



SOUTH BURNETT
REGIONAL COUNCIL

MINUTES

Ordinary Council Meeting
Wednesday, 24 August 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, 24 AUGUST 2022 AT 9.00AM**

PRESENT:

Councillors:

Cr Gavin Jones (Deputy Mayor), Cr Jane Erkens, 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 Liveability), Aaron Meehan (Manager Kingaroy Transformation Project), Joanne Newbery (Communications Officer), Kerri Anderson (Manager Finance & Sustainability), Jim Willmott (Coordinator NRM), Bree Hunt (Executive Assistant)

1 OPENING

The Deputy Mayor opened the meeting and welcomed all attendees.

2 LEAVE OF ABSENCE / APOLOGIES

APOLOGY

RESOLUTION 2022/78

Moved: Cr Gavin Jones
Seconded: Cr Kirstie Schumacher

That the apology received from Mayor Brett Otto and Cr Kathy Duff be accepted and leave of absence granted.

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

Against: Nil

CARRIED 5/0

3 PRAYERS

A representative of the Kingaroy District Minister's Association, Pastor Lethan Fitzpatrick offered prayers for Council and for the conduct of the Council meeting.

4 ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

Deputy Mayor Jones 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 agenda **Item 15.2 - Alan Stirling Memorial Park - Design of Concept Plans**.

This declarable conflict of interest arises as I own an investment property at the Bunya Mountains.

This matter was resolved at the Liveability Standing Committee Meeting on 10 August 2022 – Resolution Number 2022/32.

6 DEPUTATIONS/PETITIONS

6.1 PETITION - AVOCA PLACE NANANGO

RESOLUTION 2022/79

Moved: Cr Kirstie Schumacher

Seconded: Cr Jane Erkens

That the Petition be received and referred to the Chief Executive Officer to reply in accordance to Council resolution (2022/94) in Item 11.1.

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

Against: Nil

CARRIED 5/0

6.2 PETITION - MURGON DOG PARK

RESOLUTION 2022/80

Moved: Cr Jane Erkens

Seconded: Cr Kirstie Schumacher

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 Gavin Jones, Jane Erkens, Danita Potter, Kirstie Schumacher and Scott Henschen

Against: Nil

CARRIED 5/0

7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

7.1 MINUTES OF THE COUNCIL MEETING HELD ON 20 JULY 2022

RESOLUTION 2022/81

Moved: Cr Scott Henschen

Seconded: Cr Danita Potter

That the Minutes of the Council Meeting held on 20 July 2022 be received and the recommendations therein be adopted.

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

Against: Nil

CARRIED 5/0

8 BUSINESS OUTSTANDING

8.1 BUSINESS OUTSTANDING TABLE FOR ORDINARY COUNCIL MEETING

RESOLUTION 2022/82

Moved: Cr Danita Potter

Seconded: Cr Scott Henschen

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

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

Against: Nil

CARRIED 5/0

9 NOTICES OF MOTION

9.1 NOTICE OF MOTION - SOCIAL HOUSING IN HIVESVILLE

RESOLUTION 2022/83

Moved: Cr Jane Erkens

Seconded: Cr Kirstie Schumacher

Procedural Motion:

That the matter be lifted from the table.

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

Against: Nil

CARRIED 5/0

MOTION

Moved: Cr Kathy Duff
 Seconded: Cr Jane Erkens

That 9 Barr St Hivesville be withdrawn from sale and the land be designated as a 'social housing asset' and that expressions of interest be sought from not-for-profit organisations to construct affordable housing through an agreement with Council to accommodate a local family within Hivesville.

RESOLUTION 2022/84

Moved: Cr Scott Henschen
 Seconded: Cr Jane Erkens

Procedural Motion:

With the consent of the meeting the motion was withdrawn.

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

Against: Nil

CARRIED 5/0

9.2 NOTICE OF MOTION - SCHOOL BASED COVID VACCINATION PROGRAM

MOTION

Moved: Cr Jane Erkens
 Seconded: Cr Gavin Jones

That Council approach Darling Downs Health as to the possibility of offering school based Moderna vaccinations within schools across the South Burnett.

In Favour: Cr Jane Erkens

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

LOST 1/4

9.3 NOTICE OF MOTION - IN-KIND SUPPORT FOR KUMBIA HALL CENTENARY

RESOLUTION 2022/85

Moved: Cr Scott Henschen
 Seconded: Cr Danita Potter

That South Burnett Regional Council:

1. Provide in-kind support to the Kumbia Hall Committee for the Centenary celebrations to be held between Saturday 3 and Sunday 4 September 2022.
2. Delegate authority to the Chief Executive Officer to negotiate and approve such based on available Council resources.

