



Ordinary Meeting Minutes

30 November 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:

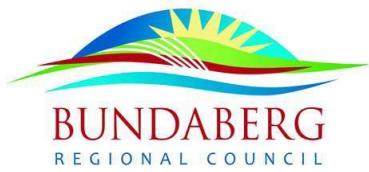
Mr SD Johnston, Chief Executive Officer
Mr SJ Randle, General Manager Infrastructure
Mr GJ Steele, General Manager Community & Environment
Mrs AK Pafumi, General Manager Organisational Services
Mr B Artup, Executive Director Strategic Projects and Economic Development
Mrs C Large, Chief Legal Officer
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

30 November 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 29 October 2021 be taken as read and confirmed.

Seconded by Cr JD Learmonth - and carried unanimously.



Minutes

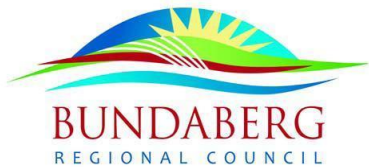
30 November 2021

Item Number:	File Number:	Part:
C1		COUNCILLORS

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 conflict of interest in item P1 of today's agenda as his family has a past business relationship with Oreco, who are mentioned in the report – and will leave the meeting room while the item is discussed and voted on.



Minutes

30 November 2021

Item Number:	File Number:	Part:
C2		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.-



Minutes

30 November 2021

Item Number:	File Number:	Part:
C3		Mayoral Minute

Subject:

Mayoral Minute - Queensland Vaccine Mandates

Recommendation:

Cr JM Dempsey presented the following Mayoral Minute.

“Good morning Councillors and gallery.

The issue of vaccine mandates has been topical in our community.

I'd like to congratulate everyone who has been vaccinated. It's because of our efforts that state borders will open on 17 December and restrictions will ease.

On Monday, 79 per cent of Queenslanders were fully vaccinated. In New South Wales, the figure was 92 per cent.

If you haven't been vaccinated, talk to your GP and please get vaccinated. It's our ticket to seeing loved ones interstate, opening up the tourism industry, and keeping people safe here in Bundaberg.

I know that some people have legitimate concerns about vaccine mandates and the enforcement of public health directions. I've passed these concerns onto the Premier.

We were the first Council in Queensland to do this.

In my letter I said the Government should release a roadmap soon, showing a return to normal living and without segregation as far as safe and possible.

I table that correspondence to include it with the minutes.

The Local Government Association of Queensland surveyed all 77 Councils in the state and passed on our collective voice to the Government.

The Government responded that Council venues such as libraries and galleries will be excluded from vaccine mandates at this time.

The Deputy Premier also heeded concerns that businesses would be responsible for enforcement, saying that is not the case. Police will have that responsibility.

Councillors have received dozens of emails in relation to vaccine mandates.

I want to be very clear that Council is not the decision maker.

Public health directions are the responsibility of the State Government and as chair of the Local Disaster Management Group I have an obligation to support Queensland

Health and Police in managing the pandemic response and keeping everybody safe.

I've also heard from many elderly residents who believe and fear that unvaccinated people pose a risk to their safety.

Public health orders could potentially be overridden by the Federal Government, however a motion in the Senate to do this only had five votes in favour.

The Federal Government have already started vaccine mandates in aged care and childcare to protect vulnerable people.

The Covid threat is not over, as we've seen this week with a new variant closing international borders.

We're going to need booster shots and the Federal Government needs to work with the states to make sure we have an adequate supply of vaccine.

Local government has no decision-making role and nor should we, as we're not experts in public health.

I'm aware there's an active Facebook group with more than 7500 members from across the Wide Bay and Gladstone regions.

Despite organisers talking about respect, in that group I've been called a parasite, a liar, gutless and corrupt.

One speaker stood up at a protest rally on Saturday and told the crowd there have been almost 700 people who have died from quote "taking this poison jab" unquote. The week before, the speaker talked about quote "those who have been murdered by this government", unquote.

That's an absolute disgrace and totally irresponsible.

From the official record, quote "The TGA has found nine reports of death that were linked to immunisation from 682 reports received and reviewed" unquote. That's from 38.5 million doses being administered.

