



# **MINUTES**

**General Meeting**

**17 October 2018**

**MINUTES OF NORTH BURNETT REGIONAL COUNCIL  
GENERAL MEETING  
HELD AT THE EIDSVOLD BOARDROOM  
ON WEDNESDAY, 17 OCTOBER 2018 AT 9:05AM**

## **1 ATTENDEES**

**COUNCILLORS:** Cr Rachel Chambers (Mayor), Cr Faye Whelan (Deputy Mayor), Cr John Bowen, Cr Paul Lobegeier, Cr Peter Webster, Cr John Zahl

**OFFICERS:** Gary Rinehart (Chief Executive Officer), Brad Duke (General Manager Corporate and Community), Trevor Harvey (General Manager of Strategy, Innovation and Assets), Johan Louw (General Manager Works), Zoe Behrendt (Corporate Services Manager) and Natalie Zillman (Information Coordinator)

## **2 WELCOME/HOUSEKEEPING**

The Mayor declared the meeting open and welcomed all attendees. On behalf of the Council, the Mayor extended a warm welcome to the newly appointed Manager of Corporate Services, Zoe Behrendt.

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

### **RESOLUTION 2018/236**

Moved: Cr Paul Lobegeier

Seconded: Cr Faye Whelan

That the apology received from Cr Robert Radel be accepted and leave of absence granted.

**CARRIED**

## **4 DECLARATION OF INTEREST**

The Deputy Mayor, Cr Faye Whelan declared a perceived conflict of interest in agenda item 13.1 'Mundubbera Community Development Association - Land and building – 69 Stuart Russell St, Mundubbera' (as defined in section 173 of the *Local Government Act 2009*) due to being an ordinary member of the Association. In accordance with section 175E(4) of the *Local Government Act 2009*, all other Councillors present decided it was a perceived conflict of interest; however all agreed that more verbal information from the Councillor was required prior to making a decision. Therefore it was agreed that Cr Whelan would be present during the discussion of the matter and that she be included in the meeting when the vote is taken in open session.

Cr John Zahl declared a perceived conflict of interest in agenda item 13.2 'Community Grants Report to GM 17/10/18' (as defined in section 173 of the *Local Government Act 2009*) due to his involvement with the Gayndah RSL Remembrance Day preparations. In accordance with section 175E(4) of the *Local Government Act 2009*, all other Councillors present decided it was a perceived conflict of interest; however all agreed that more verbal information from the Councillor was required prior to making a decision. Cr Zahl decided to exclude himself from the meeting during the discussion of the matter and when the vote is taken in open session.

## 5 DEPUTATION/PETITIONS

10:15am – Jamie Coad, General Manager, Mt Rawdon Mine.

12:00pm – Mike Halliburton, Boyne Burnett Rail Trail.

## 6 CONFIRMATION OF MINUTES

### 6.1 MINUTES OF THE GENERAL MEETING HELD ON 26 SEPTEMBER 2018

#### RESOLUTION 2018/237

Moved: Cr Paul Lobegeier

Seconded: Cr John Zahl

That the Minutes of the General Meeting held on 26 September 2018 be confirmed. **CARRIED**

At 9:13am, Cr Peter Webster entered the meeting.

## 7 GOVERNANCE REPORTS

### 7.1 COMMERCIAL RADIO SERVICES (BIGGENDEN) - REBEL MEDIA

#### RESOLUTION 2018/238

Moved: Cr Paul Lobegeier

Seconded: Cr Faye Whelan

That:

1. Rebel Media be advised, as a priority, to undertake extensive community consultation via a local poll of residents that will provide data on the their regional audience (Rebel 106.7) and report back to Council; and
2. Council not support the proposed site #2 as this responsibility rests with Rebel Media.

**CARRIED**

### 7.2 NATIONAL LOCAL ROADS & TRANSPORT CONGRESS

#### RESOLUTION 2018/239

Moved: Cr John Zahl

Seconded: Cr Peter Webster

That:

1. The National Local Roads and Transport Congress report be received for information.
2. Council approves the General Manager Works attending the National Local Roads and Transport Congress in Alice Springs from 20-22 November 2018.

