

**MINUTES OF MORNINGTON SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBER, MISSION ROAD, GUNUNA
ON FRIDAY, 24 JANUARY 2020 AT 9:00AM**

1 OPENING OF MEETING

The meeting was opened by Mayor Bradley Wilson at 9:15am.

2 PRESENT

Mayor Brad Wilson, Cr Jane Ah Kit, Cr Bob Thompson
Frank Mills (Chief Executive Officer), Tatiana Ah Mat (Minute Taker)

3 APOLOGIES

Nil

4 DISCLOSURE OF INTEREST – COUNCILLORS AND STAFF**5 CONDOLENCES AND MEMORIALS**

Nil

6 CONFIRMATION OF MINUTES**RESOLUTION 2020/18**

Moved: Cr Jane Ah Kit
Seconded: Cr Bob Thompson

That the minutes of the Ordinary Meeting held on 20th November 2019 be confirmed.

CARRIED 3/0

7 BUSINESS ARISING**8 ACTION SCHEDULE****8.1 ACTION ITEMS AS OF NOVEMBER 2019****RESOLUTION 2020/19**

Moved: Cr Jane Ah Kit
Seconded: Cr Bob Thompson

1. That Council note and receive the Mornington Shire Action Schedule as tabled, and
2. That Council endorse the removal of all completed items from the schedule as table

CARRIED 3/0

9 CALL FOR ITEMS OF GENERAL BUSINESS

RECEPTION & CONSIDERATION OF COMMITTEE REPORTS

10 COMMITTEE REPORTS

Nil

RECEPTION & CONSIDERATION OF OFFICERS REPORTS

11 MAYOR AND COUNCILLORS REPORTS

Nil

12 CHIEF EXECUTIVE OFFICER'S REPORTS

12.1 MORNINGTON SHIRE COUNCIL - LOCAL DISASTER MANAGEMENT PLAN 2019 - 2020

RESOLUTION 2020/20

Moved: Cr Jane Ah Kit

Seconded: Cr Bob Thompson

1. That Council note the additional information provided.
2. That Council endorse and approve the amended version of the Mornington Shire Council Local Disaster Management Plan as tabled.

CARRIED 3/0

12.2 TORRES CAPE INDIGENOUS COUNCIL ALLIANCE (TCICA) - FORMATION OF A REGIONAL ROADS AND TRANSPORT GROUP (RRTG)

RESOLUTION 2020/21

Moved: Cr Jane Ah Kit

Seconded: Cr Bob Thompson

1. That Council approve the two suggested submissions for funding by the Aboriginal and Torres Strait Islander Transport Infrastructure Scheme in 2020 as outlined in this report.
2. That Council advise that Mornington Shire Council does not support the formation of the proposed Torres Cape Indigenous Councils Alliance, Regional Roads and Transport Group.

CARRIED 3/0

12.3 CHIEF EXECUTIVE OFFICER REPORT FOR THE MONTH OF JANUARY 2020**RESOLUTION 2020/22**

Moved: Cr Jane Ah Kit

Seconded: Cr Bob Thompson

That Council note and receive this report.

