

DISCLAIMER

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MINUTES

Executive and Finance & Corporate Standing Committee Meeting Wednesday, 16 June 2021

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**MINUTES OF SOUTH BURNETT REGIONAL COUNCIL
EXECUTIVE AND FINANCE & CORPORATE STANDING COMMITTEE MEETING
HELD AT THE WARREN TRUSS CHAMBER, 45 GLENDON STREET, KINGAROY
ON WEDNESDAY, 16 JUNE 2021 AT 9.02AM**

PRESENT:**Councillors:**

Cr Brett Otto (Mayor), Cr Roz Frohloff, Cr Gavin Jones (Deputy Mayor), Cr Kirstie Schumacher, Cr Kathy Duff, Cr Scott Henschen (at 10:22am)

Council Officers:

Mark Pitt (Chief Executive Officer), Susan Jarvis (General Manager Finance & Corporate), Aaron Meehan (General Manager Infrastructure), Peter O'May (General Manager Community), Carolyn Knudsen (Manager Corporate Services), Celina Branch (Manager Finance), Darryl Kerwitz (Revenue Team Leader), Tim Low (Manager Water & Wastewater), Wendy Kruger (Personal Assistant Finance & Corporate), Lynelle Paterson (Executive Assistant)

1 OPENING

The Mayor declared the meeting open and welcomed all attendees

2 LEAVE OF ABSENCE / APOLOGIES**APOLOGY**

COMMITTEE RESOLUTION 2021/107

Moved: Cr Brett Otto
Seconded: Cr Kathy Duff

That the apology received from Cr Potter and Cr Henschen (until 10:22 am) be accepted and leave of absence granted.

CARRIED 5/0

3 ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

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

4 DECLARATION OF INTEREST

Nil

5 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**5.1 MINUTES OF THE EXECUTIVE AND FINANCE & CORPORATE STANDING COMMITTEE MEETING HELD ON 19 MAY 2021**

COMMITTEE RESOLUTION 2021/108

Moved: Cr Brett Otto
Seconded: Cr Gavin Jones

That the Minutes of the Executive and Finance & Corporate Standing Committee Meeting held on 19 May 2021 be received.

In Favour: Crs Brett Otto, Roz Frohloff, Gavin Jones, Kirstie Schumacher and Kathy Duff

Against: Nil

CARRIED 5/0

6 PORTFOLIO - CORPORATE SERVICES, PEOPLE & CULTURE, COMMUNICATIONS/MEDIA, FINANCE & ICT**6.1 CORPORATE SERVICES, PEOPLE & CULTURE, COMMUNICATIONS/MEDIA, FINANCE AND ICT PORTFOLIO**

COMMITTEE RESOLUTION 2021/109

Moved: Cr Brett Otto
Seconded: Cr Kathy Duff

That Mayor Otto's Corporate Services, People & Culture, Communications/Media, Finance and ICT Portfolio Report to Council be received.

In Favour: Crs Brett Otto, Roz Frohloff, Gavin Jones, Kirstie Schumacher and Kathy Duff

Against: Nil

CARRIED 5/0

6.1.1 QUESTION ON NOTICE - PROPERTIES

Question on notice from Cr Kirstie Schumacher:

How many properties have changed hands in the last 6 months?

6.2 ASSIGNMENT OF COUNCILLOR PORTFOLIO REPRESENTATION

COMMITTEE RESOLUTION 2021/110

Moved: Cr Brett Otto
Seconded: Cr Roz Frohloff

That Council receives the update report Councillor Portfolio representation for information and presents a further report to the September Executive and Finance & Corporate Standing Committee.

In Favour: Crs Brett Otto, Roz Frohloff, Gavin Jones, Kirstie Schumacher and Kathy Duff

Against: Nil

CARRIED 5/0

6.3 MEETING DATES FOR THE ORDINARY MEETINGS OF COUNCIL'S STANDING COMMITTEES, GENERAL MEETINGS AND BUDGET MEETING

COMMITTEE RESOLUTION 2021/111

Moved: Cr Brett Otto

Seconded: Cr Roz Frohloff

That the Committee recommends to Council:

That Council adopt the dates, times and locations for ordinary meetings of Council's Standing Committees, General Meetings as follows:

Committee	Date	Time	Location
Infrastructure Standing Committee	Wednesday 7 July 2021	9.00am	Warren Truss Chamber Glendon Street Kingaroy
Special Budget Meeting	Wednesday 14 July 2021	9.00am	Warren Truss Chamber Glendon Street Kingaroy
Community Standing Committee	Wednesday 14 July 2021	At the conclusion of the Budget Meeting	Warren Truss Chamber Glendon Street Kingaroy
Executive and Finance & Corporate Standing Committee	Wednesday 21 July 2021	9.00am	Warren Truss Chamber Glendon Street Kingaroy
General Meeting	Wednesday 28 July 2021	9.00am	Warren Truss Chamber Glendon Street Kingaroy
Infrastructure Standing Committee	Wednesday 11 August 2021	9.00am	Warren Truss Chamber Glendon Street Kingaroy
Community Standing Committee	Wednesday 11 August 2021	1.30pm	Warren Truss Chamber Glendon Street Kingaroy
Executive and Finance & Corporate Standing Committee	Wednesday 18 August 2021	9.00am	Warren Truss Chamber Glendon Street Kingaroy
General Meeting	Wednesday 25 August 2021	9.00am	Warren Truss Chamber Glendon Street Kingaroy
Infrastructure Standing Committee	Wednesday 1 September 2021	9.00am	Warren Truss Chamber Glendon Street Kingaroy
Community Standing Committee	Wednesday 8 September 2021	9.00am	Warren Truss Chamber Glendon Street Kingaroy
Executive and Finance & Corporate Standing Committee	Wednesday 15 September 2021	9.00am	Warren Truss Chamber Glendon Street Kingaroy
General Meeting	Wednesday 22 September 2021	9.00am	Warren Truss Chamber Glendon Street Kingaroy
Infrastructure Standing Committee	Wednesday 6 October 2021	9.00am	Warren Truss Chamber Glendon Street Kingaroy