**CARRIED**

**7.3 GAYNDAH CEMETERY - NAMING OF REMEMBRANCE DRIVE****RESOLUTION 2018/240**

Moved: Cr Faye Whelan  
Seconded: Cr Peter Webster

That Council approval be given to the naming of the newly constructed driveway located within the Gayndah Cemetery Reserve as "Remembrance Drive" and suitable media coverage be attended to. **CARRIED**

**7.4 2018-19 OPERATIONAL PLAN - PROGRESS REPORT - Q1 - 1 JULY TO 30 SEPTEMBER 2018****RESOLUTION 2018/241**

Moved: Cr John Zahl  
Seconded: Cr Paul Lobegeier

That in accordance with section 174(3) of the *Local Government Regulation 2012*, Council's 'receives' progress report Q1 (1 July to 30 September 2018) towards the implementation of the annual operational plan 2018-19. **CARRIED**

**7.5 ACTING CHIEF EXECUTIVE OFFICER****RESOLUTION 2018/242**

Moved: Cr John Bowen  
Seconded: Cr Peter Webster

That pursuant to Section 195 of the *Local Government Act 2009* appoint the General Manager Strategy, Innovation and Assets to be Acting Chief Executive Officer from Monday 29 October 2018 until such time as the Chief Executive Officer returns to the region and resumes normal duties. **CARRIED**

**7.6 RATES APPROVAL FOR COMMENCEMENT OF RECOVERY ACTION****RESOLUTION 2018/243**

Moved: Cr Paul Lobegeier  
Seconded: Cr John Zahl

That in accordance with Council's Rates Recovery Policy approval is granted to proceed to external debt collection for the rate assessments as presented. **CARRIED**

## **7.7 FINANCE REPORT TO 30 SEPTEMBER 2018**

### **RESOLUTION 2018/244**

Moved: Cr John Bowen  
Seconded: Cr Paul Lobegeier

That the Finance Report for month ended 30 September 2018 as presented be adopted.

**CARRIED**

## **8 ECONOMIC REPORTS**

### **8.1 STREETSCAPE FUNDING APPLICATIONS**

#### **RESOLUTION 2018/245**

Moved: Cr Faye Whelan  
Seconded: Cr John Zahl

That:

1. Council approve the withdrawal of the Meg Cunningham - Music Room Shoes Streetscape funding application (Doc Id: 878993) for \$900.00 to paint the front and side of 25 Lyons Street, Mundubbera; and
2. Council approve the Meg Cunningham – Music Room Shoes new Streetscape funding application (Doc Id: 896342) to remove and replace the front awning of 25 Lyons Street, Mundubbera. The total value of work is \$9,900.00. The work is due to commence on the 7th October 2018 and completed by the 2nd of December 2018.

**CARRIED**

### **8.2 ECONOMIC DEVELOPMENT OPERATIONAL PLAN**

#### **RESOLUTION 2018/246**

Moved: Cr Peter Webster  
Seconded: Cr John Zahl

That Council adopt the Economic Development 2018 – 2019 Operational Plan as presented.

**CARRIED**

## **9 SOCIAL REPORTS**

### **9.1 SPORT AND RECREATION - LIGHTING FEE ADJUSTMENT**

#### **RESOLUTION 2018/247**

Moved: Cr Faye Whelan  
Seconded: Cr Paul Lobegeier

That the Sport and Recreation – Lighting Fee Adjustment report lay on the table pending further information being provided.

**CARRIED**

## **10 INFRASTRUCTURE REPORTS**

### **10.1 WARRA CREEK AND ABERDEENS RD RENAMING**

#### **RESOLUTION 2018/248**

Moved: Cr Peter Webster  
Seconded: Cr Paul Lobegeier

That the report be received.

**CARRIED**

At 10:15am, the recently appointed General Manager, Mt Rawdon Mine (Evolution Mining) Mt Perry, Jamie Coad attended the meeting and providing brief overview of his experience and current operations at the mine.