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

Against: Nil

CARRIED 5/0

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

10.1 ACTING CHIEF EXECUTIVE OFFICER

RESOLUTION 2022/86

Moved: Cr Kirstie Schumacher
 Seconded: Cr Danita Potter

That South Burnett Regional Council approves the Chief Executive Officer leave from 31 August 2022 to 14 September 2022 and appoints the General Manager Liveability as Acting Chief Executive Officer.

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

Against: Nil

CARRIED 5/0

10.2 ASSIGNMENT OF COUNCILLOR PORTFOLIO REPRESENTATION

RESOLUTION 2022/87

Moved: Cr Kirstie Schumacher
 Seconded: Cr Danita Potter

That the following Councillor portfolios be assigned:

<i>Portfolio</i>	<i>Portfolio Councillor</i>
<i>Corporate Governance & Strategy People & Culture Communications & Media Finance & Sustainability ICT & Business Systems Community Representation and Advocacy 2032 Olympics</i>	<i>Mayor Brett Otto</i>
<i>Rural Resilience and Disaster Recovery Parks & Gardens Property & Facility Management First Nations Affairs</i>	<i>Cr Kathy Duff</i>
<i>Community Development, • Health, Youth, Senior citizens Arts & Heritage Disaster Management Waste and Recycling Management Library Services</i>	<i>Cr Danita Potter</i>
<i>Tourism & VICs Sport & Recreation Commercial Enterprises • Saleyards, Dams, Aerodromes, Cemeteries</i>	<i>Cr Jane Erkens</i>

<p><i>Regional Development</i></p> <ul style="list-style-type: none"> • <i>Industry, Agriculture, Water security, Energy and circular economy</i> <p><i>Development Services</i></p> <ul style="list-style-type: none"> • <i>Planning, Building, Plumbing</i> <p><i>Community & Social Housing</i></p>	<p><i>Cr Kirstie Schumacher</i></p>
<p><i>Natural Resource Management</i></p> <ul style="list-style-type: none"> • <i>Rural Services</i> • <i>Agricultural Innovation</i> <p><i>Compliance</i></p> <p><i>Environment Health</i></p>	<p><i>Cr Scott Henschen</i></p>
<p><i>Infrastructure Planning Works (Construction & Maintenance)</i></p> <p><i>Water & Wastewater</i></p> <p><i>Plant and Fleet</i></p>	<p><i>Cr Gavin Jones</i></p>

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

Against: Nil

CARRIED 5/0

10.2.1 COUNCIL STANDING COMMITTEES REVIEW

RESOLUTION 2022/88

Moved: Cr Kirstie Schumacher

Seconded: Cr Danita Potter

That a report be brought to the September Executive and Finance & Corporate Standing Committee to review the Terms of Reference of Council Standing Committees, Conduct of Council & Committee Meetings Policy and consider the options of two standing committees in comparison to the current three.

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

Against: Nil

CARRIED 5/0

10.3 MONTHLY FINANCIAL INFORMATION

RESOLUTION 2022/89

Moved: Cr Scott Henschen

Seconded: Cr Danita Potter

That the monthly Financial Report including Capital Works and Works for Queensland (W4Q4) as at 31st July 2022 be received and noted.

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

Against: Nil

CARRIED 5/0

10.4 LOANS TO COMMUNITY ORGANISATION - NANANGO AP&M SOCIETY

RESOLUTION 2022/90

Moved: Cr Jane Erkens
Seconded: Cr Scott Henschen

That Council approve a community loan for the Nanango Agricultural, Pastoral & Mining Society Inc for \$30,000 being for the installation of lighting at the Nanango Showground's main arena based on the following conditions:

1. The loan being repaid in full within a three (3) year period;
2. Interest rate of 3.06% be applied (the current debt pool rate for a 3-year loan at the end of July 2022 set by Queensland Treasury);
3. Repayments of the loan to be made on a quarterly basis;
4. A personal guarantee from individuals is provided for the amount of the loan;
5. Missed payments may result in Council recalling the guarantee and;
6. That Nanango AP&M Society ensure they have obtained the appropriate development approval for building work prior to commencing construction of the project

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

Against: Nil

CARRIED 5/0

10.5 PURCHASE OF FIELD UNIFORMS 12 MONTH AGREEMENT

RESOLUTION 2022/91

Moved: Cr Kirstie Schumacher
Seconded: Cr Scott Henschen

That Council approve the recommendation to establish a 12-month supply arrangement for Hi-Visibility Field Uniforms with the Uniform Zone.

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

Against: Nil

CARRIED 5/0

10.6 ENERGY AUCTION OUTCOME

RESOLUTION 2022/92

Moved: Cr Danita Potter

Seconded: Cr Jane Erkens

That South Burnett Regional Council:

1. Accept the new retailer Shell Energy Retail Pty Ltd for the 8 sites for a period of a 24-month contract commencing 01st January 2023.
2. Consider a first quarter financial adjustment to the budget to account for the increase in energy costs.

