



MINUTES

General Meeting

25 May 2022

UNCONFIRMED

**MINUTES OF NORTH BURNETT REGIONAL COUNCIL
GENERAL MEETING
HELD AT THE BIGGENDEN BOARDROOM
ON WEDNESDAY, 25 MAY 2022 AT 09:00AM**

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

OFFICERS: Margot Stork (Chief Executive Officer), Susie Glasson (General Manager Corporate and Community), Randall Percy (General Manager Works), Michael Cartwright (Governance Policy and Risk Advisor), Desiree Tomas (Customer Experience and Communities Manager), Jenny Hall (Community Development Stream Leader), Shane Anderson (Planning and Environment Manager), Camille Summers (Revenue Stream Leader) and Kat Bright (Senior Executive Assistant to the CEO and Mayor)

1 WELCOME/HOUSEKEEPING

The Mayor declared the meeting open at 9.02am and welcomed all attendees including Margot Stork, as the newly appointed Chief Executive Officer.

2 APOLOGIES/LEAVE OF ABSENCE

Nil

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.

| | |
|--------------------------|------------------------|
| <i>Valmae Johannesen</i> | <i>Degilbo</i> |
| <i>Hazel Albrand</i> | <i>Mundubbera</i> |
| <i>Gwen Lobegeier</i> | <i>Monto</i> |
| <i>Alexander Gooda</i> | <i>Eidsvold</i> |
| <i>Clive King</i> | <i>Gayndah</i> |
| <i>Bernice Peace</i> | <i>Gayndah</i> |
| <i>Walter Seabrook</i> | <i>Coalstoun Lakes</i> |
| <i>James Anderson</i> | <i>Mundubbera</i> |
| <i>Marcia Price</i> | <i>Monto</i> |

5 DEPUTATIONS/PETITIONS

Nil

6 DECLARATIONS OF INTEREST

NOTE: Cr Melinda Jones queried if her Executive position, of the past 5 years, in an organisation who provided a letter of support to an applicant, was a perceived conflict of interest in relation to **ITEM 9.2 – RADF ROUND 2 2021-22** (specifically in relation to item 1 (a) of the officers recommendation). Councillors responded to Cr Jones suggesting that the position (as described) was not a perceived conflict of interest.

NOTE: Mayor Leslie Hotz queried if he had a perceived conflict of interest in relation to **ITEM 8.1 - LOCAL DISASTER MANAGEMENT GROUP - APPOINTMENT OF COUNCIL REPRESENTATIVE AND CHAIRPERSON** (specifically in relation to item 1 of the officers recommendation to endorse the appointment of Mayor Hotz as the Local Disaster Management Group representative). Councillors responded to Mayor Hotz suggesting that his interest (as described) was not a perceived conflict of interest.

NOTE: Cr Susan Payne queried if she had a perceived conflict of interest in relation to **ITEM 9.4 - WIDE BAY BURNETT REGIONAL WASTE MANAGEMENT PLAN - WORKING GROUP** (specifically in relation to the officers recommendation to appoint Cr Payne as Council delegate for Wide Bay Burnett Regional Waste Management Plan - Working Group participation). Councillors responded to Cr Payne suggesting that her interest (as described) was not a perceived conflict of interest.

7 CONFIRMATION OF MINUTES

7.1 MINUTES OF THE GENERAL MEETING HELD ON 27 APRIL 2022

OFFICERS RECOMMENDATION

That the Minutes of the General Meeting held on 27 April 2022 be confirmed.

Moved: Cr Radel

Seconded: Cr Giddins

RESOLUTION 2022/56

That the Minutes of the General Meeting held on 27 April 2022 be confirmed.

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

Against: Nil

CARRIED 7/0

8 OFFICE OF THE CHIEF EXECUTIVE OFFICER**8.1 LOCAL DISASTER MANAGEMENT GROUP - APPOINTMENT OF COUNCIL REPRESENTATIVE AND CHAIRPERSON****OFFICERS RECOMMENDATION**

1. That Council endorse the appointment of Mayor Les Hotz as the Local Disaster Management Group representative.
2. That Council acknowledge and thank Councillor Melinda Jones for her contributions as interim Local Disaster Management Group delegate and chairperson.

