



Ordinary Meeting Minutes

30 August 2016

10.00 am

Council Chambers, Bundaberg

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 CR Sommerfeld, Cr DJ Batt, Cr JA Peters and Cr PR Heuser.

Apology:

Moved by Cr JA Peters, seconded by Cr HL Blackburn, That Cr SA Rowleson'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

30 August 2016

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

Confirmation of Minutes

1787

Resolution

Cr WR Trevor moved:-

That the minutes of the Ordinary Meeting of Council held on 9 August 2016 be taken as read and confirmed.

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



Minutes

30 August 2016

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

Organisational Services

Subject:

Financial Summary as at 1 August 2016

1788

Resolution

Cr JM Dempsey presented the report; and moved:-

That the Financial Summary as at 1 August 2016 (as detailed on the 12 pages appended to this report) – **be noted by Council.**

Seconded by Cr HL Blackburn.

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



Minutes

30 August 2016

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

Portfolio:

Organisational Services

Subject:

Pine Creek Road, Pine Creek - Renewal of Term Lease over Lot 51 on C371095

1789

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 of Term Lease 0/231911 over land described as Lot 51 on C371095, located on Pine Creek Road, Pine Creek, for a term no greater than 10 years.

Seconded by Cr WA Honor.

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

Note: The comments from Cr WA Honor within the Consultation Section to this report actually refer to Item F2 - Grass Tree Road, Nearum - Conversion of Pastoral Holding Lease over Lots 13, 46 & 82 on BON416.



Minutes

30 August 2016

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

Organisational Services

Subject:

Grass Tree Road, Nearum - Conversion of Pastoral Holding Lease over Lots 13, 46 & 82 on BON416

1790

Resolution

Cr HL Blackburn presented the report; and moved:-

That the Department of Natural Resources & Mines be advised Council offers no objection to the conversion to freehold of Pastoral Holding Lease over land described as Lots 13, 46, & 82 on BON416, located on Grass Tree Road, Nearum; and provides the following further information:-

- a. Council currently has no plans to construct Grass Tree Road;
- b. Should the Department of Natural Resources & Mines approve the conversion, formal advice be conveyed to the applicant stating their obligations under the *Nature Conservation Act 1992* in relation to presence of protected plant species.

Seconded by Cr GR Barnes.

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



Minutes

30 August 2016

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

Portfolio:

Organisational Services

Subject:

Walkers Point Road, Woodgate - Short Term Permit to Occupy over parts of Lot 3 on AP17679 and Lot 2 on SP274366

1791

Resolution

Cr HL Blackburn presented the report; and moved:-

That the Department of Natural Resources & Mines be advised Council offers no objection to the issue of a Permit to Occupy over part of Lot 3 on AP17679 and Lot 2 on SP274366, located off Walkers Point Road, Woodgate – for the purposes of apiary site, subject to the Department undertaking appropriate consultation with adjoining property owners/local residents.

Seconded by Cr GR Barnes.

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



Minutes

30 August 2016

Item Number:	File Number:	Part:
K1	321.2016.46306.1	DEVELOPMENT ASSESSMENT

Portfolio:

Infrastructure & Planning Services

Subject:

295 Hummock Road, School Lane and Elliott Heads Road, Windermere - Reconfiguring a Lot for Boundary Realignment (Two Lots into Two Lots)

Summary:

APPLICATION NO	321.2016.46306.1
PROPOSAL	Reconfiguring a Lot for Boundary Realignment (2 Lots into 2 Lots)
APPLICANT	Bundaberg Regional Council
OWNER	Bundaberg Regional Council
PROPERTY DESCRIPTION	Lots 4 and 5 on SP178800
ADDRESS	295 Hummock Road, School Lane and Elliott Heads Road, Windermere
ZONING	Rural Zone
OVERLAYS	Steep Land: BRC data; SPP Agricultural Land: Class A and Class B; SPP Airport & Aviation Facilities: Operational Airspace; SPP Runways Buffer – Wildlife Hazard Buffer Zone – 13km; SPP Infrastructure: Elliott Heads Road – State Controlled Road Corridor & State Controlled Road Corridor Buffer; School Lane – Major Electricity Infrastructure & Major Electricity Infrastructure Buffer
LEVEL OF ASSESSMENT	Code
SITE AREA	Lot 4: 7.719 hectares Lot 5: 9.555 hectares Total 17.274 hectares
CURRENT USE	Agriculture
PROPERLY MADE DATE	12 August 2016
STATUS	The 20 business day decision period ends on 09 September 2016
REFERRAL AGENCIES	Nil
NO OF SUBMITTERS	Not applicable
PREVIOUS APPROVALS	Not applicable
SITE INSPECTION CONDUCTED	12 August 2016
LEVEL OF DELEGATION	Level 3

1792

Resolution

Cr CR Sommerfeld presented the report; and moved:-

That Development Application 321.2016.46306.1 be determined as follows:

DESCRIPTION OF PROPOSAL

Reconfiguring of a Lot - Boundary Realignment (Two Lots into Two Lots)

SUBJECT SITE

295 Hummock Road, School Lane and Elliott Heads Road, Windermere, described as Lots 4 and 5 on SP178800

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"/>	

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

Nil

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

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

Not Applicable

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

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

8. REFERRAL AGENCY

Not Applicable

9. APPROVED PLAN

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

Plan/Document number	Plan/Document name	Date
Plan No. 334.2016.69.1-1A	Proposed Boundary Realignment – Plan Overall – Plan of Lots 2 & 5 cancelling Lots 5 & 5 on SP178800	09 May 2016

10. WHEN APPROVAL LAPSES IF DEVELOPMENT NOT STARTED

Pursuant to section 341 of the *Sustainable Planning Act 2009*, this approval will lapse two (2) years from the date that the approval takes effect unless the relevant period is extended pursuant to section 383.

11. REFUSAL DETAILS

Not Applicable

12. CONDITIONS ABOUT INFRASTRUCTURE

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

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

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

Rural Numbering

4. 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.

PART 1B – ADVICE NOTES**Rates and Charges**

- A 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.

Seconded by Cr DJ Batt.