Community Standing Committee	Wednesday 13 October 2021	9.00am	Warren Truss Chamber Glendon Street Kingaroy
Executive and Finance & Corporate Standing Committee	Wednesday 13 October 2021	1.30pm	Warren Truss Chamber Glendon Street Kingaroy
General Meeting	Wednesday 20 October 2021	9.00am	Warren Truss Chamber Glendon Street Kingaroy
Infrastructure Standing Committee	Wednesday 3 November 2021	9.00am	Warren Truss Chamber Glendon Street Kingaroy
Community Standing Committee	Wednesday 10 November 2021	9.00am	Warren Truss Chamber Glendon Street Kingaroy
Executive and Finance & Corporate Standing Committee	Wednesday 17 November 2021	9.00am	Warren Truss Chamber Glendon Street Kingaroy
General Meeting	Wednesday 24 November 2021	9.00am	Warren Truss Chamber Glendon Street Kingaroy
Infrastructure Standing Committee	Wednesday 1 December 2021	9.00am	Warren Truss Chamber Glendon Street Kingaroy
Community Standing Committee	Wednesday 8 December 2021	9.00am	Warren Truss Chamber Glendon Street Kingaroy
Executive and Finance & Corporate Standing Committee	Wednesday 8 December 2021	1.30pm	Warren Truss Chamber Glendon Street Kingaroy
General Meeting	Wednesday 15 December 2021	9.00am	Warren Truss Chamber Glendon Street Kingaroy

In Favour: Crs Brett Otto, Roz Frohloff, Gavin Jones, Kirstie Schumacher and Kathy Duff

Against: Nil

CARRIED 5/0

Attendance:

At 9:36 am, GM Aaron Meehan left the meeting.

6.4 LGAQ 125TH ANNUAL CONFERENCE: MOTION REQUEST

COMMITTEE RESOLUTION 2021/112

Moved: Cr Kathy Duff

Seconded: Cr Gavin Jones

That the committee recommends to Council:

That South Burnett Regional Council resolves to submit the following resolutions to the 2021 Local Government Association Queensland (LGAQ) 125th Annual Conference:

- (a) that we call on the State and Federal government to review the Road Maintenance Performance contracts with Councils with a view to increasing the amounts provided to Council

-
- (b) Waste Levy - State Government Support appears to be for another 12 months only - confirm an ongoing commitment
 - (c) Regulatory approvals process for State and Federal government in terms of renewable energy projects and a coordinated approach to ensure social and economic benefits are delivered in asset communities
 - (d) Road side grazing permits

In Favour: Crs Brett Otto, Roz Frohloff, Gavin Jones, Kirstie Schumacher and Kathy Duff

Against: Nil

CARRIED 5/0

Attendance:

At 9:38am GM Aaron Meehan returned to the meeting

6.5 ADOPTION OF THE SOUTH BURNETT REGIONAL COUNCIL RECOGNITION OF SERVICE POLICY - STRATEGIC012

COMMITTEE RESOLUTION 2021/113

Moved: Cr Gavin Jones

Seconded: Cr Roz Frohloff

That the committee recommends to Council:

That the South Burnett Regional Council Recognition of Service Policy – Strategic012 be adopted as presented.

In Favour: Crs Brett Otto, Roz Frohloff, Gavin Jones, Kirstie Schumacher and Kathy Duff

Against: Nil

CARRIED 5/0

Attendance:

At 9:50 am, GM Peter O'May left the meeting

At 9:55 am, GM Peter O'May returned to the meeting

6.6 ADOPTION OF THE SOUTH BURNETT REGIONAL COUNCIL LEARNING & DEVELOPMENT POLICY - STRATEGIC013

COMMITTEE RESOLUTION 2021/114

Moved: Cr Roz Frohloff

Seconded: Cr Kirstie Schumacher

That the committee recommends to Council:

That the South Burnett Regional Council Learning & Development Policy – Strategic013 be adopted as presented.

In Favour: Crs Brett Otto, Roz Frohloff, Gavin Jones, Kirstie Schumacher and Kathy Duff

Against: Nil

CARRIED 5/0

Attendance:

At 10:05 am, Cr Kirstie Schumacher left the meeting.

At 10:07 am, Cr Kirstie Schumacher returned to the meeting.

6.7 ADOPTION OF THE SOUTH BURNETT REGIONAL COUNCIL PUBLIC INTEREST DISCLOSURE POLICY- STATUTORY046

COMMITTEE RESOLUTION 2021/115

Moved: Cr Roz Frohloff

Seconded: Cr Kathy Duff

That the committee recommends to Council:

That the South Burnett Regional Council Public Interest Disclosure Policy – Statutory046 be adopted as presented.

In Favour: Crs Brett Otto, Roz Frohloff, Gavin Jones, Kirstie Schumacher and Kathy DuffAgainst: Nil**CARRIED 5/0****Attendance:**

Manager Water & Wastewater Tim Low attended the meeting at 10:14 am

6.8 ADOPTION OF THE SOUTH BURNETT REGIONAL LEAVE WITHOUT PAY POLICY - STATUTORY034

COMMITTEE RESOLUTION 2021/116

Moved: Cr Roz Frohloff

Seconded: Cr Gavin Jones

That the committee recommends to Council:

That the South Burnett Regional Council Leave Without Pay Policy – Statutory034 be adopted as presented.

In Favour: Crs Brett Otto, Roz Frohloff, Gavin Jones, Kirstie Schumacher and Kathy DuffAgainst: Nil**CARRIED 5/0**

6.9 ADOPTION OF THE SOUTH BURNETT REGIONAL COUNCIL WATER RESTRICTIONS POLICY - STRATEGIC015

COMMITTEE RESOLUTION 2021/117

Moved: Cr Gavin Jones

Seconded: Cr Roz Frohloff

That the committee recommends to Council:

That the South Burnett Regional Council Water Restrictions Policy – Strategic015 be adopted as presented.

