



SOUTH BURNETT
REGIONAL COUNCIL

AGENDA

Liveability, Governance and Finance Standing Committee Meeting Wednesday, 12 April 2023

I hereby give notice that a Meeting of the Liveability, Governance and Finance Standing Committee will be held on:

Date: Wednesday, 12 April 2023

Time: 9am

**Location: Warren Truss Chamber
45 Glendon Street
Kingaroy**

**Mark Pitt PSM
Chief Executive Officer**

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In accordance with the *Local Government Regulation 2012*, please be advised that all discussion held during the meeting is recorded for the purpose of verifying the minutes. This will include any discussion involving a Councillor, staff member or a member of the public.

- 1 OPENING**
- 2 LEAVE OF ABSENCE / APOLOGIES**
- 3 RECOGNITION OF TRADITIONAL OWNERS**
- 4 DECLARATION OF INTEREST**

5 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

5.1 MINUTES OF THE LIVEABILITY, GOVERNANCE AND FINANCE STANDING COMMITTEE MEETING HELD ON 8 MARCH 2023

File Number: 12-04-2023

Author: Executive Assistant

Authoriser: Chief Executive Officer

OFFICER'S RECOMMENDATION

That the Minutes of the Liveability, Governance and Finance Standing Committee Meeting held on 8 March 2023 be received and the recommendations therein be adopted.

ATTACHMENTS

- 1. Minutes of the Liveability, Governance and Finance Standing Committee Meeting held on 8 March 2023**



MINUTES

Liveability, Governance and Finance Standing Committee Meeting Wednesday, 8 March 2023

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**MINUTES OF SOUTH BURNETT REGIONAL COUNCIL
LIVEABILITY, GOVERNANCE AND FINANCE STANDING COMMITTEE MEETING
HELD AT THE WARREN TRUSS CHAMBER, 45 GLENDON STREET, KINGAROY
ON WEDNESDAY, 8 MARCH 2023 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), Aaron Meehan (General Manager Infrastructure), Susan Jarvis (General Manager Finance & Corporate), Leanne Petersen (Manager Facilities & Parks), Michael Hunter (Coordinator Commercial Enterprises), Margie Hams (Coordinator Community Development), Darryl Brooks (Manager Environment & Planning), Kerri Anderson (Manager Finance & Sustainability), Anthony Bills (Manager ICT & Fleet), Kimberley Donohue (Executive Assistant).

1 OPENING

Cr Potter opened the meeting and welcomed all attendees.

2 LEAVE OF ABSENCE / APOLOGIES

Nil.

3 ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

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

4 DEPUTATIONS

Kayla Milne presented a deputation to the chamber regarding the need for a Youth Engagement Centre in Kingaroy.

5 DECLARATION OF INTEREST

Nil.

6 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

6.1 MINUTES OF THE LIVEABILITY, GOVERNANCE AND FINANCE STANDING COMMITTEE MEETING HELD ON 8 FEBRUARY 2023

COMMITTEE RESOLUTION 2023/135

Moved: Cr Jane Erkens

Seconded: Cr Gavin Jones

That the Minutes of the Liveability, Governance and Finance Standing Committee Meeting held on 8 February 2023 be received.

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

Against: Nil

CARRIED 7/0

Attendance:

At 9:13am, Manager Facilities & Parks Leanne Petersen left the meeting.

At 9:14am, Manager Facilities & Parks Leanne Petersen returned to the meeting.

7 NOTICES OF MOTION

7.1 MARCH GENERAL COUNCIL MEETING - PROPOSED CHANGE OF DATE

COMMITTEE RESOLUTION 2023/136

Moved: Cr Kirstie Schumacher

Seconded: Cr Jane Erkens

That the Committee recommends to Council:

That the General Council Meeting to be held on 22 March 2023 be rescheduled for Wednesday 29 March 2023 commencing at 8:30am in Nanango (if practicable) and that appropriate notice of the change of date be advertised in the community.

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

Against: Nil

CARRIED 7/0

7.2 INVESTIGATION AND CONSIDERATION OF FOOD ORGANICS GARDEN ORGANICS (FOGO) RECYCLING

COMMITTEE RECOMMENDATION

Moved: Cr Brett Otto

Seconded: Cr Kirstie Schumacher

That the Committee recommends to Council:

That Council officers liaise with the Ipswich City Council in relation to their optional Food Organics Garden Organics (FOGO) Recycling Program and the Lockyer Valley Regional Council in relation to their FOGO Trial Program over the next six months with a view to Council considering the implementation of such at an appropriate future date as part of the next waste contract negotiations.

In Favour: Crs Brett Otto and Kathy Duff

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

LOST 2/5

Attendance:

At 9:36am, Manager Environment & Planning Darryl Brooks left the meeting.

7.3 KINGAROY YOUTH ENGAGEMENT CENTRE

COMMITTEE RECOMMENDATION

Moved: Cr Brett Otto

Seconded: Cr Kathy Duff

The Committee recommends to Council that:

1. Council engages with our Youth Council and interested community members as to the establishment and design of a 'Youth Engagement Centre' in Kingaroy, noting that the Youth Council may wish to recommend naming the proposed centre in keeping with its objectives
 2. Council seeks expressions of interest from community organisations and suitably credentialled and authorised adult volunteers to support the centres operations and supervisory requirements;
 3. Council seeks to enter into a lease on premises functioning as the KTP office in Kingaroy Street for a period of 12 months commencing 01 July 2023 for the purposes of the centre;
 4. Council prepares a draft operating budget in conjunction with the Youth Council and then considers funding the operating costs of the centre as a recovery and resilience program under the current Black Summer Bush Fire Recovery and Resilience Government funding for a period of 12 months from 01 July 2023 to 30 June 2024;
 5. Council works with the Youth Council in raising funds to fit out and furnish the centre to create a comfortable and safe setting that meets the needs of our young people.
 6. Council schedules a review of this trial program after 30 June 2024 to assess its community benefit and long-term viability and funding options.
-

AMENDMENT

Moved: Cr Kirstie Schumacher

Seconded: Cr Gavin Jones

That the Committee recommends to Council that:

1. Council engages with our Youth Council and interested community members to form a working group with the view to establish a 'Youth Engagement Centre', noting that the Youth Council may wish to recommend naming the proposed centre in keeping with its objectives; and
2. Council seeks expressions of interest from community organisations and suitably credentialled and authorised adult volunteers to support the centres operations and supervisory requirements and that report be brought back to a future Liveability, Governance and Finance Standing Committee 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**THE AMENDMENT BECAME THE RESOLUTION**

COMMITTEE RESOLUTION 2023/138

Moved: Cr Brett Otto

Seconded: Cr Kathy Duff

That the Committee recommends to Council that:

1. Council engages with our Youth Council and interested community members to form a working group with the view to establish a 'Youth Engagement Centre', noting that the Youth Council may wish to recommend naming the proposed centre in keeping with its objectives; and
2. Council seeks expressions of interest from community organisations and suitably credentialled and authorised adult volunteers to support the centres operations and supervisory requirements and that report be brought back to a future Liveability, Governance and Finance Standing Committee 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**Mayor Otto with the leave of the meeting withdrew motion 6.4.****Attendance:**

At 10:18am, General Manager Infrastructure Aaron Meehan left the meeting.

7.5 DIGITAL CONNECTIVITY AT TOURIST DAMS

COMMITTEE RECOMMENDATION

Moved: Cr Kathy Duff

Seconded: Cr Brett Otto

The Committee recommends to Council that:

Council officers investigate options and associated costs to improve digital connectivity at both Council Tourist dams and provide a report to the Standing Committee Meeting on 12 April 2023.

Cr Duff with the leave of the meeting withdrew motion 6.5 carried 7/0.

ADJOURN MORNING TEA

COMMITTEE RESOLUTION 2023/139

Moved: Cr Scott Henschen

Seconded: Cr Jane Erkens

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

COMMITTEE RESOLUTION 2023/140

Moved: Cr Danita Potter

Seconded: Cr Scott Henschen

That the meeting resume at 10:41am.

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

Against: Nil

CARRIED 6/0

Attendance:

Manager Corporate, Governance & Strategy Rebecca Bayntun was present at the resumption of the meeting.

Coordinator Community Development, Margie Hams was not present at the resumption of the meeting.

At 10:41am, Mayor Brett Otto returned to the meeting.

7.6 RECOGNITION OF TRADITIONAL OWNERS ON TOWN AND VILLAGE ENTRY SIGNAGE

COMMITTEE RESOLUTION 2023/141

Moved: Cr Brett Otto

Seconded: Cr Gavin Jones

The Committee recommends to Council that:

Council consults with the Cherbourg Aboriginal Shire Council and the appropriate traditional owners with a view to placing culturally appropriate recognition of the traditional owners on the back of the South Burnett village and town entry signs.

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

Against: Nil

CARRIED 7/0

7.7 REMOVAL OF TREE IN MACALISTER STREET MURGON

COMMITTEE RESOLUTION 2023/142

Moved: Cr Kathy Duff

Seconded: Cr Gavin Jones

The Committee recommends to Council that:

- Council undertakes community consultation as to the removal of the Hoop Pine tree in front of the Murgon Ancient Songbird Centre in Macalister Street Murgon;
- Council obtains quotes to have the tree removed;
- A report is provided to the standing committee meeting in July 2023;
- Liaise with community organisations in regard to utilising the timber from the Hoop Pine tree.

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

Against: Cr Jane Erkens

CARRIED 6/1

7.8 HART STREET BLACKBUTT PEDESTRIAN PATH WORKS

COMMITTEE RESOLUTION 2023/143

Moved: Cr Brett Otto

Seconded: Cr Gavin Jones

The Committee recommends to Council that:

Council programs the following works into the 2022/2023 parks and gardens maintenance program in relation to the section of bitumen pedestrian footpath between 38 and 44 Hart Street, Blackbutt:

- spraying of the overgrown grass that encroaching on and into the bitumen seal;
- removal of the grass and re-sealing of the damaged sections.

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

Against: Nil

CARRIED 7/0

The Chair noted to the meeting that under Section 3.53.9 of the Conduct of Council and Committee Meetings Policy Statutory017 that Cr Jane Erken's issued an apology to Mayor Brett Otto.

Attendance:

At 11:26am, Manager Facilities & Parks Leanne Petersen left the meeting.

8 PORTFOLIO - CORPORATE GOVERNANCE & STRATEGY, PEOPLE & CULTURE, COMMUNICATION & MEDIA, FINANCE & SUSTAINABILITY, ICT & BUSINESS SYSTEMS, COMMUNITY REPRESENTATION AND ADVOCACY, 2032 OLYMPICS & PARALYMPICS**8.1 CORPORATE, GOVERNANCE & STRATEGY, PEOPLE & CULTURE, COMMUNICATIONS/MEDIA, FINANCE & SUSTAINABILITY, ICT & BUSINESS SYSTEMS, COMMUNITY REPRESENTATION & ADVOCACY AND 2032 OLYMPICS & PARALYMPICS PORTFOLIO REPORT**

COMMITTEE RESOLUTION 2023/144

Moved: Cr Brett Otto

Seconded: Cr Scott Henschen

That Mayor Otto's Corporate, Governance & Strategy, People & Culture, Communications/Media, Finance & Sustainability, ICT & Business Systems, Community Representation & Advocacy and 2032 Olympics & Paralympics Portfolio Report to Council be received.

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

Against: Nil

CARRIED 7/0

9 CORPORATE GOVERNANCE & STRATEGY

9.1 ADOPTION OF THE SOUTH BURNETT REGIONAL COUNCIL RECRUITMENT & SELECTION POLICY - STATUTORY014

COMMITTEE RESOLUTION 2023/145

Moved: Cr Gavin Jones
Seconded: Cr Scott Henschen

That the Committee recommends to Council:

That the South Burnett Regional Council Recruitment & Selection Policy – Statutory014 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 FINANCE & SUSTAINABILITY

10.1 DEBT COLLECTION PROCESSES - UPDATE

COMMITTEE RESOLUTION 2023/146

Moved: Cr Gavin Jones
Seconded: Cr Jane Erkens

That the report be received for information and guidance to any proposed operational processes on debt collection be advised.

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

Against: Nil

CARRIED 7/0

Attendance:

At 11:33am, Coordinator Community Development Margie Hams returned to the meeting.

11 ICT & BUSINESS SYSTEMS

11.1 CRM STATISTICS

COMMITTEE RESOLUTION 2023/147

Moved: Cr Scott Henschen

Seconded: Cr Jane Erkens

That the report is 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

11.1.1 QUESTION ON NOTICE - CUSTOMER SERVICE LEVELS

Question on Notice received from Cr Kirstie Schumacher:

Is there an expectation that Customer Service staff are to advise a caller of the timeframe and close out time around a request?

11.1.2 QUESTION ON NOTICE - CLOSE OUT OF REQUESTS

Question on Notice received from Cr Kathy Duff:

What is the process for the closure of requests?

12 COMMUNITY REPRESENTATION AND ADVOCACY**12.1 ANZAC DAY 2023****COMMITTEE RESOLUTION 2023/148**

Moved: Cr Kirstie Schumacher

Seconded: Cr Jane Erkens

That the Committee recommends to Council:

That the following Council representatives attend the respective ceremonies and carry out responsibilities as required on behalf of Council:

Town	Location	Time	Council Representative	Responsibility
Blackbutt Dawn Service	Memorial at Hart & Coulson Streets	4.27am	Cr Jones	Attendance Lay wreath
Memorial Service	Cenotaph	11.00am	Cr Jones	Attendance Lay wreath/Book
Bunya Mountains Memorial Service	Lone Pine Office, National Park Campground, Dandabah	8.00am	Cr Jones	Attendance Lay wreath
Cherbourg Commemorative Service	Cenotaph	8.00am	Cr Duff	Attendance Lay wreath
Hivesville Dawn Service	Main Street	5.30am	Cr Duff	Attendance Participate in Ceremony Lay wreath
Kingaroy Dawn Service	Memorial Park	4.28am	Cr Potter Cr Schumacher	Attendance
War Graves	Taabinga Cemetery	8.00am	Cr Potter	Attendance
Commemorative Service	Memorial Park	11.00am	Mayor Otto Cr Potter	Participate in march. Participate in ceremony Lay wreath
Kumbia Commemorative Service	Flower bed next to Kumbia Hall	8.45am	Cr Henschen	Participate in march. Lay wreath
Maidenwell Memorial Service	Main Street Monument	10.30am	Cr Jones	Attendance Lay wreath
Murgon Fellowship	Services Club	4.45am		Attendance

Dawn Service	Gore Street Opposite Services Club	5.30am	Mayor Otto	Attendance Lay wreath
Commemorative Service	Services Club	10.00am	Cr Duff	Participate in march Participate in Ceremony Lay wreath
Nanango Dawn Service	Memorial in front of Chambers	5.30am	Cr Erkens	Lay wreath
Public Pilgrimage	Nanango Cemetery	7.00am	Cr Erkens	Attendance
Memorial Service	Memorial in front of Chambers	9.00am	Cr Erkens Mayor Otto	Lay wreath/Book
Proston Dawn Service		5.30am	GM Jarvis	Attendance Lay Wreath
School Service	Proston State School		Cr Duff	Attendance Lay wreath
Wondai Dawn Service	In front of Council Chambers	5.00am	Cr Henschen	Attendance
Memorial Service	Cemetery	8.00am	Cr Henschen	Attendance
Commemorative Service	Wondai Town Hall	10.00am	Cr Schumacher	Attendance Participate in Ceremony Lay wreath
Wooroolin Commemorative Service	Wooroolin Hall	11.00am	Cr Henschen	Organisation of service Lay wreath

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

Against: Nil

CARRIED 7/0

Attendance:

At 11:59am, Cr Gavin Jones left the meeting.

At 11:59am, Manager Environment & Planning Darryl Brooks returned to the meeting.

At 11:59am, Coordinator Development Services David Hursthouse entered the meeting.

13 PORTFOLIO - COMMUNITY DEVELOPMENT, ARTS & HERITAGE AND LIBRARY SERVICES**13.1 COMMUNITY DEVELOPMENT, ARTS & HERITAGE AND LIBRARY SERVICES PORTFOLIO REPORT**

COMMITTEE RESOLUTION 2023/149

Moved: Cr Danita Potter

Seconded: Cr Kathy Duff

That Cr Potter's Community Development, Arts & Heritage and Library Services Portfolio Report to Council be received for information.

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

Against: Nil

CARRIED 6/0

Attendance:

At 12:01pm, Cr Gavin Jones returned to the meeting.

At 12:01pm, General Manager Infrastructure Aaron Meehan left the meeting.

13.2 COMMUNITY AND LIFESTYLE OPERATIONAL UPDATE

COMMITTEE RESOLUTION 2023/150

Moved: Cr Gavin Jones

Seconded: Cr Jane Erkens

That the Community and Lifestyle Operational Update be received.

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

Against: Nil

CARRIED 7/0

Attendance:

At 12:04pm, General Manager Infrastructure Aaron Meehan returned to the meeting.

At 12:08pm, Coordinator Commercial Enterprises Michael Hunter left the meeting.

At 12:10pm, Coordinator Commercial Enterprises Michael Hunter returned to the meeting.

14 COMMUNITY DEVELOPMENT (HEALTH, YOUTH, SENIOR CITIZENS)**14.1 STRONGER COMMUNITIES PROGRAM - ROUND 8**

COMMITTEE RESOLUTION 2023/151

Moved: Cr Kirstie Schumacher

Seconded: Cr Kathy Duff

That the Committee recommend to Council that:

1. A request be made to the Hon David Littleproud, Federal Member for Maranoa to consider an application from South Burnett Regional Council for a replacement rainwater tank at Maidenwell Hall and replacement chairs at the Nanango Cultural Centre.
2. A request be made to the Hon Colin Boyce, Federal Member for Flynn to consider an application from South Burnett Regional Council to install a replacement shade cloth at Durong Hall over the play area and a project at the Proston Lookout;
3. A request be made to the Hon Llew O'Brien, Federal Member for Wide Bay to consider an application from South Burnett Regional Council to construct a half basketball court near the Murgon Skate Park
4. Council commits the 50% co-contribution as part of the 2023/2024 capital works program for Facilities and Parks.

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

Against: Nil

CARRIED 7/0

COMMITTEE RESOLUTION 2023/152

Moved: Cr Scott Henschen

Seconded: Cr Jane Erkens

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

COMMITTEE RESOLUTION 2023/153

Moved: Cr Danita Potter

Seconded: Cr Scott Henschen

That the meeting resume at 1:17pm.

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 - TOURISM & VISITOR INFORMATION CENTRES, SPORT & RECREATION AND COMMERCIAL ENTERPRISES**15.1 TOURISM & VIC'S, SPORT & RECREATION AND COMMERCIAL ENTERPRISES PORTFOLIO REPORT**

COMMITTEE RESOLUTION 2023/154

Moved: Cr Jane Erkens

Seconded: Cr Kathy Duff

That Cr Erken's Tourism & VIC's, Sport & Recreation and Commercial Enterprises Portfolio Report to Council 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**16 TOURISM & VISITOR INFORMATION CENTRES****16.1 MURGON VISITOR INFORMATION CENTRE**

COMMITTEE RESOLUTION 2023/155

Moved: Cr Kathy Duff

Seconded: Cr Brett Otto

That the Committee recommends to Council:

That Council consults with the Murgon Business and community groups prior to considering any changes to the Visitor Information Centre in Murgon and a report be brought back to the June Liveability, Governance and Finance Standing Committee Meeting.

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

Against: Nil

CARRIED 7/0**Attendance:**

At 1:30pm, Coordinator Community Development Margie Hams left the meeting.

At 1:30pm, Coordinator Commercial Enterprises Michael Hunter left the meeting.

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

COMMITTEE RESOLUTION 2023/156

Moved: Cr Kirstie Schumacher

Seconded: Cr Scott Henschen

That Cr Schumacher's Regional Development, Development Services and Community & Social Housing Portfolio Report to Council 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**18 REGIONAL DEVELOPMENT (INDUSTRY, AGRICULTURE, WATER SECURITY, ENERGY AND CIRCULAR ECONOMY)****18.1 ESTABLISHMENT OF A FIREBREAK TO THE REAR OF PROPERTIES IN GRANT CRESCENT WONDAI**

COMMITTEE RESOLUTION 2023/157

Moved: Cr Kathy Duff

Seconded: Cr Kirstie Schumacher

That the Committee recommends to Council:

That Council enters into discussions with the State Government regarding the establishment of a firebreak for properties fronting onto the western side of Grant Crescent, Wondai.

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

Against: Nil

CARRIED 7/0

18.1.1 EXPRESSION OF INTEREST - QLD ENTREPRENEURS

COMMITTEE RESOLUTION 2023/158

Moved: Cr Brett Otto
Seconded: Cr Kathy Duff

That the Committee recommends to Council:

That Council submit an expression of interest to be one of the locations to host the Qld entrepreneurs next level project by 17 March 2023.

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

Against: Nil

CARRIED 7/0

19 DEVELOPMENT SERVICES - (PLANNING, BUILDING, PLUMBING)**19.1 LIST OF CORRESPONDENCE PENDING COMPLETION OF ASSESSMENT REPORT**

COMMITTEE RESOLUTION 2023/159

Moved: Cr Scott Henschen
Seconded: Cr Kathy Duff

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

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

Against: Nil

CARRIED 7/0

19.2 DELEGATED AUTHORITY REPORTS (1 FEBRUARY 2023 TO 28 FEBRUARY 2023)

COMMITTEE RESOLUTION 2023/160

Moved: Cr Kathy Duff
Seconded: Cr Jane Erkens

That the Delegated Authority report be received.

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

Against: Nil

CARRIED 7/0

19.3 PLANNING AND LAND MANAGEMENT OPERATIONAL UPDATE

COMMITTEE RESOLUTION 2023/161

Moved: Cr Jane Erkens
Seconded: Cr Kirstie Schumacher

That the Planning and Land Management Operational update 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

Attendance:

At 1:45pm, Manager Environment & Planning Darryl Brooks left the meeting.

At 1:45pm, Coordinator Development Services David Hursthouse left the meeting.

20 QUESTIONS ON NOTICE**20.1 QUESTIONS ON NOTICE - DIVISIONAL SPEND**

COMMITTEE RESOLUTION 2023/162

Moved: Cr Kathy Duff
Seconded: Cr Jane Erkens

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

20.1.1 QUESTION ON NOTICE – DIVISIONAL SPEND MEDIA/COMMS STRATEGY

Question on Notice received from Cr Brett Otto:

What is the media/comms strategy to relay this information to the community and the process to roll this out?

21 CONFIDENTIAL SECTION

COMMITTEE RESOLUTION 2023/163

Moved: Cr Jane Erkens

Seconded: Cr Kirstie Schumacher

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*:

21.1 Financial Hardship Rates Application – Assessment Number -20606-00000-000

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

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

Against: Nil

CARRIED 7/0**Attendance:**

At 2:08pm, General Manager Infrastructure Aaron Meehan left the meeting.

At 2:11pm, General Manager Infrastructure Aaron Meehan returned to the meeting.

COMMITTEE RESOLUTION 2023/164

Moved: Cr Danita Potter

Seconded: Cr Kathy Duff

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

21.1 FINANCIAL HARDSHIP RATES APPLICATION – ASSESSMENT NUMBER -20606-00000-000**COMMITTEE RESOLUTION 2023/165**

Moved: Cr Jane Erkens

Seconded: Cr Kathy Duff

That the Committee recommend to Council that they agree to:

1. Write off interest charges to the value of \$1,015.50;
2. Suspend interest from accumulating while hardship payment arrangement is maintained;
3. Request the owner enter into a payment arrangement for Assessment Number 20606-00000-000 for \$210.00 per fortnight commencing 15 April 2023 for a period of 12 months;
4. Payments increasing to \$240.00 per fortnight from 15 April 2024 for a period of 12 months;
5. Payments increasing to \$270.00 per fortnight from 15 April 2025 for a period of 12 months;
6. Payments increasing to \$290.00 per fortnight from 15 April 2026 for a period of 12 months under normal rate arrangement conditions;
7. Payments increasing to \$305.00 per fortnight from 15 April 2027 for a period of 12 months under normal rate arrangement conditions;
8. A review of this Payment Plan monthly; or at other times if Council is advised that the Applicant's circumstances have changed significantly;
9. The expiry of this Payment Plan upon payment in full of all outstanding rates and charges; and
10. 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**22 CLOSURE OF MEETING**

The Meeting closed at 2:13pm.

The minutes of this meeting were confirmed at the Liveability, Governance and Finance Standing Committee Meeting held on 12 April 2023.

.....
CHAIRPERSON

6 NOTICES OF MOTION

6.1 GIFTING OF MOWER TO BOONDOOMA MUSEUM & HERITAGE ASSOCIATION INC.

File Number: 12-04-2023

I, Councillor Brett Otto, give notice that at the next Liveability, Governance and Finance Standing Committee Meeting of Council to be held on 12 April 2023, I intend to move the following motion:

MOTION

The Committee recommends to Council that:

1. Council gifts the following item of plant and equipment to the Gifting of Mower to Boondooma Museum & Heritage Association Inc. as part of the plant and replacement fleet replacement program in 2023/2024:

Mower 4512 – 2018 Grass Hopper 430D Zero Turn

- 72" Deck
- 29.1 Hp
- Based in Parks Murgon/Wondai

2. Council completes the required maintenance on the mower to ensure it is in workable and safe condition prior to transfer.

RATIONALE

The association maintains the large grounds of the Boondooma Homestead with volunteer labour.

The current mower is old and becoming beyond repair.

Council is planning to dispose of this item of equipment in 2023/2024.

The gifting of such to the homestead committee would allow them to continue keeping the grounds in good order.

CORPORATE PLAN

EC6 Appropriately **support and encourage volunteers**, advisory groups and community organisations to value add to Council's services and infrastructure.

I commend this Notice of Motion to Council.

ATTACHMENTS

Nil

6.2 NOTICE OF MOTION - 2023 NATIONAL GENERAL ASSEMBLY ADVOCACY

File Number: 12/04/2023

I, Councillor Kirstie Schumacher, give notice that at the Liveability, Governance and Finance Standing Committee Meeting to be held on 12 April 2023, I intend to move the following motion:

MOTION

The Committee recommends to Council:

That as part of the attendance to the Australian Local Government Association National Assembly in June 2023 that briefing meetings to advocate for water reliability including the 25-year economic road and investment in communications infrastructure through the Better Connectivity Plan for Regional and Rural Australia be requested with:

- The Hon Tanya Plibersek MP, Minister for the Environment and Water
- Senator The Hon. Murray Watt, Minister for Agriculture, Fisheries and Forestry & Minister for Emergency Management
- The Hon. David Littleproud, Leader of the Nationals & Shadow Minister for Agriculture
- Senator The Hon. Perin Davey, Shadow Minister for Agriculture
- The Hon. Michelle Rowland, Minister for Communications
- The Hon. Kristy McBain MP, Minister for Regional Development, Local Government and Territories
- Federal Member for Flynn, Colin Boyce MP
- Llew O'Brien MP, Federal Member for Wide Bay

RATIONALE

As part of the conference attendance, there may be an opportunity for the South Burnett Regional Council delegation to meet with these federal representatives and help position the South Burnett for investment in key water projects and communications infrastructure as identified as key priorities both in Council's Corporate Plan and Regional Development Strategy 2021-2026.

Water reliability to support investment in agriculture and industry and enable urban growth in our communities is a key enabler identified in the South Burnett Regional Development Strategy. The National Water Infrastructure Development Fund was a federal fund that has enabled a \$1M investment in the South and North Burnett Options Analysis and Strategic Business case and of late, the South Burnett 25 year economic roadmap. These meetings may provide an opportunity to leverage further funding and support from the federal government to progress the projects identified to detailed business case and undertake further work to prepare our region for future droughts, energy transition and further diversification of agriculture. '

Digital communication quality, capacity and coverage that supports liveability, investment in industry and ag-tech is also a key enabler endorsed by Council as part of its Regional Development Strategy. The Federal Government has recently announced the Better Connectivity Plan for Regional and Rural Australia and is providing \$656 million to improve mobile and broadband connectivity and resilience in rural and regional Australia. This planned investment forms a key part of the Australian Government's telecommunications agenda and attendance at the ALGA conference enables an opportunity to advocate for federal government support in upcoming rounds of the Regional Connectivity Program.

As regional development portfolio holder I would welcome an opportunity to prepare the briefing paper and work with the team to help advocate for these strategic priorities.

LINK TO CORPORATE PLAN:

IN7 - Develop a secure and reliable urban and rural water supply system through increased allocations, upgraded and renewed infrastructure and pricing models

GR4 - Support and advocate for the development of an expanded and diversified agricultural economy, which may include, for example regenerative agriculture and centre for rural excellence and innovation.

GR10 - Advocate for enhanced regional digital connectivity and black spots.

GR12 - Progress the 25 year Economic Roadmap as a priority project further to the National Water Infrastructure Development Fund (NWIDF) Water Feasibility Study.

GR13 - Advocate for and support the options short list as identified in the National Water Infrastructure Development Fund (NWIDF) Water Feasibility Study - North and South Burnett Options Analysis.

GR14 - Support our community and key stakeholders to build a plan for our region's eventual coal transition.

I commend this Notice of Motion to Council.

ATTACHMENTS

Nil

6.3 REVISED ACCEPTABLE REQUEST GUIDELINES POLICY - STATUTORY 004

File Number: 8-03-2022

I, Councillor Brett Otto, give notice that at the next Ordinary Meeting of Council to be held on 12 April 2023, I intend to move the following motion:

MOTION

The Committee recommends to Council:

That Council adopts the revised Acceptable Request Guidelines Policy Statutory004 as presented.

RATIONALE

The effective delivery of services to the community requires a **collaborative and effective working relationship between councillors as the local elected representatives and the operational arm of council.**

Many issues can be resolved at any early stage and thereby avoid community misunderstandings and reputational damage to council through appropriate and open communication between staff and councillors.

Councillors play an important role in community with communities in their divisional areas. To do so they require timely information to ensure the community is accurately informed as to council activities.

Council's Executive Leadership Team have a large workload in managing the operations of council. Time consuming meetings with councillors and residents to address problems or issues can often be avoided by an early and brief sharing of information with the relevant councillor/s by the CEO, General Manager, Manager or in many cases the relevant Co-ordinator who has the detailed information readily available.

Many operational matters that are brought to council could be dealt with in a more timely and effective manner by early, appropriate and open communication between a relevant officer and the councillor/s.

This intent of this revised policy is to **achieve a sensible balance** between reducing the workload for the ELT, making our councillors better informed in communicating with their communities and maintaining good governance and compliance with the relevant legislation and regulations.

CORPORATE PLAN

OR2 Achieve community recognition as an ethical Council that values and practices community consultation, accountable governance and open and transparent decision-making.

I commend this Notice of Motion to Council.

ATTACHMENTS

1. **Acceptable Request Guidelines Policy - Statutory004 - Mayors proposed version 21 December 2022**



POLICY CATEGORY - NUMBER: Statutory004

POLICY OWNER: Corporate Services

ECM ID: 2709713

ADOPTED: 25 August 2021

Acceptable Request Guidelines Policy

NOTE: Council regularly reviews and updates its policies. The latest controlled version can be obtained from the Policy Register on Council's intranet or by contacting Council's Corporate Services Branch. **A hard copy of this electronic document is considered uncontrolled when printed.**

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1. POLICY STATEMENT

The Acceptable Requests Guidelines are intended to provide clear guidelines to Councillors and Council employees about the way in which a Councillor may:

- ask a Council employee for information to assist the Councillor carry out his or her responsibilities under *Section 170A(1)* of the *Local Government Act 2009* ('Act');
- ask the Chief Executive Officer ('CEO') to provide information, that the local government has access to, relating to the local government in accordance with *Section 170A(2)* of the Act; and
- determine reasonable limits on requests that a Councillor may make under *Section 170(A)(7)(b)* of the Act.

It is the responsibility of all Council employees and Councillors to abide by these Acceptable Requests Guidelines.

A breach of these Guidelines by a Councillor will be considered a breach of the Act under *Section 150L "What is misconduct"*. A breach by a Council employee will be investigated by the CEO in line with Council policy.

2. SCOPE

The Acceptable Requests Guidelines apply to all Council representatives.

The guidelines specifically assist Councillors, the CEO and Council employees in meeting:

- their statutory obligations under *Section 170A "Requests for assistance or information"* of the Act; and
- the CEO's statutory obligation under *Section 13(3)(f)* of the Act to comply with requests from Councillors.

It is a requirement of *Section 170A(7)* of the Act for Council to adopt acceptable requests guidelines about:

- (a) the way in which a Councillor may ask a local government employee for information to help the Councillor to carry out his or her responsibilities under the Act; and
- (b) reasonable limits on requests that a Councillor may make.

A customer request for service ('CRM') which a Councillor may report on behalf of a member of the

public or themselves, will be processed through the Council's business system. Requests of this nature are not considered a request for information and are not covered by this policy.

3. GENERAL INFORMATION

- 3.1. Communications between Councillors and Council employees must;
- (a) be conducted in accordance with the Local Government Principles prescribed in *Section 4(2)* of the Act;
 - (b) be conducted in accordance with Council policies, procedures and guidelines;
 - (c) comply with the law;
 - (d) be conducted in good faith; and
 - (e) be conducted in a respectful, reasonable and professional manner.
- 3.2. Councillors shall consider the likely cost implications in making requests for information and shall not make requests where the costs could not be justified as being in the public interest.
- 3.3. With the exception of information referred to in section 3.14, Councillors may request information from a Council employee only in accordance with these Acceptable Requests Guidelines utilising "Councillor Request for Information" form. All Request for Information forms are to be submitted to the CEO or relevant General Manager.
- 3.4. The CEO or General Manager to which the request is addressed must comply with a request for information from a Councillor as per *Section 170A* of the Act:
- (a) within 10 business days after receiving the request; or
 - (b) if the CEO or General Manager reasonably believes it is not practicable to comply with the request within 10 business days, within 20 business days after receiving the request.
 - (c) If the CEO or General Manager forms the belief mentioned in 3.4(b), the General Manager or CEO must give to the Councillor requesting the information a notice about the belief and the reasons for the belief within 10 business days after receiving the request.
- 3.5. The CEO or General Manager, considering business priorities and available resources, will endeavour to respond to the request as soon as practicable, ensuring that the requirements of section 3.4 are satisfied.
- 3.6. Councillors should consider the likely cost implications in making requests for advice or information and should also be mindful of operational workloads and priorities. Councillors and staff are encouraged to work collaboratively to ensure that requests do not significantly impact on resources and priorities.
- The following are considered reasonable limits on requests:
- a) where the CEO or General Manager has confidentiality obligations under legislation and must not disclose documents or information in the circumstances provided by specific obligations under other legislation e.g., *Section 65* of the *Public Interest Disclosure Act 2010*; or
 - b) the request is not in accordance with this policy; or
 - c) the request will take a significant amount of resources; or
 - d) where costs cannot be justified as being in the public interest.
- The CEO or General Manager will advise the requesting Councillor (with a copy provided to all Councillors and members of the Senior Management Team) of the grounds for this belief and seek Council's direction at the next Council meeting in relation to the matter.
- 3.7. The CEO or General Manager providing the information must provide a copy to all Councillors and members of the Senior Management Team at the time of provision.

- 3.8. Councillor's requests for information during the caretaker period of a local government election shall be restricted to information that is available to members of the public and/or any other candidates in the election, other than in accordance with matters being formally considered by Council.
- 3.9. Councillors must not breach conflict of interest or material personal interest's provisions when requesting information from Council employees. When requesting advice, assistance or information in relation to a matter for which the Councillor may participate, or is participating in a decision about the matter, and the Councillor is aware the Councillor has a conflict of interest in the matter, the Councillor must be mindful of their obligations under *Chapter 5B* of the Act.
- 3.10. If an afterhours matter is of a non-emergency operational nature, Councillors should defer the matter for consideration during business hours. Otherwise, Councillors must log a request through the main Council phone number (07 4189 9100) - which is also Council's after-hours emergency number.
- 3.11. When a matter occurs after hours and is of such urgency that to delay contact will bring harm to Council or damage the reputation of Council, Councillors may successfully contact one (1) of the Council employees listed below in order of listing:
- (a) CEO; or
 - (b) General Manager
 - (c) Relevant Manager
 - (d) Relevant team leader, co-ordinator or supervisor
 - (e) Staff member on call.
- 3.12. When referring a CRM, Councillors shall make contact with Council's Customer Service Team to process the CRM and not directly refer requests to Council employees individually. This will ensure the matter is recorded and can be appropriately actioned. For matters of an urgent nature, councillors may send a copy of the customer request to the CEO, relevant General Manager, Manager or Co-ordinator for oversight.
- 3.13. Councillors should, as for a member of the public, make contact with Council's Customer Service Team to request a progress update or further report an issue in relation to an existing CRM. If the Councillor is not satisfied with the progress update, the Councillor may make direct contact with the CEO, relevant General Manager, Manager or Co-ordinator to discuss their concerns in relation to the management of the CRM.
- 3.14. Any Councillor may request from the CEO, relevant General Manager, Manager or Co-ordinator information that could reasonably be considered of a nature that is readily available. The CEO, relevant General Manager, Manager or Co-ordinator may use discretion and provide a response at the time of request. Councillors may schedule formal meetings with the CEO, relevant General Manager, Manager or Co-ordinator to obtain information referred to in this section where such information is required to fulfill their community engagement responsibilities as an elected representative.
- 3.15. Respectful and positive relationships between the Councillor and CEO, relevant General Manager or Co-ordinator is important in the effective and efficient operations of Council. Appropriate communication expectations are to be established and maintained by mutual agreement between the Councillor and the CEO, relevant General Manager, Manager or Co-ordinator.
- 3.16. A Councillor may be given approval by the CEO, relevant General Manager or Manager to work with a specific Council employee on a specific matter. The approval is to be provided in writing to the relevant council employee and the Councillor outlining the expectations and duration. This written approval will be recorded electronically in Council's Enterprise

- Content Management system and a copy will also be provided to the relevant Manager of the Council employee.
- 3.17.** Councillors may be given approval in writing by the CEO, relevant General Manager or Manager to request information from a Council employee other than the CEO or General Managers in specific circumstances; for example, where a Council employee is a member of an Advisory Committee. In these specific circumstances, written approval will be provided to the Councillor and the Council employee outlining the expectations and duration. This written approval will be recorded electronically in Council's Enterprise Content Management system and a copy will also be provided to the relevant Manager of the Council employee.
- 3.18.** Pursuant to *Section 170A(4)* of the Act, Councillors may not ask for information that:
- (a) is a record of the conduct tribunal; or
 - (b) was a record of a former conduct review body; or
 - (c) if disclosure of the information or document to the Councillor would be contrary to an order of a court or tribunal; or
 - (d) would be privileged from production in a legal proceeding on the ground of legal professional privilege.
- 3.19.** Other than in accordance with these guidelines, Councillors shall:
- (a) not direct, or attempt to direct any Council employee to do anything (except for the Mayor, who is entitled to direct the CEO in accordance with a resolution, or a document adopted by resolution of the local government) in accordance with *Section 12(4)(c)* and *170(1)* of the Act; and
 - (b) not behave towards Council employees in an overbearing or threatening manner; and
 - (c) not coerce or entice, or attempt to coerce or entice any Council employee to do anything that does not comply with these Acceptable Requests Guidelines; and
 - (d) not place, or attempt to place any Council employee in a position that would create a conflict of interest for that Council employee, or that would compromise the integrity and honest performance of that Council employee; and
 - (e) not direct or pressure a Council employee in relation to their work or recommendations they should make or action they should take.
- 3.20.** A Mayoral direction may be given to the CEO but only in fulfilling the Mayoral responsibilities outlined in *Section 12(4)(c)* of the Act.
- 3.21.** In general, Council employees must keep records of information given to Councillors. These records are to be registered electronically in Council's Enterprise Content Management system.
- 3.22.** A register of requests for information from Councillors will be maintained by Corporate Governance and made available for viewing by the Senior Management Team and Councillors on request.
- 3.23.** Any directions issued by the Mayor to the CEO will be in accordance with *Section 170* of the Act and recorded in a register of directions held by Executive Services and available for viewing by Councillors on request.
- 3.24.** Where Councillors are dissatisfied with the response from the CEO or General Manager for a request for information, the Councillor may report their dissatisfaction complying with Council's Complaints Management Policy.
- 3.25.** If the Mayor or a Councillor behaves inappropriately or asks for information from a Council employee other than under these guidelines, the Council employee must inform their Manager, General Manager or the CEO about the request as soon as is practicable.

An allegation of a breach of these Acceptable Requests Guidelines will be dealt with in accordance with *Chapter 5A "Councillor Conduct"* of the Act.

4. DEFINITIONS

Acceptable Requests Guidelines refers to this policy, as required by *Section 170A* of the Act.

Act means the *Local Government Act 2009 (Qld)*.

Business Day means a day that is not a Saturday, a Sunday or a public holiday in Council and commences the day after contact with Council.

Conduct includes -

- a) failing to act; and
- b) a conspiracy, or attempt, to engage in conduct

Council representative means all Councillors and Council employees including permanent, casual and temporary employees, contractors, volunteers, apprentices, trainees and work experience students.

Council employee means a person employed by or contracted to Council - whether appointed permanent, part-time, temporary or casual.

Councillor means the Elected Members – the Mayor and Councillors.

CRM means a customer request for a service that a member of the public may generally make such as a road repair request or the reporting of a non-compliance issue such as a noise complaint.

Information means data that is not available on Council's website or that can be readily obtained as a member of the public via Council's customer service team such as copy of a strategic policy, opening times of a waste facility, Council adopted fees and charges etc.

Misconduct see *Section 150L* of the Act; model procedures see *Section 150F* of the Act.

5. LEGISLATIVE REFERENCE

Local Government Act 2009 (Qld)

Public Sector Ethics Act 1994 (Qld)

Public Interest Disclosure Act 2010 (Qld)

6. RELATED DOCUMENTS

South Burnett Regional Council Complaint Management Policy – Statutory040

South Burnett Regional Council Councillor Code of Conduct Policy – Statutory001

South Burnett Regional Council Councillor Request for Information Form

South Burnett Regional Council Councillor Conduct Complaints Investigation Policy – Statutory 017

South Burnett Regional Council Dealing with a Complaint involving the Chief Executive Officer Policy – Statutory054

South Burnett Regional Council Employee Code of Conduct Policy – Statutory011

7. NEXT REVIEW

As prescribed by legislation or July 2023

8. VERSION CONTROL

Version	Revision Description	Adopted Date	ECM Reference
1	Adopted by Council	15 April 2014	1289505
2	Review in line with term of office – Adopted by Council	7 April 2016	1919674
3	Review in line with policy framework – Proposed adoption by Council	15 November 2017	2429092
4	Reviewed in relation to the local government legislation amendments	12 December 2018	2556639
5	Local Government Quadrennial Election	29 April 2020	2681186
6	Reviewed in relation to the local government legislation amendments	19 August 2020	2709713
7	Administrative change replacing Social & Corporate Performance with Corporate Services as per Council Resolution 2021/296	24 March 2021	2709713
8	Review of Policy – Resolution 2021/94	25 August 2021	2709713

Mark Pitt PSM
CHIEF EXECUTIVE OFFICER

Date: 25 August 2021

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

7.1 CORPORATE, GOVERNANCE & STRATEGY, PEOPLE & CULTURE, COMMUNICATIONS/MEDIA, FINANCE & SUSTAINABILITY, ICT & BUSINESS SYSTEMS, COMMUNITY REPRESENTATION & ADVOCACY AND 2032 OLYMPICS & PARALYMPICS PORTFOLIO REPORT

File Number: 12/04/2023

Author: Mayor

Authoriser: Chief Executive Officer

PRECIS

Corporate, Governance & Strategy, People & Culture, Communications/Media, Finance & Sustainability, ICT & Business Systems, Community Representation & Advocacy and 2032 Olympics & Paralympics Portfolio

SUMMARY

Mayor Otto presented his Corporate, Governance & Strategy, People & Culture, Communications/Media, Finance & Sustainability, ICT & Business Systems, Community Representation & Advocacy and 2032 Olympics & Paralympics Portfolio Report to Council.

OFFICER'S RECOMMENDATION

That Mayor Otto's Corporate, Governance & Strategy, People & Culture, Communications/Media, Finance & Sustainability, ICT & Business Systems, Community Representation & Advocacy and 2032 Olympics & Paralympics Portfolio Report to Council be received.

Corporate, Governance & Strategy:

Corporate Services have been working through the Local Government Mutual Services ('LGMS') questionnaires in relation to Council's insurance renewals for the 2023/2024 financial year. LGMS incorporates three (3) self-insurance schemes of Local Government in Queensland – LGM Liability, LGM Assets and LGW Workcare. There are currently 69 member councils that participate in the scheme.

Council will participate in Privacy Awareness Week ('PAW') 2023 – 'Privacy 101: Back to basics' from 1-7 May 2023. This year's PAW falls within a changing privacy landscape in Queensland. The Coaldrake Review titled 'Let the Sunshine In', which focused on culture and accountability in the Queensland public service, recommended a mandatory data breach notification ('MDBN') scheme to be introduced. The Office of the Information Commissioner welcomed this recommendation as it signals a significant change for privacy rights and responsibilities in Queensland.

Rate reminder notices are expected to be sent out on 11 April 2023, which will see an increase in telephone calls and counter enquiries in our Customer Service centres.

Communications/Media:

In March 2023, the Media and Communications team progressed the following:

- Media Releases x 34
- Media enquiries (via the Media email) x 12
- Social Media:
 - Facebook: x 135 Posts
 - Instagram: x 64 Posts

- Printed advertising x 3
- Graphic design x 37

A list of all media release/enquiries and statistics for March 2023 is available as an attachment to this report.

Finance & Sustainability:

At the end of March 2023, Council held \$60.01 million in cash and cash equivalents with \$47.53 million invested with the Queensland Treasury Corporation (QTC).

Rates discount period ended 23 March 2023.

BACKGROUND

Nil

ATTACHMENTS

1. **March 2023 Media Report**

Media Releases – March 2023: 34

1. 291. Public Notice - 01-03-2023 - Notice of Special Council Meeting – Friday 3 March 2023
2. 292. Public Notice - 02-03-2023 - Walter Road Water Main Upgrade
3. 293. Public Notice - 02-03-2023- Special Council Meeting scheduled for Monday 13 March 2023
4. 294. Public Notice - 03-03-2023 - Notice of Works - Corndale Road Widening
5. 295. Public Notice - 06-03-2023 -Temporary Closure of Coolabunia Stopover Toilets
6. 296. Media Release 06-03-2023 - How children are faring in the South Burnett
7. 297. Public Notice - 07-03-2023 - Wondai Library access to public computers
8. 298. Public Notice - 07-03-2023 - Play area opens with a Splash!
9. 299. Public Notice - 08-03-2023 - SBRC 2223-101 Request for Tender Mondure Hall Re-Roof & Structural Upgrade
10. 300. Public Notice - 08-03-2023 - Missed General Bin Collection at Murgon
11. 301. Public Notice - 09-03-2023 - Notification of Works - Community Arts Works on Hector Munro Lane Kingaroy
12. 302. Public Notice - 09-03-2023 - Missed Recycling Bin Collections at Nanango
13. 303. Public Notice - 13-03-2023 - Extension of Time - Walter Road Water Main Upgrade
14. 304. Media Release - 15-03-2023 - Removal of Application Fee for Roadside Burning and Clearing Applications
15. 305. Public Notice - 15-03-2023 - Coffee, Cake and Chat at Nanango
16. 306. Public Notice - 16-03-2023 - SSBRC 22 23-12 Request for Tender - Sale of Land, Lot 36 on SP190438 – 54-56 Burrows Street Wondai
17. 307. Public Notice -16-03-2023 - Found One (1) Lowline Bull
18. 308. Public Notice -16-03-2023 - BOIL WATER ALERT - Kingaroy - Premier Drive Estate
19. 309. Public Notice -17-03-2023 - BOIL WATER NOTICE - Kingaroy - Summit View Estate and Taylors Road
20. 310. Media Release - 20-03-2023 - South Burnett Celebrates Harmony Day
21. 311. Public Notice - 20-03-2023 - Wild Dog and Feral Pig Control Program
22. 312. Media Release - 20-03-2023 - Illegal Dumping of Waste
23. 313. Public Notice -20-03-2023 - UPDATE - BOIL WATER ALERT - Kingaroy - Summit View Estate and Taylors Road
24. 314. Public Notice 21-02-23 - Change of date - Council's Ordinary Meeting
25. 315. Public Notice - 21-03-2023 - SBRC 22 23-10 Request for Tender - Waste and Recyclables Collection Services
26. 316. Public Notice -22-03-2023 - Winter Closure Dates for South Burnett Swimming Pools
27. 317. Public Notice - 22-03-2023 - South Burnett Regional Council Welcomes New Citizens During Harmony Week
28. 318. Public Notice 23-03-2023 -Amended Notice - Closure Dates for South Burnett Swimming Pools
29. 319. Public Notice 24-03-2023 - Notification of Works - Tipperary Flats Camp and Day Use Area, King Street (D'Aguilar Highway), Nanango
30. 320. Public Notice -24-03-2023 - BOIL WATER ALERT LIFTED - Kingaroy – Premier Drive Estate
31. 321. Public Notice - 28-03-2023 - Notice of Interruption to Water Supply – D'Aguilar Highway and Walter Road Kingaroy
32. 322. Public Notice - 28-03-2023 - Notice of Works - Haly Street (West) Pavement Repairs
33. 323. Public Notice -29-03-2023 - Found One (1) Lowline Heifer

34. 324. Media Release - 29-03-2023 - Volunteers celebrated at the recent Volunteers FAMIL

Media Releases 22-23						
2022	Jul	Aug	Sep	Oct	Nov	Dec
	47	42	34	33	33	31
2023	Jan	Feb	Mar	Apr	May	Jun
	28	43	34			

Media enquiries (received to the 'Media' email, excludes phone and other emails): 12

- 02-03-2023 – Burnett Today – Seeking clarification to Public Notice - 02-03-2023 - Walter Road Water Main Upgrade
- 02-03-2023 – Anne Skinner – Requesting details of the Kumbia streetscape project
- 09-03-23 – The Regional – Requesting information on the review process of the closure on the NAB in Murgon
- 10-03-2023 – ABC Wide Bay – Requesting interview regarding art work project on Hector Munro Laneway
- 13-03-23 – ABC Toowoomba – Requesting final wording of motion passed at the special Council Meeting
- 13-03-23 – ABC Wide Bay – Requesting interviews and stories regarding Harmony Week
- 29-03-23 – ABC Southern Queensland – Seeking comment from Council regarding pre-fabricated home developments
- 20-03-23 – South Burnett Times – Seeking comment regarding the boil water alert media release
- 20-03-23 – Burnett Today – Seeking information regarding the boil water alert
- 23-03-23 – Central and North Burnett Times – Seeking information on historic farming families in the region
23-03-23 – ABC Southern Queensland – Requesting to speak with Councillors regarding the future of the Murgon tourist information centre.
- 24-03-23 – ABC Wide Bay – Requesting information on activities and events planned for Youth Week 2023
- 27-03-23 – Burnett Today – Requesting comment from Council regarding lack of backup power after outage in Kingaroy

Media Enquiries 22-23						
2022	Jul	Aug	Sep	Oct	Nov	Dec
	23	8	8	9	6	11
2023	Jan	Feb	Mar	Apr	May	Jun
	9	13	12			

Social media: South Burnett Regional Council

Facebook

@southburnettregion: 135 posts

Most engaged post:

15-03-2023 – Play area opens with a Splash! - 14,500 reached, 251 reactions, 64 comments, 21 shares

Followers: 9986 (+32 from February 2023)

Page reach: 36,569 (-1.2% from February 2023)

Instagram: 64 posts

Most engaged post:

16-03-2023 – Public Notice – Boil Water Alert – Kingaroy Premier Drive Estate – 480 reached, 5 likes, 3 shares, 1 comment

Followers: 1156 (+4 from February 2023)

Page reach: 1171 (-9.2% from February 2023)

LinkedIn: 0 posts

Most engaged post: 0 Posts

Website clicks: 0 (-100% from February 2023)

Page visits: 153 (+1.3% from February 2023)

Followers: 2304 (+39 from February 2023)

Twitter: 5 posts

Top Tweet:

29-03-2023 – Congratulations to Councils 2022 trainees on the completion of their studies - 125 impressions, 1 profile click, 1 retweet, 3 likes

Tweet impressions: 472 (+ 637.5% from Feb 2023)

Profile visits: 800 (+1804.8% from Feb 2023)

Followers: 483 (+0 followers from Feb 2023)

Social media posts – all platforms						
2022	Jul	Aug	Sep	Oct	Nov	Dec
	Facebook: 77	Facebook: 106	Facebook: 65	Facebook: 114	Facebook: 102	Facebook: 73
	Instagram: 59	Instagram: 79	Instagram: 49	Instagram: 91	Instagram: 77	Instagram: 44
2023	Jan	Feb	Mar	Apr	May	Jun
	Facebook: 95	Facebook: 109	Facebook: 135	Facebook: -	Facebook: -	Facebook: -
	Instagram: 52	Instagram: 69	Instagram: 64	Instagram: -	Instagram: -	Instagram: -
	LinkedIn: -	LinkedIn: -	LinkedIn: 0	LinkedIn: -	LinkedIn: -	LinkedIn: -
	Twitter: -	Twitter: -	Twitter: 5	Twitter: -	Twitter: -	Twitter: -

Enews

- Council progressed 1 Enews during March

Printed advertising

- Council progressed two full page ads (Page 4) in the South Burnett Today published on 9 March and 23 March.
- Council progressed one Murgon Moments ad in March for South Burnett Libraries

Radio advertising

- Radio advertising was progressed for the month of March.

Graphic design – March 2023

- Website Banners x 1
- Social media graphics – Public Notices x 36

7.2 LOCAL GOVERNMENT REMUNERATION COMMISSION COUNCIL CATEGORY REVIEW

File Number: 12-04-2023
Author: Chief Executive Officer
Authoriser: Chief Executive Officer

PRECIS

Local Government Remuneration Commission Council Category Review

SUMMARY

The Local Government Remuneration Commission is required under the *Local Government Regulation 2012* to establish remuneration categories for local governments and undertake a review of the established categories once during each local government term.

OFFICER'S RECOMMENDATION

That the report be received for information.

BACKGROUND

The Local Government Remuneration Commission is required under the *Local Government Regulation 2012* to establish remuneration categories for local governments and undertake a review of the established categories once during each local government term.

The completion of a category review is in addition to the Commission's annual requirement to determine maximum remuneration amounts for mayors and councillors. For the current term of local government, the Commission's category review is required to be completed by 1 December 2023.

The review process, which is now underway, will include consultation with councils and other stakeholders during the first half of 2023 and the Commission anticipates having review outcomes finalised by October 2023.

ATTACHMENTS

- 1. Letter from Local Government Remuneration Commission**



Local Government
Remuneration Commission

Our ref: OUT23/1146

30 March 2023

Councillor Brett Otto
Mayor
South Burnett Regional Council
mayor@sbrc.qld.gov.au

Dear Councillor Otto

Re: Local Government Remuneration Commission council category review

The Local Government Remuneration Commission (the Commission) is required under the *Local Government Regulation 2012* to establish remuneration categories for local governments and undertake a review of the established categories once during each local government term ('a category review').

The completion of a category review is in addition to the Commission's annual requirement to determine maximum remuneration amounts for mayors and councillors. For the current term of local government, the Commission's category review is required to be completed by 1 December 2023.

The review process, which is now underway, will include consultation with councils and other stakeholders during the first half of 2023 and the Commission anticipates having review outcomes finalised by October 2023.

The last change to the remuneration categories was in 2015. Since this time, the environment in which many councils operate has changed significantly, as have the requirements of mayors and councillors.

Through the 2023 review the Commission intends to ensure the methodology for determining local government remuneration categories is simple, equitable and transparent and reflects the circumstances impacting the roles of mayors and councillors across Queensland.

Given the importance of this review for the future and the workload involved to complete it in the time allocated, it would be opportune to have this matter placed before the council as soon as possible so it can be prepared for the consultation process when it starts.

1 William Street Brisbane
PO Box 15009
City East Qld 4002
www.statedevelopment.qld.gov.au

Information on the review will be progressively updated on the Commission's website [here](#). If you have any further queries in this regard, please contact the Commission Secretariat at [REDACTED]

Yours sincerely



Bob Abbot OAM
Chair
Queensland Local Government Remuneration Commission



8 CORPORATE GOVERNANCE & STRATEGY

8.1 ADOPTION OF THE SOUTH BURNETT REGIONAL COUNCIL ACCEPTABLE REQUEST GUIDELINES POLICY - STATUTORY004

File Number: 12-04-23

Author: General Manager Finance and Corporate

Authoriser: Chief Executive Officer

PRECIS

Adoption of the South Burnett Regional Council Acceptable Request Guidelines Policy – Statutory004.

SUMMARY

The purpose of this policy is to provide guidelines for Councillors in accordance with *Section 170A* of the *Local Government Act 2009* ('Act') about the way in which Councillors:

- can ask the Chief Executive Officer ('CEO') to provide information, that the local government has access to, relating to the local government; and
- can ask for advice from Council employees in order to assist them in carrying out their responsibilities under the Act.

OFFICER'S RECOMMENDATION

That the Committee recommends to Council:

That the South Burnett Regional Council Acceptable Request Guidelines Policy – Statutory004 be adopted as presented.

FINANCIAL AND RESOURCE IMPLICATIONS

No direct financial and resource implications arise from this report which have not already been considered in the development of Council's annual budget.

LINK TO CORPORATE/OPERATIONAL PLAN

Corporate Plan 2021 - 2026	OR2 Achieve community recognition as an ethical Council that values and practices community consultation, accountable governance and open and transparent decision-making
Operational Plan 2022/2023	Deliver the Council Policy Governance Framework aligned to strategic planning and relevant legislation incorporating Council's policies, procedures, forms and factsheets
	Promote a high standard of corporate responsibility, transparency and accountability in decision making at all levels of the organisation in the best interest of Council and the community aligning to legislation and Council policy

COMMUNICATION/CONSULTATION (INTERNAL/EXTERNAL)

The Draft South Burnett Regional Council Acceptable Request Guidelines Policy – Statutory004 was reviewed by the Chief Executive Officer, supported by Corporate, Governance & Strategy.

The Draft South Burnett Regional Council Acceptable Request Guidelines Policy – Statutory004 was then discussed and reviewed by the relevant General Manager/Manager and Portfolio Councillor at a Portfolio Councillor Meeting held on 23 March 2023.

For the purposes of this report, fundamental changes to the current policy are identified within the draft policy as text highlighted in yellow.

LEGAL IMPLICATIONS (STATUTORY BASIS, LEGAL RISKS)

Code of Conduct for Councillors in Queensland

Local Government Act 2009 (Qld)

Public Interest Disclosure Act 2010 (Qld)

Public Sector Ethics Act 1994 (Qld)

Human Rights Act 2019 (Qld)

Section 4(b) of the *Human Rights Act 2019* requires public entities to act and make decisions in a way compatible with human rights. The Act requires public entities to only limit human rights in certain circumstances and after careful consideration. The human rights protected under the Act are not absolute. This means that the rights must be balanced against the rights of others and public policy issues of significance.

In the decision-making process, Council is to consider the 23 human rights:	
1. Recognition and equality before the law;	13. Cultural rights—Generally;
2. Right to life;	14. Cultural rights—Aboriginal peoples and Torres Strait Islander peoples;
3. Protection from torture and cruel, inhuman or degrading treatment;	15. Right to liberty and security of person;
4. Freedom from forced work;	16. Humane treatment when deprived of liberty;
5. Freedom of movement;	17. Fair hearing;
6. Freedom of thought, conscience, religion and belief;	18. Rights in criminal proceedings;
7. Freedom of expression;	19. Children in the criminal process;
8. Peaceful assembly and freedom of association;	20. Right not to be tried or punished more than once;
9. Taking part in public life;	21. Retrospective criminal laws;
10. Property rights;	22. Right to education;
11. Privacy and reputation;	23. Right to health services.
12. Protection of families and children;	

POLICY/LOCAL LAW DELEGATION IMPLICATIONS

No direct local law or delegation implications arise from this report.

ASSET MANAGEMENT IMPLICATIONS

No direct asset management implications arise from this report.

REPORT

This policy applies to all Council representatives and specifically assist Council representatives in meeting:

- their statutory obligations under *Section 170A*, requests for assistance or information of the Act; and

- the CEO's statutory obligation under *Section 13(3)(f)* of the Act to comply with requests from Councillors for advice or information.

ATTACHMENTS

- 1. South Burnett Regional Council Acceptable Request Guidelines Policy - Statutory004**



POLICY CATEGORY - NUMBER: Statutory004
POLICY OWNER: Corporate, Governance & Strategy
ECM ID: 2709713
ADOPTED:

Acceptable Requests Guidelines Policy

NOTE: Council regularly reviews and updates its policies. The latest controlled version can be obtained from the Policy Register on Council's intranet or by contacting Council's Corporate, Governance & Strategy Branch. **A hard copy of this electronic document is considered uncontrolled when printed.**

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1. POLICY STATEMENT

The purpose of this policy is to provide guidelines for Councillors of South Burnett Regional Council ('Council') in accordance with *Section 170A* of the *Local Government Act 2009* ('Act') about the way in which Councillors:

- can ask the Chief Executive Officer ('CEO') to provide information, that Council has access to, relating to the local government; and
- can ask for advice from Council employees in order to assist them in carrying out their responsibilities under the Act.

To ensure the efficient operations of Council, the process of seeking that information and advice must take place in an orderly way.

It is the responsibility of all Council representatives to abide by these Acceptable Request Guidelines ('Guidelines').

2. SCOPE

This policy applies to all Council representatives and specifically assist Council representatives in meeting:

- their statutory obligations under *Section 170A*, requests for assistance or information of the Act; and
- the CEO's statutory obligation under *Section 13(3)(f)* of the Act to comply with requests from Councillors for advice or information.

Section 170A(7) of the Act provides for Council to adopt guidelines about:

- a) the way in which a Councillor may ask a local government employee for advice to help the Councillor carry out his or her responsibilities under the Act; and
- b) reasonable limits on requests that a Councillor may make.

Pursuant to *Section 170A(5)* of the Act, a request of a Councillor for advice or information is of no effect if the request does not comply with this policy. However, this requirement does not apply to the Mayor or the chairperson of a committee of Council if the request relates to the role of the chairperson.

A Customer Request Management ('CRM') which a Councillor may report on behalf of a member of the public or themselves, will be processed through the Council's business system. Requests of this

nature are not considered a request for information or advice and are not covered by this policy.

3. GENERAL INFORMATION

3.1. Requests for advice or information

3.1.1. Councillor responsibilities

Councillors must make:

- requests for information relating to Council to the CEO or the CEO’s delegate; or
- requests for advice to assist the Councillor to carry out their responsibilities under the Act to those members of Council’s Executive Leadership Team (‘ELT’) listed below as being responsible for the particular area of Council responsibility for which the advice is being sought.

