

**MINUTES OF MORNINGTON SHIRE COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE COUNCIL CHAMBER, MISSION ROAD, GUNUNA  
ON WEDNESDAY, 17 FEBRUARY 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), Darren Foster (Acting Executive Manager Governance and Communications), David Sechtig (Executive Manager Infrastructure and Technical Services), Ron Fenner (Acting Executive Manager Finance and Human Resources), Shannen Alford (Minute Taker).

**4 APOLOGIES**

Nil

**5 DISCLOSURE OF INTEREST – COUNCILLORS AND STAFF**

Nil

**6 CONDOLENCES AND MEMORIALS**

**7 CONFIRMATION OF MINUTES**

**RESOLUTION 2021-02/01**

Moved: Cr Bob Thompson

Seconded: Deputy Mayor Dwayne Rogers

That the minutes of the Ordinary Meeting held on 27 January 2021 be confirmed.

**CARRIED 5/0**

**8 DEPUTATIONS**

Nil

**9 BUSINESS ARISING**

Nil

**10 ACTION SCHEDULE**

**10.1 ACTION ITEMS AS AT 11 FEBRUARY 2021**

**RESOLUTION 2021-02/02**

Moved: Cr Bob Thompson  
Seconded: Cr David Barnes

That Council create a Facebook post advising the community that the 'Out of Hours' contact to report urgent building matters to QBuild on (07) 4412 2390.

**CARRIED 5/0**

**RESOLUTION 2021-02/03**

Moved: Cr Roxanne Thomas  
Seconded: Deputy Mayor Dwayne Rogers

That Council make representation to Mr Robbie Katter MP, the Member for Traeger, for a permanent Housing and Public Works position based on Mornington Island to ensure there is an efficient and effective Public Housing Management System that addresses community housing needs.

**CARRIED 5/0**

**RESOLUTION 2021-02/04**

Moved: Cr David Barnes  
Seconded: Deputy Mayor Dwayne Rogers

That Council authorise Mayor Kyle Yanner and Cr Bob Thompson (portfolio councillor for youth) to develop Youth Programs for islander youth to be conducted throughout the year (20-11/03).

**CARRIED 5/0**

At 9:49am, Mayor Kyle Yanner left the meeting.

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

At 10:01am, Cr Roxanne Thomas left the meeting.

At 10:03am, Cr Roxanne Thomas returned to the meeting.

**ERGON ENERGY – LIGHTS ON BASKETBALL COURTS AND PLAYGROUNDS**

**RESOLUTION 2021-02/05**

Moved: Cr Bob Thompson  
Seconded: Cr David Barnes

That Council;

1. Request the Executive Manager of Infrastructure and Technical Services to investigate the damaged lighting at the basketball courts and recommend the replacement lighting required; and
2. Carry out an inspection of all street lighting within Gununa with the purpose of installing additional street lighting to improve outcomes.

**CARRIED 5/0**

**RESOLUTION 2021-02/06**

Moved: Deputy Mayor Dwayne Rogers

Seconded: Cr Bob Thompson

That Council:

1. Note and receive the Mornington Shire Council Action Schedule as tabled; and
2. Endorse the removal of all completed items from the schedule as tabled.

**CARRIED 5/0**

**11 CALL FOR ITEMS OF GENERAL BUSINESS**

**RECEPTION & CONSIDERATION OF COMMITTEE REPORTS**

**12 COMMITTEE REPORTS**

Nil

**RECEPTION & CONSIDERATION OF OFFICERS REPORTS**

**13 MAYOR AND COUNCILLORS REPORTS**

Nil

**14 CHIEF EXECUTIVE OFFICER'S REPORTS**

At 10:33am, Shannen Alford left the meeting.

**14.1 DELIVERY OF STATE GOVERNMENT AND COMMONWEALTH GOVERNMENT  
HEALTH AND COMMUNITY SERVICES ON MORNINGTON ISLAND**

**RESOLUTION 2021-02/07**

Moved: Cr Roxanne Thomas

Seconded: Mayor Kyle Yanner

That Council make representations to both the State and Australian Governments for an independent audit of all government funded services on the Island to ascertain:

- a. What services are being provided;
- b. How they are being provided;
- c. What funding is coming to the Island; and
- d. How are such programs success being monitored and reported.