In Favour: Crs Brett Otto, Roz Frohloff, Gavin Jones, Kirstie Schumacher and Kathy DuffAgainst: Nil**CARRIED 5/0**

Attendance:

At 10:22 am, Cr Henschen attended the meeting.

6.10 WORKS FOR QUEENSLAND AND CAPITAL PROJECT UPDATE REPORT

COMMITTEE RESOLUTION 2021/118

Moved: Cr Kirstie Schumacher

Seconded: Cr Kathy Duff

That

1. the Executive and Finance & Corporate Standing Committee accept and receive the information as presented in this report.
2. Council undertake a workshop in the first quarter of financial year 2021/22 as a priority to determine the metrics that Council is comfortable with in managing carry forwards including consideration for:
 - Percentage target set that allows and informs future carry overs
 - Ceiling on the amount
 - Limits on the draw down of accumulated carry overs

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

Against: Nil

CARRIED 6/0

Attendance:

Manager Water & Wastewater Tim Low and Manager Finance Celina Branch left the meeting.

7 PORTFOLIO - REGIONAL DEVELOPMENT**7.1 REGIONAL DEVELOPMENT PORTFOLIO REPORT**

COMMITTEE RESOLUTION 2021/119

Moved: Cr Kirstie Schumacher

Seconded: Cr Scott Henschen

That Cr Schumacher's Regional Development Portfolio Report to Council be received for information.

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

Against: Nil

CARRIED 6/0

7.1.1 REGIONAL DEVELOPMENT ADVISORY COMMITTEE

RESOLVED 2021/120

Ensure an invitation has been extended to the leading small business groups based in Proston, Murgon, Wondai, Nanango and Blackbutt to provide nominations from their communities in relation to prospective members of the Regional Development Advisory Committee.

7.2 REGIONAL DEVELOPMENT AND TOURISM MONTHLY UPDATE

COMMITTEE RESOLUTION 2021/121

Moved: Cr Kathy Duff

Seconded: Cr Kirstie Schumacher

That the Regional Development and Tourism monthly update for May 2021 be received for information.

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

Against: Nil

CARRIED 6/0

7.2.1 QUESTION ON NOTICE - WONDAI HERITAGE MUSEUM

Question on notice from Cr Duff:

Has the Wondai Heritage Museum signage issue been resolved?

7.3 REVIEW OF VISIT SOUTH BURNETT PARTNERSHIP AGREEMENT

COMMITTEE RESOLUTION 2021/122

Moved: Cr Kathy Duff

Seconded: Cr Gavin Jones

That the review the Visit South Burnett Partnership Agreement report be received for information and noted for review during Council's first quarter budget deliberations.

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

Against: Nil

CARRIED 6/0

MOTION

COMMITTEE RESOLUTION 2021/123

Moved: Cr Brett Otto

Seconded: Cr Kathy Duff

That Item 7.4 be discussed and dealt with at today's Executive and Finance & Corporate Standing Committee meeting.

CARRIED 6/0

7.4 MATERIAL CHANGE OF USE - SERVICE STATION AND ANCILLARY SHOP AT 4 SCOTT STREET, WONDAL (LOTS 808, 809 & 810 ON W5357) APPLICANT: SJS FUELS PTY LTD C/- PROJECT URBAN

COMMITTEE RESOLUTION 2021/124

Moved: Cr Gavin Jones

Seconded: Cr Kathy Duff

That the Committee recommends to Council:

That Council approve the Material change of use – Service station and ancillary shop located at 4 Scott Street, Wondai (and described as Lots 808, 809, 810 on W5357) subject to the following conditions:

GENERAL

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	Reference/ Drawing no.	Revision	Date
	Landscape concept plan	Project Urban	/	B	14 January 2021
	Perspective View	Ashanti	/	/	23 March 2021
	Site Plan	Ashanti	1	/	23 March 2021
	Part Floor Plan	Ashanti	2	/	23 March 2021
	Part Floor Plan	Ashanti	3	/	23 March 2021
	Dimension Plan	Ashanti	4	/	23 March 2021
	Elevation (1) (2) (3)	Ashanti	5	/	23 March 2021

Approved Documents listed:-

Author	Document Title	Reference no.	Revision	Date
QGE	Exterior Lighting Design Report	883-002- RPT 001	/	15 February 2021
ATP Consulting Engineers	Noise Impact Assessment	ATP201020	2 Issue 3	March 2021
ASK Acoustic & Air Quality	Air Quality Assessment	217401.0010.R01V03	3	24 March 2021
Contour	Engineering Report	2594-ENG01(B)	B	20 January 2021

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;
- Development Permit for Plumbing and drainage works;
- Development Permit for Operational works.

APPROVED USE

GEN3. The Development Permit is for a Service station including Service station shop of 300sqm and does not imply approval for a separate segregated food outlet or ownership or any other buildings or structures indicated on the Approval Plan. Separate approval may be required for structures/works not specifically approved in this application.

HOURS OF OPERATION

GEN4. The approved use on the premises is permitted to operate 24 hours a day, seven (7) days a week.

COMPLIANCE WITH CONDITIONS

GEN5. Unless otherwise stated all conditions shall be completed prior to commencement of the use.

LANDSCAPING

MCU1. Landscaping is to be provided along all property boundaries in accordance with the submitted Site Plan and Landscape Concept Plans as listed in GEN1 (excluding vehicle manoeuvring areas).

All landscaped works must be established by a qualified person and maintained in accordance with the conditions of this Development Approval for the life of the development, and in a manner that ensures healthy, sustained and vigorous plant growth. All plant material must be allowed to grow to the full form and be refurbished when its life expectancy is reached.

REFUSE STORAGE COLLECTION

MCU2. Provision must be made for the storage and removal of refuse in accordance with the *Waste Reduction and Recycling Regulation 2011*.

MCU3. 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.

MCU4. 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.

