



MINUTES

General Meeting

15 August 2018

**MINUTES OF NORTH BURNETT REGIONAL COUNCIL
GENERAL MEETING
HELD AT THE BIGGENDEN BOARDROOM
ON WEDNESDAY, 15 AUGUST 2018 AT 9:03AM**

1 ATTENDEES

COUNCILLORS: Cr Rachel Chambers, Cr Faye Whelan, Cr John Bowen, Cr Paul Lobegeier, Cr Peter Webster, 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 (Corporate Services Manager) and Natalie Zillman (Information Coordinator)

2 WELCOME/HOUSEKEEPING

The Mayor declared the meeting open and welcomed all attendees.

On behalf of North Burnett Regional Council, the Mayor expressed her best wishes and greatest of thanks to the Interim Chief Executive Officer, Ray Burton and Acting General Manager of Works, Michael Pickering, who are about to finish their contracts and Corporate Services Manager Lisa Benham who is leaving Council to pursue other ventures.

3 APOLOGIES/LEAVE OF ABSENCE

Nil

4 DECLARATION OF INTEREST

Cr Faye Whelan declared a perceived conflict of interest in agenda item 13.2 'Community Grants Report - August 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 makes 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.

At 10am Mr Greg Jensen addressed Council regarding name change of Warra Creek Road, Didcot.

Refer to notation following Item 7.5 and Item 7.5.1.

6 CONFIRMATION OF MINUTES

6.1 MINUTES OF THE GENERAL MEETING HELD ON 18 JULY 2018

RESOLUTION 2018/170

Moved: Cr Paul Lobegeier

Seconded: Cr Robert Radel

1. That the Minutes of the General Meeting held on 18 July 2018 be Confirmed. **CARRIED**

6.2 MINUTES OF THE POLICY AND PLANNING STANDING COMMITTEE MEETING HELD ON 1 AUGUST 2018

RESOLUTION 2018/171

Moved: Cr Robert Radel

Seconded: Cr John Zahl

1. That the unconfirmed Minutes of the Policy and Planning Standing Committee Meeting held on 1 August 2018 be received and the recommendations listed at PP/2018/40, PP/2018/41, PP/2018/43 and PP/2018/44 be adopted.
2. That recommendation PP/2018/42 regarding Audit and Risk Committee be withdrawn.
3. That:
 - i) Council adopt revised Statutory Policy 109 "Appointment of Audit and Risk Committee" including the Terms of Reference with the effective date of implementation being 1 November 2018;
 - ii) In accordance with the provisions of Section 266 of the *Local Government Regulation 2012* Council appoint Cr John Zahl as an Alternate Member of the Audit Committee to stand in as a member of that Committee in the event one of the two Councillor members of the Audit Committee is unable to attend a meeting of the Audit Committee;
 - iii) Council resolves to abolish the existing Audit and Risk Committee on 1 November 2018 and that all committee members and officers be thanked for their participation and involvement in the business of the Committee;
 - iv) Council resolves to establish a new Audit and Risk Committee on 1 November 2018 consistent with Section 105 of the *Local Government Act 2009*, Statutory Policy 109, and the 2017-18 Interim Management Report prepared by Pitchers Partners (on behalf of the Qld Audit Office);
 - v) Council resolves to appoint the following two (2) Councillors to the new Audit and Risk Committee: Mayor Councillor Rachel Chambers and Councillor John Zahl;
 - vi) Public advertising for the following (independent) roles be undertaken:
 - Chair, North Burnett Regional Council Audit and Risk Committee; and
 - Committee Member, North Burnett Regional Council Audit and Risk Committee;
 - vii) All applications received for the above positions be considered with the subsequent appointments being determined by Council resolution; and
 - viii) The Chief Executive Officer be given delegated authority to conclude all terms, conditions and remuneration applicable for independent members on the new Audit and Risk Committee.

CARRIED

6.3 MINUTES OF THE TECHNICAL SERVICES STANDING COMMITTEE MEETING HELD ON 1 AUGUST 2018

RESOLUTION 2018/172

Moved: Cr Paul Lobegeier
Seconded: Cr Peter Webster

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

6.4 MINUTES OF THE SPECIAL MEETING HELD ON 25 JULY 2018

RESOLUTION 2018/173

Moved: Cr Paul Lobegeier
Seconded: Cr Robert Radel

1. That the Minutes of the Special Meeting held on 25 July 2018 be confirmed. **CARRIED**

7 GOVERNANCE REPORTS

7.1 2018 LGAQ ANNUAL CONFERENCE

RESOLUTION 2018/174

Moved: Cr Paul Lobegeier
Seconded: Cr Faye Whelan

That:

1. Council consider the following motion for submission for the 2018 LGAQ Annual Conference noting deadline of Friday, 24 August 2018:

That the LGAQ seek amendment to the Vegetation Management Act 1999 to allow farmers to harvest tree/fodder in drought declared areas.2. Council approve the attendance of the Mayor, Cr Rachel Chambers (delegate), Cr Robert Radel (delegate), and Cr John Zahl together with the Chief Executive Officer at the 2018 LGAQ Annual Conference to be held in Brisbane from 29-31 October 2018. **CARRIED**

