MINUTES OF THE ORDINARY MEETING NO. 1
HELD IN THE FRASER COAST REGIONAL COUNCIL CHAMBERS,
MARYBOROUGH CITY HALL, KENT STREET, MARYBOROUGH
ON WEDNESDAY 25 JANUARY, 2012 COMMENCING AT 9.30AM.

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 Anne Nioa
Councillor Gerard O'Connell

STAFF IN ATTENDANCE:
Chief Executive Officer, Ms Lisa Desmond
Director Community & Development Services, Mr Peter Smith
Director Infrastructure & Environmental Services, Mr Wayne Sweeney
Executive Manager Information Management, Mr Sydney Shang
Executive Manager Community & Culture, Ms Debra Moore
Executive Manager Regulatory Services, Mr Andy Gaze
Principal Officer Corporate Communication & Marketing, Mr Kevin Corcoran
Meeting Secretary, Mrs Julie Schoonderwoerd

ORD 1 OPENING PRAYER

The Opening Prayer was delivered by Pastor Rob Simpson from the Maryborough Wesleyan Church.

ORD 2 APOLOGIES

Nil

Councillor Kruger advised that Councillor Nioa would be late attending the meeting.

ORD 3 DISCLOSURE OF INTERESTS

Councillor Dalgleish declared a perceived conflict of interest in Item ORD 16.1.

Councillor O'Connell declared a perceived conflict of interest in Item ORD 16.1.

Councillor Harris perceived conflict of interest in Item ORD 11.6.

Councillor McNeven perceived conflict of interest in Item ORD 16.1.

Councillor MucKan 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. 23 – 14 December, 2011

RESOLUTION (Hovard / MucKan)

That the Minutes of Ordinary Meeting No. 23 held on 14 December, 2011, be confirmed.

Carried Unanimously
Ord 1/937/01/12

ORD 6 ADDRESSES / PRESENTATIONS

ORD 6.1 Customer Service and Recognition Awards – November 2011

Councillor Kruger welcomed and presented awards to the recipients of the November 2011 Customer Service and Recognition Awards. Award recipients included:

- **The Human Resource Team** (which consisted of Rachael Paton, Billy Gumburd, Alexia Nunn, Dani Kostic, Peter Lennon, Roger Jennings & Christine Buckland) - **Service Champion Award.**
- **Bridget Macintyre** (Customer Service Officer - Tiaro Office) - **Customer Service Excellence Award (Office)**. Bridget was unable to attend the meeting.
- **Nick Dionysius** (Team Member Parks) **- Service Champion Award (Field)**
- **Peter Souvlis & Dion Anderson** (Team Member Parks & Horticulturist) **- Good Samaritan Award (Field)**

The Mayor extended congratulations to all November award recipients.

ORD 6 ADDRESSES / PRESENTATIONS

ORD 6.2 Customer Service and Recognition Awards – December 2011

Councillor Kruger also welcomed and presented awards to the recipients of the December 2011 Customer Service and Recognition Awards. Award recipients included:

- **The Waste Services Team** (which consisted of Debbie Russell, Lorraine Gay, Kate Brown, Natalie Kostic, Gerry Brennan, Ron Broom & Ivan Ramsay) - **Service Champion Award.**
- **Deborah McCall** (Library Technician - Tiaro Office) - **Service Champion Award (Office)**. Deborah was unable to attend the meeting.
- **Kay Hoskins** (Corporate Governance Officer - Acting) - **High Achievers Award (Office)**.

Congratulations were extended to all December award recipients by the Mayor.

ORD 7 PUBLIC PARTICIPATION

Nil

ORD 8 DEPUTATIONS

Nil

ORD 9 PETITIONS

ORD 9.1 Receipt of Petitions

Request for Skate Park at Urangan

Councillor MucKan tabled a petition containing 61 signatures in support of a skate park being built in Urangan. He added that a petition with 348 signatures requesting a skate park in Urangan had previously been tabled in 2011.

RESOLUTION (MucKan / O'Connell)

That the petition be received and investigated by the Chief Executive Officer.

Carried Unanimously
Ord 1/938/01/12

ORD 9 PETITIONS

ORD 9.2 Open Petitions Register

RESOLUTION (McNeven / Hawes)

That the Open Petitions Register report be received and noted.

