



SOUTH BURNETT
REGIONAL COUNCIL

MINUTES

Ordinary Council Meeting
Wednesday, 24 November 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 NOVEMBER 2021 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), Carolyn Knudsen (Acting General Manager Finance & Corporate), Peter O'May (General Manager Community), Ged Brennan (Acting General Manager Infrastructure), Lynelle Paterson (Coordinator Executive Services)

1 OPENING

The Mayor declared the meeting open and welcomed all attendees

2 LEAVE OF ABSENCE / APOLOGIES

Nil

3 PRAYERS

A representative of Kingaroy District Minister's Association, Pastor Andy Dunkin 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 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 14.8 - Coolabunia Saleyards - Working Group Report**

This declarable conflict of interest arises because I have bought and sold cattle through an agent at the saleyards.

This matter was resolved at the Ordinary Council Meeting on 22 September 2021 – Resolution Number 2021/135.

I, Cr Kirstie Schumacher inform this meeting that I have a declarable conflict of interest in relation to **Item 14.10 - Bunya Mountains Community Association Inc - Application under Stronger Communities Programme Round 7**

The nature of my interest is as follows:

This declarable conflict of interest arises due to owning a freehold property on the Bunya Mountains and I am a member of the Bunya Mountains Community Association.

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 in relation to **Item 19.1 - South Burnett Community Hospital – The nature of my interest is as follows:**

This declarable conflict of interest arises because I am a member of the South Burnett Community Hospital Board.

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 I have a declarable conflict of interest (as defined in section 150EN of the *Local Government Act 2009*) in **Item 14.8 - Coolabunia Saleyards - Working Group Report**

This declarable conflict of interest arises because I have bought and sold cattle through an agent at the saleyards.

This matter was resolved at the Ordinary Council Meeting on 22 September 2021 – Resolution Number 2021/136.

I, Cr Gavin Jones inform this meeting that I have a declarable conflict of interest (as defined in section 150EN of the *Local Government Act 2009*) in **Item 14.8 - Coolabunia Saleyards - Working Group Report**

This declarable conflict of interest arises because I have bought and sold cattle through an agent at the saleyards.

This matter was resolved at the Ordinary Council Meeting on 22 September 2021 – Resolution Number 2021/134.

I, Cr Scott Henschen inform this meeting that I have a declarable conflict of interest (as defined in section 150EN of the *Local Government Act 2009*) in **Item 14.8 - Coolabunia Saleyards - Working Group Report**

This declarable conflict of interest arises as I may have a perceived relationship with a cattle agent who operates at the site.

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

6 DEPUTATIONS/PETITIONS

6.1 DEPUTATION - STEVE DYER

Steve Dyer addressed Council regarding the pensioner discount for dog registrations.

6.2 DEPUTATION - ANN EDIE AND BARBARA HOCKEY

Ann Edie and Barbara Hockey addressed Council regarding maintenance of Whelan Street Hivesville.

6.3 MOTION - DOG REGISTRATIONS

RESOLUTION 2021/241

Moved: Cr Kathy Duff
 Seconded: Cr Danita Potter

That Council provide a 50% discount on all dog registration fees for eligible residents in receipt of a pension card.

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

Against: Crs Gavin Jones, Roz Frohloff and Scott Henschen

CARRIED 4/3

FORESHADOWED MOTION

Moved: Cr Danita Potter

That the discount provided to pensioners be added to the budget agenda for the 2022/2023 budget discussions.

The motion lapsed.

6.4 MOTION - WHELAN STREET HIVESVILLE

MOTION

Moved: Cr Kathy Duff
 Seconded: Cr Danita Potter

That on the basis of evidence that Whelan Street was a formed and maintained road under the previous Wondai Shire Council this Council continue to recognise the road as a formed road and allocate capital funding to upgrade the road to gravel standard and provide ongoing maintenance.

In Favour: Crs Brett Otto, Kathy Duff and Kirstie Schumacher

Against: Crs Gavin Jones, Roz Frohloff, Danita Potter and Scott Henschen

LOST 3/4

MOTION

RESOLUTION 2021/242

Moved: Cr Kathy Duff
 Seconded: Cr Gavin Jones

That Item 14.5 be brought forward and discussed.

