



**SOUTH BURNETT**

**REGIONAL COUNCIL**

# **MINUTES**

**Ordinary Council Meeting  
Wednesday, 22 November 2023**

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**MINUTES OF SOUTH BURNETT REGIONAL COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE WARREN TRUSS CHAMBER, 45 GLENDON STREET, KINGAROY  
ON WEDNESDAY, 22 NOVEMBER 2023 AT 9:00AM**

**PRESENT:**

**Councillors:**

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

**Council Officers:**

Mark Pitt (Chief Executive Officer), Susan Jarvis (General Manager Finance & Corporate), Aaron Meehan (General Manager Infrastructure), Darryl Brooks (General Manager Liveability), Tiarna Hurt (Executive Assistant), James D’Arcy (Manager Infrastructure Planning), David Hursthouse (Coordinator Community Development), Kerri Anderson (Manager Finance & Sustainability), Leanne Petersen (Manager Parks & Facilities), Brandon Orchard (Coordinator Plant & Fleet), Anthony Bills (Manager ICT & Fleet), Louise Reidy (Strategic Procurement Officer), Maxine Campbell (Strategic Asset Management Accountant).

**1 OPENING**

Acting Mayor Jones opened the meeting and welcomed attendees.

**2 LEAVE OF ABSENCE / APOLOGIES**

**APOLOGY**

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**RESOLUTION 2023/148**

Moved: Cr Gavin Jones

Seconded: Cr Scott Henschen

That the apology received from Mayor Otto be accepted and 3 months leave of absence granted.

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

Against: Nil

**CARRIED 6/0**

**3 PRAYERS**

A representative of Murgon Church of Christ, Pastor Lyal Slinger offered prayers for Council and for the conduct of the Council meeting.

**Attendance:**

At 9:05am, Manager Finance & Sustainability Kerri Anderson entered the meeting via teams.

**4 ACKNOWLEDGEMENT OF TRADITIONAL OWNERS**

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

**5 DECLARATION OF INTEREST**

Nil

**6 DEPUTATIONS/PETITIONS**

Nil

**7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

**7.1 MINUTES OF THE COUNCIL MEETING HELD ON 25 OCTOBER 2023**

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**RESOLUTION 2023/149**

Moved: Cr Danita Potter  
Seconded: Cr Scott Henschen

That the Minutes of the Council Meeting held on 25 October 2023 be received and the recommendations therein be adopted.

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

Against: Nil

**CARRIED 6/0**

**8 NOTICES OF MOTION**

**MOTION**

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**RESOLUTION 2023/150**

Moved: Cr Gavin Jones  
Seconded: Cr Scott Henschen

That item 13.1 and item 8.1 in the late agenda be brought forward.

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

Against: Nil

**CARRIED 6/0**

**13.1 2023-24 DOG REGISTRATIONS**

**RESOLUTION 2023/151**

Moved: Cr Danita Potter

Seconded: Cr Jane Erkens

That South Burnett Regional Council:

1. Retain the Animals – Domestic and Animals – Other fees and charges as per 2022/23 fees and charges;
2. That the dog registration boundaries remain unchanged;
3. That the dog registration fees and charges be pro-rated from 1 December 2023 to 30 June 2024;
4. That the introduction of a permit system for Hobbyist Breeders and Dog Exhibitors, and dog registrations structure for multiple units and registration boundaries be considered as part of the current Local Law review; and
5. Council draft a policy as per Local Law 2 Animal Management 2011 Schedule 1 that permits dog breeders to keep more than 6 dogs over the age of 3 months on an allotment which has an area 60700m squared and is not in a designated town area and speaks to the requirements for keeping animals and the policy comes back to the December Ordinary Meeting.

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

Against: Nil

**CARRIED 6/0**

Item 8.1 was treated as a foreshadowed motion and was not proceeded with due to Item 13.1 being endorsed.

**9 BUSINESS OUTSTANDING**

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

**RESOLUTION 2023/152**

Moved: Cr Jane Erkens

Seconded: Cr Kathy Duff

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

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

Against: Nil

**CARRIED 6/0**

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

**10.1 SOUTH BURNETT REGIONAL COUNCIL OPERATIONAL PLAN 2022/2023 1ST QUARTER REVIEW**

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**RESOLUTION 2023/153**

Moved: Cr Scott Henschen  
 Seconded: Cr Jane Erkens

That the South Burnett Regional Council Operational Plan 2022/2023 1<sup>st</sup> Quarter Review be adopted as amended.

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

Against: Nil

**CARRIED 6/0**

**10.1.1 BUSINESS & DIGITAL TRANSFORMATION REVIEW**

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**RESOLVED 2023/154**

That a report be brought back to Council with a road map of the business and digital transformation and what Council needs to do to fast track this process.

**10.2 MONTHLY FINANCIAL INFORMATION**

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**RESOLUTION 2023/155**

Moved: Cr Kirstie Schumacher  
 Seconded: Cr Scott Henschen

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

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

Against: Nil

**CARRIED 6/0**

**10.3 COUNCIL RESOLUTION FOR REPEATED OPERATIONAL EXPENDITURE, SOLE SUPPLIERS AND ORIGINAL EQUIPMENT MANUFACTURERS**

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**RESOLUTION 2023/156**

Moved: Cr Danita Potter  
 Seconded: Cr Jane Erkens

That South Burnett Regional Council resolves it is satisfied that the registers of suppliers for Repeated Operational Expenditure, Sole Suppliers and Original Equipment Manufacturers contain suppliers that provide goods or services to Council where the expenditure cannot be sourced traditionally via quotation, tender or expressions of interest.

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

Against: Nil

**CARRIED 6/0**

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

**11.1 NANANGO CBD PARKING & OPERATIONS - COMMUNITY CONSULTATION**

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**RESOLUTION 2023/157**

Moved: Cr Jane Erkens  
 Seconded: Cr Scott Henschen

That South Burnett Regional Council:

1. conduct further engagement with each business providing a letter requesting them to utilise off street parking locations and providing a map of alternative parking options;
2. meet with individual businesses on Drayton Street (Fitzroy St – Drayton St) in early 2024 to determine if there has been a change in the supply of carparking bays by business owners; and
3. contact both Stanwell Corporation, Meandu Mine and the bus company and find out how many workers park there and is it possible to liaise to find a more suitable place that does not impact on retail parking.

