



AGENDA

General Meeting

26 June 2019

NOTICE OF GENERAL MEETING

To: Cr RL Chambers (Mayor)
Cr FO Whelan (Deputy Mayor/Division 3)
Cr PW Lobegeier (Division 1)
Cr PF Webster (Division 2)
Cr BJ Zahl (Division 4)
Cr WJ Bowen (Division 5)
Cr RP Radel (Division 6)

Please be advised that the General Meeting of the North Burnett Regional Council will be held at the Mt Perry Boardroom on Wednesday, 26 June 2019 commencing at 9:00 AM.

An agenda is attached for your information.



Gary Rinehart
Chief Executive Officer

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1 WELCOME/HOUSEKEEPING**2 APOLOGIES/LEAVE OF ABSENCE****3 DEPUTATIONS/PETITIONS**

Council will make time available at each General Meeting for public questions/representations. This is an opportunity for members of the public to make a representation on a matter in which they have an interest on an item which is before the Council for decision e.g. development applications. Other than with approval of the Mayor, individuals will not be allowed to address Council on agenda related matters at any other time during the meeting. Public Question and Statements Time will commence at 9:30am.

4 NOTICES OF MOTION**5 NOTIFICATION OF OTHER BUSINESS BY COUNCILLORS****6 DECLARATIONS OF INTEREST**

7 CONFIRMATION OF MINUTES

7.1 MINUTES OF THE GENERAL MEETING HELD ON 12 JUNE 2019

Doc Id: 937594

Author: Natalie Zillman, Information Coordinator

Authoriser: Gary Rinehart, Chief Executive Officer

Attachments: 1. Minutes of the General Meeting held on 12 June 2019

RECOMMENDATION

That the Minutes of the General Meeting held on 12 June 2019 be confirmed.

**MINUTES OF NORTH BURNETT REGIONAL COUNCIL
GENERAL MEETING
HELD AT THE EIDSVOLD BOARDROOM
ON WEDNESDAY, 12 JUNE 2019 AT 9:00 AM**

COUNCILLORS: Cr Faye Whelan (Deputy Mayor), 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), Natalie Zillman (Information Coordinator)

1 WELCOME/HOUSEKEEPING

The Deputy Mayor declared the meeting open and welcomed all attendees.

2 APOLOGIES/LEAVE OF ABSENCE

RESOLUTION 2019/163

Moved: Cr Robert Radel

Seconded: Cr John Bowen

That the apology received from the Mayor Cr Rachel Chambers and the Corporate Services Manager, Zoe Behrendt be accepted and leave of absence granted. **CARRIED**

3 DEPUTATIONS/PETITIONS

Nil Deputation.

4 NOTICES OF MOTION

Nil Notices of Motion

5 NOTIFICATION OF OTHER BUSINESS BY COUNCILLORS

Council accepted the addition of the following items to the agenda:

1. North Burnett Entrance Signs
2. Cleaning of Small Halls
3. Letter of Congratulations
4. Wain's Lookout – Road Audit

6 DECLARATIONS OF INTEREST

Information Coordinator, Natalie Zillman declared an interest in agenda item 9.1 and will remove herself from the meeting when the item is being discussed.

7 CONFIRMATION OF MINUTES

7.1 MINUTES OF THE GENERAL MEETING HELD ON 22 MAY 2019

RESOLUTION 2019/164

Moved: Cr Paul Lobegeier

Seconded: Cr John Zahl

That the Minutes of the General Meeting held on 22 May 2019 be confirmed.

CARRIED

8 OFFICE OF THE CHIEF EXECUTIVE OFFICER

8.1 2018-19 OPERATIONAL PLAN - Q3 PROGRESS REPORT

RESOLUTION 2019/165

Moved: Cr Paul Lobegeier

Seconded: Cr Robert Radel

That in accordance with section 174(3) of the *Local Government Regulation 2012*, Council receives the 2018-19 Operational Plan - Q3 Progress Report for the period 1 January to 31 March 2019.

CARRIED

9 CORPORATE AND COMMUNITY

9.1 COMMUNITY GRANTS REPORT TO JUNE 2019 MEETING

RESOLUTION 2019/166

Moved: Cr Paul Lobegeier

Seconded: Cr John Zahl

That Council accept the report as presented and in accordance with Policy 120 - Cultural and Sports Performance Grants, Council approves the following:

1. Isabella Bryant – Sports Performance Grant (State Level) - \$250
2. Brittany Parr - Sports Performance Grant (State Level) - \$250
3. Allissa Zillman – Sports Performance Grant (State Level) - \$250.

CARRIED

9.2 REGIONAL ARTS DEVELOPMENT FUND COMMITTEE

RESOLUTION 2019/167

Moved: Cr John Zahl

Seconded: Cr John Bowen

That:

1. The report be received and Council approve the following RADF 2019 Round 2 applications:
 - Tyrone O'Reilly – Wandering Circus Australian Tour – Monto - \$6,265.50
 - Burnett State College – Noosa Film Academy Film Making Workshop - \$1,500
 - Gayndah RSL – Centenary of Armistice Book and Storytelling Project - \$6,840
 - Mt Perry Community Development Board Inc – Music Workshops and Performances at Christmas in July Event - \$6,375
2. Council approve the following Out-of-Round application for Monto Magic Tourism Action Group – Legends and the Locals Tour - \$5,280.
3. Council resolve to continue to supporting the RADF program for 2019-2020 by committing the same financial contribution as the previous financial year, being \$45,000.

