



MINUTES

General Meeting

21 July 2022

UNCONFIRMED

**MINUTES OF NORTH BURNETT REGIONAL COUNCIL
GENERAL MEETING
HELD AT THE MUNDUBBERA BOARDROOM
ON THURSDAY, 21 JULY 2022 AT 09:00AM**

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

OFFICERS: Margot Stork (Chief Executive Officer), Skye Price (Interim General Manager Corporate and Community), Anna Scott (Interim General Manager Works 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

The Mayor noted an apology had been received from Cr Dingle due to his attendance at a funeral.

Moved: Cr Jones

Seconded: Cr Giddins

RESOLUTION 2022/102

That the apology from Cr Dingle be received.

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

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.

| | |
|-----------------------------|------------------|
| <i>Garry Stark</i> | <i>Biggenden</i> |
| <i>Raymond Corfield</i> | <i>Biggenden</i> |
| <i>Sidney Sharps</i> | <i>Biggenden</i> |
| <i>William Hetherington</i> | <i>Biggenden</i> |
| <i>Rosa-Lee Drury</i> | <i>Eidsvold</i> |
| <i>Bernard Boyter</i> | <i>Eidsvold</i> |
| <i>Victor Hampson</i> | <i>Gayndah</i> |
| <i>Helen Harman</i> | <i>Gayndah</i> |
| <i>Henry Ball</i> | <i>Monto</i> |
| <i>Janice James</i> | <i>Monto</i> |

*Ronald Dingle**Mt Perry***5 DEPUTATIONS/PETITIONS**

Nil.

6 DECLARATIONS OF INTEREST

Nil.

7 CONFIRMATION OF MINUTES**7.1 MINUTES OF THE GENERAL MEETING HELD ON 27 JUNE 2022****OFFICERS RECOMMENDATION**

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

Moved: Cr Giddins

Seconded: Cr Mesner

RESOLUTION 2022/103

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

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

Against: Nil

CARRIED 6/0**7.2 MINUTES OF THE BUDGET MEETING HELD ON 27 JUNE 2022****OFFICERS RECOMMENDATION**

That the Minutes of the Budget Meeting held on 27 June 2022 be confirmed.

Moved: Cr Mesner

Seconded: Cr Radel

RESOLUTION 2022/104

That the Minutes of the Budget Meeting held on 27 June 2022 be confirmed.

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

Against: Nil

CARRIED 6/0

8 OFFICE OF THE CHIEF EXECUTIVE OFFICER

Nil.

9 CORPORATE AND COMMUNITY**9.1 NOMINATION OF SPECIAL HOLIDAYS 2023****OFFICERS RECOMMENDATION**

That Council nominates the following 2023 Show Holiday dates:

1. Mundubbera – Friday 5 May 2023; and
2. Biggenden, Eidsvold, Gayndah, Mt Perry and Monto – Monday 14 August 2023.

Moved: Cr Payne

Seconded: Cr Jones

RESOLUTION 2022/105

That Council nominates the following 2023 Show Holiday dates:

1. Mundubbera – Friday 5 May 2023; and
2. Biggenden, Eidsvold, Gayndah, Mt Perry and Monto – Monday 14 August 2023.

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

Against: Cr Dael Giddins

CARRIED 5/1

NOTE: Cr Radel suggested that for the next round of nominations, a report is prepared for Council noting the financial implications and considerations should Mundubbera continue to have a separate show holiday.

9.2 FINANCE REPORT TO 30 JUNE 2022

OFFICERS RECOMMENDATION

That Council:

1. Receives the Finance Report for the period ended 30 June 2022, in accordance with section 204 *Local Government Regulation 2012 (Qld)*; and
2. That in accordance with section 170 of the *Local Government Regulation 2012 (Qld)*, Council resolves to amend the budget for the year ending 30 June 2023 to include recommended carry-over 2021-2022 committed capital projects totalling \$4,117,018 as presented.

Moved: Cr Giddins

Seconded: Cr Radel

RESOLUTION 2022/106

That Council:

1. Receives the Finance Report for the period ended 30 June 2022, in accordance with section 204 *Local Government Regulation 2012 (Qld)*; and
2. That in accordance with section 170 of the *Local Government Regulation 2012 (Qld)*, Council resolves to amend the budget for the year ending 30 June 2023 to include recommended carry-over 2021-2022 committed capital projects totalling \$4,117,018 as presented.

