

**MINUTES OF MORNINGTON SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBER, MISSION ROAD, GUNUNA
ON WEDNESDAY, 15 JUNE 2016 AT 10:08AM**

1 OPENING OF MEETING

The meeting was opened by Mayor Bradley Wilson at 10.08am

2 PRESENT

Mayor Brad Wilson, Deputy Mayor Sarah Isaacs, Cr Jane Ah Kit, Cr Bob Thompson, Cr Claire Farrell

Frank Mills (Chief Executive Officer), Andrew "Fergus" Thompson (Executive Manager), Royleen Wolski (Minute Taker)

Delegation: GRAC & Carpentaria Land Council

3 APOLOGIES

Nil

4 DISCLOSURE OF INTEREST – COUNCILLORS AND STAFF

NIL

5 CONDOLENCES AND MEMEMORIAL

NIL

6 CONFIRMATION OF MINUTES**RESOLUTION 2016/84**

Moved: Cr Claire Farrell

Seconded: Deputy Mayor Sarah Isaacs

That the minutes of the Ordinary Meeting held on 18 May 2016 be confirmed.

CARRIED 5/0

At 11:11 am, Cr Bob Thompson left the meeting.

At 11.12 Delegation left the meeting

At 11:13 am, Cr Claire Farrell left the meeting.

At 11:14 am, Cr Jane Ah Kit left the meeting.

At 11:15 am, Deputy Mayor Sarah Isaacs left the meeting.

At 11:15 am, Mayor Brad Wilson left the meeting.

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7 BUSINESS ARISING

At 11:29 am, Mayor Brad Wilson returned to the meeting.

At 11:29 am, Deputy Mayor Sarah Isaacs returned to the meeting.

At 11:29 am, Cr Jane Ah Kit returned to the meeting.

At 11:30 am, Cr Bob Thompson returned to the meeting.

At 11:30 am, Cr Claire Farrell returned to the meeting.

At 11:32 am, Cr Bob Thompson left the meeting.

At 11:35 am, Cr Jane Ah Kit left the meeting.

At 11:43 am, Cr Jane Ah Kit returned to the meeting.

At 11.45 am, Mayor Brad Wilson returned to the meeting.

8 ACTION SCHEDULE

8.1 ACTION ITEMS AS AT 15 JUNE 2016

RESOLUTION 2016/85

Moved: Cr Claire Farrell

Seconded: Deputy Mayor Sarah Isaacs

That the Action Schedule as tabled be updated and that completed items be removed.

CARRIED 5/0

At 11.45 am The meeting was closed for lunch

At 1.19 pm The meeting was opened after lunch

At 1:19 pm, Cr Bob Thompson returned to the meeting

9 CALL FOR ITEMS OF GENERAL BUSINESS

9.1 The CEO raised the issue of the security of the Telstra Tower

Discussion was entered into in relation to the Telstra Tower

RECEPTION & CONSIDERATION OF COMMITTEE REPORTS**10 COMMITTEE REPORTS**

Nil

RECEPTION & CONSIDERATION OF OFFICERS REPORTS**11 MAYOR AND COUNCILLORS REPORT**

The Mayor delivered a verbal report and raised the issue of funding for subsidized flights not being available for the residents of Mornington. Discussion was entered into in relation to this. CEO will contact Cape Indigenous Mayor's Alliance and have discussions to obtain their support for an airfare rebate scheme for Mornington Island.

Councillor Isaacs delivered a verbal report and discussed the benefits of maintaining the contacts that they made at the Indigenous Leaders Forum. Discussion was entered into in relation to this and the Council's impressions of the ILF and the need for additional Agenda Items.

Councillor Thompson delivered a verbal report and raised the issues of Blackstar and discussion was entered into. Infrastructure upgrade was also discussed.

Justin Hancock joined the meeting at 1.35pm

Naseem Chetty joined the meeting at 1.40pm

Naseem Chetty left the meeting at 1.55 pm

12 CHIEF EXECUTIVE OFFICER'S REPORTS**12.1 CHIEF EXECUTIVE OFFICER MONTHLY REPORT****RESOLUTION 2016/86**

Moved: Cr Bob Thompson

Seconded: Cr Claire Farrell

That Council note and receive this report.

CARRIED 5/0

12.2 BAKERY REVIEW**RESOLUTION 2016/87**

Moved: Cr Bob Thompson

Seconded: Cr Claire Farrell

That the CEO provide a schedule of bakery products, and prices of ingredients that support a satisfactory standard of products and appropriate prices for approval at the Special Council Meeting to be held on 29 June 2016 in conjunction with 2016-2017 Budget.

CARRIED 5/0

12.3 POST OFFICE LEASE**RESOLUTION 2016/88**

Moved: Cr Bob Thompson

Seconded: Cr Claire Farrell

That Council approve and endorse the Mayor and Chief Executive Officer to sign the lease agreement as tabled on behalf of Council.

