



Ordinary Meeting Minutes

17 December 2019

10.00 am

Council Chambers, Bundaberg

Present:

Cr JM Dempsey (Mayor - Chairman), Cr WR Trevor OAM (Deputy Mayor), Cr JP Bartels, Cr WA Honor, Cr HL Blackburn, Cr GR Barnes, Cr SA Rowleson, Cr CR Sommerfeld, Cr SA Cooper, Cr JA Peters and Cr JD Learmonth

Leave of Absence: Nil

Officers:

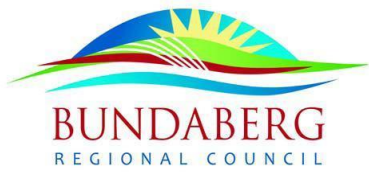
Mr SD Johnston, Chief Executive Officer
Mr SJ Randle, General Manager Infrastructure
Mr GJ Steele, General Manager Community & Environment
Mrs AK Pafumi, General Manager Organisational Services
Mr B Artup, Executive Director Strategic Projects and Economic Development
Mr M Gorey, Executive Officer Communications
Mr M Ellery, Group Manager Development
Mrs C Large, Chief Legal Officer
Mrs WE Saunders, Executive Services Co-ordinator
Miss CE Dobbins, Executive Assistant/Researcher

Cr JM Dempsey acknowledged the following:

- The traditional custodian owners of the land and their Elders past, present and emerging.
- Those Australians who have given the ultimate sacrifice in service to our country.
- The volunteers and emergency workers fighting the numerous fires currently burning in our region.

Invocation:

At the invitation of the Mayor, Pastor Errol Buckle (Honorary Chaplain) gave a short address and led this Ordinary meeting of Council in prayer.



Minutes

17 December 2019

Item Number: B1	File Number:	Part: Minutes
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Subject:

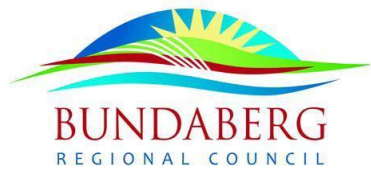
Confirmation of Minutes

Resolution

Cr JM Dempsey moved:-

That the minutes of the Ordinary Meeting of Council held on 19 November 2019 be taken as read and confirmed.

Seconded by Cr SA Cooper - and carried unanimously without debate.



Minutes

17 December 2019

Item Number:	File Number:	Part:
C1	.	Councillors

Subject:

Declaration of Conflict of Interest – Cr WR Trevor

Pursuant to section 175E of the *Local Government Act 2009*, Cr WR Trevor advised that he has a perceived conflict of interest in item D2 on today's agenda as he is a member of Childers Canegrowers who have made a contribution to the subject report which is being tabled. Cr Trevor advised he will leave the meeting while the item is discussed and voted on.



Minutes

17 December 2019

Item Number: C2	File Number:	Part: Councillors
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Subject:

Declaration of Conflict of Interest – Cr WA Honor

Pursuant to section 175E of the *Local Government Act 2009*, Cr WA Honor advised that he has a perceived conflict of interest in item C2 of today's agenda as his son, Dwayne Honor, is a Council employee and acts as a professional advisor on BMRG's Moneys Creek Steering Group. Cr Honor stated that he wished to stay and vote on the matter.

Resolution

Cr JM Dempsey moved:-

That the remaining Councillors determined that Cr WA Honor does not have a conflict of interest in item C2 of today's agenda as there is no conflict between the Councillor's personal interest and the public interest – and therefore can stay and vote on the matter.

Seconded by Cr SA Rowleson - and carried unanimously .



Minutes

17 December 2019

Item Number:	File Number:	Part:
C3		Councillors

Subject:

Declaration of Conflict of Interest - Cr WA Honor

Pursuant to section 175E of the *Local Government Act 2009*, Cr WA Honor advised that he has a perceived conflict of interest in item G3 of today's agenda as he has family members who are Council employees and will therefore leave the meeting while the item is discussed and voted on.



