



Ordinary Meeting Minutes

26 February 2019

10.00 am

Council Chambers, Bundaberg

Present:

Cr JM Dempsey (Mayor - Chairman), Cr WR Trevor OAM (Deputy Mayor), Cr JP Bartels, Cr WA Honor, Cr HL Blackburn, Cr GR Barnes, Cr SA Rowleson, Cr CR Sommerfeld, Cr SA Cooper, Cr JA Peters and Cr JD Learmonth

Apologies: Nil

Officers:

Mr SD Johnston, Chief Executive Officer
Mr SJ Randle, General Manager Infrastructure
Mr GJ Steele, General Manager Community & Environment
Mr B Artup, Executive Director Strategic Projects and Economic Development
Mr M Gorey, Executive Officer Communications
Mr M Ellery, Group Manager Development
Mrs A Sapolu, Chief Legal Officer
Mrs WE Saunders, Executive Services Co-ordinator
Mrs N Miller, Executive Assistant

Cr JM Dempsey acknowledged the traditional custodian owners of the land and their Elders past, present and emerging.

The Mayor also acknowledged those Australians who have given the ultimate sacrifice in service to our country.

Invocation:

At the invitation of the Mayor, Pastor Errol Buckle (Honorary Chaplain) gave a short address and led this Ordinary meeting of Council in prayer.



Minutes

26 February 2019

Item Number: B1	File Number:	Part: Minutes
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Subject:

Confirmation of Minutes

Resolution

Cr JM Dempsey moved:-

That the minutes of the Ordinary Meeting of Council held on 29 January 2019 be taken as read and confirmed.

Seconded by Cr JA Peters - and carried unanimously.



Minutes

26 February 2019

Item Number:	File Number:	Part:
C1	n/a	COUNCILLORS

Portfolio:

Councillors

Subject:

Leave of Absence - Cr Barnes

2294

Resolution

Cr JM Dempsey presented the report; and moved:-

That Cr GR Barnes' application for leave of absence from all meetings of Council from 25 to 28 March 2019, be granted.

Seconded by Cr JP Bartels.

The motion was put - and carried unanimously.



Minutes

26 February 2019

Item Number: C2	File Number: .	Part: COUNCILLORS
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Portfolio:

Councillors

Subject:

Declaration of perceived conflict of interest - Cr WA Honor

Pursuant to section 175E of the *Local Government Act 2009*, Cr WA Honor declared a perceived conflict of interest in relation to item G1 of today's agenda, as he has family members who work for Council.

2295

Resolution

Cr JM Dempsey moved:-

That the remaining Councillors determined that Cr WA Honor does not have a conflict of interest in item G1 of today's agenda as there is no conflict between the Councillor's personal interest and the public interest - and can therefore stay and vote on the matter.

Seconded by Cr HL Blackburn.

The motion was put - and carried unanimously.



Minutes

26 February 2019

Item Number: C3	File Number: .	Part: COUNCILLORS
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Subject:

Declaration of material personal interest - Cr WA Honor

Pursuant to Section 175C of the *Local Government Act 2009*, Cr WA Honor advised that he had a Material Personal Interest in item L1 of today's agenda as he is Managing Director of the applicant company and owner of the development site - and would therefore leave the meeting while this item is discussed and voted on.



Minutes

26 February 2019

Item Number:	File Number:	Part:
C4	.	Councillors

Subject:

Declaration of Conflict of Interest - Cr HL Blackburn

Pursuant to Section 175E of the *Local Government Act 2009*, Cr HL Blackburn advised that she had a Conflict of Interest in item T1 of today's agenda as she is a member of the applicant organisation - and would therefore leave the meeting while this item is discussed and voted on.



