

## ***DISCLAIMER***

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

# **MINUTES**

**Ordinary Council Meeting**  
**Wednesday, 14 December 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, 14 DECEMBER 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), Susan Jarvis (General Manager Finance & Corporate), Peter O'May (General Manager Liveability), Aaron Meehan (General Manager Infrastructure), Kerri Anderson (Manager Finance and Sustainability), James D'Arcy (Manager Infrastructure Planning), Leanne Petersen (Manager Facilities and Parks), Kevin Searle (Manager Works), Rebecca Baynun (Land Investigation Officer), Jennifer Pointon (Manager Community and Lifestyle), Rebecca Humphrey (Manager People and Culture), Kimberley Donohue (Executive Assistant).

**1 OPENING**

The Mayor opened the meeting and welcomed all attendees.

**2 LEAVE OF ABSENCE / APOLOGIES**

Nil

**3 PRAYERS**

A representative of Kigaroy Baptist Church, Carolyn Moseling offered prayers for Council and for the conduct of the Council meeting.

**4 ACKNOWLEDGEMENT OF TRADITIONAL OWNERS**

Cr Duff acknowledged the traditional custodians of the land on which the meeting took place.

**5 DECLARATION OF INTEREST**

I, Cr 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 **12.5 – South Burnett Support Alliance** – Myself and my wife have personal financial contribution towards this project.

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

Cr Schumacher noted to the meeting in relation to item **11.2 – Principal Cycle Network Plan Review**;

This declarable conflict of interest arises as I own land in Blackbutt I believe my conflict has no greater interest than any other member in the community. I wish to participate in the decision in relation to this matter.

I acknowledge that eligible Councillors must now determine, pursuant to section 150ES of the Local Government Act 2009, where I;

- May participate in the decision about the matter, including by voting on the matter; or
- Must leave the meeting, including any area set aside for the public, and stay away from the meeting while the eligible Councillors discuss and vote on the matter

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 **11.4 – Shelter Structure and Picnic Table at the Intersection of Bunya Highway and Bunya Mountains Road** – I own an investment property in the Bunya Mountains.

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

I, Cr Kirstie Schumacher inform this meeting that I have a declarable conflict of interest (as defined in section 150EN of the Local Government Act 2009) in agenda **Item 12.3 – Request terminate lease – Kingaroy Junior Soccer and Kingaroy Touch Association**. The nature of my interest is as follows: This declarable conflict of interest arises as I am a paying social member of the Kingaroy Touch Association.

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

I, Cr Kirstie Schumacher inform this meeting that I have a declarable conflict of interest (as defined in section 150EN of the Local Government Act 2009) in agenda **17.2 – Material Change of Use - Service Station/Food & Drink Outlet/Showroom at Rogers Drive, Kingaroy (Lot 5 on SP112069) - Applicant: Property Opportunities Holdings Pty Ltd C/- Adams & Sparkes Town Planning** I am currently house sitting as a temporary arrangement near Rogers Drive, Kingaroy.

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 **11.2 – Principal Cycle Network Plan Review**.

This declarable conflict of interest arises as I own land in Nanango I believe my conflict has no greater interest than any other member in the community. I wish to participate in the decision in relation to this matter.

I acknowledge that eligible Councillors must now determine, pursuant to section 150ES of the Local Government Act 2009, where I;

- May participate in the decision about the matter, including by voting on the matter; or
- Must leave the meeting, including any area set aside for the public, and stay away from the meeting while the eligible Councillors discuss and vote on the matter

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 **Item 17.3- Reconfiguration of a lot (1 lot into 4 lots & 2 access easements) at 23 -25 Millis Way, Nanango (and described as Lot 4 on RP187484) - Applicant: Michael Iveson C/- ONF Surveyors** I own property in Millis Way, 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, 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 **20.3 – EBA Negotiations**.

This declarable conflict of interest arises due to a family member being an employee of Council.

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

**Attendance:**

At 3:55 pm, Cr Kirstie Schumacher left the meeting due to a COI.

At 3:56 pm, Cr Jane Erkens left the meeting due to a COI.

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**DECLARATION OF INTEREST - STAY IN MEETING**

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**RESOLUTION 2022/273**

Moved: Cr Brett Otto

Seconded: Cr Danita Potter

That Council resolve that Cr Kirstie Schumahcer has a declarable conflict of interest in the matter and notwithstanding the conflict, Cr Kirstie Schumacher may participate in the matter, discuss and vote upon it.

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

Against: Nil

**CARRIED 5/0**

**Attendance:**

At 3:57 pm, Cr Kirstie Schumacher returned to the meeting.

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**DECLARATION OF INTEREST - STAY IN MEETING**

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**RESOLUTION 2022/274**

Moved: Cr Brett Otto

Seconded: Cr Danita Potter

That Council resolve that Cr Jane Erkens has a declarable conflict of interest in the matter and notwithstanding the conflict, Cr Jane Erkens may participate in the matter, discuss and vote upon it.

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

Against: Nil

**CARRIED 6/0**

**Attendance:**

At 3:58 pm, Cr Jane Erkens returned to the meeting.

## 6 DEPUTATIONS/PETITIONS

Nil

### Attendance:

At 9:17am, Executive Services Coordinator Lynelle Paterson entered the meeting.

At 9:18am, Executive Services Coordinator Lynelle Paterson left the meeting.

## 7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

### 7.1 MINUTES OF THE COUNCIL MEETING HELD ON 23 NOVEMBER 2022

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#### RESOLUTION 2022/275

Moved: Cr Danita Potter

Seconded: Cr Kathy Duff

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

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 9:21am, Engineering Contractor Justin Crick entered the meeting.

At 9:22am, Engineering Contractor Justin Crick left the meeting.

## 8 BUSINESS OUTSTANDING

### 8.1 BUSINESS OUTSTANDING TABLE FOR ORDINARY COUNCIL MEETING

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#### RESOLUTION 2022/276

Moved: Cr Scott Henschen

Seconded: Cr Danita Potter

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

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

Against: Nil

**CARRIED 7/0**

#### 8.1.1 QUESTION ON NOTICE CLOYNA HALL DRAINAGE

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Question onf Notice from Cr Kathy Duff:

What is the status of the drainage at Cloyna Hall?



**Attendance:**

At 9:44am, Manager Finance and Sustainability Kerri Anderson entered the meeting via teams link.

**9 NOTICES OF MOTION****9.1 NOTICE OF MOTION - KINGAROY TRANSFORMATION PROJECT**

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**RESOLUTION 2022/277**

Moved: Cr Gavin Jones

Seconded: Cr Danita Potter

That Council adopt a revised final scope for the Kingaroy Transformation project with an additional \$120,000 at the second quarter budget review by advancing funded depreciation from the 2023 – 2024 capital budget.

