

**MINUTES OF MORNINGTON SHIRE COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE COUNCIL CHAMBER, MISSION ROAD, GUNUNA  
ON FRIDAY, 3 FEBRUARY 2023 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, Deputy Mayor David Barnes, Cr Roxanne Thomas, Cr Robert Thompson Graham King, Jayne Schulze, Geoffrey Rewald, Rhianne Williams, Tony Walters, Brendan Kelleher (WHS)

**4 LEAVE OF ABSENCE****RESOLUTION 2023/4**

Moved: Cr Robert Thompson

Seconded: Deputy Mayor Cr David Barnes

That the apology received from Cr Dwayne Rogers be accepted and leave of absence granted.

**CARRIED 4/0**

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

Nil

**6 CONDOLENCES AND MEMORIALS**

A minutes silence was undertake for the loved ones who have passed.

**7 CONFIRMATION OF MINUTES****CONFIRMATION OF MINUTES - COUNCIL MEETING - 14 DECEMBER 2022****RESOLUTION 2023/5**

Moved: Deputy Mayor Cr David Barnes

Seconded: Cr Robert Thompson

That the Minutes of the Council held on Wednesday 14 December 2022 be received and the recommendations therein be adopted.

**CARRIED 4/0**

At 9:12 am, Mayor Kyle Yanner left the meeting.  
At 9:14 am, Mayor Kyle Yanner returned to the meeting.

## **8 DEPUTATIONS**

TEAMS call with Department of Health and Aged Care - Lani Byron & Robert Zillmann.

TEAMS call with ARUP regarding Market Garden - Sunny Oliver-Bennetts, Liz Velkovic, Renae Earle, Simone Nalatu, Peter Scuderi and Sara Golingi.

## **9 ACTION SCHEDULE**

### **9.1 ACTION ITEMS AS AT 14 DECEMBER 2022**

#### **RESOLUTION 2023/6**

Moved: Deputy Mayor Cr David Barnes  
Seconded: Cr Robert Thompson

That the Action Schedule be reviewed at the next Council Meeting.

**CARRIED 4/0**

**Item moved forward for WHS Officer to give verbal report to Council.**

### **12.1 WORKPLACE HEALTH AND SAFETY OFFICER VERBAL REPORT**

#### **RESOLUTION 2023/7**

Moved: Mayor Cr Kyle Yanner  
Seconded: Deputy Mayor Cr David Barnes

That Council receive and note report.

And further Thank Tony Walters for over 4 years of continuing service and support with Council.

**CARRIED 4/0**

**RECEPTION & CONSIDERATION OF OFFICERS REPORTS****10 MAYOR AND COUNCILLORS REPORTS****10.1 DEPUTY MAYOR DAVID BARNES PORTFOLIO REPORT****RESOLUTION 2023/8**

Moved: Cr Roxanne Thomas

Seconded: Cr Robert Thompson

That Council receive and note report.

And that Council approve dates of travel for Australian Bureau of Statistics to return for Nutrition and Physical Activity Health Survey – 6th to 16th March 2023.

**CARRIED 4/0**

**10.2 COUNCILLOR ROXANNE THOMAS VERBAL REPORT****RESOLUTION 2023/9**

Moved: Deputy Mayor Cr David Barnes

Seconded: Cr Robert Thompson

That Council receive and note report.

**CARRIED 4/0**

**10.3 MAYOR VERBAL REPORT****RESOLUTION 2023/10**

Moved: Deputy Mayor Cr David Barnes

Seconded: Cr Robert Thompson

That Council receive and note report.

- Mayor shared his meeting with the Roper Gulf Regional Council and Tiwi Island Council and on his visits to various communities in the Northern Territory in respect to Infrastructure and services delivery.
- And the support such Council's will provide in lobbying for increased funding under the Commonwealth Governments Financial Assistance Grants Program.

**• CARRIED 4/0**

Meeting adjourned at 10:03am by Mayor for Morning Tea.

Meeting recommenced at 10:32am by Mayor.

**10.4 MAYOR VERBAL REPORT - PRIVATE WORKS MECHANIC****RESOLUTION 2023/11**

Moved: Deputy Mayor Cr David Barnes

Seconded: Cr Robert Thompson

That Council approve a fulltime role of 'Private Works Mechanic' be added to the Organisational Structure.

**CARRIED 4/0**

**11 CHIEF EXECUTIVE OFFICER'S REPORTS****11.1 ANNUAL OPERATIONAL PLAN 2022 - 2023****RESOLUTION 2023/12**

Moved: Deputy Mayor Cr David Barnes

Seconded: Cr Robert Thompson

That Council note and receive Report and adopts the Annual Operational Plan for 2022 - 2023 as presented.

**CARRIED 4/0**

**12 STAFF REPORTS - WORKPLACE HEALTH AND SAFETY****12.1 WORKPLACE HEALTH AND SAFETY OFFICER VERBAL REPORT****RECOMMENDATION**

Item 12.1 moved forward for Workplace Health and Safety Officer to give verbal report.

Group Manager for Technical Services and Infrastructure Services joined the meeting.

