



Ordinary Meeting Minutes

31 May 2022

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 TM McPhee, Cr GR Barnes, Cr TM McLoughlin, Cr VJ Habermann OAM, Cr SA Cooper, Cr MBE Mitchell and Cr JD Learmonth (Via Teams)

Leave of Absence: Nil

Officers:

Mr SJ Randle, Acting Chief Executive Officer & General Manager Infrastructure
Mr GJ Steele, General Manager Community & Environment
Mr A Keleher, Acting General Manager Organisational Services
Mr M Ellery, Group Manager Development
Mrs C Large, Chief Legal Officer
Mr S Muggerridge, Acting Chief Financial Officer
Mrs WE Saunders, Executive Services Co-ordinator
Ms B Kao, Executive Assistant/Researcher

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, Senior Pastor Richard Cathie (Honorary Chaplain) gave a short address and led this Ordinary meeting of Council in prayer.



Minutes

31 May 2022

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

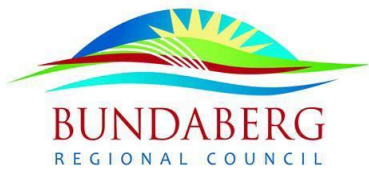
Confirmation of Minutes

Resolution

Cr TM McPhee moved:-

That the minutes of the Ordinary meeting of Council held on 26 April 2022 be taken as read and confirmed.

Seconded by Cr WR Trevor - and carried unanimously.



Minutes

31 May 2022

Item Number:	File Number:	Part:
C1		Councillors

Subject:

Declaration of Conflicts of Interest – Nil declared



Minutes

31 May 2022

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

Portfolio:

Executive Services

Subject:

Specialised Supplier Design Services During Construction of Aquatic Centre

2901

Resolution

Cr JM Dempsey presented the report; and moved:-

That Council enter into an arrangement with Stantec Australia Pty Ltd for the provision of Design Services During the Construction of the Aquatic Centre without first inviting written quotes pursuant to Section 235(b) of the *Local Government Regulation 2012*.

Seconded by Cr WR Trevor.

The motion was put - and carried unanimously.



Minutes

31 May 2022

Item Number:	File Number:	Part:
E2		STRATEGIC PROJECTS & ECONOMIC DEVELOPMENT

Portfolio:

Executive Services

Subject:

Eat, Breathe, Live - STEM-based Health Literacy Program

2902

Resolution

Cr JM Dempsey presented the report; and moved:-

That Council approve a provisional \$30,000 cash commitment towards Eat, Breathe, Live, contingent upon securing equal or greater State, Federal or other funding.

Seconded by Cr VJ Habermann.

The motion was put - and carried.

For

Cr WR Trevor
 Cr WA Honor
 Cr TM McPhee
 Cr GR Barnes
 Cr TM McLoughlin
 Cr VJ Habermann
 Cr SA Cooper
 Cr MBE Mitchell
 Cr JM Dempsey

Against

Cr JP Bartels
 Cr JD Learmonth



Minutes

31 May 2022

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

Executive Services

Subject:

Interim Management Report for 2022 Financial Audit

2903

Resolution

Cr SA Cooper presented the report; and moved:-

That the Interim Management Report for the 2022 Financial Audit, be noted by Council.

Seconded by Cr MBE Mitchell.

The motion was put - and carried unanimously.



Minutes

31 May 2022

Item Number:

F2

File Number:

Part:

FINANCE

Portfolio:

Executive Services

Subject:

Financial Summary as at 3 May 2022

2904

Resolution

Cr SA Cooper presented the report; and moved:-

That the Financial Summary as at 3 May 2022 be noted by Council.

Seconded by Cr JP Bartels.

The motion was put - and carried unanimously.



Minutes

31 May 2022

Item Number:

G1

File Number:

Part:

GOVERNANCE

Portfolio:

Organisational Services

Subject:

Specialised Supplier Arrangement with Esri Australia Pty Ltd

2905

Resolution

Cr SA Cooper presented the report; and moved:-

That Council enter into an arrangement with Esri Australia Pty Ltd for the supply of the ArcGIS software suite, support and maintenance without first inviting written quotes pursuant to Section 235(b) of the *Local Government Regulation 2012*.

Seconded by Cr GR Barnes.

The motion was put - and carried unanimously.



