



MINUTES

General Meeting

25 October 2023

**MINUTES OF NORTH BURNETT REGIONAL COUNCIL
GENERAL MEETING
HELD AT THE BIGGENDEN BOARDROOM
ON WEDNESDAY, 25 OCTOBER 2023 AT 9.00AM**

1 WELCOME/HOUSEKEEPING

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

2 ATTENDEES

COUNCILLORS: Cr Leslie Hotz (Mayor)
Cr Robert Radel (Deputy Mayor)
Cr Dael Giddins
Cr Kingsley Mesner
Cr Melinda Jones
Cr Michael Dingle

OFFICERS: Margot Stork (CEO)*
Anna Scott (General Manager Works)
Kim Mahoney (General Manager Corporate and Community)
Jenny Hall (Community Development Manager)*^
Kat Bright (Senior Executive Assistant to the CEO and Mayor)
Kath Hamilton (Executive Assistant - Corporate and Community)
Marlene Carstens (Executive Assistant - Works)
Michael Cartwright (Governance, Policy and Risk Advisor)^
Michael Wallace (Contracts and Leasing Officer)*
Owen Jensen (Financial Services Manager)*
Rhys Habermann (Acting Strategic Relationships Manager)

*^ 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

The Mayor called for a moment of silence to pay respects to those who have passed in our region.

<i>Eunice Jarvis</i>	<i>Biggenden</i>
<i>John Mesner</i>	<i>Eidsvold</i>
<i>Allan Bucholz</i>	<i>Gayndah</i>
<i>Phyllis McGilvery</i>	<i>Gayndah</i>
<i>Gary Zimpel</i>	<i>Monto</i>
<i>Tommy Farrugia</i>	<i>Mount Perry</i>
<i>Hazel Rosenblatt</i>	<i>Mundubbera</i>
<i>Ivy Collins</i>	<i>Mundubbera</i>

6 DEPUTATIONS/PETITIONS

Mr Neil Holmes attended the meeting at 9:15am to make a deputation to Council concerning the RSL signage at the Biggenden Memorial Hall.

During his presentation, Mr Holmes provided background information pertaining to a recent request that he had submitted on behalf of the Biggenden RSL Chapter. The request was centred around the installation of signage at the front of the Biggenden Memorial Hall.

Mr Holmes conveyed his dissatisfaction with the decision made by Council Officers and noted that the signage would not be sufficient.

Mr Holmes urged Council to reconsider and reassess the possibility of installing more RSL signage at the front of the Biggenden Memorial Hall.

Mr Holmes concluded his presentation at 9:26am.

ACTION 01 BIGGENDEN MEMORIAL HALL RSL SIGNAGE

Through the Chair, Ms Stork (CEO) advised that Ms Scott (General Manager Works) would prepare a report/presentation for an upcoming Councillor Information Workshop to explain the rationale behind the original decision by Council Officers. Furthermore, it will explore any potential alternative options that may be considered in light of the decision.

7 DECLARATIONS OF INTEREST

Nil.

8 CONFIRMATION OF MINUTES**8.1 MINUTES OF THE GENERAL MEETING HELD ON 27 SEPTEMBER 2023****OFFICERS RECOMMENDATION**

That the Minutes of the General Meeting held on 27 September 2023 be confirmed.

RESOLUTION 2023/176

Moved: Cr Robert Radel

Seconded: Cr Dael Giddins

That the Minutes of the General Meeting held on 27 September 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 AUDIT AND RISK COMMITTEE MEETING HELD ON 12 OCTOBER 2023**OFFICERS RECOMMENDATION**

That the Minutes of the Audit and Risk Committee Meeting held on 12 October 2023 be noted.

RESOLUTION 2023/177

Moved: Cr Dael Giddins

Seconded: Cr Kingsley Mesner

That the Minutes of the Audit and Risk Committee Meeting held on 12 October 2023 be noted.

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 OUTSTANDING COUNCIL RESOLUTIONS REPORT****OFFICERS RECOMMENDATION**

That Council receive the Outstanding Council Resolutions Report from 30 June 2021 to 9 October 2023.

