



Ordinary Meeting Minutes

9 August 2016

Council Chambers, Bundaberg

10.00 am

Present:

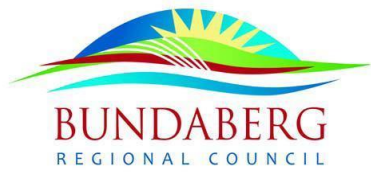
Cr JM Dempsey (Mayor - Chairman), Cr WR Trevor OAM (Deputy Mayor), Cr JP Bartels, Cr HL Blackburn, Cr GR Barnes, Cr SA Rowleson, Cr CR Sommerfeld, Cr DJ Batt, Cr JA Peters and Cr PR Heuser.

It being noted that during consideration of Item C1 (Page 3 of these minutes) - an email was received from Cr WA Honor advising of his inability to attend today's meeting.

Moved by Cr GR Barnes, seconded by Cr JA Peters, That Cr WA Honor'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



Minutes

9 August 2016

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

Confirmation of Minutes

1772

Resolution

Cr HL Blackburn moved:-

That the minutes of the Ordinary Meeting of Council held on 19 July 2016 be taken as read and confirmed.

Seconded by Cr SA Rowleson - and carried unanimously without debate.



Minutes

9 August 2016

Item Number:	File Number:	Part:
C1	.	Councillors

Portfolio:

Councillors

Notice of Motion:

Cr Jack Dempsey - Financial Support for the scuttling of HMAS Tobruk in local waters to further enhance tourism and economic opportunities for our Region.

Pursuant to Section 173 of the "Local Government Act 2009", Cr WR Trevor declared a perceived Conflict of Interest in relation to this item - as Chairman of the RDA; 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. In declaring his Conflict, Cr WR Trevor advised that the Business Case for the scuttling of HMAS Tobruk had been prepared by a Working Committee, with assistance only from the RDA.

1773

Resolution

Cr JM Dempsey addressed the meeting on his Motion; and moved:-

That Council:

1. agree in principle to support the HMAS Tobruk Dive Experience Project in local waters with a financial contribution of \$1 million towards the overall project costs;
2. commit to working jointly with Fraser Coast Regional Council in the process of selecting a local site for the scuttling of the vessel;
3. commit to working in close co-operation with the Federal and State Governments in addressing approvals and processes that will be necessary to facilitate the scuttling of HMAS Tobruk off the coast of Bundaberg and Hervey Bay.

Further, that Council put forward a proposal that the facilities at the Port of Bundaberg be utilized in the process of readying the HMAS Tobruk for scuttling.

Seconded by Cr Blackburn.

There being no discussion on this item - the motion was put - and carried by 9 votes to 1 vote.

For

Cr WR Trevor
Cr JP Bartels
Cr HL Blackburn
Cr GR Barnes
Cr SA Rowleson
Cr CR Sommerfeld
Cr DJ Batt
Cr PR Heuser
Cr JM Dempsey

Against

Cr JA Peters



Minutes

9 August 2016

Item Number:

D1

File Number:

Part:

EXECUTIVE SERVICES

Portfolio:

Executive Services

Subject:

Reduction of Electricity Tariffs

1774

Resolution

Cr JM Dempsey moved:-

That the Local Government Association of Queensland make representations to the State Government to reduce electricity tariffs as gazetted for the 2015/16 year by 33% for the Energy Queensland network footprint.

Seconded by Cr JP Bartels.

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



Minutes

9 August 2016

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

Organisational Services

Subject:

Christmas Closure of Council Administration Office, Service Centres, Libraries, Art Centres and Depots

1775

Resolution

Cr HL Blackburn presented the report; and moved:-

That:

- 1. Council's main Administration Office, Service Centres, Libraries, Arts Centres and Depots (and other Administrative and Depot areas as applicable) be closed for general business on the 3 working days over the Christmas/New Year period, namely, Wednesday 28, Thursday 29 and Friday 30 December 2016 with offices and depots reopening on Tuesday 3 January 2017;**
- 2. Staff be offered the alternative of taking the subject 3 days from annual leave or a combination of annual leave and accrued rostered days off;**
- 3. The Chief Executive Officer advertise the closure and telephone numbers of Council officers who will attend to emergent business over this period.**

Seconded by Cr SA Rowleson.

