



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

Date: Wednesday, 19 April 2023
Time: 9:00AM
Location: Council Chamber
Mission Road
Gununa

BUSINESS PAPER

Ordinary Council Meeting

19 April 2023

Gary Uhlmann
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 - 22 MARCH 2023

Author: Executive Assistant

Attachments: 1. Council Meeting Minutes - 22 March 2023

OFFICER'S RECOMMENDATION

1. That the Minutes of the Council held on Wednesday 22 March 2023 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, 22 MARCH 2023 AT 9:00AM**

1 OPENING OF MEETING

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

2 ACKNOWLEDGMENT OF COUNTRY

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

3 PRESENT

Mayor Kyle Yanner, Deputy Mayor David Barnes, Cr Dwayne Rogers, Cr Roxanne Thomas, Cr Robert Thompson, Gary Uhlmann, Geoffrey Rewald, Daniel Dixon

Brett de Chastel and Rhianne Williams (via TEAMS)

4 LEAVE OF ABSENCE

Nil

5 DISCLOSURE OF INTEREST – COUNCILLORS AND STAFF

Nil

6 CONDOLENCES AND MEMORIALS

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

7 CONFIRMATION OF MINUTES**7.1 CONFIRMATION OF MINUTES - COUNCIL MEETING - 28 FEBRUARY 2023****RESOLUTION 2023/39**

Moved: Cr Dwayne Rogers

Seconded: Cr Roxanne Thomas

That the Minutes of the Council held on Tuesday 28 February 2023 be received and the recommendations therein be adopted.

CARRIED 4/0

8 DEPUTATIONS

Minister Craig Crawford – Carriage Limit Application

9 ACTION SCHEDULE

9.1 ACTION ITEMS AS AT 22 MARCH 2023

RESOLUTION 2023/40

Moved: Cr Roxanne Thomas
Seconded: Mayor Cr Kyle Yanner

That the Action Schedule be presented to Council next month with an outline of outstanding actions.

CARRIED 4/0

Cr Robert Thompson joined the meeting.

RECEPTION & CONSIDERATION OF OFFICERS REPORTS

10 MAYOR AND COUNCILLORS REPORTS

10.1 MAYOR'S NORTHERN TERRITORY REPORT

RESOLUTION 2023/41

Moved: Cr Dwayne Rogers
Seconded: Cr Roxanne Thomas

That Council approve and note Mayor's report.

Further that Council form partnership with Roper Gulf Council in a bid to:

- Lobby and visit other communities and other Mayors.
- Focus on the lifting of prohibition / changes to the rules around prohibition in each LGA to suit their individual community's needs. We need to stop the band aid effects and forcing people out of their communities - keep them at home away from trouble and homelessness; and

And that Council CEO explore the Tiwi Islands Council, liquor licence drinking structure and ferry service model for Mornington Island.

CARRIED 5/0

10.2 COUNCILLORS VERBAL REPORT

RECOMMENDATION

Item moved after 13.1.

At 9:26 am, Mayor Cr Kyle Yanner left the meeting.

At 9:33 am, Mayor Cr Kyle Yanner returned to the meeting.

11 CHIEF EXECUTIVE OFFICER'S REPORTS

11.1 APPLICATION OF MEMBERSHIP FOR GULF REGIONAL ECONOMIC ABORIGINAL HOLDINGS

RESOLUTION 2023/42

Moved: Cr Roxanne Thomas

Seconded: Cr Robert Thompson

That Council nominate Mayor Kyle Yanner to represent Mornington Shire Council on the Gulf Regional Economic Aboriginal Holdings (GREAH) committee.

CARRIED 5/0

11.2 INTERIM PAYROLL APPROVAL ARRANGEMENTS

RESOLUTION 2023/43

Moved: Cr Dwayne Rogers

Seconded: Cr Roxanne Thomas

That Council confirm and approve the action of the Acting CEO in interim payroll approval arrangements as the secondary signatory for payroll processing from the date of appointed permanent CEO until the present date.

CARRIED 5/0

At 10:03 am, Cr Roxanne Thomas left the meeting.

At 10:07 am, Cr Roxanne Thomas returned to the meeting.

11.3 CEO BRIEF UPDATE

RESOLUTION 2023/44

Moved: Cr Dwayne Rogers

Seconded: Cr Roxanne Thomas

That Council receive and note the Report.

CARRIED 5/0

12 STAFF REPORTS - WORKPLACE HEALTH AND SAFETY**12.1 WORKPLACE HEALTH AND SAFETY****RESOLUTION 2023/45**

Moved: Cr Robert Thompson
Seconded: Deputy Mayor Cr David Barnes
That Council receive and note the Report.

CARRIED 5/0

13 STAFF REPORTS - TECHNICAL SERVICES**13.1 INFRASTRUCTURE AND TECHNICAL SERVICES REPORT****RESOLUTION 2023/46**

Moved: Cr Robert Thompson
Seconded: Cr Dwayne Rogers
That Council note and receive this report.

CARRIED 5/0

Meeting adjourned at 10:58am by Mayor for Morning Tea.
Meeting recommenced at 11:10am by Mayor.

14 STAFF REPORTS - INFRASTRUCTURE SERVICES

Nil

10.2 COUNCILLORS VERBAL REPORT**RESOLUTION 2023/47**

Moved: Mayor Cr Kyle Yanner
Seconded: Cr Robert Thompson
That Council note and receive verbal reports.

CARRIED 5/0

15 STAFF REPORTS - HOUSING REPORT**15.1 HOUSING REPORT****RESOLUTION 2023/48**

Moved: Cr Robert Thompson
Seconded: Cr Dwayne Rogers
That Council note and accept this Report.

CARRIED 5/0

16 STAFF REPORTS - FACILITIES

16.1 FACILITIES REPORT

RESOLUTION 2023/49

Moved: Deputy Mayor Cr David Barnes

Seconded: Cr Robert Thompson

That Council note and accept this Report.

CARRIED 5/0

17 STAFF REPORTS - FINANCIAL SERVICES

Nil

18 STAFF REPORTS - COMMUNITY DEVELOPMENT REPORT

Nil

19 STAFF REPORTS - HUMAN RESOURCES

Nil

20 CONFIDENTIAL REPORTS

Nil

21 NEXT MEETING

The next meeting will be held on 19 April 2023.

