

GENERAL MEETING MINUTES

HELD AT THE COUNCIL CHAMBERS - CIVIC CENTRE 101 GOONDOON STREET, GLADSTONE

On 18 December 2018

Commencing at 9.00am

Leisa Dowling
CHIEF EXECUTIVE OFFICER

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Elected Members

Councillor G G Churchill
Councillor K Goodluck
Councillor R A Hansen
Councillor P J Masters
Councillor D V O'Grady
Councillor P J Sobhanian
Councillor C A Trevor - Acting Mayor

Officers

Mrs L A Dowling (Chief Executive Officer)
Ms L M Hendrick (Executive Assistant)

APOLOGIES

G/18 /3600 Council Resolution:

Moved Cr Churchill Seconded Cr O'Grady

That apologies for Mayor Burnett and Cr Muszkat be received.

G/0.3.2. DISCLOSURE OF INTERESTS

MATERIAL PERSONAL INTERESTS

Pursuant to section 175(C) of the Local Government Act 2009, where a Councillor declares a Material Personal Interest in an agenda item, the Councillor must leave the room for the agenda item.

G/3.5.1. ASSESSMENT OF SPORT AND RECREATION 2018/19 CLUB DEVELOPMENT GRANT (ROUND 1) AND 2018/19 FACILITY ASSISTANCE GRANT (COMMUNITY PROJECTS)

Cr Trevor

Cr Trevor declared a Material Personal Interest in Item G/3.5.1 as he has been a financial sponsor of Past Brothers Junior Rugby League Football Club (Gladstone) from time to time. Cr Trevor advised that he will leave the room during the consideration of Item G/3.5.1.

Cr Hansen

Cr Hansen declared a Material Personal Interest in Item G/3.5.1 as he is a Life Member and Sponsor of Gladstone Amateur Basketball Association. Cr Hansen advised that he will leave the room during the consideration of Item G/3.5.1.

Cr Sobhanian

Cr Sobhanian declared a Material Personal Interest in Item G/3.5.1 as his business Sunvalley Dental is a sponsor of Gladstone Amateur Basketball Association. Cr Sobhanian advised that he will leave the room during the consideration of Item G/3.5.1.

CONFLICTS OF INTEREST

Pursuant to section 175(E) of the Local Government Act 2009, where a Councillor declares a Conflict of Interest and elects to leave the room for an agenda item, a resolution of Council is not required.

G/3.5.1. ASSESSMENT OF SPORT AND RECREATION 2018/19 CLUB DEVELOPMENT GRANT (ROUND 1) AND 2018/19 FACILITY ASSISTANCE GRANT (COMMUNITY PROJECTS)

Cr Sobhanian

Cr Sobhanian declared a perceived Conflict of Interest in Item G/3.5.1 as he is a member of the Gladstone District Bush Walking Club. Cr Sobhanian advised that he will leave the room during the consideration of Item G/3.5.1.

Cr Churchill

Cr Churchill declared a perceived Conflict of Interest in Item G/3.5.1 as he is Chairman of Gladstone Police Citizens Youth Centre (PCYC) and a Diamond Life Member of the State PCYC, and there is an annual corporate partnership agreement in place between PCYC and the Gladstone Amateur Basketball Association. Cr Churchill advised that he will leave the room during the consideration of Item G/3.5.1.

G/1. MAYORAL STATEMENT OF CURRENT ISSUES

G/2. CONFIRMATION OF MINUTES

G/2.1. CONFIRMATION OF GENERAL MEETING MINUTES FOR 4 DECEMBER 2018

File Ref: CM7.2

Purpose:

Confirmation of the minutes of the General Meeting held on 4 December 2018.

Officer's Recommendation:

That the minutes of the General Meeting of Council held on 4 December 2018 be confirmed.

G/18 /3601 Council Resolution:

Moved Cr Goodluck Seconded Cr Hansen

That the Officer's Recommendation be adopted.

