



**SOUTH BURNETT**

**REGIONAL COUNCIL**

# **MINUTES**

**Ordinary Council Meeting  
Wednesday, 28 June 2023**

**Order Of Business**

<b>1</b>	<b>Opening</b> .....	<b>5</b>
<b>2</b>	<b>Leave of Absence / Apologies</b> .....	<b>6</b>
<b>3</b>	<b>Prayers</b> .....	<b>6</b>
<b>4</b>	<b>Acknowledgement of Traditional Owners</b> .....	<b>6</b>
<b>5</b>	<b>Declaration of Interest</b> .....	<b>6</b>
<b>6</b>	<b>Deputations/Petitions</b> .....	<b>7</b>
6.1	Petition requesting drainage along the Ros Gregor Parkrun track .....	7
6.2	Petition requesting improvements to Brisbane Street East, Nanango drainage and footpath between Drayton Street and Hospital Terrace. ....	7
<b>7</b>	<b>Confirmation of Minutes of Previous Meeting</b> .....	<b>7</b>
7.1	Minutes of the Special Council Meeting held on 7 June 2023.....	7
7.2	Minutes of the Corporate Risk & Audit Advisory Committee Meeting held on 23 May 2023 .....	8
7.3	Minutes of the Council Meeting held on 24 May 2023 .....	8
<b>8</b>	<b>Notices of Motion</b> .....	<b>8</b>
	Nil	
<b>9</b>	<b>Business Outstanding</b> .....	<b>8</b>
9.1	Business Outstanding Table for Ordinary Council Meeting.....	8
<b>10</b>	<b>Portfolio - Corporate Governance &amp; Strategy, People &amp; Culture, Communication &amp; Media, Finance &amp; Sustainability, ICT &amp; Business Systems, Community Representation and Advocacy, 2032 Olympics &amp; Paralympics</b> .....	<b>9</b>
10.1	Meeting Dates for the Ordinary Meetings of Council's Standing Committees and General Meetings .....	9
10.2	Council Nominate the 2024 Special Holiday .....	11
10.3	Adoption of the South Burnett Regional Council Fraud and Corruption Prevention Management Policy - Statutory021.....	11
10.4	Adoption of the South Burnett Regional Council Environmental Sustainability Policy - Statutory074 .....	11
10.4.1	Adoption of the South Burnett regional Council Environmental Sustainability Policy – Statutory074 .....	12
10.5	Adoption of the South Burnett Regional Council Internal Audit Policy - Statutory019.....	12
10.6	Adoption of the South Burnett Regional Council Procurement Policy - Statutory007.....	12
10.7	Growing Regions Program - Round 1 Grant Opportunity.....	13
10.8	Monthly Financial Information.....	14
10.8.1	Question on Notice – Page 10 of Capital Expense Report .....	14
<b>11</b>	<b>Portfolio - Infrastructure Planning, Works (Construction &amp; Maintenance), Water &amp; Wastewater, Plant &amp; Fleet</b> .....	<b>15</b>
11.1	Wondai Industrial Estate Consultation Session .....	15

11.2	Construction of Unmade Road Mondure .....	15
11.3	McCauley Weir Access Road - Road Safety Audi .....	16
11.4	Minmore Road Proposed Road Widening and Sealing Works.....	16
<b>12</b>	<b>Portfolio - Community Development, Arts &amp; Heritage and Library Services.....</b>	<b>16</b>
12.1	Kingaroy VIC Mural Proposal .....	17
12.2	Draft Community Plan Layout for Discussion .....	17
12.3	Blackbutt & District Tourism & Heritage Association Inc - Deed of Licence to Occupy - Roy Emerson Museum & Nukku Nook and Blackbutt Hall.....	17
<b>13</b>	<b>Portfolio - Natural Resource Management, Rural Services, Agricultural Innovation, Compliance and Environmental Health .....</b>	<b>18</b>
	Nil	
<b>14</b>	<b>Portfolio - Disaster Management, Waste and Recycling Management .....</b>	<b>18</b>
14.1	Memerambi Transfer Station.....	18
14.2	Blackbutt Transfer Station - Commercial Waste .....	18
<b>15</b>	<b>Portfolio - Rural Resilience &amp; Disaster Recovery, Parks &amp; Gardens, Property &amp; Facility Management, First Nations Affairs .....</b>	<b>19</b>
15.1	CCTV Installation in Parks to improve community safety.....	19
15.2	Cloyna Hall - Investigation of Floor Movement Issue.....	19
15.2.1	Question on Notice – Funding for Hall Repair .....	19
15.3	Awarding of Tender for Management of Murgon Jubilee Swimming Pool.....	20
15.4	Parks Business Improvement Review by Shepherd .....	20
15.5	Notice of Motion - Creative Country Association of Murgon.....	21
<b>16</b>	<b>Portfolio - Tourism &amp; Visitor Information Centres, Sport &amp; Recreation and Commercial Enterprises.....</b>	<b>21</b>
16.1	Bunkhouse (Old Hospital Building) on Licence Area 3 - Kingaroy Soaring Club .....	22
<b>17</b>	<b>Portfolio - Regional Development, Development Services, Community &amp; Social Housing .....</b>	<b>22</b>
17.1	Material Change of Use (Dual Occupancy) at 27B Kingaroy Street, Kingaroy (and described as Lot 101 on SP272806). Applicant: Regional Housing Limited C/- Urban Strategies .....	22
17.2	Material Change of Use - Three (3) Additional Short-term Accommodation Units at 5 Evelyn Street, Kingaroy (and described as Lot 14 on SP212946). Applicant: Wangaby Pty Ltd C/- ONF Surveyors .....	26
17.2.1	Question on Notice – Higher Density Application .....	28
17.3	Material Change of Use - Warehouse (30 Self-Storage Containers) at 41-43 Pring Street, Wondai (and described as Lot 4 on RP204514). Applicant: G Crumpton & Sons & Co Pty Ltd C/- ONF Surveyors .....	29
<b>18</b>	<b>Questions on Notice .....</b>	<b>29</b>
	Nil	
<b>19</b>	<b>Information Section .....</b>	<b>30</b>
	Nil	
<b>20</b>	<b>Confidential Section .....</b>	<b>30</b>