I'm concerned that misinformation is preventing people from getting the vaccine and puts lives at risk.

I also don't want to see the Australian flag treated with disrespect and flown upside down like it was at the rally in Bundaberg on Saturday. I don't want to hear the RSL being attacked and accused of letting down veterans, like it was the week before.

Organisers of this movement should condemn lies and misinformation. They should focus their lobbying on decision makers. They should condemn the insults and threats that some people are making towards others.

The sooner we achieve 90 per cent double vaccination the more normal our society will be.

I was the first elected member in Queensland to call for an end to restrictions when that milestone is achieved.

Misguided protests are slowing down the vaccine rollout and ironically cause problems for the business owners they claim to support.

My recommendation to everyone is follow the medical advice."



Minutes

30 November 2021

Item Number:

File Number:

Part:

C4

COUNCILLORS

Subject:

Queensland Vaccine Mandates

2833

Resolution

Cr WR Trevor moved:-

That Council endorses the Mayor's letter to the Premier on vaccine mandates, calling for an end to segregation when it's safe to do so.

Seconded by Cr JP Bartels.

The Mayor asked if there were further Conflict of Interests in relation to the above motion that was moved from the floor.

Cr GR Barnes moved:-

That Standing Orders be suspended.

Seconded by Cr TM McPhee - and carried unanimously.

Cr GR Barnes moved:-

That Standing Orders be resumed.

Seconded by Cr JP Bartels - and carried unanimously.

Cr TM McPhee moved that the motion be amended to:-

That Council endorses the Mayor's letter to the Premier on vaccine mandates, calling for an end to segregation.

Seconded by Cr TM McLoughlin.

The Amendment on being put was lost.

For

Cr TM McPhee

Cr TM McLoughlin

Against

Cr JP Bartels

Cr WR Trevor

Cr WA Honor

Cr GR Barnes
Cr VJ Habermann
Cr SA Cooper
Cr MBE Mitchell
Cr JD Learmonth
Cr JM Dempsey

The original motion viz:-

That Council endorses the Mayor's letter to the Premier on vaccine mandates, calling for an end to segregation when it's safe to do so.

- was put and carried.

For

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

Against

Cr TM McPhee



Minutes

30 November 2021

Item Number:	File Number:	Part:
E1		STRATEGIC PROJECTS & ECONOMIC DEVELOPMENT

Portfolio:

Executive Services

Subject:

Procurement Methodology for the Trial Supply of Hydrogen Powered Garbage Trucks and Fuel

2834

Resolution

Cr JM Dempsey presented the report; and moved:-

That pursuant to section 228(3)(a) of the *Local Government Regulation 2012* Council invite open public expressions of interest before inviting written tenders for the trial supply of hydrogen powered garbage trucks and fuel.

The trial supply of hydrogen powered garbage trucks and fuel within Council's fleet will be a new and innovative venture by Council that will support the establishment of a local hydrogen supply chain. Integration of hydrogen into Council's fleet will rely upon new market technology and equipment that is relatively untested and proven in commercial application. The proposed two stage procurement process will assist in reducing Council's risk by ensuring any RFT is shaped by market input that best meets Council's operational requirements. The assessment criteria for the initial EOI will focus on suppliers who demonstrate technology and supply arrangements that meet requirements particularly around safety, value for money and environmental responsibilities.

Seconded by Cr TM McPhee.

The motion was put - and carried unanimously.



Minutes

30 November 2021

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

Organisational Services

Subject:

Financial Summary as at 1 November 2021

2835

Resolution

Cr SA Cooper presented the report; and moved:-

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

Seconded by Cr VJ Habermann.

The motion was put - and carried unanimously.



Minutes

30 November 2021

Item Number:

G1

File Number:

Part:

GOVERNANCE

Portfolio:

Organisational Services

Subject:

Sale of Lot 8 on SP311608 - 17 Aviation Crescent, Kensington

2836

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 (Qld)* to the disposal of Lot 8 on SP311608; and
2. the Chief Executive Officer be authorised to enter into a Contract of Sale with the Buyer and attend to all items required to finalise the sale of the Lot.

Seconded by Cr WA Honor.

The motion was put - and carried unanimously.



