

DISCLAIMER

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SOUTH BURNETT
REGIONAL COUNCIL

MINUTES

Ordinary Council Meeting
Wednesday, 18 December 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, 18 DECEMBER 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), Aaron Meehan (General Manager Infrastructure), Kerri Anderson (General Manager Finance & Liveability), (Leanne Petersen (Manager Facilities, Parks & NRM), Leo Jensen (Acting Manager Planning and Development), David Hursthouse (Coordinator Development Services), Louise Reidy (Acting Manager Finance and Sustainability), Adam Branch (Manager Water and Wastewater), Helen Floyd (Executive Assistant)

1 OPENING

Mayor Duff opened the meeting at 9.05am.

2 LEAVE OF ABSENCE / APOLOGIES

Nil

3 PRAYERS

A representative of the Kingaroy District Ministry Association, Major Heather Stamp offered prayers for Council and for the conduct of the Council meeting.

4 ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

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

5 DECLARATION OF INTEREST

I, Cr Deb Dennien inform this meeting that I have a declarable conflict of interest in relation to **Item 16.1 EBA Update 2**. This declarable conflict of interest arises due to a related party being an employee of South Burnett Regional Council. 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 Jane Erkens inform this meeting that I have a prescribed conflict of interest in relation to **Item 16.1 EBA Update 2**. This prescribed conflict of interest arises due to a family member (a close associate) being an employee of South Burnett Regional Council. 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 Heath Sander inform this meeting that I have a prescribed conflict of interest in relation to **Item 16.1 EBA Update 2**. This prescribed conflict of interest arises due to a family member (a close associate) being an employee of South Burnett Regional Council. I propose to leave and stay away from the place where the meeting is being held while this matter is discussed and voted on.

6 DEPUTATIONS/PETITIONS

Nil

7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

7.1 MINUTES OF THE COUNCIL MEETING HELD ON 20 NOVEMBER 2024

RESOLUTION 2024/255

Moved: Cr Ros Heit

Seconded: Cr Linda Little

That the Minutes of the Council Meeting held on 20 November 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 an update on their Division. (Cr Little read Cr Potter’s update for her).

Attendance

At 9.15am GM Aaron Meehan entered the meeting.

At 9.25am Louise Reidy entered the meeting.

At 9.36am Lynelle Paterson entered the meeting.

At 9.36am Lynelle Paterson left the meeting.

At 9.36am GM Aaron Meehan left the meeting.

At 9.38am Lynelle Paterson entered the meeting.

At 9.38am Lynelle Paterson left the meeting.

At 9.40am GM Aaron Meehan entered the meeting.

10 BUSINESS OUTSTANDING

10.1 BUSINESS OUTSTANDING TABLE FOR ORDINARY COUNCIL MEETING

RESOLUTION 2024/256

Moved: Cr Ros Heit

Seconded: Cr Heath Sander

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 MEETING DATES FOR THE ORDINARY MEETINGS OF COUNCIL

RESOLUTION 2024/257

Moved: Cr Linda Little
 Seconded: Cr Deb Dennien

That Council adopt the dates, times and locations for Ordinary meetings of Council, January to December 2025 as follows:

Date	Time	Location
Wednesday 22 January 2025	9.00am	Warren Truss Chamber Glendon Street Kingaroy
Wednesday 19 February 2025	9.00am	Warren Truss Chamber Glendon Street Kingaroy
Wednesday 19 March 2025	9.00am	Warren Truss Chamber Glendon Street Kingaroy
Wednesday 16 April 2025	9.00am	Warren Truss Chamber Glendon Street Kingaroy
Wednesday 21 May 2025	9.00am	Warren Truss Chamber Glendon Street Kingaroy
Wednesday 18 June 2025	9.00am	Warren Truss Chamber Glendon Street Kingaroy
Wednesday 16 July 2025	9.00am	Warren Truss Chamber Glendon Street Kingaroy
Wednesday 20 August 2025	9.00am	Warren Truss Chamber Glendon Street Kingaroy
Wednesday 17 September 2025	9.00am	Warren Truss Chamber Glendon Street Kingaroy
Wednesday 15 October 2025	9.00am	Warren Truss Chamber Glendon Street Kingaroy
Wednesday 19 November 2025	9.00am	Warren Truss Chamber Glendon Street Kingaroy
Wednesday 17 December 2025	9.00am	Warren Truss Chamber Glendon Street Kingaroy

