accordingly	project contingency reduce scope of work	Low
1.15	Facility not constructed in time (delayed PC) / certificate of occupancy.	High	Scheduling & Reporting	Schedule and Report LD's for late completion	Med
1.16	Long lead time items delay works	High	Define items Procurement planning.	Identify critical equipment. Early procurement.	Low

### **Council Finance and the Local Economy:**

The Dauan Island Community Hall Contract no.: TSIRC 2021-335 is a Works 4 Queensland (Round 3) Funded project. The expenditure to date on Dauan Island Community Hall details in the 2019/2020 & 2020/2021 financial year(s) was approximately \$6,462.26 excluding GST.

### **Community and Cultural Heritage:**

Dauan Island Community Hall is an important asset to the Council and used extensively by the Dauan Island Community. The Works involved but is not limited to the complete replacement of the roof system, installation of new internal and external walls, the repainting of internal and external surfaces, the reconnection of gas pipework, the installation of a new hot water system, repair to damage structural elements and rectification of the kitchen. Adjacent to the basketball court.

### **Natural Environment**

Part of the Tender Response Schedules and Contract General Specification is the submission of management plans which includes the Contractors environmental management plan. It will be the responsibility of the Contractor to effectively manage the natural environment and the responsibility of Council to enforce the supplied environmental management plan.

### **Statutory:**

This tender process has been conducted in accordance with legislative requirements under the Local Government Act 2009 and the Local Government Regulation 2012.

### **Policy:**

The tender process was undertaken in accordance with Council's adopted Procurement Policy.

### **Consultation:**

- Lochlan Davison: External Project Manager
- Nicholas Sturges: TSIRC Project Management Team

### **Links to Strategic Plans:**

- Strategic Planning 7.1
- Strategic Planning 7.2
- Strategic Planning 7.3

### **Statutory Requirements:**

**Conclusion:**

That Council resolves to delegate authority to give power to make, amend or discharge the Chief Executive Officer in accordance with the *Local Government Act 2009* to enter into a contract for the upgrade works of the Dauan Community Hall Contract no.: TSIRC 2021-335.

*Peter Jacques*

**Author:**

Peter Jacques  
Head of Building Services

*David Baldwin*

**Endorsed:**

Ilario Sabatino  
Chief Operating Officer

*Ilario Sabatino*

**Recommended:**

David Baldwin  
Acting Chief Executive Officer

## TSIRC 2021-335 - Dauan Island Community Hall

Evaluation Criteria	Criteria A - Relevant Experience and Track Record				Criteria B - Key Personnel, Skills and Communication				Criteria C - Resources and Management Systems				Criteria D - Demonstrated Methodology and Understanding				Criteria E
	Eval 1	Eval 2	Eval 3	Eval 4	Eval 1	Eval 2	Eval 3	Eval 4	Eval 1	Eval 2	Eval 3	Eval 4	Eval 1	Eval 2	Eval 3	Eval 4	
<b>Tenderer Name</b>																	
MATT BIRNEY BUILDERS	1.05	1.05	1.05	0	0.8	0.8	0.7	0	0.8	0.8	0.8	0	1.6	1.6	1.4	0	0.4
Paul Ware Constructions Pty Ltd	1.05	0.9	0.75	0	0.7	0.7	0.6	0	0.8	0.8	0.8	0	1.6	1.6	1.2	0	0.5
Robert Clarke Builders Pty Ltd	1.35	1.35	1.35	0	0.9	0.9	0.9	0	0.9	0.9	0.9	0	1.6	1.6	1.4	0	0.4

D - Demonstrated Methodology and Understanding						Criteria F - Value for Money							
Eval 2	Eval 3	Eval 4	Eval 1	Eval 2	Eval 3	Eval 4	Total Weighted Score - NO VFM	Rank	Total Weighted Score - with VFM	Rank	Successful / Unsuccessful		
0.4	0.4	0	1.6	2.8	1.6	0	13.65	2	19.65	2			
0.5	0.5	0	1.2	2	1.2	0	13	3	17.4	3			
0.4	0.4	0	2.4	3.2	2.4	0	15.25	1	23.25	1			

## CLOSED SESSION REPORT

<b>ORDINARY MEETING:</b>	May 2021
<b>DATE:</b>	24 <sup>th</sup> - 25 <sup>th</sup> May 2021
<b>ITEM:</b>	Agenda Item for Resolution by Council- <b>Closed Session</b>
<b>SUBJECT:</b>	Design & Construction – Hammond Island Undercover Shelters Contract No.: TSIRC 2021-332
<b>AUTHOR:</b>	Peter Jacques- Head of Building Services

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### **Recommendation:**

Council resolves to

- Delegate authority to the Chief Executive Officer in accordance with the Local Government Act 2009: power to award, make, amend or discharge, contract TSIRC 2021-332; 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, subject to confirmation of the extension of time for the Works 4 Queensland round 3.

### **Purpose:**

The purpose of this report is to allow Council to award the contract for the Hammond Island undercover shelters for construction to commence as soon as possible.

### **Background:**

The Design and Construction - Hammond Island Undercover Shelters is a Works 4 Queensland Funded Project. The expenditure to date on Design and Construction - Hammond Island Undercover Shelters in the 2019/2020 & 2020/2021 financial year(s) was approximately \$3,081.17 excluding GST.

Council invited tenders pursuant to section 228 and section 233 of the *Local Government Regulation 2012* (Qld) (**Regulation**).

The Tender was prepared and issued to five (5) suitably capable and competent Contractors on the Council register of pre-qualified suppliers. The tender was released on the 22<sup>nd</sup> of March 2021 via Local Government tender box and Council allowed written submissions made until the 5:00pm on 20<sup>th</sup> April 2021. At the close of the tender period Council received three (3) written submissions.

Tenders were received from each of the tenderers identified below:

- (a) Matt Birney Builders Pty Ltd;
- (b) Paul Ware Constructions Pty Ltd; and
- (c) Robert Clarke Builders Pty Ltd.

#### Comment:

#### Tender Scope:


The Tender was prepared for the Design and Construction - Hammond Island Undercover Shelters contract no.: TSIRC 2021-332. In accordance with Council's adopted Procurement Policy it was necessary to undertake a tender process due to the estimated value of the Works, scope of the Works, and to mitigate unforeseen risks.

The Tender was prepared and issued to five (5) suitably capable and competent Contractors on the Council register of pre-qualified suppliers. At the close of the tender period Council received three (3) written submissions. It was determined that the received prices schedules exceeded the project budget and therefore a reduction in scope was necessary bring down the project cost. A post-tender addendum was issued to all Tenderers that provided Council with tendersubmission.

The recommended Tenderer is Robert Clarke Builders Pty Ltd due to the completeness of the tender submission (non-priced criteria), value for money, IEOP, Works timeframe, preliminary design and locality.



General	
Search Description:*	Council Depot - Compound - Workshop - Lo
Description:	Council Depot - Compound - Workshop - Lot 105 on SP248418 aka Lot 501 (SLUP) Louis Rd, Hammond Island QLD
Short Description:*	Council Depot - Comp
Asset Status:*	Commissioned
Bar Code:	
Commission Date:	30/06/1999
Expected Commissioning:	
Disposal/Write-off Date:	
Asset Condition:*	3 Fair to Poor Cond
AMP Category:*	BLDGCORP Buildings Corporate
AMP Facility:*	WORKS Works Centre
PPE Reporting Ctgry:*	BLDCRP Buildings (Corporate)
Legacy PCS Number:	10101
SAM ID:	
Heritage Asset:	NO No



Primary Image: 1000159.jpg

Tenders were checked for conformance against the requirements of the request for tender, and the outcome recorded in the **Tender Evaluation Matrix and Conformance Checklist**

In selecting the successful tenderer, the evaluation panel had regard to the sound contracting principles described in section 104 of the Local Government Act 2009 (Qld)  
Each tender was assessed against the following assessment criteria:

- Relevant Experience and Track Record
- Key Personnel, Skills and Communication
- Resources and Management Systems
- Demonstrated Methodology and Understanding
- Business Profile (Local, Social and Sustainability)
- IEOP
- Value for Money

The Evaluation Panel consisted of the following members:

- (a) Peter Jacques: Head of Building Services: TSIRC BSU
- (b) Nicholas Sturges: Project Manager/ Estimator: TSIRC BSU
- (c) Lochlan Davison: Project Manager: External Consultant

**Comment:**

The price schedules received at tender close:

Tenderer	Price (ex GST)	Comment	Score
Matt Birney Builders Pty Ltd	\$178,258.30	Did not provide a design with submission	2
Paul Ware Constructions Pty Ltd	\$252,345.00	Did not provide a design with submission	3
Robert Clarke Builders Pty Ltd	\$278,625.00	Provided a design with submission	1

At the Evaluation Panel meeting, the Evaluation Panel resolved to take further action prior to finalising the evaluation. It was determined that the prices schedules exceeded the project budget and therefore a reduction in scope was necessary to bring down project cost. A post-tender addendum was issued to all Tenderers that provided Council with tender submission.

The revised price schedules with post-tender addendum:

Tenderer	Revised Price (ex GST)	Comment
Matt Birney Builders Pty Ltd	\$159,701.00	Excluding concrete slab and shelter 3 Electrical and Design not provided
Paul Ware Constructions Pty Ltd	\$ -	No response received
Robert Clarke Builders Pty Ltd	\$216,325.00	Excluding concrete slab and shelter 3

The final consensus outcome of the tender evaluation was recorded as Attachment 1.

**OPTIONS:**

Option 1: (Recommended)

It is recommended that Council: Award a Contract for Hammond Island Undercover Shelters contract no.: TSIRC 2021-332 to Robert Clarke Builders Pty Ltd for a lump sum price of \$216,325.00 excluding GST.



## Considerations

### Risk Management

No	Risk Item	Risk Rating	Risk Controls (Prevention)	Proposed Treatments (Mitigation)	Risk Rating
1.1	Loss of key resources (core project team members)	Med	Knowledge sharing. Team communication. Core team Work Pairs.	Team knowledge sharing, Communication Protocols, Core team Pairs	Low
1.2	Overall schedule adherence	Med	Schedules control/updating. Monthly reporting. Project meeting review	Critical path analysis Regular updating Regular reporting and meetings	Low
1.3	Safety Incidents during construction, installation, and commissioning	Med	Training and Inductions Safety Mgmt Plans SWMS Reviews/Audits	Ensure Safety Plan in place. Induction process active. SWMS to be completed. Contractor Insurances in place. Audits By TSIRC safety	Low
1.4	Effective Communication between Stakeholders and External Consultants	Med	Schedule control/updating. Monthly reporting. Project meeting review	Regular updating Regular reporting and meetings	Low
1.5	Freight Delivery	High	Procurement scheduling	Schedule for lost time	Low
1.6	Builders accommodation availability	High	Contractor to supply their own accommodation facilities	Book accommodation through Building Services Unit. Schedule works around other projects to maximise accommodation availability.	Med
1.7	Temporary services approval	Med	Schedule works to commence when water provisions are at capacity. Communicate with TSIRC water and waste division	Contractor to allow for its own water and power services on island.	Low
1.8	Waste Removal – AQIS Approval	High	Maximise the amount of waste and debris that can be stored on-island. Limit the amount of waste and debris taken off-island	Ensure all waste has been inspected and certified by a AQIS Officer	Low

1.9	Covid-19 Lockdown – biosecurity determination act.	High	Ensure all contractors have all the necessary vaccinations and have completed TSIRC covid safety documentation before arriving to island	Monitor Australian government department of health announcements	Med
1.10	Native title determination	High	Communicate with TSIRC legal team to advise when native title is enacted.	Send through appropriate notification forms to issue to applicable Island PBC.	Med
1.11	Budget expenditure / overruns during project	Med	Quantity surveyor estimation to determine project budget. Project estimates continually reviewed & forecasted. Monthly reporting Project meetings	Detailed budget forecasts Monthly reporting Project meetings	Low
1.12	Major head works required on existing facilities i.e. upgrades of site	Med	Review capacities Finalise site location Plan development	Select site and review site facilities. Manage work as separate early works project.	Low
1.13	Excessive wet weather delaying site progress	Med	Project scheduling around seasons	Schedule for lost time	Low
1.14	Latent conditions on site	Med	Provide site information report for design	project contingency reduce scope of work	Low
1.15	Facility not constructed in time (delayed PC) / certificate of occupancy.	High	Scheduling & Reporting	Schedule and Report LD's for late completion	Med
1.16	Long lead time items delay works	High	Define items Procurement planning.	Identify critical equipment. Early procurement.	Low

#### **Council Finance and the Local Economy:**

The Design and Construction - Hammond Island Undercover Shelters contract no.: TSIRC 2021-332 is a Works 4 Queensland (Round 3) Funded project. The expenditure to date on Design and Construction - Hammond Island Undercover Shelters in the 2019/2020 & 2020/2021 financial year(s) was approximately \$3,081.17 excluding GST.

#### **Community and Cultural Heritage:**

The Hammond Island Undercover Shelters involves but is not limited to the installation of new undercover shelters fixed to the existing Council facility for the storage of the Council's larger mobile assets. This project will provide value to the community by extending the life of Council mobile assets which service the Hammond Island community.

#### **Natural Environment**

Part of the Tender Response Schedules and Contract General Specification is the submission of management plans which includes the Contractors environmental management plan. It will be responsibility of the Contractor to effectively manage the natural environment and the responsibility of Council to enforce the supplied environmental management plan.

**Statutory:**

This tender process has been conducted in accordance with legislative requirements under the Local Government Act 2009 and the Local Government Regulation 2012.

**Policy:**

The tender process was undertaken in accordance with Council's adopted Procurement Policy.

**Consultation:**

- External Quantity Surveyor
- External Project Manager
- Architect & Structural Engineer
- Building Certifier

**Links to Strategic Plans:**

Strategic Planning 7.1

Strategic Planning 7.2

Strategic Planning 7.3

**Statutory Requirements:**

*Local Government Act 2009*

*Local Government Regulation 2012*

**Conclusion:**

That Council resolves to delegate authority to give power to make, amend or discharge the Chief Executive Officer in accordance with the *Local Government Act 2009* to enter into a contract for the Design & Construction of Hammond Island Undercover Shelters contract no.: TSIRC 2021-332.

**Author:**

Peter Jacques  
Head of Building Services

**Endorsed:**

Ilario Sabatino  
Chief Operating Officer

**Recommended:**

David Baldwin  
Acting Chief Executive Officer

## Contract TSIRC 2021-332 Hammond Island Undercover Shelters

Evaluation Criteria	Criteria A - Relevant Experience and Track Record				Criteria B - Key Personnel, Skills and Communication				Criteria C - Resources and Management Systems				Criteria D - Demonstrated Methodology and Understanding				Criteria E
	Eval 1	Eval 2	Eval 3	Eval 4	Eval 1	Eval 2	Eval 3	Eval 4	Eval 1	Eval 2	Eval 3	Eval 4	Eval 1	Eval 2	Eval 3	Eval 4	
Tenderer Name																	Eval 1
MATT BIRNEY BUILDERS	1.05	1.05	1.05	0	0.8	0.8	0.7	0	0.8	0.8	0.8	0	1.2	1.2	1.4	0	0.45
Paul Ware Constructions Pty Ltd	1.05	0.9	0.75	0	0.7	0.7	0.6	0	0.8	0.8	0.8	0	1.2	1.2	1.2	0	0.5
Robert Clarke Builders Pty Ltd	1.35	1.35	1.35	0	0.9	0.9	0.9	0	0.9	0.9	0.9	0	1.8	1.8	1.6	0	0.45

D - Demonstrated Methodology and Understanding						Criteria F - Value for Money							
Eval 2	Eval 3	Eval 4	Eval 1	Eval 2	Eval 3	Eval 4	Total Weighted Score - NO VFM	Rank	Total Weighted Score - with VFM	Rank	Successful / Unsuccessful		
0.4	0.4	0	2.4	2.4	2.4	0	12.9	2	20.1	2			
0.5	0.5	0	2	2	2	0	12.2	3	18.2	3			
0.4	0.4	0	3.2	3.2	2.8	0	15.9	1	25.1	1			

## CLOSED BUSINESS REPORT

**ORDINARY MEETING:** May 2021

**DATE:** 24<sup>th</sup> – 25<sup>th</sup> May 2021

**ITEM:** Agenda Item for Resolution by Council- **Closed Session**

**SUBJECT:** Design & Construction – Contract No. TSIRC 2021-333 Iama Island Covered Sports Facility

**AUTHOR:** Peter Jacques- Head of Building Services

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### **Recommendation:**

Council resolves to:

- Delegate authority to the Chief Executive Officer in accordance with the Local Government Act 2009:
  - power to award, make, amend or discharge, contract TSIRC 2021-333; 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, subject to confirmation of extension of time for the Works 4 Queensland (round 3).

### **Executive Summary:**

The Tender was prepared for the rectification of the Design and Construction - Iama Island Covered Sport Facility Contract No.: TSIRC 2021-333. In accordance with Council's adopted Procurement Policy it was necessary to undertake a tender process due to the estimated value of the Works, scope of the Works, and to mitigate unforeseen risks.

The Tender was prepared and issued to eight (8) suitably capable and competent Contractors on the Council register of pre-qualified suppliers. At the close of the tender period Council received five (5) written submissions. It was determined that the received prices schedules exceeded the project budget and therefore a reduction in scope was necessary bring down the project cost. A post-tender addendum was issued to all Tenderers that provided Council with tender submission.


The Design and Construction - Iama Island Covered Sport Facility is a Works 4 Queensland Funded project. The expenditure to date on Design and Construction - Iama Island Covered Sport Facility in the 2019/2020 & 2020/2021 financial year(s) was approximately \$6,795.40 excluding GST.

The recommended Tenderer is Robert Clarke Builders Pty Ltd due to the tender submission (non-priced criteria), value for money, Works time frame, IEOP, preliminary design and locality.

## Background:



General	
Search Description:*	Basketball Court - PT Lot 50 on SP27086
Description:	Basketball Court - PT Lot 50 on SP270867 Mosby St, Iama Island Qld 4875
Short Description:*	Basketball Court - B
Asset Status:*	Commissioned
Bar Code:	
Commission Date:	30/06/1994
Expected Commissioning:	
Disposal/Write-off Date:	
Asset Condition:*	1 <input type="checkbox"/> Excellent Condition
AMP Category:*	RECREATN <input type="checkbox"/> Recreation
AMP Facility:*	COURT <input type="checkbox"/> Basketball Courts
PPE Reporting Ctry:*	RECFAC <input type="checkbox"/> Recreation Facilities
Legacy PCS Number:	15017
SAM ID:	
Heritage Asset:	NO <input type="checkbox"/> No



Primary Image: 1000691.jpg

Council invited tenders pursuant to section 228 and section 233 of the *Local Government Regulation 2012* (Qld) (**Regulation**).

The Tender was prepared and issued to eight (8) suitably capable and competent Contractors on the Council register of pre-qualified suppliers. The tender was released on the 22<sup>nd</sup> of March 2021 via LG Tenderbox and Council allowed written submissions to be made until the 5:00pm on 20<sup>th</sup> April 2021. At the close of the tender period Council received five(5) written submissions.

Tenders were received from each of the tenderers identified below:

- (a) Matt Birney Builders Pty Ltd;
- (b) Paul Ware Constructions Pty Ltd;
- (c) Robert Clarke Builders Pty Ltd;
- (d) H.C Building and Construction; and
- (e) WIP QLD Pty Ltd

Tenders were checked for conformance against the requirements of the request for tender, and the outcome recorded in the **Tender Evaluation Matrix and Conformance Checklist**

In selecting the successful tenderer, the evaluation panel had regard to the sound contracting principles described in section 104 of the *Local Government Act 2009* (Qld)  
Each tender was assessed against the following assessment criteria:

- Relevant Experience and Track Record
- Key Personnel, Skills and Communication
- Resources and Management Systems
- Demonstrated Methodology and Understanding
- Business Profile (Local, Social and Sustainability)
- IEOP

□ Value for Money

The Evaluation Panel consisted of the following members:

- (a) Peter Jacques: Head of Building Services: TSIRC BSU
- (b) Nicholas Sturges: Project Manager / Estimator: TSIRC BSU
- (c) Lochlan Davison: Project Manager: External Consultant

**Comment:**

The price schedules received at tender close:

Tenderer	Price (ex GST)	Comments	Score
Matt Birney Builders Pty Ltd	\$573,842.35	Did not provide a design with submission	1
Paul Ware Constructions Pty Ltd	\$640,498.00	Did not provide a design with submission	2
Robert Clarke Builders Pty Ltd	\$826,750.00	Provided a design with submission	3
H.C Building and Construction	\$1,764,380.92	Provided a design with submission	4
WIP QLD Pty Ltd	\$1,380,503.00	Did not provide a design with submission	5

At the Evaluation Panel meeting, the Evaluation Panel resolved to take further action prior to finalising the evaluation. It was determined that the prices schedules exceeded the project budget and therefore a reduction in scope was necessary bring down project cost. A post-tender addendum was issued to all Tenderers that provided Council with tender submission.

The revised price schedules with post-tender addendum:

Tenderer	Revised Price (ex GST)	Comment
Matt Birney Builders Pty Ltd	\$571,447.90	Excluding electrical works and external wall cladding
Paul Ware Constructions Pty Ltd	\$ -	No response received
Robert Clarke Builders Pty Ltd	\$803,550.00	Excluding electrical works and external wall cladding
H.C Building and Construction	\$ -	No response received
WIP QLD Pty Ltd	\$1,289,203	Excluding electrical works and external wall cladding

The final consensus outcome of the tender evaluation was recorded as Attachment 1.

**OPTIONS:**

Option 1: (Recommended)



It is recommended that Council: Enters into a contract for Design and Construction - Iama Island Covered Sport Facility Contract No.: TSIRC 2021-333 to Robert Clarke Builders Pty Ltd for a lump sum price of \$803,550.00 excluding GST.

**Considerations**  
Risk Management

No	Risk Item	Risk Rating	Risk Controls (Prevention)	Proposed Treatments (Mitigation)	Risk Rating
1.1	Loss of key resources (core project team members)	Med	Knowledge sharing. Team communication. Core team Work Pairs.	Team knowledge sharing, Communication Protocols, Core team Pairs	Low
1.2	Overall schedule adherence	Med	Schedules control/updating. Monthly reporting. Project meeting review	Critical path analysis Regular updating Regular reporting and meetings	Low
1.3	Safety Incidents during construction, installation, and commissioning	Med	Training and Inductions Safety Mgmt Plans SWMS Reviews/Audits	Ensure Safety Plan in place. Induction process active. SWMS to be completed. Contractor Insurances in place. Audits By TSIRC safety	Low
1.4	Effective Communication between Stakeholders and External Consultants	Med	Schedule control/updating. Monthly reporting. Project meeting review	Regular updating Regular reporting and meetings	Low
1.5	Freight Delivery	High	Procurement scheduling	Schedule for lost time	Low
1.6	Builders accommodation availability	High	Contractor to supply their own accommodation facilities	Book accommodation through Building Services Unit. Schedule works around other projects to maximise accommodation availability.	Med

1.7	Temporary services approval	Med	Schedule works to commence when water provisions are at capacity. Communicate with TSIRC water and waste division	Contractor to allow for its own water and power services on island.	Low
1.8	Waste Removal – AQIS Approval	High	Maximize the amount of waste and debris that can be stored on-island. Limit the amount of waste and debris taken off-island	Ensure all waste has been inspected and certified by a AQIS Officer	Low
1.9	Covid-19 Lockdown – biosecurity determination act.	High	Ensure all contractors have all the necessary vaccinations and have completed TSIRC Covid safety documentation before arriving to island	Monitor Australian government department of health announcements	Med
1.10	Native title determination	High	Communicate with TSIRC legal team to advise when native title is enacted.	Send through appropriate notification forms to issue to applicable Island PBC.	Med
1.11	Budget expenditure / overruns during project	Med	Quantity surveyor estimation to determine project budget. Project estimates continually reviewed & forecasted. Monthly reporting Project meetings	Detailed budget forecasts Monthly reporting Project meetings	Low
1.12	Major head works required on existing facilities i.e. upgrades of site	Med	Review capacities Finalize site location Plan development	Select site and review site facilities. Manage work as separate early works project.	Low
1.13	Excessive wet weather delaying site progress	Med	Project scheduling around seasons	Schedule for lost time	Low
1.14	Latent conditions on site	Med	Provide site information report for design	project contingency reduce scope of work	Low

1.15	Facility not constructed in time (delayed PC) / certificate of occupancy.	High	Scheduling & Reporting	Schedule and Report LD's for late completion	Med
1.16	Long lead time items delay works	High	Define items Procurement planning.	Identify critical equipment. Early procurement.	Low

### **Council Finance and the Local Economy:**

The Design and Construction - Iama Island Covered Sport Facility Contract No.: TSIRC 2021-333 is a Works 4 Queensland (Round 3) Funded project. The expenditure to date on Design and Construction - Iama Island Covered Sport Facility in the 2019/2020 & 2020/2021 financial year(s) was approximately \$6,795.40 excluding GST.

### **Community and Cultural Heritage:**

The Iama Island Covered Sport Facility project involves but is not limited to the construction of new covered sports facility over an existing multi-purpose basketball court on Iama Island (Yam Island). This project will improve recreational infrastructure enabling greater access by the community.

### **Natural Environment**

Part of the Tender Response Schedules and Contract General Specification is the submission of management plans which includes the Contractors environmental management plan. It will be responsibility of the Contractor to effectively manage the natural environment and the responsibility of Council to enforce the supplied environmental management plan.

### **Statutory:**

This tender process has been conducted in accordance with Legislative Requirements under the Local Government Act 2009 and the Local Government Regulation 2012.

Policy:

The tender process was undertaken in accordance with Council's adopted Procurement Policy.

### **Consultation:**

- Lochlan Davison: External Project Manager
- Nicholas Sturges: TSIRC Project Management Team

### **Links to Strategic Plans:**

- Strategic Planning 7.1
- Strategic Planning 7.2
- Strategic Planning 7.3

**Statutory Requirements:**

Local Government Act 2009

Local Government Regulation 2012

**Conclusion:**

That Council resolves to delegate authority to give power to make, amend or discharge the Chief Executive Officer in accordance with the Local Government Act 2009 to enter into a contract for the Design & Construction of the Iama Covered Sports Facility Contract No.: TSIRC 2021-333.

**Author:**

Peter Jacques

Head of Building Services



Endorsed:

Ilario Sabatino

Chief Operating Officer



Recommended:

David Baldwin

Acting Chief Executive Officer

## Contract TSIRC 2021-333 IAMA ISLAND COVERED SPORT FACILITY

Evaluation Criteria	Criteria A - Relevant Experience and Track Record				Criteria B - Key Personnel, Skills and Communication				Criteria C - Resources and Management Systems				Criteria D - Demonstrated Methodology and Understanding				Criteria E
	Eval 1	Eval 2	Eval 3	Eval 4	Eval 1	Eval 2	Eval 3	Eval 4	Eval 1	Eval 2	Eval 3	Eval 4	Eval 1	Eval 2	Eval 3	Eval 4	
Tenderer Name																	Eval 1
MATT BIRNEY BUILDERS	1.2	1.2	1.2	0	0.8	0.8	0.6	0	0.7	0.7	0.7	0	1.6	1.6	1.2	0	0.4
Paul Ware Constructions Pty Ltd	1.2	1.2	1.2	0	0.7	0.8	0.5	0	0.7	0.7	0.5	0	1.6	1.6	1.2	0	0.5
Robert Clarke Builders Pty Ltd	1.2	1.2	1.2	0	0.9	0.8	0.8	0	0.7	0.7	0.8	0	1.8	2	1.6	0	0.4
H.C. BUILDING & CONSTRUCTION	0	1.2	1.2	0	0	0.8	0.8	0	0	0.7	0.9	0	0	1.4	1.4	0	0
WIP Construction	0	1.2	1.2	0	0	0.8	0.8	0	0	0.7	0.9	0	0	1.4	1	0	0

D - Demonstrated Methodology and Understanding				Criteria F - Value for Money									
Eval 2	Eval 3	Eval 4		Eval 1	Eval 2	Eval 3	Eval 4	Total Weighted Score - NO VFM	Rank	Total Weighted Score - with VFM	Rank	Successful / Unsuccessful	
0.4	0.4	0		2	2.4	2	0	13.5	2	19.9	2		
0.5	0.5	0		2	2.4	2	0	13.4	3	19.8	3		
0.4	0.4	0		2.4	3.2	2.8	0	14.9	1	23.3	1		
0.35	0.35	0		0	1.6	1.2	0	9.1	4	11.9	4		
0.2	0.2	0		0	1.6	1.2	0	8.4	5	11.2	5		

## CLOSED SESSION REPORT

<b>ORDINARY MEETING:</b>	May 2021
<b>DATE:</b>	24 <sup>th</sup> -25 <sup>th</sup> May 2021
<b>ITEM:</b>	Agenda Item for Resolution by Council - Closed Session
<b>SUBJECT:</b>	Construction Only – Lot 162 Pedro Street, St Pauls House Rebuild & Contract No: TSIRC 2021-334
<b>AUTHOR:</b>	Peter Jacques- Head of Building Services

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### Recommendation:

Council resolves to

- Award a contract for Lot 162 Pedro Street, St Pauls House Rebuild & Contract No: TSIRC 2021-334 to Matt Birney Builders Pty Ltd for a lump sum price of \$682,092.00 excluding GST. And
- Delegate authority to the Chief Executive Officer in accordance with the Local Government Act 2009:
  - power to award, make, amend or discharge, contract TSIRC 2021-334; 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 Tender was prepared for Lot 162 Pedro Street, St Pauls House Rebuild & Contract No: TSIRC 2021-334. In accordance with Council's adopted Procurement Policy it was necessary to undertake a tender process due to the estimated value of the Works, scope of the Works, and to mitigate unforeseen risks.

The Tender was prepared and issued to five (5) suitably capable and competent Contractors on the Council register of pre-qualified suppliers. At the close of the tender period Council received three (3) written submissions.


The expenditure on Lot 162 Pedro Street, St Pauls House Rebuild in the 2019/2020 & 2020/2021 financial year was approximately \$17,309.39 excluding GST.

The recommended Tenderer is Matt Birney Builders Pty Ltd due to the completeness of the tender submission (non-priced criteria), value for money, Works timeframe, IEOP and locality.

### Background:



General	
Search Description:	House - Lot 162 on SP256048 Pedro Cres.
Description:	House - Lot 162 on SP256048 Pedro Cres, St Pauls Village Moa Island Qld 4875
Short Description:	House - Lot 162 on S
Asset Status:	Commissioned
Bar Code:	
Commission Date:	30/06/1998
Expected Commissioning:	
Disposal/Write-off Date:	
Asset Condition:	2 <input type="checkbox"/> Good Condition
AMP Category:	BLDGCOMM <input type="checkbox"/> Buildings Community
AMP Facility:	HOUSING <input type="checkbox"/> Housing Network
PPE Reporting Ctg:	BLDCOM <input type="checkbox"/> Buildings (Community)
Legacy PCS Number:	5758
SAM ID:	1002745.1
Heritage Asset:	NO <input type="checkbox"/> No





Council invited tenders pursuant to section 228 and section 233 of the Local Government Regulation 2012 (Qld) (Regulation).

Written tenders were prepared and issued to five (5) suitably capable and competent Contractors on the Council register of pre-qualified suppliers. The tender was released on the 22nd of March 2021 via LGtenderbox and Council allowed written submissions to be made until the 5:00pm on 13th April 2021. At the close of the tender period Council received three (3) written submissions.

Tenders were received from each of the tenderers identified below:

- (a) Matt Birney Builders Pty Ltd.
- (a) Paul Ware Constructions Pty Ltd; and
- (b) Robert Clarke Builders Pty Ltd.

Tenders were checked for conformance against the requirements of the request for tender, and the outcome recorded in the Tender Evaluation Matrix and Conformance Checklist.

In selecting the successful tenderer, the evaluation panel had regard to the sound contracting principles described in section 104 of the Local Government Act 2009 (Qld). Each tender was assessed against the following assessment criteria:



- Relevant Experience and Track Record
- Key Personnel, Skills and Communication
- Resources and Management Systems
- Demonstrated Methodology and Understanding
- Business Profile (Local, Social and Sustainability)
- IEOP
- Value for Money

The Evaluation Panel consisted of the following members:

- (a) Peter Jacques: Head of Building Services: TSIRC BSU
- (b) Nicholas Sturges: Project Manager / Estimator: TSIRC BSU
- (c) Lochlan Davison: Project Manager: External Consultant

### **Comment:**

The price schedules received at tender close:

Tenderer	Price (ex GST)	Score
Matt Birney Builders Pty Ltd	\$682,092.00	1
Paul Ware Constructions Pty Ltd	\$811,466.00	3
Robert Clarke Builders Pty Ltd	\$694,100.00	2

The final consensus outcome of the tender evaluation was recorded as Attachment 1.

### **OPTIONS:**

Option 1: (Recommended)

It is recommended that Council: Award a contract for Lot 162 Pedro Street, St Pauls House Rebuild & Contract No: TSIRC 2021-334 to Matt Birney Builders Pty Ltd for a lump sum price of \$682,092.00 excluding GST.

### **Considerations**

#### Risk Management

No	Risk Item	Risk Rating	Risk Controls (Prevention)	Proposed Treatments (Mitigation)	Risk Rating
1.1	Loss of key resources (core project team members)	Med	Knowledge sharing. Team communication. Core teamwork Pairs.	Team knowledge sharing, Communication Protocols, Core team Pairs	Low
1.2	Overall schedule adherence	Med	Schedules control/updating. Monthly reporting. Project meeting review	Critical path analysis Regular updating Regular reporting and meetings	Low

1.3	Safety Incidents during construction, installation, and commissioning	Med	Training and Inductions Safety Mgmt. Plans SWMS Reviews/Audits	Ensure Safety Plan in place. Induction process active. SWMS to be completed. Contractor Insurances in place. Audits by TSIRC safety	Low
1.4	Effective Communication between Stakeholders and External Consultants	Med	Schedule control/updating. Monthly reporting. Project meeting review	Regular updating Regular reporting and meetings	Low
1.5	Freight Delivery	High	Procurement scheduling	Schedule for lost time	Low
1.6	Builders accommodation availability	High	Contractor to supply their own accommodation facilities	Book accommodation through Building Services Unit. Schedule works around other projects to maximise accommodation availability.	Med
1.7	Temporary services approval	Med	Schedule works to commence when water provisions are at capacity. Communicate with TSIRC water and waste division	Contractor to allow for its own water and power services on island.	Low
1.8	Waste Removal – AQIS Approval	High	Maximise the amount of waste and debris that can be stored on-island. Limit the amount of waste and debris taken off-island	Ensure all waste has been inspected and certified by a AQIS Officer	Low
1.9	Covid-19 Lockdown – biosecurity determination act.	High	Ensure all contractors have all the necessary vaccinations and have completed TSIRC covid safety documentation before arriving to island	Monitor Australian government department of health announcements	Med
1.10	Native title determination	High	Communicate with TSIRC legal team to advise when native title is enacted.	Send through appropriate notification forms to issue to applicable Island PBC.	Med
1.11	Budget expenditure / overruns during project	Med	Quantity surveyor estimation to determine project budget. Project estimates continually reviewed & forecasted. Monthly reporting Project meetings	Detailed budget forecasts Monthly reporting Project meetings	Low

1.12	Major head works required on existing facilities i.e. upgrades of site	Med	Review capacities Finalise site location Plan development	Select site and review site facilities. Manage work as separate early works project.	Low
1.13	Excessive wet weather delaying site progress	Med	Project scheduling around seasons	Schedule for lost time	Low
1.14	Latent conditions on site	Med	Provide site information report so that Principal Consultant can make an informed risk assessment and design accordingly	project contingency reduce scope of work	Low
1.15	Facility not constructed in time (delayed PC) / certificate of occupancy.	High	Scheduling & Reporting	Schedule and Report LD's for late completion	Med
1.16	Long lead time items delay works	High	Define items Procurement planning.	Identify critical equipment. Early procurement.	Low

### **Council Finance**

The rebuild of Lot 162 Pedro Street, St Pauls Contract No: TSIRC 2021-334 is an Insurance job. Expenditure on Lot 162 St Pauls House Rebuild in the 2019/2020 & 2020/2021 financial year was approximately \$17,309.39 excluding GST.

### **Community and Cultural Heritage**

Lot 162 St Pauls House Rebuild contract is for the construction of a new 3-bedroom detached house which includes a single car carport, living room, combined kitchen / dinning, combined laundry and half bath, single bathroom, three bedrooms, deck, and drying area. This original house asset was damaged beyond repair and demolished as it was deemed a safety concern for the community. The tenant was relocated to temporary accommodation awaiting the construction of their new house.

### **Natural Environment**

Part of the Tender Response Schedules and Contract General Specifications is the submission of management plans which includes the Contractors environmental management plan. It will be responsibility of the Contractor to effectively manage the natural environment and the responsibility of Council to enforce the supplied environmental management plan.

### **Statutory**

This tender process has been conducted in accordance with Legislative Requirements under the Local Government Act 2009 and the Local Government Regulation 2012.

### **Policy**

The tender process was undertaken in accordance with Council's adopted Procurement Policy.

### **Consultation:**

- External Quantity Surveyor
- External Project Manager
- Architect
- Structural Engineer
- Building Certifier

### **Links to Strategic Plans:**

Strategic Planning 7.1

Strategic Planning 7.2

Strategic Planning 7.3

### **Statutory Requirements:**

*Local Government Act 2009*

*Local Government Regulation 2012*

### **Conclusion:**

That Council resolves to delegate authority to give power to make, amend or discharge the Chief Executive Officer in accordance with the *Local Government Act 2009* to enter into a contract for the Construction Only – Lot 162 Pedro Street, St Pauls House Rebuild & Contract No: TSIRC 2021-334.

*Peter Jacques*

### **Author:**

Peter Jacques

Head of Building Services

### **Endorsed:**

Ilario Sabatino

Chief Operating Officer



### **Recommended:**

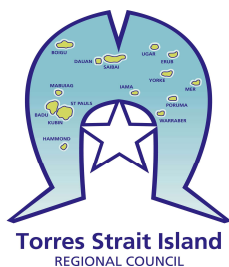
David Baldwin

Acting Chief Executive Officer

## TSIRC 2021-334 Lot 162 St Paul's House Rebuild

Evaluation Criteria	Criteria A - Relevant Experience and Track Record				Criteria B - Key Personnel, Skills and Communication				Criteria C - Resources and Management Systems				Criteria D - Demonstrated Methodology and Understanding				Criteria E
	Eval 1	Eval 2	Eval 3	Eval 4	Eval 1	Eval 2	Eval 3	Eval 4	Eval 1	Eval 2	Eval 3	Eval 4	Eval 1	Eval 2	Eval 3	Eval 4	
Tenderer Name																	Eval 1
MATT BIRNEY BUILDERS	1.05	1.05	1.05	0	0.8	0.8	0.8	0	0.8	0.8	0.8	0	1.4	1.6	1.6	0	0.4
Paul Ware Constructions Pty Ltd	1.05	0.9	0.75	0	0.7	0.7	0.7	0	0.8	0.8	0.8	0	1.4	1.6	1.6	0	0.45
Robert Clarke Builders Pty Ltd	1.35	1.35	1.35	0	0.9	0.9	0.9	0	0.8	0.9	0.9	0	1.6	1.6	1.6	0	0.4

D - Demonstrated Methodology and Understanding						Criteria F - Value for Money							
Eval 2	Eval 3	Eval 4	Eval 1	Eval 2	Eval 3	Eval 4	Total Weighted Score - NO VFM	Rank	Total Weighted Score - with VFM	Rank	Successful / Unsuccessful		
0.4	0.4	0	2.8	3.2	2	0	13.75	2	21.75	2			
0.45	0.45	0	1.6	2	0.8	0	13.15	3	17.55	3			
0.4	0.4	0	2.4	2.4	2.4	0	15.35	1	22.55	1			



# TORRES STRAIT ISLAND REGIONAL COUNCIL

## CLOSED BUSINESS REPORT

<b>ORDINARY MEETING:</b>	May 2021
<b>DATE:</b>	24/05/2021
<b>ITEM:</b>	Agenda Item for Resolution by Council
<b>SUBJECT:</b>	Funding Matter – ATSI TIDS 21/22 Funding Agreement
<b>AUTHORS:</b>	Kristan Duthie, Acting Manager Capital Works

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### Resolution:

Council resolves to delegate authority to the Chief Executive Officer under the provisions of the *Local Government Act 2009* to:

Enter into the proposed Funding Agreement for the Aboriginal and Torres Strait Islander (ATSI) Transport Infrastructure Development Scheme (TIDS) 2021/22 successful projects for the grant sum of \$1,515,000 excluding GST. The successful projects include;

- 1) PN1984548 – Boigu Island airport, apron upgrade detailed design
- 2) PN1984683 – Mer Island aerodrome, undertake safety improvement
- 3) PN1984717 – Torres Strait Region marine infrastructure assessment and upgrade study
- 4) PN1984791 – Poruma Island, William St upgrade design
- 5) PN1984792 – Dauan Island, pontoon and gangway design
- 6) PN1984805 - Torres Strait Region airstrip condition assessment
- 7) PN1984831 – Saibai Island hospital drive and school road upgrade design

### Purpose:

The purpose of this report is to seek Council Resolution to enter into the ATSI TIDS 21/22 funding agreement with the Department of Transport and Main Roads (TMR) to enable commencement of the successful projects.

### Background:

#### ATSI TIDS Funding

ATSI TIDS funding is a component of the statewide TIDS funding program aimed at supporting the local transport infrastructure needs of Aboriginal and Torres Strait Islander communities throughout Queensland.

