



# **MINUTES**

**General Meeting**

**31 July 2023**

**MINUTES OF NORTH BURNETT REGIONAL COUNCIL  
GENERAL MEETING  
HELD AT THE EIDSVOLD BOARDROOM  
ON MONDAY, 31 JULY 2023 AT 9.00AM**

**1 WELCOME/HOUSEKEEPING**

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

**2 ATTENDEES**

**COUNCILLORS:** Cr Les Hotz (Mayor)  
Cr Robert Radel (Deputy Mayor)  
Cr Dael Giddins  
Cr Kingsley Mesner  
Cr Melinda Jones  
Cr Michael Dingle  
Cr Susan Payne

**OFFICERS:** Margot Stork (CEO)  
Anna Scott (General Manager - Works)  
Kim Mahoney (General Manager – Corporate & Community)  
John Fraser (Development & Building Services Stream Leader)^\*  
Marlene Carstens (Executive Assistant to the General Manager - Works)^  
Michael Cartwright (Governance, Policy and Risk Advisor)^  
Michael Wallace (Contracts & Leasing Officer)^\*  
Owen Jensen (Financial Services Manager)^\*  
Rhys Habermann (Business Analyst)  
Shaun Johnston (Water & Wastewater Manager)\*  
Taylor Applewaite (Administration Officer – Executive Services)  
Tegan Bauer (Executive Assistant to the Mayor)

*^ attended the meeting via Microsoft Teams \* attended part of the meeting only*

**3 APOLOGIES/LEAVE OF ABSENCE**

Nil.

**4 ACKNOWLEDGEMENT OF COUNTRY**

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

**5 MOMENT OF SILENCE AND REFLECTION**

George Patterson	Gayndah
Maud Hill	Gayndah
Phyllis McGilvery	Gayndah
Heather Ping	Gayndah
Kevin Ballin	Binjour
Valma Hotz	Monto
Michael Jamieson	Monto
John Spoor	Mundubbera

**6 DEPUTATIONS/PETITIONS**

There were nil deputations for this meeting.

**7 DECLARATIONS OF INTEREST**

Nil.

**8 CONFIRMATION OF MINUTES**

**8.1 MINUTES OF THE GENERAL MEETING HELD ON 28 JUNE 2023**

**OFFICERS RECOMMENDATION**

That the Minutes of the General Meeting held on 28 June 2023 be confirmed.

**RESOLUTION 2023/124**

Moved: Cr Kingsley Mesner

Seconded: Cr Robert Radel

That the Minutes of the General Meeting held on 28 June 2023 be confirmed.

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

Against: Nil

**CARRIED 7/0**

**8.2 MINUTES OF THE BUDGET MEETING HELD ON 28 JUNE 2023**

**OFFICERS RECOMMENDATION**

That the Minutes of the Budget Meeting held on 28 June 2023 be confirmed.

**RESOLUTION 2023/125**

Moved: Cr Dael Giddins

Seconded: Cr Michael Dingle

That the Minutes of the Budget Meeting held on 28 June 2023 be confirmed.

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

Against: Nil

**CARRIED 7/0**

**9 OFFICE OF THE CHIEF EXECUTIVE OFFICER**

**9.1 CURRENT OUTSTANDING COUNCIL RESOLUTIONS REPORT**

**OFFICERS RECOMMENDATION**

That Council receive the Current Outstanding Council Resolutions Report from September 2020 to May 2023.

**RESOLUTION 2023/126**

Moved: Cr Dael Giddins

Seconded: Cr Michael Dingle

That Council receive the Current Outstanding Council Resolutions Report from September 2020 to May 2023.

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

Against: Nil

**CARRIED 7/0**

**9.2 2022-2023 (FY23) - FINAL QUARTERLY PROGRESS REPORT (Q4)****OFFICERS RECOMMENDATION**

That Council receive the 2022-23 (FY23) Q4 Progress Report for the period 1 April 2023 – 30 June 2023.

**RESOLUTION 2023/127**

Moved: Cr Melinda Jones

Seconded: Cr Dael Giddins

That Council receive the 2022-23 (FY23) Q4 Progress Report for the period 1 April 2023 – 30 June 2023.

