



MINUTES

General Meeting

7 November 2018

**MINUTES OF NORTH BURNETT REGIONAL COUNCIL
GENERAL MEETING
HELD AT THE MONTO BOARDROOM
ON WEDNESDAY, 7 NOVEMBER 2018 AT 9:03am**

1 ATTENDEES

COUNCILLORS: Cr Faye Whelan (Acting Mayor), 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), Trevor Harvey (General Manager Strategy, Innovation and Assets), Johan Louw (General Manager Works), Zoe Behrendt (Corporate Services Manager) and Natalie Zillman (Information Coordinator)

2 WELCOME/HOUSEKEEPING

The Acting Mayor declared the meeting open and welcomed all attendees.

3 APOLOGIES/LEAVE OF ABSENCE

RESOLUTION 2018/259

Moved: Cr Paul Lobegeier

Seconded: Cr John Zahl

That the apology received from the Mayor, Cr Rachel Chambers be accepted and leave of absence granted. **CARRIED**

4 DECLARATION OF INTEREST

The Acting Mayor, Cr Faye Whelan declared a perceived conflict of interest in agenda item 13.2 'Grants to Community Organisations' (as defined in section 173 of the *Local Government Act 2009*) due to family involvement in the racing industry. In accordance with section 175E (4) of the *Local Government Act 2009*, Cr Whelan proposed to exclude herself from the meeting while this matter is debated and the vote is taken in open session.

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 17 OCTOBER 2018****RESOLUTION 2018/260**

Moved: Cr John Bowen
Seconded: Cr Paul Lobegeier

That the Minutes of the General Meeting held on 17 October 2018 be confirmed. **CARRIED**

7 GOVERNANCE REPORTS**7.1 ADOPTION OF THE 2017-2018 ANNUAL REPORT****RESOLUTION 2018/261**

Moved: Cr Paul Lobegeier
Seconded: Cr Robert Radel

That pursuant to section 182 of the *Local Government Regulation 2012*, Council adopts the 2017-18 Annual Report. **CARRIED**

7.2 DNRME REQUEST FOR COUNCIL'S VIEWS - RENEWAL OF TERM LEASE 237532 OVER LOT 40 ON CP863075**RESOLUTION 2018/262**

Moved: Cr John Zahl
Seconded: Cr Robert Radel

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

- (i) the reserve is still required for its gazetted purpose; and
- (ii) on expiry of the existing lease, Council as Trustee, is not prepared to offer the current lessee a Trustee Lease or Trustee Permit over the subject area; and
- (iii) Council has no requirements or proposed plans for the land; and
- (iv) offers no objection to renewal of Term Lease 237532. **CARRIED**

7.3 DNRME REQUEST FOR COUNCIL'S VIEWS - PROPOSED RENEWAL OF TERM LEASE 237294 OVER LOT 141 ON W39724 - LOCALITY OF DEGILBO - WHOLE OF CAMPING & WATER RESERVE

RESOLUTION 2018/263

Moved: Cr John Zahl

Seconded: Cr Paul Lobegeier

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

- (i) the reserve is still required for its gazetted purpose;
- (ii) on expiry of the existing lease, Council as Trustee, is not prepared to offer the current lessee a Trustee Lease or Trustee Permit over the subject area;
- (iii) Council has no requirements or proposed plans for the land; and
- (iv) offers no objection to renewal of Term Lease 237294. **CARRIED**

7.4 DNRME REQUEST FOR COUNCIL'S VIEWS - RENEWAL OF TERM LEASE 0/238148 OVER RESERVE LOT 10 ON CROWN PLAN RW835 - OLD RAWBELLE ROAD, RAWBELLE - PURPOSE OF CAMPING AND WATER

RESOLUTION 2018/264

Moved: Cr Paul Lobegeier

Seconded: Cr John Bowen

That the Department of Natural Resources, Mines and Energy be advised Council offers no objection to renewal of Term Lease 0/238148 over Lot 10 on Crown Plan RW835 – Old Rawbelle Road (purpose of camping and water). **CARRIED**