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

Against: Nil

CARRIED 7/0

14.5 MONDURE HALL - FUTURE PLANS FOR MAINTENANCE AND TENURE ARRANGEMENTS.

RESOLUTION 2021/243

Moved: Cr Kirstie Schumacher
Seconded: Cr Danita Potter

That Council investigate the proposal put forward by the Mondure Hall Committee dated 5 November 2021 with regards to future tenure arrangements and maintenance of the hall and a report be brought back to the February Community 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

MOTION

Moved: Cr Danita Potter
Seconded: Cr Kathy Duff

That Council:

1. Consult with the community to determine future use, asset management and tenure arrangements for Mondure Hall and
 2. Seek legal advice to finalise the preferred tenure arrangements which may include making application to the Supreme Court of Queensland to provide a ruling
-

AMENDMENT

Moved: Cr Kathy Duff
Seconded: Cr Gavin Jones

That Council:

1. Consult with the community to determine future use, asset management and tenure arrangements for Mondure Hall and a report be brought back to the February Community Standing Committee Meeting;
2. Seek legal advice to finalise the preferred tenure arrangements which may include making application to the Supreme Court of Queensland to provide a ruling; and
3. if that is the case then Council consider a draft MOU after the February Community Standing Committee Meeting with the committee to ensure that they can progress building works prior to the 30 June 2022.

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

Against: Nil

CARRIED 7/0

The Amendment became the resolution

RESOLUTION 2021/244

Moved: Cr Kathy Duff
 Seconded: Cr Gavin Jones

That Council:

1. Consult with the community to determine future use, asset management and tenure arrangements for Mondure Hall and a report be brought back to the February Community Standing Committee Meeting;
2. Seek legal advice to finalise the preferred tenure arrangements which may include making application to the Supreme Court of Queensland to provide a ruling; and
3. if that is the case then Council consider a draft MOU after the February Community Standing Committee Meeting with the committee to ensure that they can progress building works prior to the 30 June 2022.

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

Against: Nil

CARRIED 7/0

ADJOURN MORNING TEA

RESOLUTION 2021/245

Moved: Cr Brett Otto
 Seconded: Cr Scott Henschen

That the meeting adjourn for morning tea.

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

Against: Nil

CARRIED 7/0

RESUME MEETING

RESOLUTION 2021/246

Moved: Cr Brett Otto
 Seconded: Cr Scott Henschen

That the meeting resume at 11.28am

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 20 OCTOBER 2021

RESOLUTION 2021/247

Moved: Cr Danita Potter
 Seconded: Cr Scott Henschen

That the Minutes of the Council Meeting held on 20 October 2021 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

7.2 MINUTES OF THE SPECIAL COUNCIL MEETING HELD ON 3 NOVEMBER 2021

RESOLUTION 2021/248

Moved: Cr Scott Henschen
 Seconded: Cr Roz Frohloff

That the Minutes of the Special Council Meeting held on 3 November 2021 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

7.3 MINUTES OF THE CORPORATE RISK & AUDIT ADVISORY COMMITTEE MEETING HELD ON 10 SEPTEMBER 2021

RESOLUTION 2021/249

Moved: Cr Danita Potter
 Seconded: Cr Gavin Jones

That the Minutes of the Corporate Risk & Audit Advisory Committee Meeting held on 10 September 2021 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

7.4 MINUTES OF THE CORPORATE RISK & AUDIT ADVISORY COMMITTEE MEETING HELD ON 5 OCTOBER 2021

RESOLUTION 2021/250

Moved: Cr Scott Henschen
 Seconded: Cr Danita Potter

That the Minutes of the Corporate Risk & Audit Advisory Committee Meeting held on 5 October 2021 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

8 BUSINESS OUTSTANDING

8.1 BUSINESS OUTSTANDING TABLE FOR ORDINARY COUNCIL MEETING

RESOLUTION 2021/251

Moved: Cr Kirstie Schumacher
 Seconded: Cr Gavin Jones

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

8.1.1 QUESTION ON NOTICE - CCTV CAMERAS AND SECURITY LIGHTING

Question on notice from Cr Duff:

The cameras and security lighting on the rail trail from Youngman Street to Meiers Road, when is that getting done? A report to be provided to the next Community Standing Committee

8.1.2 QUESTION ON NOTICE - PARKS & GARDENS ADVISORY COMMITTEE

Question on notice from Cr Duff:

With the Parks & Gardens Advisory Committee, what is happening to progress that. A report will be provided to the next Community Standing Committee.

8.1.3 QUESTION ON NOTICE - SIGNS

Question on notice from Cr Schumacher:

Has the Roundabout Name signage been progressed? There are two roundabout signs in Kingaroy that are starting to fall over – one in front of the Kingaroy town swimming pool and one in Moore street. Is there plans to replace those signs in accordance with the style guide?

8.1.4 QUESTION ON NOTICE - GREAT BARRIER REEF CATCHMENT

Question on notice from Cr Schumacher:

Cr Schumacher requested an update be provided in relation to her question on notice from 30 June 2021 on the Great Barrier Reef Catchment.

8.1.5 PETITION FROM WHEATLANDS STATE SCHOOL

RESOLVED 2021/252

Chief Executive Officer to provide an update to the December Executive & Finance & Corporate Standing Committee Meeting in relation to the petition from Wheatlands State School.

