

DISCLAIMER

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SOUTH BURNETT
REGIONAL COUNCIL

MINUTES

Ordinary Council Meeting
Wednesday, 17 July 2024

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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, 17 JULY 2024 AT 9.00AM**

PRESENT:**Councillors:**

Mayor Kathy Duff, Cr Jane Erkens, Cr Linda Little, Cr Danita Potter, Cr Deb Dennien, Cr Heath Sander, Cr Ros Heit

Council Officers:

Mark Pitt (Chief Executive Officer), Susan Jarvis (General Manager Finance & Corporate), Aaron Meehan (General Manager Infrastructure), Leanne Petersen (Acting General Manager Liveability), Helen Floyd (Executive Assistant)

1 OPENING

The Mayor declared the meeting open at 9:01am and welcomed all attendees.

2 LEAVE OF ABSENCE / APOLOGIES

Nil

3 PRAYERS

A representative of the Kingaroy District Ministers' Association, Stanley Orji, offered prayers for Council and for the conduct of the Council meeting.

4 ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

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

5 DECLARATION OF INTEREST

I, Cr Heath Sander inform this meeting that I have a prescribed conflict of interest in relation **Item 13.1 - The 2024-28 Local Government Grants and Subsidies Program (LGGSP)**

This declarable conflict of interest arises because my wife and I currently manage Boondooma Dam.

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

I, Cr Ros Heit inform this meeting that I have a declarable conflict of interest in relation **Item 14.9 – Wooroolin Community Committee Inc.**

This declarable conflict of interest arises because I assisted the group write a grant for funding but feel I will be able to act in the public interest in this matter.

I wish to participate in the decision in relation to this matter. I acknowledge that eligible Councillors must now determine, pursuant to section 150ES of the Local Government Act 2009, where I:

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

Although I have a declarable conflict of interest I believe I would reasonably be perceived to be impartial because I am not an executive member of the group and my assistance was in a specific grant and not related to this topic.

Attendance

At 9:09 am, Cr Ros Heit left the meeting.

DECLARATION OF INTEREST - STAY IN MEETING

RESOLUTION 2024/32

Moved: Mayor Kathy Duff

Seconded: Cr Linda Little

That Council resolve that Cr Ros Heit has a declarable conflict of interest in the matter and notwithstanding the conflict, Cr Ros Heit may participate in the matter, discuss and vote upon it, as the Councillor has an interest no greater than a significant proportion of the community.

In Favour: Crs Kathy Duff, Jane Erkens, Linda Little, Danita Potter, Deb Dennien and Heath Sander

Against: Nil

CARRIED 6/0

Attendance

At 9:10 am, Cr Ros Heit returned to the meeting.

6 DEPUTATIONS/PETITIONS

Nil

7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**7.1 MINUTES OF THE COUNCIL MEETING HELD ON 19 JUNE 2024**

RESOLUTION 2024/33

Moved: Cr Ros Heit

Seconded: Cr Heath Sander

That the Minutes of the Council Meeting held on 19 June 2024 be received and the recommendations therein be adopted.

In Favour: Crs Kathy Duff, Jane Erkens, Linda Little, Danita Potter, Deb Dennien, Heath Sander and Ros Heit

Against: Nil

CARRIED 7/0

7.2 MINUTES OF THE SPECIAL COUNCIL MEETING HELD ON 10 JULY 2024

RESOLUTION 2024/34

Moved: Cr Deb Dennien

Seconded: Cr Linda Little

That the Minutes of the Special Council Meeting held on 10 July 2024 be received and the recommendations therein be adopted.

In Favour: Crs Kathy Duff, Jane Erkens, Linda Little, Danita Potter, Deb Dennien, Heath Sander and Ros Heit

Against: Nil

CARRIED 7/0

8 NOTICES OF MOTION

Nil

9 COUNCILLOR DIVISIONAL UPDATES

All Councillors provided a divisional update.

Attendance

At 9.23am GM Aaron Meehan left the meeting.

At 9.30am GM Aaron Meehan returned to the meeting.

10 BUSINESS OUTSTANDING

10.1 BUSINESS OUTSTANDING TABLE FOR ORDINARY COUNCIL MEETING

RESOLUTION 2024/35

Moved: Cr Danita Potter

Seconded: Cr Deb Dennien

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

In Favour: Crs Kathy Duff, Jane Erkens, Linda Little, Danita Potter, Deb Dennien, Heath Sander and Ros Heit

Against: Nil

CARRIED 7/0

11 EXECUTIVE SERVICES

11.1 CONFIRMING ATTENDANCE AT THE LOCAL GOVERNMENT ASSOCIATION QUEENSLAND (LGAQ) ANNUAL CONFERENCE IN BRISBANE ON 21-23 OCTOBER 2024

RESOLUTION 2024/36

Moved: Cr Ros Heit
Seconded: Cr Linda Little

That Mayor Kathy Duff and Cr Danita Potter attend the 2024 LGAQ Conference as delegates, and the following Councillors attend as observers: Cr Sander, Cr Erkens, Cr Dennien