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

Against: Nil

**CARRIED 6/0**

**11.1.1 MEDIA STATEMENT - OFF STREET PARKING FOR EMPLOYEES**

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**RESOLVED 2023/158**

That a media release be prepared to encourage employees to park off street and leave front of business parks for customers.

**Attendance:**

At 10:20 am, Cr Danita Potter left the meeting.  
 At 10:22 am, Cr Danita Potter returned to the meeting.



**11.2 WONDAI ROUNDABOUT AND CBD STREETScape PROJECT DEVELOPMENT**

**RESOLUTION 2023/159**

Moved: Cr Scott Henschen

Seconded: Cr Jane Erkens

That South Burnett Regional Council:

1. Approve the Bunya Highway roundabout drawings and design concept subject to gaining the necessary approvals from the Department of Transport and Main Roads;
2. Accept the funding option presented today with the total project value of \$2.85 million with an existing funding allocation of \$700,000 W4Q and \$800,000, Council funds the project with an additional \$880k from LRCI Round 4b and from existing capital program available allocations, reassign \$275k from Road Reseals and \$200k from major dig out programme; and
3. Approve the layout plan in accordance with Concept Plan- Option 1 with a single-coloured exposed aggregate footpath surfacing.

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

Against: Nil

**CARRIED 6/0**

**Attendance:**

At 10:37am, Manager Finance & Sustainability Kerri Anderson left the meeting.

**ADJOURN MORNING TEA**

**RESOLUTION 2023/160**

Moved: Cr Gavin Jones

Seconded: Cr Scott Henschen

That the meeting adjourn for morning tea.

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

Against: Nil

**CARRIED 6/0**

**Citizenship Ceremony**

During the adjournment, a citizenship ceremony was held for:

- Miss Magali Roche-Agostini
- Mr Florent Therouin
- Mr Tjjart Myburgh
- Mrs Melissa Myburgh
- Mrs Elaine Young

**RESUME MEETING**

**RESOLUTION 2023/161**

Moved: Cr Gavin Jones  
 Seconded: Cr Scott Henschen

That the meeting resume at 11:20am.

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

Against: Nil

**CARRIED 6/0**

**Attendance:**

At the resumption of the meeting, General Manager Finance & Corporate Susan Jarvis was not present.

At the resumption of the meeting, Manager Facilities & Parks Leanne Petersen was present.

At the resumption of the meeting, Manager Finance & Sustainability Kerri Anderson was present.

**11.3 GRANT OPPORTUNITY - STATE EMERGENCY SERVICE (SES) SUPPORT GRANTS 2024-2025**

**RESOLUTION 2023/162**

Moved: Cr Danita Potter  
 Seconded: Cr Scott Henschen

That South Burnett Regional Council:

1. Develop and apply to the Queensland Fire and Emergency Services (QFES) for grant funding under SES Support Grants 2024-25 round for the purchase of a SES vehicle to be used exclusively for carrying out SES activities; and
2. Approve the required Council contribution estimated to be \$32,500 from the 2024 – 2025 fleet budget towards the purchase of a SES vehicle should the grant application be successful.

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

Against: Nil

**CARRIED 6/0**

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

Nil

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

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

Nil

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

**15.1 MURGON PCYC TOILET RE-FURBISHMENT - AWARDING OF CONTRACT TO SUCCESSFUL TENDERER**

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**RESOLUTION 2023/163**

Moved: Cr Kathy Duff  
 Seconded: Cr Danita Potter

That South Burnett Regional Council award AKR Builders the tender SBRC 2324\_04 for the renovations of the Murgon PCYC main toilets and to construct two new Person with Disability (PWD) facilities.

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

Against: Nil

**CARRIED 6/0**

**15.2 PROPOSED TENDER TO ADJOINING OWNERS FOR SALE OF 29 TIERNAN TERRACE, MURGON**

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**RESOLUTION 2023/164**

Moved: Cr Kathy Duff  
 Seconded: Cr Scott Henschen

That South Burnett Regional Council approve for sale by tender to adjoining owners 29 Tiernan Terrace, Murgon (Lot 72 RP855764) by;

1. Entering into negotiations with the highest tenderer and if the current market value of the property is reached, enter a contract of sale for the property, and
2. Delegate powers to the Chief Executive Officer under Section 257 of the *Local Government Act 2009* to negotiate and execute contract of sale.

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

Against: Nil

**CARRIED 6/0**

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**15.3 SALE BY TENDER OF 4 HALY STREET, KINGAROY TO ADJOINING OWNERS**

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**RESOLUTION 2023/165**

Moved: Cr Danita Potter

Seconded: Cr Kathy Duff

That South Burnett Regional Council offer the land for sale by tender to the three adjoining owners by;

1. Entering into negotiations with the highest tenderer and if the current market value of the property is reached, delegate powers to the Chief Executive Officer under Section 257 of the *Local Government Act 2009* enter a contract of sale for the property, or
2. If negotiations with the highest tenderer does not result in a sale of the property retain the property in Council ownership and tender the property for lease/permit for grazing purposes.

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

Against: Nil

**CARRIED 6/0**

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**15.4 PROPOSED TENDER FOR SALE OF LOT 18 MCCONNELL WAY, MONDURE**

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**RESOLUTION 2023/166**

Moved: Cr Kirstie Schumacher

Seconded: Cr Danita Potter

That South Burnett Regional Council approve for sale by tender Lot 18 McConnel Way, Mondure (Lot 18 RP27655) by;

1. Entering into negotiations with the highest tenderer and if the current market value of the property is reached, enter a contract of sale for the property; or
2. If negotiations with the highest tenderer does not result in a sale of the property at current market value, list the property for sale on the open market; and
3. Delegate powers to the Chief Executive Officer under Section 257 of the *Local Government Act 2009* to complete contracts of sale.

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

Against: Nil

**CARRIED 6/0**

**Attendance:**

At 11:22am, Coordinator Development Services David Hursthouse entered the meeting.

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**15.5 PROPOSED TENDER FOR SALE OF 23 JELlicOE STREET, PROSTON**

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**RESOLUTION 2023/167**

Moved: Cr Scott Henschen

Seconded: Cr Kathy Duff

That South Burnett Regional Council approve for sale by tender 23 Jellicoe Street, Proston (Lot 38 RP57676) by;

1. Entering into negotiations with the highest tenderer and if the current market value of the property is reached, enter a contract of sale for the property; or
2. If negotiations with the highest tenderer does not result in a sale of the property at current market value, list the property for sale on the open market; and
3. Delegate powers to the Chief Executive Officer under Section 257 of the *Local Government Act 2009* to negotiate and execute contract of sale.

