



**BURDEKIN SHIRE COUNCIL**



# **AGENDA**

## **ORDINARY COUNCIL MEETING**

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

**on 28 February 2012**

**COMMENCING AT 9:00AM**



**TUESDAY 28 FEBRUARY 2012**

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**1. PRAYER**

**2. DECLARATIONS OF INTEREST**

**3. MINUTES AND BUSINESS ARISING**

**3.1 Ordinary Council Meeting Minutes - 14 February 2012**

**Recommendation**

That the minutes of the Ordinary Council Meeting held on 14 February 2012 be received as a true and correct record.



**BURDEKIN SHIRE COUNCIL**



# **MINUTES**

## **ORDINARY COUNCIL MEETING**

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

**on 14 February 2012**

**COMMENCING AT 9:00AM**



**TUESDAY 14 FEBRUARY 2012**

## **ORDER OF BUSINESS:**

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## **ATTENDANCE**

Councillors L.A. McLaughlin (Mayor), L. Loizou (Deputy Mayor), 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  
Mr. M. Ingle - Design Office Manager

Minutes Clerk - Mrs. Vicki Walker

Apologies: Councillor T.P. List

## **1. PRAYER**

The meeting prayer was delivered by Councillor Loizou.

## **2. DECLARATIONS OF INTEREST**

The Mayor called for declarations of interest.

- Councillor Lewis declared a conflict of interest in respect of the following agenda items:
  - 5.4 - as the applicant is a close family friend;
  - 5.7 - as his business has been asked to provide a quotation with regard to the proposed development.
- Councillor McLaughlin declared a conflict of interest in respect of agenda items 5.7 and 5.9 as the respective applicants are close family friends.

## **3. MINUTES AND BUSINESS ARISING**

### **3.1 Minutes - Ordinary Council Meeting - 17 January 2012**

#### **Recommendation**

That the minutes of the Ordinary Council Meeting held on 17 January 2012 be received as a true and correct record.

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## **Resolution**

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

CARRIED

### **3.2 Burdekin Be Active Advisory Committee Meeting - 7th December, 2011**

## **Recommendation**

That the minutes of the Burdekin Be Active Advisory Committee Meeting held on 7<sup>th</sup> December, 2011 be received and adopted.

## **Resolution**

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

CARRIED

## **4. REPORTS**

### **4.1 Operating Statement for period ending 31 December 2011**

## **Recommendation**

That the Operating Statement for period ending 31 December 2011 be received.

## **Resolution**

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

CARRIED

### **4.2 Capital Projects Monthly Report for period ending 31 December 2011**

## **Recommendation**

That the Capital Projects Monthly Report for period ending 31 December 2011 be received.

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## **Resolution**

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

CARRIED

## **5. ENVIRONMENT & OPERATIONS**

### **5.1 Proposed Permanent Road Closure - Barratta**

#### **Executive Summary**

Request for views on permanent road closure.

#### **Recommendation**

Council resolves to offer no objection to the proposed road closure shown on plan DD201\_176.

#### **Resolution**

Moved Councillor Gazziola, seconded Councillor Dalle Cort that the Department of Environment and Resource Management be advised that Council :

1. objects to the permanent road closure as shown on plan DD201\_176;
2. offers no objection to the temporary closure of the road highlighted on plan DD201\_176.

CARRIED

### **5.2 Proposed Road Openings - Ey Road**

#### **Executive Summary**

Two road openings are required on Ey Road as part of NDRRA reconstruction works.

#### **Recommendation**

Council resolves to proceed with road openings on BA and KW Ey's properties described as Lots 136 and 139 SP213949.

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## **Resolution**

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

CARRIED

### **5.3 Tony & Maria Gemellaro - Development Application for Reconfiguring a Lot at 77 Juanita Drive, Mt Kelly (Lot 32 on RP733771, Parish of Northcote, County of Gladstone)**

## **Executive Summary**

An application has been received from Cleve McGuane Surveys Pty Ltd on behalf of their client Tony & Maria Gemellaro seeking approval for Reconfiguring a Lot (Subdivision) at 77 Juanita Drive, Mount Kelly (Lot 32 on RP733771, Parish of Northcote, 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 Reconfiguring a Lot (Subdivision) at 77 Juanita Drive, Mount Kelly (Lot 32 on RP733771, Parish of Northcote, County of Gladstone), 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.
- 1.3 Provide evidence from a suitably qualified person that proposed lots 4 and 5 can be provided with on-site treatment of sewerage in accordance with the On Site Sewerage Code and AS/NZS 1547:2000.

## **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.

## **PROPOSAL PLAN**

3. The reconfiguration of the land must be carried out generally in accordance with:-
  - (a) (i) the proposed Cleve McGuane Surveys Pty Ltd plans numbered 28572-1;
  - (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;

## **PUBLIC UTILITY SERVICES**

- 4. 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;

## **OPERATIONAL WORKS**

- 5. Where operational works are required to be carried out for the reconfiguration, the developer must, within a period of two years from the date of this permit and prior to the commencement of any work, lodge with Council an application for a development permit for operational works. As part of such application, the developer must submit:-
  - (a) detailed and complete engineering drawings and specifications of the proposed works prepared by a civil engineer, who is both registered under the Professional Engineer's Act 2002 and is a current Registered Professional Engineer of Queensland; and
  - (b) a 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;

## **WATER SUPPLY**

- 6.1 The applicant shall arrange and meet the full cost of connection of proposed Lot 4 to the Mt Kelly water supply scheme. A metered water service shall be provided to the property boundary of the allotment. The service shall generally be to the standard required by Council for domestic purposes, for a constant flow system with discharge of 23 litres per minute.
- 6.2 The applicant must provide a certified statement from a licensed plumber that no existing interconnecting water supply plumbing crosses the boundaries between the proposed new lots.
- 6.3 The applicant shall arrange and meet the cost of provision of adequate fire fighting facilities to service each allotment, whether by provision of a hydrant not more than sixty metres from each property or through an adequate on site storage and pump system. Evidence is to be provided that, in the former case, the facilities meet pressure and flow criteria set out in the Water Resources Commission's guidelines or, in the latter case, the facilities are approved by the local urban fire brigade.

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## **WATER SUPPLY HEADWORKS**

7. A contribution is to be paid in accordance with Council's Rural Water Supply Charge as specified in Council's current fees and charges schedule.

### ***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 Gazziola, seconded Councillor Lewis that the recommendation be adopted.

FOR: Councillors McLaughlin, Haynes, Loizou, Gazziola and Lewis

AGAINST: Councillor Dalle Cort

CARRIED 5/1

Councillor Dalle Cort advised that she had voted against the motion due to the advice provided in the Water Analysis Report in respect of the Mount Kelly Water Supply.

#### **5.4 Darryl Fraser - Development Application for Reconfiguring a Lot at 180 Kilrie Road, Ayr (Lot 4 on SP153762, Parish of Antill, County of Gladstone)**

Councillor Lewis declared a conflict of interest in respect of this application as the applicant is a close family friend, and left the meeting.

### **Executive Summary**

An application has been received from Brazier Motti on behalf of their client Darryl Fraser seeking approval for Reconfiguring a Lot (1 into 2 lots) at 180 Kilrie Road, Ayr (Lot 4 on SP153762, Parish of Antill, County of Gladstone). A Development Application (Code Assessable) has been triggered in accordance with the Burdekin Shire IPA Planning Scheme. Given the 'Rural' zoning, it is considered that the application is contrary to achieving the purpose of the Planning Scheme. Refusal of the application is recommended.

### **Recommendation**

That Council refuses the Development Application for Reconfiguring a Lot (1 into 2 lots) at 180 Kilrie Road, Ayr (Lot 4 on SP153762, Parish of Antill, County of Gladstone), on the following grounds:

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

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Insufficient justification is provided to override the conflict with the Burdekin Shire Council's IPA Planning Scheme and in particular the Rural Zone code.

The proposed development is contrary to the Policy Principles of the State Planning Policy 1/92 – Development and the Conservation of Agricultural Land.

### **Resolution**

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

Following discussion on this issue, Councillor Loizou withdrew the motion with the approval of the seconder, Councillor Dalle Cort, and the meeting.

Moved Councillor Loizou, seconded Councillor Dalle Cort that Council approves the Development Application for Reconfiguring a Lot (1 into 2 lots) at 180 Kilrie Road, Ayr (Lot 4 on SP153762, Parish of Antill, County of Gladstone), 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 55865/001A;
  - (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.

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## **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)**

- *It is noted that any future dwelling house to be erected on the proposed Lots 5 and 6 will be in the vicinity of existing agricultural land uses. The owner of proposed Lots 5 and 6 are responsible for the establishment and ongoing maintenance of any buffer required between any residential and agricultural land uses. Any buffer should incorporate measures to minimise the impact of dust, smoke, noise and ash in accordance with the "Planning Guidelines: Separating Agricultural and Residential Land uses - August 1997."*
- *Unless otherwise specified by these conditions, the conditions must be complied with prior to approval of the Plan of Survey;*

## **CARRIED**

Reasons for not adopting Council officer's recommendation:

1. The proposed development will not interfere with the amenity of the area;
2. A precedent has been set by Council approving similar applications.

Councillor Lewis returned to the meeting.

### **5.5 Merv Mohr - Request to change an existing approval at 97 -99 Burke Street, Ayr (Lot 1 on RP709444, Parish of Antill, County of Gladstone)**

#### **Executive Summary**

A request has been received from Brazier Motti on behalf of there client Merv Mohr to make a change to an existing approval. The requested change is to reduce the development from a 3 Lot reconfiguration to 2. The application is over land at 97-99 Burke Street, Ayr (Lot 1 on RP709444, Parish of Antill, County of Gladstone).



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## Recommendation

That Council approves the request to change a development approval to allow a reduction in the number of reconfigured lots from 3 to 2 at 97-99 Burke Street, Ayr (Lot 1 on RP709444, Parish of Antill, County of Gladstone) subject to the following changes of conditions:

### GENERAL

- 1.1 The Council will not release the formal Plan of Reconfiguration until all rates and charges, (including infrastructure charges), in arrears in respect of the land, the subject of the application, are paid in full.
- 1.2 Pay the sum of ~~\$71.70~~ **\$59.60** calculated on the basis of a charge of ~~\$23.90~~ **\$29.80** per lot to be levied on the Council by the Department of Environment & Resource Management (DERM) 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 No 55834/001A **55834/001C**
  - (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;

### 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.

### ROADWORKS

- 4.1 The construction of any crossover or access points to the proposed lots are to be the owners responsibility and to the satisfaction of the Chief Executive Officer.
- 4.2 ~~Access to proposed Lot 7 is to be from Burke Street only, and at a location approved by the Chief Executive Officer.~~

**Access to proposed Lot 8 is to be only at a location approved by the Chief Executive Officer.**

### PUBLIC UTILITY SERVICES

- 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.

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## ELECTRICITY SUPPLY

- 6 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 electricity supply to the subdivision.

## WATER SUPPLY WORKS

- 7.1 The applicant must connect the proposed lots to Council's reticulated water supply. The water connections 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.
- 7.2 The applicant must provide a certified statement from a licensed plumber that no existing interconnecting water supply plumbing crosses the boundaries between the proposed new lots.

## SEWERAGE SUPPLY WORKS

- 8.1 The development must be connected to Council's reticulated sewerage system. All works required are to be carried out at the developers full cost.
- 8.2 Any upgrades to Council's existing sewerage infrastructure required by the development shall be carried out by the Council at the developers full cost.
- 8.3 The lawful point of discharge into Council's sewerage infrastructure shall be at a location approved by Council.

### **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.*

### **Trunk Infrastructure Charges**

In the case of the Ayr Priority Infrastructure Area (PIA) of the Burdekin PIP the Council provides, and this charge applies to each of the five trunk infrastructure networks (transport, water supply, sewerage, stormwater and parks and land for community infrastructure).

This amounts to a **total trunk infrastructure charge of ~~\$20,000-00~~ \$10,000-00 for the development.**

The charge will be payable before the local government endorses the formal plan of subdivision.

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## Resolution

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

CARRIED

### 5.6 Sylvia Caruso - Development Application for Reconfiguring a Lot at 22 Graham Street, Ayr (Lot 1 on RP702345, Parish of Antill, County of Gladstone)

## Executive Summary

An application has been received from Brazier Motti on behalf of their client Sylvia Caruso seeking approval for Reconfiguring a Lot (subdivision) at 22 Graham Street, Ayr (Lot 1 on RP702345, Parish of Antill, 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 Reconfiguring a Lot (subdivision) at 22 Graham Street, Ayr (Lot 1 on RP702345, Parish of Antill, County of Gladstone), subject to the following conditions:

### GENERAL

- 1.1 The Council will not release the formal Plan of Reconfiguration until all rates, infrastructure charges and other 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 55583/003A;
  - (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;

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## **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.

## **WATER SUPPLY WORKS**

- 5.1 Proposed Lot 2 of 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.
- 5.2 The applicant must provide a certified statement from a licensed plumber that no existing interconnecting water supply plumbing crosses the boundaries between the proposed lots.

## **SEWERAGE SUPPLY**

6. Proposed Lot 2 of the development must be connected to Council's sewerage scheme. The sewerage connection must be provided at a location approved by Council and at the full cost of the developer.

## **OPERATIONAL WORKS**

7. 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;
  - (c) a letter from the Electricity Service Provider stating that electricity can be readily supplied to the development;

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

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## **PUBLIC UTILITY SERVICES**

8. 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.

## **ELECTRICITY SUPPLY**

9. 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 electricity supply to proposed lot 2.

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

CARRIED

## **5.8 R & K Garner - Development Application for Material Change of Use for Multiple Unit Development at 202 Queen Street, Ayr (Lot 1 on RP713888 Parish of Antill, County of Gladstone)**

### **Executive Summary**

An application has been received from R & K Garner seeking approval for a Material Change of Use for a Multiple Unit Development (4 units) at 202 Queen Street, Ayr (Lot 1 on RP713888 Parish of Antill, 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 for a Material Change of Use for a Multiple Unit Development (4 units) at 202 Queen Street, Ayr (Lot 1 on RP713888 Parish of Antill, County of Gladstone) subject to the following conditions:

### **GENERAL**

- 1.1 The conditions of the development permit must be effected prior to the commencement of the use, except where specified otherwise in these conditions of approval.

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- 1.2 All rates and charges (including infrastructure charges), in arrears in respect of the land, subject of the application, are paid in full prior to the commencement of the proposed use.
  - 1.3 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 approved plans submitted from Burdekin Building Design (Client Reference BBD1000055 Issue A Sheet No SK 0 - 8) except where modified by the conditions of this Development Permit and any approval issued there under.

## **BUILDING WORK**

2. A development permit for Building Works (including a change in classification) is to be obtained before any building works are carried out on the premise.

## **ROADWORKS**

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

## **ACCESS AND PARKING**

- 4.1 Parking shall be provided generally in accordance with the approved plan from Burdekin Building Design (Client Reference BBD1000055 Issue A Sheet No SK 0 - 8).
- 4.2 Parking space and layout must be designed in accordance with the provisions contained in Schedule 2 – Vehicle Parking Rates & Standards of the Planning Scheme.
- 4.3 Access to the premises, car parking and manoeuvring areas must be constructed in an all weather low glare paving, exposed aggregate concrete or similar material to the satisfaction of the Chief Executive Officer.
- 4.4 If any existing on street parallel car parking fronting the proposed development needs to be realigned, the applicant is to be responsible for any works to be carried out. All design and works are to be in accordance with Council's guidelines and at the applicant's full cost.**

## **DRAINAGE**

- 5.1 Stormwater drainage from paved/sealed and roofed areas must be discharged under the footpath to kerb and channelling within the adjoining road reserves in accordance with AS3500.2.2003 or as otherwise required or agreed to in writing by the Chief Executive Officer.
- 5.2 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.
- 5.3 Any external catchments discharging to the premises must be accepted and accommodated within the development's stormwater drainage system.

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## **WATER SUPPLY**

6. 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.

## **SEWERAGE SUPPLY**

7. The development must be connected to Council's sewerage scheme. The sewerage connection must be provided at a location approved by council and at the full cost of the developer.

## **EXTERNAL WORKS**

8. 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.

## **OPERATIONAL WORKS**

9. An approval under the Sustainable Planning Act must be obtained for Operational Works. The Operational Works application shall include plans and specifications for works addressing the performance outcomes stated in State Planning Policy 4/10 - Healthy Waters, Appendix 1, Part A.

## **AMENITY – SCREEN FENCING**

10. A 1.8m high screen fence must be provided and/or maintained along the eastern and western adjoining property boundaries. The fence is to incorporate design elements that screen the proposed units from adjoining residential and commercial land uses. The type and design must be submitted and approved by the Chief Executive Officer before any new construction commences.

## **DOMESTIC WASTE**

11. The construction of the bin enclosure must:
  - Have a floor which is raised, imperviously paved and suitably drained to Council's sewer, via an approved bucket trap;
  - Be enclosed with walls to a height of approximately 1.2m;
  - Sufficient in size to house all mobile waste bins servicing the property;
  - Be roofed to prevent ingress of stormwater. If not, a first flush diversion valve shall be fitted; and
  - Include a suitable hosecock with hose attached, located on an external front corner of the enclosure with dual check valve backflow prevention (RMC No. 7 or equivalent).

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**Advice only:**

- To ensure existing stormwater drainage is not impeded, silt and debris within the existing drain must be cleaned and maintained at all times.

**The following comments are from the Manager of Planning & Development, Mr Shane Great:**

***Background Information:***

Burdekin Shire Council acting as the Assessment Manager has received a properly made Development Application for a Material Change Of Use – Impact Assessable for a 'Multiple Unit Development at 202 Queen Street, Ayr (Lot 1 on RP713888 Parish of Antill, County of Gladstone). The land is zoned 'Retail Commercial' under the provisions of Council's IPA Planning Scheme and has been assessed against the provisions of the Burdekin Shire Council's IPA Planning Scheme.

***Planning Scheme Definition:***

*Multiple Unit Development* – Premises comprising more than two dwelling units in one building or more than one building where more than two dwelling units are involved, together with any ancillary facilities and structures that are necessary for the use, whether or not the premises are subdivided afterwards by Community Title Plan or otherwise.

The term does not include "Duplex Units" or "Accommodation Building".

***The Application:***

This application is to gain approval for a 4 X 2 bedroom Multi Unit Development on land situated at 202 Queen Street, Ayr. It is intended to convert an existing un-used ambulance station into units. When operational, the ambulance centre was used for storage of vehicles, a training facility, treatment rooms, office and a residence.

The application was advertised in the Ayr Advocate on Wednesday, 7 December, 2011 and at the closing date for submissions on 17 January, 2012, two properly made submissions were received. ***Refer to attached documents***

The proposal will result in a development that will offer accommodation options for residents wanting to live in Ayr's Central Business District. This town planning initiative is becoming an acceptable outcome with regards to 'urban consolidation' principles. The building is structurally sound and is capable of being converted to dwelling units. It has always had a residential component with part of the building being used as a residence whilst it was operated as an ambulance station. Appropriate building approvals will ensure that the building complies with current building standards including energy efficiency and fire rating.

***Comment on Submissions:***

Both submissions raised valid town planning concerns with regard to unacceptable noise emissions and potential limitations imposed upon the hotel from unit residents. The submitters stated that by allowing a residential use in close proximity to a licensed premise would trigger the potential for an increase in noise complaints.

Given the locality and the zoning (Retail/Commercial), there is an expectation that higher noise emissions will be apparent. Potential residents will not have the same level of ability to



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raise concerns about noise emissions in comparison to a person residing in a 'residential' zoned part of town. In this particular case, a 'buyer beware' philosophy would have to be adopted by any persons residing in the units. Council will have less of an ability to impose noise restrictions in this locality when compared to residential localities. The submitters should accept this situation as a positive outcome with regard to concerns raised on this matter.

The issue of the existing Hotel and its operations being affected is another valid concern raised by a submitter. The Hotel is a lawful use and its operations are protected by this fact. It is in an area of town that is appropriately zoned for the land use. In the assessment of any concerns raised by future residents, Council officers will acknowledge the rights of the Hotel in deciding upon any action.

**Site Description/Surrounding Land Uses:**

The site has an area of 1012m<sup>2</sup>. There are no easements associated with the property. The lot has a total road frontage to Queen Street of 20m. The site is located at the south western end of Queen Street in close proximity to Ayr's main central business district. The general area has a mixture of uses predominantly consisting of commercial and also some residential land uses to the rear of the property.

**Trunk Infrastructure Charges:**

The *Sustainable Planning Act, 2009* and its predecessor, the *Integrated Planning Act, 1997* requires local governments to prepare Priority Infrastructure Plans (PIP) and in the case of Burdekin Shire Council, adopt and charge for trunk infrastructure in accordance with its Regulated Infrastructure Schedule (RICS).

This development application is to be assessed under the provisions of the PIP and have the relevant charge levied.

The regulated infrastructure charge levied for each trunk infrastructure network is required to be calculated in accordance with the appropriate formula as identified in table 2 of the Regulated Infrastructure Charges Schedule (RICS)

In the case of the Ayr Priority Infrastructure Area (PIA) of the Burdekin PIP the Council provides, and this charge applies to each of the five trunk infrastructure networks (transport, water supply, sewerage, stormwater and parks and land for community infrastructure).

**The total trunk infrastructure charge for this development is \$ 15,940.00**

The applicant's consultant has been advised of the above charge. A Regulated Infrastructure Charges Decision Notice will be issued with the Decision Notice and the charge will be payable before the commencement of the use.

**Conclusion:**

Council's Development Assessment Team members have assessed the application and have included reasonable and relevant conditions in relation to ensuring the building is serviced by appropriate infrastructure. The submitters concerns have been addressed in the report and officers are confident that any potential concerns raised can be managed to ensure positive outcomes are achieved. Given the fact that the proposal will ensure an existing disused

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building will be improved and that precedent exists, it is recommended that Council approve the application subject to the abovementioned conditions.

### **Resolution**

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

CARRIED

### **5.10 TFS Properties Limited - Development Application for Material Change of Use at 8904 & 8928 Ayr Dalbeg Road, Dalbeg (Lots 63 & 64 on GS435, 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 8904 & 8928 Ayr Dalbeg Road, Dalbeg. (Lots 63 & 64 on GS435, 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 8904 & 8928 Ayr Dalbeg Road, Dalbeg (Lots 63 & 64 on GS435, 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.

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## 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.

### **ADVICE (Note: These are not conditions)**

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

## Resolution

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

## CARRIED

### **5.11 TFS Properties Limited - Development Application for Material Change of Use at 8854 & 8816 Ayr Dalbeg Road, Dalbeg (Lot 1 on GS316 & Lot 2 on GS474, 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 8854 & 8816 Ayr Dalbeg Road, Dalbeg. (Lot 1 on GS316 & Lot 2 on GS474, 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 8854 & 8816 Ayr Dalbeg Road, Dalbeg (Lot 1 on GS316 & Lot 2 on GS474, Parish of Dalbeg, County of Gladstone) subject to the following conditions:

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## 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.

### **ADVICE (Note: These are not conditions)**

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

## Resolution

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

## CARRIED

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**5.12 TFS Properties Limited - Development Application for Material Change of Use to establish a Sandalwood Industry (Forestry) at 8964 Ayr Dalbeg Road, Dalbeg (Lot 66 on GS435, 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 8964 Ayr Dalbeg Road, Dalbeg. (Lot 66 on GS435 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 8964 Ayr Dalbeg Road, Dalbeg (Lot 66 on GS435, 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.

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## 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.

### **ADVICE (Note: These are not conditions)**

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

## Resolution

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

CARRIED

### **5.13 TFS Properties Limited - Development Application for Material Change of Use to establish a Sandalwood Industry (forestry) at 8884 Ayr Dalbeg Road, Dalbeg (Lot 62 on GS435, 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 8884 Ayr Dalbeg Road, Dalbeg. (Lot 62 on GS435 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 8884 Ayr Dalbeg Road, Dalbeg (Lot 62 on GS435, 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.

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## 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.

### **ADVICE (Note: These are not conditions)**

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

## Resolution

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

CARRIED

### **5.14 TFS Properties Limited - Development Application for Material Change of Use to establish a Sandalwood Industry (forestry) at 8752 & 8800 Ayr Dalbeg Road, Dalbeg (Lots 3 & 4 on GS316, 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 8752 & 8800 Ayr Dalbeg Road, Dalbeg. (Lots 3 & 4 on GS316 Parish of Dalbeg, County of Gladstone). A Development Application (Code Assessable) has been triggered in accordance with the Burdekin Shire IPA Planning Scheme.

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## **Recommendation**

That Council approves the Development Application for a Material Change of Use to establish a Sandalwood Industry at 8752 & 8800 Ayr Dalbeg Road, Dalbeg (Lots 3 & 4 on GS316, 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.

### **ADVICE (Note: These are not conditions)**

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



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## Resolution

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

CARRIED

### **5.15 TFS Properties Limited - Development Application for Material Change of Use to establish a Sandalwood Industry (forestry) at 7868 Ayr Dalbeg Road & 7 Sellars Road, Dalbeg (Lots 45 & 46 on GS326, Parish of Dalbeg, County of Gladstone)**

## Executive Summary

An application has been received from Groves and 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 7868 Ayr Dalbeg Road & 7 Sellars Road, Dalbeg. (Lots 45 & 46 on GS326 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 7868 Ayr Dalbeg Road & 7 Sellars Road, Dalbeg (Lots 45 & 46 on GS326, 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.

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## 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.

### **ADVICE (Note: These are not conditions)**

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

## Resolution

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

## CARRIED

### **5.16 TFS Properties Limited - Development Application for Material Change of Use to establish a Sandalwood Industry (forestry) at 7940 Ayr Dalbeg Road, Dalbeg (Lot 42 on GS326, 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 7940 Ayr Dalbeg Road, Dalbeg. (Lot 42 on GS326, 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 7940 Ayr Dalbeg Road, Dalbeg (Lot 42 on GS326, Parish of Dalbeg, County of Gladstone) subject to the following conditions:

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## 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.

