



Ordinary Meeting Minutes

6 June 2017

Council Chambers, Bundaberg

11.00 am

Present:

Cr JM Dempsey (Mayor - Chairman), Cr WR Trevor OAM (Deputy Mayor), Cr JP Bartels, Cr WA Honor, Cr HL Blackburn, Cr GR Barnes, Cr SA Rowleson, Cr CR Sommerfeld, Cr DJ Batt, Cr JA Peters and Cr PR Heuser.

Officers:

Mr SD Johnston, Chief Executive Officer
Mr SJ Randle, General Manager Organisational Services
Mr AW Fulton, General Manager Infrastructure & Planning
Mr GJ Steele, General Manager Community & Environment
Miss NK Launchbury, Senior Executive Assistant
Mrs WE Saunders, Executive Services Co-ordinator

Invocation:

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



Minutes

6 June 2017

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

Confirmation of Minutes

1968

Resolution

Cr WA Honor moved:-

That the minutes of the Ordinary Meeting of Council held on 16 May 2017, be taken as read and confirmed.

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



Minutes

6 June 2017

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

Organisational Services

Subject:

Financial Summary as at 3 May 2017

1969

Resolution

Cr JM Dempsey presented the report; and moved:-

That the Financial Summary as at 3 May 2017 (as detailed on the 19 pages appended to this report) – **be noted by Council.**

Seconded by Cr DJ Batt.

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



Minutes

6 June 2017

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

Portfolio:

Organisational Services

Subject:

Barubbra Island, Fairymead - Lots 1 to 26 on CP905339 - Term lease renewals

1970

Resolution

Cr HL Blackburn presented the report; and moved:-

That the Department of Natural Resources and Mines be advised Council:-

1. offers no objection to the renewal of the 26 Term Leases, for a further term of 5 years, over land described as Lots 1 to 26 on CP905339, located on Barubbra Island, Fairymead;
2. requests that subject to any renewal of leases, the following terms and conditions be included to satisfy Council requirements:-
 - a) Any new building and plumbing works require the lessee to seek approval from Council;
 - b) Domestic animals kept on the land by the lessee be controlled and secured;
 - c) Controls around planting of exotic plants and pest plants on lease and non-lease areas;
 - d) Controls on inappropriate rubbish disposal/dumping, litter and waste collection;
 - e) Waste water disposal – conditioning around type of systems used;
 - f) Upon determination of leases, controls in place to make good the lease areas in regards to ensuring removal of all building structures, piers, pontoons and rubbish.

Seconded by Cr JP Bartels.

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



Minutes

6 June 2017

Item Number:	File Number:	Part:
J1	Nil	PLANNING

Portfolio:

Infrastructure & Planning Services

Subject:

Review of Bundaberg Open for Development 2016 Infrastructure Charges Incentives Scheme

1971

Resolution

Cr CR Sommerfeld presented the report; and moved:-

That the Bundaberg Open for Development 2016 infrastructure charges incentives scheme be amended as follows:-

- (a) The closing date for applications for the incentives be extended to 22 December 2017;**
- (b) The Housing Affordability category of eligible development be amended to include the following development types:-**
 - **Rural Residential subdivision where located in a Rural Residential Zone; and**
 - **Relocatable Home Parks.**

Seconded by Cr GR Barnes.

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



Minutes

6 June 2017

Item Number:	File Number:	Part:
K1	322.2016.46953.1	DEVELOPMENT ASSESSMENT

Portfolio:

Infrastructure & Planning Services

Subject:

167 Woodgate Road, Goodwood - Material Change of Use for Animal Keeping

Summary:

APPLICATION NO	322.2016.46953.1
PROPOSAL	Material Change of Use for Animal Keeping
APPLICANT	SR Bland & LM Cameron
OWNER	SR Bland & LM Cameron
PROPERTY DESCRIPTION	Lot 2 on RP806926
ADDRESS	167 Woodgate Road, Goodwood
PLANNING SCHEME	Bundaberg Regional Council Planning Scheme 2015
ZONING	Rural Zone
OVERLAYS	Agricultural Land Overlay Code Infrastructure Overlay Code Biodiversity Areas Overlay Code Steep Land Overlay Code Bushfire Hazard Overlay Code
LEVEL OF ASSESSMENT	Impact Assessment
SITE AREA	7.913 ha
CURRENT USE	Dwelling House and Kennel (12 kennels/dogs)
PROPERLY MADE DATE	2 December 2016
STATUS	The 20 business day decision period ended on 10 April 2017
REFERRAL AGENCIES	Nil
NO OF SUBMITTERS	Eighty-two (82) properly made submissions
PREVIOUS APPROVALS	322.2012.36537.1- Dated 4 April 2013
SITE INSPECTION CONDUCTED	10 April 2017
LEVEL OF DELEGATION	Level 3

Pursuant to Section 173 of the "Local Government Act 2009" Cr CR Sommerfeld declared a perceived Conflict of Interest in relation to this item - as Patron of the Bundaberg Greyhound Club - and with the consent of the Mayor left the Council Chambers.