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

Against: Nil

CARRIED 5/0

10.7 INVENTORY WRITE- OFF

RESOLUTION 2022/93

Moved: Cr Danita Potter

Seconded: Cr Jane Erkens

That Council approve the write-off of pre-consumed inventory that remains on record due to a change in practices and budget responsibilities and that this write-off value be included as a 1st quarter budget adjustment.

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

Against: Nil

CARRIED 5/0**11 PORTFOLIO – ROADS & DRAINAGE**

11.1 NANANGO GROUP TITLE SCHEME'S INFORMATION REPORT

RESOLUTION 2022/94

Moved: Cr Jane Erkens

Seconded: Cr Danita Potter

That South Burnett Regional Council:

1. Note the report and provide the options in this report to the appropriate Body Corporate for their information, and include an option for the body corporate members to engage with property holders and the Commissioner for Body Corporate and Community Management with a view to re-establishing the body corporate as a functioning legal entity in meeting its responsibilities including maintaining the access service way and drainage and to report back to Council with the body corporate members preferred option.

2. Delegate any administrative actions to the Chief Executive Officer as required.

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

Against: Nil

CARRIED 5/0

11.2 KINGAROY TRANSFORMATION PROJECT (KTP) LOCAL SPEND AND BUSINESS OCCUPANCY

RESOLUTION 2022/95

Moved: Cr Kirstie Schumacher

Seconded: Cr Danita Potter

That Council note the report.

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

Against: Nil

CARRIED 5/0

11.2.1 KINGAROY TRANSFORMATION PROJECT

RESOLVED 2022/96

A report to be brought back detailing how many indirect and direct jobs were created from the spend of the Building Better Regions Fund and to work with RDA on obtaining the calculations on finalisation of the KTP.

11.3 KINGAROY CBD PARKING & OPERATIONS

RESOLUTION 2022/97

Moved: Cr Danita Potter

Seconded: Cr Scott Henschen

That South Burnett Regional Council:

1. Undertake public consultation regarding the introduction of P10 parking in and around the Kingaroy Post Office in accordance with the map in Attachment 1;
2. Undertake public consultation regarding introducing parking regulation and restriction within the Kingaroy CBD and;
3. Undertake public consultation to seek feedback from business owners and the community in relation to smoking within the Kingaroy CBD.

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

Against: Nil

CARRIED 5/0

Attendance:

At 10:02am, Communications Officer Joanne Newbery left the meeting.

At 10:03am, Communications Officer Joanne Newbery returned to the meeting.

11.4 LRCI PHASE 3 EXTENSION

MOTION

Moved: Cr Scott Henschen

Seconded: Cr Jane Erkens

That the following projects are scoped and costed with a view to Council applying the \$1,644,465 of LRCI phase 3 extension funding in the 2023/2024 year to these capital projects and a report be brought to the November 2022 Infrastructure Standing Committee Meeting, including capital and whole of life costings for consideration:

- Wondai Industrial Estate stage 2;
- Haly street Wondai drainage and road sealing;
- Alford street east Kingaroy - stage 1 rehabilitation;
- Gore street Murgon SHS kerb and channelling / parking.

RESOLUTION 2022/98

Moved: Cr Kirstie Schumacher

Seconded: Cr Scott Henschen

Procedural Motion:

That the matter lay on the table until all projects are discussed for LRCI funding and a workshop be scheduled.

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

Against: Nil

CARRIED 5/0

11.5 LRCI FUNDING VARIATION OPTIONS - W4Q

RESOLUTION 2022/99

Moved: Cr Jane Erkens

Seconded: Cr Scott Henschen

That South Burnett Regional Council reallocate \$250,000 from the W4Q funding in 2022/2023 for the Kingaroy Memorial Park master plan to the Tipperary Flat Park renewal.

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

Against: Nil

CARRIED 5/0

11.5.1 QUESTION ON NOTICE - WATER FEATURE AT TIPPERARY FLAT PARK

Question on Notice from Cr Gavin Jones:

What is the scoping and costing for a repaired or new water feature at Tipperary Flat Park?

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

Attendance:

At 10:16am, Manager Finance and Sustainability Kerri Anderson left the meeting.

At 10:18am, Coordinator NRM Jim Willmott entered the meeting.

12.1 COMMUNITY FORUM

RESOLUTION 2022/100

Moved: Cr Jane Erkens

Seconded: Cr Danita Potter

That South Burnett Regional Council hold an open community forum/s inviting residents to bring forward projects they wish to draw to Council’s attention for future capital works programs.

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

Against: Nil

CARRIED 5/0

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

13.1 FERAL PIG MANAGEMENT

RESOLUTION 2022/101

Moved: Cr Scott Henschen

Seconded: Cr Kirstie Schumacher

That South Burnett Regional Council:

- Scope a project plan to manage and control a feral pig population and provide indicative costs to bolster controls and education awareness programs;
- Schedule a meeting with our neighbouring Council’s NRM teams to discuss a collaborative approach to feral pig management and shared target to suppress feral pig populations;
- Work with Queensland Biosecurity officers to coordinate a mock exercise with key industry stakeholders and Council’s Disaster Management Team;
- Establish a working group and develop a biosecurity plan that is fit for purpose for our region;
- That these measures are reported back to consecutive Liveability Standing Committee Meeting’s to demonstrate that these matters are progressed and;

- Introduce an elevated media campaign.