Position	Nature of Advice Request
Office of the CEO	
Chief Executive Officer	Any matter in relation to: <ul style="list-style-type: none"> • Office of CEO; • People & Culture; • Executive Services; • Communications & Media; • Community Representation & Advocacy; • Regional Development; • Industry, Agriculture, Water Security and Energy & Circular Economy; • Grants Compliance; • 2032 Olympics; • Workplace Health & Safety; • Industrial Relations/Employee Relations; • Wellness; and/or • Learning & Development.
Infrastructure	
General Manager	Any matter in relation to: <ul style="list-style-type: none"> • Infrastructure Planning; • Water & Wastewater; • Works; • Infrastructure Support; • Disaster Management; • Infrastructure Planning; • Design & Assets; • Materials Lab; • Water and Wastewater Construction Program Management; • Water and Wastewater Maintenance Program Management; • Water and Wastewater Treatment & Storage Management; • Road Construction Program Management; • Road Maintenance Program Management; and/or

	<ul style="list-style-type: none"> • Content, background, rationale or clarification for reports presented to Council by the relevant department.
<p>Liveability</p>	
<p>General Manager</p>	<p>Any matter in relation to:</p> <ul style="list-style-type: none"> • Environment & Planning; • Rural Resilience & Recovery; • First Nations Affairs; • Community & Social Housing; • Waste & Recycling management; • Natural Resources Management - Rural Services; • Environmental Health; • Compliance; • Development Services – Planning; • Development Services – Building; • Development Services – Plumbing; • Library Services; • Black Summer Bushfires – Economic Development; Community Development, Grants; • Commercial Enterprises - Saleyards, Dams, Aerodromes, Cemeteries; • Community Development - Health, Youth, Senior Citizens; • Tourism & Visitor Information Centres (VIC's); • Arts & Heritage; • Sport & Recreation; • Parks & Gardens; • Property & Facility Maintenance – Buildings; • Technical (Parks); Asset Management; and/or • Content, background, rationale or clarification for reports presented to Council by the relevant department.
<p>Finance and Corporate</p>	
<p>General Manager</p>	<p>Any matter in relation to:</p> <ul style="list-style-type: none"> • Corporate, Governance & Strategy; • Finance & Sustainability; • Corporate Services; • Internal Audit; • Corporate Risk Management; • Governance & Records Management; • Legal; • Operational Planning & Performance; • Insurance; • Policy Framework; • Customer Service; • Financial Statements including Audit; • Budget and Forecasting;

	<ul style="list-style-type: none"> • Financial Sustainability; • Payroll; • Procurement & Stores; • Rates; • Asset Management including Capital Budgeting; • Debt Management; • ICT; • SOE Maintenance and Asset Management; • Telephony – After hours customer service & MS Teams; • Video Conferencing & Streaming; • User Support Helpdesk; • Networking and Cyber Security; • Training Guides, Video & Interactive User Sessions; • Software Licensing; • Business Systems & Tech One; • System Update & Upgrades; • Project Management & Innovation Development; • Vendor Engagement & Support; • Plant & Fleet; • Asset Procurement, Evaluation, Utilisation; • Service Repairs & Maintenance; • Insurance & Scheduling; • Workshop/Fabrication/Design; and/or • Content, background, rationale or clarification for reports presented to Council by the relevant department.
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Councillors may request advice or information utilising Council’s Record of Request for Information Form. All requests are to be addressed to the relevant CEO/General Manager/Manager and provided to the Senior Leadership Team (‘SLT’), Councillors and the Corporate, Governance & Strategy Branch (info@sbrc.qld.gov.au) at the time of request.

If an afterhours matter is of an operational nature which constitutes an emergency, Councillors must log the request through the main Council phone number (07 4189 9100), which is also Council’s afterhours emergency number.

For all other afterhours matters, Councillors should make the request during business hours unless the circumstances in this clause apply.

When a matter occurs afterhours and is of such urgency that to delay contact will bring harm to Council or members of the public or will damage the reputation of Council, Councillors may make the request by telephone to one (1) of the Council employees listed below:

- the CEO or the CEO’s delegate; or
- where the CEO or delegate is not contactable, the relevant General Manager/Manager listed above; or
- where the persons listed above are not contactable, Council afterhours services who will contact the relevant team leader, co-ordinator or supervisor and/or, the relevant employee on call, if that employee has responsibility for the matter.

Councillors must consider the likely cost implications in making requests for advice or information and should not make requests where the costs associated with responding to the request cannot be justified in the public interest.

Councillors should be mindful of operational workloads and priorities when making requests for advice or information. Councillors and the relevant CEO/General Manager/Manager are to work collaboratively to ensure that requests do not significantly impact on operational workloads and priorities.

Communications between Councillors and the relevant CEO/General Manager/Manager must:

- be conducted in accordance with Council policies, procedures and guidelines;
- be conducted in good faith; and
- be conducted in a **positive**, respectful, reasonable and professional manner.

Councillors must not:

- direct, or attempt to direct any Council employee to do anything (except for the Mayor, who is entitled to direct only the CEO in accordance with *Section 170* of the Act or where a Councillor gives a direction in accordance with guidelines made by the CEO about the provision of administrative support to Councillors); or
- behave towards Council employees in an overbearing or threatening manner; or
- coerce or entice, or attempt to coerce or entice, any Council employee to do anything that does not comply with this policy; or
- place, or attempt to place any Council employee in a position that would create a conflict of interest for that Council employee, or that would compromise the integrity and honest performance of that Council employee; or
- direct or pressure a Council employee in relation to their work or the recommendations they should make or the action they should take.

Where Councillors are dissatisfied with the response from the relevant CEO/General Manager/Manager for a request for advice or information, the Councillor may report their dissatisfaction by complying with Council's Complaints Management Policy.

3.1.2. Council employee responsibilities

To assist Councillors being fully informed regarding their decision making and their other responsibilities under the Act:

- the CEO must keep up to date the list of Council employees, listed above, that Councillors can ask for advice on particular issues; and
- authorised Council employees must make all reasonable endeavours to comply with any reasonable request for advice made to them by a Councillor.

Council employees should direct Councillors to:

- the CEO, or the CEO's delegate, for requests for information; and
- the relevant CEO/General Manager/Manager listed for requests for advice, to ensure the proper processing of requests for information and/or advice.

A Council employee who is required to respond to a Councillor request is responsible for:

- providing sound and impartial advice to the Councillor;
- acting professionally and providing accurate information;
- **responding in a way that maintains respectful and positive relationships between the Council employee and the relevant Councillor;**
- documenting and recording the request; and
- providing the CEO with a copy of the request and details of the action taken in relation to the request including providing a copy of any advice given to the requesting Councillor.

A Council employee who is required to respond to a Councillor request must comply with a request from the Councillor:

- within 10 Business Days after receiving the request; or

- if the Council employee reasonably believes it is not practicable to comply with the request within 10 Business Days, within 20 Business Days after receiving the request; or
- If the Council employee forms the belief mentioned above, the employee must give to the Councillor requesting the information a notice about the belief and the reasons for the belief, within 10 Business Days after receiving the request.

A Council employee who is required to respond to a Councillor request, should respond to the request as soon as practicable where business priorities and available resources allow, ensuring that the requirements of this clause are satisfied.

A Council employee who is required to respond to a Councillor request must:

- provide a copy of the response to all Councillors and members of the SLT at the time of response; and
- keep a record of the response by registering the response electronically in Council's Enterprise Content Management ('ECM') system.

Council employees must not initiate contact with Councillors or provide advice, comment or release information to Councillors on any matter outside of their area of responsibility or knowledge.

A register of requests from Councillors for advice or information will be maintained by Corporate, Governance & Strategy Branch and made available for viewing by the SLT and Councillors on request.

If a Council employee is unsure as to whether a request from a Councillor is in accordance with this policy, the Council employee should seek advice from the CEO.

Councillors may be given approval in writing by the relevant CEO/General Manager/Manager to request advice from a Council in special circumstances (e.g., where a Council employee is a member of an Advisory Committee).

If the relevant CEO/General Manager/Manager considers that special circumstances apply, written approval will be provided to the Councillor and the Council employee outlining the topic/s about which advice may be sought, the expectations for providing the advice and the duration that the Councillor may directly request advice from the Council employee. This written approval will be recorded in Council's ECM system and a copy will also be provided to the relevant Manager of the Council employee.

3.2. Limits on Requests

The following circumstances will provide grounds for a Council employee who is required to respond to a Councillor request, not providing the advice or information sought:

- where the employee or Council has confidentiality obligations under legislation, in contract or in equity and must not disclose documents or information in the circumstances provided by those specific obligations; or
- the request is not in accordance with this policy (unless the request is made by the Mayor or the chairperson of a committee of Council and the request relates to the role of the chairperson); or
- the request relates to information that cannot be sought pursuant to *Section 170A(4)* of the Act; or
- the request relates to information that is able to be obtained from publicly available sources; or
- the request will take a significant amount of time or resources to respond to; or
- where the costs of responding to the request cannot be justified in the public interest.

The Council employee will advise the requesting Councillor by notice (with a copy provided to all other Councillors and members of the SLT) of the basis and reasons for the belief under this clause. The Council employee must then seek Council's direction about the request at the next available Council meeting.

3.3. Use of Information

A person who is or has been a Councillor must not use information that was acquired as a Councillor (other than information that is lawfully available to the public) to gain, directly or indirectly a financial advantage for themselves or someone else or cause detriment to Council.

A Councillor must not release information that the Councillor knows or should reasonably know is information that is confidential to Council.

A Councillor that obtains access to Council information or advice must comply with *Section 171* of the Act and continue to conduct themselves in accordance with the local government principles and Code of Conduct for Councillors in Queensland.

3.4. Compliance

If a Councillor behaves inappropriately or asks for information or advice other than under this policy, the Council employee must inform CEO/General Manager/Manager as soon as is practicable.

A breach of this policy by a Councillor meets the definition of misconduct. An allegation of a breach will be dealt with in accordance with *Chapter 5A*, Councillor conduct of the Act.

If a Council employee behaves inappropriately or provides information or advice to a Councillor in breach, it will be investigated by the CEO.

4. DEFINITIONS

Act means the *Local Government Act 2009* (Qld).

Afterhours means a time where each of Council's Customer Service Centres are not open to the public.

Business Day means a day that is not a Saturday, a Sunday or a public holiday in Council and commences the day after contact with Council.

Council representative means all Councillors and Council employees including permanent, casual and temporary employees, apprentices, trainees, contractors, volunteers, and work experience students.

Council employee means a person employed by Council who performs work, under the direction and control of Council, on an ongoing basis with an ongoing expectation of work entitled to superannuation contributions paid by Council.

Councillor means Councillor, of a local government, includes the Mayor.

CRM means a customer request for a service that Council routinely provides and that a member of the public may generally make, for example a road repair request, the collection of missed bins or the reporting of a non-compliance issue such as a noise complaint or a public health concern.

Guidelines means this policy, as required by *Section 170A(7)* of the Act.

Information means records, data, or knowledge, including documents, however acquired, that Council has access to and that relates to Council. It does not include information available on Council's website or information that can readily be obtained by a member of the public via Council's Customer Service Section (e.g., copy of a strategic policy, opening times of a waste facility, Council adopted fees and charges schedule).

Misconduct see-means, pursuant to *Section 150L(1)* of the Act:

(1) The conduct of a councillor is misconduct if the conduct –

(a) adversely affects, directly or indirectly, the honest and impartial performance of the councillor's functions, or the exercise of the councillor's powers; or

(b) is or involves –

(i) a breach of the trust placed in the councillor, either knowingly or recklessly; or

(ii) a misuse of information or material acquired in, or in connection with the performance of the councillor's functions, whether the misuse is for the benefit, or to the detriment or another person.

5. LEGISLATIVE REFERENCE**Code of Conduct for Councillors in Queensland***Local Government Act 2009 (Qld)**Public Interest Disclosure Act 2010 (Qld)**Public Sector Ethics Act 1994 (Qld)***6. RELATED DOCUMENTS**

South Burnett Regional Council Complaint Management Policy – Statutory040

South Burnett Regional Council Record of Request for Information Form

South Burnett Regional Council Councillor Conduct Complaints Investigation Policy – Statutory 017

South Burnett Regional Council Dealing with a Complaint involving the Chief Executive Officer Policy – Statutory054

South Burnett Regional Council Employee Code of Conduct Policy – Statutory011

7. NEXT REVIEWAs prescribed by legislation or **April 2025****8. VERSION CONTROL**

Version	Revision Description	Adopted Date	ECM Reference
1	Adopted by Council	15 April 2014	1289505
2	Review in line with term of office – Adopted by Council	7 April 2016	1919674
3	Review in line with policy framework – Proposed adoption by Council	15 November 2017	2429092
4	Reviewed in relation to the local government legislation amendments	12 December 2018	2556639
5	Local Government Quadrennial Election	29 April 2020	2681186
6	Reviewed in relation to the local government legislation amendments	19 August 2020	2709713
7	Administrative change replacing Social & Corporate Performance with Corporate Services as per Council Resolution 2021/296	24 March 2021	2709713
8	Review of policy – Resolution 2021/94	25 August 2021	2709713
9	Review of policy		

Mark Pitt PSM

CHIEF EXECUTIVE OFFICER

Date:

8.2 ADOPTION OF THE SOUTH BURNETT REGIONAL COUNCIL GUIDELINES FOR COUNCILLORS RECEIVING CUSTOMER REQUESTS AND COMPLAINTS POLICY - STATUTORY072

File Number: 12-04-23

Author: General Manager Finance and Corporate

Authoriser: Chief Executive Officer

PRECIS

Adoption of the South Burnett Regional Council Guidelines for Councillors Receiving Customer Requests and Complaints Policy – Statutory072.

SUMMARY

This policy assists Councillors to achieve the best outcome for the public in the most efficient way when approached by customers with service requests or complaints.

OFFICER'S RECOMMENDATION

That the Committee recommends to Council:

That the South Burnett Regional Council Guidelines for Councillors Receiving Customer Requests and Complaints Policy – Statutory072 be adopted as presented.

FINANCIAL AND RESOURCE IMPLICATIONS

No direct financial and resource implications arise from this report which have not already been considered in the development of Council's annual budget.

LINK TO CORPORATE/OPERATIONAL PLAN

Corporate Plan 2021 - 2026	OR2 Achieve community recognition as an ethical Council that values and practices community consultation, accountable governance and open and transparent decision-making
Operational Plan 2022/2023	Deliver the Council Policy Governance Framework aligned to strategic planning and relevant legislation incorporating Council's policies, procedures, forms and factsheets
	Promote a high standard of corporate responsibility, transparency and accountability in decision making at all levels of the organisation in the best interest of Council and the community aligning to legislation and Council policy

COMMUNICATION/CONSULTATION (INTERNAL/EXTERNAL)

The Draft South Burnett Regional Council Guidelines for Councillor Receiving Customer Requests and Complaints Policy – Statutory072 was reviewed by the Chief Executive Officer supported by Corporate, Governance & Strategy.

The Draft South Burnett Regional Council Guidelines for Councillors Receiving Customer Requests and Complaints Policy – Statutory072 was presented at the Executive Leadership Team Meeting held 24 January 2023 for endorsement to the Liveability, Governance and Finance Standing Committee. Feedback received supported the draft content.

The Draft South Burnett Regional Council Guidelines for Councillors Receiving Customer Requests and Complaints Policy – Statutory072 was discussed and reviewed by the relevant General Manager/Manager and Portfolio Councillor at a Portfolio Councillor Meeting held on 2 February 2023.

The Draft South Burnett Regional Council Guidelines for Councillors Receiving Customer Requests and Complaints Policy – Statutory072 was then presented at the Executive Leadership Team Meeting held on 28 March 2023 for endorsement to the Liveability, Governance and Finance Standing Committee.

For the purposes of this report, fundamental changes to the current policy are identified within the draft policy as text highlighted in yellow.

LEGAL IMPLICATIONS (STATUTORY BASIS, LEGAL RISKS)

AS8001 Fraud and Corruption Control

Criminal Code Act 1899 (Qld)

Local Government Act 2009 (Qld)

Human Rights Act 2019 (Qld)

Section 4(b) of the *Human Rights Act 2019* requires public entities to act and make decisions in away compatible with human rights. The Act requires public entities to only limit human rights in certain circumstances and after careful consideration. The human rights protected under the Act are not absolute. This means that the rights must be balanced against the rights of others and public policy issues of significance.

In the decision-making process, Council is to consider the 23 human rights:	
1. Recognition and equality before the law;	13. Cultural rights—Generally;
2. Right to life;	14. Cultural rights—Aboriginal peoples and Torres Strait Islander peoples;
3. Protection from torture and cruel, inhuman or degrading treatment;	15. Right to liberty and security of person;
4. Freedom from forced work;	16. Humane treatment when deprived of liberty;
5. Freedom of movement;	17. Fair hearing;
6. Freedom of thought, conscience, religion and belief;	18. Rights in criminal proceedings;
7. Freedom of expression;	19. Children in the criminal process;
8. Peaceful assembly and freedom of association;	20. Right not to be tried or punished more than once;
9. Taking part in public life;	21. Retrospective criminal laws;
10. Property rights;	22. Right to education;
11. Privacy and reputation;	23. Right to health services.
12. Protection of families and children;	

POLICY/LOCAL LAW DELEGATION IMPLICATIONS

No direct local law or delegation implications arise from this report.

ASSET MANAGEMENT IMPLICATIONS

No direct asset management implications arise from this report.

REPORT

This policy applies to all Councillors of South Burnett Regional Council ('Council') and aims to resolve customer requests and complaints in a timely, efficient and effective manner, consistent with Council's Customer Service Charter.

ATTACHMENTS

1. **South Burnett Regional Council Guidelines for Councillors Receiving Customer Requests and Complaints Policy - Statutory072**



POLICY CATEGORY - NUMBER: Statutory072
POLICY OWNER: Corporate, Governance & Strategy
ECM ID: 2992613
ADOPTED:

Guidelines for Councillors Receiving Customer Requests and Complaints Policy

NOTE: Council regularly reviews and updates its policies. The latest controlled version can be obtained from the Policy Register on Council's intranet or by contacting Council's Corporate, Governance & Strategy Branch. **A hard copy of this electronic document is considered uncontrolled when printed.**

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1. POLICY STATEMENT

South Burnett Regional Council ('Council') has established This policy assists Councillors to achieve the best outcome for the public in the most efficient way when approached by customers with service requests or complaints. or service requests to achieve the best outcome for the public in the most efficient way.

2. SCOPE

This policy applies to all Councillors of South Burnett Regional Council ('Council') and aims to resolve customer requests and complaints in a timely, efficient and effective manner, consistent with Council's Customer Service Charter.

3. GENERAL INFORMATION

3.1. Council's Customer Service Commitment

Council is committed to excellence in service delivery, and to developing and maintaining a good relationship with its customers. This includes responding to customer enquires and complaints in an efficient, effective and appropriate manner.

3.2. Councillors receiving customer requests

Councillors must encourage the customer to contact a Customer Service Centre to register a service request or complaint in the first instance or lodge via the Customer Request Portal.

If the customer cannot or does not wish to do this, the Councillor should ask the customer to send an email that provides all relevant details including name, address, contact number and details of the service request or complaint to the Councillor who must then forward the email to the Councillor support staff to enter the details into a customer request.

The request will be processed in accordance with Council's Customer Service Charter. If the Councillor contacts the customer via email, the Councillor will (where appropriate) copy in the Councillor support staff to that email or forward a separate email to the Councillor support staff.

3.3. Handling Service Requests and Customer Complaints

Services are delivered by Council employees through their various Departments, Branches and Sections. Council's Customer Service Charter provides specific details of expected levels of service delivery. Where a customer has a service request or complaint, a request will be generated in the customer service request system ('request system') (using the relevant request type) for actioning by the appropriate Branch or Section within a set timeframe. A customer request number is provided to the customer, which customers can reference when contacting Council.

The request system is used for initiating and tracking responses to service requests and complaints. This ensures all requests are actioned and Council's performance in addressing requests is monitored.

When an issue is raised, it is registered in pathway and a customer request number is provided to the customer.

This reference assists Council in managing customer requests and it provides a quick and easy way for the customer to reference the complaint when contacting Council. If the customer cannot or does not wish to do this, the Councillor should ask the customer seeking to complain to send an email that provides all relevant details such as name, address, contact number and issue to the Councillor who will then forward the email to the Councillors support staff for entry into the pathway system for action.

The Councillors support staff will, if the Councillor has not already done so, contact the customer to acknowledge the request in accordance with Council's Customer Service Charter. If the Councillor contacts the customer via email, the Councillor will (where appropriate) copy in the Councillors support staff to that email or forward a separate email to the Councillors support staff for actioning.

3.4. Corrupt Conduct

Where a customer raises a reasonable suspicion of corrupt conduct or fraud, the matter and identity of people involved will be kept confidential and the matter referred to the Manager Corporate, Governance & Strategy for assessment, referral to appropriate monitoring entity (where necessary) and investigation.

3.5. Administrative Action Complaints

Where a customer is seeking an internal review of a decision made (Administrative Action Complaint), action taken, proposal formulated or recommendation, the matter will be referred to the Manager Corporate, Governance & Strategy for assessment and investigation.

3.6. Progress of Customer requests and Complaints

Councillors can keep track of progress on requests and complaints which have been initiated on behalf of a customer via monthly reports, generated out of the Technology One system.

3.7. Unreasonable Delays

If monthly reports reveal that there is an unreasonable delay in the resolution of the customer request or complaint, Councillors may seek further information in accordance with Council's Acceptable Request Guidelines Policy.

3.8. Responsibilities

3.8.1. Councillors

Councillors are responsible for encouraging the customer (either verbally or by email) to contact a Council's Customer Service Centre to register a customer request or complaint, in the first instance Councillors must ensure the explain to the customer that this will short cut the process, as Council employees will know what questions to ask to get the job done most efficiently. Councillors may wish to advise Council employees to ensure the customer request number is recorded and that the Councillor can follow up with Council if the matter is not dealt with within a reasonable timeframe.

If a customer cannot or does not wish to do this, the Councillor should ask the customers seeking to complain to send an email that provides all relevant details such as name, address, contact number, issue and the like to the Councillor who will then forward that email to the Councillors support staff

for entry into the Pathway system for action.

Councillors must contact the customer to acknowledge the request. If the Councillor contacts the customer by email, the Councillor will (where appropriate) copy in the Councillors support staff to that email or forward a separate email to the Councillors support staff for action.

Councillors can keep track of the progress of requests and complaints they have initiated on behalf of a customer via monthly reports generated out of the Pathway system.

3.8.2. Councillor Support Staff, Customer Service/Administration Officers and Community Development Officers

The responsibilities of Councillor Support Staff, Customer Service/Administration Officers and Community Development Officers are to record requests and complaints in Technology One in a timely manner and provide Councillors with progress reports on a monthly basis or as requested.

3.8.3. Actioning Officer

The responsibilities of the Actioning Officer are to investigate request / complaint, make adequate note in Pathway and respond to the customer and Councillor in a timely manner.

3.8.4. Manager Corporate, Governance & Strategy

The responsibility of the Manager Corporate, Governance & Strategy is to oversee the performance of the Technology One Systems.

4. DEFINITIONS

Administrative Action Complaint means, as defined in *Section 268 of the Local Government Act 2009*, a complaint that:

- (a) is about an administrative action of a local government, including the following, for example:
 - (i) a decision, or a failure to make a decision, including a failure to provide a written statement of reasons for a decision;
 - (ii) an act, or a failure to do an act;
 - (iii) the formulation of a proposal or intention;
 - (iv) the making of a recommendation; and
- (b) is made by an affected person.

Complaint means an expression of dissatisfaction made in person, by telephone, email, mail, anonymously or by a representative for a person affected by:

- a decision or failure to make a decision, including a failure to provide a written statement of reasons for a decision;
- an act, or a failure to act;
- the formulation of a proposal or intention by Council;
- the conduct of a Council representative; or
- the making of a recommendation by Council.

Corrupt Conduct means conduct of a person, regardless of whether the person holds or held an appointment, that adversely affects, or could adversely affect, directly or indirectly, the performance of functions or the exercise of powers of a unit of public administration or a person holding an appointment and results or could result, directly or indirectly in the performance of functions or the exercise of powers in a way that:

- is not honest or is not impartial;
- involves a breach of the trust placed in a person holding an appointment either knowingly or recklessly;
- involves a misuse of information or material acquired in or in connection with the performance of functions or the exercise of powers of a person holding an appointment; and

- is engaged in for the purpose of providing a benefit to the person or another person or causing a detriment to another person and would, if proved be a criminal offence or a disciplinary breach providing reasonable grounds for terminating the person’s services if the person is or were the holder of an appointment.

Council means South Burnett Regional Council.

Councillor means Councillor, of a local government, includes the Mayor.

Councillor support staff means the Mayor’s Executive Assistant and Executive Services Officers.

Customer means any person or organisation that has any interaction with Council. This includes but is not limited to residents, ratepayers, business operators, government officers and elected representatives.

Customer Request means a request for provision of a Council service that a member of the public may generally make.

Fraud means a form of deliberate deception to facilitate or conceal dishonest activity. The Australian Standard (AS8001) for Fraud and Corruption Control defines fraud as dishonest activity causing actual or potential financial loss to any person or entity including theft of moneys or other property by employees or persons external to the entity and whether or not deception is used at the time, immediately before or following the activity.

This also includes the deliberate falsification, concealment, destruction or use of falsified documentation used or intended for use for a normal business purpose or the improper use of information or position.

5. LEGISLATIVE REFERENCE

AS8001 Fraud and Corruption Control

Criminal Code Act 1899 (Qld)

Local Government Act 2009 (Qld)

6. RELATED DOCUMENTS

South Burnett Regional Council Acceptable Request Guidelines Policy – Statutory004

South Burnett Regional Council Customer Service Charter – Strategic018

7. NEXT REVIEW

As prescribed by legislation or April 2025

8. VERSION CONTROL

Version	Revision Description	Adopted Date	ECM Reference
1	Development of policy		

Mark Pitt PSM
CHIEF EXECUTIVE OFFICER

Date:

8.3 ADOPTION OF THE SOUTH BURNETT REGIONAL COUNCIL DEFENCE SERVICE POLICY - STATUTORY013

File Number: 12-04-23

Author: General Manager Finance and Corporate

Authoriser: Chief Executive Officer

PRECIS

Adoption of the South Burnett Regional Council Defence Service Policy – Statutory013.

SUMMARY

This policy has been developed to recognise and support South Burnett Regional Council ('Council') employees who are members of the Australian Defence Force Reserve ('ADFR') and undertake defence service leave to attend camps, courses or schools of His Majesty's Royal Australian Navy, Australian Army or Royal Australian Air Force Reserve.

OFFICER'S RECOMMENDATION

That the Committee recommends to Council:

That the South Burnett Regional Council Defence Service Policy – Statutory013 be adopted as presented.

FINANCIAL AND RESOURCE IMPLICATIONS

No direct financial and resource implications arise from this report which have not already been considered in the development of Council's annual budget.

LINK TO CORPORATE/OPERATIONAL PLAN

Corporate Plan 2021 - 2026	OR2 Achieve community recognition as an ethical Council that values and practices community consultation, accountable governance and open and transparent decision-making
Operational Plan 2022/2023	Deliver the Council Policy Governance Framework aligned to strategic planning and relevant legislation incorporating Council's policies, procedures, forms and factsheets
	Promote a high standard of corporate responsibility, transparency and accountability in decision making at all levels of the organisation in the best interest of Council and the community aligning to legislation and Council policy

COMMUNICATION/CONSULTATION (INTERNAL/EXTERNAL)

The Draft South Burnett Regional Council Defence Service Policy – Statutory013 was reviewed by Manager People & Culture, supported by Corporate, Governance & Strategy.

The Draft South Burnett Regional Council Defence Service Policy – Statutory013 was then presented at the Executive Leadership Team Meeting held on 21 March 2023 for endorsement to the Liveability, Governance and Finance Standing Committee.

The Draft South Burnett Regional Council Defence Service Policy – Statutory013 was then discussed and reviewed by the relevant General Manager/Manager and Portfolio Councillor at a Portfolio Councillor Meeting held on 23 March 2023.

For the purposes of this report, fundamental changes to the current policy are identified within the draft policy as text highlighted in yellow.

LEGAL IMPLICATIONS (STATUTORY BASIS, LEGAL RISKS)

Defence Act 1903 (Cth)

Defence Reserve Service (Protection) Act 2001 (Cth)

Queensland Government Industry Award – State 2017

Human Rights Act 2019 (Qld)

Section 4(b) of the Human Rights Act 2019 requires public entities to act and make decisions in a way compatible with human rights. The Act requires public entities to only limit human rights in certain circumstances and after careful consideration. The human rights protected under the Act are not absolute. This means that the rights must be balanced against the rights of others and public policy issues of significance.

In the decision-making process, Council is to consider the 23 human rights:	
1. Recognition and equality before the law;	13. Cultural rights—Generally;
2. Right to life;	14. Cultural rights—Aboriginal peoples and Torres Strait Islander peoples;
3. Protection from torture and cruel, inhuman or degrading treatment;	15. Right to liberty and security of person;
4. Freedom from forced work;	16. Humane treatment when deprived of liberty;
5. Freedom of movement;	17. Fair hearing;
6. Freedom of thought, conscience, religion and belief;	18. Rights in criminal proceedings;
7. Freedom of expression;	19. Children in the criminal process;
8. Peaceful assembly and freedom of association;	20. Right not to be tried or punished more than once;
9. Taking part in public life;	21. Retrospective criminal laws;
10. Property rights;	22. Right to education;
11. Privacy and reputation;	23. Right to health services.
12. Protection of families and children;	

POLICY/LOCAL LAW DELEGATION IMPLICATIONS

No direct local law or delegation implications arise from this report.

ASSET MANAGEMENT IMPLICATIONS

No direct asset management implications arise from this report.

REPORT

This policy applies to all Council employees, and persons seeking employment with Council, who are members of the ADFR including conditions of employment, such as leave and salary entitlements.

ATTACHMENTS

1. **South Burnett Regional Council Defence Service Policy - Statutory013**



POLICY CATEGORY - NUMBER: Statutory013
POLICY OWNER: People & Culture
ECM ID: 2733965
ADOPTED:

Defence Service Policy

NOTE: Council regularly reviews and updates its policies. The latest controlled version can be obtained from the Policy Register on Council's intranet or by contacting Council's Corporate, Governance & Strategy Branch. **A hard copy of this electronic document is considered uncontrolled when printed.**

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1. POLICY STATEMENT

This policy ~~has been developed to recognise and support~~ establishes South Burnett Regional Council ('Council') ~~commitment to the recognition and support of Council employees who are members of the Australian Defence Force Reserve ('ADFR') and undertake defence service leave where the Council employee to attend camps, courses or schools of His Majesty's Royal Australian Navy, Australian Army Military or Royal Australian Air Force Reserve. on service leave.~~

2. SCOPE

This policy applies to all Council employees, and persons seeking employment with Council, who are members of the ADFR including conditions of employment, such as leave and salary entitlements.

3. GENERAL INFORMATION

3.1. Protection of Employment and Conditions

~~Council recognises the importance of the ADFR and their contribution to the community and nation. Council recognises that the skill sets, and experience gained while rendering defence service enhances the professional and personal growth of the Council employee. Accordingly, Council will provide employment protection and additional leave and pay entitlements (e.g., top-up pay) to members of the ADFR, to assist them in undertaking their ADFR roles.~~

Council will not discriminate or disadvantage any Council employee, or prospective Council employee, for their ADFR membership status, as directed by the *Defence Reserve Service (Protection) Act 2001*. Council will not terminate employment, or alter a Council employee's conditions of employment, based on the fact that the Council employee:

- has rendered defence service;
- may be required to render defence service; or
- is currently rendering defence service.

Council will not refuse an application for employment upon the basis of a person's ADFR membership.

Council will provide Council employees rendering prolonged defence service with access to employment entitlements, such as salary reviews.

Where a Council employee has returned to work from defence service, the continuity of their employment is taken to have not been broken by their defence service absence for the purposes of

seniority and employment. Except for periods of continuous full-time defence service, accrual of leave and other entitlements will generally still occur for the defence service period (e.g., annual leave, long service leave) as stipulated by the *Defence Reserve Service (Protection) Act 2001*. Accrual will also occur where top-up pay has been granted to the Council employee for the period of defence service leave.

Where the Council employee has performed continuous full-time defence service, their entitlements in relation to the period of defence service must be no less beneficial than they would have been if they had been absent on normal Leave Without Pay ('LWOP') for the period.

Where a Council employee has undertaken an extensive period of defence service, or otherwise prolonged absence associated with their defence service (e.g., sick leave), Council will ensure that upon their return, the Council employee is employed in a similar capacity as prior to their absence, and otherwise assist their reintegration into the workforce.

3.2. Notification of Participation

Council employees are encouraged to inform People & Culture of their defence reserve status upon their commencement with Council, or on becoming a defence reserve member. A written copy of the Council employee's defence reserve status is necessary to access defence service leave and associated entitlements, and if provided will be retained on the Council employee's personnel file for future reference.

Council employees are encouraged to advise their Supervisor of ADFR commitments as soon as they are known, to allow for planning of team and operational adjustment measures. ADFR advice is usually disseminated to members at the start of each calendar year.

If the Council employee is undertaking a course of education associated with their employment with Council (including a traineeship/apprenticeship), the Council employee may be required to notify the educational institution prior to their defence service and make a submission for re-enrolment/resumption upon their return from defence service, as stipulated by the *Defence Reserve Service (Protection) Act 2001*.

3.3. Application and Approval of Leave

Where a Council employee is required to render defence service, they will be granted defence service leave from Council, with approval by the Chief Executive Officer ('CEO'). The Council employee may elect to access additional leave entitlements, including annual leave and long service leave. Council employees will not be expected or compelled to use paid leave entitlements, such as annual leave or long service leave, for the purposes of defence service.

Council employees will apply for any required leave by submission of Council's Employee Leave Application Form, with the relevant ADFR Unit Training Notice or Defence Unit Notification.

Where the Council employee's absence from work may pose operational difficulties, Council will contact the ADFR member and the ADFR unit point of contact to discuss possible alternatives to service dates and requirements. Where an alternate resolution is not reached, the ADFR member will be released as requested by the Defence Unit Notification.

3.4. Provision of Pay Entitlements

To access the arrangement provided for in this clause, the Council employee will be required to sign a written authorisation for the future deduction of wages, prior to commencing their defence service leave.

As a courtesy, Council will continue to pay the Council employee their ordinary rate of pay whilst the Council employee is undertaking defence service leave, to a maximum of eight (8) consecutive weeks. When the Council employee receives their defence service pay from the ADFR for the period of defence service leave, the Council employee will provide Payroll with a copy of the ADFR payslip for the defence service leave period. Council will then recoup the remuneration issued to the Council employee for that same period. The recoupment will occur in consultation with the Council employee; however, the period of recoupment will not exceed six (6) months.

If the defence service pay awarded to the Council employee by the ADFR for their period of defence service leave is less than the Council employee's ordinary rate of pay with Council, then Council will

pay the Council employee top-up pay to cover the difference, as follows:

- for the full period of defence service leave where the defence service is rendered for the purposes of training; or
- to the maximum of 12 weeks where the defence service is rendered for any purpose other than training.

3.5. Employer Support Payment ('ESP')

Council may be entitled to claim ESP from the Department of Defence to offset the cost of releasing a Council employee for defence service. ESP may be available where a Council employee has served a qualifying period of two (2) weeks' defence service in the current financial year, and the Council employee's periods of defence service are at least five (5) consecutive days. ESP may also be available for the recovery period of any Council employee who becomes injured or ill as a result of their defence service. ~~The weekly ESP rate is set at 1 July each year and is equivalent to the average weekly full-time adult ordinary time earnings (for full-time Council employees).~~

ESP cannot be accessed where the Council employee has used accrued leave entitlements (e.g., annual or long service leave) to render defence service.

Where Council is eligible to claim ESP, the Council employee is expected to assist the People and Culture and payroll teams in claiming such payments.

3.6. Voluntary Defence Service

The stipulations and entitlements of this policy may differ for, or not apply to certain voluntary continuous full-time defence service, as directed by the *Defence Reserve Service (Protection) Act 2001* (e.g., the utilisation of leave for periods of defence service; and education entitlements).

3.7. Dispute Resolution Procedure

Council employees have the right to lodge a grievance with Council where they believe that inappropriate or unreasonable action has been initiated as a result of a Council employee being a member of the ADFR. Council employees may also contact their ADFR Unit or the Office of Reserve Service Protection in accordance with the *Defence Reserve Service (Protection) Act 2001*.

4. DEFINITIONS

ADFR means Australian Defence Force Reserve ~~serving in roles in the Royal Australian Navy, Army or Airforce. (the Royal Australian Navy, Australian Army or Royal Australian Air Force Reserve).~~

Defence service means the rendering of Defence Service by an ADFR member as required by the Department of Defence under provisions of the *Defence Act 1903* and protected by the *Defence Reserve Service (Protection) Act 2001* (e.g., deployments, continuous full-time service, training).

Defence service leave means leave without pay (apart from top-up provisions), granted to Council employees who are members of the ADFR required to attend ADFR training.

Defence service pay means all payments received by the Council employee from the ADFR for their Defence Service during the period of defence service leave. defence service pay is based on the rank and position held by the ADFR member.

Council employee means a person employed by Council who performs work, under the direction and control of Council, on an ongoing basis with an ongoing expectation of work entitled to superannuation contributions paid by Council.

ESP means Employer Support Payments provided by the Department of Defence to Council to offset the costs of releasing a Council employee for Defence Service.

Top-up pay means where the defence service pay awarded to the Council employee by the ADFR for their period of defence service Leave is less than the Council employee's ordinary rate of pay with Council, then Council will pay the Council employee the amount of the difference.

Training means instructive camps, courses and schools operated and administered by the Department of Defence.

5. LEGISLATIVE REFERENCE

Defence Act 1903 (Cth)

Defence Reserve Service (Protection) Act 2001 (Cth)

Queensland Local Government Industry Award – State 2017

6. RELATED DOCUMENTS

South Burnett Regional Council Employee Leave Application Form

7. NEXT REVIEW

As prescribed by legislation or **March 2025**

8. VERSION CONTROL

Version	Revision Description	Adopted Date	ECM Reference
1	Development of policy	30 September 2009	795059
2	Review of policy	25 November 2020	2733965
3	Administrative change replacing Social & Corporate Performance Branch with Corporate Services Branch as per Council Resolution 2021/296	24 March 2021	2733965
4	Administrative amendment – organisational structure review – resolution 2022/432	27 April 2022	2733965
5	Review of policy		

Mark Pitt PSM
CHIEF EXECUTIVE OFFICER

Date:

8.4 ADOPTION OF THE SOUTH BURNETT REGIONAL COUNCIL WORKPLACE HEALTH AND SAFETY POLICY - STATUTORY015

File Number: 12-04-23

Author: General Manager Finance and Corporate

Authoriser: Chief Executive Officer

PRECIS

Adoption of the South Burnett Regional Council Workplace Health and Safety Policy – Statutory015.

SUMMARY

South Burnett Regional Council ('Council') has developed this policy to provide and maintain a safe and healthy workplace for Council representatives and visitors to Council premises and workplaces.

OFFICER'S RECOMMENDATION

That the Committee recommends to Council:

That the South Burnett Regional Council Workplace Health and Safety Policy – Statutory015 be adopted as presented.

FINANCIAL AND RESOURCE IMPLICATIONS

No direct financial and resource implications arise from this report which have not already been considered in the development of Council's annual budget.

LINK TO CORPORATE/OPERATIONAL PLAN

Corporate Plan 2021 - 2026	OR2 Achieve community recognition as an ethical Council that values and practices community consultation, accountable governance and open and transparent decision-making
Operational Plan 2022/2023	Deliver the Council Policy Governance Framework aligned to strategic planning and relevant legislation incorporating Council's policies, procedures, forms and factsheets
	Promote a high standard of corporate responsibility, transparency and accountability in decision making at all levels of the organisation in the best interest of Council and the community aligning to legislation and Council policy

COMMUNICATION/CONSULTATION (INTERNAL/EXTERNAL)

The Draft South Burnett Regional Council Workplace Health and Safety Policy – Statutory015 was reviewed by Manager People & Culture, supported by Corporate, Governance & Strategy.

The Draft South Burnett Regional Council Workplace Health and Safety Policy – Statutory015 was then presented at the Executive Leadership Team Meeting held on 21 March 2023 for endorsement to the Liveability, Governance and Finance Standing Committee.

The Draft South Burnett Regional Council Workplace Health and Safety Policy – Statutory015 was then discussed and reviewed by the relevant General Manager/Manager and Portfolio Councillor at a Portfolio Councillor Meeting held on 23 March 2023.

For the purposes of this report, fundamental changes to the current policy are identified within the draft policy as text highlighted in yellow.

LEGAL IMPLICATIONS (STATUTORY BASIS, LEGAL RISKS)*Electrical Safety Act 2002 (Qld)**Electrical Safety Regulation 2013 (Qld)**Local Government Act 2009 (Qld)**Work Health and Safety Regulation 2011 (Qld)**Workers' Compensation and Rehabilitation Act 2003 (Qld)**Workers' Compensation and Rehabilitation Regulation 2014 (Qld)**Human Rights Act 2019 (Qld)*

Section 4(b) of the *Human Rights Act 2019* requires public entities to act and make decisions in a way compatible with human rights. The Act requires public entities to only limit human rights in certain circumstances and after careful consideration. The human rights protected under the Act are not absolute. This means that the rights must be balanced against the rights of others and public policy issues of significance.

In the decision-making process, Council is to consider the 23 human rights:	
1. Recognition and equality before the law;	13. Cultural rights—Generally;
2. Right to life;	14. Cultural rights—Aboriginal peoples and Torres Strait Islander peoples;
3. Protection from torture and cruel, inhuman or degrading treatment;	15. Right to liberty and security of person;
4. Freedom from forced work;	16. Humane treatment when deprived of liberty;
5. Freedom of movement;	17. Fair hearing;
6. Freedom of thought, conscience, religion and belief;	18. Rights in criminal proceedings;
7. Freedom of expression;	19. Children in the criminal process;
8. Peaceful assembly and freedom of association;	20. Right not to be tried or punished more than once;
9. Taking part in public life;	21. Retrospective criminal laws;
10. Property rights;	22. Right to education;
11. Privacy and reputation;	23. Right to health services.
12. Protection of families and children;	

POLICY/LOCAL LAW DELEGATION IMPLICATIONS

No direct local law or delegation implications arise from this report.

ASSET MANAGEMENT IMPLICATIONS

No direct asset management implications arise from this report.

REPORT

Council's workplace health and safety obligations will be achieved by complying with the *Work Health and Safety Act 2011*, *Work Health and Safety Regulation 2011*, codes of practice and other safety guidelines.

ATTACHMENTS

- 1. South Burnett Regional Council Workplace Health and Safety Policy - Statutory015**



POLICY CATEGORY - NUMBER: Statutory015
POLICY OWNER: People & Culture
ECM ID: 2734000
ADOPTED:

Workplace Health and Safety Policy

NOTE: Council regularly reviews and updates its policies. The latest controlled version can be obtained from the Policy Register on Council’s intranet or by contacting Council’s Corporate, Governance & Strategy Branch. **A hard copy of this electronic document is considered uncontrolled when printed.**

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1. POLICY STATEMENT

South Burnett Regional Council (“Council”) has developed this policy to is committed provide and maintain a safe and healthy work environment workplace for Council employees representatives (including contractors, volunteers and visitors) representatives and visitors to Council premises and workplaces. Hazards and risks to health and safety will be eliminated or minimised as far as reasonably practical.

2. SCOPE

This policy applies to all Council employees representatives as defined in the definitions (contractors and volunteers) and includes entities over which Council has direct ownership, management and/or financial control.

3. GENERAL INFORMATION

Council’s workplace health and safety obligations will be achieved by complying with adopting and promoting the provisions of the *Work Health and Safety Act 2011*, *Work Health and Safety Regulation 2011*, codes of practice and other safety guidance material guidelines. and its associated regulation, codes and standards, together with significant importance placed in the areas of consultation, hazard and risk management and injury prevention strategies.

Council’s primary workplace health and safety objective is to eliminate or reduce risk by developing proactive strategies and adopting a risk management approach to workplace health and safety.

Council understands recognises the importance of that providing creating and maintaining a safe and healthy workplace working environment is a major part of its overall responsibilities, and that all Council representatives employees must ensure the health and safety of their fellow all personnel employees and visitors in their respective work areas.

In support of this policy, Council will:

- ensure the business complies with all legislation relating to health and safety;
- eliminate or minimise all workplace hazards and risks as far as is reasonably practicable;
- provide information, instruction and training to enable Council representatives to work safely;
- supervise Council representatives to ensure work activities are performed safely;
- consult with and involve Council representatives on matters relating to health, safety and wellbeing;

- provide appropriate safety equipment and personal protective equipment; and
- provide a suitable injury management and return to work program.

Council representatives will:

- take reasonable care for their own health and safety;
- follow safe work procedures, instructions and rules;
- participate in workplace health and safety training as requested;
- report health and safety hazards;
- report all injuries and incidents; and
- use safety equipment and personal protective equipment as designed and instructed.

is committed to the provision of workplace health and safety information to people working at or visiting its workplaces as well as ensuring effective employee and contractor consultation on health and safety matters. Council will also provide employees with workplace health and safety training relevant to their work

To ensure continuous improvement, Council will establish and monitor measurable workplace health and safety objectives and targets. Council is also committed to the successful implementation and continual improvement of its Safety Management System.

Council expects all Council representatives and visitors to its workplaces to follow safe work practices as prescribed by legislation and Council's Safety Management System and that they make every effort to reduce the risk of injury to themselves and others.

Council regards its workplace health and safety responsibilities with the utmost importance and, resources will be made available to allow Council to comply with relevant legislation and implement its Safety Management System.

To provide and maintain achieve a safe and healthy work environment workplace, participation, commitment and co-operation from all Council's employees, contractors, volunteers representatives and visitors is essential.

4. DEFINITIONS

Council representative means all Councillors and council employees including permanent, casual and temporary employees, contractors, volunteers, apprentices, trainees and work experience students.

5. LEGISLATIVE REFERENCE

Electrical Safety Act 2002 (Qld)

Electrical Safety Regulation 2013 (Qld)

Local Government Act 2009 (Qld)

Work Health and Safety Act 2011 (Qld)

Work Health and Safety Regulation 2011 (Qld)

Workers' Compensation and Rehabilitation Act 2003 (Qld)

Workers' Compensation and Rehabilitation Regulation 2014 (Qld)

6. RELATED DOCUMENTS

Local Government Workcare - Corporate Rehabilitation Policy

South Burnett Regional Council Employee Code of Conduct Policy – Statutory011

7. NEXT REVIEW

As prescribed by legislation or **March 2025**

8. VERSION CONTROL

Version	Revision Description	Adopted Date	ECM Reference
1	Development of policy	6 January 2016	1602758
2	Review of policy	1 February 2018	2459060
3	Review of policy	26 July 2018	2522988
4	Review of policy	25 November 2020	2734000
5	Administrative change replacing Social & Corporate Performance Branch with Corporate Services Branch & as per Council Resolution 2021/296	24 March 2021	2734000
6	Administrative amendment – organisational structure review – resolution 2022/432	27 April 2022	2734000
7	Review of policy		

Mark Pitt PSM
CHIEF EXECUTIVE OFFICER

Date:

DRAFT

8.5 ADOPTION OF THE SOUTH BURNETT REGIONAL COUNCIL UNREASONABLE CUSTOMER CONDUCT POLICY - STRATEGIC033

File Number: 12-04-23

Author: General Manager Finance and Corporate

Authoriser: Chief Executive Officer

PRECIS

Adoption of the South Burnett Regional Council Unreasonable Customer Conduct Policy – Strategic033.

SUMMARY

South Burnett Regional Council ('Council') is committed to delivering quality services to the community, meeting its obligations to provide a safe and healthy workplace for all Council representatives and to use resources equitably and efficiently.

OFFICER'S RECOMMENDATION

That the Committee recommends to Council:

That the South Burnett Regional Council Unreasonable Customer Conduct Policy – Strategic033 be adopted as presented.

FINANCIAL AND RESOURCE IMPLICATIONS

No direct financial and resource implications arise from this report which have not already been considered in the development of Council's annual budget.

LINK TO CORPORATE/OPERATIONAL PLAN

Corporate Plan 2021 - 2026	OR2 Achieve community recognition as an ethical Council that values and practices community consultation, accountable governance and open and transparent decision-making
Operational Plan 2022/2023	Deliver the Council Policy Governance Framework aligned to strategic planning and relevant legislation incorporating Council's policies, procedures, forms and factsheets
	Promote a high standard of corporate responsibility, transparency and accountability in decision making at all levels of the organisation in the best interest of Council and the community aligning to legislation and Council policy

COMMUNICATION/CONSULTATION (INTERNAL/EXTERNAL)

The Draft South Burnett Regional Council Unreasonable Customer Conduct Policy – Strategic033 developed and reviewed by Corporate, Governance & Strategy.

The Draft South Burnett Regional Council Unreasonable Customer Conduct Policy – Strategic033 was then presented at the Executive Leadership Team Meeting held on 31 January 2023 for endorsement to the Liveability, Governance and Finance Standing Committee.

The Draft South Burnett Regional Council Unreasonable Customer Conduct Policy – Strategic033 was then presented at the Liveability, Governance & Finance Standing Committee Meeting held on 8 February 2023.

The Draft South Burnett Regional Council Unreasonable Customer Conduct Policy – Strategic033 was then presented to the Ordinary Council Meeting held on 22 February 2023 and was laid on the table to review clause 3.4. as it relates to the definition of unreasonable persistence with a view to moderating such definition so as to not compromise the ability of a member of the community to raise genuine concerns and issues with appropriate Council officers, elected representatives and other bodies and as such be brought to a later Liveability, Governance and Finance Standing Committee Meeting for consideration.

The Draft South Burnett Regional Council Unreasonable Customer Conduct Policy - Strategic033 was then discussed and reviewed by the relevant General Manager/Manager and Portfolio Councillor at a Portfolio Councillor Meeting held on 23 March 2023.

For the purposes of this report, fundamental changes to the current policy are identified within the draft policy as text highlighted in yellow.

LEGAL IMPLICATIONS (STATUTORY BASIS, LEGAL RISKS)

Criminal Code Act 1899 (Qld)

Human Rights Act 2009 (Qld)

Information Privacy Act 2009 (Qld)

Local Government Act 2009

Local Government Regulation 2012 (Qld)

Local Law No.1 (Administration) 2011

Public Interest Disclosure Act 2009 (Qld)

Right to Information Act 2009 (Qld)

Work Health and Safety Act 2011 (Qld)

Work Health and Safety Regulation 2011 (Qld)

Human Rights Act 2019 (Qld)

Section 4(b) of the Human Rights Act 2019 requires public entities to act and make decisions in a way compatible with human rights. The Act requires public entities to only limit human rights in certain circumstances and after careful consideration. The human rights protected under the Act are not absolute. This means that the rights must be balanced against the rights of others and public policy issues of significance.

In the decision-making process, Council is to consider the 23 human rights:	
1. Recognition and equality before the law;	13. Cultural rights—Generally;
2. Right to life;	14. Cultural rights—Aboriginal peoples and Torres Strait Islander peoples;
3. Protection from torture and cruel, inhuman or degrading treatment;	15. Right to liberty and security of person;
4. Freedom from forced work;	16. Humane treatment when deprived of liberty;
5. Freedom of movement;	17. Fair hearing;
6. Freedom of thought, conscience, religion and belief;	18. Rights in criminal proceedings;
7. Freedom of expression;	19. Children in the criminal process;
8. Peaceful assembly and freedom of association;	20. Right not to be tried or punished more than once;
9. Taking part in public life;	21. Retrospective criminal laws;
10. Property rights;	22. Right to education;
11. Privacy and reputation;	23. Right to health services.

12. Protection of families and children;

POLICY/LOCAL LAW DELEGATION IMPLICATIONS

No direct local law or delegation implications arise from this report.

ASSET MANAGEMENT IMPLICATIONS

No direct asset management implications arise from this report.

REPORT

Council representatives and members of the public have a right to dignity, physical and emotional safety and respect. While the vast majority of customers behave in a cooperative and respectful way, at times Council representatives may be confronted with behaviours that are classified as UCC.

ATTACHMENTS

1. **South Burnett Regional Council Unreasonable Customer Conduct Policy - Strategic033**



POLICY CATEGORY - NUMBER: Strategic033
POLICY OWNER: Corporate, Governance & Strategy
ECM ID: 2988089
ADOPTED:

Unreasonable Customer Conduct Policy

NOTE: Council regularly reviews and updates its policies. The latest controlled version can be obtained from the Policy Register on Council's intranet or by contacting Council's Corporate, Governance & Strategy Branch. **A hard copy of this electronic document is considered uncontrolled when printed.**

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1. POLICY STATEMENT

South Burnett Regional Council ('Council') is committed to delivering quality services to the community, meeting its obligations to provide a safe and healthy workplace for all Council representatives and to use resources equitably and efficiently.

2. SCOPE

This policy applies to all Council representatives that become involved in situations of Unreasonable Customer Conduct ('UCC').

The objective of this policy is to assist Council representatives when managing UCC.

3. GENERAL INFORMATION

Council representatives and members of the public have a right to dignity, physical and emotional safety and respect. While the vast majority of customers behave in a cooperative and respectful way, at times Council representatives may be confronted with behaviours that are classified as UCC.

If a customer's conduct is considered unreasonable, Council is justified and authorised to take reasonable and proportionate steps to restrict or terminate contact or implement alternative service arrangements to manage the impacts of the conduct.

When customers behave unreasonably in their dealings with Council, the conduct can significantly affect Council's operations and have a negative impact on the wellbeing of Council representatives. Council will take proactive and decisive action to manage any customer conduct that negatively and unreasonably affects Council and will support Council representatives to do the same in accordance with this policy.

3.1. Customer complaints

Complaints are an essential part of any accountability process and Council believes that good complaints management is an integral part of quality customer service. Council's Complaint Management Policy sets out processes for handling complaints. Feedback and complaints are valued so Council can continually improve its processes and service delivery.

This policy complements the complaint management process by providing Council's policy position on dealing with UCC in the complaints process.

3.2. Principles

This policy guides Council representatives to effectively identify and manage UCC in a fair, consistent, transparent and appropriate way to:

- protect the health and safety of Council representatives and customers;
- ensure fairness in the complaints process; and
- improve efficiency and commitment to appropriate resource allocation in all customer service delivery and the complaints process.

3.3. Human Rights

Council and will act and make decisions in a way that is compatible with human rights pursuant to the *Human Rights Act 2019* and give proper consideration to a human right relevant to the decision.

3.4. Categories of UCC

UCC can be defined under five (5) categories and is recognised as any behaviour by a current or former customer (individual or group) which, because of its nature or frequency, raises substantial health, safety, resource or equity issues for all parties.

Categories of Conduct	Guidelines of what the conduct may involve
<p>Unreasonable Persistence</p>	<p>Unreasonable persistence is continued and unrelenting conduct by a customer that has a disproportionate and unreasonable impact on Council, staff, services, time and/or resources. Examples of unreasonable persistence include:</p> <ul style="list-style-type: none"> • persisting with issues even though they have been dealt with to finality; • unwillingness to accept final decisions; • attempting to engage with different departments across Council by contacting different officers across the organisation, including the Mayor, Councillors, the Chief Executive Officer ('CEO'), and senior staff in the hope of getting a different outcome; • engaging with external organisations and individuals, by contacting State and Federal Members, associated entities and other government agencies in the hope of getting a different outcome; • repeatedly contacting Council by phone calls, visits, letters, emails (including Cc'd correspondence) after being asked not to do so; and/or • lodging requests for service that, compared to requests of a similar nature lodged by other customers, are considered unreasonable in number.
<p>Unreasonable Demands</p>	<p>Unreasonable demands are any demands (express or implied) that are made by a customer that have a disproportionate and unreasonable impact on Council, staff, services, time or resources. Examples of unreasonable demands include:</p>

	<ul style="list-style-type: none"> • raising issues outside of Council's responsibility; • asking for outcomes that are unattainable or disproportionate to the issue e.g., termination or prosecution of an officer, an apology and/or compensation with no reasonable basis; • requesting actions that are inappropriate or demanding for issues to be dealt with in a particular way, including requesting an immediate response; • demanding answers to questions that have already been responded to comprehensively and or repeatedly; • changing their issues or desired outcome while their matter is being dealt with; • demanding information that is not permitted to be disclosed/provided e.g., copies of sensitive documents, names, personal contact details of staff; • insisting on talking to the Mayor, Councillor, Chief Executive Officer ('CEO'), or a General Manager personally when it is not appropriate or warranted; • making threats with the intent to intimidate, harass, shame, seduce or portray themselves as being victimised when this is not the case; • seeking regular and/or lengthy phone calls or face to face contact when it is not warranted; and/or • demanding or requesting to discuss a complaint, including contacting Council representatives by their personal email or social media accounts.
<p>Unreasonable Lack of Cooperation</p>	<p>Unreasonable lack of cooperation is an unwillingness and/or inability by a customer to cooperate with Council, staff, or complaints system and processes that results in a disproportionate and unreasonable use of services, time and/or resources. Examples of unreasonable lack of co-operation include:</p> <ul style="list-style-type: none"> • sending a constant stream of comprehensive and/or disorganised information without clearly defining any issue of complaint, or explaining how they relate to the core issue/s being complained about – (only where the customer is clearly capable of doing this); • refusing to provide key documents that would assist in managing a complaint matter;

	<ul style="list-style-type: none"> • dishonestly presenting the facts, or being unwilling to consider other valid viewpoints; • refusing to follow or accept Council’s instructions, suggestions or advice without a clear or justifiable reason for doing so; and/or • arguing frequently, and/or with intensity, that a particular solution is the correct one in the face of valid contrary arguments and explanations.
<p>Unreasonable Arguments</p>	<p>Unreasonable arguments include any arguments that are not based on reason or logic, that are incomprehensible, false, inflammatory or trivial and that disproportionately and unreasonably impact upon Council, staff, services, time, and/or resources. Arguments are unreasonable when they:</p> <ul style="list-style-type: none"> • fail to follow any logical sequence; • are not supported by any evidence; • lead a customer to reject all other valid and contrary arguments; • are trivial when compared to the amount of time, resources and attention that the customer demands; and/or • are false, inflammatory or defamatory.
<p>Unreasonable Behaviours</p>	<p>Unreasonable behaviour is conduct that is unreasonable in all circumstances regardless of how stressed, angry or frustrated that a customer is; because it unreasonably compromises the health, safety and security of staff, other service users or the customer. Examples of unreasonable behaviours include:</p> <ul style="list-style-type: none"> • acts of aggression, verbal abuse, derogatory, racist; sexist, or grossly defamatory remarks; • harassment, intimidation or physical violence; • rude, confronting and threatening correspondence; • threats of harm to self or third parties, threats with a weapon or threats to damage property including bomb threats; • stalking (in person or online); and • emotional manipulation.

3.5. Vexatious customers

Vexatious customers are individuals who, due to the nature or frequency of their contacts with Council, hinder the ability for Council to effectively deliver services to customers. Examples of behaviour and actions of vexatious customers include:

- refusing to specify the grounds of a complaint or service request, despite offers of assistance;
- refusing to co-operate with the process for handling complaints or service requests;
- refusing to accept that certain issues are not within the scope of a particular area of Council;
- insisting in the complaint or service request being dealt with in ways which are incompatible with Council policies and/or procedures or with good practice;
- making unjustified complaints about staff who are trying to deal with the issue/s, and seeking to have them replaced;
- changing the basis of the complaint or service request as it proceeds; and/or
- denying or changing statements made at an earlier stage.

3.6. Managing UCC

UCC incidents will generally be managed by limiting or adapting the ways that Council interacts with, and/or delivers services to customers by restricting:

- who the customer has contact with – e.g., limiting a customer to a sole contact person in Council;
- what the customer can raise with Council – e.g., restricting the subject matter of communications that Council will consider and respond to;
- when the customer can make contact – e.g., limiting contact with Council to a time, day, length of time or curbing the frequency of contact with Council;
- where the customer can make contact – e.g., limiting the locations where Council will conduct face to face interviews to secured facilities or areas of Council premises; and/or
- how the customer can make contact – e.g., limiting or modifying the forms of contact that the customer can have with Council. This can include modifying or limiting face to face interviews, telephone and written communications, prohibiting access to Council premises, contact through a representative only, taking no further action or terminating Council services altogether.

In rare cases, and when all other strategies have been considered and/or attempted, it may be necessary to completely restrict a customer's contact and/or access to Council services.

4. DEFINITIONS

Council means South Burnett Regional Council.

Council representative means all Councillors and Council employees including permanent, casual and temporary employees, apprentices, trainees, contractors, volunteers, and work experience students.

Customer means any person or organisation that has interaction with Council. This includes but not limited to residents, ratepayers, business operators, government officers and elected members.

Unreasonable Customer Conduct ('UCC') means any conduct by a customer which, because of its nature raises health, safety or equity issues for Council or has a disproportionate and unreasonable impact on Council representatives, services, time and resources.

Vexatious means, in relation to customers, an individual who complains to Council in a way that causes unnecessary aggravation, frustration or inconvenience rather than to resolve an issue in a timely and respectable manner.

5. LEGISLATIVE REFERENCE

- Criminal Code Act 1899 (Qld)*
- Human Rights Act 2009 (Qld)*
- Information Privacy Act 2009 (Qld)*
- Local Government Act 2009 (Qld)*
- Local Government Regulation 2012 (Qld)*
- Local Law No.1 (Administration) 2011
- Public Interest Disclosure Act 2009 (Qld)*
- Right to Information Act 2009 (Qld)*
- Work Health and Safety Act 2011 (Qld)*
- Work Health and Safety Regulation 2011 (Qld)*

6. RELATED DOCUMENTS

- South Burnett Regional Council Complaint Management Policy – Statutory040
- South Burnett Regional Council Managing Customer Aggression Procedure – Procedure102
- South Burnett Regional Council Unreasonable Customer Conduct Procedure – Procedure132

7. NEXT REVIEW

As prescribed by legislation or April 2025

8. VERSION CONTROL

Version	Revision Description	Adopted Date	ECM Reference
1	Development of policy		2988089

Mark Pitt PSM
CHIEF EXECUTIVE OFFICER

Date:

8.6 CONFIRMING COUNCILS ATTENDANCE AT LOCAL GOVERNMENT ASSOCIATION QUEENSLAND (LGAQ) ANNUAL CONFERENCE 2023, LGAQ BUSH COUNCILS CONVENTION 2023 AND LGAQ QUEENSLAND DISASTER MANAGEMENT CONFERENCE 2023

File Number: 12-04-2023
Author: Coordinator Executive Services
Authoriser: Chief Executive Officer

PRECIS

Confirming Councillors and Chief Executive Officer (CEO) interest in attending the LGAQ Annual Conference in Gladstone on 16-18 October 2023 and the LGAQ Bush Councils Convention in Goondiwindi on 25-27 July 2023 as well as the LGAQ Queensland Disaster Management Conference from Tuesday 30 May to Thursday 1 June 2023

SUMMARY

The LGAQ Annual Conference for 2023 will be held in Gladstone on 16-18 October 2023. Council pays a conference levy in conjunction with its annual membership. Council is therefore entitled to send two (2) delegates to the conference.

The LGAQ Bush Councils Convention will be held in Goondiwindi on 25-27 July 2023.

OFFICER'S RECOMMENDATION

1. That Cr Potter attend the LGAQ Queensland Disaster Management Conference 2023.
2. That _____ attend the LGAQ biennial Bush Councils Convention 2023.
3. That _____ attend the annual LGAQ Annual Conference 2023 as delegates and the following as observers _____.

FINANCIAL AND RESOURCE IMPLICATIONS

Council receives, as part of its membership 2 registrations to the LGAQ Conference. All other events will be taken from the operational budgets.

LINK TO CORPORATE/OPERATIONAL PLAN

EXC4. Effective Advocacy and Strategic Partnerships

COMMUNICATION/CONSULTATION (INTERNAL/EXTERNAL)

Council by resolution appoints delegates and observers to the conferences.

LEGAL IMPLICATIONS (STATUTORY BASIS, LEGAL RISKS)

The risk of failure to undertake lobbying and advocacy is reduced by regular participation in Regional organisations and active memberships in relevant associations. Policy/Local Law Delegation Implications

ASSET MANAGEMENT IMPLICATIONS

N/A

REPORT

A request has been received from Councillor Danita Potter to attend the LGAQ Queensland Disaster Management Conference from Tuesday 30 May to Thursday 1 June 2023 at the Brisbane

Convention and Exhibition Centre. The Disaster Management Officer will also be attending this event. This request is supported as Cr Potter is chair of the LDMG and this conference is an excellent networking and advocacy opportunity.

