



## Ordinary Meeting Minutes

30 March 2021

10.00 am

Council Chambers, Bundaberg

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### **Present:**

Cr JM Dempsey (Mayor - Chairman)(via Teams), 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 (via Teams)  
Mr SJ Randle, General Manager Infrastructure  
Mr GJ Steele, General Manager Community & Environment  
Mrs AK Pafumi, General Manager Organisational Services (via Teams)  
Mr B Artup, Executive Director Strategic Projects and Economic Development (via Teams)  
Mr M Ellery, Group Manager 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.



## Minutes

30 March 2021

<b>Item Number:</b> B1	<b>File Number:</b>	<b>Part:</b> 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 22 February 2021 be taken as read and confirmed.**

Seconded by Cr VJ Habermann - and carried unanimously.



## Minutes

30 March 2021

<b>Item Number:</b>	<b>File Number:</b>	<b>Part:</b>
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 declarable conflict of interest in item O1 of today's agenda as he is a life member of Apex Childers. As item O1 pertains to Apex Bundaberg and Apex Childers is no longer active, Cr Trevor intends to stay and vote on the matter.

### Resolution

**The remaining eligible Councillors determined that Cr Trevor does not have a conflict of interest in item O1 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

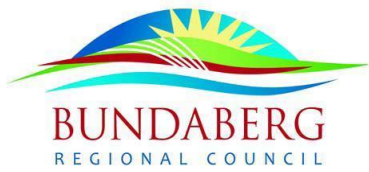
30 March 2021

<b>Item Number:</b>	<b>File Number:</b>	<b>Part:</b>
C2		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 K1 of today's agenda as he has an incomplete Open for Development contract – and will leave the meeting while the item is discussed and voted on.



## Minutes

30 March 2021

Item Number:	File Number:	Part:
C3		COUNCILLORS

### Subject:

Declaration of Conflict of Interest - Cr TM McPhee

Pursuant to section 150EQ of the *Local Government Act 2009*, Cr McPhee advised she has a declarable conflict of interest in item N1 of today's agenda as she has several food licences – but wished to stay and vote on the matter.

### Resolution

**The majority of the remaining eligible Councillors determined that Cr McPhee does not have a conflict of interest in item N1 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.**

#### **For**

Cr JP Bartels  
 Cr WR Trevor  
 Cr GR Barnes  
 Cr TM McLoughlin  
 Cr VJ Habermann  
 Cr SA Cooper  
 Cr JD Learmonth

#### **Against**

Cr WA Honor  
 Cr MBE Mitchell  
 Cr JM Dempsey



## Minutes

30 March 2021

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

**Subject:**

Declaration of Conflict of Interest - Cr JD Learmonth

Pursuant to section 150EQ of the *Local Government Act 2009*, Cr Learmonth advised he has a declarable conflict of interest in item K1 of today's agenda due to his previous ownership of property which may be affected by the subject development and the relationship with the current owner of said property - and will leave the meeting while the item is discussed and voted on.



## Minutes

30 March 2021

<b>Item Number:</b> D1	<b>File Number:</b>	<b>Part:</b> EXECUTIVE SERVICES
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**Portfolio:**

Executive Services

**Subject:**

Scripture Union - Chaplaincy Breakfast

**2698**

**Resolution**

Cr JM Dempsey presented the report; and moved:-

**That a donation of \$5,000 be made to Scripture Union Queensland towards the School Chaplaincy Service in Bundaberg.**

Seconded by Cr VJ Habermann.

The motion was put - and carried unanimously.



## Minutes

30 March 2021

<b>Item Number:</b> E1	<b>File Number:</b>	<b>Part:</b> STRATEGIC PROJECTS & ECONOMIC DEVELOPMENT
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**Portfolio:**

Executive Services

**Subject:**

Memorandum of Understanding between Bundaberg Regional Council and Queensland University of Technology

**2699**

**Resolution**

Cr JM Dempsey presented the report; and moved:-

**That Council enter into a Memorandum of Understanding with Queensland University of Technology.**

Seconded by Cr SA Cooper.

The motion was put - and carried unanimously.





## Minutes

30 March 2021

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

Organisational Services

**Subject:**

Financial Summary as at 1 March 2021

**2700**

**Resolution**

Cr SA Cooper presented the report; and moved:-

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

Seconded by Cr WA Honor.

The motion was put - and carried unanimously.



## Minutes

30 March 2021

<b>Item Number:</b> G1	<b>File Number:</b> .	<b>Part:</b> GOVERNANCE
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**Portfolio:**

Organisational Services

**Subject:**

Council Policy Review

2701

**Resolution**

Cr SA Cooper presented the report; and moved:-

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

- **Acceptable Requests Guidelines Policy, version 5;**
- **Councillor Code of Conduct, version 2;**
- **Media Relations Policy, version 2; and**
- **Related Party Disclosures Policy, version 1.**

**2. Adopt the following policies:**

- **Acceptable Requests Guidelines Policy, version 6;**
- **Media Relations Policy, version 3; and**
- **Related Party Disclosures Policy, version 2.**

Seconded by Cr WR Trevor.

