



# **MINUTES**

**General Meeting**

**23 November 2022**

**MINUTES OF NORTH BURNETT REGIONAL COUNCIL  
GENERAL MEETING  
HELD AT THE BIGGENDEN BOARDROOM  
ON WEDNESDAY, 23 NOVEMBER 2022 AT 09:00AM**

**1 WELCOME/HOUSEKEEPING**

The Mayor declared the meeting open and welcomed all attendees.

**2 ATTENDEES**

**COUNCILLORS:** Mayor Leslie Hotz, Cr Robert Radel, Cr Melinda Jones (VC), Cr Susan Payne, Cr Dael Giddins and Cr Kingsley Mesner.

**OFFICERS:** Margot Stork (Chief Executive Officer), Anna Scott (Interim General Manager Works), Skye Price (Interim General Manager Corporate and Community), Owen Jensen (Financial Services Manager), Michael Wallace (Contracts and Leasing Officer), Amanda Shannon (Executive Assistant to the General Manager Corporate and Community), Danette Peachey (Executive Assistant to the General Manager Works)

**3 APOLOGIES/LEAVE OF ABSENCE**

An apology had been received for Cr Michael Dingle.

Moved: Cr Radel

Seconded: Cr Giddins

**RESOLUTION 2022/164**

That the apology for Cr Michael 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**

**4 ACKNOWLEDGEMENT OF COUNTRY**

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

## 5 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>Fay Hurren</i>	<i>Biggenden</i>
<i>Trevor Hurren</i>	<i>Biggenden</i>
<i>Elsie Hutchinson</i>	<i>Biggenden</i>
<i>David Rollinson</i>	<i>Biggenden</i>
<i>Deon Williams</i>	<i>Biggenden</i>
<i>Michelle Geary</i>	<i>Gayndah</i>
<i>Betty Iversen</i>	<i>Gayndah</i>
<i>Beth Savage</i>	<i>Gayndah</i>
<i>Patricia Simpson</i>	<i>Gayndah</i>
<i>William (Bill) Turner</i>	<i>Gayndah</i>
<i>Victor Geck</i>	<i>Mundubbera</i>

## 6 DEPUTATIONS/PETITIONS

Ms Veronica Andrews attended the meeting at 9.05am to make a deputation to Council regarding the Bega peanut factory situated between Juliet Street, Mary Street and Corelia Street in Gayndah which is overgrown.

Ms Andrews requested that Council do something as this matter has been ongoing for 9 months. Ms Andrews would prefer for the overgrown allotment to be poisoned by way of spraying, then slashed.

Mayor Hotz thanked Ms Andrews for her deputation, and advised Ms Andrews that Councillors had been provided with a report about this matter before this meeting. The matter was referred back to Margot Stork (Chief Executive Officer), who recommended providing Ms Andrews with written correspondence confirming the circumstances which have delayed the finalisation of this matter, and ongoing updates.

Ms Andrews left the meeting at 9.12am.

## 7 DECLARATIONS OF INTEREST

Nil.

## 8 CONFIRMATION OF MINUTES

### 8.1 MINUTES OF THE GENERAL MEETING HELD ON 26 OCTOBER 2022

#### OFFICERS RECOMMENDATION

That the Minutes of the General Meeting held on 26 October 2022 be confirmed.

Moved: Cr Radel

Seconded: Cr Giddins

#### **RESOLUTION 2022/165**

That the Minutes of the General Meeting held on 26 October 2022 be confirmed, subject to:

1. Amendment to Item 10.2 2023 Australia Day Award Ceremonies and Events, Resolution 2022/155:
  - a) Present the Motion moved by Cr Payne and seconded by Cr Dingle,
  - b) Remove Amendment (Two),
  - c) Update text to: 'The original Motion proposed by Cr Payne and seconded by Cr Dingle was put and carried.' and present Resolution 2022/155.
2. Amendment to Item 11.1 Councillor Replacement Vehicles – Vehicle Type Options, Resolution 2022/156:
  - a) Remove Abstained line.
  - b) Include: 'Cr Melinda Jones (abstained)' in the Against vote.
  - c) Update the vote to 4/3.

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 OFFICE OF THE CHIEF EXECUTIVE OFFICER**

**9.1 STANDING ORDERS AND MODEL MEETING PROCEDURES**

**OFFICERS RECOMMENDATION**

It is recommended that:

In accordance with Section 150G of the *Local Government Act 2009*, Council adopt by resolution the Standing Orders and Model Meeting Procedures as tabled.