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



Minutes

9 August 2016

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

Organisational Services

Subject:

Show Holiday Nomination for 2017

1776

Resolution

Cr HL Blackburn presented the report; and moved:-

That application be made to the Office of Industrial Relations for gazettal of Show Holidays for the Bundaberg Region, based on a postcode basis, ie:-

- a) 4660 and 4670 – Thursday, 1 June 2017; and**
- b) 4671 – Monday, 14 August 2017 (Monday prior to People’s Day for the Brisbane Exhibition).**

Further, that Council Offices and Depots located in postcodes 4660, 4670 and 4671 be closed on Thursday, 1 June 2017; and all Council Employees in those locations have this day as their allocated Show Day Holiday.

Seconded by Cr DJ Batt.

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



Minutes

9 August 2016

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

Organisational Services

Subject:

2015/2016 - 4th Quarter Operational Report

1777

Resolution

Cr HL Blackburn presented the report; and moved:-

That the 2015/2016 – 4th Quarter Operational Report (as detailed on the 24 pages appended to this report) – **be received and noted by Council.**

Seconded by Cr PR Heuser.

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



Minutes

9 August 2016

Item Number:	File Number:	Part:
J1	339.2016.2.1	PLANNING

Portfolio:

Infrastructure & Planning Services

Subject:

Wearing Road, Bargara - Request for Street Naming - Bargara Views Estate

1778

Resolution

Cr CR Sommerfeld presented the report; and moved:-

That:

- a. roads A-D shown on the Road Naming Plan for the Bargara Views Estate off Wearing Road, Bargara, shown in Attachment 3 to this report be named Lamond Place, Knox Court, Chase Court and Twilight Street respectively.
- b. the extension to Chantilly Street retain this name as shown in Attachment 3.

Seconded by Cr DJ Batt.

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



Minutes

9 August 2016

Item Number:	File Number:	Part:
K1	322.2015.42796.2	DEVELOPMENT ASSESSMENT

Portfolio:

Infrastructure & Planning Services

Subject:

Request to Change Development Approval [Extractive Industry Use (Sand Quarry)]

1779

Resolution

Cr CR Sommerfeld presented the report; and moved:-

That the request to Change a Development Approval made on 4 February 2016 for Development Application 322.2015.42796.2 be determined as follows:-

SUBJECT SITE

Moore Park Road, Fairydale Road, Norton Road and 191 Fairydale Road, Moore Park Beach described as Lot 2 on SP199531, Lots 1 and 2 on RP95665, Lot 22 on RP880955, Lot 7 on RP893728, Lot 24 on RP93056 and Lot 33 on SP249608

DECISION

Approved in full subject to conditions

The approved changes are set out as follows:

- Remove reference of Lot 7 on RP893728 from the Development Description title on Page 1 of for the Development Permit.
- Amend Section 9 of the Decision Notice to read as follows:

APPROVED PLANS

The approved plans for this development approval are listed in the following table:

<i>Plan number</i>	<i>Plan name</i>	<i>Date</i>
<i>Z14-504C-P (Sheet 1 of 1)</i>	<i>Extractive Industry</i>	<i>July 2016</i>
<i>CC-3052 CON02 D1</i>	<i>Concept Road Sealing Plan</i>	<i>October 2015</i>

- Amend Condition 6 to read as follows:

Nature and Extent of the Approved Use

6. Materials extracted from the site must not exceed the following output annually:

Maximum Tonnage Extracted	Heavy Vehicle Movement
20,000 tonnes per annum	<p><i>A maximum haulage in a single day of 96 tonnes (up to eight (8) trips in a small body truck or four (4) trips with a 24 tonne capacity vehicle).</i></p> <p><i>The use is limited to a maximum haulage in a single day of 24 tonnes (up to one (1) trip in a small body truck or two (2) trips with a 24 tonne capacity vehicle) until Norton Road is constructed in accordance with condition 20 of this decision notice and any related conditions of the associated Operational Works Approval.</i></p>

Note: A single vehicle 'trip' is one truck entering (un-laden) and exiting (laden) the site.