**CARRIED 5/0**

At 10:35am, Shannen Alford returned to the meeting.

At 10:38am Mayor Kyle Yanner adjourned the meeting for morning tea.

At 10:57am the meeting resumed with all in attendance.

Initial: 

**14.2 ACTING CHIEF EXECUTIVE OFFICER MONTHLY REPORT - JANUARY 2021**

**RESOLUTION 2021-02/08**

Moved: Deputy Mayor Dwayne Rogers

Seconded: Cr Bob Thompson

That Council receive and notes this report.

**CARRIED 5/0**

**14.3 MAYORAL LEAVE**

**RESOLUTION 2021-02/09**

Moved: Cr David Barnes

Seconded: Cr Bob Thompson

That Council note the Mayor, Cr Kyle Yanner will be on leave from 2 to 16 February 2021 inclusive and the Deputy Mayor, Cr Dwayne Rogers assumes the role of Acting Mayor for the period of leave, in accordance with Section 165(1)(a) of the Local Government Act 2009.

**CARRIED 5/0**

**14.4 MORNINGTON SHIRE COUNCIL - STRATEGIC OPERATIONAL PLAN 2020/2021  
SECOND QUARTER REVIEW**

**RESOLUTION 2021-02/10**

Moved: Cr Bob Thompson

Seconded: Cr David Barnes

That Council receive and notes this report the Second Quarter Review of the 2020/2021 Mornington Shire Council Strategic Operational Plan as tabled.

**CARRIED 5/0**

**14.5 COUNCILLOR PORTFOLIOS**

**RESOLUTION 2021-02/11**

Moved: Deputy Mayor Dwayne Rogers

Seconded: Cr Bob Thompson

That Council add Sport and Recreation, Community and Economic Development to Mayor Kyle Yanner's Portfolio and Responsibilities.

**CARRIED 5/0**

**14.6 ELECTED MEMBER MEDIA AND SOCIAL MEDIA TRAINING**

**RESOLUTION 2021-02/12**

Moved: Cr Roxanne Thomas

Seconded: Cr Bob Thompson

That Council all Councillors undertake Media and Social Media Training and a further cost option be obtained for this training to occur on-island.

**CARRIED 5/0**

**14.7 ATTENDANCE AT THE TORRES CAPE INDIGENOUS COUNCIL ALLIANCE WORKSHOP**

**RESOLUTION 2021-02/13**

Moved: Cr David Barnes

Seconded: Deputy Mayor Dwayne Rogers

That Council approve the Mayor, Deputy Mayor and Acting Chief Executive Officer to attend the Torres Cape Indigenous Council Alliance meeting and associated other meetings in Cairns between 1<sup>st</sup> to 4<sup>th</sup> March 2021.

**CARRIED 5/0**

**14.8 LIQUOR LICENCE**

**RESOLUTION 2021-02/14**

Moved: Deputy Mayor Dwayne Rogers

Seconded: Cr David Barnes

That Council receive and notes this report.

**CARRIED 5/0**

**14.9 MORNINGTON ISLAND STAKEHOLDER MEETING**

**RESOLUTION 2021-02/15**

Moved: Deputy Mayor Dwayne Rogers

Seconded: Cr Bob Thompson

That Council receive and notes this report.

**CARRIED 5/0**

**14.10 MORNINGTON ISLAND STATE SCHOOL REQUEST FOR USE OF COUNCIL'S BUS**

**RESOLUTION 2021-02/16**

Moved: Deputy Mayor Dwayne Rogers

Seconded: Cr Bob Thompson

That Council:

1. Confirm the actions of the Mayor and Acting Chief Executive Officer in approving the request of the Mornington Island State School for the use of Council's bus for the transport of students to attend the Cultural Lessons at the Mirndiyan Arts Centre;
2. Develop a Policy for both the private and public use of the Community Bus, covering charging and operations; and
3. Develop a Transport Plan for a regular bus transport service.

