



**AGENDA FOR ORDINARY MEETING
TO BE HELD IN COUNCIL CHAMBERS, BUNDABERG
ON TUESDAY 29 AUGUST 2017, COMMENCING AT 10.00 AM**

		Page
1	Apologies	
2	Invocation	
3	Confirmation of Minutes	
	B1 Ordinary Meeting of Council - 08/08/17	
4	Finance	
	E1 Financial Summary as at 15 August 2017	3
5	Governance & Communications	
	F1 Tetzlaffs Road, North Gregory - Purchase of Unallocated State Land	23
6	Infrastructure	
	G1 Acquisition of Easements at Burnett Heads and Purchase of State Land (East Wastewater Treatment Plant)	28
7	Water & Wastewater	
	I1 Kinkuna Estate & Marina Drive (Burnett Heads) Sewerage Systems	33
8	Development Assessment	
	K1 45 Burrum Street, Bundaberg West - Material Change of Use for Tourist Park - Self-contained RV Park	36
	K2 88 and 90 Quay Street, Bundaberg West - Material Change of Use for Multi-unit Residential/Short Term Accommodation, Function Facility and Food and Drink Outlet (5 Storey development and basement car parking)	57

9	Environment & Natural Resources	
	P1 Trustee Lease - Greenfleet	102
10	Strategic Projects & Economic Development	
	S1 Terms of Reference - Business Bundaberg Advisory Committee	105
11	General Business	
12	Meeting Close	

**Item****29 August 2017****Item Number:**

E1

File Number:

.

Part:

FINANCE

Portfolio:

Organisational Services

Subject:

Financial Summary as at 15 August 2017

Report Author:

Anthony Keleher, Chief Financial Officer

Authorised by:

Stuart Randle, General Manager Organisational Services

Link to Corporate Plan:

Our People, Our Business - 3.1 A sustainable financial position.

Background:

In accordance with Section 204 of the *Local Government Regulation 2012* a Financial Report must be presented to Council on a monthly basis. The attached Financial Report contains the Financial Summary and associated commentary as at 15 August 2017.

Consultation:

John Kelly, Sustainable Finance Manager; Financial Services Team

Legal Implications:

There appear to be no legal implications.

Policy Implications:

There appear to be no policy implications.

Financial and Resource Implications:

There appear to be no financial or resource implications.

Risk Management Implications:

There appears to be no risk management implications.

Communications Strategy:

Communications Team consulted. A Communication Strategy is:

 Not required Required

Attachments:

[↓](#) 1 Financial Summary as at 15 August 2017

Recommendation:

That the Financial Summary as at 15 August 2017 (as detailed on the 18 pages appended to this report) – **be noted by Council.**

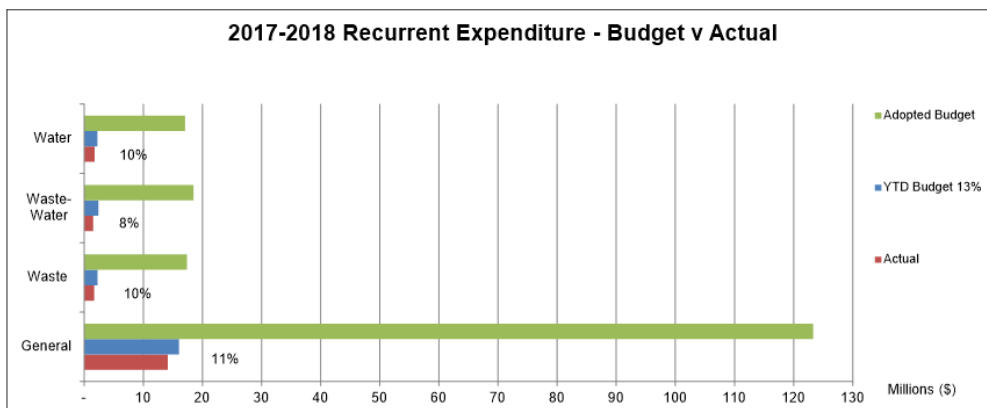
Financial Summary
as at 15 Aug 2017

Progress check - 13%	Council			General			Waste			Wastewater			Water		
	Actual YTD	Adopted Budget	% Act/ Bud	Actual YTD	Adopted Budget	% Act/ Bud	Actual YTD	Adopted Budget	% Act / Bud	Actual YTD	Adopted Budget	% Act/ Bud	Actual YTD	Adopted Budget	% Act/ Bud
Recurrent Activities															
<i>Revenue</i>															
General Rates and Utility Charges	72,278,707	151,634,430	48%	36,060,306	83,517,400	43%	7,348,838	14,369,000	51%	13,946,114	27,435,750	51%	14,923,449	26,312,280	57%
Less: Discounts and pensioner remissions	(1,397,777)	(8,327,900)	17%	(1,123,854)	(7,739,900)	15%	(93,472)	(200,000)	47%	(102,264)	(218,500)	47%	(78,187)	(169,500)	46%
	70,880,930	143,306,530	49%	34,936,452	75,777,500	46%	7,255,366	14,169,000	51%	13,843,850	27,217,250	51%	14,845,262	26,142,780	57%
Fees and Charges	2,799,389	25,736,260	11%	2,039,539	19,383,712	11%	520,783	4,308,348	12%	32,889	1,027,500	3%	206,178	1,016,700	20%
Interest Revenue	(42,895)	3,139,600	-1%	(15,511)	1,300,000	-1%	2,654	140,000	2%	(29,829)	725,600	-4%	(209)	974,000	0%
Grants, Subsidies & Donations	782,113	11,060,227	7%	782,113	11,059,727	7%	-	500	0%	-	-	-	-	-	-
Sale of Developed Land Inventory	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total Recurrent Revenue	74,419,537	183,242,617	41%	37,742,593	107,520,939	35%	7,778,803	18,617,848	42%	13,846,910	28,970,350	48%	15,051,231	28,133,480	53%
<i>less Expenses</i>															
Employee, Material and Services Costs	15,013,432	121,934,965	12%	10,972,361	83,265,543	13%	1,582,719	15,396,439	10%	1,115,927	11,736,149	10%	1,342,425	11,536,834	12%
Finance Costs	(67,590)	3,922,732	-2%	(39,211)	1,636,300	-2%	28,059	818,432	3%	(47,950)	1,156,000	-4%	(8,488)	312,000	-3%
Depreciation	4,201,126	50,413,508	8%	3,201,467	38,417,608	8%	98,158	1,177,892	8%	465,615	5,587,379	8%	435,886	5,230,629	8%
Total Recurrent Expenditure	19,146,968	176,271,205	11%	14,134,617	123,319,451	11%	1,708,936	17,392,763	10%	1,533,592	18,479,528	8%	1,769,823	17,079,463	10%
Operating Surplus	55,272,569	6,971,412		23,607,976	(15,798,512)		6,069,867	1,225,085		12,313,318	10,490,822		13,281,408	11,054,017	
<i>less Transfers to</i>															
Restricted Capital Cash	-	3,851,993	0%	-	-	-	-	-	-	-	3,851,993	0%	-	-	-
NCP Transfers	-	-	-	(1,101,049)	(13,212,591)	8%	(165,188)	(1,982,258)	8%	553,236	6,638,829	8%	713,001	8,556,020	8%
Total Transfers	-	3,851,993	0%	(1,101,049)	(13,212,591)	8%	(165,188)	(1,982,258)	8%	553,236	10,490,822	5%	713,001	8,556,020	8%
Movement in Unallocated Surplus	55,272,569	3,119,419		24,709,025	(2,585,921)		6,235,055	3,207,343		11,760,082	-		12,568,407	2,497,997	
Unallocated Surplus (Deficit) brought forward from prior year(s)	15,782,011	15,782,011	100%	(4,180,323)	(4,180,323)	100%	5,652,179	5,652,179	100%	-	-		14,310,155	14,310,155	100%
Unallocated Surplus (Deficit)	71,054,580	18,901,430		20,528,702	(6,766,244)		11,887,234	8,859,522		11,760,082	-		26,878,562	16,808,152	
Capital Activities															
<i>Council's Capital Expenditure (Excludes Donated Assets)</i>															
Council Expenditure on Non-Current Assets	3,218,579	119,227,096	3%	2,771,778	75,684,096	4%	3,195	5,677,000	0%	250,684	31,207,000	1%	192,922	6,659,000	3%
Loan Redemption	125,847	5,512,000	2%	55,932	3,568,000	2%	13,477	455,000	3%	47,950	1,205,000	4%	8,488	284,000	3%
Total Capital Expenditure	3,344,426	124,739,096	3%	2,827,710	79,252,096	4%	16,672	6,132,000	0%	298,634	32,412,000	1%	201,410	6,943,000	3%
Cash opening balance (incl. investments)	106,021,236	70,427,900													
Cash closing balance (incl. investments)	98,183,673	52,586,824													

Further to the Financial Summary Report as at 15 August 2017, the following key features are highlighted.

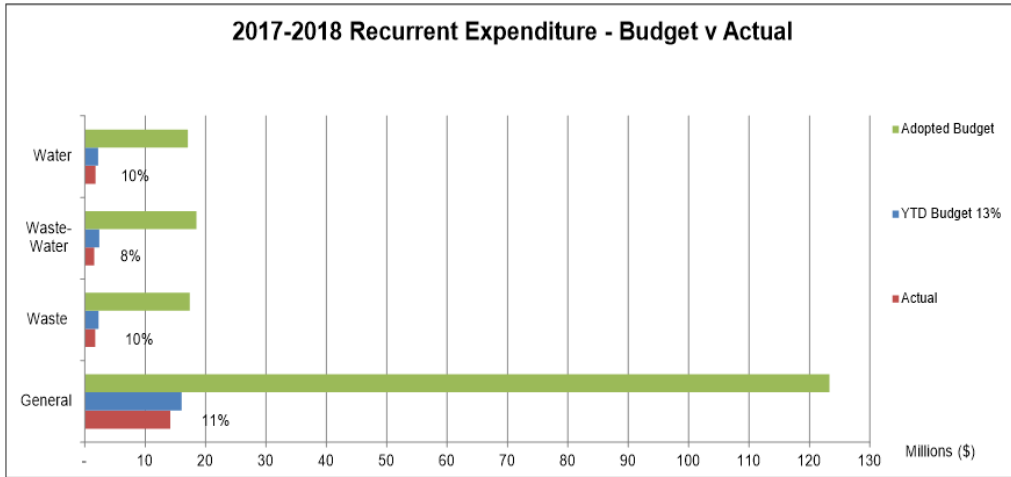
Recurrent Revenue

- Net Rates and Utility Charges revenue is currently following the normal pattern of income for Council during a financial year, with the rates having been levied for the 1st half of the year and the revenue showing as around 49% of budget. The percentage of actual to budgeted Discount on Rates is lower for the General Fund as the discount is applied as payments are received. No discount is applied to the other Business Units.
- Fees and charges were slightly less than budgeted. This was primarily in the area of wastewater due to tradewaste invoices not yet being issued.
- Interest Revenue - Accrual adjustments from the previous financial year have been reversed in July. The figures for Interest Revenue are distorted by these accrual reversals for interest receivable as at 30 June 2017, however these figures will normalise as the year progresses.
- Operating Grants and subsidies budget includes provision for \$3.9 million (50%) of the Financial Assistance Grant allocation for 2017/2018. This was received in the prior financial year. Council will budget for this early payment to continue this year.



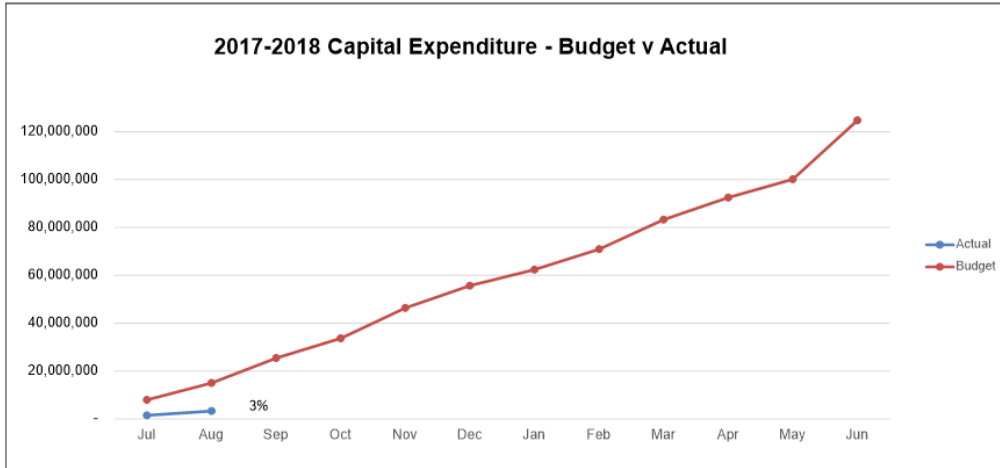
Recurrent Expenditure

- Employee expenses and materials and services costs are tracking on budget.
- Finance Costs largely consist of interest paid on Council loans. Accrual adjustments from the previous financial year have been reversed in July. The figures for finance costs are distorted due to these accrual reversals for interest payable as at 30 June 2017, however these figures will normalise as the year progresses.
- The budgeted depreciation expenditure is apportioned evenly across the 12 months of the year and is processed every month. The depreciation amount for July has been processed.



Capital Expenditure

- Capital Expenditure is expected to increase in coming months as work programs scheduled for the financial year are implemented. The actual August expenditure in the graph below is to 15 August, whereas the budget is the expected position as at 31 August 2017.

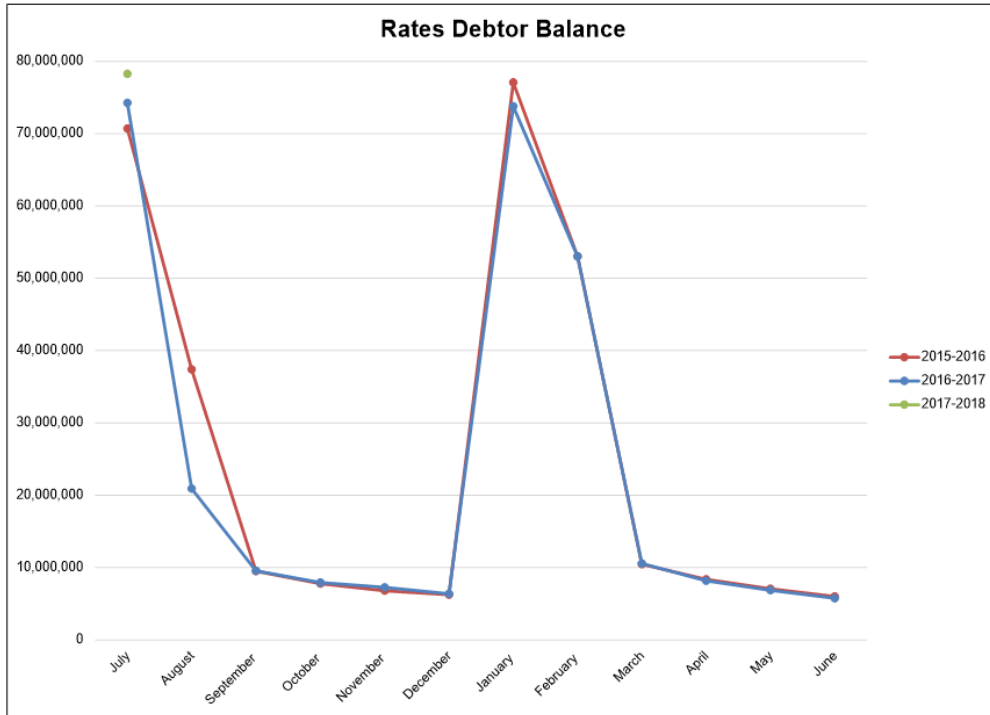


For more details regarding Capital Expenditure projects please refer to the summary of capital projects below.

Revenue Statistics

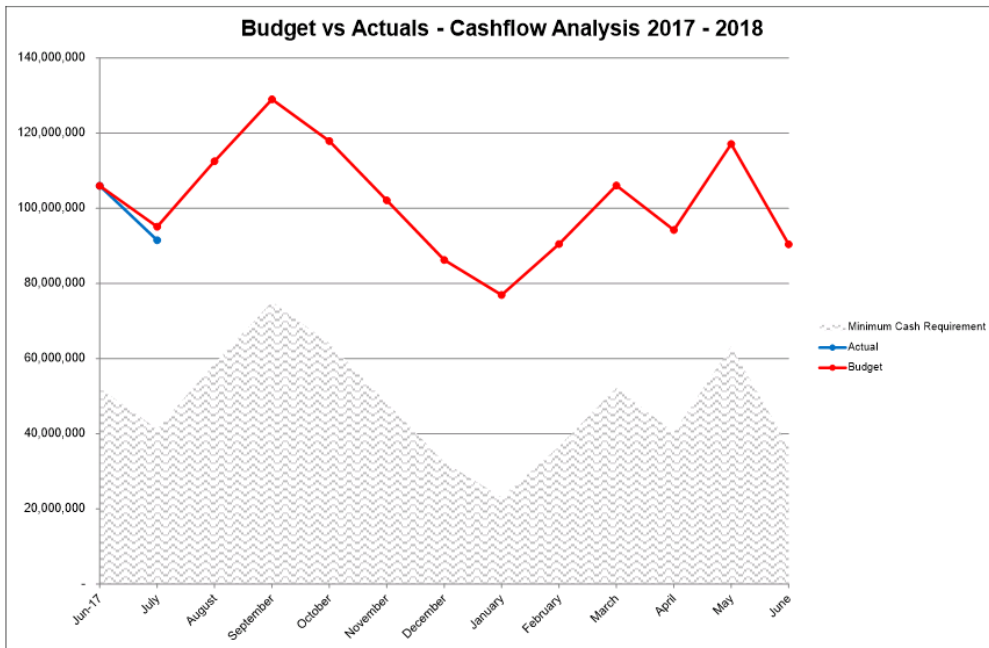
Rates Debtor

- The current rates levy was raised in July, and as at 31 July 2017 the Rates Debtor balance was \$78.2 million. This is slightly higher than the balance at 31 July 2016. The balance outstanding at 15 August was \$64.1 million.
- Rates are due for payment on 4 September 2017.



Cash Flow

- The cash balance as at 15 August 2017 was \$98.2 million, a decrease of \$6.8 million from 30 June 2017.
- Opening cash position was \$35.5 million more than budget. The budgeted cashflow analysis below reflects the actual opening cash position at 1 July 2017.
- No short-term liquidity issues are foreseeable.



Moderate + High Governance Projects - Life to Date

A Life to Date Summary of Moderate + High Governance Projects, with a budget exceeding \$500,000 over the life of the works

Project Description	Capital/Non-Capital	Status *	Monitor (Descriptor)	Original Budget	Revised Budget	LTD Actuals	Est Final Cost
Major Projects							
Multi-Use Sport and Community Centre (Multiplex) Stage 1 Finalisation Costs	Capital	✓	Costs associated with the finalisation of Stage 1 Contractor's Contract Sum.	-	24,611	25,131	25,982
Multi-Use Sport and Community Centre (Multiplex) Stage 2	Capital	✓	Project currently under construction. Main structural frame work and roof are complete. Internal fit out has commenced. Project due to be completed in November.	12,500,000	10,709,162	3,238,237	10,709,162
Demolition of Skating Rink and Lessee Compensation	Operating	✓	Demolition to occur 2017/2018	250,000	250,000	-	250,000
Intersections and Internal Roads	Capital	★	Costs have been finalised	3,115,118	3,115,118	3,115,118	3,115,118
Multi-Use Sport and Community Centre (Multiplex) Stage 1	Capital	★	Costs have been finalised	9,500,000	15,972,817	15,622,817	15,622,817
			<i>Cost to Council</i>	<i>25,365,118</i>	<i>30,071,707</i>	<i>22,001,303</i>	<i>29,723,078</i>
Bundaberg CBD Revitalisation	Capital	✓	Tenders are currently being assessed		16,064,181	66,508	16,064,181
Bundaberg CBD Streetscape Revitalisation - Non-Capital Costs	Operating	✓	Work is ongoing	16,000,000	279,254	89,814	279,254
			<i>Cost to Council</i>	<i>16,000,000</i>	<i>16,343,435</i>	<i>156,322</i>	<i>16,343,435</i>
Mount Perry Flood Evacuation Route Upgrade	Operating	★	Costs have been finalised	8,758,570	4,663,944	4,666,258	4,666,258
Mount Perry Flood Evacuation Route Upgrade Complementary Works including Retaining Wall, Open Drain, Botanic Gardens Pit and Water Main	Capital	★	Costs have been finalised	-	1,273,584	1,273,584	1,273,584
			<i>Cost to Council</i>	<i>8,758,570</i>	<i>5,937,528</i>	<i>5,939,842</i>	<i>5,939,842</i>

Moderate + High Governance Projects - Life to Date

A Life to Date Summary of Moderate + High Governance Projects, with a budget exceeding \$500,000 over the life of the works

Project Description	Capital/Non-Capital	Status *	Monitor (Descriptor)	Original Budget	Revised Budget	LTD Actuals	Est Final Cost	
Burnett Heads CBD Revitalisation	Capital	✓	Project is currently being designed.	3,259,707	4,962,003	170,192	4,962,003	
Burnett Heads CBD Sewerage Infrastructure	Capital	✓	Project is currently being designed.	2,100,000	2,100,099	591	2,100,099	
			<i>Cost to Council</i>	<i>5,359,707</i>	<i>7,062,102</i>	<i>170,783</i>	<i>7,062,102</i>	
East Bundaberg Tourism Precinct	Capital	✓	Project is currently being designed.	457,000	1,005,652	20,304	1,005,652	
Corporate Applications								
Core System Replacement Program - Initial Product Scope and Product Selection	Operating	✓	Project focus is now on implementing the six months KPMG recommendations and updating the business case.		1,036,034	1,021,320	1,060,047	
Core System Replacement Program	Capital	✓		4,500,000	4,934,188	-	4,910,175	
Rugged Tablets - Proof of Concept	Capital	★		Costs have been finalised		10,000	10,000	10,000
Software Programs	Capital	★		Costs have been finalised		22,277	22,277	22,277
			<i>Cost to Council</i>	<i>4,500,000</i>	<i>6,002,499</i>	<i>1,053,597</i>	<i>6,002,499</i>	
Airports and Tourism								
Aviation Precinct - Construction of Stage 3	Capital	✓	Project is currently being designed	1,000,000	1,000,000	-	1,000,000	
Aviation Precinct - Construct Taxiway Alpha & Adjacent Aircraft Aprons	Capital	✓	Project is currently being designed	420,000	420,000	-	420,000	
			<i>Cost to Council</i>	<i>1,420,000</i>	<i>1,420,000</i>	<i>-</i>	<i>1,420,000</i>	
Waste Disposal Facilities								
Bundaberg Regional Landfill - (Cedars Road) - Cell 3	Capital	✓	Design complete and tender awarded.	4,294,000	4,366,808	75,691	4,366,808	

Moderate + High Governance Projects - Life to Date

A Life to Date Summary of Moderate + High Governance Projects, with a budget exceeding \$500,000 over the life of the works

Project Description	Capital/Non-Capital	Status *	Monitor (Descriptor)	Original Budget	Revised Budget	LTD Actuals	Est Final Cost
Roads and Drainage							
Baldwin Swamp Multi Modal Pathways - Que Hee Street to Bundaberg Ring Road	Capital	✓	Currently negotiating final land resumptions. Project is currently being designed.	1,000,000	1,468,641	17,063	1,469,063
Eggmolesse Street - Upgrade to Sealed Standard (Johanna Boulevard End)	Capital	✓	Project is currently under construction. Due to be completed late November 2017.	4,200,000	2,876,108	2,178,196	2,965,249
Fitzgerald Street/ Eggmolesse Street, Norville - Construction of Roundabout	Capital	✓	Service relocations have occurred. Tenders are being assessed and due to be awarded early August.	1,400,000	1,307,132	121,497	1,400,100
Price Street, Kensington and Horseshoe Drive, Kensington - Road Rehabilitation and Widening	Capital	✓	Project is Practically Complete awaiting financial completion	635,000	914,234	635,313	636,234
Johnston Street, Avoca - Upgrade	Capital	✓	Project is currently being designed. Drainage easement negotiations are continuing.	995,015	650,000	-	650,000
Thabeban Stormwater Drainage Scheme - Stage 3	Capital	✓	Project is currently being designed	1,308,000	3,051,877	52,728	3,700,000
Thabeban Stormwater Drainage Scheme - Stage 2	Capital	★	Costs have been finalised	-	446,697	446,697	446,697
Thabeban Stormwater Drainage Scheme - Stage 1B	Capital	★	Costs have been finalised	-	574,896	574,896	574,896
<i>Cost to Council</i>				<i>1,308,000</i>	<i>4,073,470</i>	<i>1,074,321</i>	<i>4,721,593</i>
Kay McDuff Drive Extension	Capital	★	Costs have been finalised	2,900,923	1,285,812	1,285,812	1,285,812
Kay McDuff Drive Extension - Costs associated with the construction of Bundaberg Ring Road Intersection	Operating	●	Project is Practically Complete awaiting financial completion	-	1,190,803	1,193,638	1,194,738
<i>Cost to Council</i>				<i>2,900,923</i>	<i>2,476,616</i>	<i>2,479,450</i>	<i>2,480,550</i>

Moderate + High Governance Projects - Life to Date

A Life to Date Summary of Moderate + High Governance Projects, with a budget exceeding \$500,000 over the life of the works