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

Against: Crs Brett Otto and Kathy Duff

**CARRIED 5/2**

**9.2 NOTICE OF MOTION - MAIDENWELL GLENCLIFFE ROAD**

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**RESOLUTION 2022/278**

Moved: Cr Gavin Jones

Seconded: Cr Danita Potter

That the following action is taken by the infrastructure department in relation to Maidenwell - Glencliffe Road:

1. Holding works to make the road trafficable for agricultural purposes prior to the Christmas break.
2. REPA (Flood Damage) assessment and lodgement of a submission to the QRA as a matter of priority at the earliest opportunity in 2023.
3. Consideration is given to capital works as to gravel re-sheeting and drainage that is not eligible under the REPA program.
4. A letter be sent under the signature of the Mayor to those residents who made representation to council on the matter on Tuesday 6 December 2022, outlining the following:
  - a. a report on the maintenance works undertaken by council on Maidenwell-Glencliffe Road over the past three years;
  - b. a summary of the special REPA submission and proposed flood repair works, including anticipated timeframe for such.

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

Against: Nil

**CARRIED 7/0**

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**Attendance:**

At 10:23 am, Cr Kirstie Schumacher left the meeting.

At 10:26 am, Cr Danita Potter left the meeting.

At 10:26 am, Cr Kirstie Schumacher returned to the meeting.

At 10:28 am, Cr Danita Potter returned to the meeting.

At 10:29am, Manager Finance and Sustainability Kerria Anderson left the meeting via teams link.

At 10:30am, Manager Finance and Sustainability Kerria Anderson returned to the meeting via teams link.

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**9.3 NOTICE OF MOTION - MCCAULEY WEIR WATER RESERVE**

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**MOTION**

Moved: Cr Jane Erkens

Seconded: Cr Danita Potter

South Burnett Regional Council grant the community access to the McCauley Weir Water Reserve for a 6-month trial (subject to a road safety audit and insurance review) with the following conditions:

1. The gate remains locked with a council padlock in place. The residents who use the road be issued with one key.
2. Residents who wish to have more keys are given permission for council's locksmith to have them cut at their expense and council keep a register of keys issued.
3. 10 keys then be available to the public to allow them access to the Weir Reserve. A deposit of \$100 to be refunded when key is returned. Not to be held for any longer than 2 days.
4. Those people who wish to obtain a key for access are given an agreement to sign acknowledging;
  - 1) that they will drive to the conditions of the road,
  - 2) they agree to take all rubbish away and leave nothing there,
  - 3) they agree they need to make their own arrangements for toileting
  - 4) Dogs must be kept under control.
  - 5) No fuel motors on the water
  - 6) Keep to the roads
  - 7) No four-wheel driving off road
  - 8) No motor bikes off the road
  - 9) Further conditions to be added as identified during the trial.

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**MOTION**

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**RESOLUTION 2022/279**

Moved: Cr Gavin Jones

Seconded: Cr Danita Potter

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That Item 9.3 Notice of Motion – McCauley Weir Water Reserve lay on the table subject to a road safety audit and insurance review report being brought back to a meeting in early 2023.

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 10:53am, Manager Facilities and Parks Leanne Petersent returned to the meeting.

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**9.4 NOTICE OF MOTION - CORONATION DRIVE MURGON**

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**RESOLUTION 2022/280**

Moved: Cr Kathy Duff

Seconded: Cr Gavin Jones

That Council requests the relevant Council Manager meet with the Management Committee of the Murgon Business and Development Association and the Divisional Councillor to address the median strips in Coronation Drive before the Christmas break.

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

Against: Nil

**CARRIED 7/0**

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**MOTION**

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**RESOLUTION 2022/281**

Moved: Cr Brett Otto

Seconded: Cr Kathy Duff

That Item 9.9 – Notice of Motion – Murgon Swimming Pool be escalated to be dealt with as the next item on the agenda.

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

Against: Nil

**CARRIED 7/0**

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**9.9 NOTICE OF MOTION - MURGON SWIMMING POOL**

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**RESOLUTION 2022/282**

Moved: Cr Kathy Duff

Seconded: Cr Danita Potter

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That the Manager in charge of Council's swimming pools provides a full report to the Liveability, Governance and Finance Standing Committee Meeting on 8 February 2023 disclosing the pool managers obligations to providing services in particular a learn to swim program to patrons of the pool and comparative data as to what services are being provided in other pools across our region.

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

Against: Nil

**CARRIED 7/0**

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## **ADJOURN MORNING TEA**

### **RESOLUTION 2022/283**

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**

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## **RESUME MEETING**

### **RESOLUTION 2022/284**

Moved: Cr Brett Otto

Seconded: Cr Scott Henschen

That the meeting resume at 11.26am.

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

Against: Nil

**CARRIED 7/0**

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## **9.5 NOTICE OF MOTION - GORE STREET FOOTPATH**

### **RESOLUTION 2022/285**

Moved: Cr Kathy Duff

Seconded: Cr Danita Potter

That Cr Henschen's motion in relation to the allocation of the LRCI 2023/2024 funding be lifted off the table and dealt with.

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

Against: Crs Gavin Jones and Kirstie Schumacher

**CARRIED 5/2**

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**MOTION**

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**MOTION**

Moved: Cr Scott Henschen

Seconded: Cr Jane Erkens

That 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 a future Infrastructure, Environment and Compliance 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.
- 

**AMENDMENT**

Moved: Cr Brett Otto

Seconded: Cr Kathy Duff

That the following projects are scoped on a preliminary basis with high level cost estimates so as to be considered through the application of the prioritisation tool along side other capital projects as part of the 2023/24 capital budget considerations of Council

- Wondai Industrial Estate stage 2;
- Gore street Murgon SHS kerb and channelling / parking.
- McKell Park, Wondai
- Coronation Park, Wondai
- Coopers Gap viewing platform
- Lions Park Kingaroy completion
- Murgon basketball half court
- Proston look out
- Apex Park Carpark, Kingaroy
- Tingoora Drainage
- Youth Park, Kingaroy

**The amendment became the resolution.**

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

Against: Cr Gavin Jones

**CARRIED 6/1**

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**RESOLUTION 2022/286**

Moved: Cr Scott Henschen

Seconded: Cr Jane Erkens

That the following projects are scoped on a preliminary basis with high level cost estimates so as to be considered through the application of the prioritisation tool along side other capital projects as part of the 2023/24 capital budget considerations of Council

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- Wondai Industrial Estate stage 2;
- Gore street Murgon SHS kerb and channelling / parking.
- McKell Park, Wondai
- Coronation Park, Wondai
- Coopers Gap viewing platform
- Lions Park Kingaroy completion
- Murgon basketball half court
- Proston look out
- Apex Park Carpark, Kingaroy
- Tingoora Drainage
- Youth Park, Kingaroy

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

Against: Cr Gavin Jones

**CARRIED 6/1**

## ADJOURN LUNCH

### MOTION

Moved: Cr Brett Otto

Seconded: Cr Scott Henschen

That the meeting adjourn for lunch.