CARRIED 5/0

12.4 DEVELOPMENT APPLICATION FOR RECONFIGURATION OF A LOT (SUBDIVISION BY 30 YEAR LEASE) ON LAND LOCATED AT LARDIL STREET, GUNUNA - MORNINGTON ISLAND AND DESCRIBED AS PART OF LOT 999 ON SP237463**RESOLUTION 2016/89**

Moved: Cr Jane Ah Kit

Seconded: Cr Claire Farrell

That That Council approves the development application for Reconfiguration of a Lot (30 Year Lease) at Lardil Street, Gununa - Mornington Island, subject to the following:

Approved plans

The approved plans and/or documents for this development approval are listed in the following table:

Plan/Document number	Plan/Document name	Date
SP276546	Plan of Lease JY in Lot 999 on SP237463	23.07.2015

Conditions**Approved plans**

1. The proposed works are permitted subject to the specifications, facts and circumstances as set out in the application submitted to Council and satisfaction of the Chief Executive Officer, except where modified by these conditions of approval.
2. Any works on the land must not:
 - i. Create any discharge points for stormwater onto the road reserve;
 - ii. Interfere with and/or cause damage to the existing stormwater drainage on the road reserve;
 - iii. Reduce the quality of stormwater discharge onto the road reserve; and/or
 - iv. Result in any contaminates leaching onto the road reserve.

Timing of Effect

3. The conditions of the Development Permit must be effected prior to Commencement of Use and maintained thereafter, except where specified otherwise in these conditions of approval.

Further Advice

1. This approval does not negate the requirement for compliance with any other relevant Local Laws and other statutory requirements.

2. The Aboriginal Cultural Heritage Act 2003 establishes a Duty of Care for Indigenous cultural heritage. This applies on all land and water, including freehold land. The Cultural Heritage Duty of Care lies with the person or entity conducting the activity. Penalty provisions apply for failing to fulfil the Cultural Heritage Duty of Care.

Those proposing an activity that involves additional surface disturbance beyond that which has already occurred at the proposed site need to be mindful of the Duty of Care requirement. Detail of how to fulfil the Duty of Care are outlined in the Duty of Care Guidelines gazetted with the Act.

Any future development is to consider the adopted development levels for the site and shall be submitted to Council for review and approval.

CARRIED 5/0

12.5 RESIDENTIAL LEASE AND CHURCH LEASE FOR SIGNING BY CHIEF EXECUTIVE OFFICER AND MAYOR

RESOLUTION 2016/90

Moved: Cr Claire Farrell

Seconded: Cr Bob Thompson

That Council endorse and approve the Mayor and Chief Executive Officer to sign the two lease documents on behalf of Council for church and attached residential property as tabled.

CARRIED 5/0

12.6 REQUEST FOR ACCOMMODATION FOR STAFF OF REX GROUND MANAGEMENT CONTRACT

RESOLUTION 2016/91

Moved: Cr Jane Ah Kit

Seconded: Cr Bob Thompson

That Council provide advice to Mr Walker that Council has no accommodation available to support his request.

CARRIED 5/0

12.7 OPERATIONAL PLAN 2016 - 2017 FOR COMMENT AND APPROVAL

RESOLUTION 2016/92

Moved: Cr Jane Ah Kit

Seconded: Cr Claire Farrell

That Council provide comment and advise on amendment of the document as tabled so it can be prepared for approval on 29th June 2016.

CARRIED 5/0

12.8 FINANCE MONTHLY REPORT - MAY 2016**RESOLUTION 2016/93**

Moved: Cr Bob Thompson

Seconded: Cr Jane Ah Kit

That Council note and receive the Financial Report for the month of May 2016.

CARRIED 5/0

At 2:52 pm, Cr Jane Ah Kit left the meeting.

At 2:55 pm, Deputy Mayor Sarah Isaacs left the meeting.

At 3:00 pm, Cr Jane Ah Kit returned to the meeting.

At 3:00 pm, Cr Claire Farrell left the meeting.

At 3:01 pm, Deputy Mayor Sarah Isaacs returned to the meeting.

At 3:02 pm, Cr Bob Thompson left the meeting.

At 3:04 pm, Cr Bob Thompson returned to the meeting.

At 3:07 pm, Cr Claire Farrell returned to the meeting.

