

Ordinary Meeting Minutes

29 April 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

Leave of Absence: Nil

Officers:

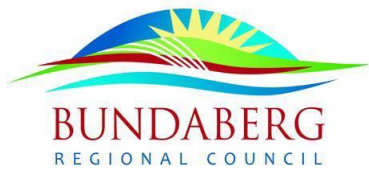
Mr SD Johnston, Chief Executive Officer
Mr SJ Randle, General Manager Infrastructure
Mr GJ Steele, General Manager Community & Environment
Mrs AK Pafumi, General Manager Organisational Services
Mr B Artup, Executive Director Strategic Projects and Economic Development
Mr M Gorey, Executive Officer Communications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

Vale – Allan Stewart

The Mayor offered condolences to the family of the late Allan Stewart, who was a former Mayor of Bundaberg City Council, having served two terms before retiring to the Sunshine Coast with his wife, Margaret.



Minutes

29 April 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 24 March 2020 and the Statutory Post Election Meeting of Council held on 15 April 2020 be taken as read and confirmed.

Seconded by Cr T McPhee - and carried unanimously.



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29 April 2020

Item Number: C1	File Number: .	Part: COUNCILLORS
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Portfolio:

Councillors

Subject:

Declaration of Conflict/Material Personal Interests

Pursuant to section 175E of the *Local Government Act 2009*, Cr McPhee declared a real conflict of interest in item C1 of today's agenda advising she was approached by CBD business owners to pen a petition prior to being elected to Council – and that she would leave the meeting while the petition was being considered.



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29 April 2020

Item Number:	File Number:	Part:
C2		General Business

Subject:

Declaration of Conflict/Material Personal Interests

Cr Honor declared a possible conflict of interest in item C2 of today's agenda as he has a mining exploration permit on part of his land – but believed he could stay and vote on the matter.

Resolution

Cr JM Dempsey moved:-

That the remaining Councillors determined that Cr WA Honor does not have a conflict of interest in item C2 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.

Seconded by Cr JP Bartels - and carried unanimously.



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29 April 2020

Item Number: C3	File Number: .	Part: Councillors
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Portfolio:

Councillors

Notice of Motion:

Cr Jason Bartels - Mineral Development Licence Applications Bundaberg Region

2491

Resolution

Cr JP Bartels moved:-

That Bundaberg Regional Council advocate to oppose Mineral Development Licence Application MDLA 3040 and any potential coal mining activity in parts of the Bundaberg Region that have high-value agriculture or tourism and environmental sensitivity.

Seconded by Cr VJ Habermann - and carried unanimously.



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29 April 2020

Item Number:	File Number:	Part:
D1	A5089556 A5089562	EXECUTIVE SERVICES

Portfolio:

Executive Services

Subject:

Petition - CBD Businesses of Bundaberg - Parking

Cr McPhee left the meeting, the time being 10.11 am.

2492

Resolution

Cr JM Dempsey moved:-

That the petition be received and noted.

Seconded by Cr WA Honor.

The motion was put - and carried unanimously.

Cr McPhee returned to the meeting, the time being 10.12 am.



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29 April 2020

Item Number: D2	File Number: .	Part: EXECUTIVE SERVICES
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Portfolio:

Executive Services

Subject:

Establishment of Portfolios and Appointment of Spokespersons

2493

Resolution

Cr JM Dempsey moved:

That the order of business be amended, and late item D2 – Establishment of Council Portfolios and Appointment of Spokespersons – be the next item for consideration.

Seconded by Cr Barnes – and carried unanimously.

Cr JM Dempsey advised that item D2 would be moved in two parts.

2494

Resolution**Part 1**

Cr JM Dempsey moved:

That the following Councillor portfolios be established:

- Economic Development
- Organisational Services
- Water & Wastewater
- Roads & Drainage
- Parks & Gardens
- Waste & Recycling
- Sport & Recreation
- Community Services
- Airport, COVID-19 Recovery & Disaster Management
- Health, Compliance & Enforcement
- Arts, Culture & Events

Seconded by Cr GR Barnes.

The motion was put and carried.

For

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

Against

Cr T McPhee

2495

Resolution

Cr Barnes moved the following motion:

I give notice that at the next Ordinary meeting of Council a report be provided to outline the role of a Planning & Development Committee including the identity of three elected members of Council and that they be appointed at that meeting.

Seconded by – Cr Mitchell

Cr Honor foreshadowed that should the motion of Cr Barnes fail, he will move an alternate motion.

Cr Barnes' motion was put to the vote and carried.