1972

Resolution

Cr WR Trevor moved:-

That this Application be deferred pending further consideration by Council.

Seconded by Cr WA Honor - and on being put was carried unanimously without debate.

Cr CR Sommerfeld then returned to the Council Chambers.



Minutes

6 June 2017

Item Number:	File Number:	Part:
K2	322.2017.47506.1	DEVELOPMENT ASSESSMENT

Portfolio:

Infrastructure & Planning Services

Subject:

510 Abington Road, Abington - Material Change of Use for Aquaculture

Summary:

APPLICATION NO	322.2017.47506.1
PROPOSAL	Material Change of Use for Aquaculture
APPLICANT	Abington Aquaculture Pty Ltd
OWNER	Lana's Electric Tours & Rentals Pty Ltd
PROPERTY DESCRIPTION	Lot 71 on CK2941
ADDRESS	510 Abington Road, Abington
PLANNING SCHEME	Bundaberg Regional Council Planning Scheme 2015
ZONING	Rural Zone
OVERLAYS	Infrastructure: Gas Pipeline Buffer; Steep Land: BRC data Flood Hazard: Non-urban creeks/overland flow SPP Agricultural Land: Class A; SPP Biodiversity – Wetland Values: MSES Regulated vegetation (intersecting a watercourse) & MSES Watercourse buffer; Vegetation & Habitat: MSES Regulated Vegetation SPP Bushfire Hazard Area: Medium Potential Bushfire Intensity; SPP Infrastructure: Major Electricity Infrastructure & Major Electricity Infrastructure Buffer
LEVEL OF ASSESSMENT	Impact
SITE AREA	81.132 hectares
CURRENT USE	Aquaculture
PROPERLY MADE DATE	1 March 2017
STATUS	The 20 business day decision period ends on 21 June 2017
REFERRAL AGENCIES	Department of Infrastructure, Local Government & Planning
NO. OF SUBMITTERS	Nil
SITE INSPECTION CONDUCTED	May 2017
LEVEL OF DELEGATION	Level 3

Pursuant to Section 173 of the "Local Government Act 2009" Cr GR Barnes declared a Real (Material) Personal Interest in relation to this item - as Shareholder in the Applicant Company and the compiler of the Application lodged for consideration by Council - and with the consent of the Mayor left the Council Chambers.

1973

Resolution

Cr CR Sommerfeld presented the report; and moved:-

That Development Application 322.2017.47506.1 be determined as follows:

DESCRIPTION OF PROPOSAL

Material Change of Use for Aquaculture

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"/>	
Making a material change of use for aquaculture	Part 1, table 2, item 10	<input checked="" type="checkbox"/>	
Vegetation Clearing	Part 1, Table 3, Item 10	<input checked="" 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

There were no submissions received for the application.

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

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

8. REFERRAL AGENCIES

The referral agencies for this application are:

For an application involving	Name of referral agency	Advice agency or concurrence agency	Address
Schedule 7, Table 2, Item 28 – Certain Aquaculture; Schedule 7, Table 3, Item 10 – Clearing Vegetation	Department of Infrastructure, Local Government and Planning	Concurrence Agency	State Assessment and Referral Agency (SARA) <i>E:</i> WBBSARA@dsdip.qld.gov.au <i>P:</i> PO Box 979 Bundaberg Qld 4670

9. APPROVED PLANS

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

Plan/Document number	Plan/Document name	Date
GC16-396-TO1 – Sheets 1, 2 and 3	Plan of Existing Site and Adjoining Uses – Lot 71 on CK2941, 510 Abington Road, Abington	January 2017
Drawing No 6531-01	Proposed Concrete Fish Runs – Abington Fish Farm, Lot 71, Abington road – Fish Run Layout	25 September 2016
Drawing No 6531-02	Proposed Concrete Fish Runs – Abington Fish Farm, Lot 71, Abington road – Site Plan	25 September 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

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

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

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

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 6.30am or after 6.30pm; 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.

Lighting

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

Waste Management

8. 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.
9. 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.

Feed Pellets

10. Feed pellets must be stored in sealed containers within an on-farm shed building at all times.

PART 1B – ADVICE NOTES**Pellet Manufacture**

- A. Please note that this approval does not include the manufacture of food pellets, which is separately defined under the Bundaberg Regional Council Planning Scheme 2015. Should the proposed activity fall within the definition of Rural Industry, it is noted that if the development meets the limitations noted in the Planning Scheme, then the use may be Exempt Development. Otherwise the proposed production of food pellets will require a further development approval. Please contact Council's Development Assessment team for further advice in regards to this matter.

Environmental Harm

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

PART 2—CONCURRENCE AGENCY CONDITIONS

The Queensland Department of Infrastructure, Local Government and Planning, by letter dated 16 May 2017 (copy letter attached for information).

Seconded by Cr WA Honor.

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

Cr GR Barnes then returned to the Council Chambers.