Minutes

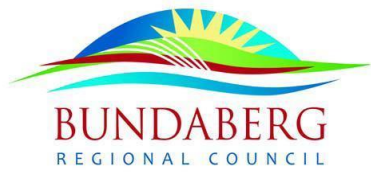
17 December 2019

Item Number:	File Number:	Part:
C4		Councillors

Subject:

Declaration of Material Personal Interest - Cr WA Honor

Pursuant to section 175C of the *Local Government Act 2009*, Cr WA Honor advised he has a Material Personal Interest in item T10 of today's agenda due to his company, Coachtrail Investment Pty Ltd having a development pending with an Open for Development contract with Council which hasn't yet been fulfilled and will leave the meeting while the item is discussed and voted on.



Minutes

17 December 2019

Item Number:	File Number:	Part:
C5		Councillors

Subject:

Declaration of Conflict of Interest – Cr JA Peters

Pursuant to section 175E of the *Local Government Act 2009*, Cr JA Peters advised she has a perceived conflict of interest in item T7 of today's agenda as she is Patron of a club which uses the subject grounds – and will leave the meeting while the item is discussed and voted on.



Minutes

17 December 2019

Item Number:	File Number:	Part:
C6	.	Councillors

Portfolio:

Councillors

Notice of Motion:

Cr Greg Barnes - Moneys Creek Upper Lagoon

2441

Resolution

Cr GR Barnes moved:-

That:

1.

- a. **Council create a Moneys Creek Advisory Committee to investigate and make recommendations regarding environmental and community concerns affecting the upper lagoon catchment;**
 - b. **Council allocate qualified staff as deemed appropriate to the Advisory Committee;**
 - c. **Council invite membership from the Burnett Mary Regional Group;**
 - d. **Council invite membership from the Bargara Golf Club;**
 - e. **invite membership from community members with the ability to provide historical or otherwise meaningful input.**
2. **the Advisory Committee be tasked as a matter of urgency with reviewing all existing environmental and engineering reports thus far obtained and determine whether there is sufficient information available to proceed with its investigation without further advice;**
 3. **in the event that it is determined that sufficient information is not available to it, the Advisory Committee request Council to consider the allocation of funds for further reports.**

Seconded by Cr HL Blackburn.

Cr GR Barnes then addressed the meeting on his motion.

Cr Trevor spoke against the motion and foreshadowed that he would move an alternate motion in the event Cr Barnes' motion was lost.

Cr Barnes' motion was put to the vote and lost.

For

Cr HL Blackburn
Cr GR Barnes

Against

Cr JP Bartels
Cr WR Trevor
Cr WA Honor
Cr SA Rowleson
Cr CR Sommerfeld
Cr SA Cooper
Cr JA Peters
Cr JD Learmonth
Cr JM Dempsey



Minutes

17 December 2019

Item Number:	File Number:	Part:
C7		Councillors

Subject:

Moneys Creek Catchment – Feasibility Study of Soil Stability and Erosion Issues

2442

Resolution

Cr WR Trevor moved:-

That following the release of the Burnett Mary Regional Group study by Alluvium Consulting, Council representatives meet with Burnett Mary Regional Group, members of the project steering group and other stakeholders to discuss the recommendations of the report and to consider future actions.

Seconded by Cr SA Rowleson - and carried unanimously.



Minutes

17 December 2019

Item Number: D1	File Number: .	Part: EXECUTIVE SERVICES
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Portfolio:

Executive Services

Subject:

Sister Cities Delegation 2019

2443

Resolution

Cr CR Sommerfeld presented the report; and moved:-

That the report of the Sister Cities Delegation 2019 be adopted and published on Council's website.

Seconded by Cr SA Cooper.

The motion was put - and carried unanimously.



