



SOUTH BURNETT
REGIONAL COUNCIL

MINUTES

Ordinary Council Meeting
Wednesday, 28 September 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, 28 SEPTEMBER 2022 AT 9.00AM**

PRESENT:**Councillors:**

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

Council Officers:

Mark Pitt (Chief Executive Officer), Anthony Bills (Acting General Manager Finance & Corporate), Peter O'May (General Manager Liveability), Tim Low (Acting General Manager Infrastructure), Kerri Anderson (Manger Finance & Sustaunability), Joanne Newbery (Communications Officer), James D'Arcy (Manager Infratructure Planning), Leanne Petersen (Manager Facilities & Parks), Michael Lisle (Acting Manager Planning & Environment), Jennifer Pointon (Manager Community & Lifestyle), Rebecca Bayntum (Land Investigations Officer), Bree Hunt (Executive Assistant), Kimberley Donohue (Executive Assistant)

1 OPENING

The Mayor opened the meeting and welcomed all attendees.

2 LEAVE OF ABSENCE / APOLOGIES

Nil

3 PRAYERS

The Mayor led the chamber in the Lords Prayer.

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, Mayor Brett Otto 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 19.2 - Facade Improvement Program**. The nature of my interest is as follows:

This declarable conflict of interest arises as I lease a building in the defined areas of the footprint.

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 Jane Erkens 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 19.2 - Facade Improvement Program**. The nature of my interest is as follows:

This declarable conflict of interest arises as I own two commercial business in the Nanango CBD.

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 Jane Erkens 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 17.9 - Community Connection Local Built - Small grants program**. The nature of my interest is as follows:

This declarable conflict of interest arises as I am the Chair of The Shed Nanango.

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, Mayor Brett Otto 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 17.9 - Community Connection Local Built - Small grants program**. The nature of my interest is as follows:

This declarable conflict of interest arises as I am the trustee of the Melanoma Awareness Foundation Queensland and operate out of my local office space.

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 Danita Potter 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 17.9 - Community Connection Local Built - Small grants program**. The nature of my interest is as follows:

This declarable conflict of interest arises as I am an Office Holder for multiple Community Committees.

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

I, Cr Scott Henschen inform this meeting that I have a declarable conflict of interest (as defined in section 150EN of the *Local Government Act 2009*) in agenda **Item 17.9 - Community Connection Local Built - Small grants program**. The nature of my interest is as follows:

This declarable conflict of interest arises as I am the President of the Ironpot Hall Committee.

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 agenda **Item 17.9 - Community Connection Local Built - Small grants program**. The nature of my interest is as follows:

This declarable conflict of interest arises as I am the President of the Proston Sports Association and the Murgon Sports 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.

The Chief Executive Officer advised that he has sought legal advice regarding agenda Item 17.9 – Community Connection Local Built – Small grants program Councillor Conflict of Interests and advice is as follows - **‘In our view, given the very general and non-specific nature of the matter to be decided (as identified and analysed in paragraphs 3 and 8, respectively, above), councillors who are members or office holders of incorporated not for profit community organisations in Council’s local government area do not have a declarable conflict in that matter’.**

6 DEPUTATIONS/PETITIONS

Nil

7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

7.1 MINUTES OF THE COUNCIL MEETING HELD ON 24 AUGUST 2022

RESOLUTION 2022/130

Moved: Cr Danita Potter

Seconded: Cr Jane Erkens

That the Minutes of the Council Meeting held on 24 August 2022 be received and the recommendations therein be adopted.

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

Against: Nil

CARRIED 6/0

Attendance:

At 9:10am, Manager Facilities & Parks Leanne Petersen entered the meeting.

At 9:17am, Cr Scott Henschen entered the meeting.

8 BUSINESS OUTSTANDING

8.1 BUSINESS OUTSTANDING TABLE FOR ORDINARY COUNCIL MEETING

RESOLUTION 2022/131

Moved: Cr Kirstie Schumacher

Seconded: Cr Kathy Duff

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

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

Against: Nil

CARRIED 7/0

8.1.2 RAIL TRAIL DEVELOPMENT & RAIL TRAIL USERS ASSOCIATION

RESOLVED 2022/132

That Council contact the Rail Trail Users Association to determine the next meeting date and ensure that Councillors and the Chief Executive Officer are invited to attend to provide an update on Resolution 2022/612.

8.1.3 UPDATE OF PROGRESS OF COMMERCIAL LEASE OF KINGAROY AERODROME FARMING LAND

RESOLVED 2022/133

That an update on the progress of the Commercial Lease of the Kingaroy Aerodrome Farming Land be brought back to the October Liveability Standing Committee Meeting.

8.1.4 UPDATE - LOCAL LAW REVIEW

RESOLVED 2022/134

That a report of indicative costs and the process involved for the proposed Local Law Review be brought back to the October Liveability Standing Committee Meeting.

8.1.5 SALE OF 9 BARR ST, HIVESVILLE

MOTION

Moved: Cr Kathy Duff

Seconded: Cr Danita Potter

That Council consult with the Hivesville Progress Association as to the communities preferred use of the funds from the sale of 9 Barr St, Hivesville.

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

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

LOST 3/4

9 NOTICES OF MOTION

9.1 NOTICE OF MOTION - COMMUNITY HEALTH TRANSPORT PROGRAM - KINGAROY TO BRISBANE

MOTION

Moved: Cr Danita Potter

Seconded: Cr Jane Erkens

That Council:

1. Schedule a meeting with interested stakeholders including Commercial travel providers to discuss current travel arrangement and investigate opportunities to collaborate and advocate for improved travel benefits for South Burnett Residents.
 2. Progress community consultation and costings to establish a community health transport program from Kingaroy to Brisbane, with a report to be brought to the February 2023 Liveability Standing Committee meeting.
-

AMENDMENT

Moved: Cr Kirstie Schumacher

Seconded: Cr Gavin Jones

That Council

1. Schedule a meeting with interested stakeholders including Commercial travel providers to discuss current travel arrangement and investigate opportunities to collaborate and advocate for improved travel benefits for South Burnett Residents.
2. Progress discussions with key stakeholders to understand the feasibility of establishing a community health transport program from Kingaroy to Brisbane and investigate partners to deliver such with a report to be brought back to the February 2023 Liveability Standing Committee Meeting.

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

Against: Nil

CARRIED 7/0

The Amendment became the resolution.

