



## Ordinary Meeting Minutes

Council Chambers, Bundaberg

2 February 2016

10.00 am

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### **Present:**

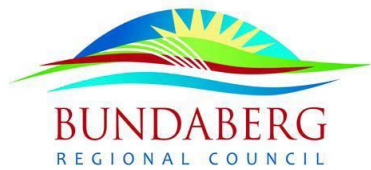
Cr M Forman (Mayor - Chairman), Cr DJ Batt (Deputy Mayor), Cr AG Bush, Cr AL Ricciardi, Cr WA Honor, Cr VJ Habermann OAM, Cr GR Barnes, Cr DE Rowleson, Cr CR Sommerfeld, Cr JA Peters and Cr LG Forgan.

### **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

2 February 2016

<b>Item Number:</b> B1	<b>File Number:</b>	<b>Part:</b> Minutes
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**Subject:**

Confirmation of Minutes

1652

**Resolution**

Cr AG Bush moved:-

**That the Minutes of the Ordinary Meeting of Council held on 15 December 2015, be taken as read and confirmed.**

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

Cr VJ Habermann moved:-

**That the Minutes of the Special Meeting of Council held on 23 December 2015, be taken as read and confirmed.**

Seconded by Cr AG Bush - and carried unanimously without debate.



## Minutes

2 February 2016

<b>Item Number:</b> D1	<b>File Number:</b>	<b>Part:</b> EXECUTIVE SERVICES
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**Portfolio:**

Executive Services

**Subject:**

Petition - Save the Buxton Shelter Shed

At the request of Cr Forman, the Chief Executive Officer read the Petition to Council.

**1653**

**Resolution**

Cr M Forman then moved:-

**That the petition be received and noted.**

Seconded by Cr AL Riccardi.

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



## Minutes

2 February 2016

<b>Item Number:</b> E1	<b>File Number:</b> .	<b>Part:</b> FINANCE
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**Portfolio:**

Organisational Services

**Subject:**

Financial Summary as at 4 January 2016

**1654**

**Resolution**

Cr M Forman presented the report; and moved:-

**That the Financial Summary as at 4 January 2016** (as detailed on the 4 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.

**Item****2 February 2016**

<b>Item Number:</b> E2	<b>File Number:</b> FM/0011	<b>Part:</b> FINANCE
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**Portfolio:**

Organisational Services

**Subject:**

2015/2016 Budget Review for the period ending 31 December 2015

**1655****Resolution**

Cr M Forman presented the report; and moved:-

**That in accordance with Sections 170 and 173 of *Local Government Regulation 2012*, the Budget Review for the period ending 31 December 2015 (as detailed on the 5 pages appended to this report) - be adopted.**

Seconded by Cr VJ Habermann.

There being no discussion on this item - the Motion was put - and carried by 10 votes to 1 vote.

**For**

Cr DJ Batt  
Cr AG Bush  
Cr AL Ricciardi  
Cr VJ Habermann  
Cr GR Barnes  
Cr DE Rowleson  
Cr CR Sommerfeld  
Cr JA Peters  
Cr LG Forgan  
Cr M Forman

**Against**

Cr WA Honor



## Minutes

2 February 2016

<b>Item Number:</b> F1	<b>File Number:</b> .	<b>Part:</b> GOVERNANCE
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**Portfolio:**

Organisational Services

**Subject:**

Delegations Register Update - Council to Chief Executive Officer

1656

**Resolution**

Cr DJ Batt presented the report; and moved:-

**That the Chief Executive Officer be delegated the authority to deal with matters in accordance with the “Register of Delegations – Bundaberg Regional Council to the Chief Executive Officer” (as detailed on the 163 pages appended to this report).**

Seconded by Cr LG Forgan.