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 9.53am GM Aaron Meehan left the meeting.

11.2 ADOPTION OF THE SOUTH BURNETT REGIONAL COUNCIL HIVESVILLE ADVISORY AND WORKING GROUP TERMS OF REFERENCE - STRATEGIC043

RESOLUTION 2024/258

Moved: Cr Heath Sander

Seconded: Cr Linda Little

That the South Burnett Regional Council Hivesville Advisory; and Working Group Terms of Reference – Strategic043 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

11.3 BIEDO UPDATE

RESOLUTION 2024/259

Moved: Cr Ros Heit

Seconded: Cr Deb Dennien

That South Burnett Regional Council receive the BIEDO Partnership 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 9.59am GM Aaron entered and left the meeting.

11.4 MOBILE BLACK SPOT PROGRAM (MBSP) - ROUND 8.

RESOLUTION 2024/260

Moved: Cr Ros Heit

Seconded: Cr Linda Little

That South Burnett Regional Council:

1. Endorse a Council officer to initiate contact with eligible program applicants (e.g. Telstra) to identify priority project sites/locations and solutions that are suitable for funding under the Round 8 – Mobile Black Spot Program, and discuss potential co-contributions (financial and/or in-kind) with eligible program applicants. The Council officer will also discuss with eligible program applicants the suitability of the following sites identified in Council’s draft Digital Advocacy Plan, for nomination to the Project Noticeboard for Round 8 of the Mobile Black Spot Program:

- Boondooma Dam QLD-0528
- Mount Mowbullen (Bunya Mts) QLD-1505
- Moffatdale, Burnett Hwy, Redgate
- Malar Road, Kingaroy
- Crawford, Memerambi, Wooroolin
- Deveraux Drive, Tarong
- Old Esk Road, Taromeo
- Deep Creek Road, Inverlaw
- 141-245 Haly Creek Road, Goodger
- Bjelke-Petersen Dam
- Nanango Goomeri Highway
- Coolabunia Saleyards
- Gordonbrook Dam
- Boondooma Homestead
- Nanango/Maidenwell Road

2. Endorse the submission of a suitable project proposal to the Project Noticeboard for Round 8 of the Mobile Blackspot Program.

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 10.03am Leo Jensen entered the meeting.

At 10.03am David Hursthouse entered the meeting.

12 FINANCE & LIVEABILITY

12.1 MONTHLY FINANCIAL INFORMATION

RESOLUTION 2024/261

Moved: Cr Deb Dennien

Seconded: Cr Linda Little

That the monthly Financial Report including Capital Works and Works for Queensland (W4Q5) as at 30th November 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

12.2 SBRC C&I SITES ENERGY AUCTION OUTCOME

RESOLUTION 2024/262

Moved: Cr Linda Little

Seconded: Cr Heath Sander

That Council receives the report for information and notes the new retailer, Origin Energy Limited, for the 8 C&I sites for a period of a 36-month contract commencing 01 January 2025.

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 SBRCQ 2425_67 SUPPLY OF PPE FIELD UNIFORMS

RESOLUTION 2024/263

Moved: Cr Deb Dennien

Seconded: Cr Ros Heit

That South Burnett Regional Council approve the recommendation to establish a 12-month supply arrangement for Hi-Visibility Field Uniforms with Amare Safety Pty Ltd.

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 10.12am Louise Reidy left the meeting.

