



# **MINUTES**

**General Meeting**

**23 March 2022**

**MINUTES OF NORTH BURNETT REGIONAL COUNCIL  
GENERAL MEETING  
HELD AT THE MONTO (MON) BOARDROOM  
ON WEDNESDAY, 23 MARCH 2022 AT 09:00AM**

**COUNCILLORS:** Mayor Leslie Hotz, Cr Robert Radel, Cr Melinda Jones, Cr Susan Payne, Cr Dael Giddins, Cr Michael Dingle

**OFFICERS:** Susie Glasson (Acting Chief Executive Officer), Randall Percy (General Manager Works), Jason Erbacher (Strategic Projects Manager), Skye Price (Strategic Projects Manager), Kat Bright (Senior Executive Assistant to the CEO and Mayor) and Shane Anderson (Planning and Environment Manager)

## **1 WELCOME/HOUSEKEEPING**

The Mayor declared the meeting open at 9.03am and welcomed all attendees.

On behalf of Council, the Mayor expressed his sincere appreciation and presented the following employees with a service award in recognition of their continued service with Council:

*Trevor Clarey            20 years*

*Darren Spletter        5 years*

## **2 APOLOGIES/LEAVE OF ABSENCE**

An apology had been received from Ray Burton PSM (Interim CEO) due to illness.

Moved: Cr Giddins

Seconded: Cr Radel

### **RESOLUTION 2022/30**

That the apology for Ray Burton PSM (Interim CEO) be received.

In Favour: Mayor Leslie Hotz, Cr Robert Radel, Cr Susan Payne, Cr Dael Giddins, Cr Michael Dingle and Cr Melinda Jones

Against: Nil

**CARRIED 6/0**

## **3 ACKNOWLEDGEMENT OF COUNTRY**

On behalf of Council, the Mayor extended an acknowledgement of Country.

## **4 MOMENT OF SILENCE AND REFLECTION**

The Mayor called for a moment of silence to pay respects to those who have passed in our region.

*Colin Rice                Eidsvold*

*Kenneth Myles        Monto*

*Helena Roth            Monto*

*Una Savage             Gayndah*

## **5 DEPUTATIONS/PETITIONS**

Mr Chris Righetti, Director and Tim Gregson, Director of Greenleaf Renewables attended the meeting at 9.27am to introduce Greenleaf Renewables and present to Council regarding the proposed Stony Creek Wind Farm project, located approximately 4km south east of Didcot and 11km west of Biggenden.

**Attendance:** Chris Righetti and Tim Gregson of Greenleaf Renewables left the meeting at 10.06am.

## **6 DECLARATIONS OF INTEREST**

Nil

**7 CONFIRMATION OF MINUTES**

**7.1 MINUTES OF THE GENERAL MEETING HELD ON 23 FEBRUARY 2022**

**OFFICERS RECOMMENDATION**

That the Minutes of the General Meeting held on 23 February 2022 be confirmed.

Moved: Cr Dingle  
Seconded: Cr Giddins

**RESOLUTION 2022/31**

That the Minutes of the General Meeting held on 23 February 2022 be confirmed.

In Favour: Mayor Leslie Hotz, Cr Robert Radel, Cr Susan Payne, Cr Dael Giddins, Cr Michael Dingle and Cr Melinda Jones

Against: Nil

**CARRIED 6/0**

**8 OFFICE OF THE CHIEF EXECUTIVE OFFICER****8.1 AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION NATIONAL GENERAL ASSEMBLY AND CHANGE TO JUNE 2022 COUNCIL GENERAL MEETING DATE****OFFICERS RECOMMENDATION**

That Council, in accordance with the provisions of section 254B(4) of the *Local Government Regulation 2012*:

1. Change the scheduled Ordinary Meeting of Council from Wednesday 22 June 2022, to Wednesday 29 June 2022; and
2. That the Ordinary Meeting of Council will be held in the Council Boardroom, 34 Capper Street, Gayndah, QLD 4625, commencing at 9.00am.

That Council, in accordance with Statutory Policy Reimbursement and Provision of Facilities for Mayor and Councillors:

1. Appoint the Mayor, Deputy Mayor and CEO or Interim/Acting CEO or delegate as representatives to attend the Australian Local Government Association (the 'ALGA') National General Assembly (the 'NGA') 2022 in Canberra 19-22 June 2022.

