**MINUTES OF THE ORDINARY MEETING NO. 3**
**HELD IN THE FRASER COAST REGIONAL COUNCIL CHAMBERS,**
**MARYBOROUGH CITY HALL, KENT STREET, MARYBOROUGH**
**ON WEDNESDAY 23 FEBRUARY, 2011 COMMENCING AT 9.33AM.**

**PRESENT:**
Councillor Mick Kruger (Chairman)
Councillor Julie Arthur
Councillor Sue Brooks
Councillor David Dalgleish
Councillor Linda Harris
Councillor Debbie Hawes
Councillor Barb Hovard
Councillor Belinda McNeven
Councillor Les MucKan
Councillor Gerard O'Connell

**STAFF IN ATTENDANCE:**
Acting Chief Executive Officer, Ms Lisa Desmond
Director Community & Development Services, Mr Peter Smith
Director Infrastructure & Environmental Services, Mr Wayne Sweeney
Principal Officer Corporate Communication & Marketing, Mr Kevin Corcoran
Meeting Secretary, Mrs Julie Schoonderwoerd

**ORD 1 OPENING PRAYER**

The Opening Prayer, including a special prayer for the people in Christchurch, New Zealand, was delivered by Pastor Stephen Berry from the Baptist Church.

**ORD 2 APOLOGIES**

**RESOLUTION** ( McNeven / O'Connell)

That the apology from Councillor Nioa, who is absent on sick leave, be accepted.

**Carried Unanimously**
Ord 3/462/02/11

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## ORD 3 DISCLOSURE OF INTERESTS

Councillor Kruger declared a Conflict of Interest in Item ORD 16.1.

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## ORD 4 MAYORAL MINUTES

Nil

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## ORD 5 CONFIRMATION OF MINUTES OF MEETINGS

### ORD 5.1 Ordinary Meeting No. 2 – 9 February, 2011

**RESOLUTION** ( Hawes / Brooks )

That the Minutes of Ordinary Meeting No. 2 held on 9 February, 2011, be confirmed.

**Carried Unanimously**
Ord 3/463/02/11

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## ORD 6 ADDRESSES / PRESENTATIONS

### ORD 6.1 Customer Service and Recognition Awards – January 2011

Councillor Kruger presented awards to the recipients of the January Customer Service and Recognition Awards who were able to attend today's Meeting. Those present included:

- Mel Haigh (Events Coordinator) - Customer Service Champion Award (Office)
- Craig Bottcher (Senior Design Technician) - Service Champion Award (Office)
- Jacob Burke and Roger Johnson (IT Support Officers) – Service Innovation Award (Office)
- Leigh Scheltinga (Environmental Planner) and Niamh Kearney (Planner) -Good Samaritan Award (Office)

Award winners who had been unable to attend today's Meeting were:

- Tracey Clayton (Parks and Recreation Planner) - Customer Service Excellence Team Award (Office)

Councillor Kruger extended congratulations to all of the Award recipients.

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## ORD 7 PUBLIC PARTICIPATION

### ORD 7.1 Dividing Fence / Stormwater Drainage Matters

*Ms Lori Farquhar, 43 Aberdeen Avenue, Maryborough*

Ms Farquhar addressed Council in relation to dividing fence and stormwater drainage matters.

Councillor Kruger advised that the fencing issue would be investigated, and the Director Infrastructure and Environment would speak with her regarding the stormwater drainage issue.

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## ORD 8 DEPUTATIONS

Nil

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## ORD 9 PETITIONS

### ORD 9.1 Receipt of Petitions

**Public Amenities - Poona**

Councillor Arthur tabled a petition signed by over 300 people requesting Council stop the demolition of the public amenities located at the northern end of Poona.

**RESOLUTION** ( Arthur / Brooks)

That the petition be received and be forwarded to the Chief Executive Officer.

**Carried Unanimously**
Ord 3/464/02/11

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## ORD 9 PETITIONS

### ORD 9.2 Open Petitions Register Update

**RESOLUTION** ( Brooks / O'Connell )

That the Open Petitions Register report be received and noted.

