

Thursday, 8 April 2021

9:00 AM

Tully Civic Centre  
Council Chambers Level 2  
38-40 Bryant Street  
Tully Q 4854



Cr Mark Nolan - Mayor  
Cr Barry Barnes - Division 1  
Cr Teresa Millwood - Division 2  
Cr Trudy Tschui - Division 3  
Cr Nicholas Pervan - Division 4  
Cr Jeff Baines - Division 5  
Cr Kylie Farinelli - Division 6

## LOCAL GOVERNMENT MEETING

### MINUTES

#### Welcome

Cr M Nolan (Chairman) welcomed everyone and opened the Local Government Meeting at 9:00am.

#### Present

Crs M Nolan (Mayor), B Barnes (Deputy Mayor), T Millwood (via Teleconference), T Tschui, N Pervan, J Baines and K Farinelli, Mr J Gott (Chief Executive Officer), Mr A Sadler (Director Delivery Services), Mr J Fischer (Acting Director Infrastructure Services), Mr G Singh (Chief Financial Officer), Ms K Slattery (Governance Lead), Mr G Hammond (Manager Regulatory Services), Ms K Brennan (Manager Customer Experience), Mr B Vick (Coordinator Procurement), Mr D Walker (ICT Customer Support Officer) and Mrs J Sands (Minutes Clerk)

#### Acknowledgement of Country

The Mayor acknowledged the traditional owners and caretakers of the land on which the meeting is being held and paid his respects to the elders, past, present and emerging.

#### Apologies

Mr D Goodman (Director Infrastructure Services)

#### Declaration of Prescribed Conflicts of Interest or Declarable Conflicts of Interest

Cr M Nolan (Chairman) invited those present to use this opportunity to make public any Prescribed Conflicts of Interest or Declarable Conflicts of Interest in respect of the Items in the Agenda.

Councillors should use this opportunity to disclose and/or comment on other Councillors and/or Staff interests in accordance with the Act and Regulations.

#### DECLARATION

(1) **Cr K Farinelli** advised that she had a Declarable Conflict of Interest (as defined in the Electoral and Other Legislation (Accountability, Integrity and Other Matters) Amendment Act 2020 s150EG) in respect of **Item 4.6 Alleged Inappropriate Conduct by Mayor Mark Nolan - Complaint Matter OIA Reference C/20/0093** and stated that she would leave the meeting of her own volition and not participate in the discussion or the vote.

(2) **Cr M Nolan** advised that he had a Declarable Conflict of Interest (as defined in the Electoral and Other Legislation (Accountability, Integrity and Other Matters) Amendment Act 2020 s150EG)

in respect of **Item 4.6 Alleged Inappropriate Conduct by Mayor Mark Nolan - Complaint Matter OIA Reference C/20/0093** and stated that he would leave the meeting of his own volition and not participate in the discussion or the vote.

Mr J Gott (Chief Executive Officer) confirmed that all Councillors had provided written advice of their interests as required under the relevant legislation.

## **1. CONFIRMATION OF MINUTES**

### **1.1 Minutes of the Local Government Meeting dated 25 March 2021**

#### **Recommendation**

**"That the Minutes of the Local Government Meeting held on 25 March 2021 be confirmed as a true and correct record."**

Cr T Millwood referred to **Item 3.1 Community Assistance Scheme Annual Grant Applications 2020/2021** from the Local Government Agenda for 25 March 2021 and stated that at the Assessment Meeting she advised that she had a Prescribed Conflict of Interest in the application from Silkwood Clay Target Club Inc. and left the room and took no part in the discussion or the vote for that particular Item at that meeting and this was recorded and noted by the Council Officer in the Assessment Meeting Minutes.

Cr Millwood requested that this be an addition for the record.

Cr J Baines referred to General Business **Item 7.12 Donation to Girringun Rangers** where it was stated that Cr J Baines and Cr T Tschui had travelled to Cardwell when in fact the presentation was made at Council's Tully Depot. The Mayor requested that the amendment be noted in the Minutes.

