



Ordinary Meeting Minutes

7 June 2016

Council Chambers, Bundaberg

10.00 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 JA Peters and Cr PR Heuser.

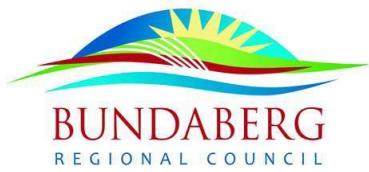
Moved by Cr WR Trevor, seconded by Cr SA Rowleson, That Cr DJ Batt's apology for today's meeting be accepted. – Carried unanimously.

Officers:

Mr PJ Byrne, Chief Executive Officer
Mr AD Ireland, 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

7 June 2016

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

Confirmation of Minutes

1725

Resolution

Cr SA Rowleson moved:-

That the Minutes of the Ordinary Meeting of Council held on 17 May 2016, be taken as read and confirmed.

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



Minutes

7 June 2016

Item Number:	File Number:	Part:
C1	n/a	COUNCILLORS

Portfolio:

Councillors

Subject:

Leave of Absence - Cr Barnes

1726

Resolution

Cr JM Dempsey moved:-

That Cr GR Barnes' application for leave of absence from all meetings of Council from 9 to 24 June 2016, be granted.

Seconded by Cr HM Blackburn.

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



Minutes

7 June 2016

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

Portfolio:

Organisational Services

Subject:

Gin Gin - Mt Perry Road, Moolboolaman - Renewal/conversion of Term Lease over Lot 83 on BON606

1727

Resolution

Cr HL Blackburn presented the report; and moved:-

That the Department of Natural Resources & Mines be advised Council offers no objection to the:-

- 1. renewal of Term Lease 217762 over land described as Lot 83 on BON606, located at Gin Gin - Mt Perry Road, Moolboolaman; or its**
- 2. conversion to freehold subject to the Applicant meeting all costs associated with any access issues raised by the Department of Transport and Main Roads.**

Seconded by Cr CR Sommerfeld.

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



Minutes

7 June 2016

Item Number: F2	File Number: .	Part: GOVERNANCE & COMMUNICATIONS
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Portfolio:

Organisational Services

Subject:

Thurlick Lane, Good Night - Renewal/Conversion of Term Lease over Lot 194 on BON478

1728

Resolution

Cr HL Blackburn presented the report; and moved:-

That the Department of Natural Resources & Mines be advised Council offers no objection to the renewal or conversion to freehold of Term Lease 231646 over land described as Lot 194 on BON478, located at Thurlick Lane, Good Night.

Seconded by Cr WA Honor.

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



Minutes

7 June 2016

Item Number: F3	File Number: .	Part: GOVERNANCE & COMMUNICATIONS
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Portfolio:

Organisational Services

Subject:

30A Avoca Street, Millbank - Jubilee Park - Request for a Trustee Lease - Western Suburbs Junior Rugby League - Lot 129 on SP182592

1729

Resolution

Cr HL Blackburn presented the report; and moved:-

That the Chief Executive Officer be authorised to finalise a Trustee Lease over land described as Lot 129 on SP182592, located at 30A Avoca Street, Millbank, known as “Jubilee Park”, to Western Suburbs Junior Rugby League Club Inc.

Seconded by Cr PR Heuser.

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



Minutes

7 June 2016

Item Number:	File Number:	Part:
G1	-	INFRASTRUCTURE

Portfolio:

Infrastructure & Planning Services

Subject:

Fleet Management Advisory Committee

1730

Resolution

Cr WA Honor presented the report; and moved:-

That the minutes (and associated attachments) of the Fleet Management Advisory Committee Meeting held on 6 May 2016, be received and noted by Council.

Further, that the:-

- 1. amended Terms of Reference for the Fleet Management Advisory Committee (as detailed on the 2 pages appended to this report); and the**
- 2. draft 2016/2017 Plant Replacement Program (as detailed on the 3 pages appended to this report);**

be endorsed by Council.

Seconded by Cr JP Bartels.

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



Minutes

7 June 2016

Item Number:	File Number:	Part:
I1	IWW2013.2016	WATER & WASTEWATER

Portfolio:

Infrastructure & Planning Services

Subject:

Expression of Interest for the Sale of Bundaberg East Wastewater Treatment Plant

1731

Resolution

Cr JP Bartels presented the report; and moved:-

In accordance with the Section 235(B) of the Local Government Regulations 2012, and because of the potential complexity and specialised nature of the project

- Expressions of Interest be called for the sale of the Bundaberg East Wastewater Treatment Plant.

Seconded by Cr JA Peters.

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



Minutes

7 June 2016

Item Number:	File Number:	Part:
J1	Nil	PLANNING

Portfolio:

Infrastructure & Planning Services

Subject:

Bundaberg Regional Council Planning Scheme - Adoption of Proposed Amendment No 1 – Schedule 2 Mapping (Zone and Precinct) Changes

1732

Resolution

Cr CR Sommerfeld presented the report; and moved:-

That pursuant to the *Sustainable Planning Act 2009* and the Statutory Guideline for Making and Amending Local Planning Instruments, the:-

- (a) proposed major amendment to the Bundaberg Regional Council Planning Scheme, being Amendment No 1 – Schedule 2 Mapping (Zone and Precinct) Changes, be adopted by Council; and**
- (b) amendment take effect from Monday, 13 June 2016.**

Seconded by Cr HM Blackburn.

