

**MINUTES OF MORNINGTON SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBER, MISSION ROAD, GUNUNA
ON WEDNESDAY, 17 MARCH 2021 AT 9:08AM**

1 OPENING OF MEETING

The meeting was opened by Mayor Kyle Yanner at 9:08am.

2 ACKNOWLEDGEMENT OF COUNTRY**3 PRESENT**

Mayor Kyle Yanner, Deputy Mayor Dwayne Rogers, Cr Bob Thompson, Cr Roxanne Thomas, Cr David Barnes, Graham King (Acting Chief Executive Officer), Wayne Mills (Acting Executive Manager Infrastructure and Technical Services), Ron Fenner (Acting Executive Manager Finance and Human Resources), Shannen Alford (Minute Taker).

4 LEAVE OF ABSENCE

Nil

5 DISCLOSURE OF INTEREST – COUNCILLORS AND STAFF**6 CONDOLENCES AND MEMORIALS****7 CONFIRMATION OF MINUTES****RESOLUTION 2021-03/01**

Moved: Cr David Barnes

Seconded: Cr Roxanne Thomas

That the minutes of the Ordinary Meeting held on 17 February 2021 be confirmed.

CARRIED 5/0

8 BUSINESS ARISING**9 ACTION SCHEDULE****10.1 ACTION ITEMS AS AT 11 MARCH 2021****RESOLUTION 2021-03/02**

Moved: Deputy Mayor Dwayne Rogers

Seconded: Cr Bob Thompson

That Council:

1. Receive and note the Action Schedule as tabled; and
2. Endorse the removal of all completed items from the schedule as tabled, including the additional resolution numbers listed:
 - (a) 2020/97
 - (b) 20-11/31
 - (c) 2021-01/21
 - (d) 2021-02/16

CARRIED 5/0

Initial: KY

10 CALL FOR ITEMS OF GENERAL BUSINESS

RECEPTION & CONSIDERATION OF COMMITTEE REPORTS

11 COMMITTEE REPORTS

Nil

RECEPTION & CONSIDERATION OF OFFICERS REPORTS

12 MAYOR AND COUNCILLORS REPORTS

13.1 YOUTH HUB

RESOLUTION 2021-03/03

Moved: Cr David Barnes

Seconded: Cr Roxanne Thomas

That Council:

1. Endorse the use of 157 Lardil Street for the establishment of a Youth Hub; and
2. Make representations to all relevant stakeholders for funding of such service.

CARRIED 5/0

13.2 COMMUNITY CONCERNS REGARDING SERVICE DELIVERY BY FUNDED SERVICES PROVIDERS

RESOLUTION 2021-03/04

Moved: Deputy Mayor Dwayne Rogers

Seconded: Cr Bob Thompson

That Council:

1. Invite representatives from Queensland Health, Gidgee Healing, Mornington Island Health Council and North West Hospital Service to the next meeting to discuss the current services delivered to the island; and
2. Invite a representative from Bynoe to discuss their service delivery and reporting on outcomes to the next meeting.

CARRIED 5/0

13 CHIEF EXECUTIVE OFFICER'S REPORTS

14.1 ACTING CHIEF EXECUTIVE OFFICER'S REPORT FOR FEBRUARY/MARCH 2021

RESOLUTION 2021-03/05

Moved: Cr David Barnes

Seconded: Cr Bob Thompson

That Council:

1. Receive and note the report;
2. Investigate the construction of a large community notice board at the Festival Grounds, including the option of an electronic notice board, for consideration in the 2021/22 budget; and
3. Authorise the Acting Chief Executive Officer to pay airfare and accommodation for a representative of Burkin Svendsens Funeral Directors to conduct Undertaking Training in Gununa and prepare a Funeral Plan for Undertaking Services on the Island.

CARRIED 5/0

14.2 LOCAL GOVERNMENT REMUNERATION COMMISSION ANNUAL REPORT 2020

RESOLUTION 2021-03/06

Moved: Deputy Mayor Dwayne Rogers

Seconded: Cr Bob Thompson

That Council receive and note the report.