22 CLOSURE

Mayor Yanner closed the meeting at 2:33pm

Gary Uhlmann
Chief Executive Officer

Minutes Confirmed:

Mayor

Date:

8 DEPUTATIONS

9 ACTION SCHEDULE

Nil

RECEPTION & CONSIDERATION OF OFFICERS REPORTS

10 MAYOR AND COUNCILLORS REPORTS

Nil

11 CHIEF EXECUTIVE OFFICER'S REPORTS

Nil

12 STAFF REPORTS - WORKPLACE HEALTH AND SAFETY

Nil

13 STAFF REPORTS - TECHNICAL SERVICES

Nil

14 STAFF REPORTS - INFRASTRUCTURE SERVICES

14.2 TECHNICAL AND INFRASTRUCTURE REPORT

Author: Group Manager Technical Services

Attachments: Nil

PURPOSE (EXECUTIVE SUMMARY)

To advise Council with an update of activities undertaken by the Technical and Infrastructure Services Department within Council.

BACKGROUND & PREVIOUS COUNCIL CONSIDERATION

This report outlines the major activities undertaken and challenges faced by the Department since the last report in March 2023.

Grant Funded Project Update – March 2023

BoR R6 – Sewer network cleaning and CCTV report. Works complete on budget and ahead of time. Despite a few minor issues with internal house plumbing, works completed safely and to a high standard. Final report pending. Water team also utilised equipment whilst on island to carry out works to leachate pipework and landfill and clean problematic stormwater infrastructure.

Works for Queensland – Water Treatment plant upgrade tender has been loaded onto Vendor panel and is currently live. Tender submission are due on the 5th May 2023 which will then be assessed.

ICCIP – Final acquittals are being compiled for submission to department.

DES funded waste program;

- Garbage compactor – grant agreement deed issued by department and truck has been ordered from Garwood International. Expecting delivery in July/August.
- Bin stabilisation final project plan issued to department for issue of funding agreement
- Transfer Station design and construct project plan issued to department. Discussion and methodology has now been revised to carry out a feasibility study, including assessment of options for on Island processing which has potential to create jobs and repurpose waste streams into products that can be used on Island for the community.
- Metal Recycling project in discussion with SIMS metal. Final volumes and methodology finalised and expecting project plan completion in early April

QRA Disaster Ready Fund Rnd 1 – Application (attached) submitted to QRA under the Disaster Ready Rnd 1 funding arrangements. Project entails assessment, analysis and design specification for permanent wastewater treatment facilities (sewerage treatment plant) for Mornington Island. Decision still pending.

Parks and Gardens

Routine daily works carried out. Facilities work orders completed.

Aerodrome internal maintenance completed – ground lighting and markers

Batch Plant Operations

Maintenance and repairs completed at Batching Plant. New septic tank installation underway.

March 23

Forecast – 87m³ vs Actual – 6m³

Upcoming projects;

Civic building – 100+m3

House construction projects – 48m3

Fencing

Workshop fence materials under fabrication – delivery mid April.

Routine emergent works carrying out repairs to compromised Council facilities.

Facilities work orders actioned as required.

Civil Works Program

Favourable weather conditions have enabled the Civil crew to make an impact against program. Airport Circuit Road, Gold Cliffs road and the start of Batching Plant Road have been partially completed – main works and med/heavy formations completed, however road sides still soft from previous rain events.

QRA program running a tight timetable to complete key works by June 30. Submission to QRA for extension to program due to ongoing weather impacts. Feedback received that approval will be granted, awaiting formal correspondence.

Tender documentation being finalised to go to market for supplement contractor to ensure program is completed and to realise potential opportunity to increase scope into 2024.

20	Unsealed Roads	252.88 days	Wed 12/04/23	Mon 15/04/24
21	2021/22 Batching Plant Road	1.5 days	Wed 12/04/23	Fri 14/04/23
22	2021/22 Airport Circuit Road	6 days	Fri 14/04/23	Mon 24/04/23
23	2021 Gold Cliffs Road	5.5 days	Mon 24/04/23	Mon 8/05/23
24	2021 Dadrigun Road	1.25 days	Mon 8/05/23	Tue 9/05/23
25	2021 Old Pipeline Road	6.5 days	Wed 10/05/23	Thu 18/05/23
26	2021/22 Gee Wee Road	4.5 days	Thu 18/05/23	Thu 25/05/23
27	2021 Dwendi Road	3.75 days	Thu 25/05/23	Wed 31/05/23
28	2021 Gunbah Road	3.5 days	Wed 31/05/23	Mon 5/06/23
29	2021 Barrakiah Road	17.13 days	Tue 6/06/23	Thu 29/06/23
30	2022 Barrakiah Road	16 days	Thu 29/06/23	Fri 21/07/23
31	2022 Ballaleah Road	109.75 days	Fri 21/07/23	Fri 26/01/24
32	2022 Sydney Island Road	28 days	Fri 26/01/24	Wed 13/03/24
33	2022 Gunna Wunun Road	19 days	Wed 13/03/24	Wed 10/04/24
34	2022 Gubungurra Station Road	2.5 days	Wed 10/04/24	Mon 15/04/24

Aerodrome

Routine maintenance and ARO operations running well. No NOTAM's raised in March.

Replacement and stock orders for runway markers and strip lighting completed – awaiting delivery.

Runway inspections undertaken, excessive loose stone and minor depressions identified. Multi tyre roller and street sweeper to be allocated on weekend shift, outside of scheduled REX (and others) flight plans.

Compliance Manager, Annette James, on island end of March. Completed ARO training and compliance inspections. ERP test to be planned for Q\$, stakeholder engagement required during the planning process.