RESOLUTION 2022/135

Moved: Cr Danita Potter

Seconded: Cr Jane Erkens

That Council

1. Schedule a meeting with interested stakeholders including Commercial travel providers to discuss current travel arrangement and investigate opportunities to collaborate and advocate for improved travel benefits for South Burnett Residents.
2. Progress discussions with key stakeholders to understand the feasibility of establishing a community health transport program from Kingaroy to Brisbane and investigate partners to deliver such with a report to be brought back to the February 2023 Liveability Standing Committee Meeting.

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

Against: Nil

CARRIED 7/0

9.2 NOTICE OF MOTION - GOODGER SCHOOL - LAND RESERVE

RESOLUTION 2022/136

Moved: Cr Danita Potter

Seconded: Cr Kathy Duff

That Council:

1. Liaise with the State Government to investigate the current trustee lease arrangements of the old Goodger School grounds arrangement with a report to be brought to the March 2023 Liveability Standing Committee meeting.
2. That until suitable management arrangements are determined, Council undertake required slashing of the reserve area.
3. Engage with Stanwell as to options for their involvement.

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

Against: Nil

CARRIED 7/0

ADJOURN MORNING TEA

RESOLUTION 2022/137

Moved: Cr Brett Otto

Seconded: Cr Scott Henschen

That the meeting adjourn for morning tea.

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

Against: Nil

CARRIED 7/0

RESUME MEETING

RESOLUTION 2022/138

Moved: Cr Brett Otto

Seconded: Cr Scott Henschen

That the meeting resume at 10.54am.

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

Against: Nil

CARRIED 7/0

10 PORTFOLIO - CORPORATE GOVERNANCE & STRATEGY, PEOPLE & CULTURE, COMMUNICATIONS & MEDIA, FINANCE & SUSTAINABILITY, ICT & BUSINESS SYSTEMS, COMMUNITY REPRESENTATION & ADVOCACY AND 2032 OLYMPICS

10.1 ESTABLISHMENT OF COUNCIL STANDING COMMITTEES AND TERMS OF REFERENCE

RESOLUTION 2022/139

Moved: Cr Danita Potter

Seconded: Cr Jane Erkens

1. South Burnett Regional Council adopt the following Standing Committee structure for each of the Standing Committees pursuant to s264 of *the Local Government Regulation 2012*:

Standing Committee	Meeting Date	Members	Chair/Deputy Chair
Infrastructure, Environment and Compliance	First Wednesday of each month	All Councillors	Mayor/Deputy Mayor
Liveability, Governance and Finance	Second Wednesday of each month	All Councillors	Mayor/Deputy Mayor

2. Portfolio Matters to be discussed at each Standing Committee:

Infrastructure, Environment and Compliance Standing Committee

- *Infrastructure Planning –*
 - *Works (Construction & Maintenance);*
 - *Water & Wastewater;*
 - *Plant and Fleet*
- *Natural Resource Management*
 - *Rural Services including Agricultural Innovation*
 - *Compliance*
 - *Environment Health*
- *Rural Resilience and Disaster Recovery*
 - *Parks & Gardens*
 - *Property & Facility Management*
 - *First Nations Affairs*
- *Community Development,*
 - *Disaster Management*
 - *Waste and Recycling Management*

Liveability, Governance and Finance Standing Committee

- *Corporate Governance & Strategy*
 - *People & Culture*
 - *Communications & Media*
 - *Finance & Sustainability*
 - *ICT & Business Systems*
 - *Community Representation and Advocacy*
 - *2032 Olympics*

-
- *Community Development,*
 - *Health, Youth, Senior citizens*
 - *Arts & Heritage*
 - *Library Services*
 - *Tourism & VICs*
 - *Sport & Recreation*
 - *Commercial Enterprises including Saleyards, Dams, Aerodromes, Cemeteries*
 - *Regional Development*
 - *Industry, Agriculture, Water security, Energy and circular economy*
 - *Development Services including Planning, Building, Plumbing*
 - *Community & Social Housing*
3. Amend the following Terms of Reference to reflect the changed structure and number of Standing Committees:
- Infrastructure Standing Committee
 - Executive & Community Standing Committee
 - Finance & Corporate Standing Committee

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

Against: Nil

CARRIED 7/0

10.2 FORMAL DEPUTATION

RESOLUTION 2022/140

Moved: Cr Kirstie Schumacher

Seconded: Cr Scott Henschen

That South Burnett Regional Council authorise and support Mayor Otto and Cr Schumacher to present a formal deputation to Minister Furner, Minister DeBrenni and Minister Butcher about the work that has been progressed as part of phase two of the National Water Infrastructure Development Fund options analysis and business case for the South Burnett.

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

Against: Nil

CARRIED 7/0

10.3 CONFIRMING ATTENDANCE AT THE 126TH LGAQ ANNUAL CONFERENCE 17-19 OCTOBER 2022

RESOLUTION 2022/141

Moved: Cr Scott Henschen

Seconded: Cr Jane Erkens

1. That Cr Schumacher attend the 2022 LGAQ Annual Conference in Cairns 17-19 October 2022; and
 2. Deputy Mayor Jones and Cr Schumacher be appointed delegates and allocated one (1) vote each.
-

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

Against: Nil

CARRIED 7/0

RESOLUTION 2022/142

Moved: Cr Gavin Jones
 Seconded: Cr Danita Potter

2. Cr Schumacher and Cr Henschen be appointed delegates to the LGAQ State Conference and allocated one (1) vote each

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

Against: Nil

CARRIED 7/0

10.4 BUDGET COMMITTEE MEETINGS 2022

RESOLUTION 2022/143

Moved: Cr Danita Potter
 Seconded: Cr Kirstie Schumacher

That South Burnett Regional Council:

1. Establish the following committee for the fixed period 1 October 2022 to 30 June 2023 with the following membership and Chair in accordance with s264 of the *Local Government Regulation 2012*;

Committee	Membership	Chair/Deputy Chair
Budget Committee	7 Councillors	Mayor/Deputy Mayor

2. Budget Committee meetings are to be open to community through live streaming and gallery attendance.
3. That a report be presented to the October Standing Committee to set the date and time for the holding of Budget Committee meetings.
4. Budget workshops will be scheduled as required to support the committee process.

