

DISCLAIMER

*The following copy of the Minutes of the meeting of the South Burnett Regional Council held on Wednesday 16 December 2020 are **UNCONFIRMED** and are supplied as a courtesy.*



SOUTH BURNETT
REGIONAL COUNCIL

MINUTES

Ordinary Council Meeting
Wednesday, 16 December 2020

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**MINUTES OF SOUTH BURNETT REGIONAL COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE WARREN TRUSS CHAMBER, 45 GLENDON STREET, KINGAROY
ON WEDNESDAY, 16 DECEMBER 2020 AT 9.00AM**

PRESENT:**Councillors:**

Cr Brett Otto (Mayor), Cr Gavin Jones (Deputy Mayor), Cr Kathy Duff, Cr Roz Frohloff, Cr Danita Potter, Cr Kirstie Schumacher, Cr Scott Henschen

Council Officers:

Mark Pitt (Chief Executive Officer), Susan Jarvis (General Manager Finance & Corporate), Peter O'May (General Manager Community), Aaron Meehan (General Manager Infrastructure), Celina Branch (Manager Finance), Tim Low (Manager Water & Wastewater), Lynelle Paterson (Executive Assistant)

1 OPENING

The Mayor declared the meeting open and welcomed all attendees

2 LEAVE OF ABSENCE / APOLOGIES

Nil

3 PRAYERS

A representative of the Kingaroy District Ministers Association, Pastor Andrew Clausen, offered prayers for Council and for the conduct of the Council meeting.

4 ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

Cr Duff acknowledged the traditional custodians of the land on which the meeting took place.

5 DECLARATION OF INTEREST

In accordance with Chapter 5B of the Local Government Act 2009, Mayor Otto declared a conflict of interest in relation to Item 9.7. Monthly Financial Report and Second Quarter Budget Revision. 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. The Mayor voluntarily agreed to leave the room and not participate in the decision.

6 DEPUTATIONS/PETITIONS**6.1 PET - 2738522 - PETITION REQUESTING THE SPEED LIMIT ON LEVERS ROAD TABLELANDS BE SET AT A MAXIMUM OF 70KM/HR**

RESOLUTION 2020/190

Moved: Cr Kathy Duff

Seconded: Cr Gavin Jones

The Petition be received and referred to the Chief Executive Officer for consideration and report back to a future standing committee.

In Favour: Crs Brett Otto, Gavin Jones, Kathy Duff, Roz Frohloff, Danita Potter, Kirstie Schumacher and Scott Henschen

Against: Nil

CARRIED 7/0

7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

7.1 MINUTES OF THE COUNCIL MEETING HELD ON 25 NOVEMBER 2020

RESOLUTION 2020/191

Moved: Cr Brett Otto

Seconded: Cr Danita Potter

That the Minutes of the Council Meeting held on 25 November 2020 be received and the recommendations therein be adopted.

In Favour: Crs Brett Otto, Gavin Jones, Kathy Duff, Roz Frohloff, Danita Potter, Kirstie Schumacher and Scott Henschen

Against: Nil

CARRIED 7/0

8 BUSINESS OUTSTANDING

8.1 BUSINESS OUTSTANDING TABLE FOR ORDINARY COUNCIL MEETING

RESOLUTION 2020/192

Moved: Cr Danita Potter

Seconded: Cr Kathy Duff

That the Business Outstanding table for the Ordinary Council Meeting be received for information.

