



SOUTH BURNETT

REGIONAL COUNCIL

MINUTES

**Ordinary Council Meeting
Wednesday, 25 January 2023**

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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, 25 JANUARY 2023 AT 9AM**

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 & Sustainability), Louise Reidy (Strategic Procurement Coordinator), Kimberley Donohue (Executive Assistant).

1 OPENING

The Mayor opened the meeting and welcomed all attendees.

2 LEAVE OF ABSENCE / APOLOGIES

ATTENDANCE:

AT 9:01 AM, CR KATHY DUFF ENTERED THE MEETING.

3 PRAYERS

A representative of South Burnett Ministers Association, Glen Vonhoff offered prayers for Council and for the conduct of the Council meeting.

4 ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

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

5 DECLARATION OF INTEREST

I, Cr Kirstie Schumacher inform this meeting that I have a declarable conflict of interest in relation to **Item 17.1 - 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.**

The nature of my interest is as follows:

This declarable conflict of interest arises due to Cr Schumacher house sitting as a temporary arrangement on a neighbouring property.

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

6 DEPUTATIONS/PETITIONS

Nil

7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

7.1 MINUTES OF THE COUNCIL MEETING HELD ON 14 DECEMBER 2022

RESOLUTION 2023/337

Moved: Cr Kathy Duff

Seconded: Cr Danita Potter

That the Minutes of the Council Meeting held on 14 December 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

8 BUSINESS OUTSTANDING

8.1 BUSINESS OUTSTANDING TABLE FOR ORDINARY COUNCIL MEETING

RESOLUTION 2023/338

Moved: Cr Kathy Duff

Seconded: Cr Scott Henschen

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

9 NOTICES OF MOTION

9.1 NOTICE OF MOTION - ELECTRICITY SUPPLY ON RURAL LOT RECONFIGURATIONS WITHIN IN RURAL ZONES

RESOLUTION 2023/339

Moved: Cr Brett Otto

Seconded: Cr Kathy Duff

PROCEDURAL MOTION:

That the matter be lifted off 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

AMENDMENT

Moved: Cr Brett Otto
Seconded: Cr Kathy Duff

1. In respect of all future reconfiguration applications for the creation of allotments within the rural zoning, if approved, the following condition be made available to the applicant in relation to Electricity Supply:

The applicant demonstrates that alternative sources of electricity supply, such as solar energy, if required, could be made available as an alternative option to a reticulated connection.

2. That Council incorporates the following standard statement as part of Council's response to all future applications for rates searches on rural zoned properties:

Council cannot guarantee the supply of connecting electricity and telecommunications infrastructure on the property to which this rates search relates. As such, Council recommends that the applicant undertake their own due diligence in relation to such infrastructure.

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 2023/340

Moved: Cr Brett Otto
Seconded: Cr Kathy Duff

1. In respect of all future reconfiguration applications for the creation of allotments within the rural zoning, if approved, the following condition be made available to the applicant in relation to Electricity Supply:

The applicant demonstrates that alternative sources of electricity supply, such as solar energy, if required, could be made available as an alternative option to a reticulated connection.

2. That Council incorporates the following standard statement as part of Council's response to all future applications for rates searches on rural zoned properties:

Council cannot guarantee the supply of connecting electricity and telecommunications infrastructure on the property to which this rates search relates. As such, Council recommends that the applicant undertake their own due diligence in relation to such infrastructure.

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, COMMUNICATION & MEDIA, FINANCE & SUSTAINABILITY, ICT & BUSINESS SYSTEMS, COMMUNITY REPRESENTATION AND ADVOCACY, 2032 OLYMPICS & PARALYMPICS

10.1 MEETING DATES FOR THE ORDINARY MEETINGS OF COUNCIL’S STANDING COMMITTEES, GENERAL MEETINGS AND BUDGET MEETINGS.

RESOLUTION 2023/341

Moved: Cr Jane Erkens
 Seconded: Cr Danita Potter

That South Burnett Regional Council:

1. Fix the day, time and location for the Infrastructure, Environment and Compliance Standing Committee Meetings of South Burnett Regional Council as the first Wednesday of the month, beginning in February 2023, commencing at 9.00am in the Warren Truss Chamber, Glendon Street Kingaroy.
2. Fix the day and time for the Liveability, Governance and Finance Standing Committee Meetings of South Burnett Regional Council as the second Wednesday of the month, beginning in February 2023, commencing at 9.00am in the Warren Truss Chamber, Glendon Street Kingaroy.
3. Fix the day and time for the Budget Committee Meetings of South Burnett Regional Council as the third Wednesday of the month, beginning in February 2023, commencing at 8.30am in the Warren Truss Chamber, Glendon Street Kingaroy.
4. Fix the day and time for the General Council Meetings of South Burnett Regional Council as the fourth Wednesday of the month, beginning in January 2023, commencing at 9.00am in the Warren Truss Chamber, Glendon Street Kingaroy.
5. Adopt the dates for Council Meetings January - June 2023 as follows:

Committee	Date
General Meeting	Wednesday 25 January 2023
Infrastructure, Environment and Compliance Standing Committee	Wednesday 1 February 2023
Liveability, Governance and Finance Standing Committee Meeting	Wednesday 8 February 2023
Budget Committee Meeting	Wednesday 15 February 2023
Special Meeting – Pound Street	Monday 20 February 2023
General Meeting	Wednesday 22 February 2023

Infrastructure, Environment and Compliance Standing Committee Meeting	Wednesday 1 March 2023
Liveability, Governance and Finance Standing Committee Meeting	Wednesday 8 March 2023
Budget Committee Meeting	Wednesday 15 March 2023
General Meeting	Wednesday 22 March 2023
Infrastructure, Environment and Compliance Standing Committee Meeting	Wednesday 5 April 2023
Liveability, Governance and Finance Standing Committee Meeting	Wednesday 12 April 2023
Budget Committee Meeting	Wednesday 19 April 2023
General Meeting	Wednesday 26 April 2023
Infrastructure, Environment and Compliance Standing Committee Meeting	Wednesday 3 May 2023
Liveability, Governance and Finance Standing Committee Meeting	Wednesday 10 May 2023
Budget Committee Meeting	Wednesday 17 May 2023
General Meeting	Wednesday 24 May 2023
Infrastructure, Environment and Compliance Standing Committee Meeting	Wednesday 7 June 2023
Liveability, Governance and Finance Standing Committee Meeting	Wednesday 14 June 2023
Special Budget Meeting	Wednesday 21 June 2023
General Meeting	Wednesday 28 June 2023

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 BRISBANE 2032 OLYMPIC AND PARALYMPIC GAMES LEGACY PLAN

RESOLUTION 2023/342

Moved: Cr Danita Potter

Seconded: Cr Scott Henschen

That the report 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

10.2.1 BRISBANE 2032 OLYMPIC AND PARALYMPIC GAMES LEGACY PLAN

RESOLVED 2023/343

That the survey received on the Brisbane 2023 Olympic and Paralympic Games Legacy Plan 2032 be shared on Councils social media platforms.

10.3 ADOPTION OF THE SOUTH BURNETT REGIONAL COUNCIL FINANCIAL SUSTAINABILITY POLICY - STATUTORY070

RESOLUTION 2023/344

Moved: Cr Danita Potter

Seconded: Cr Scott Henschen

That the South Burnett Regional Council Financial Sustainability Policy - Statutory070 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 10:05 am, Cr Danita Potter left the meeting.

At 10:06 am, Cr Danita Potter returned to the meeting.

10.4 CONSIDERATION OF THE SOUTH BURNETT REGIONAL COUNCIL PROCUREMENT POLICY - STATUTORY007

MOTION

Moved: Cr Danita Potter
Seconded: Cr Gavin Jones

That the South Burnett Regional Council Procurement Policy – Statutory007 as presented be adopted as presented.

AMENDMENT

Moved: Cr Brett Otto
Seconded: Cr Kathy Duff

That the South Burnett Regional Council Procurement Policy – Statutory007 be adopted as amended

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

Against: Crs Gavin Jones, Jane Erkens, Danita Potter and Scott Henschen

LOST 3/4

AMENDMENT

Moved: Cr Jane Erkens
Seconded: Cr Kirstie Schumacher

That the South Burnett Regional Council Procurement Policy – Statutory007 be adopted as amended with the inclusion of a clause for a requirement of a report with the information available on Council's website to be brought to the meeting of Council closest to the decision on purchases of \$200,000 and above.

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 2023/345

Moved: Cr Danita Potter
Seconded: Cr Gavin Jones

That the South Burnett Regional Council Procurement Policy – Statutory007 be adopted as amended with the inclusion of a clause for a requirement of a report with the information available on Council's website to be brought to the meeting of Council closest to the decision on purchases of \$200,000 and above.