12.4 LEASE - BARAMBAH BEEKEEPERS ASSOCIATION INC.

RESOLUTION 2024/264

Moved: Cr Jane Erkens

Seconded: Cr Danita Potter

That South Burnett Regional Council:

1. In accordance with s.236(1)(b)(ii) of the *Local Government Regulation 2012*, dispose of a valuable non-current asset by way of entering into a lease for part of Lot 14 on CP883708 to the Barambah Beekeepers 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 a lease with the Barambah Beekeepers Association Inc.
3. Formalise the easement to allow access.

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 LICENCE TO OCCUPY - NANANGO GOLF CLUB INC.

RESOLUTION 2024/265

Moved: Cr Jane Erkens
 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

Attendance

At 10.23am Wendy Kruger entered the meeting.
 At 10.23am Wendy Kruger left the meeting.

12.5.1 LEASE - WONDAI & DISTRICT MEN'S SHED

RESOLUTION 2024/266

Moved: Cr Ros Heit
 Seconded: Cr Deb Dennien

That **Item 14.8 Resolution 2024/156 Lease - Wondai & District Men's Shed** from September Ordinary Meeting 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

12.5.2 LEASE - WONDAI & DISTRICT MEN'S SHED

RESOLUTION 2024/267

Moved: Cr Jane Erkens
 Seconded: Cr Deb Dennien

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 MORNING TEA

RESOLUTION 2024/268

Moved: Cr Linda Little
 Seconded: Cr Ros Heit

That the meeting adjourn for morning tea 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 2024/269

Moved: Cr Linda Little
 Seconded: Cr Ros Heit

That the meeting resume at 11.15am.

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 11.15am GM Aaron Meehan returned to the meeting.

12.6 LIST OF CORRESPONDENCE PENDING COMPLETION OF ASSESSMENT REPORT

RESOLUTION 2024/270

Moved: Cr Ros Heit
 Seconded: Cr Linda Little

That Council receive and note the list of correspondence pending completion of assessment report as of 30 November 2024

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 11.20am GM Aaron Meehan left the meeting.

12.7 DELEGATED AUTHORITY REPORTS (1 NOVEMBER 2024 TO 30 NOVEMBER 2024)

RESOLUTION 2024/271

Moved: Cr Danita Potter

Seconded: Cr Linda Little

That Council:

1. Note and receive the Delegated Authority Report, for the month of November 2024.
2. Thank the planning and development team members for their commitment during 2024 in improving internal assessment and reporting processes for delegated applications.

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 11.28am GM Aaron Meehan returned to the meeting.

12.8 DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE - HIGH IMPACT INDUSTRY (SAWMILL) AND CONCURRENT ERA 47 - TIMBER MILLING AND WOOD CHIPPING AT 157 BOONEENE ROAD GOODGER (AND DESCRIBED AS LOT 4 RP807137). APPLICANT: IMEMS PTY LTD C/- ONF SURVEYORS

RESOLUTION 2024/272

Moved: Cr Linda Little

Seconded: Cr Deb Dennien

That Council approve the Development Permit for Material Change of Use for High Impact Industry (Sawmill) and Environmentally Relevant Activity (ERA) 47(b) - Timber Milling and Woodchipping - more than 10,000t but not more than 20,000t in a year on land at 157 Boonenne Road, Goodger Qld 4610 (formally described as Lot 4 on RP807137) subject to the following conditions:

GENERAL 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:

Drawing Title	Prepared By	Drawing No.	Rev/Date
Site Plan	ONF Surveyors	11574 Site	5/12/2023
Site Plan	ONF Surveyors	11574 Site	5/12/2023

Document Title	Prepared By	Date	Ref. No.	Rev
Supporting Document - Development Application, Material Change of Use, Application for an Environmental Authority ERA 47(b) Sawmilling and Woodchipping	IMEMS Pty Ltd	30/12/23	3111589	1
Noise Impact Assessment	ATP Consulting Engineers	18/08/23	ATP230421	0

DEVELOPMENT PERIOD - MCU

GEN2. The currency period for this development approval for Material Change of Use for High Impact Industry (Sawmill) is six (6) years after the development approval starts to have effect.

