



Ordinary Meeting Minutes

14 March 2017

10.00 am

Council Chambers, Bundaberg

Present:

Cr WR Trevor OAM (Acting Mayor), Cr JP Bartels, Cr WA Honor, Cr HL Blackburn, Cr GR Barnes, Cr SA Rowleson, Cr CR Sommerfeld, and Cr PR Heuser.

Moved by Cr GR Barnes, seconded by Cr PR Heuser, That Cr DJ Batt's attendance by teleconference be accepted. - Carried unanimously.

Apologies:

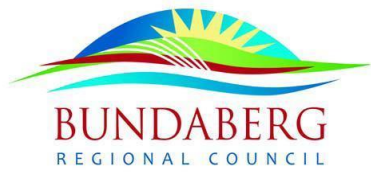
Moved by Cr HL Blackburn, seconded by Cr WA Honor, That Cr JM Dempsey's apology for today's meeting be accepted. - Carried unanimously.

An apology has also been received from Cr JA Peters who is absent with leave.

Officers:

Mr PJ Byrne, Chief Executive Officer
Mr AW Fulton, General Manager Infrastructure & Planning
Mr AJ Keleher, Acting General Manager Organisational Services
Miss NK Launchbury, Senior Executive Assistant
Mrs WE Saunders, Executive Services Co-ordinator

An apology was received from Mr GJ Steele, General Manager Community & Environment.



Minutes

14 March 2017

Item Number: B1	File Number:	Part: Minutes
---------------------------	---------------------	-------------------------

Subject:

Confirmation of Minutes

1910

Resolution

Cr HL Blackburn moved:-

That the minutes of the Ordinary Meeting of Council held on 21 February 2017, be taken as read and confirmed.

Seconded by Cr PR Heuser - and carried unanimously without debate.



Minutes

14 March 2017

Item Number:	File Number:	Part:
F1	fA41082	GOVERNANCE & COMMUNICATIONS

Portfolio:

Organisational Services

Subject:

Audit and Risk Committee Update

1911

Resolution

Cr HL Blackburn presented the report; and moved:-

That the:-

- a) minutes of the Audit and Risk Committee meeting held on 7 February 2017 (as detailed on the 5 pages appended to this report) be received and noted; and**
- b) Audit & Risk Committee Charter (as detailed on the 8 pages appended to this report) – be adopted.**

Seconded by Cr PR Heuser.

The Motion on being put - was carried unanimously.



Minutes

14 March 2017

Item Number: F2	File Number: qA860	Part: GOVERNANCE & COMMUNICATIONS
---------------------------	------------------------------	--

Portfolio:

Organisational Services

Subject:

Hervey Street, Elliott Heads - Request to Lease part of Lot 2 on RP120655

1912

Resolution

Cr SA Rowleson presented the report; and moved:-

That the Chief Executive Officer be authorised to finalise a 10 year term lease over part of Lot 2 on RP120655, Hervey Street, Elliott Heads, subject to:-

- 1. the final site plans being approved by the Water & Wastewater Department;**
- 2. installation being in accordance with Council Policy OP-3-047 "Telecommunications Equipment on Council Water Towers";**
- 3. an annual fee of \$14,000 + GST per annum with fixed 3% annual increase being paid.**

Seconded by Cr HL Blackburn.

There being no discussion on this item - the Motion was put - and carried unanimously.



Minutes

14 March 2017

Item Number: F3	File Number: qA860	Part: GOVERNANCE & COMMUNICATIONS
---------------------------	------------------------------	--

Portfolio:

Organisational Services

Subject:

Turner Street, Avoca - Request to Lease part of Lots 1 & 2 on RP141590

1913

Resolution

Cr HL Blackburn presented the report; and moved:-

That the Chief Executive Officer be authorised to finalise a 10 year term lease over part of Lots 1 and 2 on RP141590, 4 Turner Street, Avoca - subject to:

- 1. the final site plans being approved by the Water & Wastewater Department;**
- 2. installation being in accordance with Council Policy OP-3-047 "Telecommunications Equipment on Council Water Towers";**
- 3. an annual fee of \$14,000 + GST per annum with fixed 3% annual increase being paid.**

Seconded by Cr SA Rowleson.

There being no discussion on this item - the Motion was put - and carried unanimously.



Minutes

14 March 2017

Item Number:	File Number:	Part:
G1	311.2017.65353.1	INFRASTRUCTURE

Portfolio:

Infrastructure & Planning Services

Subject:

Bundaberg Vintage Vehicle Club - Request to Refund Plumbing Application Fees

1914

Resolution

Cr WR Trevor presented the report; and moved:-

That the Bundaberg Vintage Vehicle Club be advised it is regretted Council does not agree to the refund of the fees requested.

Seconded by Cr HL Blackburn.

There being no discussion on this item - the Motion was put - and carried unanimously.



Minutes

14 March 2017

Item Number: G2	File Number: -	Part: INFRASTRUCTURE
---------------------------	--------------------------	--------------------------------

Portfolio:

Infrastructure & Planning Services

Subject:

Fleet Management Advisory Committee

1915

Resolution

Cr WA Honor presented the report; and moved:-

That the minutes (and associated attachments) of the Fleet Management Advisory Committee meeting held on 7 February 2017, be received and noted.

Seconded by Cr JP Bartels.

There being no discussion on this item - the Motion was put - and carried unanimously.



Minutes

14 March 2017

Item Number: G3	File Number: .	Part: INFRASTRUCTURE
---------------------------	--------------------------	--------------------------------

Portfolio:

Infrastructure & Planning Services

Subject:

Long Term Asset Management Plan 2017 - 2026

1916

Resolution

Cr WR Trevor presented the report; and moved:-

That the Long Term Asset Management Plan 2017 – 2026 (as detailed on the 67 pages appended to this report) - **be adopted by Council.**

Seconded by Cr WA Honor.

There being no discussion on this item - the Motion was put - and carried unanimously.