### ***ADVICE (Note: These are not conditions)***

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

## Resolution

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

CARRIED

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**5.7 Development application for Material Change of Use for a Shopping Centre at 129, 129A, 131, 133, 135-137 and 139-141 Eighth Avenue, Home Hill (Lots 1 & 2 on RP700412, Lots 1 & 2 on RP707837, Lots 31 & 32 on H6166, Parish of Inkerman, County of Salisbury)**

Councillor Lewis declared a conflict of interest in respect of this application as his business has been asked to provide a quotation for the proposed development, and left the meeting.

The Mayor, Councillor McLaughlin declared a conflict of interest in respect of this application and agenda item 5.9 as the respective applicants are close family friends, and left the meeting.

Deputy Mayor, Councillor Loizou assumed the Chair.

**Executive Summary**

An application has been received from Richard and Karen Bonato seeking approval for a Material Change of Use for a Shopping Centre at 129, 129A, 131, 133, 135-137 and 139-11 Eighth Avenue, Home Hill (Lots 1 & 2 on RP700412, Lots 1 & 2 on RP707837, Lots 31 & 32 on H6166, Parish of Inkerman, County of Salisbury)

**Recommendation**

That Council approves the Development Application for a Material Change of Use for a Shopping Centre at 129, 129A, 131, 133, 135-137 and 139-11 Eighth Avenue, Home Hill (Lots 1 & 2 on RP700412, Lots 1 & 2 on RP707837, Lots 31 & 32 on H6166, Parish of Inkerman, County of Salisbury) subject to the following conditions:

**GENERAL**

- 1.1 The conditions of the development permit must be effected prior to the commencement of the use, except where specified otherwise in these conditions of approval.
- 1.2 The development and conduct of the approved use of the premises, the carrying out and maintenance of any works on the premises and construction and maintenance of any building on the premises must be generally in accordance with the approved plans listed below submitted by 'Phorm'; except where modified by the conditions of this Development Permit and any approval issued there under.

Drawing No	Date
DA_000	19/12/2011
DA_100	19/12/2011
DA_102	19/12/2011

- 1.3 All rates and charges (including infrastructure charges), in arrears in respect of the land, subject of the application, are paid in full prior to the commencement of the proposed use.
- 1.4 All lots are to be amalgamated into one title.

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## **BUILDING WORK**

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

## **ROADWORKS**

- 3.1 The construction of any crossovers to give access to the land is to be the owner's responsibility. All construction of new concrete walkways and crossovers in public roads is to be to the satisfaction of the Chief Executive Officer.
- 3.2 Construct a concrete footpath as shown on 'Phorm' plan DA\_100. The footpath is to comply with the Disability Discrimination Act.
- 3.3 Any awning or other overhang over the road/property boundary will require approval from Council.
- 3.4 Any alterations to on-street carparking shall be the responsibility of the developer, and to the satisfaction of the Chief Executive Officer.

## **ACCESS AND CAR PARKING**

- 4.1 Parking shall be provided generally in accordance with the approved plan from Phorm; Drawing No DA\_100.
- 4.2 Parking space, access and layout must be designed in accordance with the provisions contained in Schedule 2 – Vehicle Parking Rates & Standards of the Planning Scheme.
- 4.3 Access to the premises, car parking and manoeuvring areas must be constructed in an all weather low glare paving, exposed aggregate concrete or similar material to the satisfaction of the Chief Executive Officer.

## **DRAINAGE**

- 5.1 A detailed Soil Erosion and Sediment Control Plan must be provided as part of an 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.
- 5.2 A Stormwater Quality Management Plan which addresses the performance outcomes stated in State Planning Policy 4/10, Appendix 1, Part A, must be provided as part of an Operational Works application.
- 5.3 Any stormwater drainage from paved/sealed and roofed areas that is discharged under the footpath to kerb and channelling within the adjoining road reserves shall be in accordance with AS3500.2.2003 or as otherwise required or agreed to in writing by the Chief Executive Officer.

- 
- 5.4 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.
  - 5.5 Any external catchments discharging to the premises must be accepted and accommodated within the development's stormwater drainage system.

#### **PUBLIC UTILITY SERVICES**

6. 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.

#### **OPERATIONAL WORKS**

7. An approval under the Sustainable Planning Act must be obtained for Operational Works. The Operational Works application shall include plans and specifications for works addressing the performance outcomes stated in State Planning Policy 4/10 - Healthy Waters, Appendix 1, Part A.

#### **WATER SUPPLY**

8. 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.

#### **SEWERAGE SUPPLY**

9. The development must be connected to Council's sewerage scheme. The sewerage connection must be provided at a location approved by Council and at the full cost of the developer.

#### **ENVIRONMENT AND HEALTH**

10. Car parks, 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. There shall be no release of litter or contaminants from the site to any roadside gutter, drain or waters.
12. An enclosed area of suitable size must be provided to store the number of waste bins required to service this site,  
The area must:
  - Be of adequate size for the storage of all bins servicing the site;
  - Have a floor which is raised, imperviously paved and suitably drained to Council's sewer, via an approved bucket trap;
  - Be enclosed with walls to a height of approximately 1.2m;
  - Be roofed to prevent ingress of stormwater. If not, a first flush diversion valve shall be fitted; and
  - Include a suitable hosecock with hose attached, with dual check valve backflow prevention (RMC No. 7 or equivalent).

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**Advice to applicant:**

- *Plans of any proposed food premises must be submitted to Council for approval prior to construction and must comply with the Food Safety Standards 2001. A licence must be held for the operation of any food premises prior to opening in accordance with the Food Act 2006.*
- *The operator of any proposed premises that provide services classified under the Public Health (Infection Control for Personal Appearance Services) Act 2003 as higher risk are required to hold a licence with Council under the Act prior to the premises opening.*
- *Trade Waste licenses may be required dependent on future shop usage.*

**Resolution**

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

CARRIED

Councillor Lewis returned to the meeting.

**5.9 Shelley Norris - Development Application for Material Change of Use to increase the number of persons authorised to be accommodated on the premises to 102 persons at 30 Ninth Street, Home Hill (Lot 8 on H61618 Parish of Inkerman, County of Salisbury)**

**Executive Summary**

An application has been received from Shelly Norris seeking approval for a Material Change of Use for an increase to the number of persons authorised to be accommodated on the premises to 102 persons at 30 Ninth Street, Home Hill (Lot 8 on H61618 Parish of Inkerman, County of Salisbury). A Development Application (Impact Assessable) has been triggered in accordance with the Burdekin Shire IPA Planning Scheme.

**Recommendation**

That Council approves the Development Application for a Material Change of Use for an increase to the number of persons authorised to be accommodated on the premises to 102 persons at 30 Ninth Street, Home Hill (Lot 8 on H61618 Parish of Inkerman, County of Salisbury) 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 approved plans listed below submitted by Tony Ferraris consulting building design; except where modified by the conditions of this Development Permit and any approval issued there under.

Job No	DWG No	Issue
TFBD-11036	SK01	P2
TFBD-11036	SK02	P2
TFBD-11036	SK03	P2

- 1.3 All wastes and rubbish shall be stored, collected and disposed of to the satisfaction of the Council, and in accordance with the Environmental Protection (Interim Waste) Regulations 1996, with full cost borne by the applicant. No wastes or rubbish shall be burned on-site.

### **DRAINAGE**

- 2.1 Stormwater drainage from paved/sealed and roofed areas must be discharged under the footpath to kerb and channelling within the adjoining road reserves in accordance with AS3500.2.2003 or as otherwise required or agreed to in writing by the Chief Executive Officer or as otherwise required or agreed to in writing by council.
- 2.2 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.
- 2.3 Any external catchments discharging to the premises must be accepted and accommodated within the development's stormwater drainage system.

### **PUBLIC UTILITY SERVICES**

3. 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;

### **ROADWORKS**

4. 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.

### **AMENITY**

5. Any night and outdoor lighting must be designed, conducted and operated in accordance with 'AS 4282 – Control of the obtrusive effects of outdoor lighting'. Lighting for the car park is not to cause a nuisance to any persons.



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## **BUILDING HEIGHTS**

6. In accordance with the approved plans, no building shall exceed 2 stories in height.

## **BUILDING WORK**

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

## **OPERATIONAL WORKS**

8. Where operational works are required to be carried out for the development, the developer must, within a period of two years from the date of this permit and prior to the commencement of any work, lodge with Council an application for a development permit for operational works. As part of such application, the developer must submit:-
- (a) detailed and complete engineering drawings and specifications of the proposed works prepared by a civil engineer, who is both registered under the Professional Engineer's Act 2002 and is current Registered Professional Engineer of Queensland; and
  - (b) certificate from the engineer who prepared the drawings stating that the design and specifications have been prepared in accordance with these conditions, relevant Council Codes and Planning Scheme Policies and the relevant Australian Standard Codes of Practice;

## **AMENITY – SCREEN FENCING**

9. A 1.8m high screen fence must be provided along the adjoining property boundaries. The type and design must be submitted and approved by the Chief Executive Officer as part of the Landscaping Plan;

## **LANDSCAPING AND SCREENING**

10. A landscaping plan shall be submitted and approved by the Chief Executive Officer. This plan must be prepared by a landscape architect or other suitably qualified and experienced person detailing the following;
- the location of existing and proposed plantings;
  - landscaping of the designated areas generally in accordance with the approved plans;
  - proposed fencing and screens, including rubbish bin enclosures;

## **TRADE WASTE**

11. A Trade Waste permit will be required. A Trade Waste Application for 'Permit to Discharge to the Sewer' is to be submitted to Council prior to the new building becoming operational.

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## ENVIRONMENT AND HEALTH

- 12.1 Facilities for the use of occupants at the premises must comply and be maintained at all times in accordance with the provisions of the relevant Local Law.
- 12.2 Detailed plans of any proposed buildings or alterations, including details of all facilities provided must be submitted and approved prior to the occupancy or use of any buildings used in connection with the accommodation business.
- 12.3 The accommodation business and all ancillary activities must be conducted within the boundaries of premises that are the subject of this approval.

### ADVICE ONLY;

- It is advised to contact the Environment & Health Department in regards to licensing and registration in accordance with the Food Act 1981.
- The operator of the premises must hold a licence with Burdekin Shire Council for the operation of the accommodation premises under the provisions of the *Local Government Act 2009* and Local laws proclaimed pursuant to the Act.

**The following comments are from the Manager of Planning & Development, Mr Shane Great:**

### Background Information:

Burdekin Shire Council acting as the Assessment Manager has received a properly made Development Application for a Material Change of Use for an increase to the number of persons authorised to be accommodated on the premises at 30 Ninth Street, Home Hill (Lot 8 on H61618 Parish of Inkerman, County of Salisbury). The land is zoned 'Retail and Commercial' under the provisions of Council's IPA Planning Scheme. The level of assessment is 'Impact Assessable'.

### The Application:

The existing approval allows for 54 persons to be accommodated. The proposal is seeking approval to cater for an increase of 48 persons. This scenario has triggered the need to lodge a new development application. A new two story building will be built adjacent to the existing building to provide an additional 48 beds on two levels. It is intended to build a new building with a ground floor area of 208.6 m<sup>2</sup> and a new common living area of 72m<sup>2</sup>. The existing ambulance totals 206.15m<sup>2</sup> in ground floor area.

The use is best classified as 'Tourist Accommodation' under the provisions of Council's IPA Planning Scheme and is defined as:

**"Tourist Accommodation:-** Premises used for the accommodation of tourists including backpackers' lodgings and includes, dining, administration, housekeeping and maintenance facilities when carried on in conjunction with the use".

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The subject land described as Lot 8 on H61618 is zoned 'Retail /Commercial' and has been assessed against the relevant sections of the planning scheme codes.

The applicant has stated that the existing facility has been successfully operating for nine years and has made a significant contribution to the Home Hill economy. With regard to car-parking provisions, the applicant has argued that given the nature of the industry, low car ownership statistics for backpackers and the fact the ample parking provision exists on-street, no car-parking allowance has been made for on-site car-parking. These reasons have contributed towards no car parking requirements being included in the recommendation.

Advice included in the decision notice will reiterate to the applicant that new approvals would need to be applied for in regards to licensing and registration in accordance with the Food Act 1981. In addition, an application is to be made under Council's Local Law No. 8 (Rental Accommodation with shared facilities) and approved prior to the business commencing operation.

The application was advertised in the Home Hill Observer on Thursday 1 December, 2011 and at the closing date for submissions on 10 January 2012, no submissions were received.

***Site Description and Surrounding Land Uses:***

The subject site is located at 30 Ninth Street, Home Hill with a total site area of 1,012m<sup>2</sup>. There is a mixture of uses in the surrounding area including park and recreational land, a commercial business and yards, the memorial hall and limited residential amenity.

***Recommendation:***

Council's Development Assessment Team members have assessed the application and have included reasonable and relevant conditions as part of the recommended approval. These conditions have been included to ensure any possible negative impacts on amenity are minimised. Given that the proposal complies with the provisions contained in Council's Planning Scheme, is for an extension to an existing use and no public objections were received, it is recommended that Council approve the application subject to the abovementioned conditions.

**Resolution**

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

FOR: Councillors Loizou, Haynes, Gazziola and Lewis

AGAINST: Councillor Dalle Cort

CARRIED 4/1

Councillor Dalle Cort advised that she voted against the motion due to concerns that conditions requiring the applicant to install laundry facilities in the premises may detrimentally affect two existing businesses in Home Hill that provide laundry facilities.

The Mayor, Councillor McLaughlin returned to the meeting and assumed the Chair.

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## **5.17 Reef Guardian Council Program Update**

### **Executive Summary**

The Reef Guardian Council Program has been developed as a vehicle for engendering community change to promote Great Barrier Reef protection through education, information sharing and involvement in on-the-ground actions.

The Burdekin Shire Council is currently part of the Reef Guardian Council network, with the Memorandum of Understanding between the GBRMPA and the council renewed on an annually basis. This is to ensure:

- The council has opportunity to discuss the program within council
- New activities and actions can be identified for the action plan, for promotion or further engagement through the action plan
- Resource limited activities and actions that apply under the program can be identified, for the GBRMPA to start seeking additional resources for these actions.

Through the Reef Guardian Council Program, the council and community can look at opportunities that:

- strengthen local economies
- promote of councils' environmental efforts
- expose new and innovative ideas from other communities
- improve the environment and beautify living spaces (eg. better water, more trees)
- leverage external endorsement, promotion, funding and/or marketing.

Attached is the Burdekin Shire Council MoU (with action plan) for the 2011 / 2012 financial year.

### **Recommendation**

That Council resolves to :-

- (i) Sign the MoU and letter of request to continue with the Reef Guardian Council program.

### **Resolution**

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

CARRIED

## **5.18 Nelsons Lagoon Stormwater Quality Improvement Device**

### **Executive Summary**

The design of the pollutant trap for Nelsons Lagoon has been completed. Council approval is required for its construction.

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## **Recommendation**

- That council endorses the proposal for the pollutant trap at Nelsons Lagoon.
- Council provides the necessary budget for the construction of the pollutant trap.

## **Resolution**

Moved Councillor Dalle Cort, seconded Councillor Lewis that:

- Council endorses the proposal for the pollutant trap at Nelsons Lagoon;
- The design and construction of the pollutant trap be funded from the Enviro Levy budget noting the total estimated cost of the pollutant trap (design and construction) is \$175,000.

CARRIED

## **6. CORPORATE & COMMUNITY SERVICES**

### **6.1 Interest Free Loan Request - Home Hill Golf Club**

#### **Executive Summary**

Home Hill Golf Club has requested an interest free loan of \$10,000 to purchase a mower.

#### **Recommendation**

That Council approves an interest free loan of \$10,000 (no GST applicable) to the Home Hill Golf Club Inc, subject to the following conditions:

1. Repayments to be made at the annual amount of \$2,000 for five (5) years;
2. Should there be any default in repayment of the financial assistance, interest will be charged at the rate of 15% per annum;
3. The applicant shall keep, repair and maintain the said plant in good repair and condition;
4. That if any monies that are due and payable to the Council are in default, the applicant shall forthwith deliver the item of plant to the Council for any action that it deems fit, including the sale thereof. If the sale proceeds are greater than the monies due and payable to the Council, together with the costs associated with the sale, the amount of surplus will be returned to the applicant;

- 
5. The applicant shall indemnify and agree to keep indemnified the Council against any claim arising out of or in any way connected with this transaction from the date of provision of revenue financial assistance, or any activity associated with the use of the item of plant (all referred to as “the indemnified acts or omissions”) save to the extent that the claim arises as a result of any negligent act or omission of the parties, however, any negligent act or omission of one of the parties does not negate the indemnity to the other parties. The applicant shall release and discharge the Council from any claim relating to the indemnified acts or omissions;
  6. The applicant shall during the term of this agreement until such time as all monies due and payable to the Council have been received by the Council, insure and keep insured in some public insurance office, the item of plant against loss or damage by fire, storm, tempest and theft to its full insurable value and will cause all monies received by virtue of such insurance to be forthwith laid out in re-instating the said item of plant so destroyed or damaged as aforesaid.
  7. The applicant must have in place a public risk policy of insurance in the amount of \$10,000,000 (\$10 million) in respect of any liability at law, for any loss of or damage to any property or for the injury (including death) to any person arising out of anything done or omitted in respect of the use of the item of plant; and against any claims, demands, proceedings, costs, charges and expenses whatsoever in respect thereof.
  8. The Council shall have the right from time to time personally or by their duly authorised agent or agents to enter upon land occupied by the applicant and all reasonable times to view and examine the condition of the item of plant and may give to the applicant not less than 48 hours notice in writing, specifying any repairs necessary to be done and requiring the applicant forthwith to execute the same and if the applicant shall not proceed diligently with the execution of such repairs, the Council may after the expiration of the period of notice enter upon the said land and execute such repairs and the costs thereof shall be a debt due from the applicant to the Council and be forthwith recoverable by action.

## **Resolution**

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

CARRIED

## **6.2 Resumption of Land - Department of Transport and Main Roads - Part of Lot 10 on RP890872**

### **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 create a cul-de-sac off one of the local streets to prevent blind left hand turns across a local railway line.

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Approximately 11.7 square metres of Council freehold land is affected. The land is described as Lot 10 on RP890872. Council is required to provide advice on any objection it may have to the taking of the land.

### **Recommendation**

Council advises the Department of Transport and Main Roads of its approval to take approximately 11.7 square metres of Council owned Freehold land described as part of Lot 10 on RP890872 for transport and road purposes.

### **Resolution**

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

CARRIED

## **7. CORRESPONDENCE FOR INFORMATION**

## **8. NOTICES OF MOTION**

### **8.1 Appointment of Authorised Officers - Waste Reduction and Recycling (Authorised Persons) Delegation (No.1) 2011**

#### **Recommendation**

That the following Officers be appointed as Authorised Officers in accordance with Waste Reduction and Recycling (Authorised Persons) Delegation (No. 1) 2011.

- Tracy Jensen
- Linda Govan
- Anne McLaughlin
- Ron Paauwe
- Karl Schatkowski
- Chris Gallyer

and that the powers delegated as contained within the Waste Reduction and Recycling (Local Government - Waste Management) Delegation (No. 1) 2011 also be delegated to those Authorised Officers.

#### **Resolution**

Moved Councillor Lewis, seconded Councillor Loizou that the Council delegates authority to the Chief Executive Officer for all matters under the Waste Reduction and Recycling Act 2011, including those matters that the state delegates to the local government.

CARRIED

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## **9. URGENT BUSINESS**

## **10. GENERAL BUSINESS**

### **10.1 Council supports Application for removal of Emergency Bores in Home Hill from Water Fluoridation Regulation 2008**

#### **Resolution**

Moved Councillor Haynes, seconded Councillor Lewis that Council supports the application to Queensland Health for the removal of emergency bores in Home Hill from the Water Fluoridation Regulation 2008.

CARRIED

### **10.2 Extension of Kerbing and Channelling on corner of Young and Gordon Streets to be listed for Budget Consideration**

#### **Resolution**

Moved Councillor Dalle Cort, seconded Councillor Gazziola that the extension of kerbing and channelling on the corner of Young and Gordon Streets, Ayr be listed for consideration for inclusion in the Works Implementation Programme.

CARRIED

### **10.3 Councillor Dalle Cort granted Leave of Absence**

#### **Resolution**

Moved Councillor Haynes, seconded Councillor Gazziola that Councillor Dalle Cort be granted leave of absence from the Ordinary Council Meeting to be held on 28 February, 2012.

CARRIED

### **10.4 Councillor Loizou granted Leave of Absence**

#### **Resolution**

Moved Councillor Lewis, seconded Councillor Haynes that Councillor Loizou be granted leave of absence from 16 to 20 February, 2012.

CARRIED



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## **11.IN COMMITTEE DISCUSSIONS**

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

#### **Resolution**

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

72(1)(d) rating concessions

for the purpose of discussing an application for council rebate to be considered as a special circumstance.

#### **Ordinary Meeting of Council Resumed**

#### **Resolution**

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

CARRIED

### **11.1 Confidential Application for Council Rebate to be considered as a Special Circumstance**

#### **Resolution**

Moved Councillor Loizou, seconded Councillor Lewis that the application for Council Rebate on Property No. 6765 to be considered as a special circumstance not be approved on the following grounds:

1. The applicant is no longer the legal owner of the property;
2. The Lease of life interest was drawn up to meet Centrelink requirements; and
3. Approval of this special circumstance may generate similar new application requests in the future due to ongoing changes to Centrelink requirements.

CARRIED

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## **12.DELEGATIONS**

There being no further business the meeting closed at 11.56 am.

**These minutes were confirmed by Council at the Ordinary Council Meeting held on 28 February 2012.**

**MAYOR**

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### **3.2 Burdekin Cultural Complex Board Inc Minutes - 5 December 2011**

#### **Recommendation**

That the minutes of the Burdekin Cultural Complex Board Inc Meeting held on 5 December 2011 be received and adopted.

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**BURDEKIN CULTURAL COMPLEX BOARD INCORPORATED**

**MINUTES – GENERAL MEETING**

Held on Monday 5<sup>th</sup> December 2011  
Commencing at 5.30 p.m.

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**Clause 1      ATTENDANCE**

Crs. L. McLaughlin, L. Loizou, E. Gazziola, M.Haynes and T. List –  
representing Burdekin Shire Council

Mr. R. Marriott and Mrs J. Defranciscis – representing Burdekin Memorial Hall  
Committee

Mrs L. Henderson - representing Friends of the Burdekin Theatre

Miss L. Cox – Acting Secretary/Minutes Clerk

Observer – Mr. L. Alberts – Theatre Director

Apologies – Mr. J. Gooding - representing Friends of the Burdekin Theatre

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**Clause 2      MINUTES RECEIVED**

Moved Cr. Loizou, seconded Mrs Defranciscis, that the Minutes of the General  
Meeting held on 17<sup>th</sup> October 2011 be received as a true and correct record.

CARRIED

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**Clause 3      UPDATE ON THEATRE KITCHEN UPGRADE**  
**(Clause 4)**

Theatre Director, Mr. Alberts, advised the meeting that representatives from  
Fenwick Suppliers had travelled from Townsville to discuss upgrading the  
kitchen. They informed him that a quote would be provided for the upgrade  
once a design of the new kitchen is received from Council.

It was noted that Secretary, Ms Gosper, would follow up the creation of this  
design with Council's Design Section.

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**Clause 4      WORKING GROUP ESTABLISHED IN PREPARATION FOR 30<sup>TH</sup>**  
**(Clause 18)      ANNIVERSARY OF THEATRE**

It was resolved that a working group be established to discuss preparations for  
the 30<sup>th</sup> anniversary of the Burdekin Theatre with this group consisting of:-

- (a) Cr. McLaughlin;
- (b) Ms. Gosper;
- (c) Mr. Alberts;
- (d) Cr. List; and
- (e) Mr. Gooding.

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**Clause 5      DISCUSSIONS TO BE HELD WITH COUNCIL ON THE PURCHASE OF NEW COMMUNICATIONS SYSTEM AT THEATRE**

1123965 \* 07-07-32 from Friends of the Burdekin Theatre offering to provide funds for half of cost of \$18,400.00, excluding GST, for the purchase of a new communications system for the Theatre.

Chairman, Cr. McLaughlin, advised the meeting that the purchase of a communication system had not been brought to her attention until now and had not been submitted to Council for budget consideration.

Discussion was held on:-

- (a) the proposed communications system;
- (b) what functions it would perform at the Theatre; and
- (c) the costs involved in the purchase of such a system.

Moved Cr. Haynes, seconded Cr. List, that the Board:-

- (a) express its thanks to the Friends of the Theatre for their offer to pay half of the \$18,400 excluding GST needed to purchase a new communications system for the Theatre; and
- (b) advise the Friends of the Theatre that this purchase would need to be investigated further with Council, for possible future budget allocation, before any approval of the purchase of the system is forthcoming.

CARRIED

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**Clause 6      BOARD CONFIRMS TOTAL CASH DISBURSEMENTS FOR OCTOBER 2011**

Moved Cr. Haynes, seconded Mr. Marriott, that the Board confirm total cash disbursements from the General Account for the month of October 2011 for \$72,967.02.

CARRIED

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**Clause 7      FINANCIAL STATEMENTS FOR PERIOD FROM 1<sup>ST</sup> MAY, 2011 to 31<sup>ST</sup> OCTOBER 2011 BE RECEIVED**

Moved Mrs Henderson, seconded Cr. Gazziola, that the financial statements of the Burdekin Cultural Complex Board for the period from 1<sup>st</sup> May, 2011 to 31<sup>st</sup> October 2011 be received.

CARRIED

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**Clause 8      BOARD RECEIVES RECEIVABLES RECONCILIATION REPORT**

Acting Secretary, Miss Cox, tabled a detailed report listing Outstanding Debtors to 31<sup>st</sup> October 2011. The Board noted that the total outstanding debtors in respect of the Burdekin Theatre and Burdekin Memorial Hall Complex were \$15,530.78. The Board also noted the recovery arrangements to collect the amount outstanding.