In Favour: Crs Brett Otto, Gavin Jones, Kathy Duff, Roz Frohloff, Danita Potter, Kirstie Schumacher and Scott Henschen

Against: Nil

CARRIED 7/0

9 PORTFOLIO – SOCIAL & CORPORATE PERFORMANCE, PEOPLE & CULTURE, COMMUNICATIONS/MEDIA, FINANCE AND ICT

9.1 MEETING DATES FOR THE ORDINARY MEETINGS OF COUNCIL'S STANDING COMMITTEES AND GENERAL MEETINGS

RESOLUTION 2020/193

Moved: Cr Kathy Duff

Seconded: Cr Kirstie Schumacher

That Council:

1. Adopt the dates, times and locations for ordinary meetings of Council's Standing Committees and General Meetings as follows:

Committee	Date	Time	Location
General Meeting	Wednesday 20 January 2021	9.00am	Warren Truss Chamber Glendon Street Kingaroy
Infrastructure Standing Committee	Wednesday 3 February 2021	9.00am	Warren Truss Chamber Glendon Street Kingaroy
Community Standing Committee	Wednesday 10 February 2021	9.00am	Warren Truss Chamber Glendon Street Kingaroy
Executive and Finance & Corporate Standing Committee	Wednesday 17 February 2021	9.00am	Warren Truss Chamber Glendon Street Kingaroy
General Meeting	Wednesday 24 February 2021	9.00am	Warren Truss Chamber Glendon Street Kingaroy
Infrastructure Standing Committee	Wednesday 3 March 2021	9.00am	Warren Truss Chamber Glendon Street Kingaroy
Community Standing Committee	Wednesday 10 March 2021	9.00am	Warren Truss Chamber Glendon Street Kingaroy
Executive and Finance & Corporate Standing Committee	Wednesday 17 March 2021	9.00am	Warren Truss Chamber Glendon Street Kingaroy
General Meeting	Wednesday 24 March 2021	9.00am	Warren Truss Chamber Glendon Street Kingaroy

In Favour: Crs Brett Otto, Gavin Jones, Kathy Duff, Roz Frohloff, Danita Potter, Kirstie Schumacher and Scott Henschen

Against: Nil

CARRIED 7/0

9.2 FOR INFORMATION - COMMUNITY GROUP INFRASTRUCTURE CHARGES POLICY- STATUTORY-030

RESOLUTION 2020/194

Moved: Cr Kathy Duff

Seconded: Cr Danita Potter

That the South Burnett Regional Council Community Group Infrastructure Charges Policy-Statutory-030 be received as amended.

In Favour: Crs Brett Otto, Gavin Jones, Kathy Duff, Roz Frohloff, Danita Potter, Kirstie Schumacher and Scott Henschen

Against: Nil

CARRIED 7/0

9.3 ADOPTION OF DRAFT SOUTH BURNETT REGIONAL COUNCIL ARTS, CULTURE AND HERITAGE POLICY – STRATEGIC-009 FOR EXTERNAL CONSULTATION

RESOLUTION 2020/195

Moved: Cr Kirstie Schumacher

Seconded: Cr Roz Frohloff

1. That the draft South Burnett Regional Council Arts, Culture and Heritage Policy – Strategic-009 be adopted for external consultation.
2. That Council directly engage with South Burnett Arts Group and invite them to add and make changes to the content of the draft policy as they see appropriate for consideration by Council

In Favour: Crs Brett Otto, Gavin Jones, Kathy Duff, Roz Frohloff, Danita Potter, Kirstie Schumacher and Scott Henschen

Against: Nil

CARRIED 7/0

9.4 ADOPTION OF SOUTH BURNETT REGIONAL COUNCIL COMPUTER, INTERNET AND EMAIL USAGE POLICY-STRATEGIC-007

RESOLUTION 2020/196

Moved: Cr Danita Potter

Seconded: Cr Scott Henschen

That the South Burnett Regional Council Computer, Internet and Email Usage Policy-Strategic-007 be adopted as presented.