Minutes

17 December 2019

Item Number: D2	File Number: .	Part: EXECUTIVE SERVICES
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Portfolio:

Executive Services

Subject:

Economic Contribution of the Sugarcane Industry to Queensland and its regional communities

Cr WR Trevor left the meeting, the time being 10.30 am.

2444

Resolution

Cr JP Bartels presented the report; and moved:-

That the report be received and noted.

Seconded by Cr WA Honor.

The motion was put - and carried unanimously.

Cr Trevor returned to the meeting, the time being 10.31 am.



Minutes

17 December 2019

Item Number: F1	File Number: .	Part: FINANCE
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Portfolio:

Organisational Services

Subject:

Financial Summary as at 2 December 2019

2445

Resolution

Cr SA Cooper presented the report; and moved:-

That the financial summary as at 2 December 2019 be noted by Council.

Seconded by Cr JP Bartels.

The motion was put - and carried unanimously.



Minutes

17 December 2019

Item Number:	File Number:	Part:
G1	RG-1-001	GOVERNANCE

Portfolio:

Organisational Services

Subject:

Register of Delegations - Council to Chief Executive Officer

2446

Resolution

Cr JM Dempsey presented the report; and moved:-

Pursuant to section 257 of the *Local Government Act 2009*, the “Register of Delegations – Council to the Chief Executive Officer” be varied to reflect the new and changed powers as outlined in the report and the table as appended to the report.

Seconded by Cr JP Bartels.

The motion was put - and carried.

For

Cr JP Bartels
 Cr WR Trevor
 Cr WA Honor
 Cr SA Rowleson
 Cr CR Sommerfeld
 Cr SA Cooper
 Cr JD Learmonth
 Cr JM Dempsey

Against

Cr HL Blackburn
 Cr GR Barnes
 Cr JA Peters



Minutes

17 December 2019

Item Number: G2	File Number: .	Part: GOVERNANCE
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Portfolio:

Organisational Services

Subject:

Council Policy Review - Acceptable Requests Guidelines Policy

2447

Resolution

Cr HL Blackburn presented the report; and moved:-

That Council:

- 1. Rescind CP-3-018 Acceptable Requests Guidelines Policy, version 3.**
- 2. Adopt CP-3-018 Acceptable Requests Guidelines Policy, version 4.**

Seconded by Cr JA Peters.

The motion was put - and carried unanimously.



Minutes

17 December 2019

Item Number: G3	File Number: .	Part: GOVERNANCE
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Portfolio:

Organisational Services

Subject:

Council Policy Review - Employee Code of Conduct

Cr WA Honor left the meeting, the time being 10.42 am.

2448**Resolution**

Cr HL Blackburn presented the report; and moved:-

That Council:

- 1. Rescind GP-3-031 Employee Code of Conduct, version 6.3; and**
- 2. Adopt CP-3-021 Employee Code of Conduct Policy, version 1.**

Seconded by Cr SA Rowleson.

The motion was put - and carried unanimously.

Cr Wayne Honor returned to the meeting, the time being 10.43 am.



Minutes

17 December 2019

Item Number:	File Number:	Part:
K1	A4857615	PLANNING

Portfolio:

Planning & Development Services

Subject:

Resolution to designate Flood Hazard Areas

2449

Resolution

Cr CR Sommerfeld presented the report; and moved:-

That effective from 19 December 2019:-

- (a) Council declares under section 13 of the *Building Regulation 2006* –
- (i) flood hazard areas for the Bundaberg Region as identified in the Flood Hazard Area Maps contained in the Hazard Evaluation Report – Flood (November 2019, Revision 6.0);
 - (ii) the defined flood level and maximum flow velocity of water (where available) are the flood levels and velocities for the adopted defined flood events derived from the flood modelling for each catchment of the flood hazard area.
- (b) This resolution replaces flood hazard areas previously declared by Council, including Council's resolution of 11 December 2018 (Ordinary Meeting, Resolution 2270).