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



Minutes

7 June 2016

Item Number:	File Number:	Part:
K1	321.2015.44237.1	DEVELOPMENT ASSESSMENT

Portfolio:

Infrastructure & Planning Services

Subject:

135 Sauers Road, Kalkie - Reconfiguring a Lot - 1 Lot into 4 Lots

Summary:

APPLICATION NO	321.2015.44237.1
PROPOSAL	Reconfiguring a Lot - 1 Lot into 4 Lots
APPLICANT	JS Portas & JM Portas
OWNER	JS Portas & JM Portas
PROPERTY DESCRIPTION	Lot 3 on SP138074
ADDRESS	135 Sauers Road, Kalkie
PLANNING SCHEME	Planning Scheme for Bundaberg City (2004-2015)
PRECINCT	Rural Precinct (Local Area 6)
OVERLAYS	Acid Sulfate Soils – Area 2 Structure Plan: Non-Urban
LEVEL OF ASSESSMENT	Impact
SITE AREA	2 hectares
CURRENT USE	Rural Residential
PROPERLY MADE DATE	18 September 2015
STATUS	The 20 business day decision period ended on 23 December 2015
REFERRAL AGENCIES	Nil
NO OF SUBMITTERS	Nil
PREVIOUS APPROVALS	Court Order set down on 23 August 2000 – One lot into two lots rural subdivision
SITE INSPECTION CONDUCTED	24 February 2016
Current Planning Scheme	Bundaberg Regional Council Planning Scheme 2015
Zoning	Rural
Local Plan	Kalkie Ashfield Local Development Area
Overlays	Acid Sulfate – Area 2 – Land above 5 metres AHD and below 20 metres AHD SPP Agricultural Land – Class B (small portion at western boundary) Steep Land (part) SPP Airport & Aviation Facilities: Operational Airspace; Runways Buffer – Wildlife Hazard Buffer Zone – 13 km and Lighting area buffer.
LEVEL OF DELEGATION	Level 3

1733

Resolution

Cr CR Sommerfeld presented the report; and moved:-

That:-

1. Having regard to the relevant elements of the Bundaberg City Planning Scheme, including the Performance Outcomes and Acceptable Outcomes of the relevant codes, the proposed reconfiguring does not conflict with relevant planning provisions;
2. The site is not used, and has not been used in recent history, for rural production, but as a dwelling house;
3. The site is constrained from rural production by its small area;
4. The site is outside any identified natural hazard area and is close to urban Residential A zoned land and the Bundaberg CBD;
5. The site is serviced by urban infrastructure of electricity, telecommunications and Council refuse collection;
6. The proposed lots are capable of providing suitable building envelopes and accommodating on-site water supply and wastewater disposal systems;
7. The current use of the land as residential with rural residential amenity would be maintained and compatible with adjacent uses to the west;
8. The new lots would be appropriately buffered from agricultural activities adjacent to the north and east; and
9. Without accommodating market demand for residential lots in this part of the Bundaberg Region, there will be a continued conversion of productive rural land to hobby farms and large-lot rural homesites;

- Development Application 321.2015.44237.1 be determined as follows:

DESCRIPTION OF PROPOSAL

Reconfiguring of a Lot - 1 Lot into 4 Lots

SUBJECT SITE

135 Sauers Road, Kalkie - described as Lot 3 on SP138074

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
Reconfiguring a lot	Part 1, table 3, item 1	<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 (as applicable)
- All Plumbing and Drainage Work (as applicable)
- All Operational Work

4. CODES FOR SELF ASSESSABLE DEVELOPMENT

- Planning Scheme for Bundaberg City Council and Associated Planning Scheme Policies

5. DETAILS OF ANY COMPLIANCE ASSESSMENT REQUIRED FOR DOCUMENTS OR WORK IN RELATION TO THE DEVELOPMENT

Compliance assessment is required under chapter 6, part 10 of SPA for the following documents or works in relation to the development

Documents or works requiring compliance assessment	Matters or things against which the document or work must be assessed	Compliance assessor	When the request for compliance assessment must be made
Subdivision Plan	The matters or things listed in Schedule 19, Table 1 of the <i>Sustainable Planning Regulation 2009</i>	Bundaberg Regional Council	In the time stated in Schedule 19, Table 1 of the <i>Sustainable Planning Regulation 2009</i>

6. SUBMISSIONS

There were no submissions received for the application.

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

Details of the conflict with the relevant instrument	Reason for the decision, including a statement about the sufficient grounds to justify the decision despite the conflict
<p>Planning Scheme for Bundaberg City 2004-2015.</p> <ul style="list-style-type: none"> -Non-Urban precinct - Key Strategies -Desired Environmental Outcomes -Lot Reconfiguration Code. 	<p>The rural residential allotments created from this development, are of a size and configuration that make them suitable for urban intensification into the future when demand and infrastructure servicing is available.</p> <p>The rural residential allotments created from this development provide an infrastructure charges contribution for Council to invest in its new infrastructure program for this locality.</p> <p>The subject land is already utilised as a rural residential lifestyle lot and is no longer utilised for agricultural activities. The proposal does not remove active agricultural land for ongoing rural activity.</p> <p>The rural residential allotments created from this development will have a negligible impact on the rural activities occurring on adjoining land, through the use of vegetated buffering (existing or proposed).</p> <p>An insufficient amount of Rural Residential land is currently provided for in this locality in the Planning Scheme for Bundaberg City 2004 and the Bundaberg Regional Council Planning Scheme 2015.</p>
<p>Wide Bay Burnett Regional Plan – Urban Footprint</p>	<p>Commentary as above for Planning Scheme for Bundaberg City 2004-2015.</p>
<p>Bundaberg Regional Council Planning Scheme 2015.</p> <ul style="list-style-type: none"> -Rural Zone -Strategic Intent -Strategic Outcomes -Kalkie-Ashfield development area -Lot Reconfiguration Code. 	<p>Commentary as above for Planning Scheme for Bundaberg City 2004-2015.</p>

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
GC15-300-T01 (Sheet 2 of 2)	321.2015.44413.001 – Plan of Proposed Lot Reconfiguration	August 2015

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
15, 16	Section 665 – Non-trunk Infrastructure
N/A	Section 646 – Identified Trunk Infrastructure
N/A	Section 647 – Other Trunk Infrastructure

SCHEDULE 1 – Conditions and Advice**PART 1A—CONDITIONS IMPOSED BY THE ASSESSMENT MANAGER****General**

1. Meet the full cost of all works and any other requirements associated with this development, unless specified in a particular condition.
2. Where there is any conflict between Conditions of this Decision Notice and details shown on the Approved Plans, the Conditions prevail.
3. Comply with all of the conditions of this Development permit prior to the submission of a Plan of Subdivision for compliance assessment and signing, unless otherwise stated within this notice.

