



MINUTES

General Meeting

6 February 2019

**MINUTES OF NORTH BURNETT REGIONAL COUNCIL
GENERAL MEETING
HELD AT THE EIDSVOLD BOARDROOM
ON WEDNESDAY, 6 FEBRUARY 2019 AT 9:00 AM**

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 of Strategy, Innovation and Assets), Johan Louw (General Manager Works), Lucas Bell (Sport and Recreation Officer) 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 DEPUTATION/PETITIONS

RESOLUTION 2019/25

Moved: Cr Robert Radel
Seconded: Cr Paul Lobegeier

That the deputation be received from Grant and Maxine Nagle.

CARRIED

4.1 DEPUTATIONS

9:30am – Mrs Karen Webb

10:30am – Eidsvold golf Club

5 NOTICE OF MOTION

Nil

6 NOTIFICATION OF OTHER BUSINESS BY COUNCILLORS

6.1 COUNCILLOR REPRESENTATION

RESOLUTION 2019/26

Moved: Cr Paul Lobegeier

Seconded: Cr Peter Webster

That Councillor representation at the Sydney Caravan and Camping Show be considered.

CARRIED

6.2 APPLICATION FOR PARTIAL ROAD CLOSURE

RESOLUTION 2019/27

Moved: Cr Robert Radel

Seconded: Cr John Zahl

That the application by Grant and Maxine Nagle for a partial road closure be considered for approval.

CARRIED

7 DECLARATION OF INTEREST

7.1 DECLARATION OF INTEREST - CR ZAHL

RESOLUTION 2019/28

Moved: Cr Paul Lobegeier

Seconded: Cr Faye Whelan

That Council acknowledge that Cr John Zahl declared a perceived conflict of interest in agenda item 10.1 'Change to Existing Development DA 5/11 – MCU for Community Oriented Activity (Mortuary Extension) at 43A and 43B Dalgangal Rd Gayndah (Described as Lots 3 and 4 on SP241998)' (as defined in section 173 of the *Local Government Act 2009*) due to a personal business involvement with the applicants. In accordance with section 175E (4) of the *Local Government Act 2009*, Cr Zahl proposed to exclude himself from the meeting while the vote is taken in open session.

CARRIED

7.2 DECLARATION OF INTEREST - CR WHELAN

RESOLUTION 2019/29

Moved: Cr Peter Webster

Seconded: Cr John Zahl

The Council acknowledge that the Deputy Mayor, Cr Faye Whelan declared a perceived conflict of interest in agenda item 16.1 'Community Grants Report December 2018' (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.

CARRIED

7.3 DECLARATION OF INTEREST - GENERAL MANAGER CORPORATE AND COMMUNITY

The General Manager Corporate Community, Brad Duke declared a perceived conflict of interest in agenda item 12.3 'Sport and Recreation Infrastructure and Strategic plan' (as defined in section 173 of the *Local Government Act 2009*) due to being involved in the Gayndah Jockey Club submission. In accordance with section 175E (4) of the *Local Government Act 2009*, the General Manager proposed to exclude himself from the meeting while this matter is debated.

8 CONFIRMATION OF MINUTES

8.1 MINUTES OF THE GENERAL MEETING HELD ON 16 JANUARY 2019

RESOLUTION 2019/30

Moved: Cr Peter Webster

Seconded: Cr Robert Radel

That the Minutes of the General Meeting held on 16 January 2019 be confirmed.

CARRIED

9 GOVERNANCE REPORTS

9.1 WULLI WULLI #2 PRELIMINARY TENURE ANALYSIS

RESOLUTION 2019/31

Moved: Cr Paul Lobegeier

Seconded: Cr Robert Radel

1. That the Wulli Wulli #2 Preliminary Tenure Analysis report be received by Council and the attachments noted.
2. The Chief Executive Officer provide a written response to MacDonnells Law regarding Council's Agreement with the State's Wulli Wulli #2 Preliminary Tenure Analysis prior to Friday, 15 February 2019.
3. Further, the Chief Executive Officer provide a written response to MacDonnells Law advising should Council wish to assert extinguishment of native title by public works in relation to the Wulli Wulli #2 Preliminary Tenure Analysis, including evidence of those public works, by Thursday 18 April 2019.