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

Against: Nil

**CARRIED 6/0**

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**15.6 KUMBIA RECREATION RESERVE PRELIMINARY MASTER PLAN**

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**RESOLUTION 2023/168**

Moved: Cr Scott Henschen

Seconded: Cr Kathy Duff

That South Burnett Regional Council:

1. Adopt the Draft Kumbia Recreation Reserve Preliminary Master Plan; and
2. Undertake community consultation to seek views on the priority projects to be included in the stage one of park redevelopment.

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

Against: Nil

**CARRIED 6/0**

**MOTION**

**RESOLUTION 2023/169**

Moved: Cr Gavin Jones

Seconded: Cr Danita Potter

That item 17.2 be brought forward.

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

Against: Nil

**CARRIED 6/0**

**Attendance:**

At 12:13pm, Manager Finance & Sustainability Kerri Anderson left the meeting.

At 12:14pm, Manager Finance & Sustainability Kerri Anderson returned to the meeting.

**17.2 MATERIAL CHANGE OF USE - RENEWABLE ENERGY FACILITY (TUMURRU SOLAR FARM) AND MAJOR ELECTRICITY INFRASTRUCTURE (BATTERY ENERGY STORAGE SYSTEM) AT 341 BOWMAN ROAD, TAROMELO (AND DESCRIBED AS LOT 2 ON SP155159). APPLICANT: AUSTRALIAN SOLAR ENTERPRISES C/- GILVEAR PLANNING.**

**RESOLUTION 2023/170**

Moved: Cr Jane Erkens

Seconded: Cr Scott Henschen

That Council approve the Development Permit for Material Change of Use for a Renewable energy facility (Tumurru Solar Farm) and major electricity infrastructure (Battery energy storage system) on land at 341 Bowman Rd Taromeo (formally described as Lot 2 on SP155159) – Australian Solar Enterprises c/- Gilvear Planning, subject to the following conditions:-

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

**APPROVED PLANS**

Drawing Title	Prepared by	Drawing no.	Revision/Date
Tumurru Solar Farm	Gilvear Planning	J001321	19 September 2023
Vegetation Screening Plan	LANDPLAN	2204-033	Version 7 28 September 2023
Landscape Concept entry	LANDPLAN	2204-033	Version 7 28 September 2023
PEG Modular Installation system.	Jurchen Technology	-	5 October 2023 (received)

Where there is any conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval prevail.

**DOCUMENTS**

- Tumurru Solar Project – (Advice – ‘improve soil quality, & livestock pasture’), prepared by E.E. Muir & Sons date 18 September 2023.

- Assessment of Potential Visual Impact – (Tumuruu Solar Farm) prepared by LANDPLAN Landscape Architects, report number 2204-0033 version 7, date 29 September 2023.
- Tumuruu Solar – (Noise Impact Assessment) prepared by Matrix Acoustics report number 20230038A revision, date 14 September 2023.

**AMENDED PLANS**

- GEN2. Prior to the commencement of development works on site provide the following amended plans:
- Update drawing titled ‘Tumuruu Solar Farm J001321 dated 19 September 2023 (remove concept only reference).
  - Update drawing titled ‘Tumuruu Solar Farm J001321 dated 19 September 2023 (ensure extent of vegetation screening is consistent with the approved Vegetation screening plan).
  - Revised plan of layout that accurately identifies locations of all distributed inverter/battery installations and HV Switchyard, as generally shown on image 4-1 (page 9) of the Matrix Acoustics report.

**CONDITION TIMING**

- GEN3. Unless stated otherwise, all conditions are to be complied with prior to commencement of the use and compliance maintained at all times while the use continues and until the site is rehabilitated.

**NATURE & EXTENT OF APPROVED USE**

- GEN4. The approved use is a Major Utility (Solar Farm), being a photovoltaic solar farm with an export capacity of up to 400 Megawatts and consisting of permanently affixed photovoltaic panels mounted on lightweight steel rods and plates as shown in the approved drawing titled ‘PEG Installation’.

Confirm that the final surveyed capacity does not exceed 400 Megawatts (from suitably qualified person).

Provide evidence that the batteries are wholly located within the 2ha compound.

Provide details of the cooling system for Council’s records.

- GEN5. The approved use may operate for a maximum of 50 years from the date the facility, or part of the facility, becomes operational.

**CARETAKER’S ACCOMMODATION**

- GEN6. Where deemed necessary, provision of a caretaker’s residence shall comply with Rural Zone Code’s Acceptable Outcomes AO8 (1 to 3), and Acceptable Outcomes AO9 (1 to 5).
- GEN7. Any caretaker’s residence placed on the premises must accord with minimum requirements for sensitive receptors outlined in the Tumuruu Solar – (Noise Impact Assessment) prepared by Matrix Acoustics report number 20230038A revision, date 14 September 2023.

**DECOMMISSIONING**

- MCU1. Decommissioning of the Solar Farm generally in accordance with the approved Rehabilitation and Exit Plan under this approval must commence within 3 months of the development ceasing its operational life or after 12 months of the use not being operational, whichever occurs first.
- MCU2. Prior to the use commencing, the Operator must submit to Council for endorsement, a Rehabilitation and Exit Plan prepared by a suitably qualified person that, at a minimum:

- a. provides formal notice to Council of the commencement of the use and a mechanism for formal notification of cessation of the use;
- b. identifies that the operator is responsible for decommissioning and rehabilitation, and identifies the responsibility of the operator for the decommissioning and rehabilitation;
- c. identifies the processes that will be undertaken to return the site to a condition no worse than its condition prior to the development to make the site available for agricultural uses upon decommissioning of the Solar Farm;
- d. identifies possible land use (e.g. animal keeping, cropping) following cessation of the approved use;
- e. clearly establishes the objectives of the Plan;
- f. adopted performance criteria for rehabilitation efforts including a set timeframe to completion of no more than two (2) years after the decommissioning occurred;
- g. includes an Action Plan, with timing for remedial work such as structure removal, removal of imported materials such as gravel, any soil erosion, drainage and vegetation cover works, along with weed and pest animal control activities required to meet the adopted rehabilitation performance criteria; and
- h. outlines a program for monitoring rehabilitation success using appropriate indicators.

