

**MINUTES OF MORNINGTON SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBER, MISSION ROAD, GUNUNA
ON WEDNESDAY, 24 APRIL 2024 AT 9:00AM**

1 OPENING OF MEETING

The meeting was opened by Mayor Richard Sewter at 9:08 am.

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 Richard Sewter, Deputy Mayor Robert Thompson, Cr Farrah Linden, Gary Uhlmann (Chief Executive Officer), Skye Price (Director Corporate and Community) and via videoconference Cr Renee Wilson, and Rhianne Williams (minute-taking).

4 LEAVE OF ABSENCE

Nil

5 DISCLOSURE OF INTEREST – COUNCILLORS AND STAFF

Nil

6 CONDOLENCES AND MEMORIALS

A minute's silence was observed for loved ones.

7 CONFIRMATION OF MINUTES**7.1 CONFIRMATION OF MINUTES - ORDINARY COUNCIL MEETING - 21 FEBRUARY 2024****RESOLUTION 2024/34**

Moved: Deputy Mayor Robert Thompson
Seconded: Chief Executive Officer Gary Uhlmann

That the Minutes of the Ordinary Council held on Wednesday 21 February 2024 be received and the recommendations therein be adopted.

CARRIED 4/0

Initial: RS

7.2 CONFIRMATION OF MINUTES - ORDINARY COUNCIL MEETING - 4 APRIL 2024

RESOLUTION 2024/35

Moved: Cr Farrah Linden
Seconded: Deputy Mayor Robert Thompson

That the minutes of the special council meeting held on Thursday 4 April 2024 be received and the recommendations therein be adopted.

CARRIED 4/0

8 DEPUTATIONS

- 10:00 am – Martin Camilleri and Simrita Kaur | Australian Private Networks Pty Ltd
- 11:00 am – A/Director General and Haylene Grogan | Queensland Government
- 1:00 pm – Alexia Kelso | Department of Housing, Local Government, Planning and Public Works

9 ACTION SCHEDULE

9.1 ACTION ITEMS AS AT 5 APRIL 2024

RESOLUTION 2024/36

Moved: Mayor Richard Sewter
Seconded: Cr Farrah Linden

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

CARRIED 4/0

10 POLICY DOCUMENTS

Nil

RECEPTION & CONSIDERATION OF OFFICERS REPORTS

11 MAYOR AND COUNCILLORS REPORTS

Item - New Item (11.1) Verbal report - has been moved to another part of the document.

12 CHIEF EXECUTIVE OFFICER REPORT

12.1 CHIEF EXECUTIVE OFFICER, GARY UHLMANN VERBAL REPORT

RESOLUTION 2024/37

Moved: Deputy Mayor Robert Thompson
Seconded: Cr Farrah Linden

That Council receive the Chief Executive Officer's verbal report for April 2024.

CARRIED 4/0

Deputation

Australian Private Networks presentation to Council on upcoming project.

11.1 MAYOR AND COUNCILLORS VERBAL REPORT**RESOLUTION 2024/38**

Moved: Deputy Mayor Robert Thompson

Seconded: Cr Farrah Linden

That Council note and receive Councillors verbal report for April 2024.

CARRIED 4/0

Mayor Sewter verbal report

- Attended the Mayor's induction forum in Brisbane 15 - 17 April 2024.
- Reminded Elected Members that responsibilities are strategic, not operational.
- Highlighted housing challenges and that LGAQ is advocating for more funding.

At 10:48 am, Mayor Richard Sewter left the meeting.

At 10:50 am, Mayor Richard Sewter returned to the meeting.

Deputation

A/Director General Michael Walsh, Chief Aboriginal and Torres Strait Islander Health Officer and Deputy Director-General Haylene Grogan, and Senior Executive Support Officer Courtney De Kever – Queensland Health.

At 11:41 am, Mayor Richard Sewter left the meeting.

At 11:41 am, Mayor Richard Sewter returned to the meeting.

At 11:57 am, Mayor Richard Sewter left the meeting.

At 12:00 pm Ian McCarthy, Chief Financial Officer joined the meeting to present to Council.

At 12:00 pm, Mayor Richard Sewter returned to the meeting.