**CARRIED 5/0**

**14.11 NATIONAL RUGBY LEAGUE COWBOY HOUSE**

**RESOLUTION 2021-02/17**

Moved: Cr Bob Thompson

Seconded: Cr David Barnes

That Council:

1. Receive and notes this report; and
2. Meet the accommodation costs associated with the National Rugby League Cowboy House visit in April 2021.

**CARRIED 5/0**

**14.12 PUBLIC HOUSING**

**RESOLUTION 2021-02/18**

Moved: Cr David Barnes

Seconded: Cr Bob Thompson

That Council receive and notes this report.

**CARRIED 5/0**



**14.13 FUNERAL ISSUES ON MORNINGTON ISLAND****RESOLUTION 2021-02/19**

Moved: Cr Bob Thompson

Seconded: Deputy Mayor Dwayne Rogers

That Council, given the very significant differences in both economic and social circumstances of residents compared to the rest of Queensland, as set out in this Report, make representations to the Premier of Queensland for a complete review of the Coroners Court of Queensland Funeral Assistance Scheme. Further Council calls on the State Government to cover the full transfer cost of the Island persons which have passed away and are returned to their homelands or Country for burial. With median family income on the Island being less than half the State average it is beyond the financial capacity of residents to meet these costs which is putting extreme pressure on families at a time of deep sorrow.

**CARRIED 5/0**

**15 STAFF REPORTS - FINANCIAL SERVICES**

At 11:45 am, Cr Roxanne Thomas left the meeting.

At 11:51 am, Cr Roxanne Thomas returned to the meeting.

**15.1 FINANCE AND HUMAN SERVICES MONTHLY REPORT - JANUARY 2021****RESOLUTION 2021-02/20**

Moved: Deputy Mayor Dwayne Rogers

Seconded: Cr Bob Thompson

That Council:

1. Receive and notes this report; and
2. Allocate money in the 2021-2022 budget for investigation and purchase in accordance with procurement requirements of an alternative specific local government finance system for the council; and
3. The Acting Executive Manager Finance and Human Services investigate costs of such system and prepare a brief with requirements in conjunction with the accounting team.

**CARRIED 5/0**

**15.2 FINANCIAL REPORT AS AT 31ST JANUARY 2021****RESOLUTION 2021-02/21**

Moved: Cr David Barnes

Seconded: Cr Roxanne Thomas

That Council receives and notes this report.

**CARRIED 5/0**

**16 STAFF REPORTS - GOVERNANCE AND COMMUNICATIONS**

**16.1 GOVERNANCE AND COMMUNICATIONS MONTHLY REPORT - JANUARY 2021**

**RESOLUTION 2021-02/22**

Moved: Deputy Mayor Dwayne Rogers

Seconded: Cr Bob Thompson

That Council receive and notes this report.

**CARRIED 5/0**

At 12:14 pm, Graham King left the meeting.

At 12:16 pm, Cr Roxanne Thomas left the meeting.

At 12:16 pm, Graham King returned to the meeting.

At 12:17 pm, Cr Roxanne Thomas returned to the meeting.

**16.2 PROPOSED GRANT SUBMISSION - BUILDING BETTER REGIONS ROUND 5 - MOTEL EXPANSION**

**RESOLUTION 2021-02/23**

Moved: Cr Bob Thompson

Seconded: Deputy Mayor Dwayne Rogers

That Council submit two applications for consideration under the Commonwealth Governments Building Better Regions Fund – Round 5, being;

- a. The Motel Expansion, and
- b. The Splash Park, calling for quotations for design and costing

**CARRIED 5/0**

**16.3 COMPLAINTS MANAGEMENT POLICY**

**RESOLUTION 2021-02/24**

Moved: Deputy Mayor Dwayne Rogers

Seconded: Cr Bob Thompson

That in accordance with s268(1) of the Local Government Act 2009, Council adopt the Complaints Management Policy.

