

**MINUTES OF MORNINGTON SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBER, MISSION ROAD, GUNUNA
ON WEDNESDAY, 19 MAY 2021 AT 9:00AM**

1 OPENING OF MEETING

The meeting was opened by Mayor Yanner at 9.03am.

2 ACKNOWLEDGMENT OF COUNTRY

I would like to begin by acknowledging the Traditional Owners of the land on which we meet today, the Lardil people of Mornington Island and pay our respects to Elders past and present. We would also like to acknowledge the Kaiadilt and Yangkaal people who share our homelands

3 PRESENT

Mayor Kyle Yanner, Cr. Bob Thompson, Cr. Roxanne Thomas, Cr. David Barnes, Acting CEO - Graham King, Executive Manager Infrastructure and Technical Services - David Sechtig, Acting Executive Manager Finance and Human Resources - Merrilyn Cox, Governance Coordinator - Ian Loiterton and Acting Executive Assistant - Raelene Sullivan.

4 APOLOGIES

Apologies were accepted for lateness of Cr. Thomas.

RESOLUTION 2021-05/01

That Council approve Deputy Mayor Rogers' leave of absence unless otherwise required to dial in to form a quorum.

Moved: Cr. Barnes

Seconded: Cr. Thompson

CARRIED 3/0

5 DISCLOSURE OF INTEREST – COUNCILLORS AND STAFF

Mayor Yanner declared a conflict of interest in relation to Items 17.2 and 17.3.

6 CONDOLENCES AND MEMORIALS

Mayor Yanner called for the observance of a minute silence in memory of passed loved ones.

7 CONFIRMATION OF MINUTES**RESOLUTION 2021-05/02**

That the minutes of the Ordinary Meeting held on 21 April 2021 be confirmed.

Moved: Cr. Thompson

Seconded: Mayor Yanner

CARRIED 3/0

8 DEPUTATIONS

Nil.

9 ACTION SCHEDULE**9.1 ACTION ITEMS AS AT 12 MAY 2021**

The Acting CEO spoke to the report and provided a verbal update on the status of actions, and tabled an email and site plan regarding the proposed location of the Splash Park on the administration centre site – refer attached.

RESOLUTION 2021-05/03

That Council adopt the location of Splash Park on the proposed Administration Centre site in accordance with the tabled Site Plan, on the corner of Lardil Street and Jinkiya Street Gununa.

Moved: Cr. Barnes

Seconded: Cr. Thompson

CARRIED 3/0

RESOLUTION 2021-05/04

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, namely:
 - a. Community Grant toward programs undertaken by Uniting Aboriginal and Islander Christian Congress, Uniting Church Australia (Resolution 2021-03/09)
 - b. Visit by the Mayor to Burke Shire Council (Resolution 2021-03/13)
 - c. General Business – Marine Rescue Queensland Visit (Resolution 2021-03/39)
 - d. Splash Park Location (Resolution 2021-04/08)
 - e. Councillor Training Media and Social Media Workshops (Resolution 2021-04/10)
 - f. Policy Update to Council – April 2021 (Resolution 2021-04/17)
 - g. Indigenous Leaders Forum (Resolution 2021-04/18)
 - h. Meeting Procedure and Standing Order Policy and Model Meeting Procedure (Resolution 2021-04/19)
 - i. Community Funeral Assistance Policy (Resolution 2021-04/20)

Moved: Cr. Thompson

Seconded: Cr. Barnes

CARRIED 3/0

10 CALL FOR ITEMS OF GENERAL BUSINESS

Nil.

RECEPTION & CONSIDERATION OF OFFICERS REPORTS**11 MAYOR AND COUNCILLORS REPORTS****11.1 WASTE MANAGEMENT****RESOLUTION 2021-05/05**

That:

1. Council receive and note the report;
2. The Executive Manager Infrastructure and Technical Services investigate asbestos disposal requirements and advise Council on options for the safe management of this waste; and
3. The issues outlined in this report help inform the consideration of budget allocations, as per a resolution of Council at its 22 April 2021 meeting (Resolution 2021-04/22), namely that:

The Executive Manager of Infrastructure and Technical Services prepare a report for Council on the Queensland Indigenous Waste Management Strategy – Situational Analysis, identifying a staged implementation strategy for waste management at the Gununa Waste Refuse Tip as part of the 2021 – 2022 budget consideration.

