



**SOUTH BURNETT**  
**REGIONAL COUNCIL**

# **MINUTES**

**Ordinary Council Meeting**  
**Wednesday, 24 March 2021**

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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, 24 MARCH 2021 AT 9.00AM**

**PRESENT:**

**Councillors:**

Cr Brett Otto (Mayor), Cr Gavin Jones (Deputy Mayor), Cr Kathy Duff, 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), Tim Low (Manager Water

**1 OPENING**

The Mayor declared the meeting open and welcomed all attendees

**2 LEAVE OF ABSENCE / APOLOGIES**

**MOTION**

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**RESOLUTION 2021/289**

Moved: Cr Kathy Duff  
Seconded: Cr Kirstie Schumacher

That Cr Frohloff be granted leave of absence from the meeting.

**CARRIED 6/0**

**3 PRAYERS**

A representative of Barambah Ministers Association, Pastor Chris Downes 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.

**DEPUTATIONS/PETITIONS**

**6.1 DEPUTATION - SOUTH BURNETT RAIL TRAIL USERS ASSOCIATION**

Jason Wyeth and Craig and Claire Kapernick of the South Burnett Rail Trail Users Association addressed the Council in relation to the issue of the Hivesville to Proston Rail Trail. The deputation requested In Principle support for the proposal.

**5 DECLARATION OF INTEREST**

I, Cr Danita Potter inform this meeting that I have a declarable conflict of interest in relation to Item **18.3 – Alleged Inappropriate Councillor Conduct Complaint Investigation and Recommendation.**

The nature of my declarable conflict of interest is as follows:

- 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, myself and Councillors Jones, Frohloff and Henschen.
- The contents of the petition are now with the Office of the Independent Assessor for consideration.
- Given these actions of the complainant, it may be perceived that I might have a conflict between my personal interests and the public interest that could inappropriately influence the way I might vote on this matter.

Having regard to the nature of my declarable conflict of interest, I propose to leave and stay away from the place where the meeting is being held while this matter is discussed and voted on.

I, Cr Kirstie Schumacher inform this meeting that I have a declarable conflict of interest (as defined in section 150EN of the Local Government Act 2009) in **Item 14.1 - Kingaroy Aerodrome Airpark Proposal**.

This declarable conflict of interest arises as I am a partner in Schuey Brothers Pastoral and the company owns a property on Petersen 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.

I, Cr Gavin Jones inform this meeting that I have a declarable conflict of interest in relation to **Item 18.3 – Alleged Inappropriate Councillor Conduct Complaint Investigation and Recommendation**.

The nature of my declarable conflict of interest is as follows:

- 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, myself and Councillors Potter, Frohloff and Henschen.
- The contents of the petition are now with the Office of the Independent Assessor for consideration.
- Given these actions of the complainant, it may be perceived that I might have a conflict between my personal interests and the public interest that could inappropriately influence the way I might vote on this matter.

Having regard to the nature of my declarable conflict of interest, I propose to leave and stay away from the place where the meeting is being held while this matter is discussed and voted on.

I, Cr Scott Henschen inform this meeting that I have a declarable conflict of interest in relation to **Item 18.3 – Alleged Inappropriate Councillor Conduct Complaint Investigation and Recommendation**.

The nature of my declarable conflict of interest is that I am the councillor the subject of the investigation.

Having regard to the nature of my declarable conflict of interest, I propose to leave and stay away from the place where the meeting is being held while this matter is discussed and voted on.

I, Cr Kathy Duff inform this meeting that at Council's meeting held on 24 February 2021 I informed the meeting of a declarable conflict of interest in relation to **Item 18.1 – Alleged Inappropriate Councillor Conduct Complaint Investigation and Recommendation.**

The nature of my declarable conflict of interest is as follows:

- 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.
- Given these actions of the complainant, it may be perceived that I might have a conflict between my personal interests and the public interest that could inappropriately influence the way I might vote on this matter.