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

Against: Nil

CARRIED 5/0

Attendance:

At 10:18am, Executive Assistant Bree Hunt left the meeting.
 At 10:20am, Executive Assistant Bree Hunt returned to the meeting.
 At 10:24am, Cr Danita Potter left the meeting.
 At 10:26am, Cr Danita Potter returned to the meeting.

13.2 WEED AND FERAL ANIMAL MANAGEMENT ISSUES

RESOLUTION 2022/102

Moved: Cr Scott Henschen
 Seconded: Cr Danita Potter

1. That the report be received, and Council adopt the attached Emergency Response Plans, as presented.
2. That Council’s NRM section continue to progress the implementation of each Emergency Response Plan with updates to Council on a regular basis.

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

Against: Nil

CARRIED 5/0

13.2.1 QUESTION ON NOTICE - FOOT AND MOUTH DISEASE SIGNAGE

Question on Notice from Cr Scott Henschen:

Has there been any progress for signage around the region informing the community/tourists about Foot and Mouth Disease?

Attendance:

At 10:30am, Coordinator NRM Jim Willmott left the meeting.

13.3 RECONFIGURING A LOT (1 LOT INTO 3 LOTS) AT 272 MOUNT MCEUEN ROAD, MOUNT MCEUEN (AND DESCRIBED AS LOT 221 ON FY1361) - APPLICANT: BRUCE AND ANDREA ANNING C/- ONF SURVEYORS

RESOLUTION 2022/103

Moved: Cr Danita Potter
 Seconded: Cr Scott Henschen

That Council approve the development permit for a Reconfiguring a lot (1 lot into 3 lots) at Mount McEuen Road, Mount McEuen (and described as Lot 221 on FY1361) and situated - Applicant: Bruce and Andrea Anning C/- ONF Surveyors.

GENERAL

GEN1. The approved development must be completed and maintained generally in accordance with the approved plans and documents, except where amended by the conditions of this permit:

Drawing Title	Prepared by	Ref No.	Rev.	Date
Proposed Subdivision	ONF Surveyors	10357p/1	-	1/3/2022
Sight Distance Report	ATC Engineers and Project Managers	-	1.0	12/5/2022

Timing: At all times.

GEN2. All works, including the repair or relocation of services is to be completed at no cost to Council.

COMPLIANCE

GEN4. 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.

OUTSTANDING FEES

GEN5. Prior to sealing of Survey Plan 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 Regulation 2017.

SURVEY MARKS

RAL1. Prior to the submission of the Survey Plan to Council, the applicant is to reinstate survey Marks and install new survey marks in their correct position in accordance with the Survey Plan, and the work is to be certified in writing by a Licensed Surveyor.

VALUATION FEES

RAL2. Payment of Department of Natural Resources and Mines valuation fee that will result from the issue of split valuations prior to Council sealing the Survey Plan. The contribution is currently assessed at \$96.00 (2 x \$48.00); however, the actual amount payable will be based on Council’s Register of Regulatory & Cost-Recovery Fees and the rate applicable at the time of payment.

PLANNING

RAL3. All development involving the emission of noise, odour and dust from ongoing uses, building and/or construction activities, must ensure that the emissions are in accordance with the requirements of the Environmental Protection Act 1994.

Timing: As indicated.

PROPERTY BOUNDARIES

RAL4. All existing on-site structure, dams and sewerage treatment facilities including transpiration and irrigation areas are to be relocated so as not to cross the proposed property boundary.

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 Council's endorsement of the Survey Plan unless stated otherwise.
- ENG2. Undertake Engineering designs and construction in accordance with the Planning Scheme, Council Standards, relevant Australian Standards, and relevant design manuals.
- ENG3. Be responsible for any alteration 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 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.
- ENG7. Adjoining properties and roadways to the development are to be protected from ponding or nuisance from stormwater as a result of any site works undertaken as part of the proposed development.

WATER SUPPLY

- ENG8. Future dwellings shall provide on-site water storage with a minimum capacity of 45kl.

ON-SITE WASTEWATER TREATMENT

- ENG9. Future Dwellings must be connected to an on-site wastewater disposal system, in accordance with AS 1547 and the Queensland Plumbing and Wastewater Code.

Timing: Prior to the issue of a Building Approval for a future Dwelling on the proposed lots.