Carried Unanimously
Ord 1/939/01/12

ORD 10 COMMITTEES' AND DELEGATES' REPORTS

Nil

ORD 11 OFFICERS' REPORTS

ORD 11.1 Open Resolutions Register - December 2011

RESOLUTION (MucKan / Hawes)

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

Carried Unanimously
Ord 1/940/01/12

ORD 11 OFFICERS' REPORTS

ORD 11.2 Councillors' Remuneration & Superannuation 2012

RESOLUTION (Brooks / Dalgleish)

That Council authorise payment of the following Remuneration Rates, Amalgamation Loading and Superannuation to its Mayor, Deputy Mayor and Councillors effective 1 January 2012:

Category	**Remuneration Rate (per annum)** **% of Reference Rate of $137,149 effective 01/01/2012**		
5	**Mayor**	**Deputy Mayor**	**Councillors**
%	95	62.5	55
Remuneration	$130,292	$85,718	$75,432

Category	**Amalgamation Loading (per annum)** **01/01/2012 to the conclusion of the 2012 quadrennial elections**		
	Mayor	**Deputy Mayor**	**Councillors**
5	$2,770	$1,940	$1,700

Superannuation contributions on behalf of Councillors up to 12% of a Councillor's base remuneration, provided that Councillors contribute 50% of Council's contribution as detailed below:

Councillor Contribution	6%	5%	4%	3%	2%	1%	0%
Council Contribution	12%	10%	8%	6%	4%	2%	0%

Councillors be given the option to make their Superannuation contributions through salary sacrifice arrangements under section 226 of the *Local Government Act 2009* by lodging a formal request with Council.

Carried Unanimously
Ord 1/941/01/12

ORD 11 OFFICERS' REPORTS

ORD 11.3 Amendment to 2011/12 Fees and Charges Schedule – Due to Adoption of New Local Laws

RESOLUTION (O'Connell / MucKan)

That this item be deferred to the next Ordinary Meeting of Council.

Carried Unanimously
Ord 1/942/01/12

ORD 11 OFFICERS' REPORTS

ORD 11.4 Quarterly Report - Councillors' Attendance at Conferences and Industry Events - October to December 2011

RESOLUTION (O'Connell / Harris)

That the Quarterly Report on Councillors' attendance at approved Conferences and Industry Events for the period 1 October to 31 December 2011 be noted.

Carried Unanimously
Ord 1/943/01/12

ORD 11 OFFICERS' REPORTS

ORD 11.5 Fraser Coast Regional Council Financial Report - Period Ended 31 December 2011

RESOLUTION (O'Connell / Hovard)

That:

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

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

Carried Unanimously
Ord 1/944/01/12

ORD 11 OFFICERS' REPORTS

Councillor Harris declared a perceived conflict of interest in Item ORD 11.6 because her son-in-law submitted a letter of support for the application for the medical centre as an allied medical practitioner and he may at some time be considered in working at the facility. Councillor Harris remained in the Chamber for the item.

ORD 11.6 Fees Tiaro Medical Centre

RESOLUTION (Hawes / Brooks)

That Council:

1) delegates authority to the Chief Executive Officer to negotiate and execute commercial Leases with appropriate health service providers over parts of the Tiaro Medical Centre; and

2) sets Fees and Charges for the causal hiring of the Tiaro Medical Centre by allied and associated health services at the rates below:-

Minimum charge of 3 hours	$21.00
Per hour after minimum (up to a maximum of 5 consecutive hours)	$11.00
Per day (5 consecutive hours or more)	$64.00

Carried (9/1)
Ord 1/945/01/12

Councillor Harris abstained from voting.

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 (McNeven / Brooks)

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

Carried Unanimously
Ord 1/946/01/12

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

Nil

ORD 15 GENERAL BUSINESS

ORD 15.1 Australia Day Celebrations

Councillor Harris referred to Australia Day celebrations scheduled for 26 January and the very heavy rainfall currently being received. She said that she believed that there were wet weather arrangements in place. Councillor Harris said that she would particularly point out that in Tiaro it was not possible to reach the outdoor event location because roads were flooded and the celebrations would be held in the Memorial Hall with the fireworks being cancelled.

Councillor Kruger advised that the Maryborough Australia Day celebrations would be held in the City Hall at the time scheduled.

ORD 15 GENERAL BUSINESS

ORD 15.2 Local Government Elections

Councillor Hovard referred to the postponement of the Local Government Elections for another month. She said that she was tired of saying over and over again there was a lack of regard for local government by the State Government. Councillor Hovard referred to the preparations already made and the cost involved in their campaigns by the candidates.