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



Minutes

30 August 2016

Item Number:	File Number:	Part:
K2	322.2015.44159.1	DEVELOPMENT ASSESSMENT

Portfolio:

Infrastructure & Planning Services

Subject:

Murdochs Road, Moore Park Beach - Material Change of Use for Tourist Park and Higher Density Housing

Summary:

APPLICATION NO	322.2015.44159.1
PROPOSAL	Material Change of Use for Tourist Park and Higher Density Housing
APPLICANT	ACM Corporation Pty Ltd
OWNER	ACM Corporation Pty Ltd
PROPERTY DESCRIPTION	Lots 2 & 3 on SP174813
ADDRESS	Murdochs Road, Moore Park Beach
PLANNING SCHEME	Planning Scheme for Burnett Shire
ZONING	Business Zone (Burnett Planning Scheme)
OVERLAYS	Natural Features or Resources Overlay, Infrastructure Overlay
LEVEL OF ASSESSMENT	Impact Assessable
SITE AREA	8.98 ha
CURRENT USE	General Business (Tavern) & Vacant
PROPERLY MADE DATE	20 October 2015
STATUS	The 20 business day decision period ended on 13 May 2016. The applicant requested the application be paused to allow for consultation with Council on 4 July 2016.
REFERRAL AGENCIES	Department of Infrastructure, Local Government and Planning (State-controlled road & Coastal Management District)
NO OF SUBMITTERS	183 current – 7 withdrawn
PREVIOUS APPROVALS	322.2013.37107.1 (withdrawn upon lodgment of this application)
SITE INSPECTION CONDUCTED	11 August 2015 (for previous application)
LEVEL OF DELEGATION	Level 3

1793

Resolution

Cr CR Sommerfeld presented the report; and moved:-

That Development Application 322.2015.44159.1 be determined as follows:

DESCRIPTION OF PROPOSAL

Material Change of Use for Tourist Park and Higher Density Housing

SUBJECT SITE

Murdochs Road & 16 Murdochs Road, Moore Park Beach described as Lots 2 & 3 on SP174813

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 reference 3	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:

- 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 183 properly made submissions received for the application, of which the large majority were structured as a petition. The name and address of the principal submitter for each properly made submission are as follows:

Name of principal submitter	Address
1. Silvia and Jeff Abel	1 Regency Road, Moore Park Beach, QLD, 4670
2. Eric Adams and Deb Morrow	3 Castle Court, Moore Park Beach, QLD, 4670
3. John Adams and Penelope Teiniker	174 Sylvan Drive, Moore Park Beach, QLD, 4670
4. Leonie Adams	3/2 Sylvan Drive, Moore Park Beach, QLD, 4670
5. Peter Adams	3/2 Sylvan Drive, Moore Park Beach, QLD, 4670
6. Delwyn Algie	58 Palm View Drive, Moore Park Beach, QLD, 4670
7. Ben Anastasi	352 Moore Park Road, Moore Park Beach, QLD, 4670
8. Tammy Anastasi	352 Moore Park Road, Moore Park Beach, QLD, 4670
9. Mr W Robin Anderson	22 Acacia Street, Moore Park Beach, QLD, 4670
10. Vicki Andrew	35 Orchid Drive, Moore Park Beach, QLD, 4670
11. Gail Ball (2 submissions)	42 Egret Lane, Moore Park Beach, QLD, 4670
12. Jason Ball (2 submissions)	42 Egret Lane, Moore Park Beach, QLD, 4670
13. Merrill Ball	30 Egret Lane, Moore Park Beach, QLD, 4670
14. Dianne Barnes	11 Egret Lane, Moore Park Beach, QLD, 4670
15. Belinda Binstead	8 Palm View Drive, Moore Park Beach, QLD, 4670
16. Ian Blackmore	247 Sylvan Drive, Moore Park Beach, QLD, 4670
17. Phillip Bond and Damian Smith	61 Lagoon Drive, Moore Park Beach, QLD, 4670
18. Anthony Bulmer	19 Plum Tree Crescent, Moore Park Beach, QLD, 4670
19. Margaret Bulmer	19 Plum Tree Crescent, Moore Park Beach, QLD, 4670
20. Maree and Ron Burnett	10 Evans Lane, Moore Park Beach, QLD, 4670
21. Robert Burns	8 Albatross Court, Moore Park Beach, QLD, 4670
22. Jenifer Carter	22 Royal Boulevard, M Moore Park Beach, QLD, 4670
23. Leslie Chadwick	PO Box 2146, Moore Park Beach, QLD, 4670
24. Maxine Cheetham	7 Holzberger Street, Moore Park Beach, QLD, 4670
25. Ross Cheetham	7 Holzberger Street, Moore Park Beach, QLD, 4670
26. Callan and Nikki Christie	3 Sovereign Court, Moore Park Beach, QLD, 4670
27. Rod Cleary	23 Murdochs Road, Moore Park Beach, QLD, 4670
28. Amanda Collins	Unit 11/2 Sylvan Drive, Moore Park Beach, QLD, 4670
29. Darcy Collins	Unit 11/2 Sylvan Drive, Moore Park Beach, QLD, 4670
30. Leanne Connors	54/2 Park Drive, Moore Park Beach, QLD, 4670
31. Greg Constable	25 Kingfisher Crescent, Moore Park Beach, QLD, 4670
32. Alan Corbett	235 Sylvan Drive, Moore Park Beach, QLD, 4670
33. Cathy Critchlow	296 Malvern Drive, Moore Park Beach, QLD, 4670
34. Daniel Critchlow	296 Malvern Drive, Moore Park Beach, QLD, 4670
35. Leigh Critchlow	12 Plum Tree Crescent, Moore Park Beach, QLD, 4670
36. David Crowe	9 Middlebrook Rise, Bella Vista, NSW, 2153
37. Christine Crowhurst	28 Royal Boulevard, Moore Park Beach, QLD, 4670
38. Michelle Crowhurst	3A Plum Tree Crescent, Moore Park Beach, QLD, 4670
39. Matthew Crowhurst	3C Plum Tree Crescent, Moore Park Beach, QLD, 4670
40. Melissa Crowhurst	3B Plum Tree Crescent, Moore Park Beach, QLD, 4670
41. Richard Crowhurst	28 Royal Boulevard, Moore Park Beach, QLD, 4670