Moved: Cr Radel

Seconded: Cr Giddins

**RESOLUTION 2022/166**

In accordance with Section 150G of the *Local Government Act 2009*, Council adopt by resolution the Standing Orders and Model Meeting Procedures as tabled, with removal of General Business.

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**

**9.2 2021-2022 ANNUAL REPORT****OFFICERS RECOMMENDATION**

That pursuant to section 182 of the *Local Government Regulation 2012 QLD*, Council adopts the 2021-2022 annual report.

Moved: Cr Payne

Seconded: Cr Giddins

**RESOLUTION 2022/167**

That pursuant to section 182 of the *Local Government Regulation 2012 QLD*, Council adopts the 2021-2022 annual report.

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**

**ATTENDANCE:** Cr Mesner left the meeting at 9.35am.

**ATTENDANCE:** Cr Mesner rejoined the meeting at 9.37am.

**202211\_1 Item 9.2 QON**

Cr Radel requested clarification of the information under Statutory Information – Councillors (s186) c) noting the information included was for financial year 2020-2021 instead of financial year 2021-2022. Through the Chair, Skye Price (Interim General Manager Corporate and Community) responded to Cr Radel noting the question would be taken on notice.

**NOTE:** Councillors noted the list of villages under the Regional Overview was not exhaustive, and asked for the inclusion of Abercorn, Monogorilby, Ideraway, Wetherton and Binjour. Through the Chair, Margot Stork (Chief Executive Officer) confirmed these named villages would be included, along with a disclaimer noting that the list of regional villages is not an exhaustive list.

**NOTE:** Skye Price (Interim General Manager Corporate and Community) noted that the Community Financial Report and audited Financial Statements are not yet finalised, but are due to be submitted to the Department by 30 November 2022. The Annual Report will be updated if required. The final financial information will be presented to Councillors at a future Council General Meeting.

**ATTENDANCE:** Owen Jensen (Financial Services Manager) joined the meeting at 9.47am.

**10 CORPORATE AND COMMUNITY****10.1 FINANCE REPORT TO 31 OCTOBER 2022****OFFICERS RECOMMENDATION**

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

Moved: Cr Giddins

Seconded: Cr Radel

**RESOLUTION 2022/168**

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

**10.2 WANDERING LIVESTOCK POLICY REVIEW****OFFICERS RECOMMENDATION**

That Council:

1. Endorse 2274 Wandering Livestock Policy for public display.
2. Place 2274 Wandering Livestock Policy on public display and invite feedback, for a period of twenty-eight (28) days.
3. Table the 2274 Wandering Livestock Policy; a summary of any community feedback; as well as any potential recommendations for Policy changes resulting from the public display period, at a General Council meeting after a public display period has concluded.

Moved: Cr Payne

Seconded: Cr Radel

**RESOLUTION 2022/169**

That Council:

1. Endorse 2274 Wandering Livestock Policy for public display.
2. Place 2274 Wandering Livestock Policy on public display and invite feedback, for a period of twenty-eight (28) days
3. Table the 2274 Wandering Livestock Policy; a summary of any community feedback; as well as any potential recommendations for Policy changes resulting from the public display period, at a General Council meeting after a public display period has concluded.

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**



**10.3 COUNCIL CLOSURE DURING 2022 FESTIVE SEASON AND 2023 NEW YEAR PERIOD****OFFICERS RECOMMENDATION**

That Council

1. Endorse closure of Council offices, including customer service and library buildings, from close of business on Friday 23 December 2022, reopening at 8.30am on Tuesday 3 January 2023.
2. Note the outdoor workforce will conclude duties Friday 16 December 2022 and recommence Monday 9 January 2023 pursuant to the provisions of the existing Enterprise Agreement.

Moved: Cr Giddins

Seconded: Cr Radel

**RESOLUTION 2022/170**

That Council:

1. Endorse closure of Council offices, including customer service and library buildings, from close of business on Friday 23 December 2022, reopening at 8.30am on Tuesday 3 January 2023.
2. Note the outdoor workforce will conclude duties Friday 16 December 2022 and recommence Monday 9 January 2023 pursuant to the provisions of the existing Enterprise Agreement.

**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:** Margot Stork (Chief Executive Officer) advised Councillors that for any future planned office closures a report will be presented, as required.

