AGENDA

ORDINARY COUNCIL MEETING

HELD AT COUNCIL ADMINISTRATION BUILDING, 145 YOUNG STREET, AYR

on 13 March 2012

COMMENCING AT 9:00AM



BURDEKIN SHIRE COUNCIL



TUESDAY 13 MARCH 2012

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- 1 PRAYER
- 2 DECLARATIONS OF INTEREST
- 3 MINUTES AND BUSINESS ARISING
- 3.1 Ordinary Council Meeting Minutes 28 February 2012

Recommendation

That the minutes of the Ordinary Council Meeting held on 28 February 2012 be received as a true and correct record.



MINUTES

ORDINARY COUNCIL MEETING

HELD AT COUNCIL ADMINISTRATION BUILDING, 145 YOUNG STREET, AYR

on 28 February 2012

COMMENCING AT 9:00AM



TUESDAY 28 FEBRUARY 2012

ORDER OF BUSINESS:

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ATTENDANCE

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

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

Leave of Absence: Councillor P.M. Dalle Cort

1. PRAYER

The meeting prayer was delivered by Father Thomas of the Catholic Church.

2. DECLARATIONS OF INTEREST

The Mayor called for declarations of interest.

Councillor Lewis declared a conflict of interest in respect of Agenda Item 5.12 as the applicant is his wife's cousin.

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.

Resolution

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

CARRIED

Ordinary Council Meeting 28 February 2012

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.

Resolution

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

CARRIED

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.

Resolution

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

CARRIED

4. REPORTS

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

Recommendation

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

Resolution

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

CARRIED

4.2 Operating Statement for period ending 31st January 2012 - Capital Income from Sale of Industrial Estate blocks to be placed in Recurrent Maintenance Reserve until allocated by Council

Recommendation

That the Operating Statement for the period ending 31st January 2012 be received.

Resolutions

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

CARRIED

Moved Councillor Lewis, seconded Cr. Loizou that the Capital Income of \$146,105 received from the sale of Industrial Estate blocks be placed in the Recurrent Maintenance Reserve until such time as council makes a decision on its allocation.

CARRIED

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

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).

Resolution

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

CARRIED

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

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).

Resolution

Moved Councillor Loizou, seconded Councillor List that the Department of Environment and Resource Management be advised that Council offers no objection to the 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).

CARRIED

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

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).

Resolution

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

CARRIED

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

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).

Resolution

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

CARRIED

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)

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.

ROADWORKS

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

 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

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."

Resolution

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

CARRIED

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)

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.

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

 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

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."

Resolution

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

CARRIED

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)

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/m2 and must not contain any gaps or breaks in the surface. All panel timbers must be a minimum of 23mm width.

BUILDING WORK

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.

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

 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.

Resolution

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

CARRIED

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)

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.

ROADWORKS

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

 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

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."

Resolution

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

CARRIED

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)

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

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

 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

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

 The minimum floor height of any habitable room 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.

Resolution

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

CARRIED

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

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 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

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

PUBLIC UTILITY SERVICES

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

 An approval for Operational Works under the Sustainable Planning Act must be obtained 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

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.
- 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

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

 An approval for Operational Works under the Sustainable Planning Act must be obtained 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.

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:

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

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

PUBLIC UTILITY SERVICES

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

^{*}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;

- 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

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

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

 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).

Resolution

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

CARRIED

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)

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.

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

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."

Resolution

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

CARRIED

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)

Councillor Lewis declared a conflict of interest in respect of this application as the applicant is his wife's cousin, and left the meeting.

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

 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

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

ADVICE (Note: These are not conditions)

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

Resolution

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

CARRIED

Councillor Lewis returned to the meeting.

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)

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.

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

 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

 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 Loizou, seconded Councillor Lewis that the recommendation be adopted subject to the applicant being informed of the following advice:

· Council has no plans for any upgrading of Eliza Road.