**Moved Cr J Baines**

**Seconded Cr K Farinelli**

**Resolution Number LG0965**

**"That the Recommendation be adopted with the above addition and amendment."**

**FOR: Unanimous**

**CARRIED**

## **2. BUSINESS ARISING FROM PREVIOUS MINUTES**

Nil

## **3. COMMUNITY & CULTURE**

### **3.1 Mission Beach Library Meeting Room Fees & Charges**

#### **Executive Summary**

The new spaces at the Mission Beach Library are becoming available.

This report is a proposal for fees for the newly created meeting room space at the Mission Beach Library.

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**Recommendation**

**"That Council adopt the proposed fees and charges for the Mission Beach Library as outlined in the report table."**

**Moved Cr T Tschui**

**Seconded Cr B Barnes**

**Resolution Number LG0966**

**"That the Recommendation be adopted."**

**FOR: Unanimous**

**CARRIED**

9:08am Ms K Brennan left the meeting

**4. GOVERNANCE, ENVIRONMENT & FINANCE**

**4.1 Review of Procurement Policy**

**Executive Summary**

Section 198 of the *Local Government Regulation 2012* requires Council to review its procurement policy annually. In particular, Council must prepare and adopt a policy about procurement that includes details of the principles that Council will apply for the procurement of goods and services which includes contracts for carrying out work.

Council's current Procurement Policy was last reviewed and adopted in July 2020.

The policy has been developed after consultation with key internal staff and Councillors and is intended to simplify the policy with the creation of a procurement procedure to provide clarity in relation to procurement activity undertaken by Council officers and to ensure the development of local competitive suppliers, directly supporting and contributing to the development of the Cassowary Coast economy.

**Recommendation**

**"That the report be received and Council adopt the revised Procurement Policy".**

**Moved Cr J Baines**

**Seconded Cr K Farinelli**

**Resolution Number LG0967**

**"That the Recommendation be adopted."**

**FOR: Crs M Nolan, T Millwood, T Tschui, N Pervan, J Baines and K Farinelli**

**AGAINST: Cr B Barnes**

**CARRIED**

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9:24am Mr B Vick left the meeting

## **4.2 ISR Property Protection Insurance Principles**

### **Executive Summary**

Council staff undertake an annual insurance renewal and declaration process in relation to the following insurance policies:-

1. Public Liability, Professional Indemnity and Products Liability
2. Property Protection (ISR)
3. Motor vehicle including plant
4. Equipment and machinery
5. Marine operators
6. Marine hull commercial
7. Personal Accident – voluntary workers
8. Travel
9. Crime/Fidelity Guarantee
10. Cyber
11. Casual Hirers

A focus for the 2021/22 renewal is working with Council to decide on key principles in relation to the Declaration Asset Values provided as part of the insurance renewal submission.

### **Recommendation**

**“That Council:-**

**1. adopt the following key principles in relation to Council’s declared asset values for its Industrial Special Risk Property Protection insurance renewal:-**

- **Must be a Council owned asset;**
- **Legal requirement for insurance coverage (i.e.: contractual, heritage listed, funding agreement etc.);**
- **Must be a key operational facility (i.e. waste, water, sewerage, depot, admin, Disaster Coordinator Centre);**
- **Must be key a community asset for major centers (i.e. Innisfail, Tully, Mission Beach and Cardwell);**
- **Aquatic Facilities and Libraries; and**
- **Regional/District Parks.**

**2. align the insurance excess/deductible levels with its Enterprise Risk Management Framework.”**

**Moved Cr M Nolan**

**Seconded Cr K Farinelli**

**Resolution Number LG0968**

**"That the Recommendation be adopted."**

**FOR: Unanimous**

**CARRIED**

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#### **4.3 Policy Review - Various**

##### **Executive Summary**

Regularly reviewing policies and procedures keeps Councillors, Council staff and other stakeholders up to date with regulations, technology, and industry best practices.

Policy review ensures that policies remain consistent, current, relevant and effective, while also providing clarity to the reader when dealing with accountability issues or activities that are of critical importance to Council such as, health and safety, legal liability, regulatory requirements or issues that have serious consequences.