Project Description	Capital/Non-Capital	Status *	Monitor (Descriptor)	Original Budget	Revised Budget	LTD Actuals	Est Final Cost
Monduran Bridge	Capital	✓	Bridge is open to traffic. Project construction is ongoing, due to be completed mid August 2017.	3,300,000	2,207,159	2,207,872	2,387,370
Monduran Road Approach Road on East Side of Kolan River	Capital	✓	Project is currently being constructed, due to be completed mid August 2017.	-	461,012	501,486	550,000
			<i>Cost to Council</i>	<i>3,300,000</i>	<i>2,668,171</i>	<i>2,709,359</i>	<i>2,937,370</i>
Ten Mile Road, Sharon - Upgrade and Widen	Capital	✓	Detailed design to be undertaken.	2,650,000	2,650,000	-	2,650,000
Water and Wastewater							
Smart Meter Trial	Capital	✓	Currently developing a strategic Business Plan to be reported to Council in August.	8,000,000	7,950,456	13,988	8,000,000
Heaps Street New Roof Structure	Capital	✓	Design Complete. Project will go out to tender in September.	800,000	800,000	-	800,000
Gregory Water Treatment Plant Upgrade	Capital	✓	Project is currently being designed.	16,200,000	610,239	110,239	7,682,847
Kalkie Water Treatment Plant Quality Upgrade	Capital	✓	Project is currently being designed.	3,100,000	527,301	27,301	8,000,000
Innes Park Dry Sewers	Capital	✓	Condition Assessment currently being finalised. Property owners will be able to access connection by end of calendar year.	600,000	601,387	2,727	601,387
Branyan WTP Clear Water Storage - New Roof Structure	Capital	✓	Project is currently being designed.	500,000	500,000	-	500,000
Woodgate Vacuum Sewer Extension	Capital	✓	Project is currently being designed.	1,500,000	1,855,203	95,196	2,100,000
Belle Eden Gravity Main Construction	Capital	✓	Developer Driven Project.	1,000,000	1,000,000	-	1,000,000
Port Sewerage Infrastructure - Installation of Gravity Reticulation System	Capital	✓	Council decision required before project can be completed.	780,000	506,378	254,191	506,378

Moderate + High Governance Projects - Life to Date

A Life to Date Summary of Moderate + High Governance Projects, with a budget exceeding \$500,000 over the life of the works

Project Description	Capital/Non-Capital	Status *	Monitor (Descriptor)	Original Budget	Revised Budget	LTD Actuals	Est Final Cost
Gin Gin Water Treatment Plant Upgrade	Capital	✓	Project is Practically Complete awaiting financial completion	1,100,000	1,212,417	1,225,105	1,227,417
Hughes Road/Blain Street, Bargara - SPS Gravity Main Conversion to Rising Main	Capital	✓	Project is Practically Complete awaiting financial completion	600,000	672,487	693,605	716,693
Coral Cove Sewer - Pebble Beach Drive New Pump Station, Rising Main and Gravity Main	Capital	✓	Raw Water connection required before works can be completed and Treatment Plant can be decommissioned. Currently scheduled for end of August.	950,000	723,741	747,856	866,333
Coral Cove Sewer - Easement Negotiations and Compensation	Operating	✓	Negotiations are continuing.	-	17,251	37,251	37,251
Coral Cove Sewer - Pebble Beach Drive New Pump Station, Rising Main and Gravity Main Non Capital Costs	Operating	★	Costs have been finalised	-	43,667	43,667	43,667
<i>Cost to Council</i>				<i>950,000</i>	<i>784,659</i>	<i>828,775</i>	<i>947,251</i>
Rubyanna STP - Design and Construction of Plant	Capital	✓	The water retaining structures are substantially complete. Regional Pump Station structures will commence during August.		52,927,378	29,606,124	52,927,378
Project Administration and Control (All Stages)	Capital	✓	Work is ongoing		1,005,000	830,351	1,005,000
Non Capital Costs for Design and Construction of Plant	Maintenance	✓	Work is ongoing		234,373	234,373	234,373
Decommissioning of Bundaberg East WWTP	Operating	✓	Decommissioning works will commence once Rubyanna WWTP comes online. Expected to occur April 2018.		1,800,000	8,417	1,800,000
Purchase of Land	Capital	★	Costs have been finalised	92,726,237	2,667,537	2,667,537	2,667,537
Rubyanna STP Concept Study	Operating	★	Costs have been finalised		53,700	53,700	53,700
Rubyanna STP - Trunk Pipelines Concept Design and Survey	Capital	★	Costs have been finalised		7,057,331	7,057,331	7,057,331

Moderate + High Governance Projects - Life to Date

A Life to Date Summary of Moderate + High Governance Projects, with a budget exceeding \$500,000 over the life of the works

Project Description	Capital/Non-Capital	Status *	Monitor (Descriptor)	Original Budget	Revised Budget	LTD Actuals	Est Final Cost
Rubyanna WWTP River Outfall	Capital	★	Costs have been finalised		4,495,809	4,495,809	4,495,809
Rubyanna WWTP Pipelines - Springhill Road to RWWTP	Capital	★	Costs have been finalised		487,880	487,880	487,880
Rubyanna WWTP Pipelines - Darnell Street Sewerage Cutting	Capital	★	Costs have been finalised		321,020	321,020	321,020
			<i>Cost to Council</i>	<i>92,726,237</i>	<i>71,050,028</i>	<i>45,762,541</i>	<i>71,050,028</i>
Economic Development							
East Bundaberg Bio Hub Pipeline	Operating	✓	Currently assessing the Head of Agreement for the Project.	500,000	500,000	-	500,000
Parks, Sport and Natural Areas							
Nanning Garden Upgrade	Capital	○	Construction commenced in February 2017. Pavilion Roof removed, paving and tiling materials ordered. Project Expected to be completed by End of August 2017	1,189,098	1,186,099	514,816	1,189,098

Indicator Status Indicator Meaning

- ✓ On track Initiative is proceeding to plan with no indication of future impediments
- ★ Complete Initiative has been completed
Progress is not as expected but action is being/has been taken and is expected to be on track within the next quarter or financial year
- Monitor Progress is significantly behind schedule or is rated 'closely monitor'. Decisive action is required to get back on track
- × Required

Please note that completed projects may still have outstanding costs

2017 Financial Year**A Year to Date Summary of Capital Projects, with a budget exceeding \$500,000**

Project Description	Status *	Monitor (Descriptor)	Budget	2018 FY YTD Actuals	% Spend	Est Final Cost 2018	\$ Variance	Comments
Major Projects								
Multi-Use Sport and Community Centre (Multiplex) Stage 1 Finalisation Costs	✓	Costs associated with the finalisation of Stage 1 Contractor's Contract Sum.	-	520	x	1,371	1,371	Revised Budget Revision to be submitted to increase current year budget - funded from program work order.
Multi-Use Sport and Community Centre (Multiplex) Stage 2	✓	Project currently under construction. Main structural frame work and roof are complete. Internal fit out has commenced. Project due to be completed in November.	7,500,000	29,076	0%	7,500,000	-	
		<i>Cost to Council</i>	<i>7,500,000</i>	<i>29,596</i>	<i>0%</i>	<i>7,501,371</i>	<i>1,371</i>	
Bundaberg CBD Revitalisation	✓	Tenders are currently being assessed	8,000,000	2,328	0%	8,000,000	-	
Burnett Heads CBD Revitalisation	✓	Project is currently being designed.	4,800,000	8,188	0%	4,800,000	-	
Burnett Heads CBD Sewerage Infrastructure	✓	Project is currently being designed.	2,100,000	493	0%	2,100,000	-	
		<i>Cost to Council</i>	<i>6,900,000</i>	<i>8,681</i>	<i>0%</i>	<i>6,900,000</i>	<i>-</i>	
East Bundaberg Tourism Precinct	✓	Project is currently being designed.	1,000,000	14,652	1%	1,000,000	-	
Corporate Applications								
Core System Replacement Program	✓	Project focus is now on implementing the six months KPMG recommendations and updating the business case.	3,000,000	-	0%	4,445,960	1,445,960	Revised Budget Revision submitted to reproviseion \$1,445,960 unspent in 2016/2017 financial year to 2017/2018 financial year.
Airports and Tourism								
Aviation Precinct - Construction of Stage 3	✓	Project is currently being designed	1,000,000	-	0%	1,000,000	-	
Aviation Precinct - Construct Taxiway Alpha & Adjacent Aircraft Aprons	✓	Project is currently being designed	420,000	-	0%	420,000	-	
		<i>Cost to Council</i>	<i>1,420,000</i>	<i>-</i>	<i>0%</i>	<i>1,420,000</i>	<i>-</i>	

2017 Financial Year
A Year to Date Summary of Capital Projects, with a budget exceeding \$500,000

Project Description	Status *	Monitor (Descriptor)	Budget	2018 FY YTD Actuals	% Spend	Est Final Cost 2018	\$ Variance	Comments
Roads and Drainage								
Baldwin Swamp Multi Modal Pathways - Que Hee Street to Bundaberg Ring Road	✓	Currently negotiating final land resumptions. Project is currently being designed.	1,000,000	422	0%	1,000,000	-	
Eggmolesse Street - Upgrade to Sealed Standard (Johanna Boulevard End)	✓	Project is currently under construction. Due to be completed late November 2017.	700,000	2,088	0%	789,141	89,141	Revised Budget Revision Submitted to Reprovision \$89,241 unspent in 2016/2017 financial year to 2017/2018 financial year.
Fitzgerald Street/ Eggmolesse Street, Norville - Construction of Roundabout	✓	Service relocations have occurred. Tenders are being assessed and due to be awarded early August.	1,200,000	14,364	1%	1,292,968	92,968	Revised Budget Revision Submitted to Reprovision \$92,968 unspent in 2016/2017 financial year to 2017/2018 financial year.
Johnston Street, Avoca - Upgrade	✓	Project is currently being designed. Drainage easement negotiations are continuing.	650,000	-	0%	650,000	-	
Thabeban Stormwater Drainage Scheme - Stage 3	✓	Project is currently being designed	3,000,000	851	0%	3,648,123	648,123	Revised Budget Revision Submitted to Reprovision \$648,123 unspent in 2016/2017 financial year to 2017/2018 financial year.
Monduran Bridge	✓	Bridge is open to traffic. Project construction is ongoing, due to be completed mid August 2017.	-	713	x	180,211	180,211	Revised Budget Revision Submitted to Reprovision \$180,211 unspent in 2016/2017 financial year to 2017/2018 financial year.
Monduran Road Approach Road on East Side of Kolan River	✓	Project is currently being constructed, due to be completed mid August 2017.	-	40,475	x	88,988	88,988	Revised Budget Revision Submitted to Reprovision \$88,988 unspent in 2016/2017 financial year to 2017/2018 financial year.
		<i>Cost to Council</i>	-	41,188	x	269,199	269,199	
Ten Mile Road, Sharon - Upgrade and Widen	✓	Detailed design to be undertaken.	2,650,000	-	0%	2,650,000	-	
Water and Wastewater								
Smart Meter Trial	✓	Currently developing a strategic Business Plan to be reported to Council in August.	1,250,000	13,532	1%	1,299,544	49,544	Revised Budget Revision Submitted to Reprovision \$49,544 unspent in 2016/2017 financial year to 2017/2018 financial year.
Heaps Street New Roof Structure	✓	Design Complete. Project will go out to tender in September.	800,000	-	0%	800,000	-	
Gregory Water Treatment Plant Upgrade	✓	Project is currently being designed.	500,000	-	0%	572,608	72,608	Revised Budget Revision Submitted to Reprovision \$72,608 unspent in 2016/2017 financial year to 2017/2018 financial year.

2017 Financial Year**A Year to Date Summary of Capital Projects, with a budget exceeding \$500,000**

Project Description	Status *	Monitor (Descriptor)	Budget	2018 FY YTD Actuals	% Spend	Est Final Cost 2018	\$ Variance	Comments
Kaikie Water Treatment Plant Quality Upgrade	✓	Project is currently being designed.	500,000	-	0%	572,699	72,699	Revised Budget Revision Submitted to Reversion \$72,699 unspent in 2016/2017 financial year to 2017/2018 financial year.
Innes Park Dry Sewers	✓	Condition Assessment currently being finalised. Property owners will be able to access connection by end of calendar year.	600,000	1,340	0%	600,000	-	
Branyan WTP Clear Water Storage - New Roof Structure	✓	Project is currently being designed.	500,000	-	0%	500,000	-	
Woodgate Vacuum Sewer Extension	✓	Project is currently being designed.	1,820,000	59,993	3%	2,064,797	244,797	Revised Budget Revision Submitted to Reversion \$244,797 unspent in 2016/2017 financial year to 2017/2018 financial year.
Belle Eden Gravity Main Construction	✓	Developer Driven Project.	1,000,000	-	0%	1,000,000	-	
Port Sewerage Infrastructure - Installation of Gravity Reticulation System	✓	Council decision required before project can be completed.	280,000	27,813	10%	280,000	-	
Gin Gin Water Treatment Plant Upgrade	✓	Project is Practically Complete awaiting financial completion	-	12,689	x	15,000	15,000	Revised Budget Request to be submitted to increase current budget.
Hughes Road/Blain Street, Bargara - SPS Gravity Main Conversion to Rising Main	✓	Project is Practically Complete awaiting financial completion	-	21,118	x	44,206	44,206	Revised Budget Request to be submitted to increase current budget.
Coral Cove Sewer - Pebble Beach Drive New Pump Station, Rising Main and Gravity Main	✓	Raw Water connection required before works can be completed and Treatment Plant can be decommissioned. Currently scheduled for end of August.	-	24,116	x	142,592	142,592	Revised Budget Revision Submitted to Reversion \$142,592 unspent in 2016/2017 financial year to 2017/2018 financial year
Rubyanna STP - Design and Construction of Plant	✓	The water retaining structures are substantially complete. Regional Pump Station structures will commence during August.	21,913,000	9,622	0%	22,835,778	922,778	Revised Budget Revision Submitted to Reversion \$142,592 unspent in 2016/2017 financial year to 2017/2018 financial year
Project Administration and Control (All Stages)	✓	Work is ongoing	40,000	-	0%	109,593	69,593	Revised Budget Revision Submitted to Reversion \$69,593 unspent in 2016/2017 financial year to 2017/2018 financial year
		<i>Cost to Council</i>	<i>21,953,000</i>	<i>9,622</i>	<i>0%</i>	<i>22,945,371</i>	<i>992,371</i>	

2017 Financial Year**A Year to Date Summary of Capital Projects, with a budget exceeding \$500,000**

Project Description	Status *	Monitor (Descriptor)	Budget	2018 FY YTD Actuals	% Spend	Est Final Cost 2018	\$ Variance	Comments
Parks, Sport and Natural Areas								
Nanning Garden Upgrade	○	Construction commenced in February 2017. Pavilion Roof removed, paving and tiling materials ordered. Project Expected to be completed by End of August 2017	-	149,837	x	821,119	821,119	Revised Budget Revision Submitted to Reprovision \$821,119 unspent in 2016/2017 financial year to 2017/2018 financial year.

Indicator Status Indicator Meaning

- ✓ On track Initiative is proceeding to plan with no indication of future impediments
- ★ Completed Initiative has been completed
- Monitor Progress is not as expected but action is being/has been taken and is expected to be on track within the next quarter or financial year
- Action Progress is significantly behind schedule or is rated 'closely monitor'. Decisive action is required to get back on track
- × Required

Please note that completed projects may still have outstanding costs

Capital Grants - Life to Date

Department	Project Description	Funding Name	Total Approved Funding	LTD Grant Income Actuals	Percentage Received	Total Approved Expenditure	LTD Grant Expenditure Actuals	Percentage Spend	Approved Cost to Council	Current Actual Cost to Council	Funding Completion Date	Comments
Community Development	Bundaberg Recreation Precinct - Construction of New Amenities	Queensland Governments 2016-17 Grants and Subsidies Program	144,000	43,200	30%	240,000	28,975	12%	96,000	(14,225)	21/10/2017	30% funding received at execution of sub agreement, next Milestone payment to be received once initial payment expended. Next Milestone payment due in August.
Disaster Management	Childers SES Shed for Flood Boat	National Disaster Resilience Program	12,000	10,800	90%	20,000	18,400	92%	8,000	7,600	24/11/2017	Next Milestone payment due in August 2017.
	Bundaberg SES Installations of Solar Panels	National Disaster Resilience Program	15,000	13,500	90%	25,000	19,545	78%	10,000	6,045	24/11/2017	Next Milestone payment due in August 2017.
	Walla Gauge and Trio of Rain Gauges	National Disaster Resilience Program	42,000	37,800	90%	70,000	68,419	98%	28,000	30,619	24/11/2017	Project complete. Final payment to be received in August 2017.
Major Projects	Multi-Use Sports and Community Centre - Stage 1	Building Our Regions	5,000,000	4,797,863	96%	14,500,000	15,622,817	108%	9,500,000	10,824,954	30/03/2017	\$13,913,804 was the total claimable final cost of the project, resulting in a revenue reduction of \$202,137. The final claim has been submitted and is currently being evaluated. Invoice has been raised and payment is expected after the submission is evaluated.
	Multi-Use Sports and Community Centre - Stage 2	Building Our Regions	5,000,000	2,000,000	40%	12,260,000	3,238,237	26%	2,260,000	238,237	14/02/2018	Milestone 2 has been submitted and is currently being evaluated. Invoice has been raised and payment is expected after the submission is evaluated.
		Community Development Grant	5,000,000	1,000,000	20%							Milestone 2 will be submitted in August 2017. Payment due in September 2017.
Wastewater	Rubyanna Sewerage Treatment Plant	Building Our Regions	5,000,000	4,250,000	85%	62,050,000	29,606,124	48%	57,050,000	25,356,124	30/07/2018	Please note that total approved expenditure refers to the minimum expenditure required by the Grant funding.
	Kay McDuff Drive Extension	Heavy Vehicle Safety and Productivity Programme Round Five	1,407,166	985,016	70%	2,766,657	1,285,812	46%	-	(679,612)	31/07/2017	Heavy Vehicle Safety and Productivity Programme Round Five final claim to be submitted and paid in August 2017.
		TIDS	1,359,491	980,408	72%							Further TIDS funding approved for 18/19 Financial Year.

Capital Grants - Life to Date

Department	Project Description	Funding Name	Total Approved Funding	LTD Grant Income Actuals	Percentage Received	Total Approved Expenditure	LTD Grant Expenditure Actuals	Percentage Spend	Approved Cost to Council	Current Actual Cost to Council	Funding Completion Date	Comments
Roads and Drainage	New Monduran Bridge over Kolan River	Bridges Renewal Programme	1,590,000	1,200,000	75%	3,253,471	2,701,104	83%	-	863,104	31/08/2017	Construction completion will be delayed until August due to water releases from Monduran Dam.
		TIDS	1,663,471	638,000	38%							Bridges Renewal Programme final claim will be submitted in August. Payment due in September 2017. Project savings have resulted in a reduction in revenue estimated to be \$53,500.
	Eggmolesse Street - Upgrade to Sealed Standard (Johanna Boulevard End)	TIDS	258,407	130,839	51%	4,016,814	2,178,196	54%	258,407	(10,356)	30/06/2018	Next Milestone payment due in August 2017.
		Roads to Recovery	3,500,000	2,057,713	59%							Further TIDS funding approved for 18/19 and 19/20 Financial Year.
	On-Road Cycle Facilities (PCNP) on Avoca Street/Branyan Drive	Cycle Network Local Government Grants Program	392,500	294,375	75%	884,500	212,023	24%	492,000	(82,352)	28/02/2018	50% funding received at execution of agreement. Milestone 2 has been submitted and is currently being evaluated. Invoice has been raised and payment is expected after the submission is evaluated.
	Branyan Drive Culvert	National Disaster Resilience Program	181,560	54,468	30%	302,600	114,748	38%	121,040	60,280	24/11/2017	Next Milestone payment due in August 2017.
	Windermere Road Culvert	National Disaster Resilience Program	327,600	98,280	30%	546,000	145,483	27%	218,400	47,203	24/11/2017	30% funding received at execution of agreement. Next Milestone can be claimed once expenditure exceeds received revenue.
	Scotland Street/Eastgate Street - Intersection Safety Improvements	BLACKSPOT	410,000	205,000	50%	410,000	42,828	10%	-	(162,172)	30/06/2017	50% funding received at execution of agreement. The final 50% will be received on completion of the project.
	Walla Street/George Street - Intersection Safety Improvements	BLACKSPOT	390,000	195,000	50%	390,000	431,881	111%	-	236,881	30/06/2017	50% funding received at execution of agreement. The final 50% will be received on completion of the project. Final payment due in August 2017.
	Pathway Que Hee Street to Ring Road	Get Playing Plus	739,900	-	0%	1,479,800	17,063	1%	739,900	17,063	30/09/2018	Funding is received progressively during construction. First Milestone payment due August 2017.
Quay Street East/Scotland Street - Pathway Principal Cycle Network Plan	Cycle Network Local Government Grants Program	151,374	75,687	50%	302,748	-	0%	151,374	(75,687)	30/06/2018	Initial Invoice for 50% payment has been submitted and payment is due in August 2017.	
Various	Works for Queensland	Works for Queensland	10,710,000	6,405,600	60%	10,710,000	3,476,526	32%	-	(2,929,074)	31/12/2017	60% funding received at execution of agreement. A further 30% will be received upon expending 50% of the total allocation. This is expected to be received in August 2017.

**Item****29 August 2017****Item Number:**

F1

File Number:

.

Part:GOVERNANCE &
COMMUNICATIONS**Portfolio:**

Organisational Services

Subject:

Tetzlaffs Road, North Gregory - Purchase of Unallocated State Land

Report Author:

Nathan Powell, Property Leasing Officer

Authorised by:

Stuart Randle, General Manager Organisational Services

Link to Corporate Plan:

Our People, Our Business - 3.3 Engagement with all levels of government in the development of strategy and policy.

Background:

The Department of Natural Resources and Mines (DNRM) has received an application to purchase Unallocated State Land described as Lot 44 on SP273749, located off Tetzlaffs Road, North Gregory. DNRM advise the proposed use of the area is for the Isis Central Sugar Mill Cane Railway network which runs through the land – this infrastructure is vital to the economic transport of sugar cane.

DNRM also advise that if the application is successful, the land will become part of the applicants' bounding freehold property described as Lot 71 on CK281.

Associated Person/Organization:

Department of Natural Resources and Mines

Consultation:

Portfolio Spokesperson: Cr Helen Blackburn was advised on the matter.

Divisional Councillor: Cr Bill Trevor was advised on the matter.

The views of relevant officers were sought and listed below are their comments:

Department of Infrastructure & Planning:

Development Assessment Manager, Richard Jenner advises there are no objections to the proposal from a planning perspective.

Services Manager Roads & Drainage, Hennie Roux advises there are no objections to the application.

Department of Community & Environment

Branch Manager Parks, Sports & Natural Areas, Geordie Lascelles offered no objections to the proposal from the department.

Legal Implications:

There appear to be no legal implications.

Policy Implications:

There appear to be no policy implications.

Financial and Resource Implications:

There appear to be no financial or resource implications.

Risk Management Implications:

There appears to be no risk management implications.

Communications Strategy:

Communications Team consulted.

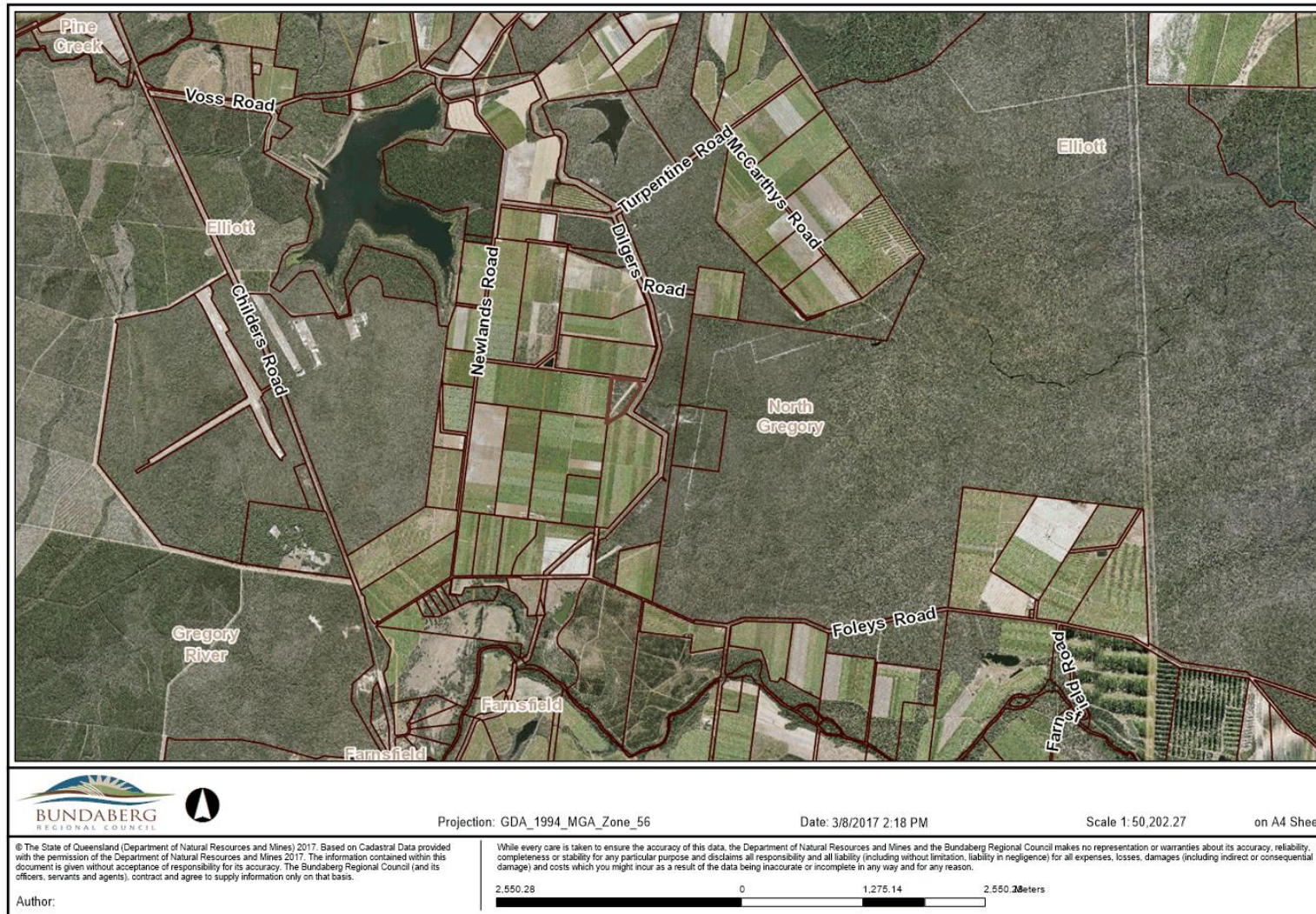
- Yes
- No

Attachments:

- [↓1](#) Aerial Photo - Wide
- [↓2](#) Aerial Photo - Close
- [↓3](#) SmartMap

Recommendation:

That the Department of Natural Resources and Mines be advised Council offers no objection to the application to purchase Unallocated State Land, described as Lot 44 on SP273749, located off Tetzlauffs Road, North Gregory.