13 FINANCE**13.1 FINANCIAL REPORT****RESOLUTION 2024/39**

Moved: Mayor Richard Sewter

Seconded: Cr Farrah Linden

That Council note and receive the financial report for April 2024.

CARRIED 4/0

Mayor adjourned the meeting at 12:40 pm.

Mayor recommenced the meeting at 12:58 pm.

Deputation

Alexia Kelso, Department of Housing, Local Government, Planning and Public Works.

15.2 QUEENSLAND GOVERNMENT DEPARTMENT OF HOUSING TENANCY SERVICES UPDATE**RESOLUTION 2024/40**

Moved: Deputy Mayor Robert Thompson

Seconded: Mayor Richard Sewter

That Council receive the report related to Queensland Government Department of Housing Tenancy Services and respond to the department's proposed property allocations for 297 Jimbarn Street and 136 Wengka Street.

CARRIED 4/0

At 1:39 pm, Deputy Mayor Robert Thompson left the meeting.

At 1:41 pm, Deputy Mayor Robert Thompson returned to the meeting.

15.1 COUNCILLOR RESIGNATION – MR TALI TABUAI - EFFECTIVE 17 APRIL 2024**RESOLUTION 2024/41**

Mayor Richard Sewter made a disclosure of interest and abstained from voting.

Moved: Cr Renee Wilson

Seconded: Cr Farrah Linden

That Council resolves to fill the Elected Member office vacated by Tali Tabuai by invoking section 166(2)(a) of the Local Government Act via a by-election.

In Favour: Crs Robert Thompson, Farrah Linden and Renee Wilson

Against: Nil

CARRIED 3/0

Item - 15.2 Queensland Government Department of Housing Tenancy Services Update - has been moved to another part of the document.

At 1.58 pm Ken Tapfield, Human Resources Manager joined the meeting to present to Council.

At 2.00 pm Piet Baxter, Director of Housing and Facilities joined the meeting to present to Council.

14 HUMAN RESOURCES MANAGEMENT**14.1 HUMAN RESOURCES REPORT****RESOLUTION 2024/42**

Moved: Deputy Mayor Robert Thompson

Seconded: Cr Farrah Linden

That Council note and receive the Human Resources report for April 2024.

CARRIED 4/0

At 2.15pm Ken Tapfield left the meeting.

16.1 DEVELOPMENT APPLICATION - FOR MINOR CHANGE TO THE APPROVED RESIDENTIAL DEVELOPMENT LOCATED AT LARDIL ST GUNUNA**RESOLUTION 2024/43**

Moved: Deputy Mayor Robert Thompson
Seconded: Mayor Richard Sewter

That Council as the Local Government Authority and Trustee of the *Aboriginal Land Act 1991 Freehold*, resolves to approve (subject to conditions);

- a) The Minor Change Development Application lodged with Council for;
 - i. A staged development of the approved DA2021_022 (14/07/2023),
 - ii. Reconfiguring a Lot (4 into 3 lots) located at Lardil and Kaiadilt Streets over lots 20, 21, 22 and part of 911 on SP270889
 - iii. Amended conditions as reflected in the conditions of approval.

CARRIED 4/0

16.2 DEVELOPMENT APPLICATION (SECTION 51 OF THE PLANNING ACT 2016) FOR PROPOSED MATERIAL CHANGE OF USE (TOURISM PRECINCT) LOCATED AT GUNUNA, MORNINGTON ISLAND**RESOLUTION 2024/44**

Moved: Mayor Richard Sewter
Seconded: Deputy Mayor Robert Thompson

That Council as the Local Government Authority and Trustee of the *Aboriginal Land Act 1991 Freehold*, resolves to approve (subject to conditions);

- a) The Development Application lodged with Council for:
 - i. Material Change of Use (Tourism Precinct), located at Kaiadilt Streets over lot 16 on SP270889
 - ii. Short Term Accommodation, Office & Recreation facilities infill development.

CARRIED 4/0

At 2:32 pm, Cr Renee Wilson left the meeting.

At 2:33 pm, Cr Renee Wilson returned to the meeting.