CARRIED 3/0

12.4 DECEMBER 2019 ORDINARY MEETING OF COUNCIL AGENDA ITEMS FOR RESOLUTION**RESOLUTION 2020/23**

Moved: Cr Jane Ah Kit

Seconded: Cr Bob Thompson

1. That Council resolve each of the agenda items as tabled and attached to this report.
 - a) Council note and receive Report – Conflict of Interest Guidelines- Councillor Bobby Thompson declared he may have a perceived Conflict of interest in this matter, after discussion Councillor Thompson participated in discussion and decision making.
 - b) Council approve Report – Proposed Ordinary Council Meeting Schedule 2020
 - c) Council note and receive Report – Mornington Shire Council Service Delivery Update
 - d) Council note and receive Report - Arrangements for the Caretaker Period and amendments affecting councillor discretionary funds from 1 January — 2020 Local Government Quadrennial Elections
 - e) Council note and receive Report - Torres Cape Indigenous Council Alliance (TCICA) Canberra advocacy report & November meeting minutes
 - f) Council note and receive Report - Cultural Awareness Training
 - g) Council approve as amended Report - General Service Charge Concession Policy
 - h) Council note and receive Report - Financial Report as at 30th November 2019
 - i) Council note and receive Report - Infrastructure Services Report for the month of December
 - j) Council note and receive Report - Housing Report
 - k) Council note and receive Report - Special Projects - Lelka Murrin Upgrade
 - l) Council note and receive Report - Civic Centre - Administration Building (LGGSP)
 - m) Council defer Report - Bynoe Cacs and CDP Arrangements, to post 2020 Local Government Elections
 - n) Council note and receive Report- Information and Communication Technology Quarterly Report
 - o) Council note and receive Report - Mornington Shire Council - Tender for Security and Patrol Services- Mayor Bradley Wilson declares a conflict of interest in this matter and leaves the discussion
 - p) Council note and receive Report - ICT Secondary Support & Council-wise Investigation
 - q) Council note and receive Report - Facilities Quarterly Report- July to September- CEO to tabled a report to February Council meeting regarding outcome and process of the EOI for the Lelka Murrin Kiosk
 - r) Council note and receive Report - Community Liquor Permit, application by Gununamanda

Limited for consideration of Council for endorsement.

CARRIED 3/0

At 9:54 am, Cr Jane Ah Kit left the meeting.

At 9:59 am, Cr Jane Ah Kit returned to the meeting.

12.5 STATE GOVERNMENT FUNDING - \$2.35 MILLION FOR COMMUNITY HOUSING

RESOLUTION 2020/24

Moved: Cr Jane Ah Kit

Seconded: Cr Bob Thompson

That provide advice and direction on:

1. That Council act as principal contractor for the roll out of the \$2.35 million housing program,
2. That Council nominate – construction of a new 3 bedroom dwelling at 152 Lardil Street, “shovel ready” works at proposed sub-division at lots 925 and 926 Lardil Street and “plug ins” as works to be carried out under the program,
3. That Council provide estimates of funding breakdown for each of the 3 separate components of the \$2.35 million housing program as soon as details become available to the Department of Housing and Public Works (HPW),
4. That Council nominate the following funding requirements for the program - 30% payment when signing the agreement, 60% payment when design and land have been finalised and 10% payment on completion,
5. That Council endorse HPW to continue as the tenancy management body for Mornington Island, including the additional housing provided by this program.

CARRIED 3/0

12.6 COMMONWEALTH GOVERNMENT FUNDING - \$105 MILLION FOR COMMUNITY HOUSING.

RESOLUTION 2020/25

Moved: Cr Jane Ah Kit

Seconded: Cr Bob Thompson

That Council note and receive this report.

CARRIED 3/0

12.7 KOPPENS CAMPSITE

RESOLUTION 2020/26

Moved: Cr Jane Ah Kit
Seconded: Cr Bob Thompson

That Council note and receive this report.

CARRIED 3/0

12.8 DRFA ROADWORKS WATER USAGE

RESOLUTION 2020/27

Moved: Cr Jane Ah Kit
Seconded: Cr Bob Thompson

That Council note and receive this report.

CARRIED 3/0

12.9 CIVIC CENTRE - ADMINISTRATION BUILDING (LGGSP)

RESOLUTION 2020/28

Moved: Cr Jane Ah Kit
Seconded: Cr Bob Thompson

1. That Council request approval from Minister Hinchcliffe, the Minister for Local Government Racing and Multicultural Affairs for the approval for the funding amount of \$5,317,692.00 to be able to be utilised as 100% of stage one of this project, with no additional co-contribution from Council.
2. That Council request approval from Minister Hinchcliffe, the Minister for Local Government Racing and Multicultural Affairs for the approval for an extension of time to complete this project from the 30th June 2021 to 30th December 2021.