**CARRIED 5/0**



**16.4 PUBLIC INTEREST DISCLOSURE POLICY & PROCEDURE**

**RESOLUTION 2021-02/25**

Moved: Cr David Barnes  
Seconded: Cr Bob Thompson

That in accordance with s28 of the *Public Interest Disclosure Act 2010*, Council adopt the Public Interest Disclosure Policy & Procedure.

**CARRIED 5/0**

**16.5 COUNCILLOR PORTFOLIO POLICY**

**RESOLUTION 2021-02/26**

Moved: Deputy Mayor Dwayne Rogers  
Seconded: Cr Bob Thompson

That Council adopt the amended Councillor Portfolio Policy as appended to the minutes.

**CARRIED 5/0**

**16.6 WORKPLACE HEALTH AND SAFETY AUDIT AND COMPLIANCE REPORT - JANUARY 2021**

**RESOLUTION 2021-02/27**

Moved: Cr David Barnes  
Seconded: Deputy Mayor Dwayne Rogers

That Council receive and notes this report.

**CARRIED 5/0**

At 12:34pm Mayor Kyle Yanner adjourned the meeting for lunch.

At 1:13pm the meeting resumed with all in attendance.

**17 STAFF REPORTS - INFRASTRUCTURE & TECHNICAL SERVICES**

**17.1 INFRASTRUCTURE AND TECHINCAL SERVICES MONTHLY REPORT - JANUARY 2021**

**RESOLUTION 2021-02/28**

Moved: Cr David Barnes

Seconded: Cr Roxanne Thomas

That Council receive and notes this report.

**CARRIED 5/0**

**17.2 INFRASTRUCTURE MONTHLY REPORT - JANUARY 2021**

**RESOLUTION 2021-02/29**

Moved: Cr David Barnes

Seconded: Cr Bob Thompson

That Council receive and notes this report.

**CARRIED 5/0**

**17.3 HOUSING REPORT**

**RESOLUTION 2021-02/30**

Moved: Deputy Mayor Dwayne Rogers

Seconded: Cr Roxanne Thomas

That Council receive and notes this report.

**CARRIED 5/0**

**17.4 SPECIAL PROJECTS**

**RESOLUTION 2021-02/31**

Moved: Cr David Barnes

Seconded: Cr Bob Thompson

That Council receives and notes this report.

**CARRIED 5/0**

**17.5 2020 QRA CONTRACTUAL WORKS PROGRAM**

**RESOLUTION 2021-02/32**

Moved: Deputy Mayor Dwayne Rogers

Seconded: Cr Bob Thompson

That Council:

1. Accepts the current recommended Tender's submission for the 2020 works with the additional contractual conditions applied via the Principals Requirements;
  - a. That the Tender supplies a NATA accredited soil test report on each delivery for the gravel products being supplied that includes biological condition statement for its suitability to be imported to the island; and
2. The Executive Manager Infrastructure and Technical Services take the necessary steps towards the testing of local gravel materials for future reconstruction projects and the necessary funding to undertake these actions be approved.

**CARRIED 5/0**

**17.6 REQUEST FOR TENDER (RFT)- REGISTER OF PRE-QUALIFIED SUPPLIERS**

**RESOLUTION 2021-02/33**

Moved: Deputy Mayor Dwayne Rogers

Seconded: Cr David Barnes

That Council supports and approves the release to the market of the Request for Tender (RFT)- Register of Pre-Qualified Suppliers Supply of Trade Services.

**CARRIED 5/0**

**18 STAFF REPORTS - HUMAN SERVICES**

**18.1 HUMAN SERVICES MONTHLY REPORT - JANUARY 2021**

**RESOLUTION 2021/34**

Moved: Deputy Mayor Dwayne Rogers

Seconded: Cr David Barnes

That Council:

1. Receive and notes this report; and
2. Endorse the change to its Organisation Structure, with the Work Health and Safety function directly reporting to the Chief Executive Officer.

