MINUTES OF THE SPECIAL MEETING
HELD IN THE FRASER COAST REGIONAL COUNCIL CHAMBERS,
MARYBOROUGH CITY HALL, KENT STREET, MARYBOROUGH
ON WEDNESDAY 15 DECEMBER, 2010 COMMENCING AT 10.48AM

PRESENT:
Councillor Mick Kruger (Chairman)
Councillor Julie Arthur
Councillor Sue Brooks
Councillor David Dalgleish
Councillor Linda Harris
Councillor Debbie Hawes
Councillor Barb Hovard
Councillor Belinda McNeven
Councillor Les MucKan
Councillor Gerard O'Connell

STAFF IN ATTENDANCE:
Acting Chief Executive Officer, Ms Lisa Desmond
Director Community & Development, Mr Peter Smith
Executive Manager Environmental Health & Regulation, Mr Andy Gaze
Executive Manager Strategic Integration, Mr Kim Roberts
Inundation Planning Manager, Mrs Heide Nelson
Acting Executive Manager, Development Assessment, Mr Adam Yem
Executive Manager Strategic Planning, Ms Rosalyn Acworth
Planner, Mr Damien Frey
Senior Planner, Mr Jeff Brannan
Senior Planner, Ms Lee-Anne Manski
Special Projects Officer, Strategic Planning, Ms Cathrine Bennett
Principal Officer Corporate Communication & Marketing, Mr Kevin Corcoran
Meeting Secretary, Mrs Julie Schoonderwoerd

SPEC 1 APOLOGIES

RESOLUTION (McNeven / Dalgleish)

That the apology from Councillor Nioa who is absent on leave be accepted.

Carried Unanimously
Spec/9/12/10

SPEC 2 DISCLOSURE OF INTERESTS

Councillor Harris said that she believed she had a Conflict of Interest in Item SPEC 6.2.

Councillor Kruger declared a Material Personal Interest in Item SPEC 5.3. He said that while he did not believe he did, he declared a perceived Conflict of Interest in Item SPEC 6.4.

SPEC 3 COMMITTEES' AND DELEGATES' REPORTS

SPEC 3.1 Minutes of Community & Development Committee Meeting No. 11 – 8 December 2010

RESOLUTION (Hovard / Hawes)

That the Minutes of the Community & Development Committee Meeting No. 11 held on 8 December 2010 be confirmed.

Carried Unanimously
Spec/10/12/10

RESOLUTION (Hovard / O'Connell)

That the Community & Development Committee recommendations not adopted at the meeting under delegated authority be adopted.

Carried Unanimously
Spec/11/12/10

SPEC 4 COMMITTEES' AND DELEGATES' REPORTS

SPEC 4.1 Recommendations of Strategic & Organisational Committee Meeting No. 6 – 15 December 2010

Council Kruger advised that in relation to the apology from Councillor Nioa, it should read "absent on leave".

RESOLUTION (O'Connell / Dalgleish)

That the recommendations of the Strategic & Organisational Committee Meeting No. 6 held on 15 December 2010 be adopted.

Carried Unanimously
Spec12/12/10

SPEC 5 OFFICERS' REPORTS

SPEC 5.1 Local Laws Review

RESOLUTION (Hawes / Brooks)

That Council adopts the following recommendations:

Recommendation 1

That Council hereby resolves under section 29 of the Local Government Act 2009 to adopt the processes outlined in the "*Fraser Coast Regional Council – Review of Local Laws – Report on Local Law Making Process*" (dated October 2010) for making and repealing local laws.