RESOLUTION 2023/178

Moved: Cr Kingsley Mesner

Seconded: Cr Robert Radel

That Council receive the Outstanding Council Resolutions Report from 30 June 2021 to 9 October 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 APPOINTMENT OF ACTING CHIEF EXECUTIVE OFFICER****OFFICERS RECOMMENDATION**

That Council, in accordance with Section 195 of the *Local Government Act 2009*, appoints Council's General Manager Works Ms Scott, as Acting Chief Executive Officer effective from 5.00pm Thursday 16 November 2023 until 8.00 am Monday 27 November 2023 when Ms Stork (CEO) will resume normal duties.

RESOLUTION 2023/179

Moved: Cr Susan Payne

Seconded: Cr Kingsley Mesner

That Council, in accordance with Section 195 of the *Local Government Act 2009*, appoints Council's General Manager Works Ms Scott, as Acting Chief Executive Officer effective from 5.00pm Thursday 16 November 2023 until 8.00 am Monday 27 November 2023 when Ms Stork (CEO) will resume normal duties.

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 COUNCIL CLOSURE OVER THE 2023 FESTIVE SEASON AND NEW YEAR PERIOD**OFFICERS RECOMMENDATION**

That Council note the:

1. Closure of Council offices, including Customer Service and Library Centres, from close of business on Friday 22 December 2023, reopening at 8.30am on Tuesday 2 January 2024; and
2. Outside workforce will conclude duties Friday 15 December 2023 and recommence Monday 8 January 2024 as a part of pre-determined Enterprise Agreement provisions.

RESOLUTION 2023/180

Moved: Cr Kingsley Mesner

Seconded: Cr Dael Giddins

That Council note the:

1. Closure of Council offices, including Customer Service and Library Centres, from close of business on Friday 22 December 2023, reopening at 8.30am on Tuesday 2 January 2024; and
2. Outside workforce will conclude duties Friday 15 December 2023 and recommence Monday 8 January 2024 as a part of pre-determined Enterprise Agreement provisions.

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

Against: Nil

CARRIED 7/0

9.4 COUNCIL GENERAL MEETING SCHEDULE 2024

OFFICERS RECOMMENDATION

That Council:

1. In accordance with section 254B(1) of the *Local Government Regulation 2012*, adopt the meeting dates and times for General Meetings of Council to be held in 2024 as per the table below; and
2. Pursuant to section 254B(2) and (3) of the *Local Government Regulation 2012*, advertise those dates and times.

Meeting Date	Meeting Commencement	Meeting Location
Wednesday 24 January 2024	9.00am AEST	Gayndah or Mundubbera
Wednesday 28 February 2024	9.00am AEST	Gayndah or Mundubbera
Wednesday 13 March 2024 (Pre-Election Meeting)	9.00am AEST	Gayndah or Mundubbera
Wednesday 24 April 2024 (Tentative Post-Election Meeting)	9.00am AEST	Gayndah or Mundubbera
Wednesday 22 May 2024	9.00am AEST	Gayndah or Mundubbera
Wednesday 26 June 2024 (Inc. Budget Meeting)	9.00am AEST	Gayndah or Mundubbera
Wednesday 24 July 2024	9.00am AEST	Gayndah or Mundubbera
Wednesday 28 August 2024	9.00am AEST	Gayndah or Mundubbera
Wednesday 25 September 2024	9.00am AEST	Gayndah or Mundubbera
Wednesday 23 October 2024	9.00am AEST	Gayndah or Mundubbera
Wednesday 27 November 2024	9.00am AEST	Gayndah or Mundubbera
Wednesday 11 December 2024 (Second Wednesday of the month)	9.00am AEST	Gayndah or Mundubbera
<i>*All meetings will be available for real-time viewing or listening via Microsoft Teams using the audio-visual link provided on Council's website.</i>		

MOTION

Moved: Cr Susan Payne

Seconded: Nil

That Council:

1. In accordance with section 254B(1) of the *Local Government Regulation 2012*, adopt the meeting dates and times for General Meetings of Council to be held in 2024 as per the table below; and
2. Pursuant to section 254B(2) and (3) of the *Local Government Regulation 2012*, advertise those dates and times.