At the 2023 LGAQ Annual Conference South Burnett Regional Council will be entitled to a total of two votes. Council can nominate two delegates, with each delegate allocated 1 (one) vote or nominate 1 (one) delegate and having both votes allocated to that delegate. There will be a separate report to call for resolutions to be submitted to the conference. Previous experience has shown that only the registered delegate(s) are able to speak to the submitted motions on the floor of conference.

ATTACHMENTS

1. LGAQ Queensland Disaster Management Conference Program 2023

Queensland Disaster Management Conference

Program

Moving forward together

30 May – 1 June 2023

Brisbane Convention and
Exhibition Centre



LGAQ In Partnership with

PRINCIPAL PARTNERS



PLATINUM PARTNERS



right by your side



NETWORK DRINKS



DINNER PARTNER



COFFEE PARTNER



State agencies pre-conference satellite workshops				
Day one 30 May				
Time	Session			
08:30 – 09:00	Registration Restricted access: Attendance is by invitation only			
09:00 – 10:30	Satellite workshop program Restricted access: Attendance is by invitation only			
	<table border="1"> <tr> <td style="text-align: center;">  Queensland Police Service workshop Attendance by invitation only: XOs </td> <td style="text-align: center;">  Queensland Fire and Emergency Services workshop Attendance by invitation only: EMCs </td> <td style="text-align: center;">  Inspector-General Emergency Management workshop Attendance by invitation only: DMOs </td> </tr> </table>	 Queensland Police Service workshop Attendance by invitation only: XOs	 Queensland Fire and Emergency Services workshop Attendance by invitation only: EMCs	 Inspector-General Emergency Management workshop Attendance by invitation only: DMOs
 Queensland Police Service workshop Attendance by invitation only: XOs	 Queensland Fire and Emergency Services workshop Attendance by invitation only: EMCs	 Inspector-General Emergency Management workshop Attendance by invitation only: DMOs		
10:30 – 11:00	Morning tea			
11:00 – 12:30	Satellite workshop program continued Restricted access: Attendance is by invitation only			
12:30 – 13:30	Lunch			
13:30 – 14:30	Satellite workshop program continued Restricted access: Attendance is by invitation only			
14:30 – 15:00	Afternoon tea			
15:00 – 16:00	Joint agencies workshop: Virtual Coordination Centres Restricted access: Attendance is by invitation only			

Queensland Disaster Management Conference	
Day one 30 May	
Time	Session
15:00 – 16:00	Registration Registration opens for all conference delegates
16:00 – 18:00	Networking drinks

Queensland Disaster Management Conference		
Day two 31 May		
Time	Session	Speaker
08:15 – 08:45	Registration	
08:45 – 09:20	Official opening	Local Government Association of Queensland and Brisbane City Council
09:20 – 09:25	A word from our partner: Telstra	
09:25 – 09:45	IGEM Insights	Ian Thompson Acting Director, Office of the Inspector General of Emergency Management
09:45 – 10:30	The future of disaster management in Queensland	Steve Gollschewski Special Coordinator, Queensland Police Service Mike Wassing Acting Commissioner, Queensland Fire and Emergency Services
10:30 – 11:00	Morning tea	
11:00 – 11:45	The future of disaster management in Queensland: State Emergency Service and Marine Rescue Queensland	Shane Chelepy Acting Deputy Commissioner, Queensland Police Service Andrew Short Assistant Commissioner, State Emergency Service Brian Cox Director, State Emergency Service Matt Thompson Director Marine Rescue Implementation, Queensland Fire and Emergency Services
11:45 – 11:50	A word from our partner: Brighter Super	
11:50 – 12:30	The future of disaster resilience in Queensland	Expert panel
12:30 – 13:30	Lunch	

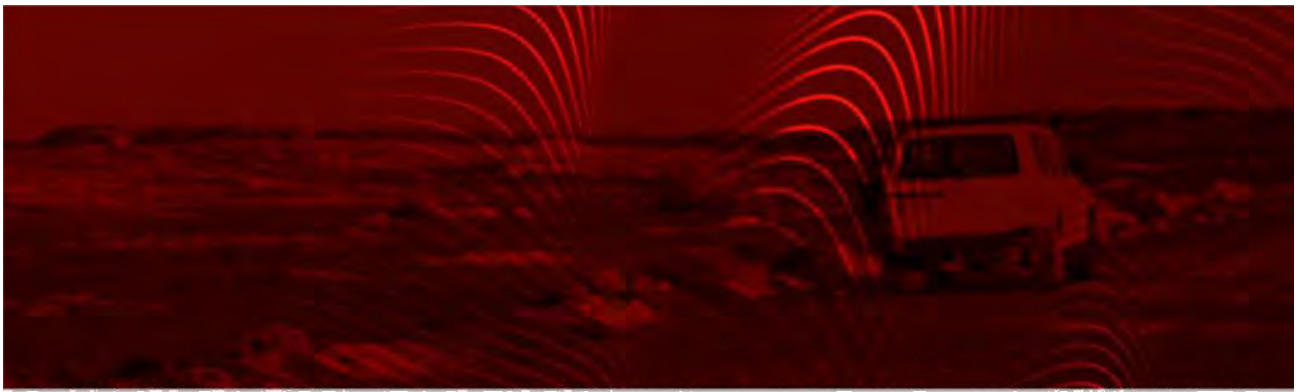
Queensland Disaster Management Conference

Day two (continued) | 31 May

13:30 – 14:25	Concurrent workshop sessions Please select one session to attend from sessions A, B and C below	
	Session A: Bushfire resilient communities in a changing climate – the role of land use planning	Robert Preston Executive Manager Sustainable Development Unit, Queensland Fire and Emergency Services James Haig State Operations Centre Coordinator, Queensland Fire and Emergency Services
	Session B: What’s next for Queensland’s flood warning network?	Greg Scroope Project Manager, Queensland Reconstruction Authority Greg Stuart Flood Warning Network Integrator, Bureau of Meteorology
	Session C: Local government showcase: <ul style="list-style-type: none"> • Libraries as a place of refuge • Resilience care kits 	Lisa Bateman Library Services Manager, Moreton Bay Regional Council Annabelle Johnstone Human and Social Recovery and Resilience Project Lead, Ipswich City Council Matt Pinder Emergency Management & Sustainability Manager, Ipswich City Council
14:25 – 14:35	Workshop change-over Please select one session to attend from sessions D, E and F below	
14:35 – 15:30	Session D: Homelessness-inclusive disaster risk reduction	Diana Young Director, Strategy and Engagement, Community Recovery at Department of Communities, Disability Services and Seniors
	Session E: Partnering with culturally and linguistically diverse Australians in disaster management	Leah Hornibrook Principal Policy Officer – Social Policy Framework, Queensland Fire and Emergency Services Robert Mukombozi State-wide Coordinator for Community Partnerships, Queensland Program of Assistance to Survivors of Torture and Trauma Kerrie Woodrow Community Development Team Leader, Multicultural Australia
	Session F: Involvement and engagement with Indigenous people in disaster management	Ricky Archer Chief Executive Officer, North Australian Indigenous Land & Sea Management Alliance

Queensland Disaster Management Conference			
Day two (continued) 31 May			
15:30 – 16:00	Afternoon tea		
16:00 – 16:10	A word from our partner: LGMS		
16:10 – 16:50	<table border="1"> <tr> <td>What makes for an effective LDMG</td> <td> <p>Tanya Milligan Mayor, Lockyer Valley Regional Council</p> <p>Chatur Zala Chief Executive Officer, Cherbourg Aboriginal Shire Council</p> <p>Michael Tate Manager – Disaster Planning and Operations, Redland City Council</p> <p>Michelle McNeice Emergency Management Coordinator, South West Region, Queensland Fire and Emergency Services</p> <p>Dave Cuskelly Superintendent of Police, Queensland Police Service and District Disaster Coordinator (Chair), Ipswich District Disaster Management Group</p> </td> </tr> </table>	What makes for an effective LDMG	<p>Tanya Milligan Mayor, Lockyer Valley Regional Council</p> <p>Chatur Zala Chief Executive Officer, Cherbourg Aboriginal Shire Council</p> <p>Michael Tate Manager – Disaster Planning and Operations, Redland City Council</p> <p>Michelle McNeice Emergency Management Coordinator, South West Region, Queensland Fire and Emergency Services</p> <p>Dave Cuskelly Superintendent of Police, Queensland Police Service and District Disaster Coordinator (Chair), Ipswich District Disaster Management Group</p>
What makes for an effective LDMG	<p>Tanya Milligan Mayor, Lockyer Valley Regional Council</p> <p>Chatur Zala Chief Executive Officer, Cherbourg Aboriginal Shire Council</p> <p>Michael Tate Manager – Disaster Planning and Operations, Redland City Council</p> <p>Michelle McNeice Emergency Management Coordinator, South West Region, Queensland Fire and Emergency Services</p> <p>Dave Cuskelly Superintendent of Police, Queensland Police Service and District Disaster Coordinator (Chair), Ipswich District Disaster Management Group</p>		
16:50 – 17:00	Closing remarks		
17:00	Day close		
18:00 – 20:30	Networking conference dinner		

Queensland Disaster Management Conference		
Day three 1 June		
Time	Session	Speaker
08:15 – 08:50	Registration	LGAQ
08:50 – 09:00	Welcome back and housekeeping	LGAQ
09:00 – 09:40	Spotlight on recovery	Jake Ellwood Major General (ret), Chief Executive Officer, Queensland Reconstruction Authority Brendan Moon Coordinator-General, National Emergency Management Agency
09:40 – 09:45	A word from our partner: Hastings Deering	
09:45 – 10:30	Learnings from cross border events	Samantha O’Toole Mayor, Balonne Shire Council Lisa Orchin Councillor, Moree Plains Shire Council
10:30 – 11:00	Morning tea	
11:00 – 11:30	Know the signs: The new national Australian Warning System (AWS)	Kath Ryan Executive Manager Public Information and Warnings, Queensland Fire and Emergency Services
11:30 – 12:20	Thinking locally about emergency animal diseases	Allison Crook General Manager Animal Biosecurity and Welfare and Chief Veterinary Officer, Department of Agriculture, Fisheries and Forestry Peter Donaghy General Manager, Agribusiness Operations and Pacific Labour Scheme, Department of Agriculture, Fisheries and Forestry David McNab Emergency Animal Disease Preparedness, Department of Agriculture, Fisheries and Forestry
12:20 – 12:50	A nuclear needle in a haystack: Pilbara’s lost radioactive capsule	Joe Buffone Deputy Coordinator General, National Emergency Management Agency
12:50 – 13:00	Closing remarks	
13:00	Close and lunch	



Registration

Single day registration \$520.00

Full registration (Includes networking drinks) \$990.00

Registration + workshop day \$1,100.00

Corporate registration \$1,600



Optional Function

Dinner \$160.00

CONTACT US

Member hotline:
1300 542 700

Web:
LGAQ.ASN.AU

Address:
LOCAL GOVERNMENT HOUSE
25 Evelyn street
Newstead, QLD 4006



Every Queensland
community deserves
to be a liveable one

9 FINANCE & SUSTAINABILITY

9.1 LOCAL GOVERNMENT MUTUAL SERVICES - MEMBER UPDATE

File Number: 12-Apr-2023

Author: Coordinator Corporate

Authoriser: Chief Executive Officer

PRECIS

Member Update from Local Government Mutual Services

SUMMARY

Representatives from Local Government Mutual Services presented a member update and insurance renewal preparation to the Executive Leadership Team recently.

OFFICER'S RECOMMENDATION

That the Local Government Mutual Services – Member Update be received for information.

BACKGROUND

Local Government Mutual Services ('LGMS') incorporates three (3) self-insurance schemes of Local Government in Queensland – LGM Liability, LGM Assets and LGW Workcare. The scheme membership has grown from 29 Member Councils as at 30 June 2015 to 69 Member Councils as at 30 June 2022.

LGMS exist to support and empower Council to understand and respond to the evolving risk landscape for the benefit of our community.

LGM Assets apply the LGM Assets Contribution Model to maintain and protect the financial stability for its' Member Council's. LGM Assets also apply equity and consistency between Members with contributions consistent with exposures and claims experiences and apply a cap to protect Members against significant fluctuations.

LGM Assets operate outside the traditional marketplace with protection from market extremes via the collaborative self-insurance model. LGMS advised Council that numerous sources confirm that this is one of the toughest property renewal periods for reinsurance in January 2023, which is expected to significantly impact the rates and excesses property insurers will be willing to provide. In Quarter 4 2022 (Pacific Property Index), property insurance pricing increased 4%, the same as previous quarter.

There is a changing nature of risk. We live in a world where the link between cause and effect isn't always obvious, and outcomes aren't always known in advance. Identified key sources of risk are: climate change, shifting population and demographic trends and looming recession/debt crisis with economic slowdown resulting in increased unemployment.

Representatives from LGMS discussed the importance of questionnaires and emphasised that they are to be completed to ensure any coverages Council may require can be arranged in advance of 30 June.

The presentation included Council's Claims History for Motor Vehicles and Property including 2022/223 year to date.

ATTACHMENTS

Nil

9.2 ELECTRICITY SAVINGS - TARIFF REVIEW

File Number: 230404
Author: Strategic Procurement Coordinator
Authoriser: Chief Executive Officer

PRECIS

Electricity Savings realised through a change in network tariff for the Glendon St Main Office in Kingaroy.

SUMMARY

An estimated potential saving of \$2,070.10 per annum has been made available to Council through a network tariff change.

OFFICER'S RECOMMENDATION

That Council receive for information the potential savings from a change in Tariff for the site.

BACKGROUND

Network charges are based on network tariffs set by the distributor and approved annually by the Australian Energy Regulator. Ensuring our organisation is on the most appropriate tariff is one of the many ways Council can minimise its energy costs.

As a complimentary service to its customers, Shell Energy have conducted a network tariff review to determine if Council's sites are on the most appropriate tariff. Shell Energy reviewed Council sites electricity usage and the existing network tariffs and have calculated that an estimated potential saving of \$2,070.10 (compared to the current tariffs) may be available if Council changes the network tariff as recommended. The change in tariff has been actioned and Council will benefit from this savings.

ATTACHMENTS**1. Tariff Review Savings Analysis**

TARIFF REVIEW

NMI	QGGG000345
Account	SBRC01_001 - South Burnett Regional Council NMI-QGGG000345
Site Address	Glendon St Kingaroy QLD 4610
Network	Ergon
Current Tariff	ESTOUDXT1 - Seasonal TOU Demand (East)
Analysis Date	17 March 2023
Recommendation	Change your tariff from ESTOUDXT1 to EDSTXT1

Tariff Saving

\$2,070.10

Other Savings

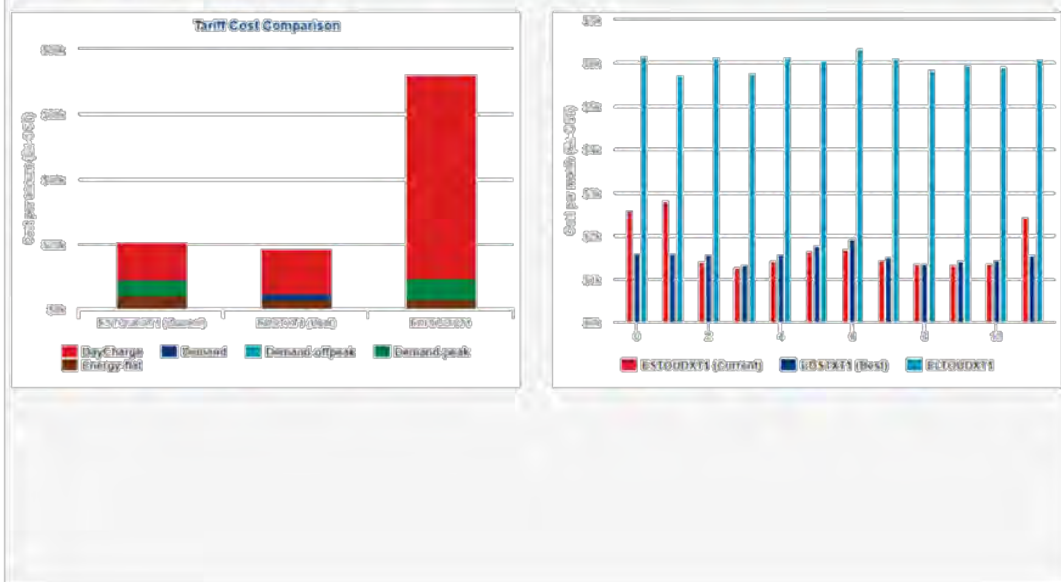
\$0.00

Potential Yearly Saving

\$2,070.10

Tariff Comparison

Our analysis shows you should request a change to tariff undefined. A detailed comparison of tariffs available to your site appears below.



BILLING BREAKDOWN - SIDE BY SIDE COMPARISON

ESTOUDXT1 Seasonal TOU Demand (East) - Current Tariff

ESTOUDXT1 - Service Charge: 365 Days @ 31.4640 \$/Day	\$11,484.33
ESTOUDXT1 - Peak Demand: 12mths 5.75 kW @ 67.3750 \$/kW/Mth	\$4,648.88
ESTOUDXT1 - Off Peak Demand: 12mths 2.75 kW @ 10.2660 \$/kW/Mth	\$338.78
ESTOUDXT1 - DUoS Peak Usage: 26,871 kWh @ 0.0006 \$/kWh	\$16.13
ESTOUDXT1 - DUoS Off Peak Usage: 80,570 kWh @ 0.0361 \$/kWh	\$2,908.56
ESTOUDXT1 - TUoS Usage: 107,440 kWh @ 0.0109 \$/kWh	\$1,171.09
ESTOUDXT1 - Capital Meter Charge: 365 Days @ 16.7498 \$/pa	\$16.74
Total	\$20,584.51

EDSTXT1 East Demand Small - TUOS Region 1 - Best Tariff

NSER: 365 Days @ 33.0580 \$/Day	\$12,066.18
NFT: 107,440 kWh @ 1.5220 c/kWh	\$1,635.25
EDSTXT1 Demand: 12mths 7.92 kVA @ 19.6720 \$/kVA/Mth	\$1,868.86
TFXD: 365 Days @ 4.1800 \$/Day	\$1,525.70
TFT: 107,440 kWh @ 1.0910 c/kWh	\$1,172.18
EDSTXT1 TUOS - Demand: 12mths 7.92 kVA @ 0.8330 \$/kVA/mth	\$79.13
EDSTXT1 - Fixed: 365 Days @ 0.4120 \$/Day	\$150.37
EDSTXT1 Capital Meter Component: 365 Days @ 16.7498 \$/pa	\$16.74
Total	\$18,514.41
Saving	\$2,070.10

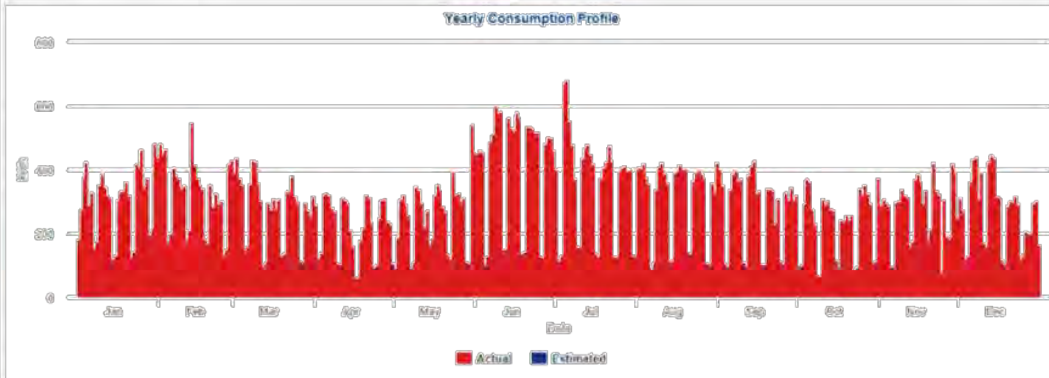
Important Information

The "Potential Yearly Saving" is an estimate of potential savings that could be made if the recommendation in this tariff review is followed, and accepted by your Distributor. Shell Energy does not guarantee that the Distributor will accept a request to change network tariffs or reset demand. Our review is based on your historical consumption data, which may include estimated consumption data, as shown in the graphs below. Our review is also based on the current tariffs for the comparison period. Your future consumption and these tariffs may change and accordingly the potential savings will vary. Any change is subject to the approval of your Distributor. You may not be able to revert back to your current tariff, or change to a new tariff for a period of time (or at all). If a demand reset is approved, you

may incur additional costs if your maximum demand exceeds the approved demand ratchet level. Please consider your future usage and demand requirements before proceeding with any change.

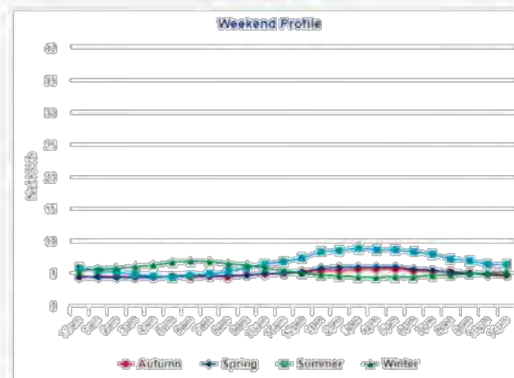
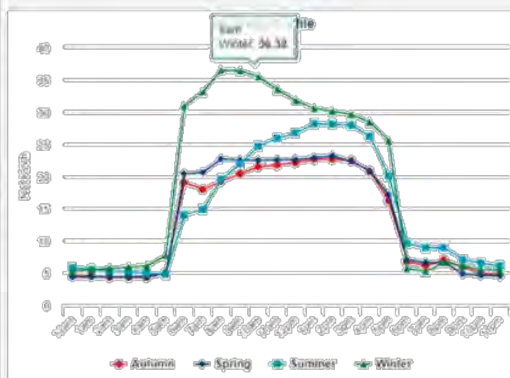
Yearly Consumption Report

Your yearly consumption profile shows the amount of electricity you consume per day over a year. This data is 100% based on actual meter reads, which indicates a high degree of accuracy. Over the year you consumed 107,440 MWh and generated -0.003 MWh of electricity. Your average net daily consumption was 294 kWh per day.



Daily Consumption Profile

The profile of your net consumption over a day is shown below. Your consumption on weekends is 64% less than on weekdays. Your Summer consumption is 19% less than your Winter profile. If your site does not operate 24 hours a day, investigate whether it is possible to reduce your consumption in closed hours.

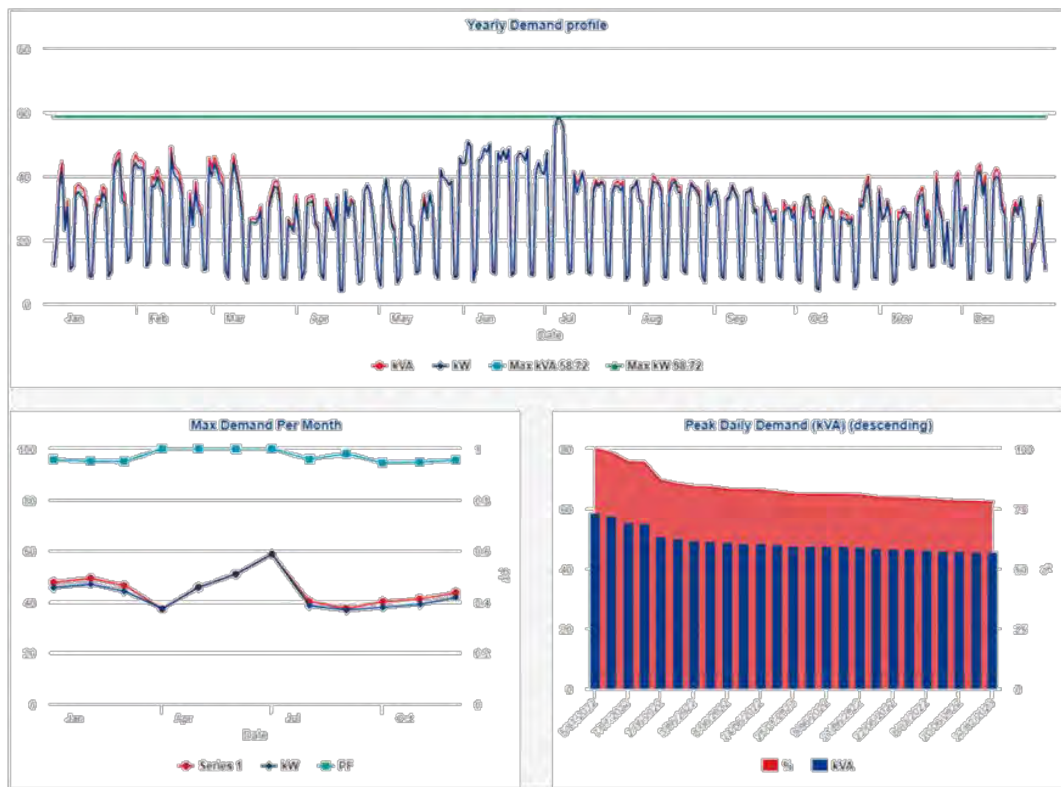


Demand

Demand represents the maximum amount of power you draw from the network. Many networks have demand charges as the higher the demand the more infrastructure is required. Demand can be measured in either real power (kW) or apparent power (kVA). Your current tariff charges demand based on kW. We estimate 24% of your bill will be based on demand. You can look at reducing demand charges by:

- a) Reducing the concurrent load - for example, by starting machinery at different times or using on-site generation/batteries
- b) Moving the demand period to an off peak time

The chart below shows the peak demand in kVA and kW for each day. The highest demand occurred on Tuesday, 05 July 2022 8:45:00 AM and was 58.72 kVA and 58.72 kW. Power factor represents the ratio between apparent power and real power. The power factor at peak kVA was 0.00.



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

10.1 COMMUNITY DEVELOPMENT, ARTS & HERITAGE AND LIBRARY SERVICES PORTFOLIO REPORT

File Number: 12/04/2023

Author: Councillor

Authoriser: Chief Executive Officer

PRECIS

Community Development, Arts & Heritage and Library Services Portfolio Report

SUMMARY

Cr Potter presented her Community Development, Arts & Heritage and Library Services Portfolio Report to Council.

OFFICER'S RECOMMENDATION

That Cr Potter's Community Development, Arts & Heritage and Library Services Portfolio Report to Council be received for information.

Health:

2023 Red Ant Roundup Medical Conference

Council proudly sponsored the 2023 Red Ant Roundup Medical Conference, which gave us the opportunity to demonstrate our support for the education and development of rural and regional health care professionals.

Local Built Small Grants & Façade Improvement Program

Round 2 of the Local Built Small Grant, South Burnett & Kingaroy Façade Improvement Program have now closed with 84 applications submitted across the three programs.

2023 South Burnett Regional Youth Council.

The newly appointed 2023 South Burnett Regional Youth Council have now been inducted into Council and will attend their first official meeting on Tuesday 11th April.

South Burnett Community Events

Harmony Day

The Community Development team has hosted Council's first Harmony Day event on Saturday 25 March. With over 400 people in attendance our guests enjoyed entertainment provided by the Wakka Wakka Dancers, the Samoan and Solomon Dancers, Bush music, bagpipes and Rockin' Our Abilities. The young people from CTC provided free popcorn and slushies, while Kingaroy Rotary provided a free sausage sizzle, and free coffee was also on offer. Kids enjoyed free face painting, boomerang painting, mural painting and helium balloons. It was a wonderful day celebrating our regions cultural inclusion and diversity. Feedback from the event has been very positive.

Community Health & Wellbeing Morning Tea

The Community Development team in partnership with the Griffith University Longlook Medical Students are currently hosting a series of Community Health and Wellbeing morning teas. Six towns across the South Burnett will enjoy this free event which will include a short presentation by the students along with a free mini health check over a lovely morning tea sourced from local businesses.

Community Grant Program Round 2

Council received 24 applications under Round 2 of the 2022/23 Community Grant Program with requested support totalling \$41,836.83.

The following applications were approved:

Organisation	Event / Project	Recommended Funding
Farmers Hall Inverlaw Inc	Hall Insurance	\$1,000.00
Durong Community Hall Committee Inc	Hall Insurance	\$1,000.00
Tablelands Public Hall Assoc Inc	Hall Insurance	\$1,000.00
CWA Wondai Branch	Hall Insurance	\$1,200.00
Ironpot Farmers Hall	Hall Insurance	\$1,000.00
Nanango Community Centre Inc	Hall Insurance	\$ 529.83
Kumbia and District Memorial School of Arts Inc	Hall Insurance	\$1,000.00
Organisation	Event / Project	Recommended Funding
St Vincent de Paul Society Qld - Kingaroy Support Centre	Laptop	\$1,997.00
Burnett Kennel Club Inc	Install a gate off Cherbourg Road Wondai - Dog Show Gate	\$3,000.00
Nanango & District Netball Association	40th Anniversary Celebrations - secure venue, food and entertainment	\$2,000.00
National Council of Women QLD Inc	2023 NCWQ Bursary Program	\$1,200.00
Nanango RSL QLD	Tara Hall Street Entry Beautification Project	\$1,230.00
Cancer Council Queensland	Relay for Life South Burnett	\$3,000.00
South Burnett Rugby League	Beyond the Net - Training program	\$3,000.00
Blackbut Delights	Blackbutt Visitor Centre	\$2,660.00
Kumbia Neighbourhood Watch	CCTV in the town	\$3,000.00
Nanango Community Centre Inc	Community Centre Opening Day	\$1,020.00
Proston & District heritage Assn Inc	Proston Centenary celebrations	\$3,000.00
Centacare	Easter Fun Day 2023	\$2,700.00

Queensland Dairy & Heritage Museum Murgon Inc	Rain Water Tank	\$2,100.00
Community Café Inc	Purchase 2 x Fridges	\$3,000.00
Organisation	Event / Project	Recommended Funding
Kingaroy State High School P&C Assoc	Inspiring creative arts through children's illustration	\$500.00
Organisation	Event / Project	Recommended Funding
Queensland Dairy & Heritage Museum	Australia Day event	\$700.00

Library Services:

Library Lovers' Day Prize Draw

Congratulations to Barbara, who was the lucky winner of the Library Lovers' Day competition of a night's accommodation at BP Dam! Over 100 entries were received across the region.

Resilience & Life Abundance Through Permaculture Talks

The recent 'Resilience & Life Abundance Through Permaculture' talks hosted by qualified permaculture teacher Megan Seiler proved very popular with community members, with the Kingaroy session attracting 14 people and 32 at Nanango. This event was held in partnership with the South Burnett Sustainable Future Network.

Bookarama

On Saturday 25 March, library staff attended the Bookarama event in the Kingaroy Town Hall. Feedback from this outreach event has been very positive, with the organisers expressing that the stall was a great spot for children to enjoy some stories, toys and puppets while their parents browsed the book sale. St John's school, who coordinate the Bookarama, have asked the library to be part of the event again next year.

Birdie Story Time Sessions

The recent Birdie Story Time sessions hosted in each branch generated a great response from the community, with over 100 children and caregivers attending the six events across the region. Library staff would like to thank the Councillors and Council team for providing such a wonderful opportunity for children to learn more about resilience through natural disasters. Library staff have catalogued the Birdie Book series and they are now available to borrow at each library.

Orana – Tech Debunked Session

South Burnett Libraries were recently invited to Orana to talk about what's new with technology. Library staff interacted with a group of 25 seniors, talking about tech jargon, what the difference is between internet, Wi-Fi and data, as well as smart devices and how they can be used in everyday life. The presentation was very well received and those in attendance remarked that they learnt at least one thing they had not known before. Many expressed interest in visiting the library to attend tech help sessions to learn more.

Easter Competition

In the lead up to Easter, each South Burnett Libraries branch hosted a 'Guess the Eggs' competition, with an extra jar of eggs reserved to encourage interaction on the library's social media channels. For a chance to win the jar of eggs, online participants needed to follow South Burnett Libraries on Facebook or Instagram, share the post and tag 2 friends with their guess in the comments. This approach was taken to encourage new followers to the library's social media pages so that more people in the community are aware of what's happening at our local libraries.

Spinal Group Meeting at the Kingaroy Library

A group of community members who have experienced spinal injuries are now meeting at the Kingaroy Library. These gatherings, which are led by a registered nurse, encourage conversations and support between attendees as well as a sense of belonging. The first session attracted 9 people, with organisers planning to make the meetings an ongoing event at the library.

After School Story Time

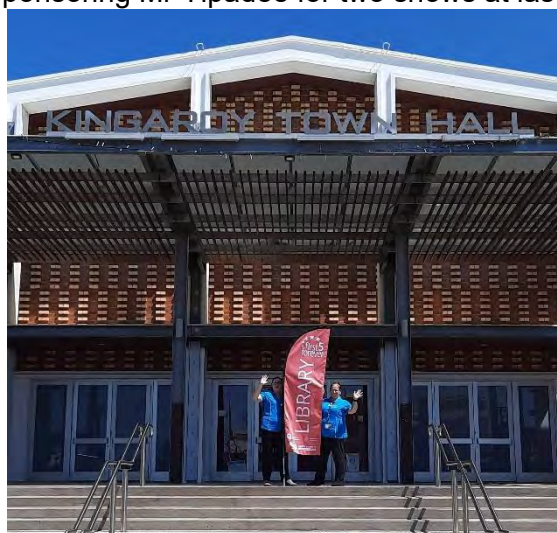
Based on feedback from families in the community, the Kingaroy Library will introduce an after-school story time from Tuesday 18 April. These sessions will run from 3.30pm-4.00pm, and will provide an alternative for families wanting to attend First 5 Forever sessions but are unable to due to work or other commitments in the mornings.

Outreach at CTC Community Days

South Burnett Libraries will be attending the CTC Community days held at Kumbia and Proston during the school holidays. These outreach events provide a great opportunity for library staff to promote the free resources and programs available in our libraries across the region.

Save the Date – Under 8s Day

South Burnett Libraries will once again attend Under 8’s Day, held this year at Memorial Park in Kingaroy on Thursday 29 June 2023. Library staff are looking into children’s entertainment options, based on the success of sponsoring Mr Yipadee for two shows at last year’s event.



BACKGROUND

Nil

ATTACHMENTS

Nil

10.2 COMMUNITY AND LIFESTYLE OPERATIONAL UPDATE

File Number: 14-04-2023

Author: Manager Community & Lifestyle

Authoriser: Chief Executive Officer

PRECIS

Liveability – Community and Lifestyle Operational Update

SUMMARY

Liveability – Community and Lifestyle Operational Update

OFFICER’S RECOMMENDATION

That the Community and Lifestyle Operational Update be received.

BACKGROUND

Nil

ATTACHMENTS

- 1. Operational Update**

LIVEABILITY – COMMUNITY AND LIFESTYLE OPERATIONAL UPDATE
March 2023

Library

SOUTH BURNETT LIBRARIES 2022-2023
Statistics Year to Date | Updated 31.03.2023

Visitors	121,217	
Loans & Renewals	92,350	
New Memberships	996	
JP Visitation (Kingaroy)	1,974	
Meeting Room Bookings (hrs)	666	
PROGRAM TOTALS		
FOR 0-5 EARLY CHILDHOOD		
	Attendance	Sessions
Total on site	2646	237
Outreach (F5F off site)	312	8
FOR CHILDREN 6-12		
Total on site	1056	89
Outreach OFF SITE	152	2
FOR YOUNG ADULTS 13-17		
Total on site	24	6
ADULT PROGRAMMING		
Total on site	1065	199
DIGITAL LITERACY		
Total on site	1049.5	426
CULTURAL CELEBRATION		
Total on site	120	21

Commercial Enterprises

Customer Requests

Category	Monthly 27/02/23-02/04/23	Year to Date Cumulative 01/07/22 – 02/04/23	Year to Date Cumulative 01/07/21 – 02/04/22
Airports	14	77	25
Cemetery	7	93	105
Dams	5	28	19
Saleyards	3	6	0
Total	29	204	145

2022/23 Capital Works - South Burnett Regional Council

Item	Description	Actions
Coolabunia Saleyards	Asset Upgrades	Contractor engaged
Boondooma Dam Tourist Park	Painting Managers Residence and Cabins	Request for quote open
Bjelke Petersen Dam Tourist Park	Installation of 9 spilt air-conditioners; upgrade kiosk kitchen and floor; installation car ports; additional shower	Air conditioners and car ports awarded Scoping of request for quote for documents for kitchen kiosk floor, and shower.
Kingaroy Aerodrome Fuel Cell	Repainting of above ground tanks	Contractor engaged

2022/23 Regional Airports Program

Department of Infrastructure, Transport, Regional Development, Communication and the Arts.
Australian Government

Project Name	Description	Status
Kingaroy Airport lighting upgrade	Funded by the Australian Government to design & construct runway lighting	Stage 3

Cemetery

CAPEX Update

Project Name	Description	Status
Cemeteries	Installation of plinths	Wondai and Nanango completed Blackbutt - Procurement

Cemetery Statistics

Stats Item	Monthly		Year to Date Cumulative	
	2022/23	2021/22	2022/23	2021/22
	01/03/23 – 31/03/23	01/03/22- 31/03/22	01/07/22– 31/03/23	01/07/21- 31/03/22
Cemeteries	Burial/Ashes	Burial/Ashes	Total	Total
Blackbutt	2	1	8	5
Booie	0	0	0	2
Kumbia	1	1	4	2
Memerambi	0	0	2	0
Mondure/Wheatlands	0	0	0	0
Murgon	1	2	17	19
Nanango	3	3	26	19
Proston	0	0	7	3
Taabinga	2	5	48	41
Tingoora	1	0	2	0
Wondai	3	2	24	23
Total	13	14	138	114

Dams

Stats Item	Monthly		Year to Date Cumulative			
	2022/23		2022/23		2021/22	
	27/02/23-02/04/23		01/07/22–02/04/23		01/07/21-02/04/22	
Dams Accommodation Numbers	Boondooma Dam	BP Dam	Boondooma Dam	BP Dam	Boondooma Dam	BP Dam
Cabins	143	253	1321	2201	1157	2132
Bunkhouse	100	N/A	509	N/A	252	N/A
Powered Sites	272	805	2518	5806	2089	4954
Unpowered Camping	737	358	6264	3566	6016	2547
Contractor / Conference Room	N/A	29	N/A	213	N/A	159
Total	1252	1445	10612	11786	9514	9792

Saleyards

Stats Item	Monthly 27/02/23-02/04/23	This month last year	Year to date Cumulative 01/07/22- 02/04/23
Coolabunia Saleyards			
Dipping (Agent & Private)	964	741	7563
Inspection (Private)	315	353	3219
Consignment / Transit (Private)	342	322	2397
Weighed (Agent & Private)	960	417	4469
Sold (Agent)	988	440	4952
Spray	0	0	5
Nanango Dip Yard			
Cattle Dipped	45	0	105

Community Development

2022/2024 Black Summer Bushfire Recovery Grants Program

Department of Industry, Science, Energy and Resources

Department of the Prime Minister and Cabinet

Project Name	Description	Status
Community Connection Local Built	Social Recovery and Resilience Investment Stream	Local Built Small Grants Round 2 has now closed <ul style="list-style-type: none"> ▪ Submitted - 17 ▪ Unsubmitted – 7 Grant Submission Total - \$78,437.50
	Economic Recovery and Investment Stream	<p>Kingaroy CBD Façade Improvement Round 2 has now closes.</p> <ul style="list-style-type: none"> ▪ Submitted - 39 ▪ Unsubmitted – 10 Grant Submission Total - \$85,549.44 <p>South Burnett CBD Façade Improvement Round 2 extended to Monday 20th March 2023.</p> <ul style="list-style-type: none"> ▪ Submitted – 28 ▪ Unsubmitted – 6 Grant Submission Total - \$62,182.00 <p>South Burnett Investment Prospectus Workshop</p> <ul style="list-style-type: none"> ▪ Thursday 13th April ▪ Dr Tom Keenan has been commissioned to independently facilitate this meeting. <p>Regional Development Advisory Committee meeting.</p> <ul style="list-style-type: none"> ▪ Thursday 4th May 2023

		<p>Hub in a Pub the second in the proposed series will be held;</p> <ul style="list-style-type: none"> ▪ Thursday 27 April, Kingaroy RSL ▪ Keynote Rebecca Guest, CEO The Fold Media <p>South Burnett Business Linkup Breakfast will be held;</p> <ul style="list-style-type: none"> ▪ Friday 12th May 2023. ▪ Our keynote speaker for the event is newly appointed Commissioner for Small Business Ms Dominique Lamb. ▪ Our special guest speaker is Mr Mark Bouris founder of 'Wizard Home Loans' and current Executive Chairman of Yellow Brick Road.
Black Summer Bushfire Events – March 2023	2023 Harmony Day	<p>Saturday 25th March 2023</p> <ul style="list-style-type: none"> ▪ Boomerang painting ▪ Face painting ▪ Free BBQ ▪ Free Coffee ▪ Free slushies & popcorn ▪ Wakka Wakka Dancers ▪ Samoan Dancers ▪ Solomon Dancers ▪ Rockin' Our Abilities ▪ Bush music – SB Orchestra ▪ Bagpipes
	Community Health & Wellness Morning Tea	<p>March/April 2023</p> <p>The Griffith University Longlook Medical Students are working with our Community Development team to provide a free health and wellness presentation which includes a free mini health check over a free morning tea. We are offering this event in 6 towns across the South Burnett.</p> <ul style="list-style-type: none"> ▪ Kingaroy ▪ Blackbutt ▪ Nanango ▪ Proston ▪ Wondai ▪ Murgon
Operational Plan Projects		
Project Name	Description	Status
OPL/20 Arts, Culture and Heritage Committee	Committee to develop an Arts, Culture & Heritage Strategic Plan	<p>Round 2 of the RADF grants program closed on 28th February.</p> <ul style="list-style-type: none"> ▪ 5 applications were submitted. Grant submission total - \$11,080.00 ▪ The next Arts, Culture and Heritage Committee meeting will be held 11 May 2023.
OPL/22Ringsfield House Advisory Committee	Committee to develop a Ringsfield House Strategic Plan and provide recommendations to Council.	<ul style="list-style-type: none"> ▪ The first Strategic plan workshop was held 20th March with the committee considering all possibilities for the house moving forward. ▪ The next meeting will be held on Thursday 13 April 2023.

OPL/24 Reconciliation Action Plan (RAP)	Develop a Reconciliation Action Plan (RAP) for the South Burnett Regional Council	<ul style="list-style-type: none"> South Burnett Regional Council registered with Reconciliation Australia
OPL/29 South Burnett Regional Youth Council	Advocate for and facilitate wellbeing events across the region.	<ul style="list-style-type: none"> The newly recruited 2023 South Burnett Regional Youth Council will meet for the first time on Tuesday 11th April 2023. Two-day Youth Leadership Conference scheduled for 22nd & 23rd April 2023.

LEASING

Item	Description	Actions
Proston Showground Reserve	Investigate and realign boundaries to support future growth and development of the site in conjunction with Proston community groups	Department of Resources has agreed to amend the Reserve for Showground and Recreation purposes. Approval from Department of Resources for Lots to be realigned by amalgamation.
Proston Show Society	Request to lease caravan park	Waiting for Proston Showground reserve project to be completed
Farmland – Kingaroy Aerodrome	Farmland offered for Lease	Tender closed 24 March 2023; evaluation of tender submissions in progress.
Wondai Aerodrome	Request to lease one (1) vacant site	Negotiation of licence
Blackbutt Water Tower –	Request from Queensland Police Service for lease of radio equipment to be upgraded	Awaiting feedback from customer
Blackbutt Hall	Renew the Licence to Occupy for the Blackbutt Hall	Consultation with the Blackbutt & District Tourism & Heritage Association to renew Licence to Occupy.
Kingaroy Soaring Club – Kingaroy Aerodrome	Request to lease new area for new accommodation/amenities	Inspection undertaken to assess current Lease Area 3 – Bunkhouse and Van Park. Internal request to provide condition assessment and estimates for Bunkhouse.
Burnett Inland Economic Development Organisation (BIEDO) – 80 Gore Street, Murgon	Request to lease additional office space	Report provided to April Liveability, Governance and Finance Standing Committee.
Commonwealth Bank 62 – 64 Lamb Street, Murgon – Lease A & B	Request to Amend Lease	Report provided to May Liveability, Governance and Finance Standing Committee.
Booie Hall & Recreation Reserve	Investigate tenure and trustees for the Booie Hall & Recreation Reserve	Briefing note provided to Mayor.
Camping and Water Reserve	Investigate conditions of State Lease of Reserve land	Response provided to Property Team Leader.
Camping Reserve	Internal request to investigate lease	Response provided to Manager Facilities & Parks.

	opportunity on Camping Reserve.	
Camping Reserve	Request to lease reserve for grazing purposes.	Advice to applicant that the reserve was already under lease with the State.
Support has been provided to a range of groups seeking grants from FRRR, Community Benefit Fund and Department of Sport and Recreation – Minor Infrastructure program.		

10.3 REQUEST TO APPOINT PROXY MEMBERS TO THE ART, CULTURE AND HERITAGE ADVISORY COMMITTEE.**File Number: 12-04-2023****Author: Visitor Enhancement Officer****Authoriser: Chief Executive Officer****PRECIS**

To appoint proxy members of the Art, Culture and Heritage Advisory Committee.

SUMMARY

The Art, Culture and Heritage Advisory Committee representatives were adopted at Council's General Meeting on 20 October 2021. As part of the appointment process, committee representatives were asked to nominate a proxy representative on behalf of their organisation.

OFFICER'S RECOMMENDATION

That the Committee recommend to Council to appoint the following individuals as proxy members of the Arts, Culture and Heritage Advisory Committee in accordance with the Arts, Culture and Heritage Terms of Reference:

1. South Burnett Community Orchestra – Susan Mollenhauer
2. South Burnett Arts Inc. – Dafyd Martindale
3. Wondai Art Gallery – Maureen Addenbrooke
4. South Burnett Musical Community Society – Andrew Schloss
5. Blackbutt Art Gallery Inc. – Trish Jacobson

BACKGROUND

As per the adopted Terms or Reference, Council can at any time appoint a proxy or replacement member to the committee.

ATTACHMENTS

1. **Art, Culture and Heritage Advisory Committee Terms of Reference**



POLICY CATEGORY - NUMBER: Statutory045
POLICY OWNER: Liveability
ECM ID: 2787778
ADOPTED: 27 April 2022

Arts, Culture and Heritage Advisory Committee Terms of Reference

NOTE: Council regularly reviews and updates its policies. The latest controlled version can be obtained from the Policy Register on Council's intranet or by contacting Council's Corporate, Governance & Strategy Branch. A hard copy of this electronic document is considered uncontrolled when printed.

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1. INTRODUCTION

Council has instituted the setup of an Advisory Committee (the Committee) to support regional arts, culture and heritage activity in the South Burnett region as a facilitator.

2. OBJECTIVES

- providing leadership to the sectors through advocacy, promotion and development/ maintenance of Council's arts, cultural and heritage assets;
- identifying and responding to community needs through strategic planning;
- assisting with local coordination of art culture and heritage activities;
- assisting in the stimulation of the arts, culture and heritage-based enterprises;
- encouraging collaboration across sectors; and
- managing and displaying Council's art and heritage collections across its facilities.

3. DUTIES AND RESPONSIBILITIES

Council's primary role in supporting the arts, culture and heritage activity in the region is as a facilitator.

4. MEMBERSHIP

Council will appoint the members, two (2) Councillors will be appointed to the Committee, one of whom shall be the Community, Arts, Heritage, Sports & Recreation Portfolio Holder who will perform the role of Committee Chairperson. A further Councillor shall be appointed to the Committee as Deputy Chair. Council can at any time appoint a stand-in or replacement member to the committee. Council will appoint the members based on industry representation from the following groups:

- SB Arts;
- Blackbutt Art Gallery;
- Kingaroy Art Gallery;

• Wondai Art Gallery;

- Indigenous Representative;
- SB Community Orchestra;
- SB Musical Comedy Society; and
- Two (2) Community Representatives.

The Community, Arts, Heritage, Sports & Recreation portfolio holder will perform the role of Committee Chairperson.

The other councillor shall be appointed to the Committee as Deputy Chair.

Council can at any time appoint a proxy or replacement member to the committee.

Council will appoint the members on the committee based on appropriate cross industry representation.

Council's Chief Executive Officer and General Manager Liveability is appointed to the committee as ex-officio members. Council's planning and technical officers may be invited to provide advice and feedback to the committee as appropriate and at the discretion of the CEO.

Representatives will be appointed for a two (2) year term, commencing on 1 July each year and if appointed at any time after 1 July, the first year of their term will end on 30 June.

Representatives may be nominated at the end of the two-year term to extend their appointment, however no representative may serve more than two (2) consecutive two (2) year terms or a total of four (4) years.

5. MEETINGS

- the chairperson may determine the dates, times and places for the Committee's meetings.
- the Committee meetings will be held quarterly on rotation with the meeting minutes and recommendations reported to Council at the Community Standing Committee Meeting.
- based on current priorities, grant funding opportunities or alike, the Arts, Culture and Heritage Advisory Committee may meet more regularly depending on current priorities and demand, however will meet at a minimum of four times a year.
- the agenda will be prepared and circulated among members and attendees at least five (5) days prior to the meeting.
- the Committee may collectively decide to invite other Council officers, elected representatives, guest speakers or relevant bodies or attendees to participate in Committee meetings and provide further information as necessary.
- committee members may request a meeting be scheduled within a minimum of 10 business days' notice.
- a quorum shall consist of at least half of the members of the Committee plus one.
- Council shall provide secretarial functions and prepare a written report about the recommendations the Committee may make representation to Council about.
- the Chief Executive Officer shall present the report to Council at the next available Council meeting.
- Council may nominate agenda items for the Committee meeting's agenda, and may specifically request feedback or stakeholder input from the committee with regards to a specific topic or matter.
- Council may submit agenda items or discussion topics to the Committee meeting for consideration and response by the committee members.

6. ETHICAL CONDUCT

Committee members must exercise transparency, integrity, honesty, objectivity and ethical conduct in the fulfilment of their duties and responsibilities. Members must ensure confidentiality, exercise prudence, care and due diligence in the handling of Council and personal information acquired in

the course of their duties.

Members must immediately declare to the Chairperson any interest that may represent a real, potential or apparent conflict of interest related to their Committee membership. In case of a conflict of interest involving the Chairperson, declaration to the Chief Executive Officer is required. The declaration must be made on appointment to the Committee and in relation to specific agenda items at the outset of each Committee meeting and be updated as necessary.

7. COMMITTEE EVALUATIONS

The Committee will conduct an annual self-assessment to evaluate its performance and ensure the efficient and effective achievement of objectives. The assessment will confirm that all duties and responsibilities indicated in these terms of reference have been performed. The Chairperson will take necessary action to ensure that enhancements and recommendations highlighted in the assessment are properly implemented.

8. LEGISLATIVE REFERENCE

- Crime and Corruption Act 2001 (Qld)*
- Local Government Act 2009 (Qld)*
- Local Government Regulation 2012 (Qld)*

9. RELATED POLICIES/PROCEDURES

- South Burnett Regional Council Arts, Culture and Heritage Policy – Strategic 009
- South Burnett Regional Council Conduct of Council & Committee Meetings Policy – Statutory 017
- South Burnett Regional Council Employee Conflict of Interest Policy – Statutory 033
- South Burnett Regional Council Councillor Code of Conduct Policy – Statutory 001
- South Burnett Regional Council Employee Code of Conduct Policy – Statutory 011
- South Burnett Regional Council Fraud and Corruption Prevention Management Policy – Statutory 021

10. NEXT REVIEW

As prescribed by legislation or March 2023

11. VERSION CONTROL

Version	Revision Description	Adopted Date	ECM Reference
1	Development and Adoption	24 March 2021	2787778
2	Administrative amendment – organisational structure review – resolution 2022/432	27 April 2022	2787778


 Mark Pitt PSM
 CHIEF EXECUTIVE OFFICER

Date: 27 April 2022

10.4 BLACK SUMMER BUSHFIRE GRANTS - PROJECT LIST**File Number:** 12-04-2023**Author:** Coordinator Youth Mental Health**Authoriser:** Chief Executive Officer**PRECIS**

Liveability – Community and Lifestyle Operational Update

SUMMARY

A deliverable of Council's Black Summer Bushfire Recovery project, Community Connection – Local Built – Economic Recovery and Resilience Stream, Council will deliver a range of events and programs across the region.

OFFICER'S RECOMMENDATION

That the Committee accepts the report for information

BACKGROUND

Council has been successful in their application for Round One of Queensland Flooding Flexible Funding Grant of \$100,000 to deliver a Day at the Dam Concert and Community Event at BP Dam Murgon.

The original project budget submitted to the Budget Committee Standing Committee in February 2023 allocated \$150,000 for a large community concert. As there is now a revised budget available officers have considered the feedback from stakeholder and community and have proposed to allocated funding to the following projects, events and programmes: That the money allocated in the Black Summer Bushfire funding of \$150,000 for a large concert be reassigned to the following events and programs

Event/s	Category	Key Outcomes	Town/s	Community Partners	Expensive Items	Project Costs
Local Marketing Campaign	Economic Recovery	Promoting the region to visitors & potential investors.	All	Business development associations	Consultant, videography, photographer	\$40,000
Rural Medical Education Australia (RMEA) Scholarships	Economic Recovery	Support 'grow our own' health workers in the SB.	Kingaroy	Queensland Health	Payment for 10 students to complete a Cert III in Health Service Assistance.	\$40,000
Grant Guru	Social Recovery	Access to a data base for current grants	All	Community Groups/Business Development organisations.	Service subscription	\$15,000

		to increase resilience				
Triathlon at the Dam	Social Recovery	Supporting Community to be active in Council's open spaces	Murgon	BP Dam, rail trail running groups	Event planning, traffic management plan, event promotion	\$10,000
Country University	Social & Economic Recovery	Support of higher education to attract a country university, encourage people to study locally and stay in the area once qualified.	Kingaroy	Cherbourg Regional Council, High schools	Consultant to deliver a feasibility study, including community engagement	\$15,000
Business Upskilling Workshops	Economic Recovery	Support local business to access training in project management & Business planning	All	Local businesses	Consultant to deliver workshops across the region including catering	\$25,000
Pool Movie Nights	Social Recovery	Provide free entertainment for families to have fun.	Wondai, Murgon, Blackbutt, Proston	Local pools	Movies, promotional material & equipment	\$5000

ATTACHMENTS

Nil

11 COMMUNITY DEVELOPMENT (HEALTH, YOUTH, SENIOR CITIZENS)

11.1 FACADE IMPROVEMENT PROGRAM - QUICK ROUND

File Number: 12-04-2023

Author: Coordinator Youth Mental Health

Authoriser: Chief Executive Officer

PRECIS

Façade Improvement program as part of the Black Summer Bushfire Recovery project.

SUMMARY

A deliverable of Council's Black Summer Bushfire Recovery project, Community Connection – Local Built – Economic Recovery and Resilience Stream, Council is to deliver a Façade Improvement Program across the region.

OFFICER'S RECOMMENDATION

That the Committee recommends to Council:

That in accordance with the approved grant budget and grant guidelines that:

1. Remaining funds of \$95,000 be allocated for the delivery of the South Burnett Region Façade Improvement Quick Round, open to all businesses in all towns in the South Burnett holding street frontage, are open to the public and have signage visible from the street.

FINANCIAL AND RESOURCE IMPLICATIONS

As part of the project budget of the Black Summer Bushfire Recovery Grant an allocation of \$300,000 was made to complete a Façade Improvement Grant program and local business resilience activities.

LINK TO CORPORATE/OPERATIONAL PLAN

EC2: Development and implement CBD Renewal and Revitalisation Programmes for areas of our townships including service standards for maintenance and cleaning programmes.

COMMUNICATION/CONSULTATION (INTERNAL/EXTERNAL)

Communication, support, and engagement will be provided through Grants information sessions. Sessions are planned to occur within each newly prescribed townships across the region including Wooroolin, Kumbia, Proston, Maidenwell and follow up support will be provided when requested by individual businesses by the Community Development team.

LEGAL IMPLICATIONS (STATUTORY BASIS, LEGAL RISKS)

Applications to the grant fund are to meet all requirements under *Planning Regulation 2017* and *Building Regulation 2021*.

POLICY/LOCAL LAW DELEGATION IMPLICATIONS

NIL

ASSET MANAGEMENT IMPLICATIONS

NIL

REPORT

The Black Summer Bushfire Recovery Grant was awarded to Council to support the social and economic recovery and building of resilience across the community and local businesses. A key project deliverable is to develop and implement a South Burnett Façade Improvement Scheme to encourage building owners and tenants within the CBD areas to invest in Façade renovations and storefront improvements.

Amended grant guidelines have been developed for this proposed quick round to ensure equitable and uniform outcomes across the region.

Grant program information

Key Objectives:

To support local businesses to improve façades that:

- stimulate investment in private businesses
- increase street appeal for residents and tourists
- increase accessibility in retail premises
- increase opportunities for pedestrians to stay longer in CBD areas

Priority Assessment considerations:

High priority:

- Business located within town limits that have street frontage
- Projects that increase accessibility to shop fronts

Medium priority:

- Businesses that operate from a commercial or industrial premises with street frontage
- Rural businesses with major highway frontage

Low priority

- Rural businesses with shops open to the public located outside town limits
- Rural accommodation businesses
- Home-based businesses

Key dates

On approval of the allocation of funds, the round dates will be released and advertised.

All projects will be required to be completed by 31 January 2024.

The attached guidelines are a guide for how the program could be completed.

ATTACHMENTS

1. South Burnett Facade Improvement Program Quick Round Grant Guidelines

South Burnett Regional Council Façade Improvement Grant



About the grant program:

South Burnett Regional Council in partnership with the Australian Government are providing incentives to support businesses within the South Burnett region to improve their business façades.

Funding is provided through the Black Summer Bushfire Recovery Grant Program – Community Connection Local Built.

Key objectives:

To support South Burnett businesses to improve façades that:

- stimulate investment in private businesses
- increase street appeal for residents and tourists
- increase accessibility in retail premises
- increase opportunities for pedestrians to stay longer in towns and villages

Funding:

A total pool of \$??? is available.

A minimum grant amount is \$500 with a maximum grant of \$3,000 with a 50% co-contribution required (dollar for dollar funding).

Key Dates

Applications Open	Applications Close	Outcome Advised	Project delivery timeframe
27 March 2023	8 May 2023	22 May 2023	23 May 2023 to 31 December 2023

* Subject to Council meeting dates

** Subject to available funding

Eligibility Applicants Criteria

To be eligible to apply:

- be a property owner or a tenant holding the owner's written consent
- have a business registration number (ABN)
- have a minimum \$20M Public Liability Insurance
- must not have an outstanding debt with South Burnett Regional Council
- be a business holding street frontage
- adhere to all relevant legislation and local laws and obtain all necessary building and planning approvals as required to complete the project

South Burnett Regional Council

Façade Improvement Grant



Ineligible Applicants

- local, state, or federal government agencies and/or entities
- educational institutions, kindergartens and pre-school/childcare centres
- Parents and Friends or Parents and Citizens Associations
- medical organisations or primary health care providers
- religious organisations
- fuel stations
- political organisations
- businesses that hold a gaming machine licence
- no late, written, incomplete applications will be accepted

What is a Façade?

A Façade is the principal front of a building that faces onto a street or open space.

Eligible projects

Improvements to frontages that may include but are not limited to:

- lighting
- exterior walls
- windows and doors
- storefronts
- entranceways
- awnings/canopies
- signage
- exterior architectural features
- exterior Façade painting
- reinstatement of historical features of the building
- increase accessibility to shop fronts

Ineligible projects

- ongoing operational administration costs of the applicant e.g. staff expenses, administration costs.
- relocation of businesses
- purchase of buildings
- internal shop fit-out
- remission of rates
- the purchase of equipment which is not specifically required to complete the project
- payment of Council building and planning fees
- Projects that are considered routine maintenance
- no late, written, incomplete applications will be accepted

How to apply

- applications must be made via Council's website <https://sbrc.smartygrants.com.au/>
- applicants can speak to Council's Community Development team for further support



South Burnett Regional Council Façade Improvement Grant

Assessment

Assessment Criteria	Evidenced by:
Meeting the program objectives	<ul style="list-style-type: none"> Providing information and support material that links the project to the program and category objectives
Business benefit	<ul style="list-style-type: none"> Concept plan, building approval, planning approval
Project management capability	<ul style="list-style-type: none"> Sound budget Project planning (timeframes, works)
Support material	<ul style="list-style-type: none"> Written consent from landlord/tenant Quotes for works over \$1,000 Before pictures of business/street frontage Building/planning approvals if required Certificate of currency for public liability insurance (\$20m minimum) Evidence of need for purchase of equipment for works & quotes
Priority Zones Assessment considerations	
High priority	<ul style="list-style-type: none"> Businesses located within town limits that have street frontage Projects that increase accessibility to shop fronts
Medium priority	<ul style="list-style-type: none"> Businesses that operate from a commercial or Industrial premises with street frontage Rural businesses with major highway frontage
Low Priority	<ul style="list-style-type: none"> Rural businesses with shops open to the public located outside of town limits Rural accommodation businesses Home-based businesses
Other considerations	<ul style="list-style-type: none"> Council planning and development impacts
Project Assessment considerations	
High priority	<ul style="list-style-type: none"> Projects that increase the aesthetics of the township and/or rural areas Projects that increase accessibility to retail shop fronts Projects that are part of a syndicate of properties that adjoin to maximise street improvement.
Low priority	<ul style="list-style-type: none"> Projects that are considered routine maintenance
Other considerations	<ul style="list-style-type: none"> Council planning and development impacts
Other considerations	<ul style="list-style-type: none"> Council planning and development impacts

Consent for works

For projects applied for by the Tenant of the building, written consent from the Owner must be submitted with the application.

If the applicant is the owner of the building, the Owner is encouraged to engage in consultation with the tenant and provide consent in writing for the project if the works directly impact on the Tenants business.



South Burnett Regional Council Façade Improvement Grant



Assessment process

Eligibility check:

All applications are checked against eligibility criteria to ensure the applicant, project, amount requested, and timeframes are eligible.

Assessment:

Eligible applications are assessed against the assessment criteria by an internal assessment panel. Panel members participate in a moderation meeting to review the assessments and determine grant recommendations.

Endorsement:

Panel recommendations are provided to General Manager of Liveability for approval.

Notification of outcome

- applicants are advised by email of the outcome of their application
- unsuccessful applicants are invited to seek feedback about their application by contacting the Council Officer listed in the email

Funding agreement, payment and acquittal

- successful applicants must enter into a Funding Agreement with Council within 20 days of notification of outcome to receive funding
- Grant recipients must complete an online acquittal within four weeks of the project being completed

Contact

For further information or assistance please call the Community Development Team on 07 4189 9100

Margie Hams
Leisa Wilson

Stacey Perret
Tonia Gilbert



Australian Government

This project received grant funding from the Australian Government



11.2 LEASE - BURNETT INLAND ECONOMIC DEVELOPMENT ORGANISATION (BIEDO)**File Number:** 12-04-2023**Author:** Lease Officer**Authoriser:** Chief Executive Officer**PRECIS**

The Burnett Inland Economic Development Organisation (BIEDO) have requested a new lease for the additional office space at 80 Gore Street, MURGON.

SUMMARY

The Burnett Inland Economic Development Organisation (BIEDO) have requested a new lease for the remaining two (2) Office/Storerooms including the entrance hall and toilet located at the Old Council Offices 80 Gore Street, Murgon. BIEDO currently have a lease with Council for Office 1 including the kitchenette/storeroom/toilet and Main Office 2.