Recommendation 2

That Council hereby resolves to propose to:

- adopt *Local Law No. 1 (Administration) 2010*. The local law so adopted will be referred to as *Local Law No. 1 (Administration) 2010 of the Council's Local Laws*;
- adopt *Local Law No. 2 (Animal Management) 2010*. The local law so adopted will be referred to as *Local Law No. 2 (Animal Management) 2010* of the Council's Local Laws;
- adopt *Local Law No. 3 (Community and Environmental Management) 2010*. The local law so adopted will be referred to as *Local Law No. 3 (Community and Environmental Management) 2010* of the Council's Local Laws;
- adopt *Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2010*. The local law so adopted will be referred to as *Local Law No.4 (Local Government Controlled Areas, Facilities and Roads) 2010* of the Council's Local Laws.
- adopt *Model Local Law No. 5 (Parking) 2010*. The local law so adopted will be referred to as *Local Law No.5 (Parking) 2010* of the Council's Local Laws.
- adopt *Model Local Law No. 6 (Bathing Reserves) 2010*. The local law so adopted will be referred to as *Local Law No.6 (Bathing Reserves) 2010* of the Council's Local Laws."

Recommendation 3

That Council hereby resolves that the following local laws have been reviewed and have been identified as redundant local laws:

- *Fraser Coast Regional Council Local Law No. 2 (Meetings) 2008*
- *Hervey Bay City Council Local Law No.1 (Administration) 1999*
- *Hervey Bay City Council Local Law No.2 (Gates and Grids) 1999*
- *Hervey Bay City Council Local Law No. 3 (Libraries) 1999*
- *Hervey Bay City Council Local Law No.4 (Water Supply) 1999*
- *Hervey Bay City Council Local Law No. 5 (Keeping and Control of Animals) 1999*
- *Hervey Bay City Council Local Law No. 6 (Cemeteries) 1999*

- *Hervey Bay City Council Local Law No. 7 (Entertainment Venues) 1999*
- *Hervey Bay City Council Local Law No. 8 (Temporary Homes) 1999*
- *Hervey Bay City Council Local Law No. 9 (Rental Accommodation) 1999*
- *Hervey Bay City Council Local Law No. 10 (Control of Pests) 1999*
- *Hervey Bay City Council Local Law No. 11 (Barge Landing Facilities) 1999*
- *Hervey Bay City Council Local Law No. 12 (Domestic Water Carriers) 1999*
- *Hervey Bay City Council Local Law No. 13 (Blasting Operations) 1999*
- *Hervey Bay City Council Local Law No. 14 (Parks and Reserves) 1999*
- *Hervey Bay City Council Local Law No. 15 (Control of Nuisances) 1999*
- *Hervey Bay City Council Local Law No. 16 (Regulated Parking) 1999*
- *Hervey Bay City Council Local Law No. 17 (Commercial Use of Roads) 1999*
- *Hervey Bay City Council Local Law No. 18 (Roads) 1999*
- *Hervey Bay City Council Local Law No. 19 (Aerodromes) 1999*
- *Hervey Bay City Council Local Law No. 20 (Caravan Park Operators) 1999*
- *Hervey Bay City Council Local Law No. 21 (Swimming Pools) 1999*
- *Hervey Bay City Council Local Law No. 22 (Local Government Swimming Pools) 1999*
- *Hervey Bay City Council Local Law No. 23 (Control of Local Government Premises) 1999*
- *Hervey Bay City Council Local Law No. 25 (Bathing Reserves) 1999*
- *Hervey Bay City Council Local Law No. 26 (Protection of Vegetation) 1999*
- *Hervey Bay City Council Local Law No. 27 (Rifle Ranges) 1992*
- *Maryborough City Council Local Law No. 1 (Administration) 2005*
- *Maryborough City Council Local Law No. 2 (Keeping and Control of Animals) 1997*
- *Maryborough City Council Local Law No. 2A (Impounding of Animals) 1996*
- *Maryborough City Council Local Law No. 3 (Regulated Parking) 2006*
- *Maryborough City Council Local Law No. 4 (Domestic Water Carriers) 1997*
- *Maryborough City Council Local Law No. 5 (Temporary Homes) 2006*
- *Maryborough City Council Local Law No. 13 (Parks and Reserves) 1999*
- *Maryborough City Council Local Law No. 14 (Control of Nuisances) 1999*
- *Maryborough City Council Local Law No. 17 (Caravan Parks and Camping) 2006*
- *Maryborough City Council Local Law No. 18 (Cemeteries) 1999*
- *Maryborough City Council Local Law No. 19 (Swimming Pools) 2006*
- *Maryborough City Council Local Law No. 22 (Control of Advertising) 1999*
- *Maryborough City Council Local Law No. 43 (Vegetation Management) 2006*
- *Maryborough City Council Local Law No. 44 (Jetties and Loading Ramps) 1991*
- *Maryborough City Council Local Law No. 51 (Libraries) 2006*
- *Maryborough City Council Local Law No. 52 (Control of Pests) 1999*