7.5 DNRME REQUEST FOR COUNCIL'S VIEWS - RENEWAL OF TERM LEASE 0/213719 - LOT 108 ON CROWN PLAN MZ1067 - RESERVE FOR CAMPING, ROAD AND RECREATION

RESOLUTION 2018/265

Moved: Cr John Bowen

Seconded: Cr John Zahl

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

- (i) on expiry of the existing lease, Council as Trustee, is not prepared to offer the current lessee a Trustee Lease or Trustee Permit over the subject area; and
- (ii) has no requirements or proposed plans for the land; and
- (iii) offers no objection to renewal of Term Lease 0/238148. **CARRIED**

7.6 THE QUEENSLAND PLAN

RESOLUTION 2018/266

Moved: Cr Robert Radel

Seconded: Cr John Zahl

That Council receive the consultation paper as provided by the State Government and authorise the Chief Executive Officer to provide consolidated feedback on The Queensland Plan. **CARRIED**

7.7 FINANCE REPORT TO 31 OCTOBER 2018

RESOLUTION 2018/267

Moved: Cr John Bowen

Seconded: Cr John Zahl

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

7.8 ORGANISATIONAL STRUCTURE

RESOLUTION 2018/268

Moved: Cr Paul Lobegeier

Seconded: Cr Robert Radel

That Council

1. Amend the Corporate Structure by removing the position of Development Services Manager and creating the position of People and Performance Manager; and
2. Endorse the realignment of functions and reporting arrangements as shown in Attachment A – Proposed Organisational Structure. **CARRIED**

8 ECONOMIC REPORTS

8.1 MOUNTAIN VIEW CARAVAN PARK - LEASE UPDATE

RESOLUTION 2018/269

Moved: Cr Peter Webster

Seconded: Cr Robert Radel

That pursuant to Council resolution (Planning and Policy Standing Committee) PP/2018/43 and independent legal advice, Council now endorse the advertising of a ten (10) year lease for the Mountain View Caravan Park. **CARRIED**

8.2 STREETScape FUNDING APPLICATION

RESOLUTION 2018/270

Moved: Cr John Bowen
Seconded: Cr Paul Lobegeier

That Council approve the following Streetscape funding application:

1. Natalie Mann & Scott Mayes – Mundubbera Pool (Doc Id: 900448) to install signage to promote what is happening at the Mundubbera Pool, 24 Bauer Street, Mundubbera to the value of \$565.00. **CARRIED**

9 SOCIAL REPORTS

9.1 2018 NORTH BURNETT CHRISTMAS LIGHTS COMPETITION

RESOLUTION 2018/271

Moved: Cr John Zahl
Seconded: Cr Peter Webster

That the 2018 Christmas Lights Competition report as presented be 'received'; and a donation of \$325 prize money be made available for each of the six (6) communities within the North Burnett Region – Biggenden, Eidsvold, Gayndah, Monto, Mount Perry and Mundubbera. **CARRIED**

9.2 TACKLING REGIONAL ADVERSITY THROUGH INTEGRATED CARE (TRAIC) - CO-DESIGN WORKSHOP - NBRC & QLD HEALTH

RESOLUTION 2018/272

Moved: Cr John Bowen
Seconded: Cr John Zahl

That:

1. Council endorse the holding of functions across all North Burnett communities utilising funding from "*Tackling Regional Adversity through Integrated Care*" (TRAIC) and Marks's Foundation to focus on resilience building and linking services to community; and
2. Consistent with section 235(b) of the *Local Government Regulation 2012*, Council resolves to support the engagement of Robyn Moore as guest speaker / entertainer for these community events and due to the specialised services Ms Moore provides and the preliminary works undertaken to date, it would be impractical to invite quotes; and
3. Authority be delegated to the Deputy Mayor and the Chief Executive Officer (General Manager Corporate and Community) to continue to progress and deliver these events in accordance with funding provided and agreed project plan and timelines. **CARRIED**