CARRIED

9.3 PROPOSED SUBLEASE FOR SEVEN CLOSED RAILWAY SIDINGS - DEPARTMENT OF TRANSPORT AND MAIN ROADS

RESOLUTION 2019/168

Moved: Cr Paul Lobegeier

Seconded: Cr Peter Webster

That the report lay on the table until further information has been sought on the matter. **CARRIED**

9.4 FINANCE REPORT TO 31 MAY 2019

RESOLUTION 2019/169

Moved: Cr John Zahl

Seconded: Cr Peter Webster

That:

1. The Finance Report for month ended 31 May 2019 be adopted; and
2. Council authorise the Chief Executive Officer to advise the Department of Local Government, Racing and Multicultural Affairs that Council does not intend to continue with a borrowing application for the year ending 30 June 2019. **CARRIED**

10 STRATEGY, INNOVATION AND ASSETS

Nil

11 WORKS

11.1 MOUNT PERRY SUMMIT WALK

RESOLUTION 2019/170

Moved: Cr John Bowen

Seconded: Cr John Zahl

That Council provides in-principal support for the use of the road reserve adjacent to Lot 212BON389, Lot 133BON547, Lot 135BON547 and Lot 138BON547 for the purpose of the Mt Perry Summit Walk. **CARRIED**

12 COUNCILLOR REPORTS

12.1 MAYOR AND COUNCILLORS REPORTS

RESOLUTION 2019/171

Moved: Cr Paul Lobegeier

Seconded: Cr John Zahl

That the Mayor and Councillor reports be received. **CARRIED**

13 OTHER BUSINESS DETERMINED BY RESOLUTION FOR AGENDA INCLUSION

13.1 NORTH BURNETT ENTRANCE SIGNS

RESOLUTION 2019/172

Moved: Cr Paul Lobegeier

Seconded: Cr John Zahl

That a report be prepared for the 26 June 2019 General meeting on the replacement of the North Burnett Region entrance signs for presentation to Council. **CARRIED**

13.2 LETTER OF CONGRATULATIONS

RESOLUTION 2019/173

Moved: Cr John Bowen

Seconded: Cr John Zahl

That Council send a letter of congratulations to the South Burnett Chief Executive Officer for being awarded a Public Services Medal. **CARRIED**

13.3 SPECIAL BUDGET

RESOLUTION 2019/174

Moved: Cr Paul Lobegeier

Seconded: Cr John Zahl

That the Special Budget Meeting be rescheduled to the 17 July 2019.

CARRIED

14 QUESTIONS

The General Manager Works provided an update on the following items:

- Wain's Lookout and associated road audit; and
- Highway quiz signs.

Cr Lobegeier discussed the cleaning of Kalpowar, Mulgildie and Mungungo Hall and availability of cleaning supplies. Cr Whelan advised that this would be included in the Community Engagement Managers hall audit report.

15 CONFIDENTIAL REPORTS

RESOLUTION 2019/175

Moved: Cr John Bowen

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 Request Approval of new Lease Gayndah Airport - Lease C Lot 2 RP201121 - Auscan Aviation Associates Pty Ltd

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 moves into closed session. **CARRIED**

RESOLUTION 2019/176

Moved: Cr Robert Radel

Seconded: Cr Peter Webster

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

CARRIED

15.1 REQUEST APPROVAL OF NEW LEASE GAYNDAH AIRPORT - LEASE C LOT 2 RP201121 - AUSCAN AVIATION ASSOCIATES PTY LTD

RESOLUTION 2019/177

Moved: Cr John Bowen
Seconded: Cr Robert Radel

1. That, pursuant to the Local Government Regulation 2012, Chapter 6 Section 236 (1) (c) (vii), (2) and (3), which permits Council to dispose of an interest in land (a valuable non-current asset) for airport purposes without inviting tenders or conducting an auction:
 - (a) Pursuant to section 236 (2), Council resolve to apply the exception permitting disposal of an interest in the land other than through a tender or auction process;
 - (b) Council resolve to apply the exception to dispose of the interest in the land by entering into a lease for a term of ten (10) years with option of one (1) x ten (10) years; and
 - (c) Council delegate authority to the Chief Executive Officer to negotiate and execute a lease for a term of ten (10) years with option of one (1) x ten (10) years over part of the land described as Lease C on Lot 2 RP201121 at the market rent determined in the valuation.
2. That the proposed lessee be responsible for costs associated with market rent evaluation and any other related costs of entering into a new lease. **CARRIED**

16 CLOSURE OF MEETING

The Meeting closed at 10:01am.

The minutes of this meeting were confirmed at the General Meeting held on 26 June 2019.

