

MINUTES

Ordinary Council Meeting Wednesday, 23 March 2022

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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, 23 MARCH 2022 AT 9.00AM

PRESENT: Councillors:

Cr Brett Otto (Mayor), Cr Kathy Duff, Cr Roz Frohloff, Cr Danita Potter, Cr Scott Henschen

Council Officers:

Mark Pitt (Chief Executive Officer), Peter O'May (General Manager Community), Ged Brennan (Acting General Manager Infrastructure), Kerri Anderson (Manager of Finance and Sustainability), Carolyn Knudsen (Manager Corporate Services), Rebecca Humphrey (Manager People & Culture), Tim Low (Manager Water and Wastewater), Leanne Peterson (Manager Property), Aaron Meehan (Project Manager KTP), Kevin Searle (Manager Works), James D'Arcy (Manager Infrastructure Planning), Cody Granger (Engineer Infrastructure Planning), Michael Lisle (Acting Manager Planning & Environment), Lynelle Paterson (Coordinator Executive Services)

1 OPENING

The Mayor declared the meeting open and welcomed all attendees.

2 LEAVE OF ABSENCE / APOLOGIES

APOLOGY

RESOLUTION 2022/417

Moved: Cr Kathy Duff Seconded: Cr Roz Frohloff

That the apology received from Cr Jones and Cr Schumacher be accepted and leave of absence granted.

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

Against: Nil

CARRIED 5/0

3 PRAYERS

A representative of Murgon Baptist, 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.

5 DECLARATION OF INTEREST

I, Cr Scott Henschen inform this meeting that I may have a declarable conflict of interest in relation to **Item 19.1 - Payment Proposal for Overdue Rates - Various Lots**

The nature of my interest is as follows:

This declarable conflict of interest arises due to a possible close personal relationship.

I propose to leave and stay away from the place where the meeting is being held while this matter is discussed an voted on.

After seeking further clarification on who the parties involved were, Cr Henschen was able to establish there was no conflict of interest and was able to participate and vote on the matter.

6 DEPUTATIONS/PETITIONS

6.1 PETITION REQUESTING WONDAI CHRISTMAS TREE REMAIN IN THE CURRENT POSITION.

RESOLUTION 2022/418

Moved: Cr Kathy Duff Seconded: Cr Roz Frohloff

That the Petition be received and referred to the Chief Executive Officer for further consideration by Council.

<u>In Favour:</u> Crs Brett Otto, Kathy Duff, Roz Frohloff, Danita Potter and Scott Henschen Against: Nil

CARRIED 5/0

6.2 PETITION - HAMILITON ROAD AND MUIR DRIVE GRAVEL SECTIONS

RESOLUTION 2022/419

Moved: Cr Roz Frohloff Seconded: Cr Danita Potter

That the Petition be received and referred to the Chief Executive Officer to determine the appropriate action and a report be brought back to Council.

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

Against: Nil

6.3 PETITION - KERB AND CHANNELLING - KURTELLEN CRESCENT KINGAROY

RESOLUTION 2022/420

Moved: Cr Danita Potter Seconded: Cr Roz Frohloff

That the Petition be received and referred to the Chief Executive Officer to determine the appropriate action and a report be brought back to Council.

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

Against: Nil

CARRIED 5/0

6.4 PETITION FROM WHEATLANDS STATE SCHOOL

RESOLUTION 2022/421

Moved: Cr Kathy Duff Seconded: Cr Danita Potter

That the Divisional Councillor & Portfolio Councillor meet with the PCYC and Council staff and a report be brought back to the July Community Standing Committee.

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

Against: Nil

CARRIED 5/0

MOTION

RESOLUTION 2022/422

Moved: Cr Roz Frohloff Seconded: Cr Danita Potter

That Cr Frohloff be given leave of the Chamber to address the Council on a personal issue.

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

Against: Nil

CARRIED 5/0

RESIGNATION CR ROZ FROHLOFF

RESOLVED 2022/423

That a report be brought back as soon as possible once the Electoral Commission has been advised of Cr Frohloff's resignation and the process for moving forward.

The Mayor formally on behalf of Council acknowledged and thanked Cr Frohloff for her contribution to the South Burnett Region over the last 6 years through her role in Council and wished her all the best into the future.

7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

7.1 MINUTES OF THE COUNCIL MEETING HELD ON 23 FEBRUARY 2022

RESOLUTION 2022/424

Moved: Cr Kathy Duff Seconded: Cr Danita Potter

That the Minutes of the Council Meeting held on 23 February 2022 be received and the recommendations therein be adopted.

<u>In Favour:</u> Crs Brett Otto, Kathy Duff, Roz Frohloff, Danita Potter and Scott Henschen Against: Nil

CARRIED 5/0

8 BUSINESS OUTSTANDING

8.1 BUSINESS OUTSTANDING TABLE FOR ORDINARY COUNCIL MEETING

RESOLUTION 2022/425

Moved: Cr Danita Potter Seconded: Cr Scott Henschen

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

<u>In Favour:</u> Crs Brett Otto, Kathy Duff, Roz Frohloff, Danita Potter and Scott Henschen Against: Nil

CARRIED 5/0

9 NOTICES OF MOTION

Nil

10 PORTFOLIO - CORPORATE SERVICES, PEOPLE & CULTURE, COMMUNICATIONS/MEDIA, FINANCE & ICT

10.1 ORGANISATIONAL REVIEW

RESOLUTION 2022/426

Moved: Cr Danita Potter Seconded: Cr Roz Frohloff

That the South Burnett Regional Council adopt the March 2022 Senior Staff Structure as presented.

