



ORDINARY MEETING

MINUTES

21 JANUARY 2020

The resolutions contained within these Minutes were confirmed at the Ordinary Council Meeting held on the 4th February 2020

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE NO
1	OPENING.....	1
2	PRESENT	1
3	LEAVE OF ABSENCE / APOLOGIES	2
	NIL	2
4	CONFIRMATION OF MINUTES OF PREVIOUS MEETING.....	3
5	DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA	4
6	PUBLIC FORUMS/DEPUTATIONS	5
	NIL	5
7	BUSINESS ARISING OR OUTSTANDING FROM PREVIOUS MEETINGS	6
7.1	BUSINESS OUTSTANDING TABLE FOR ORDINARY COUNCIL MEETING	6
8	PRESENTATION OF PETITIONS.....	7
	NIL	7
9	MAYORAL MINUTE	8
9.1	MAYORAL MINUTE - MARYVALE RURAL FIRE BRIGADE	8
9.2	MAYORAL MINUTE - DISASTER RECOVERY ASSISTANCE.....	9
10	COUNCILLOR/DELEGATE REPORTS	10
	NIL	10
11	AUDIT, RISK AND BUSINESS IMPROVEMENT COMMITTEE REPORTS.....	11
	NIL	11
12	REPORTS.....	12
12.1	GREAT KEPPEL ISLAND REVITALISATION PROJECT	12
13	QUESTIONS/STATEMENT/MOTIONS ON NOTICE FROM COUNCILLORS	13
	NIL	13
14	URGENT BUSINESS\QUESTIONS	14
15	CLOSED SESSION	15
16.1	WATER CONSUMPTION MATTER	
16.2	KERR PARK PUBLIC ART - PURCHASING POLICY COMPLIANCE	

16.3 PAINT POT GALLERY ACCOMMODATION

16 CONFIDENTIAL REPORTS..... 16

16.1 WATER CONSUMPTION MATTER..... 16

16.2 KERR PARK PUBLIC ART - PURCHASING POLICY COMPLIANCE 17

16.3 PAINT POT GALLERY ACCOMMODATION 18

17 CLOSURE OF MEETING..... 19

MINUTES OF THE ORDINARY MEETING HELD AT COUNCIL CHAMBERS, 4 LAGOON PLACE, YEPPON ON TUESDAY, 21 JANUARY 2020 COMMENCING AT 9.06AM**1 OPENING***Acknowledgement of Country*

"I would like to take this opportunity to respectfully acknowledge the Darumbal People. The traditional custodians and elders past, present and emerging of the land on which this meeting is taking place today."

2 PRESENT

Members Present:

Mayor, Councillor Bill Ludwig (Chairperson)
Deputy Mayor, Councillor Nigel Hutton
Councillor Adam Belot
Councillor Pat Eastwood
Councillor Jan Kelly
Councillor Glenda Mather
Councillor Tom Wyatt

Officers in Attendance:

Mr Brett Bacon – Acting Chief Executive Officer
Mr Dan Toon – Executive Director Infrastructure
Mrs Andrea Ellis – Chief Financial Officer
Mr Matthew Willcocks - Chief Technology Officer
Mrs Belinda Housman – Acting Chief Human Resources Officer
Ms Maddie Crigan – Property Officer
Mr Rod Chapman – Senior Investigations Officer
Mrs Priscilla Graham – Coordinator Revenue
Ms Justine Schofield – Executive Support Officer

3 LEAVE OF ABSENCE / APOLOGIES

Nil

4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

COUNCIL RESOLUTION

THAT the minutes of the Ordinary Meeting held on 3 December 2019 be taken as read and adopted as a correct record.

Moved by: Councillor Kelly

Seconded by: Councillor Wyatt

MOTION CARRIED

COUNCIL RESOLUTION

THAT the minutes of the Special Meeting held on 19 December 2019 be taken as read and adopted as a correct record.

Moved by: Councillor Kelly

Seconded by: Deputy Mayor, Councillor Hutton

MOTION CARRIED

**5 DECLARATIONS OF INTEREST IN MATTERS ON THE
 AGENDA**

6 PUBLIC FORUMS/DEPUTATIONS

Nil

7 BUSINESS ARISING OR OUTSTANDING FROM PREVIOUS MEETINGS

7.1 BUSINESS OUTSTANDING TABLE FOR ORDINARY COUNCIL MEETING

File No: GV13.4.1
Attachments: 1. [Business Outstanding Table](#) ⇨
Responsible Officer: Nicole Robertson - Coordinator Executive Support

SUMMARY

The Business Outstanding table is used as a tool to monitor outstanding items resolved at previous Council or Committee Meetings. The current Business Outstanding table for the Ordinary Council Meeting is presented for Councillors' information.

COUNCIL RESOLUTION

THAT the Business Outstanding table for the Ordinary Council Meeting be received.