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

Against: Nil

CARRIED 7/0

10.5 CHRISTMAS CLOSEDOWN

RESOLUTION 2022/144

Moved: Cr Scott Henschen

Seconded: Cr Danita Potter

1. South Burnett Regional Council closes administration offices, depots and library facilities on Friday, 16 December 2022 at the following times for the purpose of allowing Council employees to attend the staff Christmas function:
 - Blackbutt – 11:30am
 - Kingaroy – 12:30pm
 - Murgon – 11:15am
 - Nanango – 11:45am
 - Proston – 11:15am
 - Wondai – 12:00pm
2. Council will generally be closed from midday Friday 23 December 2022 and re-open on Tuesday 3 January 2023.
3. Key skeleton staff are rostered on to undertake on-call and emergency work where required during the Christmas Closedown period.
4. Parks staff will be required to work as advised through the Christmas period with the exception of Public Holidays.
5. Operational/Field staff will operate on a skeleton staff arrangement from Friday 16 December 2022 to Friday 6 January 2023.
6. Council will advise employees to use leave accrued leave entitlements (e.g. annual leave, TOIL, RDO's) during this period with TOIL and RDO's being used in the first instance.

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

Against: Nil

CARRIED 7/0

10.6 CORPORATE RISK AND AUDIT ADVISORY COMMITTEE RECOMMENDATIONS

RESOLUTION 2022/145

Moved: Cr Danita Potter

Seconded: Cr Scott Henschen

That South Burnett Regional Council:

1. Note the recommendation from the Corporate Risk and Audit Advisory Committee and request the Executive Leadership Team to provide an updated report on the internal audit plan 2022-23 and the action required to finalise any outstanding items.
 2. Review of hours and costs of engineering staff on the Kingaroy Transformation Project in relation to training and compliance with AASB116 prior to capitalisation.
 3. Request clear instructions on any proposed advanced payment of the Federal Assistance Grants in 2022/2023 be sought from the Queensland Local Government Grants Commission,
-

relevant State and Federal Government Ministers and support a budget revision of the 2022/2023 budget with the objective not to overstate the budget.

4. A supply chain risk be included on the Corporate Risk Registers and both the Risk Registers and Capital Works Project delivery be reported on quarterly.
5. Budget Standing Committee meetings recommence in October 2022, to actively consider the risk to Council's overall financial performance in particular the delivery and supply risks that may impact on the capital works program and end of year financial result and to review the first quarter results.

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

Against: Nil

CARRIED 7/0

10.7 MONTHLY FINANCIAL INFORMATION

RESOLUTION 2022/146

Moved: Cr Scott Henschen

Seconded: Cr Danita Potter

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

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

Against: Nil

CARRIED 7/0

10.8 EXTENSION OF THE RATES DISCOUNT DATE TO 23RD SEPTEMBER 2022

RESOLUTION 2022/147

Moved: Cr Scott Henschen

Seconded: Cr Kathy Duff

That South Burnett Regional Council endorses the approved extension of rates discount by one additional day to the 23rd of September 2022.

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

Against: Nil

CARRIED 7/0

10.9 ADOPTION OF THE SOUTH BURNETT REGIONAL COUNCIL COUNCILLOR PORTFOLIO REPRESENTATIVE POLICY - STATUTORY003

RESOLUTION 2022/148

Moved: Cr Scott Henschen
Seconded: Cr Kathy Duff

That the South Burnett Regional Council Councillor Portfolio Representative Policy – Statutory003 be adopted as presented.

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

Against: Nil

CARRIED 7/0

10.10 ADOPTION OF THE SOUTH BURNETT REGIONAL COUNCIL DISPOSAL OF ASSETS POLICY - STATUTORY008

RESOLUTION 2022/149

Moved: Cr Scott Henschen
Seconded: Cr Kathy Duff

That the South Burnett Regional Council Disposal of Assets Policy – Statutory008be adopted as presented.

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

Against: Nil

CARRIED 7/0

10.11 ADOPTION OF THE SOUTH BURNETT REGIONAL COUNCIL FINANCIAL HARDSHIP POLICY - STATUTORY012

RESOLUTION 2022/150

Moved: Cr Kathy Duff
Seconded: Cr Jane Erkens

That the South Burnett Regional Council Financial Hardship Policy – Statutory012 be adopted as presented.

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

Against: Nil

CARRIED 7/0

10.12 ADOPTION OF THE SOUTH BURNETT REGIONAL COUNCIL INSURANCE MANAGEMENT POLICY - STATUTORY024

RESOLUTION 2022/151

Moved: Cr Scott Henschen
Seconded: Cr Jane Erkens

That the South Burnett Regional Council Insurance Management Policy – Statutory024 be adopted as presented.

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

Against: Nil

CARRIED 7/0

10.13 ADOPTION OF THE SOUTH BURNETT REGIONAL COUNCIL RATE COLLECTION POLICY - STATUTORY041

RESOLUTION 2022/152

Moved: Cr Jane Erkens
Seconded: Cr Scott Henschen

That the South Burnett Regional Council Rate Collection Policy – Statutory041 be adopted as presented.

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

Against: Nil

CARRIED 7/0

Attendance:

At 11:19am, Manager Infrastructure Planning James D'Arcy entered the meeting.

At 11:30am, Executive Assistant Bree Hunt left the meeting.

At 11:32am, Executive Assistant Bree Hunt returned to the meeting.

11 PORTFOLIO - INFRASTRUCTURE PLANNING, WORKS (CONSTRUCTION & MAINTENANCE)**11.1 FLOOD RECOVERY WORKS UPDATE**

RESOLUTION 2022/153

Moved: Cr Kathy Duff
Seconded: Cr Danita Potter

That Council note this report for information.

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

Against: Nil

CARRIED 7/0

11.1.1 PUBLIC ACKNOWLEDGEMENT OF STAFF

RESOLVED 2022/154

That the Council note and publicly acknowledge the staff for what they do in often challenging circumstances.

11.1.2 JOINT MEDIA STATEMENT - CR HENSCHEN & CR JONES

RESOLVED 2022/155

That Council issue a joint media statement on behalf of Cr Henschen and Cr Jones regarding if it's 'Flooded Forget it'.

11.1.3 QUESTION ON NOTICE - FLASHING FLOOD LIGHTS ON BRIDGES

OFFICER'S RECOMMENDATION

Question on Notice received from Cr Kathy Duff:

Liaise with Transport of Main Roads around clarification around when the lights should be flashing on Flood Level Signs.

