

CAIRNS REGIONAL COUNCIL

MINUTES

FINANCE & ADMINISTRATION COMMITTEE

15 SEPTEMBER 2010

COMMENCING AT 10.00 AM

PRESENT: Cr A Blake
Cr M Cochrane
Cr L Cooper (Chairperson)
Cr D Forsyth
Cr P Gregory
Cr N Lanskey
Cr K Lesina
Cr R Pyne

APOLOGY: Cr Bonneau
Cr Leu
Cr Schier

OFFICERS:

L Russell	Chief Executive Officer
R McKim	General Manager Infrastructure Services
S Philpott	General Manager Corporate Services
B Gardiner	General Manager Water & Waste
D Crees	A/Manager Corporate Performance
S Anderson	Media Coordinator
F Dix	Senior PR/Media Strategist Officer
J Brozek	Manager Financial Services
R Reilly	Senior Coordinator Revenue & Collection
S Crampton	Supervisor Revenue Collections
J Rehn	Senior Coordinator Management Accounting
N Ballini	A/Senior Coordinator Financial Accounting
S Godkin	Minute Secretary

APOLOGY

Council Notes the apology of Councillors Bonneau, Leu and Schier and in accordance with Section 161 of the *Local Government Act 2009*, Council grants leave of absence.

PURPOSE OF MEETING

To consider the matters listed on the agenda.

- 1. EXECUTIVE SUPPORT MONTHLY REPORT FOR AUGUST 2010 .. 1**
Lyn Russell : 1/3/37-27: #2719189

BLAKE / COCHRANE

That the report from Executive Support for the month of August 2010 be received and noted.

carried

- 2. GENERAL POLICY CONFERENCE / MEETING ATTENDANCE – COUNCILLORS. 28**
L. Kirchner : 1/3/87: #2719879

FORSYTH / COCHRANE

That Council adopt the revised General Policy Conference / Meeting Attendance – Councillors.

carried

- 3. 2009/10 AUDITED FINANCIAL STATEMENTS 34**
N Ballini : 17/49/9-06: #2717238 v1

LANSKEY / GREGORY

That Council adopts the 2009/10 Audited Financial Statements.

carried

4. ELECTED MEMBERS – TRAVEL & ASSOCIATED COSTS 2009/1040
John Rehn: 17/9/23-01 #2680244v1

BLAKE / LANSKEY

That Council notes the travel and associated costs of Elected Members for the period 27 June 2009 to 25 June 2010.

carried

5. ELECTED MEMBERS – TRAVEL & ASSOCIATED COSTS 42
John Rehn: 17/9/24-01 #2709578v1

LESINA / FORSYTH

That Council notes the travel and associated costs of Elected Members for the period 26 June 2010 to 27 August 2010.

carried

6. COUNCIL MEETING DATES FOR 2011..... 44
Sarah Philpott : sg : 1/3/87-06: # 2703989

COCHRANE / LANSKEY

That:-

1. **The Finance and Administration Committee, Infrastructure Services Committee and Water & Waste Committee meeting scheduled for 20 October 2010 be cancelled with all reports being presented to the October Ordinary meeting.**
2. **An additional ordinary meeting be scheduled for 15 December 2010.**
3. **The schedule of meetings of Ordinary Council and Standing Committees for 2011 be accepted.**
4. **The public be notified accordingly of the new meeting dates and venues.**
5. **Council commit to holding a minimum of 3 meetings per annum outside of Spence Street Chambers.**

carried

7. FIRST BUDGET REVIEW 2010/11 - ANNUAL REPORT DISCLOSURES 50

John Rehn: 17/9/24-01 #2709150v2

COCHRANE / GREGORY

That Council notes the interim Annual Report disclosures required under the Local Government (Finance, Plans and Reporting) Regulation 2010 for the Annual Report for the period 26 June 2010 to 27 August 2010.