**VISUAL AMENITY & REFLECTIVITY**

MCU3. Any visible support structures, framing, cabling, or other equipment and infrastructure shall have a non-reflective or matte finish.

MCU4. The photovoltaic panels shall have an anti-reflective coating.

**BUILDING HEIGHT**

MCU5. The maximum height of any building must not exceed 8.5 meters above natural ground level.

**Note:** condition MCU5 relates to maximum height of buildings ancillary to the solar farm operations only (maximum height of solar panels specified as per the approved plans).

**LANDSCAPE BUFFERS**

MCU6. A detailed Landscape Plan, is to be prepared by a suitably qualified person and generally in accordance with landscape recommendations in section 12 (12.1 to 12.8) of the approved LANDPLAN report number 2204-0033 version 7, dated 29 September 2023. The detailed Landscape Plan must provide and/or undertake the following:

- a. details of fencing system intended to be set 10-15m from the solar array;
- b. details of temporary screens (shade cloth or equivalent) to be maintained until vegetated buffers attain heights prescribed table 9, and canopy spread outlined in figure 42 of the approved LANDPLAN report number 2204-0033 version 7, dated 29 September 2023;
- c. a vegetated buffer design to be consistent with the stated width and dense planting screen arrangement shown in figure 42 of the approved LANDPLAN report number 2204-0033 version 7, dated 29 September 2023;
- d. vegetated buffer maintenance regime undertaken over a 24-month period, beginning upon installation of the vegetation. At the end of the 24-month period provide statutory a declaration from a Registered Landscape Architect confirming that at least 90% of the planting is of good health and habit. If at least 90% of the planting is not of good health and habit (as identified by the Landscape Architect) notify Council and confirm the following will occur:
  - The affected area is to be identified;
  - Corrective actions for the affected area are to be agreed, and may include pruning, fertilizing or replacement;
  - The maintenance period for the affected area will be extended by three months;



- At three months a further inspection will be undertaken, and if planting has not met the abovementioned requirement, the monitoring will be extended by a further three months; and
  - This monitoring would extend to a maintenance period of no greater than 36 months in total;
- e. soil testing and amelioration to be undertaken by a landscape contractor to ensure soil condition and nutrient requirements will support successful native plant establishment; and
- f. identify existing vegetation intended to be retained as inferred in the approved LANDPLAN report number 2204-0033 version 7, dated 29 September 2023.

MCU7. The landscaped buffers required by this approval shall be installed at the first feasible planting season, or within three months of the installation of any solar panels.

The first feasible planting season would be anytime outside of extreme weather conditions, which may include drought, extreme heat and frost.

A solar farm fence will be installed prior to the installation of the solar array. Upon completion of the solar farm fence, temporary screening (shade cloth or equivalent) will be applied along the residential interfaces identified in condition MCU6(b).

As a performance standard, the maintenance period will not be achieved until the trees and large shrubs within the landscape buffers attain an average overall height of 1.5 metres.

The species mix used for each screen type will be generally in accordance with the Planting Schedule at table 9 of the approved LANDPLAN report number 2204-0033 version 7, dated 29 September 2023.

**OPERATIONAL PHASE ENVIRONMENTAL MANAGEMENT PLAN (OEMP)**

MCU8. The applicant shall submit to Council for endorsement an Operational Phase Environmental Management Plan (OEMP) for Council endorsement prior to the commencement of site works. The Plan is to detail the likely, probable and extreme events that may occur during the operational phases of the development. The OEMP shall consider the probability of these events occurring, likely impacts and probable solutions to mitigate the impacts of these events. The OEMP shall address:

- a. natural hazards that impact on the safe operation of the site, such as flooding, storms, risk of bushfire fire, dust; mutual interface with adjacent land uses;
- b. including amenity glare and reflectivity;
- c. aircraft glare and reflectivity;
- d. noise management;
- e. lighting;
- f. soil management, including soil conversation strategies as outlined in the approved Advice Letter prepared by E.E. Muir & Sons date 18 September 2023;
- g. soil management, including soil conversation, erosion and sediment control, soil degradation and instability;
- h. fauna interaction;
- i. surface water movement, water quality and landscaped areas irrigation;
- j. waste management;
- k. facilities management;
- l. complaints management; and
- m. site security and access, including visitors and promotions.

**NOISE**

MCU9. Noise from the construction phase of the development must not exceed the most stringent criterion for daytime hours identified in section 2.2 of the approved 'Noise

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Assessment report prepared by Matrix Acoustics, report number 20230038A revision, date 14 September 2023. Noise associated with the construction phase is to be managed in accordance with a Council endorsed 'Construction Management Plan'.

- MCU10. Noise from the construction phase of the development must not exceed the most stringent criterion for night-time hours identified in section 2.1 of the approved 'Noise Assessment report prepared by Matrix Acoustics, report number 20230038A revision, date 14 September 2023.

Prior to installation of solar panels, inverters, distributed batteries, HV Switch yard or any other potential noise sources provide confirmation from a suitably qualified professional that all equipment will comply with the stringent criterion for night-time hours identified in section 2.1 of the approved 'Noise Assessment report prepared by Matrix Acoustics, report number 20230038A revision, date 14 September 2023.

Noise from the operational phase of the activity to which this approval relates must not cause or be likely to cause an environmental nuisance at any sensitive receptor that exceeds the Acoustic Quality Objectives listed in the Environmental Protection (Noise) Policy 2019, when measured at the closest sensitive receptor.

### **WASTE MANAGEMENT**

- MCU11. Prior to the use commencing operation, confirmation must be provided to Council of the number and type of refuse containers provided on site and the commercial waste collector has been engaged.

### **LIGHTING**

- MCU12. All outdoor lighting must be designed, installed, operated and maintained to comply with the requirements of AS4282 – *Control of the obtrusive effects of outdoor lighting*.

### **DUST**

- MCU13. The applicant must construct and operate the project in a manner that minimises dust generation from the site, including wind-blown and traffic-generated dust as far as practicable. The applicant must identify and implement all practicable dust mitigation measures, including cessation of relevant works, as appropriate, such that emissions of visible dust are minimised during severe weather conditions.