.....
CHAIRPERSON

8 OFFICE OF THE CHIEF EXECUTIVE OFFICER

8.1 NOMINATION OF SPECIAL AND SHOW HOLIDAYS FOR 2020

Doc Id: 936728

Author: Tracey Wilson, Executive Support Stream Leader

Authoriser: Gary Rinehart, Chief Executive Officer

Attachments: 1. Office of Industrial Relations - Nomination of Special and Show Holiday 2020 [936709] 

INTRODUCTION/BACKGROUND

Council has been invited to nominate special and show holidays for 2020 in line with the requirements of the *Holidays Act 1983*. Holidays appointed in respect of an annual agricultural, horticultural or industrial show are public holidays and those appointed for an event which has significance to a particular district are bank holidays. Upon Ministerial approval these nominated days will be published in the Queensland Government Gazette.

Nomination/s for show or special holidays are to be made by completing and submitting the on-line form no later than Friday, 19 July 2019.

CORPORATE/OPERATIONAL PLAN

In accordance with the North Burnett Regional Council 2017-2022 Corporate Plan:

1.4 Events

1.4.1 Proactively engage with community and other partners to promote activities and events that support community well-being and economic outcomes.

POLICY IMPLICATIONS

Council's actions are consistent with previous decisions.

STATUTORY REQUIREMENTS

Local Government Act 2009

Holidays Act 1983

FINANCIAL REQUIREMENTS

Nil

RISK MANAGEMENT

Council has adopted a 'Risk Management Framework' that is consistent with AS/NZS ISO 31000:2018 Risk Management – Guidelines.

Using the Standard and the framework, local governments increase the likelihood of achieving objectives, improve the identification of opportunities and threats and effectively allocate and use resources for risk treatment.

With respect to this report, the following risk categories have been considered and assessed:

- Financial impact
- Legal and regulatory
- Human Resources
- Services
- Delivery
- Reputation/Political

This report and recommendation is timely, accurate and meets with the full compliance of the *Local Government Act 2009* and *Holidays Act 1983* and therefore judged as LOW RISK.

CONSULTATION

The Queensland Chamber of Agricultural Societies Inc – Queensland Ag Shows calendar has provided information on the proposed 2020 North Burnett Show dates: (Please note certain dates are yet to be confirmed)

- Gayndah Saturday, 11 April 2020
- Mt Perry Saturday, 18 April 2020
- Monto Saturday, 26 & Sunday, 27 April 2020 (To be confirmed)
- Eidsvold Sunday, 3 May 2020
- Mundubbera Friday, 8 & Saturday, 9 May 2020 (To be confirmed)
- Biggenden Saturday, 16 & Sunday, 17 May 2020 (To be confirmed)

The Mundubbera Show is historically held on a Friday and Saturday, with precedence dictating that the Mundubbera Show Holiday be held on the corresponding Friday. A Mundubbera Show Society Inc representative has confirmed that the Mundubbera Show will be held on Friday, 8 and Saturday, 9 May 2020.

Biggenden, Eidsvold, Gayndah, Mount Perry and Monto have historically taken the Monday of the week that the Royal Queensland Show (Brisbane Exhibition) Public Holiday is held as their appointed Special Holiday. The Royal Queensland Show Public Holiday will be held on Wednesday, 12 August 2020.

RECOMMENDATION

That:

1. The Nomination of Special and Show Holidays for 2020 report be received for information.
2. Council complete and submit the Queensland Government Office of Industrial Relations on-line nomination form prior to Friday, 19 July 2019 for the following 2020 Show Holiday dates:
 - Mundubbera: Friday, 8 May 2020; and
 - Biggenden, Eidsvold, Gayndah, Mt Perry and Monto: Monday, 10 August 2020.

9 CORPORATE AND COMMUNITY




9.1 GAYNDAH MEN'S SHED - REQUESTING APPROVAL FOR EXTENSION TO LEASE D AREA - GAYNDAH AERODROME

Doc Id: 933773

Author: Linda Nicholson, Administration Officer (Leases)

Authoriser: Christopher Joosen, Governance Project Officer

Attachments:

1. L263 - 309 - Men's Shed Gayndah Inc - Executed Lease - Lease D Lot 2 RP201121 - 281016.pdf  
2. Men's Shed Sketch [937626] 

INTRODUCTION/BACKGROUND

Council has received a request from the Gayndah Men's Shed Incorporated to extend the area of their lease premises, Lease D on Lot 2 RP201121, at the Gayndah Aerodrome. The current lease is attached.

The current lease commenced 1 September 2016, expiring 30 September 2019, with 2 x 3 year options.

In November 2018 the lessee made application for landlord approval to build, adjacent the existing workshop, a 9 metre x 6 metre stand-alone building with breezeway connecting to the workshop, and allow sufficient area for landscaping of the site. The new building is proposed to be a Recreation/Smoko Room and additionally a place where residents of Gunther Village (who often visit the Men's Shed) join and engage with members away from the noise of workshop machinery.

In correspondence dated 21 February 2019 (doc ID 907081), Council advised "in principle" approval for the proposed building works. Landlord approval was given subject to full compliance with the *Building Act 1975* and the lessee's obligations and responsibilities to the lease. It is acknowledged that:

- (i) The proposed building would extend outside the current lease area and it would be necessary to amend the existing lease to include any additional area.
- (ii) As the lease option was due to be exercised by 30 September 2019, and final arrangements for the shed/survey had not been undertaken at that time, it was prudent to consider the extension of the lease area at the same time the option was due.
- (iii) The Men's Shed has submitted a grant/funding application for the building works but need to ensure they have the lease area confirmed to support the grant application.

