



# **MINUTES**

**General Meeting**

**27 June 2022**

**MINUTES OF NORTH BURNETT REGIONAL COUNCIL  
GENERAL MEETING  
HELD AT THE GAYNDAH BOARDROOM  
ON MONDAY, 27 JUNE 2022 AT 9.00AM**

**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), Carl Bacon (Civil Works Manager), Michael Cartwright (Governance Policy and Risk Advisor), Michael Wallace (Contracts and Leasing Officer), Ajith Samarasekera (Assets, Facilities and Fleet Manager), Shane Anderson (Planning and Environment Manager), Shaun Johnston (Water and Wastewater Manager), Skye Price (Strategic Projects Manager) and Kat Bright (Senior Executive Assistant to the CEO and Mayor)

**1 WELCOME/HOUSEKEEPING**

The Mayor declared the meeting open at 9.00am and welcomed all attendees.

**2 APOLOGIES/LEAVE OF ABSENCE**

Susie Glasson (General Manager Corporate and Community) and Randall Percy (General Manager Works).

**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>Rita Harvey</i>	<i>Monto</i>
<i>Leonard Delley</i>	<i>Biggenden</i>
<i>Lorraine Allan</i>	<i>Mundubbera</i>
<i>Henry Harman</i>	<i>Gayndah</i>
<i>Dorothy Moreton</i>	<i>Eidsvold</i>
<i>Pauline Cowburn</i>	<i>Gayndah</i>

**ATTENDANCE:** Shaun Johnston (Water and Wastewater Manager) joined the meeting at 9.07am.

**5 DEPUTATIONS/PETITIONS**

Mrs Edith Ryan and Mr Ryan attended the meeting at 9.07am for a deputation to Councillors regarding the Bon Accord Bridge.

**ATTENDANCE:** Mr and Mrs Ryan left the meeting at 9.22am.

**ATTENDANCE:** Cr Dingle left the meeting at 9.23am.

**ATTENDANCE:** Cr Dingle returned to the meeting at 9.25am.

**6 DECLARATIONS OF INTEREST**

Nil

**7 CONFIRMATION OF MINUTES**

**7.1 MINUTES OF THE GENERAL MEETING HELD ON 25 MAY 2022**

**OFFICER RECOMMENDATION**

That the Minutes of the General Meeting held on 25 May 2022 be confirmed.

Moved: Cr Mesner

Seconded: Cr Giddins

**RESOLUTION 2022/71**

That the Minutes of the General Meeting held on 25 May 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 COUNCILLOR PARTICIPATION AT UPCOMING LGAQ CONFERENCES AND PROPOSED CHANGE TO THE JULY 2022 ORDINARY COUNCIL MEETING DATE****OFFICERS RECOMMENDATION**

1. That Council, in accordance with Statutory Policy Reimbursement and Provision of Facilities for Mayor and Councillors:
  - a. Appoint the Mayor, Councillors and CEO as formal delegates of North Burnett Regional Council to attend the Local Government Association Queensland Annual Conference in Cairns from 17 – 19 October 2022.
  - b. Appoint Cr Payne as formal delegate of North Burnett Regional Council, to attend the Local Government Association Queensland Waste Forum, to be held in Brisbane from 4 - 6 July 2022.
  - c. Appoint the Mayor and Councillors as formal delegates of North Burnett Regional Council, to attend Local Government Association of Queensland Bush Councils Convention, Tuesday 26 until Thursday 28 July, in Barcaldine.
2. That Council, in accordance with provisions of Section 254B(4) of the Local Government Regulation 2012:
  - a. Reschedule the Ordinary Meeting of Council from Wednesday 27 July 2022, to Monday 25 July 2022; and
  - b. That the Ordinary Meeting of Council will be held in the Council Boardroom, 28 Lyons Street, Mundubbera, QLD, 4626, commencing at 9:00am.

