



MINUTES

General Meeting

22 March 2023

**MINUTES OF NORTH BURNETT REGIONAL COUNCIL
GENERAL MEETING
HELD AT THE MT PERRY BOARDROOM
ON WEDNESDAY, 22 MARCH 2023 AT 9.00AM**

1 WELCOME/HOUSEKEEPING

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

2 ATTENDEES

COUNCILLORS: Mayor Leslie Hotz, Cr Robert Radel, Cr Susan Payne, Cr Dael Giddins[^], Cr Michael Dingle, Cr Kingsley Mesner

OFFICERS: Margot Stork (CEO), Anna Scott (Interim General Manager - Works), Andrew Knight (Interim General Manager – Corporate and Community), Rhys Habermann (Business Analyst)*, Carl Bacon (Civil Works Manager)^{^*}, Kelly Houston (Media Officer)^{**^}, Owen Jensen (Financial Services Manager)^{^*}, Camille Summers (Revenue Stream Leder)^{^*}, Tegan Bauer (Executive Assistant to the Mayor), Marlene Carstens (Executive Assistant to the Interim General Manager Works)[^], Taylor Applewaite (Administration Officer – Executive Services)[^] and Kat Bright (Senior Executive Assistant to the CEO)[^]

[^] attended the meeting via Microsoft Teams ^{*} attended part of the meeting only

3 APOLOGIES/LEAVE OF ABSENCE

A leave of absence request was received for Cr Melinda Jones to attend the Australian Rural Leadership Foundation - Leading Australian Resilient Communities (LARC) Leadership Development Program.

LEAVE OF ABSENCE REQUEST

RESOLUTION 2023/28

Moved: Cr Kingsley Mesner

Seconded: Cr Michael Dingle

That leave of absence from Cr Jones be received and accepted.

In Favour: Crs Leslie Hotz, Robert Radel, Susan Payne, Michael Dingle and Kingsley Mesner

Against: Nil

CARRIED 5/0

At 9.04am, Carl Bacon (Civil Works Manager) and Kelly Houston (Media Officer) joined the meeting.

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>Noel Farnham</i>	<i>Biggenden</i>
<i>John Murray</i>	<i>Eidsvold</i>
<i>Jerome Holzheimer</i>	<i>Monto</i>
<i>Gwenoline Pott</i>	<i>Mundubberra</i>

6 DEPUTATIONS/PETITIONS

Nil.

7 DECLARATIONS OF INTEREST

Nil.

8 CONFIRMATION OF MINUTES

8.1 MINUTES OF THE GENERAL MEETING HELD ON 22 FEBRUARY 2023

OFFICERS RECOMMENDATION

That the Minutes of the General Meeting held on 22 February 2023 be confirmed.

RESOLUTION 2023/29

Moved: Cr Kingsley Mesner

Seconded: Cr Robert Radel

That the Minutes of the General Meeting held on 22 February 2023 be confirmed.

In Favour: Crs Leslie Hotz, Robert Radel, Susan Payne, Michael Dingle and Kingsley Mesner

Against: Nil

CARRIED 5/0

At 9:10 am, Cr Dael Giddins joined the meeting.

9 OFFICE OF THE CHIEF EXECUTIVE OFFICER**9.1 COMMUNITY ENGAGEMENT FRAMEWORK****OFFICERS RECOMMENDATION**

That Council:

1. Note the public feedback received.
2. Adopt the revised 2215 Community Engagement and Consultation Policy.
3. Note the revised Community Engagement Framework document as presented.

RESOLUTION 2023/30

Moved: Cr Robert Radel

Seconded: Cr Susan Payne

That Council:

1. Note the public feedback received.
2. Adopt the revised 2215 Community Engagement and Consultation Policy.
3. Note the revised Community Engagement Framework document as presented.

In Favour: Crs Leslie Hotz, Robert Radel, Susan Payne, Dael Giddins, Michael Dingle and Kingsley Mesner

Against: Nil

CARRIED 6/0

At 9.15am, Rhys Habermann (Business Analyst) left the meeting.

