MINUTES OF THE ORDINARY MEETING NO. 20
HELD IN THE FRASER COAST REGIONAL COUNCIL CHAMBERS,
TAVISTOCK STREET, TORQUAY, HERVEY BAY
ON WEDNESDAY 2 NOVEMBER, 2011 COMMENCING AT 9.30AM.

PRESENT:
Councillor David Dalgleish (Chairman)
Councillor Julie Arthur
Councillor Sue Brooks
Councillor Debbie Hawes
Councillor Barb Hovard
Councillor Belinda McNeven
Councillor Les MucKan
Councillor Anne Nioa
Councillor Gerard O'Connell

STAFF IN ATTENDANCE:
Chief Executive Officer, Ms Lisa Desmond
Director Community & Development Services, Mr Peter Smith
Acting Director Organisational Services, Ms Alexis Hill
Manager Economic Development Projects, Mrs Tracey Genrich
Principal Officer Corporate Communication & Marketing, Mr Kevin Corcoran
Meeting Secretary, Mrs Julie Schoonderwoerd

ORD 1 OPENING PRAYER

The Opening Prayer was delivered by Pastor Noel Christensen from the Christian Brethren Gospel Chapel.

ORD 2 APOLOGIES

RESOLUTION (O'Connell / MucKan)

That the apologies from Councillor Kruger who is absent on leave and Councillor Harris who is absent due to illness be accepted.

Carried Unanimously
Ord 20/854/11/11

ORD 3 DISCLOSURE OF INTERESTS

Councillor O'Connell declared a perceived Conflict of Interest and a Conflict of Interest in Item ORD 16.1.

Councillor Nioa declared a perceived Conflict of Interest in Item ORD 16.1.

Councillor McNeven declared a perceived Conflict of Interest in Item ORD 16.1.

Councillor MucKan declared a perceived Conflict of Interest in Item ORD 16.1.

Councillor Dalgleish declared a perceived Conflict of Interest in Item ORD 16.1.

ORD 4 MAYORAL MINUTES

Nil

ORD 5 CONFIRMATION OF MINUTES OF MEETINGS

ORD 5.1 Ordinary Meeting No. 19 – 19 October, 2011

Referring to Item ORD 15.10 of the Minutes, Councillor O'Connell asked if, in relation to the proposed free RV parking stops and the briefing held, a report would be presented to Council.

RESOLUTION (Nioa / MucKan)

That the Minutes of Ordinary Meeting No. 19 held on 19 October, 2011, be confirmed.

Carried Unanimously
Ord 20/855/11/11

ORD 6 ADDRESSES/PRESENTATIONS

ORD 6.1 Customer Service and Recognition Awards - September 2011

Councillor Dalgleish welcomed and presented awards to the recipients of the September Customer Service and Recognition Awards who were in attendance at the meeting. September winners included:

- **The Community & Culture Team** (Tracey Mason, Vicki Wilson, Julie De Waard, Anna Clark, Carol Bye) - **Customer Service Excellence Award**
- **Allison Bateman** (Exhibition Officer) - **Service Champion Award** (Office)
- **Rachael Paton** (Senior HR Advisor) - **Service Champion Award** (Office)
- **Jan Rolston** (Media & Communications Office) - **High Achiever Award** (Office)

Award winner, Julie de Waard a member of the Community and Culture Team had been unable to attend.

Congratulations were extended to all award recipients for September.

ORD 7 PUBLIC PARTICIPATION

ORD 7.1 Request for Fencing of Council Land

Ms Kim Parnell, 8 Carrie Court, Torquay

Referred to Council land close to Carrie Court and Toohey Court, stating residents were affected by people driving over the Council land quite often to get to the next street; some driving quite fast and late at night. Residents believed if the land was fenced, with a gate at either end for mowing/access purposes, it would discourage misuse of the Council land. Requested to be kept up to date regarding this request.

ORD 7 PUBLIC PARTICIPATION

ORD 7.2 Hibiscus Street, Urangan (Elizabeth Street to Pier Street)

Pastor Noel Christensen, 13 Hibiscus Street, Urangan

Drew Council's attention to the condition of Hibiscus Street between Elizabeth Street and Pier Street advising it was one of the oldest sealed roads in Hervey Bay and had once been described as the second worst road. Outlined for Council numerous problems with regard to flood mitigation and the road alignment. Advised Council that residents had previously been advised work would be undertaken but only a small section adjacent Peppers had been done. Referred to previous correspondence sent to Council over a number of years, copies of which were presented.