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 2023/346

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 2023/347

Moved: Cr Scott Henschen
Seconded: Cr Kirstie Schumacher

That the meeting resume at 10:59am

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 MONTHLY FINANCIAL INFORMATION - DECEMBER 2022

RESOLUTION 2023/348

Moved: Cr Scott Henschen
Seconded: Cr Kirstie Schumacher

That the monthly Financial Report including Capital Works and Works for Queensland (W4Q4) as at 31st December 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

11 PORTFOLIO - INFRASTRUCTURE PLANNING, WORKS (CONSTRUCTION & MAINTENANCE), WATER & WASTEWATER, PLANT & FLEET

Nil

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

Nil

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

13.1 SYSTEMATIC INSPECTION PROGRAM - DOG REGISTRATION

RESOLUTION 2023/349

Moved: Cr Danita Potter

Seconded: Cr Kathy Duff

That Council approve a Systematic Inspection Program for properties within the South Burnett Regional Council's jurisdiction in accordance with Section 113 of the *Animal Management (Cats and Dogs) Act 2008* to monitor compliance with the requirements of the *Animal Management (Cats and Dogs) Act 2008*, more specifically the requirement to register dogs.

The Systematic Inspection Program will be conducted between the hours of 8.00am and 5.00pm Monday to Friday, commencing on 1 March 2023 and concluding on 30 June 2023.

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

Against: Nil

CARRIED 7/0

AMENDMENT

Moved: Cr Jane Erkens

Seconded: Cr Kathy Duff

That Council approve a Systematic Inspection Program for properties within the South Burnett Regional Council's jurisdiction in accordance with Section 113 of the *Animal Management (Cats and Dogs) Act 2008* to monitor compliance with the requirements of the *Animal Management (Cats and Dogs) Act 2008*, more specifically the requirement to register dogs.

The Systematic Inspection Program will be conducted in the South Burnett Regional Council town areas excluding the rural residential areas between the hours of 8.00am and 5.00pm Monday to Friday, commencing on 1 March 2023 and concluding on 30 June 2023.

In Favour: Cr Jane Erkens

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

LOST 1/6

13.1.1 QUESTION ON NOTICE- RSPCA FIGURES

Question on Notice received from Cr Jane Erkens;

That report be brought back to the next Ordinary Council Meeting with a breakdown of the following figures from the RSPCA;

- How many cats and dogs have been impounded in the last 12 months?
- What was the average stay of the impounded animal/s?and;
- What are the costs associated eg. Impoundment fees?

At 11:48am, Mayor Brett Otto issued an Official Warning to Cr Jane Erkens for speaking while another Councillor had the floor.

14 PORTFOLIO - DISASTER MANAGEMENT, WASTE AND RECYCLING MANAGEMENT

Nil

15 PORTFOLIO - RURAL RESILIENCE & DISASTER RECOVERY, PARKS & GARDENS, PROPERTY & FACILITY MANAGEMENT, FIRST NATIONS AFFAIRS**15.1 PROSTON POOL MANAGEMENT - UPDATE**

RESOLUTION 2023/350

Moved: Cr Kathy Duff

Seconded: Cr Scott Henschen

That the report 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**15.1.1 PROSTON POOL**

RESOLVED 2023/351

Note of thanks to Manager Leanne Petersent and her team for their work to reopen the Proston Pool to the community.

15.2 LOCAL RECOVERY AND RESILIENCE GRANT PROJECTS - DRFA (CAT D)

RESOLUTION 2023/352

Moved: Cr Danita Potter

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 2023/353

Moved: Cr Kathy Duff

Seconded: Cr Danita Potter

That the following projects be submitted to the Queensland Reconstruction Authority for approval under the Local Recovery and Resilience Grant Funding issued under Category D, Disaster Recovery Funding Arrangements (DRFA);

PROJECT DESCRIPTION	PROJECT	APPROX COST
Community needs analysis	Survey	\$ 20,000.00
10 Minutes with a Master x 2	10 Minutes with a Master	\$ 25,000.00
Coffee, Cake and a chat with an agency	The 3 C's Coffee, Cake, Chat	\$ 5,000.00
Mental Health and Wellbeing Events	Divisional events that connect the community	\$ 45,000.00
Paddock Yarn and Information Sessions	BBQ with Wellbeing guest speaker and agencies	\$ 9,000.00
Accommodation Services	Information Packs	\$ 2,500.00
Residential Insurance	Information Packs	\$ 2,500.00
Evacuation Centre Items	Evacuation Items	\$ 5,000.00
Recovery Plans and Recovery Training	Continuity Plans / Training	\$ 5,000.00
Brochures/Materials	Update where to get help brochure	\$ 15,000.00
Mental Health Courses	Mental Health First Aid Courses	\$ 10,000.00
Various resilience workshops	Resilience workshops held across the region	\$ 6,000.00
Pillow Case Project	Building resilience within the younger generation	\$ 20,000.00
		\$ 170,000.00
Workshops and Information Sessions	External agency to facilitate primary producer workshops	\$ 100,000.00
		\$ 100,000.00
PROJECT ADMINISTRATION	Wages, after hours, travel, parking etc	\$ 200,000.00
PROMOTIONAL MATERIAL / RESILIENCE PACKAGES	Recovery Marquees, PA system for events, Travel, Recovery Lap Top, Sanitiser, Recovery Packs for Kids, Adults, Corflute Signage, Trauma Teddies	\$ 30,150.00
HUMAN SOCIAL & ECONOMIC		\$ 500,150.00
Flood Signage	Flood response - signage improvement program	\$ 449,850.00
Portable Emergency Power Supply	Flood response - trailer fitted with generator & costs	\$ 50,000.00
INFRASTRUCTURE		\$ 499,850.00
COMBINED TOTAL		\$ 1,000,000.00
GRANT		\$ 1,000,000.00