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



## Minutes

2 February 2016

<b>Item Number:</b> F2	<b>File Number:</b> .	<b>Part:</b> GOVERNANCE
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**Portfolio:**

Organisational Services

**Subject:**

Isis Croquet Club Inc - Renewal of lease - 8 and 10 Pizzey Street, Childers - Lot 5 and 6 on SP217902

1657

**Resolution**

Cr DJ Batt presented the report; and moved:-

**That the Chief Executive Officer be authorised to finalise a 10 year lease to the Isis Croquet Club Inc, over land described as Lots 5 and 6 on SP217902, located at 8 and 10 Pizzey Street, Childers.**

Seconded by Cr AL Ricciardi.

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



## Minutes

2 February 2016

<b>Item Number:</b> F3	<b>File Number:</b> .	<b>Part:</b> GOVERNANCE
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**Portfolio:**

Organisational Services

**Subject:**

Coral Isle Cyclists Inc - Trustee Permit to Occupy, off Flint Street, Bundaberg East - part of Lot 214 on SP205458

1658

**Resolution**

Cr DJ Batt presented the report; and moved:-

**That the Chief Executive Officer be authorised to finalise a 12 month Trustee Permit to Occupy, over part of land described as Lot 214 on SP205458, located off Flint Street, Bundaberg East.**

Seconded by Cr JA Peters.

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





## Minutes

2 February 2016

<b>Item Number:</b> F4	<b>File Number:</b> .	<b>Part:</b> GOVERNANCE
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**Portfolio:**

Organisational Services

**Subject:**

2015/2016 - 2nd Quarter Operational Report

**1659**

**Resolution**

Cr DJ Batt presented the report; and moved:-

**That the 2015/2016 – 2nd Quarter Operational Report** (as detailed on the 19 pages appended to this report) – **be received and noted by Council.**

Seconded by Cr Habermann.

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



## Minutes

2 February 2016

<b>Item Number:</b>	<b>File Number:</b>	<b>Part:</b>
G1	fA2880	ECONOMIC DEVELOPMENT

### Portfolio:

Governance

### Subject:

Bundaberg Regional Airport – Revision of Condition of Use policy – Section 12 Fees & Charges

1660

### Resolution

Cr GR Barnes presented the report; and moved:-

**That Clause 12.1(b) of the Bundaberg Regional Airport ‘Condition of Use’ Policy be amended to read as follows:-**

*“In order to support the financial sustainability of the airport operations, maintenance and infrastructure into the future, Council has determined that all aircraft with a Maximum Take-Off Weight (MTOW) greater than 1,000 kg will pay the advised landing fees at Bundaberg Regional Airport from 1 July 2016.*

*However, a one-off exemption will be provided to aircraft within the MTOW range 1,000 to 1,500 kilograms owned by hangar lessees and domiciled at the Bundaberg Regional Airport as at 1 July 2016. This exemption will cease once these aircraft are sold or become domiciled at another airport. The exemption will not apply to any new aircraft within this weight range that may become domiciled at the Bundaberg Regional Airport after 1 July 2016, whereby the normal Council ‘Fees & Charges’ will apply.”*

Seconded by Cr DE Rowleson.

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



## Minutes

2 February 2016

Item Number:	File Number:	Part:
H1	-	INFRASTRUCTURE

### Portfolio:

Infrastructure & Planning Services

### Subject:

Fleet Management Advisory Committee

1661

### Resolution

Cr AL Ricciardi presented the report; and moved:-

**That the minutes (and associated attachments) of the Fleet Management Advisory Committee Meeting held on 10 December 2015, be received and noted by Council.**

**Further, that Section 4.7 of the “Use of Council Vehicles Governance Policy” (GP-3-005) be amended as detailed hereunder:-**