carried

8. 2010/11 CAPITAL WORKS BUDGET (EXCLUDING WATER & WASTE) - 1ST REVIEW SEPTEMBER 2010 53

Terry Armit : 17/9/5-05 : #2677166

GREGORY / BLAKE

That Council:

- 1. Adopts the funding and works variations to the 2010/11 Capital Works Program for projects listed in this report and the attached schedules; and**
- 2. Varies the 2010/11 Capital Works Budget accordingly (excludes Water & Waste Capital Works).**

carried

9. 2010/11 CAPITAL WORKS BUDGET WATER & WASTE - 1ST REVIEW AUGUST 2010 69

Tanya Poole: 17/49/8-03: #2703409

GREGORY / BLAKE

That Council:

- 1. Adopts the source of funds variations to the 2010/11 Water & Waste Capital Works Program for projects listed in this report and the attached schedules.**
- 2. Varies the 2010/11 Capital Works Budget accordingly.**

carried

10. CAIRNS REGIONAL COUNCIL FIRST BUDGET REVIEW 2010/11 80
Narelle Ballini: #2688624v1

FORSYTH / LANSKEY

That the Budgeted Financial Statements reviewed in July 2010 be adopted by Council.

carried

11. FINANCIAL STATEMENTS FOR THE PERIOD ENDED 27 AUGUST
2010 99
Narelle Ballini: 17/49/9-06 #2703085 v1

GREGORY / LESINA

That the Financial Statements for the period ended 27 August 2010 be noted by Council.

carried

12. COMMUNITY PLAN STRATEGY..... 117
Sue Lockwood: 1/3/87: #2719115

PYNE / FORSYTH

That Council notes the report.

carried

13. CORPORATE SERVICES MONTHLY REPORT FOR AUGUST 2010
..... 125
Sarah Philpott: sg : 1/3/87-06: #2655660v2

COCHRANE / BLAKE

That the report of the Corporate Services Department for the month of August 2010 be received and noted.

carried

14. PROPOSED EASEMENT IN FAVOUR OF CAIRNS REGIONAL COUNCIL OVER LOT 1 ON SP216459, LOT 711 ON CROWN PLAN NR 7289 AND LOT 18 ON SP155099 FOR STORMWATER DRAINAGE INFRASTRUCTURE, ESPLANADE – DIVISION 5 147
K Richardson : 19/3/3-92: #2714174

BLAKE / LANSKEY

That Council advises the Department of Public Works, Project Services (DPW), that:

1. it accepts ownership of the stormwater drainage infrastructure as a donated asset upon completion of the “on-maintenance” period after construction over Lot 1 on SP216459 Lot 711 on NR7289 and Lot 18 on SP155099
2. the proposed stormwater infrastructure design and construction is to be to the satisfaction of the CEO
3. DPW is to be responsible for all necessary approvals required for the construction of the proposed stormwater infrastructure, including operational works and resource entitlement approvals
4. Council will enter into an easement with the State over Lot 711 on NR7289 and Lot 18 on SP155099 for the drainage purposes
5. Council's acceptance is subject to DPW obtaining DERM approval to easements being granted to Council, both in Council's Esplanade recreation reserve Lot 711 on NR7289 and in the perpetual lease held by FNQ Ports Corporation Limited (FNQ Ports) Lot 18 on SP155099
6. DPW is to be responsible for all costs associated with the proposed easements, including but not limited to, any necessary approvals and agreements; and
7. Council will require the DPW to enter into a Works Agreement with Council should DPW wish the works to proceed prior to the obtaining of DERM and FNQ Ports approvals

Furthermore, the Mayor and Chief Executive Officer being delegated authority pursuant to section 257 of the Local Government Act 2009 to negotiate and finalise any and all matters associated with the proposed easements.

carried

15. PROPOSED LEASE TO VODAFONE AUSTRALIA PTY LIMITED
OVER PART (APPROX 25M²) OF LOT 5 ON RP882236, HERALD
STREET, BENTLEY PARK – DIVISION 2 153
Kylie Richardson : 19/3/3-92: #2692055