G/3. OFFICERS' REPORTS

G/3.1. OFFICE OF THE CEO

G/3.1.1. INTERNATIONAL PARKS AND LEISURE CONGRESS ATTENDANCE REPORT

File Ref: CM7.2

Purpose:

To brief Council on the ideas and content presented at the International Parks and Leisure Congress which was attended by Councillor Desley O'Grady on 14 – 17 October 2018 in Melbourne.

Officer's Recommendation:

That Council note the Conference Attendance report by Cr Desley O'Grady on the International Parks and Leisure Congress.

G/18 /3602 Council Resolution:

Moved Cr O'Grady Seconded Cr Goodluck

That the Officer's Recommendation be adopted.

G/3.2. STRATEGY AND TRANSFORMATION

G/3.3. STRATEGIC ASSET PERFORMANCE

G/3.3.1. BICENTENNIAL DRIVE REHABILITATION RDC0650

File Ref: CM9.2

Purpose:

The purpose of this report is to allow Council to consider its options regarding the renewal of Bicentennial Drive, Agnes Water (RDC0650).

Officer's Recommendation:

That:

- 1. Council endorse the construction of the original scope of RDC0650 Bicentennial Drive Rehabilitation; and
- 2. Approve new funds of \$453,000 to be allocated to the 18/19 RDC0650 capital budget.

G/18 /3603 Council Resolution:

Moved Cr Masters Seconded Cr Churchill

That the Officer's Recommendation be adopted.

G/3.3.2. TONDOON BOTANIC GARDENS WATER SUPPLY

File Ref: PR4.1

Purpose:

The purpose of this report is to advise Councillors of the limitations of the existing water supply system for the Tondoon Botanic Gardens and options to provide the gardens with a reliable and safe water supply that will meet current and future demand.

Officer's Recommendation:

That Council:

- 1. Endorse Option 2B to extend the existing Tondoon Botanic Gardens internal water main to the north of the depot area and connect directly to the irrigation network.
- 2. Reallocate \$135,000 from Capital Project PKC0180 to construct Option 2B in 2018/19.

G/18 /3604 Council Resolution:

Moved Cr Hansen Seconded Cr O'Grady

That the Officer's Recommendation be adopted.

G/3.3.3. BENARABY LANDFILL CELL 3A PROJECT

File Ref: WM2.1, WM11.1

Purpose:

The purpose of this report is to allow the Council to consider a proposal to construct the new cell (Cell 3A) at Benaraby Landfill earlier than it is currently scheduled in the Long Term Financial Plan.

Officer's Recommendation:

That Council allocate the following amounts in the identified financial years to deliver Cell 3A at the Benaraby Landfill:

- a. \$50,000 in the 2018/19 financial year from GNC0083 external designs other;
- b. \$1,209,000 in the 2019/20 financial year;
- c. \$6,703,000 in the 2020/21 financial year; and
- d. \$1,768,000 in the 2021/22 financial year.

G/18 /3605 Council Resolution:

Moved Cr Masters Seconded Cr Hansen

That the Officer's Recommendation be adopted.

G/3.3.4. PERMANENT ROAD CLOSURE OF PART OF FRIEND STREET, BARNEY POINT - ADJACENT TO LOT 11 ON CP 848669

File Ref: CP2.1; RD7.1

Purpose:

The purpose of this report is to seek Council's approval to apply for the permanent closure of part of Friend Street, Barney Point – adjacent to Lot 11 on CP 848669, pursuant to s99(1)(b) of the Land Act 1994.

Officer's Recommendation:

That:

- Council approves the application for Permanent Road Closure, pursuant to s99(1)(b) of the Land Act 1994, of part of Friend Street, Barney Point, adjacent to Lot 11 on CP 848669 signed on 11 October 2017 and submitted to the Department of Natural Resources Mines and Energy on 16 October 2017; and
- 2. The Chief Executive Officer be authorised to negotiate and accept an offer from the Department of Natural Resources Mines and Energy for the Permanent Road Closure.

G/18 /3606 Council Resolution:

Moved Cr Churchill Seconded Cr Sobhanian

That the Officer's Recommendation be adopted.

