



# **MINUTES**

**Post Election Meeting**

**10 April 2024**

UNCONFIRMED

**MINUTES OF NORTH BURNETT REGIONAL COUNCIL  
POST ELECTION MEETING  
HELD AT THE GAYNDAH BOARDROOM  
ON WEDNESDAY, 10 APRIL 2024 AT 9:00 AM**

## **1 WELCOME/HOUSEKEEPING**

The Mayor declared the meeting open at 9.01am and welcomed all attendees.

## **2 ATTENDEES**

**COUNCILLORS:**

Cr Leslie Hotz	(Mayor)
Cr Melinda Jones	(Division 1)
Cr Trina Vaughan	(Division 2)
Cr Susan Payne	(Division 3)
Cr Renee McGilvery	(Division 4)
Cr Michael Dingle	(Division 5)
Cr Moira Thompson	(Division 6)

**OFFICERS:**

Margot Stork	(CEO)
Anna Scott	(General Manager Works)
Kim Mahoney	(General Manager Corporate and Community)
Jess Marteene	(Administration Officer – Executive Services)
Kat Bright	(Senior Executive Assistant to the CEO & Mayor)
Michael Cartwright	(Governance, Policy and Risk Advisor)
Marlene Carstens	(Executive Assistant to the GM Works)*^
Letetia Berthelsen	(Senior Technical Officer – Assets)*^

*^ 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 DEPUTATIONS/PETITIONS**

Nil.

## **6 NOTIFICATION OF OTHER BUSINESS BY COUNCILLORS**

The Mayor informed the meeting that a confidential legal matter would be tabled at ITEM 9 – OTHER BUSINESS so that it may be considered by Council.

## 7 DECLARATIONS OF INTEREST

I, Cr Les Hotz, inform this meeting pursuant to section 150EQ of the Local Government Act 2009, that I have a declarable conflict of interest with regards to the confidential legal matter that will be addressed at ITEM 9 – OTHER BUSINESS. This interest arises as my name is mentioned in the matter. As a result of this declarable conflict of interest, I will leave the room while the matter is discussed and will not participate in any vote.

## 8 OFFICE OF THE CHIEF EXECUTIVE OFFICER

### 8.1 APPOINTMENT OF DEPUTY MAYOR

#### OFFICERS RECOMMENDATION

That Council, pursuant to Section 175(2) of the *Local Government Act 2009*, appoint Cr [enter name here] as the Deputy Mayor.

The Mayor began by acknowledging that Cr Jones had conveyed her intention to nominate for Deputy Mayor through an email to fellow Councillors prior to the meeting.

Upon the Mayor's invitation for additional expressions of interest, Cr Payne indicated her desire to put herself forward for the role of Deputy Mayor.

As no other expressions of interest were forthcoming, the Mayor invited both nominees to present their cases for consideration.

#### RESOLUTION 2024/39

Moved: Cr Susan Payne  
Seconded: Cr Trina Vaughan

That Council, pursuant to Section 175(2) of the *Local Government Act 2009*, appoint Cr Payne as the Deputy Mayor.

In Favour: Crs Trina Vaughan and Susan Payne

Against: Crs Leslie Hotz, Melinda Jones, Renee McGilvery and Michael Dingle

Abstained: Cr Moira Thompson

**LOST 2/5**

#### RESOLUTION 2024/40

Moved: Cr Melinda Jones  
Seconded: Cr Renee McGilvery

That Council, pursuant to Section 175(2) of the *Local Government Act 2009*, appoint Cr Jones as the Deputy Mayor.

In Favour: Crs Leslie Hotz, Melinda Jones, Renee McGilvery, Michael Dingle and Moira Thompson

Against: Crs Trina Vaughan and Susan Payne

**CARRIED 5/2**

## 8.2 COUNCIL GENERAL MEETING SCHEDULE 2024

### OFFICERS RECOMMENDATION

That Council:

1. In accordance with section 256(1) of the *Local Government Regulation 2012*, adopt the meeting dates and times for the remaining General Meetings of Council to be held in 2024 calendar year as per the table below; and
2. Pursuant to section 254B(2) and (3) of the *Local Government Regulation 2012*, publicly advertise those dates and times.

Meeting Date	Meeting Commencement	Meeting Location
Wednesday 24/04/2024	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>		

### RESOLUTION 2024/41

Moved: Cr Melinda Jones

Seconded: Cr Trina Vaughan

That Council:

1. In accordance with section 256(1) of the *Local Government Regulation 2012*, adopt the meeting dates and times for the remaining General Meetings of Council to be held in the 2024 calendar year as per the table below (continuing the regional rotation of meeting locations); and
2. Pursuant to section 254B(2) and (3) of the *Local Government Regulation 2012*, publicly advertise those dates and times.