CARRIED 5/0

14.3 HOUSING INVESTMENT PLAN - \$7,328,042

RESOLUTION 2021-03/07

Moved: Cr Roxanne Thomas

Seconded: Deputy Mayor Dwayne Rogers

That Council:

1. Receive and note the report;
2. Commence planning to identify the land and types of housing it wishes to construct from its allocation of \$7,328,042 and complete the Housing Investment Plan 2020/21; and
3. Form a Committee consisting of the Mayor, Deputy Mayor and Councillor Thomas together with Executive Manager Infrastructure & Technical Services, Infrastructure Services Group Manager and Manager Housing to finalise the Housing Investment Plan for Council's consideration.

CARRIED 5/0

14.4 PROPOSED MORNINGTON SHIRE HORSE PROGRAM

RESOLUTION 2021-03/08

Moved: Cr David Barnes

Seconded: Cr Roxanne Thomas

That Council;

1. Receive and note this report; and
2. Authorise the Acting Chief Executive Officer to engage Burton Veterinary Contracting to undertake a surgical de-sexing program of male horses to address the public nuisance in Gununa and to also implement a Community Education Program. Further, the Acting Chief Executive Officer to engage Local Horse Handlers to assist with such program.

CARRIED 5/0

14.5 COMMUNITY GRANT TOWARD PROGRAMS UNDERTAKEN BY UNITING ABORIGINAL AND ISLANDER CHRISTIAN CONGRESS, UNITING CHURCH AUSTRALIA

RESOLUTION 2021-03/09

Moved: Deputy Mayor Dwayne Rogers

Seconded: Cr Bob Thompson

That Council;

1. Receive and note the report; and
2. To contribute \$1,500 towards the Mornington United Church programs for the elderly, children and vulnerable people.

CARRIED 5/0

14.1 EDUTAINMENT TOURING PROGRAM

RESOLUTION 2021-03/10

Moved: Cr David Barnes

Seconded: Cr Roxanne Thomas

That Council;

1. Receive and note the report; and
2. Express an interest to the Full Throttle Theatre Company to perform three shows on offering, namely the Solar System Safari, Evolutionary and Zapped to be performed in Gununa at a cost of \$3,750 plus associated set up costs to be included for consideration in the 2021/22 Budget.

CARRIED 5/0

14.7 MORNINGTON ISLAND MASTER PLAN 2020

RESOLUTION 2021-03/11

Moved: Deputy Mayor Dwayne Rogers

Seconded: Cr Roxanne Thomas

That Council:

1. Receive and note the report; and
2. Authorise the Acting Chief Executive Officer to call quotations for the preparation of a draft design and estimated costing for the realignment of the Mornington Island Runway as shown in the 2020 Master Plan.

CARRIED 5/0

14.8 SERVICES AUSTRALIA UPDATE

RESOLUTION 2021-03/12

Moved: Cr David Barnes

Seconded: Cr Bob Thompson

That Council receive and note the report.

CARRIED 5/0

14.9 VISIT BY THE MAYOR OF BURKE SHIRE COUNCIL

RESOLUTION 2021-03/13

Moved: Cr Bob Thompson

Seconded: Cr David Barnes

That Council:

1. Receive and note the report; and
2. Write to the Mayor of Burke Shire Council thanking him for the visit and for a meeting to be established between the three Local Governments in the coming months.

CARRIED 5/0

14.10 TORRES CAPE INDIGENOUS COUNCIL ALLIANCE

RESOLUTION 2021-03/14

Moved: Cr Roxanne Thomas

Seconded: Cr David Barnes

That Council receive and note the report.

CARRIED 5/0

14.11 WORKPLACE HEALTH AND SAFETY AUDIT AND COMPLIANCE REPORT - FEBRUARY 2021

RESOLUTION 2021-03/15

Moved: Deputy Mayor Dwayne Rogers

Seconded: Cr Bob Thompson

That Council receive and note the report.

CARRIED 5/0

At 9:51 am, Mayor Kyle Yanner left the meeting.

At 9:52 am, Mayor Kyle Yanner returned to the meeting.

14 STAFF REPORTS - FINANCIAL SERVICES

15.1 FINANCE & HUMAN SERVICES MONTHLY REPORT FOR FEBRUARY 2021

RESOLUTION 2021-03/16

Moved: Cr Bob Thompson

Seconded: Cr David Barnes

That Council;

1. Receive and note the report; and
2. That Council adopt the 2021/22 budget timetable as contained in this report.

CARRIED 5/0

15.2 FINANCIAL REPORT AS AT 28 FEBRUARY 2021

RESOLUTION 2021-03/17

Moved: Cr David Barnes

Seconded: Deputy Mayor Dwayne Rogers

That Council receive and note the report.