In Favour: Crs Kathy Duff, Jane Erkens, Linda Little, Danita Potter, Deb Dennien, Heath Sander and Ros Heit

Against: Nil

CARRIED 7/0

11.2 LGAQ ANNUAL CONFERENCE: MOTION REQUEST

RESOLUTION 2024/37

Moved: Cr Danita Potter
Seconded: Cr Ros Heit

That South Burnett Regional Council resolves to submit the following motions to the 2024 Local Government Association of Queensland Annual Conference

- a) Trade Waste
- b) Waste Services and Facilities
- c) Water Security and trunk infrastructure
- d) Change to building and planning codes legislation
- e) Renewable energy make good provisions and legacy infrastructure
- f) That the LGAQ formally assess/review (or investigate) the financial and resource impacts on Queensland Councils as a result of the changes to traffic management standards being the *Queensland Guide to Traffic Management (QGTMM)*.
- g) Review the impact of heavy vehicles on local roads by non-rateable industries

In Favour: Crs Kathy Duff, Jane Erkens, Linda Little, Danita Potter, Deb Dennien, Heath Sander and Ros Heit

Against: Nil

CARRIED 7/0

11.2.1 QUESTION ON NOTICE - DAMAGE BY TRUCKS GOING OUT TO EAST NANANGO

Question on Notice from Cr Jane Erkens:

How much damage was done by the trucks going out to East Nanango during the flood repairs and cost to repair the damage?

Attendance

At 10:25 am, Cr Danita Potter left the meeting.

12 FINANCE & CORPORATE

12.1 ADOPTION OF THE SOUTH BURNETT REGIONAL COUNCIL COUNCILLOR CONDUCT COMPLAINTS INVESTIGATION POLICY - STATUTORY028

RESOLUTION 2024/38

Moved: Cr Linda Little
 Seconded: Cr Ros Heit

That the South Burnett Regional Council Councillor Conduct Complaints Investigation Policy – Statutory028 be adopted as presented.

In Favour: Crs Kathy Duff, Jane Erkens, Linda Little, Deb Dennien, Heath Sander and Ros Heit

Against: Nil

CARRIED 6/0

Attendance

At 10:27 am, Cr Danita Potter returned to the meeting.

12.2 ADOPTION OF THE SOUTH BURNETT REGIONAL COUNCIL REMOTE PILOTED AIRCRAFT DRONE POLICY - STATUTORY055

RESOLUTION 2024/39

Moved: Cr Deb Dennien
 Seconded: Cr Heath Sander

That the South Burnett Regional Council Remote Piloted Aircraft Drone Policy – Statutory055 be adopted as presented.

In Favour: Crs Kathy Duff, Jane Erkens, Linda Little, Danita Potter, Deb Dennien, Heath Sander and Ros Heit

Against: Nil

CARRIED 7/0

12.3 ADOPTION OF THE SOUTH BURNETT REGIONAL COUNCIL MAGPIE BEHAVIOUR MANAGEMENT POLICY - STRATEGIC038

RESOLUTION 2024/40

Moved: Cr Deb Dennien
 Seconded: Cr Linda Little

That the South Burnett Regional Council Magpie Behaviour Management Policy – Strategic038 be adopted as presented.

In Favour: Crs Kathy Duff, Jane Erkens, Linda Little, Danita Potter, Deb Dennien, Heath Sander and Ros Heit

Against: Nil

CARRIED 7/0

12.3.1 QUESTION ON NOTICE - MAGPIE MANAGEMENT

Question on Notice from Cr Danita Potter

How much has been spent on magpie management and relocation since policy commenced?

ADJOURN MORNING TEA

RESOLUTION 2024/41

Moved: Cr Ros Heit
 Seconded: Cr Linda Little

That the meeting adjourn for morning tea and Citizenship Ceremony at 10.35am.

In Favour: Crs Kathy Duff, Jane Erkens, Linda Little, Danita Potter, Deb Dennien, Heath Sander and Ros Heit

Against: Nil

CARRIED 7/0

RESUME MEETING

RESOLUTION 2024/42

Moved: Cr Ros Heit
 Seconded: Cr Danita Potter

That the meeting resume at 11.28am.

In Favour: Crs Kathy Duff, Jane Erkens, Linda Little, Danita Potter, Deb Dennien, Heath Sander and Ros Heit

Against: Nil

CARRIED 7/0

12.4 ADOPTION OF THE SOUTH BURNETT REGIONAL COUNCIL DISCOVERY, HANDLING AND MANAGEMENT OF HUMAN REMAINS POLICY - STATUTORY016

RESOLUTION 2024/43

Moved: Cr Ros Heit
Seconded: Cr Danita Potter

That the South Burnett Regional Council Discovery, Handling and Management of Human Remains Policy – Statutory016 be adopted as presented.