ORD 15 GENERAL BUSINESS

ORD 15.3 Congratulations to Staff – Working in Hot Weather

Councillor Hovard said that on a day like today it was hard to imagine the dreadfully hot weather of a few weeks ago, but she wished to commend the outdoor staff that had done such a great job during that hot weather.

10.07am Councillor Nioa attended the Meeting during Item ORD 15.4.

ORD 15 GENERAL BUSINESS

ORD 15.4 Domestic Sewerage Treatment Effluent Testing

Councillor Brooks enquired, on behalf of several local residents, regarding the domestic sewerage treatment plant effluent testing fee, which is included in the General Rates notices. She asked if the current testing programme was on track and what action Council was planning to do with regard to the income derived over previous years when testing was not fully undertaken. Councillor Brooks stated that the testing was for those properties that had above ground effluent dispersal. The testing is undertaken to ensure human health and safety.

Executive Manager Regulatory Services, Mr Andy Gaze, confirmed that Council was currently on track to complete all testing by the end of this financial year. He said that the testing was done regularly but not annually and the funds collected annually were put aside to finance the cost of the testing. Testing done this year was being financed by other means to ensure all properties were brought up to date. Mr Gaze said that he would recommend Council consider investigating the need to continue this testing as well as the appropriate charge to be levied. He advised Council that it could consider holding the fee at its present level, if it was to remain, due to some properties previously not being tested as regularly as was being done now.

The Chief Executive Officer confirmed that the issue would be discussed as part of the budget briefing process and options for continuation of the programme would be provided to Council including the consideration of the level of the fee for the 2012/13 budget.

ORD 15 GENERAL BUSINESS

ORD 15.5 Roadside Litter – State Roads

Councillor Brooks said that she was upset, angry and annoyed at the amount of litter she had seen on the roadside, particularly coming into Hervey Bay, of the Maryborough/Hervey Bay Road which was a state road. Councillor Brooks said that she knew Council spent ratepayers money on employing staff to keep its streets clean and litter free, but her understanding was the State Government did not do this and did not have a programme or employ anybody to collect litter on state roads. She asked if Council could liaise with or write to the State Government expressing concern regarding roadside litter.

Councillor Kruger advised that Council officers met with Main Roads on a regular basis and this issue could be raised at the next meeting.

ORD 15 GENERAL BUSINESS

ORD 15.6 Local Government Elections

Councillor O'Connell said that he concurred with Councillor Hovard's comments, adding that it seemed that local government was just "dangling on a string" when it came to the State Government that it could impose things such as the rescheduling of the elections.

ORD 15 GENERAL BUSINESS

ORD 15.7 Medical Students – USQ Rural Clinical School

Councillor O'Connell said that a fortnight ago 10 third and fourth year medical students were welcomed to the Fraser Coast as part of the University of Queensland's Rural Clinical School. He said that he wished to extend thanks to the Visitor Information Centre for providing welcome packs to the students who would call the Fraser Coast home for the next 12 months. Councillor O'Connell said that the feedback from their welcome and the appreciation they had of the Fraser Coast could bode well for extra medical staff in the future.

ORD 15 GENERAL BUSINESS

ORD 15.8 Picnic in the Pines – Christmas Day

Councillor McNeven extended thanks to Council for its help in relation to organising the Picnic in the Pines Christmas Day function which had been very successful. She said that again the weather enabled everybody to have a great day and there had been approximately a couple of hundred people in attendance. Councillor McNeven said that the extra support from The Chronicle had been appreciated with members of The Chronicle volunteering to help. She said that the support for the community was very much appreciated in being able to make this an annual event.

ORD 15 GENERAL BUSINESS

ORD 15.9 Australia Day Celebrations

Councillor McNeven said that hopefully the weather would not prevent Australia Day celebrations going ahead tomorrow. She said that possibly for future events thought should be given as to how to facilitate the community to be undertaking community events. Councillor McNeven said that hopefully people would be able to take time to appreciate the joy and beauty of the free democracy in which we live in this country.

ORD 15 GENERAL BUSINESS

ORD 15.10 Australia Day Celebrations

Councillor Hawes advised that unfortunately tomorrow's Teebar Australia Day celebrations had been postponed because a number of causeways in the area were already flooded, and there was also no access to the hall which would have been used as an alternative venue.