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 2023/354

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

RESUME MEETING

RESOLUTION 2023/355

Moved: Cr Brett Otto
Seconded: Cr Scott Henschen

That the meeting resume at 1:04pm.

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

Against: Nil

CARRIED 7/0

16 PORTFOLIO - TOURISM & VISITOR INFORMATION CENTRES, SPORT & RECREATION AND COMMERCIAL ENTERPRISES**16.1 REDUCTION IN CAMPING FEES - KINGAROY GIRL GUIDES**

RESOLUTION 2023/356

Moved: Cr Danita Potter
Seconded: Cr Kathy Duff

That Council supports the request and offers 20% discount off accommodation/camping fees during their training days.

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 1:04pm, Cr Kirstie Schumacher left the meeting.

At 1:04pm, General Manager Infrastructure Aaron Meehan left the meeting.

17 PORTFOLIO - REGIONAL DEVELOPMENT, DEVELOPMENT SERVICES, COMMUNITY & SOCIAL HOUSING**17.1 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**

RESOLUTION 2023/357

Moved: Cr Danita Potter
Seconded: Cr Kathy Duff

That the application for a Material Change of use for a Development Permit for a Showroom and Service Station with ancillary food and drink outlet at Rogers Drive, Kingaroy (and described as Lot 5 on SP112069) be approved by Council as a full delegate subject to the attached conditions, plans and the adopted infrastructure charges notice.

GENERAL

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

Title	Drawing Number	Revision	Applicant Number	Job
Building Elevation & Perspectives T2 Showroom	DA07	Revision B	18119	
Building Elevation & Perspectives T2 Showroom	DA06	Revision B	18119	
Building Elevations & Perspectives – T1	DA04	Revision B	18119	
Building Elevations & Perspectives – T1	DA03	Revision B	18119	
Site Elevations & Perspectives	DA03	Revision B	18119	
Proposed Floor Plan	DA02	Revision A	18119	
Proposed Site Plan Prepared by Verve	DA01	Revision N	18119	
Landscape Concept Plan prepared by AGLA	22013	Revision F	Sheets 1,2&3	

GEN2. Landscaping shall be undertaken prior to commencement of the use in accordance with the approved landscape concept plan prepared by ALGA and is to be maintained at all times.

DEVELOPMENT PERIOD - MCU

GEN3. The currency period for this development approval for Material Change of Use is **(6) years** after the development approval starts to have effect. The development approval will lapse unless the use is commenced, and all works, and stages required to be given to Council for approval is provided within this period.

LAND USE

PLN1. The approved ‘*Showroom*’ use shall be maintained for use as a Showroom as defined by the *South Burnett Planning Scheme 2017* and the large format tenancy shown on approved plans, shall be maintained as a single tenancy and shall not be divided by commercial sub-leased areas that reduces the total approved floor area in order for the tenancy and use to be consistent with and reflect the bulky goods retail intent of the Specialised Centre zone.

PLN2. The ancillary food and drink outlet shall not be changed to operate separately from the operations of the approved Service Station. The Drive through and food and drink and any internal ancillary shop sales must only operate during hours of operation of the approved Service Station use and no new or separate tenancies can be created internal to the building footprint to divide tenancy spaces to allow for separate or independent use areas. All ancillary uses are to stay interdependent with the approved Service station use at all times.

ENGINEERING WORKS

ENG1. Submit to Council, an Operational Work application for all civil works including earthworks, stormwater, access, 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 commencement of the use unless stated otherwise.

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 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

- 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

STORMWATER MANAGEMENT

- ENG7. Design and construct stormwater drainage to ensure that the development will achieve no increase in peak stormwater discharge to all downstream properties including road reserves and the like for design storms up to ARI100, in accordance with the Infinitec *Stormwater Engineering Report & Site Based Stormwater Management Plan*, Project No. 21571, Rev C, dated 22/06/2022.
- ENG8. All stormwater from the fuel dispensing forecourt shall pass through a SPEL Purceptor (Model No. P.040.C1.1C), or approved equivalent, prior to discharge to the stormwater network.
- ENG9. Connect the development to the existing underground stormwater system.
- ENG10. 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.
- ENG11. Design and construct stormwater drainage incorporating measures to prevent any solid matter and floatable oils being carried into existing stormwater system.
- ENG12. Stormwater from sealed areas is required to be piped to the existing stormwater system.
- 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.