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Wednesday 28 August 2024	9.00am AEST	Mundubbera
Wednesday 25 September 2024	9.00am AEST	Mundubbera
Wednesday 23 October 2024	9.00am AEST	Mundubbera

Wednesday 27 November 2024	9.00am AEST	Mundubbera
Wednesday 11 December 2024 (Second Wednesday of the month)	9.00am AEST	Mundubbera
<i>*All meetings will be available for real-time viewing or listening via Microsoft Teams using the audio-visual link provided on Council's website.</i>		

MOTION LAPSED DUE TO NO SECONDER

MOTION

Moved: Cr Robert Radel

Seconded: Cr Michael Dingle

That Council:

1. In accordance with section 254B(1) of the *Local Government Regulation 2012*, adopt the meeting dates and times for General Meetings of Council to be held in 2024 as per the table below; and
2. Pursuant to section 254B(2) and (3) of the *Local Government Regulation 2012*, advertise those dates and times.

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Wednesday 23 October 2024	9.00am AEST	Mundubbera
Wednesday 27 November 2024	9.00am AEST	Mundubbera
Wednesday 11 December 2024 (Second Wednesday of the month)	9.00am AEST	Mundubbera
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AMENDMENT ONE

Moved: Cr Dael Giddins
 Seconded: Cr Melinda Jones

That Council:

1. In accordance with section 254B(1) of the *Local Government Regulation 2012*, adopt the meeting dates and times for General Meetings of Council to be held in 2024 as per the table below; and
2. Pursuant to section 254B(2) and (3) of the *Local Government Regulation 2012*, advertise those dates and times.

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Wednesday 22 May 2024	9.00am AEST	To be determined
Wednesday 26 June 2024 (Inc. Budget Meeting)	9.00am AEST	To be determined
Wednesday 24 July 2024	9.00am AEST	To be determined
Wednesday 28 August 2024	9.00am AEST	To be determined
Wednesday 25 September 2024	9.00am AEST	To be determined
Wednesday 23 October 2024	9.00am AEST	To be determined
Wednesday 27 November 2024	9.00am AEST	To be determined
Wednesday 11 December 2024 (Second Wednesday of the month)	9.00am AEST	To be determined
<i>*All meetings will be available for real-time viewing or listening via Microsoft Teams using the audio-visual link provided on Council's website.</i>		

In Favour: Crs Leslie Hotz, Melinda Jones, Dael Giddins and Kingsley Mesner

Against: Crs Robert Radel, Susan Payne and Michael Dingle.

CARRIED 4/3

RESOLUTION 2023/181

Moved: Cr Dael Giddins
 Seconded: Cr Melinda Jones

That Council:

1. In accordance with section 254B(1) of the *Local Government Regulation 2012*, adopt the meeting dates and times for General Meetings of Council to be held in 2024 as per the table below; and
2. Pursuant to section 254B(2) and (3) of the *Local Government Regulation 2012*, advertise those dates and times.

Meeting Date	Meeting Commencement	Meeting Location
Wednesday 24 January 2024	9.00am AEST	Eidsvold
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Wednesday 24 April 2024 (Tentative Post-Election Meeting)	9.00am AEST	Gayndah

Wednesday 22 May 2024	9.00am AEST	To be determined
Wednesday 26 June 2024 (Inc. Budget Meeting)	9.00am AEST	To be determined
Wednesday 24 July 2024	9.00am AEST	To be determined
Wednesday 28 August 2024	9.00am AEST	To be determined
Wednesday 25 September 2024	9.00am AEST	To be determined
Wednesday 23 October 2024	9.00am AEST	To be determined
Wednesday 27 November 2024	9.00am AEST	To be determined
Wednesday 11 December 2024 (Second Wednesday of the month)	9.00am AEST	To be determined
<i>*All meetings will be available for real-time viewing or listening via Microsoft Teams using the audio-visual link provided on Council's website.</i>		
In Favour: Crs Leslie Hotz, Melinda Jones, Dael Giddins and Kingsley Mesner		
Against: Crs Robert Radel, Susan Payne and Michael Dingle.		
CARRIED 4/3		

9.5 2023-2024 (FY24) - QUARTERLY PROGRESS REPORT (Q1)

OFFICERS RECOMMENDATION

That Council receive the 2023-24 (FY24) Q1 Progress Report for the period 1 July 2023 – 30 September 2023.

RESOLUTION 2023/182

Moved: Cr Susan Payne

Seconded: Cr Michael Dingle

That Council receive the 2023-24 (FY24) Q1 Progress Report for the period 1 July 2023 – 30 September 2023.