In Favour: Crs Kathy Duff, Jane Erkens, Linda Little, Danita Potter, Deb Dennien, Heath Sander and Ros Heit

Against: Nil

CARRIED 7/0

12.5 ADOPTION OF THE SOUTH BURNETT REGIONAL COUNCIL EXPENSES REIMBURSEMENT FOR COUNCILLORS POLICY - STATUTORY002

RESOLUTION 2024/44

Moved: Cr Linda Little
Seconded: Cr Ros Heit

That the South Burnett Regional Council Expenses Reimbursement for Councillors Policy – Statutory002 be adopted as amended 3.17. Vehicle Fuel and Operation Costs to reflect the following:

- Division One (1) Two (2), and Five (5) - \$150.00
- Division Three (3) and Division (4) - \$100
- Division Six (6) - \$250.00

In Favour: Crs Kathy Duff, Jane Erkens, Linda Little, Danita Potter, Deb Dennien, Heath Sander and Ros Heit

Against: Nil

CARRIED 7/0

MOTION

RESOLUTION 2024/45

Moved: Mayor Kathy Duff
Seconded: Cr Ros Heit

That the meeting moves to Item 14.6.

In Favour: Crs Kathy Duff, Jane Erkens, Linda Little, Danita Potter, Deb Dennien, Heath Sander and Ros Heit

Against: Nil

CARRIED 7/0

Attendance:

At 11.39am Debra Moore entered the meeting.

14.6 TRUSTEE LEASE - BALLOGIE COMMUNITY ASSOCIATION INC.

RESOLUTION 2024/46

Moved: Cr Ros Heit

Seconded: Cr Deb Dennien

That South Burnett Regional Council:

1. In accordance with section 236(1)(b)(ii) of the *Local Government Regulation 2012* applies to disposal of a valuable non-current asset by way of entering a trustee lease for Lot 50 on CP868342, to the Ballogie Community Association Inc. for a term of 10 years.
2. Pursuant to section 257(1)(b) of the *Local Government Act 2009*, South Burnett Regional Council delegates to the Chief Executive Officer the power to negotiate, finalise and execute the lease with the Ballogie Community Association Inc. on terms considered satisfactory to Council.

In Favour: Crs Kathy Duff, Jane Erkens, Linda Little, Danita Potter, Deb Dennien, Heath Sander and Ros Heit

Against: Nil

CARRIED 7/0

12.6 MONTHLY FINANCIAL INFORMATION

RESOLUTION 2024/47

Moved: Cr Danita Potter

Seconded: Cr Jane Erkens

That the monthly Financial Report including Capital Works and Works for Queensland (W4Q4) as at 30th June 2024 be received and noted.

In Favour: Crs Kathy Duff, Jane Erkens, Linda Little, Danita Potter, Deb Dennien, Heath Sander and Ros Heit

Against: Nil

CARRIED 7/0

12.6.1 QUESTION ON NOTICE - DISASTER RESILIENCE FUNDING

Question on Notice from Cr Danita Potter:

How much money did Council receive under the Disaster Resilience funding, how much did we spend and is there any funding still available?

12.7 23/24 EOFY STOCKTAKE

RESOLUTION 2024/48

Moved: Cr Ros Heit
 Seconded: Cr Heath Sander

That Council receive this report for information.

In Favour: Crs Kathy Duff, Jane Erkens, Linda Little, Danita Potter, Deb Dennien, Heath Sander and Ros Heit

Against: Nil

CARRIED 7/0

Attendance

At 11:52 am, Cr Heath Sander left the meeting.

13 INFRASTRUCTURE

13.1 THE 2024-28 LOCAL GOVERNMENT GRANTS AND SUBSIDIES PROGRAM (LGGSP).

RESOLUTION 2024/49

Moved: Cr Deb Dennien
 Seconded: Cr Linda Little

That Council endorses the following three (3) projects for submission under the 2024-28 Local Government Grants and Subsidies Program (LGGSP) funding opportunity. The estimated total project cost for each of these three (3) projects and Council’s required financial contribution of 40 percent are also listed below.

Option	Type	Project	Branch	Operational Plan	LGGSP Contribution	SBRC Contribution	Total Project Value
1	Infrastructure Project	Boondooma Bunkhouse Roof renewal	Commercial Enterprises	OLP14	\$ 90,000.00	\$ 60,000.00	\$ 150,000.00
2	Planning Project	Detailed Design Kingaroy Trunk Infrastructure	Water and Wastewater	OPI15 INV7 OPI8	\$ 174,000.00	\$ 116,000.00	\$ 290,000.00
3	Infrastructure Project	Mt Wooroolin Reservoir 3 (2.8ML storage)	Water and Wastewater	OPI15 INV7 OPI8	\$1,322,880.00	\$ 881,920.00	\$2,204,800.00

In Favour: Crs Kathy Duff, Jane Erkens, Linda Little, Danita Potter, Deb Dennien and Ros Heit

Against: Nil

CARRIED 6/0

Attendance

At 11:56 am, Cr Heath Sander returned to the meeting.

At 12.02 pm, Executive Assistant Wendy Kruger entered the meeting.

At 12.03 pm, Executive Assistant Wendy Kruger left the meeting.