20.1	Financial Hardship Rates Application – Assessment Number -12373-00000-000.....	31
20.1	Question on Notice – Legal Fees .....	31
20.2	Application to waive interest - Assessment 30141-00000-000.....	32
20.3	Rsl Kingaroy Memerambi Sub Branch Land Transfer.....	32
20.4	Performance Review Chief Executive 2023.....	33
<b>21</b>	<b>Closure of Meeting.....</b>	<b>33</b>

**MINUTES OF SOUTH BURNETT REGIONAL COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE WARREN TRUSS CHAMBER, 45 GLENDON STREET, KINGAROY  
ON WEDNESDAY, 28 JUNE 2023 AT 9:00AM**

**PRESENT:**

**Councillors:**

Cr Jane Erkens, Cr Danita Potter, Cr Kirstie Schumacher, Cr Kathy Duff, Cr Scott Henschen

**Council Officers:**

Mark Pitt (Chief Executive Officer), Susan Jarvis (General Manager Finance & Corporate), Peter O'May (General Manager Liveability), Aaron Meehan (General Manager Infrastructure), Kimberley Donohue (Executive Assistant), Tiarna Hurt (Executive Assistant), Lynelle Paterson (Coordinator Executive Services), Louise Reidy (Strategic Procurement Coordinator), Rebecca Bayntun (Manager Corporate, Governance and Strategy), Darryl Brooks (Manager Environment and Planning), Jennifer Pointon (Manager Community and Lifestyle), David Hursthouse (Coordinator Development Services), Michelle Calvert (Financial Accountant)

**Attendance:**

At 9:05am, Coordinator Executive Services Lynelle Paterson entered the meeting.

At 9:05am, Coordinator Executive Services Lynelle Paterson left the meeting.

**1 OPENING**

CEO Mark Pitt opened the meeting and welcomed all attendees.

**MOTION**

---

**RESOLUTION 2023/631**

Moved: Cr Kathy Duff

Seconded: Cr Scott Henschen

That Cr Potter takes the chair to Preside for the meeting.

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

Against: Nil

**CARRIED 5/0**

**2 LEAVE OF ABSENCE / APOLOGIES**

**APOLOGY**

**RESOLUTION 2023/632**

Moved: Cr Danita Potter

Seconded: Cr Kathy Duff

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

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

Against: Nil

**CARRIED 5/0**

**3 PRAYERS**

A representative of Kingaroy Church of Christ, Andy Dunkin offered prayers for Council and for the conduct of the Council meeting.

**4 ACKNOWLEDGEMENT OF TRADITIONAL OWNERS**

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

**5 DECLARATION OF INTEREST**

I, Cr Kirstie Schumacher inform this meeting that I have a declarable conflict of interest in relation to Item 17.3 - Material Change of Use - Warehouse (30 Self-Storage Containers) at 41-43 Pring Street, Wondai (and described as Lot 4 on RP204514). Applicant: G Crumpton & Sons & Co Pty Ltd C/- ONF Surveyors

The nature of my interest is as follows:

This declarable conflict of interest arises due to a close personal relationship as our sons are friends.

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

I, Cr Jane Erkens inform this meeting that I have a declarable conflict of interest in relation to Item 17.3 - Material Change of Use - Warehouse (30 Self-Storage Containers) at 41-43 Pring Street, Wondai (and described as Lot 4 on RP204514). Applicant: G Crumpton & Sons & Co Pty Ltd C/- ONF Surveyors

The nature of my interest is as follows:

This declarable conflict of interest arises due to a past business relationship.

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

**6 DEPUTATIONS/PETITIONS**

**6.1 PETITION REQUESTING DRAINAGE ALONG THE ROS GREGOR PARKRUN TRACK**

**RESOLUTION 2023/633**

Moved: Cr Jane Erkens  
 Seconded: Cr Scott Henschen

That the Petition be received and referred to the Chief Executive Officer for consideration and a report back to a meeting of Council.

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

Against: Nil

**CARRIED 5/0**

**6.2 PETITION REQUESTING IMPROVEMENTS TO BRISBANE STREET EAST, NANANGO DRAINAGE AND FOOTPATH BETWEEN DRAYTON STREET AND HOSPITAL TERRACE.**

**RESOLUTION 2023/634**

Moved: Cr Jane Erkens  
 Seconded: Cr Kathy Duff

That the Petition be received and referred to the Chief Executive Officer for consideration and report back to a meeting of Council.

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

Against: Nil

**CARRIED 5/0**

**7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

**7.1 MINUTES OF THE SPECIAL COUNCIL MEETING HELD ON 7 JUNE 2023**

**RESOLUTION 2023/635**

Moved: Cr Kathy Duff  
 Seconded: Cr Jane Erkens

That the Minutes of the Special Council Meeting held on 7 June 2023 be received.

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

Against: Nil

**CARRIED 5/0**

**7.2 MINUTES OF THE CORPORATE RISK & AUDIT ADVISORY COMMITTEE MEETING HELD ON 23 MAY 2023**

**RESOLUTION 2023/636**

Moved: Cr Kirstie Schumacher  
 Seconded: Cr Scott Henschen

That the Minutes of the Corporate Risk & Audit Advisory Committee Meeting held on 23 May 2023 be received and the recommendations therein be adopted.

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

Against: Nil

**CARRIED 5/0**

**7.3 MINUTES OF THE COUNCIL MEETING HELD ON 24 MAY 2023**

**RESOLUTION 2023/637**

Moved: Cr Scott Henschen  
 Seconded: Cr Kathy Duff

That the Minutes of the Council Meeting held on 24 May 2023 be received and the recommendations therein be adopted.

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

Against: Nil

**CARRIED 5/0**

**8 NOTICES OF MOTION**

Nil

**9 BUSINESS OUTSTANDING**

**Attendance:**

At 9:19am, Strategic Procurement Coordinator Louise Reidy entered the meeting.

