

Ordinary Meeting Minutes

22 October 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
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

Welcome and acknowledgments:

The Mayor welcomed students and their teacher from Avoca State Primary School.

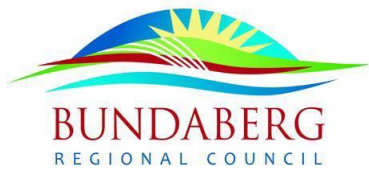
The Mayor congratulated Cr Peters on achieving 25 years of service to local government.

Cr Dempsey acknowledged the traditional custodian owners of the land and their Elders past, present and emerging.

The Mayor also acknowledged those Australians who have given the ultimate sacrifice in service to our country.

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

22 October 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 30 September 2019 be taken as read and confirmed.

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



Minutes

22 October 2019

Item Number:	File Number:	Part:
C1		COUNCILLORS

Subject:

Declaration of Conflict of Interest – Cr WA Honor

Cr WR Trevor left the meeting, the time being 10.08 am

Pursuant to section 175E of the *Local Government Act 2009* Cr Honor advised that he had a perceived conflict of interest in relation to the Mayor's Notice of Motion (Mayoral Minute) in that he has a water allocation from SunWater for irrigation purposes but intended to stay in the meeting room and vote on the matter.

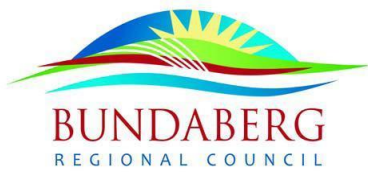
Resolution

Cr JM Dempsey moved:-

That the remaining Councillors determined that Cr WA Honor does not have a conflict of interest in the Mayor's Notice of Motion (Mayoral Minute) and therefore can stay and vote on the matter.

Seconded by Cr SA Rowleson - and carried unanimously.

Cr WR Trevor returned to the meeting, the time being 10.09 am.



Minutes

22 October 2019

Item Number: C2	File Number:	Part: COUNCILLORS
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Subject:

Declaration of Conflict of interest – Cr WR Trevor

Cr WA Honor left the meeting, the time being 10.10 am

Pursuant to section 175E of the *Local Government Act 2009* Cr Trevor advised that he had a perceived conflict of interest in relation to the Mayor's Notice of Motion (Mayoral Minute) in that he has a water allocation from SunWater for irrigation purposes but intended to stay in the meeting room and vote on the matter.

Resolution

Cr JM Dempsey moved:-

That the remaining Councillors determined that Cr WR Trevor does not have a conflict of interest in the Mayor's Notice of Motion (Mayoral Minute) and therefore can stay and vote on the matter.

Seconded by Cr HL Blackburn - and carried unanimously.

Cr Honor returned to the meeting, the time being 10.11 am.



Minutes

22 October 2019

Item Number: C3	File Number:	Part: MAYORAL MINUTE
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Subject:

Mayoral Minute – Paradise Dam

2409

Resolution

Cr JM Dempsey addressed the meeting on his Mayoral Minute and moved:-

Bundaberg Regional Council calls on SunWater and the Queensland Government to –

- 1. Release technical reports to the public related to the structural integrity of Paradise Dam, so that:**
 - a) The community understands the risk to public safety;**
 - b) The community understands the options to rebuild the dam wall;**
 - c) The community understands why the dam wall is being lowered by five metres.**

- 2. Reinstate water that's being lost from the Burnett River system to:**
 - a) Ensure the long-term water security which Paradise Dam was built to deliver;**
 - b) Provide confidence to investors that water will be available;**
 - c) Maintain the Bundaberg Region's status as the food bowl of Australia.**

Council supports the Mayor's petition to Parliament in relation to the above.

Seconded by Cr JP Bartels - and carried unanimously.



