



**MINUTES OF THE ORDINARY MEETING NO. 1/25
HELD IN THE FRASER COAST REGIONAL COUNCIL CHAMBERS, HERVEY BAY COUNCIL CHAMBERS, 77
TAVISTOCK STREET, HERVEY BAY
ON WEDNESDAY, 29 JANUARY 2025 COMMENCING AT 10:00AM**

PRESENT: Councillor George Seymour (Chairperson)
Councillor Michelle Byrne
Councillor Phil Truscott
Councillor Paul Truscott
Councillor Daniel Sanderson
Councillor Michelle Govers
Councillor Lachlan Cosgrove
Councillor John Weiland
Councillor Denis Chapman
Councillor Sara Faraj
Councillor Zane O'Keefe

STAFF IN ATTENDANCE: Chief Executive Officer, Mr Ken Diehm
Director Strategy, Community & Development, Mr Gerard Carlyon
Director Organisational Services, Mr Keith Parsons
Director Infrastructure Services, Mr Davendra Naidu
Director Water & Waste Services, Mr Mark Vanner
Meeting Secretary, Mrs Chaye Selby

Mayor George Seymour acknowledged the traditional owners of the land upon which we meet today, the Butchulla people and paid respects to the elders past, present and emerging.

ORD 1 OPENING PRAYER
George Seymour
Mayor – Fraser Coast Regional Council

ORD 2 APOLOGIES
Nil

ORD 3 DISCLOSURE OF INTERESTS

1. Councillor Daniel Sanderson informed the meeting of a Declarable Conflict of Interest in relation to item ORD 11.5.2- Amended Policy – Waste Management Fee Concession Council Policy.
 - a. The nature of Councillor Daniel Sanderson’s conflict is that he is treasurer of Reach Church Fraser Coast who could benefit from the concessions of this policy.
 - b. Councillor Daniel Sanderson advised the Council that he would leave the meeting during discussion and voting on the matter.

ORD 4 MAYORAL MINUTES

Nil

ORD 5 CONFIRMATION OF MINUTES OF MEETINGS

ORD 5.1 Ordinary Meeting No. 12/24 – 11 December 2024

RESOLUTION (Michelle Byrne/Sara Faraj)

That the minutes of the Ordinary Meeting No. 12/24 held on 11 December, 2024 be confirmed.

Carried Unanimously

ORD 6 OUTSTANDING ACTIONS

ORD 6.1 Open Resolutions Register - January 2025

RESOLUTION (Michelle Govers/Paul Truscott)

That Council receive and note the Open Resolutions Register – January 2025 as per Attachment 1 (eDocs#3752248).

Carried Unanimously

ORD 7 ADDRESSES/PRESENTATIONS

ORD 7.1 Community Presentations

Ms Michelle Kerr

Michelle Kerr, representing the Tinnanbar Community Association, spoke on access and safety issues associated with Tinnanbar Road and requested the sealing of approximately 3.7km of Tinnanbar Road as a matter of priority.

Mr John Bennet

John Bennet raised noise concerns associated with a small number of older light aircraft operating from the Hervey Bay Airport and requested Council to take action to reduce the noise nuisance.

RESOLUTION (Lachlan Cosgrove/Paul Truscott)

That Council note the verbal report provided by the Chief Executive Officer on the matters raised during public participation.

Carried Unanimously

ORD 8 DEPUTATIONS

Nil

ORD 9 PETITIONS

ORD 9.1 Receipt of Petitions

ORD 9.1.1 Request for Council to Complete the Final Stages of Tinnanbar Road

Councillor Daniel Sanderson tabled a petition from chief petitioner, Michelle Kerr containing 439 signatures requesting Council to complete the final stages of Tinnanbar Road.

RESOLUTION (Daniel Sanderson/Sara Faraj)

That the petition be received and referred to the Chief Executive Officer for consideration and a report to Council.

Carried Unanimously

ORD 10 COMMITTEES' REPORTS

ORD 10.1 Informal Meetings - Record of Matters Discussed

RESOLUTION (Phil Truscott/John Weiland)

That Council receive and note the record of matters discussed of Council Informal Meetings held between 1 December 2024 to 31 December 2024 as detailed in the attachments.

Carried Unanimously

ORD 10.2 Fraser Coast Regional Council Audit and Risk Committee Meeting Minutes - 26 November 2024

RESOLUTION (Michelle Byrne/John Weiland)

That Council receive and note the Minutes of the Audit and Risk Committee held on 26 November 2024 as detailed in Attachment 1.