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

AGAINST: Councillor McLaughlin

CARRIED 5/1

5.14 Councillor List seeks clarification on conditions imposed by Council on Development Application

Councillor List sought clarification on the conditions imposed by Council in respect to laundry facilities on a Development Application for a Material Change of Use considered at the previous Council Meeting on 14 February, 2012. The application related to an increase in the number of persons authorised to be accommodated on premises at 30th Ninth Street, Home Hill to 102 persons.

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

Deputy Mayor, Councillor Loizou assumed the Chair.

Following discussions, the Mayor, Cr. McLaughlin returned to the meeting and resumed the Chair.

6. CORPORATE & COMMUNITY SERVICES

7. CORRESPONDENCE FOR INFORMATION

8. NOTICES OF MOTION

9. URGENT BUSINESS

10.GENERAL BUSINESS

10.1 Changes to 2011-2012 Works Implementation Programme

Resolutions

Moved Councillor Haynes, seconded Councillor Lewis that Council approves the following changes to the 2011-2012 Works Implementation Program:

- Young Street Provision of drainage and kerb and channel to complete 50m missing link between end of existing kerb and channel in Gordon Street and proposed development at a cost of \$105,000. Funding to be sourced from under expenditure in existing drainage projects.
- predicted over expenditure on rural roads of approximately \$150,000 be funded from unallocated rural funds.

CARRIED

Moved Councillor Lewis, seconded Cr. Haynes that Council approves the following changes to the 2011-2012 Works Implementation Program:

 Postpone Leichhardt Street kerb and channel to 2012-2013 and reallocate funds to Young Street - Provision of kerb and channel and bitumen widening to western side of Young Street and the Southern side of Lynch Street at a cost of \$110,000.

CARRIED

10.2 Bitumen Widening of 80 Metre Section on Darveniza Road, Home Hill listed for Budget Consideration

Resolution

Moved Councillor Loizou, seconded Councillor Lewis that the bitumen widening of an 80 metre section on Darveniza Road (between the Woods Road intersection and the NDRRA works) be listed for consideration for inclusion in the Works Implementation Program.

CARRIED

10.3 Funds of up to \$15,000 allocated to Design of New Switch Board for Number 1 Conley Street Sewerage Pump Station

Resolution

Moved Councillor Lewis, seconded Councillor Loizou that funds of up to \$15,000 be allocated in the 2011/12 budget for the design of a new switch board for Number 1 Conley Street Sewerage Pump Station.

CARRIED

10.4 Old Mechanism of Ayr Town Clock to be offered to Burdekin Machinery Preservationists

Resolution

Moved Councillor List, seconded Councillor Gazziola that the old mechanism of the Ayr Town Clock be offered to the Burdekin Machinery Preservationists (with Council retaining ownership) for display at the Brandon Heritage Precinct.

CARRIED

11.IN COMMITTEE DISCUSSIONS

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

Resolution

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

72(1)(c) the Council's budget.

CARRIED

Ordinary Meeting of Council Resumed

Resolution

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

CARRIED

12.DELEGATIONS

There being no further business the meeting closed at 12.55 pm.

Ordinary Council Meeting 28 February 2012

These minutes were confirmed by Council at the Ordinary Council Meeting held on 13 March 2012.

MAYOR

3.2 Preliminary Budget Meeting Minutes - 21 February 2012

Recommendation

That the minutes of the Preliminary Budget Meeting held on 21 February 2012 be received as a true and correct record.

BURDEKIN SHIRE COUNCIL

MINUTES - PRELIMINARY BUDGET MEETING HELD ON 21 FEBRUARY 2012

Held in John Drysdale Chamber Commencing at 11.10am

CLAUSE 1 ATTENDANCE

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

Miss T. Jensen - Manager Environment and Health

Mr. W. Saldumbide - Manager Operations

Mr. K. Byers - Manager Technical Services

Mr. T. Cross - Manager Finance

CLAUSE 2 COUNCIL MEETS IN COMMITTEE UNDER SECTION 72 OF LOCAL GOVERNMENT (OPERATIONS) REGULATION 2010

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

72(1)(c) the local government's budget.

