

# Ordinary Meeting Minutes

26 July 2022

10.00 am

Council Chambers, Bundaberg

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## **Present:**

Cr JM Dempsey (Mayor - Chairman), Cr WR Trevor OAM (Deputy Mayor), Cr WA Honor, Cr TM McPhee, Cr TM McLoughlin, Cr VJ Habermann OAM, Cr SA Cooper, Cr MBE Mitchell and Cr JD Learmonth

## **Leave of Absence:**

Moved by Cr Cooper, seconded by Cr Honor, that the apology of Cr GR Barnes be accepted. Carried unanimously.

Moved by Cr Trevor, seconded by Cr Learmonth, that the apology of Cr JP Bartels be accepted. Carried unanimously.

## **Officers:**

Mr GJ Steele, Acting CEO & General Manager Community & Environment  
Mr SJ Randle, General Manager Infrastructure  
Mr A Keleher, Manager Corporate Services  
Mr B Artup, Director Strategic Projects and Economic Development  
Mr S Muggeridge, Chief Finance Officer  
Mr M Ellery, Group Manager Development  
Mrs C Large, Chief Legal Officer  
Mrs WE Saunders, Executive Assistant to the Councillors  
Mrs T Straub, Executive Assistant to the CEO

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, Senior Pastor Richard Cathie (Honorary Chaplain) gave a short address and led this Ordinary meeting of Council in prayer.



## Minutes

26 July 2022

<b>Item Number:</b>	<b>File Number:</b>	<b>Part:</b>
B1		Minutes

### Subject:

Confirmation of Minutes

### Resolution

Cr JM Dempsey moved:-

**That the minutes of the Special Budget Meeting held on 28 June 2022 and the Ordinary meeting of Council, also held on 28 June 2022, be taken as read and confirmed.**

Seconded by Cr VJ Habermann - and carried unanimously.



## Minutes

26 July 2022

**Item Number:**

**File Number:**

**Part:**

C1

Councillors

**Subject:**

Declaration of Interests - Cr WA Honor

**Pursuant to section 150EQ of the *Local Government Act 2009*, Cr Honor advised that he has a declarable conflict of interest in Item K1 of today's agenda as he is the Managing Director of Coachtrail Developments Pty Ltd (The Applicant) and will therefore leave the meeting while the item is discussed and voted on.**



## Minutes

26 July 2022

<b>Item Number:</b>	<b>File Number:</b>	<b>Part:</b>
C2		Councillors

**Subject:**

Declaration of Interests - Cr WA Honor

**Pursuant to section 150EQ of the *Local Government Act 2009*, Cr Honor advised that he has a declarable conflict of interest in Item G5 of today's agenda as he has family members who work for Council and will therefore leave the meeting while the item is discussed and voted on.**



## Minutes

26 July 2022

<b>Item Number:</b> C3	<b>File Number:</b>	<b>Part:</b> Councillors
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**Subject:**

Declaration of Interests - Cr JD Learmonth

**Pursuant to section 150EQ of the *Local Government Act 2009*, Cr Learmonth advised that he has a declarable conflict of interest in Item K1 of today's agenda as the owners of the company are Wayne and Judy Honor, and Wayne Honor's daughter is married to Cr Learmonth's nephew - and will therefore leave the meeting while the item is discussed and voted on.**



## Minutes

26 July 2022

<b>Item Number:</b>	<b>File Number:</b>	<b>Part:</b>
C4		Councillors

**Subject:**

Declaration of Interests - Cr MBE Mitchell

**Pursuant to section 150EQ of the *Local Government Act 2009*, Cr Mitchell advised that she has a declarable conflict of interest in Item G5 of today's agenda as her husband, Dale Mitchell is an employee of Council - and will therefore leave the meeting while the item is discussed and voted on.**



## Minutes

26 July 2022

<b>Item Number:</b> C5	<b>File Number:</b>	<b>Part:</b> Councillors
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**Subject:**

