



**I hereby give notice that an Ordinary Meeting of Council will be held on:**

**Date:** Wednesday, 20 July 2022  
**Time:** 9AM  
**Location:** Council Chamber  
Mission Road  
Gununa

# **BUSINESS PAPER**

## **Ordinary Council Meeting**

**20 July 2022**

**Graham King**  
**Acting Chief Executive Officer**

To empower our Community – Our people  
To feel solid and strong like the rock in Mundalbe  
To taste and hear the breaking waves of change  
To establish clean, safe, healthy lifestyles togetherness  
Pride and respect for each other in our culture, achievements and successes.  
To see and smell the compassion and peacefulness of our community

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**1 OPENING OF MEETING**

**2 ACKNOWLEDGEMENT 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 Garrawa people who share our homelands.

**3 PRESENT**

**4 LEAVE OF ABSENCE**

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

**6 CONDOLENCES AND MEMORIALS**

## **7 CONFIRMATION OF MINUTES**

### **7.1 CONFIRMATION OF MINUTES - COUNCIL MEETING - 15 JUNE 2022**

**Author:** Acting Chief Executive Officer  
**Attachments:** 1. Council Meeting Minutes - 15 June 2022

#### **OFFICER'S RECOMMENDATION**

1. That the Minutes of the Council held on Wednesday 15 June 2022 be received and the recommendations therein be adopted.

**MINUTES OF MORNINGTON SHIRE COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE COUNCIL CHAMBER, MISSION ROAD, GUNUNA  
ON WEDNESDAY, 15 JUNE 2022 AT 9AM**

**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 Robert Thompson, Graham King & Rhianne Williams.

**4 LEAVE OF ABSENCE**

Deputy Mayor David Barnes & Cr Roxanne Thomas send apologies.

**RESOLUTION 2022/100**

Moved: Cr Dwayne Rogers

Seconded: Cr Robert Thompson

That the apology received from Deputy Mayor David Barnes & Cr Roxanne Thomas be accepted and leave of absence granted.

**CARRIED 3/0**

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

NIL

**6 CONDOLENCES AND MEMORIALS**

The Mayor calls for one minute silence of loved ones who have passed.

## 7 CONFIRMATION OF MINUTES

### 7.1 CONFIRMATION OF MINUTES - COUNCIL MEETING - 18 MAY 2022

#### RESOLUTION 2022/101

Moved: Cr Dwayne Rogers  
Seconded: Cr Robert Thompson

That the Minutes of the Council held on Wednesday 18 May 2022 be received and the recommendations therein be adopted.

**CARRIED 3/0**

## 8 DEPUTATIONS

John Martin, ERSCON, Project Manager – Disaster Recovery Funding Arrangements (DRFA) to discuss the planned program of works.

## 9 ACTION SCHEDULE

### 9.1 ACTION ITEMS AS AT 15 JUNE 2022

#### RESOLUTION 2022/102

Moved: Cr Robert Thompson  
Seconded: Cr Dwayne Rogers

That the Action Schedule as tabled be updated and that completed items be removed.

**CARRIED 3/0**

## RECEPTION & CONSIDERATION OF OFFICERS REPORTS

### 10 CHIEF EXECUTIVE OFFICER'S REPORTS

#### 10.1 ROUND 6 OF THE QUEENSLAND GOVERNMENT'S BUILDING OUR REGIONS PROGRAM

#### RESOLUTION 2022/103

Moved: Cr Dwayne Rogers  
Seconded: Cr Robert Thompson

That Council thank the Minister for Regional Development and Manufacturing, Minister of Water for the State Government Grants under Round 6 of the Queensland Government Building our Regions programs being:

- o Mornington Shire Council – Wastewater Investigation - \$300,000.00
- o MSC Water Security - \$40,000.00
- o Mornington Shire Council – Water Investigation - \$295,000.00

**CARRIED 3/0**

**10.2 MIRNDIYAN GUNUNA ABORIGINAL CORPORATION****RESOLUTION 2022/104**

Moved: Cr Robert Thompson

Seconded: Cr Dwayne Rogers

That in respect to the Mirndiyan Gununa Aboriginal Corporation request for Council funding and support, Council delegate the decision to the Acting CEO under section 150EU(4) of the act.

**CARRIED 3/0**

**10.3 APPOINTMENT OF PROJECT MANAGER DISASTER RECOVERY FUNDING ARRANGEMENTS (DRFA)****RESOLUTION 2022/105**

Moved: Cr Dwayne Rogers

Seconded: Cr Robert Thompson

That Council receive and note the Report.

**CARRIED 3/0**

**10.4 SAFE AND HEALTHY DRINKING WATER IN INDIGENOUS LOCAL GOVERNMENT AREAS PROGRAM****RESOLUTION 2022/106**

Moved: Cr Dwayne Rogers

Seconded: Cr Robert Thompson

That Council accepts the proposal forwarded by Townsville Public Health Unit to participate in the "Safe and Healthy Drinking Water in Indigenous Local Government Areas Program" and thank the Townsville Public Health Unit for such offer.

**CARRIED 3/0**

**10.5 NEW QUEENSLAND ABORIGINAL AND TORRES STRAIT ISLANDER ECONOMIC STRATEGY****RESOLUTION 2022/107**

Moved: Cr Robert Thompson

Seconded: Cr Dwayne Rogers

That Council seek an extension of time to complete on-line submission.

**CARRIED 3/0**

**10.6 RECRUITMENT POLICY JUNE 2022**

**RESOLUTION 2022/108**

Moved: Cr Robert Thompson

Seconded: Cr Dwayne Rogers

That Council adopt the Recruitment Policy as presented.

**CARRIED 3/0**

**10.7 REVIEW OF ANNUAL OPERATION PLAN**

**RESOLUTION 2022/109**

Moved: Cr Robert Thompson

Seconded: Cr Dwayne Rogers

That Council receive and note the Report.

**CARRIED 3/0**

At 9:16 am, Cr Robert Thompson left the meeting.

At 9:17 am, Cr Robert Thompson returned to the meeting.

**10.8 CORPORATE PLAN 2018 - 2023**

**RESOLUTION 2022/110**

Moved: Cr Dwayne Rogers

Seconded: Cr Robert Thompson

That Council receive the report and adopt the Revised Corporate Plan for 2018 – 2023.

**CARRIED 3/0**

**10.9 LONG TERM COMMUNITY PLAN**

**RESOLUTION 2022/111**

Moved: Cr Robert Thompson

Seconded: Cr Dwayne Rogers

That Council accept the report and Council organise a workshop to discuss plan.

**CARRIED 3/0**

**10.10 COMMUNITY GRANTS POLICY**

**RESOLUTION 2022/112**

Moved: Cr Robert Thompson

Seconded: Cr Dwayne Rogers

That Council table the report to the July, 2022 meeting.

**CARRIED 3/0**

**11 MAYOR AND COUNCILLORS REPORTS**

Nil

**12 STAFF REPORTS - WORKPLACE HEALTH AND SAFETY**

**12.1 WORKPLACE HEALTH AND SAFETY**

**RESOLUTION 2022/113**

Moved: Cr Dwayne Rogers

Seconded: Cr Robert Thompson

That Council receive and note report.

**CARRIED 3/0**

**13 STAFF REPORTS - TECHNICAL SERVICES****13.1 TECHNICAL SERVICES****RESOLUTION 2022/114**

Moved: Cr Dwayne Rogers  
Seconded: Cr Robert Thompson

That Council receive and note this Report.

**CARRIED 3/0**

**14 STAFF REPORTS - INFRASTRUCTURE SERVICES****14.1 INFRASTRUCTURE SERVICES REPORT****RESOLUTION 2022/115**

Moved: Cr Dwayne Rogers  
Seconded: Cr Robert Thompson

That Council receive and note this Report.

**CARRIED 3/0**

**14.2 STREET SWEEPER****RESOLUTION 2022/116**

Moved: Cr Dwayne Rogers  
Seconded: Cr Robert Thompson

That Council approve the purchase of the Dust Water Tank in 2022/23 financial year and that Council's future budget allow for the purchase of a fully fledged sweeper vacuum truck at an estimated cost of \$300,000.00.

**CARRIED 3/0**

**15 STAFF REPORTS - HOUSING REPORT****15.1 HOUSING REPORT****RESOLUTION 2022/117**

Moved: Cr Dwayne Rogers  
Seconded: Cr Robert Thompson

That Council note and accept this Report.

**CARRIED 3/0**

**16 STAFF REPORTS - FACILITIES****16.1 FACILITIES REPORT****RESOLUTION 2022/118**

Moved: Cr Dwayne Rogers  
Seconded: Cr Robert Thompson

That Council receive and note this Report.

**CARRIED 3/0**

**17 STAFF REPORTS - FINANCIAL SERVICES****17.1 FINANCE REPORT AS AT 31 MARCH 2022****RESOLUTION 2022/119**

Moved: Cr Robert Thompson  
Seconded: Mayor Cr Kyle Yanner

That Council receive and note this Report.

**CARRIED 3/0**

**18 STAFF REPORTS - HUMAN SERVICES****18.1 COMMUNITY DEVELOPMENT REPORT****RESOLUTION 2022/120**

Moved: Cr Dwayne Rogers  
Seconded: Cr Robert Thompson

That Council receive and note this Report.

That in response to the letter from Office of Liquor and Gaming Regulations Licensing the Council resolved to advise OLGR the Mornington Shire Council strongly object to a number of the conditions contained in said letter and are opting for a Stakeholder Engagement Workshop to ensure community involvement in the resolution of the proposed conditioning.

**CARRIED 3/0**

**19 CONFIDENTIAL REPORTS**

That Council moves into closed Council at 10.59am.

Moved: Cr Dwayne Rogers  
Seconded: Cr Robert Thompson

That Council moves out of closed Council into open Council 11.25am

Moved: Cr Dwayne Rogers  
Seconded: Cr Robert Thompson

**20 NEXT MEETING**

The next meeting will be held on 20 July 2022.

**21 CLOSURE**

Mayor Yanner closed the meeting at 11.26am  
Minutes Confirmed: July 5 2022

Mayor .....

Date: 05/07/2022

Graham King .....

Acting Chief Executive Officer

Date: 05/07/2022

**8 DEPUTATIONS**

## 9 ACTION SCHEDULE

### 9.1 ACTION ITEMS AS AT 19TH JULY 2022.

**Author:** Acting Chief Executive Officer

**Attachments:** Nil

#### **PURPOSE (EXECUTIVE SUMMARY)**

To advise Council on the progress of the Action schedule for 2022.

#### **BACKGROUND & PREVIOUS COUNCIL CONSIDERATION**

##### **Horse Containment and Fencing Program**

MAY 2022 update

- All the fencing has been finished
- Should be able to get the water onto the horse trough very soon
- Once that is complete, we are ready for horse containment
- Jarrod would like to organise a workshop
- Discuss with owners about containment procedure going forward.
- CR. Thompson raised the issue with the dogs in the community and asked about animal control

**Gununa Cemetery** – survey of cemetery to be done and all plots identified.

MAY 2022 update

- In the budget this year there will be a dedicated position
- Fulltime position who will run the Cemetery
- Third party help develop a software to keep a database
- Nick Barnes willing to help with database
- Headstones to be organised for past Chairmen & Mayors

**Burial Assistance** for the return of deceased persons back to Island – ongoing

- MAY 2022 update
- Disused with the Champions and they are working on a solution

##### **Long Term Asset Management Plan**

##### **Local Government Compliance Checklist**

##### **Council's Security Contract**

##### **Provision of Men's Shed**

MAY 2022 update

- Ongoing finding a location

### **Preliminary discussion on ILUA for GRAC Lands**

MAY 2022 update

- Graham requested an update and received quotes.
- Councillor B. Thompson mentioned alternative place to collect sand - Late former Mayor Jacobs Country.
- Deputy Mayor requested an urgency on locating alternative location to collect sand - The road to access needs fixing

### **Improving barge services/barge service Review**

MAY 2022 update

- 3 minor matters (equipment missing) should be arriving week ending 22.05.22
- New survey after amendments is made
- Enquiring if the barge can carry passengers

### **Plaque to recognise families of the original settlement**

- MAY 2022 update
- Permission granted; location & design has been given to V. T

### **Fisheries Licences Gulf of Carpentaria – Green Zone**

#### **Council's Funeral and Undertaking Role – ongoing**

**Mornington Island Nursing Home** – this involves undertaking emergent replacement works as previously reported to Council.

MAY 2022 update

- Include in the budget, 3 quotes have been done for emergency fencing

### **HR Applications completion rates**

### **HR External Training**

### **HR Apprenticeship Training and Development**

### **Mirabou Pty Ltd – on-going**

### **Proposed Bynoe and Council Workshop Agreement**

MAY 2022 update

- Bynoe has presented a drawing and location where they would like - Re-visit the town plan

**Policy to support local residents in achieving excellence in an activity in which they have received high recognition**

**Headstones for past Chairman/Mayors.**

- Council authorised headstones to be provided on all past Chairman/Mayors who are buried in the Mornington Island Cemetery in recognition of their significant contribution to Community life.

**Indigenous Knowledge Centre**

- Investigation of suitable accommodation for such a Centre.

**Community Wi-Fi**

- Enter into an agreement with NBN to locate a Sky Muster Satellite in the Community at a suitable location.

**Lelka Murrin Tavern Concrete Driveway**

- Approved emergent expenditure to undertake repairs to the road access to the laundry.

**FINANCIAL & RESOURCE IMPLICATIONS**

Nil

**RECOMMENDATION**

That the Action Schedule as tabled be updated and that completed items be removed.

**RECEPTION & CONSIDERATION OF OFFICERS REPORTS**

## 10 MAYOR AND COUNCILLORS REPORTS

### 10.1 AUSTRALIAN BUREAU OF STATISTICS VISIT TO MORNINGTON

**Author:** Deputy Mayor

**Attachments:** 1 ABS overview

#### **PURPOSE (EXECUTIVE SUMMARY)**

To advise Council and discuss Australian Bureau of Statistics (ABS) visit to Mornington.

#### **BACKGROUND & PREVIOUS COUNCIL CONSIDERATION**

Australian Bureau of Statistics (ABS) was due to visit Mornington in April 2023, however have asked permission to come and conduct surveys in the coming months.

- Roughly 2 weeks to conduct
- Sonic Pathology Australia to work with Gidgee Healing with Biomedical testing
- MOU with Gidgee Healing
- 3 or 4 community advisors to assist

The attached document will outline the types of surveys being conducted.

- Survey content
- Biomedical tests (Voluntary, incentive for participation)
- Data integration

#### **FINANCIAL & RESOURCE IMPLICATIONS**

Nil

#### **RECOMMENDATION**

That Council approve and recommend the best suitable time to visit.

## OVERVIEW

The Australian Bureau of Statistics acknowledges the traditional custodians of country throughout Australia and recognises their continuing connection to land, waters and community. We pay our respects to them and their cultures, and Elders, both past and present.

The ABS is committed to early and ongoing conversations with Aboriginal and Torres Strait Islander people to help shape an upcoming health survey. This paper provides information about the upcoming survey and seeks your feedback on a range of topics.

You may also be interested in attending a workshop or community session in a location near you, talking with an engagement manager, or completing our online survey. For further details, see [How Can I Have My Say?](#)

The ABS would like to thank all who have given their voice to the consultation process to date. Their knowledge and experiences have provided invaluable insights, and their contributions are forming part of an essential dialogue towards a greater understanding of Aboriginal and Torres Strait Islander peoples' data needs.

## INTRODUCTION

In August 2019, the Commonwealth Minister for Health announced a new national Intergenerational Health and Mental Health Study (IHMHS). The Study will run over three years from late 2020 to 2023 and comprise surveys of health, nutrition and physical activity, and an optional biomedical survey (see [Appendix 1: Overview of the IHMHS](#)). There will also be a [National Survey of Mental Health and Wellbeing](#), which was last conducted in 2007. As was the case for the [Australian Health Survey \(AHS\)](#) in 2011-2013, the ABS' Aboriginal and Torres Strait Islander survey program will be expanded under the IHMHS to accommodate the collection of this information across the Aboriginal and Torres Strait Islander population, from 2022 to 2023.

The ABS is committed to early and ongoing conversations with Aboriginal and Torres Strait Islander peoples to ensure all surveys are done in a culturally appropriate way and reflect the priorities, values and diversity of Aboriginal and Torres Strait Islander peoples. Discussions with several Aboriginal Community Controlled Health Organisations (ACCHOs) have occurred, alongside the considerable advice and guidance provided to ABS by their national body (NACCHO). Their advice is influencing our approach to engagement with Aboriginal and Torres Strait Islander communities, including in developing the content of this paper. The ABS Round Table on Aboriginal and Torres Strait Islander Statistics (consisting of Aboriginal and Torres Strait Islander peoples from across the country) has also provided invaluable feedback and direction for how we should undertake this focussed engagement.

The mental health survey component of the IHMHS is a total population survey which does not have an Aboriginal and Torres Strait Islander specific component, although the topic of mental health is part of the ABS' engagement for the Aboriginal and Torres Strait Islander Health Survey. This is discussed further in the survey content section of this paper.

Now we need to hear from you to help us shape the Aboriginal and Torres Strait Islander survey components which will be undertaken as part of the IHMHS. We want to hear about your information needs and how the data should be collected to help make the survey culturally appropriate and successful and we're seeking input on three broad issues:

1. Survey content
2. Biomedical tests
3. Data integration

This discussion paper provides one avenue for consultation and should be considered as the beginning of a conversation rather than the conclusion.

## HOW CAN I HAVE MY SAY?

The ABS is committed to providing a range of opportunities for Aboriginal and Torres Strait Islander people to provide feedback and we are asking you to tell us your thoughts and suggestions on all elements of the proposed health survey including how and what information should be collected.

There are many ways you can provide your feedback to us:

### Attend a Workshop

Between March and June 2020, the ABS will be running a series of one day workshops. These workshops are designed for interested persons to attend and discuss their views on survey design, operation and content (including biomedical testing) as well as potential health survey data integration projects. Workshops will be run in a number of urban, regional and remote locations. For more information or to register please visit [CoEATSIS Eventbrite Registration](#), or contact us at [coeatsis@abs.gov.au](mailto:coeatsis@abs.gov.au).

### Attend a Community Session

Alongside the workshops the ABS will be running community sessions. These sessions will provide an informal space for people to come and discuss the health survey. Community sessions will be run in a number of urban, regional and remote locations. For more information or to register please visit [CoEATSIS Eventbrite Registration](#), or contact us at [coeatsis@abs.gov.au](mailto:coeatsis@abs.gov.au).

### Connect with an Engagement Manager

The ABS has Aboriginal and Torres Strait Islander [Engagement Managers](#) in each state and territory who are keen to have discussions with you, either at a community session or directly if you prefer.

### Complete our eSurvey

The electronic survey covers a range of key topics and discussion points as well as the ability to provide general comments. For those interested, the survey can be accessed here [ABS Consultation Hub](#)

### Write to us

In addition to, or instead of, attending a workshop or community forum, the ABS invites people to submit written feedback in response to this discussion paper.

Submissions are welcome until 15 June 2020 and can be forwarded electronically or in hard copy using the contact details below.

Email: [coeatsis@abs.gov.au](mailto:coeatsis@abs.gov.au)

Or by post to:

Director of CoEATSIS

Locked Bag 10

Belconnen ACT 2616

A report on the engagement undertaken will be made available at the end of the consultation.

## HEALTH RELATED SURVEY CONTENT

The Aboriginal and Torres Strait Islander components of the IHMHS are expected to start collecting information from participants in **mid-2022**. The proposed components include:

- National Aboriginal and Torres Strait Islander Health Survey (NATSIHS) – a general health survey which collects information about health conditions, risk factors and health behaviours
- National Aboriginal and Torres Strait Islander Nutrition and Physical Activity Survey (NATSINPAS) – a survey which collects detailed information about dietary intake and physical activity.

Both of these surveys will include an option to volunteer for biomedical testing.

We expect the first release of data will be in December 2023.

As a health focused study, the majority of questions in the IHMHS will be about health topics. However, as in previous health surveys it will include some social topics such as language, culture, education and employment, which provides for regular national reporting (including Closing the Gap reporting) on these topics.

The topics included in previous Aboriginal and Torres Strait Islander health surveys are listed in [Appendix 2](#). There may also be scope to expand on the social content that would usually be collected in an ABS health survey. Topics included in previous Aboriginal and Torres Strait Islander social surveys are listed in [Appendix 3](#). Detailed data item lists and questionnaires from previous health and social surveys can be accessed via [Appendix 4](#).

## COLLECTION OF MENTAL HEALTH RELATED INFORMATION

The IHMHS includes the National Survey of Mental Health and Wellbeing which uses a diagnostic tool for the assessment of mental disorders known as the Composite International Diagnostic Interview (CIDI). The survey was designed to provide prevalence estimates of selected lifetime mental disorders at the national level, and was last conducted in 2007.