ORD 15 GENERAL BUSINESS

ORD 15.11 Liquor Accord

Councillor Hawes said that since the Christmas/New Year break the Liquor Accord had held a meeting. She said that it had been really positive, and each year there had been fewer bans. Councillor Hawes said that the Hervey Bay group had been working very well with positive outcomes in the community. She said that the Kahwun-Wooga Group was still conducting foot patrols around town, and all of the hotels had come on board which was great. Councillor Hawes said that Wide Bay Health Services had been approached and had sent a representative to investigate the possibility of getting the hospitals involved as well. She also referred to a petition being circulated for CCTV, adding that this had worked well in Maryborough and attempts were being made to get more. Councillor Hawes commented that she thought it was more than just the CCTV; it was getting the police, the businesses, the hotels and hospitals together as a group.

ORD 15 GENERAL BUSINESS

ORD 15.12 PCYC Hervey Bay

Councillor Arthur said that she wished to acknowledge the work of Acting Sgt. Tom MacKinnon who had been the Relief Manager for the Hervey Bay PCYC for the last six months. Councillor Arthur said that he had taken on the challenge outside of his normal duties. She said that at the last meeting of the PCYC Committee, one of the Aboriginal-Torres Strait Islander ladies had spoken of Tom's role at the PCYC and how he had included that community as part of the people who used the PCYC, saying that he had "very welcoming hands". Councillor Arthur said that it was a shame that he had now returned to his normal duties. She said that for the next five months the role would be undertaken by Tracey Meyers who commenced this week.

ORD 15 GENERAL BUSINESS

ORD 15.13 Roadworks River Heads

Councillor MucKan said that he wished to thank the Director Infrastructure & Environment and his team in relation to the roadworks which had been undertaken at River Heads during the Christmas break. He referred to their quick reaction to the problem.

ORD 15 GENERAL BUSINESS

ORD 15.14 Australia Day

Councillor MucKan said that in the spirit of reconciliation he wished everybody a happy Australia Day and hoped everybody had a good day.

ORD 15 GENERAL BUSINESS

ORD 15.15 Welcome to Country – Aboriginal Elders

Councillor MucKan referred to a letter received from an Aboriginal Elder saying that the Elders of Maryborough had not been invited to do Welcome to Country at the Australia Day celebrations. He said that he would pass the letter on to the Chief Executive Officer. Councillor MucKan said that while it was too late for this year's Australia Day, there should be an updated list of Elders and organisations in the Fraser Coast region to enable all Aboriginal Elders and communities to be invited to conduct Welcome to Country in the future.

Councillor Kruger said that therefore, whichever organisation was holding an event the organisation should invite the traditional owners to do the welcome.

ORD 15 GENERAL BUSINESS

ORD 15.16 CCTV

Councillor Dalgleish referred to the CCTV issue and asked that a report be brought back to Councillors to bring them up date regarding CCTVs. He said that prior to Christmas he had had discussions with the Executive Manager Environment & Open Space, Mr Jamie Cockburn, regarding this matter adding he had today received an email with an update which included information regarding the All Abilities Playground which will have two cameras. Councillor Dalgleish said there was a delay and outlined the reason to Council. He said that the cameras came at a cost and the cost would basically be worn over the parks budget. Councillor Dalgleish said that some embellishments going into parks may be put aside to fund the cameras. Councillor Dalgleish said that other "hot spot" areas were currently being identified for camera locations.

ORD 15 GENERAL BUSINESS

ORD 15.17 Kehlet Street

Councillor Dalgleish referred to the good work that Council had done in relation to Kehlet Street. He explained the delays regarding this job saying that unfortunately the machine which puts the bitumen down was owned by the contractor, so prior to Christmas Council was waiting for the ground to dry out to enable the sealer to be put down, then the plant closed over Christmas and the machinery was not available and now the machinery was available the rain had returned. Councillor Dalgleish said that the machinery was waiting and everybody was keen to do the work. He said that Council staff was trying to maintain a service level for the community.

ORD 15 GENERAL BUSINESS

ORD 15.18 Car Park – Beach Road

Councillor Dalgleish referred to the car park near the intersection of Beach Road and the Esplanade which was also waiting on a seal to go down. He said that this was a big job because Wide Bay Water heavy trucks use the car park to gain access to the treatment plant and the pumps and the ground needed to be strong enough to support the weight of the trucks.

ORD 15 GENERAL BUSINESS

ORD 15.19 Appreciation to Parks Staff

Councillor Dalgleish said that the parks staff had worked so well over the break, and even now were out working in the rain. He said that this morning at 7.00am they were out on mowers with umbrellas, in raincoats and hats, trying on every opportunity to keep up with the workload and they did a good job.