**9.1 BUSINESS OUTSTANDING TABLE FOR ORDINARY COUNCIL MEETING**

**RESOLUTION 2023/638**

Moved: Cr Kathy Duff  
 Seconded: Cr Kirstie Schumacher

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

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

Against: Nil

**CARRIED 5/0**



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

**10.1 MEETING DATES FOR THE ORDINARY MEETINGS OF COUNCIL'S STANDING COMMITTEES AND GENERAL MEETINGS**

**RESOLUTION 2023/639**

Moved: Cr Scott Henschen

Seconded: Cr Kathy Duff

That Council:

1. fix the day, time and location for the Infrastructure, Environment and Compliance Standing Committee Meetings of South Burnett Regional Council as the first Wednesday of the month commencing at 9.00am in the Warren Truss Chamber, Glendon Street Kingaroy.
2. fix the day and time for the Liveability, Governance and Finance Standing Committee Meetings of South Burnett Regional Council as the second Wednesday of the month, commencing at 9.00am in the Warren Truss Chamber, Glendon Street Kingaroy, except for the December 2023 meeting.
3. fix the day and time for the General Council Meetings of South Burnett Regional Council as the fourth Wednesday of the month, commencing at 9.00am in the Warren Truss Chamber, Glendon Street Kingaroy, except for the July meeting which will be the third Wednesday due to the LGAQ Bush Conference, and the December meeting.
4. adopt the dates for Council Meetings July - December 2023 as follows:

<b>Committee</b>	<b>Date</b>
Infrastructure, Environment and Compliance Standing Committee	Wednesday 5 July 2023
Liveability, Governance and Finance Standing Committee Meeting	Wednesday 12 July 2023
General Meeting	Wednesday 19 July 2023
Infrastructure, Environment and Compliance Standing Committee Meeting	Wednesday 2 August 2023
Liveability, Governance and Finance Standing Committee Meeting	Wednesday 9 August 2023
General Meeting	Wednesday 23 August 2023

Infrastructure, Environment and Compliance Standing Committee Meeting	Wednesday 6 September 2023
Liveability, Governance and Finance Standing Committee Meeting	Wednesday 13 September 2023
General Meeting	Wednesday 27 September 2023
Infrastructure, Environment and Compliance Standing Committee Meeting	Wednesday 4 October 2023
Liveability, Governance and Finance Standing Committee Meeting	Wednesday 11 October 2023
General Meeting	Wednesday 25 October 2023
Infrastructure, Environment and Compliance Standing Committee Meeting	Wednesday 1 November 2023
Liveability, Governance and Finance Standing Committee Meeting	Wednesday 8 November 2023
General Meeting	Wednesday 22 November 2023
Infrastructure, Environment and Compliance Standing Committee Meeting	Wednesday 29 November 2023
Liveability, Governance and Finance Standing Committee Meeting	Wednesday 6 December 2023
General Meeting	Wednesday 13 December 2023

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

Against: Nil

**CARRIED 5/0**

**Attendance:**

At 9:31am, Manager Corporate, Governance and Strategy Rebecca Bayntun entered the meeting.

**10.2 COUNCIL NOMINATE THE 2024 SPECIAL HOLIDAY**

**RESOLUTION 2023/640**

Moved: Cr Scott Henschen

Seconded: Cr Jane Erkens

That South Burnett Regional Council progress the Monday of the 2024 Royal National Exhibition, Brisbane – Monday 12 August 2024, as the 2024 Show Holiday for the South Burnett region and further, complete the 2024 Special Holiday request form and delegate to the Chief Executive Officer to submit via email prior to Friday 3 July 2023.

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

Against: Nil

**CARRIED 5/0**

**10.3 ADOPTION OF THE SOUTH BURNETT REGIONAL COUNCIL FRAUD AND CORRUPTION PREVENTION MANAGEMENT POLICY - STATUTORY021**

**RESOLUTION 2023/641**

Moved: Cr Jane Erkens

Seconded: Cr Scott Henschen

That the South Burnett Regional Council Fraud and Corruption Prevention Management Policy – Statutory021 be adopted as presented.

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

Against: Nil

**CARRIED 5/0**

**10.4 ADOPTION OF THE SOUTH BURNETT REGIONAL COUNCIL ENVIRONMENTAL SUSTAINABILITY POLICY – STATUTORY074**

**RESOLUTION 2023/642**

Moved: Cr Kirstie Schumacher

Seconded: Cr Jane Erkens

That the South Burnett Regional Council Environmental Sustainability Policy – Statutory074 be adopted as presented.

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

Against: Nil

**CARRIED 5/0**

**10.4.1 CLIMATE ADOPTION STRATEGY UPDATE**

**RESOLVED 2023/643**

That a report be brought back to the July Infrastructure, Environment and Compliance Standing Committee meeting for a Climate Adoption Strategy update.

**10.5 ADOPTION OF THE SOUTH BURNETT REGIONAL COUNCIL INTERNAL AUDIT POLICY - STATUTORY019**

**RESOLUTION 2023/644**

Moved: Cr Jane Erkens  
 Seconded: Cr Kirstie Schumacher

That the South Burnett Regional Council Internal Audit Policy – Statutory019 be adopted as presented.

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

**CARRIED 5/0**

**10.6 ADOPTION OF THE SOUTH BURNETT REGIONAL COUNCIL PROCUREMENT POLICY – STATUTORY007**

**RESOLUTION 2023/645**

Moved: Cr Kirstie Schumacher  
 Seconded: Cr Jane Erkens

That the matter be lifted from the table

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

**CARRIED 5/0**

**MOTION**

Moved: Cr Kathy Duff  
 Seconded: Cr Kirstie Schumacher

Council amends its Procurement Policy to require that all Local Buy contracts over \$200,000 must be approved by Council before being awarded the contract.

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

**LOST 0/5**

**RESOLUTION 2023/646**

Moved: Cr Kathy Duff  
 Seconded: Cr Kirstie Schumacher

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

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

Against: Nil

**CARRIED 5/0**

**Attendance:**

At 10:02am, Manager Corporate, Governance and Strategy Rebecca Bayntun left the meeting.

At 10:03am, Strategic Procurement Coordinator Louise Reidy left the meeting.

