



# **MINUTES**

**General Meeting**

**18 July 2018**

**MINUTES OF NORTH BURNETT REGIONAL COUNCIL  
GENERAL MEETING  
HELD AT THE MONTO BOARDROOM  
ON WEDNESDAY, 18 JULY 2018 AT 9:00AM**

## **1 ATTENDEES**

**COUNCILLORS:** Cr Rachel Chambers, Cr Faye Whelan, Cr John Bowen, Cr Paul Lobegeier, Cr John Zahl, Cr Robert Radel

**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 (Acting General Manager Works), Lisa Benham (Manager of Corporate Services), Natalie Zillman (Information Coordinator)

## **2 WELCOME/HOUSEKEEPING**

The Mayor declared the meeting open and welcomed all attendees.

## **3 APOLOGIES/LEAVE OF ABSENCE**

### **APOLOGY**

#### **RESOLUTION 2018/156**

Moved: Cr Faye Whelan  
Seconded: Cr Paul Lobegeier

That the apology received from Cr Peter Webster be accepted and leave of absence granted.

**CARRIED**

## **4 DECLARATION OF INTEREST**

Cr John Bowen declared a perceived conflict of interest in agenda item 13.1 'Community Grants Report to July 2018' (as defined in section 173 of the *Local Government Act 2009*) due to being a volunteer at the 'Catch a Catty'. Cr John Bowen determined that this personal interest is not of sufficient significance that it will lead to him making a decision on this matter that is contrary to the public interest. Cr John Bowen will best perform his responsibility of serving the overall public interest of the whole of Council's area by participating in the discussion and voting on this matter.

Cr John Zahl declared a perceived conflict of interest in agenda item 13.1 'Community Grants Report to July 2018' (as defined in section 173 of the *Local Government Act 2009*) due to being honorary auditor of the Gayndah Jockey Club and proposed to exclude himself from the meeting while this matter is debated and the vote is taken.

Cr Faye Whelan declared a perceived conflict of interest in agenda item 13.1 'Community Grants Report to July 2018' (as defined in section 173 of the *Local Government Act 2009*) due to family involvement in the racing industry and proposed to exclude herself from the meeting while the Gayndah Jockey Club matter is debated 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.

### **5.1 MRS DOLORES FOWLER**

#### **RECOMMENDATION**

That the deputation be received.

## **6 CONFIRMATION OF MINUTES**

### **6.1 MINUTES OF THE GENERAL MEETING HELD ON 27 JUNE 2018**

#### **RESOLUTION 2018/157**

Moved: Cr John Bowen

Seconded: Cr John Zahl

1. That the Minutes of the General Meeting held on 27 June 2018 be confirmed. **CARRIED**

### **6.2 MINUTES OF THE BUDGET MEETING HELD ON 4 JULY 2018**

#### **RESOLUTION 2018/158**

Moved: Cr Paul Lobegeier

Seconded: Cr Robert Radel

1. That the Minutes of the Special Budget Meeting held on 4 July 2018 with the inclusion of the Mayor's Budget speech be confirmed. **CARRIED**

### **6.3 MINUTES OF THE POLICY AND PLANNING STANDING COMMITTEE MEETING HELD ON 4 JULY 2018**

#### **RESOLUTION 2018/159**

Moved: Cr Paul Lobegeier

Seconded: Cr John Bowen

1. That the unconfirmed Minutes of the Policy and Planning Standing Committee Meeting held on 4 July 2018 be 'received' and the recommendations adopted. **CARRIED**

## 6.4 MINUTES OF THE TECHNICAL SERVICES STANDING COMMITTEE MEETING HELD ON 4 JULY 2018

### RESOLUTION 2018/160

Moved: Cr Faye Whelan  
Seconded: Cr John Zahl

1. That the unconfirmed Minutes of the Technical Services Standing Committee Meeting held on 4 July 2018 be 'received' and the recommendations adopted. **CARRIED**