### **FURTHER DEVELOPMENT PERMITS**

- MCU14. The use must not commence until the following development permits have been issued and complied with as required –
- a. Development Permit for Building Work (Buildings, Panel Structures/Framing, Inverter/Transformer Units).
  - b. Development Permit for Operational Work (Bulk Earthworks).
  - c. Compliance Permit for Plumbing & Drainage Work for the installation of on-site Sewerage Facilities in accordance with the Queensland Plumbing and Wastewater Code.

### **SITE MANAGEMENT**

- MCU15. The developer is to ensure that the contractor engaged to remove spoil from or import fill to the site maintains all Council roads clean and free of silt and/or rubbish.

### **STORMWATER**

- MCU16. Stormwater is to be disposed of on-site so as to cause no scour or damage to adjoining properties to the satisfaction of Council.
- MCU17. The method of treatment of stormwater runoff from and through the site shall be designed and constructed in accordance with Council's Service and Works Code.

**EROSION AND SEDIMENT CONTROL**

MCU18. Erosion and sediment control measures are to be designed and provided in accordance with the International Erosion Control Association (Australasia) 2008's "Best Practice Erosion and Sediment Control for Building and Construction Sites".

**ENGINEERING WORKS****CONSTRUCTION MANAGEMENT PLAN**

MCU19. Submit to Council for endorsement prior to the commencement of works, a Construction Management Plan generally in accordance with the previously submitted 'draft Construction Environmental Management Plan *J001321: Tumuruu – CEMP v1.0*. The Construction Management Plan is to cover where applicable, at least the following:

- a. air quality management;
- b. noise and vibration management;
- c. notifying sensitive receptors of construction activities;
- d. procedures for dealing with and responding to noise complaints;
- e. storm water quality management;
- f. erosion and sediment management;
- g. vegetation management;
- h. waste management;
- i. complaint management;
- j. community awareness;
- k. preparation of site work plans;
- l. workers' car parking arrangements; and
- m. traffic control during works.

MCU20. Ensure a legible copy of the approved Construction Management Plan is available on-site at all times during construction and earthworks.

**STORAGE OF LIQUID CHEMICALS (OTHER THAN FUEL)**

MCU21. All liquid chemicals (including flammable liquids (other than fuel), agricultural and veterinary chemicals, waste oil, acid and lube oil) must be stored within dedicated impervious secondary containment stores, structures or devices and in a manner that complies with Australian Standards AS1940 - The storage and handling of flammable and combustible liquids.

**ENVIRONMENTAL HARM**

MCU22. The *Environmental Protection Act 1994* (EP Act) states that a person must not carry out any activity that causes, or is likely to cause, environmental harm unless the person takes all reasonable and practicable measures to prevent or minimise the harm.

Environmental harm includes environmental nuisance. In this regard persons and entities involved in the civil, earthworks, construction and operational phases of this development are to adhere to their 'general environmental duty' to minimise the risk of causing environmental harm. Environmental harm is defined by the EP Act as any adverse effect, or potential adverse effect (whether temporary or permanent and of whatever magnitude, duration or frequency) on an environmental value, and includes environmental nuisance.

Therefore, no person should cause any interference with the environment or amenity of the area by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, wastewater, waste products, grit, sediment, oil or otherwise, or cause hazards likely in the opinion of the Administering Authority to cause undue disturbance or annoyance to persons or affect property not connected with the use.

**ENVIRONMENTALLY RELEVANT ACTIVITIES**

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MCU23. Should the premises, or any part of the premises, be used for an "Environmentally Relevant Activity" as defined under Schedule 2 the *Environmental Protection Regulation 2019*, separate approval is required by the relevant Administering Authority in accordance with the *Environmental Protection Act 1994* and where applicable the *Planning Act 2016* before such use commences.

### **ENGINEERING WORKS**

- ENG1. Submit to Council, an Operational Work application for all civil works including earthworks, stormwater, roadworks, and access.
- ENG2. Complete all works approved and works required by conditions of this development approval and/or any related approvals at no cost to Council, prior to commencement of the use unless stated otherwise.
- ENG3. Undertake Engineering designs and construction in accordance with the Planning Scheme, Council's standards, relevant design guides, and Australian Standards.
- ENG4. Be responsible for the full cost of any alterations necessary to electricity, telephone, water mains, sewer mains, stormwater drainage systems or easements and/or other public utility installations resulting from the development or from road and drainage works required in connection with the development.
- ENG5. Submit to Council, 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 commencement of the use.

### **MAINTENANCE**

- ENG6. Maintain all works that will become Council infrastructure for a period of 12 months (maintenance period) from the date of on-maintenance. Any defective works must be rectified within the maintenance period.
- ENG7. Provide Council with a maintenance bond in an acceptable form equal to 5% of the value of Council's infrastructure prior to commencement of the maintenance period.

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

- ENG8. 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.
- ENG9. Repair all damages incurred to Council and public utility services infrastructure and assets, as a result of the proposed development immediately should hazards exist for public health and safety or vehicular safety. Otherwise, repair all damages immediately upon completion of works associated with the development

### **CONSTRUCTION AND NUISANCE MANAGEMENT PLAN**

- ENG10. Submit to Council for endorsement, a Construction and Nuisance Management Plan for approved development works for the site. The Plan is to cover where applicable, the following:
- a) air quality management;
  - b) noise and vibration management;
  - c) storm water quality management;
  - d) erosion and sediment management;
  - e) vegetation management;
  - f) waste management;
  - g) complaint management;
  - h) community awareness;
  - i) preparation of site work plans;

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- j) workers' car parking arrangements; and
  - k) traffic control during works.

**Timing:** Prior to commencement of works.

- ENG11. Implement the approved Construction Management Plan at all times during construction of the development.
- ENG12. Ensure a legible copy of the approved Construction Management Plan is available on-site at all times during construction and earthworks.

### **STORMWATER MANAGEMENT**

- ENG13. Provide stormwater management generally in accordance with the approved Conceptual Site Based Stormwater Management Plan prepared by Empower Engineers & Project Managers dated 5 October 2023, subject to detailed design and except as altered by conditions of this development approval.
- ENG14. As part of an Operational Work application, provide an updated stormwater management plan detailing the requirements (including updated modelling) for stormwater management, including detention basins, to mitigate peak flow discharge to pre-development levels.
- ENG15. 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.
- ENG16. 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.
- ENG17. Discharge all minor storm flows that fall or pass onto the site to the lawful point of discharge in accordance with the Queensland Urban Drainage Manual (QUDM).