9.2 LOCAL RECOVERY AND RESILIENCE GRANT

OFFICERS RECOMMENDATION

That Council:

1. Endorse the presented projects to be delivered under the Local Recovery and Resilience Grant.

OR

2. Provide alternative projects to expend the \$1 million Local Recovery and Resilience Grant.

NOTE: Mayor requested an ongoing progress report detailing the status of each project delivered under the Local Recovery and Resilience Grant. Through the Chair, Margot Stork (CEO) responded to the Mayor noting that ongoing progress reports would be included in the Quarterly Business Report moving forward.

NOTE: Margot Stork (CEO) noted that the projects to be delivered under the Local Recovery and Resilience Grant would be circulated to Councillors with proposed end dates.

RESOLUTION 2023/31

Moved: Cr Robert Radel
Seconded: Cr Dael Giddins

That Council endorse the presented projects to be delivered under the Local Recovery and Resilience Grant.

In Favour: Crs Leslie Hotz, Robert Radel, Susan Payne, Dael Giddins, Michael Dingle and Kingsley Mesner

Against: Nil

CARRIED 6/0

10 CORPORATE AND COMMUNITY**10.1 QUARTERLY BUDGET REVIEW - DECEMBER 2022****OFFICERS RECOMMENDATION**

That Council:

1. Receives and notes the information within the Quarterly Budget Review – December 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.

RESOLUTION 2023/32

Moved: Cr Susan Payne

Seconded: Cr Kingsley Mesner

That Council:

1. Receives and notes the information within the Quarterly Budget Review – December 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: Crs Leslie Hotz, Robert Radel, Susan Payne, Dael Giddins, Michael Dingle and Kingsley Mesner

Against: Nil

CARRIED 6/0

10.2 FINANCE REPORT TO 28 FEBRUARY 2023**OFFICERS RECOMMENDATION**

That in accordance with section 204 *Local Government Regulation 2012 (Qld)*, Council receives the Finance Report for the period ended 28 February 2023.

At 9.47am, Carl Bacon (Civil Works Manager) left the meeting.

RESOLUTION 2023/33

Moved: Cr Susan Payne

Seconded: Cr Michael Dingle

That in accordance with section 204 *Local Government Regulation 2012 (Qld)*, Council receives the Finance Report for the period ended 28 February 2023.

In Favour: Crs Leslie Hotz, Robert Radel, Susan Payne, Dael Giddins, Michael Dingle and Kingsley Mesner

Against: Nil

CARRIED 6/0

202303_1 ITEM 10.2 QON: SEEKING AN EXPLANATION OF THE ADDITIONAL REPAIRS AND MAINTENANCE UNDER FINANCIAL PERFORMANCE (AS AT FEBRUARY 2023) OPERATING EXPENDITURE

Cr Susan Payne requested an explanation of the Additional Repairs and Maintenance of approximately \$90,000 noted on page 87 of the Agenda under Areas to Note: Operating Expenditure. Through the Chair, Andrew Knight (Interim General Manager Corporate and Community) and Anna Scott (General Manager Works) noted that the question would be taken on notice.

10.3 RADF COMMUNITY GRANTS ROUND 1 2022-23**OFFICERS RECOMMENDATION**

That Council:

1. Endorse the following Regional Arts Development Fund (RADF) applications on the OFFICERS RECOMMENDATION of the North Burnett Arts and Cultural Advisory Committee (NBACAC).
 - (a) Noosa Film Academy Pty Ltd - auspiced by Monto Magic Tourism Action Group: Youth Acting and Screen Production - \$5,476
 - (b) Kaiden Ratcliffe – auspiced by Gayndah Development Association: First Nations Art Exhibition – \$7,110
2. Endorse the following Regional Arts Development Fund (RADF) Outcome Reports for successful acquittal on the OFFICERS RECOMMENDATION of the North Burnett Arts and Cultural Advisory Committee (NBACAC).
 - (a) Gayndah Art Gallery: This is US - \$8,441.00

RESOLUTION 2023/34

Moved: Cr Dael Giddins

Seconded: Cr Kingsley Mesner

That Council:

