



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

Date: Wednesday 25 September 2024
Time: 9:00 AM
Location: Council Chamber
Lardil Street
Gununa

MORNINGTON SHIRE COUNCIL

Ordinary Council Meeting

25 September 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 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**

Nil

8 DEPUTATIONS

9 ACTION SCHEDULE**9.1 ACTION ITEMS AS AT 31 AUGUST 2024**

Author: Chief Executive Officer

Attachments: Nil

PURPOSE (EXECUTIVE SUMMARY)

To provide Council with an updated version of the Mornington Shire Council's action schedule.

BACKGROUND & PREVIOUS COUNCIL CONSIDERATION

At each ordinary meeting of Council, when resolutions are passed that require any action, those resolutions are included in Council's Action schedule for attention of the appropriate officer or elected member.

At each ordinary meeting of Council, the Action Schedule is tabled to outline those actions that have been taken in accordance with Council resolutions.

FINANCE AND RESOURCE ALLOCATIONS

All Council resolutions and operational activities are undertaken in adherence with adopted 2024/24 budget allocations.

RECOMMENDATION

That the Action Schedule as tabled be updated for August 2024 and that completed items be removed.

10 POLICY DOCUMENTS**10.1 COUNCILLOR CODE OF CONDUCT**

Author: Director Corporate and Community

Attachments: 1 Councillor code of conduct

PURPOSE (EXECUTIVE SUMMARY)

Council must uphold the Local Government Act (2009) and the Local Government Regulation (2012) in the interests of robust democratic processes and good governance.

Some policies are a statutory requirement, requiring Council awareness, endorsement and adherence. A Code of Conduct as determined by the Minister for Local Government is a prescribed statutory requirement.

BACKGROUND & PREVIOUS COUNCIL CONSIDERATION

1. Under section 150D of the Local Government Act (2009), the Minister for Local Government must make a Code of Conduct stating the standards of behaviour for councillors in the performance of their responsibilities as councillors. In addition to this, the Code of Conduct may contain anything the Minister considers necessary for, or incidental to, the standards of behaviour.

2.

3. Before assuming public office, all councillors must make a declaration of office and commit to complying with the local government principles and obligations of councillors in accordance with section 169 of the Local Government Act 2009 and 169 of the City of Brisbane Act 2010, as well as the standards of behaviour set out in this Code of Conduct. As part of that declaration, councillors must declare that they will abide by this Code of Conduct.

4.

5. The legislation is founded on five local government principles with which councillors must comply while performing their roles as elected representatives:

6.

7. 1. Transparent and effective processes, and decision making in the public interest

8. 2. Sustainable development and management of assets and infrastructure, and delivery of effective services

9. 3. Democratic representation, social inclusion and meaningful community engagement.

10. 4. Good governance of, and by, local government

11. 5. Ethical and legal behaviour of councillors and local government employees.

12.

13. The standards of behaviour are summarised as the three Rs, being:

14. 1. RESPONSIBILITIES

15. 2. RESPECT

16. 3. REPUTATION

FINANCIAL & RESOURCE IMPLICATIONS

Adoption and adherence to the Code of Conduct does not have a financial impact upon the 2024/25 corporate and community operational budget.

RECOMMENDATION

That Council receive and adopt the Code of Conduct released from the Minister for Local Government's office, August 2024.

Queensland Government

Code of Conduct for Councillors in Queensland

Approved 22 February 2024

Last updated: 22 February 2024



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Purpose of the Code of Conduct

The Code of Conduct sets out the principles and standards of behaviour expected of councillors and mayors when carrying out their roles, responsibilities and obligations as elected representatives for their communities. By adhering to the behaviours set out below, councillors will increase public confidence in local government and their decisions.

Background

Under section 150D of the *Local Government Act 2009* (the LGA), the Minister for Local Government (the Minister) must make a Code of Conduct stating the standards of behaviour for councillors in the performance of their responsibilities as councillors. In addition to this, the Code of Conduct may contain anything the Minister considers necessary for, or incidental to, the standards of behaviour.

Before assuming public office, all councillors must make a declaration of office and commit to complying with the local government principles and obligations of councillors in accordance with section 169 of the *Local Government Act 2009* and 169 of the *City of Brisbane Act 2010*, as well as the standards of behaviour set out in this Code of Conduct. As part of that declaration, councillors must declare that they will abide by this Code of Conduct.

The Local Government Principles and Values

The legislation is founded on five local government principles with which councillors must comply while performing their roles as elected representatives.

These principles are listed below:

1. Transparent and effective processes, and decision making in the public interest
2. Sustainable development and management of assets and infrastructure, and delivery of effective services
3. Democratic representation, social inclusion and meaningful community engagement.
4. Good governance of, and by, local government
5. Ethical and legal behaviour of councillors and local government employees.

This Code of Conduct provides a set of values that describe the types of conduct councillors should demonstrate to ensure their compliance with the local government principles. These values are listed below:

1. In making decisions in the public interest, councillors will:
 - make decisions in open local government meetings
 - properly inform relevant personnel of all required information
 - make decisions in accordance with law and policy
 - commit to exercising proper diligence, care and attention.
2. To ensure the effective and economical delivery of services, councillors will:
 - manage local government resources effectively, efficiently and economically
 - foster a culture of excellence in service delivery.

3. In representing and meaningfully engaging with the community, councillors will:

- show respect to all persons
- clearly and accurately explain the local government's decisions
- accept and value differences of opinion.

4. In exercising good governance, councillors are committed to:

- the development of open and transparent processes and procedures
- keeping clear, concise and accessible records of local government decisions.

5. To meet the community's expectations for high level leadership, councillors will:

- be committed to the highest ethical standards while performing their official duties
- uphold the system of local government and relevant laws applicable to it.

This Code of Conduct also sets out standards of behaviour aimed at helping councillors understand how the principles and values are put into practice while performing their official duties as elected representatives.

Each standard of behaviour is not intended to cover every possible scenario. However, they provide general guidance about the manner in which councillors are expected to conduct themselves. It is important to note that the principles, values and standards set out in the Code of Conduct are of equal importance.

Last updated: 22 February 2024

Standards of Behaviour

This Code of Conduct sets out the standards of behaviour applying to all councillors in Queensland while acting in their official capacity. The behavioural standards relate to, and are consistent with, the local government principles and their associated values.

The standards of behaviour are summarised as the three Rs, being:

1. **RESPONSIBILITIES**
2. **RESPECT**
3. **REPUTATION**

Each standard of behaviour includes, but is not limited to, several examples to guide councillors in complying with the Code of Conduct when carrying out their role as elected officials. Councillors are to understand and comply with the following standards of behaviour as set out in the Code of Conduct listed below.

1. Carry out RESPONSIBILITIES conscientiously and in the best interest of the local government and the community

For example, councillors will, at a minimum, have the following responsibilities:

- 1.1. Attend and participate meaningfully in all local government meetings, committee meetings, informal meetings, relevant workshops and training opportunities to assist them in fulfilling their roles other than where prior leave of absence is given
- 1.2. Respect and comply with all policies, procedures and resolutions of local government
- 1.3. Use only official local government electronic communication accounts (e.g.

email accounts) when conducting local government business

- 1.4. Report any suspected wrongdoing to the appropriate entity within required time periods
- 1.5. Ensure that their behaviour or capacity to perform their responsibilities in their official capacity as a councillor is not impaired by the use of substances that may put them or others at risk while performing their duties (for example, alcohol, illegal drugs or prescribed/non-prescribed and/or restricted substances)
- 1.6. Cooperate with any investigation being undertaken by the local government or other entity
- 1.7. Ensure that the Councillor's Advisor is aware of their obligations to comply with the standards of behaviour in the Code of Conduct for Councillor Advisors in Queensland
- 1.8. Awareness of responsibilities imposed on councillors by the *Local Government Act 2009*, the *City of Brisbane Act 2010* and the relevant regulations.

2. Treat people in a reasonable, just, RESPECTFUL and non-discriminatory way

For example, councillors will, at a minimum, act in the following ways:

- 2.1. Treat fellow councillors, local government employees and members of the public with courtesy, honesty and fairness
- 2.2. Not use abusive, obscene or threatening language (either oral or written) or behaviour towards other councillors, local

government employees or members of the public

- 2.3. Have proper regard for other people's rights, obligations, cultural differences, safety, health and welfare.

3. Ensure conduct does not reflect adversely on the REPUTATION of the local government

For example, councillors will, at a minimum, conduct themselves in the following manner:

- 3.1 When expressing an opinion dissenting with the majority decision of the local government, respect the democratic process by acknowledging that the local government decision represents the majority view of the local government.
- 3.2 When making public comment, clearly state whether they are speaking on behalf of the local government or expressing their personal views.
- 3.3 At all times strive to maintain and strengthen the public's trust and confidence in the integrity of the local government and avoid any action which may diminish its standing, authority or dignity.

Consequences of failing to comply with the Code of Conduct

Failure to comply with the standards of behaviour in this Code of Conduct, or other conduct prescribed in this code of conduct may give rise to a complaint against a councillor's conduct and subsequent investigation and disciplinary action under the legislation if found to have engaged in a conduct breach, misconduct, or corrupt conduct.

A complaint about the conduct of a councillor must be reported to the Office of the Independent

Assessor (OIA) within one year from when the conduct occurred, or within six months after the conduct comes to the knowledge of the complainant but within two years after the conduct occurred.

These time limitations do not reflect the fact that the OIA can look at a matter received late due to exceptional circumstances.

There is no time limit for reporting of corrupt conduct.

A preliminary assessment process must be undertaken by the Independent Assessor before progressing conduct matters. After the preliminary assessment the Independent Assessor must decide:

- to dismiss a complaint, notice or information, or
- take no further action in certain circumstances, or
- refer a suspected conduct breach to a local government for investigation, or
- investigate the conduct of the councillor, or
- not deal with the complaint and give the councillor counselling or recommend training or mediation.

If, after the preliminary assessment the Independent Assessor refers the complaint to the appropriate entity to deal with, the entity to which they refer the matter will depend on the category of the conduct complaint (conduct breach, misconduct, and corrupt conduct).

The Independent Assessor may take no further action about the conduct of a councillor, following an investigation, if satisfied that taking further action would not be in the public interest.

Unsuitable Meeting Conduct

Under the *Local Government Act 2009*, any conduct by a councillor that is contrary to the standards of behaviour in the Code of Conduct that occurs within a local government meeting (including standing committee meetings), is dealt with as unsuitable meeting conduct.

Unsuitable meeting conduct by a councillor is dealt with by the chairperson of the meeting. It is important that the chairperson deal with matters of unsuitable meeting conduct immediately, and as efficiently and effectively as possible so that the local government can continue with their business of making effective decisions in the public interest.

Unsuitable meeting conduct by the chairperson will be dealt with by the councillors present at the meeting who will decide by resolution if the chairperson has engaged in unsuitable meeting conduct and if so how to deal with the matter. The councillors may make an order to reprimand the chairperson.

Conduct breach

Under the *Local Government Act 2009*, any conduct by a councillor that is contrary to the standards of behaviour in the Code of Conduct or a policy, procedure or resolution of a local government, and is not unsuitable meeting conduct, misconduct or corrupt conduct is dealt with as a conduct breach. The code of conduct only applies to conduct directly relevant to a councillor's official duties.

The conduct of a councillor is also a conduct breach if it contravenes an order by the chairperson of a local government meeting for the councillor to leave the meeting or is a series of conduct at local government meetings that leads to orders for the councillor's unsuitable meeting conduct being made

on three occasions within a period of one year. The local government is not required to notify the OIA of these matters and may deal with the conduct under section 150AG of the *Local Government Act 2009* (including Brisbane City Council).

The Independent Assessor is responsible for conducting a preliminary assessment of the complaint about the conduct of a councillor including the allegations of a suspected conduct breach, excluding those arising from unsuitable meeting conduct, referred to the Independent Assessor.

Following the preliminary assessment, if the Independent Assessor has decided not to dismiss, the Independent Assessor must refer a suspected conduct breach to the local government to deal with.

The local government may decide not to start, or to discontinue investigation if:

- the complainant withdraws the complaint or consents to the investigation not being started or being discontinued; or
- the complainant does not comply with a request by the local government for further information; or
- there is insufficient information to investigate the conduct; or
- the councillor has vacated office (if re-elected within a 12 month period, the investigation must be recommended).

Misconduct

Councillors are required to comply with all laws that apply to local governments, this includes refraining from engaging in misconduct.

The Independent Assessor is responsible for assessing and investigating instances of suspected

misconduct. The OIA may make an application to the Councillor Conduct Tribunal (CCT) for the matter to be heard and determined. If the councillor is found to have engaged in misconduct, the CCT may decide to take the disciplinary action it considers appropriate against the councillor. The Independent Assessor may, at any time before an application is decided by the CCT, withdraw the application in whole or in part if satisfied the withdrawal is in the public interest.

If the office of a councillor is vacated before an application is decided, the Independent Assessor must withdraw the application.

The conduct of a councillor is misconduct if the conduct:

- adversely affects, directly or indirectly, the honest and impartial performance of the councillor's functions or exercise of the councillor's powers, or
- is, or involves:
 - non-compliance with an Act by a councillor
 - misuse of information or material acquired by the councillor, in the performance of the councillor's functions, whether the misuse is for the benefit of the councillor or for the benefit or to the detriment of another person
- is:
 - a contravention of an order of a local government or the CCT
 - a contravention of a policy of the local government about the reimbursement of expenses
 - failure to notify particular conduct to the OIA

- a failure to declare a conflict of interest or appropriately deal with a prescribed conflict of interest or a declarable conflict of interest in a meeting
- participation in a decision when a prescribed or declarable conflict of interest exists without approval of the other councillors in the matter
- a failure to report another councillor's potential conflict of interest in a matter in a meeting if the councillor reasonably believes or suspects the other councillor has a conflict of interest
- a release of confidential information that the councillor knows is confidential
- an attempt to influence a decision maker about a matter in which the councillor has a prescribed conflict of interest or a declarable conflict of interest
- failure to declare particulars of interests at the start of the term or appointment, update or annually review.

The conduct of a councillor is also misconduct if the conduct leads to the councillor being disciplined for a conduct breach on three occasions within a period of one year or is conduct that is identified in an order of local government that it will be dealt with as misconduct if the councillor engages in the same conduct breach again.

