



Ordinary Meeting Minutes

25 August 2020

10.00 am

Civic Centre Supper Room,
Bundaberg

Present:

Cr JM Dempsey (Mayor - Chairman), Cr WR Trevor OAM (Deputy Mayor), Cr JP Bartels, Cr WA Honor, Cr TM McPhee, Cr GR Barnes, Cr TM McLoughlin, Cr VJ Habermann OAM, Cr SA Cooper, Cr MBE Mitchell 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 G Crawford, Acting General Manager Community & Environment
Mr B Artup, Executive Director Strategic Projects and Economic Development
Mr M Ellery, Group Manager Development
Mrs C Large, Chief Legal Officer
Mr S Muggerridge, Acting Chief Financial Officer
Mrs WE Saunders, Executive Services Co-ordinator
Miss CE Dobbins, Executive Assistant/Researcher

Cr JM 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.



Minutes

25 August 2020

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 28 July 2020 be taken as read and confirmed.

Seconded by Cr VJ Habermann - and carried unanimously.



Minutes

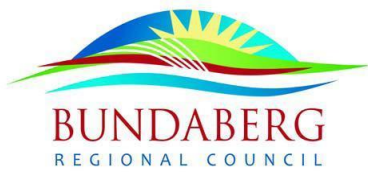
28 July 2020

Item Number:	File Number:	Part:
C1		COUNCILLORS

Subject:

Declaration of Conflict/Material Personal Interests – Cr WR Trevor

Pursuant to section 175E of the *Local Government Act 2009* Cr WR Trevor declared a conflict of interest in item K1 of today's agenda as he and his wife, Mrs Gayle Trevor, are Shareholders of Isis Central Mill, which is mentioned in the report – and will leave the meeting while the item is discussed and voted on.



Minutes

28 July 2020

Item Number:	File Number:	Part:
C2		COUNCILLORS

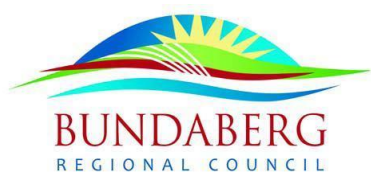
Subject:

Declaration of Conflict/Material Personal Interests - Cr WA Honor

Pursuant to section 175E of the *Local Government Act 2009* Cr WA Honor declared a perceived conflict of interest in item G1 of today's agenda as he has family members who work for Council – but wished to stay and vote on the matter.

Resolution

The remaining eligible Councillors determined that Cr WA Honor does not have a conflict of interest in item G1 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.



Minutes

28 July 2020

Item Number:	File Number:	Part:
C3		COUNCILLORS

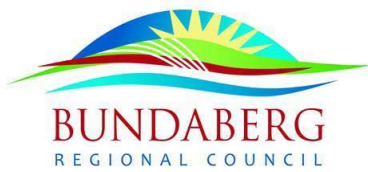
Subject:

Declaration of Conflict/Material Personal Interests - Cr TM McPhee

Pursuant to section 175E of the *Local Government Act 2009* Cr TM McPhee declared a perceived conflict of interest in item S1 of today's agenda as the applicant's letter states that the event will bring economic benefits to the region through spending at food and accommodation businesses. Cr McPhee is the owner of hospitality businesses in the region which may see increased patronage during the event – but wished to stay and vote on the matter.

Resolution

The remaining eligible Councillors determined that Cr TM McPhee does not have a conflict of interest in item S1 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.



Minutes

28 July 2020

Item Number:

C4

File Number:**Part:**

COUNCILLORS

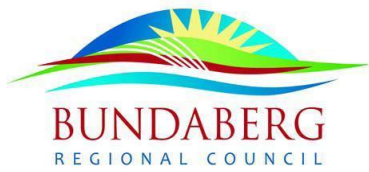
Subject:

Declaration of Conflict/Material Personal Interest - Cr TM McPhee

Pursuant to section 175E of the *Local Government Act 2009* Cr TM McPhee declared a perceived conflict on interest in item T2 of today's agenda as she holds a peppercorn lease with one of the education facilities mentioned in the report – but wished to stay and vote on the matter.

Resolution

The remaining eligible Councillors determined that Cr TM McPhee does not have a conflict of interest in item T2 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.