Moved Cr. Loizou, seconded Cr. Gazziola, that the report on Receivables Reconciliation be received.

CARRIED

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**Clause 9 DISCUSSION HELD ON ACTION TAKEN TO RECOVER OUTSTANDING DEBTS**

Chairman, Cr. McLaughlin, advised the meeting that Secretary, Ms Gosper, had referred one of the Board's outstanding debtors to the Board's Debt Collection Agency as per the Debt Management Policy.

Theatre Director, Mr. Alberts, informed the meeting that he had been contacted by this debtor and she had concerns with parts of the account and would be meeting with him to discuss it.

Cr. McLaughlin also advised the meeting that another debtor was about to be referred to Board's Debt Collection Agency. It was noted that this debtor had entered into arrangements with the Board but had failed to adhere with these arrangements.

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**Clause 10 BOARD NOTES DETAILS OF EXPENDITURE TO 24<sup>th</sup> NOVEMBER 2011 FOR ADMINISTRATION AND OPERATION OF BURDEKIN CULTURAL COMPLEX**

Moved Mr. Marriott, seconded Cr. List, that the report listing receipts and expenditure to 24<sup>th</sup> November 2011 of Council costs associated with administration and operation of the Burdekin Theatre and Burdekin Memorial Hall by the Burdekin Shire Council as follows be received:-

<u>Receipts</u>	<u>Item</u>	<u>Expenditure</u>
2,127.27	Capital	308,499.38
1,472.73	Current	397,789.46
<b>\$3,600.00</b>		<b>\$706,288.84</b>

CARRIED

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**Clause 11 BOARD NOTES DETAILS OF LIVE PERFORMANCES IN BURDEKIN THEATRE AND BURDEKIN MEMORIAL HALL SINCE LAST MEETING**

At this stage Members discussed details of reconciliations for performances in the Burdekin Theatre and Burdekin Memorial Hall since the last meeting.

The Chairman advised the meeting that it was necessary to confirm the Theatre Director's action in exercising discretionary powers concerning fee structures negotiated for some performances in the Burdekin Theatre and Burdekin Memorial Hall since the last Board meeting.

Details of performances in the Burdekin Theatre and Burdekin Memorial Hall during the period are set out hereunder:-

Production:.....Breast Wishes  
 Date: .....2/7/11  
 Promoted By: ..... BCCB Inc.  
 Ticket Sales: .....245  
 Cost to Promoter: .....\$3,545.95

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Production:..... Snow White and the 7 Cool Dudes  
 Date: ..... 2/8/11  
 Promoted By: ..... BCCB Inc.  
 Ticket Sales: ..... 921  
 Refund to Promoter:..... \$1,611.98

Production:..... Water Festival Plaza Event  
 Date: ..... 3/9/11  
 Promoted By: ..... BCCB Inc.  
 Ticket Sales: ..... 0  
 Cost to Promoter:..... \$0.00

Production:..... Tina  
 Date: ..... 20/9/11  
 Promoted By: ..... Front Row Entertainment  
 Ticket Sales: ..... 63  
 Refund to Promoter:..... \$391.85

Production:..... BCCB Drama Workshop  
 Date: ..... 26 – 30/9/11  
 Promoted By: ..... BCCB Inc.  
 Ticket Sales: ..... 0  
 Cost to Promoter:..... \$0.00

Production:..... Afternoon Melodies – Buble's Way  
 Date: ..... 15/10/11  
 Promoted By: ..... BCCB Inc.  
 Ticket Sales: ..... 82  
 Cost to Promoter:..... \$843.74

Production:..... The Happiest Show on Earth  
 Date: ..... 25/10/11  
 Promoted By: ..... BCCB Inc.  
 Ticket Sales: ..... 290  
 Cost to Promoter:..... \$4,810.50

Moved Cr. Loizou, seconded Cr. Haynes, that the Board note details provided by the Theatre Director in respect of performances in the Burdekin Theatre and Burdekin Memorial Hall since the last meeting.

CARRIED

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Clause 12 **ACTION OF CHAIRMAN IN FUNDING COMMUNITY CHRISTMAS CAROLS THROUGH COMMUNITY FUND APPROVED**

Discussion was held on the recent Community Christmas Carols that had to be moved from the Theatre Forecourt to the Theatre Auditorium due to inclement weather and the costs associated with such a move.

Moved Cr. Haynes, seconded Cr. Gazzola, that the action of the Chairman, Cr. McLaughlin, to utilise the Board's Support Local Productions budget to fund the shift of the Community Christmas Carols from the Burdekin Theatre Forecourt to the Burdekin Theatre Auditorium, due to inclement weather, be approved.

CARRIED

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**Clause 13      REPORT ON EXPENDITURE TO 31<sup>st</sup> OCTOBER 2011 FOR BOARD PROMOTIONS RECEIVED**

Moved Mrs Defranciscis, seconded Cr. List, that the report listing expenditure for Board Promotions as at 31<sup>st</sup> October 2011, be received.

CARRIED

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**Clause 14      THEATRE DIRECTOR'S REPORT FOR THE PERIOD 17<sup>th</sup> OCTOBER TO 5<sup>TH</sup> DECEMBER 2011 RECEIVED**

Moved Cr. Loizou, seconded Mr. Marriott, that the Theatre Director's report for the period 17<sup>th</sup> October 2011 to 5<sup>th</sup> December 2011, be received.

CARRIED

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**Clause 15      DISCUSSION HELD ON THEATRE DIRECTOR'S REPORT**

Discussion was held on Theatre Director's Report on:-

- (a) the reduction in usage of the meeting room at the Memorial Hall;
- (b) conducting a Management Committee Meeting prior to Christmas; and
- (c) the appointment of a new Utility Person at the Theatre.

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**Clause 16      BOARD ADVISED THAT INTEREST ACCRUED ON THE BOARD'S V2 PLUS ACCOUNT TOTALS \$1,788.32**

Chairman, Cr. McLaughlin, advised the meeting that interest accrued on the Board's V2 Plus Account totals \$1,788.32.

NOTED

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**Clause 17      DISCUSSION HELD ON COMMUNITY CHRISTMAS CAROLS**

Cr. List informed the meeting that the Community Christmas Carols on the weekend were very successful despite the change of venue with money raised going towards Chaplaincy Australia.

Cr. List advised the meeting that the Theatre staff and Tony Vaccaro and Fiona Christie from Council did an excellent job in managing the event once the venue was changed.

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**Clause 18      PROBLEMS WITH SEAT NUMBERING AT THEATRE HIGHLIGHTED**

Discussion was held on problems being experienced with the numbering of the new Theatre seats. It was revealed that patrons were finding it hard to read the numbers that are now located on the bottom of the folded up seats.

Theatre Director, Mr. Alberts, advised the meeting investigations had taken place into fixing the lighting in the roof to help increase the visibility of the numbers on the seats. It was then revealed to the meeting that the costs for this work would be high.



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Discussion was held on options to alleviate the problems of the seat numbering.

Chairman, Cr. McLaughlin, organised for Mr. Alberts, Cr. List, Mrs Henderson and herself to meet after a performance occurring in the Theatre the next night to check the Theatre seat numbering and to discuss alternatives to the current numbering.

Chairman, Cr. McLaughlin left the meeting at this stage.

Cr. List assumed the chair.

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**Clause 19      UPDATE ON MEMORIAL HALL MATTERS**

Mr. Marriott updated the meeting on the following Memorial Hall maintenance matters:-

- (a) the curtains to alleviate noise in the meeting room are ready to be hung;
- (b) the doors of the meeting room have been painted;
- (c) all undamaged tables and all four trolleys have been sold;
- (d) there are fourteen damaged tables remaining;
- (e) new taps have been replaced in the meeting room;
- (f) the vanity basin has been removed from the cleaner's room;
- (g) the meeting room cupboards are now able to be locked and chemicals stored;
- (h) the surplus industrial bins have been returned;
- (i) additional glassware and ice buckets purchased by the Burdekin Memorial Hall Committee have been received;
- (j) the curtains in the main hall have been dry cleaned and are ready to be hung; and
- (k) the stage curtain in the minor hall has been re-hung.

Discussion was also held on the cost for the new curtains in the meeting room and other options to be instigated to alleviate the noise in the room.

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**Clause 20      REQUEST MADE FOR MEMORIAL HALL ASSISTANT SUPERVISOR TO BE TRAINED TO USE FIRE ALARM BOARD**

Mrs Defranciscis advised the meeting that the new Memorial Hall Assistant Supervisor has requested that she receive training on how to use the fire board at the hall in case of alarms.

It was resolved that a request be made to Council for the new Memorial Hall Assistant Supervisor to receive training on how to use the fire alarm board at the Memorial Hall in case of alarms occurring during the period she is supervising.

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Clause 21     **DISCUSSION HELD ON BROKEN TABLES AT MEMORIAL HALL**

Discussion was held on the new tables purchased for the Memorial Hall and how easily the tables are being broken.

Mrs Defranciscis informed the meeting that there are currently 5 tables broken out of the tables recently purchased.

Discussion was held on incorrect folding of the tables possibly causing the tables to break and providing instructions on folding tables to hirers to prevent this from happening.

There being no further business the Meeting concluded at 6.30 p.m.

L. McLaughlin  
CHAIRMAN

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### **3.3 Burdekin Shire Youth Council Minutes - 5 December, 2011**

#### **Recommendation**

That the minutes of the Burdekin Shire Youth Council Meeting held on 5 December, 2011 be received and adopted.

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## **Burdekin Shire Council**

### **Minutes – Burdekin Shire Youth Council Meeting held on 5<sup>th</sup> December, 2011**

Held in the John Drysdale Chamber  
The meeting commenced at 3.30pm

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#### **CLAUSE 1      ATTENDANCE**

Sophie Ricca – Youth Mayor  
Lexi Haselton - Secretary  
Chris Moretto – BCHS  
Danielle Torrisi – BCHS  
Brittany Buckland – BCHS  
Lachlan Grantz - BCHS

Lyn McLaughlin – Mayor, Burdekin Shire Council  
Tammy Quagliata - Burdekin Shire Council

#### **Apologies for absence**

Tony Vaccaro – BSC  
Laura Sloan – ASHS  
Kate Andrews - Deputy Youth Mayor  
Shannon Dillon - ASHS

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#### **CLAUSE 2      MINUTES RECEIVED**

Moved Chris Moretto, seconded Meg Andrews that the Minutes of the Burdekin Shire Youth Council Meeting held on 7<sup>th</sup> November, 2011 be received.

CARRIED

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#### **CLAUSE 3      CORRESPONDENCE**

##### **Inward Correspondence**

1. Lyn McLaughlin, Mayor, Burdekin Shire Council – forwarding appreciation to the Youth Council for their contribution and support for the opening of the official opening of the All Abilities Playground held on Saturday, 12<sup>th</sup> November, 2011. A special thank you was extended to Lexi Haselton who volunteered with face painting for the duration of the event.
2. Australian Drug Foundation – forwarding their resource catalogue for Summer 2011/2012.

##### **Outward Correspondence**

1. Gwen Marshall, Burdekin Chaplain – forwarding thanks for her assistance with face painting at the Anzac Park All Abilities Playground Opening on Sat 12<sup>th</sup> November, 2011.

Moved Brittany Buckland, seconded Chris Moretto that the inward correspondence be received and the outward adopted.

CARRIED

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## **CLAUSE 4      GENERAL BUSINESS**

### ***Face painting at All Abilities Playground Opening***

Members advised that there were very few volunteers that assisted with face painting at the Anzac Park All Abilities Playground Opening which was held on Saturday 12<sup>th</sup> November, 2011. It was noted that there was a good turn out of children at the event.

### ***Youth Council Break-Up***

Members provided positive feedback from the Youth Council Christmas Break-Up that was held at the Stardust Drive In on Friday 2<sup>nd</sup> December, 2011 from 6.30pm. It was noted that this would be a good youth event to hold again in 2012, preferably during winter. The event has minimal costs and is easy to organise.

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## **CLAUSE 5      BALLOON STALL AT HOME HILL CENTENARY PICNIC IN THE PARK – SATURDAY 10<sup>TH</sup> DECEMBER, 2011**

Youth Council members volunteered to run a balloon stall at the Home Hill Centenary Picnic in the Park to be held in Arch Dunn Park, Home Hill on Saturday 10<sup>th</sup> December, 2011.

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## **CLAUSE 6      PRESENTATION OF CERTIFICATES BY MAYOR, LYN MCLAUGHLIN**

Mayor, Cr. Lyn McLaughlin attended the meeting at this stage and handed out certificates for recognition of service to Youth Council Members.

Cr. McLaughlin congratulated Youth Council Members on their hard work and achievements throughout 2012.

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## **NEXT MEETING – February, 2012**

There being no further business, the meeting closed at 4:10pm

Lexi Haselton  
SECRETARY

### **ACTIONS FROM MEETING**

<b>Action</b>	<b>Person(s) responsible</b>	<b>Status</b>
Face Painting at official opening of Anzac Park All Abilities Playground – Sat 12 <sup>th</sup> November, 2011	All Members	✓
Man Balloon Stall at Home Hill Centenary Picnic in the Park – Saturday 10 <sup>th</sup> December, 2011	All Members	
Liaise with school principals re 2011 Day for Daniel	Sophie Ricca Lexi Haselton Kate Andrews	✓
Hold a suitable Movie Night at Burdekin Delta Cinemas	Tammy Quagliata	Ongoing

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## **4. REPORTS**

### **4.1 Capital Projects Monthly Report for period ending 31st January 2012**

#### **Recommendation**

That the Capital Projects Monthly Report for period ending 31<sup>st</sup> January 2012 be received.



**BURDEKIN SHIRE COUNCIL  
MONTHLY REPORT - CAPITAL PROJECTS**

**Period Ending 31 January 2012**

Budget	Income Actual to Period End	Variance	Description	Budget	Expenditure Actual to Period End	Variance	Comments
<b>Director of Corporate &amp; Community Services</b>							
0	0.00	-	10000 - Council Chambers	15,000	0.00	-100%	<b>Budget:</b> Chamber (Heritage) replace floor boards. Work completed. Final invoices to be received.
0	0.00	-	10004 - Home Hill 12th Avenue	0	11,248.23	-	<b>Unbudgeted</b> - Roof replaced due to deterioration.
0	-146,104.72	-	10020 - Land Purchases/Sales	0	0.00	-	<b>Unbudgeted</b> - Revenue from Industrial Estate sales.
0	0.00	-	11001 - IT Hardware Purchases	468,300	382,271.87	-18%	All IT hardware purchased and being installed. Actual and committal estimate is \$431,626
0	0.00	-	11002 - Admin Office Equipment Capital Purchases	10,000	17,272.24	-73%	<b>Budget:</b> Photocopiers. Over budget to come from 11001.
0	0.00	-	11004 - Burd Library Off Equip, F & F Capital Purchases	37,600	0.00	-100%	<b>Budget:</b> Burd Library shelving children's area \$17,600; Bur Library circulation desk \$20,000. Works planned following fish pond renovation
-31,300	-12,650.00	-60%	11007 - IT Software Purchases	157,300	66,327.23	-58%	<b>Budget:</b> Server \$6,000 Actual \$ 10,407; Property & Rating upgrade budget \$120,000 Actual: \$46,223 project commenced - to go live in March 2012); HR Module \$4,056; Records Classification & Disposition Management Software \$5,641; Kirknie Landfill weighbridge software \$11,300 and Waste Management connection to TipSite \$20,000 - items have been ordered.
0	0.00	-	11101 - Burd Theatre Furniture & Fittings Capita	0	32,388.18	-	Sound Mixing desk \$26,078 - budget to be obtained from Theatre Operational; and Pipe and Drape system \$6,310 (unbudgeted - approved by Council 25-10-11).
0	0.00	-	11202 - Fibre Optic	65,000	73,453.64	13%	<b>Budget:</b> Instal fibre optic from Jones St to SES. Project completed. Final estimate \$75,254.
0	-157,500.00	-	12007 - Burd Rural Multi-Tenant Service Centre	0	2,783.28	-	<b>Actual:</b> Solar lights (part completed). Budget to be covered by carry over.
0	-50,000.00	-	12027 - Giru SES	0	0.00	-	Grant income budgeted last year but received this year.
0	0.00	-	12042 - Burdekin Memorial Hall	30,000	77,541.39	158%	<b>Budget:</b> Replace soffits \$30,000; <b>Actual:</b> Refurb of bar & amenities sections \$3,635 and chiller replacement \$73,906 - to be covered by carry over.
0	-2,127.27	-	12043 - Burdekin Theatre	30,000	210,420.22	601%	<b>Budget:</b> Kitchen upgrade \$30,000 - design and quotations to be obtained; <b>Actual:</b> Light Dimmer System (C/O) \$20,177; Floorcoverings (C/O) \$52,105; Auditorium seats (C/O); \$129,682; Airconditioning \$ 1,236; Replace Smoke Detection System \$7,220 (Unbudgeted).
-76,812	-44,864.80	-42%	12044 - Burdekin Library Other Assets	84,900	46,078.04	-46%	<b>Budget:</b> Burd Library books
0	-50,000.00	-	16419 - Lions Park/Diorama	0	0.00	-	Unbudgeted grant received for upgrading works to Diorama. Expenditure to match.
<b>-108,112</b>	<b>-463,246.79</b>		<b>Total</b>	<b>898,100</b>	<b>919,784.32</b>		



**BURDEKIN SHIRE COUNCIL  
MONTHLY REPORT - CAPITAL PROJECTS**

**Period Ending 31 January 2012**

Budget	Income Actual to Period End	Variance	Description	Budget	Expenditure Actual to Period End	Variance	Comments
<b>Director of Environment &amp; Operations</b>							
-1,056,060	-160,733.55	-85%	20000 - Roadworks	5,471,191	1,780,429.19	-67%	Roadworks capital expenditure is behind, but rate of expenditure is accelerating.
0	0.00	-	11003 - Eng Office Equipment Capital Purchases	11,000	0.00	-100%	
-20,000	0.00	-100%	16005 - Ayr Cemetery Other Assets	35,000	32,342.72	-8%	<b>Budget:</b> Cemetery Vaults - design \$10,000, Shade and concrete work Columbanum \$25,000 (Work commenced late November) <b>Actual:</b> \$32,343
0	0.00	-	16201 - Ayr Transfer Station	100,000	0.00	-100%	Road Access
0	-12,272.72	-	16203 - Ayr Transfer Station Building	0	0.00	-	Insurance claim
-28,200	0.00	-100%	16207 - Kirknie Landfill Buildings	28,200	384.09	-99%	Gatehouse: Orders placed for building
-101,000	0.00	-100%	16208 - Kirknie Landfill	213,000	178,395.43	-16%	<b>Budget:</b> Access road to weighbridge \$60,000 & Weighbridge \$133,000 <b>Actual</b> \$131,326 (\$7,400 - survey fees trf to operational); Solar Panels \$20,000 <b>Actual</b> \$4,552; Printer \$1,550; Access road substantially completed; Software & Hardware - Tipsite (trf to intangible and operational on completion) \$40,968
0	0.00	-	16220 - Kirknie Landfill Cell Liner	0	64,147.00	-	<b>Actual:</b> Soil Testing \$2,147 - Stabilisation of batters completed - account to be paid in January. Re-vegetation \$62,000 \$597,351 (C/O).
0	0.00	-	16251 - Burdekin Cascades Caravan Park	0	8,865.08	-	Two budget studio units. \$100,000 (C/O).
0	0.00	-	16253 - Burdekin Cascades Caravan Pk Other Asset	40,000	0.00	-100%	Replace fence and gate Discussions held with neighbours and managers.
0	0.00	-	16254 - Home Hill Caravan Park - Other Assets	15,000	0.00	-100%	BBQ area upgrade. Quotes being obtained.
0	0.00	-	16301 - Ayr Pool	0	14,311.36	-	Concept Design. \$160,000 (C/O).
0	0.00	-	16305 - Millaroo Pool	10,000	0.00	-100%	Concept design completed. Detailed design to proceed.
0	0.00	-	16351 - Public Conveniences Anzac Park	0	122,328.93	-	Work completed. \$119,660 (C/O).
0	0.00	-	16360 - Public Conveniences - Queen Street	80,000	0.00	-100%	Refurbish. Facilities inspected and proposal being prepared.
0	-36,000.00	-	16418 - Solar Lights Tommie Tie Park	0	20,444.21	-	Project commenced. (New Grant \$40,000).
0	0.00	-	16503 - Playground Equipment - Various Parks	60,000	0.00	-100%	Shade structures and playground equipment. Quotes being obtained for shade structures for Anzac Park. Purchase order issued for Brandon park.
0	-48,832.00	-	16511 - All Abilities Playground	0	11,623.22	-	Project completed. \$26,878 (C/O).
0	0.00	-	16512 - Miscellaneous Parks Irrigation	50,000	0.00	-100%	Ross Street park, Rock shop park & part of Lloyd Mann park programmed.
0	0.00	-	16602 - Pound Upgrade	7,000	5,035.00	-28%	Project completed. Final cost approx \$10,000 - additional expenditure allocated to operational as under capital threshold.
0	0.00	-	16700 - Alva & Wunjunga Dune Protection	0	73,037.73	-	Fencing Work completed. \$72,000 (C/O).
0	0.00	-	23250 - Depot/Store Building	13,000	10,704.18	-18%	Reroof and hot dip galvanised beams completed.
0	0.00	-	23301 - Jones St Depot	0	1,417.50	-	
0	0.00	-	23323 - Yellow Gin Creek Alert Station	0	10,176.75	-	NDRP Project
0	0.00	-	24000 - Drainage Budget	300,000	0.00	-100%	Design completed. Planning for construction commenced.
0	0.00	-	24008 - Ayr/Lilliesmere Flood & Dmg 04/05 NDMP2	0	388,396.11	-	Project commenced. \$329,927 (C/O).
0	0.00	-	24009 - Ayr/Lilliesmere Flood & Dmg 05/06 NDMP3	0	36.16	-	To be transferred to 24008.
-106,667	0.00	-100%	24010 - Ayr Flood Study Dam Upgrade NDRP - L1 Lilliesm	700,000	1,531.74	-100%	
-50,000	0.00	-100%	24020 - Gross Pollutant Traps Nelson's Lagoon	125,000	18,600.00	-85%	Design commenced.
0	0.00	-	24022 - Sutcliffe Estate Drainage Stage 1 (Beach Rd to Lill	330,000	242,489.94	-27%	Project substantially complete. \$138,067 (C/O).
0	0.00	-	24026 - Andersen Street Drainage	0	113,281.10	-	Part of Drainage Budget.





# **BURDEKIN SHIRE COUNCIL** **MONTHLY REPORT - CAPITAL PROJECTS**

**Period Ending 31 January 2012**

Budget	Income Actual to Period End	Variance	Description	Expenditure			Comments
				Budget	Actual to Period End	Variance	
-110,000	-40,454.55	-63%	25001 - Sedans	240,000	57,629.91	-76%	Two sedans purchased
-210,000	-144,919.11	-31%	25002 - Utilities	460,000	275,807.85	-40%	Ten utilities purchased
-150,000	-17,090.91	-89%	25003 - Trucks	497,000	138,594.00	-72%	Two trucks purchased
-36,450	0.00	-100%	25005 - Plant and Equipment	156,700	31,365.92	-80%	2 Box trailers \$16,545 and Pool cleaner \$12,495; Van air blast pak \$2,325
0	-9,000.00	-	25010 - Security Cameras Tommie Tie Park	0	8,398.02	-	Project commenced. (New Grant \$10,000)
-396,000	0.00	-100%	30000 - Sewerage Construction Budget	1,948,800	0.00	-100%	<b>Budget Total \$ 1,948,800 Actual Total \$91,531</b>
0	0.00	-	30209 - Pump Station 9 Ayr	0	11,324.48	-	
0	0.00	-	30210 - Pump Station 10 Ayr	0	11,933.55	-	
0	0.00	-	30211 - Pump Station 11 Ayr	0	12,551.25	-	
0	0.00	-	30216 - Pump Station 16 Ayr	0	10,441.53	-	
0	0.00	-	30251 - Pump Station 1 Brandon	0	155.86	-	
0	0.00	-	30253 - Pump Station 3 Brandon	0	10,629.92	-	
0	0.00	-	30301 - Pump Station 1 Home Hill	0	18,117.49	-	
0	0.00	-	30405 - Treatment Plant Inlet Structure Ayr/Bran	0	16,377.08	-	Tender awarded
0	0.00	-	30452 - Treatment Plant Buildings Home Hill	6,000	3,960.00	-34%	To be transferred to operational.
0	0.00	-	31050 - Sewer Reline Project	500,000	31,510.13	-94%	Tenders closed.
0	0.00	-	31060 - Sutcliffe Estate Sewerage	0	8,710.00	-	
-1,800,000	0.00	-100%	35000 - Water Construction Budget	2,100,000	0.00	-100%	<b>Budget Total \$ 2,100,000 Actual Total \$169,732</b>
0	0.00	-	35240 - Fluoridation	0	18,100.00	-	Concept
0	0.00	-	35352 - Distribution Mains Ayr	0	13,200.17	-	
0	-74,430.27	-	35401 - Distribution Mains Brandon	0	83,201.16	-	MRD project. Project completed.
0	0.00	-	35433 - Rural Water Supplies Home Hill	0	55,231.21	-	Fry / Davenport Road. Project completed.
<b>-1,056,060</b>	<b>-543,733.11</b>		<b>Total</b>	<b>13,496,891</b>	<b>3,915,216.97</b>		
<b>-1,164,172</b>	<b>-1,006,979.90</b>		<b>TOTAL CAPITAL PROJECTS</b>	<b>14,394,991</b>	<b>4,835,001.29</b>		

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## **4.2 Operating Statement for period ending 31st January 2012**

### **Recommendation**

That the Operating Statement for the period ending 31<sup>st</sup> January 2012 be received.