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

Against: Nil

CARRIED 5/0

10.2 MONTHLY FINANCIAL INFORMATION

RESOLUTION 2022/427

Moved: Cr Danita Potter Seconded: Cr Roz Frohloff

That the Monthly Financial Report including Capital Works and Works for Queensland (W4Q4) as of 28th February 2022 be received and noted.

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

Against: Nil

CARRIED 5/0

10.3 ADOPTION OF THE SOUTH BURNETT REGIONAL COUNCIL CODE OF COMPETITVE NEUTRALITY COMPLIANTS POLICY - STATUTORY006

RESOLUTION 2022/428

Moved: Cr Danita Potter Seconded: Cr Scott Henschen

That the South Burnett Regional Council Code of Competitive Neutrality Complaints Policy – Statutory006 be adopted as presented.

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

Against: Nil

CARRIED 5/0

10.4 ADOPTION OF THE SOUTH BURNETT REGIONAL COUNCIL ANTI-DISCRIMINATION AND EQUAL EMPLOYMENT OPPORTUNITY POLICY - STATUTORY037

RESOLUTION 2022/429

Moved: Cr Danita Potter

Seconded: Cr Roz Frohloff

That the South Burnett Regional Council Anti-Discrimination and Equal Employment Opportunity Policy – Statutory037 be adopted as presented.

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

Against: Nil

10.5 ADOPTION OF THE SOUTH BURNETT REGIONAL COUNCIL ARTS, CULTURE AND HERITAGE POLICY - STRATEGIC009

RESOLUTION 2022/430

Moved: Cr Danita Potter Seconded: Cr Scott Henschen

That the South Burnett Regional Council Arts, Culture and Heritage Policy – Strategic009 be adopted as presented.

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

Against: Nil

CARRIED 5/0

Attendance:

At 9:40 am, KTP Project Manager Aaron Meehan entered the meeting. At 9:40 am, Manager Infrastructure Planning James D'Arcy entered the meeting. At 9:40 am, Engineer Infrastructure Planning Cody Granger entered the meeting. At 9:45 am, Manager Works Kevin Searle entered the meeting.

10.6 WONDAI CHRISTMAS TREE

MOTION

Moved: Cr Kathy Duff Seconded: Cr Roz Frohloff

That the Wondai Christmas Tree remain in its current position on the Roundabout.

In Favour: Cr Kathy Duff

Against: Crs Brett Otto, Roz Frohloff, Danita Potter and Scott Henschen

LOST 1/4

RESOLUTION 2022/431

Moved: Cr Danita Potter Seconded: Cr Roz Frohloff

That the consultation period to review the designs and consider community feedback for the Wondai roundabout, following receipt of the Christmas Tree petition, be extended and that specific feedback regarding the Christmas tree be gathered by Councillors and be brought back to Council at the June Ordinary Council Meeting.

In Favour: Crs Brett Otto, Roz Frohloff, Danita Potter and Scott Henschen

Against: Cr Kathy Duff

CARRIED 4/1

10.7 ADVOCACY TO GOVERNMENT ON COVID MANDATES RELATING TO SHOWS

RESOLUTION 2022/432

Moved: Cr Kathy Duff Seconded: Cr Danita Potter

That South Burnett Regional Council write to the Deputy Premier, the Chief Health Officer and the Queensland Local Government Association and advocate on the following points raised by the show society:

- That Show Societies and show grounds be treated as equal to all other events and activities that are conducted on a Showgrounds i.e., no differentiation based on activity. Failing this similar recognition whereby a cap is established e.g., Stadiums where there is a cap under which there are no requirements
- To be given the consideration of consultation with Queensland Health in the development of the Directives that so significantly impact Show Societies;
- That a clear and factually account of why show grounds are being singled out from other industries and like sporting activities, markets and stadiums.

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

Against: Nil

CARRIED 5/0

10.8 ANZAC DAY 2022

RESOLUTION 2022/433

Moved: Cr Roz Frohloff Seconded: Cr Danita Potter

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

Town	Location	Time	Council Representative	Responsibility
Blackbutt 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
Bunya Mountains Memorial Service	Lone Pine Office, National Park Campground, Dandabah	8.00am	Cr Jones	Attendance Lay wreath
Cherbourg Commemorative Service	Cenotaph	8.00am	Cr Duff	Attendance Lay wreath