Declaration of Interests - Cr SA Cooper

**Pursuant to section 150EQ of the *Local Government Act 2009*, Cr Cooper advised that he has a declarable conflict of interest in Item K1 of today's agenda as someone could reasonably think in making a decision, either way, that he may be biased due to the working relationship with Cr Honor - and will therefore leave the meeting while the item is discussed and voted on.**



## Minutes

26 July 2022


<b>Item Number:</b> C6	<b>File Number:</b>	<b>Part:</b> Councillors
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**Subject:**

Declaration of Interests - Cr VJ Habermann

**Pursuant to section 150EQ of the *Local Government Act 2009*, Cr Habermann advised that he has a declarable conflict of interest in Item K1 of today's agenda as someone could reasonably assume in making a decision, either way, that he may be biased due to the long-term working relationship with Cr Honor - and will therefore leave the meeting while the item is discussed and voted on.**



 <b>BUNDABERG</b> REGIONAL COUNCIL	<b>Minutes</b>	<b>26 July 2022</b>
<b>Item Number:</b> C7	<b>File Number:</b>	<b>Part:</b> Councillors

**Subject:**

Declaration of Interests - Cr TM McPhee

**Pursuant to section 150EQ of the *Local Government Act 2009*, Cr McPhee advised that she has a declarable conflict of interest in Item G3 of today's agenda as the lease involves a hospitality business and she also owns and operates a hospitality business - and will therefore leave the meeting while the item is discussed and voted on.**



## Minutes

26 July 2022

<b>Item Number:</b> D1	<b>File Number:</b>	<b>Part:</b> OFFICE OF THE MAYOR AND CEO
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**Portfolio:**

Executive Services

**Subject:**

Petition - Re-open Gin Gin Visitors Information Centre in Existing Building

**2954**

**Resolution**

Cr JM Dempsey moved:-

**That the petition be received and noted.**

Seconded by Cr WA Honor.

The motion was put - and carried unanimously.



## Minutes

26 July 2022

<b>Item Number:</b> F1	<b>File Number:</b>	<b>Part:</b> FINANCIAL SERVICES
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**Portfolio:**

Organisational Services

**Subject:**

Financial Summary as at 30 June 2022

2955

**Resolution**

Cr SA Cooper presented the report; and moved:-

**That the Financial Summary as at 30 June 2022 be noted by Council.**

Seconded by Cr VJ Habermann.

The motion was put - and carried unanimously.



## Minutes

26 July 2022

**Item Number:**

G1

**File Number:****Part:**

CORPORATE SERVICES

**Portfolio:**

Organisational Services

**Subject:**

Specialised Supplier Arrangement - LG Software Solutions (Pulse Software)

2956

**Resolution**

Cr SA Cooper presented the report; and moved:-

**That:**

- 1. Council enters into an arrangement with LG Software Solutions Pty Ltd for the provision of Pulse Software without seeking competitive quotations or tenders pursuant to Section 235(b) of the *Local Government Regulation 2012*; and**
- 2. this arrangement be in place for the period 1 August 2022 to 31 July 2023.**

Seconded by Cr TM McPhee.

The motion was put - and carried unanimously.



## Minutes

26 July 2022

**Item Number:**

G2

**File Number:**

**Part:**

CORPORATE SERVICES

**Portfolio:**

Organisational Services

**Subject:**

2021/2022 Operational Plan - Quarter 4

2957

**Resolution**

Cr SA Cooper presented the report; and moved:-

**That the 2021/2022 Operational Plan Quarter 4 review be received and noted.**

Seconded by Cr WR Trevor.

The motion was put - and carried unanimously.



## Minutes

26 July 2022

**Item Number:**

G3

**File Number:**

**Part:**

CORPORATE SERVICES

**Portfolio:**

Organisational Services

**Subject:**

Lease Renewal - Bartolo

Cr McPhee left the meeting, the time being 10.22 am.