ATSI TIDS is provided to Local Governments by TMR for the upgrade of transport infrastructure that improves primary access (road, air and sea) to Aboriginal and Torres Strait Islander communities throughout Queensland. An annual state-wide funding allocation of \$8.2 million across Queensland is provided to improve access via transport infrastructure such as roads, aerodromes, barge ramps and jetties. ATSI TIDS funding is managed by TMR's Far North District.

Torres Strait Regional Authority (TSRA) has a Memorandum of Understanding (MOU) with TMR in relation to contributing to the ATSI TIDS funding. TSRA contribute through the Healthy Communities program and is administered at a 2:1 ratio, i.e. if TMR contribute \$600k, TSRA will contribute \$300k, however it is to be noted that TSRA's contribution is capped at \$500k.

### Applications

In November 2020 TMR called for eligible projects to be considered for funding under the 2021/22 ATSI TIDS. Projects were nominated for consideration which fit within the ATSI TIDS funding guidelines and were either;

- 1) Identified as a mandatory transport safety and compliance project in an annual audit
- 2) Prior ATSI TIDS submission and therefore in the Councillors Top 5 priority project lists
- 3) Specific Councillor and community requests

TSIRC submitted the following projects to be considered under the funding application;

- 1) Boigu Island airport, apron upgrade detailed design
- 2) Mer Island aerodrome, undertake safety improvement (fencing upgrade)
- 3) Torres Strait Region marine infrastructure assessment and upgrade study (all communities)
- 4) Poruma Island, William St upgrade design (airport access road)
- 5) Dauan Island, pontoon and gangway design
- 6) Torres Strait Region airstrip condition assessment (all communities)
- 7) Saibai Island hospital drive and school road upgrade design
- 8) Mabuag Island aerodrome extension study (unsuccessful)

All nominated projects also fit within the objectives of the TSIRC 2020-2025 Corporate Plan.

In May 2021, TSIRC received a letter (attachment 1) advising the the following projects had been successful in obtaining support under the ATSI TIDS 2021/22 funding. Table 1 below outlines the funding allocation as well as contributions from TMR and TSRA;

<b>ATSI TIDS Project Number</b>	<b>Project Name</b>	<b>Total Allocation</b>	<b>TMR Allocation</b>	<b>TSRA Allocation</b>
PN1984548	Boigu Island airport, apron upgrade detailed design	\$100,000.00	\$66,666.67	\$33,333.33
PN1984683	Mer Island aerodrome, undertake safety improvement	\$380,000.00	\$253,333.33	\$126,666.67
PN1984717	Torres Strait Region marine infrastructure assessment and upgrade study	\$395,000.00	\$263,333.33	\$131,666.67
PN1984791	Poruma Island, William St upgrade design	\$35,000.00	\$23,333.33	\$11,666.67
PN1984792	Dauan Island, pontoon and gangway design	\$250,000.00	\$166,666.67	\$83,333.33
PN1984805	Torres Strait Region airstrip condition assessment	\$320,000*	\$213,333.33	\$106,666.67
PN1984831	Saibai Island hospital drive and school road upgrade design	\$35,000.00	\$28,333.33	\$6,666.67
<b>Total</b>		<b>\$1,515,000</b>	<b>\$1,015,000</b>	<b>\$500,000</b>

Table 1 - ATSI TIDS 2021/22 Funding Breakdown.

\* Noting that the TMR Approval Letter indicates \$319,999.67 and will be amended.

### **Consultation:**

- Department of Transport and Main Roads (TMR)
- Torres Strait Regional Authority (TSRA)
- Torres Strait Island Regional Council (TSIRC)
- Relevant design Consultants



**Finance & Risk:**

The approved projects will be funded solely from ATSI TIDS funding with no contribution from TSIRC. It is the Project Managers responsibility to track and forecast remaining works in conjunction with available funds. Where potential funding issues arise, TMR and Council will be notified of the issue, and change management required to resolve.

**Statutory Requirements:**

*Local Government Act 2009* (Qld)

**Conclusion:**

That Council resolves to delegate authority to the Chief Executive Officer under the provisions of the *Local Government Act 2009* to enter into the proposed Funding Agreement for the ATSI TIDS 2021/22 successful projects for the grant sum of \$1,515,000 excluding GST.

**Author:**

Kristan Duthie  
Acting Capital Works Manager

**Endorsed:**

Adeah Kabai  
Acting Chief Engineer

**Recommended:**

David Baldwin  
Acting Chief Executive Officer

**Attachments:**

1. 2021–2022 ATSI TIDS Funding – letter from TMR District Director

Mr Bruce Ranga  
Chief Executive Officer  
Torres Strait Island Regional Council  
PO Box 7336  
Cairns  
QLD 4870

6 May 2021

Dear Bruce

### **2021-2022 ATSI TIDS FUNDING**

As you are aware, in November last year, the Department of Transport and Main Roads (TMR) called for eligible projects to be considered for funding under the 2021/22 Aboriginal and Torres Strait Islander (ATSI) Transport Infrastructure Development Scheme (TIDS).

Assessment of applications has now been completed by the ATSI TIDS panel and TMR wishes to advise that the following projects have been successful:

<b>Project Number</b>	<b>Project Description</b>	<b>Total Allocation 2021-2022</b>	<b>ATSI TIDS contribution</b>	<b>TSRA contribution</b>
1984548	Boigu Island airport, apron upgrade detailed design	\$100,000.00	\$66,666.67	\$33,333.33
1984683	Mer Island aerodrome, undertake safety improvements	\$380,000.00	\$253,333.33	\$126,666.67
1984717	Torres Strait Region, marine infrastructure assessment and upgrade study	\$395,000.00	\$263,333.33	\$131,666.67
1984791	Poruma Island, William Street upgrade design	\$35,000.00	\$23,333.33	\$11,666.67
1984792	Duan Island, pontoon and gangway design	\$250,000.00	\$166,666.67	\$83,333.33
1984805	Torres Strait Region, airstrip condition assessment	\$319,999.67	\$213,333	\$106,666.67
1984831	Saibai Island, Hospital Drive and School Road upgrade design	\$35,000.00	\$28,333.33	\$6,666.67
	<b>TOTAL</b>	<b>\$1,515,000</b>	<b>\$1,015,000</b>	<b>\$500,000</b>

In order to progress funding and approvals for the above, please review, complete and sign the attached Funding Agreements and Project Management Plans by 30 May and return by email to [FND\\_Grants@tmr.qld.gov.au](mailto:FND_Grants@tmr.qld.gov.au). Note that these documents must be finalised before on ground works can commence.

## **MONTHLY REPORTING AND CLAIMING**

To assist with TMR's monthly reporting requirements it is essential to receive regular updates, by the 15<sup>th</sup> of each month, from Council on the progress and forecasts of programmed works. A copy of the monthly report template is attached, and details of claim requirements are provided in the attached Funding Agreement document. Note that failure to adhere to this requirement may result in funding being withdrawn by TMR.

## **CHANGES IN SCOPE**

Please note that changes in project scope must be approved by TMR prior to any additional or varying works being completed.

## **QLD GOVERNMENT, BUILDING AND CONSTRUCTION TRAINING POLICY**

In entering into this agreement, Torres Strait Island Regional Council must assess if the Queensland Government's Building and Construction Training Policy and its workforce obligations applies to these projects. Details on the policy are available at <https://training.qld.gov.au/employers/trainingpolicy>.

Congratulations on being awarded funding under the 2021/22 ATSI TIDS.

TMR believes your selected projects will provide meaningful improvements to the transport infrastructure of your community. We look forward to working in partnership with your council to deliver these important projects.

Yours faithfully



Ross Hodgman  
District Director (Far North)

Enclosed:

1. TMR Signed Funding Agreement
2. Project Management Plan Template
3. Monthly Reporting Template
4. Change of Scope Template
5. Acquittal Report

## **TORRES STRAIT ISLAND REGIONAL COUNCIL**

### **CLOSED BUSINESS AGENDA REPORT**

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#### **COUNCIL ORDINARY MEETING**

**DATE:** May 2021  
**SUBJECT:** RTC lease Mer Lot 531 on SP249793 update  
**AUTHOR:** Peter Krebs, Senior Legal Counsel

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#### **CLOSED BUSINESS**

That in accordance with section 254J of the *Local Government Regulation 2012* (Qld), Council resolve for the meeting to go into closed session because it is necessary to discuss:

- legal advice obtained by the local government or legal proceedings involving the local government including, for example, legal proceedings that may be taken by or against the local government

***This report is subject to legal professional privilege***

#### **PERSONAL INTERESTS**

Councillors are reminded to inform the meeting of any prescribed conflicts of interests or declarable conflicts of interests.

#### **RECOMMENDATION**

It is recommended that regarding the lease of the Mer RTC on Lot 531, that Council take steps towards surrendering the lease by directing the A/CEO to investigate ways to either demolish and remove the structure on a cost effective basis or to bring it up to a reasonable state which would comply with council's obligations under the lease prior to surrender.

#### **BACKGROUND**

At the March 2021 Ordinary Meeting, Council instructed the A/CEO to commence a without-prejudice discussion with the TSRA regarding the lease of the Mer RTC and to report back. This report is to update Council about the outcome of that meeting.

As stated in the March report, Council has a 30-year peppercorn lease over Mer Lot 531 on SP249793. The lease commenced in December 2012 with the Mer Reserve transfer and the lease expires on 2042.

The Mer RTC construction commenced around sometime in 2005, before amalgamation but was not completed. In 2012 at the time of the Mer Reserve transfer, Council wanted a 30-year lease because at that stage there was a suggestion that there was funding available to complete the RTC building, but unfortunately that did not happen. Council disposed of the asset from its asset register in 2018 but has not surrendered the lease.

Dalton George Cowley who is the traditional land owner, wrote to the PBC and TSIRC on 17 December 2020 on behalf of the Cowley family, requesting that the partially built RTC building be demolished and removed from the land immediately, and threatening legal action if this was not done.

Council received a letter from the TSRA on 26 February 2021 on behalf of Mer Ged Kem Le TSI Corporation:

- (a) enquiring as to Council's intentions in respect of the Lease; and
- (b) requiring Council to honour its obligations under the Lease, particularly clause 13 "Appearance of Premises" (in the event that Council wishes to continue the Lease) and clause 21 "Removal of Improvements when Lease ends" (in the event that Council wishes to exit the Lease).

TSRA advised that the PBC regards the current state of the derelict structure on Lot 531 as unacceptable and contrary to the terms of the lease and requires that Council remedy this default as a matter of urgency. The PBC has reserved its rights.

Council can surrender the lease and the land will revert back to the PBC and the TO. This would require a council resolution.

The main issue is that the lease requires Council to remove the building when surrendering the lease, or alternatively, to leave the building in "good and tenable condition". Assets has estimated that it would cost approximately \$200,000 to demolish the structure and another \$50,000 to ship the waste off the island for disposal.

Assets has advised that the building's condition has deteriorated too far and demolition is the only feasible option. A new build for a building of similar size (605sqm) in the asset register would cost approximately \$1.2 million.

On 5 May 2021, a without prejudice discussion was held with the A/CEO and MLS with Rory Ross from the TSRA NTO who was representing the TO Mr Cowley. TSIRC suggested that we could hand over the building on a 'as is' basis and surrender the lease back to MGL. However, Mr Ross confirmed that it was the TO's position that he wanted the building removed from the land as soon as possible. It was explained that the removal would be a costly

exercise and could not be completed quickly. It was put on the table that TSIRC could make enquiries to see how this could be done over a period of time. Mr Ross said he would consult with Mr Cowley and would get back to us. An important issue for TO is what legal steps he can take to force MGL to take action against TSIRC in this matter.

In any event, it is highly unlikely that any legal action against council could be commenced within 6 months.

## **RECOMMENDATIONS**

Council has disposed of the asset and apparently has no use for it or funds to complete it. Clause 12.3 is therefore activated: Council has not actively used the premises for five consecutive years and it is intended that the lease terminate in these circumstances.

It is recommended that Council take steps towards investigating ways in which to either demolish and remove the building or alternatively, bring it up to a standard where it could be handed back to MGL on such a basis as to comply with the conditions of the lease before surrender.

Issues to be considered are whether there are currently services such as electricity and water connected to the site to make bringing up to standard feasible and cost effective, and in the alternative, if any demolition could be scheduled with other projects in the region to reduce costs.

## **OFFICER COMMENT**

The lease relevantly includes the following terms:

- Clause 1.1 "Purpose" means the establishment, management, maintenance, repair, upgrade, demolition, rebuild and general oversight of public infrastructure required for the delivery of local government Services to the Mer Island community.
- Clause 4.2 appears to contain a typographical error. It states that the lease is granted for a term of 99 years, however the front page of the lease and the title search state that the lease starts on 14/12/2012 and expires on 13/12/2042 (a term of 30 years).
- Clause 6.1 provides that the lease may be surrendered. Clause 6.2: A surrender must be conditional upon the premise that existing Services provided by the Lessee on the surrender area are no longer required or are to be relocated to an alternative site. Clause 6.3: A surrender in

accordance with clause 6.2 must be undertaken with the consent of the Lessor.

- Clause 11: Council is deemed to be the owner of the Premises for the duration of the lease.
- Clause 12.3: This lease will terminate if for a period of 5 consecutive years after the Commencement Date the Lessee (Council) fails to actively use the Premises for the Purpose.
- Clause 13 requires Council to keep the Premises in a clean, tidy and hygienic state and maintain the outward appearance of the Premises in a state of cleanliness and good repair so as not to diminish the aesthetic appearance of the general locality.
- Clause 18.2.2 requires Council to control pest plants and animals on the Premises during the term of the Lease in accordance with the *Land Protection (Pest and Stock Route Management) Act 2002*.
- Clause 21 Removal of Improvements when Lease ends: When this Lease ends for any reason:
  - (a) Council may elect to remove any of Council's Improvements and its other property, in which case it must do so within three (3) months of the date the Lease ends and must repair any damage caused by the removal of Council's Improvements;
  - (b) Council must leave the Premises in a safe, clean and tidy state; and
  - (c) if Council does not remove its Improvements then it must leave its Improvements in good and tenable condition.
  - Council specifically acknowledges and agrees that clause 8 Release and Indemnity applies to the exercise by Council of its rights in this clause.

## **CONSULTATION**

A/CEO

A/COO

Assets

Finance

## **CONCLUSION**

As presented.



David Baldwin  
A/CEO



Peter Krebs  
Senior Legal Counsel

## Attachments:

1. RTC lease Mer Lot 531 on SP249793
2. Title search Mer Lot 531 on SP249793
3. Previous correspondence from Cowley family
4. TSRA letter 26 February 2021
5. Asset disposal form for Mer RTC


## Asset Details

Asset Register:\*   Infrastructure ☐ A

Asset Number:\*   Mer RTC - Lot 531 on SP249793 Mer11 St.

Asset Structure: NNNNNNN

Asset Details		Attribute Details	Work Details
<b>General</b>			
Search Description:*	Mer RTC - Lot 531 on SP249793 Mer11 St.		
Description:	Mer RTC - Lot 531 on SP249793 Mer11 St, Mer Island Qld 4875 - Eastern end of Community, Mer Island		
Short Description:*	Mer RTC - Lot 531 on		
Asset Status:*	Disposed		
Bar Code:			
Commission Date:	30/06/1989		
Expected Commissioning:			
Disposal/Write-off Date:	15/02/2018		
Asset Condition:*	5	Failed Asset	
AMP Category:*	BLDGCORP	Buildings Corporate	
AMP Facility:*	ADMIN	Admin Centre	
PPE Reporting Ctry:*	BLDCRP	Buildings (Corporate)	
Legacy PCS Number:	10123.01		
SAM ID:	1000202.1		
Heritage Asset:	NO	No	
<b>Available Relationships</b>			



Primary Image:





Dealing Number



OFFICE USE ONLY

Privacy Statement


Collection of this information is authorised by the Land Title Act 1994 the Land Act 1994 and the Water Act 2000 and is used to maintain the publicly searchable registers in the land registry and the water register. For more information about privacy in DNRM see the department's website.

1. Lessor	Lodger (Name, address, E-mail & phone number)			Lodger Code
MER GEDKEM LE (TORRES STRAIT ISLANDERS) CORPORATION AS TRUSTEE FOR THE NATIVE TITLE HOLDERS OF THE TORRES STRAIT ISLANDER LAND	TORRES STRAIT ISLAND REGIONAL COUNCIL PO BOX 501, THURSDAY ISLAND QLD 4875 Chris McLaughlin@tsirc.qld.gov.au PH 07 4048 6216			
2. Lot on Plan Description	County	Parish	Title Reference	
LOT 531 ON SP249793	TORRES	UMAGA	INSERT 50901314	
3. Lessee	Given names	Surname/Company name and number	(include tenancy if more than one)	
		TORRES STRAIT ISLAND REGIONAL COUNCIL		
4. Interest being leased	FEE SIMPLE			
5. Description of premises being leased	OVER THE WHOLE OF THE LAND AS DESCRIBED IN ITEM 2.			
6. Term of lease	7. Rental/Consideration			
Commencement date/event: 14/12/2012	\$1.00 on demand			
Expiry date: 13/12/22042: Options: NIL				
#Insert nil if no option or insert option period (eg 3 years or 2 x 3 years)				

8. Grant/Execution

The Lessor leases the premises described in item 5 to the Lessee for the term stated in item 6 subject to the covenants and conditions contained in:- the attached schedule

Witnessing officer must be aware of his/her obligations under section 162 of the Land Title Act 1994


 signature  
SUSAN ANNE HAMILTON full name  
BARRISTER qualification  
Witnessing Officer  
(Witnessing officer must be in accordance with Schedule 1 of Land Title Act 1994 eg Legal Practitioner, JP, C Dec)

14 12 2012  
Execution Date




9. Acceptance

The Lessee accepts the lease and acknowledges the amount payable or other considerations for the lease

 signature  
MR. CHRISTOPHER NICK McLAUGHLIN full name  
COUNCIL qualification  
Witnessing Officer  
(Witnessing officer must be in accordance with Schedule 1 of Land Title Act 1994 eg Legal Practitioner, JP, C Dec)

14, 12, 12  
Execution Date

TORRES STRAIT ISLAND REGIONAL COUNCIL  
 Lessee's Signature  
FREDERICK SOLOMON GRELA  
MAYOR

Title Reference  
59901314  
Reference Table

<b>Lessor (Lessor) name &amp; details</b> (Lessor details should be inserted here)	Mer Gedkem Le (Torres Strait Islanders) Corporation Mer Island Torres Straitvia Thursday Island Qld 4875 <a href="mailto:bala.aven@ymail.com">bala.aven@ymail.com</a>
<b>Lessee name and notice details</b>	Torres Strait Island Regional Council PO Box 501 Thursday Island QLD 4875 <a href="mailto:ceo@tsirc.qld.gov.au">ceo@tsirc.qld.gov.au</a>
<b>Description &amp; area</b>	As above at Item 2.

Title Reference  
SP901314

1. Interpretation and Definition

1.1 Definitions

In this Lease, unless the context requires otherwise:

- (a) "Act" means the *Torres Strait Islander Land Act 1991 (Qld)* as amended from time to time and if that Act is repealed, any Act which replaces that Act.
- (b) "Approvals" means any consent or approvals required by law.
- (c) "Business Day" means any day in the State of Queensland which is not a Saturday, Sunday or public holiday either in the locality of the Premises or in Cairns.
- (d) "Commencement Date" is as defined at Item 6 of the Form 7, being the day following the grant of the land as Torres Strait Islander land.
- (e) "Form 7" means the Form 7 lease which incorporates by reference the terms of this document.
- (f) "Improvements" means all improvements, fixtures and fittings as constructed on the Premises.
- (g) "Lease" means a standard lease under the Act and the agreement recorded in this memorandum of Lease, its schedules, plans and attachments and includes any variation which has been duly executed by the Parties and registered in the Queensland Land Registry.
- (h) "Lessee" means the Lessee named in Item 3 of the Form 7.
- (i) "Lessee's Improvements" means all improvements, fixtures and fittings on the Premises
- (j) "Lessor" means the Lessor named in Item 1 of the Form 7 as trustee for the native title holders of the Torres Strait Islander Land.
- (k) "Lessor's Improvements" means all improvements, fixtures and fittings made or provided by the Lessor to the Premises prior to the commencement of the Lease. Upon commencement of the Lease all improvements shall cease to be the Lessor's improvements for the duration of the Term of the Lease
- (l) "Minister" means the Minister administering the Act and as amended from time to time.
- (m) "Parties" means the Lessor and the Lessee.
- (n) "Premises" means all that land described in Item 5 of the Form 7 (that part of the land described in Item 2 shown on the relevant plan of survey) together with improvements thereon.
- (o) "Purpose" means the establishment, management, maintenance, repair, upgrade, demolition, rebuild and general oversight of public infrastructure required for the delivery of local government Services to the Mer Island community
- (p) "Queensland Government" means the State of Queensland and includes each and every department or other body owned or controlled by the State of Queensland but does not include a Government Owned Corporation under the *Government Owned Corporations Act 1993*.
- (q) "Reference Table" means the table and information on page 2 this Lease
- (r) "Registrar" means the registrar of titles under the *Land Title Act 1994*
- (s) "Rent" means the amount payable annually as set out at Item 7 of the Form 7.
- (t) "Services" means those services provided by the Lessee to the Mer Island community relating to



Title Reference **50901314**

the purpose of the lease.

- (u) "Term" is as defined at clause 4
- (v) "Torres Strait Islander Land" means all the land subject to title reference [insert title ref] .
- (w) "Utilities" means those services provided by an external provider and for which the Lessee has an account such as electricity and/or telecommunications.

## **1.2 Interpretation**

- (a) Headings are not included in the operative part of the Lease and should not be used in interpretation of the Lease.
- (b) References to statutes, regulations, ordinances or by-laws are deemed to extend to all statutes, regulations, ordinances or by-laws amending, consolidating or replacing the same.
- (c) Unless otherwise specified, a reference to a clause or a schedule is reference to a clause of or a schedule to this Lease and includes any amendment made to the clause or schedule in accordance with this Lease.

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## **2. Grant of Lease**

This Lease of Premises is conditional upon the terms and conditions set out in the Form 7 and this Schedule and Annexures and the Minister's consent to the grant of the lease under section 87(3) of the Act. This Lease is subject to the provisions of the Act as amended from time to time and if any clause or condition of the Lease is inconsistent with the Act, the provisions of the Act prevail.

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## **3. No Warranties**

The Lessor gives no warranty as to the suitability of the Premises.

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## **4. Commencement and term of lease**

- 4.1** The Term of this Lease is the term described in Item 6 of the Form 7.
- 4.2** This lease is granted for a term of 99 years.

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## **5. Rent payable for lease**

The rent payable for this Lease is as defined at Item 7 of the Form 7, and will remain unchanged for the term of the lease, unless otherwise agreed upon by the parties to the lease.

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## **6. Surrender of lease**

- 6.1** All or part of a standard lease may be surrendered only if the surrender is registered with the Registrar
- 6.2** A surrender must be conditional upon the premise that existing Services provided by the Lessee on the surrender area are no longer required or are to be relocated to an alternative site.
- 6.3** A surrender in accordance with clause 6.2 must be undertaken with the consent of the Lessor.

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## **7. Notices**

### **7.1 Ways of giving notice**

Any notice demand or other communication to be given or served under this Lease upon a party must only be given by email transmission, prepaid post or delivery to the address or email address of the recipient stipulated in the Reference Table, or such other address or email address as may be notified to the sender by the recipient

Title Reference 50901314

**10. Costs generally**

The Lessee is responsible for its own costs and the reasonable costs of the Lessor of and incidental to this Lease including the cost of any necessary consents and approvals sought by the Lessee.

**11. Ownership**

The Lessee shall be deemed to be the owner of the Premises for the duration of the lease.

**12. Use**

**12.1** The Lessee must use the Premises for the Purpose.

**12.2** The Lessee shall not without the prior written consent of the Lessor during the whole of the Term of this Lease, use or permit the Land to be used for any purpose other than for the Purpose.

**12.3** This Lease will terminate if for a period of 5 consecutive years after the Commencement Date the Lessee fails to actively use the Premises for the Purpose.

**12.4** The Lessee will give written notice to the Lessor of any intention to change, or make any addition to, the specific operation or use of the Premises as soon as practicable after any decision is made to change or add to the operation or use.

**13. Appearance of Premises**

The Lessee must:

(a) keep the Premises in a clean, tidy and hygienic state; and

(b) maintain the outward appearance of the Premises in a state of cleanliness and good repair so as not to diminish the aesthetic appearance of the general locality in which the Premises are situated.

**14. Transfer of lease**

The Lessee must not transfer this Lease without the prior written consent of the Lessor and the Minister administering the Act.

**15. Creation of additional interest in lease**

The Lessee may sublease the lease but only with Lessors and the Minister's prior written consent.

**15.1 Term of sublease**

The term of any sublease must not extend beyond the term of this lease and must end 1 day prior to the expiration of this lease.

**16. Outgoings**

**16.1 Statutory charges**

Any rates that may be deemed applicable to the Premises, must be paid by the Lessee.

**17. Reimbursement**

If an amount under clause 16.1 is levied on the Lessor, then the Lessee must reimburse the Lessor or pay at the Lessor's direction the amount by the earlier of:

(a) the due date for payment by the Lessor; and

Title Reference **50901314**

**21.1**

When this Lease ends for any reason:

- (a) the Lessee may elect to remove any of the Lessee's Improvements and its other property, in which case it must do so within three (3) months of the date the Lease ends and must repair any damage caused by the removal of the Lessee's Improvements;
- (b) the Lessee must leave the Premises in a safe, clean and tidy state; and
- (c) if the Lessee does not remove the Lessee's Improvements then it must leave the Lessee's Improvements in good and tenable condition.

The Lessee specifically acknowledges and agrees that clause 8 Release and Indemnity applies to the exercise by the Lessee of its rights pursuant to this clause 21.1.

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**22. Quiet Enjoyment**

Upon the Lessee paying the rent and observing and performing its covenants and the terms and conditions of this Lease, the Lessor hereby covenants that the Lessee will be entitled to quietly enjoy the Premises without interruption or disturbance by the Lessor or any person claiming under or through the Lessor.

**22.1 Default**

**22.2** Subject to the provisions of section 124 of the Property Law Act 1974 (Qld), if a party (Defaulting Party) defaults under this Lease (a Default) then, in addition to any other right the other party (Innocent Party) may have, the provisions of the following clauses apply.

**22.3** The Innocent Party may serve a notice to remedy the Default (a Default Notice) on the Defaulting Party. The Default Notice must provide reasonable particulars of the default and require the Defaulting Party to remedy the default within a reasonable time (which must not be less than 30 Business Days and may be such longer period as the Innocent Party at its absolute discretion allows).

**22.4** The Defaulting Party must use its best endeavours to remedy the Default as soon as reasonably possible and in any case, within the time stipulated in the Default Notice.

**22.5** When the Defaulting Party has remedied the Default, it must provide reasonable evidence to the Innocent Party that it has done so

**22.6** If the Defaulting Party has not remedied the default to the Innocent Party's reasonable satisfaction prior to expiry of the time stipulated in the Default Notice, then:-

- (a) the Innocent Party may elect to:-
  - (i) remedy the Default, in which case the Defaulting Party must pay all of the Innocent Party's reasonable costs and outlays of and incidental to the Default Notice and remedying the Default; or
  - (ii) serve a written notice on the Defaulting Party terminating the Lease; and
- (b) the Innocent Party may claim compensation for the Default from the Defaulting Party.

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**23. Access**

INTERNAL CURRENT TITLE SEARCH  
NATURAL RESOURCES, MINES AND ENERGY, QUEENSLAND

Search Date: 11/12/2020 09:51

Title Reference: 51208542

Date Created: 20/01/2020

Previous Title: 50901314

REGISTERED OWNER

Dealing No: 719855147 20/01/2020

MER GEDKEM LE (TORRES STRAIT ISLANDERS) CORPORATION  
RNTBC TRUSTEE

THE GRANTEE IS TO HOLD THE LAND IN TRUST FOR THE NATIVE  
TITLE HOLDERS OF THE LAND, BEING THE MERIAM PEOPLE, AND  
UNDER THE TORRES STRAIT ISLANDER LAND ACT 1991.

ESTATE AND LAND

Estate in Fee Simple

LOT 531 SURVEY PLAN 249793  
Local Government: TORRES STRAIT ISLAND

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by  
Deed of Grant No. 40065414 (Lot 531 on SP 249793)
2. NOTING No 714846370 18/12/2012 at 09:04  
IN ACCORDANCE WITH THE TORRES STRAIT ISLANDER LAND ACT 1991  
THIS DEED OF GRANT TAKES EFFECT AS FROM 12.26 PM ON THE 14TH  
DAY OF DECEMBER 2012  
Lodged at 09:04 on 18/12/2012 Recorded at 09:20 on 18/12/2012
3. LEASE No 714847627 18/12/2012 at 12:58  
TORRES STRAIT ISLAND REGIONAL COUNCIL  
OF THE WHOLE OF THE LAND  
TERM: 14/12/2012 TO 13/12/2042 OPTION NIL  
Lodged at 12:58 on 18/12/2012 Recorded at 15:46 on 20/12/2012

## ADMINISTRATIVE ADVICES

Dealing	Type	Lodgement Date	Status	Location
712747205	NT DETERM	23/09/2009 10:25	CUR	BE-BE2 -00
NATIVE TITLE ACT 1993 (CTH)				
UNREGISTERED DEALINGS - NIL				

Caution - Charges do not necessarily appear in order of priority

\*\* End of Current Title Search \*\*



Attention Mer Island Community Council & Mer PBC - Mer Gedkem Le

Re: RTC Building on our Land on Mer

As a representative of the Cowley Family, I am writing this letter to advise and request that the partially built RTC building that is incomplete be demolished immediately. The said RTC building has been standing on the allocated portioned land on our family lot - namely "Wareimet" in our Zagareb Tribal District for the past twelve (12) years with no further progress to date.

A letter was sent previously to Mr Doug Passi - Chairman of Mer Gedkem Le on 5th August 2011 signed by my now deceased elder Brother Mr Gamey Walter Cowley and witnessed by myself Father Dalton Cowley to notify Mr Peter Krebs of the Native Title Office, at that time to notify TSIRC regarding the returning of "the abandoned RTC building" to us, but nothing has been done to date. Due to the fact that, at that time, the RTC building was partially built and non operational. This clearly shows that since 2008, there have been some inactions on the above mentioned parties and the building to date is still non functioning in 2020.

It is with great regret and continued frustration that this proposed portioned RTC building that has been standing on our land in a partially built state for the past 12 years has never reached its full potential as was agreed originally. It has not operated as a "Guest House" or anything else (since) for that matter.

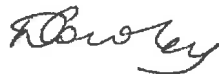
Again, due to the inactivity regarding this building, as stated above, we request that the RTC building on "Wareimet" be demolished immediately.

Any further development on that LAND or ANY of our families LAND WILL NEED TO BE DISCUSSED WITH US as remaining representative of the Cowley family, as per due process.

I have written this letter to you in good faith, so please attend to this matter immediately or I will seek Legal action to finalise this matter.

Yours In Waiting for Your Quick Response

SIGNED BY :



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DALTON GEORGE COWLEY

DATED : 17/12/20

26 February 2021

Mr Peter Krebs  
Senior Legal Counsel  
Torres Strait Island Regional Council  
Peter.Krebs@tsirc.qld.gov.au

**LEASE IN RESPECT OF LOT 531/SP249793 ON MER (MURRAY) ISLAND ("LEASE")**

Dear Mr Krebs

We have instructions from Mer Ged Kem Le (Torres Strait Islander) Corporation (MGKL) as Lessor under the Lease. You will be aware that Torres Strait Island Regional Council (Council) is the lessee under the Lease.

We write to enquire as to Council's intentions in respect of the Lease and to require Council to honour its obligations under the Lease, particularly with respect to clauses 13 "Appearance of Premises" (in the event that Council wishes to continue the Lease) and clause 21 "Removal of Improvements when Lease ends" (in the event that Council wishes to exit the Lease).

We understand that some years ago the Council progressed construction of a substantial building on Lot 531 which work was subsequently discontinued prior to completion. The incomplete structure, which is quite substantial, was abandoned by the Council and has subsequently deteriorated significantly and possibly irreparably - recent aerial photography from Queensland Globe appears to show local vegetation overgrowing part of the now derelict structure which is continuing to deteriorate.

MGKL regards the current state of the derelict structure on Lot 531 as unacceptable and contrary to the terms of the lease and requires that the Council remedy this default as a matter of urgency.

MGKL reserves all of its rights in respect of this matter.

Please let us know by **12 March 2021** how Council intends to address this issue.

Yours sincerely



Rory Ross  
General Counsel  
Native Title Office



# TORRES STRAIT ISLAND REGIONAL COUNCIL

## CLOSED BUSINESS

### AGENDA REPORT

<b>ORDINARY MEETING:</b>	May 2021
<b>DATE:</b>	24 & 25 May 2021
<b>ITEM:</b>	Agenda Item for Ordinary Meeting of Council
<b>SUBJECT:</b>	Torres Strait Island Regional Council Certified Agreement
<b>AUTHOR:</b>	Tracey Burrell – Acting Head of People & Wellbeing

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#### Recommendation:

The Council resolves to delegate authority to the Chief Executive Officer in accordance with the *Local Government Act 2009* to negotiate and finalise all matters in relation to Council's certified agreement including signing the finalised agreement when certified by the Queensland Industrial Relations Commission.

#### Executive Summary:

This report serves to provide information to the Council that a new Certified Agreement has been negotiated in accordance with the collective bargaining process of the Queensland Industrial Relations Act 2016 (the Act), Chapter 4 Collective Bargaining.

Next steps to be taken to finalise the collective bargaining process in accordance with the Industrial Relations Act, Chapter 4 are as follows:

The employer must take reasonable steps to ensure:

- each relevant employee has, or has ready access to, the proposed bargaining instrument or a copy of the proposed instrument at least 14 days before the day the relevant employees are asked via voting to approve the proposed instrument; and

subsequently, if a majority vote of approval is received;

- Submit an application to the Queensland Industrial Relations Commission for certification of the proposed Certified Agreement.

A majority vote means 50% plus one of the votes received must be for acceptance of the certified agreement.

Relevant employees are those covered by the Queensland Local Government Industry Award – State 2017. Executive employees engaged under a common law contract are not covered by the award.

#### Background:

On 6 February 2020, Council sent formal notice to all TSIRC employees, The Australian Workers Union of Employers (AWU), Queensland and the Queensland Services, Industrial Union of Employees (ASU) that it intended to commence bargaining for a replacement Certified Agreement during 2020.

The new certified agreement will be in place for three (3) years from the time of its commencement which will be from the date of certification by the Queensland Industrial Relations Commission.

The certified agreement is an industrial instrument that sets the minimum standards of employment for TSIRC employees. The certified agreement should be read in conjunction with the related award. In the case of TSIRC the related award is the Queensland Local Government Industry Award – State 2017 (the award).

The award covers employers and employees in the local government industry, and is set out in Division and Sections as follows:

**Division 1: Award provisions with common application to all employees covered by this Award**

**STREAM A**

**Division 2: Award provisions specific to employees engaged in the following areas:**

- Section 1 - Administrative, Clerical, Technical, Professional, Community Service, Supervisory and Managerial Services
- Section 2 - Delivery of Children's Services and Early Childhood Education (including Teachers)
- Section 3 - Clerical employees in owned or controlled corporations of local governments

**STREAM B**

**Division 3: Award provisions specific to employees engaged in the following areas:**

- Section 1 - Aged Care Services (other than Nurses)
- Section 2 - Community Policing Services
- Section 3 - Health, Sports and Fitness Services
- Section 4 - Hospitality Services
- Section 5 - Operational Services
- Section 6 - Theatrical Services
- Section 7 - Tour Guides Services

**STREAM C**

**Division 4: Award provisions specific to employees engaged in the following areas:**

- Section 1 - Building Trades Services
- Section 2 - Engineering and Electrical/Electronic Services
- Section 3 - Nursing Services

Refer to Attachment 2 for full list of TSIRC roles.

**Comment:**

The following actions have been undertaken since February 2020 to bargain for a replacement Certified Agreement:

- A negotiation group was formed in February 2020 including representatives from TSIRC, the AWU and the ASU:
  - Mario Sabatino – (Manager Strategic Projects & Logistics) was appointed by TSIRC as the Chair for the negotiation process;
  - Terri Jacklin – Head of People & Wellbeing;
  - Tom Rivers – Organiser, ASU;
  - Terry Osmond – Far Northern District Organiser, AWU; and
- At its meeting on 25 May 2020, it was agreed by the negotiation group that Bargaining Negotiation Protocols be accepted and adhered to by all parties.
- At the negotiation group meeting held on 25 May 2020 both the ASU and the AWU tabled a log-of-claims, **see lists of claims on Attachment 1**.
- Over the proceeding months the negotiation group held regular meetings to negotiate a new Certified Agreement which is acceptable to negotiating parties, approved by a majority of employees and certified by the Queensland Industrial Relations Commission (QIRC).
- Actions were taken as follows:
  - TSIRC drafted the master draft of the replacement agreement.
  - The negotiating group provided draft clauses which they proposed for consideration by the other parties.

- TSIRC incorporated draft clauses into the master draft where the negotiating group agreed that it was appropriate.
- The draft Certified Agreement is now at final draft stage and has agreement from the negotiating group.
- The replacement agreement needs to be made accessible to all relevant employees to allow them to review and cast a vote of their approval, or otherwise, of the proposed agreement.
- When the replacement agreement has been approved by a majority of employees, an application will be made to the QIRC to certify the agreement.
- When the agreement has been certified it will be implemented.

## **Considerations:**

### Risk Management

Minter Ellison Lawyers were engaged to provide advice to TSIRC throughout the bargaining process. Minter Ellison has been consulted on all aspects of the proposed agreement and they have thoroughly reviewed the document to ensure legislative compliance of the document.

### Finance Risk

The additional proposed salary increases will be accounted for in the 2021/2022FY Budget.

If a locality allowance is reintroduced to the award that is applicable to TSIRC this will introduce a major financial burden on Council.

## **Links to Strategic Plans:**

### *Corporate Plan 2020-2025*

- Sustainability: Outcome 8 - We manage council affairs responsibly to the benefit of our communities.  
8.4 Develop council as employer of choice within the region and nationally.
- Prosperity: Outcome 11 - We invest in the retention of key skills within our region.  
11.1 Advocate and facilitate key programs that retain and introduce employment or contracting within communities.

### *Operational Plan 2020-2021*

- Objective number 77: Complete negotiations of a new certified agreement with workforce.

## **Statutory Requirements:**

*Queensland Industrial Relations Act 2016*

## **Conclusion:**

This report clearly outlines that a collective bargaining process has been conducted to negotiate a new Certified Agreement which is acceptable to negotiating parties.