Projection: GDA_1994_MGA_Zone_56

Date: 3/8/2017 2:16 PM

Scale 1:6,275.28

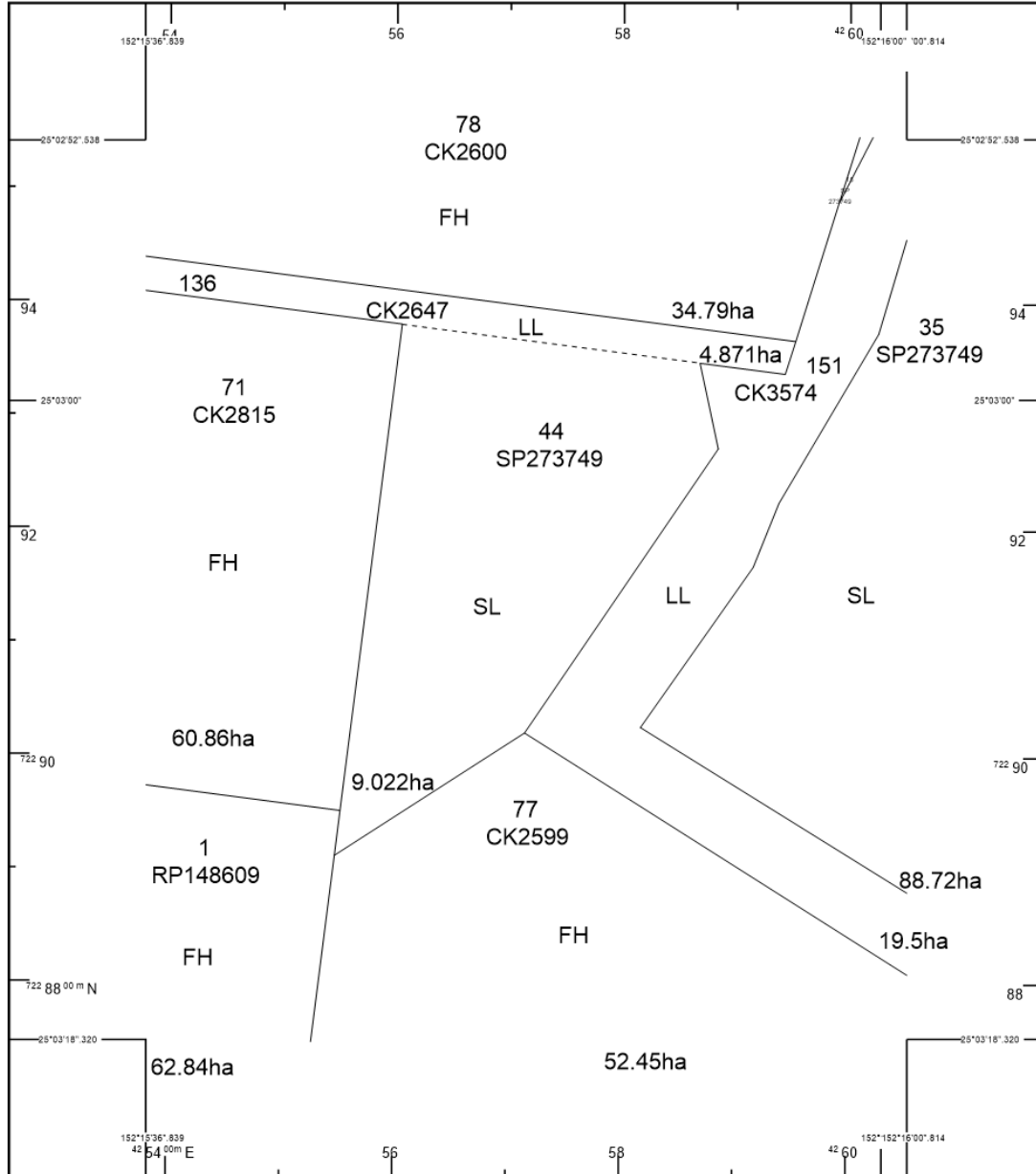
on A4 Sheet

© The State of Queensland (Department of Natural Resources and Mines) 2017. Based on Cadastral Data provided with the permission of the Department of Natural Resources and Mines 2017. The information contained within this document is given without acceptance of responsibility for its accuracy. The Bundaberg Regional Council (and its officers, servants and agents), contract and agree to supply information only on that basis.

While every care is taken to ensure the accuracy of this data, the Department of Natural Resources and Mines and the Bundaberg Regional Council makes no representation or warranties about its accuracy, reliability, completeness or stability for any particular purpose and disclaims all responsibility and all liability (including without limitation, liability in negligence) for all expenses, losses, damages (including indirect or consequential damage) and costs which you might incur as a result of the data being inaccurate or incomplete in any way and for any reason.



Author:



STANDARD MAP NUMBER
9347-14433



MAP WINDOW POSITION &
NEAREST LOCATION



SUBJECT PARCEL DESCRIPTION

DCDB	44/SP273749
Lot/Plan	9 022ha
Area/Volume	STATE LAND
Tenure	BUNDABERG REGIONAL
Local Government	NORTH GREGORY
Locality	12419/88
Segment/Parcel	

CLIENT SERVICE STANDARDS

PRINTED (dd/mm/yyyy) 11/04/2017

DCDB 10/04/2017

Users of the information recorded in this document (the information) accept all responsibility and risk associated with the use of the information and should seek independent professional advice in relation to dealings with property.

Despite Department of Natural Resources and Mines(DNRM)'s best efforts, DNRM makes no representations or warranties in relation to the information, and, to the extent permitted by law, exclude or limit all warranties relating to correctness, accuracy, reliability, completeness or currency and all liability for any direct, indirect and consequential costs, losses, damages and expenses incurred in any way (including but not limited to that arising from negligence) in connection with any use of or reliance on the information

For further information on SmartMap products visit <http://fnrw.qld.gov.au/property/mapping/blinmap>

SmartMap

An External Product of
SmartMap Information Services
Based upon an extraction from the
Digital Cadastral Data Base



(c) The State of Queensland,
(Department of Natural
Resources and Mines) 2017.



**Item****29 August 2017****Item Number:**

G1

File Number:

IPE2177.2016

Part:

INFRASTRUCTURE

Portfolio:

Infrastructure & Planning Services

Subject:

Acquisition of Easements at Burnett Heads and Purchase of State Land (East Wastewater Treatment Plant)

Report Author:

Hugh Byrnes, Strategic Planning Officer

Authorised by:

Andrew Fulton, General Manager Infrastructure & Planning

Link to Corporate Plan:

Our Environment - 2.1 Quality and future-focused roads and drainage; water and wastewater, and waste infrastructure that meets our community's current and future needs.

Background:

Council is currently undertaking two projects, namely the Burnett Heads Streetscape and remediation of the East Wastewater Treatment Plant. The Burnett Heads project requires the acquisition of easements and/or the purchase of State land. The remediation of East WWTP requires purchase of part of a former road reserve.

East Wastewater Treatment Plant

Following commissioning of the Rubyanna Wastewater Treatment Plant, Council is currently preparing to decommission and repurpose the East Wastewater Treatment Plant. East Wastewater Treatment Plant is located over six parcels of land, of which council own (freehold) five and one is a reserve owned by the State (a former Road Reserve).

To consolidate land holdings over the site to allow for repurposing, purchase of Lot 166 of CK1271 is required. Lot 166 is 3,703.39 m², has a frontage to McGills Road and is a middle parcel of the treatment plant site. See the attached site plan.

Burnett Heads Wastewater

The provision of wastewater infrastructure is a key outcome of the draft Burnett Heads Town Centre Local Plan. The provision of wastewater reticulation will service the existing town centre enabling future development of privately owned land within the service area.

Through detail design and community consultation it was determined that the best location to site the future sewer pump station was within Memorial Park. To site the pump station within the park the department of Natural Resources and Mines prefer Council to purchase the land outright. This is also Council's Asset Manager's preferred outcome.

In addition to siting the pump station, sewer reticulation that drains to the pump station is required to traverse the park. The Department have stated that the network is to be contained within easements.

The attached Memorial Park site plan shows the approximate location of the pump station, the proposed parcel to accommodate the pump station, and the alignment of the sewer reticulation.

Associated Person/Organization:

Department of Natural Resources and Mines

Consultation:

No consultation specific to these acquisitions has been undertaken. These purchases are part of broader strategies that Council and the Community are aware of.

Legal Implications:

No legal implications have been identified.

Policy Implications:

There appear to be no policy implications.

Financial and Resource Implications:

The acquisition of land and easements have been budgeted for within each of the respective projects. The land acquisitions will result in Council owning freehold two additional parcels of land.

Risk Management Implications:

There appears to be no risk management implications.

Communications Strategy:

Communications Team consulted.

Yes

No

Communications Strategy is not required.

Attachments:

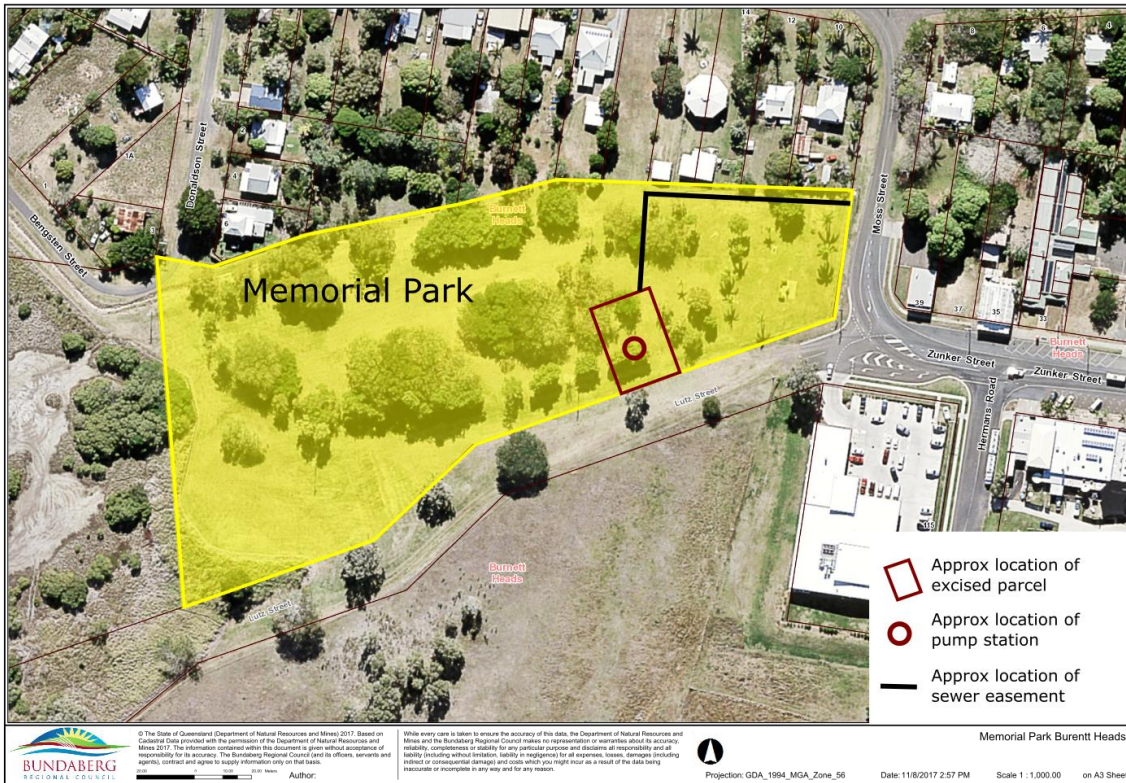
- [↓](#) 1 Memorial Park Site Plan
- [↓](#) 2 East Treatment Plant Site Plan

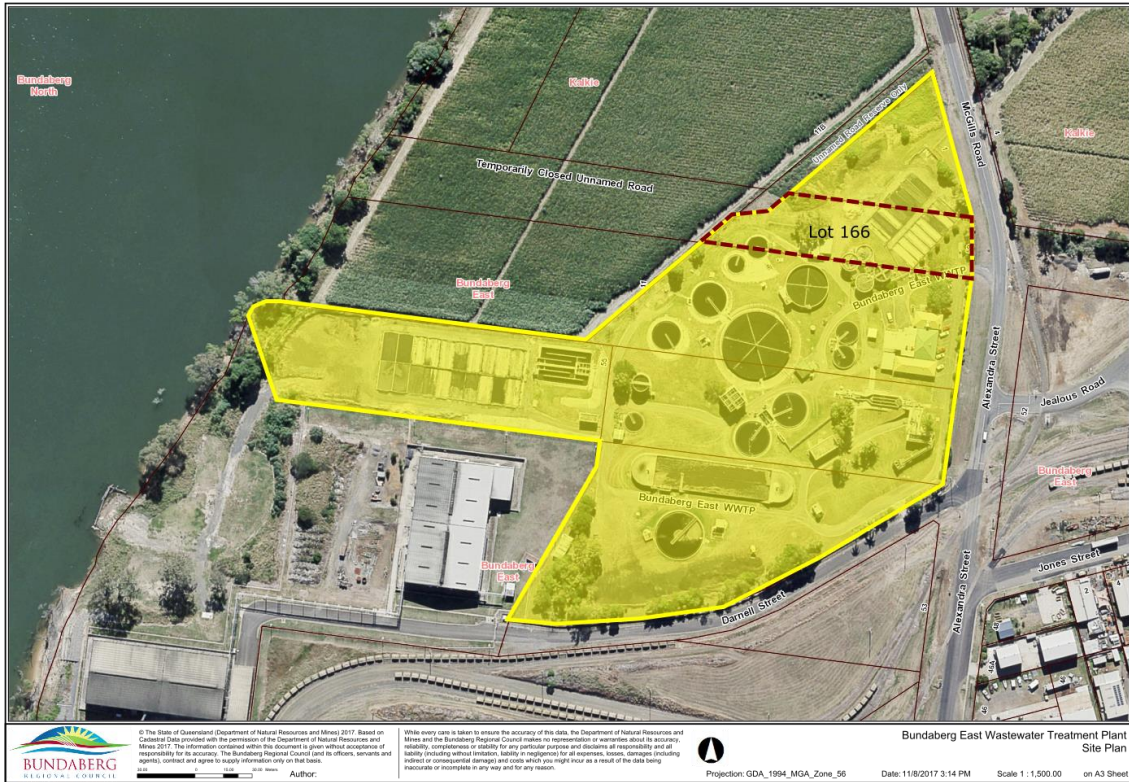
Recommendation:

That in respect of:-

- 1. East Wastewater Treatment Plant - approval be granted for the purchase of Lot 166 on CK1271 from DNRM; and**
- 2. Burnett Heads Streetscape - approval be granted to the acquisition of part Lot 163 on CK1104 (Moss Street, Burnett Heads), being 600 m² in area approximately and in addition, a sewerage easement over Lot 163 on CK1104 all as shown on the attached plan in this report.**

Further, that the Chief Executive Officer be authorised to negotiate to finalisation, with the Department of Natural Resources and Mines with respect to the purchases as detailed above.





**Item****29 August 2017****Item Number:**

I1

File Number:

fA101867

Part:

WATER & WASTEWATER

Portfolio:

Infrastructure & Planning Services

Subject:

Kinkuna Estate & Marina Drive (Burnett Heads) Sewerage Systems

Report Author:

Tom McLaughlin, Group Manager Water and Wastewater

Authorised by:

Andrew Fulton, General Manager Infrastructure & Planning

Link to Corporate Plan:

Our Environment - 2.1 Quality and future-focused roads and drainage; water and wastewater, and waste infrastructure that meets our community's current and future needs.

Background:**Kinkuna Estate Pressure Sewerage System**

Kinkuna Estate is an established development, comprising of eighty (80) lots. Currently thirteen (13) properties within the estate are connected to Council's sewerage system, and seven (7) of these properties have non-compliant pumping units.

There have been a number of complaints from residents over the past 6 months and there have been operational issues in Council's infrastructure that have resulted from the performance of the non-compliant pumping units.

A number of options were evaluated by Council officers in order to resolve the customer and operational problems. Based on this evaluation, it is recommended that Council replace all non-compliant pumps, estimated to cost \$28,000. As Council has issued Plumbing Certificates for all thirteen (13) properties then it is reasonable that Council accept some responsibility for the solution. Replacing the non-compliant pumping units shall resolve the main customer issues as well as Council's operational problems.

Marina Drive (Burnett Heads) Pressure Sewerage System

A pressure sewerage system is currently being installed to eight (8) commercial properties along Marina Drive, Burnett Heads. Original discussions with the owners were based on providing a conventional gravity solution, however this has now been changed to a pressure sewerage solution because of cost and risk.

A pressure sewerage solution transfers cost to the property owners and as such it is recommended that Council provide a 50% contribution towards the cost of the supply and installation of the individual sewerage pumping units. Also as an incentive, plumbing application and service providers' fees are also recommended to be waived if the owners elect to connect prior to the 30 June 2018.

Associated Person/Organisation:

Nil

Consultation:

Portfolio Spokesperson: Cr Jason Bartels

Divisional Councillors: Cr Scott Rowleson and Cr Bill Trevor.

This report is further to a presentation to Council on Monday 7 August 2017.

Legal Implications:

There appears to be no legal implications associated with Council contributing to these projects.

Policy Implications:

The recommendation within this report does not contravene any conditions pertaining to the draft policy on 'Pressure Sewerage Systems'.

There appears to be no other policy implications

Financial and Resource Implications:

Council's contributions are estimated to cost \$76,000, in which there are no provisions in the 2017/18 recurrent budget. If Council agrees to support these initiatives, then an adjustment to the recurrent budget would be required.

Risk Management Implications:

There appears to be no risk management implications.

Communications Strategy:

- Yes
- No

Correspondence shall be sent to all property owners that will benefit from this decision.

Attachments:

Nil

Recommendation:

That:-

- 1. provision of \$28,000 be made in the 2017/18 sewerage budget for the replacement of seven non-compliant sewerage pumping units within Kinkuna Estate and these pumps be replaced;**

- 2. as original negotiations were based on provision of gravity sewerage - Council provide a 50% contribution towards the cost of individual sewerage pumping units for properties along Marina Drive and Port of Bundaberg estimated to cost \$48,000; and provision be made in the 2017/18 budget. It being noted that Council's contribution offer shall be valid until 30 June 2018; and**
- 3. Plumbing Application fees and Notice to Service Provider fees be waived for properties along Marina Drive, if connected before 30 June 2018.**



Item

29 August 2017

Item Number:	File Number:	Part:
K1	322.2017.48423.1	DEVELOPMENT ASSESSMENT

Portfolio:

Infrastructure & Planning Services

Subject:

45 Burrum Street, Bundaberg West - Material Change of Use for Tourist Park - Self-contained RV Park

Report Author:

Erin Clark, Senior Planning Officer - Major Projects

Authorised by:

Richard Jenner, Development Assessment Manager

Link to Corporate Plan:

Our Environment - 2.2 Sustainable built environments and local projects that support our growing population and promote economic investment and development.

Summary:

APPLICATION NO	322.2017.48423.1
PROPOSAL	Material Change of Use for Tourist Park - Self-contained RV Park
APPLICANT	Campervan & Motorhome Club of Australia Ltd
OWNER	Bundaberg Regional Council
PROPERTY DESCRIPTION	Lot 4 on Pt ZZ SP270831
ADDRESS	45 Burrum Street, Bundaberg West
PLANNING SCHEME	Bundaberg Regional Council Planning Scheme 2015
ZONING	Medium Density Residential/Neighbourhood Centre
OVERLAYS	Acid sulfate soils, Biodiversity, Flood hazard, Heritage and neighbourhood character, Infrastructure
LEVEL OF ASSESSMENT	Code
SITE AREA	7.0895 ha
CURRENT USE	Community facilities, including Bundaberg Multiplex on the larger site, toilet block, caretaker's residence.
PROPERLY MADE DATE	30 June 2017
STATUS	The 20 business day decision period ends on 29 August 2017
REFERRAL AGENCIES	Nil.
NO OF SUBMITTERS	Not Applicable
PREVIOUS APPROVALS	322.2013.38342.1 and.2 on parent lot (Multiplex)
SITE INSPECTION CONDUCTED	25 July 2017
LEVEL OF DELEGATION	Level 3

1. INTRODUCTION

1.1 Proposal

The applicant seeks a development permit for a Material Change of Use for a Tourist Park (Self-contained RV Park) located at 45 Burrum Street, Bundaberg West for the use by the CMCA. The extent of the development footprint is indicated on the proposal plans.

The proposed Tourist Park will accommodate fully self-contained RVs in accordance with CMCA's Self-contained vehicle (SCV) policy. The approved vehicles will include motorhomes, campervans, caravans, fifth wheelers, slide-ons and the like. There will be a volunteer onsite caretaker/manager during operational use that will manage the site in accordance with CMCA's management processes and in accordance with a management plan enacted by the developer (CMCA). The applicant notes that the onsite manager is to be familiar with any conditions that are imposed by Council as part of a subsequent approval of the proposal. Further, the application material proposes CMCA is to be responsible for all maintenance and upkeep costs of the RV Park and would maintain existing landscaping and other visual aspects of the property to a high standard.

The nature of the use is such that there is little impact on the environment or ecological values of the area with a very minimal development footprint. Due to the self-contained nature of the use the park would not be reliant upon a lot of physical infrastructure. The extent of the proposed infrastructure includes:

1. Compliant 3.5 metre access off existing internal driveway (length to be determined at a later date, Council may condition if required);
2. Approximately 170 m long pole and post fence constructed of treated timber as indicated on attached plan;
3. Approximately 30 m long pole and post fence along the street frontage with a gated entry;
4. Dumping point consisting of one (1) serviced Dump-Ezy;
5. Dedicated refuse storage area as indicated on attached proposal plan;
6. One (1) potable water supply and connection to power for custodian;
7. One (1) lawn locker for the use of the custodian;
8. Six (6) x three (3) meter concrete slab and shelter; and
9. Entry signage and entry conditions signage.

In terms of operational aspects, the site manager will be responsible for overseeing manoeuvring of vehicles on-site and monitoring general behaviour of guests. Vehicles would be backed into the appropriate areas designated on the attached plans with vehicles facing to the south to project noise away from the residents to the north. The RVs would serve as a physical buffer from users. As discussed, all vehicles would need to comply with the "Self-contained policy" of the CMCA, meaning the site does not rely upon extensive physical infrastructure. Users would have access to the designated dump point for wastewater and for disposal of general waste at the designated refuse storage area.

1.2 Site Description

The full subject site has an approximate area of 70,900 m² and a frontage to Burrum Street of approximately 330 metres. The site is currently improved by a lowset building and a hall that were previously used for a skating rink and caretaker's premises. The site has a number of well-established trees and is mostly grassed.

The immediate locality is characterised by commercial, residential, sport and recreation and community development, with the recently developed Multiplex building being the most significant building, of which Stage 2 is currently under construction. The site is bounded by Civic Avenue and Saltwater Creek and is short-distance from the CBD and the Burnett River. The subject site is opposite the North Coast Rail Line.

The site is connected to electricity, telecommunications and reticulated water and sewer and has two road access points at Burrum Street and Pyefinch Boulevard, with an internal sealed access network.

The contours within the site indicate that the site falls generally in a north-west direction with site contours at 12m AHD in the south-east of the site to 6.5 metres AHD at the north-west portion. The land falls substantially at the northern boundary which borders Saltwater Creek.

2. ASSESSMENT PROVISIONS

2.1. Applicable Planning Scheme, Codes and Policies

The applicable local planning instruments for this application are:

Planning Scheme: Bundaberg Regional Council Planning Scheme 2015

Applicable Codes:

- Medium density residential zone
- Acid sulfate soils overlay code
- Biodiversity areas overlay code
- Flood hazard overlay code
- Heritage and neighbourhood character overlay code
- Infrastructure overlay code
- Relocatable home park and tourist park code
- Landscaping code
- Nuisance code
- Transport and parking code
- Works, services and infrastructure code

Applicable Planning Scheme Policies:

- Planning scheme policy for development works
- Planning scheme policy for waste management

2.2 State Planning Instruments

The Bundaberg Regional Council Planning Scheme 2015 has been endorsed to reflect the state planning instruments.