**CARRIED 5/0**

**19 GENERAL BUSINESS**

Nil

**20 CONFIDENTIAL REPORTS**

**RESOLUTION 2021/35**

Moved: Cr David Barnes

Seconded: Cr Roxanne Thomas

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 254J of the Local Government Regulation 2012 and moved to Closed Council at 1:55pm.

**20.1 Security Contracts**

This matter is considered to be confidential under Section 254J(3)(g) of the Local Government Regulation, 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 a commercial matter involving the Council for which a public discussion would like prejudice the interest of Mornington Shire Council.

**20.2 Cemetery Operations**

This matter is considered to be confidential under Section 254J(3)(b) of the Local Government Regulation, 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.

**20.3 Undertaking Activities**

This matter is considered to be confidential under Section 254J(3)(b) of the Local Government Regulation, 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.

**CARRIED 5/0**

**RESOLUTION 2021/36**

Moved: Cr Bob Thompson

Seconded: Cr Roxanne Thomas

That Council moves out of Closed Council into Open Council at 2:37pm.

**CARRIED 5/0**

At 2:32pm, Cr Bob Thompson left the meeting.

## **20.1 SECURITY CONTRACTS**

### **RESOLUTION 2021/37**

Moved: Cr David Barnes

Seconded: Cr Roxanne Thomas

That Council

1. Delegate to the Acting Chief Executive Officer to undertake a review of the Security Services being delivered by Bilby Security Pty Ltd; and
2. The report and attachments be deemed confidential documents as such in accordance with the Local Government regulations 2012, section 254J (3)(b) and that the documents remain confidential unless Council decides otherwise by resolution.

**CARRIED 4/0**

At 2:34pm, Cr Bob Thompson returned to the meeting.

At 2:34 pm, Cr Roxanne Thomas left the meeting.

## **20.2 CEMETERY OPERATIONS**

### **RESOLUTION 2021/38**

Moved: Deputy Mayor Dwayne Rogers

Seconded: Cr Bob Thompson

That Council:

1. Receive and notes this report;
2. Endorses the back payments of grave digging activities undertaken from May 2020 to 2 February 2021; and
3. Endorses a payment of Special Allowance for every Grave Digging Activity (by machine or hand) for \$100 per employee per event where maximum of 4 employees undertakes the activity.
4. The report and attachments be deemed confidential documents as such in accordance with the Local Government regulations 2012, section 254J (3)(b) and that the documents remain confidential unless Council decides otherwise by resolution.

**CARRIED 4/0**

At 2:38pm, Cr Roxanne Thomas returned to the meeting.

## 20.3 UNDERTAKING ACTIVITIES

### RESOLUTION 2021/39

Moved: Cr Bob Thompson

Seconded: Deputy Mayor Dwayne Rogers

That Council:

1. Receive and notes this report; and
2. Endorses the recommendation of payment of Special Allowances for undertaking Services as noted above.
3. That the council endorses the recommendation that the Chief Executive Officer be the authorised representative to approve both internal and external trainings for employees doing morgue/funeral/undertakers activities.
4. That the Acting Chief Executive Officer be requested to investigate allowances paid for undertaking services within the funeral industry.
5. The report and attachments be deemed confidential documents as such in accordance with the Local Government regulations 2012, section 254J (3)(g) and that the documents remain confidential unless Council decides otherwise by resolution.

CARRIED 5/0

## 21 NEXT MEETING

The next meeting will be held on 17 March 2021.

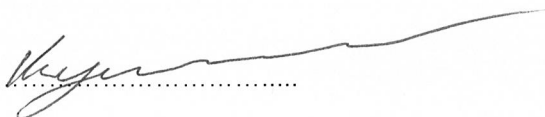
## 22 CLOSURE

Mayor Kyle closed the meeting at 2:39pm.

Graham King  
Acting Chief Executive Officer.

Minutes Confirmed:

Mayor



Date:

Graham King  
Acting Chief Executive Officer.

Initial:

KY