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

Against: Nil

CARRIED 7/0

202310_1 ITEM 9.5 QON - OPERATIONAL LIFE EXPECTANCY OF THE MUNDUBBERA LANDFILL

Cr Susan Payne inquired whether Council was aware of the remaining operational life expectancy of the Mundubbera Landfill. Through the Chair, Kim Mahoney (General Manager Corporate and Community) responded to Cr Payne noting that the question would be taken on notice.

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

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

RESOLUTION 2023/183

Moved: Cr Dael Giddins
Seconded: Cr Robert Radel

That Council, in accordance with section 204 *Local Government Regulation 2012*, receives the Finance Report for the period ended 30 September 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 QUARTERLY BUDGET REVIEW - SEPTEMBER 2023****OFFICERS RECOMMENDATION**

That Council:

1. Receives and notes the information within the Quarterly Budget Review – September 2023 report.
2. That in accordance with Section 170 of the *Local Government Regulation 2012*, Council resolves to amend the budget for the year ending 30 June 2024 to include recommended quarterly budget review amendments as presented.

RESOLUTION 2023/184

Moved: Cr Robert Radel
Seconded: Cr Michael Dingle

That Council:

1. Receives and notes the information within the Quarterly Budget Review – September 2023 report.
2. That in accordance with Section 170 of the *Local Government Regulation 2012*, Council resolves to amend the budget for the year ending 30 June 2024 to include recommended quarterly budget review amendments as presented.

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

Against: Nil

CARRIED 7/0

10.3 DRAFT ANNUAL FINANCIAL STATEMENTS 2022-2023**OFFICERS RECOMMENDATION**

That Council:

1. Receive and note the draft General Purpose Financial Statements for the year ended 30 June 2023.
2. Adopt the draft General Purpose Financial Statements for the year ended 30 June 2023 as approved by the auditor-general and, recommended by the Audit and Risk Committee.
3. Note the Audit and Risk Committee recommendation that the draft General Purpose Financial Statements for year ended 2023 be certified by the Mayor and Chief Executive Officer.

RESOLUTION 2023/185

Moved: Cr Dael Giddins

Seconded: Cr Kingsley Mesner

That Council:

1. Receive and note the draft General Purpose Financial Statements for the year ended 30 June 2023.
2. Adopt the draft General Purpose Financial Statements for the year ended 30 June 2023 as approved by the auditor-general and, recommended by the Audit and Risk Committee.
3. Note the Audit and Risk Committee recommendation that the draft General Purpose Financial Statements for year ended 2023 be certified by the Mayor and Chief Executive Officer.

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

Against: Nil

CARRIED 7/0

10.4 AUSTRALIA DAY - ADMINISTRATIVE DIRECTIVE

OFFICERS RECOMMENDATION

That Council:

1. Endorse one (1) of the following Australia Day Awards Selection Panel Models from 2023, with a process review to be undertaken in 2028:
 - (a) The Mayor (or delegate) and six (6) community representatives one being the Regional Citizen of the Year and five (5) previous award winners (any category) in the remaining towns; or
 - (b) The Mayor (or delegate) and six (6) community representatives one being the Regional Citizen of the Year and five (5) previous award winners (any category) in the remaining towns. Elected members to endorse panel recommendations at a confidential discussion at December General Meeting; or
 - (c) The Mayor (or delegate), the Regional Citizen of the Year and six (6) community representatives, one previous award winner from each town (e.g. local legends award recipients and then a Regional Award winner if local legend is unavailable); or
 - (d) The Mayor (or delegate) and six (6) community representatives with at least one representative from each town chosen by the Divisional Councillor; or
 - (e) The Mayor and six (6) divisional Councillors.
2. Endorse one (1) of the following:
 - (a) Adopt the Administrative Directive – Australia Day as presented.
 - (b) If 1(b-e) is endorsed, adopt the Administrative Directive – Australia Day with appropriate amendments to the Australia Day Awards Selection Panel Membership.