CARRIED 5/0

At 9:57am, Cr Roxanne Thomas left the meeting.

At 9:59am, Cr Roxanne Thomas returned to the meeting.

15.3 QUARTERLY BUDGET REVIEW TO 31 DECEMBER 2020**RESOLUTION 2021-03/18**

Moved: Deputy Mayor Dwayne Rogers

Seconded: Cr David Barnes

That Council:

1. Receive and note the report;
2. Approves the Second Quarter budget adjustments reflected in the associated report resulting in a revised net result of \$7,444,524 and an operating capabilities before capital grants and contributions of a deficit of **(\$1,995,275)** including:
 - (a) \$900,000 insurance money received to replace the Old Jetty be allocated to operating revenue; and
 - (b) \$916,260 shown as a transfer to Internally Restricted Reserves for the following projects be removed from the budget.
3. Authorise the Executive Manager Finance & Human Services to amend the budget documents accordingly to reflect the above adjustments.

CARRIED 5/0

15.4 MULTICULTURAL AND COMMUNITY LIQUOR EVENT - FEBRUARY 2021**RESOLUTION 2021-03/19**

Moved: Deputy Mayor Dwayne Rogers

Seconded: Cr David Barnes

That Council:

1. Receive and note the report; and
2. Provide, 'in principal' support for the submission of three application for a Community Liquor Permit for the next three months, as outlined in the draft program.

CARRIED 5/0

15 STAFF REPORTS - GOVERNANCE AND COMMUNICATIONS**16.1 GOVERNANCE AND COMMUNICATIONS MONTHLY REPORT - FEBRUARY 2021****RESOLUTION 2021-03/20**

Moved: Cr Bob Thompson

Seconded: Mayor Kyle Yanner

That Council receive and note the report.

CARRIED 5/0

16.2 MORNINGTON ISLAND ABORIGINAL AND TORRES STRAIT ISLANDER SERVICE DELIVERY REFORM PROJECT**RESOLUTION 2021/21**

Moved: Cr Roxanne Thomas

Seconded: Deputy Mayor Dwayne Rogers

That Council:

1. Receive and note the report; and
2. Request for a detailed report on the programs outcomes to date at the next meeting.

CARRIED 5/0

At 10:28am Mayor Kyle Yanner adjourned the meeting for morning tea.

At 10:46am Mayor Kyle Yanner resumed the meeting

Mayor Kyle Yanner adjourned the meeting and allowed a change to the order of business to receive a deputation to Council

16 DEPUTATIONS

At 10:46am Dr Steven Donohue from North West Hospital and Health Service presented to Council about the COVID vaccine for Aboriginal and Torres Strait Islanders.

At 10:51am Deputy Mayor returned to the meeting.

At 11:23am Dr Steven Donohue left the meeting. And Council resumed its order of business in accordance with the agenda.

16.3 COUNCIL INTERMENT SERVICES**RESOLUTION 2021-03/22**

Moved: Deputy Mayor Dwayne Rogers

Seconded: Cr Bob Thompson

1. That in relation to the deputation received on 9 December 2020 about Council's interment Services, Council undertake the following:
 - (a) Ms Farrah Linden be advised :
 - (i) Council is unable to provide a dissection of it interment fee as there are variable costs prohibiting this being done;
 - (ii) Council will review it interment fees as a part of its 2021/22 budget deliberations with a view to including a reduced interment fee where a cask is not provided by the Council in any form.
 - (iii) Council has found other funding assistance options for indigenous Mornington Island residents to access for funeral assistance and the Acting Chief Executive Officer is willing to meet her to discuss this.
 - (iv) Council has established its ability to operate a funeral assistance insurance plan would be challenging and be likely requiring state and federal government approvals. Council not proceed to further investigate becoming an insurance provider as it considers it would be challenged both financially and human resource wise to administer such a scheme. Council has been able to identify providers of funeral assistance plans with a focus on indigenous services and the Acting Chief Executive Officer is willing to meet with her to discuss this.
 - (v) Council will make further representations to the State Government seeking its assistance to reduce the costs of funerals through increased financial assistance

for repatriation and funeral costs.

