

South Burnett Regional Council

DECLARATIONS OF CONFLICT OF INTEREST AT A MEETING 1 July 2020 to 30 June 2021

Meeting Date	Meeting Item	Subject	COI	Councillor	Nature of Interest	Action	Vote Count
30/06/2021	13.2	Electric Vehicle Charging Station	COI	Mayor Brett Otto	Mayor Otto is the director of a company, BOA Qld Pty Ltd, which operates the business of Otto Accountants at premises which utilize the Alford Street Carpark.	Left the meeting and did not vote	Carried 6/0
30/06/2021	16.1	Notice to Rescind a Council Resolution - South Burnett Regional Council Lease Amendment with South Burnett Community Hospital Foundation Limited	COI	Cr Kirstie Schumacher	Cr Schumacher is a member of the South Burnett Community Hospital Board	Left the meeting and did not vote	Carried 6/0
30/06/2021	13.2	Electric Vehicle Charging Station	COI	Cr Kirstie Schumacher	Cr Schumacher's family business holds a contract of supply for services.	This conflict was resolved at the Infrastructure Standing Committee on 2 June 2021	Carried 6/0

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Meeting Date	Meeting Item	Subject	COI	Councillor	Nature of Interest	Action	Vote Count
09/06/2021	9.4	Upgrades to Bathroom at South Burnett Aquatic Centre - Nanango	COI	Cr Kirstie Schumacher	Cr Schumacher's sister in-law and business partner works as a swimming instructor for Summer Country Aquatics at the South Burnett Aquatic Centre.	Left the meeting and did not vote	Carried 6/0
02/06/2021	9.1	Electric Vehicle Charging Station	COI	Mayor Brett Otto	Mayor Otto is the director of a company, BOA Qld Pty Ltd, which operates the business of Otto Accountants at premises which utilize the Alford Street Carpark.	Left the meeting and did not vote	Carried 6/0
02/06/2021	9.1	Electric Vehicle Charging Station	COI	Cr Kirstie Schumacher	Cr Schumacher's family business holds a contract of supply for services.	Council resolved that Cr Schumacher has a declarable conflict of interest in the matter and notwithstanding the conflict, Cr Schumacher may participate in the matter, discuss and vote upon it	Carried 6/0
26/05/2021	18.1	South Burnett Community Hospital	COI	Cr Kirstie Schumacher	Cr Schumacher is a member of the South Burnett Community Hospital Board.	Left the meeting and did not vote	Carried 6/0

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		Foundation Limited					
26/05/2021	9.2	South Burnett Regional Council Lease Amendment with South Burnett Community Hospital Foundation Limited	COI	Cr Kirstie Schumacher	Cr Schumacher is a member of the South Burnett Community Hospital Board.	Left the meeting and did not vote	Carried 6/0
19/05/2021	6.2	South Burnett Regional Council Lease Amendment with South Burnett Community Hospital Foundation Limited	COI	Cr Kirstie Schumacher	Cr Schumacher is a member of the South Burnett Community Hospital Board.	Left the meeting and did not vote	Carried 6/0
28/04/2021	14.3	Licence Agreement Between South Burnett Regional Council & Department of Education (Proston State School & Blackbutt State School) for the	COI	Cr Kirstie Schumacher	Cr Schumacher's sister-in-law is a swimming instructor and works at the Blackbutt swimming pool.	Left the meeting and did not vote	Carried 6/0

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		Utilisation of the Proston and Blackbutt Swimming Pools.					
28/04/2021	8.1	Alleged Inappropriate Councillor Conduct Complaint Investigation and Recommendation.	COI	Cr Kirstie Schumacher	Cr Schumacher is the Councillor the subject of the investigation.	Left the meeting and did not vote	Carried 6/0
28/04/2021	9.8	Release of Restricted Cash – Developer Contributions	COI	Cr Kirstie Schumacher	Cr Schumacher lives in the estate and have purchased vacant land from the developer.	Left the meeting and did not vote	Carried 6/0
28/04/2021	6.2	Forwarding Petition requesting that Councillor Scott Henschen be removed from his position as the Division 6 Councillor effective immediately	COI	Cr Scott Henschen	Cr Henschen is the Council the subject of the Petition	Left the meeting and did not vote	Carried 6/0
21/04/2021	9.1	Release of Restricted Cash – Developer Contributions	COI	Cr Kirstie Schumacher	Cr Schumacher lives in the estate and have purchased vacant land from the developer.	Left the meeting and did not vote	Carried 5/0