1. Endorse the following Regional Arts Development Fund (RADF) applications on the OFFICERS RECOMMENDATION of the North Burnett Arts and Cultural Advisory Committee (NBACAC).
 - (a) Noosa Film Academy Pty Ltd - auspiced by Monto Magic Tourism Action Group: Youth Acting and Screen Production - \$5,476
 - (b) Kaiden Ratcliffe – auspiced by Gayndah Development Association: First Nations Art Exhibition – \$7,110
2. Endorse the following Regional Arts Development Fund (RADF) Outcome Reports for successful acquittal on the OFFICERS RECOMMENDATION of the North Burnett Arts and Cultural Advisory Committee (NBACAC).
 - (a) Gayndah Art Gallery: This is US - \$8,441.00

In Favour: Crs Leslie Hotz, Robert Radel, Susan Payne, Dael Giddins, Michael Dingle and Kingsley Mesner

Against: Nil

CARRIED 6/0

11 WORKS

11.1 REVISED MOTOR VEHICLE POLICY AND PROCEDURES

OFFICERS RECOMMENDATION

That Council:

1. Endorse the Governance Policy 2100 Motor Vehicle Policy.
2. Note the accompanying procedure PRO-2100 Motor Vehicle Procedure.

NOTE: Prior to the meeting commencing at 9.03am, an administrative error was identified in that some of the contents in the Revised Motor Vehicle Policy and Procedures Report tabled was missing. The missing content was circulated to Councillors for consideration during the meeting and is included below for completeness.

REPORT

Council's Motor Vehicle Policy (Policy 2100) was created in May 2021 and underwent an administrative revision in January 2022. In response to concerns that the Policy and associated procedure may not adequately address current operational requirements, a full review of the Policy and associated procedure has been carried out and several proposed amendments have been identified.

Key proposed changes to the policy 2100 Motor Vehicle Policy include:

- Policy to be endorsed by Council.
- Clarifying that the Policy covers employees and volunteers of any Volunteer Organisation provided with a Council owned vehicle for operational purposes.
- Modifying Classification 2 usage to allow private use within Queensland and remove the 1000km restriction.
- Moving operational matters to the associated procedure PRO-2100 Motor Vehicle Procedure.
- Noting that Council owned vehicles may be electronically tracked.

Key changes to the associated procedure PRO-2100 Motor Vehicle Procedure include:

- Removal of need to seek approval for out of region and after hours use when work related.
- Place onus on employees to:
 - Notify if limitations or restrictions are placed on their licences or if their licence is suspended.
 - Clarify:
 - how Council owned vehicles with private or commuter use are to be garaged.
 - Council vehicles are workplaces under the Queensland Work Health and Safety Legislation and inductions are required.
 - How vehicles are to be secured.
 - Process for selecting and providing vehicles.
 - Use of Classification 6 vehicles by Volunteer Organisations
 - Approved users with personal use, including commuter use, are responsible for the cost of cleaning their vehicles inside and out.
 - How optional extras are managed on vehicle changeovers.
 - Insurance coverage details.
 - Breakdown procedures and responsibilities.
 - How vehicles are to be returned to Council on cessation of employment.
- Increase period of leave from 1 day to 2 days before a Classification 4 (commuter use) vehicle must be returned to the car pool.
- Update refuelling details and included responsibility to refuel pool cars if less than 50% full at

the end of use.

- Introduce vehicle user agreements for all employees assigned a vehicle.
- Transfer the responsibility for road tolls from Council to the employee. Council's Motor Vehicle Policy (Policy 2100) was created in May 2021 and underwent an administrative revision in January 2022. In response to concerns that the Policy and associated procedure may not adequately address current operational requirements, a full review of the Policy and associated procedure has been carried out and several proposed amendments have been identified. Key proposed changes to the policy 2100 Motor Vehicle Policy include:
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 - Clarifying that the Policy covers employees and volunteers of any Volunteer Organisation provided with a Council owned vehicle for operational purposes.
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 - Process for selecting and providing vehicles.
 - Use of Classification 6 vehicles by Volunteer Organisations
 - Approved users with personal use, including commuter use, are responsible for the cost of cleaning their vehicles inside and out.
 - How optional extras are managed on vehicle changeovers.
 - Insurance coverage details.
 - Breakdown procedures and responsibilities.
 - How vehicles are to be returned to Council on cessation of employment.
- Increase period of leave from 1 day to 2 days before a Classification 4 (commuter use) vehicle must be returned to the car pool.
- Update refuelling details and included responsibility to refuel pool cars if less than 50% full at the end of use.
- Introduce vehicle user agreements for all employees assigned a vehicle.
- Transfer the responsibility for road tolls from Council to the employee.