WATER SUPPLY

- ENG14. Connect the development to Council's reticulated water supply system via a single connection.

WATER SUPPLY - FIRE FIGHTING SUPPLY

- ENG15. Submit to Council for approval, the design for the break tank, pump, and booster assembly for the external firefighting water supply, prepared by a suitably qualified person. This is to be a permanent supply of water for firefighting purposes, separate from any potable water supply.

Timing: Prior to submission of an Operational Work application.

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 Infrastructure 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.

TRADE WASTE DISPOSAL (COMMERCIAL KITCHEN)

- ENG22. Connect any commercial kitchen to Council's reticulated sewer network. Obtain a Plumbing Approval from Council and the relevant inspections are to be undertaken prior to connection to the sewer.

PARKING AND ACCESS - GENERAL

- ENG23. 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.
- ENG24. Design and construct all sealed areas with concrete, asphalt or a two-coat bitumen seal.
- ENG25. Provide a minimum of 63 car parking spaces including a minimum of 2 spaces for person with disability (PWD) for all uses approved (both show room and service station uses).
- ENG26. Design & construct all PWD car parking spaces in accordance with AS2890.6.
- ENG27. Provide vehicle bollards or tyre stops to control vehicular access and to protect landscaping or pedestrian areas where appropriate.
- ENG28. 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.
- ENG29. Provide longitudinal gradient and crossfall for all driveways to comply with the requirements of AS2890.1.

PARKING AND ACCESS - SERVICING

- ENG30. Provide loading bay facilities for a Heavy Rigid Vehicle in the location generally shown on the approved plan(s) of development that are designed in accordance with Australian Standard 2890.2 – Off-street Commercial Vehicle Facilities.
- ENG31. Design along the route to and from all loading bay facilities and the external road network, all access driveways, circulation driveways, parking aisles and the like with a layout that accommodates the turning movements of a Heavy Rigid Vehicle and ensure that all vehicles are able to enter and exit the site in a forward direction. Routes remain unobstructed and available for their intended purpose during the hours of operation.
- ENG32. Ensure loading and unloading operations are conducted wholly within the site and vehicles enter and exit the site in a forward direction.

VEHICLE ACCESS

- ENG33. Construct commercial standard crossovers between the property boundary and the edge of the Rogers Drive Road pavement, having a minimum width of 7 metres at the entry, and 9

metres at the exit, generally in accordance with IPWEAQ Std Dwg RS-051, Rev F. Ensure that crossover splay is designed to accommodate turning movements of an Articulated Vehicle.

ENG34. Provide 'No Entry' linemarking on the exit access generally in accordance with Verve Drawing No. 18119-DA01 Rev N.

ENG35. Where a crossover/access adjoins a footpath, the maximum footpath crossfall of 2.5% shall be provided for the width of the footpath across the crossover/access.

ENG36. 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 (eg street sign, street tree, etc).

ENG37. Install signage at all site entries clearly visible at all times delineating no B-Double access to the site is permitted prior to the commencement of the Service Station use and to be maintained at all times.

REDUNDANT CROSSOVERS

ENG38. Remove all redundant crossovers 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 - SIGNAGE

ENG39. At the 'Exit Driveway', install R2-4 "No Entry" signage as specified in the Manual of Uniform Traffic Control Devices – Part 13: Local Area Traffic Management.

PEDESTRIAN FOOTPATH

ENG40. Construct a 1.5-metre-wide footpath along the Rogers Drive frontage, per Verve Drawing No. 18119-DA01 Rev N in accordance with IPWEAQ Standard Drawing No. RS-065.

ROADWORKS AND PEDESTRIAN SAFETY

ENG41. Install signage for all works on or near roadways in accordance with the Manual for Uniform Traffic Control Devices – Part 3, Works on Roads.

ENG42. Submit to Council, an application for any footpath, road or lane closures, and ensure all conditions of that approval are complied with during construction of the works.

ENG43. Maintain safe pedestrian access along Council's footpaths at all times.

APPROVED FUEL DELIVERY VEHICLE

ENG44. The largest approved vehicle for fuel deliveries to the site is a 19.0m Articulated Vehicle, unless otherwise approved in writing by Council. There shall be no B-Double access to the site.

