

Torres Strait Island
REGIONAL COUNCIL

AGENDA

STRATEGIC ADVISORY REFERENCE GROUP

Date: Friday 8th October 2021

Time: 1:00pm to 4:00pm

Venue: Video Conference

Agenda

1. Welcome (Chair)
2. Opening Prayer
3. Apologies
4. Conflict of Interest (COI) / Declarable / Prescribed
5. Confirmation of Minutes - SARG Meeting –
 - 7th September 2021 - VC
6. Strategic Action Items Review
7. **Mayor**
 1. Deputation Priorities
 - Review and confirm top 10 priorities
 - Review booklet format and content
 - Schedule for 2021 – 2022
 2. Draft Agenda - Councillor Strategic Workshop - November 2021
8. **Executive Director Corporate Services**
 1. Community Grants Program Workshop outcomes
 2. Indigenous Procurement Policy
 3. Corporate Plan revised update
9. **Chief Executive Officer**
 1. LDMG Separation – Verbal
 2. Executive Director Recruitment Update - Verbal
10. **CLOSED BUSINESS**
 1. BSU – BSU Monthly update
 2. BSU – Asbestos Update
 3. ENGINEERING – Fuel Update
 4. ENGINEERING – Joint publication with Griffith University
 5. OCEO – Cairns Lease – Verbal
 6. OCEO – Elphinstone Close and ILSC Update
 7. OCEO – SeaSwift Tender Update - Verbal

8. OCEO – Legal Matter - Verbal
9. MAYOR - Transitional Action Plan - Verbal
10. MAYOR – CEO Recruitment Update – Verbal
11. MAYOR – Acting CEO Update - Verbal

11. General/ Other Business (on notice)
12. Next meeting date – proposed for Tuesday 2nd November 2021
13. Closing Remarks and Prayer



TORRES STRAIT ISLAND REGIONAL COUNCIL

SARG REPORT

SARG COMMITTEE MEETING:	October 2021
DATE:	08/10/2021
ITEM:	Agenda Item for the Strategic Advisory Reference Group
SUBJECT:	FY22 Deputation & Advocacy Priority Areas
AUTHOR:	Luke Ranga, Head of Corporate Affairs

Recommendation

That the Strategic Advisory Reference Group Committee notes the content of this report and endorses its expedience to Council for resolution.

Executive Summary:

Each year, Council agrees to 8-10 key advocacy priority areas, which frame our deputation conversations with State and Federal government representatives. Key information and content are developed for each of the priority areas and published into a document for use in deputation meetings, online via Council's website, and printed versions are then made available for community in each of Council's Divisional Offices.

The Mayor and Deputy Mayor, supported by the Chief Executive Officer, will lead Council's advocacy efforts for liaison with political parties, individual representatives, and candidates to ensure appropriate representation for and of key issues to the Torres Strait Island Regional Council and communities domiciled within its local government area.

It is important to note that during this period there will be a federal election, considering this, it would be prudent and therefore recommended that Council further adopts a top 3 - 5 areas for the major parties and candidates to address in their election policy platforms.

Council's Previous Priority Areas for the FY21 period were:

- Priority Area One - Regional Assembly Aspirations
- Priority Area Two - Homelessness, Overcrowding & Adequate Housing
- Priority Area Three - Climate Change Mitigation & Protection from Natural Disaster Impact
- Priority Area Four - Equitable Access to Marine & Community Infrastructure
- Priority Area Five - Digital Transformation & Connected Islands
- Priority Area Six - Community Health & Wellbeing
- Priority Area Seven - Torres Strait Islander Prosperity & Enterprise
- Priority Area Eight - International Border Protection & Infrastructure
- Priority Area Nine - Federal Funding to Local Government
- Priority Area Ten - Regional Waste Management Solutions

Approach to FY22 Deputation & Advocacy Priority Areas:

Encapsulating feedback from key stakeholders and attendees of the FY21 deputations, Corporate Affairs worked with the Executive Leadership Team (ELT) to propose that Council's priority areas be split into two key sections:

1. Funding:

These are priority areas or programs of work that Council is directly accountable for and can be 'shovel ready' or provide data pertinent to support funding acquisition within this or the next 1-5 fiscal cycles.

The proposed priority areas for funding are as follows:

Priority Area	What is Council Requesting?	Key Supporting Information
1. Marine Infrastructure & Equitable Access	<p>Investment of \$127.636m to complete Council's Marine Infrastructure and Equitable Access Program:</p> <ul style="list-style-type: none"> - Phase 1a - \$30.055m (FY21/22) - Phase 1b - \$28.202m (FY21/22) - Phase 2 - \$24.760m (FY22/23) - Phase 3 - \$36.365m (FY23/24) - Phase 4 - \$8.254m (FY24/25) 	<ul style="list-style-type: none"> • 2021 Australian Infrastructure Plan (08/21). • Previous TSIRC State Representative deputations re. Marine Infrastructure & Equitable Access Program (08/21). • ARO Industries - TSIRC Jetty Replacements Summary Report (07/21). • Coroner's Report on the 'Pana Boy' (04/21). • Torres Strait Travel Infrastructure Plan (11/06).
2. Local Waste & Circular Economies	<p>Support and investment for Council's proposed Waste Management Plan, phased over FY22-27.</p>	<ul style="list-style-type: none"> • TSIRC Waste Management Plan (10/21). • 2021 Australian Infrastructure Plan (08/21). • LGAQ Qld Indigenous Waste Strategy (06/20). • QLD Waste Management & Resource Recovery Strategy (07/19).
3. Regional Social Housing	<p>Support, partnership, and investment for innovative solutions to alleviate Council's Register of Need - ~300 applicants.</p> <p>Potential investment required for Category 1 (Homelessness, child safety issues, disability, or medical needs) households is \$55-70m.</p> <p>Support for scoping of asbestos eradication program & rectification works to Logan Homes - ~\$19.25m program (55</p>	<ul style="list-style-type: none"> • Council's Housing Investment Plan 20-21 (09/21). • Council's Social Housing Register of Need (09/21). • WHO (World Health Organization) Environmental Health Paper (06/20). • Aboriginal & Torres Strait Islander Environmental Health Plan 2019-2022 (03/19). • National guide to a preventive health assessment for Aboriginal and Torres Strait Islander people (11/18).

