



BURDEKIN SHIRE COUNCIL



MINUTES

ORDINARY COUNCIL MEETING

**HELD AT COUNCIL ADMINISTRATION BUILDING,
145 YOUNG STREET, AYR**

on 12 October 2010

COMMENCING AT 9:00AM



TUESDAY 12 OCTOBER 2010

ORDER OF BUSINESS:

ITEM	PRECIS	PAGE
	PRAYER	1
	DECLARATION OF INTERESTS	1
	MINUTES AND BUSINESS ARISING	1
ITEM-1	Ordinary Council Meeting Minutes - 28 September 2010	1
ITEM-2	Workplace Health and Safety Committee Minutes - 6 October 2010	2
	REPORTS	2
	ENVIRONMENT & OPERATIONS	2
ITEM-3	Tender for Relining of Sewer Mains - TBSC 10/18	2
ITEM-4	Asset Management - Additional Funding	3
ITEM-5	Development Application for Preliminary Approval for Material Change of Use overriding the Planning Scheme (Rural to Industrial) & Development Approval for Reconfiguring a Lot at 29344 Bruce Highway, Ayr	3
ITEM-6	Material Change of use for Intensive Agriculture for Grove Farming Company at 33148 Bruce Highway (lot25 on SP101945)	4
	CORPORATE & COMMUNITY SERVICES	5
	CORRESPONDENCE FOR INFORMATION	5
CI-1	Officers to review Paper outlining matters addressed by inquiry into Australia's Urban Water Sector and prepare submission if appropriate	5
	NOTICES OF MOTION	6
ITEM-7	Approval to appoint AEC Group to undertake Strategic Planning Project for Burdekin Library under Local Buy Contract	6
ITEM-8	Approval to remove Dilapidated Structures from Council Reserves	6
ITEM-9	Approval to engage Consultant to undertake Assessment	7



of Council's Current Business Needs and associated IT Infrastructure

	URGENT BUSINESS	7
	GENERAL BUSINESS	8
GB-1	Council approves attendance of Councillors McLaughlin and Loizou at Local Government Association of Queensland Professional Development Workshop on a date to be decided	8
GB-2	Council approves funding to upgrade auditorium seating at Burdekin Theatre subject to Successful Application under Regional Infrastructure Grants Program	8
GB-3	Council approves contribution towards production of North Queensland Regional Economic Development Plan (NQ2030)	8
ITEM-5	Development Application for Preliminary Approval for Material Change of Use overriding the Planning Scheme (Rural to Industrial) and Development Approval for Reconfiguring a Lot at 29344 Bruce Highway, Ayr	9
GB-5	Council approves Higher Mass Limits during Cane Harvesting Season	16
	IN COMMITTEE DISCUSSIONS	17
	Council meets In Committee under Section 72 of Local Government (Operations) Regulation 2010	17
	ORDINARY MEETING OF COUNCIL RESUMED	17
GB-6	Council resolves to demolish partly demolished dwelling at 123 Wilmington Street, Ayr should owners not have demolished the building on or before 29 October, 2010	18
GB-7	Council authorises Officers to enter into negotiation with property owner of Lot 7 on SP117345 to create Drainage Easement	18
GB-8	Councillor Loizou granted Leave of Absence from 31 October to 4 November 2010 for purpose of undertaking Water Board business	18
	DELEGATIONS	18

ATTENDANCE

Councillors L.A. McLaughlin (Mayor), L Loizou (Deputy Mayor), T.P List, E. Gazziola and P.M Dalle Cort

Mr. K. Holt - Chief Executive Officer
Mr. D.P. Mulcahy - Director Corporate and Community Services
Mr. T. G. Williams - Director Environment and Operations
Miss T. Jensen - Manager Environment and Health
Mr. G. Pappalardo - Manager Operations
Mr. K. Byers - Manager Technical Services
Mr. M. Pearce – Planning Assistant
Mr. M. Ingle – Manager Design Office

Minutes Clerk – Miss S. Cronin

Apologies: Cr. M.J. Haynes
Leave of Absence: Cr. R.H. Lewis

• PRAYER

The meeting prayer was delivered by Rev Dway Goon Chew of the Anglican Church.