Agricultural Buffers

4. Establish a vegetated agricultural buffer over the land area as identified on the Approved Plans (Lot 4). The buffer must:
 - a. Have a minimum total width of 40m;
 - b. Contain random plantings of a variety of tree and shrub species of differing growth habits, at spacings of 4-5m for a minimum width of 20m;
 - c. Include species with long, thin and rough foliage which facilitates the more efficient capture of spray droplets;
 - d. Provide a permeable barrier which allows air to pass through the buffer. A porosity of 0.5 is acceptable (approximately 50% of the screen should be air space);
 - e. Foliage is from the base to the crown;
 - f. Include species which are fast growing and hardy;
 - g. Have a mature tree height 1.5 times the spray release height or target vegetation height, whichever is higher;
 - h. Have mature height and width dimensions which do not detrimentally impact upon adjacent cropped land; and
 - i. Include an area of at least 10m clear of vegetation or flammable material to either side of the vegetated area.

5. Maintain the new agricultural buffer over Lot 4 and the existing agricultural buffer over Lot 3 until the adjoining land Lot 11 on SP172455 is used for urban or rural residential purposes.
6. The survey plan creating proposed lot 3 is not to be endorsed until such time as the adjoining land Lot 11 on SP172455 is used for urban or rural residential purposes.

Rural Numbering

7. For any new lot that does not have rural numbering:
 - a. provide rural numbering in the location nominated by The Assessment Manager in accordance with The Assessment Manager's adopted rural numbering system using AS/NZ4819:2003 Geographic Information – Rural and Urban Addressing; and
 - b. remove all rural numbers made superfluous by this approval.

Electricity and Telecommunications

8. Enter into an agreement with an approved electricity provider, to ensure that electricity will be available to each lot under standard tariff conditions and without further capital contributions. Provide evidence of such an agreement, along with associated bonding arrangements, to the Assessment Manager prior to the approval of the Plan of Subdivision.
9. Enter into an agreement with the Telecommunications Authority or Cable Service provider (whichever is applicable) to ensure that telecommunication/cable services will be available to each lot. Provide evidence of such an agreement to the Assessment Manager prior to the approval of the Plan of Subdivision.

Existing Services and Structures

10. The shed structure remaining on the proposed Lot 1 is to be used for private/domestic purposes only. The approved structure must not be used as a separate domicile/dwelling or used for any industrial/business use unless valid development approvals are granted for such uses.
11. Ensure all existing and proposed utility services and connections (eg. electricity, telecommunications, water and sewerage) are wholly located within the lot they serve.
12. All existing effluent disposal areas must be wholly located within the lot they serve and comply with the boundary setback requirements of the *Plumbing and Drainage Act 2002* and associated codes and requirements.
13. Certification must be submitted to the Assessment Manager from an appropriately qualified surveyor which certifies that:
 - a. the boundary clearances for any existing buildings remaining on the site comply with the relevant provisions of the planning scheme and the *Building Act 1975*, unless varied by this Decision Notice;

- b. all constructed access and roadworks (including associated fill batters and retaining walls) are fully contained within a dedicated reserve or registered easement;
- c. all existing and proposed utility services and connections (eg. electricity, telecommunications, water, sewerage) are wholly located within the lot they serve, or alternatively are included within an easement where location within the lot is not possible;
- d. all existing effluent disposal areas are wholly located within the lot they serve and comply with the boundary setback requirements of *the Plumbing and Drainage Act 2002* and associated codes and requirements;
- e. all dams (including ponded water, dam walls and associated spillway structures) are wholly located within the boundaries of a single lot;
- f. all retaining walls and structures are fully contained within the lot they retain; and
- g. any fill, including fill batters, are wholly contained within the subject site and not on adjacent properties; and
- h. Provide the driveway for proposed Lot 4 with a rural number in accordance with Council's Policy FM-7-115 *Rural Number Application*.

Easements

14. Ensure that any existing easements and rights pertaining to the parcels of land associated with this approval are maintained unless otherwise stated on the Approved Plans or in the conditions of this approval. Proof of the registration or surrender of any easements are to be submitted to the Assessment Manager at the time of the submission of a Plan of Subdivision for compliance assessment and signing.

Roadworks and Access (Driveways)

15. Provide pavement construction and sealing to widen Sauers Road, for the length of the site's frontage west of Gahans Road, plus a 10 metre taper to match the existing width of Sauers Road east of the Gahans Road intersection by widening from the edge of the existing pavement of Sauers Road on the South side. 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.
16. Access strips and driveways to proposed Lot 4 must comply with the standards specified in the *planning scheme policy for development works – driveways and access to developments* and the terms and conditions of the Sunwater easement. The specific requirements must be determined as part of the Operational Works application.

Easements

17. Lodge for registration at the office of the Land Registry the following easement(s):
 - a. three (3) stormwater drainage easements having a minimum width of three (3) metres in proposed Lot 4 (servient tenement) and connected to the northern boundary of proposed Lots 1 to 3 (dominant tenement).

18. Draft easement documentation must be submitted to the Assessment Manager for review and approval of terms.
19. All works must be kept clear of any existing or proposed easements on the subject land, unless agreed otherwise in writing by the Grantee.
20. Ensure that any easements and rights pertaining to the parcels of land associated with this approval are maintained unless otherwise stated on the Approved Plan/s or the conditions of this approval. Proof of the registration or surrender of any easements are to be submitted to the Assessment Manager at the time of the submission of a Plan of Subdivision for compliance assessment and signing.

Staging

21. The development may be staged. If staged, the development need not be completed sequentially provided that any road access and infrastructure services required to service the particular stage are constructed with that stage.

PART 1B – ADVICE NOTES

Infrastructure Charges Notice

- A. Please find attached the Infrastructure Charges Notice (Ref No: (Ref No: 331.2016.TBA.1) applicable to the approved development.