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

Against: Nil

CARRIED 6/0

9.3 DALLARNIL FLOOD VOLUNTEER PRESENTATION - REQUEST FOR SPONSORSHIP SUPPORT**OFFICERS RECOMMENDATION**

That Council endorse a donation of one hundred dollars (\$100.00) towards the Dallarnil flood volunteer presentation barbeque, Friday 5 August 2022.

Moved: Cr Payne

Seconded: Cr Jones

RESOLUTION 2022/107

That Council either reimburses the Dallarnil Rural Fire Service or if required, purchases food and drink for the Dallarnil flood volunteer presentation barbeque to be held on Friday 5 August 2022 up to a maximum of four hundred dollars (\$400.00).

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

Against: Nil

CARRIED 6/0

10 WORKS**10.1 NORTH BURNETT REGIONAL COUNCIL PLANT DISPOSAL PROGRAM****OFFICERS RECOMMENDATION**

That Council notes the plant currently programmed for disposal in 2022/23.

Moved: Cr Radel

Seconded: Cr Payne

RESOLUTION 2022/108

That Council notes the plant currently programmed for disposal in 2022/23.

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

Against: Nil

CARRIED 6/0

220207_1 Item 10.1 QON

Mayor Hotz requested clarification around the sale of P9709 – P9712 Spray Units. Through the Chair, Anna Scott (Interim General Manager Works) responded to Mayor Hotz noting that the question would be taken on notice.

Further, Cr Mesner requested clarification around the replacement of P8109 – Catapillar Grander 140M & Laser and the sale of P7305 – P7309 - 4 x Hitachi Wheel Loader ZW180. Through the Chair, Margot Stork (CEO) responded to Cr Mesner noting that the question would be taken on notice.

11 COUNCILLOR REPORTS

11.1 MAYOR AND COUNCILLORS REPORTS

OFFICERS RECOMMENDATION

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

Moved: Cr Giddins

Seconded: Cr Jones

RESOLUTION 2022/109

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

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

Against: Nil

CARRIED 6/0

NOTE: Moving forward, names of community members will be removed from Councillor reports.

NOTE: Moving forward, Councillors are to provide further notes around the outcome of meetings especially with Federal and State Ministers and members of parliament.

11.2 2022 NATIONAL GENERAL ASSEMBLY**OFFICERS RECOMMENDATION**

That Council receive the Councillor Report titled 2022 National General Assembly.

Moved: Cr Radel

Seconded: Cr Giddins

MOTION

That Council receive the Councillor Report titled 2022 National General Assembly.

Moved: Cr Payne

Seconded: Cr Giddins

AMENDMENT (ONE)

That Council receive the Councillor Report titled 2022 National General Assembly and that a letter offering our feedback to the Board expressing our concern regarding the unheard motions and opportunity to debate.

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

Against: Nil

CARRIED 6/0

THE AMENDMENT BECAME THE MOTION

Moved: Cr Payne

Seconded: Cr Giddins

RESOLUTION 2022/110

That Council receive the Councillor Report titled 2022 National General Assembly and that a letter offering our feedback to the Board expressing our concern regarding the unheard motions and opportunity to debate.

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

Against: Nil

CARRIED 6/0

Cr Payne, had a matter of urgent business which she requested be dealt with concerning the recent outbreak of foot and mouth disease affecting some of Australia's closest neighbours.

Moved: Cr Payne
Seconded: Cr Radel

RESOLUTION 2022/111

I, Cr Payne, is seeking leave to address Council regarding the urgent issue of a foot and mouth disease outbreak amongst cattle in countries neighbouring Australia.

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

Against: Nil

CARRIED 6/0

Moved: Cr Payne
Seconded: Cr Radel

RESOLUTION 2022/112

That North Burnett Regional Councils CEO urgently write to all Federal and Queensland Ministers and members of parliament expressing concern regarding the current foot and mouth disease outbreak threatening Australia's livestock industry, and back industry and community calls for increased bio security measures to be urgently introduced to reduce the risk of foot and mouth disease reaching Australia. Furthermore that the CEO prepare a media release regarding NBRCs action in this matter and that same be made available on Councils website.

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

Against: Nil

CARRIED 6/0

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 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 br or against local government.

12.2 Disposal - 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.

12.3 Exemption from Purchasing Arrangements

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 br or against local government.

12.4 Reginald Murray Williams Australian Bush Learning Centre - Expression of Interest Recommendation

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 Giddins

Seconded: Cr Mesner

RESOLUTION 2022/113

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 Disposal - 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.

12.3 Exemption from Purchasing Arrangements

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.