42.	Dianna Day	18 Isaac Moore Drive, Moore Park Beach, QLD, 4670
43.	Melissa Denize	11 Sandpiper Grove, Moore Park Beach, QLD, 4670
44.	Sean Denize	11 Sandpiper Grove, Moore Park Beach, QLD, 4670
45.	Christine Dobson	1424 Meandarra-Talwood Road, Meandarra, QLD, 4422
46.	Joan Dorling	6 Crown Court, Moore Park Beach, QLD, 4670
47.	John Elias	126 Sylvan Drive, Moore Park Beach, QLD, 4670
48.	Margaret Elson	28 Lagoon Drive, Moore Park Beach, QLD, 4670
49.	Peter Elson	28 Lagoon Drive, Moore Park Beach, QLD, 4670
50.	Grant Errington	1 Ohlaf Street, Moore Park Beach, QLD, 4670
51.	Sue Faulkner	Unit 3 / 4A Kentia Avenue, Moore Park Beach, QLD, 4670
52.	Monika Fleet	Unit 6 / 1 Sylvan Drive, Moore Park Beach, QLD, 4670
53.	Jo Foss	216 Murdochs Road, Moore Park Beach, QLD, 4670
54.	Sue Foster	2 Lillypilly Place, Moore Park Beach, QLD, 4670
55.	Robert Freebairn	336 Malvern Drive, Moore Park Beach, QLD, 4670
56.	Scott Fryer	194 Sylvan Drive, Moore Park Beach, QLD, 4670
57.	David Galati	143 Sylvan Drive, Moore Park Beach, QLD, 4670
58.	Meg Galati	143 Sylvan Drive, Moore Park Beach, QLD, 4670
59.	Alison Garvie	15 Gardiner Place, Helensburgh, NSW, 2508
60.	Mandy Grafton	7 Whistler Close, Moore Park Beach, QLD, 4670
61.	Graham Hall	20 Royal Boulevard, Moore Park Beach, QLD, 4670
62.	Jean Hall	20 Royal Boulevard, Moore Park Beach, QLD, 4670
63.	Shane Halliburton	32 Moore Park Road, Moore Park Beach, QLD, 4670
64.	Cheryl Hanlon	6 Albatross Court, Moore Park Beach, QLD, 4670
65.	Greg Hanlon	6 Albatross Court, Moore Park Beach, QLD, 4670
66.	John Hebbard	21 Gregory Terrace, Welcome Creek, QLD, 4670
67.	Paul Hennie	19 Lagoon Drive, Moore Park Beach, QLD, 4670
68.	Karen Holder	6 Regency Road, Moore Park Beach, QLD, 4670
69.	Robert Holder	6 Regency Road, Moore Park Beach, QLD, 4670
70.	Greg Horsfield	13 Albatross Court, Moore Park Beach, QLD, 4670
71.	Joy Horsfield	13 Albatross Court, Moore Park Beach, QLD, 4670
72.	Neal Hotham	15 Castle Court, Moore Park Beach, QLD, 4670
73.	Marie Irvine	1 Royal Boulevard, Moore Park Beach, QLD, 4670
74.	Bronwyn Irwin	9 Middlebrook Rise, Bella Vista, NSW, 2153
75.	Sarah Irwin	9 Middlebrook Rise, Bella Vista, NSW, 2153
76.	Tracey Jackson	111 Goodnight Scrub Road, Morganville, QLD, 4671
77.	Della Jenkins	9 Ocean Court, Moore Park Beach, QLD, 4670
78.	Leonie Johnston	9 Castle Court, Moore Park Beach, QLD, 4670
79.	Raymond Johnston	9 Castle Court, Moore Park Beach, QLD, 4670
80.	Wayne Jones and Janet Walter	9 Tea Tree Court, Moore Park Beach, QLD, 4670
81.	Michael Kelly	37A Palm View Drive, Moore Park Beach, QLD, 4670
82.	Sylvia Kelly	37A Palm View Drive, Moore Park Beach, QLD, 4670
83.	Yvonne Kenyou	37C Plum Tree Crescent, Moore Park Beach, QLD, 4670
84.	Jane King	2 Lillypilly Place, Moore Park Beach, QLD, 4670
85.	Sandra King	15 Castle Court, Moore Park Beach, QLD, 4670
86.	Des Kruger	30 Hannah Court, Moore Park Beach, QLD, 4670
87.	Janelle Kruger	30 Hannah Court, Moore Park Beach, QLD, 4670
88.	John Lawrence	51 Orchid Drive, Moore Park Beach, QLD, 4670
89.	Maureen Lawrence	51 Orchid Drive, Moore Park Beach, QLD, 4670
90.	Dorothy Limkin	19 Egret Lane, Moore Park Beach, QLD, 4670
91.	Chris Lowrie	131 Sylvan Drive, Moore Park Beach, QLD, 4670
92.	Alan MacDonald (2 submissions)	86 Moore Park Road, Moore Park Beach, QLD, 4670
93.	Christina Maclean	29 Moore Park Road, Moore Park Beach, QLD, 4670
94.	Rhys Maclean	29 Moore Park Road, Moore Park Beach, QLD, 4670
95.	Aili Mark	1 Montview Way, Glenwood, NSW, 2768
96.	Brian Mark	5 Silvermere Street, Culburra Beach, NSW, 2540
97.	Dean Mark	1 Montview Way, Glenwood, NSW, 2768
98.	Diane Mark	5 Silvermere Street, Culburra Beach, NSW, 2540