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

9.1 NOTICE TO REPEAL SOUTH BURNETT BURNETT REGIONAL COUNCIL RESOLUTIONS - MINUTE NUMBERS 584 & 4291

RESOLUTION 2021/253

Moved: Cr Kirstie Schumacher

Seconded: Cr Gavin Jones

That South Burnett Regional Council resolutions (Minute numbers 584 & 4291) adopting the South Burnett Regional Council South Burnett Tourism Advisory Committee Terms of Reference – Strategic029 and South Burnett Regional Council Disposal of Council Real Estate Policy – Statutory032 be repealed.

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 ADOPTION OF THE SOUTH BURNETT REGIONAL COUNCIL HERITAGE COLLECTION POLICY - STRATEGIC003

RESOLUTION 2021/254

Moved: Cr Roz Frohloff
 Seconded: Cr Danita Potter

That the South Burnett Regional Council Heritage Collection Policy – Strategic003 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

9.3 ADOPTION OF THE SOUTH BURNETT REGIONAL COUNCIL MAGPIE BEHAVIOUR MANAGEMENT POLICY - STATUTORY061

RESOLUTION 2021/255

Moved: Cr Kathy Duff
 Seconded: Cr Danita Potter

That the South Burnett Regional Council Magpie Behaviour Management Policy – Statutory061 be adopted as presented.

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

Against: Crs Gavin Jones, Roz Frohloff and Scott Henschen

CARRIED 4/3

9.4 ADOPTION OF THE SOUTH BURNETT REGIONAL COUNCIL RELATED PARTY DISCLOSURE POLICY - STATUTORY057

RESOLUTION 2021/256

Moved: Cr Kirstie Schumacher
 Seconded: Cr Roz Frohloff

That the South Burnett Regional Council Related Party Disclosure Policy – Statutory057 be adopted 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

9.5 MONTHLY FINANCIAL INFORMATION

RESOLUTION 2021/257

Moved: Cr Scott Henschen

Seconded: Cr Danita Potter

That the Monthly Financial Report including Capital Works and Works for Queensland (W4Q4) as at 31st October 2021 be received and noted.

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

Against: Nil

CARRIED 7/0

9.5.1 QUESTION ON NOTICE - RMPC CLAIMS

Question on notice from Cr Schumacher:

How do we monitor and audit RMPC Claims to ensure we are actually claiming all relevant expenditure during the year?

9.5.2 QUESTION ON NOTICE- RESTRICTED CASH

Question on Notice from Cr Schumacher:

With the Williams Road Benarkin project, was the \$450,000 from restricted funds in addition to the funds we had contributed through the CAPEX program or were we always planning to fund that project with this method. Requesting to understand unspent reseal program reserves better. Is this something we traditionally do if there are funds there that have been allocated for reseals that we haven't spent.

9.6 QUEENSLAND AUDIT OFFICE - FINAL MANAGEMENT REPORT FOR SOUTH BURNETT REGIONAL COUNCIL

RESOLUTION 2021/258

Moved: Cr Roz Frohloff

Seconded: Cr Kirstie Schumacher

That subject to Section 213 of the *Local Government Regulation 2012* the Auditor-General has presented to the Mayor of the South Burnett a copy of the Auditor-General's observation report about an audit of the South Burnett's financial statements that includes observations and suggestions made about issues arising out of the audit for adoption. It is recommended that Council adopt the Final Management Report 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

9.7 LOANS TO COMMUNITY ORGANISATION - WONDAI PROSTON WOLVES RUGBY LEAGUE CLUB INC

RESOLUTION 2021/259

Moved: Cr Danita Potter
 Seconded: Cr Kathy Duff

That Council endorse the CEO's approval of a community loan for \$30,000 being for the upgrading of lighting over the main oval on the lease area based on the following conditions:

1. The Club is successful in securing the additional funding required for the upgrade
2. The loan being repaid in full within a two (2) year period
3. The loan will be interest free for this repayment period
4. Payments will be made on a quarterly basis
5. A personal guarantee from individuals is provided for the amount of the loan

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

Against: Nil

CARRIED 7/0

9.8 COUNCIL DEPOTS - ICE MACHINES

RESOLUTION 2021/260

Moved: Cr Roz Frohloff
 Seconded: Cr Gavin Jones

That South Burnett Regional Council:

1. Approve the purchase and installation of six new dispensing ice machines at Council's depots for the cost of \$63,000 (excluding GST).
2. A capital budget allocation of \$63,000 be provided for this project with funding sourced from unallocated 2021/22 annual depreciation (building asset class) and that the budget adjustment be included in the next capital budget review.

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

10.1 OPTIONS ON GRADING WHELAN STREET HIVESVILLE

RESOLUTION 2021/261

Moved: Cr Kirstie Schumacher
 Seconded: Cr Gavin Jones

That a report be brought back to the May 2022 Infrastructure Standing Committee Meeting detailing all unformed roads in the South Burnett Region that have existing residential landholders who have

made enquiries to Council in relation to road maintenance so further planning can be undertaken to consider these issues.

