



MINUTES

General Meeting

7 August 2019

**MINUTES OF NORTH BURNETT REGIONAL COUNCIL
GENERAL MEETING
HELD AT THE GAYNDAH BOARDROOM
ON WEDNESDAY, 7 AUGUST 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 Peter Webster, Cr John Zahl,

OFFICERS: Ian Flint (Acting Chief Executive Officer), Johan Louw (General Manager Works), Christopher Joosen (Acting General Manager Corporate and Community), Justin Kronk (Acting General Manager Strategy, Innovation and Assets), Zoe Berhendt (Corporate Services 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 apologies.

3 DEPUTATIONS/PETITIONS

9:30am – Mr Bill Turner, Gayndah Masonic Lodge

4 NOTICES OF MOTION

Nil Notices of Motion.

5 NOTIFICATION OF OTHER BUSINESS BY COUNCILLORS

5.1 LEAVE OF ABSENCE

RESOLUTION 2019/221

Moved: Cr Rachel Chambers

Seconded: Cr Paul Lobegeier

That Council include the Mayors request for a leave of absence as part of the agenda. **CARRIED**

5.2 CHIEF EXECUTIVE OFFICER UPDATE

RESOLUTION 2019/222

Moved: Cr Rachel Chambers

Seconded: Cr Robert Radel

That Council include the Mayors request to update Council on the Chief Executive Officer recruitment as part of the agenda. **CARRIED**

6 DECLARATIONS OF INTEREST

That it be duly noted that pursuant to 175E of the *Local Government Act 2009* Cr John Zahl declared a conflict of interest in agenda item 9.1 *Regional Arts Development Fund (RADF) 2018-19 Round 3 – Gayndah State School P&C and School House Potters Gayndah* due to being the honorary auditor for 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 matter is discussed and the vote is taken in open session.

That it be duly noted that pursuant to 175E of the *Local Government Act 2009* Cr Paul Lobegeier declared a perceived conflict of interest in agenda item 9.1 *Regional Arts Development Fund (RADF) 2018-19 Round 3 – Sarah Merrett – A Treasured Life* due to the applicant being an employee. In accordance with section 175E (4) of the *Local Government Act 2009*, Councillors decided that Cr Lobegeier may have a perceived conflict of interest in the matter but that he may participate in the meeting in relation to the matter including by voting on the matter.

That it be duly noted that pursuant to 175E of the *Local Government Act 2009* Cr John Zahl declared a perceived conflict of interest in agenda item 9.1 *Regional Arts Development Fund (RADF) 2018-19 Round 3 – Sarah Merrett – A Treasured Life* due to the applicant being an employee. In accordance with section 175E (4) of the *Local Government Act 2009*, Councillors decided that Cr Zahl may have a perceived conflict of interest in the matter but that he may participate in the meeting in relation to the matter including by voting on the matter.

That it be duly noted that pursuant to 175E of the *Local Government Act 2009* Cr John Zahl declared a perceived conflict of interest in agenda item 9.2 *Request to Graze Cattle at Gayndah Airport* due to regular interaction with residents requesting to graze cattle. In accordance with section 175E (4) of the *Local Government Act 2009*, Councillors decided that Cr Zahl may have a perceived conflict of interest in the matter but that he may participate in the meeting in relation to the matter including by voting on the matter.

6.1 ADJOURNMENT OF MEETING

RESOLUTION 2019/223

Moved: Cr Rachel Chambers

Seconded: Cr Peter Webster

That the Meeting be adjourned.

CARRIED

At 9:12 am the Mayor Cr Rachel Chambers and Cr Peter Webster left the Chambers.

At 9:13 am the Mayor Cr Rachel Chambers and Cr Peter Webster returned to the Chambers.

RESUMING OF MEETING

RESOLUTION 2019/224

Moved: Cr Rachel Chambers

Seconded: Cr Peter Webster

That the Meeting be resumed.

CARRIED

7 CONFIRMATION OF MINUTES**7.1 MINUTES OF THE GENERAL MEETING HELD ON 17 JULY 2019****RESOLUTION 2019/225**

Moved: Cr Robert Radel
Seconded: Cr Paul Lobegeier

That the Minutes of the General Meeting held on 17 July 2019 be confirmed.