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14/04/2021	9.8	Short-term use of 195 Kingaroy Street Kingaroy	COI	Mayor Brett Otto	Mayor Otto has a business where the access point through the laneway aligns with that business	Left the meeting and did not vote	Item 9.8 lay on the table until the May Community Standing Committee Meeting
14/04/2021	9.9	Licence Agreement Between South Burnett Regional Council & Department of Education (Proston State School & Blackbutt State School) for the Utilisation of the Proston and Blackbutt Swimming Pools.	COI	Cr Kirstie Schumacher	Cr Schumacher's sister-in-law is a swimming instructor and works at the Blackbutt swimming pool.	Left the meeting and did not vote	Carried 6/0
24/03/2021	14.1	Kingaroy Aerodrome Airpark Proposal	COI	Cr Kirstie Schumacher	Cr Schumacher is a partner in Schuey Brothers Pastoral and the company owns a property on Peterson Drive that is used for cropping. It is directly opposite the airport.	This matter was resolved at the Community Standing Committee on 10 March 2021 (Resolution Number 2021/83)	

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24/03/2021	18.3	Alleged Inappropriate Councillor Conduct Complaint Investigation and Recommendation	COI	Cr Scott Henschen	The complainant in relation to the investigation has previously lodged a complaint against Cr Henschen, to the Office of the Independent Assessor, about his conduct as a councillor.	Left the meeting and did not vote	Carried 4/1
24/03/2021	18.3	Alleged Inappropriate Councillor Conduct Complaint Investigation and Recommendation	COI	Cr Kathy Duff	The complainant in relation to the investigation has previously lodged a complaint against Cr Duff, to the Office of the Independent Assessor, about her conduct as a councillor.	As per action below	Carried 4/1
24/03/2021	18.3	Alleged Inappropriate Councillor Conduct Complaint Investigation and Recommendation	COI	Mayor Brett Otto	The complainant in relation to the investigation has previously lodged a complaint against Mayor Otto, to the Office of the Independent Assessor, about his conduct as a councillor	As per action below	Carried 4/1
24/03/2021	18.3	Alleged Inappropriate Councillor Conduct	COI	Cr Danita Potter, Cr Gavin Jones	The complainant in relation to the investigation the subject of this item of business	1. That Council notes that three (out of seven) councillors have	Carried 4/1

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		Complaint Investigation and Recommendation			<p>is a participant in a petition to the Minister for Local Government, for an investigation into, and dismissal of, Councillors Jones, Potter, Frohloff and Henschen.</p> <p>The contents of the petition are now with the Office of the Independent Assessor for consideration.</p>	<p>informed the meeting of a declarable conflict of interest in this matter.</p> <p>2. That Council notes that those three declaring councillors have stated that, if discussion and decision on the matter proceeds, they will leave and stay away from the place where the meeting is being held while this matter is discussed and voted on.</p> <p>3. That Council notes that the Mayor and Cr Duff have the Minister's approval, pursuant to section 150EV of the Local</p>	

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						<p>Government Act 2009, to participate in deciding this particular matter, including being present while the matter is discussed and voted on.</p> <p>4. That, as a consequence of a majority of councillors comprising each of Council's three standing committees declaring a declarable conflict of interest in relation to this matter, Council notes that, pursuant to section 150EU(3) of the Local Government Act</p>	

