



Ordinary Meeting Minutes

26 May 2020

10.00 am

Civic Centre Supper Room,
Bundaberg

Present:

Cr JM Dempsey (Mayor - Chairman), Cr WR Trevor OAM (Deputy Mayor), Cr JP Bartels, Cr WA Honor, Cr TM McPhee, Cr GR Barnes, Cr TM McLoughlin, Cr VJ Habermann OAM, Cr SA Cooper, Cr MBE Mitchell and Cr JD Learmonth

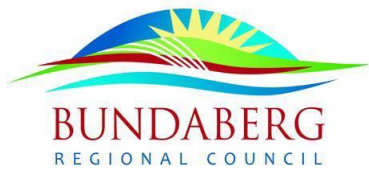
Leave of Absence: Nil

Officers:

Mr SD Johnston, Chief Executive Officer
Mr SJ Randle, General Manager Infrastructure
Mr GJ Steele, General Manager Community & Environment
Mrs AK Pafumi, General Manager Organisational Services
Mr B Artup, Executive Director Strategic Projects and Economic Development
Mr M Gorey, Executive Officer Communications
Mr M Ellery, Group Manager Development
Mrs C Large, Chief Legal Officer
Mrs WE Saunders, Executive Services Co-ordinator
Miss CE Dobbins, Executive Assistant/Researcher

Cr JM Dempsey acknowledged the traditional custodian owners of the land and their Elders past, present and emerging.

The Mayor also acknowledged those Australians who have given the ultimate sacrifice in service to our country.



Minutes

26 May 2020

Item Number:	File Number:	Part:
B1		Minutes

Subject:

Confirmation of Minutes

Resolution

Cr JM Dempsey moved:-

That the minutes of the Ordinary Meeting of Council held on 29 April 2020 and the Special Meeting of Council held on 20 May 2020 be taken as read and confirmed.

Seconded by Cr WR Trevor - and carried unanimously.



Minutes

26 May 2020

Item Number:	File Number:	Part:
C1		Councillors

Subject:

Declaration of Conflict/Material Personal Interest – Cr JP Bartels

Pursuant to section 175E of the *Local Government Act 2009*, Cr JP Bartels declared a perceived conflict of interest in item T10 of today's agenda as his wife is a non-executive employee of the proposed tenant – and advised that he wished to stay and vote on the matter.

Resolution

The remaining Councillors determined that Cr JP Bartels did not have a conflict in item T10 as there is no conflict between the Councillor's personal interest and the public interest – and therefore can stay and vote on the matter.



Minutes

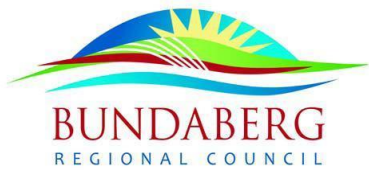
26 May 2020

Item Number:	File Number:	Part:
C2		Councillors

Subject:

Declaration of Conflict/Material Personal Interest – Cr WR Trevor

Pursuant to section 175E of the *Local Government Act 2009*, Cr WR Trevor declared a real conflict of interest in item L1 of today's agenda as he and his wife are shareholders of a company who have made a submission to the Application – and advised that he would leave the meeting while the item was discussed and voted on.



Minutes

26 May 2020

Item Number: C3	File Number:	Part: Councillors
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Subject:

Declaration of Conflict/Material Personal Interest - Cr WR Trevor

Pursuant to section 175E of the *Local Government Act 2009*, Cr WR Trevor declared a perceived conflict of interest in item T7 of today's agenda as he recently held a lease, which has now ceased, with SunWater for a water allocation – and that he would leave the meeting while the item was discussed and voted on.



Minutes

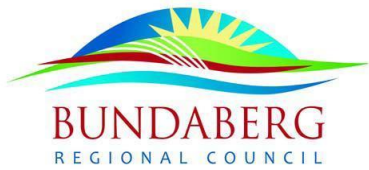
26 May 2020

Item Number:	File Number:	Part:
C4		Councillors

Subject:

Declaration of Conflict/Material Personal Interest – Cr WA Honor

Pursuant to section 175C of the *Local Government Act 2009* Cr WA Honor declared a Material Personal Interest in item T3 of today's agenda as he has a current development application before Council – and will leave the meeting while the matter is discussed and voted on.



Minutes

26 May 2020

Item Number:	File Number:	Part:
C5		Councillors

Subject:

Declaration of Conflict/Material Personal Interests – Cr WA Honor

Pursuant to section 175C of the *Local Government Act 2009*, Cr WA Honor declared a material personal interest in item T7 of today's agenda as he has a water allocation from SunWater – and will therefore leave the room while the matter is discussed and voted on.



Minutes

26 May 2020

Item Number:	File Number:	Part:
C6		Councillors

Subject:

Declaration of Conflict/Material Personal Interest – Cr TM McPhee

Pursuant to section 175E of the *Local Government Act 2009*, Cr TM McPhee declared a real conflict of interest in item D1 of today's agenda as she signed a petition regarding regulated parking prior to the election and owns businesses in the Bundaberg CBD – and will therefore leave the meeting while the item is discussed and voted on.



Minutes

26 May 2020

Item Number:	File Number:	Part:
C7		Councillors

Subject:

Declaration of Conflict/Material Personal Interests – Cr VJ Habermann

Pursuant to section 175E of the *Local Government Act 2009*, Cr Habermann declared a perceived conflict of interest in item R1 of today's agenda as he is a Life Member of Brothers Sports Club, Bundaberg Cricket Association, Brothers Cricket Club, Diggers Football Club and a voluntary Queensland Rugby League reporter for Bundaberg Rugby League – but wished to stay and vote on the matter.

Resolution

The remaining Councillors determined that Cr VJ Habermann does not have a conflict of interest in item R1 of today's agenda as there is no conflict between the Councillor's personal interest and the public interest – and therefore can stay and vote on the matter.