**13 STAFF REPORTS - TECHNICAL SERVICES****13.1 TECHNICAL SERVICES****RESOLUTION 2023/13**

Moved: Cr Robert Thompson

Seconded: Deputy Mayor Cr David Barnes

That Council note and receive this report.

**CARRIED 4/0**

**13.2 BUILDING OUR REGIONS (BOR)****RESOLUTION 2023/14**

Moved: Cr Roxanne Thomas

Seconded: Deputy Mayor Cr David Barnes

That Council endorse the ACEO decision to approve and progress to project execution.

**CARRIED 4/0**

**14 STAFF REPORTS - INFRASTRUCTURE SERVICES****14.1 INFRASTRUCTURE SERVICES REPORT****RESOLUTION 2023/15**

Moved: Cr Robert Thompson

Seconded: Cr Roxanne Thomas

That Council receive and note the Report.

**CARRIED 4/0**

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

At 12:25 pm, Cr Roxanne Thomas returned to the meeting.

Group Manager for Technical Services and Infrastructure Services left the meeting.

**15 STAFF REPORTS - HOUSING REPORT****15.1 HOUSING REPORT****RESOLUTION 2023/16**

Moved: Cr Roxanne Thomas

Seconded: Cr Robert Thompson

That Council note and accept this Report.

**CARRIED 4/0**

**16 STAFF REPORTS - FACILITIES****16.1 FACILITIES REPORT****RESOLUTION 2023/17**

Moved: Mayor Cr Kyle Yanner

Seconded: Deputy Mayor Cr David Barnes

That Council note and accept this Report.

**CARRIED 4/0**

**Deputation**

TEAMS call with ARUP regarding Market Garden - Sunny Oliver-Bennetts, Liz Velkovic and Renae Earle.

Arup provided a draft Feasibility study for Councillors and Acting CEO Graham King.

**17 STAFF REPORTS - FINANCIAL SERVICES****17.1 FINANCE REPORT AS AT 31 DECEMBER 2022****RESOLUTION 2023/18**

Moved: Deputy Mayor Cr David Barnes

Seconded: Cr Robert Thompson

That Council receive and note this Report.

**CARRIED 4/0**

Meeting adjourned at 1:45pm by Mayor for Public Community meeting.

Meeting recommenced at 3:50pm by Mayor.

**18 STAFF REPORTS - COMMUNITY DEVELOPMENT REPORT****18.1 COMMUNITY DEVELOPMENT REPORT****RESOLUTION 2023/19**

Moved: Deputy Mayor Cr David Barnes

Seconded: Cr Robert Thompson

That Council note and accept this Report.

**CARRIED 4/0**

**18.2 PROPOSED CALENDAR OF EVENTS FOR 2023****RESOLUTION 2023/20**

Moved: Deputy Mayor Cr David Barnes

Seconded: Cr Robert Thompson

That Council approve the proposed calendar of events for 2023.

**CARRIED 4/0**

**18.3 GUNUNA LPO LIQUOR LICENCE****RESOLUTION 2023/21**

Moved: Deputy Mayor Cr David Barnes

Seconded: Cr Roxanne Thomas

That Council table item to the next meeting.

**CARRIED 4/0**

**18.4 REQUEST FOR INDIVIDUAL COMMUNITY GRANT****RESOLUTION 2023/22**

Moved: Deputy Mayor Cr David Barnes

Seconded: Cr Roxanne Thomas

That Council confirm the action of the Acting Mayor in approving an Individual Community Grant request for Leonie Moon to contribute to New Zealand trip in September, 2023.

And further that Council would like The Gulf Regional Economic Aboriginal Trust (ADBT) contribute to the funds to support student.

**CARRIED 4/0**

**19 STAFF REPORTS - HUMAN RESOURCES**

Nil

**20 CONFIDENTIAL REPORTS****RESOLUTION 2023/23**

Moved: Cr Robert Thompson

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:

**20.1 Appointment of Chief Executive Officer**

This matter is considered to be confidential under Section 254J3(a) 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 appointment, discipline or dismissal of the chief executive officer;.

**CARRIED 4/0**

**RESOLUTION 2023/24**

Moved: Cr Robert Thompson  
Seconded: Cr Roxanne Thomas

That Council moves out of Closed Council into Open Council.

**CARRIED 4/0**

**20.1 APPOINTMENT OF CHIEF EXECUTIVE OFFICER**

**RESOLUTION 2023/25**

Moved: Deputy Mayor Cr David Barnes  
Seconded: Cr Robert Thompson

That in accordance with Section 194 (1) of the Local Government Act 2009, Council appoint Gary Uhlmann to the position of Chief Executive Officer.

Council delegates authority to the Mayor and Deputy Mayor in accordance with section 257 of the Local Government Act 2009 to negotiate and finalise the contract of employment for the Chief Executive Officer.

**CARRIED 4/0**

**21 NEXT MEETING**

The next meeting will be held on 28 February 2023.

**22 CLOSURE**

Mayor Yanner closed the meeting at 4.37pm.

Graham King  
Acting Chief Executive Officer.

Minutes Confirmed:

Mayor .....

Date:

**Initial:** \_\_\_\_\_