



Ordinary Meeting Minutes

27 March 2018

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:

Officers:

Mr SD Johnston, Chief Executive Officer
Mr SJ Randle, General Manager Infrastructure
Mr GJ Steele, General Manager Community & Environment
Mrs A Pafumi, General Manager Organisational Services
Mr M Ellery, Group Manager Development
Mr M Gorey, Executive Officer Communications
Mrs A Sapolu, Chief Legal Officer
Mrs MT Jenner, Executive Assistant to the Councillors
Miss A Crouch, Executive Assistant to the General Manager Organisational Services

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

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

27 March 2018

Item Number:	File Number:	Part:
B1		Minutes

Subject:

Confirmation of Minutes

0034

Resolution

Cr SA Rowleson moved:-

That the Minutes of the Ordinary Meeting of Council held on 27 February 2018 be taken as read and confirmed.

Seconded by Cr HL Blackburn - and carried unanimously without debate.



Minutes

27 March 2018

Item Number: C1	File Number: .	Part: COUNCILLORS
---------------------------	--------------------------	-----------------------------

Portfolio:

Councillors

Subject:

Petition - Request for youth focused leisure infrastructure for Elliott Heads

0035

Resolution

Cr JM Dempsey presented the Report; and moved:-

That the petition be received and noted.

Seconded by Cr SA Rowleson.

The Motion was put - and carried unanimously.



Minutes

27 March 2018

Item Number:	File Number:	Part:
D1	.	EXECUTIVE SERVICES

Portfolio:

Executive Services

Subject:

Appointment to Committees and other bodies

0036

Resolution

Cr JM Dempsey presented the Report; and moved:-

That Council's representatives to the following Council and Community Organisations be as follows:-

- (1) Fleet Management Advisory Committee - Cr WR Trevor and Cr WA Honor;
- (2) IT Steering Advisory Committee - Cr HL Blackburn and Cr SA Cooper;
- (3) Regional Arts Development Fund Committee - Cr JA Peters;
- (4) Gallery Exhibitions Committee - Cr JA Peters;
- (5) Gallery Acquisitions Committee - Cr JA Peters;
- (6) Bundaberg Landfill Facility Community Consultation Group - Cr WA Honor and Cr SA Rowleson;
- (7) Bundaberg Region Cycling Action Advisory Group - Cr WA Honor and Cr HL Blackburn;
- (8) Bundaberg Report Sport & Recreation Advisory Group - Cr HL Blackburn;
- (9) Bundaberg Region Water Safety Advisory Group - Cr HL Blackburn;
- (10) Community Conservation Advisory Committee - Cr WR Trevor;
- (11) Lake Monduran Advisory Committee - Cr WA Honor;
- (12) Community Grants Panel - Cr HL Blackburn and Cr JA Peters;
- (13) Bundaberg Region Inclusive Communities Advisory Committee - Cr JA Peters;
- (14) Sister Cities Advisory Committee - Cr GR Barnes, Cr CR Sommerfeld, Cr SA Rowleson, Cr HL Blackburn and Cr SA Cooper;
- (15) Wide Bay Burnett Regional Organisation of Councils - Cr JM Dempsey and Cr WR Trevor;
- (16) Wide Bay Burnett Regional Roads and Transport Group - Cr JM Dempsey and Cr WA Honor;