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 12:17 pm, Cr Danita Potter left the meeting.

At 12:19 pm, Cr Danita Potter returned to the meeting.

10.2 CONSTRUCTION OF A FORMED ROAD TO LOT 29 RP36980 AND LOT 10 M5421 MEMERAMBI

RESOLUTION 2021/262

Moved: Cr Roz Frohloff

Seconded: Cr Gavin Jones

That the requirement for the construction of a formed road to Lot 29 RP36980 and Lot 10 M5421, Memerambi is the developer's responsibility, that the current constructed road does not meet the standard and that this advice be reiterated in writing to the developer.

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

Against: Cr Kathy Duff

CARRIED 6/1

MOTION

MOTION

Moved: Cr Brett Otto

Seconded: Cr Scott Henschen

That the meeting adjourn.

During the adjournment a presentation was made to Wondai Timber Museum Volunteers for 20 years of service. A presentation was made to Council Employee Stacey Perrett for 10 years of service.

RESUME MEETING

RESOLUTION 2021/263

Moved: Cr Brett Otto

Seconded: Cr Scott Henschen

That the meeting resume at 1.45pm.

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

Against: Nil

CARRIED 7/0

Attendance:

Acting General Manager Infrastructure Ged Brennan did not return to the meeting.
 Manager Water & Wastewater Tim Low was in attendance with the meeting resumed.

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

11.1 APPLICATION FOR FUNDING UNDER THE STRONG AND RESILIENT COMMUNITIES ACTIVITY - INCLUSIVE COMMUNITIES GRANT

RESOLUTION 2021/264

Moved: Cr Roz Frohloff
 Seconded: Cr Danita Potter

That South Burnett Regional Council endorse the submission of an application under the Strong and Resilient Communities Activity grant.

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 ADOPTION OF MOST APPROPRIATE USE ASSESSMENT FOR 1 POUND STREET, KINGAROY

RESOLUTION 2021/265

Moved: Cr Kirstie Schumacher
 Seconded: Cr Danita Potter

That

1. The report prepared by AEC for the most appropriate use of Council-owned property at Pound Street, Kingaroy, described as Lot 13 on RP814986, be adopted by Council as the preferred development of the property
2. A suitably qualified and experienced contractor be engaged to prepare a masterplan for the property.

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

Against: Nil

CARRIED 7/0

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

13.1 STORM DAMAGE TO MT WOOROLIN RESERVOIR ROOF

RESOLUTION 2021/266

Moved: Cr Roz Frohloff
 Seconded: Cr Danita Potter

That Council Officers investigate options for the roof replacement and arrange the replacement roof as a matter of urgency.

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

Against: Nil

CARRIED 7/0

13.2 GORDONBROOK DAM ACCEPTABLE FLOOD CAPACITY (AFC) CONCEPT DESIGN, SAFETY REVIEW WORKS AND BUDGET REVIEW

RESOLUTION 2021/267

Moved: Cr Roz Frohloff
 Seconded: Cr Gavin Jones

That Council:

1. Provide sufficient operational/capital budget during the 2021/2022 and 2022/2023 financial years to undertake the additional necessary assessment and reports (as stipulated in Additional AFC Works Requirements section) required by the regulator under the Gordonbrook Dam (#0657) Dam Safety Condition Schedule prior to the Gordonbrook Dam Spillway AFC works.

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

Against: Nil

CARRIED 7/0

RESOLUTION 2021/268

Moved: Cr Roz Frohloff
 Seconded: Cr Danita Potter

That the following items be considered in the 2022/2023 budget considerations:

1. that Council adopt the recommended concept design for Gordonbrook Dam Spillway AFC works and corresponding reviewed budget estimate, and ensure sufficient budget is provided into Council’s Water and Wastewater Operational Budget and Forward Works Program to allow the AFC works to be completed by 1 October 2025;
 2. That Council ensure sufficient capital is maintained in the current forward works budget to allow for additional Dam Safety items to be rectified as identified in the report.
-

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

Against: Nil

CARRIED 7/0

13.3 INVITATION TO NOMINATE A COUNCILLOR TO BE PART OF THE PROJECT ADVISORY GROUP FOR THE DEVELOPMENT OF THE DARLING DOWNS AND SOUTH WEST REGIONAL WASTE MANAGEMENT STRATEGY AND INFRASTRUCTURE PLAN

RESOLUTION 2021/269

Moved: Cr Danita Potter

Seconded: Cr Kathy Duff

That Council nominate Councillor Frohloff to be part of the Project Advisory Group for the development of the Darling Downs and South West Regional Waste Management Strategy and Infrastructure Plan.

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

Against: Nil

CARRIED 7/0

13.3.1 NOMINATION TO THE STEERING GROUP OF THE DARLING DOWNS SOUTH WEST REGIONAL WASTE MANAGEMENT STRATEGY AND INFRASTRUCTURE PLAN.

