



Ordinary Meeting Minutes

28 September 2021

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 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:

Officers:

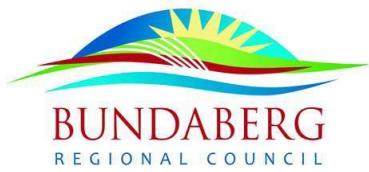
Mr SD Johnston, Chief Executive Officer
Mr SJ Randle, General Manager Infrastructure
Mr GJ Steele, General Manager Community & Environment
Mr B Artup, Executive Director Strategic Projects and Economic Development
Mrs WE Saunders, Executive Services Co-ordinator
Ms B Kao, Executive Assistant/Researcher

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.

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

28 September 2021

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 31 August 2021 be taken as read and confirmed.

Seconded by Cr SA Cooper - and carried unanimously.



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Item Number:	File Number:	Part:
C1		COUNCILLORS

Subject:

Declaration of Conflict of Interest - Cr GR Barnes

Pursuant to section 150EQ of the *Local Government Act 2009*, Cr Barnes advised he has a conflict of interest in item T2 as he is a co-shareholder in 3 companies with the applicant - and would leave the meeting room while the item is discussed and voted on.



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28 September 2021

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

Declaration of Conflict of Interest - Cr GR Barnes

Pursuant to section 150EQ of the *Local Government Act 2009*, Cr Barnes advised he has a conflict of interest in item O1 as Bundaberg Broadcasters conduct a live broadcast of the annual Bargara ANZAC Day Dawn Service of which he is the co-ordinator – but believed he could participate in the decision on the matter in the public's interest and stay in the meeting while the item is discussed and voted on.

Resolution

The remaining eligible Councillors determined that Cr Barnes does not have a conflict of interest in item O1 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.



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Item Number:	File Number:	Part:
C3		COUNCILLORS

Subject:

Declaration of Conflict of Interest - Cr MBE Mitchell

Pursuant to section 150EQ of the *Local Government Act 2009*, Cr Mitchell advised she has a declarable conflict of interest in item H1 of today's agenda as her husband, Dale Mitchell, is employed by Bundaberg Regional Council in Fleet & Trade Services as a mechanic – but believed she could participate in the decision on the matter in the public's interest and stay in the meeting while the item is discussed and voted on.

Resolution:

The remaining eligible Councillors determined that Cr Mitchell does not have a conflict of interest in item H1 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.



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Item Number:

File Number:

Part:

C4

COUNCILLORS

Subject:

Declaration of Conflict of Interest - Cr MBE Mitchell

Pursuant to section 150EQ of the *Local Government Act 2009*, Cr Mitchell advised she has a declarable conflict of interest in item H2 of today's agenda as her husband, Dale Mitchell, is employed by Bundaberg Regional Council in Fleet & Trade Services as a mechanic and has a long time association with an employee of the subject company – and will leave the meeting room while the item is discussed and voted on.

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Item Number: C5	File Number:	Part: COUNCILLORS
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Subject:

Declaration of Conflict of Interest – Cr WR Trevor

Pursuant to section 150EQ of the *Local Government Act 2009*, Cr Trevor advised he has a declarable conflict of interest in item D1 of today's agenda as Georgie Somerset is a director of RFDS and a board member of Regional Development Australia Wide Bay. Cr Trevor appointed Ms Somerset to the board of RDAWB – so will therefore leave the meeting room while the item is discussed and voted on.



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Item Number:	File Number:	Part:
C6		COUNCILLORS

Subject:

Declaration of Conflict of Interest – Cr VJ Habermann

Pursuant to section 150EQ of the *Local Government Act 2009*, Cr Habermann advised he has a declarable conflict of interest in item O1 of today's agenda as he does a weekly cricket interview on Bundaberg Broadcaster's 4BU station in a voluntary capacity - but believed he could participate in the decision on the matter in the public's interest and stay in the meeting.

Resolution:

The remaining eligible Councillors determined that Cr Habermann does not have a conflict of interest in item O1 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.



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

Executive Services

Subject:

Gift of Land to Royal Flying Doctor Service of Australia (Queensland Section) Ltd - 24 Aviation Crescent, Kensington (Lot 28 on SP311608)

Cr Bill Trevor left the meeting, the time being 10.17 am.

2806

Resolution

Cr JM Dempsey presented the report; and moved:-

That:

- 1. Council gift the land at 24 Aviation Crescent, Kensington, being Lot 28 on SP311608 to the Royal Flying Doctor Service of Australia (Queensland Section) Ltd (RFDS); and**
- 2. the Chief Executive Officer be authorised to enter into an arrangement with the RFDS and attend to all things necessary to complete the transfer of the Land to the RFDS.**

Seconded by Cr GR Barnes.