Minutes

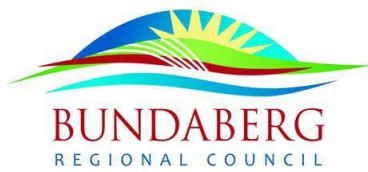
28 July 2020

Item Number:	File Number:	Part:
C5		COUNCILLORS

Subject:

Declaration of Conflict/Material Personal Interests - Cr TM McPhee

Pursuant to section 175E of the *Local Government Act 2009* Cr TM McPhee declared a real conflict of interest in item T8 of today's agenda as she is a related by blood to the vendor of the property Council is seeking to acquire – and therefore will leave the meeting while the item is discussed and voted on.



Minutes

28 July 2020

Item Number:

C6

File Number:**Part:**

COUNCILLORS

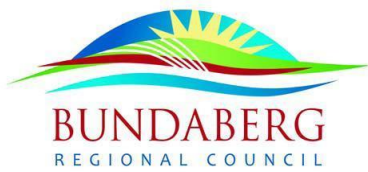
Subject:

Declaration of Conflict/Material Personal Interests - Cr VJ Habermann

Pursuant to section 175E of the *Local Government Act 2009* Cr VJ Habermann declared a perceived conflict of interest in item S1 of today's agenda as he attends meetings of Norville State School P & C and is a member of Rotary Sunrise – both of whom are involved in the event – but wished to stay and vote on the matter.

Resolution

The remaining eligible Councillors determined that Cr VJ Habermann does not have a conflict of interest in item S1 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.



Minutes

28 July 2020

Item Number:

C7

File Number:**Part:**

COUNCILLORS

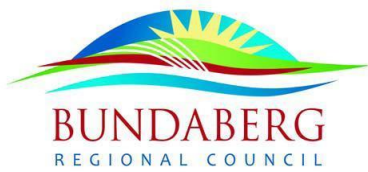
Subject:

Declaration of Conflict/Material Personal Interests - Cr VJ Habermann

Pursuant to section 175E of the *Local Government Act 2009* Cr VJ Habermann declared a perceived conflict of interest in item T2 of today's agenda as he was a board member of one of the property owners from 2011-2016 and an employee for four years until April 2020 – but wished to stay and vote on the matter.

Resolution

The remaining eligible Councillors determined that Cr VJ Habermann does not have a conflict of interest in item T2 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.



Minutes

28 July 2020

Item Number:	File Number:	Part:
C8		COUNCILLORS

Subject:

Declaration of Conflict/Material Personal Interests - Cr MBE Mitchell

Pursuant to section 175E of the *Local Government Act 2009* Cr MBE Mitchell declared a perceived conflict of interest in item G1 of today's agenda as her husband, Dale Mitchell, is an employee of Council – but wished to stay and vote on the matter.

Resolution

The remaining eligible Councillors determined that Cr MBE Mitchell does not have a conflict of interest in item G1 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.

**Item****25 August 2020**

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

Organisational Services

Subject:

Financial Summary as at 31 July 2020

2588**Resolution**

Cr SA Cooper presented the report; and moved:-

That the financial summary as at 31 July 2020 be noted by Council.

Seconded by Cr WR Trevor.

The motion was put - and carried unanimously.

**Item****25 August 2020**

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

Organisational Services

Subject:

Capital Revisions for the period ending 30 June 2020 into the 2020/2021 financial year

2589**Resolution**

Cr SA Cooper presented the report; and moved:-

That:

- 1. Pursuant to section 170(3) and section 173 of the *Local Government Regulation 2012*, Council adopt the amended budget as tabled; and**
- 2. Council endorse the following policies:**
 - a. Revenue Policy, version 4;**
 - b. Revenue Statement, version 3;**

Seconded by Cr GR Barnes.

The motion was put - and carried unanimously.