CARRIED

CLAUSE 3 MEETING RESUMED

Moved Councillor Lewis, seconded Councillor Haynes that the meeting be resumed.

CARRIED

CLAUSE 4 UPDATE ON WORKS IMPLEMENTATION PROGRAMME

An update was provided on the progress of the Works Implementation Plan.

There being no further business the meeting closed at 2.10pm

Cr. L.A. McLaughlin

MAYOR

3.3 Burdekin Road Safety Advisory Committee Meeting Minutes - 23 November 2011

Recommendation

That the minutes of the Burdekin Road Safety Advisory Committee Meeting held on 23 November 2011 be received as a true and correct record.

BURDEKIN SHIRE COUNCIL

MINUTES - BURDEKIN ROAD SAFETY ADVISORY COMMITTEE MEETING HELD ON 23 NOVEMBER 2011

Held in Ernie Ford Boardroom Commencing at 10.30am

CLAUSE 1 ATTENDANCE

Cr. Lou Loizou – Burdekin Shire Council (Chairman)

Mr. Trevor Williams - Burdekin Shire Council

Mr. Kevin Byers - Burdekin Shire Council

Ms. Beverly Gorman – Department of Transport and Main Roads

Ms. Allison Barlow – Department of Transport and Main Roads

Mr. Tony Gemellaro – Ayr and Home Hill Chambers of Commerce

Ms. Eleanor Betteridge – Seniors Support Service

Ms. Christine Durso - Burdekin Flexible Support

Snr. Constable Jeff Payard - Ayr Police

Minutes Clerk - Miss Kylie Smith

Apologies - Mr. Gerry Southward – Department of Transport and Main Roads

CLAUSE 2 CORRESPONDENCE FOR INFORMATION

1. 1090008 * 04-04-12A & 03-08-11E & 03-03-09 Ms E Lovell - Economic & Community Development Officer

Concerns by Burdekin Race Club regarding street lighting and speed limit in the vicinity of the Burdekin Race Course Home Hill.

Action: Council to submit Traffic Management Plan to the Department of Transport and Main Roads closer to the date of the Burdekin Growers Race Day.

2. 1097823 * 03-03-09

Burdekin Building Safer Communities Action Team - BSCAT

Concerns regarding education of Learner / Provisional drivers in relation to road rules for wide loads and pilot vehicles.

Action: Email to be sent to BSCAT advising of information available in the Your Keys to Driving Booklet as well as a link to information on the Department of Transport and Main Roads website.

3. 1102000 * 06-09-18 & 03-03-09 Musumeci, Alfio Agatino

Request for reduction of speed limit to 60 km/hr on Seventh Avenue Home Hill.

Action: Letter to be sent to the Department of Transport and Main Roads requesting a formal letter on the results of the speed review conducted on Seventh Avenue, Home Hill.

Advice also to be given to members of the community affected on Seventh Avenue, Home Hill.

CLAUSE 3 MINUTES RECEIVED

Moved Mr. Tony Gemellaro, seconded Mr. Kevin Byers that the minutes of the Burdekin Road Safety Advisory Committee meeting held on 25 May 2011 be received as a true and correct record.

CARRIED

CLAUSE 4 GENERAL BUSINESS

- 1. Discussion held regarding new school zone times which will apply across the Queensland State. News school zone times are 7am-9am and 2pm-4pm. Images of new school zone traffic signage was circulated to members.
- 2. National Road Safety Strategy 2011-2020 discussed. Key areas included reducing driver speed and infrastructure of roads and roadsides.
- 3. Mr. Loizou advised that the Bendigo Bank / Home Hill Community Bank has sponsored Defensive Driving Education courses.
- 4. Mr. Williams requested the Ayr Police to provide informal advice to Council when road accidents occur which are serious or fatal so Council is able to assess the road conditions
- 5. Discussion held on Road Trip to Your Licence which is a driver education tool.
- 6. Snr. Constable Payard requested Council to provide advice to the station when regulatory road signage changes throughout the Shire.
- 7. 2012 meeting dates are as follows:

22 February 2012 23 May 2012 22 August 2012 28 November 2012

There being no further business the meeting closed at 11.45am

Cr. Lou Loizou Chairman

3.4 Burdekin Shire Council Local Disaster Management Group Meeting Minutes - 20 January 2012

Recommendation

That the minutes of the Burdekin Shire council Local Disaster Management Group Meeting held on 20 January 2012 be received and adopted.

