



**MINUTES OF THE ORDINARY MEETING NO. 4/25
HELD IN THE FRASER COAST REGIONAL COUNCIL CHAMBERS, KENT STREET, MARYBOROUGH
ON WEDNESDAY, 23 APRIL 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
(Acting) Director Water & Waste Services, Mr Umur Natus-Yildiz
Meeting Secretary, Ms Chloe Hansen

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

Nil

ORD 4 **MAYORAL MINUTES**
Nil

ORD 5 **CONFIRMATION OF MINUTES OF MEETINGS**

ORD 5.1 **Ordinary Meeting No. 3/25 – 26 March 2025**

RESOLUTION (Michelle Govers/Sara Faraj)

That the minutes of the Ordinary Meeting No. 3/25 held on 26 March, 2025 be confirmed.

Carried Unanimously

ORD 6 **OUTSTANDING ACTIONS**

ORD 6.1 **Open Resolutions Register - April 2025**

RESOLUTION (Michelle Byrne/Denis Chapman)

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

Carried Unanimously

ORD 7 **ADDRESSES/PRESENTATIONS**

ORD 7.1 **Community Presentations**
Nil

ORD 8 **DEPUTATIONS**
Nil

ORD 9 **PETITIONS**

ORD 9.1 **Receipt of Petitions**

ORD 9.1.1 **Request for Effective Drainage of Hyne, Queen and Warry Streets**

Councillor Daniel Sanderson tabled a petition from chief petitioner, Ranald Millar containing 35 signatures regarding a request for effective drainage of Hyne, Queen, Pallas and Warry Streets.

RESOLUTION (Daniel Sanderson/Phil Truscott)

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

Carried Unanimously

ORD 9.1.2 Request for Council to Upgrade Russel and Alice Street Intersection for Resident Safety

Councillor Paul Truscott tabled a petition from chief petitioner, Leonard Camm containing 48 signatures regarding a request for Council to upgrade Russell and Alice Street intersection for resident safety.

RESOLUTION (Paul Truscott/Sara Faraj)

That the petition be received.

Carried Unanimously

ORD 10 COMMITTEES' REPORTS

ORD 10.1 Traffic Advisory Committee Minutes - 4 February 2025

RESOLUTION (Denis Chapman/John Weiland)

That Council receive and note the Minutes of the Traffic Advisory Committee meeting held on 4 February 2025.

Carried Unanimously

ORD 10.2 Water and Waste Services Advisory Committee Meeting Minutes - Meeting held on 21 March 2025

RESOLUTION (Zane O'Keefe/Denis Chapman)

That Council receive and note the Minutes of the Water and Waste Services Advisory Committee Meeting held on 21 March 2025 as detailed in Attachment 1.

Carried Unanimously

ORD 10.3 Informal Meetings - Record of Matters Discussed

RESOLUTION (Sara Faraj/Paul Truscott)

That Council receive and note the record of matters discussed of Council Informal Meetings held between 1 March 2025 to 31 March 2025 as detailed in the attachments.

Carried Unanimously

ORD 11 OFFICERS' REPORTS

ORD 11.2.1 Councillor Meeting Attendance for May 2025

RESOLUTION (Michelle Govers/Phil Truscott)

That Council:

1. Approve the following meetings for the period 1 May 2025 to 31 May 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 |
|-----------------|-----------------|-----------------------------------|
| 7 May 2025 | 9.00am | Council Concept Forum |
| 12 May 2025 | 10.00am | Councillor and Executive Briefing |
| 14 May 2025 | 9.00am | Council Concept Forum |
| 19 May 2025 | 10.00am | Councillor and Executive Briefing |
| 21 May 2025 | 10.00am | Council Agenda Forum |
| 26 May 2025 | 10.00am | Councillor and Executive Briefing |
| 28 May 2025 | 9.00am | Community Presentations |

2. Note the requirement to attend the Ordinary Meeting scheduled for 28 May 2025.

Carried (9/2)

FOR: Councillor George Seymour
 Councillor Michelle Byrne
 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
 Councillor Paul Truscott

ORD 11.2.2 2024/25 Operational Plan Progress Report - January to March 2025

RESOLUTION (Zane O'Keefe/Lachlan Cosgrove)

That Council receive and note the 2024/25 Operational Plan Progress Report for the period ending 31 March 2025 (Attachment 1).

