

**MINUTES OF MORNINGTON SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBER, MISSION ROAD, GUNUNA
ON WEDNESDAY, 26 OCTOBER 2022 AT 9:00AM**

1 OPENING OF MEETING

The meeting was opened by Mayor, Kyle Yanner at 9:00am.

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, Yangkaal, Waanyi, Gangalidda and Garawa people who share our homelands.

3 PRESENT

Mayor Kyle Yanner, Cr Dwayne Rogers, Cr Roxanne Thomas, Cr Robert Thompson, Graham King, Geoffrey Rewald and Rhianne Williams.

4 LEAVE OF ABSENCE

Leave of absence was granted for Deputy Mayor David Barnes.

5 DISCLOSURE OF INTEREST – COUNCILLORS AND STAFF

Nil

6 CONDOLENCES AND MEMORIALS

The Mayor called for a one-minute silence for loved ones who have passed.

7 CONFIRMATION OF MINUTES**7.1 CONFIRMATION OF MINUTES - COUNCIL MEETING – 21 & 22 SEPTEMBER 2022****RESOLUTION 2022/186**

Moved: Cr Robert Thompson

Seconded: Cr Roxanne Thomas

That the Minutes of the Ordinary Council Meeting held on Wednesday 21st and Thursday 22nd September 2022, be received and the recommendations therein adopted.

CARRIED 4/0

8 DEPUTATIONS

Nil

9 ACTION SCHEDULE**9.1 ACTION ITEMS AS AT WEDNESDAY 21 SEPTEMBER 2022**

That the Action Schedule be tabled at the next council meeting.

RECEPTION & CONSIDERATION OF OFFICERS REPORTS**10 MAYOR AND COUNCILLORS VERBAL REPORTS****10.1 MAYOR & COUNCILLORS VERBAL REPORT****RESOLUTION 2022/187**

Moved: Cr Robert Thompson

Seconded: Cr Roxanne Thomas

That Council receive and note the verbal report from the Mayor and Councillors.

CARRIED 4/0

11 CHIEF EXECUTIVE OFFICER'S REPORTS**11.1 COUNCILLORS EXPENSE REIMBURSEMENT POLICY****RESOLUTION 2022/188**

Moved: Cr Robert Thompson

Seconded: Cr Dwayne Rogers

That Council receive and adopt the Councillors Expense Reimbursement Policy as presented.

CARRIED 4/0

11.2 PORTFOLIO POLICY**RESOLUTION 2022/189**

Moved: Cr Dwayne Rogers

Seconded: Cr Robert Thompson

That Council receive and adopt the Councillor's Portfolio Policy as presented.

CARRIED 4/0

11.3 DISCIPLINE POLICY**RESOLUTION 2022/190**

Moved: Cr Robert Thompson

Seconded: Cr Dwayne Rogers

That Council receive and adopt the Discipline Policy as presented.

CARRIED 4/0

11.4 GRIEVANCE GUIDELINE**RESOLUTION 2022/191**

Moved: Mayor Kyle Yanner

Seconded: Cr Dwayne Rogers

That Council receive and adopt the Grievance Guideline as presented.

CARRIED 4/0

11.5 FUNERAL ASSISTANCE SCHEME**RESOLUTION 2022/192**

Moved: Cr Dwayne Rogers

Seconded: Mayor Kyle Yanner

That Council receive the letter from the Attorney-General and Minister for Justice advising that relevant provisions with the Funeral Assistance Scheme have been updated to allow for the consideration of requests to pay for the repatriation of bodies of Aboriginal and Torres Strait Islander people, to their homelands or country for burial.

Further, that Council thank the Queensland State Government for making this change which will greatly assist our Community.

CARRIED 4/0

11.6 STAFF LEAVE WITHOUT PAY POLICY**RESOLUTION 2022/193**

Moved: Cr Robert Thompson

Seconded: Cr Dwayne Rogers

That Council receive and adopt the Staff Leave Without Pay Policy as presented.

CARRIED 4/0

11.7 QUEENSLAND RECONSTRUCTION AUTHORITY WORKS**RESOLUTION 2022/194**

Moved: Cr Dwayne Rogers
Seconded: Cr Robert Thompson

That Council receive and note the Report.