The ABS recognises the importance of having current data about mental health conditions experienced by Aboriginal and Torres Strait Islander peoples. To collect this, the CIDI needs testing, and likely modification, to make it both culturally appropriate and able to adequately capture relevant social and cultural determinants of mental health for Aboriginal and Torres Strait Islander peoples. The existing CIDI is a thorough assessment tool which can place a significant burden on participants, and it has not been tested on a remote Aboriginal and Torres Strait Islander population.

Equally important is that the data collection process is modified to accommodate a flexible approach and ensure there are adequate support structures incorporated for Aboriginal and Torres Strait Islander people when responding to a mental health survey. For these reasons, the IHMHS does not have an Aboriginal and Torres Strait Islander specific mental health prevalence survey. The ABS will continue to working closely with the Department of Health, the National Indigenous Australian's Agency and other stakeholders to plan for for future collection of Aboriginal and Torres Strait Islander mental health data, informed by further research.

It should also be noted that while mental health was not the sole and specific focus of the most recent [National Aboriginal and Torres Strait Islander Health Survey \(2018-19\)](#), it included various data items relating to mental health and wellbeing, including:

- Whether ever been diagnosed with a mental health condition
- Type of diagnosed mental health condition
- Whether has psychological disability
- Accessed/used health services for mental health condition
- Whether been to a counselling service in the last 12 months

- Reason(s) didn't go to counsellor in the last 12 months
- Whether consulted a psychologist in the last 2 weeks
- Social and emotional wellbeing

The subject of mental health is part of the engagement we are currently undertaking for the broader IHMHS.

In your response to this paper, the ABS is seeking your input on:

- The key emerging health (including mental health) issues facing Aboriginal and Torres Strait Islander people today.
- What are your priority data needs, including what is currently not available?
- What information should or shouldn't be collected? (The topics listed in Appendices 2 and 3 may be used as a guide).

## BIOMEDICAL TESTING

Voluntary biomedical testing will be included in the National Health Measures component of the IHMHS. Biomedical testing involves taking small samples of blood, urine or saliva to test for things like diabetes, cholesterol levels, kidney disease, and nutrient levels such as iron, folate and Vitamins B12 and D. All samples will be disposed of at the end of the survey by the pathology company undertaking the testing, but participants may be able to choose to have their samples stored under secure and culturally appropriate governance arrangements for additional testing and research. Participants will be provided with the information to ensure they know what they are consenting to and what tests will be undertaken.

Biomedical testing was part of the 2012-13 AHS' NATSIHS and NATSINPAS survey components and was undertaken with ethics approvals from numerous ethics committees. Results from the tests were returned to the participant and with consent, to their doctor and/or medical clinic. Those with high risk levels, along with their clinician, were contacted directly by the pathologist to initiate necessary care. The collection in 2012-13 was only undertaken with adults in an attempt to build trust with the Aboriginal and Torres Strait Islander community before potentially extending the opportunity to children. The possible inclusion of children for the upcoming biomedical collection is part of the conversation we are seeking to have with Aboriginal and Torres Strait Islander communities.

The tests conducted in the 2012-13 NATSIHS\* included:

Topic	Tests
Cardiovascular Disease	Cholesterol, Triglyceride, HDL, LDL, Apolipoprotein B
Diabetes	Fasting Plasma Glucose, HbA1c
Kidney Disease	Albumin, eGFR, Creatinine
Liver Function	ALT, GGT
Smoking	Cotinine
Nutrition	Folate, B12, Sodium, Potassium, Vitamin D, Iodine, Iron
Other	C-reactive protein (CRP)

\*See Appendix 5 for details.

Biomedical testing has several benefits including:

- Improving the health status of people by informing decisions made across the health sector

- Providing insights into the relationship between biomedical results, behavioural risk factors and rates of chronic disease
- Helping develop and improve preventative health assessment measures for chronic diseases, e.g. diabetes, cardiovascular disease, kidney disease.
- Contributing to changes in health policy and clinical practice

In addition to the biomedical tests and potential storage of samples, the ABS is also seeking input on whether to consider including an option for genomic testing on stored samples, subject to stringent ethical and governance requirements. In some of our discussions to date, support has been voiced from Aboriginal and Torres Strait Islander peoples that they be offered the opportunity to be involved in genetic research as they can see there are potential benefits for their community. In 2011, at a Lowitja Institute Roundtable on genetic research, Professor Emma Kowal noted, "Genetic research can provide insight into why some people from the same family respond differently to treatments; why some people are resistant to disease and others susceptible to the same disease, even when they might live in identical environments; and can provide clues about how diseases develop." Kowal E, and Anderson I. *Genetic Research in Aboriginal and Torres Strait Islander Communities: Continuing the Conversation*, The Lowitja Institute, 2012

We acknowledge there are some concerns around the potential misuse of genomic testing due in part to historical misrepresentation and the feeling across the community that genomic testing has never worked in favour of Aboriginal and Torres Strait Islander peoples. As part of the consent process for people choosing to participate in the biomedical collection, the ABS will need to clearly communicate how the samples will be used, stored, accessed and disposed. To inform this we are seeking your input to help us understand how to respectfully incorporate Aboriginal and Torres Strait Islander peoples' cultural beliefs into the communication and consent process.

In your response to this paper, the ABS is seeking your input on the following biomedical test items:

1. How important is it for Aboriginal and Torres Strait Islander people to participate in a voluntary biomedical collection and what barriers are there to their participation?
2. What do you think are the potential benefits and/or risks to Aboriginal and Torres Strait Islander people from analysis of biomedical tests data?
3. What ethics, consent and/or governance processes are needed for a biomedical collection to occur in a culturally appropriate way?
4. Sensitivities people are likely to have with the collection of biomedical samples
5. What tests should be included? Why?
6. Should children be included in the collection of samples?
7. Should sample storage under appropriate governance, be considered to allow for future tests?
8. Should consent for sample storage allow an option for genomic testing, under appropriate governance?

## DATA INTEGRATION

Data integration brings together information from multiple sources to help answer important questions about people, families, places, businesses or life events. Combining health survey results with Census and administrative government data can help provide a better picture of the health of Aboriginal and Torres Strait Islander peoples.

Linked (or integrated) data that is used for analysis in data integration projects is de-identified, meaning it does not contain identifying information like names and addresses. Other important measures are taken to ensure the data is not likely to identify an individual and all information is protected under the [Census and Statistics Act](#).

- Data integration has a range of benefits including:
- Better understanding of people's lived experiences
- Improved information for planning services for the future
- More local level data
- Better use of existing data, and replacing some data collected in surveys, to help reduce the burden of surveys on participants.

More information about data integration can be found on the ABS website at [www.abs.gov.au/dataintegration](http://www.abs.gov.au/dataintegration).

#### The Multi-Agency Data Integration Project (MADIP)

One way the ABS currently integrates data is through the Multi-Agency Data Integration Project (MADIP). MADIP is a secure approach for combining information from across areas of government like healthcare, education, government payments, personal income tax, Census and other population demographic data over time.

#### Current MADIP Data Sources

<b>Apprenticeships*</b> Australian Apprenticeships Incentives Program and Training Contracts	<b>Early Childhood Development *</b> Australian Early Development Census	<b>Census *</b> Census of Population and Housing	<b>Medical Practitioners</b> Centralised Register of Medical Practitioners	<b>Census *</b> Australian Census Longitudinal Dataset
<b>Deaths *</b> Death Registrations	<b>Medical Services</b> Medicare Benefits Scheme (MBS)	<b>Medicare</b> Medicare Enrolments Database (MEDB)	<b>Health *</b> National Health Survey (NHS)	<b>Higher Education *</b> Higher Education Information Management System (HEIMS)
<b>Medication Use</b> Pharmaceutical Benefits Scheme (PBS)	<b>Tax</b> Personal Income Tax (PIT)	<b>Welfare *</b> Social Security and Related Information (SSRI)	<b>Migration</b> Migrant Data	<b>Disability, Ageing, and Carers *</b> Survey of Disability, Ageing, and Carers

\* Includes Indigenous Status

The ABS is one of six Australian Government agencies that work together to manage MADIP. The MADIP allows authorised researchers to better understand socio-economic outcomes and trends to help inform policy, services and programs to make sure they are valuable to the people and communities who need them. Information from MADIP cannot be used for compliance purposes, like checking if you are paying enough tax, or whether you are eligible for government payments.

More information about MADIP can be found on the ABS website at [www.abs.gov.au/madip](http://www.abs.gov.au/madip).

#### Privacy and Security

The ABS takes data security very seriously and prioritises protecting our respondents' privacy. We fully comply with the [Privacy Act 1988](#), the Australian Privacy Principles and all other relevant legislation.

Data is only integrated where there is a clear public benefit and can only be used for statistical and research purposes. The ABS enables integration of the datasets that are part of MADIP, but these datasets are not held together. They are stored separately and information from them is only brought together for specific approved projects and the ABS uses a secure environment for access and storage. Authorised researchers are only granted access to anonymous information, and only the information they need for their project. The ABS checks data outputs before they are shared. The ABS does not release information in a manner likely to enable the identification of an individual.

Access to MADIP data is only available to authorised users. Before anyone can access integrated data, the project must be approved by all relevant data custodians and the ABS. All projects must meet the requirements of the 'Five Safes Framework' which is in line with international best practice and designed to identify and manage any risks to keep the information safe and secure.

The Five Safes Framework covers separate but related dimensions:

- **Safe people:** Is the researcher authorised to access and use the data appropriately?
- **Safe projects:** Is the data to be used for an appropriate purpose?
- **Safe settings:** Does the access environment prevent unauthorised use?
- **Safe data:** Has appropriate and sufficient protection been applied to the data?
- **Safe output:** Are the statistical results non-disclosive?

#### Opportunity to integrate Health Survey and administrative data

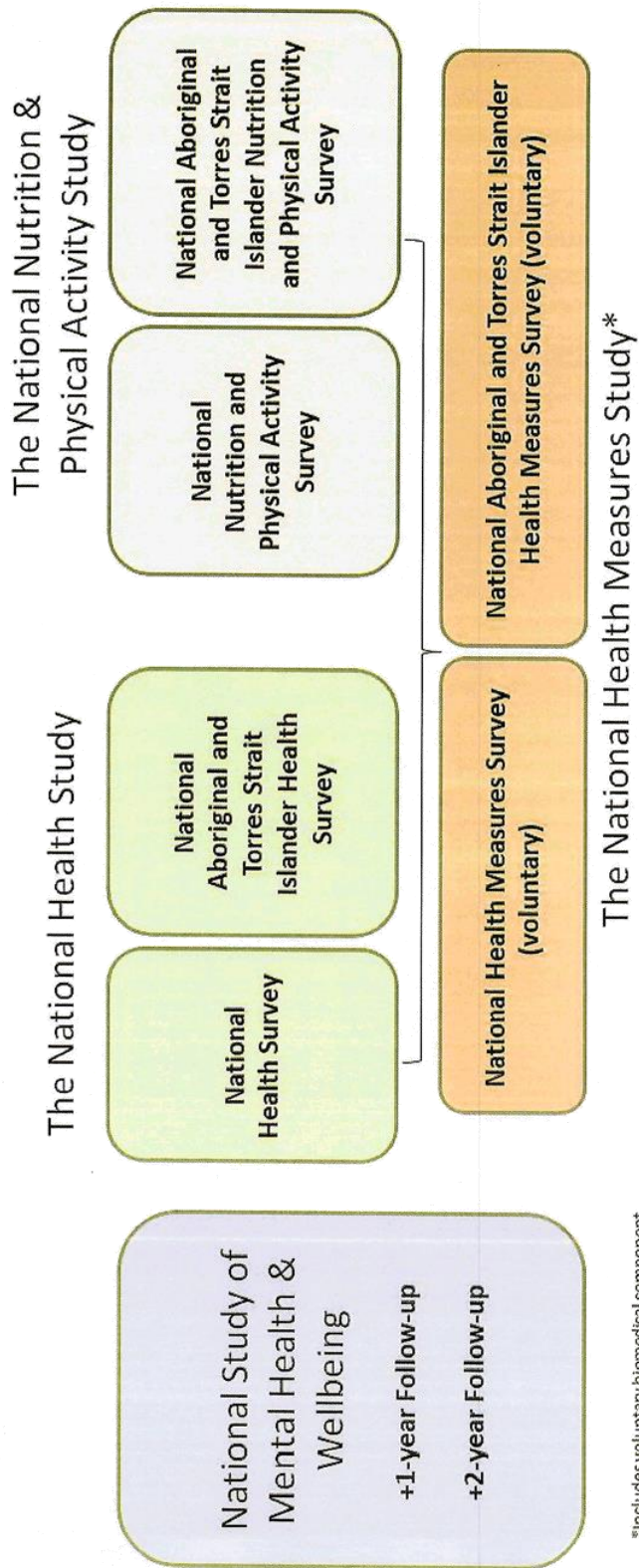
In December 2019, the first results from the [2018-19 NATSIHS](#) were released. There is a lot of interest from researchers about combining NATSIHS data with government administrative data, such as through MADIP. Currently, [no](#) NATSIHS or National Aboriginal and Torres Strait Islander Social Survey (NATSISS) data are used in any data integration project.

The NATSIHS cannot collect everything about peoples' health, or associated social and economic circumstances. It also represents one point in time, which means there can be limitations in using it to assess outcomes and impact, and telling stories about peoples' life journeys. Integrating NATSIHS data would mean more information is available with the survey data, which would allow researchers to see more complete pictures of people's health and wellbeing. For example, a topic that could be explored is whether use of medical services and medications follows the best care pathways (eg. using Medicare and PBS data). Data integration could also enable more complex analysis and open up more possibilities for local level data. We would also be in a better position to explore what information can and can't be gained from administrative data to reduce the burden of future surveys, reduce survey length, or create space in surveys for the data that communities need.

In your response to this paper, the ABS is seeking your input on the following data integration items:

- What are your thoughts about integrating NATSIHS and future surveys with MADIP?
- What integrated information would be most useful for you or your organisation?
- What data governance arrangement is needed to manage access to integrated NATSIHS data?
- What topics would be important to research?
- Could data integration help with other data gaps that you are aware of?
- What is needed to make integrated data accessible?
- Are there any particular risks you are concerned about in keeping data safe?

APPENDIX 1: OVERVIEW OF THE IHMHS



APPENDIX 2: TOPICS INCLUDED IN PREVIOUS ABORIGINAL AND TORRES STRAIT ISLANDER HEALTH SURVEYS

Health Status and Conditions

Topic	Collected in 2012-13	Collected in 2018-19
Self-assessed health	Yes	Yes
Social and emotional well-being	Yes	Yes
Disability	Yes	Yes
Asthma	Yes	Yes
Arthritis	Yes	Yes
Cancer	Yes	Yes
Cardiovascular	Yes	Yes
Diabetes	Yes	Yes
Sight	Yes	Yes
Hearing	Yes	Yes
Kidney disease	Yes	Yes
Osteoporosis	Yes	Yes
Mental Health conditions	N/A	Yes
Other long-term conditions	Yes	Yes
Medications	N/A	Yes
Recent injuries	Yes	N/A
Time away from study and work	Yes	N/A

Health Related Actions

Topic	Collected in 2012-13	Collected in 2018-19
Breastfeeding	Yes	Yes
Contraception	Yes	N/A
Hospital visits	Yes	Yes
Private health insurance	Yes	Yes
Usual and preferred healthcare provider	Yes	Yes
Doctor consultations	Yes	Yes
Oral health	Yes	Yes
Other health professionals	Yes	Yes

Physical Measures

Topic	Collected in 2012-13	Collected in 2018-19
Blood pressure	Yes	Yes
Physical measures	Yes	Yes
Body mass	Yes	Yes
Hearing test	N/A	Yes

Health Risk Factors

Topic	Collected in 2012-13	Collected in 2018-19
Alcohol	Yes	Yes
Smoker status	Yes	Yes
Tobacco consumption	Yes	Yes
Substance use	Yes	Yes
Immunisation	Yes	Yes

Nutrition and physical activity

Topic	Collected in 2012-13	Collected in 2018-19
Diet - general	Yes	Yes
Diet – 24-hour food recall	Yes	N/A
Physical activity - general	Yes	Yes
Physical activity – measured pedometer data	Yes	N/A

Social

Topic	Collected in 2012-13	Collected in 2018-19
Language	Yes	Yes
Educational attainment*	Yes	Yes
Current study	Yes	Yes
Employment*	Yes	Yes
Income	Yes	Yes
Cultural identification	Yes	Yes
Family stressors	Yes	N/A
Discrimination	Yes	Yes
Removal from natural family	Yes	Yes
Experiences of violence	N/A	Yes
Personal pensions and allowances	Yes	Yes

\* The health survey is a data source for Closing the Gap targets on these topics.

### APPENDIX 3: TOPICS INCLUDED IN PREVIOUS ABORIGINAL AND TORRES STRAIT ISLANDER SOCIAL SURVEYS

#### Language and Culture

Topic	Collected in 2008	Collected in 2014-15
Speaking/learning Australian Indigenous language	Yes	Yes
Cultural identification	Yes	Yes
Cultural participation	Yes	Yes
Cultural education	Yes	Yes

#### Social contact and Community Strength

Topic	Collected in 2008	Collected in 2014-15
Social contact	Yes	Yes
Social networks	Yes	Yes
Social support	Yes	Yes
Sense of efficacy	Yes	Yes
Level of trust	Yes	Yes
Perceptions of community leadership and change	N/A	Yes
Child sports	Yes	Yes
Child positive life events	Yes	Yes
Child care	Yes	Yes

#### Housing, Mobility and Transport

Topic	Collected in 2008	Collected in 2014-15
Homelessness	N/A	Yes
Housing utilisation and overcrowding	Yes	Yes
Household facilities, maintenance and structural problems	Yes	Yes
Housing tenure	Yes	Yes

Housing mobility	Yes	Yes
Access to transport	N/A	Yes
Transport use	Yes	Yes
Possession of a driver's licence	Yes	Yes
Community facilities available	Yes	Yes

Stressors, Safety, Law and Justice

Topic	Collected in 2008	Collected in 2014-15
Personal and family stressors	Yes	Yes
Barriers to service providers	Yes	Yes
Unfair treatment	Yes	Yes
Bullying and unfair treatment at school	Yes	Yes
Removal from natural family	Yes	Yes
Feelings of safety	Yes	Yes
Contact with the justice system	Yes	Yes
Experiences of violence	Yes	Yes

Health

Topic	Collected in 2008	Collected in 2014-15
Self-assessed health	Yes	Yes
Social and emotional well-being	Yes	Yes
Long-term health conditions	N/A	Yes
Disability status	Yes	Yes
Infant and maternal health	Yes	Yes
Breastfeeding	Yes	Yes
Child health and nutrition	Yes	Yes
Child sleep	Yes	Yes

Adult nutrition	N/A	Yes
Smoker status	Yes	Yes
Alcohol	Yes	Yes
Substance use	Yes	Yes
Patient experience	N/A	Yes

Education, Employment and Income

Topic	Collected in 2008	Collected in 2014-15
Educational attainment*	Yes	Yes
Current study	Yes	Yes
Vocational training	Yes	Yes
Child education	Yes	Yes
Employment*	Yes	Yes
Difficulties finding work	Yes	Yes
Income	Yes	Yes
Personal pensions and allowances	Yes	Yes
Financial stress	Yes	Yes

\* The social survey is a data source for Closing the Gap targets on these topics.

## APPENDIX 4: DATA ITEM LISTS AND QUESTIONNAIRES FROM PREVIOUS HEALTH AND SOCIAL SURVEY

Detailed data item lists and questionnaires can be downloaded from the ABS website. Further information about survey content and comparability over time can be found in the accompanying survey explanatory material and user guides – links provided below.