MOTION

Moved: Cr Melinda Jones

Seconded: Cr Dael Giddins

That Council:

1. Endorse the following Australia Day Awards Selection Panel Model from 2023, with a process review to be undertaken in 2028:
 - a) The Mayor (or delegate), the Regional Citizen of the Year and six (6) community representatives being the local legends award recipients from each town, or the divisional Councillor will be the representative if previous recipients are unavailable. Elected members to endorse panel recommendations at a confidential discussion at December General Meeting noting that the Mayors role is to Chair the Australia Day Awards Committee Meeting as a nonvoting member.
2. Adopt the Administrative Directive – Australia Day with appropriate amendments to the Australia Day Awards Selection Panel Membership.

AMENDMENT ONE

Moved: Cr Susan Payne

Seconded: Nil

That Council:

1. Endorse the following Australia Day Awards Selection Panel Model from 2023, with a process review to be undertaken in 2028:
 - a) The Mayor (or delegate) and seven (7) community representatives one (1) being the

Regional Citizen of the Year and six (6) previous year award winners from any category from the remaining towns (where possible) and excluding any divisional Councillor. Elected members to endorse panel recommendations at a confidential discussion at December General Meeting noting that the Mayors role is to Chair the Australia Day Awards Committee Meeting as a nonvoting member.

2. Adopt the Administrative Directive – Australia Day with appropriate amendments to the Australia Day Awards Selection Panel Membership.

AMENDMENT LAPSED DUE TO NO SECONDER

AMENDMENT TWO

Moved: Cr Susan Payne

Seconded: Nil

That Council lay the Australia Day Administration Directive on the table.

AMENDMENT LAPSED DUE TO NO SECONDER

RESOLUTION 2023/186

Moved: Cr Melinda Jones

Seconded: Cr Dael Giddins

That Council:

1. Endorse the following Australia Day Awards Selection Panel Model from 2023, with a process review to be undertaken in 2028:
 - a) The Mayor (or delegate), the Regional Citizen of the Year and six (6) community representatives being the local legends award recipients from each town, or the divisional Councillor will be the representative if previous recipients are unavailable. Elected members to endorse panel recommendations at a confidential discussion at December General Meeting noting that the Mayors role is to Chair the Australia Day Awards Committee Meeting as a nonvoting member.
2. Adopt the Administrative Directive – Australia Day with appropriate amendments to the Australia Day Awards Selection Panel Membership.

In Favour: Crs Leslie Hotz, Melinda Jones, Dael Giddins and Kingsley Mesner

Against: Crs Robert Radel, Susan Payne and Michael Dingle.

CARRIED 4/3

10.5 GAYNDAH AIRPORT - FORMALISING OF TENURE TO BUREAU OF METEOROLOGY**OFFICERS RECOMMENDATION**

That Council:

1. Grant a Lease over part 153 BON934 and 2 RP201121 to Commonwealth of Australia as represented by the Bureau of Meteorology, pursuant *Section 236 (1)(b)(i), (2), (3) and (4) of Local Government Regulation 2012*.
2. Authorise the Chief Executive Officer to settle the terms of the lease to the Commonwealth of Australia as represented by the Bureau of Meteorology; referred to in Part 1.

RESOLUTION 2023/187

Moved: Cr Robert Radel

Seconded: Cr Michael Dingle

That Council:

1. Grant a Lease over part 153 BON934 and 2 RP201121 to Commonwealth of Australia as represented by the Bureau of Meteorology, pursuant *Section 236 (1)(b)(i), (2), (3) and (4) of Local Government Regulation 2012*.
2. Authorise the Chief Executive Officer to settle the terms of the lease to the Commonwealth of Australia as represented by the Bureau of Meteorology; referred to in Part 1.

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 RENAMING A SECTION OF OLD MUNDUBBERA-DURONG ROAD****OFFICERS RECOMMENDATION**

That Council:

1. Adopts the name Bourke Road for the demained section of the old Mundubbera-Durong Road; and
2. Authorise the Chief Executive Officer to approach the Department of Transport and Main Roads for a financial contribution of \$99,313 to cover the future maintenance and future reseal costs for the road, taking into account the depreciation of the section which is above Council's Level of Service.

RESOLUTION 2023/188

Moved: Cr Dael Giddins

Seconded: Cr Michael Dingle

That Council:

1. Adopts the name Bourke Road for the demained section of the old Mundubbera-Durong Road; and
2. Authorise the Chief Executive Officer to approach the Department of Transport and Main Roads for a financial contribution of \$99,313 to cover the future maintenance and future reseal costs for the road, taking into account the depreciation of the section which is above Council's Level of Service.