Minutes

26 May 2020

Item Number: C8	File Number:	Part: Councillors
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Subject:

Declaration of Conflict/Material Personal Interests – Cr MBE Mitchell

Pursuant to section 175E of the *Local Government Act 2009*, Cr Mitchell declared a perceived conflict of interest in item R1 of today's agenda as she is a member of Coral Isles Cyclists – but wished to stay and vote on the matter.

Resolution

The remaining Councillors determined that Cr MBE Mitchell does not have a conflict of interest in item R1 of today's agenda as there is no conflict between the Councillor's personal interest and the public interest – and therefore can stay and vote on the matter.



Minutes

26 May 2020

Item Number: D1	File Number: .	Part: EXECUTIVE SERVICES
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Portfolio:

Executive Services

Subject:

Reinstatement of Regulated Parking

Cr TM McPhee left the meeting, the time being 10.18 am.

2511

Resolution

Cr MBE Mitchell presented the report; and moved:-

That Council recommence enforcing Regulated Parking within the Bundaberg local government area from 1 June 2020 and that suitable advertising and promotion be carried out.

Seconded by Cr JP Bartels.

The motion was put - and carried unanimously.

Cr TM McPhee returned to the meeting, the time being 10.18 am.



Minutes

26 May 2020

Item Number: D2	File Number: .	Part: EXECUTIVE SERVICES
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Portfolio:

Executive Services

Subject:

Planning Committee

2512

Resolution

Cr GR Barnes moved:

That this item be left to lie on the table to a future Ordinary meeting of Council to enable all Councillors, including those newly elected, to consider the independent review of the Development Group as referred to in the attached report, regarding the changed delegations for development approvals and as presented to Council in January 2019.

The Procedural Motion on being put was carried unanimously.



Minutes

26 May 2020

Item Number:	File Number:	Part:
D3		EXECUTIVE SERVICES

Portfolio:

Executive Services

Subject:

Appointment to Committees and other bodies

2513

Resolution

Cr JM Dempsey presented the report; and moved:-

That Council's representatives to the following Council and Community Organisations be as follows:

- Fleet Management Advisory Committee – Cr Trevor and Cr Honor.
- IS Steering Advisory Committee – Cr Cooper.
- Regional Arts Development Fund Committee – Cr Learmonth.
- Gallery Art Acquisition Committee – Cr Learmonth.
- Bundaberg Landfill Facility Community Consultation Group – Cr McLoughlin and Cr Honor.
- Bundaberg Region Cycling Action Advisory Group – Cr Habermann, Cr Mitchell and Cr Honor. Amended Terms of Reference attached.
- Bundaberg Region Sport & Recreation Advisory Group – Cr Habermann.
- Bundaberg Region Water Safety Advisory Group – Cr Honor.
- Community Conservation Advisory Committee – Cr Honor and Cr McLoughlin.
- Bundaberg Region Inclusive Communities Advisory Committee – Cr McPhee.
- Wide Bay Burnett Regional Organisation of Councils – Cr Dempsey and Cr Trevor.
- Wide Bay Burnett Regional Roads and Transport Group - Cr Dempsey and Cr Trevor.
- Coastal Burnett Groundwater Area Advisory Committee - Cr Trevor and Cr Bartels.
- Traffic Advisory Committee - Cr Trevor and Cr Learmonth.
- Wide Bay Burnett Regional Planning Committee - Cr Dempsey.
- Bundaberg Irrigators Advisory Committee - Cr Bartels and Cr Trevor (Cr Honor as Proxy).

- Public Safety Consultative Committee (an Advisory Committee of the Bundaberg Safe Night Out Precinct Inc) – Cr McPhee.
- Reef Guardian Council – Cr McLoughlin and Cr Honor.
- Local Disaster Management Group – Cr Dempsey and Cr Barnes.
- Audit and Risk Committee – Cr Dempsey and Cr Cooper.

Seconded by Cr VJ Habermann.

The motion was put - and carried unanimously.



Minutes

26 May 2020

Item Number:	File Number:	Part:
F1	.	FINANCE

Portfolio:

Organisational Services

Subject:

Fees and Charges Register 2020/2021

2514

Resolution

Cr SA Cooper presented the report; and moved:-

That Council's 2020/2021 Fees and Charges, as detailed in the Fees and Charges Register appended to this report, be adopted by Council, to take effect from 1 July 2020.

Seconded by Cr JP Bartels.

The motion was put - and carried unanimously.



Minutes

26 May 2020

Item Number: F2	File Number: .	Part: FINANCE
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Portfolio:

Organisational Services

Subject:

Financial Summary as at 1 May 2020

2515

Resolution

Cr SA Cooper presented the report; and moved:-

That the financial summary as at 1 May 2020 be noted by Council.

Seconded by Cr T McPhee.

The motion was put - and carried unanimously.



Minutes

26 May 2020

Item Number: G1	File Number: .	Part: GOVERNANCE
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Portfolio:

Organisational Services

Subject:

Organisational Structure

2516

Resolution

Cr SA Cooper presented the report; and moved:-

That the Organisational Structure (as at 1 May 2020) be adopted by Council.

Seconded by Cr GR Barnes.

The motion was put - and carried unanimously.