##### **Recommendation**

**"That Council adopt:**

- **Advertising Spending ORG015**
- **Council Meeting Standing Orders and Procedures ORG013**
- **Expense Reimbursement for Councillors**
- **Public Interest Disclosure Policy ORG009**
- **Public Interest Disclosure Guidelines & Procedures MDG**
- **Use of Social Media ORG014."**

**Moved Cr J Baines**

**Seconded Cr T Tschui**

**Resolution Number LG0969**

**"That the Recommendation be adopted."**

**FOR: Crs M Nolan, B Barnes, T Millwood, T Tschui, N Pervan and J Baines**

**AGAINST: Cr K Farinelli**

**CARRIED**

9:36am Mr G Singh left the meeting

9:38am Mr G Singh re-entered the meeting

#### **4.4 Policy Adoption - Local Law Making Policy**

##### **Executive Summary**

In the 2020-21 Operational Plan Council has identified the review of local laws as a priority project.

Council has the ability to adopt a process consistent with section 29 of the *Local Government Act 2009* in order to review, amend and create local laws.

To facilitate the review of the local laws it is prudent for Council to adopt a Local Law Making Policy to manage that process and any interim changes prior to the adoption of the new local laws.

This policy applies to local laws that are model local laws, each other local law, subordinate local laws and interim local laws.

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**Recommendation**

**"That Council:**

**1. for the purposes of section 29(1) of the *Local Government Act 2009* ("the Act") resolve to adopt a process for making each local law of the local government as detailed in Local Law Policy ORG019.**

**The process applies to the making of:**

- each local law that is a model local law; and**
- each other local law; and**
- each local law that is a subordinate local law; and**
- each interim local law**

**2. pursuant to section 257 of the *Local Government Act 2009* ("the Act") resolve to delegate to the Mayor and Chief Executive Officer of Council its power under section 38 of the Act and Section 15 of the *Local Government Regulation 2012* to identify a provision in a model local law, "other" local law or subordinate local law as a provision creating a barrier to:**

- entry to a market; or**
- competition within a market**

**3. pursuant to section 257 of the *Local Government Act 2009* ("the Act"), resolve to delegate authority to the Mayor and Chief Executive Officer of Council to deal with all minor administrative amendments to the Model Local Laws, "other" Local Laws, Subordinate Local Laws or Interim Local Laws."**

**Moved Cr T Tschui**

**Seconded Cr J Baines**

**Resolution Number LG0970**

**"That the Recommendation be adopted."**

**FOR: Unanimous**

**CARRIED**

9:39am Mr J Fischer left the meeting

9:41am Mr J Fischer re-entered the meeting

#### **4.5 Adoption of New Local Laws and Subordinate Local Laws 2021**

##### **Executive Summary**

Council's 2020-21 Operational Plan identifies the review of local laws as a priority project. Councillors and officers have attended workshops over the past 12 months to review local laws and subordinate local laws, highlighting those specific areas which they would like either removed or retained in the new Local Laws and Subordinate Local Laws.

The *Local Government Act 2009* empowers local governments to make local laws suitable to their needs and resources to achieve the purpose and principles of local government.

The following local laws and subordinate local laws have been drafted and are attached in

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Appendices 1 and 2:-

1. Local Law No. 1 (Administration) 2021
2. Local Law No. 2 (Animal Management) 2021
3. Local Law No. 3 (Community and Environment) 2021
4. Local Law No. 4 (Local Government Controlled Areas and Roads) 2021
5. Local Law No. 5 (Temporary Homes) 2021
6. Local Law No. 6 (Bathing Reserves and Foreshores) 2021
7. Local Law No. 7 (Human Remains) 2021
8. Local Law No. 8 (Camping Grounds, Caravan Parks and Shared Facilities Accommodation) 2021
9. Local Law No. 9 (Parking) 2021
10. Local Law No. 10 (Advertising Devices) 2021
11. Local Law No. 11 (Cane Railways) 2021
12. Local Law No. 12 (Town Water) 2021
13. Local Law No. 13 (Swimming Pools) 2021
14. Subordinate Local Law No. 2 (Animal Management) 2021
15. Subordinate Local Law No. 3 (Community and Environment) 2021
16. Subordinate Local Law No. 4 (Local Government Controlled Areas and Roads) 2021
17. Subordinate Local Law No. 6 (Bathing Reserves and Foreshores) 2021
18. Subordinate Local Law No. 9 (Parking) 2021.