GEN3. The development (including landscaping, parking, driveways and other external spaces) shall be maintained in accordance with the approved plans, subject to and modified by any conditions of this approval.

PARTICULAR USE

MCU1. This Development Permit is for the particular use(s) stated as shown on the Approved Plans and does not imply or comprise an approval for any other use(s).

SITE OPERATIONS

MCU2. The carrying out of the operations of the High Impact Industry (Sawmill) on site is to be in accordance with the “*Supporting Document - Development Application, Material Change of Use, Application for an Environmental Authority ERA 47(b) Sawmilling and Woodchipping*”, prepared by IMEMS Pty Ltd, dated 20/12/23 as referenced at Condition GEN1.

Timing – At all times.

REFUSE COLLECTION

MCU3. Provision must be made for the storage and removal of refuse in accordance with the *Waste Reduction and Recycling Regulation 2011*.

MCU4. Any areas that are dedicated for the collection and/or storage of solid waste on the premises are to be:

- (a) Level;
- (b) Provided with impervious hard stand and drained; and
- (c) If facing either the street frontage or adjoining properties, screened by a 1.8m high fence around the full perimeter.

MCU5. Refuse bin areas are to be provided for the washing out of the refuse bins and in connection with this:

- (a) All tap outlets must be fitted with backflow prevention devices;
- (b) The floor areas are to be drained to sewer; and
- (c) Areas are to be covered, and drainage designed such that water not associated with the washing out process (e.g. rainfall) does not enter the sewer.

WOOD SHAVINGS OFFCUTS AND SAWDUST DISPOSAL

MCU6. The disposal of wood shavings and wood offcuts is to be carried out in a manner that does not cause material or serious harm to soil or water/air quality and accordance with part 8.1 of the IMEMS Pty Ltd document, dated 20/12/23 as referenced at Condition GEN1.

REGULATED WASTE

MCU7. All regulated waste is to be appropriately stored in accordance with recommendations in part 8 of the IMEMS Pty Ltd document, dated 20/12/23 as referenced at Condition GEN1.

STORAGE OF HAZARDOUS CHEMICALS

MCU8. Submit for Council's records evidence that hazardous materials used in association with the approved High Impact Industry are stored in suitable locations as certified by an appropriately qualified professional.

Timing – Prior to the commencement of High Impact Industry use.

MCU9. Implement and maintain management actions for the storage of hazardous material in a manner that does not cause environmental harm and at the direction/recommendations of the suitably qualified professional.

Timing – Prior to the commencement of High Impact Industry use.

FUEL STORAGE AND REFUELLING

MCU10. The storage of fuel on site must not exceed that cited in part 8 of the IMEMS Pty Ltd document, dated 20/12/23 as referenced at Condition GEN1.

STORAGE OF LIQUID CHEMICALS (OTHER THAN FUEL)

MCU11. All liquid chemicals (including flammable liquids (other than fuel), 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.

ACOUSTICS

MCU12. The approved High Impact Industry is to incorporate all recommendations contained in the approved Noise Impact Assessment Report by ATP Consulting Engineers dated August 2023 as referenced at Condition GEN1.

Timing – At all times.

LIGHTING

MCU13. 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 EMISSIONS

MCU14. The applicant must conduct 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 in all weather conditions.

AIR QUALITY

MCU15. There is to be no burning of timber, timber by-products or other wastes occurs on the site where directly associated with the approved High Impact Industry.

Note: The burning of timber associated with the existing residential use is not subject to condition MCU15.