- *Maryborough City Council Local Law No. 53 (Gates and Grids) 1999*
- *Maryborough City Council Local Law No. 55 (Public Aerodromes) 1999*
- *Maryborough City Council Local Law No. 56 (Roads) 1999*
- *Maryborough City Council Local Law No. 57 (Commercial Use of Roads) 1999*
- *Tiaro Shire Council Local Law No. 1 (Administration) 1995*
- *Tiaro Shire Council Local Law No. 8 (Control of Advertisements) 1996*
- *Tiaro Shire Council Local Law No. 13 (Keeping and Control of Animals) 1995*
- *Tiaro Shire Council Local Law No. 15 (Parks and Reserves) 1996*
- *Tiaro Shire Council Local Law No. 19 (Entertainment Venues) 1995*
- *Tiaro Shire Council Local Law No. 20 (Domestic Water Carriers) 1996*
- *Tiaro Shire Council Local Law No. 22 (Libraries) 1995*
- *Tiaro Shire Council Local Law No. 24 (Gates and Grids) 1995*
- *Tiaro Shire Council Local Law No. 32 (Extractive Industries) 1995*
- *Tiaro Shire Council Local Law No. 34 (Temporary Homes) 1995*
- *Tiaro Shire Council Local Law No. 35 (Rental Accommodation with Shared Facilities) 1996*
- *Tiaro Shire Council Local Law No. 36 (Control of Pests) 1996*
- *Tiaro Shire Council Local Law No. 37 (Blasting Operations) 1996*
- *Tiaro Shire Council Local Law No. 38 (Control of Nuisances) 1996*
- *Woocoo Shire Council Local Law No. 2 (Administration) 2000*
- *Woocoo Shire Council Local Law No. 111 (Control of Nuisances) 1996*
- *Woocoo Shire Council Local Law No. 157 (Licensed Gates and Grids) 1994*
- *Woocoo Shire Council Local Law No. 161 (Commercial Use of Roads) 1997*
- *Woocoo Shire Council Local Law No. 162 (Roads) 1997*
- *Woocoo Shire Council Local Law No. 22 (Rental Accommodation with Shared Facilities) 1997*
- *Woocoo Shire Council Local Law No. 46 (Domestic Water Carriers) 1996*
- *Woocoo Shire Council Local Law No. 47 (Parks and Reserves) 1996*
- *Woocoo Shire Council Local Law No. 53 (Control of Pests) 1996*
- *Woocoo Shire Council Local Law No. 56 (Preservation of Trees) 1999*
- *Woocoo Shire Council Local Law No. 62 (Control of Advertisements) 1997*
- *Woocoo Shire Council Local Law No. 66 (Temporary Homes) 1995*
- *Woocoo Shire Council Local Law No. 82 (Libraries) 1995*
- *Woocoo Shire Council Local Law No. 83 (Telecommunication Cabling) 1998*
- *Woocoo Shire Council Local Law No. 87 (Entertainment Venues) 1995*
- *Woocoo Shire Council Local Law No. 88 (Temporary Entertainment Venues) 2001*
- *Woocoo Shire Council Local Law No. 91 (Keeping and Control of Animals) 2000*
- *Woocoo Shire Council Local Law No. 92 (Impounding of Animals) 2000*
- *Woocoo Shire Council Local Law No. 96 (Dams (Construction of)) 1998"*

Recommendation 4

That Council hereby resolves to propose to adopt the *Repealing Local Law No.1 (Miscellaneous Local Laws) 2010*, which repeals all existing local laws of the Council, as listed in Recommendation 3."