11.2 KUMBIA CBD STREETScape

RESOLUTION 2022/156

Moved: Cr Scott Henschen
Seconded: Cr Kirstie Schumacher

That South Burnett Regional Council approve the Kumbia CBD Streetscape detailed design (noting final community feedback on 29 September 2022) for commencement of project construction with an additional \$50,000 accessed from restricted funds for Transport Assets, increasing the project value to \$350,000.

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

Against: Nil

CARRIED 7/0

ADJOURN LUNCH

RESOLUTION 2022/157

Moved: Cr Brett Otto
Seconded: Cr Scott Henschen

That the meeting adjourn for lunch.

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

Against: Nil

CARRIED 7/0

Attendance:

At 12:15pm, Manager Infrastructure Works James D'arcy left the meeting.

At 12:15pm, Communications Officer Joanne Newbery left the meeting.

RESUME MEETING

RESOLUTION 2022/158

Moved: Cr Brett Otto

Seconded: Cr Scott Henschen

That the meeting resume at 2:11pm

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

Against: Nil

CARRIED 6/0

Attendance:

At 2:11pm, Cr Gavin Jones left the meeting.

At 2:11pm, Acting Manager Planning & Environment Michael Lisle entered the meeting.

MOTION

RESOLUTION 2022/159

Moved: Cr Brett Otto

Seconded: Cr Scott Henschen

That Council esclate the confidential and late items.

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

Against: Nil

CARRIED 6/0

RESOLUTION 2022/160

Moved: Cr Kirstie Schumacher

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*:

23.1 Development opportunities – Pound Street, Kingaroy

This matter is considered to be confidential under Section 254J - g of the Local Government Regulation, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with negotiations relating to a commercial matter

involving the local government for which a public discussion would be likely to prejudice the interests of the local government.

23.2 Financial Hardship Rates Application – Assessment Number 40642-00000-000

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.

23.3 Undetected Water Leak - Assessment 12459-00000-000 and undetected water leak report

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.

23.4 Sale of Land for Overdue Rates Update and Auction Date

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.

11.1 Alleged Inappropriate Councillor Conduct Complaint Investigation and Recommendation

This matter is considered to be confidential under Section 254J - f and 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 matters that may directly affect the health and safety of an individual or a group of individuals and a matter the local government is required to keep confidential under a law of, or formal arrangement with, the Commonwealth or a State..

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

Against: Nil

CARRIED 6/0

Attendance:

At 2:14pm, Chief Executive Officer Mark Pitt left the meeting.

At 2:16pm, Land Investigations Officer Rebecca Bayntum entered the meeting.

At 2:25pm, Cr Gavin Jones returned to the meeting.

At 2:44pm, Executive Assistant Bree Hunt left the meeting.

At 2:47pm, Executive Assistant Bree Hunt returned to the meeting.

At 2:53pm, Executive Assistant Bree Hunt left the meeting.

At 2:55pm, Executive Assistant Bree Hunt returned to the meeting.

At 2:57pm, Acting Manager Planning & Environment Michael Lisle left the meeting.

At 2:59pm, Acting Manager Planning & Environment Michael Lisle returned to the meeting.

At 3:01pm, Manager Finance & Sustainability Kerri Anderson left the meeting.

At 3:02pm, Manager Finance & Sustainability Kerri Anderson returned to the meeting.

At 3:15pm, Executive Assistant Kimberley Donohue left the meeting.

At 3:20pm, Executive Assistant Kimberley Donohue returned to the meeting.

At 3:35pm, Executive Assistant Bree Hunt left the meeting.

At 3:38pm, Executive Assistant Bree Hunt returned to the meeting.

At 3:39pm, Acting Manager Planning & Environment Michael Lisle left the meeting.

At 3:41pm, Cr Kirstie Schumacher left the meeting.

At 3:43pm, Chief Executive Officer Mark Pitt returned to the meeting.

At 3:43pm, Land Investigations Officer Rebecca Bayntum left the meeting.

At 3:44pm, Cr Kirstie Schumacher returned to the meeting.

At 4:15pm, Cr Jane Erkens left the meeting.

RESOLUTION 2022/161

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, Danita Potter, Kirstie Schumacher, Kathy Duff and Scott Henschen

Against: Nil

CARRIED 6/0

11.1 ALLEGED INAPPROPRIATE COUNCILLOR CONDUCT COMPLAINT INVESTIGATION AND RECOMMENDATION

RESOLUTION 2022/162

Moved: Cr Kathy Duff
Seconded: Cr Danita Potter

That South Burnett Regional Council ('Council')

1. Consider the contents of this Report in making its decision as to whether the Councillor has engaged in inappropriate conduct.
2. Support the findings that:
 - (a) There is insufficient information to substantiate, on the balance of probabilities, that on 6 June 2022, Councillor Erkens made an inappropriate statement to a business owner in Nanango.
 - (b) It is therefore found that the allegation that on 6 June 2022, Councillor Erkens engaged in 'inappropriate conduct', as defined in section 150K of the Local Government Act 2009, by breaching a behavioural standard is not substantiated.
3. Take no further action in relation to the complaint except to advise the Councillor and update the Councillor Conduct Register as required by *Sections 150DX(1)(b) and 150DY* of the *Local Government Act 2009*.
4. Will give notice about the outcome of the investigation to the Office of the Independent Assessor and to the complainant.

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

Against: Nil

CARRIED 6/0

Attendance:

At 4:21 pm, Cr Jane Erkens returned to the meeting.

At 4:22pm, Chief Executive Officer Mark Pitt left the meeting.

23.1 DEVELOPMENT OPPORTUNITIES – POUND STREET, KINGAROY

RESOLUTION 2022/163

Moved: Cr Kirstie Schumacher

Seconded: Cr Danita Potter

That the report be received and that further investigation into the disposal of the land in accordance with the Local Government Act provisions be undertaken and a report brought back to the October General Council Meeting.

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

Against: Nil

CARRIED 7/0**Attendance:**

At 4:24pm, Chief Executive Officer Mark Pitt returned to the meeting.