**2958**

**Resolution**

Cr SA Cooper presented the report; and moved:-

**That:-**

- 1. Council apply the exception contained in section 236(1)(c)(iii) of the *Local Government Regulation 2012*; and**
- 2. the Chief Executive Officer be authorised to enter into a lease with Roger Bartolo for lease area D, being part of Lot 106 on CP880945, for a term of 5 years.**

Seconded by Cr VJ Habermann.

The motion was put - and carried unanimously.

Cr McPhee returned to the meeting, the time being 10.23 am.



## Minutes

26 July 2022

**Item Number:**

G4

**File Number:****Part:**

CORPORATE SERVICES

**Portfolio:**

Organisational Services

**Subject:**

Show Holiday Nomination for 2023

2959

**Resolution**

Cr SA Cooper presented the report; and moved:-

**That application be made to the Office of Industrial Relations for gazettal of Show Holidays for the Bundaberg Region, based on postcode basis, ie:**

- 4660 and 4670 – Thursday 1 June 2023; and
- 4671 – Monday 7 August 2023 (Monday prior to People’s Day for the Brisbane Exhibition).

**Further, that Council Offices and Depots located in postcodes 4660, 4670 and 4671 be closed on Thursday, 1 June 2023, and all Council employees in those locations have this day as their allocated Show Day Holiday.**

Seconded by Cr TM McLoughlin.

The motion was put - and carried unanimously.



## Minutes

26 July 2022

<b>Item Number:</b> G5	<b>File Number:</b>	<b>Part:</b> CORPORATE SERVICES
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**Portfolio:**

Organisational Services

**Subject:**

Christmas Closedown 2022

Crs Honor and Mitchell left the meeting, the time being 10.25 am.

**2960****Resolution**

Cr SA Cooper presented the report; and moved:-

That:-

- 1. Council's main administration office, service centres, libraries, arts centres and depots (and other administrative and depot areas as applicable) be closed for general business on the 3 working days over the Christmas/New Year period, namely Wednesday 28, Thursday 29 and Friday 30 December 2022, with offices and depots reopening on Tuesday 3 January 2023;**
- 2. Employees be offered the alternative of taking the subject 3 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 employees who will attend to critical business over this period.**

Seconded by Cr JD Learmonth.

The motion was put - and carried unanimously.

Cr Mitchell returned to the meeting, the time being 10.27 am.





## Minutes

26 July 2022

<b>Item Number:</b>	<b>File Number:</b>	<b>Part:</b>
K1	322.2015.43739.1	PLANNING

### Portfolio:

Planning & Development Services

### Subject:

Request for Extended Completion Date Building Bundaberg Region 2020 Incentives - DA322.2015.43739.1

Crs Habermann, Cooper and Learmonth left the meeting, the time being 10.27 am.

Note: Cr Honor remained out of the meeting from the previous item.

As there was no longer a quorum, the Mayor invited the Councillors who had left the meeting, to return to the Council Chambers.

Crs Honor, Habermann, Cooper and Learmonth returned to the meeting, at 10.28 am.

### Resolution:

Cr JM Dempsey moved a procedural motion:-

**That Council delegate authority to the Chief Executive Officer to determine item K1, being Request for Extended Completion Date Building Bundaberg Region 2020 Incentives – DA 322.2015.43739.1 pursuant to section 150EU and section 257 of the *Local Government Act 2009*.**

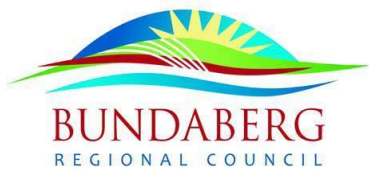
Cr Honor advised that he preferred to leave the meeting while the procedural motion was dealt with.

Cr Honor left the meeting at 10.32 am.

Seconded by Cr Habermann.

The procedural motion was put and carried unanimously.

Cr Honor returned to the meeting at 10.36 am.



## Minutes

26 July 2022

<b>Item Number:</b> V1	<b>File Number:</b>	<b>Part:</b> Meeting Close
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**Subject:**

Meeting Close

There being no further business – the Mayor declared this Ordinary Meeting closed at 10.37 am.

Confirmed on 23 August 2022.

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Mayor