BURDEKIN SHIRE COUNCIL

MINUTES – BURDEKIN SHIRE COUNCIL LOCAL DISASTER MANAGEMENT GROUP MEETING HELD ON FRIDAY 20TH JANUARY, 2012 AT 12.00 NOON

CLAUSE 1 ATTENDANCE

Core Members

Cr. Lyn McLaughlin - Chairman

Mr. Trevor Williams - Local Disaster Co-ordinator

Mr. Peter Elliott - Emergency Management Queensland

Mr. Robert Sutcliffe - Local Controller

Mr. Ken Holt - Burdekin Shire Council

Cr. Ross Lewis - Burdekin Shire Council

Mr. Wayne Saldumbide - Manager Operations, Burdekin Shire Council

Ms. Tracy Jensen - Manager Environment and Health, Burdekin Shire Council

Ms. Debra Cochran – Burdekin Community Association

Acting Senior Sergeant Craig Hosie - Queensland Police Service, Ayr (Proxy)

Specialist Advisors

Mr. Darryl Hanger - Australian Red Cross

Cr. Lou Loizou - Burdekin Shire Council

Mr. Kevin Byers - Burdekin Shire Council

Ms. Deana Murray - Lower Burdekin Home for the Aged

Mr. Jim Collins - Lower Burdekin Home for the Aged

Mr. Greg Vincett - Queensland Fire and Rescue Service

Mr. V Hewett - Queensland Ambulance Service

Sgt. Leon McKenzie - Queensland Police Service

Ms. Sue Collier – Burdekin Centre for Rural Health - BCA

Mr. Mark McKenzie - Queensland Fire and Rescue Service

Mr. Joshua Fleming - Queensland Fire and Rescue Service, Rural Operations

Snr Constable Shane Schifilliti - Queensland Police

Mr. Dave Russell - Sunwater

Mr. David Jackson - Ayr Advocate

Minutes Clerk - Miss Kylie Smith

Apologies for absence -

Mrs. Libby Davis - Emergency Management Queensland; Mrs. Seanne O'Shea - Burdekin Community Association; Ms. Leanne Jamieson - Centrelink;

Mr. Colin Bendall – Sunwater; Mrs. Merle Scott - Sweet FM; Mr. Vince Papale, Volunteer Marine Rescue; Mr. Arthur Woods - Volunteer Marine Rescue; Mr. Christopher Smart – Ayr Courthouse; Mr. Alan Parravacini – State Emergency Services, Ayr; Mr. Bruce Reid, Queensland Ambulance Service; Anthony Cussons – Queensland Health; Sergeant Adrian Rieck – Giru Police; Senior Sergeant Steve Barton – Queensland Police Service, Ayr; Mr. Mark Biffanti – Ergon Energy; Mr. Ken Johnson - Queensland Fire and Rescue Service; Ms. Mary Vicary - Queensland Health.

CLAUSE 2 MINUTES OF BURDEKIN SHIRE COUNCIL LOCAL DISASTER MANAGEMENT GROUP MEETING HELD ON 21 DECEMBER, 2011

Moved Ms. Cochrane, seconded Acting Snr. Sgt Hosie that the minutes of the Burdekin Shire Council Local Disaster Management Group Meeting held on 21 December 2011 be received.

CARRIED

CLAUSE 3 CORRESPONDENCE FOR INFORMATION

1. 1136381 * 01-10-03

Local Government Association of Queensland

Seasonal Arrangement and New Fact Sheets.