3. ISSUES RELEVANT TO THE APPLICATION

The following significant issues have been identified in the assessment of the application:

Medium density residential zone code

The proposed Tourist Park development is Code Assessable within the Medium Density Residential Zone, reflecting the appropriate nature of the proposed use and compliance with the purpose of the code to provide for a range and mix of medium density residential uses, including short term accommodation uses in highly accessible locations. The proposal generally complies with the relevant provisions within the applicable Medium Density Residential Zone Code in terms of the type of use, location, building form (which is very limited in this instance) and access to services. When considering residential density, locating of people in areas close to services and facilities maximises a compact urban form. The proposed development does allow for this and recommended conditions will ensure that residential amenity in a low rise environment is maintained, particularly considering site management and internal setbacks.

Relocatable home park and tourist park code

The proposed RV park is assessable against the provisions of the Relocatable Home Park and Tourist Park Code as the applicable development code for the use. It is considered that the proposed development generally complies with the relevant sections of the code, specifically Performance Outcomes 1, 2 and 3 (PO1, PO2 and PO3), which relate to the site layout, location and suitability. The proposed site has a high quality environment and amenity, is of an appropriate size, with suitable accessibility and convenient access to everyday and community needs and public transport if required. In terms of residential amenity (PO4) and the possibility for impact upon nearby residents, the proposed tourist park is to be physically separated by the existing drain, along with recommended conditions requiring the retention of all vegetation on the site and site management to ensure that no adverse impacts are generated. Additionally, the site is commensurate with previous community uses such as the showgrounds use which would have generated a level of impact on the amenity of the location.

Prescriptive setbacks have been recommended in the conditions to ensure appropriate separation and privacy, both internally between RV's and externally to adjoining areas. Recreational open space, refuse management and internal access and separation have also been considered during the assessment and considered to comply or conditioned to comply with relevant requirements. Site access (PO8) was considered as a whole site solution in relation to compliance with PO1 of the Transport and parking code detailed below. It is noted that given the vehicles on site are to be self-contained, no on site amenities are to be provided (relating to PO10) and a condition is included accordingly.

Flooding

The proposed development area (to be included in a lease from Council) floods in a riverine and localised flood event. The short-term and itinerant nature of the use is such that the site can be easily evacuated as all vehicles on site are mobile and there would be limited danger to persons or property. Moreover, the land would be unsuitable for more permanent forms of development. Additionally, the lack of permanent structures means that to a practical extent stormwater characteristics of the site are not altered. However, to ensure public safety and adequate consideration is given in relation to flood evacuation and the provisions of the Flood Hazard Overlay Code, a standard condition has been recommended requiring the submission and approval of a Flood Evacuation Plan to Council prior to commencement of the use. The plan requires that the developer demonstrate how people may be evacuated from the site to a safe gathering point above the defined flood level and must include a number of features, such as procedures for assisting those with a disability, the availability of flood warnings, evacuation route and point, and a contact to disseminate information. This management plan will rely upon relevant flood warning systems.

Overlays

The subject site is affected by a number of Planning Scheme overlays, which must be considered in the assessment of the proposed development. Overlays include Acid Sulfate Soils, Biodiversity, Flood Hazard, Heritage and Neighbourhood Character and Infrastructure.

The relevant provisions of the flood hazard overlay have been addressed above and the applicability of the Acid Sulfate Soils overlay code is restricted given that the proposed development is unlikely to include earthworks or disturbance of any soil. Any operational works application necessary for road works will consider this in assessment.

With respect to the Heritage and Neighbourhood Character Overlay, the proposed development does not detrimentally impact upon the landowner's ability to protect and maintain the Old Showgrounds as a local heritage site. It is considered that it possibly provides further exposure of the site and increases the public awareness and opportunity to enjoy the site.

Generally, the remaining overlay code assessments were undertaken and it is considered that the proposed development generally complies with the provisions and conditions have been recommended accordingly to ensure compliance. It is noted in relation to the Biodiversity Overlay, the existing environment of the waterway is diminished with little environmental significance remaining, given that the creek is not in its natural state (has been concrete lined as a drain). Moreover, the tourist park is not proposed to interact with the waterway in any manner (existing fence to remain) and with the recommended conditions for setback from the waterway retention of all vegetation on site, the proposed development is unlikely to negatively impact upon the environmental values of the area.

Sewerage

When considering compliance with the Works, Services and Infrastructure Code, limited infrastructure connections are proposed for this tourist park development. The associated RV dump point is the only sewerage critical infrastructure proposed.

The proposed dump point is not a sealed/ watertight piece of infrastructure, therefore to ensure during flood events that the amount of infiltration into Council's sewerage network is minimised and compliance can be achieved with the code, a condition has been recommend to provide a new connection suitable to meet the requirements of the development above the defined flood level, or by utilising the alternative solutions in accordance with AS3000.1 and .2. It is also specified that the waste dump point is to be located on the highest part of the lease area considering any buffer requirements and vehicle manoeuvring.

Roadworks and Access

The proposed access point to Burrum Street for the RV traffic (as lodged within the proposal) is opposite the railway underpass and adjacent to the narrow culvert crossing on Burrum Street. This access point was been identified as not complying with current standards and the relevant requirements of the Transport and Parking Code. The intersection is currently congested with the proposed access point aligned off centre and difficult to manage, with a likely need for the Burrum Street culvert crossing to be widened to accommodate any additional traffic.

Therefore, considering the adjacent busy intersection and the bridge crossing, it was considered by Council officers that an alternate access via the Pyefinch Boulevard stub would be more suitable.

In either option that was considered, it is likely some degree of external road works would be necessary to ensure the code requirements are met. Accordingly, the Roads and Drainage section of Council provided preliminary costing for the proposed access options and it was determined that the works at the Pyefinch Boulevard access point are significantly more cost effective than those that would be required at the Burrum Street access point to ensure safe and efficient functioning of the network.

Consequently, a condition has been recommended to provide a fit for purpose access to the proposed development at the Pyefinch Boulevard location in the form of a sealed area of approximately 273 m² of road area, including two pipe culverts for drainage, which may be repurposed if necessary if Pyefinch Boulevard is to be fully constructed into the future. This access point will connect to the internal roadway which may be utilised for internal manoeuvring. This outcome will also necessitate the restriction, or permanent closure of the Burrum Street access point, in favour of the gated entry to Pyefinch Boulevard. Any necessary direction signage may need to be attached to the Burrum Street frontage (fence sign), where it complies with the relevant planning scheme provisions.

Adopted Infrastructure Charges Notice (AICN)

Relevant documentation has been lodged by the developer to demonstrate the company as 'not-for-profit'. In accordance with the current Resolution (No 1 2015), any proposed AICN is subject to 100% discount under the policy for a 'not-for-profit' development on land owned or controlled by Council. Therefore a charge has not been levied and an AICN is not to be issued.

Advice was received from the following internal departments:

Internal department	Referral Comments Received
Development Assessment - Engineering	8 August 2017

Any significant issues raised in the referrals have been included in section 3 of this report.

4.2 Referral Agency

Not Applicable.

Communication Strategy:

Communications Team consulted. A Communication Strategy is:

- Not required
- Required

Attachments:

- [↓1](#) Locality plan
- [↓2](#) Site plan
- [↓3](#) Proposal plans

Recommendation:

That Development Application 322.2017.48423.1 be determined as follows:

DESCRIPTION OF PROPOSAL

Material Change of Use for Tourist Park - Self-contained RV Park

SUBJECT SITE

45 Burrum Street, Bundaberg West, Lot 4 on Pt ZZ SP270831

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.

The relevant codes identified in the:

- Bundaberg Regional Council Planning Scheme 2015 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

Not Applicable

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
GC17-186-T01/P1	Existing site and adjoining uses plan	June 2017
322.2017.48423.1 – Plan 1A	Proposal Site Plan – Tourist Park (RV Park)	As Amended 15.08.2017
SKSG24738 Sheet 1 of 5	Foundation Plan	12.01.2016
SKSG24738 Sheet 2 of 5	Exterior Elevation Plan	12.01.2016

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
22,23,24,27,28,29	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.

Construction Management

4. 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.

5. 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.
6. 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.

Nature and Extent of the Approved Use

7. At all times, the approved use must have an appointed caretaker or a person contractually engaged by the land owners to manage/operate the Tourist Park activities undertaken on the site.
8. Relocatable homes and caravans (including RV's) must be sited:
 - a. A minimum of 3 m from any other RV, caravan, tent, cabin or building;
 - b. A minimum setback of 10 m from the waterway (drainage area) to the northern boundary (fence line);
 - c. A minimum of 1.5 m from any other side or rear lot boundaries;
 - d. A minimum of 2 m setback clearance from any roadways and access ways; and
 - e. A minimum of 12 m from the Burrum Street frontage
9. The total number of caravan/ RV parking areas must not exceed 50 in RV Parking Areas 1 and 2.
10. The approved 50 caravan/ RV parking areas must be used for short term accommodation purposes only. The approved use areas must not be occupied by persons for the purpose of permanent accommodation, excluding those persons in a manager's residence for the premises. The requirements of this condition must be included in the Community Management Statement for any Body Corporate for the subject site.
11. No camping (tents) is permitted on the site. All vehicles and RV homes on site must be self-contained (private facilities).
12. The site manager is responsible for ensuring that no off-site amenity impacts occur as a result of the approved use.
13. The waste dump point must be maintained by the site caretaker/ manager at all times.
14. A communal recreational space must be maintained at all times on site, with:
 - a. A minimum dimension of 15 m; and
 - b. A minimum area of 150 m².

Development in Stages

15. Develop the site generally in accordance with the stages identified on the Approved Plans (RV Area 1 and RV Area 2). The Applicant must comply with each condition of this development approval as it relates to each stage, unless otherwise specifically stated in the condition.

16. Undertake and provide the following as part of the specified stage(s) of the development:
 - a. The first stage undertaken:
 - i. Provide all road works and an all-weather vehicle access to RV site area.

Lighting

17. 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.

Vegetation Clearing

18. No clearing of vegetation is permitted on the site unless approval is granted by Council. The following activities must not be carried out on site:
 - a. clearing, cutting down, poisoning, lopping or pruning of vegetation which is indigenous to, or planted within, the zone;
 - b. soil/spoil dumping and/or compacting; and
 - c. soil excavation, other than for planting indigenous native plants.

The following exceptions apply:

- a. declared plants under the *Land Protection (Pest and Stock Route Management) Act 2002* and sub-ordinate Regulation 2003, and any Council Listed Environmental Weeds, Exotic Grasses and other plants identified in writing by Council
 - b. trees which pose a well-founded threat to persons or property.
19. Where approved vegetation management practice occurs, the applicant must chip, mulch or dispose of cleared vegetation at a Council approved green waste disposal facility or salvage timber for reuse. No burning of cleared material is permitted.

Waste Management

20. 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.
21. 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.

Water

22. Provide a metered service, and internal infrastructure as required, to satisfy the fire-fighting and water supply demands of the development.

Sewerage

23. Provide a new sewerage connection (dump point) suitable to meet the requirements of the development above the defined flood level, or by utilising alternative solutions in accordance with AS3000.1 and .2. All live sewer work must be undertaken by Council. The waste dump point is to be located on the highest part of the lease area considering any buffer requirements and vehicle manoeuvring.

Stormwater and Flooding

24. Install a stormwater drainage system connecting to a lawful point of discharge.
25. A Flood Evacuation Plan must be submitted to and approved by the Assessment Manager prior to the commencement of the use. The plan must demonstrate how people may 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 features:
 - a. The defined flood level for the site;
 - b. The river height at which the property floods;
 - c. The evacuation route from the property to an evacuation centre/point and the method by which staff and patrons will be transported;
 - d. The estimated time required to reach an evacuation centre;
 - e. The forecast river height/level at which to evacuate (Bundaberg City Gauge);
 - f. Information availability/where flood warnings will be acquired from;
 - g. The appointment of a site flood coordinator who will disseminate information to staff and patrons;
 - h. Procedures for assisting those with a disability or who do not speak English;
 - i. A contact information collection process for all current staff and visitors; and
 - j. A plan showing primary and secondary evacuation routes and assembly areas.
26. Position electrical and data equipment, including switchboards, power points and light switches, above the Defined Flood Level (DFL).

Roadworks and Access

27. Provide access via the constructed Pyefinch Boulevard road stub. The access must, unless agreed otherwise in writing with the assessment manager:
 - a. be designed appropriately to accommodate the proposed vehicles;
 - b. be paved where between the extended kerb alignment to a depth consistent with the existing Pyefinch Boulevard pavement;
 - c. extend the existing culvert 2 m past the edge of the new access;
 - d. connect to the existing sealed access track; and

- e. sealed between the Pyefinch Boulevard asphalt and the existing bitumen sealed track.

Property access & driveways

28. Access strips and driveways to the proposed lease area must comply with the standards specified in the *planning scheme policy for development works – driveways and access to developments*. The specific requirements must be determined as part of the Operational Works application.

Electricity, Street lighting and Telecommunications

29. Provide electricity service under standard tariff conditions and without further capital contributions by supplying all necessary materials, including structures and equipment, and performing all necessary works.

Existing Services and Structures

30. Certification must be submitted to the Assessment Manager from an appropriately qualified surveyor which certifies that:
 - a. all existing and proposed utility services and connections to be utilised (e.g. electricity, telecommunications, water, sewerage) are wholly located within the associated lease area.

PART 1B – ADVICE NOTES

Environmental Harm

- A. The *Environmental Protection Act 1994* states that a person must not carry out any activity that causes, or is likely to cause, environmental harm unless the person takes all reasonable and practicable measures to prevent or minimise the harm.

Environmental harm includes environmental nuisance. In this regard persons and entities, involved in the civil, earthworks, construction and operational phases of this development, are to adhere to their 'general environmental duty' to minimise the risk of causing environmental harm. Environmental harm is defined by the Act as any adverse 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.

Fencing

- B. 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.

- C. 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.

Flood Evacuation Plan

- D. In order to protect and/or minimise the damage to property and aid in business continuity post-flood, a flood preparation checklist may be included in the Flood Evacuation Plan for the development which addresses matters such as:
- a. The preparation of an emergency flood kit;
 - b. The packing of critical documentation (legal, financial, insurance) in a waterproof container;
 - c. The backing up of critical data to a portable storage device and its storage in a safe place;
 - d. Raising of items to a higher level;
 - e. Securing hazardous items (eg gas bottles);
 - f. Moving or elevating dangerous items (e.g. chemicals);
 - g. Switching off electricity at the switchboard;
 - h. Turning gas and water off at the meter; and
 - i. Blocking toilet bowls and covering drains with a strong plastic bag filled with earth or sand.

Infrastructure Charges Notice

- E. The Adopted Infrastructure Charges Resolution (No 1) of 2015 allows 100% discount for not-for-profit use on land owned by Council. An AICN has not been issued.

Nature and Extent of Approved Development

- F. This Decision Notice does not represent an approval to commence Building Works.

Sewerage

- G. The dump point is regulated under AS3500.1 & .2 and the *Plumbing and Drainage Act*. The proposed dump point is below the defined flood event. Acceptable solutions may include a pumped discharge or relocating the dump point clear of the defined flood event. Seeking advice from a suitably qualified person, such as a plumber or a hydraulic design consultant is recommended.

Signage

- H. 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 benchmarks of the Planning Scheme in effect at the time of the proposed works. It is noted that directional signage may be included as a defined 'Fence Sign' as 'Accepted development, subject to requirements', where it meets the following requirements:

- a. maximum face area does not exceed 2 m²;
- b. maximum sign height does not exceed 1.2 m; and
- c. the sign does not project above the or beyond the fence to which it's attached.

Stormwater

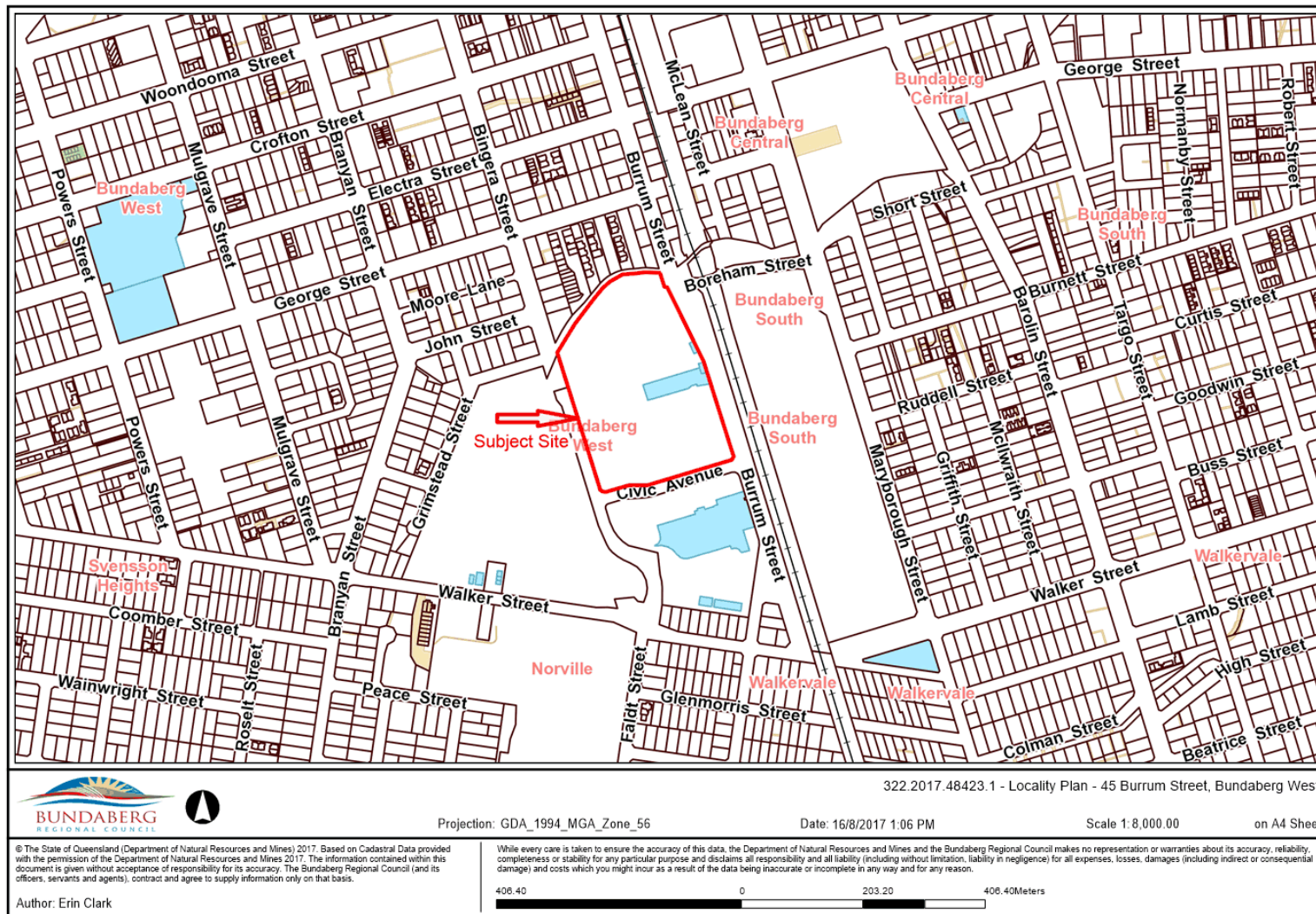
- I. The drainage system for the development should incorporate stormwater quality improvements.

Operational Works

- J. 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.

Proximity to rail infrastructure

- K. The approved use is located in close proximity to existing rail infrastructure. Any site management is to advise occupants accordingly.





322.2017.48423.1 - Site Plan - 45 Burrum Street, Bundaberg West



Projection: GDA_1994_MGA_Zone_56

Date: 16/8/2017 1:03 PM

Scale 1: 3,000.00

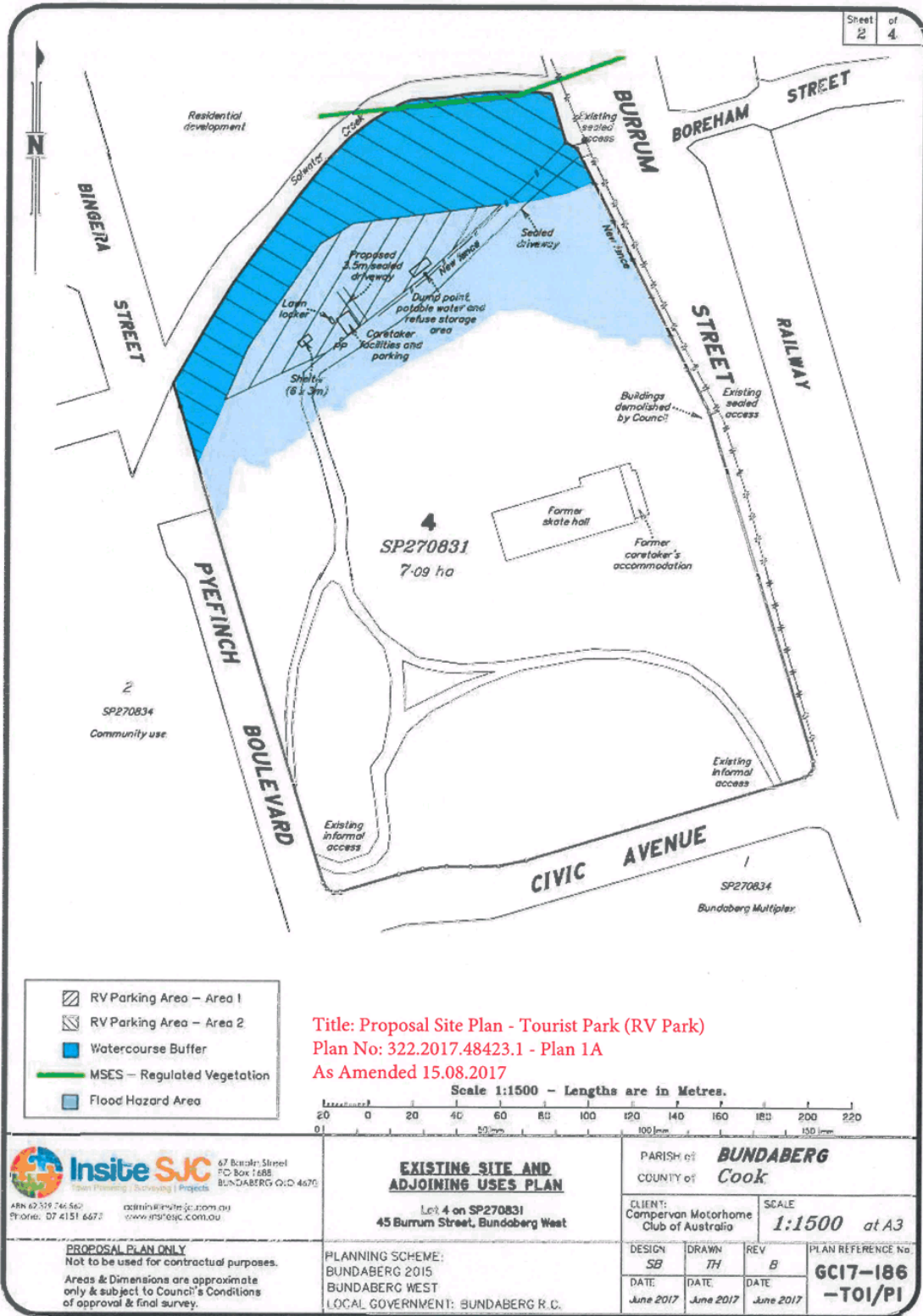
on A4 Sheet

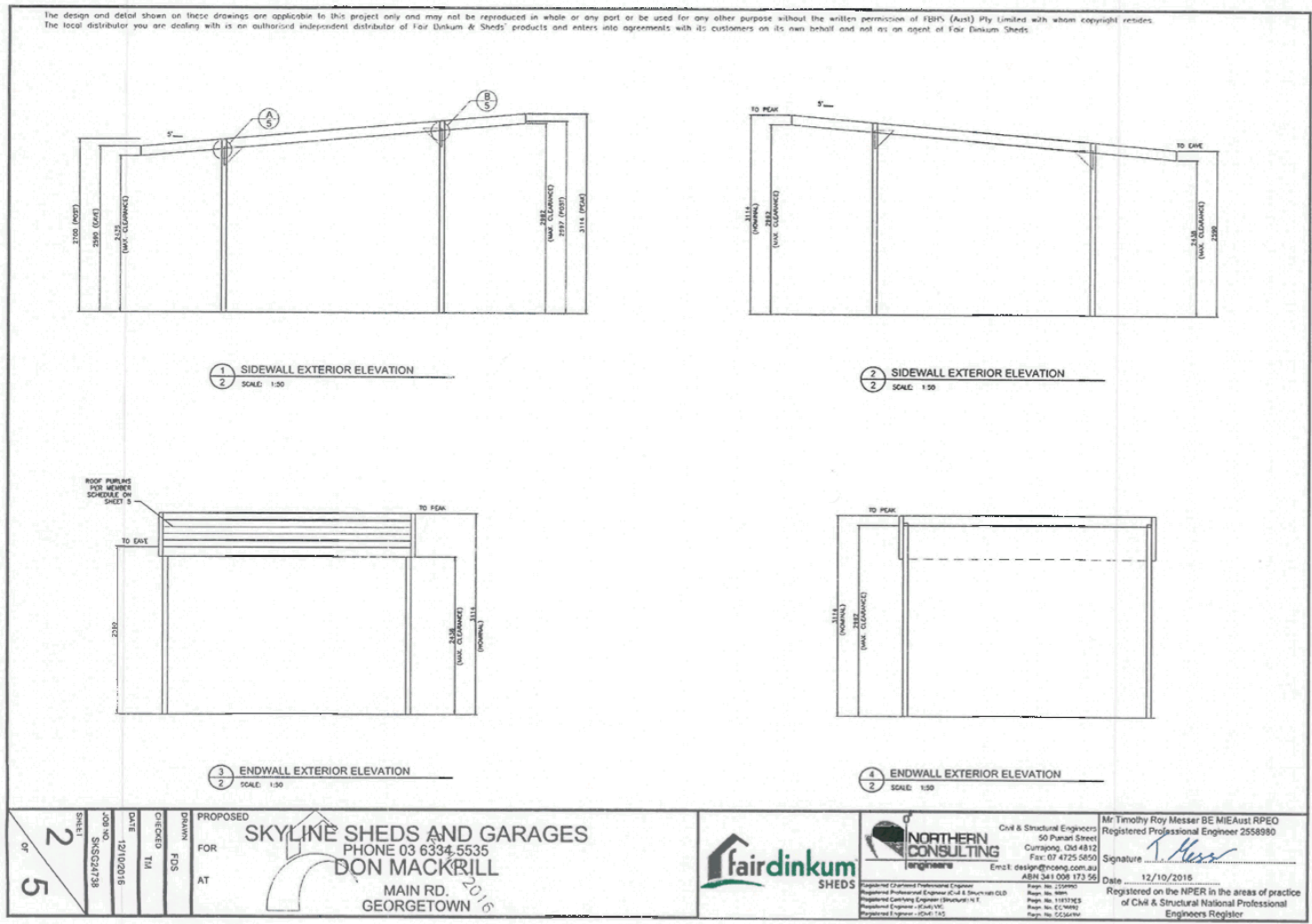
© The State of Queensland (Department of Natural Resources and Mines) 2017. Based on Cadastral Data provided with the permission of the Department of Natural Resources and Mines 2017. The information contained within this document is given without acceptance of responsibility for its accuracy. The Bundaberg Regional Council (and its officers, servants and agents), contract and agree to supply information only on that basis.