Minutes

31 May 2022

Item Number:

G2

File Number:**Part:**

GOVERNANCE

Portfolio:

Organisational Services

Subject:

Specialised Supplier Arrangement with Civica Authority

2906**Resolution**

Cr SA Cooper presented the report; and moved:-

That Council enter into an arrangement with Civica Altitude – Enterprise Resource Planning for the supply of Enterprise Resource Management system, support and maintenance without first inviting written quotes pursuant to Section 235(b) of the *Local Government Regulation 2012*.

Seconded by Cr VJ Habermann.

The motion was put - and carried unanimously.



Minutes

31 May 2022

Item Number:

G3

File Number:

Part:

GOVERNANCE

Portfolio:

Organisational Services

Subject:

Specialised Supplier Arrangement with Objective Corporation Ltd

2907

Resolution

Cr SA Cooper presented the report; and moved:-

That Council enter into an arrangement with Objective Corporation Limited for the supply of Electronic Documents and Records Management System, support and maintenance without first inviting written quotes pursuant to Section 235(b) of the *Local Government Regulation 2012*.

Seconded by Cr WR Trevor.

The motion was put - and carried unanimously.



Minutes

31 May 2022

Item Number: G4	File Number: .	Part: GOVERNANCE
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Portfolio:

Organisational Services

Subject:

Council Policy Review

2908

Resolution

Cr SA Cooper presented the report; and moved:-

That Council:**1. rescind the following policies:**

- Buy Local Policy, version 4 (CP-3-046);
- Media Relations Policy, version 3 (CP-3-009); and
- Planning Protocols Policy, version 3 (CP-3-051).

2. Adopt the following policies:

- Buy Local Policy, version 5 (CP-3-046);
- Media Relations Policy, version 4 (CP-3-009); and
- Planning Protocols Policy, version 4 (CP-3-051).

Seconded by Cr VJ Habermann.

The motion was put - and carried unanimously.



Minutes

31 May 2022

Item Number: G5	File Number: .	Part: GOVERNANCE
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Portfolio:

Organisational Services

Subject:

Delegations Register Review

2909

Resolution

Cr SA Cooper presented the report; and moved:-

Pursuant to section 257(1)(b) of the *Local Government Act 2009*, the “Register of Delegations – Council to Chief Executive Officer” be varied to reflect:

- 1. the new and changed powers as outlined in the report and the table appended to the report; and**
- 2. the repealed legislation outlined in the report is removed.**

Seconded by Cr WA Honor.

The motion was put - and carried unanimously.



Minutes

31 May 2022

Item Number: G6	File Number:	Part: GOVERNANCE
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Portfolio:

Organisational Services

Subject:

Audit and Risk Management Committee Minutes

2910

Resolution

Cr SA Cooper presented the report; and moved:-

That the minutes of the Audit and Risk Committee meeting held on 20 January 2022 be received and noted.

Seconded by Cr TM McPhee.

The motion was put - and carried unanimously.



Minutes

31 May 2022

Item Number: G7	File Number: .	Part: GOVERNANCE
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Portfolio:

Organisational Services

Subject:

Specialised Supplier Arrangement with Assetic Pty Ltd for continuation of the Assetic Annual Service Agreement

2911

Resolution

Cr SA Cooper presented the report; and moved:-

That:

- a) **Council enter into an arrangement with Assetic Pty Ltd for the provision of Assetic MyData, Asset myValuer, Assetic SMP, Assetic Fleet and Predictor 5 without first inviting written quotes pursuant to Section 235(b) of the *Local Government Regulations 2012*; and**
- b) **this arrangement be made for a period of one-year commencing 1 July 2022 to 30 June 2023.**

Seconded by Cr WA Honor.

The motion was put - and carried unanimously.



Minutes

31 May 2022

Item Number:	File Number:	Part:
I1	.	ROADS & DRAINAGE

Portfolio:

Infrastructure Services

Subject:

Specialised Supplier with Civica Pty Ltd for Reflect Software

2912

Resolution

Cr WR Trevor presented the report; and moved:-

That:

- a) **Council enter into an arrangement with Civica Pty Ltd for the supply of Reflect software without first inviting written quotes pursuant to Section 235(b) of the *Local Government Regulation 2012*; and**
- b) **this arrangement be made for a period of 3 years from 1 July 2022 to 30 June 2025.**

Seconded by Cr TM McPhee.

The motion was put - and carried unanimously.