**ADJOURN MORNING TEA**

**RESOLUTION 2023/647**

Moved: Cr Scott Henschen

Seconded: Cr Jane Erkens

That the meeting adjourn for morning tea.

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

Against: Nil

**CARRIED 5/0**

**RESUME MEETING**

**RESOLUTION 2023/648**

Moved: Cr Danita Potter

Seconded: Cr Kirstie Schumacher

That the meeting resume at 10:43am

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

Against: Nil

**CARRIED 5/0**

**Attendance:**

At the resumption of the meeting, Manager Environment and Planning Darryl Brooks was present.

**10.7 GROWING REGIONS PROGRAM - ROUND 1 GRANT OPPORTUNITY**

**RESOLUTION 2023/649**

Moved: Cr Kirstie Schumacher

Seconded: Cr Danita Potter

That Council

1. Note the information in this report and approve the submission of an Expression of Interest (EOI) for the Growing Regions Program – Round 1 grant opportunity, for Stage 1 of the WJ Lang Memorial Olympic Pool Complex redevelopment works project.

- 
2. If Council’s EOI application is successful, approve the submission of a full application and the allocation of the required Council Contribution of \$6,000,000 in Council’s capital works program and capital budget to enable the execution of the project.

In Favour: Crs Danita Potter, Kirstie Schumacher, Kathy Duff and Scott Henschen

Against: Cr Jane Erkens

**CARRIED 4/1**

**10.8 MONTHLY FINANCIAL INFORMATION**

---

**RESOLUTION 2023/650**

Moved: Cr Kathy Duff

Seconded: Cr Scott Henschen

That the monthly Financial Report including Capital Works and Works for Queensland (W4Q4) as of 31<sup>st</sup> May 2023 be received and noted.

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

Against: Nil

**CARRIED 5/0**

**10.8.1 QUESTION ON NOTICE - PAGE 10 OF CAPITAL EXPENSE REPORT**

---

Question on notice from Cr Kirstie Schumacher:

Is it possible to get a better understanding of page 10 from the Capital Expense Report?

**ADJOURN**

---

**RESOLUTION 2023/651**

Moved: Cr Kathy Duff

Seconded: Cr Scott Henschen

That the meeting adjourn for 5 minutes.

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

Against: Nil

**CARRIED 5/0**

**RESUME MEETING**

**RESOLUTION 2023/652**

Moved: Cr Scott Henschen  
 Seconded: Cr Kirstie Schumacher

That the meeting resume at 11:07am

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

Against: Nil

**CARRIED 5/0**

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

**Attendance:**

At 11:13am, Manager Community and Lifestyle Jennifer Pointon entered the meeting.

**11.1 WONDAL INDUSTRIAL ESTATE CONSULTATION SESSION**

**RESOLUTION 2023/653**

Moved: Cr Kathy Duff  
 Seconded: Cr Scott Henschen

That South Burnett Regional Council notes the report and that Council officers review the upgrade design plans for the Wondai Industrial Estate Road Network and provide a design and costing for Kemp Street to be made two-way heavy vehicle access and Burrows Street to be left as a one-way street, with a report to be brought back to the November Standing Committee.

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

Against: Cr Kirstie Schumacher

**CARRIED 4/1**

**11.2 CONSTRUCTION OF UNMADE ROAD MONDURE**

**RESOLUTION 2023/654**

Moved: Cr Kathy Duff  
 Seconded: Cr Scott Henschen

That South Burnett Regional Council:

- Accept the maintenance of the newly formed 240 metre road located off Mondure Wheatlands Road near Mondure;
- Recognise the road as class 5B Lower Order Access Road; and
- Name the road Mountain View Lane.

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

Against: Nil

**CARRIED 5/0**

**11.3 MCCAULEY WEIR ACCESS ROAD - ROAD SAFETY AUDI**

**RESOLUTION 2023/655**

Moved: Cr Jane Erkens  
 Seconded: Cr Kathy Duff

That South Burnett Regional Council:

1. Budget \$90,000 for safety upgrades for McCauley Weir Road at the 2023/24 first quarter review to be allocated from capital program savings achieved in the 2022/23 financial year, and;
2. Re-open McCauley Weir Road on a limited basis with controls and protocols to be implemented as needed by the Chief Executive Officer including a Council controlled lock only.

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

**CARRIED 5/0**

**11.4 MINMORE ROAD PROPOSED ROAD WIDENING AND SEALING WORKS**

**RESOLUTION 2023/656**

Moved: Cr Kathy Duff  
 Seconded: Cr Scott Henschen

That South Burnett Regional Council delegates to the CEO to facilitate a co-contribution towards sealing works on Minmore Road in conjunction with roadworks to be undertaken by the quarry.

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

**CARRIED 5/0**

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

**Attendance:**

At 11:22am, General Manager Infrastructure Aaron Meehan left the meeting.  
 At 11:23am, General Manager Infrastructure Aaron Meehan returned to the meeting.



---

**12.1 KINGAROY VIC MURAL PROPOSAL**

---

**RESOLUTION 2023/657**

Moved: Cr Kirstie Schumacher

Seconded: Cr Kathy Duff

That South Burnett Regional Council engage Robyn Dower to install the preferred artist impression on the rear wall of the Kingaroy Visitor Information Centre.

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

Against: Nil

**CARRIED 5/0**

---

**12.2 DRAFT COMMUNITY PLAN LAYOUT FOR DISCUSSION**

---

**RESOLUTION 2023/658**

Moved: Cr Kathy Duff

Seconded: Cr Scott Henschen

That the draft indicative layout for the individual community plan communities be received for information and Council note the adopted 2023/24 Operational Plan action “OPE14 – Consult with South Burnett Communities for their specific town and village community plan / key priority lists.”