The motion was put - and carried unanimously.



## Minutes

30 March 2021

<b>Item Number:</b> G2	<b>File Number:</b>	<b>Part:</b> GOVERNANCE
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**Portfolio:**

Organisational Services

**Subject:**

Audit and Risk Management Committee Minutes

2702

**Resolution**

Cr SA Cooper presented the report; and moved:-

**That the minutes of the Audit and Risk Committee meeting held on 7 October 2020 be received and noted.**

Seconded by Cr TM McPhee.

The motion was put - and carried unanimously.



## Minutes

30 March 2021

<b>Item Number:</b> G3	<b>File Number:</b>	<b>Part:</b> GOVERNANCE
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**Portfolio:**

Organisational Services

**Subject:**

Sale of Lots in Stage 1 &amp; Stage 2 at Kinkuna Waters Estate

2703

**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 Lots 31 and 32 on SP205671 and Lots 80, 77, 76, 74, 71, 70, 69, 64, 63 and 62 on SP227071; and
2. the Chief Executive Officer be authorised to enter into Contracts of Sale with the Buyers and attend to all items required to finalise the sale of the properties.

Seconded by Cr GR Barnes.

The motion was put - and carried unanimously.



## Minutes

30 March 2021

<b>Item Number:</b>	<b>File Number:</b>	<b>Part:</b>
G4	TEN/0610	GOVERNANCE

**Portfolio:**

Organisational Services

**Subject:**

Specialised Supplier - Cloud Services provider Amazon Web Services

2704

**Resolution**

Cr SA Cooper presented the report; and moved:-

**That:**

- a) Council enter into an arrangement with Amazon Web Services Inc for the provision of cloud hosted services without first inviting written quotes pursuant to Section 235(b) of the *Local Government Regulation 2012*; and
- b) this arrangement be made for a period of 5 years.

Seconded by Cr WA Honor.

The motion was put - and carried unanimously.



## Minutes

30 March 2021

**Item Number:**

H1

**File Number:**

**Part:**

INFRASTRUCTURE

**Portfolio:**

Infrastructure Services

**Subject:**

Renewal of Lease - Optus Mobile Pty Limited ACN 054 365 696 - Lot 4 on CP B158248

2705

**Resolution**

Cr WR Trevor 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 Optus Mobile Pty Limited for part of the land at Lot 4 on CP B158248.

Seconded by Cr MBE Mitchell.

The motion was put - and carried unanimously.



## Minutes

30 March 2021

**Item Number:**

H2

**File Number:**

**Part:**

INFRASTRUCTURE

**Portfolio:**

Infrastructure Services

**Subject:**

Renewal of Lease - Optus Mobile Pty Limited ACN 054 365 696 - Lot 12 on RP14483

**2706**

**Resolution**

Cr WR Trevor 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 Optus Mobile Pty Limited for part of the land at Lot 12 on RP14483.**

Seconded by Cr JP Bartels.

The motion was put - and carried unanimously.



## Minutes

30 March 2021

<b>Item Number:</b>	<b>File Number:</b>	<b>Part:</b>
K1	526.2018.68.1	PLANNING

### Portfolio:

Planning & Development Services

### Subject:

Request to vary terms of Bundaberg Open for Development Infrastructure Agreement – DA526.2018.68.1

Crs Honor & Learmonth left the meeting at 10.28 am.

**2707**

### Resolution

Cr JM Dempsey presented the report; and moved:-

**That the draft Bundaberg Open for Development Infrastructure Agreement relating to DA526.2018.68.1 be amended as requested by Janam Pty Ltd on 22 March 2021 as follows:**

- A. Amend the definition of Substantial Commencement to include the civil works necessary for DA521.2020.182.1;**
- B. The date for Substantial Commencement of the development in the draft IA be changed to 30 November 2021; and**
- C. Clarify that any Reduced Infrastructure Amount is only payable prior to the commencement of the use of the applicable stage.**

Seconded by Cr TM McPhee.

The motion was put - and carried unanimously.

Crs Honor & Learmonth returned to the meeting at 10.31 am.





## Minutes

30 March 2021

Item Number:	File Number:	Part:
N1	.	HEALTH & REGULATORY SERVICES

### Portfolio:

Community & Environment

### Subject:

“Think Food Safe” Food Hygiene Rating System

**2708**

### Resolution

Cr MBE Mitchell presented the report; and moved:-

**That Council endorse the implementation of Bundaberg Regional Council’s Food Hygiene rating system ‘Think Food Safe’.**

Seconded by Cr JD Learmonth.

The motion was put - and carried.