SITE MANAGEMENT

MCU16. Ensure that all contractors engaged to remove from or import materials to the site maintains all Council roads clean and free of any debris from transporting of wood products and waste products.

HOURS OF OPERATION MCU

MCU17. Hours of operation for the High Impact Industry are to be in strictly in accordance with the following

- Monday to Friday - 6.00 am to 5.00 pm
- Saturday (and public holidays*) - 7.00 am to 12.00 pm (noon)

ENVIRONMENTALLY RELEVANT ACTIVITY

MCU17. The following Environmental Authority: Reference No. P-EA-100585794 dated 31/July 2024) takes effect on the date that the related approval (MCU23/0034) takes effect. Within 20 business days of the Environmental Authority taking effect, the administering authority must be given written notice of the occurrence. Prior to the commencement of the activity, the administering authority must be given written notice of the proposed date of commencement.

ENGINEERING WORKS

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

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

ENG3. Be responsible for the full cost of any alterations necessary to electricity, telephone, water mains, sewer mains, stormwater drainage systems or easements and/or other public utility installations resulting from the development or from road and drainage works required in connection with the development.

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

ENG4. Be responsible for the location and protection of any Council and public utility services infrastructure and assets that may be impacted on during construction of the development.

ENG5. Repair all damages incurred to Council and public utility services infrastructure and assets, as a result of the proposed development immediately should hazards exist for public health and safety or vehicular safety. Otherwise, repair all damages immediately upon completion of works associated with the development.

STORMWATER MANAGEMENT

ENG6. Provide overland flow paths that do not adversely alter the characteristics of existing overland flows on other properties or that create an increase in flood damage on other properties.

ENG7. Ensure that adjoining properties and roadways are protected from ponding or nuisance from stormwater as a result of any site works undertaken as part of the proposed development.

WATER SUPPLY

ENG8. Provide an adequate potable water supply for the staff and visitors to the site.

ON-SITE WASTEWATER DISPOSAL

- ENG9. 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.
- ENG10. Obtain a Development Permit for Plumbing Works for the on-site sewerage treatment system.

PARKING - GENERAL

- ENG11. Provide adequate car parking spaces to accommodate all staff and visitors.
- 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.

VEHICLE ACCESS - TURNOUT

- ENG13. Design and construct vehicle turnout for the house generally in accordance with Council's Standard Drawing No. 00049 Rev B.
- ENG14. Design and construct vehicle turnout for the sawmill site generally in accordance with Council's Standard Drawing No. 00049 Rev B, and sized to accommodate the manoeuvring of a B-Double vehicle.

ELECTRICITY AND TELECOMMUNICATION

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

EROSION AND SEDIMENT CONTROL - GENERAL

- ENG16. Undertake an Erosion and Sediment Control Program including, but not limited to the following:
- Construction of sediment fences, earth berms, temporary drainage, temporary sediment basins and stormwater filtering devices designed to suitably manage sediment or sediment laden water from being transported to adjoining properties, roads and/or stormwater drainage systems;
 - 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;
 - Inspection regime of sediment and erosion controls; and
 - 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.
- ENG17. Implement the approved Erosion and Sediment Control Plan and modify as necessary, to maintain compliance with the approval.
- ENG18. 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.

ADVICE

- ADV1. Construction Noise and Dust Emissions Pursuant to the *Environmental Protection Act 1994*, all development involving the emission of noise and dust from building and/or construction activities, must ensure that the emissions are in accordance with the requirements of the Act.

ADV2. Infrastructure charges are now levied by way of an Infrastructure Charges Notice, issued pursuant to section 119 of the *Planning Act 2016*.

HERITAGE

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

APPEAL RIGHTS

ADV4. Attached for your information is a copy of Chapter 6 of the *Planning Act 2016* in regard to Appeal Rights.

TRANSPORT ROUTE/ROADWORKS

ADV5. Any and all road upgrade requirements for Boonenne Road have been conditioned as part of the B-Double Permit assessment and approval.