### Health surveys

[2018-19 National Aboriginal and Torres Strait Islander Health Survey – data item list and questionnaire](#)

[2018-19 National Aboriginal and Torres Strait Islander Health Survey – explanatory material](#)

[2012-13 Australian Aboriginal and Torres Strait Islander Health Survey – data item list and questionnaire](#)

[2012-13 Australian Aboriginal and Torres Strait Islander Health Survey – Users' Guide](#)

### Social surveys

[2014-15 National Aboriginal and Torres Strait Islander Social Survey – data item list and questionnaire](#)

[2014-15 National Aboriginal and Torres Strait Islander Social Survey – explanatory material](#)

[2014-15 National Aboriginal and Torres Strait Islander Social Survey – Users' Guide](#)

[2008 National Aboriginal and Torres Strait Islander Social Survey – data item list and questionnaire](#)

[2008 National Aboriginal and Torres Strait Islander Social Survey – Users' Guide](#)

## APPENDIX 5: BIOMEDICAL TESTS IN THE 2012-13 NATSIHS

### Cardiovascular disease

Biomarker	Rationale
Total cholesterol	To estimate prevalence of cardiovascular disease risk factors
Fasting triglycerides	
Fasting LDL and HDL cholesterol	
Apolipoprotein B	

### Diabetes

Biomarker	Rationale
Fasting plasma glucose	To estimate prevalence of diabetes and impaired fasting glucose
Glycated haemoglobin HbA1c	To monitor diabetes control

### Chronic kidney disease

Biomarker	Rationale
Estimated Glomerular Filtration Rate (eGFR)	To estimate prevalence and severity of kidney damage
Urinary albumin creatinine ratio (ACR)	To estimate prevalence of albuminuria, an early indicator of kidney damage

### Liver function

Biomarker	Rationale
Liver function tests (GGT and ALT)	To provide an indication of prevalence of liver damage

### Risk Factors

Biomarker	Rationale
Serum cotinine	To estimate prevalence of active and passive smoking

### Nutrition status

Biomarker	Rationale
Erythrocyte folate	To monitor the effectiveness of folate food fortification programs and estimate prevalence of folate deficiency
Serum folate	
Serum B12	To estimate prevalence of vitamin B12 deficiency
Urinary sodium and potassium concentration	To measure population trends in sodium and potassium intakes
Serum 25(OH)D	To estimate prevalence of vitamin D deficiency
Urinary iodine	To monitor the effectiveness of iodine food fortification programs and estimate prevalence of iodine deficiency
Serum ferritin	To estimate prevalence and severity of iron deficiency

Serum transferrin receptor	
Haemoglobin	
Inflammation marker (CRP)	To assist with iron interpretations

## 11 POLICY DOCUMENTS

### 11.1 ACCEPTABLE REQUEST GUIDELINES POLICY

**Author:** Acting Chief Executive Officer

**Attachments:** 1 Acceptable Request Guidelines - Draft

#### **PURPOSE (EXECUTIVE SUMMARY)**

To review and adopt the Acceptable Request Guidelines Policy.

#### **BACKGROUND & PREVIOUS COUNCIL CONSIDERATION**

Under section 170A (7) of the *Local Government Act 2009* (“**LG Act**”), Council must prepare and adopt acceptable request guidelines for a financial year that imposes guidelines about the way in which a Councillor may:

- (a) ask a local government employee for advice to help the councillor carry out his or her responsibilities under this Act; and
- (b) reasonable limits on requests that a councillor may make.

A draft Acceptable Request Guidelines is attached to this Report.

#### **FINANCIAL & RESOURCE IMPLICATIONS**

Nil

#### **RECOMMENDATION**

That Council resolves pursuant to section 170A(7) of the Local Government Act 2009, to adopt the Acceptable Request Guidelines attached to this report for the 2022/23 financial year.

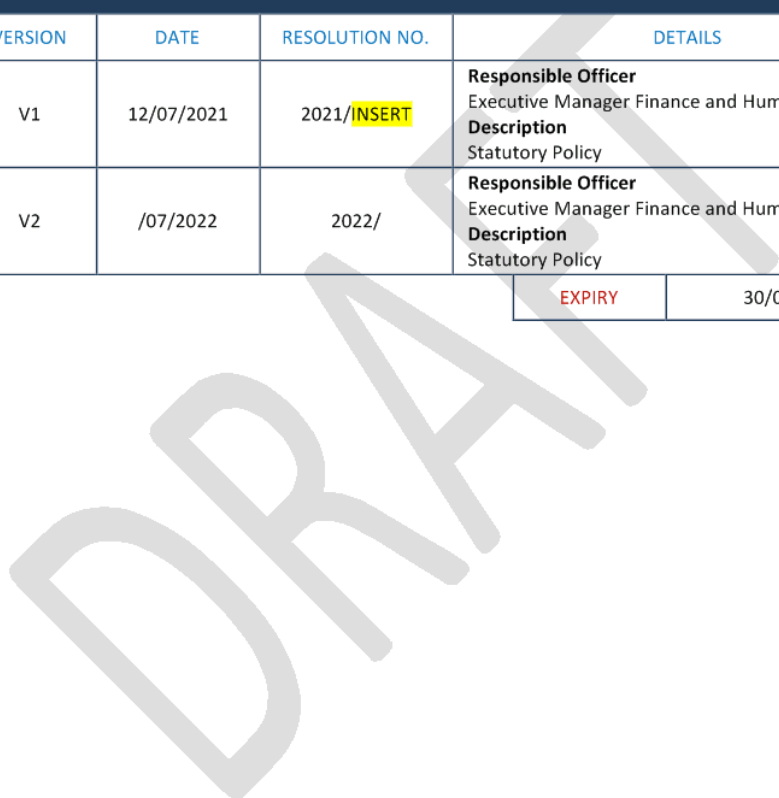


This is an official copy of the **Acceptable Request Guidelines** of **Mornington Shire Council**, made in accordance with the provisions of the Local Government Act and Regulations, Public Records Act, Mornington Shire Council’s Local Laws, Subordinate Local Laws and current Council Policies.

The Acceptable Request Guidelines is a Statutory Policy.

Statutory policies are prepared in response to legislative requirements and mandate employee behaviour. This Policy is approved by the Mornington Shire Council for the guidance of Council and Council staff.

DOCUMENT VERSION CONTROL			
VERSION	DATE	RESOLUTION NO.	DETAILS
V1	12/07/2021	2021/INSERT	<b>Responsible Officer</b> Executive Manager Finance and Human Services <b>Description</b> Statutory Policy
V2	/07/2022	2022/	<b>Responsible Officer</b> Executive Manager Finance and Human Services <b>Description</b> Statutory Policy
			<b>EXPIRY</b> 30/06/2023





### **Objective**

This policy is Council's acceptable requests guidelines for the purposes of section 170A of the Local Government Act 2009.

The purpose of this policy is to:

- Provide guidance to Councillors and Employees about the acceptable manner in which a Councillor may ask staff members for advice or information to assist the Councillors in carrying out their responsibilities under the Local Government Act 2009 and the Local Government Regulations 2012;
- Establish reasonable limits on requests that a Councillor may make; and
- Define the Employees to whom Councillors may make requests for information.

### **Scope**

The Mayor and Councillors of Mornington Shire Council will all from time to time require assistance or information from the employees of the Council to enable them to effectively carry out their duties and represent the interests of the community.

These guidelines outline the standards for the provision of assistance or information to Councillors and are to be followed by the Mayor, all Councillors and employees.

### **Policy Statement**

#### **Definitions**

**Act** means the Local Government Act 2009 (Qld).

**CEO** means the Chief Executive Officer of Mornington Shire Council and includes any officer acting in that position from time to time.

**Councillor** means a person or persons elected or appointed to the Local Government under the Local Government Act 2009 or the Local Government Electoral Act 2011. A reference to Councillor includes the Mayor, unless expressly excluded.

**Employee** means any permanent, part time and casual employee or contractor of Mornington Shire Council. Employee includes a person prescribed as a local government employee under a State Government Regulation.

**Information and advice** mean details of what Council, Councillors and Employees are doing; any administrative, legal, financial, technical or statistical information held by Council and options available to achieve a particular thing

**Senior Executive** means an Employee of Council who reports directly to the CEO and whose position is ordinarily considered to be a senior position in Council's corporate structure. It includes any officer acting in those positions from time to time.



Requests for advice or information under these guidelines must comply with the principles that guide decision making by Councillors and Council employees stated in Chapter 1, section 4 of the Act as:

- Transparent and effective processes, and decision-making in the public interest; and
- Sustainable development and management of assets and infrastructure, and delivery of effective services; and
- Democratic representation, social inclusion and meaningful community engagement; and
- Good governance of, and by, local government; and
- Ethical and legal behaviour of Councillors, local government employees and Councillor Advisors.

**Directions to Employees by Councillor, including the Mayor**

Councillors are reminded of their obligations under section 170 of the Act which states:

1. The Mayor may give a direction to the CEO, except where:
  - a. it is inconsistent with a resolution, or document adopted by resolution, of Council;
  - b. it relates to the appointment of a local government employee;
  - c. it relates to disciplinary action by the CEO in relation to an Employee; or
  - d. it would result in the CEO contravening a provision of an Act.
2. No Councillor, including the Mayor, may give a direction to any other local government employee, except in accordance with section 170AA of the Act.
3. Councillors, including the Mayor, must not discuss with Employees any matters relating to the terms and conditions of their employment with Council except as necessary when conducting the performance appraisal of the Chief Executive Officer.
4. Interaction between Councillors and Employees must, at all times, be carried out in a professional and courteous manner.
5. Councillors must ensure that when making a request for advice that the manner and timing of their request is not capable of being construed as an unlawful direction to the Employee.
6. If an attempt is made by a Councillor to direct an Employee, the Employee must report this matter to the CEO directly or through the Employee's Senior Executive Officer so that the matter can be addressed with the Councillor.



### **Mayor and Chairpersons**

Section 170A(6) of the Act provides that these reasonable request guidelines do not bind the Mayor, or the Chairperson of a committee if the request for advice relates to the role of the Chairperson.

### **Routine Operational Requests**

Councillors are encouraged to raise all routine operational matters through the Mayor, who will then raise it with CEO or a Senior Executive Officer. An example of a routine operational matter is wanting to know the location of a meeting or lodgement of a customer service request.

### **Interaction between Employees and Councillors**

Employees must not approach Councillors in the exercise or performance of their role.

### **Requests for Advice or Information**

A request for information or advice must identify the proposed decision that the Councillor needs information or advice on.

If the Councillor expects to receive a written response to the request for advice or information, the Councillor must make the request in writing (including by email).

Councillors must ensure that any requests for advice:

- a) Are not made in conflict with Council's adopted policies, local laws, resolutions, corporate plan and budget;
- b) Do not substantially and unreasonably divert the resources of the Council from the performance of its functions;
- c) Have been considered against the likely cost implications when making requests for advice and if the cost of providing the information is likely to be high, the Councillor may make the request only to the Chief Executive Officer, who is expressly authorised by the Council under these guidelines to seek to minimise the costs to provide the advice.

A request for information relating to Council by a Councillor must be made directly to the CEO. The only exception to this is pursuant to section 170A(6) as stated above.

### ***When Information or Document Excluded***

A request for Information or a document under section 170A(2) or 170A(3) do not apply to information or a document:

- a) that is a record of the conduct tribunal; or
- b) that was a record of a former conduct review body (i.e. a regional conduct review panel or the Local Government Remuneration and Discipline Tribunal); or
- c) if disclosure of the information or document to the councillor would be contrary to an order of a court or tribunal; or
- d) that would be privileged from production in a legal proceeding on the ground of legal professional privilege.



**Timeframe for Response**

The CEO is responsible for complying with a request made for either advice or information within:

- (a) 10 business days after receiving the request; or
- (b) if the CEO reasonably believes it is not practicable to comply with the request within 10 business days, then within 20 business days after receiving the request.

**Relevant Legislation**

1. Local Government Act 2009
2. Local Government Regulation 2012

**Variations**

Council reserves the right to vary, replace or terminate this policy from time to time.

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Graham King  
Acting Chief Executive Officer

DRAFT

## **11.2 ADVERTISING SPENDING POLICY**

**Author:** Acting Chief Executive Officer

**Attachments:** 1 Advertising Spending Policy - Draft

### **PURPOSE (EXECUTIVE SUMMARY)**

To review and adopt the Advertising Spending Policy.

### **BACKGROUND & PREVIOUS COUNCIL CONSIDERATION**

Under section 197(1) of the Local Government Regulation 2012 ("LG Reg"), Council must prepare and adopt an advertising spending policy for a financial year about Council's spending on advertising ensuring that is only done to:

- a) provide information or education to the public; and
- b) that the information or education is provided in the public interest.

A draft Advertising Spending Policy is attached to this Report.

### **FINANCIAL & RESOURCE IMPLICATIONS**

As per budget allocation

### **RECOMMENDATION**

That Council resolves pursuant to section 197 (1) of the Local Government Regulation 2012, to adopt the Advertising Spending Policy attached to this Report for the 2022-23 financial year.



This is an official copy of the **Advertising Spending Policy** of **Morningson Shire Council**, made in accordance with the provisions of the Local Government Act and Regulations, Public Records Act, Morningson Shire Council’s Local Laws, Subordinate Local Laws and current Council Policies.

The Advertising Spending Policy is a Statutory Policy.

Statutory policies are prepared in response to legislative requirements and mandate employee behaviour. This Policy is approved by the Morningson Shire Council for the guidance of Council and Council staff.

DOCUMENT VERSION CONTROL					
VERSION	DATE	RESOLUTION NO.	DETAILS		
V1	/07/2022	2022/	<b>Responsible Officer</b> Executive Manager Finance and Human Services <b>Description</b> Statutory Policy		
			<table border="1"> <tr> <td><b>EXPIRY</b></td> <td>30/06/2023</td> </tr> </table>	<b>EXPIRY</b>	30/06/2023
<b>EXPIRY</b>	30/06/2023				

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**Objective**

This policy is Council's Advertising Spending Policy for the purposes of section 197 of the Local Government Regulation 2012.

This policy is to ensure that advertising placed by Council is in accordance with required legislation and the public interest as well as to ensure Council obtains value for money in placing advertising.

**Scope**

This policy applies to any paid advertisement or notice in any media to promote goods or services (including facilities) provided by the Council.

**Policy Statement**

Council advertises in various media to inform, involve, and educate the community about matters affecting them. The following regulates the way in which Council uses advertising for this purpose.

Council may incur expenditure for the purposes of advertising provided that the:

- a) Basis of the advertising is to educate and/or inform the public of Council matters;
- b) Information and/or educational material is seen to be in the public interest of the local community; and
- c) Advertising is provided in a manner consistent and compliant with this policy.

Council may engage in advertising to:

- a) Maximise compliance and/or awareness of new or amended laws, promote and/or encourage feedback on Council's plans, goals and/or objectives;
- b) Raise awareness of a Council led initiative or activity;
- c) Assist Council to preserve and maintain law and order during an emergency or crisis;
- d) Advise the community of a time and/or location of a scheduled meeting;
- e) Advise of a new service to be provided by Council;
- f) Increase the patronage of a service, facility and/or event provided by Council on a commercial basis with the express intent of making a profit;
- g) Advise of decisions made within Council meetings;
- h) Report on Council's performance;
- i) Advise about a change to an existing Council service, facility and/or event;
- j) Ensure public safety, personal security and/or encouraging responsible behaviour and a sense of civic pride to obtain social cohesion; and/or
- k) Promote key initiatives, events and/or activities deemed to be in the public interest.



### **General Restrictions**

Council may not engage in advertising where:

- a) It would be commonly determined that the message may be misinterpreted as being on behalf of a political party or local group;
- b) A political party or local group or individual is being disparaged or held to ridicule;
- c) Members and/or staff of Mapoon Aboriginal Shire Council are named, depicted or otherwise promoted in a way that would be commonly deemed as being excessive or gratuitous;
- d) The method or medium of advertising could be perceived as being manifestly excessive or extravagant in relation to the objectives being pursued.

### **Restrictions During Election Periods**

In accordance with the requirements contained within the Local Government Regulation 2012, Council must not, during the three-month period preceding an election of the local government, other than a by-election or during the period after the date of a by-election is advertised until the day of the election:

- a) Place advertisements relating to future plans unless, and only to the extent that, those plans have been formally adopted by Council;
- b) Advertise the activities of Council other than in the manner and form it is customary for the Council to advertise its activities;
- c) Place advertisements which seek to influence support for candidates, groups of candidates or potential candidates in the election; and/or
- d) Incur the costs of advertising featuring one or more councillors or containing quotations attributed to individual councillors.

### **Approvals**

When approving advertising expenditure, Council must ensure there is a clear line of accountability for content and expenditure and that Council's advertising policy is strictly adhered to.

All advertising undertaken by and/or on behalf of Council must be approved by the Chief Executive Officer or delegate.

All expenditure on advertising must be approved by the Chief Executive Officer or as delegated. The approving officer must ensure that the:

- a) Expenditure is in accordance with this policy;
- b) Cost of the advertisement is appropriate for the number of people it is intended to inform and provides a commensurate benefit to the Council and to the public; and
- c) Cost is available in the relevant budget item and meets the usual requirements for expenditure approvals.



**Relevant Legislation**

1. Local Government Act 2009
2. Local Government Regulation 2012

**Variations**

Council reserves the right to vary, replace or terminate this policy from time to time.

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Graham King  
Acting Chief Executive Officer

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## **11.3 COMMUNITY GRANTS POLICY**

**Author:** Acting Chief Executive Officer

**Attachments:** 1 Community Grant Policy

### **PURPOSE (EXECUTIVE SUMMARY)**

To review Council's Community Grants Policy.

### **BACKGROUND & PREVIOUS COUNCIL CONSIDERATION**

Council is required to adopt a community grants policy under section 195 of the Local Government Regulation 2012 ("LG Reg") and has considered this policy under a separate Agenda Item.

However, this policy is only applicable to entities that are constituted for the purpose of carrying on public activities or for not-for-profit organisations and does not apply to individuals who wish to seek Council's support for a community grant.

In the event Council wants to continue providing an avenue for individuals to apply for a Community Grant, a draft Individual Community Grants Policy is attached to this Report. It is an Operational Policy and not specifically required under the Local Government Act 2009 or the LG Reg.

The draft policy will guide Council officer decision making if receiving applications from individuals to whom the policy applies.

### **FINANCIAL & RESOURCE IMPLICATIONS**

As per Budget provision for Community Grants.

### **RECOMMENDATION**

That Council resolves pursuant to section 195 of the Local Government Act 2012, to adopt the Community Grants Policy attached to this report for the 2022/23 financial year.



This is an official copy of the **Individual Community Grants Policy** of **Morningshon Shire Council**, made in accordance with the provisions of the Local Government Act and Regulations, Public Records Act, Morningshon Shire Council’s Local Laws, Subordinate Local Laws and current Council Policies.

The Acceptable Request Guidelines is an Operational Policy.

Statutory policies are prepared in response to legislative requirements and mandate employee behaviour. This Policy is approved by the Morningshon Shire Council for the guidance of Council and Council staff.

DOCUMENT VERSION CONTROL			
VERSION	DATE	RESOLUTION NO.	DETAILS
V1	/07/2022	2022/	<b>Responsible Officer</b> Executive Manager Finance and Human Services <b>Description</b> Operational Policy
			<div style="text-align: center; color: red;">EXPIRY</div>



### **Objective**

The Individual Community Grants Policy encourages the support of activities and development of individuals in the Mornington Shire Council region.

### **Scope**

All grants made by the Council must comply with the requirements of this policy. To be eligible for grants under this policy, applicants must meet the definition of an Individual and the additional criteria contained in this policy.

Grants are to be approved by the Council at an ordinary or special meeting. Grant applications may be made at any time to the Council for consideration.

The Council may also choose to call for applications to be determined and allocated through a competitive process.

### **Policy Statement**

#### **Definitions**

**Grant** means contribution of cash an Individual that meets the criteria stated in this policy.

**Community Organisation** means an entity that carries on activities for a public purpose or whose primary objective is not directed at making a profit.

**Cultural Activity** means all forms of artistic expression including dance, painting, sculpture, music and story-telling, both oral and written.

**Individual** means a person not affiliated with a Community Organisation, but who carries out activities or events for a community purpose and/or that promote the Mornington Shire Council region and the person does not make a profit.

**Sporting Activity** means all forms of sporting activities including participation and attendance at sporting events.



**Policy**

Grants in cash may be made to Individuals who fit the criteria contained in this Policy. To qualify for assistance under this policy, the Individual must:

- (a) be a resident who lives on Mornington Island or has strong ties to the Mornington Island community; and
- (b) who requires assistance for sporting, academic, cultural and/or artistic endeavours, including competing in their chosen field outside the community or for compassionate and/or cultural purposes not covered by any other source of assistance; and
- (c) must not use the grant for self-profit or any other purpose than as approved.

The categories of Grants available for Individuals under this Policy are outlined below:

**(a) Young People in Sport, Culture, Science and Technology Grants**

This category aims to assist young athletes, artists, and young people studying science and/or technology living in or having strong links to the Mornington Island area by providing financial assistance towards the cost of state or national level Cultural, Science and/or Technology Activities or to attend state, national or international Sporting Competitions.

Grants are based on the location of the competition and are allocated as follows:

- Attending within Queensland – \$300 per individual, or a maximum of \$3,000 for multiple individuals attending a single event that are not applying as a Community Organisation.
- Attending Interstate or internationally – \$500 grant per individual or a maximum of \$5,000 for multiple individuals attending a single event that are not applying as a Community Organisation.

Grant funding in this category is provided as a cash contribution only. The minimum amount per application by an Individual is \$100 and the maximum amount per application by an Individual is \$500.

