



MINUTES

General Meeting

5 September 2018

**MINUTES OF NORTH BURNETT REGIONAL COUNCIL
GENERAL MEETING
HELD AT THE EIDSVOLD BOARDROOM
ON WEDNESDAY, 5 SEPTEMBER 2018 AT 9:00AM**

1 ATTENDEES

COUNCILLORS: Mayor Cr Rachel Chambers, Deputy Mayor Cr Faye Whelan, Cr John Bowen, Cr Paul Lobegeier, Cr Robert Radel, Cr Peter Webster, Cr John Zahl

OFFICERS: Gary Rinehart (Chief Executive Officer), Brad Duke (General Manager Corporate and Community), Justin Kronk (Acting General Manager of Strategy, Innovation and Assets), Johan Louw (General Manager Works) 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

Item 10.1 – Cr Paul Lobegeier

Cr Paul Lobegeier declared a perceived conflict of interest in agenda item 10.1, as defined in section 175D of the *Local Government Act 2009* due to having a relative working for Civil Aviation Safety Authority (CASA). Cr Lobegeier 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 Lobegeier informed the meeting that he 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.

Item 13.4 - Cr Paul Lobegeier

Cr Paul Lobegeier declared a perceived conflict of interest in agenda item 13.4, as defined in section 175D of the *Local Government Act 2009* due to he being the Chair of the Management Committee for Rydgehaven Retirement Complex situated in Monto. Cr Lobegeier 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 Lobegeier informed the meeting that he 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.

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 GENERAL MEETING HELD ON 15 AUGUST 2018

RESOLUTION 2018/195

Moved: Cr Paul Lobegeier

Seconded: Cr Peter Webster

1. That the Minutes of the General Meeting held on 15 August 2018 be confirmed. **CARRIED**

7 GOVERNANCE REPORTS

7.1 COUNCILLOR PORTFOLIO POLICY

RESOLUTION 2018/196

Moved: Cr Paul Lobegeier

Seconded: Cr Faye Whelan

That Council adopt the revised General Policy 212 - Councillor Portfolio Policy with the following amendment:

5. Portfolio Councillors and the Media

Councillors are free to make statements and contact the media as individuals as they wish however with respect to their role as Portfolio Councillor Statements and interactions with the media must respect the following:

- The Mayor is Council's principal spokesperson;*
- Portfolio Councillor Statements to the media will:*
 - *Directly relate to the Councillor's Portfolio;*
 - *Be consistent with Council Policy and Council decisions;*
 - *Be directed through Executive Support and only after the Mayor and CEO have been advised **where practicable**;*
 - *Be copied to all Councillors.*

CARRIED

7.2 GET READY 2018-19 PLAN OF ACTIVITIES

RESOLUTION 2018/197

Moved: Cr John Zahl

Seconded: Cr Faye Whelan

That:

1. The 2018/19 Get Ready Queensland report be received as presented.
2. Council endorse the following community preparedness and resilience building projects/activities planned for the 2018/19 financial year:
 - Burnett Catchment Flood Resilience Educational Videos; and
 - Community Education Flood Markers
3. Council's Customer Service Centres promote Get Ready Queensland Week (8-14 October 2018) by displaying Get Ready Queensland Week posters and material in the library and community noticeboards prior to and during Get Ready Queensland Week.
4. Council's Media Team work with the Disaster Management Officer to promote Get Ready Queensland Week, including the launch of the Emergency Management Dashboard.

CARRIED

7.3 POLICY - DEALING WITH COMPLAINT INVOLVING THE CHIEF EXECUTIVE OFFICER

RESOLUTION 2018/198

Moved: Cr John Bowen

Seconded: Cr Robert Radel

1. That Council adopt General Policy 122 Dealing with a complaint involving the Chief Executive Officer.
2. That the Chief Executive Officer forward a copy of this adopted Policy to the Crime and Corruption Commission.