*T. Burrell*

### **Author:**

Tracey Burrell  
Acting Head of People & Wellbeing

*David Baldwin*

### **Approved:**

David Baldwin  
Acting Chief Executive Officer

*Hollie Faithfull*

### **Recommended:**

Hollie Faithfull  
Chief Financial Officer

# TORRES STRAIT ISLAND REGIONAL COUNCIL

## AGENDA REPORT

### Attachment 1 – Log of Claims

Australian Workers Union (AWU) Log-of-claims	Australian Services Union (ASU) Log-of-claims	Certified Agreement Conclusion
	<ul style="list-style-type: none"> <li>No reduction in any current condition.</li> <li>Incorporation of Parent Award, redrafting, etc</li> </ul>	<ul style="list-style-type: none"> <li>Conditions from the 2015-17 CA have been carried forward to the new CA.</li> <li>Totally new CA drafted in line with the Queensland Local Government Industry Award – State 2107. Relevant clauses have been incorporated into the new CA.</li> </ul>
	<ul style="list-style-type: none"> <li>Term of Certified Agreement up to 3 years</li> </ul>	<ul style="list-style-type: none"> <li>New CA to run for a term of 3-years from its inception.</li> </ul>
<ul style="list-style-type: none"> <li>A fair and reasonable pay increase.</li> </ul>	<ul style="list-style-type: none"> <li>Pay increase of greater than the state wage case, with all allowances increased by the same percentage.</li> <li>Wage schedules included in the Certified Agreement.</li> </ul>	<ul style="list-style-type: none"> <li>Pay increases agreed (Clause 3.1):               <ul style="list-style-type: none"> <li>Council will pay all State award base pay employees a 1.5% increase back paid to September 2020.</li> <li>First full pay period commencing on or after 1 September 2021 - 2.25% or Queensland Industrial Relations Annual State Wage Case General ruling. If QIRC increase higher the increase will be in accordance with that amount.</li> <li>First full pay period commencing on or after 1 September 2022 - 2.5% or Queensland Industrial Relations Annual State Wage Case General ruling. If QIRC increase higher the increase will be in accordance with that amount.</li> </ul> </li> <li><i>(Note: Employees received a salary increase of 1.75% in September 2020 in accordance with the Queensland Industrial Relations Annual State Wage Case General ruling; award base paid employees will receive a salary increase of 1.5% in accordance with the new certified agreement; and another increase of at least 2.25% in September 2021, making a total increase of 5.5% over the 12-month period)</i></li> <li>Wage schedules included as Schedule 1 at end of the CA.</li> </ul>

Australian Workers Union (AWU) Log-of-claims	Australian Services Union (ASU) Log-of-claims	Certified Agreement Conclusion
	<ul style="list-style-type: none"> <li>• Inclusion of Locality Allowance into Certified Agreement.</li> </ul>	<ul style="list-style-type: none"> <li>• Not required to be included due to decision handed down by the Full Bench that the allowance does not apply to TSIRC (Stream A) employees. <i>As recently clarified by the Full Bench of the QIRC in Local Government Association of Queensland v Queensland Services, Industrial Union of Employees [2020] QIRC 68, the locality allowance clause in the modern Award does not apply to TSIRC's Stream A employees.</i></li> </ul>
<ul style="list-style-type: none"> <li>• More training to enhance employment opportunities within Council</li> </ul>		<ul style="list-style-type: none"> <li>• A Learning &amp; Development Strategy had been implemented at TSIRC.</li> <li>• New Learning &amp; Development Officer engaged, focussing on enhancing training opportunities, evaluation of training, etc in accordance with the Learning &amp; Development Strategy.</li> </ul>
<ul style="list-style-type: none"> <li>• Job security <ul style="list-style-type: none"> <li>○ Council agree to update and make better use of the consultation clause regarding change in the workplace.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Fair workplace rights including: <ul style="list-style-type: none"> <li>○ Improved employment security provisions including conversion arrangements for casual and fixed term employees</li> <li>○ Fair disciplinary processes including improved personal leave management.</li> <li>○ Improved notification and consultation over introduction of workplace change.</li> <li>○ Improved reclassification rights including response within six weeks.</li> <li>○ Respectful behaviour and inclusive workplace provision.</li> <li>○ Improved flexible work arrangement provisions including fair nine-day fortnight arrangements for all staff.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Security of Employment clause included in new CA – clause 1.10</li> <li>• A fair Disciplinary Procedure has been developed for implementation. Presented to Audit Committee April 2021.</li> <li>• Clause 1.9.3 - Consultative Committee included in the new CA. Joint Consultative Committee to be implemented to facilitate consultation and negotiation between Council and Union parties.</li> <li>• Clause 3.2.3 – Reclassification included in new CA, refer to the parent Award provisions. Reclassification procedure will not exceed a period of eight (8) weeks.</li> <li>• TSIRC has introduced Values, these form part of KPIs to be met by all employees. <ul style="list-style-type: none"> <li>○ Clause 1.7.7 – Aims and objectives of the Agreement also covers workplace culture expectations.</li> </ul> </li> <li>• Nine-day fortnights not agreed to by Council. 6-week annual leave entitlement remains in new CA.</li> </ul>
<ul style="list-style-type: none"> <li>• Conversion from labour hire or casual employment to full time after 6-months.</li> </ul>		<ul style="list-style-type: none"> <li>• Clause 2.1.7 – Permanent Conversion, provision for casual employees working on a systematic and</li> </ul>

Australian Workers Union (AWU) Log-of-claims	Australian Services Union (ASU) Log-of-claims	Certified Agreement Conclusion
		regular basis for a period of six (6) months may apply to convert their employment status to permanent full-time or part-time.
<ul style="list-style-type: none"> <li>• Superannuation – choice of funds <ul style="list-style-type: none"> <li>○ Review all current conditions.</li> </ul> </li> <li>• Increase superannuation contribution to remain at 3% above the guaranteed amount.</li> </ul>	<ul style="list-style-type: none"> <li>• Improved superannuation provision, including employer contributions paid on all earnings.</li> </ul>	<ul style="list-style-type: none"> <li>• Choice of superannuation funds is already offered to employees.</li> <li>• Employer's superannuation contribution remains at 12%, no increase to make it 12.5%.</li> </ul>
	<ul style="list-style-type: none"> <li>• Incorporation of measure to improve superannuation outcomes for employees tracking below the Association of Superannuation Funds of Australia (AFSA) retirement standard. <i><b>Note:</b> The ASFA estimates how much money people will need in retirement.</i></li> </ul>	<ul style="list-style-type: none"> <li>• No action to be taken.</li> </ul>
<ul style="list-style-type: none"> <li>• Review of all current allowances with appropriate increases.</li> </ul>		<ul style="list-style-type: none"> <li>• Any applicable allowances will be increased only in accordance with the Award.</li> </ul>
<ul style="list-style-type: none"> <li>• All employees to have two paid days in compensation for the compulsory close down period between Christmas and New Year period which is additional to any paid public holiday.</li> </ul>		<ul style="list-style-type: none"> <li>• Six (6) week annual leave entitlement has been maintained in the new CA, no further entitlement has been allowed for the Festive Season close-down period.</li> </ul>
<ul style="list-style-type: none"> <li>• Annual salary/award reviews to determine accuracy and benchmarking with other councils.</li> </ul>		<ul style="list-style-type: none"> <li>• Benchmarking has been conducted against other 'like' Councils. Will be reviewed annually and increases implemented in accordance with new CA.</li> </ul>
<ul style="list-style-type: none"> <li>• Salary sacrifice – Superannuation, Local Rent, Housing Loans, Car Leases or Loans</li> </ul>		<ul style="list-style-type: none"> <li>• Salary sacrifice options have been investigated. Options are available through LocalBuy. Proposal to be approved and implemented during 2021/22FY.</li> </ul>
<ul style="list-style-type: none"> <li>• All allowances to be indexed with pay increases on an annual basis</li> </ul>		<ul style="list-style-type: none"> <li>• Allowances will be paid where relevant, in accordance with the Award. Will only be increased in accordance with the Award.</li> </ul>
<ul style="list-style-type: none"> <li>• No Contracting out clause</li> </ul>	Commitment to internal advertising for all roles prior to external advertising	<ul style="list-style-type: none"> <li>• Contracting is operationally necessary in some cases due to certain funding arrangements. A Security of Employment clause has been included in the new CA – clause 1.10.</li> </ul>
<ul style="list-style-type: none"> <li>• Council to promote from within wherever possible and offer training for internal promotion</li> </ul>		<ul style="list-style-type: none"> <li>• Internal advertising already occurs with internal applicants considered for vacancies. Training is offered to build skills for potential internal promotion.</li> </ul>



Australian Workers Union (AWU) Log-of-claims	Australian Services Union (ASU) Log-of-claims	Certified Agreement Conclusion
<ul style="list-style-type: none"> <li>No forced redundancies</li> </ul>		<ul style="list-style-type: none"> <li>Clause 1.10 – Security of Employment included in new CA. Does not provide for ‘no forced redundancies’ however states Council’s commitment to continually improving job security of all employees and maintaining a stable and productive workforce.</li> </ul>
<ul style="list-style-type: none"> <li>All workers offered free flu injections</li> </ul>		<ul style="list-style-type: none"> <li>Agreed it is not necessary as the influenza vaccine is free for all Aboriginal and Torres Strait Islander people aged 6 months and over through the National Immunisation Program.</li> </ul>
<ul style="list-style-type: none"> <li>Pay roll deduction for union fees to continue</li> </ul>		<ul style="list-style-type: none"> <li>Clause 6.16.2 – Deduction of Union Fees included in new CA. <i>Council shall, on the request in writing of any employee, pay to a union nominated by the employee out of the money due to such employee in respect of wages, the annual contribution of such employee as a member of that union.</i></li> </ul>
	<ul style="list-style-type: none"> <li>Union encouragement clause</li> </ul>	<ul style="list-style-type: none"> <li>Clause 6.16.3 – Union Encouragement for Induction of New Employees. Council have agreed that Union joining forms will be included in new employee ‘starter packs’.</li> </ul>
	<ul style="list-style-type: none"> <li>Increase corporate uniform allowance</li> </ul>	<ul style="list-style-type: none"> <li>Clause 8.6.3.1 – Council Uniforms-Eligibility in new CA. <ul style="list-style-type: none"> <li>Permanent employees will receive \$400 in their first year of employment for purchase of Council uniforms and thereafter \$300 per financial year.</li> <li>Unspent credit will not be carried into the following financial year.</li> <li>If staff do not proceed past their probation period or cease to work for TSIRC within six (6)-months of commencement, they will be required to return uniforms.</li> <li>Casual or short term six (6) months or less) employees will receive \$200 in their first year for purchase of Council uniforms and thereafter up to \$200 per financial year.</li> </ul> </li> </ul>
<ul style="list-style-type: none"> <li>Increase clothing allowance for outdoor staff to 5 sets and 2 pair of boots</li> </ul>		<ul style="list-style-type: none"> <li>It was recognised that PPE is provided over and above this requested allowance.</li> </ul>

Australian Workers Union (AWU) Log-of-claims	Australian Services Union (ASU) Log-of-claims	Certified Agreement Conclusion
<ul style="list-style-type: none"> <li>Bereavement leave to increase to 5 days for immediate family</li> </ul>		<ul style="list-style-type: none"> <li>Council already provides above the Qld Industrial Relations (QIR) requirements: <ul style="list-style-type: none"> <li>TSIRC provides 3 days bereavement leave and 2 days compassionate leave – paid.</li> <li>QIR requires 2 days bereavement and 2 days compassionate leave.</li> </ul> </li> </ul>
<ul style="list-style-type: none"> <li>Family and domestic violence clause to be included in the agreement</li> </ul>	<ul style="list-style-type: none"> <li>Inclusion of Domestic and Family Violence Leave and Support measures</li> </ul>	<ul style="list-style-type: none"> <li>TSIRC already has a Family and Domestic Violence Policy and Procedure in place providing entitlement of 10 days paid leave. Relevant information included in new CA, clause 6.15.</li> </ul>
<ul style="list-style-type: none"> <li>Current redundancy clause to reviewed</li> </ul>		<ul style="list-style-type: none"> <li>No redundancy clause in the 2015 CA.</li> <li>Clause 2.2 – Termination Change and Redundancy included in new CA.</li> </ul>
<ul style="list-style-type: none"> <li>Natural disaster clause needs attention –i.e. increase days off in each event</li> </ul>	<ul style="list-style-type: none"> <li>Improved Natural Disaster and Severe Weather Leave Provisions</li> </ul>	<ul style="list-style-type: none"> <li>Clause 6.10 – Natural Disaster Leave within Council Worksite Boundaries included in new CA provides for up to a maximum of five (5) paid days per event. Where a natural disaster situation occurs, which results in situations where an employee is unable to perform required functions and reasonable duties.</li> </ul>
<ul style="list-style-type: none"> <li>Cultural leave needs discussion</li> </ul>		<ul style="list-style-type: none"> <li>Clause 6.13 – Cultural Leave has been included in the new CA. Provides for 5 days unpaid leave. Applies to an employee who is required by Aboriginal tradition or Island custom to attend and Aboriginal or Torres Strait Islander ceremony.</li> </ul>
<ul style="list-style-type: none"> <li>On call allowance needs upgrading i.e. remote call out</li> </ul>		<ul style="list-style-type: none"> <li>Clause 4.6.3 – On Call have been included in the new CA to ensure relevant payments are made.</li> </ul>
	<ul style="list-style-type: none"> <li>Improved parental leave provisions including 26 weeks' paid leave for primary carer and 4 weeks for secondary carer.</li> </ul>	<ul style="list-style-type: none"> <li>TSIRC currently provide entitlement of up to fourteen (14) weeks paid parental leave. No increase to this entitlement will occur. Legal advice was that the request for 26 weeks' paid leave was unreasonable. Includes birth or adoption of a child.</li> </ul>
	<ul style="list-style-type: none"> <li>17.5% loading applied to leave cash-out.</li> </ul>	<ul style="list-style-type: none"> <li>Not agreed to by TSIRC. Loading will not be applied to excessive annual leave entitlements being cashed out. Unions dropped this claim when salary increases were agreed to.</li> </ul>

Australian Workers Union (AWU) Log-of-claims	Australian Services Union (ASU) Log-of-claims	Certified Agreement Conclusion
	<ul style="list-style-type: none"> <li>Long Service Leave available after 7 years continuous service.</li> </ul>	<ul style="list-style-type: none"> <li>Not agreed to by TSIRC. Access to Long Service Leave will remain as per the relevant provisions of Part 3 of Long Service Leave of the Queensland Industrial Relations Act. If agreed to, this request would have been a major cost burden on Council. Unions dropped this claim when salary increases were agreed to.</li> </ul>
		<ul style="list-style-type: none"> <li>TSIRC instigated the inclusion of a Transition to Retirement clause in the new CA. Clause 2.4 provides for employees contemplating retirement to transition from the organisation on a gradual basis. Unions were grateful for this innovation from Council</li> </ul>

# TORRES STRAIT ISLAND REGIONAL COUNCIL

## AGENDA REPORT

### Attachment 2 – Award Streams and TSIRC Roles

STREAM A		TSIRC ROLES
Section 1 -	Administrative, Clerical, Technical, Professional, Community Service, Supervisory and Managerial Services	Administration Officers; Apprentice and Trainee Support Officer; Asset Accountant; Asset Maintenance Officer; Building Services - Maintenance Manager; Building Supervisors; Building Support Officer; Business Services Accountant-Eng; Coordinator Environmental Health Worker; Coordinator Housing; Cost Controller; Creditors Officer; Debtors Officer; Desktop & Systems Administrator; Divisional Managers; Engineer Water and Wastewater; Engineer Water and Wastewater Compliance; Engineering Operations Supervisor ; Enterprise Development Officer; Environmental Health Workers; Financial Operations Accountant; Fleet & Plant Logistics Officer; Graduate Project Engineer; Grants Administration Officer; Graphic Designer & Channel Coordinator; Head of Community Services; Head of Corporate Affairs & Engagement; Head of Financial Services; Head of People & Wellbeing; Housing Officers; Indigenous Knowledge Centre Coordinators; Information Management Officer; Learning and Development Officer; Local Community Disaster Coordinator; Manager Capital Works; Manager Community Services; Manager Engineering Operations; Manager Environmental Health; Manager Health and Wellbeing; Manager Housing & Policy; Manager Information Technology Services; Manager Legal Services; Manager of Governance & Compliance; Manager of Management Accounting; Manager Risk & Ethics; Manager Water and Wastewater; Multi Skilled Administration Officers; Operations Engineer - Assets; Operations Manager - Wastewater; Operations Manager - Water; Payroll Co-Ordinator; People & Wellbeing Administrator; People and Wellbeing Business Partner; People Recruitment Officer; Project Administration Officer; Rates and Debt Recovery Officer; Regional Building Supervisor; Repair & Maintenance Coordinator; Safety & Wellbeing Coordinator; Safety and Wellbeing Officer; SCADA Technician and Data Analyst; Secretariat Officer; Senior Administration & Project Support Officer; Senior Environmental Health Workers; Senior Executive Assistant; Senior Housing Officer - Western Cluster; Senior Legal Counsel; Senior Project Engineer; Senior Systems Administrator; Special Projects Officer Housing; Strategic Projects and Logistics Manager; Strategic Sourcing Manager; Systems Analyst; Team Leader - Administration BSU; Team Leader - Creditors; Team Leader Debtor; Tenancy Support Project Officer; Travel Officer; Waste and Sustainability Engineer
Section 2 -	Delivery of Children's Services and Early Childhood Education (including Teachers)	Assistant Child Support Workers; After School Care; Childcare Director; Childcare Group Leaders; After School Care Coordinator
Section 3 -	Clerical employees in owned or controlled corporations of local governments	Not applicable to TSIRC
STREAM B		
Section 1	Aged Care Services (other than Nurses)	Aged Care Support Workers
Section 5 -	Operational Services	Cleaners, Engineering Officers, Construction Crew, childcare cook, Civil Supervisor, Divisional Engineering Officers
STREAM C		
Section 1 -	Building Trades Services	Technical Officers, Carpenters, Plumbers, Painter and Decorators, Trade Assistant, Labourers

# TORRES STRAIT ISLAND REGIONAL COUNCIL

## AGENDA REPORT

<b>ORDINARY MEETING:</b>	May 2021
<b>DATE:</b>	24/05/21 and 25/05/21
<b>ITEM:</b>	Agenda Item for Resolution by Council
<b>SUBJECT:</b>	Community Grants Program Allocation – May 2021
<b>AUTHOR:</b>	Kim Kelly, Team Leader – Service Delivery

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### **Recommendation:**

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

#### Community Grant Applications:

- Restoration Revival Ministries for the eligible amount of \$7,339.75 exclusive of GST, as per the submitted application.
- Aaron Tom for the eligible amount of \$2,487.66 exclusive of GST, as per the submitted application.
- Arkai Brothers Rugby League Team for the eligible amount of \$9,990.00 exclusive of GST, as per the submitted application.
- Mabuygiw Garkaziw Kupay TSI Corporation for the eligible amount of \$2,286.90 exclusive of GST, as per the submitted application.
- Warraber Sporting Association for the eligible amount of \$1,100.00 exclusive of GST (plus in-kind assistance to the value of \$200.00 – approval pending), as per the submitted application.
- Roxin Eagle Football Club for the eligible amount of \$9,920.00 exclusive of GST, as per the submitted application.
- St James Anglican Parish for the eligible amount of \$9,959.96 exclusive of GST, as per the submitted application.
- St Pauls Anglican Church for the eligible amount of \$3,774.00 exclusive of GST (plus in-kind assistance to the value of \$745.00 – approval pending), as per the submitted application.

### **Executive Summary:**

As per Council's Community Grants Policy, which was endorsed by Council at the June 2020 Ordinary Meeting, all community grants applications must be decided monthly at the Ordinary Council meeting.

### **Background:**

For the month of April eight 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 the applicants.

The eight applications, which meet eligibility requirements, are:

Applicant	Project	Location
Restoration Revival Ministries	Contribution towards purchase of musical equipment for use by fellowship and community youth	Saibai
Aaron Tom	Contribution towards Crab Project	Boigu
Arkai Brothers Rugby League Team	Contribution towards travel costs to attend Badu Island of Origin	Kubin
Mabuygiw Garkaziw Kupay TSI Corporation	Contribution towards purchase of shirts for Men's group	Mabuiag
Warraber Sporting Association	Contribution towards catering for Mabo Day Celebration	Warraber
Roxin Eagle Football Club	Contribution towards catering, jerseys and travel to Island of Origin	Dauan
St James Anglican Parish	Contribution towards costs to establish Admin support	Mer
St Pauls Anglican Church	Contribution towards catering for Coming of the Light celebrations	St Pauls

**Links to Strategic Plans:**

These projects strategically align to specific delivery objectives under the People and Prosperity pillars 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:**

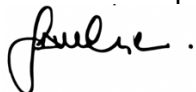
*Local Government Act 2009*

**Conclusion:**

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

**Endorsed:**

Luke Ranga  
Head of Corporate Affairs



**Recommended:**

Hollie Faithfull  
Chief Financial Officer

**Approved:**

David Baldwin  
Acting Chief Executive Officer



**Attachment:** Fund balances

**Attachment: Fund Balances (after payment of April approved applications)**

<b>Division</b>	<b>Councillor</b>	<b>Budget</b>	<b>Less approved funding</b>	<b>Closing Balance</b>
Boigu	Cr. Toby	\$25,000.00	\$10,492.50	\$14,507.50
Hammond	Cr. Dorante	\$25,000.00	\$0.00	\$25,000.00
St Pauls	Cr. Levi	\$25,000.00	\$8,651.27	\$16,348.73
Ugar	Cr. Stephen	\$25,000.00	\$0.00	\$25,000.00
Badu	Cr. Nona	\$25,000.00	\$24,919.31	\$80.69
Dauan	Cr. Elisala	\$25,000.00	\$1,990.00	\$23,010.00
Erub	Cr. Gela	\$25,000.00	\$9,963.85	\$15,036.15
Iama	Cr. Lui	\$25,000.00	\$13,728.08	\$11,271.92
Kubin	Cr. Trinkoon	\$25,000.00	\$10,000.00	\$15,000.00
Mabuiag	Cr. Fell	\$25,000.00	\$6,500.00	\$18,500.00
Mer	Cr. Noah	\$25,000.00	\$2,549.82	\$22,450.18
Poruma	Cr. Pearson	\$25,000.00	\$21,521.98	\$3,478.02
Saibai	Cr. Tabuai	\$25,000.00	\$10,490.00	\$14,510.00
Warraber	Cr. Tamu	\$25,000.00	\$8,500.00	\$16,500.00
Yorke	Cr. Mosby	\$25,000.00	\$17,351.86	\$7,648.14
Mayor	Cr. Mosby	\$30,000.00	\$0.00	\$30,000.00
Regional Grant		\$50,000.00	\$2,507.50	\$47,492.50
		<b>\$455,000.00</b>	<b>\$149,166.17</b>	<b>\$305,833.83</b>

# TORRES STRAIT ISLAND REGIONAL COUNCIL

## COUNCIL REPORT

<b>ORDINARY MEETING:</b>	May 2021
<b>DATE:</b>	24/05/2021 and 25/05/21
<b>ITEM:</b>	Agenda Item for Noting by Council
<b>SUBJECT:</b>	Operational Plan 2020/21 Q3 Update
<b>AUTHOR:</b>	Mette Nordling, Manager of Governance and Compliance

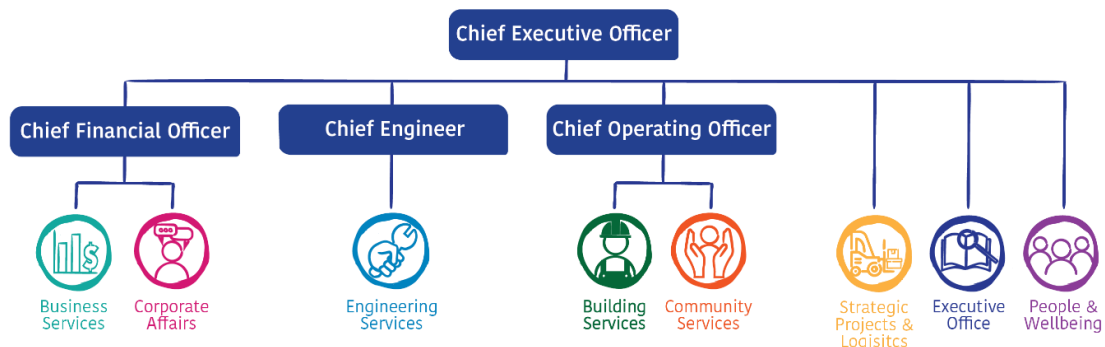
### Recommendation:

Council resolves to note the Operational Plan 2020-21 Quarter 3 Update.

### Background:

Pursuant to Section 174 of the *Local Government Regulation 2012*, Council adopted its Operational Plan for the 2020/21 period, during its Ordinary Meeting on 21 July 2020.

The Operational Plan is structured around Council's corporate structure as at 21 July 2020, which was updated and endorsed to that shown below in the same meeting:




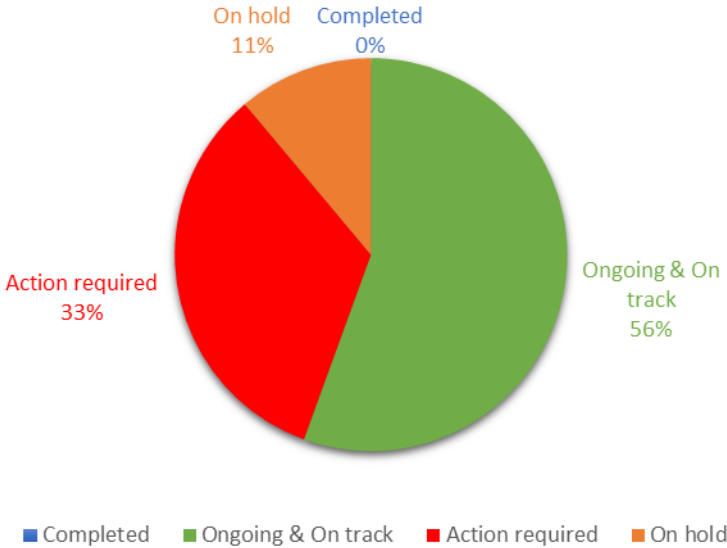

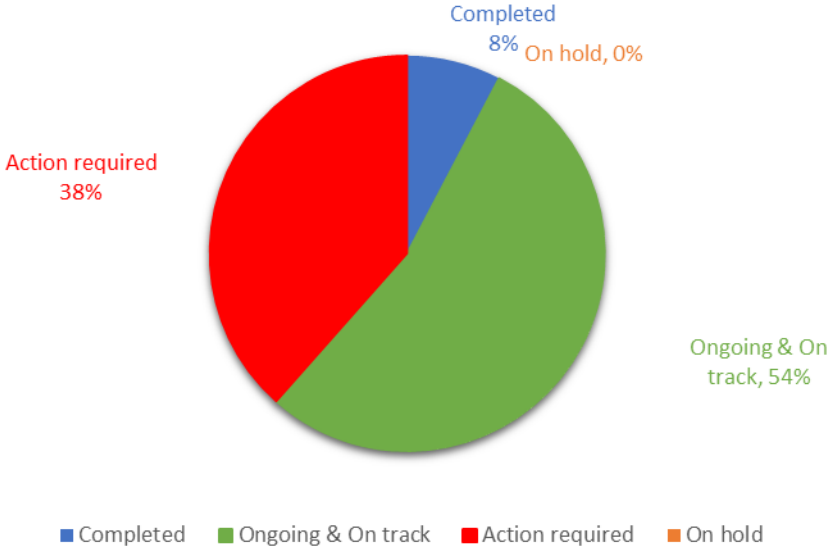

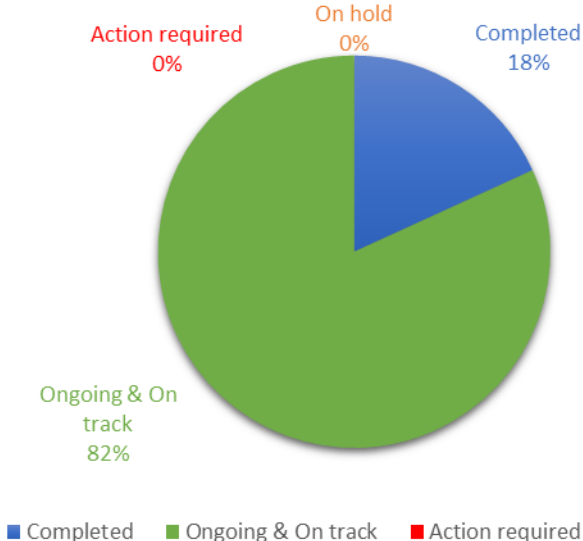
Each of the 86 objectives listed in the Operational Plan, link back to a relevant *Strategic Delivery Pillar* of Council's current Corporate Plan 2020-25; these pillars are as follows:


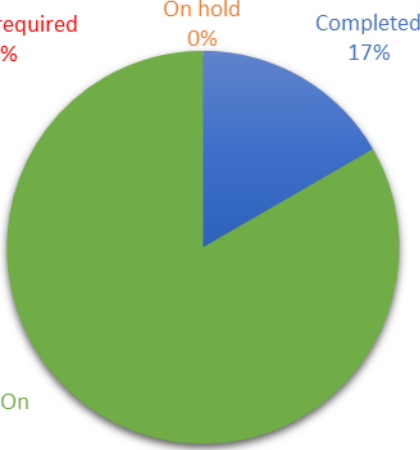

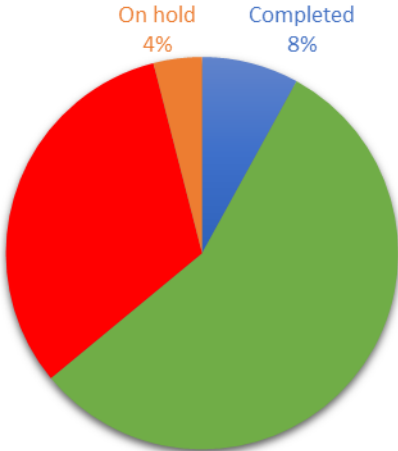

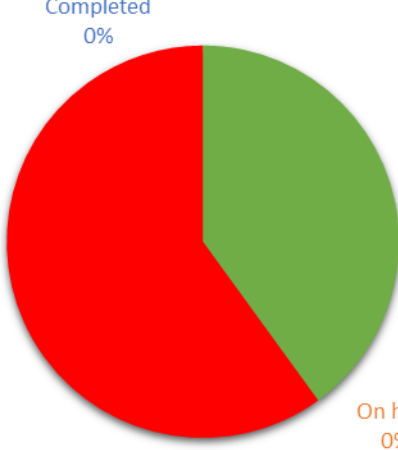
	People	<p>Outcome 1: We preserve cultural heritage, history and place.</p> <p>Outcome 2: Our communities are safe, healthy and active.</p> <p>Outcome 3: We ensure accessibility to community support services.</p> <p>Outcome 4: We are a transparent, open and engaging council.</p>
	Sustainability	<p>Outcome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


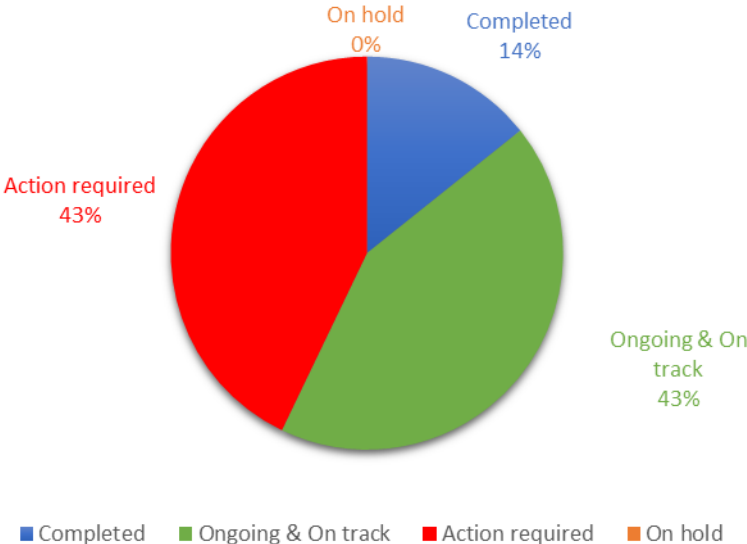

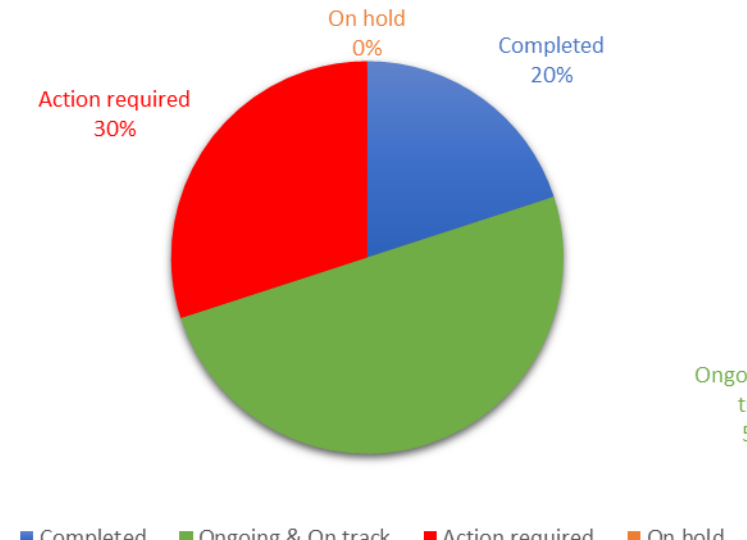


## Operational Plan Progress:

Council's Operational Plan 2019-20 Q3 Dashboard is as follows:

Department:	Total Objectives:	Progress
 Business Services	9	 <p>Completed 0% On hold 11% Action required 33% Ongoing &amp; On track 56%</p> <p>■ Completed ■ Ongoing &amp; On track ■ Action required ■ On hold</p>
 Corporate Affairs	13	 <p>Completed 8% On hold, 0% Action required 38% Ongoing &amp; On track, 54%</p> <p>■ Completed ■ Ongoing &amp; On track ■ Action required ■ On hold</p>
 Engineering Services	11	 <p>Action required 0% On hold 0% Completed 18% Ongoing &amp; On track 82%</p> <p>■ Completed ■ Ongoing &amp; On track ■ Action required ■ On hold</p>

 Building Services	6	 <p>Completed 17%</p> <p>Ongoing &amp; On track 83%</p> <p>Action required 0%</p> <p>On hold 0%</p> <p>■ Completed ■ Ongoing &amp; On track ■ Action required ■ On hold</p>
 Community Services	25	 <p>Completed 8%</p> <p>Ongoing &amp; On track 56%</p> <p>Action required 32%</p> <p>On hold 4%</p> <p>■ Completed ■ Ongoing &amp; On track ■ Action required ■ On hold</p>
 Strategic Projects & Logistics	5	 <p>Completed 0%</p> <p>Ongoing &amp; On track 40%</p> <p>Action required 60%</p> <p>On hold 0%</p> <p>■ Completed ■ Ongoing &amp; On track ■ Action required ■ On hold</p>

 Executive Office	7	 <p>Completed 14%</p> <p>Ongoing &amp; On track 43%</p> <p>Action required 43%</p> <p>On hold 0%</p> <p>■ Completed ■ Ongoing &amp; On track ■ Action required ■ On hold</p>
 People & Wellbeing	10	 <p>Completed 20%</p> <p>Ongoing &amp; On track 50%</p> <p>Action required 30%</p> <p>On hold 0%</p> <p>■ Completed ■ Ongoing &amp; On track ■ Action required ■ On hold</p>

### Statutory Requirements:

Local Government Act 2009 (Qld)

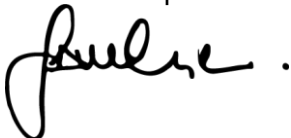
Local Government Regulation 2012 (Qld)

### Conclusion:

That Council notes the Operational Plan 2020-21 Quarter 3 Update.

#### Endorsed:

Luke Ranga  
Head of Corporate Affairs



#### Recommended:

Hollie Faithfull  
Chief Financial Officer

#### Approved:

David Baldwin  
Acting Chief Executive Officer



### Attachments:

- Table providing breakdown of objectives, process, and comments
- Operational Plan 2020

# Operational Plan Reporting 20/21



Objective number	Annual Plan Item	Delivery target	Responsible function	Start Quarter	Complete Quarter	Q3 update	Q3 notes
	<b>TSIRC Operational Plan 20/21</b>						
	<b>Business Services</b>						
1	Continue to evolve Council's long-term financial planning and quantify regional program delivery, service levels and associated costs.	Successful delivery of framework & modelling.	Financial Accounting & Assets	1	4	Ongoing & on track	Ongoing commitment to improvement of current reporting and evolving of Council's long term planning
2	Develop stronger link between Asset Management Plans and Councils budget development.	Framework delivered.	Financial Accounting & Assets	1	4	Action required	Asset Management plans are currently being developed.
3	Evolve & deliver Council's Asset Revaluation program.	100% program completion	Financial Accounting & Assets	4	4	Ongoing & on track	
4	Collaborate with key Council operational functions to deliver effective debt management program(s).	Framework identified. >50% program delivery.	Financial Accounting & Assets	1	4	Ongoing & on track	Debt policy, procedures and forms are currently being reviewed by an external party. Planned implementation date is early in the new year.
5	Deliver Corporate Overhead Analysis program, through effective cost allocation modelling.	Program modelling developed & delivered.	Management Accounting	1	4	Action required	Program will be delivered in the following year. The current year focus is to ensure that any costs that are able to be directly allocated will be done first to ensure a more reasonable cost allocation.
6	Implementation of statistical dash boards and metric reporting to enable real time data capability.	Successful implementation of agreed dashboard scope.	Financial Accounting & Assets	1	4	On hold	The resource that was to implement the dashboards, has been vacant since December 2020, therefore the project has been put on hold until there are enough resources to manage the project.
7	Deliver IT Transformation Strategy & identified program deliverables.	Strategy complete & roadmap identified.	Financial Accounting & Assets	2	4	Ongoing & on track	Information Services are now looking to tighten up security within the TSIRC environment such as Zero Trust Network Access (ZTNA) and Multi-Factor Authentication (MFA).  Products to be investigated are Wandera and Duo.  These were not in the original road map, but In light of the recent increase in Cyber-security attacks on businesses, organizations and government entities, this matter has to be addressed.
8	Evolve Community Services frontline IT capability.	Gap analysis conducted for all communities. Recommendation paper delivered.	Financial Accounting & Assets	1	4	Ongoing & on track	Email has been sent to all Regional and Divisional Managers requesting feedback for ideas on how to evolve the IT capabilities for community members
9	Further develop Council's disaster management & business continuity technology capabilities.	Pilot program completed across two sites. Roadmap identified.	Financial Accounting & Assets	1	4	Action required	Liaising with Telstra and third party Telstra Partner Mangano IT on 21/04/21 to discuss their offering to customers using the VeloCloud offering that could better suit remote and regional areas where connectivity is challenging.
	<b>Corporate Affairs</b>						
10	Continue Council's core brand refresh across all digital mediums & community channels.	Web & intranet sites implemented. Brand guidelines delivered.	Compliance & Governance	1	3	Action required	•Intranet redevelopment project commenced - phase 1 go live is being planned •Baseline analytics to inform web redevelopment commenced •Brand guideline first draft
11	Grow the Youmpla Voice program & community specific engagement models.	1 campaign per community.	Compliance & Governance	1	4	Ongoing & on track	•Community Survey drafted and sent to Divisions
12	Evolve employee engagement tools for Council's vision, mission, values & service delivery excellence.	Engagement program delivered to all sites.	Compliance & Governance	1	4	Ongoing & on track	•Employee survey has been slightly delayed due to competing priorities •Further engagement tools to be developed based on outcome of survey
13	Further develop Council's strategic planning tools, embracing digitisation & automation.	Implementation of integrated planning automation & dashboards.	Compliance & Governance	1	4	Ongoing & on track	•Smartsheet business case for Creative services request developed •Smartsheet for Operational Plan updates developed •Smartsheet for 2022/23 Operational Plan underway •Smartsheet for 2021/22 Annual report underway
14	Evolve Council's ethical procurement standards & policies.	Policy published. Training delivered across all stakeholder groups.	Compliance & Governance	1	4	Ongoing & on track	•Policy endorsed •Procedures under review •Training conducted with BSU and Engineering •New contract templates developed and trial underway
15	Further develop a good governance culture and compliance framework across Council.	Framework implemented. Engagement tools developed.	Compliance & Governance	1	4	Ongoing & on track	•Governance framework under development

Objective number	Annual Plan Item	Delivery target	Responsible function	Start Quarter	Complete Quarter	Q3 update	Q3 notes
16	Delivery of group insurance evaluation and cost efficiency program.	Program delivered.	Compliance & Governance	4	4	Ongoing & on track	Renewal information submitted for all current policies & underway for new "Construction All Risks" policy as a result of potential Sea Walls projects.
17	Evolve Business Continuity Planning Processes (BCP) & exercises.	Gap analysis completed. Program framework identified.	Compliance & Governance	2	4	Action required	Annual training exercise to be planned.
18	Implementation of customer contact centre & automation tools.	IVR technology implemented. Data capability delivered.	Enterprise development & Delivery	1	3	Action required	Data collation will continue to the end of Q4. Automation tools will be reviewed in Q4.
19	Development of Council's Visitor Management Strategy, tools & implementation roadmap.	Strategy published. Implementation roadmap identified.	Enterprise development & Delivery	2	4	Ongoing & on track	A Draft Visitor Management Strategy (VMS) has been completed via Sydney University SLIC program. The VMS to be handed over to the Manager Visitor Operations within the Community Services Team to finalise.
20	Delivery of Council's Enterprise Development Strategy, identifying key sector opportunities.	Strategy published.	Enterprise development & Delivery	1	3	Action required	Still in planning phase. Community visit will take place in June 2021 to complete Community consultation and collate data.
21	Refresh of Council's community grant program.	Successful program delivery to all communities.	Enterprise development & Delivery	1	2	Complete	•Program adopted •Continuous updates •New forms and criteria published
22	Grow strategic domestic & international knowledge alliances.	Framework developed & 2 agreements in place.	Enterprise development & Delivery	2	3	Action required	The second partnership arrangement project to commence in Q4.
<b>Engineering Services</b>							
23	Seawall program (stage 2) design works for Poruma, Iama, Warraber & Masig Communities.	Design works complete. Tendering and Construction plan determined	Major Infrastructure	1	4	Ongoing & on track	Poruma detailed design works completed. Detailed design works for Iama, Masig and Warraber are currently underway. Geotechnical technical investigations are still outstanding.
24	Seawall program (stage two) construction.	Boigu & Poruma Construction works underway.	Major Infrastructure	1	4	Ongoing & on track	Boigu Seawalls Construction Stage 2 is progressing well with revised PC Date of September 2021. Poruma In-House Bid is in final stages for review/approval with onsite construction forecasted to commence in July 2021.
25	Deliver the Torres Strait Tide Gauge Project.	Funding arrangement formalised and works underway.	Major Infrastructure	1	4	Ongoing & on track	New tide gauges have been installed and operational. New access ladder at Kubin has been installed. Iama to have new access ladder installed in May 2021.
26	Complete water lagoon cover repairs/replacements for Saibai, Erub, Mer & Ugar Communities.	Works complete.	Water Management	1	2	Complete	Cover repairs and replacements have been completed. Contractor is undertaking defect rectification works.
27	Deliver Water & Wastewater project - Critical infrastructure/legislative compliance upgrades. (ICCIP – MULTIPLE PROJECTS).	Multiple projects completed, some into future years.	Wastewater Services Water Management	1	4	Ongoing & on track	Multiple projects completed, some identified projects on hold and require scope changes and for completion over multiple FY's as scheduled for completion prior to June 2022.
28	Deliver regional Smart Water Meter project.	Project completed.	Water Management	1	4	Ongoing & on track	SMW successfully installed at 9/15 communities. All communities are on track to have SWMs installed by 2020/21 FY.
29	Construct Saibai sewerage treatment plant effluent outfall pipe.	Works complete.	Wastewater Services	1	4	Complete	Practical Completion issued. Project Close-out documentation is finalised. Project is now in Defect & liability period.
30	Metal Waste -Clean Up project.	Planning finalised, works commenced.	Waste Services	1	4	Ongoing & on track	EOIs have been reviewed and suitable tenderers have been shortlisted. The project is now in Tender and Procurement Stage.
31	Complete Erub Airport Road upgrade works.	Works completed	Transport Management	1	4	Ongoing & on track	Works on site completed. Minor defects rectification works have been completed.
32	Badu Aerodrome fence, Safety improvements Saibai Aerodrome - apron upgrade (Helipad), and Dauan access road to Helipad.	Works complete.	Transport Management	1	4	Ongoing & on track	Badu Aerodrome Fencing Upgrade and safety improvements have been completed. Saibai Aerodrome Apron Upgrade and Dauan Helipad Access Road Upgrades Projects TMR TIDS funding has been rolled over to 2021/22 FY.

