



MINUTES

General Meeting

28 November 2018

**MINUTES OF NORTH BURNETT REGIONAL COUNCIL
GENERAL MEETING
HELD AT THE GAYNDAH BOARDROOM
ON WEDNESDAY, 28 NOVEMBER 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 and 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) 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

Nil

5 DEPUTATION/PETITIONS

10:00am – Professor Phillip Clift; Emertius Councillor Proposal

6 CONFIRMATION OF MINUTES

6.1 MINUTES OF THE GENERAL MEETING HELD ON 7 NOVEMBER 2018

RESOLUTION 2018/298

Moved: Cr Peter Webster

Seconded: Cr John Zahl

That the Minutes of the General Meeting held on 7 November 2018 be confirmed.

CARRIED

7 GOVERNANCE REPORTS

7.1 2019-21 LOCAL GOVERNMENT GRANTS AND SUBSIDIES PROGRAM (LGGSP)

RESOLUTION 2018/299

Moved: Cr John Bowen

Seconded: Cr Robert Radel

That:

1. The 2019-21 Local Government Grants and Subsidies Program (LGGSP) report as presented be received;
2. Council endorse the program for bridge replacement to concrete culverts; transfer stations; and sewer relining projects; and
3. Further, suitable projects as determined through the Project Decision Framework be presented to the next General Meeting for endorsement by Council for submission under the 2019-21 Local Government Grants and Subsidies Program (LGGSP). **CARRIED**

7.2 COUNCIL GENERAL MEETING SCHEDULE 2019

RESOLUTION 2018/300

Moved: Cr Robert Radel

Seconded: Cr John Zahl

That Council adopt the following General meeting dates for 2019, commencing at 9:00am and at the Office Meeting Room of the locations nominated. **CARRIED**

Meeting Date 2019	Meeting Location
January 16	Monto
February 06	Eidsvold
February 27	Mt Perry
March 20	Mundubbera
April 10	Gayndah
May 01	Biggenden
May 22	Monto
June 12	Eidsvold
June 26 (Special Budget Meeting)	Mt Perry
June 26	Mt Perry
July 17	Mundubbera
August 07	Gayndah
August 28	Biggenden
September 18	Monto
October 09	Eidsvold
October 30	Mt Perry
November 20	Mundubbera
December 11	Gayndah

7.3 WHOLE-OF-GOVERNMENT REVIEW OF GRANTS

RESOLUTION 2018/301

Moved: Cr Peter Webster

Seconded: Cr John Zahl

That:

1. The Whole-of-Government Grants Review report as presented, be received for information; and
2. The Chief Executive Officer, in consultation with the Mayor and Deputy Mayor, be delegated authority to participate in the Department of Local Government, Racing and Multicultural Affairs online Survey to provide feedback and input on the review of grants to local government.

CARRIED

Item - 7.4 Council Meeting Standing Orders - was moved to another part of the agenda.

7.5 COUNCILLOR CONDUCT INVESTIGATION POLICY

RESOLUTION 2018/302

Moved: Cr Robert Radel

Seconded: Cr Faye Whelan

That pursuant to section 150 (AE) of the *Local Government Act 2009*, Council adopt the Investigation Policy set out in Attachment A – Investigation Policy.

In Favour: Crs Rachel Chambers, Faye Whelan, John Bowen, Robert Radel, Peter Webster and John Zahl

Against: Cr Paul Lobegeier

CARRIED 6/1

7.6 DNRME REQUEST FOR COUNCIL'S VIEWS - RENEWAL OF TERM LEASE 237711 - LOT 21 ON WK88 - RESERVE FOR CAMPING AND WATER

RESOLUTION 2018/303

Moved: Cr John Zahl

Seconded: Cr Peter Webster

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

- (i) is not prepared to offer the current lessee a Trustee Lease or Trustee Permit over the subject area on expiry of the existing lease; and
- (ii) has no requirements or proposed plans for the land; and
- (iii) offers no objection to renewal of Term Lease 237711.

CARRIED

7.7 DNRME REQUEST FOR COUNCIL'S VIEWS - APPLICATION FOR RENEWAL OF TERM LEASE 0/213725 - LOT 158 ON BON1347 - LOCALITY MT PERRY**RESOLUTION 2018/304**

Moved: Cr Robert Radel
Seconded: Cr John Bowen

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

- (i) has no requirements or proposed plans for the land; and
- (ii) offers no objection to renewal of Term Lease 0/213725.