Recommendation 5

That Council hereby resolves to propose to make:

- *Subordinate Local Law No.1 (Administration) 2010;*
- *Subordinate Local Law No.2 (Animal Management) 2010;*
- *Subordinate Local Law No.3 (Community and Environmental Management) 2010;*
- *Subordinate Local Law No.4 (Local Government Controlled Areas, Facilities and Roads) 2010;*
- *Subordinate Local Law No.5 (Parking) 2010;* and
- *Subordinate Local Law No.6 (Bathing Reserves) 2010."*

Recommendation 6

That as the Council has reviewed *Local Law No. 1 (Administration) 2010, Local Law No. 2 (Animal Management) 2010, Local Law No. 3 (Community and Environmental Management) 2010, Local Law No.5 (Parking) 2010, Local Law No.6 (Bathing Reserves) 2010, Subordinate Local Law No.1 (Administration) 2010, Subordinate Local Law No.2 (Animal Management) 2010, Subordinate Local Law No.3 (Community and Environmental Management) 2010, Subordinate Local Law No.5 (Parking) 2010* and *Subordinate Local Law No.6 (Bathing Reserves) 2010* and found them to contain possible anti-competitive provisions, Council hereby resolves to conduct a Public Interest Test for these laws as required by section 38 of the *Local Government Act 2009* and sections 17 and 18 of the *Local Government (Operations) Regulation 2010*."

Carried Unanimously
Spec/13/12/10

SPEC 5 OFFICERS' REPORTS

SPEC 5.2 Request for Development to be Considered Shovel Ready for Infrastructure Discount Purposes – Reconfiguration of a Lot Located at 256 Doolong South Road, Wondunna – Stage 2D

RESOLUTION (O'Connell / Dalgleish)

That the request for a reduction in infrastructure contributions under Council's 'shovel ready' development initiative for Development Permit 514/3-042012 be approved to the extent outlined in the officers report, subject to the applicant entering into an infrastructure agreement with the Council to guarantee performance of the matters listed in Council's resolution ORD 10.6 dated 7 April 2010 with the dates for the commencement and completion listed in Council's resolution ORD 10.6 be extended for a period of six (6) months for this project.

Carried Unanimously
514/3-042012
Spec/14/12/10

CONFLICT OF INTEREST

Councillor Kruger declared a Material Personal Interest in Item SPEC 5.3 because he had received an electoral donation. Councillor Kruger retired from the Meeting and was not present for discussion or voting on the item.

Councillor Arthur chaired the Chair

Councillor MucKan declared a Material Personal Interest in Item SPEC 5.3 because he had received an electoral donation. Councillor MucKan retired from the Meeting and was not present for discussion or voting on the item.

Councillor McNeven declared a perceived Conflict of Interest in Item SPEC 5.3 because she had received an electoral donation.

RESOLUTION (Dalgleish / Hovard)

That Councillor McNeven did have a conflict of interest.

Carried Unanimously
Spec/15/12/10

Councillor McNeven retired from the Meeting and was not present for discussion or voting on the item.

SPEC 5 OFFICERS' REPORTS

SPEC 5.3 Application for Development Permit – Reconfiguration of a Lot – 21 Lots into 185 Lots - Located at Bounty Circuit, Eli Waters - Mariners Cove- Stage 4 - Vasco HB Pty Ltd C/- Brannock and Associates

RESOLUTION (Brooks / Harris)

That the report be received and noted.

Carried Unanimously
513/3-091421
Spec/16/12/10

SPEC 5 OFFICERS' REPORTS

Councillors Kruger, MucKan and McNeven returned to the Meeting. Councillor Kruger resumed the Chair.