As per Council's resolution 2021/242 carried at Council's meeting of 24 February 2021, Council's CEO made application to the Minister, seeking the Minister's approval pursuant to section 150EV of the *Local Government Act 2009*, for me to participate in deciding this particular matter, including being present while the matter is discussed and voted on. By letter dated 19 March 2021, the Minister provided that approval.

I, Mayor Brett Otto inform this meeting that at Council's meeting held on 24 February 2021 I informed the meeting of a declarable conflict of interest in relation to Item 18.1 – Alleged Inappropriate Councillor Conduct Complaint Investigation and Recommendation.

The nature of my declarable conflict of interest is as follows:

- 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.
- Given these actions of the complainant, it may be perceived that I might have a conflict between my personal interests and the public interest that could inappropriately influence the way I might vote on this matter.

As per Council's resolution 2021/242 carried at Council's meeting of 24 February 2021, Council's CEO made application to the Minister, seeking the Minister's approval pursuant to section 150EV of the *Local Government Act 2009*, for me to participate in deciding this particular matter, including being present while the matter is discussed and voted on. By letter dated 19 March 2021, the Minister provided that approval.

**Attendance:**

At 9:36 am, Cr Scott Henschen left the meeting.

## **5.1 ALLEGED INAPPROPRIATE COUNCILLOR CONDUCT COMPLAINT INVESTIGATION AND RECOMMENDATION**

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### **RESOLUTION 2021/290**

Moved: Cr Kirstie Schumacher

Seconded: Cr Kathy Duff

1. That Council notes that three (out of seven) councillors have informed the meeting of a declarable conflict of interest in this matter.
  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.
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3. That Council notes that the Mayor and Cr Duff have the Minister’s approval, pursuant to section 150EV of the *Local Government Act 2009*, to participate in deciding this particular matter, including being present while the matter is discussed and voted on.
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 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.
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.

In Favour: Crs Gavin Jones, Kathy Duff, Danita Potter and Kirstie Schumacher

Against: Cr Brett Otto

**CARRIED 4/1**

**Attendance:**

At 9:43 am, Cr Scott Henschen returned to the meeting.

**6 DEPUTATIONS/PETITIONS**

**6.2 FORWARDING PETITION FOR CONSTRUCTION OF A FOOTPATH FOR PEDESTRIAN TRAFFIC TO TRANSVERSE SAFELY BETWEEN THE 2 MAJOR RESIDENTIAL AREAS OF HIVESVILLE AS PART OF THE CORPORATE PLAN 2021/2026**

**RESOLUTION 2021/291**

Moved: Cr Kirstie Schumacher

Seconded: Cr Danita Potter

That the Petition be received and referred to the Chief Executive Officer for consideration and report back to a Standing Committee Meeting.

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

Against: Nil

**CARRIED 6/0**

**6.3 KINGAROY TRANSFORMATION PROJECT PETITION**

**RESOLUTION 2021/292**

Moved: Cr Kirstie Schumacher

Seconded: Cr Gavin Jones

That the Chief Executive Officer be delegated to respond to the petitioners:

1. Detailing key facts and information within the report that identifies the project objectives in relation to renewal and modernisation of public assets that is supported by asset management principles, economic enablement, liveability and inclusivity; and

2. Clearly demonstrates the funding for the project is fully available from both external grants, funded depreciation for infrastructure projects and unallocated restricted cash as resolved by Council and does not place the Council under financial stress; and
3. That Council invites the petitioner organiser and community members to meet with Council and openly discuss the information provided and offer an opportunity to answer any further questions they may have regarding the project.
4. That Council workshop the third-party independent report that has been prepared by Bellwether of the project costings.

In Favour: Crs Gavin Jones, Danita Potter, Kirstie Schumacher and Scott Henschen

Against: Crs Brett Otto and Kathy Duff

**CARRIED 4/2**

## **7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

### **7.1 MINUTES OF THE COUNCIL MEETING HELD ON 24 FEBRUARY 2021**

#### **RESOLUTION 2021/293**

Moved: Cr Brett Otto

Seconded: Cr Gavin Jones

That the Minutes of the Council Meeting held on 24 February 2021 be received and the recommendations therein be adopted.