VEHICLE ACCESS

- ENG10. Accesses are to be constructed in accordance with Council Standard Drawing 00049.
- ENG11. All accesses shall be located in accordance with Figure 2 of the Sight Distance Report prepared by ATC Engineers and Project Managers, version 1.0 dated 12 May 2022.
- ENG12. The proposed access location for proposed Lot 4 on Dip Road is to be a minimum 180m from the intersection with Mount McEuen Road.
- ENG13. Carry out the recommendations contained in the 'Conclusion' of the Sight Distance Report prepared by ATC Engineers and Project Managers, version 1.0 dated 12 May 2022

TELECOMMUNICATION AND ELECTRICITY

- ENG14. Provide telecommunications to all lots within the development.

ENG15. Prior to Council sealing the Survey Plan the applicant is to provide each lot with an electricity supply. The standards of service nominated by the electricity supply authority with reticulated electricity to be made available at the property boundary.

SERVICES - EXISTING CONNECTIONS

ENG16. Ensure that all services provided to the existing house on proposed Lot 5 are wholly located within the lot(s) it serves.

EROSION AND SEDIMENT CONTROL - GENERAL

ENG17. Ensure that all reasonable actions are taken to prevent sediment or sediment laden water from being transported to adjoining properties, roads and/or stormwater drainage systems.

STANDARD ADVICE

ADV1. Section 85(1)(a) of the *Planning Act 2016* provides that, if this approval is not acted upon within a period of four (4) years the approval will lapse.

ADV2. 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 assessment to ascertain the presence or otherwise of Aboriginal Cultural Heritage. The Act and the associated duty of care guidelines explain your obligations in more detail and should be consulted before proceeding. A search can be arranged by visiting <https://www.datsip.qld.gov.au> and filling out the Aboriginal and Torres Strait Islander Cultural Heritage Search Request Form.

ADV3. Attached for your information is a copy of Chapter 6 of the Planning Act 2016 as regards Appeal Rights.

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

Against: Nil

CARRIED 5/0

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

14.1 ADOPTION OF STATE RECOVERY AND RESILIENCE PLAN 2022-24

RESOLUTION 2022/104

Moved: Cr Kirstie Schumacher

Seconded: Cr Jane Erkens

That the State Recovery and Resilience Plan 2022-24 and Companion Document to the State Recovery and Resilience Plan -2021-22 Southern Queensland Floods be received.

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

Against: Nil

CARRIED 5/0

14.2 WIDE BAY BURNETT REGIONAL WASTE STEERING COMMITTEE

RESOLUTION 2022/105

Moved: Cr Kirstie Schumacher
 Seconded: Cr Scott Henschen

That the Waste and Recycling Portfolio holder Councillor Danita Potter be nominated as Council’s delegate for the Wide Bay Burnett Regional Waste Steering Committee and invited to the relevant meetings.

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

Against: Nil

CARRIED 5/0

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

15.1 GRANT APPLICATION - TOURISM EXPERIENCE DEVELOPMENT FUND

RESOLUTION 2022/106

Moved: Cr Kirstie Schumacher
 Seconded: Cr Danita Potter

1. That Council develop and submit an application to the Tourism Experience Development Fund for the following capital works plan.

Project	Description
Install (9) new split air-conditioners into cabins. Bjelke-Petersen Dam	Upgrade air conditioners
Install new Vinyl in Kiosk Kitchen (compliance with food safety) Bjelke-Petersen Dam	Upgrade flooring to improve functionality of Kiosk Kitchen
Sand & Polish Kiosk Public Area. Bjelke-Petersen Dam	Upgrade Kiosk flooring.
Purchase & Installation of New Carports. Bjelke-Petersen Dam	Install Cabin carports
Installation of Shower in Accommodation/Contractors facility. Bjelke-Petersen Dam	Install new showers to single cabin accommodation.
Boondooma Kiosk improvements	Internal & external paint, carpet & A/C
	Total project costs: \$200,000

2. That the current capital works program allocation of \$127,000 be earmarked for this project and subject to the grant application being approved, an additional \$23,000 be provided in the 1st quarter capital budget review to fund Council’s portion of the total project costs (i.e., 75% \$150,000 of total project cost of \$200,000).

3. That should the grant application be unsuccessful a revised capital works program be prepared with a reduced scope of works matching the original budget allocation of \$127,000.

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

Against: Nil

CARRIED 5/0

15.2 ALAN STIRLING MEMORIAL PARK - DESIGN OF CONCEPT PLANS

RESOLUTION 2022/107

Moved: Cr Scott Henschen

Seconded: Cr Danita Potter

That:

1. The development of concept plan for Alan Stirling Memorial Park be added to the Operational Plan for 2023/2024 and;
2. Scope of works and costing for the concept plan be considered in the 2023/2024 Budget.

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

Against: Nil

CARRIED 5/0

15.3 KINGAROY LIONS PARK - TOILET UPGRADES

MOTION

Moved: Cr Danita Potter

Seconded: Cr Scott Henschen

That:

1. The Kingaroy Lions Park amenities is replaced with a new accessible and total inclusive amenity, and;
2. Additional allocation of \$190,000 for the construction of a new amenity, footpaths, and PWD carpark be provided from Building Asset Restricted Cash in 2022/2023.

