



MINUTES

General Meeting

1 May 2019

**MINUTES OF NORTH BURNETT REGIONAL COUNCIL
GENERAL MEETING
HELD AT THE BIGGENDEN BOARDROOM
ON WEDNESDAY, 1 MAY 2019 AT 9:00 AM**

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

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

1 WELCOME/HOUSEKEEPING

The Mayor declared the meeting open and welcomed all attendees.

2 APOLOGIES/LEAVE OF ABSENCE

Nil

3 DEPUTATIONS/PETITIONS

Ken Schuster – Mt Perry Development Group presentation of tourism proposal.

4 NOTICES OF MOTION

Nil Notices of Motion.

5 NOTIFICATION OF OTHER BUSINESS BY COUNCILLORS

5.1 GLADSTONE-MONTO ROAD MAINTENANCE

RESOLUTION 2019/133

Moved: Cr Faye Whelan

Seconded: Cr Robert Radel

That Council consider the current condition and maintenance of the Gladstone-Monto Road.

CARRIED

5.2 NAMING OF LOOKOUT GAYNDAH-MUNDUBBERA ROAD

RESOLUTION 2019/134

Moved: Cr Paul Lobegeier

Seconded: Cr Robert Radel

That Council consider the naming of a lookout on Gayndah-Mundubbera Road.

CARRIED

6 DECLARATIONS OF INTEREST

Nil Declarations of Interest.

7 CONFIRMATION OF MINUTES

7.1 MINUTES OF THE GENERAL MEETING HELD ON 10 APRIL 2019

RESOLUTION 2019/135

Moved: Cr Robert Radel

Seconded: Cr Paul Lobegeier

That the Minutes of the General Meeting held on 10 April 2019 be confirmed.

CARRIED

8 OFFICE OF THE CHIEF EXECUTIVE OFFICER

8.1 MOBILE BLACK SPOT FUNDING - ROUND 5

RESOLUTION 2019/136

Moved: Cr Paul Lobegeier

Seconded: Cr John Bowen

That:

1. The Mobile Black Spot Funding – Round 5 report be received for information.
2. The Chief Executive Officer liaise with Mobile Network Operators / Mobile Network Infrastructure Providers to identify and progress an application under Round 5 of the Mobile Black Spot Program for key areas that align with Council's priority 'Mobile Black Spot' locations that would benefit from funded base stations.
3. Council invite the incoming member for Flynn to engage in discussion on the 'Mobile Black Spots' in the North Burnett.

CARRIED

8.1.1 MOBILE BLACKSPOT - INVITATION TO INCOMING MEMBER FOR FLYNN

RESOLUTION 2019/137

Moved: Cr Paul Lobegeier

Seconded: Cr Robert Radel

That Council send a letter to the responsible organisation/s involved in the intermediate mobile phone and electronic transfer funds point of sale coverage issues that have been occurring in the North Burnett.

CARRIED

9 CORPORATE AND COMMUNITY

9.1 DNRME REQUEST FOR COUNCIL'S VIEWS - POSSIBLE CONVERSION OF TERM LEASE 0/213717 - LOT 146 ON MZ974

RESOLUTION 2019/138

Moved: Cr Paul Lobegeier
Seconded: Cr John Zahl

That the Department of Natural Resources, Mines and Energy be advised that Council offers no objection to the proposed conversion of Term Lease 0/213717 over Lot 146 on MZ974 to freehold tenure, with a condition that the lessee be required to amalgamate the subject Lot 146 into adjoining freehold Lot 92 on SP145770 owned by the Lessee, to enable sustainable agriculture in accordance with the North Burnett Regional Council Planning Scheme. **CARRIED**

9.2 DNRME REQUEST FOR COUNCIL'S VIEWS - RENEWAL OF TERM LEASE 238165 - LOT 146 ON YL932 - RESERVE FOR CAMPING AND WATER

RESOLUTION 2019/139

Moved: Cr Paul Lobegeier
Seconded: Cr John Zahl

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

- (i) The Reserve is still required for its gazetted purpose;
- (ii) Council is not prepared to offer the current Lessee a Trustee Lease or Trustee Permit over the subject area in accordance with Section 57 of the *Land Act 1994* and Policy PUX/901/210 – Leases over Reserves;
- (iii) Council has no issues or requirements and offers no objection to the proposed renewal of Term Lease 238165 over Lot 146 on YL932. **CARRIED**