9.3 GRANTS TO COMMUNITY ORGANISATIONS - LIFELONG COMMUNITY GRANTS**RESOLUTION 2018/273**

Moved: Cr Robert Radel

Seconded: Cr John Bowen

That Council endorse the following 2018-19 Lifelong Community Grants recipients (Policy 119)

Lifelong Community Grants to the value of \$21,300.00.

| Organisation Name | Contribution |
|---|-----------------|
| Sunshine Coast Helicopter Rescue Service (Bundaberg) | \$10,000 |
| Bundaberg Health Services Foundation Rotary Lodge - Bundaberg | \$10,000 |
| <u>TOTAL</u> | \$20,000 |
| Bursaries | |
| Biggenden State School P-10 | \$150 |
| Dallarnil State Primary School | \$50 |
| Coalstoun Lakes State Primary School | \$50 |
| Abercorn State Primary School | \$50 |
| Eidsvold State School | \$150 |
| Burnett State College, Gayndah | \$100 |
| Gayndah Primary State School | \$50 |
| St Joseph's State School, Gayndah | \$50 |
| Binjour State Primary School | \$50 |
| Monto State High School – Senior Dux Award | \$100 |
| Monto State High School | \$50 |
| Mulgildie State Primary School | \$50 |
| St Therese School, Monto | \$50 |
| Gin Gin State High School | \$100 |
| Mt Perry State Primary School | \$50 |
| Mundubbera State School P-10 | \$150 |
| Monogorilby State Primary School | \$50 |

CARRIED

9.4 REGIONAL ARTS DEVELOPMENT FUND COMMITTEE**RESOLUTION 2018/274**

Moved: Cr Paul Lobegeier

Seconded: Cr John Zahl

That Council receive the information presented in this report and Council maintains its current contribution of \$45,000 towards the RADF program for the 2018/19 year. **CARRIED**

10 INFRASTRUCTURE REPORTS**10.1 CHERELLY ORCHARD RD AND QUININE RD****RESOLUTION 2018/275**

Moved: Cr Robert Radel

Seconded: Cr John Zahl

That Council resolves to rename Quinine Road to Cherelly Orchard Road. **CARRIED**

10.2 EMU CREEK ROAD EXTENSION**RESOLUTION 2018/276**

Moved: Cr John Bowen

Seconded: Cr John Zahl

That the report regarding Emu Creek Road lay on the table until further information is provided to Council. **CARRIED**

10.3 COUNCILLOR NOMINATIONS FOR TRAFFIC ADVISORY COMMITTEE**RESOLUTION 2018/277**

Moved: Cr Robert Radel

Seconded: Cr John Bowen

That Council nominates Cr Webster and Cr Lobegeier to the North Burnett Regional Council Traffic Advisory Committee, with Cr Bowen as proxy. **CARRIED**

10.4 PROJECT MANAGEMENT POLICY**RESOLUTION 2018/278**

Moved: Cr Paul Lobegeier

Seconded: Cr Peter Webster

That Council adopts the Project Management Policy. **CARRIED**

10.5 LOCHABER ACCESS AND LOCHABER BOUNDARY ROAD RENAMING**RESOLUTION 2018/279**

Moved: Cr John Bowen
Seconded: Cr Robert Radel

That the Lochaber Access and Lochaber Boundary Road Renaming report be received and that a further report be presented to Council in relation to the road naming guidelines. **CARRIED**

At 10:16am, the meeting adjourned for morning tea and to present Service Awards to employees Suzanne Kerle and Gordon Brian (Monto Parks and Gardens).

At 10:47am, the meeting resumed.

11 ENVIRONMENTAL REPORTS**11.1 STOCK ROUTE MANAGEMENT POLICY REVIEW****RESOLUTION 2018/280**

Moved: Cr Paul Lobegeier
Seconded: Cr Peter Webster

That Council adopt the Stock Route Management Policy as presented.

CARRIED

12 COUNCILLOR REPORTS**12.1 MAYOR AND COUNCILLORS REPORTS****RESOLUTION 2018/281**

Moved: Cr John Zahl
Seconded: Cr Robert Radel

That the Councillor Reports be received.