	<p>properties at \$350k per dwelling, noting this does not incl. cartage or replacement build).</p> <p>8 properties deemed high risk are currently being scoped by Department of Communities, Housing and Digital Economy (DCHDE).</p>	<ul style="list-style-type: none"> Estimates of Aboriginal and Torres Strait Islander Australians (08/18).
4. Coastal Protection & Climate Resilience	<p>a. Support and investment for future phases of Council's Coastal Defence project.</p> <p>b. Support and investment for an independent consultant to articulate complete costing of Resilient Road Network program to urgently upgrade critical road infrastructure in all communities.</p>	<ul style="list-style-type: none"> TSIRC's Coastal Defence Project Plan (10/21) 2021 Australian Infrastructure Plan (08/21). A Synthesis of Climate Change & Coastal Science to Support Adaptation in the Communities of the Torres Strait (11/10). Turning the tide - Caritas State of the Environment for Oceania Report (10/17).
5. Repair Local Government Funding	<p>Council remains supportive of the policy platforms of both LGAQ & ALGA, to restore the Financial Assistance Grant (FA Grant) to at least 1% of Commonwealth taxation revenue. Council is also raising concerns with the allocation methodology's unsuitability for this Council, specifically around:</p> <ul style="list-style-type: none"> - Horizontal neutrality - Effort neutrality - Minimum grant - Other GPG principles - Identified road grant principle - Revenue & cost <p>Council has also raised feedback around the Commission's proposed objectives of:</p> <ul style="list-style-type: none"> - Simple - Equitable - Stable 	<ul style="list-style-type: none"> Council's submission to the QLD Local Government Grant Commission Review of Allocation Methodology for the Commonwealth Financial Assistance Grant (08/21). LGAQ Advocacy Action Plan 2021 (06/21). LGAQ Policy Statement 2020 (10/19).

2. Advocacy:

These are priority areas that Council does not have direct accountability for, or that require a multi-agency solution, however, pose a significant affect to Council's communities and constituents.

The proposed priority areas for advocacy are as follows:

Priority Area	What is Council Requesting?	Key Supporting Information
6. Regional Governance	Advocacy and support for:	<ul style="list-style-type: none"> TSIRC submission to Interim Report to the Australian

	<p>1. The Zenadth Kes name, through:</p> <ol style="list-style-type: none"> a. Council name change. b. Local Government Area name change. c. Place name change. d. Adjustment of existing local government boundaries. <p>2. The Zenadth Kes Regional Assembly entity, through:</p> <ol style="list-style-type: none"> a. The establishment of a secretariat function. b. The establishment of a Special Policy Zone. 	<p>Government Indigenous Voice Co-Design Process (04/21).</p> <ul style="list-style-type: none"> • QLD Government Treaty Statement of Commitment (08/20). • Regional Assembly Transition Plan (07/18).
<p>7. Digital Connectivity</p>	<ol style="list-style-type: none"> a. Support for an expedient upgrade of basic telephony and data access to all outer island communities, creating parity with mainland infrastructure. b. Establish a Digital Local Government and Rural/Regional Telecommunications Program to increase the community benefits of improved technology, connectedness, and innovation. 	<ul style="list-style-type: none"> • 2021 Australian Infrastructure Plan (08/21). • Coroner's Report on the 'Pana Boy' (04/21). • Telstra Digital Expansion Program Update (12/19). • Regional Connectivity Program - Discussion Paper (08/21).
<p>8. Local Prosperity & Enterprise Development</p>	<ol style="list-style-type: none"> a. Support from all levels of government to stimulate and encourage private sector investment into the region by incentivising sector development in: <ul style="list-style-type: none"> - Renewable energy and emission reduction solutions. - Digital development and smart tech pilot programs. - Key tourism industry (incl. arts, culture, and education) development. b. Support deregulation initiatives to foster the introduction of aquaculture and farming opportunities. 	<ul style="list-style-type: none"> • 2021 Australian Infrastructure Plan (08/21). • Indigenous Tourism Fund - Discussion Paper (10/19). • Indigenous Reference Group to the Ministerial Forum on Northern Development - Submission to the Inquiry into Remote Area Tax Concessions and Payments (05/19). • Promoting the Economic Interests of Indigenous Australian Businesses Overseas – A Charter (05/17).

