



SPECIAL MEETING MINUTES

FRASER COAST MARY TO BAY RAIL TRAIL ADVISORY COMMITTEE

**COUNCIL ADMINISTRATION CENTRE, 77 TAVISTOCK STREET
30 NOVEMBER, 2023 COMMENCING AT 4.00PM**

PRESENT:

- Cr David Lewis (Chair)
- Tracey Genrich, Manager Community Development & Engagement FCRC
- Davendra Naidu – Director Infrastructure Services FCRC
- Max Voigt – Fraser Coast Bugs Representative
- John Williams – Fraser Coast Wildlife Preservation Society Representative
- Andy Riley – community representative
- Emma Baird – community representative

APOLOGIES

- Cr Phil Truscott
- Martin Simons – General Manager FCTE
- Steve Case – Fraser Coast Cycling representative
- Alan Whyborn – community representative
- Craig England – Manager - Rail Corridor Management - Department of Transport & Main Roads

GUESTS IN ATTENDANCE

Ken Diehm – Chief Executive Officer FCRC
Gerard Carlyon – Director Strategy, Community & Development FCRC
Keith Parsons – Director Organisational Services FCRC
Kieren Stoneley – FCRC Sport & Recreation Coordinator
Dave McLeod – Fraser Coast Bicycle User Group
Matt Scott – Senior Technical Officer Road FCRC

AGENDA ITEMS

1. Welcome and Acknowledgement to Country

David welcomed all attendees and delivered an Acknowledgement to Country on behalf of the Advisory Committee.

2. Apologies

A full list of apologies is listed above.

3. Agenda Items

1. **New Colton Pty Ltd – Proposed Alternative Route Rail Trail**

Tracey Genrich circulated a copy of a set of Notes from a meeting between available members of the Mary to Bay Rail Trail Advisory Committee and representatives of New Colton Pty Ltd held on 20 November, 2023. A copy of the notes from the informal meeting held on 20 November, 2023 is attached to these Minutes for the information of Committee Members and Council.

In addition to the update included in the attached Notes, Michael Gray from New Colton Pty Ltd provided the Committee with an update of the project.

Matt Scott from Council's Infrastructure Services attended the meeting to provide detailed onsite information relating to the state of Churchill Mines Road and Peridge Road.

There were a number of alternative route scenarios and options discussed by the Committee as follows:-

Rail Trail continuing on its original route (through the Mine) until construction of the mine commences:-

- Max Voigt advised that the preferred route for the Fraser Coast Bicycle Users Group was to utilise the original route on a temporary basis until construction of the mine commenced.
- Michael Gray confirmed that this position was not supported by New Colton Pty Ltd who have safety and regulatory concerns about this approach.
- The Committee discussed a number of clauses from the Mineral Resources Act relating to access to areas subject to a mining lease and whether a Minister approval could be sought by Council.
- Ken Diehm discussed the requirements of evidencing "public interest" when making Ministerial applications and advised that it was unlikely that this would be successful for the Rail Trail project.
- Ken Diehm also stated that it was Council's experience that ceasing temporary uses, once implemented, can be a political and reputational risk for Council as members of the public perceive that their rights are being affected and therefore it was unlikely that Council would support the option for temporary use.
- Michael Gray agreed to consider the terms of section 276(1)(e) of the Act.

Halliburton Report – Alternative Route Proposal

- The alternative route proposed within the 2019 Halliburton Report does not reflect the current status of the unallocated state land – which has now been determined as "exclusive" rights under the Butchulla Land & Sea Claim determination.

- This route would require a significant amount of vegetation clearing and does not address the issues of potential conflict between rail trail users and the working rail spur to service the mine when in operation.
- Native Title requirements for this proposed route could be difficult to negotiate.
- Notwithstanding the constraints, this option should remain available for consideration, depending on the outcomes with other alternatives.

Churchill Mines Road/Peridge Road Alternative Route

- Matt Scott from Council's Infrastructure Services team provided the Committee with an update on state of this proposed alternative route. It was noted that Matt had taken the time to drive the route (as much as possible due to recent wet weather).
- The Committee noted and discussed a number of potential issues that would need to be further investigated for this route including, but not necessarily limited to:-
 - Safety of rail trail users utilising Churchill Mines Road;
 - Whether Churchill Mines Road is constructed within the road reserve;
 - Whether the Churchill Mines Road road reserve can accommodate a rail trail corridor;
 - Negotiations would be required with Ergon Energy as the holders of the easement for the electrical easement;
 - Peridge Road has some sections that may require survey and negotiation with adjoining property owners (if survey reveals that Peridge Road has been unintentionally fenced by private property owners).
 - Linking with Unnamed Road 21 into Aldershot.

Action:

That further investigations be carried out as above, and Tracey Genrich, in consultation with other internal Council Officers, prepare and table a report for a future Council meeting which includes information on the project, proposed alternative route and a recommendation from the Advisory Committee that Council authorise the Chief Executive Officer, or his delegate, to negotiate further with New Colton Pty Ltd in relation to agreement and progression of the Churchill Mines Road/Peridge Road alternative route.

2. Funding Request – Fraser Coast Bicycle Users Group

Tracey Genrich circulated a copy of correspondence from Fraser Coast Bicycle Users Group in relation a budget submission to Council's 2024/2025 annual budget. A copy of the correspondence is attached to these Minutes.

Ken Diehm confirmed that Council's Executive Leadership Team had discussed this request at its meeting held earlier that day and it was suggested at that meeting that Council should consider whether it supported a multi-year sponsorship of FCBUGs to continue works on the Rail Trail in addition to the potential for funding to be sourced for the 3 projects within the correspondence from funds quarantined by Council from the sale of Royle Street land in Maryborough.

The Committee discussed this item at length and resolved to request Council to:-

- Consider allocation of some proceeds from the sale of Royle Street, that have been quarantined for regional environmental purposes, for works on the Mary to Bay Rail Trail which will provide a demonstrated regional environmental benefit; and
- List for consideration in the 2024/2025 budget the funding of a 3 year agreement, between Council and Fraser Coast Bicycle User Group, for the continued development and maintenance of the Mary to Bay Rail Trail project.

Action:

Tracey Genrich to prepare a report for the January Council Meeting requesting Council to consider the allocation of some proceeds from the sale of Royle Street, that have been quarantined for regional environmental purposes and the entering of a 3 year agreement, between Council and FCBUGs, for the continued development and maintenance of the Mary to Bay Rail Trail.

ATTACHMENTS

- **Item 3.1 Attachment** – Notes from informal meeting – New Colton Pty Ltd/Mary to Bay Rail Trail Advisory Committee 20 November, 2023
- **Item 3.2 Attachment** – Correspondence - Request for Funding – Fraser Coast Bicycle User Group