#### **For**

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

#### **Against**

Cr WA Honor



## Minutes

30 March 2021

<b>Item Number:</b> N2	<b>File Number:</b> .	<b>Part:</b> HEALTH & REGULATORY SERVICES
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**Portfolio:**

Community &amp; Environment

**Subject:**

Systematic Inspection Program - Dog Registration

2709

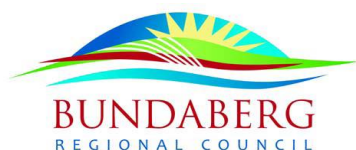
**Resolution**

Cr MBE Mitchell presented the report; and moved:-

1. That Council endorse a systematic inspection program for identifying unregistered dogs in the Council area, under the provisions of the *Local Government Act 2009*, and the *Animal Management (Dogs and Cats) Act 2008*, to be conducted between 1 May 2021 and 31 October 2021.
2. Public Notices be published advising of the commencement of the Systematic Inspection Program and the requirement for dog owners to register their dog/s.
3. That an ongoing, annual dog registration follow up program, be introduced in 2022.

Seconded by Cr JP Bartels.

The motion was put - and carried unanimously.



## Minutes

30 March 2021

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

### Portfolio:

Community & Environment

### Subject:

Partnership & Sponsorship Grant Application – Apex Cane2Coral Fun Run

Pursuant to section 150EQ of the 'Local Government Act 2009' Cr Habermann advised the meeting of a declarable conflict of interest as he was formerly a member of a previous Cane2Coral organising committee and has been a participant of the event every year – but wished to stay and vote on the matter.

### Resolution

The remaining eligible Councillors determined that Cr Habermann does not have a conflict of interest in item O1 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.

2710

### Resolution

Cr TM McPhee presented the report; and moved:-

**That financial support be provided to the Apex Club of Bundaberg Inc (ABN 69 116 151 311) under Council's Partnership & Sponsorships Grants Program for the Cane2Coral Fun Run 2021 - in the sum of \$10,000 (plus GST where applicable).**

Seconded by Cr GR Barnes.

The motion was put - and carried unanimously.



## Minutes

30 March 2021

<b>Item Number:</b> O2	<b>File Number:</b> TEN/0929	<b>Part:</b> COMMUNITY & CULTURAL SERVICES
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**Portfolio:**

Community &amp; Environment

**Subject:**

SmartyGrants Request

2711

**Resolution**

Cr TM McPhee presented the report; and moved:-

**That:**

- a) Council enter into an arrangement with Our Community Pty Ltd (SmartyGrants) for the supply of SmartyGrants software without first inviting written quotes pursuant to Section 235(a) of the *Local Government Regulation 2012*; and
- b) this arrangement be in place until an alternative provider is available.

Seconded by Cr SA Cooper.

The motion was put - and carried unanimously.



## Minutes

30 March 2021

<b>Item Number:</b>	<b>File Number:</b>	<b>Part:</b>
R1	.	SPORT, RECREATION, VENUES & DISASTER MANAGEMENT

### Portfolio:

Community &amp; Environment

### Subject:

Bundaberg Regional Sport and Recreation Reference Advisory Group

2712

### Resolution

Cr VJ Habermann presented the report; and moved:-

That:

- A. Council adopt the revised Terms of Reference for the Bundaberg Regional Sport and Recreation Advisory Group**
- B. the following members be appointed to the Bundaberg Region Sport and Recreation Advisory Group for a 4 year term:-**
  - a) Cr Vince Habermann (Sport & Recreation Portfolio Councillor)**
  - b) Geordie Lascelles (Council Branch Manager Parks, Sport & Natural Areas)**
  - c) David Field (Council Coordinator Sport and Recreation)**
  - d) Linda Kleinschmidt – (Department Housing, Homelessness and Sport)**
  - e) Bradley Grogan (General Community/Sport Representative)**
  - f) Peter Bock (General Community/Sport Representative)**
  - g) Noel Stitt (Education Queensland)**
  - h) Simon Gills (Education Queensland)**

Seconded by Cr SA Cooper.

The motion was put - and carried unanimously.

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 item which is 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 item be held in Committee:**

**T1 Request for waiver of water consumption charges - Lot 1 on RP198708**

Seconded by Cr WA Honor - and carried unanimously.

**The meeting closed to the public and the livestream was suspended at 10.55 am.**

**Resolution**

Cr JM Dempsey moved:-

**That the meeting now be reopened.**

Seconded by Cr JP Bartels - and carried unanimously.

**The meeting reopened to the public and the livestream recommenced at 10.57 am.**



## Minutes

30 March 2021

<b>Item Number:</b> T1	<b>File Number:</b>	<b>Part:</b> CONFIDENTIAL
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**Portfolio:**

Organisational Services

**Subject:**

Request for waiver of water consumption charges - Lot 1 on RP198708

**Confidential Reason:**

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

**2713**

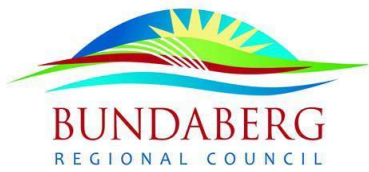
**Resolution**

Cr SA Cooper moved:-

**That Council applies section 120(1)(c) of the *Local Government Regulation 2012* and Council's Water Leak Relief Policy to provide relief of \$1,585.82 to reduce the water consumption charges attaching to property described as Lot 1 on RP198708.**

Seconded by Cr JP Bartels.

The motion was put - and carried unanimously.



## Minutes

30 March 2021

<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 11.01 am.

Confirmed on 27 April 2021.

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Mayor