



**MINUTES OF THE ORDINARY MEETING NO. 16  
HELD IN THE FRASER COAST REGIONAL COUNCIL CHAMBERS, MARYBOROUGH  
ON WEDNESDAY 16 SEPTEMBER, 2009 COMMENCING AT 9.32AM.**

**PRESENT:** Councillor Mick Kruger (Chairman)  
Councillor Julie Arthur  
Councillor Sue Brooks  
Councillor David Dalgleish  
Councillor Linda Harris  
Councillor Debbie Hawes  
Councillor Barb Hovard  
Councillor Belinda McNeven  
Councillor Les Muckan  
Councillor Anne Nioa  
Councillor Gerard O'Connell

**STAFF IN**

**ATTENDANCE:** Chief Executive Officer, Mr Andrew Brien  
Director Organisational Services, Ms Lisa Desmond  
Director Community Services, Mr Peter Smith  
Director Development Services, Mr David King  
Director Capital Delivery, Mr Wayne Sweeney  
Acting Executive Manager, Community & Culture, Ms Debra Moore  
Senior Toy Library Assistant, Toy Library Maryborough, Ms Kerrie Hunsley  
Senior Media Officer, Ms Jan Rolston  
Meeting Secretary, Mrs Julie Schoonderwoerd

The Mayor welcomed Maryborough members of the Fraser Coast Junior Council who were in attendance at the Ordinary Meeting, adding that he was sure they would gain a lot from being present.

Councillor Kruger said that it was also a pleasure to have the "No Dam" group at the Meeting.

**ORD 1            OPENING PRAYER**

The Opening Prayer was delivered by Major Keith Cook from the Salvation Army.

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**ORD 2        APOLOGIES**

Nil

**ORD 3        MAYORAL MINUTES**

Nil

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**ORD 4        CONFIRMATION OF MINUTES OF MEETINGS**

**ORD 4.1      Ordinary Meeting No. 15 – 2 September, 2009**

**RESOLUTION ( Nioa / O'Connell )**

That the Minutes of Ordinary Meeting No. 15 held on 2 September, 2009 be confirmed.

**Carried Unanimously**

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**ORD 5        ADDRESSES/PRESENTATIONS**

**ORD 5.1      Disability Achievement Awards**

The Mayor said that last night he and Councillors Nioa, O'Connell, Arthur and Hovard had attended the Disability Achievement Awards which had been held at the Brolga Theatre, Maryborough. Councillor Kruger said that it had been a great night and he made particular mention of the band comprising students from the Special School.

The Mayor invited Council's Senior Toy Library Assistant, Ms Kerrie Hunsley, from the Toy Library Maryborough to accept the Community Organisation Award which had been won in recognition of the services provided by the Maryborough Toy Library to children with disabilities. Councillor Kruger presented Kerrie with the certificate, trophy and shield which had been won, adding that it had been wonderful to see Kerrie and the volunteers receive this award. He also presented Kerrie with a bouquet of flowers.

Kerrie responded saying she was very proud and honoured to receive the Award on behalf of the Toy Library. She said that it was an award for the whole of Council which had provided the service for the region for 32 years. Kerrie said that without Council this would not be possible. She said that she had a very rewarding job at the Toy Library and she briefly recounted happy stories of the Toy Library's involvement with children with disabilities.

Councillor Kruger said that Council staff had been heavily involved in the Awards and he invited Council's Acting Executive Manager, Community & Culture, Ms Debra Moore to come forward and on behalf of the Councillors and Management he presented her with a bouquet of flowers in recognition of the work undertaken. In accepting the bouquet Debra thanked everybody involved for their hard work in making it a great night.

The Mayor also called on Council's Media Officer, Mrs Jan Rolston, to accept a bouquet of flowers in appreciation of her attendance at, not only the Disability Awards but the many functions and events held at which she takes photographs for Council. Jan thanked everybody.

Councillor Kruger also made special mention of Councillor Julie Arthur who chaired the Committee, saying she did a wonderful job and last night had been a great success.

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**ORD 6 PUBLIC PARTICIPATION**

**ORD 6.1 Traveston Dam**

*Mrs Beryl Heidenreich, River Road, Ferney*

Mrs Heidenreich said that she was a member of the Greater Mary Association which was working with the Save the Mary Group to keep the Mary River flowing free. She said everybody would know that the Co-Ordinator General, Mr Colin Jensen, had sent a draft of the approval to the Federal Minister for the Environment, the Hon Peter Garrett. Mrs Heidenreich said that the anti-dam groups needed Council support more than ever, and she referred to a motion adopted by Council opposing the Traveston Dam saying Council should make it clear to all of the people of the Fraser Coast and Gympie that it did not want the dam, as well as the State Government. She said that help was needed to save all of the endangered species and wetlands, and she referred to beautiful farm land which Gympie would lose as well as livelihoods. Mrs Heidenreich said the Association asked people to become members and to fight for all of the people of the Fraser Coast.

