



Ordinary Meeting Minutes

21 February 2017

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 GR Barnes, Cr SA Rowleson, Cr CR Sommerfeld, Cr DJ Batt, and Cr JA Peters.

Moved by Cr WA Honor, seconded by Cr SA Rowleson, That Cr PR Heuser's attendance by teleconference be accepted. - Carried unanimously.

Apology:

Moved by Cr JA Peters, seconded by Cr DJ Batt, That Cr HL Blackburn's apology be accepted. - Carried unanimously.

Officers:

Mr PJ Byrne, Chief Executive Officer
Mr AW Fulton, General Manager Infrastructure & Planning
Mr GJ Steele, General Manager Community & Environment
Mr AJ Keleher, Acting General Manager Organisational Services
Miss NK Launchbury, Senior Executive Assistant
Mrs WE Saunders, Executive Services Co-ordinator

Presentation:

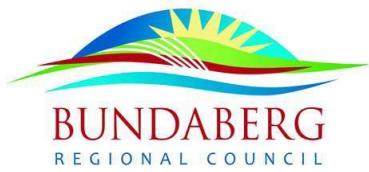
Prior to the commencement of the meeting, the Mayor presented Byron Broome with his Australia Day 2017 Creative Spirit Award. Carried by acclamation.

At the request of the Mayor, Byron also conducted a Welcome to Country.

Invocation:

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

At the request of the Mayor the meeting paused for a moment of silence to reflect on the current drought situation.



Minutes

21 February 2017

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

Confirmation of Minutes

1900

Resolution

Cr WR Trevor moved:-

That the minutes of the Ordinary Meeting of Council held on 31 January 2017 be taken as read and confirmed.

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



Minutes

21 February 2017

Item Number:	File Number:	Part:
D1	n/a	EXECUTIVE SERVICES

Portfolio:

Executive Services

Subject:

Leave of Absence - Cr JA Peters

1901

Resolution

Cr JM Dempsey moved:-

That Cr JA Peters' application for leave of absence from all Council meetings to be held between 28 February and 16 March 2017, be granted.

Seconded by Cr SA Rowleson - and carried unanimously.



Minutes

21 February 2017

Item Number: E1	File Number: .	Part: FINANCE
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Portfolio:

Organisational Services

Subject:

Financial Summary as at 1 February 2017

1902

Resolution

Cr JM Dempsey presented the report; and moved:-

That the Financial Summary as at 1 February 2017 (as detailed on the 15 pages appended to this report) – **be noted by Council.**

Seconded by Cr CR Sommerfeld.

There being no discussion on this item - the Motion was put - and carried unanimously.



Minutes

21 February 2017

Item Number:	File Number:	Part:
F1	.	GOVERNANCE & COMMUNICATIONS

Portfolio:

Organisational Services

Subject:

Right to Information & Information Privacy Delegation

1903

Resolution

Cr DJ Batt presented the report; and moved:-

That Council's Register of Delegations – Chief Executive Officer to Employee, under the *Right to Information Act 2009* and *Information Privacy Act 2009* delegations be amended to include the Risk and Insurance Officer.

Seconded by Cr WR Trevor.

There being no discussion on this item - the Motion was put - and carried unanimously.



Minutes

21 February 2017

Item Number: N1	File Number: A2924266	Part: COMMUNITY & CULTURAL SERVICES
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Portfolio:

Community & Environment

Subject:

Partnerships & Sponsorships Grant Application – Life Education Bundaberg

1904

Resolution

Cr JA Peters presented the report; and moved:-

That Life Education Bundaberg be advised Council will provide a financial donation of \$10,000 (plus GST where applicable) in the 2017/18 financial year to assist with the operational costs of the organization; however, at this time Council is unable to commit to a three year agreement.

Seconded by Cr WA Honor.

There being no discussion on this item - the Motion was put - and carried unanimously.



Minutes

21 February 2017

Item Number:	File Number:	Part:
N2	FA55687	COMMUNITY & CULTURAL SERVICES

Portfolio:

Community & Environment

Subject:

Regional Arts Development Fund (RADF) project approvals Round 1/2016/2017

1905

Resolution

Cr JA Peters presented the report; and moved:-

That Council approve the release of \$26,365.00 of Regional Arts Development Funding in accordance with the recommendations of the RADF Advisory Committee as follows:-

1. Helen Ross (Metal Etching & Pewter Jewellery Workshops in Bundaberg) - \$2,637;
2. Annette Tyson (KidLitVic Conference in Melbourne) - \$984;
3. Annette Tyson (Wildlife Artist Workshops in Bundaberg) - \$1,254;
4. James Latter (Story development for Local Film) - \$4,000;
5. Gidarjil Development Fund (Stage play about indigenous language) - \$12,142;
6. Kris Sheather (KidLitVic Conference in Melbourne) - \$1,048; and
7. Marlies Oakley (Tutoring by Artist in Sydney and run Workshops in Bundaberg from learnings) - \$4,300.

Seconded by Cr JP Bartels.

There being no discussion on this item - the Motion was put - and carried unanimously.



Minutes

21 February 2017

Item Number: P1	File Number: A2935908	Part: ENVIRONMENT & NATURAL RESOURCES
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Portfolio:

Community & Environment

Subject:

Gin Gin Nature Park Management Plan

1906

Resolution

Cr WR Trevor presented the report; and moved:-

That the Gin Gin Nature Park Management Plan (as detailed on the 31 pages appended to this report) - be adopted by Council.

Seconded by Cr WA Honor.

There being no discussion on this item - the Motion was put - and carried unanimously.