The conduct of a councillor is misconduct if a councillor purports to direct the Chief Executive Officer (CEO) in relation to disciplinary action regarding the conduct of a local government employee or a Councillor Advisor.

The conduct of a mayor is misconduct if an unlawful direction is given by a mayor to the CEO under the *Local Government Act 2009* or, is given to the CEO or a senior executive employee under *the City of Brisbane Act 2010*.

Councillors / mayor may only give directions to local government employees that are in accordance with the guidelines made about the provision of administrative support.

Corrupt Conduct

Corrupt conduct is defined by, and dealt with, under the *Crime and Corruption Act 2001*¹ and must be referred to the Crime and Corruption Commission (CCC).

Corrupt Conduct means conduct of a person, regardless of whether the person holds or held an appointment, that

- adversely affects or could adversely affect the performance of the councillor's responsibilities, and
- involves the performance of the councillor's responsibilities in a way that:
 - is not honest or impartial, or
 - involves a breach of the trust placed in the councillor, or
 - involves a misuse of information or material acquired through the performance of the councillor's responsibilities and
- would if proved, be –
 - a criminal offence; or
 - a disciplinary breach providing reasonable grounds for terminating the person's services, if the person is or were the holder of an appointment.

Corrupt Conduct also means conduct of a person, regardless of whether the person holds or held an appointment, that:

- impairs, or could impair, public confidence in public administration; and
- involves, or could involve, any of the following—
 - collusive tendering;
 - fraud relating to an application for a licence, permit or other authority under an Act with a purpose or object of any of the following (however described)
 - o protecting health or safety of persons;
 - o protecting the environment;
 - o protecting or managing the use of the State's natural, cultural, mining or energy resources;
 - dishonestly obtaining, or helping someone to dishonestly obtain, a benefit from the payment or application of public funds or the disposition of State assets;
 - evading a State tax, levy or duty or otherwise fraudulently causing a loss of State revenue;
 - fraudulently obtaining or retaining an appointment; and
- would, if proved, be—
 - a criminal offence; or
 - a disciplinary breach providing reasonable grounds for terminating the person's services, if the person is or were the holder of an appointment.

Councillors are reminded of their obligations under section 38 of the *Crime and Corruption Act 2001* to report suspected corrupt conduct.

¹ Section 15 ((1) and (2) *Crime and Corruption Act 2001*

The OIA has entered into a section 40² arrangement with the CCC which allows the OIA to commence investigation into some allegations of corrupt conduct and report the matters to the CCC on a monthly basis, to provide the CCC with the opportunity to assume responsibility for or monitor an investigation, should the CCC consider that appropriate.

Further information about the CCC's jurisdiction and other topics in relation to local government is available at <https://www.ccc.qld.gov.au/sites/default/files/Docs/Publications/CCC/Corruption-in-focus-Guide-2020.pdf> (Chapter 4).

More Information

For any further enquiries on this matter please contact the department.

² Section 40 *Crime and Corruption Act 2001*

10.2 MODEL MEETING PROCEDURES

Author: Director Corporate and Community

Attachments: 1 Model meeting procedures

PURPOSE (EXECUTIVE SUMMARY)

Council must uphold the Local Government Act (2009) and the Local Government Regulation (2012) in the interests of robust democratic processes and good governance.

Some policies are a statutory requirement, requiring Council awareness, endorsement and adherence. Model Meeting procedures are a prescribed statutory requirement.

BACKGROUND & PREVIOUS COUNCIL CONSIDERATION

All councils must adopt model meeting procedures (MMP) or incorporate them into any standing orders for meeting procedures.

Following a review of procedures, an updated MMP document was published on the Department of Housing, Local Government, Planning and Public Works website during August 2024. The MMP has been updated to better align with the LGA.

A marked-up version of the MMP identifying new content in yellow highlight has been attached to this report. In summary, key clarifications relate to the role of the chairperson at ordinary and special meetings as well as committee meetings. The amendments also include the details for acting arrangements in the event the chairperson or deputy mayor are unavailable.

FINANCIAL & RESOURCE IMPLICATIONS

Adoption and adherence to the Model Meeting procedures does not have a financial impact upon the 2024/25 corporate and community operational budget.

RECOMMENDATION

That Council receive and adopt model meeting procedures as distributed by the Queensland Government Department of Housing, Local Government, Planning and Public Works, Wednesday 28 August 2024.

Model Meeting Procedures

Conduct of local government meetings and its committee meeting

Revised July 2024

Last updated:

Date	Version Number	Name	Approved
20 June 2023	004	P Cameron	
28 November 2023	005	P Cameron	
11 July 2024	006	P Cameron	



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Interpreter



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www.qld.gov.au/languages

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Purpose of the Model Meeting Procedures

The purpose of the model meeting procedures is to set out certain procedures to ensure all the local government principles are reflected in the conduct of local government meetings, standing and advisory committee meetings as defined in the *Local Government Act 2009* (LGA), *Local Government Regulation 2012* (LGR), the *City of Brisbane Act 2010* (COBA) and the *City of Brisbane Regulation 2012* (COBR). However, model meeting procedures do not apply to meetings of the local government's audit committee.

It is not intended that the model meeting procedures would deal with all aspects of meeting conduct but only those required to strengthen public confidence in local government to chair meetings and deal with the conduct of councillors, conflict of interest of councillors, loss of quorum and closed meetings.

Meeting Principles

Local government meetings must adhere to the following principles:

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

Background

Under section 150F of the LGA, the chief executive of the department of local government must make model procedures for local government and committee meetings. These procedures must be adopted and if the local government adopts other procedures, they must not be inconsistent with the model procedures.

The model meeting procedures include the following:

- the process for the chairperson to lead and manage local government meetings
- the process for how the chairperson of a local government meeting may deal with unsuitable meeting conduct by a councillor
- the process for how the councillors at a local government meeting may deal with the unsuitable meeting conduct by the chairperson
- the process for how a suspected conduct breach by a councillor, that is referred to the local government by the Independent Assessor (IA), must be dealt with at a local government meeting
- the processes for dealing with a conflict of interest (COI) arising during a local government meeting and recording the COI in the minutes of the meeting

- the process for dealing with a loss of quorum due to the number of councillors with a COI
- procedures for closing local government meetings to the public.

Application

A local government must either adopt the model meeting procedures or prepare and adopt other procedures for the conduct of its local government meetings, standing and advisory committee meetings.

A local government's meeting procedures and standing orders must be consistent with the model meeting procedures. If there is any inconsistency with the documents, then the local government is taken to have adopted the model meeting procedures to the extent of the inconsistency.

To assist local governments the Department has published best practice example **standing orders** that local governments can choose to adopt. These are published on the departmental website.

A local government must conduct its meetings in a manner that is consistent with either the model meeting procedures, or its own standing orders provided they are consistent with clauses 1-10 below of these model meeting procedures.

Processes

1. Process for the Chairperson

This clause applies to local government meetings, and local government committee meetings. For the purposes of this clause local government meetings are ordinary and special meetings. This section does not apply to Brisbane City Council where the Chair of Council, elected by councillors, presides over each BCC meeting.

Under section 12(4) of the LGA the mayor has extra responsibilities in addition to those which all councillors have. The mayor is the chairperson, leading and managing local government meetings, including managing the conduct of participants at the meeting. The mayor may delegate another councillor to perform the mayor's extra responsibilities including acting as chairperson when the mayor is absent or temporarily incapacitated. Alternatively, if the mayor has not delegated a councillor to undertake responsibilities as chairperson, under the provisions of section 165 of the LGA, the deputy mayor acts for the mayor during the absence or temporary incapacity or when the office of mayor is vacant.

1.1. The mayor will be the chairperson at a local government meeting at which the mayor is present.

1.2. If the mayor is absent from a local government meeting, the meeting will be chaired by the councillor to whom the mayor has delegated their responsibility to chair the meeting.

1.3. If the mayor is absent or unavailable to chair the meeting, and has not delegated another councillor to do so, the deputy mayor will be the chairperson.

1.4. If the office of mayor becomes vacant the deputy mayor acts as mayor and chairperson of the local government meetings

1.5. If the mayor and the deputy mayor are both prevented from chairing the meeting because of absence or temporary incapacitation, and no other councillor has been delegated the responsibility or appointed to act as chairperson, the local government may by resolution appoint one of the councillors present at the meeting to act as chairperson for the duration of the meeting.

1.6. The local government may appoint the chairperson for a committee. This chairperson will preside over meetings of the committee. The mayor is a member of each standing committee but not necessarily a member of every advisory committee. The mayor is not necessarily the chairperson of committee meetings.

1.7. If the chairperson of a committee is absent or unavailable to chair, another councillor who is chosen by the councillors present, will be chairperson of the committee meeting.

1.8. Before proceeding with the business of the local government meeting, the chairperson at the meeting will undertake the acknowledgement and/or greetings deemed appropriate by the local government.

Note: Section 12 of the LGA does not prescribe that other councillors have the responsibility of chairing local government meetings. Other councillors cannot assume the chairperson role except when they are delegated by the mayor to perform the extra responsibilities of a mayor or a resolution has been passed by the councillors present to select a councillor to act as chairperson of a particular meeting, because the mayor, a delegated councillor and the deputy mayor are unavailable.. The provision for the mayor to delegate the responsibility to be chairperson to another councillor caters for the possibility that the mayor will not be the chairperson of a particular local government meeting because the mayor has, for example, a conflict of interest in a matter, or will be absent or incapacitated for that meeting.

2. Process for Dealing with Unsuitable Meeting Conduct by a Councillor in a Meeting

The conduct of a councillor is unsuitable meeting conduct if the conduct happens during a local government meeting and contravenes a behavioural standard of the **Code of Conduct for Councillors**. When dealing with an instance of unsuitable meeting conduct by a councillor, the following procedures must be followed:

2.1. The chairperson must reasonably believe that the conduct of a councillor during a meeting is unsuitable meeting conduct.

- 2.2. If the chairperson decides the unsuitable meeting conduct has occurred, the chairperson may consider the severity of the conduct and whether the councillor has had any previous warnings for unsuitable meeting conduct issued. If the chairperson decides the conduct is of a serious nature or another warning is unwarranted, the chairperson can make an order in relation to the conduct under 1.7 below.
- 2.3. If the chairperson decides unsuitable meeting conduct has occurred but is of a less serious nature, the chairperson may request the councillor take remedial action such as:
 - 2.3.1. Ceasing and refraining from exhibiting unsuitable meeting conduct
 - 2.3.2. Apologising for their conduct
 - 2.3.3. Withdrawing their comments.
- 2.4. If the councillor complies with the chairperson's request for remedial action, no further action is required.
- 2.5. If the councillor fails to comply with the chairperson's request for remedial action, the chairperson may warn the councillor that failing to comply with the request could result in an order being issued.
- 2.6. If the councillor complies with the chairperson's warning and request for remedial action, no further action is required.
- 2.7. If the councillor continues to fail to comply with the chairperson's request for remedial action or the chairperson decided a warning was not appropriate under 1.5, the chairperson may make one or more of the orders below:
 - 2.7.1. An order reprimanding the councillor for the conduct
 - 2.7.2. An order requiring the councillor to leave the meeting, including any area set aside for the public and stay out for the duration of the meeting.
- 2.8. If the councillor fails to comply with an order to leave and stay away from the meeting, the chairperson can issue an order that the councillor be removed from the meeting.
- 2.9. Any councillor aggrieved with an order issued by the chairperson can move a motion of dissent for parts 1.1, 1.7 and 1.8 above.
- 2.10. Following the completion of the meeting, the chairperson must ensure the minutes of the meeting record the information about unsuitable meeting conduct (see note):

Note: Details of any order issued **must be** recorded in the minutes of the meeting. The local government's chief executive officer (CEO) is advised to ensure details of any order made is updated in the local government's councillor conduct register. If it is the third or more order made within a 12-month period against a councillor, or the councillor has refused to comply with an order issued to leave the meeting, these matters are dealt with at the next local government meeting as a conduct breach. The local government is not required to notify the independent assessor (IA) about the conduct; and may deal with the conduct under section 150AG as if an investigation had been conducted.

3. Process for Dealing with Unsuitable Meeting Conduct by a Chairperson in a Meeting

- 3.1. If a councillor at the meeting reasonably believes that the conduct of the chairperson during the meeting is unsuitable meeting conduct, the councillor will raise the matter in the meeting by point of order.
- 3.2. The chairperson may correct their unsuitable meeting conduct or if they do not properly correct their behaviour, the councillor may move a motion that the chairperson has engaged in unsuitable meeting conduct (a seconder for the motion is required). Councillors present, excluding the chairperson, must decide by resolution if the conduct is unsuitable meeting conduct.
- 3.3. The chairperson has a declarable conflict of interest in the matter and must leave the place where the meeting is being held, including any area set aside for the public, during the debate and vote on the matter. If the chairperson wishes to remain in the meeting, the eligible councillors must make a decision and follow the procedures set out in *part 5* below.
- 3.4. For the debate and vote on the motion, a councillor other than the councillor that moved the motion, is to act as the chairperson.
- 3.5. If the original chairperson remains in the meeting, on the condition that they will not vote on the matter as determined by the eligible councillors, the chairperson can put forward their reasoning about their conduct and respond to questions through the acting chairperson from the eligible councillors.
- 3.6. The acting chairperson of the meeting will preside over the meeting while the councillors present at the meeting vote on whether the chairperson has engaged in unsuitable meeting conduct (the acting chairperson will have a casting vote on the resolution if required).
- 3.7. If it is decided that the chairperson has engaged in unsuitable meeting conduct the councillors can make an order reprimanding the chairperson for the conduct.

3.8. Once the councillors make a decision, the chairperson returns to the meeting (unless they have been permitted to remain in the meeting) and is informed of the decision by the acting chairperson.

3.9. The chairperson then resumes the role of chairperson, and the meeting continues.

Note: Details of any reprimand order is recorded in the minutes of the meeting. The local government's chief executive officer (CEO) is advised to ensure details of any order made is updated in the local government's councillor conduct register.

For conduct of a chairperson, at local government meetings that is part of a course of conduct leading to a reprimand order for unsuitable meeting conduct being made against the chairperson, on three occasions within a period of 12 months, the conduct that led to the orders being made, taken together, becomes a conduct breach.