#### **4.7 Fringe Benefits Tax**

- 4.7.1** Fringe Benefits Tax in relation to vehicles will be calculated in accordance with the FBTA 1986 in order to provide the lowest taxable value. As such Financial Accounting will liaise with staff that are allocated non-exempt vehicles to ensure taxation compliance and Council’s liability is not unnecessarily inflated.
- 4.7.2** Employees may choose to make voluntary after tax contributions towards the operating cost of vehicles to reduce the taxable value of the vehicles in addition to the contributions provided under s.4.5.3. Proof of contribution (tax invoices, receipts for fuel etc) must be forwarded to the Financial Accounting section before 1 April each year to effect fringe benefits.
- 4.7.3** Employees that are allocated an non-exempt vehicle will be required to maintain a logbook for each taxation year. Employees will be required to provide a detailed 12 week logbook every five years in accordance or when circumstances warrant it in accordance with section 10A of the FBTA 1986.
- 4.7.4** Employees that are allocated an exempt vehicle will be required to complete an exemption declaration in a format approved by the ATO for any vehicle driven by them during the FBT year.

**4.7.5** Council's Financial Accounting Section will liaise with staff in relation to taxation requirements described above. Council may take disciplinary action against employees who fail to comply with the taxation requirements associated with provision of a vehicle. Potential action include but not limited to recoup taxable value of fringe benefit or surrender of vehicle rights.

Seconded by Cr AG Bush.

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



## Minutes

2 February 2016

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

### Portfolio:

Infrastructure & Planning Services

### Subject:

Tourism, Services and Community Facility Signage Policy

1662

### Resolution

Cr AL Ricciardi presented the report; and moved:-

**That the "Tourism, Services and Community Facility Signage Policy" (as detailed on the 5 pages appended to this report) be adopted by Council.**

Seconded by Cr WA Honor.

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



## Minutes

2 February 2016

Item Number:	File Number:	Part:
K1	N/A	PROJECTS & STRATEGIC PLANNING

### Portfolio:

Infrastructure & Planning Services

### Subject:

Planning Scheme Policy for Hughes and Seaview Bargara Masterplan Area

1663

### 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, Council:-**

- (a) respond to the properly made submitters to the proposed planning scheme policy as detailed in the 'Summary of Submissions and Proposed Responses' and advise how Council has dealt with their submission;**
- (b) give the Minister a written notice containing a summary of matters raised within the properly made submissions, and stating how the Council dealt with the matters;**
- (c) determine that the changes made to the policy post notification to address a number of matters raised by submitters to be minor and that the version for adoption is not significantly different to that advertised;**
- (d) adopt the proposed Planning Scheme Policy for the "Hughes and Seaview Bargara Masterplan Area" with changes; with the Planning Scheme Policy to take effect from 15 February 2016.**

Seconded by Cr DE Rowleson.

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



## Minutes

2 February 2016

<b>Item Number:</b> K2	<b>File Number:</b> None	<b>Part:</b> PROJECTS & STRATEGIC PLANNING
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**Portfolio:**

Infrastructure & Planning Services

**Subject:**

Local Government Infrastructure Plan Extension of Time Application

1664

**Resolution**

Cr CR Sommerfeld presented the report; and moved:-

That:-

- (a) In accordance with the *Statutory Guideline 04/14 - Making and amending local planning instruments*, Council prepare a Local Government Infrastructure Plan (LGIP);
- (b) Pursuant to Section 977 of the *Sustainable Planning Act 2009*, Bundaberg Regional Council apply to the Minister for Infrastructure, Local Government and Planning for an extension of time for the preparation of its Local Government Infrastructure Plan from 1 July 2016 - to 1 July 2017.

Seconded by Cr GR Barnes.

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



## Minutes

2 February 2016

Item Number:	File Number:	Part:
K3	None	PROJECTS & STRATEGIC PLANNING

### Portfolio:

Infrastructure & Planning Services

### Subject:

Consultation of Planning Scheme Amendment 1

1665

### 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, Council:-**

- (a) **respond to properly made submissions to the proposed planning scheme amendment as detailed in the 'Summary of Submissions and Proposed Responses', and advise each person (who made a properly made submission) in writing about how Council has dealt with their submission;**
- (b) **proceed with the proposed planning scheme amendment, with changes as detailed in Attachment 1;**
- (c) **determine that the changes made to the proposed planning scheme amendment to address matters raised by submitters to be minor and do not result in the proposed planning scheme amendment being significantly different to the version released for public consultation; and**
- (d) **write to the Planning Minister, and to the Department of Infrastructure, Local Government and Planning, seeking approval to adopt the proposed planning scheme amendment to incorporate changes to the Zone Maps (zone and precinct designations) at Schedule 2 of the Planning Scheme.**

Seconded by Cr WA Honor.