Minutes

31 May 2022

Item Number:	File Number:	Part:
I2	TEN/1677 - A6430583	ROADS & DRAINAGE

Portfolio:

Infrastructure Services

Subject:

Specialised Supplier with Green Energy Trading - Sale of Large-scale Generation Certificates (LGC)

2913

Resolution

Cr WR Trevor presented the report; and moved:-

That:

- a) Council enters into an arrangement with Green Energy Trading (ABN 28 128 476 406) for the Sale of Large-Scale Generation Certificates (LGC) without first seeking competitive quotations or tenders from industry pursuant to Section 235(b) of the *Local Government Regulation 2012*; and
- b) this arrangement be made for an initial period of 5 years until the end of financial year 2027.

Seconded by Cr VJ Habermann.

The motion was put - and carried unanimously.



Minutes

31 May 2022

Item Number:	File Number:	Part:
L1		DEVELOPMENT ASSESSMENT

Portfolio:

Planning & Development Services

Subject:

2 Sienna Boulevard, Ashfield - Material Change of Use for Child Care Facility

2914

Resolution

Cr JM Dempsey moved:-

That the Development Application 522.2021.276.1 detailed below be decided as follows:

1. Location details

Street address: 2 Sienna Boulevard, Ashfield

Real property description: Lot 200 on SP219795

Local government area: Bundaberg Regional Council

2. Details of the proposed development

Development Permit for Material Change of Use (Child Care Facility)

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/issue
Aspect of development: Material Change of Use				
Site Plan	Multi Span Australia	10/11/2021	Drawing Number: AR-1001	E
Ground Floor Plan	Multi Span Australia	10/11/2021	Drawing Number: AR-2001	C
Roof Plan	Multi Span Australia	10/11/2021	Drawing Number: AR-2005	B
Elevations 1	Multi Span Australia	10/11/2021	Drawing Number: AR-3001	C
Elevations 2	Multi Span Australia	10/11/2021	Drawing Number: AR-3002	C
Perspectives 1	Multi Span Australia	10/11/2021	Drawing Number: AR-9001	C
Turnpath Concept Plan	Empire Engineering	August 2021	Drawing No. TP02	B
Stormwater Management Plan	Empire Engineering	July 2021	Project Number: CC-6071	B
Operational Management and Maintenance Manual for Stormwater Quality Improvement Devices	Empire Engineering	July 2021	Project Number: CC-6071	A
Noise Impact Assessment	Alpha Acoustics	19 January 2022	J2763	1

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

Please be advised that the following development permits are required to be obtained before the development can be carried out:

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

7. Properly made submissions

Properly made submissions were received from the following principal submitters:

Name of principal submitter	Residential or Business Address	Electronic Address
Gail McKewen	Pearlshell Court, Ashfield	Bennachie52@bigpond.com

8. Referral agencies for the application

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</p> <p>Schedule 10, Part 9, Division 4, Subdivision 2, Table 4, Item 1</p> <p><i>Development application for a material change of use, other than an excluded material change of use, that is assessable development under a local categorising instrument, if all or part of the premises—</i></p> <p>(a) <i>are within 25m of a State transport corridor; or</i></p> <p>(b) <i>are a future State transport corridor; or</i></p> <p>(c) <i>are—</i></p> <p>(i) <i>adjacent to a road that intersects with a State-controlled road; and</i></p> <p>(ii) <i>within 100m of the intersection</i></p>	Department of State Development, Manufacturing, Infrastructure and Planning	Concurrence Agency	<p>State Assessment and Referral Agency (SARA)</p> <p><i>E:</i> WBBSARA@dilgp.qld.gov.au</p> <p><i>P:</i> PO Box 979 Bundaberg Qld 4670</p>

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. Conditions about infrastructure

The following conditions about infrastructure have been imposed under Chapter 4 of the *Planning Act 2016*:

Condition/s	Provision under which the condition was imposed
24-26, 28-31, 33-35	Section 145 – Non-trunk Infrastructure
N/A	Section 128 – Trunk Infrastructure