If the conduct of a councillor, including a chairperson, at the meeting becomes a conduct breach; in accordance with section 150J of the LGA, and is a conduct breach under section 150K(2)(b) and (3) of the LGA, the local government is not required to notify the IA about the conduct; and may deal with the conduct under section 150AG as if an investigation had been conducted. It may be dealt with at the next local government meeting.

4. Meeting Procedures for Dealing with a Suspected Conduct Breach including that which has been Referred to a Local Government by the Independent Assessor

Under chapter 5A, part 3, division 3A of the LGA, the IA must make a preliminary assessment and consider dismissing a complaint, notice or information before taking other action if satisfied that particular circumstances apply. If the IA assesses that a matter is a suspected conduct breach it must refer the matter to the local government. The IA refers the councillor's suspected conduct breach to the local government by giving a referral notice.

Note: Conduct breach is conduct that contravenes a behavioural standard of the code of conduct for councillors, or a policy, procedure or resolution of the local government; or the conduct contravenes an order of the chairperson of a local government meeting for the councillor to leave and stay away from the place at which the meeting is being held; or an instance of a suspected conduct breach that may arise from circumstances described in the above Note at end of clause 2. Process for Dealing with Unsuitable Meeting Conduct by a Chairperson in a Meeting, in this document.

4.1. In relation to matters referred by the IA to the local government, the local government may decide not to start or discontinue an investigation if the complainant withdraws the complaint, or consents to the investigation not starting or discontinuing, or the complainant does not provide extra information when requested, or there is insufficient information to investigate the complaint, or the councillor vacates or has vacated their office as a councillor.

Note: The local government investigation must be conducted in a way that is consistent with the local government's investigation policy. An investigation report must be prepared to assist the councillors in deciding on the outcome under section 150AG of the LGA. Before debating a matter to decide on the outcome, a summary investigation report (with redactions) must be prepared and made publicly available under section 150AFA of the LGA on or before the day and time prescribed by regulation.

However, this section does not apply in relation to a decision by the Establishment and Coordination Committee under the COBA.

- 4.2. The local government must decide in a local government meeting, whether the councillor has engaged in a conduct breach. Unless in accordance with section 150AG of the LGA, it has delegated responsibility for this decision to the mayor under section 257(2)(a), or to a standing committee section 257(2)(b) of the LGA or section 238(2)(a), (b) or (c) of the COBA.
- 4.3. When dealing with an instance of a suspected conduct breach which has been referred to a local government by the IA:
 - 4.3.1. The local government must be consistent with the local government principle of transparent and accountable decision making in the public interest by deciding the outcome of an investigation of a suspected conduct breach in an open meeting of the local government. However, where the matter requires debate a local government may close all or part of a meeting to the public, if considered necessary, to discuss an investigation report under the CBR section 242J, or the LGR section 254J.
 - 4.3.2. No resolution for a decision can be made in the closed session. The matter must be decided in an open session of the meeting or at a later meeting.
 - 4.3.3. Where a local government makes a decision about a conduct breach matter at a local government meeting that is inconsistent with a recommendation made about that matter in an investigation report, a statement of the reasons for the inconsistency must be included in the minutes of the meeting under CBR section 242H and the LGR section 254H.
 - 4.3.4. The subject councillor has a declarable conflict of interest in the matter and must declare the conflict of interest. The eligible councillors at the meeting can decide by resolution that the subject councillor may remain in the meeting (unless they decide otherwise), during the debate about the investigation report and may answer questions put to the subject councillor through the chairperson in relation to the evidence or written submission provided by the councillor to the local government.
 - 4.3.5. The subject councillor who has a declarable conflict must leave the place where the meeting is being held, including any area set aside for the public, during the vote on whether they have engaged in a conduct breach and what, if any, penalty to impose if the councillor is found to have engaged in a conduct breach.

4.3.6. If the complainant is a councillor, that councillor has a declarable conflict of interest in the matter and if so, must follow the declarable conflict of interest procedures in clause 5. If the complainant councillor who has a conflict of interest, wishes to remain in the meeting during the debate and vote on the matter, the other eligible councillors (do not have a COI in the matter) must decide how to deal with the conflict of interest under clause 5. The complainant councillor can be ordered to leave the meeting place or conditions may be applied to allow that councillor to participate in either the debate, the vote, or the decision on any disciplinary action to be applied.

4.3.7. After making a decision under section 150AG of the LGA, the local government must make the full investigation report, publicly available within 10 business days after the decision is made, with redactions of the name of the complainant and any witnesses but including the name of a councillor or the CEO of the local government if they were complainants, and any councillor who declared a COI in the matter.

4.4. If the local government has lost quorum due to the number of conflicted councillors or another reason, the local government must do one of the following:

4.4.1. Delegate deciding the matter under section 257 of the LGA to the mayor or a standing committee, or under section 238 of the COBA, to the mayor or the Establishment and Coordination Committee, or a standing committee, whichever is the most appropriate in the circumstances or

4.4.2. Decide, by resolution, to defer the matter to a later meeting or

4.4.3. Decide, by resolution, not to decide the matter and take no further action in relation to the matter unless this Act or another Act provides that the local government must decide the matter.

Note: A local government cannot decide to take no further action on a decision about a conduct matter because a decision is required under the LGA. In order to reach a decision when a loss of quorum has occurred, the matter can be deferred to a later meeting when a quorum can be maintained, or the conflicted councillors may apply to the Minister for permission to participate in the decision.

The local government should establish a standing committee under section 264 of the LGR to deal with decisions about conduct breach matters that must be delegated. The standing committee must be in existence before receiving the referral notice from the IA, in circumstances where there is no quorum to decide a matter under sections 150AEA or 150AG of the LGA due to conflicts of interest. The standing committee will decide about matters relating to the mayor's conduct. While section 12(4)(f) of the LGA provides that the mayor has the extra responsibility of being a member of each

standing committee, the mayor could not be a decision making member of a standing committee dealing with decisions about the mayor's conduct because of the mayor's conflict of interest in the matter. The eligible councillors who are members of the committee will decide the matter.

- 4.5. If it is decided that the subject councillor has engaged in a conduct breach, then the councillors must decide what penalty or penalties from the orders detailed in clause 4.6, if any, to impose on the councillor. In deciding what penalty to impose the local government may consider any previous conduct breach of the councillor and any allegation made in the investigation that was admitted, or not challenged, and that the local government is reasonably satisfied is true.
- 4.6. The local government may order that no action be taken against the councillor or make one or more of the following:
- 4.6.1. An order that the councillor make a public apology, in the way decided by the local government,
 - 4.6.2. An order reprimanding the councillor for the conduct breach
 - 4.6.3. An order that the councillor attend training or counselling to address the councillor's conduct, including at the councillor's expense
 - 4.6.4. An order that the councillor be excluded from a stated local government meeting
 - 4.6.5. An order that the councillor is removed, or must resign, from a position representing the local government, other than the office of councillor, (for example that the councillor is ordered to resign from an appointment representing the local government on a state board or committee)
 - 4.6.6. An order that if the councillor engages in the same type of conduct again, it will be treated as misconduct
 - 4.6.7. An order that the councillor reimburse the local government for all or some of the costs arising from the councillor's conduct breach.
 - 4.6.8. A local government may not make an order in relation to a person who has vacated their office as a councillor.
- 4.7. The subject councillor, and where relevant, the complainant councillor, must be invited back into the place where the meeting is being held once a decision has been made, and the chairperson must advise them of the decision made by the local government and if relevant any orders made by resolution.

- 4.8. The minutes of the meeting must reflect the decision and any orders made. A notice must be given to the IA as soon as practicable about the decision and the reasons for the decision and if an order is made under section 150AH the details of the order.

5. Prescribed Conflict of Interest

Councillors are ultimately responsible for informing of any prescribed conflict of interest on matters to be discussed at a local government meeting, standing or advisory committee meeting (other than ordinary business matters prescribed in section 150EF of the LGA or section 177C of the COBA). When dealing with a prescribed conflict of interest, councillors must abide by the following procedures,

- 5.1. A councillor who has notified the chief executive officer in writing of a prescribed conflict of interest in a matter to be discussed in a local government meeting must also give notice during the meeting at the time when the matter is to be discussed.
- 5.2. A councillor who first becomes aware of a prescribed conflict of interest in a matter during a local government meeting must immediately inform the meeting of the conflict of interest.
- 5.3. When notifying the meeting of a prescribed conflict of interest, the following particulars must, at a minimum, be provided:
- 5.3.1. If it arises because of a gift, loan or contract, the value of the gift, loan or contract
- 5.3.2. If it arises because of an application for which a submission has been made, the matters the subject of the application and submission
- 5.3.3. The name of any entity, other than the councillor, that has an interest in the matter
- 5.3.4. The nature of the councillor's relationship with the entity mentioned in 5.3.3 that has an interest in a matter
- 5.3.5. Details of the councillor's and any other entity's interest in the matter.
- 5.4. The councillor must then leave the place of the meeting, including any area set aside for the public, and stay away while the matter is being discussed and voted on, unless the subject councillor has written notice of approval from the Minister to participate in the matter.
- 5.5. Once the councillor has left the area where the meeting is being conducted, the local government can continue discussing and deciding on the matter at hand.

6. Declarable Conflict of Interest

Councillors are ultimately responsible for informing of any declarable conflict of interest on matters to be discussed at local government meetings and standing or advisory committee meetings that

might lead to a decision that is contrary to the public interest (other than the interests prescribed under section 150EO of the LGA and section 177L of the COB, and ordinary business matters prescribed in section 150EF of the LGA and section 177C of the COBA).

- 6.1. A councillor may raise their personal interests in a matter at the meeting to canvas the view of the other councillors prior to deciding to declare a conflict of interest. If the other councillors suspect the personal interest might be a conflict of interest, the other councillors may disclose their suspicion and the processes under section 150EW of the LGA or section 177T of the COBA applies.
- 6.2. When dealing with a declarable conflict of interest, a councillor must abide by the following procedures:
 - 6.2.1. A councillor who has notified the chief executive officer in writing of a declarable conflict of interest in a matter to be discussed at a local government meeting must also give notice during the meeting at the time when the matter is to be discussed.
 - 6.2.2. A councillor who first becomes aware of a declarable conflict of interest in a matter during a local government meeting must inform the meeting of the conflict of interest.
- 6.3. When notifying the meeting of a declarable conflict of interest, a councillor should provide sufficient detail to allow the other councillors to make an informed decision about how best to manage the declarable conflict of interest in the public interest. The following minimum details must be provided:
 - 6.3.1. The nature of the declarable conflict of interest
 - 6.3.2. If it arises because of the councillor's relationship with a related party
 - the name of the related party and
 - the nature of the relationship of the related party to the councillor and
 - the nature of the related party's interest in the matter.
 - 6.3.3. If it arises because of a gift or loan from another person to the councillor or a related party:
 - the name of the other person and
 - the nature of the relationship of the other person to the councillor or related party and
 - the nature of the other person's interest in the matter and
 - the value of the gift or loan and the date the gift or loan was made.

- 6.4. After a councillor has declared a conflict of interest, the councillor should consider leaving the meeting while the matter is discussed unless they have reasons why their participation would improve making the decision in the public interest.
- 6.4.1. If the councillor chooses not to leave the meeting, the councillor may advise the other councillors of their reasons for seeking permission to participate in making the decision.
- 6.4.2. The other eligible councillors at the meeting must then decide, by resolution, whether the councillor can participate in the decision making in relation to the matter, including voting on the matter, or whether the councillor should not participate in the decision and leave the place of the meeting while the matter is decided by the eligible councillors. The eligible councillors may impose conditions on the councillor under a decision to either participate or leave the meeting e.g., may stay for the debate but must leave for the vote.
- 6.4.3. The councillor must comply with any decision or condition imposed by the eligible councillors. The councillor must not participate in the decision unless authorised in compliance with section 150ES of the LGA or section 177P of the COBA or under an approval by the minister for local government under section 150EV of the LGA or section 177S of the COBA.
- 6.4.4. In deciding on whether a councillor may participate in a decision about a matter in which the councillor has a declarable conflict of interest, only councillors who do not themselves have a prescribed or declarable conflict of interest in the matter are eligible to participate in the decision making. The decision may be made even if the number of those councillors is less than a majority or do not form a quorum for the meeting consistent with section 150ET of the LGA and section 177Q of the COBA.
- 6.5. The councillor who is the subject of the decision may remain in the meeting while the debate is occurring and can participate by answering questions from the chairperson to assist the eligible councillors in making their decision. The subject councillor must not vote in making the decision but may remain in the meeting while the vote on the matter takes place and the decision is declared by the chairperson, on whether the councillor may remain in the meeting and participate in deciding the matter in which the councillor has a declarable conflict of interest.
- 6.6. When deciding whether a councillor may participate in the decision making on a matter in which the councillor has a declarable conflict of interest, the eligible councillors should consider the circumstances of the matter including, but not limited to:
- 6.6.1. How does the inclusion of the councillor in the deliberation affect the public trust

- 6.6.2. How close or remote is the councillor's relationship to the related party
- 6.6.3. If the declarable conflict of interest relates to a gift or other benefit, how long ago was the gift or benefit received
- 6.6.4. Will the benefit or detriment the subject councillor or their related party stands to receive from the decision have major or minor impact on them
- 6.6.5. How does the benefit or detriment the subject councillor stands to receive compare to others in the community
- 6.6.6. How does this compare with similar matters that the local government has decided and have other councillors with the same or similar interests decided to leave the meeting
- 6.6.7. Whether the subject councillor has unique skills, knowledge or expertise that might help make the best decision in the public interest?
- 6.7. If the eligible councillors cannot decide whether the subject councillor has a declarable conflict of interest, then they are taken to have decided that the councillor must leave and stay away from the meeting while the eligible councillors discuss and vote on the matter.
- 6.8. A decision about a councillor who has a declarable conflict of interest in a matter applies in relation to the councillor for participating in the decision, and subsequent decisions, about the same matter unless there is a change to the councillor's personal interests and/or the nature of the matter being discussed. If the eligible councillors decide that the councillor can act in the public interest on the matter, then the councillor may participate in the meeting and be involved in processes occurring outside of a local government meeting about the same matter e.g., workshops.
- 6.9. In making the decision about the councillor's conflict of interest in a matter, it is irrelevant how the subject councillor intended to vote on the issue or any other issue (if known or suspected).
- 5.10.A councillor does not contravene the above procedures if the councillor participates in a decision under written approval from the Minister as prescribed in section 150EV of the LGA or section 177S of the COBA.
7. Reporting a Suspected Conflict of Interest
- 7.1. If a councillor at a meeting reasonably believes or suspects that another councillor has a personal interest in a matter that may be a prescribed or declarable conflict of interest, and that councillor is participating in a decision on that matter, the councillor who believes or

suspects this, must immediately inform the chairperson of the meeting of their belief or suspicion, and the facts and circumstances that led to their belief or suspicion.