Tender assessment completed for RAUP Funded project (see closed report). Preferred tenderer engaged to schedule works, including;

Civil and drainage works
Line marking (to compliant standard)

Environmental Health

Adverts lodged both on Seek and in the Community for key EH roles to support department development. 1 x Environmental Health Manager (under offer) 2 x Environmental Health trainees (1 role filled, 1 to be filled). The department will be fully engaged in delivering the ATSI – PHP EH program, which includes, but not limited to;

Food safety

- Development of food business register in accordance with legislative requirements (well underway)

Pest Management

- Indigenous EH to gain Pest Technician training (to be actioned)
- Develop and maintain integrated pest management system (basic framework developed)
- Records of monitoring for treatments and outcomes

Domestic animals

- 80% compliance for animal registrations by 2027 target
- Authorisation of staff to enforce local law registration requirements (to be developed)
- Maintain Vet Surgery to comply with guidelines (in place)
- Develop animal rehoming program

Hygiene, education and complaints management (to be developed)

- Develop, undertake and maintain hygiene surveys in partnership with Community and Public Health Unit
- Develop risk matrix for hygiene risks
- Determine prevention register of risks
- Inform and educate community

Animal Control

Vets BVS visit 13-17th March completed.

New animal control number distributed via posters and MSC Facebook: **0427193687**

Deceased canines collected and taken to resting place (3)

Deceased felines collected and taken to resting place (1) mauled by dog pack.

Weed management

Weed infestation within MSC areas requires attention as the most dominate weeds are Allelopathic (Release toxins to eradicate competition from native plants and grasses)

Bean tree (*Leucaena leucocephala*) also is transported around MI via wild horse population and regularly germinates along fence lines causing damage and financial cost to MSC. Spraying schedule below;

Airport fence line

School Field and PCYC

Save the children

Army reserve depot

Post office

Laneway 926

161 to 164 Mukakiya fences

Sewage ponds

*Sewage ponds will be resprayed fortnightly to stop Candle plant (Cassia Alata) from damaging sewer pond lining.

This introduced weed is also becoming dominant around the boat ramp and surrounding areas.

Due to waxy covering on foliage a surfactant has been ordered and vinegar has been added (2L of Vinegar to 100l of Roundup/water)

*Stump drilling conducted on large Bean tree (Leucaena) to stop overspray and destroy root development. This far more cost effective and directly targets the invasive weed with no damage to natives and food sources.

Waste Management

Routine daily works undertaken at landfill, equipment availability problematic with both dozer and excavator offline due to hydraulic hose issues.

Leachate management assessment carried out during rainfall events. Pipework from cells capped and blocked (temporarily) due to significant dilution rate to stormwater minimising contamination of storage dam. Whilst sewer cleaning contractor on island, pipework and collection vessels were cleaned and reinstated.

Collection Services have been steadily improving with consistent staff attendance. Daily run sheets developed to capture tracking of key waste collection services, as well as data on bin numbers presented, volume taken to landfill. 1 x Landfill Operator advertised in Community.

Water and Wastewater Management

Water operators have started assessing the DWQMP, discussions of identifying and documenting hazards, risks, and hazardous events, developing a more comprehensive risk management improvement program that outlines specific strategies for mitigating identified risks. Ensuring that the program includes a schedule for the operators to undergo a review process to touch base on improving our Drinking Water Quality Management Plan.

Developing and implementing risk mitigation strategies that are appropriate for the level of the identified risks within the reticulation.

Water/Sewer operators throughout March have started a number of tasks throughout the water reticulation

- 1- Fire Hydrant condition assessment/Locations
- 2- Sluice Valve condition assessment/Locations
- 3- Water Meter Locations {mapping on plans}

Due to high turbidity the last 3 months, maintaining a consistent chlorine residual has been reduced. Chlorine dosing set point changes have been kept in the higher range to counteract high Turbidity and to maintain a higher chlorine residual throughout the water network.

Our microbiological testing has been increased due to high Turbidity, March period both inhouse testing and send outs to CRC Labs have been conducted. No E.coli has been detected throughout the water reticulation.

Sewerage – Sewer samples and data collection has commenced too implemented and coincide with our EHP Permit.

Completed sewer network CCTV, Relining Solutions & Sewer operators worked closely together locating and checking accessibility to all manholes throughout the Sewer network. Relining Solutions, will be submitting report early April.

Water operators have started training with Queensland health [Wash program] on sewerage operations, SOP's and other plans and procedures have been implemented, more training will be

conducted throughout the remainder of the year, water/sewer operators have displayed an exemplary learning capability and look forward to their ongoing training.