ORD 7 PUBLIC PARTICIPATION

ORD 7.3 Hervey Bay Aquatic Centre – 25m Pool Roof

Mr Angelo Oliaro

Addressed Council in relation to the proposed roof on the 25m pool at the Aquatic Centre. He wanted to raise three issues regarding this matter: which roof design would be used for the pool; if the grant for which Council had applied was unsuccessful what alternative funding did Council have to complete the project for the start of April next year; would like current Councillors to guarantee the completion of the project by the start of April 2012.

ORD 8 DEPUTATIONS

Nil

ORD 9 PETITIONS

ORD 9.1 Receipt of Petitions

Nil

ORD 9 PETITIONS

ORD 9.2 Open Petitions Register

RESOLUTION (Nioa / McNeven)

That the Open Petitions Register report be received and noted.

Carried Unanimously
Ord 20/856/11/11

ORD 9 PETITIONS

ORD 9.3 Petition Response Report - Request for Kerb and Channelling to Marlin Street, Kawungan

RESOLUTION (MucKan / Nioa)

That the chief petitioner be advised that there are no funds for construction of kerb and channel in Marlin Street for 20011/12 and it is not considered for future years.

Carried Unanimously
Ord 20/857/11/11

ORD 9 PETITIONS

ORD 9.4 Petition Response Report - Request for Continuation of Mobility Corridor at Urangan

RESOLUTION (Arthur / Brooks)

That the chief petitioner be advised that this section of missing mobility corridor is identified by Council in the new Walk and Cycle Strategy, that the works are of a high priority and design has commenced for future construction.

Carried Unanimously
Ord 20/858/11/11

ORD 10 COMMITTEES' AND DELEGATES' REPORTS

Nil

ORD 11 OFFICERS' REPORTS

ORD 11.1 Open Resolutions Register - October 2011

RESOLUTION (O'Connell / MucKan)

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

Carried Unanimously
Ord 20/859/11/11

ORD 11 OFFICERS' REPORTS

ORD 11.2 Regional Arts Development Fund Applications Round 1, 2011/12

RESOLUTION (Hovard / Nioa)

That applicants receive the amount of funding specified in Attachment 1 to the report (DOCS #2100483) as part of Council's Regional Arts Development Fund.

Carried Unanimously
Ord 20/860/11/11

ORD 11 OFFICERS' REPORTS

ORD 11.3 Permit to Occupy - Fee Structure

RESOLUTION (O'Connell / Hovard)

That:

1. Council approves the implementation of the fee structure outlined in the report (DOCS #2104035) when issuing Permits to Occupy for the non-exclusive occupation and use of Council owned and controlled land.

2. the Chief Executive Officer provide Councillors with further information regarding this matter.

Carried (7/2)
Ord 20/861/11/11

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

Nil

ORD 13 QUESTIONS ON NOTICE

ORD 13.1 Questions on Notice Register

RESOLUTION (Hawes / McNeven)

That the Questions on Notice Register report be received and noted.

Carried Unanimously
Ord 20/862/11/11

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

Nil

ORD 15 GENERAL BUSINESS

ORD 15.1 Gas & Mining Jobs Expo

Councillor Nioa referred to the Gas & Mining Jobs Expo which was held last Friday saying she wished to thank the staff, both within Council and at the Brolga, who had been involved in organising the Expo. She said that Councillors who had been in attendance would be aware it had been a huge success with over 3,000 people attending. Councillor Nioa said that it had also given the Fraser Coast Regional Council the opportunity to talk to the mining companies about the capabilities of the region which had been one of Council's main aims when it came to attracting the Expo to the region. She said that the staff had worked very hard to make sure it was a successful day.