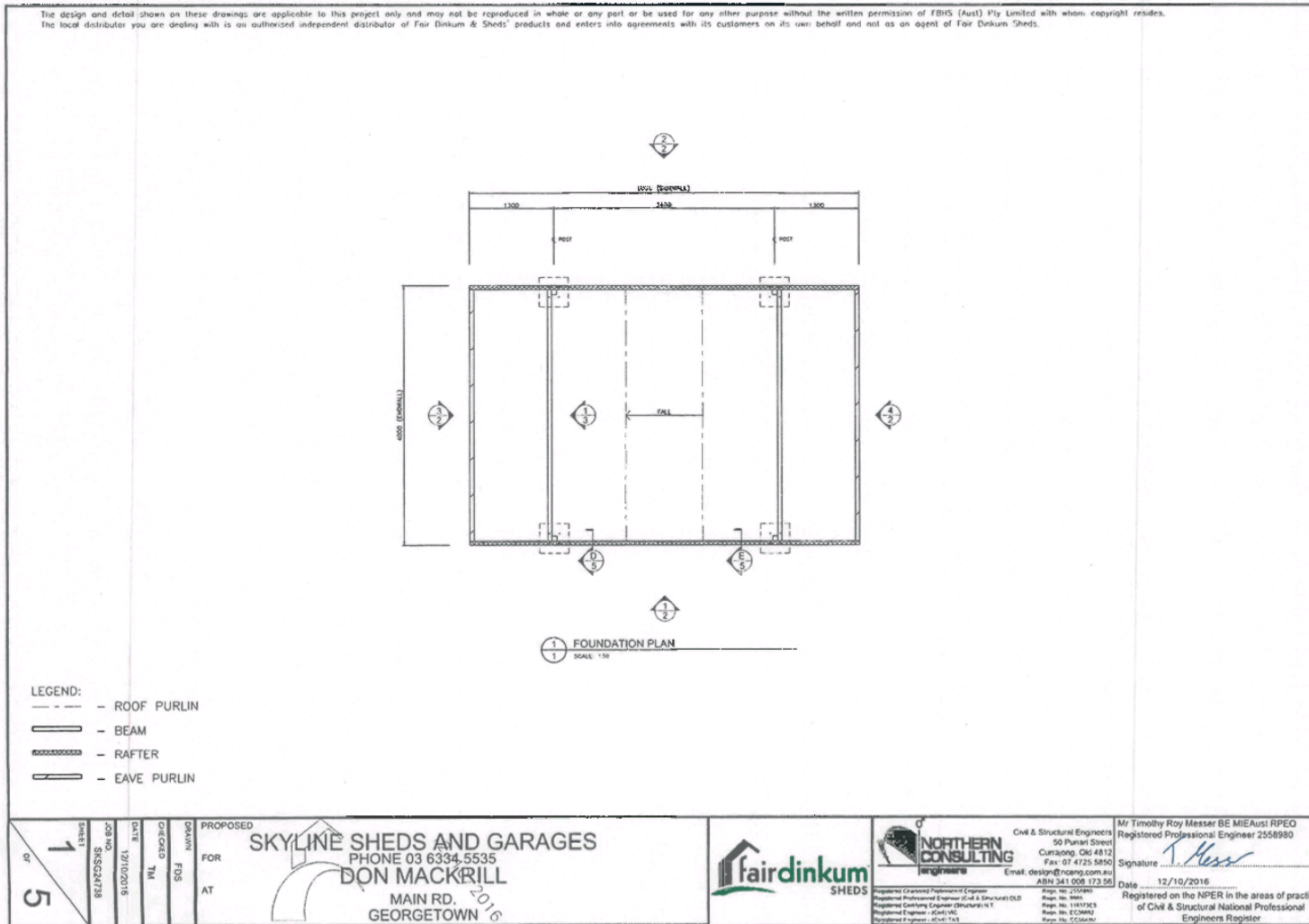
While every care is taken to ensure the accuracy of this data, the Department of Natural Resources and Mines and the Bundaberg Regional Council makes no representation or warranties about its accuracy, reliability, completeness or stability for any particular purpose and disclaims all responsibility and all liability (including without limitation, liability in negligence) for all expenses, losses, damages (including indirect or consequential damage) and costs which you might incur as a result of the data being inaccurate or incomplete in any way and for any reason.

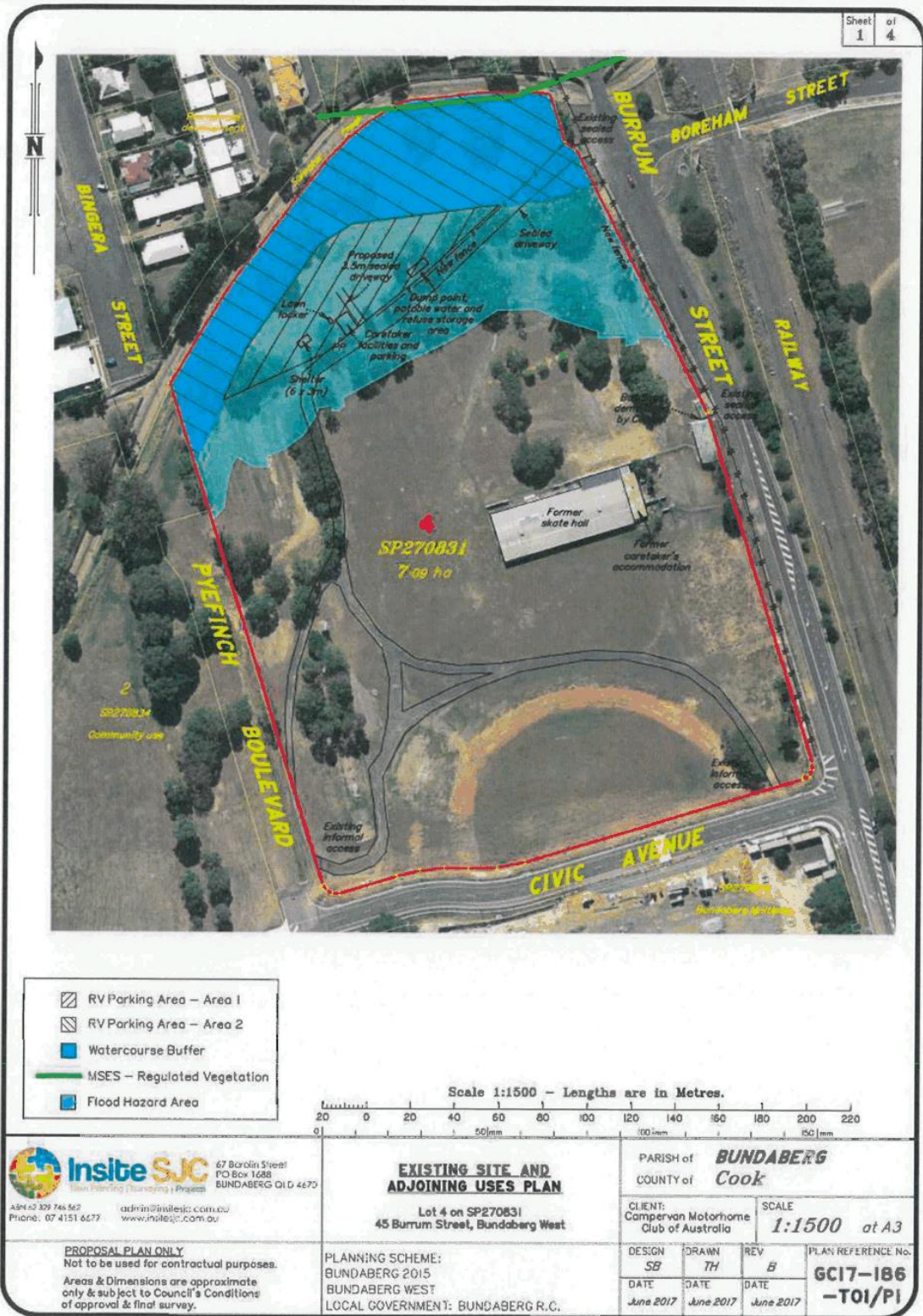


Author: Erin Clark











Item

29 August 2017

Item Number:	File Number:	Part:
K2	322.2017.47912.1	DEVELOPMENT ASSESSMENT

Portfolio:

Infrastructure & Planning Services

Subject:

88 and 90 Quay Street, Bundaberg West - Material Change of Use for Multi-unit Residential/Short Term Accommodation, Function Facility and Food and Drink Outlet (5 Storey development and basement car parking)

Report Author:

Erin Clark, Senior Planning Officer - Major Projects

Authorised by:

Richard Jenner, Development Assessment Manager

Link to Corporate Plan:

Our Environment - 2.2 Sustainable built environments and local projects that support our growing population and promote economic investment and development.

Summary:

APPLICATION NO	322.2017.47912.1
PROPOSAL	Material Change of Use Multi-unit Residential/ Short term accommodation, Function Facility and Food and Drink Outlet (5 Storey development and basement car parking)
APPLICANT	R Pitt
OWNER	RJ Pitt & M Pitt
PROPERTY DESCRIPTION	Lot 62 on B15817 and Lot 63 on B15817
ADDRESS	88 and 90 Quay Street, Bundaberg West
PLANNING SCHEME	Bundaberg Regional Council Planning Scheme 2015
ZONING	High Density Zone
OVERLAYS	Acid Sulfate Soils, Airport, Flood Hazard
LEVEL OF ASSESSMENT	Code
SITE AREA	1,837 m ²
CURRENT USE	Vacant land
PROPERLY MADE DATE	26 April 2017
STATUS	The decision period ends on 29 August 2017
REFERRAL AGENCIES	Nil.
NO OF SUBMITTERS	Not Applicable
PREVIOUS APPROVALS	322.2016.46746.1 and 322.2016.46784.1
SITE INSPECTION CONDUCTED	8 May 2017
LEVEL OF DELEGATION	Level 3

1. INTRODUCTION

1.1 Proposal

This application seeks a Development permit for a Material Change of Use for a mix of uses, being Multi-unit residential, short term accommodation to the upper floors and a function facility and food and drink outlet on the ground level at 88 and 90 Quay Street, Bundaberg. The multi-unit development would be used for a mixture of short-term accommodation, rental tenancies or permanent residents.

The proposal is to establish a five storey mixed-use building, consisting of multiple dwellings, short-term accommodation, a restaurant, and a function facility. A summary of the key features is included below:

- 32 units - 16 x 1 bedroom and 16 x 2 bedrooms to be used for a mixture of short-term accommodation and permanent residents on the upper 4 levels;
- restaurant and function facility on the ground level;
- 72 on-site car parking spaces – comprising of 33 secure basement car parking spaces for the residents/guests of the units, 18 basement car space for visitors and 21 publicly available open-air ground level parking spaces, primarily the restaurant/function facility;
- communal swimming pool for exclusive use by the occupants and visitors to the 32 units; and
- environmentally responsible design through the inclusion of extensive landscaping along the perimeter of the site, vertical plantings on the pillars of the building and eco-friendly power generation on the rooftop.

With respect to the proposed units, the open planned design allows the main living areas to open out to the private alfresco dining areas and the articulated design of the building allows most units to take advantage of the extensive views along the Burnett River and the open parkland opposite the site on Quay Street. Access to each of the units would be via the main reception area and central lift system.

The restaurant and function facility is located on the ground level of the building. It includes a mixture of indoor and outdoor dining areas. The function facility has direct access to a 120 m² courtyard, while the restaurant has direct access to a 200 m² outdoor dining area. The restaurant and functions facility would have between 8 to 10 employees and is proposed to open between the hours of 6 am to 12.00am, and up to 7 days a week.

1.2 Site Description

The subject site is described as Lots 62 on B15817 and 63 on B15817, with an area of 830 m² and 1,007 m² respectively. The two vacant rectangular shaped lots have a combined frontage to Quay Street of approximately 45 m.

The subject site increases in slope from the front (northern) corner at 10.5 m AHD to 12.0 m AHD in the rear (south-western) corner. The sites are bound by commercial development to the west and rear boundaries, being Caltex petrol station and a KFC fast food outlet.

There is a single detached dwelling to the east and a block of 4 residential units further along Quay Street. On the opposite side of Quay Street is the former Finemore Caravan Park.

There are no easements encumbering the lot and the site is connected to reticulated sewerage and water infrastructure, along with electricity and telecommunications.

2. ASSESSMENT PROVISIONS

2.1. *Applicable Planning Scheme, Codes and Policies*

The applicable local planning instruments for this application are:

Planning Scheme: Bundaberg Regional Council Planning Scheme 2015

Applicable Codes:

- High density residential zone
- Acid sulfate soils overlay code
- Airport and aviation facilities overlay code
- Flood hazard overlay code
- Business uses code
- Multi-unit residential uses code
- Landscaping code
- Nuisance code
- Transport and parking code
- Works, services and infrastructure code

Applicable Planning Scheme Policies:

- Planning scheme policy for development works
- Planning scheme policy for waste management

2.2 *State Planning Instruments*

The Bundaberg Regional Council Planning Scheme 2015 has been endorsed to reflect the state planning instruments.

3. ISSUES RELEVANT TO THE APPLICATION

The following significant issues have been identified in the assessment of the application:

Previous approvals

Council had agreed to assess the proposal under the provisions of the superseded Bundaberg City Plan 2004 (previous approval numbers listed above), however, following further pre-lodgement consultation with Council it was determined that the application would be lodged and assessed under the provisions of the Bundaberg Regional Council Planning Scheme 2015.

The previous request was based upon the development parameters of the Multi-unit residential uses code and Higher Density Residential code being more restrictive (in some aspects) than the now superseded Bundaberg City Plan parameters, against which the proposal building was designed. This is particularly the case, as it relates to site density provisions, site cover, and building setbacks. On balance it was discussed that it was beneficial for the applicant to submit under the contemporary (current) planning scheme, access the code assessable parameters, and demonstrate design variations against the Performance Outcomes of the code.

Multi-unit residential uses code

The purpose of the Multi-unit Residential Uses Code is to ensure multi-unit residential uses are of a high quality design which appropriately responds to local character, environment and amenity considerations, achieved through a number of overall outcomes. An assessment of the proposal against the applicable Performance Outcomes has demonstrated that the proposal generally complies or can be conditioned to comply with the requirements of the Code.

Specifically, Performance Outcomes 1 and 2 (PO1 and PO2) relate to the suitability and analysis of the site in the context of size and location. The subject site is of an appropriate size (excess of 800 m²) and is a regular shape. Further, the multi-unit residential use is located to take account of its close proximity to health services (hospitals) and supporting commercial uses and recreation areas. The building itself is to be sited to make a positive contribution to the streetscape by addressing the street, active uses at ground level and creating an attractive living environment for residents, with scenic outlooks to the river and appropriate communal areas. In terms of the proposed building's relationship to the street, public spaces and private open space (PO3), the building has a clear pedestrian entrance from Quay Street (and the basement), separation of pedestrian street access and vehicular access and a semi-active frontage, with a restaurant use proposed and the large majority of units proposed to overlook the street, park opposite and the Burnett River. The building design also allows for car parking to be concealed in the basement or under the building at ground level, ensuring that parking and plant equipment do not dominate the streetscape.

In terms of building mass and composition (PO4), the proposed development does not meet a number of the prescribed Acceptable Outcomes (AO) in the code as a guide in this regard, particularly relating to site cover. A site cover of 50% is proposed, where 40% is prescribed for buildings exceeding two storeys. It is noted that this is identical to the prescribed AO of the Business Uses Code also. Therefore, the relevant Performance Outcome is to be considered which requires the retention of existing vegetation and allows for spaces and landscaping between buildings and allowing for sufficient area at ground level for communal open space, site facilities, resident and visitor parking, landscaping and maintenance of a residential streetscape. The proposed development does allow for sufficient space for car parking and site facilities in appropriate locations (concealed at ground level and in the basement), communal open space (pool area) is provided on the first floor all residents and visitors and landscaping has been provided.

Specifically, the landscaping has been assessed against the provisions of the Landscaping Code, however it is recognised that car parking areas have been landscaped (noted they are located undercroft), boundary landscaping strips are proposed and street frontage landscaping is also proposed at 2.4 m minimum width. These proposed elements have been recommended as conditions accordingly. Moreover, the proposed building itself is proposed to have green walls placed at intervals to soften the bulk and provide spaces in the building in accordance with requirements.

A critical consideration in the assessment of the proposed residential unit component of the development is the relationship of the building to the adjoining properties and uses (PO6). The proposed development does not meet a number of the prescribed Acceptable Outcomes (AO) in the code in this regard, particularly relating to reduced setbacks and the building interface with neighbouring properties. Therefore, the relevant Performance Outcome is to be considered which requires the design and siting to provide for amenity (visual and acoustic) and privacy for users of the premises, along with the nearby and adjoining premises, adequate separation, landscaping provision to boundaries, maintain access to prevailing breezes and sunlight and maintain the visual continuity and pattern of the buildings and landscape.

Given this is the first building of this height proposed in the vicinity of the subject site, the scale and character of the area does not yet represent the possible developed landscape and visual pattern, however, it is important that each of the amenity and privacy requirements is considered. A number of standard conditions have been recommended to ensure compliance with these requirements, particularly the inclusion of fixed external screening, translucent glazing for windows on the eastern elevation and screening, planter boxes and extension of the included concrete ledge to the balconies on the eastern elevation to ensure privacy for both the residents of the proposed building and those in the existing adjoining residential uses to the east (commercial development is located to other elevations). As previously mentioned, landscaping has been provided by the applicant and in recommended conditions. It is also noted that the shadowing considerations have been discussed in detail below relating to building height.

Performance Outcome 7 (PO7), relates to ensuring the multi-residential use provides sufficient open space to meet the needs of the residents and visitors. In this regard, the proposed balcony or private open space proposed for each unit type complies with the minimum included in the provisions applicable to dwellings above ground level. In terms of communal open space, it is considered that the provision of the proposed pool for exclusive use by residents/ visitors is appropriate in this instance and any occupants also have access to the restaurant use that is proposed at ground level. There is also public park area accessible within Quay Street.

A number of other requirements of the code have been recommended within the conditions to ensure compliance with all of the provisions of the code including, waste management, site facilities, boundary fences and walls and security.

Car Parking

Performance Outcome 1 (PO1) of the Transport and Parking Code requires that design of the vehicle access and parking areas provide sufficient on-site parking to meet the demands of and anticipated demand generated by, the development.

As originally proposed, the development did not meet the requirements within code in terms of parking space provision, with 53 car spaces proposed in total. This shortfall was subject for an Information request issued 11 May 2017. The applicant subsequently provided on 6 July 2017 as part of an Information request response, a revised parking layout which increased the provided car parking spaces to 72. The applicant has described that this is the maximum number of spaces that can physically fit on-site, taking into account other infrastructure and services and on-site landscaping. As such the size of the proposed function room and restaurant were adjusted and basement car parking expanded across the entire site.

The minimum on-site parking provisions required by Table 9.4.5.3.3 of the Transport and Parking Code requires 74 car spaces utilising Council's calculation of Gross Floor Area (GFA) for the commercial component as 387 m² (utilising amended plan areas). Comparatively, the applicant presented within their response that the applicable GFA for these uses is 360 m², therefore, the proposed car parking provided by the developer was compliant with Planning Scheme requirements at 72.

Accordingly, a breakdown of the proposed car parking is included in Table 1 below:

Table 1: Car parking provision

Defined use	Car parking rate as per planning scheme	Required Car parking numbers	Car parking provided
Multi-Unit residential and Short term accommodation	1 space per dwelling + 1 visitor space per 2 dwellings	32 spaces for residents and 16 spaces for visitors = 48 spaces	<ul style="list-style-type: none"> • 32 secure basement spaces for residents • 1 secure basement park for site manager • 18 basement spaces for visitors • 21 spaces open air car parking spaces for visitors
Food and drink outlet and Function facility	1 space per 15m ² GFA for both uses	387m ² = 26 spaces	
Total		74	72

When considering the above and the purpose and overall outcomes of the Transport and Parking Code, it is considered that the proposal generally complies with the provisions. The development will provide for on-site parking, access, circulation and servicing areas that are safe, convenient and meet the reasonable requirements of the development, in accordance with overall outcome (c) of the code.

It is noted that as part of standard recommended conditions, the applicant is required provide widening and seal to the full frontage of the development site, also allowing for area for a number of new on-street car parking spaces (there is ample frontage for a minimum of three spaces to be accommodated).

Building Height, form and scale

Performance Outcome 4 (PO4) of the High Density Residential Zone Code stipulates that the building is to have a medium rise built form that is compatible with the existing and intended scale and character of the surrounding area. Similarly, PO4 and PO5 of the Multi-unit Residential Uses Code considers building mass and composition in terms of ensuring that the design is appropriate for the area and visually attractive.

Given this is the first building of this height proposed in vicinity of the subject site (particularly within the High Density Residential Zone), the scale and character of the area does not yet represent the allowable maximum within this code of the contemporary planning policy. The prescribed Acceptable Outcome in the zone code as a guide in this regard, details a maximum building height of 20 m and five storeys. The proposal plans include a 'red line' on the elevations which shows the stipulated maximum height of 20 m measured from natural ground level. The proposed design shows a minor protrusion, however is only a total of five storeys in height as prescribed, including a ground level with a restaurant and function facility, and ground level car parking; plus 4 levels for the residential units. The amended plans lodged with the information response by the applicant prepared by Design Direct, show that the type of proposed wind turbine has been amended during the assessment process, which results in a slight protrusion above the overall height of 20 m by 300 mm. Given that the top of the roof is only 18.4 m and the turbines are setback over 6 m from the edge of the top roof line, the 300 mm protrusion would be inconspicuous and would not impact on the future skyline. Additionally, the roof of the building is not proposed be used for any purpose other than to house plant equipment, the top of the lift well (ie machine room), and the proposed wind turbines.

Overall, considering the proposed building in the context of the current scale and character of the area, the proposed building is considered appropriate for that expected of a high density residential zone and is compatible with the intended scale for the area, albeit it is the first to develop to this maximum. When further considering PO5 of the High Density Residential Zone Code, the proposed development will positively contribute to the streetscape and provide a high level of amenity, particularly considering the inclusion of site landscaping and proposed screening and green walls to soften the built form of the building above ground level. The proposed building incorporates a mix of uses at ground floor contributing to an active street and break in built form. It is also noted that shadow diagrams were provided in the application material to demonstrate that the impacts of shadowing from the proposed building do not impact any adjoining residential uses, with impacts predominantly shown on commercial lots to the south and west, currently being used for car parking areas and a service station.

Nuisance Code and amenity

The purpose of the Nuisance Code is to maintain community wellbeing and protect environmental values by preventing or mitigating nuisance emissions from development adversely impacting on surrounding sensitive land use and the exposure of proposed sensitive land uses to nuisance emissions from surrounding development.

An assessment of the proposal against the applicable Performance Outcomes has demonstrated that the proposal generally complies or can be conditioned to comply with the requirements of the code. Accordingly, it is considered the proposal is consistent with the purpose of the code and therefore complies with this element of the assessment criteria.

It is significant to note, however, in this regard that the standard provisions of the *Environment Protection Act 1994* and the associated noise policy are applicable to the development. It is the responsibility of the developer to ensure that they do not produce environmental harm/nuisance to the receiving environment, which includes noise pollution.