**BURDEKIN SHIRE COUNCIL  
OPERATING STATEMENT  
Period Ending 31 January 2012**

	Note	Actual YTD	YTD Revised Budget	\$ Variance Actual to Revised	% Variance Actual to Revised
<b>Operating Revenue</b>					
Rates and Utility Charges	1	33,261,097.73	33,951,790	-690,692	-2%
Discounts and pensioner remissions		-3,371,248.37	-3,380,034	8,786	0%
User fees and charges	2	1,423,491.88	1,396,060	27,432	2%
Interest Received		1,102,437.10	925,750	176,687	19%
Operational contributions and donations		98,091.85	117,382	-19,290	-16%
Operational grants and subsidies	3	8,536,778.15	9,729,427	-1,192,649	-12%
Contract and recoverable works	4	1,158,583.00	930,417	228,166	25%
Other operating revenue	5	289,025.95	174,756	114,270	65%
<b>Total operating revenue</b>		<b>42,498,257.29</b>	<b>43,845,548.83</b>	<b>-1,347,290</b>	<b>-3%</b>
<b>Operating Expenses</b>					
Employee benefits	6	9,328,111.86	10,967,845	-1,639,733	-15%
Materials and services	7	15,549,573.15	14,351,744	1,197,830	8%
Depreciation and amortisation		4,652,929.75	4,518,254	134,675	3%
Finance Costs		281,242.94	429,227	-147,984	-34%
Other expenses		2,430.51	0	2,431	-
<b>Total operating costs</b>		<b>29,814,288.21</b>	<b>30,267,069.50</b>	<b>-452,781</b>	<b>-1%</b>
<b>Surplus (deficit) from operating activities</b>		<b>12,683,969.08</b>	<b>13,578,477</b>	<b>-894,508</b>	<b>-7%</b>
Capital contributions	8	20,754.55	0	20,755	-
Capital grants and subsidies	9	548,825.80	2,456,633	-1,907,807	-78%
Other capital income (expense)	10	348,569.29	0	348,569	-
<b>Net result for period</b>		<b>13,602,118.72</b>	<b>16,035,110</b>	<b>-2,432,992</b>	<b>-15%</b>

as at 23/02/2012 12:00 PM

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**BURDEKIN SHIRE COUNCIL  
OPERATING STATEMENT  
NOTES FOR VARIANCES TO BUDGET  
Period Ending 31 January 2012**

Please note this report does not include budget review information.

**Note**

**1 Rates and Utility Charges**

**Admin** - Rates in advance to be journaled in as income as at June 2012.

**2 User Fees & Charges**

**Waste - Under Budget \$49,248** - Revenue received from Transfer Stations and Landfill is not uniform during the year. The biggest months are traditionally Dec, Jan & Feb.

**Admin - Over Budget \$10,688** - Timing difference - Annual Tramway Permit fee raised in July for full year.

**Env - Over Budget \$17,626** - ERA Licences raised in July for full year.

**Water - Over Budget \$28,898** - Property connections exceeding budget.

**3 Operational Grants and Subsidies**

**Env - Under Budget \$59,551** - Grants to be received after work completed.

**Admin - Under Budget \$286,746** - Timing difference - Early payment of FAGS grant in June.

**C&C - Over Budget \$49,760** - Timing difference - RADF Grant received in total, unbudgeted funds for Picnic in Park \$10,000, Qld Week Family Fun Day \$3,400 and SES Local Government Subsidy \$3,400.

**4 Contract and Recoverable Works**

**Eng - Over Budget \$341,520** - BSRIT greater than budgeted.

**5 Other Operating Revenue**

**Waste - Under Budget \$6,710** - Waiting on metal recycler payment to arrive.

**Admin - Over Budget \$43,674** - Timing difference - Majority of surcharge income received to date. Insurance recoveries received from Cyclone Yasi \$60,970.

**C&C - Over Budget \$42,908** - Unbudgeted revenue received for Home Hill Centenary Celebrations \$25,229 & Merchandise Sales \$14,003.

**6 Employee Benefits**

**Eng - Under Budget \$1,172,547** - Mainly Eng Tech Serv \$140,780, Rec Wks Other \$743,642, Roads Maintenance \$141,383, Rec Works Main Roads \$75,989 - due to staff vacancies. Over budget in the area of Eng Admin Section \$64,915 & Recoverable Works - BSRIT \$36,752.

**Sew - Under Budget \$85,994** - Mainly in the areas of Sewerage Operational Section \$49,761, Sewerage Treatment Ayr/Brandon \$75,165 & Pump Stations Ayr \$72,539. Over budget in the area of Pump Stations Home Hill \$30,861 & Sewerage Treatment Home Hill \$71,833.

**Water - Under Budget \$35,736** - Mainly Water Operational \$65,402 & Property Connections \$25,117. Over budget mainly Water Reticulation \$22,422, Water Administration \$19,846 & Water Treatment \$13,231.

**Dev - Under Budget \$3,449** - Mainly in the areas of Plumbing Inspection \$13,447. Over budget mainly Town Planning \$13,143 & Building Inspection Shire \$5,666.

**Env - Over Budget \$40,419** - Mainly in the areas of Land Protection \$33,866 & Parks Operation \$51,076. Under budget mainly Health Admin \$42,01 & Swimming Pools \$13,692.

**7 Materials & Services**

**Env - Under Budget \$141,745** - Mainly Vector Admin \$55,107, Aquatic Weed Control \$20,545 & Environmental Levy \$34,345. Over budget mainly Land Protection \$27,609 & Street Cleaning \$7,787 - Precept and Main Roads work later in the year.

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**Waste - Under Budget \$267,935** - In the areas of Waste Collection \$125,346 & Waste Disposal \$133,133 - Contract payments not made until next month and experiencing difficulties obtaining specialised contractors to undertake works.

**Water - Over Budget \$15,531** - Over budget mainly Water Admin \$19,126 & Water Treatment \$101,531. Under budget mainly Water Supply \$40,825, Meters \$20,166 & Property Connections \$24,304.

**Admin - Over Budget \$342,725** - Timing differences - Insurance & Annual IT Maintenance Agreement paid for full year.

**C&C - Over Budget \$155,923** - Timing differences - Contribution towards maintenance & management of the MTSC \$36,201, Donation of half sewerage charge for 2011-12 \$95,530, Council contribution first payment BCCB \$262,152 & Insurance premiums \$88,316.

**Eng - Over Budget \$2,860,997** - NDRRA Expenditure - Mainly Rec Wks Other \$2,804,991 & Rec Wks BSRIT \$529,635. Under budget mainly Wks Section \$268,201 & Eng Admin \$297,849.

## **8 Capital Contributions**

**Eng - Over Budget \$20,755** - Contributions from developers.

## **9 Capital Grants & Subsidies**

**Admin - Under Budget \$5,608** - Timing differences - Grants for weighbridge and waste software not received in 2011-12.

**Eng - Under Budget \$579,708** - Boat motor fully funded and received last financial year, grants not yet received. TIDS and RTR grants to be received after work completed.

**Sew - Under Budget \$231,000** - Grant still to be received for Sutcliffe Estate Sewerage Construction.

**Waste - Under Budget \$75,367** - Grants still to be received.

**Water - Under Budget \$1,050,000** - Grant for Water Fluoridation not yet received.

**C&C - Over Budget \$207,558** - Unbudgeted revenue - Giru SES Shed Grant \$50,000 budgeted for in 2010-11. PCYC Grants received \$157,500 budgeted in 2010-11.

**Env - Over Budget \$123,165** - Unbudgeted grants received for All Abilities Playground \$48,832, Solar Lights Tommie Tie Park \$36,000 & Funding Grant Revitalisation of the Home Hill Diorama \$50,000.

## **10 Other Capital Income**

**Admin - Over Budget \$146,105** - Sale of Industrial Estate Blocks Lots 44, 45, 47, 48 and 49.

**Eng - Over Budget \$202,465** - Proceeds from sale of equipment.

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## 5. ENVIRONMENT & OPERATIONS

### 5.1 Lot 1 on PER4886 - Baratta Creek (Lot 1 on AP20145, Parish of Selkirk, County of Gladstone) Surrender and Reissue of Permit to Occupy 44/4886 over land

#### Document Information

**Referring Letter No:** 1131676

**File No:** 01/04/05A

**Name of Applicant:** N/A

**Location:** Lot 1 on PER4886 Baratta Creek (Lot 1 on AP20145, Parish of Selkirk, County of Gladstone)

**Author and Title:** S. Great – Manager Planning and Development

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#### Executive Summary

A request has been received from Department of Environment & Resource Management (DERM), seeking Council's views in respect of the surrender and reissue of Permit to Occupy over land described as Lot 1 on PER4886, Baratta Creek (Parish of Selkirk, County of Gladstone), 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 reissue of Permit to Occupy over land described as Lot 1 on PER4886, Baratta Creek (Parish of Selkirk, County of Gladstone).

#### Background Information

Correspondence has been received from Department of Environment and Resource Management, requesting Council's views on the surrender and reissue of Permit to Occupy over land described as Lot 1 on PER4886, Baratta Creek (Parish of Selkirk, County of Gladstone).

Council's views in respect of the surrender and reissue of Permit to Occupy are requested in accordance with Department of Environment and Resource Management requirements.

Council's Manager – Environment and Health, Tracy Jensen has recommended that Council offers no objection to the request.

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**Link to Corporate/Operational Plan**

N/A

**Consultation**

All relative Council departments have been consulted, there was no external consultation required for this application.

**Legal Authority or Implications**

N/A

**Policy Implications**

N/A

**Financial and Resource Implications**

N/A

**Report prepared by:**

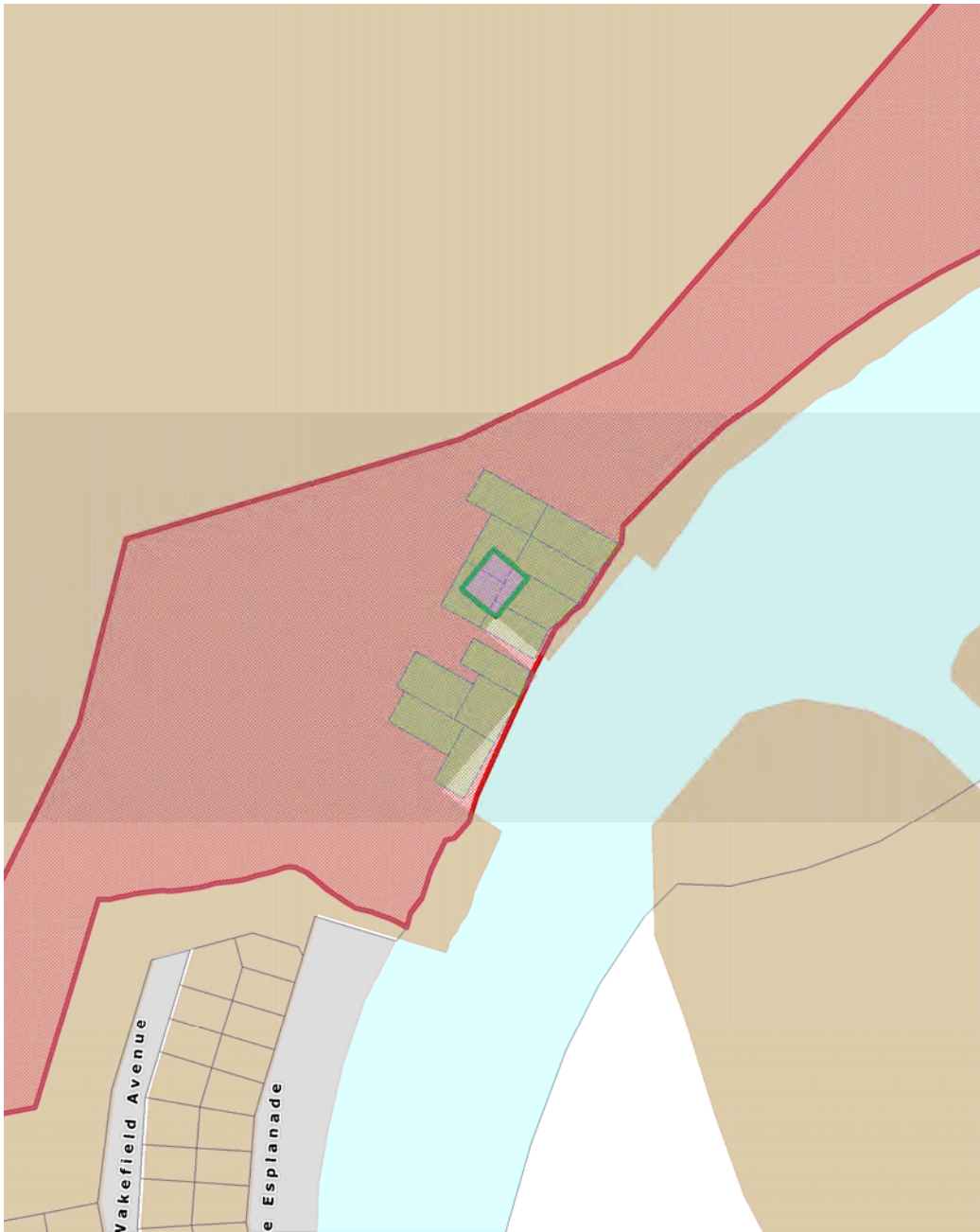
S Great - Manager Planning and Development

**Report authorised by:**

S Great - Manager Planning and Development

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## Attachments





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**5.2 Lot 20 on H616106 - 57 - 59 Twelfth Avenue, Home Hill (Parish of Inkerman, County of Salisbury) Application for Conversion/Renewal of Special Lease 0/200734**

**Document Information**

**Referring Letter No:** 1141094

**File No:** 01/04/05

**Name of Applicant:** N/A

**Location:** Lot 20 on H616106, 57 - 59 Twelfth Avenue, Home Hill (Parish of Inkerman, County of Salisbury)

**Author and Title:** S. Great – Manager Planning and Development

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**Executive Summary**

A request has been received from Department of Environment & Resource Management (DERM), seeking Council's views in respect of the application for conversion/renewal of special lease 0/200734 over land described as Lot 20 on H616106, 57 - 59 Twelfth Avenue, Home Hill (Parish of Inkerman, 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 application for conversion/renewal of special lease 0/200734 over land described as Lot 20 on H616106, 57 - 59 Twelfth Avenue, Home Hill (Parish of Inkerman, County of Salisbury).

**Background Information**

Correspondence has been received from Department Environment and Resource Management, requesting Council's views on the application for conversion/renewal of special lease 0/200734 over land described as Lot 20 on H616106, 57 - 59 Twelfth Avenue, Home Hill (Parish of Inkerman, County of Salisbury).

Council's views in respect of the application for conversion/renewal of special lease 0/200734 are requested in accordance with Department of Environment and Resource Management requirements.

Council's Manager – Environment and Health, Tracy Jensen has recommended that Council offers no objection to the request.

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**Link to Corporate/Operational Plan**

N/A

**Consultation**

All relative Council departments have been consulted, there was no external consultation required for this application.

**Legal Authority or Implications**

N/A

**Policy Implications**

N/A

**Financial and Resource Implications**

N/A

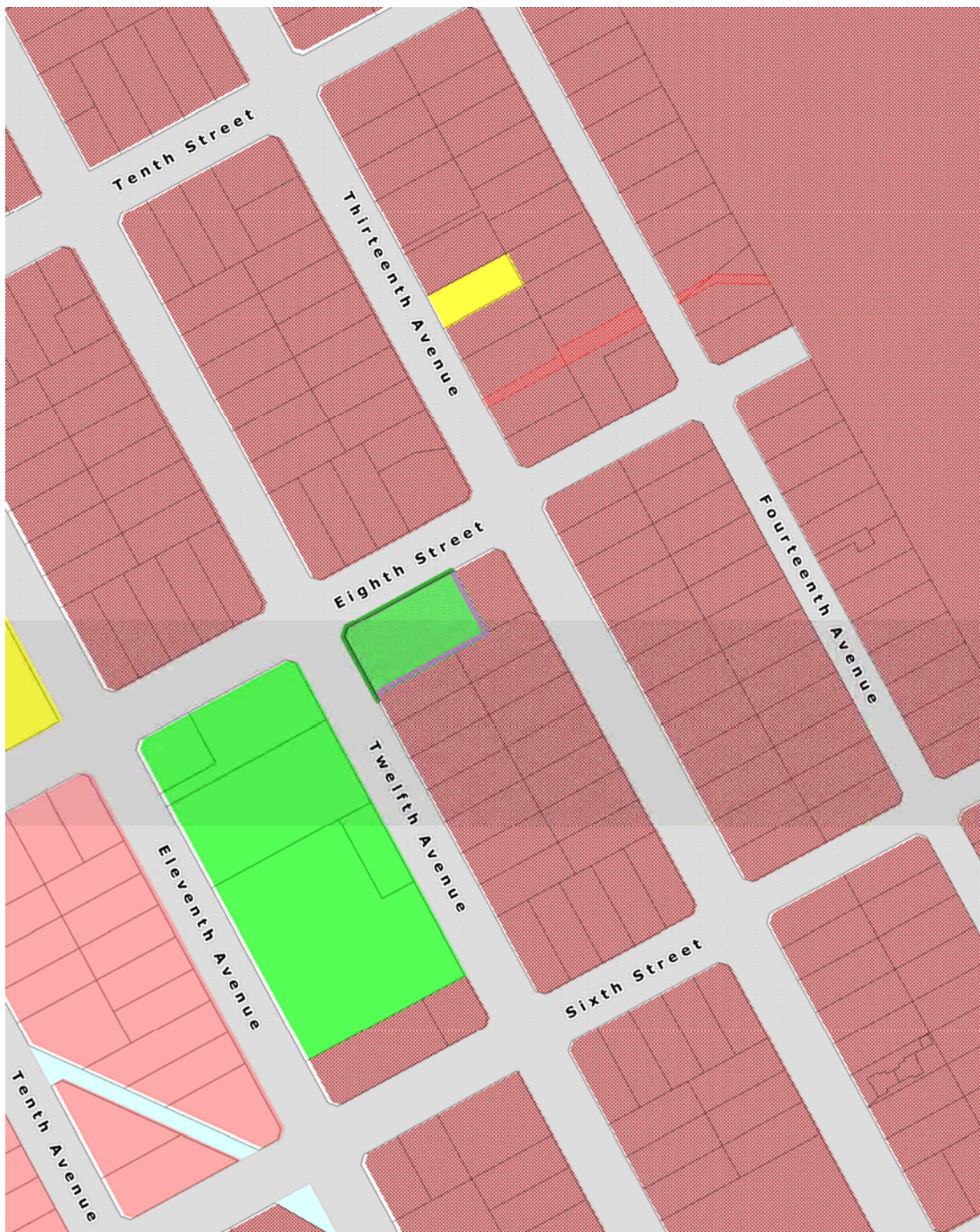
**Report prepared by:**

S Great - Manager Planning and Development

**Report authorised by:**

S Great - Manager Planning and Development

## Attachments



### Planning Scheme

- Rural
- Rural Industry Sub Area
- Rural Nature Based Recreation Sub Area
- Rural Settlement Sub Area
- Residential
- Residential Low Density Sub Area

### Zone Map

- Retail and Commercial
- Industrial
- Extractive Industry Sub Area
- Industry Investigation Sub Area
- Public Purpose
- Community Infrastructure Designation

- Village
- Open Space & Recreation



Created on Wednesday,  
22 February 2012

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### **5.3 Lot 138 on GS923 - 17 Ayr Dalbeg Road, McDesme (Parish of Jarvisfield, County of Gladstone) Application for Renewal of Term Lease**

#### **Document Information**

**Referring Letter No:** 1142841

**File No:** 01/04/05

**Name of Applicant:** N/A

**Location:** Lot 138 on GS923, 17 Ayr Dalbeg Road, McDesme (Parish of Jarvisfield, County of Gladstone)

**Author and Title:** S. Great – Manager Planning and Development

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#### **Executive Summary**

A request has been received from Department of Environment & Resource Management (DERM), seeking Council's views in respect of the application for renewal of term lease over land described as Lot 138 on GS923, 17 Ayr Dalbeg Road, McDesme (Parish of Jarvisfield, County of Gladstone), in accordance with the Departments requirements.

#### **Recommendation**

That Council offers no objection to the request from Department of Environment and Resource Management for the application for renewal of term lease over land described as Lot 138 on GS923, 17 Ayr Dalbeg Road, McDesme (Parish of Jarvisfield, County of Gladstone).

#### **Background Information**

Correspondence has been received from Department Environment and Resource Management, requesting Council's views on the application for renewal of term lease over land described as Lot 138 on GS923, 17 Ayr Dalbeg Road, McDesme (Parish of Jarvisfield, County of Gladstone).

Council's views in respect of the application for renewal of term lease over land are requested in accordance with Department of Environment and Resource Management requirements.

Council's Manager – Environment and Health, Tracy Jensen has recommended that Council offers no objection to the request.

#### **Link to Corporate/Operational Plan**

N/A

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**Consultation**

All relative Council departments have been consulted, there was no external consultation required for this application.

**Legal Authority or Implications**

N/A

**Policy Implications**

N/A

**Financial and Resource Implications**

N/A

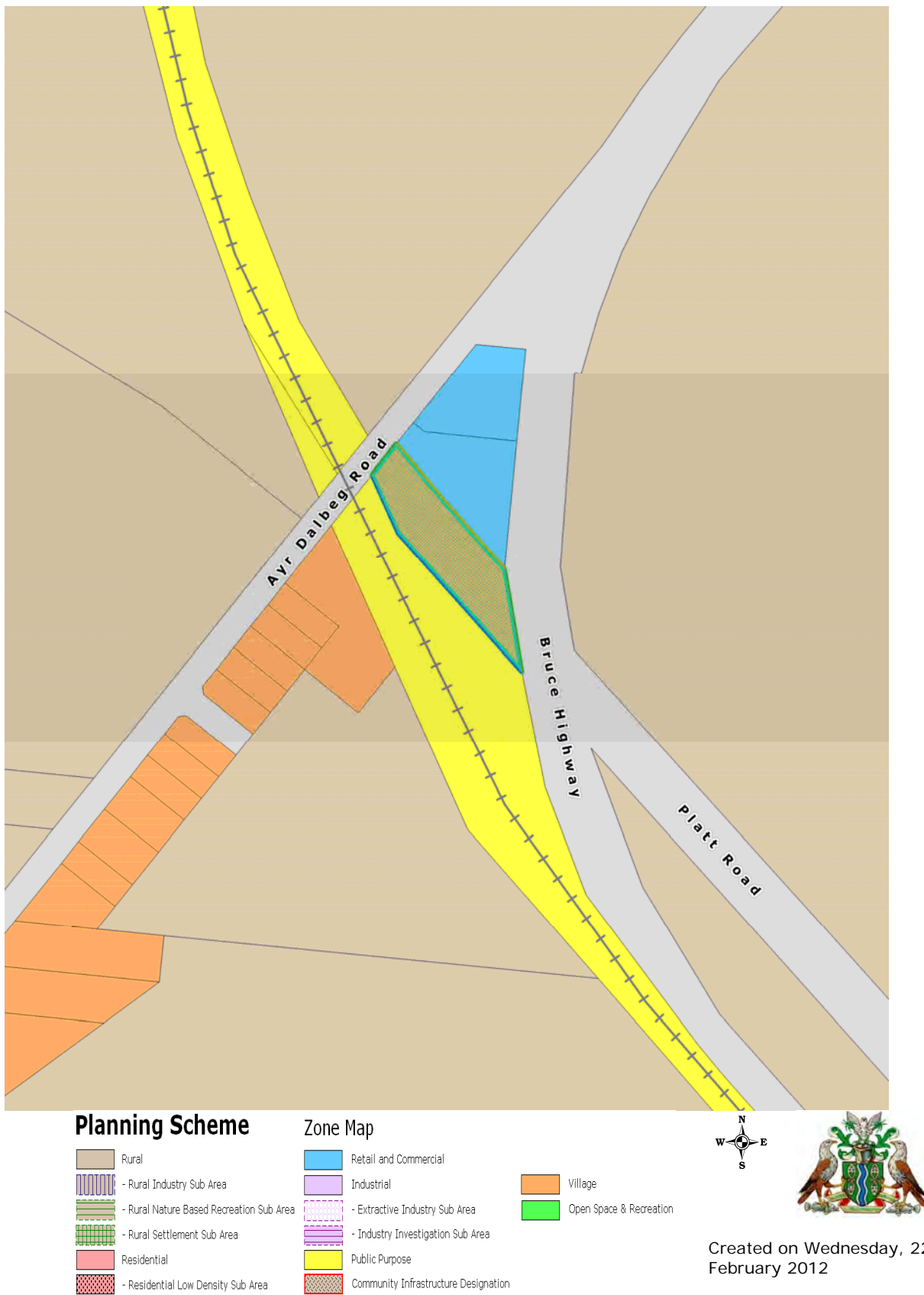
**Report prepared by:**

S Great - Manager Planning and Development

**Report authorised by:**

S Great - Manager Planning and Development

## Attachments



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#### **5.4 Lot 23 on AP2092 - Plantation Creek, Jarvisfield (Parish of Morrill, County of Gladstone) Surrender and Reissue of Permit to Occupy 0/232867 over land**

##### **Document Information**

**Referring Letter No:** 1131677

**File No:** 01/04/05A

**Name of Applicant:** N/A

**Location:** Lot 23 on AP2092 Plantation Creek, Jarvisfield (Parish of Morrill, County of Gladstone)

**Author and Title:** S. Great – Manager Planning and Development

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##### **Executive Summary**

A request has been received from Department of Environment & Resource Management (DERM), seeking Council's views in respect of the surrender and reissue of Permit to Occupy over land described as Lot 23 on AP2092, Plantation Creek, Jarvisfield (Parish of Morrill, County of Gladstone), 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 reissue of Permit to Occupy over land described as Lot 23 on AP2092, Plantation Creek, Jarvisfield (Parish of Morrill, County of Gladstone).

##### **Background Information**

Correspondence has been received from Department Environment and Resource Management, requesting Council's views on the surrender and reissue of Permit to Occupy over land described as Lot 23 on AP2092, Plantation Creek, Jarvisfield (Parish of Morrill, County of Gladstone).