Carried Unanimously

ORD 10.3 Mary to Bay Rail Trail Advisory Committee - Meeting Minutes - 31 October, 2024

RESOLUTION (Lachlan Cosgrove/Paul Truscott)

That Council receive and note the Minutes of the Fraser Coast Mary to Bay Rail Trail Advisory Committee held on 31 October, 2024.

Carried Unanimously

ORD 10.4 Mary to Bay Rail Trail Advisory Committee - Special Meeting - 2 December, 2024

RESOLUTION (Lachlan Cosgrove/Paul Truscott)

That Council receive and note the Minutes of the Fraser Coast Mary to Bay Rail Trail Advisory Committee held on 2 December, 2024.

Carried Unanimously

ORD 10.5 Traffic Advisory Committee Minutes - 5 November 2024

RESOLUTION (Denis Chapman/Zane O'Keefe)

That Council receive and note the Minutes of the Traffic Advisory Committee meeting held on 5 November 2024.

Carried Unanimously

Mayor George Seymour retired from the meeting at 10:08am.

Deputy Mayor Paul Truscott presided as Chair.

ORD 11 OFFICERS' REPORTS

ORD 11.2.1 2024/25 Operational Plan Progress Report - October to December 2024

RESOLUTION (Phil Truscott/John Weiland)

That Council receive and note the 2024/25 Operational Plan Progress Report for the period ending 31 December 2024 (**Attachment 1**).

Carried Unanimously

ORD 11.2.2 Councillor Meeting Attendance for February 2025

RESOLUTION (Denis Chapman/Sara Faraj)

That Council:

1. Approve the following meetings for the period 1 February 2025 to 28 February 2025 as relevant meetings which require the attendance and meaningful participation of all Councillors as per the Councillor Code of Conduct and Councillor Attendance Policy:

Date of Meeting	Time of Meeting	Meeting
3 February 2025	10.00am	Councillor and Executive Briefing
5 February 2025	9:00am	Council Concept Forum
10 February 2025	10.00am	Councillor and Executive Briefing
12 February 2025	9:00am	Council Concept Forum
17 February 2025	10:00am	Councillor and Executive Briefing
19 February 2025	10.00am	Council Agenda Forum
24 February 2025	10:00am	Councillor and Executive Briefing
26 February 2025	9.00am	Community Presentations

2. Note the requirement to attend the Ordinary Meeting scheduled for 26 February 2025.

Carried (9/1)

FOR: Councillor Michelle Byrne
Councillor Paul Truscott
Councillor Daniel Sanderson
Councillor Michelle Govers
Councillor Lachlan Cosgrove
Councillor John Weiland
Councillor Denis Chapman
Councillor Sara Faraj
Councillor Zane O'Keefe

AGAINST: Councillor Phil Truscott

ORD 11.3.1 Amended Policy - Amenity and Aesthetics Considerations for the Relocation of Dwellings Policy

RESOLUTION (Phil Truscott/Michelle Byrne)

That Council endorse the removal of bonds from the Amenity and Aesthetics Considerations for the Relocation of Dwellings Council Policy (Attachment 1), as amended.

Carried Unanimously

ORD 11.3.2 Recommendation - Funding Potential Opportunity Further Development - Mary to Bay Rail Trail

RESOLUTION (Lachlan Cosgrove/Paul Truscott)

That Council:

1. Write to the Queensland State Government requesting that the \$9 million of funding returned to the State due to the cessation of the Bundaberg Rail Trail project be secured for future rail trail project funding.
2. Make a submission to the Queensland State Government for \$250,000 of the returned funding to put towards a \$500,000 project identified as the highest priority in the Rail Trail Strategic document currently being finalised by the Advisory Committee.
3. Prioritise the forward works planning project for design of the interim solution of a bikeway from Walker Street to Maryborough CBD utilising the Kent Street Principal Cycle Network.