Minutes

26 May 2020

Item Number:	File Number:	Part:
G2	.	GOVERNANCE

Portfolio:

Organisational Services

Subject:

Council Policy Review

2517

Resolution

Cr SA Cooper presented the report; and moved:-

The Council:

1. Rescind the following policies:

- **Acceptable Requests Guidelines Policy, version 4;**
- **Administrative Action Complaints Policy, version 1.1;**
- **Advertising Spending Policy, version 1;**
- **Buy Local Policy, version 2;**
- **Community Engagement Policy, version 1;**
- **Complaints about the Chief Executive Officer, version 1.1;**
- **Council Vehicle Usage Policy, version 2.2;**
- **Councillor Complaints Investigation Policy, version 1;**
- **Councillor Use of Confidential Information Policy, version 1;**
- **Expenses Reimbursement for Councillors Policy, version 2;**
- **Fraud and Corruption Management Policy, version 2;**
- **Gifts and Benefits Policy, version 1;**
- **Hardship Policy, version 2;**
- **Media Relations Policy, version 1;**
- **Procurement Policy, version 1;**
- **Public Interest Disclosure Policy, version 3;**
- **Revenue Policy, version 2.1; and**
- **Risk Management Policy, version 1.**

2. Adopt the following policies:

- **Acceptable Requests Guidelines Policy, version 5;**
- **Administrative Action Complaints Policy, version 2;**
- **Advertising Spending Policy, version 2;**
- **Buy Local Policy, version 3;**
- **Community Engagement Policy, version 2;**
- **Complaints about the Chief Executive Officer, version 2;**
- **Council Vehicle Usage Policy, version 3;**
- **Councillor Complaints Investigation Policy, version 2;**
- **Councillor Portfolio Policy, version 1;**
- **Councillor Use of Confidential Information Policy, version 2;**
- **Expenses Reimbursement for Councillors Policy, version 3;**
- **Fraud and Corruption Management Policy, version 3;**
- **Gifts and Benefits Policy, version 2;**
- **Hardship Policy, version 3;**
- **Media Relations Policy, version 2;**
- **Planning Protocols Policy, version 1;**
- **Procurement Policy, version 2;**
- **Public Interest Disclosure Policy, version 4;**
- **Revenue Policy, version 3; and**
- **Risk Management Policy, version 2.**

3. Endorse the Employee Code of Conduct Policy, version 1.

Seconded by Cr JD Learmonth.

The motion was put - and carried unanimously.



Minutes

26 May 2020

Item Number:	File Number:	Part:
L1	521.2019.135.1	DEVELOPMENT ASSESSMENT

Portfolio:

Planning & Development Services

Subject:

Reconfiguring a Lot for Subdivision (One Lot into Seven Lots) - 50 CSR Depot Road, Childers

Cr WR Trevor left the meeting, the time being 10.30 am.

2518

Resolution

Cr JM Dempsey presented the report; and moved:-

That the Development Application 521.2019.135.1 detailed below be decided as follows:

1. Location details

Street address: 50 CSR Depot Road, Childers

Real property description: Lot 2 on SP307255

Local government area: Bundaberg Regional Council

2. Details of the proposed development

Development Permit for Reconfiguring a Lot (One Lot into Five Lots)

3. Decision

Decision details: Approved in full with conditions. These conditions are set out in Schedule 1 and are clearly identified to indicate whether the assessment manager or a concurrence agency imposed them.

The following approvals are given:

	Planning Regulation 2017 reference	Development Permit	Preliminary Approval
Development assessable under the planning scheme, a temporary local planning instrument, a master plan or a preliminary approval which includes a variation approval		<input checked="" type="checkbox"/>	<input type="checkbox"/>

4. Approved plans and specifications

Copies of the following plans, specifications and/or drawings are enclosed.

Drawing/report title	Prepared by	Date	Reference no.	Version / issue
Aspect of development: Reconfiguring a Lot				
Proposed Reconfiguring a Lot	Urban Planet Town Planning Consultants	15 April 2020	18064	05B

5. Conditions

This approval is subject to the conditions in Schedule 1. These conditions are clearly identified to indicate whether the assessment manager or concurrence agency imposed them.

6. Further development permits

Not applicable

7. Properly made submissions

Properly made submissions were received from the following principal submitters:

Name of principal submitter	Residential or Business Address	Electronic Address
Isis Sugar Central Mill C/- Peter Hawe	PMB1, Childers QLD, 4660	Peter.Hawe@isissugar.com.au
Gabriel Davis	3 Polmaise Lane, Boyne Island, QLD, 4680	gbdavis87@gmail.com
Amy Davis	3 Polmaise Lane, Boyne Island, QLD, 4680	amyristone@hotmail.com
Mark and Lesleigh Williams and Others	14 Schofield Land, Childers, QLD, 4660	mum_rox_54@hotmail.com

Greg and Marilyn Heath and Others	49 CSR Depot Road, Childers, QLD, 4660	Nil
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8. Referral agencies for the application

Not applicable

9. Currency period for the approval

This development approval will lapse at the end of the period set out in section 85 of *Planning Act 2016*.

10. Conditions about infrastructure

The following conditions about infrastructure have been imposed under Chapter 4 of the *Planning Act 2016*:

Condition/s	Provision under which the condition was imposed
14 and 23	Section 145 – Non-trunk Infrastructure
N/A	Section 128 – Trunk Infrastructure

11. Rights of appeal

The rights of applicants to appeal to a tribunal or the Planning and Environment Court against decisions about a development application are set out in Chapter 6, Part 1 of the *Planning Act 2016*. For particular applications, there may also be a right to make an application for a declaration by a tribunal (see Chapter 6, Part 2 of the *Planning Act 2016*).

Appeal by an applicant

An applicant for a development application may appeal to the Planning and Environment Court against the following:

- the refusal of all or part of the development application
- a provision of the development approval
- the decision to give a preliminary approval when a development permit was applied for
- a deemed refusal of the development application.

An applicant may also have a right to appeal to the Development tribunal. For more information, see Schedule 1 of the *Planning Act 2016*.

Appeal by a submitter

A submitter for a development application may appeal to the Planning and Environment Court against:

- any part of the development application for the development approval that required impact assessment
- a variation request.

The timeframes for starting an appeal in the Planning and Environment Court are set out in Section 229 of the *Planning Act 2016*.

Schedule 2 is an extract from the *Planning Act 2016* that sets down the applicant's appeal rights and the appeal rights of a submitter.