RESOLUTION 2021/270

Moved: Cr Brett Otto

Seconded: Cr Roz Frohloff

That Council nominate Cr Schumacher to be put forward as a nomination to the Steering Group of the Darling Downs South West Regional Waste Management Strategy and Infrastructure Plan.

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

Against: Nil

CARRIED 7/0

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

14.1 LIONS PARK SIGNAGE - BIG PEANUT

RESOLUTION 2021/271

Moved: Cr Danita Potter

Seconded: Cr Scott Henschen

1. That South Burnett Regional Council approve the proposed signage on sides one (1) and two (2) of the plinths in Lions Park, depicting two major sponsors and the inclusion of community nut funders on the rear surface; and
2. That Council authorise the Chief Executive Officer to finalise arrangements for an official opening with the plaque to be installed pursuant to Queensland Government Funding Guidelines.

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 WONDAI A P & I SOCIETY INC - SEEKING SUPPORT FOR THE RECONNECTION OF POWER

RESOLUTION 2021/272

Moved: Cr Scott Henschen

Seconded: Cr Kathy Duff

That South Burnett Regional Council contribute \$6,567.59 to the reconnection of electricity to the caller's box at the Wondai Showgrounds.

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

Against: Nil

CARRIED 7/0

14.3 PROSTON POOL MANAGEMENT

RESOLUTION 2021/273

Moved: Cr Kathy Duff

Seconded: Cr Danita Potter

That in accordance with *Section 257* of the *Local Government Act 2009* the Chief Executive Officer be delegated authority to finalise negotiations and enter a contract with the current applicant.

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

Against: Nil

CARRIED 7/0

14.4 RESOLUTION OF TENURE FOR COMMUNITY HALLS HELD IN TRUST BY COUNCIL

RESOLUTION 2021/274

Moved: Cr Kathy Duff

Seconded: Cr Scott Henschen

That South Burnett Regional Council consider the future management and ownership of the Tingoora and Cloyna Halls by:

1. Undertaking consultation with Hall Committees and the community to determine opportunities and preferred management and ownership options
2. Seek legal advice and progress with preferred management or tenure options
3. If required, make application to the Supreme Court of Queensland to provide a ruling on tenure or management arrangements.

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 10:18.am, Cr Danita Potter left the meeting.
 At 10:21 am, Cr Danita Potter returned to the meeting.
 At 10:33 am, CEO Mark Pitt left the meeting.
 At 10:36 am, CEO Mark Pitt returned to the meeting.

14.6 LEASE - BLACKBUTT SPORTSGROUND OVAL TO TIMBERTOWN SPORTING AND COMMUNITY HUB INC.

RESOLUTION 2021/275

Moved: Cr Kirstie Schumacher
 Seconded: Cr Gavin Jones

That South Burnett Regional Council enter into a Lease with the Timbertown Sporting and Community Hub Inc. for Lot 33 on RP32391 and Lot 78 on RP167978

- a) For a term of 10 years
- b) For \$75.00 per annum (plus GST)

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

Against: Nil

CARRIED 7/0

14.7 UPDATE - STREET CLEANER DEMONSTRATION

RESOLUTION 2021/276

Moved: Cr Kathy Duff
 Seconded: Cr Kirstie Schumacher

That

1. the purchase and/or hire of a street cleaner and EcoVac be referred to the 2022/2023 budget deliberations;

2. the CBD Working Group be requested to establish service standards incorporating a street cleaner and EcoVac for operations throughout the region, including preparation of a business plan.

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 2:14 pm, Cr Scott Henschen, having earlier informed the meeting of a declarable conflict of interest in Item 14.8 and his decision to voluntarily not participate in the decision on this matter, left the place at which the meeting was held, including any area for the public and stayed away while the matter was discussed and voted on.

14.8 COOLABUNIA SALEYARDS - WORKING GROUP REPORT

RESOLUTION 2021/277

Moved: Cr Kathy Duff

Seconded: Cr Danita Potter

1. That the report be received, and South Burnett Regional Council adopt the Coolabunia Saleyards Working Group Action Plan, as amended; and
2. That the Working Group be directed to continue to develop and implement the Action Plan, with updates to Council on a regular basis.

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

Against: Nil

CARRIED 6/0

Attendance:

At 2:15 pm, Cr Scott Henschen returned to the meeting.

14.9 WORKS FOR QUEENSLAND (W4Q) 2021-2024

MOTION

Moved: Cr Kathy Duff

Seconded: Cr Danita Potter

That Council endorse the following projects for completion under the 2021 - 2024 Works for Queensland Program with the program balance yet to be confirmed.