This is particularly relevant to the proposed commercial uses, however, additional design and management controls have also been recommended, such as the block wall to the eastern boundary, restriction of hours of operation and the requirement to close external doors after 10 pm.

In relation to the proposed wind turbines on the roof of the building, Performance Outcome 1 (PO1) of the Nuisance Code and Performance Outcome 8 (PO8) of the High Density Residential Code require that the preservation of a high level of residential amenity be a consideration to avoid or mitigate potential adverse impacts on sensitive land uses. As a feature of the Information Request issued by Council, it was requested that the applicant provide further product specifications for the proposed turbines so that amenity could be properly considered. The applicant's response received 6 July 2017 detailed that the type of proposed wind turbine had been amended from the conventional three blade style to a more aesthetically pleasing style that reduces noise and vibration impacts. The brand is known as an 'Eco Whisper Turbine' and the specifications can be found through various supplier websites. Notable specifications included:

- a) virtually silent operation to eliminate noise emissions
- b) delivers up to 30% more power than the conventional three blade designs
- c) can be removed during extreme weather
- d) 5kW peak rating
- e) 3.25 m blade diameter

The above information was the extent of information provided by the applicant in this regard. The common material lodged and the assessment against the relevant code in relation to the inclusion of the design element resulted in the consideration that given the appropriate control parameters were specified in conditions, the concept of their inclusion was generally appropriate. In the absence of clear parameters and specific code commentary within the Nuisance Code of Planning scheme, beyond the general amenity considerations, the provisions of Council's 'Amenity and Aesthetics Policy' were utilised as guidance for developing a number of recommended conditions which could provide certainty and the controls for the proposed design features and are included below. Notably, a maximum decibel parameter (dBA) is given based upon the recommended setback provisions for residential uses from this type of wind generation machinery.

Business Uses Code

The purpose of the Business Uses Code is to ensure that business uses and other centre activities are developed in manner consistent with the Bundaberg Regional Activity Centre Network and are of a high quality design, appropriately responding to local character, environment and amenity considerations. An assessment of the proposal against the applicable Performance Outcomes has demonstrated that the proposal generally complies or can be conditioned to comply with the requirements of the code. Accordingly, it is considered the proposal is consistent with the purpose of the code and therefore complies with this element of the assessment criteria.

It is noted that the proposed commercial uses are of a scale that is consistent with the area and appropriate use types to be located as part of a mixed use development. The food and drink outlet (restaurant) use will address the street frontage and provide for passive surveillance opportunities utilising the outdoor area. The restaurant will create an attractive and inviting frontage to the proposed building and within the streetscape, particularly given its building design (raised roofline). The appropriate level of servicing and car parking can be provided as discussed and numerous measures have been recommended as conditions to address any amenity concerns, such the inclusion of a block boundary wall, regulation of hours of operation and the building elements (such as closing of external doors) and regulation of delivery times.

Other development and overlay codes

The purpose of the Landscaping Code is to ensure that landscaping is provided in a manner which is consistent with the desired character and amenity of the Bundaberg Region. An assessment of the proposal against the applicable Performance Outcomes has demonstrated that the proposal generally complies or can be conditioned to comply with the requirements of the code. Accordingly, it is considered the proposal is consistent with the purpose of the code and therefore complies with this element of the assessment criteria.

The subject site is affected by a number of Planning Scheme overlays, which must be considered in the assessment of the proposed development. Overlays include Acid Sulfate Soils, Airport and Aviation Facilities and Flood Hazard. The Flood Hazard Overlay is considered below and any acid sulfate soils can be appropriately managed through an Operational Works application in the future. With regards to the Airport and Aviation Facilities Overlay, the Obstacle Limitation Surface (OLS) is located at 75.48 metres AHD in this location. The proposed building will locate at approximately 34 m AHD, therefore does not pose any issue in this regard. Additionally, the proposed uses are not likely to generate dust, gaseous plumes or external lighting impacts.

Flood hazard overlay code

The Flood Hazard Area map shows a very minor encroachment into the lowest north-eastern corner of the subject site, therefore assessment against the Flood Hazard Overlay Code is necessary, though of low significance other than for possible below ground level basement implications and evacuation planning.

The Performance Outcomes of the code can be satisfactorily achieved through appropriate detail design of relevant aspects of the proposal, likely to be managed through the Operational Works application process.

This will require specific attention to certain elements including, but not limited to, impacts of fill and structures on flood storage capacity, placement of essential utility infrastructure, basement drainage, and site flood evacuation planning. Building and construction related aspects will subsequently be dealt with through building permits.

It is noted that the only access/egress via Quay Street will be inundated prior to a river flood encroaching the site boundary. The submitted report proposes an evacuation pathway that relies upon egress via a commercial drive-through thoroughfare within neighbouring privately owned property. This solution is not suitable long term as access to lot cannot be guaranteed. Therefore, in order to ensure compliance with all of the relevant requirements of the code, Council's standard condition relating to flood evacuation planning is recommended.

Stormwater

The proposed development must comply with the requirements of the Works, Services and Infrastructure Code, specifically, PO3, PO4, PO6, PO11 and PO16.

The proposal requires a site-based stormwater management strategy to be prepared and submitted that accommodates a minimum Q10 piped capacity and contains appropriate environmental controls in accordance with SC6.3.6 of Council's policy for development works. It is anticipated that the site drainage design is likely to rely upon some pump-out capacity to satisfactorily drain the basement carpark. A lawful point of discharge can readily be established within Quay Street either to the kerb and channel or by extending the subsurface drainage network approximately 80m from its current termination adjacent the Branyan Street intersection. Standard conditions have been recommended which can adequately address drainage provisions for the development.

Adopted Infrastructure Charges

The Adopted Infrastructure Charges Resolution (AICR) No 1 2015 is applicable to the proposed development. A request to the applicant for detailed breakdown of respective GFA's for the restaurant and function centre uses received a response that provided no additional area clarification but requested 50/50 split of the kitchen and amenities areas to each use. This is considered erroneous as the restaurant will probably operate most days and could not operate successfully without the kitchen and amenities, while the function facility might only operate irregularly and/or intermittently and could operate successfully without the kitchen.

Calculations have therefore been undertaken using floor areas determined by measuring off the plans lodged with the development application, which allocate all of the kitchen, amenities and office areas to the food and drink outlet (restaurant). The outdoor dining, courtyard areas and ground floor impervious area have been omitted from the calculations as they are not considered part of the GFA for this purpose. Subsequently, an AICN has been prepared and is attached accordingly.

4. REFERRALS

4.1 *Internal Referrals*

Advice was received from the following internal departments:

Internal department	Referral Comments Received
Development Assessment - Engineering	8 May 2017
Water and Wastewater	3 May 2017

Any significant issues raised in the referrals have been included in section 3 of this report.

4.2 Referral Agency

Not Applicable

5. PUBLIC NOTIFICATION

Not Applicable.

6. DRAFT CONDITIONS

Draft conditions were issued to the Applicant on 14 August 2017.

The Applicant submitted representations to Council on 16 August 2017 relating to the following draft conditions:

- Condition 5 – Amenity and aesthetics
- Condition 7 – Amenity and aesthetics
- Condition 11 – Building design and setback
- Condition 12 - Privacy
- Condition 14 – Nature and extent of use
- Condition 32 – Mail service

After a review of the submitted representations, the following conditions have been amended:

- Condition 5 – Amended
- Condition 7 – Amended
- Condition 12 – Amended
- Condition 14 – Amended
- Condition 32 (now Condition 36) – Amended

The following conditions have remain unchanged:

- Condition 11 – Building design and setback

Communication Strategy:

Communications Team consulted. A Communication Strategy is:

- Not required
- Required

Attachments:

- [↓1](#) Locality plan
- [↓2](#) Site plan
- [↓3](#) Approval plans
- [↓4](#) Applicant's Representations of Draft Conditions
- [↓5](#) AICN

Recommendation:

That Development Application 322.2017.47912.1 be determined as follows:

DESCRIPTION OF PROPOSAL

Material Change of Use for Multi-unit Residential/Short Term Accommodation, Function Facility and Food and Drink Outlet (5 Storey development and basement car parking)

SUBJECT SITE

88 and 90 Quay Street, Bundaberg West, Lot 62 on B15817 and Lot 63 on B15817

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.

The relevant codes identified in the:

- Bundaberg Regional Council Planning Scheme 2015 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

Not Applicable

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
DA01 Rev A	Basement Plan	04.07.17
DA02 Rev A	Site/ Ground Floor Plan	04.07.17
DA03 Rev A	First Floor Plan, Second to Fourth Floor Plan	02.06.17
DA04 Rev A	Elevations – North and West	04.07.17
DA05 Rev A	Elevations – East and South	04.07.17
DA07 Rev A	3D View – From North East	21.06.17
DA08 Rev A	3D View – From North West	21.06.17
DA09 Rev A	3D View – From South West	21.06.17
DA010 Rev A	3D View – From South East	21.06.17

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
21,25,37,41,44,45,46,47,52,53	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 Lots 62 on B15817 and 63 on B15817 into one allotment. The Plan of Subdivision providing for the amalgamation must be registered prior to the commencement of the use.

Amenity and Aesthetics

5. The wind turbines (wind energy generator) positioned on the top of the approved building must not cause nuisance to or have unreasonable impact on the amenity of adjoining or nearby premises (including potential nuisance of future adjoining premises).
6. The wind turbines (wind energy generators) must have:
 - a. A maximum rotor/ blade diameter of 3.5m; and
 - b. A maximum height of 4m.
7. A maximum of 12 wind turbines (wind energy generators) are permitted to be placed on the approved building.

8. The maximum sound pressure level (SPL) to be generated by each of the turbines is 70dB(A).

Air Conditioners

9. 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.
10. 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.

Building Design and Setbacks

11. 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.

Privacy

12. To ensure privacy is protected between adjoining properties, the windows located on the eastern building face of multi-unit residential units (floors one and above) must either:
 - a. be fitted with translucent glazing; or
 - b. be fitted with a fixed external screen;

The removal of any external screening, pending the future development of the adjoining site, must be approved in writing by the assessment manager.

13. The upper level balcony located on the eastern building face of multi-unit residential units must include either balcony planter boxes, balustrading, extended concrete ledges or fixed external screens, positioned in such a way to obscure direct views into the habitable room windows or private open space areas of the adjoining property.

Nature and Extent of the Approved Use - 'Food and drink outlet' and 'function facility'

14. Unless otherwise approved in writing by the Assessment Manager, the hours of the approved 'Food and drink outlet' and 'function facility' use are limited to:
 - a. Monday to Thursday inclusive– 6 am to 10.00 pm
 - b. Friday and Saturday – 7 am to 12 am; and
 - c. Sunday and public holidays – 8 am to 10.00 pm.

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

15. All external doors and windows to the function facility and food and drink outlet uses are to be closed at 10pm where the use is operating to reduce noise impacts. The use of the outdoor areas after this time must be restricted.

16. 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 any body corporate for the subject site.

17. The approved Food and drink outlet use must only occur within the area located at ground floor as shown on Drawing No: DA02 Rev A, titled 'Site/ Ground Floor Plan', dated 04.07.2017.

Nature and Extent of the Approved Use - 'Multi-unit residential' and 'Short term accommodation'

18. Each unit must be provided with access to clothes drying facilities (fixed or free standing) provided in accordance with the approved plans.
19. The clothes drying facilities must be fully screened from view at the front property boundary or adjoining properties.
20. Operation of the site when providing for Short Term Accommodation must at all times operate under the supervision and management of a single unit manager.

Car Parking

21. Provide off-street car parking and vehicle manoeuvring areas with a minimum of 72 parking spaces, 1 dedicated loading bay, and 4 bicycle spaces. 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 area to allow all vehicles to enter and leave the site in a forward gear;
 - 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. drained to the relevant site discharge point; and
 - f. designed in accordance with AS/NZS2890.1-2004: 'Parking Facilities Part 1: Off-street Car Parking'.

Construction Management

22. 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.

23. 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.
24. 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.

End of Trip Facilities – Cycle Parking

25. Install and maintain 4 secure bicycle parking spaces for employees and customers. Customer cycle parking must be located in a visible area close the entrance of each building.
26. Provide one (1) locker for every two (2) staff cycle parking spaces.
27. 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

28. 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.

Flood Management

29. A Flood Evacuation Plan must be submitted to and approved by the Assessment Manager prior to the commencement of the use. The plan must demonstrate how people may 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 features:
 - a. The defined flood level for the site;
 - b. The river height at which the property floods;
 - c. The evacuation route from the property to an evacuation centre/point and the method by which staff, residents and patrons will be transported;
 - d. The estimated time required to reach an evacuation centre;
 - e. The forecast river height/level at which to evacuate (Bundaberg City Gauge);
 - f. Information availability/where flood warnings will be acquired from;
 - g. The appointment of a site flood coordinator who will disseminate information to staff and residents and patrons;
 - h. Procedures for assisting those with a disability or who do not speak English;
 - i. A contact information collection process for all current staff and residents; and

- j. A plan showing primary and secondary evacuation routes and assembly areas for the building.
30. Display floor plans showing evacuation routes and exits in prominent locations throughout the building. The manager/operator of the facility is to have access to, and a detailed understanding of, their obligations/requirements under the Approved Flood Evacuation Plan.
31. Ensure materials stored on-site, where capable of creating a safety hazard by being shifted by flood waters, are contained in order to minimise movement in times of flood or are readily able to be moved in a flood event.

Fences

32. Provide a solid no-gap screen fence or block wall to the side and rear boundaries of Lot 62 and 63 on B15817, where such fencing does not currently exist, with the following dimensions:
- a. For the eastern boundary (on Lot 63 on B15817), a maximum height of 3.0 m at the road frontage of the subject property tapered to a maximum height of 2.0 metre at the rear boundary;
 - b. A maximum height of 2.0 metres for the rear and western boundaries of Lot 62 and 63 on B15817.
 - c. From the front building line to the front boundary of the site, fencing must be tapered to a height of 1.2 metres.

The erection of a second boundary line fence parallel to any existing boundary fence is prohibited.

Landscaping

33. A landscape plan must be submitted to and approved by the Assessment Manager prior to the commencement of any landscaping works. The plan must be generally in accordance with the Approved Plan/s, have regard to the conditions of this approval and include, but not be limited to, the following features:
- a. The area or areas set aside for landscaping;
 - b. A plan and schedule of all proposed trees, shrubs and ground covers which identifies:
 - a. The location and sizes at planting and at maturity of all plants;
 - b. The utilisation of species indigenous to the area (the Plant Species List contained within Council's Landscaping Planning Scheme Policy is a guide to species selection; the botanical and common names of plants must be provided.). No exotic plants are to be specified;
 - c. The location of all areas to be covered by turf or other surface material including pavement and surface treatment details;
 - d. Measures to ensure that the planted trees will be retained and managed to allow growth of the trees to mature size;
 - e. Details of any landscaping structures, including entrance statements;

- f. Details of cutting and filling and all retaining structures and fences and associated finishes;
 - g. Contours or spot levels if appropriate;
 - h. Fence size and materials;
 - i. Inclusion of a controlled underground or drip irrigation system. Any such system is to be fitted with an approved backflow water prevention device;
 - j. Location of any drainage, sewerage and other underground services and any overhead power lines;
 - k. Property boundary garden/landscape bed edge walls must be provided with sleeper or equivalent retaining walls to contain the garden material within the site. Such walls must be constructed to a height that is at or above the adjacent kerb or sealed car parking areas;
 - l. Vegetated screening of any electrical transformers, bin storage areas and the like from the road frontage;
 - m. A 2.4 metre wide landscaping strip along the Quay Street road frontage of the subject site, exclusive of the access driveway, uncompromised by infrastructure items;
 - n. A 1.2 metre wide landscaping strip along the eastern property boundary of the subject site, uncompromised by infrastructure items;
 - o. A 2.4 metre wide landscaping strip along the western property boundary of the subject site, uncompromised by infrastructure items;
 - p. Green walls to the exterior of the building.
34. Complete landscaping shown on the endorsed plans prior to the commencement of the use and maintain all landscape works in accordance with the Approved Plan whilst the use continues.

Lighting

35. 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.

Mail Service

36. Provide residents/ owner with access to a letterbox. Such letterboxes are to be suitably grouped adjacent to the footpath and constructed of materials consistent with the character of the development.

Property access & driveways

37. The driveway must comply with the standards specified in the *planning scheme policy for development works – driveways and access to developments*. The specific requirements must be determined as part of the Operational Works application.

Public Safety

38. 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 basement (below ground level) shown on the Approved Plans.
39. 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.
40. Security measures are to be installed such that the users of the approved commercial (Food and drink outlet, Function facility) uses do not have access to areas that are intended for the exclusive use of residents and visitors of the residential/ short term accommodation.

Roadworks

41. Provide pavement construction and asphaltic concrete (AC) sealing to the full site frontage of Quay Street from the kerb and channel to the edge of the existing pavement. The pavement must be designed in accordance with *Austrroads Pavement Design for Light Traffic: A supplement to Austrroads Pavement Design Guide (AP-T36/06)*. The pavement specifics must be determined as part of an application for Operational Works.

Street Identification

42. 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.
43. 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.

Sewerage

44. Make provision for a new sewerage connection suitable to meet the requirements of the development. All live sewer work, including the point of connection, must be undertaken by Council.
45. All sewerage infrastructure must be clear of all proposed and existing buildings. Detailed design of the new sewerage infrastructure and its alignment must be determined as part of an application for Operational Works.

Stormwater

46. Install a stormwater drainage system connecting to a lawful point of discharge. The works must be undertaken in accordance with an Operational Works approval and the Queensland Urban Drainage Manual, and must include in particular:
 - a. Provision of a grated trench drain at the entry/exit to the property where the Q10 ARI flows are not contained within the site;
 - b. design and construction 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 Q100 ARI less piped flow;
 - c. 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;
47. 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.

Waste Management

48. An on-site Waste Management Plan must be submitted to and approved by the Assessment Manager. The plan must have regard to the conditions of this approval and include, but not be limited to, the following details:
 - a. the waste management process, including the type and size of receptacle/s to be utilised (e.g. 240 litre mobile waste bins, 1m³ bulk bins) for general waste and recycling;
 - b. the location of waste receptacle storage areas and collection points;
 - c. how waste collection vehicles will be able to safely and effectively access bins; and
 - d. if bins are to be collected from the kerbside, demonstrate that this location has the capacity to adequately contain the maximum number of bins to be collected on collection day.
49. 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.
50. The bin storage enclosure must be maintained in a clean and sanitary manner at all times.
51. Ensure that any potential food / waste sources are covered and collected so that they are not accessible to wildlife.

Water

52. Provide a metered service, and internal infrastructure as required, to satisfy the fire fighting and water supply demands of the development.
53. Install sub-meters in accordance with the relevant Acts and Codes.

PART 1B – ADVICE NOTES

Environmental Harm

- A. The *Environmental Protection Act 1994* states that a person must not carry out any activity that causes, or is likely to cause, environmental harm unless the person takes all reasonable and practicable measures to prevent or minimise the harm.

Environmental harm includes environmental nuisance. In this regard persons and entities, involved in the civil, earthworks, construction and operational phases of this development, are to adhere to their 'general environmental duty' to minimise the risk of causing environmental harm. Environmental harm is defined by the Act as any adverse 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.

- B. All operators of the approved use will be required to comply with the *Food Act 2006* and Council's minimum requirements for food premises. All necessary approvals should be obtained from the Environmental Health Services Section of Council prior to commencement of the approved use. For further information about these requirements please contact Council's Environmental Health Services Section on 1300 883 699.

- C. 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*. This will enable Council to maintain accurate records and ensure compliance. Copies of the original plans for the premises' food preparation areas can be obtained from Council. Plans detailing any proposed modifications should be provided to Council prior to construction. 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.

Infrastructure Charges Notice

- D. Please find attached the Infrastructure Charges Notice (Ref No: 331.2017.908.1) applicable to the approved development.

Fencing

- E. 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.
- F. 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.

Flood Evacuation Plan

- G. In order to protect and/or minimise the damage to property and aid in business continuity post-flood, a flood preparation checklist may be included in the Flood Evacuation Plan for the development which addresses matters such as:
- a. The preparation of an emergency flood kit;
 - b. The packing of critical documentation (legal, financial, insurance) in a waterproof container;
 - c. The backing up of critical data to a portable storage device and its storage in a safe place;
 - d. Raising of items to a higher level;
 - e. Securing hazardous items (e.g. gas bottles);
 - f. Moving or elevating dangerous items (e.g. chemicals);
 - g. Switching off electricity at the switchboard;
 - h. Turning gas and water off at the meter; and
 - i. Blocking toilet bowls and covering drains with a strong plastic bag filled with earth or sand.

Signage

- H. 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

- I. 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.

Other Development Permits

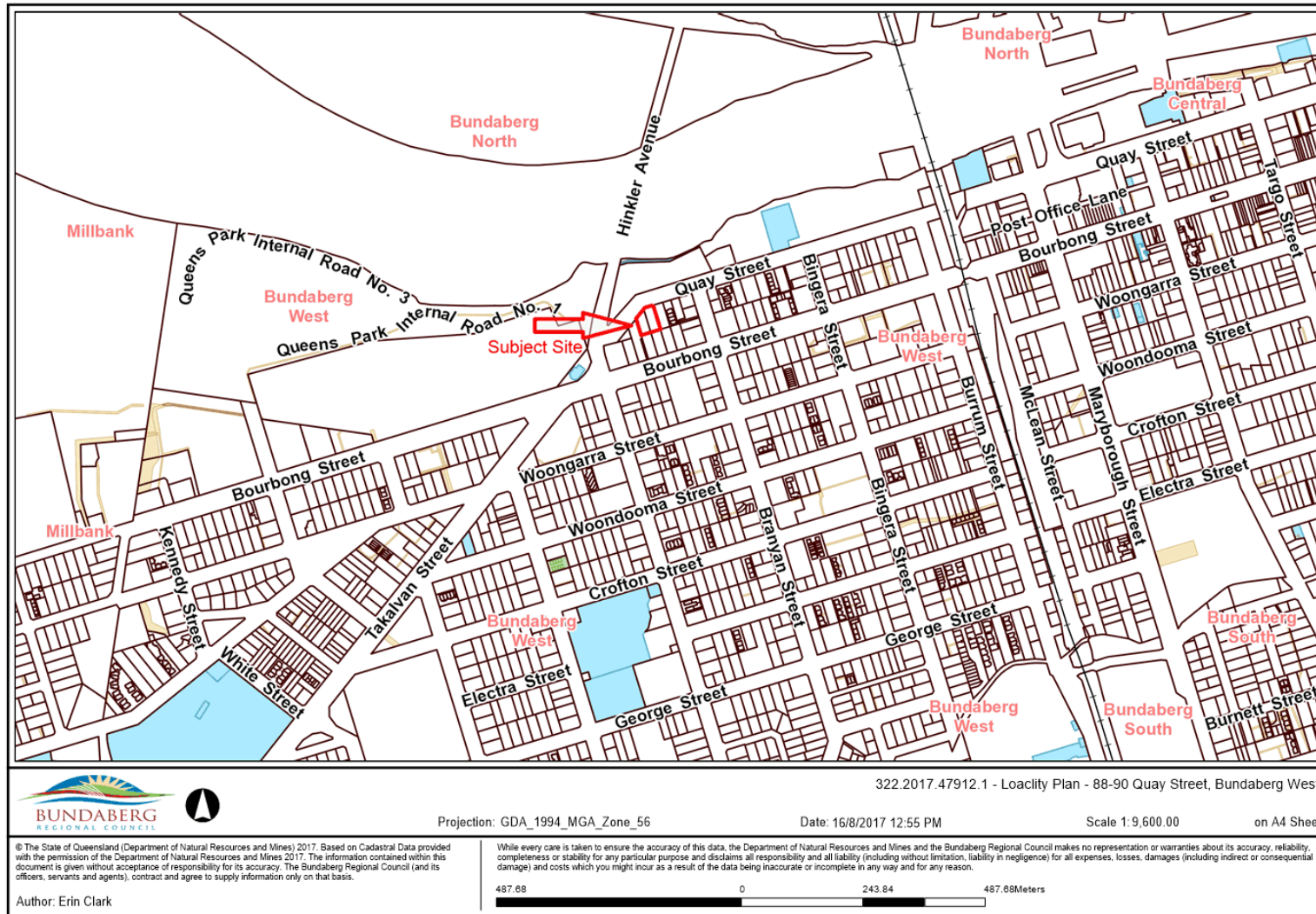
- J. This approval provides for some works to be undertaken on a self-assessable basis. Conditions specify where Council does not require the submission of an operational works application for specific works. To be clear, a development permit for Operational Work for the following works are necessary to allow the development to be carried out:
 - a. Road shoulder widening;
 - b. Access driveway;
 - c. Stormwater drainage;
 - d. Car parking.

Nature and Extent of Approved Development

- K. This Decision Notice does not represent an approval to commence Building Works.

Water and Sewer

- L. The Developer should engage an appropriately qualified hydraulic consultant to assess the suitability of the water supply system to cater for the proposed development, including fire fighting requirements in accordance with AS2419.
- M. Arrangements for the installation of any new metered service and sub-meters, or removal of an existing service, must be made with Council's Water and Wastewater Infrastructure Planning Technical Support Section.
- N. Connection to Council's water and sewer infrastructure is subject to further approvals. For further information about these requirements, contact Council's Water and Wastewater Infrastructure Planning Technical Support Section on 1300 883 699.
- O. Council permits only one water service for each property. This means only one connection to the water main although there may be a potable and fire service feeding from that connection.