CARRIED 3/0

12.10 SPECIAL PROJECTS - LELKA MURRIN UPGRADE

RESOLUTION 2020/29

Moved: Cr Jane Ah Kit
Seconded: Cr Bob Thompson

That Council note and receive this report.

CARRIED 3/0

12.11 BARGE SALE

RESOLUTION 2020/30

Moved: Cr Jane Ah Kit
Seconded: Cr Bob Thompson

That Council resolved to sell the Wurruku barge "as is" by public tender with a reserve price of \$130,000.00 for the vessel and trailer

CARRIED 3/0

12.12 CUSTOMER STANDARD & DRINKING WATER QUALITY MANAGEMENT PLAN - FOR COUNCIL APPROVAL

RESOLUTION 2020/31

Moved: Cr Jane Ah Kit
Seconded: Cr Bob Thompson

1. That Council endorse and approve the Customer Service Standards Policy as tabled,
2. That Council endorse and approve the Customer Standard and Drinking Water Quality Management Plan as tabled.

CARRIED 3/0

12.13 MORNINGTON SHIRE COUNCIL- ETHICAL RESEACH POLICY

RESOLUTION 2020/32

Moved: Cr Jane Ah Kit
Seconded: Cr Bob Thompson

1. That Council note and receive this report.
2. That Council include guidelines for Community Consultation in the Service Delivery Working Group agenda for further discussion

CARRIED 3/0

12.14 CORPORATE GOVERNANCE AND COMMUNICATIONS MONTHLY REPORT

RESOLUTION 2020/33

Moved: Cr Jane Ah Kit
Seconded: Cr Bob Thompson

That Council note and receive this report

CARRIED 3/0

13 STAFF REPORTS - FINANCIAL SERVICES

13.1 MANAGING THE SUSTAINABILITY OF LOCAL GOVERNMENT SERVICES

RESOLUTION 2020/34

Moved: Cr Jane Ah Kit

Seconded: Cr Bob Thompson

That Council adjourn this matter until post 2020 Local Government Elections

CARRIED 3/0

13.2 DELEGATION MANUAL UPDATE

RESOLUTION 2020/35

Moved: Cr Jane Ah Kit

Seconded: Cr Bob Thompson

That Council approve an update to the Delegation Manual on page 5 for the staff: position descriptions as follows;

Approve changes to existing position descriptions and approve new position descriptions	For all Staff	CEO
Approves changes to existing position titles	For all Staff	CEO

CARRIED 3/0

13.3 CREDIT CARD POLICY

RESOLUTION 2020/36

Moved: Cr Jane Ah Kit

Seconded: Cr Bob Thompson

That Council adopt the revised Credit Card Policy as tabled.

CARRIED 3/0

13.4 EXECUTIVE MANAGER FINANCE AND HUMAN SERVICES MONTHLY REPORT

RESOLUTION 2020/37

Moved: Cr Jane Ah Kit
Seconded: Cr Bob Thompson

That Council receives and notes the report.

CARRIED 3/0

13.5 BOAT SAFETY EQUIPMENT

RESOLUTION 2020/38

Moved: Cr Jane Ah Kit
Seconded: Cr Bob Thompson

That Council approve Boat Safety Equipment being held at the Warehouse on the above basis.

CARRIED 3/0

13.6 FINANCIAL REPORT AS AT 31ST DECEMBER 2019

RESOLUTION 2020/39

Moved: Cr Jane Ah Kit
Seconded: Cr Bob Thompson

That Council notes and receives the information in this report.

CARRIED 3/0

14 STAFF REPORTS - INFRASTRUCTURE & TECHNICAL SERVICES

14.1 TECHNICAL SERVICES MONTHLY REPORT

RESOLUTION 2020/40

Moved: Cr Jane Ah Kit
Seconded: Cr Bob Thompson

1. That the council note and receive this report.
2. That, subject to funding, Council approves a change to the existing gaseous chlorine dosing system to liquid chlorine including building works as outlined in this report.
3. That, subject to funding, Council approves the upgrade pump stations to including where necessary, supply and install pumps, gantry trollies valves, pedestal, guide rails, riser pipes with in the well, installation of a flow meter and a upgrade of the electrical component's and connection to council SCADA system as outlined in this report.