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 September 2023 to 30 September 2023.

RESOLUTION 2023/189

Moved: Cr Dael Giddins

Seconded: Cr Kingsley Mesner

That Council receives the Councillor Reports for the period 1 September 2023 to 30 September 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 EMERGENT OPPORTUNITY - STAFF HOUSING****OFFICERS RECOMMENDATION**

That the Emergent Opportunity Staff Housing be tabled as an Urgent Matter of Business so that it may be considered by Council. This matter is considered to be confidential under 254J - 254J(3)(g) of the Local Government Regulation, and therefore, Council will consider the Confidential Report within Item 14 - Confidential Reports.

RESOLUTION 2023/190

Moved: Cr Dael Giddins

Seconded: Cr Michael Dingle

That the Emergent Opportunity Staff Housing be tabled as an Urgent Matter of Business so that it may be considered by Council. This matter is considered to be confidential under 254J - 254J(3)(g) of the Local Government Regulation, and therefore, Council will consider the Confidential Report within Item 14 - Confidential Reports.

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

Against: Nil

CARRIED 7/0

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 2022-2023 FINANCIAL AUDIT - MANAGEMENT REPORT

This matter is considered to be confidential under 254J - 254J(3)(i) 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 a matter the local government is required to keep confidential under a law of, or formal arrangement with, the Commonwealth or a State.

14.2 PROPERTY DISPOSAL - EIDSVOLD

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.

14.3 LEASE RENEWALS - TELSTRA AND OPTUS OVER PART 1 M5825

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.

14.4 LEASE RENEWAL OVER PART 113 BON1559

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.

14.5 LEASE RENEWAL - MCINDOES ROAD, MUNDUBBERA

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.

14.6 URGENT BUSINESS - EMERGENT OPPORTUNITY STAFF HOUSING

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 2023/191

Moved: Cr Robert Radel

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 2022-2023 FINANCIAL AUDIT - MANAGEMENT REPORT

This matter is considered to be confidential under 254J - 254J(3)(i) 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 a matter the local government is required to keep confidential under a law of, or formal arrangement with, the Commonwealth or a State.

14.2 PROPERTY DISPOSAL - EIDSVOLD

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.

14.3 LEASE RENEWALS - TELSTRA AND OPTUS OVER PART 1 M5825

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.

14.4 LEASE RENEWAL OVER PART 113 BON1559

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.

14.5 LEASE RENEWAL - MCINDOES ROAD, MUNDUBBERA

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.

14.6 URGENT BUSINESS - EMERGENT OPPORTUNITY STAFF HOUSING

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 11.13AM.

NOTE: During the confidential closed session, Councillors discussed the content in the confidential report listed above (14.6 Urgent Business – Emergent Opportunity Staff Housing).

RESOLUTION 2023/192

Moved: Cr Melinda Jones

Seconded: Cr Robert Radel

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 11.28AM.****ADJOURNMENT OF THE COUNCIL GENERAL MEETING****RESOLUTION 2023/193**

Moved: Mayor Leslie Hotz

That the General Meeting of Council stands adjourned until the meeting resumption at 1:00pm AEST. The Council will proceed with the business before the meeting at the point where it was discontinued on the adjournment.

CARRIED

Ms Stork (CEO) noted her apology for the meeting resumption at 1:00pm. In Ms Stork's absence, Ms Anna Scott (General Manager Works), was nominated to be Acting Chief Executive Officer for the remaining duration of the Council General Meeting.

THE MEETING ADJOURNED AT 11.30AM.

THE MEETING RESUMED AT 1.06PM.

Mayor Hotz noted the apology earlier received for Ms Stork (CEO) for the remaining duration of the General Meeting.

APOLOGY - CHIEF EXECUTIVE OFFICER**RESOLUTION 2023/194**

Moved: Cr Dael Giddins
Seconded: Cr Robert Radel

That Council accept the apology as conveyed by Ms Stork (CEO) for her unavailability at the meeting resumption scheduled for 1:00pm. The appointment of Ms Anna Scott (General Manager Works) as the Acting Chief Executive Officer for the duration of the Council General Meeting in Ms Stork's absence.

