



BURDEKIN SHIRE COUNCIL



MINUTES

ORDINARY COUNCIL MEETING

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

on 29 November 2011

COMMENCING AT 9:00AM



TUESDAY 29 NOVEMBER 2011

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ATTENDANCE

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

Mr. K. Holt - Chief Executive Officer
Mr. D.P. Mulcahy - Director Corporate and Community Services
Mr. T.G. Williams - Director Environment and Operations
Mr. S. Great - Manager Planning and Development
Mr. T. Vaccaro - Economic and Community Development Manager
Miss T. Jensen - Manager Environment and Health
Mr. W. Saldumbide - Manager Operations
Mr. K. Byers - Manager Technical Services
Ms. Linda Govan - Environmental Health Co-Ordinator
Mrs. Anne McLaughlin - Environmental Health Project Officer

Minutes Clerk - Mrs. Vicki Walker

Councillor Lewis was not in attendance at the commencement of the meeting.

• PRAYER

The meeting prayer was delivered by Rev. Gavin Henderson of the Presbyterian Church.

• DECLARATIONS OF INTEREST

The Mayor called for declarations of interest.

The Mayor, Councillor McLaughlin declared conflicts of interest in respect of:
Agenda Item 16 as the applicant is a relative of her sister; and
Agenda Item 23 as her son is a member of The Rock Solid Boxing Club, an interested party with regard to the proposed leasing of the Home Hill Showgrounds.

Later in the meeting Councillor Lewis declared a conflict of interest in respect of Item 18 as the applicant is an adjoining property owner to the BQC Quarry site, in which councillor Lewis has a business interest.

• MINUTES AND BUSINESS ARISING

ITEM-1 Ordinary Council Meeting Minutes - 8 November 2011

Recommendation

That the minutes of the Ordinary Council Meeting held on 8 November 2011 be received as a true and correct record.

Resolution

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

CARRIED

**ITEM-2 Burdekin Shire Council Local Disaster Management Group Meeting
Minutes - 15 April 2011**

Recommendation

That the minutes of the Burdekin Shire Council Local Disaster Management Group Meeting held on 15 April, 2011 be received and adopted.

Resolution

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

CARRIED

**ITEM-3 Burdekin Building Safer Communities Action Team Minutes - 19
October 2011**

Recommendation

That the minutes of the Burdekin Building Safer Communities Action Team Meeting held on 19 October 2011 be received and adopted.

Resolution

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

CARRIED

ITEM-4 Burdekin Be Active Advisory Committee Minutes - 5 October 2011

Recommendation

That the minutes of the Burdekin Be Active Advisory Committee Meeting held on 5 October 2011 be received and adopted.

Resolution

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

CARRIED

ITEM-5 Burdekin Shire Youth Council Minutes - 10 October 2011

Recommendation

That the minutes of the Burdekin Shire Youth Council Meeting held on 10 October 2011 be received and adopted.

Resolution

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

CARRIED

ITEM-6 Burdekin Building Safer Communities Action Team Minutes - 15 September 2011

Recommendation

That the minutes of the Burdekin Building Safer Communities Action Team Meeting held on 15 September 2011 be received and adopted.

Resolution

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

CARRIED

ITEM-7 Carols by Candlelight Advisory Committee - 27 October 2011

Recommendation

That the minutes of the Carols by Candlelight Advisory Committee Meeting held on 27 October 2011 be received and adopted.

Resolution

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

CARRIED

- **REPORTS**

ITEM-8 Capital Projects Monthly Report for period ending 31st October, 2011

Recommendation

That the Capital Projects Monthly Report for period ending 31st October, 2011 be received.

Resolution

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

CARRIED

ITEM-9 Operating Statement for period ending 31st October, 2011

Recommendation

That the Operating Statement for period ending 31st October, 2011 be received.

Resolution

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

CARRIED

- **ENVIRONMENT & OPERATIONS**

ITEM-10 TFS Properties Limited - Development Application for Material Change of Use to establish a Sandalwood Industry (forestry) at 286 Foreman Walsh Road, Dalbeg (Lot 31 on GS314, Parish of Dalbeg, County of Gladstone)

Executive Summary

An application has been received from Groves & Clark Solicitors on behalf of their client TFS Properties Limited seeking approval for a Material Change of Use to establish a Sandalwood Industry (forestry) at 286 Foreman Walsh Road, Dalbeg. (Lot 31 on GS314 Parish of Dalbeg, 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 to establish a Sandalwood Industry at 286 Foreman Walsh Road, Dalbeg (Lot 31 on GS314, Parish of Dalbeg, County of Gladstone) subject to the following conditions:

GENERAL

- 1.1 The conditions of the development permit must be achieved 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 supporting documents in the application submitted.
- 1.3 Harvesting of the sandalwood trees are to be conducted in an ecologically sustainable manner to ensure that no adverse environmental impacts arise.

ROADWORKS

2. 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.

DRAINAGE

3. The approved development and use(s) 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.

BUILDING WORK

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

EXTERNAL WORKS

5. The developer must at its own cost undertake all necessary alterations to public utility mains and services as are rendered necessary by the carrying out of any required external works or other works associated with the approved development.

ENVIRONMENT & HEALTH

6. There must be no burning of vegetation on the sites to which this development approval relates.

Resolution

Moved Councillor Dalle Cort, seconded Councillor Gazziola that the recommendation be adopted subject to the removal of condition 6 relating to the burning of vegetation on the

sites, noting that this will be included as "advice only" with an amendment to the wording as follows:

"Any burning on site of crop or waste material is done in accordance with a permit from Queensland Fire & Rescue Service (QFRS)."

CARRIED

Councillor Lewis attended the meeting at this stage.

ITEM-11 TFS Properties Limited - Development Application for Material Change of Use to establish a Sandalwood Industry (forestry) at 91 Foreman Walsh Road, Dalbeg (Lot 19 on GS324, Parish of Dalbeg, County of Gladstone)

Executive Summary

An application has been received from Groves & Clark Solicitors on behalf of their client TFS Properties Limited seeking approval for a Material Change of Use to establish a Sandalwood Industry (forestry) at 91 Foreman Walsh Road, Dalbeg. (Lot 19 on GS324, Parish of Dalbeg, 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 to establish a Sandalwood Industry at 91 Foreman Walsh Road, Dalbeg (Lot 19 on GS324, Parish of Dalbeg, County of Gladstone) subject to the following conditions:

GENERAL

- 1.1 The conditions of the development permit must be achieved 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 supporting documents in the application submitted.
- 1.3 Harvesting of the sandalwood trees are to be conducted in an ecologically sustainable manner to ensure that no adverse environmental impacts arise.

ROADWORKS

2. 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.

DRAINAGE

3. The approved development and use(s) 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.

BUILDING WORK

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

EXTERNAL WORKS

5. The developer must at its own cost undertake all necessary alterations to public utility mains and services as are rendered necessary by the carrying out of any required external works or other works associated with the approved development.

ENVIRONMENT & HEALTH

6. There must be no burning of vegetation on the sites to which this development approval relates.

Resolution

Moved Councillor Loizou, seconded Councillor Dalle Cort that the recommendation be adopted subject to the removal of condition 6 relating to the burning of vegetation on the sites, noting that this will be included as "advice only" with an amendment to the wording as follows:

"Any burning on site of crop or waste material is done in accordance with a permit from Queensland Fire & Rescue Service (QFRS)."

CARRIED

ITEM-12 TFS Properties Limited - Development Application for Material Change of Use at 221 Bannister Road, Dalbeg (Lot 86 on GS735, Parish of Dalbeg, County of Gladstone)

Executive Summary

An application has been received from Groves & Clark Solicitors on behalf of their client TFS Properties Limited seeking approval for a Material Change of Use to establish a Sandalwood Industry (forestry) at 221 Bannister Road, Dalbeg. (Lot 86 on GS735, Parish of Dalbeg, 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 to establish a Sandalwood Industry at 221 Bannister Road, Dalbeg (Lot 86 on GS735, Parish of Dalbeg, County of Gladstone) subject to the following conditions:

GENERAL

- 1.1 The conditions of the development permit must be achieved 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 supporting documents in the application submitted.
- 1.3 Harvesting of the sandalwood trees are to be conducted in an ecologically sustainable manner to ensure that no adverse environmental impacts arise.

ROADWORKS

2. 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.

DRAINAGE

3. The approved development and use(s) 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.

BUILDING WORK

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

EXTERNAL WORKS

5. The developer must at its own cost undertake all necessary alterations to public utility mains and services as are rendered necessary by the carrying out of any required external works or other works associated with the approved development.