At 10:30am the meeting adjourned for morning tea and resumed at 10:55am.

### **10.2 TRAFFIC ADVISORY COMMITTEE AND SPEED MANAGEMENT COMMITTEE**

#### **RESOLUTION 2018/249**

Moved: Cr Paul Lobegeier  
Seconded: Cr John Bowen

That Council:

1. Notes the draft Terms of Reference for the North Burnett Regional Council Traffic Advisory Committee and Speed Management Committee as presented in Attachment 3 of this report.
2. Notes the date for the meeting of the North Burnett Regional Council Traffic Advisory Committee and Speed Management Committee on Wednesday 21 November 2018.

**CARRIED**

## **11 ENVIRONMENTAL REPORTS**

### **11.1 WASTE LEVY IMPLEMENTATION**

#### **RESOLUTION 2018/250**

Moved: Cr John Zahl  
Seconded: Cr Faye Whelan

That:

1. Council endorses the Chief Executive Officer actions in making the application under the 2018/19 Local Government Levy Ready Grants Program.
2. Council write to the Minister for Environment and the Great Barrier Reef, the Hon Leeanne Enoch thanking the Minister for the opportunity to attend the hearing held in Rockhampton on Friday, 12 October 2018.

**CARRIED**

## 12 COUNCILLOR REPORTS

### 12.1 MAYOR AND COUNCILLORS REPORTS

#### RESOLUTION 2018/251

Moved: Cr John Zahl

Seconded: Cr Peter Webster

That the Councillors report as presented be received and the contents noted.

**CARRIED**

#### CIVIL WORKS - TIDS APPLICATIONS

#### RESOLUTION 2018/252

Moved: Cr John Bowen

Seconded: Cr Paul Lobegeier

That Council endorses the following Local Roads of Regional Significance (LRRS) and Non LRRS Transport Infrastructure Development Scheme (TIDS) projects for consideration in the 2021/22 and 2022/23 financial years to be submitted to the Regional Roads and Transport Group (RRTG):

Road	Financial Year	LG contribution	Project Estimate	Brief Description
Monogorilby Road	2021/22	\$255,500	\$511,000	Widen single lane to double lane bitumen Chainage 1.3 – 2.9
Mount Steadman Road	2021/22	\$279,500	\$559,000	Widen single lane to double lane bitumen Chainage 0.00 – 0.98
River Road	2022/23	\$122,500	\$245,000	Bitumen reseal
Campbells Road	2022/23	\$79,500	\$159,000	Bitumen reseal
Bon Accord – Wetheron Road	2022/23	\$303,500	\$607,000	Widen single lane to double lane bitumen Chainage 10.34 – 12.3
Boondooma Road	2021/22	\$100,000	\$200,000	Widen single lane to double lane bitumen Chainage 0.96 - 1.96
Coonambula Road	2022/23	\$78,500	\$157,000	Pavement repairs Chainage 4.2 - 5.1
Gayndah - Mundubbera Road	2021/22	\$137,500	\$275,000	Widen narrow bitumen to double lane seal Chainage 15 – 15.7
Gayndah - Mundubbera Road	2021/22	\$84,000	\$168,000	Widen narrow bitumen to double lane seal Chainage 13.6 – 13.9

## Non LRRS

Road	Financial Year	LG contribution	Project Estimate	Brief Description
Sandy Camp Road	2021/22	\$194,851	\$389,702	Ch 1.84 -2.84 Bitumen seal
Middle Boyne Road	2021/22	\$75,000	\$150,000	Widen single lane to double lane bitumen Ch 4.08 -4.88
Abercorn Road	2020/21	\$136,580	\$273,160	Widen single lane to double lane bitumen Ch 21.3 -22.8

**CARRIED****13 CONFIDENTIAL REPORTS****RESOLUTION 2018/253**

Moved: Cr Paul Lobegeier

Seconded: Cr John Zahl

**11:29AM**

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 Mundubbera Community Development Association - Land and Building - 69 Stuart Russell St, Mundubbera**

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.