Carried Unanimously

ORD 11.3.3 Request to Fill Councillor Vacancy - Mary to Bay Rail Trail Advisory Committee

RESOLUTION (Lachlan Cosgrove/Sara Faraj)

That Council:

1. Amend the terms of reference of the Mary to Bay Rail Trail Advisory Committee to change the words "Three (3) Councillors appointed by Council (one is Chairperson)" to "A minimum of Two (2) Councillors appointed by Council".
2. Accept the Resignations of Mayor George Seymour and Councillor Lachlan Cosgrove from the Mary to Bay Rail Trail Advisory Committee.
3. Amend the terms of reference to add "The Chairperson will be a Councillor or member of Council Staff".
4. Appoint Councillor Zane O'Keefe to the Mary to Bay Rail Trail Advisory Committee, as Chairperson.

Carried Unanimously

ORD 11.4.1 Proposal to permanently close Unnamed 673 Road

RESOLUTION (Phil Truscott/Denis Chapman)

That Council:

1. Not proceed with a proposal to permanently close Unnamed 673 Rd to vehicular traffic in accordance with Council's Local Law 4 (Local Government Controlled Areas Facilities and Roads) 2011 Section 8, Clause 3 (a) (i) & (iii) based on the following:
 - (a) The public submissions received;
 - (b) The considerable challenges posed by the terrain and natural vegetation in the road area make the development of a formed road unlikely;
2. Advise the submitters following publication notification of Council's decision relating to this matter.

Carried Unanimously

ORD 11.5.1 Amended Policy - Waste Management Council Policy

RESOLUTION (Zane O'Keefe/Sara Faraj)

That Council approve the Waste Management Council Policy (eDOCS #845419) included as Attachment 1.

Carried Unanimously

Councillor Daniel Sanderson left the meeting at 10:21am and was not present during discussion of and voting on the below matter.

ORD 11.5.2 Amended Policy - Waste Management Fee Concession Council Policy

RESOLUTION (Sara Faraj/Zane O'Keefe)

That Council approve the Waste Management Council Policy (eDOCS #3435808) included as Attachment 1.

Carried Unanimously

ORD 12 MATTERS/MOTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil

ORD 13 QUESTIONS ON NOTICE

Nil

Councillor Daniel Sanderson returned to the meeting at 10:24am.

ORD 14 GENERAL BUSINESS

Nil

ORD 16 LATE ITEMS

ORD 16.1 Late Open Reports

ORD 16.1.1 Organisational Performance Report - December 2024

RESOLUTION (Michelle Byrne/Michelle Govers)

That Council receive and note the Organisational Performance Report for the period ending 31 December 2024 as per Attachment 1.

Carried Unanimously

ORD 16.1.2 Bauple Storm Damage - Recovery Assistance

RESOLUTION (Phil Truscott/Lachlan Cosgrove)

That Council receive and note the Director Infrastructure Services report in relation to waste recovery assistance provided to impacted residents of Bauple.

Carried Unanimously

ORD 15 CONFIDENTIAL

ORD 15.1 Land Acquisition - Walker Street (Yaralla Street to Pallas Street) - Road Reconstruction

RESOLUTION (Paul Truscott/Lachlan Cosgrove)

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 171 and 200 of the *Local Government Act 2009* and that the document remain confidential unless Council decides otherwise by resolution.
 2. That pursuant to the provisions of the Acquisition of Land Act 1967, the Chief Executive Officer be authorised to commence negotiations to acquire the land listed in the Schedule of Proposed Resumptions detailed in Attachment 2 by agreement.
 3. That pursuant to the provisions of the Acquisition of Land Act 1967, and failing acquisition by agreement, Notices of Intention to Resume land for Local Government Road Network purposes be served on the owner of the
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land described in the Schedule included in this report titled Land Acquisition – Walker Street (Yaralla Street to Pallas Street) - Road Reconstruction and any other person/s required by the Act to be served with such Notices

4. That the Chief Executive Officer, or his representative, be delegated the authority to hear any objections from the owner of the land described in the Schedule included in this report titled Land Acquisition – Walker Street (Yaralla Street to Pallas Street) - Road Reconstruction to the resumption of land for Local Government Road Network purposes on a date and time to be arranged.