FENCING

MCU5. A 1.8m high acoustic fence to be constructed on the north-eastern and south-eastern sides of the delivery bay atop the 1.5m high retaining wall. The top of the 1.8m high acoustic fence must be 3.3m above the finish surface level of the delivery bay and meet the ATP Consulting Engineers recommendations of the Noise Impact Assessment Report No ATP21020-R-NIA-03 Dated March 2021.

MCU6. A 2m high acoustic fence to be constructed along the north-eastern property boundary and meet the ATP Consulting Engineers recommendations of the Noise Impact Assessment Report No ATP21020-R-NIA-03 Dated March 2021.

LIGHTING

- MCU7. Design all external lighting in accordance with AS4282-1997 *“Control of the Obtrusive Effects of Outdoor Lighting”* and meet the QGE recommendations of the Exterior Lighting Design Report 883-002 RPT 001 Dated 15 February 2021.

Artificial illumination is not to cause a nuisance to occupants of nearby premises and any passing traffic. Direct security and flood lighting away from adjacent premises to minimise the protrusion of light outside the street.

ADVERTISING SIGN

- MCU8. Advertisement devices are designed and located in accordance with the submitted proposed site plans and elevations.

NOISE ATTENUATION

- MCU9. Noise management mitigation measures recommended in the Noise Impact Assessment Report prepared by ATP Consulting Engineers Report Dated March 2021 must be implemented by the operator of the proposal.
- MCU10. Any tyre inflation device installed on site must have the beeper on silent between the hours of 6:00pm to 7:00am or a visual alarm (eg. flashing light) instead of an audible beeper.

AMALGAMATION

- MCU11. Prior to the commencement of the use, the applicant must amalgamate the subject lots (Lots 808, 809 & 810 on W5357) into one allotment and submit evidence of such to Council.

Timing: Prior to commencement of the use

ENVIRONMENTAL HEALTH

- MCU12. All mechanical plant and equipment must be appropriately located and/or acoustically screened to ensure compliance with noise criteria at the nearest noise sensitive places, as specified in the Noise Impact Assessment March 2021.
- MCU13. When requested by Council, nuisance monitoring must be undertaken and recorded over a period of three (3) months, to investigate any genuine compliance of nuisance caused by noise, light or odour. An analysis of the monitoring data and a report, including nuisance mitigation measures, must be provided to Council within fourteen (14) days of the completion of the investigation.

AIR QUALITY

- MCU14. Air quality management mitigation measures recommended in the Air Quality Assessment prepared by ASK Acoustic & Air Quality Dated 24 March 2021 must be implemented by the operator of the proposal.

UNDERGROUND TANKS

- EH1. Prior to the commencement of the use, underground tanks shall be checked to ensure compliance in accordance with the following:
- (i) Tanks are to have an overfill protection valve installed in the drop tube of the tank. The overfill prevention valve shall be calibrated to prevent the tank from being filled in excess of 95% of its capacity.
 - (ii) Tanks are to be fitted with an automatic flow limiting device which reduces the flow rate into the tank by 98% when the normal fill level of the tank has been attained.
 - (iii) Tanks are to be made of fibre-reinforced thermosetting resin (fibreglass) that is compatible with the product.
 - (iv) Tanks are to be double-walled with an interstitial space.

Timing: Prior to commencement of the use

Prior to the commencement of the use, submit to Council certification by a suitably qualified person that the underground tanks have been checked for compliance to ensure they are in compliance with the Australian Standards for Underground Tank Installation.

PIPEWORK

EH2. Prior to the commencement of the use, Pipework shall be constructed and installed in accordance with the following:

- (i) Pipework is to be made of non-corrodible materials as defined by *clause 1.4.37 of AS 4897 The design, installation and operation of underground petroleum storage systems*.
- (ii) Product piping is to be double-walled with an interstitial space.
- (iii) Each tank fill point is to be clearly labelled and identified in accordance with *AS 4977 Petroleum products - Pipeline, road tanker compartment and underground tank identification*.
- (iv) Each tank fill point is to be fitted with a camlock type or other liquid-tight connection.
- (v) Each tank fill point is to be provided with spill containment of at least 15 litre capacity per spill point.
- (vi) All fill and vapour recovery points are to be earthed in accordance with *AS 1020 The control of undesirable static electricity* and *AS 3000 Electrical installations*.

Timing: Prior to commencement of the use

Prior to the commencement of the use, submit to Council certification by a suitably qualified person that the pipework has been constructed and installed in accordance with the above requirements.

LEAK DETECTION FOR UNDERGROUND TANKS

EH3. Prior to the commencement of the use:

- (i) Establish a leak monitoring system that is rated to detect a release of 0.76 litres/hour (or a release of 18 L/day), with greater than 95% confidence (and less than 5% false positive).

Timing: Prior to commencement of the use

Prior to the commencement of the use, submit to Council certification from a suitably qualified person that the leak detection system complies with the relevant Australian Standards for leak detection.

LEAK DETECTION FOR PIPEWORK

EH4. Prior to the commencement of the use:

- (i) Install line leak detection for pressure piping that is rated to detect a release of 0.76 litres/hour (or a release of 18 L/day), with greater than 95% confidence (and less than 5% false positive).

Timing: Prior to commencement of the use

Prior to the commencement of the use, submit to Council certification from a suitably qualified person that the leak detection system was installed and was verified as meeting the above leak detection performance standard.

FUEL DISPENSING AREAS

EH5. Prior to the commencement of the use, Fuel dispensing areas shall be constructed and installed in accordance with the following:

- (i) All ground surfaces within the fuel dispensing area are to be constructed of impermeable materials such as waterproofed, reinforced concrete that is free of gaps and/or cracks. Impermeable, hydrocarbon resistant jointing material is to be used between treated concrete slabs.