**ORD 6 PUBLIC PARTICIPATION**

**ORD 6.2 Junior Council**

*Brittany Nordling, Junior Deputy Mayor*

Brittany said that she was the Junior Deputy Mayor for Maryborough, and the Junior Council had achieved many things throughout the year.

Brittany advised that the Junior Council had participated in a Seniors Morning Tea, the Mary Poppins Festival and the McGrath Foundation Family Concert. She said that a combined meeting of Junior and Senior Councillors had also been conducted during Local Government Week to discuss the theme, "Powering Queensland Communities into Sustainability" which was well received.

Brittany said that another major highlight for Junior Council had been organising the HPV Idol Contest at the Technology Challenge held in Maryborough last weekend. She said that there had been approximately 16 entries and the contest had gone very well. Brittany thanked Councillor Hawes for her participation on the judging panel.

Brittany said that there were plans to attend the National Young Leaders Day to be held in Brisbane in early November. She said that Junior Council was also planning its end of year break-up day and they were fund-raising for this event which involved selling "apple slinkies" at the Community and Disability Expo on Thursday 17 September as well as during Children's Week on Saturday 29 October in Queens Park.

Councillor Kruger invited Brittany to introduce her fellow Junior Councillors to the Meeting.

Brittany, who attends Riverside Christian College, introduced:

Kersten Knudsen from Maryborough State High School  
Kassandra Edie from Maryborough State High School  
Alana Mobbs from Maryborough State High School  
Amy Barlow from St Mary's College  
Trent Blinco from St Mary's College

Councillor Kruger introduced all Councillors, the Chief Executive Officer and Directors.

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**ORD 7 DEPUTATIONS**

Nil

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**ORD 8        PETITIONS**

**ORD 8.1     Receipt of Petitions**

Nil

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**ORD 8        PETITIONS**

**ORD 8.2     Open Petitions Register**

**RESOLUTION ( Hawes / Nioa )**

That the Open Petitions Register report be received and noted.

**Carried Unanimously**

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**ORD 8        PETITIONS**

**ORD 8.2(a) Petition Response Report  
– Coastal Management – Impact to the Burrum Foreshore Resulting  
from Ongoing Erosion**

**RESOLUTION ( Brooks / Hovard )**

That the petitioners be advised as follows:

1. The Coastal Management Section will investigate the introduction of a monitoring program in FY2009/2010, for 'at risk trees' adjacent to the erosion escarpment.
2. The Coastal Management Section lodges an application in FY2009/2010, to apply for a permit for '*repositioning and minor trimming of fallen trees on tidal land ... within the Local Authority boundaries*'.
3. The Coastal Management Section develops an Operational Procedure that formally documents Council's position in relation to 'at risk trees adjacent to beaches' and 'fallen trees on beaches'.
4. Until such time as Council is formally permitted to undertake continual works, then no such works are undertaken for trees located below High Water Mark (i.e. no removal, repositioning or trimming unless a risk to beach users is identified.) - A Council Procedure may be required in order to formally document the emergency response.

5. That particularly at beach access ways, Council will continue to reduce to an acceptable level, the safety hazard caused by erosion scarps – i.e. management through formalisation of beach access along the foreshore reserve, installation of fencing and signage, and through 'dune' sand re-profiling in line with legislation (i.e. Coastal Management and Protection Act and Fisheries Act).
6. That no further coastal protection works are to be progressed at Burrum Heads until a formal SEMP strategy has been developed. In this regard, the SEMP will be progressed as priority action over the next 12 months.

**Carried Unanimously**

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**ORD 9 COMMITTEES' AND DELEGATES' REPORTS**

**ORD 9.1 Minutes of Audit Committee Meeting No. 7 – 13 July 2009**

**RESOLUTION ( O'Connell / Nioa )**

That the Minutes of Audit Committee Meeting No. 7 held on 13 July 2009 be received and noted.

**Carried Unanimously**

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**ORD 10 OFFICERS' REPORTS**

**ORD 10.1 Open Resolutions Register – August 2009**

**RESOLUTION ( Hawes / Arthur )**

That the Open Resolutions Register – August 2009 report be received and noted.