Minutes

14 March 2017

Item Number:	File Number:	Part:
K1	322.2016.47009.1	DEVELOPMENT ASSESSMENT

Portfolio:

Infrastructure & Planning Services

Subject:

937 Burnett Heads Road, Rubyanna - Material Change of Use for Caretakers Residence, Educational Facility and Warehouse

Summary:

APPLICATION NO	322.2016.47009.1
PROPOSAL	Material Change of Use for Caretakers Residence, Educational Facility and Warehouse (Storage Facility)
APPLICANT	NS Irvine
OWNER	NS Irvine
PROPERTY DESCRIPTION	Lot 2 on RP186069
ADDRESS	937 Burnett Heads Road, Rubyanna
PLANNING SCHEME	Bundaberg Regional Council Planning Scheme 2015
ZONING	Rural Zone
OVERLAYS	<ul style="list-style-type: none"> • SPP Airport & Aviation Facilities: Operational Airspace; SPP Runways Buffer–Wildlife Hazard Buffer Zone – 13km; • SPP Agricultural Land: Class B; • SPP Biodiversity Areas – MSES Watercourse Buffer area; • SPP Infrastructure: State Controlled Road Corridor Buffer (within 25 metres of Burnett Heads Road); • Hazards: Localised Defined Flood Event Area and Contains land steeper than 15%
LEVEL OF ASSESSMENT	Impact
SITE AREA	2.788 ha
CURRENT USE	Abandoned Outdoor Entertainment Facility with a Caretakers Residence
PROPERLY MADE DATE	16 November 2016
STATUS	The decision period ends on 31 March 2017
REFERRAL AGENCIES	Department of Infrastructure, Local Government and Planning (State Controlled Road Matters)
NO OF SUBMITTERS	Nil
PREVIOUS APPROVALS	Consent Order - Outdoor Entertainment (Go-Kart Track) 18 May 1995, Town Planning Consent - Outdoor Entertainment (waterslide, pool, mini-golf course and mini-quad track) 19 February 1996, MCU – Special Use, General Business and Caretakers Residence – 25 November 2009
SITE INSPECTION ONDUCTED	21 February 2017
LEVEL OF DELEGATION	Level 3

1917

Resolution

Cr CR Sommerfeld presented the report; and moved:-

That Development Application 322.2016.47009.1 be determined as follows:

DESCRIPTION OF PROPOSAL

Material Change of Use for Caretakers Residence, Educational Facility and Warehouse (Storage Facility)

SUBJECT SITE

937 Burnett Heads Road, Rubyanna - described as Lot 2 on RP 186069

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"/>

Deemed Approval

Section 331 of the *Sustainable Planning Act 2009* (SPA) is not applicable to this decision.

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:

- All Building Work
- All Plumbing and Drainage Work
- All Operational Work

4. CODES FOR SELF ASSESSABLE DEVELOPMENT

The relevant codes identified in the:

- Bundaberg Regional Council Planning Scheme 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

There were no submissions received for the application.

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 agencies for this application are:

For an application involving	Name of referral agency	Advice agency or concurrence agency	Address
<p>State-controlled road Schedule 7, Table 3, Item 1 <i>Making a material change of use of premises if any part of the land:</i> (a) <i>Is within 25m of a State-controlled road; or</i> (b) <i>Is future State-controlled road; or</i> (c) <i>Abuts a road that intersects with a State-controlled road within 100m of the land.</i></p>	Department of Infrastructure, Local Government and Planning	Concurrence	<p>State Assessment and Referral Agency (SARA) E: WBBSARA@dndip.qld.gov.au P: PO Box 979 Bundaberg Qld 4670</p>

9. APPROVED PLANS

The approved plans for this development approval are listed in the following table:

Plan/Document number	Plan/Document name	Date
A1000 Issue 2	Site Plan	15.11.16
A1002 Issue 2	Hardstand Area Plan	01.12.16
A1001 Issue 1	Staging Plan	15.11.16

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

No conditions about Infrastructure have been imposed under Chapter 8 of the *Sustainable Planning Act 2009*.

SCHEDULE 1 CONDITIONS AND ADVICES IMPOSED BY THE ASSESSMENT MANAGER**PART 1A – CONDITIONS IMPOSED BY THE ASSESSMENT MANAGER****General**

1. Meet the full cost of all works and any other requirements associated with this development, unless specified in a particular condition.
2. Where there is any conflict between Conditions of this Decision Notice and details shown on the Approved Plans, the Conditions prevail.
3. Comply with all of the conditions of this Development Permit prior to the commencement of the use, unless otherwise stated within this notice, and maintain compliance whilst the use continues.

Extent of Approved Uses

4. Unless otherwise approved in writing by the Assessment Manager, the hours of occupation/utilisation of the site by employees or customers associated with the approved Warehouse (Storage Facility) uses excluding for general security purposes are limited to:
 - a. Monday to Friday inclusive– 6 am to 8 pm
 - b. Saturday – 7 am to 6 pm; and
 - c. Sunday and public holidays – 8 am to 6 pm.
5. The storage of vehicles is limited to within the approved storage sheds. The storage of vehicles on undeveloped pervious land is not permitted.

6. Unless otherwise approved in writing by the Assessment Manager, the hours of occupation/utilisation of the site by employees or customers associated with the approved Educational Facility uses excluding for general security purposes are limited to:
 - a. Monday to Saturday inclusive– 8 am to 5 pm; and
 - b. Sunday and public holidays – 9 am to 5 pm.
7. The vehicles associated with the approved uses are restricted to a maximum Heavy Ridged Vehicle with a maximum length of 12.5 metres.

Development in Stages

8. Develop the site in accordance with the stages identified on the Approved Plans. Stage one (1) must be developed first with following stages to be developed as required (developing in a consecutive numeric order after stage 1 as identified on the approved staging plan is not necessary).

Date Development Must be Completed By (Lapsing Date)

9. In accordance with section 342 of the Sustainable Planning Act 2009, this Development Approval to the extent it relates to development not completed will lapse ten (10) years from the date of this approval.

Design

10. The external roof and walls of the buildings (excluding the existing buildings) shown on the approved plans must be finished in paint bonded metal (i.e. colorbond) coloured in tones sympathetic to the surrounding rural area. The use of highly reflective, zincalume or similar finishes is prohibited.
11. All new structures must not exceed 5.2 metres above natural ground level.

Re-use of existing structures

12. Prior to commencement of the first stage of development, evidence must be provided to the Assessment Manager demonstrating that all existing buildings on the site have the required building approvals.