#### **Recommendation**

**“That Council, under Local Law Making Policy number ORG019 dated ~~25 March~~ 8 April 2021, resolve to:**

- 1. propose to make each proposed local law attached to this Report as Appendix 1, and**
- 2. propose to make each proposed subordinate local law attached to this Report as Appendix 2; and**
- 3. consult with relevant government entities about the overall State interest in the proposed local laws in Appendix 1; and**
- 4. refer the proposed local law to the Governor in Council (also under section 8(b) of the *Statutory Instruments Act 1992* (Qld)), outlining that the Governor in Council has a right to disapprove or otherwise allow any part of the law.**
- ~~5. consult with relevant government entities about the overall State interest in the proposed local laws in Appendix 1; and~~**
- 6. consult with the public about the proposed local laws in Appendix 1 and the proposed subordinate local laws in Appendix 2 for at least 21 days; and**
- 7. comply with procedures prescribed under a regulation for the review of anti-competitive provisions for the proposed local laws in Appendix 1 and the proposed subordinate local laws in Appendix 2; and**
- 8. accept and consider every properly made submission about the proposed local laws in Appendix 1 and the proposed subordinate local laws in Appendix 2.**

**That Council resolve to:**

- 9. Require a status report be provided to it following the completion of the State Interest Check, Public Consultation and Public Interest Test Report.”**

#### Please Note:

- Item 5 above struck out as it is a duplication of Item 3;
  - Recommendation date change as follows:
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"That Council, under Local Law Making Policy number ORG019 dated ~~25 March~~ 8 April 2021, resolve to:

- Subordinate Local Law 4 (Page 34) Table of Contents - referencing errors to be fixed prior to submitting to the State Interest for checking.

**Moved Cr T Tschui**

**Seconded Cr B Barnes**

**Resolution Number LG0971**

**"That the Recommendation be adopted noting above amendments."**

**FOR: Unanimous**

**CARRIED**

**9:48am**

**(1) Cr M Nolan** advised that he had a Declarable Conflict of Interest (as defined in the Electoral and Other Legislation (Accountability, Integrity and Other Matters) Amendment Act 2020 s150EG) in respect of **Item 4.6 Alleged Inappropriate Conduct by Mayor Mark Nolan - Complaint Matter OIA Reference C/20/0093** and left the meeting of his own volition and did not participate in the discussion or the vote.

**(2) Cr K Farinelli** advised that she had a Declarable Conflict of Interest (as defined in the Electoral and Other Legislation (Accountability, Integrity and Other Matters) Amendment Act 2020 s150EG) in respect of **Item 4.6 Alleged Inappropriate Conduct by Mayor Mark Nolan - Complaint Matter OIA Reference C/20/0093** and left the meeting of her own volition and did not participate in the discussion or the vote.

Cr B Barnes presided as Chairman in the absence of Cr M Nolan

#### **4.6 Alleged inappropriate conduct by Mayor Mark Nolan - Complaint Matter OIA Reference C/20/00903**

##### **Executive Summary**

On 8 February 2021, the Office of the Independent Assessor (OIA) received a complaint about the conduct of Mayor Mark Nolan at the Annual General Meeting of the Tropical Coast Tourism (TCT) held on 3 December 2020.

Following a preliminary assessment, the OIA concluded that part of the complaint, if proven, involved inappropriate conduct. The OIA referred part of the complaint to the Council to be dealt with pursuant to Chapter 5A, Part 2 Division 5 of the Local Government Act 2009 ('the Act') and included a recommendation 'that the conduct be referred to one of the panel of external investigation providers provided by the OIA, to investigate the matter and to make recommendations to the local government in relation to whether:

- (a) inappropriate conduct is made out; and if so –
- (b) what the appropriate range of sanctions may be.