ORD 15 GENERAL BUSINESS

ORD 15.2 Police Beat Radio Segment – Pedestrian Crossing at Maryborough Aquatic Centre

Councillor Nioa said that while driving to Hervey Bay this morning she had heard on the Police Beat radio segment concern being raised regarding the moving of the pedestrian crossing from outside of the Maryborough Aquatic Centre. She said that the pedestrian crossing between the Aquatic Centre and the Central State School had been moved to facilitate the renovations currently occurring at the swimming pool. Councillor Nioa said that there appeared to be some level of concern with the police and she thought further investigation could be undertaken being as it had been raised publicly on the radio by the police.

ORD 15 GENERAL BUSINESS

ORD 15.3 Congratulations to Staff

Councillor Hawes said that she wished to publicly congratulate staff for the great work being done in relation to public consultation regarding parks across the area. She said that Councillors Brooks and Hovard had attended several. Councillor Hawes said that afterwards there had been positive feedback received regarding the level of consultation taking place.

ORD 15 GENERAL BUSINESS

ORD 15.4 Congratulations to Staff

Councillor Hawes referred to Glenbar Road saying a number of people had contacted her regarding upgrading work that had been done on this road. She said that the callers had indicated the road had never been so good. Councillor Hawes said that the road had previously been like a 4WD road but now was driveable for other vehicles. She said that congratulations should be passed on to Mr Bryan Hart and the relevant team out in that area.

ORD 15 GENERAL BUSINESS

ORD 15.5 Mary River Catchment Coordinating Committee Annual General Meeting

Councillor Hawes said that she had attended the Mary River Catchment Coordinating Committee AGM in Gympie last week. She said that over the last 12 months they had conducted a number of projects for the reef rescue. Councillor Hawes said that this had involved work on waterways across the whole Mary River catchment area, and 38% of the projects had taken place in the western part of our region. She said that the MRCCC was doing good work.

ORD 15 GENERAL BUSINESS

ORD 15.6 Free Overnight Parking Impact

Councillor Hovard said while visiting Poona recently the owner of a caravan park requested his concerns be mentioned regarding the free overnight parking on which Council had embarked, and the impacts it would have. She said that she and Councillor Hawes had been shown an area of additional land he had previously leased stating he had now handed back the lease. This had been used for “overflows” at Christmas and Easter and he had stated he could no longer afford it. Councillor Hovard said that this was not only due to Council’s free overnight parking, but every time Council made such a decision there were impacts on private enterprise and Council needed to be mindful of that.

ORD 15 GENERAL BUSINESS

ORD 15.7 Hervey Bay Chamber of Commerce Boat Harbour Breakfast Forum

Councillor Hovard said that along with other Councillors she had attended the Hervey Bay Chamber of Commerce Boat Harbour Breakfast Forum. She said that she thought this was a hugely important matter and as the Steering Committee went forward Council needed to be involved in discussions.

ORD 15 GENERAL BUSINESS

ORD 15.8 Cancellation of Planning & Development Committee Meeting No. 9 – Wednesday 9 November 2011

RESOLUTION (Hovard / Nioa)

That:

1. the Planning and Development Committee Meeting scheduled to be held on Wednesday 9 November 2011 be cancelled, and

2. the Chief Executive Officer place an appropriate advertisement in the local press relating to the cancellation of the meeting.

Carried Unanimously
Ord 20/863/11/11

ORD 15 GENERAL BUSINESS

ORD 15.9 Annual General Meetings - Fraser Coast Housing Services and Maryborough Neighbourhood Centre

Councillor O'Connell said there had been a number of Annual General Meetings held recently for various organisations and he referred to two in particular. He commented on the work done by the Fraser Coast Housing Services saying he and the Mayor had attended that particular meeting. Councillor O'Connell said that they had seen in the FCHS's reports a very strong position in terms of the work Housing Services had done for those who were in need; in particular for those who were stranded during the floods at the beginning of the year. He added that there had been some public acknowledgement during the visit of the Queen recently for the work of the CEO on behalf of that organisation. Councillor O'Connell acknowledged and congratulated the Housing Services.

Councillor O'Connell said that he and Councillor Dalgleish had attended the Maryborough Neighbourhood Centre AGM which saw a number of new committee members. He said that in the course of the last 12 months there had been a change of Centre Manager. Councillor O'Connell said that there had been a continuation of a very strong foundation; working with people in our society who were often marginalised and who needed support; also working with migrants; and the possibility of establishing a "Men's Shed" in the Maryborough area for which there seemed to be a demonstrated good need. Councillor O'Connell acknowledged and thanked the work of that organisation, staff and volunteers alike.