7.2. The chairperson should ask the relevant councillor with the suspected personal interest whether they have any prescribed or declarable conflict of interest in the matter. If the councillor agrees they have a conflict of interest, the councillor must follow the relevant procedures above.

7.3. If the councillor believes they do not have a conflict of interest, they must inform the meeting of that belief and their reasons for that belief.

7.4. The eligible councillors must then decide whether the councillor has a prescribed conflict of interest, a declarable conflict of interest or that the councillor does not have a prescribed or declarable conflict of interest in the matter. If the meeting decides the councillor has a conflict of interest, the councillor must follow the relevant procedures above. If a councillor with a declarable conflict of interest wants to participate in the decision despite the declarable conflict of interest, then the eligible councillors must make a decision about the councillor's participation.

7.5. If the councillors cannot reach a decision about the conflict of interest, or the subject councillor's participation in the matter despite a declarable conflict of interest, then they are taken to have determined that the councillor must leave and stay away from the place where the meeting is being held while the eligible councillors discuss and vote on the matter. This decision will continue to apply in relation to all subsequent decisions about the same matter, where the conflict of interest remains unchanged.

7.6. If the belief or suspicion of a COI relates to more than one councillor. Clause 6 of these procedures must be complied with in relation to each councillor separately.

8. Loss of Quorum

8.1. In the event where one or more councillors leave a meeting due to a prescribed or declarable conflict of interest in a matter that results in a loss of a quorum for deciding the matter, all the councillors including the conflicted councillors must resolve to:

8.1.1. Delegate the consideration and decision on the matter, pursuant to section 257 of the LGA or section 238 of the COBA unless the matter cannot be delegated

8.1.2. Defer the matter to a later meeting

- 8.1.3. Not to decide the matter and take no further action in relation to the matter unless the LGA or another Act provides that the local government must decide the matter.
- 8.2. The local government must not delegate a decision to an entity if the entity, or a majority being at least half of its members, has a prescribed or declarable conflict of interest in the matter.
- 8.3. The local government must not delegate a power that an Act says must be decided by resolution of the local government under section 257(3) of the LGA or section 238(3) of the COBA.
- 8.4. The local government may by resolution delegate a power under section 257 of the LGA or section 238 of the COBA to:
- 8.4.1. The mayor or chief executive officer, or
 - 8.4.2. A standing committee, or joint committee of the local government, or
 - 8.4.3. The chairperson of a standing committee or joint standing committee of the local government – does not apply to Brisbane City Council, or
 - 8.4.4. Another local government for a joint government activity.
 - 8.4.5. The Establishment and Coordination Committee – only applies to Brisbane City Council
- 8.5. The local government may only delegate a power to make a decision about a councillors conduct under section 150AE or 150AG of the LGA pursuant to section 257(2) of the LGA, to:
- 8.5.1. The mayor or
 - 8.5.2. A standing committee
 - 8.5.3. If it is a decision about the conduct of the mayor, the decision must be delegated to a standing committee.
- 8.6. A local government may only delegate a power to make a decision about a councillor's conduct pursuant to section 238(2) of the COBA, to:
- 8.6.1. The mayor, or
 - 8.6.2. The Establishment and Coordination Committee, or
 - 8.6.3. A standing committee of the local government. If it is a decision about the conduct of the mayor, the decision must be delegated to a standing committee.
- 8.7. The Minister for Local Government may, by signed notice give approval for a conflicted councillor to participate in deciding a matter in a meeting including being present for the

discussion and vote on the matter, if there is a loss of quorum and deciding the matter cannot be delegated, subject to any conditions the Minister may impose.

Note: Refer to note under 3.4

9. Recording Prescribed and Declarable Conflicts of Interest

9.1. When a councillor informs a meeting that they or another councillor have a prescribed or declarable conflict of interest in a matter, the minutes of the meeting must record all the relevant details of how the conflict of interest was dealt with, being (see section 150FA of the LGA or section 177X of the COBA):

9.1.1. The name of any councillor and any other councillor who may have a prescribed or declarable conflict of interest

9.1.2. The particulars of the prescribed or declarable conflict of interest provided by the councillor

9.1.3. The actions taken by a councillor after informing the meeting that they have, or they reasonably suspect another councillor has a prescribed or declarable conflict of interest

9.1.4. Any decision then made by the eligible councillors

9.1.5. Whether the councillor with a prescribed or declarable conflict of interest participated in or was present for the decision under ministerial approval

9.1.6. The local government's decision on what actions the councillor with a declarable conflict of interest must take and the reasons for the decision

9.1.7. The name of each eligible councillor who voted on the matter and how each voted.

9.2. If the councillor has a declarable conflict of interest the following additional information must be recorded in the minutes of the meeting when the meeting is informed of a councillor's personal interest by someone other than the councillor:

9.2.1. The name of each councillor who voted in relation to whether the councillor has a declarable conflict of interest, and how each of the councillors voted.

9.3. Where a decision has been made under clause 5 above – the minutes must include:

9.3.1. The decision and reasons for the decision, and

9.3.2. The name of each eligible councillor who voted, and how each eligible councillor voted.

10. Closed Meetings

10.1. A local government meeting, standing committee meeting and advisory committee meeting may resolve that a meeting be closed to the public if its councillors and members consider it necessary to discuss any of the following matters pursuant to section 254J(3) of the LGR or section s242J(3) of the COBR:

10.1.1. Appointment, dismissal, or discipline of the CEO or, in the case of Brisbane City Council only, also for senior executive employees

10.1.2. Industrial matters affecting employees

10.1.3. The local government's budget, which does not include the monthly financial statements

10.1.4. Rating concessions

10.1.5. Legal advice obtained by the local government or legal proceedings involving the local government, including for example, legal proceedings that may be taken by or against the local government

10.1.6. Matters that may directly affect the health and safety of an individual or a group of individuals

10.1.7. 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

10.1.8. Negotiations relating to the taking of land by the local government under the *Acquisition of Land Act 1967*

10.1.9. A matter that the local government is required to keep confidential under a law of, or a formal agreement with, the Commonwealth or State

10.1.10. A matter relating to the consideration of an investigation report for an investigation of a conduct breach given to the local government under the LGA chapter 5A, part 3, division 5.

10.2. A local government meeting, standing and advisory committee meetings cannot resolve that a meeting be closed where the meeting is informed of a councillor's personal interest in the

matter by another person and the eligible councillors at the meeting must decide by resolution whether the councillor has a prescribed or declarable conflict of interest in the matter.

10.3. Further, the meeting must not be closed if a quorum is lost due to the number of conflicted councillors who leave the local government meeting, and the local government must resolve to:

10.3.1. Delegate the consideration and decision on the matter, pursuant to section 257 of the LGA or section 238 of the COBA unless the matter cannot be delegated:

10.3.2. Defer the matter to a later meeting when a quorum may be available

10.3.3. Not to decide the matter and take no further action in relation to the matter unless the LGA or another Act provides that the local government must decide the matter.

10.4. None of the above will be considered, discussed, voted on or made during a closed session.

10.5. If a closed session includes attendance by teleconference, the councillor/s attending by teleconference must maintain confidentiality by ensuring no other person can hear their conversation while in the closed meeting (a failure to do so could be a contravention of section 171(3) of the LGA or section 173(3) of the COBA).

10.6. To take a matter into a closed session the local government must abide by the following:

10.6.1. Pass a resolution to close all or part of the meeting

10.6.2. The resolution must state the matter to be discussed, an overview of what is to be discussed and why the meeting should be closed while the matter is considered (see [clause 10.1](#))

10.6.3. If it is known in advance, the agenda should clearly identify that the matter may be considered in closed session, and an explanation of why the councillors at the meeting may consider it necessary to take the issue into closed session must be stated.

10.6.4. Not make a resolution while in a closed meeting (other than a procedural resolution).

10.3 COUNCILLOR PORTFOLIO POLICY REVIEW AND UPDATE

Author: Director Corporate and Community

Attachments: 1 Councillor portfolio policy

PURPOSE (EXECUTIVE SUMMARY)

Council must uphold the Local Government Act (2009) and the Local Government Regulation (2012) in the interests of robust democratic processes and good governance.

Some policies are a statutory requirement, requiring Council awareness, endorsement and adherence.

Whilst Council portfolio policies are not a prescribed statutory requirement, they assist with community representation and advocacy.

The Councillor portfolio policy has been updated to reflect the incumbents during the current term of office from 2024 until 2028, and their respective allocated portfolios.

BACKGROUND & PREVIOUS COUNCIL CONSIDERATION

The Councillor portfolio policy is reflective of current Councillor interests and Appendix 1 has been updated following the Local Government Election in June 2024 and Mornington Shire Council's by-election in July 2024.

A copy of the updated policy is appended (Attachment 1).

FINANCIAL & RESOURCE IMPLICATIONS

Adoption and adherence to the Councillor portfolio policy does not have a recurrent financial impact upon the 2024/25 corporate and community operational budget. From time to time there are workshops and conferences aligned with Councillor portfolios that Elected Members might like to attend for information gathering and professional development purposes.

RECOMMENDATION

That Council receive and adopt the updated Councillor portfolio policy (version 2).



**MORNINGTON
SHIRE COUNCIL**


**MORNINGTON SHIRE
COUNCIL Councillor Portfolio
Policy
Version 2 September 2024**

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

This Policy is approved by Morrington Shire Council for the guidance of Council and Council staff.

DOCUMENT VERSION CONTROL

VERSION	DATE	RESOLUTION NO.	DETAILS		
V1	26/10/2022	2022/191	Responsible Officer Chief Executive Officer Description Statutory Policy		
			<table border="1"> <tr> <td>Review</td> <td>June 2025</td> </tr> </table>	Review	June 2025
Review	June 2025				



MORNINGTON SHIRE COUNCIL

MORNINGTON SHIRE COUNCIL
Councillor Portfolio Policy
RESOLUTION NO. 2022/191 VERSION V1

Introduction

Mornington Shire Council has implemented a portfolio system for Councillors as part of its governance framework. This system allows nominated Councillors to be assigned responsibility for Council's strategic priorities. The system is designed to allow Councillors to develop heightened knowledge of their respective portfolio and foster closer working relationships with internal and external stakeholders. This policy outlines the protocols underpinning the portfolio system.

Purpose

The purpose of this policy is to outline the protocols for how the Councillor portfolio system is to operate while recognising the separation of responsibility between Councillors' strategic decision making and operational staff day-to-day operations.

Application of the Policy

This policy applies to Councillors and Council employees.

Definitions

(the) Act: The Local Government Act 2009
(the) Regulation: The Local Government Regulation 2012
CEO: Council's Chief Executive Officer, and includes people appointed as Acting Chief Executive Officer
Council: Mornington Shire Council.

Policy Statement

The Portfolio System is designed to provide Councillors with an opportunity to develop and maintain a heightened level of knowledge, leadership and representation across the organisation and community within the subject of their Portfolio.

Appendix 1 lists the Councillor Portfolio assignments



**MORNINGTON
SHIRE COUNCIL**

**MORNINGTON SHIRE COUNCIL
Councillor Portfolio Policy
RESOLUTION NO. 2022/191 VERSION V1**

Policy Detail / Procedure

Portfolio Councillors do not hold any specific statutory or delegated responsibilities related to their portfolio beyond those which they hold as a Councillor (refer s12 of the Act). In fulfilling their responsibilities as portfolio Councillor, Councillors must observe their obligations under the Act, Regulation, Councillor Code of Conduct and Acceptable Request Guidelines, and any other resolution or Policy that may apply.

The role of portfolio Councillors, include:

- Keeping informed of Council proposals, issues and activities relevant to their portfolios;
- Being a key point of contact and engaging with community groups and associations;
- Providing advice and guidance to Council on portfolio matters through participation, discussion and debate at Council meetings;
- Providing an elected member's viewpoint and acting as a sounding board for Directors on issues relating to portfolio matters;
- Championing advancement of Council's key priorities and decisions relevant to their portfolio responsibilities; and
- Ensuring that in acting as a portfolio Councillor, continued compliance with the Act, Regulation, Councillor Code of Conduct and Acceptable Request Guidelines occurs.

A portfolio Councillor does not assume any of the roles, responsibilities, powers or functions assigned to the Mayor under the Act, unless expressly assigned by the Mayor.

In interacting with portfolio Councillors, Directors should:

- Acknowledge and engage with the portfolio Councillor on matters of strategic interest or significance relevant to their portfolio;
- Maintain regular communication with portfolio Councillors, and involve key staff as appropriate;
- Brief the portfolio Councillor on items included in monthly Council meeting agendas;
- Guide Councillors to ensure compliance with the Act, Regulations, Code of Conduct and Acceptable Request Guidelines;

Related Legislation, Procedure, Forms, Documents

Legislation

- Local Government Act 2009
- Local Government Regulation 2012

Related Documents

- Model Code of Conduct for Councillors
- Council's Acceptable Request Guidelines



**MORNINGTON
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Councillor Portfolio Policy
RESOLUTION NO. 2022/191 VERSION V1**

Variations

This policy is deemed to be the current policy until altered, changed, or replaced by an updated or amended version made by a resolution of Council.

Approval

This Policy was adopted at Council's meeting held on 26 October 2022 Resolution Number 2022/191.

Appendix 1 – Assignment of Portfolios


Mayor Richard Sewter - Health/ housing/ Council performance

Deputy Mayor Robert Thompson - Law/ lore/ justice, men, seniors, youth, disability services and roads

Councillor Jane Ah Kit - Economic development/ tourism/ small business/ employment/ environment

Councillor Farrah Linden - Aged care/ women/ children/ funerals/ community, safety & events

Councillor Renee Wilson - Education and training, history, art and culture



MORNINGTON SHIRE COUNCIL
Councillor Portfolio Policy
RESOLUTION NO. 2022/191 VERSION V1

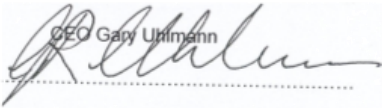
Workplace Participant Acknowledgement

I acknowledge:

- Receiving a copy of the Councillor portfolio Policy;
- That I am required to comply with the policy; and
- That there may be disciplinary consequences if I fail to comply, which may result in the termination of my employment.