LANSKEY / GREGORY

That Council gives in-principal approval to the issue of a lease to Vodafone Australia Pty Limited (“Vodafone”) over an area of 25m² being part of Lot 5 on RP882236, Herald Street Bentley Park for the purpose of a telecommunication facility, subject but not limited to the following:

- Ministerial approval being obtained in accordance with Section 185(1)(e) of the *Local Government (Finance, Plans and Reporting) Regulation 2010* to seek Ministerial exemption from the tendering provision in terms of Section 176 of the *Local Government (Finance, Plans and Reporting) Regulation 2010*
- ÿ Vodafone to obtain any necessary planning, building and engineering approvals prior to commencement of any work on the site
- ÿ Vodafone to permit Council to attach telemetry transmission equipment to the structure erected by Vodafone and connect to Vodafone’s power supply
- ÿ Vodafone being responsible for all rates and charges, including any costs of water usage
- ÿ Vodafone to pay rental in the sum of \$8,500.00 plus GST per annum with an annual increase in rental in accordance with the Brisbane All Groups Consumer Price Index (CPI)
- ÿ The term of the lease to be ten (10) years from a date to be determined, with one (1) consecutive ten (10) year term
- ÿ Vodafone being responsible for costs associated with the preparation negotiation, execution and registration of the lease; and
- ÿ Vodafone to obtain all necessary approvals from Telstra and Optus for co-location on the existing monopole

Furthermore, the Mayor and Chief Executive Officer being delegated authority pursuant to section 257 of the *Local Government Act 2009* to negotiate and finalise any and all matters associated with the proposed lease.

carried

16. PROPOSED TRUSTEE LEASE TO OPTUS MOBILE PTY LIMITED OVER PART (APPROX 7M²) OF LOT 768 ON NR6238, "BARLOW PARK", PARRAMATTA PARK – DIVISION 5 161
Kylie Richardson : 19/3/3-92: #2706722

BLAKE / FORSYTH

That Council gives in principal approval for the issue of a trustee lease to Optus Mobile Pty Limited (Optus) over an area of 7m² being part of Lot 768 on NR6238, "Barlow Park" Parramatta Park for the purpose of a telecommunication facility, subject but not limited to the following:

- **Ministerial approval being obtained in accordance with Section 185(1)(e) of the *Local Government (Finance, Plans and Reporting) Regulation 2010* to seek Ministerial exemption from the tendering provision in terms of Section 176 of the *Local Government (Finance, Plans and Reporting) Regulation 2010***
- **'in principal' approval being granted by the Minister administering the *Land Act 1994***
- **Optus to obtain any necessary planning, building and engineering approvals prior to commencement of any work on the site**
- **Optus to provide a report confirming the expected electromagnetic energy emission levels at the site, to the satisfaction of the Chief Executive Officer**
- **Optus being responsible for all rates and charges**
- **Optus to pay rental in the sum of \$10,000 plus GST per annum with an annual increase in rental of 3%**
- **The term of the lease to be ten (10) years from a date to be determined, with one (1) consecutive ten (10) year term; and**
- **Optus being responsible for costs associated with the preparation negotiation, execution and registration of the lease**

Furthermore, the Mayor and Chief Executive Officer being delegated authority pursuant to section 257 of the Local Government Act 2009 to negotiate and finalise any and all matters associated with the proposed lease.

carried

17. EMPLOYMENT POLICY AND PRACTICE 170
 Roy Evans SG : 5/20/1-01: #2719394

FORSYTH / LESINA

That Council notes the process, policies and standards associated with employment practices within Cairns Regional Council.

carried

GENERAL BUSINESS

1. DELEGATES AT CONFERENCES

There was general discussion regarding Council Delegates attending conferences on behalf of Council and presenting Council’s view, not personal views, on motions.

2. EXCELLENCE IN LOCAL GOVERNMENT LEADERSHIP PROGRAM

Councillors were invited to lodge an Expression of Interest for attendance at an “Excellence in Local Government Leadership” program to be held in Melbourne 22 November to 10 December 2010.