Minutes

30 November 2021

Item Number:

G2

File Number:

Part:

GOVERNANCE

Portfolio:

Organisational Services

Subject:

Sale of Lot 3 and Lot 4 on SP298190 - Buxton Road, Isis River

2837

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* (Qld) to the disposal of Lot 3 and Lot 4 on SP298190; and
2. the Chief Executive Officer be authorised to enter into a Contract of Sale with each Buyer and attend to all items required to finalise the sale of the Lots.

Seconded by Cr TM McLoughlin.

The motion was put - and carried unanimously.



Minutes

30 November 2021

Item Number:

G3

File Number:

Part:

GOVERNANCE

Portfolio:

Organisational Services

Subject:

Sale of Lot 196 on RP24483 - 15 Hull Street, Buxton

2838

Resolution

Cr SA Cooper presented the report; and moved:-

That:

- 1. Council rescind the resolution made in relation to Item G1 "Sale of Lot 196 on RP24483 – 15 Hull Street, Buxton" on 31 August 2021 at its Ordinary Meeting;**
- 2. Council apply the exception contained in section 236(1)(a)(i) of the *Local Government Regulation 2012* (Qld) to the disposal of Lot 196 on RP24483; and**
- 3. the Chief Executive Officer be authorised to enter into a Contract of Sale with the Buyer and attend to all items required to finalise the sale of the Lot.**

Seconded by Cr WR Trevor.

The motion was put - and carried unanimously.



Minutes

30 November 2021

Item Number:

G4

File Number:

Part:

GOVERNANCE

Portfolio:

Organisational Services

Subject:

Lease - Part of Lot 2 on SP314446 - 160 Hughes Road, Bargara

2839

Resolution

Cr SA Cooper presented the report; and 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 Lease to Hillwood Berries Pty Ltd for part of the Bargara Administration Centre, known as Lot 2 on SP314446 for an initial term of 5 years with a further 5 year option.

Seconded by Cr MBE Mitchell.

The motion was put - and carried unanimously.



Minutes

30 November 2021

Item Number:	File Number:	Part:
H1		INFRASTRUCTURE

Portfolio:

Infrastructure Services

Subject:

Specialised Supplier Agreement with Bundy Star Truck and Machinery for Iveco and Dennis Eagle Parts, Service and Repairs

2840

Resolution

Cr WR Trevor presented the report; and moved:-

That:

- a) Council enters into an arrangement with Bundy Star Truck and Machinery for the supply of parts, servicing and repairs of Iveco and Dennis Eagle Trucks, without first inviting written quotations or tenders pursuant to section 235(b) of the *Local Government Regulation 2012*; and
- b) this arrangement be made for an initial period from 1 December 2021 – 31 October 2024.

Seconded by Cr WA Honor.

The motion was put - and carried unanimously.



Minutes

30 November 2021

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

Portfolio:

Infrastructure Services

Subject:

Coastal Sewerage Strategy

With the permission of the Chair, the motion was moved in two parts.

2841

Resolution

Cr JP Bartels presented the report; and moved:-

That Council approves the Bargara to Rubyanna sewerage diversion scheme as the preferred option to ensure continued servicing of the coastal growth.

Seconded by Cr TM McLoughlin.

The motion was put - and carried unanimously.

2842

Resolution

Cr JP Bartels presented the report; and moved:-

That Council not commit to any retrofitting program for current coastal unsewered properties.

Seconded by Cr JD Learmonth.

The motion was put - and carried.

For

Cr JP Bartels
 Cr TM McPhee
 Cr TM McLoughlin
 Cr SA Cooper
 Cr MBE Mitchell
 Cr JD Learmonth
 Cr JM Dempsey

Against

Cr WR Trevor
 Cr WA Honor
 Cr GR Barnes
 Cr VJ Habermann



Minutes

30 November 2021

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

Portfolio:

Community & Environment

Subject:

Lease - Hangar H2 - Skills Compliance Pty Ltd

2843

Resolution

Cr SA Cooper presented the report; and moved:-

That:-

- 1. Council apply the exception contained in section 236(1)(b)(ii) of the *Local Government Regulation 2012*; and**
- 2. the Chief Executive Officer be authorised to enter into a Lease to Skills Compliance Pty Ltd for part of Lot 35 on SP254546 for an initial term of 3 years with a further 3 year option.**

Seconded by Cr VJ Habermann.