99.	Jordan Mark	1 Montview Way, Glenwood, NSW, 2768
100.	Keith Mark	29 Royal Boulevard, Moore Park Beach, QLD, 4670
101.	Lea Mark	29 Royal Boulevard, Moore Park Beach, QLD, 4670
102.	Margaret Marshall	20 Robin Close, Moore Park Beach, QLD, 4670
103.	Rebecca Marshall	19 Lagoon Drive, Moore Park Beach, QLD, 4670
104.	Joyce Martyn	40 Orchid Drive, Moore Park Beach, QLD, 4670
105.	Bryan McCosh	62 Maryborough Street, Bundaberg South, QLD, 4670
106.	Vickie McInnes	8 Albatross Court, Moore Park Beach, QLD, 4670
107.	Brett McLean	29 Tammy Road, Moore Park Beach, QLD, 4670
108.	Susan McLeod	1 Lassig Street, Moore Park Beach, QLD, 4670
109.	Barry McQueen	9 Crown Court, Moore Park Beach, QLD, 4670
110.	Dorothy McQueen	9 Crown Court, Moore Park Beach, QLD, 4670
111.	Pamela Mencnerowski	7 Dorron Court, Moore Park Beach, QLD, 4670
112.	Aleis Meyer	17 Regency Road, Moore Park Beach, QLD, 4670
113.	Joseph Miosge	36 Royal Boulevard, Moore Park Beach, QLD, 4670
114.	Janice Miosge	126 Sylvan Drive, Moore Park Beach, QLD, 4670
115.	Kim Miosge	36 Royal Boulevard, Moore Park Beach, QLD, 4670
116.	Jake Moore	64 Tammy Road, Moore Park Beach, QLD, 4670
117.	Tracy Moore	64 Tammy Road, Moore Park Beach, QLD, 4670
118.	Vincent Moore	25 Poinciana Court, Moore Park Beach, QLD, 4670
119.	Deb Morrow	3 Castle Court, Moore Park Beach, QLD, 4670
120.	Steve Morton	19 Club Avenue, Moore Park Beach, QLD, 4670
121.	Michelle Moseley	5 Beverly Close, Moore Park Beach, QLD, 4670
122.	Richard Moseley	5 Beverly Close, Moore Park Beach, QLD, 4670
123.	Ruth Nemeth	16 Malvern Drive, Moore Park Beach, QLD, 4670
124.	Jo-Ann Noffke	46 Egret Lane, Moore Park Beach, QLD, 4670
125.	Russell Noffke	46 Egret Lane, Moore Park Beach, QLD, 4670
126.	Lawrence Osborne	11 Woodlands Lane, Moore Park Beach, QLD, 4670
127.	Patricia Osborne	11 Woodlands Lane, Moore Park Beach, QLD, 4670
128.	Ian and Valerie Ovenden	30 Orchid Drive, Moore Park Beach, QLD, 4670
129.	Linda Parsons	1/39 Club Avenue, Moore Park Beach, QLD, 4670
130.	Christopher Ferraro, Primo Property Pty Ltd	171 Eildon Road, Windsor, QLD, 4030
131.	Cheryl Rae	18 Wharf Street, Nabiae, NSW, 2312
132.	Sue Ramsey	5 Holzberger Street, Moore Park Beach, QLD, 4670
133.	Mila Robertson	9 Schirmers Court, Moore Park Beach, QLD, 4670
134.	Bernard and Ulrike Roser	47 Egret Lane, Moore Park Beach, QLD, 4670
135.	Amanda Salmon	351 Malvern Drive, Moore Park Beach, QLD, 4670
136.	Bronwyn Salmon	351 Malvern Drive, Moore Park Beach, QLD, 4670
137.	David Salmon	351 Malvern Drive, Moore Park Beach, QLD, 4670
138.	Peter Selby	6 Tulip Court, Moore Park Beach, QLD, 4670
139.	Sue Selby	6 Tulip Court, Moore Park Beach, QLD, 4670
140.	Seanne Senior-Tapp	10 Isaac Moore Drive, Moore Park Beach, QLD, 4670
141.	David Senior	22 Plum Tree Crescent, Moore Park Beach, QLD, 4670
142.	Sandra Senior	22 Plum Tree Crescent, Moore Park Beach, QLD, 4670
143.	Kati Sheppard	5 Bangalow Street, Moore Park Beach, QLD, 4670
144.	Paul Sheppard	5 Bangalow Street, Moore Park Beach, QLD, 4670
145.	Roy and Muriel Simmonds	41 Moore Park Road, Moore Park Beach, QLD, 4670
146.	Cheryl Smith	5 Albatross Court, Moore Park Beach, QLD, 4670
147.	Gregory Smith	5 Castle Court, Moore Park Beach, QLD, 4670
148.	Gayle Smith	17 Plum Tree Crescent, Moore Park Beach, QLD, 4670
149.	Kay Smith	18 Acacia Street, Moore Park Beach, QLD, 4670
150.	Lynette Smith	5 Castle Court, Moore Park Beach, QLD, 4670
151.	Joan Stagg	300 Sandy Bay Road, SANDY BAY, TAS, 7006
152.	Robert Stagg	300 Sandy Bay Road, SANDY BAY, TAS, 7006
153.	Colin Stallan	24 Lagoon Drive, Moore Park Beach, QLD, 4670
154.	Muriel Stallan	24 Lagoon Drive, Moore Park Beach, QLD, 4670
155.	Beverley Stewart	26/83 Golan Drive, Tweed Heads West, NSW, 2485
156.	Brian Stewart	26/83 Golan Drive, Tweed Heads West, NSW, 2485

157. Genevieve Stewart	36 Royal Boulevard, Moore Park Beach, QLD, 4670
158. Russell Stewart	36 Royal Boulevard, Moore Park Beach, QLD, 4670
159. Rhonda Sutton	336 Malvern Drive, Moore Park Beach, QLD, 4670
160. Jim Tapp	10 Isaac Moore Drive, Moore Park Beach, QLD, 4670
161. Kevin Thomas	310 Sylvan Drive, Moore Park Beach, QLD, 4670
162. Ashlee Walker	5 Holzberger Street, Moore Park Beach, QLD, 4670
163. Cameron Walker	5 Holzberger Street, Moore Park Beach, QLD, 4670
164. Nigel Walker	12 Poinciana Court, Moore Park Beach, QLD, 4670
165. Glen Watson	13A Moore Park Road, Moore Park Beach, QLD, 4670
166. Elke Weiss	7 Elfin Court, Moore Park Beach, QLD, 4670
167. Manfred Weiss	7 Elfin Court, Moore Park Beach, QLD, 4670
168. Jamie Westbury Cord	1 Kentia Avenue, Moore Park Beach, QLD, 4670
169. Stephen Wheeler	214 Murdochs Road, Moore Park Beach, QLD, 4670
170. Diane White	11 Kindt Street, Moore Park Beach, QLD, 4670
171. Gerald White	11 Kindt Street, Moore Park Beach, QLD, 4670
172. Janet White	251 Sylvan Drive, Moore Park Beach, QLD, 4670
173. Jessica White	6 Regency Road, Moore Park Beach, QLD, 4670
174. Alex Whiting	4 Gunsynd Grove, Branyan, QLD, 4670
175. Angela Whitlock	19 Murdochs Road, Moore Park Beach, QLD, 4670
176. Nikki Whitlock	15 Egret Lane, Moore Park Beach, QLD, 4670
177. Jill Wild	27 Woodlands Lane, Moore Park Beach, QLD, 4670
178. Sarah Wilkinson	203 Moore Park Road, Moore Park Beach, QLD, 4670
179. Corris Willingham	15 Royal Boulevard, Moore Park Beach, QLD, 4670
180. John Willingham	15 Royal Boulevard, Moore Park Beach, 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	Name of referral agency	Advice agency or concurrence agency	Address
<p><i>Schedule 7, Table 3, Item 5 – Material change of use, if carrying out the change of use will involve—</i></p> <p><i>(a) operational work, other than excluded work, carried out completely or partly in a coastal management district; or</i></p> <p><i>(b) building work, carried out completely or partly in a coastal management district, that is—</i></p> <p><i>(i) the construction of new premises with a GFA of at least 1000 m²;</i></p>	Department of Infrastructure, Local Government and Planning	Concurrence	<p>State Assessment and Referral Agency (SARA)</p> <p><i>E:</i> WBBSARA@dssip.qld.gov.au</p> <p><i>P:</i> PO Box 979 Bundaberg Qld 4670</p>