G/3.3.5. PROPOSED LEASE TO OPTUS MOBILE PTY LIMITED - LEASE P IN LOT 1 ON SP263704 ON SP 307915

File Ref: CP8.2

Purpose:

To confirm that land described as Lease P in Lot 1 on SP263704 on SP307915 can be leased to Optus Pty Limited for the purposes of a telecommunication tower (or facilities ancillary to) without the land having previously been offered in a tender or auction process pursuant to s236(1)(c)(vi) of the *Local Government Regulation 2012*.

Officer's Recommendation:

That Council accept, in accordance with section 236(1)(c)(vi) of the *Local Government Regulation 2012*, an exception to the disposal of a valuable non-current asset (land) by tender or auction, to apply to the lease of freehold land described as Lease P in Lot 1 on SP263704 on SP307915 to Optus Mobile Pty Ltd for the purposes of a telecommunication tower (or facilities ancillary to).

G/18 /3607 Council Resolution:

Moved Cr Masters Seconded Cr Hansen

That the Officer's Recommendation be adopted.

G/3.4. OPERATIONS

G/3.5. COMMUNITY DEVELOPMENT AND EVENTS

Acting Mayor Trevor (declared Material Personal Interest)
left the room during the consideration and voting of Item G/3.5.1
(refer G0/0.3.2 Disclosure of Interest section of the minutes - page 4)

Cr Hansen (declared Material Personal Interest)

left the room during the consideration and voting of Item G/3.5.1.

(refer G/0.3.2 Disclosure of Interest section of the minutes - page 4)

Cr Sobhanian (declared Material Personal Interest)
left the room during the consideration and voting of Item G/3.5.1.
(refer G/0.3.2 Disclosure of Interest section of the minutes - page 4)

Cr Churchill (perceived Conflict of Interest)

left the room during the consideration and voting of Item G/3.5.1.

(refer G/0.3.2 Disclosure of Interest section of the minutes - page 4)

The Chief Executive Officer declared a real Conflict of Interest in Item G/3.5.1 as her husband was Treasurer of the Past Brothers Junior Rugby League Football Club (Gladstone) and has now resigned.

G/3.5.1. ASSESSMENT OF SPORT AND RECREATION 2018/19 CLUB DEVELOPMENT GRANT (ROUND 1) AND 2018/19 FACILITY ASSISTANCE GRANT (COMMUNITY PROJECTS)

File Ref: SR3.1

Purpose:

The Sport and Recreation Grants Assessment Panel has completed assessments and made recommendations for projects to receive funding under the following grant programs:

- 1. 2018/19 Club Development Grant Round 1; and
- 2. 2018/19 Facility Assistance Grant Program (Community Projects)

Officer's Recommendation:

That Council fund the below applicants, subject to funding conditions being applied where necessary:

2018/19 CLUB DEVELOPMENT GRANT – ROUND 1		
Sporting Organisation	Project	Recommended Funding
Baffle Creek Boat Club	Purchase of Equipment	\$893
Discovery Coast Sport and	Purchase of Equipment	\$655.20
Recreation Association		
Gladstone Amateur	Purchase of Equipment	\$1200
Basketball Association		
Gladstone Junior Golf Club	Professional Development	\$1200
Gladstone Martial Arts	Purchase of Equipment	\$1200
Academy		
Gladstone Swimming Club	Purchase of Equipment	\$944
Past Brothers Junior Rugby	Volunteer Training	\$1200
League Football Club	_	
(Gladstone)		
Port Curtis Sailing Club	Strategic Plan Development	\$1200
Scout Association of	Purchase of Marketing	\$1200
Australia Qld Branch (Port	Equipment	
Curtis District Scouts)		
TOTAL		\$9,692.20

2018/19 FACILITY ASSISTANCE GRANT PROGRAM – Community Projects		
Sporting Organisation	Project	Recommended Funding
Captain Creek Community	Purchase of Plant	\$20,400
Sport and Recreation		
Association Inc		
Gladstone Harbour City	Construction of Asphalt	\$19,307.20
BMX Club Inc	Berm (corner)	
Meteors Sports Club	Purchase of Plant	\$16,000
Scout Association of	Purchase of Solar and Flail	\$9,722.40
Australia Qld Branch	Mower	
(Awoonga Scout Campsite)		
TOTAL		\$65,429.60

As Crs Trevor, Hansen and Sobhanian have declared Material Personal Interests, Crs Sobhanian and Churchill have declared Conflicts of Interest and the Chief Executive Officer has declared a Conflict of Interest for Item G/3.5.1 (refer page 4), it was identified that there would not be a quorum or option to delegate to the Chief Executive Officer for deciding Item G/3.5.1.