Minutes

26 February 2019

Item Number:	File Number:	Part:
E1	.	STRATEGIC PROJECTS & ECONOMIC DEVELOPMENT

Portfolio:

Executive Services

Subject:

Future Use of Council's Bargara Administration Building and Cultural Centre

2296

Resolution

Cr JM Dempsey presented the report; and moved:-

That:

1. pursuant to Section 228(3) of the *Local Government Regulation 2012* Council invite expressions of interest under Subsection (5) before inviting written tenders seeking the sale or lease of the Bargara Administration Building and/or Cultural Centre;
2. the Chief Executive Officer be authorised to invite public expressions of interest for the sale or lease of Bargara Administration Building and/or Cultural Centre, and then if determined necessary following further consultation with Council, invite written tenders for either or both buildings; and
3. it be recorded that this approach is considered in the public interest given the need to align community expectations with market interest in the buildings, prior to inviting written tenders for the sale or lease of the Bargara Administration Building and/or Cultural Centre.

Seconded by Cr SA Rowleson.

2297

Cr GR Barnes moved:-

That this item be deferred to the next Ordinary Meeting pending a report on the usage rates of all halls in the region since amalgamation.

The motion was put to the vote and lost.

For

Cr WA Honor
Cr GR Barnes

Against

Cr JP Bartels
Cr WR Trevor
Cr HL Blackburn
Cr SA Rowleson
Cr CR Sommerfeld
Cr SR Cooper
Cr JA Peters
Cr JD Learmonth
Cr JM Dempsey

The original motion was put to the vote carried.

For

Cr JP Bartels
Cr WR Trevor
Cr WA Honor
Cr HL Blackburn
Cr SA Rowleson
Cr CR Sommerfeld
Cr SR Cooper
Cr JA Peters
Cr JD Learmonth
Cr JM Dempsey

Against

Cr GR Barnes



Minutes

26 February 2019

Item Number: F1	File Number: .	Part: FINANCE
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Portfolio:

Organisational Services

Subject:

Financial Summary as at 1 February 2019

2298

Resolution

Cr SR Cooper presented the report; and moved:-

That the Financial Summary as at 1 February 2019 be noted by Council.

Seconded by Cr CR Sommerfeld.

The motion was put - and carried unanimously.



Minutes

26 February 2019

Item Number: G1	File Number: .	Part: GOVERNANCE
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Portfolio:

Organisational Services

Subject:

Council Policies

2299

Resolution

Cr HL Blackburn presented the report; and moved:-

That Council:

1. rescind the following policies:
 - GP-3-011 Equal Employment Opportunity Policy; and
 - GP-3-097 Alcohol and Drug Policy.
2. adopt the following policies:
 - CP-3-002 Alcohol and Drug Policy (Version 1); and
 - CP-3-024 Equal Employment Opportunity Policy (Version 1).

Seconded by Cr WR Trevor.

The motion was put - and carried unanimously.



Minutes

26 February 2019

Item Number: G2	File Number: .	Part: GOVERNANCE
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Portfolio:

Organisational Services

Subject:

Audit & Risk Committee Minutes & Charter

2300

Resolution

Cr HL Blackburn presented the report; and moved:-

That the:

- a) **Minutes of the Audit and Risk Committee meeting held on 18 October 2018 be received and noted.**
- b) **Audit & Risk Committee Charter be adopted by Council.**

Seconded by Cr SR Cooper.

The motion was put - and carried unanimously.



Minutes

26 February 2019

Item Number:	File Number:	Part:
K1	N/A	PLANNING

Portfolio:

Planning & Development Services

Subject:

Amendment to the Bundaberg Regional Council Planning Scheme Policy for Development Works

2301

Resolution

Cr CR Sommerfeld presented the report; and moved:-

That pursuant to the *Planning Act 2016* and the Minister's Guidelines and Rules, Council:-

- (a) amend Bundaberg Regional Council Planning Scheme Policy for Development Works and associated Standard Drawings to incorporate changes as detailed in the attachment; and
- (b) approve the amended Planning Scheme Policy for Development Works and Standard Drawings for public consultation.

Seconded by Cr HL Blackburn.

The motion was put - and carried unanimously.