- Amend condition 20 to read as follows:

Roadworks and Access

20. The developer must upgrade Norton Road and associated culvert/bridge crossing in accordance with the following requirements—

- a. **widen between chainage 00 (from Moore Park Road) and 150 and chainage 950 (from Moore Park Road) to chainage 1050 to provide a nominal pavement width of a minimum six (6) metres generally in accordance with Standard construction details as per Burnett Shire Council Drawing No R102 Type Cross Sections Rural Roads for a Road Classification of Rural Access Road for a gravel pavement; and**
- b. **trimming (where necessary), watering, rolling with multi-tyred rollers to bind the loose stone and provide a tightly bond pavement to approximately chainage 1354 in accordance with the standard provided in the Austrian Road Research Board Unsealed Road Manual – Guidelines to Good Practice; and**
- c. **provide sealed pavement at culvert crossing/bridge signed in accordance with the MUTCD narrow bridge standard and with widening and sealing both east and west of the crossing, accordance with Empire Engineering plan CC3052 CON02 D1 – Concept Road Sealing Plan; and**
- d. **Be completed within three (3) months of the date of this approval.**

Note: Final details to be determined as part of an application for Operational Works.

A copy of the decision notice for the original application is included within Schedule 1, showing the changes in **bold italics**.

SCHEDULE 1

This Decision Notice includes changes approved on 9 August 2016. Changes are in bold italics.

14 October 2015

Ian Milton Excavations Pty Ltd & Milton Excavations
 CI- Insite SJC
 CI- Smart eDA

**Decision Notice
 Sustainable Planning Act 2009
 s.335**

Thank you for your Development Application for Material Change of Use for Extractive Industry Use (Sand Quarry) at Moore Park Road, Fairydale Road, Norton Road, 191 Fairydale Road, Moore Park Beach; land described as Lot 2 on SP199531. Lot 1 on RP95665, Lot 2 on RP95665, Lot 22 on RP880955, Deleted, Lot 24 on RP93056, Lot 33 on SP249608 lodged with Council on 3 March 2015. I wish to advise that Council determined the above Development Application on 13 October 2015. Details of the Council's decision are:

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		✓	

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

- 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:

- Planning Scheme for Burnett Shire 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 fourteen (14) properly made submissions received for the application. The name and address of the principal submitter for each properly made submission are as follows:

Name of principalsubmitter	Address
1. Kevin J Brignull	69 Norton Road, Moore Park Beach QLD 4670
2. Angela Pickstone	16 Kingfisher Crescent, Moore Park Beach QLD 4670
3. Toby Day	todydat@hotmail.com
4. Stephen Power	227 Fairydale Road, Moore Park Beach QLD 4670
5. Andrew Hurst	99 Mertin Street, Bourke, NSW 2840
6. Y Penridqe	9 Lilly Pilly Place, Moore Park Beach, QLD 4670
7. Burghard and Irmgard Muller	15 Kindt Street, Moore Park Beach, QLD 4670
8. John Adams and Penelope Teiniker (Two submissions received from submitters on the 14 May and 24 May)	174 Sylvan Drive, Moore Park Beach QLD 4670
9. EM and D Hurst	12 Kindt Street, Moore Park Beach QLD 4670
10. James Waters	36 Egret Lane, Moore Park Beach QLD 4670
11. Robert Bromwich	8 Angela Court, Welcome Creek, QLD 4670
12. Moore Park Beach Community Association (C/- Maureen Lawrence)	51 Orchid Drive, Moore Park Beach QLD 4670
13. Lesley and Rodney Scoffell	2 Angela Court, Welcome Creek, 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

The referral agency for this application are:

For an application involving State-controlled road	Name of referral agency	Advice agency or concurrence agency	Address
<i>Development within 25 metres of a State Controlled Road (Schedule 7, Table 3, Item 1); and Development impacting on State Transport Infrastructure (Schedule 7, Table 3, Item 2).</i>	Department of State Development, Infrastructure and Planning	Concurrence	State Assessment and Referral Agency (SARA) E: WBBSARA@dsdip.qld.gov.au P: PO Box 979 Bundaberg Qld 4670

9. APPROVED PLANS

The approved plans for this development approval are listed in the following table:

Plan number	Plan name	Date
<i>Z14-504C-P (Sheet 1 of 1)</i>	<i>Extractive Industry</i>	<i>July 2016</i>
<i>CC-3052 CON02 D1</i>	<i>Concept Road Sealing Plan</i>	<i>October 2015</i>

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
19,20,23 and 32	Section 665 - Non-trunk Infrastructure
N/A	Section 646 - Identified Trunk Infrastructure
N/A	Section 647 - Other Trunk Infrastructure

13. APPEAL RIGHTS

Appeal Rights are set out in Schedule 2.

If you wish to discuss this matter further, please contact Grant Barringer on the above telephone number.