NOTE: Mayor Hotz suggested the need to appoint an elected member, other than the Mayor, as the Local Disaster Management Group representative and Chairperson. A nomination was received for Cr Melinda Jones from Mayor Hotz. Mayor Hotz acknowledged the interim role that Cr Jones has held over the past 6 months and suggested a continuation of her appointment.

Moved: Cr Radel

Seconded: Cr Giddins

RESOLUTION 2022/57

1. That Council endorse the appointment of Cr Melinda Jones as the Local Disaster Management Group representative and Chairperson.
2. That Council acknowledge and thank Councillor Melinda Jones for her contributions as interim Local Disaster Management Group delegate and chairperson over the past 6 months.

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

Against: Nil

CARRIED 7/0

NOTE: Councillors discussed the need to appoint a Local Disaster Management Group Deputy Chairperson. A nomination was received for Cr Dael Giddins from Cr Michael Dingle. Cr Dingle noted Cr Giddins experience in Local Government and her locality being favourable in Division 4 - Gayndah (in close proximity to the Disaster Management Centre located in Gayndah).

Moved: Cr Dingle

Seconded: Cr Mesner

RESOLUTION 2022/58

1. That Council endorse the appointment of Cr Dael Giddins as the Local Disaster Management Group representative and Deputy Chairperson.

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

Against: Nil

CARRIED 7/0

9 CORPORATE AND COMMUNITY

9.1 FINANCE REPORT TO 30 APRIL 2022

OFFICERS RECOMMENDATION

That in accordance with section 204 *Local Government Regulation 2012 (Qld)*, Council receives the Finance Report for the period ended 30 April 2022.

Moved: Cr Giddins

Seconded: Cr Radel

RESOLUTION 2022/59

That in accordance with section 204 *Local Government Regulation 2012 (Qld)*, Council receives the Finance Report for the period ended 30 April 2022.

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

Against: Nil

CARRIED 7/0

9.2 RADF ROUND 2 2021-22**OFFICERS RECOMMENDATION**

That Council:

1. Endorse the following Regional Arts Development Fund (RADF) applications:
 - (a) Monto Museum of Art – MMOA Project Planning - \$5,214
 - (b) Mundubbera Enterprise Association – Mundubbera Blueberry Festival Talent Quest - \$4,970
 - (c) Joanne Trigger – auspiced by Biggenden Women’s Shed Incorporated – Donna Cagney Art Workshop - \$2,546
2. Decline the following Regional Arts Development Fund (RADF) applications:
 - (a) Jetzak Pty Ltd – North Burnett Sunset Festival - \$2,700
 - (b) Biggenden State School – History Through the Ages - \$14,500
3. Endorse the following Regional Arts Development Fund (RADF) Outcome Reports for successful acquittal:
 - (a) Coalstoun Lakes P&C Association – Remembering our Church Community Presentation - \$9,090
 - (b) Jasmine Slack – Oil Painting Portraiture Workshop (Prof Dev) - \$1,408

Moved: Cr Giddins

Seconded: Cr Dingle

RESOLUTION 2022/60

That Council:

1. Endorse the following Regional Arts Development Fund (RADF) applications:
 - (a) Monto Museum of Art – MMOA Project Planning - \$5,214
 - (b) Mundubbera Enterprise Association – Mundubbera Blueberry Festival Talent Quest - \$4,970
 - (c) Joanne Trigger – auspiced by Biggenden Women’s Shed Incorporated – Donna Cagney Art Workshop - \$2,546
2. Decline the following Regional Arts Development Fund (RADF) applications:
 - (a) Jetzak Pty Ltd – North Burnett Sunset Festival - \$2,700
 - (b) Biggenden State School – History Through the Ages - \$14,500
3. Endorse the following Regional Arts Development Fund (RADF) Outcome Reports for successful acquittal:
 - (a) Coalstoun Lakes P&C Association – Remembering our Church Community Presentation - \$9,090
 - (b) Jasmine Slack – Oil Painting Portraiture Workshop (Prof Dev) - \$1,408

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

Against: Nil

CARRIED 7/0**202205_1 ITEM 9.2 QON**

Cr Payne queried if there was a possibility to relocate the unspent funds from the 2019/20 RADF Outdoor Artworks Project (page 32 of the agenda, item 8.4) to another project in Mundubbera. Through the Chair, Margot Stork (CEO), responded to Cr Payne noting that staff would investigate and report back to the Committee as noted in the Minutes of RADF Assessment Meeting (page 32 of the agenda, item 8.4).