Action - Fact Sheets to be circulated to Agencies

2. 1137678 * 01-10-03

Local Government Association of Queensland

LGAQ Circular - 2012-011 - National Emergency Medal.

3. 1137679 * 01-07-08 * 01-10-03

Local Government Association of Queensland

LGAQ Circular - 2012-001 - New Disaster Management Tool for Councils - Disaster Hub.

4. 1137970 * 01-10-03

Department of Communities

Are you prepared for Summer? Information Relating to Disaster Preparedness.

Action - Forward email to Agencies

5. 1138940 * 01-10-03

Hon Anna Bligh MP - Premier of Queensland

Reflecting on the devastation of 2011 floods and Cyclone Yasi and forwarding thanks on behalf of all Queenslanders and congratulations to Burdekin Shire Council for the hard work carried out during the summer of 2011.

CLAUSE 4 NDRP FUNDING APPLICATION - PORTABLE ELECTRONIC SIGNAGE

Moved Cr. Lewis, seconded Ms. Jensen that Council investigates the cost of 2 portable electronic signs and applies for funding under the Natural Disaster Resilience Program.

CARRIED

CLAUSE 5 REQUEST TO DEPARTMENT OF TRANSPORT AND MAIN ROADS - BURDEKIN STATUS BOARD

Moved Acting Snr. Sgt Hosie, seconded Cr. Lewis that the Local Disaster Management Group corresponds with the Department of Transport and Main Roads requesting the installation of Road Status Boards positioned north and south of the Burdekin region.

CARRIED

CLAUSE 6 AGENCY REPORTING

Emergency Management Queensland – Mr. Peter Elliott

 Training Gap Analysis was tabled and discussion was held on areas that core members and agency groups can attend to strengthen their knowledge and skills.

State Emergency Services - Mr. Robert Sutcliffe

Two new members have been recruited for the Giru SES.

Lower Burdekin Home for the Aged - Ms. Deana Murray

1. Disaster Management Plan for the Home is still in progress.

Burdekin Community Association - Ms. Debra Cochrane

- 1. Emergency Centre Kits are in transit and should arrive soon.
- 2. Computer Notebooks have arrived and are available for use in the event of disaster.

Sunwater - Mr. Dave Russell

 Burdekin Dam has water over spillway. The level over the spillway is rising and at present is at 154.12 metres.

Queensland Police - Sgt Craig Hosie

1. Emergency Control Centre training has been completed.

Burdekin Shire Council - Mr. Trevor Williams

 Meeting to be held with Trevor Williams, Mary Vicary (Queensland Health) and Mark Biffanti (Ergon Energy) to look at procedures to put in place for special needs clients during times of disaster.

There being no further business the meeting closed at 12.45pm

The next Meeting will be held on Friday, 17th February, 2012

CR. L. McLAUGHLIN CHAIRMAN

4 REPORTS

Nil

5 ENVIRONMENT & OPERATIONS

5.1 Robert Ahern - Development Application for Reconfiguring a Lot at

29344 Bruce Highway, McDesme (Lot 3 on SP213948, Parish of Antill,

County of Gladstone)

Document Information

Referring Letter No: 1141480

File No: 2011 SUB (Sub12/0009)

Name of Applicant: Robert Ahern

Location: 29344 Bruce Highway, McDesme (Lot 3 on SP213948, Parish of

Antill, County of Gladstone)

Author and Title: S Great - Manager Planning & Development

Executive Summary

An application has been received from Brazier Motti on behalf of their client Robert Ahern seeking approval for Reconfiguring a Lot (Subdivision) at 29344 Bruce Highway, McDesme (Lot 3 on SP213948, 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 29344 Bruce Highway, McDesme (Lot 3 on SP213948, 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 plans numbered 55904/001A;
 - (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.

SERVICES

4. 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.

DRAINAGE

5. 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

6. 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

7. Any future development on the proposed lots must be located a minimum 100m from the high bank of the Burdekin River.

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 road abutting the southern boundary of proposed lot 5 is not maintained by council. Council has no plans to construct or maintain this road.