Moved: Cr Giddins

Seconded: Cr Dingle

**RESOLUTION 2022/72**

1. That Council, in accordance with Statutory Policy Reimbursement and Provision of Facilities for Mayor and Councillors:
  - a. Appoint the Mayor, 3 x Councillors and CEO as formal delegates of North Burnett Regional Council to attend the Local Government Association Queensland Annual Conference in Cairns from 17 – 19 October 2022.
  - b. Appoint Cr Payne as formal delegate of North Burnett Regional Council, to attend the Local Government Association Queensland Waste Forum, to be held in Brisbane from 4 - 6 July 2022.
  - c. Appoint the Mayor and 2 x Councillors as formal delegates of North Burnett Regional Council, to attend Local Government Association of Queensland Bush Councils Convention, Tuesday 26 until Thursday 28 July, in Barcaldine.
2. That Council, in accordance with provisions of Section 254B(4) of the Local Government Regulation 2012:
  - a. Reschedule the Ordinary Meeting of Council from Wednesday 27 July 2022, to Thursday 21 July 2022; and
  - b. That the Ordinary Meeting of Council will be held in the Council Boardroom, 28 Lyons Street, Mundubbera, QLD, 4626, commencing at 9:00am.

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**

## **8.2 BURNETT INLAND ECONOMIC DEVELOPMENT ORGANISATION INCORPORATED (BIEDO) BOARD MEMBERSHIP**

### **OFFICERS RECOMMENDATION**

That Council:

1. Acknowledge and express formal appreciation to Cr Payne for her contribution towards Burnett Inland Economic Development Organisation Incorporated, as North Burnett Regional Council's previous delegated board member.
2. Formally nominate and endorse Cr Jones as North Burnett Regional Council's delegated board member, effective 1 July 2022.
3. Prepare correspondence for Burnett Inland Economic Development Organisation Incorporated, advising of the change to North Burnett Regional Council's formal delegated member.

Moved: Cr Giddins

Seconded: Cr Radel

### **RESOLUTION 2022/73**

That Council:

1. Acknowledge and express formal appreciation to Cr Payne for her contribution towards Burnett Inland Economic Development Organisation Incorporated, as North Burnett Regional Council's previous delegated board member.
2. Formally nominate and endorse Cr Jones as North Burnett Regional Council's delegated board member, effective 1 July 2022.
3. Prepare correspondence for Burnett Inland Economic Development Organisation Incorporated, advising of the change to North Burnett Regional Council's formal delegated member.

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 31 MAY 2022

#### OFFICERS RECOMMENDATION

That in accordance with section 204 *Local Government Regulation 2012 (Qld)*, Council receives the Finance Report for the period ended 31 May 2022.

Moved: Cr Dingle

Seconded: Cr Mesner

#### **RESOLUTION 2022/74**

That in accordance with section 204 *Local Government Regulation 2012 (Qld)*, Council receives the Finance Report for the period ended 31 May 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**

#### **202206\_1 Item 9.1 QON**

Mayor Hotz requested an update on the recovery of outstanding rates. Through the Chair, Margot Stork (CEO) responded to Mayor Hotz confirming that an update would be provided in this weeks Councillors Bulletin.

### 9.2 1104 PROCUREMENT - STATUTORY POLICY

#### OFFICERS RECOMMENDATION

That Council, pursuant to Section 198 of the Local Government Regulation 2012, adopts the Statutory Policy 1104 – Procurement which is attached to and forms part of these minutes.

Moved: Cr Radel

Seconded: Cr Jones

#### **RESOLUTION 2022/75**

That Council, pursuant to Section 198 of the Local Government Regulation 2012, adopts the Statutory Policy 1104 – Procurement which is attached to and forms part of the agenda.

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**

**10 WORKS****10.1 REVISED ROAD MAINTENANCE PROGRAM - APRIL TO MAY 2022****OFFICERS RECOMMENDATION**

That Council:

1. Receives the Revised Road Maintenance Program Report - April to May 2022 as presented; and
2. Considers the methodology change to be implemented with any excess plant utilised for road maintenance to now be disposed of.