SPEC 5.4 Application for Development Permit – Material Change of Use – Telecommunications Facility - Located at 21859-21913 Bruce Highway, Glenorchy - OPTUS Mobile Pty Ltd C/- Aurecon

MOVED (Dalgleish / Arthur)

That the application by Optus Mobile Pty Ltd for a Development Permit for a Material Change of Use of Premises for a Telecommunications Facility located at 21859-21923 Bruce Highway, Glenorchy, being Lot 2 on RP175708, be refused for the following reasons:

1. The development does not address the Desired Environmental Outcomes of the Planning Scheme for the Shire of Woocoo in regard to protecting the natural and cultural resources that contribute to the amenity and character of the Woocoo Shire, protecting resources which have economic value and preserving the economic base of the Shire through safeguarding the agricultural productivity of the land in the lower Mary River Irrigation area;

2. The development does not comply with the requirements of the Rural Zone Code in regard to compatibility with other uses and works, avoiding the location of non-rural uses on Good Quality Agricultural Land, and demonstrating overriding need for the Telecommunications Facility with regard to the availability of other suitable sites in the Rural Zone;

3. The development does not comply with the requirements of the Building Matters Code in regard to proposed building height and compatibility with the expectation for development in the Rural Zone;

4. The development does not comply with the requirements of the Community Uses Code in regard to facilitating community uses while mitigating adverse impacts and maintaining the character of the surrounding area;

5. The development does not comply with the requirements of the Major Infrastructure Overlay Code in regard to avoiding the proliferation of visually detracting structures along a major road corridor and maintaining predominant views and vistas from a State-controlled road; and,

6. The development does not comply with the requirements of the Natural Resources Overlay Code in regard to preserving agricultural land for soil-based economic production in the Lower Mary River Irrigation area, or demonstrating overriding need for a non-rural use to occur with regard to the availability of other locations that the Telecommunications Facility would be more suitable.

The Motion was withdrawn with the consent of the Mover and Seconder.

MOVED (McNeven / Arthur)

That this item be deferred to the Ordinary Meeting to be held on Thursday 27 January 2011 for further consideration.

LOST (2/8)
Spec/17/12/10

RESOLUTION (Harris / Dalgleish)

That the application by Aurecon for a Development Permit for a Material Change of Use for a Telecommunications Facility located at 21859-21913 Bruce Highway, Glenorchy being Lot 2 on RP175708, be approved generally in accordance with the following plans:

Plan Title	Drawing Number	Issue	Date	Prepared By
'Draft Site Layout'	B8945A-P1	Rev 02	29 July 2010	Aurecon
'Draft Site Elevation'	B8945A-P2	Rev 01	19 February 2010	Aurecon

The approval is issued subject to the following conditions, which must be met prior to the commencement of the use, or at such other time as may be specified in any particular condition. These conditions must be implemented at no cost to Council or Wide Bay Water Corporation unless specified in any particular condition:-

PRE-CONSTRUCTION

General

1. Meet the costs of all development works including any necessary alteration, relocation of services, public utility mains or installations shall be met as costs of the development including accurately locating all existing services before any development works commence.

Sediment and Erosion

2. Submit to and gain approval from Council, prior to commencement of works being carried out on site, a site specific erosion and sediment control plan. The site specific erosion and sediment control must be prepared in accordance with the Department of Environment and Resources Management Best Practice Urban Stormwater Management – Erosion and Sediment Control.

CONSTRUCTION

Environmental Health

3. Contain airborne hazards and other emissions, such as ash, fumes, light, or odour from the building work on site and take all reasonable steps to prevent a release to neighbouring properties.

4. Contain all litter and building waste on the building site by the use of a skip or any other reasonable means during construction to prevent release to a neighbouring property.

5. Take all reasonable and practical measures to prevent pollutants from cutting, cleaning activities and waste concrete from entering gutters, drains and waterways.

6. Do not undertake works during the following hours –

   a. on a Sunday or public holiday, at any time; or
   b. on a Saturday or business day, before 6.30 am or after 6.30 pm.