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- Policy to be endorsed by Council.
- Clarifying that the Policy covers employees and volunteers of any Volunteer Organisation provided with a Council owned vehicle for operational purposes.
- Modifying Classification 2 usage to allow private use within Queensland and remove the 1000km restriction.
- Moving operational matters to the associated procedure PRO-2100 Motor Vehicle Procedure.

- Noting that Council owned vehicles may be electronically tracked.

Key changes to the associated procedure PRO-2100 Motor Vehicle Procedure include:

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 - how Council owned vehicles with private or commuter use are to be garaged.
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 - How optional extras are managed on vehicle changeovers.
 - Insurance coverage details.
 - Breakdown procedures and responsibilities.
 - How vehicles are to be returned to Council on cessation of employment.
- Increase period of leave from 1 day to 2 days before a Classification 4 (commuter use) vehicle must be returned to the car pool.
- Update refuelling details and included responsibility to refuel pool cars if less than 50% full at the end of use.
- Introduce vehicle user agreements for all employees assigned a vehicle.
- Transfer the responsibility for road tolls from Council to the employee.

MOTION

Moved: Cr Dael Giddins

Seconded: Cr Kingsley Mesner

That Council table the Governance Policy 2100 Motor Vehicle Policy and accompanying procedure PRO-2100 Motor Vehicle Procedure at a Councillor Workshop before bringing back to a Council General Meeting for consideration.

In Favour: Crs Dael Giddins and Kingsley Mesner

Against: Crs Leslie Hotz, Robert Radel, Susan Payne and Michael Dingle

LOST 2/4

RESOLUTION 2023/35

Moved: Cr Susan Payne

Seconded: Cr Michael Dingle

That Council:

1. Endorse the Governance Policy 2100 Motor Vehicle Policy.
2. Note the accompanying procedure PRO-2100 Motor Vehicle Procedure

In Favour: Crs Leslie Hotz, Robert Radel, Susan Payne and Michael Dingle

Against: Crs Dael Giddins and Kingsley Mesner

CARRIED 4/2

12 COUNCILLOR REPORTS

12.1 MAYOR AND COUNCILLORS REPORTS

OFFICERS RECOMMENDATION

That the Councillor Reports be received for the period of 1 February 2023 to 28 February 2023.

RESOLUTION 2023/36

Moved: Cr Dael Giddins

Seconded: Cr Michael Dingle

That the Councillor Reports be received for the period of 1 February 2023 to 28 February 2023.

In Favour: Crs Leslie Hotz, Robert Radel, Susan Payne, Dael Giddins, Michael Dingle and Kingsley Mesner

Against: Nil

CARRIED 6/0

13 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 275(1) of the *Local Government Regulation 2012*:

14.1 Sale of Land for Overdue Rates and Charges

This matter is considered to be confidential under Section 254J(3) - c 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 the local government's budget.

RESOLUTION 2023/37

Moved: Cr Kingsley Mesner

Seconded: Cr Robert Radel

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*:

14.1 Sale of Land for Overdue Rates and Charges

This matter is considered to be confidential under Section 254J(3) - c 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 the local government's budget.

In Favour: Crs Leslie Hotz, Robert Radel, Susan Payne, Dael Giddins, Michael Dingle and Kingsley Mesner

Against: Nil

CARRIED 6/0

THE MEETING MOVED INTO A CLOSED SESSION AT 10.14AM.

At 10.14am, Kelly Houston (Media Officer) left the meeting.

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

At 10.25am, Owen Jensen (Financial Services Manager) joined the meeting.