12. 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

NO	CONDITION	TIMING
GENERAL		
1.	Comply with all conditions of this development approval and maintain compliance whilst the use continues.	At all times unless otherwise stated
2.	Where there is any conflict between the conditions of this Development approval and details shown on the Approved plans, the conditions prevail.	At all times
3.	The full cost of all work and any other requirements associated with this development must be met by the developer, unless specified in a particular condition or Infrastructure agreement.	At all times
CONSTRUCTION MANAGEMENT		
4.	Unless otherwise approved in writing by the Assessment Manager, ensure no audible noise from building work is made: <ol style="list-style-type: none"> a. on a business day or Saturday, before 6:30am or after 6:30pm b. on any other day, at any time. 	At all times during construction
5.	Contain all litter, building waste, and sediment on the building site by the use of a skip and any other reasonable means during construction to prevent release to neighbouring properties or public spaces.	At all times during construction
6.	Remove any spills of soil or other material from the road or gutter upon completion of each day's work, during construction.	At all times during construction
BUILDING WORK ASSOCIATED WITH THE MCU		
7.	Ensure all assessable building work is carried out in accordance with a valid Building development approval.	Prior to the commencement of work

8.	Ensure all external finishes, including façade treatments and materials, are in accordance with the Approved plans.	Prior to the issue of a Certificate of classification/final inspection or prior to the commencement of use, whichever comes first, and then to be maintained
USE SPECIFIC		
9.	The maximum number of child care spaces must not exceed one hundred and fifty (150).	At all times
10.	The maximum number of full-time equivalent employees must not exceed twenty-six (26)	At all times
11.	The street number of the site must be clearly displayed and visible from the primary street frontage.	Prior to the commencement of the use and then to be maintained
AMENITY		
HOURS OF OPERATION		
12.	Operating hours of the use are limited to 7.00 am to 6.00 pm Monday to Friday.	At all times
13.	Deliveries, loading/unloading activities, and refuse collection must be undertaken between the hours of 7.00 am to 6.00 pm Monday to Friday.	At all times
LIGHTING		
14.	Design and install all external lighting in accordance with <i>AS4282 – Control of the obtrusive effects of outdoor lighting</i> so as not to cause nuisance to residents or obstruct or distract pedestrian or vehicular traffic.	Prior to the commencement of the use and then to be maintained
NOISE		
15.	Work must be carried out in accordance with the recommendations (conclusion) contained within the Noise Impact Assessment prepared by Alpha Acoustics dated 19 January 2022.	Prior to the commencement of the use and then to be maintained
16.	Submit to the Assessment Manager certification from a suitably qualified person confirming the	Prior to the commencement of the use

	recommendations of the approved Acoustic report have been complied with.	
SCREENING OF PLANT AND SERVICES		
17.	Install and maintain suitable screening to all air conditioning, lift motor rooms, plant, service facilities, or similar equipment located on the rooftop or to an external face of the building. The screening structures must be constructed from materials that are consistent with materials used elsewhere on the building façade or as an architectural feature of and visually consistent with the profile of the building.	Prior to the commencement of the use and then to be maintained
WASTE MANAGEMENT		
18.	<p>Provide an impervious bin storage area (bin enclosure) for the storage of refuse bins in accordance with the following:</p> <ol style="list-style-type: none"> a. designed so as to prevent the release of contaminants into the environment b. sufficiently sized to accommodate all refuse bins required by the Assessment Manager for the scale of the development c. screened from the road frontage or other public space, and adjoin properties by landscaping or constructed screening d. a suitable hose cock (with backflow prevention) and hoses must be provided at the bin storage area, and wash down to be drained to the sewer and fitted with an approved stormwater diversion valve arrangement e. must be maintained in a clean and sanitary manner 	Prior to the commencement of the use and then to be maintained
OPERATIONAL WORK ASSOCIATED WITH THE MCU		
19.	Ensure all Operational work that is Accepted development complies with the nominated assessment benchmarks or a Development application for Operational work is submitted to and approved by Council.	Prior to the commencement of work