13.1.1 TRUNK INFRASTRUCTURE UPGRADE APPLICATIONS - AUSTRALIAN GOVERNMENT'S HOUSING SUPPORT PROGRAM - COMMUNITY ENABLING INFRASTRUCTURE STREAM

RESOLUTION 2024/50

Moved: Cr Danita Potter

Seconded: Cr Ros Heit

That Council make applications where eligible for trunk infrastructure upgrades under the Australian Government's Housing Support Program – Community Enabling Infrastructure Stream for the following programs:

1. Kingaroy Trunk Sewer Upgrade – First avenue to Kingaroy North
2. Kingaroy Trunk Water Upgrades including reservoirs and Haly Street trunk water main

In Favour: Crs Kathy Duff, Jane Erkens, Linda Little, Danita Potter, Deb Dennien, Heath Sander and Ros Heit

Against: Nil

CARRIED 7/0

14 LIVEABILITY

14.1 LIBRARY SURVEY AND INFORMATION

RESOLUTION 2024/51

Moved: Cr Danita Potter

Seconded: Cr Ros Heit

That South Burnett Regional Council note the report for information.

In Favour: Crs Kathy Duff, Jane Erkens, Linda Little, Danita Potter, Deb Dennien, Heath Sander and Ros Heit

Against: Nil

CARRIED 7/0

14.1.1 QUESTION ON NOTICE - 10 MINUTE PARKING - KINGAROY LIBRARY

Question on Notice from Cr Ros Heit:

Is it possible to look into 10 minute parking spaces for Kingaroy Library particularly for the elderly?

14.2 ARTS, CULTURE AND HERITAGE ADVISORY COMMITTEE NOMINATIONS FOR COMMITTEE REPRESENTATIVES

RESOLUTION 2024/52

Moved: Cr Danita Potter
Seconded: Cr Deb Dennien

That South Burnett Regional Council appoint the following individuals who have submitted a nomination as members to the Arts, Culture and Heritage Advisory Committee as per the Arts, Culture and Heritage Advisory Committee Policy.

- South Burnett Musical Comedy Society – Craig Reiger
- South Burnett Community Orchestra - Andrew Maddern
- Kingaroy Heritage Museum – Pam Kerr
- South Burnett Arts Inc, VSB – Robyn Dower
- Wondai Regional Art Gallery – Elaine Madill
- Community Representative – Tonita Penny
- Community Representative – Rob Fitz-Herbert
- Blackbutt Art Gallery – David Daniel

In Favour: Crs Kathy Duff, Jane Erkens, Linda Little, Danita Potter, Deb Dennien, Heath Sander and Ros Heit

Against: Nil

CARRIED 7/0

14.3 IN-KIND SUPPORT - KINGAROY CHRISTMAS CARNIVAL 2024.

RESOLUTION 2024/53

Moved: Mayor Kathy Duff
Seconded: Cr Jane Erkens

That the matter lay on the table.

In Favour: Crs Kathy Duff, Jane Erkens, Linda Little, Danita Potter, Deb Dennien, Heath Sander and Ros Heit

Against: Nil

CARRIED 7/0

ADJOURN FOR LUNCH

RESOLUTION 2024/54

Moved: Cr Heath Sander

Seconded: Cr Deb Dennien

That the meeting adjourn for lunch and presentation to Michael Wall at 12.19pm.

In Favour: Crs Kathy Duff, Jane Erkens, Linda Little, Danita Potter, Deb Dennien, Heath Sander and Ros Heit

Against: Nil

CARRIED 7/0

RESOLUTION 2024/55

Moved: Cr Ros Heit

Seconded: Cr Danita Potter

That the meeting resume at 1.27pm

In Favour: Crs Kathy Duff, Jane Erkens, Linda Little, Danita Potter, Deb Dennien, Heath Sander and Ros Heit

Against: Nil

CARRIED 7/0

14.4 TRUSTEE LEASE - WONDAL DISTRICT CRICKET CLUB INC

RESOLUTION 2024/56

Moved: Cr Ros Heit

Seconded: Cr Heath Sander

That South Burnett Regional Council:

1. In accordance with section 236(1)(b)(ii) of the *Local Government Regulation 2012* applies to disposal of a valuable non-current asset by way of entering a trustee lease on Area A for part of Lot 156 on FY809991, to the Wondai District Cricket Club Inc. for a term of 10 years.
2. Pursuant to section 257(1)(b) of the *Local Government Act 2009*, South Burnett Regional Council delegates to the Chief Executive Officer the power to negotiate, finalise and execute the trustee lease with the Wondai District Cricket Club Inc. on terms considered satisfactory to Council.

In Favour: Crs Kathy Duff, Jane Erkens, Linda Little, Danita Potter, Deb Dennien, Heath Sander and Ros Heit

Against: Nil

CARRIED 7/0

14.5 TRUSTEE LEASE - BARAMBAH UNITED FOOTBALL CLUB

RESOLUTION 2024/57

Moved: Cr Ros Heit

Seconded: Cr Linda Little

That South Burnett Regional Council:

1. In accordance with section 236(1)(b)(ii) of the *Local Government Regulation 2012* applies to disposal of a valuable non-current asset by way of entering a trustee lease on Area B & C for part of Lot 156 on FY809991, to the Barambah United Football Club Inc. for a term of 10 years.
2. Pursuant to section 257(1)(b) of the *Local Government Act 2009*, South Burnett Regional Council delegates to the Chief Executive Officer the power to negotiate, finalise and execute the trustee lease with the Barambah United Football Club Inc. on terms considered satisfactory to Council.