Objective number	Annual Plan Item	Delivery target	Responsible function	Start Quarter	Complete Quarter	Q3 update	Q3 notes
33	Water & Wastewater Projects (W4Q – COVID). MULTIPLE PROJECTS	Works complete	Wastewater Services Water Management	1	4	Ongoing & on track	<ul style="list-style-type: none"> <li>- 190kL desalination unit purchase - Completed</li> <li>- Leak detection equipment and monitoring program for Mer, Badu &amp; St Pauls - Mer completed. Badu &amp; St Pauls on track to be completed in 2020/21 FY.</li> <li>- Boigu Lagoon Cover Replacement Project - project is currently at Tender Stage. Funding extended to 31 December 2021</li> <li>- Mabuag Well, pump station, telemetry and riser upgrade Project - Procurement Award Stage.</li> <li>- Mer sewerage treatment ablation and shower block - Design completed. Procurement underway.</li> <li>- Warraber sewerage treatment plant fencing replacement - Completed.</li> <li>- St Pauls wastewater lagoon fencing replacement - Completed.</li> <li>- Ugar bores - bag filter and pipework replacement - Procurement Stage.</li> <li>- lama and Mer Reservoir magflow and power supply installation - Completed.</li> <li>- Erub 80mm water main replacement project - The project is currently at tender stage.</li> </ul>
<b>■ Building Services</b>							
34	Implementation of desired operating model in alignment and consultation with key stakeholder delivery groups	Operating Model implemented	All departmental functions	1	4	Complete	Position successfully awarded
35	Delivery of fuel bowser upgrade program	Implementation roadmap identified Program delivery of greater than 60%	Construction	2	4	Ongoing & on track	Saibai Fuel is out to tender at this time, Ugar waiting for finalized plans to be sent to tender and MER design being finalize
36	Evolve core project management capability and efficiencies through software implementations	Gap analysis completed Identified software implemented	Construction	1	4	Ongoing & on track	Roll is progressing well Key staff have been trained and 40 jobs running in Procore transitioning all R & M works at present, financial package purchased and installed along with Microsoft Project B1 for reporting
37	Refresh council asset and capital works program	Program framework & roadmap published	Repairs & Maintenance	1	4	Ongoing & on track	QBuild are allowing new pricing structure for R & M works
38	Develop and grow local engagement modelling	Development of framework with key stakeholders	All departmental functions	3	4	Ongoing & on track	Procore system is on track for complete rollout in July we have 40 works in Procore and are currently transitioning all R & M works into the system, Financial package for Procore has just been introduced.
39	Work with key partners to develop sustainable and increased durability housing concepts	Host workshop with key partners Recommendation paper delivered	Construction	1	4	Ongoing & on track	<p>Badu Quarry is now fully Operational being 100% 1st Nation owned</p> <p>QBuild and BSU have weekly Meetings to discuss any ongoing difficulties.</p> <p>Carport Project is still on hold</p>
<b>■ Community Services</b>							
40	Delivery of Food Safety program: - Community education & awareness. - Licensing Program Stage 1 – Commercial premises. - Licensing Program Stage 2 – Community licences.	1 campaign per community. All applicable commercial/other premises compliant.	Environmental Health	1	4	Action required	education and awareness ongoing EHW , delays in food licencing process and development of i auditor audits being developed
41	Delivery of education & awareness programs on water sanitation, waste management & sewerage.	1 campaign community.	Environmental Health	1	4	Ongoing & on track	consultation and training of EHW with Qld Health, strategy to be developed wwith engineering dept
42	Deliver illegal dumping hotspot program.	Program fully implemented within two communities.	Environmental Health	2	4	Action required	Delays due to staff resources, purchasing and signs erected
43	Delivery of Mosquito Management program: -Inspection, Albopictus survey. -Education, awareness, control activities. -Assist the Dengue Action Response Team (DART). -Implement Mosquito management plan.	Program & applicable plan(s) implemented.	Environmental Health	1	4	Ongoing & on track	training,treatments undertaken, reveiw of chemicals,
44	Complete Environmental Health Worker development & certification program(s).	Annual Professional development workshop delivered.	Environmental Health	2	3	Action required	Ongoing mentoring and coaching of EHWs. Planning for EHWs workshop, Certificate IV Government Investigations for four EHWs completed, planning for Authorised Person for Biosecurity Act 2014
45	Delivery of Animal Management program: -Domestic animal compliance. -Veterinary services. -Compliance & enforcement program.	Bi-annual vet visits. Compliance education program delivered to each community.	Environmental Health	1	4	Ongoing & on track	An add on of parasitic efficacy trials (3 islands) Scheduled vet visit was cancelled due to weather. vet prep undertaken for rescheduled May visit. Vet visit 3-14 May 2021

Objective number	Annual Plan Item	Delivery target	Responsible function	Start Quarter	Complete Quarter	Q3 update	Q3 notes
46	Develop local law & disturbance awareness program in collaboration with regional compliance and enforcement partners.	Program & framework delivered.	Environmental Health	1	2	Action required	Draft Procedure and Policy completed.
47	Delivery of Biosecurity Act compliance program.	100% of EWH workforce compliant.	Environmental Health	1	4	Action required	Biosecurity training planned for April
48	Delivery of healthy lifestyle tools & awareness program(s) in conjunction with community identified areas of need.	Community need/gap analysis completed. Program framework delivered	Community Health & Wellbeing	1	4	Ongoing & on track	Keriba Way 12 weeks program launched on Warraber and Erub in February and March, with 22 registered participants.
49	Development & delivery of the Community Volunteer program.	Develop & implement framework.	Community Health & Wellbeing	3	4	On hold	This was an Torres Strait Sports, Youth and Recreation funding criteria however no funds was received from Torres Strait Sports, Youth and Recreation.
50	Complete Healthy Lifestyle Officer Development & Certification Program(s).	Annual Professional development workshop delivered.	Community Health & Wellbeing	2	3	Action required	December HLO participated in Professional Development Living Strong. Development and implementation of KERIBA Way at Warraber and Erub. - components of program delivered - Community Weigh in and Wasit measurement. Garden Basket, Why people get Heavy, commence Walk the Strait with Health Foundation. Worked with Brendan Graphic Artist to design and purchase local resources for program.
51	Conduct IKC program gap analysis & in collaboration with State Library develop community driven KPIs for regional footprint.	Community need/gap analysis & full program completed. Program KPI framework delivered.	Indigenous Knowledge Centres	1	2	Action required	Review of IKC program undertaken in partnership with State Library of Queensland
52	Delivery of core IKC programs: -First 5 Forever Program. -Public/Community Library Program. -Roll out of Fresh Start to all IKC. -Finalise Masig footprint utilising Idea's Box components	100% program delivery to existing IKC footprint. Successful establishment of Masig IKC.	Indigenous Knowledge Centres	1	4	Ongoing & on track	IKC Coordinators and MSAOs attended IKC workshop professional development in Cairns March 2021. Fresh Started completed. First5Forever Programs ongoing Public/Community Programs ongoing Masig Idea's Box - funding ceased 2 years 2018.
53	Review, evolve & deliver home care support services to aged care program participants in accordance with state and federal standards.	Delivery of review paper & associated recommendations	Aged Care	1	4	Ongoing & on track	Research has been conducted on Aged Care management software providers across QLD, NSW and VIC to support and improve, staff and client scheduling, staff data and reporting. A discussion paper will be finalised and put forward for endorsement. Met with the NDIS team from Brisbane to discuss the roll out of NDIS program across Torres Strait for people aged 0-65 years. The NDIS team will be visiting Torres Strait communities during 2021 and working closely with local schools and Council's Aged Care Team to support people to register and access support services. Communities visited to date, Saibai and Hammond, community scheduled for next visit is Badu in May 2021.
54	Review, evolve & deliver Aragus Child Care Centre (Badu) & Hammond After School Care, embedding Torres Strait Islander and Aboriginal cultural perspectives.	Delivery of review paper & associated recommendations.	Child Care	1	4	Ongoing & on track	Services are currently in the process of purchasing more culturally appropriate toys and resources for each classrooms, to support children's sense of identity. Educators plan and implement cultural learning experiences and activities in the educational programs. Educational programs are developed, monitored and reviewed to reflect the Early Years Learning Framework. Educators speak in local language as well as SAE when engaging with children to support and extend their language and literacy.

Objective number	Annual Plan Item	Delivery target	Responsible function	Start Quarter	Complete Quarter	Q3 update	Q3 notes
55	Research current & future models of child care service delivery and develop business case aligned to community specific requirements.	Delivery of regional childcare business case & recommendation paper.	Child Care	3	4	Ongoing & on track	<p>Child Care surveys were undertaken in 2018 to gauge the communities views on Child Care service models that would best suit their community needs.</p> <p>9 communities were surveyed – Kubin, St Pauls, Masig, Dauan, Saibai, Boigu, Mabuag, Poruma and Warraber.</p> <p>Badu, Hammond, Yam were not included in the survey due to having existing services.</p> <p>Due to insufficient funds the communities of Darnley, Murray and Stephen Islands were unable to be surveyed to capture community needs and aspirations.</p> <p>Research was also conducted on existing infrastructure to assess their suitability for potential Child Care operations in the future.</p> <p>Existing infrastructure on Warraber, Masig, Poruma and Saibai were identified and visited. Warraber and Masig were deemed unsuitable as they did not meet the building code and the centre at Warraber was termite ridden. The infrastructure on Poruma and Saibai required significant investment and work to bring them up to standard. Clarification was also required if existing infrastructure on Poruma and Saibai were divested to community organisations.</p> <p>A meeting was held with a group of university students from Sydney University on 22 April 2021 to identify areas that they could assist with for TSIRC's operational plans for each program assigned to Community Services managers.</p> <p>Child Care options – Family Day service model was one of the projects identified in discussions. The students gathered primary information and will use the information to conduct further research and prepare a report with their findings, recommendations and strategies. The report will be forwarded to TSIRC management to assist with future planning to support the delivery or assist with the set up and delivery of services identified by communities to close the gaps in service delivery and deliver on Council's Vision.</p>
56	Increase rental collections rate(s).	Regional collection rate of >80%.	Housing Services	1	4	Ongoing & on track	All divisions are collection 80% and above including changes to Masig rental collection which increased from 73% to 82% that was collected in March 2021.
57	Drive an active reduction in current debt levels.	Development of debt management strategy.	Housing Services	1	4	Ongoing & on track	All debt recovery projects are on-going
58	Undertake tenants survey & develop strategic recommendations report.	Annual survey completed. Recommendation report delivered.	Housing Services	1	2	Complete	All surveys are completed as required for the current registration.
59	Successfully complete full registration under QSR SCH	Full registration completed.	Housing Services	1	2	Complete	Registration completed. Updates will be provided at the end of June for the next registration information upload.
60	Provide advice on development and lead implementation of a standardised approach to visitor management, including visitor entry and exit, accommodation and travel.	Provide strategic advice & recommendations for Visitor Management Strategy. Deliver on strategy roadmap milestones.	Divisional Offices	1	4	Ongoing & on track	Final Visitor Mgt Strategy presented to TSIRC and for progression to Standing committee and Council OM. Action items in the Strategy to be approved prior to implementation.
61	Strengthen financial governance through online training and professional development.	Annual Professional development workshop delivered.	Divisional Offices	1	4	Ongoing & on track	Annual workshop rescheduled for the new financial year due to budget pressures and overall financial position. Financial governance development achieved through 1:1 and DM discussions.
62	Evolve local disaster preparedness, response and recovery in accordance with state legislation and guidelines.	Develop template & procedure per community.	Divisional Offices	1	4	Ongoing & on track	Undertake audit of working Sat Phones and corrective actions taken where necessary to address. Propose to update and include pandemic with linkage to BCP in CDM.
63	Establish standardised operating procedures of Divisional Offices, improving timeliness and quality of customer service.	Develop & implement standard operating procedure for divisional office management.	Divisional Offices	1	3	Action required	Efforts to standardise processes have stalled however domestic work to existing resources were undertaken in partnership with financial services (debtors team). Divisional Manager workshop rescheduled to FY22 due to budget pressures.



Objective number	Annual Plan Item	Delivery target	Responsible function	Start Quarter	Complete Quarter	Q3 update	Q3 notes
64	Drive and deliver effective community engagement events through local Divisional Offices.	4 events delivered per community.	Divisional Offices	1	4	Ongoing & on track	Ongoing efforts to increase engagement and visibility of TSIRC in community through events and programs during Q2, International Womens Day celebrations; Australia Day events IKC programs. In partnership with Corporate Affairs, acquit divisional engagement reporting and bring up to date also investigate opportunities to further promote activities and events.
Strategic projects & Logistics							
65	Implement project allocation and delivery framework.	Framework identified & implemented.	Logistics	1	3	Action required	Logistics function/model being reviewed.
66	Mobilisation of Cairns operational footprint.	Cairns site 100% operational.	Strategic Projects	1	3	Action required	Selected project specific related logistics are operational, and near-future internal projects identified.
67	Implement community freight support service.	Model & roadmap identified for implementation.	Logistics	1	4	Action required	Freight contract being finalised.
68	Finalise fuel & Gas best practise fulfilment model.	Gap analysis conducted. Model developed & successfully delivered to all communities.	Logistics	1	4	Ongoing & on track	Project plan developed. WHS improvements made and progressing. New fuel cells/bowser components sourced to priority sites. Contamination risks better controlled/mitigated/ Procedure/safety provisions being rolled-out to divisions.
69	Develop fleet service fulfilment model, incorporating community & regional partnerships.	Gap analysis conducted. Model developed & successfully delivered to all communities.	Logistics	2	4	Ongoing & on track	Project plan developed. Asset (plant/fleet) identification and status check completed. Plant/fleet AMP under revision.
Executive Office							
70	Poruma Land, Saibai Land Transfer & Ugar Land Transfer: Facilitate the progression of transfer of Deeds of Grant in Trust from Council to community-based entity that has been fully endorsed by the community to be the trustee.	Process completed.	Legal Services	3	4	Action required	Department of Resources presented a proposed process, which has been endorsed by the Lands Standing Committee and SARG, and is to be presented to the April 2021 Trustee meeting for endorsement.
71	Evolve Council's Enterprise Divestment Strategy (aligned to Enterprise Development Strategy).	Develop framework in alignment with Enterprise Development Strategy.	Legal Services	1	4	Ongoing & on track	Draft Divestment Policy submitted to Economic Growth Standing Committee in February 2021. Awaiting consideration at the next Committee meeting.
72	Landing Holding Act (LHA) Katter Lease Resolution: To advocate for the grant of pending LHA entitlements in all Divisions.	Process completed.	Legal Services	1	4	Ongoing & on track	The project is ongoing and progressing well in coordination with the Department of Resources and DATSIP.
73	Template execution for (Regional) Infrastructure & Housing ILUA: To develop an ILUA for each division of the electorate to cover all frequently used Future Acts under the Native Title Act 1993 (Cth) maximise expediency in Native Title validation.	Remaining communities completed.	Legal Services	1	2	Action required	Dauan, Mer and Poruma ILUAs are the only proposed ILUAs outstanding and are currently at consultation stage (TSIRC awaiting outcome). No proposed ILUA for Hammond Island due to ongoing native title claim.
74	Support the development of regional governance via One Boat and regional planning.	Assist regional leadership in consultation process. Support model identified.	Legal Services	1	4	Action required	Holding Redlich has completed work as briefed. Legal Services to review and assess what further work may be required on this project.
75	Provide a regional legal framework which addresses both State and Traditional Lore requirements.	Framework developed for consultation.	Legal Services	3	4	Complete	The regional legal framework is made up of State and Federal law, local laws, TSRA ranger program, native title system and traditional lore.  Legal Services is available to assist as required in navigating the intersection between State and Traditional Lore.
76	Effective management of DOGIT Land as a Trustee.	Trustee requirements delivered accordingly.	Legal Services	1	4	Ongoing & on track	Proposed updated Trustee Policy endorsed by Cultural Arts, Land and Heritage Standing Committee. Proposed updated Trustee Policy to be presented to Trustee for formal adoption in Q4 or next financial year.
People & Wellbeing							
77	Complete negotiations of new certified agreement with workforce.	Negotiations complete. Agreement developed.	Employee Relations	1	4	Ongoing & on track	Final draft CA completed with agreement from all parties i.e. TSIRC mgt reps and Unions. Presentation being made to May SARG mtg and OM of Council. CA to then go out to vote to all employees.
78	Develop Council's Diversity & Inclusion policy.	Policy delivered.	Employee Relations	3	4	Action required	Draft document being developed for presentation to June OM of Council
79	Implementation of learning & development strategy.	Strategy developed & implemented.	Learning & Development	2	4	Ongoing & on track	Elements of L&D Strategy continue to be implemented.

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# Torres Strait Island Regional Council Operational Plan 2020/21





# Acknowledgement

The Torres Strait Island Regional Council (TSIRC) acknowledges our Native Title Holders, our Elders past and present, and all members of the Communities we serve within the 5 clusters of Zenadth Kes; the Gudaw Maluligal Nation of the Top Western Islands, Maluligal Nation of the Western Islands, Kemer Kemer Meriam Nation of the Eastern Islands, Kulkalgal Nation of the Central Islands, and the Kaiwalagal Kaurareg Aboriginal Nation of the Inner Islands.

We recognise their continuing connection to land and sea, and the strength of a cultural heritage and belief system that spans past, present and future generations.



# message from the CEO



Firstly, I would like to acknowledge the true custodians of the lands we serve across the length and breadth of Zenadth Kes. I acknowledge and pay my respects to Elders past, present and emerging.

As Queensland navigates its road to recovery from the global pandemic and enacts mitigation measures to prevent further outbreaks, the many downstream economic and social impacts will still be felt throughout the 2020-2021 period. So now, more than ever we remain steadfast on driving a corporate culture of operational efficiency and innovation, and a key focus for this period on the reignition of strategic programs of work and regional infrastructure delivery, as aligned to our Corporate Plan (2020-2025) aspirations.

Council's operating model (as shown on page 5) aligns to our strategic delivery areas and ensures our diverse and extraordinary team is well placed to face the unprecedented environment we operate in today, and ultimately continue on our mission of improving our communities' livability in all we do.

A stylized, handwritten signature in black ink, appearing to read 'Bruce Ranga'.

Bruce Ranga  
Chief Executive Officer  
June 2020



## Values



### RESPECT

We have respect for each other and the communities we serve.



### COURAGE

We are courageous leaders, who think innovatively.



### ACCOUNTABILITY

We are accountable and responsive to our communities.



### RESILIENCE

We are builders of a sustainable and resilient region.



### ONE

We are one team who achieves together.

## Vision

*"For our communities and council to be Autonomous, Prosperous and Sustainable"*

### Autonomous:

We achieve autonomy when we empower our people and community through rigorous engagement, consultation and participation. An autonomous Council fuels both local and regional self-sufficiency.

### Prosperous:

We are prosperous when we are flourishing, thriving, or have success; This can be in our faith, culture, traditions, happiness, fortune or health and wellbeing.

### Sustainable:

We are sustainable when we deliver social, economic or environmental solutions that enhance current community needs and long term aspirations.

## Mission

*"To improve our communities' livability in all we do"*

### Liveability:

Liveability is the sum of the factors that add up to a community's quality of life - including the built and natural environments, economic prosperity, social stability and equity, educational opportunity, and cultural, entertainment and recreational possibilities.

# strategic Planning

Council develops strategic plans to set priorities for core business operations and guide our budgetary management.

Our Operational Plan (2020-2021) sets out Council's key annual objectives in alignment with the annual budget and the three strategic delivery pillars of our Corporate Plan (2020-2025):



People

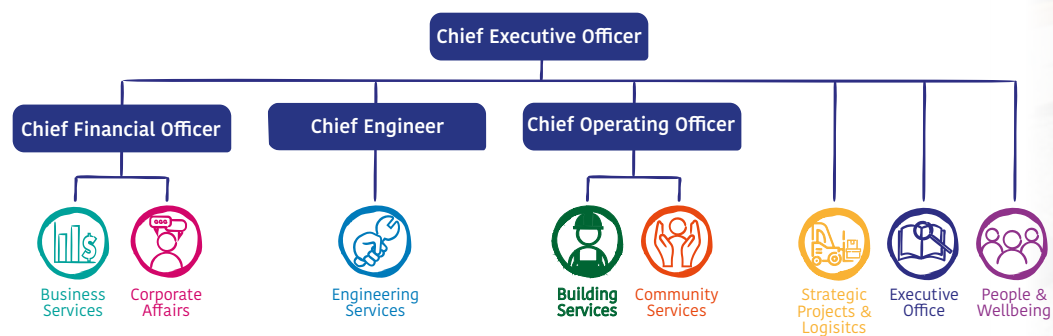


Sustainability



Prosperity

Delivery objectives and outcomes within this Plan are aligned to the following operating model:



For more information on Council's strategic planning process, please visit: <http://www.tsirc.qld.gov.au/your-council/publications/plans>







## Business Services

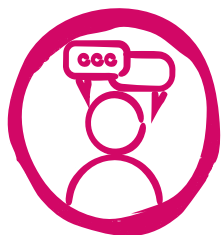
No.	Objective	Corp. Plan	Function	Q1	Q2	Q3	Q4	Delivery/Target
1.	Continue to evolve Council's long-term financial planning and quantify regional program delivery, service levels and associated costs.		Financial Accounting & Assets	●	●	●	●	<ul style="list-style-type: none"> <li>Successful delivery of framework &amp; modelling.</li> </ul>
2.	Develop stronger link between Asset Management Plans and Councils budget development.		Financial Accounting & Assets	●	●	●	●	<ul style="list-style-type: none"> <li>Framework delivered.</li> </ul>
3.	Evolve & deliver Council's Asset Revaluation program.		Financial Accounting & Assets				●	<ul style="list-style-type: none"> <li>100% program completion.</li> </ul>
4.	Collaborate with key Council operational functions to deliver effective debt management program(s).		Financial Accounting & Assets	●	●	●	●	<ul style="list-style-type: none"> <li>Framework identified.</li> <li>&gt;50% program delivery.</li> </ul>
5.	Deliver Corporate Overhead Analysis program, through effective cost allocation modelling.		Management Accounting	●	●	●	●	<ul style="list-style-type: none"> <li>Program modelling developed &amp; delivered.</li> </ul>










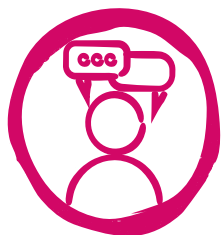
## Business Services

No.	Objective	Corp. Plan	Function	Q1	Q2	Q3	Q4	Delivery/Target
6.	Implementation of statistical dash boards and metric reporting to enable real time data capability.		Financial Accounting & Assets	●	●	●	●	<ul style="list-style-type: none"> <li>Successful implementation of agreed dashboard scope.</li> </ul>
7.	Deliver IT Transformation Strategy & identified program deliverables.		Financial Accounting & Assets		●	●	●	<ul style="list-style-type: none"> <li>Strategy complete &amp; roadmap identified.</li> </ul>
8.	Evolve Community Services frontline IT capability.		Financial Accounting & Assets	●	●	●	●	<ul style="list-style-type: none"> <li>Gap analysis conducted for all communities.</li> <li>Recommendation paper delivered.</li> </ul>
9.	Further develop Council's disaster management & business continuity technology capabilities.		Financial Accounting & Assets	●	●	●	●	<ul style="list-style-type: none"> <li>Pilot program completed across two sites.</li> <li>Roadmap identified.</li> </ul>








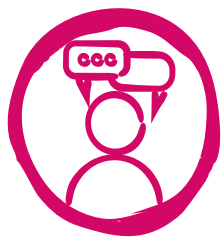
# Corporate Affairs

No.	Objective	Corp. Plan	Function	Q1	Q2	Q3	Q4	Delivery/Target
10.	Continue Council's core brand refresh across all digital mediums & community channels.		Governance & Compliance	●	●	●		<ul style="list-style-type: none"> <li>Web &amp; intranet sites implemented.</li> <li>Brand guidelines delivered.</li> </ul>
11.	Grow the Youmpla Voice program & community specific engagement models.		Governance & Compliance	●	●	●	●	<ul style="list-style-type: none"> <li>1 campaign per community.</li> </ul>
12.	Evolve employee engagement tools for Council's vision, mission, values & service delivery excellence.		Governance & Compliance	●	●	●	●	<ul style="list-style-type: none"> <li>Engagement program delivered to all sites.</li> </ul>
13.	Further develop Council's strategic planning tools, embracing digitisation & automation.		Governance & Compliance	●	●	●	●	<ul style="list-style-type: none"> <li>Implementation of integrated planning automation &amp; dashboards.</li> </ul>
14.	Evolve Council's ethical procurement standards & policies.		Governance & Compliance	●	●	●	●	<ul style="list-style-type: none"> <li>Policy published.</li> <li>Training delivered across all stakeholder groups.</li> </ul>



# Corporate Affairs

No.	Objective	Corp. Plan	Function	Q1	Q2	Q3	Q4	Delivery/Target
15.	Further develop a good governance culture and compliance framework across Council.		Governance & Compliance	●	●	●	●	<ul style="list-style-type: none"> <li>Framework implemented.</li> <li>Engagement tools developed.</li> </ul>
16.	Delivery of group insurance evaluation and cost efficiency program.		Governance & Compliance				●	<ul style="list-style-type: none"> <li>Program delivered.</li> </ul>
17.	Evolve Business Continuity Planning Processes (BCP) & exercises.		Governance & Compliance		●	●	●	<ul style="list-style-type: none"> <li>Gap analysis completed.</li> <li>Program framework identified.</li> </ul>
18.	Implementation of customer contact centre & automation tools.		Enterprise Development & Delivery	●	●	●		<ul style="list-style-type: none"> <li>IVR technology implemented.</li> <li>Data capability delivered.</li> </ul>
19.	Development of Council's Visitor Management Strategy, tools & implementation roadmap.		Enterprise Development & Delivery		●	●	●	<ul style="list-style-type: none"> <li>Strategy published.</li> <li>Implementation roadmap identified.</li> </ul>








## Corporate Affairs

No.	Objective	Corp. Plan	Function	Q1	Q2	Q3	Q4	Delivery/Target
20.	Delivery of Council's Enterprise Development Strategy, identifying key sector opportunities.		Enterprise Development & Delivery	●	●	●		<ul style="list-style-type: none"> <li>Strategy published.</li> </ul>
21.	Refresh of Council's community grant program.		Enterprise Development & Delivery	●	●			<ul style="list-style-type: none"> <li>Successful program delivery to all communities.</li> </ul>
22.	Grow strategic domestic & international knowledge alliances.		Enterprise Development & Delivery		●	●	●	<ul style="list-style-type: none"> <li>Framework developed &amp; 2 agreements in place.</li> </ul>



# Engineering Services

No.	Objective	Corp. Plan	Function	Q1	Q2	Q3	Q4	Delivery/Target
23.	Seawall program design works for Poruma, lama, Warraber & Masig Communities.		Major Infrastructure	●	●	●	●	• Design works complete.
24.	Seawall program stage two construction.		Major Infrastructure	●	●	●	●	• Boigu and Poruma construction works underway.
25.	Deliver the Torres Strait Tide Gauge Project.		Major Infrastructure	●	●	●	●	• Project delivered.
26.	Complete water lagoon cover repairs/replacements for Saibai, Erub, Mer & Ugar Communities.		Water Management	●	●			• Works complete.
27.	Deliver Water & Wastewater project - Critical infrastructure/legislative compliance upgrades. (ICCIP – MULTIPLE PROJECTS).		Water Management/ Waste Water Services	●	●	●	●	• Multiple projects completed, some into future years.



# Engineering Services

No.	Objective	Corp. Plan	Function	Q1	Q2	Q3	Q4	Delivery/Target
28.	Deliver regional Smart Water Meter project.		Water Management/ Waste Water Services	●	●	●	●	• Project completed.
29.	Construct Saibai sewerage treatment plant effluent outfall pipe.		Waste Water Services	●	●	●	●	• Works complete.
30.	Quantify & deliver Metal Waste & Clean Up project.		Waste Water Services	●	●	●	●	• Planning finalised, works underway.
31.	Complete Erub Airport Road upgrade works.		Transport Management	●	●	●	●	• Works completed
32.	Badu Aerodrome fence and safety improvements Saibai Aerodrome apron upgrade (Helipad) Dauan access road to Helipad.		Transport Management	●	●	●	●	• Works complete.
33.	Water & Wastewater Projects (W4Q – COVID).		Waste Water Services	●	●	●	●	• Works complete.



## Building Services

No.	Objective	Corp. Plan	Function	Q1	Q2	Q3	Q4	Delivery/Target
34.	Implementation of desired operating model in alignment and consultation with key stakeholder delivery groups.		All Functions	●	●	●	●	<ul style="list-style-type: none"> <li>Operating model implemented.</li> </ul>
35.	Delivery of fuel bowser upgrade program.		Construction		●	●	●	<ul style="list-style-type: none"> <li>Implementation roadmap identified.</li> <li>Program delivery of &gt;60%.</li> </ul>
36.	Evolve core project management capability and efficiencies through software implementations.		Construction	●	●	●	●	<ul style="list-style-type: none"> <li>Gap analysis completed.</li> <li>Identified software implemented.</li> </ul>
37.	Refresh council asset and capital works program.		Repairs & Maintenance	●	●	●	●	<ul style="list-style-type: none"> <li>Program framework &amp; roadmap published.</li> </ul>
38.	Develop and grow local engagement modelling.		All Functions			●	●	<ul style="list-style-type: none"> <li>Development of framework with key stakeholders.</li> </ul>
39.	Work with key partners to develop sustainable and increased durability housing concepts.		Construction	●	●	●	●	<ul style="list-style-type: none"> <li>Host workshop with key partners.</li> <li>Recommendation paper delivered.</li> </ul>



# community services

No.	Objective	Corp. Plan	Function	Q1	Q2	Q3	Q4	Delivery/Target
40.	Delivery of Food Safety program: - Community education & awareness. - Licensing Program Stage 1 - Commercial premises. - Licensing Program Stage 2 - Community licences.		Environmental Health	●	●	●	●	<ul style="list-style-type: none"> <li>1 campaign per community.</li> <li>All applicable commercial/other premises compliant.</li> </ul>
41.	Delivery of education & awareness programs on water sanitation, waste management & sewerage.		Environmental Health	●	●	●	●	<ul style="list-style-type: none"> <li>1 campaign community.</li> </ul>
42.	Deliver illegal dumping hotspot program.		Environmental Health		●	●	●	<ul style="list-style-type: none"> <li>Program fully implemented within two communities.</li> </ul>
43.	Delivery of Mosquito Management program: - Inspection, Albopictus survey. - Education, awareness, control activities. - Assist the Dengue Action Response Team (DART). - Implement Mosquito management plan.		Environmental Health	●	●	●	●	<ul style="list-style-type: none"> <li>Program &amp; applicable plan(s) implemented.</li> </ul>
44.	Complete Environmental Health Worker development & certification program(s).		Environmental Health		●	●		<ul style="list-style-type: none"> <li>Annual Professional development workshop delivered.</li> </ul>










# community services

No.	Objective	Corp. Plan	Function	Q1	Q2	Q3	Q4	Delivery/Target
45.	Delivery of Animal Management program: - Domestic animal compliance. - Veterinary services. - Compliance & enforcement program.		Environmental Health	●	●	●	●	<ul style="list-style-type: none"> <li>• Bi-annual vet visits.</li> <li>• Compliance education program delivered to each community.</li> </ul>
46.	Develop local law & disturbance awareness program in collaboration with regional compliance and enforcement partners.		Environmental Health	●	●			<ul style="list-style-type: none"> <li>• Program &amp; framework delivered.</li> </ul>
47.	Delivery of Biosecurity Act compliance program.		Environmental Health	●	●	●	●	<ul style="list-style-type: none"> <li>• 100% of EWH workforce compliant.</li> </ul>
48.	Delivery of healthy lifestyle tools & awareness program(s) in conjunction with community identified areas of need.		Community Health & Wellbeing	●	●	●	●	<ul style="list-style-type: none"> <li>• Community need/gap analysis completed.</li> <li>• Program framework delivered.</li> </ul>
49.	Development & delivery of the Community Volunteer program.		Community Health & Wellbeing			●	●	<ul style="list-style-type: none"> <li>• Develop &amp; implement framework.</li> </ul>








# community services

No.	Objective	Corp. Plan	Function	Q1	Q2	Q3	Q4	Delivery/Target
50.	Complete Healthy Lifestyle Officer Development & Certification Program(s).		Community Health & Wellbeing		●	●		<ul style="list-style-type: none"> <li>Annual Professional development workshop delivered.</li> </ul>
51.	Conduct IKC program gap analysis & in collaboration with State Library develop community driven KPIs for regional footprint.		Indigenous Knowledge Centres	●	●			<ul style="list-style-type: none"> <li>Community need/gap analysis &amp; full program completed.</li> <li>Program KPI framework delivered.</li> </ul>
52.	Delivery of core IKC programs: - First 5 Forever Program. - Public/Community Library Program. - Roll out of Fresh Start to all IKC. - Finalise Masig footprint utilising Idea's Box components.		Indigenous Knowledge Centres	●	●	●	●	<ul style="list-style-type: none"> <li>100% program delivery to existing IKC footprint.</li> <li>Successful establishment of Masig IKC.</li> </ul>
53.	Review, evolve & deliver home care support services to aged care program participants in accordance with state and federal standards.		Aged Care	●	●	●	●	<ul style="list-style-type: none"> <li>Delivery of review paper &amp; associated recommendations.</li> </ul>
54.	Review, evolve & deliver Aragon Child Care Centre (Badu) & Hammond After School Care, embedding Torres Strait Islander and Aboriginal cultural perspectives.		Child Care	●	●	●	●	<ul style="list-style-type: none"> <li>Delivery of review paper &amp; associated recommendations.</li> </ul>








## community services

No.	Objective	Corp. Plan	Function	Q1	Q2	Q3	Q4	Delivery/Target
55.	Research current & future models of child care service delivery and develop business case aligned to community specific requirements.		Child Care			●	●	<ul style="list-style-type: none"> <li>Delivery of regional childcare business case &amp; recommendation paper.</li> </ul>
56.	Increase rental collections rate(s).		Housing Services	●	●	●	●	<ul style="list-style-type: none"> <li>Regional collection rate of &gt;80%.</li> </ul>
57.	Drive an active reduction in current debt levels.		Housing Services	●	●	●	●	<ul style="list-style-type: none"> <li>Development of debt management strategy.</li> </ul>
58.	Undertake tenants survey & develop strategic recommendations report.		Housing Services	●	●			<ul style="list-style-type: none"> <li>Annual survey completed.</li> <li>Recommendation report delivered.</li> </ul>
59.	Successfully complete full registration under QRSCH.		Housing Services	●	●			<ul style="list-style-type: none"> <li>Full registration completed.</li> </ul>








# community services

No.	Objective	Corp. Plan	Function	Q1	Q2	Q3	Q4	Delivery/Target
60.	Provide advice on development and lead implementation of a standardised approach to visitor management, including visitor entry and exit, accommodation and travel.		Divisional Offices	●	●	●	●	<ul style="list-style-type: none"> <li>Provide strategic advice &amp; recommendations for Visitor Management Strategy.</li> <li>Deliver on strategy roadmap milestones.</li> </ul>
61.	Strengthen financial governance through online training and professional development.		Divisional Offices	●	●	●	●	<ul style="list-style-type: none"> <li>Annual Professional development workshop delivered.</li> </ul>
62.	Evolve local disaster preparedness, response and recovery in accordance with state legislation and guidelines.		Divisional Offices	●	●	●	●	<ul style="list-style-type: none"> <li>Develop template &amp; procedure per community.</li> </ul>
63.	Establish standardised operating procedures of Divisional Offices, improving timeliness and quality of customer service.		Divisional Offices	●	●	●		<ul style="list-style-type: none"> <li>Develop &amp; implement standard operating procedure for divisional office management.</li> </ul>
64.	Drive and deliver effective community engagement events through local Divisional Offices.		Divisional Offices	●	●	●	●	<ul style="list-style-type: none"> <li>4 events delivered per community.</li> </ul>



# strategic Projects and Logistics

No.	Objective	Corp. Plan	Function	Q1	Q2	Q3	Q4	Delivery/Target
65.	Implement project allocation and delivery framework.		Logistics	●	●	●		<ul style="list-style-type: none"> <li>Framework identified &amp; implemented.</li> </ul>
66.	Mobilisation of Cairns operational footprint.		Strategic Projects	●	●	●		<ul style="list-style-type: none"> <li>Cairns site 100% operational.</li> </ul>
67.	Implement community freight support service.		Logistics	●	●	●	●	<ul style="list-style-type: none"> <li>Model &amp; roadmap identified for implementation.</li> </ul>
68.	Finalise fuel & Gas best practise fulfilment model.		Logistics	●	●	●	●	<ul style="list-style-type: none"> <li>Gap analysis conducted.</li> <li>Model developed &amp; successfully delivered to all communities.</li> </ul>
69.	Develop fleet service fulfilment model, incorporating community & regional partnerships.		Logistics		●	●	●	<ul style="list-style-type: none"> <li>Gap analysis conducted.</li> <li>Model developed &amp; successfully delivered to all communities.</li> </ul>





# Executive Office

No.	Objective	Corp. Plan	Function	Q1	Q2	Q3	Q4	Delivery/Target
70.	Poruma Land, Saibai Land Transfer & Ugar Land Transfer: Facilitate the progression of transfer of Deeds of Grant in Trust from Council to community-based entity that has been fully endorsed by the community to be the trustee.		Legal Services			●	●	<ul style="list-style-type: none"> <li>Process completed.</li> </ul>
71.	Evolve Council's Enterprise Divestment Strategy (aligned to Enterprise Development Strategy).		Legal Services	●	●	●	●	<ul style="list-style-type: none"> <li>Develop framework in alignment with Enterprise Development Strategy.</li> </ul>
72.	Landing Holding Act (LHA) Katter Lease Resolution: To advocate for the grant of pending LHA entitlements in all Divisions.		Legal Services	●	●	●	●	<ul style="list-style-type: none"> <li>Process completed.</li> </ul>
73.	Template execution for (Regional) Infrastructure & Housing ILUA: To develop an ILUA for each division of the electorate to cover all frequently used Future Acts under the Native Title Act 1993 (Cth) maximise expediency in Native Title validation.		Legal Services	●	●			<ul style="list-style-type: none"> <li>Remaining communities completed.</li> </ul>
74.	Support the development of regional governance via One Boat and regional planning.		Legal Services	●	●	●	●	<ul style="list-style-type: none"> <li>Assist regional leadership in consultation process.</li> <li>Support model identified.</li> </ul>








## Executive Office

No.	Objective	Corp. Plan	Function	Q1	Q2	Q3	Q4	Delivery/Target
75.	Provide a regional legal framework which addresses both State and Traditional Lore requirements.		Legal Services			●	●	<ul style="list-style-type: none"> <li>Framework developed for consultation.</li> </ul>
76.	Effective management of DOGIT Land as a Trustee.		Legal Services	●	●	●	●	<ul style="list-style-type: none"> <li>Trustee requirements delivered accordingly.</li> </ul>



## People and Wellbeing

No.	Objective	Corp. Plan	Function	Q1	Q2	Q3	Q4	Delivery/Target
77.	Complete negotiations of new certified agreement with workforce.		Employee Relations	●	●	●	●	<ul style="list-style-type: none"> <li>Negotiations complete.</li> <li>Agreement developed.</li> </ul>
78.	Develop Council's Diversity & Inclusion policy.		Employee Relations			●	●	<ul style="list-style-type: none"> <li>Policy delivered.</li> </ul>
79.	Implementation of learning & development strategy.		Learning & Development		●	●	●	<ul style="list-style-type: none"> <li>Strategy developed &amp; implemented.</li> </ul>
80.	Grow Council's existing apprenticeship & traineeship program.		Learning & Development	●	●	●	●	<ul style="list-style-type: none"> <li>Fulfilment of traineeship placements.</li> </ul>
81.	Refresh Council's Transitional Action Plan (TAP).		Recruitment Services		●	●	●	<ul style="list-style-type: none"> <li>Plan delivered.</li> </ul>





## People and Wellbeing

No.	Objective	Corp. Plan	Function	Q1	Q2	Q3	Q4	Delivery/Target
82.	Evolve Council's recruitment process & systems, focusing on regional accessibility.		Recruitment Services		●	●		<ul style="list-style-type: none"> <li>Software implemented.</li> <li>Local applicant feedback captured.</li> </ul>
83.	Develop employee benefit & wellbeing programs.		Safety & Wellbeing		●	●		<ul style="list-style-type: none"> <li>Program parameters identified.</li> </ul>
84.	Evolve WHS policies & procedures.		Safety & Wellbeing	●	●	●		<ul style="list-style-type: none"> <li>Applicable policies implemented.</li> </ul>
85.	Implement WHS systems.		Safety & Wellbeing	●	●	●		<ul style="list-style-type: none"> <li>System implementations complete.</li> </ul>
86.	Increase WHS support & representative footprint within region.		Safety & Wellbeing	●	●	●	●	<ul style="list-style-type: none"> <li>Candidates identified &amp; appointed.</li> </ul>

# How we manage our Operational Risk

The Local Government Regulation 2012 requires the management of risk to be included in Council's Annual Operational Plan. Annual operational plan contents s 175 (1) - the annual operational plan for a local government must – (b) state how the local government will – (ii) manage operational risks.