RESOLUTION 2022/108

Moved: Cr Kirstie Schumacher

Seconded: Cr Jane Erkens

Procedural Motion:

That the matter lay on the table and an on-site meeting with Councillors and Council staff to discuss the options be arranged.

In Favour: Crs Gavin Jones, Jane Erkens, Kirstie Schumacher and Scott Henschen

Against: Cr Danita Potter

CARRIED 4/1

15.4 BOONDOOMA HOMESTEAD - CONSERVATION MANAGEMENT PLAN

RESOLUTION 2022/109

Moved: Cr Scott Henschen
Seconded: Cr Jane Erkens

That the Boondooma Homestead Conservation Management Plan is endorsed as the principal guiding tool for the owners and managers of Boondooma Homestead to direct the future management, maintenance, and conservation works, adaptive reuse, new works, potential future uses, and interpretation of the heritage place.

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

Against: Nil

CARRIED 5/0

15.5 MURGON ADMINISTRATION BUILDING BOUNDARY REALIGNMENT

RESOLUTION 2022/110

Moved: Cr Kirstie Schumacher
Seconded: Cr Jane Erkens

That South Burnett Regional Council:

1. Apply to the Department of Resources, for a deed of grant over Lot 2 on M55131, which is a Reserve for Local Government, and set aside \$40,000 in the 2022-23 budget to convert tenure to freehold, undertake the realignment of the boundaries and relocation of water infrastructure servicing Council's administration building.
2. Approve, in accordance with Section 236 of the *Local Government Regulation 2012* as a disposal of a non-current asset to a not-for profit organisation, to dispose part of the Reserve for Local Government (being Lot 2 on M55131), which is subject to an encroachment by the Returned & Services League of Australia (Queensland Branch) Murgon Sub-Branch Inc.
3. Accept the gift of land, being that part of L110 on SP315753, which is encroached upon by ancillary improvements of the Murgon administration building (carpark and hedges).

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

Against: Nil

CARRIED 5/0

15.6 GIFT OF LAND - RETURNED SERVICES LEAGUE - KINGAROY

RESOLUTION 2022/111

Moved: Cr Kirstie Schumacher

Seconded: Cr Jane Erkens

That South Burnett Regional Council investigate further the availability of Council-owned land to transfer to the Kingaroy/Memerambi Sub Branch Inc of the Returned Services League, for nil consideration in accordance with Section 236(1)(b)(ii) of the *Local Government Regulation 2012*.

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

Against: Nil

CARRIED 5/0

15.7 INCONTINENCE BINS FOR PUBLIC AMENITIES

RESOLUTION 2022/112

Moved: Cr Scott Henschen

Seconded: Cr Danita Potter

A 6-month trial take place for incontinence bins at 5 Council's halls – Nanango, Kingaroy, Murgon, Wondai and Proston.

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

Against: Nil

CARRIED 5/0

15.8 TENDER EVALUATION FOR THE MANAGEMENT AND OPERATION OF THE WONDAI SWIMMING POOL

RESOLUTION 2022/113

Moved: Cr Scott Henschen

Seconded: Cr Danita Potter

That South Burnett Regional Council award tender SBRC-21/22-16 to Natalie Mann as per their tender price submitted.

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

Against: Nil

CARRIED 5/0

15.9 TENDER - SBRCQ2122_75 LEASE OF SHOPS - LAMB STREET MURGON

RESOLUTION 2022/114

Moved: Cr Danita Potter

Seconded: Cr Jane Erkens

That South Burnett Regional Council:

1. In accordance with s226 (1) of the *Local Government Regulation 2012*, enter into a lease with the Cornerstone Christian Ministries Inc. for part of Lot 1 on M55124 known as Shop 70 for a term of 12 months with four (4) options of 12 months for an annual rental of \$10,400 plus GST with fixed annual rental increases of 3%.
2. Delegates to the Chief Executive Officer the power to negotiate finalise and execute the Lease between Council and the Cornerstone Christian Ministries Inc. on terms and conditions as offered in tender SBRCQ2122_75 and that the Chief Executive Officer reasonably considers are satisfactory to Council.

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

Against: Nil

CARRIED 5/0

15.10 LEASE - 66 & 68 LAMB STREET MURGON

RESOLUTION 2022/115

Moved: Cr Kirstie Schumacher

Seconded: Cr Scott Henschen

That South Burnett Regional Council:

1. In accordance with s236 (1)(a)(i) of the *Local Government Regulation 2012* enter into a lease with Serendipity (WA) Pty Ltd, trading as Advanced Personnel Management for part of Lot 1 on M55124 known as Shop 66 and 68 for a term of three (3) years for a rental amount of \$35,000 per annum plus GST with an annual rental increase of 3%.
2. Provide six (6) months rental free from the commencement of the lease.
3. Delegates to the Chief Executive Officer the power to negotiate finalise and execute the Lease between Council and Serendipity (WA) Pty Ltd, trading as Advance Personnel Management on terms and conditions that the Chief Executive Officer reasonably considers are satisfactory to Council.