Eligible Applicants must:

- be a resident who lives within the Mornington Shire Council's region or has strong ties to the community; and
- be 18 years of age or under at the time of the activity or event; and
- be invited to attend a state, national or international sporting competition, cultural activity, science and/or technology activity; and
- not have outstanding Council grants that have not been acquitted satisfactorily at the time of application.



Exclusions under this category:

- grants are not available under this policy for athletes competing at school-based sporting events or competitions.

**(b) Grants to other Individuals, as approved by Council**

Grants for Applicants who do not fit into the Young People in Sport, Culture, Science and Technology category, but who are deemed to have a worthy project or request in compliance with this policy.

Eligible Applicants must be:

- an Individual; and
- a resident who lives within the Mornington Shire Council's region or has strong ties to the Mornington Shire Council community.

Eligible Applicants must not:

- Have outstanding Council grants that have not been acquitted satisfactorily;
- Have overdue outstanding payments to Council for rents, fees, or other charges;
- Be a commercial organisation; or
- Be a political group or organisation.

Grant funding in this category is provided as a cash contribution only. The minimum amount per application by an Individual is \$100 and the maximum amount per application by an Individual is \$500.

**(c) Major Events Grants**

Major Events Grants are provided to individuals and not-for-profit organisations to assist in running sports carnivals and arts and cultural events within the Mornington Shire Council area.

Eligible Applicants must be:

- an Individual; and
- a resident who lives within the Mornington Shire Council's region or has strong ties to the Mornington Shire Council community.

Eligible Applicants must not:

- Be a Community Organisation; or
- Be a political group or organisation; or
- Have outstanding Council grants that have not been acquitted satisfactorily; or
- Have overdue outstanding payments to Council for rents, fees, or other charges.

Assistance will generally be of a purely financial nature and be provided as a cash contribution, unless Council determines In-kind Assistance is appropriate.



The minimum amount per application by an Individual is \$500 and the maximum amount per application by an Individual is \$6,000.

Grants of this type will be awarded no more frequently than once per financial year to an Individual.

**Inclusions and exclusions**

For the purposes of this policy, the following inclusions and exclusions apply:

- The policy applies does not apply to Community Organisations or any other group or organisation seeking Grant assistance from Council.
- Grant applications will need to meet the minimum requirements for consideration and Council may choose not to award a grant based on the results of the evaluation or because of funding not being available.

**Relevant Legislation**

1. Local Government Act 2009
2. Local Government Regulation 2012

**Variations**

Council reserves the right to vary, replace or terminate this policy from time to time.

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Graham King  
Acting Chief Executive Officer

## 11.4 PROCUREMENT POLICY

**Author:** Acting Chief Executive Officer

**Attachments:** 1 Procurement Policy

### **PURPOSE (EXECUTIVE SUMMARY)**

To review and adopt the Procurement Policy.

### **BACKGROUND & PREVIOUS COUNCIL CONSIDERATION**

Under section 198 of the Local Government Regulation 2012 (“LG Reg”), Council must prepare and adopt a procurement policy that includes details of the principles, including the sound contracting principles that the local government will apply in the financial year for purchasing goods and services.

Section 198(3) of the LG Reg confirms that the local government must review its procurement policy annually.

In order to comply with section 198 of the LG Reg, Council needs to adopt a Procurement Policy for the 2022-23 financial year.

A draft Procurement Policy is attached to this Report. It is substantially similar to the former Procurement Policy but contains some small changes to adopt the language of the LG Reg more closely.

### **FINANCIAL & RESOURCE IMPLICATIONS**

As per budget allocation

### **RECOMMENDATION**

That Council resolves pursuant to section 198 (1) of the Local Government Regulation 2012, to adopt the Procurement Policy attached to this Report.



This is an official copy of the **Procurement Policy of Morningson Shire Council**, made in accordance with the provisions of the Local Government Act and Regulations, Public Records Act, Morningson Shire Council’s Local Laws, Subordinate Local Laws, and current Council Policies.

The Procurement Policy is a Statutory Policy.

Statutory policies are prepared in response to legislative requirements and mandate employee behaviour. This Policy is approved by the Morningson Shire Council for the guidance of Council and Council staff.

DOCUMENT VERSION CONTROL			
VERSION	DATE	RESOLUTION NO.	DETAILS
V1	29/06/2016	2016/112	<b>Responsible Officer</b> Manager Finance <b>Description</b> Statutory Policy
V2	21/06/2017	2017/110	<b>Responsible Officer</b> Executive Manager Financial Services <b>Description</b> Statutory Policy
V3	21/03/2018	2018/58	<b>Responsible Officer</b> Executive Manager Finance and Human Services <b>Description</b> Statutory Policy
V4	27/06/2018	2018/126	<b>Responsible Officer</b> Executive Manager Finance and Human Services <b>Description</b> Statutory Policy
V5	19/09/2018	2018/209	<b>Responsible Officer</b> Executive Manager Finance and Human Services <b>Description</b> Statutory Policy
V6	16/01/2019	2019/12	<b>Responsible Officer</b> Executive Manager Finance and Human Services <b>Description</b> Statutory Policy
V7	19/06/2019	2019/105	<b>Responsible Officer</b> Executive Manager Finance and Human Services <b>Description</b> Statutory Policy
V8	15/07/2020	2020/116	<b>Responsible Officer</b> Executive Manager Finance and Human Services <b>Description</b> Statutory Policy
V9	/07/2022	2022/	<b>Responsible Officer</b> Executive Manager Finance and Human Services <b>Description</b> Statutory Policy
		<b>EXPIRY</b>	30/06/2023



### **Objective**

The purpose of this policy is to outline Council's approach to developing and maintaining procurement practices for the acquisition of goods and services which optimise value for money and promote effective supplier relationships. Value for money, does not necessarily mean selecting the lowest price.

### **Scope**

This policy is Council's procurement policy for the purposes of section 198(1) of the *Local Government Regulation 2012*.

This policy applies to the procurement of all goods, equipment and services, construction contracts and service contracts.

### **Definitions**

**Emergency goods** means goods required to be used immediately and which cannot be ordered through normal ordering procedures due to time or operational reasons.

**Floating plant** includes;

- a) Goods which have a limited useful life.
- b) Portable and attractive items; or
- c) Equipment which is below the nominated threshold for Council assets.

**General works items** mean goods required to carry out day to day work other than emergency goods, floating plant, store items, IT equipment, office supplies or plant and equipment.

**IT equipment** means personal computers and peripheral computer equipment.

**Large-sized contract arrangement** is a contractual arrangement with a supplier that is expected to be worth, exclusive of GST, \$200,000 or more in a financial year.

**Local supplier** is a supplier that:

- Has a permanent base of operations within the Mornington Shire; and
- Has been a permanent resident of the Shire for at least the previous two years.

**Medium-sized contract arrangement** is a contractual arrangement with a supplier that is expected to be worth, exclusive of GST, \$15,000 or more but less than \$200,000.

**Non-local supplier** is a supplier that is not a local supplier.

**Office supplies** means goods which are required for the day-to-day operations of Council's administrative services.

**Permanent base of operations** means the registered business address is within the Mornington Shire and the majority of business undertaken (50% or greater) is within the Mornington Shire.



**Plant and equipment** mean plant and equipment which are above the nominated thresholds for Council assets. The nominated thresholds are;

- Buildings - \$10,000
- Other Structures - \$10,000
- Roads Infrastructure- \$10,000
- Water Infrastructure- \$10,000
- Sewerage Infrastructure - \$10,000
- Plant and Equipment - \$5,000
- Land and improvements - \$1

**Store items** means goods which are normally held in stores for distribution to staff/jobs.

**Valuable non-current asset** is;

- a) Land; or
- b) Another non-current asset that has an apparent value that is equal to, or more than the limit set by the local government.

**Valuable non-current asset contract** is a contract for the disposal of a valuable non-current asset.

#### **Policy Statement**

Council officers are required to:

- a) Adhere to the “sound contracting principles” as stipulated in the Local Government Act 2009. The sound contracting principles are:
  - (i) value for money; and
  - (ii) open and effective competition; and
  - (iii) the development of competitive local business and industry; and
  - (iv) environmental protection; and
  - (v) ethical behaviour and fair dealing.
- b) Open and effective competition – Purchasing should be open and result in effective competition in the provision of goods and services. Council must give fair and equitable consideration to all prospective suppliers.
- c) The development of competitive local business and industry – Council encourages the development of competitive local businesses within its local government area. In accordance with section 104(3)(c) of the Act, Council wishes to pursue the principle of developing competitive local business and industry as part of the process of making its purchasing decisions.



Where goods or services are available locally but procured from outside the Shire, adequate documentation is required to demonstrate the local preference has been considered. Council has a scaled local preference policy for the procurement of goods and services other than plant hire as follows:

Up to \$5,000	10.0% up to a maximum of \$200
Greater than \$5,000 up to \$15,000	7.5% up to a maximum of \$1,000
Greater than \$15,000 up to \$50,000	5.0% up to a maximum of \$2,000
Greater than \$50,000 up to \$100,000	2.5% up to a maximum of \$2,000
Greater than \$100,000	None

In addition, Council provides local preference margins for locally based suppliers of plant hire services. These margins will be set out in the relevant tender documents approved by Council at the time of calling tenders for the supply of such services.

- d) Environmental protection – Council promotes environmental protection through its purchasing procedures. In undertaking any purchasing activities Council will –
- (i) Promote the purchase of environmentally friendly goods and services that satisfy value for money criteria.
  - (ii) Foster the development of products and processes of low environmental and climatic impact.
  - (iii) Provide an example to business, industry, and the community by promoting the use of climatically and environmentally friendly goods and services; and
  - (iv) Encourage environmentally responsible activities.
- e) Council officers involved in purchasing must act with impartiality, fairness, independence, openness, integrity, and professionalism in their discussions and negotiations with suppliers and their representatives. All employees must:
- (i) Perform the procurement task honestly and without favour or prejudice.
  - (ii) Spend Council funds efficiently and effectively and in accordance with the law and Council policy.
  - (iii) Deal fairly, impartially, and consistently with supplies and prospective suppliers.
  - (iv) Keep confidential all sensitive information obtained as part of the procurement activity.
  - (v) Not have an actual conflict of interest in relation to the procurement activity; and
  - (vi) Not seek or accept any remuneration, gift, or advantage.



Administration

Purchase orders are to be generated for all purchases of goods and services other than:

- Petty cash.
- Corporate card transactions where such transactions take place away from the office.
- Long-term supply contracts (Ergon, Telstra, etc.).
- Direct payments and fees (bank charges etc.); or
- Other purchases where an Executive Manager or the CEO has determined in extenuating circumstances that an order is not required.

Goods and Services Tax – All values quoted in this policy are exclusive of GST.

Optimisation of Value in Procurement

In order to optimise value in procurement, where applicable, Council will establish annualised or bi-annual purchasing arrangements. This is generally to occur where multiple similar purchases are likely to be required and the total value of goods will exceed \$50,000.

**Purchasing Arrangements**

Where the value of the purchase or the value of the contract over the full contract period (including options to extend) is, or is expected to be, the following table must be followed:

<b>Amount of Purchase</b>	<b>Policy</b>
Mechanical Breakdown (affecting service delivery of plant or equipment) or Emergency	<ul style="list-style-type: none"> <li>• Quotations must be obtained from known suppliers allowing a minimum of one working day for a response.</li> <li>• Such quotations (where not obtained within the requirements set out below because of urgency) shall be referred to the Chief Executive Officer for approval.</li> </ul>
Under \$1,000	<ul style="list-style-type: none"> <li>• For purchases under the value of \$1,000 at least one verbal quote must be obtained. A written record must be kept in your diary.</li> </ul>
\$1,001 - \$4,999	<ul style="list-style-type: none"> <li>• For purchases between the value of \$1,001 and \$4,999 at least one written quote must be obtained. A copy of the quote must be attached to the Council's copy of the Purchase Order.</li> </ul>
\$5,000 - \$14,999	<ul style="list-style-type: none"> <li>• Purchases between \$5,000 and \$14,999 require two (or more) quotes in written, fax or email form to be obtained. Copies of the quotes must be attached to the Council's copy of the Purchase Order.</li> </ul>



\$15,000 - \$199,999	<ul style="list-style-type: none"> <li>• Council cannot enter into a medium-sized contract unless it first invites written quotes for the contract.</li> <li>• The invitation must be to at least three (3) persons who Council considers meets its requirements, at competitive prices.</li> <li>• Council may decide not to accept any quotes it receives.</li> <li>• If Council does decide to accept a quote, Council must accept the quote most advantageous to it having regard to the principles outlined in this policy.</li> <li>• There are limited exceptions to this requirement, and they are listed below in the section titled exceptions.</li> <li>• Note: exceptions only remove the requirement to obtain quotes. Council must still issue a correctly authorised letter of acceptance, or a purchase order signed by a member of staff with a purchasing limit sufficient to cover the cost.</li> </ul>
\$200,000 and above	<ul style="list-style-type: none"> <li>• Council cannot enter into a large-sized contract unless Council first invites written tenders for the contract in accordance with the requirements of section</li> <li>• 228 Local Government Regulation 2012.</li> <li>• Under section 228 Local Government Regulation 2012, Council must either invite written tenders or invite expressions of interest before considering whether to invite written tenders.</li> <li>• There are limited exceptions to this requirement, and they are listed below in the section titled exceptions.</li> <li>• Note: exceptions only remove the requirement to obtain quotes. Council must still issue a correctly authorised letter of acceptance, or a purchase order signed by a member of staff with a purchasing limit sufficient to cover the cost.</li> </ul>

Acceptance of Quotations – There is no requirement to accept the lowest quotation. However, where a staff member chooses a quotation other than the lowest quotation, they must provide a brief written justification which must be kept with the order.

Tender Process – Section 228 of the Local Government Regulation sets out how a local government must invite written tenders for;

- a) A large-sized contract; or
- b) A valuable non-current asset contract.

The invitation for tenders must;

- a) Be made by an advertisement in a newspaper that circulates generally in the local government area; and
- b) Allow written tenders to be given to the local government for at least 21 days after the advertisement is published.

Records of tender must be kept on file.



Exceptions – Chapter 6, part 3, division 3 of the Local Government Regulation 2012 (“Regulation”) identifies exceptions for medium and large-sized contracts. If one of the exceptions applies, Council may enter into –

- a) A medium-sized contractual arrangement without first inviting written quotes; or
- b) A large-sized contractual arrangement without first inviting written tenders.

The exceptions are –

- a) The preparation of a quote or tender consideration plan in accordance with the requirements of section 230 of the Regulation.
- b) Entering into a contract if the contract is made with a person who is on an approved contractor list established by Council in accordance with the requirements of section 231 of the Regulation.
- c) Entering into a contract if the contract is entered into with a supplier from a register of pre-qualified suppliers established by Council in accordance with the requirements of section 232 of the Regulation.
- d) Entering into a contract for goods or services if the contract is entered into with a preferred supplier under a preferred supplier arrangement that is made in accordance with the requirements of section 233 of the Regulation.
- e) Entering into a contract under an LGA arrangement established in accordance with the requirements of section 234 of the Regulation; or
- f) Entering into a medium-sized contract or a large-sized contract if –
  - (i) Council resolves that it is satisfied that there is only one supplier who is reasonably available.
  - (ii) Council resolves that, because of the specialised or confidential nature of the services that are sought, it would be impractical or disadvantageous for Council to invite quotes or tenders.
  - (iii) A genuine emergency exists.
  - (iv) The contract is for purchase of goods and is made by auction.
  - (v) The contract is for the purchase of second-hand goods; or
  - (vi) The contract is made with, or under an arrangement with, a government agency (see section 235 of the Regulation).

Arrangements – A range of LGA arrangements has been put in place by Local Buy. When assessing the most effective method of obtaining goods and/or services, Council officers should consider the administrative and price costs to Council of seeking tenders or quotations independently, and the reduction of these costs which may be achieved by use of Local Buy arrangements.

Valuable Non-Current Asset Contracts – Section 227 of the Regulation relevantly provides that Council cannot enter into a valuable non-current asset contract unless it first:

- a) Invites written tenders for the contract under s228 of the Regulation; or
- b) Offers the non-current asset for sale by auction.

This requirement is subject to the exemptions identified in paragraph “Exceptions”.



Notwithstanding the limits set out in the Asset Class table below, all non-current assets that have been identified as being obsolete or surplus to Council requirements, and with a written down value less than the set limits are to be offered for sale by inviting written quotations.

The invitation for written quotations for the sale of non-current assets must —

- a) Be made by an advertisement in a newspaper that circulates generally in the local government area; and
- b) Allow written quotes to be given to the local government for at least 21 days after the advertisement is published.

Asset Class	Limits	Council Limit
Road Infrastructure	\$10,000	\$10,000
Water Infrastructure	\$10,000	\$10,000
Sewerage	\$10,000	\$10,000
Buildings	\$10,000	\$10,000
Other Structures	\$10,000	\$10,000
Plant and Equipment	\$5,000	\$5,000
Land	\$1	\$1

Delegations

The Chief Executive Officer has the delegated authority to allocate financial delegation to positions within Council. Any new positions or changes/variations must be approved by the Chief Executive Officer in accordance with the relevant legislation.

Council Officers are responsible for ensuring all required paperwork (including if applicable, the required number of written quotes) as per this policy is provided to them by the requisitioning officer prior to signing the order.

In the event that an LG Arrangement is used, the Local Buy contract number must be stated on the order requisition for entering onto Council’s Purchase Order.

It is a requirement that officers with a purchasing limit that are aware of, and apply Council’s Procurement Policy. Failure to do so may lead to disciplinary action.

All staff with an approved purchasing limit are authorised to order/approve orders for goods and services (up to their purchasing limit) against jobs over which they have clear operational authority and budget responsibility. It is the responsibility of authorised delegates to ensure the correct cost coding is provided and that funding / budget is approved before any procurement is undertaken.

You may not use another Manager’s job cost without their written approval which must be attached to the order requisition.

Any order that will result in a budget being exceeded will need to be approved by the relevant manager or a member of the executive team.



<b>Position</b>	<b>Amount</b>
Chief Executive Officer	\$200,000
Executive Manager Technical Services	\$50,000
Executive Manager Infrastructure	\$50,000
Executive Manager Finance & Human Services	\$50,000
Executive Manager Corporate Governance and Communications	\$50,000
Special Projects Manager	\$30,000
Housing Manager	\$30,000
Warehouse Manager	\$30,000
Infrastructure Coordinator	\$14,999
Warehouse Assistant Manager	\$14,999
Housing Procurement / Warehouse Logistics Coordinator	\$14,999
Facilities Manager	\$14,999
Chief Financial Officer	\$14,999
Sports, Recreation & Events Manager	\$14,999
Human Resources Manager	\$14,999
Information Technology Manager	\$4,999
Works Manager	\$4,999
Infrastructure Coordinator	\$4,999
Workshop Manager	\$4,999
Water & Sewerage Team Leader	\$4,999
Bakery Manager	\$4,999
Lelka Murrin Manager	\$4,999
Housing Supervisors	\$4,999

**Relevant Legislation**

1. Local Government Act 2009
2. Local Government Regulation 2012

**Variations**

Council reserves the right to vary, replace or terminate this policy from time to time.

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Graham King  
Acting Chief Executive Officer

## 11.5 ENTERTAINMENT AND HOSPITALITY POLICY

**Author:** Acting Chief Executive Officer

**Attachments:** 1 Entertainment and Hospitality Policy

### **PURPOSE (EXECUTIVE SUMMARY)**

To review and adopt the Entertainment and Hospitality Policy.

### **BACKGROUND & PREVIOUS COUNCIL CONSIDERATION**

Under section 196(1) of the Local Government Regulation 2012 (“LG Reg”), Council must prepare and adopt an Entertainment and Hospitality Policy for a financial year about Council’s spending on Entertainment or Hospitality.

A draft Entertainment and Hospitality Policy is attached to this Report. It is substantially similar to the 2020 Entertainment and Hospitality Policy, however has been amended to remove confusion and to streamline the Policy. The updates were made to confirm compliance with section 196 of the LG Reg.

### **FINANCIAL & RESOURCE IMPLICATIONS**

As per budget allocation

### **RECOMMENDATION**

That Council resolves pursuant to section 196 (1) of the Local Government Regulation 2012, to adopt the Entertainment and Hospitality Policy attached to this report for the 2022/23 financial year.



This is an official copy of the **Entertainment and Hospitality Policy of Mornington Shire Council**, made in accordance with the provisions of the Local Government Act and Regulations, Public Records Act, Mornington Shire Council’s Local Laws, Subordinate Local Laws and current Council Policies.

The Entertainment and Hospitality Policy is a Statutory Policy.

Statutory policies are prepared in response to legislative requirements and mandate employee behaviour. This Policy is approved by the Mornington Shire Council for the guidance of Council and Council staff.

