



# **MINUTES**

**General Meeting**

**27 June 2018**

**MINUTES OF NORTH BURNETT REGIONAL COUNCIL  
GENERAL MEETING  
HELD AT THE GAYNDAH BOARDROOM  
ON WEDNESDAY, 27 JUNE 2018 AT 9:00AM**

**1 ATTENDEES**

**COUNCILLORS:** Mayor Cr Rachel Chambers, Deputy Mayor Cr Faye Whelan (Division 3), Cr Paul Lobegeier (Division 1), Cr Peter Webster (Division 2), Cr John Bowen (Division 3), Cr John Zahl (Division 4) and Cr Robert Radel (Division 5)

**OFFICERS:** Ray Burton PSM (Interim Chief Executive Officer), Brad Duke (General Manager Corporate and Community), Trevor Harvey (General Manager of Strategy, Innovation and Assets), Michael Pickering (General Manager Works (Acting)), Lisa Benham (Corporate Services Manager) and Natalie Zillman (Information Coordinator)

**2 WELCOME/HOUSEKEEPING**

The Mayor declared the meeting open and welcomed all attendees.

**3 APOLOGIES/LEAVE OF ABSENCE**

Nil

**4 DECLARATION OF INTEREST**

Cr John Zahl declared a perceived conflict of interest (as defined in section 175D of the *Local Government Act 2009*) in confidential agenda item 13.2 'Community Grants Report to June Meeting' due to membership of a community group and as honorary auditor. Cr Zahl further advised he proposed to exclude himself from the meeting while this matter is discussed and the vote is taken.

**5 DEPUTATION/PETITIONS**

Council will make time available at each General Meeting for public questions/ representations. This is an opportunity for members of the public to make a representation on a matter in which they have an interest on an item which is before the Council for decision e.g. development applications. Other than with approval of the Mayor, individuals will not be allowed to address Council on agenda related matters at any other time during the meeting. Public Question and Statements Time will commence at 9:30am.

**6 CONFIRMATION OF MINUTES****6.1 MINUTES OF THE AUDIT AND RISK COMMITTEE MEETING HELD ON 28 MAY 2018****RESOLUTION 2018/128**

Moved: Cr John Zahl  
Seconded: Cr Faye Whelan

1. That the unconfirmed Minutes of the Audit and Risk Committee Meeting held on 28 May 2018 be 'received' and the recommendations adopted. **CARRIED**

**6.2 MINUTES OF THE AUDIT AND RISK COMMITTEE MEETING HELD ON 5 MARCH 2018****RESOLUTION 2018/129**

Moved: Cr John Zahl  
Seconded: Cr Faye Whelan

1. That the confirmed Minutes of the Audit and Risk Committee Meeting held on 5 March 2018 be 'received' and the recommendations adopted. **CARRIED**

**6.3 MINUTES OF THE GENERAL MEETING HELD ON 16 MAY 2018****RESOLUTION 2018/130**

Moved: Cr Robert Radel  
Seconded: Cr John Bowen

1. That the Minutes of the General Meeting held on 16 May 2018 be confirmed. **CARRIED**

**6.4 MINUTES OF THE POLICY AND PLANNING STANDING COMMITTEE MEETING HELD ON 6 JUNE 2018****RESOLUTION 2018/131**

Moved: Cr John Bowen  
Seconded: Cr Paul Lobegeier

1. That the unconfirmed Minutes of the Policy and Planning Standing Committee Meeting held on 6 June 2018 be 'received' and the recommendations adopted. **CARRIED**

**6.5 MINUTES OF THE TECHNICAL SERVICES STANDING COMMITTEE MEETING HELD ON 6 JUNE 2018****RESOLUTION 2018/132**

Moved: Cr Paul Lobegeier  
Seconded: Cr John Zahl

1. That the unconfirmed Minutes of the Technical Services Standing Committee Meeting held on 6 June 2018 be 'received' and the recommendations adopted. **CARRIED**