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

Against: Nil

**CARRIED 5/0**

---

**12.3 BLACKBUTT & DISTRICT TOURISM & HERITAGE ASSOCIATION INC - DEED OF LICENCE TO OCCUPY - ROY EMERSON MUSEUM & NUKKU NOOK AND BLACKBUTT HALL**

---

**RESOLUTION 2023/659**

Moved: Cr Kathy Duff

Seconded: Cr Kirstie Schumacher

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 Deed of Licence to Occupy to the valuable non-current asset which is the land comprising of Part of Lot 1 on RP229138, Part of Lot 31 on RP32384, Part of Lot 2 on RP32381, Part of Lot 1 on RP32388 & Part of Lot 31 on SP117095 known as the Roy Emerson Museum and Nukku Nook, to the Blackbutt & District Tourism & Heritage Association, provided that:
  - (a) The Department of Transport and Main Roads approves the new licence area P1-P5 and proposal of new buildings on the licence area.
2. That South Burnett Regional Council resolves that the exception in *Local Government Regulation 2012 section 236 (1)(b)(ii)* applies to Council for the disposal by way of grant of a Deed of Licence to Occupy to the valuable non-current asset which is the land comprising of Part of Lot 2 on RP32381 known as the Blackbutt Hall, to the Blackbutt & District Tourism & Heritage Association.
3. South Burnett Regional Council delegates to the Chief Executive Officer the power to negotiate, finalise and execute the Deed of Licence to Occupy between Council and Blackbutt

& District Tourism & Heritage Association on terms and conditions the Chief Executive Officer reasonably considers are satisfactory to Council.

4. Go out to tender for the development of a masterplan for the Blackbutt Rail Trail and for realignment and improvement of the rail trail accessibility.

(a) Request the Department of Transport and Main Road to offer financial assistance to contribute to the masterplan and community consultation during the drafting of the plan.

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

Against: Nil

**CARRIED 5/0**

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

Nil

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

**14.1 MEMERAMBI TRANSFER STATION**

**RESOLUTION 2023/660**

Moved: Cr Kathy Duff

Seconded: Cr Kirstie Schumacher

That from 1 August 2023, the Memerambi Transfer Station be open to the public on Wednesday, Saturday, and Sunday between the hours of 8:00am – 5:00pm and that a communication campaign be implemented to advise of the change of operational days and times.

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

Against: Nil

**CARRIED 5/0**

**14.2 BLACKBUTT TRANSFER STATION - COMMERCIAL WASTE**

**RESOLUTION 2023/661**

Moved: Cr Scott Henschen

Seconded: Cr Kathy Duff

That South Burnett Regional Council scope and costs the provision of a commercial waste service at the Blackbutt Transfer Station and bring a report to the August Standing Committee Meeting, and if required, Council consider a first quarter budget provision to fund this service.

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

Against: Nil

**CARRIED 5/0**

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

### Attendance:

At 11:51am, General Manager Infrastructure Aaron Meehan left the meeting.

### 15.1 CCTV INSTALLATION IN PARKS TO IMPROVE COMMUNITY SAFETY

---

#### RESOLUTION 2023/662

Moved: Cr Jane Erkens

Seconded: Cr Kirstie Schumacher

That South Burnett Regional Council install CCTV cameras to Pioneer Park Nanango, Les Muller Park Blackbutt and QEII Park Murgon and upgrade of the server and licences to support the CCTV operations.

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

Against: Nil

**CARRIED 5/0**

### Attendance:

At 11:57am, General Manager Infrastructure Aaron Meehan returned to the meeting.

### 15.2 CLOYNA HALL - INVESTIGATION OF FLOOR MOVEMENT ISSUE.

---

#### RESOLUTION 2023/663

Moved: Cr Kathy Duff

Seconded: Cr Jane Erkens

- That provision is made in the Building Asset 10-year capital works programme to re-stump the hall in accordance with the engineer advice received.
- That a costing be brought back to the September Infrastructure, Environment and Compliance Standing Committee meeting on repairing the wall sheeting on the inside of the hall.

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

Against: Nil

**CARRIED 5/0**

#### 15.2.1 QUESTION ON NOTICE - FUNDING FOR HALL REPAIR

---

Question on notice from Cr Schumacher:

Are there any FRRR Disaster funding options for hall repairs/ evacuation centres and what Council facilities are available?

---

**15.3 AWARDING OF TENDER FOR MANAGEMENT OF MURGON JUBILEE SWIMMING POOL**

---

**RESOLUTION 2023/664**

Moved: Cr Kathy Duff

Seconded: Cr Scott Henschen

That South Burnett Regional Council:

- award Hallway Co the tender for the management and operation of Murgon Jubilee Swimming Pool for 3 years; and
- delegates to the Chief Executive Officer the power to negotiate, finalise and execute the contract between Council and Hallway Co on the terms and conditions outlined in Murgon Jubilee Swimming Pool tender and any other terms and conditions the Chief Executive Officer reasonably considers are satisfactory to Council.

In Favour: Crs Jane Erkens, Danita Potter, Kirstie Schumacher, Kathy Duff and Scott HenschenAgainst: Nil**CARRIED 5/0****Attendance:**

At 12:03pm, Coordinator Development Services David Hursthouse entered the meeting.

---

**15.4 PARKS BUSINESS IMPROVEMENT REVIEW BY SHEPHERD**

---

**RESOLUTION 2023/665**

Moved: Cr Kirstie Schumacher

Seconded: Cr Jane Erkens

That the Parks Business Improvement Review completed by Shepherd Asset Management Solutions be received for information and that a workshop be scheduled to discuss these findings and learnings in the first quarter of the 2023 – 2024 financial year.

In Favour: Crs Jane Erkens, Danita Potter, Kirstie Schumacher, Kathy Duff and Scott HenschenAgainst: Nil**CARRIED 5/0**

**15.5 NOTICE OF MOTION - CREATIVE COUNTRY ASSOCIATION OF MURGON**

**RESOLUTION 2023/666**

Moved: Cr Kathy Duff  
 Seconded: Cr Jane Erkens

That Council liaise with the Creative Country Association of Murgon as to the possible completion of the following works in support of the future opening ceremony for the 55 Million Years Ago Museum;

- Permission to install signage within the Council garden bed at the front of the centre
- Replacement of damage concrete at the garden bed in front of the centre
- Refurbishment of garden beds with mulch, bark and suitable plants; and
- Completion of line marking for the angle parks in front of the centre

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

Against: Nil

**CARRIED 5/0**

**SUSPENSION OF STANDING ORDERS**

**RESOLUTION 2023/667**

Moved: Cr Jane Erkens  
 Seconded: Cr Kathy Duff

That South Burnett Regional Council suspend standing orders for half an hour to discuss item 16.1

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

Against: Nil

**CARRIED 5/0**

**RESUMPTION OF STANDING ORDERS**

**RESOLUTION 2023/668**

Moved: Cr Danita Potter  
 Seconded: Cr Kathy Duff

That South Burnett Regional Council resume standing orders.