The Council's risk management vision is 'creating excellence in risk, work health and safety and business continuity management'. The objectives are managing risk exposure, consistently and systematically to maximise community outcomes. This effectively leverages the benefit of opportunities, manages uncertainty, builds organisational resilience and minimises the impact of adverse events to ensure sustainability.

Risk management for Council's local government area is governed by the Enterprise Risk Management Framework which is integral to the overarching Corporate Governance Framework. This approach is aligned with AS/NZS ISO 31000: 2018 Risk Management and is tailored to the specific business and the organisational context of Council at an operational, tactical and strategic level.

The framework provides procedures, systems, policies and strategies that focus on effective risk management leadership through engagement and consultation.

In addition to ongoing risk reviews at corporate, operational and local level, the Executive Leadership Team participates in an annual workshops to review the corporate risk profiles and ensure risks are managed effectively to a level as low as is reasonably practicable taking into consideration emerging issues, global trends, threats and opportunities. Risks are also reviewed regularly through engagement of the Risk Managers, the Work Health and Safety Advisory Committee and the Audit Committee. These Committees support good governance through consultation and engagement with Council Executive Leadership, Managers and Officers.

By identifying and actively managing risks and with the implementation of numerous risk treatment strategies, business continuity plans, incident management protocols, inspections and audits, security plans and work health and safety initiatives, the Council is equipped to ensure that risks are managed to a level as low as is reasonably practicable whilst optimising restricted opportunities available.



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## AGENDA REPORT

<b>ORDINARY MEETING:</b>	May 2021
<b>DATE:</b>	24/05/2021
<b>ITEM:</b>	Agenda Item for <u>Resolution</u> by Council
<b>SUBJECT:</b>	Award of Contract – TSIRC 2020-330 – Badu & Iama Sewer Pump Station (SPS) Renewals
<b>AUTHOR:</b>	Daniel Harrington – Senior Project Engineer, Capital Works

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### Recommendation:

That;

Council resolves to delegate power to the Chief Executive Officer, pursuant to section 257 of the *Local Government Act 2009* to:

- Award Contract TSIRC 2020-330 – Badu (ICCIP project #7) and Iama (ICCIP project #42) Sewer Pump Station (SPS) Renewals to M&J Arthur Pty Ltd for an amount of \$2,425,500.00 excl. GST, and
- Negotiate, finalise, and execute any and all matters associated with or in relation to this project and contract including without limitation any options and/or variations as per Council procurement policy.

### Purpose:

The purpose of this Agenda Report is to provide Council with a recommendation to award the Construction and Supply Works for the Badu & Iama SPS Renewals to M&J Arthur Pty Ltd for their quoted amount of \$2,425,500.00 excl. GST.

### Background:

ICCIP is a one-off funding program, administered by the Queensland Government Department of Local Government, Racing and Multicultural Affairs (DLGRMA). The Grantee for the Badu & Iama SPS Renewals is the Torres Strait Island Regional Council (TSIRC).

The Badu and Iama SPS's are approximately 20 years in age and are in poor condition, therefore requiring upgrading and refurbishment. The SPS's are also not monitored remotely, which impacts on the reliability of the sewerage systems.

### Works Scope:

Both the Badu (ICCIP project #7) and Iama (ICCIP project #42) involve the general works outlined below:

- Mobilisation to each site,
- Construction of temporary bypass system for each SPS to enable continued operation,
- Refurbishment of existing wells, including associated pumps and pipework,
- Replacement of existing switchboards as required,
- Installation of SCADA monitoring infrastructure,
- Disposal of all redundant equipment and material offsite,
- Quality control testing and commissioning,
- As constructed survey, and
- Demobilisation from each site.

Badu SPS upgrade (ICCIP project #7) includes the following detailed scope items;

- SPS 1, 2 and 3;
  - replacement of perimeter fencing and gate – stainless steel
  - supply and install new pipework, screening basket and pump assembly
  - supply and install new manhole cover and davit crane
  - supply and install new switchboard, sensors and cabling
  - supply and install remote monitoring to SCADA
  - STP inlet flow meter
- SPS 4 and 5;
  - supply and install new switchboard, sensors and cabling
  - supply and install remote monitoring to SCADA

Iama SPS upgrade (ICCIP project #42) includes the following detailed scope items;

- SPS 1 and 2;
  - replacement of perimeter fencing and gate – paling timber
  - supply and install new pipework, screening basket and pump cover
  - supply and install new gantry
  - supply and install new switchboard, sensors and cabling
  - supply and install remote monitoring to SCADA

### **Funding**

The ICCIP funding deadline is 30<sup>th</sup> June 2022. M&J Arthur's program has a 126 day construction period from when the Letter of Acceptance (LoA) is issued until completion of commissioning. Pending the outcome of May 2021 Council Resolution, it is anticipated that the LoA will be issued in May 2021 and project scheduled for completion in October 2021, which will be in time for the ICCIP funding deadline.

Based on M&J Arthur Pty Ltd's price there is sufficient budget allocated through ICCIP for this project.

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

### **Procurement Process:**

In accordance with Council's procurement policy and the Local Government Regulations 2012, an open tender process was initiated via LG Tenderbox for Tender No TSIRC2020-330. A site inspection was undertaken on Wednesday 10<sup>th</sup> March 2021.

Table 1 below outlines the Tendering process undertaken.

<b>Description</b>	<b>Details</b>
Advertising	Open public tenders (via LG Tenderbox)
Advertised Date	Thursday 18 <sup>th</sup> February 2021
Tender Close Date	Wednesday 31 <sup>st</sup> March 2021
Tender Period	6 weeks
Tenders received	Three (3) tenders were received by TSIRC.

Table 1 – Tender details.

At the close of the public tender process on 31<sup>st</sup> March 2021, Council received three (3) submissions from the following companies:

- M&J Arthur Pty Ltd
- Koppens Development Pty Ltd
- Fewster Brothers Contracting Pty Ltd

A value-based assessment was undertaken for the 3 tenders, the tenders were assessed by:

- Daniel Harrington – Senior Project Engineer (TSIRC)
- Michael Lancini – Senior Engineer (MAL Engineers Pty Ltd)
- Simon Wood – Civil Engineer (GHD)

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

Criteria	Weighting
Price	40%
Relevant experience	15%
Technical skills	15%
Demonstrated understanding	10%
Project quality, health and safety management	10%
Project experience within the Torres Strait and IEOP	10%

Table 2 – Scoring criteria weighting.

The tender evaluation found M&J Arthur Pty Ltd's to be the highest ranked tender submission (see Table 3 below).

Tenderer	Tender Score (out of 10)
M&J Arthur Pty Ltd	7.68
Koppens Development Pty Ltd	7.55
Fewster Brothers Contracting Pty Ltd	4.09

Table 3 – Contractor tender evaluation scores.

At the completion of the assessment the evaluation panel considered the offer from M&J Arthur Pty Ltd as the best value for money submission. M&J Arthur's strong performance on other current major infrastructure projects with TSIRC, along with their nominated subcontractor's (Northern Water and Austek) previous experience on similar water and wastewater projects with TSIRC favourably addressed the requirements of the Project.

The M&J Arthur submission was significantly lower in cost than the other submissions.

M&J Arthur IEOP was for \$76k and 800 apprentice/trainee hours. It is to be noted that M&J Arthur have recently employed a full time local apprentice which is deemed a sustainable approach to IEOP.

## **Considerations**

### Risk Management

Schedule risk - delaying Council Resolution to award the Contract at the May Council Meeting will directly impact the commissioning schedule.

### Council Finance

The project is fully funded by ICCIP.

## **Statutory Requirements:**

*Local Government Act 2009*

*Local Government Regulation 2012*

## Conclusion

Based upon the tender assessment it is recommended that Council delegate power to the Chief Executive Officer, pursuant to section 257 of the *Local Government Act 2009* to:

- Award Contract TSIRC 2020-330 – Badu (ICCIP project #7) and Iama (ICCIP project #42) Sewer Pump Station (SPS) Renewals to M&J Arthur Pty Ltd for an amount of \$2,425,500.00 excl. GST, and
- Negotiate, finalise, and execute any and all matters associated with or in relation to this project and contract including without limitation any options and/or variations as per Council procurement policy.



**Author:**

Daniel Harrington  
Senior Project Engineer



**Recommended:**

Adeah Kabai  
Acting Chief Engineer



**Approved:**

David Baldwin  
Acting Chief Executive Officer

## AGENDA REPORT

<b>ORDINARY MEETING:</b>	May 2021
<b>DATE:</b>	24/05/2021
<b>ITEM:</b>	Agenda Item for <u>Resolution</u> by Council
<b>SUBJECT:</b>	Award of Contract TSIRC 2020-301 – SCADA Upgrades
<b>AUTHOR:</b>	Daniel Harrington – Senior Project Engineer, Capital Works

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### Recommendation:

That;

Council resolves to delegate power to the Chief Executive Officer, pursuant to section 257 of the *Local Government Act 2009* to:

- Award Contract TSIRC 2020-301 – SCADA Upgrades (ICCIP project #75) to Austek Pty Ltd for an amount of \$2,330,751.60 excl. GST, and
- Negotiate, finalise, and execute any and all matters associated with or in relation to this project and contract including without limitation any options and/or variations as per Council procurement policy.

### Purpose:

The purpose of this Agenda Report is to provide Council with a recommendation to award the Construction and Supply Works for the SCADA Upgrades to Austek Pty Ltd for their quoted amount of \$2,330,751.60 excl. GST.

### Background:

ICCIP is a one-off funding program, administered by the Queensland Government Department of Local Government, Racing and Multicultural Affairs (DLGRMA). The Grantee for the SCADA Upgrades is the Torres Strait Island Regional Council (TSIRC).

The SCADA Upgrades (ICCIP Project #75) involves the installation of telemetry and monitoring infrastructure to all wastewater facilities (Sewer Pumpstations and Sewer Treatment Plants) for Mabuiag, Masig, Poruma and Warraber. This upgrade will allow for remote monitoring at these sites which is essential for continued and reliable operation. Currently these sites do not have SCADA monitoring capabilities.

### Works Scope:

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

- Mobilisation to each site,
- Installation of SCADA monitoring infrastructure,
- Replacement of existing switchboards as required,
- Disposal of all redundant equipment and material offsite,
- Quality assurance testing and commissioning,
- As constructed survey, and
- Demobilisation from site.



## Funding

The ICCIP funding deadline is 30<sup>th</sup> June 2022. Austek's program has a 123 day construction period from when the Letter of Acceptance (LoA) is issued until completion of commissioning. Pending the outcome of May 2021 Council Resolution, it is anticipated that the LoA will be issued in May 2021 and project scheduled for completion in October 2021, which will be in time for the ICCIP funding deadline

Based on Austek's price there is sufficient budget allocated through ICCIP for this project.

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

## Procurement Process:

In accordance with Council's procurement policy and the Local Government Regulations 2012, an open tender process was initiated via LG Tenderbox for Tender no TSIRC2020-301.

Table 1 below outlines the Tendering process undertaken.

Description	Details
Advertising	Open public tenders (via LG Tenderbox)
Advertised Date	Monday 25 <sup>th</sup> January 2021
Tender Close Date	Friday 5 <sup>th</sup> March 2021
Tender Period	5 weeks
Tenders received	Three (3) tenders were received by TSIRC.

Table 1 – Tender details.

At the close of the public tender process on 5<sup>th</sup> March 2021, Council received three (3) submissions from the following companies:

- Austek Pty Ltd
- JM Switchboards
- SAFEgroup Automation Pty Ltd

A value-based assessment was undertaken for the 3 tenders, the tenders were assessed by:

- Daniel Harrington – Senior Project Engineer (TSIRC)
- Michael Lancini – Senior Engineer (MAL Engineers Pty Ltd)
- Patrick Whittington – SCADA Technician and Data Analyst.

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

Criteria	Weighting
Price	40%
Relevant experience	15%
Technical skills	15%
Demonstrated understanding	10%
Project quality, health and safety management	10%
Project experience within the Torres Strait and IEOP	10%

Table 2 – Scoring criteria weighting.

The tender evaluation found Austek Pty Ltd to be the highest ranked tender submission (see Table 3 below).

<b>Tenderer</b>	<b>Tender Score (out of 10)</b>
Austek Pty Ltd	9.08
JM Switchboards	8.16
SAFEgroup Automation Pty Ltd	7.23

Table 3 – Contractor tender evaluation scores

At the completion of the assessment the evaluation panel considered the offer from Austek Pty Ltd as the best value for money submission. Austek have a strong construction and maintenance history in the Torres Strait region and are familiar with standardisation of SCADA across other islands. The Austek submission was the lowest rationalised pricing submission.

Due to the specialist nature of the work, there is limited opportunity for indigeous employment and training hours, however targets set for local spend.

### **Considerations**

#### Risk Management

Schedule risk - delaying Council Resolution to award the Contract at the May Council Meeting will directly impact the commissioning schedule.

#### Council Finance

The project is fully funded by ICCIP.

### **Statutory Requirements:**

*Local Government Act 2009*

*Local Government Regulation 2012*

### **Conclusion**

Based upon the tender assessment it is recommended that Council delegate power to the Chief Executive Officer, pursuant to section 257 of the *Local Government Act 2009* to:

- Award Contract TSIRC 2020-301 – SCADA Upgrades (ICCIP project #75) to Austek Pty Ltd for an amount of \$2,330,751.60 excl. GST, and
- Negotiate, finalise, and execute any and all matters associated with or in relation to this project and contract including without limitation any options and/or variations as per Council procurement policy.



#### **Author:**

Daniel Harrington  
Senior Project Engineer



#### **Recommended:**

Adeah Kabai  
Acting Chief Engineer



#### **Approved:**

David Baldwin  
Acting Chief Executive Officer

# TORRES STRAIT ISLAND REGIONAL COUNCIL

## AGENDA REPORT

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**ORDINARY MEETING:** May 2021  
**DATE** 24-25 May 2021  
**ITEM:** May Agenda Report  
**SUBJECT:** April Financial Dashboard  
**ECM:** ECM\_302710  
**AUTHOR:** Nicola Daniels – Head of Financial Services

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### Officer's recommendation:

That Council receive and endorse the monthly financial statements attached to the officer's report for the 2020-21 year to date, for the period ended 30 April 2021, as required under Section 204 *Local Government Regulation 2012*.

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### **Purpose:**

This report seeks Council endorse the monthly financial statements for the 2020-21 year to date, for the period ended 30 April 2021.

### **Background:**

The percentage of year passed (pro-rata rate) as at 30 April 2021 is 83%.

The 2020-21 budget review was adopted on 8 December 2020 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 2020/21 figures. (See Appendix 1 for Summary Financial Statements by Department and Appendix 2 Detailed Capital Report).

### **Resource implications:**

Council is forecasting an operating deficit of \$5.7 million for the 2020/21 financial year. The actual operating result for April 2021 YTD is a \$8.1 million deficit compared to a forecasted operating deficit of \$7.9 million (\$147K or 2% below budget).

Capital delivery currently represents 30% of YTD budget including accrued expenditure for works in progress. The delivery of key capital projects continues to be a focus for Council.

## FINANCIAL PERFORMANCE AT A GLANCE – APRIL 2021

Key financial results	Annual budget review	YTD budget review	YTD actual	YTD variance \$	YTD variance %	Status
Recurrent revenue	53,285,964	40,666,768	40,840,105	173,337	0.4%	●
Other income	5,963,102	4,971,154	5,020,159	49,005	1.0%	●
Recurrent expenditure (excl. depreciation)	(64,996,594)	(53,580,813)	(53,950,295)	(369,482)	(0.7%)	●
<b>Operating result (excl. depreciation)</b>	<b>(5,747,527)</b>	<b>(7,942,892)</b>	<b>(8,090,032)</b>	<b>(147,140)</b>	<b>(1.9%)</b>	●
Capital revenue	63,686,473	38,975,617	16,523,613	(22,452,004)	(57.6%)	●
Capital expenses	(3,500,000)	(2,800,000)	(3,613,861)	(813,861)	(29.1%)	●
<b>Net result (excl. depreciation)</b>	<b>54,438,946</b>	<b>28,232,725</b>	<b>4,819,720</b>	<b>(23,413,005)</b>	<b>(82.9%)</b>	●
Depreciation expense	(46,507,984)	(38,756,653)	(38,618,287)	138,366	0.4%	●
<b>Net result</b>	<b>7,930,962</b>	<b>(10,523,928)</b>	<b>(33,798,567)</b>	<b>(23,274,639)</b>	<b>(221.2%)</b>	●
<b>Key:</b>						
Act Vs Bud Var % is <= -10%	●					
Act Vs Bud Var % is > -10% and <= -5%	●					
Act Vs Bud Var % is > -5%	●					

### Operating Result

The YTD (\$147K) operating result variance can be attributed to:

- Increased salary and wages;
  - o Payment to Stream A employees transitioning to a 36.25 hour working week per the Award. Payment per Council resolution.
  - o Allocation of salary and wages to capital projects; due to delay in processing and difference in predicted allocation between operating and capital works
- Recoverable works revenue and expenses overstated as part will be reallocated to capital grants income and capital assets in line with AASB 1058 Income of Not-for-profit Entities (no effect to the net result of Council)

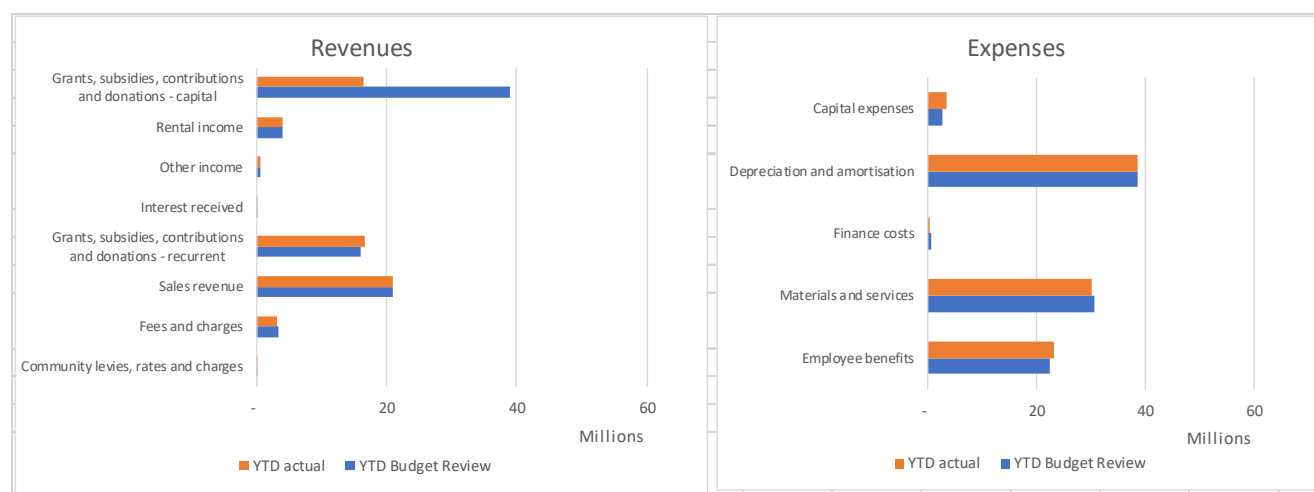
### Net Result

The YTD (\$23.3M) net result variance can be attributed to:

- ICCIP funding not received due to delay in timing of works – approved extension date to 30 June 2022
- Capital grants income and capital assets understated as allocation from recoverable works in line with new accounting standards (no effect to the net result of Council)
- Cost of asset disposal is higher than full year budget of \$3.5M – disposal of residential housing transferred per Katter Lease/Home Ownership Program

## STATEMENT OF FINANCIAL PERFORMANCE

	Annual Budget Review	YTD Budget Review	YTD actual	YTD variance \$	YTD variance %
<b>Income</b>					
<b>Recurrent revenue</b>					
Community levies, rates and charges	1,534,078	19,344	62,665	43,321	69%
Fees and charges	4,055,497	3,504,511	3,117,302	(387,209)	-12%
Sales revenue	23,950,753	20,971,266	20,901,398	(69,868)	0%
Grants, subsidies, contributions and donations	23,745,636	16,171,647	16,758,740	587,093	4%
	53,285,964	40,666,768	40,840,105	173,337	0%
<b>Capital revenue</b>					
Grants, subsidies, contributions and donations	63,686,473	38,975,617	16,523,613	(22,452,004)	-136%
	63,686,473	38,975,617	16,523,613	(22,452,004)	-136%
Interest received	379,151	315,728	304,942	(10,786)	-4%
Other income	739,888	632,018	617,774	(14,244)	-2%
Rental income	4,844,063	4,023,407	4,097,443	74,036	2%
<b>Total income</b>	<b>122,935,539</b>	<b>84,613,539</b>	<b>62,383,877</b>	<b>(22,229,662)</b>	<b>-36%</b>
<b>Expenses</b>					
<b>Recurrent expenses</b>					
Employee benefits	27,083,224	22,388,162	23,256,924	868,762	4%
Materials and services	37,248,310	30,621,290	30,158,226	(463,063)	-2%
Finance costs	665,059	571,362	535,145	(36,217)	-7%
Depreciation and amortisation	46,507,984	38,756,653	38,618,287	(138,366)	0%
	111,504,577	92,337,467	92,568,583	231,116	0%
<b>Capital expenses</b>					
	3,500,000	2,800,000	3,621,458	821,458	23%
<b>Total expenses</b>	<b>115,004,577</b>	<b>95,137,467</b>	<b>96,190,040</b>	<b>1,052,574</b>	<b>1%</b>
<b>Net result</b>	<b>7,930,962</b>	<b>(10,523,928)</b>	<b>(33,806,163)</b>	<b>(23,282,235)</b>	<b>69%</b>

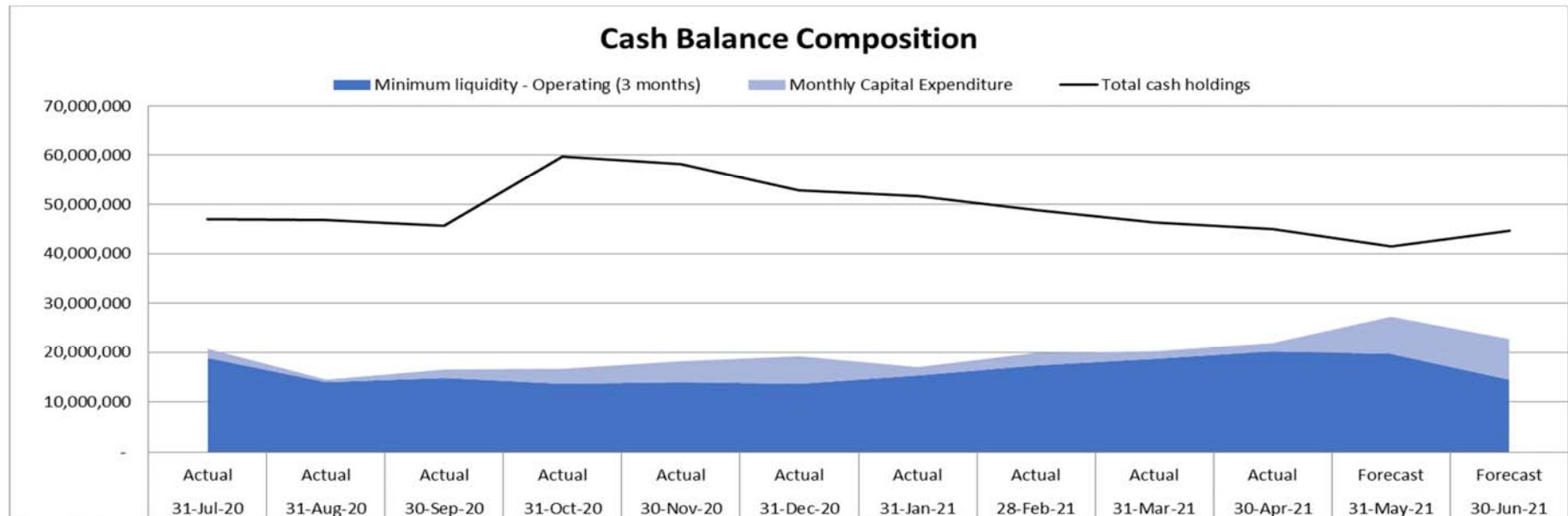


**STATEMENT OF FINANCIAL POSITION**

	<b>Current Month 2021</b>	<b>Prior Month 2021</b>	<b>variance \$</b>	<b>variance %</b>
<b>Current assets</b>				
Cash and cash equivalents	44,843,023	46,313,585	(1,470,562)	-3%
Short term deposits	65,374	65,374	0	0%
Trade and other receivables	4,128,952	7,621,510	(3,492,558)	-46%
Inventories	249,515	249,515	0	0%
Contract assets	2,753,418	1,193,003	1,560,415	131%
Lease receivables	-	-	0	
<b>Total current assets</b>	<b>52,040,282</b>	<b>55,442,987</b>	<b>(3,402,705)</b>	<b>-6%</b>
<b>Non-current assets</b>				
Lease receivables	14,715,268	14,715,268	0	0%
Property, plant and equipment	862,043,867	863,987,171	(1,943,304)	0%
Right of use assets	1,330,000	1,330,000	0	0%
Intangible assets	-	-	0	
<b>Total non-current assets</b>	<b>878,089,135</b>	<b>880,032,439</b>	<b>(1,943,304)</b>	<b>0%</b>
<b>Total assets</b>	<b>930,129,417</b>	<b>935,475,426</b>	<b>(5,346,009)</b>	<b>0%</b>
<b>Current liabilities</b>				
Trade and other payables	5,766,234	5,375,442	(390,792)	-7%
Borrowings	18,056	17,741	(315)	-2%
Provisions	3,347,342	3,364,020	16,678	0%
Contract liabilities	17,844,335	17,844,335	0	0%
Lease liabilities	651,775	651,775	0	0%
<b>Total current liabilities</b>	<b>27,627,742</b>	<b>27,253,313</b>	<b>(374,429)</b>	<b>-1%</b>
<b>Non-current liabilities</b>				
Borrowings	36,100	36,100	0	0%
Provisions	3,757,363	3,677,491	(79,871)	-2%
Lease liabilities	688,927	688,927	0	0%
<b>Total current liabilities</b>	<b>4,482,390</b>	<b>4,402,519</b>	<b>(79,871)</b>	<b>-2%</b>
<b>Net community assets</b>	<b>898,019,285</b>	<b>903,819,594</b>	<b>(5,800,309)</b>	<b>-1%</b>

## 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 for the future months on the 20/21 Budget Review projections. Grant revenue has been forecasted on expected timing of receipt of funds as per funding agreements and Council's adopted Capital Budget has been evenly distributed over the financial year. July to April figures reflect actual cash balances.



## Cashflow Comments

### YTD April 2021 - \$46M

- Although cash holdings remain above QTC recommendations, a majority of this is constrained funding
- No significant movements in current month

### EOY Forecast \$44.5M comparison to Budget \$29M

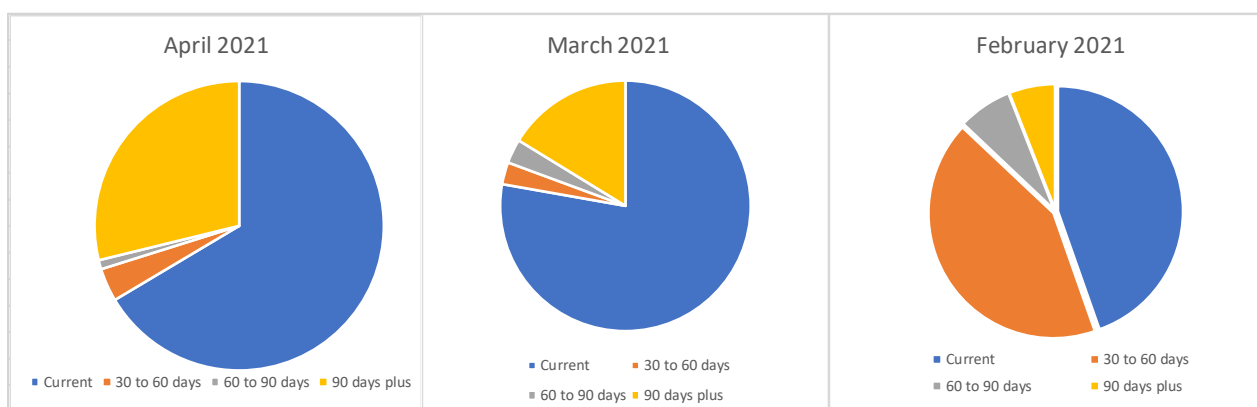
- Grant funding forecast (\$49M) < budget (\$78.7M) – ICCIP delay in timing of works (extended to 30 June 2022)
- Delay in expected timing of capital works; forecast (\$66M) < budget (\$80M)
- Although cash holdings remain above QTC recommendations, a majority of this is constrained funding

## Debtor Analysis

Days outstanding	As at 30 April 2021		As at 31 March 2021		As at 28 February	
	\$	%	\$	%	\$	%
Current	2,079,572	66%	2,915,222	93%	1,549,100	41%
30 to 60 days	116,303	4%	105,933	3%	1,473,183	39%
60 to 90 days	32,024	1%	117,174	4%	243,151	6%
90 days plus	902,248	29%	609,159	19%	207,057	6%
Total aged debtors	3,130,146	100%	3,747,488	120%	3,472,491	93%
Unapplied Credits	- 1,511,440		- 975,905		- 782,090	
Housing debtors (Note 1)	13,150,656		13,265,247		13,103,196	
Provision	- 14,141,890		- 14,114,978		- 14,088,067	
Net debtors	627,473		1,921,851		1,705,530	

### Notes to table:

- Analysis of housing debtors and collection rates contained in monthly Housing Information Report
- Provision for doubtful debt to be recalculated in May 2021 and posted prior to interim audit
- Unapplied credits balance relates to unallocated grant funding receipts - invoice to be processed.



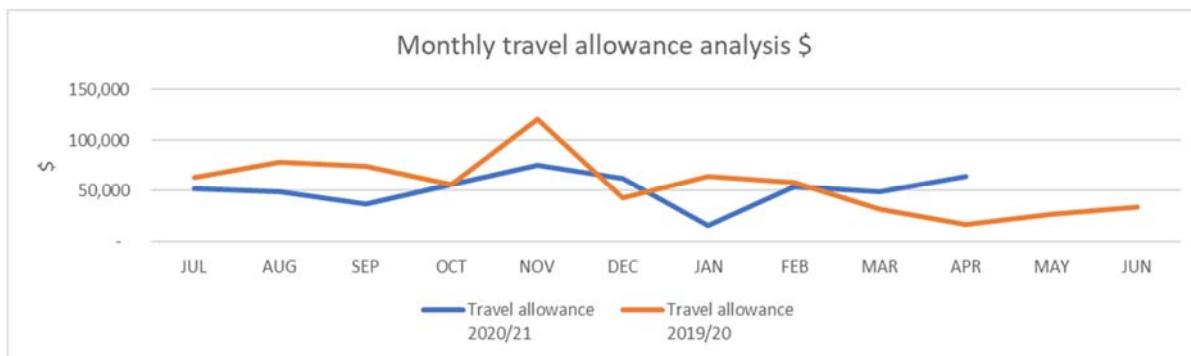
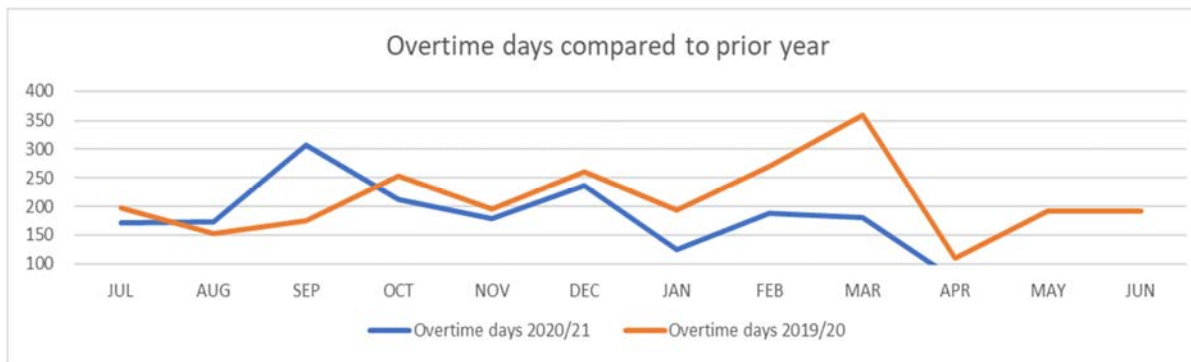
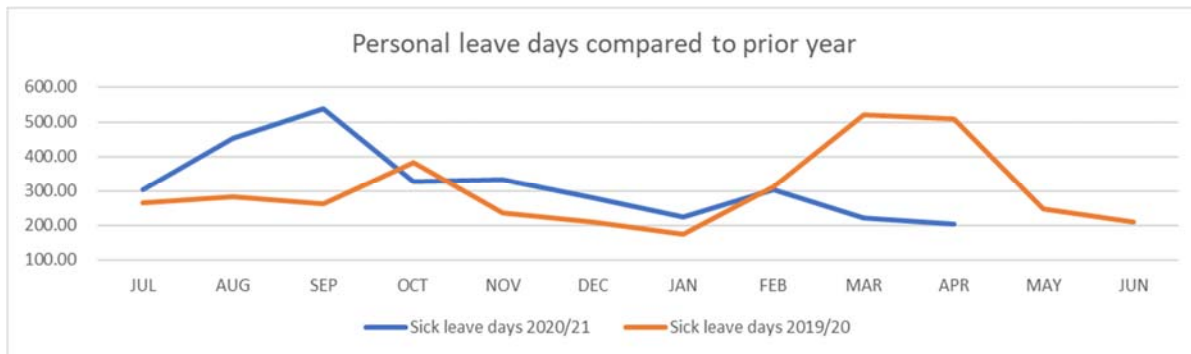
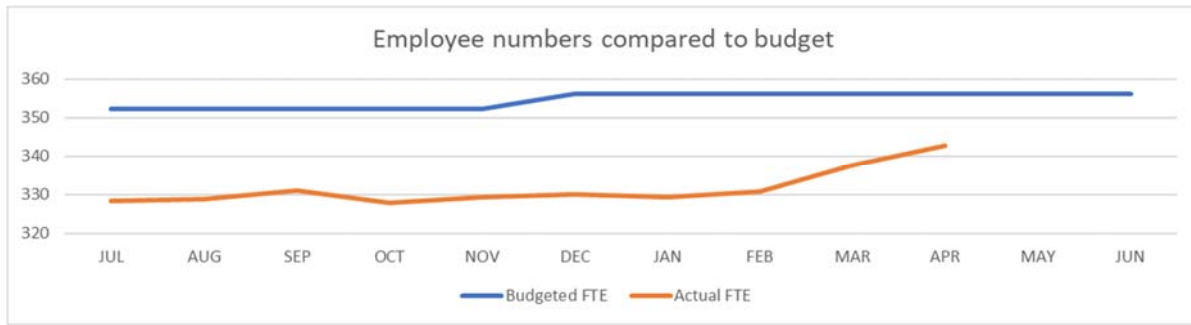
### Analysis on graphs:

#### Analysis of top five debtors in excess of 90 Days:

Debtor name	Amount outstanding in excess of 90 days	Commentary
BIF Badu Island Foundation	120,239.66	Rates and Debt Recovery Officer is following up with Debtor to establish an equitable resolution for payment.
Tagai State College	92,457.86	Debtor has disputed/questioned the content/property details of invoices - An investigation is being undertaken to investigate the property details relating to the Debtor's concerns to determine action to be taken.
Torres Strait Major Infrastructure and Other Projects Trust Fund	\$91,093.05	Financial Operations Accountant is following up with Debtor regarding delay in payment of Ugar Safe Access & Helicopter Subsidy.
Ged Erub Trading Homeland Enterprise (TSI) Corporation Tavern	85,931.29	Rates and Debt Recovery Officer is following up with Debtor to establish an equitable resolution for payment.
Badhuigaw Kuthinaw Mudh TSI Corporation Badu Art Centre	85,615.67	Debtor has requested an exemption and has subsequently been requested to submit an official request which will be sent to management for review



## Payroll Analysis



**Grant Analysis:**

Funding Applications for month:

Funder	Amount	Time frame	Purpose
Minister for Agriculture, Drought, and Emergency Management	312,475	3 years	The program will run over 3 years from 2020–21 to 2022–23 to provide funding to support Indigenous business opportunities relating to biosecurity activities in northern Australia including the Torres Strait.

**Corporate Plan Linkage:**

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

**Consultation and communication:**

Senior Executive Team  
Department Heads / Managers  
Finance Department

**Risk Management Implications:**

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

**Significant Risks**

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

**Areas of Concern for Noting**

Risk	Comment
Covid-19 outbreak impact	While risk in Australia is minimal there will be an on-flow affect from international outbreaks and can be seen in the shortage of the goods and labour markets. It is expected that government funding will become more restricted. Roll-out of the vaccine is expected to help the recovery process however there has been a very faltering start with the rollout well behind target timeframe.

**Final Considerations:****Risk Management**

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

Council continues to be impacted by the lingering effects of COVID-19 which has affected overall operations however business is starting to return to normal. Roll-out of the vaccine should see further improvements in the economy. Management will continue to progressively adapt, monitor, and plan into the future as the COVID-19 situation and its impact evolves over the coming months. With continuing uncertainty in the economic climate and the possibility of a 'second wave' of infection, it makes future forecasting quite challenging.



**Nicola Daniels**  
**Head of Financial Services**

## Appendix A

### Executive financial performance at a glance:

Key Financial Results	Annual Budget Review	YTD Budget Review	YTD Actual	YTD Variance \$	YTD Variance %	Status
Recurrent revenue	571,801	570,810	562,670	(8,140)	-1.4%	●
Other income	35,000	49,463	17,982	(31,481)	-63.6%	●
Recurrent expenditure (excl. depreciation)	(3,668,630)	(3,073,310)	(3,295,070)	(221,760)	-7.2%	●
<b>Operating surplus (exc. Depreciation)</b>	<b>(3,061,829)</b>	<b>(2,453,037)</b>	<b>(2,714,418)</b> ✓	<b>(261,381)</b>	<b>-10.7%</b>	●
Capital revenue	0	0	0	0	0.0%	●
Capita expenses	0	0	0	0	0.0%	●
<b>Net result (excl. depreciation)</b>	<b>(3,061,829)</b>	<b>(2,453,037)</b>	<b>(2,714,418)</b> ✓	<b>(261,381)</b> ✓	<b>-10.7%</b>	●
Depreciation Expense	0	0	0	0	0.0%	●
<b>Net result</b>	<b>(3,061,829)</b>	<b>(2,453,037)</b>	<b>(2,714,418)</b>	<b>(261,381)</b>	<b>-10.7%</b>	●

#### Comments:

Currently tracking within budget, however expenditure is being managed to minimise budget overspend without compromising service delivery.

### People and Wellbeing financial performance at a glance:

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	34,000	27,200	126,390	99,190	364.7%	●
Recurrent expenditure (excl. depreciation)	(1,594,944)	(1,303,291)	(1,168,647)	134,644	10.3%	●
<b>Operating surplus (exc. Depreciation)</b>	<b>(1,560,944)</b>	<b>(1,276,091)</b>	<b>(1,042,257)</b> ✓	<b>233,834</b>	<b>18.3%</b>	●
Capital revenue	0	0	0	0	0.0%	●
Capita expenses	0	0	0	0	0.0%	●
<b>Net result (excl. depreciation)</b>	<b>(1,560,944)</b>	<b>(1,276,091)</b>	<b>(1,042,257)</b> ✓	<b>233,834</b> ✓	<b>18.3%</b>	●
Depreciation Expense	0	0	0	0	0.0%	●
<b>Net result</b>	<b>(1,560,944)</b>	<b>(1,276,091)</b>	<b>(1,042,257)</b>	<b>233,834</b>	<b>18.3%</b>	●

#### Comments:

Expected to stay within budget for the financial year

Due to planned travel to all Divisions by the WHS Officer to carry out safety inspections and audits, the majority of travel budget will be expended by the Engaging consultant to guide the development and implementation of the Safety Management System

**Health and Community Services financial performance at a glance:**

Key Financial Results	Annual Budget Review	YTD Budget Review	YTD Actual	YTD Variance \$	YTD Variance %	Status
Recurrent revenue	8,845,048	8,098,564	6,967,406	(1,131,158)	-14.0%	●
Other income	426,853	359,218	422,650	63,433	17.7%	●
Recurrent expenditure (excl. depreciation)	(12,574,166)	(10,317,580)	(10,032,407)	285,173	2.8%	●
<b>Operating surplus (exc. Depreciation)</b>	<b>(3,302,265)</b>	<b>(1,859,798)</b>	<b>(2,642,350)</b> ✓	<b>(782,552)</b>	<b>-42.1%</b>	●
Capital revenue	364,735	364,735	19,735	(345,000)	-94.6%	●
Capita expenses	0	0	45	45	0.0%	●
<b>Net result (excl. depreciation)</b>	<b>(2,937,530)</b>	<b>(1,495,063)</b>	<b>(2,622,570)</b> ✓	<b>(1,127,507)</b> ✓	<b>-75.4%</b>	●
Depreciation Expense	(4,421,009)	(3,684,175)	(3,885,735)	(201,560)	-5.5%	●
<b>Net result</b>	<b>(7,358,540)</b>	<b>(5,179,237)</b>	<b>(6,508,304)</b>	<b>(1,329,067)</b>	<b>-25.7%</b>	●

**Comments:**

Tracking under budget due to payment to stream A employees and lower commercial property rental income  
Divisional Admin activities are minimal but managed effectively, with greater focus on revenue.