SCHEDULE 1 CONDITIONS AND ADVICES IMPOSED BY THE ASSESSMENT MANAGER

PART 1A – CONDITIONS IMPOSED BY THE ASSESSMENT MANAGER

GENERAL		
1.	Comply with all conditions of this development approval prior to the submission of the survey plan for endorsement, unless otherwise stated within this notice.	As indicated
2.	Where there is any conflict between the conditions of this Development approval and details shown on the Approved plans, the conditions prevail.	At all times
3.	The full cost of all work and any other requirements associated with this development must be met by the developer, unless specified in a particular condition or Infrastructure agreement.	At all times
OPERATIONAL WORK ASSOCIATED WITH THE ROL		
4.	Ensure all assessable Operational Work in this instance –Road widening and access driveways, is carried out in accordance with a valid Operational Work approval.	Prior to the commencement of work
CONSTRUCTION MANAGEMENT		
5.	Unless otherwise approved in writing by the Assessment Manager, ensure no audible noise from work is made: <ol style="list-style-type: none"> a. on a business day or Saturday, before 7:00am or after 6:30pm on any other day, at any time. 	At all times during construction
6.	Contain all litter, building waste, and sediment on the building site by the use of a skip and any other reasonable means during construction to prevent release to neighbouring properties or public spaces.	At all times during construction
7.	Remove any spills of soil or other material from the road or gutter upon completion of each day's work, during construction.	At all times during construction
RURAL NUMBERING		
8.	Ensure any new lot(s) that does not have rural numbering: <ol style="list-style-type: none"> a. provide rural numbering in the location nominated by the Assessment manager in accordance with the Assessment manager's adopted rural numbering system using AS4819 – Geographic information – rural and urban addressing; and b. remove all rural numbers made superfluous by this approval. 	Prior to the endorsement of the survey plan

EXISTING SERVICES AND STRUCTURES		
9.	Ensure all existing and proposed utilities and connections (e.g. electricity, telecommunications, water, and sewerage) are wholly located within the lot they serve.	Prior to the endorsement of the survey plan for each respective stage
10.	All existing effluent disposal areas must be wholly located within the lot they serve and comply with the boundary setback requirements of the <i>Plumbing and Drainage Act 2002</i> and associated codes.	Prior to the endorsement of the survey plan for each respective stage
11.	Submit to the Assessment Manager certification from an appropriately qualified person that confirms: <ul style="list-style-type: none"> a. The boundary clearances for any existing buildings or structures remaining on the site comply with the relevant provisions of the Planning scheme and the Building Act 1975, unless varied by an appropriate approval b. all constructed access and roadworks (including associated fill batters and retaining walls) are fully contained within a dedicated reserve or registered easement c. any fill, including fill batters, are wholly contained within the subject site and not on adjacent properties. 	Prior to the endorsement of the survey plan for stage 3
EASEMENTS		
12.	Lodge to the State (Titles office) for registration the following easement(s): <ul style="list-style-type: none"> a. A reciprocal access and services easements having a minimum width of 6m for proposed lot 5 and lot 4 in accordance with the approved plan 	When the survey plan is endorsed
13.	Submit all draft easement documentation to the Assessment Manager with the lodgement of the survey plans for endorsement.	When the survey plan is endorsed
ROADWORKS		
14.	Provide pavement widening to the northern side of CSR Depot Road for the full site frontage. The road widening and pavement must be designed in accordance with the Planning scheme policy for development works and standard drawing R3003. The works must be undertaken in accordance with an operational Works approval.	Prior to the endorsement of the survey plan for Stage 2
15.	Provide pavement tapers in accordance with the Planning scheme policy for development works. Detail must be determined as part of the assessment for Operational works.	Prior to the endorsement of the survey plan for Stage 2

16.	Remove all disused or redundant vehicular crossings, and footpath crossovers and reinstate footpaths as required.	Prior to the endorsement of the survey plan for Stage 2
ACCESS HANDLES		
17.	The CSR Depot Road frontage to lots 1 and 5 must be a minimum 6m wide in accordance with the planning scheme policy for development works.	Prior to the endorsement of the relevant stage survey plan
18.	Design and construct minimum 3.5m wide access driveways to proposed lots 1 and 5 in accordance with the planning scheme policy for development works.	Prior to the endorsement of the relevant stage survey plan
STORMWATER		
19.	<p>Prepare and submit for approval to the Assessment Manager a Stormwater management plan in accordance with the applicable Planning scheme codes and the Planning scheme policy for development works.</p> <p>The plan is to include, but not be limited to the following:</p> <ul style="list-style-type: none"> a. the detail design and layout of all necessary stormwater drainage systems and stormwater quality management systems b. the provision of on-site detention/retention necessary to limit discharge to pre-development generated peak levels up to and including the Q100 ARI return interval (or 1% AEP) c. the provision of stormwater quality improvement devices d. demonstration that the development will not result in actionable nuisance on upstream or downstream properties. <p>All stormwater drainage work must be carried out in accordance with the approved Stormwater management plan.</p> <p>Note: <i>Submission of the stormwater management plan may form part of an Operational works application.</i></p>	Prior to the endorsement of the survey plan