## **7 GOVERNANCE REPORTS**

### **7.1 DNRME REQUEST FOR COUNCIL'S VIEWS – FURTHER DEALING OVER TERM LEASE 232406 – LOT 165 ON RW630**

#### **RESOLUTION 2018/133**

Moved: Cr John Zahl  
Seconded: Cr Paul Lobegeier

That the Department of Natural Resources, Mines and Energy be advised that Council:

- (i) has no requirements or proposed plans for Lot 165 on RW630;
- (ii) offers no objection to renewal of Term Lease 232406; and
- (iii) offers no objection to conversion of Lot 165 on RW630 to freehold tenure. **CARRIED**

### **7.2 STATE EMERGENCY SERVICE MEMORANDUM OF UNDERSTANDING**

#### **RESOLUTION 2018/134**

Moved: Cr Paul Lobegeier  
Seconded: Cr John Zahl

That the North Burnett Regional Council endorse the Memorandum of Understanding between Queensland Fire and Emergency Services and North Burnett Regional Council concerning Council support to local State Emergency Service (SES) Units. **CARRIED**

### **7.3 DNRME REQUEST FOR COUNCIL'S VIEWS - APPLICATION FOR CONVERSION OF GRAZING HOMESTEAD PERPETUAL LEASE (GHPL) 17/4596 OVER LOT 5 MZ455**

#### **RESOLUTION 2018/135**

Moved: Cr Faye Whelan  
Seconded: Cr Paul Lobegeier

That the Department of Natural Resources, Mines and Energy be advised that Council:

- (i) offers no objection to conversion of Grazing Homestead Perpetual Lease 17/4596; and
- (ii) has no issues or requirements relating to local non-indigenous cultural heritage values.

**CARRIED**

#### **7.4 NORTH BURNETT CULTURAL CENTRE, GAYNDAH - MANAGEMENT COMMITTEE REPRESENTATIVE**

##### **RESOLUTION 2018/136**

Moved: Cr Robert Radel  
Seconded: Cr Peter Webster

That Cr John Zahl be appointed Council's representative on the North Burnett Cultural Centre, Gayndah, consistent with the terms of the Deed of Agreement between the Corporation of the Trustees of the Roman Catholic Archdiocese of Brisbane, the State Government and the North Burnett Regional Council. **CARRIED**

#### **7.5 FINANCE REPORT TO 31 MAY 2018**

##### **RESOLUTION 2018/137**

Moved: Cr Faye Whelan  
Seconded: Cr Robert Radel

That the Finance Report for month ended 31 May 2018 as presented be adopted. **CARRIED**

#### **7.6 POLICY UPDATE - VARIOUS POLICIES**

##### **RESOLUTION 2018/138**

Moved: Cr John Bowen  
Seconded: Cr John Zahl

That Council adopt the following policies as presented, effective immediately:

- (i) No. 104 – Procurement and Purchasing
- (ii) No. 108 – Investment
- (iii) No. 115 – Code of Competitive Neutrality Complaints
- (iv) No. 116 – Administrative Action Complaints
- (v) No. 230 – Rate Recovery
- (vi) No. 255 – Rates – Concession for Community Not For Profit Organisations
- (vii) No. 263 – Rates – Discount for Late Payment
- (viii) No. 268 – Benefits and Gifts
- (ix) No. 272 – Related Parties
- (x) No. 261 – Local Disaster Management Levy **CARRIED**

At 9:55am, Cr John Bowen left the meeting.

At 9:56am, the Community Connection Manager, Trisha Hansen attended the meeting.

At 9:57am, Cr John Bowen returned to the meeting.