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						<p>2009, Council is unable to delegate deciding this matter under section 257(2)(b) of the Local Government Act 2009 to any of those committees.</p> <p>5. That, accordingly, pursuant to section 150EU(2)(a) and section 257(2)(a) of the Local Government Act 2009, Council delegate deciding this matter to the Mayor.</p>	
17/03/2021	7.3	Adventure Tourism – Gordonbrook Dam Proposal	COI	Mayor Brett Otto	Mayor Otto's sister's husband is the vice president of the South Burnett Mountain Bike Club and the son of the Secretary of the South	Council resolved that Mayor Otto has a declarable conflict of interest in the matter and notwithstanding	Carried 7/0

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Meeting Date	Meeting Item	Subject	COI	Councillor	Nature of Interest	Action	Vote Count
					Burnett Mountain Bike Club works for Mayor Otto's accountancy business.	the conflict, Cr Otto may participate in the matter, discuss and vote upon it	
10/03/2021	9.7	Kingaroy Aerodrome Airpark Proposal	COI	Cr Kirstie Schumacher	Cr Schumacher is a partner in Schuey Brothers Pastoral and the company owns a property on Peterson Drive that is used for cropping. It is directly opposite the airport.	Council resolved that Cr Schumacher has a declarable conflict of interest in the matter and notwithstanding the conflict, Cr Schumacher may participate in the matter, discuss and vote upon it	Carried 7/0
03/03/2021	6.2	Maidenwell Bunya Mountains Road	COI	Cr Gavin Jones	Cr Jones is a Director of a company that owns the Maidenwell Hotel on the intersection of Kingaroy Cooyar Road and Bunya Mountains Road. The company has had the Hotel leased out since 2016. The roadworks to be discussed is approximately 12km north west from the hotel on the Bunya Mountains Road and has been	Council resolved that Cr Jones has a declarable conflict of interest in the matter and notwithstanding the conflict, Cr Jones may participate in the matter, discuss and vote upon it	Carried 7/0

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Meeting Date	Meeting Item	Subject	COI	Councillor	Nature of Interest	Action	Vote Count
					advocated for since 2001 to improve for public user safety.		
24/02/2021	18.1	Alleged Inappropriate Councillor Conduct Complaint Investigation and Recommendation	COI	Mayor Brett Otto	The complainant in relation to the investigation has previously lodged a complaint against me, to the Office of the Independent Assessor, about my conduct as a councillor.	Decision was deferred	
24/02/2021	18.1	Alleged Inappropriate Councillor Conduct Complaint Investigation and Recommendation	COI	Cr Kathy Duff	The complainant in relation to the investigation has previously lodged a complaint against me, to the Office of the Independent Assessor, about my conduct as a councillor	Decision was deferred	
24/02/2021	18.1	Alleged Inappropriate Councillor Conduct Complaint Investigation and Recommendation	COI	Cr Scott Henschen	Cr Henschen is the Councillor the subject of the investigation	Decision was deferred	
24/02/2021	18.1	Alleged Inappropriate Councillor	COI	Cr Roz Frohloff	The complainant in relation to the investigation the subject	Decision was deferred	

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Meeting Date	Meeting Item	Subject	COI	Councillor	Nature of Interest	Action	Vote Count
		Conduct Complaint Investigation and Recommendation			of this item of business is a participant in a petition to the Minister for Local Government, for an investigation into, and dismissal of, Councillors Potter, Jones, Frohloff and Henschen.		
24/02/2021	18.5	SB Care Proposal	COI	Cr Gavin Jones	Cr Jones is on the board of the Tarong Community Partnership Fund and have allocated grant funds to SB Care.	Left the meeting and did not vote	Carried 5/0
24/02/2021	18.1	Alleged Inappropriate Councillor Conduct Complaint Investigation and Recommendation	COI	Cr Gavin Jones	The complainant in relation to the investigation the subject of this item of business is a participant in a petition to the Minister for Local Government, for an investigation into, and dismissal of, Councillors Potter, Jones, Frohloff and Henschen.	Decision was deferred	
24/02/2021	18.5	SB Care Proposal	COI	Cr Kirstie Schumacher	Cr Schumacher previously worked for Stanwell and gave advice to the Tarong Community Partnership	Left the meeting and did not vote	Carried 5/0