7.2 GAYNDAH AIRPORT - REFUEL STATION FEES

RESOLUTION 2018/175

Moved: Cr Robert Radel
Seconded: Cr Paul Lobegeier

That approval be granted to include the following Gayndah Airport fuel charges in Council's 2018-19 Fees and Charges:

1. Avgas charged at cost + 12.5% + GST; and
2. Jet A1 charged at cost + 12.5% + GST.

CARRIED

7.2.1 AIRPORT STRATEGY**RESOLUTION 2018/176**

Moved: Cr Robert Radel
Seconded: Cr Paul Lobegeier

That the Chief Executive Officer (General Manager Works) develop and report to Council on an Airport Strategy to address overall airport management and operation cost recovery. **CARRIED**

7.3 POLICY 236 INFORMATION AND RECORDS MANAGEMENT**RESOLUTION 2018/177**

Moved: Cr John Bowen
Seconded: Cr John Zahl

That Council:

1. adopt General Policy 236 Information and Records Management as presented; and
2. formally revoke General Policy 210 Data Management and General Policy 237 Records Management – Emails. **CARRIED**

7.4 DISCONTINUED FEES 18/19 FEES & CHARGES**RESOLUTION 2018/178**

Moved: Cr John Zahl
Seconded: Cr Paul Lobegeier

That due to a technical error in the Cloud Fee System, the discontinued fees as presented be removed from Council's 2018-19 Fees and Charges. **CARRIED**

7.5 COUNCIL MEETING STRUCTURE REVIEW

RESOLUTION 2018/179

Moved: Cr Faye Whelan

Seconded: Cr Robert Radel

1. That Council abolish its Standing Committee structure and introduce a three week General Meeting cycle; and
2. That the Chief Executive Officer publicly advertise the following revised General Meeting dates for remainder of 2018 and the abolition of Standing Committee meetings:
 - 05 September 2018
 - 26 September 2018
 - 17 October 2018
 - 07 November 2018
 - 28 November 2018
 - 12 December 2018 (note: earlier December meeting due to Christmas break).
3. That Council's meeting procedure continue to include the provision for General Business excluding initial raising of operational works request matters. **CARRIED**

At 10:00am, Mr Greg Jensen addressed Council with regards to the name change of Warra Creek Road, Didcot.

At 10:16am, Mr Jensen left the meeting.

Acting General Manager for Works entered the meeting at 10:16am.

7.5.1 ROAD RENAMING POLICY

RESOLUTION 2018/180

Moved: Cr Robert Radel

Seconded: Cr John Zahl

That the Chief Executive Officer (General Manager Strategy, Innovation and Assets) report to Council regarding the process on the proposal to rename Warra Creek Road and its consistency with Council's Road Renaming Policy. **CARRIED**

At 10:31am the meeting adjourned for morning tea and resumed at 11:03am.

7.6 2017-18 OPERATIONAL PLAN - Q4 DATA

RESOLUTION 2018/181

Moved: Cr Paul Lobegeier

Seconded: Cr Robert Radel

That North Burnett Regional Council receives the Q4 Operational Plan report for the 2017-2018 financial year. **CARRIED**

7.6.1 PARADISE DAM

RESOLUTION 2018/182

Moved: Cr Faye Whelan
Seconded: Cr Paul Lobegeier

That the Chief Executive Officer (General Manager Strategy, Innovation and Assets) report to Council on operations and possible future direction of management of Paradise Dam. **CARRIED**

7.7 ADOPTION OF THE 2018-19 OPERATIONAL PLAN

RESOLUTION 2018/183

Moved: Cr John Bowen
Seconded: Cr John Zahl

That in accordance with sections 174 and 175 of *Local Government Regulation 2012*, Council adopts the 2018-19 Operational Plan, as amended. **CARRIED**

7.8 GENERAL POLICY 279 - RESPONSIBLE CONDUCT - COUNCIL OWNED AND CONTROLLED CARAVAN PARKS AND CAMPING GROUNDS

RESOLUTION 2018/184

Moved: Cr John Bowen
Seconded: Cr Robert Radel

That:

1. Council adopt General Policy 279, Responsible Conduct – Council owned and controlled Caravan Parks and Camping Grounds as presented; and
2. The Policy be referred to the Chief Executive Officer (Economic Development Manager and relevant Facilities Managers) to implement the requirements stipulated in the policy as soon as possible; and
3. A copy of the Policy be forwarded to the Queensland Police Service for their information and a copy placed on Council's website. **CARRIED**

7.9 FINANCE REPORT TO 31 JULY 2018

RESOLUTION 2018/185

Moved: Cr John Zahl
Seconded: Cr John Bowen

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

At 11:41am, the Corporate Services Manager left the meeting.