16.3 PROPOSED STAGE 2 - LARDIL STREET FOOTPATH**RESOLUTION 2024/45**

Moved: Deputy Mayor Robert Thompson
Seconded: Cr Farrah Linden

That Council endorse expenditure up to the value of \$250,000.00 for stage 2 construction of footpath works along Jinkiya Street, Gununa and the fixing of potholes.

CARRIED 4/0

16.4 PROPOSED ERGON UPGRADE TO TAVERN AND MOTEL**RESOLUTION 2024/46**

Moved: Cr Farrah Linden
Seconded: Mayor Richard Sewter

That Council endorse expenditure up to five hundred thousand dollars (\$500,000) for electricity upgrade works including underground cabling and Main Switch Boards and delegate oversight of the expenditure to the Chief Executive Officer.

CARRIED 4/0

17.1 HOUSING REPORT**RESOLUTION 2024/47**

Moved: Mayor Richard Sewter
Seconded: Deputy Mayor Robert Thompson

That Council note and receive the Housing department report for April 2024.

CARRIED 4/0

18.1 FACILITIES REPORT**RESOLUTION 2024/48**

Moved: Deputy Mayor Robert Thompson
Seconded: Cr Farrah Linden

That Council note and receive the Facilities department report for April 2024.

CARRIED 4/0

At 3:03 pm Piet Baxter left the meeting.
At 3:06 pm, Cr Farrah Linden left the meeting.

Mayor adjourned the meeting at 3:06 pm
Mayor recommenced the meeting at 3:22 pm

15 GOVERNANCE

Item - 15.1 Councillor Resignation – Mr Tali Tabuai - Effective 17 April 2024 - has been moved to another part of the document.

15.3 LETTER FROM DIRECTOR-GENERAL MARK CRIDLAND RELATED TO COUNCILLOR AND CHIEF EXECUTIVE OFFICER OBLIGATIONS**RESOLUTION 2024/49**

Moved: Mayor Richard Sewter
Seconded: Deputy Mayor Robert Thompson

That Council receives and notes Director-General Mark Cridland's correspondence dated 18 April 2024 related to Councillor and Chief Executive Officer obligations.

CARRIED 3/0

At 3:26 pm, Cr Farrah Linden returned to the meeting.

15.4 OFFICE OF AUDITOR GENERAL RECOMMENDATIONS**RESOLUTION 2024/50**

Moved: Deputy Mayor Robert Thompson
Seconded: Cr Farrah Linden

That Council receive and note the report related to the Director General's February 2024 correspondence and reference to the *Auditor-General's Report 8: 2023-24 Local Government 2023* and corresponding actions.

CARRIED 4/0

16 PLANNING AND COMMUNITIES

Item - 16.1 Development Application - For Minor Change To The Approved Residential Development Located At Lardil St Gununa - has been moved to another part of the document.

Item - 16.2 Development Application (Section 51 Of The Planning Act 2016) For Proposed Material Change Of Use (Tourism Precinct) Located At Gununa, Mornington Island - has been moved to another part of the document.

Item - 16.3 Proposed Stage 2 - Lardil Street Footpath - has been moved to another part of the document.

Item - 16.4 Proposed Ergon Upgrade To Tavern and Motel - has been moved to another part of the document.

17 HOUSING DEPARTMENT

Item - 17.1 Housing report - has been moved to another part of the document.

18 FACILITIES DEPARTMENT

Item - 18.1 Facilities report - has been moved to another part of the document.

19 ENGINEERING

Nil

20 GENERAL BUSINESS

20.1 CHANGE OF ORDINARY COUNCIL MEETING DATE FOR MAY

RESOLUTION 2024/51

Moved: Mayor Richard Sewter

Seconded: Deputy Mayor Robert Thompson

That Council endorse the change of date for May ordinary council meeting to Wednesday, 22 May 2024 at the Council Chambers.

CARRIED 4/0

21 CONFIDENTIAL REPORTS

Nil

22 NEXT MEETING

The next meeting will be held on 22 May 2024.

23 CLOSURE

Mayor Sewter closed the meeting at 3:34 pm.

Minutes Confirmed: **22 May 2024**

Mayor 

22/05/2024

Gary Uhlmann
Chief Executive Officer