## RESUME MEETING

### RESOLUTION 2022/287

Moved: Cr Brett Otto

Seconded: Cr Scott Henschen

That the meeting resume at 1:21pm.

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 1:30pm, Manager Facilities and Parks Leanne Petersen returned to the meeting.

## 9.6 NOTICE OF MOTION - WELFARE CHECKS

### RESOLUTION 2022/288

Moved: Cr Kathy Duff

Seconded: Cr Danita Potter

That Council bring to the attention of local individuals and agencies people living in free camping grounds to undertake welfare checks on our homeless people prior to Christmas.

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

Against: Nil

**CARRIED 7/0**

## **MOTION**

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### **MOTION**

Moved: Cr Kathy Duff

Seconded: Cr Kirstie Schumacher

That Council no longer lock the Glendon Street toilets at night and increases security in the Glendon Street car park through the installation of security cameras and video surveillance signage along with a request to local police to include the Glendon Street car park in their nightly patrol routine.

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### **AMENDMENT**

Moved: Cr Kirstie Schumacher

Seconded: Cr Jane Erkens

That the Glendon Street parenting toilet be opened as a matter of priority and that Council contact Queensland Police Service Kingaroy Officer in Charge prior to Christmas to discuss this issue and ascertain what potential solutions may support those requiring amenities after hours and how collectively we can use our resources to minimise further vandalism in our facilities.

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.**

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### **RESOLUTION 2022/289**

Moved: Cr Kathy Duff

Seconded: Cr Kirstie Schumacher

That the Glendon Street parenting toilet be opened as a matter of priority and that Council contact Queensland Police Service Kingaroy Officer in Charge prior to Christmas to discuss this issue and ascertain what potential solutions may support those requiring amenities after hours and how collectively we can use our resources to minimise further vandalism in our facilities.

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 2:07pm, Manager Finance and Sustainability Kerri Anderson returned to the meeting via teams.

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## 9.7 NOTICE OF MOTION - RURAL LOT RECONFIGURATIONS

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### MOTION

Moved: Cr Brett Otto  
Seconded: Cr Danita Potter

That:

1. In respect of all future reconfiguration applications for the creation of allotments within the rural zoning, if approved, be not subject to conditions requiring certification letters for the supply of electricity and telecommunications infrastructure;
2. Subject to system constraints Council include a statement on documents provided pursuant to a rates search application informing the applicant that Council cannot guarantee that rural zoned allotments have access to electricity telecommunications infrastructure and as such recommend that the applicant undertake their own due diligence in relation to such infrastructure.

### MOTION

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#### RESOLUTION 2022/290

Moved: Cr Kirstie Schumacher  
Seconded: Cr Scott Henschen

That item 9.7 – Notice of Motion – Rural Lot Reconfigurations lay on the table until a report can be brought back to the January Ordinary Meeting.

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

Against: Crs Brett Otto and Kathy Duff

**CARRIED 5/2**

## 9.7.1 QUESTION ON NOTICE - RATES NOTICE

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Question on Noticed from Cr Danita Potter:

Is there ability to add additional information on the rates notices regarding the rural lot reconfigurations?

### MOTION

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#### RESOLUTION 2022/291

Moved: Cr Danita Potter  
Seconded: Cr Kirstie Schumacher

That items 9.8 – Notice of Motion – Murgon Christmas Tree and 15.1 – New Community Christmas Trees be dealt with collectively.



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 2:19pm, Manager Community and Lifestyle Jennifer Pointon Left the meeting.

At 2:21pm, Manager Community and Lifestyle Jennifer Pointon returned to the meeting.

At 2:28pm, General Manager Infrastructure Aaron Meehan left the meeting.

At 2:32pm, General Manager Infrastructure Aaron Meehan returned to the meeting.

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**9.8 NOTICE OF MOTION - MURGON CHRISTMAS TREE**

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**MOTION**

Moved: Cr Kathy Duff

Seconded: Cr Kirstie Schumacher

That South Burnett Regional Council provide funding for the

1. Purchase of three new Christmas Trees at Murgon, Hivesville and Kumbia, for a total cost of \$33,000 and allocate \$33,000 from 22/23 Capital Building underspend of other Capital projects.
2. Purchase of new decorations for the 3 new trees from the 22/23 Operational Parks budget. Total cost of \$30,000.
3. Installation of new footings for the relocation of Wondai, Proston and Blackbutt Christmas Trees, estimated cost of \$3,000 per footing, total cost of \$9,000 allocated from the 2022/23 Operational parks budget.
4. Request the relevant Manager consult with the Murgon Business and Development Association Management Committee and the Hivesville Progress Association and the Divisional Councillor in January 2023 to ensure that they have input into the size, type and location of the trees.

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**AMENDMENT**

Moved: Cr Kirstie Schumacher

Seconded: Cr Danita Potter

1. Purchase of three new Christmas Trees at Murgon, Hivesville and Kumbia, for a total cost of \$33,000 and allocate \$33,000 from 22/23 Capital Building underspend of other Capital projects.
2. Purchase of new decorations for the 3 new trees from the 22/23 Operational Parks budget. Total cost of \$30,000.
3. Installation of new footings for the relocation of Wondai, Proston and Blackbutt Christmas Trees, estimated cost of \$3,000 per footing, total cost of \$9,000 allocated from the 2022/23 Operational parks budget.
4. Write to the Murgon Business and Development Association and advise them of the outcome of this resolution.

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

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Against: Nil

**CARRIED 7/0**

**The Amendment became the resolution.**

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**RESOLUTION 2022/292**

Moved: Cr Kathy Duff

Seconded: Cr Kirstie Schumacher

1. Purchase of three new Christmas Trees at Murgon, Hivesville and Kumbia, for a total cost of \$33,000 and allocate \$33,000 from 22/23 Capital Building underspend of other Capital projects.
2. Purchase of new decorations for the 3 new trees from the 22/23 Operational Parks budget. Total cost of \$30,000.
3. Installation of new footings for the relocation of Wondai, Proston and Blackbutt Christmas Trees, estimated cost of \$3,000 per footing, total cost of \$9,000 allocated from the 2022/23 Operational parks budget.
4. Write to the Murgon Business and Development Association and advise them of the outcome of this resolution.

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

Against: Nil

**CARRIED 7/0**

**9.8.1 QUESTION ON NOTICE - OPERATIONAL COSTS - CHRISTMAS TREES**

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Question on Notice from Cr Kirstie Schumacher:

What was the operational costs to erect the christmas tress across the region?