CARRIED**7.8 DNRME REQUEST FOR COUNCIL'S VIEWS - APPLICATION FOR RENEWAL OF TERM LEASE 0/237917 ON LOT A ON CROWN PLAN YL314 - LOCALITY OF RIVERLEIGH****RESOLUTION 2018/305**

Moved: Cr Robert Radel
Seconded: Cr John Zahl

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

- (i) has no requirements or proposed plans for the land; and
- (ii) offers no objection to renewal of Term Lease 0/237917.

CARRIED**7.9 DNRME REQUEST FOR COUNCIL'S VIEWS - RENEWAL OF TERM LEASE 237956 - LOT 264 ON RW867 - RESERVE FOR WATER****RESOLUTION 2018/306**

Moved: Cr Robert Radel
Seconded: Cr John Zahl

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

- (i) Council offers no objection to renewal of Term Lease 237956 subject to condition that access for future use of water be available to Council at no cost; 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.

CARRIED

7.10 DNRME REQUEST FOR COUNCIL'S VIEWS - RENEWAL OF SPECIAL LEASE 32/51659 - LOT 4 ON RW341 - RESERVE FOR GRAVEL

RESOLUTION 2018/307

Moved: Cr Robert Radel
Seconded: Cr John Zahl

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

- (i) Council offers no objection to renewal of Special Lease 32/51659 subject to conditions, that road access and gravel resources are available to Council at no cost, for proposed future upgrade of the adjacent Glencoe Road to B-double standard; 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. **CARRIED**

8 ECONOMIC REPORTS

8.1 STREETScape FUNDING APPLICATIONS

RESOLUTION 2018/308

Moved: Cr Paul Lobegeier
Seconded: Cr Faye Whelan

That Council approve the following Streetscape funding application:

Kathleen McCarthy – Body & Soul Naturally (Doc Id: signage on the front fascia of building, window decals and to paint the front window trims of 40 Lyons Street, Mundubbera to the value of \$565.75. **CARRIED**

9 SOCIAL REPORTS

9.1 RED EARTH COMMUNITY FOUNDATION SPONSORSHIP 2019

RESOLUTION 2018/309

Moved: Cr Faye Whelan
Seconded: Cr Paul Lobegeier

That:

1. The Red Earth Community Foundation Request for Sponsorship 2019 report be received;
2. The Chief Executive Officer (General Manager Corporate and Community) liaise with the Red Earth Community Foundation to determine suitability of the program for our region with funding to be provided through Council's allocated training budget; and
3. That Council sponsor no more than two participants in the program. **CARRIED**

10 INFRASTRUCTURE REPORTS

10.1 BOUNDARY ROAD PROPOSED FORMAL AGREEMENT

RESOLUTION 2018/310

Moved: Cr Paul Lobegeier

Seconded: Cr Faye Whelan

That Council resolves:

1. To formalise the Boundary Road Agreement with Western Downs Regional Council to enable both councils to provide ownership and responsibility for a defined section of (Mundubbera) Boundary Road; and
2. That the section of (Mundubbera) Boundary Road, from Radkes Road intersection to the New Cadarga Road intersection (approximately 8.9 kilometres) be under North Burnett Regional Council control with the balance of the road under Western Downs control.

CARRIED

10.2 PROJECT DECISION POLICY

RESOLUTION 2018/311

Moved: Cr Robert Radel

Seconded: Cr John Zahl

That Council adopts the Project Decision Policy.

CARRIED

At 9:39 am, Mayor Cr Rachel Chambers left the meeting and the Deputy Mayor, Cr Faye Whelan assumed the Chair.

At 9:41 am, Mayor Cr Rachel Chamber returned to the meeting and resumed Chair.

At 10:00 am, the meeting adjourned for a teleconference with the Queensland Fire and Emergency Services and resumed at 10:31am.

At 10:32 am the meeting adjourned for morning tea and resumed at 10:53 am.

At 10:53 am, Professor Phillip Clift joined the meeting and discussed a proposal for a new Australia Day honour.

