



Ordinary Meeting Minutes

27 October 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

Moved by Cr Dempsey, seconded by Cr Habermann, That Cr Barnes' attendance by phone be accepted. Carried unanimously.

Leave of Absence: Nil

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
Mr M Ellery, Group Manager Development
Mrs C Large, Chief Legal 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

27 October 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 29 September 2020 be taken as read and confirmed.

Seconded by Cr WR Trevor - and carried unanimously.



Minutes

27 October 2020

Item Number:	File Number:	Part:
C1		COUNCILLORS

Subject:

Declaration of Conflict of Interests – Cr WR Trevor

Pursuant to section 150EQ of the *Local Government Act 2009*, Cr Trevor declared a conflict of interest in item G5 of today's agenda as prior to being elected in 2016, his family trust - of which his wife Gayle and himself are beneficiaries - had a previous business relationship with the company of the proposed purchaser of land and will leave the meeting while this item is discussed and voted on. This interest ceased prior to 2016.



Minutes

27 October 2020

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

Executive Services

Subject:

Public Notice of Meetings 2021

2621

Resolution

Cr JM Dempsey presented the report; and moved:-

That:

- the first Ordinary meeting of Council for 2021 be held on 27 January 2021, commencing at 10.00 am, and thereafter generally on the last Tuesday of each calendar month;
- Council Briefing meetings be held generally on the Wednesday preceding the Ordinary meeting of Council, commencing at 9.00 am; and
- due to COVID-19, it be noted that the venue for meetings will be advised on Council's website early in 2021.

Seconded by Cr VJ Habermann.

The motion was put - and carried unanimously.



Minutes

27 October 2020

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

Executive Services

Subject:

Bundaberg Regional Art Gallery Redevelopment Business Case

2622

Resolution

Cr JM Dempsey presented the report; and moved:-

That Council:

- **has budgeted its financial contribution to the Art Gallery Business Case;**
- **is committed to delivering the Art Gallery Business Case; and**
- **acknowledges it retains responsibility for any funding shortfalls if costs change.**

Seconded by Cr JD Learmonth.

The motion was put - and carried unanimously.



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27 October 2020

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

Organisational Services

Subject:

Final Management Report for 2020 Financial Audit

2623

Resolution

Cr SA Cooper presented the report; and moved:-

That the Final Management Report for the 2020 Financial Audit, be noted by Council.

Seconded by Cr TM McPhee.

The motion was put - and carried unanimously.



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27 October 2020

Item Number:

F2

File Number:

Part:

FINANCE

Portfolio:

Organisational Services

Subject:

Financial Summary as at 1 October 2020

2624

Resolution

Cr SA Cooper presented the report; and moved:-

That the Financial Summary as at 1 October 2020 be noted by Council.

Seconded by Cr WA Honor.

The motion was put - and carried unanimously.



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27 October 2020

Item Number:

G1

File Number:

Part:

GOVERNANCE

Portfolio:

Organisational Services

Subject:

Audit and Risk Management Committee Minutes

2625

Resolution

Cr SA Cooper presented the report; and moved:-

That the minutes of the Audit and Risk Committee meeting held on 3 September 2020 be received and noted.

Seconded by Cr MBE Mitchell.

The motion was put - and carried unanimously.



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27 October 2020

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

Organisational Services

Subject:

Annual Report 2019/20

2626

Resolution

Cr SA Cooper presented the report; and moved:-

That the 2019/20 Annual Report be adopted.

Seconded by Cr WR Trevor.

The motion was put - and carried unanimously.



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27 October 2020

Item Number:

G3

File Number:

Part:

GOVERNANCE

Portfolio:

Organisational Services

Subject:

2020/21 Operational Plan - Quarter One

2627

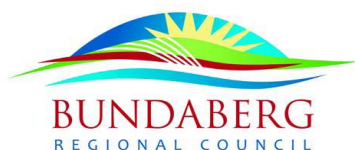
Resolution

Cr SA Cooper presented the report; and moved:-

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

Seconded by Cr WA Honor.

The motion was put - and carried unanimously.



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27 October 2020

Item Number: G4	File Number: .	Part: GOVERNANCE
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Portfolio:

Organisational Services

Subject:

Council Policy Review

2628

Resolution

Cr SA Cooper presented the report; and moved:-

That Council:**1. Rescind the following policies:**

- **Administrative Action Complaints Policy, version 2;**
- **Councillor Code of Conduct Policy, version 1.1;**
- **Competitive Neutrality Complaints Policy, version 1;**
- **Councillor Complaints Investigation Policy, version 2;**
- **Fraud and Corruption Management Policy, version 3;**
- **Gifts and Benefits Policy, version 2;**
- **Public Interest Disclosure Policy, version 4;**
- **Standing Orders for Council Meetings Policy, version 1.**

2. Adopt the following policies:

- **Complaints Management Policy, version 1;**
- **Contact with Lobbyists Policy, version 1;**
- **Councillor Code of Conduct Policy, version 2;**
- **Councillor Complaints Investigation Policy, version 3;**
- **Delegations Policy, version 1.**
- **Gifts and Benefits Policy, version 3.**
- **Standing Orders for Council Meetings Policy, version 2.**

Seconded by Cr JP Bartels.