ENVIRONMENT & HEALTH

6. There must be no burning of vegetation on the sites to which this development approval relates.

Resolution

Moved Councillor List, seconded Councillor Gazziola that the recommendation be adopted subject to the removal of condition 6 relating to the burning of vegetation on the sites, noting that this will be included as "advice only" with an amendment to the wording as follows:

"Any burning on site of crop or waste material is done in accordance with a permit from Queensland Fire & Rescue Service (QFRS)."

CARRIED

ITEM-13 Hillward Pty Ltd - Request to change an existing Development Approval at 18A-36A Chippendale Street, Ayr (Lot 29 on SP227211 Parish of Antill, County of Gladstone)

Executive Summary

A request to amend an existing subdivision approval to reduce the number of lots, introduce an extra stage and adjust the stage boundaries has been received from RPS Townsville on behalf of Hillward Pty Ltd. The application is over land at 18A-36A Chippendale Street, Ayr (Lot 29 on SP227211 Parish of Antill, County of Gladstone).

Recommendation

That Council approves the request to reduce the number of lots, introduce an extra stage and adjust the stage boundaries at 18A-36A Chippendale Street, Ayr (Lot 29 on SP227211 Parish of Antill, County of Gladstone) subject to the following changes:

N.B. The stage 1A conditions listed below identify the proposed changes to the original conditions imposed. Conditions recommended for stages 1B and 2 are new conditions drafted to ensure staging of the development complies with Council requirements. All conditions will replace conditions included in the Negotiated Decision Notice issued 5 October, 2009.

STAGE 1A

GENERAL

- 1.1 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 ~~\$23-90~~ **\$29-80** per lot registered to be levied on the Council by the Department of 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 and 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.

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- 1.4 The proposed residential lots are to be located or incorporate measures to minimise the impact of dust, smoke, noise and ash generated by nearby agricultural activities in accordance with the “*Planning Guidelines: Separating Agricultural and Residential Land Uses – August 1997.*”
- 1.5 **The existing Operational Works approval OPWKS10-01 dated 14th May, 2010 will become invalid due to the proposed changes to the staging of the existing approval. A new operational works application will be required.**

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. An appropriately qualified professional must design and certify the plan which must comply with the Environment Protection Act 1994 and all its subordinate legislation;~~
- 2.1 A detailed Soil Erosion and Sediment Control Plan for the development must be provided as part of Operational Works application. An appropriately qualified professional must design and certify the plan which must comply with the Environment Protection Act 1994 and all its subordinate legislation, and addresses the performance outcomes stated in State Planning Policy 4/10, Appendix 1, Part A.
- 2.2 A Stormwater Management Plan for the development must be provided as part of Operational Works application which demonstrates;
- The proposed stormwater drainage layout, for the completed subdivision, including both surface and underground drainage structures.
 - The final discharge point for stormwater.
 - Measures to be used to minimise stormwater discharge rate from the developed site.
- 2.3 A Stormwater Quality Management Plan for the subdivision, which addresses the performance outcomes stated in State Planning Policy 4/10, Appendix 1, Part A, must be provided as part of Operational Works application.
- 2.4 Provide to Council all stormwater calculations and design details for the development. Calculations must show:
- hydrology calculations, for both Q5 and Q50 events, including runoff from individual catchments;
 - hydraulic calculations, for both Q5 and Q50 events, including
 - backwater analysis
 - hydraulic grade line results
 - kerb and channel flow widths and depths
 - pipe flows and velocities
 - channel flows and velocities
 - overland flow volumes and velocities
- These shall be certified by a Registered Professional Engineer of Queensland (RPEQ) and be included in the operational works application.

-
- 2.5 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. 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.
- 2.6 The stormwater shall be conveyed to and discharged at the point of lawful discharge being Easement DD on RP910232.
- 2.7 The proposed drainage shall ensure that there is no detrimental effect to upstream and downstream catchments.
- ~~— All stormwater calculations and design details shall be certified by a Registered Professional Engineer of Queensland (RPEQ) and included in the operational works application.~~
- 2.8 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.

DRAINAGE RESERVES

- 3.1 Overland flow paths designed as part of the major drainage system shall be constructed within drainage reserves to be dedicated to Council.
- 3.2 Open drains within reserves shall have a 1.5m minimum width concrete invert constructed in the base of the drain.
- 3.3 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

- 4.1 Open drains incorporated in the minor drainage system shall be located within drainage easements and shall have a 600mm wide concrete invert constructed in the base of the drain.
- 4.2 Piped drains traversing allotments shall be located within drainage easements.
- 4.3 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.
- 4.4 Temporary drainage constructed during the staging of the project shall be within easements. 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.

SITE LAYOUT

- 5.1 The reconfiguration of the land must be carried out generally in accordance with:-
- (a) (i) the approved Proposal Plan - ~~Project No 83187—06B;~~ **Plan Reference 109721-01C**
 - (ii) the plans, specifications, facts and circumstances as set out in the application submitted to Council; and
 - Except where modified by the conditions of approval and any approval issued there under; and
 - (b) any approval issued under this approval; and
 - (c) any development permit for operational works relating to the subdivision;
- 5.2 **The balance area of Lot 29 on SP227211 not included in the original application is to be identified as part of proposed Lot 100 on any plan of Survey that is lodged for endorsement with Council.**

TIME FOR COMPLIANCE

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

PUBLIC UTILITY SERVICES

7. 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.

ROADWORKS

- 8.1 **Chippendale Street**
The developer shall provide stand-up kerbing and channelling for the full Chippendale Street frontage on an alignment approved by Council.
- 8.2 The developer shall provide bitumen widening from the edge of existing bitumen to the proposed kerbing and channelling. Such widening shall consist of a compacted granular pavement designed in accordance with clause 8.4 of these conditions and a two coat bitumen seal.
- 8.3 Provide a 1.5m wide (100mm thick, F62 mesh, 25mpa) concrete footpath for the full Chippendale Street frontage. The footpath is to be connected to the existing footpath at the western boundary of proposed lot 1.
- ~~The developer shall construct a roundabout at the intersection of Chippendale Street, Taylor Street and the proposed new minor collector road with median and provide 40mm minimum asphaltic concrete surface to the roundabout.~~
- Minor Collector Road with median;**
~~Road reserve width shall be 20m~~

~~The developer shall provide stand-up kerbing and channelling on both sides of the road on a 4 metre alignment from the property boundary;~~

~~The landscaped median in the centre of the road shall have mountable kerb to the full perimeter of the median;~~

~~A minimum of 4.5m width pavement shall be provided for each lane between the face of the median kerb and the face of the kerbing and channelling;~~

~~The proposed pavement shall consist of a compacted granular pavement design in accordance with clause 9.5 of these conditions with a minimum 25mm asphaltic concrete surfacing;~~

~~Minor Collector Roads;~~

~~Road reserve shall be 16.5m for the proposed road fronting Lots 40-45 with the balance road reserve having a 20m width;~~

~~The developer shall provide stand-up kerbing and channelling on both sides of the roads to provide a minimum of 8.2m between faces of kerbs;~~

~~The proposed pavement shall consist of a compacted granular pavement design in accordance with clause 9.5 of these conditions with a minimum 25mm asphaltic concrete surfacing;~~

~~Construct temporary bitumen turnarounds at the end of the proposed new minor collector roads. (Northern & Western ends) The turnarounds shall have a minimum radius of 10 metres and be contained within the boundaries of the proposed development as detailed on the proposal plan 83187-06B. Such turnarounds are to be generally in accordance with Diagram 1 as illustrated below. Road easements in favour of the Burdekin Shire Council shall be provided over all affected lots. Easements are to be granted to allow a 4m verge around the head of the turnaround. These easements will be rescinded if and when any residential areas expand into adjoining lands. A bond of \$25,000 shall be lodged with the Burdekin Shire Council as a guarantee for the construction of kerb and channel around the turnarounds if no development has commenced construction within a two year period after completion of stage 2. This bond shall be returned to the developer upon commencement of operational works for road connectivity to the adjoining property;~~

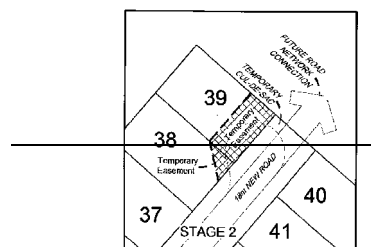


Diagram 1 – Proposed temporary turn around to the northern minor collector road.