The current lease agreement has not been the subject of a formal survey. The lease area has been designated as an area generally 6 metres around the perimeter of the building. The new lease area will need to be surveyed and this requirement has been conveyed to representatives of the Men's Shed. Attachment 2 is a surveyor's sketch delineating the existing lease area, the proposed extension and the total area of the lease.

Summary:

To support the Men's Shed grant/funding application and to give tenure over the land, Council needs to resolve to extend the lease area. This will also be necessary in the assessment of any building application. Furthermore, if Council agrees to the extension of the lease area and if the Men's Shed wishes added security, they may rather enter into a new 3 year lease with 2 x 3 year options, rather than exercise the option over the current lease.

CORPORATE/OPERATIONAL PLAN

Theme 3: Our United Region

3.1 A region of all ages

3.2 A region of all abilities

- 3.3 A region of all interests
 - 3.6 United communities
 - 3.7 Global and regional relationships
- Theme 5: Our efficient and effective council
- 5.8 Productive partnerships

POLICY IMPLICATIONS

Council has no specific policy relating to leasing land and reserves to community and sporting groups. However, Asset Management Policy No. 256 provides a framework for managing assets. Consideration of this proposal is consistent with this policy.

Having a lease in place, the assets are likely to be better maintained given the Lessee who occupies the premises on a day-to-day basis will report maintenance issues.

STATUTORY REQUIREMENTS

Pursuant to section 236 of the *Local Government Regulation 2012*, Council is permitted to dispose of a valuable non-current asset other than by tender if it is being disposed to a community organisation. 'Dispose' refers to an interest in a non-current asset such as land.

Schedule 8 of the *Local Government Regulation 2012* defines a **community organisation** as:

- (a) an entity that carries on activities for a public purpose; or
- (b) another entity whose primary objective is not directed at making a profit.

Therefore, the Gayndah Men's Shed Incorporated is a community organisation given its activities are non-profit making and exist for a public purpose. All funds generated by the organisation are put back towards the purpose of the organisation.

FINANCIAL REQUIREMENTS

The terms of the lease are such that the lessee is responsible for any survey and registration costs of the lease.

RISK MANAGEMENT

The entering into a lease is consistent with Council's policy and no particular risk arises. The lease agreement places certain obligations on the lessee and Council has no significant exposure in this matter. Furthermore, the proposed lease meets Council's legal and strategic objectives and achieves a positive community outcome, particularly in light of the ability to promote self-sufficient and sustainable activities.

CONSULTATION

Has been held with representatives of the Gayndah Men's Shed.

RECOMMENDATION

That Council:


- (i) approve an extension of the leased area to the Gayndah Men's Shed, shown as Lease D in Lot 2 on RP201121 attached;
- (ii) enter into a new lease with the Gayndah Men's Shed in accordance with its Standard Terms for a Lease – Document No. 715975265, for a term of three (3) years, with two (2) x three (3) year options.

9.2 DNRME REQUEST FOR COUNCIL'S VIEWS - RENEWAL/CONVERSION OF TERM LEASE 0/216529 - LOT 6 CP816990

Doc Id: 933999

Author: Linda Nicholson, Administration Officer (Leases)

Authoriser: Christopher Joosen, Governance Project Officer

Attachments: 1. 31178 - Consultation Report - Renewal of TL 0-216529 - L6 CP816990.docx [934576] 

INTRODUCTION/BACKGROUND

The Department of Natural Resources, Mines and Energy has received application for renewal/conversion of Term Lease 0/216529 over Lot 6 on CP816990, proposed purpose of use grazing.

Council's views or requirements are requested for the department's consideration when assessing the application, including any local non-indigenous cultural heritage values that may affect the future use of the land.

The 20-year Term Lease will expire on 30 August 2021.

Lot 6 on CP816990 fronts the Gayndah-Mundubbera Road, locality of Mount Debateable, comprising an area of 22.77 hectares (surveyed), as shown on aerial view map in Attachment 1 Consultation Report.

The lessee owns adjoining parcel, Lot 10 SP305658, area approximately 49.67 hectares.

Council's response is requested by 16 August 2019.

CORPORATE/OPERATIONAL PLAN

Theme 1 Our Productive Region

1.7 Planning to facilitate industrial, commercial and residential growth.

POLICY IMPLICATIONS

No Council policies exist that specifically relate to this item.

STATUTORY REQUIREMENTS

Land Act 1994 section 420CB which states "Council has the power to make a submission in response to a notice received under the Act about a proposed application".

FINANCIAL REQUIREMENTS

There are minimal financial implications for this matter.

RISK MANAGEMENT

The consideration of this proposal is in accordance with legislative requirements and administrative operations of Council. Consideration and response to the Department within prescribed timeframes exposes Council to no identified legal, reputational or environmental risk.

CONSULTATION


Appropriate departments within Council have provided their views and written comments for reporting.

During this process Rates, Civil Works, Development and Building Services, Environmental Services, Assets, Disaster Management, Technical Services and Economic Development were consulted.