<p><i>Schedule 7, Table 3, Item 1 – Making a material change of use of premises if any part of the land—</i> <i>(a) is within 25m of a State-controlled road;</i> <i>or</i> <i>(b) is future State-controlled road; or</i> <i>(c) abuts a road that intersects with a State-controlled road within 100 m of the land</i></p>	<p>Department of Infrastructure, Local Government and Planning</p>	<p>Concurrence</p>	<p>State Assessment and Referral Agency (SARA) <i>E:</i> WBBSARA@dsdip.qld.gov.au <i>P:</i> PO Box 979 Bundaberg Qld 4670</p>
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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
150741-16 Rev C	Plan showing revised layout over Lots 2 & 3 SP174813	27/04/16
150741-19 Rev C	Stage Plan (Revised)	6/07/16
150741-16a	Moore Park Road Access and Site Office Detail - Plan showing proposed layout over Lots 2 & 3 SP174813	As amended 26/07/16
150741-17 Rev A	Elevations - Cabin	As amended 26/07/16
150741-17 Sheet 1 of 9	Floor Plan – 2 Bed Cabin	17/08/15
150741-17 Sheet 3 of 9	Floor Plan – Amenities Block	17/08/15
150741-17 Sheet 4 of 9	Elevations – Amenities Block (East & North)	17/08/15
150741-17 Sheet 5 of 9	Elevations – Amenities Block (West & South)	17/08/15
150741-17 Sheet 6 of 9	Floor Plan – Backpackers Accommodation 8 beds per unit	17/08/15
150741-17 Sheet 7 of 9	Elevations – Backpackers (North & West)	17/08/15
150741-17 Sheet 8 of 9	Elevations – Backpackers (South & East)	17/08/15

10. WHEN APPROVAL LAPSES IF DEVELOPMENT NOT STARTED

Pursuant to section 341 of the *Sustainable Planning Act 2009*, this approval will lapse four (4) years from the date that the approval takes effect unless the relevant period is extended pursuant to section 383.

11. REFUSAL DETAILS

Not Applicable

12. CONDITIONS ABOUT INFRASTRUCTURE

The following conditions about infrastructure have been imposed under Chapter 8 of the *Sustainable Planning Act 2009*:

Condition/s	Provision under which the Condition was imposed
21,23,24,25,26,31,32,33	Section 665 – Non-trunk Infrastructure
N/A	Section 646 – Identified Trunk Infrastructure
22	Section 647 – Other Trunk Infrastructure

SCHEDULE 1 CONDITIONS AND ADVICES IMPOSED BY THE ASSESSMENT MANAGER

PART 1A – CONDITIONS IMPOSED BY THE ASSESSMENT MANAGER

General

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

Amalgamation

4. Amalgamate Lots 2 on SP174813 and 3 on SP174813 into one allotment. The Plan of Subdivision providing for the amalgamation must be registered prior to the commencement of the first use under this approval.

Air Conditioners

5. All air conditioning units or other mechanical equipment must be located at ground level, or otherwise fully enclosed or screened such that they are not visible from the street frontages or adjoining properties.
6. Air conditioning units must be designed, installed, maintained and operated so that noise emissions are within the limits imposed by the *Environmental Protection Act*, Regulations and Policies.

Construction Management

7. Unless otherwise approved in writing by the Assessment Manager, do not undertake building work in a way that makes audible noise:
 - a. On a business day or Saturday, before 6.30 am or after 6.30 pm; or
 - b. On any other day, at any time.
8. Contain all litter, building waste and sediments on the building site by the use of a skip bin and any other reasonable means during construction to prevent release to neighbouring properties or roads.

9. 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.

Development in Stages

10. Develop the site generally in accordance with the stages identified on the Approved Plans. The Applicant must comply with each condition of this development approval as it relates to each stage, unless otherwise specifically stated in the condition.
11. Undertake and provide the following as part of the specified stage(s) of the development:
 - a. The first stage undertaken:
 - i. Provide new sewerage treatment plant;
 - ii. Decommission and remove existing sewerage treatment plant;
 - iii. Provide all weather vehicle access to new sewerage treatment plant;
 - iv. Provide all landscaping except that along road frontage to Moore Park Road;
 - v. Remove vehicle access link to the shopping centre carpark;
 - vi. Remove two (2) existing accesses to the Tavern;
 - vii. Provide new access to the Tavern; and
 - viii. Amalgamate lots 2 & 3 on SP174813.
 - b. Stage 4 (cabins 1 to 16)
 - i. Stage 4 is to be the last stage of tourist park cabins completed to allow maximum separation to the adjoining residential use (ie the stage must not commence unless Stages 1, 2 & 5 are complete).

Easements

12. Lodge for registration at the office of the Land Registry the following easement(s):
 - a. stormwater drainage easement/s having a minimum width of 5 metres or as determined in an application for Operational Works, whichever is the greater, to the benefit of Council that includes all stormwater overland flow paths traversing the land;
13. Draft easement documentation must be submitted to the Assessment Manager for endorsement.
14. All works must be kept clear of any existing or proposed easements on the subject land, unless agreed otherwise in writing by the Grantee.