**13.2 Community Grants Report to 07 October 2018**

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 Formal Investigation of Complaint**

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.

**CARRIED**

With no discussion being held on the Waiver of Labour Fees to plant new Memorial Garden – RSL Gayndah, Cr Zahl maintained his presence in the meeting.



**RESOLUTION 2018/254**

Moved: Cr Paul Lobegeier  
Seconded: Cr Faye Whelan

**11:59AM**

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

**CARRIED**

**13.1 MUNDUBBERA COMMUNITY DEVELOPMENT ASSOCIATION - LAND AND BUILDING - 69 STUART RUSSELL ST, MUNDUBBERA**

**RESOLUTION 2018/255**

Moved: Cr John Zahl  
Seconded: Cr Paul Lobegeier

That it be referred to the Chief Executive Officer (General Manager Corporate and Community) to continue to liaise with the Mundubbera Community Development Association (MCDA) regarding a potential purchase on new lot 3 situated at 69 Stuart Russell St, Mundubbera and report back to Council.

**CARRIED**

At 12:00 pm, Cr John Zahl left the meeting.

**13.2 COMMUNITY GRANTS REPORT TO GM 17/10/18**

**RESOLUTION 2018/256**

Moved: Cr Paul Lobegeier  
Seconded: Cr Peter Webster

That in accordance with Policy 119 Lifelong Community Grants, Policy 120 Cultural and Sports Performance Grants, and Policy 113 Not for Profit Community Organisations and In Kind Support, Council approves the following applications:

1. Waiver of Labour Fees to plant new Memorial Garden – RSL Gayndah - \$1,800.00;
2. Waiver of Waste and Water Truck Fees – Monto Silver Buckle Campdraft - \$1,234.00;
3. Sports Performance Grant (State Level) – Sienna Slattery - \$250.00;
4. Sports Performance Grant (State Level) – Abigail Driver - \$250.00;
5. Sports Performance Grant (State Level) – Harriette Davidson - \$250.00

**CARRIED**

At 12:01 pm, Cr John Zahl returned to the meeting.

### 13.3 FORMAL INVESTIGATION OF COMPLAINT

#### RESOLUTION 2018/257

Moved: Cr John Bowen  
Seconded: Cr Paul Lobegeier

That:

1. The Formal Investigation of Complaint report lay on the table to allow for further information to be provided to Councillors via a workshop; and
  2. The Chief Executive Officer formally advise the Ombudsman's Office and the complainant of the action taken here.
- CARRIED**

### 14 GENERAL BUSINESS

#### 14.1 CRICKET PITCH AT MONTO SPORTS COMPLEX

#### RESOLUTION 2018/258

Moved: Cr Faye Whelan  
Seconded: Cr Paul Lobegeier

That:

1. Council approves the installation of a new cricket pitch at the Monto Sports Complex Cricket Oval, with the amount being funded via budget savings for works completed at the Monto Hall (stage); and
  2. It be referred to the Chief Executive Officer (Corporate Services Manager) to include these funds in the Q2 (Revised Budget) report to Council.
- CARRIED**

#### 14.2 BUILDING BETTER REGIONS – FEDERAL GOVERNMENT FUNDING – PROPOSED \$16M PROJECTS FOR NORTH BURNETT REGIONAL COUNCIL – CR WEBSTER

#### MOTION

Moved: Cr Peter Webster

That Council supports the project nominations as proposed for the upcoming Federal Government's funding round via the Building Better Regions Program.

The motion lapsed for the want of a seconder.

At 12:50pm, Mike Halliburton from Mike Halliburton Associates and Mike Maher from Transplans Pty Ltd joined the meeting to discuss the Boyne Burnett Rail Trail with Council.

**15 CLOSURE OF MEETING**

**The Meeting closed at 1:18pm.**

**The minutes of this meeting were confirmed at the General Meeting held on 7 November 2018.**

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**CHAIRPERSON**