Rates and Charges

- B. In accordance with the Sustainable Planning Act 2009, all rates, charges or any expenses being a charge over the subject land under any Act must be paid prior to the Plan of Subdivision being endorsed by the Assessment Manager.

SunWater

- C. It will be necessary to provide Council with SunWater's agreement to construct the access handle for proposed Lot 4 prior to the submission of the operational works.

Property Notes

- D. Development Approval 321.2015.44237.1 – Water
The following notation applies to approved Lots 1, 2, 3 & 4:

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

- E. Development Approval 321.2015.44237.1 – Sewerage
The following notation applies to approved Lots 1, 3 & 4:

This property is not serviced by the Council's reticulated sewerage network. Any future residential dwelling on Lots 1, 3 & 4 must be provided with an on-site waste water treatment and effluent disposal system having a capacity sufficient for the use.

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

F. Development Approval 321.2015.44237.1 – Driveways

The following notation applies to approved Lots 1 & 3:

The driveway to the Lot:

- must be built to the standard specified in the *planning scheme policy for development works – driveways and access to developments*.
- must be constructed in accordance with Council's Policy FM-7-003 *Application to carry out works in, on, over or under Council owned and maintained property*.
- is used to provide the rural number (house postal address number) in accordance with Council's Policy FM-7-115 *Rural Number Application*.

Please contact the Road and Drainage Technical Officer for your area to obtain guidance on the appropriate driveway for the property and how to obtain a rural number.

Agricultural Buffers

- G. 'Burnett Shire Rural Buffer Zone Tree Planting Advice' provides useful information regarding the choice of species, site preparation and planting of agricultural buffers

Seconded by Cr GR Barnes.

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

It being noted that the Planning Officer had recommended that this Application be refused on the following grounds:-

Reasons for Refusal

Planning Scheme for Bundaberg City 2004-2015 – The proposal is in conflict with the Planning Scheme as follows:

- (1) The proposal is in conflict with the Planning Scheme's future intent for this area – as shown on the Structure Plan – as "Non Urban" land – which stipulates that during the life of the planning scheme the land is not needed for urban development.

The proposal is in conflict with the Planning Intent of Local Area 6 – Eastern Bundaberg whereby “rural activities” such as agriculture will remain on land not required for urban development within the life of the Planning Scheme.

- (2) The proposal will result in fragmentation of “Non-Urban” areas by the creation of residential allotments.
- (3) The proposal is in conflict with the Non-Urban Strategy’s Preferred Settlement Pattern and Development Characteristics which does not support “Non-Urban” precinct land being subdivided for closer subdivision or urban purposes.
- (4) The proposal will compromise the existing productive use of agricultural/ rural lands in the area and is contrary to Key Strategies 7.1, 7.3, 7.4 and 7.5 of the Non-Urban Strategy. Insufficient and ineffective buffering is proposed on the site to buffer potential land use conflicts between the residential use and agricultural and rural land uses nearby.
- (5) The proposal is in conflict with Key Strategies 1.2 and 1.5 of the Residential Strategy as it does not provide for serviced lots, and will not result in consolidation of the existing urban form.
- (6) The proposal is contrary to the Preferred Settlement Pattern and Development Characteristics of the Residential Strategy.
- (7) The proposal is in conflict with the Development Servicing and Sequencing Strategy’s Preferred Settlement Pattern and Development Characteristics as the proposal will not be connected to the City’s reticulated water and reticulated sewerage systems.
- (8) The proposal does not satisfy the Planning Scheme’s Strategies and Desired Environmental Outcomes and therefore the site is deemed to be unsuitable for further subdivision until the necessary services – reticulated water supply and reticulated sewerage – are provided to the site.
- (9) The proposal is in conflict with the Lot Reconfiguration Code’s purpose to facilitate “serviced flood-free allotments and that the subdivision design is capable of integration with likely future development”. The proposal fails to provide the development with reticulated services and the development layout is insular and does not allow for integration with likely future development in the area.
- (10) The proposed lot sizes at 4,000 square metres to 7821 square metres and frontage dimensions at 39 to 46 metres – are significantly smaller than the minimum area of 40 hectares and 400 metres minimum frontage stipulated in the Planning Scheme for Bundaberg City’s Lot Reconfiguration Code.
- (11) The Applicants have not advanced sufficient planning grounds for Council to vary the Planning Scheme to use the land for more intensive urban use. The proposal is contrary to the Planning Scheme’s Structure Plan which designates the land as “Non-Urban” land and which is not needed for urban development during the life of the Planning Scheme.

Wide Bay Burnett Regional Plan

- (12) The proposal will not be serviced by reticulated sewerage and reticulated water supply. Reticulated services are required to meet the population densities sought in the Wide Bay Burnett Regional Plan and the Planning Schemes.
- (13) The proposal is not efficient use of land within the “Urban Footprint” and does not support the provision of efficient and cost-effective investment in new infrastructure, including the Rubyanna Wastewater Treatment Plant.

Bundaberg Regional Council Planning Scheme 2015

- (14) The Planning Scheme for Bundaberg Regional Council (which commenced on 19 October 2015) includes the land within a “Rural” zoning – further reinforcing the future intended use of the site as “rural”, and land which is not needed for development within the life of that planning scheme. The proposal will constrain the farming operations on surrounding agricultural/ rural lands and therefore is in conflict with the Settlement Pattern theme of the Bundaberg Regional Council Planning Scheme 2015 due to ineffective and insufficient buffers proposed to be provided on the site.
- (15) The proposal is in conflict with Strategic outcomes of the Bundaberg Regional Council Planning Scheme as it is inconsistent with Council’s plans for infrastructure investment and, in particular, the provision of reticulated sewerage to the eastern part of Bundaberg.
- (16) The site is included within the Kalkie-Ashfield Local Development area and the “Urban Footprint” of the Wide Bay Burnett Regional Plan. The Bundaberg Regional Council Planning Scheme 2015 includes detailed planning in the Kalkie-Ashfield Development Area and concludes that the site is not required for closer urban use and will remain as “Rural” land during the life of the Bundaberg Regional Council Planning Scheme. The proposed development is in conflict with the Bundaberg Regional Council Planning Scheme 2015.
- (17) The proposed development is in conflict with the strategic outcomes for the provision of infrastructure and services in the Kalkie-Ashfield Local Development Area in the Bundaberg Regional Council Planning Scheme 2015.
- (18) The proposal is located on land that is required or likely to be required for future urban expansion of an existing settlement (including beyond the life of the Bundaberg Regional Council Planning Scheme 2015).
- (19) The proposal would compromise the ability of the land to be effectively development for urban purposes in the future.
- (20) The proposed development does not meet the criteria for the creation of Rural Residential development in an area that has not been included in a rural residential zone – at Section 3.3.4.