At 10.39am, Camille Summers (Revenue Stream Leader) joined the meeting.

RESOLUTION 2023/38

Moved: Cr Robert Radel

Seconded: Cr Dael Giddins

That Council moves out of Closed Session into Open Session.

In Favour: Crs Leslie Hotz, Robert Radel, Susan Payne, Dael Giddins, Michael Dingle and Kingsley Mesner

Against: Nil

CARRIED 6/0

THE MEETING MOVED BACK INTO AN OPEN SESSION AT 10.43AM.

10.43am, Camille Summer (Revenue Stream Leader) and Owen Jensen (Financial Services Manager) left the meeting.

14.1 SALE OF LAND FOR OVERDUE RATES AND CHARGES**OFFICERS RECOMMENDATION**

That Council:

1. Receives and notes the information within the Sale of Land for Overdue Rates and Charges report;
2. Amend Resolution 2022/188 to remove the write off amounts for the three (3) properties where contracts were terminated prior to settlement following the Auction on the 29 November 2022 as follows:
 - Assessment 4070400000000 – Decrease Write Off Amount from \$10,434.51 to \$0.00
 - Assessment 4074350000000 – Decrease Write Off Amount from \$15,140.81 to \$0.00
 - Assessment 5018450000000 – Decrease Write Off Amount from \$18,753.44 to \$0.00
3. Write off an outstanding balance of \$37,226.45, being the shortfall given insufficient sales proceeds to pay the rate in full for the following assessments, sold by negotiation subsequent to the second auction:
 - Assessment 4070400000000 – \$13,873.71
 - Assessment 4074350000000 – \$23,352.74
4. Pursuant to Chapter 4, Part 12, Division 3, Subdivision 3 148(e)(ii) of the Local Government Regulation 2012 Council resolve to Acquire the following Land as the total amount of the overdue rates or charges is more than the market value of the land, and agree to write off the outstanding rates to the total of \$65,113.22 as part of the acquisition process:
 - Assessment 5005050000000 – Donelly Street, Mount Perry, L58 RP28382, 733 sqm - Write Off Value \$25,535.31
 - Assessment 5018450000000 – McKay Street, Mount Perry, L308 RP191729, 1012 sqm - Write Off Value \$39,577.91

RESOLUTION 2023/39

Moved: Cr Kingsley Mesner

Seconded: Cr Michael Dingle

That Council:

1. Receives and notes the information within the Sale of Land for Overdue Rates and Charges report;
2. Reverse the write off amounts for the three (3) properties as resolved in 2022/188 to:
 - Assessment 4070400000000 – from \$10,434.51 to \$0.00
 - Assessment 4074350000000 – from \$15,140.81 to \$0.00
 - Assessment 5018450000000 – from \$18,753.44 to \$0.00;
3. Write off an outstanding balance of \$37,226.45, being the shortfall given insufficient sales proceeds to pay the rate in full for the following assessments, sold by negotiation subsequent to the second auction:
 - Assessment 4070400000000 – \$13,873.71
 - Assessment 4074350000000 – \$23,352.74; and
4. Pursuant to Chapter 4, Part 12, Division 3, Subdivision 3 148(e)(ii) of the Local Government Regulation 2012 Council resolve to Acquire the following Land as the total amount of the overdue rates or charges is more than the market value of the land, and agree to write off the outstanding rates to the total of \$65,113.22 as part of the acquisition process.
 - Assessment 5005050000000 – Donelly Street, Mount Perry, L58 RP28382, 733sqm -

Write Off Value \$25,535.31

- Assessment 5018450000000 – McKay Street, Mount Perry, L308 RP191729, 1012sqm - Write Off Value \$39,577.91.

In Favour: Crs Leslie Hotz, Robert Radel, Susan Payne, Dael Giddins, Michael Dingle and Kingsley Mesner

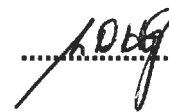
Against: Nil

CARRIED 6/0

15 CLOSURE OF MEETING

The Meeting closed at 10.45am.

The minutes of this meeting were confirmed at the General Meeting held on 26 April 2023.



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CHAIRPERSON