• DECLARATION OF INTERESTS

The Mayor called for declarations of interest.

No declarations of interest were identified.

• MINUTES AND BUSINESS ARISING

ITEM-1 Ordinary Council Meeting Minutes - 28 September 2010

Recommendation

That the Minutes of the Ordinary Council Meeting held on 28 September 2010 be received as a true and correct record.

Resolution

Moved Councillor Gazziola, seconded Councillor Loizou that the recommendation be adopted.

CARRIED

ITEM-2 Workplace Health and Safety Committee Minutes - 6 October 2010

Recommendation

That the Minutes of the Workplace Health and Safety Committee Meeting held on 6th October, 2010 be received and adopted.

Resolution

Moved Councillor Loizou, seconded Councillor List that the recommendation be adopted.

CARRIED

• **REPORTS**

Nil

• **ENVIRONMENT & OPERATIONS**

ITEM-3 Tender for Relining of Sewer Mains - TBSC 10/18

Executive Summary

Advice of adoption of tender for TBSC/10/18– Relining of Sewer Mains

Recommendation

Advice to Council only – recommendation not required.

Resolution

Moved Councillor Dalle Cort, seconded Councillor List that the report on Tender for Relining of Sewer Mains – TBSC 10/18 be received.

CARRIED

ITEM-4 Asset Management - Additional Funding

Executive Summary

Additional funding is required to engage Asset Management Consulting firm ACEAM to assist in the preparation of the core Buildings and Parks and Gardens Asset Management Plans and meet the deadlines set out in the Asset Management Advancement Plan.

Recommendation

That Council allocates additional funding as required for the completion of Asset Management Plans to be taken out of the Recurrent Maintenance Reserve and used as payment to ACEAM for production of Asset Management Plans for Buildings, and Parks & Gardens Asset Classes.

Resolution

Moved Councillor Loizou, seconded Councillor Gazziola that the recommendation be adopted.

CARRIED

ITEM-5 Development Application for Preliminary Approval for Material Change of Use overriding the Planning Scheme (Rural to Industrial) & Development Approval for Reconfiguring a Lot at 29344 Bruce Highway, Ayr

Executive Summary

A Development Application has been received from Conics (Townsville) Pty Ltd on behalf of their client Hillward Pty Ltd, seeking approval for a Material Change of Use – preliminary approval overriding the planning scheme (Rural zone to Industry zone) and Development Approval for Reconfiguring a Lot (Stage 1, 1 into 31 lots and 1 balance area). A Development Application (Impact Assessable) has been triggered in accordance with the Burdekin Shire Council's IPA Planning Scheme.

Recommendation

That Council refuses the Development Application for a Material Change of Use – preliminary approval overriding the planning scheme (Rural zone to Industry zone) and Development Approval for Reconfiguring a Lot (Stage 1, 1 into 31 lots and 1 balance area) on the following grounds:

1. The proposed development compromises the achievement of the Burdekin Shire Council's IPA Planning Scheme's Desired Environmental Outcomes.

-
2. Insufficient justification with regard to demonstrated need is provided to override the conflict with the Burdekin Shire Council's IPA Planning Scheme and in particular the Rural Zone code.
 3. The proposed development is contrary to the Policy Principles of the State Planning Policy 1/92 – Development and the Conservation of Agricultural Land.
 4. The constraints associated with servicing the proposal with appropriate infrastructure, including reticulated sewerage and potable water.

Resolution

Moved Councillor Gazziola, seconded Councillor Dalle Cort that the recommendation not be adopted and that the application seeking approval for a Material Change of Use – preliminary approval overriding the planning scheme (Rural zone to Industry zone) and Development Approval for Reconfiguring a Lot (Stage 1 and 1 balance area) at 29344 Bruce Highway, McDesme (Lot 3 on SP213948) be approved subject to the following conditions.

Moved Councillor Gazziola, seconded Councillor Dalle Cort that this issue be held over for further consideration later in the meeting.