**Carried Unanimously**

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**ORD 10 OFFICERS' REPORTS**

**ORD 10.2 Renewal Existing Cattle Grids/Gates**

**RESOLUTION** ( Hovard / Brooks )

That Council:

1. Endorse the process of renewing existing grids/gates licences and for noncompliant landowners, recover charges associated with the removal of the grids/gates.
2. Include ownership of grids/gates in the Council's records.

**Carried Unanimously**

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**ORD 10 OFFICERS' REPORTS**

**ORD 10.3 Local Government Act 2009 Implementation Working Groups**

**RESOLUTION** ( MucKan / Nioa )

That a working group comprising Councillors McNeven, Hawes and Arthur, the Chief Executive Officer and the Executive Officers be established to review the Local Government Act 2009 and bring forward recommendations to Council to allow for implementation from December 2009.

**Carried Unanimously**

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**ORD 11 MATTERS/MOTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN**

Nil

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**ORD 12 QUESTIONS ON NOTICE**

**ORD 12.1 Questions on Notice Register Update**

**RESOLUTION** ( McNeven / Hawes )

That the Questions on Notice Register report be received and noted.

**Carried Unanimously**

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**ORD 13      CONSIDERATION OF ITEMS PLACED ON THE AGENDA WITH THE  
CONSENT OF THE MAYOR**

Nil

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**ORD 14      GENERAL BUSINESS**

**ORD 14.1    Departure of Dr Padayachey**

Councillor Hovard advised that very shortly Dr Padayachey would be leaving this area and for the public record, she wanted to acknowledge the huge contribution he and his wife, Hazel, had made to the region. She said that Dr Padayachey was a very humble man but one whose contribution could not be measured in any terms.

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**ORD 14      GENERAL BUSINESS**

**ORD 14.2    Traveston Dam**

Councillor Brooks said that, while at times it was hard for Council to be reported publicly as having a position on any given topic, in light of recent developments regarding the Traveston Dam she thought if Council believed it to be appropriate a media release could be prepared outlining the reasons why Council was not supportive of the Traveston Dam, as well as including Council's request that the report written by the Co-Ordinator General be made public.

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**ORD 14      GENERAL BUSINESS**

**ORD 14.3    HPV Technology Challenge**

Councillor Brooks referred to the HPV Technology Challenge held in Maryborough last weekend, saying she was amazed at how fast the "vehicles" took off from the start line at the commencement of the Challenge. She offered congratulations to all of the participants and organisers, adding that it was an absolutely fantastic event.

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**ORD 14 GENERAL BUSINESS**

**ORD 14.4 Tin Trees Photograph**

In referring to a photograph she had received from a local resident who was on holiday, Councillor Brooks said that she appreciated the interest taken by members of the community in relation to things they saw while they were away on holiday both in Australia and around the world. She said that the photo she had received was of a foreshore area with dead trees and the Council concerned had made trees out of tin and erected them in front of the dead trees. Councillor Brooks said that this was the manner in which one particular Council managed the problem of people illegally damaging vegetation as had occurred in our region. She said that she would take this to her Portfolio Working Group Meeting.

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**ORD 14 GENERAL BUSINESS**

**ORD 14.5 HPV Technology Challenge**

Councillor Nioa said that further to earlier comments she wished to place on record her thanks not only to the Councillors who had been involved in the Technology Challenge, but particularly Council staff who worked extraordinary hours to make this event what it was. She also thanked the volunteers and community members who had put in their time as well. Councillor Nioa said that it was an amazing community event for our youth and Council should continue to support this great educational tool.

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**ORD 14 GENERAL BUSINESS**

**ORD 14.6 Disability Achievement Awards**

Councillor Nioa congratulated Councillor Arthur in relation to her involvement in the Disability Achievement Awards saying it had been a most enjoyable event.

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**ORD 14 GENERAL BUSINESS**

**ORD 14.7 Job Mart**

Councillor O'Connell said that last week the annual Job Mart had taken place in Maryborough at the Brolga Theatre. He said that he wished to publicly thank Council for its involvement and leadership in this event. Councillor O'Connell said that quite a number of exhibitors and employers from the area had attended and conducted real live interviews for real jobs for young people throughout the district. He said that hundreds of young people, as well as parents, and it was pleasing to see they had come prepared with CVs in hand and dressed for the occasion. Councillor O'Connell said that the attendees were very serious about investigating their career options. He said that for their professionalism and contribution, he wished to thank the Council staff members who had formed part of the Job Mart Committee, including the Manager Economic Development – Andrew Jackson and Councillor Administration Support Officer – Kellie McElligott who had only joined in the last week and had shown great initiative. Councillor O'Connell also mentioned HR Officers, Lexie Nunn and David Tuxworth who represented the Fraser Coast Regional Council at the Job Mart. He said that many remarks were made of their professionalism and the display erected on behalf of Council.