9. International Border Protection.	<p>a. Formal bipartisan State and Federal commitment to ensure the increased border presence, established due to the pandemic, will remain until PNG outbreak is under control.</p> <p>b. Investment into operational hubs, increasing serviceable reach, response times and the ability to provision vessels within the region.</p>	<ul style="list-style-type: none"> • Various TSIRC / LDMG Media Releases (2020-2021). • Australian Border Force Strategy (06/20).
10. Healthcare & Wellbeing Services	<p>Support the delivery of a Regional Health Symposium to evolve preventative needs of outer island communities:</p> <ul style="list-style-type: none"> - Connectivity and smart tech, to drive further access for communities to ancillary health services. - Development of new and sustainable funding arrangements to ensure that services, incl. preventative programs, are meeting community needs and there is no downstream effect of responsibilities and costs onto local government. - Model and solutions for elderly and disabled resident respite care and safe housing for domestic violence or abuse. 	<ul style="list-style-type: none"> • 2021 Australian Infrastructure Plan (08/21). • Aboriginal and Torres Strait Islander Health Performance Framework - Summary Report (06/20). • Aboriginal & Torres Strait Islander Environmental Health Plan 2019-2022 (03/19). • National guide to a preventive health assessment for Aboriginal and Torres Strait Islander people (11/18). • Estimates of Aboriginal and Torres Strait Islander Australians (08/18).

Proposed Schedule:

- Remaining dates for 2021 for State Government (Brisbane)*:
 - Tues 16th - 18th November
 - Tues 30th November - Thurs 2nd December
- Remaining dates for 2021 for Federal Government (Canberra)*:
 - Mon 29th November - Thurs 2nd December

**Please note that sitting dates for either parliament have not yet been published for the 2022 calendar year. Covid restrictions are subject to change at any time.*

Links to Strategic Plans:

- Corporate Plan 2020-2025:
 - Objective 4.3 Ensure community advocacy and engagement at all levels of government.
- Operational Plan 2021-2022:
 - Objective 41 - Evolve Council's community information & engagement channels.

Statutory Requirements:

- Local Government Act 2009
- Local Government Regulation 2012
- Public Sector Ethics Act 1994
- Lobbying Code of Conduct 2019

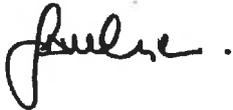
The annual deputation and advocacy process is developed in alignment with the following Council instruments:

- Councillor Code of Conduct
- Employee Code of Conduct
- Deputation Policy (Draft)
- Parliamentary Engagement Procedure (Draft)

Conclusion:

That the Strategic Advisory Reference Group Committee notes the content of this report and endorses its expedience to Council for resolution.

Recommended:



Luke Ranga
Head of Corporate Affairs

Endorsed:



Megan Barrett
Interim Executive Director, Corporate
Services

Approved:



David Baldwin
Acting Chief Executive Officer

TSIRC Councillor Workshop Draft Agenda
Monday 8th November 2021 – Friday 12th November 2021
Nintiringanyi Cultural Training Centre | 16 – 18 McCormack Street, Cairns

Date	Start	Finish	Agenda Items	Presenter
Monday 8 th November 2021	09:00am	09:15am	Opening Prayer, Housekeeping, Welcome & Introduction	Mayor Mosby
	09:15am	10:00am		
	10:00am	10:20am	Morning Tea	
	10:20am	12:30pm		
	12:30pm	1:30pm	Lunch	
	1:30pm	3:00pm		
	3:00pm	3:20pm	Afternoon Tea	
	3:20pm	5:00pm		
Tuesday 9 th November 2021	09:00am	10:00am	Transitional Action Plan Review	
	10:00am	10:20am	Morning Tea	
	10:20am	12:30pm	Transitional Action Plan Review	
	12:30pm	1:30pm	Lunch	
	1:30pm	3:00pm	Meeting Procedures	
	3:00pm	3:20pm	Afternoon Tea	
	3:20pm	5:00pm	Standing Committee Update	
Wednesday 10 th November 2021 Will we do a farewell lunch for Eric on this day?	09:00am	10:00am	Audit Committee Meeting	Mr Eric Muir
	10:00am	10:20am	Morning Tea	
	10:20am	12:30pm	Audit Committee Meeting	Mr Eric Muir
	12:30pm	1:30pm	Lunch	
	1:30pm	2:30pm	Audit Committee Chair Presentation	Mr Eric Muir
	2:30pm	3:00pm	Procure Training	EDCBS
	3:00pm	3:20pm	Afternoon Tea	
	3:20pm	5:00pm	Community Engagement	Mayor Mosby
Thursday 11 th November 2021	09:00am	10:00am	Leave of Absence from Council Meeting (other employment)	MLS, MG
	10:00am	10:20am	Morning Tea	
	10:20am	12:30pm	Community Grants	EDCS
	12:30pm	1:30pm	Lunch	
	1:30pm	3:00pm	Local Thriving Communities - TBC	Dr Chis Sara
	3:00pm	3:20pm	Afternoon Tea	
	3:20pm	5:00pm		
Friday 12 th November 2021	09:00am	10:00am	Visitor Protocols / Entry to Community (incl. COVID issues)	MLS
	10:00am	10:20am	Morning Tea	
	10:20am	12:30pm	Lay down areas on each island	MLS
	12:30pm	1:30pm	Lunch	
	1:30pm	3:00pm	Land Transfers	MLS and Peter Lawrence – DNRME
	3:00pm	3:20pm	Afternoon Tea	
	3:20pm	5:00pm	Land Transfers	MLS and Peter Lawrence - DNRME

TSIRC Councillor Workshop Draft Agenda
Monday 15th November 2021 – Friday 19th November 2021
Nintiringanyi Cultural Training Centre | 16 – 18 McCormack Street, Cairns