The motion was put - and carried unanimously.

Cr Trevor returned to the meeting, the time being 10.24 am.



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

Organisational Services

Subject:

Financial Summary as at 1 September 2021

2807

Resolution

Cr SA Cooper presented the report; and moved:-

That the Financial Summary as at 1 September 2021 be noted by Council.

Seconded by Cr TM McPhee.

The motion was put - and carried unanimously.



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28 September 2021

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

Organisational Services

Subject:

Audit and Risk Management Committee Minutes

2808

Resolution

Cr SA Cooper presented the report; and moved:-

That the minutes of the Audit and Risk Committee meeting held on 13 May 2021 be received and noted.

Seconded by Cr MBE Mitchell.

The motion was put - and carried unanimously.



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Item Number:

G2

File Number:

Part:

GOVERNANCE

Portfolio:

Organisational Services

Subject:

Specialised Supplier - Seek Limited - Staff Recruitment Advertising

2809

Resolution

Cr SA Cooper presented the report; and moved:-

That:

- **Council enter into an arrangement with Seek Limited for the staff recruitment advertising without first inviting written quotes pursuant to Section 235(b) of the *Local Government Regulation 2012*; and**
- **this arrangement be made for a period of 3 years from 1 July 2021 to 31 July 2024.**

Seconded by Cr JP Bartels.

The motion was put - and carried unanimously.



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Item Number:

G3

File Number:

Part:

GOVERNANCE

Portfolio:

Organisational Services

Subject:

Sale of Lots 34, 35 and 38 on SP210113 - Heritage Oaks Estate, Childers

2810

Resolution

Cr SA Cooper presented the report; and moved:-

That:

- 1. Council apply the exception contained in section 236(1)(a)(i) of the *Local Government Regulation 2012* to the disposal of Lot 34, 35 and 38 on SP210113; and**
- 2. the Chief Executive Officer be authorised to enter into a Contract of Sale with the Buyers and attend to all items required to finalise the sale of the Lots.**

Seconded by Cr WA Honor.

The motion was put - and carried unanimously.



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Item Number: H1	File Number:	Part: INFRASTRUCTURE
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Portfolio:

Infrastructure Services

Subject:

Specialised Supplier Arrangement - Komatsu Parts and Repairs

2811

Resolution

Cr WR Trevor presented the report; and moved:-

That:

- **Council enter into an arrangement with Komatsu Australia Pty Ltd for the supply of Komatsu Parts and Repairs, without first inviting written tenders pursuant to section 235(b) of the *Local Government Regulation 2012*; and**
- **this arrangement be made for a period of 3 years from October 2021 to October 2024.**

Seconded by Cr SA Cooper.

The motion was put - and carried unanimously.



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Item Number: H2	File Number: .	Part: INFRASTRUCTURE
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Portfolio:

Infrastructure Services

Subject:

Specialised Supplier Arrangement - John Deere Parts and Repairs

Cr Mitchell left the meeting, the time being 10.32 am.

2812

Resolution

Cr WR Trevor presented the report; and moved:-

That:

- **Council enter into an arrangement with RDO Equipment Pty Ltd for the supply of John Deere parts and repairs, without first inviting written tenders pursuant to section 235(b) of the *Local Government Regulation 2012*; and**
- **this arrangement be made for a period of 3 years from October 2021 to October 2024.**

Seconded by Cr WA Honor.

The motion was put - and carried unanimously.

Cr Mitchell returned to the meeting, the time being 10.34 am.



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28 September 2021

Item Number: J1	File Number:	Part: WATER & WASTEWATER
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Portfolio:

Infrastructure Services

Subject:

Wide Bay Burnett Urban Water Alliance - Membership

2813

Resolution

Cr JP Bartels presented the report; and moved:-

That Council confirm its inclusion in the Wide Bay Burnett Urban Water Alliance (WBBUWA) under the attached Terms of Reference.

Further, that Council's Branch Manager Water Services be endorsed as the first Chair of WBBUWA.

Seconded by Cr VJ Habermann.

The motion was put - and carried unanimously.



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Item Number:	File Number:	Part:
O1	.	COMMUNITY & CULTURAL SERVICES

Portfolio:

Community & Environment

Subject:

Sponsorship of the Bundaberg Broadcasters Carols by Candlelight

2814

Resolution

Cr JD Learmonth presented the report; and moved:-

That Council provide sponsorship to the value of \$5,000 to Bundaberg Broadcasters Pty Ltd for the 2021 Carols by Candlelight Event.

Seconded by Cr VJ Habermann.

The motion was put - and carried unanimously.