Meeting Date	Meeting Commencement	Meeting Location
Wednesday 24/04/2024	9.00am AEST	Biggenden
Wednesday 22 May 2024	9.00am AEST	Eidsvold
Wednesday 26 June 2024 (Inc. Budget Meeting)	9.00am AEST	Mundubbera
Wednesday 24 July 2024	9.00am AEST	Monto
Wednesday 28 August 2024	9.00am AEST	Mt Perry
Wednesday 25 September 2024	9.00am AEST	Gayndah
Wednesday 23 October 2024	9.00am AEST	Biggenden
Wednesday 27 November 2024	9.00am AEST	Eidsvold

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>		
<u>In Favour:</u>	Crs Leslie Hotz, Melinda Jones, Trina Vaughan, Renee McGilvery, Michael Dingle and Moira Thompson	
<u>Against:</u>	Cr Susan Payne	
		<b>CARRIED 6/1</b>

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### 8.3 APPOINTMENT OF LOCAL DISASTER MANAGEMENT GROUP - CHAIRPERSON AND DEPUTY CHAIRPERSON

#### OFFICERS RECOMMENDATION

That Council, in accordance with Section 34 of the *Disaster Management Act 2003*, appoint Cr [enter name here] as the Local Disaster Management Group Chairperson and appoint Cr [enter name here] as the Local Disaster Management Group Deputy Chairperson.

The Mayor began by acknowledging that Cr Jones had conveyed her intention to nominate for the Local Disaster Management Group (LDMG) Chairperson through an email to fellow Councillors prior to the meeting.

As no further expressions of interest were received for the LDMG Chairperson, the Mayor called for expressions of interest for the LDMG Deputy Chairperson (LDMG Deputy).

Cr Vaughan indicated her interest as the LDMG Deputy.

Cr Jones proposed that each Councillor should have the opportunity to serve as the LDMG Deputy on a rotational basis. In response, Margot Stork, speaking through the Chair, addressed operational challenges that could arise during disaster coordination with rotating Deputy Chairs.

Considering Margot Storks concerns, Cr Jones suggested the nomination of two (2) Councillors as LDMG Deputies.

#### RESOLUTION 2024/42

Moved: Cr Melinda Jones  
Seconded: Cr Michael Dingle

That Council, in accordance with Section 34 of the Disaster Management Act 2003, appoint Cr Jones as the Local Disaster Management Group Chairperson.

In Favour: Crs Leslie Hotz, Melinda Jones, Trina Vaughan, Renee McGilvery, Michael Dingle and Moira Thompson

Against: Cr Susan Payne

**CARRIED 6/1**

#### RESOLUTION 2024/43

Moved: Cr Melinda Jones  
Seconded: Cr Moira Thompson

That Council, in accordance with Section 34 of the Disaster Management Act 2003, appoint Cr Vaughan and Cr McGilvery as the Local Disaster Management Group Deputy Chairpersons.

In Favour: Crs Leslie Hotz, Melinda Jones, Trina Vaughan, Susan Payne, Renee McGilvery and Moira Thompson

Against: Cr Michael Dingle

**CARRIED 6/1**

## 9 OTHER BUSINESS DETERMINED BY RESOLUTION FOR AGENDA INCLUSION

Through the Chair, Margot Stork mentioned that she had understood that Cr Jones may wish to table PAYG Withholding and Superannuation for Councillors. Cr Jones responded to Margot Stork, querying if Officers could bring this item to a Councillor Information Workshop. Margot Stork responded to Cr Jones noting the request.

Additionally, Margot Stork clarified that she had understood the Mayor's interest in discussing the election of the Local Government Association of Queensland's (LGAQ) Policy Executive District Representatives for the 2024-2028 term. In response, the Mayor acknowledged that Councillors had received three nominations from Fraser Coast Regional Council, Gympie Regional Council, and South Burnett Regional Council prior to the meeting, for consideration. The Mayor also mentioned the possibility of nominating a North Burnett Regional Councillor as a representative. Cr Jones pointed out that the Wide Bay Burnett Representative position is also open for election. With no further information available at the time, Margot Stork indicated that Officers would provide a report to Council for consideration.

At 9.53am, the Mayor left the meeting having earlier declared a conflict of interest in relation to the following item.

### 9.1 CONFIDENTIAL LEGAL MATTER

#### RESOLUTION 2024/44

Moved: Cr Michael Dingle

Seconded: Cr Susan Payne

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

#### 9.1 CONFIDENTIAL LEGAL MATTER

This matter is considered to be confidential under section 254J(3)(e) of the *Local Government Regulation 2012* – 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 the local government.

In Favour: Crs Melinda Jones, Trina Vaughan, Susan Payne, Renee McGilvery, Michael Dingle and Moira Thompson

Against: Nil

**CARRIED 6/0**

### THE MEETING MOVED INTO A CLOSED SESSION AT 9.54am.

At 9.54am, Margot Stork, Anna Scott, Kim Mahoney, Kat Bright and Jess Marteene left the meeting.

At 10.15am, Kat Bright returned to the meeting.

#### RESOLUTION 2024/45

Moved: Cr Susan Payne

Seconded: Cr Renee McGilvery

That Council moves out of Closed Session into Open Session.