- (21) The proposal is in conflict with the Bundaberg Regional Planning Scheme 2015 Lot Reconfiguration Code as the proposed lot area of less than 8,000 square metres is significantly below the minimum lot area of 100 hectares for land in the "Rural" zone.

Other

- (22) The proposed development – if approved – would set a precedent which will seriously jeopardise Council's infrastructure provision strategy for the Kalkie-Ashfield development area.
- (23) The Applicants have not provided sufficient grounds that there is a demonstrated and justified demand for additional rural residential development to occur in the area.

The Applicants have not demonstrated sufficient grounds for Council to approve the application despite the conflict with the relevant Planning instruments, including the Planning Scheme for Bundaberg City 2004-2015, Bundaberg Regional Planning Scheme 2015 and the Wide Bay Burnett Regional Plan.

- however Council has not accepted this recommendation.



Minutes

7 June 2016

Item Number:	File Number:	Part:
K2	322.2016.45456.1	DEVELOPMENT ASSESSMENT

Portfolio:

Infrastructure & Planning Services

Subject:

169 Bakers Road, South Kolan - Material Change of Use for Function Facility and Nature Based Tourism

Summary:

APPLICATION NO	322.2016.45456.1
PROPOSAL	Material Change of Use for a Function Facility and Nature Based Tourism
APPLICANT	JA Pearson & CJ Pearson c/- Insite SJC
OWNER	CJ Pearson & JA Pearson
PROPERTY DESCRIPTION	Lot 33 on SP126633
ADDRESS	169 Bakers Road, South Kolan
PLANNING SCHEME	Bundaberg Regional Council Planning Scheme 2015
ZONING	Rural Zone
OVERLAYS	<ul style="list-style-type: none"> • Riverine Defined Flood Event Area • MSES Watercourse Buffer, MSES Wetland Buffer and MSES Regulated Vegetation areas • Land steeper than 15% • Erosion Prone Area • Class A1 • Water Resource Catchment Area
LEVEL OF ASSESSMENT	Impact
SITE AREA	20.1774 ha
CURRENT USE	Residential Dwelling and Home Based Business (Farm Stay Accommodation)
PROPERLY MADE DATE	8 April 2016
STATUS	The 20 business day decision period ends on 13 June 2016
REFERRAL AGENCIES	Nil
NO OF SUBMITTERS	Five (5)
PREVIOUS APPROVALS	322.2011.33942.1 – Material Change of Use for Home Based Business (Farm Stay Accommodation) approved on 17 April 2012.
SITE INSPECTION CONDUCTED	14 April 2016
LEVEL OF DELEGATION	Level 3

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

1734

Resolution

Cr CR Sommerfeld presented the report; and moved:-

That Development Application 322.2016.45456.1 be determined as follows:

DESCRIPTION OF PROPOSAL

Material Change of Use for Function Facility and Nature Based Tourism

SUBJECT SITE

169 Bakers Road, South Kolan; described as Lot 33 on SP126633

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 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 five (5) submissions received for the application. The name and address of the principal submitter for each properly made submission are as follows:

Name of principal submitter	Address
1. Bundaberg Canegrowers c/-Dale Holliss	PO Box 9583, Bundaberg QLD 4670
2. Susan Zunker	85 Bakers Road, Bundaberg QLD 4670
3. David C Zunker	85 Bakers Road, Bundaberg QLD 4670
4. Judith Ann Zunker	351 Weir Road, South Kolan QLD 4670
5. Kevin Erlston Zunker	351 Weir Road, South Kolan QLD 4670

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 for this development approval are listed in the following table:

Plan number	Plan name	Date
45456-101	Site Plan	As amended 25 May 2016
45456-102	Toilet Block	13 April 2016
45456-103	Camp Kitchen Floor Plan and Elevations	12 April 2016
45456-104	Camp Kitchen Location Plan	12 April 2016
45456-105	Function Building Floor Plan	5 April 2016
45456-106	Function Building East Elevation	5 April 2016
45456-107	Function Building North Elevation	5 April 2016
45456-108	Function Building West Elevation	5 April 2016
45456-109	Function Building Section	5 April 2016
45456-110	Camp Facility Building	30 March 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
25, 26 and 28	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 – MATERIAL CHANGE OF USE – APPLICABLE TO ALL APPROVED USES****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.
4. All approved uses must be undertaken only with the identified use areas.

Construction Management

5. 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.
6. 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.
7. 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.

Flood Management

8. For new buildings and structures, position electrical and data equipment, including switchboards, power points and light switches as high as practical.

9. 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 or place of safety;
 - 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;
 - i. A contact information collection process for all current staff; and
 - j. A plan showing primary and secondary evacuation routes and assembly areas for the development.
10. Display plans showing evacuation routes and exits in prominent locations throughout the site. 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.
11. 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.
12. No bulk storage of hazardous material below the defined flood level is permitted.
13. Do not undertake any works within the watercourse or associated buffer.
14. Do not clear any native vegetation within 100 metres of any watercourse.

Lighting

15. 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 undue nuisance to residents.