Carried Unanimously

ORD 15.2 Land Acquisition - Pallas Street (Woodstock Street to Saltwater Creek Road) - Footpath

RESOLUTION (Lachlan Cosgrove/Zane O'Keefe)

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 171 and 200 of the *Local Government Act 2009* and that the document remain confidential unless Council decides otherwise by resolution.
2. That pursuant to the provisions of the Acquisition of Land Act 1967, the Chief Executive Officer be authorised to commence negotiations to acquire the land listed in the Schedule of Proposed Resumptions detailed in Attachment 2 by agreement.
3. That pursuant to the provisions of the Acquisition of Land Act 1967, and failing acquisition by agreement, Notices of Intention to Resume land for Local Government Road Network purposes be served on the owner of the land described in the Schedule included in this report titled Land Acquisition – Pallas Street (Woodstock Street to Saltwater Creek Road) - Footpath and any other person/s required by the Act to be served with such Notices
4. That the Chief Executive Officer, or his representative, be delegated the authority to hear any objections from the owner of the land described in the Schedule included in this report titled Land Acquisition – Pallas Street (Woodstock Street to Saltwater Creek Road) - Footpath to the resumption of land for Local Government Road Network purposes on a date and time to be arranged.

Carried Unanimously

ORD 15.3 Land Acquisition - Ariadne Street (Churchill Street to Victory Street) - Footpath

RESOLUTION (Daniel Sanderson/Michelle Govers)

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 171 and 200 of the *Local Government Act 2009* and that the document remain confidential unless Council decides otherwise by resolution.
2. That pursuant to the provisions of the Acquisition of Land Act 1967, the Chief Executive Officer be authorised to commence negotiations to acquire the land listed in the Schedule of Proposed Resumptions detailed in Attachment 2 by agreement.
3. That pursuant to the provisions of the Acquisition of Land Act 1967, and failing acquisition by agreement, Notices of Intention to Resume land for Local Government Road Network purposes be served on the owner of the land described in the Schedule included in this report titled Land Acquisition – Ariadne Street (Churchill Street to Victory Street) - Footpath and any other person/s required by the Act to be served with such Notices
4. That the Chief Executive Officer, or his representative, be delegated the authority to hear any objections from the owner of the land described in the Schedule included in this report titled Land Acquisition – Ariadne Street (Churchill Street to Victory Street) - Footpath to the resumption of land for Local Government Road Network purposes on a date and time to be arranged.

Carried Unanimously

ORD 15.4 Exemption under s235 b) Local Government Regulation 2012 for the provision of Meter Reading Software

RESOLUTION (Lachlan Cosgrove/Sara Faraj)

That Council:

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with sections 171 and 200 of the *Local Government Act 2009* and that the document remain confidential unless Council decides otherwise by resolution.
2. Resolve to enter into a large-sized contractual agreement with ITOOnline Group Pty Ltd without first inviting written quotes or tenders, pursuant to section 235(b) of the *Local Government Regulation 2012* because of the specialised or confidential nature of the services that are sought, it would be impractical and disadvantageous for Council to invite quotes or tenders until Taggle's proprietary 'Aqualus Water' supersedes the ITOOnline solution.
3. Pursuant to section 257 of the *Local Government Act 2009* (Qld), Council delegates to the Chief Executive Officer the power to negotiate, approve

and pursuant to section 262 of the *Local Government Act 2009* (Qld) and enter in a contract to extend the existing software subscription on behalf of Fraser Coast Regional Council with ITOOnline Group Pty Ltd for the required software until 1 March 2026.

Carried Unanimously

ORD 16.2 Late Confidential Reports

ORD 16.2.1 Exemption under S235 b) Local Government Regulation 2012 for the Provision of Knowledge Management Software

RESOLUTION (Michelle Byrne/Lachlan Cosgrove)


That Council:

1. Deem the report/attachment as a confidential document and that it be treated as such in accordance with sections 171 and 200 of the *Local Government Act 2009* and that the document remain confidential unless Council decides otherwise by resolution.
2. Resolve to enter into a large-sized contractual agreement with Livepro Australia Pty Limited without first inviting written quotes or tenders, pursuant to section 235(b) of the *Local Government Regulation 2012* because it would be impractical and disadvantageous for Council to invite quotes or tenders because of the specialised nature of the services provided.
3. Pursuant to section 257 of the *Local Government Act 2009* (Qld), delegates to the Chief Executive Officer the power to negotiate, approve and pursuant to section 262 of the *Local Government Act 2009* (Qld) and enter in a contract to extend the existing software subscription on behalf of Fraser Coast Regional Council with Livepro Australia Pty Limited for the required software until 31 January 2026.

Carried Unanimously

There being no further business, the Meeting closed at 10:29am.

Confirmed at Ordinary Meeting No. 2/25 of the Fraser Coast Regional Council at Maryborough on 26 February 2025.



CHAIRPERSON