**Business Services financial performance at a glance:**

Key Financial Results	Annual Budget Review	YTD Budget Review	YTD Actual	YTD Variance \$	YTD Variance %	Status
Recurrent revenue	18,521,005	11,104,155	11,175,406	71,251	0.6%	●
Other income	579,151	475,728	315,407	(160,321)	-33.7%	●
Recurrent expenditure (excl. depreciation)	(7,011,157)	(5,793,193)	(5,530,121)	263,072	4.5%	●
<b>Operating surplus (exc. Depreciation)</b>	<b>12,088,999</b>	<b>5,786,690</b>	<b>5,960,691</b> ✓	<b>174,001</b>	<b>3.0%</b>	●
Capital revenue	6,926,811	164,491	509,491	345,000	209.7%	●
Capita expenses	(3,500,000)	(2,800,000)	(3,622,867)	(822,867)	-29.4%	●
<b>Net result (excl. depreciation)</b>	<b>15,515,810</b>	<b>3,151,182</b>	<b>2,847,316</b> ✓	<b>(303,865)</b>	<b>-9.6%</b>	●
Depreciation Expense	(1,040,048)	(866,707)	(890,803)	(24,096)	-2.8%	●
<b>Net result</b>	<b>14,475,762</b>	<b>2,284,475</b>	<b>1,956,513</b>	<b>(327,962)</b>	<b>-14.4%</b>	●

**Comments:**

Net result over budget; expenditure is being managed to minimise budget overspend without compromising service delivery.  
Operating expenditure expected to remain within budget for the financial year  
Capital expenses above year budget due to the disposal of social housing for the home ownership program

## Appendix A

### Engineering Services financial performance at a glance:

Key Financial Results	Annual Budget Review	YTD Budget Review	YTD Actual	YTD Variance \$	YTD Variance %	Status
Recurrent revenue	3,939,522	2,019,396	1,899,111	(120,285)	-6.0%	●
Other income	0	0	20,000	20,000	0.0%	●
Recurrent expenditure (excl. depreciation)	(14,245,401)	(11,743,896)	(11,453,502)	290,394	2.5%	●
<b>Operating surplus (exc. Depreciation)</b>	<b>(10,305,879)</b>	<b>(9,724,501)</b>	<b>(9,534,391)</b>	<b>190,109</b>	<b>-2.0%</b>	●
Capital revenue	47,309,038	32,867,478	17,105,937	(15,761,541)	-48.0%	●
Capita expenses	0	0	0	0	0.0%	●
<b>Net result (excl. depreciation)</b>	<b>37,003,159</b>	<b>23,142,978</b>	<b>7,571,546</b>	<b>(15,571,432)</b>	<b>-67.3%</b>	●
Depreciation Expense	(21,772,716)	(18,143,930)	(18,265,278)	(121,348)	-0.7%	●
<b>Net result</b>	<b>15,230,443</b>	<b>4,999,048</b>	<b>(10,693,732)</b>	<b>(15,692,780)</b>	<b>-313.9%</b>	●

#### Comments:

Variances for recurrent revenue and expenditure are predominately due to timing differences to budget spread.

Capital revenue is down due the delay in receipt of funding for ICCIP which has been extended to 30 June 2022

### Building Services financial performance at a glance:

Key Financial Results	Annual Budget Review	YTD Budget Review	YTD Actual	YTD Variance \$	YTD Variance %	Status
Recurrent revenue	21,282,675	18,768,987	18,685,918	(83,069)	-0.4%	●
Other income	0	909	0	(909)	-100.0%	●
Recurrent expenditure (excl. depreciation)	(17,884,838)	(14,732,371)	(16,021,246)	(1,288,875)	-8.7%	●
<b>Operating surplus (exc. Depreciation)</b>	<b>3,397,837</b>	<b>4,037,526</b>	<b>2,664,673</b>	<b>(1,372,853)</b>	<b>-34.0%</b>	●
Capital revenue	1,735,124	1,388,100	0	(1,388,100)	-100.0%	●
Capita expenses	0	0	0	0	0.0%	●
<b>Net result (excl. depreciation)</b>	<b>5,132,961</b>	<b>5,425,626</b>	<b>2,664,673</b>	<b>(2,760,953)</b>	<b>-50.9%</b>	●
Depreciation Expense	0	0	0	0	0.0%	●
<b>Net result</b>	<b>5,132,961</b>	<b>5,425,626</b>	<b>2,664,673</b>	<b>(2,760,953)</b>	<b>-50.9%</b>	●

#### Comments:

BSU tracking behind budget as a result of further delays in the Warraber duplex and unbudgeted backpays to Stream A employees. Expenditure is being managed, although focus is placed on increasing revenues, by recovering all costs where possible and improved invoicing procedures.

Allocation between recurrent revenue and capital revenue yet to be processed by Finance (new accounting standard requirements).

Management believes at this stage the net result will not reach budget expectations by the end of financial year due to the difference in timing of works as opposed to phasing applied to the budget. A net profit of \$3.8m, with a YTD variance of (\$1.2m) is currently forecast. This variance reflects the budgeted revenues still to be received for the Warraber duplex.

## Appendix A

### Housing and Tenancy Services financial performance at a glance:

Key Financial Results	Annual Budget Review	YTD Budget Review	YTD Actual	YTD Variance \$	YTD Variance %	Status
Recurrent revenue	4,844,063	4,023,407	4,098,361	74,954	1.9%	●
Other income	0	0	0	0	0.0%	●
Recurrent expenditure (excl. depreciation)	(4,507,349)	(3,759,783)	(3,774,128)	(14,345)	-0.4%	●
<b>Operating surplus (exc. Depreciation)</b>	<b>336,714</b>	<b>263,624</b>	<b>324,233</b>	<b>60,609</b>	<b>23.0%</b>	●
Capital revenue	6,937,314	3,777,362	0	(3,777,362)	-100.0%	●
Capita expenses	0	0	0	0	0.0%	●
<b>Net result (excl. depreciation)</b>	<b>7,274,028</b>	<b>4,040,986</b>	<b>324,233</b>	<b>(3,716,753)</b>	<b>-92.0%</b>	●
Depreciation Expense	(19,274,210)	(16,061,842)	(15,476,129)	585,713	3.6%	●
<b>Net result</b>	<b>(12,000,182)</b>	<b>(12,020,855)</b>	<b>(15,151,895)</b>	<b>(3,131,040)</b>	<b>26.0%</b>	●

#### Comments:

Tracking below budget due to payment to stream A employees

Capital revenue under budget due to timing of capitalisation of housing projects in line with new accounting standards (AASB 1058)

**Where to from here:** The team focus is to improve collection of housing rents to ensure limited/reduced bad debts in the future. In addition, we will also be working with suppliers to improve relationships to initiate cost savings (possible reduced fees). This initiative is expected to have a positive effect on the bottom line of Housing and Tenancy finances.

### Corporate Affairs & Engagement financial performance at a glance:

Key Financial Results	Annual Budget Review	YTD Budget Review	YTD Actual	YTD Variance \$	YTD Variance %	Status
Recurrent revenue	65,160	55,160	46,161	(8,999)	-16.3%	●
Other income	0	0	0	0	0.0%	●
Recurrent expenditure (excl. depreciation)	(1,630,475)	(1,318,346)	(1,088,612)	229,734	17.4%	●
<b>Operating surplus (exc. Depreciation)</b>	<b>(1,565,315)</b>	<b>(1,263,186)</b>	<b>(1,042,452)</b>	<b>220,734</b>	<b>17.5%</b>	●
Capital revenue	0	0	0	0	0.0%	●
Capita expenses	0	0	0	0	0.0%	●
<b>Net result (excl. depreciation)</b>	<b>(1,565,315)</b>	<b>(1,263,186)</b>	<b>(1,042,452)</b>	<b>220,734</b>	<b>17.5%</b>	●
Depreciation Expense	0	0	0	0	0.0%	●
<b>Net result</b>	<b>(1,565,315)</b>	<b>(1,263,186)</b>	<b>(1,042,452)</b>	<b>220,734</b>	<b>17.5%</b>	●

#### Comments:

Currently tracking under budget due to FTE and travel savings.

Department is currently focused on intranet & website delivery. Scope changes will have an effect on budget and time. The budget will be offset by savings above and projects will still be delivered within this financial year.

Department will continue to track within budget for the remainder of the financial year.

## Appendix A

### Strategic Projects and Logistics financial performance at a glance:

Key Financial Results	Annual Budget Review	YTD Budget Review	YTD Actual	YTD Variance \$	YTD Variance %	Status
Recurrent revenue	60,754	49,697	21,929	(27,768)	-55.9%	●
Other income	44,035	35,228	20,285	(14,943)	-42.4%	●
Recurrent expenditure (excl. depreciation)	(1,879,633)	(1,539,135)	(1,591,880)	(52,745) ✓	-3.4%	●
<b>Operating surplus (excl. Depreciation)</b>	<b>(1,774,844)</b>	<b>(1,454,210)</b>	<b>(1,549,666) ✓</b>	<b>(95,455)</b>	<b>6.6%</b>	●
Capital revenue	413,450	413,450	413,450	0	0.0%	●
Capita expenses	0	0	8,960	8,960 ✓	0.0%	●
<b>Net result (excl. depreciation)</b>	<b>(1,361,394)</b>	<b>(1,040,760)</b>	<b>(1,127,256) ✓</b>	<b>(86,495)</b>	<b>8.3%</b>	●
Depreciation Expense	0	0	(100,342)	(100,342) ✓	0.0%	●
<b>Net result</b>	<b>(1,361,394)</b>	<b>(1,040,760)</b>	<b>(1,227,598)</b>	<b>(186,838)</b>	<b>18.0%</b>	●

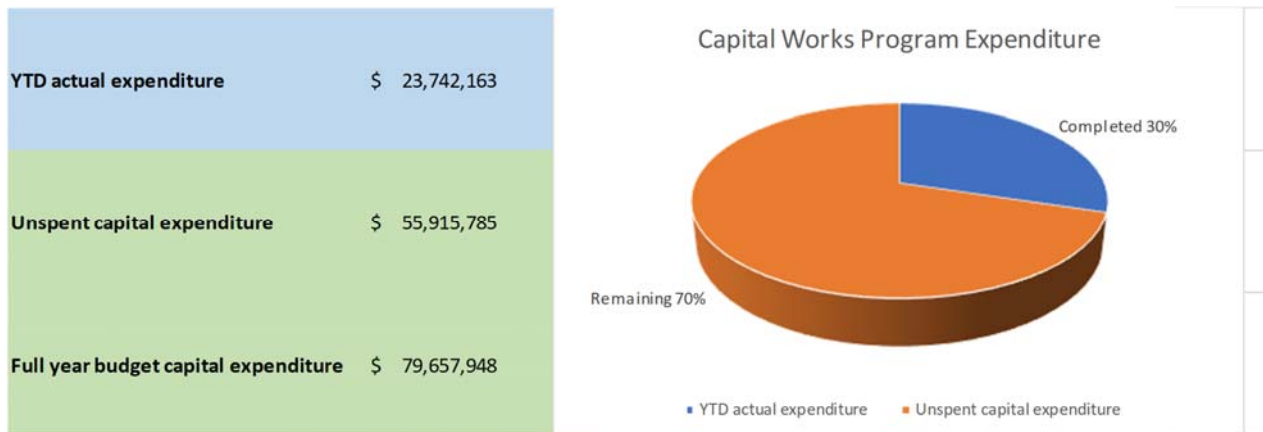
#### Comments:

Logistics business operation start date delayed due to continuing financial analysis of strategic direction

Fleet costs currently over budget; an assessment of all Council's fleet is currently being conducted which will assist in devising a strategy to



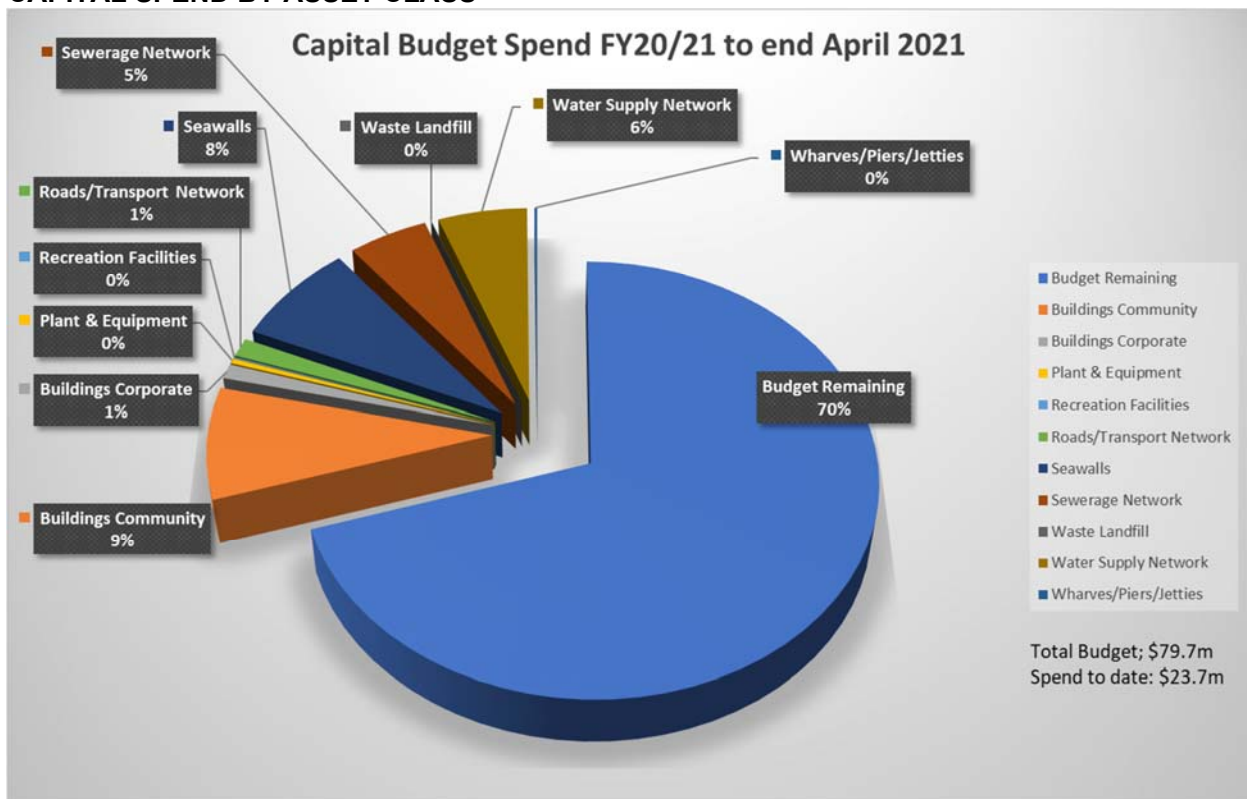
## CAPITAL WORKS PROGRAM



Council's capital works program is below budget. Works are expected to increase in the final months especially ICCP capital works.

Not expected to reach budget by EOFY

## CAPITAL SPEND BY ASSET CLASS



**TORRES STRAIT ISLAND REGIONAL COUNCIL**  
**AGENDA REPORT**

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**ORDINARY MEETING**

**DATE:** May 2021  
**ITEM:** Agenda Report  
**SUBJECT:** Correction of Minutes of Ordinary Meeting – 21 July 2020 at Poruma.  
**AUTHOR:** Senior Legal Counsel

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**RECOMMENDATION**

*That Council resolves to correct the minutes of its ordinary meeting on 21 July 2020 by adding the following resolutions to the official minutes of that meeting:*

- 1. That Council issue a Development Permit for 'Reconfiguration of a Lot' with the inclusion of the conditions set out in Part 6 of the Agenda report for Warraber Island, Warraber QLD 4875. (LOT 20)  
Moved: Cr. Tamu                      Second: Cr. Pearson*
  - 2. That Council issue a Development Permit for 'Reconfiguration of a Lot' with the inclusion of the conditions set out in Part 6 of the Agenda Report for Warraber Island, Warraber QLD 4875. (LOT 24)  
Moved: Cr. Tamu                      Second: Cr. Elisala*
  - 3. That Council issue a Development Permit for 'Reconfiguration of a Lot' with the inclusion of the conditions set out in Part 6 of the Agenda Report for Erub Island Reconfiguration for creation of new lease, Erub Island QLD 4875. (LOT 100)  
Moved: Cr. Elisala                      Second: Cr. Tinkoon*
- 

**PURPOSE**

The purpose of the report is to seek council endorsement to correct the error in the minutes of the Council Ordinary meeting on 21 July 2020 (Attachment 1) by adding the missing resolutions.

## **BACKGROUND**

A check of the official minutes of the 21 July 2020 meeting on Poruma which is on Council's website picked up an omission regarding the following agenda items (Attachment 2):

Agenda Item 6: Legal Services – DA – Lot 20 Warraber ROL

Agenda item 7: Legal Services – DA – Lot 24 Warraber ROL

Agenda item 8: Legal Services – DA – Erub Church ROL

## **OFFICER COMMENT**

A check of the official minutes of the 21 July 2020 meeting found that the above-mentioned resolutions were not included in the minutes.

An agenda report was prepared and presented at the July 2020 Ordinary meeting for the 3 agenda items by the Senior Legal Counsel. (Attachment 3).

Senior Legal Counsel also made a handwritten record of the proceedings (Attachment 4) noted that the above resolutions were made and recorded the mover and the seconder.

To ensure that the official minutes are a correct record of the meeting and of decisions made by council it is recommended that the correction be made.

The secretariat and legal assist in recording the minutes and reviewing the draft minutes to ensure accuracy. Unfortunately, the Senior Legal Officer was on leave for most of August so was not able to check the July draft minutes before they were sent to Councils August Ordinary Meeting for confirmation.

## **CONSULTATION**

Acting Chief Executive Officer

Manager Legal Services

## **LINKS WITH STRATEGIC PLANS**

Governance

## **STATUTORY REQUIREMENTS**

*Local Government Act 2009 (Qld)*

*Local Government Regulation 2012 (Qld)*

## **FINANCE AND RISK**

Nil

## **CONCLUSION**

As presented.



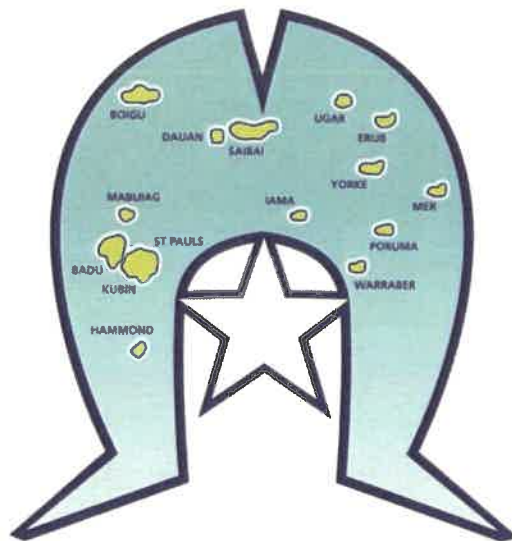
Peter Krebs  
Senior Legal Counsel



David Baldwin  
A/CEO

### **Attachment:**

- 1. Minutes of Ordinary meeting of 21 July 2020.**
- 2. Agenda for the Ordinary Meeting of 21 July 2020.**
- 3. Agenda Reports for Lot 20 Warraber ROL, Lot 24 Warraber ROL and Erub Church ROL.**
- 4. Handwritten notes of Senior Legal Counsel recording the minutes of the Ordinary meeting of 21 July 2020 and noting the missing resolutions.**



# **Torres Strait Island**

## **REGIONAL COUNCIL**

**JULY 2020**

**MINUTES**

**ORDINARY MEETING**

Tuesday 21 July 2020 09:03am – 5:13pm

Wednesday 22 July 2020 09:23am – 5:04pm

Olandi Pearson Memorial Hall  
PORUMA – Division 11

**Tuesday 21 July 2020**

**Present**

Cr Phillemon Mosby, Mayor  
Cr Dimas Toby, Division 1 – Boigu  
Cr Torenzo Elisala, Division 2 – Dauan  
Cr Conwell Tabuai, Division 3 – Saibai  
Cr Keith Fell, Division 4 – Mabuiag  
Cr Lama Trinkoon, Division 6 – Kubin, Mua Island  
Cr John Levi, Division 7 – St Pauls, Mua Island  
Cr Seriako Dorante, Division 8 – Kirriri  
Cr Getano Lui Jnr, Division 9 – Iama  
Cr Kabay Tamu, Division 10 – Warraber  
Cr Francis Pearson, Division 11 – Poruma  
Cr Hilda Mosby, Division 12 – Masig  
Cr Rocky Stephen, Division 13 – Ugar  
Cr Boggo Gela, Division 14 – Erub  
Cr Aven Noah, Division 15 – Mer  
Ms Hollie Faithfull, Chief Financial Officer (Acting CEO)  
Mr Ilario Sabatino, Chief Operating Officer (COO)  
Mr David Baldwin, Head of Engineering (HOE)  
Mr Peter Krebs, Manager Legal Services (MLS)  
Mr Luke Ranga, Head of Corporate Affairs (HCA)  
Ms Rachel Pierce, Head of Community Services (HOCS)  
Mrs Kathy Cochran, Senior Executive Assistant (SEA)  
Ms Naila Nomoa – Secretariat Officer (Acting SO)  
Ms Mette Nordling – Manager Governance and Compliance (via telephone)

**Apologies**

Cr Laurie Nona, Division 5 – Badu

**1. 9:03am – 9:07am Opening Prayer and Welcome**

Mayor Mosby did a roll call of Councillors and staff present and informed Council he received an apology from Cr Nona due to recent sorry business in his community.

Mayor acknowledged and paid respect to:

- Papa God
- The traditional owners, Elders, Leaders, Past, Present and Emerging
- Your Elders Leaders in your respective communities and your people.
- Respect to the families in sorry business
- Councillors and Congratulating the new Councillors
- Acting Chief Executive Officer Hollie Faithfull and Staff
- Welcome back David Baldwin
- We are in it together; we need each other at all levels and all accounts to make and reach the best decision and outcome possible for our people in our region.

Mayor invited Cr Pearson to open the meeting in prayer and a observe minute silence for families mourning the loss of their loved ones.

**2. 9:07am – 9:08am Apologies**

- Cr Laurie Nona – Division 5 – Badu
- Cr Tabuai – In Transit

**RESOLUTION**

*Moved: Cr Elisala; Second: Cr Tamu*

**That Council accepts the apology from Cr Nona for his absence at this meeting.**

**MOTION CARRIED**

**3. 10:08am – 10:10am Confirmation of June 2020 Ordinary Meeting Minutes**

**RESOLUTION**

*Moved: Cr Trinkoon Second: Cr Mosby*

**That the minutes of the Council Ordinary Meeting held in June 2020, be adopted as a true and accurate record of that meeting.**

**MOTION CARRIED**

4. Action Items were moved to later in the day.

**5. 10:10am – 10:16AM COUNCIL MOVE INTO CLOSED BUSINESS**

**RESOLUTION:**

*Moved: Cr Pearson; Second: Cr Tamu;*

**That in accordance with section 275 (1) 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:**

**e) Contracts proposed to be made by Council.**

**h) Business for which public discussion would be likely to prejudice the interests of Council or someone else or enable a person to gain a financial advantage.**

**MOTION CARRIED**

- |    |                          |   |
|----|--------------------------|---|
| 6. | <u>10:17am – 10:28am</u> | <u>BUILDING SERVICES – CB - Contract Matter – 157 Lowatta Road Masig</u>  |
| 7. | <u>10:28am – 10:30am</u> | <u>BUILDING SERVICES – CB - Contract Matter – Badu Childcare Centre</u>   |
| 8. | <u>10:30am – 10:48am</u> | <u>BUILDING SERVICES – CB - Contract Matter – 76 Airport Drive Saibai</u> |
| 9. | <u>10:48am – 10:48am</u> | <u>BUILDING SERVICES – CB - Contract Matter – 43 Aikurur Street</u>       |
|    | <u>Warraber</u>          |   |

10:48am – 11:07am – Morning Tea

- |     |                          |   |
|-----|--------------------------|---|
| 10. | <u>11:07am – 11:10am</u> | <u>OFFICE OF THE CHIEF EXECUTIVE OFFICER – CB – Corporate</u><br><u>Structure</u> |
| 11. | <u>11:10am – 11:25am</u> | <u>BUSINESS SERVICES – CB – Audit – Interim Management Report</u>                 |
| 12. | <u>11:25am – 12:00pm</u> | <u>CORPORATE – CB – Extension of Contract for Freight</u>                         |

- |     |                          |  |
|-----|--------------------------|--|
| 13. | <u>12:00pm – 12:00pm</u> | <u>COUNCIL MOVE OUT OF CLOSED BUSINESS</u> |
|-----|--------------------------|--|

**RESOLUTION:**

*Moved:* Cr Tamu; *Second:* Cr Gela

**That Council move out of Closed Business**

**MOTION CARRIED**

- |     |  |
|-----|--|
| 14. | <u>BUILDING SERVICES – CB - Contract Matter – 157 Lowatta Road Masig</u> |
|-----|--|

**RESOLUTION:**

*Moved:* Cr Mosby; *Second:* Cr Stephen

**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 157 Lowatta Road, Yorke Island (WS150559) with a tender price of 285,462.68 excl of GST.**

**And**

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

**MOTION CARRIED**



**15. BUILDING SERVICES – CB - Contract Matter – Badu Childcare Centre**

**RESOLUTION:**

*Moved; Cr Toby; Second: Cr Trinkoon*

**Council resolves to:**

1. Submit a tender to Community Services to carry out various upgrade works at Badu Childcare Centre, Badu island (quote request from Mary Gela) with a price of \$239,999.28 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 quote.

**16. BUILDING SERVICES – CB - Contract Matter – 76 Airport Drive Saibai**

**RESOLUTION:**

*Moved; Cr Noah; Second: Cr Gela*

**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 76 Airport Drive, Saibai island

And

2. Delegate to the Chief Executive Officer's endorsement for Council to tender for this work with QBuild.

**17. BUILDING SERVICES – CB - Contract Matter – 43 Aikurur Street, Warraber**

**RESOLUTION:**

*Moved; Cr Tamu; Second: Cr Trinkoon*

**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 43 Aikuru Street, Warraber Island (WS150450) with a tender price of \$319,204.93 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.

**12:08pm - 12:59pm – Lunch Break**

Mayor welcomed Cr Tabuai to the July Ordinary meeting.

Cr Tabuai responded that he was honoured and privileged to be on Poruma for the first time.

**18. 1:05pm – 1:09pm CORPORATE – FY21 Operational Plan**

Head of Corporate Affairs spoke to this report.

**RESOLUTION:**

*Moved: Cr Stephen; Second: Cr Pearson*

**That Council resolves to endorse the Operational Plan for the 2021 financial year, in accordance with Section 174 of the Local Government Regulation 2012.**

**MOTION CARRIED**

5

**19. 1:09pm – 1:23pm BUSINESS SERVICES – FY21 Budget**

Acting Chief Executive Officer spoke to this report.

Cr Toby asked Acting Chief Executive Officer to elaborate on the graph for Building Communities in the report.

**RESOLUTION:**

*Moved:* Cr Levi; *Second:* Cr Pearson

**Council resolves to adopt:**

- 1 Council's Budget for the 2020/2021 financial year, pursuant to section 170A of the Local Government Act 2009 and sections 169 and 170 of the Local Government Regulation 2012, incorporating**

- (i) The statements of financial position;**
  - (ii) The statements of cashflow;**
  - (iii) The statements of income and expenditure;**
  - (iv) The statements of changes in equity;**
  - (v) The long-term financial forecast;**
  - (vi) The revenue statement;**
  - (vii) The revenue policy (adopted by Council resolution on 23 June 2020;**
  - (viii) The relevant measures of financial sustainability; and**
  - (ix) The total value of the change, expressed as a percentage, in the rates and utility charges levied for the financial year compared with the rates and utility charges levied in the previous budget,**
- as tabled.**

**And**

- 2 The Register of Fees and Charges for the 2020/2021 financial year, pursuant to section 98 of the Local Government Act 2009.**

**MOTION CARRIED**

**20. 1:23pm – 1:29pm BUSINESS SERVICES - 19/20 Estimated Position**

Acting Chief Executive Officer spoke to this report.

**RESOLUTION:**

*Moved:* Cr Nona; *Second:* Cr Tabuai

**It is resolved that Council adopts the Estimated Statement of Financial Position in accordance with section 202 of the Local Government Regulation 2012.**

**MOTION CARRIED**

**21. 1:29pm – 1:34pm CORPORATE – Council Deputation Priority Areas**

Head of Corporate Affairs spoke to report.

**RESOLUTION:**

*Moved:* Cr Tamu; *Second:* Cr Elisala

**Council resolves to endorse the 2020 deputation priority areas for publication and dialogue with applicable State and Federal representatives, and State election candidates.**

**MOTION CARRIED**

**22. 1:34pm – 2:00pm CORPORATE – Community Grant Program**

Head of Corporate Affairs spoke to report.

Cr Stephen spoke to report.

- Ensure that when applying for community grants that persons applying have to show proof that they haven't received funds from other entity.

Cr Fell expressed his concerns about changing the community grants.

- One entity applying for grants but different events.

Mayor Mosby encouraged community members to apply for funeral insurances.

**RESOLUTION:**

*Moved:* Cr Tamu; *Second:* Cr Tabuai Against; Cr Elisala

**Council resolves to**

- adopt the proposed Community Grant Program
- and
- adopt the Community Grant Policy;
- and
- delegate authority to the Chief Executive Officer in accordance with the *Local Government Act 2009* to determine applications and distribute grants for funeral and emergency circumstances and to make further minor administrative amendments as they arise.

**MOTION CARRIED**

**23. 1:34pm – 2:00pm OFFICE OF THE CHIEF EXECUTIVE OFFICER – People and Wellbeing Policy**

Acting Chief Executive Officer spoke to report.

Cr Lui spoke to the report

- Compatible with Our People
- Ensure our people are being appointed

Cr Tabuai spoke to the report

- Professional development for staff
- Mentor people who is wanting to experience the position

Cr Toby spoke to report.

- TAP (Transitional Action Plan)

Chief Operating Officer referred to the Indigenous employment policy

**ACTION:** Head of People and Wellbeing to draft an Indigenous employee policy for endorsement.

**RESOLUTION:**

*Moved:* Cr Tabuai ; *Second:* Cr Pearson

**Council resolves to adopt the People and Wellbeing Policy 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**

**24. 1:34pm – 2:00pm CORPORATE – Policy Matter – Risk Management Policy**

Head of Corporate Affairs spoke to report.

**RESOLUTION:**

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

**Council resolves to:**

- 1. Adopt the Risk Management Policy as endorsed by the Audit Committee and**
- 2. 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**

**25. 1:34pm – 2:00pm CORPORATE – Councillors Committees**

**RESOLUTION:**

*Moved:* Cr Tabuai; *Second:* Cr Tamu

**That Council resolves to;**

- **establish the Cultural Arts and Heritage Committee as a standing committee under section 264 of the Local Government Regulation 2012**
- and
- **adopt the Terms of Reference for the Cultural Arts and Heritage Committee**
- and
- **appoint Cr Elisala as a member of the Council's Cultural Arts and Heritage Committee**
- **appoint Cr Noah as a member of the Council's Cultural Arts and Heritage Committee**
- **appoint Cr Nona as a member of the Council's Cultural Arts and Heritage Committee**
- and
- **appoint Cr Noah as the chair of the Cultural Arts and Heritage Committee**

**RESOLUTION:**

*Moved:* Cr Tabuai; *Second:* Cr Tamu

**That Council resolves to;**

- **establish the Governance and Leadership Committee as a standing committee under section 264 of the Local Government Regulation 2012**
- and
- **adopt the Terms of Reference for the Governance and Leadership Committee**
- and
- **appoint Cr Lui as a member of the Council's Governance and Leadership Committee**
- **appoint Cr Trinkoon as a member of the Council's Governance and Leadership Committee**
- **appoint Cr Toby as a member of the Council's Governance and Leadership Committee**
- and
- **appoint Cr Lui as the chair of the Governance and Leadership Committee**

## **RESOLUTION**

*Moved: Cr Tabuai; Second: Cr Tamu*

**That Council resolves to;**

**establish the Economic Growth Committee as a standing committee under section 264 of the Local Government Regulation 2012**

**and**

- **adopt the Terms of Reference for the Economic Growth Committee**

**and**

- appoint Cr Stephen as a member of the Council's Economic Growth Committee
- appoint Cr Tabuai as a member of the Council's Economic Growth Committee
- appoint Cr Gela as a member of the Council's Economic Growth Committee

**and**

- appoint Cr Stephen as the chair of the Economic Growth Committee

## **RESOLUTION:**

*Moved: Cr Gela Second: Cr Tabuai*

**That Council resolves to**

- **establish the Safe and Healthy Communities Committee as a standing committee under section 264 of the Local Government Regulation 2012**

**and**

- **adopt the Terms of Reference for the Safe and Healthy Communities Committee**

**and**

- appoint Cr Fell as a member of the Council's Safe and Healthy Communities Committee
- appoint Cr Levi as a member of the Council's Safe and Healthy Communities Committee
- appoint Cr Pearson as a member of the Council's Safe and Healthy Communities Committee

**and**

- appoint Cr Fell as the chair of the Safe and Healthy Communities Committee

**That Council resolves to;**

- **establish the Climate Change Adaption and Environment Committee as a standing committee under section 264 of the Local Government Regulation 2012**

**and**

- **adopt the Terms of Reference for the Climate Change Adaption and Environment Committee**

**and**

- appoint Cr Mosby as a member of the Council's Climate Change Adaption and Environment Committee
- appoint Cr Tamu as a member of the Council's Climate Change Adaption and Environment Committee
- appoint Cr Dorante as a member of the Council's Climate Change Adaption and Environment Committee

**and**

- appoint Cr Mosby as the chair of the Climate Change Adaption and Environment Committee

## **RESOLUTION:**

*Moved: Cr Trinkoon Second: Cr Tamu*

**That Council resolves to;**

- **establish the Strategic Advisory Reference Group Committee as a standing committee under section 264 of the Local Government Regulation 2012**

**and**

- **adopt the Terms of Reference for the Strategic Advisory Reference Group Committee**

**and**

- appoint Cr Noah, Chair of the Cultural Arts and Heritage Committee, as a member of the Council's Strategic Advisory Reference Group Committee

- appoint Cr Lui, Chair of the Governance and Leadership Committee, as a member of the Council's Strategic Advisory Reference Group Committee
  - appoint Cr Stephen, Chair of the Economic Growth Committee, as a member of the Council's Strategic Advisory Reference Group Committee
  - appoint Cr Fell, Chair of the Safe and Healthy Communities Committee, as a member of the Council's Strategic Advisory Reference Group Committee
  - appoint Cr Mosby, Chair of the Climate Change Adaptation and Environment Committee, as a member of the Council's Strategic Advisory Reference Group Committee
  - appoint Cr Elisala, as an alternative member of the Council's Strategic Advisory Reference Group Committee
- and
- appoint Mayor Mosby as the chair of the Strategic Advisory Reference Group Committee

**26. 4:35pm – 5:00pm    Closing Prayer**

Mayor Mosby invited Cr Stephen to close the meeting in prayer.

**Wednesday 22<sup>nd</sup> July 2020**

**Present**

Cr Phillemon Mosby, Mayor  
Cr Dimas Toby, Division 1 – Boigu  
Cr Torenzo Elisala, Division 2 – Dauan  
Cr Conwell Tabuai, Division 3 – Saibai  
Cr Keith Fell, Division 4 – Mabuiag  
Cr Lama Trinkoon, Division 6 – Kubin, Mua Island  
Cr John Levi, Division 7 – St Pauls, Mua Island  
Cr Seriako Dorante, Division 8 – Kirriri)  
Cr Getano Lui Jnr, Division 9 – Iama  
Cr Kabay Tamu, Division 10 – Warraber  
Cr Francis Pearson, Division 11 – Poruma  
Cr Hilda Mosby, Division 12 – Masig  
Cr Rocky Stephen, Division 13 – Ugar  
Cr Boggo Gela, Division 14 – Erub  
Cr Aven Noah, Division 15 – Mer  
Ms Hollie Faithfull, Chief Financial Officer (ACEO)  
Mr Ilario Sabatino, Chief Operating Officer (COO)  
Mr David Baldwin, Head of Engineering (HOE)  
Mr Peter Krebs, Manager Legal Services (MLS)  
Mr Luke Ranga, Head of Corporate Affairs and Engagement (HCAE)  
Ms Rachel Pierce, Head of Community Services (HOCS)  
Mrs Kathy Cochran – Senior Executive Assistant (SEA)  
Ms Naila Nomoa – Secretariat Officer (Acting SO)  
Ms Mette Nordling –Manager Governance and Compliance (via Telephone)

**Apologies**

Cr Laurie Nona, Division 5 – Badu

**27. 9:10am -9:11 Welcome and opening Prayer**

Mayor invited Cr Noah to open with Hymn and TSRA Chair Mr Pedro Stephen prayer.

Mayor acknowledged

- TSRA Chair Mr Pedro Stephen
- Councillors
- Chief Executive Officer for TSRA
- Leadership

**28. 9:14am – 10:01am Presentation 1: Mick Jeffery, Director and Mr Michel Zitha Manager - Far Northern Biosecurity Department of Agriculture and Fisheries – Invasive species – Torres Strait.**

Manager of Environmental Health Mr Ewan Gunn joined the meeting on VMR 8.

**29. 10:01am – 10:59am Presentation 2: Mr Pedro Stephen – Chairperson, Torres Strait Regional Authority.**

**30. 11:20am- 11:36am TSRA/TSIRC – Memorandum of Understanding – Consultative Session**

**12:00pm – 1:53pm – LUNCH**

**31. 1:53pm – 1:53pm COUNCIL MOVE INTO CLOSED BUSINESS**

**RESOLUTION:**

*Moved:* Cr Elisala; *Second:* Cr Tamu

That in accordance with section 275 (1) 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:

h) Business for which public discussion would be likely to prejudice the interests of Council or someone else or enable a person to gain a financial advantage.

**MOTION CARRIED**

**32. 1:53pm – 2:47pm CORPORATE – CB – Council Name Change**

**33. 2:47pm – 2:47pm COUNCIL MOVE OUT OF CLOSED BUSINESS**

**RESOLUTION:**

*Moved:* Cr Tabuai; *Second:* Cr Trinkoon

That Council move out of Closed Business

**MOTION CARRIED**



## **CORPORATE – CB – Council Name Change**

### **RESOLUTION:**

*Moved:* Cr Fell; *Second:* Cr Elisala

**That Council resolves to;**

- write to the Minister of Local Government, Racing & Multicultural Affairs requesting Council's name change from the "Torres Strait Island Regional Council" to the "Zenadth Kes Regional Council".

and

- write to the applicable State Minister(s) requesting that the "Torres Strait" Local Government Area be renamed to "Zenadth Kes".

and

- write to the applicable Federal Minister(s) requesting that the "Torres Strait" Local Government Area be renamed to "Zenadth Kes".

### **34. 2:47pm – 2:51pm CORPORATE – Communication Guidelines**

Head of Corporate affairs spoke to report - new legislation has been passed and will come into effect on 12 October 2020. Communications Guideline will be updated and presented for endorsement in due course.

### **35. 2:51pm – 3:12pm CORPORATE –Update on Fuel Bowser – Noting Paper**

- Murray Island
- Stephen Island

### **36. 3:12pm – 3:18pm CORPORATE – CB – Councillor Top 5 Priorities**

Postponed – Four councillors to send in priority listing for their division.

- Cr Lui – Yam Island
- Cr Nona – Badu island
- Cr Toby – Boigu Island
- Cr Dorante – Hammond Island

**ACTION:** Four Councillors to send top priorities.

### **37. 3:18pm – 4:08pm Business Arising from Information Reports**

Information Reports for August 2020.

- Indigenous Knowledge Centre
- Healthy Lifestyle Officers

Cr Stephen - Ugar

- Ugar Access
- Helipad work
- Water

**ACTION:** Head of Engineering to take offline with Cr Stephen and Head of Corporate Affairs.

Community Disaster

- Head of Engineering to send out Disaster Management Plan for the Region.

Cr Tabuai - Saibai

- Police and Boarder force to retain presence in the region.

Manager of Legal Services and Head of Corporate Affairs drafted up resolutions for matters raised.

**RESOLUTION:**

*Moved; Cr Tabuai Second; Cr Toby*

**"The Australian Border Force and other Federal and State authorities to take immediate and appropriate action to remove PNG overstayers from Saibai"**

**RESOLUTION:**

*Moved; Cr Toby Second; Cr Noah*

**"That the Commonwealth and State agencies responsible for patrolling the PNG border remain on high alert, and maintain a strong presence in the region to prevent any unauthorised arrivals into the Torres Strait until the end of the calendar year"**

38. 4:08pm – 11:49am

39. 4:09pm– 5:03pm

Next Meeting Scheduled – 18 & 19 August 2020 – VC  
Strategic Matters

Page 6 – Capital works funding

- Ugar all tide access

Chief Engineer gave explanation to Cr Stephen.