CARRIED

7.2 MINUTES OF THE BUDGET MEETING HELD ON 17 JULY 2019**RESOLUTION 2019/226**

Moved: Cr Faye Whelan
Seconded: Cr John Zahl

That the Minutes of the Budget Meeting held on 17 July 2019 be confirmed.

CARRIED

8 OFFICE OF THE CHIEF EXECUTIVE OFFICER

Nil

At 9:14 am, Cr John Zahl left the meeting.

9 CORPORATE AND COMMUNITY**9.1 REGIONAL ARTS DEVELOPMENT FUND (RADF) 2018-19 ROUND 3
RECOMMENDATIONS PART A****RESOLUTION 2019/227**

Moved: Cr Faye Whelan
Seconded: Cr Paul Lobegeier

That Council endorse the following Regional Arts Development Fund (RADF) applications:

- (a) Gayndah State School P&C – Kids Cyber Safety Song, CD and Digital Release - \$4,001
- (b) School House Potters Gayndah – Wide Bay Potters Annual Convention - \$3,444

CARRIED 6/0

At 9:16 am, Cr John Zahl returned to the meeting.

9.1.1 REGIONAL ARTS DEVELOPMENT FUND (RADF) 2018-19 ROUND 3 RECOMMENDATIONS PART B**RESOLUTION 2019/228**

Moved: Cr Paul Lobegeier

Seconded: Cr Robert Radel

That:

1. The Regional Arts Development Fund (RADF) 2018-19 Round 3 Recommendations Report be received.

2. Council endorse the following Regional Arts Development Fund (RADF) applications:
 - (c) Friends of RM Inc – Heritage Blacksmith Workshop - \$3,750
 - (d) Eidsvold State School – Didgeridoo Making Workshop and Cultural Capability Training - \$5,149
 - (e) Sarah Merrett – A Treasured Life - \$2,565

3. Council endorse the successful acquittal of the following Regional Arts Development Fund (RADF) Outcome Reports:
 - (a) Mundubbera Lemon Jo Quilters – Tuffet - \$1,550
 - (b) Pat Smith – Proving Burials in Gayndah District pre-local Records - \$15,951

CARRIED

9.2 REQUEST TO GRAZE CATTLE AT GAYNDAH AIRPORT**RESOLUTION 2019/229**

Moved: Cr John Bowen

Seconded: Cr Peter Webster

That Council resolve that it considers the use of lands adjoining the Gayndah airport described as part of lots 2 on RP 201121, lot 24 on BN37526, lot 3 on RP 81858, lot 6 on SP191235, lot 4 on SP191235, lot 2 on RP71027 and lot 2 on RP81858, as not suitable for the grazing of cattle and advises the correspondents accordingly.

CARRIED

9.3 LEASE AT GAYNDAH AIRPORT**RESOLUTION 2019/230**

Moved: Cr Peter Webster

Seconded: Cr Paul Lobegeier

That Council receive the amended resolution as tabled for agenda item 9.3 Lease at Gayndah Airport.

CARRIED

SUSPENSION OF STANDING ORDERS**RESOLUTION 2019/231**

Moved: Cr Paul Lobegeier

Seconded: Cr Robert Radel

That the Standing Orders be suspended to allow for further discussion on agenda item 9.3 Lease at Gayndah Airport. **CARRIED**

RESUMING OF STANDING ORDERS**RESOLUTION 2019/232**

Moved: Cr Paul Lobegeier

Seconded: Cr Robert Radel

That the Standing Orders be resumed. **CARRIED**

9.3 LEASE AT GAYNDAH AIRPORT**RESOLUTION 2019/233**

Moved: Cr Faye Whelan

Seconded: Cr John Bowen

That Council resolve to advertise for lease for a term of 10 years the land currently described as Lease "C" over part of lot 2 on RP 201121 (being part of the Gayndah Airport).

In Favour: Crs Rachel Chambers, John Bowen, John Zahl and Faye Whelan

Against: Crs Paul Lobegeier, Robert Radel and Peter Webster due to preferring a shorter lease term of five(5) years with options.