- (ii) The fuel dispensing area is to be clearly demarcated from the uncovered forecourt area, access roads, general parking bays and all other areas to clearly delineate the higher contamination risk area from lower risk areas.
- (iii) A canopy shall be installed over fuel dispensing areas. The canopy shall at least cover the demarcated fuel dispensing area. An appropriately sized Spel Purceptor shall be installed to accommodate any rainfall up to an ARI 10 storm event, of 5 minute to 2 hour duration, that may blow into the demarcated fuel dispensing area.
- (iv) A liquid-tight dispenser sump is to be installed under each dispensing unit. It is to be designed to house all pipework joints and fittings and to collect and contain any leak.
- (v) Signage indicating 'flows to stormwater treatment system' is to be provided at all drainage inlets within the fuel dispensing area.
- (vi) The fuel dispensing area is to be graded and drained to an independently certified stormwater treatment system. The system shall be installed in accordance with the approved site-based stormwater quality management plan.

Timing: Prior to commencement of the use

Prior to the commencement of the use, submit to Council certification by a suitably qualified person that the fuel dispensing area has been constructed and installed in accordance with the above requirements.

UNCOVERED FORECOURT AREA

EH6. Prior to the commencement of the use, uncovered forecourt areas must be constructed and installed in accordance with the following:

- (i) All ground surfaces of the uncovered forecourt area are to be constructed to provide a sealed surface, free of gaps or cracks.
- (ii) Signage indicating 'flows to stormwater treatment system' is to be provided at all drainage inlets in the uncovered forecourt area.
- (iii) The uncovered forecourt area is to be graded and drained to an independently certified stormwater treatment system listed on Council's Register for Certified Hydrocarbon Separators. The system shall be installed in accordance with the approved site-based stormwater quality management plan.

Timing: Prior to commencement of the use

Prior to the commencement of the use, submit to Council certification by a suitably qualified person that the uncovered forecourt area has been installed and constructed in accordance with the above requirements.

ROAD TANKER DELIVERY

EH7. Prior to the commencement of the use, the road tanker delivery area shall be located within the containment area of the fuel dispensing area.

STAGE 1 VAPOUR RECOVERY

EH8. Prior to the commencement of the use, construct and install stage 1 vapour recovery for underground systems storing motor spirit/petrol that has:

- (i) vapour return lines that return all vapour displaced from the storage tank to the delivery tanker.
- (ii) a design that prevents the mixing of product in piping common to more than one tank.
- (iii) vapour-tight couplings on the vapour line that close automatically when disconnected.
- (iv) incompatible liquid and vapour couplings.
- (vi) the vapour recovery point located within 2 metres of the respective fill point.

Timing: Prior to commencement of the use

Prior to the commencement of the use, submit to Council certification by a suitably qualified person that stage 1 vapour recovery equipment has been constructed and installed in accordance with the above requirements.

ENGINEERING WORKS

- ENG1. Submit to Council, an Operational Work application for all civil works including earthworks, stormwater, roadworks, and access crossover.
- 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.

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

- ENG6. 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.
- ENG7. 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

- ENG8. 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;
 - j) workers' car parking arrangements; and
 - k) traffic control during works.

Timing: Prior to commencement of works

- ENG9. Implement the approved Construction Management Plan at all times during construction of the development.

- ENG10. Ensure a legible copy of the approved Construction Management Plan is available on-site at all times during construction and earthworks.

STORMWATER MANAGEMENT

- ENG11. Provide stormwater management generally in accordance with the approved Conceptual Site Based Stormwater Management Plan prepared by Contour, Revision A, dated 24/11/2020, subject to detailed design and except as altered by conditions of this development approval.
- ENG12. Design and construct stormwater drainage to ensure that the development will achieve "no nuisance" as described in the Queensland Urban Drainage Manual (QUDM) to all downstream properties including road reserves, drainage features, waterways, and the like for design storms up to ARI100.
- ENG13. Provide overland flow paths that do not alter the characteristics of existing overland flows on other properties or that create an increase in flood damage on other properties.
- ENG14. Design and construct stormwater drainage that provides:
- a) for stormwater infrastructure to be included in easements where the infrastructure is located in downstream properties; and
 - b) upgrades of the downstream stormwater infrastructure required to convey design flows unless it has been demonstrated to Council that existing infrastructure has the capacity to cater for the post development conditions.
- ENG15. Design and construct stormwater drainage incorporating measures to prevent any solid matter and floatable oils being carried into existing stormwater system.
- ENG16. Stormwater from sealed areas at risk of contamination is required to be piped to the Spel Puraceptor (or equivalent) prior to discharge from the site.
- ENG17. Design and construct all internal stormwater drainage works to comply with the relevant Section/s of AS/NZS 3500.3.2.
- ENG18. Ensure that adjoining properties and roadways are protected from ponding or nuisance from stormwater as a result of any site works undertaken as part of the proposed development.

LAWFUL POINT OF DISCHARGE

- ENG19. 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

- ENG20. Connect the development to Council's reticulated water supply system via a single connection.

SEWERAGE

- ENG21. Connect the development to Council's reticulated sewerage system via a single connection. The connection must be designed in accordance with Council's standards and be approved by Council's Utility Services Section.
- ENG22. Actual connection to Council's live sewerage infrastructure must be undertaken by or under the supervision of Council.

- ENG23. Do not build works within 1.5 metres from the centre of any existing sewer pipework or within the Zone of Influence, whichever is the greater (measured horizontally).
- ENG24. Maintain a minimum of a 3 metre wide corridor to be maintained for maintenance/upgrade purposes. Saw cuts shall be placed 1.5m either side of any Council sewer to facilitate future replacement and/or maintenance.
- ENG25. Ensure that a clear level area of a minimum of a 2.5 metre radius surrounding any existing sewer manholes on the site is provided for future maintenance/upgrade purposes.
- ENG26. The above minimum clearances to Council's sewer infrastructure do not preclude the need for works to proposed structures to prevent loading to the sewer system.

TRADE WASTE DISPOSAL (WASH DOWN BAY/COMMERCIAL KITCHEN)

- ENG27. Connect the commercial kitchen] to Council's sewer reticulation. Obtain a Plumbing Approval from Council and the relevant inspections are to be undertaken prior to connection to the sewer.