- Cr Stephen asked if we can change the dredging

Cr Fell

- Funding opportunities to become a reality

Cr Pearson – Hinterland Aviation plane

**ACTION:** Cr Lui to call Chair Torres and Cape Hospital and Health Services.

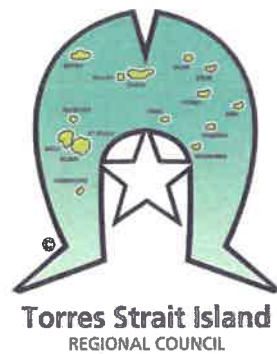
40. 5:03pm – 5:04pm

Closing Remarks

**Meeting Closed at 5:04 - Prayer by Cr Tabuai**

.....  
**Hollie Faithfull**  
**Acting Chief Executive Officer**  
**Torres Strait Island Regional Council**

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



# AGENDA

TORRES STRAIT ISLAND REGIONAL COUNCIL

**JULY 2020**

Tuesday 21<sup>st</sup> July 2020, 9:00am – 5:00pm  
Wednesday 22<sup>nd</sup> July 2020, 9:00am – 5:00pm

Olandi Pearson Memorial Hall  
PORUMA – Division 11

## **COUNCIL ORDINARY MEETING**

**Tuesday 21<sup>st</sup> July 2020**

### **Agenda Items**

- |  |                          |  |
|--|--------------------------|--|
| 1.   | <u>9:40am - 9:45am</u>   | <u>Welcome and Opening Remarks</u>   |
| 2.   | <u>9:45am – 9:50am</u>   | <u>Apologies</u>   |
| 3.   | <u>9:50am – 9:55am</u>   | <u>Declaration of Conflict of Interest (COI) / Material Person Interest (MPI)</u>  |
| 4.   | <u>9:55am- 10:00am</u>   | <u>Confirmation of Meeting Minutes and Special Meeting Minutes</u> <ul style="list-style-type: none"><li>• June 2020 Ordinary Meeting</li><li>• Special Meeting – 29<sup>th</sup> June 2020</li></ul>  |
| 5.   | <u>10:00am – 10:15am</u> | <u>Outstanding Ordinary Meeting Action Items</u>   |
| 6.   | <u>10:15am – 10:20am</u> | <u>LEGAL SERVICES – DA – Lot 20 Warraber ROL</u>   |
| 7.   | <u>10:20am – 10:25am</u> | <u>LEGAL SERVICES – DA – Lot 24 Warraber ROL</u>   |
| 8.   | <u>10:25am – 10:30am</u> | <u>LEGAL SERVICES – DA – Erub Church ROL</u>   |
| <br><u>10:30am – 10:45am - MORNING TEA</u> |                          |  |
| 9.   | <u>10:45am – 10:45am</u> | <u>COUNCIL MOVE INTO CLOSED BUSINESS</u>   |
| 10.  | <u>10:45am – 10:50am</u> | <u>BUILDING SERVICES - CB - Contract Matter- Badu Childcare Centre</u>   |
| 11.  | <u>10:50am – 10:55am</u> | <u>BUILDING SERVICES - CB - Contract Matter- 157 Lowatta Road Masig</u>  |
| 12.  | <u>10:55am – 11:00am</u> | <u>BUILDING SERVICES - CB- 76 Airport Drive Saibai</u>   |
| 13.  | <u>11:00am – 11:05am</u> | <u>BUILDING SERVICES - CB - 43 Aikurur Street Warraber</u>   |
| 14.  | <u>11:05am – 11:20am</u> | <u>OFFICE OF THE CEO – CB - Corporate Structure</u>  |
| 15.  | <u>11:20am – 11:30am</u> | <u>BUSINESS SERVICES – CB – Audit – Interim Management Report</u>  |
| 16.  | <u>11:30am – 12:00pm</u> | <u>CORPORATE – CB – Extension of Contract for Freight – late report</u>  |
| 17.  | <u>12:00pm – 12:00pm</u> | <u>COUNCIL MOVE OUT OF CLOSED BUSINESS</u>   |
| <br><u>12:00noon – 1:00pm – LUNCH</u>      |                          |  |
| 18.  | <u>1:00pm – 1:20pm</u>   | <u>CORPORATE – FY21 Operational Plan – late report</u>   |
| 19.  | <u>1:20pm – 1:40pm</u>   | <u>BUSINESS SERVICES – FY21 Budget</u>   |
| 20.  | <u>1:40pm – 1:55pm</u>   | <u>BUSINESS SERVICES – 19/20 Estimated Position</u>  |
| 21.  | <u>1:55pm – 2:15pm</u>   | <u>CORPORATE – Council Deputation Priority Areas – late report</u>   |
| 22.  | <u>2:15pm – 3:00pm</u>   | <u>CORPORATE – Community Grant Program</u>   |
| <br><u>3:00pm – 3:30pm – AFTERNOON TEA</u> |                          |  |
| 23.  | <u>3:30pm - 3:40pm</u>   | <u>OFFICE OF THE CEO – People and Wellbeing Policy</u>   |
| 24.  | <u>3:40pm – 3:50pm</u>   | <u>CORPORATE – Policy Matter – Risk Management Policy</u>  |
| 25.  | <u>3:40pm – 4:55pm</u>   | <u>CORPORATE – Councillors Committees</u> <ul style="list-style-type: none"><li>• Cultural Arts and Heritage Committee</li><li>• Governance and Leadership Committee</li><li>• Economic Growth Committee</li><li>• Safe and Healthy Communities Committee</li><li>• Climate Change Adaptation and Environment Committee</li><li>• Strategic Advisory Reference Group Committee</li></ul> |
| 26.  | <u>4:55pm – 5:00pm</u>   | <u>Closing Remarks and Prayer</u>  |

**Wednesday 22<sup>nd</sup> July 2020**  
**Agenda Items**

- |     |                          |  |
|-----|--------------------------|--|
| 27. | <u>9:00am – 9:05am</u>   | <u>Welcome and opening prayer</u>  |
| 28. | <u>9:05am – 10:05am</u>  | <b><u>PRESENTATION 1:</u></b> Mick Jeffery, Director – Far Northern Biosecurity<br>Department of Agriculture and Fisheries – Invasive species – Torres<br>Strait.<br><br><b><u>10:05am – 10:20am – MORNING TEA</u></b> |
| 29. | <u>10:20am – 11:20am</u> | <b><u>PRESENTATION 2:</u></b> Mr Pedro Stephen – Chairperson, Torres Strait<br>Regional Authority.   |
| 30. | <u>11:20am – 12:00pm</u> | <u>TSRA/TSIRC – Memorandum of Understanding – Consultative Session</u><br><br><b><u>12:00pm – 1:00pm – LUNCH</u></b>   |
| 31. | <u>1:10pm – 1:10pm</u>   | <u>COUNCIL MOVE INTO CLOSED BUSINESS</u>   |
| 32. | <u>1:10pm – 1:40pm</u>   | <u>CORPORATE – CB – Council Name Change</u>  |
| 33. | <u>1:40pm – 1:40pm</u>   | <u>COUNCIL MOVE OUT OF CLOSED BUSINESS</u>   |
| 34. | <u>1:40pm – 2:10pm</u>   | <u>CORPORATE – Communication Guidelines</u>  |
| 35. | <u>2:10pm – 2:30pm</u>   | <u>CORPORATE – Update on Fuel Bowser – Noting Paper – late report</u>  |
| 36. | <u>2:30pm – 3:30pm</u>   | <u>CORPORATE – Councillor Top 5 Priorities - late report</u><br><br><b><u>3:30pm – 3:45pm – Afternoon Tea</u></b>  |
| 37. | <u>3:45pm – 4:00pm</u>   | <u>Business Arising from Information Reports</u>   |
| 38. | <u>4:00pm – 4:05pm</u>   | <u>Next Meeting Scheduled – 18 &amp; 19 August 2020 - VC</u>   |
| 39. | <u>4:05pm – 4:55pm</u>   | <u>Strategic Matters</u>   |
| 40. | <u>4:55pm – 5:00pm</u>   | <u>Closing Remarks and Prayer</u><br><br><b><u>Meeting Closed – 5:00pm</u></b>   |

# TORRES STRAIT ISLAND REGIONAL COUNCIL

## AGENDA REPORT

### COUNCIL ORDINARY MEETING

**DATE:** July 2020  
**SUBJECT:** Development Application – Warraber – TSIRC –  
Reconfiguration of a Lot (1 Lot into 2 Lots)  
Warraber Island QLD 4875

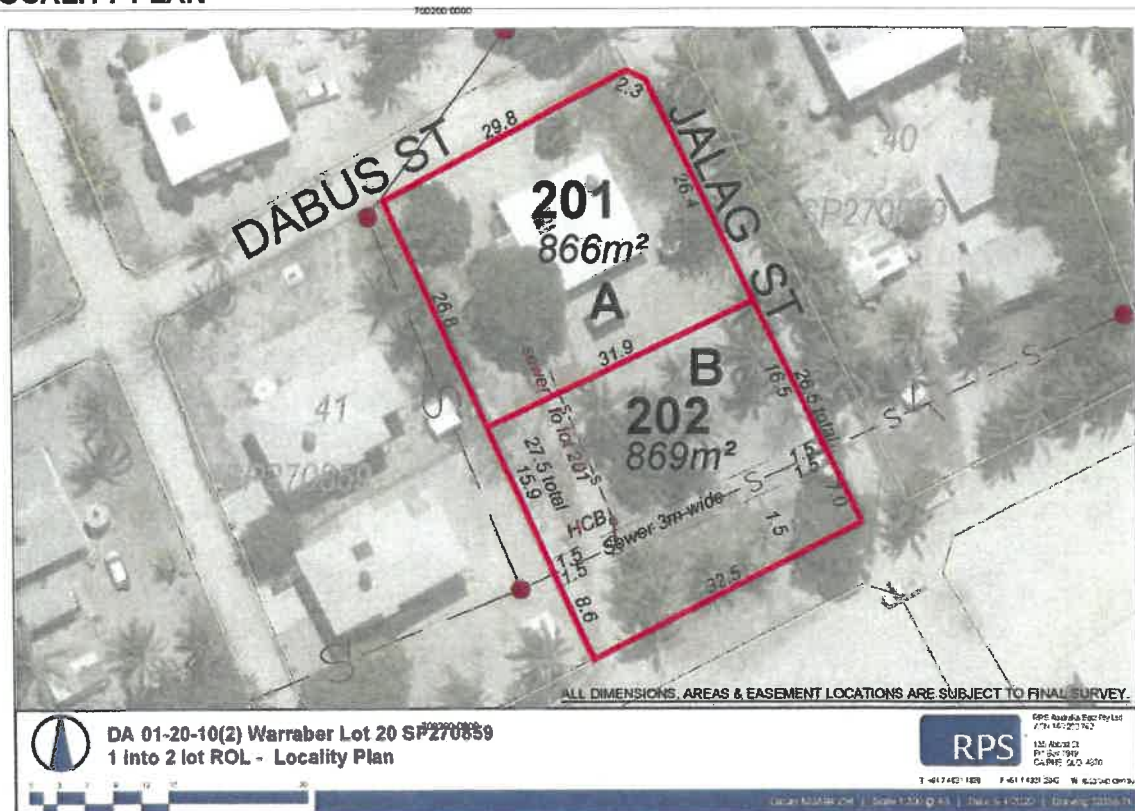
**PRESENTER:** Peter Krebs – Manager, Legal Services

**APPLICANT:** Torres Strait Island Regional Council (TSIRC)  
**LOCATION:** Cnr Dabus, Jalag and Yessie Streets, Warraber (Sue) Island

**PROPOSAL:** Reconfiguration of a Lot (1 Lot into 2 Lots)

**EXISTING PROPERTY DESCRIPTION:** Lot 20 on SP270859  
**REFERENCE:** DA 01-20-10(2)10358 Warraber

### LOCALITY PLAN



## **RECOMMENDATION**

***That Council issue a Development Permit for 'Reconfiguration of a Lot' with the inclusion of the conditions set out in Part 6 of the Agenda Report for Warraber Island, Warraber QLD 4875.***

## **EXECUTIVE SUMMARY**

The Department of Aboriginal and Torres Strait Islander Partnerships (DATSIP) are currently tasked with reviewing applications lawfully approved under the *Aborigines and Torres Strait Islanders (Land Holding) Act 1985* but never finalised. The original applicants are entitled to be granted a lease. Lot 20 on SP270859 was subject of such an application.

There is currently one social housing dwelling located on Lot 20 on SP270859. The original applicants have since passed away, however provision exists for the lease entitlement to be granted to the beneficiaries of the deceased's estate. The proposal seeks:

- Granting of the lease entitlement to the beneficiaries – 'Site A' (proposed Lot 201) (39 Dabus Street); and
- Partial surrender of a portion of the entitlement, 'Site B' (proposed Lot 202) back to TSIRC as trustee.

Consequently an application for a Reconfiguration of a Lot for the creation of 2 lots has been submitted and the proposed development requires planning approval for:

- Site A (proposed Lot 201) and
- Site B (proposed Lot 202),

The development will reconfigure Lot 20 to create two (2) lots as shown on **Attachment 1 - Approved plan Warraber Lot 20 ROL RPS 10358-71.pdf**

There are no planning issues and the application is recommended for approval.

## **DISCUSSION**

### **1. REFERRAL AGENCY CONDITIONS**

The applicant has undertaken the necessary State agency referrals for coastal management purposes. The Referral Agency Response has provided conditions to be included with the planning approval – see **Attachment 2 - Concurrence response 2002-15596 SRA RA6-N Response with conditions.pdf**. The State has not imposed any conditions, apart from undertaking the work in accordance with the approved plan.

The reasons for the department's decision are:

- The development is a continuation of an existing use and is considered further development of an existing lot that can't be relocated.
- The development is not likely to increase the risk of coastal erosion on or off the site.
- The development will not impact coastal processes or coastal resources.
- The proposed reconfiguration is not likely to impact on matters of state environmental significance (MSES).

Council **MUST** include the State's concurrence conditions in their approval.

### **2. ZENADTH KES TOWN PLANNING SCHEME 2016**

The proposed development is reflected below:

Strategic	Lot 20 - Township
Zone	Lot 24 - Township
Local Plan	Warraber Island /Dhuwal Pad (Sue) Local Plan
Environmental Values	Lot 20 within Low Environmental Value area;
Potential Acid Sulphate Soils	Yes
Landslide Risk	No
Bushfire Risk	No
Coastal Management District	Yes
Erosion Prone Area	Yes
Storm Tide Inundation	Yes
Flood Hazard Area	No

Within the TSIRC Zenadth Kes Planning Scheme, the proposed development is located within the Township Zone and is subject to Code Assessment. The proposed development has been assessed against the applicable Codes:

- Township Zone Code
- Warraber Island / Dhuwal Pad (Sue) Local Plan Code
- Reconfiguration of a Lot Code
- Infrastructure and Works Code
- Water Quality Code
- Acid Sulfate Soils Code
- Land Sea Sky Overlay – Low Environmental Value
- Natural Hazard Overlay – Coastal (Storm Tide, Erosion Prone)

The subject site is zoned for urban purposes and minimises impacts upon areas identified as having Environmental Value.

### **3. ENGINEERING**

Proposed Lot 202 (also B) contains an existing Council sewer line and a smaller sewer house drain to the existing house on proposed lot 201. All future building works are to remain 1.5m clear of the Council sewer infrastructure to allow future access for maintenance if required. All future building works are to remain clear of the sewer house drain that serves the existing house on lot 201, or to make alternative plumbing arrangements

### **4. PLANNING ISSUES**

The Reconfiguration of a Lot is required for registration of boundaries around the existing dwelling located on Lot 20 on SP270859 and to grant a lease over Site A.

The lots are well above the required minimum lot size of 300m<sup>2</sup> and comply with the codes.

### **5. RECOMMENDATIONS**

**Based on the above, the recommendation is as follows:**

That Council issue a Development Permit for 'Reconfiguration of a Lot' with the inclusion of the following conditions:



## Approved Plans

1. *The proposed development is to be undertaken in accordance with the following approved drawings*

<b>Plan/Document Number</b>	<b>Plan/Document Name</b>	<b>Date</b>
Proposal plan with application	Proposed reconfiguration of cancelling Lot 20 on SP270859, Cnr Dabus, Jalag and Yessie Streets, Warraber Island	
RPS Locality Plan 10358-71	DA 01-20-10(2) Warraber Lot 20 SP270859 1 into 2 lot ROL - Locality Plan	9-4-2020

*subject to any alterations:*

- a) *found necessary by Chief Executive Officer at the time of examination of drawings or during construction of the works because of particular engineering or cultural requirements and to ensure the works comply in all respects with the requirements of FNQROC Development Manual and good engineering practice; and*
  - b) *to comply with project specific conditions*
2. *The final Survey plan is to adopt numerical Lot numbers as opposed to Site A and Site B.*
  3. *All works must be carried out in accordance with the approved plans, conditions and specifications, to the requirements and satisfaction of the Chief Executive Officer.*
  4. *The applicant is responsible for providing any required services to the lots.*
  5. *The applicant should ensure that the clearance to the any sewer infrastructure is a minimum of 1.5m except as approved by the Executive Manager – Engineering Service.*
  6. *All future building works are to remain clear of the sewer house drain that serves the existing house on lot 201, or to make alternative plumbing arrangements.*
  7. *This approval is valid for four (4) years. A plan of survey must be lodged with Council for endorsement within this time, otherwise the approval will lapse.*
  8. *The finished floor level of all habitable rooms is a minimum of 300mm above the defined storm tide inundation level of 3.47m MSL.*

## Referral Agency Response

### 9. Referral Agency Conditions

*The development application was referred to the department under the following provisions of the Planning Regulation 2017:*

- 10.17.3.5.1 *Tidal works or works in a coastal management district*

*The Referral Agency Response has advised that there are no requirements in relation to the application – see **Attachment 2** dated 4 March 2020 for the full response.*

**Report Prepared By:** RPS (Cairns) – Ian Doust  
**Date Prepared:** 9 April 2020

## **CONCLUSION**

As presented.

**Bruce Ranga  
CEO**

**Peter Krebs  
Manager, Legal Services**

### **Attachments:**

#### **1. Approved Plans**

- Application Plan of Proposed reconfiguration of Lot 24 & 3 cancelling Lot 20 on SP270859, Cnr Dabus, Jalag and Yessie Streets, Warraber Island and
- RPS Locality Plan 10358-71 DA 01-20-10(2) Warraber Lot 20 SP270859 1 into 2 lot ROL - 9 April 2020

#### **2. DSDMIP Referral Agency Response – conditions 4 March 2020**



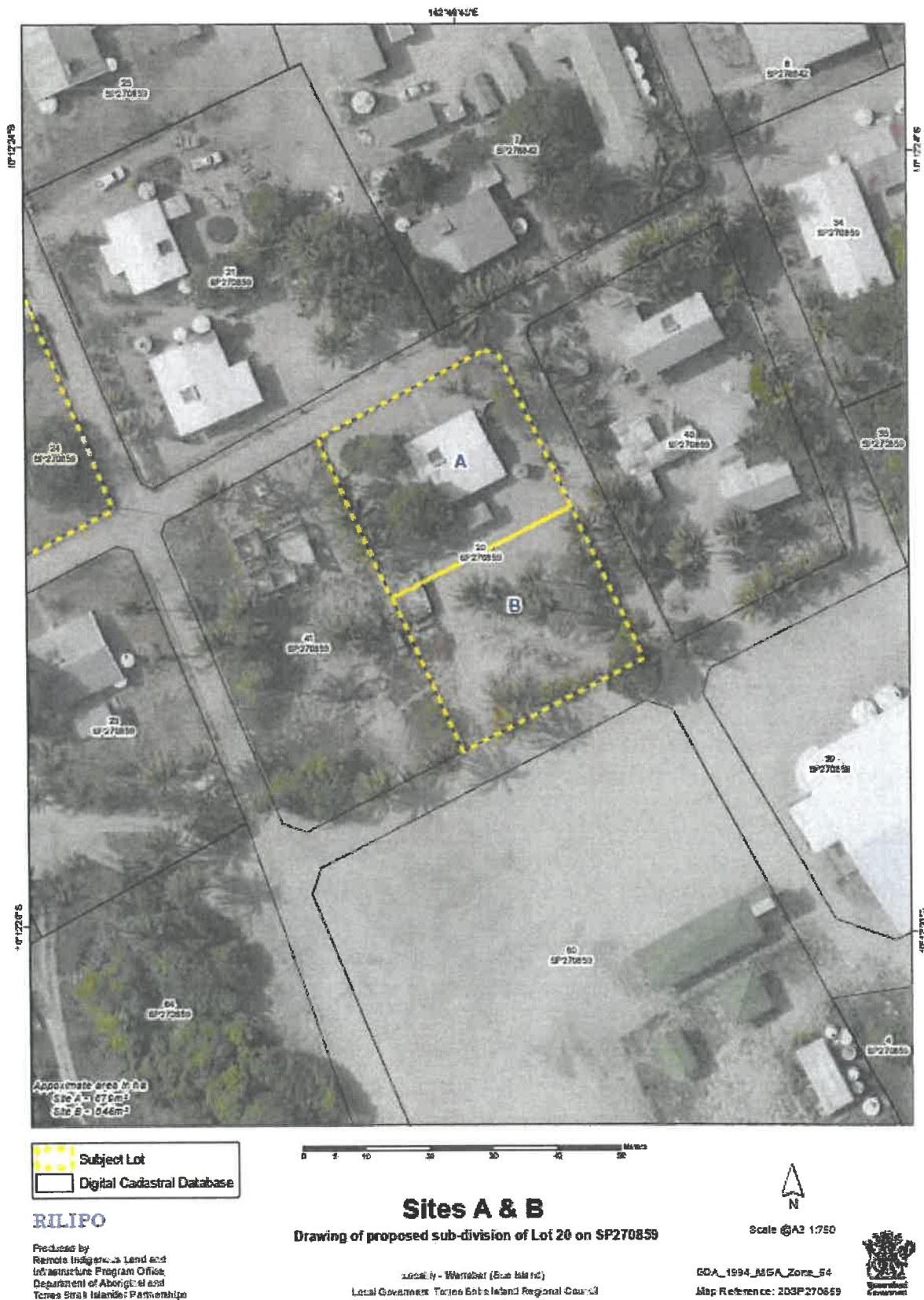
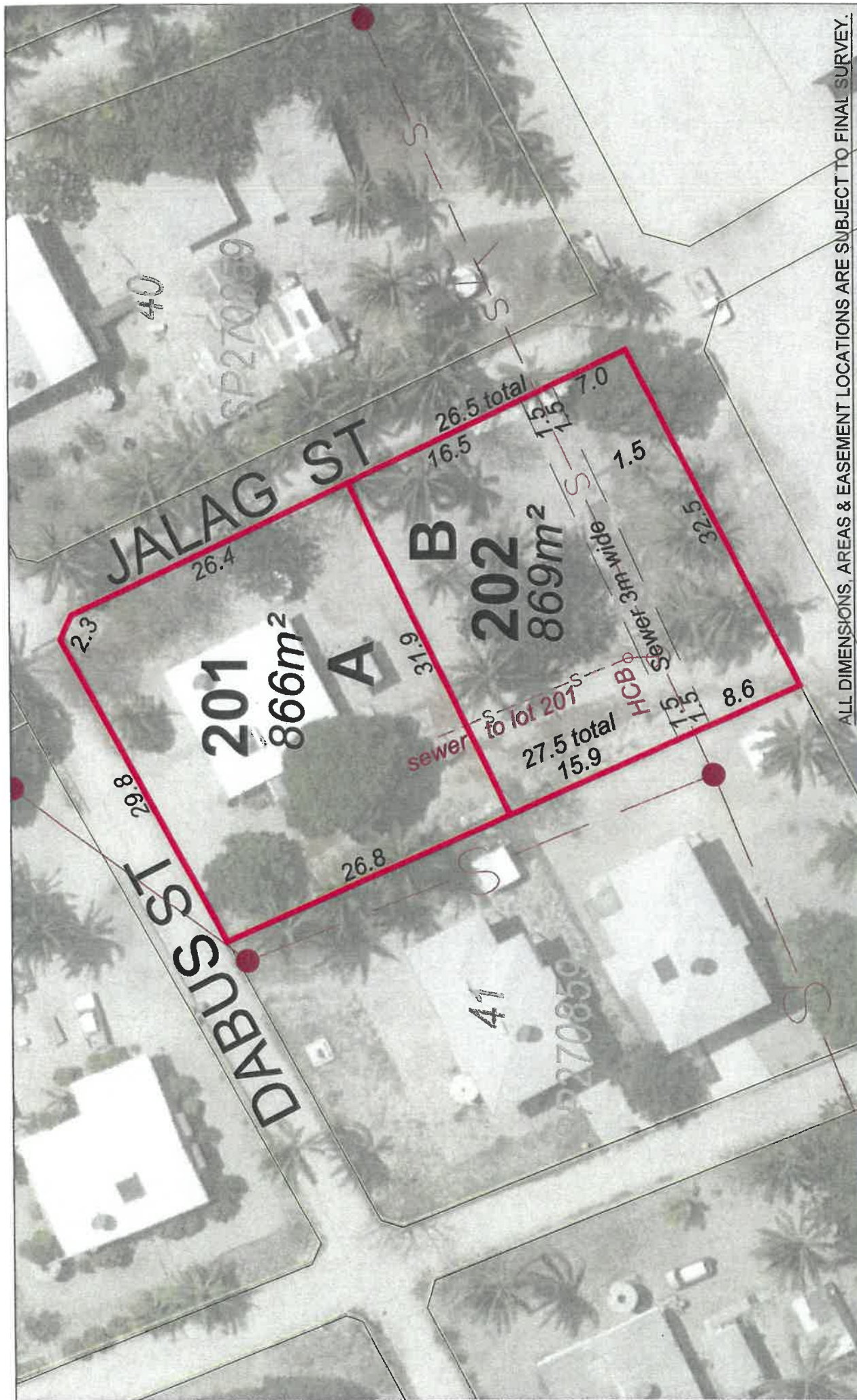


Figure: Proposed Subdivision Plan





ALL DIMENSIONS, AREAS & EASEMENT LOCATIONS ARE SUBJECT TO FINAL SURVEY.



**DA 01-20-10(2) Warraber Lot 20 SP270859**  
**1 into 2 lot ROL - Locality Plan**



**RPS**

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# TORRES STRAIT ISLAND REGIONAL COUNCIL

## AGENDA REPORT

### COUNCIL ORDINARY MEETING

**DATE:** July 2020

**SUBJECT:** Development Application – Warraber – TSIRC –  
Reconfiguration of a Lot (1 Lot into 2 Lots)  
Warraber Island QLD 4875

**PRESENTER:** Peter Krebs – Manager, Legal Services

**APPLICANT:** Torres Strait Island Regional Council (TSIRC)

**LOCATION:** Cnr Dadus and Aikuru Street, Warraber (Sue) Island

**PROPOSAL:** Reconfiguration of a Lot (1 Lot into 2 Lots)

**EXISTING PROPERTY DESCRIPTION:** Lot 24 on SP270859

**REFERENCE:** DA 01-20-10(1)10358 Warraber

### LOCALITY PLAN



## **RECOMMENDATION**

***That Council issue a Development Permit for 'Reconfiguration of a Lot' with the inclusion of the conditions set out in Part 6 of the Agenda Report for Warraber Island , Warraber QLD 4875.***

## **EXECUTIVE SUMMARY**

The Department of Aboriginal and Torres Strait Islander Partnerships (DATSIP) are currently tasked with reviewing applications lawfully approved under the *Aborigines and Torres Strait Islanders (Land Holding) Act 1985* but never finalised. The original applicants are entitled to be granted a lease. Lot 24 on SP270859 was subject of such an application.

There are currently two social housing dwellings located on Lot 24 on SP270859. Donald and Elise Pearson were the original applicants, however Donald is now deceased. The remaining beneficiary is seeking to transfer the lease to her son, William Pearson. The proposal seeks:

- Granting of the lease entitlement to the beneficiary – Elise Pearson for 'Site A' (30 Aikuru Street) and then the transfer the lease (Site A) to her son, William Pearson, the current tenant of 30 Aikuru Street; and
- Partial surrender of a portion of the entitlement, 'Site B' (31 Dabus Street) back to TSIRC as trustee.

Consequently an application for a Reconfiguration of a Lot for the creation of 2 lots – Site A and Site B, has been submitted as the proposed development requires planning approval for:

- Site A (proposed Lot 242) and
- Site B (proposed Lot 241),

There are no planning issues and the application is recommended for approval.

## **DISCUSSION**

### **1. REFERRAL AGENCY CONDITIONS**

The applicant has undertaken the necessary State agency referrals for coastal management purposes. The Referral Agency Response has provided conditions to be included with the planning approval – see **Attachment 2 - Concurrence response 2002-15594 SRA RA6-N Response with conditions.pdf**. The State has not imposed any conditions, apart from undertaking the work in accordance with the approved plan.

The reasons for the department's decision are:

- The development is a continuation of an existing use and is considered further development of an existing lot that can't be relocated.
- The development is not likely to increase the risk of coastal erosion on or off the site.
- The development will not impact coastal processes or coastal resources.
- The proposed reconfiguration is not likely to impact on matters of state environmental significance (MSES).

Council **MUST** include the State's concurrence conditions in their approval.

### **2. ZENADTH KES TOWN PLANNING SCHEME 2016**

The proposed development is reflected below:



Strategic	Lot 24 - Township
Zone	Lot 24 - Township
Local Plan	Warraber Island /Dhuwal Pad (Sue) Local Plan
Environmental Values	Lot 24 within Low Environmental Value area;
Potential Acid Sulphate Soils	Yes
Landslide Risk	No
Bushfire Risk	No
Coastal Management District	Yes
Erosion Prone Area	Yes
Storm Tide Inundation	Yes
Flood Hazard Area	No

Within the TSIRC Zenadth Kes Planning Scheme, the proposed development is located within the Township Zone and is subject to Code Assessment. The proposed development has been assessed against the applicable Codes:

- Township Zone Code
- Warraber Island / Dhuwal Pad (Sue) Local Plan Code
- Reconfiguration of a Lot Code
- Infrastructure and Works Code
- Water Quality Code
- Acid Sulfate Soils Code
- Land Sea Sky Overlay – Low Environmental Value
- Natural Hazard Overlay – Coastal (Storm Tide, Erosion Prone)

The subject site is zoned for urban purposes and minimises impacts upon areas identified as having Environmental Value.

### 3. ENGINEERING

Both of the proposed lots have services.

### 4. PLANNING ISSUES

The lots are well above the required minimum lot size of 300m<sup>2</sup> and comply with the codes.

### 5. RECOMMENDATIONS

**Based on the above, the recommendation is as follows:**

That Council issue a Development Permit for 'Reconfiguration of a Lot' with the inclusion of the following conditions:

#### Approved Plans

1. *The proposed development is to be undertaken in accordance with the following approved drawings*

Plan/Document Number	Plan/Document Name	Date
----------------------	--------------------	------



Proposal plan	Proposed reconfiguration of cancelling Lot 20 on SP270859, Cnr Dabus Street and Aikuru, Warraber Island	
RPS Locality Plan 10358-72	DA 01-20-10(1) Warraber Lot 24 SP270859 1 into 2 lot ROL - Locality Plan	9-4-2020

*subject to any alterations:*

- a) *found necessary by Chief Executive Officer at the time of examination of drawings or during construction of the works because of particular engineering or cultural requirements and to ensure the works comply in all respects with the requirements of FNQROC Development Manual and good engineering practice; and*
- b) *to comply with project specific conditions*
2. *The final Survey plan is to adopt numerical Lot numbers as opposed to Site A and Site B.*
3. *All works must be carried out in accordance with the approved plans, conditions and specifications, to the requirements and satisfaction of the Chief Executive Officer.*
4. *The applicant is responsible for providing any required services to the lots.*
5. *The applicant should ensure that the clearance to the any sewer infrastructure is a minimum of 1.5m except as approved by the Executive Manager – Engineering Service.*
6. *This approval is valid for four (4) years. A plan of survey must be lodged with Council for endorsement within this time, otherwise the approval will lapse.*
7. *The finished floor level of all habitable rooms is a minimum of 300mm above the defined storm tide inundation level of 3.47m MSL.*

### **Referral Agency Response**

#### **8. Referral Agency Conditions**

*The development application was referred to the department under the following provisions of the Planning Regulation 2017:*

- 10.17.3.5.1 *Tidal works or works in a coastal management district*

*The Referral Agency Response has advised that there are no requirements in relation to the application – see **Attachment 2** dated 4 March 2020 for the full response.*

**Report Prepared By:** RPS (Cairns) – Ian Doust  
**Date Prepared:** 9 April 2020

## **CONCLUSION**

As presented.

**Bruce Ranga**  
**CEO**

**Peter Krebs**  
**Manager, Legal Services**

**Attachments:****1. Approved Plans**

- Application Plan of Proposed reconfiguration cancelling Lot 20 on SP270859, Cnr Dabus, Jalag and Yessie Streets, Warraber Island and
- RPS Locality Plan 10358-72 DA 01-20-10(1) Warraber Lot 24 SP270859 1 into 2 lot ROL - 9 April 2020

**2. DSDMIP Referral Agency Response – conditions 4 March 2020**

## 15 Site Plans

### Lot 24 on SP270859

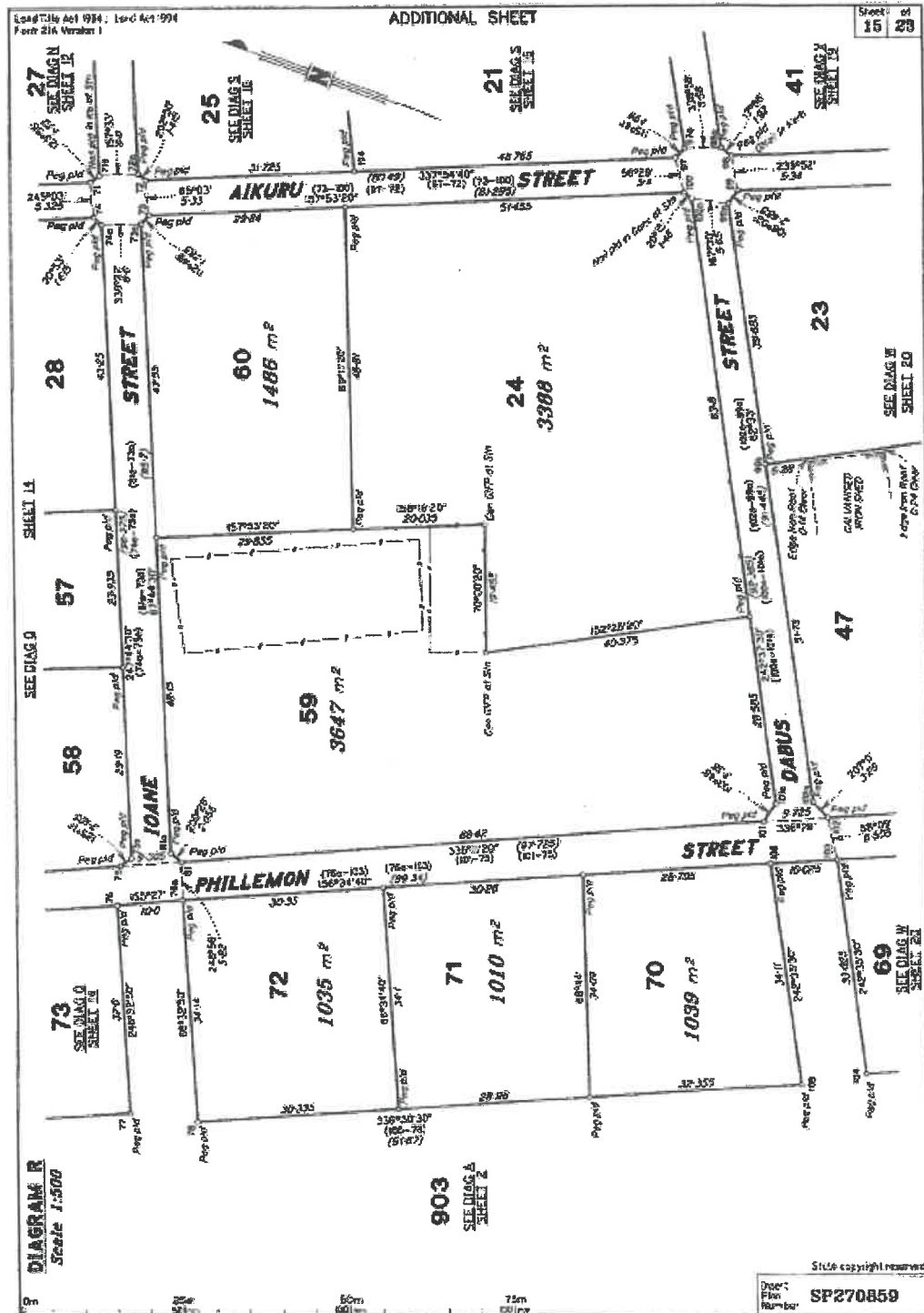


Figure: Locality Plan

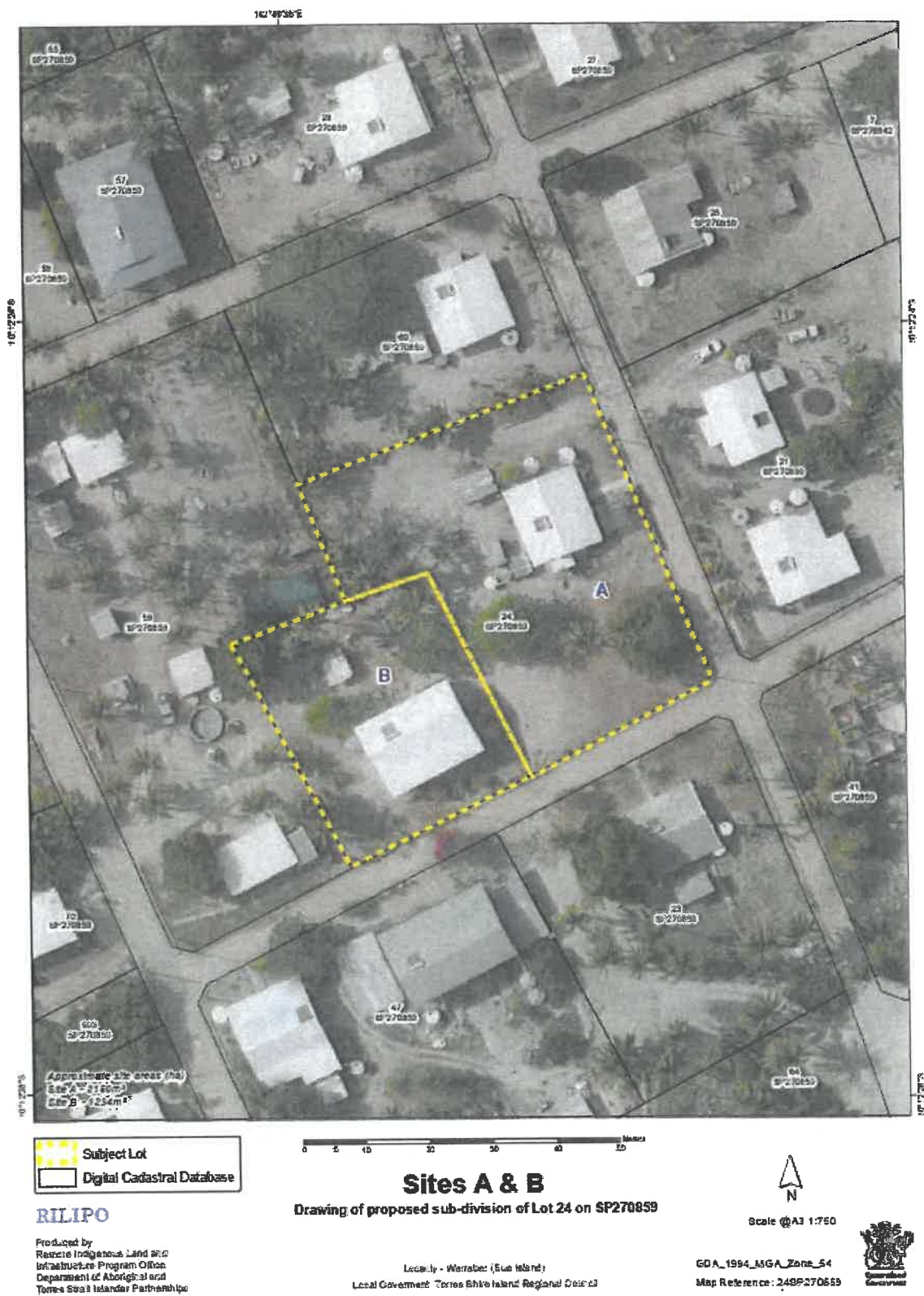
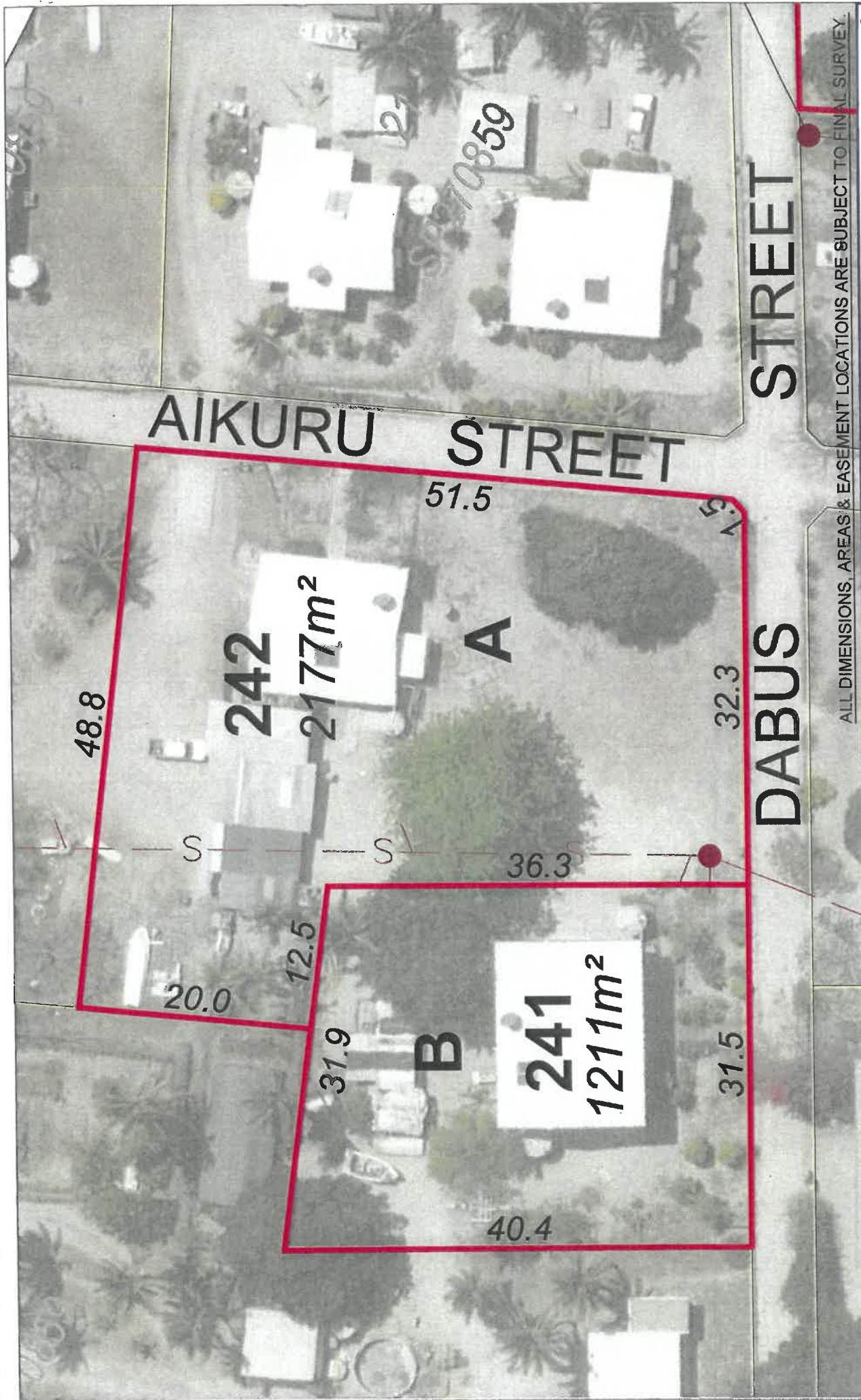


Figure: Proposed Subdivision Plan





ALL DIMENSIONS, AREAS & EASEMENT LOCATIONS ARE SUBJECT TO FINAL SURVEY.