NOTE: Mayor Hotz acknowledged and thanked Susie Glasson's contribution in her role as Acting CEO over the past 5 months. Mayor Hotz extended an acknowledgment and thanked staff who acted in Susie Glasson's usual role as General Manager Corporate and Community during this period.

Moved: Cr Radel

Seconded: Cr Dingle

RESOLUTION 2022/61

That Council:

1. Acknowledge and thank Susie Glasson for her contributions as Acting Chief Executive Officer over the past 6 months.
2. Acknowledge and thank the staff who acted in Susie Glasson's usual role of General Manager Corporate and Community position during her time as Acting Chief Executive Officer.

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

Against: Nil

CARRIED 7/0

9.3 NORTH BURNETT ARTS AND CULTURAL ADVISORY COMMITTEE (NBACAC)**OFFICERS RECOMMENDATION**

That Council

1. Endorse the appointment of the following committee nominations:
 - Mrs Judith Bohm-Parr
 - Mr William Marshall Langston

Moved: Cr Giddins

Seconded: Cr Dingle

RESOLUTION 2022/62

That Council

1. Endorse the appointment of the following committee nominations:
 - Mrs Judith Bohm-Parr
 - Mr William Marshall Langston

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

Against: Nil

CARRIED 7/0

9.4 WIDE BAY BURNETT REGIONAL WASTE MANAGEMENT PLAN - WORKING GROUP**OFFICERS RECOMMENDATION**

That the Planning and Environment Manager and Councillor Sue Payne be formally endorsed as North Burnett Regional Council delegates for Wide Bay Burnett Regional Waste Management Plan - Working Group participation.

Moved: Cr Radel

Seconded: Cr Jones

RESOLUTION 2022/63

That the Planning and Environment Manager and Councillor Sue Payne be formally endorsed as North Burnett Regional Council delegates for Wide Bay Burnett Regional Waste Management Plan - Working Group participation.

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

Against: Nil

CARRIED 7/0

9.5 REPEAL PREVIOUS RESOLUTION 2022/38 PLANNING APPLICATION - MATERIAL CHANGE OF USE FOR INTENSIVE ANIMAL INDUSTRY FOR CATTLE FEEDLOT UP TO 1450SCU AND ENVIRONMENTALLY RELEVANT ACTIVITY - ERA 2 (1B) INTENSIVE ANIMAL FEEDLOTING >1000SCU

OFFICERS RECOMMENDATION

That Council:

1. Receives the report.
2. Repeals resolution 2022/38 made at the General Meeting held on 23 March 2022.

Moved: Cr Dingle

Seconded: Cr Giddins

RESOLUTION 2022/64

That Council:

1. Receives the report.
2. Repeals resolution 2022/38 made at the General Meeting held on 23 March 2022.

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

Against: Nil

CARRIED 7/0

NOTE: Councillors requested that they be notified if any future reports are to be tabled whereby the Officers Recommendation is to repeal a Resolution.

9.6 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 Council:

1. Receives this report.
2. 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. Issue the decision notice as required by section 63 of the *Planning Act 2016*.

Moved: Cr Giddins

Seconded: Cr Mesner

RESOLUTION 2022/65

That Council:

1. Receives this report.
2. 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. 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, Cr Michael Dingle and Cr Kingsley Mesner.

Against: Cr Melinda Jones and Cr Susan Payne

CARRIED 5/2

10 WORKS

Nil

11 COUNCILLOR REPORTS

11.1 MAYOR AND COUNCILLOR REPORTS

OFFICERS RECOMMENDATION

That Council receives the Councillor Reports for the period 1 April 2022 to 30 April 2022.

Moved: Cr Giddins

Seconded: Cr Jones

RESOLUTION 2022/66

That Council receives the Councillor Reports for the period 1 April 2022 to 30 April 2022.