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

Against: Nil

**CARRIED 7/0**

**9.3 PROPOSED AMENDED LOCAL LAWS****OFFICERS RECOMMENDATION**

That Council -

## 1. Endorse by Resolution:

- (a) Proposed Amended Local Law & Subordinate Local Law No.1 (Administration) 2011
- (b) Proposed Amended Local Law & Subordinate Local Law No. 2 & Subordinate Local Law No.2 (Animal Management) 2011
- (c) Proposed Amended Local Law & Subordinate Local Law No.3 (Community and Environmental Management) 2011
- (d) Proposed Amended Local Law & Subordinate Local Law No.4 (Local Government Controlled Areas, Facilities and Roads) 2011
- (e) Proposed Amended Local Law & Subordinate Local Law No.5 (Parking) 2011
- (f) Proposed Amended Local Law No.6 (Waste Management) 2018

## 2. Authorise the Chief Executive Officer to proceed with the State Interest Checks and Public Consultation.

**RESOLUTION 2023/128**

Moved: Cr Robert Radel

Seconded: Cr Melinda Jones

That Council -

## 1. Endorse by Resolution:

- (a) Proposed Amended Local Law & Subordinate Local Law No.1 (Administration) 2011
- (b) Proposed Amended Local Law & Subordinate Local Law No. 2 & Subordinate Local Law No.2 (Animal Management) 2011
- (c) Proposed Amended Local Law & Subordinate Local Law No.3 (Community and

Environmental Management) 2011

- (d) Proposed Amended Local Law & Subordinate Local Law No.4 (Local Government Controlled Areas, Facilities and Roads) 2011
- (e) Proposed Amended Local Law & Subordinate Local Law No.5 (Parking) 2011
- (f) Proposed Amended Local Law No.6 (Waste Management) 2018

2. Authorise the Chief Executive Officer to proceed with the State Interest Checks and Public Consultation.

**CARRIED 7/0**



#### 9.4 LOCAL GOVERNMENT ASSOCIATION OF QUEENSLAND ANNUAL CONFERENCE 2023

##### OFFICERS RECOMMENDATION

That Council:

1. Adopt the following motions and the CEO submit same to the Local Government Association of Queensland seeking inclusion in the Local Government Association Queensland schedule of motions for debate at the Annual Conference in October 2023:
  - (a) That the Local Government Association of Queensland (LGAQ) calls on the State and Federal governments to provide local government areas classified as regional, rural or remote, which have limited capacity to raise or increase own source revenue outside current rating streams, to have access to State grant funding with a co-contribution of 10% or less for capital works projects to renew or replace essential water, waste water, roads and waste management infrastructure.
  - (b) That the Local Government Association of Queensland (LGAQ) calls on the State Government to provide increases toward the construction of new and augmented water infrastructure projects across regional Queensland to improve water security and deliver long-term, bulk water sources for regional communities.
  - (c) That the Local Government Association of Queensland (LGAQ) calls on the State and Federal governments to support increased investment in skills training, supply chain improvements, and initiatives that further fortify the economy and improve Australia's self-sufficiency in treatment and delivery of potable water, wastewater collection and treatment, and other essential services.
  - (d) That the Local Government Association of Queensland (LGAQ) calls on the State and Federal governments to work with local councils to assist with the identification of existing skills shortages and the types of on-the-job training in water and wastewater treatment that meet micro-credentialling requirements and assist local councils to take up these options to fortify these essential services.
  - (e) That the Local Government Association of Queensland (LGAQ) calls on the State Government to develop innovative programs to attract and incentivise professional, skilled and unskilled Local Government workers to regional and remote areas.
  - (f) That the Local Government Association of Queensland (LGAQ) calls on the Queensland State Government to work with the Environment Protection Authority to simplify the regulatory processes to allow councils to utilise local gravel pits to ease supply chain pressures and to support local economic development.
  - (g) That the Local Government Association of Queensland (LGAQ) calls on the State Government to work with the Environment Protection Authority to simplify regulatory requirements to ensure that councils can continue to provide washdown facilities to mitigate the spread of weeds and seeds and support other biosecurity measures.
  - (h) That the Local Government Association of Queensland (LGAQ) calls on the State Government to take control of and meet all Councillor remuneration costs across Queensland with such payments to be adjusted to provide equity for all Councillors across the State through the provision of same pay for same work.
  - (i) That the Local Government Association of Queensland (LGAQ) calls on the State Government to review all regional waste management plans and ensure the equitable provision of waste management project funding to provide economic development opportunities for regional, rural and remote councils.
  - (j) That the Local Government Association of Queensland (LGAQ) calls on the State Government to partner with regional, rural and remote Councils to fund practical solutions to the housing crisis being experienced.