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





## Minutes

2 February 2016

<b>Item Number:</b>	<b>File Number:</b>	<b>Part:</b>
L1	329.2016.992.1	DEVELOPMENT ASSESSMENT

**Portfolio:**

Infrastructure & Planning Services

**Subject:**

Removal of Local Government Act agreement requirement for land situated at 60 Kirkwood Road, St Kilda (Lots 1 & 2 on RP230670)

1666

**Resolution**

Cr CR Sommerfeld presented the report; and moved:-

**That Council agree to the extinguishment of the Local Government Agreement executed on 27 July 1989, between the then property owner and the Kolan Shire Council, requiring the ownership of Lots 1 and 2 on RP 230670, situated at Kirkwood Road, St Kilda, be held in the same ownership and not be capable of separate disposition - subject to the current property owner bearing all costs associated thereto.**

Seconded by Cr WA Honor.

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



## Minutes

2 February 2016

<b>Item Number:</b>	<b>File Number:</b>	<b>Part:</b>
N1	qA9268	HEALTH & ENVIRONMENT

**Portfolio:**

Community & Environmental Services

**Subject:**

Aedes Aegypti Mosquito Approved Inspection Program - Gin Gin

1667

**Resolution**

Cr WA Honor presented the report; and moved:-

**That Council approve a systematic inspection program under the provisions of the Local Government Act 2009 for the purpose the monitoring and eradication of Aedes aegypti mosquitoes.**

**The program will involve a systematic inspection of all residential and commercial premises located within the Gin Gin township and will commence in the week beginning 15 February 2016 and continue until 30 June 2016.**

Seconded by Cr VJ Habermann.

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



## Minutes

2 February 2016

<b>Item Number:</b> N2	<b>File Number:</b> A2370541	<b>Part:</b> HEALTH & ENVIRONMENT
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**Portfolio:**

Community & Environmental Services

**Subject:**

Cemetery Management Policy

1668

**Resolution**

Cr WA Honor presented the report; and moved:-

**That the Cemetery Management Policy** (as detailed on the 17 pages appended to this report) - **be adopted by Council.**

Seconded by Cr AG Bush.

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



## Minutes

2 February 2016

<b>Item Number:</b> N3	<b>File Number:</b> A2370523	<b>Part:</b> HEALTH & ENVIRONMENT
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**Portfolio:**

Community & Environmental Services

**Subject:**

Burials on Private Property Policy

1669

**Resolution**

Cr WA Honor presented the report; and moved:-

**That the Burial on Private Property Policy** (as detailed on the 2 pages appended to this report) - **be adopted by Council.**

Seconded by Cr AL Ricciardi.

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



## Minutes

2 February 2016

<b>Item Number:</b>	<b>File Number:</b>	<b>Part:</b>
O1	A2413937	COMMUNITY & CULTURAL

**Portfolio:**

Community & Environmental Services

**Subject:**

Bundaberg Regional Sport & Recreation Advisory Group Minutes

1670

**Resolution**

Cr LG Forgan presented the report; and moved:-

**That the minutes of the Bundaberg Regional Sport and Recreation Advisory Group, held on 19 November 2015 (as detailed on the 6 pages appended to this report) be received and noted.**

Seconded by Cr AL Ricciardi.