ELECTRICITY AND TELECOMMUNICATION

ENG45. Connect the development to electricity and telecommunication services.

EARTHWORKS - GENERAL

ENG46. Earthworks per site involving cut or fill greater than 1m, or with a nett quantity of material greater than 50m³, requires an Operational Work application.

ENG47. Undertake earthworks in accordance with the provisions of AS3798 Guidelines on Earthworks for Commercial and Residential Developments.

EROSION AND SEDIMENT CONTROL - GENERAL

ENG48. 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.

ENG49. 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.

VAPOUR RECOVERY - STAGE 1 AND 2

MCU1. Prior to commencement of use, the service station is required to implement Vapour Recovery stage 1 and stage 2.

FUEL DISPENSING PIPEWORK

MCU2. Install and maintain pipework in accordance with the following:

- I) All underground pipework is to be made of approved, non-corrodible materials (approved materials include either fibre-reinforced thermosetting resin composite (fibreglass) compatible with the product to be transferred or flexible plastic meeting the requirements of UL971 Standard for non-metallic underground piping for flammable liquids);
- II) All product piping is to have secondary containment consisting of double walled piping with an interstitial space;
- III) Each tank fill point is to be clearly labelled and identified in compliance with AS 4977-2008 Petroleum products - Pipeline, road tanker compartment and underground tank identification;
- IV) Each tank fill point shall also be fitted with a camlock type or other liquid tight connection and provided with spill containment of at least 15L capacity per spill point; and
- V) All fill and vapour recovery points are to be earthed in compliance with AS 1020-1984 The control of undesirable static electricity and AS 3000-2007 Electrical installations

PIPEWORK LEAK DETECTION

MCU3. Install and maintain leak detection systems for underground pipework including:

- I) electronic line leak detection (ELLD) for pressure piping; or
- II) safe suction for suction piping

UNDERGROUND TANKS

MCU4. Underground tanks are to be designed and installed in accordance with the following:

- I) Be non-corrodible and be constructed of either fibre-reinforced thermosetting resin (fibreglass) that is compatible with the product or a steel inner wall and a fibre-reinforced thermosetting resin composite (fibreglass) outer wall with an interstitial space between the 2 walls;
- II) Be double walled and have an interstitial space between the 2 walls of the tanks that is capable of being monitored for any breach of either the inner or outer wall of the tank.
- III) All tanks are to meet the requirements of AS1692-2006 Steel tanks for flammable and combustible liquids, UL 1316 Glass fibre reinforced underground storage tanks for petroleum products, alcohols and alcohol gasoline mixtures or the equivalent; and
- IV) Have an overfill protection valve is to be installed in the drop tube of the tank and calibrated to prevent the tank from being filled in excess of 98% of its capacity (An overfill alarm is to be installed to visually and audibly alert persons in the vicinity of the tank).

LEAK DETECTION SYSTEM

MCU5. Install and maintain a leak detection system in accordance with the following:

- I) able to detect a leak from any portion of the underground storage system;

-
- II) uses equipment that has been installed, calibrated and commissioned in accordance with the manufacturer's instructions;
 - III) is capable of detecting a leak at a rate of 0.76L per hour or more with at least 95% accuracy and a probability of false detection of 0.05 or less (United States Environmental Protection Agency (USEPA));
 - IV) statistical inventory reconciliation (SIR) that includes a software-based system where daily tank dip readings, delivery records and sales records are entered onto a proprietary software package or an automatic tank gauging (ATG) that includes an automatic system using an arrangement of sensor probes and other devices that monitor the underground petroleum storage system and provide inventory information and leak testing; and
 - V) a tank pit observation well at the lowest point of each tank excavation pit

Submit to Council certification by a suitably qualified person that the systems have been installed in accordance with the above requirements prior to commencement of the use.

UNCOVERED FORECOURT AREAS

MCU6. Uncovered forecourt areas must be constructed and maintained in accordance with the following:

- I) All ground surfaces of the uncovered forecourt area liable to contamination from vehicular activities are to be constructed of impermeable materials, free of gaps or cracks. Suitable materials include asphalt, reinforced concrete or equivalent.
- II) Signage indicating 'flows to stormwater treatment system' is to be provided for drainage inlets in the uncovered forecourt area. Signage is to be painted or otherwise indicated around the drain inlets.
- III) The uncovered forecourt area is to be graded and drained to an approved proprietary device.

Submit to Council certification by a suitably qualified person that the uncovered forecourt area has been installed and constructed in accordance with the above requirements.