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

**10.1 ADOPTION OF THE SOUTH BURNETT REGIONAL COUNCIL PORTABLE AND ATTRACTIVE ITEMS POLICY - STRATEGIC032**

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**RESOLUTION 2022/293**

Moved: Cr Danita Potter

Seconded: Cr Kirstie Schumacher

That the South Burnett Regional Council Portable and Attractive Items Policy – Strategic032 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**

**10.2 ADOPTION OF THE SOUTH BURNETT REGIONAL COUNCIL LIVEABILITY, GOVERNANCE AND FINANCE STANDING COMMITTEE TERMS OF REFERENCE - STATUTORY067**

**RESOLUTION 2022/294**

Moved: Cr Scott Henschen

Seconded: Cr Kathy Duff

1. That the South Burnett Regional Council Infrastructure, Environment and Compliance Standing Committee Terms of Reference – Statutory066 be adopted as presented.
2. That the South Burnett Regional Council Liveability, Governance and Finance Standing Committee Terms of Reference – Statutory067 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**

**10.2.1 ADOPTION OF THE SOUTH BURNETT REGIONAL COUNCIL LIVEABILITY, GOVERNANCE AND FINANCE STANDING COMMITTEE TERMS OF REFERENCE - STATUTORY067**

**RESOLUTION 2022/295**

Moved: Cr Kathy Duff

Seconded: Cr Jane Erkens

South Burnett Regional Council adopt the following amendment for Standing Committee structure for each of the Standing Committees pursuant to s264 and s267 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	<del>Mayor/Deputy Mayor</del> Rotation of Chair to each Portfolio Councillor over a 3-month cycle
Liveability, Governance and Finance	Second Wednesday of each month	All Councillors	<del>Mayor/Deputy Mayor</del> Rotation of Chair to each Portfolio Councillor over a 3-month cycle

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

Against: Nil

**CARRIED 7/0**

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**10.3 ADOPTION OF THE SOUTH BURNETT REGIONAL COUNCIL ARTS, CULTURE AND HERITAGE ADVISORY COMMITTEE TERMS OF REFERENCE - STATUTORY045**

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**RESOLUTION 2022/296**

Moved: Cr Danita Potter  
Seconded: Cr Scott Henschen

That the South Burnett Regional Council Arts, Culture and Heritage Advisory Committee Terms of Reference – Statutory045 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**

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**10.4 ADOPTION OF THE SOUTH BURNETT REGIONAL COUNCIL COMMUNITY GRANTS PROGRAM POLICY - STRATEGIC005**

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**RESOLUTION 2022/297**

Moved: Cr Kathy Duff  
Seconded: Cr Scott Henschen

That the South Burnett Regional Council Community Grants Program Policy – Strategic005 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 2:52pm, Manager Facilities and Parks Leanne Petersen left the meeting.

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**10.5 ADOPTION OF THE SOUTH BURNETT REGIONAL COUNCIL PROPERTY LEASING POLICY - STRATEGIC030**

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**RESOLUTION 2022/298**

Moved: Cr Kirstie Schumacher  
Seconded: Cr Danita Potter

That the South Burnett Regional Council Property Leasing Policy – Strategic030 be adopted as presented.

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

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Against: Nil

**CARRIED 7/0**

**Attendane:**

At 2:57pm, Manager Works Kevin Searle entered the meeting.

At 2:59 pm, Cr Kathy Duff left the meeting.

At 3:01 pm, Cr Kathy Duff returned to the meeting.

At 3:01pm, Manager Finance and Sustainability Kerri Anderson left the meeting via teams.

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

At 3:04pm, Manager Finance and Sustainability Kerri Anderson left the meeting via teams.

At 3:05pm, Mananger Finance and Sustainability Kerria Anderson returned to the meeting via teams.

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**10.6 QUOTE SBRCQ-22/23-27 - PURCHASE OF ONE (1) GRADER TO REPLACE PLANT NO. 1506.**

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**RESOLUTION 2022/299**

Moved: Cr Gavin Jones

Seconded: Cr Scott Henschen

That Council purchase one (1) **Komatsu GD655-7** for **\$467,400.00** excluding GST from **Komatsu Australia**.

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

Against: Cr Jane Erkens

**CARRIED 6/1**

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**MOTION**

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**RESOLVED 2022/300**

Moved: Cr Scott Henschen

Seconded: Cr Kirstie Schumacher

That Council consider investigating adding a front blade to a suitable machine as a trial basis.

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

Against: Nil

**CARRIED 7/0**

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**ADJOURN AFTERNOON TEA**

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**MOTION**

Moved: Cr Brett Otto

Seconded: Cr Danita Potter

That the meeting adjourn for afternoon tea.

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**RESUME MEETING**

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**RESOLUTION 2022/301**

Moved: Cr Brett Otto

Seconded: Cr Danita Potter

That the meeting resume at 3.45pm.

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

Against: Nil

**CARRIED 7/0**

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**10.7 REQUEST FOR WAIVER OF RATES - MURGON PASTORAL, AGRICULTURAL & HORTICULTURAL SOCIETY**

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**RESOLUTION 2022/302**

Moved: Cr Kathy Duff

Seconded: Cr Gavin Jones

That Rates charges to the value of \$1261.92 for the period of 1 July 2022 to 31 December 2022 is waived for the Murgon Pastoral, Agricultural &amp; Horticultural Society Inc.

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

Against: Nil

**CARRIED 7/0**

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**10.8 FINANCIAL HARDSHIP RATES APPLICATION – ASESSMENT NUMBER - 20657-00000-000**

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**RESOLUTION 2022/303**

Moved: Cr Scott Henschen

Seconded: Cr Kathy Duff

That South Burnett Regional Council agree to:

1. Suspend interest from accumulating while hardship payment arrangement is maintained;
2. Request the owner enter into a payment arrangement for Assessment Number 20657-00000-000 for \$100.00 per fortnight commencing 1 January 2023 for a period of 12 months;
3. Payments increasing to \$105.00 per fortnight from 1 January 2024 for a period of 12 months;
4. Payments increasing to \$115.00 per fortnight from 1 January 2025 for a period of 12 months;
5. Payments increasing to \$125.00 per fortnight from 1 January 2026 for a period of 12 months under normal rate arrangement conditions;
6. Payments increasing to \$137.00 per fortnight from 1 January 2027 for a period of 12 months under normal rate arrangement conditions;

7. A review of this Payment Plan monthly; or at other times if Council is advised that the Applicant's circumstances have changed significantly;
8. The expiry of this Payment Plan upon payment in full of all outstanding rates and charges; and
9. 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**

## **10.9 MONTHLY FINANCIAL INFORMATION - NOVEMBER 2022**

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### **RESOLUTION 2022/304**

Moved: Cr Brett Otto  
Seconded: Cr Kathy Duff

That the monthly Financial Report including Capital Works and Works for Queensland (W4Q4) as at 30<sup>th</sup> November 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**

## **10.10 NOTICE TO REPEAL SOUTH BURNETT BURNETT REGIONAL COUNCIL RESOLUTION - 2020/168**

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### **RESOLUTION 2022/305**

Moved: Cr Kathy Duff  
Seconded: Cr Scott Henschen

That in accordance with *Section 262* of the *Local Government Regulation 2012*, the following resolution be repealed:

Resolution 2020/168, Item 8.9 of the General Meeting held on 14 October 2020 – Establishment of Council Standing Committees and Terms of References.