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

Against: Nil

**CARRIED 6/0**

## **8 BUSINESS OUTSTANDING**

### **8.1 BUSINESS OUTSTANDING TABLE FOR ORDINARY COUNCIL MEETING**

#### **RESOLUTION 2021/294**

Moved: Cr Gavin Jones

Seconded: Cr Danita Potter

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

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

Against: Nil

**CARRIED 6/0**



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

**9.1 COUNCIL APPOINTEES FOR 2021 ANZAC DAY CEREMONIES**

**RESOLUTION 2021/295**

Moved: Cr Danita Potter

Seconded: Cr Kathy Duff

That the following Council representatives attend the respective ceremonies and carry out responsibilities as required on behalf of Council:

<b>Town</b>	<b>Location</b>	<b>Time</b>	<b>Council Representative</b>	<b>Responsibility</b>
<b>Blackbutt</b> Dawn Service	Memorial at Hart & Coulson Streets	4.27am	Cr Jones	Attendance Lay wreath
Memorial Service	Cenotaph	11.00am	Cr Jones	Attendance Lay wreath/Book
<b>Bunya Mountains</b> Memorial Service	Lone Pine Office, National Park Campground, Dandabah	8.00am	Peter O'May Cr Jones	Attendance Lay wreath
<b>Cherbourg</b> Commemorative Service	Cenotaph	8.00am	Cr Duff	Attendance Lay wreath
<b>Hivesville</b> Dawn Service	Main Street	5.30am	Cr Duff	Attendance Participate in ceremony Lay wreath
<b>Kingaroy</b> Dawn Service	Memorial Park	4.28am	Cr Potter Cr Schumacher Mayor	Attendance
War Graves	Taabinga Cemetery	8.00am	Cr Potter	Attendance
Commemorative Service	Memorial Park	11.00am	Mayor Cr Potter	Participate in march. Participate in ceremony Lay wreath
<b>Kumbia</b> Commemorative Service	Flower bed next to Kumbia Hall	8.45am	Cr Schumacher GM Meehan	Participate in march Lay wreath

<b>Maidenwell</b> Memorial Service	Main Monument Street	10.30am	Cr Jones	Attendance Lay wreath
<b>Murgon</b> Fellowship	Services Club	4.45am		Attendance
Dawn Service	Gore Street Opposite Services Club	5.30am	Mayor	Attendance Lay wreath
Commemorative Service	Services Club	10.00am	Cr Duff	Participate in march Participate in Ceremony Lay wreath
<b>Nanango</b> Dawn Service	Memorial in front of Chambers	5.30am	Cr Frohloff	Lay wreath
Public Pilgrimage	Nanango Cemetery	7.00am	Cr Frohloff	Attendance
Memorial Service	Memorial in front of Chambers	9.00am	Cr Frohloff CEO Mark Pitt	Lay wreath/Book
<b>Proston</b> Dawn Service		5.30am	GM Jarvis	Attendance Lay Wreath
School Service	Proston State School		Cr Duff	Attendance Lay wreath
<b>Wondai</b> Dawn Service	In front of Council Chambers	5.00am	Cr Henschen	Attendance
Memorial Service	Cemetery	8.00am	Cr Henschen	Attendance
Commemorative Service	Wondai Town Hall	10.00am	Cr Henschen	Attendance Participate in ceremony Lay wreath
<b>Wooroolin</b> Commemorative Service	Wooroolin Hall	11.00am	Cr Henschen	Attendance Lay wreath

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

Against: Nil

**CARRIED 6/0**

**9.2 ADMINISTRATIVE AMENDMENTS TO COUNCIL POLICY AND ASSOCIATED DOCUMENTS - ORGANISATION BRANCH NAME CHANGE**

**RESOLUTION 2021/296**

Moved: Cr Danita Potter  
 Seconded: Cr Scott Henschen

That South Burnett Regional Council endorse the administrative amendments to policy reflecting the Branch title change from Social & Corporate Performance to Corporate Services including associated staff position titles.