**Carried Unanimously**
Ord 3/465/02/11

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## ORD 10 COMMITTEES' AND DELEGATES' REPORTS

### ORD 10.1 Community & Development Committee Meeting No. 2 Minutes – 9 February 2011

**RESOLUTION** ( Hovard / McNeven)

That the Minutes of the Community & Development Committee Meeting No. 2 held on 9 February 2011 be confirmed.

**Carried Unanimously**
Ord 3/466/02/11

**RESOLUTION** ( Hawes / McNeven)

That the Community & Development Committee recommendations not adopted at the meeting under delegated authority be adopted.

**Carried Unanimously**
Ord 3/467/02/11

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## ORD 10 COMMITTEES' AND DELEGATES' REPORTS

### ORD 10.2 Strategic & Organisational Committee Meeting No. 1 Minutes – 16 February 2011

**RESOLUTION** ( O'Connell / Hovard)

That the Minutes of the Strategic & Organisational Committee Meeting No. 1 held on 16 February 2011 be confirmed.

**Carried Unanimously**
Ord 3/468/02/11

**RESOLUTION** ( O'Connell / Hovard

That the recommendations of the Strategic & Organisational Committee Meeting No. 1 held on 16 February 2011 be adopted.

**Carried Unanimously**
Ord 3/469/02/11

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## ORD 10 COMMITTEES' AND DELEGATES' REPORTS

### ORD 10.3 Economic Development Advisory Committee Meeting Minutes – 8 February 2011

**RESOLUTION** ( O'Connell / MucKan)

That:

1. the Minutes of the Economic Development Advisory Committee Meeting held 8 February 2011 be received and noted;

2. Council endorse the review of the Economic Development Strategy in conjunction with the review of the Terms of Reference; and

3. Council endorse the recommendation that Council and its Officers should continue to strongly advocate the advantages and benefits of our region in an effort to improve our economic state.

4. Council send letters to the newly appointed State Ministers congratulating them on their ministerial appointments and requesting meetings with them in relation to various regional issues.

**Carried Unanimously**
Ord 3/470/02/11

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## ORD 11 OFFICERS' REPORTS

### ORD 11.1 Open Resolutions Register - January 2011

**RESOLUTION** ( Hovard / Harris)

That the Open Resolutions Register – January 2011 report be received and noted.

**Carried Unanimously**
Ord 3/471/02/11

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**ORD 11 OFFICERS' REPORTS**

**ORD 11.2 Fraser Coast Regional Council Financial Report - Period Ended 31 January 2011**

**RESOLUTION** ( O'Connell / Dalgleish)

That:

1. The financial report for the period ended 31 January 2011 be received and noted.

2. The budget revisions listed in Section (C) be received and adopted.

**Carried Unanimously**
Ord 3/472/02/11

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**ORD 11 OFFICERS' REPORTS**

**ORD 11.3 Council Committee Structure**

**RESOLUTION** ( McNeven / Arthur)

That:

1. Council amend the current Committee structure as follows:

    a. Ordinary Council meeting to be chaired by Councillor Kruger;

    b. Planning & Development Committee meeting to be chaired by Councillor Hovard.

2. All Councillors will be members of each of the standing Committees;

3. The quorum for each of the meetings be fixed at six (6) Councillors;

4. All meetings to be open to the public as required under Section 71 of the *Local Government (Operations) Regulation 2010*;

5. Minutes of the meetings to be kept in accordance with Section 69 of the *Local Government (Operations) Regulation 2010*;

6. The functions of the Planning and Development Committee will be in accordance with Part 3 of the Standing Orders for the Conduct of Council and Committee Meetings and no powers other than those in Point 9 will be delegated to the Planning & Development Standing Committees;

7. The meeting cycle will be in accordance with the following:

   a. Ordinary Council Meeting – First Wednesday of each month to be held in the Council Chambers located at Hervey Bay;
   b. Planning & Development Committee Meeting – Second Wednesday of each month to be held in the Council Chambers located at Hervey Bay;
   c. Ordinary Council Meeting – Third Wednesday of each month to be held in the Council Chambers located at Maryborough;