- (17) Bundaberg Groundwater Area Advisory Committee - Cr JP Bartels and Cr WR Trevor (with Cr JD Learmonth as proxy);
- (18) Traffic Advisory Committee - Cr WA Honor and Cr JD Learmonth;
- (19) Wide Bay Burnett Regional Planning Advisory Committee - Cr CR Sommerfeld (with Cr HL Blackburn as proxy)
- (20) Wide Bay Burnett Regional Water Supply Strategy Management Committee - Cr JP Bartels and Cr WR Trevor (with Cr WA Honor as proxy)
- (21) Bundaberg Area Committee Crime Stoppers Queensland - Cr SA Rowleson and Cr JA Peters;
- (22) Public Safety Consultative Committee (an Advisory Committee of the Bundaberg Safe Night Out Precinct Inc.) - Cr HL Blackburn and Cr JD Learmonth;
- (23) Disability Sector Network - Cr JA Peters;
- (24) Seniors Network - Cr JA Peters;
- (25) Bundaberg Region Mental Wellbeing Alliance – Cr JA Peters;
- (26) Youth Hub and Youth Sector – Cr JA Peters;
- (27) Reef Guardian Council – Cr WR Trevor and Cr SA Rowleson;
- (28) UDIA – Cr JL Learmonth, Cr JP Bartels, Cr CR Sommerfeld and Cr SA Cooper;
- (29) UDIA Working Committee – Cr HL Blackburn and CR CR Sommerfeld;
- (30) Local Disaster Management Group – Cr JM Dempsey and Cr GR Barnes;
- (31) Audit and Risk Committee - Cr HL Blackburn and Cr SA Cooper.

Seconded by Cr WR Trevor.

The Motion was put - and carried unanimously.



Minutes

27 March 2018

Item Number: D2	File Number: .	Part: EXECUTIVE SERVICES
---------------------------	--------------------------	------------------------------------

Portfolio:

Executive Services

Subject:

Making of Declaration of Office

0037**Resolution**

Cr JM Dempsey presented the Report; and moved:-

Council notes that the Declaration of Office was taken and recorded by the Chief Executive Officer, Mr Stephen Johnston, pursuant to Section 169 of “The Local Government Act 2009”, for:-

**Cr Steve Cooper (Division 8) on 14 February 2018; and
Cr John Learmonth (Division 10) on 26 February 2018.**

Seconded by Cr WA Honor.

The Motion was put - and carried unanimously.



Minutes

27 March 2018

Item Number: D3	File Number: .	Part: EXECUTIVE SERVICES
---------------------------	--------------------------	------------------------------------

Portfolio:

Executive Services

Subject:

Leave of Absence - Cr John Learmonth

0038**Resolution**

Cr JM Dempsey presented the Report; and moved:-

That Cr Learmonth's application for leave of absence from all Council meetings for the period 17 April to 14 May 2018 inclusive, be granted due to a long standing travel booking.

Seconded by Cr JA Peters.

The Motion was put - and carried unanimously.



Minutes

27 March 2018

Item Number: D4	File Number: .	Part: EXECUTIVE SERVICES
---------------------------	--------------------------	------------------------------------

Portfolio:

Executive Services

Subject:

Leave of Absence - Cr Judy Peters

0039

Resolution

Cr JM Dempsey presented the Report; and moved:-

That Cr Peter's application for leave of absence from the Council meeting on 24 April 2018, be granted.

Seconded by Cr HL Blackburn.

The Motion was put - and carried unanimously.



Minutes

27 March 2018

Item Number: E1	File Number: .	Part: FINANCE
---------------------------	--------------------------	-------------------------

Portfolio:

Organisational Services

Subject:

Financial Summary as at 28 February 2018

0040**Resolution**

Cr SA Cooper presented the Report; and moved:-

That the Financial Summary as at 28 February 2018 be noted by Council.

Seconded by Cr SA Rowleson.

The Motion was put - and carried unanimously.



Minutes

27 March 2018

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

Portfolio:

Organisational Services

Subject:

Information Services Steering Committee Meeting Minutes

0041

Resolution

Cr HL Blackburn presented the Report; and moved:-

That the meeting minutes of the Information Services Steering Committee held 19 October 2017, 16 November 2017, 16 February 2018 and 15 March 2018 – be noted.

Seconded by Cr WR Trevor.

The Motion was put - and carried unanimously.



Minutes

27 March 2018

Item Number:	File Number:	Part:
G1	0	INFRASTRUCTURE

Portfolio:

Infrastructure Services

Subject:

Garbage Trucks - Procurement (Pre-Budget)

0042

Resolution

Cr WA Honor presented the Report; and moved:-

That Council approves the commencement of the procurement process for the replacement of two garbage trucks in April 2018 before the 18/19 Budget is handed down.