Project Type / Project Title	Description	Proposed allocation	21/22	22/23
CBD Renewal Infrastructure Upgrades	-	\$1,000,000		

Kumbia CBD	Improve entry aesthetics and accessibility on Bell St, Kumbia.			\$300,000
Community Building Upgrades and Maintenance		\$830,000		
Murgon			\$180,000	
Across Region	Operational maintenance		\$100,000	\$100,000
Open Space Refurbishments		\$1,800,000		
Aerodrome Fencing	Kingaroy and Wondai		\$370,000	
Murgon Park / Amenities Upgrades	QEII Park renewal		\$150,000	\$150,000
Proston Parks	Railway Park renewal		\$50,000	
Kingaroy Park / Amenities Upgrades	Kingaroy Park Redevelopment - Detailed design and delivery of master plan		\$100,000	
Wondai Park / Amenities Upgrades	Upgrade amenities x 3 [McKell, Dingo Creek & Coronation].		\$100,000	
Regional Park / Amenities Upgrades	Benarkin Park renewal		\$100,000	
Water Infrastructure Upgrades		\$2,000,000		
			\$1,150,000	\$550,000
	Allocation	\$5,630,000		
	Current Projects Total	\$1,600,000		
	Unconfirmed Balance	\$3,930,000		

AMENDMENT

MOTION

Moved: Cr Kirstie Schumacher
 Seconded: Cr Gavin Jones

That Council endorse the following projects for completion under the 2021 - 2024 Works for Queensland Program with the program balance yet to be confirmed.

Project Type / Project Title	Description	Proposed allocation	21/22	22/23
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CBD Renewal - Infrastructure Upgrades		\$1,000,000		
Kumbia CBD	Improve entry aesthetics and accessibility on Bell St, Kumbia.			\$300,000
Community Building Upgrades and Maintenance		\$830,000		
Murgon			\$180,000	
Across Region	Operational maintenance		\$100,000	\$100,000
Open Space Refurbishments		\$1,800,000		
Aerodrome Fencing	Kingaroy and Wondai		\$370,000	
Murgon Park / Amenities Upgrades	QEII Park renewal		\$150,000	\$150,000
Proston Parks	Railway Park renewal		\$50,000	
Kingaroy Park / Amenities Upgrades	Kingaroy Park Redevelopment of Lions Park		\$100,000	
Wondai Park / Amenities Upgrades	Upgrade amenities x 3 [McKell, Dingo Creek & Coronation].		\$100,000	
Regional Park / Amenities Upgrades	Benarkin Park renewal		\$140,000	
Water Infrastructure Upgrades		\$2,000,000		
Mt Wooroolin Reservoir	Design Phase			\$250,000
			\$1,190,000	\$800,000
	Allocation	\$5,630,000		
	Current Projects Total	\$1,600,000		
	Unconfirmed Balance	\$3,930,000		

CARRIED 7/0

The Amendment became the motion

RESOLUTION 2021/278

Moved: Cr Kirstie Schumacher

Seconded: Cr Gavin Jones

That Council endorse the following projects for completion under the 2021 - 2024 Works for Queensland Program with the program balance yet to be confirmed.

Project Type / Project Title	Description	Proposed allocation	21/22	22/23
CBD Renewal - Infrastructure Upgrades		\$1,000,000		
Kumbia CBD	Improve entry aesthetics and accessibility on Bell St, Kumbia.			\$300,000
Community Building Upgrades and Maintenance		\$830,000		
Murgon			\$180,000	
Across Region	Operational maintenance		\$100,000	\$100,000
Open Space Refurbishments		\$1,800,000		
Aerodrome Fencing	Kingaroy and Wondai		\$370,000	
Murgon Park / Amenities Upgrades	QEII Park renewal		\$150,000	\$150,000
Proston Parks	Railway Park renewal		\$50,000	
Kingaroy Park / Amenities Upgrades	Kingaroy Park Redevelopment of Lions Park		\$100,000	
Wondai Park / Amenities Upgrades	Upgrade amenities x 3 [McKell, Dingo Creek & Coronation].		\$100,000	
Regional Park / Amenities Upgrades	Benarkin Park renewal		\$140,000	
Water Infrastructure Upgrades		\$2,000,000		
Mt Wooroolin Reservoir	Design Phase			\$250,000
			\$1,190,000	\$800,000
	Allocation	\$5,630,000		
	Current Projects Total	\$1,600,000		
	Unconfirmed Balance	\$3,930,000		

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 2:37 pm, Cr Kirstie Schumacher, having earlier informed the meeting of a declarable conflict of interest in Item 14.10 and her decision to voluntarily not participate in the decision on this matter, left

the place at which the meeting was held, including any area for the public and stayed away while the matter was discussed and voted on.

MOTION

RESOLUTION 2021/279

Moved: Cr Brett Otto
 Seconded: Cr Danita Potter

That Item 14.10 be dealt with at today’s meeting.