Hivesville Dawn Service	Main Street	5.30am	Cr Duff	Attendance Participate in Ceremony Lay wreath
Kingaroy Dawn Service	Memorial Park	4.28am	Cr Potter Cr Schumacher	Attendance
War Graves	Taabinga Cemetery	8.00am	Cr Potter Cr Schumacher	Attendance
Commemorative Service	Memorial Park	11.00am	Mayor Cr Potter	Participate in march. Participate in ceremony Lay wreath
Kumbia Commemorative Service	Flower bed next to Kumbia Hall	8.45am	Cr Henschen	Participate in march Lay wreath
Maidenwell Memorial Service	Main Street Monument	10.30am	Cr Jones	Attendance Lay wreath
Murgon Fellowship	Services Club	4.45am	Mayor	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
Nanango Dawn Service	Memorial in front of Chambers	5.30am	Mark Pitt	Lay wreath
Public Pilgrimage	Nanango Cemetery	7.00am	Mark Pitt	Attendance
Memorial Service	Memorial in front of Chambers	9.00am	Mark Pitt	Lay wreath/Book
Proston Dawn Service		5.30am	GM Jarvis	Attendance Lay Wreath
School Service	Proston State School		Cr Duff	Attendance Lay wreath
Wondai 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 Schumacher	Attendance Participate in Ceremony Lay wreath

Nil

Wooroolin Commemorative Service	Wooroolin Hall	11.00am	Cr Henschen	Organisation of service Lay wreath
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In Favour: Crs Brett Otto, Kathy Duff, Roz Frohloff, Danita Potter and Scott Henschen

<u>Against:</u>

CARRIED 5/0

10.8.1 DISTRIBUTION OF FUNDS FOR ANZAC DAY 2022

RESOLUTION 2022/434

Moved: Cr Brett Otto Seconded: Cr Danita Potter

That the distribution of funds for Anzac Day 2022 be as follows:-

- Blackbutt Sub-Branch \$500
- Kingaroy Sub-Branch \$1300
- Murgon Sub-Branch \$1300
- Nanango Sub-Branch \$1300
- Wondai Sub-Branch \$500

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

Against: Nil

CARRIED 5/0

11 PORTFOLIO – ROADS & DRAINAGE

11.1 2021/2022 BLACKSPOT PROGRAM FUNDING - GLENDON/MARKWELL STREET INTERSECTION ROUNDABOUT

RESOLUTION 2022/435

Moved: Cr Roz Frohloff Seconded: Cr Scott Henschen

That Council adopt the design for construction of the Glendon/Markwell Street intersection Roundabout.

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

Against: Nil

11.2 KINGAROY TRANSFORMATION PROJECT LANTERN DESIGNS

RESOLUTION 2022/436

Moved: Cr Danita Potter Seconded: Cr Scott Henschen

That Council adopt the design of the Kingaroy Transformation Project lanterns in principle as per the attachment in the report.

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

Against: Nil

CARRIED 5/0

ADJOURN MORNING TEA

RESOLUTION 2022/437

Moved: Cr Brett Otto Seconded: Cr Scott Henschen

That the meeting adjourn for morning tea.

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

Against: Nil

CARRIED 5/0

Citizenship Ceremony

During the adjournment a citizenship ceremony was held for:

- 1. Mrs Maria Bayley
- 2. Ms Grace David
- 3. Ms Binita K C
- 4. Ms Girlie Ladignon
- 5. Master Neil Ladignon
- 6. Master Prince Ladignon
- 7. Mrs Asma Shah
- 8. Mrs Ella Viggers
- 9. Mr Adriaan Huyghe
- 10. Ms Irina Wauters

RESUME MEETING

RESOLUTION 2022/438

Moved: Cr Brett Otto Seconded: Cr Kathy Duff

That the meeting resume at 11.12am.

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

Against: Nil

11.3 BLACKBUTT CBD

RESOLUTION 2022/439

Moved: Cr Kathy Duff Seconded: Cr Scott Henschen

That Coulson Street within the 60km zone be recognised and signed as Roy Emerson Way.

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

Against: Nil

CARRIED 5/0

Attendance:

At 11:19am, Manager Corporate Services Carolyn Knudsen entered the meeting.

11.4 POTHOLE REPAIR METHODOLOGY

RESOLUTION 2022/440

Moved: Cr Kathy Duff Seconded: Cr Danita Potter

That a report be brought back to the Executive and Finance & Corporate Standing Committee Meeting in April with a plan to restructure the pothole repair program with alignment of the Flocon and Paveline team operations.

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

Against: Nil

CARRIED 5/0

11.5 APPLICATION FOR PERMANENT ROAD CLOSURE OF MCANTEE ROAD WINDERA WHICH ADJOINS LOT 49 MZ555 AND LOT 202 SP251979

RESOLUTION 2022/441

Moved: Cr Kathy Duff Seconded: Cr Scott Henschen

That Council:

- 1. Advise the applicant and the Department of Natural Resources and Mines that:
 - (a) It objects to the application for the permanent road closure of McAntee Road, Windera which adjoins Lot 49 MZ555 and Lot 202 SP251979 shown as in Attachment one (1). The reasons for this objection are as follows:
 - (i) The long-term usage of the sections of road reserve is unknown. The closure may affect any future interconnection of roads, any necessary future infrastructure, and any potential new development in the area.
 - (b) Should the Department of Natural Resources and Mines approve the proposed permanent road closure, that there be no cost to Council associated with the road closure.

