



I hereby give notice that a Special Meeting of Council will be held on:

Date: Thursday, 4 April 2024
Time: 9:30AM
Location: Council Chamber
Mission Road
Gununa

POST ELECTION MEETING

Thursday 4 April 2024

**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 Garawa people who share our homelands.

3 PRESENT**4 APOLOGIES****5 DISCLOSURE OF INTEREST – COUNCILLORS AND STAFF****6 CONDOLENCES AND MEMORIALS**

7 GOVERNANCE

7.1 NOTICE OF 2024 QUADRENNIAL ELECTION RESULTS AND SWEARING IN OF COUNCILLORS

Author: Director Corporate and Community

Attachments: 1 Declaration of Mayor
2 Declaration of Councillors

PURPOSE (EXECUTIVE SUMMARY)

The purpose of this report is to advise of the 2024 Quadrennial election results and facilitate formal swearing in of Councillors.

BACKGROUND & PREVIOUS COUNCIL CONSIDERATION

Local government quadrennial elections were held on Saturday 16 March 2024.

Mornington Shire elected Mayor and Councillors were declared 28 March for the Mayor; and 1 April 2024 for Councillors, respectively, in accordance with *the Local Government Electoral Act 2011*.

The declaration of Mayor is Mr Richard Sewter (see attachment 1). Councillor declarations include Mr Tali Tabuai, Ms Renee Wilson, Ms Farrah Linden and Mr Bob Thompson (see attachment 2).

Obligations of Councillors

Division 5 of the *Local Government Act 2009* sets out Obligations of Councillors. Specifically, Section 169 prescribes obligations of Councillors before acting in office:

- 1) A councillor must not act in office until the councillor makes the declaration of office.
- 2) The declaration of office is a declaration prescribed under a regulation.
- 3) The chief executive officer is authorised to take the declaration of office.
- 4) The chief executive officer must keep a record of the taking of the declaration of office.

Declaration of office

Chief Executive Officer, Mr Gary Uhlmann will lead formal declarations of office with Mayor Richard Sewter and each Councillor, in turn, except Councillor Bob Thompson who continues his term.

The prescribed declaration of office in keeping with Section 169 of the *Local Government Act* and Division 3 Section 254(2) of the *Local Government Regulation 2012*, is:

"I [insert name], having been elected/ appointed as a councillor of Mornington Shire Council, declare that I will faithfully and impartially fulfil the duties of the office, in accordance with the local government principles and code of conduct for councillors under the Local Government Act 2009, to the best of my judgment and ability".

FINANCIAL & RESOURCE IMPLICATIONS

Appointment of the Mayor and Councillors is in keeping with budget allocations, without any additional unanticipated financial or resourcing implications.

RECOMMENDATION

That Council;

1. receive and note the report; and
2. that in accordance with section 169 of the *Local Government Act 2009*, the declaration of office has formally occurred with Mayor Richard Sewter, Councillor Tali Tabuai, Councillor Renee Wilson; and Councillor Farrah Linden.
3. Council acknowledges too that Councillor Bob Thompson's term continues.

NOTICE OF ELECTION RESULTS
2024 Local Government Elections
Mornington Shire
Saturday, 16 March 2024



The local government quadrennial elections were held on Saturday, 16 March 2024.

In accordance with section 100 of the *Local Government Electoral Act 2011*, this notice advises that the following person(s) has been duly elected for Mornington Shire.

POSITION	FULL NAME OF ELECTED CANDIDATE	DECLARATION DATE
MAYOR	SEWTER, Richard Wayne	28 Mar 2024

Pat Vidgen
Electoral Commissioner

NOTICE OF ELECTION RESULTS

2024 Local Government Elections
Mornington Shire Division 1
Saturday, 16 March 2024

The local government quadrennial elections were held on Saturday, 16 March 2024.

In accordance with section 100 of the *Local Government Electoral Act 2011*, this notice advises that the following person(s) has been duly elected for Mornington Shire Division 1.

POSITION	FULL NAME OF ELECTED CANDIDATE	DECLARATION DATE
COUNCILLOR	TABUAI, Tali Mauje Enrique	01 Apr 2024
COUNCILLOR	WILSON, Renee Lucille	01 Apr 2024
COUNCILLOR	LINDEN, Farrah Jaslyn	01 Apr 2024
COUNCILLOR	THOMPSON, Bob	01 Apr 2024

Pat Vidgen
Electoral Commissioner

7.2 ELECTION OF THE DEPUTY MAYOR FOR MORNINGTON SHIRE COUNCIL

Author: Director Corporate and Community

Attachments: Nil

PURPOSE (EXECUTIVE SUMMARY)

The purpose of this report is to advise of a mandatory requirement in keeping with *Section 175(2) of the Local Government Act 2009* to appoint a Deputy Mayor.

BACKGROUND & PREVIOUS COUNCIL CONSIDERATION

Local government quadrennial elections were held on Saturday, 16 of March 2024.

Mornington Shire elected Councillors were declared 1 April 2024, in accordance with section 100 of the Local Government Electoral Act 2011.