In Favour: Crs Kathy Duff, Jane Erkens, Linda Little, Danita Potter, Deb Dennien, Heath Sander and Ros Heit

Against: Nil

CARRIED 7/0

Item - 14.6 Trustee Lease - Ballogie Community Association Inc. - has been moved to another part of the document.

14.7 TRUSTEE LEASE - WONDAI COUNTRY CLUB INC.

RESOLUTION 2024/58

Moved: Cr Ros Heit

Seconded: Cr Deb Dennien

That South Burnett Regional Council:

1. In accordance with section 236(1)(b)(ii) of the *Local Government Regulation 2012* applies to disposal of a valuable non-current asset by way of entering a trustee lease for Lot 224 on FY2135, to the Wondai Country Club Inc. for a term of 10 years.
2. Pursuant to section 257(1)(b) of the *Local Government Act 2009*, South Burnett Regional Council delegates to the Chief Executive Officer the power to negotiate, finalise and execute the trustee lease with the Wondai Country Club Inc. on terms considered satisfactory to Council.

In Favour: Crs Kathy Duff, Jane Erkens, Linda Little, Danita Potter, Deb Dennien, Heath Sander and Ros Heit

Against: Nil

CARRIED 7/0

14.8 RENEWAL OF SUB-SUBLEASE - SOUTH BURNETT GEM AND FOSSICKING CLUB INC.

RESOLUTION 2024/59

Moved: Cr Ros Heit
Seconded: Cr Linda Little

That South Burnett Regional Council

1. In accordance with section 236(1)(b)(ii) of the *Local Government Regulation 2012* applies to the disposal of a valuable non-current asset by way of entering a sub-sublease for part of Lot 18 on SP276640, being the Wondai Railway Station Building to the South Burnett Gem and Fossicking Club Inc. for a term of 5 years.
2. Pursuant to section 257(1)(b) of the *Local Government Act 2009*, South Burnett Regional Council delegates to the Chief Executive Officer the power to negotiate, finalise and execute the sub-sublease with the South Burnett Gem and Fossicking Club Inc. on terms and conditions considered satisfactory to Council.

In Favour: Crs Kathy Duff, Jane Erkens, Linda Little, Danita Potter, Deb Dennien, Heath Sander and Ros Heit

Against: Nil

CARRIED 7/0

Attendance

At 1.34pm Leo Jensen entered the meeting.

At 1.34pm David Hursthouse entered the meeting.

14.9 LEASE - WOOROOLIN COMMUNITY COMMITTEE INC.

RESOLUTION 2024/60

Moved: Cr Ros Heit
Seconded: Cr Heath Sander

That South Burnett Regional Council:

1. In accordance with section 236(1)(b)(ii) of the *Local Government Regulation 2012* applies to disposal of a valuable non-current asset by way of entering a lease for Lot 22-25 on RP37052, being the Wooroolin tennis courts to the Wooroolin Community Committee Inc. for a term of 10 years.
2. Pursuant to section 257(1)(b) of the *Local Government Act 2009*, South Burnett Regional Council delegates to the Chief Executive Officer the power to negotiate, finalise and execute the lease with the Wooroolin Community Committee Inc. on terms considered satisfactory to Council.

In Favour: Crs Kathy Duff, Jane Erkens, Linda Little, Danita Potter, Deb Dennien, Heath Sander and Ros Heit

Against: Nil

CARRIED 7/0

14.10 ACCESS LICENCE - LOT 2 ON RP27660 AND MOUNTAIN VIEW LANE

MOTION

Moved: Cr Danita Potter

Seconded: Cr Heath Sander

That South Burnett Regional Council:

1. Enter an Access Licence for Part of Lot 2 on RP27660 and the remaining unmade section of Mountain View Lane with Ergon Energy Corporation Limited for a term of 10 years.
2. Pursuant to section 257(1)(b) of the Local Government Act 2009, South Burnett Regional Council delegates to the Chief Executive Officer the power to negotiate, finalise and execute the access licence with Ergon Energy Corporation Limited on terms considered satisfactory to Council.

RESOLUTION 2024/61

Moved: Cr Heath Sander

Seconded: Cr Ros Heit

That the matter lay on the table.

In Favour: Crs Kathy Duff, Jane Erkens, Linda Little, Danita Potter, Deb Dennien, Heath Sander and Ros Heit

Against: Nil

CARRIED 7/0

14.11 OLD PAVERS FROM BLACKBUTT TOWNSHIP REDEVELOPMENT

RESOLUTION 2024/62

Moved: Cr Linda Little

Seconded: Cr Deb Dennien

That Council resolves to donate pavers to the Blackbutt Tennis Club Inc for the use of creating a base for the bulker bags at the Blackbutt Containers for Change under Council Disposal of Asset Policy 3.2.3 Exceptions for Valuable Non-Current Asset Contracts.