- 2. Delegates authority under section 257 of the *Local Government Act 2009* to the Chief Executive Officer or their delegate to finalise any and all matters associated with the application; and
- 3. Executes, as road manager, form Part C 'Statement in relation to an application under the *Land Act 1994* over State land' for the proposed permanent road closure.

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

Against: Nil

CARRIED 5/0

Attendance:

At 11:25am, Manager Infrastructure Planning James D'Arcy entered the meeting. At 11:25am, Engineer Infrastructure Planning Cody Granger entered the meeting.

11.6 KRATZMANNS ROAD FLOODWAY WINDERA

RESOLUTION 2022/442

Moved: Cr Danita Potter Seconded: Cr Scott Henschen

That Council investigate the purchase of one set of solar powered portable traffic lights and liaise with the proponents of the Piggery Development at 592 Morgans Road, Windera regarding the operational costs of portable traffic lights and associated signage until completion of improvement works to the floodway on Kratzmanns Road, Windera.

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

Against: Nil

CARRIED 5/0

Attendance:

At 11:50am, Cr Danita Potter left the meeting. At 11:52am, Cr Danita Potter returned to the meeting.

11.7 NOTICE OF MOTION - LRCI FUNDING ALLOCATION PHASE THREE (3) 2022

MOTION

Moved: Cr Kathy Duff Seconded: Cr Scott Henschen

That Council allocate \$2,238,930 from the Local Roads and Community Infrastructure (LRCI) phase three (3) programme to a roads rehabilitation and renewals program as outlined in the attached list.

AMENDMENT

Moved: Cr Roz Frohloff Seconded: Cr Danita Potter That Council allocate \$2,238,930 from the Local Roads and Community Infrastructure (LRCI) phase three (3) programme to a roads rehabilitation and renewals program as outlined in the amended attached list:

• That Birt Road Stage 1 of Chain 2.142 to Chain 3.627 at the cost of \$950,000 be put back on the LRCI Funding agenda.

RESOLUTION 2022/443

Moved: Cr Brett Otto Seconded: Cr Danita Potter

That the matter lay on the table for reconsideration by the Infrastructure Standing Committee Meeting in May 2022.

<u>In Favour:</u> Crs Brett Otto, Kathy Duff, Roz Frohloff, Danita Potter and Scott Henschen Against: Nil

CARRIED 5/0

11.8 NOTICE OF MOTION - PLANTING TREES FOR THE QUEEN'S JUBILEE PROGRAM

RESOLUTION 2022/444

Moved: Cr Kathy Duff Seconded: Cr Scott Henschen

That South Burnett Regional Council express an interest to be a part of the Planting Trees for The Queen's Jubilee Program by writing and contacting the three Federal MP's The Hon. David Littleproud (Maranoa), The Hon. Ken O'Dowd (Flynn) and The Hon. Llew O'Brien (Wide Bay) from the electorates that cross the South Burnett. That South Burnett Regional Council's Infrastructure and Community Departments work together with interested Councillors to develop a tree-planting program and discuss opportunities for an associated commemorative event and report back to Council with a project proposal.

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

Against: Nil

CARRIED 5/0

12 PORTFOLIO – COMMUNITY, ARTS, HERITAGE, SPORT & RECREATION

12.1 BUSINESS DISABILITY AWARDS

RESOLUTION 2022/445

Moved: Cr Danita Potter Seconded: Cr Scott Henschen

That South Burnett Regional Council provide in principle support for the establishment of a Business DisABILITY Awards event in the South Burnett and continue to liaise with the event organisers to explore options.

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

Against: Nil

Attendance:

At 12:03pm, Manager Works Kevin Searle left the meeting. At 12.03pm, Manager Infrastructure Planning James D'Arcy left the meeting At 12:03pm, Engineer Infrastructure Planning Cody Granger left the meeting

12.2 SPORTS AUSTRALIA'S REGIONAL SPORT EVENTS FUND

RESOLUTION 2022/446

Moved: Cr Scott Henschen Seconded: Cr Danita Potter

That South Burnett Regional Council endorse the Chief Executive Officer's action in submitting an application to the Sports Australia's Regional Sport Events Fund Stream One - Small Community Sporting Events for \$10,000 to support local "Come & Try/Skills Days".

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

Against: Nil

CARRIED 5/0

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

13.1 MATERIAL CHANGE OF USE FOR EIGHT (8) SHORT TERM ACCOMMODATION UNITS AND PROPOSED ACCESS EASEMENT AT 3 - 5 EVELYN STREET, KINGAROY (AND DESCRIBED AS LOT 13 AND 14 ON SP212946)

RESOLUTION 2022/447

Moved: Cr Scott Henschen Seconded: Cr Roz Frohloff

That Council approve the Material Change of use for eight (8) short term accommodation units and proposed access easement at 3 - 5 Evelyn Street, Kingaroy (and described as Lot 13 and 14 on SP212946) subject to the following conditions:

PLANNING

GEN1. The development must be completed generally in accordance with the approved plans and documents and any amendments arising through conditions to this development approval.

