

**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**

A minutes silence was undertake for loved ones.

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

Moved: Cr Robert Thompson

Seconded: Cr Roxanne Thomas

That the Minutes of the Council held on Wednesday 21 September 2022 be received and the recommendations therein be adopted.

**CARRIED 4/0**

**7.2 CONFIRMATION OF MINUTES - COUNCIL MEETING - 22 SEPTEMBER 2022****RESOLUTION 2022/187**

Moved: Cr Robert Thompson

Seconded: Cr Roxanne Thomas

That the Minutes of the Council held on Thursday 22 September 2022 be received and the recommendations therein be adopted.

**CARRIED 4/0**

**8 DEPUTATIONS**

Nil

**9 ACTION SCHEDULE****9.1 ACTION ITEMS AS AT 26 OCTOBER 2022****RESOLUTION 2022/188**

Moved: Cr Roxanne Thomas

Seconded: Cr Robert Thompson

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

**CARRIED 4/0**

**RECEPTION & CONSIDERATION OF OFFICERS REPORTS****10 MAYOR AND COUNCILLORS REPORTS****10.1 MAYOR AND COUNCILLORS VERBAL REPORTS****RESOLUTION 2022/189**

Moved: Cr Robert Thompson

Seconded: Cr Roxanne Thomas

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

**CARRIED 4/0**

**11 CHIEF EXECUTIVE OFFICER'S REPORTS****11.1 COUNCILLORS EXPENSES REIMBURSEMENT POLICY****RESOLUTION 2022/190**

Moved: Cr Robert Thompson

Seconded: Cr Dwayne Rogers

That Council receive and adopt the Councillors Expenses Reimbursement Policy.

**CARRIED 4/0**

**11.2 COUNCILLOR PORTFOLIO POLICY****RESOLUTION 2022/191**

Moved: Cr Dwayne Rogers

Seconded: Cr Robert Thompson

That Council adopt the Councillor Portfolio Policy as presented.

**CARRIED 4/0**

**11.3 DISCIPLINE POLICY****RESOLUTION 2022/192**

Moved: Cr Robert Thompson

Seconded: Cr Dwayne Rogers

That Council adopt the Discipline Policy as presented.

**CARRIED 4/0**

**11.4 GRIEVANCE GUIDELINE****RESOLUTION 2022/193**

Moved: Mayor Cr Kyle Yanner

Seconded: Cr Dwayne Rogers

That Council adopt the Grievance Guideline as presented.

**CARRIED 4/0**

**11.5 FUNERAL ASSISTANCE SCHEME****RESOLUTION 2022/194**

Moved: Cr Dwayne Rogers  
Seconded: Mayor Cr Kyle Yanner

That Council receive the letter from 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 and 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 2022/195**

Moved: Cr Robert Thompson  
Seconded: Cr Dwayne Rogers

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

**CARRIED 4/0**

**11.7 QUEENSLAND RECONSTRUCTION (FLOOD DAMAGE WORKS) FOR THE 2021/23 AND 2022/24 DRFA WORKS****RESOLUTION 2022/196**

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 Works Force 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 2022/197**

Moved: Cr Dwayne Rogers  
Seconded: Cr Robert Thompson

That Council adopt the priorities.

**CARRIED 4/0**

**11.9 INDEPENDENT AUDIT AND ANALYSIS OF GOVERNMENT AND GOVERNMENT FUNDED SERVICES TO MORNINGTON ISLAND****RESOLUTION 2022/198**

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 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 initiative.

**CARRIED 4/0**

**11.10 BUILDING OUR REGIONS (BOR) GRANT – REPLACEMENT OF SEWERAGE PUMP STATIONS****RESOLUTION 2022/199**

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 grant to upgrade and refurbishment the existing sewer pump stations.

**CARRIED 4/0**

11.24am CR. Thomas left the meeting  
11.28am CR. Thomas returned

**11.11 MARKET GARDEN UPDATE****RESOLUTION 2022/200**

Moved: Cr Robert Thompson  
Seconded: Cr Dwayne Rogers

That Council note the report and confirm the actions of the Acting CEO in authorising the Stage 3 works as outlined in the "Farmacist" and University of Queensland on-site Commercial Market Garden Project a cost of \$13,920.  
Further, that Council nominate that the site adjacent to the Arts Centre as the preferred location for the Pilot Market Garden project proposal.

**CARRIED 4/0**

Group Manager for Infrastructure Services & Water and Sewer manager joined the meeting.

**12 STAFF REPORTS - WORKPLACE HEALTH AND SAFETY****12.1 WORKPLACE HEALTH AND SAFETY (WHS)****RESOLUTION 2022/201**

Moved: Cr Dwayne Rogers

Seconded: Cr Robert Thompson

That Council receive and note the Report.