Variations

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



CEO Gary Uhlmann

Gary Uhlmann
Chief Executive Officer

10.4 ACCEPTABLE REQUESTS GUIDELINES

Author: Director Corporate and Community

Attachments: 1 Councillor acceptable request guidelines

PURPOSE (EXECUTIVE SUMMARY)

Council must uphold the Local Government Act (2009) and the Local Government Regulation (2012) in the interests of robust democratic processes and good governance.

Some policies are a statutory requirement, requiring Council awareness, endorsement and adherence. Acceptable requests guidelines are a prescribed statutory requirement.

BACKGROUND & PREVIOUS COUNCIL CONSIDERATION

170A of the Local Government Act 2009 determines *Requests for assistance or information* that Councillors can reasonably make and what is precluded.

17.

18. Council's Acceptable requests guidelines upholds that Local Government Act provision by providing guidance to Councillors and Employees about the acceptable way a Councillor may ask staff members for advice or information, to assist the Councillors in carrying out their responsibilities.

19.

20. The guidelines also suitably establish reasonable limits on requests that a Councillor may make, define the employees to whom Councillors may make requests for information; and outline service delivery standards.

21.

22. Version 3 of the policy dated September 2024 is appended (attachment 1).

FINANCIAL & RESOURCE IMPLICATIONS

Adoption and adherence to the Acceptable Requests guidelines does not have a financial impact upon the 2024/25 corporate and community operational budget.

RECOMMENDATION

That Council receive and adopt the Acceptable Requests Guidelines (Version 3 September 2024).



MORNINGTON SHIRE COUNCIL

**MORNINGTON SHIRE COUNCIL
Acceptable Request Guidelines
September 2024 VERSION 3**

This is an official copy of the **Acceptable Request Guidelines** of **Morrington Shire Council**, made in accordance with the provisions of the Local Government Act and Regulations, Public Records Act, Morrington 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 Morrington Shire Council for the guidance of Council and Council staff.

DOCUMENT VERSION CONTROL					
VERSION	DATE	RESOLUTION NO.	DETAILS		
V1	12/07/2021	2021/	Responsible Officer Executive Manager Finance and Human Services Description Statutory Policy		
V2	20/07/2022	2022/129	Responsible Officer Executive Manager Finance and Human Services Description Statutory Policy		
			<table border="1"> <tr> <td>REVIEW</td> <td>30/09/2024</td> </tr> </table>	REVIEW	30/09/2024
REVIEW	30/09/2024				



**MORNINGTON
SHIRE COUNCIL**

**MORNINGTON SHIRE COUNCIL
Acceptable Request Guidelines
RESOLUTION NO. 2022/129 VERSION V2**

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 from time to time require assistance or information from the employees of 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.



**MORNINGTON
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**MORNINGTON SHIRE COUNCIL
Acceptable Request Guidelines
RESOLUTION NO. 2022/129 VERSION V2**

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.



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Acceptable Request Guidelines
RESOLUTION NO. 2022/129 VERSION V2**

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.



**MORNINGTON
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**MORNINGTON SHIRE COUNCIL
Acceptable Request Guidelines
RESOLUTION NO. 2022/129 VERSION V2**

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.

Gary Uhlmann
Chief Executive Officer

RECEPTION & CONSIDERATION OF OFFICERS REPORTS

11 MAYOR AND COUNCILLORS REPORTS

Nil

12 CHIEF EXECUTIVE OFFICER REPORT

Nil

13 FINANCE**13.1 FINANCIAL REPORT**

Author: Chief Financial Officer

Attachments: 1 Financial Report - August 2024

PURPOSE (EXECUTIVE SUMMARY)

The purpose of this report is to present Council with a monthly consolidated financial snapshot of key information regarding the financial position of Mornington Shire Council.

BACKGROUND & PREVIOUS COUNCIL CONSIDERATION

This is to enable the Council to conduct their duties in a financially responsible manner, whilst being made aware of potential risks.

Thus, enabling decisions to be made regarding the efficient use of the resources available. Resulting in a sustainable organisation for the benefit of stakeholders.

All figures are year to date until 31 August 2024.

FINANCIAL & RESOURCE IMPLICATIONS

Council is operating within allocated 2024/25 budgets.

RECOMMENDATION

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

ORDINARY COUNCIL MEETING

25 SEPTEMBER 2024

Executive Summary



Traffic Lights

✓	On track
-	Need to monitor
X	Needs attention

Cashflow improved Strong revenues. We will monitor closely as with volume of grants in play as this puts pressure on cashflow
 Grant applications are being successfully prepared in to provide funding for a pipeline of projects into next year including Q Build Painting works
 Annual Fees and Charges have been sent \$3m
 Debtors have increased due to Invoices sent
 Finance Team structure adjusted to improve workflows and capacity for large projects as grant revenues grow
 The 2023 audit is progressing well Draft Financial Statements completed for October Audit visit
 The valuation for the audit will most likely change are were seen as too optimistic
 The Interim Audit Report has been received with no major new items
 Preliminary Investigations into a new software packages across all council enterprises including finance

-
✓
✓
-
✓
✓
✓
✓

Revenues and Expenses

All numbers are year to date up un 31-August-2024



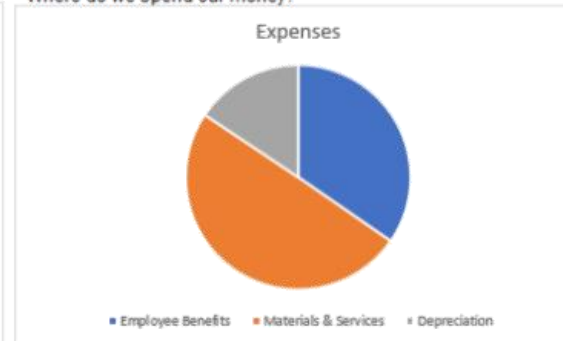
Did we make a profit ?



Where did the Money come from?



Where do we spend our money?

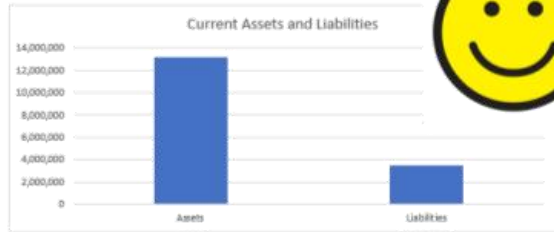


ORDINARY COUNCIL MEETING

25 SEPTEMBER 2024

Cash Position

All numbers are year to date up until 31-August-2024



Assets

Cash at Bank Unrestricted	2,697,061
Cash at Bank Restricted	2,723,570
Debtors	7,727,019
	<u>13,147,651</u>

Liabilities

Creditors	2,758,495
GST	-356,980
PAYG	638,200
Employee Entitlements	477,852
	<u>3,517,567</u>

Receivables

Current	< 1 Month	1 Month	2 Months	3 Months	Older	Total
3,571,718.05	163,639.28	498,307.05	220,160.29	125,823.66	3,153,127.73	7,732,836.06
30%	8%	2%	2%	2%	56%	100%

Payables

Current	< 1 Month	1 Month	2 Months	3 Months	Older	Total
1,176,665.86	191,380.89	106,572.44	683.69	0.00	1,070,634.54	2,546,197.42
46%	8%	4%	0%	0%	42%	100%

Who owes us money (Debtors) But hasn't paid soon enough	Over 90 days	Total	Notes
AISS (Australian Indigenous Security Service Pty Ltd)	1,200,853	1,503,688	See Creditor below
Dept of Energy & Public Works - QBuild BASFW2	48,577	286,884	
Dept of Energy and Public Works - QBuild BASFW	36,608	196,468	
Dept of Health	0	297,000	
Gulf Regional Aboriginal Corporation	138,276	187,533	
GUNUNAMANDA LIMITED T/A Gununamanda Store	389,479	440,985	
HC Building and Construction	160,509	292,248	
James Construction Queensland Pty Ltd	319,098	470,486	
N & J Building & Construction	100,991	100,991	
Quantum Comms Pty Ltd	0	149,730	
Rex Airlines	0	125,000	In Liquidation
Total of above and others	\$3,153,128	\$7,732,837	
AISS (Australian Indigenous Security Service Pty Ltd)	1,008,750	1,213,919	

ORDINARY COUNCIL MEETING

25 SEPTEMBER 2024

Details in the numbers

Statement of Comprehensive Income Year to date 1 31-August-2024



▼ On track
- Need to monitor
✘ Needs attention

Revenue	Actual \$	Budget \$	Variance \$	Last Year \$
Recurrent Revenue				
Fees & Charges	3,089,236	4,036,708	-947,472 ✘	13,442
Sales Revenue - Building Construction	634,543	1,065,000	-430,457 ✘	167,611
Sales Revenue - Enterprises	845,581	1,000,000	-154,419 ✘	271,166
Accommodation	777,227	547,500	229,727 ▼	272,035
Total Recurrent Revenue	<u>5,346,586</u>	<u>6,649,208</u>	<u>-1,302,622</u>	<u>724,254</u>
Capital Revenue				
Capital, Grants, Subsidies, Contributions & Donations	5,110,468	8,810,632	-3,700,164 ✘	441,931
Total Capital Revenue	<u>5,110,468</u>	<u>8,810,632</u>	<u>-3,700,164</u>	<u>441,931</u>
Rental income	722,790	226,963	495,828 ▼	628,669
Interest received	51,621	38,413	13,207 ✘	22,112
Airport Landing & Passenger fees	102,449	85,000	17,449 ✘	47,001
Other income	26,409	50,000	-23,591 ✘	23,067
Total Revenue	<u>11,360,324</u>	<u>15,860,216</u>	<u>-4,499,892</u>	<u>1,867,034</u>
Expenses				
Recurrent Expenses				
Employee Benefits	2,167,643	2,409,529	-241,886 ▼	689,119
Materials & Services	3,115,596	3,360,642	-245,046 ▼	526,833
Total Recurrent Expenses	<u>5,283,239</u>	<u>5,770,171</u>	<u>-486,932</u>	<u>1,215,952</u>
Total Expenses	<u>5,283,239</u>	<u>5,770,171</u>	<u>-486,932</u>	<u>1,215,952</u>
Net Operating Surplus/ (Deficit) Before Depreciation	<u>6,077,084</u>	<u>10,090,045</u>	<u>-4,012,961</u>	<u>671,082</u>
Less: Non Cash Expenditure				
Depreciation	978,594	964,871	13,723 -	491,937
Total Expenditure	<u>6,261,833</u>	<u>6,735,042</u>	<u>-473,209</u>	<u>1,707,889</u>
Net Operating Surplus/ (Deficit)	<u>5,096,491</u>	<u>9,125,174</u>	<u>-4,026,684</u> ✘	<u>179,145</u>

ORDINARY COUNCIL MEETING

25 SEPTEMBER 2024

Cashflow

All numbers are year to date up until 31-August-2024



Account	Jul 2024	Aug 2024
Normal Business		
Money in	5,873,414.90	1,748,746.93
Money Out	(5,350,607.34)	(2,227,998.84)
Difference	522,807.56	(479,251.91)
Capital Grants		
Money in	344,779.25	101,405.54
Money Out	94,157.38	(665,573.76)
Difference	438,936.63	(564,168.22)
Other (Super BAS)	(560,445.24)	(256,396.43)
	(560,445.24)	(256,396.43)
	401,298.95	(1,299,816.56)
Bank		
Start	3,619,712.33	4,021,011.28
Difference	401,298.95	(1,299,816.56)
End	4,021,011.28	2,721,194.72

Unrestricted Cash Expense Ratio

Target: Greater than 4 months

2.8



ORDINARY COUNCIL MEETING

25 SEPTEMBER 2024

Are we up to date with all the numbers and ticking the boxes



Task	Traffic Light Due	Due next	Notes
ATO Reporting	✓	21/09/2024	
Workcover	✓	15/09/2024	
Insurance	✓	4/03/2025	
Audit 2023	-		Progressing
Audit 2024	✓		Starting and Auditing 30 June stocktakes
Grant reporting	✓	30/09/2024	Greatly improved quarterly reporting commenced a first for a considerable time
Issuing Invoices	✗		Progressing as a priority changes have been made to improve Qbuild Invoices
Paying Invoices	✓	Ongoing	With the exception of AISS upto date and cleaned up
Audit Committee	✗		To be established
5 Year Plan	✓	Ongoing	
QTC 10 Year forecast	-	Ongoing	Draft forecast completed
Policies	-	Over	To be reviewed and adopted
Adherence to Policies	-	Over	Will be an ongoing project

Measures of Financial Sustainability

Operating Surplus Ratio

Target: 0%-10%
Net operating result divided by total operating revenue

45% ✓

Operating Cash Ratio

Target: Greter than 0%
Net operating result add Depreciation Amortisation add Finance Costs divided by total operating revenue

53% ✓

Housing

Profit and Loss for the Period 1 July 2019 to 31 August 2024

Mornington
Shire
Council
Housing



	2020	2021	2022	2023	2024	2025 YTD
Revenue	7,585,547	7,649,385	3,622,354	3,383,414	2,489,913	638,485
COGS	2,431,235	656,453	578,474	318,578	215,020	124,071
Staff Costs	549,789	241,637	-4,173	-2,608	-6,922	0
Staff On Costs	105,623	58,213	156,834	139,002	308,147	58,904
Contractors	2,284,359	4,119,258	1,577,290	984,631	1,236,320	233,596
Electricity	-14,020	1,157	10,194	6,635	10,901	27
Management Fe	0	0	0	0	0	0
Materials and S	288,548	260,134	967,908	936,850	1,650,662	339,830
Repairs and Ma	27,657	52,186	146,198	157,376	107,118	10,033
Other Costs	845	5,033	4,351	464	6,857	752
Total Operating	5,674,037	5,394,072	3,437,076	2,540,928	3,528,103	767,215
Operating Profi	1,911,509	2,255,314	185,278	842,486	-1,038,190	-128,730
Depreciation	1,314	1,314	1,802	1,314	1,112	0
Profit/-Loss	1,910,196	2,254,000	183,476	841,173	-1,039,302	-128,730