Under *Section 236* of the *Local Government Regulation 2012* provides for the following exemptions to *Section 227*;

b) the valuable non-current asset is disposed of to:

- i) a government agency; or
- ii) a community organisation

In Favour: Crs Kathy Duff, Jane Erkens, Linda Little, Danita Potter, Deb Dennien, Heath Sander and Ros Heit

Against: Nil

CARRIED 7/0

14.12 SOUTH BURNETT REGIONAL COUNCIL CLIMATE CHANGE ADAPTATION STRATEGY (AND ACTION PLAN) 2024-2034

RESOLUTION 2024/63

Moved: Cr Jane Erkens
 Seconded: Cr Deb Dennien

That South Burnett Regional Council resolved to:

1. Note the content of this report.
2. Adopt the SBRC Climate Change Adaptation Strategy (and Action Plan) 2024-2034 to be utilised in guiding future Council strategic, budgetary, and operational decisions.

In Favour: Crs Kathy Duff, Jane Erkens, Linda Little, Danita Potter, Deb Dennien, Heath Sander and Ros Heit

Against: Nil

CARRIED 7/0

14.13 MATERIAL CHANGE OF USE - INTENSIVE ANIMAL INDUSTRY (EXPANSION OF EXISTING FEEDLOT TO 6,425 SCU AND ASSOCIATED INFRASTRUCTURE) AT 1270 AND 1344 MEMERAMBI BARKERS CREEK ROAD WATTLE CAMP (AND DESCRIBED AS LOTS 1, 2, 6 & 7 RP157322, LOTS 3, 4, 5 & 8 ON RP157323 AND LOTS 9, 10 & 11 ON RP157327). APPLICANT: PAKADERINGA FEEDLOT Q PTY LTD C/- AGDSA

RESOLUTION 2024/64

Moved: Cr Ros Heit
 Seconded: Cr Danita Potter

That Council approve the Development Permit for a Material Change of Use for Intensive Animal Industry (Expansion of Existing Feedlot to 6,425 SCU and Associated Infrastructure) at 1270 & 1344 Memerambi Barkers Creek Road, WATTLE CAMP (and described as Lots 1, 2, 6 & 7 on RP157322, Lots 3, 4, 5 & 8 on RP157323 and Lots 9, 10 & 11 on RP157327) subject to the following conditions.

GENERAL

GEN1. The approved development must be maintained generally in accordance with the approved plans and documents, except where amended by the conditions of this permit:

Drawing/ Document Title	Prepared By	Plan No.	Rev.	Date
Property Plan (Aerial Imagery)	AgDSA	A001	B	11/04/2024
Property Plan	AgDSA	A002	B	11/04/2024
Concept Plan	AgDSA	A003	B	11/04/2024
Design Plan	AgDSA	A004	C	11/04/2024
Controlled Drainage Area	AgDSA	A005	B	11/04/2024
Traffic Impact Assessment	RMA Engineers	-	1	25/10/2023
Bushfire Hazard Advice	Range Environmental Consultants	J001523		03/10/2023

Timing: At all times.

GEN2. The development herein approved may not start until the following development permits have been issued and complied with as required:

-
- Development Permit for Building Works;
 - Permit for Plumbing and Drainage Work; and
 - Development Permit for Operational Works.

APPROVED USE

- GEN3. The approved development is a Material Change of Use for Intensive Animal Industry as shown on the approved plans and does not imply approval for other similar uses. The number of cattle in the feedlot must not exceed 6,425 standard cattle units.
- GEN4. The development is to occur sequentially in the following Stages and as detailed in the approved plans and documents:
- Stage 1: Additional 1,500 SCU; and
 - Stage 2: Additional 1,800 SCU.
- GEN5. Conditions within this approval are applicable to each Stage of the development, unless otherwise specified.

COMPLIANCE, TIMING, AND COSTS

- GEN6. All conditions of the approval shall be complied with before the change occurs (prior to the commencement of the use of each Stage) and while the use continues, unless otherwise noted within these conditions.
- GEN7. The development (including landscaping, parking, driveway and other external spaces) shall be maintained in accordance with the Approved Plans, subject to and modified conditions of this approval.
- GEN8. Maintain the site in a clean and orderly state at all times.
- GEN9. All works, including the repair or relocation of services is to be completed at no cost to Council.

HOURS OF OPERATION

- GEN10. The approved hours of operation for staff and general operations are 24 hours a day, seven days a week.
- GEN11. Heavy vehicle movements are restricted to 6:00am to 6:00pm daily.

LANDSCAPING

- GEN12. Existing landscaping is to be maintained along the property boundary at the westernmost end of Memerambi-Barkers Creek Road for the extent of the feedlot pens.

ENVIRONMENTAL HEALTH

- GEN13. Odours or airborne contaminants must be appropriately managed so as to not cause environmental nuisance to any sensitive receivers.
- GEN14. Dust prevention measures must be undertaken to ensure that dust does not cause a nuisance to occupiers of adjacent properties.
- GEN15. Where outdoor lighting is required, the applicant must locate, design and install lighting which minimise the potential for light spillage to cause nuisance to neighbours.