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

Against: Nil

CARRIED 7/0

13 INFRASTRUCTURE

13.1 MINUTES OF THE TRAFFIC ADVISORY COMMITTEE MEETING HELD 26 SEPTEMBER 2024

RESOLUTION 2024/273

Moved: Cr Deb Dennien

Seconded: Cr Jane Erkens

That the South Burnett Regional Council receive and note the minutes and recommendation of the Traffic Advisory Committee meeting held on 26 September 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 QUESTIONS ON NOTICE

14.1 HOW MANY CHILDREN/ADULTS USE THE PROSTON POOL?

RESOLUTION 2024/274

Moved: Cr Jane Erkens

Seconded: Cr Ros Heit

That the response to the question regarding How many children and adults use the Proston Pool raised by Councillor Jane Erkens 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

15 INFORMATION SECTION

Nil

Attendance

At 11.35am GM Aaron Meehan left the meeting.

At 11.35am Kevin Searle entered the meeting.

At 11.36am Adam Branch entered the meeting.

At 11.37am Leanne Petersen entered the meeting.

16 CONFIDENTIAL SECTION

RESOLUTION 2024/275

Moved: Cr Linda Little

Seconded: Cr Ros Heit

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*:

16.1 EBA Update 2

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

16.2 Draft Performance Agreement Chief Executive Officer 2025

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

16.3 Land Use Matter for 12 Butler Drive PROSTON

This matter is considered to be confidential under Section 254J - e of the Local Government Regulation, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with legal advice obtained by the local government or legal proceedings involving the local government including, for example, legal proceedings that may be taken by or against the local government.

16.4 Land Use Matter for 1200 Stonelands Road STONELANDS

This matter is considered to be confidential under Section 254J - e of the Local Government Regulation, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with legal advice obtained by the local government or legal proceedings involving the local government including, for example, legal proceedings that may be taken by or against the local government.

16.5 Award of SBRCQ-24/25_45 DRFA REPA Zone 8 Unsealed to Undertake Flood Damage Restoration Works

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.

16.6 Award of SBRCQ-24/25_46 DRFA REPA Zone 9 Unsealed to Undertake Flood Damage Restoration Works

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.

16.7 Tender Evaluation for 1 Pound Street, 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.

16.8 Tender Evaluation for 62 Burrows Street, Wondai

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.

16.9 Procurement for Mt Wooroolin Reservoir Roof Replacement, Access Platform and Structural Repairs

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

Against: Nil

CARRIED 7/0

Attendance

At 11.47am, Cr Danita Potter left the meeting.
 At 11.53am, Leanne Petersen left the meeting.
 At 11.54am, David Hursthouse left the meeting.
 At 11:55 am, Cr Danita Potter returned to the meeting.
 At 11.55am, Leanne Petersen returned to the meeting.
 At 12.12pm, Cr Linda Little left the meeting.
 At 12.14pm, Kerri Anderson left the meeting.
 At 12.15pm, Cr Linda Little returned to the meeting.
 At 12.15pm, Kerri Anderson returned to the meeting.
 At 12.24pm, Kevin Searle left the meeting.
 At 12.45pm, Kevin Searle returned to the meeting.
 At 12.46pm, Leanne Petersen left the meeting.

RESOLUTION 2024/276

Moved: Cr Jane Erkens
 Seconded: Cr Ros Heit

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

16.1 EBA UPDATE 2

RESOLUTION 2024/277

Moved: Mayor Kathy Duff
 Seconded: Cr Ros Heit

That the report 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

16.2 DRAFT PERFORMANCE AGREEMENT CHIEF EXECUTIVE OFFICER 2025

RESOLUTION 2024/278

Moved: Cr Linda Little

Seconded: Cr Ros Heit

That the South Burnett Regional Council receives the "Performance Review Report" and delegates the Mayor to finalise and sign with the Chief Executive Officer

