



# **MINUTES**

**General Meeting**

**17 July 2019**

**MINUTES OF NORTH BURNETT REGIONAL COUNCIL  
GENERAL MEETING  
HELD AT THE MUNDUBBERA BOARDROOM  
ON WEDNESDAY, 17 JULY 2019 AT 9:00 AM**

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

**OFFICERS:** Gary Rinehart (Chief Executive Officer), Johan Louw (General Manager Works), Natalie Zillman (Information Coordinator), Justin Kronk (Acting General Manager Strategy, Innovation and Assets), Christopher Joosen (Acting General Manager Corporate and Community)

## **1 WELCOME/HOUSEKEEPING**

The Mayor declared the meeting open and welcomed all attendees.

## **2 APOLOGIES/LEAVE OF ABSENCE**

### **RESOLUTION 2019/201**

Moved: Cr Paul Lobegeier

Seconded: Cr Faye Whelan

That the apology received from Cr Peter Webster be accepted and leave of absence granted.

**CARRIED**

## **LEAVE OF ABSENCE REQUEST**

### **RESOLUTION 2019/202**

Moved: Cr Robert Radel

Seconded: Cr John Zahl

That Cr Robert Radel be granted leave of absence from 05 – 25 September 2019 inclusive.

**CARRIED**

## **3 DEPUTATIONS/PETITIONS**

Nil Deputations.

## **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. Deputation with the Hon Mark Bailey, Minister for Transport and Main Roads to discuss the John Peterson Bridge and other matters.
2. Stakeholder Engagement Project Plan for adopted Asset Management Plans.

3. School Environment Inspection Summary Report

## 6 DECLARATIONS OF INTEREST

Cr John Zahl declared a perceived conflict of interest in agenda item 10.2 CHANGE APPLICATION TO DA 175-14: MATERIAL CHANGE OF USE FOR LOW IMPACT INDUSTRY (EARTHMOVING CONTRACTOR'S DEPOT) AT 16316 BURNETT HIGHWAY, GAYNDAH (DESCRIBED AS LOT 16 ON BN37491) (as defined in section 173 of the *Local Government Act 2009*) due to correspondence with the applicant and submitter. In accordance with section 175E (4) of the *Local Government Act 2009*, Cr Zahl proposed to exclude himself from the meeting while the matter is discussed and the vote is taken in open session.

## 7 CONFIRMATION OF MINUTES

### 7.1 MINUTES OF THE GENERAL MEETING HELD ON 26 JUNE 2019

#### RESOLUTION 2019/203

Moved: Cr Faye Whelan

Seconded: Cr John Zahl

That the Minutes of the General Meeting held on 26 June 2019 be confirmed.

**CARRIED**

## 8 OFFICE OF THE CHIEF EXECUTIVE OFFICER

### 8.1 ADOPTION OF THE 2019-20 OPERATIONAL PLAN

#### RESOLUTION 2019/204

Moved: Cr Paul Lobegeier

Seconded: Cr Faye Whelan

That:

1. The Adoption of the 2019-20 Operational Plan report be received for information.
2. In accordance with sections 174 and 175 of the *Local Government Regulation 2012*, Council adopts the 2019-20 Operational Plan.

**CARRIED**

### 8.2 WULLI WULLI #2 CONSENT DETERMINATION

#### RESOLUTION 2019/205

Moved: Cr John Zahl

Seconded: Cr Faye Whelan

1. That Council consent to a determination of native title of the Wulli Wulli People Claim (QUD31/2019) 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**

### **8.3 APPOINTMENT OF INTERIM CHIEF EXECUTIVE OFFICER**

#### **RESOLUTION 2019/206**

Moved: Cr John Bowen

Seconded: Cr John Zahl

That Council appoint Ian Flint as Acting Chief Executive Officer of North Burnett Regional Council for the period 30 July 2019 to 30 September 2019 inclusive. **CARRIED**

The Mayor expressed her sincere and heartfelt thanks to the Chief Executive Officer, Gary Rinehart, wishing him all the best in his future retirement.

### **9 CORPORATE AND COMMUNITY**

#### **9.1 DNRME REQUEST FOR COUNCIL'S VIEWS - CONVERSION OF TERM LEASE 0/213715 - LOT 84 CK135**

#### **RESOLUTION 2019/207**

Moved: Cr Paul Lobegeier

Seconded: Cr John Bowen

That the Department of Natural Resources, Mines and Energy be advised that Council offers no objection to the proposed conversion of Term Lease 0/213715 over L84 on WK135 to freehold tenure, with a condition that the lessee be required to amalgamate the subject Lot 84 WK135 into adjoining freehold land under the same ownership to enable access to a constructed road.

**CARRIED**

#### **9.2 AMENDMENT TO FEES AND CHARGES 2019-20**

#### **RESOLUTION 2019/208**

Moved: Cr John Zahl

Seconded: Cr Paul Lobegeier

That the Schedule of Fees and Charges adopted by Council at its general meeting held on 26 June 2019 be amended by the deletion of pages "76" and "77" "Waste Management" and the insertion in their stead of the replacement pages "76" and "77" attached to this report.