Seconded by Cr JP Bartels.

The Motion was put - and carried unanimously.



Minutes

27 March 2018

Item Number:	File Number:	Part:
G2	0	INFRASTRUCTURE

Portfolio:

Infrastructure Services

Subject:

TEN/0264 - Servicing of Automatic Doors

0043**Resolution**

Cr WA Honor presented the Report; and moved:-

That Council:-

- 1. resolves, in accordance with Section 235(b) of the Local Government Regulation 2012 that, because of the specialized nature of the services that are sought, it would be impractical or disadvantageous for Council to invite quotes for the servicing of automatic doors; and**
- 2. enter into a service agreement with Dorma Automatics Pty Ltd (ABN 14 067 969 466) for the service and repair of automatic doors for a period of three (3) years with options to extend.**

Seconded by Cr HL Blackburn.

The Motion was put - and carried unanimously.



Minutes

27 March 2018

Item Number:	File Number:	Part:
K1	521.2017.20.1	DEVELOPMENT ASSESSMENT

Portfolio:

Planning & Development Services

Subject:

64 Ghost Gum Road, Sharon - Reconfiguring a Lot - Subdivision (One Lot into Two Lots)

0044

Resolution

Cr CR Sommerfeld presented the Report; and moved:-

That the Development Application 521.2017.20.1 detailed below be decided as follows:

1. Location details

Street address: 64 Ghost Gum Road SHARON
 Real property description: Lot 1 on SP212112
 Local government area: Bundaberg Regional Council

2. Details of the proposed development

Development Permit for Reconfiguring a Lot for Subdivision (One Lot into Two Lots)

3. Decision

Decision details: Approved in full with conditions. These conditions are set out in Schedule 1 and are clearly identified to indicate whether the assessment manager or a concurrence agency imposed them.

The following approvals are given:

	Planning Regulation 2017 reference	Development Permit	Preliminary Approval
Development assessable under the planning scheme, a temporary local planning instrument, a master plan or a preliminary approval which includes a variation approval		<input checked="" type="checkbox"/>	<input type="checkbox"/>

4. Approved plans and specifications

Copies of the following plans, specifications and/or drawings are enclosed.

Drawing/report title	Prepared by	Date	Reference no.	Version
Aspect of development: Reconfiguring a Lot				
Plan of Proposed Lot Reconfiguration: Sheet 1 of 3	InsiteSJC	Nov. 2017	GC17-313-T01-P1	N/A
Plan of Proposed Lot Reconfiguration: Sheet 2 of 3	InsiteSJC	Nov. 2017	GC17-313-T01-P1	N/A
Plan of Proposed Lot Reconfiguration: Sheet 3 of 3	InsiteSJC	Nov. 2017	GC17-313-T01-P1	N/A

5. Conditions

This approval is subject to the conditions in Schedule 1. These conditions are clearly identified to indicate whether the assessment manager or concurrence agency imposed them.

6. Further development permits

Not applicable

7. Properly made submissions

Properly made submissions were received from the following principal submitters:

Name of principal submitter	Residential or Business Address	Electronic Address
LD & KS Spencer	60 Pleasant Drive SHARON QLD 4670	N/A
Graham Harvey	62 Pleasant Drive SHARON QLD 4670	fingerpix@gmail.com
Kenneth Cross	69 Pleasant Drive SHARON QLD 4670	delta1@microed.com.au
Anthony John Wolfe	23 Pleasant Drive SHARON QLD 4670	anthonyjwolfe49@gmail.com
Ronald & Anne Marie Sorensen	4 Workmans Road SHARON QLD 4670	sorensenclan@bigpond.com

8. Referral agencies for the application

Not applicable

9. Currency period for the approval

This development approval will lapse at the end of the period set out in section 85 of *Planning Act 2016*.