The attached Consultation Report offers views and comments provided by internal departments as stated above and includes an aerial image of Lot 6 CP816990.

RECOMMENDATION

That the Department of Natural Resources, Mines and Energy be advised Council has no views or requirements and offers no objection to renewal/conversion of Term Lease 0/216529 over Lot 6 on CP816990.

9.3 DNRME REQUEST FOR COUNCIL'S VIEWS - RENEWAL OF TERM LEASE 0/238051 - LOT 16 AND LOT 17 ON BON1281**Doc Id:** 934645**Author:** Linda Nicholson, Administration Officer (Leases)**Authoriser:** Christopher Joosen, Governance Project Officer**Attachments:** 1. 50422-5 - Consultation Report - Renewal of TL 0-238051 - L16 and L17 BON1281.docx [934643] **INTRODUCTION/BACKGROUND**

The Department of Natural Resources, Mines and Energy is considering renewal of Term Lease 0/238051 over Lot 16 and Lot 17 on BON1281 – Reserve for Camping, and subsequently is requesting Council's views or requirements that may affect the future use of the land.

Term Lease 0/238051 comprises Lots 16 and 17 BON1282, area (about) 134.6 hectares with frontage to Sunday Creek at Yenda Road and Eight Mile Road - Locality of Yenda, as shown on the aerial view map in Attachment 1 Consultation Report.

The Term Lease is over Camping Reserves under the trusteeship of Council.

The department also seeks Council's comments in relation to trusteeship, with regard to the following:

- On expiry of the existing lease, would Council as Trustee be 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.
- If entering into a Trustee Lease or Trustee Permit is not an option, Council's views or requirements to the granting of a new Term Lease over the subject area.

The Term Lease will expire 10 October 2020.

Purpose of use over the subject land is cattle grazing/fattening. The Lessee owns adjacent freehold parcels.

Council's response is due by 12 July 2019.

CORPORATE/OPERATIONAL PLAN

Theme 1 Our Productive Region

1.7 Planning to facilitate industrial, commercial and residential growth.

POLICY IMPLICATIONS

No Council policies exist that specifically relate to this item.

STATUTORY REQUIREMENTS

Land Act 1994 section 420CB which states "Council has the power to make a submission in response to a notice received under the Act about a proposed application".

FINANCIAL REQUIREMENTS

There are minimal financial implications for this matter.

RISK MANAGEMENT

The consideration of this proposal is in accordance with legislative requirements and administrative operations of Council. Consideration and response to the Department within prescribed timeframes exposes Council to no identified legal, reputational or environmental risk.

CONSULTATION

Appropriate departments within Council have provided their views and written comments for reporting.

During this process Rates, Civil Works, Development and Building Services, Environmental Services, Assets, Disaster Management, Technical Services and Economic Development were consulted.

The attached Consultation Report, which includes aerial image of Lot 16 and Lot 17 on BON1281 located at Yenda Road, offers views and comments provided by these internal departments as stated above.

RECOMMENDATION

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 0/238051 over Lot 16 and Lot 17 on BON1281.

9.4 ADOPTION OF THE 2019-20 FEES & CHARGES

Doc Id: 936958

Author: Kylie Buckholz, Finance Officer

Authoriser: Zoe Behrendt, Corporate Services Manager

Attachments: 1. Draft Fees Charges 2019-20.pdf [936954] 

INTRODUCTION/BACKGROUND

As part of the development of Councils yearly budget, the miscellaneous fees & charges are reviewed across Departments for further Council consideration and adoption for the upcoming financial year.

CORPORATE/OPERATIONAL PLAN

5.6 Good Governance

5.6.1 Commit to open and accountable governance to ensure community confidence and trust in Council and our democratic values.

POLICY IMPLICATIONS

Nil

STATUTORY REQUIREMENTS

Local Government Act 2009 Section 98 – Register of cost-recovery fees

1. A local government must keep a register of its cost-recovery fees.

FINANCIAL REQUIREMENTS

On average a 2.5% CPI Increase has been applied to the Fees, individual variations apply for administration expediency. Fees and charges represent approximately 3.5% of Council's total operational income.

RISK MANAGEMENT

There are minimal risks associated with this item.

CONSULTATION

There has been considerable internal consultation with officers and Councillors.

RECOMMENDATION

That in accordance with section 97 and 98 of the *Local Government Act 2009*, Council adopt the 2019-20 Fees & Charges as presented to take effect from 1 July 2019.

9.5 DELEGATIONS REGISTER : COUNCIL TO THE CHIEF EXECUTIVE OFFICER**Doc Id:** 937588**Author:** Christopher Joosen, Governance Project Officer**Authoriser:** Gary Rinehart, Chief Executive Officer**Attachments:** 1. Work Health and Safety Act 2011 - current as at 19June2019.DOC [937618] **INTRODUCTION/BACKGROUND**

The Local Government Act 2009 states at section 257, a local government may, by resolution, delegate a power under this Act or another Act to certain persons or Committees. North Burnett Regional council has previously delegated certain powers to its Chief Executive Officer. Furthermore it states that certain powers that must be exercised under council resolution cannot be delegated from Council. All delegations must be reviewed annually.