- (vi) Council thanks Ms Linden for her representations and that a copy of this report be provided to her for information.
- (b) Council receive and note the contents of this report and undertake the necessary actions at the appropriate time.

CARRIED 5/0

17 STAFF REPORTS - INFRASTRUCTURE & TECHNICAL SERVICES

17.1 INFRASTRUCTURE & TECHNICAL SERVICES MONTHLY REPORT - FEBRUARY 2021

RESOLUTION 2021-03/23

Moved: Deputy Mayor Dwayne Rogers

Seconded: Cr Bob Thompson

That the council receive and note the report.

CARRIED 5/0

17.2 INFRASTRUCTURE MONTHLY REPORT - JANUARY 2021

RESOLUTION 2021-03/24

Moved: Cr Bob Thompson

Seconded: Cr David Barnes

That Council receive and note the report.

CARRIED 5/0

17.3 HOUSING MONTHLY REPORT FOR FEBRUARY 2021

RESOLUTION 2021-03/25

Moved: Deputy Mayor Dwayne Rogers

Seconded: Cr Bob Thompson

That Council receive and note the report.

CARRIED 5/0

17.4 LARDIL STREET CLEAN UP PROGRAM REPORT**RESOLUTION 2021-03/26**

Moved: Deputy Mayor Dwayne Rogers

Seconded: Cr Bob Thompson

The Council:

1. Notes and receives the report.
2. Immediately implement a weekly tidy up program of Lardil Street and all streets in Gununa; and
3. Request the Department of Housing and Public Works to contact residents to ensure their properties are kept tidy and replacement bins are provided to residents in Public Housing as needed.

CARRIED 5/0

18 STAFF REPORTS - HUMAN SERVICES**18.1 HUMAN RESOURCES MONTHLY REPORT FOR FEBRUARY 2021****RESOLUTION 2021-03/27**

Moved: Cr David Barnes

Seconded: Mayor Kyle Yanner

That Council receive and note this report.

CARRIED 5/0

Mayor Kyle Yanner allowed a change to the order of business to consider late reports 14.12, 14.13, 14.14 and 14.15.

14.12 UPDATE ON MAJOR PROJECTS THAT WILL FEATURE IN THE 2021/22 BUDGET PREPARATION**RESOLUTION 2021-03/28**

Moved: Deputy Mayor Dwayne Rogers

Seconded: Cr David Barnes

That Council;

1. Receive and note the report for the new Council Administration Building and Chambers;
2. When the design is at a suitable stage, invite the Architect to attend Council to ensure Council is able to input into the final draft design; and
3. Visits a Splash Park of a similar design.

CARRIED 5/0

14.13 NORTH WEST QUEENSLAND REGIONAL ROADS AND TRANSPORT GROUP

RESOLUTION 2021-03/29

Moved: Cr David Barnes

Seconded: Cr Bob Thompson

That Council;

1. Receive and note the report; and
2. Gives authorisation for the Mayor and Executive Manager of Infrastructure & Technical Services to attend the next meeting of the North West Queensland Regional Roads and Transport Group.

CARRIED 5/0

14.14 INDIGENOUS LEADERS FORUM

RESOLUTION 2021-03/30

Moved: Deputy Mayor Dwayne Rogers

Seconded: Cr Bob Thompson

That Council;

1. Receive and note the report; and
2. That interested Councillors be authorised to attend in April 2021.

CARRIED 5/0

14.15 WORKS FOR QUEENSLAND 2021-2024

RESOLUTION 2021-03/31

Moved: Deputy Mayor Dwayne Rogers

Seconded: Cr Bob Thompson

That Council;

1. Receive and note the report; and
2. Authorise the Acting Chief Executive Officer to advise the Department of State Development, Infrastructure, Local Government and Planning of Council's final 2021-24 Works For Queensland Funding Program by the 9 April 2021, and confirmed at Council's 21 April 2021 Meeting.

CARRIED 5/0

Mayor Kyle Yanner allowed a change to the order of business to consider Confidential Reports.

20 CONFIDENTIAL REPORTS**RESOLUTION 2021-03/32**

Moved: Cr David Barnes

Seconded: Deputy Mayor Dwayne Rogers

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 Regulation 2012 and moved into Closed session at 11:32am:

20.1 Lease 157 Lardil Street Gununa

This matter is considered to be confidential under section 254J(3)(e) under Local Government Regulation 2012, 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.