Moved: Cr. Thompson

Seconded: Cr. Barnes

CARRIED 3/0

11.2 DEPUTY MAYOR ROGERS LEAVE OF ABSENCE**RESOLUTION 2021-05/06**

That Council receive and note the report, and grant the Deputy Mayor a leave of absence unless otherwise required to dial in to form a quorum.

Moved: Cr. Thompson

Seconded: Cr. Barnes

CARRIED 3/0

12 CHIEF EXECUTIVE OFFICER'S REPORTS**12.1 MORNINGTON ISLAND STRATEGIC DIRECTION FOR THE 2021/22 BUDGET**

The Acting CEO spoke to the report.

RESOLUTION 2021-05/07

That Council receive the Report and note the contents.

Moved: Cr. Barnes

Seconded: Cr Thompson

CARRIED 3/0

Initial: _____

12.2 TORRES CAPE INDIGENOUS COUNCIL ALLIANCE (TCICA) INC.

The Acting CEO spoke to the report and tabled a letter from the Hon Bob Katter MP, regarding a Canberra Market Gardens delegation.

RESOLUTION 2021-05/08

That Council accept the invitation of the Hon Bob Katter MP and approve the delegation of Mayor Yanner and Councillor Thompson to attend parliament during a House of Representatives sitting week, to meet with Minister Ken Wyatt to discuss the delivery of the Market Gardens.

Moved: Cr. Barnes

Seconded: Cr Thompson

CARRIED 3/0

RESOLUTION 2021-05/09

That Council approve the attendance of the Mayor and Acting CEO, to the Torres Cape Indigenous Council Alliance (TCICA) Inc. advocacy event, in advance of the upcoming federal election.

Moved: Cr. Barnes

Seconded: Cr Thompson

CARRIED 3/0

12.3 WORK HEALTH AND SAFETY REPORT FOR APRIL 2021

The Acting CEO spoke to the report.

RESOLUTION 2021-05/10

That Council receive and note the report.

Moved: Cr. Barnes

Seconded: Cr Thompson

CARRIED 3/0

12.4 TENANCY ADVISORY GROUP MEETING MINUTES

Minute Note: the Acting CEO advised that Item 12.4 was included in the agenda due to an administrative oversight and that it was not required. The matter was not considered at the Meeting at the discretion of Chair – Mayor Yanner.

Minute note: Item 12.5 was considered following Item 15.3.

13 STAFF REPORTS - FINANCIAL SERVICES**13.1 FINANCIAL REPORT AS AT 30 APRIL 2021**

The Acting Executive Manager Finance and Human Resources spoke to the report.

RESOLUTION 2021-05/11

That Council receives and notes this report.

Moved: Cr. Thompson

Seconded: Cr. Barnes

CARRIED 3/0

14 STAFF REPORTS - GOVERNANCE AND COMMUNICATIONS**14.1 TRAINING AND EMPLOYMENT PATHWAYS UPDATE**

The Governance Coordinator spoke to the report.

RESOLUTION 2021-05/12

That Council receive and note the report.

Moved: Cr. Thompson

Seconded: Cr. Barnes

CARRIED 3/0

14.2 SPECIAL HOLIDAYS**RESOLUTION 2021-05/13**

That Council receive and note this report.

Moved: Mayor Yanner

Seconded: Cr. Thompson

CARRIED 3/0

14.3 SHOW CAUSE NOTICE - ABORIGINAL AND TORRES STRAIT ISLANDER PUBLIC HEALTH PROGRAM

The Governance Coordinator spoke to the report and provided a verbal update following a remote meeting between Council staff and Queensland Health representatives on 13 May 2021.

RESOLUTION 2021-05/14

That:

1. Council receive and note the report;
2. Staff provide an update on progress on reporting in response to the Show Cause Notice, at the next meeting of Council in June 2021; and
3. The draft 2022 Financial Year Annual Plan for the Aboriginal and Torres Strait Islander Public Health Program be tabled for Council's consideration at its meeting in June 2021.