Minutes

21 February 2017

Item Number:	File Number:	Part:
P2	.	ENVIRONMENT & NATURAL RESOURCES

Portfolio:

Community & Environment

Subject:

Woodgate Beach Kayak and Paddleboard Hire

1907

Resolution

Cr WR Trevor presented the report; and moved:-

That approval be granted to Woodgate Beach Kayak and Paddleboard Hire to operate a kayak and paddleboard hire business at the identified locations at Woodgate Beach and Theodolite Creek, with the following proposed draft conditions:

Draft Conditions Of Approval:

Council grants permission to conduct # at # in accordance with the following conditions:

- 1) Prior to the activities commencing, the Licensee is to sign and return to Council a Form of Indemnity;
- 2) The Licensee is to provide Council with evidence that the activity is covered by a Public Liability Insurance Policy for an amount of not less than \$10 Million to cover any actions, proceedings, claims and demands in respect of any loss, damage or injury sustained by any person and arising directly or indirectly out of conducting the activity;
- 3) The Licensee is to produce a copy of this approval on demand, if requested by an authorised person;
- 4) The activities shall not inhibit or obstruct the public's general use of the beach or foreshore areas (including water). Exclusive rights to use a portion of the beach is not conferred and if any conflict in use occurs, the commercial activity may need to relocate for that day.
- 5) All activities conducted on Council controlled beaches and foreshores are to comply with relevant legislation, codes and standards;
- 6) Any equipment, structures or signs used for the activities are to be removed immediately following each program session;
- 7) Only one freestanding sign, no more than one metre high, can be displayed while activities are in progress;

- 8) The area where activities are conducted is to be maintained in a clean and tidy state;
- 9) This Licensee is required to keep the Council informed on activity levels by providing a regular report on the proposed or actual dates, times and locations of activities.
- 10) The Licensee is to comply with any reasonable request in relation to the activities as issued by Council's Operational Supervisor Parks & Open Space.
- 11) The Licensee is to conduct activities in such a manner that no damage occurs to parks grounds, amenities, infrastructure or the frontal dune system.
- 12) Ancillary noise is to be controlled to a low volume so that it does not unduly cause nuisance to nearby residents.
- 13) This approval is current until # and will require renewal each year thereafter with payment of relevant fees as resolved by Council.
- 14) Council will cancel this approval for failure to comply with any of the above conditions.

Seconded by Cr JP Bartels.

There being no discussion on this item - the Motion was put - and carried unanimously.

The Mayor advised at this stage due to the confidential nature of the following 2 items:-

T1 Request for Relief of Water Main Repair Charges

T2 Building Better Regions Fund (BBRF) – Project(s) to be submitted for Round 1

- pursuant to Section 275 of the “Local Government Regulation 2012”, the meeting would now have to be closed to the public.

Resolution

Cr SA Rowleson moved:-

That the meeting be closed to the public – and discussion on the following 2 items be held in Committee.

Seconded by Cr WA Honor - and carried unanimously without debate.

Resolution

Cr JM Dempsey moved:-

That the meeting now be reopened.

Seconded by Cr WR Trevor - and carried unanimously without debate.



Minutes

21 February 2017

Item Number:	File Number:	Part:
T1	.	CONFIDENTIAL

Portfolio:

Infrastructure & Planning Services

Subject:

Request for Relief on Water Main Repair Charges

1908

Resolution

Cr JP Bartels moved:-

That Council waive the Invoice in the amount of \$1,519.61 for the following reasons:-

- 1. The water main runs on an irregular alignment across the land;**
- 2. The 200 mm water main is now only 300 mm deep after many years of reshaping of the land. Water mains of this size should be located between 750-900 mm deep;**
- 3. If a 'Dial Before You Dig' request had been sought, the main would have still been hit by the trencher due to Council records not showing the exact position or depth of the main. Therefore, it could have been assumed that a main of this size would be of a sufficient depth so trenching at a depth of 300 mm should not have caused any damage to a main laid at the correct depth.**

Seconded by Cr DJ Batt.

Following clarification by the General Manager Infrastructure and Planning of Cr JA Peters' concerns in relation to Council records - Cr JP Bartels, with the consent of the seconder, withdrew clause 3 of his Motion.

The Motion, viz:-

That Council waive the Invoice in the amount of \$1,519.61 for the following reasons:-

1. **The water main runs on an irregular alignment across the land;**
2. **The 200 mm water main is now only 300 mm deep after many years of reshaping of the land. Water mains of this size should be located between 750-900 mm deep;**

was then put - and carried by 9 votes to 1 vote.

For

Cr WR Trevor
Cr JP Bartels
Cr WA Honor
Cr GR Barnes
Cr SA Rowleson
Cr DJ Batt
Cr JA Peters
Cr PR Heuser
Cr JM Dempsey

Against

Cr CR Sommerfeld



Minutes

21 February 2017

Item Number:	File Number:	Part:
T2	A29877	CONFIDENTIAL

Portfolio:

Community & Environment

Subject:

Building Better Regions Fund (BBRF) - Project(s) to be submitted for Round 1

1909

Resolution

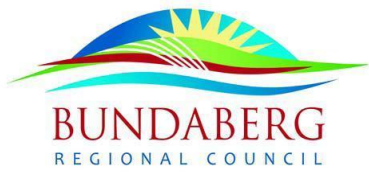
Cr JM Dempsey moved:-

That the following applications be submitted under Round 1 of the Building Better Regions Fund:

- **Facilitate the development of Marine Industry Precinct at the Port of Bundaberg (auspiced application); and**
- **Burnett Heads Town Centre Redevelopment.**

Seconded by Cr SA Rowleson.

There being no discussion on this item - the Motion was put - and carried unanimously.



Minutes

21 February 2017

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 10.48am

Confirmed this fourteenth day of March 2016.

MAYOR