ORD 15 GENERAL BUSINESS

ORD 15.10 Regional Chambers of Commerce

Councillor O'Connell referred to the work of the Chambers of Commerce throughout the whole region saying there were 4 Chambers. He referred particularly to the work of the Hervey Bay Chamber of Commerce in highlighting the issues and potential of the Urangan Harbour. Councillor O'Connell said there had already been an opportunity to discuss this at State Government level; the possibility and potential for this great asset. He said that it was known it could serve many purposes. Councillor O'Connell said that there had been a good plan put together and a range of issues were impacting on that plan going forward, but there was certainly momentum and interest.

Councillor O'Connell referred to the Mangrove Management Strategy in terms of Maryborough. He said that he knew the Chief Executive Officer was working with the Executive to get a response and update on the Strategy particularly because this was of interest to the Maryborough Chamber of Commerce.

Councillor O'Connell said that he also noted the Tiaro Chamber of Commerce and its work with regard the Bruce Highway and he commended the Chamber.

ORD 15 GENERAL BUSINESS

ORD 15.11 MRI Facility

Councillor Brooks said that she had had the need to have an MRI which led to her talking to specialists regarding the lack of an MRI facility in the Fraser Coast region, particularly Maryborough/Hervey Bay. She said that she was aware that health was not a core responsibility of local government but she was very aware that in strategic planning, health and education was something Council wanted to facilitate, encourage and development in the region. Councillor Brooks said that she had been advised, and she wanted to know the answer as to whether her information was correct or not, that the provider number for an MRI in this area was used by the transportable MRI which visited Bundaberg which already had a permanent MRI in a private hospital. She said that Bundaberg also had the transportable MRI but it did not stop in our area. Councillor Brooks said that she knew there were service providers here in Hervey Bay, and possibly in Maryborough, which had the capacity to house an MRI and would pay the money if they could get that private provider. She suggested Council could have a discussion with Queensland Health or the local State Member to ascertain if this was the case because if it was Council should be undertaking some lobbying to try and ensure an MRI service was provided as soon as possible.

ORD 15 GENERAL BUSINESS

ORD 15.12 Congratulations

Councillor MucKan said he also wished to place on record his congratulations to staff in relation to the success of the recently held Mining Expo. He said he believed the outcomes would be precious to the Fraser Coast region.

Councillor MucKan said that he would also like to congratulate the Poona community and he believed the Deputy Mayor would speak further on that.

ORD 15 GENERAL BUSINESS

ORD 15.13 River Heads Melbourne Cup Function

Councillor MucKan said that he had attended the Melbourne Cup function held at River Heads. He said that he wished to declare that on the day he had been the winner of a raffle held and the prize had been a pearl necklace and earring set.

ORD 15 GENERAL BUSINESS

ORD 15.14 Jarrod Fletcher Professional Boxing Event

Councillor MucKan said that he had attended the recently held professional boxing match which had featured local boxer, Jarrod Fletcher. He said that to see a young man bring his professional fight to Hervey Bay and the Fraser Coast was the best thing about it because this young man had the region in his heart. Councillor MucKan said he congratulated Jarrod and also commended his opponent.

ORD 15 GENERAL BUSINESS

ORD 15.15 Motor Sports Complex

Councillor MucKan said that further to earlier comments, he believed the area needed a motor sports complex which it was felt would deter hooning on public streets by young people. He said he believed they had a lot of time on their hands and needed to express themselves. Councillor MucKan said that he would like to see this matter discussed and investigated. He said that he felt it would be a plus for the region.

ORD 15 GENERAL BUSINESS

ORD 15.16 Poona War Monument

Councillor Dalgleish referred to the Poona War Monument saying he thought it was the most outstanding piece of community asset that he had seen for a long time. He said that the people who had attended the function had been incredible, adding that usually on Anzac Day dignitaries had to spread themselves around various locations. Councillor Dalgleish said the function had been a gathering of all levels of Defence Forces, from the “fuzzy wuzzies” through to New Zealand military people. He said that it had been a great day and a credit to the men and women who had organised this event at Poona and showed what the Poona community could do.