PARKING AND ACCESS - GENERAL

- ENG28. Design all access driveways, circulation driveways, parking aisles and car parking spaces in accordance with Australian Standard 2890.1 - Parking Facilities - Off Street Car Parking.
- ENG29. Design and construct all sealed areas with concrete, asphalt or a two-coat bitumen seal.
- ENG30. Provide a minimum of eight (8) car parking spaces including a minimum of one (1) person with disability (PWD) car parking spaces.
- ENG31. Design & construct all PWD car parking spaces in accordance with AS2890.6.
- ENG32. Provide vehicle bollards or tyre stops to control vehicular access and to protect landscaping or pedestrian areas where appropriate.
- ENG33. 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.
- ENG34. Provide longitudinal gradient and crossfall for all driveways to comply with the requirements of AS2890.1.

PARKING AND ACCESS - SERVICING

- ENG35. Design along the route to and from all loading bay facilities and the external road network, all access driveways, circulation driveways, parking aisles and the like with a layout that accommodates the turning movements of a Heavy Rigid Vehicle, and ensure that all vehicles are able to enter and exit the site in a forward direction.
- ENG36. Ensure all loading and unloading operations are conducted wholly within the site and vehicles enter and exit the site in a forward direction.
- ENG37. Install 2 (two) R2-4 Regulatory Signs (no Entry) at the exit location, erected 1 (one) metre offset from the driveway and facing the opposite direction to the one-way flow, in accordance with Manual for Uniform Traffic Control Devices (MUTCD).

VEHICLE ACCESS

- ENG38. Construct a commercial standard crossover between the property boundary and the edge of the Scott Street road pavement, having a minimum width to accommodate the manoeuvring of a B-Double, generally in accordance with Council's Standard Drawing IPWEAQ Std Dwg RS-051, Rev F. Ensure that crossover splay is designed to accommodate turning movements of a B-Double.
- ENG39. The profile of the accesses shall maintain the levels, grade, and crossfall of the existing footpath.
- ENG40. Construct any new crossovers such that the edge of the crossover is no closer than 1 metre to any existing or proposed infrastructure, including any stormwater gully pit, manhole, service infrastructure (eg power pole, telecommunications pit), road infrastructure (eg street sign, street tree, etc).
- ENG41. No access is permitted to/from Ivory Street, or Edward Street at all times.

REDUNDANT CROSSOVERS

- ENG42. Remove all redundant crossovers and reinstate the kerb and channel, road pavement, services, verge and any footpath to Council's standard/to the standard immediately adjacent along the frontage of the site.

ROADWORKS AND PEDESTRIAN SAFETY

- ENG43. Install signage for all works on or near roadways in accordance with the Manual for Uniform Traffic Control Devices – Part 3, Works on Roads.
- ENG44. Submit to Council, an application for any footpath, road or lane closures, and ensure all conditions of that approval are complied with during construction of the works.
- ENG45. Maintain safe pedestrian access along Council's footpaths at all times.

ELECTRICITY AND TELECOMMUNICATION

- ENG46. Connect the development to electricity and telecommunication services.

EARTHWORKS - GENERAL

- ENG47. Earthworks involving cut or fill more than 1m, or more than nett quantity of material greater than 50m³, requires an Operational Work application.
- ENG48. Undertake earthworks in accordance with the provisions of AS3798 Guidelines on Earthworks for Commercial and Residential Developments.

EARTHWORKS - RETAINING STRUCTURES AND BATTERS

- ENG49. Ensure retaining walls and earthworks batters designs do not adversely affect adjoining properties or services within the vicinity.
- ENG50. Ensure batters do not exceed a maximum slope of 25% (1 in 4).
- ENG51. Contain any batters wholly within the proposed development site. Fill cannot be placed on adjacent properties without providing Council with written permission from the respective property owner(s).
- ENG52. Design and construct all retaining walls and associated footings in accordance with AS4678 Earth Retaining Structures and without encroachment onto adjoining properties or public land.

EROSION AND SEDIMENT CONTROL - GENERAL

ENG53. 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.

ENG54. Remove and clean-up sediment or other pollutants in the event that sediment or other pollutants are tracked/released onto adjoining streets or stormwater systems, at no cost to Council.

ADVICE

ADV1. Section 85 (1)(a) of the *Planning Act 2016* provides that, if this approval is not acted upon within the period of six (6) years the approval will lapse.

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

ADV3. Council is offering a reduction in infrastructure charges payable through the development incentive scheme which is available between 1 December 2020 and 30 June 2022. Eligible development under this scheme is required to be completed by 30 June 2022.

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

ADV4. 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.

ADV5. Attached for your information is a copy of Chapter 6 of the *Planning Act 2016* as regards Appeal Rights.

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

Against: Nil

CARRIED 6/0

8 CONFIDENTIAL SECTION

COMMITTEE RESOLUTION 2021/125

Moved: Cr Kirstie Schumacher

Seconded: Cr Gavin Jones

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*:

8.1 Rate Exemptions and Remissions - Additions to Approved List - Property Numbers 208170, 252190, 109980 & 229980

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.

8.2 Request for Extended Payment Terms - Property Number 259250

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.

8.3 Request for Extended Payment Terms - Property Number 258970

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.

8.4 Request for Extended Payment Terms - Property Number 258890

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.

8.5 Request for Extended Payment Terms - Property Number 128850

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.

8.6 Request for Extended Payment Terms - Property Number 165670

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.

8.7 Request for extended payment terms - Property Number 149990

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.

8.8 Request to waive rates debt recovery legal costs, interest and reinstate disallowed discount - property 163300

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.

8.9 Request to waive the Interest Charges on Rates Owing - Assessment 10111-11000-000

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.

8.10 Request to Defer Sale of Land for Overdue Rates Action for a period of 12 months for Property Numbers - 259260, 259270, 259850, 259240, 259340, 260140, 259200, 269090

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.

8.11 Request for Deferral of Sale of Land for Overdue Rates - Property Number 217700

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

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

Against: Nil

CARRIED 6/0

Attendance:

The Councillors had a 20 minute morning tea break.