Moved by: Councillor Kelly
Seconded by: Councillor Eastwood

MOTION CARRIED

8 PRESENTATION OF PETITIONS

Nil

9 MAYORAL MINUTE

9.1 MAYORAL MINUTE - MARYVALE RURAL FIRE BRIGADE

File No:	GV13.4.3
Attachments:	1. Letter received from Maryvale Rural Fire Brigade ⇒
Responsible Officer:	Bill Ludwig - Mayor Brett Bacon - Acting Chief Executive Officer

SUMMARY

A letter has been received from Secretary of the Maryvale Rural Fire Brigade, Margie Scott requesting a response to issues raised at its recent debrief held in response to the Cobraball fire. A reply has been sent acknowledging the letter.

The points raised in the debrief will be forwarded to Local Disaster Management Group to incorporate into the formulation of the proposed Local Disaster Management, Bushfire Mitigation and Long Term Strategic Plan.

COUNCIL RESOLUTION

THAT Council resolves to send the correspondence from the Maryvale Rural Fire Brigade (as contained within Attachment One) to the Livingstone Local Disaster Management Group to be included as an agenda item to be investigated through the Queensland Disaster Management Arrangements.

Moved by: Mayor Ludwig
Seconded by: Deputy Mayor, Councillor Hutton

MOTION CARRIED

9.2 MAYORAL MINUTE - DISASTER RECOVERY ASSISTANCE

File No: GS15.2.3-1
Attachments: Nil
Responsible Officer: Bill Ludwig - Mayor

SUMMARY

In recognition of the severity, scale, and duration of the 2019-2020 bushfire season, the Commonwealth Government has provided an immediate support payment of one million dollars to severely affected Councils activated under Category D funding of the Disaster Recovery Funding Arrangements (DRFA).

This report makes recommendations relating to the recommendations from the Local Disaster Management Group and Taskforces: - Economic, Environment, Human/Social and Built Environment.

COUNCIL RESOLUTION

THAT Council prepare a report identifying rural roads and other supporting infrastructure in consultation with rural brigades that would improve access and firefighting capabilities for rural brigades and that consideration be given to expending the one million dollars being provided by the Federal Government as part of the bush fire recovery and resilience effort to those roads and assets.

Moved by: Mayor Ludwig
Seconded by: Deputy Mayor, Councillor Hutton

MOTION CARRIED UNANIMOUSLY

10 COUNCILLOR/DELEGATE REPORTS

Nil

**11 AUDIT, RISK AND BUSINESS IMPROVEMENT COMMITTEE
REPORTS**

Nil

12 REPORTS

12.1 GREAT KEPPEL ISLAND REVITALISATION PROJECT

File No:	P-18-065
Attachments:	<ol style="list-style-type: none">Great Keppel Island - MIPP Funding Application ⇒Great Keppel Island Revitalisation Project - MIPP Funding Approval ⇒Great Keppel Island Revitalisation Project - BOR Round 4 Application ⇒Great Keppel Island Revitalisation Project - BOR Round 4 Approval ⇒
Responsible Officer:	Brett Bacon - Executive Director Liveability and Wellbeing
Author:	Dan Toon - Executive Director Infrastructure

SUMMARY

This report provides options for consideration and resolution by Council regarding the allocation of funding approved pursuant to the Queensland Government's Building Our Regions and Maturing the Infrastructure Pipeline Program funding streams.

COUNCIL RESOLUTION

That, in relation to current approved funding for provision of services to Great Keppel Island, Council resolve;

- To allocate the Maturing the Infrastructure Pipeline Program Round 2 funding to detailed design tasks for the mainland water supply infrastructure and planning for the island water supply infrastructure in the first instance, and the balance to the Department of Innovation and Tourism Industry Development's project tasks.
- To advise the Department of State Development, Manufacturing, Infrastructure and Planning that Council is inclined to allocate the Building Our Regions Round 4 funding to construct the land based water supply infrastructure in the first instance with the balance available to fund elements of the reduced scope Department of Innovation and Tourism Industry Development project and that a final decision is pending confirmation of a development project proponent.

Moved by: Deputy Mayor, Councillor Hutton

Seconded by: Mayor Ludwig

DIVISION:

Crs A Belot, P Eastwood, N Hutton, J Kelly, B Ludwig and T Wyatt voted in the affirmative.

Cr G Mather voted in the negative.

12 QUESTIONS/STATEMENT/MOTIONS ON NOTICE FROM COUNCILLORS

Nil

13 URGENT BUSINESS QUESTIONS

14 CLOSED SESSION

In accordance with the provisions of section 275 of the *Local Government Regulation 2012*, a local government may resolve to close a meeting to the public to discuss confidential items, such that its Councillors or members consider it necessary to close the meeting.

COUNCIL RESOLUTION

10.01am

THAT the meeting be closed to the public to discuss the following items, which are considered confidential in accordance with section 275 of the *Local Government Regulation 2012*, for the reasons indicated.