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**ORD 14 GENERAL BUSINESS**

**ORD 14.8 Maryborough Chamber of Commerce**

Councillor O'Connell advised that this morning had seen the first meeting of the new Maryborough Chamber of Commerce with a number of new members on the Chamber Executive. He said that not surprisingly the relationship with Council had been discussed, and he was pleased to report that the overriding view of the new Chamber Executive was a positive one and wanting to progress relations with Council. Councillor O'Connell said that there was certainly some discussion regarding the protocols of how the Chamber would express its views and who would do so on its behalf. He said that the Chamber discussed conducting a social event for the purpose of Councillors and senior staff meeting the new Executive, and to follow on from that the possibility of strategic meetings.

**ORD 14 GENERAL BUSINESS**

**ORD 14.9 Idol Event – HPV Technology Challenge**

Councillor Hawes said that she wished to thank the Junior Council for organising the inaugural Idol event that had been held at the HPV Technology Challenge. She said that the Junior Council had absolutely shined in their organisational skills and for the wide range of talent on display. Councillor Hawes said that it had been a pleasure to join the two Junior Councillors for the judging. She said that there had been some excellent performances and it was good to see our young leaders working in the community.

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**ORD 14 GENERAL BUSINESS**

**ORD 14.10 Community Meeting Attendance**

Councillor Dagleish said that he had recently attended three community meetings.

Councillor Dagleish said that he and Councillor MucKan had attended a Central Park Neighbourhood Watch Meeting last week. He said that the group was very pleased with the work that Council was undertaking in relation to the detention basin and the creek, although they were upset rain had upset the good, hard work although there was confidence that Council was doing the best it could to restore the work that had been carried out and be able to continue further.

Councillor Dagleish said that he had attended a Howard Progress Association Meeting. He said that he had some photographs of the planter boxes that had been made for Howard locations. Councillor Dagleish said that there were some concerns which included they would be too hot for the plants because they were steel; because they would be located on the footpath they might be pedestrian hazards; and damage could possibly be caused to vehicle doors when people get out of their vehicle. He said that these issues were being investigated.

Councillor Dagleish said that he had also attended an Aldershot Progress Association Meeting. He said that the people of Aldershot were very happy and grateful for anything they received and believed Council was doing a good job, but they were looking forward to seeing some bitumen seals on the other side of the railway line which had been forgotten for quite some time.

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**ORD 14 GENERAL BUSINESS**

**ORD 14.11 Meals on Wheel Annual General Meeting**

Councillor MuckKan said that, on behalf of the Mayor, he had attended the Annual General Meeting of Meals on Wheels Fraser Coast on 4 September and he tabled the Meals of Wheels report from the meeting. He said that Councillor O'Connell had also attended and addressed the meeting. The group had been encouraged for the great work which was undertaken in the community.

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**ORD 14 GENERAL BUSINESS**

**ORD 14.12 Former Origin Greats (FOGS) Programme**

Councillor MuckKan said that he sought a letter of support from Council to enable him to visit the Maryborough Correctional Centre to participate in the FOGS Programme. He said that the Executive Director of FOGS was Gene Miles and the FOGS Indigenous Program was committed to closing the gap for Indigenous kids by providing employment and career assistance and mentoring programs.

Councillor Kruger said that he was sure Council would support Councillor MuckKan's involvement in the FOGS Programme, adding he would write a letter to the Correctional Centre.

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**ORD 14 GENERAL BUSINESS**

**ORD 14.13 Football Hervey Bay**

Councillor McNeven said that in the last budget \$100K had been set aside for a toilet block for the Football Hervey Bay football grounds. She advised that the Club had indicated that to enable the construction of a canteen/restroom building it was currently in the process of fund raising, and was selling bricks to raise the rest of the money which would be required. Councillor McNeven encouraged Councillors to buy a brick as well as letting their networks know about this worthwhile cause. She said that this was a good opportunity for people to have their name preserved in the proposed building.

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**ORD 14 GENERAL BUSINESS**

**ORD 14.14 Companion Card**

Councillor McNeven said that she was of the understanding that there were some organisations which offered a discount or free admission to people with a Carer's Card who were attending in their role as a carer. She referred to events for which the Fraser Coast Regional Council had the ability to offer a discount and asked if there was a set policy to indicate Council would do this so that the carer of the person attending the activity did not have to pay for the opportunity. She asked if it was possible to progress this matter.