ENGINEERING WORKS

- ENG1. Complete all works approved and works required by conditions of this development approval and/or any related approvals at no cost to Council, prior to commencement of the use unless stated otherwise.

-
- ENG2. Undertake Engineering designs and construction in accordance with the Planning Scheme, Council's standards, relevant design guides, and Australian Standards.
- ENG3. Be responsible for the full cost of any alterations necessary to electricity, telephone, water mains, sewer mains, stormwater drainage systems or easements and/or other public utility installations resulting from the development or from road and drainage works required in connection with the development.

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

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

STORMWATER MANAGEMENT

- ENG6. Provide overland flow paths that do not adversely alter the characteristics of existing overland flows on other properties or that create an increase in flood damage on other properties.
- ENG7. Ensure that adjoining properties and roadways are protected from ponding or nuisance from stormwater as a result of any site works undertaken as part of the proposed development.
- ENG8. Design and construct stormwater drainage incorporating performance measures identified in 'National Beef Cattle Feedlot Environmental Code of Practice' to minimise adverse impacts on surface waters external to the feedlot area and manure and effluent utilisation areas.

WATER SUPPLY

- ENG9. Provide a potable water supply for the use of staff, independent from Council's water reticulation system. Monitor water quality continuously to ensure compliance with Australian Drinking Water Guidelines - current edition 2011 and enHealth Guidance of Use of Standards for Potable Water to accommodate the requirements of staff and visitors.
- ENG10. Provide water supply for the proposed Feedlot operations in accordance with the National Guidelines for Beef Cattle Feedlots in Australia.

ON-SITE WASTEWATER DISPOSAL

- ENG11. 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.

PARKING AND ACCESS - SERVICING

- ENG12. 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.

-
- ENG13. Ensure loading and unloading operations are conducted wholly within the site and vehicles enter and exit the site in a forward direction.

ROAD UPGRADING

- ENG14. Upgrade Corndale Road between Ch 4800-5200 to match the road standard either side, including culvert/drainage upgrades.

Comment: Council has a road design available for the upgrade of this section that can be referenced. Contact Councils Infrastructure Department for further details. Road upgrades will be subject to a further Operational Work application.

Comment: This condition is imposed pursuant to Section 145 of the *Planning Act 2016*.

TRANSPORT ROUTE

- ENG15. The approved transport route is from the Bunya Highway, east to the site entrance via King Street, Corndale Road, and Memerambi-Barkers Creek Road. No heavy vehicle access is permitted to the east from the site entrance along Memerambi-Barkers Creek Road.

- ENG16. The section of King Street, Corndale Road, and Memerambi-Barkers Creek Road between the Bunya Highway and the site entrance to the property is not currently an approved B-Double Route. 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>

EROSION AND SEDIMENT CONTROL - GENERAL

- ENG17. 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.
- ENG18. 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.

STANDARD ADVICE

- ADV1. Section 85(1)(b) of the *Planning Act 2016* provides that if all stages of this approval are not acted upon within a period of six (6) years the approval will lapse.
- 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.
- 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 in 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 2025.

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

ADV5. The State Assessment and Referral Agency has imposed conditions on the development permit as attached as per Attachment F.

ADV6. Attached for your information is a copy of Chapter 6 of the Planning Act 2016 as regards Appeal Rights.

In Favour: Crs Kathy Duff, Jane Erkens, Linda Little, Danita Potter, Deb Dennien, Heath Sander and Ros Heit

Against: Nil

CARRIED 7/0

14.14 LIST OF CORRESPONDENCE PENDING COMPLETION OF ASSESSMENT REPORT

RESOLUTION 2024/65

Moved: Cr Linda Little
 Seconded: Cr Deb Dennien

That Council resolve to:

Receive and note the List of correspondence pending completion of assessment report as of 30 June 2024.

In Favour: Crs Kathy Duff, Jane Erkens, Linda Little, Danita Potter, Deb Dennien, Heath Sander and Ros Heit

Against: Nil

CARRIED 7/0

14.15 DELEGATED AUTHORITY REPORTS (1 JUNE 2024 TO 30 JUNE 2024)

RESOLUTION 2024/66

Moved: Cr Danita Potter
 Seconded: Cr Linda Little

That the Delegated Authority report, for the month of June 2024 be received.

In Favour: Crs Kathy Duff, Jane Erkens, Linda Little, Danita Potter, Deb Dennien, Heath Sander and Ros Heit

Against: Nil

CARRIED 7/0

15 QUESTIONS ON NOTICE

Nil

16 INFORMATION SECTION

Nil

17 CONFIDENTIAL SECTION**RESOLUTION 2024/67**

Moved: Cr Ros Heit

Seconded: Cr Linda Little

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*:

17.1 Potential Purchase of Artie Kerr 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.

17.2 Amendment to Licence - United Christian Broadcasters Australia Limited

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.

17.3 Undetected Water Leak - Assessment 12627-00000-000

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.