WISE Workplace (one of the panel of external investigation providers identified by the OIA) was appointed by Council to investigate the complaint. The investigation has now concluded and an

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investigation report prepared by WISE Workplace has been provided to appropriate Councillors on a confidential basis.

In accordance with Council's Investigation Policy – Conduct of Councillors CCRC002 and the principles of natural justice, Mayor Mark Nolan has been told of the case against him including evidence obtained and was provided with an opportunity to put his case in writing.

Council is to decide whether or not Mayor Mark Nolan engaged in inappropriate conduct and if so, what action Council will take to discipline the Mayor.

### **IMPORTANT NOTE FOR COUNCILLORS**

If any Councillor wishes to discuss the contents of the investigation report or written response by Mayor Mark Nolan, based on legal advice, Council will first be obliged to close the meeting, pursuant to section 254J of the Regulation, prior to that discussion taking place.

For clarity, if no Councillor requires discussion of the contents of the investigation report, or written response by Mayor Mark Nolan, there would appear to be no reason to close the meeting pursuant to section 254J of the Regulation. In such a circumstance, Council should proceed to make the decisions required of it by sections 150AG and 150AH of the Act.

### **Recommendation**

**“That Council consider the contents of the investigation report and:**

- 1. Determine whether or not Council agrees with the analysis provided within the report in deciding whether Mayor Mark Nolan has engaged in inappropriate behaviour; and**
- 2. If Council decides that Mayor Mark Nolan has engaged in inappropriate behaviour, determine what action Council will take under section 150AH to discipline Mayor Mark Nolan.”**

**Moved Cr N Pervan**

**Seconded Cr J Baines**

### **Resolution Number LG0972**

**"That Council has considered the contents of the investigation report and: 1) Determined that Council agrees that Mayor Mark Nolan has engaged in inappropriate behaviour; and 2) Council has decided that under section 150AH that Mayor Mark Nolan be reprimanded for engaging in inappropriate behaviour."**

**FOR: Crs B Barnes, T Tschui, N Pervan and J Baines**

**AGAINST: Cr T Millwood**

**CARRIED**

9:54am Mr J Gott left the meeting

9:55am Cr B Barnes retired as Acting Chairman

9:55am Crs K Farinelli, M Nolan and Mr J Gott re-entered the meeting

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## **10. GENERAL BUSINESS**

### **5.1 Dunk Island Spit**

Cr T Tschui asked Mr J Fischer (Acting Director Infrastructure Services) for an update on how Council is moving forward with the Dunk Island Spit following the recent changes. Mr Fischer advised that a caretaker has been appointed for a period of 12 weeks to see the Island operated as in the past and in that time Council will position itself to go back to market.

This is an opportunity to reflect on processes that have been run on the Island and the market condition and to understand Council's objectives in setting up the tender process by focusing on the key elements of what is seen there and understanding and limiting the risks that have occurred in the past through a robust and proactive procurement/leasing process. Council may be in a position to call for leases in a month. Council hopes to see a long term outcome that is more assured and will be a strong point moving forward for the region as it is such an important asset and opportunity for success.

Cr Nolan also asked Mr Fischer about setting a Bond security into the next Lease to cover Council's in-kind support costs. All elements of the lease process will be thoroughly reviewed including striking a balance between managing risks to the community but also not wanting to stifle the opportunity and talking to Council about the make up and what is important in regard to that site.

### **5.2 Mission Beach Pool Shade Sail**

Cr T Tschui asked for an update on the Mission Beach Pool Shade Sail. Mr Fischer advised that Council has conducted a procurement exercise where prices have been obtained from suppliers both locally and from Cairns. To date there is no solution that fits into the budget. The increase in demand for building services has impacted on the pricings that Council has received. Negotiations continue to be held with builders both locally and from Cairns and Townsville to seek views on the shade sail and to be able to provide more information in that regard taking into consideration value for money.

### **5.3 Cardwell Easter Markets**

Cr B Barnes advised that he and the Mayor attended the Easter Markets held in Cardwell where an estimated 2000 people were in Cardwell for the whole of the Easter weekend, attending the markets on Easter Saturday and other activities in the area. Conservative figures suggest that the visitors brought hundreds of thousands of dollars into the area through stall holders, food venues, the hotel, community organisations, shops and accommodation.