### **WATER SUPPLY**

- ENG18. Connect the development to Council's reticulated water supply system via a single connection.
- ENG19. Provide a suitable onsite water supply for the development, and monitor water quality to ensure compliance with Health Guidance of use of Rainwater Tanks.

### **ON-SITE WASTEWATER DISPOSAL**

- ENG20. Connect the development to an on-site wastewater disposal system, in accordance with the AS1547:2012 *On-site domestic wastewater management* and the Queensland Plumbing and Wastewater Code - 2019.
- ENG21. Obtain a Development Permit for Plumbing Works for the on-site sewerage treatment system.

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

- ENG22. Provide a car park and set down area to accommodate the development completely internal to the site. The car park and set downs area shall be constructed with a 'low dust' gravel, and maintained to ensure no dust nuisance to sensitive receptors.
- ENG23. Provide vehicle bollards or tyre stops to control vehicular access and to protect landscaping or pedestrian areas where appropriate.

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- ENG24. Ensure access to car parking spaces, vehicle loading and manoeuvring areas and driveways remain unobstructed and available for their intended purpose during the hours of operation.
- ENG25. Provide longitudinal gradient and crossfall for all driveways to comply with the requirements of AS2890.1.
- ENG26. Maintain dust suppression treatment to all internal roadways, and vehicle manoeuvring areas ensuring not to have an adverse impact on adjoining properties.
- ENG27. In the event that bona fide complaints are received by Council in relation to dust emissions produced from the site, Council reserves the right to require the applicant to provide either concrete, asphalt, or bitumen seal to heavy vehicle manoeuvring areas.

#### **VEHICLE ACCESS - TURNOUT**

- ENG28. Design and construct vehicle turnout in accordance with Council's Standard Drawing No. 00049 Rev B, to accommodate the swept path of the largest expected vehicle.

#### **TRANSPORT ROUTE AND ROAD UPGRADING**

- ENG29. The approved transport route for all vehicles associated with the solar farm is from the intersection of the D'Aguilar Highway and Hart Street Blackbutt, north along Hart Street and Bowman Road, through to Boobir Creek/Cameron Road, and along Boobir Road to the site entrance, and vice versa.
- ENG30. The approved transport route shall be upgraded to relevant Austroads' Standards, Council's Standards, and more specifically, include:
- a) Review of the vertical and horizontal alignment to safely accommodate the largest expected vehicle servicing the solar farm;
  - b) Reconstruction of the existing pavement and widening where required to provide 2 x 3.5m lanes with 1m shoulders, including drainage and table drains, curve widening, and any other widening necessary to accommodate the swept path of the largest expected vehicle servicing the solar farm;
  - c) Double/Double bitumen seal;
  - d) Structural assessment of all existing culverts, with replacement and/or extension where required;
  - e) Changes and upgrades required to all intersections and accesses impacts by the transport route upgrade;
  - f) tapers to existing road pavement; and
  - g) road signage and line marking.

**Timing:** Prior to commencement of construction of the solar farm.

**Note:** This condition is imposed pursuant to Section 145 (b) (iii) of the *Planning Act 2016*.

- ENG31. Upgrade the intersection of Bowman Road/Boobir Creek Road, and Cameron Road generally in accordance with Empower drawing no. B00484-DA-CR010 Rev C. The intersection shall be designed to accommodate the largest expected vehicle.

**Timing:** Prior to commencement of construction of the solar farm.

**Note:** This condition is imposed pursuant to Section 145 (b) (iii) of the *Planning Act 2016*.

#### **SCHOOL BUS ROUTES**

- ENG32. No heavy vehicle movements are permitted on Bowman Road between the hours of 7am to 9am, and 2pm to 4pm on school days.

**B-DOUBLE ROUTE**

ENG33. The section of Bowman between the D'Aguilar Highway and the site entrance to the property is not currently an approved B-Double Route. If B-Doubles are proposed to be used, obtain an approval for the route to be used by multi-combination vehicles from the National Heavy Vehicle Regulator prior to allowing access to Multi-Combination vehicles via above road section. Please refer to the following link for more information: <https://www.nhvr.gov.au/road-access/access-management/applications-and-forms>

**ELECTRICITY AND TELECOMMUNICATION**

ENG34. Connect the development to electricity and telecommunication services.

**EARTHWORKS - GENERAL**

ENG35. Earthworks per site involving cut or fill with a nett quantity of material greater than 50m<sup>3</sup>, requires an Operational Work application.

ENG36. Undertake earthworks in accordance with the provisions of AS3798 Guidelines on Earthworks for Commercial and Residential Developments.

**EROSION AND SEDIMENT CONTROL - GENERAL**

ENG37. Undertake an Erosion and Sediment Control Program including, but not limited to the following:

- a) construction of sediment fences, earth berms, temporary drainage, temporary sediment basins and stormwater filtering devices designed to prevent sediment or sediment laden water from being transported to adjoining properties, roads and/or stormwater drainage systems;
- b) measures to prevent site vehicles tracking sediment and other pollutants onto adjoining streets during the construction period;
- c) identification of areas to be utilised on the site for stockpiling of materials capable of being moved by the action of wind or running water; the materials shall be stored clear of drainage paths, and appropriate measures implemented to prevent the entry of such materials into either the road or drainage system;
- d) inspection regime of sediment and erosion controls; and
- e) response times to events where controls have been damaged or are inadequate, and erosion or the release of sediment or sediment laden stormwater has occurred from the site or associated works.

ENG38. Implement the approved Erosion and Sediment Control Plan and modify as necessary, to maintain compliance with the approval.

ENG39. Undertake works to reinstate or clean up the road and/or drainage system damaged/blocked as a result of erosion and/or sedimentation from the site, at no cost to Council. Undertake such works immediately where there is a potential hazard to pedestrians and/or passing traffic.

**Timing:** During construction and on-maintenance period and the establishment period of the landscaping or areas disturbed during construction.

**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 of Aboriginal Cultural Heritage. The Act and the associated duty of care

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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 in regard 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 2025.

Eligible development under this scheme is required to be completed by 31 December 2023. For further information or an 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.

ADV5. The currency period for this development approval is six (6) years starting the day that this development approval takes effect. (Refer to Section 85 "Lapsing of approval at end of currency period" of the Planning Act 2016.)

ADV6. Advice Agencies provided responses to the proposed development as Attachments D&E.