OFFICER'S RECOMMENDATION

That the Committee recommend to Council:

1. 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 part of Lot 2 on CP M55124, to the Burnett Inland Economic Development Organisation (BIEDO), community organisations, other than by way of tender or auction, for a the remaining term of the current lease between Council, Burnett Inland Economic Development Organisation (BIEDO).
2. South Burnett Regional Council delegates to the Chief Executive Officer the power to negotiate, finalise and execute the Lease between Council, Burnett Inland Economic Development Organisation (BIEDO) on terms and conditions the Chief Executive Officer reasonably considers are satisfactory to Council.
3. 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 of unused shelving stored at the Old Council Office, 80 Gore Street, Murgon by way of gifting to the Burnett Inland Economic Development Organisation (BIEDO).

FINANCIAL AND RESOURCE IMPLICATIONS

Rent for the lease will be a concessional rent applied to all community and not for profit groups of \$75.00 per year (excluding GST). BIEDO will be responsible for agreed proportion of outgoings for the lease area.

The additional office spaces are fitted out with purpose-built shelving fixed to the walls and centre of the room. The shelving is no longer required by Council, and it is recommended that the shelving be gifted to BIEDO for their storage requirement this will save any costs associated with commercial waste disposal.

The office space will require repairs and maintenance to repair a broken window, broken external door and cleaning prior to handover.

LINK TO CORPORATE/OPERATIONAL PLAN

OPL/23 Explore partnership opportunities to support local volunteer groups

IN10: Investigate options for leasing opportunities to not-for-profit groups and organisations.

COMMUNICATION/CONSULTATION (INTERNAL/EXTERNAL)

BIEDO approached Council in March 2023 to lease the additional vacant storerooms. Discussions with BIEDO's Chief Executive Officer have determined that they would like the terms of the new lease to mirror their current lease. BIEDO would like for Council to gift the purpose-built shelving and understand that they will be responsible for the costs associated with disposal should the shelving no longer be required.

LEGAL IMPLICATIONS (STATUTORY BASIS, LEGAL RISKS)

The request for additional office space requires a new lease as an amendment cannot increase or decrease the area leased in accordance with Section 67 of the *Land Title Act 1994*. The current lease does not accommodate termination unless BIEDO are in default of the lease, or the building becomes damaged or destroyed and is unfit for use.

POLICY/LOCAL LAW DELEGATION IMPLICATIONS

Offering the new lease area is in accordance with Council's Property Lease Policy and Disposal of Assets Policy and *Local Government Regulations 2012 section 236 (1)(b)(ii)*.

ASSET MANAGEMENT IMPLICATIONS

The additional office space is currently unused since Council relocated stored files from the Old Council Office. During the lease period BIEDO will be responsible for all business expenses including electricity, taxes, licence fees and other outgoings from time to time during the term of the lease; all costs to fit out the new office space including any improvements such as air conditioning; cleaning, repairs and maintenance; all costs for rubbish removal; all security costs; insurance costs in relation to their asset; and all cost in relation to pest control including vermin.

REPORT

Property details: 80 Gore Street, MURGON

RPD: Lot 1 on CP M55124

Tenure: Freehold

Lease Area: Approximately 89.35 square metres

Rental: \$75.00 per annum

Proposed lease commencement: 1 May 2023

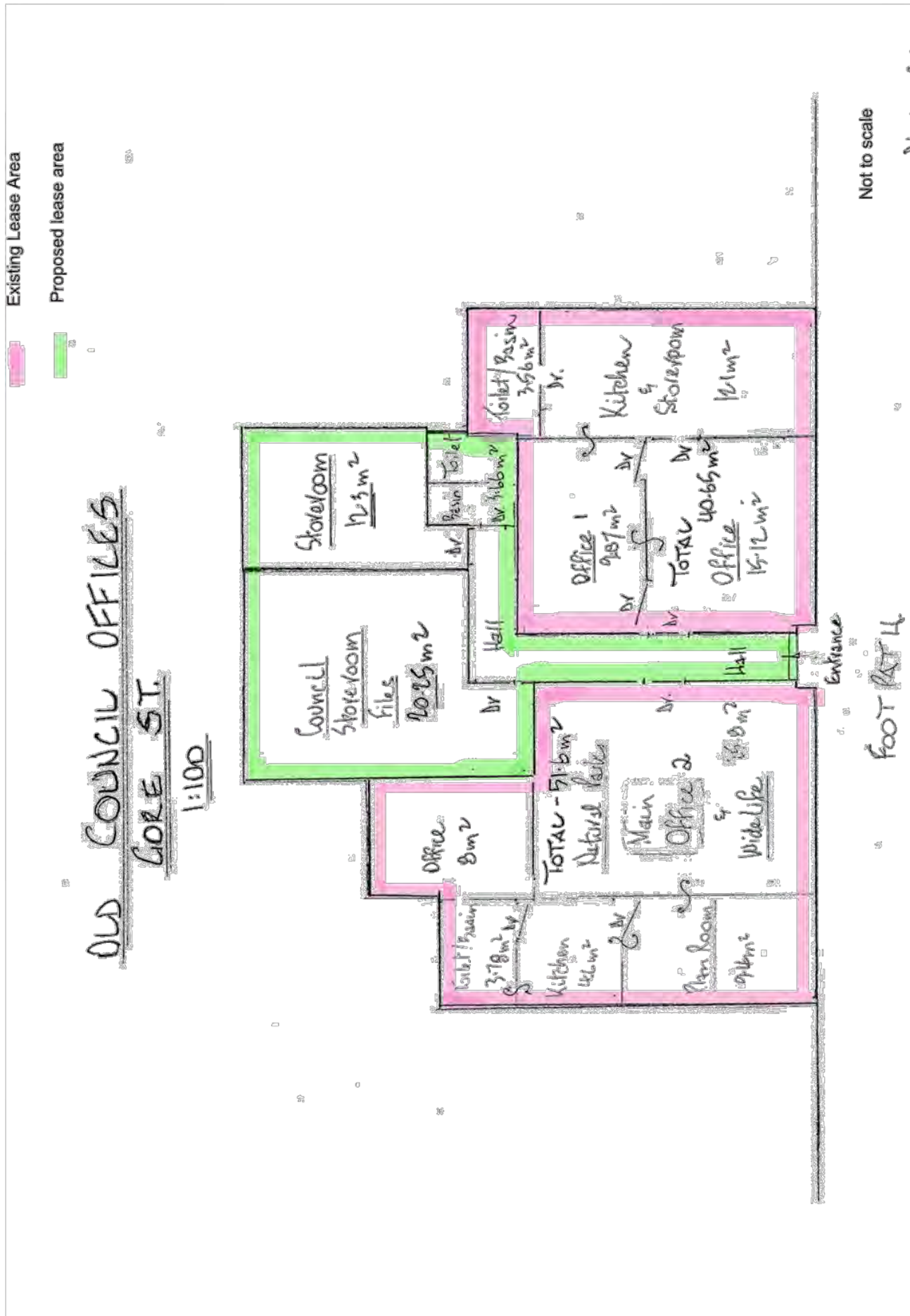
Expiry date: 30 April 2029

BIEDO are a non-for-profit community organisation that supports economic development across the South Burnett and North Burnett regions and has been established since 1996. BIEDO has leased office space at the Old Council Offices since 2015.

BIEDO will initially use the additional office space as storage with plans to apply for grants to fit out the office space for their organisation's growth and development.

ATTACHMENTS

- 1. Proposed lease area - Sketched floor plan - 80 Gore Street, Murgon**
- 2. Aerial Map – Part of Lot 1 on CP M55124, 80 Gore Street, Muron**





South Burnett Regional Council does not warrant the accuracy of information in this publication and any person using or relying upon such information does so on the basis that SBRC shall bear no responsibility or liability whatsoever for any errors, faults, defects or omissions in the information.

Proposed Lease -
Part of Lot 1 on CP
M55124, 80 Gore
Street, Murgon

16/03/2023

1:500



12 PROPERTY & FACILITY MANAGEMENT

12.1 NEW COMPRESSOR FOR ENGINES AT SOUTH BURNETT ENERGY CENTRE NANANGO

File Number: 29/03/2023

Author: Acting Manager Facilities and Parks

Authoriser: Chief Executive Officer

PRECIS

Replacement compressor needed for running the engines at South Burnett Energy Centre Nanango.

SUMMARY

Replacement compressor needed for the running of the engines at South Burnett Energy Centre Nanango.

OFFICER'S RECOMMENDATION

That the Committee recommends to Council that:

- (i) The compressor for running the historical engines in the South Burnett Energy Centre, Nanango is replaced in the 22/23 financial year
- (ii) The replacement of compressor is funded from the Building Capital – Condition Assessment Restricted Cash.

FINANCIAL AND RESOURCE IMPLICATIONS

Council to consider funding the compressor replacement from the Building Capital - Condition Assessment Restricted Cash. There is \$400,000 restricted cash in the Building Condition Assessment program for priority works identified from the Building Condition Assessment. Purchase and installation cost for a new compressor is \$13,000. Ongoing maintenance and servicing will be an operational expense.

LINK TO CORPORATE/OPERATIONAL PLAN

EC6: Appropriately support and encourage volunteers, advisory groups and community organisations to value add to Council's services and infrastructure.

GR6: Advocate for and support of the region's tourism sector through an industry led development of a Tourism Strategy, with particular focus on indigenous tourism, adventure tourism, international tourism and high wealth tourism.

COMMUNICATION/CONSULTATION (INTERNAL/EXTERNAL)

Council officers have met on site with volunteers and Depot Workshop Supervisor to problem solve the issues with the compressor and options for replacement.

LEGAL IMPLICATIONS (STATUTORY BASIS, LEGAL RISKS)

No direct Legal Implications

POLICY/LOCAL LAW DELEGATION IMPLICATIONS

No direct Policy/Local Law Delegation Implications

ASSET MANAGEMENT IMPLICATIONS

The current compressor is approximate 75 years old.

REPORT

The volunteers at the South Burnett Energy Centre Nanango, who run and maintain the engines have informed Council's Facilities section that the compressor to the engines is no longer functioning.

The engines originally came from the old Nanango Butter Factory and were installed during the building of the Energy Centre. The engine is started by volunteers on the first Saturday of each month which happens to be Nanango Market Day and when there are visitors booked on private bus tours.

Staff tried to source spare parts for the old compressor which is approximately 75 years old are no longer available. Staff then sourced quotes from suppliers based in Toowoomba, Sunshine Coast and Brisbane. Queensland Compressed Air Solutions (QCAS) based in Toowoomba has supplied two quotes for a compressor that will do 300psi;

- BOGE Compressor \$18,975.00 including GST
- Ingersoll-Rand Compressor \$10,122.00 including GST

In addition, an extra \$2000.00 would be required for the installation costs.

ATTACHMENTS

Nil

13 PORTFOLIO - TOURISM & VISITOR INFORMATION CENTRES, SPORT & RECREATION AND COMMERCIAL ENTERPRISES**13.1 TOURISM & VIC'S, SPORT & RECREATION AND COMMERCIAL ENTERPRISES PORTFOLIO REPORT**

File Number: 12-04-2023

Author: Division 1 Councillor

Authoriser: Chief Executive Officer

PRECIS

Tourism & VIC's, Sport & Recreation and Commercial Enterprises Portfolio Report

SUMMARY

Cr Erkens presented her Tourism & VIC's, Sport & Recreation and Commercial Enterprises Portfolio Report.

OFFICER'S RECOMMENDATION

That Cr Erken's Tourism & VIC's, Sport & Recreation and Commercial Enterprises Portfolio Report. to Council be received for information.

Tourism & VIC's:

The Wondai Visitor Information Centre were host to the recent Visit South Burnett meet and greet. The event was attended by members and local community members in which local businesses and industry discussed current opportunities for the region.

Commercial Enterprises**Saleyards:**

The monthly store sale was held on 30 March 2023 with both agents in attendance. Prices remained steady as producers and agents prepare for upcoming weaner sales. The saleyards working group recently met to discuss improvements to the sale process and the proposed fees and charges for the 23/24 financial year.

Dams:

Both tourist parks remain busy with preparations for the upcoming Easter School Holidays. Bookings remain high and it is expected to have a high number of visitors to the area.

Aerodromes:

Council was successful in Round 3 of the Regional Airports Program to complete the fencing and security gate around the Kingaroy airport terminal building and soaring club licence area.

BACKGROUND

Nil

ATTACHMENTS

Nil

14 TOURISM & VISITOR INFORMATION CENTRES

14.1 TOURISM MONTHLY UPDATE

File Number: 12-04-2023

Author: Tourism Service Officer

Authoriser: Chief Executive Officer

PRECIS

Tourism update for the month of March 2023

SUMMARY

This report provides an update on the South Burnett Regional Council's Tourism section for the month of March 2023.

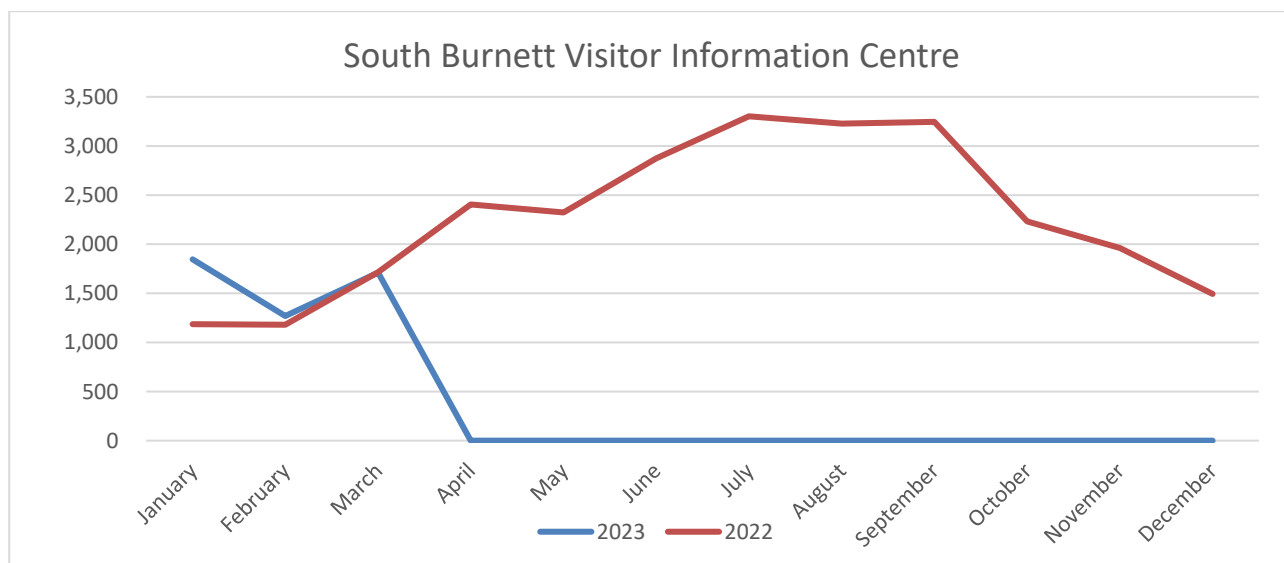
OFFICER'S RECOMMENDATION

That the Committee receive the report for information.

BACKGROUND

In March the Tourism team progressed the following:

South Burnett Visitor Information Centre (VIC) Network



South Burnett Visitor Information Centres

The Volunteers at the Wondai Visitor Information Centre have created a display of flowers and easter bunnies advertising the Wondai Garden Expo

The Wondai Visitor Information Centre is now open 7 days a week, in accordance with Accreditation.

All Visitor Information Centres are "spring cleaning". Some items have been found and handed to the Museums.

Famil 23rd March 2023

The Volunteers attended their first Famil for the year. They visited Taabinga Homestead, had lunch at the Kingaroy RSL then on to Bethany Cottages. There was 25 South Burnett Volunteers, 8 Roy Emerson Museum Volunteers and 3 Council Staff that attended the day.

The day started at Taabinga Homestead with a brief history of the property, then morning tea was supplied. After morning tea, they were free to wonder around exploring all there is at the Homestead. After an hour and a half, they were taken back into Kingaroy to the RSL for a sit-down lunch. An hour later they were all back on the bus and taken out to Bethany Cottages. Here they were supplied with the history of the Bjelke-Petersen family and driven around the property and shown the B&B cottages. They ended back at the house and supplied afternoon tea where again they were free to explore the property.

Monthly Statistics

Visitor Information Centres – Monthly Statistics 2021-2022						
2022	Jul	Aug	Sep	Oct	Nov	Dec
Sales	K - \$6229 M - \$587 N - \$1061 W - \$4153	K - \$8182 M - \$518 N - \$1126 W - \$4394	K - \$6624 M - \$482 N - \$1082 W - \$5701	K - \$5140 M - \$ N - \$1039 W - \$2791	K - \$4238 M - \$259 N - \$717 W - \$2578	K - \$8321 M - \$289 N - \$1312 W - \$2160
Visitor Numbers	K - 1596 M - 349 N - 604 W - 884	K - 1455 M - 372 N - 636 W - 775	K - 1220 M - 333 N - 735 W - 970	K - 812 M - 220 N - 417 W - 680	K - 708 M - 203 N - 247 W - 462	K - 483 M - 160 N - 410 W - 434
Coach Tours	K - 1 M - 0 N - 0 W - 1	K - 0 M - 0 N - 2 W - 0	K - 0 M - 0 N - 0 W - 0	K - 1 M - 0 N - 0 W - 1	K - 4 M - 0 N - 2 W - 2	K - 0 M - 0 N - 0 W - 1
Volunteer Numbers	K - 91 M - 49 N - 60 W - 46	K - 86 M - 41 N - 63 W - 56	K - 76 M - 37 N - 57 W - 45	K - 91 M - 41 N - 53 W - 51	K - 78 M - 26 N - 37 W - 34	K - 126 M - 30 N - 41 W - 35
Volunteer Hours	K - 537 M - 217 N - 325 W - 234	K - 537 M - 250 N - 316 W - 283	K - 475 M - 172 N - 289 W - 227	K - 544 M - 200 N - 267 W - 258	K - 493 M - 107 N - 185 W - 164	K - 739 M - 120 N - 225 W - 166
Days Open	K - 28 M - 27 N - 30 W - 30	K - 27 M - 28 N - 30 W - 31	K - 25 M - 24 N - 28 W - 29	K - 30 M - 25 N - 28 W - 31	K - 30 M - 24 N - 26 W - 30	K - 25 M - 21 N - 26 W - 28
2023	Jan	Feb	Mar	Apr	May	Jun
Sales	K - \$4166 M - \$225 N - \$805 W - \$2351	K - \$2826 M - \$5 N - \$897 W - \$1980	K - \$4684 M - \$277 N - \$2091 W - \$2324	K - \$ M - \$ N - \$ W - \$	K - \$ M - \$ N - \$ W - \$	K - \$ M - \$ N - \$ W - \$
Visitor Numbers	K - 692 M - 139 N - 332 W - 359	K - 511 M - 0 N - 244 W - 281	K - 743 M - 147 N - 384 W - 422	K - M - N - W -	K - M - N - W -	K - M - N - W -
Coach Tours	K - 0 M - 0 N - 0 W - 0	K - 1 M - 0 N - 0 W - 0	K - 0 M - 0 N - 0 W - 0	K - M - 0 N - 0 W - 0	K - M - 0 N - W -	K - M - 0 N - W -

Volunteer Numbers	K – 115 M – 27 N – 34 W – 30	K – 110 M – 39 N – 45 W – 33	K – 157 M – 30 N – 28 W – 44	K – M – N – W –	K – M – N – W –	K – M – N – W –
Volunteer Hours	K – 671 M – 107 N – 195 W – 151	K – 676 M – 156 N – 229 W – 169	K – 884 M – 121 N – 171 W – 253	K – M – N – W –	K – M – N – W –	K – M – N – W –
Days Open	K – 24 M – 18 N – 21 W – 22	K – 28 M – 22 N – 27 W – 28	K – 31 M – 18 N – 25 W – 30	K – M – N – W –	K – M – N – W –	K – M – N – W –

ATTACHMENTS

Nil

15 PORTFOLIO - REGIONAL DEVELOPMENT, DEVELOPMENT SERVICES, COMMUNITY & SOCIAL HOUSING

15.1 REGIONAL DEVELOPMENT, DEVELOPMENT SERVICES AND COMMUNITY & SOCIAL HOUSING PORTFOLIO REPORT

File Number: 12-04-2023

Author: Councillor

Authoriser: Chief Executive Officer

PRECIS

Regional Development, Development Services and Community & Social Housing Portfolio Report

SUMMARY

Cr Schumacher presented her Regional Development, Development Services and Community & Social Housing Portfolio Report to Council.

OFFICER'S RECOMMENDATION

That Cr Schumacher's Regional Development, Development Services and Community & Social Housing Portfolio Report to Council be received for information.

DEVELOPMENT SERVICES

PLANNING

The Planning Team received 91 customer requests (from the 1/03/2023 to 31/03/2023) and held 4 pre-lodgement meetings during this time. The following planning applications were received:

- Material Change of Use (MCU) – 2 development applications
 - Change – Warehouse
 - Change – Dual Occupancy
- Reconfiguration of a Lot (RAL) – 2 development applications
 - Subdivision – 1 into 31 Lots (Combined application – Kelvyn Street, Kingaroy)
 - Subdivision – 1 into 3 Lots
- Operational Work (OPW) – 4 applications
 - Roadworks
 - Stormwater, Earthworks & Driveway Crossover
 - Filling or excavation of material from an on-site gravel pit
 - Road work, drainage work, landscaping, stormwater, earthworks, water infrastructure, and sewerage infrastructure (Combined application – Kelvyn Street, Kingaroy)
- Plan of Sealing (POS) – 2 applications
 - Sealing of a Survey Plan
 - Sealing of a Survey Plan
- 4 applications received for the Development Incentive Scheme

The number of Planning applications projected to be received by Council this financial year is 118. This projected figure compares to 109 for the previous year and 64 applications for the 2019/2020 year.

PLUMBING

The Plumbing and Drainage team received 85 customer requests via the CRM from 1/03/2023 to 31/03/2023. The following plumbing and drainage applications were received:

- Class 1/10a – Domestic No Sewer – 13 Applications
- Class 1/10a – Domestic Sewer – 3 Applications
- Class 2-9 – Other Building (Commercial) – 3 Applications

The number of plumbing applications projected to be received by Council this financial year is 232. This projected figure compares to 299 for the previous year and 247 applications for the 2019/2020 year.

BUILDING

The Building Team received 75 customer requests for the month. The following building applications were received:

- Council – 24 Applications
- Private Certified – 15 Lodgements

The number of building applications projected to be received by Council this financial year is 423. This projected figure compares to 441 for the previous year and 364 applications for the 2019/2020 year.

The number of Private Certification applications projected to be received by Council this financial year is 240. This projected figure compares to 257 for the previous financial year and 195 applications for the 2019/2020 year.

MAJOR PLANNING SCHEME AMENDMENT

The Department of State Development, Infrastructure, Local Government and Planning (the Department) issued a Notice to pause a timeframe for 20 business days under the Minister's Guidelines and Rules (MGR). The purpose of this pause is to provide time for the assessment of the revised version of the proposed major amendment (i.e., version 2.1) submitted to the Department on 22 March 2023. The timeframe will restart on 5 May 2023.

RESOURCING

The Trainee Administration Officer for Building and Plumbing commenced work on the 27 March 2023.

With the Senior Planning Officer being on leave and the vacant Planning Officer position still to be filled, there is a heavy reliance on utilising consultants to provide the planning service at this time.

SOCIAL HOUSING

In conjunction with Q Shelter, I recently co-chaired a roundtable as a follow up to last year's housing forum on the needs and constraints in relation to the provision of key worker accommodation. The discussion was focused on current and future housing demands and the issues associated with attracting and retaining growing workforces in an already saturated housing market.

The collective agreed to progress development of a local housing strategy to document actions to respond to the current, emerging, and future housing challenges and to identify and unlock opportunities through partnerships and planning.

Supporting our current and prospective businesses and industries with future accommodation choices and solutions will be critical to the success and growth of our region. The roundtable included various state government representatives, key regional employers, and council representatives.

ATTACHMENTS

Nil

16 REGIONAL DEVELOPMENT (INDUSTRY, AGRICULTURE, WATER SECURITY, ENERGY AND CIRCULAR ECONOMY)**16.1 REGIONAL DEVELOPMENT ADVISORY COMMITTEE MEETING 2ND MARCH 2023****File Number: 12-04-2023****Author: Local Business Resilience Officer****Authoriser: Chief Executive Officer****PRECIS**

To adopt the Minutes of the Regional Development Advisory Committee meeting held on 2 March 2023.

SUMMARY

The Regional Development Advisory Committee was implemented to assist Council to advance the growth and development objectives of its Corporate Plan and deliver on its Regional Development Strategy.

OFFICER'S RECOMMENDATION

That the Regional Development Advisory Committee Minutes dated 2 March 2023 be received.

FINANCIAL AND RESOURCE IMPLICATIONS

Nil

LINK TO CORPORATE/OPERATIONAL PLAN

GR1 Develop and implement a well-researched, action based 'Regional Development Strategy' that supports business and employment growth.

OPE/10 Development, adoption and commence implementation of the SBRC Regional Development Action Plan

COMMUNICATION/CONSULTATION (INTERNAL/EXTERNAL)

Nil

LEGAL IMPLICATIONS (STATUTORY BASIS, LEGAL RISKS)

Nil

POLICY/LOCAL LAW DELEGATION IMPLICATIONS

Regional Development Advisory Committee Terms of Reference

ASSET MANAGEMENT IMPLICATIONS

Nil

REPORT

Nil

ATTACHMENTS

- 1. SB RDAC Meeting Minutes 2 March 2023**



SOUTH BURNETT
REGIONAL COUNCIL

**South Burnett Regional Development
Advisory Committee Meeting**

Minutes

Date	Thursday, 2 nd March 2023	Venue	Kingaroy RSL – White Room
Time opened	5.25pm		
Attendees	Mark Pitt, CEO SBRC, Cr Kirstie Schumacher, Councillor SBRC, Ivan Rasmussen, Senior Economic Development Officer, DSDILGP, Aaron Meehan, GM Infrastructure, SBRC, Josh Gadishke, RDAC Member, Plenty Foods, Matthew Kenny, RDAC Member, SB CTC HQ, Kathryn Stevens, RDAC Member, Teacher/Journalist/PR Specialist, Jennifer Pointon, Manager community & Lifestyle, SBRC, Tonia Gilbert, Local Business Resilience Officer, SBRC,		
Apologies	Mayor Otto, Mayor SBRC, Cr Gavin Jones, Councillor SBRC, Peter O/May GM Liveability, SBRC, Felicity Dascombe RDAC Member, Hello World Travel, Lachlan Brown RDAC Member, Pakaderinga Feedlot, Susan Jarvis, GM Finance & corporate, Peter Howlett		

Item No.	Description
1.	Opening
	Acknowledgement of Country, Welcome and round table introductions (Chair – Cr Kirstie Schumacher)
2.	Overview of the purpose of the South Burnett Regional Development Advisory Committee (Ivan Rasmussen)
	<p>Ivan Rasmussen:</p> <ul style="list-style-type: none"> • Presentation – overview of his background. • The alignment of the various strategies and the need to align with the Wide Bay Burnett and the QLD State Strategies. • The Purpose of the SB RDAC and where this group sits. • The SB Strategic plan evolving – <ul style="list-style-type: none"> ○ 3 enablers (and the strategies): <ul style="list-style-type: none"> ▪ The South Burnett region has appropriate infrastructure to support industry, investment, and liveability. ▪ Council delivers streamlined investment support and promotes well planned growth. ▪ Council attracts investment, growing the economy. • Next step – workshopping for the next steps, with regular meetings. Turning the enablers and strategies into actions, and in turn determining what the council's role is.

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Item No.	Description
3.	<p>Overview of the QLD Jobs, Energy Plan and Regional Economics Futures Fund (Ivan Rasmussen)</p> <p>Ivan Rasmussen:</p> <ul style="list-style-type: none"> • SuperGrid Infrastructure Blueprint – renewables, storage, firming/transmission, and clean energy hubs. • Currently around 21% renewable energy. • Targets to achieve by 2035. • Impacts on the closing of Tarong Power Station on the local community, services, etc by 2035. Impact up 150 (+) suppliers. <ul style="list-style-type: none"> ○ Very important to have a transition plan. ○ Timing and support very important. • Identify the economic development opportunities, including the broader linkages including Toowoomba and Bundaberg. <p>Discussion:</p> <ul style="list-style-type: none"> ▪ EPW (Public Works) – will be driving the majority of the projects (predominately) ▪ Transporting of product causing a ‘bottle neck’ – supply chain making our own parts <ul style="list-style-type: none"> ○ Possibly not solar panels or wind turbines as they are already set up overseas. ○ Civil projects – crushed rocks (civil projects) and pipes (supplied locally). ▪ Jobs and Energy Plan discussion – transitioning Tarong to renewable energy and what this will possibly look like. ▪ There will not be as many ongoing employment opportunities in renewable energy as there is currently in at the Tarong power station. ▪ Possible jobs in recycling of renewable goods. Identifying where the South Burnett fits within the supply chain. ▪ TAFE needs to be involved with opportunities to retrain Tarong staff. <ul style="list-style-type: none"> ○ Upskilling through training and apprenticeships. ▪ Creating knowledge in the area of new jobs. ▪ Convergence of the ag, megatronics, medical, technology, education – Community Growth. ▪ Identify how to move forward to be ready for 2023 when Tarong does close. ▪ Water was identified as a major need – Water Report ▪ LEO to drive the outcomes ▪ Development of the Private hospital – Registered Training Organisation (RTO) Offering – nursing and construction
4.	<p>South Burnett Regional Development Strategy/Action Plan (Ivan Rasmussen)</p> <p>Ivan Rasmussen:</p> <ul style="list-style-type: none"> • LEO – Local Economic Opportunities network – point of call • Ivan will be the South Burnett’s LEO. • Regional Economics Future Fund (REFF) - \$200 million in funding to look at progressing economic development in communities after coal fired stations close. REFF will cover Darling Downs and the South Burnett • There will regional stakeholder advisory committee, coordinated by the LEO (Ivan)

Item No.	Description
	<ul style="list-style-type: none"> • Who is responsible for what? Chamber of Commerce, SBRC, Regional Groups, State Departments, Federal Departments – all need to be on the same page with strong communication. • Terms of Reference - Sub committees of the local Chambers • Communications strategy – what is the process for the group to feedback to Council. Then communicate back to the Community. • Set dates for workshops • Electrical truck manufacturing in Hervey Bay and the possibility of the overflow • Retaining staff – leaving to go to other mines <p>Discussion:</p> <ul style="list-style-type: none"> • Tailor to the group’s actions to tell a bigger story in order to obtain greater funding. • Available land for new manufacturing • Liveability – lifestyle enrichers • Retaining young people in the local community - what is going to keep them/bring them back • Housing and available land in the South Burnett. New housing is costly • Action plan - value adding – next meeting is a workshopping • Road infrastructure – is it currently at standard. A clear vision is needed • Identify who has responsibility for the various roles • Wide Bay Bundaberg is looking to link with other local communities • High speed communication – dark fibre cable. Invest in Connectivity feasibility report
5.	<p>Communication with community discussion (ALL)</p>
	<p>Round Table Discussion:</p> <ul style="list-style-type: none"> ▪ Need the available land and infrastructure first – before investors are invited to invest in the South Burnett. ▪ Communication with all sub-committees – South Burnett Chamber of commerce (possible action plan) (connectivity) ▪ The ‘Disruptor’ of Tarong closing – <ul style="list-style-type: none"> ○ Will free up skilled labour for other local businesses. ○ Will free up some housing – SBRC has conducted a vacant land review ○ Will free up some businesses to expand – how do you identify the business that may be able to expand with the closure of Tarong?
6.	<p>Future meeting schedule discussion (ALL)</p>
	<p>Round Table Discussion:</p> <ul style="list-style-type: none"> ▪ Cr Kristy Schumacher: <ul style="list-style-type: none"> ○ workshop some action plans for next meeting ○ large freight is unable to get into our region – what would one heavy vehicle route look like ○ An example of various council’s working together – The Outback Way road network. ○ The need for a clear vision – to be able to advocate for our region. ○ Set a bi-annual round table discussion with businesses interested in the SB Strategic Plan.

Item No.	Description
	<ul style="list-style-type: none"> ○ Purpose of the SB Regional Development Advisory Committee is a 'Think Tank'. Put ideas on the table around the enablers. Gives Council a different prospective. ○ Look at the Red Earth's Leadership Forum document and put these ideas in the action plan template. ○ Action from this meeting: <ul style="list-style-type: none"> ▪ Feedback from Red Earth Forum, this meeting and previous meeting and put in a template. Then send out to RDAC Team for comment. Meet again in a couple of months meet again. ▪ Ivan Rasmussen: <ul style="list-style-type: none"> ○ Strategy, 3 enablers, 4 - 5 strategies under each enabler. Focus on 1 enabler at each different workshop ○ Solid dataset for community to build on - know knowledge base (Remplan?) ○ As a part of Strategic Action Plan - we need to identify Council's roll. Is it just to educate and advocate? Identify who has the responsibilities - State Development, etc? ○ Look at Terms of Reference. How do we communicate with the sub committees? How do we communicate to Council? ○ An action plan could be: South Burnett Chamber of Commerce? <ul style="list-style-type: none"> ▪ Connectivity. ▪ Mark Pitt: <ul style="list-style-type: none"> ○ Regional futures Institute plan (score Plan) ▪ Josh Gadishke: <ul style="list-style-type: none"> ○ Red Earth's Community Foundation - Leadership Forum 28th July 2022 <ul style="list-style-type: none"> ▪ All documented. ▪ Names on the list to be reached out to connect and be involved. ▪ Jennifer Pointon: <ul style="list-style-type: none"> ○ Red Earth's Leadership Forum: <ul style="list-style-type: none"> ▪ Connectivity, hard infrastructure, liveability, Hub in the Pub etc. ▪ Broad ideas. ▪ Good insight to our communities' values and what they want. ▪ Could be used to scope up the Investment Prospectus. And any other documents maybe helpful.
7.	<p>Meeting Summary/ Next Meeting (Chair - Cr Kirstie Schumacher)</p>
	<p>Round Table Discussion:</p> <p>Invite a Red Earth representative to the next meeting</p> <p>Find some time dates and share with group</p>
8.	<p>Meeting Closed</p>
	<p>meeting to closed 7.12pm</p>

OPEN ACTIONS

ACTIONS	LEAD	TO BE COMPLETED BY
Identify what businesses who would be able to have skilled staff from Tarong	TBC	
Feedback from Red Earth Forum, this meeting and previous meeting and put in a template. Then send out to RDAC Team for comment	Tonia	
Ivan to look at what resources he can put forward (Lauren and Fiona)	Ivan Rasmussen	
What other databases that are available	Ivan Rasmussen	
Set future workshop dates	Tonia	
REMPAN – Regional Futures Institute Plan	Mark Pitt	
Small Business Charter	Cr Kirstie Schumacher	
'Snapshot of what our world actually looks like' (1:01:50.3)	Aaron Meehan	

References:

- [Red Earth Leadership Forum | Red Earth](#)
-

16.2 MATERIAL CHANGE OF USE FOR THE USE SHORT TERM ACCOMMODATION 84M2 GFA (WITHING A SECONDARY DWELLING) AT 17 FORK HILL DRIVE, MOFFATDALE (AND DESCRIBED AS LOT 22 ON SP221464). APPLICANT: LUSSO RETREATS PTY LTD C/- ONF SURVEYORS**File Number: MCU22/0022****Author: Coordinator Development Services****Authoriser: Chief Executive Officer****PRECIS**

Material Change of Use for the Use Short Term Accommodation 84m² GFA (within a Secondary Dwelling) at 17 Fork Hill Drive, Moffatdale (and described as Lot 22 on SP 221464). Applicant: Lusso Retreats Pty Ltd C/- ONF Surveyors

- This is an Impact assessable development application for a Development Permit for a Material Change of use for a Short Term Accommodation located within a proposed Secondary Dwelling.
- Council officers have identified that a Short Term Accommodation use had commenced in the existing Shed on the property, but have not undertaken any compliance action despite not forming part of the application.
- The applicant argues support for the use on the basis that it will be for tourism accommodation, without reference to how this may affect existing accommodation business locally, or how the introduction of non-residential uses into a distinct residential precinct in Moffatdale will change the nature and character of the residential setting on an ad-hoc basis.
- The applicant did not provide sufficient planning grounds to justify introduction of Short Term Accommodation as a standalone use on the site. The South Burnett Regional Council Planning Scheme (SBRC) 2017 requires this part of Moffatdale to retain a predominant Rural Residential Use.
- The current policies setting strongly supports diversification of existing rural and agri-business to include types of short-term accommodation options that have a nexus with primary production, that will strengthen existing and ongoing economic development regionally, in a consolidated and well-planned manner. While this proposal fails to sufficiently demonstrate a nexus for a standalone Short Term Accommodation use, it is considered that sufficient grounds exist for the premises to retain a use of the site for 'shorter stays' and the like as generally stated in section 2 of the town planning report lodged in support of the application.
- It is therefore feasible that a short stay arrangement can exist where retained as ancillary to a primary residential use (Dwelling House) of the premises.
- On this basis the proposed Secondary Dwelling identified in the application is considered appropriate for the use as generally stated in section 2 of the town planning report lodged in support of the application.

SUMMARY

- This is an Impact assessable development application for a Development Permit for a Material Change of use pursuant to the SBRC Planning Scheme 2017.
- The application is for the use of a proposed Secondary Dwelling (84m² GFA) on site for the purposes of Short-Term Accommodation, but not the existing shed (60m² GFA) which is currently being used for the purpose of Short Tern Accommodation.
- It is noted that the applicant's response to information request dated 11 October 2022 advised that the applicant wishes to include the existing shed in the application addition to the proposed Dwelling House and proposed Secondary Dwelling.

However, it is not considered that this response constituted a change to the development application pursuant to the Planning Act 2016, as the applicant failed to follow appropriate procedure to seek the change. There was no commentary stating that the applicant was purporting to include the 'shed' as an additional Short Term Accommodation facility change to the development application pursuant to the Planning Act 2016, or whether if it was a change whether and on what basis it constituted a 'minor' or 'other' change. Nor were any plans or details for the use of the 'shed' submitted. The nature of a proposed change may have impacted upon the assessment process.

It is also considered that the public notification material also did not indicate the proposed use of the 'shed' as additional Short Term Accommodation. The only elevations and floor plans for Short Term Accommodation were the 'secondary dwelling' which is consistent with the development application as initially lodged.

On that basis this application has been assessed on the basis that the application only seeks Short Term Accommodation approval for the proposed Secondary Dwelling and not the existing 'shed'.

- The subject site is in a rural residential precinct of Moffatdale characterised by rural residential character living.
- An information request was issued 4 October 2022. The applicant did not respond with any surrounding business or needs analysis or impact review of the project locally on the residential locality and its character.
- Public notification occurred from 20 October 2022 for a period of 15 business days in accordance with the *Planning Act 2016*. No submissions were received by Council. However, the applicant provided letters of support that are not formal submissions as they were received outside the public notification period.
- The application has been assessed and conditions are recommended to ensure compliance (refer to Attachment A – Statement of Reasons)
- Refer to Attachment B – Infrastructure Charges Notice.

OFFICER'S RECOMMENDATION

The application for Short Term Accommodation 84m² GFA (within a Secondary Dwelling) is approved subject to the following conditions:

GENERAL

GEN1. Maintain access at all times as shown on the approved plan as amended in red:

Drawing Title	Prepared By	Ref. No.	Rev.	Date
Site Plan	McLaren Design	A303	Amended in red	3/04/2023
Proposed Floor Plan	McLaren Design	A304	F	28/06/2022
Elevations	McLaren Design	A305	F	28/06/2022
Sections	McLaren Design	A305	F	28/06/2022

GEN2. The currency period for this development approval for a Material Change of Use is six (6) years after the development approval starts to have affect. The development approval with lapse unless.

PLANNING – MCU

PLAN1. At all times, short term accommodation, must be provided within only the secondary dwelling identified and must be operated generally for the purposes of a short stays only – being that a resident or caretaker remains a concurrent occupation of a dwelling house whilst guests stay within the identified structure (residential use of the dwelling house is to remain within reasonable scope of a household).

- (a) The short-term accommodation use applies only to the secondary dwelling identified on site as shown on the approved plan.

Guideline: this condition is imposed to ensure a residential use of the premises is maintained at all times and short-term accommodation is a secondary and subordinate use of the premises in the Rural Residential Zone. Any greater use of the site by commercial short term accommodation activities will require alternate building standards and certifications to apply and demonstration of fire safety and accessibility standards for a commercial premises and not a residential dwelling.

- (b) The short-term accommodation is to operate in accordance with the following definition at all times:

The Planning Regulations 2017 (Sch. 24) define 'short term accommodation' to mean: "(i) providing accommodation of less than 3 consecutive months to tourists or travellers; or (ii) a manager's residence, office or recreation facilities for the exclusive use of guests, if the use is ancillary to the use in subparagraph (i)."

PLAN2. Prior to commencement of the use and to be maintained, the short-term accommodation building must be connected to power and certification provided by a licensed installer, that

the on-site sewerage system can serve the maximum number of persons on site and is in accordance with conditions PLAN3 and PLAN4.

- PLAN3. Prior to commencement of the use, submit for Council approval, a revised plan of layout demonstrating:
- a) That the on-site wastewater system is located outside of the Covenant Area on site; and
 - b) The location of 'existing' and 'proposed' buildings, decks, driveway, on-site parking spaces, domestic sewerage treatment and dispersal areas.

- PLAN4. Prior to commencement of the use and within 3 months of this development permit approval date, provide a Statutory Declaration, signed by the owner and operator of the short-term accommodation use (for Council records), stating that the premises will not be operated or used as a 'Party House', defined as follows:

Premises use to provide, for a fee, accommodation or facilities for guests where:

- a) *Guests regularly use all or part of the premises for parties (buck parties, hen parties, raves, or wedding receptions, for example); and*
- b) *The accommodation or facilities are provided for a period of less than 10 days; and*
- c) *The owner of the premises does not occupy the premises during that period.*

- PLAN5. Outdoor lighting must be provided to assist guests but not cause a nuisance for a neighbouring dwelling.

- PLAN6. Prior to commencement of the use, provide and maintain, a waste bin storage area for the short-term accommodation that is screened from view from neighbouring dwellings.

- PLAN7. Prior to commencement of the use, submit evidence to Council for record, of the installation of a professionally made, weather-proof sign erected on the property street frontage, that is clearly legible, and which must be maintained which:

- a) Is approximately 0.3 square meter sign face area;
- b) Displays the name of the property manager and their all-hours phone number; and
- c) The name of the short-term accommodation business.

- PLAN8. Maintain records demonstrating that bookings and short stays occur only within the secondary dwelling. Records must be made available to Council immediately upon Council's request.

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 commencement of the use unless stated otherwise.

- ENG2. Undertake Engineering designs and construction in accordance with the Planning Scheme, Council's standards, relevant design guides, and Australian Standards.

- ENG3. 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

- 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. 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

- ENG8. Provide on-site water storage for the development with a minimum capacity of 45kl for the secondary dwelling.

ON-SITE WASTEWATER DISPOSAL

- ENG9. Connect the development to an on-site wastewater disposal system, and upgrade where necessary, in accordance with the AS1547:2012 *On-site domestic wastewater management* and the Queensland Plumbing and Wastewater Code - 2019.
- ENG10. Obtain a Development Permit for Plumbing Works for the on-site sewerage treatment system (if necessary).

PARKING

- ENG11. Design and construct all driveway and parking areas to provide a dust suppressive gravel.
- ENG12. Provide a minimum of one (1) car parking space for the Short-Term Accommodation use within the Secondary dwelling.

VEHICLE ACCESS

- ENG13. Construct a residential crossover between the property boundary and the edge of the Fork Hill Dr pavement, having a minimum width of 4 metres, generally in accordance with Council's Standard Drawing No. 00049. Note that no culvert under the access is required.
- ENG14. Construct any new crossovers such that the edge of the crossover is no closer than 1 metre to any existing or proposed infrastructure, including any stormwater gully pit, manhole, service infrastructure (e.g. power pole, telecommunications pit), road infrastructure (e.g. street sign, street tree, etc).

ELECTRICITY AND TELECOMMUNICATION

- ENG15. Connect the development to electricity and telecommunication services.

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.

ENG17. 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.

ADVICE

ADV1. 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.

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

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

ADV4. Council is offering a reduction 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.

ADV5. This Material Change of Use development approval does not permit building works or operational works (requiring further assessment). It is incumbent upon the applicant to determine which other permits will be required.

ADV6. The approved development should adopt all necessary recommendations outlined in the BPAD ‘Bush Fire Risk Assessment and Bushfire Management Plan’ dated April 2022.

FINANCIAL AND RESOURCE IMPLICATIONS

No implication can be identified.

LINK TO CORPORATE/OPERATIONAL PLAN

Growing our Region’s Economy and Prosperity

- GR8 Support and advocate for appropriate growth and development with responsive planning schemes, process, customer service and other initiatives.

COMMUNICATION/CONSULTATION (INTERNAL/EXTERNAL)

Refer to CONSULTATION in this report.

LEGAL IMPLICATIONS (STATUTORY BASIS, LEGAL RISKS)

No implication identified.

POLICY/LOCAL LAW/DELEGATION IMPLICATIONS

No implication can be identified where the approved use retains a residential use as the primary use on the site.

ASSET MANAGEMENT IMPLICATIONS

No implication can be identified.

REPORT**1. APPLICATION DETAILS**

Site address	17 Fork Hill Drive	
Real property description	Lot 22 on SP221464	
Easements or encumbrances on title	<p>COVENANT W No 713039915 (1008m²)</p> <p>The covenant prohibits the use of the Covenant Area for Residential Purposes. It is a 'buffer area' and the Covenantor must not, by act or omission, use or permit the use of the Covenant Area for any purpose involving the clearing of Protected Vegetation unless:</p> <ol style="list-style-type: none"> The Covenantor first has the Covenantee's approval and does or allows the clearing and replacement of Protected Vegetation consistently within the approval; or The clearing is necessary for the Covenantor to comply with a Law. The use of the Covenant Area must be consistent with the conservation and protection of Vegetation. The Covenantee must, regularly and whenever needed remove and environmental weed or pest that occurs on the Covenant Area. <p>The proposal includes a plan for on-site wastewater treatment entirely within the Covenant area which will conflict with the terms of Covenant 3.5 and 3.6 conditions are imposed for it to be relocated.</p>	
Area of Site	4220m ²	
Current Use	Shed (60m ² GFA)	
Environmental Management Register or Contaminated Land Register	NIL	
Applicant's name	Lusso Retreats Pty Ltd C/- ONF Surveyors	
Zone	Rural Residential Zone	
Applicable Overlays	<ul style="list-style-type: none"> Water Catchment (Water Resources Catchment) Important Agricultural Area (Agricultural Land Classification B) 	
Proposed use as defined	Short Term Accommodation	
Details of proposal	Material Change of Use (MCU's)	
	▪ Gross Floor Area (GFA)	84m ²
	▪ Building height	Single Storey
	▪ Access	Via residential access to Fork Hill Drive

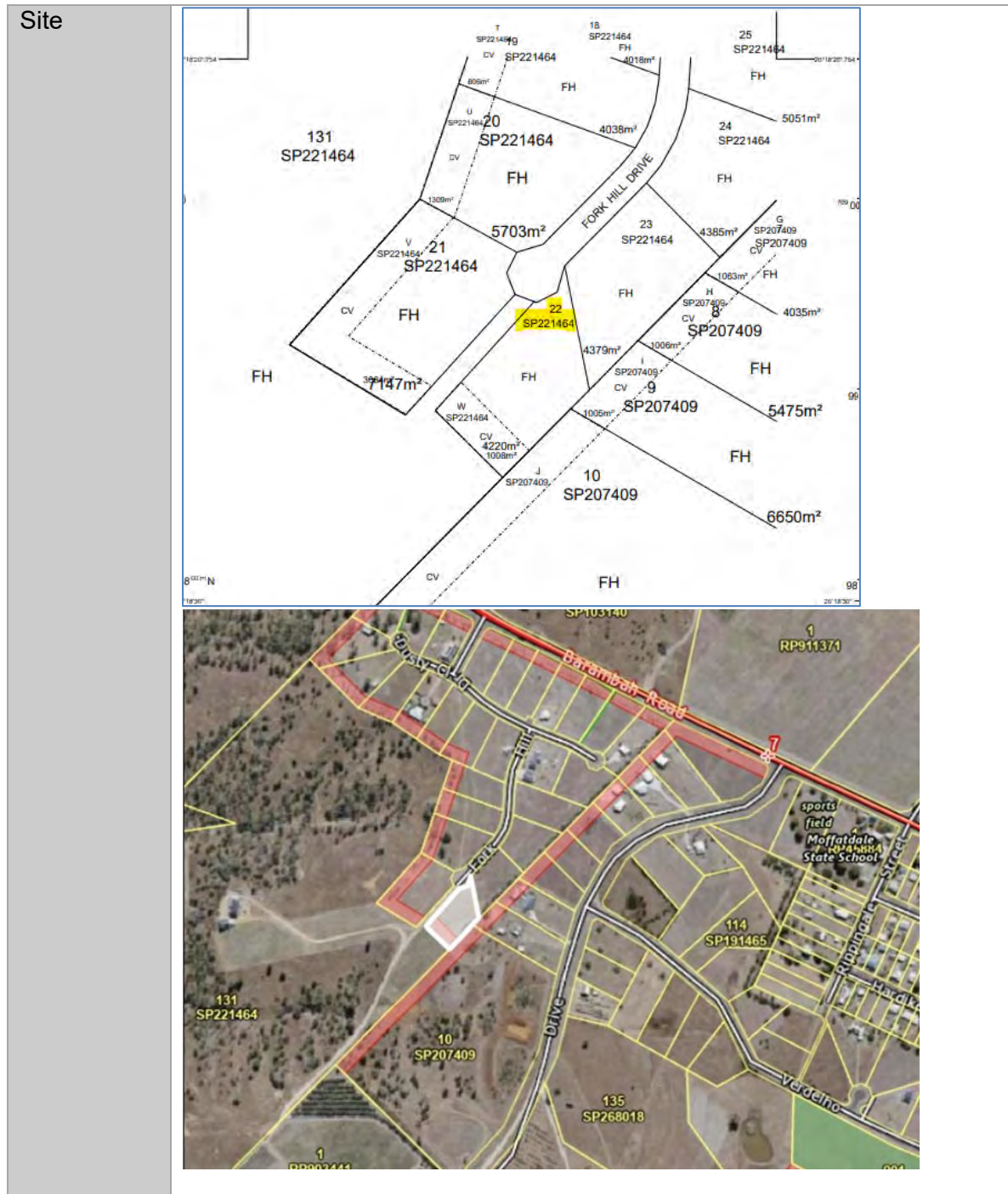
	<ul style="list-style-type: none"> ▪ Number of car parks 	4 (incl. two informal spaces as part of the proposed secondary dwelling).	
	<ul style="list-style-type: none"> ▪ Servicing 	An on-site effluent disposal report is included with the application demonstrating a secondary treatment plan and underground disposal of treated water can be accommodated on site. The effluent disposal is proposed within the area of Covenant W.	
Application type	Aspects of Development	Type of Approval Requested	
		Preliminary Approval	Development Permit
	Material Change of Use (MCU)		X
	Reconfiguration of a Lot (RAL)		
	Operational Work (OPW)		
Level of Assessment	Impact Assessment		
Pre-lodgement Consultation history /	NIL		
Key planning issues e.g. vegetation, waterway corridors, overland flow	<ul style="list-style-type: none"> - Conflict with Covenant W terms (must be revised with subsequent submission) - Planning land use – the short term accommodation use cannot be a ‘stand alone’ use on the site and is therefore required to be ancillary to the permanent residential use at all times. 		
Referral agencies	Agency	Concurrence/ Advice	
	NA	NA	
Public notification	Yes – 15 business days		
Planning Regulation 2017	Part E of the Planning Regulation applies only to the extent relevant to the proposal.		

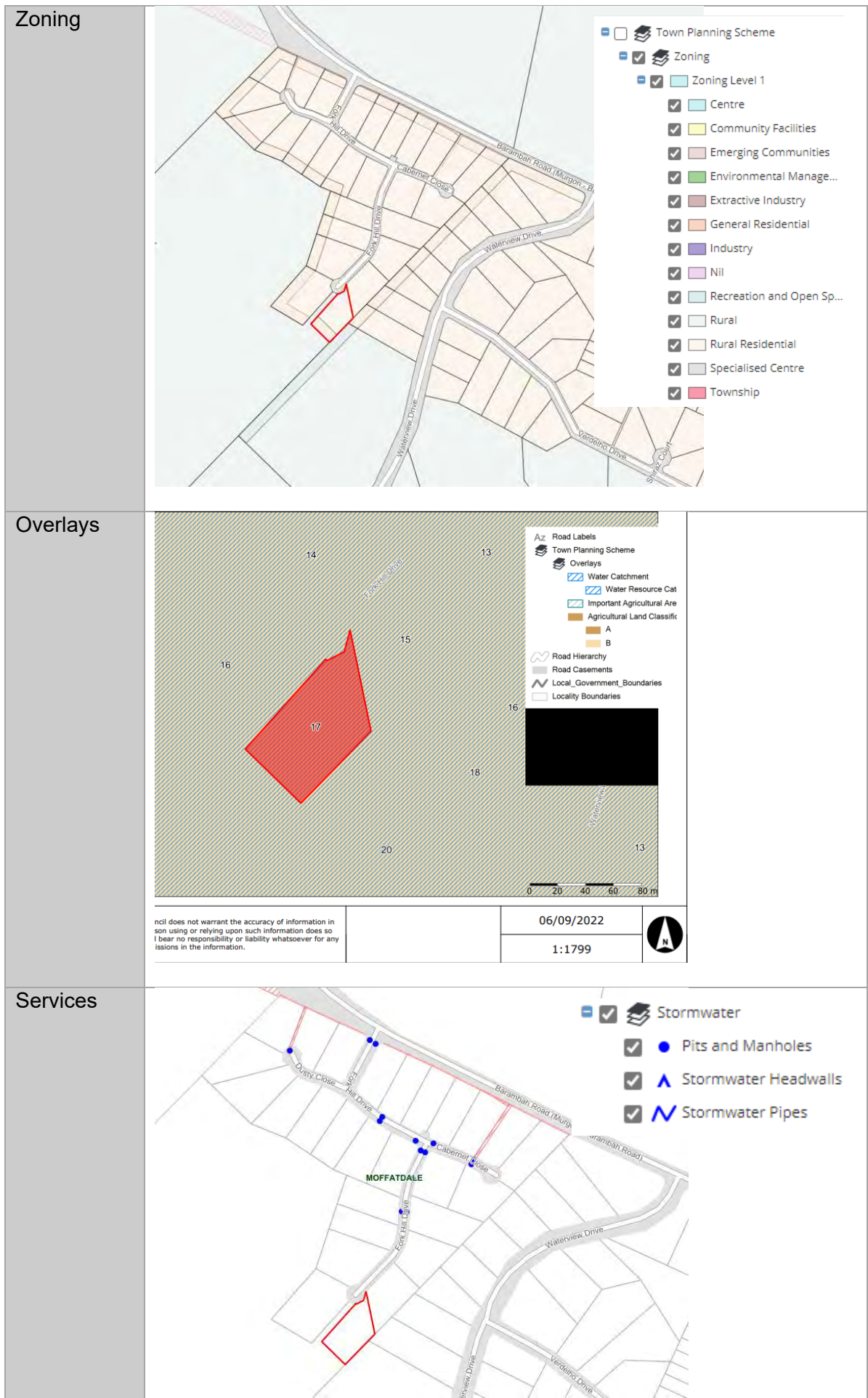
2. THE SITE

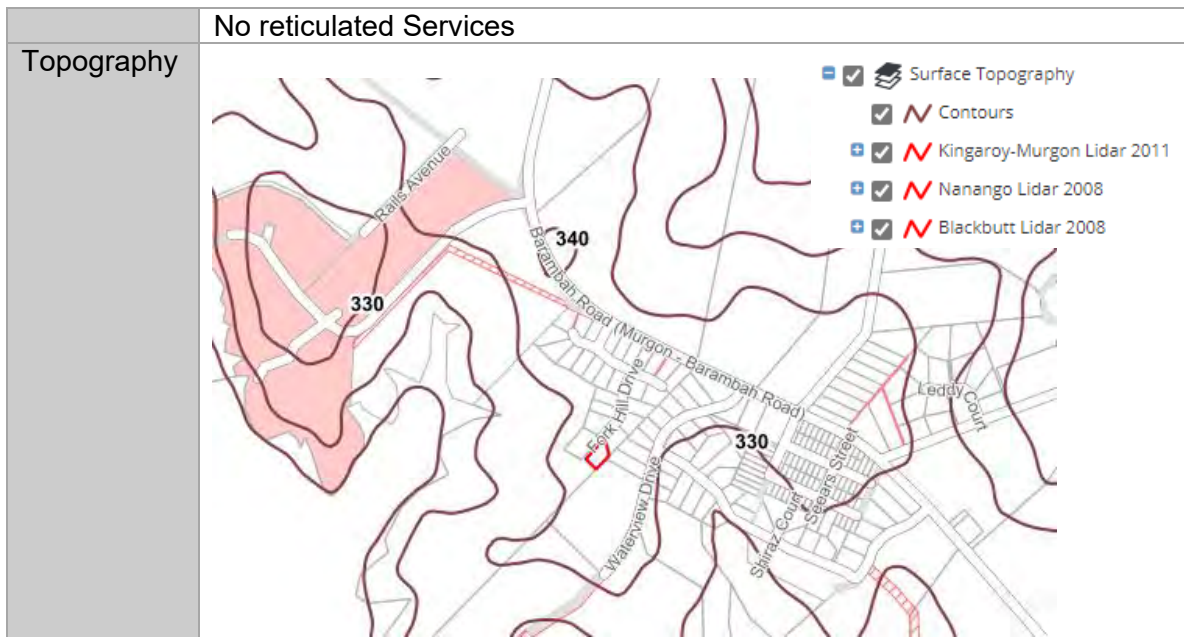
This section of the report provides a description of the site, details about the existing use and notable characteristics of the site, the standard of servicing, and the form of development in the immediately locality.

2.1. SITE DESCRIPTION & EXISTING USE

Table 1 – Maps & Descriptions







2.2. DEVELOPMENT HISTORY OF THE SITE

Conflict with Terms of Easement W applicable to the subject site

An on-site effluent disposal reports is included with this application demonstrating that an advanced secondary treatment system is proposed to service the development. The plan of the treatment system is extracted here –

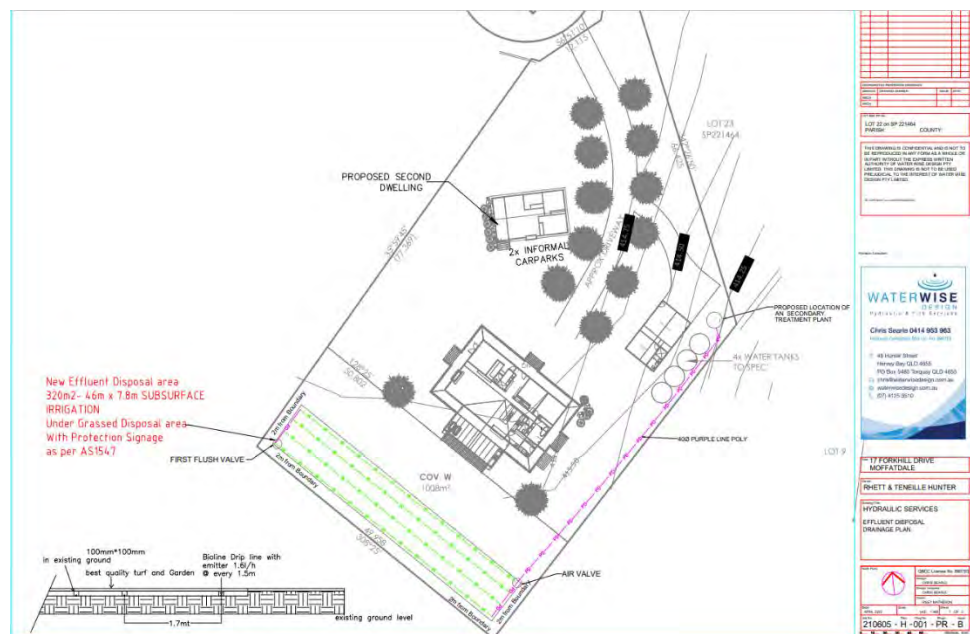


Image – extract from applicant wastewater assessment report

The on-site effluent disposal area under a grassed disposal area conflicts with the Purpose and Use of covenant W and such installation and use could limit the achievement with the conservation and protection of vegetation in the covenant area.

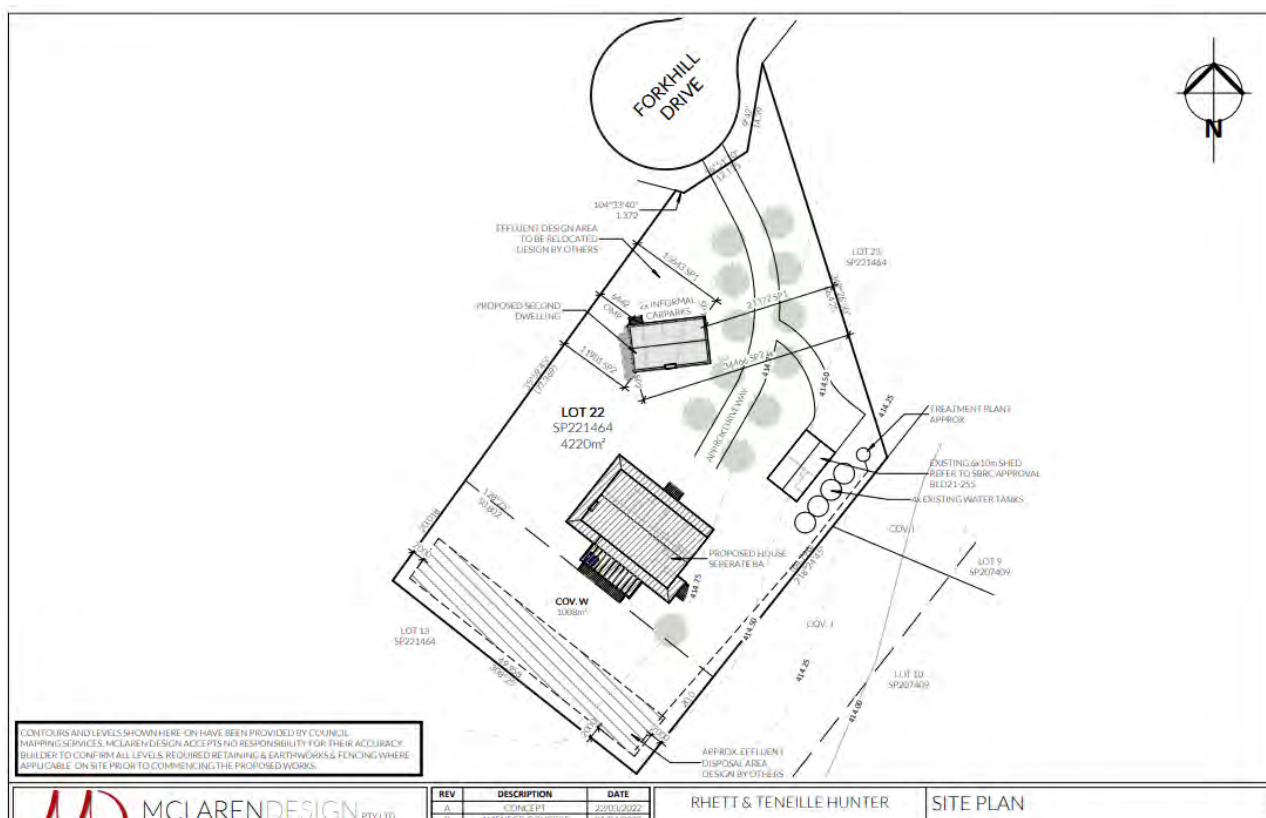
The applicant has failed to do any checks or balances regarding the limitations of the Covenant. Accordingly, the wastewater treatment systems location will need to be relocated, as specified in the conditions package.