Landscaping

15. A landscape plan must be submitted to and approved by the Assessment Manager prior to the commencement of any landscaping works. The plan must be generally in accordance with the Approved Plan/s, have regard to the conditions of this approval and include, but not be limited to, the following features:
 - a. The area or areas set aside for landscaping;
 - b. Location and name of existing trees;
 - c. A plan and schedule of all proposed trees, shrubs and ground covers which identifies:
 - i. The location and sizes at planting and at maturity of all plants;
 - ii. The utilisation of species indigenous to the area (the Plant Species List contained within Council's Landscaping Planning Scheme Policy is a guide to species selection; the botanical and common names of plants must be provided). No exotic plants are to be specified;
 - d. The location of all areas to be covered by turf or other surface material including pavement and surface treatment details;
 - e. Measures to ensure that the planted trees will be retained and managed to allow growth of the trees to mature size;
 - f. Details of any landscaping structures, including entrance statements;
 - g. Contours or spot levels if appropriate;
 - h. Fence size and materials;
 - i. Inclusion of a controlled underground or drip irrigation system. Any such system is to be fitted with an approved backflow water prevention device;
 - j. Location of any drainage, sewerage and other underground services and any overhead power lines;
 - k. Property boundary garden/landscape bed edge walls must be provided with sleeper or equivalent retaining walls to contain the garden material within the site. Such walls must be constructed to a height that is at or above the adjacent kerb or sealed car parking areas (whichever applicable);
 - l. A landscaped buffer to the western boundary shared with the residential lots to a minimum 6 metre width, opposite stage 4 of development;
 - m. A landscaped buffer to the perimeter of Lot 1 on RP145056 to a minimum 5 metre width;
 - n. Vegetated screening of any electrical transformers, bin storage areas and the like from the road frontage;
 - o. A minimum 6 metre wide landscaping strip along the Murdochs Road frontage of the subject site (in locations shown on Plan Ref: 150741-19 Rev C), exclusive of the access driveway, uncompromised by infrastructure items;

- p. A minimum 5 metre wide landscaping strip along the Moore Park Road frontage of the subject site (in locations shown on Plan Ref: 150741-19 Rev C), exclusive of the access driveway, uncompromised by infrastructure items;
 - q. A landscaped buffer between each lineal row of tourist cabins (minimum 4 metre width), where there is no internal road separation, which can be constructed in relation to the relevant stage;
 - r. A minimum 5.5 metre width of dense landscaping within the separation area of each set of two cabins for cabins 1 to 49 (where not in car parking area).
16. Complete landscaping shown on the endorsed plans prior to the commencement of the use (relevant to staging) and maintain all landscape works in accordance with the Approved Plan whilst the use continues.

Lighting

17. External lighting used to illuminate the premises must be designed and provided in accordance with Australian Standard AS 4282-1997: *Control of the obtrusive effects of outdoor lighting* so as not to cause nuisance to residents or obstruct or distract pedestrian or vehicular traffic.
18. Internal lighting must be shaded through glass tinting on all windows facing the beach with a transmittance value of 45% or less.
19. A Lighting Plan must be submitted to and approved by the Assessment Manager prior to the commencement of the use. The plan must demonstrate how lighting from the development will avoid or minimise impacts on turtle nesting areas. The plan must include, but not be limited to, the following features:
- a. The location, purpose, footprint, intensity and spectral composition of each light source;
 - b. Measures to avoid, mitigate or manage the impacts of each light source; and
 - c. Procedures to reduce the use of lighting during turtle season (October to March). There must be no use of decorative lighting during this period.
- When approved, the Lighting Plan will form part of the Approved Plans for this development.
20. All lighting for the development must be designed, installed and maintained in accordance with the approved Lighting Plan, to the satisfaction of the Assessment Manager.

Roadworks and Access

21. Prior to the commencement of the first use for Stage 3, provide a sealed BAR & BAL access to Moore Park Road and extend the south approach road to achieve minimum 8m sealed width. The specific requirements must be determined as part of the Operational Works application.

22. Prior to the commencement of the first use for either Stage 1, 2, 4 or 5 as shown approved plan Ref: 150741-19 Rev C and in accordance with the timing referenced in other approved conditions relating to development in stages (condition 11), extend the existing pavement along the tavern frontage to the full frontage of the development and taper to existing at 1 in 10 back to the existing paved width. The specific requirements must be determined as part of the Operational Works application.
23. Prior to the commencement of the first use for either Stage 1, 2, 4 or 5 as shown approved plan Ref: 150741-19 Rev C and in accordance with the timing referenced in other approved conditions relating to development in stages (condition 11), provide access from Murdochs Road generally in accordance with BRC drawing R1011 Driveways Industrial and Commercial Driveway Slab Two Way Access.
24. In accordance with the timing referenced in conditions relating to development in stages (condition 11), provide pavement and access generally in accordance with the approved traffic management plan dated 28 August 2015 (K3288-0004), Stage Plan dated 6 July 2016 (150741-19 Rev C) and the approved engineering report dated 28 August 2015 (K3288-0005). The specific requirements must be determined as part of the Operational Works application.

Sewer

25. Provide an on-site sewerage facility of a size and capacity appropriate to service the approved development and Tavern. Obtain all necessary approvals, including for any Environmentally Relevant Activity (ERA) under the *Environmental Protection Act 1994*, associated with the facility.

Stormwater

26. Provide stormwater drainage infrastructure in accordance with the stormwater management plan dated 28 August 2015 (K3288-0003) and Council's Planning scheme policy for development works SC 6.3.6. The specific requirements must be determined as part of the Operational Works application.

Waste Management

27. 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 (eg 1 m³ 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. how the caravan waste dump point is to be managed.
28. Carry out the use in accordance with the approved Waste Management Plan.

29. An impervious bin storage area (Bin Enclosure) for waste receptacles, must be provided in accordance with the following:
 - a. the bin storage area must be sufficient to accommodate all refuse containers required by the Assessment Manager for the scale of the development;
 - b. the bin storage area must be aesthetically screened from the road frontage and adjoining properties by landscaping or constructed screening;
 - c. a suitable hose cock (with backflow prevention) and hoses must be provided at the refuse container area, and wash down to be drained to sewer and fitted with an approved stormwater diversion valve arrangement.
30. The bin storage enclosure must be maintained in a clean and sanitary manner at all times.
31. Ensure that any potential food / waste sources are covered and collected so that they are not accessible to wildlife.