~~Access Street;~~

~~Road reserve width shall be 16.5m;~~

~~The developer shall provide stand-up kerbing and channelling on both sides of the roads to provide a minimum of 8.2m between faces of kerbs;~~

~~The proposed pavement shall consist of a compacted granular pavement design in accordance with clause 9.5 of these conditions with a minimum 25mm asphaltic concrete surfacing;~~

8.4 Pavement Design;

Pavement design shall comply with Queensland Transport pavement design manual guidelines and shall be no less than 150mm thick compacted type 2.2 gravel.

OPERATIONAL WORKS

9.1 Where operational works are required to be carried out for the reconfiguration, the developer must, 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.

9.2 No work must be commenced prior to issue of a development permit for Operational Works.

ELECTRICITY AND TELECOMMUNICATIONS SUPPLY

10.1 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.

10.2 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

11. 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

- 12.1 A sewerage 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.
- 12.2 The development must be serviced by the Council's reticulated sewerage system. The sewerage connection is to be provided at a location approved by Council. The developer shall bear the costs of design and construction associated with such connections including any alterations or upgrades to Council's existing infrastructure and integration with Council's SCADA system to accommodate the proposed developments. In particular;
- i) each lot must be provided with a single property service, to be connected directly and separately to Council's sewer prior to signing the survey plan for the applicable stage;
 - ii) The proposed sewerage pump station including electrical switchboard and telemetry shall match Council's existing infrastructure;
 - iii) ~~Should the development proceed with Option 1, as outlined within the Engineering Services Report dated 16 April 2009,~~ The proposed pump Station shall be located within a separate freehold lot. The lot shall be 6m x 6m in size with the ownership transferred to the Burdekin Shire Council on registration of the title;
 - iv) The developer must carry out sewerage works external to the development to connect the development to Council's existing networks.

WATER SUPPLY WORKS

13. The development must be connected to Council's reticulated water supply. The water 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;
 - (b) The water network analysis must demonstrate that for the entire development minimum pressure (head) 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;
 - (c) The developer must carry out water supply works external to the development to connect the development to Council's existing networks.

WATER SUPPLY AND SEWERAGE HEADWORKS

~~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. The current amount of estimated total headworks contribution for stage 1 is \$94,392.00; (i.e. 30 lots @ \$1,573.20/lot for sewerage & 30 lots @ \$1,573.20/lot for water) and for stage 2 is \$50,342.4; (i.e. 16 lots @ \$1,573.20/lot for sewerage & 16 lots @ \$1,573.20/lot for water);~~

14. A contribution in terms of Council's Planning Scheme Policy for "Developer Contribution for Provision of Water Supply and Sewerage Services" is payable. The amount will be calculated at the time of payment based on the charge applicable at that time. As an indication only; the total amount payable for the development is currently \$10,406.70 for water (\$1,734.45 x 6 additional lots) and \$10,406.70 for sewerage (\$1,734.45 x 6 additional lots).

OPEN SPACE AND PARKLAND

~~Instead of dedicating land for park purposes, the developer must pay to Council a cash contribution. The current amount payable for stage 1 is \$22,500.00 (i.e. 30 lots @ \$750.00/lot) and for stage 2 the amount payable will be \$12,000.00 (i.e. 16 lots @ \$750.00/lot) Payment must be received before the formal plan of subdivision is released;~~

- 15.1 Instead of dedicating land for park purposes, the developer must pay to Council a cash contribution. The current amount payable for stage 1A is \$4500.00 (i.e. 6 lots @ \$750.00/lot). Payment must be received before the formal plan of subdivision is released.
- 15.2 All proposed tree planting within Road reserve must include appropriate Root Barrier design elements.

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 and an electronic copy which is to be compatible to Council's system at the relevant time, for all works. Such plans are to be certified by an R.P.E.Q.

ADVICE (Note: These are not conditions)

- ~~Any assessable development on proposed lot 7 will be subject to a separate Development Application;~~
- Earthworks**
If the development of the subject property requires soil to be imported or exported, the developer must identify the allotments which would be used for borrowing or filling and must obtain Council approval for such works in addition to engineering approval for the

development. In this regard, the developer must obtain Council approval for the route of transport, the period and time of transport during the construction phase of the development.

- **Environmental Considerations**

- E.P.A. Requirements*

- Construction must comply with the Environmental Protection Act, Policies and Guidelines to prevent or minimise either environmental harm or nuisance.*

- *This Decision Notice supersedes all previously issued Decision Notices.*

The following conditions are to accommodate the next 2 stages of the proposed development

**STAGE 1B
GENERAL**

- 1.1 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 \$29-80 per lot registered to be levied on the Council by the Department of 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 and 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.
- 1.4 The proposed residential lots are to be located or incorporate measures to minimise the impact of dust, smoke, noise and ash generated by nearby agricultural activities in accordance with the "*Planning Guidelines: Separating Agricultural and Residential Land Uses – August 1997.*"
- 1.5 **The existing Operational Works approval OPWKS10-01 dated 14th may, 2010 will become invalid due to the proposed changes to the staging of the existing approval. A new operational works application will be required.**

SOIL EROSION SEDIMENT CONTROL PLAN

- 2.1 A detailed Soil Erosion and Sediment Control Plan for the development must be provided as part of Operational Works application. An appropriately qualified professional must design and certify the plan which must comply with the Environment Protection Act 1994 and all its subordinate legislation, and addresses the performance outcomes stated in State Planning Policy 4/10, Appendix 1, Part A.
- 2.2 A Stormwater Management Plan for the development must be provided as part of Operational Works application which demonstrates;
 - The proposed stormwater drainage layout, for the completed subdivision, including both surface and underground drainage structures.
 - The final discharge point for stormwater.

-
- Measures to be used to minimise stormwater discharge rate from the developed site.

- 2.3 A Stormwater Quality Management Plan for the subdivision, which addresses the performance outcomes stated in State Planning Policy 4/10, Appendix 1, Part A, must be provided as part of Operational Works application.
- 2.4 Provide to Council all stormwater calculations and design details for the development. Calculations must show:
- hydrology calculations, for both Q5 and Q50 events, including runoff from individual catchments;
 - hydraulic calculations, for both Q5 and Q50 events, including
 - backwater analysis
 - hydraulic grade line results
 - kerb and channel flow widths and depths
 - pipe flows and velocities
 - channel flows and velocities
 - overland flow volumes and velocities
- These shall be certified by a Registered Professional Engineer of Queensland (RPEQ) and be included in the operational works application.
- 2.5 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. 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.
- 2.6 The stormwater shall be conveyed to and discharged at the point of lawful discharge being Easement DD on RP910232.
- 2.7 The proposed drainage shall ensure that there is no detrimental effect to upstream and downstream catchments.
- 2.8 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.

DRAINAGE RESERVES

- 3.1 Overland flow paths designed as part of the major drainage system shall be constructed within drainage reserves to be dedicated to Council.
- 3.2 Open drains within reserves shall have a 1.5m minimum width concrete invert constructed in the base of the drain.
- 3.3 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

- 4.1 Open drains incorporated in the minor drainage system shall be located within drainage easements and shall have a 600mm wide concrete invert constructed in the base of the drain.
- 4.2 Piped drains traversing allotments shall be located within drainage easements.
- 4.3 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.
- 4.4 Temporary drainage constructed during the staging of the project shall be within easements. 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.

SITE LAYOUT

- 5. The reconfiguration of the land must be carried out generally in accordance with:-
 - (a) (i) the approved RPS Proposal Plan - Plan Reference 109721-01C
 - (ii) the plans, specifications, facts and circumstances as set out in the application submitted to Council; and
 - Except where modified by the conditions of approval and any approval issued there under; and
 - (b) any approval issued under this approval; and
 - (c) any development permit for operational works relating to the subdivision;

TIME FOR COMPLIANCE

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

PUBLIC UTILITY SERVICES

- 7. 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.

ROADWORKS

- 8.1 **Minor Collector Road with median;**
Road reserve width shall be 20m

The developer shall provide stand-up kerbing and channelling on both sides of the road on a 4 metre alignment from the property boundary.

The landscaped median in the centre of the road shall have mountable kerb to the full perimeter of the median.

A minimum of 4.5m width pavement shall be provided for each lane between the face of the median kerb and the face of the kerbing and channelling.

The proposed pavement shall consist of a compacted granular pavement design in accordance with clause 8.3 of these conditions with a minimum 30mm asphaltic concrete surfacing.

8.2 Minor Collector Roads;

Road reserve shall be 16.5m for the proposed road fronting Lots 11-19 with the balance road reserve having a 20m width.

The developer shall provide stand-up kerbing and channelling on both sides of the roads to provide a minimum of 8.2m between faces of kerbs.

The proposed Cul-de-sac shall have a minimum radius of 10m to the face of kerb and maintain a minimum footpath width of 4m between the kerb and the property boundary.