Landscaping

13. The site must be landscaped along the frontage perimeter of the site for at least 250 metres from the northern corner of the site. Such landscaping must:
 - a. Consist of the construction of permanent garden beds planted with trees and shrubs. Landscaping must be completed prior to the premises being occupied and is to be maintained while the use of the premises continues; and
 - b. Include species recognised for their low water requirements.

Stormwater

14. Provide a stormwater drainage system connecting to a lawful point of discharge. In particular:
 - a. Prior to commencement of the approved use, obtain an easement over the current discharge into the neighbouring farm drain near the northwest corner as referenced in Department of Agriculture and Fisheries letter of support dated 7 February 2017; or
 - b. Prior to commencement of the approved use, provide detention storage to cater for increased stormwater runoff as a result of this development.

15. The drainage system for the development must incorporate Stormwater Quality Improvements in accordance with the State Planning Policy July 2014 and the Bundaberg Regional Council Stormwater Management Strategies. A Site Based Stormwater Management Plan and Erosion and Sediment Control Management Plan, inclusive of long term maintenance measures, must be submitted as part of an application for Operational Works outlining how the Stormwater Quality Improvements in both the construction and operational phases of the development will be achieved.

Easements

16. If an easement is part of the drainage solution in lieu of a detention basin, lodge for registration at the office of the Land Registry a stormwater drainage easement having a minimum area of 300 m² over the existing farm drain receiving stormwater discharge from the site. The Grantee will be the owner of the proposed development.
17. Draft easement documentation must be submitted to the Assessment Manager for endorsement.
18. All works must be kept clear of any existing or proposed easements on the subject land, unless agreed otherwise in writing by the Grantee.

Car Parking

19. Provide a minimum of twenty one (21) off-street car parking spaces and vehicle manoeuvring areas within the area identified as existing carpark and located to the south of the access to the site. Such car parking, access and manoeuvring areas must be configured generally in accordance with the Approved Plans and be:-
 - a. constructed and sealed with bitumen, asphalt, concrete or approved pavers;
 - b. line-marked into parking bays;
 - c. designed to include manoeuvring area to allow all vehicles to leave the site in a forward motion during every stage;
 - d. designed to include provisions to allow for the containment and management of site stormwater drainage as required;
 - e. sign posted in addition to line marking, to indicate the traffic flow through the site;
 - f. drained to the relevant site discharge point; and
 - g. designed in accordance with AS/NZS2890.1-2004: 'Parking Facilities Part 1: Off-street Car Parking'.

Water

20. Provide internal infrastructure as required, to satisfy the firefighting and water supply demands of the development.
21. Provide a potable water supply to fixtures used for personal hygiene and drinking purposes.

Sewerage

22. Provide an on-site sewerage facility that is designed, constructed, operated and maintained in accordance with the Queensland Plumbing and Wastewater Code and Australian Standard AS 1547-2000 under the Plumbing and Drainage Act 2002.

Loading/Unloading

23. Loading and unloading of all vehicles associated with the use must occur on the subject site.

Lighting

24. External lighting used to illuminate the premises must be designed and provided in accordance with Australian Standard AS 4282-1997: *Control of the obtrusive effects of outdoor lighting* so as not to cause nuisance to residents or obstruct or distract pedestrian or vehicular traffic.

Waste Management

25. Provide a sufficient area for the storage of all waste bins. This area must be sealed, screen fenced and designed so as to prevent the release of contaminants to the environment.
26. 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.

Air Conditioners

27. All air conditioning units or other mechanical equipment must be located at ground level, or otherwise fully enclosed or screened such that they are not visible from the street frontages or adjoining properties.
28. Air conditioning units must be designed, installed, maintained and operated so that noise emissions are within the limits imposed by the *Environmental Protection Act, Regulations and Policies*.

Construction Management

29. Unless otherwise approved in writing by the Assessment Manager, do not undertake building work in a way that makes audible noise:
- a. On a business day or Saturday, before 6.30 am or after 6.30 pm; or
 - b. On any other day, at any time.
30. Contain all litter, building waste and sediments on the building site by the use of a skip and any other reasonable means during construction to prevent release to neighbouring properties or roads.

PART 1B – ADVICE NOTES**Infrastructure Charges Notice**

- A. Please find attached the Infrastructure Charges Notice (Ref No: 331.2017.892.1) applicable to the approved development.

Signage

- B. An Operational Works permit is required to be obtained for all signs and advertising devices associated with the development that do not comply with the acceptable outcomes of the Planning Scheme in effect at the time of the proposed works.

Operational Works

- C. This Decision Notice does not represent an approval to commence Operational Works. Any Operational Works associated with this Material Change of Use or other engineering work proposed on the lot is subject to relevant assessment under the Bundaberg Regional Council Planning Scheme 2015 or the instrument in effect at the time of assessment. This can include works for on-site landscaping, internal vehicle circulation, manoeuvring and car parking areas, on-site stormwater management and access driveways.

Environmental Harm

- D. 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 effect, or potential adverse effect whether temporary or permanent and of whatever magnitude, duration or frequency on an environmental value and includes environmental nuisance. Therefore, no person should cause any interference with the environment or amenity of the area by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, 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.

Sewerage

- E. The developer/operator should engage an appropriately qualified consultant to assess the suitability of any wastewater treatment system to cater for the proposed development, including application for an Environmentally Relevant Activity if the treatment capacity exceeds 21EP.

PART 2—CONCURRENCE AGENCY CONDITIONS

The Department of Infrastructure, Local Government and Planning, provided a concurrence agency response by letter dated 18 January 2017 (copy letter attached for information).

Seconded by Cr SA Rowleson.

There being no discussion on this item - the Motion was put - and carried unanimously.