That Council:

1. Move the following motions at the Australian Local Government Association (the 'ALGA') National General Assembly (the 'NGA') 2022 in Canberra 19-22 June 2022 as follows:
  - a. This National General Assembly calls on the Australian Government to restore untied Local Government Financial Assistance Grants to a level equal to at least 1% of Commonwealth taxation revenue and distribute funds more equitably across Local Government communities who have limited capacity to raise or increase own source revenue outside current rating streams.
  - b. This National General Assembly calls on the Australian Government to provide Local Government communities classified as rural or remote who have limited capacity to raise or increase own source revenue outside current rating streams to have access to Federal grant funding with a co-contribution of 10% or less for capital works projects including planning/scoping of these works.
  - c. This National General Assembly calls on the Australian Government to take action on the National Housing and Homelessness Agreement in line with the endorsed national principles and priorities in partnership with the State Governments.

Moved: Cr Giddins

Seconded: Cr Radel

**RESOLUTION 2022/32**

That Council, in accordance with the provisions of section 254B(4) of the *Local Government Regulation 2012*:

1. Change the scheduled Ordinary Meeting of Council from Wednesday 22 June 2022, to Wednesday 29 June 2022; and
2. That the Ordinary Meeting of Council will be held in the Council Boardroom, 34 Capper Street, Gayndah, QLD 4625, commencing at 9.00am.

That Council, in accordance with Statutory Policy Reimbursement and Provision of Facilities for Mayor and Councillors:

1. Appoint the Mayor, Deputy Mayor and CEO or Interim/Acting CEO or delegate as representatives to attend the Australian Local Government Association (the 'ALGA') National

## General Assembly (the 'NGA') 2022 in Canberra 19-22 June 2022.

## That Council:

1. Move the following motions at the Australian Local Government Association (the 'ALGA') National General Assembly (the 'NGA') 2022 in Canberra 19-22 June 2022 as follows:
  - a. This National General Assembly calls on the Australian Government to restore untied Local Government Financial Assistance Grants to a level equal to at least 1% of Commonwealth taxation revenue and distribute funds more equitably across Local Government communities who have limited capacity to raise or increase own source revenue outside current rating streams.
  - b. This National General Assembly calls on the Australian Government to provide Local Government communities classified as rural or remote who have limited capacity to raise or increase own source revenue outside current rating streams to have access to Federal grant funding with a co-contribution of 10% or less for capital works projects including planning/scoping of these works.
  - c. This National General Assembly calls on the Australian Government to take action on the National Housing and Homelessness Agreement in line with the endorsed national principles and priorities in partnership with the State Governments.

In Favour: Mayor Leslie Hotz, Cr Robert Radel, Cr Susan Payne, Cr Dael Giddins, Cr Michael Dingle and Cr Melinda Jones

Against: Nil

**CARRIED 6/0**

## 9 CORPORATE AND COMMUNITY

### 9.1 FINANCE REPORT TO 28 FEBRUARY 2022

#### OFFICERS RECOMMENDATION

That in accordance with section 204 *Local Government Regulation 2012 (Qld)*, Council receives the Finance Report for the period ended 28 February 2022.

Moved: Cr Dingle  
Seconded: Cr Radel

#### **RESOLUTION 2022/33**

That in accordance with section 204 *Local Government Regulation 2012 (Qld)*, Council receives the Finance Report for the period ended 28 February 2022.

In Favour: Mayor Leslie Hotz, Cr Robert Radel, Cr Susan Payne, Cr Dael Giddins, Cr Michael Dingle and Cr Melinda Jones

Against: Nil

**CARRIED 6/0**

#### **202203\_1 Item 9.1 QON**

Cr Payne requested an explanation as to why the Waste Management revenue and Sewerage revenue had decreased (page 24 of the Agenda). Through the Chair, Susie Glasson (General Manager Corporate and Community) responded to Cr Payne noting that the question would be taken on notice.