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Meeting Date	Meeting Item	Subject	COI	Councillor	Nature of Interest	Action	Vote Count
					Fund to allocate funds to SB Care.		
24/02/2021	14.5	Use of a Reserve Land – Bunya Mountains	COI	Cr Kirstie Schumacher	Cr Schumacher's owns a freehold property on the Bunya Mountains and is a member of the Bunya Mountains Community Association.	Left the meeting and did not vote	Carried 6/0
24/02/2021	9.6	Adoption of the South Burnett Regional Council Procurement Policy – Statutory 007	COI	Cr Kirstie Schumacher	Cr Schumacher's husband's business Schuey Brothers Drilling has conducted works for Council and is registered on the Felix System	Left the meeting and did not vote	Carried 6/0
24/02/2021	18.1	Alleged Inappropriate Councillor Conduct Complaint Investigation and Recommendation	COI	Cr Danita Potter	The complainant in relation to the investigation the subject of this item of business is a participant in a petition to the Minister for Local Government, for an investigation into, and dismissal of, Councillors Potter, Jones, Frohloff and Henschen.	Decision was deferred	
17/02/2021	6.6	Adoption of the South Burnett Regional Council Procurement	COI	Cr Kirstie Schumacher	Cr Schumacher's husband's business Schuey Brothers Drilling has conducted works for	Left the meeting and did not vote	Carried 6/0

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Meeting Date	Meeting Item	Subject	COI	Councillor	Nature of Interest	Action	Vote Count
		Policy – Statutory 007			Council and is registered on the Felix System		
10/02/2021	10.1	Discussion on letter received from SB Care	COI	Cr Kirstie Schumacher	Cr Schumacher previously worked for Stanwell and gave advice to the Tarong Community Partnership Fund to allocate funds.	Left the meeting and did not vote	Carried 5/0
10/02/2021	10.1	Discussion on letter received from SB Care	COI	Cr Gavin Jones	Cr Jones is on the board of the Tarong Community Partnership Fund and have allocated grant funds to SB Care.	Left the meeting and did not vote	Carried 5/0
10/02/2021	9.6	Use of a Reserve Land – Bunya Mountains	COI	Cr Kirstie Schumacher	Cr Schumacher owns a freehold property on the Bunya Mountains and is a member of the Bunya Mountains Community Association.	Left the meeting and did not vote	Carried 6/0
03/02/2021	6.10	Clark and Swendson Road/Harris Road and Edenvale North Road/Harris Road Intersections	COI	Cr Kirstie Schumacher	Cr Schumachers family has a property on the corner of D'Aguilar Highway and Edenvale South Road	Council resolved that Cr Schumacher has a declarable conflict of interest in the matter and notwithstanding the conflict, Cr Schumacher may participate in the matter, discuss and vote upon it	Carried 7/0

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Meeting Date	Meeting Item	Subject	COI	Councillor	Nature of Interest	Action	Vote Count
20/01/2021	18.2	Alleged Inappropriate Councillor Conduct Complaint Investigation and Recommendation	COI	Cr Danita Potter	Due to a petition and a party to the complaint participating in the petition process.	That South Burnett Regional Council pursuant to section 150EU(2)(b) of the Local Government Act 2009 defer the decision in regards to agenda Item 18.2 "Alleged Inappropriate Councillor Conduct Complaint Investigation and Recommendation" to the Deputy Premier and Minister for State Development, Infrastructure, Local Government and Planning for consideration and decision at the February General Meeting of Council.	

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20/01/2021	9.3	Adoption of the South Burnett Regional Council Procurement Policy – Statutory 007	COI	Cr Kirstie Schumacher	Cr Schumacher's husband's business, Schuey Brothers Drilling, has conducted works for Council and is registered on the Felix System.	Left the meeting and did not vote	Carried 6/0
20/01/2021	12.1	Operational Works Development Application and Inspection Fees - Alkaloids of Australia - External Road Sealing - Request to Waive Operational Works Application Fees	COI	Cr Kirstie Schumacher	Cr Schumacher's family business, Schuey Brothers Drilling has completed paid work previously for Alkaloids Australia	Left the meeting and did not vote	Carried 6/0
20/01/2021	18.1	South Burnett Community Hospital Foundation Limited Board Meeting Minutes - 6 October 2020	COI	Cr Kirstie Schumacher	Cr Schumacher is a member of the Hospital Board	Left the meeting and did not vote	Carried 6/0
20/01/2021	18.2	Alleged Inappropriate Councillor Conduct Complaint	COI	Cr Gavin Jones	Due to a petition and a party to the complaint participating in the petition process.	That South Burnett Regional Council pursuant to section 150EU(2)(b) of	