7. Implement drainage, erosion and sediment control measures and maintain in a proper and efficient working order in accordance with the endorsed Erosion and Sediment Control Plan required by Condition 2 of this approval. Ensure erosion and sediment runoff does not contaminate stormwater at unacceptable levels.

POST-CONSTRUCTION

Infrastructure and Services

8. Rectify all damage to Council infrastructure resulting from the development works, to the satisfaction of the Assessment Manager.

Carried (9/1)
MCU-101073
Spec/18/12/10

SPEC 5 OFFICERS' REPORTS

SPEC 5.5 Application for Development Permit – Material Change of Use – Indoor Recreation - Located at 3 Southern Cross Circuit, Urangan - Gary Wayne Hyland

RESOLUTION (O'Connell / Dalgleish)

That the application by Gary Wayne Hyland for a Material Change of Use for Indoor Recreation (Club House) at 3 Southern Cross Circuit Urangan, being part of common property and Lot 16 on SP200640, Parish of Urangan, County of March be approved generally in accordance with the plan titled 'Site Plan' (in red), prepared by the applicant and received by Council 20 September 2010 subject to the following conditions which must be met prior to the commencement of the use, or at such other time as may be specified in any particular condition. These conditions must be implemented at no cost to Council or Wide Bay Water Corporation unless specified in any particular condition.

PRE-CONSTRUCTION

General

1. Undertake the development in accordance with Council's Planning Scheme Policy 2 - Development Manual and Planning Scheme Policy 15 - Development Procedures.

2. Meet the costs of all development works including any necessary alteration, relocation of services, public utility mains or installations must be met as costs of the development including accurately locating all existing services before any development works commence.

POST-CONSTRUCTION

General

3. Restrict the hours of operation of the Indoor Recreation use as follows:

a. 6pm to midnight on Friday nights only; plus,
b. No more than two (2) special events to occur on a Saturday only between the hours of 5pm and midnight unless the written permission of the body corporate has been provided in which case the use must be limited to between 12 noon and midnight; and,
c. At no other time unless the express permission in writing of the Executive Manager Development Assessment has been provided.

4. Limit the Indoor Recreation use to Tenancy 16 and the common area indicated on the endorsed plan of development during the times as required by Condition 3 of this Development Permit.

5. Comply with all fit-out and handling requirements of the Australia and New Zealand food standards codes where applicable.

Parking

6. Ensure a minimum of 26 car spaces are available for parking on-site during special events.

7. Parking areas and access lanes must be kept available for these purposes at all times.

Waste

8. Maintain and operate a waste disposal service, including the maintenance of refuse bins and associated screened storage area, at all times so as to not cause any nuisance, to the satisfaction of the Assessment Manager

9. Do not clean or wash waste containers where waste water will flow into a stormwater drain or off the property.

Noise

10. Comply with the requirements of the Environmental Protection Act 1994 at all times with regard to noise emission from the use.

11. Do not allow any amplified entertainment or music noise or non amplified entertainers in any outdoor area of the premises after 10pm. An amplifier device includes a loudhailer, megaphone and public address system.

Signage

12. Obtain an Operational Works permit prior to the erection of any signage that does not meet the self assessable criteria of the relevant Planning Scheme provisions.

Infrastructure Contributions

13. Pay Water Supply Infrastructure Contributions to Council in accordance with Planning Scheme Policy 4 or the policy current at the time of payment. Payment is to be made prior to commencement of use.

14. Pay Sewerage Infrastructure Contributions to Council in accordance with Planning Scheme Policy 4 or the policy current at the time of payment. Payment is to be made prior to commencement of use.

15. Pay Transport (including State Controlled Roads (local function), Council Roads, Public Transport, Pedestrian and Cycleway) Infrastructure Contributions to Council in accordance with Planning Scheme Policy 4 or the policy current at the time of payment. Payment is to be made prior to commencement of use.