Cr Lesina left the meeting 10:32 a.m.

Cr Lesina returned 10:35 a.m.

CLOSED SESSION

BLAKE / LANSKEY

COUNCIL RESOLVE INTO CLOSED SESSION TO DISCUSS THE FOLLOWING MATTERS AS LISTED IN THE AGENDA:

1. BUDGETARY MATTER - REQUEST TO WRITE OFF SUNDRY DEBTOR BALANCE 1
 Steve Crampton : 19/23/3-17: #2684324

2. BUDGETARY MATTER – BANK GUARANTEE – CAIRNS TAIPANS INCORPORATED 3
 Joe Cristaldi: 17/1/5-01: #2709722v1

- 3. BUDGETARY MATTER – OUTSTANDING DEBT REPORT..... 15
Steve Crampton 19/23/3-15: #2692228

- 4. CONTRACTUAL MATTER – WOREE MPCC DATA CENTRE FITOUT
..... 29
Rob Dodin : RD : 1/3/31-10: #2719359 v1

- 5. CONTRACTUAL MATTER – DATA STORAGE – STAGE 3 32
Rob Dodin :RD : 1/3/31-10: #2713210 v1

carried

OUT OF CLOSED SESSION

COUNCIL RESOLVE TO MOVE OUT OF CLOSED SESSION

BLAKE / LANSKEY

carried

RESOLUTIONS ARISING FROM MATTERS DISCUSSED IN CLOSED SESSION.

- 1. BUDGETARY MATTER - REQUEST TO WRITE OFF SUNDRY
DEBTOR BALANCE 1
Steve Crampton : 19/23/3-17: #2684324

BLAKE / FORSYTH

That Council resolves to write off a sundry debtor balance of \$6,122.75 for Debtor Account number 42415.

carried

2. BUDGETARY MATTER – BANK GUARANTEE – CAIRNS TAIPANS INCORPORATED 3

Joe Cristaldi: 17/1/5-01: #2709722v1

COCHRANE / FORSYTH

That Council notes the financial status of the Cairns Taipans as at 27 August 2010.

carried

3. BUDGETARY MATTER – OUTSTANDING DEBT REPORT..... 15

Steve Crampton 19/23/3-15: #2692228

FORSYTH / LANKSEY

That Council notes that it has been updated on the status of the outstanding debt owed to Council as at 27 August 2010.

carried

4. CONTRACTUAL MATTER – WOREE MPCC DATA CENTRE FITOUT 29

Rob Dodin : RD : 1/3/31-10: #2719359 v1

PYNE / LANSKEY

That Council in accordance with the *Local Government (Finance, Plans and Reporting) Regulations 2010* Section 184, Government Information Technology Contracting (GITC) Supplier Q-593 and Local Buy BUS165-0508, award a contact to Dimension Data for the Woree MPCC Data Centre Fitout for a total value of \$392,057.98 ex GST.

That the Mayor and the Chief Executive Officer be given delegated authority in accordance with Section 257 of the *Local Government Act 2009* to negotiate and finalise any and all matters in relation to this contract.

carried

5. CONTRACTUAL MATTER – DATA STORAGE – STAGE 3 32
Rob Dodin :RD : 1/3/31-10: #2713210 v1

PYNE / LESINA

That Council in accordance with the *Local Government (Finance, Plans and Reporting) Regulations 2010* Section 184, Government Information Technology Contracting Supplier Q-2810 award a contact to Corpnet (Australia) for Stage 3 of Data Storage project for a total value of \$542,407.00 ex GST.

That the Mayor and the Chief Executive Officer be given delegated authority in accordance with Section 257 of the *Local Government Act 2009* to negotiate and finalise any and all matters in relation to this contract.

carried

THE MEETING CLOSED AT 10:40 AM

CONFIRMED THIS DAY OF 2010

.....
A/MAYOR

.....
CHIEF EXECUTIVE OFFICER