CARRIED

Reasons for not adopting Officers' Recommendation

1. no industrial land developed to attract new investment
2. agricultural industry requires business to provide services
3. proposed development is in close proximity to farming areas and also two main business centres
4. proposed development is not close to residential allotments
5. proposed development is in close proximity to Bruce Highway
6. 3.4h is a minimal amount of agricultural land in the Shire

ITEM-6 Material Change of use for Intensive Agriculture for Grove Farming Company at 33148 Bruce Highway (lot25 on SP101945)

Executive Summary

An application has been received from Grove Farming Company Pty Ltd, seeking approval for a Material Change of Use for Intensive Agriculture at 33148 Bruce Highway, Giru (Lot 25 on SP101945, Parish of Selkirk, County of Gladstone). A Development Application (Code Assessable) has been triggered in accordance with the Burdekin Shire IPA Planning Scheme

Recommendation

That Council approves the Development Application for a Material Change of Use for Intensive Agriculture at 33148 Bruce Highway, Giru (Lot 25 on SP101945, Parish of Selkirk, County of Gladstone) subject to the following conditions:

GENERAL

- 1.1 The conditions of the development permit must be effected prior to the commencement of the use, except where specified otherwise in these conditions of approval.
- 1.2 The development and conduct of the approved use of the premises, the carrying out and maintenance of any works on the premises and construction and maintenance of any building on the premises must be generally in accordance with the site plan & any other supporting material submitted.
- 1.3 Grant Council an easement for drainage purposes over the existing lagoon within existing Lot 25 of SP101945. The easement shall extend for a width of 3m from the top of bank on each side of the lagoon. The easement is to be granted free of compensation and be prepared by Council's solicitor with all costs involved including survey costs, preparation and registration of the easements to be borne by Council.
- 1.4 No sugar cane is to be hauled along the Bruce Highway from the subject property described as Lot 25 on SP101945 Parish of Selkirk County of Gladstone.
- 1.5 A buffer zone of a minimum 100m must be maintained between the high bank of the waterway of Horseshoe Lagoon and intensive agricultural activities on the subject site.

BUILDING WORK

2. A development permit for Building Works is to be obtained before any building works are carried out on the premise.

ROADWORKS

3. The construction of any crossovers to give access to the land is to be the owner's responsibility and to the satisfaction of the Chief Executive Officer.

Resolution

Moved Councillor Loizou, seconded Councillor List that the recommendation be adopted.

CARRIED

• CORPORATE & COMMUNITY SERVICES

Nil

• CORRESPONDENCE FOR INFORMATION

CI-1 Officers to review Paper outlining matters addressed by inquiry into Australia's Urban Water Sector and prepare submission if appropriate

Resolution

Moved Councillor List, seconded Councillor Dalle Cort that Officers review the Issues Paper outlining matters being addressed by the inquiry into Australia's Urban Water Sector and prepare a submission if appropriate.

CARRIED

• NOTICES OF MOTION

ITEM-7 Approval to appoint AEC Group to undertake Strategic Planning Project for Burdekin Library under Local Buy Contract

Recommendation

That the Council:

1. confirms the action in appointing AEC Group to undertake a strategic planning project for the Burdekin Library under Local Buy Contract 118-0502 for a quoted price of \$9,920 ex GST; and
2. agrees to amend the budget accordingly noting that the project will be funded from a grant received from the State Library of Queensland.

Resolution

Moved Councillor Loizou, seconded Councillor Dalle Cort that the recommendation be adopted.

CARRIED

ITEM-8 Approval to remove Dilapidated Structures from Council Reserves

Recommendation

That the Council approves removal of dilapidated structures from Council reserves as listed below firstly by seeking expressions of interest to remove at no cost to Council and secondly by contractor.

1. Reserve for Showground & Recreation, Lot 91 SB202, Home Hill:
 - ticket box
 - rotunda adjacent main hall
 - tin shed adjacent Hurney Road
 - old bar
 - 2 x iron announcers boxes near ring

-
2. Reserve for Recreation & Showground, Lot 33 EP1067, Giru:
- structure adjacent tennis courts

Resolution

Moved Councillor Loizou, seconded Councillor Gazziola that the recommendation be adopted.