10. Agreements under Section 49(4)(b) or 66(2)(b) or (c) of the Planning Act 2016

There are no agreements about these matters.

11. Rights of appeal

The rights of applicants to appeal to a tribunal or the Planning and Environment Court against decisions about a development application are set out in Chapter 6, Part 1 of the *Planning Act 2016*. For particular applications, there may also be a right to make an application for a declaration by a tribunal (see Chapter 6, Part 2 of the *Planning Act 2016*).

Appeal by an applicant

An applicant for a development application may appeal to the Planning and Environment Court against the following:

- the refusal of all or part of the development application
- a provision of the development approval
- the decision to give a preliminary approval when a development permit was applied for
- a deemed refusal of the development application.

An applicant may also have a right to appeal to the Development tribunal. For more information, see Schedule 1 of the *Planning Act 2016*.

Appeal by a submitter

A submitter for a development application may appeal to the Planning and Environment Court against:

- any part of the development application for the development approval that required impact assessment
- a variation request.

The timeframes for starting an appeal in the Planning and Environment Court are set out in Section 229 of the *Planning Act 2016*.

Schedule 2 is an extract from the *Planning Act 2016* that sets down the applicant's appeal rights and the appeal rights of a submitter.

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 submission of the request for approval of plan of subdivision, unless otherwise stated within this notice.

Easements

4. Lodge for registration at the office of the Land Registry the following easement:
 - a. a stormwater drainage easement in gross as identified on the Approved Plans.
5. All works must be kept clear of any existing or proposed easements on the subject land, unless agreed otherwise in writing by the Grantee.
6. Ensure that any easements and rights pertaining to the parcels of land associated with this approval are maintained unless otherwise stated on the Approved Plans or the conditions of this approval. Proof of the registration or surrender of any easements are to be submitted to the Assessment Manager at the time of the submission of a Plan of Subdivision.

Electricity, Street lighting and Telecommunications

7. Enter into an agreement with an approved electricity provider, to ensure that underground electricity will be available to each lot under standard tariff conditions and without further capital contributions. Provide evidence of such an agreement, along with associated bonding arrangements, to the Assessment Manager prior to the approval of the Plan of Subdivision.
8. Enter into an agreement with the Telecommunications Authority or Cable Service provider (whichever is applicable) to ensure that telecommunication/cable services will be available to each lot. Provide evidence of such an agreement to the Assessment Manager prior to the approval of the Plan of Subdivision.
9. Telecommunication conduits (ducts) and pits, including trenching and design, must be provided to service the development in accordance with 'Fibre-Ready' standards or the NBN Co Installing Pit and Conduit Infrastructure - Guidelines for Developers, to the satisfaction of the Assessment Manager.

Existing Services

11. Certification must be submitted to the Assessment Manager from an appropriately qualified surveyor which certifies that:
 - a. the boundary clearances for any existing buildings remaining on the site comply with the relevant provisions of the planning scheme and the *Building Act 1975*, unless varied by this Decision Notice;
 - b. all constructed access and roadworks (including associated fill batters and retaining walls) are fully contained within a dedicated reserve or registered easement;
 - c. all existing and proposed utility services and connections (eg. electricity, telecommunications, water, sewerage) are wholly located within the lot they serve, or alternatively included within an easement where location within the lot is not possible;
 - d. all existing effluent disposal areas are wholly located within the lot they serve and comply with the boundary setback requirements of the *Plumbing and Drainage Act 2002* and associated codes and requirements;
 - e. all dams (including ponded water, dam walls and associated spillway structures) are wholly located within the boundaries of a single lot;
 - f. all retaining walls and structures are fully contained within the lot they retain; and
 - g. any fill, including fill batters, are wholly contained within the subject site and not on adjacent properties.

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

- A. Please find attached the Infrastructure Charges Notice (Register No: 331.2017.971.1) applicable to the approved development.

Rates and Charges

- B. In accordance with the *Planning Act 2016*, all rates, charges or any expenses being a charge over the subject land under any Act must be paid prior to the Plan of Subdivision being endorsed by the Assessment Manager.