Carried Unanimously

ORD 11.2.3 Appointment of Deputy Mayor

RESOLUTION (George Seymour/Paul Truscott)

That Council:

1. Declares the position of Deputy Mayor vacant;
2. Delegates the Chair to call for nominations to the position of Deputy Mayor;
3. Delegates the Chief Executive Officer as Returning Officer and the Director Organisational Services as Observer, to conduct a secret ballot for the position of Deputy Mayor with the preferred candidate being selected by a majority of Councillors using a preferential voting system;

Carried Unanimously

PROCEDURAL MOTION (George Seymour)

That standing orders be suspended to call for nominations and conduct a secret ballot to determine the preferred nominee for the position of Deputy Mayor.

Carried Unanimously

Councillor Michelle Govers nominated Councillor Sara Faraj for the position of Deputy Mayor.

Councillor Denis Chapman nominated Councillor Daniel Sanderson for the position of Deputy Mayor.

At the conclusion of the secret ballot, the Chief Executive Officer advised the Chair that Councillor Sara Faraj was the successful candidate.

PROCEDURAL MOTION (George Seymour)

That standing orders be resumed.

Carried Unanimously

RESOLUTION (Michelle Byrne/Paul Truscott)

That Council:

1. Appoints Councillor Sara Faraj to the position of Deputy Mayor pursuant to Section 165(5) of the Local Government Act 2009; and
2. Reviews the position of the Deputy Mayor at the Ordinary Meeting to be held in March 2026.

Carried Unanimously

ORD 11.3.1 Proposed Establishment - Community Safety Advisory Committee

RESOLUTION (Lachlan Cosgrove/Michelle Govers)

That Council continue to consider and address community safety issues via operational multi-team programming and targeted community development initiatives by;

1. Council officers attending community network and government agency network programs; and

2. Working in collaboration with Government agencies and not for profit groups; and
3. Council teams continuing to address community safety issues through operational multi-team programming and community development initiatives targeting identified community safety trends within the Fraser Coast.

Carried Unanimously

ORD 11.3.2 Options for the utilisation of the proceeds of the sale of the land at Royle Street Maryborough

RESOLUTION (Zane O'Keefe/Michelle Govers)

That Council:

1. Receive and note the identified options for utilisation of proceeds obtained from the sale of land at Royle Street, Maryborough.
2. Approve that the proceeds obtained from the sale of land at Royle Street, Maryborough, be utilised for the prioritised options as provided by the former Environmental Advisory Group and further by the reformed Environment & Sustainability Advisory Committee.
3. Endorse the prioritisation of identified options in Attachment 1 for further investigation as part of future budget deliberations:
 - a. Priority 1: Develop the Takura Reserve Environmental Hub (Option 6);
 - b. Priority 2: Develop land along Eli Creek Road (Point Vernon/Eli Waters) into a parkland with walking trails (Option 1);
 - c. Priority 3: Develop a migratory shorebird interpretation hub (Option 3);
 - d. Priority 4: Establish a corridor connection between Pioneer Country Park and Police Conservation Paddock (Option 4);
 - e. Priority 5: Acquire, restore and enhance riparian land along the Mary River (Option 2); and
 - f. Priority 6: Cultivate a Kauri forest on Mary River flats at Maryborough (Option 5).
4. Delegate authority to the Chief Executive Officer to consider opportunities for external funding for the prioritised options.

Carried (10/1)

FOR: Councillor George Seymour
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 11.3.3 Reef Guardian Council Membership

RESOLUTION (Zane O'Keefe/John Weiland)

That Council:

1. Resolve to become a member of the Reef Guardian Council Program.
2. Delegate authority to the Chief Executive Officer to undertake the necessary steps to secure membership.