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

Against: Nil

CARRIED 6/0

14.10 BUNYA MOUNTAINS COMMUNITY ASSOCIATION INC - APPLICATION UNDER STRONGER COMMUNITIES PROGRAMME ROUND 7

RESOLUTION 2021/280

Moved: Cr Gavin Jones
 Seconded: Cr Kathy Duff

That Council endorse the Bunya Mountains Community Association Inc’s “*Allan Stirling Memorial Park Accessibility Project*” application under Round 7 of the Stronger Communities Programme.

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

Against: Nil

CARRIED 6/0

Attendance:

At 2:38 pm, Cr Kirstie Schumacher returned to the meeting.

15 PORTFOLIO - REGIONAL DEVELOPMENT

15.1 BOONDOOMA DAM FISH STOCKING ASSOCIATION - YELLOWBELLY COMPETITION 2022

RESOLUTION 2021/281

Moved: Cr Gavin Jones
 Seconded: Cr Kirstie Schumacher

That South Burnett Regional Council support the Boonooma Dam Fish Stocking Association with in-kind support for the 2022 Yellowbelly Competition and delegate the Chief Executive Officer to finalise the assistance.

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

Against: Nil

CARRIED 7/0

16 NOTICES OF MOTION

16.1 NOTICE OF MOTION - BATTLE OF THE BANDS/MUSICAL FESTIVAL

RESOLUTION 2021/282

Moved: Cr Danita Potter

Seconded: Cr Roz Frohloff

That the South Burnett Regional Council support, by way of in-kind, facility and insurance, the “Burnett Bands Together” Music Festival which is a free concert for all.

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

Against: Nil

CARRIED 7/0

16.2 NOTICE OF MOTION - BLACKBUTT CBD

RESOLUTION 2021/283

Moved: Cr Gavin Jones

Seconded: Cr Kirstie Schumacher

That South Burnett Regional Council commit \$300,000 from Local Roads and Community Infrastructure Program Round 3 to the Blackbutt CBD project in addition to the funding already allocated.

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

Against: Nil

CARRIED 7/0

16.2.1 QUESTION ON NOTICE - BLACKBUTT CBD

Question on notice from Cr Duff:

It was resolved at the October Infrastructure Standing Committee that an update of Blackbutt CBD works to be included in reporting each month. On 3 November 2021 there was an Infrastructure Standing Committee meeting and it just said that footpath renewal procurement currently underway in the portfolio report and amount of actual expenditure of \$96,891 and a budget amount of \$1,305,000. Why aren't we getting a more detailed breakdown of works? Is it possible for you to provide us with the costings of the project to date and what the additional money is being spent on? Report to the December Ordinary Meeting of Council.

17 INFORMATION SECTION

17.1 DELEGATED AUTHORITY REPORTS

RESOLUTION 2021/284

Moved: Cr Roz Frohloff
 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

17.2 LIST OF CORRESPONDENCE PENDING COMPLETION OF ASSESSMENT REPORT

RESOLUTION 2021/285

Moved: Cr Danita Potter
 Seconded: Cr Scott Henschen

That the List of Correspondence pending completion of Assessment 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 QUESTIONS ON NOTICE

Nil

Attendance:

At 2:50 pm, Cr Kirstie Schumacher, having earlier informed the meeting of a declarable conflict of interest in Item 19.1 and her decision to voluntarily not participate in the decision on this matter, left the place at which the meeting was held, including any area for the public and stayed away while the matter was discussed and voted on.

19 CONFIDENTIAL SECTION

RESOLUTION 2021/286

Moved: Cr Danita Potter
 Seconded: Cr Gavin Jones

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 South Burnett Community Hospital

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 and Scott Henschen

Against: Nil

CARRIED 6/0

RESOLUTION 2021/287

Moved: Cr Brett Otto
 Seconded: Cr Scott Henschen

That Council moves out of Closed Council into Open Council.

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

Against: Nil

CARRIED 6/0

19.1 SOUTH BURNETT COMMUNITY HOSPITAL

RESOLUTION 2021/288

Moved: Cr Danita Potter
 Seconded: Cr Gavin Jones

Further to Council’s resolution no. 2021/236, Council resolves, under *Local Government Act 2009*, section 257, to delegate to the chief executive officer of Council the power under section 262(3) of the *Act* to negotiate, finalise and execute a contract for the sale of the Land and Assets as identified in the schedule between Council and South Bank Medical Group Limited, on terms and conditions generally in accordance with the terms and conditions of the draft REIQ commercial land and buildings sale contract and Annexures A, B and C (**draft sale contract**) tabled before Council together with such additional amendments as the chief executive officer, in his opinion, reasonably considers are satisfactory to Council.

Schedule

(The Land and the Assets)

The **Land** comprising:

- (a) lot 4 on SP146001;
- (b) lot 5 on SP146001; and
- (c) lot 2 on RP7925.