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Item Number: O2	File Number: .	Part: COMMUNITY & CULTURAL SERVICES
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Portfolio:

Community & Environment

Subject:

Use of Bundaberg Recreational Precinct for Road Safety Youth Driver Awareness

2815

Resolution

Cr VJ Habermann presented the report; and moved:-

That Council waive the hire fees for Bundaberg Police Crime Prevention Unit and Rotary Club of Bundaberg's use of Bundaberg Recreational Precinct to deliver the Road Safety Youth Driver Awareness program during August 2022.

Seconded by Cr TM McLoughlin.

The motion was put - and carried unanimously.

The Mayor advised at this stage that the meeting would be closed to the public to discuss the following 3 items which are considered confidential in accordance with Section 254J(3) of the *Local Government Regulation 2012*.

Resolution

Cr JM Dempsey moved:-

That the meeting be closed to the public – and discussion on the following 3 items be held in Committee:

T1 Request for Rating Concession - Legacy Inc

T2 Request for additional waiver of water consumption charges - Lot 19 on SP177626

T3 Annual Valuation effective from 30 June 2022

Seconded by Cr TM McPhee - and carried unanimously.

Meeting closed to the public and the livestream suspended at 10.46 am.

Cr Barnes left the meeting at 10.48 am during discussion on item T2.

Cr Barnes returned to the meeting at 10:49 am.

Resolution

Cr JM Dempsey moved:-

That the meeting now be reopened to the public.

Seconded by Cr TM McLoughlin - and carried unanimously.

The meeting reopened to the public at 11.03 am.



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Item Number: T1	File Number: A5952464	Part: CONFIDENTIAL
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Portfolio:

Organisational Services

Subject:

Request for Rating Concession - Legacy Inc

Confidential Reason:

Local Government Regulation 2012 Section 254J(3)(d) rating concessions.

2816

Resolution

Cr JM Dempsey moved:-

That Council provide no concessions considering a review is underway.

Seconded by Cr JP Bartels.

The motion was put - and carried unanimously.



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Item Number:

T2

File Number:**Part:**

CONFIDENTIAL

Portfolio:

Organisational Services

Subject:

Request for additional waiver of water consumption charges - Lot 19 on SP177626

Cr Barnes left the meeting, the time being 11.05 am.

Confidential Reason:*Local Government Regulation 2012 Section 254J(3)(d) rating concessions.***2817****Resolution**

Cr JM Dempsey moved:-

That Council provide a further reduction of the water charges as requested, specifically Council provide further water leak relief amounting to \$4,661.46 for Lot 19 on SP177626.

Seconded by Cr VJ Habermann.

The motion was put - and carried.

For

Cr JP Bartels
Cr WR Trevor
Cr WA Honor
Cr TM McPhee
Cr VJ Habermann
Cr SA Cooper
Cr JM Dempsey

Against

Cr TM McLoughlin
Cr MBE Mitchell
Cr JD Learmonth

Cr Barnes returned to the meeting, the time being 11.06 am.



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Item Number:	File Number:	Part:
T3		CONFIDENTIAL

Portfolio:

Organisational Services

Subject:

Annual Valuation effective from 30 June 2022

Confidential Reason:

Local Government Regulation 2012 Section 254J(3)(i) a matter the local government is required to keep confidential under a law of, or formal arrangement with, the commonwealth or a state.

2818

Resolution

Cr JM Dempsey moved:-

In response to the State Valuation Service's request to Council seeking Council's views in relation to a revaluation of our local government area, Council advise that an annual valuation should be undertaken.

Seconded by Cr SA Cooper.

The motion was put - and carried.

For

Cr JP Bartels
 Cr WR Trevor
 Cr WA Honor
 Cr TM McPhee
 Cr GR Barnes
 Cr TM McLoughlin
 Cr SA Cooper
 Cr MBE Mitchell
 Cr JD Learmonth
 Cr JM Dempsey

Against

Cr VJ Habermann



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28 September 2021

Item Number:	File Number:	Part:
U1		Late Item

Subject:

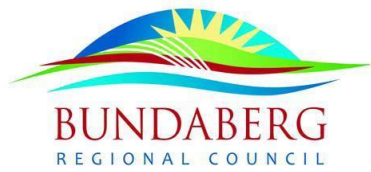
Request for Leave of Absence for October meeting – Cr GR Barnes

Resolution

Cr GR Barnes moved:-

That Cr GR Barnes be granted a leave of absence, if required, for the Ordinary meeting of Council scheduled to be held on 29 October 2021.

Seconded by Cr WA Honor - and carried unanimously.



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28 September 2021

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

Meeting Close

As tomorrow is Police Remembrance Day, Mayor Dempsey paid Council's respects to all who have served and those who are serving in the Queensland Police Service to protect our communities.

There being no further business – the Mayor declared this Ordinary Meeting closed at 11.11 am.

Confirmed on 29 October 2021.

Mayor