3. PROPOSAL DETAILS

The proposal plans as set out in Attachment A to this planning report and the development proposal is described below.

3.1. SUMMARY DETAILS

Gross Floor Area	84m ²
Building height	Single storey (existing shed structures)
Number of parking spaces	Two (2) informal spaces as part of the proposed secondary dwelling. Two (2) other spaces are provided elsewhere onsite
Setbacks	6.4m existing setback to proposed secondary dwelling from the western boundary – no landscape screening or buffering proposed
Access	Via residential driveway from Fork Hill Drive
Materials	Existing structure



Plan- supplied by applicant for the Secondary dwelling application. No new plans or documents have been prepared by the applicant for this Short Term Accommodation application demonstrating use areas or proposed upgrades.

4. ASSESSMENT OF ASSESSMENT BENCHMARKS

4.1. FRAMEWORK FOR ASSESSMENT

For the *Planning Act 2016*, the following Categorising Instruments may contain Assessment Benchmarks applicable to development applications:

- the *Planning Regulation 2017*
- the Planning Scheme for the local government area
- any Temporary Local Planning Instrument
- any Variation Approval

Of these, the planning instruments relevant to this application are discussed in this report.

4.2. IMPACT ASSESSMENT

The following sections of the *Planning Act 2016* are relevant to this application:

- 45(5) *An impact assessment is an assessment that –*
- (a) *must be carried out –*
 - (i) *against the assessment benchmarks in a categorising instrument for the development; and*
 - (ii) *having regard to any matters prescribed by regulation for this subparagraph; and*
 - (b) *may be carried out against, or having regard to, any other relevant matter, other than a person’s personal circumstances, financial or otherwise.*

In regard to the prescribed regulation, being the *Planning Regulation 2017*, the following sections apply in the assessment of this application:

Section 30 – Assessment Benchmarks generally

- (1) *For section 45(5)(i) of the Act, the impact assessment must be carried out against the assessment benchmarks for the development stated in schedules 9 and 10.*
- (2) *Also, if the prescribed assessment manager is the local government, the impact assessment must be carried out against the following assessment benchmarks—*
 - (a) *the assessment benchmarks stated in—*
 - (i) *the regional plan for a region, to the extent the regional plan is not identified in the planning scheme as being appropriately integrated in the planning scheme; and*
 - (ii) *the State Planning Policy, part E, to the extent part E is not identified in the planning scheme as being appropriately integrated in the planning scheme; and*
 - (iii) *a temporary State planning policy applying to the premises;*
 - (b) *if the development is not in a local government area-any local planning instrument for a local government area that may be materially affected by the development;*
 - (c) *if the local government is an infrastructure provider—the local government’s LGIP.*
- (3) *However, an assessment manager may, in assessing development requiring impact assessment, consider an assessment benchmark only to the extent the assessment benchmark is relevant to the development.*

4.3. PLANNING REGULATION 2017

The Planning Regulation 2017 forms the mechanism by which the provisions of the Act are administered. In particular the Regulation has the ability to regulate and prohibit development and determines the assessment manager and the matters that trigger State interests.

PLANNING REGULATION 2017 DETAILS	
Assessment Benchmarks:	NIL – there are no benchmarks relevant to the assessment of this application.

WBB Regional Plan Designation	<p>Wide Bay Burnett Regional Plan 2011 – RLRPA</p> <p>The Wide Bay Burnett Regional Plan 2011, currently being reviewed, identifies the township of Kingaroy as one of the key inland towns for the Wide Bay Burnett region, and together with Bundaberg, Gympie, Hervey Bay and Maryborough, is intended to provide a range of higher order services and functions for the urban communities and to support the region’s rural activities. More particularly, the Regional Plan identifies Kingaroy as a Major Regional Activity Centre within the South Burnett Regional Council area.</p>
--------------------------------------	--

Adopted Economic Support Instrument	<p>Under section 68E of the Planning Regulation 2017 that on 24 February 2021, South Burnett Regional Council adopted an economic support instrument. The instrument is in effect until 31st December 2023.</p> <p>Economic support provisions</p> <p>4.1. The instrument applies the following provisions in accordance with section 68D(1) of the <i>Planning Regulation 2017</i>:</p> <p>4.1.1. Part 8B, Division 3 – Development that requires code assessment;</p> <p>4.1.2. Schedule 6, Part 2, Section 7A – Particular material change of use involving an existing building, and</p> <p>4.1.3. Schedule 6, Part 2, Section 7B – Material change of use for home-based business in particular zones.</p> <p>The adopted instrument does not change the categories of development and assessment in the Planning Scheme v1.4</p>
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4.4. STATE PLANNING POLICY

The State Planning Policy (July 2017) (SPP) commenced on the 3 July 2017 and is effective at the time of writing this report. The Planning Regulation 2017 (PR 2017) states the assessment must be carried out against the assessment benchmarks stated in Part E of the State Planning Policy to the extent Part E is not appropriately integrated into the planning scheme.

In accordance with section (8)(4)(a) of the Act, the State Planning Policy applies to the extent of any inconsistency with the Planning Scheme.

State Planning Policy Part E	
Liveable communities and housing	No applicable assessment benchmarks.
Economic growth <ul style="list-style-type: none"> • Agriculture. • Development and construction. • Mining and extractive resources. • Tourism. 	<p>The following state interest assessment benchmarks have been considered as relevant matters in the assessment of this impact application. The applicant has not addressed these items following information request hence why it is determined that the proposal must be conditioned to retain a primarily residential use (with short-term accommodation component).</p> <p>State interest – development and construction</p> <p>(2) Appropriate infrastructure required to support all land uses is planned for and provided.</p> <p>(3) Land uses are consistent with the purpose of the zone – this interest is assessed under the zone code.</p> <p>State interest – tourism</p> <p>(2) Existing and potential opportunities, localities or areas appropriate for tourism development are identified and protected.</p>

	<p>(3) The delivery of sustainable tourism development is facilitated where it:</p> <p>(a) Is complementary to and compatible with other land uses, including sensitive land uses</p> <p>(b) Promotes the protection or enhancement of the character, landscape and visual amenity, and the economic, social, cultural and environmental values of the natural and built assets associated with the tourism development.</p> <p>(4) Appropriate infrastructure to support and enable tourism development is planned for.</p> <p>The application does not address above policy requirements hence on the basis the assessment could only conclude that standalone Short Term Accommodation (as associated with tourism) could lead to inconsistent/ad hoc tourist related development in the current circumstances.</p>
<p>Planning for the environment and heritage.</p> <ul style="list-style-type: none"> • Biodiversity. • Coastal environment. • Cultural heritage. • Water quality 	No applicable assessment benchmarks.
<p>Safety and resilience to hazards</p> <ul style="list-style-type: none"> • Emissions and hazardous activities. • Natural hazards, risk, and resilience. 	No applicable assessment benchmarks.
<p>Infrastructure</p> <ul style="list-style-type: none"> • Energy and water supply. • Infrastructure integration. • Transport infrastructure. • Strategic airports and aviation facilities. • Strategic ports. 	The proposal is considered to accord with the SPP 2017 were retaining a predominant residential use of the premises.

4.1. DEVELOPMENT CODE ASSESSMENTS

Rural Zone Code	Residential Code	Benchmarks	Responses
		Part 6.2.14.2 (1)	The development will retain residential use of the premises as recommended.
		Part 6.2.14.2 (2)	A dwelling house will be retained on the site.
		Part 6.2.14.2 (2)	The development is conditioned to include suitable source of portable water and onsite sewerage treatment system.
		Part 6.4.14.2 (2)	The development is conditioned to submit revised drawings removing inappropriate development out of existing covenant areas intended of use as a buffer.
		Part 6.4.14.2 (2)	Non-residential component of the approval (short term accommodation) is recommended to be conditioned to mitigate inappropriate impacts and is an appropriate scale.
		Part 6.2.14.3 Section 1	Existing buildings are to be reutilised for the development (residential in primary dwelling,

		short term accommodation in secondary dwelling). The structures are of a low scale and retain appropriate boundary clearances.
		Obtrusive lighting is recommended to be conditioned to be consistent with applicable Australian standards.
		The development is recommended to be conditioned to submit revised drawings removing inappropriate development out of existing covenant areas intended of use as a buffer.
		The development is recommended to be conditioned to provide water/sewer/and utilities commensurate with the intended use approved.
Services and Works Code	Benchmarks	Responses
	Part 8.4.2	The development is recommended to be conditioned appropriately to provide all necessary Services and Infrastructure at a scale commensurate with that expected within the Rural Residential Zone.

OTHER RELEVANT MATTERS

The consideration of other relevant matters applies to the assessment and decision-making process for this impact assessable development application. The below summarises the matters considered by the planning assessment.

Applicant submitted reports	Development Assessment Application Report
Assessment considerations of merits	<p>Impact assessment under the Planning Act 2017 is an 'unbounded' assessment, meaning relevant matters other than those prescribed can also be considered, and weighing and balancing 'inside the box' as well as with factors 'outside the box' can take place in reaching a decision.</p> <p>The below outlines the planning assessment of the merits of the application presented.</p>
Council Planning Assessment considered information on other relevant matters from the following sources	<ul style="list-style-type: none"> • Regional Development Australia – Wide Bay Burnett • South Burnett Agricultural Strategy • Wide Bay Burnett Food and Agribusiness Strategy • Draft Wide Bay Burnett Regional Plan • Development record searches of approved surrounding development and businesses providing accommodation in the Moffatdale region for assessment of business/tourism and short-term accommodation context to ascertain a need for ad-hoc development in a residential zone. • The rural zone code is considered another relevant matter as are strategic outcomes relating to rural development outcomes as they contain specific provisions and policy setting encouraging tourism development in consolidated formats around Moffatdale where a nexus exists with viticulture and primary production. • The draft planning scheme provisions for Moffatdale strengthen the development of tourism opportunities in rural settings where it provides diversification opportunities for primary production, impacts are managed, and development is achieved in consolidated and managed well planned locations.
PLANNING DISCUSSION	

Important to the assessment of this application is the local context and review of the rural residential precinct in context of the surrounding tourism/ accommodation operating businesses as the applicant purports no impacts without any justification or analysis.

Based on the assessment undertaken in this report it is determined that a nexus for accommodation activity does exist for rural residential land near viticulture and primary production facilities. Accordingly due consideration can be given for 'limited' short term accommodation on sites that retain a high degree of co-location provided the residential use intended in the zone is maintained.

In this instance, assessment has established this development has a nexus with the adjoining winery, and that impacts arising from this co-location are either reasonable, existing or can be appropriately mitigated via conditions. Given the absence of further justification for standalone Short Term Accommodation, residential accommodation must be maintained.

5. CONSULTATION

Referral Agencies

State Assessment and Referral Agency	The application does not require referral to any referral agencies prescribed under schedule 10.
Other	NIL

Council Referrals

<i>INTERNAL REFERRAL SPECIALIST</i>	<i>REFERRAL / RESPONSE</i>
Development Engineer	Provided engineering conditions relating to stormwater, water supply, wastewater, parking & vehicle access, electricity & telecommunications, as well as assets.
Infrastructure Charges Unit	<p>Council adopted the LGIP on the 24 June 2019 which commenced on 1 July 2019.</p> <p>The types of developments that may trigger the issuing of an infrastructure charges notice are:</p> <ul style="list-style-type: none"> • Reconfiguring a Lot; • Making a material change; • Carrying out building work. <p>Refer to Attachment C for the Infrastructure Charges Notice.</p>

Public Notification

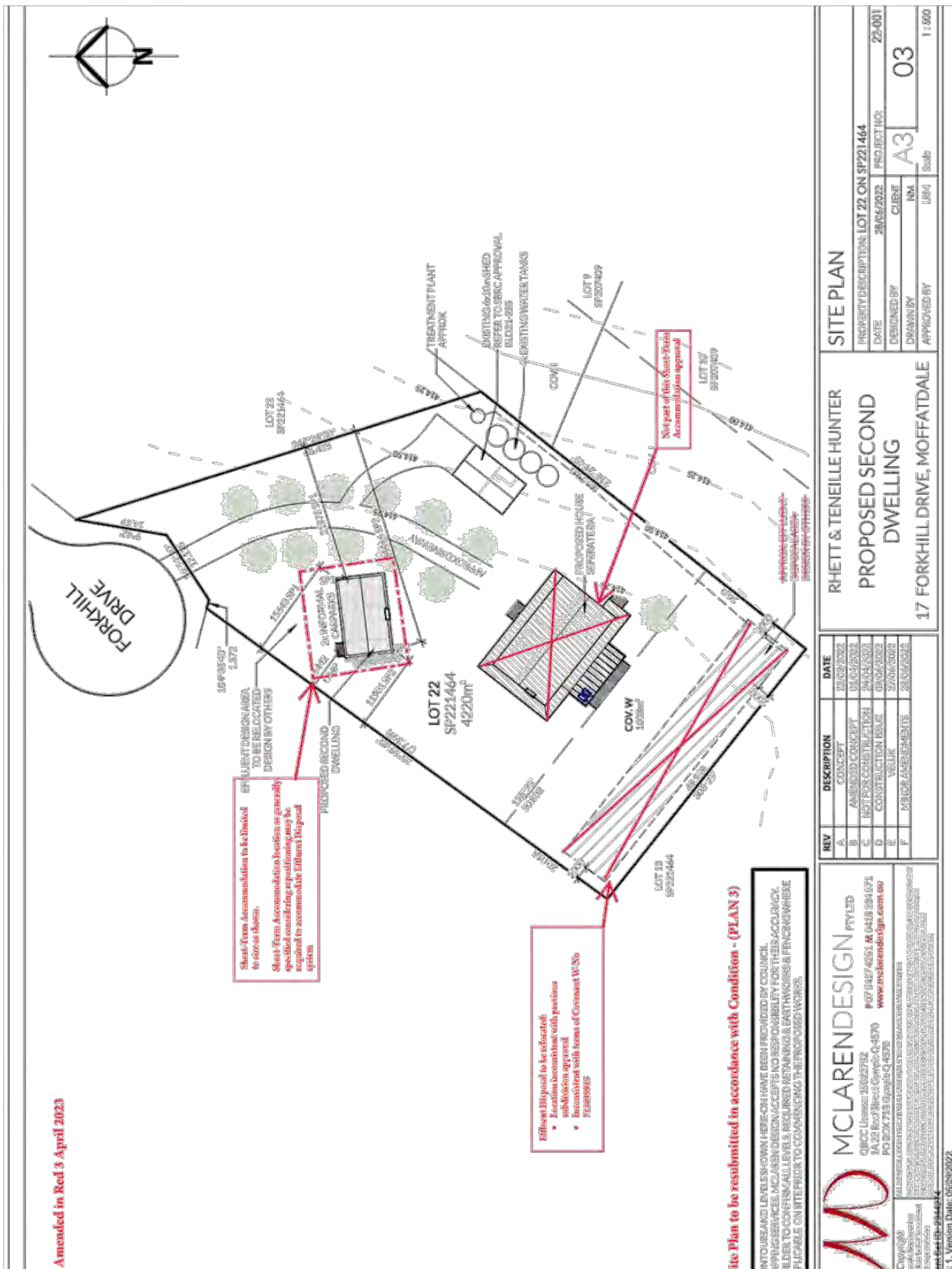
Date Notification Commenced	20 October 2022
Date Notification Completed	11 November 2022
Date notice of compliance received	14 November 2022

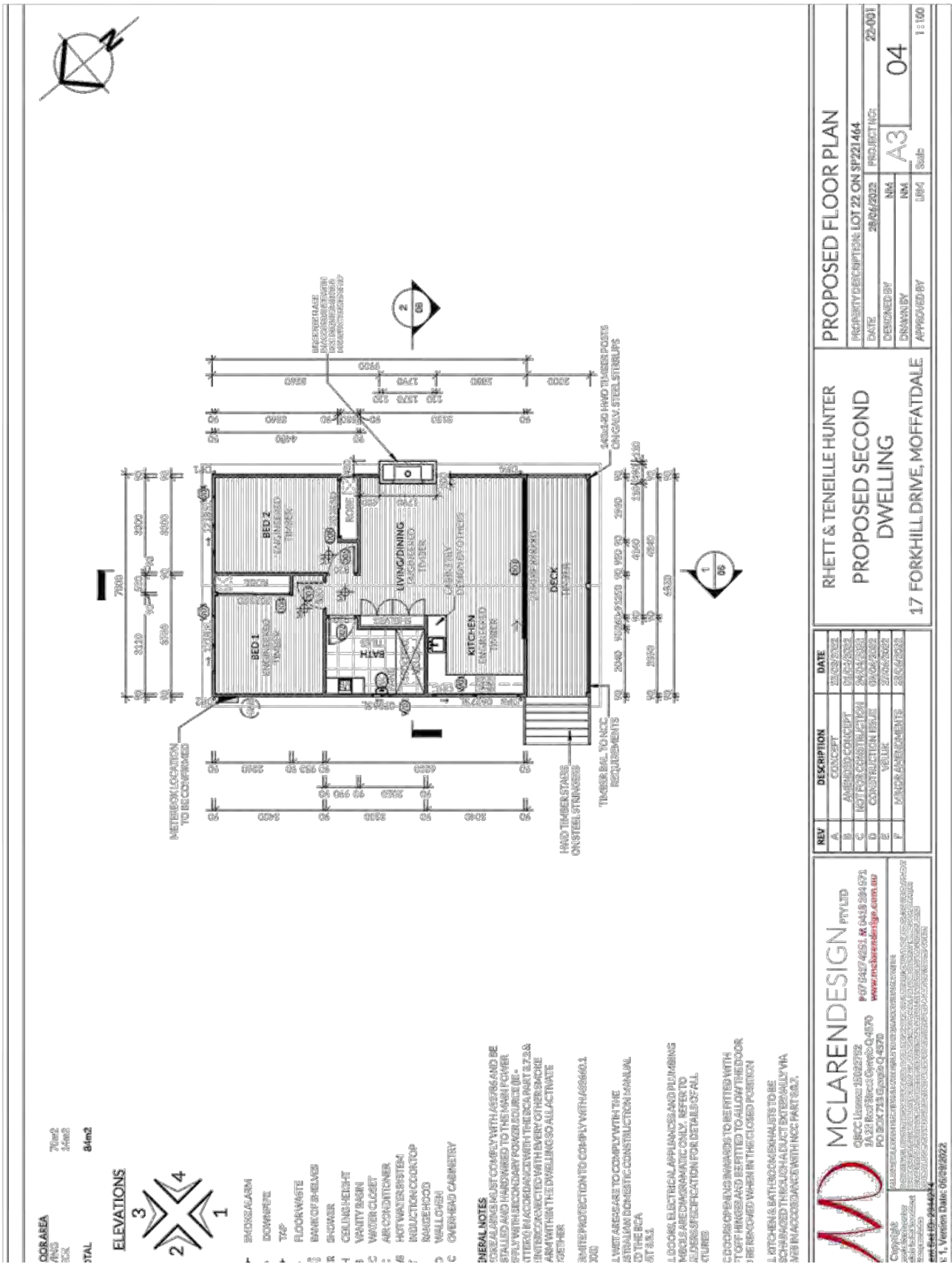
6. RECOMMENDATION

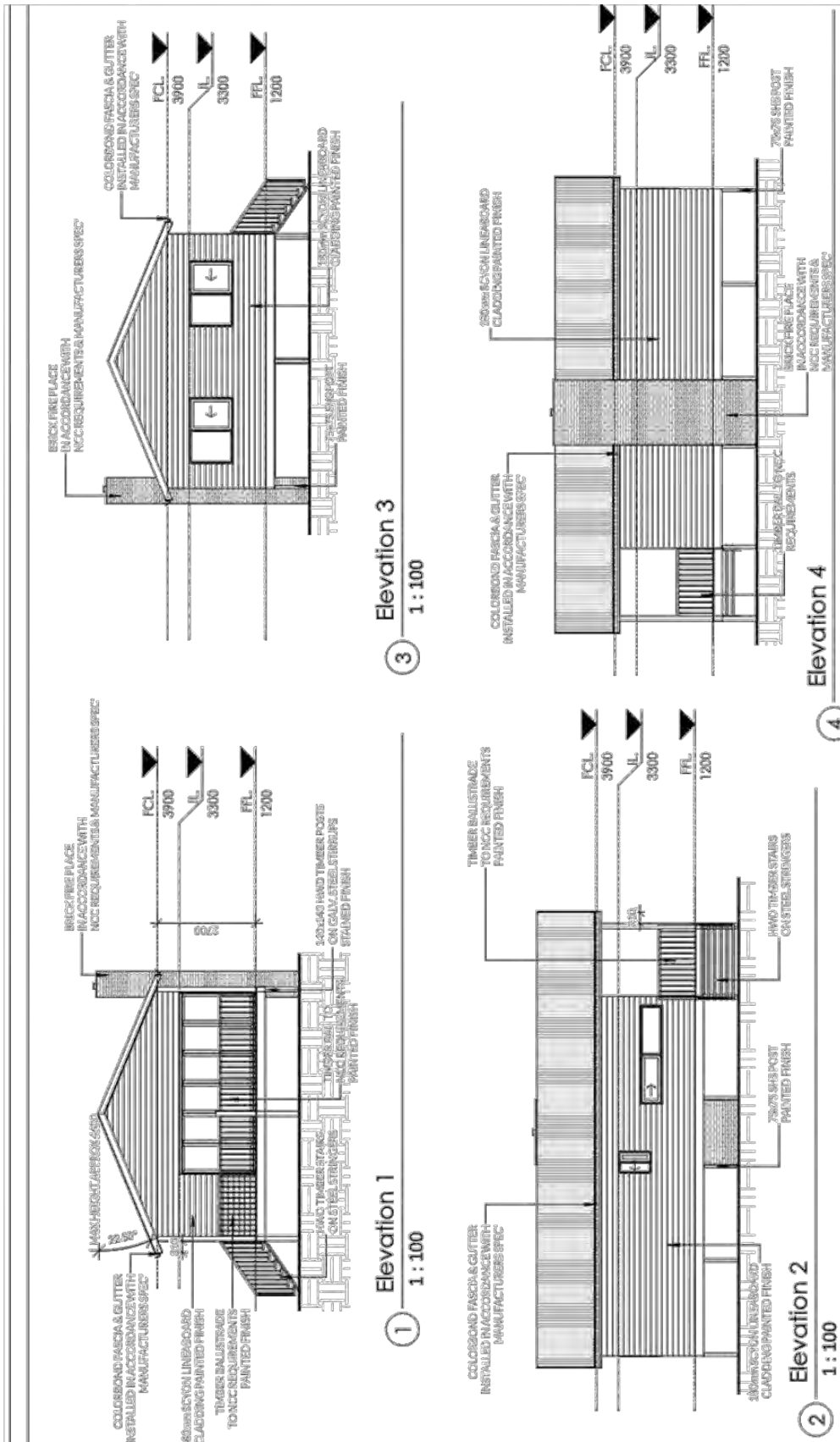
The application for Development Permit for Material Change of Use for Short Term Accommodation 84m² GFA (within a Secondary Dwelling) on land at 17 Fork Hill Drive MOFFATDALE and formally described as Lot 22 on SP221464 is recommended for approval on the grounds outlined in the Officers Recommendations at the beginning of this report.

ATTACHMENTS

1. **Attachment A - Approved Plans for Amendment**
2. **Attachment B - Statement of Reasons**
3. **Attachment C - Infrastructure Charges Notice**







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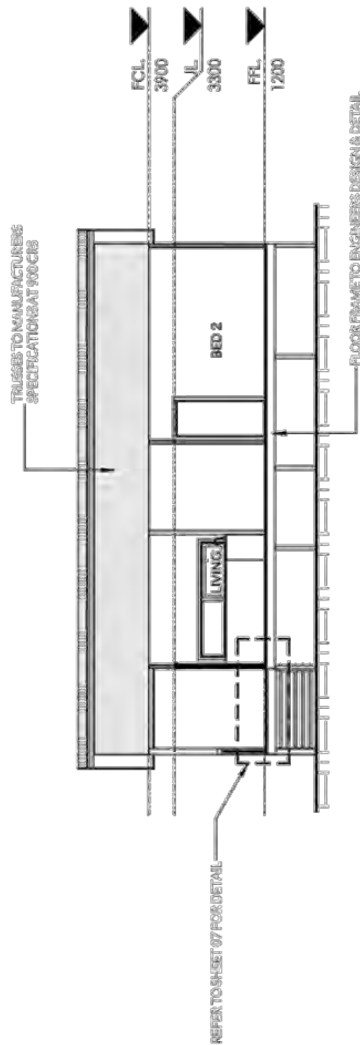
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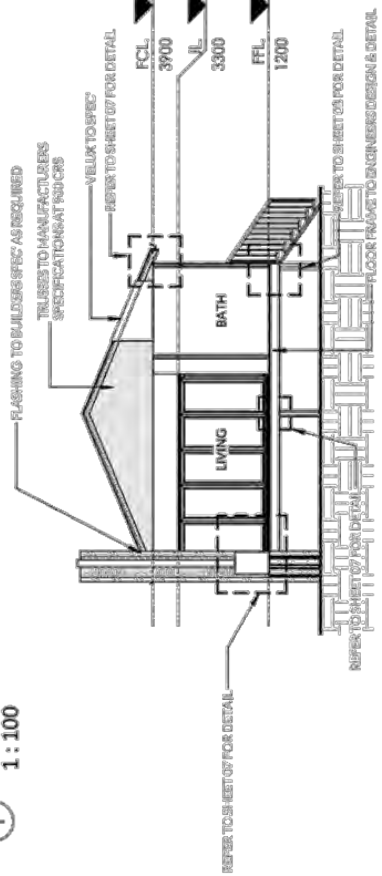
REV	DESCRIPTION	DATE
A	CONCEPT	24/03/2022
B	AMENDED CONCEPT	01/05/2022
C	NOT FOR CONSTRUCTION	24/04/2022
D	CONSTRUCTION ISSUES	09/06/2022
E	VELUX	27/06/2022
F	MINOR AMENDMENTS	24/06/2022

RHETT & TENELLE HUNTER
PROPOSED SECOND DWELLING
 17 FORKHILL DRIVE, MOFFATDALE

ELEVATIONS	
PROPERTY DESCRIPTION: LOT 22 ON SP221 464	PROJECT NO: 22-001
DATE: 28/04/2022	DESIGNED BY: NM
DRAWN BY: NM	APPROVED BY: NM
Scale: A3	05
Scale: 1 : 100	



1 Section 1
1 : 100



2 Section 2
1 : 100

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REV	DESCRIPTION	DATE
A	CONCEPT	22/03/2022
B	AMENDED CONCEPT	01/05/2022
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RHETT & TENELLE HUNTER
PROPOSED SECOND DWELLING
 17 FORKHILL DRIVE, MOFFATDALE

SECTIONS	
PROPERTY DESCRIPTION: LOT 22 ON SP221 464	PROJECT NO: 22-001
DATE: 28/04/2022	DRAWN BY: NM
DESIGNED BY: NM	CHECKED BY: A3
APPROVED BY: NM	Scale: 1 : 100

NOTICE ABOUT DECISION – STATEMENT OF REASONS

The following information is provided in accordance with Section 63(4) & (5) of the Planning Act 2016

Applicant:	Lusso Retreats Pty Ltd C/- ONF Surveyors
Proposal:	Material Change of Use – Secondary Dwelling for Short Term Accommodation
Street Address:	17 Fork Hill, Moffatdale
RP Description:	Lot 22 on SP221464
Assessment Type:	Impact Assessable
Number of Submissions	No submissions were received by Council

On 29 March 2023 the above development was recommended for:

Approval

1. Reasons for the Decision

The reasons for this decision are:

- The proposal complies with the Rural Residential Zone requirements by maintaining a residential use as the site's primary use.
- Reasonable & relevant conditions can be imposed to ensure ongoing compliance with South Burnett Planning Scheme 2017 requirements.
- Reasonable & relevant conditions can be imposed to ensure no conflicts with ongoing aspects of previous subdivision approval.

2. Assessment Benchmarks

The following are the benchmarks apply to this development:

- The Planning Act 2016
- Development Assessment Rules
- Rural Residential Zone Code
- Services & Works Code

3. Compliance with Benchmarks

The development was assessed against all the assessment benchmarks listed above and complies with all of these or can be conditioned to comply.

Note: Each application submitted to Council is assessed individually on its own merit.

INFRASTRUCTURE CHARGES NOTICE*(Section 119 of the Planning Act 2016)*

APPLICANT: Lusso Retreats Pty Ltd
C/- O'Reilly Nunn Favier - ONF Surveyors
PO Box 896
KINGAROY QLD 4610

APPLICATION: Use of secondary dwelling for short term accommodation.

DATE: 29/03/2023

FILE REFERENCE: MCU22/0022

AMOUNT OF THE LEVIED CHARGE: **\$1,578.00** **Total**
(Details of how these charges were calculated are shown overleaf)

\$0.00	Water Supply Network
\$0.00	Sewerage Network
\$861.00	Transport Network
\$717.00	Parks and Land for Community Facilities Network
\$0.00	Stormwater Network

AUTOMATIC INCREASE OF LEVIED CHARGE: The amount of the levied charge is subject to an automatic increase. Refer to the Information Notice attached to this notice for more information on how the increase is worked out.

LAND TO WHICH CHARGE APPLIES: Lot 22 SP221464

SITE ADDRESS: 17 Forkhill Dr, Moffatdale

PAYABLE TO: **South Burnett Regional Council**

WHEN PAYABLE: Material Change of Use – When the change happens.
(In accordance with the timing stated in Section 122 of the Planning Act 2016)

OFFSET OR REFUND: Not Applicable.

This charge is made in accordance with South Burnett Regional Council's **Charges Resolution (No. 3) 2019**

DETAILS OF CALCULATION

Water Supply

Adopted Charges

Development Description	Number of Units	Units of Measure	Charge Rate	Reference	Amount
Not Applicable	-	-	\$0.00	-	\$0.00

Discounts*

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Not Applicable	-	-	\$0.00	-	\$0.00

Sewerage

Adopted Charges

Development Description	Number of Units	Units of Measure	Charge Rate	Reference	Amount
Not Applicable	-	-	\$0.00	-	\$0.00

Discounts*

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Not Applicable	-	-	\$0.00	-	\$0.00

Transport

Adopted Charges

Development Description	Number of Units	Units of Measure	Charge Rate	Reference	Amount
Accommodation (Short Term)	2	Bedrooms	\$861.00	CR Table 2.1	\$861.00

Discounts*

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
			\$0.00		\$0.00

Parks and Land for Community Facilities

Adopted Charges

Development Description	Number of Units	Units of Measure	Charge Rate	Reference	Amount
Accommodation (Short Term)	2	Bedrooms	\$717.00	CR Table 2.1	\$717.00

Discounts*

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
			\$0.00		\$0.00

Stormwater

Adopted Charges

Development Description	Number of Units	Units of Measure	Charge Rate	Reference	Amount
Not Applicable	-	-	\$0.00	-	\$0.00

Discounts*

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Not Applicable	-	-	\$0.00	-	\$0.00

Levied Charges

Development Description	Water Supply	Sewerage	Transport	Parks & Land for Community Facilities	Stormwater	Total
Accommodation (Short Term)	\$0.00	\$0.00	\$861.00	\$717.00	\$0.00	\$1,578.00
Total	\$0.00	\$0.00	\$861.00	\$717.00	\$0.00	\$1,578.00

** In accordance with Section 3.3 of the Charges Resolution, the discount may not exceed the adopted charge. Any surplus discounts will not be refunded, except at South Burnett Regional Council's discretion.*

INFORMATION NOTICE

Authority and Reasons for Charge	This Infrastructure Charges Notice has been given in accordance with section 119 of the <i>Planning Act 2016</i> to support the Local government's long-term infrastructure planning and financial sustainability.
Appeals	Pursuant to section 229 and Schedule 1 of the <i>Planning Act 2016</i> a person may appeal an Infrastructure Charges Notice. Attached is an extract from the <i>Planning Act 2016</i> that details your appeal rights.
Automatic Increase Provision of charge rate (\$)	<p>An infrastructure charge levied by South Burnett Regional Council is to be increased by the difference between the Producer Price Index (PPI) applicable at the time the infrastructure charge was levied, and PPI applicable at the time of payment of the levied charge, adjusted by reference to the 3-yearly PPI average¹. If the levied charge is increased using the method described above, the charge payable is the amount equal to the sum of the charge as levied and the amount of the increase.</p> <p>However, the sum of the charge as levied and the amount of the increase is not to exceed the maximum adopted charge the Authority could have levied for the development at the time the charge is paid.</p>
GST	The Federal Government has determined that contributions made by developers to Government for infrastructure and services under the <i>Planning Act 2016</i> are GST exempt.
Making a Payment	<p>This Infrastructure Charges Notice cannot be used to pay your infrastructure charges.</p> <p>To pay the levied charge, you must request an Itemised Breakdown showing the total levied charge payable at the time of payment. An Itemised Breakdown must be presented at the time of payment.</p> <p>An Itemised Breakdown may be requested by emailing info@southburnett.qld.gov.au</p>

¹ 3-yearly PPI average is defined in section 114 of the *Planning Act 2016* and means the PPI adjusted according to the 3-year moving average quarterly percentage change between financial quarters. PPI Index is the producer price index for construction 6427.0 (ABS PPI) index number 3101 – Road and Bridge construction index for Queensland published by the Australian Bureau of Statistics.

Payment can be made at any of the following South Burnett Regional Council Offices:

- 69 Hart Street, Blackbutt, 4314;
- 45 Glendon Street, Kingaroy, 4610;
- 42 Stephens Street West, Murgon, 4605;
- 48 Drayton Street, Nanango, 4615;
- McKenzie Street, Wondai, 4606; or
- via other methods identified on the Itemised Breakdown.

Enquiries

Enquiries regarding this Infrastructure Charges Notice should be directed to the SOUTH BURNETT REGIONAL COUNCIL, Department of Planning and Land Management, during office hours, Monday to Friday by phoning (07) 4189 9100 or email at info@southburnett.qld.gov.au

17 DEVELOPMENT SERVICES - (PLANNING, BUILDING, PLUMBING)

17.1 PLANNING AND LAND MANAGEMENT OPERATIONAL UPDATE

File Number: 12-04-2023

Author: Manager Environment and Planning

Authoriser: Chief Executive Officer

PRECIS

Planning and Land Management Operational Update.

SUMMARY

Planning and Land Management Operational Update.

OFFICER'S RECOMMENDATION

That the Planning and Land Management Operational update be received for information.

ATTACHMENTS

1. PLANNING AND LAND MANAGEMENT OPERATIONAL REPORT

LIVEABILITY – PLANNING & LAND MANAGEMENT OPERATIONAL UPDATE

Darryl Brooks
 Manager Environment & Planning

Private Certification YTD Report on Subcategories
 Period 01-Jul-2022 to 31-Mar-2023

Application Type	Total
AltPoolFnc	0
BudgetAcc	0
CAP	0
Class1&10a	18
Class1&10b	1
Class10a	81
Class10a&b	1
Class10b	3
Class1a	58
Class1b	1
Class2	0
Class3	0
Class4	0
Class5	1
Class6	4
Class7	2
Class8	0
Class9	1
Class9a	0
Class9b	1
Class9c	0
FarmShed	1
IssChgClas	1
Remove	3
Restump	0
RetainWall	0
SACouncilP	0
SASStatePro	0
SignSatDsh	0
SpecStruct	0
SwimPool	3
TempStruct	0
Total	180

Planning Applications YTD Report on Subcategories
 Period 01-Jul-2022 to 31-Mar-2023

Application Type	Total
QEXC	0
QMCU	26
QOPW	13
QPOS	24
QRAL	23
QSPS	0
LLTempHome	2
Total	88

Plumbing Applications YTD Report on Subcategories
 Period 01-Jul-2022 to 31-Mar-2023

Application Type	Total
DomNoSewer	115
DomSewer	32
OtherBuild	27
Total	174

Building Applications YTD Report on Subcategories
 Period 01-Jul-2022 to 31-Mar-2023

Application Type	Total
AltPoolFnc	0
BldMatters	0
BudgetAcc	0
CAP_Bid	1
Class1&10a	7
Class1&10b	0
Class10a	150
Class10a&b	0
Class1a	69
Class1b	1
Class2	0
Class3	0
Class4	0
Class5	2
Class6	6
Class7	8
Class8	5
Class9	1
DesignSite	28
DwellReloc	17
FarmShed	2
FireSafety	0
IssChgClas	0
Remove	5
ReRoof	1
ResService	0
Restump	1
RetainWall	0
SACouncilP	0
SASStatePro	0
SignSatDsh	1
SpecStruct	0
SwimPool	12
TempStruct	0
Total	317

	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	TOTAL
Comparison of Development Applications 2019/2020, 2020/2021, 2021/2022 and 2022/2023													
Period 01-Jul-2022 to 31-Mar-2023													

Planning Applications													
2019/2020	3	8	8	10	6	3	1	3	5	5	6	6	64
2020/2021	8	3	9	2	4	9	1	1	6	5	10	4	62
2021/2022	11	6	8	11	4	4	3	13	12	10	15	12	109
2022/2023	17	4	18	7	10	8	0	12	12	0	0	0	88

Building Applications													
2019/2020	38	51	35	33	32	6	38	35	20	20	23	33	364
2020/2021	37	34	41	42	44	27	37	55	43	39	48	42	489
2021/2022	40	41	44	43	36	24	36	37	34	28	43	35	441
2022/2023	42	46	37	34	42	29	25	30	32	0	0	0	317

Private Certification Applications													
2019/2020	24	16	12	25	17	21	11	15	8	18	14	14	195
2020/2021	18	15	59	31	24	10	14	28	28	17	21	18	283
2021/2022	32	21	21	15	22	17	14	27	24	17	22	25	257
2022/2023	22	30	17	16	29	13	11	27	15	0	0	0	180

Plumbing Applications													
2019/2020	32	20	21	21	21	15	24	14	24	11	19	26	248
2020/2021	23	26	17	43	30	23	22	30	31	21	27	14	307
2021/2022	27	34	30	30	22	17	19	19	24	27	28	22	299
2022/2023	14	23	20	13	25	16	14	30	19	0	0	0	174

17.2 DELEGATED AUTHORITY REPORTS (1 MARCH 2023 TO 31 MARCH 2023)**File Number:** 12-04-2023**Author:** Coordinator Development Services**Authoriser:** Chief Executive Officer**PRECIS**

Reports signed by the Chief Executive Officer under delegated authority.

SUMMARY

This report comprises a listing of any reports approved by delegated authority from the 1 of March 2023 until the 31 of March 2023.

OFFICER'S RECOMMENDATION

That the Delegated Authority report be received.

BACKGROUND

N/A

ATTACHMENTS

1. **OPW22/0016 - Operational Application - Stormwater, Roadworks & Earthworks at 241 Izzards Road, SOUTH NANANGO**
2. **RAL22/0044 - Reconfiguration of a Lot - Boundary Realignment (2 Lots into 2 Lots) at 52 Tara Avenue & 329 Nanango Brooklands Road, NANANGO**
3. **RAL23/0001 - Minor Change to Existing Development Approval (IR1018723) of Reconfiguration of a Lot - Subdivision (1 Lot into 13 Lots) at 241 Izzards Road, SOUTH NANANGO**

0.0 OPERATIONAL REPORT (STORMWATER, ROADWORKS & EARTHWORKS) AT 241 IZZARDS ROAD, SOUTH NANANGO (AND DESCRIBED AS LOT 3 ON RP188104) - APPLICANT: IZZARDS ROAD DEVELOPMENTS PTY LTD C/- RMA ENGINEERS PTY LTD

File Number: OPW22/0016
Author: Engineering Contractor, Planning & Land Management
Authoriser: Chief Executive Officer

	SIGNATURE	DATE
MANAGER	[Redacted]	28/3/23
GM	[Redacted]	29/3/23
CEO	[Redacted]	29.3.2023

PRECIS

Operational Report (Stormwater, Roadworks & Earthworks) at 241 Izzards Road, South Nanango (and described as Lot 3 on RP188104) – Applicant: Izzards Road Developments Pty Ltd C/- RMA Engineers Pty Ltd

SUMMARY

- Application for Operational Work (Roadworks & Stormwater) for a rural residential subdivision at 241 Izzards Rd, Nanango;
- The development application is assessed against the relevant code of the South Burnett Regional Council Planning Scheme. Relevant codes including the Service & Works Code;
- The application has been assessed and the proposal generally meets the requirements of the planning scheme and relevant codes or has been conditioned to comply (refer Attachment B – Statement of Reasons);
- Application recommended for approval subject to reasonable and relevant conditions.

OFFICER'S RECOMMENDATION

It is recommended that Council approve the development application for Operational Work Earthworks, Roadworks, and Stormwater on land described as Lot 3 RP188104 and situated at 241 Izzards Rd, South Nanango, subject to the following conditions:

GENERAL

- ENG 1 Compliance with the plans and specifications submitted with Development Application OPW22/0016, approval conditions, all Council Planning Scheme Policies and Reconfiguration of a Lot Approval No. IR1018723 (Negotiated Decision), and subsequent extension RAL18/0011.
- ENG 2 This approval extends to Engineering works, Earthworks, Roadworks, and Stormwater as detailed, and is conditional upon a set of "Issued for Construction" drawings, amended if required by the conditions of this approval, being submitted to Council for endorsement, prior to pre-start meeting.
- ENG 3 Undertake all approved works and works required by conditions of this development approval at no cost to Council.
- ENG 4 Submit to Council for approval, an Inspection and Test Plan certified by a suitably qualified Engineer (RPEQ – Civil) prior to commencement of any work and prior to any pre-start meeting.
- ENG 5 Pay to Council, inspection fees based on Council's Fees and Charges current at the time of commencement of works and based on the estimated project cost as estimated or accepted by Council prior to the pre-start meeting.
- ENG 6 Ensure that supervision of all construction works are carried out by a suitably qualified and experienced Engineer (RPEQ).

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ENG 7 Adhere to the following hours of construction unless otherwise approved in writing by Council:

Monday to Saturday	6.30am to 6.30pm	Noise permitted
Monday to Sunday	6.30pm to 6.30am	No noise permitted
Sunday and Public Holidays		No noise permitted

Do not conduct work or business that causes audible noise from or on the site outside the above hours.

ENG 8 Be responsible to carry out Work Health and Safety legislative requirements.

ENG 9 Ensure all work sites are maintained in a clean, orderly state at all times.

ENG 10 Manage all waste in accordance with the relevant legislation and regulations and dispose of regulated waste at a licensed facility of South Burnett Regional Council by a licensed regulated waste disposal contractor.

ENG 11 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.

ENG 12 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 damage immediately upon completion of works associated with the development.

ENG 13 Submit to Council, a Certification from a suitably qualified Engineer (RPEQ) that the works have been undertaken in accordance with the approved plans and specifications and to Council's requirements, prior to Council's endorsement of the Plan of Survey.

ENG 14 Works are to be constructed generally in accordance with the specification requirements outlined in Aus-Spec #1 and the IPWEAQ Standard Drawings unless otherwise approved by South Burnett Regional Council.

ROADWORKS

ENG 15 Submit to Council for approval, final pavement designs certified by an RPEQ to Austroads' design standards after stripping of topsoil and assessment of soaked sub-grade CBR values, and design ESA's.

ENG 16 The cul-de-sac at the end of Road 2 shall be a permanent construction with full depth pavement and bitumen seal the same as the remainder of Road 2.

ENG 17 Ensure fill placed under the road formation in embankment situations is compacted to achieve 98% standard compaction.

ENG 18 Provide temporary signage and traffic control for construction in dedicated road reserves in accordance with Part 3 (Works on Roads) of Manual of Uniform Traffic Control Devices (MUTCD) - Department of Transport and Main Roads.

ENG 19 Install and/or modify all street signs and linemarking to suit the new works in accordance with the MUTCD. Install new or relocated signage using V-Lok installation system. All new signage shall be Class 1 retro-reflective material to AS1743.

STORMWATER

ENG 20 Ensure that earthworks and fill on the subject land do not lead to ponding of stormwater or nuisance and ensure all lots, drain freely to a lawful point of discharge in accordance with the Queensland Urban Drainage Manual.

ENG 21 Do not concentrate stormwater onto adjoining properties.

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ENG 22 Provide appropriate energy dissipation and scour protection measures at stormwater outlets.

ENG 23 A 0.5m soil bund is to be provided along the northern property boundary, within the Unnamed Road Reserve, locally at the proposed Road 2 intersection. Locally regrade the natural ground surface to promote sheet flow drainage of stormwater runoff East, along the Unnamed Road Reserve.

DEVELOPMENT WORKS

ENG 24 Maintain erosion and sedimentation controls at all times during the course of the project and the ensuing defects liability period. Council Officers will inspect and assess the sediment and erosion control measures and temporary fencing implemented, and any alterations and/or supplementary works required must be incorporated.

ENG 25 Implement measures to prevent site vehicles tracking sediment and other pollutants from the site onto adjoining streets during the course of the project, and to prevent dust nuisance during construction and the ensuing defects liability period.

ENG 26 Be responsible for protecting nearby property owners from dust pollution arising from construction and maintenance of the works required by this approval, and comply with any lawful instructions from the Assessment Manager if, in his opinion, a dust nuisance exists.

ENG 27 Waste material as a result of demolition work and excavation work must not be used as fill as described within the *Waste Reduction and Recycling Act 2011*.

EARTHWORKS

ENG 28 Contain cut or fill batters wholly within the subject land. Do not place fill on adjacent properties without providing Council with written permission from the respective property owner(s).

ENG 29 Do not store plant or material on adjoining lands without written permission from the respective property owner(s).

ENG 30 Do not use contaminated material as fill on the site. Undertake any filling using inert materials only, with a maximum particle size of 75mm.

ENG 31 Ensure open drains and fill platforms are constructed with a longitudinal grade on no less than 0.1%.

ENG 32 Submit to Council, the following for approval in the event it is proposed to import material to or export material from the site, prior to commencement of the work:

- (a) details of the location of any material to be sourced for fill including the volume of fill to be moved from any particular source site;
- (b) details of the final location for any material to be exported from the site from excavations including the volume to be moved to any particular site; and
- (c) the proposed haulage route(s) and truck sizes for carting of the material.

Note: Further Development Applications may be required to be submitted to and approved by Council for sites proposed to import material from or export material to, or conditions may be applied to any sites endorsed in accordance with this condition,

This approval does not extend to any material proposed to be imported to or exported from the site:

- (d) other than from or to site(s) that have a current Development Approval enabling them to export/accept any material; or
- (e) the material is being exported to and accepted at a licensed Council refuse facility.

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ENG 33 Submit to Council the pre-start meeting agenda at the confirmation of a date and time for the meeting.

ENG 34 Provide Council with a minimum of two clear working days notice to undertake compulsory inspections and meetings at the following stages:

- (a) Pre-start meeting with Council, Contractor, Supervising Engineer and developer;
- (b) Stormwater - prior to backfilling of any stormwater drainage works;
- (c) Structural steel inspection prior to pouring of any structural concrete including cast in-situ stormwater and sewer manholes and gully pits;
- (d) prior to back filling road crossings;
- (e) following preparation and compaction of road sub-grade;
- (f) following placement and compaction of each road pavement layer and prior to laying of the next pavement layer or surfacing layer;
- (g) of the finished pavement surface prior to any bitumen seal or prime;
- (h) at the point of completion of all works before placing on-maintenance; and
- (i) at the point of requesting Council to accept the works off-maintenance.

ENG 35 Submit to Council all inspection and test data in its entirety prepared by the applicant Engineer, Principal Contractor or by Subcontractors in relation to the Operational Work or as described in the application prior Council's endorsement of the Survey Plan. Undertake any further inspection, testing or analysis required, due to failure of work to meet specifications or where the testing previously provided is considered insufficient on behalf of the Principal Contractor by a NATA accredited entity (where applicable).

ENG 36 Uncover all works covered prior to inspection to allow inspection by Council at Council's sole discretion.

ENG 37 Allow Council to enter a work site to which this approval relates and undertake testing or analysis of any part of the construction, and Council is not liable for the rectification of or compensation for any damage caused in the testing or analysis process. Should work be found to be not constructed to specification or of poor quality, any reasonable instruction given by Council Officers must be considered to be a condition of approval and undertaken by the Principal Contractor.

ENG 38 Where complete or incomplete works under this approval adversely affect adjoining properties, Council land, roads or other infrastructure, Council requires by notice, works to be completed.

ENG 39 Undertake any works for the safety or health of the community or protection of infrastructure where Council deems it necessary.

MAINTENANCE

ENG 40 Submit to Council, a written request to place constructed works on-maintenance or off-maintenance from the developer's certifying Engineer stating that all approved works have been completed and are ready for Council inspection.

ENG 41 Pay to Council, a maintenance bond of 5% of the cost of the operational work as estimated or accepted by Council, prior to commencement of the on-maintenance period.

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- ENG 42** Maintenance bond must be provided in the form of a cash bond or a bank guarantee.
- ENG 43** Maintain all works that will become Council infrastructure for a period of 12 months (maintenance period) from commencement of the on-maintenance period. Undertake any necessary maintenance or repairs to non-conforming work, defects and/or damage to any works undertaken in relation to this approval, even where damage has resulted from a third party activity within the maintenance period.
- ENG 44** The maintenance bond will be entirely forfeited to Council should there be any failure by the applicant to undertake any such works considered by Council as necessary, to rectify any non-compliant works and to protect public safety. In the event that the bond is insufficient to address the non-compliant works, Council reserves the right to seek restitution. After expiration of the maintenance period and where required maintenance is suitably undertaken to Council's satisfaction, the bond will be returned accordingly, after the project is accepted off-maintenance.
- ENG 45** The on-maintenance period commences only when Council provides written confirmation that all of the following are completed:
- satisfactory completion of all works and conditions of Operational Work approval including associated Reconfiguring a Lot approval;
 - provision of all necessary test and quality audit requirements;
 - lodgement with Council, of certification from an RPEQ that the works have been undertaken in accordance with the approved plans and specifications and to Council's requirements;
 - lodgement of a maintenance bond of 5% of the cost of the operational work as accepted by Council;
 - submission of "As Constructed" data in the required format; and
 - compliance with the conditions of approval for any Operational Work and associated Reconfiguring a Lot approval and any other approvals on the subject site.

AS CONSTRUCTED INFORMATION

- ENG 46** Submit to Council within 10 working days of completion of the operational work, suitable "As Constructed" drawings in hard copy and AutoCAD format and on GDA Zone 56 coordinates. The "As Constructed" drawings or data capture methods as required by Council must be certified by a Registered Professional Engineer of Queensland (RPEQ) on every drawing and shall be to an appropriate electronic format and standard.

The approval is subject to construction being undertaken in accordance with the Approved Plans prepared by RMA Engineers as listed below:

Drawing No.	Rev.	Drawing/Plan Title	Date
C-G0101	1	General Layout and Drawing Index Plan	3/2/2023
C-G0102	1	Project Notes	3/2/2023
C-G0201	1	Survey Setout and Existing Features Plan	3/2/2023
C-G0202	1	Demolition Plan	3/2/2023
C-G0401	1	Easement Plan	3/2/2023
C-R0001	1	Typical Road Cross Section Plan	3/2/2023
C-R0101	1	Roadworks and Footpath Notes and Standard Details	3/2/2023

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C-R0201	1	Asphalt Pavement Design Plan	3/2/2023
C-R0300	1	Road Control Line Setout Tables	3/2/2023
C-R0301	1	Road 1 Layout Plan and Longitudinal Section - 1	3/2/2023
C-R0302	1	Road 1 Layout Plan and Longitudinal Section - 2	3/2/2023
C-R0306	1	Road 1 Cross Sections -1	3/2/2023
C-R0307	1	Road 1 Cross Sections -2	3/2/2023
C-R0312	1	Road 2 Layout Plan and Longitudinal Section -1	3/2/2023
C-R0313	1	Road 2 Layout Plan and Longitudinal Section - 2	3/2/2023
C-R0317	1	Road 2 Cross Sections -1	3/2/2023
C-R0318	1	Road 2 Cross Sections -2	3/2/2023
C-R0400	1	Intersection Setout Coordinates	3/2/2023
C-R0401	1	Intersection Layout Plan – 1	3/2/2023
C-R0601	1	Signage and Linemarking Notes and Standard Details	3/2/2023
C-E0101	1	Bulk Earthworks Notes and Standard Details	3/2/2023
C-E0201	1	Cut to Fill Extent Layout Plan	3/2/2023
C-E0801	1	Erosion and Sediment Control Notes and Details	3/2/2023
C-E0901	1	Erosion and Sediment Control Layout Plan	3/2/2023
C-D0101	1	Stormwater Notes and Standard Details	3/2/2023
C-D0201	1	Stormwater Catchment Plan	3/2/2023
C-D0401	1	Stormwater Layout Plan – 1	3/2/2023
C-D0402	1	Stormwater Culvert Layout Plan	3/2/2023
C-D0501	1	Stormwater Longitudinal Sections – 1	3/2/2023
C-D0701	1	Stormwater Calculation Tables – 1	3/2/2023
C-D0702	1	Stormwater Calculation Tables – 1	3/2/2023

ADVICE NOTES

The applicant be advised that:

- (a) Prior to commencement of the use or endorsement of the survey plan as applicable, the applicant shall contact Council to arrange a Development Compliance Inspection.
- (b) The applicant must ensure compliance with environmental conditions whether required to hold an Environmental Authority or not. These include, but are not limited to water quality, air quality, noise levels, waste waters, lighting and visual quality as a result of any activity or by-product or storage of materials within the confines of the building(s) and property boundaries.

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Any amendment, alteration or addition to the development approval will require further consideration by Council in assessing any changes to the environmental conditions.

- (c) The *Aboriginal Cultural Heritage Act 2003* (ACHA) is administered by the Department of Aboriginal and Torres Strait Islander and Multicultural Affairs (DATSIMA). The ACHA establishes a duty of care to take all reasonable and practicable measures to ensure any activity does not harm Aboriginal cultural heritage. This duty of care:
- (i) is not negated by the issuing of this development approval;
 - (ii) applies on all land and water, including freehold land;
 - (iii) lies with the person or entity conducting an activity; and
 - (iv) if breached, is subject to criminal offence penalties.

Those proposing an activity involving surface disturbance beyond that which has already occurred at the proposed site must observe this duty of care. Details of how to fulfil this duty of care are outlined in the duty of care guidelines gazetted with the ACHA. The applicant should contact DATSIP's Cultural Heritage Co-ordination Unit on telephone (07) 3224 2070 for further information on the responsibilities of developers under the ACHA.

- (d) The **relevant period** for the development approval (Operational Work) shall be **two (2) years** starting the day the approval is granted or takes effect. In accordance with Section 85(1)(c) of the *Planning Act 2016* (PA), the development approval for Operational Work lapses if the development does not substantially start within the abovementioned **relevant period**.

An applicant may request Council to extend the **relevant period** provided that such request is made in accordance with Section 86 of PA and before the development approval lapses under Section 85 of the PA.

- (e) Council is to be indemnified against any claims arising from works carried out by the applicant on Council's property.
- (f) The relevant Planning Scheme for this Development Permit is the South Burnett Regional Council Planning Scheme 2017. All references to the Planning Scheme and Schedules within these conditions refer to the above Planning Scheme.

Ordinary Council Meeting Agenda**25 December 2030****FINANCIAL AND RESOURCE IMPLICATIONS**

No implication can be identified.

LINK TO CORPORATE/OPERATIONAL PLAN

Growing our Region's Economy and Prosperity

- GR8 Support and advocate for appropriate growth and development with responsive planning schemes, process, customer service and other initiatives.

COMMUNICATION/CONSULTATION (INTERNAL/EXTERNAL)

Refer to CONSULTATION in this report.

LEGAL IMPLICATIONS (STATUTORY BASIS, LEGAL RISKS)

No implication identified.

POLICY/LOCAL LAW/DELEGATION IMPLICATIONS

No implication can be identified.

ASSET MANAGEMENT IMPLICATIONS

- The new roads will become Council assets

REPORT

1. APPLICATION DETAILS

Site address	241 Izzards Rd, South Nanango	
Real property description	Lot 3 on RP188104	
Easements or encumbrances on title		
Area of Site	28.3224 Ha	
Current Use	Vacant	
Environmental Management Register or Contaminated Land Register		
Applicant's name	Izzards Road Developments Pty Ltd	
Zone	Rural Residential	
Applicable Overlays		
Proposed use as defined	N/A	
Details of proposal	Reconfiguring a Lot (RALs)	
	• Number of existing lots	1
	• Number of proposed lots	11
	• Lot areas	Approx. 2Ha
Application type	Aspects of Development	Type of Approval Requested
		<input type="checkbox"/> Preliminary Approval
		<input type="checkbox"/> Development Permit
	Material Change of Use (MCU)	
	Reconfiguration of a Lot (RAL)	
Building Work (BW)		
Operational Work (OPW)		<input checked="" type="checkbox"/>
Level of Assessment	Code	
Pre-lodgement Consultation history		
Key planning issues e.g. vegetation, waterway corridors, overland flow		
Referral agencies	Agency	Concurrence/ Advice
	NA	NA
Public notification	No	
Planning Regulation 2017		

2. THE SITE

This section of the report provides a description of the site, details about the existing use and notable characteristics of the site, the standard of servicing, and the form of development in the immediately locality.

2.1. SITE DESCRIPTION & EXISTING USE

Table 1 – Maps & Descriptions

Site	241 Izzards Rd, South Nanango
Zoning	Rural Residential
Overlays	Not Applicable
Services	Road, Electrical, Telecommunications
Topography	Rolling

2.2. DEVELOPMENT HISTORY OF THE SITE

Nil

3. PROPOSAL DETAILS

The proposal is to subdivide the existing lot into 11 rural residential lots.

4. ASSESSMENT OF ASSESSMENT BENCHMARKS

Framework for Assessment

Categorising Instruments for Statutory Assessment

For the *Planning Act 2016*, the following Categorising Instruments may contain Assessment Benchmarks applicable to development applications:

- the *Planning Regulation 2017*
- the Planning Scheme for the local government area
- any Temporary Local Planning Instrument
- any Variation Approval

Of these, the planning instruments relevant to this application are discussed in this report.

Planning Act 2016, Section 26 – Assessment Benchmarks generally

(1) For section 45(3)(a) of the Act, the code assessment must be carried out against the assessment benchmarks for the development stated in schedules 9 and 10.

(2) Also, if the prescribed assessment manager is the local government, the code assessment must be carried out against the following assessment benchmarks—

(a) the assessment benchmarks stated in—

- (i) the regional plan for a region, to the extent the regional plan is not identified in the planning scheme as being appropriately integrated in the planning scheme; and
- (ii) the State Planning Policy, part E, to the extent part E is not identified in the planning scheme as being appropriately integrated in the planning scheme; and
- (iii) a temporary State planning policy applying to the premises;

(b) if the local government is an infrastructure provider—the local government's LGIP.

(3) However, an assessment manager may, in assessing development requiring code assessment, consider an assessment benchmark only to the extent the assessment benchmark is relevant to the development.

4.1. PLANNING REGULATION 2017

The Planning Regulation 2017 forms the mechanism by which the provisions of the Act are administered. In particular the Regulation has the ability to regulate and prohibit development and determines the assessment manager and the matters that trigger State interests.

PLANNING REGULATION 2017 DETAILS	
Assessment Benchmarks:	Schedule 12A Walkable Neighbourhoods (IF APPLICABLE)
WBB Regional Plan Designation:	<p>Wide Bay Burnett Regional Plan 2011 – Urban Footprint</p> <p>The Urban Footprint identifies land that can meet the region's projected urban development needs to at least 2031.</p> <p>The Urban Footprint is a representation of:</p> <ul style="list-style-type: none"> • large urban communities, other communities recognised as being affected by growth pressures, and other areas recognised as the preferred locations for future growth; and, • lands surrounded by existing or proposed urban development, but which may not be an appropriate location for development (e.g. flood plains). <p>The Wide Bay Burnett Regional Plan 2011, currently being reviewed, identifies the township of Kingaroy as one of the key inland towns for the Wide Bay Burnett region, and together with Bundaberg, Gympie, Hervey Bay and Maryborough, is intended to provide a range of higher order services and functions for the urban communities and to support the region's rural activities. More particularly, the Regional Plan identifies Kingaroy as a Major Regional Activity Centre within the South Burnett Regional Council area.</p>

Adopted Economic Support Instrument	<p>under section 68E of the Planning Regulation 2017 that on 24 February 2021, South Burnett Regional Council adopted an economic support instrument. The instrument is in effect until 31st December 2023.</p> <p>Economic support provisions</p> <p>4.1. The instrument applies the following provisions in accordance with section 68D(1) of the <i>Planning Regulation 2017</i>:</p> <p>4.1.1. Part 8B, Division 3 – Development that requires code assessment;</p> <p>4.1.2. Schedule 6, Part 2, Section 7A – Particular material change of use involving an existing building; and</p> <p>4.1.3. Schedule 6, Part 2, Section 7B – Material change of use for home-based business in particular zones.</p> <p>The adopted instrument does not change the categories of development and assessment in the Planning Scheme v1.4</p>
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4.2. DEVELOPMENT CODE ASSESSMENTS

Performance outcomes	Assessment benchmarks
General	
<p>PO1 The development is planned and designed considering the land use constraints of the site for achieving stormwater design objectives.</p>	<p>AO1.1 A stormwater quality management plan provides for achievable stormwater quality treatment measures that meet the design objectives identified in Table 9.4.4.</p>
<p>PO2 Development does not discharge wastewater to a waterway or off-site unless demonstrated to be best practice environmental management for that site.</p>	<p>AO2.1 A wastewater management plan prepared by a suitably qualified person and addresses :</p> <ul style="list-style-type: none"> (a) wastewater type; (b) climatic conditions; (c) water quality objectives; (d) best-practice environmental management; <p>and</p> <p>AO2.2 Wastewater is managed in accordance with a waste management hierarchy that:</p> <ul style="list-style-type: none"> (a) avoids wastewater discharge to waterways; or (b) minimises wastewater discharge to waterways by re-use, recycling, recovery and treatment for disposal to sewer, surface water and groundwater.
<p>PO3 Construction activities avoid or minimise adverse impacts on stormwater quality.</p>	<p>AO3.1 An erosion and sediment control plan addresses the design objectives for the construction phase in Table 9.4.4.</p>
<p>PO4 Operational activities avoid or minimise changes to waterway hydrology from adverse impacts of altered stormwater quality and flow.</p>	<p>AO4.1 Development incorporates stormwater flow control measures to achieve the design objectives for the post-construction phase in Table 9.4.4.</p>
<ul style="list-style-type: none"> • Stormwater conveyed via table drains. • No wastewater discharge is proposed. 	
Infrastructure	
<p>PO5 Development is provided with infrastructure which:</p> <ul style="list-style-type: none"> (a) conforms with industry standards for quality; (b) is reliable and service failures are minimised; and (c) is functional and readily augmented. 	<p>AO5.1 Except in the Rural zone, all development occurs on a site with frontage to a sealed road.</p> <p>and</p> <p>AO5.2 Infrastructure is designed and constructed in accordance with the standards contained in PSP1 – Design and Construction Standards.</p>
<p>• Lots are outside water and sewer supply areas.</p>	
Vehicle parking	
<p>PO6 Vehicle parking and access is provided to meet the needs of occupants, employees, visitors and other users.</p>	<p>AO6.1 Vehicle parking spaces are provided on-site in accordance with Table 9.4.5.</p> <p>and</p> <p>AO6.2 A service bay is provided on-site for the service vehicle nominated in Table 9.4.5.</p> <p>and</p> <p>AO6.3 Driveway crossings are provided to the standard contained in PSP1 – Design and Construction Standards.</p> <p>and</p> <p>AO6.4 Vehicle parking and manoeuvring areas are provided in accordance with the standards contained in PSP1 – Design and Construction Standards.</p>

Performance outcomes	Assessment benchmarks
<p>• N/A</p>	
<p>Landscaping</p>	
<p>PO7 Landscaping is appropriate to the setting and enhances local character and amenity.</p>	<p>AO7.1 Landscaping is provided in accordance with the relevant zone code provisions.</p> <p>and</p> <p>AO7.2 Where shade tree planting is required in vehicle parking areas each planting bed has a minimum area of 2m² and is unsealed and permeable.</p> <p>and</p> <p>AO7.3 Plantings along frontages or boundaries are in the form of defined gardens with three tier planting comprised of groundcovers, shrubs (understorey), and trees (canopy) and provided with a drip irrigation system, mulching and border barriers.</p>
<p>PO8 Plant species avoid adverse impacts on the natural and built environment, infrastructure and the safety of road networks.</p>	<p>AO8.1 Landscaping utilises plant species that are appropriate for the location and intended purpose of the landscaping.</p> <p>and</p> <p>AO8.2 Species selection avoids non-invasive plants.</p> <p>Editor's Note. Guidance on plant selection is provided in Branching Out - Your Handy Guide to tree Planting in the South Burnett available from Council.</p>
<p>• N/A</p>	
<p>Filling and excavation</p>	
<p>PO9 Development results in ground levels that retain:</p> <ul style="list-style-type: none"> (a) access to natural light; (b) aesthetic amenity; (c) privacy; and (d) safety. 	<p>AO9.1 The depth of:</p> <ul style="list-style-type: none"> (a) fill is less than 2m above ground level; or (b) excavation is less than 2m below ground level. <p>and</p> <p>AO9.2 The toe of the fill, or top of the excavation is not less than 0.5m inside the site property boundary.</p> <p>and</p> <p>AO9.3 Works do not occur on slopes over 15% in grade.</p> <p>and</p> <p>AO9.4 Retaining walls over 1m in height are terraced 1.5m for every 1m in height and landscaped.</p> <p>and</p> <p>AO9.5 Batter slopes are not steeper than 25% and are grassed and terraced 1.5m for every 1m in height.</p> <p>and</p> <p>AO9.6 Filling or excavation for the purpose or retention of water:</p> <ul style="list-style-type: none"> (a) is certified by an RPEQ engineer to safely withstand the hydraulic loading; (b) directs overflow such that no scour damage or nuisance occurs on adjoining lots.