CARRIED

ITEM-9 Approval to engage Consultant to undertake Assessment of Council's Current Business Needs and associated IT Infrastructure

Recommendation

That the Council:

1. approves to engage a consultant to undertake an assessment of Council's current business needs and associated IT infrastructure to service those needs to assist with current and future operational and budgeting requirements; and
2. agrees to amend the budget accordingly noting that the project will be funded from savings in the salary budget as a result of unfilled positions.

Resolution

Moved Councillor Loizou, seconded Councillor List that Council:

1. approves to engage a consultant to undertake an assessment of Council's current business needs and associated IT infrastructure to service those needs to assist with current and future operational and budgeting requirements to a limit of \$10,000.00; and
2. agrees to amend the budget accordingly noting that the project will be funded from savings in the salary budget as a result of unfilled positions.

CARRIED

• URGENT BUSINESS

Nil

- **GENERAL BUSINESS**

GB-1 Council approves attendance of Councillors McLaughlin and Loizou at Local Government Association of Queensland Professional Development Workshop on a date to be decided

Resolution

Moved Councillor List, seconded Councillor Gazziola that Council approves the attendance of Councillors McLaughlin and Loizou at the Local Government Association of Queensland Professional Development Workshop on a date to be decided.

CARRIED

Councillor Dalle Cort tabled correspondence from Mr. L. Fabrellas on the Water Supply (Safety and Reliability) Act 2008.

12.30pm - At this stage the meeting adjourned for lunch and for the purpose of discussions on the Burdekin Library Strategic Planning Project.

3.30pm - The meeting resumed.

GB-2 Council approves funding to upgrade auditorium seating at Burdekin Theatre subject to Successful Application under Regional Infrastructure Grants Program

Resolution

Moved Councillor List, seconded Councillor Loizou that if Council's application, under the Regional Infrastructure Grants Program to upgrade auditorium seating at Burdekin Theatre, is successful, matching Council funds will be provided in either the 2010-11 or 2011-12 budget to meet Council's commitment to the project.

CARRIED

GB-3 Council approves contribution towards production of North Queensland Regional Economic Development Plan (NQ2030)

Resolution

Moved Councillor Loizou, seconded Councillor Gazziola that Council approves to contribute \$3095.00 towards the production of the North Queensland Regional Economic Development Plan (NQ2030) noting this amount is based on a per capita population basis, and using the Townsville City Council cash contribution of \$30,000 as the benchmark.

CARRIED

ITEM-5 Development Application for Preliminary Approval for Material Change of Use overriding the Planning Scheme (Rural to Industrial) and Development Approval for Reconfiguring a Lot at 29344 Bruce Highway, Ayr

At this stage of the meeting Council further considered the following development application which was held over earlier in the meeting:

Executive Summary

A Development Application has been received from Conics (Townsville) Pty Ltd on behalf of their client Hillward Pty Ltd, seeking approval for a Material Change of Use – preliminary approval overriding the planning scheme (Rural zone to Industry zone) and Development Approval for Reconfiguring a Lot (Stage 1, 1 into 31 lots and 1 balance area). A Development Application (Impact Assessable) has been triggered in accordance with the Burdekin Shire Council's IPA Planning Scheme.

Resolution

Moved Councillor Gazziola, seconded Councillor Dalle Cort that the recommendation not be adopted and that the application seeking approval for a Material Change of Use – preliminary approval overriding the planning scheme (Rural zone to Industry zone) and Development Approval for Reconfiguring a Lot (Stage 1 and 1 balance area) at 29344 Bruce Highway, McDesme (Lot 3 on SP213948) be approved subject to the following conditions:

SCHEDULE OF CONDITIONS

MATERIAL CHANGE OF USE

GENERAL

1. The material change of use (preliminary approval) relates to the change in the use rights from the 'Rural' zone to use rights in accordance with the 'Industrial' zone of the Burdekin Shire Council's IPA Planning Scheme. Any subsequent development applications will be assessed against the applicable provisions of the IPA Planning Scheme for the 'Industrial' zone on land described as Lot 3 on SP213948 and shown as attachment one (plan number 83188-04B) as part of the Department of Main Roads referral agency response.