Water

32. Provide for reticulated water by supplying all necessary materials, including structures and equipment, and performing all necessary works. The works must include all necessary upgrades to ensure that external properties are not adversely affected by the increased demand of the development. Work must include network modelling as part of an application for Operational Work.
33. Provide a metered service, and internal infrastructure as required, to satisfy the fire-fighting and water supply demands of the development.
34. Install sub-meters in accordance with the relevant Acts and Codes.

Street Identification

35. The street address of the development must be clearly visible and discernible from the primary frontage of the site by the provision of a street number and, where appropriate, the building name. The building entrance or reception area must be clearly visible and identifiable from the street or otherwise provided with signage and lighting at strategic locations to direct people to the building entrance.

Privacy

36. To ensure privacy is protected between adjoining properties, do not place any windows along the inside wall of the tourist cabins (where adjoining another cabin) for Cabins 50 to 70 and the windows located along each outside building face wall on Cabins 1 to 49 (including where separated by car parking) must either:
 - a. have a minimum window sill height of 1.7 metres above floor level; or
 - b. be fitted with translucent glazing; or
 - c. be fitted with a fixed external screen or fixed external screens, positioned in such a way to obscure direct views into the habitable room windows or private open space areas of the adjoining property.

Fences

37. Provide a 1.8 metre high solid no-gap screen fence to the side and rear boundaries of Lot 1 on RP145056 and Lot 3 on SP174813 (or subsequent lot reference once amalgamation has been completed), commencing from the road frontage of the subject property. For the first 6.0m from the front boundary of the site, fencing must be tapered to a height of 1.2 metres. The erection of a second boundary line fence parallel to any existing boundary fence is prohibited.

Nature and Extent of the Approved Use - Backpackers

38. The total number of backpacker beds must not exceed 32.

Nature and Extent of the Approved Use – Tourist Park

39. The approved 70 tourist park cabins/units must be used for short term accommodation purposes only. The approved units must not be occupied by persons for the purpose of permanent accommodation, excluding those persons in a manager's residence for the premises. The requirements of this condition must be included in the Community Management Statement for any body corporate for the subject site.

Wash Down Facility

40. A vehicle wash down facility must be incorporated into the development before the commencement of use of the first stage of development for the caravan park component. The applicant must obtain all necessary permits to operate this facility.

PART 1B – ADVICE NOTES**Infrastructure Charges Notice**

- A. Please find attached the Infrastructure Charges Notice (Ref No: 331.2013.484.1) applicable to the approved development.

Environmental Harm

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

Fencing

- C. Should any existing fence not comply with the requirements of this approval, the existing fence must be replaced in accordance with the requirements of this approval.
- D. Fencing should be undertaken in accordance with the provisions of the *Neighbourhood Disputes (Dividing Fences and Trees) Act 2011*. This includes appropriate mediation practices and agreements regarding the type of materials, location and retrieval of any materials for any fence removed.

Lighting

- E. When preparing a Lighting Plan for development within or adjacent to a turtle nesting area, the following measures to reduce light impact are recommended:
 - a. Reduce the amount of lighting to the minimum level necessary to for human safety and avoidance of turtle disruption;
 - b. To reduce spillover from indoor lighting, move light fixtures away from windows, apply window tinting that has a transmittance value of 45% or fit curtains or blinds to windows and keep them closed after dark;
 - c. If lights are needed for safety, fit shrouds and direct light downwards onto the ground. Recessed light fixtures are also preferred to exposed ones;
 - d. Use down-lights close to the ground. The use of up-lights are also preferred to exposed ones;
 - e. External lights can be placed on timers so that they automatically switch off when no longer required;
 - f. Decorative lights should be avoided or, at a minimum, remain off during turtle season (October to March);
 - g. Use vegetation to screen light sources from the beach;
 - h. On pathways, use low profile lighting or low bollards with 180° shields on the beach side;
 - i. Where possible, use shielded motion detected lights, set for the shortest time setting; and
 - j. Use lighting of a wavelength less likely to cause nuisance to sea turtles or other fauna (eg amber lighting).

The *Environmental Assessment Guideline for Protecting Marine Turtles from Light Impacts*, prepared by the Environmental Protection Agency Western Australia, provides more detailed guidelines on how to reduce the impacts of lighting from development on turtles. The guideline can be accessed at dmp.wa.gov.au/documents/Turtle_Lighting_impacts_EPA_Guideline_5.pdf

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.

Backpacker Use

- I. An application for a permit under Subordinate Local Law No 1.11 (Operation of Shared Facility Accommodation) 2011 is required to be submitted to and approved by Council's Health & Regulatory Services prior to the commencement of any backpacker operation on the property. This application must be submitted by the person carrying on the business of providing the accommodation and include:
- a. payment of the associated fee,
 - b. two (2) copies of the following plans:
 - i. Site Plan (1:100) – showing location, waste storage and sanitary conveniences,
 - ii. Floor Plan (1:50) – containing details of all equipment, fixtures and fittings. Sinks should include in detail, as single, double and approximate depth. Floor plan should indicate type of materials used.
 - c. Sectional Plan (1:50) – indicating the height of structures, benches, floor clearances, equipment and fixtures; and
 - d. details of the facilities that are to be shared by persons for whom accommodation is provided.
- J. Any approval under the Subordinate Local Law No 1.11 (Operation of Shared Facility Accommodation) 2011 is likely to include the following requirements:
- The operator or a representative of the operator for the backpackers accommodation will be required to reside on the premises to ensure the yard, waste storage areas and all shared facilities are regularly maintained as part of a cleaning and maintenance schedule.
 - The operator will be required to provide and maintain the following facilities to ensure all residents have access to facilities of adequate standards of health, safety and amenity:
 - a. Kitchen;
 - b. Dining area;
 - c. Laundry;
 - d. Toilets; and

e. A bathroom, and showers.

The approved size and number of these facilities will be determined by Council's Health & Regulatory Services upon the issuing of the local law permit after consideration of the operator's plans and number of residents in the permit application.

- Appropriate measures will required to be undertaken to prevent/reduce the potential for bed bug infestation and transport to and from the premises. Appropriate measures should include but are not limited to:
 - a. restricting the use of sleeping bags by travellers in rooms by displaying appropriate multi-lingual signage and providing sealed storage for individual sleeping bags outside sleeping quarters;
 - b. providing a regular linen replacement and cleaning service;
 - c. training staff on recognising the signs of bed bugs, including blood spotting on the sheets, mattresses and walls, and bed bug identification;
 - d. routinely inspecting beds in the premise for signs of bed bug activity;
 - e. considering the type of bed frames and mattresses used in the premise;
 - f. limiting harbourage areas (i.e. metal bed frames / seamless mattresses); and
 - g. conducting regular vacuuming in all areas of the rooms, especially around skirtings and under lounges and sofas.