The proposed pavement shall consist of a compacted granular pavement design in accordance with clause 8.3 of these conditions with a minimum 30mm asphaltic concrete surfacing.

8.3 Pavement Design;

Pavement design shall comply with Queensland Transport pavement design manual guidelines and shall be no less than 150mm thick compacted type 2.2 gravel.

8.4 The developer shall construct a roundabout at the intersection of Chippendale Street, Taylor Street and the proposed new minor collector road with median and provide 40mm minimum asphaltic concrete surface to the roundabout.

OPERATIONAL WORKS

9.1 Where operational works are required to be carried out for the reconfiguration, the developer must, 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;
- (c) a letter from the Electricity Service Provider stating that electricity can be readily supplied to the development;

9.2 No work must be commenced prior to issue of a development permit for Operational Works.

ELECTRICITY AND TELECOMMUNICATIONS SUPPLY

- 10.1 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.
- 10.2 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

11. 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

- 12.1 A sewerage 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.
- 12.2 The development must be serviced by the Council's reticulated sewerage system. The sewerage connection is to be provided at a location approved by Council. The developer shall bear the costs of design and construction associated with such connections including any alterations or upgrades to Council's existing infrastructure and integration with Council's SCADA system to accommodate the proposed developments. In particular.
- i) each lot must be provided with a single property service, to be connected directly and separately to Council's sewer prior to signing the survey plan for the applicable stage.

WATER SUPPLY WORKS

13. The development must be connected to Council's reticulated water supply. The water 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.
- (b) The water network analysis must demonstrate that for the entire development minimum pressure (head) 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.

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- (c) The developer must carry out water supply works external to the development to connect the development to Council's existing networks.

WATER SUPPLY AND SEWERAGE HEADWORKS

14. A contribution in terms of Council's Planning Scheme Policy for "Developer Contribution for Provision of Water Supply and Sewerage Services" is payable. The amount will be calculated at the time of payment based on the charge applicable at that time. As an indication only; the total amount payable for the development is currently \$39,892.35 for water (\$1,734.45 x 23 additional lots) and \$39,892.35 for sewerage (\$1,734.45 x 23 additional lots).

OPEN SPACE AND PARKLAND

- 15.1 Instead of dedicating land for park purposes, the developer must pay to Council a cash contribution. The current amount payable for stage 1B is \$17,250.00 (i.e. 23 lots @ \$750.00/lot). Payment must be received before the formal plan of subdivision is released.
- 15.2 All proposed tree planting within Road reserve must include appropriate Root Barrier design elements.

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 and an electronic copy which is to be compatible to Council's system at the relevant time, for all works. Such plans are to be certified by an R.P.E.Q.

ADVICE (Note: These are not conditions)

- **Earthworks**

If the development of the subject property requires soil to be imported or exported, the developer must identify the allotments which would be used for borrowing or filling and must obtain Council approval for such works in addition to engineering approval for the development. In this regard, the developer must obtain Council approval for the route of transport, the period and time of transport during the construction phase of the development.

- **Environmental Considerations**

E.P.A. Requirements

Construction must comply with the Environmental Protection Act, Policies and Guidelines to prevent or minimise either environmental harm or nuisance.

STAGE 2

GENERAL

- 1.1 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 \$29-80 per lot registered to be levied on the Council by the Department of 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 and 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.
- 1.4 The proposed residential lots are to be located or incorporate measures to minimise the impact of dust, smoke, noise and ash generated by nearby agricultural activities in accordance with the "*Planning Guidelines: Separating Agricultural and Residential Land Uses – August 1997.*"
- 1.5 **The existing Operational Works approval OPWKS10-01 dated 14th may, 2010 will become invalid due to the proposed changes to the staging of the existing approval. A new operational works application will be required.**

SOIL EROSION SEDIMENT CONTROL PLAN

- 2.1 A detailed Soil Erosion and Sediment Control Plan for the development must be provided as part of Operational Works application. An appropriately qualified professional must design and certify the plan which must comply with the Environment Protection Act 1994 and all its subordinate legislation, and addresses the performance outcomes stated in State Planning Policy 4/10, Appendix 1, Part A.
- 2.2 A Stormwater Management Plan for the development must be provided as part of Operational Works application which demonstrates;
 - The proposed stormwater drainage layout, for the completed subdivision, including both surface and underground drainage structures.
 - The final discharge point for stormwater.
 - Measures to be used to minimise stormwater discharge rate from the developed site.
- 2.3 A Stormwater Quality Management Plan for the subdivision, which addresses the performance outcomes stated in State Planning Policy 4/10, Appendix 1, Part A, must be provided as part of Operational Works application.
- 2.4 Provide to Council all stormwater calculations and design details for the development. Calculations must show:
 - hydrology calculations, for both Q5 and Q50 events, including runoff from individual catchments;
 - hydraulic calculations, for both Q5 and Q50 events, including
 - backwater analysis

-
- hydraulic grade line results
 - kerb and channel flow widths and depths
 - pipe flows and velocities
 - channel flows and velocities
 - overland flow volumes and velocities

These shall be certified by a Registered Professional Engineer of Queensland (RPEQ) and be included in the operational works application.

- 2.5 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. 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.
- 2.6 The stormwater shall be conveyed to and discharged at the point of lawful discharge being Easement DD on RP910232.
- 2.7 The proposed drainage shall ensure that there is no detrimental effect to upstream and downstream catchments.
- 2.8 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.

DRAINAGE RESERVES

- 3.1 Overland flow paths designed as part of the major drainage system shall be constructed within drainage reserves to be dedicated to Council.
- 3.2 Open drains within reserves shall have a 1.5m minimum width concrete invert constructed in the base of the drain.
- 3.3 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

- 4.1 Open drains incorporated in the minor drainage system shall be located within drainage easements and shall have a 600mm wide concrete invert constructed in the base of the drain.
- 4.2 Piped drains traversing allotments shall be located within drainage easements.
- 4.3 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.
- 4.4 Temporary drainage constructed during the staging of the project shall be within easements. 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.

SITE LAYOUT

5. The reconfiguration of the land must be carried out generally in accordance with:-
- (a) (i) the approved RPS Proposal Plan - Plan Reference 109721-01C
 - (ii) the plans, specifications, facts and circumstances as set out in the application submitted to Council; and
- Except where modified by the conditions of approval and any approval issued there under; and
- (b) any approval issued under this approval; and
 - (c) any development permit for operational works relating to the subdivision;

TIME FOR COMPLIANCE

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

PUBLIC UTILITY SERVICES

7. 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.

ROADWORKS

- 8.1 **Minor Collector Roads;**
Road reserve shall be 16.5m for the proposed road fronting Lots 29-38 with the balance road reserve having a 20m width.
- 8.2 The developer shall provide stand-up kerbing and channelling on both sides of the roads to provide a minimum of 8.2m between faces of kerbs.
- 8.3 The proposed pavement shall consist of a compacted granular pavement design in accordance with clause 8.5 of these conditions with a minimum 30mm asphaltic concrete surfacing.
- 8.4 Construct a temporary bitumen turnaround at the end of the proposed new minor collector road.(Northern end) This turnaround shall have a minimum radius of 10 metres and be contained within the boundaries of the proposed development as detailed on the proposal plan 109721-01C. The turnaround is to be generally in accordance with Diagram 1 as illustrated below. Road easements in favour of the Burdekin Shire Council shall be provided over all affected lots. Easements are to be granted to allow a 4m verge around the head of the turnaround. These easements will be rescinded if and when any residential areas expand into adjoining lands. A bond of \$15,000 shall be lodged with the Burdekin Shire Council as a guarantee for the construction of kerb and channel around the turnarounds if no development has commenced construction within a two year period after completion of stage 2. This bond shall be returned to the developer upon commencement of operational works for road connectivity to the adjoining property;

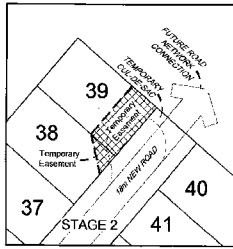


Diagram 1 – Proposed temporary turn around to the northern minor collector road.

8.5 Pavement Design;

Pavement design shall comply with Queensland Transport pavement design manual guidelines and shall be no less than 150mm thick compacted type 2.2 gravel.

OPERATIONAL WORKS

- 9.1 Where operational works are required to be carried out for the reconfiguration, the developer must, 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;
 - (c) a letter from the Electricity Service Provider stating that electricity can be readily supplied to the development;
- 9.2 No work must be commenced prior to issue of a development permit for Operational Works.