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

Against: Nil

**CARRIED 6/0**

**9.3 ADOPTION OF THE SOUTH BURNETT REGIONAL COUNCIL INVESTMENT POLICY 2021/2022 - STATUTORY 009**

**RESOLUTION 2021/297**

Moved: Cr Danita Potter  
 Seconded: Cr Scott Henschen

That the South Burnett Regional Council Investment Policy 2021/2022 – Statutory 009 be adopted as presented.

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

Against: Nil

**CARRIED 6/0**

**9.4 MINUTES OF THE CORPORATE RISK AND AUDIT ADVISORY COMMITTEE MEETING HELD ON THURSDAY 25 FEBRUARY 2021**

**RESOLUTION 2021/298**

Moved: Cr Danita Potter  
 Seconded: Cr Kathy Duff

That South Burnett Regional Council receive the Minutes of the Corporate Risk and Audit Advisory Committee Meeting held on Thursday 25 February 2021 as presented.

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

Against: Nil

**CARRIED 6/0**

**9.5 COUNCIL RESOLUTION FOR REPEATED OPERATIONAL EXPENDITURE, SOLE SUPPLIERS AND ORIGINAL EQUIPMENT MANUFACTURERS**

**RESOLUTION 2021/299**

Moved: Cr Danita Potter  
 Seconded: Cr Scott Henschen

That Council resolves it is satisfied that the registers of suppliers for Repeated Operational Expenditure, Sole Suppliers and Original Equipment Manufacturers contain suppliers that provide goods or services to council where the expenditure cannot be sourced traditionally via quotation, tender or expressions of interest.

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

Against: Nil

**CARRIED 6/0**

**9.6 RESOLUTION FOR ENGAGEMENT OF A CONSULTANT FOR COUNCIL**

**RESOLUTION 2021/300**

Moved: Cr Kirstie Schumacher  
 Seconded: Cr Kathy Duff

That Council resolves it is satisfied that the it would be impractical and disadvantageous for Council to invite quotes or tenders due to the specialised and confidential nature of the services provided to Council by Rainmaker Strategic Planning.

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

Against: Nil

**CARRIED 6/0**

**9.6.1 SERVICES PROVIDED BY RAINMAKER STATEGIC PLANNING**

**RESOLUTION 2021/301**

Moved: Cr Kirstie Schumacher  
 Seconded: Cr Danita Potter

That a report detailing the services Rainmaker Strategic Planning will provide is brought back to a Standing Committee Meeting for consideration.

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

Against: Nil

**CARRIED 6/0**

**9.7 MONTHLY FINANCIAL REPORT AND THIRD QUARTER BUDGET REVISION**

**RESOLUTION 2021/302**

Moved: Cr Kirstie Schumacher

Seconded: Cr Scott Henschen

1. That the Monthly Financial Report including Capital Works and Works for Queensland (W4Q4) as at 28 February 2021 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.
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 Brett Otto, Gavin Jones, Kathy Duff, Danita Potter, Kirstie Schumacher and Scott Henschen

Against: Nil

**CARRIED 6/0**

**9.7.1 QUESTION ON NOTICE - FINANCE COSTS**

Question on Notice from Cr Kirstie Schumacher:

In relation to current provision calculations for landfill and quarries – how is that calculated? – to be brought back to a Standing Committee Meeting.