Carried Unanimously
MCU-101235 (F016050)
Spec/19/12/10

CONFLICT OF INTEREST

Councillor Harris declared a perceived conflict of interest in Item SPEC 6.2 because her primary place of residence and other properties owned in the area could be under discussion in relation to this item.

RESOLUTION (Kruger / McNeven)

That Councillor Harris did not have a conflict of interest.

Carried Unanimously
Spec/20/12/10

Councillor Kruger declared a perceived conflict of interest in Item SPEC 6.4 because he had received an election donation from a person living in the structure plan area.

RESOLUTION (McNeven / Harris)

That Councillor Kruger did not have a conflict of interest.

Carried Unanimously
Spec/21/12/10

Councillor McNeven declared a perceived conflict of interest in Item SPEC 6.4 because she had received an election donation from a person living in the structure plan area.

RESOLUTION (Dalgleish / Brooks)

That Councillor McNeven did not have a conflict of interest.

Carried Unanimously
Spec/22/12/10

Councillor MucKan declared a perceived conflict of interest in Item SPEC 6.4 because he had received an election donation from a person living in the structure plan area.

RESOLUTION (Dalgleish / Arthur)

That Councillor MucKan did not have a conflict of interest.

Carried Unanimously
Spec/23/12/10

SPEC 6 CONFIDENTIAL

MOTION (Brooks /Harris)

Council resolves that under the *Local Government (Operations) Regulation 2010* the Meeting be closed to the public for the purpose of discussing the following item:

SPEC 6.1 – **Resolution to Submit Draft PIP for Hervey Bay for First State Interest Check -** Section 72(1)(g) (any action to be taken by the local government under the *Sustainable Planning Act 2009*, including deciding applications made to it under that Act)

SPEC 6.2 – **Resolution to Submit Draft PIP RICS for Maryborough, Tiaro and Woocoo for First State Interest Check -** Section 72(1)(g) (any action to be taken by the local government under the *Sustainable Planning Act 2009*, including deciding applications made to it under that Act)

SPEC 6.3 – **Local Heritage Register - Addendum Report -** Section 72(1)(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)

SPEC 6.4 – **Eli Waters/Dundowran Structure Planning Project – Progress Report -** Section 72(1)(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)

SPEC 6.5 – **Submission to Draft Wide Bay Burnett Regional Plan and State Planning Regulatory Provisions 2010 -** Section 72(1)(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)

SPEC 6.6 – **Request to Change a Development Approval - Development Permit - Material Change of Use - Industry - Located at 36-38 Industrial Avenue, Dundowran - Q Civil C/- Urban Planet Town Planning Consultants -** Section 72(1)(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)

SPEC 6.7 – **Request to Change a Development Approval - Development Permit - Reconfiguring a Lot - One (1) Lot into Two (2) Lots Located at 5 Eliza Court, Dundowran - Brian and Sharon Campion C/- Bay Survey Consultants -** Section 72(1)(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)

Carried Unanimously
Spec/24/12/10

RESUMPTION OF SPECIAL MEETING

MOTION (Hawes / MucKan)

That the Meeting resume in open Committee.

Carried Unanimously
Spec/25/12/10

SPEC 6 CONFIDENTIAL

SPEC 6.1 Resolution to Submit Draft PIP for Hervey Bay for First State Interest Check

RESOLUTION (O'Connell / McNeven)

That Council:

(A) pursuant to Schedule 1, Part 1, Section 9(3) of the *Integrated Planning Act 1997,* send the Priority Infrastructure Plan for the Hervey Bay City Planning Scheme 2006 to the Minister for the first State interest review; and

(B) authorises the Chief Executive Officer to prepare and subsequently send the consequential planning scheme amendments to the Minister for the first State interest review.