Seconded by Cr WR Trevor.

The motion was put - and carried unanimously.

The Mayor advised at this stage, pursuant to Section 275 of the “Local Government Regulation 2012”, the meeting would be closed to the public to discuss the following 12 items which are considered confidential in accordance with Section 275.

Resolution

Cr JM Dempsey moved:-

That the meeting be closed to the public – and discussion on the following 12 items be held in Committee:

- T1 Specialised Supplier Arrangement with Database Consultants Australia**
- T2 Specialised Supplier Arrangement with Civica Spydus for Library Management Software and Managed Services (hosting, support & maintenance), including Spydus Collections**
- T3 Specialised Supplier - Bibliotheca equipment supply and maintenance**
- T4 Specialised Supplier - JT Cloud Services (Monday.com)**
- T5 Request for Rent Relief - Lease DD on SP243463**
- T6 Water Leak Relief Granted - Lot 15 on RP110975**
- T7 Request to waive water consumption charges - Lot 1 on RP107013 and Lot 91 on RP77904**
- T8 Request to write off doubtful debt - Lot 898 on Pt A FTY1919**
- T9 Lease to WZ Management Services Pty Ltd - Lease DB on Lot 35 on SP254546**
- T10 Request to vary terms of Bundaberg Open for Development Infrastructure Agreement - DA 321.2011.33400.1**
- T11 10 Gigaberg Options Analysis**
- T12 Sublease to the State of Queensland (Represented by the Department of Transport and Main Roads) – Lot 5 on B15860**

Seconded by Cr WR Trevor - and carried unanimously.

Meeting closed to the public at 10.48 am.

Cr Peters left the meeting, during discussion on item T7 - the time being 10.53 am.

Cr Peters returned to the meeting - the time being 10.55 am.

Cr Honor left the meeting during discussion on item T10 - the time being 10.56 am.

Cr Honor returned to the meeting - the time being 10.57 am.

Resolution

Cr JM Dempsey moved:-

That the meeting now be reopened.

Seconded by Cr WA Honor - and carried unanimously.

The meeting reopened to the public at 11.06 am.



Minutes

17 December 2019

Item Number: T1	File Number: .	Part: CONFIDENTIAL
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Portfolio:

Organisational Services

Subject:

Specialised Supplier Arrangement with Database Consultants Australia

Confidential Reason:

Local Government Regulation 2012 Section 275(e) contracts proposed to be made by it.

2450

Resolution

Cr JM Dempsey moved:-

That:

- a) **Council enter into an arrangement with Database Consultants Australia for the provision of Pinforce – Annual Support & Maintenance Contract without first inviting written quotes pursuant to Section 235(b) of the *Local Government Regulation 2012*; and**
- b) **this arrangement be made for an initial period 2019 – 2022 (3 years).**

Seconded by Cr SA Cooper.

The motion was put - and carried unanimously.



Minutes

17 December 2019

Item Number: T2	File Number: .	Part: CONFIDENTIAL
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Portfolio:

Community & Environment

Subject:

Specialised Supplier Arrangement with Civica Spydus for Library Management Software and Managed Services (hosting, support & maintenance), including Spydus Collections

Confidential Reason:

Local Government Regulation 2012 Section 275(e) contracts proposed to be made by it.

2451

Resolution

Cr JM Dempsey moved:-

That:

- a) **Council enter into an arrangement with Civica Pty Ltd for the provision of Civica Spydus for Library Management Software and Managed Services (hosting, support & maintenance), including Spydus Collections without first inviting written quotes pursuant to Section 235(b) of the *Local Government Regulation 2012*; and**
- b) **This arrangement be made for an initial period 25 May 2020 – 24 May 2023 (3 years).**

Seconded by Cr WA Honor.

The motion was put - and carried unanimously.