23.2 FINANCIAL HARDSHIP RATES APPLICATION – ASSESSMENT NUMBER 40642-00000-000

RESOLUTION 2022/164

Moved: Cr Kirstie Schumacher

Seconded: Cr Scott Henschen

That Council agree to:

1. Continue to suspend interest from accumulating while hardship payment arrangement is maintained;
2. Decline the request for a moratorium on rate payments for a period of six (6) months;
3. Request the owner enter into a payment arrangement for Assessment Number 40642-00000-000 for an amount Council believes is sustainable;
4. A review of this Payment Plan monthly; or at other times if Council is advised that the Applicant's circumstances have changed significantly;
5. The expiry of this Payment Plan upon payment in full of all outstanding rates and charges; and
6. The General Manager Finance & Corporate be authorised to negotiate a suitable payment plan should the Applicant reject or request a variance of this Payment Plan.

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

Against: Nil

CARRIED 7/0

23.3 UNDETECTED WATER LEAK - ASSESSMENT 12459-0000-000 AND UNDETECTED WATER LEAK REPORT

RESOLUTION 2022/165

Moved: Cr Danita Potter
Seconded: Cr Scott Henschen

That South Burnett Regional Council approve an exception to the water rebate to the level equivalent of the 3-year average for property 12459-0000-000 due to the unique circumstances of the water leak, particularly noting the water leak was discharging directly to the sewer network and not allowing any opportunity for the property holder to mitigate the leak.

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

Against: Nil

CARRIED 7/0

23.4 SALE OF LAND FOR OVERDUE RATES UPDATE AND AUCTION DATE

RESOLUTION 2022/166

Moved: Cr Danita Potter
Seconded: Cr Kirstie Schumacher

That Council resolve to receive the report and hold the Sale of Land for Overdue Rates public auction at the Kingaroy Town Hall Reception Room on Tuesday 8 November 2022 commencing at 10.00 am.

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

Against: Nil

CARRIED 7/0

11.3 TINGOORA VILLAGE ROAD WIDENING AND KERB AND CHANNELLING

RESOLUTION 2022/167

Moved: Cr Kathy Duff
Seconded: Cr Scott Henschen

That Council note this report and consider the project in the future capital projects program and as part of the November Infrastructure Standing Committee to consider staging these works as part of the deliberations for LRCI phase 3 projects.

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

Against: Nil

CARRIED 7/0

12 PORTFOLIO - COMMUNITY DEVELOPMENT, ARTS & HERITAGE, LIBRARY SERVICES AND WASTE & RECYCLING MANAGEMENT

12.1 WESLEYAN METHODIST CHURCH NANANGO

RESOLUTION 2022/168

Moved: Cr Kirstie Schumacher

Seconded: Cr Jane Erkens

That the Wesleyan Methodist Church Nanango be advised that whilst Council is unable to provide funding, Council supports their concept in principle and would support their organisation, in their efforts to obtain funding from other sources.

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

Against: Nil

CARRIED 7/0

12.2 LETTER - REQUEST OF SUPPORT FOR MURGON MUSIC MUSTER

RESOLUTION 2022/169

Moved: Cr Kathy Duff

Seconded: Cr Danita Potter

That Council approve the following support for the 2022 Murgon Music Muster;

1. Promotion of the Murgon Music Muster on Council's website
2. Accommodation for some of the artists and band members at BP Dam totalling \$2480.00
3. Provision of appropriate waste management services over the duration of the event.

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

Against: Nil

CARRIED 7/0

13 PORTFOLIO - DEVELOPMENT SERVICES, COMMUNITY & SOCIAL HOUSING

13.1 PLANNING DEPARTMENT OPERATIONS

RESOLUTION 2022/170

Moved: Cr Kirstie Schumacher

Seconded: Cr Scott Henschen

That Council:

1. Conduct a monthly briefing session be scheduled between Councillors and the Planning and Development team to provide information about planning and development activities underway and to assist Councillors in learning and understanding more about planning and development processes commencing in November 2022.
2. That the Chief Executive Officer chair these briefings.
3. Develop a policy about the conduct of planning briefings is brought back to Council.

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

Against: Nil

CARRIED 7/0

14 PORTFOLIO - NATURAL RESOURCE MANAGEMENT, COMPLIANCE AND ENVIRONMENTAL HEALTH

Nil

15 PORTFOLIO - DISASTER MANAGEMENT

Nil

16 PORTFOLIO - WATER & WASTEWATER

Nil

17 PORTFOLIO - RURAL RESILIENCE AND DISASTER RECOVERY, PARKS & GARDENS, PROPERTY & FACILITY MANAGEMENT AND FIRST NATIONS AFFAIRS

17.1 TIPPERARY FLAT WATER FEATURE

RESOLUTION 2022/171

Moved: Cr Jane Erkens

Seconded: Cr Kathy Duff

That Council add to the \$250,000 Works for Queensland funding that is already allocated to the Tipperary Flat Project a further \$8,550 to complete the water feature making the total budget allocation \$258,550.

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

Against: Nil

CARRIED 7/0

17.2 TINGOORA SPORTS GROUND - CRICKET IMPROVEMENTS

RESOLUTION 2022/172

Moved: Cr Scott Henschen

Seconded: Cr Kathy Duff

That Council grant approval to the proposed Tingoora Sports Association to upgrade the cricket pitch with a new concrete base and synthetic turf surface.

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

Against: Nil

CARRIED 7/0

17.3 DEMOLITION OF OLD TENNIS SHELTER AT WINDERA PARK

RESOLUTION 2022/173

Moved: Cr Kathy Duff

Seconded: Cr Scott Henschen

That Council:

1. Proceed with the removal of asbestos containing materials and demolition of the Windera Park tennis shelter.
2. Approve to set aside \$25,000 (excluding GST) from the operational budget in the first quarter review 2022/23.

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

Against: Cr Kirstie Schumacher

CARRIED 6/1

17.4 QEII PARK (AND OTHER) PUBLIC TOILETS

RESOLUTION 2022/174

Moved: Cr Kathy Duff

Seconded: Cr Jane Erkens

That Council:

1. Undertake an inspection program to proceed to formulate a Public Amenities Condition Assessment Report and develop a prioritised maintenance and repair program.
2. Approve undertaking immediate repairs to install vandal-resistant fixtures and fittings to the QEII Park amenities.

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

Against: Nil

CARRIED 7/0

17.5 INSTALLATION OF A DUMP POINT NEAR DURONG PUBLIC TOILETS

RESOLUTION 2022/175

Moved: Cr Danita Potter

Seconded: Cr Scott Henschen

That Council approve:

1. The installation of a dump point at the Durong public toilet facility is not supported due to the high installation cost and ongoing operational expense.
2. Signage to be installed at Durong public toilets on the 10 public (free) dump points spread across the South Burnett Regional Council area.
3. That Council consider development of a recreational vehicle strategy for Council owned and controlled land as part of its 23/24 operational plan considerations.