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

Against: Nil

CARRIED 7/0**RESUMPTION OF CONFIDENTIAL SESSION****RESOLUTION 2023/195**

Moved: Cr Robert Radel
Seconded: Cr Kingsley Mesner

That Council proceeds with the business before the meeting at the point where it was discontinued on the adjournment.

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 A CLOSED SESSION AT 1.07PM.**

NOTE: During the confidential closed session, Councillors continued discussing the content in the confidential reports listed above at Item 14 – Confidential Reports.

ACTION 02 UPDATE REGARDING THE SALE OF LAND BY COUNCIL

Cr Dael Giddins requested an update regarding the sale of land by Council. Through the Chair, Ms Scott (Acting CEO), responded to Cr Giddins noting that an updated would be provided at an upcoming Councillor Information Workshop.

RESOLUTION 2023/196

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 1.59PM.**14.1 2022-2023 FINANCIAL AUDIT - MANAGEMENT REPORT****OFFICERS RECOMMENDATION**

That Council notes the Audit Management Report for the General Purpose Financial Statement for the year ended 30 June 2023 as recommended by the Audit and Risk Committee.

RESOLUTION 2023/197

Moved: Cr Melinda Jones
Seconded: Cr Dael Giddins

That Council notes the Audit Management Report for the General Purpose Financial Statement for the year ended 30 June 2023 as recommended by the Audit and Risk Committee.

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

Against: Nil

CARRIED 7/0

14.2 PROPERTY DISPOSAL - EIDSVOLD

OFFICERS RECOMMENDATION

That Council:

1. Resolve to dispose of Lot 2 MPH2128 (34 Moreton Street, Eidsvold); pursuant to *Local Government Regulation 2012*.
2. Resolve to conduct a public Tender for the sale of Lot 2 MPH2128 (34 Moreton Street, Eidsvold) pursuant to Section 228 of *Local Government Regulation 2012*; and authorise the Chief Executive Officer to enter into a sale contract, at a contract price and on terms to be negotiated by the Chief Executive Officer.
3. Resolve that, in the event that Lot 2 MPH2128 (34 Moreton Street, Eidsvold) is not sold as a result of public Tender, authorise the Chief Executive Officer to procure agents and list the property for sale; and further authorise the Chief Executive Officer to enter into a sale contract, at a contract price and on terms, to be negotiated by the Chief Executive Officer.

RESOLUTION 2023/198

Moved: Cr Kingsley Mesner

Seconded: Cr Robert Radel

That Council:

1. Resolve to dispose of Lot 2 MPH2128 (34 Moreton Street, Eidsvold); pursuant to *Local Government Regulation 2012*.
2. Resolve to conduct a public Tender for the sale of Lot 2 MPH2128 (34 Moreton Street, Eidsvold) pursuant to Section 228 of *Local Government Regulation 2012*; and authorise the Chief Executive Officer to enter into a sale contract, at a contract price and on terms to be negotiated by the Chief Executive Officer.
3. Resolve that, in the event that Lot 2 MPH2128 (34 Moreton Street, Eidsvold) is not sold as a result of public Tender, authorise the Chief Executive Officer to procure agents and list the property for sale; and further authorise the Chief Executive Officer to enter into a sale contract, at a contract price and on terms, to be negotiated by the Chief Executive Officer.

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

Against: Nil

CARRIED 7/0

14.3 LEASE RENEWALS - TELSTRA AND OPTUS OVER PART 1 M5825**OFFICERS RECOMMENDATION**

That Council:

1. Renew the Trustee Lease within Lot 1 M5825 to Telstra Limited, pursuant to Section 236 (1)(c)(iii) of *Local Government Regulation 2012*;
2. Authorise the Chief Executive Officer to settle the terms of the lease, within Lot 1 M5825, to Telstra Limited.
3. Renew the Trustee Lease within Lot 1 M5825 to Optus Mobile Pty Limited, pursuant to Section 236 (1)(c)(iii) of *Local Government Regulation 2012*.
4. Authorise the Chief Executive Officer to settle the terms of the lease, within Lot 1 M5825, to Optus Mobile Limited.