Minutes

26 February 2019

Item Number:	File Number:	Part:
L1	322.2015.43739.1	DEVELOPMENT ASSESSMENT

Portfolio:

Planning & Development Services

Subject:

Clarkes Road, Delan - Development Permit for:

- (a) Material Change of Use for Extractive Industry Use (Extension to Existing Quarry);
- (b) Material Change of Use for Environmentally Relevant Activity: 16 – Extractive and Screening Activities – 2(b) extracting, other than by dredging, in a year, more than 100,000t but no more than 1,000,000t of material;
- (c) Material Change of Use for Environmentally Relevant Activity: 16 – Extractive and Screening Activities – 3(b) screening, in a year, more than 100,000t but no more than 1,000,000t of material

As previously declared Cr WA Honor left the meeting, the time being 10.56 am.

2302

Resolution

Cr CR Sommerfeld presented the report; and moved:-

That Development Application 322.2015.43739.1 be determined as follows:

LOCATION DETAILS

Street address: Clarke's Road, Delan
 Real property description Lot 104 on RP21941
 Local government area: Bundaberg Regional Council

DESCRIPTION OF PROPOSAL

Development Application for:

- Material Change of Use for Extractive Industry Use (Extension to Existing Quarry);
- Material Change of Use for Environmentally Relevant Activity: 16 – Extractive and Screening Activities – 2(b) extracting, other than by dredging, in a year, more than 100,000t but no more than 1,000,000t of material;
- Material Change of Use for Environmentally Relevant Activity: 16 – Extractive and Screening Activities – 3(b) screening, in a year, more than 100,000t but no more than 1,000,000t of material;

DECISION

- Approved in full subject to conditions

The conditions of this approval are set out in **Schedule 1**. These conditions are clearly identified to indicate whether the assessment manager or concurrence agency imposed them.

1. DETAILS OF APPROVAL

The following approvals are given:

	Sustainable Planning Regulation 2009, schedule 3 reference	Development Permit	Preliminary Approval
Making a material change of use assessable under the planning scheme, a temporary local planning instrument, a master plan or a preliminary approval to which section 242 applies		<input checked="" type="checkbox"/>	<input type="checkbox"/>
Making a material change of use for an environmentally relevant activity	Part 1, table 2, item 1	<input checked="" type="checkbox"/>	<input type="checkbox"/>

2. PRELIMINARY APPROVAL AFFECTING THE PLANNING SCHEME

Not Applicable.

3. OTHER NECESSARY DEVELOPMENT PERMITS AND/OR COMPLIANCE PERMITS

Listed below are other development permits and/or compliance permits that are necessary to allow the development to be carried out:

- a. All Operational Work

4. CODES FOR SELF ASSESSABLE DEVELOPMENT

The following codes must be complied with for self-assessable development related to the development approved.

The relevant codes identified in the:

- b. Planning Scheme for Kolan Shire and Associated Planning Scheme Policies

5. DETAILS OF ANY COMPLIANCE ASSESSMENT REQUIRED FOR DOCUMENTS OR WORK IN RELATION TO THE DEVELOPMENT

Not Applicable

6. SUBMISSIONS

Not Applicable

7. CONFLICT WITH A RELEVANT INSTRUMENT AND REASONS FOR THE DECISION DESPITE THE CONFLICT

The assessment manager does not consider that the assessment manager's decision conflicts with a relevant instrument.

8. REFERRAL AGENCY

The referral agency for this application is:

For an application involving	Name of referral agency	Advice agency or concurrence agency	Address
<p>State-controlled road Schedule 7, Table 3 <i>Making a material change of use of premises where the purpose stated in Schedule 9 of SPR exceeds the relevant threshold (10,000 tonne annual output)</i></p> <p>Vegetation Clearing – Schedule 7, Table 3, Item 10.</p> <p>Environmentally Relevant Activity – Schedule 7, Table 2, Item 1</p>	Department of Infrastructure, Local Government and Planning	Concurrence	<p>State Assessment and Referral Agency (SARA)</p> <p>E: WBBSARA@dsdip.qld.gov.au</p> <p>P: PO Box 979</p> <p>Bundaberg Qld 4670</p>

9. APPROVED PLANS

The approved plans and/or document/s for this development approval are listed in the following table:

Plan/Document number	Plan/Document name	Date
GC15-184-AP	Plan of Areas	Oct.2018
GC15-184-SP	Staging Plan	Nov.2018

10. WHEN APPROVAL LAPSES IF DEVELOPMENT NOT STARTED

Pursuant to section 341 of the *Sustainable Planning Act 2009*, this approval will lapse four (4) years from the date that the approval takes effect unless the relevant period is extended pursuant to section 383.