	<p>Note: Where Accepted development does not comply with a nominated requirement for accepted development, a Development application for Operational work must be submitted to Council.</p>	
20.	<p>Provide certification from a Registered Professional Engineer of Queensland (RPEQ) that any operational work that is Accepted development has been designed and constructed in accordance with the conditions of this Development approval and any other relevant approval issued by Council.</p> <p>Note: Council does not require the submission of an Operational works development application for work that is nominated as Accepted development where the works comply with the nominated requirements for Accepted development and are certified by a RPEQ.</p>	Prior to the commencement of the use
EARTHWORKS		
21.	<p>Carry out all earthworks in accordance with the approved plans, the applicable Planning scheme codes, and the Planning scheme policy for development works.</p> <p>Note: Earthworks that comply with the applicable requirements for accepted development do not require the submission of an Operational works development application.</p> <p>Where the applicable requirements for accepted development are not met, an Operational works development application must be submitted to Assessment Manager.</p>	At all times
22.	<p>Provide to the Assessment Manager certification from a Registered Professional Engineer of Queensland (RPEQ) that the Earthworks have been designed and constructed in accordance with the conditions of this Development approval and any other relevant approval issued by the Assessment Manager.</p>	Prior to the commencement of the use
EROSION AND SEDIMENT CONTROL		
23.	<p>Prepare and implement an Erosion and sediment control (ESC) management plan for the site in accordance with the Environment Protection Agency's (EPA – Guideline – <i>EPA Best Practice</i></p>	Prior to site work commencing and at all times during construction

	<i>Urban Stormwater Management – Erosion and Sediment Control and International Erosion Control Association’s (IECA) – Best Practice Erosion and Sediment Control, and the Queensland Urban Drainage Manual (QUDM).</i>	
STORMWATER		
24.	Carry out all stormwater drainage work in accordance with the Stormwater Management Plan prepared by Empire Engineering, dated October 2021, Revision B.	Prior to the commencement of the use and then to be maintained
WATER		
25.	Provide a metered water service, and internal infrastructure as required, to satisfy the firefighting and water supply demands of the development. Note: <i>Water infrastructure must be designed by an appropriately qualified hydraulic consultant to assess the suitability of the water supply system to cater for the proposed development, including firefighting requirements in accordance with AS2419 – Fire hydrant installation.</i>	Prior to the commencement of the use and then to be maintained
SEWERAGE		
26.	Provide a reticulated sewerage service in accordance with the applicable Planning scheme codes and Planning scheme policy for development works.	Prior to the commencement of use
27.	All sewerage infrastructure must be clear of all proposed and existing buildings.	At all times
28.	Undertake all necessary upgrades of Council’s sewerage infrastructure to ensure other users are not adversely affected by the increased demand on the sewerage system. Prepare and submit for approval to the Assessment Manager detail design of all necessary upgrades of Council’s sewerage infrastructure. The design is to: a. ensure other users are not adversely affected by the increased demand on the sewage network	Prior to the commencement of the use

	<p>b. be in accordance with the applicable Planning scheme codes and the Planning scheme policy for development works</p> <p>All work to Council's sewerage infrastructure must be carried out in accordance with an Operational works approval.</p> <p>Note: <i>Submission of the detail design must form part of an Operational works application.</i></p>	
ROADWORKS, ACCESS, AND CAR PARKING		
29.	<p>Design and construct the site access in accordance with the Approved plans, applicable Planning scheme codes, and the Planning scheme policy for development work.</p> <p>Note: <i>Detail must be determined as part of the assessment for Operational works.</i></p>	Prior to the commencement of the use and then to be maintained
30.	<p>Remove all disused or redundant vehicular crossings, kerb drainage outlets, and footpath crossovers and reinstate kerb and channel, and footpaths as required.</p>	Prior to the commencement of the use
31.	<p>Design and construct off-street car parking, access, and manoeuvring areas in accordance with the Approved plans, applicable Planning scheme codes, and the Planning scheme policy for development work.</p> <p>Car parking, access, and manoeuvring areas must:</p> <ol style="list-style-type: none"> a. provide a minimum of 44 parking spaces b. be designed and constructed in accordance with AS2890 Parking facilities – off-street car parking c. provide parking spaces for people with a disability in accordance with the Building Code of Australia and AS2890.6 Off-street parking for people with disabilities d. provide on-site loading, unloading, and manoeuvring for all necessary service vehicles, including: <ul style="list-style-type: none"> • Refuse Collection Vehicle e. allow all design vehicles to enter and exit the site in a forward gear 	Prior to the commencement of use and then to be maintained