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

Against: Nil

**CARRIED 5/0**

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

**Attendance:**

At 12:17pm, General Manager Infrastructure Aaron Meehan left the meeting.  
 At 12:27pm, General Manager Infrastructure Aaron Meehan returned to the meeting.

**16.1 BUNKHOUSE (OLD HOSPITAL BUILDING) ON LICENCE AREA 3 - KINGAROY SOARING CLUB**

**RESOLUTION 2023/669**

Moved: Cr Jane Erkens  
 Seconded: Cr Scott Henschen

1. In accordance with the purposes of the *Local Government Regulation 2012*, Council decides, by resolution, that the exception in the Regulation *Section 236 (1)(b)(ii)*, applies to Council in the disposal of the Building Asset as identified as the Bunkhouse (Old Hospital Building) on Licence Area 3 within Lot 3 on SP249643, other than by tender or auction, to the community organisation, to the Kingaroy Soaring Club Inc, as:
  - (a) it is in the public interest; and
  - (b) the disposal is otherwise in accordance with the sound contracting principles.
2. In accordance with *Local Government Act 2009* (the Act), *Section 257*, to delegate to the Chief Executive Officer of Council, the power under section 262(3) of the Act, to negotiate and agree in principle the terms and conditions of a contract for the disposal of the building assets to the community organisation, Kingaroy Soaring Club Inc., for approval by Council.

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

Against: Nil

**CARRIED 5/0**

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

**Attendance:**

At 12:32pm, Manager Community and Lifestyle Jennifer Pointon left the meeting.

**17.1 MATERIAL CHANGE OF USE (DUAL OCCUPANCY) AT 27B KINGAROY STREET, KINGAROY (AND DESCRIBED AS LOT 101 ON SP272806). APPLICANT: REGIONAL HOUSING LIMITED C/- URBAN STRATEGIES**

**RESOLUTION 2023/670**

Moved: Cr Kirstie Schumacher  
 Seconded: Cr Scott Henschen

The application for a Material Change of Use Development Permit for a Dual Occupancy at 27B Kingaroy Street, Kingaroy, be approved subject to conditions and recommendations contained herein.

The development must be carried out generally in accordance with the plans and documents contained in this development approval.

**GENERAL**

GEN1. The development must be carried out generally in accordance with the approved plans and documents.

Drawing Title	Prepared By	Ref No.	Rev	Date
Site Plan	Push	1305.21 0001	01	16/03/2023
Unit Site Plan	Push	1305.21 0002	01	16/03/2023

Car Manoeuvring Plan	Push	1305.21 0003	01	16/03/2023
Proposed Unit 1 Floor Plan	Push	1305.21 1000	01	16/03/2023
Proposed Unit 2 Floor Plan	Push	1305.21 1001	01	16/03/2023
Landscape Plan - <b>to be amended</b>	Push	1305.21 1002	01	16/03/2023
Northern Elevation	Push	1305.21 2000	01	16/03/2023
East & West Elevation	Push	1305.21 2001	01	16/03/2023
Southern Elevation	Push	1305.21 2002	01	16/03/2023
Building Section	Push	1305.21 2003 1305.21 2004 1305.21 2005	01	16/03/2023
External Views	Push	1305.21 9000	01	16/03/2023
Aerial Views	Push	1305.21 9001	01	16/03/2023

**Amendment:** Landscape Plan to reflect South Burnett Regional Council Guide to Tree Planting. The plan to include recommended suitable plant species and incorporate details of post-planting care.

**DEVELOPMENT PERIOD - MCU**

GEN2. The currency period for this development approval for material change of use is six (6) 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.

**PLANNING**

MCU1. Bins may be stored within dedicated bin enclosures that are not to be located adjoining any boundary fencing, at all times.

**FENCING**

MCU2. Fencing along the Kingaroy Street (of Unit 1) shall not exceed 1.5m in maximum height and maintained at all times.

MCU3. Fence construction along side and rear property boundaries is to be solid screen fencing to a height not exceeding 1.8m.

**LANDSCAPING**

MCU4. A minimum 1m wide strip of landscaping is to be provided along all property boundaries (excluding vehicle manoeuvring areas).

MCU5. Offset landscape planting to consist of a least two rows with a mix of ground cover, shrubs and trees.

**UNIT DEVELOPMENT**

MCU6. Each dwelling unit is to be provided with external clothes drying facilities within the nominated open private space areas.

MCU7. A letter box shall be provided on the Kingaroy Street alignment for each habitable unit, including the body corporate if appropriate. Each box shall be distinguished with a number corresponding with the unit number.

MCU8. Each dwelling unit is to be readily identified by number.

**MECHANICAL PLANT**

MCU9. Mechanical plant (air conditioning, refrigeration equipment and pumps) must comply with the *Environmental Protection Act 1994*.

---

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

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

### **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. Design and construct all internal stormwater drainage works to comply with the relevant Section/s of AS/NZS 3500.3.2.
- ENG8. 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.

### **LAWFUL POINT OF DISCHARGE**

- ENG9. Discharge all minor storm flows that fall or pass onto the site to the lawful point of discharge in accordance with the Queensland Urban Drainage Manual (QUDM). Minor flows can be discharged to Kingaroy Street, or the stormwater pipe at the western end of the lot.

### **WATER SUPPLY**

- ENG10. The lot shall be connected to Council's reticulated water supply network with a single water meter, with each individual Class 1 structure (or unit) having its own sub water meter.

### **SEWERAGE**

- ENG11. Connect the development to Council's reticulated sewerage system via a single connection. The connection must be designed in accordance with Council's standards and be approved by Council's Utility Services Section.