**7.7 RURAL FIRE AND LOCAL DISASTER MANAGEMENT LEVY APPLICATIONS****RESOLUTION 2018/139**

Moved: Cr Robert Radel

Seconded: Cr Peter Webster

1. The Council approve the Biggenden PCYC Emergency Service Cadets request for \$637 to purchase PPE and Equipment from the Local Disaster Management Levy Funds.
2. That Council approve (unless the State is found to be responsible for the cost of the helmets) the Rural Fire Service request for \$1,184.26 to fund the purchase of helmets for the Glenleigh Rural Fire Brigade.
3. That Council approve the Rural Fire Service request for \$20,000 to purchase 40 new UHF radio kits from the Rural Fire Levy Funds. Further, that the Disaster Management Officer to investigate if a rebate is available from the State for cost of the radios. **CARRIED**

**7.8 ECONOMIC DEVELOPMENT MANAGER - JUNE REPORT****RESOLUTION 2018/140**

Moved: Cr Paul Lobegeier

Seconded: Cr Robert Radel

That the Economic Development Manager – June report be ‘received’ and the contents noted. **CARRIED**

**7.9 DEPARTMENT OF STRATEGY, INNOVATION & ASSETS JUNE REPORT****RESOLUTION 2018/141**

Moved: Cr Paul Lobegeier

Seconded: Cr Robert Radel

That the Department of Strategy, Innovation and Assets – June Report be ‘received’ and the contents noted. **CARRIED**

## 7.10 DLGRMA UPDATE - PASSING OF NEW BILLS

### RESOLUTION 2018/142

Moved: Cr John Bowen  
Seconded: Cr Peter Webster

That:

1. The DLGRMA Update – Passing of new bills report relating to the Local Government Electoral (Implementing Stage 1 of Belcarra) and Other Legislation Amendment Bill 2018 and the Local Government (Councillor Complaints) and Other Legislation Amendment Bill 2018 be 'received' as information; and
2. It be referred to the Chief Executive Officer (General Manager Corporate and Community, in conjunction with People and Culture personnel), to continue to liaise with DLGRMA to progress both online and face to face training of the new legislation for Councillors and relevant executive and staff, when available; and
3. The Chief Executive Officer (Executive Services and Records Coordinator) progress updates of relevant Council policies and procedures to encompass the introduction of new legislation and meeting procedures, when available. **CARRIED**

## 7.11 NOMINATION OF SPECIAL AND SHOW HOLIDAYS FOR THE QLD GOVERNMENT GAZETTE

### RESOLUTION 2018/143

Moved: Cr Paul Lobegeier  
Seconded: Cr Peter Webster

That Council make nomination for show holidays by completing and submitting the on-line form for the following Special Holidays for 2019 within the North Burnett Region:

Annual Show Holiday:

- Mundubbera: 10<sup>th</sup> May 2019
- Biggenden, Eidsvold, Gayndah, Mt Perry and Monto: 14<sup>th</sup> August 2019 **CARRIED**

## 8 ECONOMIC REPORTS

### 8.1 ECONOMIC DEVELOPMENT WORKSHOP MINUTES - 300518

#### RESOLUTION 2018/144

Moved: Cr Faye Whelan  
Seconded: Cr John Zahl

That it be referred to the Chief Executive Officer (Economic Development Manager) to produce a 12 month 'Economic Development Work Plan' be presented to Council for consideration at the August Council meeting. **CARRIED**

At 10:39am, the meeting adjourned for morning tea and resumed at 11:10am.

## 8.2 STREETScape FUNDING APPLICATION REPORT

### RESOLUTION 2018/145

Moved: Cr Faye Whelan  
Seconded: Cr Peter Webster

That Council approve the application from Jade Pieters for a \$1000 contribution toward external beautification works to property at 15 Lyons Street Mundubbera in accordance with General Policy 218 – Business Streetscape. **CARRIED**

## 8.3 MINGO CROSSING PROGRESS REPORT

### RESOLUTION 2018/146

Moved: Cr Robert Radel  
Seconded: Cr John Bowen

That Council:

1. Receive the Mingo Crossing Caravan Park Upgrade progress 1.2 report; and
2. Award the Civil Works quotation for the Mingo Crossing Caravan Park upgrade to Trevor Taylor Earthmoving Pty. Ltd to the value of \$347,562.45 (incl GST) in accordance with Section 232 of *Local Government Regulation 2012*. **CARRIED**

At 11:32am, the Corporate Services Manager entered the meeting.