Waste Management

16. 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 or release of any waste to waterways to the satisfaction of the Assessment Manager.
17. 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.
18. 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; and
 - b. the bin storage area must be aesthetically screened from the road frontage and adjoining properties by landscaping or constructed screening.
 19. The bin storage enclosure must be maintained in a clean and sanitary manner at all times.
 20. Ensure that any potential food / waste sources are covered and collected so that they are not accessible to wildlife.
 21. No burning of waste on-site is permitted.

Water Supply

22. A supply of potable water must be made available to guests. The water must satisfy the Australian Drinking Water Guidelines 2011, or relevant standard applicable at the time.
23. The Developer must provide additional water supplies for other purposes via rainwater storage tank/s or bores of sufficient capacity for the proposed development, or other means satisfactory to the Assessment Manager. Any water supply point which provides water not suitable for drinking must be labelled 'unsuitable for drinking'.

Sewerage

24. Provide an on-site sewerage facility that is designed, constructed, operated and maintained in accordance with the Queensland Plumbing and Wastewater Code and Australian Standard AS 1547-2000 under the *Plumbing and Drainage Act 2002*. Wastewater must be treated to ensure release of only Class A reclaimed water in accordance with the Water resources catchment overlay code contained within the Bundaberg Regional Council Planning Scheme 2015.

Roadworks

25. Provide by 31 December 2016, a Local Access type road in accordance with IPWEAQ Lower Order Road Design Guidelines from the end of the Bakers Road existing seal to the main property entrance.

Property access and driveways

26. Driveways must generally comply with the standards specified in the *planning scheme policy for development works – driveways and access to developments*, and the approved plan, Drawing No. 45456-101, Site Plan with inclusion of speed humps at about 20 metres, 100 metres and 250 metres measured from the road boundary gateway.

27. If Council receives a dust complaint regarding the use of the unsealed driveway along the eastern property boundary and that complaint is substantiated by the Council, the operator of the approved uses must provide a sealed access driveway which is constructed and sealed with asphalt, concrete, bitumen or approved pavers for its full length and to a width of a minimum three (3) metres. Pavement must be abutted by concrete edge strips.

Car Parking

28. Provide off-street car parking and vehicle manoeuvring areas generally in accordance with the Approved Plans and be:-
- a. designed to include a manoeuvring area to allow all vehicles to leave the site in a forward gear; and
 - b. sign posted to indicate entry/exit points and indicate traffic flow through the site.

PART 1B – MATERIAL CHANGE OF USE FOR FUNCTION FACILITY

Nature and Extent of the Approved Use

29. Unless otherwise approved in writing by the Assessment Manager, the hours of operation for the approved use are limited to:
- a. Monday to Thursday inclusive– 8.00 am to 10.00 pm;
 - b. Friday and Saturday – 8.00 am to 12.00 pm; and
 - c. Sunday and public holidays – 9.00 am to 10.00 pm.
30. 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.
31. The Function Facility is restricted to a maximum of 140 patrons/guests.

Car Parking

32. A Traffic Management Plan prepared by a suitably qualified person must be submitted to and approved by the Assessment Manager prior to the commencement of the use. The Traffic Management Plan must have regards to the number of vehicles attending the site for any single event and must include the following operational parameters:
- a. For events up to 70 guests, a maximum of 40 cars are to be accommodated on site. No on-street parking is permitted.
 - b. For events with between 70 to 140 guests, a maximum of 20 cars are to be accommodated on site with bus transport to be provided for the balance of the guests. No on-street parking is permitted.

When approved, the Traffic Management Plan will form part of the Approved Plans for this development and must be implemented for any events.

PART 1C – MATERIAL CHANGE OF USE FOR NATURE BASED TOURISM

33. The Camp Facility building must not be used for accommodation purposes.
34. The farm shed adjacent to the Camp Facility building must not be used in association with the Nature Based Tourism use.

35. The camping areas associated with Camping Area "1" must be setback a minimum distance of 40 metres from all property boundaries.
36. Submit to and have approved by the Assessment Manager amended plans which incorporates Camping Area "1" setback a minimum distance of 40 metres from all property boundaries and Camping Area "2" setback a minimum distance of 20 metres from all property boundaries. Once approved, the amended plans will form part of the Approved Plans for this development.
37. Establish vegetated agricultural buffer within the boundaries of the subject site in the location identified as Vegetated Buffer "Area 1" on the Approved Plans. The buffers must:
 - a. Have a minimum total width of 40 metres;
 - b. Contain random plantings of a variety of tree and shrub species of differing growth habits, at spacings of four (4) to five (5) metres for a minimum width of 20 metres;
 - c. Include species with long, thin and rough foliage which facilitates the more efficient capture of spray droplets;
 - d. Provide a permeable barrier which allows air to pass through the buffer. A porosity of 0.5 is acceptable (approximately 50% of the screen should be air space);
 - e. Foliage is from the base to the crown;
 - f. Include species which are fast growing and hardy;
 - g. Have a mature tree height 1.5 times the spray release height or target vegetation height, whichever is higher;
 - h. Have mature height and width dimensions which do not detrimentally impact upon adjacent cropped land;
 - i. Include an area of at least 10 m clear of vegetation or flammable material to either side of the vegetated area.
38. Maintain the agricultural buffer in perpetuity or until such other time as is agreed to in writing by the Assessment Manager.
39. Signage must be erected delineating the boundary of the camping area for the northern camping area.
40. Guest stays are limited to a maximum of 14 consecutive nights.
41. Car parking associated with the Nature Based Tourism must not be located within the boundary setbacks/ buffers specified in Condition 37.
42. All existing common property boundary fencing adjacent to the camping areas must be maintained at all times.
43. The maximum number of camp sites on the site must not exceed 100.

PART 1D – ADVICE NOTES

Infrastructure Charges Notice

- A. Please find attached the Infrastructure Charges Notice (Register No: 331.2016.825.1) applicable to the approved development.

Flood Evacuation Plan

- B. 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 at the meter; and
 - i. Blocking toilet bowls and covering drains with a strong plastic bag filled with earth or sand.