Drawing Title	Prepared by	Reference no.	Revision	Date
Site Plan Details	WD	20210020A	А	7 th
	Building Design	Sheet 2 of 11		December 2021
PWD Carpark Details	WD	20210020A	А	7 th
	Building Design	Sheet 3 of 11		December 2021

Lower Floor Plan	WD	20210020A	A	7 th
	Building Design	Sheet 4 of 11		December 2021
Upper Floor Plan	WD	20210020A	А	7 th
	Building Design	Sheet 5 of 11		December 2021
Full Development	WD	20210020A	А	7 th
Elevations	Building Design	Sheet 6 of 11	Refer to Amendments required	December 2021
Perspective Views	WD	20210020A	A	7 th
	Building Design	Sheet 7/8 of 11		December 2021
B99 Turning Path 1	WD	20210020A	A	7 th
	Building Design	Sheet 9 of 11		December 2021
B99 Turning Path 2	WD	20210020A	А	7 th
	Building Design	Sheet 10 of 11		December 2021
Service Vehicle Turning	WD	20210020A	A	7 th
Path	Building Design	Sheet 11 of 11		December 2021

Amendments Required

Reference No.: Sheet No. 211

Drawing Title: "Full Development Elevations Revision A Dated 07.12.21"

Amendments: Amend plan to:

- 1. show screening to all upper level windows; and
- 2. include additional articulation in addition to variation to materials and colours along the North-east elevation to provide visual relief to the façade of the building.
- GEN2. Maintain the approved development in accordance with the approved drawings and documents and any relevant subsequent approvals required by the conditions herein.
- GEN3. Mechanical plant and equipment shall not be visible from adjoining properties or the road frontage. Following the installation of all mechanical plant and equipment (e.g. air conditioning, mechanical ventilation and refrigeration equipment and heat pump hot water systems), submit to Development Assessment certification that the plant and equipment is adequately noise- attenuated and is in accordance with the Environmental Protection Act or higher standard for noise attenuation.

Timing: Prior to issue of Certificate of classification/ final inspection certificate or prior to commencement of the use, whichever comes first, and then to be maintained.

- GEN4. Provide a roofed and screened waste enclosure to accommodate the type and quantity of bulk waste/recycling bins required to service the development. Bins must be located in an area which allows them to be manoeuvred from the bin storage area to the designated internal collection point.
- GEN5. All metal grilles, metal plates or similar subject to vehicular traffic must be acoustically damped to prevent environmental nuisance.

Timing: Prior to issue of Certificate of Classification/Final Inspection Certificate or prior to commencement of use, whichever comes first.

- GEN6. The use of the premises is limited to accommodation consistent with the definition of *Short-term accommodation* in Schedule 1 of the South Burnett Planning Scheme 2017.
- GEN7. The applicant shall submit for approval by the Manager Planning and Land Management a landscape plan prepared by an appropriately qualified professional which shows a landscape buffer of minimum width of 2m for the full length of all boundaries of Lot 13 other than the shared boundary with Lot 14. The landscape buffer should include screening vegetation capable of growing to a minimum height of 6m within 3 years of planting.
- GEN8. The approved landscape plan referenced in condition GEN7 shall be implemented. **Timing:** Prior to commencement of use and to be maintained at all times.
- GEN9. Any outdoor lighting must be installed and operated in accordance with AS4282 1997 "Control of the Obtrusive Effects of Outdooring Lighting".

Timing: To be maintained at all times.

GEN10. Fencing shall be provided along all boundaries of Lot 13 except where access is provided via Lot 14. Fencing along the Evelyn Street frontage shall be no higher than 1.2m and semi-transparent (e.g. pool fencing or similar) while fencing on the other boundaries shall be solid and 1.8m high.

Timing: Prior to commencement of use and to be maintained at all times.

SURVEY PLAN

GEN11. All conditions of this approval are to be satisfied prior to Council endorsing the Survey Plan, and it is the applicant's responsibility to notify Council to inspect compliance with conditions.

A fee will be charged, with payment required prior to Council's approval of the associated documentation requiring assessment.

GEN12. Prior to sealing the Plan of Survey the applicant is required to pay the Council all rates and charges or any expenses being charged over the subject land under any Act in accordance with Schedule 18 Section 69 of the *Planning Act Regulation 2017*.

GEN13. Prior to the sealing of the Plan of Survey the applicant is to provide a certificate signed by a licensed surveyor stating that after the completion of all works associated with the reconfiguration, survey marks were reinstated where necessary and all survey marks are in their correct position in accordance with the Plan of Survey.

ADMINISTRATION

- GEN14. All conditions of this approval must be undertaken and completed to the satisfaction of Council, at no cost to Council.
- GEN15. All conditions, works, or requirements of this approval must be undertaken and completed prior to the commencement of use, unless otherwise stated.
- GEN16. Unless otherwise stated, all works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards.
- GEN17. All engineering drawings/specifications, design and construction works must comply with the requirements of the relevant Australian Standards and must be approved, supervised and certified by a Registered Professional Engineer of Queensland. Any concurrence agency conditions will apply in addition to these standard conditions.