Council's formal elected member structure consists of:

- Mayor
- Deputy Mayor
- Four (4) councillors

Ballot process

Councillors can nominate themselves, or each other. If a Councillor nominates another, that other Councillor will need to accept the nomination. There is no requirement for any nomination to be seconded by another Councillor.

If there are multiple Councillors nominating for the position of Deputy Mayor at the meeting, a ballot process will be undertaken to determine the preferred candidate. The process for the ballot will be that Councillors will be asked to vote for their preferred candidate for the position of Deputy Mayor. This can be undertaken by way of open voting, or secret ballot. It is recommended that open ballot occur. As required by the Local Government Act 2009, a resolution to appoint the Deputy Mayor will be determined by a show of hands.

FINANCIAL & RESOURCE IMPLICATIONS

The Deputy Mayor's endorsed remuneration from 1 July 2023 is \$66,231. There are no additional financial or resource impacts from appointment of a Deputy Mayor.

RECOMMENDATION

That, in accordance with section 175(2) of the *Local Government Act 2009*, Councillor [xx] be appointed as Deputy Mayor from 4 April 2024.

7.3 COUNCIL MEETING SCHEDULE 2024

Author: Director Corporate and Community

Attachments: Nil

PURPOSE (EXECUTIVE SUMMARY)2024 Schedule of Council Meetings

Council typically meets on the third Wednesday of each month, with exceptions as to accommodate the Christmas/New Year break and anticipated absence of councillors and executive staff during the school holiday periods.

In keeping with the *Local Government Regulation 2012 (Division 1, Section 256(1))*, the first post-election meeting must propose a schedule of meetings, including dates and times for Elected Member consideration and endorsement.

The proposed schedule presented for Council's consideration is based on the same methodology, with dates proposed for 2024 as follows.

Date	Meeting type	Comments
17 April 2024 24 April 2024	Ordinary	2024 Local Government Special Mayors Forum will be held on Wednesday 17 April 2024 at the Parliament house in Brisbane. Altering the date to 24 April 2024.
15 May 2024 29 May 2024	Ordinary	15 May 2024 is an endorsed ordinary Council date as per resolution 2023/80. Altering the date to 29 May 2024 takes account of the postponed April 2024 meeting; and enables sufficient lead time for preparation of May Council papers.
19 June 2024	Ordinary	
17 July 2024	Ordinary	
21 August 2024	Ordinary	
11 September 2024	Ordinary	Takes account of Term 3 school holidays.
16 October 2024	Ordinary	
20 November 2024	Ordinary	
11 December 2024	Ordinary	Takes account of Term 4 school holidays and Council shutdown, as well as festive season.

BACKGROUND & PREVIOUS COUNCIL CONSIDERATION

All Council ordinary meetings will be held at the Mornington Shire Council Chamber and are scheduled to commence at 9:00am, unless otherwise altered by resolution of Council and appropriate public notification occurs, pursuant to *Section 258 of the Local Government Regulation 2012*.

The Council Chamber venue will be advertised when relocation to the new Administration Centre occurs.

FINANCIAL & RESOURCE IMPLICATIONS

Usual expenditure related to Council meetings inclusive of staff time, stationary, ICT and catering will be incurred.

RECOMMENDATION

That Council:

1. receive and note the report; and
2. endorse the Council meeting schedule for 2024.

7.4 APPOINTMENT OF LOCAL DISASTER MANAGEMENT GROUP CHAIR AND DEPUTY CHAIRPERSON

Author: Director Corporate and Community

Attachments: Nil

PURPOSE (EXECUTIVE SUMMARY)

The purpose of this report is to facilitate appointment of Mornington Shire Council Local Disaster Management Group (LDMG) Chair and Deputy Chairperson, in keeping with the *Disaster Management Regulation 2014* Part 2 Section 10.

BACKGROUND & PREVIOUS COUNCIL CONSIDERATION

Mornington Shire Council has a mandatory requirement to establish a Local Disaster Management Group and develop a Local Disaster Management Plan.

The Local Disaster Management Group consists of the following office bearer members:

- Chairperson – The chairperson must be a local government councillor.
- Deputy Chairperson – The deputy chairperson is not prescribed. However, it is recommended that an Elected Member be nominated for the role.

The Quadrennial Local Government election held 16 March 2024 means that Council's Local Disaster Management Group representatives, specifically the Chairperson and Deputy Chairperson must be formally updated.

Council must appoint a LDMG Chair and Deputy Chairperson to uphold legislative requirements.

FINANCIAL & RESOURCE IMPLICATIONS

Council has allocated budgets for disaster management and business continuity.

The Local Disaster Management Group focusses on weather event impacts, particularly during wet season; and pandemic circumstances.

RECOMMENDATION

That Council appoint Councillor xx as Chairperson; and Councillor xx as Deputy Chairperson of the Mornington Shire Council Local Disaster Management Group, from 4 April 2024.

7.5 BUILDING OUR REGIONS ROUND 6 - MILESTONE 2 FOR BOR 056

Author: Grants Officer – Susan Jacups

Attachments: Nil

PURPOSE (EXECUTIVE SUMMARY)

Council has received grant funding from the Queensland Government as a part of the Building Our Regions program, round 6. These grants are for critical water infrastructure on Mornington Island. They are to deliver water security and support waste-water removal. The department has outlined milestone requirements for Council compliance for funding instalments.