Minutes

22 October 2019

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

Portfolio:

Executive Services

Subject:

Public Notice of Meetings - early 2020

2410

Resolution

Cr JM Dempsey presented the report; and moved:-

That the Council Ordinary meeting days and times for 2020, prior to the Local Government Elections due on 28 March 2020, be as follows:

Date	Location	Time
21 January 2020	Bundaberg	10 am
25 February 2020	Bundaberg	10 am
24 March 2020	Bundaberg	10 am

Seconded by Cr JA Peters.

The motion was put - and carried unanimously.



Minutes

22 October 2019

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

Organisational Services

Subject:

Final Management Report for 2019 Financial Audit

2411

Resolution

Cr SA Cooper presented the report; and moved:-

That the Final Management Report for the 2019 Financial Audit, be noted by Council.

Seconded by Cr SA Rowleson.

The motion was put - and carried unanimously.



Minutes

22 October 2019

Item Number: F2	File Number: .	Part: FINANCE
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Portfolio:

Organisational Services

Subject:

Financial Summary as at 1 October 2019

2412

Resolution

Cr SA Cooper presented the report; and moved:-

That the Financial Summary as at 1 October 2019 be noted by Council.

Seconded by Cr WA Honor.

The motion was put - and carried unanimously.



Minutes

22 October 2019

Item Number: G1	File Number: .	Part: GOVERNANCE
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Portfolio:

Organisational Services

Subject:

Annual Report 2018/19

2413

Resolution

Cr HL Blackburn presented the report; and moved:-

That the 2018/19 Annual Report be adopted.

Seconded by Cr JP Bartels.

The motion was put - and carried unanimously.



Minutes

22 October 2019

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

Organisational Services

Subject:

Council Policy Review

2414

Resolution

Cr HL Blackburn presented the report; and moved:-

That Council:

1. Rescind CP-3-026 Fraud and Corruption Management Policy, version 1; and
2. Adopt CP-3-026 Fraud and Corruption Management Policy, version 2.

Seconded by Cr GR Barnes.

The motion was put - and carried unanimously.



Minutes

22 October 2019

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

Organisational Services

Subject:

Audit and Risk Committee Minutes

2415

Resolution

Cr HL Blackburn presented the report; and moved:-

That the minutes of the Audit and Risk Committee meeting held on 4 September 2019 be received and noted.

Seconded by Cr SA Rowleson.

The motion was put - and carried unanimously.



Minutes

22 October 2019

Item Number: G4	File Number: .	Part: GOVERNANCE
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Portfolio:

Organisational Services

Subject:

2019/20 1st Quarter Operational Plan Review

2416

Resolution

Cr HL Blackburn presented the report; and moved:-

That the 2019/20 1st Quarter Operational Plan be received and noted.

Seconded by Cr WA Honor.

The motion was put - and carried unanimously.



Minutes

22 October 2019

Item Number:	File Number:	Part:
K1	TLPI	PLANNING

Portfolio:

Planning & Development Services

Subject:

Temporary Local Planning Instrument (TLPI) – Protection of the Mon Repos Turtle Conservation Area

2417

Resolution

Cr CR Sommerfeld presented the report; and moved:-

That pursuant to section 23 of the *Planning Act 2016* and the Minister's Guidelines and Rules, Council:-

- (a) make a Temporary Local Planning Instrument (TLPI) – Protection of the Mon Repos Turtle Conservation Area; and**
- (b) write to the Minister for State Development, Manufacturing, Infrastructure and Planning requesting the Minister's approval to the making and adoption of the proposed TLPI.**

Seconded by Cr JA Peters.

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 6 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 6 items be held in Committee:

- T1 Request for Rating Concession - Lot 1 on SP142229 & Lot 12 on RP343**
- T2 Request for waiver of sewerage charges - Lot 3 on RP89265**
- T3 Request for waiver of sewerage charges - Lot 14 on RP24795**
- T4 Request for Water Leak Relief - Lot 2 on RP154774**
- T5 Specialised Supplier Arrangement with GO1 Pty Ltd**
- T6 Engagement of Contract Management Services - Rubyanna O&M Contract**

Seconded by Cr HL Blackburn - and carried unanimously.

Meeting closed to the public 10.27 am.