7.10 COUNCILLOR ACCEPTABLE REQUESTS POLICY

RESOLUTION 2018/186

Moved: Cr Faye Whelan

Seconded: Cr John Zahl

That:

1. Council adopt the Councillor Acceptable Requests Policy as presented; and
2. the Policy be referred to the Chief Executive Officer (all General Managers) to discuss with staff the content and expectations of Councillors and staff under the Policy. **CARRIED**

8 ECONOMIC REPORTS

Nil

9 SOCIAL REPORTS

9.1 MUNDUBBERA REGIONAL ART GALLERY ADVISORY COMMITTEE MINUTES

RESOLUTION 2018/187

Moved: Cr Robert Radel

Seconded: Cr Peter Webster

That Council receive the minutes of the Mundubbera Regional Art Gallery Committee meetings held:

- 15 June 2018; and
- 27 July 2018

and that the recommendations be approved.

CARRIED

10 INFRASTRUCTURE REPORTS

Nil

11 ENVIRONMENTAL REPORTS

11.1 GRAVEL PIT MANAGEMENT PLAN

RESOLUTION 2018/188

Moved: Cr John Zahl

Seconded: Cr John Bowen

That Council:

1. receives the *Gravel Pit Management Plan* report;
2. authorises the submission of the *Gravel Pit Management Plan* as presented to the Chief Executive Officer Forest Products, Department of Agriculture and Forestry for approval.

CARRIED

12 COUNCILLOR REPORTS

12.1 MAYOR AND COUNCILLORS REPORTS

RESOLUTION 2018/189

Moved: Cr Paul Lobegeier

Seconded: Cr John Bowen

That the Councillor Reports be received.

CARRIED

Declaration of Conflict of Interest

- a. At 12:02pm, Cr Faye Whelan declared a perceived conflict of interest (as defined in section 175D of the *Local Government Act 2009*) in agenda item 13.2 'Community Grants Report - August 2018' specific to the Eidsvold Race Club Inc 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 12:02pm, Cr Faye Whelan left the meeting.

13 CONFIDENTIAL REPORTS

RESOLUTION 2018/190

Moved: Cr Robert Radel

Seconded: Cr Peter Webster

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 Tender No. 2909_2018-19_TTB_01 Operation and Management of Council Owned Public Swimming Pools

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.

13.2 Community Grants Report - August 2018

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

RESOLUTION 2018/191

Moved: Cr Robert Radel
 Seconded: Cr John Zahl

That Council moves out of Closed Session into Open Council.

CARRIED**13.2 COMMUNITY GRANTS REPORT - AUGUST 2018 - EIDSVOLD RACES****RESOLUTION 2018/192**

Moved: Cr John Zahl
 Seconded: Cr Robert Radel

That Council approve the recommendation for community grant funding applications as received 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 as follows:

Eidsvold Race Club	Bins	\$	228.00
	Marquees	\$	359.00
	Copying	\$	290.00
	Water Truck (dry hire)	\$	1,250.00
	Tractor/Slasher (dry hire)	\$	952.00
	Mowing of Grounds	\$	320.00
	Total	\$	3,399.00

CARRIED

At 12:07pm, Cr Faye Whelan entered the meeting.

13.2.1 COMMUNITY GRANTS - AUGUST 2018**RESOLUTION 2018/193**

Moved: Cr John Zahl
 Seconded: Cr Robert Radel

That Council approve recommendations for community grant funding applications as received 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 as follows:

• Abigail Driver	QLD State Cross Country – 12 Year Old Girls	\$	250.00
• Amy Thompson	Rugby League State Invitational Carnival – 15 Year Old Girls	\$	250.00
	Total	\$	500.00

CARRIED

13.1 TENDER NO. 2909_2018-19_TTB_01 OPERATION AND MANAGEMENT OF COUNCIL OWNED PUBLIC SWIMMING POOLS**RESOLUTION 2018/194**

Moved: Cr Paul Lobegeier

Seconded: Cr John Zahl

That:

1. in accordance with Tender No. 2909_2018-19_TTB_01, "*Operation and Management of Council Owned and Controlled Swimming Pools*", Council awards the following contracts for a four (4) year period:
 - (i) Gayndah Swimming Pool to BJ and AL Golchert for \$55,245 per annum (incl GST)
 - (ii) Monto Swimming Pool to Active Aquatics (Toni-Anne Ward) for \$47,500 per annum (incl. GST)
 - (iii) Mundubbera Swimming Pool to Scott Mayes and Natalie Mann for \$55,000 per annum (incl. GST) ; and
2. the Chief Executive Officer (General Manager Corporate and Community) to conclude all contracting arrangements regarding this tender and work to secure resources to operate and manage the Biggenden Swimming Pool on an interim basis. **CARRIED**

14 GENERAL BUSINESS

Cr Webster raised concerns about the continuing poor quality of bitumen on Rawbelle Road.

15 CLOSURE OF MEETING

The Meeting closed at 12:11pm.

The minutes of this meeting were confirmed at the General Meeting held on 5 September 2018.

.....
CHAIRPERSON