The motion was put - and carried unanimously.



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27 October 2020

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

Organisational Services

Subject:

Sale of Lot 25 on SP210113

Cr WR Trevor left the meeting, the time being 10.19 am

2629**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 25 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 property.**

Seconded by Cr VJ Habermann.

The motion was put - and carried unanimously.

Cr WR Trevor returned to the meeting, the time being 10.21 am



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27 October 2020

Item Number:

G6

File Number:

Part:

GOVERNANCE

Portfolio:

Organisational Services

Subject:

Sale of Lot 6 on SP205671

2630

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 6 on SP205671; 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 October 2020

Item Number: G7	File Number:	Part: GOVERNANCE
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Portfolio:

Organisational Services

Subject:

Sale of Lot 40 on SP205671

2631

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 40 on SP 205671; 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 JD Learmonth.

The motion was put - and carried unanimously.



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27 October 2020

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

Portfolio:

Community & Environment

Subject:

Lease to the Commonwealth of Australia (rep by Geoscience Australia) for part of Lot 35 on SP254546

2632

Resolution

Cr TM McPhee presented the report; and moved:-

That :

- 1. Council apply the exception contained in section 236(1)(b)(i) of the *Local Government Regulation 2012 (Qld)*; and**
- 2. the Chief Executive Officer be authorised to enter into a 10 year Lease to Commonwealth of Australia represented by Geoscience Australia ABN 80 091 799 039 for part of Lot 35 on SP254546.**

Seconded by Cr SA Cooper.

The motion was put - and carried unanimously.



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27 October 2020

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

Portfolio:

Community & Environment

Subject:

Extension of Term of rent relief to Airport tenants

2633

Resolution

Cr TM McPhee presented the report; and moved:-

That Council waive payments in respect of:

- **Airport Café Lease; and**
- **Advertising Licences for sites within the Airport building**

- from 1 October 2020 to 31 December 2020.

Seconded by Cr MBE Mitchell.

The motion was put - and carried unanimously.

The Mayor advised at this stage, pursuant to Section 254J of the “Local Government Regulation 2012”, the meeting would be closed to the public to discuss the following 2 items which are considered confidential in accordance with Section 254J.

Resolution

Cr JM Dempsey moved:-

That the meeting be closed to the public – and discussion on the following 2 items be held in Committee:

T1 Request for Infrastructure Charges Relief – DA 322.2014.41554.1

T2 Request for Infrastructure Charges Relief – ICN 331.2020.1203.1

Seconded by Cr TM McPhee - and carried unanimously.

Meeting closed to the public via livestream at 10.29 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 via livestream at 10.38 am



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Item Number:	File Number:	Part:
T1	322.2014.41554.1	CONFIDENTIAL

Portfolio:

Planning & Development Services

Subject:

Request for Infrastructure Charges Relief – DA 322.2014.41554.1

Confidential Reason:

Local Government Regulation 2012 Section 254J(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.

2634

Resolution

Cr JM Dempsey moved:-

That the owner of Lot 90 on RP156179 be advised that Council does not agree to reduce or waive the infrastructure charges payable for Development Approval 322.2014.41554.1.

Seconded by Cr TM McLoughlin.

The motion was put - and carried unanimously.



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27 October 2020

Item Number:	File Number:	Part:
T2	331.2020.1203.1	CONFIDENTIAL

Portfolio:

Planning & Development Services

Subject:

Request for Infrastructure Charges Relief – ICN 331.2020.1203.1

Confidential Reason:

Local Government Regulation 2012 Section 254J(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.

2635

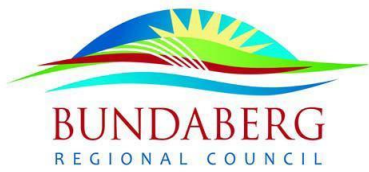
Resolution

Cr JM Dempsey moved:-

That Council advise the owner of Lot 3 on SP220648 that it agrees to waive the infrastructure charges payable pursuant to Charges Notice ICN 331.2020.1203.1.

Seconded by Cr VJ Habermann.

The motion was put - and carried unanimously.



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27 October 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 10.43 am.

Confirmed on 24 November 2020.

Mayor