FUEL DISPENSING AREAS

MCU7. Fuel Dispensing Areas (FDA) must be constructed and maintained in accordance with the following:

- I) All ground surfaces are to be constructed of impermeable materials free of gaps and/or cracks (suitable materials include waterproofed and reinforced concrete);
- II) The FDA is to be clearly demarcated from the outer forecourt area, access roads, general parking bays and all other areas to clearly delineate the higher contamination risk area from lower risk areas (acceptable demarcation methods include a painted line on the ground, roll-over bunds, drainage lines or different coloured impermeable material); and
- III) A canopy over all FDAs is to be designed to minimise the amount of rain entering the dispensing area.

Prior to commencement of the use, submit to Council certification by a suitably qualified person that the system has been installed in accordance with the above requirements.

ROAD TANKER DELIVERY AREA

MCU8. Bulk fuel deliveries are to be carried out in an area within the uncovered forecourt area and / or fuel dispensing area that is graded and drained to a proprietary device.

Submit to Council certification by a suitably qualified person that the road tanker delivery stand has been installed and constructed in accordance with the above requirements.

SPILLAGE - CLEAN UP SPILT WASTE CONTAMINANTS

MCU9. Any spillage of wastes, contaminants or other materials must be cleaned up as soon as practicable to prevent off-site contamination. Such spillages must be cleaned up in accordance with documented emergency response and clean up procedures.

SPILLAGE - MATERIALS & EQUIPMENT TO CONTAIN & CLEAN UP

MCU10. Appropriate materials and equipment are to be available on site at all times to contain and clean up spills of potentially polluting materials. An inventory of all clean up and containment materials and equipment, and documented emergency response and clean up procedures must be kept on site.

NOISE ATTENUATION - AMPLIFIED MUSIC GENERAL LIMIT

MCU11. A sound limiting device must be installed into any amplification system of the proposed drive through to ensure the noise criteria for amplified sound for this approval is achieved.

Submit certification from an appropriately qualified acoustic consultant demonstrating that a noise limiting device has been installed into the amplification system to achieve the daytime and night-time noise criteria at the nearest sensitive receiving environment.

DAMPENING OF GRILLES AND METAL PLATES

MCU12. All metal grilles, metal plates or similar subject to vehicular traffic must be acoustically dampened to prevent environmental nuisance.

PLANT AND EQUIPMENT CERTIFICATION

MCU13. Following the installation of all mechanical plant and equipment (e.g., air conditioning, mechanical ventilation and refrigeration equipment and heat pump hot water systems), submit to Development Assessment certification that the plant and equipment is adequately noise- attenuated and is in accordance with the criteria of the Environmental Protection Regulation (noise).

REFUSE STORAGE - ON SITE BULK COLLECTION

MCU14. Provide a roofed and screened waste enclosure to accommodate the type and quantity of bulk waste/recycling bins required to service the development. Bins must be in the area shown on the approved plans, and which allows them to be manoeuvred and cleaned to a drained outlet connected to sewer. The bin storage area is to be signed on site.

ADVICE**EQUITABLE ACCESS**

ADV1. Provision must be made for equitable access for persons with disabilities to and within the site in accordance with the Queensland Anti-Discrimination Act 1991, the Federal Disability Discrimination Act 1992 and Australian Standard AS1428 Parts 1-4, Australian Standard for Access and Mobility and the National Construction Code.

APPEAL RIGHTS

ADV2. Attached for your information is a copy of Chapter 6 of the *Planning Act 2016* as regards Appeal Rights.

INFRASTRUCTURE CHARGES

ADV3. Infrastructure charges are now levied by way of an infrastructure charges notice, issued pursuant to section 119 of the *Planning Act 2016*.

DEVELOPER INCENTIVE

ADV4. 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

ADV5. 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.

CONCURRENCE AGENCY

ADV6. SARA has imposed conditions on the development permit as attached as Attachment A.

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 1:26 pm, Cr Kirstie Schumacher returned to the meeting.

At 1:26pm, General Manager Infrastructure Aaron Meehan returned to the meeting.

17.2 RECONFIGURING A LOT – SUBDIVIDING 1 LOT INTO 2 LOTS AT 58 MALAR ROAD, BOOIE (AND DESCRIBED AS LOT 22 ON SP160448) - APPLICANT: D CULLEN C/- ONF SURVEYORS

RESOLUTION 2023/358

Moved: Cr Gavin Jones

Seconded: Cr Kirstie Schumacher

The application for Reconfiguring a Lot (1 into 2 lots) over land at 58 Malar Rd Booie, be approved subject to the following conditions, the attached plan of development and Enginfra Engineering report, the attached Adopted infrastructure Charges Notice issued under the SBRC Adopted Infrastructure Charges Resolution No.3, 2019.

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	Date/Drawing number
Proposed Subdivision	10493P/1
Enginfra Consulting Engineers and Project Managers	26 th October 2022

DEVELOPMENT PERIOD - RAL

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.