Accordingly, the decision on Item G/3.5.1 was delegated in accordance with section 257 of the *Local Government Act 2009.*

G/18 /3608 Council Resolution:

Moved Cr Goodluck Seconded Cr Masters

That part of Item G/3.5.1 - Assessment of Sport and Recreation 2018/19 Club Development Grant (Round 1) viz:-

Officer's Recommendation:

That Council fund the below applicants, subject to funding conditions being applied where necessary:

2018/19 CL	UB DEVELOPMENT GRANT -	- ROUND 1
Sporting Organisation	Project	Recommended Funding
Baffle Creek Boat Club	Purchase of Equipment	\$893
Discovery Coast Sport and Recreation Association	Purchase of Equipment	\$655.20
Gladstone Amateur Basketball Association	Purchase of Equipment	\$1200
Gladstone Junior Golf Club	Professional Development	\$1200
Gladstone Martial Arts Academy	Purchase of Equipment	\$1200
Gladstone Swimming Club	Purchase of Equipment	\$944
Past Brothers Junior Rugby League Football Club (Gladstone)	Volunteer Training	\$1200
Port Curtis Sailing Club	Strategic Plan Development	\$1200
Scout Association of Australia Qld Branch (Port Curtis District Scouts)	Purchase of Marketing Equipment	\$1200
TOTAL		\$9,692.20

be delegated to the Mayor for a decision in accordance with section 175E (6) and 257(1)(b) of the *Local Government Act 2009*.

Cr Sobhanian (declared perceived Conflict of Interest) left the room during the consideration and voting of Item G/3.5.1.

(refer G/0.3.2 Disclosure of Interest section of the minutes - page 4)

The remaining part of the Officer's Recommendation was considered:-

Officer's Recommendation:

That Council fund the below applicants, subject to funding conditions being applied where necessary:

2018/19 FACILITY ASSISTANCE GRANT PROGRAM – Community Projects		
Sporting Organisation	Project	Recommended Funding
Captain Creek Community Sport and Recreation Association Inc	Purchase of Plant	\$20,400
Gladstone Harbour City BMX Club Inc	Construction of Asphalt Berm (corner)	\$19,307.20
Meteors Sports Club	Purchase of Plant	\$16,000
Scout Association of Australia Qld Branch (Awoonga Scout Campsite)	Purchase of Solar and Flail Mower	\$9,722.40
TOTAL		\$65,429.60

G/18 /3609 Council Resolution:

Moved Cr Masters Seconded Cr Goodluck

That the Officer's Recommendation be adopted.

G/3.5.2. MARLEY BROWN OVAL HIRE

File Ref: CP11.1

Purpose:

To endorse the fees and charges and related documentation for the hire of Marley Brown Oval as an event space.

Officer's Recommendation:

That Council adopt the proposed fees and charges for the hire of Marley Brown Oval:

Ground Hire:	\$6,500 per event
Site Preparation Fees:	\$300 - \$1,200 (negotiable based on event requirements)
Post Event Cleaning:	\$200 - \$1,500
Bond (payable within 14 days of booking confirmation):	Events with less than 2000 attendees - \$1,500 Events with more than 2000 attendees - \$3,000
Bump In & Bump Out	Daily rate of \$500 for each day prior and following the event until the venue is returned in the agreed upon condition by the hirer
Deposit:	25% of total booking fee

G/18 /3610 Council Resolution:

Moved Cr O'Grady Seconded Cr Goodluck

That the Officer's Recommendation be adopted.