Minutes

14 March 2017

Item Number:	File Number:	Part:
K2	322.2015.44309.1	DEVELOPMENT ASSESSMENT

Portfolio:

Infrastructure & Planning Services

Subject:

7 and 7A Bauer Street, Bargara - Development Permit for Material Change of Use for General Business and Higher Density Residential

Summary:

APPLICATION NO	322.2015.44309.1
PROPOSAL	Development Permit for Material Change of Use for General Business and Higher Density Residential
APPLICANT	CR Haddon & E Kot C/- John Gatley Building Designs
OWNER	CR Haddon & E Kot
PROPERTY DESCRIPTION	Lot 1 CK3070, Lot 2 SP138054
ADDRESS	7 Bauer Street & 7A Bauer Street, Bargara
PLANNING SCHEME	Planning Scheme for Burnett Shire
ZONING	Business zone (Coastal Towns Planning Area)
OVERLAYS	Infrastructure overlay
LEVEL OF ASSESSMENT	Code Assessable
SITE AREA	3,040 m ² total
CURRENT USE	Two (2) Motels
PROPERLY MADE DATE	13 October 2015
STATUS	The decision period ends 20 March 2017.
REFERRAL AGENCIES	Department of Infrastructure, Local Government and Planning
NO OF SUBMITTERS	Not Applicable
PREVIOUS APPROVALS	Nil
SITE INSPECTION CONDUCTED	13 November 2015 and 28 July 2016
LEVEL OF DELEGATION	Level 3

1918

Resolution

Cr CR Sommerfeld presented the report; and moved:-

That Development Application 322.2015.44309.1 be determined as follows:

DESCRIPTION OF PROPOSAL

Material Change of Use for General Business and Higher Density Residential

SUBJECT SITE

7 Bauer Street & 7A Bauer Street, Bargara - described as Lot 1 on CK3070, Lot 2 on SP138054

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"/>

Deemed Approval

Section 331 of the *Sustainable Planning Act 2009* (SPA) is not applicable to this decision.

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:

- All Building Work
- All Plumbing and Drainage Work
- 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.

- Planning Scheme for Burnett 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 are:

For an application involving	Name of referral agency	Advice agency or concurrence agency	Address
<p>State-controlled road Schedule 7, Table 3, Item 1</p> <p><i>Making a material change of use of premises if any part of the land:</i></p> <p>(a) <i>Is within 25m of a State-controlled road; or</i></p> <p>(b) <i>Is future State-controlled road; or</i></p> <p><i>Abuts a road that intersects with a State-controlled road within 100m of the land.</i></p>	Department of Infrastructure, Local Government and Planning	Concurrence	<p>State Assessment and Referral Agency (SARA)</p> <p><i>E:</i> WBBSARA@dndip.qld.gov.au</p> <p><i>P:</i> PO Box 979 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
5193-01 Rev. J	Site Locality Plan	01.03.17
5193-02 Rev. J	Basement Carpark Layout	01.03.17
5193-03 Rev. J	Ground Floor Plan	01.03.17
5193-04 Rev. J	First Floor Plan	01.03.17
5193-05 Rev. J	Second Floor Plan	01.03.17

5193-06 Rev. J	Elevations A, B, C, D	01.03.17
5193-07 Rev. J	Existing Amenities	01.03.17
5193-08 Rev. J	Layout of Proposed Footpath and landscaping and See Street View of Palms Plaza Development	01.03.17

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
10, 36, 40, 41, 45	Section 665 – Non-trunk Infrastructure
N/A	Section 646 – Identified Trunk Infrastructure
N/A	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. Meet the full cost of all works and any other requirements associated with this development, unless specified in a particular condition.
2. Where there is any conflict between Conditions of this Decision Notice and details shown on the Approved Plans, the Conditions prevail.
3. Comply with all of the conditions of this Development Permit prior to the commencement of the use, unless otherwise stated within this notice, and maintain compliance whilst the use continues.

Amalgamation

4. Amalgamate Lot 1 on CK3070 and Lot 2 on SP138054 into one allotment. The Plan of Subdivision providing for the amalgamation must be registered prior to the commencement of the use or the endorsement of any Community Management Statement whichever occurs sooner.

Air Conditioners

5. All air conditioning units or other mechanical equipment must be located at ground level, or otherwise fully enclosed or screened such that they are not visible from the street frontages or adjoining properties.
6. Air conditioning units must be designed, installed, maintained and operated so that noise emissions are within the limits imposed by the *Environmental Protection Act*, Regulations and Policies.

Amenity

7. The approved commercial uses must be undertaken so that no undue disturbance is caused to approved residential uses and neighbouring properties by virtue of bright lights and operational noise, including impacts generated from the recreational areas.
8. The subject land must be maintained in a neat and tidy state at all times. No shopping trolleys, towels and clothing is to be visible from Bauer Street, See Street or the adjoining properties.

Building Design and Setbacks

9. All deck and balcony areas above ground floor must not be enclosed by permanent fixtures such as shutters, louvres, glass panelling or the like, except where required to satisfy any privacy condition of this Decision Notice.

Car Parking

10. Provide off-street car parking and vehicle manoeuvring areas with a minimum of sixty nine (69) basement and thirty-one (31) ground level parking spaces and one (1) dedicated loading bay. Such car parking, access and manoeuvring areas must be generally in accordance with the Approved Plans and be:-
 - a. constructed and sealed with bitumen, asphalt, concrete or approved pavers;
 - b. line-marked into parking bays;
 - c. designed to include a manoeuvring areas to allow all vehicles to leave the site in a forward gear and as specifically listed herein;
 - d. designed to include the provision of fill and/or boundary retaining walls to allow for the containment and management of site stormwater drainage as required;
 - e. sign posted to indicate entry/exit points, in addition to line marking, to indicate the traffic flow through the site;
 - f. drained to the relevant site discharge point;
 - g. be available free-of-charge to staff and customers during operating hours, with the exception of penthouse parks 1 and 69 and manager's residence park which may be exclusive use only;
 - h. designed in accordance with AS/NZS2890.1-2004: 'Parking Facilities Part 1: Off-street Car Parking';
 - i. not permanently allocated or signed/marked for residential unit occupants or commercial tenancies (except for in the circumstances listed in (g) above).

11. The ground level internal vehicular circulation must be one-way flow with traffic to enter via See Street and egress as left-turn only via Bauer Street.
12. Signage and works must be provided at the Bauer Street ground level exit to:
 - a. clearly indicate that the traffic exiting the basement parking has priority; and
 - b. restrict the exit to left-turn only.The specific requirements must be determined as part of the Operational Works application.
13. Prior to issuing the building approval, submit an RPEQ certified drawing that confirms the western wall adjacent to the Bauer Street driveway has been modified as necessary or controls have been implemented, to the satisfaction of the Assessment Manager, to have sufficient viewing opportunities:
 - a. for the basement egress traffic, to provide minimum sight lines for pedestrians in accordance with Figure 3.3 *Minimum Sight Lines for Pedestrians* of AS 2890.1 – 2004; and
 - b. for the ground level exiting traffic, to provide sufficient opportunities such that the ground level vehicles can observe and give way to exiting basement traffic.