Yours sincerely

SCHEDULE 1— Conditions and Advices

Part 1a-Conditions imposed by the assessment manager

Part 1b —Advice Notes

Part 2-Concurrence agency conditions

SCHEDULE 2-SPA extract on appeal rights

APPROVED PLANS

AMENDED ADOPTED INFRASTRUCTURE CHARGES NOTICE

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 commencement of the use, unless otherwise stated within this notice, and maintain compliance whilst the use continues.

Site Operation

4. The Extractive Industry Use must only be operated by a single operator.

Permit Expiry

5. This Development Permit will expire twenty (20) years from the date of this Decision Notice.

Nature and Extent of the Approved Use

6. ***Materials extracted from the site must not exceed the following output annually:***

Maximum Tonnage Extracted	Heavy Vehicle Movement
20,000 tonnes per annum	<p><i>A maximum haulage in a single day of 96 tonnes (up to eight (8) trips in a small body truck or four (4) trips with a 24 tonne capacity vehicle).</i></p> <p><i>The use is limited to a maximum haulage in a single day of 24 tonnes (up to one (1) trip in a small body truck or two (2) trips with a 24 tonne capacity vehicle) until Norton Road is constructed in accordance with condition 20 of this decision notice and any related conditions of the associated Operational Works Approval.</i></p>

Note: A single vehicle 'trip' is one truck entering (un-laden) and exiting (laden) the site.

7. Screening of materials extracted from the site must not continue if extraction activities cease to be carried out on the premises.
8. No blasting or crushing activities are permitted as part of the use of the premises for Extractive Industry.
9. The sale of extracted material (sand) and / or associated products direct to the public or wholesale from the premises is not permitted.
10. There must be no servicing or maintenance of vehicles, machinery or plant on the site.
11. The premises must be maintained in a neat and tidy state at all times with any outdoor storage areas and services (including the topsoil stockpile) appropriately screened from view from the road by screens and/or landscaping.
12. A record of each year's output must be kept on the site and must be provided to the Assessment Manager at any time upon request.
13. Excavation activities must not extend outside the approved exaction area.
14. The maximum disturbed area of the extraction cells at any one time (excluding rehabilitation areas) must not exceed 3ha total, in a maximum of three (3) cells. This requirement must be incorporated into the Quarry Management Plan, linked to site rehabilitation, be prepared by a suitably qualified person, and lodged to the Assessment manager for approval prior to commencement of the use.
15. The importation of extractive industry material sourced externally to the site for processing, blending, or stockpiling is not permitted.
16. The approved use(s) must not result in the release of odour or visible contaminants, including dust, smoke, fumes and aerosols to the environment which cause an environmental nuisance.
17. The approved use(s) must be undertaken so that no undue disturbance is caused to neighbouring properties by virtue of bright lights, traffic, noise, dust or interference with television or radio reception.

Road works and Access

18. Only one (1) vehicle access point is permitted from the Norton Road carriageway to the development site at any one time. Any proposed or future site access is to be in a location and to a standard approved by Council's Senior Development Engineer.

19. Prior to the commencement of use, construct a new access to Norton Road at the proposed access point in Lot 2 on RP95665 generally in accordance with following:
- a. Development Works Planning Scheme Policy Standard Drawing R113-1 (Rural and Urban Accesses Requiring Culverts No Kerb and Channel) OR R113-2 (Rural and Urban Accesses No Kerb and Channel). Such driveway works must be inclusive of clearing of vegetation in the road reserve as necessary to ensure a safe access onto the existing road.

Roadworks and Access

20. ***The developer must upgrade Norton Road and associated culvert/bridge crossing in accordance with the following requirements:-***

- a. ***widen between chainage 00 (from Moore Park Road) and 150 and chainage 950 (from Moore Park Road) to chainage 1050 to provide a nominal pavement width of a minimum six (6) metres generally in accordance with Standard construction details as per Burnett Shire Council Drawing No. R102 Type Cross Sections Rural Roads for a Road Classification of Rural Access Road for a gravel pavement; and***
- b. ***trimming (where necessary), watering, rolling with multi-tyred rollers to bind the loose stone and provide a tightly bond pavement to approximately chainage 1354 in accordance with the standard provided in the Austrian Road Research Board Unsealed Road Manual – Guidelines to Good Practice; and***
- c. ***provide sealed pavement at culvert crossing/bridge signed in accordance with the MUTCD narrow bridge standard and with widening and sealing both east and west of the crossing, accordance with Empire Engineering plan CC3052 CON02 D1 – Concept Road Sealing Plan; and***
- d. ***Be completed within three (3) months of the date of this approval.***

Note: Final details to be determined as part of an application for Operational Works.