CARRIED

Cr Trevor requested that his vote be recorded in the negative.

G/3.6. CUSTOMER EXPERIENCE

G/3.6.1. APPROVED SYSTEMATIC INSPECTION PROGRAM - ANIMAL INSPECTION PROGRAM FOR REGISTRATION AND RENEWAL OF ANIMALS 2019

File Ref: LE2.1

Purpose:

The report seeks Council approval to implement a Proactive Systematic Approved Inspection Program under the *Animal Management (Cats & Dogs) Act 2008* (the Act) for dogs.

The objectives of the program are to contribute to improved animal owner education and animal welfare in the Gladstone Region, by fulfilling Council's obligation of enforcement of registration and renewal of registration of dogs pursuant to Act and Councils *Local Law No. 2 (Animal Management) 2011.*

Officer's Recommendation:

That Council adopt the attached Approved Proactive Systematic Inspection Program - Animal Inspection Program for Registration and Renewal of Animals 2019 for the period 01 February 2019 to 30 July 2019.

G/18 /3611 Council Resolution:

Moved Cr Hansen Seconded Cr Churchill

That the Officer's Recommendation be adopted.

G/3.7. PEOPLE CULTURE AND SAFETY

G/3.8. FINANCE GOVERNANCE AND RISK

G/3.8.1. MONTHLY FINANCIAL REPORTS FOR PERIOD ENDING 30 NOVEMBER 2018

File Ref: FM15.1

Purpose:

This report seeks Council adoption of the Monthly Financial Statements for the 2018-19 year to date, for the period ended 30 November 2018, as required under Section 204 *Local Government Regulation 2012*.

Officer's Recommendation:

That Council adopt the Monthly Financial Statements attached to this report for the 2018-19 year to date, for the period ended 30 November 2018 as required under Section 204 *Local Government Regulation 2012*.

G/18 /3612 Council Resolution:

Moved Cr Churchill Seconded Cr Hansen

That the Officer's Recommendation be adopted.

G/4. COUNCILLORS REPORT

G/5. URGENT BUSINESS

G/6. NOTICE OF MOTION

G/7. CONFIDENTIAL ITEMS

G/18 /3613 Procedural Motion:

Moved by Cr O'Grady Seconded Cr Masters

That in accordance with Section 275 (1) of the Local Government Regulation 2012, the meeting be closed to the public to discuss business relating to the following: -

- e) contracts proposed to be made by it, and
- 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.

CARRIED

G/18 /3614 Procedural Motion:

Moved by Cr Hansen Seconded Cr Masters

That Council re-open the meeting to the public.

CARRIED

G/7.1. DIVESTMENT OF MIRIAM VALE AFFORDABLE HOUSING - SUNSET LODGE - 4 HANCOCK CLOSE, MIRIAM VALE

File Ref: CM8.7

G/18 /3615 Council Resolution:

Moved Cr Churchill Seconded

That Council:

- Reject the officer's recommendation on the basis that Council wish to continue to facilitate the provision of affordable housing in Miriam Vale;
- 2. Authorise the Chief Executive Officer to write to the Chief Executive of the Department of Housing and Public Works requesting an extension of time, to allow Council to give this matter due consideration; and seek community acceptance.
- 3. That, if Council's request for an extension of time is refused, Council:
 - a. Transfers its interest in 4 Hancock Close, Miriam Vale, otherwise described as Lot 308 on SP108410, Lot 309 on M4753 and Lot 310 on M4753 ("Sunset Lodge") to the State of Queensland represented by the Department of Housing and Public Works (or as otherwise directed by the Department of Housing and Public Works) for the purpose of the continued provision of affordable housing for seniors;

- b. Authorise the Chief Executive Officer to negotiate and complete the contract for the transfer of Sunset Lodge; and
- c. Terminate its lease with Brisbane Housing Company Limited so far as it relates to Sunset Lodge and that the Chief Executive Officer be authorised to negotiate and complete the termination of the lease with Brisbane Housing Company Limited so far as it relates to Sunset Lodge.