**9.8 BUDGET COMMITTEE MEETINGS TO BE OPENED TO THE COMMUNITY VIA LIVE STREAMING AND GALLERY ATTENDANCE**

**RESOLUTION 2021/303**

Moved: Cr Brett Otto

Seconded: Cr Danita Potter

That South Burnett Regional Council:

1. Establish the following committee for the fixed period 1 April to 30 June 2021 with the following membership and Chair in accordance with s264 of the *Local Government Regulation 2012*;

Committee	Membership	Chair
Budget Committee	7 Councillors	Mayor

2. Conduct budget committee meetings as listed in the 2021-2022 Budget Parameters and Timeline report between 27 April and 2 June 2021 be open to community through live streaming and gallery attendance in compliance with COVID-19 requirements.

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

Against: Nil

**CARRIED 6/0**

**MOTION**

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**RESOLUTION 2021/304**

Moved: Cr Brett Otto

Seconded: Cr Gavin Jones

That the meeting adjourn for morning tea.

**CARRIED 6/0**

**MOTION**

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**RESOLUTION 2021/305**

Moved: Cr Brett Otto

Seconded: Cr Kathy Duff

That the meeting resume at 11.15am

**CARRIED 6/0**

**10 PORTFOLIO – ROADS & DRAINAGE**

**10.1 TOWN AND VILLAGE ENTRY SIGNAGE**

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**RESOLUTION 2021/306**

Moved: Cr Gavin Jones

Seconded: Cr Kathy Duff

1. That Council:

- (a) adopts the updated locations and associated works to commence the installation of new town and village entry signs in accordance with the Town Entry Signage Catalogue report approved by Council on 18 September 2019

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

Against: Nil

**CARRIED 6/0**

**11 PORTFOLIO – COMMUNITY, ARTS, HERITAGE, SPORT & RECREATION**

Nil

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

**12.1 EXTENSION TO CURRENCY PERIOD FOR MATERIAL CHANGE OF USE (MASTER PLANNED COMMUNITY) AND DEVELOPMENT PERMIT FOR RECONFIGURATION OF A LOT (1 LOT INTO 23 LOTS PLUS PARKLAND) OVER LAND DESCRIBED AS LOT 3 ON SP181686 BUNYA HIGHWAY KINGAROY**

**RESOLUTION 2021/307**

Moved: Cr Danita Potter

Seconded: Cr Gavin Jones

That Council **approve** a 12 month extension to the Currency Period under s86 of the *Planning Act 2016* for Preliminary Approval for Material Change of Use (Master Planned Community) and Development Permit for Reconfiguration of a Lot (1 Lot into 23 Lots plus parkland) over land described as Lot 3 on SP181686 at Bunya Highway (corner of Youngman Street and Taylors Road), Kingaroy.

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

Against: Nil

**CARRIED 6/0**

**13 PORTFOLIO – LOCAL DISASTER MANAGEMENT, WATER & WASTEWATER, WASTE MANAGEMENT**

**13.1 CLARK AND SWENDSON DEVELOPMENT - SOUTH-EAST KINGAROY TRUNK WATER INFRASTRUCTURE**

**MOTION**

Moved: Cr Gavin Jones

Seconded: Cr Danita Potter

That Council:

1. Advise the developer that Council is unable to advance funding to commence these works due to other network priorities; and
2. Advise the developer that they can build their own infrastructure to service their development only.

**13.1.1 QUESTION ON NOTICE - WATER**

Question on Notice from Cr Kirstie Schumacher:

1. Where do the properties from Harris Road and Redman Road seek water from?
2. Report notes on page 122 of the agenda an option 4 being a sub-component of option 2 is being developed. What work has been done on this option to date and is it another possible option for Council to consider?

**CLARK AND SWENDSON DEVELOPMENT – SOUTH-EAST KINGAROY TRUNK WATER INFRASTRUCTURE**

**RESOLUTION 2021/308**

Moved: Cr Kirstie Schumacher

Seconded: Cr Kathy Duff

That Item 13.1 – Clark and Swendson Development – South-East Kingaroy Trunk Water Infrastructure lay on the table.