<b><u>In Favour:</u></b>	Crs Melinda Jones, Trina Vaughan, Susan Payne, Renee McGilvery, Michael Dingle and Moira Thompson
<b><u>Against:</u></b>	Nil
<b>CARRIED 6/0</b>	

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**THE MEETING MOVED BACK INTO AN OPEN SESSION AT 10.38am.**

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I, Cr Sue Payne, inform this meeting pursuant to section 150EQ of the Local Government Act 2009, that I have a declarable conflict of interest with regards to the confidential legal matter being addressed at ITEM 9 – OTHER BUSINESS. Despite this conflict of interest, I wish to remain in the room and participate in the discussion and decision/vote.

**NOTE:** Due to the confidential nature of the matter being addressed at ITEM 9 – OTHER BUSINESS, Cr Payne did not offer a reason for the conflict of interest.

**RESOLUTION 2024/46**

Moved: Cr Susan Payne  
 Seconded: Cr Renee McGilvery

That Cr Payne, participate in the discussion and decision/vote despite the councillor's conflict of interest.

**In Favour:** Crs Melinda Jones, Trina Vaughan, Susan Payne, Renee McGilvery, Michael Dingle and Moira Thompson

**Against:** Nil

**CARRIED 6/0**

I, Cr Melinda Jones, inform this meeting pursuant to section 150EQ of the Local Government Act 2009, that I have a declarable conflict of interest with regards to the confidential legal matter being addressed at ITEM 9 – OTHER BUSINESS. This interest is that my name is mentioned in the matter, although I am not familiar with the content. Despite this conflict of interest, I wish to remain in the room and participate in the discussion and decision/vote.

**RESOLUTION 2024/47**

Moved: Cr Melinda Jones  
 Seconded: Cr Trina Vaughan

That Cr Jones, participate in the discussion and decision/vote despite the councillor's conflict of interest.

**In Favour:** Crs Melinda Jones, Trina Vaughan, Susan Payne, Renee McGilvery, Michael Dingle and Moira Thompson

**Against:** Nil

**CARRIED 6/0**

**RESOLUTION 2024/48**

Moved: Cr Susan Payne  
 Seconded: Cr Michael Dingle

That Council continues to consider the confidential matter listed below in a meeting closed to the public in accordance with Section 254J of the *Local Government Regulation 2012*:



**9.1 CONFIDENTIAL LEGAL MATTER**

This matter is considered to be confidential under section 254J(3)(e) of the *Local Government Regulation 2012* – 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 the local government.

In Favour: Crs Melinda Jones, Trina Vaughan, Susan Payne, Renee McGilvery, Michael Dingle and Moira Thompson

Against: Nil

**CARRIED 6/0**

**THE MEETING MOVED INTO A CLOSED SESSION AT 10.39am.**

At 10.43am, Michael Cartwright left the meeting.

At 10.44am, Michael Cartwright and Margot Stork returned to the meeting.

At 10.50am, Margot Stork left the meeting.

At 10.55am, Kat Bright left the meeting.

At 10.56am, the Mayor and Kat Bright returned to the meeting.

At 11.06am, the Mayor left the meeting.

**RESOLUTION 2024/49**

Moved: Cr Michael Dingle

Seconded: Cr Renee McGilvery

That Council moves out of Closed Session into Open Session.

In Favour: Crs Melinda Jones, Trina Vaughan, Susan Payne, Renee McGilvery, Michael Dingle and Moira Thompson

Against: Nil

**CARRIED 6/0**

**THE MEETING MOVED BACK INTO AN OPEN SESSION AT 11.36am.**

**9.1 CONFIDENTIAL LEGAL MATTER**

**RESOLUTION 2024/50**

Moved: Cr Susan Payne  
 Seconded: Cr Renee McGilvery

That Council:

- a) Appoints an independent Mediator as discussed in the closed (and confidential) session of this Council meeting;
- b) Following Mediation, and before a decision is made, Council be provided a report for consideration;
- c) Delegates to the Governance, Policy and Risk Advisor the delegation of all CEO powers for any occasion where the CEO might be conflicted;
- d) Delegates to the Deputy Mayor the power to sign all documents necessary where the Mayor might be conflicted.

In Favour: Crs Melinda Jones, Trina Vaughan, Susan Payne, Renee McGilvery and Moira Thompson

Against: Cr Michael Dingle

**CARRIED 5/1**

At 11.38am, Michael Cartwright left the meeting.

At 11.38am, the Mayor, Margot Stork, Anna Scott, Kim Mahoney and Jess Marteene returned to the meeting.

**10 GENERAL BUSINESS**

The Mayor opened the floor for any general business That attendees wished to raise for discussion.

Following the earlier conversation regarding the election of the Local Government Association of Queensland's (LGAQ) Policy Executive District Representatives, Margot Stork noted that a report would be presented at the upcoming General Meeting of Council for Councillors consideration, noting that nominations close at 12:00pm on Wednesday, 1 May 2024.

**11 QUESTIONS**

Nil.

**12 CLOSURE OF MEETING**

The Meeting closed at 11.44am.

The minutes of this meeting were confirmed at the General Meeting held on 24 April 2024.

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**CHAIRPERSON**