



Ordinary Meeting Minutes

27 July 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

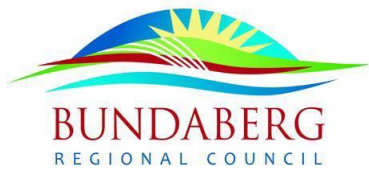
Leave of Absence:

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.



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27 July 2021

Item Number: B1	File Number:	Part: Minutes
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Subject:

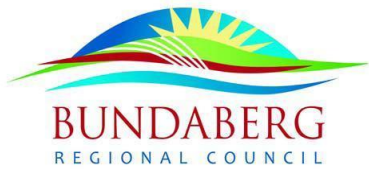
Confirmation of Minutes

Resolution

Cr JM Dempsey moved:-

That the minutes of the Special Budget meeting of Council held on 29 June 2021 and the Ordinary meeting of Council held on 29 June 2021 be taken as read and confirmed.

Seconded by Cr VJ Habermann - and carried unanimously.



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27 July 2021

Item Number:	File Number:	Part:
C1		Councillors

Subject:

Declaration of Conflict of Interest – Cr WA Honor

Pursuant to section 150EQ of the *Local Government Act 2009*, Cr Honor advised he has a declarable conflict of interest in item G2 of today's agenda as 3 of his family members (Dwayne, Rhiess and Merinda Honor) are employees of Council – and will leave the meeting while the item is discussed and voted on.



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27 July 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 G2 of today's agenda as her husband, Dale Mitchell, is an employee of Council – and will leave the meeting while the item is discussed and voted on.



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Item Number:	File Number:	Part:
C3		Councillors

Subject:

Declaration of Conflict of Interest – Cr GR Barnes

Pursuant to section 150EQ of the *Local Government Act 2009*, Cr Barnes advised, “I have a declarable conflict of interest in the matter G4 Delegations Register Review – the nature of the declarable conflict of interest arises from an administrative complaint lodged by me following the decision to deny me access to a copy of a ratepayer funded report to Council. As difficult as this process has been, it is consistent with the values and transparency that the community should expect from any elected representative. I can advise that the legal advice provided to me has confirmed that I have no personal gain or pecuniary declarable interest involved in this agenda item and this remains by personal belief. Notwithstanding this, I intend to leave the meeting while the matter is considered and voted on being mindful of the relentless and ongoing complaints and intimidation that I’ve experience over the past three years and the resulting impacts on my health and especially that of my wife.”



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

Portfolio:

Executive Services

Subject:

Memorandum of Understanding with Luganville Municipal Council (Vanuatu); and Sister City Advisory Committee (SCAC)

2772

Resolution

Cr JM Dempsey presented the report; and moved:-

That the Mayor be authorised to enter into a Memorandum of Understanding with Luganville Municipal Council (Vanuatu) and Bundaberg Regional Council (Australia).

Seconded by Cr VJ Habermann.

The motion was put - and carried unanimously.



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27 July 2021

Item Number: E2	File Number:	Part: STRATEGIC PROJECTS & ECONOMIC DEVELOPMENT
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Portfolio:

Executive Services

Subject:

Specialised Supplier Arrangement - Reducing Urban Glow Project - Ongoing Equipment Supply, Project Maintenance and Technical Support

2773

Resolution

Cr SA Cooper presented the report; and moved:-

That:

- a. Council enter into an arrangement with Schreder Australia Pty Ltd (ACN 604 331 937), Pendoley Environmental Pty Ltd (ACN 077 376 802), and Comlight AS (VAT Registration Number NO990864462 being an international supplier from Norway) for the supply of ongoing equipment supply, project maintenance and technical support for works delivered under the Reducing Urban Glow Project 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 of August 2021 to June 2023.

Seconded by Cr TM McLoughlin.

The motion was put - and carried unanimously.



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27 July 2021

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

Organisational Services

Subject:

Financial Summary as at 30 June 2021

2774

Resolution

Cr SA Cooper presented the report; and moved:-

That the Financial Summary as at 30 June 2021 be noted by Council.