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

Against: Nil

CARRIED 7/0

17.6 DURONG TOILET UPGRADES TO SEPTIC SYSTEM

RESOLUTION 2022/176

Moved: Cr Kathy Duff

Seconded: Cr Scott Henschen

That Council approve:

1. The installation of a new Aerated Wastewater Treatment System with Land Application Area-Trenches to service the Durong Public toilet.
2. That the new Aerated Wastewater Treatment System with Land Application Area-Trenches is located on the disused tennis court on the eastern side of the site.
3. That \$48,500.00 not be taken from the Murgon Free Camping Amenities project due to the high concern of failure and health risks of these amenities and that it be taken from other building depreciation restricted cash funds.

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

Against: Nil

CARRIED 7/0

17.7 REPLACEMENT OF EXISTING SEPTIC SYSTEM AT WOOROOLIN PUBLIC TOILETS

RESOLUTION 2022/177

Moved: Cr Kathy Duff

Seconded: Cr Scott Henschen

That Council approve:

1. The installation of a new Aerated Wastewater Treatment System with Land Application Area-Trenches to service the Wooroolin Public Toilet.
2. That the two trees located at the rear of the Wooroolin Public toilet building be removed.
3. That \$38,500 not be taken from the Murgon Free Camping Amenities project due to the high concern of failure and health risks of these amenities and that it be taken from other building depreciation restricted cash funds.

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

Against: Nil

CARRIED 7/0

17.8 REMOVAL OF ASBESTOS CONTAINING MATERIAL COMPONENTS TO GARDEN EDGES AT KINGAROY MEMORIAL PARK

RESOLUTION 2022/178

Moved: Cr Danita Potter

Seconded: Cr Kathy Duff

That:

1. The Asbestos containing material in the garden bed edging to the western end of Kingaroy Memorial Park be removed, and subsequent to the removal of the associated garden beds, and garden bed area be levelled and topsoiled.
2. The Kingaroy Memorial Park Works for Queensland funding is used to fund the clean-up of garden beds.

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

Against: Nil

CARRIED 7/0

17.9 COMMUNITY CONNECTION LOCAL BUILT - SMALL GRANTS PROGRAM

RESOLUTION 2022/179

Moved: Cr Scott Henschen

Seconded: Cr Kirstie Schumacher

That South Burnett Regional Council, in accordance with the approved grant budget, make an allocation of \$100,000 for the delivery of the Community Connection Local Built Small – Social Recovery and Resilience Stream.

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

Against: Nil

CARRIED 7/0**Attendance:**

At 5:06pm, Acting General Manager Infrastructure Tim Low left the meeting.

18 PORTFOLIO - REGIONAL DEVELOPMENT

18.1 MATERIAL CHANGE OF USE FOR A CHILDCARE CENTRE AT 101 ALFORD STREET, KINGAROY (AND DESCRIBED AS LOT 25 ON SP237285)- APPLICANT: SHANE HARRIS C/- ONF SURVEYORS

RESOLUTION 2022/180

Moved: Cr Danita Potter

Seconded: Cr Kirstie Schumacher

That Council approve the Development Application for Material Change of Use – development permit (childcare centre) at 101 Alford Street, Kingaroy (and described at lot 25 on SP237285) subject to the following conditions:-

GENERAL

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

Drawing Title	Prepared by	Project No. Reference no.	Revision	Date
Site Plan	Blueprint Drafting Services	21-3077-SPY Sheet 1	-	22 April 2022
Floor Plan	Blueprint Drafting Services	21-3077-SPY Sheet 2	-	22 April 2022
Elevations	Blueprint Drafting Services	21-3077-SPY Sheet 3	-	22 April 2022
3D Views 1	Blueprint Drafting Services	21-3077-SPY Sheet 4	-	22 April 2022
3D Views 3	Blueprint Drafting Services	21-3077-SPY Sheet 5	-	22 April 2022

Approved Documents:

Document Title	Prepared by	Project No. Reference no.	Revision	Date
Noise Impact Assessment	Range Environmental Consultants	J000909	Final	2/8/2022

GEN2. The development herein approved may not start until the following development permits have been issued and complied with as required:-

- Development Permit for Building Works.
- Development Permit for Operational Works (Site Works, road widening, kerb and channel and associated drainage, landscaping, access driveways, water supply and sewerage discharge sludge collection and removal, stormwater disposal).

APPROVED USE

GEN3. The approved development is a Material change of use for a Childcare Centre on 101 Alford Street, Kingaroy, as shown on the Approved Plans and does not infer approval to use the premises for other land uses.

DEVELOPMENT PERIOD – MCU

GEN4. The currency period for this development approval for material change of use is six (6) years after the development approval starts to have effect.

COMPLIANCE, TIMING AND COSTS

GEN5. All conditions of the approval shall be complied with before the change occurs (prior to commencement of the use) and while the use continues, unless otherwise noted within these conditions.

GEN6. All works, including the repair or relocation of services (Telstra, lighting) is to be completed at no cost to Council.

MAINTAINANCE

GEN7. The development (including landscaping, parking, driveway and other external spaces) shall be maintained in accordance with the Approved Plan, subject to and modified by any conditions of this approval.

-
- GEN8. Maintain the site in a clean and orderly state at all times.
- GEN9. Dust prevention measures must be undertaken to ensure that dust does not cause a nuisance to occupiers of adjacent properties.

PERMIT TO WORK ON COUNCIL ROADS

- GEN10. The applicant must submit a completed *Permit to Work on Council Roads Application* available from <http://www.southburnett.qld.gov.au> for approval by Council before commencing and works within the Council road reserve (i.e., in this case, the required property access).

CHILDCARE CENTRE OPERATION

- MCU1. The Childcare centre is to accommodate a maximum of 54 children.
- MCU2. The Childcare centre is to operate in accordance with Section 7.3 Operational Noise Management Measures of the Noise Impact Assessment Report (project no: J000909, dated 2/8/22).
- MCU3. The Childcare centre is to manage complaints in accordance with Section 8 of the Noise Impact Assessment Report (project no: J000909, dated 2/8/22).
- MCU4. The development is to implement the General Building Recommendations in accordance with Section 7.2 of the Noise Impact Assessment Report (project no: J000909, dated 2/8/22).