Heavy Vehicle Haulage

21. Material cartage must only be undertaken by vehicles with a maximum capacity not exceeding 24 tonnes.
22. Development haulage traffic on the local road network is restricted to Norton Road and the access via Moore Park Road. No haulage via Fairydale Road or direct access to Moore Park Road is permitted.

Stormwater

23. Prior to the commencement of the use the developer must prepare, submit and have approved by the Assessment Manager a Stormwater Management Plan that details the following requirements (note: the works must be completed prior to the commencement of the use):
 - a. A stormwater drainage system connecting to a lawful point of discharge. The works must be undertaken in accordance with an Operational Works approval and must include in particular:

- i. The design for the site drainage system, fill, car parking and access must be undertaken so that flows from adjacent properties will not be impeded by the development;
 - b. At least one emergency exit route must be designed to the following considerations - derived in accordance with SCARM 73 (CSIRO 2000):
 - i. Medium Level Hazard – Adjusted Hazard Estimate for the Q100 ARI event; and
 - ii. Low Level Hazard – Adjusted Hazard Estimate for the Q50 ARI event.
 - c. The Lawful Point of Discharge for the development is:
 - i. Norton Road, Road Reserve.
 - d. The drainage system for the development must incorporate Stormwater Quality Improvements in accordance with the State Planning Policy July 2014 and the Bundaberg Regional Council Stormwater Management Strategies. A Site Based Stormwater Management Plan and Erosion and Sediment Control Management Plan, inclusive of long term maintenance measures, must be submitted as part of an application for Operational Works outlining how the Stormwater Quality Improvements in both the construction and operational phases of the development will be achieved.
 - e. The stormwater drainage is to be designed such that no restriction to existing or developed stormwater flow from upstream properties or ponding of stormwater within upstream properties occurs as a result of the development.
24. Prior to the commencement of the use all stormwater drainage works and other requirements of the Stormwater Management Plan must be completed and maintained for the life of the approved use.

Hours of Operation

25. Unless otherwise approved in writing by the Assessment Manager, no activities, including all heavy vehicle movements, are to be undertaken outside of the hours of:
- a. On a business day before 7.00 am or after 5 pm; or
 - b. On any other day, at any time.
26. Operation of plant and equipment and the arrival or departure of haulage vehicles must not occur outside the nominated hours of operation.

Quarry Management Plan

27. A Quarry Management Plan must be submitted to and approved by the Assessment Manager prior to the commencement of the use. The plan must have regard to the conditions of this approval and include, but not be limited to the following features:
- a. Operational Details – extraction methodology, maximum extraction depth;

- b. Management of Potential Impacts and Site Management (including, dust management, operational noise impacts, details/location of proposed extraction cells, site rehabilitation, Acid Sulfate Soils, Stormwater management, site flooding, transport haulage (internal and external); and
 - c. Site rehabilitation and closure.
28. The approved Quarry Management Plan must be complied with whilst the use continues, including during the rehabilitation of the site.
29. Rehabilitation of the site must be undertaken progressively in accordance with the approved Quarry Management Plan. The rehabilitation plan forming part of the Quarry Management Plan must have regard to the conditions of this approval and incorporate (at a minimum) the following features:
- a. Batter slopes must not exceed 1V in 6H;
 - b. All quarry excavation pits must be free draining;
 - c. Permanent stormwater quality controls must be incorporated to ensure stormwater runoff meets environmental quality standards;
 - d. Rehabilitation areas (ie extracted cells) are to be topsoiled and made fit for continued agricultural use;
 - e. Any subsidence must be re-profiled; and
 - f. No wetlands or ponds are permitted in association with site rehabilitation.
30. Excavated cells are to be progressively rehabilitated in accordance with the approved Quarry Management Plan. Rehabilitation works must commence immediately upon completion of extraction of the cell/s.
31. Submit to the Bundaberg Regional Council every two (2) years a report prepared by a suitable qualified consultant detailing the progression of rehabilitation at that time the report is submitted including evidence of compliance with rehabilitation conditions of approval and the sites approved Quarry Management Plan.