RESOLUTION 2023/199

Moved: Cr Melinda Jones

Seconded: Cr Dael Giddins

That Council:

1. Renew the Trustee Lease within Lot 1 M5825 to Telstra Limited, pursuant to Section 236 (1)(c)(iii) of *Local Government Regulation 2012*.
2. Authorise the Chief Executive Officer to settle the terms of a lease for a period of 5 years with an option to extend in Councils favour for a further period of 5 years, within Lot 1 M5825, to Telstra Limited.
3. Renew the Trustee Lease within Lot 1 M5825 to Optus Mobile Pty Limited, pursuant to Section 236 (1)(c)(iii) of *Local Government Regulation 2012*.
4. Authorise the Chief Executive Officer to settle the terms of a lease for a period of 5 years with an option to extend in Councils favour for a further period of 5 years within Lot 1 M5825, to Optus Mobile Limited.

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

Against: Nil

CARRIED 7/0

NOTE: Councillors noted that the inclusions of the lease period and extension option in the resolution provides assurance for any potential market changes.

14.4 LEASE RENEWAL OVER PART 113 BON1559**OFFICERS RECOMMENDATION**

That Council:

1. Renew the Trustee Lease over part of Lot 113 BON1559 to Visy Board Proprietary Limited; pursuant to Section 236 (1)(c)(iii) of *Local Government Regulation 2012*.
2. Authorise the Chief Executive Officer to settle the terms of the Trustee Lease over part of Lot 113 BON1559, with Visy Board Proprietary Limited.

RESOLUTION 2023/200

Moved: Cr Robert Radel

Seconded: Cr Susan Payne

That Council:

1. Renew the Trustee Lease over part of Lot 113 BON1559 to Visy Board Proprietary Limited; pursuant to Section 236 (1)(c)(iii) of *Local Government Regulation 2012*.
2. Authorise the Chief Executive Officer to settle the terms of the Trustee Lease over part of Lot 113 BON1559, with Visy Board Proprietary Limited.

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

Against: Nil

CARRIED 7/0

14.5 LEASE RENEWAL - MCINDOES ROAD, MUNDUBBERA**OFFICERS RECOMMENDATION**

That Council:

1. Renew the lease over part of Lot 35 YL819 to Bonick Pty Ltd; pursuant to Section 236 (1)(c)(iii) of *Local Government Regulation 2012*.
2. Authorise the Chief Executive Officer to settle the terms of the lease, over part of Lot 35 YL819, with Bonick Pty Ltd.

RESOLUTION 2023/201

Moved: Cr Kingsley Mesner

Seconded: Cr Susan Payne

That Council:

1. Renew the lease over part of Lot 35 YL819 to Bonick Pty Ltd; pursuant to Section 236 (1)(c)(iii) of *Local Government Regulation 2012*.
2. Authorise the Chief Executive Officer to settle the terms of the lease, over part of Lot 35 YL819, with Bonick Pty Ltd.

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

Against: Nil

CARRIED 7/0

14.6 URGENT BUSINESS - EMERGENT OPPORTUNITY STAFF HOUSING**OFFICERS RECOMMENDATION**

That Council:

1. In accordance with Section 170(3) of the Local Government Regulation 2012, resolves to amend the budget for the year ending 30 June 2024 to include an amount of not more than \$700,000.00 to allow for the potential acquisition of the subject property, including costs associated with facilitating the potential transaction; and
2. In accordance with Section 235(e) of the Local Government Regulation 2012, resolves to apply an exception to tender requirements for a large-sized contract as the contract is for the purchase of second hand goods; and
3. Delegate authority to the Chief Executive Officer to enter into a conditional contract of sale with sufficient clauses to allow the timely consideration as to if the transaction is in the best interests of the organisation; and
4. Request that the Chief Executive Officer present a further report on the feasibility of pursuing the prospective transaction before satisfying all conditional clauses.

RESOLUTION 2023/202

Moved: Cr Melinda Jones

Seconded: Cr Kingsley Mesner

That the Emergent Opportunity - Staff Housing report lay on the table until a subsequent report, containing further information, is presented to Council for consideration.]

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

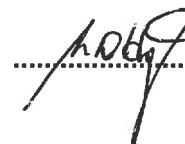
Against: Cr Susan Payne

CARRIED 6/1

15 CLOSURE OF MEETING

The Meeting closed at 2.12pm.

The minutes of this meeting were confirmed at the General Meeting held on 22 November 2023.



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CHAIRPERSON