GENERAL

- 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.

COVENANT AREA

- RAL6. Prior to survey plan endorsement prepare a Covenant at no cost to Council or State excluding an area of all habitable buildings or structures within 20.0m of the eastern side boundary of proposed lot 26. The covenant may allow for ancillary structures or landscaping within it. The covenant area is to always be managed by the landowner and of no cost or burden to the Council or State.
The Covenant area is a habitable building exclusion area, required in the absence of any approved survey building location zone within proposed lot 26 or necessary vegetated buffer to ensure compliance with the requirements of the South Burnett Planning Scheme 2017 v1.4.

ENGINEERING WORKS

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

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

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

STORMWATER MANAGEMENT

- ENG6. Provide overland flow paths that do not adversely alter the characteristics of existing overland flows on other properties or that create an increase in flood damage on other properties.
- ENG7. Adjoining properties and roadways to the development are to be protected from ponding or nuisance from stormwater as a result of any site works undertaken as part of the proposed development.

WATER SUPPLY

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

ON-SITE WASTEWATER TREATMENT

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

VEHICLE ACCESS

- ENG10. The access to proposed lot shall be located in accordance with the Sight Distance Report prepared by EngInfra Consulting, Rev 2 dated 26 October 2022.
- ENG11. On the eastern approach to proposed Lot 26, a "Concealed Driveway" advisory sign (TC1590 with TC1511 supplementary distance plate) shall be installed 150m to the west of the proposed access location. Signs shall be installed in accordance with the MUTCD.
- ENG12. Design and construct accesses having a minimum width of 4 metres in accordance with Council's Standard Drawing No. 00049.

TELECOMMUNICATION AND ELECTRICITY

- ENG13. Provide telecommunications to all lots within the development.
- ENG14. Prior to Council sealing the Survey Plan the applicant is to provide each lot with an electricity supply. The standards of service nominated by the electricity supply authority with reticulated electricity to be made available at the property boundary.

SERVICES - EXISTING CONNECTIONS

- ENG15. Ensure that all services provided to the existing house on proposed Lot 1 are wholly located within the lot(s) it serves.

EROSION AND SEDIMENT CONTROL - GENERAL

- ENG16. 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.

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.

ENVIRONMENT

ADV2. The subject site is partially mapped by Regulated Vegetation Category R under the State maps. It is the landowner's responsibility to ensure any disturbance or clearing within the area of mapping is exempt or accepted clearing in accordance with all relevant State vegetation management provisions.

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*.

DEVELOPER INCENTIVE

ADV6. 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.

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 COMPLIANCE STATISTICS

RESOLUTION 2023/359

Moved: Cr Danita Potter
Seconded: Cr Scott Henschen

THAT the response to the question regarding the breakdown of compliance CRM's for residential and rural residential areas raised by Councillor Potter 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

19.2 AUDIT FEE

RESOLUTION 2023/360

Moved: Cr Kirstie Schumacher
Seconded: Cr Kathy Duff

THAT the response to the question regarding Audit Fees raised by Councillor Kirstie Schumacher 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

20 CONFIDENTIAL SECTION

RESOLUTION 2023/361

Moved: Cr Danita Potter
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 Consideration for remission on rates - Assessment 14513-00000-000

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.

20.2 Gift of land to the South Burnett Child Care Centre at 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.

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

Against: Nil

CARRIED 7/0

RESOLUTION 2023/362

Moved: Cr Brett Otto

Seconded: Cr Gavin Jones

That Council moves out of Closed Council into Open Council.

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

Against: Nil

CARRIED 7/0

20.1 CONSIDERATION FOR REMISSION ON RATES - ASSESSMENT 14513-00000-000

RESOLUTION 2023/363

Moved: Cr Brett Otto

Seconded: Cr Gavin Jones

That the matter lay on 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

20.2 GIFT OF LAND TO THE SOUTH BURNETT CHILD CARE CENTRE AT KINGAROY

RESOLUTION 2023/364

Moved: Cr Kirstie Schumacher

Seconded: Cr Gavin Jones

That South Burnett Regional Council:

1. Develop a framework to consider requests from community groups that ask Council to transfer land at nil consideration, to ensure consistent decision-making.
 2. Conduct a development application for subdivision of Lot 86 on RP7951 in line with the current South Burnett Child Care and Kindergarten lease area.
 3. Continue engagement with South Burnett Child Care and Kindergarten as to appropriate long term tenure arrangements.
-

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

Against: Nil

CARRIED 7/0

21 CLOSURE OF MEETING

The Meeting closed at 2:14pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 22 February 2023.

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CHAIRPERSON