11. REFUSAL DETAILS

Not Applicable

12. CONDITIONS ABOUT INFRASTRUCTURE

The following conditions about infrastructure have been imposed under Chapter 8 of the *Sustainable Planning Act 2009*:

Condition/s	Provision under which the Condition was imposed
35	Section 665 – Non-trunk Infrastructure
Nil	Section 646 – Identified Trunk Infrastructure
Nil	Section 647 – Other Trunk Infrastructure

SCHEDULE 1 CONDITIONS AND ADVICES IMPOSED BY THE ASSESSMENT MANAGER

PART 1A – CONDITIONS IMPOSED BY THE ASSESSMENT MANAGER

General

1. All works must be undertaken at the Developer's expense.
2. All Conditions contained in this Decision Notice must be completed/complied with before the use hereby approved commences, unless otherwise stated within this notice.
3. The operation is limited to the extraction and production of a maximum of 250,000 tonnes of quarry material per annum.
4. The extent of the approved extraction area must be generally in accordance with the approved plan except where amended by the Conditions of this Decision Notice or any Conditions imposed by any required Environmental Authority for an Environmentally Relevant Activity.

Amended Plans

5. Submit to and have approved by the Assessment Manager an amended Site Based management Plan which incorporates the following:
 - a. Inclusion of "Blasting" as a potential impact for the purpose of environmental management. The plan must include (but not be limited to):
 - Details regarding the proposed times of blasting;
 - Management and safety protocols for blasting activities;
 - How the proposed blasting complies with relevant legislation;
 - Confirmation that the blasting is to be undertaken by a suitably qualified person; and
 - Procedures for effective and sufficient warning and notification procedures to surrounding residential premises, land included within the rural residential zone or other sensitive land use on surrounding land.

b. Amend

Once approved, the amended plans will form part of the Approved Plans for this development.

Site Operation

6. The Extractive Industry Use must only be operated by a single operator.

Nature and Extent of the Approved Use

7. Screening of materials extracted from the site must not continue if extraction activities cease to be carried out on the premises.
8. The sale of extracted material and / or associated products direct to the public or wholesale from the premises is not permitted.
9. Repair, servicing and /or maintenance of vehicles, machinery or plant on the site is limited to vehicles associated with the Extractive Industry use on the site.
10. A record of each year's output must be kept on the site and must be provided to the Assessment Manager at any time upon request.
11. The maximum disturbed area of the extraction cell/s at any one time (excluding rehabilitation areas) must not exceed 5ha total, in a maximum of three (3) cells. This requirement must be incorporated into the Site Based Management Plan, linked to site rehabilitation, be prepared by a suitably qualified person, and lodged to the Assessment manager for approval prior to commencement of the use.
12. The importation of extractive industry material sourced externally to the site for processing, blending, or stockpiling is not permitted.
13. The approved use(s) must not result in the release of odour or visible contaminants, including dust, smoke, fumes and aerosols to the environment which cause an environmental nuisance.
14. The approved use(s) must be undertaken so that no undue disturbance is caused to neighbouring properties by virtue of bright lights, traffic, noise, dust or interference with television or radio reception.

Hours of Operation

15. Unless otherwise approved in writing by the Manager Development Assessment the hours of operation for the approval are to be between 6.00 am and 6.00 pm Monday to Saturday (inclusive) with no work permitted on Sundays or public holidays. No activities, including delivery of materials or haulage are to occur outside of the approved hours of operation.

Signage

16. Advertising signage must be limited to a single site identification sign located on the frontage of the subject lot. Signage associated with the use must not be illuminated.

Operational

17. The subject land must be maintained in a neat and tidy state at all times with any outdoor storage areas and services (including the topsoil stockpile) appropriately screened from view from the road.

18. Any Rock breaking must occur at the base of the excavation pit. No rock breaking is to occur at natural surface level.
19. Crushing operations must cease in wind speeds of greater than 20 KPH measured at the location of crushing plant.
20. The storage of any machinery, materials or vehicles must be appropriately screened so as not to be directly visible from any road to which the premises has frontage, to the satisfaction of the Council's Manager Development Assessment.