Water & Onsite Sewerage Facilities

32. Provide and maintain for the life of the approved use a temporary sanitary toilet of a minimum of one (1) unisex or equivalent sanitary facility including hand washing facility and a potable water supply not less than 1000 litres for Staff and Visitors. The facility is to be provided prior to the commencement of the approved use.

Signage

33. Erect and maintain a single sign adjacent to the site access. The sign must display as a minimum:
- a. the name of the business operating on the premises;
 - b. the on-site speed limit;
 - c. the hours of operation; and
 - d. contact details for complaints.
34. No other signage (excluding safety and warning signage) is permitted without written approval of Council.

Safety and Security

35. Undertake all practical measures to ensure public access to the extractive industry is restricted.

Washing and Screening Plant

36. Any mobile processing plant must be operated such that it does not cause any off site impact to the adjoining environment and in accordance with the broader requirements of Development Permit Conditions.

TLPI- Flooding

37. The approved extractive industry must not exacerbate localised flood impacts or characteristics on adjoining, upstream or downstream properties.
38. The developer must ensure that storage of hazardous materials only occurs above the defined flood level of the subject land.

PART 1B – ADVICE NOTES**Environmental Harm**

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

Infrastructure Charges Notice

- B. Please find attached the Infrastructure Charges Notice (Register No: 331.2015.746.1) applicable to the approved development.

Resubmission of Amended Plans Required

- C. The conditions of this Decision Notice require resubmission of plans to Council with amendments. Please address the amended plans to Council's Development Assessment Branch with the Register No. 322.2015.42796 .1 separate to any Operational Works application. To avoid delays and assessment issues with the Operational Works application, it is recommended the plans be resubmitted prior to lodgment of any Operational Works application.

Referral Agency Responses

- D. Please note all referral agency conditions and advices attached to this Decision Notice.

Compliance

- E. The person/s responsible for the management of the premise is/are to ensure ongoing compliance with conditions of this Development Permit including Conditions relating to the ongoing use of the premise, and the design and layout of the development.

Aboriginal and Cultural Heritage

- F. This development approval does not authorise any activity that may harm Aboriginal cultural heritage. Under *the Aboriginal Cultural Heritage Act 2003* you have a duty of care in relation to such heritage.

Section 23(1) provides that "A person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage."

Council does not warrant that the approved development avoids affecting Aboriginal cultural heritage. It may therefore be prudent for you to carry out searches, consultation, or a cultural heritage assessment to ascertain the presence or otherwise of Aboriginal cultural heritage. The Act and the associated duty of care guidelines explain your obligations in more detail and should be consulted before proceeding.

Other

- G. Plans and specifications for Operational Work must be prepared and certified by a Professional Engineer registered with the Board of Professional Engineers of Queensland.
- H. Prior to both commencement of use, plans and specifications for Operational Work must be approved by Council.
- I. Prior to both commencement of use, Operational Work must be certified by an Engineer registered with the Board of Professional Engineers of Queensland.

PART 2-CONCURRENCE AGENCY CONDITIONS

The Department of State Development Infrastructure and Planning, by letter dated 30 April 2015 (copy letter attached for information).

Seconded by Cr HL Blackburn.

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



Minutes

9 August 2016

Item Number: N1	File Number: A2684084	Part: COMMUNITY & CULTURAL SERVICES
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Portfolio:

Community & Environment

Subject:

Moncrieff Entertainment Centre Air Conditioning System Replacement

1780

Resolution

Cr JA Peters presented the report; and moved:-

That \$150,000 of the 2016/17 Capital Budget be allocated to replace the air conditioning system for the Moncrieff Entertainment Centre.

Seconded by Cr JP Bartels.

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



Minutes

9 August 2016

Item Number: N2	File Number: A2685377	Part: COMMUNITY & CULTURAL SERVICES
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Portfolio:

Community & Environment

Subject:

Australia Day Celebrations – Calling for Expressions of Interest

1781

Resolution

Cr JA Peters presented the report; and moved:-

That Expressions of Interest be called for interested community groups to apply to host Council's Official Australia Day celebrations on 26 January 2017.

Seconded by Cr PR Heuser.