At the meeting of Council held on 22 May 2019 Council resolved to adopt a "Register of Delegations: Council to the Chief Executive Officer". As part of the ongoing review it is now necessary to adopt further delegations under the Work Health and Safety Act 2011, attached and marked "A" to this report.

CORPORATE/OPERATIONAL PLAN

Satisfies "Theme 5: Our Efficient and Effective Council". In accord with "5.6 Good Governance", illustrating commitment to open and accountable governance and compliance with relevant legislation.

POLICY IMPLICATIONS

The Register of Delegations is a critical part of Councils Governance Framework and policy suite. The application of Council policy and discharge of statutory obligations would be impacted without a comprehensive register in place.

STATUTORY REQUIREMENTS

Significant. There is a statutory requirement to develop the Register of Delegations and to review it annually. A non-compliant or deficient register could expose Council decision making processes to challenge.

FINANCIAL REQUIREMENTS

Nil. Part of Councils general governance function.

RISK MANAGEMENT

There is a statutory requirement to have a current and comprehensive Register in place. Failure to satisfy this requirement would expose Councils decision making and administrative processes resulting in longer decision timeframes and internal bottlenecks in dealing with the day to day operations of Council.

CONSULTATION

Internal stakeholders

RECOMMENDATION


That Council resolve to amend the Register of Delegations: Council to Chief Executive Officer as adopted at its meeting held on 22 May 2019 by the inclusion of the document attached as Appendix A: Work Health and Safety Act 2011.

9.6 STATUTORY POLICY 111 - REVENUE POLICY

Doc Id: 937610

Author: Natalie Zillman, Information Coordinator

Authoriser: Gary Rinehart, Chief Executive Officer

Attachments: 1. 111 Revenue.pdf [140567] 

INTRODUCTION/BACKGROUND

Section 193(3) of the *Local Government Regulation 2012* states that *A local government must review its revenue policy annually and in sufficient time to allow an annual budget that is consistent with the revenue policy to be adopted for the next financial year.*

CORPORATE/OPERATIONAL PLAN

In accordance with

1. Outcome 5.6.1
 - a. Good Governance – Commit to open and accountable governance to ensure community confidence and trust in Council and our democratic value.
2. Outcome 5.6.2
 - a. Good Governance – Compliant with relevant legislation

POLICY IMPLICATIONS

The Revenue Policy is a critical part of Councils Governance Framework and policy suite. The application of Council policy and discharge of statutory obligations would be impacted without a Revenue Policy in place.

STATUTORY REQUIREMENTS

Section 104(5) c(iii) of the *Local Government Act 2009* states that a Local Government must have a revenue policy.

FINANCIAL REQUIREMENTS

Nil financial requirements associated with the adoption of this Statutory Policy.

RISK MANAGEMENT

There is a statutory requirement to review the revenue policy annually and in sufficient time to allow an annual budget that is consistent with the revenue policy to be adopted for the next financial year. Failure to do so could expose Councils revenue raising measures.

CONSULTATION

Nil consultation required for this Statutory Policy.

RECOMMENDATION

That in accordance with Section 193(3) of the *Local Government Regulation 2012*, Statutory Policy 111 - Revenue be adopted.

10 STRATEGY, INNOVATION AND ASSETS

10.1 STREET, ROAD, PROPERTY & BUSINESS SIGNAGE

Doc Id: 933681

Author: Haille Pailthorpe, Administration Officer - Assets

Authoriser: Justin Kronk, Asset Services Manager

Attachments: 1. Policy Rural and Urban Signage.docx 

INTRODUCTION/BACKGROUND

Council recently received a customer request to install two property name signs in the East Woodmillar Road area. The customer has indicated that there has been some difficulty in locating the property in question. Further to this there are many property name signs throughout the Council area that have been installed at different points over history.

Currently council does not have a policy on property signs as well as street and road name signs that states what colour and size the signs are to be and if council pays for the cost or the rate payer. The attached policy has been drafted in conjunction with the Australian Standards for signage but provides some more detailed guidelines for signage such as was requested in the customer request but will then allow these requests to be responded to through a process.

The Australian Standard AS 1743:2018 Road Signs-Specifications shows the following;

- White writing on blue back ground – Guide Sign Public Convenience
- White writing on green back ground – Guide Sign Locality/Directional
- White writing on brown back ground – Guide Sign Point of interest/Historical/Area
- Black writing on white back ground – Street/Road name

In the past and currently property signs have always been black writing on white background, which is now resulting in confusion between Street/Road name signs. Within the policy it is proposed that property and business signage would be Green Writing on White background.

Council has also received a customer request to install a sign to identify a Veterinary Business. Council currently does not have a policy on business signs that states if a business is allowed a sign on a council post and if the customer is to cover the cost or council.

Council officers have also liaised from Goondiwindi Regional Council who have been operating a similar policy successfully.

The purpose of this report is to adopt and implement a policy within council for rural & urban signage. Council currently does not have a policy outlining the standard for the following;

CORPORATE/OPERATIONAL PLAN

5.2 Asset Management

5.2.2 Ensure that the assets maintained and constructed are appropriate to the current and future needs of the region.

POLICY IMPLICATIONS

General Policy 257. Rural Addressing – The officer recommendation is in accordance with this policy.