DOCUMENT VERSION CONTROL			
VERSION	DATE	RESOLUTION NO.	DETAILS
V1	29/06/2015	175/2015	<b>Responsible Officer</b> Manager Finance <b>Description</b> Statutory Policy
V2	29/06/2016	2016/112	<b>Responsible Officer</b> Manager Finance <b>Description</b> Statutory Policy
V3	21/06/2017	2017/110	<b>Responsible Officer</b> Executive Manager Financial Services <b>Description</b> Statutory Policy
V4	27/06/2018	2018/126	<b>Responsible Officer</b> Executive Manager Finance and Human Services <b>Description</b> Statutory Policy
V5	17/11/2021	INSERT	<b>Responsible Officer</b> Executive Manager Finance and Human Services <b>Description</b> Statutory Policy
V6	/07/2022	2022/	<b>Responsible Officer</b> Executive Manager Finance and Human Services <b>Description</b> Statutory Policy
		<b>EXPIRY</b>	30/06/2023



### **Objective**

This policy is Council's Entertainment and Hospitality Policy for the purposes of section 196 of the Local Government Regulation 2012.

The purpose of this policy is to assist Councillors and Council Officers in the discharge of their responsibilities, by providing clarity about the reasonable and appropriate use of public funds on entertainment or hospitality.

### **Scope**

This policy applies to all Councillors and Council Officers in relation to all entertainment and hospitality that is undertaken as part of their role with Council. It applies to all events and activities where hospitality and/or entertainment may be provided.

The intention of this policy is to identify the principles that must be adhered to and provide clarification of what is considered Reasonable Expenditure and appropriate practices regarding expenditure for the provision of entertainment and hospitality. The rules relating to disclosures must be read for third party gifts and benefits.

### **Policy Statement**

Definitions

#### **Reasonable Expenditure**

In assessing whether expenditure on hospitality or entertainment is reasonable, the person claiming the expenditure must be able to identify the benefit for Council and the public generally and be comfortable disclosing the expense having regard to the Public Defensibility Test.

#### **Public Defensibility Test**

Is a test that is applied to determine whether expenditure for hospitality or entertainment would be considered reasonable if an ordinary member of the public was aware. Examples of questions that should be asked before incurring the expenditure are:

- would you be comfortable with disclosing the expenditure type and amount to the public;
- the quantum of the expenditure;
- the frequency of expenditure;
- is it considered a traditional custom; and
- is there an accepted community practice or standard?

Council recognises that there are circumstances where the provision of entertainment and hospitality is appropriate and can result in significant benefits for the Council. As a publicly funded body, however, it must ensure that public sector standards of accountability are maintained and associated practices are understood and consistently applied across the organisation.



The following principles must be followed:

- Expenditure must be for official purposes and Council officers must identify the benefit for Council and demonstrate the benefit to the public interest.
- The expenditure must be properly documented, substantiated and available for scrutiny by internal and external audit.
- Expenditure must be appropriate and reasonable, and where there is doubt on this issue, advice must be sought prior to the expenditure being incurred.
- Expenditure must be pre-authorised by the Executive Leadership Team (ELT): Executive Manager Financial Services, Chief Executive Officer (CEO). In the case of expenditure by the CEO in accordance with this policy, the approval will come from another member of the ELT.
- The officer who incurs an expense in accordance with this policy must not authorise that expenditure.
- Expenditure for hospitality or entertainment must be within budget.
- Where there is any potential for a perceived conflict of interest or future obligation for Councillors or Council Officers, full disclosure must be included when requesting authorisation to incur expenditure.

#### **Reasonable and Appropriate Use of Funds**

The following are examples of entertainment or hospitality that are considered an appropriate use of funds:

1. **Civic events:** including citizenship ceremonies that provide community recognition or a welcome by the Council. The decision as to reasonable and appropriate costs will take into consideration the numbers of attendees, the timing of the function, the venue, and the location within the Council Region.
2. **Employee award and recognition presentations:** Recognition of Council officers to reward outstanding achievement in the provision of services to the public. This may include official reward and recognition event, length of service presentations and officer farewells. Such expenditure is to be approved by the Chief Executive Officer.
3. **ANZAC Day wreaths:** the recognition of the service of war veterans in the community.
4. **Public Events:** This includes the BBQ provided by Council for Australia Day and also the breakfast and BBQ provided for ANZAC Day.
5. **Condolence Wreaths or Floral Presentations:** for the death of or serious injury to a Councillor or Council officer or their immediate family or member of the community. This is in recognition of service and a mark of respect.
6. **Annual Christmas celebration:** To recognise Council Officers and show appreciation for their dedication and commitment to the provision of Council services to the public, a contribution will be provided for the annual Christmas function..
7. **Meetings within ordinary hours:** Entertainment and hospitality for meetings held within ordinary working hours should be kept to a minimum. Where a Councillor or Council officers are required to work through a meal break or outside normal hours due to the impracticality



of holding the meeting at any other time, the relevant meal allowance is to be used as a guide. Such entertainment and hospitality should not be substituted for business meetings that would ordinarily be conducted in the workplace. Examples may include Ordinary or Committee meetings of Council and management team meetings and toolbox meetings. Where there are regular meetings that are similar in nature each time, there will be no need to justify the reasonableness and appropriateness of expenditure for each meeting. It will be sufficient if the first meeting passes the Public Defensibility Test.

8. **Associate persons expenditure:** Only in exceptional circumstances, specifically approved by Council, Mayor or Chief Executive Officer, and where the attendance of an Associate is of demonstrated benefit to the Council, are the entertainment and hospitality costs for such a person to be met by Council. In these instances, the Associate will be considered an official representative of the Council and will be expected to comply with Council's Code of Conduct.
9. **Other Hospitality Expenses:** Other types of expenditure considered reasonable as official hospitality includes the provision of tea, coffee, sugar, milk, and morning or afternoon tea for official visitors and appropriate staff engaged in the entertainment or hospitality activity.

#### **Non-Official Expenditure**

Where there is doubt about the validity of claiming particular expenditure, the CEO or relevant Executive Director should make a determination in relation to the guiding principles of this policy having regard to what is considered Reasonable Expenditure and the Public Defensibility Test.

The following are given as examples of non-official or private expenditure and will generally not be considered compliant with this policy:

- Tips or gratuities – tipping is not customary in Australia, however when travelling overseas and tipping is the custom, these will be considered official expenditure;
- Dinners/functions at the private residence of a Council officer;
- Drinks only costs – including hot and cold beverages;
- Morning/afternoon tea outside Council premises, where only Council officers are attending;
- Stocking of bar fridges (except in the instance of the CEO and Executive Directors for small-scale entertainment);
- Mini Bar expenses; and
- Staff working on Council premises where food and beverages are on sale (e.g. the Store) are not entitled to charge food and beverages to Council in the normal course of their duties.
- Personal expenses must not be paid by Council. In the event that Council has met costs that are considered nonofficial/ private, the Council officer incurring the costs must make restitution to the Council within ten (10) working days from the date the costs have been paid.

#### **Use of Credit Card**

Where a credit card is provided to an employee or Councillor, that card may only be used to pay for entertainment and hospitality expenditure in line with Council's Credit Card Policy.



**Approval/ Authorisation of Expenditure**

- A person must not authorise their own expenditure.
- Expenditure by the Chief Executive Officer must be authorised by an Executive Manager, the Mayor or Deputy Mayor.
- Expenditure by another officer must be authorised by the Chief Executive Officer.
- Expenditure by a Councillor must be authorised by the Mayor or by the Chief Executive Officer.
- Expenditure by the Mayor must be authorised by the Chief Executive Officer or the Deputy Mayor.

**Relevant Legislation**

1. Local Government Act 2009
2. Local Government Regulation 2012

**Variations**

Council reserves the right to vary, replace or terminate this policy from time to time.

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Graham King  
Acting Chief Executive Officer

**12 FEES AND CHARGES 2022-23**

Nil

**13 FINANCIAL REPORTS**

Nil

## 14 CHIEF EXECUTIVE OFFICER'S REPORTS

### 14.1 COUNCIL MEETING DATES

**Author:** Acting Chief Executive Officer

**Attachments:** 1 2022/2023 Council Meeting Dates

#### **PURPOSE (EXECUTIVE SUMMARY)**

To advise Council of the requirements for holding Local Government meetings.

#### **BACKGROUND & PREVIOUS COUNCIL CONSIDERATION**

In accordance with Section 254B Public Notice of Meetings, Council must, at least once a year, publish a notice of the days and times when:

- Its ordinary meetings will be held; and
- The notice must be published on the local government's website, and in other ways the local government considers appropriate.
- Council must also display in a conspicuous place in its public office a copy of such notice.

#### **FINANCIAL & RESOURCE IMPLICATIONS**

Nil

#### **RECOMMENDATION**

That in accordance with Section 254B of the Local Government Regulations, Council resolves its meeting dates for publishing on Council's website.



### **2022/2023 Proposed Ordinary Council Meeting Dates**

<b>Dates 2022/2023</b>	<b>Meeting Type</b>
Wednesday 20 <sup>TH</sup> July 2022	Ordinary Council Meeting Day, July OCM
Wednesday 17 <sup>TH</sup> August 2022	Ordinary Council Meeting Day, August OCM
Wednesday 21 <sup>ST</sup> September 2022	Ordinary Council Meeting Day, September OCM
Wednesday 19 <sup>TH</sup> October 2022	Ordinary Council Meeting Day, October OCM
Wednesday 23 <sup>RD</sup> November 2022	Ordinary Council Meeting Day, November OCM
Wednesday 14 <sup>TH</sup> December 2022	Ordinary Council Meeting Day, December OCM
Wednesday 25 <sup>TH</sup> January 2023	Ordinary Council Meeting Day, January OCM
Wednesday 15 <sup>TH</sup> February 2023	Ordinary Council Meeting Day, February OCM
Wednesday 15 <sup>TH</sup> March 2023	Ordinary Council Meeting Day, March OCM
Wednesday 19 <sup>TH</sup> April 2023	Ordinary Council Meeting Day, April OCM
Wednesday 17 <sup>TH</sup> May 2023	Ordinary Council Meeting Day, May OCM
Wednesday 14 <sup>TH</sup> June 2023	Ordinary Council Meeting Day, June OCM

## 14.2 5 YEAR IMPLEMENTATION PLAN – PROJECT PROPOSALS

**Author:** Acting Chief Executive Officer

**Attachments:**

- 1 Training, Administration, Business Hub and Library
- 2 Wholistic Health and Wellbeing Program, and Sustainable Families Program – Project Brief and Plan
- 3 Outstation Multi Purpose Facility Planning and Brief - Mornington
- 4 Mornington Island Tourism Development Strategy Coordination

### **PURPOSE (EXECUTIVE SUMMARY)**

To develop Council's planning for the attached projects to ensure Council objectives under the 5 Year Implementation Plan are well developed and available for future grant programs.

### **BACKGROUND & PREVIOUS COUNCIL CONSIDERATION**

Attached is a copy of the Project proposals for Council consideration.

It is important that Councils objectives with these programs are well developed.

In respect to the Training, Administration, Business Hub and Library, I have already acted to appoint Peak Services to undertake this work.

As Council is aware the total funding for the new Administration Centre was \$5,908,546 made up of a grant of \$5,317,692 and a Council contribution of \$590,854. The total project contract cost came in at \$3,748,722 including GST.

The remaining balance of some \$2,159,824 may be available to put towards a Library and Training Facility. However Council needs to be in a strong position to put up a proposal to the State Government in that regard in the near future.

Council is aware that both GRAC are keen to develop tourism opportunities on the Island and that the Department of Aboriginal and Torres Strait Islander Partnerships have indicated that they are keen to progress a tourism precinct on the Island. Council therefore needs a good coordination strategy to contribute to tourism development for the Island.

Council's 5 Year Implementation Plan also needs to be more specific in regards to the Outstation Multi-Purpose facility and the Wholistic Health and Wellbeing Program and Sustainable Families Program to add value for the need for the Multi-Purpose facility, and the proposed planning will address that.

## **FINANCIAL & RESOURCE IMPLICATIONS**

Total funding to cover the above project proposals is as follows:

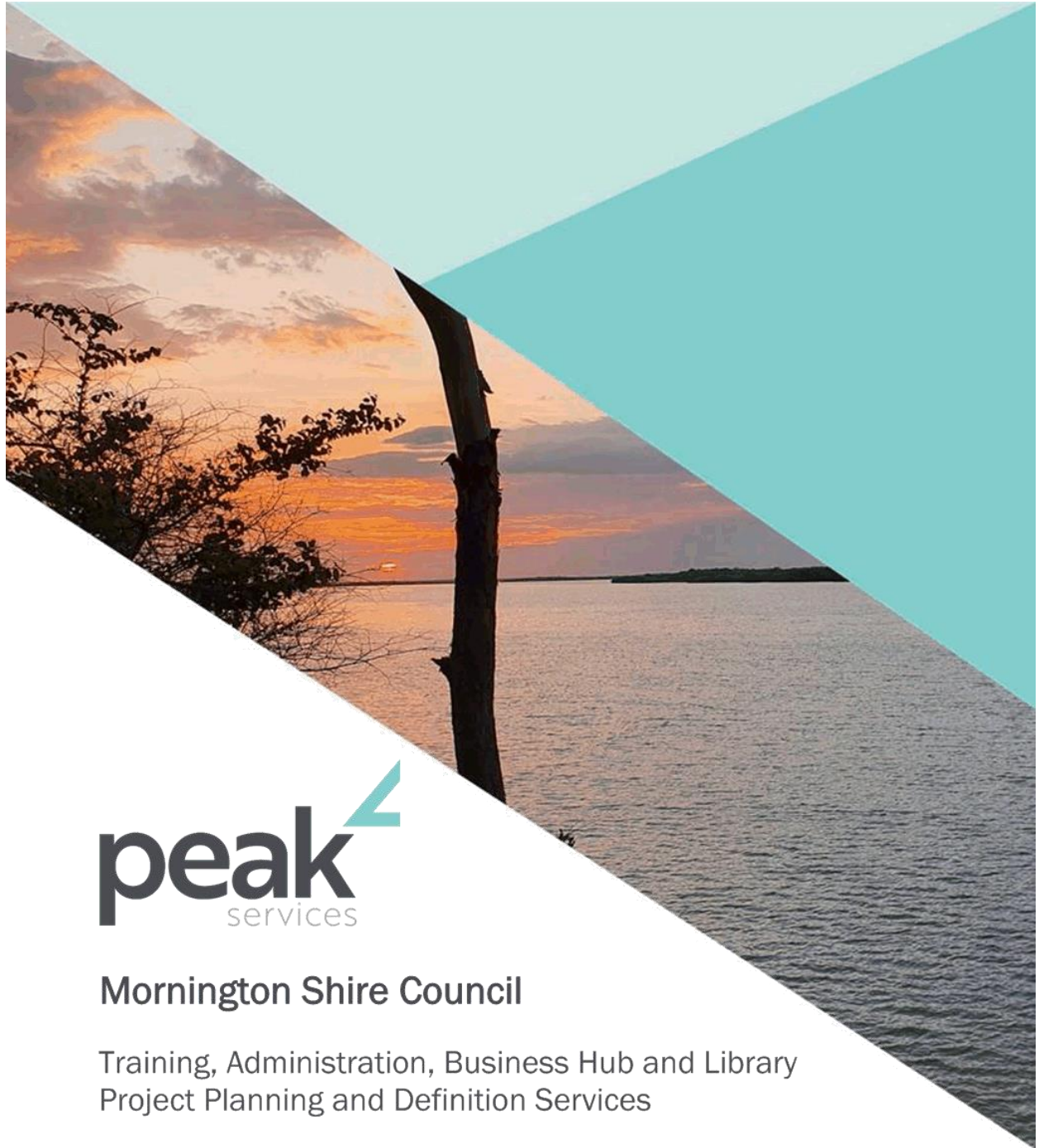
- Tourism Development Strategy coordination – still to be finalised
- Training, Administration, Business Hub, Library Project Planning and Definition Services - \$10,200
- Wholistic Health and Wellbeing Program, and Sustainable Families Program - \$5,400
- Outstation multi-purpose facility project planning and definition service - \$10,200

## **RECOMMENDATION**

That Council receive and note the report and authorise the Acting CEO to engage Peak Services to undertake the following proposals:

- Tourism Development Strategy Coordination – to be confirmed
- Training, Administration, Business Hub, Library Project Planning and Definition Services - \$10,200
- Wholistic Health and Wellbeing Program, and Sustainable Families Program - \$5,400
- Outstation Multi-purpose Facility Project Planning and Definition service - \$10,200

Funding will be provided in the 2022/23 Financial Budget.



## Mornington Shire Council


Training, Administration, Business Hub and Library  
Project Planning and Definition Services

9 June 2022  
Project Ref: PS76489

Helping Local Government Achieve More

## Proposal

The below table provides a summary of services and pricing for professional services to be performed between *Mornington Shire Council* and *Peak Services Pty Ltd*.

Item	Description																																				
<b>Project Ref &amp; Name</b>	PS7649 - Training, Administration, Business Hub and Library Project Planning and Definition Services																																				
<b>Client Contact</b>	Graham King																																				
<b>Program</b>	Start Date: 18/06/2022 Estimated Completion Date: 15/08/2022																																				
<b>Scope of Work</b>	<p>Mornington Shire Council (Council) have a requirement for a Training, Administration, Business Hub and Library.</p> <p>Council would like to engage the professional services of Peak to provide Project Planning and Definition Services with input from training providers and state library.</p> <p>Peak has a long relationship of working closely with Mornington Shire Council, helping council to secure more \$9.5m in grant funding and delivering various infrastructure projects for the community in the capacity of a seconded Special Projects Manager.</p>																																				
<b>Estimated Fees (ex GST)</b>	<table border="1"> <thead> <tr> <th>Consultant</th> <th>Estimated Hours</th> <th>Discounted Hourly Rate (ex GST)</th> <th>Estimated Fee (ex GST)</th> </tr> </thead> <tbody> <tr> <td><b>Project Brief</b></td> <td>6</td> <td>\$185</td> <td>\$1,110</td> </tr> <tr> <td><b>Project Plan</b></td> <td>14</td> <td>\$185</td> <td>\$2,590</td> </tr> <tr> <td><b>Site Plans (Vabasis Architects)</b></td> <td>N/A</td> <td>N/A</td> <td>\$3,000</td> </tr> <tr> <td><b>Cost Estimate (Rider Levett Bucknall)</b></td> <td>N/A</td> <td>N/A</td> <td>\$3,500</td> </tr> <tr> <td><b>Estimated Fee (ex GST)</b></td> <td></td> <td></td> <td><b>\$ 10,200</b></td> </tr> </tbody> </table> <p><i>*Travel costs, if required, will be in addition to the fees above. Travel costs can either be booked directly by Council or by Peak and invoiced back accordingly, including a 10% service fee.</i></p> <p><i>Additional hours (as agreed in advance with Council) will be charged on a Time &amp; Material basis as per the table below:</i></p> <table border="1"> <thead> <tr> <th>Consultant</th> <th>Standard Hourly Rate (ex GST)</th> <th>Discounted Hourly Rate (ex GST)</th> </tr> </thead> <tbody> <tr> <td><b>Brian Jackson - Lead Consultant</b> <i>(Director - Consulting Services)</i></td> <td>\$275</td> <td>\$235</td> </tr> <tr> <td><b>Zoe Dark - Co Lead Consultant</b> <i>(Grant Program Office Leader)</i></td> <td>\$225</td> <td>\$185</td> </tr> <tr> <td><b>Erica Daniel - Project Support</b> <i>(Intermediate Advisor)</i></td> <td>\$185</td> <td>\$150</td> </tr> </tbody> </table>	Consultant	Estimated Hours	Discounted Hourly Rate (ex GST)	Estimated Fee (ex GST)	<b>Project Brief</b>	6	\$185	\$1,110	<b>Project Plan</b>	14	\$185	\$2,590	<b>Site Plans (Vabasis Architects)</b>	N/A	N/A	\$3,000	<b>Cost Estimate (Rider Levett Bucknall)</b>	N/A	N/A	\$3,500	<b>Estimated Fee (ex GST)</b>			<b>\$ 10,200</b>	Consultant	Standard Hourly Rate (ex GST)	Discounted Hourly Rate (ex GST)	<b>Brian Jackson - Lead Consultant</b> <i>(Director - Consulting Services)</i>	\$275	\$235	<b>Zoe Dark - Co Lead Consultant</b> <i>(Grant Program Office Leader)</i>	\$225	\$185	<b>Erica Daniel - Project Support</b> <i>(Intermediate Advisor)</i>	\$185	\$150
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<b>Consultants</b>	<p><b>Brian Jackson</b> <i>(Director - Consulting Services)</i></p> <p>Brian brings 20 years of experience working within the public and private sectors, in project management and advisory services. Brian's expertise encompasses all major asset classes including roads, water, waste, property and development, business operations and technology projects. Brian is recognised as an astute manager with a proven capacity to enhance project delivery and a focus on client requirements through all phases of the project life cycle. Brian has extensive knowledge of transaction management and construction management.</p> 																																				

PS7649 - Training, Administration, Business Hub and Library Project Definition and Planning Services

2



Brian plays a strong leadership role within Peak's Consulting Services as a Director. He brings an aptitude for strategic commercial partnerships and strong stakeholder relations, together with a robust technical background. Brian's specialisation includes project management, operational reviews, procurement, project strategy and asset management. Brian is driven by his desire to enhance outcomes for our clients

**Zoe Dark** (*Grant Program Office Leader*)



Zoe brings over 10 years' experience providing tailored regional development services to government, community groups, peak bodies and the private sector, with a demonstrated capacity to deliver start-to-finish funding projects. She has demonstrated experience managing corporate sponsorship, community and government grant programs and a proven ability to engage and provide strategic advice to internal and external stakeholders, and senior management from government, industry and community.