Date	Start	Finish	Agenda Items	Presenter
Monday 15 th November 2021	09:00am	10:00am	Council Meeting	Mayor Mosby
	10:00am	10:20am	Morning Tea	
	10:20am	12:30pm	Council Meeting	Mayor Mosby
	12:30pm	1:30pm	Lunch	
	1:30pm	3:00pm	Council Meeting	Mayor Mosby
	3:00pm	3:20pm	Afternoon Tea	
	3:20pm	5:00pm	Council Meeting	Mayor Mosby
Tuesday 16 th November 2021	09:00am	10:00am	Council Meeting	Mayor Mosby
	10:00am	10:20am	Morning Tea	
	10:20am	12:30pm	Council Meeting	Mayor Mosby
	12:30pm	1:30pm	Lunch	
	1:30pm	3:00pm	Council Meeting	Mayor Mosby
	3:00pm	3:20pm	Afternoon Tea	
	3:20pm	5:00pm	Council Meeting	Mayor Mosby
Wednesday 17 th November 2021	09:00am	10:00am	Op Plan and Budget Review	Executive Team
	10:00am	10:20am	Morning Tea	
	10:20am	12:30pm	Op Plan and Budget Review	Executive Team
	12:30pm	1:30pm	Lunch	
	1:30pm	2:30pm	Op Plan and Budget Review	Executive Team
	2:30pm	3:00pm	Op Plan and Budget Review	Executive Team
	3:00pm	3:20pm	Afternoon Tea	
	3:20pm	5:00pm	Op Plan and Budget Review	Executive Team
Thursday 18 th November 2021	09:00am	10:00am	Op Plan and Budget Review	Executive Team
	10:00am	10:20am	Morning Tea	
	10:20am	11:30am	Op Plan and Budget Review	Executive Team
	11:30am	12:30pm	Op Plan and Budget Review	Executive Team
	12:30pm	1:30pm	Lunch	
	1:30pm	3:00pm	Op Plan and Budget Review	Executive Team
	3:00pm	3:20pm	Afternoon Tea	
	3:20pm	5:00pm	Op Plan and Budget Review	Executive Team
Friday 19 th November 2021	09:00am	10:00am	Leadership Development	
	10:00am	10:20am	Morning Tea	
	10:20am	12:30pm	Leadership Development	
	12:30pm	1:30pm	Lunch	
	1:30pm	3:00pm	Leadership Development	
	3:00pm	3:20pm	Afternoon Tea	
	3:20pm	5:00pm	Leadership Development	

EDCBS – Executive Director, Communities and Building Services

EDES – Executive Director of Engineering Services

Interim EDCS – Executive Director of Corporate Services

EDFS – Executive Director of Financial Services

MLS – Manager of Legal Services

MG – Manager of Governance



TORRES STRAIT ISLAND REGIONAL COUNCIL

SARG REPORT

SARG COMMITTEE MEETING:	October 2021
DATE:	08/10/2021
ITEM:	Agenda Item for the Strategic Advisory Reference Group
SUBJECT:	Community Grant Program Workshop Outcomes
AUTHOR:	Luke Ranga, Head of Corporate Affairs

Recommendation

That the Strategic Advisory Reference Group Committee notes the content of this report.

Executive Summary:

Following Council's September Ordinary Meeting proceedings, a workshop was held on Thursday Island with Councillors and Members of the Executive Leadership Team (ELT), to agree and propose key amendments to Council's existing Community Grant Program.

Also in attendance at this workshop were:

- Mr. John O'Halloran, Regional Manager - Northern Region, Department of State Development, Infrastructure, Local Government and Planning (via Video Conference from Council's Cairns Office).
- Ms. Joanne Parisi, Director, MacDonnells Law (via Video Conference from Council's Cairns Office).
- Personnel from Council's Corporate Affairs and Legal Services departments, who administer the Community Grant Program.

Workshop Outcomes:

During this workshop, the following program elements were discussed, with corresponding proposed outcomes:

Program Element:	Proposed Outcome(s):
1. Overarching Policy Enhancements / Inclusions.	<ul style="list-style-type: none"> • Overarching inclusion of Ailan Kastom and applicable cultural protocols in both policy and procedure, specifically for funerals. • Overarching Policy to be expanded to include applicable details from the Procedure document, such as timing, max. application threshold, approval process, etc.
2. Inclusion of Excluded Events.	<ul style="list-style-type: none"> • This includes graduations, tombstones, weddings, baptisms, dedications, cultural initiations, engagements, and birthdays.

3. Funeral Grant Threshold.	<ul style="list-style-type: none"> • Reinstatement of the previous funeral grant threshold, being a max. of \$5k. • As per previous procedure, applications exceeding this amount to be considered by the CEO & Mayor.
4. Payment to Individuals.	<ul style="list-style-type: none"> • Specific section of policy to articulate the ability for program to award grant payment to individuals (not just community organisations), whilst still including existing risk controls around payment to invoices, etc.
5. Urgent / Emergency Grants.	<ul style="list-style-type: none"> • Appropriate mechanism and procedure for CEO to approve urgent / emergency grants.
6. Regional Funeral Support.	<ul style="list-style-type: none"> • Reinstatement and formalisation of process, if applicable Councillor elects to do so, whereby administration facilitates support from other divisions for funerals.
7. Divisional Office Education & Support.	<ul style="list-style-type: none"> • Communications plan to occur for both Divisional Office employees and community members, post finalisation of policy and procedure amendments. • Printed collateral and promotional material to be created and made available in each Division. • On-ground Divisional Champions to be selected trained in each Division.
8. Councillor Support of Applications.	<ul style="list-style-type: none"> • Councillor support as articulated in current process to be amended as per advice from MacDonnells law (pending), due to COI implications.