8. The Committee will operate in accordance with Meetings Local Law and the Standing Orders for the conduct of Council and Standing Committees;

9. Council delegate decision making power under the *Sustainable Planning* That pursuant to Section 257(1)(c) of the *Local Government Act 2009*, Council resolves to delegate to the Community and Development Standing Committee its power to assess and decide the following matters:

   a. IDAS development applications and other development related matters;
   b. Building Act matters;
   c. Plumbing and Drainage Act matters;
   d. Water Supply (Safety and Reliability) Act matters;
   e. Local Government Act and subsidiary legislation matters relating to development;
   f. Strategic land use planning and planning policy;
   g. Hearing of submissions;
   h. Development trends and statistics;
   i. Submissions from development consultative groups; and
   j. General Business relating to planning and development issues.

10. The Planning and Development Committee Meeting scheduled for Wednesday 9 March 2011 be held in Maryborough commencing at 9.00am.

**Carried Unanimously**
Ord 3/473/02/11

## ORD 11 OFFICERS' REPORTS

### ORD 11.4 Outcomes of Community Consultation on Electoral Divisions

**RESOLUTION** ( Brooks / Dalgleish )

That:

a) Council receive and note the community consultation results on electoral divisions; and

b) Council advise the Minister of Local Government that Council is seeking to make a local government change under s17(1)(b) of the Local Government Act for a change from non-divisional local government area to a divisional local government area including the option for multi-member divisions.

**Carried (6 / 4)**
Ord 3/474/02/11

**Following a Division the following voting resulted:**

**FOR:** **Councillor Brooks**
**Councillor Dalgleish**
**Councillor McNeven**
**Councillor Hovard**
**Councillor Arthur**
**Councillor Hawes**

**AGAINST:** **Councillor Kruger**
**Councillor Harris**
**Councillor O'Connell**

**Councillor MucKan abstained.**

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## ORD 12 MATTERS / MOTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil

## ORD 13 QUESTIONS ON NOTICE

Nil

## ORD 14 CONSIDERATION OF ITEMS PLACED ON THE AGENDA WITH THE CONSENT OF THE MAYOR

Nil

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## ORD 15 GENERAL BUSINESS

### ORD 15.1 Meeting with UDIA

Councillor Hovard said that reference had been made to the meeting conducted with Councillors, Council officers and the UDIA yesterday saying that it had been very fruitful. She said that the matters which were foremost in the mind of the Economic Development Committee were raised. Councillor Hovard said that everyone was of the same mind that something had to be done about the economy. She said that it was necessary to start "hammering on doors" in Brisbane, and that while our area had not been badly affected by floods or cyclones it was necessary to stand up for our own region and businesses, and look to the future.

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## ORD 15 GENERAL BUSINESS

### ORD 15.2 Care for Our Foreshore Day

Councillor Brooks said that it was with a lot of pleasure that many turned up bright and early on Sunday morning to pull weeds, pick up litter and plant trees along the foreshore in Hervey Bay. She said that it had been very successful and it was wonderful to find other Councillors learning the difference between a weed and a good creeper. Councillor Brooks said that the enthusiasm of those who attended was wonderful and it had been a lovely morning. She said that she preferred to call it a "Care for Our Foreshore Day" rather than a clean-up day, adding that Clean Up Australia Day would be occurring shortly. Councillor Brooks said that in the future she would like to see the day continue as an annual event, but perhaps later in the year when it was cooler. She thanked staff members and the Councillor officers who had helped to organise the event. Councillor Brooks said that she believed the foreshore would benefit long term from Sunday's activities. She also thanked the Fraser Coast Chronicle for its support in advertising and promoting the event.