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



Minutes

9 August 2016

Item Number:	File Number:	Part:
N3	.	COMMUNITY & CULTURAL SERVICES

Portfolio:

Community & Environment

Subject:

Expression of Interest for Application of Artwork on Council Infrastructure

1782

Resolution

Cr JA Peters presented the report; and moved:-

That Expressions of Interest be called for suitably qualified and skilled artists to paint murals on 9 Council owned Sewerage Pump Station Switchboard cabinets located in the Bargara area and situated at:-

1. Woongarra Scenic Drive A Sewerage Pump Station (SE 1050)
2. Woongarra Scenic Drive B Sewerage Pump Station (SE 1055)
3. Miller Street A Sewerage Pump Station (SE 0742)
4. Miller Street B Sewerage Pump Station (SE 0747)
5. Miller Street C Sewerage Pump Station (SE 0752)
6. Trevors Road Sewerage Pump Station (SE 0966)
7. Bauer Street Sewerage Pump Station (SE 0149)
8. Whalley Street Sewerage Pump Station (SE 0994)
9. Sandhills Drive Sewerage Pump Station (SE 0862)

Further, that a total of \$10,000 be set aside from the 2016/17 Regional Arts Development Fund to support the mural project.

Seconded by Cr WR Trevor.

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



Minutes

9 August 2016

Item Number:	File Number:	Part:
Q1	A2683024	SPORT, RECREATION, VENUES & DISASTER MANAGEMENT

Portfolio:

Community & Environment

Subject:

Support for the Bundaberg Region Multi-Use Sports and Community Centre (Multiplex) - Stage 2

Pursuant to Section 173 of the "Local Government Act 2009", Cr DJ Batt declared a perceived Conflict of Interest in relation to this item - as Deputy Chairman of Bundaberg PCYC - and with the consent of the Mayor left the Council Chambers.

1783

Resolution

Cr HL Blackburn presented the report; and moved:-

That Council:-

- 1. proceed with the construction of Stage 2 of the Bundaberg Region Multi-use Sports and Community Centre (Multiplex), conditional upon a \$5M commitment from the Queensland Government under Round 2 of the Building our Regions Fund; and**
- 2. commit to the upfront and ongoing capital maintenance and depreciation costs associated with construction of Multiplex Stage 2.**

Seconded by Cr JA Peters.

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

Cr DJ Batt then returned to the Council Chambers.



Minutes

9 August 2016

Item Number:	File Number:	Part:
R1	A2608228	TOURISM & REGIONAL GROWTH

Portfolio:

Community & Environment

Subject:

'Expression of Interest' to Lease Council Land - Development of a RV Park for 'Self-Contained' vehicles only near the Bundaberg CBD

1784

Resolution

Cr GR Barnes presented the report; and moved:-

That consultation be undertaken with surrounding Property Owners/Residents and Local Holiday Park Operators with respect to the possibility of the establishment of an RV Friendly Park at:-

- **Site A being located in the North-East corner of the Old Showgrounds; and/or**
- **Site D being approximately 2 ha adjacent to the IGA Supermarket in North Bundaberg.**

Further that subject to the outcomes of the community consultation above, and if appropriate that:-

- 1. Tenders would be called for an Operator/s to develop and operate a RV Park, for self-contained vehicles only, on the above-described lands; and**
- 2. The Chief Executive Officer would be authorized to enter into a Commercial Lease Agreement with the selected Operator on suitable terms to Council and based on the draft terms outlined in this report.**

Seconded by Cr HL Blackburn.

Following discussion thereto during which:-

- Cr JP Bartels spoke against the Motion;
- Cr DJ Batt spoke for the Motion;
- Cr JM Dempsey clarified some of the statements raised by Cr JP Bartels;

- the Motion was put - and carried by 9 votes to 1 vote.

For

Cr WR Trevor
Cr HL Blackburn
Cr GR Barnes
Cr SA Rowleson
Cr CR Sommerfeld
Cr DJ Batt
Cr JA Peters
Cr PR Heuser
Cr JM Dempsey

Against

Cr JP Bartels



Minutes

9 August 2016

Item Number:	File Number:	Part:
S1	A2697437	ECONOMIC DEVELOPMENT

Portfolio:

Community & Environment

Subject:

Bundaberg Regional Council Sister City Program – September 2016 Delegation

1785

Resolution

Cr JM Dempsey presented the report; and moved:-

That the following members of the Bundaberg Regional Council Sister City delegation accept the invitation by Zhou Hongbo, Mayor of Nanning to attend 2016 Sister City Conference including the 13th China-ASEAN Trade Expo (CAEXPO):-

- Cr JM Dempsey;
- Cr CR Sommerfeld;
- Cr DJ Batt;
- Cr PR Heuser; and
- Mr Haiyi Wu.