9.3 DNRME REQUEST FOR COUNCIL'S VIEWS - RENEWAL OF TERM LEASE 0/212631 - LOT 99 ON SP112077 - GAYNDAH

RESOLUTION 2019/140

Moved: Cr Robert Radel
Seconded: Cr John Zahl

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

- (i) Council has no views or requirements, including any local non-indigenous cultural heritage values;
- (ii) has no views on a different form of tenure; and
- (iii) offers no objection to renewal of Term Lease 0/212631 over Lot 99 on SP112077. **CARRIED**

9.4 COMMUNITY GRANTS REPORT 010519**RESOLUTION 2019/141**

Moved: Cr Faye Whelan

Seconded: Cr John Zahl

That in accordance with Policy 102 Grants to Community Organisations, Policy 119 Lifelong Community Grants, Policy 120 Cultural and Sports Performance Grants, Policy No 113 Not for Profit Community Organisations and In Kind Support, Council approves the following:-

1. Ryan Johnson – Sports Performance Grant (State Level) - \$250;
2. Nate Pashley – Sports Performance Grant (State Level) - \$250;
3. Jayden Pashley – Sports Performance Grant (State Level) - \$250;

CARRIED**10 STRATEGY, INNOVATION AND ASSETS****10.1 BIOSECURITY PLAN****RESOLUTION 2019/142**

Moved: Cr John Bowen

Seconded: Cr John Zahl

That Council adopt the *Biosecurity Plan 2019-2024* as presented with the following amendment to include the category; Mining.

CARRIED

10.2 HEAVY VEHICLE ROUTE ASSESSMENT REPORT - GOONDICUM MINE ACCESS

RESOLUTION 2019/143

Moved: Cr Paul Lobegeier

Seconded: Cr Robert Radel

It is recommended that the National Heavy Vehicle Regulator be advised that Council endorses approval of the following permit applications:

- a) Case 183186 - PBS vehicle approval FA381, 19.8m long truck and dog combination, operating up to 56t GCM at GML (level 2 access)
- b) Case 185736 - PBS vehicle approval VA3840, 19.8m long truck and dog combination, operating up to 56t GCM at GML (level 2 access)
- c) Case 214696 - PBS vehicle approval VA2536, 19.6m long truck and dog combination, operating up to 57.5t GCM at CML (level 2 access)
- d) Case 226503 - PBS vehicle approval VA4687, 20m long truck and dog combination, operating up to 57t GCM at CML (level 2 access)

for travel from Gladstone Monto Road to the Goondicum Mine site via Cannindah Road, Dakiel Road, Balls Road and Hays Road within the North Burnett Regional Council area subject to the following conditions:

Condition 1

The heavy vehicle is restricted to a maximum speed limit of 60km/h when travelling on the roads, except where a traffic sign indicates a lower speed limit; and

Condition 2

Travel is not permitted on the roads during school bus operating times; 7:30am to 9:00am and 3:00pm and 4:30pm.

That the schedule of improvements as identified in this report be forwarded to the Goondicum Mine operators seeking their unconditional written agreement to completing the outstanding improvements and ongoing assessments and routine maintenance to the roads and grids in the identified timeframes in support of the approval of the PBS vehicle operation on these roads accessing the mine.

CARRIED

11 WORKS

Nil

At 9:29am, Ken Schuster presented to Council the 'Mt Perry Summit Nature Walk'.

3.1 DEPUTATION

RECOMMENDATION

That the General Manager Works provide a report to the 12 June 2019 General meeting on the Mt Perry Summit Nature Walk.

12 COUNCILLOR REPORTS**12.1 MAYOR AND COUNCILLORS REPORTS****RESOLUTION 2019/144**

Moved: Cr Paul Lobegeier

Seconded: Cr Robert Radel

That the Councillor Report be received.

CARRIED**13 OTHER BUSINESS DETERMINED BY RESOLUTION FOR AGENDA INCLUSION****13.1 GLADSTONE-MONTO ROAD MAINTENANCE****RESOLUTION 2019/145**

Moved: Cr Paul Lobegeier

Seconded: Cr Peter Webster

That the General Manager Works liaise with the Department of Transport and Main Roads to determine the schedule of works of the Gladstone-Monto Road, addressing current safety concerns.