Moved: Cr Giddins

Seconded: Cr Dingle

**RESOLUTION 2022/76**

That Council:

1. Receives the Revised Road Maintenance Program Report - April to May 2022 as presented; and
2. Considers the methodology change to be implemented with any excess plant utilised for road maintenance to now be disposed of.

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**

**202206\_2 Item 10.1 QON**

Mayor Hotz requested a list of plant proposed for sale. Through the Chair, Margot Stork (CEO) responded to Mayor Hotz noting that a list would be provided at the next General Meeting.

**11 COUNCILLOR REPORTS**

**11.1 MAYOR AND COUNCILLORS REPORTS**

**OFFICERS RECOMMENDATION**

That Council receives the Councillor Reports for the period 1 May 2022 to 31 May 2022.

Moved: Cr Mesner

Seconded: Cr Giddins

**RESOLUTION 2022/77**

That Council receives the Councillor Reports for the period 1 May 2022 to 31 May 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 275(1) of the *Local Government Regulation 2012*:

#### 12.1 Disputed rateable assessment - special levy zone Mt Perry

This matter is considered to be confidential under Section 254J(3) - d 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 rating concessions.

#### 12.2 Biggenden Depot Ex Lease, site remediation

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.

#### 12.3 Tenders - Swimming Pool Facilities

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 Radel

### RESOLUTION 2022/78

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 Disputed rateable assessment - special levy zone Mt Perry

This matter is considered to be confidential under Section 254J(3) - d 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 rating concessions.

#### 12.2 Biggenden Depot Ex Lease, site remediation

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.

#### 12.3 Tenders - Swimming Pool Facilities

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 9.52AM.**

**ATTENDANCE:** Shaun Johnston (Water and Wastewater Manager) left the meeting at 9.52am.

**ATTENDANCE:** Shane Anderson (Planning And Environment Manager) and Michael Cartwright (Governance Policy And Risk Advisor) joined the meeting at 9.52am.

**ATTENDANCE:** Carl Bacon (Civil Works Manager) left the meeting at 10.02am.

**ATTENDANCE:** Ajith Samarasekera (Assets, Facilities and Fleet Manager) and Michael Wallace (Contracts and Leasing Officer) joined the meeting at 10.34am.

**ATTENDANCE:** Margot Stork (CEO) and Shane Anderson (Planning And Environment Manager) left the meeting at 10.34am.

**ATTENDANCE:** Margot Stork (CEO) joined the meeting at 10.37am.

**ATTENDANCE:** Michael Wallace (Contracts and Leasing Officer) left the meeting at 10.40am.

**ATTENDANCE:** Michael Wallace (Contracts and Leasing Officer) joined the meeting at 10.49am.

**ATTENDANCE:** Michael Wallace (Contracts and Leasing Officer) left the meeting at 10.51am.

**ATTENDANCE:** Michael Wallace (Contracts and Leasing Officer) joined the meeting at 10.57am.

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

**202206\_3 Item 12.1 QON**

Cr Jones requested an update to Councillors on the outcome of item 12.1 (Disputed rateable assessment - special levy zone Mt Perry). Through the Chair, Margot Stork (CEO) responded to Cr Jones noting that an update would be provided to Councillors offline.

**OFFICERS RECOMMENDATION**

That Council moves out of Closed Session into Open Session.

Moved: Cr Giddins

Seconded: Cr Mesner

**RESOLUTION 2022/79**

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 11.08am.**

**12.1 DISPUTED RATEABLE ASSESSMENT - SPECIAL LEVY ZONE MT PERRY****OFFICERS RECOMMENDATION**

That Council resolves to:

1. Write-off the incorrectly accrued special rates and charges, including interest, in the sum of \$39,602.16 on assessment number 50211-00000-000 - lots 164, 165, 166, 167 & 168 RP28376 at Mt Perry.
2. Cancel the special charge on assessment number 50211-00000-000 - lots 164, 165, 166, 167 & 168, RP28376 at Mt Perry.
3. Have Council's Manager Finance: write and provide the ratepayer with a statement of reasons why lots 163, 169 & 170 will continue to be levied the special charge and why lots 164, 165, 166, 167 & 168 will be excluded from the special charge. Have Council's Manger Finance write and advise the ratepayer of Council's intention to pause recovery action of unpaid rates on assessment no, 50211-00000-000 lots 164, 165, 166, 167 & 168 for six (6) months from the date of the resolution, to allow the ratepayer sufficient time to pay the adjusted outstanding rates.
4. Delay by six (6) months from the date of the resolution, any action to recover the unpaid leviable rates on assessment no. 50211-00000-000 lots 163, 169 & 170.