12.9 BUDGET 2016 - 2017**RESOLUTION 2016/94**

Moved: Cr Jane Ah Kit

Seconded: Deputy Mayor Sarah Isaacs

That Council adopt the following draft documents as tabled:

- 1) The 2016/2017 Statutory Budget Documents comprising of Statement of Comprehensive Income, Statement of Financial Position, Statement of Cash flows, Statement of Changes in Equity, Measures of Financial Sustainability, Long Term Financial Forecast, Statement of estimated financial operations and Statement of estimated financial position.
- 2) The 2016/2017 Capital Budget;
- 3) In accordance with Section 193 of the Local Government Regulation 2012 the 2016/2017 Revenue Policy;
- 4) In accordance with Section 169(2)(b) and 172 of the Local Government Regulation 2012 the 2016/2017 Revenue Statement;
- 5) In accordance with Section 192 of the Local Government Regulation 2012 the 2016/2017 Debt Policy;
- 6) In accordance with Section 198 of the Local Government Regulation 2012 the 2016/2017 Procurement Policy;
- 7) In accordance with Section 197 of the Local Government Regulation 2012 the 2016/2017 Advertising Policy;

- 8) In accordance with Section 195 of the Local Government Regulation 2012 the 2016/2017 Community Grants Policy;
- 9) In accordance with Section 196 of the Local Government Regulation 2012 the 2016/2017 Entertainment and Hospitality Policy;
- 10) In accordance with Section 191 of the Local Government Regulation 2012 the 2016/2017 Investment Policy.

CARRIED 5/0

12.10 SCHEDULE OF FEES AND CHARGES 2016 - 2017

RESOLUTION 2016/95

Moved: Cr Jane Ah Kit
Seconded: Deputy Mayor Sarah Isaacs

That Council accept the draft Schedule of Commercial & Regulatory Fees and Charges as tabled for the 2016 – 2017 Financial Year, for comment

CARRIED 5/0

12.11 STORES REPORT

RESOLUTION 2016/96

Moved: Cr Bob Thompson
Seconded: Cr Jane Ah Kit

That Council note and receive this report.

CARRIED 5/0

3.07pm Naseem Chetty joined the meeting

12.12 HOUSING REPORT

RESOLUTION 2016/97

Moved: Cr Jane Ah Kit
Seconded: Cr Bob Thompson

That Council note and receive this report.

CARRIED 5/0

12.13 MOTEL REPORT

RESOLUTION 2016/98

Moved: Cr Claire Farrell
Seconded: Cr Bob Thompson

That Council note and receive this report.

CARRIED 5/0

12.14 BAKER SALES

RESOLUTION 2016/99

Moved: Cr Claire Farrell
Seconded: Cr Jane Ah Kit

That Council note and receive this report.

CARRIED 5/0

13 STAFF REPORTS - INFRASTRUCTURE & TECHNICAL SERVICES

13.1 INFRASTRUCTURE & TECHNICAL SERVICES REPORT (INCLUDING WORKSHOP)

RESOLUTION 2016/100

Moved: Cr Bob Thompson
Seconded: Cr Claire Farrell

That Council note and receive this report.

CARRIED 5/0

13.2 WORKSHOP REPORT

RESOLUTION 2016/101

Moved: Cr Bob Thompson
Seconded: Cr Claire Farrell

That Council note and receive this report.

CARRIED 5/0

14 STAFF REPORTS - HUMAN SERVICES

Nil

15 GENERAL BUSINESS**15.1 TELSTRA TOWER****RESOLUTION 2016/102**

Moved: Cr Bob Thompson

Seconded: Cr Claire Farrell

That the Chief Executive raise the issue of the Telstra Tower as a high priority to prevent the serious injury or death of a community member

CARRIED 5/0**16 CONFIDENTIAL****16.1 MOVE INTO CONFIDENTIAL****RESOLUTION 2016/103**

Moved: Cr Jane Ah Kit

Seconded: Cr Bob Thompson

That Council move into Confidential meeting

CARRIED 5/0**RECOMMENDATION**

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 275 of the Local Government Act 2009:

16.1 Draft Organisational Structure Review for comment and approval

This matter is considered to be confidential under Section 275(b) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with industrial matters affecting employees.

16.2 HR Report

This matter is considered to be confidential under Section 275(b) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with industrial matters affecting employees.

At 4:08 pm, Cr Claire Farrell left the meeting.

At 4:10 pm, Cr Claire Farrell returned to the meeting.

At 4:12 pm, Deputy Mayor Sarah Isaacs left the meeting.

At 4:13 pm, Deputy Mayor Sarah Isaacs returned to the meeting.

RESOLUTION 2016/104

Moved: Cr Bob Thompson
Seconded: Cr Jane Ah Kit

That Council moves out of Closed Council into Open Council.

CARRIED 5/0

16.1 DRAFT ORGANISATIONAL STRUCTURE REVIEW FOR COMMENT AND APPROVAL

RESOLUTION 2016/105

Moved: Cr Jane Ah Kit
Seconded: Cr Bob Thompson

That Council provide comment and advice on amendment of the document as tabled so it can be prepared for approval on 29th June 2016.

CARRIED 5/0

16.2 HR REPORT

RESOLUTION 2016/106

Moved: Cr Jane Ah Kit
Seconded: Cr Bob Thompson

That Council note and receive this report.

CARRIED 5/0

17 NEXT MEETING

The next meeting will be held on 20 July 2016.

18 CLOSURE

The Meeting closed at 4.18pm

Frank Mills

Chief Executive Office

Minutes Confirmed:

Mayor

Date: 20 July 2016

Frank Mills

Chief Executive Officer

Initial: _____

Initial: _____