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

Against: Nil

CARRIED 7/0

12 CONFIDENTIAL REPORTS

OFFICERS RECOMMENDATION

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 254J 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 RFT 2014 2 21 22 Waste Facility Operation - Mundubbera

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 Jones

Seconded: Cr Giddins

RESOLUTION 2022/67

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 254J 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 bar or against local government.

12.2 RFT 2914 2 21 22 Waste Facility Operation – Mundubbera

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.

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

Against: Nil

CARRIED 7/0

THE MEETING MOVED INTO A CLOSED SESSION AT 10.00AM.

ATTENDANCE: Desiree Tomas (Customer Experience and Communities Manager) and Jenny Hall (Community Development Stream Leader) left the meeting at 10.00am.

ATTENDANCE: Camille Summers (Revenue Stream Leader) joined the meeting at 10.04am.

ATTENDANCE: Camille Summers (Revenue Stream Leader) left the meeting at 10.13am.

ATTENDANCE: Shane Anderson (Planning And Environment Manager) left the meeting at 10.34am.

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

OFFICERS RECOMMENDATION

That Council moves out of Closed Session into Open Session.

Moved: Cr Radel

Seconded: Cr Giddins

RESOLUTION 2022/68

That Council moves out of Closed Session into Open Session.

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

Against: Nil

CARRIED 7/0

THE MEETING MOVED BACK INTO AN OPEN SESSION AT 10.36AM.

12.1 UPDATE - RECOVERY OF OUTSTANDING RATES

OFFICERS RECOMMENDATION

1. That Council receives the Update – Recovery of Outstanding Rates report.
2. That Council write off outstanding rate balance of \$5,718.06, the shortfall given insufficient sales proceeds to pay the rates in full for Assessment 2007900000000, 23 Moreton Street, Eidsvold, Lot 1 MPH22776.
3. That Council write off outstanding rate balance of \$8,297.90, the shortfall given insufficient sales proceeds to pay the rates in full for Assessment 2024400000000, 6 MacDonald Street, Eidsvold, Lot 1 MPH22732 (Eastern Part).
4. That Council write off outstanding rate balance of \$11,562.92, the shortfall given insufficient sales proceeds to pay the rates in full for Assessment 2027100000000, 19 Shield Avenue, Eidsvold, Lot 1 MPH22732 (Western Part).

Moved: Cr Dingle

Seconded: Cr Giddins

RESOLUTION 2022/69

That Council:

1. That Council receives the Update – Recovery of Outstanding Rates report.
2. That Council write off outstanding rate balance of \$5,718.06, the shortfall given insufficient sales proceeds to pay the rates in full for Assessment 2007900000000, 23 Moreton Street, Eidsvold, Lot 1 MPH22776.
3. That Council write off outstanding rate balance of \$8,297.90, the shortfall given insufficient sales proceeds to pay the rates in full for Assessment 2024400000000, 6 MacDonald Street, Eidsvold, Lot 1 MPH22732 (Eastern Part).
4. That Council write off outstanding rate balance of \$11,562.92, the shortfall given insufficient sales proceeds to pay the rates in full for Assessment 2027100000000, 19 Shield Avenue, Eidsvold, Lot 1 MPH22732 (Western Part).

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

Against: Nil

CARRIED 7/0

12.2 RFT 2914 2 21 22 WASTE FACILITY OPERATION - MUNDUBBERA

OFFICERS RECOMMENDATION

That Council appoints Proterra Group as the operator of the Mundubbera Waste Management Facility for a period of seven (7) years from 2 July 2022 to 1 July 2029.

Moved: Cr Radel

Seconded: Cr Giddins

RESOLUTION 2022/70

That Council appoints Proterra Group as the operator of the Mundubbera Waste Management Facility for a period of seven (7) years from 2 July 2022 to 1 July 2029 as per their tender noted in

the confidential report.

In Favour: Mayor Leslie Hotz, Cr Robert Radel, Cr Susan Payne, Cr Dael Giddins, Cr Melinda Jones and Cr Kingsley Mesner.

Against: Cr Michael Dingle

CARRIED 6/1

13 CLOSURE OF MEETING

The Meeting closed at 10.43am.

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

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CHAIRPERSON