In Favour: Crs Brett Otto, Gavin Jones, Kathy Duff, Roz Frohloff, Danita Potter, Kirstie Schumacher and Scott Henschen

Against: Nil

CARRIED 7/0

9.5 ADOPTION OF THE SOUTH BURNETT REGIONAL COUNCIL INFRASTRUCTURE QUALITY POLICY-STATUTORY-029

RESOLUTION 2020/197

Moved: Cr Kirstie Schumacher

Seconded: Cr Kathy Duff

That the matter lay on the table until the special meeting of Council on 31 March 2021

In Favour: Crs Brett Otto, Gavin Jones, Kathy Duff, Roz Frohloff, Danita Potter, Kirstie Schumacher and Scott Henschen

Against: Nil

CARRIED 7/0

9.6 DRAFT CORPORATE PLAN 2021-2026

RESOLUTION 2020/198

Moved: Cr Kirstie Schumacher

Seconded: Cr Kathy Duff

That the matter lay on the table until the January 2021 General Meeting of Council

In Favour: Crs Brett Otto, Gavin Jones, Kathy Duff, Roz Frohloff, Danita Potter, Kirstie Schumacher and Scott Henschen

Against: Nil

CARRIED 7/0

9.7 MONTHLY FINANCIAL REPORT AND SECOND QUARTER BUDGET REVISION

RESOLUTION 2020/199

Moved: Cr Danita Potter

Seconded: Cr Roz Frohloff

1. That the Monthly Financial Report including Capital Works and Works for Queensland (W4Q4) as at 25 November 2020 be received and noted.
2. That in accordance with Section 170(3) of the *Local Government Regulation 2012* the revised 2020/2021 operational budget be adopted.

In Favour: Crs Brett Otto, Gavin Jones, Kathy Duff, Roz Frohloff, Danita Potter, Kirstie Schumacher and Scott Henschen

Against: Nil

CARRIED 7/0

Attendance:

At 9:37 am, Cr Brett Otto left the meeting.

The Deputy Mayor assumed the chair.

RESOLUTION 2020/200

Moved: Cr Danita Potter

Seconded: Cr Roz Frohloff

3. That in accordance with Section 170(3) of the *Local Government Regulation 2012* the revised 2020/2021 capital budget be adopted.

In Favour: Crs Gavin Jones, Kathy Duff, Roz Frohloff, Danita Potter, Kirstie Schumacher and Scott Henschen

Against: Nil

CARRIED 6/0

Attendance:

At 9:42 am, Cr Brett Otto returned to the meeting and resumed the chair.

9.8 QUOTE SBRCQ-20/21-30 - REPLACEMENT OF CATERPILLAR 938G LOADER [PLANT 54]

MOTION

Moved: Cr Roz Frohloff

Seconded: Cr Gavin Jones

That Council purchase from RDO the John Deere 544k II for \$308,000.00 excluding GST to replace the aging waste loader, Plant 54 at 11 years old, in line with the ten-year replacement plan for loaders. The John Deere 544k II loader meets the weight specification requested, has the best whole of life costs, has the highest score in the evaluation and was agreed by all involved that this machine would be a much more suitable machine for the Kingaroy Waste Facility than the other machines offered.

RESOLUTION 2020/201

Moved: Cr Kirstie Schumacher

Seconded: Cr Kathy Duff

That the matter lay on the table.

In Favour: Crs Brett Otto, Gavin Jones, Kathy Duff, Roz Frohloff, Danita Potter, Kirstie Schumacher and Scott Henschen

Against: Nil

CARRIED 7/0**10 PORTFOLIO – ROADS & DRAINAGE**

Nil

11 PORTFOLIO – COMMUNITY, ARTS, HERITAGE, SPORT & RECREATION**11.1 LOCAL DRUG ACTION TEAM**

RESOLUTION 2020/202

Moved: Cr Danita Potter

Seconded: Cr Kathy Duff

That South Burnett Regional Council return the amount of \$3,634.22 to Alcohol and Drug Foundation and no other subsequent Community Action Plans be developed for the current financial year.