Construction Management

14. Unless otherwise approved in writing by the Assessment Manager, do not undertake building work in a way that makes audible noise:
 - a. On a business day or Saturday, before 6.30 am or after 6.30 pm; or
 - b. On any other day, at any time.
15. Contain all litter, building waste and sediments on the building site by the use of a skip and any other reasonable means during construction to prevent release to neighbouring properties or roads.
16. Remove any spills of soil or other material from the road or gutter upon completion of each day's work, during construction. These material spills and accumulated sediment deposits must be managed in a way that minimises environmental harm and/or damage to public and private property.

Easements

17. Lodge for registration at the office of the Land Registry the following easement(s):
 - a. a stormwater drainage easement having a minimum width of three (3) metres or as determined in an application for Operational Works, whichever is the greater, to the benefit of Council that includes:
 - i. all stormwater overland flow paths traversing the land;
 - ii. Q100 ARI stormwater overland flow paths traversing the site; and
 - iii. any stormwater main existing or proposed to traverse the land located within the easement and a minimum of one (1) metre from the easement boundary; and
 - b. a volumetric sewerage easement centred over Council's infrastructure having a minimum width of three (3) metres to the benefit of Council that includes any sewerage main existing or proposed traversing the land.

18. Draft easement documentation must be submitted to the Assessment Manager for endorsement.
19. All works must be kept clear of any existing or proposed easements on the subject land, unless agreed otherwise in writing by the Grantee.

Nature and Extent of the Approved Use

20. Unless otherwise approved in writing by the Assessment Manager, the hours of the approved general business uses are limited to:

- a. Monday to Friday inclusive – 6 am to 10 pm
- b. Saturday – 6 am to 10 pm; and
- c. Sunday and public holidays – 8 am to 5 pm.

The requirements of this condition must be included in the Community Management Statement for anybody corporate for the subject site.

21. Unless otherwise approved in writing by the Assessment Manager, all deliveries, loading/unloading activities and refuse collection are to be undertaken between the hours of 6 am to 6 pm Monday to Friday inclusive, Saturday 8 am to 5 pm and 9 am to 5 pm Sunday.

The requirements of this condition must be included in the Community Management Statement for anybody corporate for the subject site.

22. The tenancy/s located on the First Floor as shown on the Approved Plans must only be utilised for the approved General Business (Restaurant and Café) uses. The balcony areas must be used for alfresco dining and/or passive recreation.

End of Trip Facilities – Cycle Parking

23. Install and maintain a secure bicycle parking spaces for employees and bicycle parking spaces for customers. Customer cycle parking must be located in a visible area close the entrance of each building.

24. Provide one (1) locker for every two (2) staff cycle parking spaces.

25. Provide informational and directional signage where necessary to direct cyclists to bicycle parking spaces and advise the public of their presence.

External Storage of Materials

26. Ensure goods, equipment, packaging material or machinery is not stored or left exposed outside the building so as to be visible from any public road or thoroughfare. Any storage on site is required to be screened from view from all roads and adjacent properties.

Fences

27. Provide a 1.8 metre high solid no-gap screen fence to the side and rear boundaries of the entire site, commencing from the road frontage of the subject property, where such fencing does not currently exist. From the front (western) boundary of the site, fencing must be tapered to a height of 1.2 metres for an appropriate distance to allow sightlines for vehicular traffic. The erection of a second boundary line fence parallel to any existing boundary fence is prohibited.

Lease

28. Prior to the issue of an approval for building work, the developer must enter into and maintain a legally binding deed or equivalent with terms and conditions to the satisfaction of Council's correspondence (letter) of 7 March 2016 that clearly articulates the roles and responsibilities regarding any part of the structure on the subject land that extends over and/or is within the road reserve. When executed the document will form part of the endorsed documents for this approval.
29. The operation of the approved use is to at all times comply with the terms of the executed legally binding document over the road reserve.

Lighting

30. External lighting used to illuminate the premises must be designed and provided in accordance with Australian Standard AS 4282-1997: *Control of the obtrusive effects of outdoor lighting* so as not to cause nuisance to residents or obstruct or distract pedestrian or vehicular traffic.
31. External lighting must be the most energy efficient, dark sky compliant (which prevents the light from escaping upward and direct light down and away from the beach) and amber lighting available in the National Electricity Market Load Tables for Unmetered Connection Points (AEMO 2015).
32. Internal lighting must be shaded through glass tinting on all windows facing or seen from the beach with a transmittance value of 45% or less.

Loading/Unloading

33. Loading and unloading of all vehicles associated with the use must occur on the subject site.

Mail Service

34. Provide one (1) letterbox for each unit. Such letterboxes are to be suitably grouped adjacent to the footpath and constructed of materials consistent with the character of the development.

Privacy

35. The balconies for each unit must be separated by either balcony planter boxes, balustrading or fixed external screens, positioned in such a way to obscure direct views into the adjoining balcony, habitable room windows or private open space areas of the adjoining property.
36. Fixed solid screening is to be provided to separate the balcony of unit D1.1 from the adjoining Café Balcony on the first floor.

Property Access, Driveways and Internal Circulation

37. Access driveways to subject land must generally comply Burnett Shire Council drawing R112 D – *Industrial and Commercial Driveway Slab*. The specific requirements must be determined as part of the Operational Works application.
38. The height of any plants within 5 metres of each driveway is to be low level ground cover or other treatment that grows to a height of not greater than 250 mm.