Resolution

Cr JM Dempsey moved:-

That the meeting now be reopened.

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

The meeting reopened to the public at 10.37 am.



Minutes

22 October 2019

Item Number: T1	File Number: A4766470	Part: CONFIDENTIAL
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Portfolio:

Organisational Services

Subject:

Request for Rating Concession - Lot 1 on SP142229 & Lot 12 on RP343

Confidential Reason:

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

2418

Resolution

Cr JM Dempsey moved:-

That Council grant a rating concession of \$1,700.00 for the property known as Lot 1 on SP142229 & Lot 12 on RP343.

Seconded by Cr WR Trevor.

The motion was put - and carried unanimously.



Minutes

22 October 2019

Item Number:	File Number:	Part:
T2	475674	CONFIDENTIAL

Portfolio:

Organisational Services

Subject:

Request for waiver of sewerage charges - Lot 3 on RP89265

Confidential Reason:

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

2419

Resolution

Cr JM Dempsey moved:-

That in view of the circumstances outlined in the request to refund sewerage charges, a refund of \$4,074.00 be provided to the owner of land described as Lot 3 on RP89265.

Seconded by Cr JA Peters.

The motion was put - and carried unanimously.



Minutes

22 October 2019

Item Number:	File Number:	Part:
T3	A4753060	CONFIDENTIAL

Portfolio:

Organisational Services

Subject:

Request for waiver of sewerage charges - Lot 14 on RP24795

Confidential Reason:

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

2420

Resolution

Cr JM Dempsey moved:-

That in view of the circumstances outlined in the request to refund sewerage charges, a refund of \$4,074.00 be provided to the owner of land described as Lot 14 on RP24795.

Seconded by Cr JD Learmonth.

The motion was put - and carried unanimously.



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22 October 2019

Item Number:	File Number:	Part:
T4	A4800079	CONFIDENTIAL

Portfolio:

Organisational Services

Subject:

Request for Water Leak Relief - Lot 2 on RP154774

Confidential Reason:

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

2421

Resolution

Cr JM Dempsey presented the report; and moved:-

That Council applies section 120(1)(c) of the *Local Government Regulation 2012* and Council's Water Leak Relief Policy to provide relief of \$3,853.18 to reduce the water consumption charges attaching to property described as Lot 2 on RP154774.

Seconded by Cr HL Blackburn.

The motion was put - and carried unanimously.



Minutes

22 October 2019

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

Organisational Services

Subject:

Specialised Supplier Arrangement with GO1 Pty Ltd

Confidential Reason:

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

2422

Resolution

Cr JM Dempsey presented the report; and moved:-

That:

- 1. Council enter into an arrangement with GO1 Pty Ltd for the provision of GO1 LMS Annual Software as a Service without first inviting written quotes pursuant to Section 235(b) of the *Local Government Regulation 2012*; and**
- 2. this arrangement be made for an initial period from 1 November 2019 for a period of three years on a one + one + one year basis.**

Seconded by Cr CR Sommerfeld.

The motion was put - and carried unanimously.



Minutes

22 October 2019

Item Number:	File Number:	Part:
T6	qA1297142	CONFIDENTIAL

Portfolio:

Infrastructure Services

Subject:

Engagement of Contract Management Services - Rubyanna O&M Contract

Confidential Reason:

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

2423

Resolution

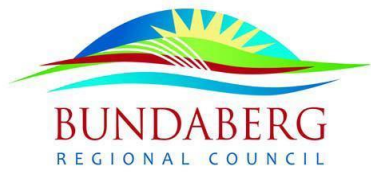
Cr JM Dempsey presented the report; and moved:-

That:

- A. Council enter into an arrangement with CEENA Pty Ltd for the provision of Contract Management Services – Rubyanna O&M 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 from - 1 November 2019 to 30 June 2020.

Seconded by Cr JP Bartels.

The motion was put - and carried unanimously.



Minutes

22 October 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 10.43 am.

Confirmed on 19 November 2019.

Mayor