Car Parking

21. All employee and visitor vehicles must be parked on the site.

Vegetation Clearing

22. Inspect the tree prior to clearing for the presence of nesting birds, koalas and other fauna, including habitat hollows. No clearing of trees which may disturb nesting birds is permitted until the birds have fledged and left the nest. Removal of trees with koalas and other fauna must be carried out under the supervision of a Department of Environment and Heritage Protection registered fauna management spotter-catcher who will be responsible for dealing with native fauna present as required under the *Queensland Nature Conservation Act 1992*.
23. Unless otherwise approved in writing by the Assessment Manager, all cleared timber must be stacked clear of the works and maintained as fauna habitat or be chipped for reuse in landscaping or rehabilitation works. Note: It is suggested that any request to Council to burn cleared timber be accompanied by (but not limited to) an applicable permit issued by the relevant authorities.

Stormwater

24. Stormwater Drainage disposal from the proposed Quarry must be undertaken in accordance with the approved amended Site Based Management Plan.
25. Stormwater must be discharged from the site so as not to cause any detrimental effect to downstream/upstream properties or drainage facilities.
26. Discharge from the site must be such that the intensity of post-development flows does not exceed that of pre-development flows.

Water and Sewerage

27. The Developer must provide a temporary sanitary toilet of a minimum of one (1) unisex or equivalent sanitary facility including hand washing facility and a potable water supply not less than 1000 litres for staff and visitors. The facility must be provided prior to the commencement of the approved use.

Site Rehabilitation

28. Rehabilitation of the site must be undertaken progressively and must be completed by the owner/operator of the approved use within two (2) years of operations ceasing, to the satisfaction of the Manager Development Assessment.
29. Rehabilitation must include but not be limited to:
 - a. Batter slopes must be designed in accordance with The Department of Transport and Main Roads Standard Drawing No: 1045- Treatment of cut batters- Revegetation, dated 7/15;
 - b. All quarry excavation pits must be free draining;

- c. Permanent stormwater quality controls must be incorporated to ensure stormwater runoff meets environmental quality standards;
 - d. All quarry bases, haul roads, work and stockpile areas etc, must be ripped, mixed and seeded with grasses native to the area;
 - e. Native trees must be planted on rehabilitation areas in a similar density as that which existed prior to operations commencing;
 - f. A minimum depth of 300 mm of soil must be placed over all natural surfaces devoid of soil where practicable and areas to be rehabilitated must be ripped (by a dozer or similar) wherever practicable to aid in reforestation; and
 - g. Any subsidence must be re-profiled;
30. The operator must monitor, maintain and manage all rehabilitation works for a period of 12 months or until:
- a. Grass coverage reaches 80%;
 - b. Trees are established and self sustaining;
 - c. The rehabilitation works have been subjected to the effects of a full wet season;
 - d. There is no further subsidence of the surface;
 - e. All erosion and sedimentation control measures are installed; and
 - f. All erosion or scouring is reinstated and rehabilitated to the satisfaction of Council's Manager Development Assessment.
- whichever is the longer period.
31. No wetlands or ponds or permanent water bodies with the exception of farm dams associated with a future rural use of the land are permitted in association with site rehabilitation.
32. Excavated cells are to be progressively rehabilitated in accordance with the approved Quarry Management Plan. Rehabilitation works must commence immediately upon completion of extraction of the cell/s.
33. Submit to the Bundaberg Regional Council every two (2) years a report prepared by a suitable qualified consultant detailing the progression of rehabilitation at that time the report is submitted including evidence of compliance with rehabilitation conditions of approval and the sites approved Quarry Management Plan.

Waste Management

34. Maintain and operate an adequate waste disposal service, including the maintenance of refuse bins and associated storage areas so as not to cause any nuisance, to the satisfaction of the Assessment Manager.