CARRIED

8 ECONOMIC REPORTS

Nil

9 SOCIAL REPORTS

Nil

10 INFRASTRUCTURE REPORTS

10.1 AERODROMES AND AVIATION FUEL FACILITY WORKS PROGRAM

RESOLUTION 2018/199

Moved: Cr Robert Radel

Seconded: Cr John Zahl

That Council:

1. Receives the aerodrome reports as presented for information.
2. Adopts the standard specified in the Manual of Standards (MOS) particularly with respect to the grandfather clause.
3. Notes the general recommendations as contained in the Aerodromes and Aviation Fuel Facility Report 2018.
4. Supports the aerodrome maintenance and compliance solutions, as contained in the Aerodromes and Aviation Fuel Facility Report 2018, be undertaken as soon as practicable.
5. Receives the Aviation Fuel Facility report for information.
6. Appoints AeroGlobal to temporarily manage the aviation fuel facility until compliance is reached and management solutions are in place.
7. Refers to the Chief Executive Officer (General Manager Works) to prepare a further report to Council at the Q2 budget review including a program for capital works and maintenance.
8. Refers to the Chief Executive Officer (General Manager Works) to prepare a further report (including costs estimates) to Council, following the next annual inspection, to review whether Council wishes to vary the level of service in excess of the minimum requirements set by the grandfather clause.

CARRIED

11 ENVIRONMENTAL REPORTS

Nil

12 COUNCILLOR REPORTS

12.1 MAYOR AND COUNCILLORS REPORTS

RESOLUTION 2018/200

Moved: Cr Paul Lobegeier

Seconded: Cr John Zahl

That the Councillor Reports be received.

CARRIED

13 CONFIDENTIAL REPORTS

RESOLUTION 2018/201

9:21AM

Moved: Cr John Zahl

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 Addition to Panel of Providers for Facilities Maintenance - Cool 2 Go Pty Ltd

This matter is considered to be confidential under Section 275(1)(h) of the *Local Government Regulation 2012*, 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 LATE TENDERS - NO.2909_2018-19_TTB_01 - OPERATION AND MANAGEMENT OF BIGGENDEN SWIMMING POOL

This matter is considered to be confidential under Section 275(1)(e) of the *Local Government Regulation 2012*, 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.

13.3 Concession for Rate Payer under Financial Hardship

This matter is considered to be confidential under Section 275(1)(d) of the *Local Government Regulation 2012*, 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 rating concessions.

13.4 Exit Social Housing

This matter is considered to be confidential under Section 275(1)(h) of the *Local Government Regulation 2012*, 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.

13.5 Working For Queensland Solar Project

This matter is considered to be confidential under Section 275(1)(e) of the *Local Government Regulation 2012*, 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.

13.6 B Double Report - Cases 156991r2v1 and 157065r2v1 - The Trustee for Ag-Culture Enterprises Unit Trust

This matter is considered to be confidential under Section 275(1)(h) of the *Local Government Regulation 2012*, 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 now moves into closed session.

CARRIED

RESOLUTION 2018/202**9:35AM**

Moved: Cr John Zahl
Seconded: Cr Paul Lobegeier

That Council moves out of closed session and be open to the public.

CARRIED

At 9:35 AM, Monto Grain Cooperative representatives Peter and Mary Sharp and Lex Dow attended the meeting for their deputation. Some discussion points the representatives wanted to raise with Council would be consideration confidential and sought approval of Council to discuss these matters in closed session.

CLOSED SESSION**RESOLUTION 2018/203****9:40AM**

Moved: Cr Paul Lobegeier
Seconded: Cr Peter Webster

That Council considers the confidential deputation from the Monto Grain Cooperative in a meeting closed to the public under Section 275(1)(h) of the *Local Government Regulation 2012*, 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.

CARRIED**OPEN SESSION****RESOLUTION 2018/204****10:17AM**

Moved: Cr Robert Radel
Seconded: Cr John Zahl

That Council moves out of closed session and be opened to the public.

CARRIED

At 10:20 AM, the meeting adjourned for morning tea.

At 10:50 AM, the meeting resumed.