### **5.4 Condolences for the passing of Allan Sellars**

Cr T Tschui mentioned the sad passing of Mr Allan Sellars who passed on Easter Saturday and reflected on the banana stall that he operated from his roadside stall farm on the Tully - Mission Beach Road. Mr Sellars bought the farm in 1968 and the stall is now being run by his family. Cr Tschui passed on her condolences to the family on behalf of Council.

### **5.5 Trees for Tomorrow**

Cr J Baines advised that the Council Tree Giveaway commenced today with 2 trees per resident available for free for collection. The Council focus is on increasing endemic species in gardens by encouraging residents to make a conscious decision to plant endemics instead of exotics which is where invasive weeds usually begin. Endemic trees also help to attract wildlife and are available for collection from the Council nurseries from 8am to 3:30pm on Thursdays and Fridays. Cr Baines also thanked the nursery staff and volunteers who can provide advice on the various species of trees available.

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Cr M Nolan also mentioned the region's iconic fauna emblem being the Cassowary and the flora emblem being the Golden Penda which are currently in full bloom in the region.

### **5.6 Riverdrive Caravan Park**

Cr N Pervan asked Mr J Fischer for an update on various issues regarding the Riverdrive Caravan Park. Mr J Fischer advised that over 90 applicants had applied for the (leases) of the Riverdrive Caravan Park and the Tully Caravan Park. A recommendation should be completed in the next week to appoint and have a caretaker on site by the end of April. A local artist is currently working on a basic branding for signage for both the caravan parks and the website will be updated in similar format to the Cowley Beach Caravan Park website. The vegetation work that has been carried out at the Riverdrive Caravan Park has been a major part of the Work 4 Queensland Johnstone River vegetation management and there are still additional works to be completed within the grounds which is expected to be completed by the end of April. Landscaping the gardens, mulching and further vegetation management is planned for the Riverdrive Caravan Park.

### **5.7 Ernest Street Road between Coles and Innisfail Hardware**

Cr N Pervan asked Mr J Fischer for an update on the Ernest Street Road between Coles and Innisfail Hardware and if it is still on track to be completed by April/May this year. Mr J Fischer advised that Mr T Sanders (Manager Asset Maintenance) is working on this project and Mr Fischer believes that those time frames are still current. The scope of works for this project is pavement reconstruction as the existing pavement is at the end of its life with no resistance or strength once it became wet after the consequence of a failed seal and it will be removed and then a new granular pavement placed with an asphalt surfacing put over the top.

### **5.8 Upper Daradgee Land Acquisition**

Cr N Pervan asked Mr J Fischer if the land acquisition for Upper Daradgee had been received from the Minister. Mr J Fischer replied that Council was expecting an announcement about that very soon. Council has received advice from the Department that the Government will be considering the matter as a part of the gazettal process on Friday 9 April 2021 and Council is confirming with legal representation about the process moving forward.

### **5.9 Parking Signage - Ernest Street**

Cr N Pervan asked Mr J Fischer about when parking signage will be installed at Mr Grasso's property on Ernest Street. Mr J Fischer advised that the Delivery Services team are checking on the availability of stock and if signage is held it will be promptly installed and if not Council will contact the property owner to keep him informed.

### **5.10 Vegetation Management**

Cr J Baines acknowledged that vegetation management is ongoing and he encouraged Council staff to look at the use of endemic species within these areas as it is replaced following the management of vegetation.

### **5.11 Draft Corporate Plan**

Cr M Nolan advised that the Cassowary Coast Regional Council has developed the Draft Corporate Plan 2021 - 2025 which is available on the Council website for the next two (2) weeks and further advised that all community feedback will be considered in the final version of Council's Corporate Plan.

### **5.12 Compliance Review**

Cr M Nolan spoke about the recent desktop Compliance Review completed by Owen Hitchings (Principal Advisor | North Region | Strategy and Service Delivery | Local Government Division | Department of State Development, Infrastructure, Local Government and Planning (DILGP)) advising that various governance checklists were used and the reviews were conducted as a

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service to Council (not an audit). Cr Nolan advised that a score of approximately 90% good compliance was received and the Mayor gave a general overview of the concerns provided by DILGP that needed to and have been addressed by Council.