At 11:59 am GM Aaron Meehan left the meeting

At 12:00 pm GM Aaron Meehan returned to the meeting

COMMITTEE RESOLUTION 2021/126

Moved: Cr Brett Otto

Seconded: Cr Gavin Jones

That Council moves out of Closed Council into Open Council.

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

Against: Nil

CARRIED 6/0

8.1 RATE EXEMPTIONS AND REMISSIONS - ADDITIONS TO APPROVED LIST - PROPERTY NUMBERS 208170, 252190, 109980 & 229980

COMMITTEE RESOLUTION 2021/127

Moved: Cr Kirstie Schumacher

Seconded: Cr Kathy Duff

That the committee recommends to Council:

That South Burnett Regional Council agree to provide a rate remission for Property Number 208170, 252190 & 109980 and amend the existing rate remission for Property Number 229980 commencing from 1 July 2021 at a total cost to Council of \$9,369.82.

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

Against: Nil

CARRIED 6/0

8.2 REQUEST FOR EXTENDED PAYMENT TERMS - PROPERTY NUMBER 259250

COMMITTEE RESOLUTION 2021/128

Moved: Cr Gavin Jones

Seconded: Cr Roz Frohloff

That the committee recommends to Council:

That South Burnett Regional Council does not accede to the request to waive interest charges, as the request is outside the approved Financial Hardship Policy guidelines, and

That Council approve the special payment arrangement as detailed below:

1. Approve a payment arrangement application for Property Number 259250 for the amount of the 6 monthly rates (other than the Memerambi Special Charges) to be paid in full when it falls due, plus an additional annual minimum amount of \$1,300.00 to be paid in any form or timeframe that the applicant is able;
2. These Payments are to continue indefinitely, until the rate arrears are cleared and rates are up to date.
3. Interest will continue to be charged on overdue rates, even if the agreed payments are maintained;
4. If the agreed payments are not maintained, Sale of Land for Overdue Rates proceedings will commence;
5. This Payment Plan will be reviewed 30 June 2022; or at other times if Council is advised that the applicant's circumstances have changed significantly;
6. This Payment Plan will expire upon payment in full of all outstanding rates and charges;
7. The Chief Executive Officer (General Manager Finance and Corporate) be authorised to negotiate a suitable payment plan should the applicant reject or vary the payment plan discussed above.

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

Against: Nil

CARRIED 6/0

8.3 REQUEST FOR EXTENDED PAYMENT TERMS - PROPERTY NUMBER 258970

COMMITTEE RESOLUTION 2021/129

Moved: Cr Gavin Jones

Seconded: Cr Scott Henschen

That the committee recommends to Council:

That Council does not accede to the request to waive interest charges, as the request is outside the approved Financial Hardship Policy guidelines, and

That Council approve the special payment arrangement as detailed below.

1. Approve the proposed payment arrangement for Property Number 258970 for \$100.00 per fortnight; increasing \$20.00 per fortnight from 1 July each year;
 2. Interest will continue to be charged on overdue rates, even if the agreed payments are maintained;
 3. If the agreed payments are not maintained, Sale of Land for Overdue Rates proceedings will commence;
 4. This Payment Plan will be reviewed 30 June 2022; or at other times if Council is advised that the applicant's circumstances have changed significantly;
 5. This Payment Plan will expire upon payment in full of all outstanding rates and charges;
-

6. The Chief Executive Officer (General Manager Finance and Corporate) be authorised to negotiate a suitable payment plan should the applicant reject or vary the payment plan discussed above.

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

Against: Nil

CARRIED 6/0

8.4 REQUEST FOR EXTENDED PAYMENT TERMS - PROPERTY NUMBER 258890

COMMITTEE RESOLUTION 2021/130

Moved: Cr Gavin Jones

Seconded: Cr Roz Frohloff

That the committee recommends to Council:

That South Burnett Regional Council does not accede to the request to waive interest charges, as the request is outside the approved Financial Hardship Policy guidelines, and

That Council approve the special payment arrangement as detailed below:

1. Approve the proposed payment arrangement application for Property Number 258890 for the amount of \$200.00 per fortnight commencing from 16 May 2021, with additional payments to be made whenever possible;
2. Interest will continue to be charged on overdue rates, even if the agreed payments are maintained;
3. If the agreed payments are not maintained, Sale of Land for Overdue Rates proceedings will commence;
4. This Payment Plan will be reviewed 30 June 2022; or at other times if Council is advised that the applicant's circumstances have changed significantly;
5. This Payment Plan will expire upon payment in full of all outstanding rates and charges;
6. The General Manager Finance and Corporate be authorised to negotiate a suitable payment plan should the applicant reject or vary the payment plan discussed above.

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

Against: Nil

CARRIED 6/0

8.5 REQUEST FOR EXTENDED PAYMENT TERMS - PROPERTY NUMBER 128850

COMMITTEE RESOLUTION 2021/131

Moved: Cr Scott Henschen

Seconded: Cr Gavin Jones

That the committee recommends to Council:

That South Burnett Regional Council agree to defer Sale of Land for Overdue Rates action and approve the payment arrangement for Property Number 128850 being;

- Immediately suspend Sale of Land for Overdue Rates action for Property Number 128850;
- Accept the offer to enter into a payment arrangement for Property Number 128850 for \$300.00 per week commencing 1 July 2021 with interest to be charged on overdue rates;
- This Payment Plan will be reviewed 31 December 2021; or at other times if Council is advised that the applicant's circumstances have changed significantly;
- This Payment Plan will expire upon payment in full of all outstanding rates and charges; and
- The General Manager Finance and Corporate be authorised to negotiate a suitable payment plan should the applicant reject or vary the payment plan discussed above;
- Failure to maintain payments in accordance with the approved payment arrangement will result in the commencement of Sale of Land for Overdue Rates action.