Further, that Council adopt as policy that flood damage works conducted through the Queensland Reconstruction Authority under the "Disaster Funding Reconstruction Arrangements" shall, as much as possible, be conducted by Council's Day Labour Workforce and that Council fully implement policies and procedures to ensure the continued in-house sustainability of such program.

CARRIED 4/0

11.8 WASTE MANAGEMENT PROJECTS AND PRIORITIES**RESOLUTION 2022/195**

Moved: Cr Dwayne Rogers
Seconded: Cr Robert Thompson

That Council receive and adopt the Waste Management Project and Priorities as tabled.

CARRIED 4/0

11.9 KPMG INDEPENDENT AUDIT**RESOLUTION 2022/196**

Moved: Cr Robert Thompson
Seconded: Cr Dwayne Rogers

That Council receive and note the Report and provide a congratulatory letter to the Premier and Government Champions Minister for this great initiative.

Further, that the Council congratulate the Mayor on his strong advocacy in order to have both the State Government and Australian Government support such an initiative.

CARRIED 4/0

11.10 BUILDING OUR REGIONS – REPLACEMENT OF SEWERAGE PUMP STATIONS**RESOLUTION 2022/197**

Moved: Cr Dwayne Rogers
Seconded: Cr Robert Thompson

That Council receive and note the Report and thank the Minister for Regional Development and Manufacturing and Minister for Water for the \$1,975,000 Building Our Regions (BoR) grant to upgrade and refurbish the existing sewer pump stations.

CARRIED 4/0

11.11 MARKET GARDEN UPDATE**RESOLUTION 2022/198**

Moved: Cr Robert Thompson

Seconded: Cr Dwayne Rogers

That Council note the Report and confirm the actions of the Acting Chief Executive Officer (CEO) in authorising the Stage 3 works as outlined in the "Farmacist" and the University of Queensland's on-site Commercial Market Garden Project at a cost of \$13,920.

Further, that Council nominates that the site adjacent to the Arts Centre as the preferred location for the Pilot Market Garden project proposal.

CARRIED 4/0

At 11:24am, Cr Thomas left the meeting.

At 11:28am, Cr Thomas returned.

12 STAFF REPORTS - WORKPLACE HEALTH AND SAFETY**12.1 WORKPLACE HEALTH AND SAFETY****RESOLUTION 2022/199**

Moved: Cr Dwayne Rogers

Seconded: Cr Robert Thompson

That Council receive and note the Report.

CARRIED 4/0

The Group Manager Infrastructure Services and the Manager Water and Sewerage joined the meeting.

13 STAFF REPORTS - INFRASTRUCTURE & TECHNICAL SERVICES VERBAL REPORT**RESOLUTION 2022/200**

Moved: Cr Dwayne Rogers

Seconded: Cr Robert Thompson

That Council welcome Hercules Demourtzidis, Group Manager Infrastructure Services and that Council receive and note the verbal report presented by the Manager Water and Sewerage.

CARRIED 4/0

At 12:20pm, Cr Rogers left the meeting.

At 12:21pm, Cr Rogers returned to the meeting.

At 12:21pm, Cr Thompson left the meeting.

At 12:23pm, Cr Thompson returned to the meeting.

Mayor Yanner adjourned the meeting for a short break at 12:30pm.

The meeting resumed at 12:40pm.

14 STAFF REPORTS - HOUSING REPORT

14.1 HOUSING REPORT

RESOLUTION 2022/201

Moved: Cr Dwayne Rogers

Seconded: Cr Robert Thompson

That Council approve the layout 2B Option for the Lot 911 Project, and that Council authorise the Executive Manager Housing and Facilities to commence a development application (DA) for the approved layout design at the cost with the Department of Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnerships (DSDSATSIP).

CARRIED 4/0

RESOLUTION 2022/202

Moved: Cr Dwayne Rogers

Seconded: Cr Robert Thompson

That Council approve the Lot 9 Cemetery Road Council Accommodation Project, for all buildings on this site to be constructed as high set buildings for six dwellings and for the removal of carports.