**CARRIED 6/0**

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

**14.1 KINGAROY AERODROME AIRPARK PROPOSAL**

**RESOLUTION 2021/309**

Moved: Cr Danita Potter

Seconded: Cr Scott Henschen

That Council commence a process to undertake a master plan for the future use and opportunities for Kingaroy Aerodrome.

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

Against: Nil

**CARRIED 6/0**

**14.2 TRUSTEE PERMIT TERMS FOR LOT 900 RP 896938 KNOWN AS “CAREW PARK” LOCATED AT THE CORNER OF DOONKUNA STREET AND TESSMANN’S ROAD, KINGAROY BETWEEN COUNCIL AND BUNYA VALLEY LANDCARE INC**

**RESOLUTION 2021/310**

Moved: Cr Danita Potter

Seconded: Cr Scott Henschen

That South Burnett Regional Council enter a Trustee Permit (non-exclusive use) for Lot 900 RP 896938 known as “Carew Park” located at the corner of Doonkuna Street and Tessmanns Road, Kingaroy, for the purpose of landscaping, with Bunya Valley Landcare, with conditions including:

1. Term of three (3) years at \$75.00 per annum plus GST
2. The permittee to bear all costs of the project, and all subsequent operational and maintenance costs including weed and pest management and utility charges (including any connection fees).
3. That Council continue to work with the Bunya Valley Landcare Group and in the initial phases of this agreement continue mowing Carew Park with a view to support the Landcare Group and the project into the future.



4. A concept plan including scope and budget with project milestones is to be submitted to Council for approval under the licence prior to the commencement of works. Concept plan to include details on the effects of overland flow and drainage of any proposed earthworks
5. The permittee must seek consent under the licence prior to making application for planning approvals, including building and planning permits
6. The permittee will undertake community engagement and provide the outcomes to Council prior to the commencement of works
7. The permittee will not impede pedestrian access from David Place.
8. The permittee must incorporate existing infrastructure into the concept plan and not undertake any works that may affect Council-owned infrastructure
9. Should the Trustee Permit come to an end, Council is not obliged to maintain the improvements made by the permittee and has the right to remove any assets or improvements made by the permittee.

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

Against: Nil

**CARRIED 6/0**

## **15 PORTFOLIO - REGIONAL DEVELOPMENT**

### **15.1 SMALL BUSINESS SUPPORT**

#### **RESOLUTION 2021/311**

Moved: Cr Kirstie Schumacher

Seconded: Cr Kathy Duff

That:

1. South Burnett Regional Council support the Queensland Small Business Commissioner (QSBC) Small Business Friendly Councils (SBFC) initiative by signing the Charter to support a commitment to small businesses and further by signing a Charter and further, liaise with local Chambers of Commerce to encourage co-signing of the Charter to support small businesses in the South Burnett region.
2. South Burnett Regional Council liaise with the Burnett Inland Economic Development Organisation (BIEDO) regarding participation in their Business Extension activities during Queensland Small Business Month (QSBM) in May by holding four workshops for small businesses in the South Burnett region.

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

Against: Nil

**CARRIED 6/0**

**15.2 SOUTH BURNETT REGIONAL DEVELOPMENT ADVISORY COMMITTEE DRAFT TERMS OF REFERENCE**

**RESOLUTION 2021/312**

Moved: Cr Kirstie Schumacher  
 Seconded: Cr Danita Potter

That

1. the South Burnett Regional Development Advisory Committee Draft Terms of Reference be adopted as presented.
2. Cr Jones be appointed to the South Burnett Regional Development Advisory Committee.