Council's views in respect of the surrender and reissue of Permit to Occupy are requested in accordance with Department of Environment and Resource Management requirements.

Council's Manager – Environment and Health, Tracy Jensen has recommended that Council offers no objection to the request.

##### **Link to Corporate/Operational Plan**

N/A

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## **Consultation**

All relative Council departments have been consulted, there was no external consultation required for this application.

## **Legal Authority or Implications**

N/A

## **Policy Implications**

N/A

## **Financial and Resource Implications**

N/A

### **Report prepared by:**

S Great - Manager Planning and Development

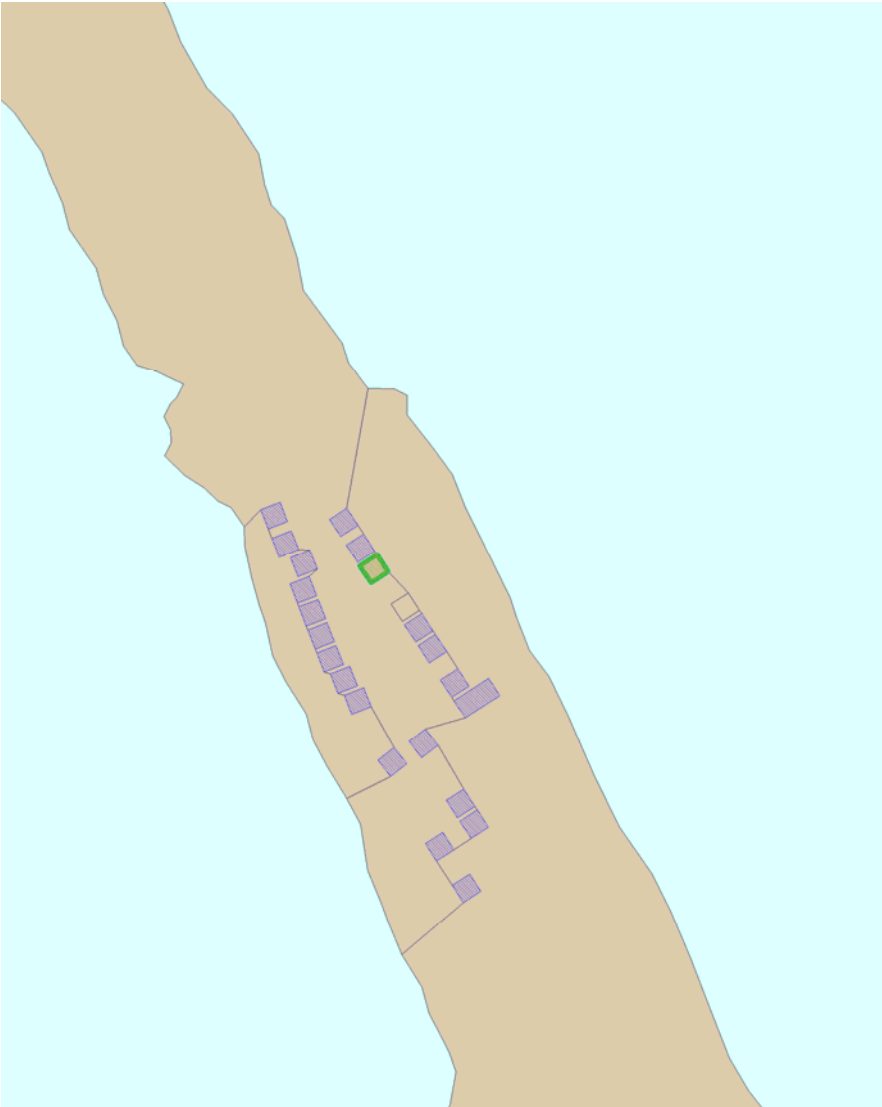
### **Report authorised by:**

S Great - Manager Planning and Development



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## Attachments



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## **5.5 Bradley Favero - Development Application for Reconfiguring a Lot at 435 Colevale Road & 54 Hillier Road, Brandon (Lot 2 on RP720967 & Lot 2 on RP714046, Parish of Jarvisfield, County of Gladstone)**

### **Document Information**

**Referring Letter No:** 1138834

**File No:** 2011 SUB (Sub12/0003)

**Name of Applicant:** Bradley Favero

**Location:** 435 Colevale Road & 54 Hillier Road, Brandon (Lot 2 on RP720967 & Lot 2 on RP714046, Parish of Jarvisfield, County of Gladstone)

**Author and Title:** S Great – Manager Planning and Development

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### **Executive Summary**

An application has been received from Brazier Motti on behalf of their client Bradley Favero seeking approval for Reconfiguring a Lot (boundary realignment) at 435 Colevale Road & 54 Hillier Road, Brandon (Lot 2 on RP720967 & Lot 2 on RP714046, Parish of Jarvisfield, 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 Reconfiguring a Lot (boundary realignment) at 435 Colevale Road & 54 Hillier Road, Brandon (Lot 2 on RP720967 & Lot 2 on RP714046, Parish of Jarvisfield, County of Gladstone), 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.
- 1.3 Provide evidence from a suitably qualified person that proposed lot 3 can be provided with on-site treatment of sewerage in accordance with the On Site Sewerage Code and AS/NZS 1547:2000.

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## 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.

## PROPOSAL PLAN

3. The reconfiguration of the land must be carried out generally in accordance with:-
  - (a) (i) the proposed Brazier Motti plan numbered 55255/002A;
  - (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;

## 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.*
- *It is noted that any future dwelling house located on proposed lot 3 will be in the vicinity of existing agricultural land uses. The owner of proposed lot 3 is to be responsible for the establishment and ongoing maintenance of any buffer required between any residential and agricultural land uses. Any buffer should incorporate measures to minimise the impact of dust, smoke, noise and ash in accordance with the "Planning Guidelines: Separating Agricultural and Residential Land uses – August 1997."*

## Background Information

**The following comments are from the Manager of Planning & Development, Mr Shane Great:**

The land is zoned 'Rural' with the proposal triggering a 'code assessable' development application for reconfiguring a lot (boundary realignment). The application has been assessed against the "Reconfiguring a Lot" Code under the provisions of the Burdekin Shire Council's IPA Planning Scheme.

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***The Application:***

It is the applicant's intent to realign the existing boundaries to create proposed Lot 3 to contain a future dwelling while proposed Lot 4 will continue to be used for rural pursuits. The proposed subdivision will have minimal impacts on existing land uses.

***Site Description/Surrounding Land Uses:***

The subject site comprises a total area of 41.165ha with approximately 409m frontage to Jack Road, 326m frontage to Colevale Road and 312m frontage to Hillier Road. Proposed Lot 3 will have an area of 1.692ha and proposed Lot 4 will have an area of 39.473ha. The land is currently improved by a cane farm and fallow land. The surrounding area is primarily sugar cane farm land, with some scattered rural residential dwellings and sheds on the neighbouring farms.

***Conclusion:***

Council's Development Assessment Team members have assessed the application and have included reasonable and relevant conditions as part of the recommended approval. Given that the proposal complies with the provisions contained in Council's IPA Planning Scheme it is recommended that Council approves the application subject to the abovementioned conditions.

**Link to Corporate/Operational Plan**

N/A

**Consultation**

All relative Council departments have been consulted, there was no external consultation required for this application.

**Legal Authority or Implications**

N/A

**Policy Implications**

N/A

**Financial and Resource Implications**

N/A

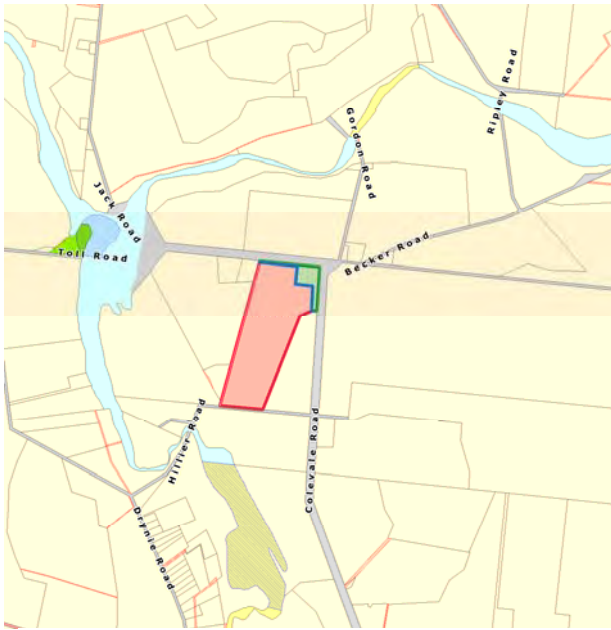
**Report prepared by:**

S. Great – Manager Planning and Development

**Report authorised by:**

S. Great – Manager Planning and Development

## Attachments



### Planning Scheme

- Rural
- Rural Industry Sub Area
- Rural Nature Based Recreation Sub Area
- Rural Settlement Sub Area
- Residential
- Residential Low Density Sub Area

### Zone Map

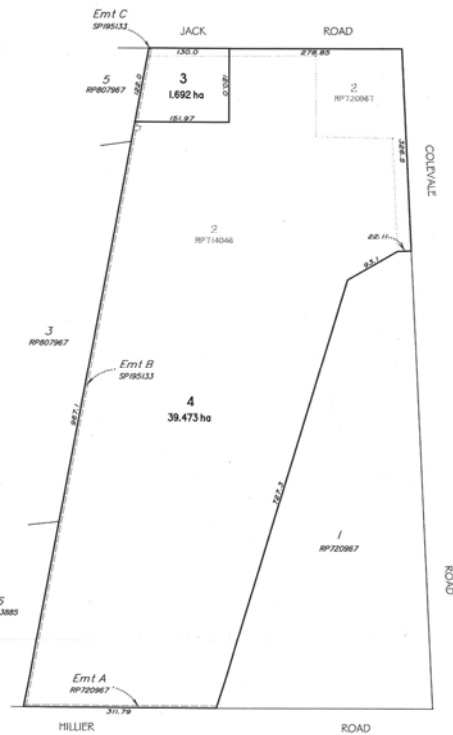
- Retail and Commercial
- Industrial
- Extractive Industry Sub Area
- Industry Investigation Sub Area
- Public Purpose
- Community Infrastructure Designation

- Village
- Open Space & Recreation



Created on Wednesday, 22 February 2012

**PROPOSED  
RECONFIGURATION**  
Lots 3 & 4  
Cancelling Lot 2 on RP714046  
& Lot 2 on RP720967  
Parish of Jarvisfield  
County of Gladstone  
Shire of Burdett



surveying  
project management  
town planning  
mapping and GIS

Date: 7th December 2011

Job No: 53251-003-01

Plan No: 53251003A

Scale: 1:4000

Drawn: PJT

This plan is conceptual and for discussion purposes only. All areas, dimensions and land uses are preliminary, subject to investigation, survey, engineering, and local authority and agency approvals.

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**5.6 Joe & Leeann Said - Development Application for Reconfiguring a Lot at 395 McDesme Road & 266 Kilrie Road, McDesme (Lots 6 & 8 on SP245555, Parish of Antill, County of Gladstone)**

**Document Information**

**Referring Letter No:** 1139911

**File No:** 2011 SUB (Sub12/0004)

**Name of Applicant:** Joe & Leeann Said

**Location:** 395 McDesme Road & 266 Kilrie Road, McDesme (Lots 6 & 8 on SP245555, Parish of Antill, County of Gladstone)

**Author and Title:** S Great – Manager Planning and Development

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**Executive Summary**

An application has been received from Cleve McGuane Surveys Pty Ltd on behalf of their client Joe & Leeann Said seeking approval for Reconfiguring a Lot (boundary realignment) at 395 McDesme Road & 266 Kilrie Road, McDesme (Lots 6 & 8 on SP245555, Parish of Antill, 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 Reconfiguring a Lot (boundary realignment) at 395 McDesme Road & 266 Kilrie Road, McDesme (Lots 6 & 8 on SP245555, Parish of Antill, County of Gladstone), 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.
- 1.3 Provide evidence from a suitably qualified person that proposed lot 6 can be provided with on-site treatment of sewerage in accordance with the On Site Sewerage Code and AS/NZS 1547:2000.

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## 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.

## PROPOSAL PLAN

3. The reconfiguration of the land must be carried out generally in accordance with:-
  - (a) (i) the proposed Cleve McGuane Surveys plan numbered 28283-4;
  - (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;

## 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.*
- *It is noted that any future dwelling house located on proposed lot 6 will be in the vicinity of existing agricultural land uses. The owner of proposed lot 6 will be responsible for the establishment and ongoing maintenance of any buffer required between any residential and agricultural land uses. Any buffer should incorporate measures to minimise the impact of dust, smoke, noise and ash in accordance with the "Planning Guidelines: Separating Agricultural and Residential Land uses – August 1997."*

## Background Information

**The following comments are from the Manager of Planning & Development, Mr Shane Great:**

The land is zoned 'Rural' with the proposal triggering a 'code assessable' development application for reconfiguring a lot (boundary realignment). The application has been



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assessed against the “Reconfiguring a Lot” Code under the provisions of the Burdekin Shire Council’s IPA Planning Scheme.

***The Application:***

It is the applicant’s intent to realign the existing boundaries to create proposed Lots 6 and 8. The proposal is to amalgamate the sugar cane farming areas and to create a house lot on Kilrie Road which will be proposed Lot 6. Proposed Lot 8 will contain the existing dwellings and farm sheds and will continue to be used for rural pursuits. The proposed subdivision will have minimal impacts on existing land uses.

***Site Description/Surrounding Land Uses:***

The subject site comprises a total area of approximately 75.54ha with approximately 1.2km frontage to McDesme Road. Proposed Lot 6 will have an area of 3045m<sup>2</sup> and proposed Lot 8 will have an area of 75.24ha. The land is currently improved by existing dwellings, sheds and agricultural uses. The surrounding area is primarily sugar cane farm land, with some scattered rural residential housing and sheds on the neighbouring farms.

***Conclusion:***

Council’s Development Assessment Team members have assessed the application and have included reasonable and relevant conditions as part of the recommended approval. Given that the proposal complies with the provisions contained in Council’s IPA Planning Scheme it is recommended that Council approves the application subject to the abovementioned conditions.

**Link to Corporate/Operational Plan**

N/A

**Consultation**

All relative Council departments have been consulted, there was no external consultation required for this application.

**Legal Authority or Implications**

N/A

**Policy Implications**

N/A

**Financial and Resource Implications**

N/A

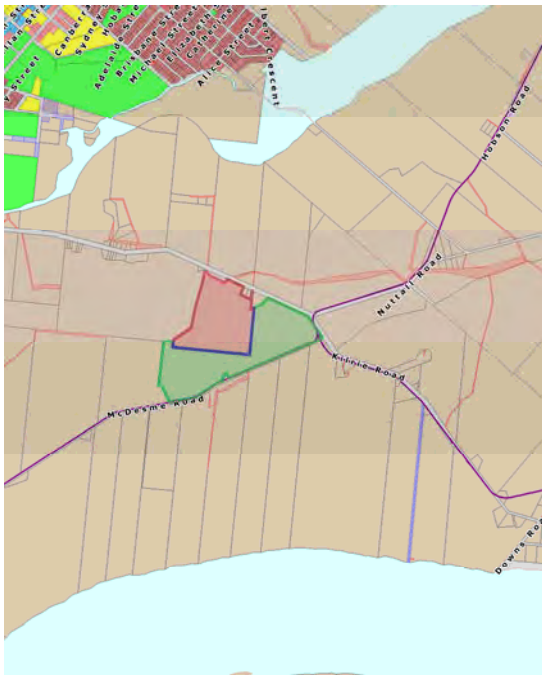
**Report prepared by:**

S. Great – Manager Planning and Development

**Report authorised by:**

S. Great – Manager Planning and Development

## Attachments



### Planning Scheme

- Rural
- Rural Industry Sub Area
- Rural Nature Based Recreation Sub Area
- Rural Settlement Sub Area
- Residential
- Residential Low Density Sub Area

### Zone Map

- Retail and Commercial
- Industrial
- Extractive Industry Sub Area
- Industry Investigation Sub Area
- Public Purpose
- Community Infrastructure Designation

- Village
- Open Space & Recreation



Created on Wednesday, 22 February 2012



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## **5.7 Yongala Dive Pty Ltd - Development Application for material Change of Use to establish a Take-away Cafe at 56 Narrah Street, Alva (Lot 1 on A77820 Parish of Bowling Green, County of Gladstone)**

### **Document Information**

**Referring Letter No:** 1128560

**File No:** 2011 Cons (Cons11/0025)

**Name of Applicant:** Yongala Dive Pty Ltd

**Location:** 56 Narrah Street, Alva (Lot 1 on A77820 Parish of Bowling Green, County of Gladstone)

**Author and Title:** S. Great - Manager Planning and Development

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### **Executive Summary**

An application has been received from Yongala Dive Pty Ltd seeking approval for Material Change of Use to establish a Take- away Café at 56 Narrah Street, Alva (Lot 1 on A77820 Parish of Bowling Green, 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 for Material Change of Use to establish a Take- away Café at 56 Narrah Street, Alva (Lot 1 on A77820 Parish of Bowling Green, County of Gladstone), subject to the following conditions:

#### **GENERAL**

- 1.1 The conditions of the development permit must be effected prior to the commencement of the use, except where specified otherwise in these conditions of approval.
- 1.2 All rates and charges (including infrastructure charges), in arrears in respect of the land, subject of the application, are paid in full prior to the commencement of the proposed use.
- 1.3 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 approved plans and supporting material submitted with the application except where modified by the conditions of this Development Permit and any approval issued there under.

- 
- 1.4 The take away café is to be operated strictly in accordance with the application submitted and in particular the following hours of operation:

**Hours of operation:**

Monday to Sunday 10am – 9pm

- 1.5 **Provide evidence from a suitably qualified person that the increase in wastewater/effluent from the proposed increase in operations can be accommodated within the existing on-site effluent treatment system. A report is to be submitted prior to undertaking the activity approved by this development permit that demonstrates the adequate functioning of the effluent disposal system servicing the site. Any upgrades to the existing effluent system must be strictly in accordance with the On Site Sewerage Code and AS/NZS 1547:2000.**
- 1.6 **An acoustic barrier fence must be constructed along the entire boundary of the subject site adjoining Lot 2 A77820. The fence must be a minimum of 2.0metres in height, be constructed of timber or of a material with a minimum density of 12.5 kg/m3 and must not contain any gaps or breaks in the surface. All panel timbers must be a minimum of 23mm width.**

**BUILDING WORK**

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

**ROADWORKS**

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

**ACCESS AND PARKING**

- 4.1 Provide four on-site car-parks. The car-parks shall be located entirely within the confines of Lot 1 A77820. Access to the car-parks shall also be located within the boundaries of Lot 1.
- 4.2 Parking space and layout must be designed in accordance with the provisions contained in Schedule 2 – Vehicle Parking Rates & Standards of the Planning Scheme.
- 4.3 Access to the premises, car parking and manoeuvring areas must be constructed in an all weather low glare paving, exposed aggregate concrete or similar material to the satisfaction of the Chief Executive Officer.
- 4.4 If any existing on street car parking fronting the proposed development needs to be realigned, the applicant is to be responsible for any works to be carried out. All design and works are to be in accordance with Council's guidelines and at the applicant's full cost.

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## OPERATIONAL WORKS

5. Before any civil works commence, an approval for Operational Works in accordance with the Sustainable Planning Act 2009 must be obtained from Council.

## DRAINAGE

6. 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.

## EXTERNAL WORKS

7. 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

- 8.1 Any lighting installed to the site must not be installed in a manner that lighting is directed into any neighbouring property.
- 8.2 There must be no environmental nuisance caused, including that arising from any noise or from 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.
- 8.3 All activities conducted on the site including those relating to parking of vehicles or activities conducted by patrons to the site must be undertaken within the confines of the site to which this approval relates.

### **ADVICE (Note: These are not conditions)**

- *The activities conducted on site must comply with the provisions of the Food Act 2006 and local laws for accommodation services.*
- *An approval for sewerage treatment must be held with the Department of Environment and Resources should the design capacity of the septic system exceeds 21 equivalent persons.*

## Background Information

### **The following comments are from the Manager of Planning & Development, Mr Shane Great:**

Burdekin Shire Council acting as the Assessment Manager has received a properly made Development Application for a Material Change of Use – Impact Assessable to establish a Take-away café at 56 Narrah Street, Alva. The land is zoned ‘Village’ under the provisions of Council’s IPA Planning Scheme and has been assessed against the provisions of the Burdekin Shire Council’s IPA Planning Scheme.

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### ***Planning Scheme Definition: 'Fast Food Store'***

Premises used for the preparation and sale of food and refreshments primarily intended to be consumed elsewhere. The term may include the ancillary serving and consumption only of light meals or refreshments within the premises where the dining area does not exceed thirty per cent (30%) of the gross floor area to be used for the purpose of "Fast Food Store".

### ***The Application:***

Previously on 29 November, 2005, Council approved a Dive Shop incorporating accommodation for up to twelve persons at the subject site. Included in this proposal was the requirement for the applicant to obtain the necessary licences to comply with Council's Local Law No. 8 (Rental Accommodation with shared facilities) and Food Hygiene Licence. Food preparation on a small scale has been part of the operations of the Dive Shop since commencement however only catered for paying guests. This business has been continually operating at the premises since 2005 with no concerns being raised with Council.

This application is to open and expand the existing café to the general public and extend the hours of operation for the take away component. In the supporting material the applicant states that this proposal would not only benefit their own customers who stay overnight but also residents and the general public. The applicant has advised that a servery will be constructed adjacent to the existing kitchen to cater for customers. A path from the front of the property will allow access to the shop from the road. Provision for on-site car-parking has been recommended to cater for the envisaged small increase in traffic movements.

The applicant has improved the existing on-street parking provisions by minimising landscaping along the frontage of the property to allow for vehicles to be further from the general carriageway. In addition, the parking bays have been marked more clearly and numbered.

Given that the proposal was 'Impact' assessable, the application was required to be publicly notified. The applicant advised that all requirements had been carried out in accordance with the Sustainable Planning Act. 2009. The application was advertised in the Ayr Advocate on Wednesday 11<sup>th</sup> January, 2012 and at the end of the public notification period on Wednesday 1<sup>st</sup> February, 2012 four properly made submissions were received. ***Refer to attached documents.***

### ***Comment on Submissions:***

One of the submissions was a petition supporting the proposal stating that the café would be of a benefit to the community and not cause additional nuisance, it was supported with 44 signatures.

The other three submissions raised valid town planning concerns with regard to an increase in traffic movements, on-street parking congestion, amenity and an increase in noise emissions. One properly made submission had a petition attached which included 32 signatures.

***Traffic Congestion:*** - Approvals exist for the Dive Shop operations including the provision for on-street car-parking. It is acknowledged that at certain times, up to six cars can be parked in front of the premises (in designated spaces) during the day. It is also acknowledged that at times, several cars can park in front of adjoining properties. It is anticipated that the majority of the customers of the 'Fast food shop' will frequent the premise after the dive shop patrons have finished their dive to the Yongala Wreck and departed. As part of the

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recommendation, an additional four car-parks are required on-site. This will help to accommodate vehicles that are parked long-term. The applicant is aware of the parking situation and is continually trying to manage any detrimental impacts for Narrah Street residents.

*Noise emissions:* - An increase in noise emissions was a valid planning related concern raised by one of the submitters. Conditions have been recommended including the construction of an acoustic fence and restrictive hours of operation. These two provisions will ensure that any additional noise emissions generated from the proposal are managed so that no negative impacts are apparent to the existing residential amenity.

**Site Description/Surrounding Land Uses:**

The site has an area of 754m<sup>2</sup> and slopes from the Narrah Street frontage to the rear of the lot and is improved with the Dive Shop business incorporating accommodation, trees and paved recreational areas. The surrounding area is predominately residential and includes a variety of housing design ranging from weekend beach huts to family homes.

**Conclusion:**

Council's Development Assessment Team members have assessed the application and have included reasonable and relevant conditions in relation to minimising any detrimental impacts for the nearby residents. The fast food shop will offer the residents of Alva an option for goods and/or services that currently does not exist within this isolated community within the Burdekin Shire. The submitters concerns have been addressed in the report and officers are confident that any potential concerns raised can be managed. It is recommended that Council approve the application subject to the abovementioned conditions.

**Link to Corporate/Operational Plan**

N/A

**Consultation**

All relative Council departments have been consulted. There were no external referral agencies for this application.