**RESOLUTION 2023/129**

Moved: Cr Robert Radel

Seconded: Cr Kingsley Mesner

That Council:

1. Adopt the following motions and the CEO submit same to the Local Government Association of Queensland seeking inclusion in the Local Government Association Queensland schedule of motions for debate at the Annual Conference in October 2023:
  - (a) That the Local Government Association of Queensland (LGAQ) calls on the State and Federal governments to provide local government areas classified as regional, rural or remote, which have limited capacity to raise or increase own source revenue outside current rating streams, to have access to State grant funding with a co-contribution of 10% or less for capital works projects to renew or replace essential water, waste water, roads and waste management infrastructure.
  - (b) That the Local Government Association of Queensland (LGAQ) calls on the State Government to provide increases toward the construction of new and augmented water infrastructure projects across regional Queensland to improve water security and deliver long-term, bulk water sources for regional communities.
  - (c) That the Local Government Association of Queensland (LGAQ) calls on the State and Federal governments to support increased investment in skills training, supply chain improvements, and initiatives that further fortify the economy and improve Australia's self-sufficiency in treatment and delivery of potable water, wastewater collection and treatment, and other essential services.
  - (d) That the Local Government Association of Queensland (LGAQ) calls on the State and Federal governments to work with local councils to assist with the identification of existing skills shortages and the types of on-the-job training in water and wastewater treatment that meet micro-credentialling requirements and assist local councils to take up these options to fortify these essential services.
  - (e) That the Local Government Association of Queensland (LGAQ) calls on the State Government to develop innovative programs to attract and incentivise professional, skilled and unskilled Local Government workers to regional and remote areas.
  - (f) That the Local Government Association of Queensland (LGAQ) calls on the Queensland State Government to work with the Environment Protection Authority to simplify the regulatory processes to allow councils to utilise local gravel pits to ease supply chain pressures and to support local economic development.
  - (g) That the Local Government Association of Queensland (LGAQ) calls on the State Government to work with the Environment Protection Authority to simplify regulatory requirements to ensure that communities can continue to provide washdown facilities to mitigate the spread of weeds and seeds and support other biosecurity measures.
  - (h) That the Local Government Association of Queensland (LGAQ) calls on the State Government to take control of and meet all Councillor remuneration costs across Queensland with such payments to be adjusted to provide equity for all Councillors across the State through the provision of same pay for same work.
  - (i) That the Local Government Association of Queensland (LGAQ) calls on the State Government to review all regional waste management plans and ensure the equitable provision of waste management project funding to provide economic development opportunities for regional, rural and remote councils.
  - (j) That the Local Government Association of Queensland (LGAQ) calls on the State Government to partner with regional, rural and remote Councils to fund practical solutions to the housing crisis being experienced.

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

Against: Nil

**CARRIED 7/0**

**9.5 AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION NATIONAL GENERAL ASSEMBLY 2023 REPORT**

**OFFICERS RECOMMENDATION**

That Council note the report back on attendance at the Australian Local Government Association National General Assembly.

**RESOLUTION 2023/130**

Moved: Cr Robert Radel

Seconded: Cr Susan Payne

That Council:

1. Note the report back on attendance at the Australian Local Government Association National General Assembly.
2. Provide feedback expressing disappointment that insufficient time was allowed for debating of motions.

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

Against: Nil

**CARRIED 7/0**

**9.6 ANNUAL REVIEW - COUNCIL TO CEO STATUTORY DELEGATIONS****OFFICERS RECOMMENDATION**

That:

1. Council note the contents of the Summary of Changes report (attachment 1).
2. In accordance with section 257 of the *Local Government Act 2009*, Council resolves to delegate the exercise of powers contained within the Delegations Register – Council to Chief Executive Officer 2023/2024 (attachment 2);
3. The powers must only be exercised subject to:
  - (a) Any limitation as indicated in the Delegations Register of Powers; and
  - (b) Delegations General Terms and Conditions (attachment 3).