	<p>f. be constructed and sealed with asphaltic concrete or concrete.</p> <p>g. be signed and delineated in accordance with the Queensland manual of uniform traffic control devices</p> <p>h. allow for the provision of fill and/or boundary retaining walls and the containment and management of site stormwater drainage</p> <p>i. be drained to a legal point of discharge</p> <p>j. be available free of charge to staff and customers during operating hours</p> <p>k. Provide shade trees in car parking areas at a minimum ratio of one (1) tree for every six (6) parking spaces.</p> <p>Note: <i>Where there is any conflict between the Approved plans and the Planning Scheme provisions, the Approved plans prevail.</i></p>	
32.	Provide (11) secure bicycle parking spaces for employees customers. Bicycle parking must be located in a visible area close to the entrance of each building.	Prior to the commencement of the use and then to be maintained
33.	Repair any damaged kerb and channel, footpath, or road (including removal of concrete slurry from footpath, roads, kerb and channel, and stormwater gullies and drainlines) and reinstate existing traffic signs and pavement markings that have been removed or damaged during any works carried out in association with the approved development.	Prior to the commencement of the use
34.	<p>Upgrade / reconstruct the central traffic island in Sienna Boulevard generally in accordance with the Turn Path Concept Plan, TP02, Revision B prepared by Empire Engineering and the Planning scheme policy for development works.</p> <p>Detail must be determined as part of the assessment for Operational works.</p>	Prior to the commencement of the use
PEDESTRIAN AND CYCLIST PATHS		
35.	Provide pedestrian pathways in accordance with the Turn Path Concept Plan, TP02, Revision B prepared by Empire Engineering and the Planning scheme policy for development works.	Prior to the commencement of the use

	<p>Note: <i>Submission of the detail design must form part of an Operational works application.</i></p>	
<p>LANDSCAPING</p>		
<p>36.</p>	<p>Prepare and submit for approval to the Assessment Manager a landscape plan. The plan must be prepared in accordance with the applicable Planning scheme codes, the Planning scheme policy for development works, and the conditions of this approval.</p> <p>The plan is to include, but not be limited to the following:</p> <ul style="list-style-type: none"> a. the area set aside for landscaping b. location and name of existing trees c. a plan and schedule of all species which identifies: <ul style="list-style-type: none"> i. the location and sizes at planting and at maturity ii. the botanical and common names iii. the location of all areas to be covered by turf or other surface materials including pavement d. measures to ensure that the landscaping will be retained and managed to allow growth to maturity e. details of any landscape structures, including entrance statements f. details of cutting and filling and all retaining structures, fences and associated finishes g. contours or spot levels if appropriate h. fences size and materials i. inclusion of a controlled underground or drip irrigation system. Any such system is to be fitted with an approved testable backflow prevention device j. location of any overhead or underground services that traverse the site e.g. drainage, sewerage, electricity k. property boundary garden/landscape bed edge walls to be provided with sleeper or equivalent retaining walls to contain the garden material within the site. Such walls 	<p>Prior to the site work commencing and at all times during construction and then to be maintained</p>

	<p>must be constructed to a height that is at or above the</p> <ul style="list-style-type: none"> l. provide shade trees in car parking areas at a minimum ratio of one (1) tree for every six (6) parking spaces m. must include particular attention to screening the “drying court” from the street frontage of public place by way of fencing or vegetation n. must include shrub or tree plantings between the carpark and eastern property boundary <p>All landscaping must be carried out in accordance with an approved Landscaping plan.</p>	
37.	Any fences provided along the property boundaries of the site, other than required by the approved Noise Impact Assessment report must be aluminium pool fencing or the like.	At all times
FLOODING		
38.	<p>Prepare and submit for approval to the Assessment Manager a Flood management/ evacuation plan. The plan must demonstrate how people will be evacuated from the site to a safe gathering point above the defined flood level and must include, but not be limited to, the following:</p> <ul style="list-style-type: none"> a. the defined flood level for the site b. the height at which the property is inundated by the riverine and localised flood c. the evacuation route from the property to an approved evacuation centre/point and the method by which staff and patrons will be transported d. the estimated time required to reach the designated evacuation centre/point e. the forecast flood event trigger at which the site will evacuate, being 11 m AHD, with flood marker indicators to be positioned on the land and maintained to assist staff in identifying the flood evacuation level. f. the appointment of a site Flood coordinator who will distribute information to staff g. procedures for assisting those with a disability or who do not speak English h. a contact information collection process for all current staff i. a plan showing primary and secondary evacuation routes and assembly areas for the building 	Prior to the commencement of the use and then to be maintained

39.	Evacuation of the centre must occur in a stormwater/ flood event where the flood water exceeds 11.0 m AHD. The details of the evacuation must be included in the Approved Flood management evacuation plan (as required in condition 38)	At all times
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PART 1B – ADVICE NOTES