13.1 ADDITION TO PANEL OF PROVIDERS FOR FACILITIES MAINTENANCE - COOL 2 GO PTY LTD**RESOLUTION 2018/205**

Moved: Cr John Bowen
Seconded: Cr John Zahl

That Cool 2 Go Pty Ltd be added to Council's Panel of Providers for Facilities Maintenance under Quotation 2909/2017-18/QTB/16. **CARRIED**

13.2 LATE TENDERS - NO.2909_2018-19_TTB_01 - OPERATION AND MANAGEMENT OF BIGGENDEN SWIMMING POOL**RESOLUTION 2018/206**

Moved: Cr Robert Radel
Seconded: Cr Paul Lobegeier

That in accordance with Late Tender No. 2909_2018-19_TTB_01, "Operation and Management of Council Owned and Controlled Swimming Pools", Council awards the Biggenden Swimming Pool contract for a four (4) year period to Shelly Whittaker for \$55,000 per annum (including GST).

CARRIED

13.3 CONCESSION FOR RATE PAYER UNDER FINANCIAL HARDSHIP**RESOLUTION 2018/207**

Moved: Cr Faye Whelan
Seconded: Cr Robert Radel

1. That Council 'receive' the report in relation to an application for rates and charges concessions under section 1201(c) – Financial Hardship of the *Local Government Regulation 2012*; and
2. That the ratepayer be advised to enter into a Council arrangement to see the rate debt cleared within 24 months. **CARRIED**

13.4 EXIT SOCIAL HOUSING

RESOLUTION 2018/208

Moved: Cr John Bowen

Seconded: Cr Paul Lobegeier

1. That Council resolve in accordance 236(1)(b)(i) and 236(2) of the *Local Government Regulation 2012 (Council disposal of valuable non-current asset (land) to a government agency without tender or auction)* to dispose of the following parcels of land identified as:
 - L161RP28376 – 5 Hunter Street Mt Perry,
 - L58RP28376 – 12 Mallett Street Mt Perry,
 - L9SP168295 – 16 Moreton Street Eidsvold and
 - L14SP168973 – 142 Heusman Street Mt Perryto the Queensland Department of Housing and Public Works for social housing; and
2. That Council resolve in accordance with 236(1)(b)(i) and 236(2) of the *Local Government Regulation 2012 (Council disposal of valuable non-current asset (crown land) to a government agency without tender or auction)*, Council resigns as trustee on parcel of land L305CK2352 – Reserve 105 – 69 Alice Street, Biggenden and it be disposed to the Queensland Department of Housing and Public Works for social housing. **CARRIED**

13.5 WORKING FOR QUEENSLAND SOLAR PROJECT

RESOLUTION 2018/209

Moved: Cr Robert Radel

Seconded: Cr Faye Whelan

1. That Council endorse the evaluation report and approve the engagement of Gem Energy Australia Pty Ltd for the supply, installation and commissioning of multiple solar systems.
2. That Council authorised the Chief Executive Officer to conclude negotiations with Gem Energy Australia Pty Ltd and enter into the contract. **CARRIED**

13.6 B DOUBLE REPORT - CASES 156991R2V1 AND 157065R2V1 - THE TRUSTEE FOR AG-CULTURE ENTERPRISES UNIT TRUST

RESOLUTION 2018/210

Moved: Cr John Bowen

Seconded: Cr John Zahl

That Council does not endorse approval of the permit applications (Cases 156991r2v1 and 157065r2v1) for 25/26 metre B Double vehicles operating at high mass limits (HML) to travel along North Branch Road, south east of Mount Perry between chainages 0.0 – 9.2km due to infrastructure inadequacies and network safety concerns for the vehicle identified. **CARRIED**

14 GENERAL BUSINESS

The Mayor provided an update to Councillors on the outcome of meetings held in Brisbane 04 September 2018.

15 CLOSURE OF MEETING

The Meeting closed at 11:22 AM.

The minutes of this meeting were confirmed at the General Meeting held on 26 September 2018.

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CHAIRPERSON