2024 impacted by falling reveues and an increase in costs from the VAC

What we need to do



Actions	Goal	Resources	Timeline (calendar)
Reworked SharePoint	Easy access to information	Existing resources	Q3 2024
Complete 2023 Accounts	Draft Financials 2023	Existing resources	Complete
Audit 2023	Reduction in management points	Existing resources	Q4 2024
Preparation of 2024 Financials	Draft Financials 2023	Existing resources	Q4 2024
Audit 2024	Reduction in management points	Existing resources	Q1 2025
Debt Recovery	Assess all debts and start recovery	Existing resources	Q3 2024
Contracts Register \$200k+	List of Contracts for last 7 years	Existing resources	Q1 2025
Contracts Register All	List of all new and ongoing	All department	Q1 2025
Local Buy Implementation	Access and basic functionality	Procurement Manager	Q3 2024
Stock Control and analysis	Quarterly Stocktakes	All department	Q1 2025
Online travel booking system	Rex agreement and booking setup	Existing resources	Q4 2024

ORDINARY COUNCIL MEETING

25 SEPTEMBER 2024

Project Status

Work in progress

Large Acquisitions

Major purchases the council should be made aware of



Funding	Capital projects	Project % Completion	Grant Funding	Budget % Spent	Due for Completion	How are we going	How much is owing	Commentary
	Queensland RA 2024	100%	4,541,391		100% 30/06/2024	–		Program Finalised
	Queensland RA 2025 & 2026	0%	16,000,000		0% 30/06/2025	–		Approved
	Queensland RA Resilience Grant	0%	4,547,831		0% 31/12/2027	–		Upgrade Barge & Tavern Kitchen
	Resilience - Fuel & Cool Room	0%	709,000		0% 31/12/2024	–		New Opal tanks plus freezer and cold room in barge shed
	Works 4 Queensland	0%	2,100,000		0% 30/06/2027	–		Staff Housing and Workshop Shed
	Water Filtration	5%	6,000,000		5% 31/10/2025	–		Water Project Investigation Commenced and more funding available
	Sewage Pump Upgrade	98%	1,975,000		90% 31/12/2024	✓		Program completed Variation for pipe in progress
	Library	50%	1,600,000		50% 31/12/2024	✓		Structure essentially complete
	Social Housing Duplex / Plugin	90%	2,588,235		90% 30/09/2024	–		Now Painting
	Social Housing Units/ Houses	1%	7,328,042		31/03/2025	–		Reviewing potential construction types
	Motel	1%	2,052,350		31/08/2024	–		Waiting on Ergon power line relocation
	Land Subdivision	2% TBA			30/06/2025	✓		To be funded by DATSIP
	Waste Initiatives	40%	1,600,000		40% Ongoing	✓		Completed Garbage Truck, bins. In Progress, recycling. Further indicatives being investigated
	Footpath	0%	400,000		30/06/2030	✓		Over 5 years

Future Projects

- | | | |
|--------------------|----------------------|---|
| Swimming Pool | Landscaping | Airport Memorial Garden |
| Splash park | Staff Housing | Foot paths |
| Aged care Facility | Community Activities | Runway Realignment to produce new land for social housing |
| Social Housing | Coastal erosion | Batching Plant Upgrade |
| New Warehouse Roof | | |

Wins and opportunities



Most Stocktakes completed
Cash management process implemented and generating improved revenue
Grant Reporting upto date ready for the 30 September rush
30 Community homes painted in the last five months
Footpath program initiated

Questions ?

13.2 SOLE SUPPLIER ARRANGEMENT

Author: Chief Executive Officer
Attachments: 1 EOI successful letter

PURPOSE (EXECUTIVE SUMMARY)

A-Z Project Management Pty Ltd (ABN 32 642 244 433) (the supplier) is a supplier of Project Management (Roads) services, currently servicing the Mornington Shire Council Local Government Area. The supplier has specialised expertise managing Queensland Reconstruction Authority ("QRA") roads projects.

BACKGROUND & PREVIOUS COUNCIL CONSIDERATION

Mornington Shire Council has an imminent and ongoing need for the Project Management (Roads) services offered by the supplier. A Request for Quotation has been requested from the supplier for provision of these services and a supplier pricing schedule has also been provided for Council.

A-Z Project Management are currently accepted on the Kowanyama Approved Contract Listing, and other Councils are now able to contract them from this listing following their formal tender process.

In addition, due to their expertise in this area of specialised services and that they have now established the roads program management processes for Mornington Shire Council, there is a strong argument that they could be engaged as a sole provider.

All services undertaken under this anticipated contract will be funded from QRA grant funds, or otherwise strictly in accordance with a Council-approved budget.

FINANCIAL & RESOURCE IMPLICATIONS

Project management roads services are undertaken in adherence with 2024/25 roads maintenance and improvement budgets (including Queensland Government funding allocations).

RECOMMENDATION

1. That pursuant to section 235(a) and 235(f) of the Local Government Regulation 2012 (Qld), Council resolves to engage A-Z Project Management Pty Ltd (ABN 32 642 244 433) as the supplier to deliver Project Management (Roads) and ancillary services across the 2024/25 financial year.
2. That Council resolve to give financial delegation to the Chief Executive Officer to enter into contract with and pay invoices as and when due to A-Z Project Management Pty Ltd (ABN 32 642 244 433) subject to availability of approved budget and/or grant funds.
3. That Council resolves that the Chief Executive Officer may extend this contract engagement for the additional financial year 2025/26.



Wednesday, 6 December 2023

Attention: Alex Barker
Company: AZ Project Management
Email: npabusiness@hotmail.com

RE: Expression of Interest (KASC-2023-013) Approved Contractor List – Notice of Acceptance

Dear Alex,

We are pleased to inform you that at the Ordinary Meeting of Council on the 22nd November 2023 Council formally approved AZ Project Management to be included to Council's Approved Contractor List for a period of two (2) years.

Period: 1 December 2023 – 30 November 2025
Approved Category: Professional Services
Approved Subcategory: Project Management Consultant

Congratulations.

Council **HEREBY** gives notice of acceptance of your Expression of Interest (EOI).

Please be advised that evidence of current and non-expired insurances will need to be provided to Council prior to any Purchase Orders being issued.

In accordance with your EOI response, you are now bound by Council's General Conditions of Contract contained within the EOI Documents.

Should you have any concerns or questions please do not hesitate to contact the Governance Team on governance@kowanyama.qld.gov.au or 0740 404510.

Yours faithfully,

Kind regards,

Kevin Bell

Chief Executive Officer (CEO)
Kowanyama Aboriginal Shire Council

Kowanyama
Office

Phone: (07) 4083 7100
Fax: (07) 4060 5124

Address: Lot 30 Chapman Road, Kowanyama 4892

Cairns
Office

Phone: (07) 4083 4500
Fax: (07) 4040 4556

Address: Level 1, 50 Scott Street, Bungalow 4870

14 HUMAN RESOURCES MANAGEMENT

14.1 HUMAN RESOURCES REPORT

Author: Human Resources Manager

Attachments: Nil

PURPOSE (EXECUTIVE SUMMARY)

This report provides an overview of Human Resources activities for the month of August 2024.

Staff movement

During the months of July to early September, twenty-one (21) new employees commenced (13 full time, 2 part time and 6 casual), with nineteen (19) employees (8 full time and 11 casual) resigning or being removed from the employment list.

Recruitment Activity

During early September recruitment has included two apprentice mechanics, an Office Manager for the Council Administration Building, a trainee administration officer and staff liaison and community recruitment officer.

The following positions are still being actioned to fill vacancies. All positions have been advertised and are awaiting short listing of candidates.

- IT support Officer
- Youth worker (Youth Hub)
- Building Supervisor
- Funeral Coordinator
- 2 trades apprentices – Painting
- 1 trades Apprentice – Baker
- Logistics officer

Human Resources statistical report

A review of Council's quarterly resourcing activity July to September 2024 has been completed and a report prepared.

Key report observations include:

- Total Staff as of 18 September 2024, 186 (full time = 127, part time = 2, casual = 57)
- Staff recruited, 21
- Staff separations, 19
- Seventy-nine percent = 129 of all staff are First Nations people.

Employee investments

Funding submission for Queensland Government Work Skills Traineeships

A submission has been made for funding under Work Skills Traineeships for eight trainees that will provide paid employment for locals aged 15 to 19 whilst at the same time social infrastructure and services improvements throughout the local community.

Traineeships and projects will focus on:

- Construction – creating, repairing and upgrading public spaces and facilities.

- Environment - undertaking revegetation, regeneration and river or foreshore restorations.
- Hospitality - servicing the community through retail and hospitality outlets.

Participants will:

- earn a certificate I level qualification in business, construction, ecosystem management and hospitality services.
- gain practical experience in real work situations that align with their training.
- be supported to build confidence and general life skills.
- complete paid work that can be included in their resumes
- receive a mix of career advice, job preparation skills and foundation skills.

Employee engagement and cultural development

In an attempt to bridge the cultural gap between managers, existing and potential employees, development of an internal Employee Engagement and Cultural Awareness program has commenced, with a view to conducting an initial program during November 2024.

The purpose of the program is to educate managers and supervisors about how to better manage relationships with employees.

A cultural awareness information package will be developed for distribution within community aimed at addressing any barriers and issues for residents seeking employment with Council.

HR strategy and operational management

Employee Relations

Council has six cases before the Queensland Industrial Relations Commission involving former employees.

Workplace Health and Safety

During late August and early September there were no reported incidents in relation to Workplace Health and Safety.

RECOMMENDATION

That Council receive the human resources report for August 2024.

15 GOVERNANCE

15.1 CONFIRMATION OF MINUTES

Author: Director Corporate and Community

Attachments: 1 Ordinary Council meeting minutes - 28 August 2024

RECOMMENDATION

That the minutes of the Ordinary Council meeting held Wednesday 28 August 2024 be received and recommendations therein adopted.

**MINUTES OF MORNINGTON SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBER, LARDIL STREET, GUNUNA
ON WEDNESDAY, 28 AUGUST 2024 AT 9:00AM**

1 OPENING OF MEETING

The meeting was opened by Mayor Richard Sewter at 9:20am.

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

Mayor Richard Sewter, Deputy Mayor Robert Thompson, Cr Farrah Linden, Cr Renee Wilson, Cr Jane Ah Kit

Gary Uhlmann (Chief Executive Officer) and Skye Price (Director Corporate and Community).

4 LEAVE OF ABSENCE

Nil

5 DISCLOSURE OF INTEREST – COUNCILLORS AND STAFF

Nil

6 CONDOLENCES AND MEMORIALS

A minutes silence was undertake for lost loved ones.

7 CONFIRMATION OF MINUTES

7.1 CONFIRMATION OF MINUTES - ORDINARY COUNCIL MEETING - 17 JULY 2024

RESOLUTION 2024/114

Moved: Mayor Richard Sewter

Seconded: Cr Jane Ah Kit

That the Minutes of the Ordinary Council held on Wednesday 17 July 2024 be received and the recommendations therein be adopted.

CARRIED 5/0

Initial: _____

ORDINARY COUNCIL MEETING MINUTES**28 AUGUST 2024****7.2 CONFIRMATION OF MINUTES - ORDINARY COUNCIL MEETING - 30 JULY 2024****RESOLUTION 2024/115**

Moved: Mayor Richard Sewter

Seconded: Cr Jane Ah Kit

That the Minutes of the Ordinary Council held on Tuesday 30 July 2024 be received and the recommendations therein be adopted with an amendment to resolution 2024/94 related to Rex Airlines Fare Subsidy Scheme.

"That Council endorse subsidised REX airfares and that a mandatory prerequisite for subsidised airfares is that they only be offered for the benefit of local community members who are permanent residents".

CARRIED 5/0**8 DEPUTATIONS**

Nil.

Councillor Farrah Linden arrived, 9:32am.

9 ACTION SCHEDULE**9.1 ACTION ITEMS AS AT 31 JULY 2024****RESOLUTION 2024/116**

Moved: Cr Renee Wilson

Seconded: Cr Farrah Linden

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

CARRIED 5/0**10 POLICY DOCUMENTS**

Nil

Deputy Mayor Robert Thompson arrived, 10:10am.

RECEPTION & CONSIDERATION OF OFFICERS REPORTS**11 MAYOR AND COUNCILLORS REPORTS**

Moved: Cr Farrah Linden

Seconded: Deputy Mayor Robert Thompson

That Council receive the Mayor and Councillors verbal reports for August 2024.

Page 2

Initial: _____

12 CHIEF EXECUTIVE OFFICER REPORT

12.1 CHIEF EXECUTIVE OFFICER, GARY UHLMANN VERBAL REPORT

RESOLUTION 2024/117

Moved: Cr Farrah Linden

Seconded: Deputy Mayor Robert Thompson

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

CARRIED 5/0

13 FINANCE

13.1 FINANCIAL REPORT

RESOLUTION 2024/118

Moved: Deputy Mayor Robert Thompson

Seconded: Cr Farrah Linden

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

CARRIED 5/0

14 HUMAN RESOURCES MANAGEMENT

14.1 HUMAN RESOURCES REPORT

RESOLUTION 2024/119

Moved: Deputy Mayor Robert Thompson

Seconded: Cr Farrah Linden

That Council receive the human resources report for July 2024.

CARRIED 5/0

15 GOVERNANCE

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

RESOLUTION 2024/120

Moved: Cr Farrah Linden

Seconded: Cr Renee Wilson

That Council:

- 1) Receive and note the report related to 2024 quadrennial election results and swearing in of

Page 3

Initial:_____

ORDINARY COUNCIL MEETING MINUTES

28 AUGUST 2024

Councillors.

- 2) Endorse an addition to resolution 2024/28 precisely stating that Councillor Robert “Bobby” Thompson undertook the declaration of office, in keeping with section 169 of the Local Government Act.

CARRIED 5/0

15.2 REX AIRLINES - VOLUNTARY ADMINISTRATION & COUNCIL NEGOTIATED SUBSIDISED FARES

RESOLUTION 2024/121

Moved: Deputy Mayor Robert Thompson
Seconded: Mayor Richard Sewter

That Council receive and note the August 2024 report related to Rex Airlines voluntary administration status and Council negotiated subsidised fares.

CARRIED 5/0

16 PLANNING AND COMMUNITIES

16.1 COMMUNITY HOUSING RENT POLICY

RESOLUTION 2024/122

Moved: Cr Jane Ah Kit
Seconded: Cr Renee Wilson

That Council receive and note the August 2024 report related to the amended Queensland Government Community Housing Rent Policy.