ENGINEERING WORKS

- ENG1. Complete all works approved and works required by conditions of this development approval and/or any related approvals at no cost to Council, prior to commencement of the use unless stated otherwise.
- ENG2. Undertake Engineering designs and construction in accordance with the Planning Scheme, Council's standards, relevant design guides, and Australian Standards.
- ENG3. Be responsible for the full cost of any alterations necessary to electricity, telephone, water mains, sewer mains, stormwater drainage systems or easements and/or other public utility installations resulting from the development or from road and drainage works required in connection with the development.

LOCATION, PROTECTION AND REPAIR OF DAMAGE TO COUNCIL AND PUBLIC UTILITY SERVICES INFRASTRUCTURE AND ASSETS

- ENG4. Be responsible for the location and protection of any Council and public utility services infrastructure and assets that may be impacted on during construction of the development.
- ENG5. Repair all damages incurred to Council and public utility services infrastructure and assets, as a result of the proposed development immediately should hazards exist for public health and safety or vehicular safety. Otherwise, repair all damages immediately upon completion of works associated with the development

STORMWATER MANAGEMENT

- ENG6. Provide stormwater management generally in accordance with the Stormwater Management Plan prepared by TSA, Revision 0, dated 10/6/21, subject to detailed design and except as altered by conditions of this development approval.
- ENG7. Provide overland flow paths that do not adversely alter the characteristics of existing overland flows on other properties or that create an increase in flood damage on other properties.
- ENG8. Stormwater from sealed areas required to be piped to the existing kerb and channel.
- ENG9. Design and construct all internal stormwater drainage works to comply with the relevant Section/s of AS/NZS 3500.3.2.
- ENG10. Ensure that adjoining properties and roadways are protected from ponding or nuisance from stormwater as a result of any site works undertaken as part of the proposed development.
- ENG11. Discharge all minor storm flows that fall or pass onto the site to the lawful point of discharge in accordance with the Queensland Urban Drainage Manual (QUDM).

WATER SUPPLY

ENG12. Connect the development to Council's reticulated water supply system via a single connection.

SEWERAGE

- ENG13. Connect the development to Council's reticulated sewerage system via a single connection. The connection must be designed in accordance with Council's standards and be approved by Council's Utility Services Section.
- ENG14. Actual connection to Council's live sewerage infrastructure must be undertaken by or under the supervision of Council.
- ENG15. Do not build works within 1.5 metres from the centre of any existing sewer pipework or within the Zone of Influence, whichever is the greater (measured horizontally).
- ENG16. Maintain a minimum of a 3-metre-wide corridor to be maintained for maintenance/upgrade purposes.
- ENG17. Ensure that a clear level area of a minimum of a 2.5 metre radius surrounding any existing sewer manholes on the site is provided for future maintenance/upgrade purposes.
- ENG18. The above minimum clearances to Council's sewer infrastructure do not preclude the need for works to proposed structures to prevent loading to the sewer system.

PARKING AND ACCESS - GENERAL

- ENG19. Design all access driveways, circulation driveways, parking aisles and car parking spaces in accordance with Australian Standard 2890.1 Parking Facilities Off Street Car Parking.
- ENG20. Design and construct all car park and manoeuvring areas with concrete, asphalt or a two-coat bitumen seal.
- ENG21. Provide a minimum of thirteen (13) car parking spaces including a minimum of two (2) person with disability (PWD) car parking spaces.
- ENG22. Design & construct all PWD car parking spaces in accordance with AS2890.6.
- ENG23. Provide vehicle bollards or tyre stops to control vehicular access and to protect landscaping or pedestrian areas where appropriate.

PARKING AND ACCESS - SERVICING

ENG24. Provide parking and manoeuvring facilities for an 8.8m long service vehicle in the location generally shown on WD Building Design drawing "Service Vehicle Turning Path" Rev A dated 7 December 2021.

VEHICLE ACCESS

- ENG25. Access to the development shall be taken from the existing access on Lot 14 SP212946 WD Building Design drawing "B99 Turning Path 1" Rev A dated 7 December 2021.
- ENG26. A registered access easement shall be established burdening Lot 14 on SP212946, in favour of Lot 13 on SP212946 enabling access to be provided to Lot 13. The minimum size of the easement shall accommodate the manoeuvring of all vehicles using and servicing Lot 13.

ELECTRICITY AND TELECOMMUNICATION

ENG27. Connect the development to electricity and telecommunication services.

EARTHWORKS - GENERAL

- ENG28. Earthworks per site involving cut or fill more than 1m above or below ground, or with a nett quantity of material greater than 50m³, requires an Operational Work application.
- ENG29. Undertake earthworks in accordance with the provisions of AS3798 Guidelines on Earthworks for Commercial and Residential Developments.

STANDARD ADVICE

- ADV1. Infrastructure charges are levied by way of an Infrastructure Charges Notice, issued pursuant to Section 119 of the *Planning Act 2016*.
- ADV2. Council is offering a reduction in infrastructure charges payable through the development incentive scheme which is available between 1 December 2020 and 31 December 2023. Eligible development under this scheme is required to be completed by 31 December 2023.

For further information or application form please refer to the rules and procedures available on Council's website.