ELECTRICITY, STREET LIGHTING, TELECOMMUNICATIONS		
20.	Enter into an agreement with an approved electricity provider, to ensure that underground electricity (and existing overhead where practical) will be available to each lot under standard tariff conditions and without further capital contributions. Provide evidence of such an agreement, along with associated bonding arrangements, to the Assessment Manager prior to the approval of the Plan of Subdivision.	Prior to the endorsement of the survey plan for each respective stage
21.	Enter into an agreement with the Telecommunications Authority or Cable Service provider (whichever is applicable) to ensure that telecommunication/cable services will be available to each lot. Provide evidence of such an agreement to the Assessment Manager prior to the approval of the Plan of Subdivision.	Prior to the endorsement of the survey plan for each respective stage
22.	Telecommunication conduits (ducts) and pits, including trenching and design, must be provided to service the development in accordance with 'Fibre-Ready' standards or the NBN Co Installing Pit and Conduit Infrastructure - <i>Guidelines for Developers</i> , to the satisfaction of the Assessment Manager.	Prior to the endorsement of the survey plan for each respective stage
AGRICULTURAL BUFFERS		
23.	<p>Establish a vegetated agricultural buffer along the norther boundaries of Lot 1 and 5. The buffer must:</p> <ol style="list-style-type: none"> a. have a minimum width of 40 m b. contain random plantings of a variety of tree and shrub species of differing growth habits at spacings of 4-5 m for a minimum width of 20 m, centrally located within the 40 m buffer area c. include species with long, thin, and rough foliage which facilitates the more efficient capture of spray droplets d. provide a permeable barrier which allows air to pass through the buffer. A porosity of 0.5 is acceptable (approximately 50% of the screen should be air space) e. foliage is from the base to the crown f. include species which are fast growing and hardy g. have a mature tree height 1.5 times the spray release height or target vegetation height of the adjacent agricultural activity, whichever is higher h. have mature height and width dimensions which do not detrimentally impact upon adjacent agricultural activity i. include an area of at least 10 m clear of vegetation (excluding grass) or flammable material to either side of the vegetated area. <p>If the buffer location conflicts with MSES Vegetation, the buffer is not required.</p>	Prior to the endorsement of the survey plan of the relevant stage and then to be maintained until such time as agreed to by the Assessment Manager

BUILDING ENVELOPES		
24.	<p>Prepare and submit for approval to the Assessment Manager a Building envelope plan for Lot 1 and 5 of the development that:</p> <ul style="list-style-type: none"> a. is prepared by a Surveyor b. identifies by metes and bounds a building envelope for each lot identified on the approved plans as having a building envelope c. is located outside any required agricultural buffer d. comply with the setback requirements of the Dwelling House code of the Bundaberg Regional Planning Scheme 2015, e. dimensions of each envelope to a point on the lot boundary with a minimum area of 2,000 m², unless otherwise identified on the approved plans f. Locate at least 140 metres from the cane railway corridor; g. incorporates any required changes shown in red on the approved plans <p>Once approved, amendments to the Building envelope can only be made with the agreement of the Assessment Manager. Any agreement must be obtained in writing.</p>	Prior to the endorsement of the survey plan
25.	Any future building works on proposed Lots 1 and 5 must be located within the approved Building Envelope, unless otherwise approved in writing by the Assessment Manager	At all times.
26.	Ensure a copy of the Building envelope plan is included in the contract of sale, together with a clause which requires future dwellings and associated buildings and structures to be constructed in accordance with the plan, for each and every lot of the development.	As indicated
DEVELOPMENT IN STAGES		
27.	Development is to be carried out in accordance with the stages identified on the Approved plans.	As indicated
28.	The development may be staged in accordance with the stage boundaries shown on the Approved plans. Staging must be completed sequentially in the stage order indicated on the Approved plans.	As indicated

PART 1B – ADVICE NOTES

NO.	ADVICE	TIMING
INFRASTRUCTURE CHARGES		
1.	Infrastructure charges notice (331.2019.1132.1) applicable to the development is attached to this Development approval.	At all times

RATES AND CHARGES		
2.	In accordance with the <i>Planning Act 2016</i> , 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.	Prior to the endorsement of the survey plan
ENVIRONMENTAL HARM		
3.	The <i>Environmental Protection Act 1994</i> 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, wastewater, 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 no connected with the use.	At all times
ABORIGINAL CULTURAL HERITAGE		
4.	All development should proceed in accordance with the Duty of care guidelines under the <i>Aboriginal Cultural Heritage Act 2003</i> . Penalties may apply where duty of care under that act has been breached.	At all times

PART 1C – PROPERTY NOTES

NO.	ADVICE	TIMING
INFRASTRUCTURE OVERLAY – CANE RAILWAY CORRIDOR BUFFER		
5.	Development Approval 521.2019.135.1 – Cane Railway Corridor The following notation applies to the approved Lots:	At all times

	Please note that the land is in proximity to a cane railway corridor and may be subject to adverse environmental effects associated with the lawful operation of the cane railway.	
RURAL ACTIVITY		
6.	<p>Development approval 521.2019.135.1– Rural activity</p> <p>The following notation applies to the approved lots:</p> <p>All future purchasers of the subject land should note that there is a rural activity adjacent to the land and such activity may impact on the amenity of residents.</p>	
AGRICULTURAL BUFFER		
7.	<p>Development approval 521.2019.135.1– Agricultural buffer</p> <p>The following notation applies to the approved lots 1 and 5:</p> <p>An agricultural buffer has been established on this property to help mitigate any impacts (e.g. spray drift, noise etc.) from current and future agricultural activities located nearby. The owner is responsible for the maintenance of the agricultural buffer as shown on the Approved plans</p>	
DRIVEWAYS		
8.	<p>Development approval 521.2019.135.1– Residential driveways</p> <p>The following notation applies to the approved lots:</p> <p>All work undertaken within the road reserve, including the construction of residential driveways, require approval from Council. Application forms can be found on Councils website http://www.bundaberg.qld.gov.au/services/roads/driveways</p> <p>For further information contact Council's Road Corridor Management team engineering@bundaberg.qld.gov.au</p>	
SEWERAGE		
9.	<p>Development Approval 521.2019.135.1 – Sewerage</p> <p>The following notation applies to the approved Lots:</p> <p>This property is not serviced by the Council's reticulated sewerage network. Any future residential dwelling on Lots 1 and 3 must be provided with an on-site wastewater treatment and effluent disposal system having a capacity sufficient for the use. The establishment of a wastewater treatment and disposal system for the site requires a Compliance Permit to be obtained from Council under the <i>Plumbing and Drainage Act 2002</i>. The system must be designed in accordance with the Queensland Plumbing and Wastewater Code (Department of State Development and Infrastructure & Planning, 2007) and Australian Standard AS/NZS1547: 2000 'On-site Domestic Wastewater Management'.</p>	At all times