Zoe's background includes owning a small business, an Internet Café & Newsagent, General Manager of Mount Isa Chamber of Commerce, Small Business Field Officer/ Advisor for the North Queensland Area Consultative Committee and Strategic Partnership Broker for Chamber of Commerce Industry Queensland.

**Erica Daniel** (*Intermediate Advisor*)

Erica joined Peak in 2022, having recently completed coursework in Sustainability Strategies & Circular Economy Practices at the Cambridge Judge Business School and prior to this, Business Sustainability Management at the Cambridge Institute of Sustainability Leadership.

Erica brings expertise and global experience coupled with a highly honed set of skills in stakeholder management, team leadership, culture, content creation, copy writing and journalism. Erica has accumulated more than 15 years' experience in varied roles and holds a BSc. in Environmental Science. Her diversity enables her to identify opportunity and value-added outcomes on the assignments she delivers.



Erica's time as a business owner has helped her develop strong capabilities in the delivery of projects /events within set parameters and skill in maintaining client satisfaction.

## Form of Agreement

Project Name: Training, Administration, Business Hub and Library  
Date of Proposal: 9 June 2022  
Peak Project Reference: PP7649  
Estimated Fee Amount: \$10,200 excl. GST  
Payment Terms: Monthly invoicing with 30-day payment term.  
Contract Terms: The Parties hereby agree to the contract defined in the following documents, in order of precedence:

- This proposal
- PEAK Terms and Conditions
- The correspondence between the parties

Acceptance: You may confirm your acceptance of this proposal in any of the following ways:

- Sign and return this document where indicated to myself or [tenders@wearepeak.com.au](mailto:tenders@wearepeak.com.au) or;
- provide us written instructions after receiving our offer; or
- by email acceptance of our offer.

### EXECUTED BY THE CLIENT

SIGNED for and on behalf of **Mornington Shire Council** by its authorised representative:

\_\_\_\_\_  
Signature of authorised representative

\_\_\_\_\_  
Name of authorised representative

Date: / /

### EXECUTION BY THE CONSULTANT

SIGNED for and on behalf of **Peak Services** by its authorised representative:

  
\_\_\_\_\_  
Signature of authorised representative

Brent Reeman – Managing Director,  
Peak Services  
\_\_\_\_\_  
Name of authorised representative

Date: 09/06/2022

Please confirm if this service is being purchased under a Local Buy Panel Arrangement

PS7649 - Training, Administration, Business Hub and Library Project Definition and Planning Services

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# Terms and Conditions

## Asset & Project Management



### OFFER VALIDITY

The offer for provision of professional services encompassed in the proposal document remains valid for a period of **60** days, unless otherwise stated in the proposal document or agreed by Peak.

### THE PARTIES

The Client means the organisation identified as the addressee in the attached proposal document. The Client's representative, unless otherwise advised by the Client, is the addressee identified in the attached proposal document.

The Consultant means: Peak Services Pty Ltd ACN 115 959 021 25 Evelyn St, Newstead, Qld 4006.

Peak Services is the business name of Peak Services Pty Ltd.

### GENERAL CONDITIONS OF CONTRACT

- All work undertaken by Peak Services is subject to the terms and conditions here set out.
- These Terms and Conditions cannot be varied or waived, unless in writing and signed by an executive of Peak Services Pty Ltd.
- The general conditions of contract shall be the Australian Standard General Conditions of Contract for Consultants (AS 4122 - 2010)
- In the event of conflict or inconsistency between the provisions of the Australian Standard General Conditions of Contract for Consultants (AS 4122 - 2010) and the Peak Services Terms and Conditions, the Peak Services Terms and Conditions shall take precedence.
- If the services are being procured under a Local Buy LGA Arrangement, the relevant Local Buy Purchaser Conditions take precedence over all other Terms and Conditions.
- Documents that comprise the contract, in order of precedence, are:
  - The Form of Agreement
  - Peak Terms and Conditions
  - AS4122-2010 General Conditions of Contract for Consultants
  - The correspondence between the parties

### PEAK SERVICES INSURANCES

- Peak Services holds, and shall maintain for a period of at least 12 months following completion of the services, the following minimum insurance levels:
  - Public Liability: \$20 million
  - Products Liability: \$20 million in the aggregate
  - Professional Indemnity: \$20 million in the aggregate

### FEES

- Peak Services fees are payable in accordance with the following provisions.
- The fee for this assignment is outlined in the proposal above.
- Unless otherwise stated as Fixed Price the fee for the assignment is based on the estimated time expected to be required for the project. Should the expected time change significantly, Client approval will be sought prior to incurring additional time or costs.
- A Fixed Price client engagement refers to a fixed price based on a fixed scope as define in the Proposal.
- For non-fixed fee client engagements the Hourly or Day Rates specified in the Agreement remain fixed for a period of 12 months from the date of the proposal. Peak Services may, at the conclusion of the 12-month period, increase the Hourly or Day Rates by providing written notice to the Client
- Work required to be conducted outside of normal office hours will be calculated at the "out of hours" rate and requires client approval. Out of Hours rate is calculated at 1.5 times the standard hours rate for the role.

- Peak Services reserves the right to charge interest on overdue payments at the rate of 1% per month, calculated on a pro-rata daily basis.

### KEY PERSONNEL

- The services will be completed by the key personnel identified in the consultancy Proposal – Key Staff.
- Peak may, at its absolute discretion, substitute members of the key personnel with suitably qualified persons should the need arise.

### HOURLY RATES

- In the event that Peak is requested by the Client to perform additional services then, in the absence of a specific fee agreement for that additional work, the Client agrees to pay Peak for those services on an hourly rate basis, with the fee being calculated using the hourly rates listed below:

Peak Position	Hourly Rate (excl. GST)
Director	\$275
Manager / Senior Advisor	\$225
Intermediate Advisor	\$185
Advisor	\$150
Project Administrator	\$110

### FORCE MAJEURE AND DELAYS

- A party shall not be liable for any failure or delay in the performance of this agreement where the failure or delay is caused by circumstances or events:
  - beyond the party's reasonable control,
  - which materially affect the performance of any of its obligations under this agreement

### CANCELLATION

- In the event that a Client cancels an assignment placed with Peak Services for any reason where Peak Services has undertaken work and incurred expenses in relation thereto then, even though project is not complete, the Client is liable for the fees and expenses of the percentage of the completed work to date.

### OUTLAYS AND OUT-OF-POCKET EXPENSES

- Client may elect to make travel bookings directly itself.
- Any travel arrangements booked by Peak Services (including airfares, taxis, accommodation, meals, etc.) will be billed to Client during the month they are incurred and will have a 10% service fee added.

### LIMITED LIABILITY

- Peak Services is not liable for any loss, damage, injury, costs (including legal), claims or expenses sustained by the Client or its employees, agents or customers, arising directly or indirectly from or connected with this assignment, except for where Peak Services has been deemed to be negligent in the services provided.

### COPYRIGHT AND OTHER INTELLECTUAL PROPERTY RIGHTS

- Peak Services owns and maintains all intellectual property rights in the deliverables produced and grants a limited license to the Client to use the deliverables for the purpose of the Client's business.
- The Client grants Peak Services a license to use any Client supplied information for the purposes of completing the services contemplated by this agreement.
- The Client shall advise Peak Services in writing if any Client supplied documents or information are to be treated as confidential.

### ASSIGNMENT

- Peak Services may assign, novate, subcontract or otherwise transfer all or any part of its rights or liabilities under this arrangement without the consent of Client. The Client must execute any document reasonably required by the Peak Services to give effect to the assignment, novation or transfer.

PS7649 - Training, Administration, Business Hub and Library Project Definition and Planning Services 5

# Grant Services Work Order

The below table provides a summary of services and pricing for grant writing and related services to be performed under the **Grant Management Services Retainer Agreement (GM7158)** between *Mornington Shire Council* and *Peak Services Pty Ltd.*

Item	Description																												
<b>Client</b>	Mornington Shire Council																												
<b>Project Ref</b>	GM7651 - Wholistic Health and Wellbeing Program, and Sustainable Families Program – Project Brief and Plan																												
<b>Client</b>	Graham King – Acting Chief Executive Officer																												
<b>Program</b>	Start Date: June 2022      Estimated Completion Date: Prior to 30 June 2023																												
<b>Scope of Work</b>	<p>The Wholistic Health and Wellbeing Program will be developed in consultation with stakeholders to improve health outcomes of first nations people living on Mornington Island.</p> <p>The Sustainable Families Program will be developed in consultation with stakeholders to engage and empower first nations families living on Mornington Island to support each other to live longer and happier lives, contributing to family, culture and society.</p> <p>Mornington Shire Council would like to engage Peak's expertise to develop a Program Scope, Plan, Operational Budget Estimate, and Briefs to mature projects to an investment ready stage.</p>																												
<b>Fees &amp; Expenses (ex GST)</b>	<table border="1"> <thead> <tr> <th>Consultant</th> <th>Estimated Hours</th> <th>Hourly Fee (ex GST)</th> <th>Fee (ex GST)</th> </tr> </thead> <tbody> <tr> <td>Stakeholder Engagement</td> <td>8</td> <td>\$150</td> <td>\$1,200</td> </tr> <tr> <td>Project Plan - WHWP</td> <td>9</td> <td>\$150</td> <td>\$1,350</td> </tr> <tr> <td>Project Plan - SFP</td> <td>9</td> <td>\$150</td> <td>\$1,350</td> </tr> <tr> <td>Project Brief - WHWP</td> <td>5</td> <td>\$150</td> <td>\$750</td> </tr> <tr> <td>Project Brief - SFP</td> <td>5</td> <td>\$150</td> <td>\$750</td> </tr> <tr> <td><b>Total Estimated Fee (ex GST)</b></td> <td><b>36</b></td> <td></td> <td><b>\$5,400</b></td> </tr> </tbody> </table>	Consultant	Estimated Hours	Hourly Fee (ex GST)	Fee (ex GST)	Stakeholder Engagement	8	\$150	\$1,200	Project Plan - WHWP	9	\$150	\$1,350	Project Plan - SFP	9	\$150	\$1,350	Project Brief - WHWP	5	\$150	\$750	Project Brief - SFP	5	\$150	\$750	<b>Total Estimated Fee (ex GST)</b>	<b>36</b>		<b>\$5,400</b>
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<b>Consultants</b>	<p><b>Zoe Dark - Lead Consultant</b> (<i>Grant Office Leader</i>)</p> <p><b>Erica Daniel</b> (<i>Intermediate Advisor Consulting Services</i>)</p> <p><b>Brian Jackson</b> (<i>Director Peak Consulting Services</i>)</p>																												

To advise your acceptance and confirm Peak Services is to complete the scope of work, please sign and return this document electronically or provide an email stating acceptance.

**EXECUTED BY THE CLIENT**

SIGNED for and on behalf of **Mornington Shire Council** by its authorised representative:

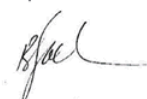
\_\_\_\_\_  
Signature of authorised representative

\_\_\_\_\_  
Name of authorised representative

Date:    /    /

**EXECUTION BY THE CONSULTANT**

SIGNED for and on behalf of **Peak Services** by its authorised representative:

  
\_\_\_\_\_  
Signature of authorised representative

Brian Jackson – Director Consulting Services  
\_\_\_\_\_  
Name of authorised representative

Date: 08/06/2022

Please confirm if this product/service is being purchased under a **Local Buy Panel Arrangement**

Yes

GM7651 - Wholistic Health and Wellbeing Program, and Sustainable Families Program



**Mornington Shire Council**

Outstation Multi-Purpose Facility Project Planning  
and Definition Service




9 June 2022  
Project Ref: PS7648

**Helping Local Government Achieve More**

## Proposal

The below table provides a summary of services and pricing for professional services to be performed between *Mornington Shire Council* and *Peak Services Pty Ltd*.

Item	Description																																				
<b>Project Ref &amp; Name</b>	PS7648 - Outstation Multi-Purpose Facility Project Planning and Definition Service																																				
<b>Client Contact</b>	Graham King																																				
<b>Program</b>	Start Date: 23/06/2022 Estimated Completion Date: 15/08/2022																																				
<b>Scope of Work</b>	<p>Mornington Shire Council (Council) have a requirement for an Outstation Multi-Purpose Facility to house a range of targeted programs inline with the Mornington Shire Council 5 year Implementation Plan such as On Country, Health and Wellbeing, and Youth Camps.</p> <p>Council would like to engage the professional services of Peak to provide a Project Definition and Planning Services with input from the programs the facility intends to house.</p> <p>Peak has a long relationship of working closely with Mornington Shire Council, helping council to secure more \$9.5m in grant funding and delivering various infrastructure projects for the community in the capacity of a seconded Special Projects Manager.</p>																																				
<b>Estimated Fees (ex GST)</b>	<table border="1"> <thead> <tr> <th>Consultant</th> <th>Estimated Hours</th> <th>Discounted Hourly Rate (ex GST)</th> <th>Estimated Fee (ex GST)</th> </tr> </thead> <tbody> <tr> <td><b>Project Brief</b></td> <td>6</td> <td>\$185</td> <td>\$1,110</td> </tr> <tr> <td><b>Project Plan</b></td> <td>14</td> <td>\$185</td> <td>\$2,590</td> </tr> <tr> <td><b>Site Plans (Vabasis Architects)</b></td> <td>N/A</td> <td>N/A</td> <td>\$3,000</td> </tr> <tr> <td><b>Cost Estimate (Rider Levett Bucknall)</b></td> <td>N/A</td> <td>N/A</td> <td>\$3,500</td> </tr> <tr> <td><b>Estimated Fee (ex GST)</b></td> <td></td> <td></td> <td><b>\$ 10,200</b></td> </tr> </tbody> </table> <p><i>*Travel costs, if required, will be in addition to the fees above. Travel costs can either be booked directly by Council or by Peak and invoiced back accordingly, including a 10% service fee.</i></p> <p><i>Additional hours (as agreed in advance with Council) will be charged on a Time &amp; Material basis as per the table below:</i></p> <table border="1"> <thead> <tr> <th>Consultant</th> <th>Standard Hourly Rate (ex GST)</th> <th>Discounted Hourly Rate (ex GST)</th> </tr> </thead> <tbody> <tr> <td><b>Brian Jackson - Lead Consultant</b> <i>(Director – Consulting Services)</i></td> <td>\$275</td> <td>\$235</td> </tr> <tr> <td><b>Zoe Dark – Co Lead Consultant</b> <i>(Grant Program Office Leader)</i></td> <td>\$225</td> <td>\$185</td> </tr> <tr> <td><b>Erica Daniel – Project Support</b> <i>(Intermediate Advisor)</i></td> <td>\$185</td> <td>\$150</td> </tr> </tbody> </table>	Consultant	Estimated Hours	Discounted Hourly Rate (ex GST)	Estimated Fee (ex GST)	<b>Project Brief</b>	6	\$185	\$1,110	<b>Project Plan</b>	14	\$185	\$2,590	<b>Site Plans (Vabasis Architects)</b>	N/A	N/A	\$3,000	<b>Cost Estimate (Rider Levett Bucknall)</b>	N/A	N/A	\$3,500	<b>Estimated Fee (ex GST)</b>			<b>\$ 10,200</b>	Consultant	Standard Hourly Rate (ex GST)	Discounted Hourly Rate (ex GST)	<b>Brian Jackson - Lead Consultant</b> <i>(Director – Consulting Services)</i>	\$275	\$235	<b>Zoe Dark – Co Lead Consultant</b> <i>(Grant Program Office Leader)</i>	\$225	\$185	<b>Erica Daniel – Project Support</b> <i>(Intermediate Advisor)</i>	\$185	\$150
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<p><b>Consultants</b></p>	<p><b>Brian Jackson</b> (<i>Director – Consulting Services</i>)          Brian brings 20 years of experience working within the public and private sectors, in project management and advisory services. Brian’s expertise encompasses all major asset classes including roads, water, waste, property and development, business operations and technology projects. Brian is recognised as an astute manager with a proven capacity to enhance project delivery and a focus on client requirements through all phases of the project life cycle. Brian has extensive knowledge of transaction management and construction management.</p> <p>Brian plays a strong leadership role within Peak’s Consulting Services as a Director. He brings an aptitude for strategic commercial partnerships and strong stakeholder relations, together with a robust technical background. Brian’s specialisation includes project management, operational reviews, procurement, project strategy and asset management. Brian is driven by his desire to enhance outcomes for our clients</p>	
	<p><b>Zoe Dark</b> (<i>Grant Program Office Leader</i>)</p> <p>Zoe brings over 10 years’ experience providing tailored regional development services to government, community groups, peak bodies and the private sector, with a demonstrated capacity to deliver start-to-finish funding projects. She has demonstrated experience managing corporate sponsorship, community and government grant programs and a proven ability to engage and provide strategic advice to internal and external stakeholders, and senior management from government, industry and community.</p> <p>Zoe’s background includes owning a small business, an Internet Café &amp; Newsagent, General Manager of Mount Isa Chamber of Commerce, Small Business Field Officer/ Advisor for the North Queensland Area Consultative Committee and Strategic Partnership Broker for Chamber of Commerce Industry Queensland.</p>	
	<p><b>Erica Daniel</b> (<i>Intermediate Advisor</i>)</p> <p>Erica joined Peak in 2022, having recently completed coursework in Sustainability Strategies &amp; Circular Economy Practices at the Cambridge Judge Business School and prior to this, Business Sustainability Management at the Cambridge Institute of Sustainability Leadership.</p> <p>Erica brings expertise and global experience coupled with a highly honed set of skills in stakeholder management, team leadership, culture, content creation, copy writing and journalism. Erica has accumulated more than 15 years’ experience in varied roles and holds a BSc. in Environmental Science. Her diversity enables her to identify opportunity and value-added outcomes on the assignments she delivers.</p> <p>Erica’s time as a business owner has helped her develop strong capabilities in the delivery of projects /events within set parameters and skill in maintaining client satisfaction.</p>	

## Form of Agreement

Project Name: Outstation Multi-Purpose Facility Planning & Brief  
Date of Proposal: 9 June 2022  
Peak Project Reference: PP7648  
Estimated Fee Amount: \$10,200 excl. GST  
Payment Terms: Monthly invoicing with 30-day payment term.  
Contract Terms: The Parties hereby agree to the contract defined in the following documents, in order of precedence:

- This proposal
- PEAK Terms and Conditions
- The correspondence between the parties

Acceptance: You may confirm your acceptance of this proposal in any of the following ways:

- Sign and return this document where indicated to myself or [tenders@wearepeak.com.au](mailto:tenders@wearepeak.com.au) or;
- provide us written instructions after receiving our offer; or
- by email acceptance of our offer.

### EXECUTED BY THE CLIENT

SIGNED for and on behalf of **Mornington Shire Council** by its authorised representative:

\_\_\_\_\_  
Signature of authorised representative

\_\_\_\_\_  
Name of authorised representative

Date:    /    /

### EXECUTION BY THE CONSULTANT

SIGNED for and on behalf of **Peak Services** by its authorised representative:

  
\_\_\_\_\_  
Signature of authorised representative

Brent Reeman – Managing Director,  
Peak Services  
\_\_\_\_\_  
Name of authorised representative

Date: 09/06/2022

Please confirm if this service is being purchased under a Local Buy Panel Arrangement

# Terms and Conditions

## Asset & Project Management



### OFFER VALIDITY

The offer for provision of professional services encompassed in the proposal document remains valid for a period of **60** days, unless otherwise stated in the proposal document or agreed by Peak.

### THE PARTIES

The Client means the organisation identified as the addressee in the attached proposal document. The Client's representative, unless otherwise advised by the Client, is the addressee identified in the attached proposal document.

The Consultant means: Peak Services Pty Ltd ACN 115 959 021 25 Evelyn St, Newstead, Qld 4006.

Peak Services is the business name of Peak Services Pty Ltd.