STATUTORY REQUIREMENTS

Local Government Regulation 2012 Chapter 4 Part 13 Section 154

Local Government Regulation 2012 Chapter 5 Part 3 Section 180

Australian/New Zealand Standard- Rural and Urban addressing – Section 4.2.3 Unformed Roads

FINANCIAL REQUIREMENTS

There are 2 levels of financial implication from this report.

Firstly the cost of the road name signs as well as staff time to undertake further consultation to impacted residents is expected to be approximately \$1,000.

RISK MANAGEMENT

As outlined in the North Burnett Risk Assessment Tool.

Reputational Risk – Moderate. Council has received contact from a resident outlining the impact of not having a road name and property address. By not responding to these concerns could cause significant further complaints and adverse publicity.

Property and Infrastructure – Minor. The naming of this portion of road with inclusion onto the Road register could have a moderate impact on the maintenance of the road infrastructure involved.

CONSULTATION

Consultation has taken place within Councils Asset Management, councillors and community members.

RECOMMENDATION

That Council receive the report and resolve to adopt the attached policy.

10.2 BUSINESS STREETScape REPORT

Doc Id: 933857

Author: Tanya Walters, Administration Officer

Authoriser: Trevor Harvey, General Manager Strategy, Innovation and Assets

Attachments: Nil

INTRODUCTION/BACKGROUND

Council Policy 218 – Business Streetscape was developed with the objective to enhance the appearance and standard of maintenance of Commercial building fronts within the North Burnett Regional centres.

The budget allocation supporting this policy has not been fully utilised in previous financial years. Efforts to raise the awareness of this program within the commercial community by all elements of Council has seen an increased application rate in the first half of the current financial year.

The purpose of this report is to present the following requests for Streetscape funding applications:

Lifeline Retail (Gayndah Lifeline) has applied for Streetscape funding to paint both interior and exterior of their business premises. The total value of the work is \$12,518. The works is to commence 11th June 2019 and be completed by 30th June 2019.

CORPORATE/OPERATIONAL PLAN

Theme 1 – Our Productive Region

1.1 - Jobs and Career Stimulus

1.6 - Diversity of the economy through research of potential new industries

POLICY IMPLICATIONS

The allocation of funding for Business Streetscape funding is in accordance with Statutory Policy 218 – Business Streetscape.

STATUTORY REQUIREMENTS

Compliance with Building Codes Australia and all State Work Place Health & Safety requirements

FINANCIAL REQUIREMENTS

Capital budget of \$10,000 in 2018/2019 budget.

Policy conditions allow for a maximum of 50% of the project cost, up to a maximum of \$1,000 per application.

Capital Expenditure 2018/19 YTD.

| Month | Applicant | Total Project Amount | Grant Approved |
|-------------|---|----------------------|--------------------|
| Jul | Meg Cunningham – Mundubbera Post Office | \$1,800.00 | \$ 900.00 |
| Sept | Coffee Pozzee Pty Ltd - Biggenden^ | \$3,165.74 | \$ 1,000.00 |
| Sept | DM Rural Pty Ltd T/A Danielle Meyer Rural – Mundubbera^ | \$2,491.06 | \$ 1,000.00 |
| Sept | Mundubbera Classic Cuts Hair Studio^ | \$2,120.00 | \$ 1,000.00 |
| Oct | Meg Cunningham – Music room Shoes – Mundubbera^ | \$9,900.00 | \$ 1,000.00 |
| Nov | Natalie Mann & Scott Mayes – Mundubbera Pool^ | \$1,130.00 | \$ 565.00 |
| Nov | Body & Soul Naturally – Mundubbera^ | \$1,131.50 | \$ 565.75 |
| May | Lifeline Retail (Gayndah)* | \$12,518.00 | \$ 1,000.00 |
| | Total | \$34,256.30 | \$ 7,030.75 |
| | Balance | | \$ 2,969.25 |

*Pending approval/outcome report

^Outcome report received and payment processed

RISK MANAGEMENT

As outlined in the North Burnett Risk Assessment Tool.

Financial Risk – Low. Application is within Policy 218 financial guidelines and adequate budget remains to finance the proposal.

Reputational Risk – Low. Council will authorise sign wording before installation

CONSULTATION

Business Streetscape Funding Applications are reviewed and approved by Council's Strategy, Innovation & Asset Department.

The Economic Development Manager and Council's Business Streetscape officer are available for detailed consultations with interested applicants

RECOMMENDATION

That Council approve the following Streetscape funding applications:

1. Lifeline Retail Gayndah – repaint exterior of business premises - \$1000.

10.3 DALGANGAL ROAD RENAMING

Doc Id: 937612

Author: Haille Pailthorpe, Administration Officer - Assets

Authoriser: Justin Kronk, Asset Services Manager

Attachments: 1. Dalgangal Renaming Report Map.docx [937606] 

INTRODUCTION/BACKGROUND

It has been identified that there is currently two Dalgangal Roads in Gayndah causing confusion between the both for emergency services. Dalgangal Road that intersects of Mungy Road does not have any rural addresses associated to the properties on the road.