Public Safety

39. During operating hours, all parking areas, pedestrian areas and entrances/exits to all stairwells, lifts, foyers and public toilets must be well lit with vandal resistant lighting and with intensities to satisfy the requirements of Australian Standard AS1158 "*Public Lighting Code*". Lighting must be designed to reduce the contrast between shadows and well lit areas. In particular, appropriate security lighting must be provided in the narrow walkway to the public toilet amenities and external exit to the left of Shop 10 on the Approved Plans.
40. After hours access to loading docks, storage areas and the basement carpark (including the vehicle ramp and all stairwells) must be restricted by a security gate, lockable doors and/or other suitably appropriate means.
41. Prior to issue of the building approval for the development the developer is to provide an RPEQ certification to the Assessment Manager confirming that the building elements supporting the first level balcony are designed to withstand an impact by a motor vehicle, without resulting in balcony collapse or failure.

Roadway

42. At the Bauer Street entry/egress driveway provide a CHR(s) and sufficient space clear of the relocated Bus Stop to allow a BAL turn into the subject site with such works to be generally in accordance with the approved *Proposed Site Layout and Turn Paths* plan. Intersection designs and speed restriction devices must be in accordance with Main Roads Road Planning and Design Manual and, where applicable, Austroads *Guide to Road Design Part 4A: Unsignalised and Signalised Intersections*.

Sewerage

43. Prior to the commencement of building works, the developer must to be to the satisfaction of the Assessment Manager, replace the existing sewerage main with DICL where it traverses the subject site.
44. Access to the Sewer Main must be available to Council at all times.

Street Identification

45. The street address of the development must be clearly visible and discernible from the primary frontage of the site by the provision of a street number and, where appropriate, the building name.
46. The building entrance or reception area must be clearly visible and identifiable from the street or otherwise provided with signage and lighting at strategic locations to direct people to the building entrance.

Stormwater

47. Install a stormwater drainage system connecting to a lawful points of discharge. The works must be undertaken in generally accordance with an Operational Works approval and the Queensland Urban Drainage Manual, and must include in particular:
 - a. the works shown on the Approved Plans and as generally described in the Contour *Stormwater Management Plan* dated 11 December 2015;
 - b. a grated trench drain must be provided at the entry/exit to the property where the Q10 ARI flows are not contained within the site;

- c. stormwater drainage must be designed and constructed in accordance with the requirements of the Queensland Urban Drainage Manual and Bundaberg Regional Council, ie, a piped system with a capacity to cater for Q10 ARI flows, with overland flowpaths to be provided for a capacity of Q100ARI less piped flow; and
 - d. the design for the site drainage system, fill, car parking and access must be undertaken so that flows from adjacent properties will not be impeded by the development.
48. The drainage system for the development must incorporate Stormwater Quality Improvements in accordance with the State Planning Policy July 2014 and the Bundaberg Regional Council Stormwater Management Strategies. A Site Based Stormwater Management Plan and Erosion and Sediment Control Management Plan, inclusive of long term maintenance measures and manufacture's recommendation, must be submitted as part of an application for Operational Works outlining how the Stormwater Quality Improvements in both the construction and operational phases of the development will be achieved.

Street Trees

49. The existing street trees and associated landscaped tree surround is to be retained where possible within the road shoulder and developed generally in accordance with Approved Plan No: 5193-08, dated 8 December 2015.
50. Tree surrounds are to be provided to each existing street tree within the road shoulder, in accordance with AS4373-2007- *Pruning of amenity trees*. The size and location of the surrounds is to suit the tree root system and the development access. The specific dimensions for the surround and the provision of access to driveway crossovers are to be finalised as part of the Operational Works application.

Waste Management

51. Provide a sufficient area for the storage of all waste bins. This area must be sealed, screen fenced and designed so as to prevent the release of contaminants to the environment.
52. 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.
53. An impervious bin storage area (Bin Enclosure) for waste receptacles, must be provided in accordance with the following:
- a. the bin storage area must be sufficient to accommodate all refuse containers required by the Assessment Manager for the scale of the development;
 - b. the bin storage area must be aesthetically screened from the road frontage and adjoining properties by landscaping or constructed screening;
 - c. a suitable hose cock (with backflow prevention) and hoses must be provided at the refuse container area, and wash down to be drained to sewer and fitted with an approved stormwater diversion valve arrangement.

54. The bin storage enclosure must be maintained in a clean and sanitary manner at all times.
55. Ensure that any potential food / waste sources are covered and collected so that they are not accessible to wildlife.

PART 1B – ADVICE NOTES

Infrastructure Charges Notice

- A. Please find attached the Infrastructure Charges Notice (Ref No: 331.2017.890.1) applicable to the approved development.

Environmental Harm/ Nuisance

- B. 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 effect, or potential adverse effect whether temporary or permanent and of whatever magnitude, duration or frequency on an environmental value and includes environmental nuisance. Therefore, no person should cause any interference with the environment or amenity of the area by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, 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.
- C. Under Section 440U of the *Environmental Protection Act 1994* the occupier of the premises must not use, or permit the use of, the air-conditioner outside of the under-mentioned parameters—
 - a. before 7.00 am or after 10.00 pm – less than 3dB(A) above background,
 - b. between 7.00 am and 10.00 pm – less than 5dB(A) above background
- D. Under Section 440ZG of the *Environmental Protection Act 1994*, a person must not deposit prescribed water contaminants.
A person must not—
 - a. unlawfully deposit a prescribed water contaminant—
 - ii. in waters; or
 - iii. in a roadside gutter or stormwater drainage; or
 - iv. at another place, and in a way, so that the contaminant could reasonably be expected to wash, blow, fall or otherwise move into waters, a roadside gutter or stormwater drainage; or *Example of a place for subparagraph (iii)*— a building site where soil may be washed into an adjacent roadside gutter
 - b. unlawfully release stormwater run-off into waters, a roadside gutter or stormwater drainage that results in the build-up of earth in waters, a roadside gutter or stormwater drainage.

Food – Sale and Preparation

- E. The premises is required to be Licensed under the provisions of the *Food Act 2006*. Council's Environmental Health Services requires that an application for a Food Licence be made (with associated fee and required detailed plans of development i.e. site plan, floor plan, sectional plan). For further information about these requirements please contact Council's Environmental Health Services Section on 1300 883 699.
- F. Should any of the replacement structures or equipment differ from the business's original approved plans, Council's Environmental Health Services Section must be notified to amend details concerning the license under the *Food Act 2006*. The operator is required to provide an expected completion date for any proposed work so that a pre-opening inspection can be arranged. For further information about these requirements please contact Council's Environmental Health Services Section on 1300 883 699.
- G. Contact must be made with Council's Trade Waste Services with regard to the size of grease trap required of this establishment and Trade Waste Permit.
- H. The premise must comply with *Australian Standard 4674* and the Food Standards.