### GENERAL CONDITIONS OF CONTRACT

1. All work undertaken by Peak Services is subject to the terms and conditions here set out.
2. These Terms and Conditions cannot be varied or waived, unless in writing and signed by an executive of Peak Services Pty Ltd.
3. The general conditions of contract shall be the Australian Standard General Conditions of Contract for Consultants (AS 4122 - 2010)
4. In the event of conflict or inconsistency between the provisions of the Australian Standard General Conditions of Contract for Consultants (AS 4122 - 2010) and the Peak Services Terms and Conditions, the Peak Services Terms and Conditions shall take precedence.
5. If the services are being procured under a Local Buy LGA Arrangement, the relevant Local Buy Purchaser Conditions take precedence over all other Terms and Conditions.
6. Documents that comprise the contract, in order of precedence, are:
  - The Form of Agreement
  - Peak Terms and Conditions
  - AS4122-2010 General Conditions of Contract for Consultants
  - The correspondence between the parties

### PEAK SERVICES INSURANCES

7. Peak Services holds, and shall maintain for a period of at least 12 months following completion of the services, the following minimum insurance levels:
  - Public Liability: \$20 million
  - Products Liability: \$20 million in the aggregate
  - Professional Indemnity: \$20 million in the aggregate

### FEES

8. Peak Services fees are payable in accordance with the following provisions.
9. The fee for this assignment is outlined in the proposal above.
10. Unless otherwise stated as Fixed Price the fee for the assignment is based on the estimated time expected to be required for the project. Should the expected time change significantly, Client approval will be sought prior to incurring additional time or costs.
11. A Fixed Price client engagement refers to a fixed price based on a fixed scope as define in the Proposal.
12. For non-fixed fee client engagements the Hourly or Day Rates specified in the Agreement remain fixed for a period of 12 months from the date of the proposal. Peak Services may, at the conclusion of the 12-month period, increase the Hourly or Day Rates by providing written notice to the Client
13. Work required to be conducted outside of normal office hours will be calculated at the "out of hours" rate and requires client approval. Out of Hours rate is calculated at 1.5 times the standard hours rate for the role.

14. Peak Services reserves the right to charge interest on overdue payments at the rate of 1% per month, calculated on a pro-rata daily basis.

### KEY PERSONNEL

15. The services will be completed by the key personnel identified in the consultancy Proposal – Key Staff.
16. Peak may, at its absolute discretion, substitute members of the key personnel with suitably qualified persons should the need arise.

### HOURLY RATES

17. In the event that Peak is requested by the Client to perform additional services then, in the absence of a specific fee agreement for that additional work, the Client agrees to pay Peak for those services on an hourly rate basis, with the fee being calculated using the hourly rates listed below:

Peak Position	Hourly Rate (excl. GST)
Director	\$275
Manager / Senior Advisor	\$225
Intermediate Advisor	\$185
Advisor	\$150
Project Administrator	\$110

### FORCE MAJEURE AND DELAYS

18. A party shall not be liable for any failure or delay in the performance of this agreement where the failure or delay is caused by circumstances or events:
  - a) beyond the party's reasonable control,
  - b) which materially affect the performance of any of its obligations under this agreement

### CANCELLATION

19. In the event that a Client cancels an assignment placed with Peak Services for any reason where Peak Services has undertaken work and incurred expenses in relation thereto then, even though project is not complete, the Client is liable for the fees and expenses of the percentage of the completed work to date.

### OUTLAYS AND OUT-OF-POCKET EXPENSES

20. Client may elect to make travel bookings directly itself.
21. Any travel arrangements booked by Peak Services (including airfares, taxis, accommodation, meals, etc.) will be billed to Client during the month they are incurred and will have a 10% service fee added.

### LIMITED LIABILITY

22. Peak Services is not liable for any loss, damage, injury, costs (including legal), claims or expenses sustained by the Client or its employees, agents or customers, arising directly or indirectly from or connected with this assignment, except for where Peak Services has been deemed to be negligent in the services provided.

### COPYRIGHT AND OTHER INTELLECTUAL PROPERTY RIGHTS

23. Peak Services owns and maintains all intellectual property rights in the deliverables produced and grants a limited license to the Client to use the deliverables for the purpose of the Client's business.
24. The Client grants Peak Services a license to use any Client supplied information for the purposes of completing the services contemplated by this agreement.
25. The Client shall advise Peak Services in writing if any Client supplied documents or information are to be treated as confidential.

### ASSIGNMENT

26. Peak Services may assign, novate, subcontract or otherwise transfer all or any part of its rights or liabilities under this arrangement without the consent of Client. The Client must execute any document reasonably required by the Peak Services to give effect to the assignment, novation or transfer.

## Grant Services Work Order

The below table provides a summary of services and pricing for grant writing and related services to be performed under the **Grant Management Services Retainer Agreement (GM7158)** between *Mornington Shire Council* and *Peak Services Pty Ltd.*

Item	Description												
<b>Client</b>	Mornington Shire Council												
<b>Project Ref</b>	GM7650 - Mornington Island Tourism Development Strategy Coordination												
<b>Client Contact</b>	Graham King – Acting Chief Executive Officer												
<b>Program</b>	Start Date: June 2022 Estimated Completion Date: Prior to 30 November 2022												
<b>Scope of Work</b>	Oversee and coordinate the implementation of QUT, Transformative Tourism Pathways for Mornington Island Initiative, ensure collaboration between Department of Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnerships and key findings Inform all new Master and Precinct Planning projects. Coordinate local meetings and community engagements for QUT as required.												
<b>Fees &amp; Expenses (ex GST)</b>	<table border="1"> <thead> <tr> <th>Consultant</th> <th>Estimated Hours</th> <th>Hourly Fee (ex GST)</th> <th>Fee (ex GST)</th> </tr> </thead> <tbody> <tr> <td><b>Zoe Dark</b> <b>Lead Consultant</b> <i>(Grant Office Leader)</i></td> <td>10</td> <td>\$150</td> <td>\$1,500</td> </tr> <tr> <td><b>Total Estimated Fee (ex GST)</b></td> <td><b>10</b></td> <td></td> <td><b>\$1,500</b></td> </tr> </tbody> </table>	Consultant	Estimated Hours	Hourly Fee (ex GST)	Fee (ex GST)	<b>Zoe Dark</b> <b>Lead Consultant</b> <i>(Grant Office Leader)</i>	10	\$150	\$1,500	<b>Total Estimated Fee (ex GST)</b>	<b>10</b>		<b>\$1,500</b>
	Consultant	Estimated Hours	Hourly Fee (ex GST)	Fee (ex GST)									
	<b>Zoe Dark</b> <b>Lead Consultant</b> <i>(Grant Office Leader)</i>	10	\$150	\$1,500									
	<b>Total Estimated Fee (ex GST)</b>	<b>10</b>		<b>\$1,500</b>									

To advise your acceptance and confirm Peak Services is to complete the scope of work, please sign and return this document electronically or provide an email stating acceptance.

### EXECUTED BY THE CLIENT

SIGNED for and on behalf of **Mornington Shire Council** by its authorised representative:


\_\_\_\_\_  
Signature of authorised representative

\_\_\_\_\_  
Name of authorised representative

Date: / /

### EXECUTION BY THE CONSULTANT

SIGNED for and on behalf of **Peak Services** by its authorised representative:

  
\_\_\_\_\_  
Signature of authorised representative

Brian Jackson – Director Consulting Services  
\_\_\_\_\_  
Name of authorised representative

Date: 09/06/2022

Please confirm if this product/service is being purchased under a **Local Buy Panel Arrangement**

Yes

GM7650 - Mornington Island Tourism Development Strategy Coordination

## 14.3 LOCAL GOVERNMENT GRANTS AND SUBSIDIES PROGRAM 2022

**Author:** Acting Chief Executive Officer

**Attachments:** 1 Letter from Hon Steven Miles MP, Deputy Premier, Minister for State Development, Infrastructure, Local Government and Planning  
Minister Assisting the Premier on Olympics Infrastructure

### **PURPOSE (EXECUTIVE SUMMARY)**

To advise that Council has been successful in receiving a grant of \$2,052,350 for the construction of 4 new accommodation cabins, new commercial laundry to service motel and landscaping.

### **BACKGROUND & PREVIOUS COUNCIL CONSIDERATION**

Council outlined this project within its 5 year Implementation Plan.

Advice has now been received from Deputy Premier that Council's application has been successful under the Local Government Grant and Subsidies Program (2022-24) with works to commence after 1 July 2022 and be completed by 30 June 2024.

### **FINANCIAL & RESOURCE IMPLICATIONS**

The estimated project cost in February, 2022 was \$2,082,350 with the grant received being \$2,052, 350. There is no Council contribution being sought under the grant conditions.

### **RECOMMENDATION**

That Council receive and note the Report and thank the Deputy Premier, Minister for State Development, Infrastructure, Local Government and Planning for the grant of \$2,052,350 under the State Government Local Government.



**Hon Steven Miles MP**  
Deputy Premier  
Minister for State Development, Infrastructure,  
Local Government and Planning  
Minister Assisting the Premier on Olympics Infrastructure

Our ref: MBN22/250

1 July 2022

1 William Street  
Brisbane Queensland 4000  
PO Box 15009  
City East Queensland 4002  
**Telephone** + 61 3719 7100  
**Email** deputy.premier@ministerial.qld.gov.au  
**Website** www.statedevelopment.qld.gov.au

ABN 65 959 415 158

Councillor Kyle Yanner  
Mayor  
Morningson Shire Council  
mayor@morningson.qld.gov.au

Dear Councillor Yanner

I refer to the Morningson Shire Council (the council) application for funding under the Queensland Government's 2022 Local Government Grants and Subsidies Program (2022-24 LGGSP).

I am pleased to advise that I have approved funding under the 2022-24 LGGSP to the Council for the following project:

<b>Infrastructure/ Planning category</b>	<b>Project Title</b>	<b>Percentage of eligible project costs</b>	<b>Maximum approved subsidy amount</b>
Infrastructure	Morningson Island Motel and Accommodation Expansion	100%	\$2,052,350.00

This funding is to be used for the approved project as outlined in the council's 2022-24 LGGSP project proposal.

It is important that the benefits of this project be realised as soon as possible, as it will create jobs for Queenslanders and increase the liveability for your community, while boosting regional economies.

It is a condition of funding that all works commence after 1 July 2022 and be completed by 30 June 2024.

The Director-General of the Department of State Development, Infrastructure, Local Government and Planning (the department) will write to the council's Chief Executive Officer providing further details of the approved project and delivery requirements, to assist the council in meeting the Program Guidelines.

I would like to congratulate the council on its successful project proposal and I look forward to seeing the benefits which flow to your community as a result of this important funding.

I have asked for Mr Mark Askins, Director, Grants Management and Commissions in the department to assist you with any further queries. You may wish to contact Mr Askins on (07) 3452 7957 or by email at mark.askins@dscilgp.qld.gov.au, who will be pleased to assist.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'SM', with a small dot at the end.

**STEVEN MILES MP**  
**DEPUTY PREMIER**  
**Minister for State Development,**  
**Infrastructure, Local Government and Planning**  
**Minister Assisting the Premier on Olympics Infrastructure**

## 14.4 GULLY PETERS MEMORIAL CHURCH

**Author:** Acting Chief Executive Officer

**Attachments:** 1 Invoice for work on Gubadanga

### **PURPOSE (EXECUTIVE SUMMARY)**

To advise Council of a request from the Gully Peters Memorial Church for write-off of account.

### **BACKGROUND & PREVIOUS COUNCIL CONSIDERATION**

Attached is a copy of a request from Pastor Gewa for the write-off of a Council Invoice for work done at Gudadanga.

### **FINANCIAL & RESOURCE IMPLICATIONS**

Total value of account \$1,140.00.

### **RECOMMENDATION**

That Council approve the write-off of \$1,140 for work done at Gubadanga, Birri on the basis the work was requested for a community purpose as set out in the attached letter.



## MORNINGTON SHIRE COUNCIL

We acknowledge the traditional owners of the land, the Lardil people of Mornington Island. We pay respect to the historical people from surrounding islands and areas including the Kaiadilt, Yangkal and Gangalidda peoples. We pay respect to our elders both past and present and acknowledge the many leaders in the community.

Address: 1 Mission Road  
Gununa QLD 4892

Postal: PO Box 90  
Mornington Island QLD 4892

Phone: 07 4745 7800  
Fax: 07 4745 7275  
Email: [finance@mornington.qld.gov.au](mailto:finance@mornington.qld.gov.au)  
ABN: 42 971 949 286

## TAX INVOICE

Mornington Island Uniting Church  
21 Dajibuka Street  
GUNUNA QLD 4892  
AUSTRALIA

**Invoice Number** INV-9045 **Invoice Date** 28 Feb 2022

**Account Number** UNITCH **Reference** MSC P/W Authority 50863

Description	Quantity	Unit Price	GST	Amount AUD
MSC P/W Authority 50863				
Plant 300 - Bobcat @ \$173 per hour Operator: Joel Ah Kit Description: Clear block at Birri. Duration: 4 hours Delivery Date: 14/08/2021	4.00	157.2727	10%	629.09
Plant 801 - Tilt Tray @ \$224 per hour Operator: Steve Ah Mat Description: Clear block at Birri. Duration: 2 hours Delivery Date: 14/08/2021	2.00	203.6364	10%	407.27
			Subtotal	1,036.36
			Total GST 10%	103.64
			Invoice Total AUD	1,140.00
			Total Net Payments AUD	0.00
			<b>Amount Due AUD</b>	<b>1,140.00</b>

**Due Date: 15 Mar 2022**

**Payment Should Be Made to:**

Account Name: Mornington Shire Council | BSB: 034-167 | Account #: 000948 | Please Use Invoice Number as Reference

## 14.5 MORNINGTON SHIRE LIBRARY SERVICE

**Author:** Acting Chief Executive Officer

**Attachments:** 1 Letter from State Library of Queensland

### **PURPOSE (EXECUTIVE SUMMARY)**

To advise Council on the establishment of a library service on the Island.

### **BACKGROUND & PREVIOUS COUNCIL CONSIDERATION**

Letter advises that Council needs to apply for an Establishment Grant which will open shortly.

Current grant arrangements allow for:

Building – location and operational costs

- \$17,000 – contribution to wages
- \$2,900 Service development subsidy

The State Library also assists with recruitment, collection management and book exchanges. Professional development opportunities also exist.

Council planning required for application include:

- A detailed floor plan including measurements of the space to ensure sufficient space for collections, activities and spaces
- Confirmation of Council of co-funding contributions
- Comprehensive and itemised budget.

Office of State Library are able to assist Council in putting together this information.

### **FINANCIAL & RESOURCE IMPLICATIONS**

As per budget provision 2022/23.

### **RECOMMENDATION**

That Council receive and note the Report and authorise the Acting CEO to forward a formal application, as required.



**Public Libraries and Engagement**

t 07 3842 9156  
e [louise.denoon@slq.qld.gov.au](mailto:louise.denoon@slq.qld.gov.au)  
Ref: 570/250/220

Mr Graham King  
A/Chief Executive Officer  
Morningson Shire Council  
1 Mission Road, Gununa  
MORNINGTON ISLAND QLD 4892

Dear Mr King

A handwritten signature in black ink that reads 'Louise Hunter'.

It was fantastic for Louise Hunter, Lead, Indigenous Services and myself to present to you and council members in March about the possible establishment of an Indigenous Knowledge Centre (IKC) at Morningson Island.

State Library of Queensland shares your commitment to establishing an IKC that can provide high-quality library service and be a cultural keeping place for your community.

We thank you for your continued conversation to progress the establishment of an IKC. The next step to formalising a request for support of your IKC would be to apply for an IKC Establishment Grant, which will open in the next financial year.

I would recommend that Council begin planning and preparing information that will be required for your application including:

- a detailed floor plan including measurements of the space to ensure sufficient space for collections, activities and spaces
- confirmation of Council or other partner co-funding contributions or in-kind support; and
- a comprehensive and itemised budget, including a list of all costs, items or services you are proposing to be covered by the funding.

Officers from our Indigenous Services team are available to assist you further in the development of your application through a further visit to your proposed space and engagement with council and community to identify specific needs, local priorities and aspirations for the future of your IKC.

Our team is available in the week of 18 July 2022 or at a later date more suitable to you. Please contact Louise Hunter, Lead, Indigenous Services as soon as possible via email [louise.hunter@slq.qld.gov.au](mailto:louise.hunter@slq.qld.gov.au) or phone: 07 3842 9962 or 0477 396 516 to confirm the timing of the State Library's proposed visit.

Cultural Centre Stanley Place South Bank  
PO Box 3488 South Brisbane Queensland 4101 Australia  
t 07 3840 7666 w [slq.qld.gov.au](http://slq.qld.gov.au)



**Queensland  
Government**

We look forward to continuing to develop our partnership with your local Council and assisting you to progress the establishment of an IKC service for your community.

Yours sincerely



Louise Denoon  
Executive Director  
Public Libraries and Engagement  
18/16/22

## 14.6 GULF REGIONAL ABORIGINAL CORPORATION (GRAC) – FESTIVAL GROUNDS

**Author:** Acting Chief Executive Officer

**Attachments:** 1 Festival Grounds

### **PURPOSE (EXECUTIVE SUMMARY)**

To advise Council of a proposal by GRAC to enter into a occupancy licence to maintain the Festival Grounds and Toilet facilities.

### **BACKGROUND & PREVIOUS COUNCIL CONSIDERATION**

Attached is correspondence from GRAC setting out a proposal for Council and GRAC entering into an occupancy licence regarding the Festival Grounds and Toilet facilities.

### **FINANCIAL & RESOURCE IMPLICATIONS**

To be determined.

### **RECOMMENDATION**

For Council's consideration.

**From:** Rachael Arnold <[rarnold@clcac.com.au](mailto:rarnold@clcac.com.au)>  
**Sent:** Monday, 13 June 2022 11:21 AM  
**To:** Graham King <[aceo@mornington.qld.gov.au](mailto:aceo@mornington.qld.gov.au)>  
**Cc:** Kyle Yanner <[Kyle.Yanner@mornington.qld.gov.au](mailto:Kyle.Yanner@mornington.qld.gov.au)>  
**Subject:** Festival Grounds

Hi Graham

I've been discussing with Mayor Yanner and Kim, a Project Officer for Mirndiyan, the maintenance and renovation of the Festival Grounds toilet/shower block. Mirndiyan needs the block to be improved for a festival they are planning for this September and Kyle wants it renovated for daily use by community. The arts centre are currently finalising a funding application today for enough funds to fully renovate the existing infrastructure and GRAC has given a letter of support for this funding.

For GRAC the issue extends to the whole Festival Grounds which is not maintained properly as the Rangers don't have the equipment and in the past have relied on a gentleman's agreement with BYNOE to have it mown on occasion. BYNOE have said they can only maintain the area when it suits them – when they have available staff and no other pressing work, which is not a suitable agreement for the community.

Our legal officer Ryan Ellis whom you have met at our meetings in his prior appointment as GRAC's legal advisor from P&E Law, suggested MSC consider taking an occupancy licence for a peppercorn rent (i.e. \$1 on demand per annum) with Council assuming the maintenance obligations. It would be non-exclusive, so GRAC and native title holders can still use the land. This would give Council a legal obligation to maintain and hence allow you to justify any expenditure on the area. Council could also then use the Festival Grounds for community purposes, perhaps subject to limitations set out in the occupancy licence.

As this would not involve granting exclusive possession, it could be done without an ILUA. However GRAC as trustee of the land has an obligation under s179 of the Aboriginal Land Act 1991 (Qld) to consult with the beneficiaries of the land (i.e. Lardil native title holders) prior to entering into such an agreement. A publically notified community meeting would be required and I could arrange that to tie in with our next meeting in the new financial year.

What GRAC needs before anything can start is Council's interest in this option. Mayor Yanner and I have discussed the idea of moving the boundary to include the toilet block however this could take a considerable time and I have not checked yet with Ryan if it's even possible. Our lease idea would not only be for the toilet area but the whole area of the Festival Grounds.

Graham, are you available to have a chat about this at our next GRAC meeting? We will be on the Island Tuesday 21 June and can fit you in at a time convenient to you. I believe we are booked in at the Training Room but if not, it'll be the Boardroom.

Looking forward to hearing from you.

Kind regards  
Rachael  
0427112105

## 14.7 TCICA MEETING COMMUNIQUE

**Author:** Acting Chief Executive Officer

**Attachments:** 1 TCICA Meeting Communiqué

### **PURPOSE (EXECUTIVE SUMMARY)**

To advise Council on the major issues presented to the July, 2022 Meeting.

### **BACKGROUND & PREVIOUS COUNCIL CONSIDERATION**

The attached Communiqué shows the issues discussed at the July, 2022 meeting.

### **FINANCIAL & RESOURCE IMPLICATIONS**

As per budget allocation

### **RECOMMENDATION**

That the Council receive and note the Report.