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

Against: Cr Kathy Duff

**CARRIED 5/1**

## **MOTION**

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### **RESOLUTION 2023/171**

Moved: Cr Kirstie Schumacher

Seconded: Cr Kathy Duff

That item 17.1 be brought forward.

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

Against: Nil

**CARRIED 6/0**



**17.1 EXTENSION OF CURRENCY PERIOD UNDER SECTION 87 OF THE PLANNING ACT 2016 TO A PRELIMINARY APPROVAL FOR A MATERIAL CHANGE OF USE (MASTER PLANNING COMMUNITY) AND DEVELOPMENT PERMIT FOR RECONFIGURING A LOT (1 LOT INTO 23 LOTS PLUS PARKLAND DEDICATION) OVER LAND AT THE CORNER OF YOUNGMAN STREET AND TAYLORS ROAD, KINGAROY (AND DESCRIBED AS LOT 3 ON SP181686) - APPLICANT: KINGAROY INVESTMENTS PTY LTD C/- JFP URBAN CONSULTANTS PTY LTD**

**RESOLUTION 2023/172**

Moved: Cr Danita Potter  
 Seconded: Cr Scott Henschen

That Council approve the request to extend the currency period pursuant to s86 of the *Planning Act 2016* by one (1) additional year from 25 September 2023 until 23 September 2024.

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

Against: Nil

**CARRIED 6/0**

**Attendance:**

At 12:27pm, Manager Infrastructure Planning James D’Arcy left the meeting.  
 At 12:30pm, Coordinator Development Services David Hursthouse left the meeting.

**15.7 TINGOORA HALL - COMMUNITY CONSULTATION**

**RESOLUTION 2023/173**

Moved: Cr Scott Henschen  
 Seconded: Cr Kathy Duff

That the:

1. Tingoora Hall community consultation meeting update report be accepted; and
2. An online community survey be undertaken as part of the Tingoora Hall community consultation and a report be presented back to Council for future consideration.

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

Against: Nil

**CARRIED 6/0**

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**15.8 REQUEST FOR A FLYING FOX IN FIRST SETTLERS PARK, BENARKIN**

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**RESOLUTION 2023/174**

Moved: Cr Scott Henschen

Seconded: Cr Kirstie Schumacher

That the request for a flying fox be considered in future stages of the First Settlers Park development and Council's 10-year capital works program.

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

Against: Nil

**CARRIED 6/0**

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**15.9 BOONDOOMA COMMUNITY CENTRE - COMMUNITY CONSULTATION**

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**RESOLUTION 2023/175**

Moved: Cr Danita Potter

Seconded: Cr Jane Erkens

That

1. The Durong Community Hall Committee Inc. enter into a Deed of Licence to Occupy over the Boondooma Community Centre.
2. Delegate powers to the CEO pursuant to *Section 257(1)(b)* of the *Local Government Act 2009*, to complete the agreement.

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

Against: Nil

**CARRIED 6/0**

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**15.10 TRUSTEE LEASE - TINGOORA SPORTS ASSOCIATION INC**

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**RESOLUTION 2023/176**

Moved: Cr Scott Henschen

Seconded: Cr Kirstie Schumacher

That South Burnett Regional Council:

1. 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 of the valuable non-current asset, which is Lot 91 on Crown Plan FY2885, to the Tingoora Sports Association Inc; and
2. delegates to the Chief Executive Officer the power to negotiate, finalise and execute the Trustee Lease between Council and Tingoora Sports Association Inc. on terms and conditions the Chief Executive Officer reasonably considers are satisfactory to Council.

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

Against: Nil

**CARRIED 6/0**

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**15.11 TRUSTEESHIP OF RESERVE - LOT 80 ON FY2562**

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**RESOLUTION 2023/177**

Moved: Cr Jane Erkens

Seconded: Cr Kathy Duff

That South Burnett Regional Council become trustees of the reserve allotment on Bunya Mountains Road, Bunya Mountains known as Lot 80 FY2562 and pursuant to *Section 257(1)(b)* of the *Local Government Act 2009*, the Council resolves to delegate to the Chief Executive Officer the power to complete the transfer of trusteeship.

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

Against: Nil

**CARRIED 6/0**

**15.12 MURGON DOG PARK - COMMUNITY CONSULTATION**

**RESOLUTION 2023/178**

Moved: Cr Kathy Duff  
 Seconded: Cr Danita Potter

That

1. The location of 19 Douglas Street, Murgon be reserved for future development of a dog park facility.
2. Consideration of funding the project in the 10-year Building Capital Works program and/or alternative funding opportunities through grants.

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

Against: Nil

**CARRIED 6/0**

**MOTION**

**RESOLUTION 2023/179**

Moved: Cr Gavin Jones  
 Seconded: Cr Danita Potter

That item 15.1 of the late agenda be brought forward.

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

Against: Nil

**CARRIED 6/0**

**15.1 CYCLE NETWORK LOCAL GOVERNMENT GRANTS PROGRAM**

**RESOLUTION 2023/180**

Moved: Cr Danita Potter  
 Seconded: Cr Kathy Duff

That South Burnett Regional Council delegate to the Chief Executive Officer (CEO) for a grant application to be submitted for funding under the Queensland Governments Cycle Network Local Government Grants Program.

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

Against: Nil

**CARRIED 6/0**

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

Nil

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

Item - 17.1 Extension of Currency Period under section 87 of the Planning Act 2016 to a Preliminary Approval for a Material Change of Use (Master Planning Community) and Development Permit for Reconfiguring a Lot (1 Lot into 23 Lots plus Parkland Dedication) over land at the Corner of Youngman Street and Taylors Road, Kingaroy (and described as Lot 3 on SP181686) - Applicant: Kingaroy Investments Pty Ltd C/- JFP Urban Consultants Pty Ltd - has been moved to another part of the document.

**18 QUESTIONS ON NOTICE****18.1 QUESTION ON NOTICE - PROSTON QCWA SHED OR SHIPPING CONTAINER**

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**RESOLUTION 2023/181**

Moved: Cr Kathy Duff

Seconded: Cr Danita Potter

That the response to the question regarding is there still communication with Proston QCWA regarding Lease A in Lot. 5 on RP 904174 and their proposal for a shipping container rather than a shed raised by Councillor Duff be received and noted.