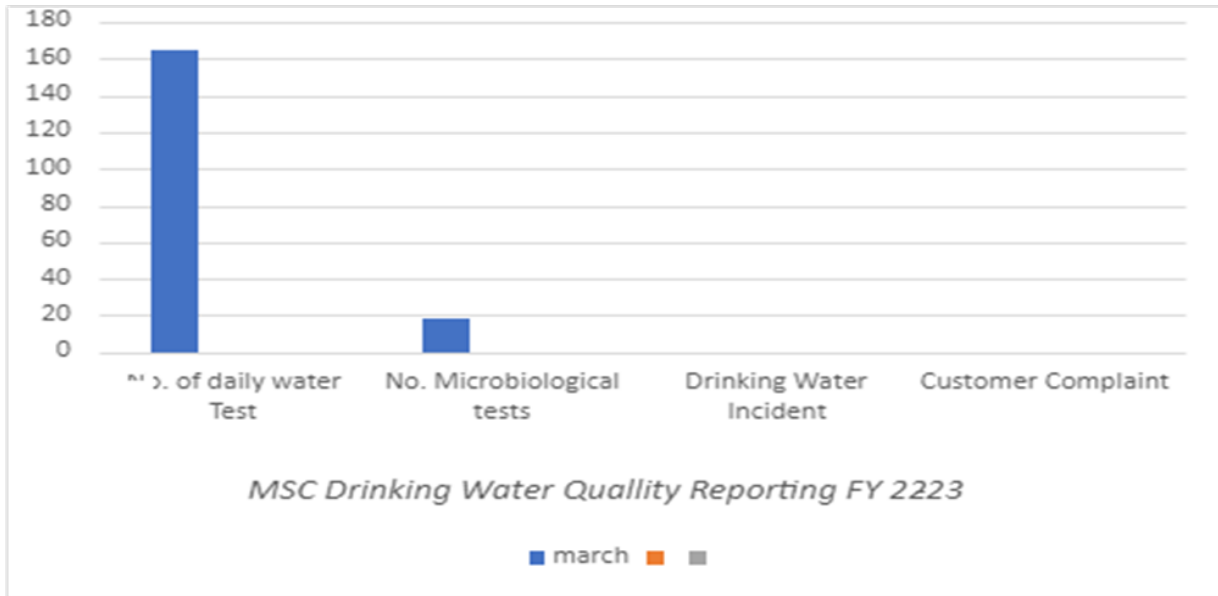


Table 1: Processed water going to community

Month End	Usage in KL	Month End	Usage in KL	Month End	Usage in KL	Month End	Usage in KL
Jan	36,400 KL	April		July		Oct	
Feb	32,000 KL	May		Aug		Nov	
March	28,600 KL	June		Sept		Dec	
Total	97,000 KL	Total	KL	Total	KL	Total	KL

Table 2: Monthly rainfall

Month End	Rainfall	Month End	Rainfall	Month End	Rainfall	Month End	Rainfall
Jan	643 mm	April		July		Oct	
Feb	382 mm	May		Aug		Nov	
March	168mm	June		Sept		Dec	
Total	1,193 mm	Total	mm	Total	mm	Total	

Table 3: Dam capacity values (in %) taken on the last day of each month

Month End	Dam Capacity	Month End	Dam Capacity	Month End	Dam Capacity	Month End	Dam Capacity

Jan	100%	April		July		Oct	
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Feb	100%	May		Aug		Nov	
March	97%	June		Sept		Dec	

Workshop and Maintenance

Workshop Update

Completion of all light vehicle serving (Council Vehicles only) completed, next schedule starts May for servicing fleet. Reactive maintenance still prevalent through ageing fleet and equipment, as noted in downtime summary. Greater tracking of assets and associated cost still WIP. Absenteeism ongoing issue, role adverts 2 x LV, 1 x HV currently live in community to fill vacant roles.

Equipment Downtime Summary

1.	Unit	2.	Date in	3.	Date out	4.	Total Downtime
5.	PL106 blade hoses	6.	2/3/23	7.	31/3/23	8.	29 days
9.	PL300 service & bucket	10.	6/3/23	11.	16/3/23	12.	10 days
13.	PL266 front tyres replace	14.	6/3/23	15.	7/3/23	16.	1.5 days
17.	Plumbers new genset	18.	Mount on trailer	19.	6/3/23	20.	No downtime
21.	PL194 new battery	22.	6/3/23	23.	6/3/23	24.	2 hrs
25.	PL212 deck welding	26.	7/3/23	27.	7/3/23	28.	4hrs
29.	PI193 front window	30.	7/3/23	31.	7/3/23	32.	3hrs
33.	PL263 Hyd fittings	34.	8/3/23	35.	8/3/23	36.	2hrs
37.	PL191 check lights	38.	9/3/23	39.	9/3/23	40.	2hrs
41.	PL197 fit 70mm tow hitch	42.	9/3/23	43.	9/3/23	44.	2hrs
45.	PL264 rear tyre repair	46.	9/3/23	47.	9/3/23	48.	3hrs
49.	PL350 change gutter brushes	50.	15/3/23	51.	15/3/23	52.	2hrs
53.	PI221 mower tyres x 2	54.	13/2/23	55.	13/2/23	56.	4 days
57.	PI203 clean fuel pump in tank	58.	13/3/23	59.	14/3/23	60.	1.5.days
61.	PL266 starter motor	62.	14/3/23	63.	14/3/23	64.	6hrs
65.	PL801 brake chambers	66.	14/3/23	67.	16/3/23	68.	3 days
69.	PL133 trans hose	70.	30/3/23	71.	31/3/23	72.	1 day

73. PL206 sweeper	74. 1/3/23	75. Waiting on parts from United States	76. 31 days
77. PL215 fit security lights	78. 30/3/23	79. 30/3/23	80. 6hrs
81. PL271 brakes	82. 28/3/23	83. 31/3/23	84. 4 days
85. PL129 Artic cyls	86. 30/3/23	87. Waiting on quote for seal kits	88. 1 day

Private Works Update

Date	Customer	Description
10/3/23	Sheree Loogatha	Starter motor
10/3/23	Brian Gabori	Regas Aircon
14/3/23	Ken R	Indicators
15/3/23	Joquin Gabori	Check eng order parts
16/3/23	NDIS	Check Brake noise
20/3/23	Allan Wilson	Fit exhaust system
22/3/23	Police Landcruiser	Driver window
27/3/23	Allan Wilson	Fit shock absorbers
29/3/23	Mission Australia	Tyre repairs
29/3/23	Lisa school	Tyre repair

Fuel Status snapshot

	31/03/2023			
	Tank dip		Estimated Life	
			Months	
Diesel				
Tank 1	47907	87130	2.31	73%
Tank 2	39223			
ULP	13558		0.49	68%

FINANCIAL & RESOURCE IMPLICATIONS

Nil

RECOMMENDATION

That Council note and receive this report.

15 STAFF REPORTS - HOUSING REPORT

Nil

16 STAFF REPORTS - FACILITIES

Nil

17 STAFF REPORTS - FINANCIAL SERVICES

Nil

18 STAFF REPORTS - COMMUNITY DEVELOPMENT REPORT**18.1 HUMAN RIGHTS COMMISSION SURVEY**

Author: Executive Manager Corporate & Community Services

Attachments: 1 LETTER FROM SCOTT McDOUGALL
2 INDICATORS OF DEVELOPING HUMAN RIGHTS CULTURE

PURPOSE (EXECUTIVE SUMMARY)

Chief Executive Officer, Mr Gary Uhlmann received formal correspondence (Attachment 1) from Mr Scott McDougall, Queensland Human Rights Commissioner, dated 5 April 2023.

The letter highlighted that the Human Rights Act (2019) (the Act) has been fully operational for more than three years and that the “responsibility for developing a human rights culture in the Queensland public sector rests with all public entities”.