**RESOLUTION 2023/131**

Moved: Cr Robert Radel

Seconded: Cr Michael Dingle

That Council:

1. Note the contents of the Summary of Changes report (attachment 1).
2. In accordance with section 257 of the *Local Government Act 2009*, Council resolves to delegate the exercise of powers contained within the Delegations Register – Council to Chief Executive Officer 2023/2024 (attachment 2);
3. The powers must only be exercised subject to:
  - (a) Any limitation as indicated in the Delegations Register of Powers; and
  - (b) Delegations General Terms and Conditions (attachment 3).

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

Against: Nil

**CARRIED 7/0**

**10 CORPORATE AND COMMUNITY****10.1 FINANCE REPORT TO 30 JUNE 2023****OFFICERS RECOMMENDATION**

That in accordance with section 204 *Local Government Regulation 2012 (Qld)*, Council receives the Finance Report for the period ended 30 June 2023.

**RESOLUTION 2023/132**

Moved: Cr Dael Giddins  
Seconded: Cr Robert Radel

That in accordance with section 204 *Local Government Regulation 2012 (Qld)*, Council receives the Finance Report for the period ended 30 June 2023.

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

Against: Nil

**CARRIED 7/0**

**10.2 NORTH BURNETT REGIONAL PLANNING SCHEME - MAJOR AMENDMENT  
'BUSINESS RESILIENCE AMENDMENT'****OFFICERS RECOMMENDATION**

That Council:

1. Approve the proposed planning scheme amendment 'Business resilience' at Attachment Two (proposed amendment).
2. Resolve to give the proposed amendment to the Minister for a State interest review in accordance with section 16.5 of the Minister's Guidelines and Rules (MGR).
3. Note: Chief Executive Officer has existing delegated authority for preparing the notice to the Minister for the State interest review, including the required material as prescribed in Schedule 3 of the MGR.
4. Delegate to the Chief Executive Officer the responsibility for responding to requests from the State about refinements to the proposed scheme amendment.
5. Note: following the State interest review consultation will be progressed by the Chief Executive Officer only if it can be commenced and completed prior to the end of November 2023.

**RESOLUTION 2023/133**

Moved: Cr Dael Giddins

Seconded: Cr Robert Radel

That Council:

1. Approve the proposed planning scheme amendment 'Business resilience' at Attachment Two (proposed amendment).
2. Resolve to give the proposed amendment to the Minister for a State interest review in accordance with section 16.5 of the Minister's Guidelines and Rules (MGR).
3. Note: Chief Executive Officer has existing delegated authority for preparing the notice to the Minister for the State interest review, including the required material as prescribed in Schedule 3 of the MGR.
4. Delegate to the Chief Executive Officer the responsibility for responding to requests from the State about refinements to the proposed scheme amendment.
5. Note: following the State interest review consultation will be progressed by the Chief Executive Officer only if it can be commenced and completed prior to the end of November 2023.

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

Against: Nil

**CARRIED 7/0**

**11 WORKS****11.1 PARADISE DAM REFERENCE GROUP 8 JUNE 2023 MEETING SUMMARY****OFFICERS RECOMMENDATION**

That Council notes the draft meeting summary provided by Sunwater following the 8 June 2023 Paradise Dam Reference Group Meeting.

**RESOLUTION 2023/134**

Moved: Cr Kingsley Mesner

Seconded: Cr Michael Dingle

That Council notes the final meeting summary provided by Sunwater following the 8 June 2023 Paradise Dam Reference Group Meeting.

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

Against: Nil

**CARRIED 7/0**



**11.2 NBRC BOR R6 INFR 0018- WATER SUPPLY SAFETY AND RELIABILITY PROJECT FUNDING****OFFICERS RECOMMENDATION**

That Council Resolves:

1. To confirm it has budgeted for its financial contribution to the estimated project cost.
2. Is committed to delivering the project.
3. Acknowledges responsibility for any funding shortfall if costs or other contributors change.

**RESOLUTION 2023/135**

Moved: Cr Susan Payne

Seconded: Cr Melinda Jones

That Council Resolves:

1. To confirm it has budgeted for its financial contribution to the estimated project cost.
2. Is committed to delivering the project.
3. Acknowledges responsibility for any funding shortfall if costs or other contributors change.