This report seeks Council endorsement and formal resolution to comply with the funding agreement and facilitate payment instalment.

BACKGROUND & PREVIOUS COUNCIL CONSIDERATION

Mornington Island's sewage network comprises a conventional gravity sewer network with three (3) sewage pump stations (SPS). During 2022 Council commissioned a condition assessment of all three pump stations (Project 3, Table 1). Recommended upgrades, as identified during the condition assessment have since been funded by the Building Our Regions funding stream 056 (project 4, Table 1). The completion of the SPS upgrades will prolong the asset life and improve operational delivery and safety.

The relevant grants under the Building Our Regions Round 6 are as follows;

Table 1: Summary of current Building our Regions Round 6 (BoR R6) funded projects

	Council	Funding stream	Summary of project
1	Mornington Shire Council	MoSC BoR R6 Pla 0004	Mornington Shire Council - Water Investigation
2	Mornington Shire Council	MoSC BoR R6 Pla 0022	SC Water Security
3	Mornington Shire Council	MoSC BoR R6 Pla 0001	Mornington Shire Council - Wastewater Investigation
4	Mornington Shire Council	MoSC BoR R6 Infra 0056	Mornington Island Sewage Pump Station Upgrade

The SPS upgrade project (Project 4) is near completion, however under the funding agreement earlier milestones were not completed. These still need to be completed for the Department to release payments.

Milestone 2 for BOR 056 requires the following;

A resolution from Council confirming:

- 1) it is committed to delivering the Project, and*
- 2) acknowledges responsibility for any funding shortfall if costs or other contributors change.*

The total funding commitment from the department for SPS 056 is \$1,975,000.00. Once we submit this Council resolution we are eligible to claim outstanding \$1,382,500.00.

FINANCIAL & RESOURCE IMPLICATIONS

Project 4 is currently on budget and should be completed with the available funds provided by the State Government, shortly.

RECOMMENDATION

That Council advise the Queensland Government that:

1. Council is committed to completing the projects funded as a part of the Building Our Regions funding program;
2. Council acknowledges that under the terms of the funding agreement, it is responsible for any funding shortfalls if costs or other contributors change; and
3. A copy of this Council resolution will be made available for the Queensland Government to fulfil this milestone obligation.

7.6 BUILDING OUR REGIONS ROUND 6 - MILESTONES - WATER INVESTIGATION AND WATER SECURITY

Author: Grants Officer – Susan Jacups

Attachments: Nil

PURPOSE (EXECUTIVE SUMMARY)

Council has received funding from the Queensland Government as a part of the Building Our Regions program, round 6. These grants are for critical water infrastructure on Mornington Island, to deliver water security and support waste-water removal. The department has outlined milestone requirements, which Council is required to comply with, to claim expended funding.

This report seeks Council endorsement and formal resolution to comply with the funding agreement and facilitate payment instalment.

BACKGROUND & PREVIOUS COUNCIL CONSIDERATION

Table 1: Summary of current Building our Regions Round 6 (BoR R6) funded projects

Council	Funding stream	Summary of project
Mornington Shire Council	MoSC BoR R6 Pla 0004	Mornington Shire Council - Water Investigation
Mornington Shire Council	MoSC BoR R6 Pla 0022	MSC Water Security
Mornington Shire Council	MoSC BoR R6 Pla 0001	Mornington Shire Council - Wastewater Investigation
Mornington Shire Council	MoSC BoR R6 Infra 0056	Mornington Island Sewage Pump Station Upgrade

These projects are being project managed by MAL Engineering, who has outsourced the Pla 0022 & 004 (highlighted in table) to ARUP. When combined these projects will:

- A. Undertake a detailed assessment of the water security on the island (BoR 004 Water Investigation)
- B. Determine the most cost-effective solution for long term water security on Mornington Island
- C. Provide a preliminary design for the recommended solution
- D. Provide a detailed design for the recommended solution
- E. Provide a P90 cost estimate for the recommended solution

The funding agreement for these grants contains milestones which need to be completed for the Department to release payments.

Milestone 1 (b) for BOR 004 requires the following;

A resolution from the Recipient confirming:

- 1) is committed to delivering the Project, and*
- 2) acknowledges responsibility for any funding shortfall if costs or other contributors change.*

Providing these resolutions to the State Government will enable us to claim \$36,000 for Milestone.

FINANCIAL & RESOURCE IMPLICATIONS

Project 4 is currently on budget and should be completed with the available funds provided by the State Government, shortly.

RECOMMENDATION

That Council advise Queensland Government that under the Building Our Regions program that:

1. Council is committed to completing the projects funded under the Building our Regions funding stream;
2. Council acknowledges that under the terms of the funding agreement, that it is responsible for any funding shortfalls if costs or other contributors change; and
3. A copy of this Council resolution will be made available to the Queensland Government, to fulfil this milestone obligation.

8 CONFIDENTIAL REPORTS

Nil

9 CLOSURE

Next meeting – Wednesday 24 April 2024.