The third annual report on the operation of the Queensland Human Rights Act, 2021-22 highlighted a need for continual evaluation of the progress of state and local government entities towards achieving the objects of the Act, include the development of a culture that respects and promotes human rights, measured against seven (7) key indicators.

The Commission has indicated that on 1 June 2023 a formal request under Section 98 of the Act will be sent to Mornington Shire Council requesting that Council identify progress towards developing a human rights culture. The indicators of developing human rights culture are at Attachment 2. Senior staff will devise and rollout a human rights awareness and education training program for Council’s workforce. Chief Executive Officer, Mr Gary Uhlmann and senior staff, in collaboration with Council, will also consider ways in which future plans can achieve the objectives of the Act and embedding human rights into everything that we do at Mornington Shire Council.

BACKGROUND & PREVIOUS COUNCIL CONSIDERATION

Mornington Shire Council acknowledges the importance of the Queensland *Human Rights Act 2019* and developing a human rights culture throughout the Queensland public sector.

FINANCIAL & RESOURCE IMPLICATIONS

Nil

RECOMMENDATION

That Council receives and notes the report related to Queensland Human Rights Act 2019 obligations and the upcoming mandatory 2023 Human Rights Survey.



5 April 2023

Mr John Baker
 Chief Executive Officer
 Mornington Shire Council
 1 Mission Road Gununa
 Mornington Island Qld 4892

By email: ceo@mornington.qld.gov.au; info@mornington.qld.gov.au

Dear Mr Baker

Re: Request for information regarding human rights culture

The Queensland *Human Rights Act 2019* (the Act) has now been fully operational for over 3 years. The main objects of the Act are to:

- protect and promote human rights
- help build a culture in the Queensland public sector that respects and promotes human rights
- help promote a dialogue about the nature, meaning and scope of human rights.¹

The responsibility for developing a human rights culture in the Queensland public sector rests with all public entities.

Local government authorities play a critical role in making human rights a reality for people throughout Queensland. Many fundamental human rights are engaged when councils make decisions about local issues that affect people's day to day lives. As public entities, councils need to give proper consideration to human rights and ensure that actions, policies and services are compatible with human rights. In addition, local laws need to be interpreted and applied in a way that is consistent with human rights.

Annual Reporting

The Queensland Human Rights Commission (the Commission) is required to report annually about the Act and give the report to the Attorney-General to be tabled in the Legislative Assembly. The report must include a number of elements, such as the number of human rights complaints dealt with by the Commission and their outcomes, details of declarations of incompatibility and override declarations and the interaction between the Act and other laws² along with other information considered appropriate.³

¹ Section 3 *Human Rights Act 2019*

² Section 91 *Human Rights Act 2019*

³ Section 91(3) *Human Rights Act 2019*

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The first independent review on the operation of the Act will occur after 1 July 2023.⁴ A second review will then occur after 1 July 2027.⁵ While the Commission will not be responsible for the conducting the review, whether the Act is achieving its objectives is likely to be a key issue for consideration in the review. Evidence will need to be drawn from multiple sources, including the Commission's annual report under section 91 of the Act.

An important component of [Shifting the Focus](#), the third annual report on the operation of Queensland's Human Rights Act, 2021-22 was the continued evaluation of the progress of state and local government entities towards achieving the objects of the Act, including the development of a culture that respects and promotes human rights, measured against 7 key indicators.

On 1 June 2023 the Commission will formally send a request for information to you, based on the 7 key indicators, and we are writing to you now to indicate the type of information we will be seeking.

The Commission has selected the following state government departments and agencies to respond to information requests based on the relevance and importance of the entity's work to the human rights of Queenslanders:

- Department of Children, Youth Justice and Multicultural Affairs
- Department of Communities, Housing and Digital Economy
- Department of Education
- Department of Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnerships
- Queensland Civil and Administrative Tribunal
- Queensland Corrective Services
- Queensland Health
- Queensland Police Service

We have also selected a number of councils from both metropolitan and regional areas to identify the progress towards developing a human rights culture in the local government sector:

- Brisbane City Council
- Gold Coast City Council
- Ipswich City Council
- Logan City Council
- Mackay Regional Council
- Sunshine Coast Council
- Mount Isa City Council
- Flinders Shire Council
- Mornington Shire Council
- Doomadgee Aboriginal Shire Council

Information Request

Under section 98 of the Act, the Commissioner may, by notice to a public entity, ask the entity to give the Commissioner information in the entity's possession or control, other than personal information that is not public available, that the Commissioner reasonably requires to prepare an annual report.

⁴ Section 95 *Human Rights Act 2019*

⁵ Section 96 *Human Rights Act 2019*

You are not required to respond to an information request at this time.

On 1 June 2023, you will be provided with a formal request for information under section 98 of the Act, with a deadline of **30 September 2023** to respond. The information that will be requested is set out in *Appendix A*, see attached.

In providing 2 months' notice of the information to be requested under section 98 we have been mindful of the need for public entities to have adequate time to collect and prepare the relevant information.

The information will be analysed and reported in the Commission's annual report with specific focus on trends, areas of achievement and areas for improvement in future years.

Responsible Officer

We would appreciate if you can please nominate an officer who will be responsible for receiving the information request and responding to it in due course. Please email Anne Franzmann, Director, Community Engagement at anne.franzmann@ghrc.qld.gov.au with the contact details of the nominated officer by **Friday 21 April 2023**.

If you have any queries about the above, please do not hesitate to contact Anne Franzmann on 4421 4001.

Kind regards



Scott McDougall
Commissioner



APPENDIX A

Indicators of developing human rights culture

Indicator 1: Staff awareness, education and development

- How has staff awareness been raised about the Act?
- What education and training on the Act has been provided?
- Does the training include examples specifically tailored to the council to illustrate how to put human rights into practice?
- Approximately what percentage of staff have received training?
- Which work groups or areas of the council have received training? What training has been provided to senior leadership? What was the mode of delivery of the training? For example, online, face to face, both online and face to face, or other? Has the training been delivered by internal staff, or external providers?
- What has been the impact of increased working from home arrangements on the design and delivery of training?
- Has human rights been included in induction training (onboarding of new staff)? Does ongoing professional development/training for staff include human rights? If so, what is the mode of the delivery of the training?
- What feedback do you collect about education and training? How is it used to design future training and/or resources?