Seconded by Cr GR Barnes.

The motion was put - and carried unanimously.



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27 July 2021

Item Number:

G1

File Number:**Part:**

GOVERNANCE

Portfolio:

Organisational Services

Subject:

Show Holiday Nomination for 2022

2775

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 26 May 2022; and**
- **4671 – Monday 8 August 2022 (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 26 May 2022; and all Council employees in those locations have this day as their allocated Show Day Holiday.

Seconded by Cr MBE Mitchell.

The motion was put - and carried unanimously.



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

Organisational Services

Subject:

Christmas Closedown 2021

Cr WA Honor and Cr MBE Mitchell left the meeting, the time being 10.20 am.

2776

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 29, Thursday 30 and Friday 31 December 2021, with offices and depots reopening on Tuesday 4 January 2022;**
- 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 officers who will attend to critical business over this period.**

Seconded by Cr JP Bartels.

The motion was put - and carried unanimously.

Cr WA Honor and Cr MBE Mitchell returned to the meeting, the time being 10.21 am.



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27 July 2021

Item Number:

G3

File Number:

Part:

GOVERNANCE

Portfolio:

Organisational Services

Subject:

2020/2021 Operational Plan - Quarter 4

2777

Resolution

Cr SA Cooper presented the report; and moved:-

That the 2020/21 Operational Plan – Quarter 4 be received and noted.

Seconded by Cr WA Honor.

The motion was put - and carried unanimously.



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27 July 2021

Item Number:	File Number:	Part:
G4	.	GOVERNANCE

Portfolio:

Organisational Services

Subject:

Delegations Register Review

Cr GR Barnes left the meeting, the time being 10.23 am.

With the permission of the chair, the item was moved in two parts.

2778

Resolution

Cr SA Cooper presented the report; and moved:-

Pursuant to section 257(1)(a) of the *Local Government Act 2009*, the Register of Delegations – Mayor, version 2, be adopted by Council with the inclusion of a condition on delegation number 1 and 2 to provide “Council to be briefed within 2 months after an exercise of this delegation.

Seconded by Cr TM McPhee.

The motion was put - and carried unanimously.

2779

Resolution

Cr SA Cooper presented the report; and moved:-

Pursuant to section 257(1)(b) of the *Local Government Act 2009*, the “Register of Delegations – Council to the Chief Executive Officer” be varied to reflect the new and changed powers as outlined in the report and the table as appended to the report.

Seconded by Cr TM McLoughlin.

The motion was put - and carried unanimously.

Cr GR Barnes returned to the meeting, the time being 10.29 am.



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27 July 2021

Item Number: G5	File Number: .	Part: GOVERNANCE
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Portfolio:

Organisational Services

Subject:

Specialised Supplier Arrangement with Assetic Pty Ltd for continuation of the Assetic Annual Service Agreement

2780**Resolution**

Cr SA Cooper presented the report; and moved:-

That:

- a) **Council enter into an arrangement with Assetic Pty Ltd for the provision of Assetic MyData, Asset myValuer, Assetic SMP, Assetic Fleet and Predictor 5 without first inviting written quotes pursuant to Section 235(b) of the *Local Government Regulations 2012*; and**
- b) **this arrangement be made for a period of one-year commencing 1 July 2021 to 30 June 2022.**

Seconded by Cr WA Honor.

The motion was put - and carried unanimously.



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27 July 2021

Item Number: G6	File Number:	Part: GOVERNANCE
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Portfolio:

Organisational Services

Subject:

Sale of Lot 33 on SP210113 - Heritage Oaks Estate, Childers

2781

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 33 on SP210113; 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 JD Learmonth.

The motion was put - and carried unanimously.



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27 July 2021

Item Number:

G7

File Number:

Part:

GOVERNANCE

Portfolio:

Organisational Services

Subject:

Sale of Lot 2 on SP298190 - Buxton Road, Isis River

2782

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 2 on SP298190; 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 Property.

Seconded by Cr TM McPhee.

The motion was put - and carried unanimously.