Seconded by Cr JA Peters.

Following discussion thereto during which Cr JM Dempsey responded to the queries raised by Cr GR Barnes in relation to the costs associated with attendance at the Conference and Trade Expo - the Motion was put - and carried by 9 votes to 1 vote.

For

Cr WR Trevor
 Cr JP Bartels
 Cr HL Blackburn
 Cr SA Rowleson
 Cr CR Sommerfeld
 Cr DJ Batt
 Cr JA Peters
 Cr PR Heuser
 Cr JM Dempsey

Against

Cr GR Barnes

Pursuant to Section 173 of the “Local Government Act 2009”, Cr DJ Batt declared a perceived Conflict of Interest in relation to this item (T1) - as Board Member of the Across The Waves Sports Club; 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.

THE MAYOR ADVISED AT THIS STAGE DUE TO THE CONFIDENTIAL NATURE OF THE FOLLOWING ITEM –

- T1 – REVIEW OF A RATING MATTER

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

RESOLUTION

CR DJ BATT 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 DJ BATT MOVED:-

THAT THE MEETING NOW BE REOPENED.

SECONDED BY CR SA ROWLESON - AND CARRIED UNANIMOUSLY WITHOUT DEBATE.



MINUTES

9 AUGUST 2016

ITEM NUMBER:	FILE NUMBER:	PART:
T1	A2671404	CONFIDENTIAL

PORTFOLIO:

ORGANISATIONAL SERVICES

SUBJECT:

LOT 2 ON RP847129 - REQUEST FOR A RATES REVIEW

1786

RESOLUTION

CR JP BARTELS MOVED:-

IN RECOGNITION OF THE FINANCIAL HARDSHIP BEING EXPERIENCED BY THE CURRENT LESSEE OF LAND DESCRIBED AS LOT 2 ON RP847129, AND PURSUANT TO SECTION 120 (1) OF THE LOCAL GOVERNMENT REGULATION 2012 - THAT A TOTAL CONCESSION OF \$5,135.78 BE GRANTED TO THE CURRENT LESSEE EQUAL TO THE FOLLOWING PERCENTAGES OF GENERAL RATES FOR THE RESPECTIVE FINANCIAL YEARS:-

FINANCIAL YEAR	RATING PERIOD	AMOUNT LEVIED	PERCENTAGE REDUCTION	CONCESSION PROVIDED	GENERAL RATES PAYABLE
2015/16	1 JULY TO 31 DECEMBER 2015	\$2,530.03	67%	\$1,695.12	\$834.91
	1 JANUARY TO 30 JUNE 2016	\$2,530.03	67%	\$1,695.12	\$834.91
2016/17	1 JULY TO 31 DECEMBER 2016	\$2,644.76	33%	\$872.77	\$1,771.99
	1 JANUARY TO 30 JUNE 2017	\$2,644.76	33%	\$872.77	\$1,771.99
2017/18	1 JULY TO 31 DECEMBER 2017	FULL GENERAL RATES	0%	\$0.00	FULL GENERAL RATES
	1 JANUARY TO 30 JUNE 2018	FULL GENERAL RATES	0%	\$0.00	FULL GENERAL RATES

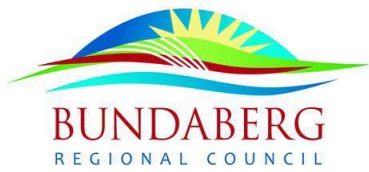
FURTHER AS THE CURRENT LESSEE HAS ALREADY PAID GENERAL RATES FOR 2015/2016 IN THE AMOUNT OF \$5,060.06, AND AN ADJUSTED GENERAL RATE OF \$3,441.81 IS DUE FOR 2015/16 AND 2016/17 IN THE REVISED AMOUNTS OF \$834.91,

\$834.91 AND \$1,771.99, A TOTAL CREDIT OF \$1,618.25 (\$5,060.06 - \$3,441.81) BE APPLIED TO THE LESSEE'S RATE ACCOUNT.

IT BEING NOTED THAT FROM THE 2017/18 FINANCIAL YEAR, THE CURRENT LESSEE WILL BE RESPONSIBLE FOR THE PAYMENT OF ALL GENERAL RATES AND SERVICE CHARGES RELATING TO THE SUBJECT LAND.

SECONDED BY CR WR TREVOR.

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



Minutes

9 August 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 10.55 am

Confirmed this thirtieth day of August 2016.

MAYOR