Minutes

17 December 2019

Item Number: T3	File Number: .	Part: COMMUNITY & CULTURAL SERVICES
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Portfolio:

Community & Environment

Subject:

Specialised Supplier - Bibliotheca equipment supply and maintenance

Confidential Reason:

Local Government Regulation 2012 Section 275(e) contracts proposed to be made by it.

2452**Resolution**

Cr JM Dempsey moved:-

That:

- a) **Council enter into an arrangement with Bibliotheca Library Systems Australia for the provision of Bibliotheca equipment supply and maintenance without first inviting written quotes pursuant to Section 235(b) of the *Local Government Regulation 2012*; and**
- b) **this arrangement be made for an initial period 2 January 2020 – 2 January 2023 (3 years).**

Seconded by Cr JA Peters.

The motion was put - and carried unanimously.



Minutes

17 December 2019

Item Number:	File Number:	Part:
T4	TEN0863	CONFIDENTIAL

Portfolio:

Infrastructure Services

Subject:

Specialised Supplier - JT Cloud Services (Monday.com)

Confidential Reason:

Local Government Regulation 2012 Section 275(e) contracts proposed to be made by it.

2453**Resolution**

Cr JM Dempsey moved:-

That:-

1. Council enter into an arrangement with JT Cloud Services for the use of Monday.com Software as a Service without first inviting written pursuant to Section 235(b) of the *Local Government Regulation 2012*; and
2. This arrangement be made for an initial period of two years.

Seconded by Cr JD Learmonth.

The motion was put - and carried unanimously.



Minutes

17 December 2019

Item Number: T5	File Number: .	Part: CONFIDENTIAL
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Portfolio:

Community & Environment

Subject:

Request for Rent Relief - Lease DD on SP243463

Confidential Reason:

Local Government Regulation 2012 Section 275(c) the local governments budget.

2454

Resolution

Cr JM Dempsey moved:-

That Council agree to waive the outstanding rent arrears relating to lease DD on SP243463 for the 3 month period from April to June 2019.

Seconded by Cr JP Bartels.

The motion was put - and carried unanimously.



Minutes

17 December 2019

Item Number: T6	File Number: .	Part: CONFIDENTIAL
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Portfolio:

Organisational Services

Subject:

Water Leak Relief Granted - Lot 15 on RP110975

Confidential Reason:

Local Government Regulation 2012 Section 275(d) rating concessions.

2455

Resolution

Cr JM Dempsey moved:-

That Council applies no further Water Leak Relief assistance for the property known as Lot 15 on RP110975.

Seconded by Cr CR Sommerfeld.

The motion was put - and carried unanimously.



Minutes

17 December 2019

Item Number: T7	File Number:	Part: CONFIDENTIAL
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Portfolio:

Organisational Services

Subject:

Request to waive water consumption charges - Lot 1 on RP107013 and Lot 91 on RP77904

Confidential Reason:

Local Government Regulation 2012 Section 275(d) rating concessions.

Cr JA Peters left the meeting the time being 11.12 am.

2456

Resolution

Cr JM Dempsey moved:-

That Council does not provide additional concession for the water consumption charges attaching to property described as Lot 1 on RP107013 and Lot 91 on RP77904.

Seconded by Cr CR Sommerfeld.

The motion was put - and carried unanimously.

Cr Peters returned to the meeting at 11.13 am.



Minutes

17 December 2019

Item Number: T8	File Number:	Part: CONFIDENTIAL
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Portfolio:

Organisational Services

Subject:

Request to write off doubtful debt - Lot 898 on Pt A FTY1919

Confidential Reason:

Local Government Regulation 2012 Section 275(d) rating concessions.

2457

Resolution

Cr JM Dempsey moved:-

That the amount of \$13,987.13, plus any accrued interest, be written off as a doubtful debt for the property known as Lot 898 Part C FTY1919.

Seconded by Cr SA Cooper.

The motion was put - and carried unanimously.