**CARRIED 4/0**

**13 STAFF REPORTS - TECHNICAL SERVICES**

Nil

**14 STAFF REPORTS - INFRASTRUCTURE SERVICES****14.1 INFRASTRUCTURE AND TECHNICAL SERVICES VERBAL REPORT****RESOLUTION 2022/202**

Moved: Cr Dwayne Rogers

Seconded: Cr Robert Thompson

That Council welcome Hercules Demourtzidis, Group Manager for Infrastructure Services. And that Council receive and note verbal report presented by Water and Sewer manager.

**CARRIED 4/0**

12.20pm CR. Rogers left the meeting

12.21pm CR. Rogers returned

12.21pm CR. Thompson left the meeting

12.23pm CR. Thompson returned

The Mayor adjourned the meeting for a short break at 12.30pm

The meeting returned 12.40pm.

Group Manager for Infrastructure Services & Water and Sewer manager left the meeting.

**15 STAFF REPORTS - HOUSING REPORT****15.1 HOUSING REPORT****RESOLUTION 2022/203**

Moved: Cr Dwayne Rogers

Seconded: Cr Robert Thompson

That in respect to Lot 911 Council adopt layout 2B and authorise the Executive Manager of Housing to undertake development application (DA) for the approved layout design at the cost of DATSIP.

**CARRIED 4/0**

**15.2 COMMUNITY DISASTER REPORT****RESOLUTION 2022/204**

Moved: Cr Dwayne Rogers  
Seconded: Cr Robert Thompson

That Council receive and note the Report.

**CARRIED 4/0**

**15.3 LOT 9 CEMETERY ROAD COUNCIL ACCOMMODATION****RESOLUTION 2022/205**

Moved: Cr Dwayne Rogers  
Seconded: Cr Robert Thompson

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

**CARRIED 4/0**

**16 STAFF REPORTS - FACILITIES****16.1 FACILITIES REPORT****RESOLUTION 2022/206**

Moved: Cr Robert Thompson  
Seconded: Cr Dwayne Rogers

That Council authorise security lights be purchased and fitted at the RTC building. And that Council receive and not the report.

**CARRIED 4/0**

**17 STAFF REPORTS - FINANCIAL SERVICES****17.1 FINANCE REPORT****RESOLUTION 2022/207**

Moved: Cr Dwayne Rogers  
Seconded: Cr Robert Thompson

That Council note and accept this Report.

**CARRIED 4/0**

**17.2 CORPORATE AND COMMUNITY SERVICES REPORT**

**RESOLUTION 2022/208**

Moved: Cr Roxanne Thomas

Seconded: Cr Dwayne Rogers

That Council note and accept this Report.

**CARRIED 4/0**

**17.3 SORRY BUSINESS PAYMENT UPDATE**

**RESOLUTION 2022/209**

Moved: Cr Roxanne Thomas

Seconded: Cr Dwayne Rogers

That Council receive and note this Report.

**CARRIED 4/0**

Community Development Officer joined the meeting.

**18 STAFF REPORTS - COMMUNITY DEVELOPMENT REPORT**

**18.1 COMMUNITY DEVELOPMENT REPORT**

**RESOLUTION 2022/210**

Moved: Cr Roxanne Thomas

Seconded: Cr Robert Thompson

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

**CARRIED 4/0**



**19 CONFIDENTIAL REPORTS****RESOLUTION 2022/211**

Moved: Cr Dwayne Rogers  
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 Regulations 2012:

**19.1 Wandering Horse Strategy**

This matter is considered to be confidential under Section 254J(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.

**19.2 Christmas and New Year Close Down Period**

This matter is considered to be confidential under Section 254J(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.

**19.3 Draft Organisational Structure**

This matter is considered to be confidential under Section 254J(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.

**CARRIED 4/0**

**RESOLUTION 2022/212**

Moved: Cr Dwayne Rogers  
Seconded: Cr Roxanne Thomas

That Council moves out of Closed Council into Open Council.

**CARRIED 4/0**

**19.1 WANDERING HORSE STRATEGY****RESOLUTION 2022/213**

Moved: Cr Dwayne Rogers  
Seconded: Cr Roxanne Thomas

That the Acting CEO is hereby delegated all powers pursuant to Local Law No.2 (Animal Management) 2016, and Subordinate Local Law No.2 (Animal Management) 2016 to address the issue of wandering horses within the Mornington Shire Council town limits as considered appropriate in the circumstances and as outline in the Wandering Horse Strategy.

**CARRIED 4/0**

**19.2 CHRISTMAS AND NEW YEAR CLOSE DOWN PERIOD**

**RESOLUTION 2022/214**

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**

**19.3 DRAFT ORGANISATIONAL STRUCTURE**

**RESOLUTION 2022/215**

Moved: Cr Dwayne Rogers

Seconded: Mayor Cr Kyle Yanner

That Council adopt Organisation Structure as presented.

**CARRIED 4/0**

**20 NEXT MEETING**

The next meeting will be held on 23 November 2022.

**21 CLOSURE**

Mayor Yanner closed the meeting at 2.15pm.

Graham King  
Acting Chief Executive Officer.

Minutes Confirmed:

Mayor .....

Date:

Graham King  
Acting Chief Executive Officer