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 ACTING CHIEF EXECUTIVE OFFICER**

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**RESOLUTION 2022/306**

Moved: Cr Jane Erkens  
Seconded: Cr Kirstie Schumacher

That South Burnett Regional Council approves the Chief Executive Officer leave from Monday 9 January 2023 to Friday 13 January 2023 inclusive with a return to work date of Monday 16 January 2023 and appoints the General Manager Finance and Corporate as Acting 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**

**11 PORTFOLIO - INFRASTRUCTURE PLANNING, WORKS (CONSTRUCTION & MAINTENANCE), WATER & WASTEWATER, PLANT & FLEET****11.1 CYCLE NETWORK LOCAL GOVERNMENT GRANTS PROGRAM 2023-24****RESOLUTION 2022/307**

Moved: Cr Gavin Jones  
Seconded: Cr Danita Potter

That Council submit a funding application for the detailed design of the Youngman Street rail trail crossing and King Street intersection upgrade and if successful, commit to funding 50% of this design cost from the 2023/24 budget.

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

Against: Cr Jane Erkens

**CARRIED 6/1**

**11.2 PRINCIPAL CYCLE NETWORK PLAN REVIEW****RESOLUTION 2022/308**

Moved: Cr Danita Potter  
Seconded: Cr Scott Henschen

That Council endorse the below changes to the Principal Cycle Network Plan:

1. Addition of Tourism Rail Trail Route between Kingaroy and Nanango (via Edenvale Road, West Coolabunia Road, Semgreens Road, Kunioon Road, and Nanango Brooklands Road);
2. Addition of Tourism Rail Trail Route between Nanango and Yarraman (via Mill Flat Road, Burnett Street, Old Yarraman Road, Din Road, Noora Road, McNeil Street);
3. Addition of Tourism Rail Trail Route between Yarraman and Blackbutt (via Brisbane Valley Rail Trail from McNeil Street to LG Boundary at Benarkin);
4. Addition of Tourism Route between Haly Street and Mount Wooroolin Lookout; and



5. Removal of Principal Route between Somerset Street and Harris Road (previous rail corridor which has since been absorbed into adjoining private land).

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 MAINTENANCE MANAGEMENT UPDATE

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#### RESOLUTION 2022/309

Moved: Cr Danita Potter

Seconded: Cr Kathy Duff

That the report be noted and a further report be presented to the March Infrastructure, Environment and Compliance 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**

#### Attendance:

At 4:01 pm, Cr Kirstie Schumacher left the meeting due to COI.

At 4:01pm, General Manager Liveability Peter O'May left the meeting.

At 4:01pm, Property Management Officer Natalee Taylor entered to the meeting.

At 4:02pm, General Manager Liveability Peter O'May returned to the meeting.

At 4:02pm, Property Management Officer Natalee Taylor left the meeting.

### 11.4 SHELTER STRUCTURE AND PICNIC TABLE AT THE INTERSECTION OF BUNYA HIGHWAY AND BUNYA MOUNTAINS ROAD

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#### RESOLUTION 2022/310

Moved: Cr Gavin Jones

Seconded: Cr Kathy Duff

That South Burnett Regional Council engage with DTMR and local transport users prior to finalising a decision as to retaining the shelter structure and undertaking the required ongoing maintenance and repair works

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

Against: Nil

**CARRIED 6/0**

#### Attendance:

At 4:08 pm, Cr Kirstie Schumacher returned to the meeting.

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**11.5 WONDAI AND MURGON DRAINAGE**

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**RESOLUTION 2022/311**

Moved: Cr Kathy Duff

Seconded: Cr Jane Erkens

That Council completes the drainage and clearing works on the Murgon Gayndah Road and Dingo Creek in the 3<sup>rd</sup> quarter of the 22/23 year from Council's operating budget and progress a grant application with the QRA clean-up grant.

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 AND LIBRARY SERVICES****12.1 ARTS, CULTURE AND HERITAGE ADVISORY COMMITTEE**

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**RESOLUTION 2022/312**

Moved: Cr Danita Potter

Seconded: Cr Kirstie Schumacher

That the vacant Community Representative position be replaced with the following individual who has submitted an Expression of Interest to become a member of the Arts, Culture and Heritage Advisory Committee and appointed by Council in accordance with the Arts, Culture and Heritage Advisory Committee Terms of Reference:

- Community Representative – Pam Kerr

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 4:16pm, Manager Works Kevin Searle left the meeting.

**12.2 REQUEST TO ENTER SUB AGREEMENT - KINGAROY CRICKET AND SPORTS CLUB INC**

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**RESOLUTION 2022/313**

Moved: Cr Danita Potter

Seconded: Cr Scott Henschen

That approval be provided to the Kingaroy Cricket & Sports Club Inc under clause 5.21 of the lease between the Kingaroy Cricket & Sports Club Inc. and South Burnett Regional Council to grant Licence to Occupies to South Burnett Saints AFC Inc, Wooroolin Warrior Cricket Club Inc., Kingaroy

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Croquets Club Inc., Kingaroy Junior Cricket Association., South Burnett Thrashers Rugby Union Club Inc. and South Burnett Cricket Association Inc

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 4:17 pm, Cr Kirstie Schumacher left the meeting due to a COI.

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### 12.3 REQUEST TERMINATE LEASE - KINGAROY JUNIOR SOCCER AND KINGAROY TOUCH ASSOCIATION

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**RESOLUTION 2022/314**

Moved: Cr Gavin Jones  
Seconded: Cr Danita Potter

That:

1. Under Clause 7.04 provides 60 days prior notice of the intention to terminate the lease between South Burnett Regional Council and the Kingaroy Junior Football Club Inc.
2. That South Burnett Regional Council resolves that the exception in *Local Government Regulation 2012 section 236 (1)(b)(ii)* applies to Council for the disposal by way of grant of a Lease to the valuable non-current asset which is the land comprising Lease Area G as part of Lot 6 on SP274891 , to the Kingaroy Junior Football Club Inc, and Kingaroy Touch Association Inc. as joint tenants, community organisations, other than by way of tender or auction, for a term of 10 years on terms agreed between Council, the Kingaroy Junior Football Club Inc, and Kingaroy Touch Association Inc.
3. South Burnett Regional Council delegates to the Chief Executive Officer the power to negotiate, finalise and execute the Lease between Council, the Kingaroy Junior Football Club Inc, and Kingaroy Touch Association Inc. on terms and conditions the Chief Executive Officer reasonably considers are satisfactory to Council.

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

Against: Nil

**CARRIED 6/0**

**Attendance:**

At 4:18 pm, Cr Kirstie Schumacher returned to the meeting.