**10.4 QUARTERLY BUDGET REVIEW - SEPTEMBER 2022****OFFICERS RECOMMENDATION**

That Council

1. Receives and notes the information within the Quarterly Budget Review – September 2022 report.
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 quarterly budget review amendments as presented.

Moved: Cr Payne

Seconded: Cr Radel

**RESOLUTION 2022/171**

That Council:

1. Receives and notes the information within the Quarterly Budget Review – September 2022 report.
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 quarterly budget review amendments 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**

## 10.5 MOUNT PERRY STATE SCHOOL P&C REQUEST FOR FINANCIAL REPORT

### OFFICERS RECOMMENDATION

That Council endorse one (1) of the following options pertaining to the Mount Perry State School Parents and Citizens request for swimming lesson funding support:

- (a) Send correspondence acknowledging the request indicating that Council will support swimming lessons to the value of \$\_\_\_ for the 2023 school swimming program.
- (b) Send correspondence acknowledging the request indicating that Council declines to provide financial support, for the 2022 and 2023 school swimming programs.

Moved: Cr Giddins

Seconded: Cr Mesner

### RESOLUTION 2022/172

1. That the report, Mount Perry State School P&C Request for Financial Support, lay on the table.
2. The Chief Executive Officer to seek further information and table a report at a future General Meeting of Council early in the New Year.

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

Against: Cr Robert Radel and Cr Susan Payne.

**CARRIED 4/2**

**NOTE:** Margot Stork (Chief Executive Officer) to undertake the following:

- a) Investigate which schools in the North Burnett region transport students to swimming lessons at pools via bus,
- b) Confirm which year(s) this financial support is required,
- c) Consider Council budget implications if support is provided to Mount Perry State School,
- d) Consider meeting with Mount Perry State School, Mount Perry State School P&C, Department of Education, Evolution Mines and other interested parties to confirm financial commitments.

**ATTENDANCE:** Owen Jensen (Financial Services Manager) left the meeting at 10.24am.

## 11 WORKS

Nil

**12 COUNCILLOR REPORTS**

**12.1 MAYOR AND COUNCILLORS REPORTS**

**OFFICERS RECOMMENDATION**

That the Councillor Reports be received for the period of 1 October to 31 October 2022.

Moved: Cr Giddins

Seconded: Cr Radel

**RESOLUTION 2022/173**

That the Councillor Reports be received for the period of 1 October to 31 October 2022.

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

Against: Cr Susan Payne.

**CARRIED 5/1**

**133 URGENT BUSINESS**

Nil

## 14 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(1) of the *Local Government Regulation 2012*:

#### 14.1 Update - Recovery of Outstanding Rates

This matter is considered to be confidential under Section 254J(3)(e) of the Local Government Regulation 2012, 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.

#### 14.2 Council surplus land and Property – Outcome of Tender process

This matter is considered to be confidential under Section 254J(3)(e) of the Local Government Regulation 2012, 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.

#### 14.3 Procurement Exemption and Consultant Appointment

This matter is considered to be confidential under Section 254J(3)(b) and (i) of the Local Government Regulation 2012, 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 industrial matters affecting employees and a matter the local government is required to keep confidential under a law of, or formal arrangements with, the Commonwealth or a State.

Moved: Cr Radel

Seconded: Cr Mesner

---

### RESOLUTION 2022/174

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 254J(1) of the *Local Government Regulation 2012*:

#### 14.1 Update - Recovery of Outstanding Rates

This matter is considered to be confidential under Section 254J(3)(e) of the Local Government Regulation 2012, 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.

#### 14.2 Council surplus land and Property – Outcome of Tender process

This matter is considered to be confidential under Section 254J(3)(e) of the Local Government Regulation 2012, 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.

#### 14.3 Procurement Exemption and Consultant Appointment

This matter is considered to be confidential under Section 254J(3)(b) and (i) of the Local Government Regulation 2012, 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 industrial matters affecting employees and a matter the local government is required to keep confidential under a law of, or formal arrangements with, the Commonwealth or a State.

---

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**

**ATTENDANCE:** Michael Wallace (Contracts and Leasing Officer) joined the meeting at 10.25am.

**THE MEETING MOVED INTO A CLOSED SESSION AT 10.25AM.**

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

**ATTENDANCE:** Michael Wallace (Contracts and Leasing Officer) left the meeting at 10.44am.

**OFFICERS RECOMMENDATION**

That Council moves out of Closed Session into Open Session.