Carried Unanimously

ORD 11.4.1 Consideration for the Reduction of Parking Concerns in Endeavour Way, Eli Waters

RESOLUTION (Lachlan Cosgrove/Michelle Byrne)

That Council refer the report back to the Chief Executive Officer to:

1. Include indicative costings for the installation of traffic control (regulated parking) signs.
2. Allow the Divisional Councillor to undertake further engagement with residents.
3. Consider additional patrols of the area to ensure vehicles are parking appropriately.
4. Continue to liaise with Xavier Catholic College to encourage the use of provided spaces within the school facility.

Carried Unanimously

Statement of Reasons for Inconsistency with Officer's Recommendation (*Standing Orders - Section 21.10*)

As required by the Meeting Procedures and Standing Orders for Council Meetings and Standing Committees, the following reasons are recorded to explain the inconsistency between the Officer's recommendation and the decision of Council:

"The provision of additional costing and other information and engagement with residents will enable Councillors to make a more informed decision on the matter."

ORD 11.4.2 Establishment of Temporary Beach Volleyball Courts at Pialba Foreshore

RESOLUTION (Zane O'Keefe/Lachlan Cosgrove)

That Council:

1. Approve the construction of temporary beach volleyball courts for social and public use adjacent to the All Abilities car park as indicated in attachment 1.
2. Delegate authority to the Chief Executive Officer to consult with local volleyball groups and enter into agreements, or issue permits, for the use of the volleyball courts.

Carried Unanimously

Statement of Reasons for Inconsistency with Officer's Recommendation (*Standing Orders - Section 21.10*)

As required by the Meeting Procedures and Standing Orders for Council Meetings and Standing Committees, the following reasons are recorded to explain the inconsistency between the Officer's recommendation and the decision of Council:

"To ensure that all local volleyball groups are able to be provided access to the volleyball courts."

ORD 11.5.1 Water and Waste Services Advisory Committee Member Appointment

RESOLUTION (Michelle Byrne/Denis Chapman)

That Council resolves to:

1. Endorse the resignation of Mr Adrian Morey as of 22 November 2024.
2. Appoint Mr Paul Heaton as external member of the Water and Waste Advisory Committee commencing from May 2025 for a period of five (5) years.
3. Adopt the revised Water and Waste Services Advisory Committee Charter v8 (Docs #3365206).

Carried Unanimously

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

ORD 12.1 Amendment to Meeting Procedures and Standing Orders for Council Meetings and Standing Committees

The Councillor withdrew the motion from this item and advised that it will be raised under General Business.

ORD 13 QUESTIONS ON NOTICE

Nil

ORD 14 GENERAL BUSINESS

RESOLUTION (Paul Truscott/Lachlan Cosgrove)

That Council introduce a new item of business relating to the amendment of the Meeting Procedures and Standing Orders for Council Meetings and Standing Committees.

Carried Unanimously

ORD 14.1 Amendment of Meeting Procedures and Standing Orders for Council Meetings and Standing Committees

RESOLUTION (Paul Truscott/Lachlan Cosgrove)

That Council:

1. Approve the following changes to the Meeting Procedures and Standing Orders for Council Meetings and Standing Committees:
 - a) Amend section 14.1 from "8 business days" to "3 business days".
 - b) Insert the following text as part of clause 14.1: "Additionally, a Councillor should give notice to Council of their intention to raise a motion, and details of its nature, at or before the Agenda Forum meeting, whether verbally or in writing, so as to allow for questioning or requests for further information to be made at that meeting."
 - c) Amend section 21.7 from "three minutes" to "five minutes"
2. Confirms that the amended Meeting Procedures and Standing Orders for Council Meetings and Standing Committees will take effect immediately upon approval.