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**RPS**

**DA 01-20-10(2) Warraber Lot 24 SP270859**  
**1 into 2 lot ROL - Locality Plan**



Datum MGA94 z54 | Scale 1:300 @ A3 | Date 9-4-2020 | Drawing 10358-72

# TORRES STRAIT ISLAND REGIONAL COUNCIL

## AGENDA REPORT

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### COUNCIL ORDINARY MEETING

**DATE:** July 2020

**SUBJECT:** Development Application – Erub Island – TSIRC –  
Reconfiguration of a Lot – Subdivision by Agreement  
(Realignment of Lease Area), Erub Island QLD 4875

**PRESENTER:** Peter Krebs – Manager, Legal Services

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**APPLICANT:** Anglican Diocese of North Queensland c/- Preston Law

**LOCATION:** Erub Island

**PROPOSAL:** Reconfiguration of a Lot – Subdivision by Agreement (Realignment of Lease Area) on Erub Island

**EXISTING PROPERTY DESCRIPTION:** Lot 100 on SP270873

**REFERENCE:** DA 08-19-14(1)10358 Erub

**LOCALITY PLAN**



## **RECOMMENDATION**

***That Council issue a Development Permit for 'Reconfiguration of a Lot' with the inclusion of the conditions set out in Part 6 of the Agenda Report for Erub Island Reconfiguration for creation of new lease, Erub Island QLD 4875.***

## **EXECUTIVE SUMMARY**

The Anglican Diocese of North Queensland seeks development approval for the establishment of a new lease (30 year term) for the All Saints Church. The establishment of the revised lease will require a boundary that is consistent with the existing Native Title determination on land at Lot 100 Erub Island Road, Erub - Lot 100 on SP270873.

The existing church was first established in 1919 and has several re-constructions over its life span.

The original church was located on part of lot 64 on TS285 (Special Lease 43/38563) which was not included in the Erub Native Title determination. The current Lot 100 SP270873 includes both the Special Lease AND some additional land near part of the north-western boundary fronting Road No.8. The additional land is part of the native title determination and ILUA.

Consequently, an application for a 'Reconfiguration of a Lot – Subdivision by Agreement (Realigning lease boundaries)' for the Erub Island All Saints Church has been submitted to Council.

The development will create a new Lease A over only part of Lot 100 as shown on **Attachment 1 - Approved plan Proposed Lease A**.

The applicant has sought and been granted a Heritage Exemption Certificate for the proposed reconfiguring a lot "10.8.2.1 – Development on a Queensland Heritage Place".

There are no planning issues and the application is recommended for approval.

## **DISCUSSION**

### **1. REFERRAL AGENCY CONDITIONS**

The applicant has undertaken the necessary State agency referrals for coastal management purposes. The Referral Agency Response has advised that there are no requirements in relation to the reconfiguration of a Lot or the establishment of a new lease (30 years) or the All Saints Church – see **Attachment 2 - Concurrence response 1912-14501 SRA Response – no requirements.pdf**. The State has not imposed any conditions, apart from undertaking the work in accordance with the approved plan.

The reasons for the department's decision are:

- The proposed reconfiguration will have no impact on the existing developed area of the site and is considered development of an existing lot that cannot be relocated.
- The development is not likely to impact on coastal processes and will not impact on the protective function of landforms and vegetation.
- The development is not likely to increase the risk of coastal erosion on or off the site.
- The proposed revised lease is within approved boundaries of an existing approval and will have no impact on matters of state environmental significance (MSES).

## 2. ZENADTH KES TOWN PLANNING SCHEME 2016

The proposed development is reflected below:

Strategic	Lot 100 - Township
Zone	Lot 100 – Township Zone Code
Local Plan	Erub (Darnley) Island Local Plan
Environmental Values	Lot 100 within Low Environmental Value area;
Potential Acid Sulphate Soils	Yes
Landslide Risk	No
Bushfire Risk	No
Coastal Management District	Yes
Erosion Prone Area	Yes
Storm Tide Inundation	Yes
Flood Hazard Area	No

Within the TSIRC Zenadth Kes Planning Scheme, the proposed development is located within the Township Zone and is subject to Code Assessment. The proposed development has been assessed against the applicable Codes:

- Township Zone Code
- Erub (Darnley) Island Local Plan Code
- Reconfiguration of a Lot Code
- Infrastructure and Works Code
- Water Quality and Acid Sulfate Soils Code

The subject site is zoned for urban purposes and minimises impacts upon areas identified as having Environmental Value.

## 3. ENGINEERING

No new development or operational works are associated with this application.

## 4. PLANNING ISSUES

No issues.

## 5. RECOMMENDATIONS

**Based on the above, the recommendation is as follows:**

That Council issue a Development Permit for 'Reconfiguration of a Lot or Subdivision by Agreement (Realignment of Lease Area)' with the inclusion of the following conditions:

### Approved Plans

1. *The proposed development is to be undertaken in accordance with the following approved drawings*

Plan/Document Number	Plan/Document Name	Date
RPS Plan PR144438-1	Proposed Lease A, being part of lot 100 on	12-07-2019



*subject to any alterations:*

- a) *found necessary by Chief Executive Officer at the time of examination of drawings or during construction of the works because of particular engineering or cultural requirements and to ensure the works comply in all respects with the requirements of FNQROC Development Manual and good engineering practice; and*
- b) *to comply with project specific conditions*
- 2. *All works must be carried out in accordance with the approved plans, conditions and specifications, to the requirements and satisfaction of the Chief Executive Officer.*
- 3. *This approval is valid for four (4) years. A plan of survey must be lodged with Council for endorsement within this time, otherwise the approval will lapse.*

### **Referral Agency Response**

#### **4. Referral Agency Conditions**

*The development application was referred to the department under the following provisions of the Planning Regulation 2017:*

- 10.17.3.5.1 *Tidal works or works in a coastal management district*

*The Referral Agency Response has provided no conditions in relation to the application – see Attachment 2 dated 10 February 2020 for the full response.*

**Report Prepared By:** RPS (Cairns) – Ian Doust  
**Date Prepared:** 18 February 2020

## **CONCLUSION**

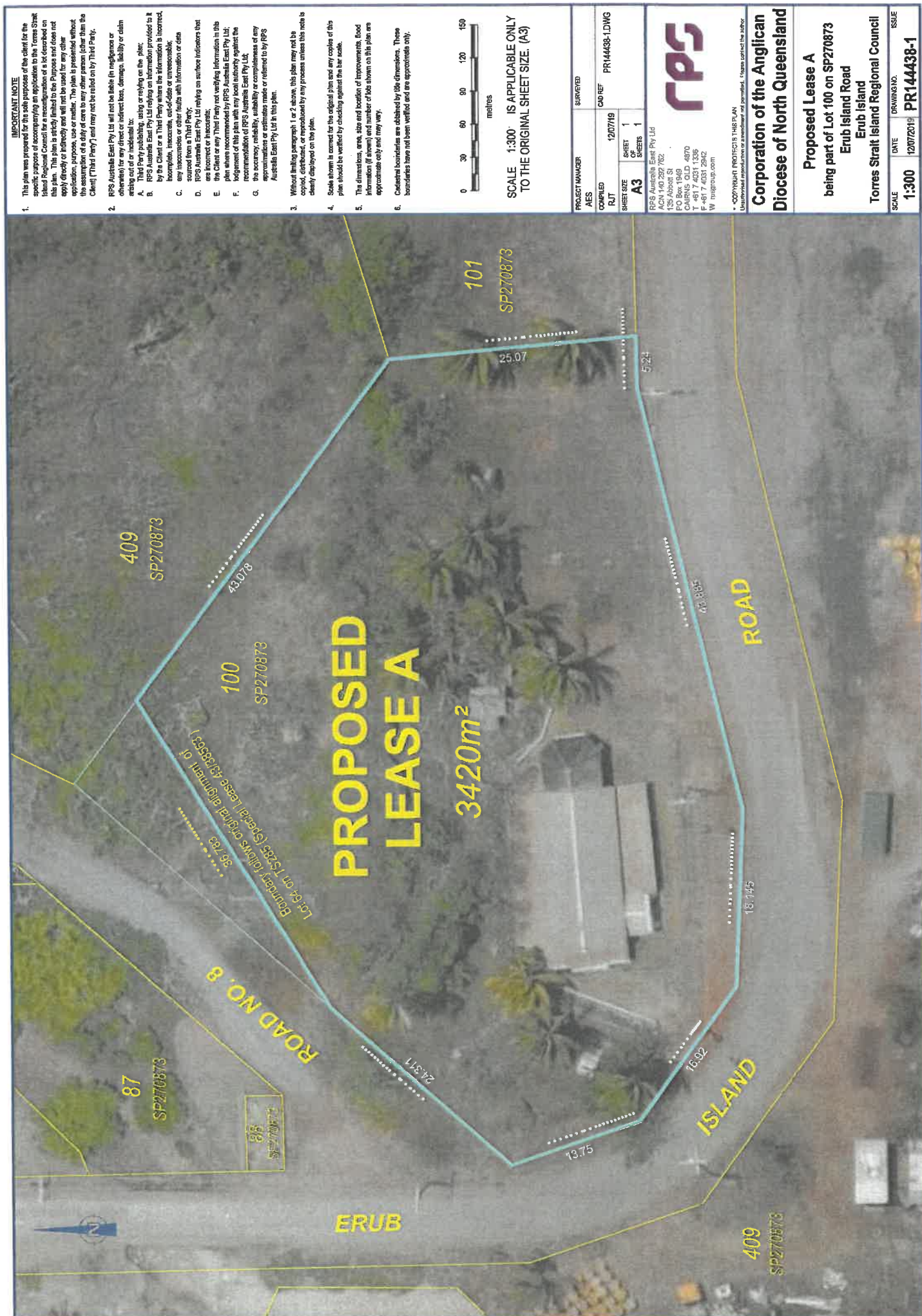
As presented.

**Bruce Ranga**  
**CEO**

**Peter Krebs**  
**Manager, Legal Services**

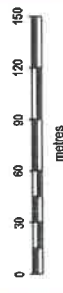
### **Attachments:**

1. Approved Plans – RPS Plan PR144438-1
2. DSDMIP Referral Agency Response –10 February 2020



**IMPORTANT NOTE**

1. The plan was prepared for the sole purpose of the client for the specific purpose of accompanying an application to the Torres Strait Island Regional Council for a reconfiguration of a lot described on this plan. This plan is strictly limited to the Purpose and does not apply directly or indirectly and will not be used for any other application, purpose, use or matter. The plan is presented without the assumption of a duty of care to any other person (other than the Client) ("Third Party") and may not be relied on by Third Party.
2. RPS Australia East Pty Ltd will not be liable (in negligence or otherwise) for any direct or indirect loss, damage, liability or claim arising out of or incidental to:
  - A. Third Party publishing, using or relying on the plan;
  - B. RPS Australia East Pty Ltd relying on information provided to it by the Client or a Third Party where the information is incorrect, incomplete or otherwise unreliable;
  - C. any inaccuracies or other faults with information or data sourced from a Third Party;
  - D. RPS Australia East Pty Ltd relying on surface indicators that are incorrect or inaccurate;
  - E. the Client or any Third Party not verifying information in this plan where recommended by RPS Australia East Pty Ltd;
  - F. lodgement of this plan with any local authority against the recommendation of RPS Australia East Pty Ltd;
  - G. the accuracy, reliability, suitability or completeness of any approximations or estimates made or referred to by RPS Australia East Pty Ltd in this plan.
3. Without limiting paragraph 1 or 2 above, this plan may not be relied on for any purpose unless this note is clearly displayed on the plan.
4. Scale shown is correct for the original plan and any copies of this plan should be verified by checking against the bar scale.
5. The dimensions, area, size and location of improvements, flood information (if shown) and number of lots shown on this plan are approximate only and may vary.
6. Cadastral boundaries are obtained by title dimensions. These boundaries have not been verified and are approximate only.



SCALE 1:300 IS APPLICABLE ONLY TO THE ORIGINAL SHEET SIZE (A3)

PROJECT MANAGER		SURVEYED	
AES		CAD REF	
COMPILED	RJT	12/07/19	PR144438-1.DWG
SHEET SIZE	A3	SHEET	1
		OF	1
		SHEETS	1

RPS Australia East Pty Ltd  
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**Corporation of the Anglican  
Diocese of North Queensland**

**Proposed Lease A**  
being part of Lot 100 on SP270873  
Erub Island Road  
Erub Island  
Torres Strait Island Regional Council

SCALE	DATE	DRAWING NO.	ISSUE
1:300	12/07/2019	PR144438-1	



Department of  
**State Development,  
Manufacturing,  
Infrastructure and Planning**

SARA reference: 1912-14501 SRA  
Council reference: DA08-19-14(1) 10358 L78282  
Applicant reference: PR144438-2

10 February 2020

Chief Executive Officer  
Torres Strait Island Regional Council  
PO Box 7336  
Cairns Qld 4870  
info@tsirc.qld.gov.au

Attention: Bruce Ranga

Dear Sir/Madam

## **SARA response—Lot 100 Erub Island Road, Erub Island – Reconfiguring a Lot - Subdivision by agreement (realignment of lease area)**

(Referral agency response given under section 56 of the *Planning Act 2016*)

The development application described below was confirmed as properly referred by the Department of State Development, Manufacturing, Infrastructure and Planning on 5 December 2019.

### **Response**

Outcome:	Referral agency response - No requirements
	Under section 56(1)(a) of the <i>Planning Act 2016</i> , the department advises it has no requirements relating to the application.
Date of response:	10 February 2020
Advice:	Advice to the applicant is in <b>Attachment 1</b> .
Reasons:	The reasons for the referral agency response are in <b>Attachment 2</b> .

### **Development details**

Description:	Development permit	Reconfiguration of a Lot for the establishment of a new lease (30 years) for the All Saints Church
SARA role:	Referral Agency.	
SARA trigger:	<b>Schedule 10, Part 17, Division 3, Table 5, Item 1 (Planning</b>	

Far North Queensland regional office  
Ground Floor, Cnr Grafton and Hartley  
Street, Cairns  
PO Box 2358, Cairns QLD 4870

Regulation 2017) - Reconfiguring a lot in a coastal management district

SARA reference: 1912-14501 SRA  
 Assessment Manager: Torres Strait Island Regional Council  
 Street address: Lot 100 Erub Island Road, Erub Island  
 Real property description: Lot 100 on SP270873  
 Applicant name: Anglican Diocese of North Queensland  
 Applicant contact details: C/- RPS Australia East  
 135 Abbott Street  
 Cairns QLD 4870  
 Stacey.Devaney@rpsgroup.com.au

## Representations

An applicant may make representations to a concurrence agency, at any time before the application is decided, about changing a matter in the referral agency response (s. 30 Development Assessment Rules)

Copies of the relevant provisions are in **Attachment 3**.

A copy of this response has been sent to the applicant for their information.

For further information please contact Anthony Westbury, Planning Officer, on 0740373215 or via email CairnsSARA@dsdmip.qld.gov.au who will be pleased to assist.

Yours sincerely



Graeme Kenna  
 Manager (Planning)

cc Anglican Diocese of North Queensland, Stacey.Devaney@rpsgroup.com.au

enc Attachment 1 - Advice to the applicant  
 Attachment 2 - Reasons for referral agency response  
 Attachment 3 - Representations provisions

## Attachment 1—Advice to the applicant

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General advice	
----------------	--

- |    |   |
|----|---|
| 1. | Terms and phrases used in this document are defined in the <i>Planning Act 2016</i> its regulation or the State Development Assessment Provisions (SDAP) [v2.5]. If a word remains undefined it has its ordinary meaning. |
|----|---|

## Attachment 2—Reasons for referral agency response

(Given under section 56(7) of the *Planning Act 2016*)

- The department carried out an assessment of the development application against the State Development and Assessment Provisions (SDAP), State Code 8: Coastal development and tidal works, and has found that the proposed development complies with the relevant assessment benchmarks as follows:
  - The proposed reconfiguration will have no impact on the existing developed area of the site and is considered development of an existing lot that cannot be relocated.
  - The development is not likely to impact on coastal processes and will not impact on the protective function of landforms and vegetation.
  - The development is not likely to increase the risk of coastal erosion on or off the site.
  - The proposed revised lease area is within approved boundaries of an existing approval and will have no impact on matters of state environmental significance (MSES).

### Material used in the assessment of the application:

- The development application material and submitted plans
- *Planning Act 2016*
- Planning Regulation 2017
- The *State Development Assessment Provisions* (version [2.5]), as published by the department
- The Development Assessment Rules
- SARA DA Mapping system
- State Planning Policy mapping system

## **Attachment 3—Change representation provisions**

---

(page left intentionally blank – attached separately)

Day 1

Council OM

21, 7, 20

July 2020 - Poruma Council Person No

9:03 Mayor opens meeting. Acknowledges TOI  
Cr Pearson opening prayer & 1 minute silence

Apology: Cr Nana on Song business, Cr Mark Elsdale  
2nd Trustee  
CARRIED

Trustee

Mayor

LOT 20 Warrack  
No name in report.

Mayor Cr Tamm Roulson  
2nd Cr Fell Cr Tamm  
Cr Fell

\* Spelling Keith  
Interpretation

CARRIED

Lot 24 Warrack

Mayor Cr Tamm  
2nd Cr Elsdale  
CARRIED

Ench CHURCH

Mayor Cr Tamm  
2nd Cr Fell

COF - Cr Lini, Cr Stephen, Cr Nash CARRIED

Ann delighted to Mayor by Cr Gole.

10:03

Previous Minutes June 17

Mayor Cr Elsdale  
Cr Fell

CARRIED.



Day 1

Council AM

21, 7, 20<sup>5</sup>

July 2020 - Bruma

## Council Ordinary Meeting.

10:12 June Minutes      Mnd Cr Frimborn      Carried  
2nd Cr Mosby

June 20 Minutes      Mnd Cr Noach      Carried.  
2nd Cr Stephen

Lot 20

Mnd Tamm  
2nd Pearson  
CAR

Lot 24

Mnd Tamm  
2nd Elsie

CARRIED

10:16 End Chair

Mnd Elsie  
2nd. Frimborn

CARRIED

Movement of Chair Business

Mnd Cr Pearson  
2nd. Cr Tamm

CARRIED

Building Services

Illerio 157 Lawrence M  
Mosby

Mnd Mosby  
2nd Stephen

Day 1

3/3  
24, 7, 20

Bedu Childcare Ctr  
Ilario read report.

Mand: Toby  
2nd: Frankon.  
CARRIED

10:30.

76 Airport Rd Seibai  
Ilario read report

Mand: Cr Noah  
2nd: Cr Gela  
CARRIED

10:33

43 Aikur St Warraber  
Ilario read report.

Mand: Cr Tenu  
2nd: Cr Frankon  
CARRIED

### Morning Tea

11:05 - Original Structure  
Hollie

Mand ~~Frankon~~ <sup>Steph</sup>  
2nd ~~Frankon~~ <sup>Noah</sup>  
CARRIED

Interim Aud. & Report  
Hollie

Mand Frankon  
2nd Levi  
CARRIED

11:30 - Freight Services  
Luke

Mand: Fall  
2nd: Toby  
CARRIED

12:00 Resolution amended.

OUT of Club  
Business

Mand Tenu  
2nd Gela  
CARRIED

\$5K - 6 in fees

\$1K - \$1,500 2 in fees

\$2K - 6 in fees

Day 1

21, 7, 20.

4/5

12:03 Confirmation of agenda for pass in closed business

Bede Auldege Center CARRIED

157 Lancelotti Rd Masig CARRIED

76 Airport Drive Seebai CARRIED

43 Arthur St Waverly CARRIED

Organizational Structure CARRIED

Internal Audit Report CARRIED

Freight Services CARRIED

12:09 LUNCH

1:01 pm Resume

1:05 Operational Plan FY21  
Luke

Moved Cr Stephen  
2nd Cr Pearson  
CARRIED

FY21 Budget  
Halle

1:23 Moved Cr Levi  
2nd Cr Pearson  
CARRIED

1:30 19/20 Estimated Position  
Halle

Moved: Cr Noah  
2nd: Cr Tabuai  
CARRIED

Council Deputation Report  
Luke

Moved: Cr Tarr  
2nd: Cr Elisela  
CARRIED

2:00 pm

(Cr Elisela)  
Lager at 3:05  
Community Grant Policy  
Luke  
Option 2 adopted.  
Financial Opt 2 May Vote.

Moved: Cr Tarr  
2nd: Cr Tabuai  
CARRIED<sup>15</sup>

Day 1

5/3  
21, 7, 20

## Afternoon Tea

Resume: 3:23pm

3:25pm People & Wellbeing Policy  
Hollic

Moved Cr Tabuai  
2nd Cr Pearson  
CARRIED

Indigenous employment policy  
to be developed by SARE

3:40 Risk Management Policy  
Luche

Moved Cr Fell  
2nd Cr Noah  
CARRIED

## 3:43 - Councillor Committees (STAFF LEAVE)

- Cultural Arts & Heritage - Cr Elisela, Noah & Mona (Noah Chair)  
Moved: Cr Tabuai 2nd: Cr Tama - CARRIED
- Governance & Leadership - Cr Livi, Cr Trinboon, Cr Taly (Livi Chair)  
Moved: Cr Gela 2nd: Cr Elisela - CARRIED
- Economic Growth Committee - Cr Stephen, Cr Tabuai, Cr Gela (Stephen Chair)  
Moved: Cr Noah 2nd: Director
- Safe & Healthy Community Committee - Cr Livi, Cr Fell, Cr Pearson (Fell Chair)  
Moved: Cr Gela 2nd: Cr Tabuai - CARRIED
- Climate Change Adaptation & Environment Committee - Msgr Tama & Msgr  
Moved: Cr Fell 2nd: Cr Trinboon (Chair Cr Msgr)
- Strategic Advisory Reform Group Committee alternate Cr Elisela  
Moved: Cr Trinboon 2nd: Cr Tama - CARRIED

4:32

4:35 - Closing Prayer Cr Stephen

## Peter Krebs

---

**From:** Peter Krebs  
**Sent:** Wednesday, 5 May 2021 9:13 AM  
**To:** Kathy Cochran  
**Cc:** Mette Nordling; Julia Maurus  
**Subject:** Omission in the Minutes of the July 2020 Council Ordinary Meeting at Poruma

Good morning Kathy,

I have found an omission in the 21 July 2020 minutes from the Council Ordinary Meeting held at Poruma for the following agenda items listed.

I was on leave for most of August 2020, hence I would not have reviewed the draft minutes when they were sent around for review.

The omission is the following resolutions which I have recorded in my handwritten notes taken at the time of the meeting which are missing in the official minutes on our website:

Agenda Item 6: Legal Services – DA – Lot 20 Warraber ROL

*That Council issue a Development Permit for 'Reconfiguration of a Lot' with the inclusion of the conditions set out in Part 6 of the Agenda report for Warraber Island, Warraber QLD 4875.*

*Moved: Cr. Tamu*

*Second: Cr. Pearson*

**MOTION CARRIED**

Agenda Item 7: Legal Services – DA – Lot 24 Warraber ROL

*That Council issue a Development Permit for 'Reconfiguration of a Lot' with the inclusion of the conditions set out in Part 6 of the Agenda Report for Warraber Island, Warraber QLD 4875.*

*Moved: Cr. Tamu*

*Second: Cr. Elisala*

**MOTION CARRIED**

Agenda Item 8: Legal Services – DA – Erub Church ROL

*That Council issue a Development Permit for 'Reconfiguration of a Lot' with the inclusion of the conditions set out in Part 6 of the Agenda Report for Erub Island reconfiguration for creation of new lease, Erub Island QLD 4875.*

*Moved: Cr. Elisala*

*Second: Cr. Trinkoon*

**MOTION CARRIED**

Can you please advise on how best to correct the minutes so that we can action the resolutions as soon as possible.

Kind regards

Peter

**Peter Krebs | Senior Legal Counsel**

Torres Strait Island Regional Council



Phone: 07 4034 5772 Mobile: 0428 216 571

Fax: 07 4034 5750

Address: TSIRC, PO Box 7336, Cairns, QLD 4870

Website: [www.tsirc.qld.gov.au](http://www.tsirc.qld.gov.au)

Email: [Peter.Krebs@tsirc.qld.gov.au](mailto:Peter.Krebs@tsirc.qld.gov.au)

Find us on:



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# TORRES STRAIT ISLAND REGIONAL COUNCIL

## COUNCIL REPORT

<b>ORDINARY MEETING:</b>	May 2021
<b>DATE:</b>	24-25/05/2021
<b>ITEM:</b>	Agenda Item for Resolution by Council
<b>SUBJECT:</b>	Appointment of proxies to the Audit Committee
<b>AUTHOR:</b>	Mette Nordling, Manager, Governance and Compliance

---

### **Recommendation:**

That Council calls for nominations and appoints a proxy member to the Council's Audit Committee.

### **Executive Summary:**

In accordance with section 208 of the *Local Government Regulation 2012* a local government can establish an audit committee.

As per section 210 of the *Local Government Regulation 2012* an audit committee must consist of at least three but no more than six members, including one but not more than two councillors appointed by the local government.

There must also be at least one member with significant experience and skills in financial matters.

At Council's Ordinary meeting in December 2019 Council resolved to re-appoint Mr Eric Muir as the chair of the TSIRC Audit Committee and Mr Paul Shipperley as member of Council's Audit Committee for a two-year period.

At Council's Ordinary meeting in April 2020 Council resolved to appoint Mayor Mosby and Councillor Fell to Council's Audit Committee.

It has become apparent, that proxy Councillor members are required to ensure the Audit Committee meetings can go ahead as scheduled, in case of Councillor apologies.

The TSIRC Audit Committee meets approximately 4-5 times per year.

### **Links to Strategic Plans:**

The work of the Audit Committee align to specific delivery objectives under the People, Sustainability, and Prosperity pillars of Council's Corporate Plan.

### **Finance & Risk:**

No financial risk identified.

### **Sustainability:**

N/A

### **Statutory Requirements:**

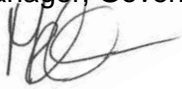
*Local Government Act 2009*

**Resolution:**

- Council resolves to appoint Cr **INSERT** as a proxy Councillor member of the Audit Committee.
- Council resolves to appoint Cr **INSERT** as a proxy Councillor member of the Audit Committee.

**Endorsed:**

Mette Nordling  
Manager, Governance and Compliance

**Recommended:**

Hollie Faithfull  
Chief Financial Officer

**Recommended:**

David Baldwin  
Acting Chief Executive Officer





## AGENDA REPORT

<b>ORDINARY MEETING:</b>	May 2021
<b>DATE:</b>	24 & 25 May 2021
<b>ITEM:</b>	Agenda Item for Ordinary Meeting of Council
<b>SUBJECT:</b>	People and Wellbeing Policies
<b>AUTHOR:</b>	Tracey Burrell, Acting Head of People & Wellbeing

### Recommendation

Council resolves to:

1. endorse the following Torres Strait Island Regional Council policies:
  - Work Health and Safety Policy
  - Workers Compensation and Rehabilitation Policy
  - Domestic and Family Violence Policy

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 endorsed policies, including the power to make any further minor administrative amendments to the policies as they arise.

### Executive Summary:

The policies contained in this report needed redrafting and updating due to either having expired or changes to legislation. To ensure compliance with legislation and already existing policies, these have been updated to reflect legislative changes or changes internally at Council.

These policies were presented to and noted by the Audit Committee at its meeting on 12 April 2021.

The table below show the policies and procedures contained in this report:

Policy	Changes
Work Health and Safety Policy	Had expired and updated to reflect internal changes.
Workers Compensation and Rehabilitation Policy	Had expired and updated to reflect internal changes.
Domestic and Family Violence Policy	Had expired and updated to reflect internal changes.
Equal Employment Opportunity Policy	Had expired and updated to reflect internal changes.

### Links to Strategic Plans:

These policies strategically align to specific delivery objectives under all 3 pillars of Council's recently adopted Corporate Plan, being *People*, *Sustainability* and *Prosperity*.

**Risk:**

There is a risk to Council's reputation and compliance if policies are not updated and endorsed as required.

By having these policies updated and endorsed reflecting legislative changes, Council will be able to update the associated procedures and thereby mitigating these risks.

**Statutory Requirements:**

*Local Government Act 2009 (Qld)*

*Local Government Regulation 2012 (Qld)*

**Conclusion:**

That Council approves the attached policies.



Tracey Burrell  
**Acting Head of People and Wellbeing**



Hollie Faithfull  
**Chief Financial Officer**



David Baldwin  
**Acting Chief Executive Officer**

# Work Health and Safety Policy

## PO3

<b>Responsible Manager</b>	<u>Head of People &amp; Wellbeing</u> <del>Executive Manager</del> <del>Corporate Services</del>
<b>Head of power</b>	<i>Work Health &amp; Safety Act 2011 (Qld)</i> <i>Work Health &amp; Safety Regulation 2011 (Qld)</i>
<b>Authorised by</b>	Council
<b>Authorised on</b>	TBC 2021
<b>Implemented from</b>	TBC 2021
<b>Last reviewed</b>	October 2015
<b>Review history</b>	2013, 2014, 2015, 2021
<b>To be reviewed on</b>	March 2024
<b>Corporate Plan</b>	<u>Governance</u> <del>People, Sustainability and Prosperity</del>

## 1. PURPOSE

This policy establishes the approach to work health and safety management at Torres Strait Island Regional Council (Council) and outlines management's commitment to ensure a safe work environment for all workers.

## 2. POLICY STATEMENT

Torres Strait Island Regional Council is committed to providing a safe and healthy working environment for all workers, contractors and visitors to our workplaces.

Council is also dedicated to achieving a high standard of health and safety performance and will strive to continuously improve the safety performance results in all of our operations through the implementation of a Safety Management System aligned with the requirements of Occupational Health and Safety Management Systems AS/NZS 4801 and ISO 45001.

Council will apply its best endeavours to comply with all relevant health and safety legislation and related standards, codes of practice and industry guidelines. We establish clear objectives with measurable targets, and report on our performance against those targets at pre-determined intervals.

It is our core belief that:

- all accidents can, and should be prevented; and
- no task is so important that risk of injury to people is ever justified.

Council will deliver on these commitments by:

- having our leaders lead by example and demonstrate a visible commitment to health and safety, to motivate, educate and support all persons involved in council activities
- proactively identifying and managing health and safety risks
- ensuring that there is participative consultation to support and enhance our decision making processes
- emphasising in all communications and interactions that people, safety and systems are our priority, including the effective distribution of important WHS information
- ensuring all incidents and near misses are fully investigated and corrective measures taken to prevent reoccurrence
- ensuring our employees and contractors receive the appropriate health and safety training to enable them to conduct their work safely
- the ongoing regular monitoring and review of our health and safety performance to support the effectiveness of work health safety actions and ensure our health and safety objectives and targets are being met
- ensuring all levels of management and staff carry out their health and safety responsibilities.

With personal commitment and active participation of all our workers, we will achieve outstanding work health and safety standards and deliver on our commitment to provide a safe working environment.

Council is committed to ensuring the health and safety of workers and visitors whilst they are at work or at a Council workplace. This commitment extends to people who may be affected by Council's work related activities and includes compliance with the Work Health and Safety Act 2011, the Work Health and Safety Regulation 2011, subordinate legislation and all associated Codes of Practice and relevant Standards.

### **3. SCOPE**

This policy applies to all Council's operations and workers, including employees, contractors, labour hire employees, volunteers and visitors.

### **AUTHORISATION**

This policy is duly authorised by Council as the Torres Strait Island Regional Council Work Health and Safety Policy (PO3) and shall hereby supersede any previous policies of the same intent.

**David Baldwin**

Acting Chief Executive Officer

**Date**

# WORKERS' COMPENSATION AND REHABILITATION POLICY

<b>Responsible Manager</b>	<u>Head of People and Wellbeing</u> <del>Executive Manager Corporate Services</del>
<b>Head of power</b>	<del>Local Government Act 2009 (Qld)</del> <del>Local Government Regulation 2012 (Qld)</del> <u>Workers' Compensation and Rehabilitation Act 2003 (QLD)</u> <u>Workers' Compensation and Rehabilitation Regulation 2014 (QLD)</u>
<b>Authorised by</b>	Council
<b>Authorised on</b>	TBC 2021
<b>Implemented from</b>	TBC 2021
<b>Last reviewed</b>	May 2017
<b>Review history</b>	2012, 2013, 2104, 2015, 2016, 2017, 2021
<b>To be reviewed on</b>	March 2024
<b>Corporate Plan</b>	<u>People, Sustainability and Prosperity Governance</u>

## 1. PURPOSE

Torres Strait Island Regional Council (TSIRC) has an obligation to provide workplace rehabilitation to its employees which meets legislation.

TSIRC is committed to ensuring the health, safety and wellbeing of all its employees and will provide workplace rehabilitation for all employees whose ability to carry out their duties is affected by any physical and/or physical, work related or non-work-related injury or illness. This Policy and its associated Procedure provides a framework for the provisions of workplace rehabilitation.

## 2. POLICY STATEMENT

TSIRC recognises that early intervention and early return to work programs offer substantial benefits to both the injured/ill employees and the organisation. The goal of workplace rehabilitation is the earliest possible safe return to work for an injured/ill employee to their pre-injury/illness position. Where possible, workplace rehabilitation aims to maintain the injured/ill employee at work without time off.

- a) Torres Strait Island Regional Council [Council] is committed to ensuring that employees ~~and Councillors~~ receive adequate and appropriate compensation and rehabilitation for work related injuries and illnesses. This commitment includes compliance with the Workers' Compensation and Rehabilitation Act 2003 and the Workers' Compensation and Rehabilitation Regulation 2014.
- b) Council is committed to helping its people to return to full and gainful employment following injury or illness. Council is dedicated to providing a rehabilitation program which is continuously reviewed and monitored to improve injury management activities.
- c) Where time off work is required, the aim is to ensure a return to work occurs as soon as medically advisable. Within realistic time frames, workplace rehabilitation is actively facilitated to:
  - maintain injured or ill employees at work;
  - ensure the employee's earliest possible return to work;
  - maximise the employee's independent functioning; and
  - achieve sustainable and durable return to work goals.

e)d) \_\_\_\_\_ In developing injury management plans, together with injured employees, consideration will be given to individual circumstances in line with the "whole of life" approach. Council will provide an environment that will enrich the safety, health and wellbeing of its people and actively encourage employees' early return to work from injury.

- e)e) \_\_\_\_\_ In meeting this commitment Council aims to:
- prevent workplace injuries and illnesses by providing a safe and healthy working environment;
  - recognise and complement other organisational policies and procedures where relevant;
  - provide early reporting systems and intervention procedures that will enable injured employees to stay at work or return to work as soon as medically appropriate;

- facilitate the durable return to work of employees by assisting with the safe and early integration back into the workplace;
- advise employees of their rights and responsibilities for injury management;
- facilitate participation in an injury or illness management program appropriate to an injured or ill employee's medical recovery;
- provide employees with relevant information about injury management including their rehabilitation rights and obligations;
- consult with employees and/or their representatives;
- maintain confidentiality of personal information in accordance with applicable legislation;
- Manage claims in an equitable, timely and efficient manner, consistent with applicable legislation and self-insurance requirements;
- Comply with applicable injury management and rehabilitation legislation;
- Engage appropriately qualified experts, both internally and externally to assist in the management of injury; and
- Ensure that injured/ill employees are not disadvantaged by participating in workplace rehabilitation.

TSIRC provides relevant workers' compensation cover for staff members in their respective State. Worker's compensation and workplace rehabilitation will be provided as per the respective State's legislation.

### 3. SCOPE

This policy applies to all TSIRC employees and Councillors.

### AUTHORISATION

This page and the previous bearing my initials was/were duly authorised by Council as the Torres Strait Island Regional Council Work Health and Safety Policy on [INSERT DATE] and shall hereby supersede any previous policies of the same intent.

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**David Baldwin**

**Chief Executive Officer**

**Date:** \_\_\_\_\_



# DOMESTIC and FAMILY VIOLENCE POLICY

**Responsible Manager**

Head of People and Wellbeing

**Head of power**

~~Industrial Relations Bill 2016 (Qld)~~  
~~Local Government Act 2009 (Qld)~~  
~~Local Government Regulation 2012 (Qld)~~  
~~Industrial Relations Act 1999~~  
~~Human Rights and Equal Opportunity Act 1986~~  
~~(Cth)~~

**Authorised by**

~~Public Sector Ethics Act 1994~~  
Council

**Authorised on**

TBC 2021

**Implemented from**

TBC 2021

**Last reviewed**

March 2021

**Review history**

2017, 2019, 2021

**To be reviewed on**

March 2024

**Corporate Plan**

Governance  
People, Sustainability and Prosperity

## 1. PURPOSE

The aim of the Torres Strait Island Regional Council Domestic and Family Violence Policy and the associated Procedure, is to outline how employees who are experiencing or escaping domestic or family violence, can be supported to improve their safety and work towards a life free from violence and abuse.

## 2. POLICY STATEMENT

- a) Council is strongly committed to providing a healthy and safe working environment for all employees. Council recognises that employees sometimes face difficult situations in their work and personal life, such as domestic and family violence, which may affect their attendance, performance at work or safety.
- b) Council is committed to supporting a staff member experiencing domestic or family violence to continue to participate in the workforce and maintain their employment through a broad range of support which recognises the specific need of people in diverse families and relationships.
- c) It is recognised that employees experiencing domestic and family violence may require a range of support which may include:
  - return to work support for people who need to take extended periods of time off work to recover from the health impacts, including mental health impacts, of domestic and family violence. This could include consideration to changes to work hours, location of work or relocation to suitable employment where this is able to be identified;
  - access to leave entitlements, including personal leave, as well as access to discretionary leave including annual leave and long service leave;
  - temporary changes to arrangements which may include secure car parking and IT and telephone security;
  - absences from the workplace will be reconciled subject to the employees leave entitlements and available accrued hours.
- b)d) A staff member who experiences situations of violence and abuse in their domestic life which may adversely impact on their attendance and/or performance at work will not be disadvantaged in their employment at Council.
- e)e) All personal information given in relation to situations of domestic or family violence will be kept confidential. No information will be kept on an employee's personnel file without their express permission. Council will cooperate with all legal orders protecting a staff member experiencing domestic or family violence.

The Domestic and Family Violence Procedure should be read in conjunction with this Policy, and details how employees who are experiencing or escaping violence can be supported to improve their safety and work towards a life free from violence and abuse.

## 3. SCOPE

This Policy applies to all Torres Strait Island Regional Council employees and Councillors. Refer

to Domestic and Family Violence Procedure PO16-PR1 for more information.

### **AUTHORISATION**

This page and the previous bearing my initials was/were duly authorised by Council as the Torres Strait Island Regional Council Domestic and Family Violence Policy on [INSERT DATE] and shall hereby supersede any previous policies of the same intent.

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**David Baldwin**

**Chief Executive Officer**

**Date:** \_\_\_\_\_

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