12.4 Reginald Murray Williams Australian Bush Learning Centre - Expression of Interest Recommendation

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 Melinda Jones and Cr Kingsley Mesner.

Against: Nil

CARRIED 6/0

THE MEETING MOVED INTO A CLOSED SESSION AT 10.21AM.

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

OFFICERS RECOMMENDATION

That Council moves out of Closed Session into Open Session.

Moved: Cr Jones

Seconded: Cr Giddins

RESOLUTION 2022/114

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 Melinda Jones and Cr Kingsley Mesner.

Against: Nil

CARRIED 6/0

THE MEETING MOVED BACK INTO AN OPEN SESSION AT 10.46am.

ATTENDANCE: At 10.46am, Cr Payne left the meeting.

ATTENDANCE: At 10.48am, Cr Payne returned to the meeting.

12.1 UPDATE - RECOVERY OF OUTSTANDING RATES**OFFICERS RECOMMENDATION**

That Council:

1. Receives the Update – Recovery of Outstanding Rates report;
2. Agrees to write off an outstanding rate balance of \$527.31, being the shortfall given insufficient sales proceeds to pay the rates in full for Assessment 2027800000000, 3 Ryan Street, Eidsvold, Lot 4 CP859547; and
3. Agrees to write off an outstanding rate balance of \$946.69, being the shortfall given insufficient sales proceeds to pay the rates in full for Assessment 2024900000000, 3 Mount Rose Street, Eidsvold, Lot 3 MPH33304.

Moved: Cr Giddins

Seconded: Cr Jones

RESOLUTION 2022/115

That Council:

1. Receives the Update – Recovery of Outstanding Rates report;
2. Agrees to write off an outstanding rate balance of \$527.31, being the shortfall given insufficient sales proceeds to pay the rates in full for Assessment 2027800000000, 3 Ryan Street, Eidsvold, Lot 4 CP859547; and
3. Agrees to write off an outstanding rate balance of \$946.69, being the shortfall given insufficient sales proceeds to pay the rates in full for Assessment 2024900000000, 3 Mount Rose Street, Eidsvold, Lot 3 MPH33304.

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

Against: Nil

CARRIED 6/0

12.2 DISPOSAL - MONTO VACANT LAND

OFFICERS RECOMMENDATION

That Council:

1. Notes the contents of the Disposal – Monto Vacant Land report;
2. Resolves 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; and
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 Real Estate 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.

NOTE: This report was withdrawn with a resolution (2022/39) passed in March 2022.

12.3 EXEMPTION FROM PURCHASING ARRANGEMENTS

OFFICERS RECOMMENDATION

That Council:

1. Pursuant to the *Local Government Regulation 2012 (Qld)* section 235(a) resolves that it is satisfied that there is only one (1) supplier who is reasonably available to perform the works required in the time frame as ordered by the Court; and
2. Pursuant to the *Local Government Regulation 2012 (Qld)* section 235(c) endorses the engagement of Kwik Lift Pty Ltd to perform the emergency works.

Moved: Cr Radel

Seconded: Cr Payne

RESOLUTION 2022/116

That Council:

1. Pursuant to the *Local Government Regulation 2012 (Qld)* section 235(a) resolves that it is satisfied that there is only one (1) supplier who is reasonably available to perform the works required in the time frame as ordered by the Court; and
2. Pursuant to the *Local Government Regulation 2012 (Qld)* section 235(c) endorses the engagement of Kwik Lift Pty Ltd to perform the emergency works.

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

Against: Nil

CARRIED 6/0

12.4 REGINALD MURRAY WILLIAMS AUSTRALIAN BUSH LEARNING CENTRE - EXPRESSION OF INTEREST RECOMMENDATION

OFFICERS RECOMMENDATION

That Council:

1. Decline to proceed with any of the Expressions of Interest submitted.
2. Delegate authority to the Chief Executive Officer to determine a tender process designed to attract innovative solutions for the future operation of the Reginald Murray Williams Australian Bush Learning Centre.

Moved: Cr Giddins

Seconded: Cr Mesner

RESOLUTION 2022/117

That Council:

1. Decline to proceed with any of the Expressions of Interest submitted.
2. Delegate authority to the Chief Executive Officer to determine a tender process designed to attract innovative solutions for the future operation of the Reginald Murray Williams Australian Bush Learning Centre.

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

Against: Nil

CARRIED 6/0

3 CLOSURE OF MEETING

The Meeting closed at 10.50am.

The minutes of this meeting were confirmed at the General Meeting held on 24 August 2022.

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CHAIRPERSON