**CARRIED**

### 9.3 LIFELONG COMMUNITY GRANTS 2019

#### RESOLUTION 2019/209

Moved: Cr John Bowen

Seconded: Cr Paul Lobegeier

That Council endorse the following list of grant recipients under Council's Lifelong Community Grants in accordance with Policy 119 - Lifelong Community Grants totalling \$21,450:

1. Sunshine Coast Helicopter Rescue Service, now known as Lifeflight Foundation Ltd \$10,000
2. Bundaberg Health Services Foundation Rotary Lodge – Bundaberg \$10,000
3. Biggenden State School \$150
4. Dallarnil State Primary School \$50
5. Coalstoun Lakes State Primary School \$50
6. Abercorn State Primary School \$50
7. Eidsvold State School \$150
8. Burnett State College \$100
9. Gayndah State Primary School \$50
10. St Joseph's State School \$50
11. Binjour State Primary School \$50
12. Monto State High School \$100
13. Monto State Primary School \$50
14. Mulgildie State Primary School \$50
15. St Therese School \$50
16. Gin Gin State High School \$100
17. Mt Perry State Primary School \$50
18. Mundubbera State School \$150
19. Monogorilby State Primary School \$50
20. Boynewood State Primary School \$50
21. Red Cross Calling (Gayndah branch) \$100

**CARRIED**

### 9.4 FINANCE REPORT TO 30 JUNE 2019

#### RESOLUTION 2019/210

Moved: Cr John Bowen

Seconded: Cr Paul Lobegeier

That the Finance Report for month ended 30 June 2019 be adopted.

**CARRIED**

## 10 STRATEGY, INNOVATION AND ASSETS

### 10.1 UNAMED ROAD RESERVE - DALLARNIL

#### RESOLUTION 2019/211

Moved: Cr Faye Whelan

Seconded: Cr Robert Radel

That Council receive the report and resolve to name the road reserve Railway Road but not add this portion to the road register for maintenance purposes. **CARRIED**

At 10:10 am, Cr John Zahl left the meeting.

### 10.2 CHANGE APPLICATION TO DA 175-14: MATERIAL CHANGE OF USE FOR LOW IMPACT INDUSTRY (EARTHMOVING CONTRACTOR'S DEPOT) AT 16316 BURNETT HIGHWAY, GAYNDAH (DESCRIBED AS LOT 16 ON BN37491)

#### RESOLUTION 2019/212

Moved: Cr John Bowen

Seconded: Cr Faye Whelan

1. That Council, having regard to the matters set out in the attachments, decide the application under s82 of the *Planning Act 2016* by approving all of it subject to conditions.
2. That Council give the applicant and referral agency the decision notice within five days of deciding the application.
3. That Council publish the Notice of decision, including the Statement of reasons, on its website. **CARRIED**

At 10:11 am, Cr John Zahl returned to the meeting.

## 11 WORKS

Nil

## 12 COUNCILLOR REPORTS

Nil

## 13 OTHER BUSINESS DETERMINED BY RESOLUTION FOR AGENDA INCLUSION

### 13.1 DEPUTATION WITH MINISTER BAILEY

#### RESOLUTION 2019/213

Moved: Cr Faye Whelan

Seconded: Cr Paul Lobegeier

That Council seek a deputation with the Hon Mark Bailey, Minister for Transport and Main Roads to discuss the John Peterson Bridge and other matters. **CARRIED**

**13.2 STAKEHOLDER ENGAGEMENT PROJECT PLAN****RESOLUTION 2019/214**

Moved: Cr Paul Lobegeier

Seconded: Cr Faye Whelan

That Council implement a Stakeholder Engagement Project Plan for adopted Asset Management Plans, with a report on the Roads and Bridges Plan to be delivered to the 28 August 2019 meeting.

**CARRIED****13.3 SCHOOL ENVIRONMENT INSPECTION SUMMARY REPORT****RESOLUTION 2019/215**

Moved: Cr Paul Lobegeier

Seconded: Cr Faye Whelan

That a report be presented to the 28 August 2019 meeting on the School Environment Inspection Summary, including the kindergarten, for the Monto region.

**CARRIED****14 QUESTIONS****9.5 REGIONAL TOURISM SIGNAGE****RESOLUTION 2019/216**

Moved: Cr Paul Lobegeier

Seconded: Cr Faye Whelan

That Council advise

1. The Department of Transport and Main Roads that it considers the signs has led to confusion and that they would benefit by deleting the reference to Bundaberg.
2. The Drive Inland Promotions Association (DIPA) of its concerns and ask that the also make representations to the Department of Transport and Main Roads regarding amending the wording on the signs.

**CARRIED****9.6 ATTENDANCE AT WORKSHOP: CAMPERVAN AND MOTORHOME CLUB OF AUSTRALIA (CMCA)****RESOLUTION 2019/217**

Moved: Cr Faye Whelan

Seconded: Cr John Zahl

That Council endorse Councillor Paul Lobegeier attending the Caravan and Motorhomes Forum in Brisbane on 12 August 2019.

**CARRIED**

**15 CONFIDENTIAL REPORTS****RESOLUTION 2019/218**

Moved: Cr Faye Whelan  
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 Percy Hindmarsh Bridge Construction - Award of Contract**

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.

**CARRIED**

**RESOLUTION 2019/219**

Moved: Cr Robert Radel  
Seconded: Cr Paul Lobegeier

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

**CARRIED**

**15.1 PERCY HINDMARSH BRIDGE CONSTRUCTION - AWARD OF CONTRACT****RESOLUTION 2019/220**

Moved: Cr Paul Lobegeier  
Seconded: Cr Faye Whelan

That Council

1. Awards Separable Portion B (bridge construction) of Contract 2905 2018-19 TTB 26 for the construction of the Percy Hindmarsh Bridge to Ark Construction Group
2. Authorises the CEO to finalise contract negotiations with Ark Construction Group.

**CARRIED**

**16 CLOSURE OF MEETING**

**The Meeting closed 10:26.**

**The minutes of this meeting were confirmed at the General Meeting held on 7 August 2019.**

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**CHAIRPERSON**