CARRIED 3/0

15 STAFF REPORTS - HUMAN SERVICES**15.1 NEW YEARS EVE EVENT****RESOLUTION 2020/41**

Moved: Cr Jane Ah Kit

Seconded: Cr Bob Thompson

That Council defer this matter until post 2020 Local Government Elections for the newly elected Council to consider inline with their budget

CARRIED 3/0

15.2 COMMUNITY LIQUOR PERMIT (CLP) EVENTS**RESOLUTION 2020/42**

Moved: Cr Jane Ah Kit

Seconded: Cr Bob Thompson

That Council advise no future Community Liquor Permit events will be held until the renovations on Lelka Murrin are complete and the building is licenced and fit for purpose.

CARRIED 3/0

15.3 VISITORS ACCOMMODATION COMPLEX - ONGOING SECURITY & VISITOR DISTURBANCES**RESOLUTION 2020/43**

Moved: Cr Jane Ah Kit

Seconded: Cr Bob Thompson

1. That Council defer this matter until post 2020 Local Government Elections for the newly elected Council to consider inline with their budget
2. That Council investigate the opportunity to appoint a 'night watchman' to the Visitor Accommodation Centre, inline with the Facilities Department budget

CARRIED 3/0

16 GENERAL BUSINESS**17 CONFIDENTIAL REPORTS**

Initial: _____

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:

17.1 December 2019 ordinary meeting of Council confidential agenda items for resolution

This matter is considered to be confidential under Section 275(h) 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 business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

17.2 Executive Manager of Infrastructure Services - termination of employment

This matter is considered to be confidential under Section 275(a) 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 the appointment, dismissal or discipline of employees.

17.3 DRFA - Koppens Claim 1

This matter is considered to be confidential under Section 275(e) 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 contracts proposed to be made by Mornington Shire Council.

17.4 Development Options Analysis - Lots 925 & 926 between Lardil Street and Wengka Street - Mornington Island.

This matter is considered to be confidential under Section 275(g) 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 any action to be taken by the local government under the Planning Act, including deciding applications made to it under that Act.

17.5 Councillors Fees Overpayment

This matter is considered to be confidential under Section 275(e) 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 contracts proposed to be made by Mornington Shire Council. Councillors Ah Kit and Thompson felt they may have a perceived Conflict of interest in this matter, after discussion Councillor's Thompson and Ah Kit participated in discussion and decision making.

17.6 Disaster Recovery Funding Arrangements - Koppens Developments Pty Ltd - 2019 Claim number 2 for approval.

This matter is considered to be confidential under Section 275(e) 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 contracts proposed to be made by Mornington Shire Council.

17.7 pontoons and generator - sale by tender for approval by Council.

This matter is considered to be confidential under Section 275(e) 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 contracts proposed to be made by Mornington Shire Council.

17.8 Chief Executive Officer - contract of employment.

This matter is considered to be confidential under Section 275(a) 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 the appointment, dismissal or discipline of

employees.

17.9 Mornington Island Primary Health Care - construction of new facility

This matter is considered to be confidential under Section 275(e) 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 contracts proposed to be made by Mornington Shire Council. Councillor Ah Kit indicated she may have a perceived Conflict of interest in this matter, after discussion Councillor Ah Kit participated in discussion and decision making.

RESOLUTION 2020/44

Moved: Cr Jane Ah Kit

Seconded: Cr Bob Thompson

That Council moves out of Closed Council into Open Council.

CARRIED 3/0

17.1 DECEMBER 2019 ORDINARY MEETING OF COUNCIL CONFIDENTIAL AGENDA ITEMS FOR RESOLUTION

RESOLUTION 2020/45

Moved: Cr Jane Ah Kit

Seconded: Cr Bob Thompson

That Council resolve each of the confidential agenda items as tabled and attached to this report.

