



MINUTES

General Meeting

10 April 2019

**MINUTES OF NORTH BURNETT REGIONAL COUNCIL
GENERAL MEETING
HELD AT THE GAYNDAH BOARDROOM
ON WEDNESDAY, 10 APRIL 2019 AT 9:00 AM**

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

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

In accordance with Section 275 of the *Local Government Regulation 2012*, Cr Paul Lobegeier attended the meeting via teleconferencing.

1 WELCOME/HOUSEKEEPING

The Mayor declared the meeting open and welcomed all attendees.

2 APOLOGIES/LEAVE OF ABSENCE

Nil Apologies.

3 DEPUTATIONS/PETITIONS

The following residents advised Council of their intention to present a deputation at the meeting: Mrs Edwina Randall; Mrs Toni Campbell; Mr Ron Goodie and Mr Kym Barnett.

Monto resident, Mrs Rhonda Price provided Councillors with correspondence on parthenium weed to be considered at the meeting.

4 NOTICES OF MOTION

Nil Notices of Motion.

5 NOTIFICATION OF OTHER BUSINESS BY COUNCILLORS

5.1 SMALL HALLS FUNDING ALLOCATION

RESOLUTION 2019/112

Moved: Cr Peter Webster

Seconded: Cr Faye Whelan

That Council consider the allocation of funding for the Kalpowar, Mungungo and Abercorn Small Hall. **CARRIED**

5.2 LEAVE OF ABSENCE

RESOLUTION 2019/113

Moved: Cr Peter Webster

Seconded: Cr John Zahl

That Council consider a leave of absence for Cr Webster. **CARRIED**

6 DECLARATIONS OF INTEREST

Nil Declarations.

7 CONFIRMATION OF MINUTES

7.1 MINUTES OF THE GENERAL MEETING HELD ON 20 MARCH 2019

RESOLUTION 2019/114

Moved: Cr John Zahl
Seconded: Cr Robert Radel

That the Minutes of the General Meeting held on 20 March 2019 be confirmed. **CARRIED**

8 OFFICE OF THE CHIEF EXECUTIVE OFFICER

8.1 ILUA WITH THE WULLI WULLI

RESOLUTION 2019/115

Moved: Cr John Zahl
Seconded: Cr Peter Webster

That the ILUA with the Wulli Wulli Report be received for information by Council. **CARRIED**

8.2 LOCAL GOVERNMENT ELECTORAL ARRANGEMENTS - POSTAL BALLOTS

RESOLUTION 2019/116

Moved: Cr Paul Lobegeier
Seconded: Cr Robert Radel

That:

1. In accordance with s45 of the *Local Government Electoral Act 2011* and consistent with previous electoral arrangements, Council apply to the Minister for Local Government to have the 2020 quadrennial local government election for North Burnett Regional Council conducted by full postal ballot on the grounds that the Council area contains a large rural sector and large remote areas.
2. The Chief Executive Officer seek representation with the Electoral Commission Queensland to ensure that the issues associated with the 2016 postal ballot process be understood by the Commission. **CARRIED**

9 CORPORATE AND COMMUNITY

9.1 DNRME REQUEST FOR COUNCIL'S VIEWS - FURTHER DEALING TERM LEASE 233954 - LOT 601 ON CROWN PLAN TM7594

RESOLUTION 2019/117

Moved: Cr John Zahl
Seconded: Cr John Bowen

That the Department of Natural Resources, Mines and Energy be advised that Council has no views or requirements in relation to further dealing of Term Lease 233954 over Lot 601 TM7594.

CARRIED

9.2 DNRME REQUEST FOR VIEWS - APPLICATION FOR ABSOLUTE SURRENDER - TERM LEASE 221097 - LOT 21 ON M7612

RESOLUTION 2019/118

Moved: Cr Robert Radel
Seconded: Cr John Zahl

That the Department of Natural Resources, Mines and Energy be advised that Council has no requirements and offers no objection to surrender of Term Lease 221097 and the issuance of a Deed of Grant to the State over Lot 21 on M7612.

CARRIED

9.3 FINANCE REPORT TO 31 MARCH 2019

RESOLUTION 2019/119

Moved: Cr John Bowen
Seconded: Cr Robert Radel

That the Finance Report for month ended 31 March 2019 as presented be adopted. **CARRIED**

9.4 REGIONAL ARTS DEVELOPMENT FUND PROGRAM

RESOLUTION 2019/120

Moved: Cr Paul Lobegeier
Seconded: Cr John Zahl

That:

1. Council receives the information presented in this report; and
2. Council approve the application for Sue Lederhose – Creative Visual Art Instruction for Mundubbera, Gayndah and Monogorilby - \$12,599.63. **CARRIED**

10 STRATEGY, INNOVATION AND ASSETS

Nil

11 WORKS

Nil

12 COUNCILLOR REPORTS**12.1 MAYOR AND COUNCILLORS REPORTS****RESOLUTION 2019/121**

Moved: Cr John Zahl

Seconded: Cr John Bowen

That the following Councillor Reports be received.