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**ORD 15 GENERAL BUSINESS**

**ORD 15.3 Sand Pushing**

Councillor Brooks said that on Sunday she had also taken the time to visit Torquay to look at the results of the sand pushing. She said that she wished to thank Mr Jamie Cockburn and other officers for ensuring the sand pushing was completed before the high tides. Councillor Brooks said that hopefully everybody would be pleased that the sand had stayed put and was firmly in place, and with future rain and wind, and vegetation coverage on the sand, hopefully it would stay long term. She said that with rain, strong winds and wave action, some sand would be eroded but the idea of relocating sand on the beach was to protect the continuing encroachment into the dunes. Councillor Brooks said that if the sand was pushed on a regular basis with the small machines which worked efficiently with minimal negative impact she thought it was a cost effective solution for some parts of the coastline.

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**ORD 15 GENERAL BUSINESS**

**ORD 15.4 Christchurch Earthquake**

Councillor Brooks said that she wished to echo the sentiments from earlier in the Meeting, adding everybody's hearts went out to the people in Christchurch. She said that it was a beautiful city, and if there was aid that our small regional council could offer she was sure that it would do so.

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**ORD 15 GENERAL BUSINESS**

**ORD 15.5 University of Queensland's Medical School**

Councillor O'Connell advised that the University of Queensland's Medical School had 16 3rd and 4th year students in this area at the moment undertaking a rotation through the Hervey Bay Hospital. He said that what was good was a number of these students were graduates from local schools. Councillor O'Connell also referred to the number of clinicians and local doctors who contributed their time in tutoring, supporting and mentoring the students. He said that everyone should be congratulated.

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**ORD 15 GENERAL BUSINESS**

**ORD 15.6 Foreshore Beautification**

In referring to the foreshore beautification day last Sunday, Councillor O'Connell asked if there would be further cleaning of the whole Esplanade particularly in relation to its possible enhancement. Mr Smith, the Director Community and Development Services, advised that this was intended to be part of the review of the Foreshore Management Plan.

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**ORD 15 GENERAL BUSINESS**

**ORD 15.7 Foreshore Beautification**

Councillor Dalgleish said that Sunday had been a huge success. He said that he hoped that the overwhelming success of this event would go further and extend out to locations such as Poona, Boonooroo and Tinnanbar. Councillor Dalgleish said that if Council spoke with the bus companies and with some positive publicity, it could be possible to arrange for a couple of volunteer buses to take people to those areas for similar events.

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**ORD 15 GENERAL BUSINESS**

**ORD 15.8 Hervey Bay Chamber of Commerce Breakfast**

Councillor Dalgleish said that he had attended the Hervey Bay Chamber of Commerce Breakfast this morning and there had been no negative comments made about Council. He said that the feedback received in relation to new ideas to be implemented regarding Council's website had been very well spoken about with huge support from the business community.

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**ORD 15 GENERAL BUSINESS**

**ORD 15.9 Progress Association Meetings**

Councillor Dalgleish said that numerous Progress Association Meetings had been attended, including those at River Heads, Burrum Head, Howard, Poona and Boonooroo, and positive feedback had been received. He said that special thanks were extended to the Parks crews for the working being undertaken during extremely difficult times. Councillor Dalgleish said that the message was getting through that it was extremely difficult to cover everything but Council was getting on top of it and the residents appreciated this. He requested Mr Smith and Mr Sweeney pass on thanks to their staff members.

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**ORD 15 GENERAL BUSINESS**

**ORD 15.10 Maroom Meeting**

Councillor MucKan thanked the Director Infrastructure and Environmental Services and Councillor Arthur for attending the meeting at Maroom. He said that the residents were very happy and felt that someone was listening to them.

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**ORD 15 GENERAL BUSINESS**

**ORD 15.11 Foreshore Clean-Up**

Councillor MucKan said that it had been indicated to him that Boonooroo and Maroom were the foreshore areas for Maryborough and would like the clean up to extend to those areas.

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**ORD 15 GENERAL BUSINESS**

**ORD 15.12 Salvation Army – Red Shield Appeal**

Councillor MucKan said that he had recently attended a meeting with Major Lyn Cook of the Salvation Army in relation to preparations for the Salvation Army Red Shield Appeal. He said that during the floods throughout Queensland the Salvation Army had done so much to assist. Councillor MucKan said that Mr George Duck had also been at the meeting, but Mr Ted Sorensen had been unable to attend due to State Parliament commitments.