5 DEPUTATION

RESOLUTION 2018/312

Moved: Cr Faye Whelan

Seconded: Cr Paul Lobegeier

That Council write to Professor Phillip Clift thanking him for his presentation regarding his proposal for a new Australia Day award and advised him that Council will not be taking the matter further.

CARRIED

7.4 COUNCIL MEETING STANDING ORDERS

RESOLUTION 2018/313

Moved: Cr Paul Lobegeier

Seconded: Cr Faye Whelan

That pursuant to section 150 (G) (1) (b) of the *Local Government Act 2009* Council adopt;

1. the Meeting Procedures set out in Attachment A; and
2. the Standing Orders set out in Attachment B with the addition of new Clause 4.3:

In accordance with section 4.2 of Council's Standing Orders, all Councillors will be permitted to raise items of business (under the agenda heading: 'Business not on the Agenda' to be discussed and or considered towards the conclusion of the meeting only if supported by formal resolution.

CARRIED

11 ENVIRONMENTAL REPORTS

Nil

12 COUNCILLOR REPORTS

12.1 COUNCILLOR REPORTS

RESOLUTION 2018/314

Moved: Cr John Zahl

Seconded: Cr Robert Radel

That the Councillor Reports be received.

CARRIED

13 CONFIDENTIAL REPORTS**RESOLUTION 2018/315****11:20 AM**

Moved: Cr Robert Radel
Seconded: Cr Paul Lobegeier

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 Burnett Boyne Inland Rail Trail Interim Report

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 2019 Gayndah Orange Festival - seeking Council sponsorship

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 Removal of Vegetation - Mt Perry

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 2018/316****12:10PM**

Moved: Cr Peter Webster
Seconded: Cr Paul Lobegeier

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

CARRIED

13.1 BURNETT BOYNE INLAND RAIL TRAIL INTERIM REPORT

RESOLUTION 2018/317

Moved: Cr Paul Lobegeier

Seconded: Cr Robert Radel

That:

1. North Burnett Regional Council receive the Interim Report;
2. The Council agree to proceed with a more detailed planning for the identified candidate rail trails within the North Burnett Region - Builyan to Kalpowar, and Mundubbera to Mt Debateable (including a trail to the stone pitched embankments east of Mt Debateable siding) as this is still within the original funding of the project grant and will be at no addition cost to Council. The planning is to verify trail development requirements and focus on key infrastructure identified as necessary for rail trail development;
3. It is noted that a decision to proceed to this stage does not commit Council (or the Department of Transport and Main Roads) to the development of the identified candidate trails; and
4. Council will not fund any potential capital and maintenance cost associated identified in the Burnett Boyne Inland Rail Trail Interim Report. **CARRIED**

13.2 2019 GAYNDAH ORANGE FESTIVAL - SEEKING COUNCIL SPONSORSHIP

RESOLUTION 2018/318

Moved: Cr John Zahl

Seconded: Cr John Bowen

That Council approves grant application for \$5000 in cash towards the 2019 Gayndah Orange Festival Inc. under Policy 121 Major Events Grants.

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

Against: Cr Robert Radel

CARRIED 6/1

13.3 REMOVAL OF VEGETATION - MT PERRY

RESOLUTION 2018/319

Moved: Cr Faye Whelan

Seconded: Cr Paul Lobegeier

That Council;

- a) Instruct Preston Law to write to the party identified by Council as requesting the unauthorised works that occurred in Mt Perry 01 November 2018 be carried out advising that person that they had no authority to authorise works on Council land and should immediately cease issuing any such instructions;
- b) Liaise with the group conducting the Skilling for Queenslanders for Work activities in Mt Perry with a view to executing a Memorandum of Understanding to guide any future works

in the North Burnett Region; and

c) To engage with the Mt Perry community to plan rehabilitation of the area.

In Favour: Crs Rachel Chambers, Faye Whelan, Paul Lobegeier, Robert Radel, Peter Webster and John Zahl

Against: Cr John Bowen

CARRIED 6/1

14 GENERAL BUSINESS

Nil.

15 CLOSURE OF MEETING

The Meeting closed at 12:28 pm.

The minutes of this meeting were confirmed at the General Meeting held on 12 December 2018.

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CHAIRPERSON