- 
- ENG12. Actual connection to Council's live sewerage infrastructure must be undertaken by or under the supervision of Council.
- ENG13. Do not build works within 1.5 metres from the centre of any existing sewer pipework.
- ENG14. Maintain a minimum of a 3 metre wide corridor to be maintained for maintenance/upgrade purposes.
- ENG15. Ensure that a clear level area of a minimum of a 2.5 metre radius surrounding any existing sewer manholes on the site is provided for future maintenance/upgrade purposes.
- ENG16. The above minimum clearances to Council's sewer infrastructure do not preclude the need for works to proposed structures to prevent loading to the sewer system.

#### **PARKING AND ACCESS - GENERAL**

- ENG17. Design and construct all driveway and parking areas with concrete, asphalt or a two-coat bitumen seal.
- ENG18. Provide a minimum of one (1) car parking spaces per unit, plus one (1) visitor carpark.

#### **VEHICLE ACCESS**

- ENG19. Construct a residential standard crossover between the property boundary and the edge of the Kingaroy Street pavement, having a minimum width of 3 metres, generally in accordance with Council's Standard Drawing No. R-005, Revision C.
- ENG20. 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 (eg power pole, telecommunications pit), road infrastructure (eg street sign, street tree, etc).

#### **ELECTRICITY AND TELECOMMUNICATION**

- ENG21. Connect the development to electricity and telecommunication services.

#### **EROSION AND SEDIMENT CONTROL - GENERAL**

- ENG22. 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.
- ENG23. 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**

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

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

Against: Nil

**CARRIED 5/0**

**Attendance:**

At 12:37pm, Manager Environment and Planning Darryl Brooks left the meeting.

**17.2 MATERIAL CHANGE OF USE - THREE (3) ADDITIONAL SHORT-TERM ACCOMMODATION UNITS AT 5 EVELYN STREET, KINGAROY (AND DESCRIBED AS LOT 14 ON SP212946). APPLICANT: WANGABY PTY LTD C/- ONF SURVEYORS**

**RESOLUTION 2023/671**

Moved: Cr Jane Erkens  
 Seconded: Cr Scott Henschen

That Council approve the Material Change of Use Development Permit for extension to Short Term Accommodation - Lot 14 on SP212946 subject to the following conditions:

**GENERAL**

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

Drawing Title	Prepared by	Ref no.	Rev	Date
Site Plan	Blueprint Drafting Services	19-2694-SPY	B	14/06/22
Floor Plan & Sub-Floor Cabins 1 & 2	Blueprint Drafting Services	19-2694-SPY	A	14/06/22
Elevations Cabins 1 & 2	Blueprint Drafting Services	19-2694-SPY	A	14/06/22
Floor Plan & Sub-Floor Cabin 3	Blueprint Drafting Services	19-2694-SPY	B	14/06/22
Elevations Cabin 3	Blueprint Drafting Services	19-2694-SPY	B	14/06/22

**DEVELOPMENT PERIOD – MCU**

GEN2. The currency period for this development approval for material change of use is six (6) 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.

**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 standard drawings and design 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.

#### **ELECTRICITY AND TELECOMMUNICATION**

- ENG8. Connect the development to electricity and telecommunication services.

#### **EROSION AND SEDIMENT CONTROL - GENERAL**

- ENG9. 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.

#### **VALUATION FEES**

- ADV1. 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.

#### **DEVELOPER INCENTIVE**

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

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

---

**HERITAGE**

ADV3. This development approval does not authorise any activity that may harm Aboriginal Cultural Heritage. Under the *Aboriginal Cultural Heritage Act 2003* you have a duty of care in relation to such heritage. Section 23(1) provides that "A person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal Cultural Heritage." Council does not warrant that the approved development avoids affecting Aboriginal Cultural Heritage. It may therefore, be prudent for you to carry out searches, consultation, or a Cultural Heritage assessment to ascertain the presence or otherwise of Aboriginal Cultural Heritage. The Act and the associated duty of care guidelines explain your obligations in more detail and should be consulted before proceeding. A search can be arranged by visiting <https://www.datsip.qld.gov.au> and filling out the Aboriginal and Torres Strait Islander Cultural Heritage Search Request Form.

**APPEAL RIGHTS**

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

**INFRASTRUCTURE CHARGES**

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

**CONCURRENCE AGENCY**

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

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

Against: Nil

**CARRIED 5/0**

**17.2.1 QUESTION ON NOTICE - HIGHER DENSITY APPLICATIONS**

---

Question on notice from Cr Schumacher:

Is there anything Council can do to make these applications to achieve a positive outcome?

At 12:43pm, Cr Kirstie Schumacher having earlier informed the meeting of a declarable conflict of interest in Item 17.3 and her decision to voluntarily not participate in the decision on this matter, left the place at which the meeting was held, including any area for the public and stayed away while the matter was discussed and voted on.

At 12:44pm, Cr Jane Erkens having earlier informed the meeting of a declarable conflict of interest in Item 17.3 and her decision to voluntarily not participate in the decision on this matter, left the place at which the meeting was held, including any area for the public and stayed away while the matter was discussed and voted on.

At 12:44 pm, Cr Jane Erkens returned to the meeting.

At 12:44 pm, Cr Kirstie Schumacher returned to the meeting.

**ADJOURN FOR LUNCH**

**RESOLUTION 2023/672**

Moved: Cr Danita Potter  
 Seconded: Cr Scott Henschen

That the meeting adjourn for lunch.

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

Against: Nil

**CARRIED 5/0**

**RESUME MEETING**

**RESOLUTION 2023/673**

Moved: Cr Danita Potter  
 Seconded: Cr Scott Henschen

That the meeting resume at 1:33am.

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

Against: Nil

**CARRIED 5/0**

**Attendance:**

At 1:36pm, General Manager Infrastructure Aaron Meehan left the meeting.  
 At 1:38pm, General Manager Infrastructure Aaron Meehan returned to the meeting.