NO.	ADVICE	TIMING
INFRASTRUCTURE CHARGES		
1.	Infrastructure charges notice (331.2021.1349.1) applicable to the development is attached to this Development approval.	At all times
GENERAL		
2.	<p>An audit check of the Operational Works drawings has been undertaken in relation to the proposed works. A detailed check of the calculations and drawings has not been undertaken, as they have been certified by a Registered Professional Engineer of Queensland (RPEQ).</p> <p>The RPEQ bears full responsibility for all aspects of the engineering design, including the identification and resolution of any design faults that may arise throughout the course of the Operational works. The Assessment Manager reserves the right to require further amendments and/or additions at a later date should design errors become apparent.</p>	At all times
3.	Inspections by Council are independent of, and do not negate, the Registered Professional Engineer of Queensland (RPEQ) inspections that ensure compliance with the decision notice for Operational work.	At all times
4.	To comply with the Local Government Act, the applicant and/or applicants contractors must advise Council's Water Services team at WSschedulers@bundaberg.qld.gov.au if access to the network is required to undertake any works or investigations such as, but not limited to, CCTV inspections, cleaning, survey etc.	At all times

AMENITY		
5.	Storage of flammable and /or combustible liquids must comply with the minor storage provisions of AS1940 – the storage and handling of flammable and combustible liquids.	At all times
ENVIRONMENTAL HARM		
6.	The <i>Environmental Protection Act 1994</i> 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, wastewater, 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 no connected with the use.	At all times
ABORIGINAL CULTURAL HERITAGE		
7.	All development should proceed in accordance with the Duty of care guidelines under the <i>Aboriginal Cultural Heritage Act 2003</i> . Penalties may apply where duty of care under that act has been breached.	At all times

PART 2—CONCURRENCE AGENCY CONDITIONS

Department of State Development, Manufacturing, Infrastructure and Planning, by letter dated 18 February 2022 (copy letter attached for information).

Seconded by Cr SA Cooper.

The motion was put - and carried unanimously.



Minutes

31 May 2022

Item Number: N1	File Number: .	Part: HEALTH & REGULATORY SERVICES
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Portfolio:

Community & Environment

Subject:

Specialised Supplier Arrangement with Database Consultants Australia (Pinforce)

2915

Resolution

Cr MBE Mitchell presented the report; and moved:-

That:

- a) Council enters into an arrangement with SARB Management Group Pty Ltd trading as Database Consultants Australia for the provision of Pinforce – Annual Support & Maintenance Contract without first inviting written quotes pursuant to Section 235(b) of the *Local Government Regulation 2012*; and
- b) this arrangement be made for the period May 2022 – April 2025 (3 years).

Seconded by Cr WA Honor.

The motion was put - and carried unanimously.



Minutes

31 May 2022

Item Number:	File Number:	Part:
O1	.	COMMUNITY & CULTURAL SERVICES

Portfolio:

Community & Environment

Subject:

Central Queensland University Sole Supplier – CQ Regional Arts Services Network Collaborative

2916

Resolution

Cr JD Learmonth presented the report; and moved:-

That Council enter into an arrangement with Central Queensland University for the Collaborative Regions Project through CQ Regional Art Services Network, to provide extended regional arts services without first inviting written quotes, pursuant to section 235(a) of the *Local Government Regulation 2012 (Qld)*.

Seconded by Cr TM McPhee.

The motion was put - and carried unanimously.



Minutes

31 May 2022

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

Community & Environment

Subject:

Specialised Supplier Arrangement with CQUniversity - Wuga Dhulayu Accelerated Arts Project

2917

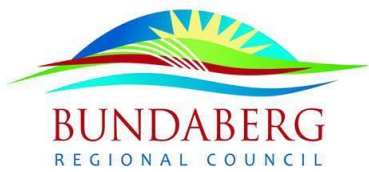
Resolution

Cr JD Learmonth presented the report; and moved:-

That Council engage CQUniversity for the provision of *Wuga Dhulayu Accelerated Arts Project* without first seeking written quotations, pursuant to Section 235(b) of the *Local Government Regulation 2012*.

Seconded by Cr JP Bartels.

The motion was put - and carried unanimously.



Minutes

31 May 2022

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 10.54 am.

Confirmed on 28 June 2022.

Mayor