DEVELOPMENT CONTRIBUTIONS

2. In accordance with Council's adopted policies, fees and charges at the time of payment the developer must contribute towards (but not limited to) the provision of the following infrastructure as a part of subsequent reconfiguration applications -
 - Water Supply Headworks; (applicable only if connected to Council supply)

WATER SUPPLY & SEWERAGE

- 3.1 The development must be serviced by reticulated water supply and sewerage systems at the cost of the developer in accordance with Council and Queensland Government adopted standards.
- 3.2 Should the development require connection to the Council water supply network the developer must carry out works external to the development to connect to the existing network.
- 3.3 Connection to Council's sewerage system will not be allowed. A sewage treatment facility will be required to service the entire development. The site for the facility will be within the proposed development site. All regulatory approvals required will need to be obtained by the developer.

50 YEAR ARI FLOOD LEVELS

- 4.1 All lots created by this development must be constructed to be above the 20 year ARI flood level with the building pad area above the 50 year ARI flood level in accordance with Council's standards.
- 4.2 The developer must prepare a flood study to determine the levels of floods having a 20 and 50 year ARI to enable Council to determine the minimum fill levels and the minimum floor levels for habitable rooms in dwellings erected on the land.

EASEMENTS AND RESERVES

- 5.1 The developer must at its cost grant and cause to be registered on the title documents all easements or reserves over all underground drains, constructed drainage works and improve drains which are placed under the control of Council.
- 5.2 The developer must at its cost grant and cause to be registered on the title documents, all easements or reserves required by Council or other public utility entity for access to or for the provision of essential services.
- 5.3 The developer must at its cost cause to be registered surrenders of any existing easements and/or leases where necessary in connection with the subdivision.
- 5.4 The extent and location of easements, reserves and surrenders required in (5.1) to (5.3) above will, as far as possible, be determined prior to issue of the development permit for operational works or upon completion or works if subsequently found necessary.

STORMWATER DRAINAGE

- 6.1 Designs for stormwater drainage associated with the approved development must be in accordance with Council's adopted standards.
- 6.2 All external catchments discharging to the subject site must be accepted and accommodated within the development's stormwater drainage system.

-
- 6.3 Prior to the approval of any development permits for the reconfiguration of the subject land an overall stormwater assessment must be undertaken for the entire catchment that is subject of the application.
 - 6.4 Prior the approval of any Operational Works applications for each individual reconfiguration stage, the developer must provide a water sensitive urban design report detailing mitigation measures proposed to reduce pollutant loads in the stormwater discharge.
 - 6.5 The development and use must not interfere with the natural flow of stormwater in the locality in such a manner as to cause ponding or concentration of stormwater on adjoining land or roads.

RECONFIGURING A LOT

GENERAL

- 1.1 The Council will not release the formal Plan of Reconfiguration until all rates and charges in arrears in respect of the land, the subject of the application, are paid in full.
- 1.2 Pay the sum of \$334.60 calculated on the basis of a charge of \$23.90 per lot to be levied on the Council by the Department Environment and Resource Management for each new valuation.
- 1.3 The proposed lots must be filled and compacted with approved material to a minimum level equal to the level of a 50 year ARI flood for the building pads and 20 year ARI flood for the car parking areas. Lots must be evenly graded to the road frontage or an approved inter-lot drainage system at not less than 0.25% to ensure that the land is free draining.

SOIL EROSION SEDIMENT CONTROL PLAN

2. A detailed Soil Erosion and Sediment Control Plan must be provided as part of Operational Works for the development in accordance with *Soil Erosion and Sediment Control, Engineering Guidelines for Queensland Construction Sites* (Institute of Engineers Australia, 1996).