17.4 Application to Waive Legal Fees on Assessment 12349-31500-000

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.

17.5 Customer phone-calls, after-hours calls and lone-worker monitoring

This matter is considered to be confidential under Section 254J - b and 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 industrial matters affecting employees and 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 Kathy Duff, Jane Erkens, Linda Little, Danita Potter, Deb Dennien, Heath Sander and Ros Heit

Against: Nil

CARRIED 7/0

Attendance

At 2.00pm Leo Jensen left the meeting.
At 2.00pm David Hursthouse left the meeting.
At 2.01pm Aaron Meehan left the meeting.
At 2.03pm Aaron Meehan returned to the meeting.
At 2.04pm Aaron Meehan left the meeting.
At 2.05pm Aaron Meehan returned to the meeting.

RESOLUTION 2024/68

Moved: Cr Ros Heit
Seconded: Cr Linda Little

That Council moves out of Closed Council into Open Council.

In Favour: Crs Kathy Duff, Jane Erkens, Linda Little, Danita Potter, Deb Dennien, Heath Sander and Ros Heit

Against: Nil

CARRIED 7/0

17.1 POTENTIAL PURCHASE OF ARTIE KERR BUILDING, KINGAROY

RESOLUTION 2024/69

Moved: Cr Danita Potter
Seconded: Cr Deb Dennien

That South Burnett Regional Council purchase the property from the State of Queensland (represented by Queensland Police Service).

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 and enter into contract of sale.

In Favour: Crs Kathy Duff, Linda Little, Danita Potter, Deb Dennien, Heath Sander and Ros Heit

Against: Cr Jane Erkens

CARRIED 6/1

17.2 AMENDMENT TO LICENCE - UNITED CHRISTIAN BROADCASTERS AUSTRALIA LIMITED

RESOLUTION 2024/70

Moved: Cr Ros Heit
Seconded: Cr Linda Little

That South Burnett Regional Council:

1. In accordance with section 236 (1)(b)(ii) of the Local Government Regulation 2012 applies to dispose of the valuable non-current asset by way of entering a Deed of Licence to Occupy for Part of Lot 21 on BO130, to the United Christian Broadcasters Limited for a term of 5 years.
2. Pursuant to section 257(1)(b) of the Local Government Act 2009, South Burnett Regional Council delegates to the Chief Executive Officer the power to negotiate, finalise and execute the Deed of Licence to Occupy to United Christian Broadcasters Limited on terms reasonably considered satisfactory to Council.

In Favour: Crs Kathy Duff, Jane Erkens, Linda Little, Danita Potter, Deb Dennien, Heath Sander and Ros Heit

Against: Nil

CARRIED 7/0

17.3 UNDETECTED WATER LEAK - ASSESSMENT 12627-00000-000

RESOLUTION 2024/71

Moved: Cr Ros Heit
Seconded: Cr Linda Little

That South Burnett Regional Council approve a further concession to ratepayer of assessment 12627-00000-000 for the undetected water leak of 80% of the original account.

In Favour: Crs Kathy Duff, Jane Erkens, Linda Little, Danita Potter, Deb Dennien, Heath Sander and Ros Heit

Against: Nil

CARRIED 7/0

17.4 APPLICATION TO WAIVE LEGAL FEES ON ASSESSMENT 12349-31500-000

RESOLUTION 2024/72

Moved: Cr Danita Potter
Seconded: Cr Deb Dennien

That South Burnett Regional Council agree to waive \$1,292.33 on assessment 12349-31500-000 which is made up of \$1,172.18 in legal fees and \$120.15 in interest.

In Favour: Crs Kathy Duff, Jane Erkens, Linda Little, Danita Potter, Deb Dennien, Heath Sander and Ros Heit

Against: Nil

CARRIED 7/0

17.5 CUSTOMER PHONE-CALLS, AFTER-HOURS CALLS AND LONE-WORKER MONITORING

RESOLUTION 2024/73

Moved: Cr Linda Little
Seconded: Cr Heath Sander

That the matter be lifted from the table.

In Favour: Crs Kathy Duff, Jane Erkens, Linda Little, Danita Potter, Deb Dennien, Heath Sander and Ros Heit

Against: Nil

CARRIED 7/0

RESOLUTION 2024/74

Moved: Mayor Kathy Duff
Seconded: Cr Heath Sander

That South Burnett Regional Council:

1. to implement a new menu-based phone answering system to allow customers to be transferred to an officer in the requested customer service centre;
2. to implement call recording on the existing phone system and develop policy position;
3. engage with entities that have provided quotes to fully evaluate and appoint external out-of-hours phone call services provider and develop a performance management regime to ensure a high level of service is provided; and
4. WHS engage external service provider for app-based lone-worker monitoring.

In Favour: Crs Kathy Duff, Jane Erkens, Linda Little, Danita Potter, Deb Dennien, Heath Sander and Ros Heit

Against: Nil

CARRIED 7/0

18 CLOSURE OF MEETING

The Meeting closed at 2.50pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 21 August 2024.

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CHAIRPERSON