MECHANICAL PLANT

- MCU5. Mechanical plant (air conditioning, refrigeration equipment and pumps) must comply with the *Environmental Protection Act 1994*.

Air conditioning and refrigeration equipment must achieve no more than 3dB(A) above the background level from 10pm to 7am and no more than 5dB(A) above the background level from 7am to 10pm when measured at an affected building.

Pumps (including heat pumps) must not be audible from 10pm to 7am, no more than 5dB(A) above the background level from 7am to 7pm and no more than 3dB(A) above the background level from 7pm to 10pm when measured at an affected building.

WASTE STORAGE COLLECTION

- MCU6. Provision must be made for the storage and removal of waste in accordance with the *Waste Reduction and Recycling Regulation 2011*.
- MCU7. Any areas that are dedicated for the collection and/or storage of solid waste on the premises are to be:
- level;
 - provided with impervious hard stand and drained; and
 - if facing either the street frontage or adjoining properties, screened by a 1.8m high fence around the full perimeter.

LANDSCAPING

- MCU8. Submit to Council for endorsement, a Landscape Concept Plan which illustrates the proposed landscaping solution.

Timing: Prior to the commencement of the use.

- MCU9. Implement the approved Landscape Concept Plan and maintain at all times.

FENCING

MCU10. Construct acoustic barrier fencing along all side and rear boundaries in accordance with *Figure 1*. A cantilevered 2.4-metre-high acoustic fence is required along the boundaries highlighted red in *Figure 1*. A 2-metre-high acoustic fence is required along the boundaries highlighted blue in *Figure 1*.



Figure 1 – Acoustic barrier specifications.

MCU11. The acoustic barrier can be constructed from any durable material with sufficient mass (minimum of 12.5kg/m²) to prevent direct noise transmission. The use of Colourbond or tin construction material is not permitted.

ENGINEERING WORKS

- ENG1. Submit to Council, an Operational Work application for all civil works including earthworks, stormwater and parking.
- ENG2. 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 the commencement of the use unless otherwise stated.
- ENG3. Undertake Engineering designs and construction in accordance with the Planning Scheme, Council’s standards, relevant design guides, and Australian Standards.
- ENG4. Be responsible for the full cost of any alterations necessary to electricity, telephone, water mains, sewer mains, stormwater drainage systems or easements and/or 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

-
- ENG5. 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.
- ENG6. 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.

CONSTRUCTION AND NUISANCE MANAGEMENT PLAN

- ENG7. Submit to Council for endorsement, a Construction and Nuisance Management Plan for approved development works for the site. The Plan is to cover where applicable, the following:
- a) Air quality management;
 - b) Noise and vibration management;
 - c) Storm water quality management;
 - d) Erosion and sediment management;
 - e) Vegetation management;
 - f) Waste management;
 - g) Complaint management;
 - h) Community awareness;
 - i) Preparation of site works plan;
 - j) Workers car parking arrangements; and
 - k) Traffic control during works.

Timing: Prior to commencement of works.

- ENG8. Implement the approved Construction Management Plan at all times during construction of the development.
- ENG9. Ensure a legible copy of the approved Construction Management Plan is available on-site at all times during construction and earthworks.

STORMWATER MANAGEMENT

- ENG10. Submit to Council for assessment and approval, a Stormwater Management Plan, prepared by a RPEQ, addressing the following:
- a) Demonstrate that there is no material increase in stormwater discharge and velocities from the development between the pre and post development flows for the ARI 2, ARI 5, ARI 10, ARI 20, ARI 50 and ARI 100 storm events of duration between 5 min to 4.5 hours;
 - b) Details of open channel and detention basin design, capacities and operation;
 - c) Lawful point of discharge;
 - d) Conceptual piped and overland flows site stormwater systems designed in accordance with Queensland Urban Drainage Manual; and
 - e) Information for site filling to ensure that the other properties are not affected by altered overland flow paths.

Timing: Prior to submission of an Operational Work application.

- ENG11. Provide overland flow paths that do not alter the characteristics of existing overland flows on other properties or that create an increase in flood damage on other properties.
- ENG12. Design and construct all internal stormwater drainage works to comply with the relevant Section/s of AS/NZS 3500.3.2.

ENG13. 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.

ENG14. 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

ENG15. Connect the development to Council's reticulated water supply system via a single connection.

SEWERAGE

ENG16. 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.

ENG17. Actual connection to Council's live sewerage infrastructure must be undertaken by or under the supervision of Council.

ENG18. 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).

ENG19. Maintain a minimum of a 3 metre wide corridor to be maintained for maintenance/upgrade purposes.

ENG20. 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.

ENG21. 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

ENG22. 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.

ENG23. Design and construct all sealed areas with concrete, asphalt or a two-coat bitumen seal.

Note: Surface coating of trafficable areas in the carpark should be selected to minimise tyre squeal or noise, in accordance with the Noise Impact Assessment Report (project no: J000909, dated 2/8/22)

ENG24. Provide a minimum of 14 car parking spaces including a minimum of 1 person with disability (PWD) car parking space.

ENG25. Design & construct all PWD car parking spaces in accordance with AS2890.6.

ENG26. Provide vehicle bollards or tyre stops to control vehicular access and to protect landscaping or pedestrian areas where appropriate.

ENG27. Ensure access to car parking spaces, vehicle loading and manoeuvring areas and driveways remain unobstructed and available for their intended purpose during the hours of operation.

ENG28. Provide longitudinal gradient and crossfall for all driveways to comply with the requirements of AS2890.1.

PARKING AND ACCESS – SERVICING

- ENG29. Provide manoeuvring for a Waste Collection Vehicle in the location generally shown on the approved plan(s).
- ENG30. Ensure loading and unloading operations are conducted wholly within the site and vehicles enter and existing the site in forward gear.

VEHICLE ACCESS

- ENG31. Construct a commercial crossover between the property boundary and the edge of the Alford Street road pavement, having a minimum width of 6.0 metres, generally in accordance with IPWEAQ Std Dwg RS-051, Rev F. Ensure that crossover splay is designed to accommodate the path of a Waste Collection Vehicle.
- ENG32. Construct any new crossovers such that the edge of the crossover is no closer than 1 metre to any existing or proposed infrastructure, including any stormwater gully pit, manhole, service infrastructure (e.g. Power pole, telecommunications pit), road infrastructure (e.g. Street sign, street tree, etc).