SITE LAYOUT

3. The reconfiguration of the land must be carried out generally in accordance with:-
 - (a)
 - (i) the proposed Conics (Townsville) Pty Ltd plan numbered 83188-04B included as part of the Department of Main Roads referral agency response – Attachment 1;
 - (ii) the plans, specifications, facts and circumstances as set out in the application submitted to Council;
 - (iii) amendments required to the plan to comply with conditions of this MCU and subsequent reconfiguration approvals; and
 - (b) any approval issued under this approval; and
 - (c) any development permit for operational works relating to the reconfiguring of a lot;

TIME FOR COMPLIANCE

4. Unless otherwise specified by these conditions, the conditions must be complied with prior to approval of the Plan of Survey;

PUBLIC UTILITY SERVICES

5. If any existing public utility service including telephone, electricity, water, sewerage or gas needs to be altered or relocated to complete the reconfiguration the developer must bear the cost of alteration or relocation;

STORMWATER

- 6.1 The developer shall provide a stormwater management plan for the entire development. The plan shall illustrate the flow paths for the minor and major drainage systems.
- 6.2 The minor drainage shall consist of an underground system capable of conveying 5 yr ARI flows from the development and any external catchments currently flowing onto the land being developed.
- 6.3 The major drainage system shall consist of overland flow paths or suitably sized underground drainage capable of discharging 50yr ARI flows from the development and any external catchments currently flowing onto the land being developed.
- 6.4 Post development stormwater flow discharged from the site shall be no greater than the pre development stormwater flow discharged from the site.
- 6.5 The proposed drainage shall ensure that there is no detrimental effect to upstream and downstream catchments.
- 6.6 All stormwater calculations and design details shall be certified by a Registered Professional Engineer of Queensland (RPEQ) and included in the operational works application.
- 6.7 Drainage reserves and easements shall be provided as required by the stormwater design. The developer must at its own cost grant and register all such easements on the title document. Land within proposed reserves shall be transferred to the Burdekin Shire Council upon registration of the Survey Plan.
- 6.8 On going maintenance associated with existing open stormwater drains and any proposed changes to these drains as a result of this application, shall be the responsibility of the developer for a period of twelve (12) months or up until the developer achieves off-maintenance.

DRAINAGE RESERVES

- 7.1 Overland flow paths designed as part of the major drainage system shall be constructed within drainage reserves to be dedicated to Council.

7.2 Open drains within reserves shall have a 1.5m minimum width concrete invert constructed in the base of the drain

(i) Open drains within a drainage reserve with longitudinal grades of less than 0.5% shall have a 1.5m minimum width concrete invert constructed in the base of the drain to accommodate low flows;

(ii) Where no concrete invert is provided, capacity of the open drain shall be calculated assuming a Mannings “n” Roughness coefficient of 0.045 (long grass);

(iii) Where no concrete invert is provided, provision must be made to prevent water logging of the channel bed during low flow situations (eg – subsoil drainage)

(iv) No drain invert is to be constructed lower than the existing standing water level

7.3 Widths of drainage reserves shall be the width of the constructed drain plus a minimum of 3m each side of the top of the drain.

DRAINAGE EASEMENTS

8.1 Stormwater drains where required are to be constructed in accordance with the following design specifications –

i) Open drains incorporated in the minor drainage system shall be located within drainage easements;

ii) Open drains within a drainage easements with flat grades less than 0.5%, shall have a 600mm wide concrete invert constructed in the base of the drain;

8.2 Piped drains traversing allotments shall be located within drainage easements.

8.3 Width of drainage easements shall be the width of the constructed drain plus a minimum of 1m each side of the top of the drain, pipe or culvert with a minimum width of 4m.

8.4 Temporary drainage constructed during the staging of the project shall be within easements.

8.5 These easements may be relinquished at the completion of works of any future stages in the development which renders the easement unnecessary for the transportation of stormwater.

ROADWORKS

9.1 The developer must construct roads along all road frontages to each property in accordance with the following;

- The proposed roads shall be 23m wide

-
- Provide stand-up kerbing and channelling on both sides of the road with a distance of 15m between the kerbs and 4m wide footpaths each side.
 - Provide gravel pavement for the full width between kerbing and channelling and 50mm minimum thickness PMB asphaltic concrete surface.
 - Pavement markings and signage shall be provided in accordance with the Department of Main Roads Manual of Uniform Traffic Control Devices.