Mr J Gott advised that the Corporate Plan would be available on the Council website on Monday 12 April 2021 and for 2 weeks thereafter would be available for public comment. Mr Gott further advised that Council's website had been moved from one platform to another which created an issue with some of the links that the Mayor had mentioned in respect of the compliance review and that this had since been rectified. DILGP confirmed the Mayor's comment in relation to the Availability Notice (about budgeted discretionary funds for Councillors) and advised that Cassowary Coast Regional Council does not have any and for the purpose of transparency it is considered that to make a comment in the negative so that it is clear rather than being silent. Mr Gott also gave an overview of Council's meeting procedures in relation to Declaration of Conflicts of Interest and closing meetings to the public.

Cr J Baines further added that it is a fantastic result of the desktop review and it goes towards the efforts that the Councillors and the Council in general have been putting in over the last few years towards good governance principles and transparency and this desktop review from the DILGP is a space for continual improvement. Cr Baines congratulated the Councillors and the entire organisation as a whole. Cr B Barnes also supported Cr Baines's statement.

### **5.13 Port Hinchinbrook Dredging and Sewerage**

Cr B Barnes asked the CEO is there had been any further advice in relation to the Port Hinchinbrook Dredging or Sewerage. Mr J Gott advised that Council is in the position where it has submitted its funding application to the Federal Government and the Business Case for \$1.5M is before the Federal Government and it has come back to Council requesting further clarification on some points and that clarification has been provided. Council will be in a position to negotiate a funding agreement once the Federal Government agrees to take the next step. Typically that process will take some time.

### **5.14 Positions Vacant - Waste Services**

Cr N Pervan asked Mr G Hammond (Manager Regulatory Services) whether all positions have been filled and if not when will they be advertised externally. Mr Hammond replied that the selection of staff internally was advertised and applications closed and initial interviews have been completed. There are a number of preferred applicants and referee checks have been completed. Functional checking is now to be completed - functional checks are checks to ensure that the preferred applicant can carry out the duties outlined in the Position Description. Functional checking will be carried out over the next week and once they have been completed, formal offers will be made.

Moving forward from there the plan is to move to the external market and advertising will commence next week to advertise the remaining jobs. The structure that was presented to Council a few months ago contained 24 roles. From the internal applicants that were held there are approximately eight (8) preferred applicants so there will be a number of roles advertised externally.

Mr Hammond confirmed with Cr T Millwood that the remaining positions will be advertised externally because they cannot be filled internally. Mr Hammond further advised that the first round of applications was for internal applicants which was for Council staff for Council's two contractors - MAMS and CCUS. Cr Millwood also asked how many more positions will there be then there are at present. Mr Hammond advised that he was not in a position to answer that question because the works of Council's two contractors have people that are employed across multiple parts of their business and the numbers are unknown. Mr Hammond confirmed that

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Council has 24 roles set aside in the structure for Waste Services moving forward and post 1 August 2021.

Mr Hammond accepted Cr N Pavan's comment that there are approximately 14 positions available for external advertising. The process being used with referee checking and functional testing is showing that some people may not be the people that Council is after and may not have the capabilities of doing the jobs that Council wants and at this stage Council is ensuring that when Council employs a person that they can do the job and are the appropriate people for Council.

**5.15 Acknowledgement to Ms Kelly Slattery (Governance Lead)**

Cr M Nolan commented, in consideration of the excellent report received from the DILGP on Council's governance, Ms Kelly Slattery's (Governance Lead) work should be acknowledged, for her wonderful work with policy matters, and her efforts in this regard have been reflected very well by the Department.

**6. MEETING CLOSURE**

**10:24am** There being no further business, the Mayor declared the meeting closed.

**CONFIRMED AS A TRUE AND CORRECT RECORD THIS 22ND DAY OF APRIL 2021**

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**Cr M Nolan, Mayor**