For

Cr JP Bartels
Cr T McPhee
Cr GR Barnes
Cr T McLoughlin
Cr VJ Habermann
Cr SA Cooper
Cr MBE Mitchell
Cr JD Learmonth

Against

Cr WR Trevor
Cr WA Honor
Cr JM Dempsey

2496

Resolution

Part 2

Cr JM Dempsey moved :-

That Councillors be allocated the following portfolios:

- Economic Development, Mayor JM Dempsey
- Organisational Services, Cr SA Cooper
- Water & Wastewater, Cr JP Bartels
- Roads & Drainage, Cr WR Trevor
- Parks & Gardens, Cr WA Honor
- Waste & Recycling, Cr TM McLoughlin
- Sport & Recreation, Cr VJ Habermann
- Community Services, Cr TM McPhee
- Airport, COVID-19 Recovery & Disaster Management, Cr GR Barnes
- Health, Compliance & Enforcement, Cr MBE Mitchell
- Arts, Culture & Events, Cr JD Learmonth

Seconded by Cr SA Cooper.

The motion was put - and carried unanimously.



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29 April 2020

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

Organisational Services

Subject:

Financial Summary as at 2 April 2020

2497

Resolution

Cr JM Dempsey presented the report; and moved:-

That the financial summary at 2 April 2020 be noted by Council.

Seconded by Cr SA Cooper.

The motion was put - and carried unanimously.



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29 April 2020

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

Organisational Services

Subject:

Council Policy Review

2498

Resolution

Cr SA Cooper presented the report; and moved:-

That Council endorse the following policies:

- **Councillor Code of Conduct Policy (CP-3-012), version 1.1; and**
- **Standing Orders for Council Meetings Policy (CP-3-016), version 1.**

Seconded by Cr WA Honor.

The motion was put - and carried unanimously.



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29 April 2020

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

Organisational Services

Subject:

2019/2020 3rd Quarter Operational Plan Review

2499

Resolution

Cr SA Cooper presented the report; and moved:-

That the 2019/2020 3rd Quarter Operational Plan be received and noted.

Seconded by Cr JP Bartels.

The motion was put - and carried unanimously.



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29 April 2020

Item Number:

G3

File Number:

Part:

GOVERNANCE

Portfolio:

Organisational Services

Subject:

Pay As You Go (PAYG) and Superannuation

Cr Cooper advised that he intends to move the motion in two parts.

Part 1

2500

Resolution

Cr SA Cooper presented the report; and moved:-

That Council offer a contributory superannuation arrangement to its Councillors and that, under section 226 of the *Local Government Act 2009*, Council take part in the Local Government Superannuation Scheme;

Seconded by Cr JP Bartels.

The motion was put - and carried unanimously.

Part 2

2501

Resolution

Cr SA Cooper presented the report; and moved:-

That Council determine under Section 446-5 of Schedule 1 of the *Taxation Administration Act (TAA) 1953* to not be treated as PAYG taxpayers.

Seconded by Cr WR Trevor.

The motion was put - and carried.

For

Cr JP Bartels
Cr WR Trevor
Cr T McPhee
Cr GR Barnes
Cr T McLoughlin
Cr SA Cooper
Cr JD Learmonth

Against

Cr WA Honor
Cr VJ Habermann
Cr MBE Mitchell
Cr JM Dempsey

The Mayor advised at this stage, pursuant to Section 275 of the “Local Government Regulation 2012”, the meeting would be closed to the public to discuss the following 8 items which are considered confidential in accordance with Section 275.

Resolution

Cr JM Dempsey moved:-

That the meeting be closed to the public – and discussion on the following 8 items be held in Committee:

- T1 Specialised Supplier – Airport Car Park – Skidata Australasia**
- T2 Specialised Supplier Arrangement with Superior Pak Pty Ltd for Maintenance and Repairs to Council's Refuse Truck Compactor Bodies**
- T3 Unpaid Rates - Lot 2 on RP847129**
- T4 Sale of 13 Wallum Street, Woodgate (Lot 16 on SP205671)**
- T5 Sale of 5 Kinkuna Drive, Woodgate (Lot 53 on SP205671)**
- T6 Lot 1 on SP120772 - Renewal of Lease to State of Queensland (Represented by Public Safety Business Agency)**
- T7 Financial Sustainability and COVID-19**
- T8 Audit and Risk Committee - Appointment of Committee Members**

Seconded by Cr WA Honor - and carried unanimously.

Meeting closed to the public 10.48 am.

Resolution

Cr JM Dempsey moved:-

That the meeting now be reopened to the public via live stream – the time being 10.59 am.

Seconded by Cr WR Trevor - and carried unanimously.



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29 April 2020

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

Community & Environment

Subject:

Specialised Supplier – Airport Car Park – Skidata Australasia

Confidential Reason:

Local Government Regulation 2012 Section 275(e) contracts proposed to be made by it.

2502

Resolution

Cr GR Barnes moved:-

That:

- a) **Council enter into an arrangement with Skidata Australia for the provision of Skidata car park components 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 1 February 2020 – 29 January 2022 (2 years).**

Seconded by Cr VJ Habermann.

The motion was put - and carried unanimously.