Ahead of Council's November Workshop, the Corporate Affairs and Legal Services departments will prepare a draft policy, procedure and associated communication tools for review and amendment by MacDonnells Law and the Department of State Development, Infrastructure, Local Government and Planning.

Links to Strategic Plans:

- Corporate Plan 2020-2025:
 - Objective 3.3 Refresh council's community and regional grant program.
- Operational Plan 2021-2022:
 - Objective 41 - Evolve Council's community information & engagement channels.

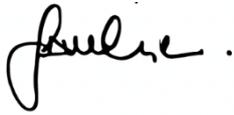
Statutory Requirements:

- Local Government Act 2009
- Local Government Regulation 2012

Conclusion:

That the Strategic Advisory Reference Group Committee notes this report.

Recommended:



Luke Ranga
Head of Corporate Affairs

Endorsed:

Megan Barrett
Interim Executive Director, Corporate
Services

Approved:



David Baldwin
Acting Chief Executive Officer



TORRES STRAIT ISLAND REGIONAL COUNCIL

SARG REPORT

SARG COMMITTEE MEETING:	October 2021
DATE:	08/10/2021
ITEM:	Agenda Item for the Strategic Advisory Reference Group
SUBJECT:	Indigenous Procurement Policy - update
AUTHOR:	Megan Barrett – Interim EDCS

Recommendation

That the Strategic Advisory Reference Group Committee **note** the update on the TSIRC Indigenous Procurement Policy.

Executive Summary:

TSIRC approved revisions to its *Procurement and Ethical Sourcing* policy on 30 June 2021. Revisions to the policy included, but were not limited to the prioritisation of Section 5, viz:

5. Sustainable and Social Procurement

Torres Strait Islander and Social Procurement

Council is committed to the development of local Torres Strait Islander businesses and social procurement, a strategic approach to meeting social objectives through procurement and contracting, and in particular facilitating employment opportunities to communities within Council's jurisdiction and the Torres Strait region.

Torres Strait Islander and social procurement delivers benefits to Council including:

- *Developing and attracting Torres Strait Islander businesses and social enterprises;*
- *Encouraging local businesses to include Torres Strait Islander, social or community objectives into daily business practices;*
- *Promoting employment opportunities and inclusive and accessible work environments for young people or older persons who are unemployed and people with disabilities;*
- *Building the skills, knowledge and ability of not-for-profit community groups to enable them to access funds and expand services.*

Council intends to use a portion of its annual procurement spend to engage suppliers that provide a direct benefit to the communities within Council's jurisdiction and the Torres Strait region, including offering quoting opportunities directly to Torres Strait Islander businesses, social enterprises and social benefit suppliers.

The Council workshop scheduled for November 2021 includes a specific item regarding the development of an Indigenous Procurement Policy for TSIRC, which will include a guided discussion of a draft policy and procedural framework. The intention of the discussion is to inform the generation of an Indigenous Procurement Policy (relevant to tendering and procurement) which:

- Describes a clear and consistent approach to assessment of tenders/procurement bids
- Enables local Indigenous providers to be genuinely competitive in the bid/tender process with specific regard to the budget availability, capacity, delivery outcomes and risk assessment
- Informs value-for-money investments by TSIRC, with due consideration of local employment, local economic activity, building local capacity

- Functions in tandem with legislation, noting that State/Federal legislation can constrain the degree to which weightings may be applied to tender and bid processes
- Enables diligence and transparency.

Links to Strategic Plans:

- Corporate Plan 2020-2025:
 - Outcome 11.2: Refresh Council's procurement policies – Develop and implement Council's Indigenous Procurement policy
- Operational Plan 2021-2022:
 - Objective 39 – Develop Council's first RAP (this policy will be part of the RAP outcomes).

Statutory Requirements:

- Local Government Act 2009
- Local Government Regulation 2012

Conclusion:

That the Strategic Advisory Reference Group Committee note the update on the TSIRC Indigenous Procurement Policy.

Endorsed:

Megan Barrett
Interim Executive Director, Corporate Services

Approved:

A handwritten signature in black ink, appearing to read "David Baldwin". The signature is stylized with a large, sweeping flourish at the end.

David Baldwin
Acting Chief Executive Officer



Procurement and Ethical Sourcing Policy

Responsible Manager:	Head of Corporate Affairs
Head of power:	<i>Local Government Act 2009 Local Government Regulation 2012</i>
Authorised by:	Council
Authorised on:	30 June 2021
Implemented from:	July 2021
Last reviewed:	June 2021
Review history:	2012, 2013, 2014, 2017, 2018, 2019, 2020
To be reviewed:	June 2022
Corporate Plan:	People, Sustainability and Prosperity

1. Purpose

This policy aims to provide Torres Strait Island Regional Council with a procurement framework which is open and transparent and provides value for money in compliance with Section 198 of the *Local Government Regulation 2012*.

The Council is committed to better target their procurement activities to ensure local Indigenous businesses have equitable access to the procurement opportunities that exist within Council and deliver improved economic, environmental and social outcomes for the Torres Strait region holistically.

2. Application

This policy applies to all Council procurement activities.

3. Legislation

All Council procurement must be carried out in compliance with the *Local Government Act 2009* and the *Local Government Regulation 2012*.

4. Procurement

Procurement means to purchase, hire, lease, rental, exchange or any other commercial transaction involving the outlay of funds in return for the provision of goods, equipment and or services. The purchase of goods, works, or services shall not be broken down into unreasonable components or reduced order quantities in order to avoid the necessity to comply with the dollar limit requirements under this Policy.