Councillor Arthur advised that it was called a Companion Card. She said that International Day for People with a Disability would be held in December and this would then be promoted for the Fraser Coast.

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The Mayor thanked the Junior Deputy Mayor and her fellow Junior Councillors for their attendance at today's Ordinary Meeting.

**10.15am RESOLUTION ( McNeven / Nioa )**

That the Meeting adjourn for a short break.

**Carried Unanimously**

**10.35am** The Meeting reconvened.

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**ORD 15 CONFIDENTIAL**

**RESOLUTION ( Nioa / Dalgleish )**

Council resolves that the Meeting be closed to the public for the purpose of discussing the following items:

ORD 15.1 – **Tender Provision of Stationery Supplies** - Section 463(1)(e)  
(contracts proposed to be made by Council)

ORD 15.2 – **Yerra Bridge Replacement** - Section 463(1)(h) (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)

ORD 15.3 – **360 Degree Review for Councillors** - Section 463(1)(h)  
(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)

ORD 15.4 – **Capital Carryforward Budget Revisions 2008/09** - Section 463(1)(c) (the local government's budget)

ORD 15.5 – **Wide Bay Water Corporation** - Section 463(1)(g) (any action to be taken by the local government under the *Integrated Planning Act 1997*, including deciding applications made to it under that Act)

ORD 15.6 – **USQ Library** - Section 463(1)(h) (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)

ORD 15.7 – **Purchase of Land** - Section 463(1)(h) (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)

**All staff, excluding the Chief Executive Officer, retired from the Meeting.**

ORD 15.8 – **Staff Matter** - Section 463(1)(a) (the appointment, dismissal or discipline of employees)

**Carried Unanimously**

**RESUMPTION OF ORDINARY COUNCIL MEETING**

**RESOLUTION** ( Nioa / Arthur )

That the Meeting resume in open Council.

**Carried Unanimously**

**Staff members returned to the Meeting.**

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**ORD 15      CONFIDENTIAL**

**ORD 15.1    Tender Provision of Stationery Supplies**

**RESOLUTION** ( McNeven / Nioa )

That:

1. The tender of Officeline – Office National for the supply of stationery to the Fraser Coast Regional Council be accepted and that Council enters into a contract with the Company for a period of two (2) years.
2. the stationery item of White Photocopy Paper 80gsm A4 be removed from this Contract and that Officeline – Office National be advised accordingly.

**Carried Unanimously**

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**ORD 15      CONFIDENTIAL**

**ORD 15.2    Yerra Bridge Replacement**

**RESOLUTION** ( O'Connell / Dalgleish )

That:

1. The report be received by Council; and
2. Council resolves to continue with the detailed design of the Yerra Road Bridge replacement in a location closer to the existing timber bridge.

**Carried (10/1)**

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**ORD 15      CONFIDENTIAL**

**ORD 15.3    360 Degree Review for Councillors**

**RESOLUTION** ( Hovard / Arthur )

That:

1. Council receive and note the report; and
2. The Chief Executive Officer investigate alternative options.

**Carried Unanimously**

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ORD 15      **CONFIDENTIAL**

ORD 15.4    **Capital Carryforward Budget Revisions 2008/09**

**RESOLUTION** ( Hawes / O'Connell )

That Council approve the Capital Carryforward Projects (as listed) for inclusion in the 2008/09 Budget and the Budget revisions contained within this report.

**Carried Unanimously**

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ORD 15      **CONFIDENTIAL**

ORD 15.5    **Wide Bay Water Corporation**

**RESOLUTION** ( MucKan / O'Connell )

That Council authorise the Mayor, Councillor Arthur and the Chief Executive Officer to meet with representatives of Wide Bay Water Corporation Board to discuss outstanding matters.

**Carried Unanimously**

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ORD 15      **CONFIDENTIAL**

ORD 15.6    **USQ Library**

**RESOLUTION** ( O'Connell / MucKan )

That Council authorise the Chief Executive Officer to progress the provision of space for the University of Southern Queensland (USQ) library.

**Carried Unanimously**

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**ORD 15      CONFIDENTIAL**

**ORD 15.7    Purchase of Land**

**RESOLUTION** ( Nioa / Brooks )

That the Chief Executive Officer be authorised to further negotiate on the purchase of land.

**Carried Unanimously**

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**ORD 15      CONFIDENTIAL**

**ORD 15.8    Staff Matter**

The Chief Executive Officer briefed Council in relation to a staff matter.

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**There being no further business, the Meeting closed at 11.35am.**

**Confirmed at Ordinary Meeting No. 17 of the Fraser Coast Regional Council held at Hervey Bay on 7 October, 2009.**

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**MAYOR**