Moved: Cr. Thompson

Seconded: Cr. Barnes

CARRIED 3/0

14.4 CENSUS 2021 ACCOMMODATION AND OFFICE SPACE

The Governance Coordinator spoke to the report.

RESOLUTION 2021-05/15

That the Australian Bureau of Statistics be charged full fees and charges rates if and when it requires any Council accommodation and office space for its 2021 Census and that Council not subsidise the Australian Government.

Moved: Cr. Thompson

Seconded: Cr. Barnes

CARRIED 3/0

14.5 LOCAL GOVERNMENT COMPLIANCE CHECKLIST

The Governance Coordinator spoke to the report.

RESOLUTION 2021-05/16

That a report be made to the 16 June 2021 meeting of Council, providing the following for Council's consideration:

1. Reviewed policies for adoption (Executive Manager Finance):
 - a. Revenue Policy
 - b. Community Grants Policy
 - c. Entertainment and Hospitality Policy
 - d. Advertising Spending Policy
 - e. Investment Policy
 - f. Debt Policy
 - g. Procurement Policy;

2. Councillor Expenses Policy (Executive Manager Governance and Communications); and
3. An update on other items from the Compliance Checklist that were yet to be clarified, be provided at that time.

Moved: Cr. Thomas

Seconded: Cr. Barnes

CARRIED 4/0

Councillor Thomas joined the meeting during the discussion of Item 14.5 at 9.54am, and was present when the matter was voted on.

The meeting adjourned after Item 14.5 from 9.57am to 10.28am.

14.6 RISK MANAGEMENT AND AUDIT FUNCTIONS

The Acting CEO, Acting Executive Manager Finance and Human Services and Governance Coordinator spoke to the report.

RESOLUTION 2021-05/17

That given Council has an Internal Auditor, Council decides not establish an audit committee, the reasons for which include that Council is a small agency with a relatively simple governance structure, with budget constraints that do not support the cost of remunerating external members, noting that Council can establish an audit committee at a later date should it so choose.

Moved: Cr. Thompson

Seconded: Cr. Thomas

CARRIED 4/0

14.7 RECORDS MANAGEMENT

The Governance Coordinator spoke to the report and provided a verbal update regarding the digitisation of the physical records.

The discussion lead to the issue of culturally significant items that historically had been removed from community and the importance of retrieving these.

RESOLUTION 2021-05/18

That Council receive and note this report, and further investigate the transfer of the list of physical records to State Archives subject digitalisation, and report back to Council in June 2021.

Moved: Cr. Thomas

Seconded: Cr. Barnes

CARRIED 4/0

RESOLUTION 2021-05/19

That the Acting CEO contact the member for Kennedy, Hon Bob Katter MP to obtain information on how to recover important culturally significant items in respect to The Yangkall Tribe, The Lardil Tribe and The Kaiadilt Tribe.

Moved: Cr. Thomas
Seconded: Cr. Barnes

CARRIED 4/0

14.8 MORNINGTON ISLAND ABORIGINAL AND TORRES STRAIT ISLANDER SERVICE DELIVERY REFORM PROJECT

The Acting CEO spoke to the report.

RESOLUTION 2021-05/20

That Council note and receive the report.

Moved: Cr. Barnes
Seconded: Cr. Thompson

CARRIED 4/0

15 STAFF REPORTS - INFRASTRUCTURE & TECHNICAL SERVICES

15.1 INFRASTRUCTURE MONTHLY REPORT - MARCH 2021

The Executive Manager Infrastructure and Technical Services spoke to the report, and provided a verbal update that the Infrastructure Services Group Manager was on leave.

RESOLUTION 2021-05/21

That Council receive and note the Report.

Moved: Cr. Barnes
Seconded: Cr. Thompson

CARRIED 4/0

15.2 HOUSING REPORT TO COUNCIL - MAY 2021

The Acting CEO spoke to the report.

RESOLUTION 2021-05/22

That Council receive and note the report.

Moved: Cr. Thompson
Seconded: Mayor Yanner

CARRIED 4/0

Minute note: Item 15.3 was considered following Item 16.4.

16 STAFF REPORTS - HUMAN SERVICES

16.1 FINANCE AND HUMAN SERVICES MONTHLY REPORT FOR APRIL 2021

The Acting CEO spoke to the report.