5. Sustainable and Social Procurement

Torres Strait Islander and Social Procurement

Council is committed to the development of local Torres Strait Islander businesses and social procurement, a strategic approach to meeting social objectives through procurement and contracting, and in particular facilitating employment opportunities to communities within Council's jurisdiction and the Torres Strait region.

Torres Strait Islander and social procurement delivers benefits to Council including:

- Developing and attracting Torres Strait Islander businesses and social enterprises;
- Encouraging local businesses to include Torres Strait Islander, social or community objectives into daily business practices;
- Promoting employment opportunities and inclusive and accessible work environments for young people or older persons who are unemployed and people with disabilities;
- Building the skills, knowledge and ability of not-for-profit community groups to enable them to access funds and expand services.

Council intends to use a portion of its annual procurement spend to engage suppliers that provide a direct benefit to the communities within Council's jurisdiction and the Torres Strait region, including offering quoting opportunities directly to Torres Strait Islander businesses, social enterprises and social benefit suppliers.

Sustainable Procurement

Council is committed to protecting the environment and doing business with ethical and socially responsible suppliers and procuring goods and services that achieve sustainability outcomes such as those that have a reduced negative impact on the environment and/or an improved social outcome. When procuring goods and services, Council will consider:

- Strategies to avoid unnecessary consumption and manage demand;
- Minimising environmental impacts over the whole-of-life of the goods and /or services;
 - Products that are durable and long lasting e.g. avoiding or reducing disposable products and single use plastics;
 - Products that consume less energy, fuel or water in their operation;
- Supplier's socially responsible practices; and
- Value for money over the whole-of-life of the goods and/or services, rather than just initial cost.

Torres Strait Islander, social and sustainable procurement must be conducted in line with consideration to the sound contracting principles and other legislative requirements.

6. Provisions

Objectives

Council's procurement activities aim to achieve beneficial outcomes by:

- Promoting value for money with probity and accountability;
- Advancing Council's economic, social and environmental policies;
- Providing reasonable opportunity for local Indigenous businesses to supply to Council;
- Promoting compliance with relevant legislation; and
- Promoting continuous improvement and best practice in procurement activities.

Responsibility

Council officers are required to:

- Adhere to the sound contracting principles as stipulated in the *Local Government Act 2009*;
- Preserve Council's integrity in the procurement process to ensure that council acts beyond reproach in all dealings; and
- Obtain best value whole of life costs.

During the entire procurement process, any officers who intend to have any input or influence should ensure they have read Council's Code of Conduct as well as the supporting documents to this Policy.

All officers involved in procurement and contracting activity must comply with the following interlinked principles and objectives of probity:

- Use of a competitive process;
- Fairness and impartiality;
- Transparency of process;
- Independence through effective management of conflicts of interest;
- Accountability of process; and
- Security and confidentiality of information and materials.

Officers participating in procurement and contracting activities must comply with the requirements of Council's Code of Conduct, and the supporting documents to this Procurement Policy and must:

- Notify the Strategic Sourcing Manager immediately they become aware of any conflict of interest (perceived, potential or actual);
- Not accept gifts from parties related to any procurement or contracting activity; and
- Action the pre and post offer declarations of conflict of interest and confidentiality as applicable.

Councillors and staff must ensure that they do not participate in any action, which may be deemed to be:

- Canvassing by any party with a material interest in the procurement; or
- Releasing commercial in confidence information; or
- Collusion - i.e. collaboration between parties involved in the procurement process.

Any approach or known evidence of canvassing, breach of confidentiality or collusion must be reported to the Chief Executive Officer.

7. Sound Contracting Principles

Council officers must have regard to the sound contracting principles set out in section 104(3) of the *Local Government Act 2009*:

- a) value for money;
- b) open and effective competition;
- c) the development of competitive local business and industry;
- d) environmental protection;
- e) ethical behaviour and fair dealing.

Value for money

The objective of the value for money principles is to ensure that all procurement and contracting activities represent the best return and performance for money spent from a whole-of-life cost perspective to assist Council to effectively and efficiently use public money.

Value for money should not be limited to price alone. In assessing value for money, officers must consider:

- The contribution to the advancement of Council priorities and vision, including buying from local Torres Strait Island businesses and organisations as first preference, community and social benefits, and suitability considerations consistent with and supporting the strategic direction of the Corporate Plan;
- Factors such as fit for purpose, innovation, maintenance and support, relevant experience and performance, availability and suitability of staff, plant and equipment, application of relevant and sound systems of operational management, risk, legal and reputation exposure and business continuity; and
- Cost related factors including whole-of-life costs, transactional costs and risk exposure associated with the acquisition, use, administration, holding, maintenance and disposal of the goods and/or services.

As the application of the value for money principle may not necessarily favour the lowest price, contracting decisions must substantiate how application of the principles ensures council is receiving the most advantageous outcome for our community.

Open and effective competition

Procurement processes must be open and transparent to suppliers and the public and result in effective competition in the provision of all goods and services. Council must give fair and equitable consideration to all prospective suppliers.

Development of competitive local business and industry

Council will proactively support local Torres Strait Islander owned businesses, organisations and industry to provide jobs within Council's jurisdiction, and the greater Torres Strait region, in recognition of the economic and social benefits that this brings. When applying these principles Council will:

- Buy from local Torres Strait Islander businesses and organisations as first preference;
- Reserve the right to invite only local Torres Strait Islander owned businesses, organisations and industry to quote for appropriate contracts; and
- Include a statement in its invitation to quote/tender documentation that Council, through this policy, encourages the development of competitive local Torres Strait Islander businesses, organisations and industry.