CARRIED

9.2 REQUEST WAIVING OF FEES - HAMILTON - CR WEBSTER

RESOLUTION 2019/32

Moved: Cr Faye Whelan

Seconded: Cr Peter Webster

That:

1. Council support the waiving of \$286 hiring fee for the day before the event and review current arrangements when preparing the 2019-2020 fees and charges.
2. Council amend the fees and charges Schedule to ensure consistency in the application of hall hire charges on days preceding a booking by a local group of individual. **CARRIED**

At 9:28am, Cr John Zahl left the meeting.

10 ECONOMIC REPORTS

10.1 CHANGE TO EXISTING DEVELOPMENT DA 5/11 - MCU FOR COMMUNITY ORIENTED ACTIVITY (MORTUARY EXTENSION) AT 43A AND 43B DALGANGAL RD GAYNDAH (DESCRIBED AS LOTS 3 AND 4 ON SP241998).

RESOLUTION 2019/33

Moved: Cr John Bowen

Seconded: Cr Robert Radel

That:

1. The Council, having regard to the matters set out in the attachments, decide the application under s82 of the Planning Act 2016 by approving (subject to conditions) all of the development application with the exception of section 24 wherein Council has removed the requirement for a screening fence.
2. The Council notify the applicant, referral agency and principal submitter of its decision in accordance with the attached Notice of decision.
3. That the Council publish the Notice of decision, including the Statement of reasons, on its website.

In Favour: Deputy Mayor Cr Faye Whelan, Cr John Bowen, Cr Paul Lobegeier, Cr Robert Radel and Cr Peter Webster

Against: Mayor Cr Rachel Chambers

CARRIED 5/1

At 9:33am, Cr John Zahl joined the meeting.

11 SOCIAL REPORTS

Nil

12 INFRASTRUCTURE REPORTS**12.1 SPORT AND RECREATION - LIGHTING COSTS MUSCO/OTHER****RESOLUTION 2019/34**

Moved: Cr Faye Whelan

Seconded: Cr Robert Radel

That Council adopt the following charges and all outstanding invoices from July 2018 – Dec 2018 be distributed immediately on 1 invoice per sporting club.

<u>Town</u>	<u>Lux</u>	<u>Kw/h</u>	<u>Cost p/h</u>
<i>Gayndah Musco (2 x Fields)</i>	<i>100</i>	<i>10</i>	<i>\$3.00 (each field)</i>
<i>Gayndah Old</i>	<i>80</i>	<i>20</i>	<i>\$5.50</i>
<i>Mundubbera Musco</i>	<i>500</i>	<i>54</i>	<i>\$15.00</i>
<i>Mundubbera Musco</i>	<i>100</i>	<i>20</i>	<i>\$5.50</i>
<i>Mundubbera Musco</i>	<i>Cricket Nets</i>	<i>3</i>	<i>\$1.00</i>
<i>Monto Musco</i>	<i>100</i>	<i>6</i>	<i>\$2.00</i>
<i>Monto Old</i>	<i>80</i>	<i>10</i>	<i>\$3.00</i>
<i>Biggenden</i>	<i>80</i>	<i>13</i>	<i>\$3.50</i>
<i>Eidsvold</i>	<i>80</i>	<i>13</i>	<i>\$3.50</i>