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

Against: Nil

**CARRIED 6/0**

**15.3 SOUTH BURNETT ARTS, CULTURE AND HERITAGE ADVISORY COMMITTEE DRAFT TERMS OF REFERENCE**

**RESOLUTION 2021/313**

Moved: Cr Gavin Jones  
 Seconded: Cr Danita Potter

That

1. The South Burnett Arts, Culture and Heritage Advisory Committee Draft Terms of Reference be adopted.
2. Cr Duff be appointed to the Arts, Culture and Heritage Advisory Committee

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

Against: Nil

**CARRIED 6/0**

**15.4 REQUESTING SUPPORT THROUGH SPONSORSHIP FOR THE GOOMERI PUMPKIN FESTIVAL 2021**

**RESOLUTION 2021/314**

Moved: Cr Kathy Duff  
 Seconded: Cr Gavin Jones

That South Burnett Regional Council accepts sponsorship proposal of the Goomeri Pumpkin Festival for \$1000.

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

Against: Nil

**CARRIED 6/0**

**16 NOTICES OF MOTION**

Nil

**57 INFORMATION SECTION**

**17.1 IS - LIST OF CORRESPONDENCE PENDING COMPLETION OF ASSESSMENT REPORT**

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**RESOLUTION 2021/315**

Moved: Cr Gavin Jones  
Seconded: Cr Danita Potter

That the List of Correspondence pending completion of Assessment Report be received.

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

Against: Nil

**CARRIED 6/0**

**17.2 DELEGATED AUTHORITY REPORTS**

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**RESOLUTION 2021/316**

Moved: Cr Danita Potter  
Seconded: Cr Gavin Jones

That the Delegated Authority report be received.

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

Against: Nil

**CARRIED 6/0**

**17.3 QUESTIONS ON NOTICE**

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**RESOLUTION 2021/317**

Moved: Cr Brett Otto  
Seconded: Cr Kathy Duff

That the responses to the questions raised be received and noted.

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

Against: Nil

**CARRIED 6/0**

**17.3.1 RESPONSES TO QUESTIONS ON NOTICE**

**RESOLUTION 2021/318**

Moved: Cr Kathy Duff  
 Seconded: Cr Danita Potter

That responses to questions taken on notice as a matter of practice be brought back to the following Standing Committee Meeting unless otherwise determined by Council.

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

Against: Nil

**CARRIED 6/0**

**6 CONFIDENTIAL SECTION**

**RESOLUTION 2021/319**

Moved: Cr Brett Otto  
 Seconded: Cr Kathy Duff

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 Sale of 20 William Street, Kingaroy**

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.

**18.2 Sale of Land - 14 West Street, Kingaroy**

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.

**18.3 Alleged Inappropriate Councillor Conduct Complaint Investigation and Recommendation**

This matter is considered to be confidential under Section 254J - f 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 matters that may directly affect the health and safety of an individual or a group of individuals.

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

Against: Nil

**CARRIED 6/0**

**RESOLUTION 2021/320**

Moved: Cr Brett Otto  
 Seconded: Cr Kirstie Schumacher

That Council moves out of Closed Council into Open Council.

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

Against: Nil

**CARRIED 6/0**

**18.1 SALE OF 20 WILLIAM STREET, KINGAROY**

**RESOLUTION 2021/321**

Moved: Cr Kirstie Schumacher  
 Seconded: Cr Gavin Jones

That South Burnett Regional Council accept the offer that Council has received for the purchase of 20 William Street, Kingaroy, for \$180,000 (subject to finance), and that Council enter into a standard contract of sale accordingly.

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

Against: Nil

**CARRIED 6/0**

**18.2 SALE OF LAND - 14 WEST STREET, KINGAROY**

**RESOLUTION 2021/322**

Moved: Cr Scott Henschen  
 Seconded: Cr Danita Potter

That South Burnett Regional Council enter into a standard contract of sale to sell 14-16 West Street, Kingaroy (being Lots 3 and 5 on RP114402, for \$55,000 (not subject to finance).

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

Against: Nil

**CARRIED 6/0**

**18.3 ALLEGED INAPPROPRIATE COUNCILLOR CONDUCT COMPLAINT INVESTIGATION AND RECOMMENDATION**

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Dealt with at Item 5.1

**7 CLOSURE OF MEETING**

The Meeting closed at 12.16pm

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 28 April 2021.

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**CHAIRPERSON**