Indicator 2: Community consultation and engagement about human rights

- Have you conducted any community consultation and engagement, such as with stakeholders, clients, or consumers about human rights?
- What information have you provided to the community about human rights?
- Have you consulted relevant sectors of the community about proposed changes to, or development of, legislation, regulations, policies, procedures, services etc. which may impact human rights?
- Please provide details, including how did the community consultation and engagement impact on any decision-making/policy formulation, or other?

Indicator 3: Awareness raising and support for related entities (including functional public entities engaged by the council i.e. contractors)

- Have you raised awareness of human rights with contractors/providers engaged by the council? If so, provide details. For example, has human rights been embedded into formal contracts?
- What support in ensuring compatibility with the Act have you provided to providers engaged by the council? If any, provide details.

1

Indicator 4: Reviews and development of local laws and subordinate local laws

- Please point to a local law or subordinate local law that has been introduced in the financial year 2022-23 and that:
 - has a significant impact on human rights;
 - works to respect, protect, or promote human rights
- Please provide any examples of good practice in ensuring the proper consideration of human rights is part of local law development.

Indicator 5: Review of policies and procedures

- Has the council reviewed policies and procedures for compatibility with human rights?
- Please provide an example of the way in which the review of policies and procedures has resulted in positive change?
- In particular, have you developed any new guides or other tools to assist staff to act and make decisions that are compatible with human rights, and to properly consider human rights when making decisions?
- Has any review of policies and procedures resulted in a change to service delivery? If so, please provide examples.

Indicator 6: Internal complaint management for human rights complaints

- How successful has the council been in integrating human rights complaints into internal complaints processes? If possible, provide examples of what has been achieved.
- Does the council face any barriers in successfully identifying, considering, and responding to human rights complaints? If so, what are they?
- Please provide examples of where a complaint has been resolved through the internal complaints process and/or has resulted in policy/procedure/practice review, service improvements or change for the council.

Indicator 7: Future plans

What future plans does the council have to achieve the objects of the Act in:

- protecting and promoting human rights;
- building a culture in the Queensland public sector that respects and promotes human rights; and
- helping promote a dialogue about the nature, meaning, and scope of human rights.

Additional question:

How has senior leadership demonstrated a commitment to embedding human rights generally, and in particular with respect to the Indicators 1 – 6 noted above?

18.2 PROPOSED CITIZENSHIP CEREMONY

Author: Executive Manager Corporate & Community Services

Attachments: Nil

PURPOSE (EXECUTIVE SUMMARY)

Mayor Kyle Yanner and Chief Executive Officer Gary Uhlmann received advice from the Citizenship and Multicultural Affairs Division of the Queensland Department of Home Affairs dated Wednesday 5 April 2023. The e-mail advised that there is one candidate awaiting to become an official Australian citizen.

BACKGROUND & PREVIOUS COUNCIL CONSIDERATION

When Councils receive an enquiry from the Citizenship and Multicultural Affairs Division, they typically schedule a ceremony where the Mayor presides over formal proceedings including a formal introduction, welcome message, address to conferee(s), the conferee taking a pledge, singing the National Anthem and repeating the Australian citizenship pledge.

The Citizenship Program Delivery Branch of the Department of Home Affairs has been contacted seeking advice about the candidate awaiting a citizenship ceremony and whether the candidate seeks a private ceremony, or a public ceremony. At the time of writing the Council report, feedback had not been forthcoming from the Department of Home Affairs with additional information.

FINANCIAL & RESOURCE IMPLICATIONS

There are no direct costs related to hosting a citizenship ceremony. However, indirect costs related to Community Development and administrative support for the event coordination and rollout. It is typical for most Councils to provide a small gift for conferees, too. This might comprise of native seeds, or a native sapling tree, to celebrate the conferee's transition to becoming an Australian citizen.

RECOMMENDATION

That Council formally endorse the hosting of a Citizenship Ceremony for the candidate that has applied to the Department of Home Affairs to become an Australian citizen; and that suitable scheduling of a citizenship ceremony occur with due consideration for Mayor Yanner's calendar appointments and commitments.

18.3 CAMPAIGN FOR A PUBLICLY OWNED POST OFFICE BANK

Author: Executive Manager Corporate & Community Services

Attachments: Nil

PURPOSE (EXECUTIVE SUMMARY)

Mornington Shire Council received correspondence 5 April 2023 from the Australian Citizens Party (ACP) highlighting a campaign for publicly owned post office banks. The ACP advised that fourteen (14) councils around Australia have passed motions endorsing the proposed post office bank model.

BACKGROUND & PREVIOUS COUNCIL CONSIDERATION

The big four banks (Westpac, Commonwealth Bank Australia, National Australia Bank and ANZ) continue to close branches around Australia. Communities require full banking services and current transaction offerings at Australia Post are limited.

Mornington Shire Council's potential support of a national campaign to establish a publicly owned post office bank will help to develop a "strength in numbers" approach towards lobbying the Australian Government. To date rolling bank branch closures throughout regional and remote Australian communities has resulted in significant inconvenience and hardship for rural people.

As such, the Senate voted on 8 February 2023 to establish a Rural and Regional Affairs and Transport References Committee inquiry into bank closures in regional Australia. The Committee's terms of reference include:

The current extent of bank closures in regional Australia, with reference to:

- a. the branch closure process, including the reasons given for closures;
- b. the economic and welfare impacts of bank closures on customers and regional communities;
- c. the effect of bank closures or the removal of face-to-face cash services on access to cash;
- d. the effectiveness of government banking statistics capturing and reporting regional service levels, including the Australian Prudential Regulation Authority's authorised deposit-taking institutions points of presence data;
- e. consideration of solutions; and any other related matters.

The solutions-based approach included as a part of the Committee's terms of reference provides an opportunity for a public post office bank advocacy. The inquiry is scheduled to be completed by 1 December 2023. Additional information related to the inquiry can be accessed online: https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Rural_and_Regional_Affairs_and_Transport/BankClosures

FINANCIAL & RESOURCE IMPLICATIONS

There are no financial implications related to making a written Senate inquiry submission.