A local supplier means a supplier that maintains a workforce whose usual place of residency is located within Council's jurisdiction and/or the Torres Strait region. If a capable local supplier does not exist within the Torres Strait region, the area should be extended to include the Cape York and Cairns region and then extended progressively to Queensland, then Australia until a suitable supplier is identified.

Environmental protection

The objective of the principle of environmental protection is to maintain commitment to long-term ecological sustainability through procurement and contracting activities that conserve resources, save energy, minimise waste, protect human health and maintain environmental quality and safety.

In undertaking procurement activities council will endeavour to:

- Promote the procurement of environmentally friendly goods and services that satisfy the value for money criteria;
- Foster the development of products and processes of low environmental and climatic impact;
- Provide an example to business, industry and the community by promoting the use of climatically and environmentally friendly goods and services;
- Ensure suppliers clean up construction sites and remove all plant and equipment from islands; and
- Encourage environmentally responsible activities.

Ethical behaviour and fair dealing

Council officers must behave with impartiality, fairness, independence, openness, integrity and professionalism in their discussions and negotiations with suppliers and their representatives.

It is the responsibility of Council officers to report any actual, potential or perceived conflict of interest to their branch manager prior to and during any business dealings.

8. Budgetary Provisions

Procurement must be in accordance with the adopted Annual Budget or a Council resolution and sufficient funds must be available to meet the full cost of the proposed procurement.

9. Procurement Guidelines

Procurement Thresholds

Value threshold (GST excl.)	RFQ Documentation
Under \$2,000	1 written quote
\$2,000 to \$14,999	2 written quotes
\$15,000 to under \$200,000	3 written quotes
≥ \$200,000	Public tender

When seeking quotations, officers should consider the likelihood of exceeding the value thresholds listed above in a financial year. If there is a risk that these limits will be exceeded, then the appropriate number of quotes or a public tender should be sought. All thresholds are cumulative thresholds. If the anticipated value of goods or services of a similar nature procured from the same supplier exceeds \$200,000 in a financial year, or over the proposed term of the contractual arrangement, then a public tender is required.

10. Exemptions to Procurement Guidelines

Legislation obligates Council to utilise a public tender process (or a closed tender process if an expression of interest has first been called to shortlist tenderers) before making a contract for the carrying out of work, or the supply of goods and services involving a value of \$200,000 or more, unless there is a legislative exemption.

Council officers must follow the procurement guidelines unless they utilise a legislative exemption. Exemptions are provided for under sections 229-235 of the *Local Government Regulation 2012*. These exemptions are:

- A quote or tender consideration plan
- A contractor on an approved contractor list
- A supplier on a register of pre-qualified suppliers
- A supplier on a preferred supplier arrangement
- A supplier on another LGA arrangement, e.g. LGAQ (LocalBuy).

Further exemptions exist if:

- Council resolves (Council resolution obtained) it is satisfied that there is only one supplier who is reasonably available (sole suppliers); or
- Council resolves that, because of the specialised or confidential nature of the services that are sought, it would be impractical or disadvantageous for the local government to invite quotes or tender; or
- A genuine emergency exists; or
- The contract is for the purchase of goods and is made by public auction; or
- The contract is for the purchase of second-hand goods; or
- The contract is made with, or under an arrangement with, a government agency e.g. Queensland State Government arrangements.

Refer to sections 230-235 of the *Local Government Regulation 2012* for further details on the above exemptions.

Register of Pre-qualified Suppliers (ROPS)

Council may establish a ROPS for carrying out of works, goods, services or ICT, by inviting public tenders. Suppliers must submit a tender response and if successful following the evaluation process, suppliers are appointed to the ROPS for a term of up to three years. Once the ROPS is established, further quotes or cost estimates from selected suppliers are required to ensure value for money.

Preferred Supplier Arrangement (PSA)

Council can establish a PSA where better value for money can be obtained by aggregating the demand for goods and services. Council must invite public tenders and evaluate submissions from suppliers in order for suppliers to be successfully appointed to the PSA. Prices or a schedule of rates are usually fixed for the duration of the arrangement.

Sole Suppliers

Where the required goods or services are available only from one original source or available from only one stockist, agent or supplier with relative ease of accessibility to Council, the supply of those goods and or services can be applied for under a sole supplier arrangement via Council resolution.

Procurement provides a report on an annual basis listing all proposed sole supplier arrangements, for the financial year, for adoption by Council. A report is presented to Council bi-annually listing expenditure on sole suppliers.

Emergencies

In recognition that full compliance with existing Council procurement procedures may not support Council's needs during a critical or emergency incident, an alternative procurement process may operate during the incident. This alternative process aims to accommodate urgent Council needs, while ensuring that the procurement process adopted is reasonable and conducted with appropriate consideration of standard procurement principles.

Any emergency procurement must be authorised by the Chief Executive Officer, once a critical or emergency incident has been declared. Such incidents are:

- A state of disaster declared under the *Disaster Management Act 2003*, or any other emergency declaration made by the State's Premier under an enactment;
- Any incident declared by the Chief Executive Officer where the safety or security of any person or property associated with the Council is threatened; and
- An external incident to which the Chief Executive Officer has authorised the provision of urgent support.

Once the immediacy of the incident has passed, purchase orders must be raised to record the expenditure in the same way as they would have been in normal circumstances.

As soon as practical upon cessation of the emergency, a report must be presented to Council to authorise the unapproved expenditure, where this expenditure exceeds delegation, and the methodology by which it was incurred. The Council Resolution must define the genuine emergency situation (such as natural disaster), as well as delegate authority.