PART 1C – PROPERTY NOTES**Sewerage**

1. Development Approval 521.2017.20.1 – Sewerage

The following notation applies to approved Lot 21:

This property is not serviced by the Council's reticulated sewerage network. Any future development or residential dwelling on Lot 21 must be provided with an on-site waste water treatment and effluent disposal system having a capacity sufficient for the use.

The establishment of a waste water treatment and disposal system for the site requires a Compliance Permit to be obtained from Council under the *Plumbing and Drainage Act 2002*. The system must be designed in accordance with the *Queensland Plumbing and Wastewater Code* (Department of State Development and Infrastructure & Planning, 2007) and Australian Standard AS/NZS1547: 2000 "*On-site Domestic Wastewater Management*".

Water

2. Development Approval 521.2017.20.1 – Water

The following notation applies to approved Lot 21:

This property is not serviced by the Council's reticulated water network. At the time of final Building Approval for a residential dwelling, the owner must provide a potable water supply through connection of the dwelling to a rainwater storage tank, or tanks, having a capacity of not less than 45,000 litres.

Seconded by Cr WA Honor.

The Motion was put - and carried unanimously.



Minutes

27 March 2018

Item Number: N1	File Number: A1084126	Part: COMMUNITY & CULTURAL SERVICES
---------------------------	---------------------------------	--

Portfolio:

Community & Environment

Subject:

Partnerships & Sponsorships Grant Application - LifeFlight Foundation Ltd

0045

Resolution

Cr JA Peters presented the Report; and moved:-

That LifeFlight Foundation Ltd be awarded a financial donation of \$50,000 under the Community Partnerships and Sponsorships Program in the 2017/18 financial year to assist with the operational and training costs of the organisation.

Seconded by Cr WR Trevor.

The Motion was put - and carried unanimously.



Minutes

27 March 2018

Item Number:	File Number:	Part:
S1	.	STRATEGIC PROJECTS & ECONOMIC DEVELOPMENT

Portfolio:

Executive Services

Subject:

Christensen Park, Bargara

0046

Resolution

Cr JM Dempsey moved a Procedural Motion presented the Report; and moved:-

That this matter be deferred to the next round of meetings to enable further information to be collated.

Seconded by Cr WR Trevor.

The Motion was put - and carried unanimously.

The Mayor advised at this stage due to the confidential nature of the following 1 item – pursuant to Section 275 of the *Local Government Regulation 2012*, the meeting would now have to be closed to the public.

Procedural Motion

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

Moved by Cr WA Honor.

Seconded by Cr GR Barnes - and carried unanimously without debate.

Meeting closed to the public at 10.25am

Procedural Motion

That the meeting now be reopened.

Moved by Cr JM Dempsey.

Seconded by Cr JA Peters - and carried unanimously without debate.

Meeting was reopened to the public at 10.42am



Minutes

27 March 2018

Item Number:	File Number:	Part:
H1	.	ROADS & DRAINAGE

Portfolio:

Infrastructure Services

Subject:

Compulsory Acquisition - Johnston Street Drainage Easement (Lot 1 on SP117736)

0047

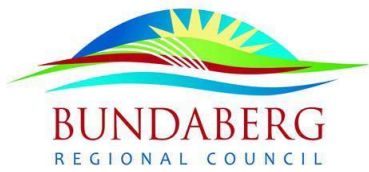
Resolution

Cr JM Dempsey presented the Report; and moved:-

That Council obtain drainage easements through Lot 1 on SP117736, as shown on Plan No.126635A through compulsory acquisition in accordance with the provisions of the Acquisition of Land Act 1967, or pursuant to an agreement with the Land Owner.

Seconded by Cr WA Honor.

The Motion was put - and carried unanimously.



Minutes

27 March 2018

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

Subject:

Meeting Close

There being no further business – the Mayor declared this Ordinary Meeting closed at 10:44am.

Confirmed on 27 March 2018.

Mayor/Chairman