Minutes

17 December 2019

Item Number:	File Number:	Part:
T9	A48973	CONFIDENTIAL

Portfolio:

Organisational Services

Subject:

Lease to WZ Management Services Pty Ltd - Lease DB on Lot 35 on SP254546

Confidential Reason:

Local Government Regulation 2012 Section 275(h) other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.(Commercial in Confidence)

2458

Resolution

Cr JM Dempsey moved:-

That:

1. Council apply the exception contained in section 236(1)(c)(iii) of the *Local Government Regulation 2012*; and
2. the Chief Executive Officer be authorised to enter into a three year lease with WZ Management Services Pty Ltd ACN 140 801 298 for Lease DB on Lot 35 on SP254546 being part of the airport terminal.

Seconded by Cr WA Honor.

The motion was put - and carried unanimously.



Minutes

17 December 2019

Item Number:	File Number:	Part:
T10	331.2013.542.1	CONFIDENTIAL

Portfolio:

Planning & Development Services

Subject:

Request to vary terms of Bundaberg Open for Development Infrastructure Agreement - DA 321.2011.33400.1

Confidential Reason:

Local Government Regulation 2012 Section 275(g) any action to be taken by the local government under the Planning Act 2016, including deciding applications made to it under that Act.

Cr WA Honor left the meeting at 11.14 am.

2459

Resolution

Cr JM Dempsey moved:-

That Council decline the Developer's request, dated 21 November 2019, to change the Completion Date stated in the Bundaberg Open for Development Infrastructure Agreement for DA 321.2011.33400.1.

Seconded by Cr JA Peters.

The motion was put - and carried unanimously.

Cr Wayne Honor returned to the meeting at 11.15 am.



Minutes

17 December 2019

Item Number:	File Number:	Part:
T11	A4893206	CONFIDENTIAL

Portfolio:

Executive Services

Subject:

10 Gigaberg Options Analysis

Confidential Reason:

Local Government Regulation 2012 Section 275(h) other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.(Commercial in confidence)

2460

Resolution

Cr JM Dempsey moved:-

That Council:

1. **endorse the 10 Gigaberg Options Analysis report and commence further investigations into the project's delivery.**
2. **notes this further investigation is to be carried out in-house and any ongoing budget and resource allowances required beyond the current financial year are to be considered as part of the 2020-2021 budget development process.**

Seconded by Cr SA Rowleson.

The motion was put - and carried.

For

Cr JP Bartels
 Cr WR Trevor
 Cr WA Honor
 Cr GR Barnes
 Cr SA Rowleson
 Cr CR Sommerfeld
 Cr SA Cooper
 Cr JA Peters
 Cr JD Learmonth
 Cr JM Dempsey

Against

Cr HL Blackburn



Minutes

17 December 2019

Item Number: T12	File Number: .	Part: CONFIDENTIAL
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Portfolio:

Organisational Services

Subject:

Sublease to the State of Queensland (Represented by the Department of Transport and Main Roads) - Lot 5 on B15860

2461**Resolution**

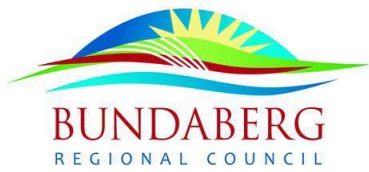
Cr JM Dempsey moved:-

That:

1. Council apply the exception contained in section 236(1)(b)(i) of the *Local Government Regulation 2012*; and
2. the Chief Executive Officer be authorised to enter into a one year sublease with 2 x 1 year options with the State of Queensland (represented by the Department of Transport and Main Roads) for Lot 5 on B15860.

Seconded by Cr JP Bartels.

The motion was put - and carried unanimously.



Minutes

17 December 2019

Item Number: V1	File Number:	Part: Meeting Close
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Subject:

Meeting Close

There being no further business – the Mayor declared this Ordinary Meeting closed at 11.23 am.

Confirmed on 21 January 2020.

Mayor