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## ORD 15 GENERAL BUSINESS

### ORD 15.13 Flood Recovery Program

Councillor Kruger said that on Friday 11 February he had attended the Premier's Flood Recovery Program in Brisbane to which all mayors had been invited. He said that 64 local government areas had been declared natural disasters. Councillor Kruger said that last week Parliament had legislated the Queensland Reconstruction Authority with the Premier being the Minister responsible for the Authority, and Mr Graham Newton from the Auditor General's office being appointed the Chief Executive Officer. He said that the Authority would be in existence for two years and staff from a number of State departments would be seconded for the recovery.

Councillor Kruger said that a letter would be sent to Councils to have their submissions ready, and if submissions were prepared appropriately, the Minister and the Chief Executive Officer would have the authority to sign off on payments to local governments without having to go to Cabinet. He said that he had already briefed Council's Directors regarding this. Councillor Kruger said that the Premier advised that the site valuations which were to occur this year would possibly be delayed as well as the waste levy which was also to be introduced this year had been delayed. It was believed it would be too much to impose more levies on local governments which would have to be passed on to ratepayers.

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## ORD 15 GENERAL BUSINESS

### ORD 15.14 UDIA Meeting

Councillor Kruger referred to the meeting held with the UDIA. He said that he believed it was a meeting which showed that Council and the UDIA were working together. Councillor Kruger said that some priorities were being put together and submissions would be made to the appropriate Ministers. He said that a number of these married in with matters being discussed within the Economic Development Advisory Committee, and would be raised at the next EDAC meeting. Councillor Kruger said that it had been a very progressive meeting. He said that it had been suggested that staff from Council's development section spend time working with the private practitioners, and staff from the private industry work with Council, which would give both groups the opportunity to understand procedures and operations from the other side.

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## ORD 15 GENERAL BUSINESS

### ORD 15.15 Honour Board – Hervey Bay Administration Building

Councillor Kruger said that it would be noted that the Honour Board had been removed from the wall when painting was recently undertaken, but it had not been put back up. He said that he would arrange for the Honour Board to include the names of the Fraser Coast Regional Council Councillors.

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## ORD 16 CONFIDENTIAL

**RESOLUTION** ( Dalgleish / Hawes

**Councillor Kruger declared a Material Personal Interest in Item ORD 16.1 because of the receipt of an electoral donation and retired from the Meeting. He was not present for discussion or voting on the item.**

**Councillor Arthur chaired the Meeting.**

Council resolves that under the *Local Government (Operations) Regulation 2010* the Meeting be closed to the public for the purpose of discussing the following items:

ORD 16.1 – **Contract No. ENG 11-10/11 - Jumpo Creek Bridge – Bidwill Road** - Section 72(1)(e) (contracts proposed to be made by Council)

**Carried Unanimously**
Ord 3/475/02/11

**RESUMPTION OF ORDINARY COUNCIL MEETING**

**RESOLUTION** ( McNeven )

That the Meeting resume in open Council.

**Carried Unanimously**
Ord 3/476/02/11

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**ORD 16 CONFIDENTIAL**

**ORD 16.1 Contract No. ENG 11-10/11 - Jumpo Creek Bridge – Bidwill Road**

**RESOLUTION** ( McNeven / Dalgleish )

That Council accepts the tender submitted by VDM Bellero for the construction of Contract ENG 11-10/11 Jumpo Creek Bridge at the price of $355,393 (excl GST).

**Carried Unanimously**
Ord 3/477/02/11

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**Councillor Kruger returned to the Meeting and assumed the Chair.**

**There being no further business, the Meeting closed at 11.05am.**

**Confirmed at Ordinary Meeting No. 4 of the Fraser Coast Regional Council held at Hervey Bay on 2 March, 2011.**

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**MAYOR**