RECOMMENDATION

That Mornington Shire Council make a submission to the Senate inquiry Rural and Regional Affairs and Transport References Committee, by the 28 April 2023 deadline. The submission should advocate for establishment of a post office bank approach across Australia to compensate for traditional bank branch closures. The submission should also highlight a need for a Mornington Island community post office bank enabling provision of a full suite of banking services.

18.4 COMMUNITY DEVELOPMENT REPORT

Author: Community Development Officer

Attachments: Nil

PURPOSE (EXECUTIVE SUMMARY)

The purpose of this report is to update Council on Community Development activities for the month of April 2023.

BACKGROUND & PREVIOUS COUNCIL CONSIDERATION

The role of the Community Development Coordinator is to develop community activities, youth programs, manage, oversee, support, resource, and facilitate the events prescribed in the Calendar of events for the benefit of the community. This includes goals to increase utilisation of Council's gymnasium.

Updates*Carriage Limit*

- Gununa Post Office is licenced, and business operations have been working well. The consignment is either picked up or delivered to the carriage limit container for distribution and is noted on the spreadsheet.
- Mornington Island have had a carriage limit now for twelve (12) months. This wet season created a lot of issues around procurement, freight forwarding, and barge deliveries. We appear to be over the worst of it and are back to business as usual. Learnings from this are to continue moving forward with the Mornington Council Motel liquor licence application and the possibility of an on-island liquor outlet. The proposed increase to the current carriage limit will also potentially alleviate a lot of administrative challenges.

Motel Tavern Liquor Licence

- Installation of the SwiftPOS system completed. New Tyro EFTPOS machines are now integrated with the SwiftPOS system. Over 300 membership cards have been issued so far and have been working well. Staff wristbands for logging into the system have also been received.
- Licencing conditions: OLGR have sent out for final comments to relevant stakeholders to decide on licencing conditions and send Council a consent to licence trading conditions.

Community Safety Committee (CSC)

- Ongoing updates to the Community Safety Plan (CSP) Action Plan with assistance from DSDSATSIP. A workshop was held in Cairns on 8 March 2023 around reporting obligations and grant funding. In addition, a meeting with the Chairperson of the Technical Working Group was held discussing CSC infrastructure priorities.

- Next meeting scheduled for Thursday 20 April 2023 at 11:00am.
- Storyboards for the Old Village: ONGOING

Grants

- Moveit NQ: New funding application submitted for the first half of 2023.
- Gulf Social Development Fund: Ready to acquit for the new Church driveway which is now completed. Gym upgrade project yet to begin.

Miscellaneous

- PCYC Funding: Working on the auspice agreement. ONGOING
- Preferred Supplier Arrangement: ONGOING
- Community Development current job vacancies: Community Bus Driver and Events Officer.

Upcoming events

- Restarting 18 April 2023, Thaldi Gilmoor Luuli Touch Footy programs (Tuesdays)
- Restarting 20 April 2023, Baya Kuburda Community Boxing night (Thursdays)
- 25 April 2023, Anzac Day
- 6 May, Community Liquor Permit (CLP) event
- 31 May, State of Origin game 1

Proposed future Community Liquor Permit events

Please find below the proposed events for the next three months that a Community Liquor Permit is required, to allow for the consumption of alcohol by the attendees of those events. These events are subject to confirming available staff.

These 2 monthly occasions are proposed to be:

- 06 May 2023 Saturday 5pm – 10pm Late Anzac Day Celebrations
- 20 May 2023 Saturday 5pm – 10pm DV month
- 31 May 2023 Wednesday 5pm – 10pm State of Origin game 1

- 17 June 2023 Saturday 5pm – 10pm TBA
- 21 June 2023 Wednesday 5pm – 10pm State of Origin game 2
- 5 July 2023 Saturday 5pm – 10pm Senior Elders Dinner
- 8 July 2023 Saturday 5pm – 10pm NAIDOC Ball

As the events will be held on Council property, in principle Council endorsement for the applications is sought. Within principal Council support, an application will be submitted to liquor licencing.

FINANCIAL & RESOURCE IMPLICATIONS

The financial and resource implications are as per the following forecasted budget for each event.

Description	Amount \$
Security	600
Liquor Permit	76
Alcohol	4,000
Freight	200
Food/kiosk items	1,000
Staff costs	TBC
Total	5,876

RECOMMENDATION

1. That Council note and accept the March 2023 Community Development report.
2. That Council provide in principle support for submission of seven (7) applications (comprising 29 April, 31 May, 21 June, 5 July, 8 July and 12 July 2023) for Community Liquor Permits.

18.5 COMMUNITY DEVELOPMENT REPORT**Author:** Community Development Officer**Attachments:** 1 Fire Works Quote**PURPOSE (EXECUTIVE SUMMARY)**

The purpose of this report is to request support for the New Years Eve fireworks display event and consider logistics for this event.

BACKGROUND & PREVIOUS COUNCIL CONSIDERATION

1. A Bright Nite Fireworks has had the pleasure of being a part of the New Year's Eve celebrations on Mornington Island for the past seven years, providing a Family Display at 8:00pm, as well as a midnight display for the older members of the community. The new pricing has not yet been finalised, but it is expected to be 15 - 20% more expensive than previous costs for the fireworks and pyrotechnicians. If the products and services are booked and paid six (6) months in advance, there is a bonus additional ten percent (10%) pyro product included in the display. The quotation total for fireworks products for the two planned displays is twenty-six thousand, four hundred and eighty dollars (\$26,480.00), which is the same pricing as 2022. The pricing will be valid until 30 June 2023.

2.

3. To ensure we continue to receive value for money, additional quotes have been requested from Skylighter Fireworks and Xplosive Art Fireworks who are both based in Cairns.

4.