**Legal Authority or Implications**

N/A

**Policy Implications**

N/A

**Financial and Resource Implications**

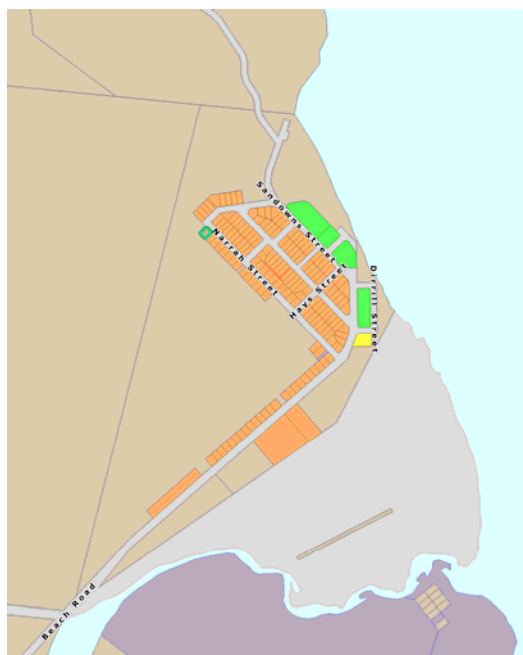
N/A

**Report prepared by:**













S. Great - Manager Planning and Development



## Attachments



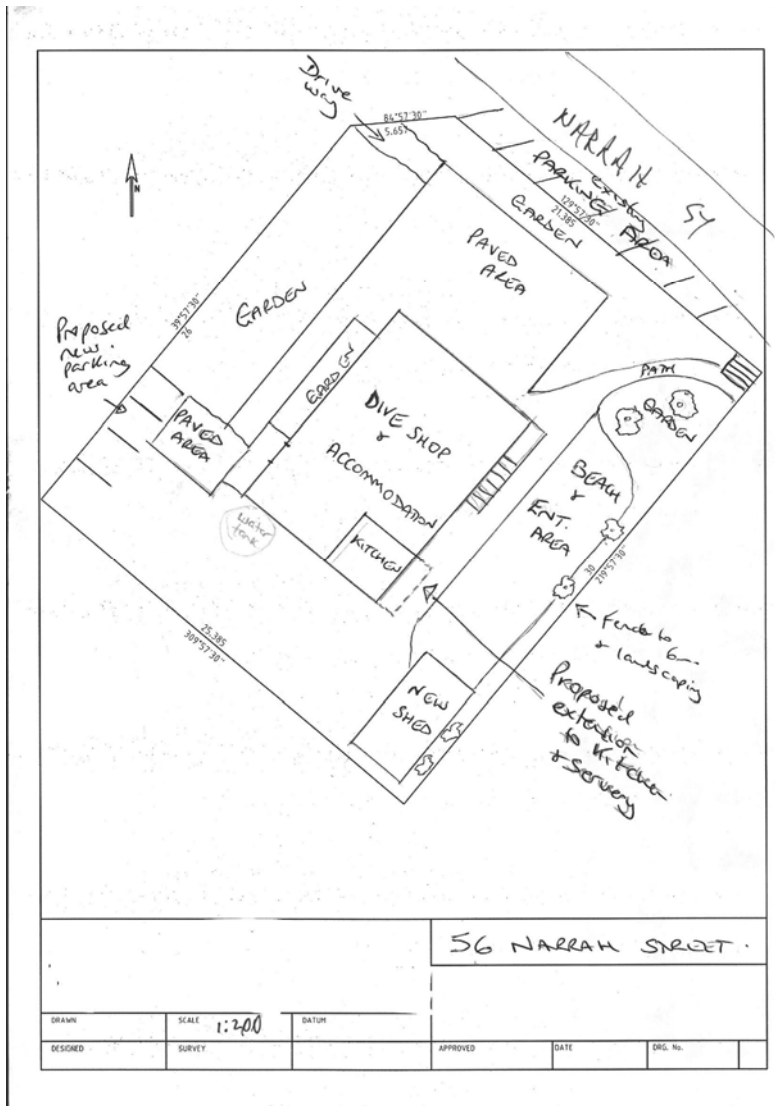
## Zone Map

- |   |  |   |                                      |
|---|--|---|--------------------------------------|
|  | Rural                                    |  | Retail and Commercial                |
|  | - Rural Industry Sub Area                |  | Industrial                           |
|  | - Rural Nature Based Recreation Sub Area |  | - Extractive Industry Sub Area       |
|  | - Rural Settlement Sub Area              |  | - Industry Investigation Sub Area    |
|  | Residential                              |  | Public Purpose                       |
|  | - Residential Low Density Sub Area       |  | Community Infrastructure Designation |

-  Village
-  Open Space & Recreation



Created on Wednesday, 22  
February 2012







BURDEKIN SHIRE COUNCIL
Folder No. 2011 CONS
1 FEB 2012
Document No. ....

1 February 2012

The Chief Executive Officer  
Burdekin Shire Council  
PO Box 974  
AYR  
QLD 4807

Dear Sirs

**IDAS No. CONS11/0025 (2011083) – Change of use for Take-away Café  
56 Narrah Street, Alva – Lot No. A77820**

Please find attached Letters of Support for the above application signed by some of the local residents of Alva Beach and Ayr.

I understand there have been some concerns raised with regard to the parking and I would like to address those issues below:

- Existing parking bays - amendments have been made to those at the front of 56 Narrah Street as follows:
  - Bushes at the end of the parking bays have been removed to allow customers to park closer to the property and therefore farther off the road
  - Each bay has been marked with rope, permanently fixed to the ground to avoid the paint markings (previously used) wearing off
  - New signs have been ordered as follows:
    - Numbers for each bay
    - General parking signs to direct parking accordingly
- Additional parking bays – part of the garden at the side of the premises will be shorted to create:
  - 4 x Additional numbered parking bays
  - these bays will be used by customers of our Dive Lodge and dive boat which will free up parking at the front of the premises for guests of the café

VIEW		AGENDA	
		DATE	
NOTED		APPLIC #	CONS11/0025
LAND #	5066	PROP #	
ACTION	PLAN DE	ACTION	
DEADLINE		DEADLINE	

56 Narrah Street Alva Beach – PO Box 841 Ayr QLD 4807 – Phone: (07) 4783 1519 – Fax: (07) 4783 7277  
email: info@yongaladive.com.au – www.yongaladive.com.au

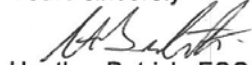


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Generally, our day trip customers depart around 3pm which frees up further parking at the front of the premises during the evenings for patrons of the café so we do not foresee any parking issues during what we expect to be the busiest hours.

If you have any further queries please do not hesitate to contact me.

Yours sincerely



Heather Batrick FCCA  
DIRECTOR



## LETTER OF SUPPORT

RE: Cons 11/0025 (2011083) IDAS Development Application  
 Material Change of Use to Establish a Take-away Café - Yongala Dive  
 Premises: 56 Narrah Street, Alva - (Lot 2 A77820, Parish of Bowling Green, County of Gladstone)

We, the undersigned fully support this proposed application to establish a take away café at the above premises. We feel that this would greatly benefit the local community and not impose any additional nuisance to the area.

NAME	ADDRESS	SIGNATURE
Michael Christensen	208 Tipton ST ALVA	[Signature]
Nigel Christensen	208 Tipton ST ALVA	[Signature]
ROBYN CHRISTENSEN	208 Tipton ST. ALVA BEACH	[Signature]
Jared Christensen	"	[Signature]
RUSSELL LAIG	21 Tipton ST ALVA	[Signature]
CHERYL RENNIE	24 Tipton ST ✓	[Signature]
BRIAN RENNIE	✓	[Signature]
Brad Oats	29 Tipton ST ALVA	[Signature]
Helen Oats	✓	[Signature]
K CHRISTENSEN	Southern ST ALVA	[Signature]
D CHRISTENSEN	Southern ST ALVA	[Signature]
MARK KELLY	36 Tipton ST ALVA	[Signature]
MICHELLE KELLY	36 Tipton ST ALVA	[Signature]
ERIN KELLY	36 Tipton ST ALVA	[Signature]
COREY CHRISTENSEN	18 SANDOWNS ST ALVA	[Signature]
JAYE MARTIN	18 SANDOWNS ST ALVA	[Signature]

56 Narrah Street Alva Beach - PO Box 841 Ayr QLD 4807 - Phone: (07) 4783 1519 - Fax: (07) 4783 7277  
 email: info@yongaladive.com.au - www.yongaladive.com.au







## LETTER OF SUPPORT

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NAME	ADDRESS	SIGNATURE
Vicki Quirk	5 TOPTON STREET ALVA	<i>[Signature]</i>
Charles Williams	49 Tipton Street Alva	<i>[Signature]</i>
Jason Williams	49 TOPTON ST ALVA	<i>[Signature]</i>
Eliza Keech	51 Sandowns st Alva	<i>[Signature]</i>
KELLY McLEOD	53 Sandowns st Alva	<i>[Signature]</i>
CRAIG COLE	"	<i>[Signature]</i>
Natasha Skelton	Sandowns St Alva	<i>[Signature]</i>
Mark Hogenelst	52 Tipton st Alva	<i>[Signature]</i>
Trina Hogenelst	52 Tipton St. Alva	T. Hogenelst
Tracey Secco	12 Torilla ST ALVA	J. Secco
BRUN SPENCE	30 Sandowns St Alva	<i>[Signature]</i>
Brendan Jackson	31 Sandown st Alva.	<i>[Signature]</i>
Todd Rieley	34 SANDOWNS ST ALVA	<i>[Signature]</i>
Alan Galt	38 SANDOWNS ST ALVA	<i>[Signature]</i>

56 Narrah Street Alva Beach - PO Box 841 Ayr QLD 4807 - Phone: (07) 4783 1519 - Fax: (07) 4783 7277  
 email: info@yongaladive.com.au - www.yongaladive.com.au





## LETTER OF SUPPORT

RE: Cons 11/0025 (2011083) IDAS Development Application  
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NAME	ADDRESS	SIGNATURE
JEADE	35 BRABY ST ALVA BEACH	[Signature]
GIRZELJ	16 BANISTER ST BRANDON	[Signature]
Higgins	GORDON STREET Ayr	[Signature]
MARIE MURRAY	UNIT 3 48 PDE MILLAR ST Ayr	[Signature]
S. CHRISTENSEN	13 AINU AVENUE, WINGJUNG	[Signature]
N. CHRISTENSEN	" "	[Signature]
L. FABBRO	14 TOTTEN ST ALVA BEACH	[Signature]
D. FABBRO	" "	[Signature]
Lee Fabbro	19 TOTTEN ST Alva	[Signature]
Elit Tushin	45 GREF ST Ayr	[Signature]
Angus Power	1/6 Unit Clayton Street	[Signature]
Riella Gianni	25 BRABY STREET. (Bus Driver)	[Signature]



56 Narrah Street Alva Beach - PO Box 841 Ayr QLD 4807 - Phone: (07) 4783 1519 - Fax: (07) 4783 7277  
 email: info@yongaladive.com.au - www.yongaladive.com.au





31<sup>st</sup> January, 2012

Assessment Manager  
Burdekin Shire Council  
P.O. Box 974  
Ayr 4807

BURDEKIN SHIRE COUNCIL
Folder No. 2011 CONS
31 JAN 2012
Document No. ....

**Re: Proposed Development – Dive Centre**

Hi

We wish to lodge an objection to these proposed developments, for the following reasons:

Our main objection to the new proposal is in regards to parking. There is a major parking problem in the street already, without allowing a take away shop to open, increasing the parking problems.

The owner stated in her submission that there are six parking bays allocated already and intends to put in place three additional one (which will be down the hill, where most of the owners dive vehicles are now parked).

The dirt access road that they use to enter their property, is also used to access the rear of several other properties along Narrah street, which needs to left open, so more parking down there will add to the existing problem of vehicles being parked across this access.

When this Dive centre first applied for the original development some years ago, they stated that it was to be used for a Dive Shop and for Corporate accommodation, which is not what it is being used for now.

Their promotional information states that their boutique Lodge can accommodate up to twelve guests per night.

During the day, there are cars belonging to the passengers going out in the boat on a dive trip (which can be up to 12 passengers), and on many occasions when weather permits, they can undertake two trips a day, so on most days there are vehicles parked in front of 56 Narrah street, and anywhere else they like to park. At night there are cars parked belonging to the people staying overnight in the accommodations (photo attached – No1)

At times the residents who live here and/or holiday here, have these vehicles parked in front of their properties, which means there are vehicles parked on both sides of the streets, making it even more dangerous. (Photo attached No2).

It has been mentioned to the owner and/or managers about the vehicles, which can be either ordinary size cars or anything up to a large motor home parked right to the access road, and around the corner blocking the view to the corners of Narrah and Sandown Street. (There are Yongala signs stating to park right up to the access road and not to park down the access road)

When a vehicle travels down Narrah street, and continues around into Sandown Street, it has to be completely on the wrong side of the road to have enough room to get pass the dive vehicles. If a vehicle comes from the Sandown street end, and vehicles are parked on the side of the radd, they also

have to go further out onto the road to get around the corner. There have been numerous times when an accident has nearly happened.

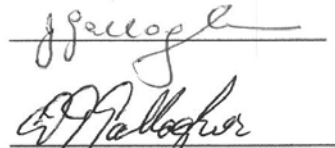
The school bus has great difficulty getting around mornings and afternoons. It is just a matter of time before there is an accident and someone gets killed on that corner.

We know for a fact that residents have complained to the council and the Police about this issue, but nothing has been done. No one wants to take responsibility for this matter.

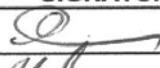
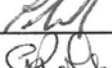

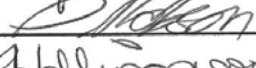
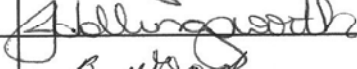
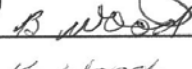
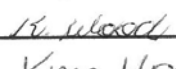
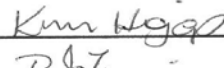
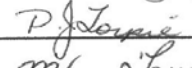
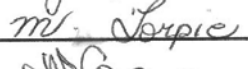
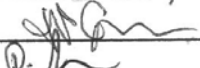




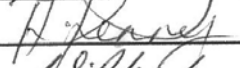
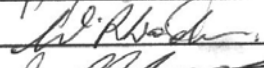
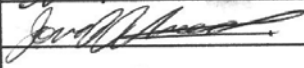
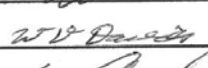
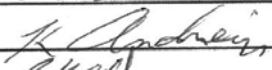
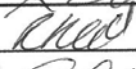
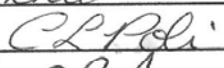
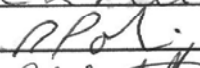
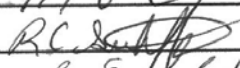
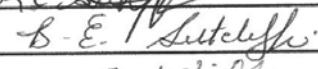
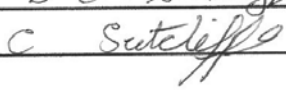
The other concern we have is a sewage issue. This property was originally a domestic residence. How does the seepage pit handle the waste from 12 guests, divers and staff, and a take away cafe?

We have attached additional pages with signatures from other Alva Beach residents, who also wish to object to the new proposal, as they have the same concerns.

Yours truly,

  
David and Jenny Gallagher  
50 Narrah Street,  
Alva

VIEW		AGENDA	
		DATE	
NOTED		APPLIC #	CONST/ 9025
LAND #	5066	PROP #	
ACTION	PLANDED	ACTION	
DEADLINE		DEADLINE	

NAME	ADDRESS	SIGNATURE
V HATCH	26 SANDOWNS ST	
C. Vennart	26 SANDOWNS ST	
G Robson	41 NARRAH ST	
D. Robson	41 TOPTON ST	
Jublingsworth	41 Tpton St	
BRIAN WOOD	3 NARRAH ST	
KATHLEEN WOOD	3 NARRAH ST	
KIM HIGGS	2 TORILLA ST	
Pat Torpie	11 NARRAH ST	
MAUREEN TORPIE	11 NARRAH ST.	
Leanne Green	13 NOUTH ST	
PETER JENSEN	37 TOPTON ST	
CRAIG CAMPBELL	29 NARRAH	
Kory Archibald	36 Tpton St	
Sue Bunney	37 Tpton St	
Helen Penny	44 Tpton St	
W. RHODES	47 TOPTON ST	
IONA P RHODES	47 TOPTON ST	
Bill Davies	18 TOPTON ST	
KEVIN ANDREWS	9 TOPTON ST	
Mike	47 <sup>NARRAH</sup> <del>TOPTON</del> ST	
Carole Poli	48 Narrah St	
Serge Poli	48 Narrah St	
RAY. Sutcliffe	40 SANDOWN ST	
Barbara Sutcliffe	40 SANDOWN ST	
Colin Sutcliffe	40 SANDOWN ST	





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**From:** Kim Higgs [kim\_higgs@bigpond.com]  
**Sent:** Monday, 30 January 2012 9:28:44 PM  
**To:** Email Registration  
**Subject:** Proposed Cafe at the end of Narrah st (Yongala Dive)

Hello,

I would like to put in my objection to the proposed extensions at Yongala Dive.

I am concerned about the parking arrangements. The corner where the business runs from is already congested and dangerous because there is insufficient room for cars to be parked on the road. The current situation with angle parking is not acceptable as the backs of the cars hang out onto the road restricting the traffic on the corner. It is not possible to get 2 cars around the corner at the same time. I am also concerned about the increased traffic on Narrah st. My residence is the corner of Narrah and Torilla st.

If this proposal is to proceed they need to have all parking off the road, and the issue of increased traffic and the behaviour of drivers addressed. There needs to be some kind of speed reduction implemented at the corner of Narrah and Torilla st's.

Regards

Kim Higgs  
2 Torilla st  
Alva Beach.  
47835313

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For more information please visit <http://www.symanteccloud.com>

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P.O. Box 678,  
54 Narrah Street,  
AYR, 4806.

Friday 27<sup>th</sup> January, 2012.

Mr. Ken Holt,  
Chief Executive Officer,  
Burdekin Shire Council,  
P.O. Box 974,  
AYR, QLD., 4807.



Dear Ken,

Re: Cons 11/0025 (2011083) – IDAS Development application for Material Change of Use to establish a take-away café at 56 Narrah Street, Alva (Lot 2 on A77820, Parish of Bowling Green, County of Gladstone) for Yongala Dive Pty. Ltd.

We are the registered proprietors of the land at 54 Narrah Street, Alva, and have received a letter from Yongala Dive dated 9<sup>th</sup> January, 2012, giving notice of the above development application.

As a neighbour of Yongala Dive, we wish to make the following submissions in relation to the company's proposal to establish a take-away café at 56 Narrah Street.

1. PARKING:

- a. Parking is currently a problem with the existing business operations of Yongala Dive (particularly on weekends), and we have no doubt the problem will be exacerbated with the introduction of a take-away cafe.
- b. Although Yongala Dive has some parking spaces in front of its premises in Narrah Street, there are many times when these are inadequate for the number of dive boat customers and staff. As a result, customers park in front of our property leaving no room for us or any of our visitors to park. (We have recently had an incident where a friend from Townsville drove down to visit us only to turn around and go home because he thought we already had a number of visitors. In fact, the cars parked in front of our property were patrons of Yongala Dive.)
- c. We have also had problems with vehicles parking in front of our property and leaving their rubbish on our footpath.
- d. The introduction of a take-away café will create more problems for us with parking, particularly on weekends when we envisage patronage will be at its peak for the café.
- e. Whilst the proposal to create three additional parking spaces at the side of Yongala Dive's premises will help the situation, we don't believe they will solve the parking problem - on most days there are between 9 and 11 vehicles parked on Narrah Street and the corner of Sandowns Street. The public land 'Lot 12 SP 213959 - Reserve 74' west of the corner of Narrah Street and Sandown Street needs to be made available for public parking to cater for current and future demand without endangering road users in this area. There needs to be provision made for adequate signage to encourage people to park in the spaces provided by the business and directing visitors to alternate parking facilities.

- f. We need some assurance that management of the business operation will take responsibility for the parking problems and endeavour to have more control of the situation.
- g. Yongala Dive currently utilise the neighbouring land described as Lot 12 SP 213959 - Reserve 74 – for parking of some of their vehicles. Whilst we acknowledge this is Council reserve, we believe this area could be used for customer parking – under the Department of Natural Resources DCDB Tenure Codes, land designated as a “RESERVE” is “Land reserved by the Department of Natural Resources and Mines for community or public purposes.”

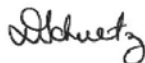
2. NOISE:

- a. Our living areas in our home are next to the dividing fence with Yongala Dive – almost in line with its kitchen area and stairway to the upper story – which is the proposed location for the cafe.
- b. Pedestrian traffic to and from the dive centre and the take-away café walk along our dividing fence.
- c. Yongala Dive has relocated its compressor to the shed recently constructed on the boundary fence beside our property. At this stage the noise from the compressor has not become a nuisance to us, and noise from patrons of the dive centre has only been a problem on a couple of occasions. However, we envisage that the existing noises along with the increased noise from patrons of the take-away café, may be an issue at times in the future.
- d. The office for the dive centre is located on the northern side of the building – the opposite side of the building to our boundary fence. Although dive customers staying overnight currently access the upper story of the building from the southern side of the property, all customers must access the dive centre office from the other side of the property. Whilst we acknowledge the kitchen is on the southern side of the property, we believe the servery for the take-away café could be incorporated into the existing office area – rather than have two customer service locations in the building. This would certainly alleviate some of the noise and pedestrian traffic issues along our boundary fence – and could possibly alleviate some of the parking problems if customers are directed to the northern side of the building.
- e. If the servery for the café was incorporated into the existing office area, patrons could then use the existing paved area near the office entrance to eat their meals if they choose. This paved area already has tables and chairs and is under cover – whilst the paved area on the southern side of the building next to our property does have one table and a couple of chairs, it is not covered and therefore less desirable for outdoor eating.

Whilst we have no objection to Yongala Dive extending its operations to include a take-away café, we trust you take our concerns into consideration in setting conditions to minimise environmental impacts. If required, we would be happy to discuss our concerns with your Town Planning officer and/or your Environmental Health officer if more explanation is required regarding our concerns.

We look forward to hearing from you with suggestions to abate the parking and noise issues, to ensure our environment is not further impacted by this development.

Yours sincerely,



R. J. AND D. SCHULTZ

VIEW		AGENDA	
		DATE	
NOTED		APPLIC #	2015/11
LAND #	5066	PROP #	0025
ACTION		ACTION	
DEADLINE		DEADLINE	



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## **5.8 Paul Webber - Development Application for Reconfiguring a Lot at 298 & 314 Old Clare Road, McDesme (Lot 1 on RP731923 & Lot 7 on RP749604, Parish of Jarvisfield, County of Gladstone)**

### **Document Information**

**Referring Letter No:** 1140828

**File No:** 2011 SUB (Sub12/0007)

**Name of Applicant:** Paul Webber

**Location:** 298 & 314 Old Clare Road, McDesme (Lot 1 on RP731923 & Lot 7 on RP749604, Parish of Jarvisfield, County of Gladstone)

**Author and Title:** S Great – Manager Planning and Development

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### **Executive Summary**

An application has been received from Brazier Motti on behalf of their client Paul Webber seeking approval for Reconfiguring a Lot (boundary realignment) at 298 & 314 Old Clare Road, McDesme (Lot 1 on RP731923 & Lot 7 on RP749604, Parish of Jarvisfield, 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 Reconfiguring a Lot (boundary realignment) at 298 & 314 Old Clare Road, McDesme (Lot 1 on RP731923 & Lot 7 on RP749604, Parish of Jarvisfield, County of Gladstone), 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.
- 1.3 Provide evidence from a suitably qualified person that proposed lot 20 can be provided with on-site treatment of sewerage in accordance with the On Site Sewerage Code and AS/NZS 1547:2000.

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## 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.

## PROPOSAL PLAN

3. The reconfiguration of the land must be carried out generally in accordance with:-
  - (a) (i) the proposed Brazier Motti plan numbered 55915/001A;
  - (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;

## 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.*
- *Proposed Lots 20 and 21 cannot be connected to Council's reticulated water supply.*
- *It is noted that the existing dwelling house located on proposed lot 20 will be in the vicinity of existing agricultural land uses. The owner of proposed lot 20 is to be responsible for the establishment and ongoing maintenance of any buffer required between any residential and agricultural land uses. Any buffer should incorporate measures to minimise the impact of dust, smoke, noise and ash in accordance with the "Planning Guidelines: Separating Agricultural and Residential Land uses – August 1997."*

## Background Information

**The following comments are from the Manager of Planning & Development, Mr Shane Great:**

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The land is zoned 'Rural' with the proposal triggering a 'code assessable' development application for reconfiguring a lot (boundary realignment). The application has been assessed against the "Reconfiguring a Lot" Code under the provisions of the Burdekin Shire Council's IPA Planning Scheme.

***The Application:***

It is the applicant's intent to realign the existing boundaries to create proposed Lots 20 and 21. Proposed Lot 20 will contain the existing dwelling and shed while proposed Lot 21 will continue to be used for rural pursuits. The proposed subdivision will have minimal impacts on existing land uses.

***Site Description/Surrounding Land Uses:***

The subject site comprises a total area of 5.3864ha with approximately 85.5m frontage to Old Clare Road. Proposed Lot 20 will have an area of 8668m<sup>2</sup> and proposed Lot 21 will have an area of 4.5196ha. The land is currently improved by an existing dwelling, shed and agricultural uses. The surrounding area is primarily sugar cane farm land, with a village amenity of developed rural residential housing and sheds on the neighbouring farms.

***Conclusion:***

Council's Development Assessment Team members have assessed the application and have included reasonable and relevant conditions as part of the recommended approval. Given that the proposal complies with the provisions contained in Council's IPA Planning Scheme it is recommended that Council approves the application subject to the abovementioned conditions.

**Link to Corporate/Operational Plan**

N/A

**Consultation**

All relative Council departments have been consulted, there was no external consultation required for this application.