ELECTRICITY AND TELECOMMUNICATIONS SUPPLY

- 10.1 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;
 - (b) a reticulated underground electricity supply to each part of the subdivision in accordance with the requirements of the Electricity Service Provider.
- 10.2 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

11. 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

- 12.1 A sewerage 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.
- 12.2 The development must be serviced by the Council's reticulated sewerage system. The sewerage connection is to be provided at a location approved by Council. The developer shall bear the costs of design and construction associated with such connections including any alterations or upgrades to Council's existing infrastructure and integration with Council's SCADA system to accommodate the proposed developments. In particular.
 - i) each lot must be provided with a single property service, to be connected directly and separately to Council's sewer prior to signing the survey plan for the applicable stage.

WATER SUPPLY WORKS

13. The development must be connected to Council's reticulated water supply. The water 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.
 - (b) The water network analysis must demonstrate that for the entire development minimum pressure (head) 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.
 - (c) The developer must carry out water supply works external to the development to connect the development to Council's existing networks.

WATER SUPPLY AND SEWERAGE HEADWORKS

14. A contribution in terms of Council's Planning Scheme Policy for "Developer Contribution for Provision of Water Supply and Sewerage Services" is payable. The amount will be calculated at the time of payment based on the charge applicable at that time. As an indication only; the total amount payable for the development is currently \$17,344.50 for water (\$1,734.45 x 10 additional lots) and \$17,344.50 for sewerage (\$1,734.45 x 10 additional lots).

OPEN SPACE AND PARKLAND

- 15.1 Instead of dedicating land for park purposes, the developer must pay to Council a cash contribution. The current amount payable for stage 2 is \$7,500.00 (i.e. 10 lots @ \$750.00/lot). Payment must be received before the formal plan of subdivision is released.
- 15.2 All proposed tree planting within Road reserve must include appropriate Root Barrier design elements.

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 and an electronic copy which is to be compatible to Council's system at the relevant time, for all works. Such plans are to be certified by an R.P.E.Q.

ADVICE (Note: These are not conditions)

- **Earthworks**

If the development of the subject property requires soil to be imported or exported, the developer must identify the allotments which would be used for borrowing or filling and must obtain Council approval for such works in addition to engineering approval for the development. In this regard, the developer must obtain Council approval for the route of transport, the period and time of transport during the construction phase of the development.

- **Environmental Considerations**

E.P.A. Requirements

Construction must comply with the Environmental Protection Act, Policies and Guidelines to prevent or minimise either environmental harm or nuisance.

Resolution

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

FOR: Councillors Haynes, Loizou, Gazziola, Dalle Cort, Lewis and List

AGAINST: Councillor McLaughlin

CARRIED 6/1

ITEM-14 Sherry Alford -Development Application for Reconfiguring a Lot at 5-9 Third Avenue, Home Hill (Lot 2 on RP737675 Parish of Inkerman, County of Salisbury)

Executive Summary

A Development Application has been received from Brazier Motti on behalf of their client Sherry Alford for Reconfiguring a Lot (subdivision) application at 5 – 9 Third Avenue, Home Hill (Lot 2 on RP737675, Parish of Inkerman, County of Salisbury).

Recommendation

That Council approves the Development Application for Reconfiguring a Lot (subdivision) at 5 – 9 Third Avenue, Home Hill (Lot 2 on RP737675, Parish of Inkerman, County of Salisbury), subject to the following conditions:

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 \$178.80 calculated on the basis of a charge of \$29-80 per lot to be levied on the Council by the Department of Environment & Resource Management for each new valuation.

PROPOSAL PLAN

2. The reconfiguration of the land must be carried out generally in accordance with:-
 - (a) (i) the proposed Brazier Motti plan numbered -55544/002B
 - (ii) the plans, specifications, facts and circumstances as set out in the application submitted to Council;Except where modified by the conditions of approval and any approval issued there under; and
 - (b) any approval issued under this approval; and
 - (c) any development permit for operational works relating to the reconfiguring of a lot;

SOIL EROSION SEDIMENT CONTROL & STORMWATER

- 3.1 A detailed Soil Erosion and Sediment Control Plan for the whole development must be provided as part of Operational Works application. An appropriately qualified professional must design and certify the plan which must comply with the Environment Protection Act 1994 and all its subordinate legislation, and addresses the performance outcomes stated in State Planning Policy 4/10 Healthy Waters, Appendix 1, Part A.
- 3.2 A Stormwater Management Plan for the whole development which shows:
 - The proposed stormwater drainage layout, including both surface and underground drainage structures;

-
- The final discharge point for stormwater flows;
 - Measures to be used to minimise stormwater discharge rate from the developed site;
- must be provided as part of any Operational Works application.
- 3.3 A Stormwater Quality Management Plan, for the whole development, which addresses the performance outcomes stated in State Planning Policy 4/10, Appendix 1, Part A, must be provided as part of any Operational Works application.
- 3.4 Provide to Council all stormwater calculations and design details for the whole development. Calculations must show:
- hydrology calculations, for both Q5 and Q50 events, including runoff from individual catchments
 - hydraulic calculations, for both Q5 and Q50 events, including
 - backwater analysis
 - hydraulic grade line results
 - kerb and channel flow widths and depths
 - pipe flows and velocities
 - channel flows and velocities
 - overland flow volumes and velocities
- These shall be certified by a Registered Professional Engineer of Queensland (RPEQ) and be included in any Operational Works application.

DRAINAGE

- 4.1 The Stormwater Management Plan as required in condition 3.2 above shall illustrate the flow paths for the minor and major drainage systems.
- 4.2 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. Stormwater shall not overtop kerb for a 5yr ARI event.
- 4.3 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. Stormwater shall be confined to road reservations and easements for a 50yr ARI event.
- 4.4 The lawful point of discharge for stormwater shall be at a location approved by Council.
- 4.5 All surface drainage shall be suitably lined with concrete to maintain levels and grades.
- 4.6 All drainage works are to be designed to ensure no detrimental affect to the upstream and downstream catchments.
- 4.7 Downstream drainage paths and structures are to be analysed to ensure they are suitably sized for the increased flows from the development when fully developed.

Any inadequate elements of the system are to be augmented at the developers full cost to allow for the increased flows.

- 4.8 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.

DRAINAGE RESERVES

- 5.1 Overland flow paths designed as part of the major drainage system shall be constructed within drainage reserves to be dedicated to Council.
- 5.2 Open drains within reserves shall have a 1.2m minimum width concrete invert constructed in the base of the drain.
- 5.3 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

- 6.1 Open drains incorporated in the minor drainage system shall be located within drainage easements and shall have a 600mm wide concrete invert constructed in the base of the drain.
- 6.2 Piped drains traversing allotments shall be located within drainage easements.
- 6.3 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.
- 6.4 Temporary drainage constructed during the staging of the project shall be within easements. 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

Sixth Street

- 7.1 Provide stand-up kerb and channelling along the full frontage of the development from the end of the existing kerb and channel to Third Avenue. This kerb and channel is to be on the same alignment as the existing kerb and channel.
- 7.2 Provide a compacted gravel pavement minimum thickness 150mm with a two coat bitumen (16/10mm) seal from the edge of existing bitumen pavement to the proposed kerb and channel.
- 7.3 Gravel pavements shall be designed in accordance with Queensland Transport Pavement Design Manual and relevant Main Roads Standard specifications.

Third Avenue

- 7.4 Provide stand-up kerb and channelling along the full frontage of the development from Sixth Street to Fifth Street. The face of this kerb and channel is to be on an alignment of 6m from the boundary of the allotment.
- 7.5 Provide a compacted gravel pavement minimum thickness 150mm with a two coat bitumen (16/10mm) seal from the edge of existing bitumen pavement to the proposed kerb and channel.
- 7.6 Gravel pavements shall be designed in accordance with Queensland Transport Pavement Design Manual and relevant Main Roads Standard specifications.
- 7.7 The owner of proposed Lots 5 and 6 shall not call upon Council to construct, upgrade or maintain the Fifth Street Road frontage. A covenant is to be placed on the title of proposed Lots 5 and 6 to enforce this condition.

OPERATIONAL WORKS

- 8.1 Where operational works are required to be carried out for the reconfiguration, the developer must, within the timeframe required by the Sustainable Planning Act 2009 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;
- 8.2 No work must be commenced prior to issue of a development permit for operational Works.