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

Against: Nil

CARRIED 5/0

15.11 RENEWAL OF LICENCE TO OCCUPY - BARAMBAH AND DISTRICT AERO CLUB - AERODROME BUILDING

RESOLUTION 2022/116

Moved: Cr Kirstie Schumacher

Seconded: Cr Danita Potter

That South Burnett Regional Council:

1. In accordance with s236(1) (b)(ii) of the *Local Government Regulation 2012*, enter into a Licence to Occupy with the Barambah District Aero Club Inc. for the Aero Club Building part of Lot 5 on RP83495 for a term of 5 years with an option for 5 years for a rental amount of \$264.22 per annum (plus GST) with an annual CPI Indexed increase.
2. Delegates to the Chief Executive Officer the power to negotiate finalise and execute the Licence to Occupy between Council and the Barambah District Aero Club Inc. on terms and conditions the Chief Executive Officer considers are satisfactory to Council.

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

Against: Nil

CARRIED 5/0

15.12 RENEWAL OF LICENCE TO OCCUPY - BARAMBAH AND DISTRICT AERO CLUB - GENERAL PURPOSE AREA - TERMINAL BUILDING

RESOLUTION 2022/117

Moved: Cr Danita Potter

Seconded: Cr Jane Erkens

That South Burnett Regional Council:

1. In accordance with s236(1) (b)(ii) of the *Local Government Regulation 2012*, enter into a Licence to Occupy with the Barambah District Aero Club Inc. for General Purpose Area part of Lot 5 on RP83495 for a term of 5 years with an option for 5 years for a rental amount of \$75.00 per annum (plus GST).
2. Delegates to the Chief Executive Officer the power to negotiate finalise and execute the Licence to Occupy between Council and the Barambah District Aero Club Inc. on terms and conditions the Chief Executive Officer considers are satisfactory to Council.

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

Against: Nil

CARRIED 5/0

15.13 RENEWAL OF LEASE - QUEENSLAND POLICE CITIZENS YOUTH WELFARE ASSOCIATION (PCYC)

RESOLUTION 2022/118

Moved: Cr Kirstie Schumacher
 Seconded: Cr Scott Henschen

That South Burnett Regional Council:

1. In accordance with s236(1)(b)(ii) of the *Local Government Regulation 2012*, enter into a Trustee Lease with the Queensland Police – Citizens Association for part of Lot 7 on SP217287 known as Lease Area D, F and J. for a term of ten (10) years for rental amount of \$75.00 per annum (GST exclusive).
2. Delegates to the Chief Executive Officer the power to negotiate finalise and execute the Trustee Lease between Council and the Queensland Police – Citizens Youth Welfare Association on terms and conditions the Chief Executive Officer reasonably considers are satisfactory to Council.

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

Against: Nil

CARRIED 5/0

15.14 RENEWAL OF LICENCE TO OCCUPY - BARAMBAH AND DISTRICT AERO CLUB - HANGAR 6

RESOLUTION 2022/119

Moved: Cr Scott Henschen
 Seconded: Cr Danita Potter

That South Burnett Regional Council:

1. In accordance with s236(1) (b)(ii) of the *Local Government Regulation 2012*, enter into a Licence to Occupy with the Barambah District Aero Club Inc. for Hangar 6 as part of Lot 5 on RP83495 for a term of 5 years with an option for 5 years for a rental amount of \$155.12 (plus GST) with annual CPI reviews.
2. Delegates to the Chief Executive Officer the power to negotiate finalise and execute the Licence to Occupy between Council and the Barambah District Aero Club Inc. on terms and conditions the Chief Executive Officer considers are satisfactory to Council.

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

Against: Nil

CARRIED 5/0

16 PORTFOLIO - REGIONAL DEVELOPMENT

Nil

17 INFORMATION SECTION

17.1 LIST OF CORRESPONDENCE PENDING COMPLETION OF ASSESSMENT REPORT

RESOLUTION 2022/120

Moved: Cr Danita Potter

Seconded: Cr Jane Erkens

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

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

Against: Nil

CARRIED 5/0

17.2 DELEGATED AUTHORITY REPORTS (1 JULY 2022 TO 31 JULY 2022)

RESOLUTION 2022/121

Moved: Cr Jane Erkens

Seconded: Cr Danita Potter

That the Delegated Authority report be received.

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

Against: Nil

CARRIED 5/0

18 QUESTIONS ON NOTICE

Nil

19 CONFIDENTIAL SECTION

RESOLUTION 2022/122

Moved: Cr Gavin Jones

Seconded: Cr Jane Erkens

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 Tender Assessment SBRC-22/23-01 Cleaning of Murgon and Wondai Facilities

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.