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

Against: Nil

**CARRIED 7/0**

## 12 COUNCILLOR REPORTS

### 12.1 MAYOR AND COUNCILLORS REPORTS

#### OFFICERS RECOMMENDATION

That Council receives the Councillor Reports for the period 1 June 2023 to 30 June 2023.

#### **RESOLUTION 2023/136**

Moved: Cr Melinda Jones

Seconded: Cr Michael Dingle

That Council receives the Councillor Reports for the period 1 June 2023 to 30 June 2023.

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

Against: Nil

**CARRIED 7/0**

**13 URGENT BUSINESS****13.1 RECISSION OF MOTION**

Cr Dael Giddins raised a matter of urgent business concerning Resolution 2023/98 and 2023/99 adopted by Council at the General Meeting 28 June 2023 to allow an opportunity for all Councillors to re-nominate.

**RESOLUTION 2023/137**

Moved: Cr Dael Giddins

Seconded: Cr Melinda Jones

That Council:

1. Rescind Resolution 2023/98 and 2023/99 adopted by Council at the General Meeting 28 June 2023; and
2. In the event that Council vote to rescind Resolution 2023/98 and 2023/99 I move that nominations be called for the appointment of two (2) Councillors for the Audit & Risk Committee, and if more than two (2) Councillors are nominated then by random draw the order in which Councillors are voted on is decided pursuant to procedures as per the Local Government Act 2009 be taken where all Councillors will have the opportunity to vote for two (2) Councillors to fill the positions on the Committee.

In Favour: Crs Leslie Hotz, Melinda Jones, Dael Giddins and Michael Dingle

Against: Crs Robert Radel, Susan Payne and Kingsley Mesner

**CARRIED 4/3**

Mayor Hotz suggested that point 2 of the above Resolution 2023/137 lay on the table allowing time for legal advice to be obtained.

**RESOLUTION 2023/138**

Moved: Cr Kingsley Mesner

Seconded: Cr Melinda Jones

That point 2 of Resolution 2023/137 lay on the table until legal advice is obtained.

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

Against: Cr Susan Payne

**CARRIED 6/1**

**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 Central Burnett Motorcycle Club Inc.**

This matter is considered to be confidential under 254J - 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.

**RESOLUTION 2023/139**

Moved: Cr Kingsley Mesner

Seconded: Cr Dael Giddins

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 Central Burnett Motorcycle Club Inc.**

This matter is considered to be confidential under 254J - 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: Crs Leslie Hotz, Robert Radel, Melinda Jones, Susan Payne, Dael Giddins, Michael Dingle and Kingsley Mesner

Against: Nil

**CARRIED 7/0**

**THE MEETING MOVED INTO A CLOSED SESSION AT 10.56AM.**

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

**RESOLUTION 2023/140**

Moved: Cr Robert Radel

Seconded: Cr Kingsley Mesner

That Council moves out of Closed Session into Open Session.

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

Against: Nil

**CARRIED 7/0**

**THE MEETING MOVED BACK INTO AN OPEN SESSION AT 11.16AM.**

**14.1 CENTRAL BURNETT MOTORCYCLE CLUB INC.**

**OFFICERS RECOMMENDATION**

That Council:

1. Resolves to rescind Resolution 2020/115, part 1(b).
2. Resolves to grant a Licence Agreement to the Central Burnett Motorcycle Club Inc. over area "C" within Lot 3 RP28439, once the Lot has been returned to a satisfactory condition as determined by Council's Planning and Environment Manager.
3. Authorises the Chief Executive Officer to negotiate and finalise the terms of such agreement.

**RESOLUTION 2023/141**

Moved: Cr Dael Giddins  
Seconded: Cr Michael Dingle

That Council:

1. Resolves to rescind Resolution 2020/115, part 1(b).
2. Resolves to grant a Licence Agreement to the Central Burnett Motorcycle Club Inc. over area "C" within Lot 3 RP28439, once the Lot has been returned to a satisfactory condition as determined by Council's Planning and Environment Manager.
3. Authorises the Chief Executive Officer to negotiate and finalise the terms of such agreement.

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

Against: Nil

**CARRIED 7/0**

**15 CLOSURE OF MEETING**

**The Meeting closed at 11.26am.**

**The minutes of this meeting were confirmed at the General Meeting held on 23 August 2023.**

  
.....  
**CHAIRPERSON**