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29 April 2020

Item Number: T2	File Number: .	Part: CONFIDENTIAL
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Portfolio:

Planning & Development Services

Subject:

Specialised Supplier Arrangement with Superior Pak Pty Ltd for Maintenance and Repairs to Council's Refuse Truck Compactor Bodies

Confidential Reason:

Local Government Regulation 2012 Section 275(e) contracts proposed to be made by it.

2503

Resolution

Cr JM Dempsey moved:-

That:

- a. Council enter into an arrangement with Superior Pak Pty Ltd for the supply of maintenance and repair services to Council's refuse truck compactor bodies 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 from April 2020 – March 2023.**

Seconded by Cr JD Learmonth.

The motion was put - and carried unanimously.



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29 April 2020

Item Number:	File Number:	Part:
T3	A3696937	CONFIDENTIAL

Portfolio:

Organisational Services

Subject:

Unpaid Rates - Lot 2 on RP847129

Confidential Reason:

Local Government Regulation 2012 Section 275(d) rating concessions.

2504**Resolution**

Cr JM Dempsey moved:-

That:

- a) as Moore Park Beach Bowls & Sports Club Inc has been liquidated, the debt is unrecoverable, and Council write off \$13,583.06 for rates and charges that were payable by Moore Park Beach Bowls & Sports Club Inc to 30 September 2019; and
- b) Council issue supplementary levies to Moore Park Beach Bowls Club Inc from 1 October 2019 onwards in accordance with the lease and valuation.

Seconded by Cr JP Bartels.

The motion was put - and carried unanimously.



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Item Number: T4	File Number: .	Part: CONFIDENTIAL
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Portfolio:

Organisational Services

Subject:

Sale of 13 Wallum Street, Woodgate (Lot 16 on SP205671)

Confidential Reason:

Local Government Regulation 2012 Section 275(e) contracts proposed to be made by it.

2505

Resolution

Cr JM Dempsey moved:-

That Council applies the exception contained in section 236(1)(a)(i) of the *Local Government Regulation 2012 (Qld)* to the disposal of 13 Wallum Street, Woodgate (Lot 16 on SP205671) and 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 WR Trevor.

The motion was put - and carried unanimously.



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29 April 2020

Item Number: T5	File Number: .	Part: CONFIDENTIAL
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Portfolio:

Organisational Services

Subject:

Sale of 5 Kinkuna Drive, Woodgate (Lot 53 on SP205671)

Confidential Reason:

Local Government Regulation 2012 Section 275(e) contracts proposed to be made by it.

2506**Resolution**

Cr JM Dempsey moved:-

That Council apply the exception contained in section 236(1)(a)(i) of the *Local Government Regulation 2012 (Qld)* to the disposal of Lot 53 on SP205671 and 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 GR Barnes.

The motion was put - and carried unanimously.



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29 April 2020

Item Number: T6	File Number: .	Part: CONFIDENTIAL
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Portfolio:

Organisational Services

Subject:

Lot 1 on SP120772 - Renewal of Lease to State of Queensland (Represented by Public Safety Business Agency)

Confidential Reason:

Local Government Regulation 2012 Section 275(e) contracts proposed to be made by it.

2507

Resolution

Cr JM Dempsey moved:-

That:-

- 1. Council apply the exception contained in section 236(1)(b)(i) of the *Local Government Regulation 2012*; and**
- 2. the Chief Executive Officer be authorised to enter into a three year Sub-Lease to State of Queensland (Represented by Public Safety Business Agency) for part of the CBD Pavilion, known as Lot 1 on SP120772.**

Seconded by Cr WA Honor.

The motion was put - and carried unanimously.



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29 April 2020

Item Number: T7	File Number: .	Part: CONFIDENTIAL
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Portfolio:

Executive Services

Subject:

Financial Sustainability and COVID-19

Confidential Reason:

Local Government Regulation 2012 Section 275(c) the local governments budget.

2508

Resolution

Cr JM Dempsey moved:-

That the report be noted.

Seconded by Cr T McPhee.

The motion was put - and carried unanimously.



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29 April 2020

Item Number: T8	File Number: .	Part: CONFIDENTIAL
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Portfolio:

Organisational Services

Subject:

Audit and Risk Committee - Appointment of Committee Members

Confidential Reason:

Local Government Regulation 2012 Section 275(e) contracts proposed to be made by it.

2509

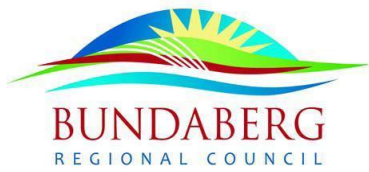
Resolution

Cr JM Dempsey moved:-

That Council delegate authority to the Chief Executive to select and appoint suitably qualified external, independent members to the Audit and Risk Committee, in accordance with the Audit and Risk Committee Charter.

Seconded by Cr SA Cooper.

The motion was put - and carried unanimously.



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29 April 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 11.05 am.

Confirmed on 26 May 2020.

Mayor