- a) That Council defer Report - Mundalbe Enterprises Limited until post 2020 Local Government Elections
- b) That Council approve Report - Junkuri Laka - Letter on Possible Staff Housing Accommodation and confirm their support to Junkuri Laka on normal leases terms however encourage an application for a general service charge concession on all their properties
- c) That Council approve Report - Gulf Region Aboriginal Corporation (GRAC) - Lease for Rangers Base and confirm their acceptance of the suggested lease changes as proposed above and instruct its legal provider (Macdonnells Law) to amend the current lease accordingly

CARRIED 3/0

17.2 EXECUTIVE MANAGER OF INFRASTRUCTURE SERVICES - TERMINATION OF EMPLOYMENT

RESOLUTION 2020/46

Moved: Cr Jane Ah Kit

Seconded: Cr Bob Thompson

That Council note and receive this report.

CARRIED 3/0

17.3 DRFA - KOPPENS CLAIM 1

RESOLUTION 2020/47

Moved: Cr Jane Ah Kit
Seconded: Cr Bob Thompson

That Council approve the DRFA progress claim number 1 from Koppens Developments Pty Ltd for the sum of \$276,662.00 as tabled.

CARRIED 3/0

17.4 DEVELOPMENT OPTIONS ANALYSIS - LOTS 925 & 926 BETWEEN LARDIL STREET AND WENGA STREET - MORNINGTON ISLAND.

RESOLUTION 2020/48

Moved: Cr Jane Ah Kit
Seconded: Cr Bob Thompson

That Council advise that option 1 is the preferred option for the development of Lot 925 on SP270889 and Lot 926 on SP282722 for the future use for community housing.

CARRIED 3/0

17.5 COUNCILLORS FEES OVERPAYMENT

RESOLUTION 2020/49

Moved: Cr Jane Ah Kit
Seconded: Cr Bob Thompson

That Council note and receive this report.

CARRIED 3/0

17.6 DISASTER RECOVERY FUNDING ARRANGEMENTS - KOPPENS DEVELOPMENTS PTY LTD - 2019 CLAIM NUMBER 2 FOR APPROVAL.

RESOLUTION 2020/50

Moved: Cr Jane Ah Kit
Seconded: Cr Bob Thompson

That Council approve the DRFA progress claim number 2 from Koppens Developments Pty Ltd for the sum of \$515,826.49 as tabled.

CARRIED 3/0

17.7 PONTOONS AND GENERATOR - SALE BY TENDER FOR APPROVAL BY COUNCIL.**RESOLUTION 2020/51**

Moved: Cr Jane Ah Kit
Seconded: Cr Bob Thompson

That Council approve the sale of a generator and 27 pontoons identified as superfluous to Council needs, as tabled in this report.

CARRIED 3/0

17.8 CHIEF EXECUTIVE OFFICER - CONTRACT OF EMPLOYMENT.**RESOLUTION 2020/52**

Moved: Cr Jane Ah Kit
Seconded: Cr Bob Thompson

That Council note and receive this report.

CARRIED 3/0

17.9 MORNINGTON ISLAND PRIMARY HEALTH CARE - CONSTRUCTION OF NEW FACILITY**RESOLUTION 2020/53**

Moved: Cr Jane Ah Kit
Seconded: Cr Bob Thompson

That Council approve the request for termination of the agreement between Council and North West Hospital and Health Service for the construction of an extension to the hospital on Mornington Island for the Primary Health Care provider (gidgee Healing) as tabled.

CARRIED 3/0

18 NEXT MEETING

The next meeting will be held on 19 February 2020.

19 CLOSURE

Mayor Wilson closed the meeting at 1:45pm

Frank Mills

Initial: _____

Chief Executive Officer.

Minutes Confirmed:

Mayor

Date:

Frank Mills
Chief Executive Officer

Initial: _____