## 7 GOVERNANCE REPORTS

### 7.1 FINANCE REPORT TO 30 JUNE 2018

#### RESOLUTION 2018/161

Moved: Cr John Bowen  
Seconded: Cr John Zahl

That the Finance Report for month ended 30 June 2018 as presented be adopted. **CARRIED**

## 8 ECONOMIC REPORTS

### 8.1 STREETScape FUNDING APPLICATION REPORT

#### RESOLUTION 2018/162

Moved: Cr John Bowen  
Seconded: Cr Robert Radel

That Council approve the 2018/19 financial year applications from Eden Creek Holdings Pty Ltd:

1. Music Room Shoes (Doc Id: 878993) for Business Streetscape Funding of \$900.00 to paint the front and side of 25 Lyons Street, and
2. Mundubbera Post Office (Doc Id: 878996) for Business Streetscape Funding of \$900.00 to paint the front and veranda of 71-73 Lyons Street

in accordance with General Policy 218 – Business Streetscape. **CARRIED**

Mrs Delores Fowler and Mr Jack Muller entered the meeting at 9:27am.

Mrs Fowler presented a deputation to Council on local and regional items in the North Burnett and, Mr Muller requested a follow-up on storm green waste collection in Monto.

## 9 SOCIAL REPORTS

Nil

## 10 INFRASTRUCTURE REPORTS

Nil

## 11 ENVIRONMENTAL REPORTS

Nil

### Declaration of Conflict of Interest

- a. At 9:28am, Cr John Zahl declared a perceived conflict of interest (as defined in section 175D of the *Local Government Act 2009*) in agenda item 13.1 'Community Grants Report to July 2018 specific to the Gayndah Jockey Club application;
- b. Cr Zahl outlined the nature of interest was that he was honorary auditor for the Gayndah Jockey Club;
- c. In accordance with Section 175E(3) 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 Act;
- 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

At 9:28 am, Cr John Zahl left the meeting.

### Declaration of Conflict of Interest

- a. At 9:29am, Cr Faye Whelan declared a perceived conflict of interest (as defined in section 175D of the *Local Government Act 2009*) in agenda item 13.1 'Community Grants Report to July 2018' specific to the Gayndah Jockey Club application;
- b. Cr Whelan outlined the nature of interest was a family involvement in the racing industry;
- c. In accordance with Section 175E(3) Cr Whelan 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 Act;
- d. Cr Whelan 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.

At 9:29 am, Cr Faye Whelan left the meeting.

## 13 COMMUNITY GRANTS - GAYNDAH JOCKEY CLUB

### RESOLUTION 2018/163

Moved: Cr Robert Radel

Seconded: Cr Paul Lobegeier

That the application for the Gayndah Jockey Club be deferred pending consideration at a future meeting. **CARRIED**

At 9:32 am, Cr John Zahl and Cr Faye Whelan returned to the meeting.

### Declaration of Conflict of Interest

- a. At 9:32am, Cr John Bowen declared a perceived conflict of interest (as defined in section 175D of the *Local Government Act 2009*) in agenda item 13.1 'Community Grants Report to July 2018' specific to the Paradise Dam Stocking Association application;
- b. Cr John Bowen outlined the nature of interest was due to being a volunteer at the 'Catch a Catty' event;

c. In accordance with Section 175E(4) Councillors considered Cr Bowen's perceived conflict of interest and decided that Cr Bowen may participate in the meeting in relation to the matter, including by voting on the matter.