11. Financial Delegation

The Chief Executive Officer has procurement authority of \$200,000. Any amount greater than this requires Council approval.

The Chief Executive Officer further has delegation to issue requests for quotes and tenders for any project up to any amount.

Other officers may only incur expenditure on behalf of Council if:

- The officer has been granted the financial delegation by the Chief Executive Officer and this delegation has been recorded in the Register of Financial Delegations, and
- The expenditure is provided for in Council's budget, and
- The officer has received training in Council's procurement systems and procedures, or
- There is a disaster/genuine emergency.

No officer, except the Chief Executive Officer may have procurement delegation exceeding \$200,000.

The Chief Executive Officer must approve all financial delegations by recording them in a register of financial delegations to enable procurement activities to occur.

Appendix 1 lists the delegations for all management positions.

12. Variations to Purchases

For the purposes of this policy, variation refers solely to a financial deviation from original contract value. The contract can be a Council purchase order or agreement signed by a delegated Council officer with an external service provider/organisation. Other variations such as non-financial scope changes, extension of time etc are to be managed by delegated Council officers.

Variation procedures are as follows:

- Each variation can only be approved by an officer up to their authorised contractual and financial delegation;
- All variations are to be approved in writing;
- Each variation requires an additional line item on the original purchase order stating the scope and cost.

Manager Responsible for Review:

Head of Corporate Affairs



Adoption: 30 June 2021

Due for Revision: 30 June 2022

Chief Executive Officer

Appendix 1 – Financial and Contractual Delegations

Officers may incur expenditure on behalf of Council but only if the expenditure is provided for in Council's budget the officer's position has been delegated the power to enter into contracts up to an amount not less than the amount of the expenditure proposed to be incurred.

Each delegation to an officer of the power to enter into contract must be delegated by the Chief Executive Officer.

The delegation is a positional delegation and remains in force unless revoked by the Chief Executive Officer.

Any officer incurring expenditure on behalf of Council must do so in accordance with any constraints imposed by Council or the Chief Executive Officer.

Position	Delegation (ex GST)
Chief Executive Officer	\$200,000
Chief Operating Officer	\$50,000
Chief Financial Officer	\$50,000
Chief Engineer	\$50,000
Functional Manager or Regional Manager	\$25,000
Regional Building Supervisor	\$25,000
Senior Executive Assistant to Mayor and CEO	\$25,000
Divisional Manager	\$10,000
Other officers where financial delegation is considered an operational requirement, CFO discretion	\$10,000

Council further delegate to the Chief Executive Officer the authority to negotiate, finalise and execute recurring operational expenditure, that are within the adopted budget. These include rent on leased Council premises, Council rates, electricity, telephone, freight, fuel, vehicle registration and others, regardless of whether the value of the expenditure is more or less than \$200,000.



TORRES STRAIT ISLAND REGIONAL COUNCIL

SARG REPORT

SARG COMMITTEE MEETING: October 2021

DATE: 08/10/2021

ITEM: Agenda Item for the Strategic Advisory Reference Group

SUBJECT: Revision of the Corporate Plan

AUTHOR: Megan Barrett – Interim EDCS

Recommendation

That the Strategic Advisory Reference Group Committee **note** the update on the revisions to the Corporate Plan.

Executive Summary:

Changes to the leadership and membership of TSIRC Council have informed the requirement to revise the TSIRC Corporate Plan 2020 – 2025.

Changes to the Plan will include:

Page	Content and proposed change	Visual reference
8	Mayoral Foreword – updated text and photograph	
9	Message from the CEO – updated text and photograph	

42-43	Infographics – updated text and data to reflect current state	
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A draft of the revised document should be anticipated at the January SARG meeting, at which time it is anticipated that the new CEO will be *in situ* and able to approve revisions to P9 (Message from the CEO).

S165 of *Local Government Regulation 2012* provides that a local government may, by resolution, amend its 5-year corporate plan at any time. Accordingly, it is proposed that the current Corporate Plan 2020 – 2025 be revised as an interim measure to reflect new Councillors and leadership, with a view to a complete revision being provided to the March 2022 meeting of TSIRC Council. The interim revised version would be digital only, noting that the final revised version would be printed and disseminated.

Completion of the interim report would require:

- A photo of the current A/CEO (in the event that the CEO recruitment process is not yet finalised) and corresponding message
- Acknowledgement of the previous Council and its achievements

Completion of the final revisions would require:

- Photos of the new CEO (and corresponding message)
- New financial analysis data
- New infographic data
- Acknowledgement of the previous Council and its achievements.

Version	Date to be submitted to SARG	Cost (approximate)	Comments
Revisions to current Plan	November 2021 (if Council elects to proceed with revisions with the A/CEO included) January 2022 (assuming a CEO appointment has been made)	\$1500	Digital version only Photos of all newly elected Councillors already available in archive
Complete refresh of Plan	March 2022	\$5000	Excluding any travel required to secure photostock Requires acceptance by resolution of Council

Links to Strategic Plans:

- Corporate Plan 2020-2025:
 - Outcome 4: We are a transparent, open and engaging Council.
- Operational Plan 2021-2022:
 - Objective 41 - Evolve Council's community information & engagement channels.

Statutory Requirements:

- Local Government Act 2009
- Local Government Regulation 2012

Conclusion:

That the Strategic Advisory Reference Group Committee note the update on the revisions to the Corporate Plan.

Endorsed:

Megan Barrett
Interim Executive Director, Corporate Services

Approved:

David Baldwin
Acting Chief Executive Officer