WATER		
10.	<p>Development Approval 521.2019.135.1 – Water</p> <p>The following notation applies to the approved Lots:</p> <p>This property is not serviced by the Council’s reticulated water network. At the time of final Building Approval for a residential dwelling, the owner must provide a potable water supply through connection of the dwelling to a rainwater storage tank, or tanks, having a capacity of not less than 45,000 litres.</p>	At all times
BUILDING ENVELOPES		
11.	<p>Development Approval 521.2019.135.1 – Building Envelopes</p> <p>The following notation applies to approved Lot 1 and 5:</p> <p>Building Envelope restrictions apply in respect to the use and development of this property, including clearing of vegetation outside of the Building Envelope. A copy of the Building Envelope Plan is available from the Council’s. Landowners or purchasers are strongly advised to seek further details by contacting the Council’s Development Assessment Branch.</p>	At all times

Seconded by Cr WA Honor.

The motion was put - and carried unanimously.

Cr WR Trevor returned to the meeting, the time being 10.31 am.



Minutes

26 May 2020

Item Number:	File Number:	Part:
R1	.	SPORT, RECREATION, VENUES & DISASTER MANAGEMENT

Portfolio:

Community & Environment

Subject:

COVID-19 Economic Stimulus Package – Community Sport Support Program

Pursuant to section 175E of the *Local Government Act 2009* Cr TM McLoughlin declared a perceived conflict as her husband is the Secretary of Diggers Football Club – and advised that she wished to stay in the meeting and vote on the matter.

The remaining Councillors determined that Cr TM McLoughlin does not have a conflict of interest in this item as there is no conflict between the Councillor's personal interest and the public interest – and therefore can stay and vote on the matter.

Pursuant to section 175E of the *Local Government Act 2009* Cr JD Learmonth declared a real conflict of interest as he is a Commodore at the Bundaberg Sailing Club – and that he will leave the meeting while the item is discussed and voted on.

Cr JD Learmonth left the meeting, the time being 10.37 am.

Pursuant to section 175E of the *Local Government Act 2009* Cr GR Barnes declared a perceived conflict of interest as he is the Patron of Bargara Little Athletics – and that he wished to stay and vote on the matter.

The remaining Councillors determined that Cr GR Barnes does not have a conflict of interest in this item as there is no conflict between the Councillor's personal interest and the public interest – and therefore can stay and vote on the matter.

2519

Resolution

Cr VJ Habermann presented the report; and moved:-

That Council adopt the COVID-19 Community Sport Support Program and allocate a budget of up to \$200,000 in the 2020/21 financial year in support of the program to provide financial assistance to local sporting organisations.

Seconded by Cr SA Cooper.

The motion was put - and carried unanimously.

Cr JD Learmonth returned to the meeting, the time being 10.44 am.

The Mayor advised at this stage, pursuant to Section 275 of the “Local Government Regulation 2012”, the meeting would be closed to the public to discuss the following 10 items which are considered confidential in accordance with Section 275.

Resolution

Cr JM Dempsey moved:-

That the meeting be closed to the public – and discussion on the following 10 items be held in Committee:

- T1 37 Curtis Street, Bundaberg South - Request for Infrastructure Charges Relief**
- T2 28 River Road, Fairymead - Request for Infrastructure Charges Relief**
- T3 Request to vary terms of Bundaberg Open for Development Infrastructure Agreement – DA 526.2018.68.1**
- T4 Specialised Supplier - Provision of Bulk Water Tags - Hipcliff Pty Ltd**
- T5 Sole Supplier - Metrohm Australia Pty Ltd**
- T6 Sole Supplier Submission - Australia Post Agency Agreement**
- T7 Paradise Dam**
- T8 Lease 2 Maryborough Street, Bundaberg**
- T9 27 Theodolite Creek Drive, Woodgate (Lot 16 on RP117667)**
- T10 Lease of Part of 160 Hughes Road, Bargara (Lot 11 on RP7268) Bargara Administration Building**

Seconded by Cr VJ Habermann - and carried unanimously.

The meeting closed to the public at 10.45 am.

Cr WA Honor left the meeting, the time being 11.00 am during discussion on item T3.

Cr WA Honor returned to the meeting, the time being 11.01 am.

Crs WR Trevor & WA Honor left the meeting, the time being 11.03 am during discussion on item T7.

Crs WR Trevor & WA Honor returned to the meeting, the time being 11.04 am.

Resolution

Cr JM Dempsey moved:-

That the meeting now be reopened to the public via live stream – the time being 11.08 am.

Seconded by Cr WA Honor - and carried unanimously.



Minutes

26 May 2020

Item Number:	File Number:	Part:
T1	322.2014.42367.1	CONFIDENTIAL

Portfolio:

Planning & Development Services

Subject:

37 Curtis Street, Bundaberg South - Request for Infrastructure Charges Relief

Confidential Reason:

Local Government Regulation 2012 Section 275(h) other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

2520

Resolution

Cr JM Dempsey moved:-

That Council authorise the Chief Executive Officer or his nominated delegate to enter into an Infrastructure Agreement for DA 322.2014.42367.1 that reduces the charge payable by 50% subject to payment within 30 days of the date of execution of the agreement.

Seconded by Cr SA Cooper.

The motion was put - and carried unanimously.



Minutes

26 May 2020

Item Number:	File Number:	Part:
T2	322.2017.17620.1	CONFIDENTIAL

Portfolio:

Planning & Development Services

Subject:

28 River Road, Fairymead - Request for Infrastructure Charges Relief

Confidential Reason:

Local Government Regulation 2012 Section 275(h) other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

2521

Resolution

Cr JM Dempsey moved:-

That Council advise the owner of 28 River Road, Fairymead that it does not agree to reduce or waive the infrastructure charges payable for Development Approval 322.2017.47620.1.