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 residential dwelling, sheds and cane farm. Proposed lot 4, considered to be the balance area will continue to be used for agricultural purposes, mainly sugar cane production. Proposed lot 5 will encompass the existing dwelling, two sheds 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 86.1207 and has approximately 565m frontage to the Bruce Highway, 326m frontage to Gillians Road, 470m frontage to Old Home Hill Road and 1050m frontage to an unnamed Road. Proposed lot 4 will have a total area of 40.387ha and proposed lot 5 will have a total area of 45.734ha. The property is currently improved by a single detached dwelling and two sheds with the balance area primarily used for agricultural purposes. Both lots will comply with minimum areas and frontage requirements of the scheme as they will be in excess of 30 hectares and have greater than a 200m frontage to a road. 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 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, the application triggered a referral to the Department of Transport and Main Roads (DTMR) as a concurrence agency due to the lots being on land relating to a State controlled road. Any conditions that the Department has will be attached to the assessment managers decision notice.

Legal Authority or Implications

N/A

Policy Implications

N/A

Financial and Resource Implications

N/A

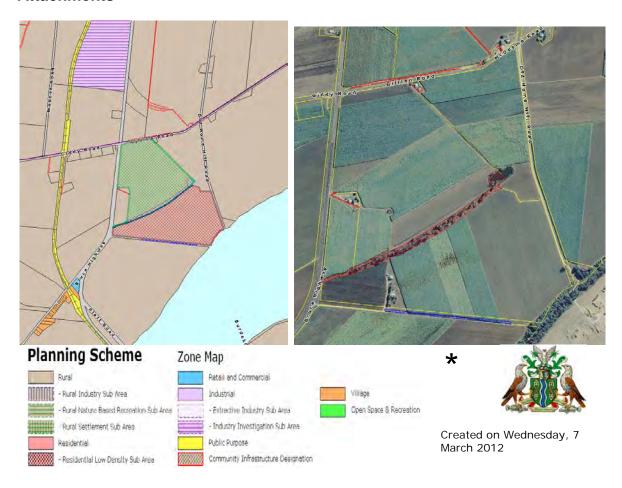
Report prepared by:

S Great - Manager Planning & Development

Report authorised by:

S Great - Manager Planning & Development

Attachments



PROPOSED RECONFIGURATION Lots 4 & 5 Cancelling Lot 3 on SP213948 Pansh of Antill County of Gladstone Shire of Burdelan





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



5.2 Ashley Eaton - Development Application for a Material Change of Use for Home Occupation (Beauty therapy and nail Salon) at 177 Wickham Street, Ayr (Lot 66 on A26516 Parish of Antill, County of Gladstone)

Document Information

Referring Letter No: 1145237

File No: 2011 Cons (Cons12/0002)

Name of Applicant: Ashley Eaton

Location: 177 Wickham Street, Ayr (Lot 66 on A26516 Parish of Antill, County

of Gladstone)

Author and Title: S Great – Manager Planning and Development

Executive Summary

An application has been received from Ashley Eaton, seeking approval for a Home Occupation – Beauty Therapy and Nail salon at 177 Wickham Street, Ayr (Lot 66 on A26516 Parish of Antill, County of Gladstone). A Development Application (Impact Assessable) has been triggered in accordance with the Burdekin Shire Council's IPA Planning Scheme.

Recommendation

That Council approve the Development Application for a Material Change of Use for a Home Occupation – Beauty Therapy and Nail Salon at 177 Wickham Street, Ayr (Lot 66 on A26516 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.
- 1.2 The Home Occupation can only be operated strictly in accordance with the supporting material and approved plans submitted with the application and can only be conducted by a person resident therein.
- 1.3 No source of power other than one or more single phase electric motors having a total connected load of not more than 2.2 kilowatts is used.
- 1.4 The floor area used (whether temporarily or permanently) does not exceed more than one-third of the total floor area of the dwelling house, except with and in accordance with the conditions of an express permission of the Council.
- 1.5 No load is imposed on any local utility greater than that which is normally required by other uses permitted in the zone in which the dwelling house is situated.