**Item****25 August 2020**

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

Organisational Services

Subject:

Christmas Closedown 2020

2590**Resolution**

Cr SA Cooper presented the report; and moved:-

That:

- 1. Council's Administration Office, Auswide Offices, Service Centres, Libraries, Arts Centres and Depots (and other administrative and depot areas as applicable) be closed for general business on the three working days over the Christmas/New Year period, namely Tuesday 29, Wednesday 30 and Thursday 31 December 2020, with offices and depots reopening on Monday 4 January 2021;**
- 2. employees be offered the alternative of taking the subject three days from leave, or a combination of leave and accrued rostered days off;**
- 3. the Chief Executive Officer advertise the closure and telephone numbers of Council officers who will attend to critical business over this period.**

Seconded by Cr JP Bartels.

The motion was put - and carried unanimously.



Item

25 August 2020

Item Number:	File Number:	Part:
K1	N/A	PLANNING

Portfolio:

Planning & Development Services

Subject:

Planning Scheme Policy for Agricultural Buffers

Cr Trevor left the meeting, the time being 10.26 am.

2591**Resolution**

Cr JM Dempsey presented the report; and moved:-

That pursuant to the *Planning Act 2016* and the Minister's Guidelines and Rules – Council:-

- a. decide to make a Planning Scheme Policy for Agricultural Buffers; and**
- b. approve the proposed Planning Scheme Policy for public consultation.**

Seconded by Cr MBE Mitchell.

The motion was put - and carried unanimously.

Cr WR Trevor returned to the meeting, the time being 10.29 am.

**Item****25 August 2020**

Item Number: S1	File Number: .	Part: TOURISM & REGIONAL GROWTH
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Portfolio:

Community & Environment

Subject:

Request for Sponsorship for Variety Bash Adventure - Bundaberg November 2020

2592**Resolution**

Cr JM Dempsey presented the report; and moved:-

That Council authorise the Chief Executive Officer to enter into a Partnership/ Sponsorship Agreement with Variety Queensland for the 2020 Variety Bash Adventure to be held in Bundaberg in November 2020 with Council providing \$20,000 plus GST, in sponsorship for the event.

Seconded by Cr JD Learmonth.

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 8 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 8 items be held in Committee:

- T1 Lease of Part of 160 Hughes Road, Bargara (Lot 11 on RP7268) Bargara Administration Building**
- T2 Rating exemption for Educational Facilities**
- T3 Specialised Supplier - Servicing of SCADA Pack Remote Telemetry Units**
- T4 Specialised Supplier - Solus Library App**
- T5 Specialised Supplier Arrangement with LTech Australia Pty Ltd**
- T6 Specialised Supplier Arrangement with Task Exchange Pty Ltd**
- T7 Request to reduce the development application fee – Development Permit for Material Change of Use for Motor Sport Facility at 2359 Bucca Road, Bullyard (Lot 226 on CK386) – Bundy Turfburners Mower Racing Club.**
- T8 Purchase of Lot 1 on SP225014**

Seconded by Cr SA Cooper - and carried unanimously.

The meeting closed to the public at 10.32 am.

Cr TM McPhee left the meeting during discussion on item T8, the time being 10.45 am.

Cr TM McPhee returned to the meeting, the time being 10.47 am.

Resolution

Cr JM Dempsey moved:-

That the meeting now be reopened to the public via livestream - the time being 10.47 am.

Seconded by Cr VJ Habermann - and carried unanimously.

**Item****25 August 2020**

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

Organisational Services

Subject:

Lease of Part of 160 Hughes Road, Bargara (Lot 11 on RP7268) Bargara Administration Building

Confidential Reason:

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

2593**Resolution**

Cr JM Dempsey moved:-

That:-

1. Council apply the exception contained in section 236(1)(e) of the *Local Government Regulation 2012*; and
2. the Chief Executive Officer be authorised to enter into a one year Lease to Lexi Tech Pte Ltd after Lexi Tech Pte Ltd has obtained an Australian Registered Business Number for part of the Bargara Administration Centre, known as Lot 11 on RP7268.

Seconded by Cr GR Barnes.

The motion was put - and carried unanimously.



Item

25 August 2020

Item Number:	File Number:	Part:
T2		CONFIDENTIAL

Portfolio:

Organisational Services

Subject:

Rating exemption for Educational Facilities

Confidential Reason:

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

2594

Resolution

Cr JM Dempsey moved:-

That Council apply section 93(3)(i) of the *Local Government Act 2009* and exempt from rates the properties known as Lot 32 on SP283979, Lot 189 on CP839572, Lot 2 on SP298179 & Lot 7 on RP800407 for charitable purposes.