Roadworks and Access

35. Maintain and or upgrade sections of Clarkes Road between McIlwraith Road and the site entry to cross sections generally in accordance with the following requirements:

- a. Provide pavement construction and asphaltic concrete (AC) sealing for a width of 0.5 m from the edge of the existing seal on both sides of Mcllwraith Road for two sections of the road. The first section is 182 m long between 0.0 m and 182 m south of the bridge and the second section is 96m long between 396 m and 492 m south of the bridge;
- b. The pavement must be designed in accordance with *Austroads Pavement Design for Light Traffic: A supplement to Austroads Pavement Design Guide (AP-T36/06)*. The pavement specifics must be determined as part of an application for Operational Works;
- c. Standard construction details as per Bundaberg Regional Council Standard Drawing No R3003 Road Type Cross Sections – Rural Road- Access Roads;

Haulage

36. Material cartage must only be undertaken by vehicles with a maximum capacity of 24 tonnes.
37. The external haul route for the approved use is restricted to the Bundaberg – Gin Gin Road via Mcllwraith Road. All inbound and outbound (laden or unladen) heavy vehicle movements associated with the approved use must use this approved haulage route.
38. Use of Mcllwraith Road, Cloyne Road and Drinan Road to the southeast of the subject site for haulage of extracted material is prohibited.
39. Internal access roads must have a gravel all-weather surface to minimise dust emissions. Water trucks or other methods must be used to suppress dust emissions when necessary.
40. The owner/operator of the approved use must implement, by imposing a legally binding agreement on all haul truck drivers (employed or contracted), a driver's code of conduct, incorporating (but not limited to):
 - a. Directing heavy vehicle movements both inbound and outbound (laden and unladen) to approved Haulage Routes only;
 - b. Directing that all truck loads be covered to reduce dust nuisance; and
 - c. Directing that heavy vehicle movements both inbound and outbound (laden and unladen) are not permitted to transit Mcllwraith Road, Cloyne Road and Drinan Road south of the Quarry site.

Safety/Security

41. The owner/operator of the approved use must undertake all practical measures to ensure public access to the extractive industry site is restricted. At a minimum, safety and security strategies must incorporate perimeter fencing and perimeter warning signage at appropriate intervals.

Washing and Screening Plant

42. Any mobile processing plant must be operated such that it does not cause any off site impact to the adjoining environment and in accordance with the broader requirements of Development Permit Conditions.

Site Based Management Plan

43. The approved Site Based Management Plan must be complied with during the life of the Quarry including during the rehabilitation of the site.

PART 1B – ADVICE NOTES

Environmental Harm

- A. The *Environmental Protection Act 1994* states that a person must not carry out any activity that causes, or is likely to cause, environmental harm unless the person takes all reasonable and practicable measures to prevent or minimise the harm. Environmental harm includes environmental nuisance. In this regard persons and entities, involved in the civil, earthworks, construction and operational phases of this development, are to adhere to their 'general environmental duty' to minimise the risk of causing environmental harm. Environmental harm is defined by the Act as any adverse affect, or potential adverse affect whether temporary or permanent and of whatever magnitude, duration or frequency on an environmental value and includes environmental nuisance. Therefore, no person should cause any interference with the environment or amenity of the area by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, sediment, oil or otherwise, or cause hazards likely in the opinion of the administering authority to cause undue disturbance or annoyance to persons or affect property not connected with the use.

Infrastructure Charges Notice

- B. Please find attached the Infrastructure Charges Notice (Register No: 331.2015.766.1) applicable to the approved development.

Compliance

- C. The person/s responsible for the management of the premise is/are to ensure ongoing compliance with conditions of this Development Permit including Conditions relating to the ongoing use of the premise, and the design and layout of the development

Access

- D. The owner(s)/operator(s) are advised that Council maintains no responsibility for the upkeep and maintenance of the limited access road from the junction of McIlwraith Road to the Quarry Site.

Haulage Route

- E. Should entire length of the carriageway between the subject site and the Bruce Highway (McIlwraith Road, Cloyne Road and Drinan Road) be upgraded to a minimum double lane standard with appropriate pavement width, Council may consider allowing this route to be used for Haulage.

Environmental Relevant Activity

- F. Should the proposed extraction exceed the thresholds identified in the Environmental Protection or Regulation 2008 or future equivalent an Environmental Authority for an Environmental Relevant Activity (extractive activities) will be required to be obtained from the Relevant Entity.