The motion was put - and carried unanimously.



Minutes

30 November 2021

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

Portfolio:

Community & Environment

Subject:

Renewal of Lease - Woodgate Men's Shed

2844

Resolution

Cr SA Cooper presented the report; and moved:-

That:-

- 1. Council apply the exception contained in section 236(1)(b)(ii) of the *Local Government Regulation 2012*; and**
- 2. the Chief Executive Officer be authorised to enter into a Lease to Woodgate Men's Shed Inc for part of Lot 9 on SP260023 for a term of 10 years.**

Seconded by Cr WR Trevor.

The motion was put - and carried unanimously.



Minutes

30 November 2021

Item Number:	File Number:	Part:
P1	.	WASTE & RECYCLING

Portfolio:

Community & Environment

Subject:

Changes to Bundaberg Regional Waste Facilities

Cr Trevor left the meeting, the time being 11.22 am.

2845

Resolution

Cr TM McLoughlin presented the report; and moved:-

That Council adopts the proposed new waste opening hours to come into effect from 14 February 2022 as detailed in Attachment 2 – with the addition that Childers Waste Facility be open on Sundays the same hours as Saturdays (9.00 am to 12.30 pm).

Seconded by Cr SA Cooper.

The motion was put - and carried.

For

Cr JP Bartels
 Cr WA Honor
 Cr TM McPhee
 Cr TM McLoughlin
 Cr VJ Habermann
 Cr SA Cooper
 Cr MBE Mitchell
 Cr JD Learmonth
 Cr JM Dempsey

Against

Cr GR Barnes

Cr Trevor returned to the meeting, the time being 11.27 am.



Minutes

30 November 2021

Item Number:

S1

File Number:

Part:

TOURISM & REGIONAL GROWTH

Portfolio:

Community & Environment

Subject:

Sole Supplier Arrangement with Alliance Airways Ltd

2846

Resolution

Cr JM Dempsey presented the report; and moved:-

That the Chief Executive Officer be authorised to enter into an arrangement with Alliance Airways Ltd for the provision of services eligible for funding by the Domestic Aviation Route Restart Program without seeking competitive quotations or tenders pursuant to section 235(a) of the *Local Government Regulation 2012*.

Seconded by Cr GR Barnes.

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 item which is 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 item be held in Committee:

T1 Land Sale to Recover Rate Arrears

Seconded by Cr MBE Mitchell - and carried unanimously.

Meeting closed to the public and the livestream suspended at 11.30 am.

Resolution

Cr JM Dempsey moved:-

That the meeting now be reopened.

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

Meeting reopened to the public 11.31 am.



Minutes

30 November 2021

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

Organisational Services

Subject:

Land Sale to Recover Rate Arrears

Confidential Reason:

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

2847

Resolution

Cr JM Dempsey moved:-

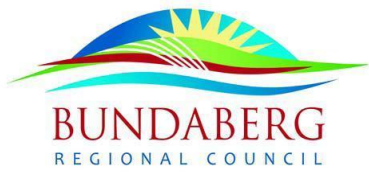
That:

- pursuant to the provisions of Chapter 4, Part 12, Division 3 of the *Local Government Regulation 2012* – Council commences sale action for recovery of outstanding rates against the registered owners of the following properties on which rates have remained unpaid for 3 years or more:

Lot 4 on RP98011, Lot 1 on RP70011, Lot 211 on RP807687, Lot 38 on RP154748, Lot 5 on RP7781, Lot 5 on RP22206, Lot 3 on SP212112, Lot 95 on CK2157, Lot 3 on SP225035, Lot 4 on B6271, Lot 14 on SP228708, Lot 733 on BON1525, Lot 935 on BON1504.
- Council delegates to the Chief Executive Officer its power to take all further steps under Chapter 4, Part 12, Division 3 of the *Local Government Regulation 2012* to affect the sale of the land including the power to end sale procedures in terms of Section 141(3) of the *Regulation*.

Seconded by Cr SA Cooper.

The motion was put - and carried unanimously.



Minutes

30 November 2021

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 11.34 am.

Confirmed on 21 December 2021.

Mayor