Should the premise become infested with bed bugs use of the effected rooms must cease until the effected rooms and rooms adjoining are treated and considered safe (by providing a certificate of treatment and written statement to the Bundaberg Regional Council) by a professional pest management agency.

PART 2—CONCURRENCE AGENCY CONDITIONS

The Department of Infrastructure, Local Government and Planning by letter dated 21 December 2015 (copy letter attached for information).

Seconded by Cr HL Blackburn.

Following discussion on the item during which Cr JP Bartels spoke against the Motion - the Motion was put - and carried by 8 votes to 2 votes.

For

Cr WR Trevor
 Cr WA Honor
 Cr HL Blackburn
 Cr CR Sommerfeld
 Cr DJ Batt
 Cr JA Peters
 Cr PR Heuser
 Cr JM Dempsey

Against

Cr JP Bartels
 Cr GR Barnes



Minutes

30 August 2016

Item Number:	File Number:	Part:
K3	322.2016.45333.1	DEVELOPMENT ASSESSMENT

Portfolio:

Infrastructure & Planning Services

Subject:

Kay McDuff Drive, Thabeban - Material Change of Use (Overlay Assessment) for High Impact Industry (Compost Facility)

Summary:

APPLICATION NO	322.2016.45333.1
PROPOSAL	Development Permit for Material Change of Use for High Impact Industry (Composting Facility)
APPLICANT	Compost Works Pty Ltd
OWNER	The Minister For Economic Development Queensland
PROPERTY DESCRIPTION	Lot 2 on SP285136
ADDRESS	Kay McDuff Drive, Thabeban
PLANNING SCHEME	Bundaberg Regional Council Planning Scheme 2015
ZONING	High Impact Industry Zone (Industry Zone)
OVERLAYS	Airport and aviation facilities overlay code
LEVEL OF ASSESSMENT	Code Assessment
SITE AREA	22.11 ha
CURRENT USE	Vacant Land
PROPERLY MADE DATE	15 March 2016
STATUS	The extended decision period for the application expires on 9 September 2016
REFERRAL AGENCIES	Department of Infrastructure, Local Government and Planning
NO OF SUBMITTERS	13 individual submitters and two petitions with a total of 81 signatories
PREVIOUS APPROVALS	Nil
SITE INSPECTION CONDUCTED	16 March 2016
LEVEL OF DELEGATION	Level 3

Pursuant to Section 173 of the "Local Government Act 2009" Cr CR Sommerfeld declared a perceived Conflict of Interest in relation to this item - due to his previous involvement with properties in the area as a Surveyor - and with the consent of the Mayor left the Council Chambers.

Cr JM Dempsey advised that letters have been received from Finemore Walters & Story on behalf of Compost Works Pty Ltd, advising its client:-

- “would seek that the matter be relisted in say two meeting cycles which we understand is approximately six weeks hence. This will enable sufficient time for further materials to be available for consideration by the Council, both its Officers and Councillors.”
- “agrees to a further extension of the Decision Making Period in accordance with Section 318(4) of the Sustainable Planning Act 2009, and further, that such extension of time will be to 21 October 2016, being the proposed deferred date for consideration of the Application”.

1794

Resolution

Cr JM Dempsey moved:-

That the application decision period in relation to this Application be extended to 21 October 2016, as requested by Finemore Walters & Story.

Seconded by Cr WA Honor.

Following clarification by the Chief Executive Officer in relation to Cr GR Barnes' query in relation to the extension of time proposed - the Motion was put - and carried unanimously.

Cr Sommerfeld then returned to the Council Chambers.



Minutes

30 August 2016

Item Number:	File Number:	Part:
M1	A75324	HEALTH & REGULATORY SERVICES

Portfolio:

Community & Environment

Subject:

Approved Inspection Programme – Childers Rain Water Tank Survey

1795

Resolution

Cr PR Heuser presented the report; and moved:-

That Council approve a Selective Inspection Programme under the provisions of the Local Government Act 2009 for the purpose of monitoring and eradication of *Aedes aegypti* mosquitoes.

The programme will involve a selective inspection of rainwater tanks in Childers at all residential and commercial areas with initial focus limited to the area identified in Attachment 1 with possible extension within the Childers township, subject to results.

The programme will commence in the week beginning 3 October 2016 and continue until 16 December 2016.

Seconded by Cr WR Trevor.

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



Minutes

30 August 2016

Item Number: N1	File Number: A2698752	Part: COMMUNITY & CULTURAL SERVICES
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Portfolio:

Community & Environment

Subject:

Donation of Moncrieff Entertainment Centre Organ

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 the late Mrs Cullen was his father's cousin; 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.

1796

Resolution

Cr JA Peters presented the report; and moved:-

That the obsolete Moncrieff Entertainment Centre electric organ be gifted to the Cullen family as a symbol of acknowledgement and thanks to the late Myra Cullen's volunteer contributions to the Bundaberg Region.

Seconded by Cr GR Barnes.

Before putting the Motion to the vote - the Mayor paid tribute to the outstanding and long service of Mrs Myra Cullen to the Bundaberg Community.

The Motion was then put - and carried unanimously.



Minutes

30 August 2016

Item Number: N2	File Number: A2715334	Part: COMMUNITY & CULTURAL SERVICES
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Portfolio:

Community & Environment

Subject:

Bundaberg Carols by Candlelight - Partnerships & Sponsorships Grant Application

1797

Resolution

Cr JA Peters presented the report; and moved:-

That a donation in the amount of \$5,000.00 be provided to the Bundaberg Broadcasters Carols by Candlelight Organising Committee to assist with staging and audio visual costs of the 2016 Carols by Candlelight being held at the Bundaberg Recreational Precinct.

Seconded by Cr DJ Batt.

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



Minutes

30 August 2016

Item Number:	File Number:	Part:
V1		Meeting Close

Subject:

Meeting Close

There being no further business – the Mayor declared this Ordinary Meeting closed at 10.37 am.

Confirmed this twenty-seventh day of September 2016.

MAYOR