- ADV3. Section 85(1)(a) of the *Planning Act 2016* provides that, if this approval is not acted upon within the period of six (6) years the approval will lapse.
- ADV4. This development approval does not authorise any activity that may harm Aboriginal Cultural Heritage. Under the *Aboriginal Cultural Heritage Act 2003* you have a duty of care in relation to such heritage. Section 23(1) provides that "A person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal Cultural Heritage." Council does not warrant that the approved development avoids affecting Aboriginal Cultural Heritage. It may therefore, be prudent for you to carry out searches, consultation, or a Cultural Heritage. The Act and the associated duty of care guidelines explain your obligations in more detail and should be consulted before proceeding.
- ADV5. Landscaping is to be established using native drought tolerant species in accordance with "Branching Out Your Handy Guide to Tree Planting in the South Burnett".
- ADV6. Attached for your information is a copy of Chapter 6 of the *Planning Act 2016* as regards Appeal Rights.
- In Favour: Crs Brett Otto, Kathy Duff, Roz Frohloff, Danita Potter and Scott Henschen

Against: Nil

13.2 PLACEMENT OF SHIPPING CONTAINERS ON PRIVATE LAND

OFFICER'S RECOMMENDATION

South Burnett Regional Council takes a risk-based methodology in developing a policy applying to residential and rural residential use of properties enabling the placement of a shipping container on a property, incorporating the following:

- For a period no greater than 180 days before requiring a Development Approval for Building Works and that the policy;
- Consideration of an appropriate number of shipping containers (or railway carriage) on the property;
- Located in consideration of visibility to road frontage and neighbourhood amenity
- Screened by landscaping or a suitable screening structure so not to be visible;
- Colour scheme consideration

That a draft policy be brought to the July 2022 Communities Standing Committee, including a report on resource implications and relationship to the Planning Scheme.

RESOLUTION 2022/448

Moved: Cr Kathy Duff Seconded: Cr Scott Henschen

That the item lay on the table until further information is received.

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

Against: Nil

CARRIED 5/0

13.2.1 QUESTION ON NOTICE - PLACEMENT OF SHIPPING CONTAINERS ON PRIVATE LAND

Question on Notice from Cr Kathy Duff :

With regards to the shipping containers that are already right across our region, to put that 'for a period of no greater than 180 days before requiring a Development Approval for Building Works' is going to set the Council up to a nightmare of looking at all of the shipping containers we currently have. Can we add to the recommendation from now on, not in retrospect?

Attendance:

At 12:07pm, Manager Finance & Sustainability Kerri Anderson left the meeting.

14 PORTFOLIO – LOCAL DISASTER MANAGEMENT, WATER & WASTEWATER, WASTE MANAGEMENT

14.1 STORM DAMAGE TO MT WOOROOLIN RESERVOIR ROOF

RESOLUTION 2022/449

Moved: Cr Roz Frohloff

Seconded: Cr Danita Potter

That Council Officers call for tenders with two (2) options for;

- (i) Design and construction of existing roof replacement with Council providing the temporary bypass storage; and
- (ii) Design and construction of a new five (5) ML reservoir with separable portions for roof replacement on the damaged reservoir.

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

Against: Nil

CARRIED 5/0

Attendance:

At 12:09pm, Manager Finance & Sustainability Kerri Anderson returned to the meeting.

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

15.1 SOUTH BURNETT SPORTING SHOOTERS - REQUEST FOR LAND - SHOOTING RANGE

RESOLUTION 2022/450

Moved: Cr Danita Potter Seconded: Cr Roz Frohloff

That South Burnett Regional Council continue to liaise with the South Burnett Branch of Shooters Union in relation to identification of a suitable site for the establishment of a shooting range within the region.

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

Against: Nil

CARRIED 5/0

15.2 CONSIDER INCREASE SUPPORT TO BOONDOOMA HOMESTEAD CARETAKER

RESOLUTION 2022/451

Moved: Cr Kathy Duff Seconded: Cr Scott Henschen

That Council increase the financial contribution to the caretaker's allowance by \$5,720.00 in the 21/22 Operational budget.

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

Against: Nil

15.3 FUTURE USE OF 32 WALTER ROAD, KINGAROY.

RESOLUTION 2022/452

Moved: Cr Danita Potter Seconded: Cr Kathy Duff

That South Burnett Regional Council continue to progress divestment opportunities for the Reserve for Park, 32 Walter Road, Kingaroy, being Lot 1 on RP852419, particularly to seek advice on the costs associated with divestment, rezoning issues, access and drainage issues as raised in public consultation and a report be brought to the July Community Standing Committee Meeting.

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

Against: Nil

CARRIED 5/0

Attendance:

At 12:20 pm, Cr Roz Frohloff left the meeting.

16 PORTFOLIO - REGIONAL DEVELOPMENT

16.1 FEDERAL ADVOCACY ACTION PLAN 2022

RESOLUTION 2022/453

Moved: Cr Brett Otto Seconded: Cr Scott Henschen

That South Burnett Regional Council approve the Federal Advocacy Action Plan 2022 for distribution as amended.

In Favour: Crs Brett Otto, Kathy Duff, Danita Potter and Scott Henschen

Against: Nil

CARRIED 4/0

Attendance:

At 12:25 pm, Cr Roz Frohloff returned to the meeting.