## 9 SOCIAL REPORTS

### 9.1 NORTH BURNETT YOUTH MATTERS

#### RESOLUTION 2018/147

Moved: Cr John Zahl

Seconded: Cr Robert Radel

That Council:

1. Endorse that the Youth Advisory Council be named 'North Burnett YOUth Matters'; and
2. Endorse the motion made by North Burnett YOUth Matters, and the development and delivery of the three priority initiatives identified by North Burnett YOUth Matters:
  - (a) Education "the production of a video showcasing schools, students, teachers, community members and local facilities to attract teachers with the right skills and qualifications, to the North Burnett"; and
  - (b) Events/Activities "a regional sports event be held on 29 September 2018 in Mundubbera to include basketball, rugby league and tennis for a wide range of age-groups"; and
  - (c) Facilities "the purchase of an inflatable obstacle course/water play equipment which can be transported to different communities and managed and operated by YOUth Matters".
3. Refer to the Chief Executive Officer (Community Connection Manager) to work with North Burnett YOUth Matters and prepare a 12 month action plan including particular initiatives the Youth Advisory Council would like to propose and the required resources to achieve their outcomes and present back to Council. **CARRIED**

## 10 INFRASTRUCTURE REPORTS

Nil

## 11 ENVIRONMENTAL REPORTS

Nil

## 12 COUNCILLOR REPORTS

### 12.1 MAYOR AND COUNCILLORS REPORTS

#### RESOLUTION 2018/148

Moved: Cr John Zahl

Seconded: Cr John Bowen

That the Councillor Reports be 'received'.

**CARRIED**

## 13 CONFIDENTIAL REPORTS

### RESOLUTION 2018/149

Moved: Cr Peter Webster

Seconded: Cr Robert Radel

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 275(1) of the *Local Government Regulation 2012*:

#### 13.1 Financial Report - North Burnett Landcare Group Incorporated

This matter is considered to be confidential under Section 275(1)(h) of the Local Government Regulation, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with 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.

#### 13.2 Community Grants Report to June Meeting

This matter is considered to be confidential under Section 275(1)(h) of the Local Government Regulation, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with 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.

#### 13.3 Financial Report - Social Housing Outstanding Rentals

This matter is considered to be confidential under Section 275(1)(h) of the Local Government Regulation, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with 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.

And moves into closed session.

**CARRIED**

### Declaration of Conflict of Interest – Cr Zahl

- a. At 11:54am, Cr John Zahl declared a perceived conflict of interest (as defined in section 175D of the *Local Government Act 2009*) in confidential agenda item 13.2 'Community Grants Report to June Meeting';
- b. Cr Zahl outlined the nature of interest was that he is honorary auditor for the Festival Committee;
- c. In accordance with Section 175E(3) of the *Local Government Act 2009*, Cr Zahl decided to leave the meeting prior to discussion and voting on this item and Council was not required to consider its responsibility under Section 157E(4) of the *Local Government Act 2009*; and
- d. Cr Zahl left the meeting and did not participate in discussion or voting on this item;
- e. The majority of Councillors voted in favour of the resolution on this item when considered in open session.

**Declaration of Conflict of Interest – Cr Radel**

- a. At 12:22pm, Cr Robbie Radel declared a perceived conflict of interest (as defined in section 175D of the *Local Government Act 2009*) in confidential agenda item 13.2 'Community Grants Report to June Meeting' and in confidential agenda item 13.3 'Financial Report - Social Housing Outstanding Rentals'; and
- b. Cr Radel outlined the nature of interest was that he was a member of the Biggenden Apex Club (agenda item 13.2) and that he may be a possible relation to listed tenant (agenda item 13.3); and
- c. In accordance with Section 175E(3) of the *Local Government Act 2009*, Cr Radel decided to leave the meeting prior to discussion and voting on these items and Council was not required to consider its responsibility under Section 157E(4) of the *Local Government Act 2009*; and
- d. Cr Radel left the meeting and did not participate in discussion or voting on these items;
- e. The majority of Councillors voted in favour of the resolution on these items when considered in open session.