In Favour: Crs Brett Otto, Gavin Jones, Kathy Duff, Roz Frohloff, Danita Potter, Kirstie Schumacher and Scott Henschen

Against: Nil

CARRIED 7/0

11.1.1 COUNCILLOR REPRESENTATIVE ON THE SOUTH BURNETT SUICIDE PREVENTION WORKING GROUP

RESOLUTION 2020/203

Moved: Cr Kathy Duff

Seconded: Cr Gavin Jones

That Councillor Danita Potter be appointed as the Councillor representative on the South Burnett Suicide Prevention Working Group.

In Favour: Crs Brett Otto, Gavin Jones, Kathy Duff, Roz Frohloff, Danita Potter, Kirstie Schumacher and Scott Henschen

Against: Nil

CARRIED 7/0

11.2 YARNING CIRCLE

RESOLUTION 2020/204

Moved: Cr Kathy Duff

Seconded: Cr Danita Potter

That General Manager Community and the Portfolio holder for Indigenous Affairs meet with the resident to discuss and scope the project further and identify possible options and provide a report to the February Community Standing Committee Meeting.

In Favour: Crs Brett Otto, Gavin Jones, Kathy Duff, Roz Frohloff, Danita Potter, Kirstie Schumacher and Scott Henschen

Against: Nil

CARRIED 7/0

12 PORTFOLIO – RURAL SERVICES, NATURAL RESOURCE MANAGEMENT, PLANNING & COMPLIANCE SERVICES

12.1 P&LM - 2698035 - ADOPTION OF ADMINISTRATIVE AMENDMENT TO THE SOUTH BURNETT REGIONAL COUNCIL PLANNING SCHEME

RESOLUTION 2020/205

Moved: Cr Brett Otto

Seconded: Cr Kirstie Schumacher

That Council:

1. Approve the administrative amendment to the South Burnett Regional Council Planning Scheme 2017 pursuant to Chapter 2, Part 1 of the Ministerial Guidelines and Rules, July 2017;
 2. Delegate authority to the Chief Executive Officer to publish a public notice in accordance with the *Planning Act 2016*; and
 3. Give the Chief Executive a copy of the notice and a certified copy of the administrative amendment as adopted.
-

In Favour: Crs Brett Otto, Gavin Jones, Kathy Duff, Roz Frohloff, Danita Potter, Kirstie Schumacher and Scott Henschen

Against: Nil

CARRIED 7/0

12.2 CONSIDERATION OF FEES AND CHARGES REDUCTION FOR RESIDENTIAL DEVELOPMENT PROPOSAL, KINGAROY

RESOLUTION 2020/206

Moved: Cr Danita Potter

Seconded: Cr Roz Frohloff

That given the substantial discount on Infrastructure Charges available under Council's recently adopted Development Incentive Scheme, that Council **refuse**, the request for a development application fee waiver for a proposed development over land in Markwell Street, Kingaroy.

In Favour: Crs Brett Otto, Gavin Jones, Kathy Duff, Roz Frohloff, Danita Potter, Kirstie Schumacher and Scott Henschen

Against: Nil

CARRIED 7/0

12.3 OPERATIONAL WORKS APPLICATION AND INSPECTION FEES - REQUEST TO COUNCIL TO WAIVE OPERATIONAL WORKS APPLICATION FEES

RESOLUTION 2020/207

Moved: Cr Kirstie Schumacher

Seconded: Cr Scott Henschen

That given the substantial discount on Infrastructure Charges available under Council's recently adopted Development Incentive Scheme, that Council **refuse**, the request to waive all fees for operational work for a rural residential development at Nanango.

In Favour: Crs Brett Otto, Gavin Jones, Kathy Duff, Roz Frohloff, Danita Potter, Kirstie Schumacher and Scott Henschen

Against: Nil

CARRIED 7/0

MOTION

RESOLUTION 2020/208

Moved: Cr Brett Otto

Seconded: Cr Roz Frohloff

That the meeting adjourn for morning tea.