Carried Unanimously
Spec/26/12/10

SPEC 6 CONFIDENTIAL

SPEC 6.2 Resolution to Submit Draft PIP RICS for Maryborough, Tiaro and Woocoo for First State Interest Check

RESOLUTION (Brooks / Hawes)

That Council:

(A) pursuant to section 117(1) of the *Sustainable Planning Act 2009,* send the planning assumptions and Priority Infrastructure Plans for the Maryborough City Plan 2000, the Planning Scheme for the Shire of Tiaro 2005 and the Planning Scheme for the Shire of Woocoo 2006 to the Minister for the concurrent planning assumptions review and first State interest review; and

(B) authorises the Chief Executive Officer to prepare and subsequently send the consequential planning scheme amendments to the Minister for the first State interest review.

Carried Unanimously
Spec/27/12/10

Councillor Harris voted for the resolution.

SPEC 6 CONFIDENTIAL

SPEC 6.3 Local Heritage Register - Addendum Report

RESOLUTION (McNeven / Hovard)

That Council:

(A) propose to enter the places identified in Attachment 1, as amended to show former uses, of the Officer's report into the Local Heritage Register pursuant to section 116 of the *Queensland Heritage Act* 1992;

(B) undertake public notification for the Local Heritage Register project in accordance with section 117 of the *Queensland Heritage Act* 1992;

(C) keeps confidentiality in respect of the proposed places identified in Attachment 1 until such time that affected owners have been notified and publication of the statutory notice in local newspapers occurs; and

(D) investigates potential incentives for owners of places listed in the Local Heritage Register.

Carried Unanimously
Spec/28/12/10

SPEC 6 CONFIDENTIAL

SPEC 6.4 Eli Waters/Dundowran Structure Planning Project – Progress Report

RESOLUTION (Dalgleish / Brooks)

That Council:

(a) invite tenders for the preparation of a study that considers flooding (both terrestrial and storm tide inundation) as well as the hydraulic and hydrological regime needed to mitigate adverse impacts from any future development and protect the sensitive environmental values of downstream wetlands and receiving waters;

(b) advise relevant stakeholders and proponents of the adjusted timeline;

(c) include a summary of the investigations undertaken to date in Council's submission to the draft Wide Bay Burnett Regional Plan, as well as proposed actions; and

(d) that a further progress report be prepared for the Community and Development Committee once Council receives written advice from the Department of Environment and Resource Management and/or the flood, hydraulic and hydrological study is finalised.

Carried Unanimously
Spec/29/12/10

Councillors Kruger, McNeven and MucKan voted for the resolution.

SPEC 6 CONFIDENTIAL

SPEC 6.5 Submission to Draft Wide Bay Burnett Regional Plan and State Planning Regulatory Provisions 2010

RESOLUTION (Dalgleish / O'Connell)

That Council:

(a) endorses the contents contained within the draft submission;

(b) authorises the Chief Executive Officer to finalise and subsequently send the submission to the Department of Infrastructure and Planning for their consideration;

(c) makes the submission public following its submission to the Department of Infrastructure and Planning.

Carried Unanimously
Spec/30/12/10

SPEC 6 CONFIDENTIAL

C&D 6.6 Request to Change a Development Approval - Development Permit - Material Change of Use - Industry - Located at 36-38 Industrial Avenue, Dundowran - Q Civil C/- Urban Planet Town Planning Consultants

RESOLUTION (O'Connell / Brooks)

That Council approve the request for a negotiated decision in respect of conditions 44, 45 and 46 in accordance with Option 5 of the Officer's confidential report (DOCS #1982654).

Carried Unanimously
MCU-101227
Spec/31/12/10

SPEC 6 **CONFIDENTIAL**

C&D 6.7 **Request to Change a Development Approval - Development Permit - Reconfiguring a Lot - One (1) Lot into Two (2) Lots Located at 5 Eliza Court, Dundowran - Brian and Sharon Campion C/- Bay Survey Consultants**

RESOLUTION (Dalgleish / Harris)

That Council resolves to delete Condition 24 of Development Approval 514/3-082043.

Carried Unanimously
514/3-082043
Spec/32/12/10

There being no further business, the Meeting closed at 1.25pm.

Confirmed at Ordinary Meeting No. 1 of the Fraser Coast Regional Council held on 27 January, 2011.

.....
MAYOR