### **13.1 COMMUNITY GRANTS REPORT TO JULY 2018 MEETING**

#### **RESOLUTION 2018/164**

Moved: Cr Faye Whelan  
Seconded: Cr Paul Lobegeier

That Council approves:

1. Community Grant funding application for the Paradise Stocking Association for financial and in kind assistance, under Policy 119 Lifelong Community Grants, Policy 120 Cultural and Sports Performance Grants, Policy 121 major Events Grants and Policy 113 Not for Profit Community Organisations and In Kind Support:

Paradise Stocking Assoc. Inc., In Kind \$185.00; and

2. To meet the cost of \$2,490 (funded via the caravan parks operational budget) for the hiring of mobile toilets and subsequent waste disposal for the 'Catch a Catty' event to be held at the Mingo Crossing Caravan Park on 25 and 26 August 2018. **CARRIED**

## **12 COUNCILLOR REPORTS**

### **12.1 MAYOR AND COUNCILLORS REPORTS**

#### **RESOLUTION 2018/165**

Moved: Cr Paul Lobegeier  
Seconded: Cr John Zahl

That the Councillor Reports be 'received'.

**CARRIED**

**13 CONFIDENTIAL REPORTS****RESOLUTION 2018/166**

Moved: Cr Robert Radel

Seconded: Cr John Zahl

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*:

**13.2 Application for Permanent Road Closure - MV Baker**

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 Performance Management Software - Expression of Interest**

This matter is considered to be confidential under Section 275(1)(e) 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 contracts proposed to be made by it.

And Council moves into closed session.

**CARRIED**

**RESOLUTION 2018/167**

Moved: Cr John Zahl

Seconded: Cr Robert Radel

That Council moves out of Closed Council into Open Council.

**CARRIED**

### 13.2 APPLICATION FOR PERMANENT ROAD CLOSURE - MV BAKER

#### RESOLUTION 2018/168

Moved: Cr Robert Radel

Seconded: Cr John Zahl

That Council advise the Department of Natural Resources, Mines and Energy (DNRME) that:

1. it has no objections to the permanent closure of a section of unused road, surrounded by land described as 5WK207, between the chainages of 5.950km and 9.780km from the intersection of Rockybar Redbank Road;
2. usage of the land as proposed is authorised by the Council and that no further contact with DNRME is needed at this time; and
3. the proposed road closure meets Council road closure requirements in that:
  - a) it would be cost prohibitive to construct the road;
  - b) the unused road traverses an existing allotment;
  - c) the unused road is not currently nor proposed stock route; and
  - d) there is alternative access to all existing adjoining lots.

**CARRIED 4/2**

Cr Faye Whelan requested that her vote against the motion be noted.

### 13.3 PERFORMANCE MANAGEMENT SOFTWARE - EXPRESSION OF INTEREST

#### RESOLUTION 2018/169

Moved: Cr John Zahl

Seconded: Cr John Bowen

That

1. pursuant to Council resolutions dated 13 December 2017 and 18 April 2018 and Expression of Interest (EOI) No. 2909\_2017-18\_EOI\_23, Council approves the purchase of performance management software from Local Government Software Solutions (LGSS) at the estimated (3 year) price of \$47,100.00; and
2. the Chief Executive Officer (General Manager Corporate and Community) develop a product implementation plan including staff training and development, a review of reporting processes and linkages to Corporate and Operational Plans to ensure successful integration of this software solution throughout Council's operations.

**CARRIED**

## 14 GENERAL BUSINESS

### 14.1 FRIENDS OF RM WILLIAMS CENTRE

North Burnett Regional Council nominate Cr Peter Webster and the Economic Development Manager to attend meetings of the *Friends of RM* as Council representatives.



**14.2 COUNCILLOR SERVICE REQUEST ITEMS**

Items raised by Cr Paul Lobegeier at the July Councillor workshop have been entered as customer requests in MagiQ for actioning.

1. Department of Transport and Main Roads to be advised of the following:
  - Be requested to advise on its Rail Corridor maintenance program in each North Burnett town; and
  - Footbridge Monto – Department of Transport and Main Roads be advised that the footbridge over the rail corridor at Monto ices up in cold weather and becomes a slip hazard.
2. Landcare property Monto – monitoring of water usage and the dumping of timber on this site.
3. Request for Monto Show Society lease progress update.

**15 CLOSURE OF MEETING**

**The Meeting closed at 10:17am.**

**The minutes of this meeting were confirmed at the General Meeting held on 15 August 2018.**

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**CHAIRPERSON**