**Legal Authority or Implications**

N/A

**Policy Implications**

N/A

**Financial and Resource Implications**

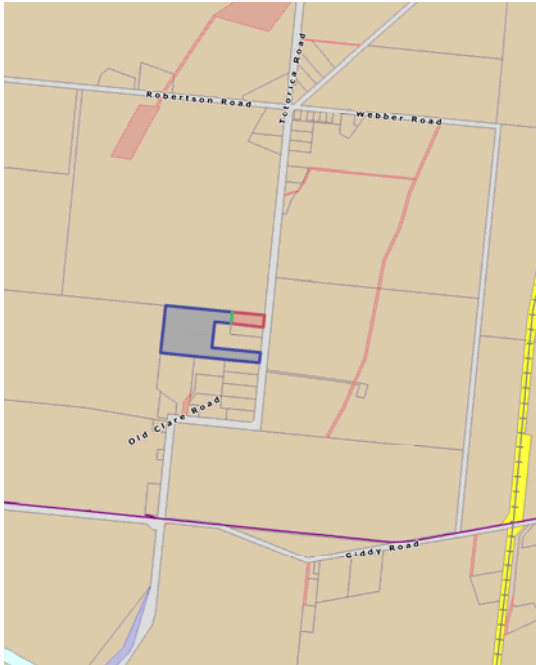
N/A

**Report prepared by:**

S. Great – Manager Planning and Development

**Report authorised by:**  
S. Great – Manager Planning and Development

## Attachments



### Planning Scheme

- Rural
- Rural Industry Sub Area
- Rural Nature Based Recreation Sub Area
- Rural Settlement Sub Area
- Residential
- Residential Low Density Sub Area

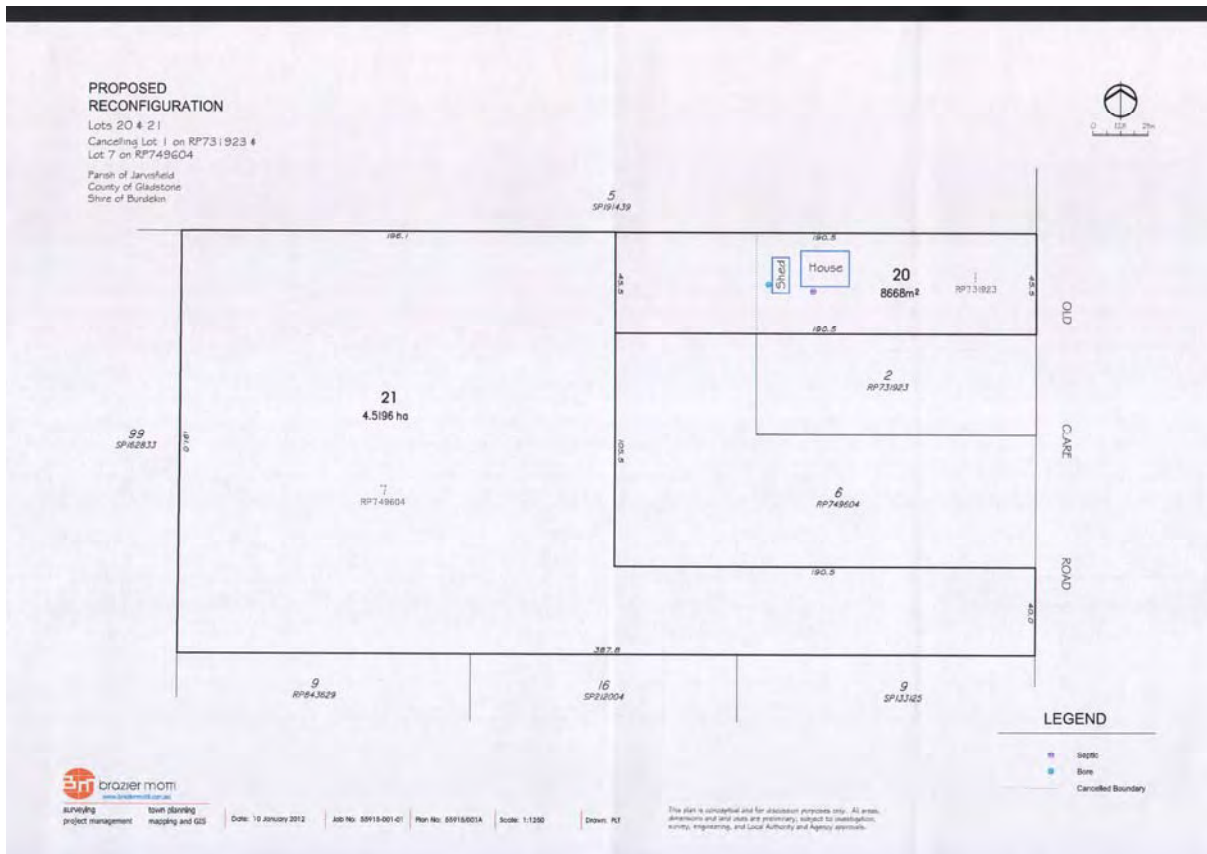
### Zone Map

- Retail and Commercial
- Industrial
- Extractive Industry Sub Area
- Industry Investigation Sub Area
- Public Purpose
- Community Infrastructure Designation

- Village
- Open Space & Recreation



Created on Wednesday, 22 February  
2012



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## **5.9 Denny Res - Development Application for Reconfiguring a Lot at Stace Road & Airdmillan Road, Ayr (Lot 13 on SP240088, Parish of Antill, County of Gladstone)**

### **Document Information**

**Referring Letter No:** 1141858

**File No:** 2011 SUB (Sub12/0011)

**Name of Applicant:** Denny Res

**Location:** Stace Road & Airdmillan Road, Ayr (Lot 13 on SP240088, Parish of Antill, County of Gladstone)

**Author and Title:** S Great – Manager Planning and Development

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### **Executive Summary**

An application has been received from Brazier Motti on behalf of their client Denny Res seeking approval for Reconfiguring a Lot (subdivision) at Stace Road & Airdmillan Road, Ayr (Lot 13 on SP240088, Parish of Antill, 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 Reconfiguring a Lot (subdivision) at Stace Road & Airdmillan Road, Ayr (Lot 13 on SP240088, Parish of Antill, County of Gladstone), 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.
- 1.3 Provide evidence from a suitably qualified person that proposed lot 14 can be provided with on-site treatment of sewerage in accordance with the On Site Sewerage Code and AS/NZS 1547:2000.

#### **PROPOSAL PLAN**

2. The reconfiguration of the land must be carried out generally in accordance with:-

- 
- (a) (i) the proposed Brazier Motti plan numbered 55732/004A;  
(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.

## **BUILDINGS**

6. **The minimum floor height of any building erected on proposed Lot 14 shall be RL 7.3m AHD.**

### ***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;*
- *The proposed lots may not be able to be connected to Council's reticulated water supply.*

## **Background Information**

***The following comments are from the Manager of Planning & Development, Mr Shane Great:***

The land is zoned 'Rural' with the proposal triggering a 'code assessable' development application for reconfiguring a lot (subdivision). The application has been assessed against the "Reconfiguring a Lot" Code under the provisions of the Burdekin Shire Council's IPA Planning Scheme.

### ***The Application:***

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It is the applicant's intent to subdivide the existing lot to create two new lots. Proposed lots 14 will have a total area of 2.856ha and proposed Lot 15 will have a total area of 33.014ha. The proposed subdivision will have minimal impacts on existing land uses. Although the application does not meet the scheme requirements with regard to minimum areas and frontages, it is considered appropriate in this instance, to cite exceptional circumstance. The following facts support this claim:

- Proposed lot 14 is difficult to farm due to topography;
- The proposal does not intend to modify existing land contours, therefore ensuring that overland flow paths are not negatively affected;
- Proposed lot 14 is located on the outer fringe of existing urban land uses, has access onto a constructed road and is capable of being serviced by appropriate infrastructure in the future;
- The intent of the SPP 1/92 is not compromised due to the fact that proposed lot 14 has physical characteristics such as fragmentation that contributes to the land being undesirable for viable agricultural production;
- Council has contributed to the fragmentation of the land by acquiring a drainage easement over the existing drainage path. This easement separates the viable cropping land from drainage areas.

***Site Description/Surrounding Land Uses:***

The subject site comprises a total area of approximately 35.87ha with frontages of 90m to Ross Street, 475m frontage to Airdmillan Road and 546m frontage to Stace Road. The site is currently utilised for agricultural pursuits, being sugar cane farming. The western portion of the subject land is currently vacant as farming this part is difficult due to the topography of the land and the proximity to residential development.

***Conclusion:***

Council's Development Assessment Team members have assessed the application and have included reasonable and relevant conditions as part of the recommended approval. Given that the proposal has exceptional circumstance and precedent has been created by a similar proposal, it is recommended that Council approves the application subject to the abovementioned conditions.

**Link to Corporate/Operational Plan**

N/A

**Consultation**

All relative Council departments have been consulted, there was no external consultation required for this application.

**Legal Authority or Implications**

N/A

**Policy Implications**

N/A



## Financial and Resource Implications

N/A

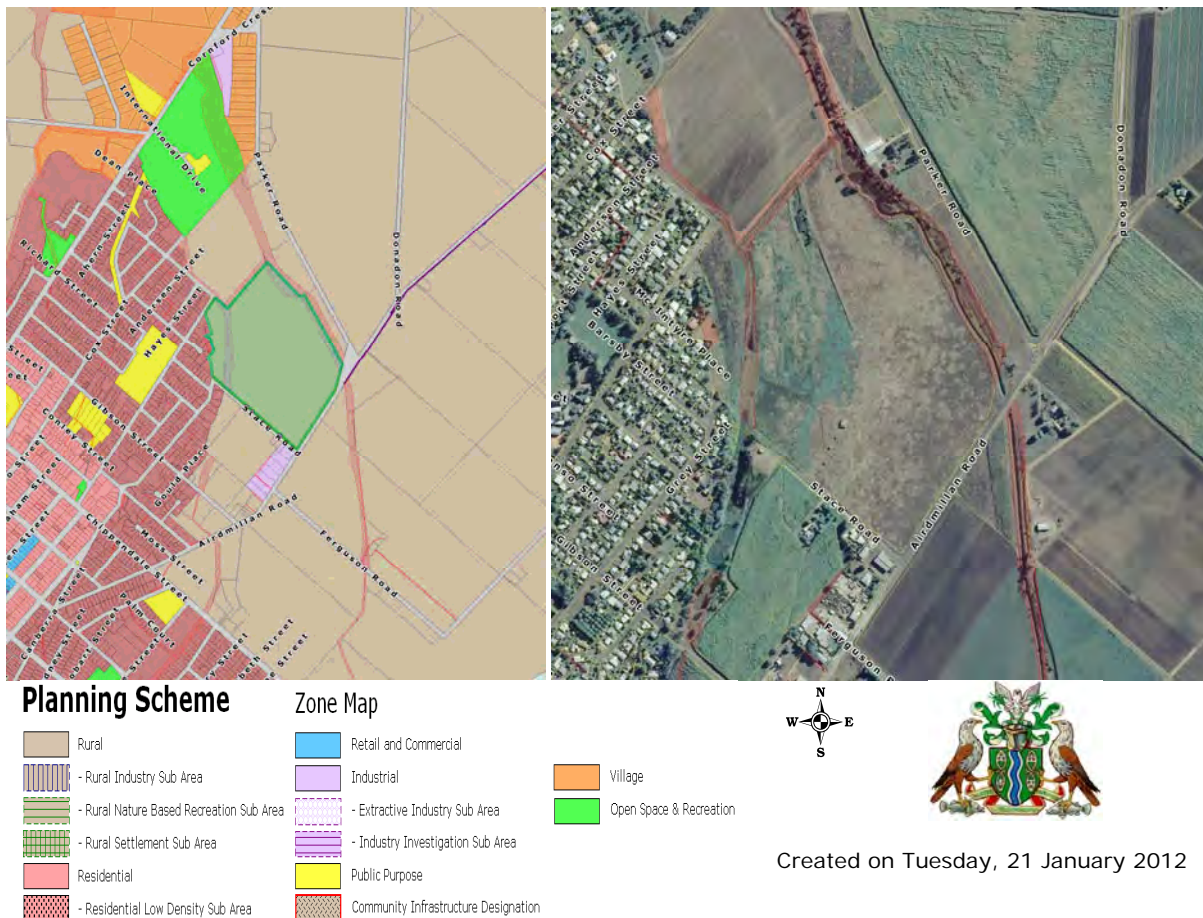
### Report prepared by:

S. Great – Manager Planning and Development

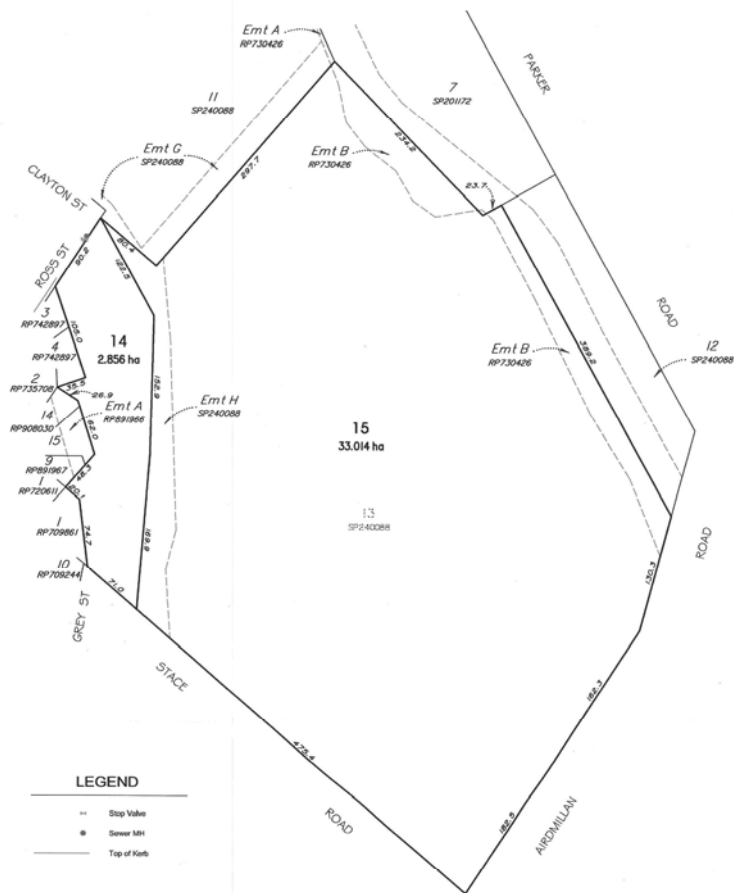
### Report authorised by:

S. Great – Manager Planning and Development

## Attachments



**PROPOSED  
RECONFIGURATION**  
Lots 14 & 15  
Cancelling Lot 13 on SP240088  
Parish of Antill  
County of Gladstone  
Shire of Bundick



#### LEGEND

- Stop Valve
- Sewer MH
- Top of Kerb



surveying  
town planning  
project management  
mapping and GIS

Date: 14 January 2012

Job No: 55732-003-01

Plan No: 55732004A

Scale: 1:5000

Drawn: RJ

This plan is conceptual and for discussion purposes only. All areas, dimensions and land uses are preliminary, subject to investigation, survey, engineering, and Local Authority and Agency approval.

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## **5.10 Steven Williams - Development Application for a Material Change of Use for Multiple Unit Development at 17 Munro Street, Ayr (Lot 9 on RP702309 Parish of Antill, County of Gladstone)**

### **Document Information**

**Referring Letter No:** 1132412

**File No:** 2011 Cons (Cons11/0026)

**Name of Applicant:** Steven Williams

**Location:** 17 Munro Street, Ayr (Lot 9 on RP702309 Parish of Antill, County of Gladstone)

**Author and Title:** S Great - Manager Planning and Development

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### **Executive Summary**

An application has been received from Steven Williams seeking approval for Material Change of Use for a staged Multiple Unit Development (3 x 3 bedroom units) at 17 Munro Street, Ayr (Lot 9 on RP702309 Parish of Antill, 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 Material Change of Use for a staged Multiple Unit Development (3 x 3 bedroom units) at 17 Munro Street, Ayr (Lot 9 on RP702309 Parish of Antill, County of Gladstone, subject to the following conditions:

#### **Stage 1 - Residence 1**

##### **GENERAL**

- 1.1 The conditions of the development permit must be effected prior to the commencement of the use, except where specified otherwise in these conditions of approval.
- 1.2 All rates and charges (including infrastructure charges), in arrears in respect of the land, subject of the application, are paid in full prior to the commencement of the proposed use.
- 1.3 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 approved plans submitted from Tony Ferraris Consulting building design (Job No:TFBD-06026, DWG

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No:SK01, Issue P1) except where modified by the conditions of this Development Permit and any approval issued there under.

## **BUILDING WORK**

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

## **ROADWORKS**

- 3.1 Construct a minimum 3.2m wide industrial crossover (150mm thick, 32 mPa concrete, F72 mesh) from the invert of the existing kerbing and channeling to the property boundary and re-profile the footpath each side of the proposed driveway to comply with the Disability Discrimination Act.
- 3.2 Provide to Council prior to the commencement of works cross sections 1:50 natural scale from the side of Munro Street to the property boundary showing existing and design levels, for both the crossover in condition 5 and proposed Residence 1 crossover in drawing 'TFBD-06026 issue P1'.

## **ACCESS AND PARKING**

- 4.1 Parking shall be provided generally in accordance with the approved plan from Tony Ferraris Consulting building design (Job No:TFBD-06026, DWG No:SK01, Issue P1).
- 4.2 Parking space and layout must be designed in accordance with the provisions contained in Schedule 2 – Vehicle Parking Rates & Standards of the Planning Scheme.
- 4.3 Access to the premises, car parking and manoeuvring areas must be constructed in an all weather low glare paving, exposed aggregate concrete or similar material to the satisfaction of the Chief Executive Officer.

## **DRAINAGE**

- 5.1 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.
- 5.2 Any external catchments discharging to the premises must be accepted and accommodated within the development's stormwater drainage system.

## **WATER SUPPLY**

6. 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.

## **SEWERAGE SUPPLY**

7. The development must be connected to Council's sewerage scheme. The existing sewer house junction is to be capped off and any new junctions are to be benched

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directly into the existing manhole. The sewerage connection shall be at the full cost of the developer.

## **PUBLIC UTILITY SERVICES**

8. 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.

## **OPERATIONAL WORKS**

9. An approval for Operational Works under the Sustainable Planning Act must be obtained for before any civil works commence.

## **Stage 2 - Residence 2**

### **GENERAL**

- 1.1 The conditions of the development permit must be effected prior to the commencement of the use, except where specified otherwise in these conditions of approval.
- 1.2 All rates and charges (including infrastructure charges), in arrears in respect of the land, subject of the application, are paid in full prior to the commencement of the proposed use.
- 1.3 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 approved plans submitted from Tony Ferraris Consulting building design (Job No:TFBD-06026, DWG No:SK01, Issue P1) except where modified by the conditions of this Development Permit and any approval issued there under.

### **BUILDING WORK**

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

### **PUBLIC UTILITY SERVICES**

3. 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.

### **ACCESS AND PARKING**

- 4.1 Parking shall be provided generally in accordance with the approved plan from Tony Ferraris Consulting building design (Job No:TFBD-06026, DWG No:SK01, Issue P1).
- 4.2 Parking space and layout must be designed in accordance with the provisions contained in Schedule 2 – Vehicle Parking Rates & Standards of the Planning Scheme.

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4.3 Access to the premises, car parking and manoeuvring areas must be constructed in an all weather low glare paving, exposed aggregate concrete or similar material to the satisfaction of the Chief Executive Officer.

4.4 The driveway is to be constructed to allow practical access to proposed Residence 2.

## **DRAINAGE**

5.1 Stormwater drainage from paved/sealed and roofed areas must be discharged under the footpath to kerb and channelling within the adjoining road reserves in accordance with AS3500.2.2003 or as otherwise required or agreed to in writing by the Chief Executive Officer. Stormwater flows shall be intercepted by trench grates at the front property boundary.

5.2 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.

5.3 Any external catchments discharging to the premises must be accepted and accommodated within the development's stormwater drainage system.

## **WATER SUPPLY**

6. 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.

## **ROADWORKS**

7.1 Construct a minimum 6m wide industrial crossover (150mm thick, 32 mPa concrete, F72 mesh) from the invert of the existing kerbing and channeling to the property boundary and re-profile the footpath each side of the proposed driveway to comply with the Disability Discrimination Act.

7.2 Provide to Council prior to the commencement of works cross sections 1:50 natural scale from the side of Munro Street to the property boundary showing existing and design levels, for both the crossover in condition 5 and proposed Residence 1 crossover in drawing 'TFBD-06026 issue P1'.

## **OPERATIONAL WORKS**

8. An approval for Operational Works under the Sustainable Planning Act must be obtained for before any civil works commence.

## **SEWERAGE SUPPLY**

9. The development must be connected to Council's sewerage scheme. The existing sewer house junction is to be capped off and any new junctions are to be benched directly into the existing manhole. The sewerage connection shall be at the full cost of the developer.

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## **AMENITY – SCREEN FENCING**

10. A 1.8m high screen fence must be provided along the adjoining property boundaries and must be designed to assist in breeze flow. The type and design must be submitted and approved by the Chief Executive Officer as part of the Landscaping Plan.

## **LANDSCAPING AND SCREENING**

11. A landscaping plan shall be submitted and approved by the Chief Executive Officer. This plan must be prepared by a landscape architect or other suitably qualified and experienced person detailing the following;
  - \*the location of existing and proposed plantings;
  - \*landscaping of the designated areas generally in accordance with the approved plans;
  - \*proposed fencing and screens, including rubbish bin enclosures;
  - \*location of public infrastructure;

## **Stage 3 - Residence 3**

### **GENERAL**

- 1.1 The conditions of the development permit must be effected prior to the commencement of the use, except where specified otherwise in these conditions of approval.
- 1.2 All rates and charges (including infrastructure charges), in arrears in respect of the land, subject of the application, are paid in full prior to the commencement of the proposed use.
- 1.3 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 approved plans submitted from Tony Ferraris Consulting building design (Job No:TFBD-06026, DWG No:SK01, Issue P1) except where modified by the conditions of this Development Permit and any approval issued there under.

### **BUILDING WORK**

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

### **PUBLIC UTILITY SERVICES**

3. 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.

### **ACCESS AND PARKING**

- 4.1 Parking shall be provided generally in accordance with the approved plan from Tony Ferraris Consulting building design (Job No:TFBD-06026, DWG No:SK01, Issue P1).

- 
- 4.2 Parking space and layout must be designed in accordance with the provisions contained in Schedule 2 – Vehicle Parking Rates & Standards of the Planning Scheme.
  - 4.3 Access to the premises, car parking and manoeuvring areas must be constructed in an all weather low glare paving, exposed aggregate concrete or similar material to the satisfaction of the Chief Executive Officer.

## **DRAINAGE**

- 5.1 Stormwater drainage from paved/sealed and roofed areas must be discharged under the footpath to kerb and channelling within the adjoining road reserves in accordance with AS3500.2.2003 or as otherwise required or agreed to in writing by the Chief Executive Officer. Stormwater flows shall be intercepted by trench grates at the front property boundary.
- 5.2 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;
- 5.3 Any external catchments discharging to the premises must be accepted and accommodated within the development's stormwater drainage system.

## **WATER SUPPLY**

6. 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.

## **ROADWORKS**

7. Construct a 1.5m wide concrete footpath for the full frontage of the allotment. The footpath is to comply with the Disability Discrimination Act.

## **SEWERAGE SUPPLY**

8. The development must be connected to Council's sewerage scheme. The existing sewer house junction is to be capped off and any new junctions are to be benched directly into the existing manhole. The sewerage connection shall be at the full cost of the developer.

## **DOMESTIC WASTE**

9. An enclosed waste bin storage area indicated on amended plan submitted 30 January 2012, must be of sufficient size to store the number of wheelie bins required to service this site, which must include waste and recycling bins for each unit and a minimum of two green waste bins.

The area must also:

- Have a floor which is raised, imperviously paved and suitably drained to Council's sewer, via an approved bucket trap;



- 
- Be enclosed with walls to a height of approximately 1.2m;
  - Be roofed to prevent ingress of stormwater. If not, a first flush diversion valve shall be fitted; and
  - Include a suitable hosecock with hose attached, located on an external front corner of the enclosure with dual check valve backflow prevention (RMC No. 7 or equivalent).

## **Background Information**

### ***The following comments are from the Manager of Planning & Development, Mr Shane Great:***

The land is zoned 'Residential' under the provisions of Council's IPA Planning Scheme with the applicant's intent to gain approval for a staged multi unit development on the subject land. The proposed use is triggered as a 'code assessable' development application and has been assessed against the "Residential Zone Code" under the provisions of the Burdekin Shire Council's IPA Planning Scheme.

### ***Planning Scheme Definition:***

*Multiple Unit Development* – Premises comprising more than two dwelling units in one building or more than one building where more than two dwelling units are involved, together with any ancillary facilities and structures that are necessary for the use, whether or not the premises are subdivided afterwards by Community Title Plan or otherwise.

The term does not include "Duplex Units" or "Accommodation Building".

### ***The Application:***

Previously, Council approved a multi unit development for three units at this site. The previous approval was exactly the same as the current with regard to design. The new application has been generated due to the original approval lapsing and the applicant's intent to stage the construction of each individual unit. This application is to gain approval for a staged 3 X 3 bedroom Multi Unit Development on land situated at 17 Munro Street, Ayr. The staging of the development will have an impact on when certain conditions will be imposed. The staged conditions will be reflected in the decision notice. Providing the proposal meets all of the recommended development standards, the amenity of the area should not be detrimentally impacted upon. The proposed Multiple Unit Development will conform to the requirements of the Residential zone code.

### ***Site Description/Surrounding Land Uses:***

The subject site is a vacant block of ground with a slight slope from the road frontage to the rear of the lot. The Lot has an area of 1012m<sup>2</sup> with a 20m road frontage to Munro Street, there are no Council easements associated with the property. The site is to the northern end of Munro Street located two blocks from Queens Street in a predominantly residential area of Ayr.

### ***Trunk Infrastructure Charges:***

The *Sustainable Planning Act, 2009* and its predecessor, the *Integrated Planning Act, 1997* requires local governments to prepare Priority Infrastructure Plans (PIP) and in the case of Burdekin Shire Council, adopt and charge for trunk infrastructure in accordance with its Regulated Infrastructure Charges Schedule (RICS).

This development application is to be assessed under the provisions of the PIP and have the relevant charge levied.

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The regulated infrastructure charge levied for each trunk infrastructure network is required to be calculated in accordance with the appropriate formula as identified in table 2 of the Regulated Infrastructure Charges Schedule (RICS)

In the case of the Ayr Priority Infrastructure Area (PIA) of the Burdekin PIP the Council provides, and this charge applies to each of the five trunk infrastructure networks (transport, water supply, sewerage, stormwater and parks and land for community infrastructure).

This amounts to a **total trunk infrastructure charge of \$20,340 for the development**.  
A payment of \$6,780.00 will be due at the completion of each stage.

A Regulated Infrastructure Charges Decision Notice will be issued with the Decision Notice and the charge will be payable before the commencement of the use.