## **TCICA Meeting Communiqué – July 2022**

The Torres Cape Indigenous Council Alliance held its third meeting for 2022 on 12 and 13 July in Cairns, representing one of the largest regional gatherings of Mayors, Councillors and Chief Executives of Indigenous local governments in the country, and nearly 20% of all local governments in Queensland with the welcome addition of Doomadgee Aboriginal Shire Council.

TCICA was joined by several guests throughout the two-day meeting, including Ann Leahy MP, Shadow Minister for Local Government, Disaster Recovery and Volunteers, Fiona Simpson MP, Shadow Minister for Finance and Better Regulation and Shadow Minister for Integrity in Government, Toowoomba Regional Council Mayor Paul Antonio, and Chief Executive of the Local Government Association of Northern Territory Sean Holden, who was accompanied by Senior Policy Advisor Mary Watson. Key project partners and senior government officials also participated in the meeting, along with representatives of the Local Government Association of Queensland.

### **Indigenous education options**

Toowoomba Mayor Cr Paul Antonio addressed TCICA on education and training opportunities for students from the Cape York, Torres Strait and Gulf region. Home to eight boarding schools and more than 50 primary and secondary schools, Cr Antonio made a case for the Toowoomba region to host students, with scholarships available for Indigenous students under the [Yalari](#) initiative. Toowoomba also offers many post-school education and employment opportunities, including the Qantas Group Pilot Academy at Toowoomba Wellcamp Airport and employment on any one of the numerous massive infrastructure projects underway in the region.

Mayor Antonio also discussed with TCICA opportunities for council staff exchanges. This was acknowledged as a great initiative to build knowledge, skills, experiences and partnerships between councils and as a way to help address short term executive staff shortfalls, particularly in remote local governments.

### **Ann Leahy MP and Fiona Simpson MP**

TCICA had a broad ranging discussion with Ms Leahy and Ms Simpson on issues including the Belcarra local government reforms, financial sustainability, the impact of amalgamations on local governments and their communities, the need for Weipa to be 'normalised' under the *Local Government Act*, and housing. Ms Simpson strongly encouraged Members to keep her informed of advocacy on housing matters as the State Opposition can help address barriers and support advocacy efforts.

Mayors highlighted the challenges of dealing with conflict of interest provisions following the Belcarra reforms and that the one size fits all approach does not work. Mayors also spoke about the significant increase in vexatious and unjustified complaints against

councillors and the Office of the Independent Assessor complaints handling process. Ms Leahy advised TCICA of the parliamentary inquiry into the functions of the Independent Assessor underway, which is due to report soon. Ms Leahy also spoke to Members about the Opposition's interest in looking at depreciation schedules for local government to understand whether there are opportunities to improve outcomes and developing a policy framework for local government amalgamations to help address failures.

### **National Indigenous Australians Agency**

Marnie Wettenhall of the NIAA updated TCICA on the progress of key Commonwealth initiatives following the change of government.

Several communities are working with the department and Pama Futures under the Empowered Communities initiative to establish local decision-making partnerships, in alignment with Local Thriving Communities. Members noted that Mapoon Aboriginal Shire Council has a good model which can be replicated in other communities.

Incoming Indigenous Australians Minister Linda Burney MP has flagged her intention to abolish the Community Development Program, although current contracts will remain in place until they expire. A new program to be developed is intended to give communities control over how services are delivered, and who delivers them. Members resolved to write to Minister Burney and her department to ensure TCICA has a seat at the table during the CDP redesign process.

Members noted that Senator Pat Dodson in his role as Special Envoy for Reconciliation and the Implementation of the Uluru Statement from the Heart will soon be in the region to talk to stakeholders about the Voice to Parliament process.

### **Health system reform project (TORCH)**

Matthew Cooke of QAIHC and Marguerite Taylor of Queensland Health updated TCICA on the progress of the Torres and Cape Healthcare Commissioning entity project. The next step is for communities to come together to talk about how they see a commissioning entity working for them to drive better outcomes. Councils will play a key role in advising how consultations with communities should take place, with resources to help with consultations developed by Queensland Health. It was noted that Health Action Teams could play a key role in leading grassroots community conversations.

Mayors noted the role Councils play in addressing public health issues through the provision of services such as water supply, waste management, housing, and environmental health, but that much greater financial support is needed to ensure councils are properly funded to meet their obligations.

### **Local Government Association of Northern Territory**

LGANT Chief Executive Sean Holden spoke to TCICA about LGANT, their work supporting member councils in the Northern Territory, and LGANT's five key strategic priorities to support members through addressing the issues of finance, governance and workforce, profile and reputation, economic development, climate, waste and environment, and Aboriginal outcomes.

Mr Holden introduced TCICA to the CouncilBiz initiative, the background behind its establishment, and how it works to provide a range of shared services across its nine councils members. Services include a common information technology platform (server infrastructure, IT support, application hosting etc), business software support, financial services processing, and procurement. Mayors spoke about the merits of a shared platform and opportunities to also consider the OneGov single transaction platform which is used by the City of Darwin to reduce silos within their operations.

Mr Holden briefed TCICA on the Northern Australia Local Government Summit initiative, which would be intended to be facilitated as a partnership between LGANT, LGAQ and the Western Australia Local Government Association. If supported, TCICA will be invited to provide input into an outcomes-focussed summit agenda, and timing of the summit (for example, to coincide with the Developing Northern Australia Conference to be held in Darwin next year).

TCICA members resolved to support the summit and provide input. With many shared challenges and opportunities across our two organisations, there is strong value in working together to share knowledge, build relationships and learn from each other.

### **Cape Resilience Project**

Alex Ung of UNGANCO updated Members on the rollout of the asset management system project being delivered across eight councils. Visits to Napranum, Weipa, Mapoon, and Aurukun are planned for next week as part of the 'discovery' phase of the project and for the project team to meet with key council representatives and start the process of mapping council assets.

It is expected that opportunities will be available to Councils not involved in this round of funding to participate in a second round, pending the continuation of the Commonwealth's Preparing Australian Communities grant program.

### **Local Government Association of Queensland**

LGAQ's Simon Booth and Allen Cunneen briefed members on the progress of LGAQ's work and Indigenous Leaders Forum outcomes, with reference to LGAQ's briefing document provided to members. Members discussed digital connectivity as a key ongoing issue and the potential to access the submarine cable running through the Torres Strait. Members also discussed housing and home ownership and the need to ensure new homeowners are aware of their obligations as a homeowner such as insurance, home maintenance, and rating charges. Concerns were raised about valuing housing in communities when there is no existing housing market and what role the Valuer General could play.

Members noted the closing date of 10 August for policy motions to be put forward to the LGAQ Annual Conference.

### **State School Indigenous Education**

Mayors Keri Tamwoy and Bradley Creek updated TCICA on their work on the project board co-designing local community education bodies. The pilot project aims to improve outcomes for Aboriginal and Torres Strait Islander students by empowering local

Aboriginal communities and Torres Strait Islander communities to inform school decision-making. To date, 11 of the 13 pilot schools have established a Local Community Education Body (LCEB) with local Aboriginal and Torres Strait Islander community members to co-design strategies to assist Aboriginal students and/or Torres Strait Islander students to succeed at school. Each LCEB is co-chaired by the principal and a local Indigenous person. Schools in the TCICA region involved in the pilot are Aurukun and Western Cape College. An evaluation of the pilot will be undertaken next year to inform the department's thinking on whether the model will be expanded beyond the 13 pilot schools.

Members spoke of the need to ensure the education curriculum includes a strong cultural curriculum and truth-telling to empower students to learn and understand their cultural history. Aurukun school is a great example of a school which embraces cultural learning, with Wik-Mungkan language, cultural and traditions taught by community Elders.

Members noted that one of the biggest issues for remote schools is the lack of continuity of school principals and other school leaders.

### **Regional Resilience Strategy**

Julie Brook from the Queensland Reconstruction Authority briefed TCICA on the final Regional Resilience Strategy and accompanying regional action plan, local action plans, and regional resilience baseline checklist. Ownership of the regional action plan, local action plans, and regional resilience baseline checklist rests with TCICA and individual communities. There is no process of evaluation or oversight by QRA, rather these documents are intended to be used to help councils and TCICA understand local and regional priorities for implementation and to access funding. The resilience baseline checklist is a tool for communities to understand their current situation and to help plan and guide funding applications.

Members agreed to endorse in principle the Regional Resilience Strategy.

### **Telstra activity**

Ms Rachel Cliffe from Telstra briefed Members on current and future Telstra activity in the region. There will be projects underway to upgrade the fibre optic cable up the Cape via the western side and through Normanton to Burketown under their 'Ring of Resilience' initiative. New base stations will be delivered in Seisa and Cooktown, as well as projects on Mornington Island and in Lockhart River, where telecommunications will be upgraded to a 4G network following the next wet season.

Future rounds of funding under the Connecting Northern Australia initiative and Regional Connectivity Program will provide more opportunities to address connectivity issues in the TCICA region.

### **Financial Sustainability Project – Initiative 6 “Capability”**

Anthony Ottaway and Jan Xanthopoulos spoke to Members about the next stage of TCICA's financial sustainability project, which is to address issues of local government capability.

A comprehensive survey has been designed to identify key capability and capacity gaps in councils' asset management, financial management, risk process and governance, identify causation factors, and help inform a range of options to address them. Responses will be collected and analysed by QTC and reported back to TCICA in aggregate. Following the survey, QTC will hold one-on-one sessions with councils to discuss the survey and gain further insights.

Once capability issues have been understood and workshopped with individual councils over the next few months to November, QTC will work with TCICA to identify potential options to address them. The options analysis work is expected to take place from November to December this year. Following the options analysis and assessment, detailed implementation requirements will be developed, with this work taking place during 2023. The four non-member Indigenous local governments of Cherbourg, Woorabinda, Palm Island, and Yarrabah will also be invited to participate.

### **Other Business**

#### *Canberra Advocacy Visit*

TCICA members agreed to support a TCICA delegation to Canberra in late November / early December to meet with incoming Government ministers and advocate on matters of key importance. The visit will be planned over the coming months.

#### *First Nations Consultative Committee*

Members discussed the make-up of the newly formed eight-member First Nations Consultative Committee to inform the Queensland Government on their input to the national Indigenous Voice process and design of a Queensland Indigenous Voice model.

TCICA members resolved to write to LGAQ asking LGAG to invite the committee to address the next Indigenous Leaders Forum to be held in October in Cairns.

#### *Tourism Impact Management*

Members discussed the ever-increasing numbers of tourists travelling to the Cape region and the lack of coordination to address tourism impact management issues such as trespass on land, environmental damage, breach of cultural protocols, and overburdening limited community resources such as water and food supply. There is no one authority taking responsibility for managing these issues, leaving it to communities to deal with the consequences.

TCICA will look to establish a working group to determine a way forward and put in place strategies to ensure tourism delivers only positive economic, social, and environmental benefits. Management plans, restricted access to cultural sites, and increased visitor fees to help support new tourism infrastructure may be considered as ways to address the issues.

#### *2032 Olympic Games*

With the 2032 Olympic Games expected to increase tourism to the region and provide opportunities to showcase Indigenous peoples and culture, focussed effort is needed to

ensure the Cape York, Torres Strait and Gulf region is ready to capitalise on the increased attention. TCICA will engage with key decision-makers to consider how best to ensure our region does not miss out and what councils need to do to put forward a strong case for regional involvement.

#### *Census data*

Mayor Patricia Yusia raised the issue of the recent release of census population data and ongoing undercounts as a result of poor data collection processes in communities. Members noted the implications for funding as a result, with population counts being a critical metric used in determining funding under programs such as Financial Assistance Grants and for other population-based methodologies. It was noted that community master plans estimated resident population more accurately and that council doorknocking of individual houses has also more accurately reflected true numbers. Advocacy on this matter will continue.

#### *Staff Housing*

Members discussed the need for support for council staff housing in communities, and the need for government agencies to provide more housing for their staff to free up housing for local people. The financial position of councils limits their options to finance new housing themselves yet there remains a critical need to provide more housing to attract and appropriately house staff. Advocacy on this matter will continue.

#### **Future Meetings**

TCICA's next meeting is scheduled for 14 & 15 of September in the Weipa, Napranum and Mapoon region.

TCICA's November meeting will be rescheduled to 15 November to coincide with a planned climate forum to be held by the Department of Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnerships.

## 15 STAFF REPORTS - WORKPLACE HEALTH AND SAFETY

### 15.1 WHS RISK AUDIT AND COMPLIANCE REPORT - JULY 2022

**Author:** WHS Officer

**Attachments:** Nil

#### **PURPOSE (EXECUTIVE SUMMARY)**

WHS Risk Audit and Compliance Report - July 2022

The WHSQ Improvement Notices submitted to council update follow:

#### **BACKGROUND & PREVIOUS COUNCIL CONSIDERATION**

WHSQ Improvement Notices in Progress - No Change from last month's report

**Notice No. I2031553 - June-2022 Maintenance Depot** – There are two entry points to the depot, with inadequate signage and indication of traffic flow or speed. There is no delineation between workers, other persons, and vehicle traffic other than a temporary fence which can be moved and moved around. Advised that to your knowledge there was no traffic management plan for the site.

Rectification:

- Subdivision of the site to clearly delineate boundaries to assist in development of traffic management plans
- Securing of perimeter to facilitate safe trafficking within the site
- Development of traffic management plan for site

Progress

- Subdivision complete/ being lodged
- Fencing of external and internal perimeters scoped and planned

Outstanding Actions

- Traffic management signage and plan to be incorporated into the above.

**Notice No. I2010272 – June -2022 Water Treatment Plant** – Discussions with Council Management Representatives confirmed there was currently a Hazardous Chemicals Register prepared and maintained for the site. Council Management Representatives also confirmed the WTP had not, to date, been notified as a "Manifest Quantity Workplace" (MQW) through submission of a Form 73 Application to WHSQ for assessment.

Rectification:

- The Water Treatment Plant is scheduled for redevelopment that will include purpose built chemical storage shed and a site office to conduct testing etc., The chemical storage shed includes an emergency chemical shower
- As advised by the Executive manager Tech Services prior to his departure the successful contractor will be required to submit a "Manifest Quantity Workplace" (MQW) through submission of a Form 73 Application to WHSQ for assessment.
- Progress

- Quotes for the redevelopment has been received with works yet to be commenced.

**Notice No. I2010273 - June -2022 Water Treatment Plant** – Discussions with Management Representative(s) confirmed that an Emergency Plan for the WTP (Manifest Quantity Workplace) has not been prepared, implemented and maintained for the site. In addition, it was confirmed that the WTP's Plan had not, to date, been submitted to the primary Emergency Services Organisation (QFES) for review.

Refer response to Notice No. I201273

Currently the Water Treatment Plant no longer holds manifest quantity levels of chemical to be rated as Manifest Quantity Workplace, and as such council is not required to submit an emergency management plan.

**Notice No. I2010271 - June -2022 Depot Mechanical Workshop/Hardstand Work Areas** –

It was observed and photographed temporary fencing installed across the Depot's external Hardstand storage/work area noting that the fencing would not prevent unauthorised pedestrian access. Further discussion with Council Management Representatives confirmed that the temporary fencing had been installed to deter unauthorised access to the workshop and Plant/Equipment that had been "Tagged" out for inspection, Maintenance and Repair. Management outlined the administrative process for workers to access and return key(s) for Powered Mobile Plant/Equipment. Management further advised there was an "Action Plan" to survey the Depot Hardstand creating two separate blocks and to install a permanent boundary fencing/gate(s) to improve the Depot's traffic management.

Refer response to Notice No. I2031553.

- Further action to ensure that pedestrian access is incorporated into scoping and site plan.

**Notice No. I2010451 - June -2022 Waste disposal/transfer facility** – There is currently no adequate safe system(s) of work in place to manage the risk of unauthorised site access, hazardous chemicals (EG. Batteries) and mobile plant colliding with persons or any other thing at the workplace. I confirmed with Management Representatives that there is inadequate site-specific control measure(s) (EG. Traffic Management Plan/Signage/Perimeter Fencing/Entry Gates) to adequately address Facility security and traffic management. Council Management Representatives confirmed that workers, including contractors and other persons are not currently provided with a site induction that includes information regarding site rules/requirements for provision of safe access/plant movement throughout Council's Waste Disposal/Transfer workplace

Rectification:

- Develop traffic management plan
- Site security

Progress

- Work in progress to scope hard stand and site access to the land fill

Outstanding Actions

- Traffic management signage and plan to be incorporated into the above.

**Notice No. I2010268 – June -2022 Mechanical Workshop External Hardstand Storage/Work Area** – It was observed and photographed two (2) exterior hardstand designated storage/work areas (Temporary Fencing Installed between Operational & Tagged out Plant) noting the amount of plant, equipment and materials stored on these exterior hardstand laydown areas (EG. Disused Plant & Equipment). Discussions with Council Management Representatives confirmed that this mobile plant storage/work area maintenance issue had been previously identified and there was a plan in place to manage Council Plant and Equipment not in use (EG. Tag Out for Inspection, Maintenance & Repair/Dispose to Mainland for Parts/Scrap Metal)

Refer response to No. I2031553

Additional action:

- Ensure remediation action sufficiently incorporated into traffic management and site access design.
- Remedial work completed. Council Plant and Equipment not in use (EG. Tag Out for Inspection, Maintenance & Repair/Dispose to Mainland for Parts/Scrap Metal) have been removed from Island

Response to WHSQ regarding the above improvement notices –

The response to WHSQ is currently still being drafted due to further changes in updated information and departure of the Executive Manager Tech Services, Council has employed a new engineer and he has recently commenced in Tech Services, when completed it will be reviewed by the ACEO prior to submission.

WHS/EHO documents developed/under review

- The Barge has been successfully surveyed and the certificate of survey has been received by council – also now approved for 50 nautical mile range, (Burketown is 72 nautical miles from Mornington Island)

Hazard, incident, and risk reporting

- Nil Hazard reports received.
- Nil incident reports

Rehabilitation and Return to Work

- 3 claims are currently under review and investigation by LGW, yet to be accepted at this time.

Safe Work Method Statements developed and provided for the month.

- Nil

Safety Management System Master Class and WHS Member Forum program to be conducted in Toowoomba on Wed 13 and Thursday 14 July 2022. The Safety Management System Master Class will be a professional development session for Member Council WHS Teams. The councils WHSA attended.

**Next scheduled attendance to Council**

- **Arrive 25/07/2022 and depart 5/08/2022.**

## WHS Continuous Improvement Activities – No Change from last month's report

- Investigate the possibility of mentoring a suitable council employee towards WHS qualifications
- Consider training some employees to perform test and tagging instead of paying an electrical contractor to complete the work –
- Develop and implement a WHS committee, meetings to be conducted quarterly, suggested committee to be comprised of WHSA, managers of each department and any interested workers

### Environmental Health Update

Food license applications – No Change from Last month's report

#### Kuba Natha APH – Gidgee Health

- Food licence application has been received however it is not currently complete Gidgee Health to provide further supporting documentation. The council's EHO has conducted a food safety inspection of the APH kitchen including a review of the home's food safety management plan. Completed audit report to be submitted to Gidgee Health in due course.

Currently still waiting for Gidgee to complete the food business application.

#### Bynoe – food van application

- Bynoe has submitted a food license application for a mobile food van, this application has been approved in principle as the required application fee is yet to be paid, it is expected to be paid in due course.

Objectives proposed for next attendance to Council.

During my next visit I will be focusing on the following tasks: -

#### High Priority

Conduct unannounced food safety inspections – Food Safety Van to assist with meeting food safety compliance

- Responding to and continuing the completion of WHSQ Improvement Notices
- Toolbox talks and training sessions to be conducted with all council employees
- Provide fire safety and WHS refresher courses for all staff.
- Conduct WHS inspections of building projects currently underway.
- Follow up on submitted hazard reports to ensure timely rectification/elimination.

#### Priority

- Conduct Fire safety training for new staff etc.
- Conduct Induction training for staff and contractors.
- Conduct toolbox training sessions for Tech Services, Workshops, Housing, Special Projects. and cleaning staff onsite
- Conduct site inspections and prestart meetings.

- Continue the work on Hazardous chemicals risk register and SDS updates.
- Continue work on Hazard inspections.

**FINANCIAL & RESOURCE IMPLICATIONS**

Nil

**RECOMMENDATION**

That receive and note the report.

**16 STAFF REPORTS - TECHNICAL SERVICES**

Nil

**17 STAFF REPORTS - INFRASTRUCTURE SERVICES**

Nil

**18 STAFF REPORTS - HOUSING REPORT**

Nil

**19 STAFF REPORTS - FACILITIES**

Nil

**20 STAFF REPORTS - FINANCIAL SERVICES**

Nil

**21 STAFF REPORTS - HUMAN SERVICES**

Nil

**22 CONFIDENTIAL REPORTS**

Nil

**23 NEXT MEETING**

Wednesday 17<sup>TH</sup> August 2022.

**24 CLOSURE**