16.2 FUTURE OF THE VISITOR INFORMATION CENTRES

RESOLUTION 2022/454

Moved: Cr Kathy Duff Seconded: Cr Roz Frohloff

That South Burnett Regional Council:

- 1. Develop a Visitor Service Strategy;
- 2. Formally request an extension to accreditation relief to 30 June 2022 whilst the operation of the VICs is considered through future budget discussions;
- 3. Conduct a media campaign to encourage volunteers and alerting the community to the importance of accreditation; and

4. Engage with LTO, visit South Burnett, our RTO, Southern Queensland Country Tourism and Tourism Queensland and request a meeting and round table discussion with Council to address the matters tabled in the report.

<u>In Favour:</u> Crs Brett Otto, Kathy Duff, Roz Frohloff, Danita Potter and Scott Henschen Against: Nil

CARRIED 5/0

Attendance:

At 12:29pm, Acting Manager Planning & Environment Michael Lisle entered the meeting.

17 INFORMATION SECTION

17.1 DELEGATED AUTHORITY REPORTS

RESOLUTION 2022/455

Moved: Cr Danita Potter Seconded: Cr Roz Frohloff

That the Delegated Authority report be received.

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

Against: Nil

CARRIED 5/0

17.2 LIST OF CORRESPONDENCE PENDING COMPLETION OF ASSESSMENT REPORT

RESOLUTION 2022/456

Moved: Cr Scott Henschen Seconded: Cr Kathy Duff

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

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

Against: Nil

CARRIED 5/0

18 QUESTIONS ON NOTICE

Nil

Attendance:

At 12:30pm, General Manager Community Peter O'May left the meeting. At 12:30pm, Acting Manager Planning & Environment Michael Lisle left the meeting.

19 CONFIDENTIAL SECTION

RESOLUTION 2022/457

Moved: Cr Roz Frohloff Seconded: Cr Danita Potter

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*:

19.1 Payment Proposal for Overdue Rates - Various Lots

This matter is considered to be confidential under Section 254J - d 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 rating concessions.

19.2 Procurement of Kingaroy Transformation Project Specialised Components

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.

19.3 Application to waive water consumption charges

This matter is considered to be confidential under Section 254J - d 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 rating concessions.

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

Against: Nil

CARRIED 5/0

Attendance:

At 12:34 pm, General Manager Community Peter O'May returned to the meeting.

At 12:36 pm, Project Manager KTP Aaron Meehan entered the meeting.

At 12:36 pm, Senior Project Manager (Works) entered the meeting.

At 1:11 pm, Cr Roz Frohloff left the meeting.

At 1:17 pm, Cr Roz Frohloff returned to the meeting.

RESOLUTION 2022/458

Moved: Cr Brett Otto Seconded: Cr Kathy Duff

That Council moves out of Closed Council into Open Council.

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

Against: Nil

19.1 PAYMENT PROPOSAL FOR OVERDUE RATES - VARIOUS LOTS

RESOLUTION 2022/459

Moved: Cr Danita Potter Seconded: Cr Scott Henschen

That

- 1. Council agrees to the payment plan for the 3 lots being privately transferred (Lot 67, 79 & 80) as laid out by the property owner with the following conditions:
 - (a) That the debt be repaid in 36 equal monthly payments starting from when the transfer has been finalised.
 - (b) That the properties continue to be withheld from sale of land negotiations while the payment plan is being upheld.
 - (c) That no interest be charged on overdue amounts while the payment plan is being upheld.
 - (d) Failure to adhere to the approved payment plan may result in the payment plan being cancelled and interest and debt collection procedures to resume. Sale of Land negotiations may also be reinstated dependent on if the correct criteria is met to allow Council to go down this path.
 - (e) The General Manager Finance and Corporate be authorised to negotiate a suitable payment plan should the applicant need to vary the payment plan discussed above.
- 2. Council does not agree to the proposal to waive rates to the value of \$8000 under the sale price for any parcel that is sold where the sale price only just covers or fails to cover the amounts outstanding.

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

Against: Nil

CARRIED 5/0

19.2 PROCUREMENT OF KINGAROY TRANSFORMATION PROJECT SPECIALISED COMPONENTS

RESOLUTION 2022/460

Moved: Cr Danita Potter Seconded: Cr Scott Henschen

That in accordance with S235 of the *Local Government Regulation 2012*, the Chief Executive Officer be delegated to purchase proprietary and sole supplier products for the Kingaroy Transformation Project.

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

Against: Nil

19.3 APPLICATION TO WAIVE WATER CONSUMPTION CHARGES

RESOLUTION 2022/461

Moved: Cr Scott Henschen Seconded: Cr Danita Potter

That Council agree in this instance to waive the water consumption charges for Assessment 20102-00000-000 to the value of \$385.80 due to this being a high value compared to previous rating periods.

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

Against: Nil

CARRIED 5/0

Cr Potter thanked Cr Frohloff for being such a wonderful Councillor for her division and for being such a wonderful friend.

Cr Duff thanked Cr Frohloff for her contribution to the Region over the period of time she has been a Councillor and for the work she has done in the Chamber.

20 CLOSURE OF MEETING

The Meeting closed at 1.24pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 27 April 2022.

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CHAIRPERSON