RESOLUTION 2021-05/23

That Council receive and note the report.

Moved: Cr. Barnes

Seconded: Cr. Thomas

CARRIED 4/0

16.2 TOUCH FOOTBALL COMPETITION AND COMMUNITY LIQUOR PERMIT (CLP) EVENT 17/04/2021

The Acting CEO spoke to the report.

RESOLUTION 2021-05/24

That Council receive and note this report.

Moved: Cr. Thomas

Seconded: Cr. Barnes

CARRIED 4/0

16.3 HUMAN RESOURCES DEPARTMENT OPERATIONS UPDATE

The Acting CEO spoke to the report.

RESOLUTION 2021-05/25

That Council receive and notes the content of this report.

Moved: Cr. Thompson

Seconded: Cr. Thomas

CARRIED 4/0

16.4 REPORT ON COUNCIL INTERNAL AUDIT PLAN 2020-2021

The Acting CEO and Acting Executive Manager Finance and Human Services spoke to the report.

RESOLUTION 2021-05/26

That Council adopt the Internal Audit Plan for the financial year 2020-2021 from Grant Thornton as attached to this report.

Moved: Cr. Thompson

Seconded: Cr. Barnes

CARRIED 4/0

The Meeting adjourned 11.48am to 12.44pm.

Cr. Thompson left the Meeting at 11.48am.

15.3 INFRASTRUCTURE AND TECHNICAL SERVICES REPORT MAY 21

The Executive Manager Infrastructure and Technical Services spoke to the report.

RESOLUTION 2021-05/27

That Council receives and notes this report.

Moved: Cr. Barnes

Seconded: Cr. Thomas

CARRIED 3/0

Minute note: Item 12.5 was tabled at the Meeting and was considered at the discretion of the Chair - Mayor Yanner.

12.5 LIQUOR LICENCING AND CARRIAGE LIMIT APPLICATION

The Acting CEO spoke to the report.

RESOLUTION 2021-05/28

That Council:

1. Approve the Community Plan as tabled and formally submit such Plan to the Department of Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnership (DATSIP) for approval;
2. Endorse the Acting CEO actions in submitting the Form 1 Application of the Office of Liquor and Gaming Regulation, Department of Justice and Attorney-General in respect to

Council's Motel Licence incorporation restaurant and Bar – Commercial Other (subsidiary on premise) Licence; and

3. Approve the letter of application to DATSIP for a carriage limit equivalent in alcohol to a 30 pack of mid-strength alcohol.

Moved: Cr. Barnes

Seconded: Cr. Thomas

CARRIED 3/0

17 CONFIDENTIAL REPORTS

RESOLUTION 2021-05/29

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 Regulations 2012:

17.1 Report On Minor Tyre Fitting Charge to Rex Airlines by Council Workshop

This matter is considered to be confidential under Section 254J3(g) of the Local Government Regulations 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 negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government;

17.2 Report on the Queensland Indigenous Waste Management Strategy - Situational Analysis, identifying a staged implementation strategy for waste management at the Gununa Waste Refuse

This matter is considered to be confidential under Section 254J3(c) of the Local Government Regulations 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 local government's budget;

17.3 Confidential Report Staff Matter - Staff Attending GRAC Meetings

This matter is considered to be confidential under Section 254J3(b) of the Local Government Regulations 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;

17.4 Review of the Operation Maintenance Cost of the Airport when applied against the Landing Fee

This matter is considered to be confidential under Section 254J3(c) and 3(g) of the Local Government Regulations 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 local government's budget; and negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government;

17.5 Queensland Reconstruction Authority, Contractual Concerns

This matter is considered to be confidential under Section 254J3(g) and 3(i) of the Local Government Regulations 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 negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government; and a matter the local government is required to keep confidential under a law of, or formal arrangement with, the Commonwealth or a

State.

Moved: Cr. Thomas

Seconded: Cr. Barnes

CARRIED: 3/0

The Meeting moved into closed session at 1.37pm.

RESOLUTION 2021-05/30

That Council moves out of Closed session into Open session.