MOTION LAPSED FOR WANT OF A SECONDER

G/18 /3616 Council Resolution:

Moved Cr Goodluck Seconded Cr Masters

That Council:

- 1. Transfer its interest in 4 Hancock Close, Miriam Vale, otherwise described as Lot 308 on SP108410, Lot 309 on M4753 and Lot 310 on M4753 ("Sunset Lodge") to the State of Queensland represented by the Department of Housing and Public Works (or as otherwise directed by the Department of Housing and Public Works) for the purpose of the continued provision of affordable housing for seniors;
- 2. Authorise the Chief Executive Officer to negotiate and complete the contract for the transfer of Sunset Lodge; and
- 3. Terminate its lease with Brisbane Housing Company Limited so far as it relates to Sunset Lodge and that the Chief Executive Officer be authorised to negotiate and complete the termination of the lease with Brisbane Housing Company Limited so far as it relates to Sunset Lodge.

A Division was called on the motion:

In Favour of the Motion: Councillors Goodluck, Hansen, Masters, O'Grady, Sobhanian and Trevor.

Against the Motion: Councillor Churchill

G/7.2. 2018/2019 CAPITAL BUDGET REVISIONS

File Ref: CM7.2

G/18 /3617 Council Resolution:

Moved Cr Trevor Seconded Cr O'Grady

That Council:

- 1. Return capital funds of \$1,485,987.70 from the 18/19 SCC1017 budget, for consideration in future budgets to complete the scope of works; and
- 2. Return capital funds of \$936,532.91 from 18/19 WLC9016 budget, for consideration in future budgets to complete the scope of works; and
- 3. Return capital funds of \$15,000.00 from the 18/19 PKC0263 budget; and
- 4. Return capital funds of \$358,301.28 from the 18/19 WLC9017 budget; and
- 5. Return capital funds of \$26,600.33 from the 18/19 PKC0255 budget; and
- 6. Return capital funds of \$10,710.86 from the 18/19 PKC0279 budget; and
- 7. Return capital funds of \$10,725.13 from the 18/19 PKC0277 budget; and
- 8. Approve new capital funds of \$184,580.75 to be allocated to the 18/19 PKC0194 budget; and
- 9. Approve new capital funds of \$73,076.85 to be allocated to the 18/19 PKC0241 budget; and
- 10. Approve new capital funds of \$5,000 to be allocated to the 18/19 PKC0272 budget; and
- 11. Approve new capital funds of \$3,000 to be allocated to the 18/19 PKC0274 budget; and
- 12. Approve new capital funds of \$1,509,331.17 to be allocated to the 18/19 SGC4058 budget; and
- 13. Approve the carryover of \$327,376.61 of unspent capital funds from the 17/18 LND0046 budget to the 18/19 LND0046 budget; and
- 14. Approve new capital funds of \$405,697.21 to be allocated to the 18/19 LND0046 budget; and
- 15. Approve new capital funds of \$170,172.23 to be allocated to the 18/19 SGC6013 budget.

G/7.3. A01 PUMP STATION UPGRADE

File Ref: CM8.7

G/18 /3618 Council Resolution:

Moved Cr Churchill Seconded Cr Hansen

That Council:

- Endorse the Tender Evaluation Panel's recommendation and accept the tender from Re-Pump Australia Pty Ltd for \$4,425,551.90 (exclusive of GST), as per their submission for Tender 44-19 A01 Sewer Pump Station Upgrade (Lord/Chapple Street); and
- 2. Authorise the Chief Executive Officer to enter into a contract for the construction of the A01 Sewer Pump Station Upgrade (Lord/Chapple Street).

There being no further business the Acting Mayor formally closed the meeting.

THE MEETING CLOSED AT 1.09 pm

CERTIFICATION

I hereby confirm that I have read the minutes and they are a true and correct record of the proceedings of the meeting.

I certify that these 31 pages form the official copy of Gladstone Regional Council General Meeting Minutes of the 18 December 2018.

	Mayor Matt Burnett	
•	/	
	Date	

ATTACHMENTS