Seconded by Cr SA Cooper.

The motion was put - and carried.

For

Cr WR Trevor
 Cr WA Honor
 Cr T McPhee
 Cr GR Barnes
 Cr T McLoughlin
 Cr VJ Habermann
 Cr SA Cooper
 Cr MBE Mitchell
 Cr JM Dempsey

Against

Cr JP Bartels
 Cr JD Learmonth

**Item****25 August 2020**

Item Number: T3	File Number: fA177028	Part: CONFIDENTIAL
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Portfolio:

Infrastructure Services

Subject:

Specialised Supplier - Servicing of SCADA Pack Remote Telemetry Units

Confidential Reason:

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

2595**Resolution**

Cr JM Dempsey moved:-

That:

- a. Council enter into an arrangement with Schneider Electric Australia for the provision of servicing of SCADA Packs 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 September 2020 to 31 August 2023.

Seconded by Cr WA Honor.

The motion was put - and carried unanimously.

**Item****25 August 2020**

Item Number: T4	File Number: .	Part: CONFIDENTIAL
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Portfolio:

Community & Environment

Subject:

Specialised Supplier - Solus Library App

Confidential Reason:

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

2596**Resolution**

Cr JM Dempsey moved:-

That:

- a) Council enter into an arrangement with Solus (SANZAP Pty Ltd ABN 54 609 391 380) for the supply of Solus Library App and optional RFID Module without first inviting written quotes pursuant to Section 235(b) of the *Local Government Regulation 2012*; and
- b) this arrangement be for an initial period of three years.

Seconded by Cr SA Cooper.

The motion was put - and carried unanimously.

**Item****25 August 2020**

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

Organisational Services

Subject:

Specialised Supplier Arrangement with LTech Australia Pty Ltd

Confidential Reason:

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

2597**Resolution**

Cr JM Dempsey moved:-

That:

- a) **Council enter into an arrangement with LTech Australia Pty Ltd for the provision of LIMS1 – Laboratory Information System Annual 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 the period 1 October 2020 – 30 September 2022.**

Seconded by Cr WA Honor.

The motion was put - and carried unanimously.

**Item****25 August 2020**

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

Organisational Services

Subject:

Specialised Supplier Arrangement with Task Exchange Pty Ltd

Confidential Reason:

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

2598**Resolution**

Cr JM Dempsey moved:-

That:

- a) **Council enter into an arrangement with Task Exchange Pty Ltd for the provision of LG Hub Australian Cloud Package 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 18 June 2019 – 17 June 2022.**

Seconded by Cr MBE Mitchell.

The motion was put - and carried unanimously.



Item

25 August 2020

Item Number:	File Number:	Part:
T7	N/A	CONFIDENTIAL

Portfolio:

Planning & Development Services

Subject:

Request to reduce the development application fee – Development Permit for Material Change of Use for Motor Sport Facility at 2359 Bucca Road, Bullyard (Lot 226 on CK386) – Bundy Turfburners Mower Racing Club.

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.

2599

Resolution

Cr JM Dempsey moved:-

That the application fee for the proposed Material Change of Use for a Motor Sport Facility (Lawn Mower Racing) at 2359 Bucca Road, Bullyard (Lot 226 on CK386) be set as recommended in the report.

Seconded by Cr WA Honor.

The motion was put - and carried unanimously.

**Item****25 August 2020**

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

Executive Services

Subject:

Purchase of Lot 1 on SP225014

Confidential Reason:

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

Cr TM McPhee left the meeting, the time being 10.54 am.

2600**Resolution**

Cr JM Dempsey moved:-

That the Chief Executive Officer be authorised to enter into a Contract for Sale to purchase Lot 1 on SP225014 at the agreed purchase price.

Seconded by Cr VJ Habermann.

The motion was put - and carried unanimously.

Cr TM McPhee returned to the meeting, the time being 10.55 am.



Minutes

25 August 2020

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 10.55 am.

Confirmed on 29 September 2020.

Mayor