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27 July 2021

Item Number:	File Number:	Part:
K1	321.2013.37116.1	PLANNING

Portfolio:

Planning & Development Services

Subject:

Proposed Acquisition of part of Mountney Street Park by Spring Lakes Resorts Pty Ltd

2783

Resolution

Cr JM Dempsey presented the report; and moved:-

That Spring Lakes Resort Pty Ltd be advised that Council is supportive of the proposal to acquire part of the Mountney Street Park as shown on plan GC19-401-PARK 1, subject to the following conditions:

1. The Developer is responsible for all necessary approvals and permits related to the proposal as well as any costs associated with these.
2. Council be compensated for the loss of infrastructure contributions credited to the amount of \$76,000. Such amount to be paid to Council for trunk infrastructure or spent on embellishments to the park in accordance with a plan approved by Council. Such commitment must be secured by way of an infrastructure agreement to be prepared by the proponent; and
3. The Developer undertakes community consultation satisfactory to Council about the proposal before any formal agreement is made.

Seconded by Cr VJ Habermann.

The motion was put - and carried unanimously.



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27 July 2021

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

Portfolio:

Community & Environment

Subject:

Lease BF - Part of Lot 35 on SP254546 - Lake Ibis Pty Limited

2784

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 (Qld)*; and
2. the Chief Executive Officer be authorised to enter into a five (5) year Lease with a five (5) year option to Lake Ibis Pty Limited ACN 010 651 760 for aviation hangar site BF located on Lot 35 on SP254546 at Bundaberg Regional Airport.

Seconded by Cr WA Honor.

The motion was put - and carried unanimously.



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27 July 2021

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

Portfolio:

Community & Environment

Subject:

Lease AH - Part of Lot 35 on SP254546 - Robinson, Robinson, Peterson and Peterson

2785

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 (Qld)*; and**
- 2. the Chief Executive Officer be authorised to enter into a five (5) year Lease with a five (5) year option to Adrian Lionel Robinson, Lynette Anne Robinson, Kenneth Ian Peterson and Sharlene Naree Peterson for aviation hangar site AH located on Lot 35 on SP254546 at Bundaberg Regional Airport.**

Seconded by Cr GR Barnes.

The motion was put - and carried unanimously.



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27 July 2021

Item Number:	File Number:	Part:
Q1	.	ENVIRONMENT & NATURAL RESOURCES

Portfolio:

Community & Environment

Subject:

2021-2023 Bundaberg Regional Council Surveillance Program for Prohibited Matter and Restricted Matter under the Biosecurity Act 2014

2786

Resolution

Cr WA Honor presented the report; and moved:-

That Council approves the 2021-2023 Bundaberg Regional Council Surveillance Program for Prohibited Matter and Restricted Matter in accordance with section 235 of the *Biosecurity Act 2014*.

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 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 Proposed purchase - Lot 1 on RP14530

Seconded by Cr GR Barnes - and carried unanimously.

Meeting closed to the public and the livestream suspended at 10.47 am.

Resolution

Cr JM Dempsey moved:-

That the meeting now be reopened to the public.

Seconded by Cr WA Honor - and carried unanimously.

The meeting reopened to the public at 10.52 am.



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27 July 2021

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

Organisational Services

Subject:

Proposed purchase - Lot 1 on RP14530

Confidential Reason:

Local Government Regulation 2012 Section 254J(3)(g) Negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government.

2787

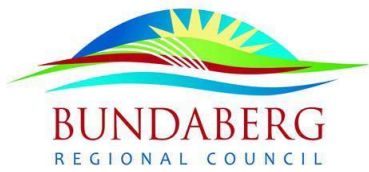
Resolution

Cr JM Dempsey presented the report; and moved:-

That the Chief Executive Officer be authorised to negotiate and enter into a Contract of Sale with the Seller for the purchase of Lot 1 on RP14530.

Seconded by Cr WR Trevor.

The motion was put - and carried unanimously.



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27 July 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 10.53 am.

Confirmed on 31 August 2021.

Mayor