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



## Minutes

2 February 2016

<b>Item Number:</b>	<b>File Number:</b>	<b>Part:</b>
O2	fA51858	COMMUNITY & CULTURAL

**Portfolio:**

Community & Environmental Services

**Subject:**

Sponsorship – Bundaberg Sugar Industry Dinner & Awards Night

Pursuant to Section 173 of the “Local Government Act 2009”, Cr AG Bush declared a Conflict of Interest in relation to this matter due to his interests in the sugar industry - and with the consent of the Mayor left the Council Chambers.

1671

**Resolution**

Cr JA Peters presented the report; and moved:-

**That Council sponsor the 2016 Bundaberg Sugar Industry Dinner and Awards Night to be held on 26 February 2016, to the value of \$1,800 + GST (Platinum sponsorship).**

Seconded by Cr LG Forgan.

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

Cr AG Bush then returned to the Council Chambers.



## Minutes

2 February 2016

<b>Item Number:</b> O3	<b>File Number:</b> A2371220	<b>Part:</b> COMMUNITY & CULTURAL
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**Portfolio:**

Community & Environmental Services

**Subject:**

Bundaberg Regional Sport and Recreation Strategy 2016 - 2026

1672

**Resolution**

Cr LG Forgan presented the report; and moved:-

**That Council:**

- (a) accept the Bundaberg Regional Sport and Recreation Strategy – 2015 Annual Review; and**
- (b) consider allocation of \$60,000 for development of the Bundaberg Regional Sport and Recreation Strategy 2016-2026 in the 2016-2017 Budget.**

Seconded by Cr Habermann.

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

**RESOLUTION**

CR JA PETERS MOVED:-

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

SECONDED BY CR LG FORGAN - AND CARRIED UNANIMOUSLY WITHOUT DEBATE.

**RESOLUTION**

CR AG BUSH MOVED:-

**THAT THE MEETING NOW BE REOPENED.**

SECONDED BY CR AL RICCIARDI - AND CARRIED UNANIMOUSLY WITHOUT DEBATE.



**MINUTES****2 FEBRUARY 2016**

<b>ITEM NUMBER:</b>	<b>FILE NUMBER:</b>	<b>PART:</b>
P1	RV/0006	CONFIDENTIAL

**PORTFOLIO:**

ORGANISATIONAL SERVICES

**SUBJECT:**

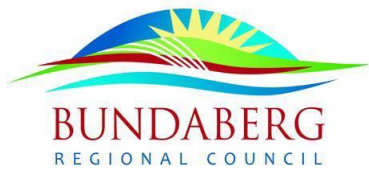
RELIEF FROM WATER CHARGES - LOT 24 ON RP 893336

**1673****RESOLUTION****CR M FORMAN MOVED:-**

**IN VIEW OF THE CIRCUMSTANCES PERTAINING TO THIS MATTER - THAT IN TERMS OF SECTION 120 OF THE LOCAL GOVERNMENT REGULATION, COUNCIL APPLY THE TOTAL RATEABLE WATER CONSUMPTION AT THE FIRST TIER IN THE WATER TARIFF AND PROVIDE RELIEF OF \$229.68 ATTACHING TO PROPERTY AT LOT 24 ON RP893336.**

**SECONDED BY CR GR BARNES.**

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



## Minutes

2 February 2016

<b>Item Number:</b>	<b>File Number:</b>	<b>Part:</b>
R1		Meeting Close

**Subject:**

Meeting Close

Before closing the meeting – Cr Forman advised that due to health reasons he would not be contesting the forthcoming Council Elections.

Cr Forman said he believed the wins during his term included the Rubyanna Wastewater Treatment Plant, the Gas Pipeline, the Knauf project and the Multiplex Sport and Community Centre; and was fortunate to have a professional team comprising the Chief Executive Officer, General Managers and staff who have provided timely and valuable advice.

Cr Forman thanked the Councillors and residents of the region for their support; and conveyed best wishes all Councillors who will be seeking re-election in March 2016.

Carried by acclamation.

There being no further business – the Mayor declared this Ordinary Meeting closed at 11.10 am.

Confirmed this first day of March 2016.

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MAYOR