20.2 Security Contract - Bilby Security Pty Ltd

This matter is considered to be confidential under section 254J(3)(e) under Local Government Regulation 2012, 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.

20.3 Complaint - Workplace Investigation, Mornington Shire Council

This matter is considered to be confidential under section 254J(3)(b) under Local Government Regulation 2012, 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 11:48 am, Graham King left the meeting.

20.4 MAYOR'S REPORT FOR THE MONTH OF FEBRUARY 2021

This matter is considered to be confidential under section 254J(3)(a) under Local Government Regulation 2012, 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, discipline or dismissal of the chief executive officer.

At 11:50 am, Graham King returned to the meeting.

CARRIED 5/0

RESOLUTION 2021-03/33

Moved: Deputy Mayor Dwayne Rogers

Seconded: Cr Roxanne Thomas

That Council moves out of Closed Council into Open Council.

CARRIED 5/0

At 11:58am Mayor Kyle Yanner adjourned the meeting.

At 12:10pm Mayor Kyle Yanner resumed the meeting.

20.1 LEASE 157 LARDIL STREET GUNUNA

RESOLUTION 2021-03/34

Moved: Deputy Mayor Dwayne Rogers

Seconded: Cr David Barnes

That Council:

1. Receive and note the report; and
2. The report and attachments be deemed a confidential document and be treated as such in accordance with Local Government Regulation 2012, under section 254J(3)(e) and that documents remain confidential unless Council decides otherwise.

CARRIED 5/0

20.2 SECURITY CONTRACT - BILBY SECURITY PTY LTD

RESOLUTION 2021-03/35

Moved: Cr David Barnes

Seconded: Cr Bob Thompson

That Council;

1. Note this report; and
2. The report be deemed a confidential document and be treated as such in accordance with Local Government Regulation 2012, under Section 254J(3)(e) and that the document remain confidential unless Council decides otherwise by resolution.

CARRIED 5/0

20.3 COMPLAINT - WORKPLACE INVESTIGATION, MORNINGTON SHIRE COUNCIL

RESOLUTION 2021-03/36

Moved: Cr Roxanne Thomas

Seconded: Mayor Kyle Yanner

That Council;

1. Note this report; and
2. The report be deemed a confidential document and be treated as such in accordance with Local Government Regulation 2012, under Section 254J(3)(b) and that the document remain confidential unless Council decides otherwise by resolution.

CARRIED 5/0

At 12:13pm, Graham King left the meeting.

20.4 MAYOR'S REPORT FOR THE MONTH OF FEBRUARY 2021**RESOLUTION 2021-03/37**

Moved: Cr Bob Thompson

Seconded: Deputy Mayor Dwayne Rogers

That Council:

1. Receive and note this report;
2. Adopts the approval of 3 months contract extension of Acting Chief Executive Officer from 5 April 2021 to 5 July 2021; and
3. The report be deemed a confidential document and be treated as such in accordance with Local Government Regulation 2012, under Section 254J(3)(a) and that the document remain confidential unless Council decides otherwise by resolution.

CARRIED 5/0

At 12:14 pm, Mr Graham King returned to the meeting.

19 GENERAL BUSINESS**RESOLUTION 2021-03/38**

Moved: Deputy Mayor Dwayne Rogers

Seconded: Cr Bob Thompson

That Council give authorisation for the Acting Chief Executive Officer to contact the Department of Housing and Public Works regarding the carports being erected throughout Gununa, in particular the process of identifying where tenants can have input into where carports are to be located on their property.

CARRIED 5/0

RESOLUTION 2021-03/39

Moved: Cr Bob Thompson

Seconded: Deputy Mayor Dwayne Rogers

That Council:

1. Receive and note the report; and
2. To pay for the accommodation for the Marine Rescue Queensland's visit to the island in mid-April to conduct Volunteer Marine Rescue and Recreational Boat Licence Training on the basis that licences for permanent residents are conducted at no charge.

CARRIED 5/0

19 NEXT MEETING

The next meeting will be held on 21 April 2021.

20 CLOSURE

Mayor Yanner closed the meeting at 12:24pm

Graham King
Acting Chief Executive Officer.

Minutes Confirmed:

Mayor 

Date:

Graham King
Acting Chief Executive Officer

Initial: 