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### 12.4 GENERAL PRACTITIONER SERVICES

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**RESOLUTION 2022/315**

Moved: Cr Kathy Duff  
Seconded: Cr Kirstie Schumacher

That South Burnett Regional Council liaise with the Primary Health Network (PHN) and write to the Federal Minister for Health raising concerns about GP shortages and implications for residents who require a medical certificate seeking licence renewals with consideration given to extension periods

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being granted in our regional communities and seeking a teams meeting with the Minister and inviting local GP's across the region to participate in this discussion.

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 4:20 pm, Cr Brett Otto left the meeting due to a COI and Deputy Mayor Jones took the chair.

At 4.20pm, Chief Executive Officer Mark Pitt left the meeting and General Manager Liveability Peter O'May acted in his absence.

## 12.5 SOUTH BURNETT SUPPORT ALLIANCE

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### RESOLUTION 2022/316

Moved: Cr Kathy Duff  
Seconded: Cr Danita Potter

That Council offer a letter of support to the South Burnett Support Alliance supporting their proposed lease of the Queensland Health building (former community health building) in the Glendon Street carpark.

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

Against: Nil

**CARRIED 6/0**

### Attendance:

At 4:22 pm, Cr Brett Otto returned to the meeting.

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

## 13 PORTFOLIO - NATURAL RESOURCE MANAGEMENT, RURAL SERVICES, AGRICULTURAL INNOVATION, COMPLIANCE AND ENVIRONMENTAL HEALTH

Nil

## 14 PORTFOLIO - DISASTER MANAGEMENT, WASTE AND RECYCLING MANAGEMENT

### 14.1 MEMERAMBI TRANSFER STATION

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### RESOLUTION 2022/317

Moved: Cr Scott Henschen  
Seconded: Cr Danita Potter

That South Burnett Regional Council:

- i. Introduce the following operating hours of the Memerambi transfer station
  - a. Seven (7) days a week from 6:30am – 4:00pm.
- ii. That these operational hours be on a three (3) month trial.
- iii. That a report be brought back to Council prior to the conclusion of the trial.
- iv. That a community awareness program of the new operational hours be implemented prior to the commencement of the trial.

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

Against: Nil

**CARRIED 7/0**

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

### 15.2 QEII PARK UPGRADES - FEEDBACK FROM COMMUNITY CONSULTATION

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#### RESOLUTION 2022/318

Moved: Cr Kathy Duff  
Seconded: Cr Danita Potter

That South Burnett Regional Council

- I. Receive the report on QEII Park upgrade community consultation feedback and community survey results
- II. Removal of the two Moreton Bay Fig Trees on the Southern side of the park and replace with a new shade shelter as part of the QEII upgrades. The Moreton Bay Fig Tree on the Northern side of the park to be relocated and the power cable replaced.

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

Against: Nil

**CARRIED 7/0**

### 15.3 KINGAROY LIONS PARK - AMENITIES UPGRADE AND PARK REDEVELOPMENT

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#### RESOLUTION 2022/319

Moved: Cr Danita Potter  
Seconded: Cr Kirstie Schumacher

That South Burnett Regional Council install two shelters and picnic benches in Lions Park on the other side of the drain and remove the old log shelters \$15,000 and reconsider the remaining items at the second quarter budget review in February 2023.

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

Against: Nil

**CARRIED 7/0**

### 15.4 MURGON PCYC TOILET REFURBISHMENT - PROJECT BUDGET REVIEW

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#### RESOLUTION 2022/320

Moved: Cr Gavin Jones  
Seconded: Cr Scott Henschen

That South Burnett Regional Council maintain the current W4Q budget of \$380k for the Murgon PCYC toilets and investigate alternative funding options of \$280k to allow for full completion of the project and this matter be considered for the 2<sup>nd</sup> quarter capital review in February 2023.

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

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Against: Nil

**CARRIED 7/0**

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

**16.1 QRIDA - APPLICATION FOR FUNDING COOLABUNIA SALEYARDS CAPITAL WORKS**

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**RESOLUTION 2022/321**

Moved: Cr Kirstie Schumacher

Seconded: Cr Scott Henschen

That:

1. An Expression of Interest is submitted to Round 5 of the Rural Economic Development Grants offered by the Queensland Rural Industry and Development Authority to the total project costs of \$200,000.
2. Co-contribution of 50% of the total project costs is considered by Council in the 2023/24 capital works budget.

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

Against: Nil

**CARRIED 7/0**

**17 PORTFOLIO - REGIONAL DEVELOPMENT, DEVELOPMENT SERVICES, COMMUNITY & SOCIAL HOUSING**

**17.1 APPLICATION FOR A NEGOTIATED DECISION NOTICE FOR RECONFIGURING A LOT (1 LOT INTO 3 LOTS) AT 272 MOUNT MCEUEN ROAD, MOUNT MCEUEN (AND DESCRIBED AS LOT 221 ON FY1361) AND SITUATED - APPLICANT: BRUCE AND ANDREA ANNING C/- ONF SURVEYORS**

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**RESOLUTION 2022/322**

Moved: Cr Kathy Duff

Seconded: Cr Kirstie Schumacher

***Procedural Motion***

That the matter be lifted from the table.

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

Against: Nil

**CARRIED 7/0**

**RESOLUTION 2022/323**

Moved: Cr Gavin Jones

Seconded: Cr Kathy Duff

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That given the rural location and nature of the proposed allotments, being satisfied it may be possible for the sites to be adequately serviced by a reticulated electricity supply or an alternate non-reticulated electricity supply, Council approve the request for a Negotiated Decision Notice and the following amended conditions be included.

**ENG15.**

Prior to council sealing the Survey Plan the applicant is to provide each of lot with an electricity supply, ***or alternatively provide evidence that alternate electricity supply can be made available to each lot.***

The standards of service nominated by the electricity supply authority with reticulated electricity to be made available at the propriety boundary, ***should the applicant choose to provide reticulated electricity supply.***

**ADV4.**

Council would accept a Certificate of Electricity Supply from the electricity supply authority demonstrating that all lots can be provided with a reticulated electricity connection as evidence of compliance with ENG15.

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

Against: Nil

**CARRIED 7/0**

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**Attendance:**

At 4:50 pm, Cr Kirstie Schumacher left the meeting due to a COI.

At 4:50pm, General Manager Infrastrucutre Aaron Meehan left the meeting.

At 4:57pm, Executive Services Coordinator Lynelle Paterson returned to the meeting.

At 4:57pm, Executive Assistant Kimberley Donohue left the meeting.

At 5pm, Executive Assistant Kimberley Donohue returned to the meeting.

At 5pm, Executive Services Coordinator Lynelle Paterson left the meeting.