CARRIED 5/0

16.2 QUEENSLAND GOVERNMENT DEPARTMENT OF HOUSING TENANCY SERVICES UPDATE

RESOLUTION 2024/123

Moved: Cr Jane Ah Kit
Seconded: Deputy Mayor Robert Thompson

That Council receive and note the report related to Queensland Government Department of Housing Tenancy Services for July 2024.

CARRIED 5/0

Initial: _____

ORDINARY COUNCIL MEETING MINUTES

28 AUGUST 2024

17 HOUSING DEPARTMENT

17.1 HOUSING REPORT

RESOLUTION 2024/124

Moved: Deputy Mayor Robert Thompson

Seconded: Cr Farrah Linden

That Council receive and note the housing report for July 2024.

CARRIED 5/0

18 FACILITIES DEPARTMENT

18.1 FACILITIES REPORT

RESOLUTION 2024/125

Moved: Cr Farrah Linden

Seconded: Deputy Mayor Robert Thompson

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

CARRIED 5/0

Initial:_____

ORDINARY COUNCIL MEETING MINUTES

28 AUGUST 2024

19 ENGINEERING

19.1 ENGINEERING REPORT

RESOLUTION 2024/126

Moved: Cr Jane Ah Kit
Seconded: Mayor Richard Sewter

That Council receive and note the Engineering division report for July 2024.

CARRIED 5/0

il

20 GENERAL BUSINESS

20.1 TRADITIONAL GAMES

RESOLUTION 2024/127

Moved: Cr Farrah Linden
Seconded: Cr Renee Wilson

That Council officers investigate the prospect of integrating traditional games into community events and activities.

CARRIED 5/0

21 CONFIDENTIAL REPORTS

Nil

22 NEXT MEETING

22.1 SEPTEMBER ORDINARY COUNCIL MEETING DATE

RESOLUTION 2024/128

Moved: Deputy Mayor Robert Thompson
Seconded: Mayor Richard Sewter

That Council resolve for the September meeting to be changed from 11 September 2024 to 25 September 2024 because of calendar clashes.

CARRIED 5/0

23 CLOSURE

Mayor Sewter closed the meeting at 4:50pm.

Gary Uhlmann
Chief Executive Officer.

Initial: _____

ORDINARY COUNCIL MEETING MINUTES

28 AUGUST 2024

Minutes Confirmed:

Mayor

Date: [enter date](#)

Gary Uhlmann
Chief Executive Officer

Page 7

Initial:_____

16 PLANNING AND COMMUNITIES**16.1 ACCOMMODATION AND HOSPITALITY REPORT**

Author: Director Accommodation and Hospitality

Attachments: Nil

PURPOSE (EXECUTIVE SUMMARY)

The purpose of this report is to provide an update related to accommodation and hospitality activities for the month of August 2024.

BACKGROUND & PREVIOUS COUNCIL CONSIDERATION**Carriage limit operations**

Changes to carriage limit operations have been implemented successfully. All pre-ordering now occurs at the Council Administration Building in Lardil Street. This has enabled a much-needed tracking system and professional development opportunities for administration trainees. Trainees have been actively involved in the transition, gaining experience using new computer systems and undertaking data entry. Their contributions have been instrumental in the successful rollout of changes.

**Tavern and airport cafe activities**

Our team is currently undertaking a deep clean of the commercial kitchen at the tavern and airport cafe, in preparation for fit for purpose design and equipment installation. This will enable activation of the airport café for community and visitors to purchase take away food and drinks, similar to the Normanton Airport café. It will also enable Council to offer a range of bistro/ restaurant and events at the tavern, with a fully equipped kitchen.



Motel and Visitor Accommodation Centre (VAC) linen upgrade

As a part of our commitment towards improving guest experiences and creating a unique look, we have installed new linen in both the motel and visitor accommodation centre rooms ensuring a fresh, updated look.



FINANCIAL & RESOURCE IMPLICATIONS

Accommodation and hospitality business units are operating within designated 2024/25 budget allocations.

RECOMMENDATION

That Council receive and note the report related to accommodation and hospitality for August 2024.

17 HOUSING DEPARTMENT**17.1 HOUSING REPORT**

Author: Director Housing and Facilities

Attachments: Nil

PURPOSE (EXECUTIVE SUMMARY)

The purpose of this report is to provide Council with an update of Housing department activities for the month of August 2024.

BACKGROUND & PREVIOUS COUNCIL CONSIDERATION**QBuild works programs*****2024/25 QBuild Do & Charge Program***

A total of 190 Work Orders have been issued via QBuild portal in the new financial year 24/25, 77 of them in August. 95 Do& Charge jobs were invoiced to QBuild in August.

2023/24 QBuild Purchase Orders Program

Council has completed and invoiced 3 upgrades to QBuild for full refurbishment and flooring upgrades. 2 internal repaints were completed and invoiced in August.

QBuild maintenance requests

Community's request to have the blue phone relocated has been communicated to QBuild, and they have agreed to move it to a new location at the new admin building. Awaiting confirmation on the timeframe.

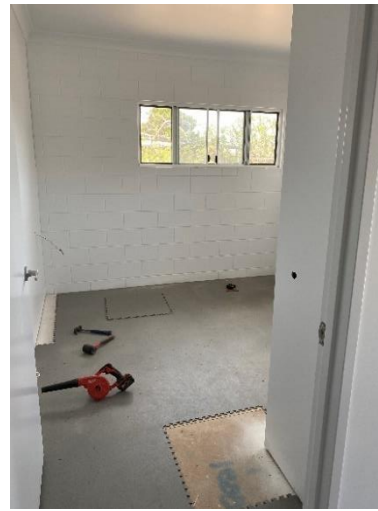
Funded programs***\$2.35 million interim capital works program***

The scope of this project is to deliver one duplex and one plug-in and is funded by the Department of Community, Housing and Digital Economy (DCHDE).

Duplex 152 Lardil Street

The internal and external painting works have been completed. Floor layers are currently onsite, floors to be completed by the end of September. Joinery is onsite, awaiting installation. Cabinetry has been ordered for both the duplex and the plug-in, and carport installation has been scheduled. Estimated completion end of October.





Plug-in 30 Lardil Street

All internal and external painting as well as the flooring have been completed. Cabinetry has been ordered for both the plug-in and the duplex. Estimated completion end of October.



Indigenous Knowledge Centre (IKC)

The Indigenous Knowledge Centre is funded under the Local Government Grants and Subsidies Program (LGGSP). Internal fit-out has been completed. Painting works are scheduled to be completed by the end of September, and the building completion October 2024.



Gulf Trust Grant – Salvation Army Op Shop Refurbishment

Funding has been approved and works have commenced for the Op Shop refurbishment including a front balcony renovation, toilet and shower conversion, flooring and painting works as well as a disability ramp installation ahead of Orange Sky mobile laundry unit arrival on the island.

LRCI funding phase 2: Public toilet block refurbishment

Council has been approved funding to refurbish the public toilet block at the gym. This funding will allow for roof replacement, internal and external painting, and a complete refurbishment of existing toilets, with installation of a shower cubicle each side included. Roofing works have been completed, internal fitout is underway. Completion date set for 30 September 2024.

Queensland Fire and Emergency Services funding: SES shed upgrade

SES shed internal fit out to install internal walls and ceilings has been completed with carport installation and concrete works scheduled for October 2024 completion.

Ergon Power Upgrade & Motel expansion

The scope of this Motel project expansion will assist Council to increase access and provide a high standard of accommodation in a safe environment to meet the needs of visiting service providers, business travellers and tourists. This project is funded under the Local Government Grants and Subsidies Program (2022-2024 LGGSP).

Council has engaged Ergon for the overhead powerlines to be removed and a design for the redirection of the overhead power lines to underground cabling. The purpose of Ergon providing this design is to enable the expansion of motel accommodation with extra cabins.

Ergon has approved the switch board design that is currently being manufactured. Cairns Locating Services have attended to scan the area adjacent to the Tavern in preparation for the underground power installation works scheduled for 5 October 2024.

A design for a 1-bedroom motel unit has been drafted and full working drawings are underway.

**FINANCIAL & RESOURCE IMPLICATIONS**

All projects are operating within designated 2024/25 budget parameters.

RECOMMENDATION

That Council receive and note the housing report for August 2024.

17.2 FUTURE HOUSING PROGRAM

Author: Director Housing and Facilities

Attachments: Nil

PURPOSE (EXECUTIVE SUMMARY)

The intention of this report is to provide Councillors with an update related to planned design, building and construction for accommodation facilities on Mornington Island. It is also to seek Councillor feedback pertaining to priority plug-in building sites.

BACKGROUND & PREVIOUS COUNCIL CONSIDERATION

The Housing and Facilities division have engaged design consultants to complete the design of 4 x 2 Bedroom Single Men's Units on Lot 926 Lardil Street, with an anticipated construction cost of around \$5 million once a tender process has occurred and submission have been received during late 2024.



The balance of program funding will be directed to building plug-ins on a highest needs basis. We are currently seeking advice from Council and the Department of Housing on four (4) properties with the highest need so that preliminary survey work can commence as soon as possible.

Once those properties have been defined the Housing and Facilities division will determine suitable designs to fit within the existing boundaries and to suit the tenants needs.

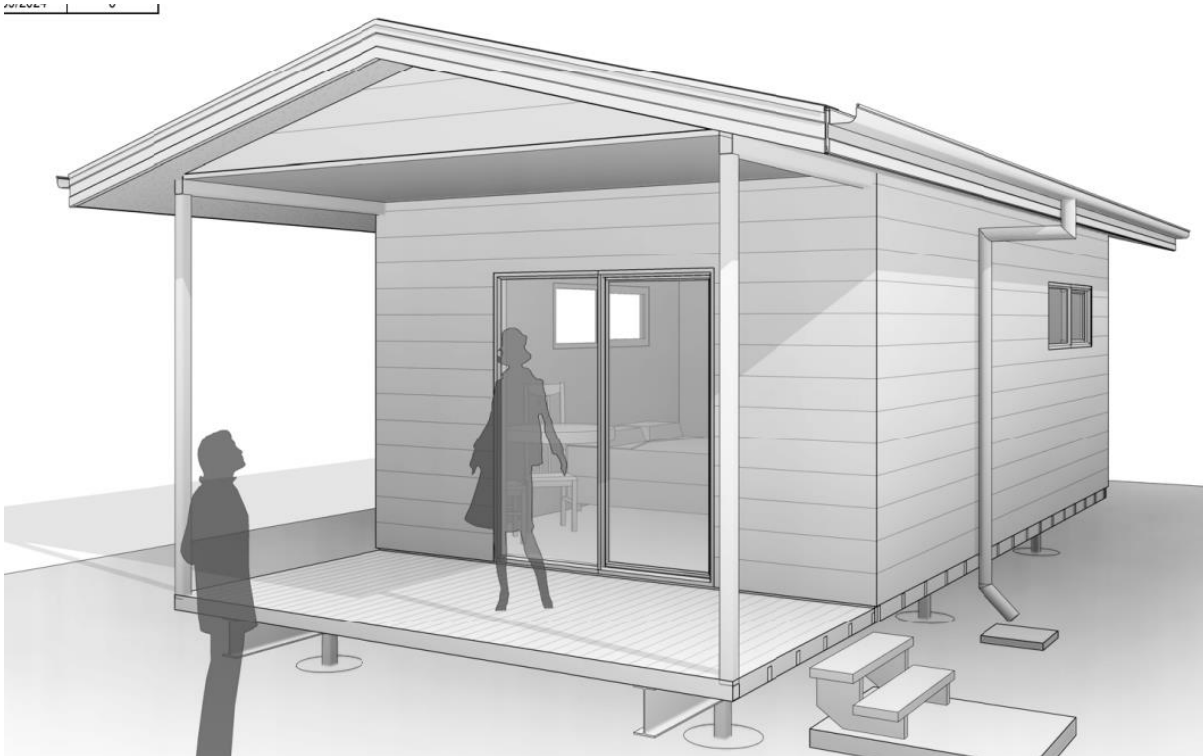
It is proposed that these Plug-Ins will be constructed by Council using lightweight modular construction techniques.

We believe there are significant advantages in this method of delivery:

- Reduced cost
- Greater local employment opportunities
- Apprenticeships and training opportunities

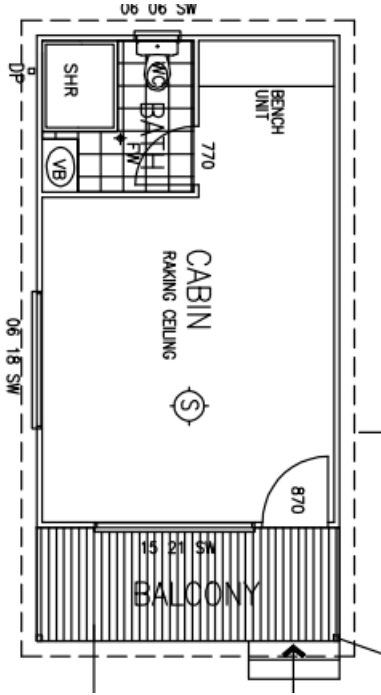
- Reduced delivery times

To support this concept and develop a sustainable in-house construction program on Mornington Island, design work is currently well progressed for the additional motel accommodation units to be built on site using this form of construction.