Aboriginal and Cultural Heritage

- G. 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.

Other

- H. Plans and specifications for Operational Work must be prepared and certified by a Professional Engineer registered with the Board of Professional Engineers of Queensland.
- I. Prior to both commencement of use, plans and specifications for Operational Work must be approved by Council.
- J. Prior to both commencement of use, Operational Work must be certified by an Engineer registered with the Board of Professional Engineers of Queensland.

PART 2—CONCURRENCE AGENCY CONDITIONS

The Department of State Development, Manufacturing, Infrastructure and Planning, by letter dated 21 December 2018 (copy letter attached for information).

Seconded by Cr HL Blackburn.

The motion was put - and carried unanimously.

Cr Wayne Honor returned to the meeting, the time being 11.03 am.



Minutes

26 February 2019

Item Number: O1	File Number: TEN/0589	Part: COMMUNITY & CULTURAL SERVICES
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Portfolio:

Community & Environment

Subject:

Re-subscription to Freegal eMusic Download Service

2303

Resolution

Cr JA Peters presented the report; and moved:-

That

- a) **Council enter into an arrangement with Library Ideas LLC for the supply of Freegal eMusic Service without first inviting written quotes pursuant to Section 235(b) of the *Local Government Regulation 2012*; and**
- b) **this arrangement stay in place for three years.**

Seconded by Cr WA Honor.

The motion was put - and carried unanimously.



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26 February 2019

Item Number: O2	File Number: A4233405	Part: COMMUNITY & CULTURAL SERVICES
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Portfolio:

Community & Environment

Subject:

Lease - General Aviation Hanger AF - J & M Smith

2304

Resolution

Cr GR Barnes presented the report; and moved:-

That:

- 1. Council apply the exception contained in section 236(1)(c)(iii) of the *Local Government Regulation 2012*; and**
- 2. the Chief Executive Officer be authorised to enter into a 5 year lease with a 1 x 5 year option for Lease AF on SP123062 with J & M Smith.**

Seconded by Cr HL Blackburn.

The motion was put - and carried unanimously.

Cr Helen Blackburn left the meeting, the time being 11.10 am.

The Mayor advised at this stage, pursuant to Section 275 of the “Local Government Regulation 2012”, the meeting would be closed to the public to discuss the following item which is considered confidential in accordance with Section 275.

Resolution

Cr WA Honor moved:-

That the meeting be closed to the public – and discussion on the following item be held in Confidential:

T1 Request for Financial Assistance - Lot 6 on RP203850

Seconded by Cr CR Sommerfeld - and carried unanimously.

Meeting closed to the public at 11.11 am

Resolution

Cr JM Dempsey moved:-

That the meeting now be reopened.

Seconded by Cr SA Rowleson - and carried unanimously.

Meeting reopened to the public at 11.19 am.



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26 February 2019

Item Number:	File Number:	Part:
T1	A4255764	CONFIDENTIAL

Portfolio:

Organisational Services

Subject:

Request for Financial Assistance - Lot 6 on RP203850

Confidential Reason:

Local Government Regulation 2012 Section 275(d) rating concessions.

2305**Resolution**

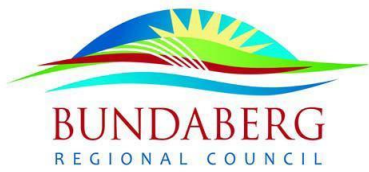
Cr JM Dempsey moved:-

That Council provides a General Rate exemption, in accordance with Section 93(3)(i) of the *Local Government Act 2009*, for land described as Lot 6 on RP203850, effective from 1 January 2019.

Seconded by Cr GR Barnes.

The motion was put - and carried unanimously.

Cr Helen Blackburn returned to the meeting, the time being 11.20 am.



Minutes

26 February 2019

Item Number: V1	File Number:	Part: Meeting Close
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Subject:

Meeting Close

There being no further business – the Mayor declared this Ordinary Meeting closed at 11.20 am.

Confirmed on 26 March 2019.

Mayor