Resubmission of Amended Plans Required

- C. The conditions of this Decision Notice require resubmission of plans to the Assessment Manager with amendments. Please address the amended plans to the Assessment Manager with the Application Number: 322.2016.45456.1.

Environmental Harm

- D. The *Environmental Protection Act 1994* states that a person must not carry out any activity that causes, or is likely to cause, environmental harm unless the person takes all reasonable and practicable measures to prevent or minimise the harm. Environmental harm includes environmental nuisance. In this regard persons and entities, involved in the civil, earthworks, construction and operational phases of this development, are to adhere to their 'general environmental duty' to minimise the risk of causing environmental harm. Environmental harm is defined by the Act as any adverse effect, or potential adverse effect whether temporary or permanent and of whatever magnitude, duration or frequency on an environmental value and includes environmental nuisance.

Therefore, no person should cause any interference with the environment or amenity of the area by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, sediment, oil or otherwise, or cause hazards likely in the opinion of the administering authority to cause undue disturbance or annoyance to persons or affect property not connected with the use.

Amenity

- E. The approved uses must not impact on the neighbouring properties in regards to noise and odour in accordance with the *Environmental Protection Act 1994*.

Nature and Extent of Approved Development

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

Signage

- G. 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

- H. 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.

Agricultural Activities

- I. Guests and operators of the approved Function Facility and Nature Based Tourism uses are advised that the property is surrounded by existing rural properties and on-going rural activities are exempt development. Lawful agricultural activities may produce noise, dust and lighting impacts which have the potential to impact on the adjoining land/uses.

Building Works

- J. The Developer is advised to contact a building certifier in relation to required building works approvals for any permanent or temporary marquee building/structure that will be erected in association with this approval.

General

- K. 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.
- L. Should any of the replacement structures or equipment differ from the business' 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.

Sewerage Treatment

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

PART 1E – PROPERTY NOTES**A. Development Approval 322.2016.45456.1 – Rural Activity**

Guests and operators of the approved Function Facility and Nature Based Tourism uses are advised that the property is surrounded by existing rural properties and on-going rural activities are exempt development. Lawful agricultural activities may produce noise, dust and lighting impacts which have the potential to impact on the adjoining land/uses.

B. Development Approval 322.2016.45456.1 – Agricultural Buffer

An Agricultural buffer has been established on this property to help mitigate any impact (eg spray drift, noise etc) from current and future agricultural activities located nearby. The owner/operator is responsible for the maintenance of the agricultural buffer as shown on the Approved Plans.

Seconded by Cr WA Honor.

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



Minutes

7 June 2016

Item Number: N1	File Number: A2577905	Part: COMMUNITY & CULTURAL SERVICES
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Portfolio:

Community & Environment

Subject:

Partnership & Sponsorship Grant Application – CareFlight Rescue – Bundaberg Region

1735

Resolution

Cr JA Peters presented the report; and moved:-

That a donation in the amount of \$50,000 be provided to CareFlight Rescue for the 2015/2016 financial year.

Seconded by Cr SA Rowleson.

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



Minutes

7 June 2016

Item Number: N2	File Number: fA66204	Part: COMMUNITY & CULTURAL SERVICES
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Portfolio:

Community & Environment

Subject:

Moncrieff Entertainment Centre Concessions for Department of Veteran Affairs TPI Gold Card and Companion Card Holders.

1736

Resolution

Cr JA Peters presented the report; and moved:-

That the Moncrieff Entertainment Centre Fee Waiver Policy be amended to provide all valid current Department of Veteran Affairs TPI Gold Card holders and their accompanying Companion Card holders, upon presentation of their cards, free entry for regular cinema screenings at the Moncrieff Entertainment Centre.

Seconded by Cr HM Blackburn.

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 5 ITEM) – PURSUANT TO SECTION 275 OF THE “LOCAL GOVERNMENT REGULATION 2012”, THE MEETING WOULD NOW HAVE TO BE CLOSED TO THE PUBLIC.

RESOLUTION

CR WA HONOR MOVED:-

THAT THE MEETING BE CLOSED TO THE PUBLIC – AND DISCUSSION ON THE FOLLOWING 5 ITEMS BE HELD IN COMMITTEE.

SECONDED BY CR WR TREVOR - AND CARRIED UNANIMOUSLY WITHOUT DEBATE.

RESOLUTION

CR WR TREVOR MOVED:-

THAT THE MEETING NOW BE REOPENED.

SECONDED BY CR JA PETERS - AND CARRIED UNANIMOUSLY WITHOUT DEBATE.



MINUTES

7 JUNE 2016

ITEM NUMBER:	FILE NUMBER:	PART:
T1	RV/0006	CONFIDENTIAL

PORTFOLIO:

ORGANISATIONAL SERVICES

SUBJECT:

COMMUNITY SERVICE OBLIGATIONS

1737

RESOLUTION

CR JM DEMPSEY PRESENTED THE REPORT; AND MOVED:-

PURSUANT TO SECTIONS 120 TO 122 OF THE LOCAL GOVERNMENT REGULATION 2012, COUNCIL RECOGNIZE THE NOT-FOR-PROFIT ORGANISATIONS AS LISTED BELOW, AS PROVIDING A SERVICE TO THE COMMUNITY BY ENCOURAGING COMMUNITY AND CULTURAL DEVELOPMENT AND THIS SERVICE IS IDENTIFIED AS A COMMUNITY SERVICE OBLIGATION; AND THAT:-

- 1. COUNCIL CONTRIBUTE UP TO A MAXIMUM OF \$1,700.00 PER ANNUM TOWARDS THE PAYMENT OF RATES AND CHARGES, WITH THE EXCEPTION OF WATER CONSUMPTION CHARGES, FOR THE FOLLOWING:-**

COMMUNITY HALLS - APPLE TREE CREEK MEMORIAL HALL, AVENELL HEIGHTS PROGRESS ASSOCIATION HALL, BARGARA CWA HALL, BOOYAL MEMORIAL HALL, BUCCA HALL, BULLYARD HALL, BUNDABERG CWA HALL, BURNETT HEADS PROGRESS HALL, CHILDERS CWA HALL, DRINAN HALL, GIN GIN & DISTRICT HISTORICAL SOCIETY HALL, KEPNOCK PROGRESS ASSOCIATION HALL, NORTH BUNDABERG PROGRESS ASSOCIATION HALL, OAKWOOD CWA HALL, PINE CREEK HALL, SHARON HALL, TEGEGE HALL, WALLAVILLE CWA HALL, YANDARAN CWA HALL.