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

Against: Nil

**CARRIED 6/0****18.2 QUESTION ON NOTICE - PLANNING SCHEME COMMUNITY CONSULTATION**

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**RESOLUTION 2023/182**

Moved: Cr Kathy Duff

Seconded: Cr Kirstie Schumacher

That the response to the question regarding Planning Scheme community consultation raised by Councillor Duff be received and noted.

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

Against: Nil

**CARRIED 6/0**

**18.3 QUESTION ON NOTICE - ONGOING OPERATIONAL COSTS AT PROSTON LOOKOUT**

**RESOLUTION 2023/183**

Moved: Cr Scott Henschen

Seconded: Cr Danita Potter

That the response to the question regarding what will be the ongoing operational costs for the Proston Lookout raised by Councillor Henschen be received and noted.

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

Against: Nil

**CARRIED 6/0**

**18.3.1 QUESTION ON NOTICE - ACCESS POINT AT PROSTON LOOKOUT**

Question on notice from Cr Henschen:

Is the only access to the property at the Proston Lookout through the Lookout itself?

**18.4 QUESTION ON NOTICE - ALLOTMENTS IN BLACKBUTT**

**RESOLUTION 2023/184**

Moved: Cr Kirstie Schumacher

Seconded: Cr Danita Potter

That the response to the question regarding the history and context of the lots in Morris Street, Blackbutt that are listed on the Environmental Management Register raised by Councillor Schumacher be received and noted.

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

Against: Nil

**CARRIED 6/0**

**18.4.1 QUESTION ON NOTICE - BROADMAN ROAD WASTE REMOVAL REQUEST**

Question on notice from Cr Erkens:

Can customer be contacted back regarding a request for waste removal at Broadman Road?

**19 INFORMATION SECTION**

Nil

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**20 CONFIDENTIAL SECTION**

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**RESOLUTION 2023/185**

Moved: Cr Gavin Jones  
Seconded: Cr Scott Henschen

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

**20.1 Consideration for Remission on Rates - Assessment 21247-10000-000, 31065-00000-000 & 31015-00000-000**

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 Glendon Street Amenities Electricity Update**

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

**20.3 Potential Purchase of Community Health Building, Kingaroy**

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

**20.4 Landfill Operations, Operations and Supervision of Waste Facilities Tender**

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

Against: Nil

**CARRIED 6/0**

**Attendance:**

At 1:00pm, Strategic Asset Management Accountant Maxine Campbell entered the meeting via teams.

At 1:05pm, Coordinator Plant & Fleet Brandon Orchard entered the meeting.

At 1:05pm, Manager ICT & Fleet Anthony Bills entered the meeting.

At 1:05pm, General Manager Infrastructure Aaron Meehan left the meeting.

At 1:15pm, Chief Executive Officer Mark Pitt left the meeting.

At 1:20pm, General Manager Infrastructure Aaron Meehan returned to the meeting.

At 1:30pm, Strategic Procurement Officer Louise Reidy entered the meeting.

At 1:37pm, Manager Facilities & Parks Leanne Petersen left the meeting.

At 1:37pm, Chief Executive Officer Mark Pitt returned to the meeting.

**RESOLUTION 2023/186**

Moved: Cr Gavin Jones  
Seconded: Cr Scott Henschen

That Council moves out of Closed Council into Open Council.

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

Against: Nil

**CARRIED 6/0**

**Attendance:**

At 2:00pm, Strategic Procurement Officer Louise Reidy left the meeting.

**20.1 CONSIDERATION FOR REMISSION ON RATES - ASSESSMENT 21247-10000-000, 31065-00000-000 & 31015-00000-000**

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**RESOLUTION 2023/187**

Moved: Cr Kirstie Schumacher  
Seconded: Cr Jane Erkens

That South Burnett Regional Council does not accede to the request for a rate remission for rate assessments 21247-10000-000, 31065-00000-000 & 31015-00000-000 effective from 1 July 2023 as it is not fully compliant with Council's policy.

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

Against: Nil

**CARRIED 6/0**

**Attendance:**

At 2:01pm, Manager ICT & Fleet Anthony Bills left the meeting.

At 2:01pm, Coordinator Plant & Fleet Brandon Orchard left the meeting.

**20.2 GLENDON STREET AMENITIES ELECTRICITY UPDATE**

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**RESOLUTION 2023/188**

Moved: Cr Danita Potter  
Seconded: Cr Scott Henschen

That Council delegate to the Chief Executive Officer to make an application for an exceptional circumstances exemption in relation to the power connection of the Glendon Street Amenities until the potential purchase of the adjacent community health building is resolved.

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

Against: Nil

**CARRIED 6/0**



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**20.4 LANDFILL OPERATIONS, OPERATIONS AND SUPERVISION OF WASTE FACILITIES TENDER**

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**RESOLUTION 2023/189**

Moved: Cr Scott Henschen

Seconded: Cr Jane Erkens

That South Burnett Regional Council resolves:

1. To award Contract 22/23-22 Waste Facilities – Operations and Supervision to Proterra Group Pty Ltd;
2. To award Contract 22/23-23 Landfill Operations to Proterra Group Pty Ltd;
3. Delegate authority to the Chief Executive Officer to negotiate any relevant contract amendments resulting from the contract departures proposed by Proterra, which are deemed acceptable by the evaluation panel; and
4. Delegate authority to the Chief Executive Officer to negotiate any relevant contract adjustments to reflect the award of both contracts to a single contractor.

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

Against: Nil

**CARRIED 6/0****Attendance:**

At 2:02pm, Chief Executive Officer Mark Pitt left the meeting.

**20.3 POTENTIAL PURCHASE OF COMMUNITY HEALTH BUILDING, KINGAROY**

**RESOLUTION 2023/190**

Moved: Cr Danita Potter

Seconded: Cr Jane Erkens

That South Burnett Regional Council offer to purchase the property from the State of Queensland (represented by Queensland Health).

1. Contract of sale to be in accordance with;
  - (i) *Local Government Regulation 2012.*
  - (ii) Queensland Government Land Transaction Policy 2021.
  - (iii) SBRC Procurement Policy.
  - (iv) SBRC Investment Policy.
2. Pursuant to *Section 257(1)(b)* of the Act, the Council resolves to delegate to the CEO the power to negotiate terms and bring a report back to Council.

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

Against: Nil

**CARRIED 6/0**

**21 CLOSURE OF MEETING**

The Meeting closed at 2:03pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 13 December 2023.

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**CHAIRPERSON**