CARRIED

12.2 GAYNDAH AERODROME - CASA SURVEILLANCE REPORT

RESOLUTION 2019/35

Moved: Cr Paul Lobegeier

Seconded: Cr Peter Webster

That Council

1. Notes the safety observations and supports the following actions
 - (a) Create an Airport Works Manual by the Airport Manager
 - (b) Allow time and resources for ARO/refresher training by the current ARO and Airport Manager
 - (c) Nominate an extra AIP Responsible Person to issue NOTAMS in case of emergency
 - (d) Allow time and resources for AROC training by the current ARO and Airport Manager
 - (e) Clearing of airspace via tree lopping as scheduled yearly
 - (f) Line marking on airport apron to delineate safe aircraft parking spaces.
2. Notes the safety findings and supports the following actions
 - (a) Nightly checking of airport lights by ARO
 - (b) Implementation of airport specific DAMP policy for key airport personnel
 - (c) Upgrading of airport fencing
 - (d) The closing of and adjustment of markers on the unsealed taxiway and apron adjacent to the hangar spaces
 - (e) Undertaking works to re-establish compliant grades and surface on unsealed taxiway to CASA standards by Council crews.
3. Address safety concerns raised during the CASA inspection with regards to runway maintenance
 - (a) Patch runway edges where damaged
 - (b) Repair lifted AGL lights at the end of the taxiway.
4. Consider an additional allocation of \$7,000 for the following actions in the 2018/19 budget mid-year review
 - (a) ARO refresher course to be undertaken by the current ARO, and a full ARO course for the current Aerodrome Manager
 - (b) AROC course to be conducted for ARO and Airport Manager
 - (c) Line marking required at the aerodrome
 - (d) Fencing upgrade
 - (e) AGL maintenance.
5. Consider an allocation of \$20,000 in the 2019/20 budget for the works required on the grassed apron and taxiway. **CARRIED**

At 10:17am, the General Manager Corporate and Community left the meeting.

12.3 SPORT AND RECREATION INFRASTRUCTURE AND STRATEGIC PLAN

RESOLUTION 2019/36

Moved: Cr Faye Whelan

Seconded: Cr Robert Radel

That Council adopt the Sport and Recreation Infrastructure and Strategic plan Version 7 2017-2022 as presented. **CARRIED**

At 10:20am, the General Manager Corporate and Community joined the meeting.

At 10:24am the meeting adjourned for morning tea.

At 10:43am representatives from the Eidsvold Golf Club, Terry Haupt, Mark Wedemeyer, Bob Murray and Russell Rose joined the meeting.

At 11:04am, representatives from the Eidsvold Golf Club left the meeting.

12.4 RURAL ROAD CLASSIFICATION

RESOLUTION 2019/37

Moved: Cr Peter Webster

Seconded: Cr Paul Lobegeier

That:

1. The Rural Road Classification form part of the Road Asset Management Plan; and
2. The Road Asset Management Plan be received and adopted by Council from 1 July 2019 to allow Council Officers to progress with future forecasting. **CARRIED**

4 ENVIRONMENTAL REPORTS

13.1 2019-21 LOCAL GOVERNMENT GRANTS AND SUBSIDIES PROGRAM (LGGSP)

RESOLUTION 2019/38

Moved: Cr John Bowen

Seconded: Cr John Zahl

That:

1. The 2019-21 Local Government Grants and Subsidies Program (LGGSP) report as presented be received.
2. Council endorse the 'NBRC Multi-Site Waste Transfer Station Development' project, for submission under the 2019-21 Local Government Grants and Subsidies Program (LGGSP) including a co-contribution of \$381,000 (40%), covering eligible cost and \$43,000 covering ineligible costs for the construction of four (4) waste transfer stations spread over two (2) financial years. **CARRIED**

5 COUNCILLOR REPORTS**14.1 MAYOR AND COUNCILLORS REPORTS****RESOLUTION 2019/39**

Moved: Cr Paul Lobegeier

Seconded: Cr John Zahl

That the Councillor Reports be received.

CARRIED**15 OTHER BUSINESS DETERMINED BY RESOLUTION FOR AGENDA INCLUSION****15.1 COUNCILLOR REPRESENTATION AT SYDNEY CAMPING SHOW****RESOLUTION 2019/40**

Moved: Cr Robert Radel

Seconded: Cr Faye Whelan

That Cr Lobegeier attend the Sydney Caravanning and Camping Show from 29 April 2019 to 02 May 2019 at no cost to Council.