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

Against: Nil

CARRIED 6/0

8.6 REQUEST FOR EXTENDED PAYMENT TERMS - PROPERTY NUMBER 165670

COMMITTEE RESOLUTION 2021/132

Moved: Cr Gavin Jones

Seconded: Cr Scott Henschen

That the committee recommends to Council:

That South Burnett Regional Council accede to the request to defer for 12 months the Sale of Land for Overdue Rates action and approve the special payment arrangement for Property Number 165670 being;

- Immediately suspend Sale of Land for Overdue Rates action for Property Number 165670;
- Accept the offer to enter into a payment arrangement for Property Number 165670 for \$360.00 per fortnight commencing 8 June 2021 with interest to be charged on overdue rates;
- This Payment Plan will be reviewed 31 December 2021; or at other times if Council is advised that the applicant's circumstances have changed significantly;
- This Payment Plan will expire upon payment in full of all outstanding rates and charges; and
- The General Manager Finance and Corporate be authorised to negotiate a suitable payment plan should the applicant reject or vary the payment plan discussed above;
- Failure to maintain payments in accordance with the approved payment arrangement will result in the commencement of Sale of Land for Overdue Rates action.

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

Against: Nil

CARRIED 6/0

8.7 REQUEST FOR EXTENDED PAYMENT TERMS - PROPERTY NUMBER 149990

COMMITTEE RESOLUTION 2021/133

Moved: Cr Roz Frohloff

Seconded: Cr Gavin Jones

That the committee recommends to Council:

That South Burnett Regional Council does not accede to the request to waive interest charges, as the request is outside the approved Financial Hardship Policy guidelines, and

That Council approve the special payment arrangement as detailed below:

1. Request that the owner enter into a payment arrangement for Property Number 149990 for \$80.00 per week initially;
2. Payments should increase to \$90.00 per week from 1 January 2022 and increase to \$100.00 per week from 1 January 2023. Payments of \$100.00 per week are to continue until the rate arrears are cleared and rates are up to date.
3. Interest will continue to be charged on overdue rates, even if the agreed payments are maintained;
4. If the agreed payments are not maintained, Sale of Land for Overdue Rates proceedings will commence;
5. This Payment Plan will be reviewed 30 June 2022; or at other times if Council is advised that the applicant's circumstances have changed significantly;
6. This Payment Plan will expire upon payment in full of all outstanding rates and charges;
7. The Chief Executive Officer (General Manager Finance and Corporate) be authorised to negotiate a suitable payment plan should the applicant reject or vary the payment plan discussed above.

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

Against: Nil

CARRIED 6/0

8.8 REQUEST TO WAIVE RATES DEBT RECOVERY LEGAL COSTS, INTEREST AND REINSTATE DISALLOWED DISCOUNT - PROPERTY 163300

COMMITTEE RESOLUTION 2021/134

Moved: Cr Brett Otto

Seconded: Cr Kirstie Schumacher

That the committee recommends to council:

That council accede to the request to waive the legal costs of \$633.49, and agrees to write off interest charges of \$27.70 and reinstate disallowed discount of \$103.66 for property number 163300.

In favour: Crs Brett Otto, Roz Frohloff, Gavin Jones, Kirstie Schumacher, Scott Henschen and Kathy Duff

Against: Nil

CARRIED 6/0

Reason: Council accepted the submission detailing the extraordinary combination of personal and other circumstances from the applicant as well as the previous payment history in coming to this decision.

8.9 REQUEST TO WAIVE THE INTEREST CHARGES ON RATES OWING - ASSESSMENT 10111-11000-000

COMMITTEE RESOLUTION 2021/135

Moved: Cr Gavin Jones

Seconded: Cr Kathy Duff

That the committee recommends to Council:

1. Council does not accede to the request to waive the interest charges on rates owing for Assessment Number 10111-11000-000; and
2. Immediately suspend Sale of Land for Overdue Rates action for Assessment Number 10111-11000-000;
3. Accept the offer to enter into a payment arrangement for Assessment Number 10111-11000-000 for \$6,950.00 per month commencing 1 July 2021, with interest still to be charged on overdue rates;
4. This Payment Plan will be reviewed 31 December 2021; or at other times if Council is advised that the applicant's circumstances have changed significantly;
5. This Payment Plan will expire upon payment in full of all outstanding rates and charges; and
6. The Chief Executive Officer (General Manager Finance and Corporate) be authorised to negotiate a suitable payment plan should the applicant reject or vary the payment plan discussed above;
7. Failure to maintain payments in accordance with the approved payment arrangement will result in the immediate commencement of Sale of Land for Overdue Rates action.

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

Against: Nil

CARRIED 6/0

8.10 REQUEST TO DEFER SALE OF LAND FOR OVERDUE RATES ACTION FOR A PERIOD OF 12 MONTHS FOR PROPERTY NUMBERS - 259260, 259270, 259850, 259240, 259340, 260140, 259200, 269090

COMMITTEE RESOLUTION 2021/136

Moved: Cr Gavin Jones

Seconded: Cr Scott Henschen

That the committee recommends to Council:

That South Burnett Regional Council accede to the request to defer for 12 months the Sale of Land for Overdue Rates action for Property Number 259260, 259270, 259850, 259240, 259340, 260140, 259200, 269090.

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

Against: Nil

CARRIED 6/0

8.11 REQUEST FOR DEFERRAL OF SALE OF LAND FOR OVERDUE RATES - PROPERTY NUMBER 217700**COMMITTEE RESOLUTION 2021/137**

Moved: Cr Gavin Jones

Seconded: Cr Kathy Duff

That the committee recommend to Council:

- South Burnett Regional Council defer Sale of Land for Overdue Rates action for a period of six (6) months on the condition that the applicant seek financial advice in relation to his personal circumstances;
- The applicant contacts Council by 31 December 2021 with a suitable payment arrangement that pays the outstanding balance and future rates balances off within three (3) years; and
- Interest will be waived for the six (6) month period

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

Against: Nil

CARRIED 6/0

9 CLOSURE OF MEETING

The Meeting closed at 12.51pm.

The minutes of this meeting were confirmed at the Executive and Finance & Corporate Standing Committee Meeting held on 21 July 2021.

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CHAIRPERSON