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

Against: Nil

CARRIED 7/0

16.3 LAND USE MATTER FOR 12 BUTLER DRIVE PROSTON

RESOLUTION 2024/279

Moved: Cr Deb Dennien

Seconded: Cr Jane Erkens

That South Burnett Regional Council resolves to:

1. Note the officer's report as presented.
2. Take no further action regarding this matter at this time as the property owner and the complainants have been advised that it has been fully investigated and is now considered closed

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

Against: Nil

CARRIED 7/0

16.4 LAND USE MATTER FOR 1200 STONELANDS ROAD STONELANDS

RESOLUTION 2024/280

Moved: Cr Linda Little

Seconded: Cr Deb Dennien

That Council South Burnett Regional Council resolves:

1. To note the officer's report as presented.
2. That the investigation of this matter will remain current and ongoing until after the Christmas / New Year period and following a meeting to be held in January 2025, that potentially concerns the required development application, a further review will be undertaken.

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

Against: Nil

CARRIED 7/0

16.5 AWARD OF SBRCQ-24/25_45 DRFA REPA ZONE 8 UNSEALED TO UNDERTAKE FLOOD DAMAGE RESTORATION WORKS

RESOLUTION 2024/281

Moved: Cr Ros Heit

Seconded: Cr Danita Potter

That South Burnett Regional Council award Yesbergs Earthmoving Unit Trust the contract, SBRCQ-24/25-45, DRFA REPA Zone 8 Unsealed to the value of \$1,123,280.01 excluding GST.

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

Against: Nil

CARRIED 7/0

16.6 AWARD OF SBRCQ-24/25_46 DRFA REPA ZONE 9 UNSEALED TO UNDERTAKE FLOOD DAMAGE RESTORATION WORKS

RESOLUTION 2024/282

Moved: Cr Linda Little

Seconded: Cr Deb Dennien

That South Burnett Regional Council award Conpak Pty Ltd the contract, SBRCQ-24/25-46, DRFA REPA Zone 9 Unsealed to the value of \$1,135,251.72 excluding GST

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

Against: Nil

CARRIED 7/0

16.7 TENDER EVALUATION FOR 1 POUND STREET, KINGAROY

RESOLUTION 2024/283

Moved: Cr Ros Heit

Seconded: Cr Danita Potter

That South Burnett Regional Council resolve to

1. Approve the compliant tender to divest of 1 Pound Street, Kingaroy (Lot 13 on RP814986) in accordance with the *Local Government Regulation 2012 - S228*
2. Pursuant to Section 257(1)(b) of the Act, the Council resolves to delegate to the Chief Executive Officer the power to negotiate and finalise the sale contract.
3. CEO to bring an update report on negotiations to Council prior to finalisation of contract

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

Against: Nil

CARRIED 7/0

16.8 TENDER EVALUATION FOR 62 BURROWS STREET, WONDAL

RESOLUTION 2024/284

Moved: Cr Ros Heit
Seconded: Cr Linda Little

That South Burnett Regional Council resolve to approve the compliant tenderer to divest of 62 Burrows Street, Wondai (Lot 39 on SP212971) in accordance with the *Local Government Regulation 2012 - S228*

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

Against: Nil

CARRIED 7/0

16.9 PROCUREMENT FOR MT WOOROLIN RESERVOIR ROOF REPLACEMENT, ACCESS PLATFORM AND STRUCTURAL REPAIRS

RESOLUTION 2024/285

Moved: Cr Heath Sander
Seconded: Cr Deb Dennien

That South Burnett Regional Council award Water Infrastructure Services (WIS) the SBRC 24/25-61 Mt Wooroolin Roof and Structural Repairs contract for the value of \$623,223.52 excluding GST.

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

Against: Nil

CARRIED 7/0

17 CLOSURE OF MEETING

The Meeting closed at 1.02pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 22 January 2025.

CHAIRPERSON

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