CARRIED 7/0

MOTION

RESOLUTION 2020/209

Moved: Cr Brett Otto

Seconded: Cr Danita Potter

That the meeting resume at 10.47am.

CARRIED 7/0**13 PORTFOLIO – LOCAL DISASTER MANAGEMENT, WATER & WASTEWATER, WASTE MANAGEMENT****13.1 REVIEW OF STANDPIPE WATER CHARGES**

MOTION

Moved: Cr Kathy Duff

Seconded: Cr Kirstie Schumacher

That Council:

1. That the potable standpipe water be \$4.50 and the non potable standpipe water be \$4.00 until the South Burnett Drought Declaration is lifted and after that the charges be reviewed in line with all fees and charges;
2. Continue the use of the direct debit and credit Machine Payment Methodology

In Favour: Crs Brett Otto, Kathy Duff and Kirstie SchumacherAgainst: Crs Gavin Jones, Roz Frohloff, Danita Potter and Scott Henschen**LOST 3/4**

RESOLUTION 2020/210

Moved: Cr Roz Frohloff

Seconded: Cr Scott Henschen

That Council:

1. Confirms the price of \$6.00 per Kilolitre for potable water and \$5.00 per kilolitre for non potable water from Council standpipes for the 2020/21 financial year and reconsider standpipe charges in setting Fees and Charges for future years;
2. Continue the use of the direct debit and credit Machine Payment Methodology

In Favour: Crs Gavin Jones, Roz Frohloff, Danita Potter and Scott HenschenAgainst: Crs Brett Otto, Kathy Duff and Kirstie Schumacher**CARRIED 4/3**

14 PORTFOLIO – RURAL RESILIENCE, PARKS & GARDENS, PROPERTY & FACILITY MANAGEMENT, INDIGENOUS AFFAIRS

14.1 INSTALLATION OF NEW FLAGPOLES AT MURGON

RESOLUTION 2020/211

Moved: Cr Kathy Duff

Seconded: Cr Danita Potter

That Council funds the installation of 4 new flag poles for \$15,000 to allow the Australian flag, Queensland flag, Australian Aboriginal flag and the Torres Strait Islander flag to be flown in Sir James Heading Memorial Park, Murgon.

In Favour: Crs Brett Otto, Gavin Jones, Kathy Duff, Roz Frohloff, Danita Potter, Kirstie Schumacher and Scott Henschen

Against: Nil

CARRIED 7/0

14.1.1 AREA AROUND MONUMENT IN LAMB STREET MURGON

RESOLUTION 2020/212

Moved: Cr Brett Otto

Seconded: Cr Kirstie Schumacher

That Council identify funding to repair and resurface around the monument in Lamb Street Murgon with the works to be completed prior to ANZAC Day 2021.

In Favour: Crs Brett Otto, Gavin Jones, Kathy Duff, Roz Frohloff, Danita Potter, Kirstie Schumacher and Scott Henschen

Against: Nil

CARRIED 7/0

14.2 LEASE OF LAND FOR DEVELOPMENT AND OPERATION OF FUEL OUTLET AT DURONG.

RESOLUTION 2020/213

Moved: Cr Kirstie Schumacher

Seconded: Cr Kathy Duff

That the matter lay on the table until the February 2021 Ordinary Meeting of Council

In Favour: Crs Brett Otto, Gavin Jones, Kathy Duff, Roz Frohloff, Danita Potter and Kirstie Schumacher

Against: Cr Scott Henschen

CARRIED 6/1

14.3 DOG REGISTRATIONS

RESOLUTION 2020/214

Moved: Cr Danita Potter

Seconded: Cr Kathy Duff

That Council extend the pensioner discount for de-sexed and microchipped dogs from aged pension only to all pension card holders.

In Favour: Crs Brett Otto, Gavin Jones, Kathy Duff, Roz Frohloff, Danita Potter, Kirstie Schumacher and Scott Henschen

Against: Nil

CARRIED 7/0**15 PORTFOLIO – ECONOMIC DEVELOPMENT****Attendance:**

At 11.30am Manager Finance left the meeting.