ELECTRICITY AND TELECOMMUNICATIONS SUPPLY

- 9.1 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 electricity supply to each part of the subdivision in accordance with the requirements of the Electricity Service Provider;

-
- 9.2 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

10. 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

- 11.1 Provide a sewer connection to each of the proposed lots included in the development to Council's sewerage scheme. All works required are to be carried out at the developers full cost.
- 11.2 Any connection or upgrades to Council's existing sewerage infrastructure required by the development shall be carried out by the Council at the developers full cost.
- 11.3 Provide a network analysis of the internal sewerage supply proposed for the whole development.
- 11.4 The lawful point of discharge into Council's sewerage infrastructure shall be at a location approved by Council.

WATER SUPPLY WORKS INTERNAL

12. The development must be connected to Council's reticulated water supply. The water 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.
- b) 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.

COMPACTION STANDARDS

13. 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

14. 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.

WATER SUPPLY AND SEWERAGE HEADWORKS

15. 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.

ADVICE (Note: These are not conditions)

- *An application for Operational Works must be submitted to Council in accordance with these conditions;*
- *Earthworks*
If the development of the subject property requires soil to be imported or exported, the developer must identify the allotments which would be used for borrowing or filling and must obtain Council approval for such works in addition to engineering approval for the development. In this regard, the developer must obtain Council approval for the route of transport, the period and time of transport during the construction phase of the development.
- *Environmental Considerations*
E.P.A. Requirements
Construction must comply with the Environmental Protection Act, Policies and Guidelines to prevent or minimise either environmental harm or nuisance.

Resolution

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

CARRIED

ITEM-15 M & E Van Der Schyff - Development Application for a Material Change of Use (Home Occupation) Manufacturing of Concrete Fencing Panels at 11 Loram Road, Jarvisfield (Lot 1 on RP708107, Parish of Morrill, County of Gladstone)

Executive Summary

An application has been received from Morne & Dr Elmarie Van Der Schyff seeking approval for a Material Change of Use (Home Occupation) for the Manufacturing of Concrete Fencing Panels at 11 Loram Road, Jarvisfield. (Lot 1 on RP708107 Parish of Morrill, 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 (Home Occupation) for the Manufacturing of Concrete Fencing Panels at 11 Loram Road, Jarvisfield (Lot 1 on RP708107, Parish of Morrill, County of Gladstone) subject to the following conditions:

GENERAL

- 1.1 The conditions of the development permit must be achieved 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 supporting documents in the application submitted.

ROADWORKS

2. 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.

DRAINAGE

3. The approved development and use(s) 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.

BUILDING WORK

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

EXTERNAL WORKS

5. The developer must at its own cost undertake all necessary alterations to public utility mains and services as are rendered necessary by the carrying out of any required external works or other works associated with the approved development.

ENVIRONMENT AND HEALTH

- 6.1 The activity including the manufacture, loading or unloading operations, are confined to the hours 7am to 6pm Monday to Friday, 8am to 1pm Saturday. No activities shall be conducted on a Sunday or public holiday.
- 6.2 The activity including manufacturing, storage of waste, raw or manufactured products must be fully contained within the confines of the existing shed. The shed must not be subject to the ingress of stormwater runoff.

-
- 6.3 The operations at the site must not cause a noise nuisance or the release of contaminants, such as dust, fumes, odour or aerosols that may cause an environmental nuisance beyond the boundaries of the site to which this approval relates.
- 6.4 There must be no discharge or release of waste water to the land, waters or any areas subject to stormwater or stormwater runoff.
- 6.5 Drums or containers of waste, including waste concrete, must not be stored in a location or in a manner that is subject to stormwater or stormwater runoff.
- 6.6 All waste, including waste concrete from the activity must be removed to an approved location that can lawfully accept the waste for disposal, storage or reprocessing.
- 6.7 Spillage of waste, chemicals or similar materials shall be cleaned up as soon as practical. Such spillage shall not be cleaned up by hosing, sweeping or otherwise releasing such wastes or contaminants to the land, or stormwater.

ADVICE (Note: These are not conditions)

- *A development approval for the environmentally relevant activity of concrete batching must be obtained where 200tonnes or more of concrete product are produced per year in accordance with the Environmental Protection Act 1994.*

Resolution

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

CARRIED

ITEM-16 Paul Vass - Development Application for Reconfiguring a Lot at Barry Road, Kirknie (Lot 4 on SP247163. Parish of Leichhardt Downs, County of Salisbury)

The Mayor, Councillor McLaughlin declared a conflict of interest in respect of this application as the applicant is a relative of her sister, and left the meeting.

Deputy Mayor, Councillor Loizou assumed the Chair.

Executive Summary

An application has been received from Brazier Motti on behalf of their client Paul Vass seeking approval for Reconfiguring a Lot (subdivision) at Barry Road, Kirknie (Lot 4 on SP247163, Parish of Leichhardt Downs, County of Salisbury). 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 Reconfiguring a Lot (subdivision) at Barry Road, Kirknie (Lot 4 on SP247163, Parish of Leichhardt Downs, County of Salisbury), subject to the following conditions:

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 \$89-40 calculated on the basis of a charge of \$29-80 per lot to be levied on the Council by the Department of Environment & Resource Management for each new valuation.

PROPOSAL PLAN

2. The reconfiguration of the land must be carried out generally in accordance with:-
 - (a) (i) the proposed Brazier Motti plan numbered 55846/003A;
 - (ii) the plans, specifications, facts and circumstances as set out in the application submitted to Council;Except where modified by the conditions of approval and any approval issued there under; and
 - (b) any approval issued under this approval; and
 - (c) any development permit for operational works relating to the reconfiguring of a lot;

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.

DRAINAGE

4. The approved development and use(s) 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.

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.

ENVIRONMENT & HEALTH

- 6.1 **No Dwelling House (Class 1A) or Domestic Shed (Class 10) is to be constructed on proposed Lots 5, 6 or 7 within 500m of the entire boundary of Lot 1 on RP869335.**

6.2 Vegetation must not be cleared 100m from the high bank of the Burdekin River or within 50m from the high bank of any other waterway.

ADVICE (Note: These are not conditions)

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

Resolution

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

CARRIED

Councillor McLaughlin returned to the meeting and resumed the Chair.

ITEM-17 Thomas Callow - Development Application for Reconfiguring a Lot at 485 & 493 Kirknie Road, Osborne (Lots 2 & 230 on SP146560, Parish of Leichhardt Downs, County of Salisbury)

Executive Summary

An application has been received from Brazier Motti on behalf of their client Tom Callow seeking approval for reconfiguring a lot (boundary realignment) at 485 & 493 Kirknie Road, Osborne (Lots 2 & 230 on SP146560, Parish of Leichhardt Downs, County of Salisbury). 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 Reconfiguring a Lot (boundary realignment) at 485 & 493 Kirknie Road, Osborne (Lots 2 & 230 on SP146560, Parish of Leichhardt Downs, County of Salisbury), subject to the following conditions:

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 \$59-60 calculated on the basis of a charge of \$29-80 per lot to be levied on the Council by the Department of Environment & Resource Management for each new valuation.

PROPOSAL PLAN

2. The reconfiguration of the land must be carried out generally in accordance with:-
 - (a) (i) the proposed Brazier Motti plan numbered 55808/001A;

-
- (ii) the plans, specifications, facts and circumstances as set out in the application submitted to Council;
Except where modified by the conditions of approval and any approval issued there under; and
- (b) any approval issued under this approval; and
 - (c) any development permit for operational works relating to the reconfiguring of a lot;

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.

DRAINAGE

4. The approved development and use(s) 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;

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.

ADVICE (Note: These are not conditions)

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

Resolution

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

CARRIED

ITEM-18 Austral Masonry Pty/Ltd - Development Application for Material Change of Use for Extractive Industry, General Industry (concrete block manufacture), Associated Activities and Environmentally Relevant Activities at 1348 Ayr-Dalbeg Road, Mount Kelly (Lot 2

Councillor Lewis declared a conflict of interest in respect of this application, as the applicant is an adjoining property owner to the BQC Quarry site, in which Councillor Lewis has a business interest, and left the meeting.

Executive Summary

An application has been received from Groundwork Plus on behalf of Austral Masonry Pty/Ltd seeking approval for a Material Change of Use for an Extractive Industry (concrete

block manufacture), associated activities and Environmentally Relevant Activities at 1348 Ayr - Dalbeg Road, Mount Kelly (Lot 2 on RP731334 Parish of Northcote, County of Gladstone) A Development Application (Impact Assessable) has been triggered in accordance with the Burdekin Shire IPA Planning Scheme.