Fencing

- I. Should any existing fence not comply with the requirements of this approval, the existing fence must be replaced in accordance with the requirements of this approval.
- J. Fencing should be undertaken in accordance with the provisions of the *Neighbourhood Disputes (Dividing Fences and Trees) Act 2011*. This includes appropriate mediation practices and agreements regarding the type of materials, location and retrieval of any materials for any fence removed.

Nature and Extent of Approved Development

- K. This Decision Notice does not represent an approval to commence Building Works.
- L. Once the legally binding agreement is established (prior to approval of building works) on this property regarding the structure within the road reserve, Council accepts no responsibility for any damage or liability in this regard. Maintenance rests solely with the landowner as per the terms of the agreement. A condition of the approval requires the owner/ operator to comply with the terms of the agreement in perpetuity.

Signage

- M. An Operational Works permit is required to be obtained for all signs and advertising devices associated with the development that do not comply with the self assessable criteria of the Planning Scheme in effect at the time of the proposed works.

Operational Works

- N. This Decision Notice does not represent an approval to commence Operational Works. Any Operational Works associated with this Material Change of Use or other engineering work proposed on the lot is subject to relevant assessment under the Bundaberg Regional Council Planning Scheme 2015 or the instrument in effect at the time of assessment.

This can include works for on-site landscaping, internal vehicle circulation, manoeuvring and car parking areas, on-site stormwater management and access driveways.

PROPERTY NOTES

PN1 Development Approval 322.2015.44309.1 – Structures in Road Reserve

The following notation applies to the Subject land any future Reconfigured Lots:
A legally binding agreement exists on this property in relation to a structure contained within the road reserve. Maintenance and responsibility rests with the landowner in accordance with the terms of the executed agreement. A condition of the guiding development approval requires the owner/ operator to comply with the terms of the agreement in perpetuity.

PART 2—CONCURRENCE AGENCY CONDITIONS

The Department of Infrastructure, Local Government and Planning by letter dated 19 September 2016 (copy letter attached for information).

Seconded by Cr GR Barnes.

There being no discussion on this item - the Motion was put - and carried unanimously.



Minutes

14 March 2017

Item Number: M1	File Number: .	Part: HEALTH & REGULATORY SERVICES
---------------------------	--------------------------	---

Portfolio:

Community & Environment

Subject:

Construction of Cell 3 - Bundaberg Regional Landfill

1919

Resolution

Cr SA Rowleson presented the report; and moved:-

That approval be granted for the construction of Cell 3 at the Bundaberg Regional Landfill; and tenders be called for its construction.

Seconded by Cr WA Honor.

There being no discussion on this item - the Motion was put - and carried unanimously.



Minutes

14 March 2017

Item Number: N1	File Number: A3011856	Part: COMMUNITY & CULTURAL SERVICES
---------------------------	---------------------------------	--

Portfolio:

Community & Environment

Subject:

Request to enter into agreement with Wide Bay Community Inc "First 5 Forever" Literacy Program

1920

Resolution

Cr HL Blackburn moved:-

That this item be deferred to the next round of Council meetings pending consideration of further information thereto.

Seconded by Cr WA Honor.

The Motion on being put - was carried unanimously.



Minutes

14 March 2017

Item Number: N2	File Number: A38206	Part: COMMUNITY & CULTURAL SERVICES
---------------------------	-------------------------------	--

Portfolio:

Community & Environment

Subject:

River Cruz Cafe Lease Renewal

1921

Resolution

Cr WR Trevor presented the report; and moved:-

That the Chief Executive Officer be authorised to finalise a 5 year term lease over part of Lot 2 on SP162005, Quay Street, Bundaberg, subject to an initial annual lease fee of \$23,475 per annum plus CPI increases each year thereafter being paid.

Seconded by Cr WA Honor.

There being no discussion on this item - the Motion was put - and carried unanimously.



Minutes

14 March 2017

Item Number:	File Number:	Part:
S1	A3016019	ECONOMIC DEVELOPMENT

Portfolio:

Community & Environment

Subject:

Request for Grant to complete the rebuild of "Armstrong Siddeley 40760"

1922

Resolution

Cr GR Barnes presented the report; and moved:-

That a donation of \$15,250 (inc GST) be made to the Hinkler House Memorial Museum and Research Association Inc, to complete the restoration project on Bert Hinkler's Armstrong Siddeley 40760 processional vehicle.

Seconded by Cr HL Blackburn.

There being no discussion on this item - the Motion was put - and carried unanimously.

The Acting Mayor advised at this stage due to the confidential nature of the following 7 items:-

- T1 Sundry Debt Write-Off
- T2 TEN/0097 - Joint procurement of Landfill Water Quality Testing and Reporting Services
- T3 Hoffmans Road, Burnett Heads - Lot 5 on SP215893
- T4 Request for water leak relief - Lot 1 on SP191796
- T5 Resolution to adopt Temporary Local Planning Instrument (TLPI) 1/2017 Protection of the Mon Repos Turtle Conservation Area
- T6 Works 4 Queensland 2016-2017 Tender Consideration Plan
- T7 Community Reference Group Appointment - Bundaberg CBD Revitalisation Project

- pursuant to Section 275 of the “Local Government Regulation 2012”, the Meeting would now have to be closed to the public.

Pursuant to Section 173 of the “Local Government Act 2009”, Cr WA Honor declared a perceived Conflict of Interest in relation to Item T7 - as his son is the author of the report; but had considered his position and was firmly of the opinion that he could participate in debate and vote on this matter in the public interest.

Resolution

Cr SA Rowleson moved:-

That the meeting be closed to the public – and discussion on the following 7 items be held in Committee.

Seconded by Cr PR Heuser - and carried unanimously without debate.

Resolution

Cr SA Rowleson moved:-

That the meeting now be reopened.

Seconded by Cr JP Bartels - and carried unanimously without debate.