Seconded by Cr WR Trevor.

The motion was put - and carried.

For

Cr JP Bartels

Cr WR Trevor

Cr WA Honor

Cr T McPhee

Cr GR Barnes

Cr T McLoughlin

Cr SA Cooper

Cr MBE Mitchell

Cr JD Learmonth

Cr JM Dempsey

Against

Cr VJ Habermann



Minutes

26 May 2020

Item Number:	File Number:	Part:
T3	526.2018.68.1	CONFIDENTIAL

Portfolio:

Planning & Development Services

Subject:

Request to vary terms of Bundaberg Open for Development Infrastructure Agreement – DA 526.2018.68.1

Confidential Reason:

Local Government Regulation 2012 Section 275(h) other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

Cr Wayne Honor left the meeting, the time being 11.10 am.

2522

Resolution

Cr JM Dempsey moved:-

That Council:

- A. Rescind Part A of Council Resolution 2440 made at the Ordinary Meeting of Council of 19 November 2019: and**
- B. Agree to vary the draft Bundaberg Open for Development Infrastructure Agreement for DA526.2018.68.1 by including the following provisions:**
 - 1. Confirm that the Developer is to construct a 2.0 metre wide footpath from the intersection of FE Walker Street along the new road to link with the existing footpath in Santalucia Boulevard;**
 - 2. The Developer may construct footpath LGIP ID: P.FP.00443 between Que Hee Street and the new intersection of Santalucia Boulevard; and**
 - 3. If the Developer constructs LGIP ID: P.FP.00443 then Council will provide offsets against trunk infrastructure charges for the actual cost of the works for both footpaths detailed in point 1 and 2.**

Seconded by Cr T McPhee.

The motion was put - and carried.

For

Cr JP Bartels
Cr WR Trevor
Cr T McPhee
Cr T McLoughlin
Cr VJ Habermann
Cr SA Cooper
Cr MBE Mitchell
Cr JD Learmonth
Cr JM Dempsey

Against

Cr GR Barnes

Cr WA Honor returned to the meeting, the time being 11.12 am.



Minutes

26 May 2020

Item Number: T4	File Number: .	Part: CONFIDENTIAL
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Portfolio:

Infrastructure Services

Subject:

Specialised Supplier - Provision of Bulk Water Tags - Hipcliff Pty Ltd

Confidential Reason:

Local Government Regulation 2012 Section 275(e) contracts proposed to be made by it.

2523**Resolution**

Cr JM Dempsey moved:-

That:

- a) Council enter into an arrangement with Hipcliff Pty Ltd for the provision of bulk water tags without first inviting written quotes pursuant to Section 253(b) of the *Local Government Regulation 2012*: and
- b) this arrangement be made for an initial period January 2020 to January 2023 inclusive (3 years).

Seconded by Cr SA Cooper.

The motion was put - and carried unanimously.



Minutes

26 May 2020

Item Number: T5	File Number: .	Part: CONFIDENTIAL
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Portfolio:

Infrastructure Services

Subject:

Sole Supplier - Metrohm Australia Pty Ltd

Confidential Reason:

Local Government Regulation 2012 Section 275(e) contracts proposed to be made by it.

2524

Resolution

Cr JM Dempsey moved:-

That Council enter into an arrangement with Metrohm Australia Pty Ltd (ABN 93 081 861 645) for the supply of spares, consumables and servicing of the MEP IC Units without first inviting written quotes pursuant to Section 235(a) of the *Local Government Regulation 2012*;

Seconded by Cr VJ Habermann.

The motion was put - and carried unanimously.



Minutes

26 May 2020

Item Number: T6	File Number: .	Part: CONFIDENTIAL
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Portfolio:

Organisational Services

Subject:

Sole Supplier Submission - Australia Post Agency Agreement

Confidential Reason:

Local Government Regulation 2012 Section 275(e) contracts proposed to be made by it.

2525**Resolution**

Cr JM Dempsey moved:-

That Council enter into an arrangement with Australia Post for the ongoing provision of agency services with three yearly management reviews, without first inviting written quotes pursuant to section 235(a) of the *Local Government Regulation 2012*.

Seconded by Cr GR Barnes.

The motion was put - and carried unanimously.



Minutes

26 May 2020

Item Number: T7	File Number:	Part: CONFIDENTIAL
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Portfolio:

Executive Services

Subject:

Paradise Dam

Confidential Reason:

Local Government Regulation 2012 Section 275(f) starting or defending legal proceedings involving it.

Crs WR Trevor & Cr WA Honor left the meeting, the time being 11.14 am

2526

Resolution

Cr JM Dempsey moved:-

That Council decline the offer provided on 21 April 2020.

Seconded by Cr JP Bartels.

The motion was put - and carried unanimously.

Crs WR Trevor & WA Honor returned to the meeting, the time being 11.15 am.



Minutes

26 May 2020

Item Number: T8	File Number:	Part: CONFIDENTIAL
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Portfolio:

Organisational Services

Subject:

Lease 2 Maryborough Street, Bundaberg

Confidential Reason:

Local Government Regulation 2012 Section 275(d) rating concessions.

2527

Resolution

Cr JM Dempsey moved:-

That Council:

- 1. accept Macs Workout Pty Ltd as Trustee's offer to terminate the Lease early on the condition that the bond is to be retained by Council. The termination date of the Lease (including removal of the Tenant's possessions) is 30 June 2020; and**
- 2. write off the unpaid rent in the amount of \$15,429.32 and any applicable interest.**

Seconded by Cr WA Honor.

The motion was put - and carried unanimously.