322.2017.47912.1 - Site Plan - 88-90 Quay Street, Bundaberg West

Projection: GDA_1994_MGA_Zone_56

Date: 16/8/2017 12:49 PM

Scale 1:600.00

on A4 Sheet

© The State of Queensland (Department of Natural Resources and Mines) 2017. Based on Cadastral Data provided with the permission of the Department of Natural Resources and Mines 2017. The information contained within this document is given without acceptance of responsibility for its accuracy. The Bundaberg Regional Council (and its officers, servants and agents), contract and agree to supply information only on that basis.

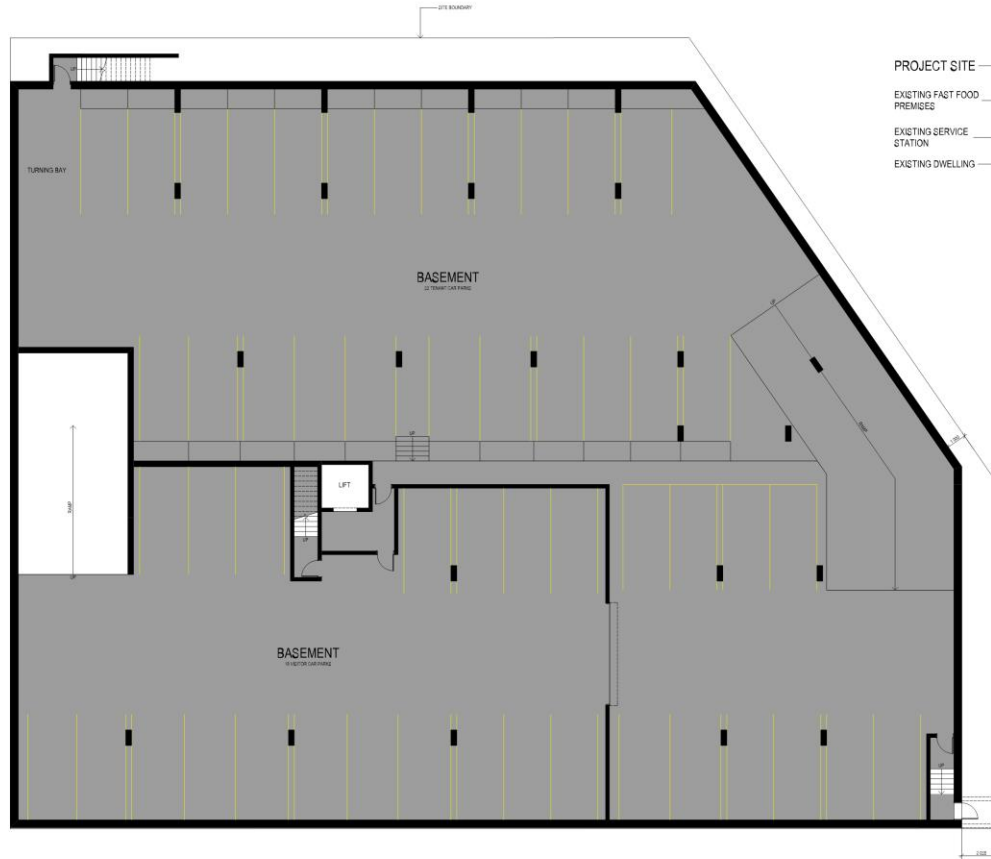
While every care is taken to ensure the accuracy of this data, the Department of Natural Resources and Mines and the Bundaberg Regional Council makes no representation or warranties about its accuracy, reliability, completeness or stability for any particular purpose and disclaims all responsibility and all liability (including without limitation, liability in negligence) for all expenses, losses, damages (including indirect or consequential damage) and costs which you might incur as a result of the data being inaccurate or incomplete in any way and for any reason.



Author:

PROPERTY DESCRIPTION:
 LOT 62 & 63 ON B16317
 PARISH OF BUNDABERG
 COUNTY OF COOK
 SITE AREA - 1 827m²

BUILDING AREAS:
 BASEMENT 1 650m²



BASEMENT PLAN
 SCALE 1:100

- PROJECT SITE
- EXISTING FAST FOOD PREMISES
- EXISTING SERVICE STATION
- EXISTING DWELLING



LOCALITY PLAN
 SCALE 1:2000



NO.	DATE	BY	DESCRIPTION
A	DA	UPGRADE	REVISION
1	1	1	1

FOR INFORMATION
 NOT FOR CONSTRUCTION

DESIGN DIRECT
 BUILDING DESIGNERS

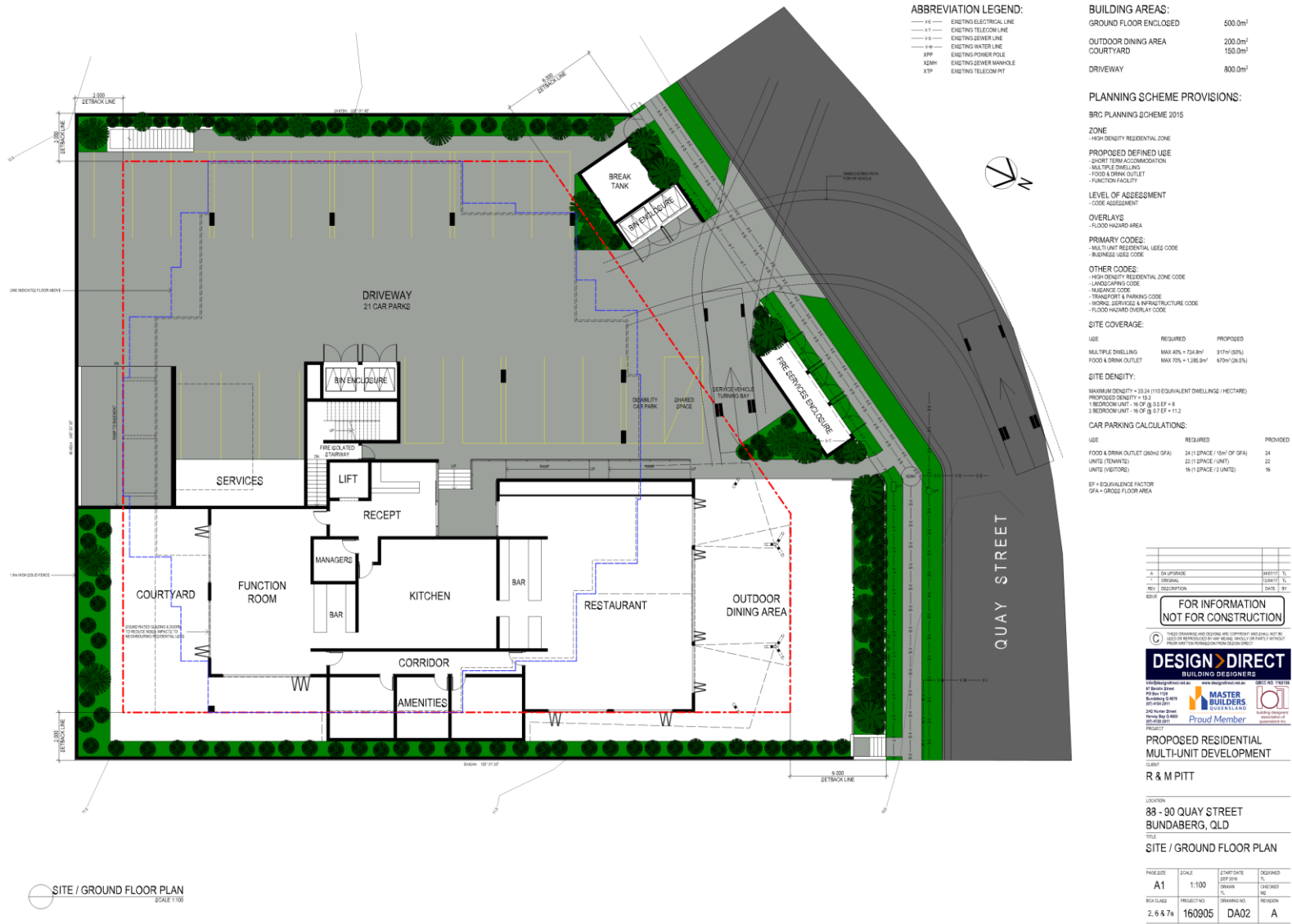
MASTER BUILDERS
 PROUD MEMBER

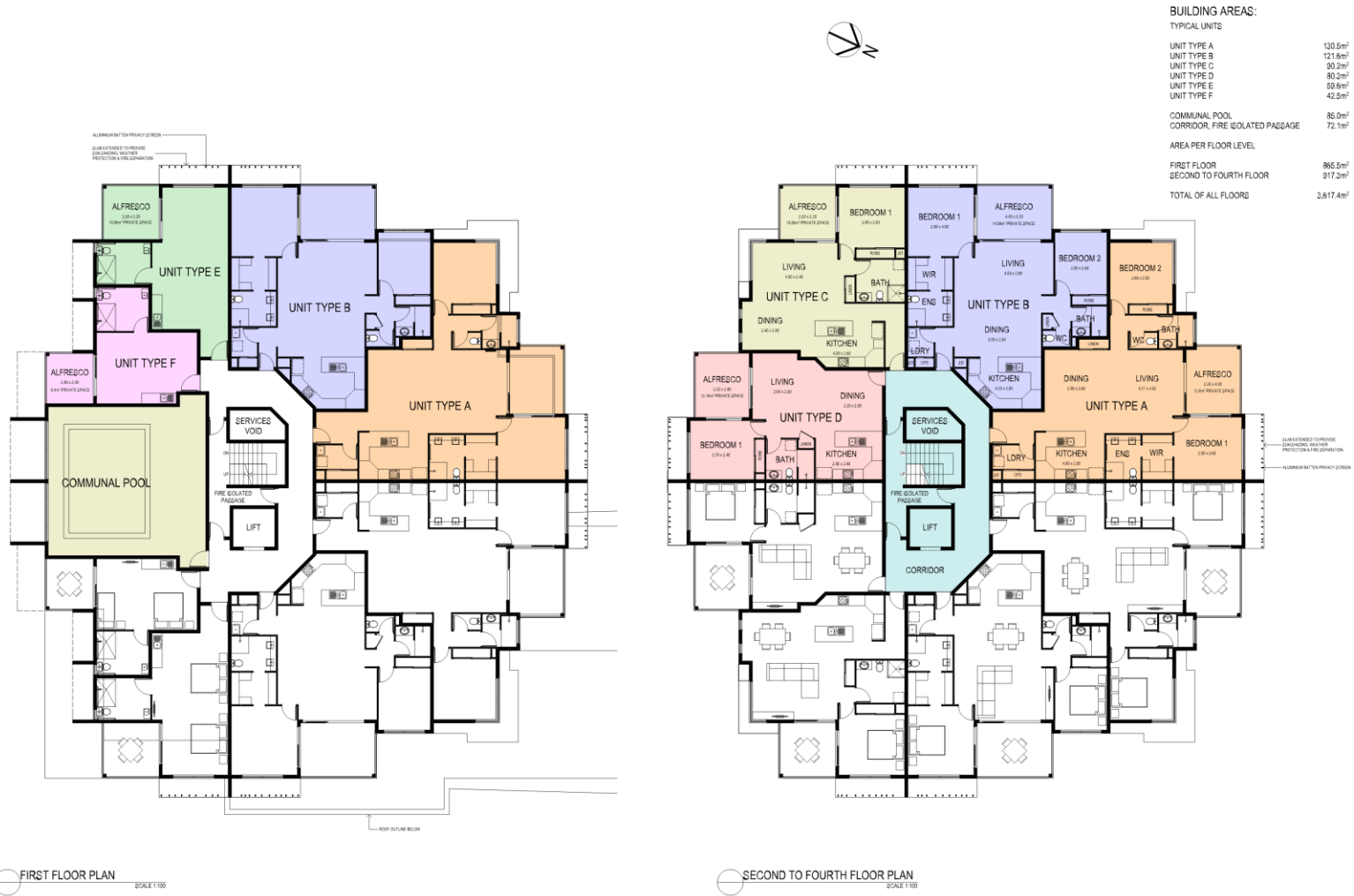
PROPOSED RESIDENTIAL
 MULTI-UNIT DEVELOPMENT
 R & M PITT

LOCATION:
 88 - 90 QUAY STREET
 BUNDABERG, QLD

TITLE:
 BASEMENT PLAN

PAGE NO.	SCALE	START DATE	DESIGNED
A1	1:100	1:2000	DA01
2, 6 & 7a	160905	DA01	A





DESIGN DIRECT
BUILDING DESIGNERS

© THESE DRAWINGS AND DESIGN ARE COPYRIGHT AND SHALL NOT BE USED OR REPRODUCED BY ANY MEANS, WHOLLY OR PARTIALLY, WITHOUT PRIOR WRITTEN PERMISSION FROM DESIGN DIRECT.

QBCO NO. 1162156
17 Bevan Street
Brisbane QLD 4000
07 3838 1234
www.designdirect.com.au

MASTER BUILDERS QUEENSLAND
Proud Member

building designers ASSOCIATION OF QUEENSLAND INC.

FOR INFORMATION NOT FOR CONSTRUCTION

DESIGNER	DATE	BY
REVISION	DATE	BY

PROJECT: PROPOSED RESIDENTIAL MULTI-UNIT DEVELOPMENT
CLIENT: R & M PITT

LOCATION: 88 - 90 QUAY STREET BUNDBERG, QLD
TITLE: FIRST - FOURTH FLOOR PLANS

PAGE NO:	SCALE:	START DATE:	DESIGNED BY:
A1	1:100	SEP 2016	TL
ISSUE NO:	PROJECT NO:	DRAWING NO:	REVISION:
2, 6 & 7a	160905	DA03	A



NO.	DATE	DESCRIPTION	BY	CHKD.
1	01/08/2024	ISSUED FOR PERMIT	DA	TL
2	01/08/2024	ISSUED FOR PERMIT	DA	TL
3	01/08/2024	ISSUED FOR PERMIT	DA	TL

FOR INFORMATION NOT FOR CONSTRUCTION

DESIGN DIRECT BUILDING DESIGNERS

PROPOSED RESIDENTIAL MULTI-UNIT DEVELOPMENT
 CLIENT: R & M PITT

LOCATION: 88 - 90 QUAY STREET BUNDABERG, QLD
 TITLE: ELEVATIONS

PAGE NO.	SCALE	START DATE	END DATE	DESIGNED	CHECKED
A1	1:100			TL	ME
SCALE	PROJECT NO.	DRAWING NO.	REVISION		
2, 5 & 7a	160905	DA04	A		



EAST ELEVATION
SCALE 1:100



SOUTH ELEVATION
SCALE 1:100

NO.	DATE	BY	DESCRIPTION
A	24/10/2024	TL	DA LAYOUT
1	24/10/2024	TL	CONSTRUCTION
REV	DESCRIPTION	DATE	BY

FOR INFORMATION
NOT FOR CONSTRUCTION

DESIGN DIRECT
BUILDING DESIGNERS

MASTER BUILDERS
PROUD MEMBER

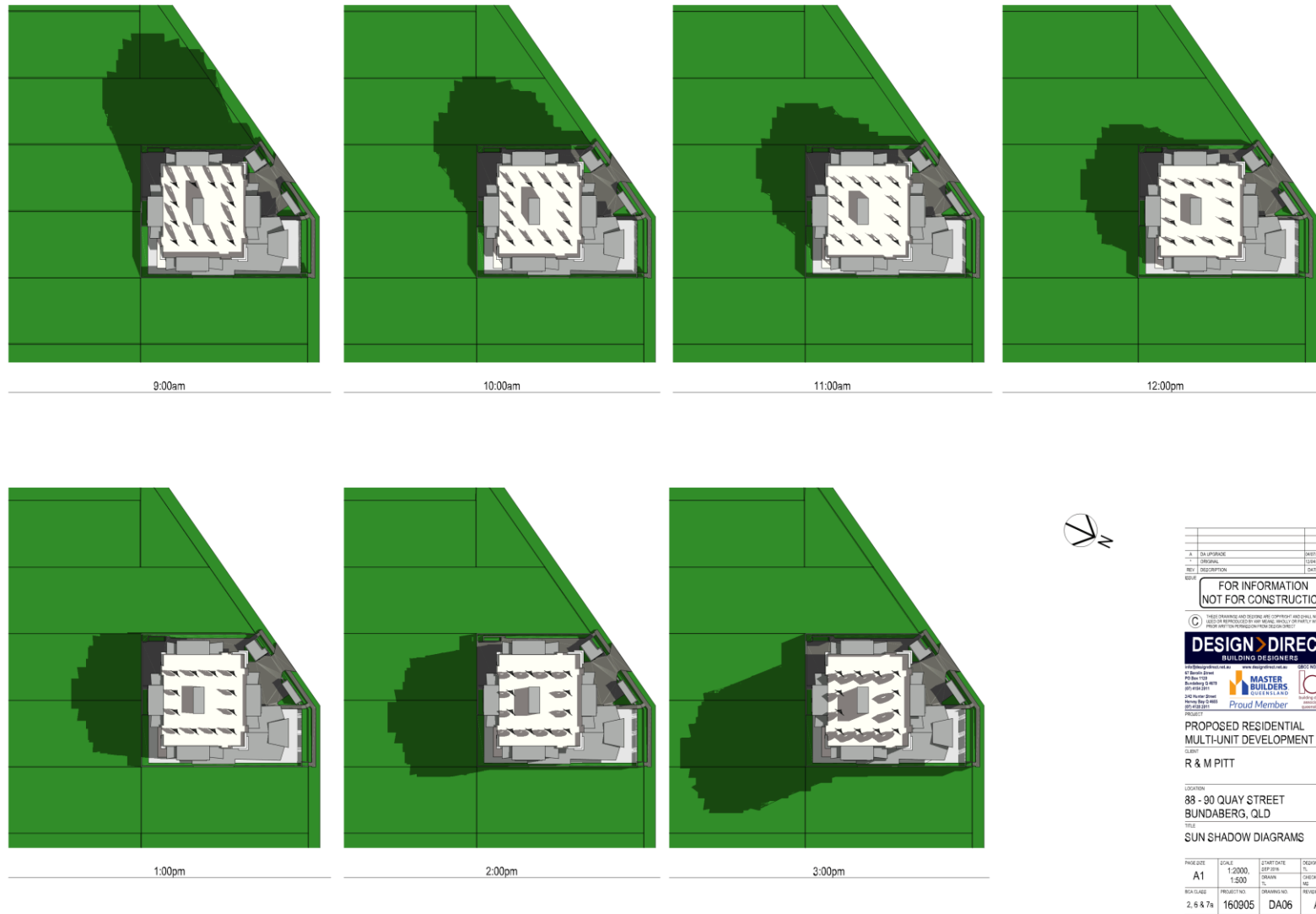
PROPOSED RESIDENTIAL
MULTI-UNIT DEVELOPMENT

R & M PITT


88 - 90 QUAY STREET
BUNDEBERG, QLD

ELEVATIONS


PAGE NO.	SCALE	START DATE	END DATE
A1	1:100		
SCALE	PROJECT NO.	DRAWING NO.	REVISION
2, 6 & 7a	160905	DA05	A





DESIGN DIRECT BUILDING DESIGNERS <small>info@designdirect.net.au www.designdirect.net.au</small> <small>87 Beacon Street PO Box 1159 Bundaberg Q 4670</small> <small>242 Heaver Street Hervey Bay Q 4655</small> <small>(07) 4148 3911</small>  Proud Member	© THESE DRAWINGS AND DESIGNS ARE COPYRIGHT AND SHALL NOT BE USED OR REPRODUCED BY ANY MEANS, WHOLLY OR PARTLY, WITHOUT PRIOR WRITTEN PERMISSION FROM DESIGN DIRECT	ISSUE			PROJECT	LOCATION	PAGE SIZE	SCALE	START DATE	DESIGNED
					PROPOSED RESIDENTIAL MULTI-UNIT DEVELOPMENT	88 - 90 QUAY STREET BUNDABERG, QLD	A3	AS SHOWN	SEP 2016	TL
		A	DA UPGRADE	21/06/17	TL	CLIENT	TITLE	BCA CLASS	PROJECT NO.	DRAWING NO.
*	ORIGINAL	13/04/17	TL	R & M PITT	3D VIEW - FROM NORTH EAST	2, 6 & 7a	160905	DA07	A	
REV	DESCRIPTION	DATE	BY							





DESIGN DIRECT BUILDING DESIGNERS <small>info@designdirect.net.au www.designdirect.net.au QBCC NO. 1162155</small> 87 Beacon Street PO Box 1159 Bundaberg Q 4671 242 Healey Street Hervey Bay Q 4655 (07) 4134 3911  Proud Member	© THESE DRAWINGS AND DESIGNS ARE COPYRIGHT AND SHALL NOT BE USED OR REPRODUCED BY ANY MEANS, WHOLLY OR PARTLY, WITHOUT PRIOR WRITTEN PERMISSION FROM DESIGN DIRECT ISSUE <div style="border: 1px solid black; padding: 5px; text-align: center;"> FOR INFORMATION NOT FOR CONSTRUCTION </div>	PROJECT PROPOSED RESIDENTIAL MULTI-UNIT DEVELOPMENT	LOCATION 88 - 90 QUAY STREET BUNDABERG, QLD	PAGE SIZE A3	SCALE AS SHOWN	START DATE SEP 2016	DESIGNED TL
		REV A DA UPGRADE 21/06/17 TL * ORIGINAL 13/04/17 TL	CLIENT R & M PITT	TITLE 3D VIEW - FROM NORTH WEST	BCA CLASS 2, 6 & 7a	PROJECT NO. 160905	DRAWING NO. DA08



DESIGN DIRECT BUILDING DESIGNERS <small>info@designdirect.net.au www.designdirect.net.au QBCC NO. 1162155</small> <small>87 Beacon Street PO Box 1129 Bundaberg Q 4670 (07) 4154 3911</small> <small>242 Hunter Street Hervey Bay Q 4655 (07) 4148 3911</small>  Proud Member	© THESE DRAWINGS AND DESIGNS ARE COPYRIGHT AND SHALL NOT BE USED OR REPRODUCED BY ANY MEANS, WHOLLY OR PARTLY, WITHOUT PRIOR WRITTEN PERMISSION FROM DESIGN DIRECT ISSUE	FOR INFORMATION NOT FOR CONSTRUCTION	A DA UPGRADE 21/06/17 TL	PROJECT PROPOSED RESIDENTIAL MULTI-UNIT DEVELOPMENT	LOCATION 88 - 90 QUAY STREET BUNDABERG, QLD	PAGE SIZE A3	SCALE AS SHOWN	START DATE SEP 2016	DESIGNED TL	
			* ORIGINAL 13/04/17 TL	CLIENT R & M PITT	TITLE 3D VIEW - FROM SOUTH WEST	BCA CLASS 2, 6 & 7a	PROJECT NO. 160905	DRAWING NO. DA09	CHECKED MS	REVISION A
			REV DESCRIPTION DATE BY							



DESIGN DIRECT BUILDING DESIGNERS <small>info@designdirect.net.au www.designdirect.net.au QBCC NO. 1162155</small> <small>87 Bessie Street PO Box 1129 Bundaberg Q 4670 (07) 4154 2911 242 Hunter Street Hervey Bay Q 4655 (07) 4148 2911</small>  MASTER BUILDERS CONFIDENTIALITY  Quality Integrated <small>Quality Integrated is a member of the</small>	© THESE DRAWINGS AND DESIGNS ARE COPYRIGHT AND SHALL NOT BE USED OR REPRODUCED BY ANY MEANS, WHOLLY OR PARTLY, WITHOUT PRIOR WRITTEN PERMISSION FROM DESIGN DIRECT ISSUE <div style="border: 1px solid black; padding: 5px; text-align: center;"> FOR INFORMATION NOT FOR CONSTRUCTION </div>	PROJECT PROPOSED RESIDENTIAL MULTI-UNIT DEVELOPMENT	LOCATION 88 - 90 QUAY STREET BUNDABERG, QLD	PAGE SIZE A3	SCALE AS SHOWN	START DATE SEP 2016	DESIGNED TL
		REV A DA UPGRADE 21/06/17 TL * ORIGINAL 13/04/17 TL REV DESCRIPTION DATE BY	CLIENT R & M PITT	TITLE 3D VIEW - FROM SOUTH EAST	BCA CLASS 2, 6 & 7a	PROJECT NO. 160905	DRAWING NO. DA10

Erin Clark

From: Nathan Freeman <Nathan@insitesjc.com.au>
Sent: Wednesday, 16 August 2017 10:05 AM
To: Development; Erin Clark
Cc: 'insite@emailmyjob.com'; pittmex@bigpond.com; Tyson Lochwood
Subject: RE: 47912 - (Amended) Draft Conditions - 88 and 90 Quay Street, Bundaberg | GC16-309-T02
Attachments: 47912 - Signed Draft Conditions (amended) - 88 and 90 Quay Street.pdf

Hi Erin,

Thank you for the opportunity to review Council's draft 'without prejudice' conditions (it is greatly appreciated). In general, our client is satisfied with the conditions package, however, we have some concerns over the following—

- Condition 5—It is not clear on what is expected with this condition and it does not provide any finality. The requirements in the condition are subjective and relative to an individual's opinion rather than something that is measurable. The proposed design and type of turbines that would be used are clear and have been accurately depicted on the elevation plans and supporting information provided in response to Council's information request. Council should be able to make an assessment as to identify whether these turbines, as proposed, would have an adverse impact upon the amenity and aesthetics of the locality. Conditions 6–8 provide specific requirements relating the size, scale and noise limits associated with the proposed turbines. It is a requirement that these conditions are met, which should address the concerns outlined in Condition 5. It is requested that Condition 5 therefore be deleted.
- Condition 7 should be amended to allow for a maximum of 12 wind turbines to be placed on the approved building. As shown on the elevations and sun shadow diagrams, it is proposed that 4 turbines are located on each of the north, west, south and east faces of the building. The central area of the roof would remain clear for plant equipment and the top of the lift shaft. This number of proposed turbines will be required to meet the energy consumption needs of the development. Other sources of renewable energy are also being considered, including solar.
- Condition 11—not sure why this would be an issue. It may be an issue on the eastern side of the building where the planning scheme setbacks are encroached, or along the northern face which would increase the bulk of the building along the street frontage, however, this should not be an issue on the western side of the building where it is setback significantly from the side boundary (and adjoining commercial premises) or the southern elevations where the buildings again where adjoining commercial premises. Screening may be required along the western face in the future to limit the impacts of the afternoon sun. It is acknowledged that Council specifically references permanent fixtures, which would allow for moveable fixtures in circumstances where sun may be an issue. Also it is not understood why enclosing these areas with glass panelling would also be an issue? Happy to discuss this one via phone if it is easier.
- Condition 12—The provision of 1.7m high window sills or fixed translucent glazing on windows along the eastern face of the building would have a significant impact on the occupants on the building to take advantage of the extensive views along the Burnett River. This development has been specifically designed so that each unit along this face has unhindered views along the Burnett River and adjacent parkland. It is acknowledged that the privacy of the adjoining residents should be maintained, however, we think that there is a solution to satisfy both parties. It is requested that this condition be amended so that it is similar to Condition 13 as follows—
 - The windows located on the eastern building face of the multi-unit residential units (floor one and above) must be fixed with external screening that is positioned in such a way to obscure direct views into habitable room windows or private open space areas of the adjoining property. The removal of this external screening, pending the future development of the adjoining site, must be approved in writing by the assessment manager.