CARRIED

13 CONFIDENTIAL REPORTS

RESOLUTION 2018/282

10:59AM

Moved: Cr Paul Lobegeier

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*:

13.1 Mingo Crossing Caravan Park - Management

This matter is considered to be confidential under Section 275(1) (e) and (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 contracts proposed to be made by it and 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 Grants to Community Organisation

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.

13.3 Mingo Crossing Caravan Park Upgrade, Potable Water Tender

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.

13.4 Mingo Crossing Caravan Park Upgrade, Building Tender

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 Mingo Crossing Caravan Park Upgrade, Wastewater Treatment Tender

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.

And now moves into Closed Session.

CARRIED

At 11:05 am, the Acting Mayor Cr Faye Whelan left the meeting.

At 11:08 am, the Acting Mayor Cr Faye Whelan returned to the meeting.

RESOLUTION 2018/283**11:55AM**

Moved: Cr Paul Lobegeier

Seconded: Cr Robert Radel

That Council moves out of Closed Session into Open Council.

CARRIED

At 11:55am, Bundaberg Regional Council Mayor Cr Jack Dempsey and Ben Artup, Executive Director Strategic Projects & Economic Development joined the meeting for general regional discussions and they left the meeting at 12.20pm.

CLOSED SESSION**RESOLUTION 2018/284****12:21PM**

Moved: Cr Robert Radel

Seconded: Cr John Bowen

In accordance with Section 275(1) of the *Local Government Regulation 2012*, the meeting moves into Closed Session.

CARRIED

At 12:23 pm, Cr John Zahl left the meeting.

At 12:25 pm, Cr John Zahl returned to the meeting.

OPEN COUNCIL**RESOLUTION 2018/285****12:34PM**

Moved: Cr Robert Radel

Seconded: Cr John Bowen

That Council moves out of Closed Session and now be open to the public.

CARRIED

13.1 MINGO CROSSING CARAVAN PARK - MANAGEMENT

RESOLUTION 2018/286

Moved: Cr Paul Lobegeier

Seconded: Cr John Zahl

That:

1. The Chief Executive Officer commence contract management arrangements for Mingo Crossing Caravan Park & Recreational Area, in consultation with Councils legal advisors; and
2. Mingo Crossing Caravan Park & Recreational Area be contracted for a total of 6 years (3 years with the option to renew for a further 3 years). **CARRIED**

Declaration of Conflict of Interest

- a) Pursuant to declaration made on page 2 of these Council Minutes, the Acting Mayor Cr Faye Whelan declared a perceived conflict of interest (as defined in section 175D of the *Local Government Act 2009 "the Act"*) in agenda item 13.2 'Grants to Community Organisations';
- b) Cr Whelan outlined the nature of interest including her family involvement in the horse racing industry;
- c) In accordance with Section 175E (3) and 175E (4) of the Act, Cr Whelan left the meeting at 12:37pm and did not participate in voting on this item; and
- d) The majority of Councillors voted in favour of the resolution on this item when considered in open session.

RESOLUTION 2018/287

Moved: Cr John Bowen

Seconded: Cr Paul Lobegeier

That Cr Lobegeier be appointed Chair until the Acting Mayor returns.

CARRIED

13.2 GRANTS TO COMMUNITY ORGANISATION NOVEMBER 2018

RESOLUTION 2018/288

Moved: Cr Peter Webster

Seconded: Cr John Bowen

That in accordance with Policy 113 Not for Profit Organisations and In Kind Support, Council approves the waiver of waste, chairs, table, marquees, delivery fees and provision of the generator for Mt Perry Race Club for meeting to be held 17 November 2018. **CARRIED**

At 12:39 pm, the Acting Mayor returned to the meeting and assumed the Chair.

13.3 MINGO CROSSING CARAVAN PARK UPGRADE, POTABLE WATER TENDER**RESOLUTION 2018/289**

Moved: Cr John Bowen

Seconded: Cr John Zahl

That Council endorse the evaluation report and approve the engagement of Alpha Concepts for the supply, installation and commissioning of a Potable Water Treatment System and Reticulation at the Mingo Crossing Caravan Park.