Minutes

26 May 2020

Item Number: T9	File Number: .	Part: CONFIDENTIAL
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Portfolio:

Organisational Services

Subject:

27 Theodolite Creek Drive, Woodgate (Lot 16 on RP117667)

Confidential Reason:

Local Government Regulation 2012 Section 275(e) contracts proposed to be made by it.

2528**Resolution**

Cr JM Dempsey moved:-

That:

- 1. Council accept the gift of 27 Theodolite Creek Drive, Woodgate (Lot 16 on RP117667); and**
- 2. the CEO be authorised to enter into a Deed of Gift and sign all necessary documentation to complete the gift to Council.**
- 3. the Landowner be responsible for any applicable Land Tax payable prior to the gift to Council.**

Seconded by Cr MBE Mitchell.

The motion was put - and carried unanimously.



Minutes

26 May 2020

Item Number: T10	File Number: .	Part: CONFIDENTIAL
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Portfolio:

Organisational Services

Subject:

Lease of Part of 160 Hughes Road, Bargara (Lot 11 on RP7268) Bargara Administration Building

Confidential Reason:

Local Government Regulation 2012 Section 275(e) contracts proposed to be made by it.

2529

Resolution

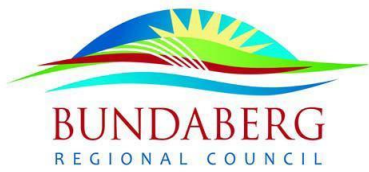
Cr JM Dempsey moved:-

That:-

- 1. Council apply the exception contained in section 236(1)(b)(ii) of the *Local Government Regulation 2012*; and**
- 2. the Chief Executive Officer be authorised to enter into a five year Lease to Burnett Mary Regional Group for Natural Resource Management Ltd for part of the Bargara Administration Centre, known as Lot 11 on RP7268.**

Seconded by Cr WA Honor.

The motion was put - and carried unanimously.



Minutes

26 May 2020

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

Meeting Close

There being no further business – the Mayor declared this Ordinary Meeting closed at 11.18 am.

Confirmed on 30 June 2020.

Mayor

HEAD OF POWER

- *Local Government Act 2009*, section 104
- *Local Government Regulation 2012*, Chapter 6 – Contracting

INTENT

The purpose of this policy is to provide a local content framework that provides an enhanced opportunity for businesses in the Bundaberg Regional Council local government area when quoting and/or tendering to supply Council.

SCOPE

This policy applies to all staff.

DEFINITIONS

FTE means full-time equivalent and is a unit that indicates the hours worked of an employee.

Procurement Board means a leadership group chaired by Council's Manager Strategic Procurement and Supply to oversee Council's procurement and contracting activities.

POLICY STATEMENT

1. Council is committed to generating positive economic and social outcomes for the community as well as ensuring best value in its procurement activities. This policy has the key objective of enhancing the participation of competitive local businesses in bidding for Council's business.
2. The policy embeds local content principles within Council procurement procedures and practices which:
 - i. Benefit the promotion of value for money with probity and accountability;
 - ii. Advances Council's economic, social and environmental policies; and
 - iii. Increases transparency in procurement local content evaluation.
3. The policy does not mandate that Council must use local suppliers; rather it is about providing a mechanism for Council to be able to transparently consider a range of potential suppliers, when making procurement decisions.
4. The Buy Local Policy is focused on achieving a value for money outcome.
5. The policy requires a 30% local content preferential weighting to be applied to the evaluation criteria for goods, services and ICT procurement activities.

This weighting is to be based on a business location categorisation.

Score	Category	Description
30%	A	1. Is a developing or established business in the Bundaberg Regional Council local government area directly employing local FTEs; or 2. An incorporated registered charitable organisation and/or an incorporated bona fide community organisation operating a business directly employing local FTEs; or 3. An indigenous business in the Council area directly employing local FTEs.
24%	B	Has a branch office in the Bundaberg Regional Council local government area directly employing a minimum of 10 FTEs (not contractors).
18%	C	Has a branch office in the Bundaberg Regional Council local government area, established for a minimum of 6 months, directly employing less than 10 FTEs (not contractors).
12%	D	Has a business in the adjacent local government areas (Gladstone, North Burnett, Fraser Coast).
6%	E	Is a Queensland business.
3%	F	Is an interstate business.
0%	G	Is an overseas business.

A Category “A” business, is a business that:

- Has its head office in and conducts business within the local government area (includes sole traders) prior to a contract being awarded for which their offer has been submitted; or
- May also conduct business outside of the local government area; or
- Is an incorporated registered charitable organisation and/or an incorporated bona fide community organisation operating a business directly employing local FTEs; or
- Is an indigenous business in the Council area directly employing local FTEs.

Any branch office (Category B or C business) must:

- Be a branch office of the business submitting the offer, not of a subsidiary or parent company; and
- Constitute a physical address, not a post office box or other mailing address.

Remaining proximities (adjacent local government, Queensland, interstate and overseas locations) are determined by the location of the business’s head office.

6. For construction procurement activities, the nature and scope is often complex and regularly involves the appointment of a principal contractor and sub-contractors. To enable consideration of the wider community and social benefits beyond the first contract level, a bespoke buy local content scoring criterion (minimum 30% weighting of evaluation score), must be outlined in the premarket submission and approved by the Procurement Board.

Council officers may exercise reasonable discretion to take into account sound contracting principles when evaluating tender results.

7. For contracts under \$200,000 (exclusive of GST), Council reserves the right to invite only local businesses in the local government area to quote or tender.
8. For contracts greater than \$200,000 (exclusive of GST), Council officers must seek a Council resolution to invite only local businesses in the local government area to quote or tender.

ASSOCIATED DOCUMENTS

- Procurement and Contract Manual
- Procurement Policy
- Employee Code of Conduct

DOCUMENTS CONTROLS

Council will review this policy biennially or in response to changes in law or best practice.

POLICY OWNER

The Manager Strategic Procurement and Supply is the responsible person for this policy.