#### **202203\_2 Item 9.1 QON**

Cr Payne requested an explanation as to why the Natural Resource Management Levy is higher than budget (page 24 of the Agenda). Through the Chair, Susie Glasson (General Manager Corporate and Community) responded to Cr Payne noting that the question would be taken on notice.

#### **202203\_3 Item 9.1 QON**

Cr Payne requested that the expenditure and revenue/funding for the recent rain/flood events be shown on separate lines of the Profit and Loss table (page 24 of the Agenda). Through the Chair, Susie Glasson (General Manager Corporate and Community) responded to Cr Payne noting that the question would be taken on notice.

**9.2 COMBUSTIBLE CLADDING – REQUEST FOR AUTHORITY FROM NBRC TO QBCC TO PROSECUTE**

**RECOMMENDATION**

That Council authorises the Commissioner of the QBCC to make complaints under the Justices Act 1886 in relation to breaches of s16X(1) of the Building Regulation 2006.

Moved: Cr Radel

Seconded: Cr Dingle

**RESOLUTION 2022/34**

That Council authorises the Commissioner of the QBCC to make complaints under the Justices Act 1886 in relation to breaches of s16X(1) of the Building Regulation 2006.

In Favour: Mayor Leslie Hotz, Cr Robert Radel, Cr Susan Payne, Cr Dael Giddins and Cr Michael Dingle

Abstained: Cr Melinda Jones

**CARRIED 5/1**

**10 WORKS**

Nil

**11 COUNCILLOR REPORTS**

Nil



## 32 CONFIDENTIAL REPORTS

### OFFICERS RECOMMENDATION

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*:

#### 12.1 Update - Recovery of Outstanding Rates

This matter is considered to be confidential under Section 254J(3)-(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 legal advice obtained by the local government or legal proceedings involving the local government including, for example, legal proceedings that may be taken by or against local government.

#### 12.2 Planning Application – Material Change of Use for Intensive Animal Industry for Cattle Feedlots up to 1450SCU and Environmentally Relevant Activity-ERA 2 (1B) Intensive Animal Feedlotting > 1000SCU

This matter is considered to be confidential under Section 275(1)-(g) 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 any action to be taken by the local government under the Planning Act, including deciding applications made to it under that Act.

#### 12.3 Property Disposals - Monto Vacant Land

This matter is considered to be confidential under Section 254J(3) – (g) 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 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.

Moved: Cr Radel

Seconded: Cr Giddins

### **RESOLUTION 2022/35**

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:

#### 12.1 Update - Recovery of Outstanding Rates

This matter is considered to be confidential under Section 254J(3)-(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 legal advice obtained by the local government or legal proceedings involving the local government including, for example, legal proceedings that may be taken by or against local government.

#### 12.2 Planning Application – Material Change of Use for Intensive Animal Industry for Cattle Feedlots up to 1450SCU and Environmentally Relevant Activity-ERA 2 (1B) Intensive Animal Feedlotting > 1000SCU

This matter is considered to be confidential under Section 275(1)-(g) 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 any action to be taken by the local government under the Planning Act, including deciding applications made to it under that Act.

#### 12.3 Property Disposals - Monto Vacant Land

This matter is considered to be confidential under Section 254J(3) – (g) 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 negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the

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interests of the local government.

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In Favour: Mayor Leslie Hotz, Cr Robert Radel, Cr Susan Payne, Cr Dael Giddins, Cr Michael Dingle and Cr Melinda Jones

Against: Nil

**CARRIED 6/0**

**THE MEETING MOVED INTO A CLOSED SESSION AT 10.09am**

**NOTE:** During the confidential closed session, Councillors discussed the content in the confidential reports listed above.

**ATTENDANCE:** Shane Anderson (Planning and Environment Manager) left the meeting at 10.33am.

### **OFFICERS RECOMMENDATION**

That Council moves out of Closed Session into Open Session.

Moved: Cr Giddins

Seconded: Cr Radel

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### **RESOLUTION 2022/36**

That Council moves out of Closed Session into Open Session.

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In Favour: Mayor Leslie Hotz, Cr Robert Radel, Cr Susan Payne, Cr Dael Giddins, Cr Michael Dingle and Cr Melinda Jones

Against: Nil

**CARRIED 6/0**

**THE MEETING MOVED BACK INTO AN OPEN SESSION AT 10.38am.**

**12.1 UPDATE - RECOVERY OF OUTSTANDING RATES**

**OFFICERS RECOMMENDATION**

That Council receives the Update – Recovery of Outstanding Rates report.