COMMUNITY KINDERGARTENS - BUNDABERG KINDERGARTEN ELECTRA STREET, BURNETT HEADS KINDERGARTEN, CHILDERS KINDERGARTEN PIZZEY STREET, FORESTVIEW COMMUNITY KINDERGARTEN, GIN GIN KINDERGARTEN, SOUTH KOLAN KINDERGARTEN, WALLAVILLE KINDERGARTEN.

MISCELLANEOUS - BUNDABERG & DISTRICT AIR SEA RESCUE, SANDY HOOK SKI CLUB, AVONDALE FOOTBALL CLUB, BUNDABERG RAILWAY HISTORICAL SOCIETY.

2. COUNCIL PAY ALL RATES AND CHARGES WITH THE EXCEPTION OF WATER CONSUMPTION CHARGES FOR THE FOLLOWING:-

BUNDABERG SURF LIFE SAVING CLUB, ELLIOTT HEADS SURF LIFE SAVING CLUB, MOORE PARK SURF LIFE SAVING CLUB.

FURTHER, THAT THIS COMMUNITY SERVICE OBLIGATION APPLY FOR THE 2016/2017, 2017/2018 AND 2018/2019 FINANCIAL YEARS AND BE REVIEWED PRIOR TO THE FORMULATION OF THE 2019/2020 BUDGET.

SECONDED BY CR JA PETERS.

THERE BEING NO DISCUSSION ON THIS ITEM - THE MOTION WAS PUT - AND CARRIED UNANIMOUSLY.

**MINUTES****7 JUNE 2016**

ITEM NUMBER:	FILE NUMBER:	PART:
T2	RV/0006	CONFIDENTIAL

PORTFOLIO:

ORGANISATIONAL SERVICES

SUBJECT:

LOT 1 ON RP68000, PARISH KALKIE - REQUEST FOR WATER LEAK RELIEF

1738**RESOLUTION****CR JM DEMPSEY MOVED:-****IN VIEW OF THE CIRCUMSTANCES PERTAINING TO THIS MATTER - THAT IN TERMS OF SECTION 120 OF THE LOCAL GOVERNMENT REGULATION, COUNCIL PROVIDE RELIEF FROM WATER CHARGES OF \$13,925.12 ATTACHING TO PROPERTY AT LOT 1 ON RP68000.****SECONDED BY CR HM BLACKBURN.****THERE BEING NO DISCUSSION ON THIS ITEM - THE MOTION WAS PUT - AND CARRIED UNANIMOUSLY.**



MINUTES

7 JUNE 2016

ITEM NUMBER:	FILE NUMBER:	PART:
T3	RV/0006	CONFIDENTIAL

PORTFOLIO:

ORGANISATIONAL SERVICES

SUBJECT:

LOT 1 - 14 ON SP187611, PARISH BAROLIN - REQUEST FOR WATER LEAK RELIEF

1739

RESOLUTION

CR JM DEMPSEY MOVED:-

IN VIEW OF THE CIRCUMSTANCES PERTAINING TO THIS MATTER - THAT IN TERMS OF SECTION 120 OF THE LOCAL GOVERNMENT REGULATION, COUNCIL PROVIDE RELIEF OF WATER CHARGES OF \$8,211.92 ATTACHING TO PROPERTY AT LOT 1-14 ON SP187611.

SECONDED BY CR GR BARNES.

THERE BEING NO DISCUSSION ON THIS ITEM - THE MOTION WAS PUT - AND CARRIED UNANIMOUSLY.



MINUTES

7 JUNE 2016

ITEM NUMBER: T4	FILE NUMBER: RV/0006	PART: CONFIDENTIAL
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PORTFOLIO:

ORGANISATIONAL SERVICES

SUBJECT:

LOT 413-414 ON G2311 - REQUEST FOR FINANCIAL ASSISTANCE

1740

RESOLUTION

CR JM DEMPSEY MOVED:-

THAT IN THIS INSTANCE, NO REDUCTION IN RATES AND CHARGES BE GRANTED FOR THE LAND DESCRIBED AS LOTS 413-414 ON G2311.

SECONDED BY CR GR BARNES.

THERE BEING NO DISCUSSION ON THIS ITEM - THE MOTION WAS PUT - AND CARRIED UNANIMOUSLY.



MINUTES

7 JUNE 2016

ITEM NUMBER: T5	FILE NUMBER: IRD1525.2013	PART: CONFIDENTIAL
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PORTFOLIO:

INFRASTRUCTURE & PLANNING SERVICES

SUBJECT:

TENDER TEN/0091 - MONDURAN ROAD BRIDGE REPLACEMENT

1741

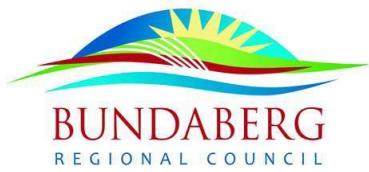
RESOLUTION

CR WA HONOR PRESENTED THE REPORT; AND MOVED:-

THAT THE TENDER OF ROADTEK ASSET SERVICES FOR THE CONSTRUCTION OF THE MONDURAN ROAD BRIDGE REPLACEMENT, FOR THE SUM OF \$2,096,254 (EXCLUDING GST) BE ACCEPTED.

SECONDED BY CR JP BARTELS.

THERE BEING NO DISCUSSION ON THIS ITEM - THE MOTION WAS PUT - AND CARRIED UNANIMOUSLY.



Minutes

7 June 2016

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 11.03 am.

Confirmed this twenty-eighth day of June 2016.

MAYOR