- 1.6 No machinery or apparatus causing interference with reception of radio or television signals is used or operated.
- 1.7 There is no public display of goods on the premises.
- 1.8 Only one sign with a maximum face area of 0.5 m² and bearing only the name of the person carrying out the business and the type of business is to be provided on the premises.
- 1.9 The activity does not cause any injury to or have a prejudicial effect on the amenity of the locality in which it is carried out due to the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, grit, oil, waste products, or anything whatsoever.
- 1.10 The approved use shall be undertaken so that no undue disturbance is caused to neighbouring properties by virtue of noise, bright lights, traffic movements or interference with radio and television reception.

BUILDING WORK

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

EXTERNAL WORKS

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.

Advice only

- Businesses which provide higher risk personal appearance services must hold a licence under the *Public Health (Infection Control for Personal Appearance Services) Act 2003*.
 Prior to the commencement of higher risk personal appearance services contact Council's Environment and Health Department for advice on licence application procedures.
- A higher risk personal appearance service involves any of the following skin penetration procedures, in which the release of the blood or other body fluid is an expected result:
 - body piercing, other than closed ear or nose piercing
 - implanting natural or synthetic substances into a person's skin
 - scarring or cutting a person's skin using a sharp instrument to make a permanent mark, pattern or design
 - tattooing (including cosmetic tattooing or semipermanent make-up).
- The footpath between the kerb and property boundary is to be kept clear of parked vehicles.

Background Information

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

An IDAS Development Application has been received from Ashley Eaton seeking permission to conduct a Home Occupation – Beauty Therapy and Nail Salon. The land is zoned 'Residential Low Density Sub Area' under the provisions of Council's IPA Planning Scheme. The proposed use of a 'Home Occupation– Beauty Therapy and Nail Salon' triggers assessable development and is consistent with similar activities that have gained the appropriate approvals for a Home Occupation. The level of assessment is 'Impact assessable'.

The Application:

The applicant has indicated that there will be no employees as part of the proposal and that it is expected there will be no more than one client attending the premises at any given time. Parking provision will include parking two vehicles on the premise with more opportunity for on-street parking. The proposed operational hours would be Monday to Friday 8.00am – 8:00pm and Saturday 8.00am – 1:00pm

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 15th February, 2012 and at the end of the notification period on 6th March, 2012 no submissions had been received.

Site Description/Surrounding Land Uses:

The subject site is located at the southern end of Wickham Street in a predominantly residential area of Ayr.

Conclusion:

Council's Development Assessment Team members have assessed the application and have included reasonable and relevant conditions, these conditions have been included to ensure any possible negative impacts on amenity are minimised. 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:

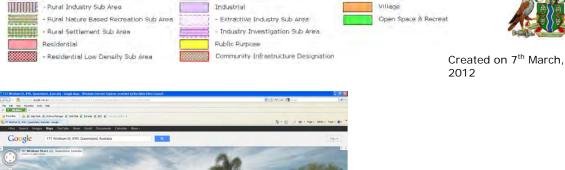
S Great - Manager Planning and Development

Report authorised by:

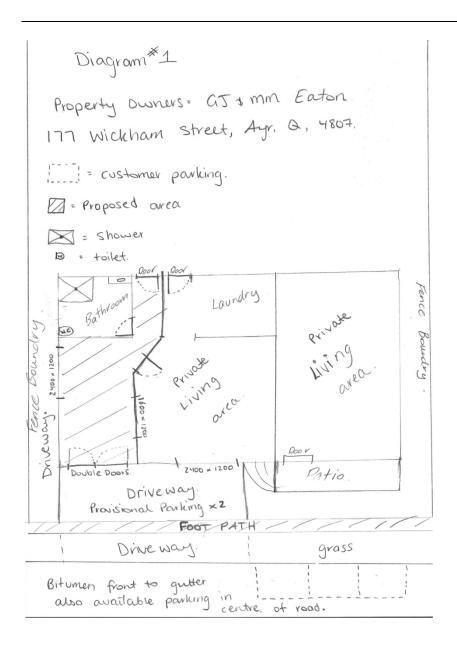
S Great – Manager Planning and Development