Carried Unanimously

ORD 16 LATE ITEMS

ORD 16.1 Late Open Reports

ORD 16.1.1 Audit and Risk Committee remuneration

RESOLUTION (Michelle Byrne/John Weiland)

That Council resolve to remunerate external members of the Audit and Risk Committee at the usual meeting attendance fee for participation at a risk appetite workshop being held on 7 May 2025.

Carried Unanimously

ORD 16.1.2 Organisational Performance Report - March 2025

RESOLUTION (Phil Truscott/Michelle Govers)

That Council receive and note the Organisational Performance Report for the period ending 31 March 2025 as per Attachment 1.

Carried Unanimously

ORD 15 CONFIDENTIAL

RESOLUTION (George Seymour/Sara Faraj)

That Council move into Closed Session pursuant to section 254J(3) of the *Local Government Regulation 2012*, for discussion of the following items for the reasons:

1. In accordance with Section 254J(3)(g), it is necessary to close the meeting to discuss ORD 15.1 - Application for Ministerial Exemption under s236(1)(f) Local Government Regulations 2012 - Lot 1 RP205010 as it relates to negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government.
2. In accordance with Section 254J(3)(g), it is necessary to close the meeting to discuss ORD 15.2 - Contract - Council and HBC Build Australia Pty Ltd - 7-19 Hillyard Street Pialba as it relates to negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government.
3. In accordance with Section 254J(3)(g), it is necessary to close the meeting to discuss ORD 16.2.1 - Dayman Spit Sand Sourcing Investigations Project as it relates to negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government

Carried Unanimously

Councillor John Weiland left the Chamber at 11:25am.

Councillor John Weiland returned to the Chamber at 11:26am.

RESUMPTION OF OPEN MEETING

RESOLUTION (George Seymour/Sara Faraj)

That the meeting resume in open meeting.

Carried Unanimously

ORD 15.1 Application for Ministerial Exemption under s236(1)(f) Local Government Regulations 2012 - Lot 1 RP205010

RESOLUTION (Sara Faraj/Michelle Govers)

That Council:

1. Deem the report/attachment 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 withdraw the application to the Minister for exemption from compliance with section 277 *Local Government Regulation 2021* to dispose of the land situated at Lot 1 RP205010.
3. Note that the current lease to Certane Ct Pty Ltd over Lot 1 RP205010 continues.
4. Note that the future land use of Lot 1 RP205010 will be considered as part of Council's Land Audit.

Carried Unanimously

ORD 15.2 Contract - Council and HBC Build Australia Pty Ltd - 7-19 Hillyard Street Pialba

RESOLUTION (Denis Chapman/Phil Truscott)

That Council authorise the Chief Executive Officer to proceed with the making of contract or contracts for the sale of 7-19 Hillyard Street, Pialba with HBC Build Australia Pty Ltd generally in accordance with the terms outlined in this report and with the following special conditions:

1. Early Title Transfer/Sale of the land prior to commencement of construction - If condition precedents are met, then early title transfer is approved with Performance Bond Guarantee of \$750,000.
2. Buy Back Option – if construction has not commenced within 12 months (plus 12-month extension) – Council has the option to purchase the land at the current sale price of \$5,000,000 and retain the \$750,000 Performance Bond Guarantee.

Carried (9/2)

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

AGAINST: Councillor George Seymour
 Councillor Lachlan Cosgrove

ORD 16.2 Late Confidential Reports

ORD 16.2.1 Dayman Spit Sand Sourcing Investigations Project

RESOLUTION (Zane O'Keefe/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 remains confidential unless Council decides otherwise by resolution.
2. That Council resolve to enter into a medium/large-sized contractual agreement with AW Maritime for the ongoing Dayman Spit Sand Sourcing Investigation Project 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 due to the specialised nature of the services sought.

Carried Unanimously

There being no further business, the Meeting closed at 11:28am.

Confirmed at Ordinary Meeting No. 5/25 of the Fraser Coast Regional Council at Maryborough on 28 May 2025.

A handwritten signature in blue ink, consisting of stylized, flowing letters, likely representing the Chairperson's name.

CHAIRPERSON