DIVISION CALLED

In Favour: Crs Faye Whelan, John Bowen, Paul Lobegeier, Peter Webster and John Zahl

Against: Cr Robert Radel

CARRIED 5/1

13.4 MINGO CROSSING CARAVAN PARK UPGRADE, BUILDING TENDER**RESOLUTION 2018/290**

Moved: Cr Paul Lobegeier

Seconded: Cr Robert Radel

That:

1. Council receives the tender assessment report and formally closes the tender process without awarding a contract; and
2. That Council endorse direct negotiations with suppliers to form a contract for completion of the building package within the project budget.

CARRIED

13.5 MINGO CROSSING CARAVAN PARK UPGRADE, WASTEWATER TREATMENT TENDER**RESOLUTION 2018/291**

Moved: Cr Robert Radel

Seconded: Cr John Bowen

That:

1. Council endorse the tender evaluation report and close the tender process without awarding a contract due to non-conformance of tenderers or unacceptable risk of proposed new overseas technology not yet tried in Australian conditions; and
2. Council approve the direct negotiation with suppliers for the supply and installation of a wastewater treatment plant for Mingo Crossing Caravan Park.

CARRIED

14 GENERAL BUSINESS**14.1 FORMAL INVESTIGATION OF COMPLAINT****RESOLUTION 2018/292**

Moved: Cr John Bowen

Seconded: Cr John Zahl

That *RESOLUTION 2018/257 – Formal Investigation of Complaint* be lifted from the table.**CARRIED****14.2 ADMINISTRATIVE ACTION RESOLUTION****RESOLUTION 2018/293**

Moved: Cr Robert Radel

Seconded: Cr John Bowen

That:

1. Council receives and notes the Sandarra Road report prepared by Reinforcements Management Consulting in relation the formal investigation of the complaint lodged with Council;
2. That Council endorse the recommendations contained within the report with the exception of recommendation 18; and
3. The Chief Executive officer present a further report to council outlining timeframes and cost for implementing the recommendation detailed in the report.

CARRIED**14.3 INVITATION TO STATE MEMBER FOR CALLIDE****RESOLUTION 2018/294**

Moved: Cr John Zahl

Seconded: Cr John Bowen

That the Chief Executive Officer extend an invitation to the State Member for Callide, Colin Boyce MP to attend a future workshop/meeting to discuss North Burnett Region consolidated matters of concern.

CARRIED

14.4 RM WILLIAMS BUSH TUCKER TRAIL CONCEPT

RESOLUTION 2018/295

Moved: Cr Peter Webster

Seconded: Cr Robert Radel

That:

1. Council investigate the engagement of suitable resources to further develop a concept design for a "bush tucker" trail at the RM Williams Australian Bush Learning Centre; and
2. Identify a source of funding for implementation of the project (e.g. Works for Qld).

CARRIED

14.5 CHRISTMAS PROJECT ENHANCEMENT FUNDING

RESOLUTION 2018/296

That Council make available to each of the six (6) towns (Biggenden, Gayndah, Mt Perry, Mundubbera, Eidsvold and Monto) the sum of \$1000, to encourage Christmas festivities throughout the region.

DIVISION CALLED

In Favour: Crs Faye Whelan, Paul Lobegeier, Peter Webster and John Zahl

Against: Crs John Bowen and Robert Radel

CARRIED 4/2

14.6 BOYNE BURNETT INLAND RAIL TRAIL INTERIM REPORT

RESOLUTION 2018/297

Moved: Cr Paul Lobegeier

Seconded: Cr John Zahl

That the Chief Executive Officer (Tourism and Economic Development Officer) apply for an extension of time to prepare Council's response to the interim report. In addition, that a report be presented to the 28 November 2018 General Meeting.

CARRIED

At 1:35pm, Meagan Ellerton joined the meeting and discussed Kalpowar matters with Council and left the meeting at 1:45pm.

15 CLOSURE OF MEETING

The Meeting closed at 1:47pm.

The minutes of this meeting were confirmed at the General Meeting held on 28 November 2018.

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CHAIRPERSON