It is proposed that council rename the Dalgangal Road that intersects off Mungy Road this change will effect four rate payers but will not result in them having to change their rural addressing number as none of the properties currently hold addresses. If council where to change Dalgangal Road that starts off the bridge in the town of Gayndah this change would affect 34 Rate payers.

CORPORATE/OPERATIONAL PLAN

5.2 Asset Management

5.2.2 Ensure that the assets maintained and constructed are appropriate to the current and future needs of the region.

POLICY IMPLICATIONS

General Policy 222. Naming of Streets – The officer recommendation is in accordance with this policy.

General Policy 257. Rural Addressing – The officer recommendation is in accordance with this policy.

STATUTORY REQUIREMENTS

Local Government Regulation 2012 Chapter 4 Part 13 Section 154

Local Government Regulation 2012 Chapter 5 Part 3 Section 180

Australian/New Zealand Standard- Rural and Urban addressing – Section 4.2.4 Contiguous navigable road

FINANCIAL REQUIREMENTS

The financial implication of this change will be the cost of Road name signs as well as staff time to undertake further consultation to impacted residents which is \$1,500.

RISK MANAGEMENT

As outlined in the North Burnett Risk Assessment Tool.

Property and Infrastructure – Low. Council has received contact from a resident outlining the impact of emergency services not been able to locate their property previously. The renaming of this portion of the road will have low to nil impact on the road infrastructure and maintenance involved.

CONSULTATION

Consultation has taken place within Councils Asset Management and Civil Works team as well as with elected representatives.

RECOMMENDATION

That:

1. Council resolve to rename Dalgangal Road to Old Wagon Road.
2. Council resolve to rename Dalgangal Road to another proposed name.

10.4 ASSET MANAGEMENT PLAN - ROADS & BRIDGES

Doc Id: 937679

Author: Justin Kronk, Asset Services Manager

Authoriser: Trevor Harvey, General Manager Strategy, Innovation and Assets

Attachments: 1. NBRC Asset Management Plan Roads.pdf [937722] 

INTRODUCTION/BACKGROUND

North Burnett Regional Council manages in excess of 4,000km of Road network including more than 50 Bridges and in doing so must ensure that it's assets are maintained in accordance with well-developed asset management programs and strategic forward plans to enable these services to meet the community needs in a sustainable manner.

Asset management is seen as a practical and financially responsible means of managing Council's assets by ensuring that the assets continue to provide a specified level of service delivery to defined standards over their entire life. The *Local Government Act 2009* defines Council's obligations to develop Asset Management Plans.

The Asset Management Plan – Roads & Bridges seeks to update and replace the previously adopted Road and Bridge Asset Management Plan adopted in 2011. It aims to provide a more formalised and transparent approach to asset management, roads levels of service and the costs to provide these levels of service across the region. The Plan provides mechanisms to clearly define its asset life including replacement and asset maintenance practices and to mitigate risk.

The drafting of this plan, has included reviews of the intervention levels with staff taking into account current finance levels as well as labour, plant and machinery resourcing levels.

CORPORATE/OPERATIONAL PLAN

Theme 5.2 Asset Management

5.2.1 3/5/10 year Asset Management Plans developed and implemented for all asset groups.

5.2.2 Ensure that the assets maintained and constructed are appropriate to the current and future needs of the region.

POLICY IMPLICATIONS

Complies with Policy 256 Asset Management.

STATUTORY REQUIREMENTS

Local Government Act 2009 Part 3 Section 104.

FINANCIAL REQUIREMENTS

The Asset Management Plan is required to form part of Council's Long Term Financial Plan.

RISK MANAGEMENT

The Asset Management Plan is drafted in conjunction with Council Risk Management Plan.

CONSULTATION

Consultation has taken place with Council's Assets team, ELT, Works Supervisors, External consultants and portfolio Councillors and Council as a whole.

RECOMMENDATION

That the Asset Management Plan – Roads & Bridges be received and adopted by Council.

11 WORKS

Nil

12 COUNCILLOR REPORTS

12.1 MAYOR AND COUNCILLORS REPORTS

Doc Id: 937748

Author: Natalie Zillman, Information Coordinator

Authoriser: Gary Rinehart, Chief Executive Officer

Attachments: 1. Cr Zahl 260619.docx [937717] 

INTRODUCTION/BACKGROUND

For information.

OFFICER COMMENTS/CONCLUSION

Nil

RECOMMENDATION

That the Councillor Report be received.

- 13 OTHER BUSINESS DETERMINED BY RESOLUTION FOR AGENDA INCLUSION**
- 14 QUESTIONS**
- 15 CONFIDENTIAL REPORTS**

RECOMMENDATION

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 Compulsory Acquisition of Native Title over road reserve formerly described as Lot 157 on plan YL1058 and as shown Plan YL1058

This matter is considered to be confidential under Section 275(1) - f of the Local Government Regulation, 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 Civil Contractors Preferred Supplier

This matter is considered to be confidential under Section 275(1) - e of the Local Government Regulation, 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 2018/19 Sewer Relining Capital Project

This matter is considered to be confidential under Section 275(1) - c of the Local Government Regulation, 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.

16 CLOSURE OF MEETING