CARRIED 4/0

14.2 COMMUNITY DISASTER REPORT

RESOLUTION 2022/203

Moved: Cr Dwayne Rogers

Seconded: Cr Robert Thompson

That Council note and accept this Report.

CARRIED 4/0

15 STAFF REPORTS - FACILITIES**15.1 FACILITIES REPORT****RESOLUTION 2022/204**

Moved: Cr Robert Thompson

Seconded: Cr Dwayne Rogers

That Council receive and note the Report, and that Council authorise for security lights to be purchased and fitted at the Rural Transaction Centre (RTC) Building.

CARRIED 4/0

16 STAFF REPORTS - FINANCIAL SERVICES**16.1 FINANCE REPORT AS AT 30 SEPTEMBER 2022****RESOLUTION 2022/205**

Moved: Cr Dwayne Rogers

Seconded: Cr Robert Thompson

That Council receive and note this Report.

CARRIED 4/0

16.2 CORPORATE AND COMMUNITY SERVICES – SEPTEMBER 2022**RESOLUTION 2022/206**

Moved: Cr Roxanne Thomas

Seconded: Cr Dwayne Rogers

That Council receive and note this Report.

CARRIED 4/0

16.3 COMMUNITY DEVELOPMENT REPORT**RESOLUTION 2022/207**

Moved: Cr Roxanne Thomas

Seconded: Cr Robert Thompson

That Council support the Mornington Island State School with a \$10,000 contribution for the purpose of a Rugby School trip and Creative Wearable Arts trip in November 2022.

CARRIED 4/0

17 CONFIDENTIAL REPORTS**RESOLUTION 2022/208**

Moved: Cr Dwayne Rogers
Seconded: Cr Roxanne Thomas

That Council considers the confidential reports listed below in a meeting closed to the public in accordance with Section 254J of the Local Government Regulations 2012.

17.1 WANDERING HORSES STRATEGY

This matter is considered confidential under Section 254J(3)(e) 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 legal advice obtained by Mornington Shire Council.

17.2 DISCUSS STAFF RELATED MATTERS – CHRISTMAS AND NEW YEAR CLOSE DOWN PERIOD

This matter is considered confidential under Section 254J(3)(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.

17.3 STAFF ORGANISATIONAL STRUCTURE

This matter is considered confidential under Section 254J(3)(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.

CARRIED 4/0

RESOLUTION 2022/209

Moved: Cr Dwayne Rogers
Seconded: Cr Roxanne Thomas

That Council moves out of closed session and into open session.

CARRIED 4/0

17.1 WANDERING HORSES STRATEGY**RESOLUTION 2022/210**

Moved: Cr Dwayne Rogers
Seconded: Cr Roxanne Thomas

That the Acting CEO is hereby delegated all powers pursuant to the *Mornington Shire Council Local Law No. 2 (Animal Management) 2016*, and *Amending Subordinate Local Law No. 1 (Animal Management) 2021* to address the issue of wandering horses within Mornington Shire Council's Gununa Town limits as considered appropriate in the circumstances and as outlined in the Wandering Horse Strategy.

CARRIED 4/0

17.2 DISCUSS STAFF RELATED MATTERS – CHRISTMAS AND NEW YEAR CLOSE DOWN PERIOD

RESOLUTION 2022/211

Moved: Cr Roxanne Thomas
Seconded: Cr Robert Thompson

That Council receive the Report and adopt the Christmas and New Year period be from Friday 23rd December 2022 to 30th December 2022.

CARRIED 4/0

17.3 STAFF ORGANISATIONAL STRUCTURE

RESOLUTION 2022/212

Moved: Cr Dwayne Rogers
Seconded: Mayor Kyle Yanner

That Council adopt the Organisational Structure as presented.

CARRIED 4/0

18 NEXT MEETING

The next meeting will be held on 23rd November 2022.

19 CLOSURE

Mayor Yanner closed the meeting at 2:15pm.

Minutes Confirmed:

Mayor

Date:

Graham King
Acting Chief Executive Officer

Initial: _____