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**17.2 MATERIAL CHANGE OF USE - SERVICE STATION/FOOD & DRINK OUTLET/SHOWROOM AT ROGERS DRIVE, KINGAROY (LOT 5 ON SP112069) - APPLICANT: PROPERTY OPPORTUNITIES HOLDINGS PTY LTD C/- ADAMS & SPARKES TOWN PLANNING**

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**RESOLUTION 2022/324**

Moved: Cr Brett Otto

Seconded: Cr Danita Potter

The application be approved subject to the Council developing suitable conditions and adopted infrastructure charges notice to be attached to this decision notice and this report to be brought to the January General Meeting of Council.

The preliminary reasons but not exhaustive list of reasons for Council's consideration of this approval are:

- The service station development will satisfy the absence of such a facility at the southern corridor in to Kingaroy;
  - Service Station Development will support the viability of existing businesses within the precinct
-



- That both developments together will support the economic development and population growth of Kingaroy and the broader South Burnett Region.

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

Against: Crs Gavin Jones, Jane Erkens and Scott Henschen

**CARRIED 3/3 on the casting vote of the Mayor**

In accordance with Section 254E of the *Local Government Regulation 2021*

**Attendance:**

At 5:29 pm, Cr Kirstie Schumacher returned to the meeting.  
 At 5:29pm, General Manager Infrastructure Aaron Meehan returned to the meeting.  
 At 5:29 pm, Cr Jane Erkens left the meeting due to a COI.  
 At 5:29pm, Manager Facilities and Parks Leanne Petersen returned to the meeting.  
 At 5:29pm, Land Investigation Officer Rebecca Bayntun entered the meeting.  
 At 5:31pm, Manager Infrastructure Planning James D’Arcy left the meeting.

**17.3 RECONFIGURATION OF A LOT (1 LOT INTO 4 LOTS & 2 ACCESS EASEMENTS) AT 23 -25 MILLIS WAY, NANANGO (AND DESCRIBED AS LOT 4 ON RP187484) - APPLICANT: MICHAEL IVESON C/- ONF SURVEYORS**

**RESOLUTION 2022/325**

Moved: Cr Gavin Jones  
 Seconded: Cr Kirstie Schumacher

That Council approve the Reconfiguring a lot – development permit (1 lot into 4 lots) – Lot 4 on RP187484, 23-25 Millis Way Nanango – Applicant: Michael Iveson – RAL22/0017 subject to the following conditions:-

**GENERAL**

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

Drawing Title				
Access Layout Plan	ATC Engineers	20053	C-101	A

**DEVELOPMENT PERIOD**

GEN2. The currency period for this development approval for reconfiguring a lot is four (4) years after the development approval starts to have effect. The development approval will lapse unless the survey plan for all works and stages required to be given to Council for approval is provided within this period.

**RECONFIGURING A LOT**

RAL1. Any new earthworks or structures are not to concentrate or impede the natural flow of water across property boundaries and onto any other lots.

RAL2. 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.

- RAL3. Prior to sealing the Plan of Survey, the applicant is required to pay the Council all rates and charges or any expenses being charged over the subject land under any Act in accordance with Schedule 18 Section 69 of the *Planning Act Regulation 2017*.
- RAL4. Prior to the sealing of the Plan of Survey the applicant is to provide a certificate signed by a licensed surveyor stating that after the completion of all works associated with the reconfiguration, survey marks were reinstated where necessary and all survey marks are in their correct position in accordance with the Plan of Survey.

#### **VALUATION FEES**

- RAL5. Payment of Department of Natural Resources, Mines and Energy valuation fees that will result from the issue of split valuations prior to Council sealing the Plan of Survey. The contribution is currently assessed at \$48.00 per lot however, the actual amount payable will be based on Council's Register of Fees & Charges and the rate applicable at the time of payment.

#### **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, Standard Drawings, 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. Discharge all minor storm flows that fall or pass onto the site to a lawful point of discharge in accordance with the Queensland Urban Drainage Manual (QUDM).
- ENG8. 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**

- ENG9. Connect each lot to Council's reticulated water supply system.
- ENG10. Install a separate water service connection to each lot as per Council's standards.

**SEWERAGE**

- ENG11. Connect all lots to Council's reticulated sewerage system. The connection must be designed in accordance with Council's standards and be approved by Council's Utility Services Section.
- ENG12. Actual connection to Council's live sewerage infrastructure must be undertaken by or under the supervision of Council.
- ENG13. Do not build works within 1.5 metres from the centre of any existing sewer pipe work or within the Zone of Influence, whichever is the greater (measured horizontally).
- ENG14. Maintain a minimum of a 3 metre wide corridor to be maintained for maintenance/upgrade purposes.
- ENG15. 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.
- ENG16. 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.

**VEHICLE ACCESS - REAR ACCESS LOTS**

- ENG17. Construct a reinforced concrete access driveway to the extent and standards shown in ATC Engineers & Project Managers Drawings:

Dwg No.	Title	Date	Rev
C-101	Access Layout Plan & Typical Details	26/10/2022	A
C-102	Typical Driveway Sections	26/10/2022	A

An access easement

- ENG18. Design and construct all services along the full length of the access strip.

**TELECOMMUNICATION**

- ENG19. Provide telecommunications to all lots within the development.

**ELETRICITY**

- ENG20. Design and provide electricity supply to all lots within the development to comply with Ergon Energy's requirements.
- ENG21. Submit to Council, written confirmation from an electricity provider that an agreement has been made for the supply of electricity.

**EARTHWORKS - GENERAL**

- ENG22. Earthworks per site involving cut or fill greater than 1 metre in height and quantity of material greater than 50m<sup>3</sup>, requires an Operational Work application.
- ENG23. Ensure that each lot is self-draining.

**EROSION AND SEDIMENT CONTROL - GENERAL**

- ENG24. 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.

ENG25. Remove and clean-up the sediment or other pollutants in the event that sediment or other pollutants are tracked or released onto adjoining streets or stormwater systems, at no cost to Council.

### EASEMENTS

ENG26. Provide a reciprocal access easement for the full width/length of the access handle as shown on the approved plan(s) of development.

ENG27. All services for lots 3,7,8 and 9 shall be contained within the easement.

ENG28. The restrictions imposed (non-permanent fixtures) on the property within the drainage easement, will include:

- a. a building (habitable or not), regardless of size;
- b. a bridge or culvert, tower, mast, pillar, or post;
- c. a wall or a fence (other than a dividing fence);
- d. a shipping container or similar object;
- e. a sculpture or statue;
- f. a viaduct, railway line, roadway or path;
- g. a swimming pool or a tank; or
- h. anything else that may be reasonably characterised as a structure when placed upon land (whether by affixation or by resting upon its own weight).

### ADVICE

ADV1. Section 85(1)(b) 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.

### DEVELOPER INCENTIVE

ADV2. Council is offering a reduction in infrastructure charges payable through the development incentive scheme which is available between 1 December 2020 and 31 December 2023. Eligible development under this scheme is required to be completed by 31 December 2023.

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

### HERITAGE

ADV3. 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.