19.2 Approval to Accept Offers, and Enter Into to Contracts for the Sale of Land.

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 Consideration to remove assessment 14338-00000-000 from sale of land proceedings

This matter is considered to be confidential under Section 254J - i 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 a matter the local government is required to keep confidential under a law of, or formal arrangement with, the Commonwealth or a State..

19.4 Application to waive interest and legal charges - Assessment 14376-00000-000

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.

19.5 Application to waive legal and interest on Assessment 24579-11700-000

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.

19.6 Undetected Water Leak - Assessment 12459-00000-000

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 Gavin Jones, Jane Erkens, Danita Potter, Kirstie Schumacher and Scott Henschen

Against: Nil

CARRIED 5/0

Attendance:

- At 10:58am, Chief Executive Officer Mark Pitt left the meeting.
- At 10:59am, Coordinator NRM Jim Willmott returned to the meeting.
- At 11:00am, Chief Executive Officer Mark Pitt returned to the meeting.
- At 11:02am, Manager Kingaroy Transformation Project Aaron Meehan left the meeting.
- At 11:03am, Manager Kingaroy Transformation Project Aaron Meehan returned to the meeting.
- At 11:09am, Cr Danita Potter left the meeting.
- At 11:11am, Cr Danita Potter returned to the meeting.
- At 11:12am, Coordinator NRM Jim Willmott left the meeting.

RESOLUTION 2022/123

Moved: Cr Gavin Jones
 Seconded: Cr Danita Potter

That Council moves out of Closed Council into Open Council.

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

Against: Nil

CARRIED 5/0

19.1 TENDER ASSESSMENT SBRC-22/23-01 CLEANING OF MURGON AND WONDAI FACILITIES

RESOLUTION 2022/124

Moved: Cr Jane Erkens
 Seconded: Cr Danita Potter

That the matter lay on the table and further options be brought back.

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

Against: Nil

CARRIED 5/0

19.2 APPROVAL TO ACCEPT OFFERS, AND ENTER INTO TO CONTRACTS FOR THE SALE OF LAND.

RESOLUTION 2022/125

Moved: Cr Danita Potter
 Seconded: Cr Jane Erkens

That:

1. Should an offer be received, Council will accept an offer, and enter into a contract of sale, that is within the market value assessment of:
 - (a) 14 Earl Street, Memerambi
 - (b) 9 Barr Street, Hivesville
2. Delegate to the CEO, to negotiate and enter into a contract for the sale of the properties above, if the offer is outside of this range, but is evidenced by a written valuation report about the market value of land from a valuer registered under the [Valuers Registration Act 1992](#) in accordance with section 236 of the *Local Government Regulation 2012*.

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

Against: Nil

CARRIED 5/0

19.3 CONSIDERATION TO REMOVE ASSESSMENT 14338-00000-000 FROM SALE OF LAND PROCEEDINGS

RESOLUTION 2022/126

Moved: Cr Kirstie Schumacher
 Seconded: Cr Danita Potter

That:

1. Assessment 14338-00000-000 be removed from the current sale of land proceedings and any conditions on which this is reliant upon.
2. That the application to pay by instalments is accepted (once signed by the property owner) under the Rates Collection Policy with interest to be stopped while the payment plan is being upheld.

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

Against: Nil

CARRIED 5/0

19.4 APPLICATION TO WAIVE INTEREST AND LEGAL CHARGES - ASSESSMENT 14376-00000-000

RESOLUTION 2022/127

Moved: Cr Danita Potter
 Seconded: Cr Kirstie Schumacher

That Council agrees to waive legal charges of \$1,036.89 on assessment 14376-00000-000 and \$787.35 in interest charges.

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

Against: Nil

CARRIED 5/0

19.5 APPLICATION TO WAIVE LEGAL AND INTEREST ON ASSESSMENT 24579-11700-000

RESOLUTION 2022/128

Moved: Cr Jane Erkens
 Seconded: Cr Danita Potter

That Council agrees to waive \$701.95 on assessment 24579-11700-000 which is made up of \$503.87 in legal fees and \$198.08 in interest charges.

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

Against: Nil

CARRIED 5/0

19.6 UNDETECTED WATER LEAK - ASSESSMENT 12459-00000-000

RESOLUTION 2022/129

Moved: Cr Jane Erkens
Seconded: Cr Danita Potter

That Council conduct a review of assessment 12459-00000-000 and outstanding undetected water leaks and provide a report to the September Ordinary Meeting of Council and that whilst this review is being undertaken that no penalty be applied to the impacted assessments.

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

Against: Nil

CARRIED 5/0

20 CLOSURE OF MEETING

The Meeting closed at 11:39am.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 28 September 2022.

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CHAIRPERSON