CARRIED**15.2 APPLICATION FOR PARTIAL ROAD CLOSURE****RESOLUTION 2019/41**

Moved: Cr Peter Webster

Seconded: Cr Robert Radel

That Council offers no objection to the Partial Road Closure of the road adjoining Lot 1MPH22654 and delegates authority the Chief Executive Officer to finalise the matter.

CARRIED**15.3 LEAVE OF ABSENCE REQUEST****RESOLUTION 2019/42**

Moved: Cr Paul Lobegeier

Seconded: Cr Peter Webster

That a leave of absence from the Mayor, Cr Rachel Chambers be received and accepted for the 18 March – 24 March 2019 inclusive.

CARRIED

6 CONFIDENTIAL REPORTS**RESOLUTION 2019/43**

Moved: Cr Paul Lobegeier
Seconded: Cr Faye Whelan

11:33AM

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*:

16.1 Community Grants Report January 2019

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.

16.2 Supply and Delivery of grader - Quote VP125781

This matter is considered to be confidential under Section 275(1) - c, 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 the local government's budget, 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.

16.3 Mundubbera STP Upgrade Project - Tender 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.

And now moves into Closed Session.

CARRIED

At 11:37am, Deputy Mayor Cr Faye Whelan left the meeting.

At 11:42am, Deputy Mayor Cr Faye Whelan joined the meeting.

RESOLUTION 2019/44**12:05PM**

Moved: Cr Paul Lobegeier
Seconded: Cr John Zahl

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

CARRIED

16.1 COMMUNITY GRANTS REPORT JANUARY 2019

RESOLUTION 2019/45

Moved: Cr John Bowen
Seconded: Cr Peter Webster

That in accordance with Policy 102 Grants to Community Organisations, Policy 119 Lifelong Community Grants, Policy 120 Cultural and Sports Performance Grants, Policy 113 Not for Profit Community Organisations and In Kind Support, Council approves the following applications:-

1. Mungungo School of Arts Inc. - \$500 paint donation;
2. Lions Club of Mundubbera – waiver of plumbing fees \$926;
3. Eidsvold Rodeo & Camp draft – waiver of \$1154 fees for bins, chairs, dry-hire truck on Saturday & Sunday, handtowel, and generator (truck to be operated by licenced Council employee participating as a volunteer).

CARRIED

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

16.1.1 MONTO RACE CLUB

RESOLUTION 2019/46

Moved: Cr Robert Radel
Seconded: Cr Paul Lobegeier

That in accordance with Policy 102 Grants to Community Organisations, Policy 119 Lifelong Community Grants, Policy 120 Cultural and Sports Performance Grants, Policy 113 Not for Profit Community Organisations and In Kind Support, Council approves the following application:-

1. Monto Race Club Inc. – waiver of \$465 fees for bins, marquees and traffic cones. **CARRIED**

At 12:08pm, Cr Faye Whelan joined the meeting.

16.2 SUPPLY AND DELIVERY OF GRADER - QUOTE VP125781

RESOLUTION 2019/47

Moved: Cr Paul Lobegeier
Seconded: Cr John Zahl

That consistent with Quotation No. VP 125781 and Assessment Report, Council approves the purchase of a Caterpillar 140M from Hastings Deering at a price of \$458,000 (ex GST). **CARRIED**

16.3 MUNDUBBERA STP UPGRADE PROJECT - TENDER REPORT

RESOLUTION 2019/48

Moved: Cr Peter Webster
Seconded: Cr Robert Radel

That Council awards the Tender 2909_2018-19_TTB_15 for the Mundubbera STP Upgrade project to Trevor Taylor Earthmoving Pty Ltd for the Contract Sum of \$463,502.00 ex. GST. **CARRIED**

7 CLOSURE OF MEETING

The Meeting closed at 12:10pm.

The minutes of this meeting were confirmed at the General Meeting held on 27 February 2019.

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CHAIRPERSON