### APPEAL RIGHTS

ADV4. Attached for your information is a copy of Chapter 6 of the *Planning Act 2016* as regards Appeal Rights.

**INFRASTRUCTURE CHARGES**

ADV5. Infrastructure charges are levied by way of an infrastructure charges notice pursuant to section 119 of the *Planning Act 2016*.

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

Against: Nil

**CARRIED 6/0**

**Attendance:**

At 5:35 pm, Cr Jane Erkens returned to the meeting.

At 5:35pm, Manager Finance and Sustainability Kerri Anderson left via teams.

**17.4 SOUTH BURNETT AGRICULTURE STRATEGY****RESOLUTION 2022/326**

Moved: Cr Kathy Duff

Seconded: Cr Scott Henschen

That the Draft South Burnett Agriculture Strategy 2022-2027 be adopted.

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

Against: Nil

**CARRIED 7/0**

**18 INFORMATION SECTION**

Nil

**19 QUESTIONS ON NOTICE****19.1 QUESTIONS ON NOTICE - INFRASTRUCTURE****RESOLUTION 2022/327**

Moved: Cr Kathy Duff

Seconded: Cr Scott Henschen

That the responses to the questions raised 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**

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**19.2 SILVERLEAF ROAD**

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**RESOLUTION 2022/328**

Moved: Cr Kathy Duff

Seconded: Cr Danita Potter

THAT the response to the question regarding Silverleaf Road raised by Councillor Kathy Duff 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**

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**19.3 MURGON POOL**

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**RESOLVED 2022/329**

THAT the response to the question regarding Murgon Pool raised by Councillor Kathy Duff be held over until the report on the Murgon Pool.

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**20 CONFIDENTIAL SECTION**

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**RESOLUTION 2022/330**

Moved: Cr Scott Henschen

Seconded: Cr Kathy Duff

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 254J of the *Local Government Regulation 2012*:

**20.1 Proston Pool Management**

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..

**20.2 Development of 1 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.

**20.3 EBA Negotiations**

This matter is considered to be confidential under Section 254J - b 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 industrial matters affecting employees.

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 5:41pm, General Manager Infrastructure Aaron Meehan left the meeting.

At 5:42pm, Executive Assistant Kimberley Donohue left the meeting.

At 5:45pm, Executive Assistant Kimberley Donohue returned to the meeting.

At 5:46pm, General Manager Infrastructure Aaron Meehan returned to the meeting.

At 5:46pm, Manager People and Culture Rebecca Humphrey entered the meeting.

At 5:49 pm, Cr Gavin Jones left the meeting.

At 5:51 pm, Cr Gavin Jones returned to the meeting.

At 6:02pm, General Manager Infrastructure Aaron Meehan left the meeting.

At 6:21pm, General Manager Finance and Corporate Susan Jarvis left the meeting.

At 6:23pm, General Manager Finance and Corporate Susan Jarvis returned to the meeting.

At 6:28 pm, Cr Jane Erkens left the meeting due to a COI.

At 6:28pm, Chief Executive Officer Mark Pitt left the meeting and Susan Jarvis Acted.

At 6:28pm, General Manager Liveability Peter O'May left the meeting.

At 6:28 pm, Cr Kirstie Schumacher left the meeting.

At 6:28pm, General Manager Infrastructure Aaron Meehan returned to the meeting.

At 6:29pm, Manager Facilities and Parks Leanne Petersen left the meeting.

At 6:29pm, Land Investigations Officer Rebecca Bayntum left the meeting.

At 6:31 pm, Cr Kirstie Schumacher returned to the meeting.

At 7:02 pm, Cr Danita Potter left the meeting.

At 7:03 pm, Cr Danita Potter returned to the meeting.

At 8:01pm, Executive Assistant Kimberley Donohue left the meeting.

At 8:03pm, Executive Assistant Kimberley Donohue returned to the meeting.

**RESOLUTION 2022/331**

Moved: Cr Brett Otto  
Seconded: Cr Danita Potter

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**

**MOTION****RESOLUTION 2022/332**

Moved: Cr Brett Otto  
Seconded: Cr Gavin Jones

That item 20.3 – EBA Negotiations be escalated and dealt with next on the agenda.

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

Against: Nil

**CARRIED 6/0**

**20.3 EBA NEGOTIATIONS****RESOLUTION 2022/333**

Moved: Cr Danita Potter  
Seconded: Cr Gavin Jones

That South Burnett Regional Council endorse the following proposal to be put to a staff vote for the draft Enterprise Bargaining Agreement:

2-year Agreement, with limited changes to the current provisions to the exclusion of:

- A once off increase over the life of the Agreement of 4% to the on-call allowance for staff on call rosters to ensure the ongoing provision of Council's core services (i.e. Water and Wastewater, Compliance, Works);
- A once off increase of \$15 to the Officers Uniform allowance and an increase of \$15 to PPE (work boots) in both Agreements if it is a requirement of the role;
- Equal Employment Opportunity;
- Participation from Unions and delegates in Corporate Induction; and
- 4% wage increase each year of the agreement.

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

Against: Crs Brett Otto and Kathy Duff

**CARRIED 4/2**



**Attendance:**

At 8:13 pm, Cr Jane Erkens returned to the meeting.

At 8:13pm, Chief Executive Officer Mark Pitt returned to the meeting.

At 8:13pm, General Manager Liveability Peter O'May returned to the meeting.

**20.1 PROSTON POOL MANAGEMENT**

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**RESOLUTION 2022/334**

Moved: Cr Kathy Duff

Seconded: Cr Scott Henschen

That South Burnett Regional Council enter in to a Contract with Natalie Mann for the management and operation of Proston Swimming Pool from Thursday to Sunday each week from 10am to 6pm from the 5th of January 2023 to 26<sup>th</sup> of March 2023 with a progress report to be brought back to the January Ordinary 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 8:15pm, General Manager Infrastructure Aaron Meehan left the meeting.

**20.2 DEVELOPMENT OF 1 POUND STREET, KINGAROY**

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**RESOLUTION 2022/335**

Moved: Cr Danita Potter

Seconded: Cr Gavin Jones

In relation to the future sale and development of the property known as 1 Pound Street, Kingaroy, that Council;

Hold a Special Meeting to;

- a. consider all land use options,
- b. consider all options for the development of a masterplan for the property, including Lot 13 on RP814986, Lot 2 on RP814986, Lot 87 on RP7952 and part of Lot 86 on RP7951 and
- c. Make a decision on any potential development and/or divestment of the property.

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

Against: Nil

**CARRIED 7/0**

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**20.2.1 CORRESPONDENCE TO RSL**

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**RESOLVED**

That an email of the draft correspondence that will be sent to the Kingaroy RSL Sub-Branch be circulated prior to sending for Councillor comment.

**21 CLOSURE OF MEETING**

The Meeting closed at 8.15pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 25 January 2023.

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**CHAIRPERSON**