CARRIED**13.2 NAMING OF LOOKOUT GAYNDAH-MUNDUBBERA ROAD****RESOLUTION 2019/146**

Moved: Cr Faye Whelan

Seconded: Cr Robert Radel

That:

1. Council progress the Works for Queensland (W4Q) project – Naming of the lookout Gayndah-Mundubbera Road;
2. Council conduct community consultation for a period of four (4) weeks on the naming of the lookout as 'Wain's Hill'.

CARRIED**CLOSE MEETING – QUEENSLAND TREASURY CORPORATION DEPUTATION****RESOLUTION 2019/147**

Moved: Cr Robert Radel

Seconded: Cr Paul Lobegeier

That in accordance with Section 275(1) of the *Local Government Regulation 2012*, the meeting now moves into closed session and be closed to the public.

CARRIED

OPEN SESSION**RESOLUTION 2019/148**

Moved: Cr Robert Radel

Seconded: Cr John Zahl

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

CARRIED

14 QUESTIONS**15 CONFIDENTIAL REPORTS****RESOLUTION 2019/149**

Moved: Cr John Zahl

Seconded: Cr Robert Radel

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 Demolition of Building - 93 Heusman Street, Mount Perry

This matter is considered to be confidential under Section 275(1) - f 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.

15.2 Tender 10-year lease - Mountain View Caravan Park, Biggenden

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.

15.3 MIPP 2 Urban Biggenden Water Project - Quotation 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.

15.4 Mingo Crossing Caravan Park Extension Power Supply

This matter is considered to be confidential under Section 275(1) - c and 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 the local government's budget and contracts proposed to be made by it.

And now moves into closed session.

CARRIED

RESOLUTION 2019/150

Moved: Cr Robert Radel
Seconded: Cr John Zahl

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

CARRIED

15.1 DEMOLITION OF BUILDING - 93 HEUSMAN STREET, MOUNT PERRY**RESOLUTION 2019/151**

Moved: Cr John Bowen
Seconded: Cr Paul Lobegeier

Based on the high risk associated with the poor structural integrity of the building, injury or harm to neighbours and the general public in the immediate area, it is recommended that Council:

1. Authorise the Chief Executive Officer to demolish the dilapidated building located on land described as Lots 25 and 26 on RP191729 and situated at 93 Heusman Street Mount Perry in accordance with section 252 of the *Building Act 1975* and section 142 of the and *Local Government Act 2009*.
2. Authorise the Chief Executive Officer to accept one of the quotes for demolition.
3. Issue an Entry Notice.
4. All costs incurred to be charged to the property owners and recovered in accordance with the *Local Government Act 2009, section 142 (4)*.

CARRIED

15.2 TENDER 10-YEAR LEASE - MOUNTAIN VIEW CARAVAN PARK, BIGGENDEN**RESOLUTION 2019/152**

Moved: Cr Robert Radel
Seconded: Cr John Zahl

That Council award a 10-year lease for the management of the Mountain View Caravan Park, Biggenden to Phillip Russo.

CARRIED

15.3 MIPP 2 URBAN BIGGENDEN WATER PROJECT - QUOTATION REPORT**RESOLUTION 2019/153**

Moved: Cr Paul Lobegeier
Seconded: Cr Robert Radel

That Council awards Quotation 2920_2018-19_TTB_42 for the MIPP 2 Urban Biggenden Water Project to Hunter H2O for the contract sum of \$315,448.65 ex GST.

CARRIED

15.4 MINGO CROSSING CARAVAN PARK EXTENSION POWER SUPPLY

RESOLUTION 2019/154

Moved: Cr Paul Lobegeier

Seconded: Cr John Bowen

That:

1. The report and associated attachments be deemed a confidential document and be treated as such in accordance with sections 171 and 200(5) of the Local Government Act 2009 and that the document remain confidential unless Council decides otherwise by resolution.
2. Council award the contract for the Mingo Crossing Caravan Park Extension Power Supply to GEM Energy for the contract sum of \$314,469 excluding GST. **CARRIED**

16 CLOSURE OF MEETING

The Meeting closed at 11:52am.

The minutes of this meeting were confirmed at the General Meeting held on 22 May 2019.

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CHAIRPERSON