ORD 15 GENERAL BUSINESS

ORD 15.20 Delegated Authority to Chief Executive Officer – General Aviation Hangars at Fraser Coast Airports

Councillor Kruger referred to the hangar sites at the Hervey Bay and Maryborough airports and explained that because they were airports, when somebody applied for a hangar it needed to go through a town planning application and this process meant going through the various agencies. Councillor Kruger said that because hangars were on Council land it had to come back to Council. He said he believed Council should move a motion that authority be delegated to the Chief Executive Officer to approve development applications for general aviation hangars at Fraser Coast Airports where the use was consistent with the Airport Master Plans. Councillor Kruger said that this would cut a considerable amount of red tape.

RESOLUTION (Dalgleish / MucKan)

That Council delegate authority to the Chief Executive Officer to approve development applications for general aviation hangars at Fraser Coast Airports where the use was consistent with the Airport Master Plans.

Carried Unanimously
Ord 1/947/01/12

CONFLICTS OF INTEREST

Councillor Dalgleish declared a perceived Conflict of Interest in Item ORD 16.1 because he had received an electoral donation from one of the tenderers.

Councillor MucKan declared a perceived Conflict of Interest in Item ORD 16.1 because he had received an electoral donation from one of the tenderers.

Councillor McNeven declared a perceived Conflict of Interest in Item ORD 16.1 because he had received an electoral donation from one of the tenderers.

Councillor Nioa declared a perceived Conflict of Interest in Item ORD 16.1 because he had received an electoral donation from one of the tenderers.

Councillor O'Connell declared a perceived Conflict of Interest in Item ORD 16.1 because he had received an electoral donation from one of the tenderers, and had also had a previously working relationship with one of the tenderers.

ORD 16 CONFIDENTIAL

RESOLUTION (Brooks / Hovard)

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 – **CORP 5-11/12 - Building Construction Services - Pialba Caravan Park - Amenities Block** - Section 72(1)(e) (contracts proposed to be made by Council)

ORD 16.2 – **Infrastructure Contributions for Significant Developments** - Section 72(1)(h) (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)

ORD 16.3 – **Brolga Theatre** - Section 72(1)(e) (contracts proposed to be made by Council)

ORD 16.4 – **HR Matter** - Section 72(1)(a) (the appointment, dismissal or discipline of employees)

Carried Unanimously
Ord 1/948/01/12

Councillors Dalgleish, MucKan, McNeven, Nioa and O'Connell retired from the Meeting and did not participate in discussion of Item ORD 16.1. They returned to the Meeting following conclusion of discussion relating to this item.

All staff excluding the Chief Executive Officer and the Director Community & Development retired from the Meeting during discussion of Item ORD 16.4.

RESUMPTION OF ORDINARY COUNCIL MEETING

RESOLUTION (Hovard / Hawes)

That the Meeting resume in open Council.

Carried Unanimously
Ord 1/949/01/12

Staff members returned to the Meeting.

Councillors Dalgleish, MucKan, McNeven, Nioa and O'Connell retired from the Meeting and did not participate in voting on Item ORD 16.1.

ORD 16 CONFIDENTIAL

ORD 16.1 CORP 5-11/12 - Building Construction Services - Pialba Caravan Park - Amenities Block

RESOLUTION (Hovard / Arthur)

That the tender of WIN Constructions for CORP 5 11/12 – Building Construction Services Pialba Caravan Park – Amenities Block, in the sum of $299,163 excluding GST be accepted by Council.

Carried Unanimously
Ord 1/950/01/12

Councillors Dalgleish, MucKan, McNeven, Nioa and O'Connell returned to the Meeting.

ORD 16 CONFIDENTIAL

ORD 16.2 Infrastructure Contributions for Significant Developments

RESOLUTION (McNeven / MucKan)

That Council determine the request for DA514/3-082164 a reduction in infrastructure charges under Category 5 (c) of Council's Infrastructure Charges Incentives Policy in accordance with Option 3 of the confidential report (DOCS #2154327).

Carried Unanimously
Ord 1/951/01/12

ORD 16 CONFIDENTIAL

ORD 16.3 Brolga Theatre

The Chief Executive Officer updated Council regarding lease negotiations.

ORD 16 CONFIDENTIAL

ORD 16.4 HR Matter

The Chief Executive Officer updated Council regarding a recruitment process.

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

Confirmed at Ordinary Meeting No. 2 of the Fraser Coast Regional Council held at Hervey Bay on 1 February, 2012.

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MAYOR