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Performance outcomes	Assessment benchmarks
<p>PO10 Filling or excavation does not cause damage to public utilities.</p>	<p>AO10.1 Filling or excavation does not occur within 2m horizontally of any part of an underground water supply, sewerage, stormwater, electricity or telecommunications system.</p>
<p>PO11 Filling and excavation avoids water ponding on the premises or nearby premises that will adversely impact on the health of the community.</p>	<p>AO11.1 Following filling or excavation: (a) the premises: (i) are self-draining; and, (ii) has a minimum slope of 0.25%; and, (b) surface water flow is: (i) directed away from neighbouring properties; or (ii) discharged into a stormwater drainage system designed and constructed in accordance with AS3500 section 3.2.</p>
<p>No significant excavation or filling. Road to be constructed at existing ground level.</p>	
<p>All operational work subject to an overlay</p>	
<p>Biodiversity overlay</p>	
<p>PO12 Development avoids, minimises or mitigates adverse impacts on areas of environmental significance.</p>	<p>AO12.1 Uses and associated works are confined to areas not identified on Overlay Map 05.</p> <p>or</p> <p>AO12.2 Development is compatible with the environmental values of the area.</p> <p>or</p> <p>AO12.3 Where development within an area identified on Overlay Map 05 is unavoidable, measures recommended by a suitably qualified ecologist are incorporated to protect and retain the environmental values and underlying ecosystem processes within or adjacent to the development site to the greatest extent practical.</p>
<p>PO13 Biodiversity values of identified areas of environmental significance are protected from the impacts of development</p>	<p>AO13.1 Development adjacent to Protected Areas identified on Overlay Map 05 is set back a minimum of 100m from the park boundaries in the absence of any current 'Management Plans' for these areas.</p>
<p>PO14 There are no significant adverse effects on water quality, ecological and biodiversity values.</p>	<p>AO14.1 Uses and associated works are confined to areas outside overland flow paths and natural drainage features.</p> <p>and</p> <p>AO14.2 The Waterway Corridors identified on Overlay Map 05 are maintained in a natural state.</p>
<p><i>Not Applicable</i></p>	

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Performance outcomes	Assessment benchmarks
Flood hazard overlay	
<p>PO15 Development directly, indirectly and cumulatively avoids any significant increase in water flow, velocity or flood level, and does not increase the potential for flood damage either on site or other properties.</p>	<p>AO15.1 Works associated with the proposed development do not:</p> <ul style="list-style-type: none"> (a) involve a net increase in filling greater than 50m³ in the area identified on Overlay Map 03; (b) result in any reductions of on-site flood storage capacity and contain within the site any changes to depth / duration/velocity of flood waters; or (c) change flood characteristics outside the site in ways that result in: <ul style="list-style-type: none"> (i) loss of flood storage; (ii) loss of/changes to flow paths; (iii) acceleration or retardation of flows; or (iv) any reduction in flood warning times
<ul style="list-style-type: none"> • <i>Not Applicable</i> 	
Regional infrastructure overlay	
<p>PO16 Earthworks do not restrict access to and along major electricity infrastructure corridors by the electricity providers, using their normal vehicles and equipment.</p>	<p>AO16.1 Earthworks do not alter levels along the boundaries of existing easements by more than 300mm and do not result in increased inundation of electricity infrastructure.</p>
<p>PO17 There is no worsening of drainage or erosion conditions affecting the bulk supply and linear infrastructure</p>	<p>No outcome specified.</p>
<ul style="list-style-type: none"> • <i>Site is not near any existing easements</i> 	
Water catchments overlay	
<p>PO18 There are no significant adverse effects on the water quality of the Region's drinking water supply.</p>	<p>AO18.1 Development within the Bjelke-Petersen Dam Water Resource Catchment Area and the 800m buffer to Boondooma and Gordonbrook Dams shown on Overlay Map 06 has no significant adverse effect on the quantity and availability of raw water for consumption, as determined by a suitably qualified water quality expert.</p> <p>or</p> <p>AO18.2 Development within the Cooyar Creek water supply buffer area shown on Overlay Map 06 complies with the specific outcomes and measures of the <i>Seqwater Development Guidelines: Development Guidelines for Water Quality Management in Drinking Water Catchments 2012</i>.</p>
<ul style="list-style-type: none"> • <i>Site is not within a water supply catchment</i> 	

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5. CONSULTATION

Referral Agencies

State Assessment and Referral Agency	N/A
Other	N/A

Council Referrals

INTERNAL REFERRAL SPECIALIST	REFERRAL / RESPONSE
Development Engineer	Development Engineer has done the assessment

6. RECOMMENDATION

The proposed development has been assessed against the requirements of the South Burnett Regional Council Planning Scheme 2017. It is considered that the proposed development generally complies with the requirements of the Planning Scheme and as such, the applicant should be provided with a Development Permit. The Development Permit should contain the conditions detailed in the Officer's Recommendation in order to ensure that the proposal complies with the South Burnett Regional Council Planning Scheme 2017.

ATTACHMENTS

1. Attachment A - Approved Plans
2. Attachment B - Statement of Reasons

13 LOT RURAL RESIDENTIAL SUBDIVISION 241 IZZARDS ROAD, SOUTH NANANGO QLD 4615 FOR IZZARDS ROAD DEVELOPMENTS P/L



Steel List Table	
C-00101	Z/E-0191: E Sides - General
C-00102	General Layout and Drawing Index Plan
C-00201	Project Notes
C-00202	Survey, Setback and Easement Details Plan
C-00401	Dimension Plan
C-00501	Z/E-0191: S Sides - General
C-00502	General Layout and Drawing Index Plan
C-00601	Project Notes
C-00602	Survey, Setback and Easement Details Plan
C-00801	Dimension Plan
C-00901	Z/E-0191: E Sides - Stormwater
C-00902	Stormwater Catchment Plan
C-00903	Stormwater Layout Plan - 1
C-00904	Stormwater Layout Plan - 2
C-00905	Stormwater Longitudinal Section - 1
C-00906	Stormwater Longitudinal Section - 2
C-00907	Stormwater Catchment Tables - 1
C-00908	Stormwater Catchment Tables - 2
C-00909	Stormwater Catchment Tables - 3
C-00910	Stormwater Catchment Tables - 4
C-00911	Stormwater Catchment Tables - 5
C-00912	Stormwater Catchment Tables - 6
C-00913	Stormwater Catchment Tables - 7
C-00914	Stormwater Catchment Tables - 8
C-00915	Stormwater Catchment Tables - 9
C-00916	Stormwater Catchment Tables - 10
C-00917	Stormwater Catchment Tables - 11
C-00918	Stormwater Catchment Tables - 12
C-00919	Stormwater Catchment Tables - 13
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C-00997	Stormwater Catchment Tables - 91
C-00998	Stormwater Catchment Tables - 92
C-00999	Stormwater Catchment Tables - 93
C-01000	Stormwater Catchment Tables - 94
C-01001	Stormwater Catchment Tables - 95
C-01002	Stormwater Catchment Tables - 96
C-01003	Stormwater Catchment Tables - 97
C-01004	Stormwater Catchment Tables - 98
C-01005	Stormwater Catchment Tables - 99
C-01006	Stormwater Catchment Tables - 100

GENERAL LAYOUT AND DRAWING INDEX PLAN
Scale: 1:500 (A1)

RMA Engineers
RMA Engineers
Level 10/11
100 St Johns Road
Brisbane QLD 4000
Phone: 07 3250 1234
Email: info@rmaengineers.com.au

13 LOT RURAL RESIDENTIAL SUBDIVISION
241 IZZARDS ROAD
SOUTH NANANGO QLD 4615

IZZARDS ROAD DEVELOPMENTS P/L
69 KITCHENER ROAD
ASCOT QLD 4007

Project No: 22E-0191-01

Client: Izzards Road Developments P/L

Date: 12/04/2023

Drawn: [Name]

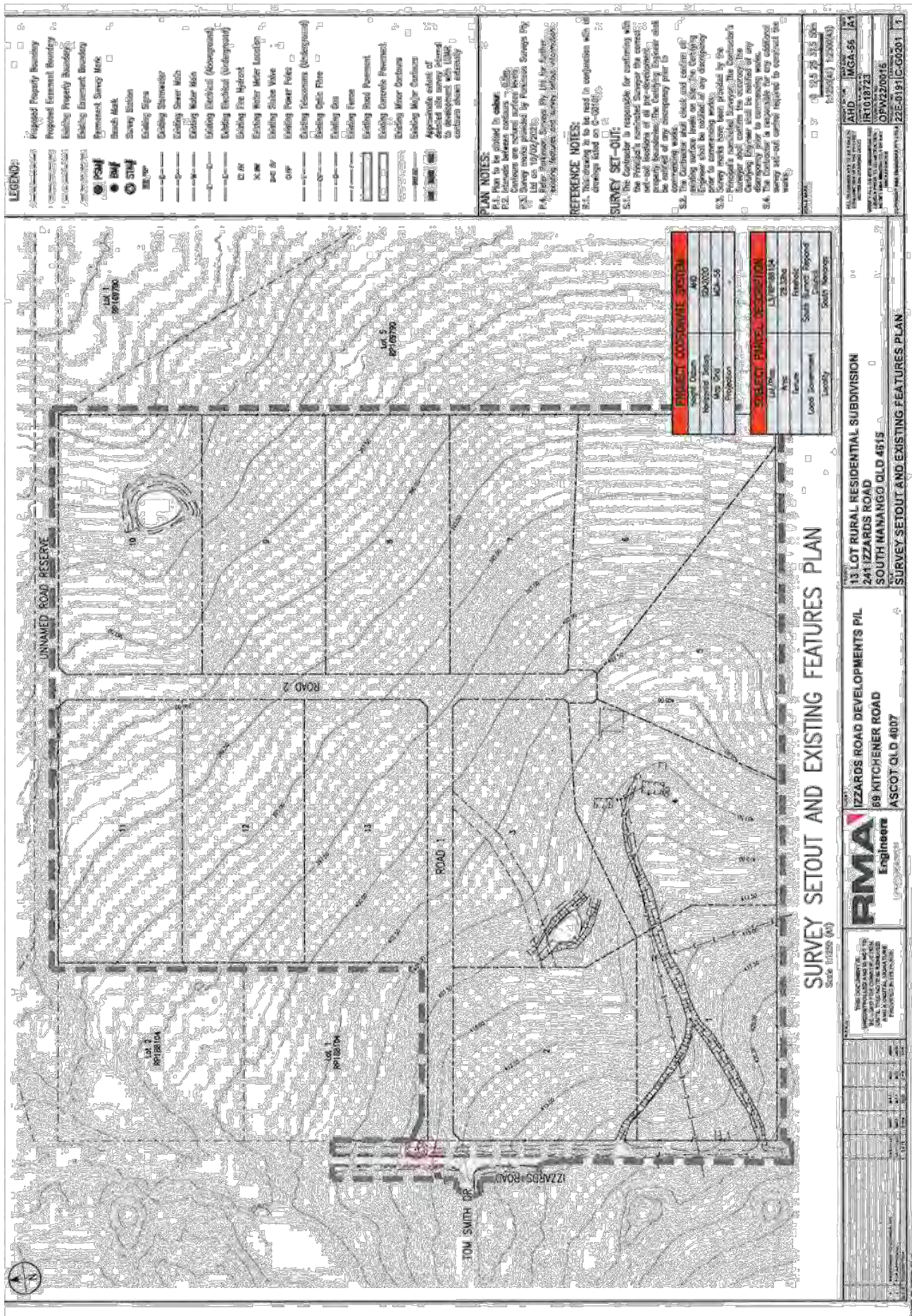
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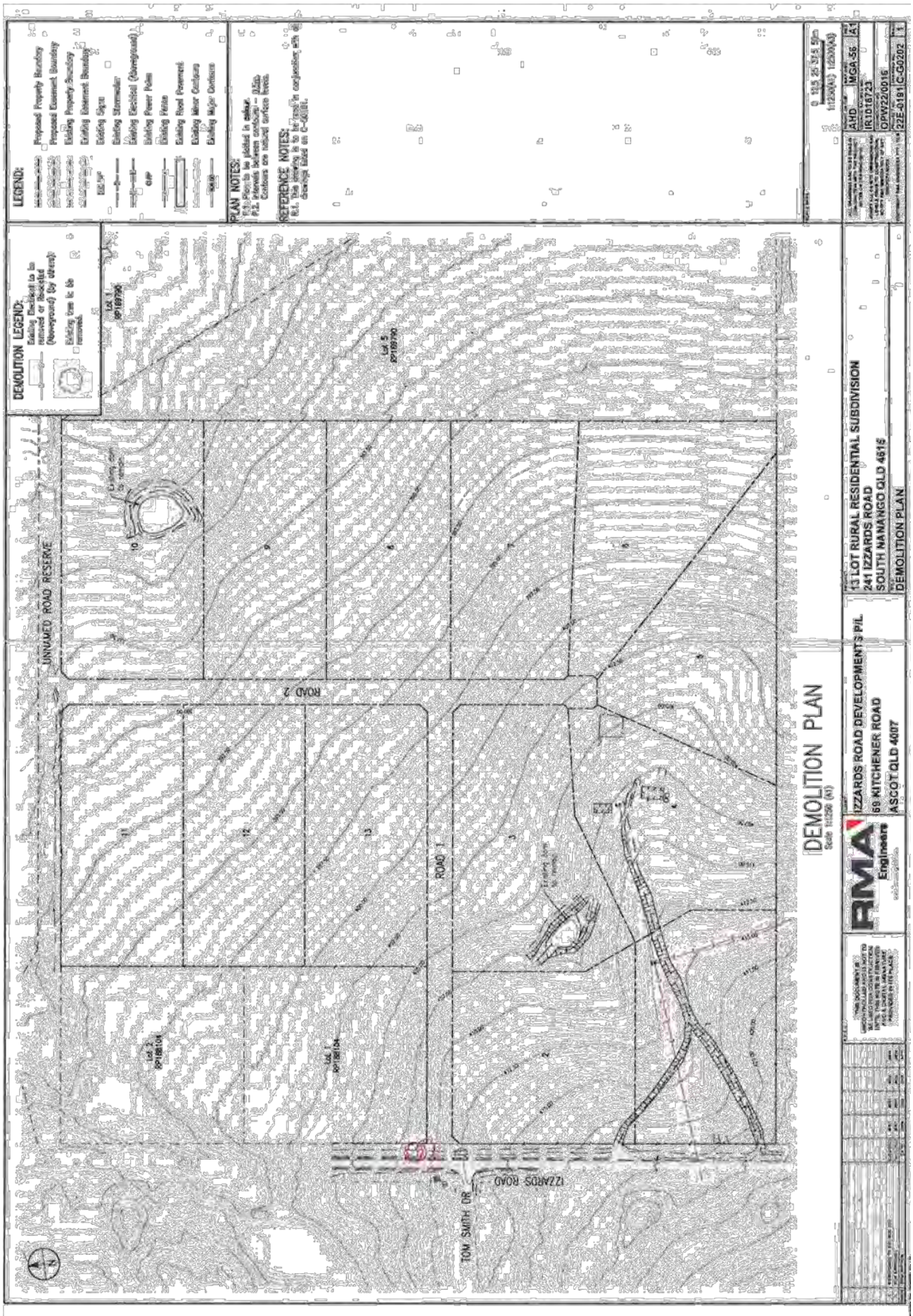
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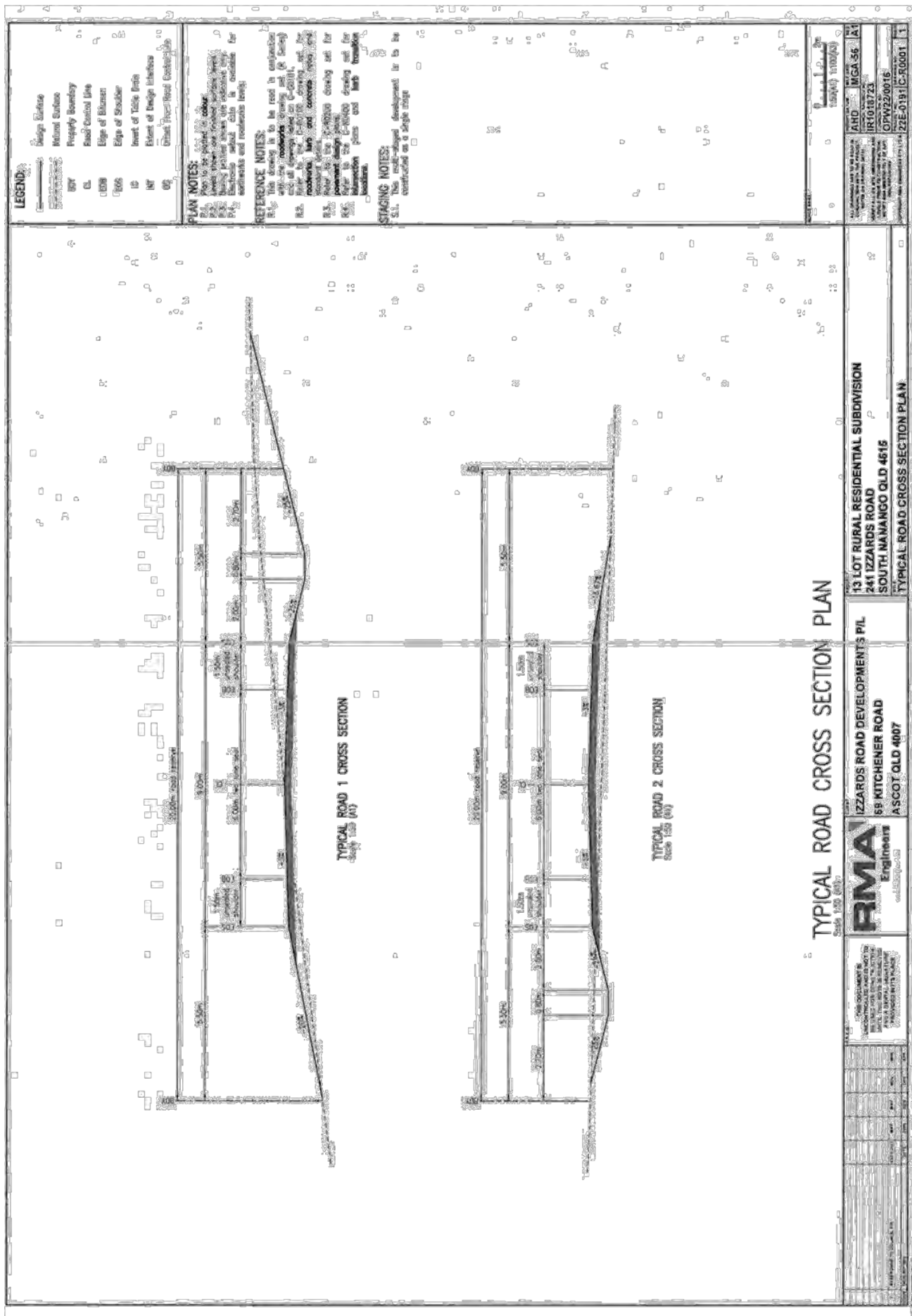
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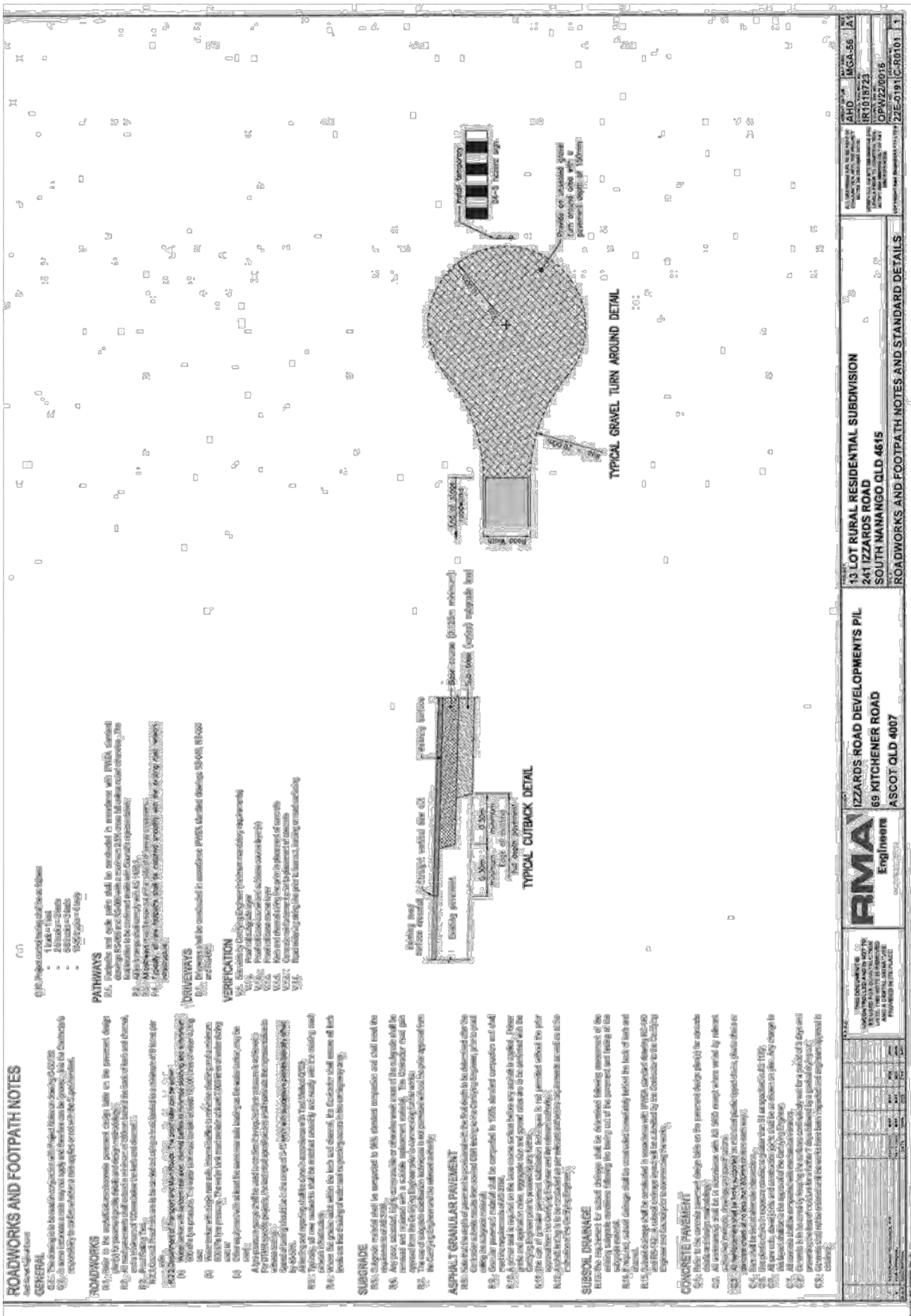
<p>PROJECT NOTES</p> <p>DEFINITIONS</p> <p>E1: In these conditions the term "Development" means the proposed development...</p> <p>E2: Approval to a development is given by the Council upon receipt of a Development Application...</p> <p>E3: In these notes, the term "Council" means the Council of the City of Gold Coast...</p>	<p>SERVICES EXISTING</p> <p>E4: The Developer shall determine the location of existing services within the site...</p> <p>E5: The Developer shall ensure that existing services are not adversely affected by the proposed development...</p>	<p>GENERAL</p> <p>G1: The Developer shall ensure that the proposed development complies with all applicable laws, regulations, and standards...</p> <p>G2: The Developer shall maintain access to all existing public roads and utility services...</p> <p>G3: The Developer shall ensure that the proposed development does not cause any significant adverse impacts on the environment...</p>	<p>ENCAVATION AROUND POWER POLES</p> <p>E10: Any encavation around power poles shall be carried out in accordance with the relevant standards and specifications...</p> <p>E11: The Developer shall ensure that all encavations are properly supported and braced to prevent collapse...</p>	<p>REDUNDANT (DECOMMISSIONED) SERVICES</p> <p>E12: Where redundant services are identified, the Developer shall ensure they are properly decommissioned and removed...</p> <p>E13: The Developer shall ensure that the proposed development does not interfere with any existing or future services...</p>	<p>UNDER BUILDING SERVICES / DRAINAGE</p> <p>E14: The Developer shall ensure that any under building services or drainage systems are properly installed and maintained...</p> <p>E15: The Developer shall ensure that the proposed development does not cause any significant adverse impacts on the environment...</p>	<p>CONNECTIONS</p> <p>E16: The Developer shall ensure that all services are properly connected and protected from damage...</p> <p>E17: The Developer shall ensure that the proposed development does not cause any significant adverse impacts on the environment...</p>	<p>STRUCTURAL REQUIREMENTS</p> <p>E18: The Developer shall ensure that all structures are properly designed and constructed in accordance with relevant standards...</p> <p>E19: The Developer shall ensure that the proposed development does not cause any significant adverse impacts on the environment...</p>	<p>ASSESSORS</p> <p>E20: The Developer shall ensure that all services are properly assessed and approved by the relevant authorities...</p> <p>E21: The Developer shall ensure that the proposed development does not cause any significant adverse impacts on the environment...</p>	<p>STATE CONTROLLED ROADS</p> <p>E22: The Developer shall ensure that the proposed development does not interfere with any state controlled roads...</p> <p>E23: The Developer shall ensure that the proposed development does not cause any significant adverse impacts on the environment...</p>	<p>CONTROL OF SEDIMENT</p> <p>E24: The Developer shall ensure that all sediment is properly controlled and managed during construction...</p> <p>E25: The Developer shall ensure that the proposed development does not cause any significant adverse impacts on the environment...</p>	<p>DUST AND NOISE CONTROL</p> <p>E26: The Developer shall ensure that all dust and noise is properly controlled and managed during construction...</p> <p>E27: The Developer shall ensure that the proposed development does not cause any significant adverse impacts on the environment...</p>	<p>SPILLAGE ONTO EXISTING ROADS</p> <p>E28: The Developer shall ensure that all spillage is properly contained and managed during construction...</p> <p>E29: The Developer shall ensure that the proposed development does not cause any significant adverse impacts on the environment...</p>	<p>TENDERING</p> <p>E30: The Developer shall ensure that all tendering processes are properly conducted and managed...</p> <p>E31: The Developer shall ensure that the proposed development does not cause any significant adverse impacts on the environment...</p>	<p>COMMISSIONING</p> <p>E32: The Developer shall ensure that all commissioning processes are properly conducted and managed...</p> <p>E33: The Developer shall ensure that the proposed development does not cause any significant adverse impacts on the environment...</p>	<p>VERIFICATION</p> <p>E34: The Developer shall ensure that all verification processes are properly conducted and managed...</p> <p>E35: The Developer shall ensure that the proposed development does not cause any significant adverse impacts on the environment...</p>	<table border="1"> <tr> <td>13 LOT RURAL RESIDENTIAL SUBDIVISION</td> <td>A10</td> <td>MGA-56</td> </tr> <tr> <td>241 IZZARDS ROAD</td> <td>IR10-11723</td> <td></td> </tr> <tr> <td>SOUTH NANANGO QLD 4615</td> <td>OPW2300016</td> <td></td> </tr> <tr> <td>ASCO QLD 4007</td> <td></td> <td>22E-0181C-GA102 1</td> </tr> </table>	13 LOT RURAL RESIDENTIAL SUBDIVISION	A10	MGA-56	241 IZZARDS ROAD	IR10-11723		SOUTH NANANGO QLD 4615	OPW2300016		ASCO QLD 4007		22E-0181C-GA102 1
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ASCO QLD 4007		22E-0181C-GA102 1																										













LEGEND:

- Existing Property Boundary
- Existing Easement Boundary
- Existing Road Pavement
- Existing Concrete Pavement
- Proposed Property Boundary
- Proposed Easement Boundary
- Proposed Gravel Shoulder Pavement

PLAN NOTES:

1. This drawing is to be used in conjunction with the approved design table in the Asphalt Pavement Design Table.

2. Pavement design is predicated on 50% Spread and spray seal rates to be confirmed with the Certifying Engineer prior to construction.

3. The pavement for sealed drainage may be considered after existing subsurface conditions have been examined by the Certifying Engineer and relevant authorities.

REFERENCE NOTES:

R.1.1. This drawing is to be used in conjunction with the approved design table in the Asphalt Pavement Design Table.

R.1.2. Refer to the C-20000 drawing set for road construction details and cross sections.

R.1.3. Refer to the C-20000 drawing set for road construction details and cross sections.

R.1.4. Refer to the C-20000 drawing set for road construction details and cross sections.

R.1.5. Refer to the C-20000 drawing set for road construction details and cross sections.

R.1.6. Refer to the C-20000 drawing set for road construction details and cross sections.

STAGING NOTES:

S.1.1. This drawing is to be used in conjunction with the approved design table in the Asphalt Pavement Design Table.

S.1.2. Refer to the C-20000 drawing set for road construction details and cross sections.

S.1.3. Refer to the C-20000 drawing set for road construction details and cross sections.

S.1.4. Refer to the C-20000 drawing set for road construction details and cross sections.

S.1.5. Refer to the C-20000 drawing set for road construction details and cross sections.

ASPHALT PAVEMENT DESIGN TABLE	
Assumed Subgrade & CSP	10%
Height Chart	Autolevels 112.2
Road Class	Access Road/Street
ESA's	3.25 x 10'
PAVEMENT PROFILE	
Finish	AMCO @ 1.02/m ²
Perf Application	Binder: C170 @ 1.46/m ² Aggregate: 14mm @ 108/m ² /m ²
Source Application	Binder: C170 @ 0.92/m ² Aggregate: 7mm @ 220/m ² /m ²
Base Course (Type 3.1) (mm)	125
Upper Sub-Base Course (Type 3.3) (mm)	140
Lower Sub-Base Course (Type 3.5) (mm)	100

AID	MGA-56
IR1018723	
OPW2200016	
18250041	18250041

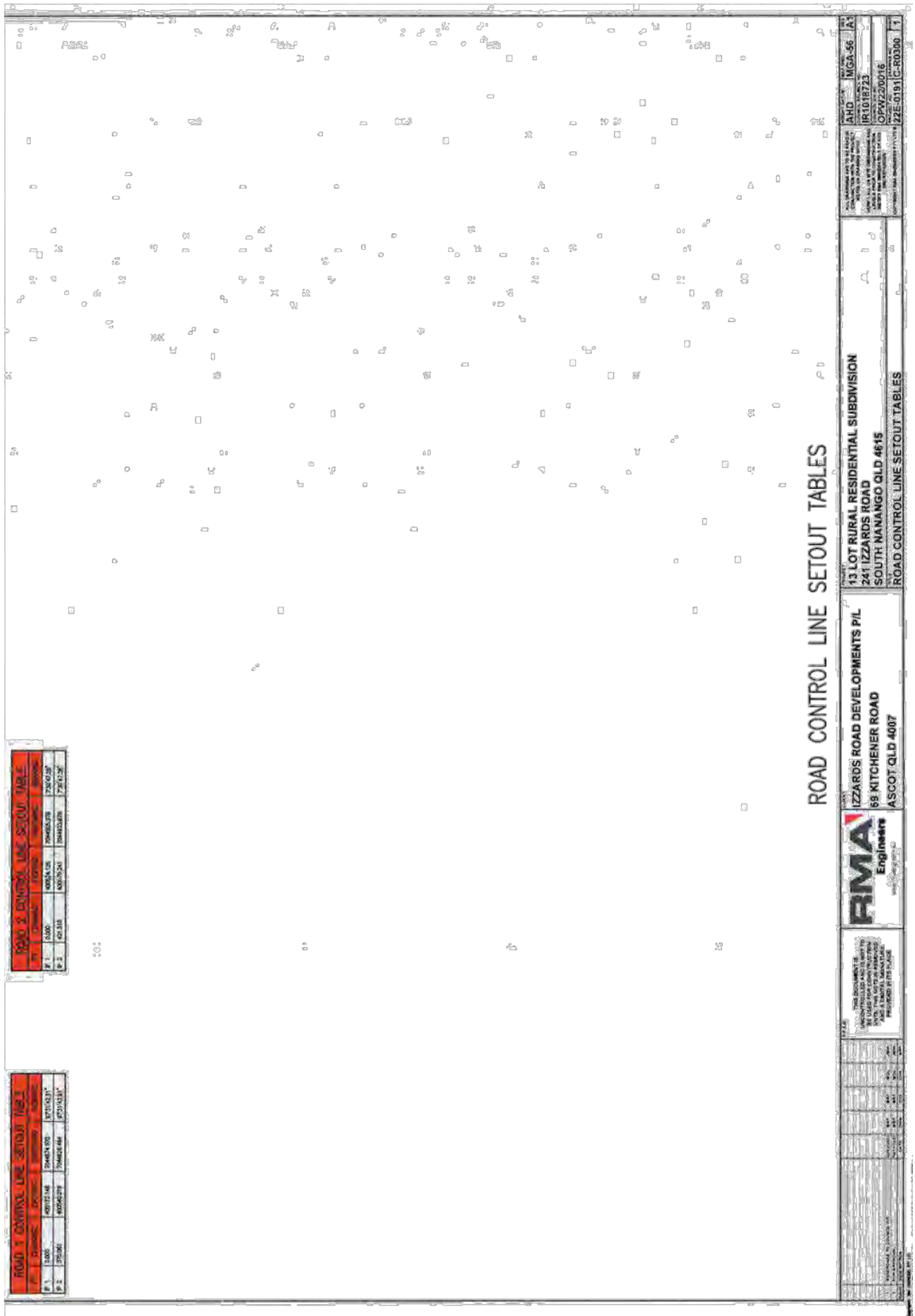
13 LOT RURAL RESIDENTIAL SUBDIVISION
 241 IZZARDS ROAD
 SOUTH NANANGO QLD 4615
 ASPHALT PAVEMENT DESIGN PLAN

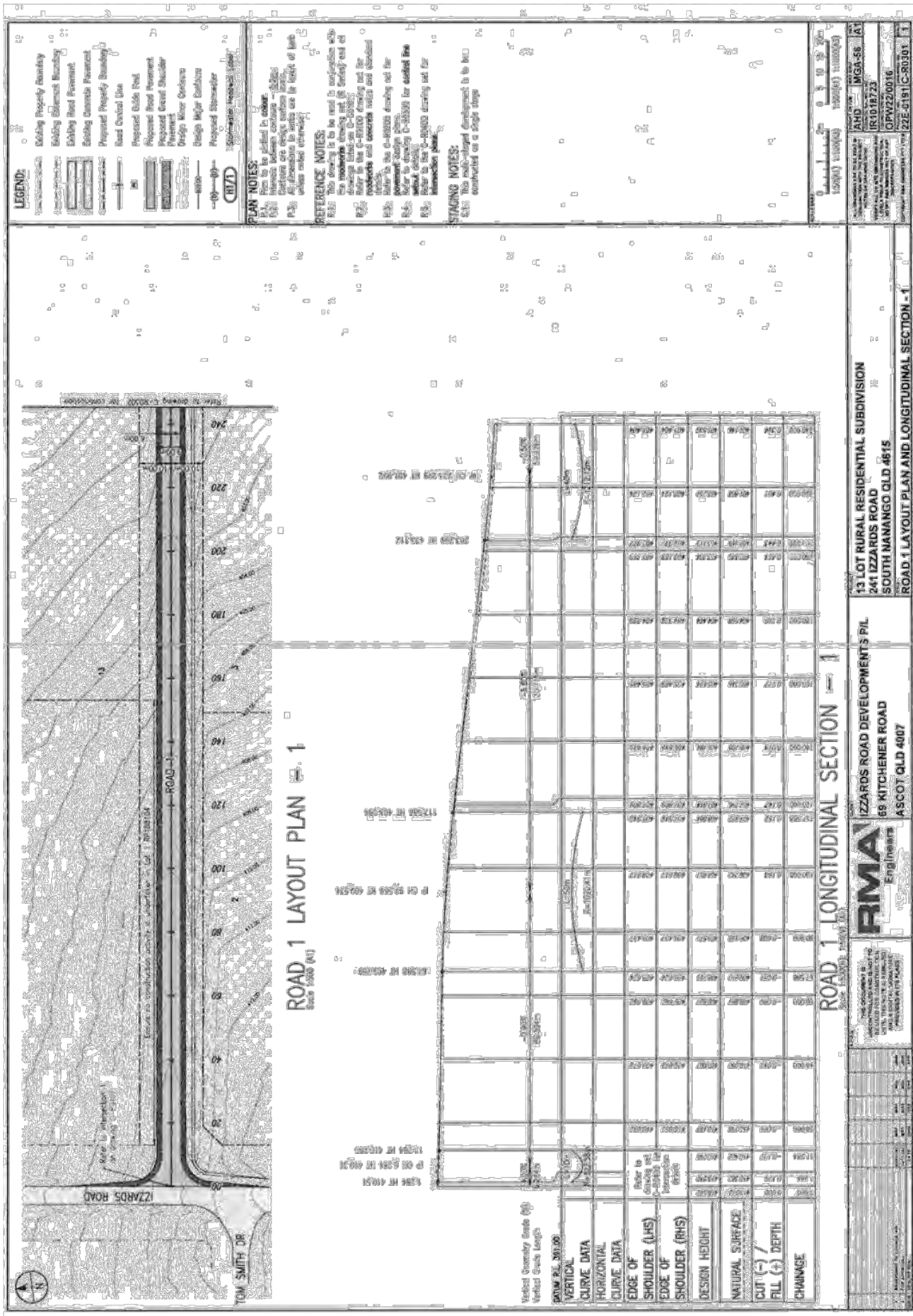
IZZARDS ROAD DEVELOPMENT'S P/L
 89 KITCHENER ROAD
 ASCOT QLD 4007

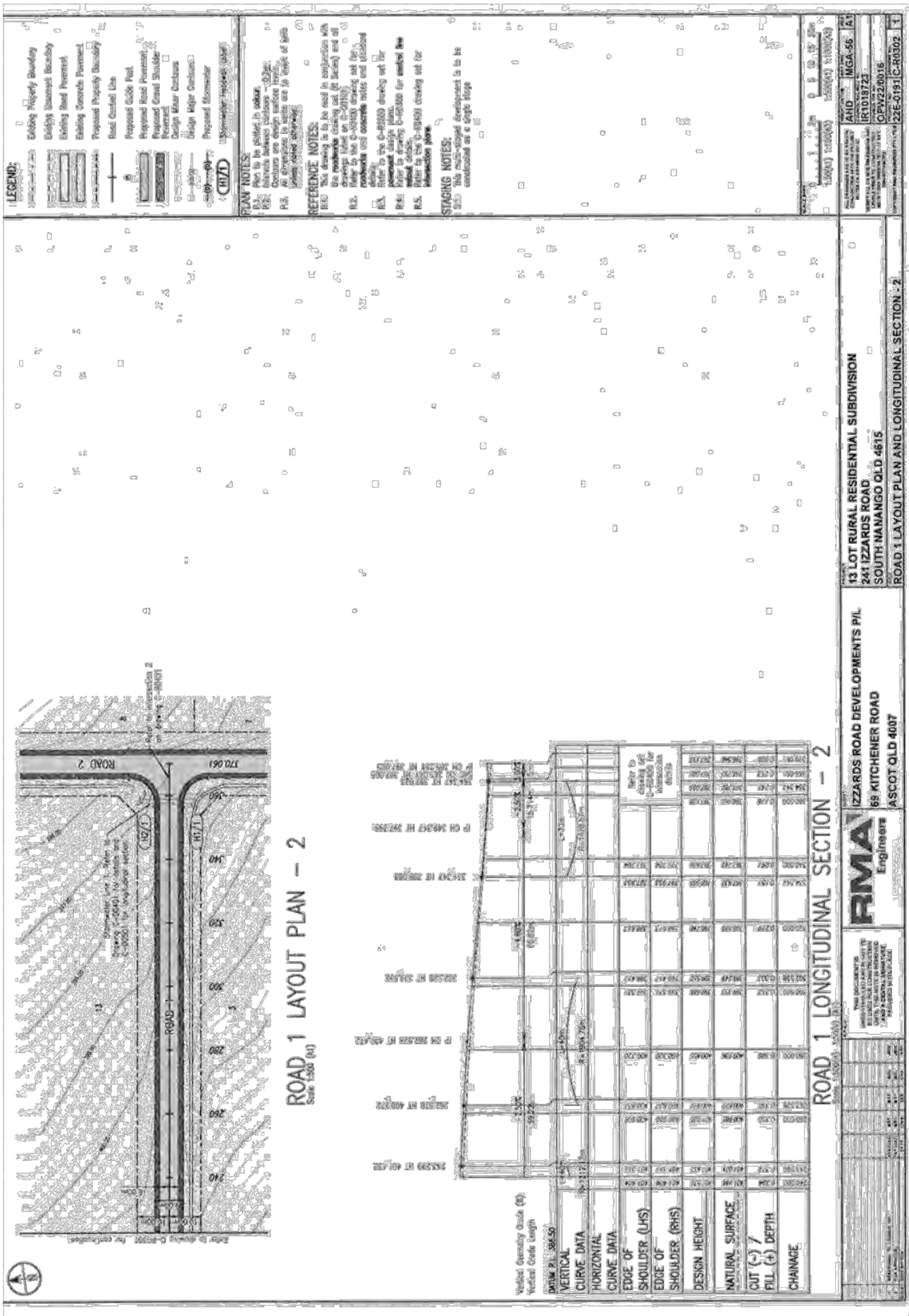


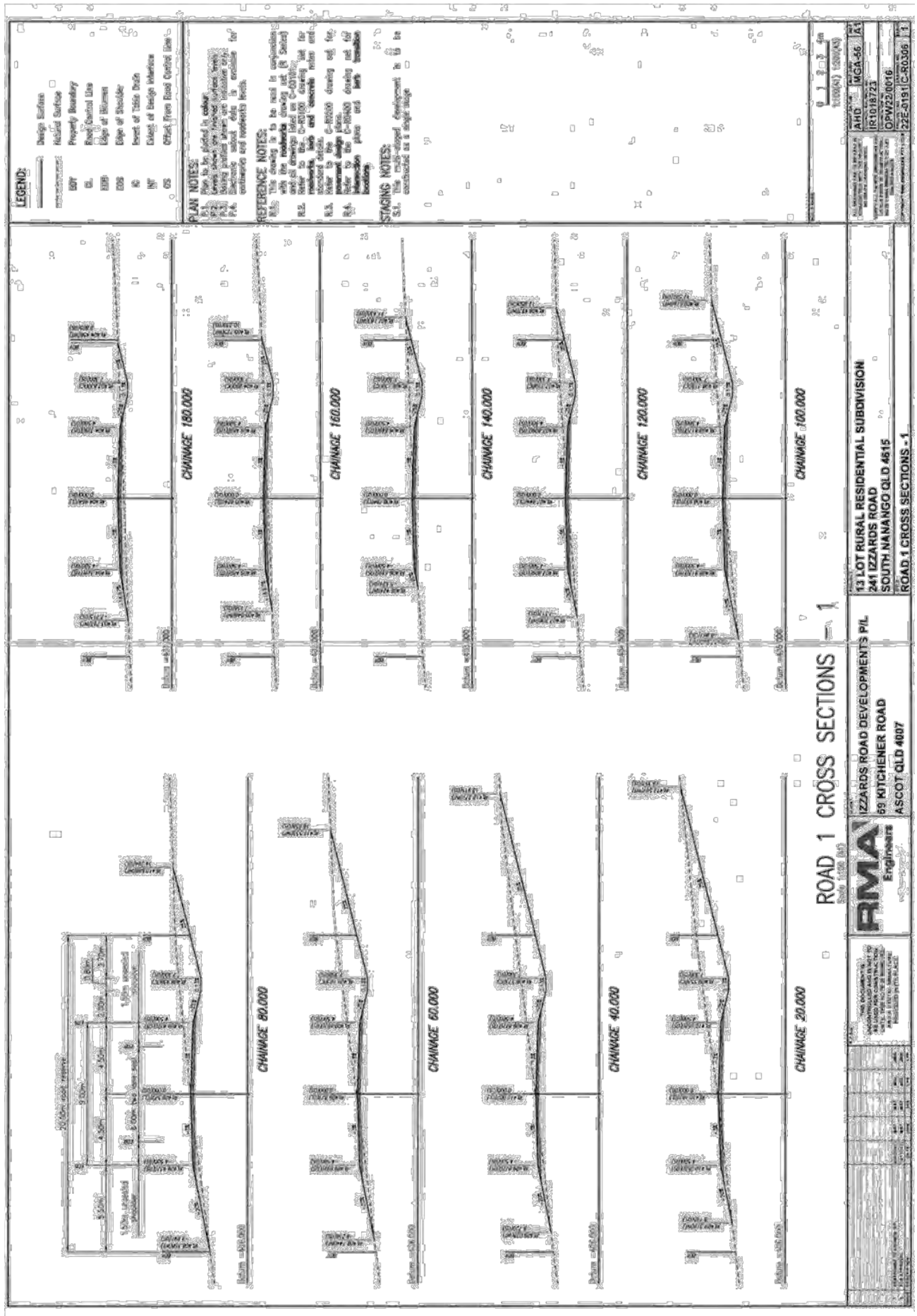
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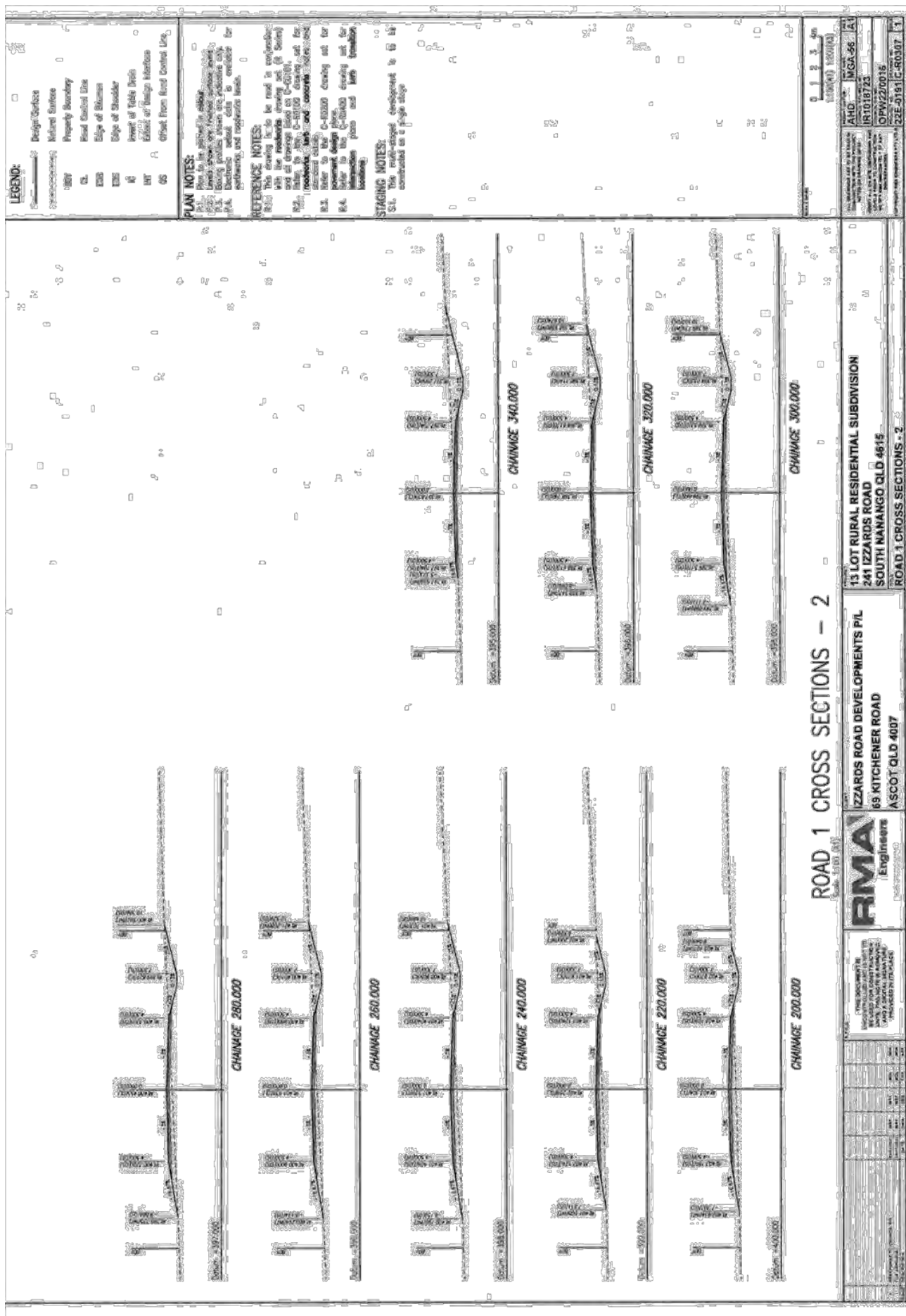
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12/04/2023	ISSUED FOR CONSTRUCTION
12/04/2023	ISSUED FOR CONSTRUCTION