ORD 15 GENERAL BUSINESS

ORD 15.17 Torbanlea Picnic Race Day

Councillor Dalgleish commented on the recently held Torbanlea Picnic Race Day saying that it had been another outstanding event on the Fraser Coast. He said that he did not think too many people had been disappointed; not even those who had not had a win, and everybody had a great day.

ORD 15 GENERAL BUSINESS

ORD 15.18 River Heads Melbourne Cup Function

Councillor Dalgleish said that he had also attended the River Heads Melbourne Cup function which had been outstanding. He said that he was sure other community groups across the region had also conducted great events. Councillor Dalgleish said that the ladies of the River Heads Progress Association had decorated the community hall and totally transformed it for the Melbourne Cup.

Councillor Dalgleish said that he would also like to thank Council staff for the work that had been conducted around the community hall in cleaning up and attending to dangerous tree limbs and foliage which had been an issue for some time. He said that he looked forward to the job being completed with the top of the toilet block being cleaned of leaves and debris.

ORD 15 GENERAL BUSINESS

ORD 15.19 Reduction in Hooning

Councillor Dalgleish said it was good news that hooning numbers across the region were down this year compared with last year. He said that young people were looking for something to do. Councillor Dalgleish said that they were taking a fair bit of responsibility for their own actions which was a good thing, the police were doing their job, and Council had been working in the community with such things as additional lighting in particular areas and pedestrian crossings on the Esplanade. He said that everything combined had had a good impact and complaints were lower this year. Councillor Dalgleish said that while it was said that the number was only a small percentage lower, it should be remembered that was based on last year's population which this year, was greater with more young people. He said that the ratio was a lot better than last year. He congratulated staff on their efforts with Council having an on-going commitment. Congratulations were also extended to the young people of the community.

CONFLICTS OF INTEREST

Item ORD 16.1

Councillor O'Connell declared a perceived Conflict of Interest because he had received an electoral donation from a tenderer and a Conflict of Interest because he had worked with one of the tenders. He advised he would retire from the Meeting for this item.

Councillor Nioa declared a perceived Conflict of Interest because she had received an electoral donation from a tenderer.

Councillor McNeven declared a perceived Conflict of Interest because she had received an electoral donation from a different company but there was a common director of which she was now aware associated with one of the companies referred to in this item. She advised she would retire from the Meeting for this item.

Councillor McNeven retired from the Meeting and did not return. She was not present during discussion or voting on Item ORD 16.1.

Councillor MucKan declared a perceived Conflict of Interest because he had received an electoral donation from a different company but there was a common director of one of the tendering companies.

Councillor Dalgleish declared a perceived Conflict of Interest because he had received an electoral donation from a different company but there was a common director of one of the tendering companies.

Councillor O'Connell retired from the Meeting. He was not present during discussion on Item ORD 16.1.

ORD 16 **CONFIDENTIAL**

RESOLUTION (Arthur)

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

ORD 16.1 – **CORP 3-11/12 - Building Construction Services - Fraser Coast Cultural Centre** - Section 72(1)(e) (contracts proposed to be made by Council)

Carried Unanimously
Ord 20/864/11/11

RESUMPTION OF ORDINARY COUNCIL MEETING

RESOLUTION (Hovard)

That the Meeting resume in open Council.

Carried Unanimously
Ord 20/865/11/11

Councillor O'Connell returned to the Meeting. He then retired from the Meeting and was not present for voting on Item ORD 16.1.

ORD 16 CONFIDENTIAL

ORD 16.1 CORP 3-11/12 - Building Construction Services - Fraser Coast Cultural Centre

RESOLUTION (Brooks / Hawes)

That the tender of PBS Building for CORP 3 11/12 – Building Construction Services Fraser Coast Cultural Centre, in the sum of $4,999,627.94 excluding GST be accepted by Council.

Carried 6/1
Ord 20/866/11/11

Councillors Nioa and Dalgleish voted for the resolution.
Councillor MucKan voted against the resolution.

There being no further business, the Meeting closed at 10.52am.

Confirmed at Ordinary Meeting No. 21 of the Fraser Coast Regional Council held at Maryborough on 16 November, 2011.

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DEPUTY MAYOR