Moved: Cr Giddins  
Seconded: Cr Dingle

**RESOLUTION 2022/37**

That Council receives the Update – Recovery of Outstanding Rates report.

In Favour: Mayor Leslie Hotz, Cr Robert Radel, Cr Susan Payne, Cr Dael Giddins, Cr Michael Dingle and Cr Melinda Jones

Against: Nil

**CARRIED 6/0**

**12.2 PLANNING APPLICATION – MATERIAL CHANGE OF USE FOR INTENSIVE ANIMAL INDUSTRY FOR CATTLE FEEDLOTS UP TO 1450SCU AND ENVIRONMENTALLY RELEVANT ACTIVITY-ERA 2 (1B) INTENSIVE ANIMAL FEEDLOTING > 1000SCU****OFFICERS RECOMMENDATION**

That:

1. Council receives this report.
2. Council endorse the recommendation to approve a Material Change of Use for an “Intensive Animal Industry” (1450 Standard Cattle Units) and Environmentally Relevant Activity 2(1)b - Intensive Animal Feedlotting >1000 SCU on land situated at 326 Downies Road, Three Moon QLD 4630 described as Lot 52 and 53 on RW103 subject to relevant or reasonably required conditions.
3. Council issue the decision notice as required by section 63 of the *Planning Act 2016*.

Moved: Cr Radel

Seconded: Cr Dingle

**RESOLUTION 2022/38**

That:

1. Council receives this report.
2. Council endorse the recommendation to approve a Material Change of Use for an “Intensive Animal Industry” (1450 Standard Cattle Units) and Environmentally Relevant Activity 2(1)b - Intensive Animal Feedlotting >1000 SCU on land situated at 326 Downies Road, Three Moon QLD 4630 described as Lot 52 and 53 on RW103 subject to relevant or reasonably required conditions.
3. Council issue the decision notice as required by section 63 of the *Planning Act 2016*.

In Favour: Mayor Leslie Hotz, Cr Robert Radel, Cr Dael Giddins and Cr Michael Dingle

Abstained: Cr Melinda Jones and Cr Susan Payne,

**CARRIED 4/2**

### 12.3 PROPERTY DISPOSALS - MONTO VACANT LAND

#### OFFICERS RECOMMENDATION

That Council:

1. Note the contents of the Property Disposals – Monto Vacant Land report.
2. Resolve to conduct a public Tender for the sale of Lot 16 M74746 (40 Archer Street, Monto); and authorise the Chief Executive Officer to enter into a sale contract, at a contract price to be negotiated by the Chief Executive Officer.
3. In the event that Lot 16 M74746 (40 Archer Street, Monto) is not sold as a result of public Tender, authorise the Chief Executive Officer to procure agents and list the property for sale; and further authorise the Chief Executive Officer to enter into a sale contract, at a contract price to be negotiated by the Chief Executive Officer.

Moved: Cr Jones

Seconded: Cr Radel

#### RESOLUTION 2022/39

That Council:

1. Note the contents of the Property Disposals – Monto Vacant Land report.
2. Resolve to conduct a public Tender for the sale of Lot 16 M74746 (40 Archer Street, Monto); and authorise the Chief Executive Officer to enter into a sale contract, at a contract price to be negotiated by the Chief Executive Officer.
3. In the event that Lot 16 M74746 (40 Archer Street, Monto) is not sold as a result of public Tender, authorise the Chief Executive Officer to procure agents and list the property for sale; and further authorise the Chief Executive Officer to enter into a sale contract, at a contract price to be negotiated by the Chief Executive Officer.

In Favour: Mayor Leslie Hotz, Cr Robert Radel, Cr Susan Payne, Cr Dael Giddins, Cr Michael Dingle and Cr Melinda Jones

Against: Nil

**CARRIED 6/0**

### 4 CLOSURE OF MEETING

The Meeting closed at 10.43am.

The minutes of this meeting were confirmed at the General Meeting held on 27 April 2022.

  
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**CHAIRPERSON**