Moved: Cr Mesner

Seconded: Cr Dingle

**RESOLUTION 2022/80**

That Council resolves to:

1. Retract the incorrectly accrued special rates and charges and rectify all rates notices with respects to these properties, including interest, in the sum of \$39,602.16 on assessment number 50211-00000-000 - lots 164, 165, 166, 167 & 168 RP28376 at Mt Perry.
2. Cancel the special charge on assessment number 50211-00000-000 - lots 164, 165, 166, 167 & 168, RP28376 at Mt Perry.
3. Have Council's Manager Finance: write and provide the ratepayer with an unreserved apology for the errors now identified, and any inconvenience caused as a result of such error, a statement of reasons why lots 163, 169 & 170 will continue to be levied the special charge and why lots 164, 165, 166, 167 & 168 will be excluded from the special charge. Have Council's Manger Finance write and advise the ratepayer of Council's intention to pause recovery action of unpaid rates on assessment no, 50211-00000-000 lots 164, 165, 166, 167 & 168 for six (6) months from the date of the resolution, to allow the ratepayer sufficient time to pay the adjusted outstanding rates.
4. Delay by six (6) months from the date of the resolution, any action to recover the unpaid leviable rates on assessment no. 50211-00000-000 lots 163, 169 & 170.

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 BIGGENDEN DEPOT EX LEASE, SITE REMEDIATION**

**OFFICERS RECOMMENDATION**

That Council notes that the environmental nuisance concerns identified by Council have been satisfactorily addressed in full, by H Dowling & Sons and no further action is required.

Moved: Cr Giddins

Seconded: Cr Radel

**RESOLUTION 2022/81**

That Council notes that the environmental nuisance concerns identified by Council have been satisfactorily addressed in full, by H Dowling & Sons and no further action is required.

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**

**12.3 TENDERS - SWIMMING POOL FACILITIES****OFFICERS RECOMMENDATION**

That Council:

1. Receive the report as presented.
2. The Chief Executive Officer be authorised to engage an independent legal expert to prepare Contracts for the management and operation of each Pool Facility – Biggenden, Eidsvold, Gayndah, Monto and Mundubbera.
3. The Chief Executive Officer be authorised to appoint the following tenderers by-way of Contract for each pool facility, pursuant to their offer, and on terms and conditions to the satisfaction of the Chief Executive Officer.

Pool	Proposed Contractor
Biggenden	Whitakers Swim School
Eidsvold	Whitakers Swim School
Gayndah	HiTide Swim School
Monto	Active Aquatics
Mundubbera	HiTide Swim School

Moved: Cr Radel

Seconded: Cr Jones

**RESOLUTION 2022/82**

That Council:

1. Receive the report as presented.
2. The Chief Executive Officer be authorised to engage an independent legal expert to prepare Contracts for the management and operation of each Pool Facility – Biggenden, Eidsvold, Gayndah, Monto and Mundubbera.
3. The Chief Executive Officer be authorised to appoint the following tenderers by-way of Contract for each pool facility, pursuant to their offer, and on terms and conditions to the satisfaction of the Chief Executive Officer

Pool	Proposed Contractor
Biggenden	Whitakers Swim School
Eidsvold	Whitakers Swim School
Gayndah	HiTide Swim School
Monto	Active Aquatics
Mundubbera	HiTide Swim School

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**

**13 CLOSURE OF MEETING**

**The Meeting closed at 11.11am.**

**The minutes of this meeting were confirmed at the General Meeting held on 21 July 2022.**

  
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**CHAIRPERSON**