9.2 Gravel pavements shall be designed in accordance with Queensland Transport Pavement Design Manual and relevant Main Roads Standard specifications.

9.3 The developer must construct a suitable intersection treatment, minimum type AUR, at the intersection of the new road and Gillian's Road.

9.4 An application for street names must be submitted to and approved by Council prior to approval of Operational Works. Approved street names must be shown on all engineering drawings submitted with the Operational Works application.

9.5 Street nameplates must be erected at each intersection indicating the name of each street and the street numbers. The signs shall be in accordance with Council standard street nameplate and erected in accordance with Department of Main Roads Manual of Uniform Traffic Control Devices.

9.6

- a) Prior to the release of the Plan of Survey, the developer must construct an asphaltic concrete sealed temporary cul-de-sac to be located at the end of the proposed roads. The cul-de-sac shall have a minimum radius of 20m and be completely within road reserve with a minimum of 4m clear from the proposed property boundary to the edge of the bitumen.
- b) The developer must provide Burdekin Shire Council security for the construction of kerbing and channelling to the cul-de-sac if future extensions of these roads have not commenced within a four year period after completion of the current development. The security shall be in the form of a bond for \$30,000.

LANDSCAPING

Landscaping is to be provided from the proposed curb to the property boundary in all new roads. A landscaping plan shall be submitted for approval by the Chief Executive Officer.

OPERATIONAL WORKS

10.1 Where operational works are required to be carried out for the reconfiguration, the developer must, within a period of two years from the date of this permit and prior to the commencement of any work, lodge with Council an application for a development permit for operational works. As part of such application, the developer must submit:-

- (a) detailed and complete engineering drawings and specifications of the proposed works prepared by a civil engineer, who is both registered under the Professional Engineer's Act 2002 and is current Registered Professional Engineer of Queensland; and

-
- (b) certificate from the engineer who prepared the drawings stating that the design and specifications have been prepared in accordance with these conditions, relevant Council Codes and Planning Scheme Policies and the relevant Australian Standard Codes of Practice;

10.2 No work must be commenced prior to issue of a development permit for operational Works.

ELECTRICITY AND TELECOMMUNICATIONS SUPPLY

11.1 The developer must prior to release of formal Plan of Survey submit a letter from Ergon Energy (or other suitable entity) stating that satisfactory arrangements have been made with it for the provision of an underground electricity supply to the subdivision and must provide at the developer's cost:-

- (a) a reticulated underground electricity supply to each part of the subdivision in accordance with the requirements of the Electricity Service Provider;

11.2 The developer must install Electrical and Telecommunications infrastructure to the satisfaction of the Electricity and Telecommunications Service Providers prior to the approval of the Plan of Survey.

STREET LIGHTING

12. Provide street lighting in accordance with A.S. 1158.3.11 – Road Lighting (Lighting Category P4). The consent of Council's Chief Executive Officer will need to be gained before the final designs are adopted.

SEWERAGE SUPPLY WORKS INTERNAL

12. The development must be serviced by a reticulated sewerage system and a central wastewater treatment facility located within the development.

WATER SUPPLY WORKS INTERNAL

13. The development must be connected to a reticulated water supply. If the system is to be connected to Council's water supply the connection must be provided at a location approved by council and at the full cost of the developer. Each of the proposed lots shall have separate water services.

- a) A water network analysis, prepared by an appropriately qualified and experienced Registered Professional Engineer of Queensland (RPEQ), must be provided to Council for approval as part of the Development Permit for Operational Works.

The water network analysis must demonstrate that for the entire development minimum pressure of 22m is available at the most disadvantaged allotment frontage/meter location upon completion of the stage and detailing stages at which trunk components of the network should be implemented.

WATER SUPPLY HEADWORKS

15. If the development is connected to Council's water supply system the developer must contribute in accordance with Council's Planning Scheme Policy for Infrastructure Provision - Developer Contribution for Provision of Water Supply and Sewerage Services. The contribution must be paid at the rate current at the time of payment.