Moved: Cr Radel

Seconded: Cr Payne

**RESOLUTION 2022/175**

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 10.49am.**

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

That Council:

1. Receives and Notes the Update – Recovery of Outstanding Rates report; and
2. Write off an outstanding rate balance of \$560.78, being the shortfall given insufficient sales proceeds to pay the rates in full for Assessment 2017500000000, 15 Golden Spur Street, Eidsvold, Lot 2 Plan MPH2049.
3. Change the reporting cycle for progress updates from bimonthly to quarterly.

Moved: Cr Radel

Seconded: Cr Giddins

**RESOLUTION 2022/176**

That Council:

1. Receives and Notes the Update – Recovery of Outstanding Rates report; and
2. Write off an outstanding rate balance of \$560.78, being the shortfall given insufficient sales proceeds to pay the rates in full for Assessment 2017500000000, 15 Golden Spur Street, Eidsvold, Lot 2 Plan MPH2049

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:** Margot Stork (Chief Executive Officer) to investigate the initial resolution for bi-monthly reporting of the Update – Recovery of Outstanding Rates report.

**14.2 COUNCIL SURPLUS LAND AND PROPERTY - OUTCOME OF TENDER PROCESS****OFFICERS RECOMMENDATION**

That Council:

1. Note the contents of the Council surplus land and property – Outcome of tender process report.

Moved: Cr Giddins

Seconded: Cr Radel

**RESOLUTION 2022/177**

That Council:

1. Note the contents of the Council surplus land and property – Outcome of tender process report.

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**

**202211\_2 Item 14.2 QON**

Cr Radel requested inclusion of a fourth Special Condition such as 'Should the property be sold, compliance to be investigated by Council', or similar. Through the Chair, Skye Price (Interim General Manager Corporate and Community) responded to Cr Radel noting the question would be taken on notice.



**14.3 PROCUREMENT EXEMPTION AND CONSULTANT APPOINTMENT**

**OFFICERS RECOMMENDATION**

That Council endorse exemption from procurement policy requirements, enabling the Chief Executive Officer to appoint Wishart Workplace Relations Consulting as an independent contractor, for the remainder of enterprise bargaining negotiations and concurrent Enterprise Agreement development.

Moved: Cr Radel

Seconded: Cr Giddins

**RESOLUTION 2022/178**

That Council endorse exemption from procurement policy requirements, enabling the Chief Executive Officer to appoint Wishart Workplace Relations Consulting as an independent contractor, for the remainder of enterprise bargaining negotiations and concurrent Enterprise Agreement development.

**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**

**15 GENERAL BUSINESS**

Nil.

**16 CLOSURE OF MEETING**

**The Meeting closed at 10.52am.**

**The minutes of this meeting were confirmed at the General Meeting held on 14 December 2022.**

.....  
**CHAIRPERSON**

**14.2 COUNCIL SURPLUS LAND AND PROPERTY - OUTCOME OF TENDER PROCESS****OFFICERS RECOMMENDATION**

That Council:

1. Note the contents of the Council surplus land and property – Outcome of tender process report.

Moved: Cr Giddins

Seconded: Cr Radel

**RESOLUTION 2022/177**

That Council:

1. Note the contents of the Council surplus land and property – Outcome of tender process report.

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**

**202211\_2 Item 14.2 QON**

Cr Radel requested inclusion of a fourth Special Condition such as 'Should the property be sold, compliance to be investigated by Council', or similar. Through the Chair, Skye Price (Interim General Manager Corporate and Community) responded to Cr Radel noting the question would be taken on notice.

**14.3 PROCUREMENT EXEMPTION AND CONSULTANT APPOINTMENT****OFFICERS RECOMMENDATION**

That Council endorse exemption from procurement policy requirements, enabling the Chief Executive Officer to appoint Wishart Workplace Relations Consulting as an independent contractor, for the remainder of enterprise bargaining negotiations and concurrent Enterprise Agreement development.

Moved: Cr Radel

Seconded: Cr Giddins

**RESOLUTION 2022/178**

That Council endorse exemption from procurement policy requirements, enabling the Chief Executive Officer to appoint Wishart Workplace Relations Consulting as an independent contractor, for the remainder of enterprise bargaining negotiations and concurrent Enterprise Agreement development.

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**

**4 GENERAL BUSINESS**

Nil.

**16 CLOSURE OF MEETING**

The Meeting closed at 10.52am.

The minutes of this meeting were confirmed at the General Meeting held on 14 December 2022.

  
.....  
CHAIRPERSON