CARRIED**13 OTHER BUSINESS DETERMINED BY RESOLUTION FOR AGENDA INCLUSION****13.1 SMALL HALLS FUNDING ALLOCATION****RESOLUTION 2019/122**

Moved: Cr Peter Webster

Seconded: Cr Faye Whelan

That Council allocate funding to the Kalpowar, Mungungo and Abercorn Halls with the scope of works and budget be approved by the Chief Executive Officer prior to distribution. **CARRIED****LEAVE OF ABSENCE REQUEST****RESOLUTION 2019/123**

Moved: Cr Peter Webster

Seconded: Cr John Zahl

That leave of absence from Cr Webster for the 15-25 May 2019 be received and accepted.

CARRIED**DEPUTATIONS**

Mrs Edwina Radel discussed the condition of Iron Street Gayndah, and requested that Council consider the sealing of Iron Street in the 2018/2019 budget.

Mr Kym Barnett discussed road maintenance on gravel roads especially school bus routes and damage to vehicles.

SCHOOL BUS ROUTES**RESOLUTION 2019/124**

Moved: Cr Robert Radel
Seconded: Cr Peter Webster

That Council send a letter to the Minister for Education Grace Grace MP and the Minister for Transport and Main Roads The Honourable Mark Bailey, referencing Polley's correspondence and highlight concerns including but not limited to the fairness of the Transport Subsidy Scheme.

CARRIED

Mr Ron Goodie discussed the important issue of needing to eradicate parthenium in the region.

2 BIO SECURITY - PARTHENIUM**RESOLUTION 2019/125**

Moved: Cr John Bowen
Seconded: Cr Robert Radel

That the General Manager Strategy, Innovation and Assets investigate the legislation and Council's policies associated with property entry and enforcement of noxious weed management.

CARRIED

Mrs Toni Campbell discussed the process of road name changes in the North Burnett.

At 10:31am the meeting adjourned for morning tea and resumed at 10:55am the meeting resumed.

At 10:57 am, Cr Paul Lobegeier left the meeting.

14 QUESTIONS

Nil

15 CONFIDENTIAL REPORTS**RESOLUTION 2019/126**

Moved: Cr Robert Radel

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*:

15.1 Gayndah Show Society Incorporated - Requesting Approval for New Trustee Lease - Lot 1 on Crown Plan G1364

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.

15.3 Wakka Wakka #4 Part A Report

This matter is considered to be confidential under Section 275(1) - f 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 starting or defending legal proceedings involving the local government 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.

15.4 2018/2019 Capital Works Budget for Council 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.

15.5 Gayndah Swimming Pool Upgrade Project

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.

15.6 Wakka Wakka #3 Report

This matter is considered to be confidential under Section 275(1) - f 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 starting or defending legal proceedings involving the local government 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.

And now be closed to the public.

CARRIED

RESOLUTION 2019/127

Moved: Cr Peter Webster

Seconded: Cr John Zahl

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

CARRIED

At 11:39 am, Cr Paul Lobegeier returned to the meeting.

15.1 GAYNDAH SHOW SOCIETY INCORPORATED - REQUESTING APPROVAL FOR NEW TRUSTEE LEASE - LOT 1 ON CROWN PLAN G1364**RESOLUTION 2019/128**

Moved: Cr Faye Whelan

Seconded: Cr Robert Radel

That:

1. Pursuant to section 236(2) of the *Local Government Regulation 2012* subsections (1)(a)-(e), Council agree in principle to the proposed new trustee lease and the matter be referred to the Chief Executive Officer to negotiate further and report back to Council; and
2. The Chief Executive Officer make inquiries into the freehold of Gayndah, Monto, Mt Perry and Eidsvold showgrounds and report to Council.

CARRIED**15.3 WAKKA WAKKA #4 PART A REPORT****RESOLUTION 2019/129**

Moved: Cr Peter Webster

Seconded: Cr John Bowen

That Council grants leave for the matter to be withdrawn from the agenda.

.CARRIED**15.4 2018/2019 CAPITAL WORKS BUDGET FOR COUNCIL HOUSING****RESOLUTION 2019/130**

Moved: Cr Peter Webster

Seconded: Cr John Zahl

That through a process of prioritisation the \$18,000 currently allocated to the carport replacement at 87 Morton Street Eidsvold be reallocated to install air conditioning units with the remaining money reallocated to the roof replacement at 60 Alice Street Biggenden.

CARRIED

15.5 GAYNDAH SWIMMING POOL UPGRADE PROJECT

RESOLUTION 2019/131

Moved: Cr John Bowen

Seconded: Cr John Zahl

That Council investigate detailed design and cost estimates on the regional standard of pool upgrades including design specifications, construction drawings. **CARRIED**

15.6 WAKKA WAKKA #3 REPORT

RESOLUTION 2019/132

Moved: Cr Robert Radel

Seconded: Cr John Zahl

That the Wakka Wakka #3 Report be received, further;

1. That Council consent to a determination of native title of the Wakka Wakka People #3 (Part A) Claim (QUD621 of 2011) substantially in the same terms of the draft consent determination considered by Council, with such amendments as may be required to enable the consent determinations to be made by the Federal Court.

2. That Council delegate to the Chief Executive Officer the power to negotiate and agree to such changes to the draft consent determination referred to in paragraph 1 of this resolution, as are required to enable the Federal Court to make the consent determination. **CARRIED**

16 CLOSURE OF MEETING

The Meeting closed at 11:51am.

The minutes of this meeting were confirmed at the General Meeting held on 1 May 2019.

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CHAIRPERSON