Recommendation

That Council approves the Development Application Material Change of Use for an Extractive Industry (concrete block manufacture), associated activities and Environmentally Relevant Activities at 1348 Ayr - Dalbeg Road, Mount Kelly (Lot 2 on RP731334 Parish of Northcote, County of Gladstone) subject to the following conditions:

GENERAL

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.
2. The developer must at its own cost undertake all necessary alterations to public utility mains and services as are rendered necessary by the carrying out of any required external works or other works associated with the approved development.
3. The approved development must be completed and maintained generally in accordance with the Plan of Development (identified in the Table below) and supporting documentation which forms part of this application, except as otherwise specified by any condition of this approval.

| Title | Drawing Number | Revision | Date |
|-----------------------------------------------------------|----------------|----------|------------------------------------|
| Figure 5A -General Layout Block manufacturing Facility | 1123.6.024A | 5 | 21 st November, 2011 |
| Figure 5B -General Site layout | 1123.6.024B | 5 | 21 st November, 2011 |

4. A development permit for Building Works is to be obtained before any building works are carried out on the premise.
5. There shall be no vehicular access onto Lena Road.
6. An approval for Operational Works in accordance with the Sustainable Planning Act 2009 may be required. Before any civil works commence, as constructed plans and accompanying specifications must be submitted to Council as part of any Operational Works application.
7. The applicant is to submit a landscaping plan to the Assessment Manager for approval. The plan must incorporate design elements to ensure that existing amenity is preserved. A suitable landscaped buffer must be provided along the Ayr-Dalbeg Road

frontage. Landscaping needs to be implemented and approved by the Chief Executive Officer prior to any business activities occurring on site.

8. General Amenity Provision

The use and or development must be managed so that the amenity of the area is not detrimentally affected, through the:

- Transport of material, goods or commodities to or from the subject site.
- Appearance of any building, works or materials
- Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil
- Presence of vermin

9. Parking shall be provided generally in accordance with the approved plan (Figure 5A - General Layout Drawing No 1123.6.024A Revision 5) submitted as part of the supporting material. Parking space, access and layout must be designed generally in accordance with the provisions contained in Schedule 2 – Vehicle Parking Rates & Standards of the Planning Scheme.

10. Carparks, landscaping and paved areas shall be regularly maintained clear of litter and potential contaminants shall be cleaned from the site on a regular basis.

11. The disposal of all defined wastes generated from the plant must be strictly in accordance with the Waste Management Plan submitted as part of the application and supporting material.

12. All overland stormwater flows must be managed to ensure full compliance is achieved in accordance with the Stormwater Management Plan submitted as part of the supporting material lodged with the application.

13. The proposed 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.

14. Fuels or chemicals stored on site shall be stored in bunded enclosures undercover or otherwise in a place and manner that any spillage is not subject to stormwater or stormwater runoff.

15. Industrial waste bins must be stored on a hardstand with an area of sufficient size to accommodate all containers. No waste bins shall be cleaned or washed where waste water will flow onto the land, to stormwater or off the subject property.

16. All wastes generated on site must be disposed at an approved waste disposal site.

17. Prior to commencement of the use, provide a report by a suitably qualified person that the relevant parts of the development (i.e. staff amenities) can achieve effective effluent disposal by an appropriate on-site design in accordance with the Queensland Plumbing and Wastewater Code and AS/1547:2000.

Resolution

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

CARRIED

Councillor Lewis returned to the meeting.

ITEM-19 Lot 1 on PER5314 - Wunjunga (Parish of Upstart, County of Salisbury) Surrender and reissue of Permit to Occupy over Land

Executive Summary

A request has been received from Department of Environment & Resource Management (DERM), seeking Council's views in respect of the surrender and re-issue of Permit to Occupy over land described as Lot 1 on PER5314, Wunjunga (Parish of Upstart, County of Salisbury), in accordance with the Departments requirements.

Recommendation

That Council offers no objection to the request from Department of Environment and Resource Management for the surrender and re-issue of Permit to Occupy over land described as Lot 1 on PER5314, Wunjunga (Parish of Upstart, County of Salisbury).

Resolution

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

CARRIED

ITEM-20 Waste Disposal Fees

Executive Summary

This report provides Council with details in respect of the *Waste Reduction and Recycling Act 2011* and it's implications for Burdekin Shire Council. In particular this report outlines the requirement for the waste levy which commences on the 1 December 2011 with recommendations for the new waste disposal fees and actions to apply from this date.

Recommendation

That Council:

- notes the requirements of the *Waste Reduction and Recycling Act 2011*

-
- notes the actions taken and to be taken in respect of the commencement of the waste levy
 - adopts the attached waste disposal fees (including the levy) to take effect from 1 December 2011.

Resolution

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

CARRIED

GB-1 Council offers no objection to proposed Street Names for future Stages of approved Subdivisions off Chippendale Street, Ayr

Resolution

Moved Councillor Haynes, seconded Councillor Dalle Cort that Council offers no objection to the proposed street names of Zoe Court, Katelyn Drive and Keyren Way to be used in future stages of approved subdivisions off Chippendale Street, Ayr.

CARRIED

ITEM-21 Coin Operated Showers at Home Hill Comfort Stop

Executive Summary

In response to complaints about patrons commandeering the shower facilities and using available hot water at the Home Hill Comfort Stop, Council has requested an investigation and report into the cost for the installation and operation of coin operated showers.

Estimated cost of installing these coin operated devices is \$8964. This includes high security covers rebated into existing tiled walls.

Proprietors of the devices advise that the cost of installation is generally recovered in the first year of operation however this does not include any potential losses due to vandalism.

Recommendation

Council not proceed with the installation of Coin operated showers at the Home Hill Comfort Stop.

Resolution

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

CARRIED

- **CORPORATE & COMMUNITY SERVICES**

ITEM-22 Final Audit Results for 2009-10

Executive Summary

The auditor-general's report about the Council's general purpose financial statements is to be tabled at a Council meeting.

Recommendation

That the Council receives the auditor-general's final report on the Council's 2009-10 general purpose financial statements.

Resolution

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

CARRIED

ITEM-23 Proposed Trustee Lease to the Gudjuda Reference Group Aboriginal Corporation - Home Hill Showgrounds Reserve

The Mayor, Councillor McLaughlin declared a conflict of interest in respect of this matter as her son is a member of The Rock Solid Boxing Club, an interested party with regard to the proposed leasing of the Home Hill Showgrounds, and left the meeting.

Deputy Mayor, Councillor Loizou assumed the Chair.

Executive Summary

Council recently sought expressions of interest from community groups and not-for-profit organisations over the Home Hill Showgrounds Reserve.

An application has been received from the Gudjuda Reference Group Aboriginal Corporation. Council is proposing to undertake a number of steps with respect to formalising tenure over the Reserve.

Recommendation

1. That Council agrees to enter into a standard trustee lease arrangement with the Gudjuda Reference Group Aboriginal Corporation Inc. for lease, in an "as is" condition, of all of the land and buildings located on Lots 91 and 99 on Plan SB202 Parish of Inkerman, County of Salisbury, subject to the following conditions:

1.1. Lease Terms

-
- 1.1.1. Term of the lease shall be twenty (20) years; and
 - 1.1.2. The annual rental payable during the lease term will be ten (10) cents per annum if and when demanded.

- 1.2. The Rock Solid Boxing Club, Lower Burdekin Historical Society and Caretaker are entitled to continue their current occupation and use of the facilities for a period of at least 4 months expiring on 31 March 2012, following which the aforementioned parties' occupation of the land is subject to approval from the Lessee.
- 1.3. Current horse agistment arrangements are to continue through to 31st December 2011, following which any agistment arrangements on the land are subject to approval from the Lessee.

2. That Council advises the current occupants of the Home Hill Showgrounds of the new arrangements.

Resolution

Moved Councillor Lewis, seconded Councillor Dalle Cort that the recommendation be adopted subject to the following amendment to condition 1.2:

- 1.2 The Rock Solid Boxing Club, Lower Burdekin Historical Society and Caretaker are entitled to continue their current occupation and use of the facilities for a period of at least 4 months or until the facilities are required for use by the Lessee.

CARRIED

Councillor McLaughlin returned to the meeting and resumed the Chair.

ITEM-24 Resumption of Land - Department of Transport and Main Roads - Part of Lot 3 on SP142546 and Part of Lot 113 on GS438

Executive Summary

The Department of Transport and Main Roads has been progressing steps in accordance with the Acquisition of Land Act 1967 to acquire land to reconstruct the section of the Bruce Highway north of Brandon from Sandy Corner to Collinsons Lagoon.

The following parcels of land are affected:

- a) approximately 58.59 square metres of Council Freehold land being part of Lot 3 on SP142546 contained in Title Reference: 50364233;
- b) approximately 11.02 square metres of Council Reserve land being part of Lot 113 on Crown Plan GS438 contained in Title Reference: 49000628.

Council is required to provide advice on any objection it may have to the taking of the land.