**RESOLUTION 2018/150**

Moved: Cr Robert Radel

Seconded: Cr John Zahl

That Council moves out of Closed Council into Open Council.

**CARRIED**

**13.1 FINANCIAL REPORT - NORTH BURNETT LANDCARE GROUP INCORPORATED****RESOLUTION 2018/151**

Moved: Cr Paul Lobegeier

Seconded: Cr Peter Webster

That it be referred to the Chief Executive Officer (General Manager Corporate and Community) to arrange a meeting with North Burnett Landcare Group Inc. to discuss water usage management.

**CARRIED**

At 12:49pm, Cr Robert Radel and Cr John Zahl left the meeting.

### 13.2 COMMUNITY GRANTS REPORT TO JUNE MEETING

#### RESOLUTION 2018/152

Moved: Cr Peter Webster

Seconded: Cr Paul Lobegeier

1. That Council approve the Community Grant funding applications outlined in Attachment A for financial and "in kind" assistance, under Policy 119 Lifelong Community Grants - Policy 120 Cultural and Sports Performance Grants - Policy 121 Major Events Grants - Policy 113 Not for Profit Community Organisations and In-Kind Support as follows:

	<u>Cash</u>	<u>"In Kind"</u>
• Mt Perry Sports and Recreation Club Inc.	-	\$ 3,000
• Gayndah Orange Festival Inc.	-	\$ 5,000
• Friends of Paradise Inc.	<u>\$ 5,000</u>	<u>\$ 5,000</u>
	<u>\$ 5,000</u>	<u>\$13,000</u>

2. That it be referred to the Chief Executive Officer (General Manager Corporate and Community) to advise the Gayndah Orange Festival that no cash grant would be considered until receipt of further information required in accordance with grant application conditions and Council policy requesting the festivals sustainability and community benefit.

3. That it be referred to the Chief Executive Officer (General Manager Corporate and Community) to contact the Mt Perry Sports and Recreation Club and discuss their future printing and consumable requirements for the monthly newsletter.

4. That it be referred to the Chief Executive Officer (General Manager Corporate and Community) to contact the Friends of Paradise Festival Committee congratulating them on their Festival successes to date and seek an indication from them on their future planning to achieve sound sustainability with self-sufficient outcomes for their festival over a projected period of time.

**CARRIED**

At 12:52pm Cr Zahl returned to the meeting.

### 13.3 FINANCIAL REPORT - SOCIAL HOUSING OUTSTANDING RENTALS

#### RESOLUTION 2018/153

Moved: Cr Paul Lobegeier

Seconded: Cr John Bowen

That Council resolve to write off the outstanding debts greater than 60 Days for social housing tenants amounting to \$6,499.85 due to financial hardship.

**CARRIED**

At 12:54pm, Cr Robert Radel returned to the meeting.

## 14 GENERAL BUSINESS

### 14.1 CR BOWEN GENERAL BUSINESS

Cr John Bowen requested an update on the ANZAC Centenary Grants project. The Community Connection Manager advised that it was progressing well with the involvement of all the North Burnett RSL Clubs.

**14.2 GAYNDAH CEMETERY – ACCESS ROAD**

**RESOLUTION 2018/154**

Moved: Cr John Zahl  
Seconded: Cr Robert Radel

1. That it be referred to the Chief Executive Officer (Asset Services Manager) to prepare a report to Council on the proposal for a commemorative planting of trees (Pine Trees) at the Gayndah Cemetery; and
2. Council support the proposal for public consultation on the naming of the access roadway at the Gayndah Cemetery. **CARRIED**

**14.3 CONFERENCE ATTENDANCE**

**RESOLUTION 2018/155**

Moved: Cr Paul Lobegeier  
Seconded: Cr Robert Radel

That Council approve the attendance of a Councillor(s) at the Destination Q conference to be held in Gladstone 08 August 2018. **CARRIED**

**15 CLOSURE OF MEETING**

The Meeting closed at 1:08pm.

The minutes of this meeting were confirmed at the General Meeting held on 18 July 2018.

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**CHAIRPERSON**