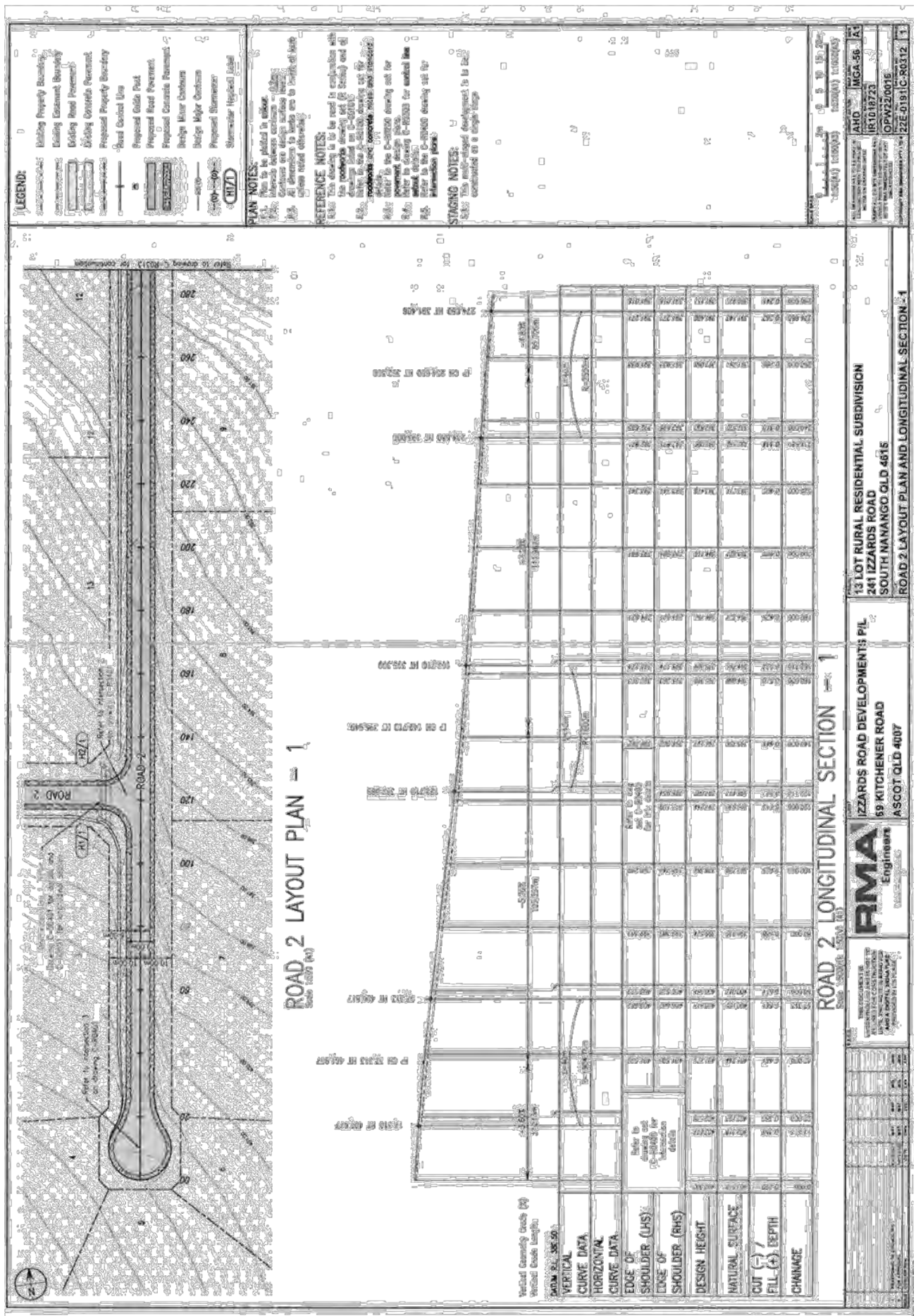


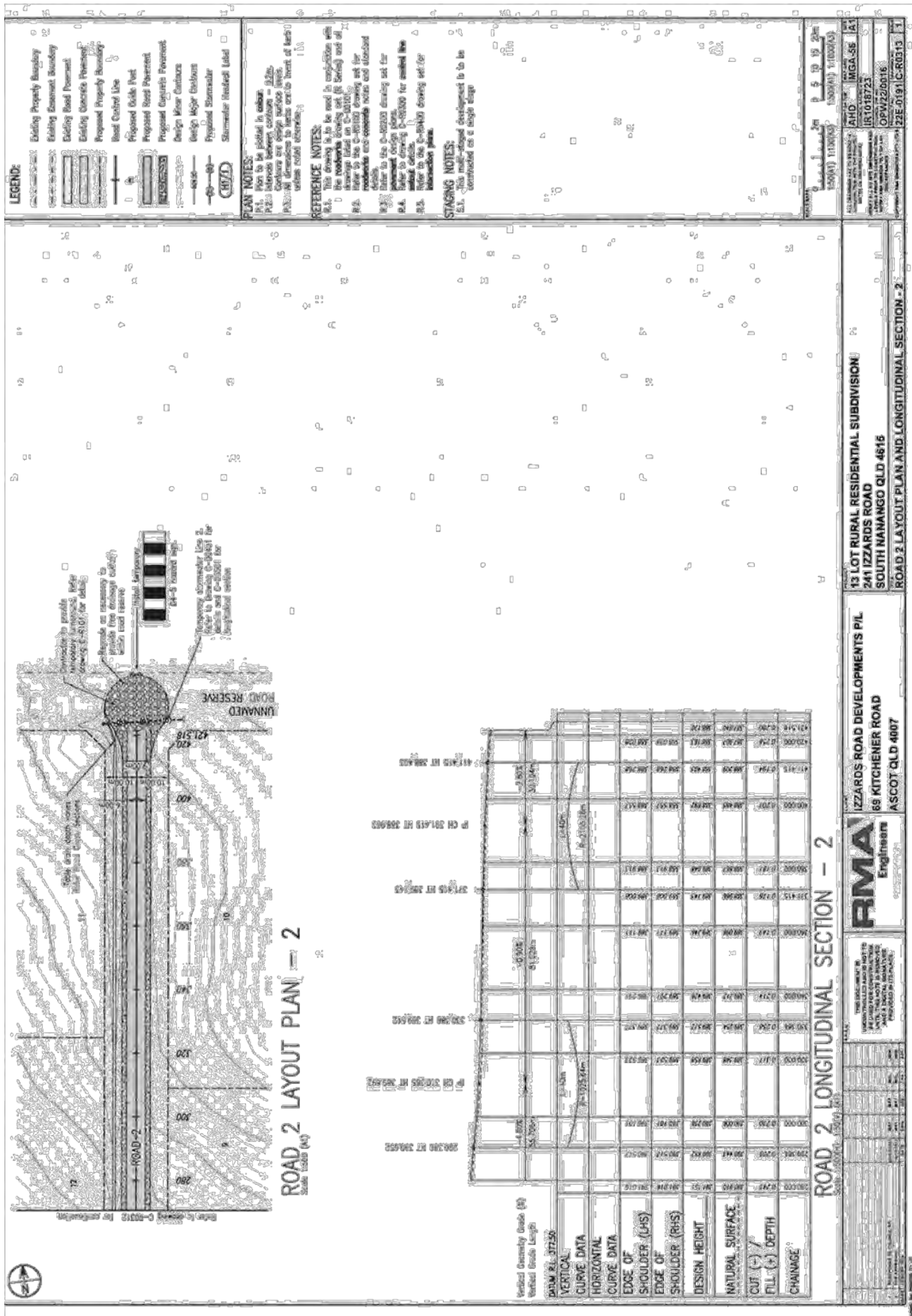


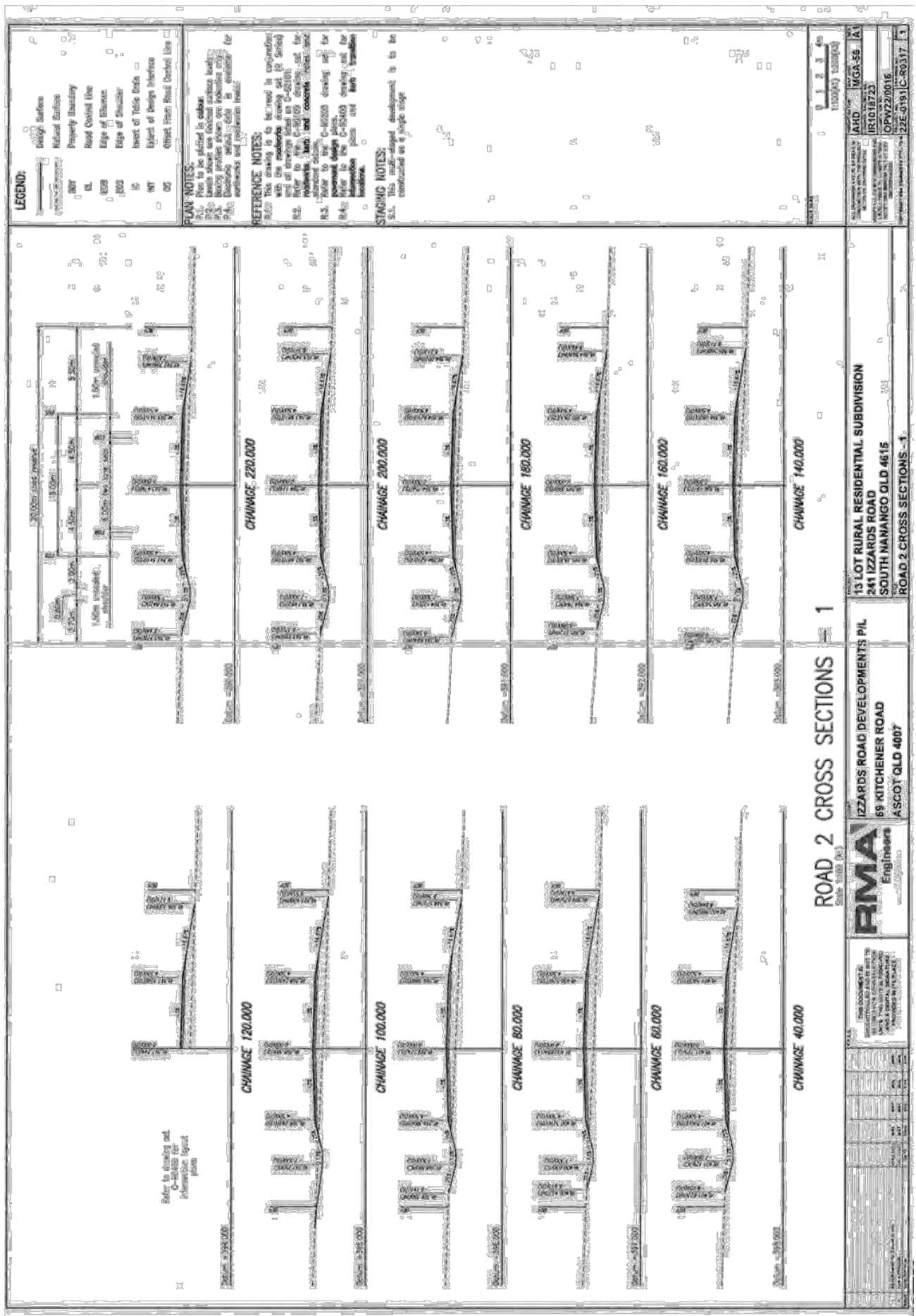


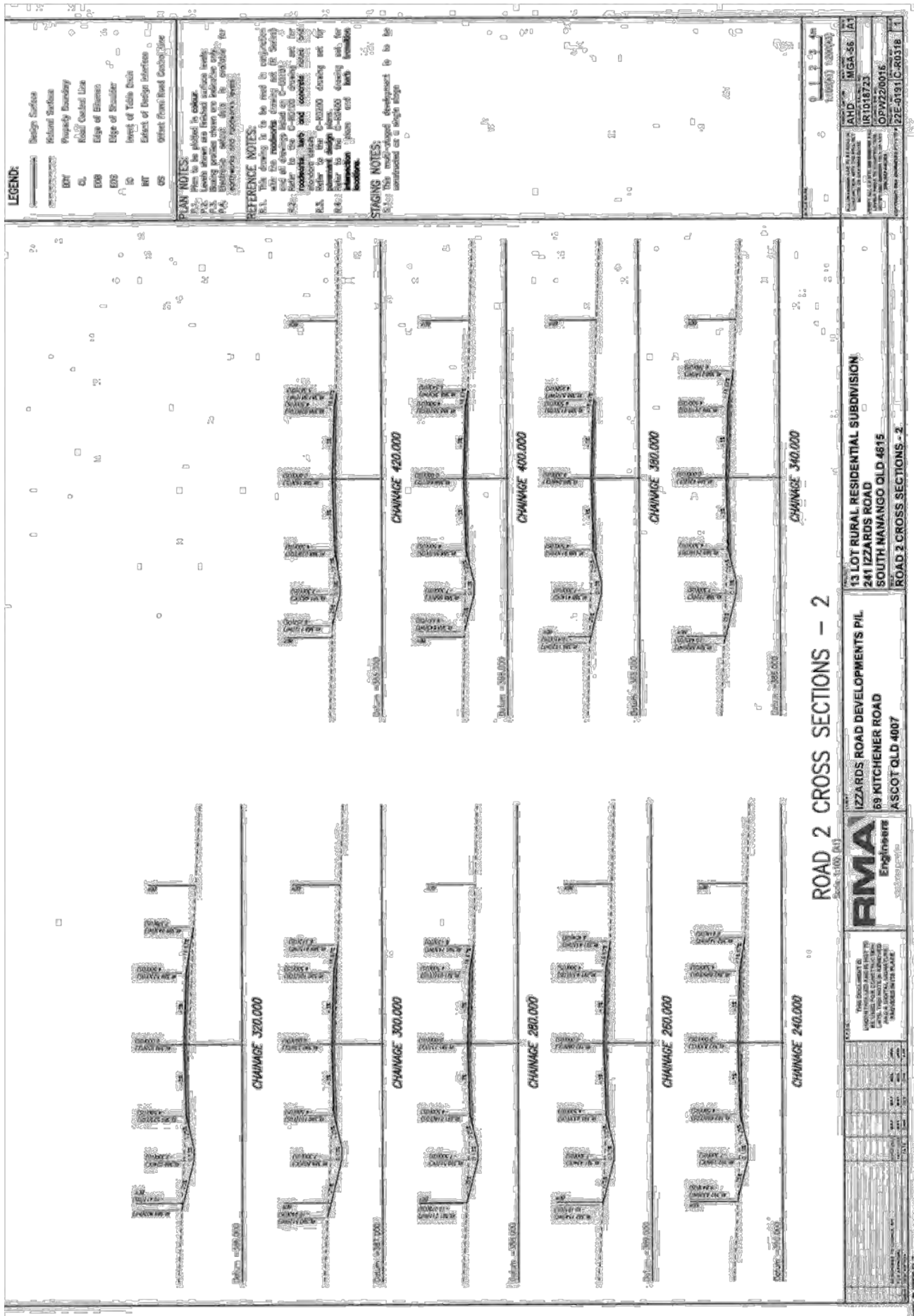


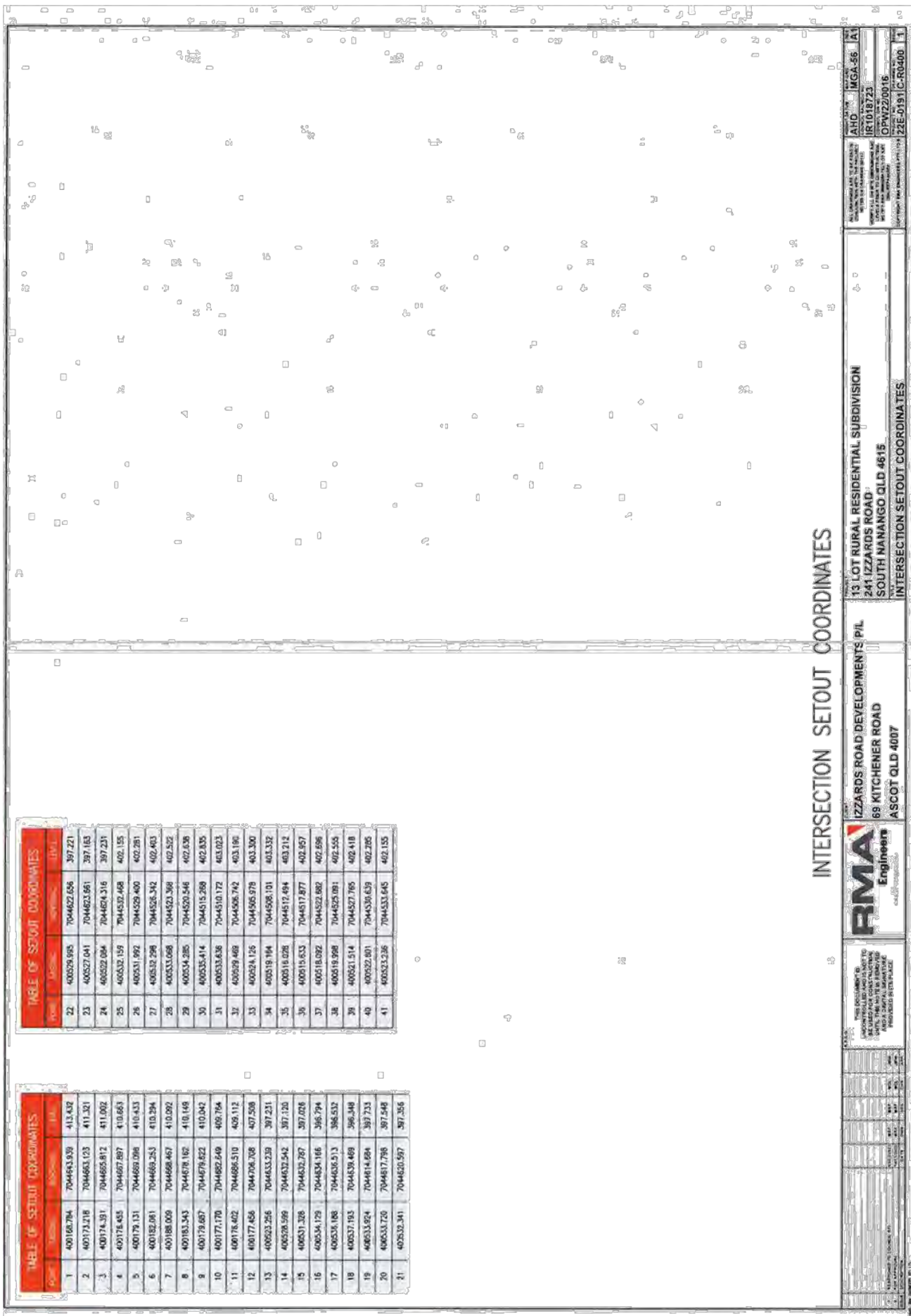


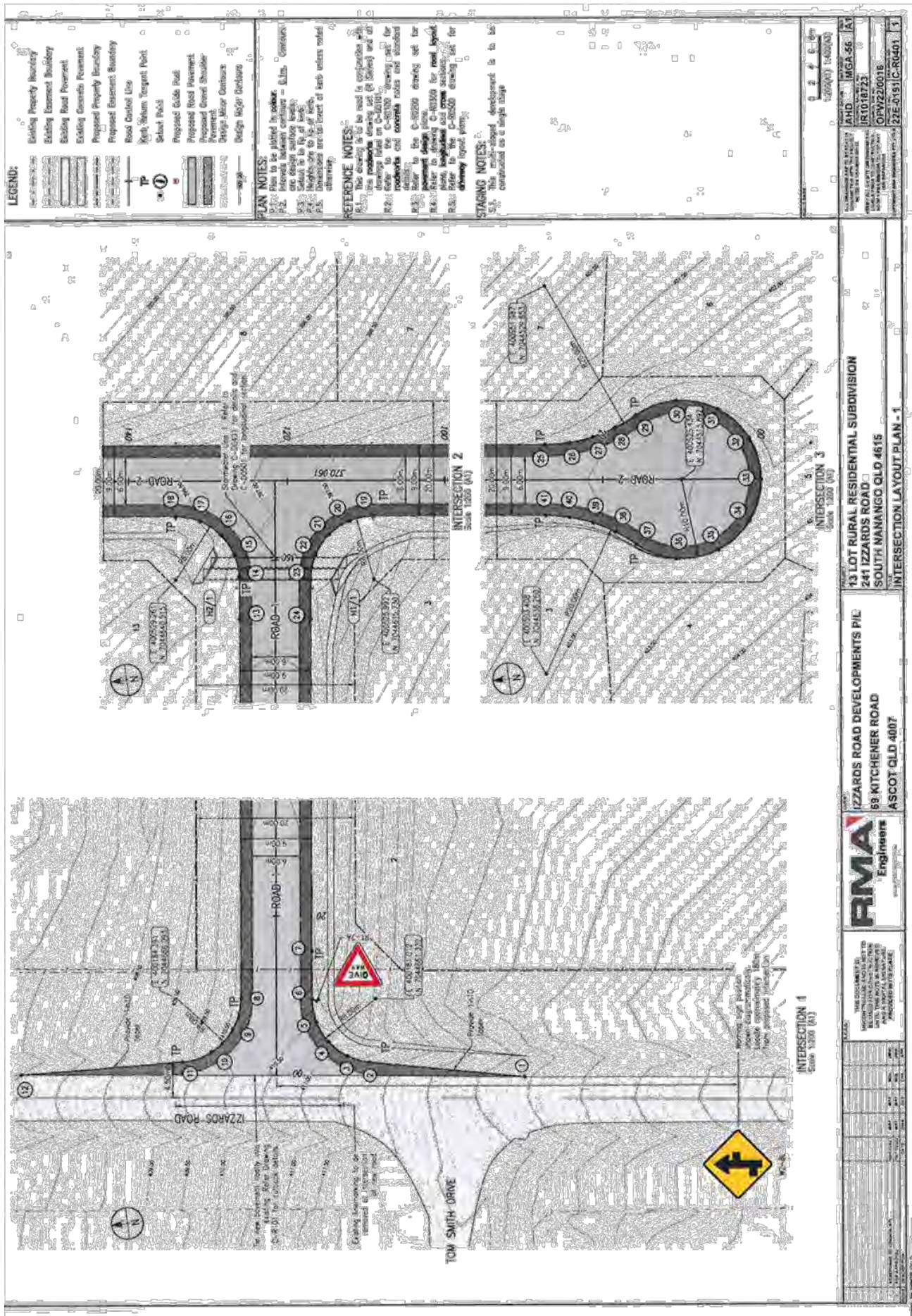


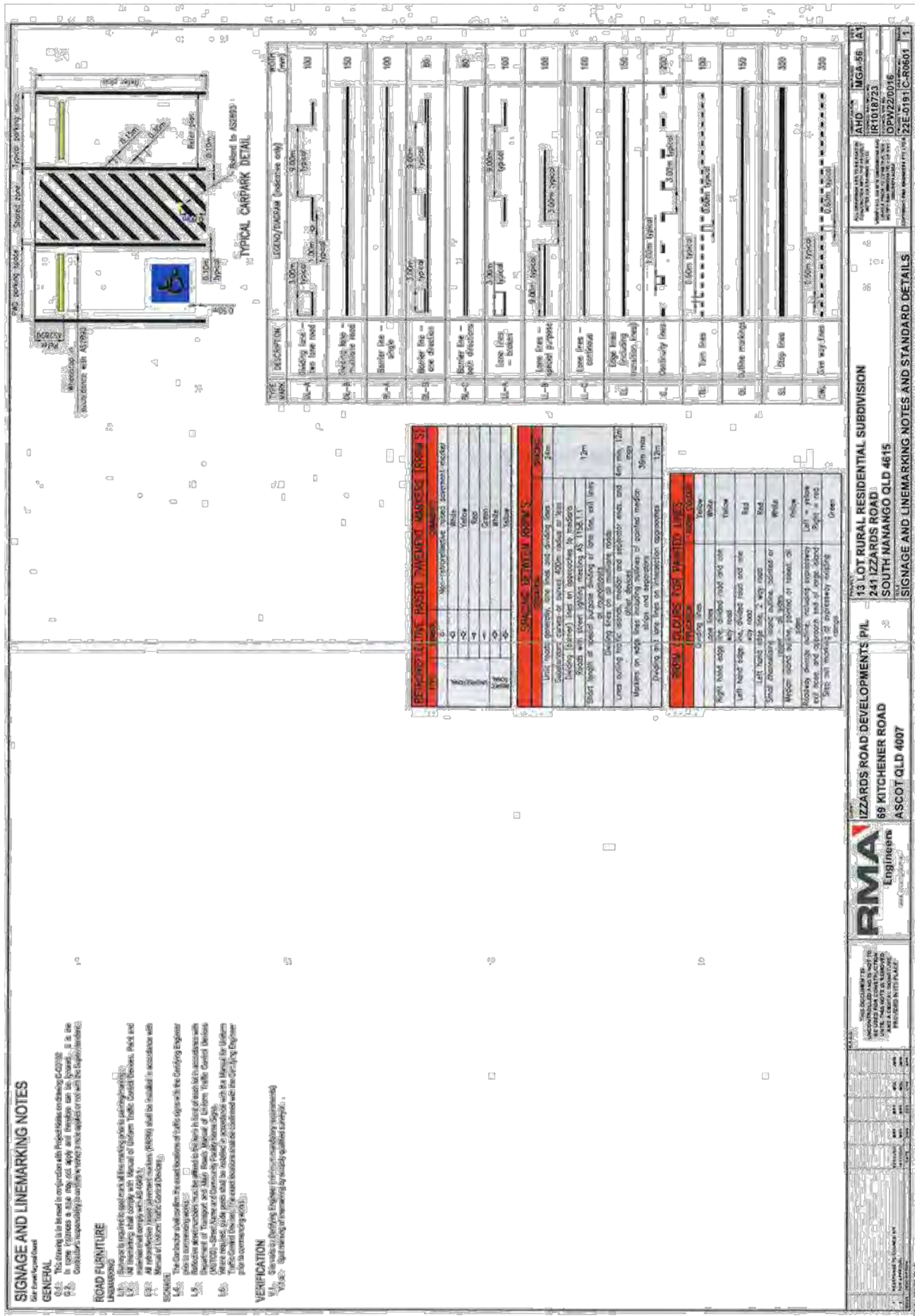


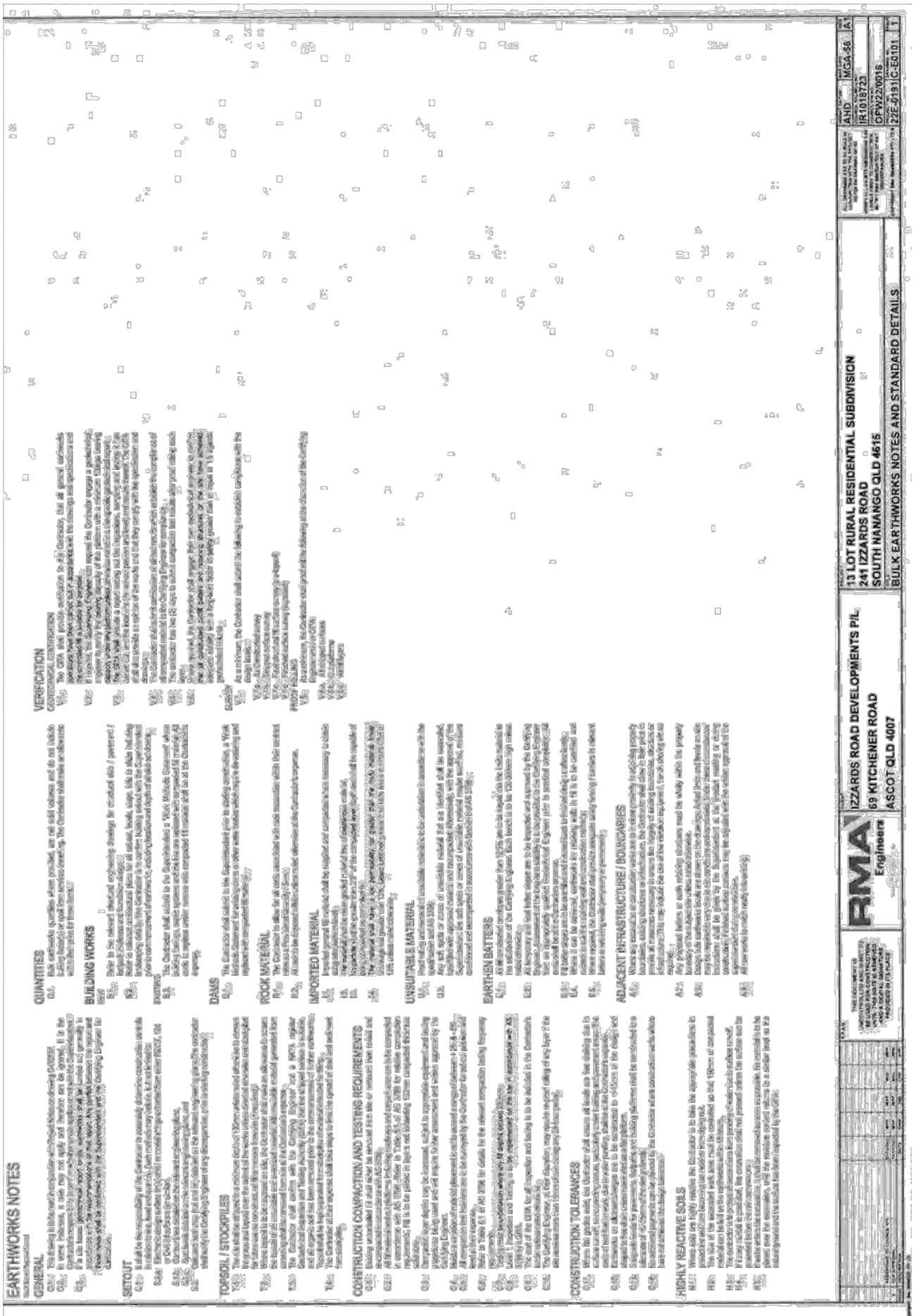












13 LOT RURAL RESIDENTIAL SUBDIVISION
241 IZZARDS ROAD
SOUTH NAMANGO QLD 4615
BULK EARTHWORKS NOTES AND STANDARD DETAILS

AND WGA-56 A
 IF1018723
 OFW220015
 22-0131C-E0101

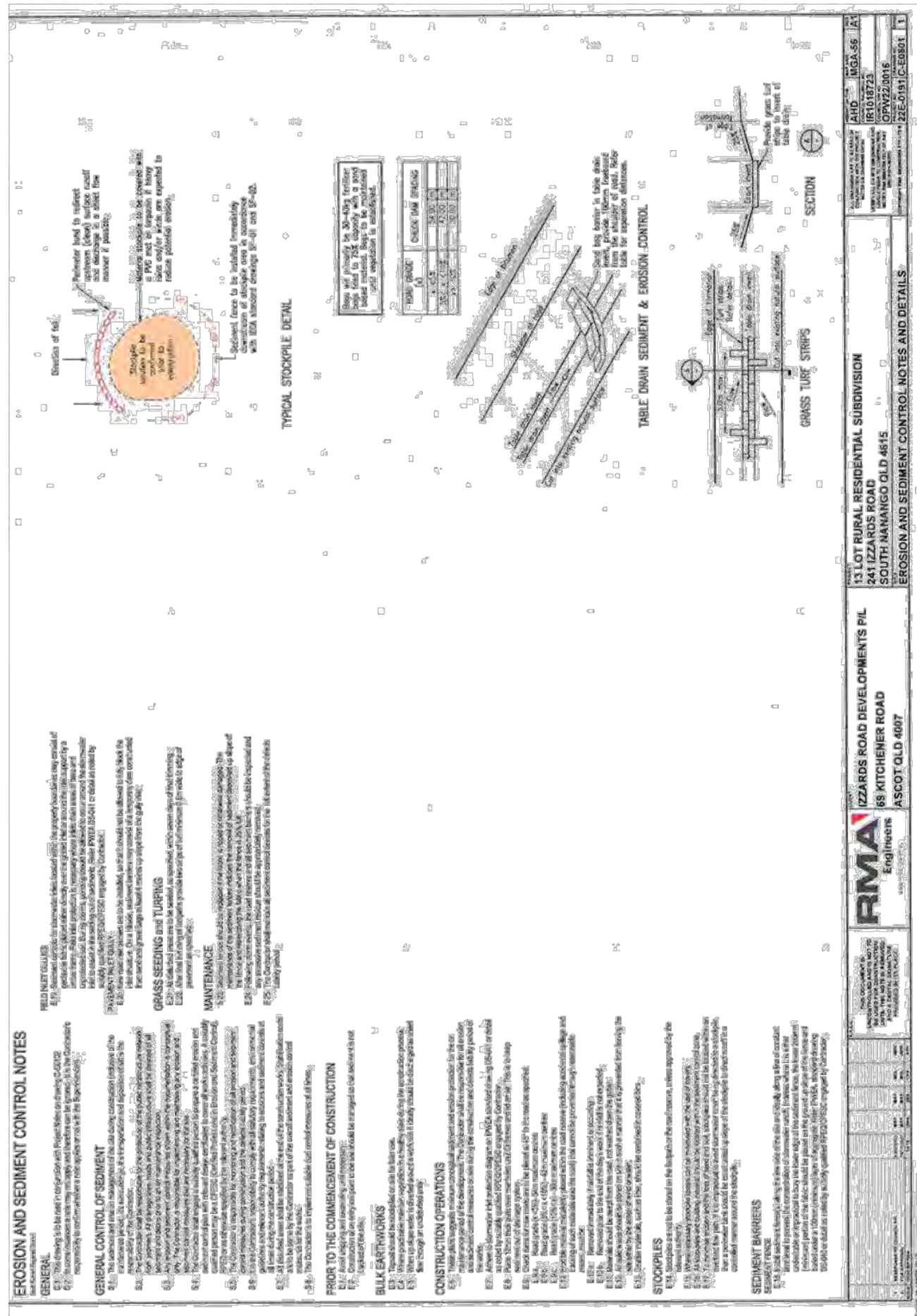
RMA
 Engineers

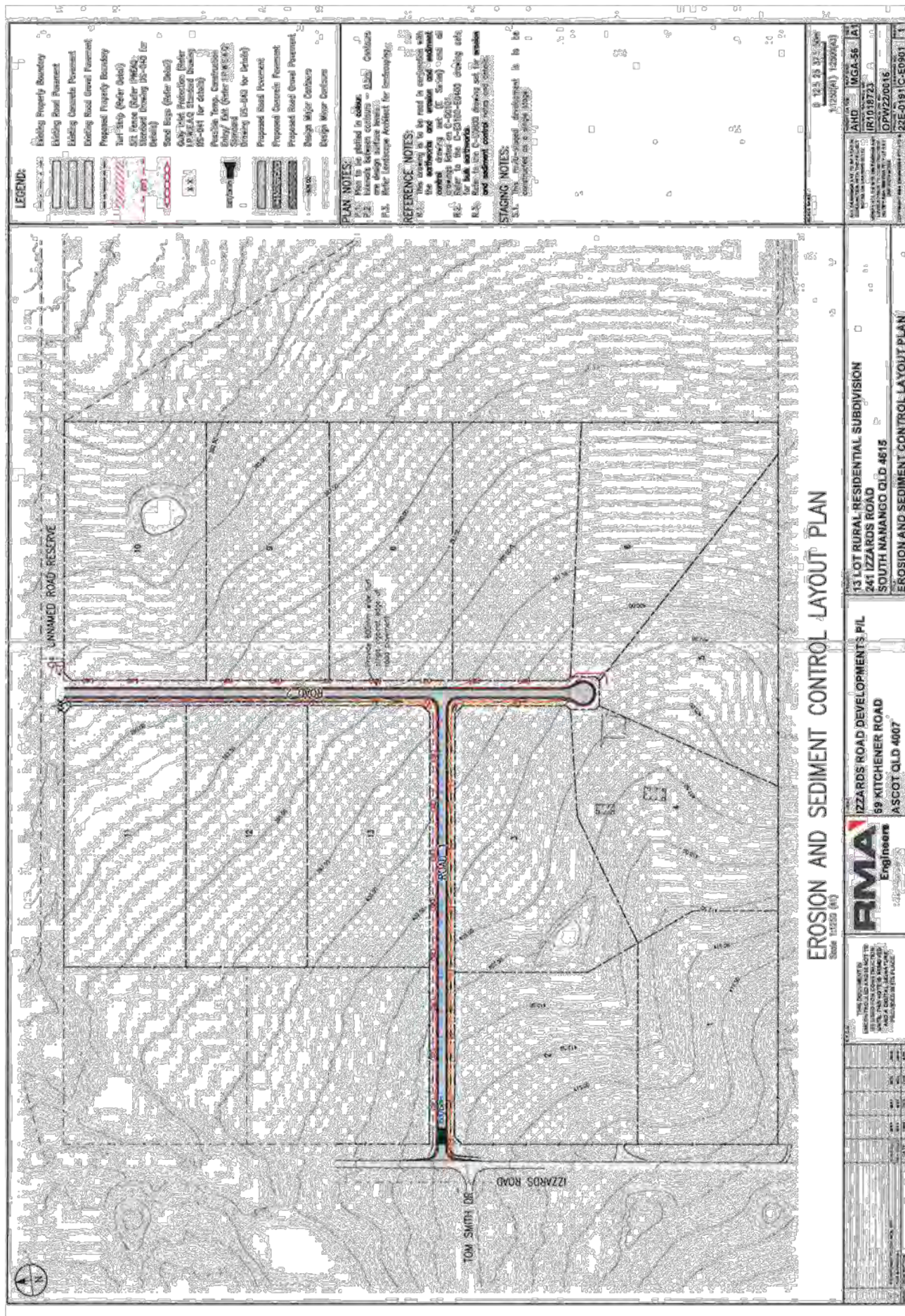
69 KITCHENER ROAD
 ASCOT QLD 4007

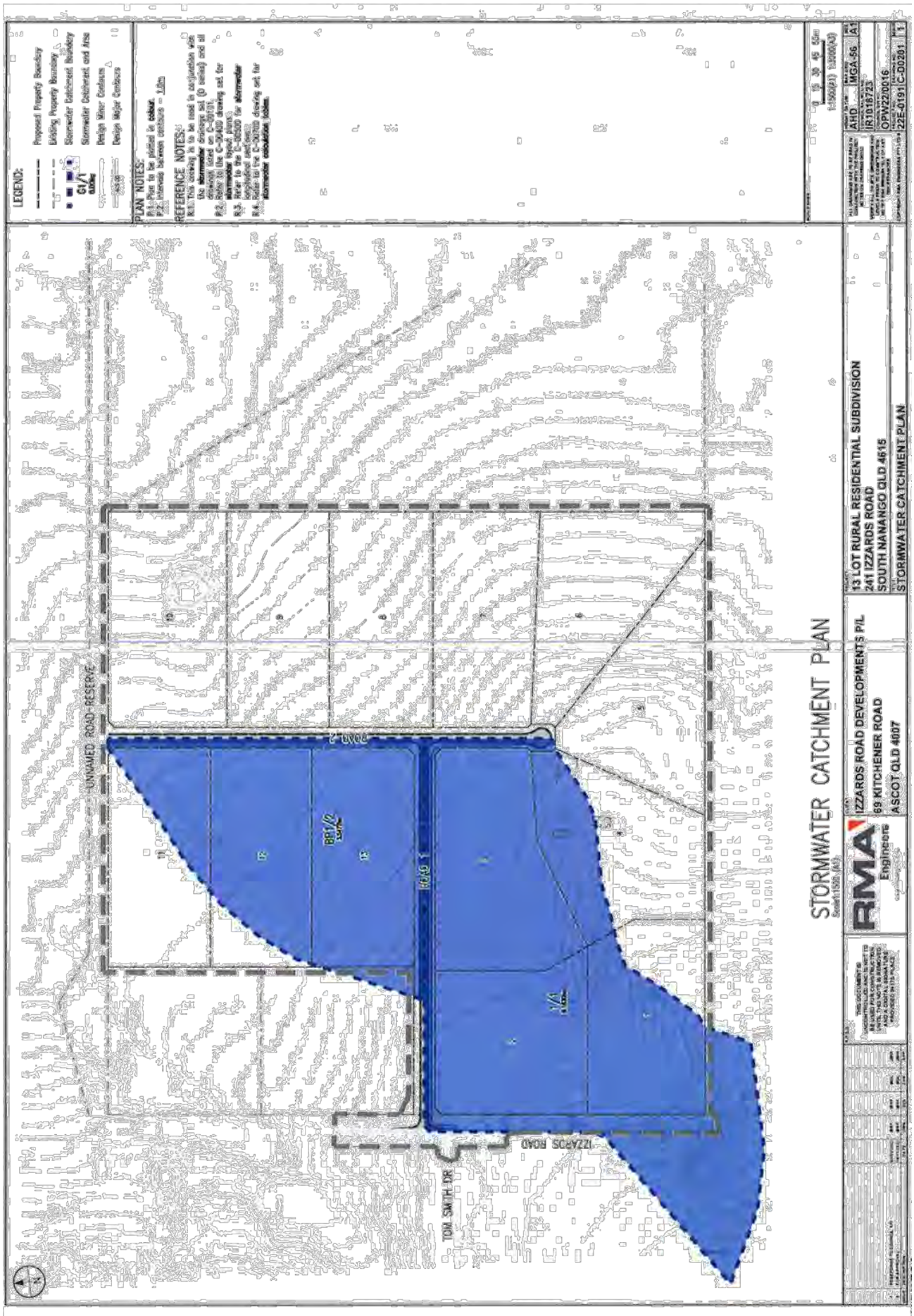
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DATE: 22/04/2022
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 APPROVED BY: [Name]

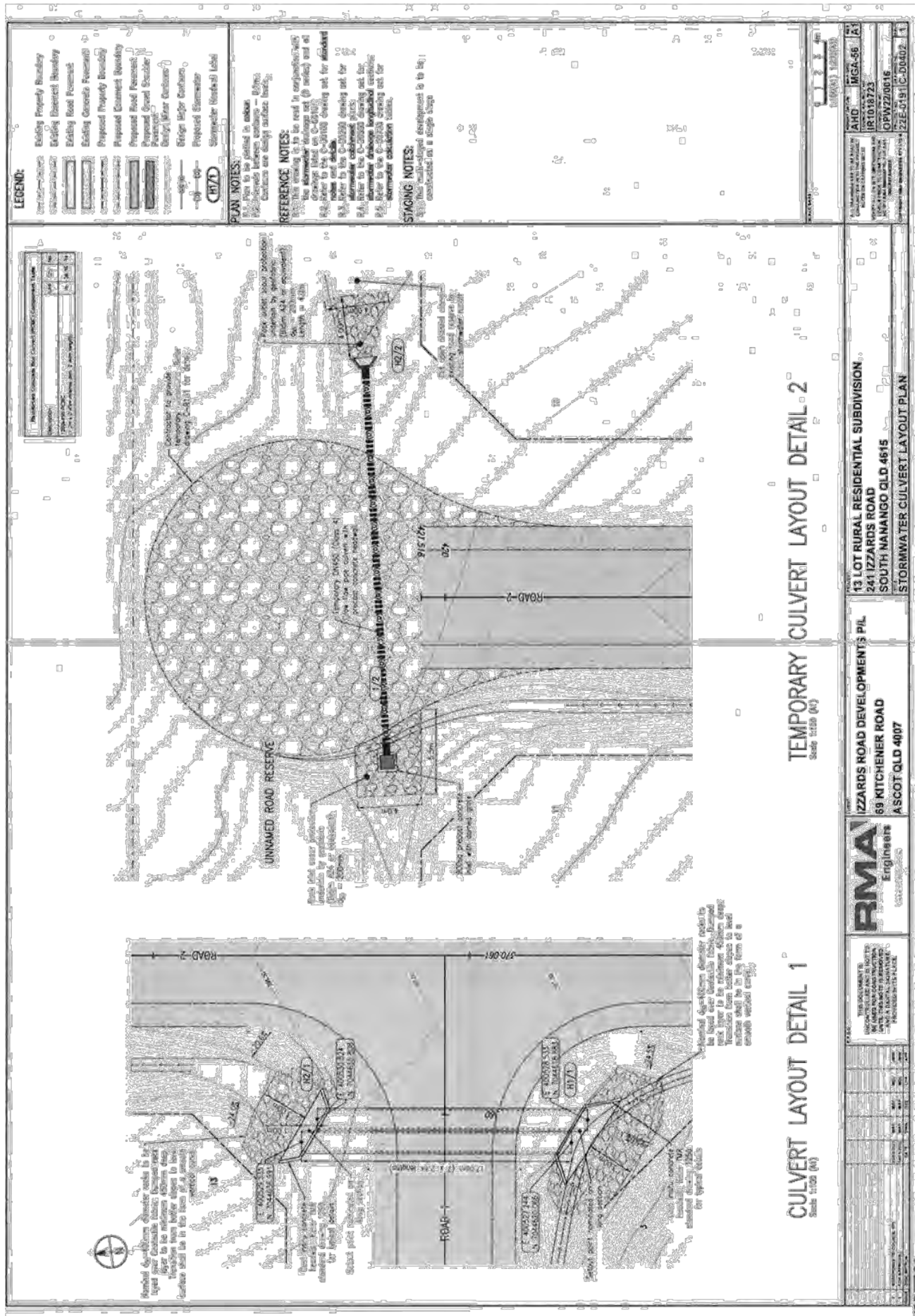


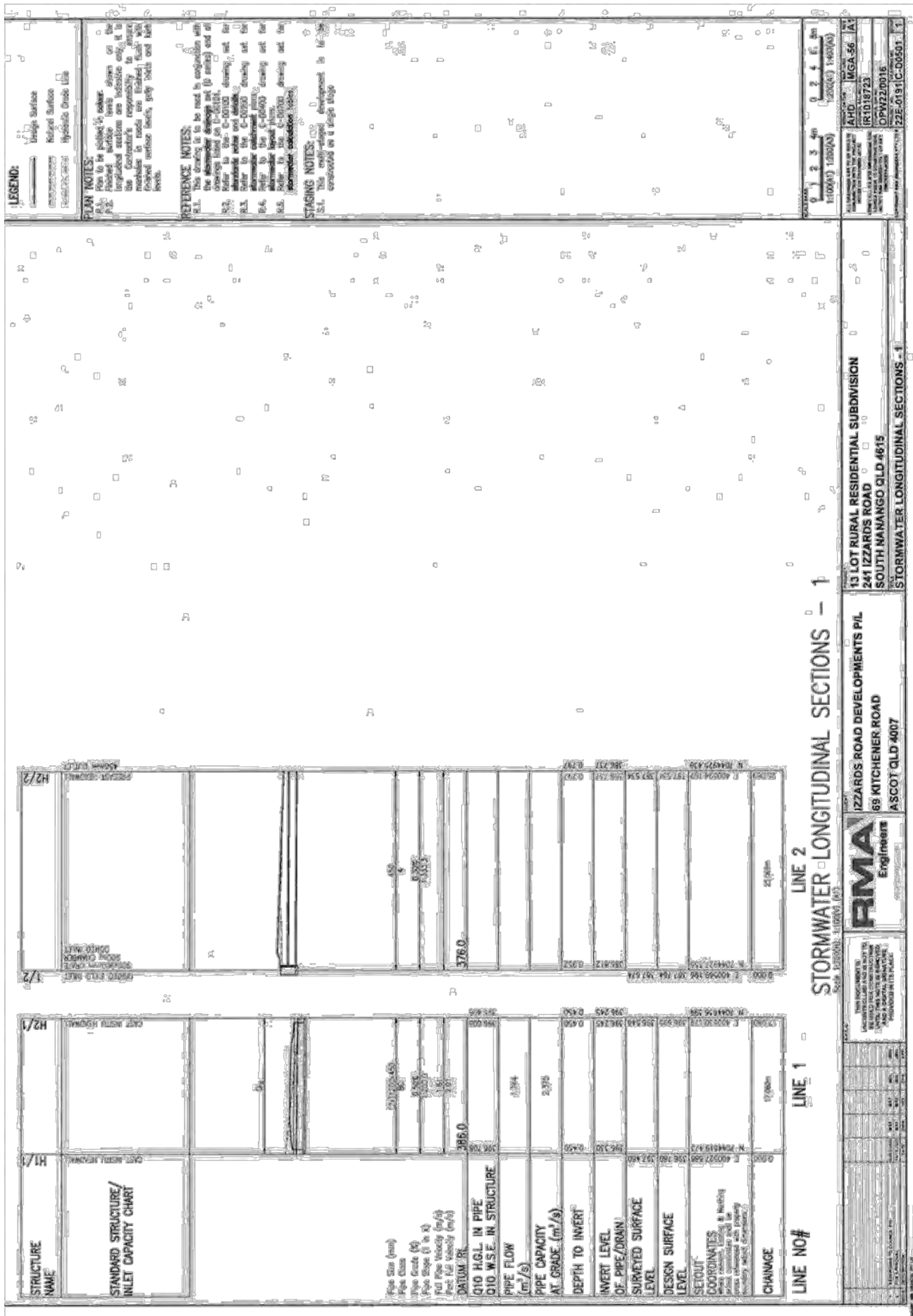


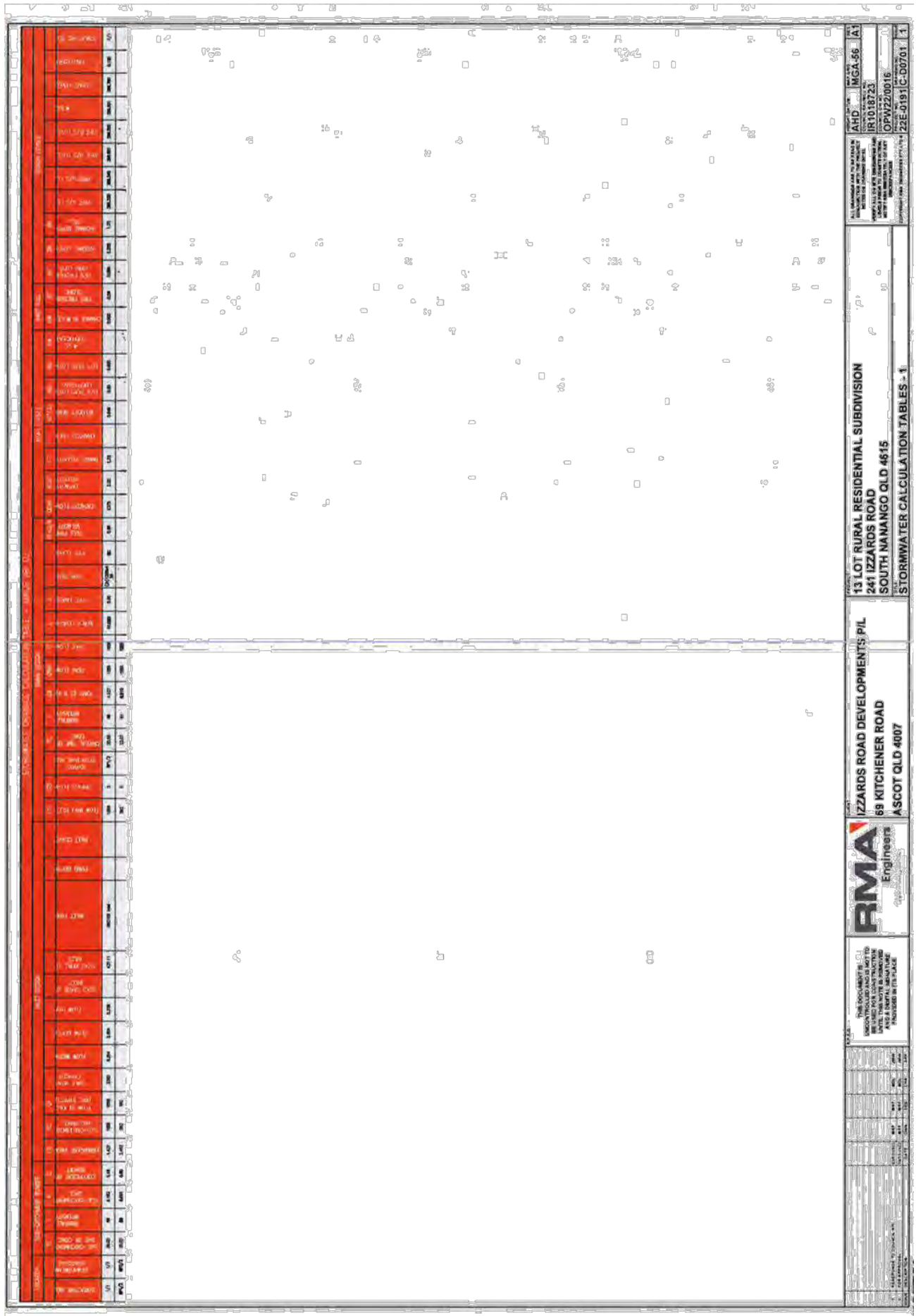


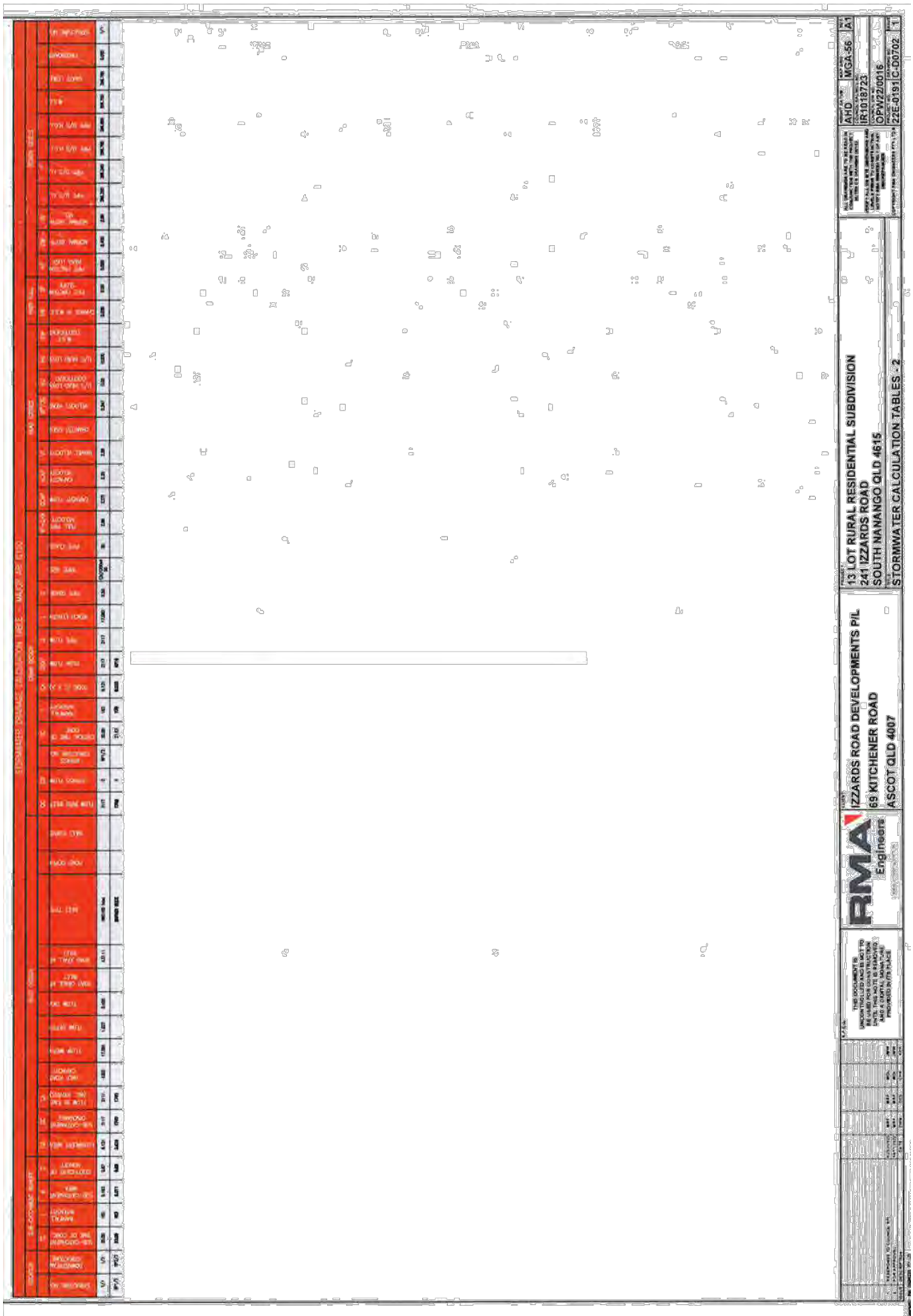












NOTICE ABOUT DECISION – STATEMENT OF REASONS

The following information is provided in accordance with Section 63(4) & (5) of the Planning Act 2016

Applicant:	Izzards Road Developments Pty Ltd C/- RMA Engineers Pty Ltd
Type of Approval:	Operational Work (Roadworks, Stormwater and Earthworks)
Street Address:	Izzards Road, South Nanango
RP Description:	Lot 3 on RP188104
Assessment Type:	Code Assessable
Number of Submissions	N/A

On 28 March 2023 the above development was recommended for:

Approval

1. Reasons for the Decision

The reasons for this decision are:

- The proposed development (Operation Work) is complimentary to the previous Reconfiguration of a Lot approval (RAL18/0011).
- The application meets the requirement of the Services and Works Code of the SBRC Planning Scheme

2. Assessment Benchmarks

The following are the benchmarks apply to this development:

- The Planning Act 2016 (s81)
- DA Rules Schedule 2 Substantially Different Development

3. Compliance with Benchmarks

The development was assessed against all the assessment benchmarks listed above and complies with all of these or can be conditioned to comply.

Note: Each application submitted to Council is assessed individually on its own merit.

0.0 RECONFIGURATION OF A LOT - BOUNDARY REALIGNMENT (2 LOTS INTO 2) AT 52 TARA AVENUE AND 329 NANANGO BROOKLANDS ROAD, NANANGO (AND DESCRIBED AS LOT 13 ON SP192712 AND LOT 21 ON SP138697). APPLICANT: L & S BLACK C/- ONF SURVEYORS.

File Number: RAL22/0044
Author: Administration Officer
Authoriser: Chief Executive Officer

Coordinator development services	SIGNATURE	DATE
	[Redacted]	22/03/23
	GM	23/3/23
CEO	[Redacted]	23/3/23

PRECIS

Reconfiguration of a Lot – Boundary Realignment (2 Lots into 2) at 52 Tara Avenue and 329 Nanango Brooklands Road NANANGO (and described as Lot 13 on SP192712 and Lot 21 on SP138697).

SUMMARY

- Code assessable reconfiguring a lot boundary realignment development application proposal in the rural residential zone
- The site is mapped by the biodiversity and bushfire overlay and state regulated vegetation mapping
- There are no submissions or referrals.
- The application is recommended for approval subject to conditions
- There are no infrastructure charges for boundary realignment applications

**OFFICER'S RECOMMENDATION
 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	Prepared by	Ref no.	Revision
Boundary Realignment 52 Tara Avenue and 329 Nanango Brookland's Rd. Nanango	ONF Surveys	11053P/1	

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.

RAL 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.

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

ENG1. 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.

ENG2. 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.

DEVELOPER INCENTIVE

ADV1. 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

ADV2. This development approval does not authorise any activity that may harm Aboriginal Cultural Heritage. Under the *Aboriginal Cultural Heritage Act 2003* you have a duty of care in relation to such heritage. Section 23(1) provides that "A person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal Cultural Heritage." Council does not warrant that the approved development avoids affecting Aboriginal Cultural Heritage. It may therefore, be prudent for you to carry out searches, consultation, or a Cultural Heritage assessment to ascertain the presence or otherwise of Aboriginal Cultural Heritage. The Act and the associated duty of care guidelines explain your obligations in more detail and should be consulted before proceeding. A search can be arranged by visiting <https://www.datsip.qld.gov.au> and filling out the Aboriginal and Torres Strait Islander Cultural Heritage Search Request Form.

APPEAL RIGHTS

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

INFRASTRUCTURE CHARGES

ADV4. Infrastructure charges are not levied by way of an infrastructure charges notice pursuant to section 119 of the *Planning Act 2016*.

FINANCIAL AND RESOURCE IMPLICATIONS

No implication can be identified.

LINK TO CORPORATE/OPERATIONAL PLAN

Growing our Region's Economy and Prosperity

- GR8 Support and advocate for appropriate growth and development with responsive planning schemes, process, customer service and other initiatives.

COMMUNICATION/CONSULTATION (INTERNAL/EXTERNAL)

Refer to CONSULTATION in this report.

LEGAL IMPLICATIONS (STATUTORY BASIS, LEGAL RISKS)

No implication identified.

POLICY/LOCAL LAW/DELEGATION IMPLICATIONS

No implication can be identified.

ASSET MANAGEMENT IMPLICATIONS

No implication can be identified.

REPORT

1. APPLICATION DETAILS

Site address	52 Tara Avenue & 329 Nanango Brooklands Road, Nanango		
Real property description	Lot 13 on SP192712 & Lot 21 on SP138697		
Easements or encumbrances on title	Yes. <ul style="list-style-type: none"> Existing Easement A within Lot 21 is for the purposes of Electricity in gross to Wide Bay Burnett Electricity Corporation; and Existing Easement E in Lot 13 is for the purposes of Drainage in gross to Council. 		
Area of Site	8.285 ha		
Current Use	Dwelling Houses		
Environmental Management Register or Contaminated Land Register	N/A		
Applicant's name	L & S Black C/- ONF Surveyors		
Zone	Rural Residential		
Applicable Overlays	OM2 – Bushfire Hazard Overlay Map – part of site within Medium Potential Bushfire Intensity & Potential Impact Buffer OM5 – Biodiversity Areas – Regulated Vegetation		
Proposed use as defined	Reconfiguring a Lot to realign the boundaries between the subject lots to provide additional area to their existing Lot 13.		
Surrounding Land Uses	North Rural Residential Dwellings East Rural Residential Dwellings South Rural Residential Dwellings West Rural Residential Dwellings		
Details of proposal	Reconfiguring a Lot (RALs)		
	• Number of existing lots	2	
	• Easements or leases proposed	No new easements proposed. Existing easements remain unchanged	
	• Number of proposed lots	2	
	• Lot areas	Lot 21: 4.1 ha Lot 13: 4.2 ha	
• Access	No change to site frontages or existing accesses via Nanango Brooklands Road and Tara Avenue are required as part of the proposal.		
Application type	Aspects of Development	Type of Approval Requested	
		Preliminary Approval	Development Permit
	Material Change of Use (MCU)		
	Reconfiguration of a Lot (RAL)		X
	Building Work (BW)		

	Operational Work (OPW)	
Level of Assessment	Code Assessment	
Pre-lodgement Consultation history	N/A	
Key planning issues e.g. vegetation, waterway corridors, overland flow	<ul style="list-style-type: none"> - Regulated Vegetation - Easements and infrastructure - Irregular lots and impacts on environmental values 	
Referral agencies	Agency	Concurrence/ Advice
	N/A	N/A
Public notification	N/A	
Planning Regulation 2017	N/A	
State Planning Policy 2017 requirements	Natural hazards risk and resilience – bushfire	
Wide Bay Regional requirements	Burnett Plan	<p>Lot 13 Tara Avenue is located within the Rural Living Area of the WBBRP</p> <p>Lot 21 Nanango Brooklands Road is within the Regional Landscape Rural Production Area of the WBBRP</p>

2. THE SITE

This section of the report provides a description of the site, details about the existing use and notable characteristics of the site, the standard of servicing, and the form of development in the immediately locality.

2.1. SITE DESCRIPTION & EXISTING USE

The subject sites are located within 4km south of the centre of the Nanango township and are utilised for residential purposes, containing existing dwellings and associated outbuildings. The land is contained in the Rural Residential Zone and is mapped with protected vegetation under State matters of significance and also reflected in the Council's biodiversity overlay mapping.

Bushfire hazard mapping is associated with the areas of regulated vegetation.

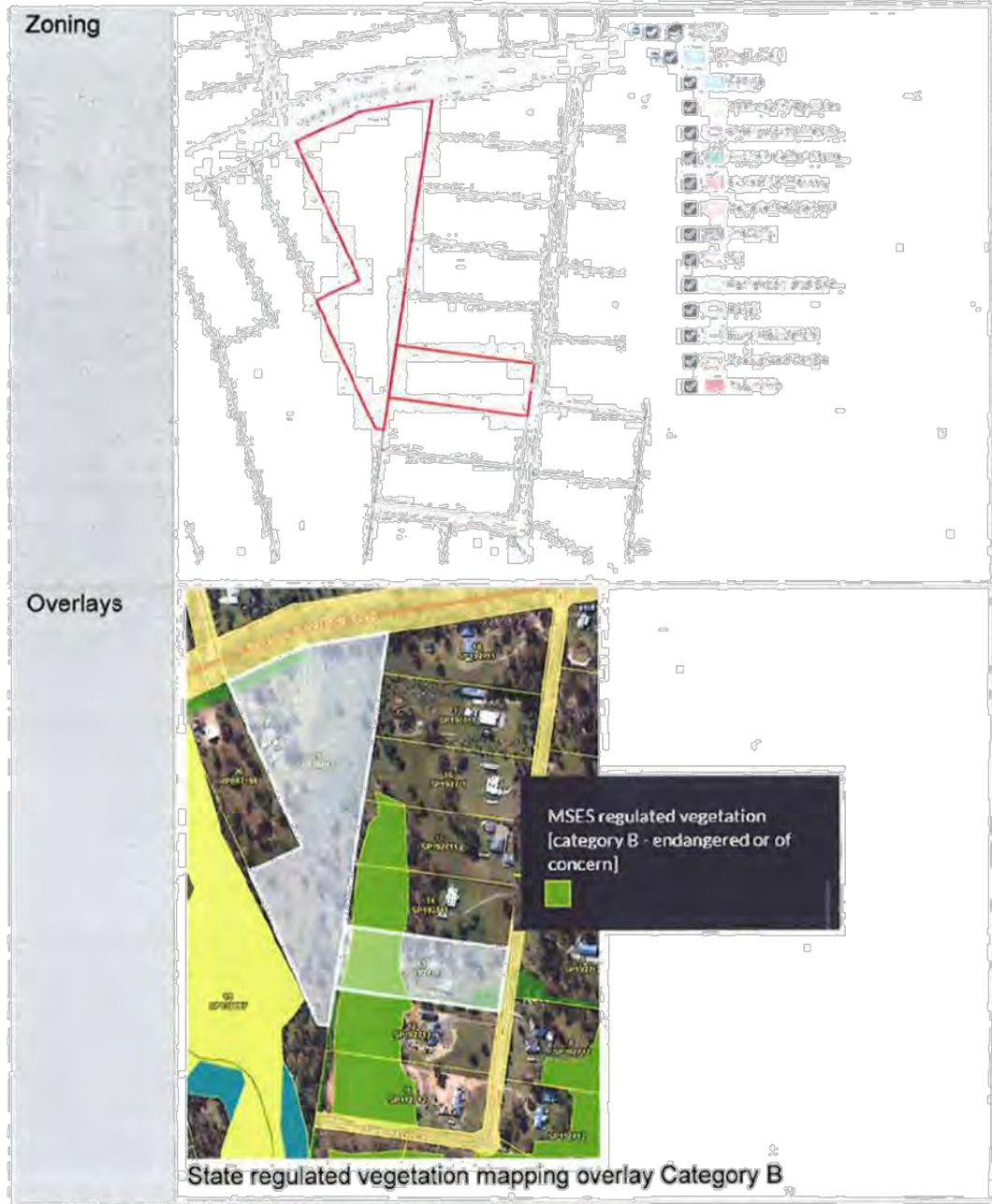
The sites have frontage to Tara Avenue and Nanango Brooklands Road respectively, each of which are formed and sealed roads to Council's relevant road standard.

The lots are outside Council's water and wastewater network and each dwelling is serviced by on-site waste water treatment systems for on-site effluent disposal.

Existing Easement A within Lot 21 is for the purposes of Electricity in gross to Wide BayBurnett Electricity Corporation and existing Easement E in Lot 13 is for the purposes of Drainage in gross to Council.

Table 1 – Maps & Descriptions (Source: Intramaps & QldGlobe)

Site	 <p data-bbox="406 1556 710 1594">Easements shown Green.</p>
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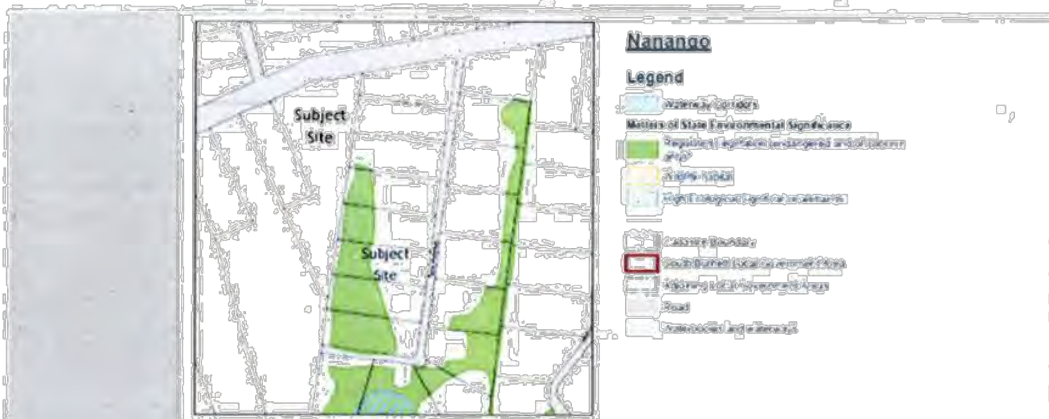
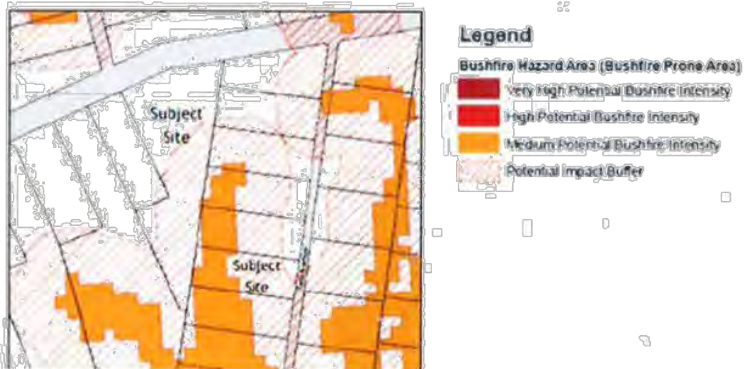


Figure 2: OMS – Biodiversity Areas Overlay



The rear of existing Lot 13 is within a Medium Potential Bushfire Intensity Area and associated Potential Impact Buffer Area, as shown on Council's Overlay Map 2 – Bushfire Hazard Overlay

There are no Council reticulated services to these lots.

Services
Topography



The land slopes from Nanango Brooklands Road in the north to the south.

2.2. DEVELOPMENT HISTORY OF THE SITE

There is no known development/site history.

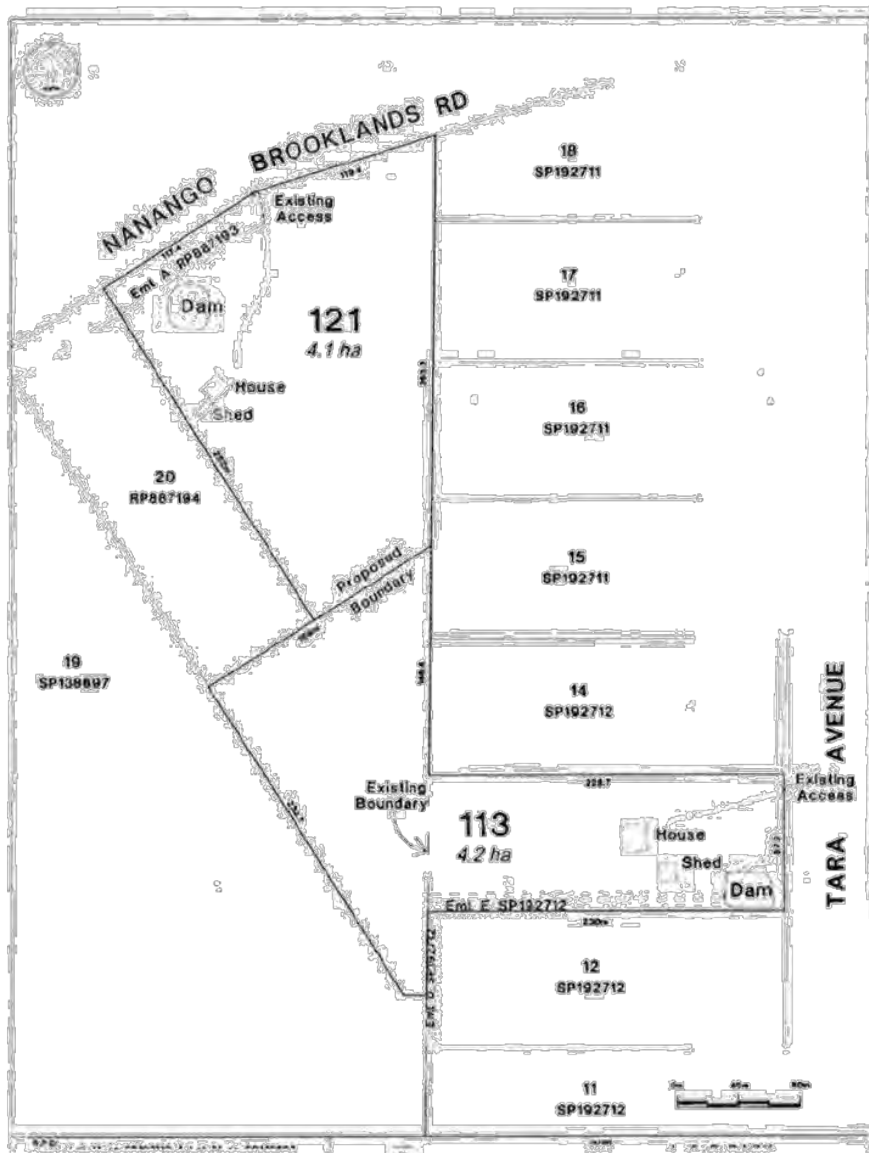
3. PROPOSAL DETAILS

The proposal plans as set out in Attachment 1 to this planning report and the development proposal is described below.

3.1 DETAILED DESCRIPTION OF THE DEVELOPMENT

The applicant seeks approval to realign the boundaries between the subject lots for an exchange in land area between the properties. The rear of existing Lot 21 on SP138697 is to be consolidated with adjoining Lot 13 on SP192712, resulting in an exchange of approximately 2 hectares in area.

Each lot is to result in 4 hectares in area which exceeds the minimum area prescribed for the Rural Residential Zone.



Development proposal plan

4. ASSESSMENT OF ASSESSMENT BENCHMARKS

4.1. FRAMEWORK FOR ASSESSMENT

For the *Planning Act 2016*, the following Categorising Instruments may contain Assessment Benchmarks applicable to development applications:

- the *Planning Regulation 2017*
- the Planning Scheme for the local government area
- any Temporary Local Planning Instrument
- any Variation Approval

Of these, the planning instruments relevant to this application are discussed in this report.

4.2. CODE ASSESSMENT

Planning Act 2016, Section 26 – Assessment Benchmarks generally

(1) For section 45(3)(a) of the Act, the code assessment must be carried out against the assessment benchmarks for the development stated in schedules 9 and 10.

(2) Also, if the prescribed assessment manager is the local government, the code assessment must be carried out against the following assessment benchmarks—

(a) the assessment benchmarks stated in—

- (i) the regional plan for a region, to the extent the regional plan is not identified in the planning scheme as being appropriately integrated in the planning scheme; and
- (ii) the State Planning Policy, part E, to the extent part E is not identified in the planning scheme as being appropriately integrated in the planning scheme; and
- (iii) a temporary State planning policy applying to the premises;

(b) if the local government is an infrastructure provider—the local government's LGIP.

(3) However, an assessment manager may, in assessing development requiring code assessment, consider an assessment benchmark only to the extent the assessment benchmark is relevant to the development.

Section 30 – Assessment Benchmarks generally

(1) For section 45(5)(i) of the Act, the impact assessment must be carried out against the assessment benchmarks for the development stated in schedules 9 and 10.