COMPACTION STANDARDS

16. Where fill is incorporated on allotments, details of compaction standards obtained are to be provided to Council. Such standards are to comply with the minimum standard for building construction.

AS-CONSTRUCTED PLANS

17. Prior to the release of the plan, the developer shall provide Council with a complete set of as-constructed plans for all works and an electronic copy which is to be compatible to Council's system at the relevant time. Such plans are to be certified by an R.P.E.Q.

ENVIRONMENT AND HEALTH

18. Adequate and appropriate access for service vehicles is to be maintained throughout each stage of the development.
19. In accordance with the requirements of the *Environmental Protection Regulation 2008*, a builder or a building contractor must not make audible noise from building work:
- (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.

GB-5 Council approves Higher Mass Limits during Cane Harvesting Season

Resolution

Moved Councillor Loizou, seconded Councillor Dalle Cort that Council approves the following roads for Higher Mass Limits during the cane harvesting season:

- McLain Road – Upper Haughton to Allen Road
- Allen Road – McLain to Ross Road
- Barratta Road – Black Road to School Road
- Barratta Road - Upper Haughton to Black Road
- Upper Haughton Road - Bruce Highway to Barratta Road
- Brown Road – Pelican Road to Barratta Road
- Brown Road - Pelican Road to Ayr Dalbeg Road
- Pelican Road - Brown to Hughes Road
- Keith Venables Road – Barratta Road to Stockham Road
- Stockham Road – Keith Venables to Millet Road
- McDesme Road – Bruce Highway to Kilrie Road

-
- Kilrie road – McDesme Road to Nuttall Road
 - Nuttall Road – Full length
 - Rita Island Road – Nuttall Road to Ivanhoe Road
 - Ivanhoe Road – Full length

CARRIED

- **IN COMMITTEE DISCUSSIONS**

Council meets In Committee under Section 72 of Local Government (Operations) Regulation 2010

Resolution

Moved Councillor Loizou, seconded Councillor Gazziola that the Council meets in committee under the following sections of the Local Government (Operations) Regulation 2010;

Section 72(1) (g) – any action to be taken by the local government under the Planning Act, including deciding applications made to it under the act;

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;

For the purpose of discussing:

1. Acquisition of drainage easements; and
2. Action to take to demolish a building.

CARRIED

ORDINARY MEETING OF COUNCIL RESUMED

Resolution

Moved Councillor Gazziola, seconded Councillor Loizou that the ordinary meeting of Council be resumed.

CARRIED

GB-6 Council resolves to demolish partly demolished dwelling at 123 Wilmington Street, Ayr should owners not have demolished the building on or before 29 October, 2010

Resolution

Moved Councillor Loizou, seconded Councillor Dalle Cort that Council take the necessary action to demolish the partly demolished dwelling located at 123 Wilmington Street, Ayr, should the owners not have it demolished and the site left clean on or before the 29 October, 2010.

CARRIED

GB-7 Council authorises Officers to enter into negotiation with property owner of Lot 7 on SP117345 to create Drainage Easement

Resolution

Moved Councillor List, seconded Councillor Dalle Cort that Council resolves to authorise officers to enter into negotiation with the property owner of Lot 7 on SP117345 to create an easement for drainage over the existing drain traversing the Lot.

CARRIED

GB-8 Councillor Loizou granted Leave of Absence from 31 October to 4 November 2010 for purpose of undertaking Water Board business

Resolution

Moved Councillor List, seconded Councillor Gazziola that Councillor Loizou be granted leave of absence from 31 October to 4 November 2010 for the purpose of undertaking Water Board business.

CARRIED

• DELEGATIONS

During morning tea:

Presentation of certificate to members of Burdekin Machinery Preservationists in recognition of over 600 voluntary hours undertaken during restoration of the Burdekin Tractor. The high commendation award was received in the 2010 National Trust of Queensland Bendigo Bank Heritage Awards in the category "Excellence in Heritage Conservation Works".

There being no further business the meeting closed at 4.30pm.

These minutes were confirmed by Council at the Ordinary Council Meeting held on Tuesday 26 October, 2010.

MAYOR