REDUNDANT CROSSOVERS

- ENG33. Remove the redundant crossover and reinstate the kerb and channel, road pavement, services, verge and any footpath to the standard immediately adjacent along the frontage of the site.

ROADWORKS AND PEDESTRIAN SAFETY

- ENG34. Install signage for all works on or near roadways in accordance with the Manual for Uniform Traffic Control Devices – Part 3, Works on Roads.
- ENG35. Submit to Council, an application for any footpath, road or lane closures, and ensure all conditions of that approval are complies with during construction or the works.
- ENG36. Maintain safe pedestrian access along Council's footpaths at all times.

ELECTRICITY AND TELCOMMUNICATION

- ENG37. Connect the development to electricity and telecommunication services.

EARTHWORKS – GENERAL

- ENG38. Earthworks per site involving cut or fill with a nett quantity of material greater than 50m³, requires an Operational Works application.
- ENG39. Undertake earthworks in accordance with the provisions of AS3798 Guidelines on Earthworks for Commercial and Residential Developments.

EROSION AND SEDIMENT CONTROL – GENERAL

- ENG40. 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.
- ENG41. Remove and clean-up sediment or other pollutants in the event that sediment or other pollutants are tracked/released onto adjoining streets or stormwater systems, at no cost to Council.

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

Against: Nil

CARRIED 7/0

Attendance:

At 5:08pm, Acting General Manager Infrastrucutre Tim Low returned to the meeting.

19 PORTFOLIO - TOURISM & VISITOR INFORMATION CENTRES, SPORT & RECREATION AND COMMERCIAL ENTERPRISES

19.1 AMENDMENT TO FEES & CHARGES SCHEDULE

RESOLUTION 2022/181

Moved: Cr Danita Potter

Seconded: Cr Kathy Duff

1. That Council amend its 2022/2023 Register of Fees and Charges to include the following fees and charges:

Consignment Fee for Cattle

Consignment Fee 1st Day	per head	\$2.65	Commercial	Y	LGA (2009) s262(3)(c)
Consignment Holding Fee 2nd Day and Thereafter	per head	\$1.20	Commercial	Y	LGA (2009) s262(3)(c)

2. That Council amend its 2022/2023 Register of Fees and Charges to clarify a discount is no longer available to the following caravan club members at Bjelke-Petersen Dam & Recreation Park and Boondooma Dam & Recreation Park

Discounts

Discount may apply to approved not-for-profit clubs, on application.

Seasonal specials/packages to be authorised by the Chief Executive Officer

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

Against: Nil

CARRIED 7/0

Attendance:

At 5:08pm, Cr Jane Erkens, having informed the meeting of a declarable conflict of interest in Item 19.2 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.

At 5:08pm, Cr Brett Otto, having informed the meeting of a declarable conflict of interest in Item 19.2 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.

19.2 FACADE IMPROVEMENT PROGRAM

RESOLUTION 2022/182

Moved: Cr Scott Henschen

Seconded: Cr Kirstie Schumacher

That in accordance with the approved grant budget that:

1. An allocation of \$180,000 is made to the Kingaroy Chamber of Commerce and Industry for the delivery of the Kingaroy Façade Improvement Grant Program.
2. An allocation of \$120,000 is made for the delivery of the South Burnett Region Façade Improvement Scheme.

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

Against: Cr Kathy Duff

CARRIED 4/1

AMENDMENT

Moved: Cr Kathy Duff

Seconded: Cr Gavin Jones

Amendment

That in accordance with the approved grant budget that:

\$300,000 be allocated for all businesses across the South Burnett to apply for.

In Favour: Cr Kathy Duff

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

LOST 1/4

Attendance:

At 5:28pm, Cr Brett Otto returned to the meeting and resumed the chair.

At 5:29pm, Cr Jane Erkens returned to the meeting.

At 5:29pm, Manager Community & Lifestyle Jennifer Pointon left the meeting.

19.3 FISHING AND INFRASTRUCTURE GRANT

RESOLUTION 2022/183

Moved: Cr Kathy Duff

Seconded: Cr Danita Potter

That:

1. A project plan is developed to install Fish Habitat infrastructure at Bjelke-Petersen Dam
2. A variation is submitted to the Department of Agriculture to consider the project plan as an alternate project.

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

Against: Nil

CARRIED 7/0

Attendance:

At 5:32pm, Acting Manager Environment & Planning Michael Lisle left the meeting.

19.4 QUEENSLAND REMEMBERS, COMMUNITY GRANTS PROGRAM ROUND 2

RESOLUTION 2022/184

Moved: Cr Kathy Duff

Seconded: Cr Kirstie Schumacher

That Council:

1. Support Hivesville Progress Association Inc in submitting a grant application under Queensland Remembers, Community Grant Program Round 2 for structural repairs, rendering and painting of the Lest We Forget Memorial Wall in the Railway Park, Hivesville.
2. Provide a financial contribution of 10% of the total cost of the proposed grant submission of up to \$5,000.
3. That the Liveability team undertake a review and assessment of all memorials across the region and compile a list of recommendations for improvements that can be considered in the next round of the Queensland Remembers Community Grants Program and in consultation with the relevant subbranch.

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

Against: Nil

CARRIED 7/0**20 INFORMATION SECTION****20.1 DELEGATED AUTHORITY REPORTS (1 AUGUST 2022 TO 31 AUGUST 2022)**

RESOLUTION 2022/185

Moved: Cr Danita Potter

Seconded: Cr Jane Erkens

That the Delegated Authority report be received.

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

Against: Nil

CARRIED 7/0

20.2 LIST OF CORRESPONDENCE PENDING COMPLETION OF ASSESSMENT REPORT

RESOLUTION 2022/186

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

Against: Nil

CARRIED 7/0

21 QUESTIONS ON NOTICE

Nil

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

Nil

23 CONFIDENTIAL SECTION

MOTION

RESOLUTION 2022/187

Moved: Cr Brett Otto

Seconded: Cr Danita Potter

That Council with the leave of the meeting revisits the decision of agenda item 10.3 and reopen the debate on item 2 of the recommendation.

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

Against: Nil

CARRIED 7/0

24 CLOSURE OF MEETING

The Meeting closed at 5:41pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 26 October 2022.

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CHAIRPERSON