**Conclusion:**

Council's Development Assessment Team members have assessed the application and have included reasonable and relevant conditions in relation to access, water and sewerage infrastructure provision and amenity protection objectives as part of the recommended approval. Given the fact that the existing amenity is predominately residential, the amenity of the area should not be detrimentally impacted upon. It is recommended that Council approve the application subject to the abovementioned conditions.

**Link to Corporate/Operational Plan**

N/a

**Consultation**

All relative Council Departments have been consulted, there was no external consultation required for this application.

**Legal Authority or Implications**

N/A

**Policy Implications**

N/A

**Financial and Resource Implications**

N/A

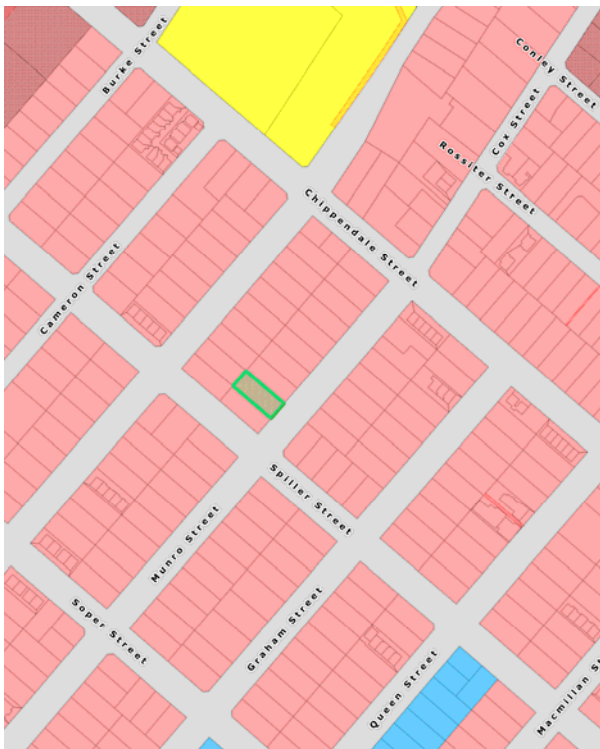
**Report prepared by:**

S. Great – Manager Planning and Development

**Report authorised by:**

S. Great – Manager Planning and Development

## Attachments



### Planning Scheme

- Rural
- Rural Industry Sub Area
- Rural Nature Based Recreation Sub Area
- Rural Settlement Sub Area
- Residential
- Residential Low Density Sub Area

### Zone Map

- Retail and Commercial
- Industrial
- Extractive Industry Sub Area
- Industry Investigation Sub Area
- Public Purpose
- Community Infrastructure Designation

- Village
- Open Space & Recreation



Created on Thursday, 2  
February 2012





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## **5.11 Chris Pegoraro - Development Application for Reconfiguring a Lot at 64 Toll Road, Brandon (Lots 5 & 7 on SP245546, Parish of Jarvisfield, County of Gladstone)**

### **Document Information**

**Referring Letter No:** 1133477

**File No:** 2011 SUB (SUB11/0055)

**Name of Applicant:** Chris Pegoraro

**Location:** 64 Toll Road, Brandon (Lots 5 & 7 on SP245546, Parish of Jarvisfield, County of Gladstone)

**Author and Title:** S Great – Manager Planning and Development

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### **Executive Summary**

An application has been received from Cleve McGuane Surveys Pty Ltd on behalf of their client Chris Pegoraro seeking approval for Reconfiguring a Lot (Boundary Realignment) at 64 Toll Road, Brandon (Lots 5 & 7 on SP245546, Parish of Jarvisfield, 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 Reconfiguring a Lot (Boundary Realignment) at 64 Toll Road, Brandon (Lots 5 & 7 on SP245546, Parish of Jarvisfield, County of Gladstone), 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.
- 1.3 Provide evidence from a suitably qualified person that proposed lot 5 can be provided with on-site treatment of sewerage in accordance with the On Site Sewerage Code and AS/NZS 1547:2000.

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## 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.

## PROPOSAL PLAN

3. The reconfiguration of the land must be carried out generally in accordance with:-
  - (a) (i) the proposed Cleve McGuane Surveys Pty Ltd plan numbered 28560-2;
  - (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;

## PUBLIC UTILITY SERVICES

4. 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

5. **Any future development on the proposed lots must be located a minimum 100m from the high bank of Sheep Station Creek.**

### ***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;*
- *It is noted that the existing dwelling house located on proposed lot 5 will be in the vicinity of existing agricultural land uses. The owner of proposed lot 5 is to be responsible for the establishment and ongoing maintenance of any buffer required between any residential and agricultural land uses. Any buffer should incorporate measures to minimise the impact of dust, smoke, noise and ash in accordance with the "Planning Guidelines: Separating Agricultural and Residential Land uses – August 1997."*

## Background Information

***The following comments are from the Manager of Planning & Development, Mr Shane Great:***

The land is zoned 'Rural' with the proposal triggering a 'code assessable' development application for reconfiguring a lot (Boundary Realignment). The application has been assessed against the "Reconfiguring a Lot" Code under the provisions of the Burdekin Shire Council's IPA Planning Scheme.

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**The Application:**

It is the applicant's intent to realign the existing boundary in order to create proposed lots 5 & 7. Proposed Lot 5 will contain an existing dwelling and shed whilst proposed Lot 7 will contain three sheds and the balance cane farm. The proposed subdivision will have minimal impacts on existing land uses.

**Site Description/Surrounding Land Uses:**

The subject site comprises a total area of approximately 84.56ha. Proposed Lot 5 will have a total area of 2488m<sup>2</sup> and proposed Lot 7 will have a total area of 84.44ha. The site is currently improved by a dwelling, some sheds and a sugar cane farm. The surrounding area is primarily agricultural land, with some rural residential housing and sheds on the neighbouring farms.

**Conclusion:**

Council's Development Assessment Team members have assessed the application and have included reasonable and relevant conditions as part of the recommended approval. Given that the proposal complies with the provisions contained in Council's IPA Planning Scheme, it is recommended that Council approves the application subject to the abovementioned conditions.

**Link to Corporate/Operational Plan**

N/A

**Consultation**

All relative Council Departments have been consulted, the Department of Environment and Resource Management was triggered as an advice agency and has provided Council with information on the potential impacts on wetlands and possible solutions to protect the identified wetlands.

**Legal Authority or Implications**

N/A

**Policy Implications**

N/A

**Financial and Resource Implications**

N/A

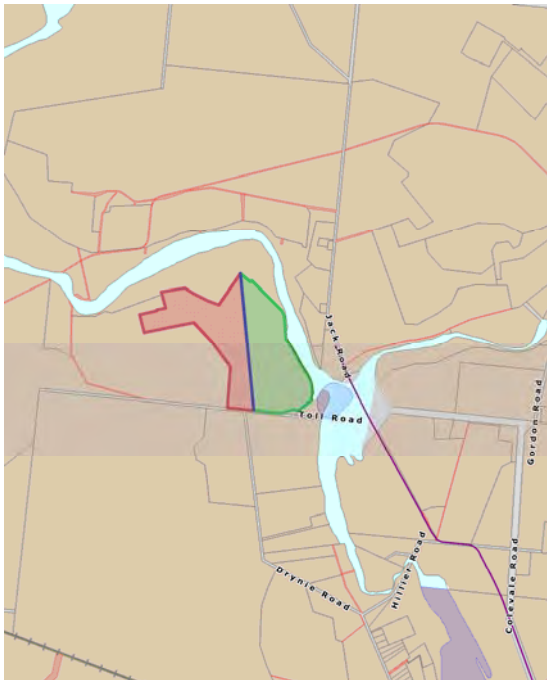
**Report prepared by:**

S. Great – Manager Planning and Development

**Report authorised by:**

S. Great – Manager Planning and Development

## Attachments



### Planning Scheme

- Rural
- Rural Industry Sub Area
- Rural Nature Based Recreation Sub Area
- Rural Settlement Sub Area
- Residential
- Residential Low Density Sub Area

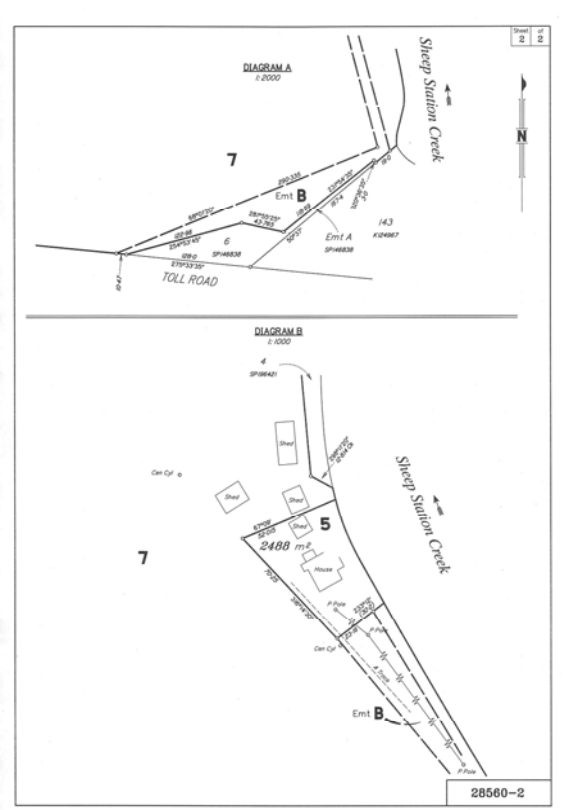
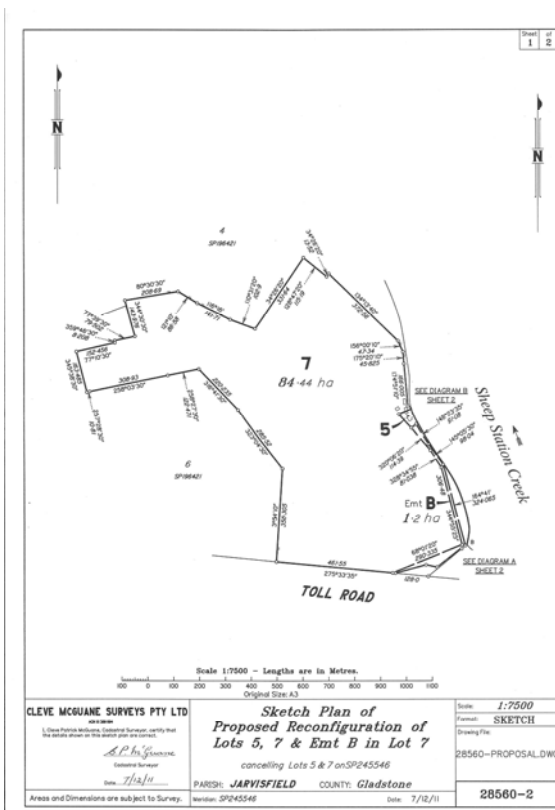
### Zone Map

- Retail and Commercial
- Industrial
- Extractive Industry Sub Area
- Industry Investigation Sub Area
- Public Purpose
- Community Infrastructure Designation

- Village
- Open Space & Recreation



Created on Monday, 20  
February 2012





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## **5.12 Ross Pirrone - Development Application for Reconfiguring a Lot at 104 Burstall Road, Ayr (Lot 11 on SP250545, Parish of Antill, County of Gladstone)**

### **Document Information**

**Referring Letter No:** 1141730

**File No:** 2011 SUB (Sub12/0010)

**Name of Applicant:** Ross Pirrone

**Location:** 104 Burstall Road, Ayr (Lot 11 on SP250545, Parish of Antill, County of Gladstone)

**Author and Title:** S Great - Manager Planning & Development

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### **Executive Summary**

An application has been received from Brazier Motti on behalf of their client Ross Pirrone seeking approval for Reconfiguring a Lot (Subdivision) at 104 Burstall Road, Ayr (Lot 11 on SP250545, Parish of Antill, 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 Reconfiguring a Lot (Subdivision) at 104 Burstall Road, Ayr (Lot 11 on SP250545, Parish of Antill, County of Gladstone), 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.

#### **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.

#### **PROPOSAL PLAN**

3. The reconfiguration of the land must be carried out generally in accordance with:-
  - (a) (i) the proposed Brazier Motti plans numbered 55731/005A;

- 
- (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;

## **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;*

## **Background Information**

### ***The following comments are from the Manager of Planning & Development, Mr Shane Great:***

The land is zoned 'Rural' with the proposal triggering a 'code assessable' development application for reconfiguring a lot (Subdivision). The application has been assessed against the Reconfiguration of a Lot Code under the provisions of the Burdekin Shire Council's IPA Planning Scheme.

### ***The Application:***

It is the applicant's intent to reconfigure the existing lot to create two new lots that redefine existing land uses including a residence, shed and cane farm. Proposed lot 14, considered to be the balance area will continue to be used for agricultural purposes, mainly sugar cane production. Proposed lot 13 will encompass the existing dwelling, shed and a cane farm. The proposed subdivision will have minimal impacts on existing land uses.

### ***Site Description/Surrounding Land Uses:***

The subject site comprises a total area of 77.41 and has frontage to Donadons, Burstall, Cole and Airdmillan Road. Proposed lot 13 will have a total area of 43.358ha and proposed lot 14 will have a total area of 34.052ha. The property is currently improved by a single detached dwelling and shed with the balance area primarily used for agricultural purposes. The surrounding area is primarily agricultural land, with some rural residential housing and sheds on the neighbouring farms.

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**Conclusion:**

Council's Development Assessment Team members have assessed the application and have included reasonable and relevant conditions as part of the recommended approval. Given that the proposal complies with the provisions contained in Council's IPA Planning Scheme and in particular the acceptable solutions of the 'Reconfiguration of a Lot' zone code, it is recommended that Council approves the application subject to the abovementioned conditions.

**Link to Corporate/Operational Plan**

N/A

**Consultation**

All relative Council departments have been consulted, there was no external consultation required for this application.

**Legal Authority or Implications**

N/A

**Policy Implications**

N/A

**Financial and Resource Implications**

N/A

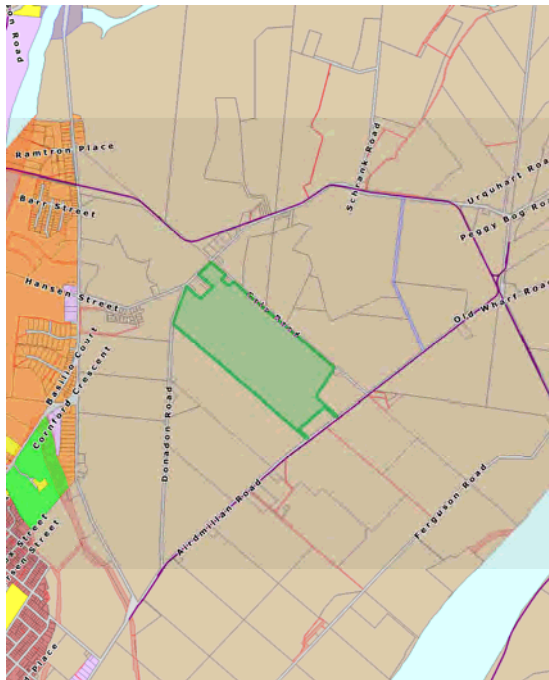
**Report prepared by:**

S Great - Manager Planning & Development

**Report authorised by:**

S Great - Manager Planning & Development

## Attachments



### Planning Scheme

- Rural
- Rural Industry Sub Area
- Rural Nature Based Recreation Sub Area
- Rural Settlement Sub Area
- Residential
- Residential Low Density Sub Area

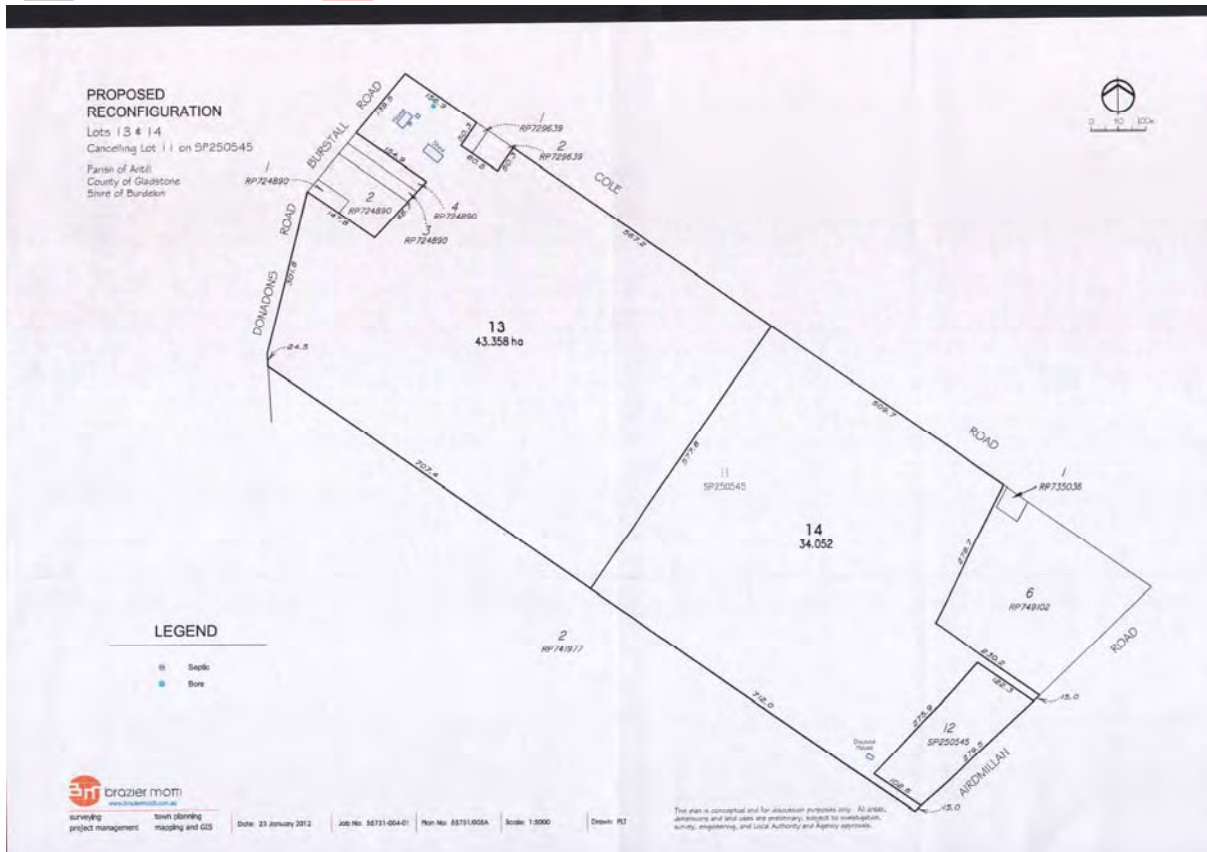
### Zone Map

- Retail and Commercial
- Industrial
- Extractive Industry Sub Area
- Industry Investigation Sub Area
- Public Purpose
- Community Infrastructure Designation

- Village
- Open Space & Recreation



Created on Monday, 20 February 2012



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### **5.13 Tony & Maria Gemellaro - Development Application for Reconfiguring a Lot at 53 Juanita Drive, Mount Kelly (Lot 29 on RP733771, Parish of Northcote, County of Gladstone)**

#### **Document Information**

**Referring Letter No:** 1137330

**File No:** 2011 SUB (Sub12/0002)

**Name of Applicant:** Tony & Maria Gemellaro

**Location:** 53 Juanita Drive, Mount Kelly (Lot 29 on RP733771, Parish of Northcote, County of Gladstone)

**Author and Title:** S Great - Manager Planning & Development

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#### **Executive Summary**

An application has been received from Cleve McGuane Surveys Pty Ltd on behalf of their client Tony & Maria Gemellaro seeking approval for Reconfiguring a lot (Subdivision) at 53 Juanita Drive, Mount Kelly (Lot 29 on RP733771, Parish of Northcote, 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 Reconfiguring a Lot (Subdivision) at 53 Juanita Drive, Mount Kelly (Lot 29 on RP733771, Parish of Northcote, County of Gladstone), 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.
- 1.3 Provide evidence from a suitably qualified person that proposed lots 6 and 7 can be provided with on-site treatment of sewerage in accordance with the On Site Sewerage Code and AS/NZS 1547:2000.

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## **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.

## **PROPOSAL PLAN**

3. The reconfiguration of the land must be carried out generally in accordance with:-
  - (a) (i) the proposed Cleve McGuane Surveys Pty Ltd plan numbered 28572-2a;
  - (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;

## **PUBLIC UTILITY SERVICES**

4. 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;

## **OPERATIONAL WORKS**

5. Where operational works are required to be carried out for the reconfiguration, the developer must, within a period of two years from the date of this permit and prior to the commencement of any work, lodge with Council an application for a development permit for operational works. As part of such application, the developer must submit:-
  - (a) detailed and complete engineering drawings and specifications of the proposed works prepared by a civil engineer, who is both registered under the Professional Engineer's Act 2002 and is a current Registered Professional Engineer of Queensland; and
  - (b) a 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;

## **WATER SUPPLY**

- 6.1 The applicant shall arrange and meet the full cost of connection of proposed Lot 7 to the Mt Kelly water supply scheme. A metered water service shall be provided to the property boundary of the allotment. The service shall generally be to the standard required by council for domestic purposes, for a constant flow system with discharge of 23 litres per minute.

- 
- 6.2 The applicant must provide a certified statement from a licensed plumber that no existing interconnecting water supply plumbing crosses the boundaries between the proposed new lots.
- 6.3 The applicant shall arrange and meet the cost of provision of adequate fire fighting facilities to service each allotment, whether by provision of a hydrant not more than sixty metres from each property or through an adequate on site storage and pump system. Evidence is to be provided that, in the former case, the facilities meet pressure and flow criteria set out in the Water Resources Commission's guidelines or, in the latter case, the facilities are approved by the local urban fire brigade.

## **WATER SUPPLY HEADWORKS**

7. A contribution is to be paid in accordance with Council's Rural Water Supply Charge as specified in Council's current fees and charges schedule.

### ***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;*

## **Background Information**

### ***The following comments are from the Manager of Planning & Development, Mr Shane Great:***

The land is zoned 'Rural', with a 'Rural Settlement Sub Area' overlay, with the proposal triggering a 'code assessable' development application for Reconfiguring a lot. The application has been assessed against the Reconfiguration of a Lot (ROL) Code under the provisions of the Burdekin Shire Council's IPA Planning Scheme. Under the ROL Code, subdivision of rural land is permitted if the land is wholly contained within the 'Rural Settlement Sub Area' and has a minimum frontage of 40m and a minimum area of 4000 m2. This proposal conforms to the minimum areas and frontage requirements.

### ***The Application:***

The proposal seeks to subdivide an existing lot to create 2 new lots. The existing lot 29 has frontage to Juanita Drive and Elisa Road with a total area of 4.340ha and is improved with a mango plantation. Proposed lots 6 will have access to Juanita Drive with an area of 1.927ha and proposed lot 7 will have access to both Juanita Drive & Elisa Road with an area of 2.414ha. Given the lack of a practical access off Elisa Road, the applicant has applied to have an alternative 'pan handle' access from Juanita Drive for proposed lot 7..

### ***Site Description/Surrounding Land Uses:***

The surrounding area has a mix of rural residential and agricultural land uses. This amenity is apparent throughout the entire Mount Kelly area.

### ***Conclusion:***

Council's Development Assessment Team members have assessed the application and have included reasonable and relevant conditions as part of the recommended approval. Given that the proposal complies with the provisions contained in Council's IPA Planning Scheme and in particular the acceptable solutions of the 'Reconfiguration of a Lot' zone code, it is

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recommended that Council approves the application subject to the abovementioned conditions.

**Link to Corporate/Operational Plan**

N/A

**Consultation**

All relative Council departments have been consulted, there was no external consultation required for this application.

**Legal Authority or Implications**

N/A

**Policy Implications**

N/A

**Financial and Resource Implications**

N/A

**Report prepared by:**

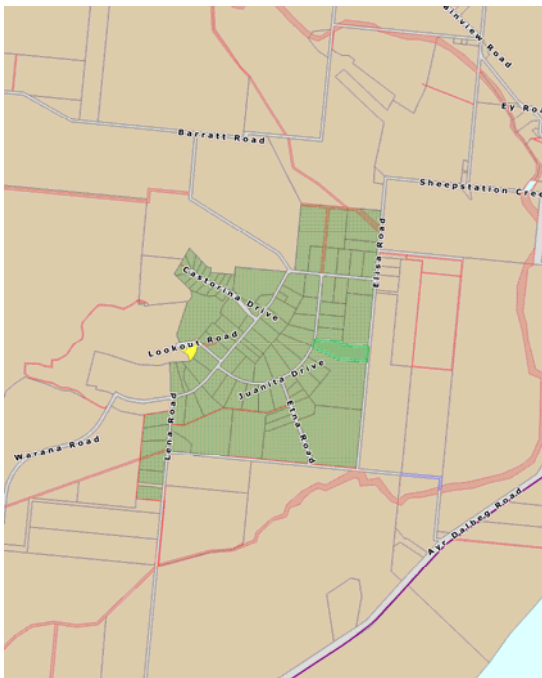
S Great - Manager Planning & Development

**Report authorised by:**







S Great - Manager Planning & Development





## Attachments



### Planning Scheme

-  Rural
-  - Rural Industry Sub Area
-  - Rural Nature Based Recreation Sub Area
-  - Rural Settlement Sub Area
-  Residential
-  - Residential Low Density Sub Area

### Zone Map

-  Retail and Commercial
-  Industrial
-  - Extractive Industry Sub Area
-  - Industry Investigation Sub Area
-  Public Purpose
-  Community Infrastructure Designation

-  Village
-  Open Space & Recreation



Created on Thursday, 2 February 2012





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**6. CORPORATE & COMMUNITY SERVICES**

**7. CORRESPONDENCE FOR INFORMATION**

Tabled Separately

**8. NOTICES OF MOTION**

**9. URGENT BUSINESS**

**10. GENERAL BUSINESS**

**11. IN COMMITTEE DISCUSSIONS**

**12. DELEGATIONS**