Minutes

6 June 2017

Item Number:	File Number:	Part:
N1	FA74654	COMMUNITY & CULTURAL SERVICES

Portfolio:

Community & Environment

Subject:

Regional Arts Development Fund (RADF) - Final Remaining Project Approvals - Round 2- 2016/2017

1974

Resolution

Cr JA Peters presented the report; and moved:-

That Council approve the release of \$5,322.00 in total of its Regional Arts Development Funding for recommended projects, in accordance with the recommendations of the RADF Advisory Committee:-

1. Moore Park Beach Arts Festival - "Spiritual Traditions & Art Activities" - \$1,762;
2. Moore Park Beach Arts Festival - "Arts & Beach Activities" - \$ 3,560.

Seconded by Cr JP Bartels.

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



Minutes

6 June 2017

Item Number:	File Number:	Part:
O1	A3117095	WASTE & RECYCLING

Portfolio:

Community & Environment

Subject:

Changes to Bundaberg Regional Council's Waste Facilities

1975

Resolution

Cr SA Rowleson presented the report; and moved:-

That the new opening hours for Council's Waste Facilities as from 1 September 2017, be as follows:-

1. Bundaberg (University Drive) Monday to Friday – 7.00 am to 5.00 pm;
Saturday and Sunday - 8.00 am to 5.00 pm;
2. Qunaba Sunday to Saturday - 8.00 am to 5.00 pm;
3. Meadowvale Wednesday and Friday - 7.00 am to 5.00 pm;
Saturday and Sunday - 8.00 am to 4.00 pm;
4. South Kolan Tuesday - 8.00 am to 12.00 noon;
Saturday, 8.00 am to 12.00 noon, and 12.30 pm to 4.30 pm;
5. Tirroan Monday to Saturday - 7.30 am to 12.30 pm;
Sunday - 11.00 am to 4.00 pm;
6. Childers Sunday, Monday, Friday, Saturday - 7.00 am to 4.00 pm;
Tuesday, Wednesday, Thursday - 7.00 am to 2.00 pm;
7. Woodgate Tuesday, Thursday, Saturday - 8.00 am to 11.00 am;
Sunday - 2.00 pm to 5.00 pm;
8. Avondale Thursday - 8.00 am to 12.00 pm;
Sunday - 8.00 am to 12.00 noon; and 12.30 pm to 5.00 pm;
9. Booyal Sunday - 12.00 pm to 3.00 pm;
10. Buxton Sunday - 1.00 pm to 4.00 pm.

Further that Council:-

- 1. close the Cordalba waste transfer station as from 1 September 2017; and**
- 2. cease accepting asbestos wastes at the Qunaba Landfill as from 1 September 2017.**

Seconded by Cr HL Blackburn.

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



Minutes

6 June 2017

Item Number:	File Number:	Part:
S1	A3133181	ECONOMIC DEVELOPMENT

Portfolio:

Community & Environment

Subject:

Strategic Projects - Mon Repos low-glow, smart lighting project

1976

Resolution

Cr GR Barnes presented the report; and moved:-

That:-

- the Chief Executive Officer be authorized to submit a grant application under Round 1 of the Smart Cities and Suburbs Program; and
- in-principle commitment and budget allocation of up to \$500,000 be provided for the Mon Repos low-glow smart lighting project.

Seconded by Cr SA Rowleson.

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

The Mayor advised at this stage due to the confidential nature of the following item:-

T1 Resolution to Prepare Temporary Local Planning Instrument – Cordalba to Wallaville Cane Railway Infrastructure

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

Pursuant to Section 172 of the “Local Government Act 2009”, Cr WR Trevor declared a Real (Material) Personal Interest in relation to this item - as supplier to and Shareholder of Isis Central Sugar Mill - and with the consent of the Mayor left the Council Chambers.

It is noted that Cr WR Trevor was absent from the Council Chambers during the closed session of Council whilst this item was discussed.

Resolution

Cr SA Rowleson moved:-

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

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

Resolution

Cr PR Heuser moved:-

That the meeting now be reopened.

Seconded by Cr CR Sommerfeld - and carried unanimously without debate.



Minutes

6 June 2017

Item Number:	File Number:	Part:
T1	LP01	CONFIDENTIAL

Portfolio:

Infrastructure & Planning Services

Subject:

Resolution to Prepare Temporary Local Planning Instrument (TLPI) – Cordalba to Wallaville Cane Railway Infrastructure

1977

Resolution

Cr JM Dempsey presented the report; and moved:-

That:-

- A. pursuant to Chapter 3, Part 3 of the *Sustainable Planning Act 2009*, a “Temporary Local Planning Instrument (TLPI) 2/2017 – Cordalba to Wallaville Cane Railway Infrastructure” be prepared;**
- B. the Deputy Premier, Minister for Transport and Minister for Infrastructure and Planning be:-**
 - (a) advised of Council’s decision to prepare the TLPI; and**
 - (b) requested to give consideration to the proposed TLPI.**

Seconded by Cr Honor.

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

Cr WR Trevor then returned to the Council Chambers.



Minutes

6 June 2017

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

Meeting Close

There being no further business – the Mayor declared this Ordinary Meeting closed at 11.40am

Confirmed this twenty-seventh day of June 2017.

MAYOR