The **Assets** comprising all of the plant, equipment, fixtures, fittings and chattels itemised in:

- (a) the worksheet tabbed “Council” (comprising 18 asset line items) within the Excel spreadsheet document entitled “Property Listing #1 Asset Listing – Hospital August 2021”, (comprising 2 active worksheets); and

- (b) each of the worksheets tabbed as follows: “Fixed Assets”; “Artwork Assets”; “Mobile Assets”; “IT Equipment” and “Small Surgical Equipment” that comprise the Excel spreadsheet document entitled “Property Listing #2 Hospital Asset Count – 3 September 2021”,

but excluding:

- (c) The Artwork Assets listed in the document entitled "Lady Bjelke-Petersen Community Hospital Asset Audit Artwork Assets", contained In Annexure B to the draft sale contract; and
- (d) Foundation Property being all plant, equipment, fittings, and chattels owned by the South Burnett Community Hospital Foundation Limited A.C.N. 099 686 647 (“Foundation”) or to which the Foundation is entitled to possession (other than Seller Property referred to in Item J of the draft sale contract, and the Artworks Assets listed in subparagraph (c) above) as itemised in the worksheet tabbed “Foundation” (comprising 87 Asset Line Items) within the Excel spreadsheet document entitled “Property Listing #1 Asset Listing – Hospital August 2021” (comprising 2 active worksheets).

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

Against: Nil

CARRIED 6/0

RESOLUTION 2021/289

Moved: Cr Gavin Jones

Seconded: Cr Kathy Duff

1. Council, the sole member of the company, South Burnett Community Hospital Foundation Limited A.C.N. 099 686 647 (**Company**), specially resolves that it approves the Company taking the action, under the Company’s constitution rule 3.8(2)(k), to dispose of more than 10% of the Business at one time, being the disposal of all plant, equipment, fittings and chattels owned by the Company situated within the premises located at lot 4 on SP146001, lot 5 on SP146001 and lot 2 on RP7925 (**the Land**), as itemised in the worksheet tabbed “Foundation” (comprising 87 asset line items) in the Excel spreadsheet document entitled “Property Listing #1 Asset Listing – Hospital August 2021” (comprising two active worksheets) but excluding, if listed in the foregoing Excel spreadsheet, any plant, equipment, fixtures, fittings and chattels situated within those premises either:
 - (a) owned by Council or to which Council is entitled to possession; or
 - (b) to which the Company is entitled to possession but does not own,
 which disposal is to be made to the South Bank Medical Group Ltd A.C.N. 614 558 235 (**SBMG**), in exchange for consideration to be paid by SBMG to the Company in an amount determined by the Company’s Board and agreed to by SBMG, and is to occur either contemporaneously with SBMG becoming, or after (but not before) SBMG becomes, the owner of the Land.
2. Further, Council resolves, pursuant to *Local Government Act* section 257, to delegate to the chief executive officer of Council the authority under *Local Government Act* section 236 to sign a record of the passage of the special resolution made by Council under paragraph 1, for the purpose of recording the special resolution in the Company’s minute books in accordance with the Company’s constitution rules 3.1 and 3.9.

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

Against: Nil

CARRIED 6/0

**South Burnett Community Hospital Foundation Limited
A.C.N. 099 686 647
Special Resolution under Constitution Rules 3.1, 3.8(2)(k) and 3.9 to
Dispose of More than 10% of the Business at one time**

SPECIAL RESOLUTION:

South Burnett Regional Council, the sole member of the Company, resolves that it approves the Company taking the action, under the Company’s constitution rule 3.8(2)(k), to dispose of more than 10% of the Business at one time, being the disposal of all plant, equipment, fittings and chattels owned by the Company situated within the premises located at lot 4 on SP146001, lot 5 on SP146001 and lot 2 on RP7925 (**the Land**), as itemised in the worksheet tabbed “Foundation” (comprising 87 asset line items) in the Excel spreadsheet document entitled “Property Listing #1 Asset Listing – Hospital August 2021” (comprising two active worksheets) but excluding, if listed in the foregoing Excel spreadsheet, any plant, equipment, fixtures, fittings and chattels situated within those premises either:

- (a) owned by Council or to which Council is entitled to possession; or
 - (b) to which the Company is entitled to possession but does not own,
- which disposal is to be made to the South Bank Medical Group Ltd A.C.N. 614 558 235 (**SBMG**), in exchange for consideration to be paid by SBMG to the Company in an amount determined by the Company’s Board and agreed to by SBMG, and is to occur either contemporaneously with SBMG becoming, or after (but not before) SBMG becomes, the owner of the Land.

Date:, 2021.

South Burnett Regional Council (as the sole member of the Company) is in favour of the special resolution to dispose of more than 10% of the Business at one time as stated in this instrument.

South Burnett Regional Council

by its delegate pursuant to *Local Government Act*, section 236:

.....
Mark Pitt, Chief Executive Officer

20 CLOSURE OF MEETING

The Meeting closed at 3.17pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 15 December 2021.

.....
CHAIRPERSON