Moved: Cr. Thomas

Seconded: Cr. Barnes

CARRIED 3/0

The Meeting moved into Open session at 2.05pm.

17.1 REPORT ON MINOR TYRE FITTING CHARGE TO REX AIRLINES BY COUNCIL WORKSHOP

RESOLUTION 2021-05/31

That:

1. Council write off an amount of \$405 being the difference in that charged and Council's fee in the Schedule of fees and Charges GST Inclusive for two minor tyre repairs and Councils revenue Officer be directed to do this; 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)(g) and that documents remain confidential unless Council decides otherwise.

Moved: Cr. Barnes

Seconded: Cr. Thomas

CARRIED 3/0

17.2 REPORT ON THE QUEENSLAND INDIGENOUS WASTE MANAGEMENT STRATEGY - SITUATIONAL ANALYSIS, IDENTIFYING A STAGED IMPLEMENTATION STRATEGY FOR WASTE MANAGEMENT AT THE GUNUNA WASTE REFUSE

Mayor Yanner and Councillor Thomas declared a conflict of interest on the matter due to GRAC membership. As per section 257 of the Local Government Act 2009 and Model Meeting Procedures, Council can delegate the consideration and decision on the matter noting that all councillors including the conflicted councillors, may participate in deciding to delegate or defer a matter.

RESOLUTION 2021-05/32

That the Acting Chief Executive Officer be delegated the matter under Section 257 of the Local Government Act 2009.

Moved: Cr. Barnes

Seconded: Cr. Thomas

CARRIED 3/0

17.3 CONFIDENTIAL REPORT STAFF MATTER - STAFF ATTENDING GRAC MEETINGS

Minute note: Item 17.3 was deferred to the next Meeting of Council at the discretion of the Chair - Mayor Yanner, following advice by the Acting CEO that the matter was not urgent and that there were potential conflict of interest and quorum issues.

Councillor Thompson rejoined the meeting at 2.08pm during the above procedural matter.

17.4 REVIEW OF THE OPERATION MAINTENANCE COST OF THE AIRPORT WHEN APPLIED AGAINST THE LANDING FEE**RESOLUTION 2021-05/33**

That:

1. Council receives and notes this report only and due to the nature of the report no resolution be made; 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)(c) and section 254J(3)(g) and that documents remain confidential unless Council decides otherwise

Moved: Cr. Thomas

Seconded: Cr. Barnes

CARRIED 4/0

17.5 QUEENSLAND RECONSTRUCTION AUTHORITY, CONTRACTUAL CONCERNS**RESOLUTION 2021-05/34**

That:

Initial: _____

1. Council receives and notes the report; and
2. The report and be deemed a confidential document and be treated as such in accordance with Local Government Regulation 2012, under section 254J3(g) and 3(i) and that documents remain confidential unless Council decides otherwise.

Moved: Cr. Thomas

Seconded: Mayor Yanner

CARRIED 4/0

18 NEXT MEETING

The next meeting will be held on 16 June 2021.

19 CLOSURE

Mayor Yanner closed the meeting at 2.11pm.

Graham King
Acting Chief Executive Officer.

Minutes Confirmed:

Mayor

Date:

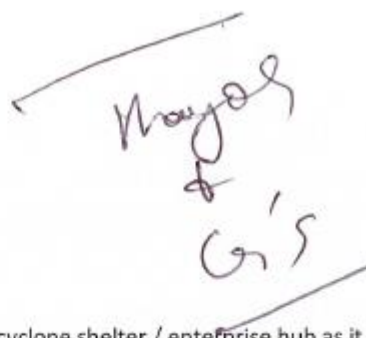
Graham King
Acting Chief Executive Officer

Initial: _____

Tabled documents to Item 9.1 – Action Items as at 12 May 2021

Graham King

From: Lana Maki
Sent: Friday, 23 April 2021 4:25 PM
To: Graham King
Subject: Splashpark Site Plan
Attachments: Splashpark - Admin Bld Site.pdf



Hi Graham

How does this look?

I think it is important to try and keep sufficient space for the future cyclone shelter / enterprise hub as it is a significant building and there is very little land left to develop for this.