Minutes

14 March 2017

Item Number: T1	File Number: .	Part: CONFIDENTIAL
---------------------------	--------------------------	------------------------------

Portfolio:

Community & Environment

Subject:

Sundry Debt Write-Off

1923

Resolution

Cr HL Blackburn moved:-

Taking into account the circumstances outlined in this report, the exhaustive efforts to recoup the debt and the advices received from Council's Solicitors thereto - that the amount of \$600,453.78 be written-off Council's accounts.

Seconded by Cr SA Rowleson.

There being no discussion on this item - the Motion was put - and carried unanimously.



Minutes

14 March 2017

Item Number: T2	File Number: .	Part: CONFIDENTIAL
---------------------------	--------------------------	------------------------------

Portfolio:

Organisational Services

Subject:

TEN/0097 - Joint procurement of Landfill Water Quality Testing and Reporting Services

1924

Resolution

Cr HL Blackburn moved:-

That the recommendation of the Wide Bay Burnett Regional Organisation of Councils to award TEN/0097 Water Quality Testing Tender to GHD for a period of three (3) years with an estimated value of \$310,000 to this Council - be endorsed.

Seconded by Cr JP Bartels.

The Motion on being put - was carried unanimously.



Minutes

14 March 2017

Item Number:	File Number:	Part:
T3	qA861	CONFIDENTIAL

Portfolio:

Governance

Subject:

Hoffmans Road, Burnett Heads - Lot 5 on SP215893

1925

Resolution

Cr SA Rowleson moved:-

That the Chief Executive Officer be authorised to make application to the Minister for an exemption from complying with Section 227 of the *Local Government Regulation 2012*, to dispose of land described as Lot 5 on SP215893, Hoffmans Road, Burnett Heads, by way of private treaty to the lessee, subject to:-

1. An independent valuation report of the property being prepared; and
2. The agreed sale price be in accordance with Section 236(3) of the *Local Government Regulation 2012*.

Seconded by Cr WA Honor.

There being no discussion on this item - the Motion was put - and carried unanimously.



Minutes

14 March 2017

Item Number: T4	File Number: A3002415	Part: CONFIDENTIAL
---------------------------	---------------------------------	------------------------------

Portfolio:

Organisational Services

Subject:

Request for water leak relief - Lot 1 on SP191796

1926

Resolution

Cr Blackburn moved:-

That in view of the circumstances pertaining to this matter, and in terms of Section 120 of the Local Government Regulation 2012, Council provide relief of \$439.92 to reduce the water consumption charges to a level consistent with an average of the past 5 meter readings applicable to the property at Lot 1 on SP191796 Parish Barolin.

Seconded by Cr GR Barnes.

There being no discussion on this item - the Motion was put - and carried unanimously.



Minutes

14 March 2017

Item Number: T5	File Number: LP	Part: CONFIDENTIAL
---------------------------	---------------------------	------------------------------

Portfolio:

Infrastructure & Planning Services

Subject:

Resolution to adopt Temporary Local Planning Instrument (TLPI) 1/2017 - Protection of the Mon Repos Turtle Conservation Area

1927

Resolution

Cr CR Sommerfeld moved:-

That, effective from 17 March 2017, the proposed Temporary Local Planning Instrument (TLPI) 1/2017 – Protection of the Mon Repos Turtle Conservation Area, be adopted by Council.

Seconded by Cr WA Honor.

There being no discussion on this item - the Motion was put - and carried unanimously.



Minutes

14 March 2017

Item Number: T6	File Number: .	Part: CONFIDENTIAL
---------------------------	--------------------------	------------------------------

Portfolio:

Community & Environment

Subject:

Works 4 Queensland 2016-2017 Tender Consideration Plan

1928

Resolution

Cr WR Trevor moved:-

That in accordance with Section 230 of the *Local Government Regulation 2012*, the Works 4 Queensland Tender Consideration Plan (as detailed on the 6 pages appended to this report) – be adopted by Council.

It being noted that the plan includes all the projects listed and endorsed under the W4Q 2016-2017 Programme, includes procurement and purchasing activities, with the objectives being to:-

- Meet the conditions of the W4Q Programme;
- Procure in a timely and efficient manner;
- Mitigate risk;
- Ensure that sound Contracting Principles are considered; and
- Meet the completion deadline of 30 November 2017.

Seconded by Cr GR Barnes.

There being no discussion on this item - the Motion was put - and carried unanimously.



Minutes

14 March 2017

Item Number:	File Number:	Part:
T7	IAS2222.2016	CONFIDENTIAL

Portfolio:

Infrastructure & Planning Services

Subject:

Community Reference Group Appointment - Bundaberg CBD Revitalisation Project

1929

Resolution

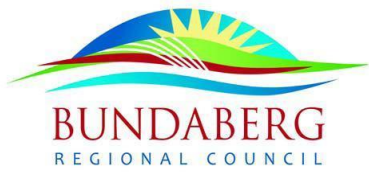
Cr HL Blackburn moved:-

That the following be appointed to the Community Reference Group for the Bundaberg CBD Revitalisation Project, subject to each member committing to the group's Terms of Reference:-

- **Peter Donaldson, Bundaberg Travel Centre;**
- **John Greenhalgh, Avenell Brothers Gift Store;**
- **Peter Heaps, Chippindalls;**
- **Adam Curran, National Australia Bank;**
- **Katie Murrell, B Transformed;**
- **Grant Davies, CBD Realty;**
- **Peter Murray, Oasis Café and Go2Yo Self-Serve Frozen Yoghurt;**
- **Tracey McPhee, Alowishus;**
- **Bernadette Leonard, Alchemy Well-being Café;**
- **Kylie Goodman-Jones, Youth Member;**
- **Matthew Knott, Disability Sector Advocate;**
- **Yale Morgan, Bundaberg Chamber of Commerce (with Trish Mears as proxy);**
- **David Job, UDIA Representative (with Peter Marles as proxy);**
- **Steve Cooper, Cooper's Home Timber & Hardware;**
- **Senior Constable Gordon Hard, Police Beat Officer (or QPS proxy).**

Seconded by Cr PR Heuser.

The Motion on being put - was carried unanimously.



Minutes

14 March 2017

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

Subject:

Meeting Close

There being no further business – the Acting Mayor declared this Ordinary Meeting closed at 10.50 am.

Confirmed this fourth day of April 2017.

MAYOR