FINANCIAL & RESOURCE IMPLICATIONS

The financial and resource implications are as per the following forecasted budget for this event:

Description	Amount \$
Gold family display at 8pm	11,990
Diamond midnight display	14,490
Flights for 2 pyrotechnicians	1800
Accommodation over 3 nights	1000
Car hire	600
BBQ at PCYC	1000
Freight	1000
Total	31,880

The bulk of this cost is for 14-18 minutes of fireworks. Local Government Councils do provide fireworks display as "good will" for the community. They do this often on the basis of improving economic activity within the wider community. There is no doubt this works in major metropolitan areas where businesses surrounding the event gain significant indirect benefit.

However, for Mornington Island, the benefit cannot be thought of as economic benefit, but a community social benefit. Feedback has been received from Mornington Island Police, Mission Australia, Junkuri Laka, Bynoe CACS, 54 reasons, Mirndiyan Art Centre, as well as through general community engagement, who believe the benefits are worthwhile and should continue. Council should consider whether the cost for the event provides enough social benefit

RECOMMENDATION

- A) That Council provide support for the 2023 New Year's Eve fireworks display to the value of thirty-one thousand, eight hundred and eighty dollars (\$31,880) and future fireworks events costs will be reviewed as a part of the 2023/24 budget process.

OR

- B) Council resolve not to support the expenditure for New Year's Eve fireworks displays.



Travelling Events Group Pty Ltd
 PO Box 12108
 CAIRNS QLD 4870
 E: admin@abrightnitefireworks.com.au
 M: 0417 783 975
 W: www.abrightnitefireworks.com.au
 ABN: 88 611 723 927

QUOTE

To:
 Mornington Shire Council
 GUNUNA, MORNINGTON ISLAND QLD 4892

Date
 31 Mar 2023

Expiry
 30 Jun 2023

Quote Number
 QU-0282

Reference
 Violet Taulanga

Description	Quantity	Unit Price	GST	Amount AUD
Mornington Shire Council 1 Mission Road Gununa 4892 New Years Eve Fireworks Displays Sunday 31st December 2023				
Type of Display, 8:00pm Family Outdoor Fireworks Display	1.00	14490	10%	14490.0000
Type of Display, Midnight Outdoor Fireworks Display	1.00	11990	10%	11990.0000
			Subtotal	24,072.73
			Total GST 10%	2,407.27
			TOTAL AUD	26,480.00

Terms

Please refer to the expiry date above

18.6 DELEGATIONS - CHIEF FINANCIAL OFFICER

Author: Executive Manager Corporate & Community Services

Attachments: Nil

PURPOSE (EXECUTIVE SUMMARY)

The Chief Financial Officer (CFO) has been appointed for a period of six months, from March 2023. The purpose of this report is to ensure that the CFO has sufficient financial delegation to undertake financial transactions and management, on behalf of Mornington Shire Council.

BACKGROUND & PREVIOUS COUNCIL CONSIDERATION

Chief Financial Officer (CFO), Mr Ian McCarthy was appointed by Chief Executive Officer, Mr Gary Uhlmann during March and commenced duties Monday 20 March 2023. It is intended that the CFO will work for a period of six months, to undertake financial management review on behalf of Council. The CFO will re-establish robust management practices which uphold accounting standards, provide financial statements, as well as ensure that all mandatory auditing requirements are fulfilled.

Section 259 of the Local Government Act makes provision for delegation of Chief Executive Officer powers. Specifically, 259(1) enables a Chief Executive Officer to “delegate the Chief Executive Officer’s power to an appropriately qualified employee or contractor of the local government”, other than where the Local Government Act specifically directs that the power must not be further delegated; or it is a power to keep a register of interests.

The Chief Executive Officer deems it appropriate for the CFO to have a financial delegation up to the value of two hundred thousand dollars (\$200,000) to enable carrying out of routine business, as well as suitable financial transactions and record keeping on behalf of Council. The CFO will uphold all procurement requirements, including those pertaining to contracts and tenders.

FINANCIAL & RESOURCE IMPLICATIONS

The Chief Financial Officer will have delegation to undertake operational expenditure, capital expenditure and asset control up to the value of two hundred thousand dollars (\$200,000), excluding GST, until 20 September 2023.

RECOMMENDATION

That Council receive and note the report related to the Chief Financial Officer operational expenditure, capital expenditure and asset control financial delegation, up to the value of two hundred thousand dollars (\$200,000) excluding GST; in keeping with section 259(1) of the Local Government Act, related to Chief Executive Officer powers.

18.7 COUNCIL ADVISOR PRESENTATION: WHAT MAKES A SUCCESSFUL COUNCIL?

Author: Executive Manager Corporate & Community Services

Attachments: Nil

PURPOSE (EXECUTIVE SUMMARY)

Mr Brett De Chastel is a seasoned local government executive professional. Brett has worked as a Chief Executive Officer and an independent consultant. Mr De Chastel has been engaged in consultation with the Queensland Government, for a period of six (6) months to ensure that Mornington Shire Council adopts good governance, as well as best practice systems and processes.

BACKGROUND & PREVIOUS COUNCIL CONSIDERATION

Mr De Chastel's appointment commenced his appointment during **March 2023**. Mr De Chastel will work closely with the Mayor, Councillors, Chief Executive Officer and senior staff during his tenure.

During the April 2023 Ordinary Council meeting, Mr De Chastel will provide a verbal update related to his familiarity with Mornington Shire Council, his observations and opportunities for improvement.

Future topics will include lobbying and advocacy skills, financial management for Councillors, community engagement, managing social media, and development leadership skills and knowledge.

FINANCIAL & RESOURCE IMPLICATIONS

Mr De Chastel's services are cost neutral for Mornington Shire Council.

RECOMMENDATION

That Council note and receive this report.

19 STAFF REPORTS - HUMAN RESOURCES

Nil

20 CONFIDENTIAL REPORTS**RECOMMENDATION**

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 254J of the Local Government Regulations 2012:

14.1 REMOTE AIRSTRIP UPGRADE - TENDER EVALUATIONS

This matter is considered to be confidential under Section 254J3(g) of the Local Government Regulations 2012, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government;.

20.1 RESOURCE RECOVERY PROJECTS

This matter is considered to be confidential under Section 254J3(g) of the Local Government Regulations 2012, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government;.

21 NEXT MEETING

22 CLOSURE