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Meeting Date	Meeting Item	Subject	COI	Councillor	Nature of Interest	Action	Vote Count
		Investigation and Recommendation				the Local Government Act 2009 defer the decision in regards to agenda Item 18.2 "Alleged Inappropriate Councillor Conduct Complaint Investigation and Recommendation" to the Deputy Premier and Minister for State Development, Infrastructure, Local Government and Planning for consideration and decision at the February General Meeting of Council.	
20/01/2021	18.2	Alleged Inappropriate Councillor Conduct Complaint	COI	Cr Roz Frohloff	Due to a petition and a party to the complaint participating in the petition process and a complaint lodged against her.	That South Burnett Regional Council pursuant to section 150EU(2)(b) of the Local	

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Meeting Date	Meeting Item	Subject	COI	Councillor	Nature of Interest	Action	Vote Count
		Investigation and Recommendation				Government Act 2009 defer the decision in regards to agenda Item 18.2 “Alleged Inappropriate Councillor Conduct Complaint Investigation and Recommendation” to the Deputy Premier and Minister for State Development, Infrastructure, Local Government and Planning for consideration and decision at the February General Meeting of Council.	
20/01/2021	18.2	Alleged Inappropriate Councillor Conduct Complaint Investigation and Recommendation	COI	Cr Scott Henschen	Cr Henschen is a party to the complaint having been referred to OIA.	That South Burnett Regional Council pursuant to section 150EU(2)(b) of the Local Government Act	

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						2009 defer the decision in regards to agenda Item 18.2 “Alleged Inappropriate Councillor Conduct Complaint Investigation and Recommendation” to the Deputy Premier and Minister for State Development, Infrastructure, Local Government and Planning for consideration and decision at the February General Meeting of Council.	
20/01/2021	18.2	Alleged Inappropriate Councillor Conduct Complaint Investigation and Recommendation	COI	Cr Kathy Duff	Due to a previous complaint lodged against Cr Duff	That South Burnett Regional Council pursuant to section 150EU(2)(b) of the Local Government Act 2009 defer the decision in regards to agenda	

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Meeting Date	Meeting Item	Subject	COI	Councillor	Nature of Interest	Action	Vote Count
						Item 18.2 “Alleged Inappropriate Councillor Conduct Complaint Investigation and Recommendation” to the Deputy Premier and Minister for State Development, Infrastructure, Local Government and Planning for consideration and decision at the February General Meeting of Council.	
20/01/2021	18.2	Alleged Inappropriate Councillor Conduct Complaint Investigation and Recommendation	COI	Mayor Brett Otto	Due to a previous complaint lodged against Mayor Otto	That South Burnett Regional Council pursuant to section 150EU(2)(b) of the Local Government Act 2009 defer the decision in regards to agenda Item 18.2 “Alleged Inappropriate Councillor	

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Meeting Date	Meeting Item	Subject	COI	Councillor	Nature of Interest	Action	Vote Count
						Conduct Complaint Investigation and Recommendation” to the Deputy Premier and Minister for State Development, Infrastructure, Local Government and Planning for consideration and decision at the February General Meeting of Council.	
16/12/2020	9.7	Monthly Finance Report and Second Quarter Budget Revision	COI	Mayor Brett Otto	Item 3 of the recommendation refers to the adoption of the revised capital expenditure budget which includes the purchase of a shop front in Kingaroy street which is directly aligned to the pathway that leads to the Mayor’s Accounting Practice.	Left the meeting and did not vote	Carried 6/0
25/11/2020	18.2	Sale of Coolabunia	COI	Cr Roz Frohloff		Left the meeting and did not vote	Carried 6/0