It should be noted that all of the windows on the eastern face are for bedroom and not the main living areas.

- Condition 14 —Is it possible to extend the hours of operation on a Saturdays to 7am in the morning and on Sunday to 8am to allow for the breakfast trade?

- Condition 32—There will be an on-site manager for the multi-units whether they are long term tenants or short term. Rather than having 32 individual letterboxes, there may be central mail box which is collected and distributed internally to each of the occupants. It is not know at this stage which method would be used, however, this conditions restricts this to 32 individual mail boxes which may not be suitable.

We thank you again for this opportunity. If you have any questions or would like to discuss any of this further, please feel free to give me a call.

Kind regards,
Nathan

Nathan Freeman | MPlA, CPP | Associate Town Planner

InsiteSJC
Town Planning | Surveying | Projects
t 07 4151 6677 m 0415 760 804

From: Development [mailto:development@bundaberg.qld.gov.au]
Sent: Monday, 14 August 2017 11:53 AM
To: Nathan Freeman <Nathan@insitesjc.com.au>
Subject: 47912 - (Amended) Draft Conditions - 88 and 90 Quay Street, Bundaberg

Hi Nathan,

Apologies for the second email, please disregard my previous email and find attached an amended set of draft 'without prejudice' conditions – there was an error (omission of a condition) in the last version.

Thank you for your development application for Material Change of Use for Multi-unit residential/ Short term accommodation, Function facility and Food and drink outlet lodged with Council on 26 April 2017. Council's Development Assessment Team are in the process of determining the application and attach for your comment proposed draft conditions.

You are invited to review the attached draft conditions. Council's Development Assessment team request that the response form (attached at the end of the draft conditions) be returned within 48 hours. Should no response be received by this time, Council's Development Assessment Team will finalise the application.

Should you require any clarification regarding this matter, please contact me on phone 1300 883 699.

Kind Regards,

ERIN CLARK (B.RTP. (Hons 1); M.EnvMan; MPlA)
SENIOR PLANNING OFFICER – MAJOR PROJECTS
Bundaberg Regional Council
PO Box 3130
Bundaberg QLD 4670
Tel: 1300 883 699
Fax: (07) 4150 5410
<http://bundaberg.qld.gov.au/>



NOTICE: The contents and attachments to this email are confidential, private and may be protected by legal professional privilege. It is intended solely for the use of the individual or entity to whom it is addressed. If you have received this email in error you should not disseminate, distribute or copy this email. Please notify

the sender immediately and delete it from your system. Any views or opinions presented in this email are solely those of the author and do not necessarily represent those of Bundaberg Regional Council. Employees of Bundaberg Regional Council are expressly required not to make defamatory statements and not to infringe or authorise any infringements of copyright or any other legal right by email communications. Any such communication is contrary to Bundaberg Regional Council policy and outside the scope of the employ of the individual concerned. Bundaberg Regional Council will not accept any liability in respect of such communication, and the employee responsible will be personally liable for any damages or other liability arising. WARNING: Computer viruses can be transmitted via email. The recipient should check this email and any attachments for the presence of viruses. Bundaberg Regional Council accepts no liability for any damage caused by any virus transmitted by this email.



PO Box 3130, BUNDABERG QLD 4670
 Local Call 1300 883 699 | Fax (07) 4150 5410
 ABN 72 427 835 198

ADOPTED INFRASTRUCTURE CHARGES NOTICE

Resolution (No. 1) 2015

To: Russell Pitt
 C/- InsiteSJC PO Box 1688 Bundaberg 4670

Date of Issue: 29/08/2017
 Register No.: 331.2017.908.1

Land to which the Charge Applies

Address: 88 & 90 Quay Street, Bundaberg West
 Property Description: B:15817/62 & 63

Development to which the Adopted Infrastructure Charge Applies

The adopted infrastructure charge applies to the following development type: Material Change of Use
 Development Approval No.: 322.2017.47912.1

Current Amount of the Adopted Infrastructure Charge

The adopted infrastructure charge has been calculated in accordance with the method outlined in the Bundaberg Regional Council Adopted Infrastructure Changes Resolution (No.1) 2015 and Chapter 8 of the Sustainable Planning Act 2009. Please see Schedule 1 of this notice for the detailed calculation of the current amount.

Current Amount of Adopted Infrastructure Charge = **\$531,528.00**
 (as at date of issue)

Offsets

Please see Schedule 1 of this notice for the detailed calculation of any offsets.

Total offsets applicable to this development = **n/a**

Refunds

Please see Schedule 1 of this notice for the detailed calculation of any refunds.

Total refunds applicable to this development = **n/a**

Automatic Increase

The charges are subject to an automatic increase in accordance with Bundaberg Regional Council Adopted Infrastructure Changes Resolution (No.1) 2015. Council's adopted infrastructure charge is to automatically increase from the time the charge is levied to the time the charge is paid. As per section 114 of Planning Act 2016 this automatic increase provision is calculated as follows:

- (a) If the duration of time between the date the charge is levied to the date the charge is paid is less than or equal to one calendar year, then there is no automatic increase. Therefore the adopted infrastructure charge payable is equal to the charge amount at the time the charge is levied; or
- (b) If the duration of time between the date the charge is levied to the date the charge is paid is greater than one calendar year, then the automatic increase provision is an amount representing the increase in the PPI index. The increase in PPI index is calculated for the period starting on the day the charge is levied and ending on the day the charge is paid, adjusted by reference to the 3-yearly PPI index average. Where the 3- yearly PPI index average means the PPI index smoothed in accordance with the 3-year moving average quarterly percentage change between quarters. Therefore the automatic increase provision is calculated as shown in equation 1 below:

$$\text{automatic increase provision} = \frac{\text{Smoothed PPI (paid date)}}{\text{Smoothed PPI (levied date)}} \dots\dots\dots(1)$$

Where: Smoothed PPI (paid date) = 3 yearsly smoothed PPI at time the charge is paid
 = average (12 previously published PPI figures relative to paid date)
 Smoothed PPI (levied date) = 3 yearsly smoothed PPI at time the charge is levied
 = average (12 previously published PPI figures relative to levied date)



PO Box 3130, BUNDABERG QLD 4670
 Local Call **1300 883 699** | Fax **(07) 4150 5410**
 ABN 72 427 835 198

The *adopted infrastructure charge* payable is equal to the charge amount at the time the charge is levied multiplied by the automatic increase provision amount as shown in equation 2 below:

$$\text{adopted infrastructure charge payable} = \text{levied charge} \times \text{automatic increase provision} \dots(2)$$

Finally, if after applying the automatic increase provision the *adopted infrastructure charge payable* is:

- (a) more than the maximum adopted charge that Council could have levied for the development at the time the charge is paid, then the adopted infrastructure charge payable is the maximum adopted charge for the development; or
- (b) less than the charge amount at the time the charge is levied, then the *adopted infrastructure charge payable* is the charge amount at the time the charge is levied.

Payment of the Adopted Infrastructure Charge

- The **due date for payment** of the *adopted infrastructure charge* is:
 - before the change of use happens
- Interest at 11% per annum, calculated daily, will be applied to overdue payments.
- The charge is to be paid to **Bundaberg Regional Council**. Please contact Bundaberg Regional Council, Development Assessment Team, prior to making payment.
- Please include a copy of this Notice with payment.

Other Important Information

1. PAYMENT

This notice is due and payable by the due date shown. Cheques, money orders or postal notes should be made payable to Bundaberg Regional Council and crossed "Not Negotiable". Change cannot be given on cheque payments. Property owners will be liable for any dishonour fees.

2. GOODS AND SERVICES TAX

The federal government has determined that rates and utility charges levied by a local government will be GST exempt. Accordingly, no GST is included in this infrastructure charges notice.

3. INFRASTRUCTURE CHARGES ENQUIRIES

Enquiries regarding this infrastructure charges notice should be directed to Council's Development Assessment Team on telephone 1300 883 699 during office hours or e-mail: duty_planner@bundaberg.qld.gov.au

Notice is hereby given under the *Planning Act 2016* and the *Local Government Act 2009* that the adopted infrastructure charges notice is levied by the Bundaberg Regional Council on the described land. The adopted infrastructure charge is DUE AND PAYABLE BY THE ABOVE DUE DATE. The adopted infrastructure charge plus any arrears and interest may be recovered by legal process without further notice if unpaid after the expiration of the DUE DATE as the charge is deemed to be overdue. STEPHEN JOHNSTON, CHIEF EXECUTIVE OFFICER

Richard Jenner
 Development Assessment Manager



Applicant: Russell Pitt
 Applicant C/- InsiteSJC PO Box 1688 Bundaberg 4670
 Site address: 88 & 90 Quay Street, Bundaberg West
 Plan/Lot: B:15817/62 & 63

ADOPTED INFRASTRUCTURE CHARGES NOTICE
 SCHEDULE 1 – Calculation of Current Charges, Offsets and Refunds

Development Type: Material Change of Use
 Due date for payment: before the change of use happens
 Dev Approval No.: 322.2017.47912.1
 Register No.: 331.2017.908.1

Prepared by: Ross Hunter
 Authorising Officer: Richard Jenner
 Inside PIA: Yes

PO Box 3130, BUNDABERG QLD 4670
 Local Call 1300 883 699 | Fax (07) 4150 5410
 ABN 72 427 835 198

Adopted Infrastructure Charges: \$ 531,528.00
 Offset: n/a
 Refund: n/a
 AICN - Amount Payable: \$ 531,528.00

Summary of the Adopted Infrastructure Charges

Development Type	Charge Type	Infrastructure Charge Area	Use category	Use	Charge category	Charge per dwelling or lot or bedroom or tent or cabin	Charge per m ² GFA	Charge per per m ² impervious area	Dwellings or lots or bedrooms or tents or cabins	GFA (m ²)	Impervious Area (m ²)	Discount category	Discount	Subtotal
MCU	New	Fully Serviced	Residential	Multiple dwelling	\$ per 1 bedroom dwelling	\$ 15,000.00	n/a	n/a	16			n/a	0%	\$ 240,000.00
MCU	New	Fully Serviced	Residential	Multiple dwelling	\$ per 2 bedroom dwelling	\$ 18,000.00	n/a	n/a	16			n/a	0%	\$ 288,000.00
MCU	New	Fully Serviced	Commercial (retail)	Food and drink outlet (other)	\$ per m ² GFA plus \$ per m ² impervious area	n/a	\$ 162.00	\$ 9.00		301	0	n/a	0%	\$ 48,762.00
MCU	New	Fully Serviced	Places of assembly	Function facility	\$ per m ² GFA plus \$ per m ² impervious area	n/a	\$ 63.00	\$ 9.00		82	0	n/a	0%	\$ 5,166.00
MCU	Existing credit	Fully Serviced	Residential	Dwelling house	\$ per 3 or more bedroom dwelling	\$ (25,200.00)	n/a	n/a	2			n/a	0%	\$ (50,400.00)
Adopted Infrastructure Charges Total:														\$ 531,528.00

Intentionally Blank



PO Box 3130, BUNDABERG QLD 4670
 Local Call **1300 883 699** | Fax **(07) 4150 5410**
 ABN 72 427 835 198

ADOPTED INFRASTRUCTURE CHARGES NOTICE INFORMATION NOTICE

1. REASON FOR DECISION

This notice has been issued pursuant to the Bundaberg Regional Council Adopted Infrastructure Changes Resolution (No. 1) 2015 and Chapter 8 of the Sustainable Planning Act 2009.

2. APPEAL RIGHTS

The recipient of the infrastructure charge may appeal to the Planning and Environment Court in accordance with section 478 of the Sustainable Planning Act 2009.

478 Appeals about infrastructure charges notice

- (1) The recipient of an infrastructure charges notice may appeal to the court about the decision to give the notice.
- (2) However, the appeal may be made only on 1 or more of the following grounds—
 - (a) the charge in the notice is so unreasonable that no reasonable relevant local government could have imposed it;
 - (b) the decision involved an error relating to—
 - (i) the application of the relevant adopted charge; or
 - (ii) the working out, for section 636, of additional demand; or
 - (iii) an offset or refund;
 - (c) there was no decision about an offset or refund;

Examples of possible errors in applying an adopted charge—

 - (i) the incorrect application of gross floor area for a non-residential development;
 - (ii) applying an incorrect 'use category' under an SPRP (adopted charges) to the development.
 - (d) if the infrastructure charges notice states a refund will be given—the timing for giving the refund.
- (3) To remove any doubt, it is declared that the appeal must not be about—
 - (a) the adopted charge itself; or
 - (b) for a decision about an offset or refund—
 - (i) the establishment cost of infrastructure identified in an LGIP; or
 - (ii) the cost of infrastructure decided using the method included in the local government's charges resolution.
- (4) The appeal must be started within 20 business days after the day the recipient is given the relevant infrastructure charges notice.

478A Appeals against refusal of conversion application

- (1) The applicant for a conversion application may appeal to the court against a refusal, or deemed refusal, of the application.
- (2) The appeal must be started within the following period—
 - (a) if the applicant is given written notice of the refusal—20 business days after the day the applicant is given the notice;
 - (b) otherwise—20 business days after the end of the required period under section 660(5) for the application.

The recipient of the infrastructure charge may appeal to a building and development committee in accordance with section 535 of the Sustainable Planning Act 2009.



PO Box 3130, BUNDABERG QLD 4670
Local Call **1300 883 699** | Fax **(07) 4150 5410**
ABN 72 427 835 198

535 Appeals about infrastructure charges decisions

- (1) The recipient of an infrastructure charges notice may appeal to a building and development committee about the decision to give the notice.
- (2) However, the appeal may be made only on 1 or more of the following grounds—
 - (a) the decision involved an error relating to—
 - (i) the application of the relevant adopted charge; or
 - (ii) the working out, for section 636, of additional demand; or
 - (iii) an offset or refund;
 - (b) there was no decision about an offset or refund;
Examples of possible errors in applying an adopted charge—
 - (i) the incorrect application of gross floor area for a non-residential development;
 - (ii) applying an incorrect 'use category' under an SPRP (adopted charges) to the development;
 - (c) if the infrastructure charges notice states a refund will be given—the timing for giving the refund.
- (3) To remove any doubt, it is declared that the appeal must not be about—
 - (a) the adopted charge itself; or
 - (b) for a decision about an offset or refund—
 - (i) the establishment cost of infrastructure in an LGIP; or
 - (ii) the cost of infrastructure decided using the method included in the local government's charges resolution.
- (4) The appeal must be started within 20 business days after the day the recipient is given the relevant infrastructure charges notice.

535A Appeals against refusal of conversion application

- (1) The applicant for a conversion application may appeal to a building and development committee against a refusal, or deemed refusal, of the application.
- (2) The appeal must be started within the following period—
 - (a) if the applicant is given written notice of the refusal—20 business days after the day the applicant is given the notice;
 - (b) otherwise—20 business days after the end of the required period under section 660(5) for the application.

**Item****29 August 2017**

Item Number:	File Number:	Part:
P1	FM0044	ENVIRONMENT & NATURAL RESOURCES

Portfolio:

Community & Environment

Subject:

Trustee Lease - Greenfleet

Report Author:

Gavin Steele, General Manager Community & Environment

Authorised by:

Gavin Steele, General Manager Community & Environment

Link to Corporate Plan:

Our Environment - 2.2 Sustainable built environments and local projects that support our growing population and promote economic investment and development.

Background:

In April 2017, the not-for-profit company Greenfleet planted over 80,000 trees at the Barolin Nature Reserve under an agreement with Council and the Queensland Department of Natural Resources. The terms of the agreement are included in a 30 year trustee lease which covers the planted area. The planted trees are surviving well and Greenfleet will plant additional trees on this area in 2018.

Greenfleet is interested in extending the tree planting project to include approximately 5 ha of bare land on Lot 220 on SP154063. This area is adjacent to the Mon Repos Conservation Park. The planted trees will assist in reducing the glow of lights onto the turtle nesting beach at Mon Repos and will expand the bushland next to the wastewater treatment plant and the popular pathway known as the Turtle Trail. To allow the tree planting project to proceed, Council needs to agree to a 30 year trustee lease over the area to be planted under the same conditions as the existing lease on the Barolin Nature Reserve.

Associated Person/Organization:

Nick Maclean – Operational Supervisor NRM
 Carl Moller – Natural Areas Officer
 Greenfleet
 Department of Natural Resources and Mines

Consultation:

Councillors, Bundaberg Regional Council

Legal Implications:

For the duration of the trustee lease, Council will be unable to enter into another agreement under the Carbon Farming Initiative Act and the Carbon Abatement Interests provisions of the Land Act in relation to Greenfleet's plantation of trees and the associated carbon.

Policy Implications:

This land is part of the Neilson Park reserve which is a State reserve for Park and Recreation. A Land Management Plan exists for this reserve. Staff consider this trustee lease for tree planting is consistent with the Land Management Plan which identified this particular area be retained for Environmental values.

Financial and Resource Implications:

There appear to be no financial or resource implications. Greenfleet will prepare and lodge the trustee lease.

Risk Management Implications:

There appears to be no risk management implications.

Communications Strategy:

Communications Team consulted.

- Yes
 No

Attachments:

- [↓1](#) Map of Proposed Trustee Lease Are

Recommendation:

That Council:-

- A. offer Greenfleet a 30 year Trustee Lease over a 5 hectare portion of land described as Lot 220 on SP154063, County Cook, Parish Barolin.**
- B. delegate to the Chief Executive Officer to formalise the Trustee Lease to incorporate the recommendation from the Department of Natural Resources and Mines which confirms that:-**
 - 1. Council as trustee cannot enter into another agreement under the Carbon Farming Act and the Carbon Abatement Interests provisions of the Land Act; and**
 - 2. Greenfleet will retain ownership of the planted trees for the duration of the lease, after which they become the property of the State.**



**Item****29 August 2017****Item Number:**

S1

File Number:**Part:**STRATEGIC PROJECTS &
ECONOMIC DEVELOPMENT**Portfolio:**

Executive Services

Subject:

Terms of Reference - Business Bundaberg Advisory Committee

Report Author:

Nancy Launchbury, Senior Executive Assistant to CEO

Authorised by:

Stephen Johnston, Chief Executive Officer

Link to Corporate Plan:

Our Community - 1.2 A dynamic and vibrant region that attracts and supports innovation, creative enterprise and economic development.

Background:

The Terms of Reference for the Business Bundaberg Advisory Committee have been revised and are submitted to Council for its approval.

Legal Implications:

There appear to be no legal implications.

Policy Implications:

There appear to be no policy implications.

Financial and Resource Implications:

There appear to be no financial or resource implications.

Risk Management Implications:

There appears to be no risk management implications.

Communications Strategy:

Not applicable.

Attachments:[1](#) Terms of Reference

Recommendation:

That the revised Terms of Reference of the Business Bundaberg Advisory Committee (as detailed on the 3 pages appended to this report) be adopted.



Port of Bundaberg

Bundaberg Regional Council
OFFICE OF ECONOMIC DEVELOPMENT

PO BOX 3130,
BUNDABERG QLD 4670

T: 1300 883 699
E: info@businessbundaberg.com.au

BUSINESS BUNDABERG
A BETTER CLIMATE FOR BUSINESS

BUSINESS BUNDABERG
ADVISORY COMMITTEE

Business Bundaberg Advisory Committee Terms of Reference

1. Background

The Business Bundaberg Advisory Committee (BBAC) is a formal Sub-Committee of the Bundaberg Regional Council (BRC) and forms an integral part of the economic development model for the Bundaberg region.

The focus of BBAC is to provide strategic leadership in identifying and implementing initiatives that will continue to place the Bundaberg Region at the forefront of economic development related initiatives, and industry and government cross collaboration.

Given, the Port of Bundaberg is a fundamental element of securing long-term economic prosperity for the Bundaberg and surrounding Wide Bay Burnett region, Gladstone Ports Corporation (GPC) as the owner of the Port of Bundaberg partners with BRC to facilitate and resource the BBAC.

2. Program Objectives

To work in partnership with business, community and all levels of government to facilitate the "higher level" delivery of economic development initiatives to achieve new economic opportunities in the Bundaberg Region including:

1. Business Attraction Opportunities
2. Business Development Opportunities
3. Regional Role – Representation and Promotion.

3. Program Outcomes

The outcomes of the BBAC program include:

1. Consider and advise the Council on short/medium/long term matters relevant to the economic development of the Bundaberg region.
2. Identification and facilitation of Business and Industry opportunities for expansion and attraction that results in new economic growth.
3. Bundaberg Region Business and Industry engagement for future economic development.
4. Representation of Bundaberg Region interests in high-level forums on issues of strategic importance.
5. Increased promotion of the interests of the Business Bundaberg Program stakeholders.

VISIT US ONLINE: www.businessbundaberg.com.au



Port of Bundaberg

Bundaberg Regional Council

OFFICE OF ECONOMIC DEVELOPMENT

PO BOX 3130,
BUNDABERG QLD 4670

T: 1300 883 699

E: info@businessbundaberg.com.au

**BUSINESS
BUNDABERG**
ADVISORY COMMITTEE

4. Membership:

The Business Bundaberg Advisory Committee (BBAC) includes the following representatives:

Bundaberg Regional Council representatives

- Mayor
- Deputy Mayor
- Tourism & Regional Growth Portfolio Councillor
- Governance & Communications Portfolio Councillor
- Chief Executive Officer
- Economic Development Office Representative.

Gladstone Ports Corporation representatives

- Director, Gladstone Ports Corporation
- Manager, Port of Bundaberg, Gladstone Ports Corporation

State Government representative

- Regional Director, Wide Bay Burnett, Department of State Development.

It is expected that a written report will be tabled at each meeting on behalf of the respective organization.

5. Working Group

To assist strategic deliberations of the BBAC and to better coordinate current and future opportunities, a Business Development Working Group is established to:

- Jointly share information regarding current and future business development opportunities;
- Provide a coordinated voice to potential proponents
- Provide a written report to each BBAC meeting providing a summary of current and future opportunities and highlight issues of strategic relevance requiring BBAC advocacy/direction
- Verbally raise and discuss issues of a commercial-in confidence nature pertaining to the region's business and industry development.

Membership of the Working Group includes:

- BRC Representative and BBAC Business Consultant
- DSD Regional Director
- GPC Commercial General Manager and Manager, Port of Bundaberg
- Additional invited guests as required eg. DTMR.

6. General

Meeting Frequency

The BBAC meets on at least a quarterly basis and often includes representatives from organisations such as the Regional Development Australia (Wide Bay Burnett) and other key BRC personnel.

The Working Group meets on a monthly basis and may be convened using video conferencing/skype etc.

**BUSINESS
BUNDABERG**
A BETTER CLIMATE FOR BUSINESS

VISIT US ONLINE: www.businessbundaberg.com.au



Port of Bundaberg

Bundaberg Regional
Council

OFFICE OF ECONOMIC
DEVELOPMENT

PO BOX 3130,
BUNDABERG QLD 4670

T: 1300 883 699

E: info@businessbundaberg.com.au

BUSINESS
BUNDABERG
A BETTER CLIMATE FOR BUSINESS

BUSINESS
BUNDABERG
ADVISORY COMMITTEE

Administration

The Business Bundaberg program is supported by the Business Bundaberg Consultant (BBC), who is engaged via an annual 'Terms Of Agreement' between BRC and the Consultant.

A full description of the BBC program including key objectives and contact details is available at

<http://www.businessbundaberg.com.au/en-au/About-Us/Business-Bundaberg-Consultant>

Minutes & Meeting Papers

- The agenda will be distributed one week prior to the BBAC meeting.
- The format of the BBAC minutes shall be that the key outcomes and actions are documented.
- The minutes of each meeting will be prepared by the Business Bundaberg Consultant.
- Copies of the minutes, including attachments, shall be provided to the Advisory Group members within one week following each meeting.

VISIT US ONLINE: www.businessbundaberg.com.au