Recommendation

1. Council advises the Department of Transport and Main Roads of its approval for the following land to be taken for transport and road purposes:
 - a) approximately 58.59 square metres of Council Freehold land being part of Lot 3 on SP142546 contained in Title Reference: 50364233;
 - b) approximately 11.02 square metres of Council Reserve land being part of Lot 113 on Crown Plan GS438 contained in Title Reference: 49000628; subject to the following conditions:
2. Approval of 1(a) and 1(b) is subject to the Department of Transport and Main Roads being responsible for:
 - a) all costs incurred as a result of the acquisition, including lease adjustments;
 - b) all costs relating to the relocation of the park fence to align with the new boundaries on Lot 113 GS438.
3. Council to liaise with the Burdekin Machinery Preservationists to amend the lease boundaries to exclude 58.59sq metres of Lot 3 on SP142546 from Trustee Lease No. 710247341.

Resolution

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

CARRIED

• NOTICES OF MOTION

ITEM-26 Transfer of Lease - Lot 16 - Ayr Aerodrome

Recommendation

That Council offers no objection to the transfer of the lease held by Noel James Coffison and Ellenor Ann Coffison over Lot 16 at the Ayr Aerodrome to Neil Allen Black subject to a Deed of Assignment being completed at the cost of the transferor and or transferee.

Resolution

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

CARRIED

- **CORRESPONDENCE FOR INFORMATION**

CI-1 Upgrading of Cameron Street listed for consideration for inclusion on Works Implementation Programme

Resolution

Moved Councillor Loizou, seconded Councillor Gazziola that in respect of Letter Number 1126482 (petition from residents of Cameron Street), the upgrading of Cameron Street, between Drysdale and Cunningham Streets, including resealing, bitumen widening and kerbing and channelling, be listed for consideration for inclusion in the Works Implementation Programme.

CARRIED

- **URGENT BUSINESS**

- **GENERAL BUSINESS**

GB-2 Council extends Community Consultation on Pools

Resolution

Moved Councillor Haynes, seconded Councillor Loizou that Council extends community consultation on the Ayr and Home Hill pools due to the high public interest.

CARRIED

LUNCHEON BREAK

Councillor Lewis was not in attendance following the Luncheon Break.

- **NOTICES OF MOTION**

ITEM-25 Application for detached Bottle Shop with Extended Trading Hours - Coutts Commercial Tavern

Recommendation

That Council offers no objection to the application lodged with the Office of Liquor and Gaming Regulation by Coutts Commercial Tavern for a detached bottle shop with extended trading hours at Shop 1, corner of Queen Street and Parker Street, Ayr.

Resolution

Moved Councillor Haynes, seconded Councillor Lewis that the recommendation be adopted.

FOR: Councillors McLaughlin, Haynes, Loizou and Gazziola

AGAINST: Councillors Dalle Cort and List

CARRIED 4/2

• GENERAL BUSINESS

GB-3 General Meeting of Local Government Association of Queensland via Postal Vote - Rearrangement of LGAQ Electoral Districts

Resolution

Moved Councillor Loizou, seconded Councillor List that Council accepts the following motions put forward by the Policy Executive of the Local Government Association of Queensland and the ballot papers be completed accordingly:

Motion 1

That rule 5.3 of the Constitution of the LGAQ, Schedule of Districts be amended as follows:

Delete "Dalby" and replace it with "Western Downs" and delete "Roma" and replace it with "Maranoa".

Motion 2

That rule 5.3 of the constitution of the LGAQ, Schedule of Districts be amended as follows:

- a. Delete "Mackay", "Isaac" and "Whitsunday" from district No. 6 (Central Queensland);
- b. Immediately thereafter insert a new line in the Schedule as follows:

| | |
|----------------|---------------------------|
| District No. 7 | Mackay, Isaac, Whitsunday |
| (Whitsunday) | |

Motion 3

That amendments be made to the constitution of the LGAQ as follows:

1. In rule 5.3(3), immediately after sub-paragraph (b), insert the following sub-paragraph:
"(c) In the case of District No. 11 (Aboriginal and Island Councils), by two Members elected by the Members of that District."

-
2. In rule 5.3(3), renumber sub-paragraph "(c)" as sub-paragraph "(d)".
 3. In rule 5.4(1), after sub-paragraph (c), insert the following new sub-paragraph: "(d) for District No. 11, the persons elected in accordance with the following provisions:
 - (i) the Members in this District must elect two Executive Representatives;
 - (ii) the voting must be by a system of first past the post voting;
 - (iii) the provisions of rule 5.4(1)(b) apply with respect to all elections for Executive Representatives for District No. 11, but with all necessary adaptations."

Motion 4

That amendments be made to the constitution of the LGAQ as follows:

1. In rule 1.2, Definitions, insert after the definition of "Board", the following additional information:

"Board Corporate Governance Charter - A document that identifies the roles, responsibilities and expectations that the Organisation has for the Board and its Directors, in addition to the matters identified in Part 6 of this Constitution."
2. In rule 1.2, Definitions, insert after the definition of "Policy Executive", the following additional definition:

"Policy Executive Corporate Governance Charter - A document that identifies the roles, responsibilities and expectations that the Organisation has for the Policy Executive and its individual members, in addition to the matters identified in Part 5 of this Constitution".
3. In rule 5.1, insert an additional sub-paragraph after sub-paragraph (2) as follows: "(3) The Board may from time to time, adopt a Policy Executive Corporate Governance Charter which must be complied with by the Policy Executive and its individual members."
4. In rule 6.8, insert an additional sub-paragraph after sub-paragraph (16) as follows: "(17) The Board may, from time to time, adopt a Board Corporate Governance Charter which must be complied with by the Board and its Directors."

Motion 5

That consequential amendments be made to the Constitution of the LGAQ, if motion 2 or 3 (or both) of the special general meeting are passed as follows:

Consequential amendments - in the event that Motions 2 and 3 are passed

1. Renumber District Numbers 7, 8, 9, 10 and 11 as District Numbers 8, 9, 10, 11 and 12 respectively.
2. In rule 5.3(1) delete "11" and replace with "12".
3. In rule 5.3(2) delete "11" and replace with "12".

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4. In rule 5.3(3), in the newly created sub-paragraph (c), delete "11" and replace with "12".
 5. In rule 5.4(1), in the newly created sub-paragraph (d), delete "11" wherever it appears and replace it with "12".
 6. In rule 5.4(1), renumber sub-paragraphs (d), (e), (f), (g) and (h) as sub-paragraphs (e), (f), (g), (h) and (i), respectively.
 7. In re-numbered rule 5.4(1)(h), delete "5.4(1)(h)" and replace with "5.4(1)(i)".
 8. In rule 5.1(1)(a) delete "13" and replace with "15".

Consequential amendments - in the event that Motion 2 fails, but Motion 3 is passed

1. In rule 5.4(1), renumber sub-paragraphs (d), (e), (f), (g) and (h) as sub-paragraphs (e), (f), (g), (h) and (i), respectively.
2. In re-numbered rule 5.4(1)(h), delete "5.4(1)(h)" and replace with "5.4(1)(i)".
3. In rule 5.1(1)(a) delete "13" and replace with "14".

Consequential amendments - in the event that Motion 2 is passed but Motion 3 fails

1. Renumber District Numbers 7, 8, 9, 10 and 11 as District Numbers 8, 9, 10, 11 and 12, respectively.
2. In rule 5.3(1) delete "11" and replace with "12".
3. In rule 5.3(2) delete "11" and replace with "12".
4. In rule 5.1(1)(a) delete "13" and replace with "14".

CARRIED

GB-4 Councillors McLaughlin and List authorised to attend North Queensland Tourism Awards

Resolution

Moved Councillor Loizou, seconded Councillor Haynes that the Mayor, Councillor McLaughlin and Councillor List be authorised to attend the 2011 Townsville Airport North Queensland Tourism Awards to be held in Townsville on Friday, 2 December, 2011.

CARRIED

• **IN COMMITTEE DISCUSSIONS**

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

Resolution

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

72(1)(f) starting or defending legal proceedings involving it;

for the purpose of discussing matters being dealt with by the Queensland Civil Administrative Tribunal.

CARRIED

Ordinary Meeting of Council Resumed

Resolution

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

CARRIED

• DELEGATIONS

9.00 am - Visit by Year 4/5 students from Burdekin Christian College.

10.15 am - Citizenship Ceremony - Mrs. Irina Petrovna O'Brien

There being no further business the meeting closed at 2.45 p.m.

These minutes were confirmed by Council at the Ordinary Council Meeting held on 20 December 2011.

MAYOR