Regards,

Lana Maki | Special Projects Manager | **Mornington Shire Council**

1 Mission Road, Gununa, QLD 4892

Ph: 0439 003 671
Fax: 07 4745 7275
Email: lane.maki@mornington.qld.gov.au
Web: www.mornington.qld.gov.au



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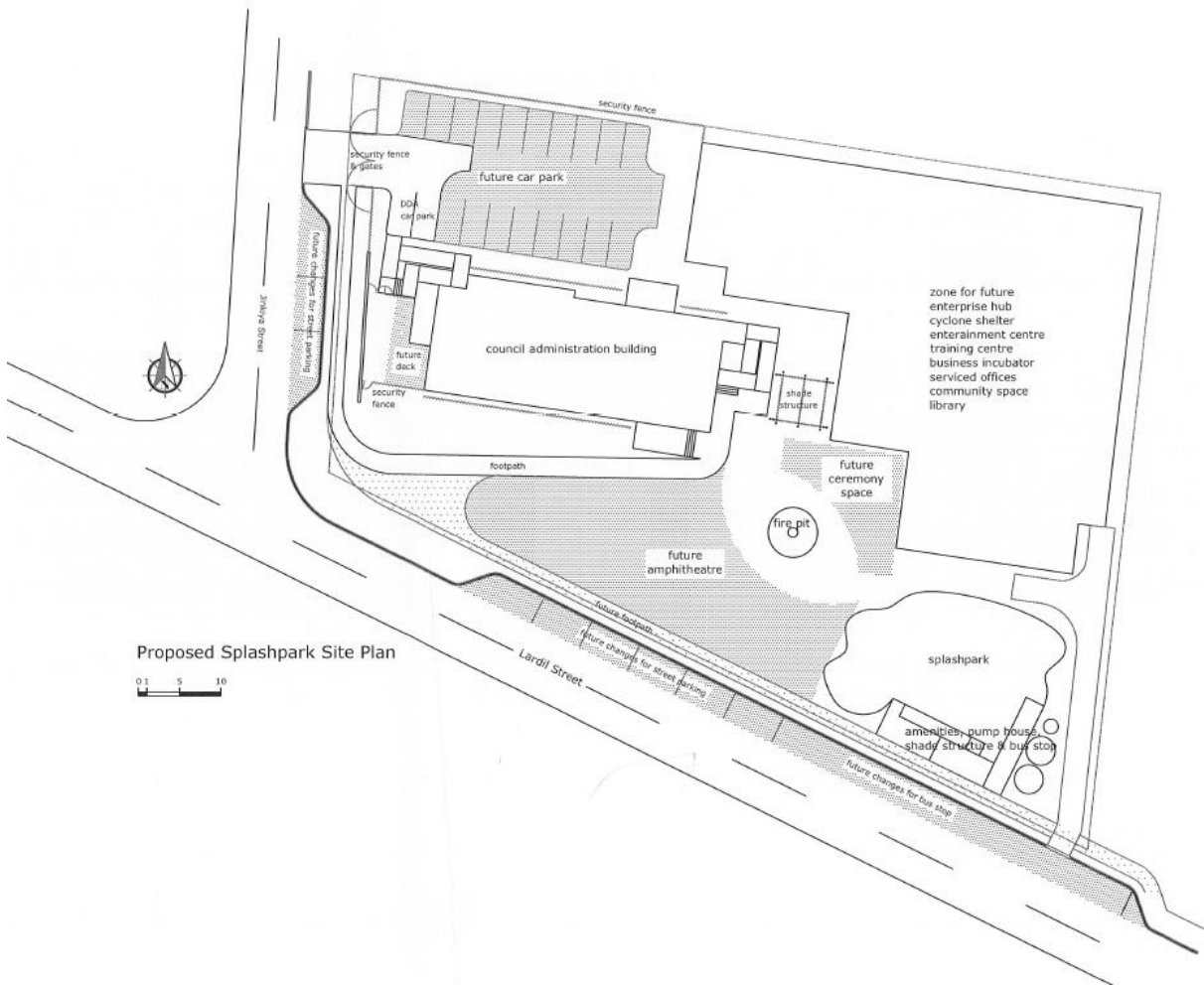
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Initial: _____



Proposed Splashpark Site Plan