(2) Also, if the prescribed assessment manager is the local government, the impact assessment must be carried out against the following assessment benchmarks—

(a) the assessment benchmarks stated in—

- (i) the regional plan for a region, to the extent the regional plan is not identified in the planning scheme as being appropriately integrated in the planning scheme; and
- (ii) the State Planning Policy, part E, to the extent part E is not identified in the planning scheme as being appropriately integrated in the planning scheme; and
- (iii) a temporary State planning policy applying to the premises;

(b) if the development is not in a local government area—any local planning instrument for a local government area that may be materially affected by the development;

(c) if the local government is an infrastructure provider—the local government's LGIP.

(3) However, an assessment manager may, in assessing development requiring impact assessment, consider an assessment benchmark only to the extent the assessment benchmark is relevant to the development.

4.3. PLANNING REGULATION 2017

The Planning Regulation 2017 forms the mechanism by which the provisions of the Act are administered. In particular the Regulation has the ability to regulate and prohibit development and determines the assessment manager and the matters that trigger State interests.

PLANNING REGULATION 2017 DETAILS	
Assessment Benchmarks:	None applicable
WBB Regional Plan Designation:	Wide Bay Burnett Regional Plan 2011 – The Wide Bay Burnett Regional Plan 2011, currently being reviewed, identifies the subject sites in two different regulatory areas. Land fronting Tara Avenue is in rural residential land and the lot fronting Nanango Brooklands Road is regional landscape rural production land. These are considered outdated and not reflective of the existing development or settlement pattern established. There are no regulated provisions that apply within the WBBRP to the assessment of this Code application.

Adopted Economic Support Instrument	under section 68E of the Planning Regulation 2017 that on 24 February 2021, South Burnett Regional Council adopted an economic support instrument. The instrument is in effect until 31st December 2023 Economic support provisions 4.1: The instrument applies the following provisions in accordance with section 68D(1) of the <i>Planning Regulation 2017</i> : 4.1.1 Part 8B, Division 3 – Development that requires code assessment, 4.1.2 Schedule 6, Part 2, Section 7A – Particular material change of use involving an existing building; and 4.1.3 Schedule 6, Part 2, Section 7B – Material change of use for home-based business in particular zones. The adopted instrument does not change the categories of development and assessment in the Planning Scheme v1.4
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4.4. STATE PLANNING POLICY

The State Planning Policy (July 2017) (SPP) commenced on the 3 July 2017 and is effective at the time of writing this report. The Planning Regulation 2017 (PR 2017) states the assessment must be carried out against the assessment benchmarks stated in Part E of the State Planning Policy to the extent Part E is not appropriately integrated into the planning scheme.

In accordance with section (8)(4)(a) of the Act, the State Planning Policy applies to the extent of any inconsistency with the Planning Scheme.

State Planning Policy Part E	
liveable communities and housing	No applicable assessment benchmarks
economic growth • Agriculture. • Development and construction. • Mining and extractive resources. • Tourism.	No applicable assessment benchmarks
Planning for the environment and heritage.	No applicable assessment benchmarks

Ordinary Council Meeting Agenda

25 December 2030

<ul style="list-style-type: none"> • Biodiversity. • Coastal environment. • Cultural heritage. • Water quality 	
<p>safety and resilience to hazards</p> <ul style="list-style-type: none"> • Emissions and hazardous activities. • Natural hazards, risk, and resilience. 	<p>Natural hazards, risk and resilience;</p> <p>The site is mapped by State Policy mapping as bushfire hazard area. As such, a site-specific report has been prepared by a suitably qualified person to ground truth the bushfire hazard mapping and apply site-based data to assess bushfire risk.</p> <p>The submitted report has appropriately addressed the State planning methodology for calculating bushfire hazard and risk and the outcomes of that report find that the subject site and proposed reconfiguration of that lot can suitably address bushfire hazard and risk.</p> <p>On this basis, and as per conditions of approval and in accordance with the approved bushfire hazard report the development can be approved subject to conditions.</p>
<p>infrastructure</p> <ul style="list-style-type: none"> • Energy and water supply. • Infrastructure integration. • Transport infrastructure. • Strategic airports and aviation facilities. • Strategic ports. 	<p>Complies.</p> <p>All appropriate residential services infrastructure and connections can be made and are conditioned as part of the approval.</p>

4.5. DEVELOPMENT CODE ASSESSMENTS

For Code assessment the applicable assessment benchmarks are the following codes of the South Burnett Planning Scheme 2017

- Rural Residential Zone
 - Reconfiguring a Lot Code
 - Services & Works Code

Rural Residential Zone Code		Responses
<p>PO1 Buildings and structures must complement the semi-rural character of nearby development and protects residential amenity.</p>	<p>AO1.1 Site cover does not exceed 10%. and AO1.2 Buildings and structures are not higher than 8.5m above ground level. and AO1.3 Buildings have a minimum set back of: (a) 10m to the road frontage; (b) 6m to a side or rear boundary. and AO1.4 The maximum length of any façade without articulation or change of materials is 15m. and AO1.5 On-site storage areas visible from outside the site are screened by a 1.8m high fence along intervening boundaries. and AO1.6 Outdoor lighting is designed, installed and maintained in accordance with AS4282 – Control of the Obtrusive Effects of Outdoor Lighting.</p>	<p>Not applicable for boundary realignments.</p>

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25 December 2030

<p>PO2 Development minimises the potential for reverse amenity impacts for adjoining existing non-residential activities</p>	<p>AO2.1 A well-maintained vegetative buffer is provided on the residential land between the residential development and adjacent existing non-residential use</p>	<p>Not applicable for this boundary realignment in the rural residential zone.</p>
<p>PO3 Dwellings are to be adequately serviced.</p>	<p>AO3.1 Where in a reticulated water supply area, development is to be connected to the supply network. and AO3.2 Where reticulated water supply is not available, a 45kl water tank is provided for each dwelling for consumption purposes and an additional 22.5kl water storage located no more than 10m from the main dwelling is available for firefighting purposes. and AO3.3 The provision of on-site sewage treatment conforms to the requirements of the Queensland Plumbing and Wastewater Code. and AO3.4 Each dwelling is provided with a service line connection to the electricity supply and telecommunications networks. and AO3.5 Stormwater discharge must be to a lawful point of discharge or to downstream properties but only with the consent of the affected landowners. and AO3.6 Development has direct access to a sealed road.</p>	<p>Existing services remain unchanged by the development and so is compliant.</p>
<p>PO4 Development is located and designed to ensure that land uses are not exposed to: (a) Areas that pose a health risk from previous activities; and (b) Unacceptable levels of contaminants.</p>	<p>AO4.1 Development does not occur: (a) In areas that pose a health risk from previous activities; and (b) On sites listed on the Contaminated Land Register or Environmental Management Register. or AO4.2 Areas that pose a health risk from previous activities and contaminated soils which are subject to development are remediated prior to plan sealing, operational works permit, or issuing of building works permit.</p>	<p>Complies. The site is not on the EMR or CLR. There are no identified risks.</p>
<p>Bushfire Hazard Overlay</p>		
<p>PO15 Development is not placed at unacceptable risk from bushfire, does not increase the extent or severity of bushfire and maintains the safety of people and property from bushfire.</p>	<p>AO15.1 Development does not occur in areas mapped as Very High or High Potential Bushfire Intensity Areas on the SPP Interactive Mapping (Plan Making). or AO15.2 A written assessment by a suitably experienced or qualified person confirms that the site is of Low Bushfire Hazard. or AO15.3 For areas mapped as Medium Potential Bushfire Intensity Areas on the SPP Interactive Mapping (Plan Making), bushfire risk is mitigated through a Bushfire Management Plan incorporating: (a) Lot design and the siting of buildings and uses so: (i) high</p>	<p>Complies. Development is not mapped in high or very high bushfire risk category. The medium or buffer areas are not impacted by additional lots or new uses as part of this boundary realignment proposal. The proposal is considered to be of tolerable risk in context with the existing mapped hazard that relates to the regulated vegetation contained within Lot 12.</p>

Ordinary Council Meeting Agenda

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	<p>intensity uses are located on the least bushfire prone area on the site and activities least susceptible to fire are sited closest to the bushfire hazard, and (ii) efficient emergency access is optimised; and (iii) bushfire risk is effectively minimised having regard to aspect, elevation, slope and vegetation. (b) Including firebreaks that provide adequate: (i) setbacks between buildings/ structures and hazardous vegetation; and (ii) access for fire fighting or other emergency vehicles; and (c) Road access for fire-fighting appliances and firebreaks are provided through a perimeter road that separates the use from areas of bushfire hazard and that road has a minimum cleared width of 20 metres. (d) Where a reticulated water supply is not available and development involves buildings with a gross floor area greater than 50m², one tank within 100m of each residential building that has: (i) fire brigade tank fittings; and (ii) 25,000 litres dedicated for fire fighting purposes.</p>	
<p>PO16 Community infrastructure in any area mapped as Very High to Medium (Potential Intensity) Areas are able to function effectively during and immediately after bushfire events.</p>		<p>Not applicable</p>
<p>PO17 Major risks to the safety or property and to the wellbeing of occupants in areas mapped as Very High to Medium (Potential Intensity) Areas is minimised through appropriate siting, servicing and managing of residential premises.</p>	<p>AO17.1 New dwellings on land mapped as Very High to Medium (Potential Intensity) Areas are located: (a) Centrally within existing cleared areas on a lot which allows a regular shaped area (with a minimum dimension of 50m) of 5,000m² to be identified that: (i) is free of highly combustible vegetated areas; and (ii) is on southerly to easterly facing slopes not exceeding 15% gradient; or (iii) on flat lands at the base of north to western facing slopes not exceeding 15% gradient. (b) A fire protection buffer is established around the complete perimeter of the dwelling unit within a lot for a minimum width of 50m.</p>	<p>Not applicable</p>
<p>Biodiversity Overlay</p>		
<p>PO12 Areas of environmental significance, including</p>	<p>AO12.1 Uses and associated works are confined to areas not identified on Overlay Map 05, or AO12.2</p>	<p>Not applicable</p>

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<p>biodiversity values, are identified, protected and enhanced.</p>	<p>Development is compatible with the environmental values of the area. or AO12.3 Where development within an area identified on Overlay Map 05 is unavoidable, measures recommended by a suitably qualified ecologist are incorporated to protect and retain the environmental values and underlying ecosystem processes within or adjacent to the development site to the greatest extent practical.</p>	
<p>PO13 Biodiversity values of identified areas of environmental significance are protected from the impacts of development.</p>	<p>AO13.1 Development adjacent to Protected Areas identified on Overlay Map 05 is set back a minimum of 100m from the park boundaries in the absence of any current 'Management Plans' for these areas.</p>	<p>Development is assessed to be compliant with the PO13 as it relates to regulated vegetation on Lot 12.</p>
<p>PO14 There are no significant adverse effects on water quality, ecological and biodiversity values</p>	<p>AO14.1 Uses and associated works are confined to areas outside overland flow paths and natural drainage features. and AO14.2 All buildings, on-site effluent disposal, external activities or storage areas are located 100m from the top of the bank of a river, creek, stream or wetland identified on Overlay Map 05. Note: This setback does not apply to equipment such as pumps that are necessary to access water or waterway crossings. and AO14.3 The Waterway Corridors identified on Overlay Map 05 are maintained in a natural state.</p>	<p>No new uses or works are proposed. Development complies.</p>
<p>Reconfiguring a Lot Code</p>		
<p>PO7 Allotments are of sufficient size and dimensions to meet the requirements of the users and provide for servicing of the intended use</p>	<p>AO7.1 Development provides that allotment area, dimension and shape are in accordance with the standards in Table 9.4.2. and AO7.2 The minimum allotment size for any rear allotment shall be calculated exclusive of the area of the access corridor of the allotment. and AO7.3 Irregularly shaped allotments are designed to allow a building area of 15m by 10m to be setback 6m from the site frontage.</p>	<p>The proposed new lots meet the minimum requirements prescribed for the Rural Residential Zone and conform to existing characteristics of the site. Existing dwellings and services will be wholly contained with the respective lots.</p>
<p>PO8 Lots have lawful, safe and practical access</p>	<p>AO8.1 Access is provided via either: (a) Direct road frontage; (b) Access strip with a minimum width of 3.5m (for rear lots only); or (c) Access easement with a minimum width of 6m (where lots only have legal road frontage that does not provide, safe or practical access to the existing street network). and AO8.2 Newly created lots do not have direct access to sub-arterial or higher order roads. and AO8.3 Except in the Rural</p>	<p>The proposed new lots will utilize existing accesses from the respective road frontages being Nanango Brooklands Road and Tara Ave. No new accesses required.</p>

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	Zone, new lots, are provided with access to a sealed road.	
PO9 The number of rear lots is minimised having regard to the outlook, topography of the site, intended land use and general amenity of the area		No rear lots are proposed
Services and Works Code – the assessment is compliant with applicable acceptable outcomes		

5. CONSULTATION

Referral Agencies

To determine whether the development application requires referral to the State Assessment and Referral Agency (SARA) or ‘another entity’, an assessment of the proposal against Schedule 10 of the Regulation has been undertaken.

State Assessment and Referral Agency	N/A
Other	N/A

The application does not require referral to any referral agencies prescribed under Schedule 10.

Council Referrals

INTERNAL REFERRAL SPECIALIST	REFERRAL / RESPONSE
Development Engineer	Provided conditions relating to assets.
Infrastructure Charges Unit	<p>Council adopted the LGIP on the 24 June 2019 which commenced on 1 July 2019.</p> <p>The types of development that may trigger the issuing of an infrastructure charges notice are:</p> <ul style="list-style-type: none"> • Reconfiguring a lot; • Making a material change of use; • Carrying out building work. <p>Refer to Attachment 3 for the Infrastructure Charges Notice.</p>

Public Notification

Notification was not required for this development application.

6. CONCLUSION

The proposed development complies with the requirements of the planning scheme and relevant State assessment benchmarks and is recommended for approval.

The application presents no conflicts and will result in rural residential land being retained for its intended purpose and does not interfere with mapped protected vegetation or introduce new or additional impacts in context with bushfire hazard assessment.

The boundary alignment also ensures existing natural features are protected.

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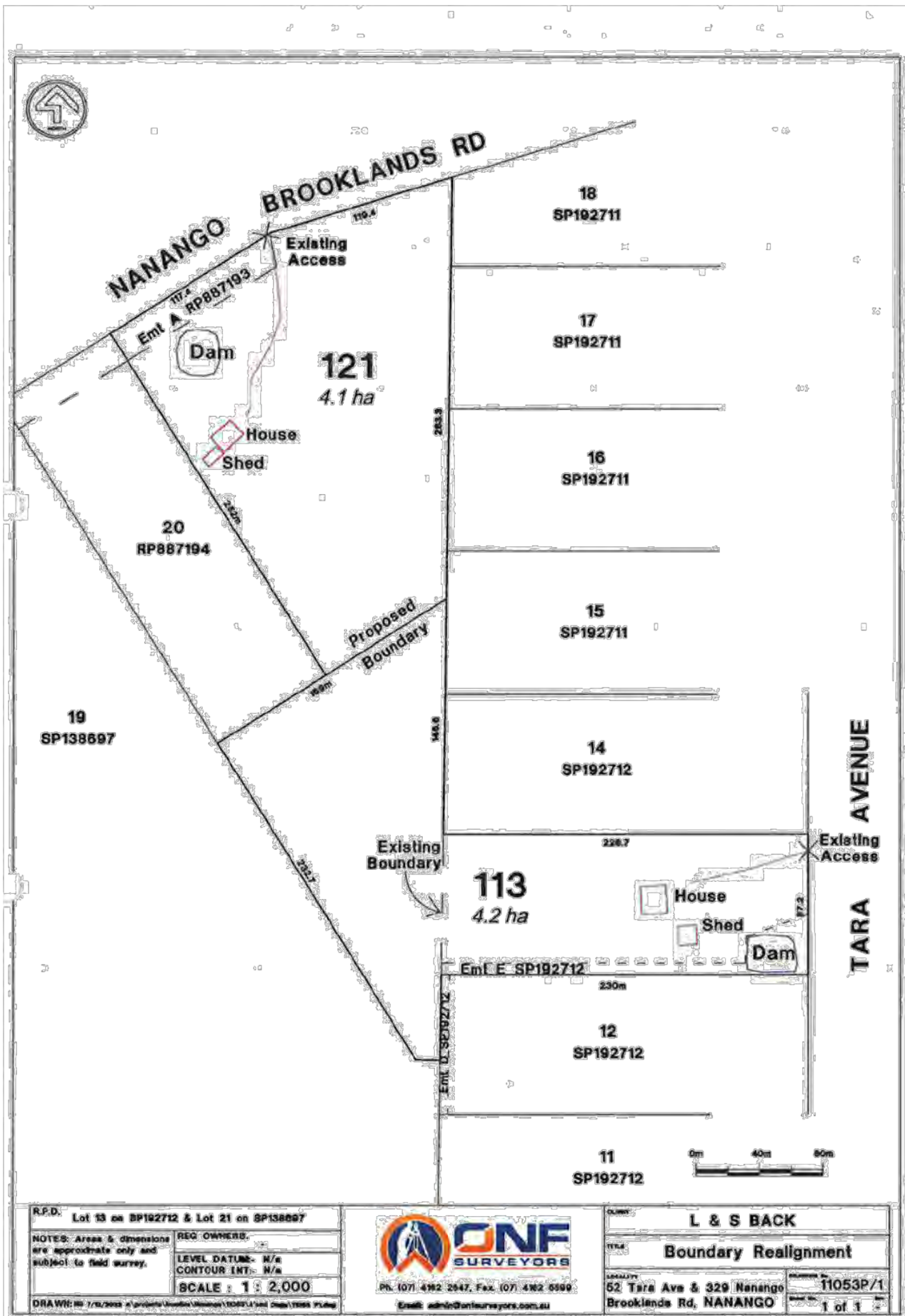
The standard timeframe for completion of the development is applied under the Planning Act 2016 for reconfiguration, being 4 years, as the applicant has not proposed any extended or alternate timing.

7. RECOMMENDATION

The application for Development Permit Reconfiguring a Lot – Boundary Realignment (2 Lots into 2 Lots) on land at Lot 13 on SP1927712 & Lot 21 on SP138697 is recommended for approval for the reasons outlined in the Attachment 2 and subject to the conditions attached herein.

ATTACHMENTS

- 1. Attachment 1 - Approved Plans**
- 2. Attachment 2 - Statement of Reasons**
- 3. Attachment 3 - Infrastructure Charges Notice**



R.P.D. Lot 13 on SP192712 & Lot 21 on SP138697

NOTES: Areas & dimensions are approximate only and subject to field survey.

REG OWNERS:

LEVEL DATUM: N/A
 CONTOUR INT: N/A

SCALE: 1 : 2,000

DRAWN: 10/11/2022



CLIENT: L & S BACK

TITLE: Boundary Realignment

QUALITY: 52 Tara Ave & 329 Nanango Brooklands Rd, NANANGO

PROJECT No: 11053P/1

Sheet No: 1 of 1

NOTICE ABOUT DECISION – STATEMENT OF REASONS

The following information is provided in accordance with Section 63(4) & (5) of the Planning Act 2016

Applicant:	L & S Black C/- ONF Surveyors
Proposal:	Reconfiguration of a Lot – Boundary Realignment
Street Address:	52 Tara Avenue & 329 Nanango Brooklands Road, Nanango
RP Description:	Lot 13 on SP192712 & Lot 21 on SP138697
Assessment Type:	Code Assessable

On 9 March 2023 the above development was recommended for:

Approval

1. Reasons for the Decision

The reasons for this decision are:

- The proposal is consistent with the overall outcomes for the rural residential zone
- The proposal is not subject to constraints by mapped overlays that would otherwise have an impact on the proposal.
- Reasonable and relevant conditions of approval can be imposed to ensure compliance with the South Burnett Planning Scheme 2017 requirements
- The proposal presents no conflicts with the assessment benchmarks

2. Assessment Benchmarks

The following are the benchmarks apply to this development:

- Rural Residential Zone Code
- Bushfire Hazard Overlay
- Biodiversity Overlay
- Reconfiguring a Lot Code

3. Compliance with Benchmarks

The development was assessed against all the assessment benchmarks listed above and complies with all of these or can be conditioned to comply.

Note: Each application submitted to Council is assessed individually on its own merit.

INFRASTRUCTURE CHARGES NOTICE

(Section 119 of the Planning Act 2016)

APPLICANT: L & S Back
 C/- O'Reilly Nunn Favier - ONE Surveyors
 PO Box 896
 KINGAROY QLD 4610

APPLICATION: Reconfiguring a lot - 1 lot into 2 lots

DATE: 29/03/2023

FILE REFERENCE: RAL22/0044

AMOUNT OF THE LEVIED CHARGE: **\$0.00** **Total**
(Details of how these charges were calculated are shown overleaf)

\$0.00	Water Supply Network
\$0.00	Sewerage Network
\$0.00	Transport Network
\$0.00	Parks and Land for Community Facilities Network
\$0.00	Stormwater Network

AUTOMATIC INCREASE OF LEVIED CHARGE: The amount of the levied charge is subject to an automatic increase. Refer to the Information Notice attached to this notice for more information on how the increase is worked out.

LAND TO WHICH CHARGE APPLIES: Lot 13 SP192712 & Lot 21 SP138697

SITE ADDRESS: 52 Tara Ave & 329 Nanango Brooklands Rd, Nanango

PAYABLE TO: South Burnett Regional Council

WHEN PAYABLE: Reconfiguring a Lot – When South Burnett Regional Council approves the Plan of Subdivision.
(In accordance with the timing stated in Section 122 of the Planning Act 2016)

OFFSET OR REFUND: Not Applicable.

This charge is made in accordance with South Burnett Regional Council's **Charges Resolution (No. 3) 2019**

DETAILS OF CALCULATION

Water Supply

Adopted Charges

Development Description	Number of Units	Units of Measure	Charge Rate	Reference	Amount
Not Applicable			\$0.00	CR Table 2.3	\$0.00

Discounts*

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Not Applicable			\$0.00	CR Table 2.3	\$0.00

Sewerage

Adopted Charges

Development Description	Number of Units	Units of Measure	Charge Rate	Reference	Amount
Not Applicable			\$0.00	CR Table 2.3	\$0.00

Discounts*

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Not Applicable			\$0.00	CR Table 2.3	\$0.00

Transport

Adopted Charges

Development Description	Number of Units	Units of Measure	Charge Rate	Reference	Amount
Reconfiguring a Lot (1 into 2)	2	allotments	\$2,410.00	CR Table 2.3	\$4,820.00

Discounts*

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Reconfiguring a Lot (1 into 2)	2	allotments	\$2,410.00	CR Table 2.3	\$4,820.00

Parks and Land for Community Facilities

Adopted Charges

Development Description	Number of Units	Units of Measure	Charge Rate	Reference	Amount
Reconfiguring a Lot (1 into 2)	2	allotments	\$2,009.00	CR Table 2.3	\$4,018.00

Discounts*

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
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Reconfiguring a Lot (1 into 2)	2	allotments	\$2,009.00	CR Table 2.3	\$4,018.00
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Stormwater

Adopted Charges

Development Description	Number of Units	Units of Measure	Charge Rate	Reference	Amount
Not Applicable			\$0.00	CR Table 2.3	\$0.00

Discounts*

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Not Applicable			\$0.00	CR Table 2.3	\$0.00

Levied Charges

Development Description	Water Supply	Sewerage	Transport	Parks & Land for Community Facilities	Stormwater	Total
Reconfiguring a Lot (1 into 2)	\$0.00	\$0.00	\$0.00	\$2,009.00	\$0.00	\$0.00
Total	\$0.00	\$0.00	\$0.00	\$2,009.00	\$0.00	\$0.00

* In accordance with Section 3.3 of the Charges Resolution, the discount may not exceed the adopted charge. Any surplus discounts will not be refunded, except at South Burnett Regional Council's discretion.

INFORMATION NOTICE

Authority and Reasons for Charge

This Infrastructure Charges Notice has been given in accordance with section 119 of the *Planning Act 2016* to support the Local government's long-term infrastructure planning and financial sustainability.

Appeals

Pursuant to section 229 and Schedule 1 of the *Planning Act 2016* a person may appeal an Infrastructure Charges Notice. Attached is an extract from the *Planning Act 2016* that details your appeal rights.

Automatic Increase Provision of charge rate (\$)

An infrastructure charge levied by South Burnett Regional Council is to be increased by the difference between the Producer Price Index (PPI) applicable at the time the infrastructure charge was levied, and PPI applicable at the time of payment of the levied charge, adjusted by reference to the 3-yearly PPI average¹. If the levied charge is increased using the method described above, the charge payable is the amount equal to the sum of the charge as levied and the amount of the increase.

However, the sum of the charge as levied and the amount of the increase is not to exceed the maximum adopted charge the Authority could have levied for the development at the time the charge is paid.

GST

The Federal Government has determined that contributions made by developers to Government for infrastructure and services under the *Planning Act 2016* are GST exempt.

Making a Payment

This Infrastructure Charges Notice cannot be used to pay your infrastructure charges.

To pay the levied charge, you must request an Itemised Breakdown showing the total levied charge payable at the time of payment. An Itemised Breakdown must be presented at the time of payment.

An Itemised Breakdown may be requested by emailing info@southburnett.qld.gov.au

¹3-yearly PPI average is defined in section 114 of the *Planning Act 2016* and means the PPI adjusted according to the 3-year moving average quarterly percentage change between financial quarters. PPI Index is the producer price index for construction 6427.0 (ABS PPI) index number 3101 – Road and Bridge construction index for Queensland published by the Australian Bureau of Statistics.

Payment can be made at any of the following South Burnett Regional Council Offices:

- 69 Hart Street, Blackbutt, 4314;
- 45 Glendon Street, Kingaroy, 4610;
- 42 Stephens Street West, Murgon, 4605;
- 48 Drayton Street, Nanango, 4615;
- McKenzie Street, Wondai, 4606; or
- via other methods identified on the Itemised Breakdown.

Enquiries

Enquiries regarding this Infrastructure Charges Notice should be directed to the SOUTH BURNETT REGIONAL COUNCIL, Department of Planning and Land Management, during office hours, Monday to Friday by phoning (07) 4189 9100 or email at info@southburnett.qld.gov.au

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0.0 MINOR CHANGE APPLICATION (IR1018723) - SECTIONS 78 AND 81 PLANNING ACT 2016 - RECONFIGURING A LOT - SUBDIVISION (1 LOT INTO 13 LOTS) AT 241 IZZARDS ROAD, NANANGO (AND DESCRIBED AS LOT 3 ON RP188104). APPLICANT: IZZARDS ROAD DEVELOPMENTS C/- PRECINCT URBAN PLANNING

File Number: RAL23/0001
Author: Senior Planning Officer
Authoriser: Chief Executive Officer

	SIGNATURE	DATE
MANAGER	[Redacted]	28/3/23
GM	[Redacted]	29/3/23
CEO	[Redacted]	29.3.2023

PRECIS

Minor Change Application (IR1018723) – Sections 78 and 81 Planning Act 2016 – Reconfiguring a Lot – Subdivision (1 Lot into 13 Lots) at 241 Izzards Road, Nanango (and described as Lot 3 on RP188104). Applicant: Izzards Road Developments C/- Precinct Urban Planning.

SUMMARY

- Application for Minor Change to Reconfigure a Lot – Subdivision (1 Lot into 13 Lots);
- Subject site located in the Rural Residential zone under the South Burnett Regional Council Planning Scheme;
- Proposal triggered Code Assessment;
- The subject site is 28.32ha in area;
- The development application is assessed against the relevant code of the South Burnett Regional Council Planning Scheme.

OFFICER'S RECOMMENDATION

The s81 Minor Change be approved subject to the Council amended conditions.

GENERAL

- GEN1.** The subject site is to be developed generally in accordance with the plans and information submitted with the application unless otherwise amended by the following conditions:
- Drawing No. 07646 (Proposed Subdivision) Sheet 1 of 1 prepared by Kimmorley Surveying Pty Ltd dated 12 March 2012
- GEN2.** Revised proposal plans are required to be submitted to and approved by Council prior to the submission of any subsequent Development Application for Operational Works. The revised plan/s shall show:
- A new layout for proposed Lots 2 & 3 that will ensure existing dams are contained within a lot and does not cross a common boundary.
- GEN3.** All works, including the relocation of services (Telstra, lighting, etc.) are to be completed at no cost to Council.
- GEN4.** Prior to the sealing of the Survey Plan the applicant is required to pay the Council all rates and charges or any expenses being a charge over the subject land in accordance with Section 3.7.2(3)(c) of the *Integrated Planning Act*.
- GEN5:** The site must be cleared of any declared pests listed as:
- (a) Class 1 7 2 pests under the *Land Protection (Pest and Stock Route Management) Act 2002*;
 - (b) Class 3 pests under the *Land Protection (Pest and Stock Route Management) Act 2002* (only if the land adjoins a Council declared Significant Environmental Area);
 - (c) Council declared pests under Local Law No. 13 "Control of Pests";
 - (d) Other pests identified within Council's Pest Management Plans.

Item 0.0

Page 1

Ordinary Council Meeting Agenda**25 December 2030****STAGING****RAL1.** The development may be staged as following:

- Stage 1 is to include proposed Lots 1 and 2 with a balance area.
- Stage 2 is to include proposed Lots 3, 4, 5, 6, 7, 8 and 13 and a balance area with the construction of the new internal road adjacent to these lots. The new road will extend from the intersection of Izzards Road eastward along the boundaries of Proposed Lot 2, 3 and 13 northwards to include Lot 8 and continuing south to provide access to Proposed Lots 4, 5, 6 and 7 and include the turn around area.
- Stage 3 is to include Lot 9, 10, 11 and 12 and the construction of the remaining section of the new internal road for the full frontage of these Lots. Alternatively a contribution may be paid to Council prior to payment. The contribution is currently assessed at \$23,800.00.

SURVEY MARKS**RAL2.** Prior to the submission of the Survey Plan to Council, the applicant is to reinstate survey marks and install new survey marks in their correct position in accordance with the Survey Plan, and the work is to be certified in writing by a Licensed Surveyor.**COMPLIANCE ASSESSMENT****RAL3.** All conditions of this approval are to be satisfied prior to Council issuing a Compliance Certificate of the Plan of Survey and it is the applicant's responsibility to notify Council to inspect compliance with conditions.

Sealing of a Plan of Survey (Compliance Certificate) fee will be charged, with payment required prior to Council consenting to the Survey Plan or associated documentation.

NATURAL RESOURCES VALUATION FEES**RAL4.** Payment of Department of Environment and Resource Management valuation fee that will result from the issue of split valuations prior to Council sealing the Plan of Survey. The contribution is currently assessed at \$572.00 (13 lots x \$44.00 per lot), however, the actual amount payable will be based on Council's Register of Regulatory & Cost-Recovery Fees and the rate applicable at the time of payment.**ELECTRICITY****RAL5.** Reticulated electricity is to be provided to all proposed lots within each stage of the development in accordance with relevant Australian Standards.**RAL6.** Written confirmation from the electricity authority, that all matters relating to the reticulation of electricity including electrical civil works have been completed, is to be provided to Council prior to Survey Plan for each stage.**TELECOMMUNICATIONS****RAL7.** Evidence of an agreement to provide a telephone service to all proposed lots within each stage of the development is to be provided to Council prior to sealing the Survey Plan for each stage.**EASEMENTS****RAL8.** Provide all easements or drainage reserves found necessary for whatever purpose during the course of engineering investigation and design. Such easements or drainage reserves are to be of an appropriate width to the purpose, but in any case, generally not less than 4.0, except where otherwise stated. Such easements or drainage reserves shall be in favour of Council when the Survey Plan is lodged for sealing.**VEGETATION BUFFER****RAL9.** A 20m vegetation buffer including a 10m wide area clear of vegetation is to be established adjacent to the southern boundary within proposed Lot 1, 4, 5 and 6 to more satisfactorily

achieve compliance with State Planning Policy 1/92. The buffer is to be established to a minimum height of 1.5m with abundant foliage.

- RAL10. Provide a Statutory Covenant to protect the 20m wide buffer adjacent to the southern boundary of proposed Lots 1, 4, 5 and 6 from clearing, destruction and damage and to prohibit the construction of habitable buildings or structures within the buffer/fire break area. In this regard, the Statutory Covenant is to comply with the "Statutory Covenant – Guidelines for their Use in Queensland". The Statutory Covenants are to be registered prior to Council sealing the Survey Plans pursuant to Section 97(3)(b) of the *Land Title Act 1994* and Section 373(4)(b) of the *Land Act 1994*.

STREET NAMES & SIGNAGE

- ENG1. The applicant is required to make an application to Council for the name of the proposed new road. A minimum of three (3) names are to be provided by the applicant for the new road.

STORMWATER MANAGEMENT

- ENG2. Stormwater drainage is to be designed such that no restriction to existing or developed stormwater flow from upstream properties or ponding of stormwater within upstream properties occurs as a result of the development.
- ENG3. All stormwater collected from the site including roof water and all impervious area are to be piped to a legal point of discharge. Such works are to be sized and constructed as determined by the detailed design.
- ENG4. The stormwater drainage system serving the site is to be designed so that the development will not make material changes to the pre-development location, duration, frequency or concentration of overland stormwater flow at the point of discharge to all downstream properties including road reserves. In the event that a material change to the pre-development stormwater flows will occur, the applicant is to produce evidence to Council's satisfaction of a legal right as to the method for stormwater discharge over the downstream land.

DEVELOPMENT CONTRIBUTIONS

- ENG5. Payment prior the sealing of the Plan of Survey for Stage 1, a contribution toward parkland shall be made in accordance with Planning Scheme Policy No. 7 – Infrastructure.

The total contribution is currently assess at \$2,801.02; however, the actual amount payable will be based on Council's policy and the rate applicable at the time of payment.

Contribution	Zone/Catchment	Rate	Calculation	Contribution
Public Parks		\$1,400.51 per lot	3 lots less 1 credit = 2 lots	\$2,801.02

- ENG6. Payment prior to the sealing of the Plan of Survey for Stage 2, a contribution toward parkland shall be made in accordance with Planning Scheme Policy No. 7 – Infrastructure.

The total contribution is currently assessed at \$9,803.57; however, the actual amount payable will be based on Council's policy and the rate applicable at the time of payment.

Contribution	Zone/Catchment	Rate	Calculation	Contribution
Public Parks		\$1,400.51 per lot	8 lots less 1 credit = 7 lots	\$9,803.57

- ENG7. Payment prior to the sealing of the Plan of Survey for Stage 3, a contribution toward parkland shall be made in accordance with Planning Scheme Policy No. 7 – Infrastructure.

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The total contribution is currently assessed at \$4,201.53; however, the actual amount payable will be based on Council's policy and the rate applicable at the time of payment.

Contribution	Zone/Catchment	Rate	Calculation	Contribution
Public Parks		\$1,400.51 per lot	4 lots less 1 credit = 3 lots	\$4,201.53

VEHICLE ACCESS/ROAD

ENG8. Prior to sealing of the Survey Plan for Stage 1, provide an access to proposed Lots 1, 2 and the balance area. The access for the balance area shall have a 4m wide compacted gravel surface that shall extend for the full length of the northern boundary of proposed Lot 2. All accesses shall be constructed accordance with Nanango Standard Drawing Number R5000-03-01 and at a location approved by Council's Infrastructure Department.

ENG9. Prior to sealing of the Survey Plan for Stage 1, upgrade Izzards Road along the frontage of proposed Lots 1 and 2 where necessary to ensure that the road meets the standard required in Schedule 2 of the Nanango Shire IPA Planning Scheme.

ENG9. Prior to sealing of the Survey Plan for Stage 2, construct the new internal road for the full frontage to Lots 3, 4, 5, 6, 7 and 8.

ENG10. Prior to sealing of the Survey Plan for Stage 3, construct the new internal road for the full frontage to Lots 9, 10, 11 and 12.

OR

Prior to sealing of the Survey Plan for Stage 3, construct the new internal road for the full frontage of Lots 9 and 12, including a turning circle in accordance with Figure 2.12G (Turning circle 18m diameter) of Queensland Streets to provide access to proposed Lots 10 and 11 subject to the payment of a contribution as outlined in Condition RAL1 above.

ASSOCIATED OPERATION WORK

ENG11. All operational works are to be designed and constructed in accordance with South Burnett Regional Council requirement and accepted engineering practice including reference to Australian Standards, Codes of Practice and Industry Guidelines as nominated by South Burnett Regional Council.

ENG12. The following design plans shall be submitted to Council for approval as part of a separate application for a Development Permit for Operational Works:

- Internal roadworks plan;
- Stormwater layout plan and design details;
- Electricity layout; and
- Environmental management plan.

ENG13. A Development Permit for Operational Work is to be obtained for the construction of the new road and access points.

ENG14. Any lot filling undertaken on the site is to be in accordance with Queensland Development Code Part 10.0 – Retaining Walls and Excavation and Filling and to the satisfaction of Council.

ENG15. No fill is to be placed on the development unless approved by Council as part of the engineering plans for Operational Works. Any allotment filling for a greater depth than 500mm to provide for building platforms shall be conducted in accordance with Australian Standard 3798. Test results as required by Australian Standard 3798 and a certificate of Quality and uniformity of fill shall be provided by a RPEQ. The level of responsibility shall be Level 1.

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ADVICE

- ADV1.** Section 3.5.21(1) of the *Integrated Planning Act 1997* provided that, if this approval is not acted upon within the period of 4 years the approval will lapse. Note that in accordance with section 3.5.21(4) a related approval may extend the relevant (currency) period.
- ADV2.** All Reconfiguration of a Lot conditions unless otherwise indicated, the subject of this approval, must be complied with prior to the Council sealing the Survey Plan.
- ADV3.** Operational work (subject to a future Development Permit for Operational Works) will be inspected upon practical completion and if satisfactory will be placed 'on maintenance' for a period of twelve months, after which the works will be reinspected and taken 'off maintenance' if satisfactory.
- ADV4.** Telecommunications connections can be arranged by logging onto Telstra's website (www.telstracommunity.com) and completing the 'Intent to Develop' form to register your development.
- ADV5.** You are encouraged to discuss the development with Ergon Energy upon receipt of this approval to facilitate the timely supply of electricity to the development. Connection of electricity can take up to 8 months from the date of application to Ergon Energy.
- ADV6.** 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.
- ADV7.** Attached for your information is a copy of Section 4.1.27.(1) of *Integrated Planning Act 1997* as regards Rights of Appeal. With respect to Appeal Rights of Applicants, the following is drawn to your attention—
- (a) The applicant's Appeal Period commences upon receipt of this advice and expires 20 business days thereafter.
 - (b) Should the applicant notify the assessment manager (Council) in writing of acceptance of the conditions of approval and that it is not intended to make an appeal, the Applicant's Appeal Period is at an end.

Ordinary Council Meeting Agenda**25 December 2030****FINANCIAL AND RESOURCE IMPLICATIONS**

No implication can be identified.

LINK TO CORPORATE/OPERATIONAL PLAN

Growing our Region's Economy and Prosperity

- GR8 Support and advocate for appropriate growth and development with responsive planning schemes, process, customer service and other initiatives.

COMMUNICATION/CONSULTATION (INTERNAL/EXTERNAL)

Refer to CONSULTATION in this report.

LEGAL IMPLICATIONS (STATUTORY BASIS, LEGAL RISKS)

No implication identified.

POLICY/LOCAL LAW/DELEGATION IMPLICATIONS

No implication can be identified.

ASSET MANAGEMENT IMPLICATIONS

No implication can be identified.

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REPORT

1. APPLICATION DETAILS

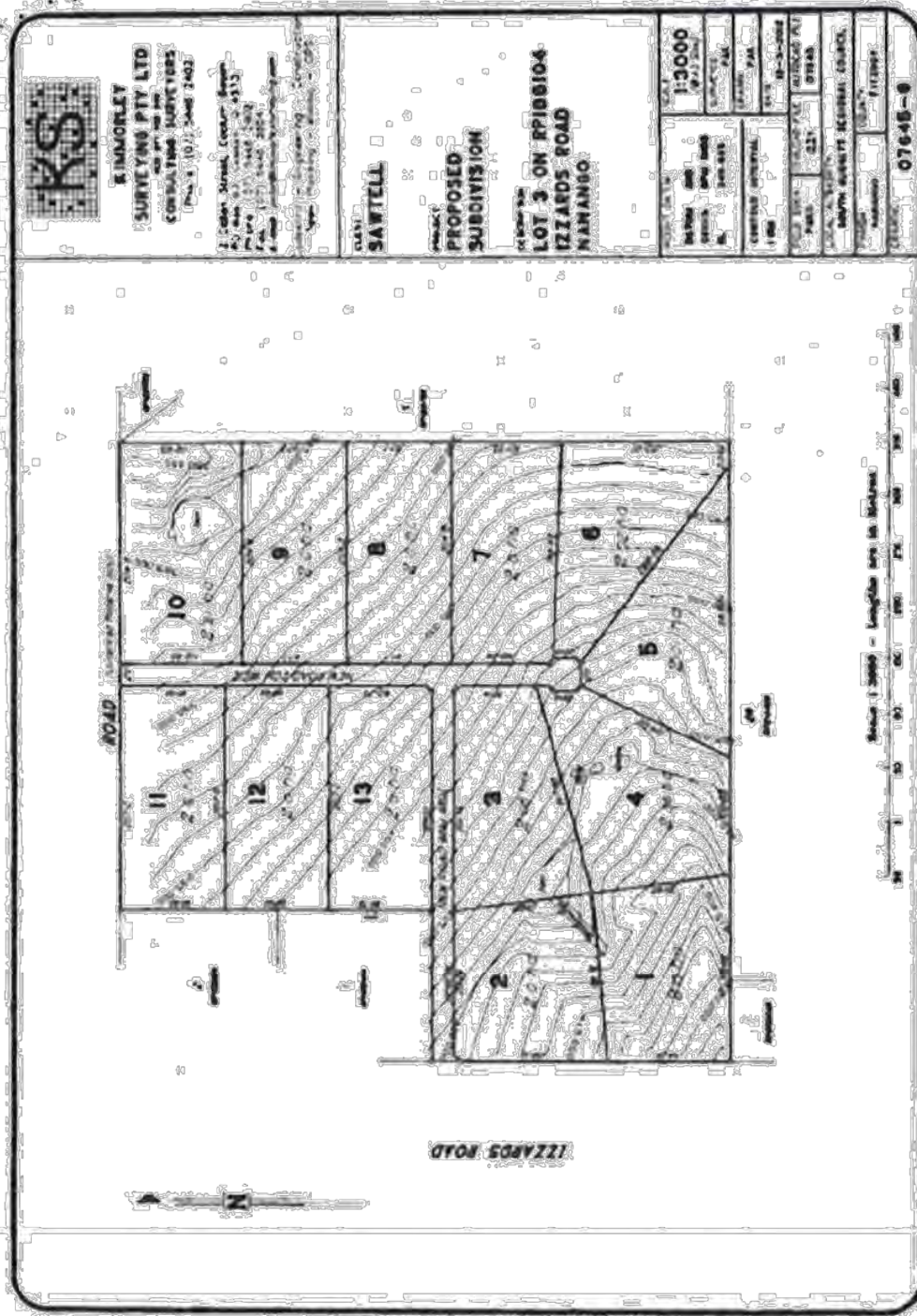
APPLICATION SUMMARY

Applicant:	Precinct Planning C/- Izzards Rd Developments Pty Ltd
Owner:	Izzards Rd Developments Pty Ltd
Type of Application:	s81 Minor Change Request
Street Address:	241 Izzards Road, Nanango
RP Description:	Lot 3 on RP188104
State Referral Agencies:	nil
Referred Internal Specialists:	Nil

Site Area	28.32Ha (13 x 5 acre blocks)
Zone	Rural Residential
Overlays	N/A
Level of assessment	Code
Affected Entity	NIL
Existing Use	Single dwelling house with ancillary outbuilding
Surrounding uses	Rural residential

2. SUBJECT SITE

Approved Plans



3. BACKGROUND AND SUMMARY OF CHANGES

Application that is the subject of this change request -

Development Applications Relevant	Details
<p>Council Ref: IR1018723 RAL18/0011</p>	<p>On 23 August 2013, Council issued a Negotiated Decision Notice for Reconfiguring a Lot (1 into 13 Lots) over the subject site. The approval (Council Reference: IR1018723) was given under the Sustainable Planning Act 2009</p> <p>In 2018, Council approved a four (4) year extension to the currency period</p> <p>Covid-19 regulated extensions to the currency period further extended this approval to 21 August 2023.</p> <p>In late 2022, an Operational Works application was lodged with Council (Council Reference: OPW22/0016) and on 19 December 2022, an Information Request was issued which raised issues regarding the widening of Izzards Road.</p> <p>On 17 January 2023, Council confirmed in email correspondence that they would support a request to remove condition ENG9 if a change application was lodged seeking its removal.</p>

Copy of Council advice to applicant prior to lodging the change application -

From: [Justin Crick](#)
 To: [Mark Fuller](#)
 Cc: [Mark Lobwein: Planning](#)
 Subject: RE: Information Request - OPW22/0016
 Date: Tuesday, 17 January 2023 2:32:41 PM
 Attachments: [image002.png](#)
[image004.png](#)
[image005.png](#)
[SocialLink_Facebook_32x32_14b8d0d9-15a5-42f5-97ee-495fa9620874.png](#)

Hi Mark,

I caught up with our Infrastructure Planning Manager this morning re the condition to widen Izzards Rd per ENG9 of the RAL approval. After discussing the history of the approval, and the speed zone issue, it was considered that the widening to Izzards Road provides a limited benefit. Hence, if the applicant wanted to submit a formal Change Application to have the condition removed, then Council would look to support the request. To further support the request, it is suggested that the amended intersection layout is proposed per your email.

Any queries, let me know.

Thanks



Justin Crick
 Engineering Contractor

07 4189 9100
 PO Box 336 Kingaroy QLD 4610
www.southburnetl.qld.gov.au

4. THE PROPOSED CHANGE

The Change Application relates to Development Permit IR1018723 dated 23 August 2013.

The condition proposed to be amended/deleted is reproduced in both its current and amended form and is followed by a summary of the reasons and/or justification for the change.

A. ASSESSMENT MANAGER'S CONDITIONS

Existing Condition

ENG9. Prior to sealing of the Survey Plan for Stage 1, upgrade Izzard Road along the frontage of proposed Lots 1 and 2 where necessary to ensure that the road meets the standard required in Schedule 2 of the Nanango Shire IPA Planning Scheme.

Proposed Condition

ENG9. ~~Prior to sealing of the Survey Plan for Stage 1, upgrade Izzard Road along the frontage of proposed lots 1 and 2 where necessary to ensure that the road meets the standard required in Schedule 2 of the Nanango Shire IPA Planning Scheme. DELETE~~

Prior to sealing of the Survey Plan for Stage 1, upgrade Izzard Road along the frontage of proposed Lots 1 and 2 were necessary to ensure that the road meets the standard required in Schedule 2 of the Nanango Shire IPA Planning Scheme. The above change is requested as the widening to Izzards Road provides limited benefit as confirmed by Council in the email correspondence.

The council acknowledged that the original approval was given in 2013 and road standards have moved on since then and also noted that no widening of other sections of Izzards Road has been completed or proposed since then.

There are no changes to the approved plans of development as part of the change application.

5. MINOR CHANGE ASSESSMENT

A minor change is a change application to a development approval as per s81 of *The Planning Act 2016*. A response to the minor change criteria is provided below.

Table 2. Assessment against Minor Change Criteria (*Planning Act 2016*, Schedule 2)

MINOR CHANGE CRITERIA	COMPLIES	RESPONSE
A minor change, for a development approval, means a change that would not—		
i. result in a substantially different development; or	✓	The proposed change does not create or result in a substantially different development. Removal of ENG 9 condition for road upgrades was reviewed at the Operational Works Stage and agreed by Council assessing engineering to not be required. The use and development outcome remains the same and does not result in a development outcome substantially different to warrant a new application.
if a development application for the development, including the change, were made when the change application is made would not cause—		
A. the inclusion of prohibited development in the application; or	✓	The proposed change will not result in prohibited development.

B. referral to a referral agency, other than to the chief executive, if there were no referral agencies for the development application; or	✓	There were no referral agencies for the original application and the proposed changes do not result in additional referrals.
C. referral to extra referral agencies, other than to the chief executive; or	✓	The proposed changes does not require the application to be referred to extra referral agencies.
D. a referral agency to assess the application against, or have regard to, matters prescribed by regulation under section 55(2), other than matters the referral agency must have assessed the application against, or have had regard to, when the application was made; or	✓	Not applicable
E. public notification if public notification not required for the development application.	✓	The proposed changes do not change the level of assessment (Code assessment)

The *Development Assessment Rules 2017 (Schedule 1)* provide guiding criteria in relation to 'substantially different development'. The proposed change is assessed against these criteria in **Table 3**.

Table 3. Assessment against Substantially Different Development Criteria (Development Assessment Rules 2017)

Substantially Different Development Criteria	Complies	Response
A change may be considered to result in a substantially different development if the proposed change:		
a. involves a new use	✓	There are no additional uses proposed.
b. results in the application applying to a new parcel of land	✓	The proposed change does not apply to a new parcel of land.
c. dramatically changes the built form in terms of scale, bulk and appearance	✓	There is no change to the approved subdivision layout, site access or services.
d. changes the ability of the proposal to operate as intended	✓	The changes do not affect the approved land uses granted under permits.
e. removes a component that is integral to the operation of the development	✓	The change proposed does not involve the removal of any critical components of the development. Access and services to the approval with the changes remain the same.
f. significantly impacts on traffic flow and the transport network, such as increasing traffic to the site	✓	The proposed change to the approval does not change the ultimate traffic or transport arrangements.
g. introduces new impacts or increases the severity of known impacts	✓	There are no new impacts or increased impacts raised by the change to the internal or external environment.
h. removes an incentive or offset component that would have balanced a negative impact of the development	✓	There were no incentives or offsets as part of the original decision and there is no change because of this application.
i. impacts on infrastructure provision.	✓	There will be no change or impacts on infrastructure provision because of this Minor Change application.

6. CONCLUSION AND RECOMMENDATION

The above assessment demonstrates that the proposed changes can be considered a minor change to the approval under the *Planning Act 2016*. The changes do not result in a substantially different development and does result in external impacts.

6.1. CHANGES TO CONDITIONS

There are no necessary changes to any of the conditions of approval other than deleting Condition ENG 9. The existing conditions and plans are to be issued with the amendment to delete ENG9 made.

There are no changes to ICNs that remain applicable to the development. A new notice is not required to be issued.

ATTACHMENTS**1. Attachment A - Statement of Reasons**

NOTICE ABOUT DECISION – STATEMENT OF REASONS

The following information is provided in accordance with Section 63(4) & (5) of the Planning Act 2016

Applicant:	Izzards Road Developments Pty Ltd C/- Precinct Urban Planning
Proposal:	S81 Minor Change Request
Street Address:	241 Izzards Road, Nanango
RP Description:	Lot 3 on RP188104
Assessment Type:	Minor Change Application s81 Planning Act 2016
Number of Submissions	N/A

On 27 March 2023 the above development was recommended for:

Approval

1. Reasons for the Decision

The reasons for this decision are:

- The proposal is not subject to constraints by mapped overlays that would otherwise have an impact on the proposal or give rise to any non-compliance within the planning scheme assessment benchmarks
- Reasonable and relevant conditions of approval can be imposed to ensure compliance with the South Burnett Planning Scheme 2017 requirement.
- The proposed changes are assessed to not be Substantially Different from the approved development.

2. Assessment Benchmarks

The following are the benchmarks apply to this development:

- s81 Planning Act 2016
- The Planning Act 2016 (Schedule 2)
- Development Assessment Rules 2017 (Schedule 1)

3. Compliance with Benchmarks

The development was assessed against all the assessment benchmarks listed above and complies with all of these or can be conditioned to comply.

Note: Each application submitted to Council is assessed individually on its own merit.

17.3 LIST OF CORRESPONDENCE PENDING COMPLETION OF ASSESSMENT REPORT**File Number:** 12-04-2023**Author:** Administration Officer**Authoriser:** Chief Executive Officer**PRECIS**

List of correspondence pending completion of assessment report.

SUMMARY

Reports pending completion of assessment as of 3 April 2023.

OFFICER'S RECOMMENDATION

That the List of correspondence pending completion of assessment report as of 3 April 2023 be received.

REPORT**Reconfiguration of a lot (RAL) applications**

1. RAL22/0011 – Easement associated with MCU22/0004 at 79 Zerners Road MURGON
2. RAL22/0028 – Reconfiguration of a lot – Subdivision (1 Lot into 2 Lots) at 1304 Wattlegrove Road, WATTLEGROVE
3. RAL22/0042 – Reconfiguration of a lot – Subdivision (1 Lot into 10 Lots) at 14503 D'Aguilar Highway, NANANGO
4. RAL23/0002 – Reconfiguration of a lot – Boundary Realignment at 858 Memerambi Gordonbrook Road GORDONBROOK
5. RAL23/0003 – Reconfiguration of a lot – Access Easement at Knight Street KINGAROY
6. RAL23/0004 – Reconfiguration of a lot – Combined Application Subdivision (1 Lot into 31 Lots) and associated Operational Work at Kelvyn Street KINGAROY
7. RAL23/0005 – Reconfiguration of a lot – Subdivision (1 Lot into 3 Lots) at 43 Brett Road BLACKBUTT SOUTH

Material Change of Use (MCU) Applications

1. MCU21/0017 – Material Change of Use – Expansion of the existing piggery (57,000SPU) at 592 Morgans Road, WINDERA (and described as Lot 49 on MZ555 & Lot 203 on SP251979)
2. MCU21/0019 – Other Change to Existing Approval - Material Change of Use (Master Planned Community and Development Permit for Reconfiguration of a lot (1 lot into 6 lots plus parkland dedication) at Corner Bunya Highway & Taylors Road KINGAROY
3. MCU22/0004 – Extractive Industry and Easement at 79 Zerners Road MURGON
4. MCU22/0009 – Intensive Animal Industry at 97 Schloss Road CUSHNIE
5. MCU22/0011 – Motorsport and Ancillary Facilities and Caretakers' Residence and ERA (63) for Sewerage Treatment at Lewis Duff Road BALLOGIE
6. MCU22/0018 – Agricultural supplies store and Special Industry (Manufacturing fertiliser) and concurrent ERA 7 (Chemical Manufacturing) at 107 River Road, KINGAROY
7. MCU22/0022 – Material Change of use – Use of secondary dwelling for short-term accommodation at 17 Fork Hill Drive, MOFFATDALE

8. MCU22/0034 – Major Utility Infrastructure – Solar Farm at Bowman Road BLACKBUTT
9. MCU23/0002 – Material Change of Use – Three (3) Additional Short-Term Accommodation Units at 5 Evelyn Street KINGAROY
10. MCU23/0003 – Material Change of Use – Warehouse (Self-Storage Facility) at 41-43 Pring Street WONDAI
11. MCU23/0005 – Material Change of Use – Warehouse at Bunya Highway KINGAROY
12. MCU23/0006 – Material Change of Use – Dual Occupancy at 27B Kingaroy Street KINGAROY

Operational Works (OPW) Applications

1. OPW23/0002 – Roadworks at 79 Tim Dwyer Road EAST NANANGO
2. OPW23/0003 – Stormwater, Earthworks & Driveway crossover at 1 Rogers Drive KINGAROY
3. OPW23/0005 – Filling or excavation at 468 Proston Boondooma Road ROSTON
4. OPW23/0006 – Operational work associated with RAL23/0004 at Kelvyn Street KINGAROY

ATTACHMENTS**Nil**

18 QUESTIONS ON NOTICE

18.1 DIVISIONAL SPEND MEDIA/COMM STRATEGY

File Number: QONAPR23

Author: Chief Executive Officer

Authoriser: Chief Executive Officer

The following question on notice was received from Councillor Mayor Otto.

Question

What is the media/comms strategy to relay this information to the community and the process to roll this out?

Response

The following was adopted at the 22 February 2023 Ordinary Meeting.

10.9 BREAKDOWN OF EXPENDITURE BY DIVISION AND CATEGORY OF PERCENTAGE OF TOTAL GENERAL REVENUE

RESOLUTION 2023/387

Moved: Cr Kirstie Schumacher

Seconded: Cr Jane Erkens

That Council note the report and develop a communication strategy to explain the contents of such to rate payers and residents of the South Burnett including a brochure that is part of the rates notice collateral sent out in August 2023 with the rates notices.

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

Against: Cr Kathy Duff

CARRIED 6/1

The media and communication strategy will be in accordance with this resolution and will target the rates notices to be sent out in August 2023. The development of a space on the Council webpage with infographics is being reviewed and the information added to the rates notices will utilise tools such as a QR code which will direct people to the web page as the single source of truth. Once the web page is developed and up and running the information can be promoted through linkages to council social media accounts and media releases. Development of the web page (which will be part of the Council main web site) is expected to be completed by 30 June.

RECOMMENDATION

That the response to the question regarding Divisional Spend Media/Comms Strategy raised by Mayor Otto be received and noted.

ATTACHMENTS

Nil

18.2 PROCUREMENT POLICY

File Number: 08/03/2023

Author: Strategic Procurement Coordinator

Authoriser: Chief Executive Officer

The following question on notice was received from Councillor Kathy Duff.

Question

Can Council instil in the Procurement Policy that all Local Buy recommendations purchases to come through Council as a final approval?

Response

The *Local Government Regulation 2012* outlines how Queensland local governments need to manage their procurement activities to ensure fairness and transparency. The Regulation also ensures there is adequate opportunity for suppliers to bid, be awarded and engage with Queensland local governments.

Local Buy is a leader in the provision of procurement and probity services to the whole of government. Local Buy is a subsidiary of the Local Government Association of QLD (LGAQ) and are Government Procurement Specialists.

Local Buy was established by the LGAQ to meet the needs of government with the procurement process.

Chapter 6, Division 3 – Exceptions for medium-sized and large-sized contractual arrangements, explains when a local government may enter in to a medium or large size contractual arrangement without first inviting written quotes or tenders.

s234 – Exception for LGA arrangement

1. A local government may enter into a contract for goods and services without first inviting written quotes or tenders if the contract is entered into under an LGA arrangement.
2. An LGA arrangement is an arrangement that—
 - a. has been entered into by—
 - i. LGAQ Ltd.; or
 - ii. a company (the associated company) registered under the Corporations Act, if LGAQ Ltd. is its only shareholder; and
 - b. if LGAQ Ltd. or the associated company were a local government, would be either
 - i. a contract with an independent supplier entered into under section 232 by LGAQ Ltd. or the associated company; or
 - ii. a contract with an independent supplier entered into under a preferred supplier arrangement under section 233.
3. An independent supplier is an entity other than a subsidiary (a relevant subsidiary) of LGAQ Ltd. or the associated company under the Corporations Act.
4. Despite subsection (2)(b), an LGA arrangement may include a contract with a relevant subsidiary from a register of pre-qualified suppliers or a preferred supplier arrangement with a relevant subsidiary if the arrangement is approved by the Minister.
5. For deciding whether to approve an LGA arrangement under subsection (4), the Minister
 - a. must have regard to the sound contracting principles; and

- b. may ask LGAQ Ltd. or the associated company to give the Minister information or documents relevant to the arrangement.

Examples of relevant information or documents—

- *information or documents relating to assessment of the relevant subsidiary's suitability to be on the register of pre-qualified suppliers or the tender process for the preferred supplier arrangement*
- *information or documents relating to the potential impact of the arrangement on local government employees*

Local Buy arrangements are compliant with the *Local Government Regulation 2012* and *Local Government Act 2009* and provide local government entities with the assurance that all suppliers are vetted and compliant based on a comprehensive tender, evaluation and approval process.

Local Buy Pre-Qualified Arrangements undergo a full and open tender process. Suppliers undergo a robust evaluation process including three (3) years of financials and compliance details and organisational capabilities are established. Suppliers are contracted under agreed terms and conditions mitigating the contractual risk to Local Government entities.

Local Buy's strict prequalified supplier process effectively means that government can access a range of goods and services through a quotation rather than a tender process. Local Buy has helped to reduce the risk, time and costs associated with internal procurement processes for government clients.

Benefits to Council

- No cost to access the Local Buy Arrangements
- Eliminates the need to publicly tender which comes at a financial and time cost
- Tender process is compliant with the LG Legislation and therefore legislative obligations have been met.
- Contractual risk has been significantly reduced due to the robust tendering and evaluation process suppliers must undertake before award to the panel
- Aggregating purchasing power
- Moves the focus from the functional process of tendering to strategic elements of procurement

Council's Procurement Policy establishes the procurement principles in which Council will follow and apply to all procurement processes in alignment with the prescribed legislative framework and statutory obligations. The Procurement Policy provides the framework for the development and implementation of streamlined systems, practices and controls for efficient, effective and economic financial performance management.

Council utilises the registers of pre-Qualified suppliers established under *s232* and *s234* of the *Local Government Regulation 2012* for repeat contractor engagements however the requirements of the Procurement Policy Purchasing Quotation table 3.6.3 requires Council Officers to seek quotations, which is a requirement that exceeds the minimum legislative requirements outlined in the *Local Government Regulation 2012*.

The Purchasing Quotation table under section 3.6.3 was established as an internal Council business rule and is enforced across all Panel arrangements to ensure Council is still achieving value for money outcomes, providing reasonable opportunity for Council to support and encourage a competitive business environment, providing multiple opportunities for suppliers to quote, preserving Council's integrity in the procurement and/or purchasing process to ensure that Council acts and remains beyond reproach in all dealings, and maintaining adherence to the Sound Contracting Principles as stipulated under the Act and Regulation.

All quotations undergo a robust evaluation process in accordance with the requirements outlined in section 3.8 of the Procurement Policy with regard to the five (5) sound contracting principles ensuring

recommended tenderers/suppliers have the technical, financial and managerial capability necessary to perform contracts on time and in accordance with the agreed requirements.

Pursuant to *Section 257 (1) (b)* of the Act, Council has resolved to delegate to the Chief Executive Officer (CEO) the power to make, amend or discharge a contract in accordance with *Section 238 (2)* of the Regulation whereby the CEO may make, amend or discharge a contract with a supplier **of which the expenditure has been provided for in the approved annual budget.**

The CEO may enter into any contractual arrangement with a person (in respect of one or cumulatively for all) that is, or expected to be, worth in excess of \$200,000 ex GST or more in a financial year or expected to be worth \$200,000 ex GST or more over the proposed term of the contractual arrangement **for expenditure provided for by the approved annual budget.**

The financial delegation to the CEO to approve expenditure and enter into contractual arrangements with suppliers from the **approved annual budget** enables Council to expedite the procurement process and enter into contracts ensuring Council can meet its community expectations and obligations as outlined in the Corporate and Operational Plans.

Council entered into 45 contractual arrangements over \$200,000 in the 2022 calendar year. These contractual arrangements are published on the Council website and within Council's customer contact foyers in accordance with *Ch6 Pt4 s237* of the *Local Government Regulation 2012*.

There are no legislative restrictions on Council approving recommendations in excess of \$200,000 for procurement activities conducted through the contractual arrangements of Local Buy or Council's own Pre-Qualified Supplier arrangements.

This however may impede operational deliverables as the approval timeframe may be considerably increased due to Council possibly needing to increase its frequency of meetings with consideration that special meetings require two (2) days public notice and the development and drafting of formal Council reports may place considerable strain on Council resources further impeding the contract execution placing council at risk of securing available contractors if the approval process is delayed.

RECOMMENDATION

That the response to the question regarding the Procurement Policy raised by Councillor Kathy Duff be received and noted.

ATTACHMENTS

Nil

19 CONFIDENTIAL SECTION

OFFICER'S RECOMMENDATION

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

19.1 Performance Review Chief Executive Officer - 2023

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.

19.2 Planning & Environment Court Appeals

This matter is considered to be confidential under Section 254J - e 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 legal advice obtained by the local government or legal proceedings involving the local government including, for example, legal proceedings that may be taken by or against the local government.

20 CLOSURE OF MEETING