16.1 Water Consumption Matter

This report is considered confidential in accordance with section 275(1)(h), of the *Local Government Regulation 2012*, as it contains information relating to other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

16.2 Kerr Park Public Art - Purchasing Policy Compliance

This report is considered confidential in accordance with section 275(1)(e), of the *Local Government Regulation 2012*, as it contains information relating to contracts proposed to be made by Council.

16.3 Paint Pot Gallery Accommodation

This report is considered confidential in accordance with section 275(1)(e), of the *Local Government Regulation 2012*, as it contains information relating to contracts proposed to be made by Council (Proposed lease to Capricorn Coast Society of Arts Incorporated).

Moved by: Councillor Mather

Seconded by: Councillor Kelly

MOTION CARRIED

COUNCIL RESOLUTION

10.30am

THAT the meeting moves out of closed session and be opened to the public.

Moved by: Councillor Mather

Seconded by: Councillor Kelly

MOTION CARRIED

15 CONFIDENTIAL REPORTS

16.1 WATER CONSUMPTION MATTER

File No: FM12.1.9

Attachments: 1. CLH Lawyers Letter of Advice

Responsible Officer: Andrea Ellis - Chief Financial Officer

Author: Priscilla Graham - Coordinator Revenue
Rodney Chapman - Coordinator Governance

This report is considered confidential in accordance with section 275(1)(h), of the *Local Government Regulation 2012*, as it contains information relating to other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

SUMMARY

The purpose of this report is to obtain Council approval to provide the Chief Executive Officer delegated authority to negotiate on behalf of Council for settlement of the disputed outstanding water account.

COUNCIL RESOLUTION

THAT Council resolve to provide delegated authority to the Chief Executive Officer to negotiate on behalf of Council for settlement of this matter, as per the particulars outlined in option 3 of the Officer's Report and advice provided by Council's legal representatives.

Moved by: Councillor Mather

Seconded by: Councillor Wyatt

MOTION CARRIED

Councillor Kelly recorded her vote against the motion.

16.2 KERR PARK PUBLIC ART - PURCHASING POLICY COMPLIANCE

File No: P-17-100
Attachments: 1. Kerr Park Emu Caricatures
Responsible Officer: Brett Bacon - Executive Director Liveability and Wellbeing
Author: Stuart Doak - Manager Infrastructure Projects

This report is considered confidential in accordance with section 275(1)(e), of the *Local Government Regulation 2012*, as it contains information relating to contracts proposed to be made by Council.

SUMMARY

The purpose of this report is to seek a resolution from Council to ensure compliance with Council's Purchasing Policy for the engagement of Bill Gannon as a sole supplier to design, fabricate and install public art, in the form of emu caricatures, as part of the Kerr Park redevelopment at Emu Park.

COUNCIL RESOLUTION

THAT Council resolves to award the design, fabrication and installation of public art in the form of three-dimensional emu caricatures, as part of the Kerr Park redevelopment project at Emu Park, to Bill Gannon as a Sole Supplier, in accordance with the exceptions provided by s235(a) of the *Local Government Regulation 2019*.

Moved by: Mayor Ludwig
Seconded by: Councillor Wyatt

MOTION CARRIED

16.3 PAINT POT GALLERY ACCOMMODATION

File No: CP5.9.2-264
Attachments: Nil
Responsible Officer: Mark McLean - Principal Property Officer
David Mazzaferri - Manager Community Wellbeing
Brett Bacon - Executive Director Liveability and Wellbeing
Author: Maddie Crigan - Property Officer

This report is considered confidential in accordance with section 275(1)(e), of the *Local Government Regulation 2012*, as it contains information relating to contracts proposed to be made by Council (Proposed lease to Capricorn Coast Society of Arts Incorporated).

SUMMARY

This report provides information in relation to the provision of accommodation for the Paint Pot Gallery.

COUNCIL RESOLUTION

THAT Council resolve:

1. that the exception mentioned in section 236(1)(b)(ii) of the *Local Government Regulation 2012* may apply in its dealing with the Capricorn Coast Society of Arts Incorporated over part of the building located on Lot 2 on Registered Plan 620460;
2. pursuant to section 236(2) of the *Local Government Regulation 2012* to apply section 236(1)(b)(ii) of the *Local Government Regulation 2012* in its dealing with the Capricorn Coast Society of Arts Incorporated over part of the building located on Lot 2 on Registered Plan 620460; and
3. to provide a two (2) year lease to the Capricorn Coast Society of Arts Incorporated over part of the building located on Lot 2 on Registered Plan 620460 for the operation of the Paint Pot Gallery on the terms contained in this report.

Moved by: Councillor Eastwood

Seconded by: Mayor Ludwig

MOTION CARRIED

16 CLOSURE OF MEETING

There being no further business the meeting closed at 10.31am.



Mayor, Councillor Bill Ludwig
CHAIRPERSON

4 February 2020

DATE