**17.3 MATERIAL CHANGE OF USE - WAREHOUSE (30 SELF-STORAGE CONTAINERS) AT 41-43 PRING STREET, WONDAI (AND DESCRIBED AS LOT 4 ON RP204514). APPLICANT: G CRUMPTION & SONS & CO PTY LTD C/- ONF SURVEYORS**

**RESOLUTION 2023/674**

Moved: Cr Kathy Duff  
 Seconded: Cr Scott Henschen

That South Burnett Regional Council delegate under Section 257 of the Local Government Act 2009 to the Chief Executive Officer the power to act as the assessment manager for the decision for the Material change of use – Warehouse (30 self-storage containers) at 41-43 Pring Street, Wondai (and described as Lot 4 on RP204514) – Applicant: G Crumpton & Sons & Co Pty Ltd C/- ONF Surveyors any the setting of conditions.

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

Against: Nil

**CARRIED 5/0**

**18 QUESTIONS ON NOTICE**

Nil

**19 INFORMATION SECTION**

Nil

**20 CONFIDENTIAL SECTION****Attendance:**

At 1:40pm, Financial Accountant Michelle Calvert entered the meeting.

**MOTION**

---

**RESOLUTION 2023/675**

Moved: Cr Kathy Duff

Seconded: Cr Jane Erkens

That item 20.4 be dealt with in the confidential section.

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

Against: Nil

**CARRIED 5/0**

---

**RESOLUTION 2023/676**

Moved: Cr Scott Henschen

Seconded: Cr Jane Erkens

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

**20.4 Performance Review Chief Executive 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.

**20.1 Financial Hardship Rates Application – Assessment Number -12373-00000-000**

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

**20.2 Application to waive interest - Assessment 30141-00000-000**

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

**20.3 Rsl Kingaroy Memerambi Sub Branch Land Transfer**

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

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

Against: Nil

**CARRIED 5/0**

---

**RESOLUTION 2023/677**

Moved: Cr Kathy Duff  
 Seconded: Cr Jane Erkens

That Council moves out of Closed Council into Open Council.

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

Against: Nil

**CARRIED 5/0**

**20.1 FINANCIAL HARDSHIP RATES APPLICATION – ASSESSMENT NUMBER -12373-00000-000**

**RESOLUTION 2023/678**

Moved: Cr Kirstie Schumacher  
 Seconded: Cr Jane Erkens

That South Burnett Regional Council:

1. Agree to waive the legal fees incurred with this rates debt;
2. Request the owner enter a payment arrangement for Assessment Number 12373-00000-000 and the Chief Executive Officer (General Manager Finance & Corporate) be authorised to negotiate a suitable payment plan.
3. Suspend interest from accumulating while hardship payment arrangement is maintained;
4. A review of this Payment Plan monthly or at other times if Council is advised that the Applicant’s circumstances have changed significantly; and
5. The expiry of this Payment Plan upon payment in full of all outstanding rates and charges.

In Favour: Crs Jane Erkens, Danita Potter, Kirstie Schumacher and Kathy Duff

Against: Cr Scott Henschen

**CARRIED 4/1**

**20.1.1 QUESTION ON NOTICE – LEGAL FEES**

Question on notice from Cr Erkens

How many rate payers with a rates debt have legal fees added?

---

**20.2 APPLICATION TO WAIVE INTEREST - ASSESSMENT 30141-00000-000**

---

**RESOLUTION 2023/679**

Moved: Cr Kathy Duff

Seconded: Cr Jane Erkens

That South Burnett Regional Council agree to waive interest charges on assessment 30141-00000-000 of \$18,350.18 up to the end of May 2023.

In Favour: Crs Jane Erkens, Danita Potter, Kirstie Schumacher and Kathy Duff

Against: Cr Scott Henschen

**CARRIED 4/1****Attendance:**

At 2:21pm, General Manager Infrastructure Aaron Meehan left the meeting.

At 2:23pm, General Manager Infrastructure Aaron Meehan returned to the meeting.

---

**20.3 RSL KINGAROY MEMERAMBI SUB BRANCH LAND TRANSFER**

---

**RESOLUTION 2023/680**

Moved: Cr Kirstie Schumacher

Seconded: Cr Kathy Duff

That South Burnett Regional Council:

1. Decides by resolution that for the purposes of the *Local Government Regulation 2012*, section 236(2), that the exception in the *Regulation* section 236(1)(b) applies to Council in the disposal of the Land and the Assets as identified in the schedule, other than by tender or auction, to the community organisation, RSL QLD Kingaroy Memerambi Sub Branch A.B.N. 637 843 440 87, because it is in the public interest to dispose of the Land and the Assets without a tender or auction to the community organisation, RSL QLD Kingaroy Memerambi Sub Branch; and
2. Resolves, under *Local Government Act 2009*, section 257, to delegate to the chief executive officer of Council, the power under section 262(3) of the *Act*, to negotiate and agree in principle the terms and conditions of a contract for the disposal of the Land and the Assets to the community organisation, RSL QLD Kingaroy Memerambi Sub Branch, for approval by Council.

**Schedule****(The Land)**

The **Land** comprising:

- (a) Lot 55 on Registered Plan 37004; and
- (b) Part of Lot 56 on Registered Plan 37004 (approximately 500m<sup>2</sup>).

This is proposed to combine to form a new allotment with an approximate land area of approximately 1500m<sup>2</sup>, subject to formal survey being completed. An aerial view of the proposed land area is in attachment 1.

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

Against: Nil

**CARRIED 5/0**



**Attendance:**

At 2:23pm, Financial Accountant Michelle Calvert left the meeting.

**20.4 PERFORMANCE REVIEW CHIEF EXECUTIVE 2023**

---

**RESOLUTION 2023/681**

Moved: Cr Scott Henschen

Seconded: Cr Jane Erkens

1. That the South Burnett Regional Council receives the "Performance Review Report"
2. That the South Burnett Regional Council provide a salary increase for the Chief Executive Officer of 4% from the 1<sup>st</sup> of July 2023.

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

Against: Nil

**CARRIED 5/0**

**21 CLOSURE OF MEETING**

**The Meeting closed at 2:30pm.**

**The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 19 July 2023.**

.....  
**CHAIRPERSON**