At 11.33am Manager Finance returned to the meeting.

15.1 BUILDING BETTER REGIONS FUND ROUND FIVE

RESOLUTION 2020/215

Moved: Cr Brett Otto

Seconded: Cr Kirstie Schumacher

That Council continues to develop the following options for Building Better Regions Fund (BBRF) for applications to the BBRF Round 5:

(a) Rail Trail Hivesville to Proston

(b) Coolabunia Saleyards

In Favour: Crs Brett Otto, Kathy Duff, Roz Frohloff, Danita Potter and Kirstie Schumacher

Against: Crs Gavin Jones and Scott Henschen

CARRIED 5/2

16 NOTICES OF MOTION

Nil

17 INFORMATION SECTION**17.1 DELEGATED AUTHORITY REPORTS**

RESOLUTION 2020/216

Moved: Cr Kathy Duff

Seconded: Cr Danita Potter

That the Delegated Authority report be received.

In Favour: Crs Brett Otto, Gavin Jones, Kathy Duff, Roz Frohloff, Danita Potter, Kirstie Schumacher and Scott Henschen

Against: Nil

CARRIED 7/0

18 CONFIDENTIAL SECTION

RESOLUTION 2020/217

Moved: Cr Danita Potter

Seconded: Cr Roz Frohloff

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

18.1 Performance Review Chief Executive Officer - 2020

This matter is considered to be confidential under Section 254J - b 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 industrial matters affecting employees.

18.2 Assessment of Tender SBRC 20/21-05 - Kingaroy Sewer Renewals

This matter is considered to be confidential under Section 254J - 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 Brett Otto, Gavin Jones, Kathy Duff, Roz Frohloff, Danita Potter, Kirstie Schumacher and Scott Henschen

Against: Nil

CARRIED 7/0

Attendance:

At 12.01pm, Cr Danita Potter left the meeting.

At 12.04pm, Cr Danita Potter returned to the meeting.

At 12.20pm, General Manager Community left the meeting.

At 12.21pm, General Manager Community returned to the meeting.

RESOLUTION 2020/218

Moved: Cr Brett Otto

Seconded: Cr Danita Potter

That Council moves out of Closed Council into Open Council.

In Favour: Crs Brett Otto, Gavin Jones, Kathy Duff, Roz Frohloff, Danita Potter, Kirstie Schumacher and Scott Henschen

Against: Nil

CARRIED 7/0

18.1 PERFORMANCE REVIEW CHIEF EXECUTIVE OFFICER - 2020

RESOLUTION 2020/219

Moved: Cr Kathy Duff

Seconded: Cr Roz Frohloff

That the South Burnett Regional Council

1. Receives the "Performance Review Report – Chief Executive Officer December 2020"; and
2. Authorise the Mayor to sign the "Performance Review Report – Chief Executive Officer December 2020".

In Favour: Crs Brett Otto, Gavin Jones, Kathy Duff, Roz Frohloff, Danita Potter, Kirstie Schumacher and Scott Henschen

Against: Nil

CARRIED 7/0**18.2 ASSESSMENT OF TENDER SBRC 20/21-05 - KINGAROY SEWER RENEWALS**

RESOLUTION 2020/220

Moved: Cr Gavin Jones

Seconded: Cr Roz Frohloff

That Council note the tender evaluation report and delegate to the Chief Executive Officer to negotiate the contract with Interflow Pty Ltd as preferred tenderer.

In Favour: Crs Brett Otto, Gavin Jones, Kathy Duff, Roz Frohloff, Danita Potter, Kirstie Schumacher and Scott Henschen

Against: Nil

CARRIED 7/0**19 CLOSURE OF MEETING**

The Meeting closed at 12.27pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on

.....
CHAIRPERSON