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		Saleyards by way of tender					
25/11/2020	18.1	South Burnett Community Hospital Foundation Limited Board Meeting Minutes – July 2020	COI	Cr Danita Potter	Cr Potter is a community representative on the Board of the South Burnett Community Hospital Foundation	Left the meeting and did not vote	Carried 5/0
25/11/2020	17.1	South Burnett Community Hospital Foundation Limited Board Meeting Minutes – July 2020	COI	Cr Kirstie Schumacher	Cr Schumacher is a community representative on the Board of the South Burnett Community Hospital Foundation	Left the meeting and did not vote	Carried 5/0
25/11/2020	11.1	Additional Round for applications to Community Australia Day Event Sponsorship	COI	Cr Danita Potter	Cr Potter is Chair of the Australia Day Committee	Left the room and did not vote	Carried 6/0
18/11/2020	6.1	Kingaroy Transformation Project (KTP) – Design Update	COI	Mayor Brett Otto	Mayor Otto has a business located within the proximity of the CBD area.	Council resolved that Mayor Otto has a declarable conflict of interest in the matter and notwithstanding the conflict, Mayor Otto may participate in the	Carried 5/2

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						matter, discuss and vote upon it	
14/10/2020	17.4	Purchase of Commercial Property	COI	Mayor Brett Otto	Mayor Otto's company has a business in Kingaroy of which he is a director, and lease a building in the Kingaroy CBD area. The Commercial Property is also located in the Kingaroy CBD.	Left the meeting and did not vote	Carried 6/0
16/09/2020	9.2	Kingaroy Transformation Council Community Reference Group Terms of Reference	COI	Mayor Brett Otto	Mayor Otto has a business in Kingaroy of which he is a Director and lease a building in the Kingaroy CBD area	Left the meeting and did not vote	Carried 5/0
16/09/2020	9.2	Kingaroy Transformation Council Community Reference Group Terms of Reference	COI	Cr Kirstie Schumacher	Cr Schumacher is an executive member of the Kingaroy Chamber of Commerce and Industry	Left the meeting and did not vote	Carried 5/0
16/09/2020	13.3	Outdoor Furniture at the Roy Emerson Museum – Blackbutt	Perceived COI	Cr Gavin Jones	Cr Jones is a community representative on the committee	Left the meeting and did not vote	Carried 6/0

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16/09/2020	17.4	Management and Operation of the South Burnett Aquatic Centre SBRC 20/21-04	COI	Cr Kirstie Schumacher	Cr Schumacher's sister in-law and business partner works as a swimming instructor for Summer Country Aquatics at the South Burnett Aquatic Centre	Left the meeting and did not vote	Carried 6/0
16/09/2020	17.5	Purchase of Commercial Property	COI	Mayor Brett Otto	Mayor Otto's company has a business in Kingaroy of which he is a Director and lease a building in the Kingaroy CBD area. The Commercial Property is also located in the Kingaroy CBD.	Left the meeting and did not vote	Carried 6/0
19/08/2020	13.2	Murgon Men's Shed - Amendment of Lease	Perceived COI	Cr Kathy Duff	Cr Duff is a member of the Visit South Burnett group but holds no executive position	Council resolved that Cr Duff has a perceived conflict of interest in the matter and notwithstanding the conflict, Cr Duff may participate in the matter, discuss and vote upon it.	Carried 7/0
19/08/2020	17.1	South Burnett Community Hospital	COI	Cr Danita Potter	Cr Potter is a community representative on the Board of the South	Left the meeting and did not vote	Carried 5/0

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		Foundation Limited Board Meeting Minutes - December 2019 and June 2020			Burnett Community Hospital Foundation		
19/08/2020	17.1	South Burnett Community Hospital Foundation Limited Board Meeting Minutes - December 2019 and June 2020	COI	Cr Kirstie Schumacher	Cr Schumacher is a community representative on the Board of the South Burnett Community Hospital Foundation	Left the meeting and did not vote	Carried 5/0