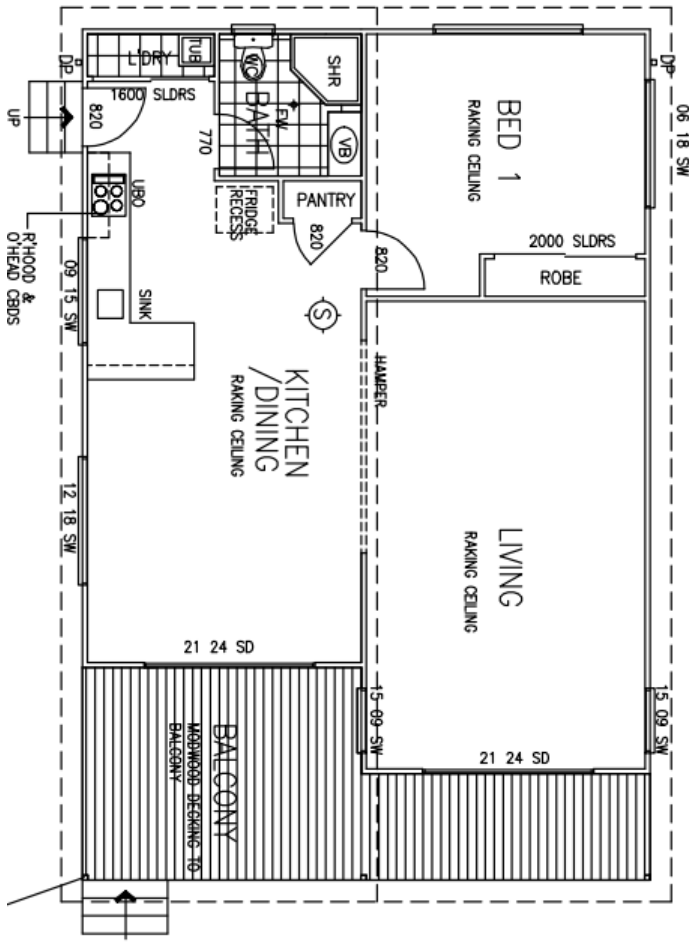


Once established, this concept will allow for more cost effective housing to be built on the island utilising local staff and apprentices in a shorter construction period.

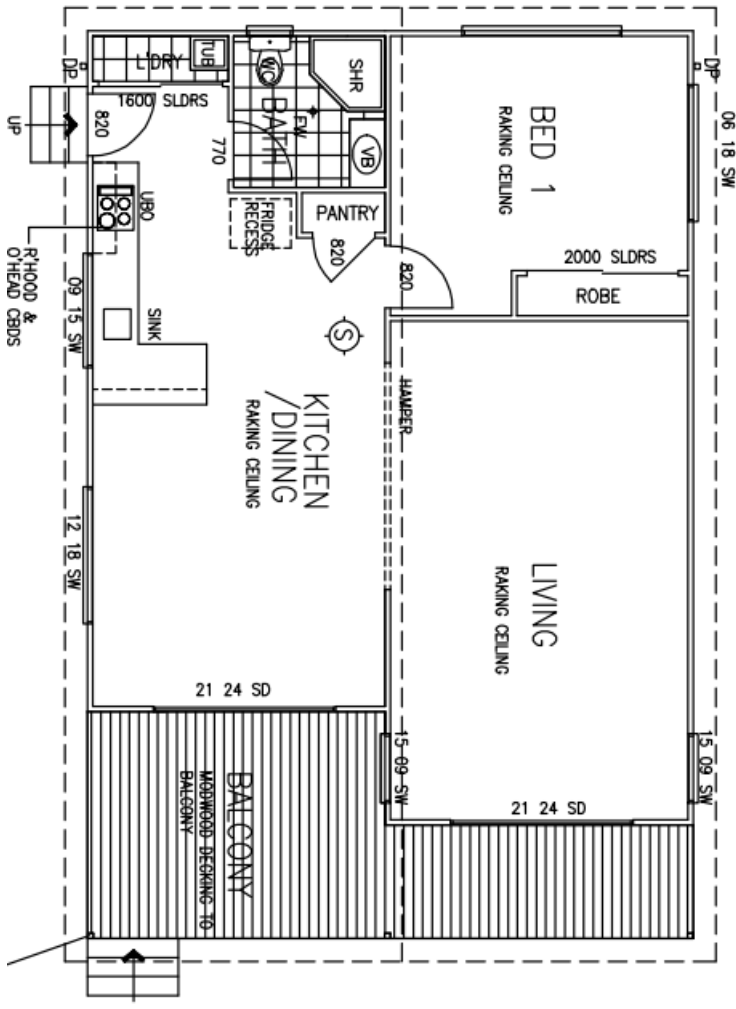
A basic single cabin module:



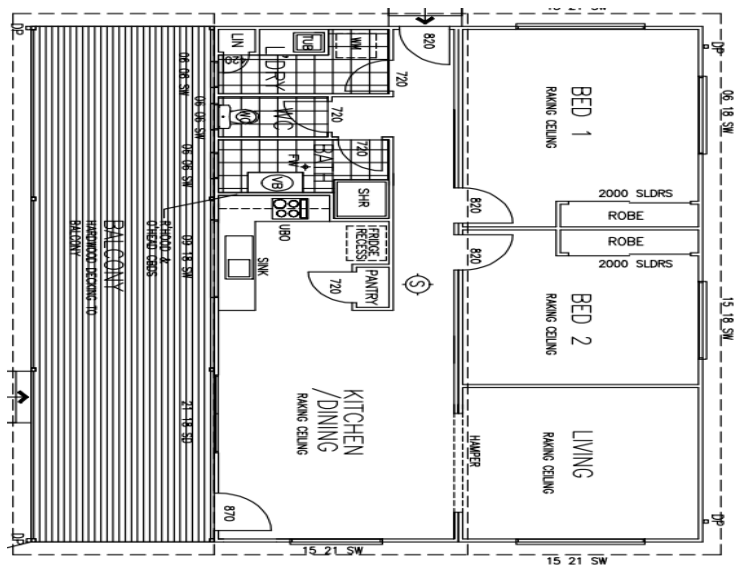
Modules can be joined together to form larger homes:



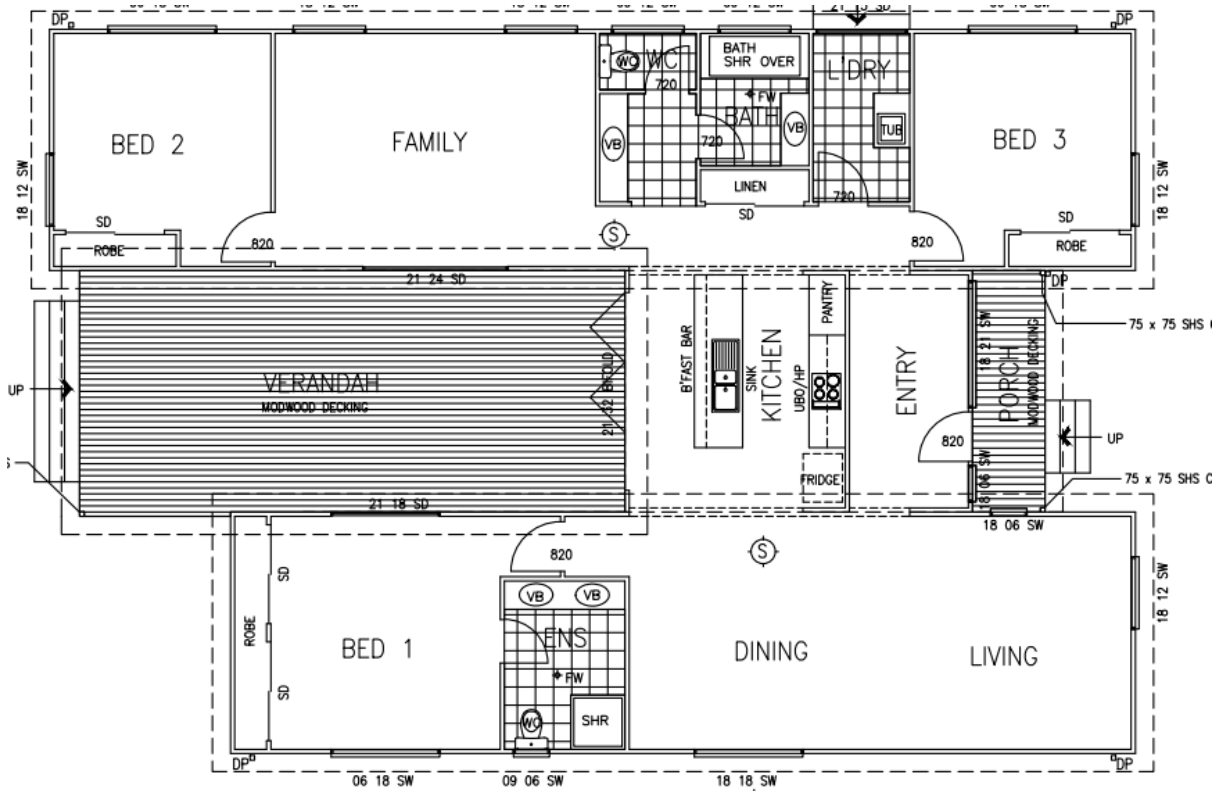
All modules are designed to be four (4) metres wide, to allow for generous size rooms:



Deck and balcony areas can be incorporated in designs to suit individual sites:



The modular concept allows buildings to be transported in individual sections and reassembled on site which would mean that they could be taken to outstations and other islands without a need for cranes, or expensive equipment.



Whilst final costings have not yet been established, preliminary estimates indicate a construction cost of between \$3000-\$4000 per square metre. This is significantly less than current construction costs.

Importantly, this concept will deliver significant training and employment opportunities for the local community, whilst reducing construction costs and lead times.

Duplex completion

At the conclusion of the ordinary meeting Wednesday 25 September 2024, building contractors have authorised an exclusive tour of duplex housing for Councillors.

Plug-in priority sites

Advice is sought from Councillors about priority plug-in sites. The Department of Housing has suggested the following locations:

- 30 LARDIL ST
- 192 YARRBARKAN ST

251 LARDIL ST
205 LARDIL ST
103 WURRURKU CR
313 LARDIL
228 DUNLYU ST
16 LARDIL ST
9 LARDIL ST
10 LARDIL ST
145 NGERRAWUM
193 LARDIL ST
316A LARDIL ST
77 DJINKIYA
149 LARDIL ST
20 LARDIL ST

FINANCIAL & RESOURCE IMPLICATIONS

Council currently has an allocation of \$7.328 million for community housing.

RECOMMENDATION

That Council receive and note the report related to the Gununa Future Housing Program.

18 FACILITIES DEPARTMENT**18.1 FACILITIES REPORT**

Author: Director Housing and Facilities

Attachments: Nil

PURPOSE (EXECUTIVE SUMMARY)

The purpose of this report is to provide Council with a Facilities Department update for the month of August 2024.

BACKGROUND & PREVIOUS COUNCIL CONSIDERATION

The report below outlines the various works currently undertaken by the Facilities Department.

Staffing

More recent interest in carpentry apprenticeships within the Housing and Facilities team since the commencement of the new apprentice in July 2024. Working together with Human Resources on course rollout and selection of registered training organisations.

Maintenance and upgrades

- Twenty-one (21) maintenance requests received for staff housing and guest accommodation
- Works carried on from the previous month include maintenance and minor upgrades to the youth hub, workshop, vet clinic, bakery and airport cafe
- One break-in requiring repairs reported during August 2024
- 297 Jimbarn Street: Repairs completed to tenant standards in preparation for handover to QBuild.
- Gas, electrical and pest compliance certificates provided to finalise the handover
- Pest control for all staff housing completed. Other facilities scheduled for November 2024
- Pricing of biannual air-conditioning cleaning for all facilities underway
- Mapping of VAC2 maintenance requirements and internal upgrades in preparation for material orders; works scheduled to commence in November

Staff housing

Partial and full refurbishment of staff housing completed in August 2024:

- Donga 5 full refurbishment
- Donga 4 works to commence end of September 2024
- 287A Mukakiya internal re-sheeting completed
- 281 Jetty Road and 27 Lardil partial upgrades scheduled to be completed by end of September 2024

**Private works**

Various repairs quoted and approved for Arts Centre. Works to be completed by end of September 2024.

FINANCIAL & RESOURCE IMPLICATIONS

The Facilities Department is working to ensure Council is not paying for maintenance repairs that are the responsibility of Lease holders and detailed in the lease agreements.

RECOMMENDATION

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

19 ENGINEERING**19.1 ENGINEERING REPORT**

Author: Director Engineering

Attachments: Nil

PURPOSE (EXECUTIVE SUMMARY)

The purpose of this report is to provide Council with an Engineering division update of activities undertaken during the month of September 2024.

BACKGROUND & PREVIOUS COUNCIL CONSIDERATION**Aerodrome**

- Airport Reporting Officer - Scott Olds has joined Council to assist Allan Seckington during Australian defence force commitments and day to day airport operations.

Painting projects

- Two houses were completed by September 1, and one by 4 September 2024.
- The team is on a two-week break and will resume work 23 September 2024.
- Twenty (20) houses planned in the current tranche of works for completion.

Town Amenities

- Chris Loogatha is now the manager overseeing parks, gardens, fencing, barge services, and funeral arrangements.
- Wade Loogatha excelled in Chris' absence and has been appointed supervisor of parks and gardens.

Fencing

- **Operations**
Shannon Reid continues to lead the fencing team, now supported by the Town Amenities staff as needed.

Roads & Civil

- **Maintenance Improvements**
A dedicated diesel mechanic is now available to ensure equipment is maintained for road coverage as well as Queensland Reconstruction Authority requirements.

Batching plant

- **Team performance**
Ross Ah Fat and his team are maintaining high standards of cleanliness and efficiency in batching concrete.

Water and waste

- **Upcoming upgrades**
A review by Aquatec Maxcon and local water authorities indicated the need for a new water plant and upgrades to reservoirs, piping, and dam pumps. The sewer pond will be assessed in a future visit.

Waste management facility and recycling

- **Engineering Visit**
Engineers will return at the end of the month to evaluate the existing dump, reinstating systems, lining the evaporation dam, and discussing a new recycling centre location.

Environmental and Animal Welfare

- **Health Initiatives**

Starting 23 September 2024, the team will administer flea, tick, and worming treatments for pets.

A vet will be available from October 14 for appointments.

- **Recruitment intentions**

Plans are underway to hire two full-time animal health workers and two trainees.

Upcoming Projects

- **Pending Approval**

Several initiatives are awaiting funding and approval, including:

- Shed workshop
- Laydown and washdown areas at the batching plant
- Water plant upgrades
- Dump upgrades
- New roof for warehouse 1
- Drainage upgrades around the football field and workshop
- Jetty seating
- Esplanade reinstatement and upgrades
- Cemetery seating

RECOMMENDATION

That Council receive and note the Engineering division report for September 2024.

20 GENERAL BUSINESS

Memorial Day - 25th anniversary - 24 November 2024

21 CONFIDENTIAL REPORTS

Nil

22 NEXT MEETING

Propose Wednesday 30 October 2024, taking account of Local Government Association Queensland meeting.

23 CLOSURE