CARRIED 4/3

At 9:35am, Mr Bill Turner entered the meeting.

9.4 DEPUTATION**RESOLUTION 2019/234**

Moved: Cr John Bowen

Seconded: Cr Faye Whelan

The Council write to Mr Turner thanking him for his deputation and requesting further information in regards to the defibrillator agreement which would be discussed at the future meeting of Council.

CARRIED

10 STRATEGY, INNOVATION AND ASSETS

Nil

11 WORKS**11.1 DEPARTMENT OF TRANSPORT AND MAIN ROADS SAFEST PROJECTS 2020-21****RESOLUTION 2019/235**

Moved: Cr Robert Radel

Seconded: Cr Paul Lobegeier

That Council endorse the following as 2020/21 SafeST Projects:

- Pedestrian/Bicycle Access to Burnett State College - \$100,800
- Pedestrian/Bicycle Access to Eidsvold State School - \$39,600
- Pedestrian/Bicycle Access to Monto State School - \$125,976

CARRIED**12 COUNCILLOR REPORTS****12.1 MAYOR AND COUNCILLORS REPORTS****RESOLUTION 2019/236**

Moved: Cr Robert Radel

Seconded: Cr Paul Lobegeier

That the Mayor and Councillor Reports be received.

CARRIED**13 OTHER BUSINESS DETERMINED BY RESOLUTION FOR AGENDA INCLUSION****13.1 LEAVE OF ABSENCE REQUEST****RESOLUTION 2019/237**

Moved: Cr Peter Webster

Seconded: Cr John Zahl

That leave of absence from the Mayor, Cr Rachel Chambers for the period 12-16 August 2019 be received and accepted. During this period, the Deputy Mayor Cr Faye Whelan be Acting Mayor.

CARRIED**13.2 CHIEF EXECUTIVE OFFICER UPDATE**

The Mayor provided an update on the progress of the recruitment of the Chief Executive Officer.

14 QUESTIONS

Nil Questions

15 CONFIDENTIAL REPORTS**RESOLUTION 2019/238**

Moved: Cr John Zahl
Seconded: Cr John Bowen

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 Mt Perry Cycleway 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 2019/239

Moved: Cr Peter Webster
Seconded: Cr John Zahl

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

CARRIED

PERCEIVED CONFLICT OF INTEREST

That it be duly noted that pursuant to 175E of the *Local Government Act 2009* Cr Robert Radel declared a perceived conflict of interest in confidential agenda item 15.1 *Mt Perry Cycleway Construction – Award of Contract* due to his distant relationship with one of the tenderers.

RESOLUTION 2019/240

Moved: Cr John Zahl
Seconded: Cr John Bowen

That pursuant to 175E of the *Local Government Act 2009* the remaining Councillors determined that Cr Radel must leave the chambers whilst the matter is being discussed and the vote is taken in open session.

CARRIED

At 10:16am, Cr Robert Radel left meeting.

RESOLUTION 2019/241

Moved: Cr Faye Whelan
Seconded: Cr John Zahl

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

CARRIED 6/0

RESOLUTION 2019/242

Moved: Cr Faye Whelan
Seconded: Cr John Zahl

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

CARRIED 6/0

15.1 MT PERRY CYCLEWAY CONSTRUCTION - AWARD OF CONTRACT

RESOLUTION 2019/243

Moved: Cr John Bowen
Seconded: Cr Paul Lobegeier

That Council awards the Mount Perry Shared Pathway Tender 2909_2019-20_QTB_01 to Staib Earthmoving for the amount of \$226,895.00 ex GST.

CARRIED 6/0

At 10:17am, Cr Robert Radel returned to the meeting.

At 10:18am the Mayor presented Service Awards to the following employees:

- Kathleen Huth
- Kylie Buckholz
- Paul Babbinton
- Neale Jensen

16 CLOSURE OF MEETING

The Meeting closed at 10:25am

The minutes of this meeting were confirmed at the General Meeting held on 28 August 2019.

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CHAIRPERSON