Attachments









5.3 28 TFS Properties Limited - Development Application for Material

Change of Use to establish a Sandalwood Industry (forestry) at Foreman Walsh Road, Ayr Dalbeg Road & Pengally Road, Dalbeg

(Parish of Dalbeg, County of Gladstone)

Document Information

Referring Letter No: 1134336

File No: 2011 CONS (CONS11/0028)

Name of Applicant: TFS Properties Limited

Location: 138 Foreman Walsh Road; 8292 Ayr Dalbeg Road; 224 & 313

Foreman Walsh Road; 8228, 8180, 8178, 8064 & 8046 Ayr Dalbeg Road; 364 Foreman Walsh Road; 9 Pengally Road, Dalbeg (Lot 23 on GS314; Lot 25 on GS550; Lot 28 on GS314; Lot 30 on GS333; Lots 32, 33 & 34 on GS314; Lots 37, 38, 39 & 41 on GS315; Parish

of Dalbeg, County of Gladstone)

Author and Title: S Great – Manager Planning and Development

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 138 Foreman Walsh Road; 8292 Ayr Dalbeg Road; 224 & 313 Foreman Walsh Road; 8228, 8180, 8178, 8064 & 8046 Ayr Dalbeg Road; 364 Foreman Walsh Road; 9 Pengally Road, Dalbeg (Lot 23 on GS314; Lot 25 on GS550; Lot 28 on GS314; Lot 30 on GS333; Lots 32, 33 & 34 on GS314; Lots 37, 38, 39 & 41 on GS315; 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 (forestry) at 138 Foreman Walsh Road; 8292 Ayr Dalbeg Road; 224 & 313 Foreman Walsh Road; 8228, 8180, 8178, 8064 & 8046 Ayr Dalbeg Road; 364 Foreman Walsh Road; 9 Pengally Road, Dalbeg (Lot 23 on GS314; Lot 25 on GS550; Lot 28 on GS314; Lot 30 on GS333; Lots 32, 33 & 34 on GS314; Lots 37, 38, 39 & 41 on GS315; 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).

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 Material Change of Use to establish a Sandalwood Industry (forestry). The application has been assessed against the Rural zone Code and the Forestry Code under the provisions of the Burdekin Shire Council's IPA Planning Scheme.

The Application:

The applicant has recently acquired a number of properties in the Dalbeg area with a view to establishing a sandalwood industry. The planning report submitted states that the change of use would have advantages both to the district and to the environment. These include little if any application of fertilizers; substantial reduction in the use of chemical sprays; substantial increase in the use of labour compared to the existing use of sugar cane production and substantial reduction in greenhouse emissions (no burning of crop).

The applicants identify the phases for production of sandalwood as land preparation which is a comparable process to other crops such as sugar. The establishment and maintenance of the plantation which is carried out over a 14-15 year period, the staff numbers will be higher in the first couple of years. This will be followed by harvesting where the product will be taken from the point of harvest to a processing plant located off-site, the site will then be replanted and the process repeated.

Site Description/Surrounding Land Uses:

The subject property is located on land at Foreman Walsh Road, Ayr Dalbeg Road & Pengally Road, Dalbeg. The land has a combined total area of approximately 256ha and is considered relatively flat. The surrounding area is primarily agricultural 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, the application triggered a referral to the Department of Transport and Main Roads (DTMR) as a concurrence agency due to the lots being on land relating to a State controlled road. The application also triggered a referral to the Department of Environment and Resource Management (DERM) as an advice agency due to the proposed new lots being located within a wetland management area. Any conditions that the Departments have will be attached to the assessment manager's decision notice.

Legal Authority or Implications

N/A

Policy Implications

N/A

Financial and Resource Implications

N/A

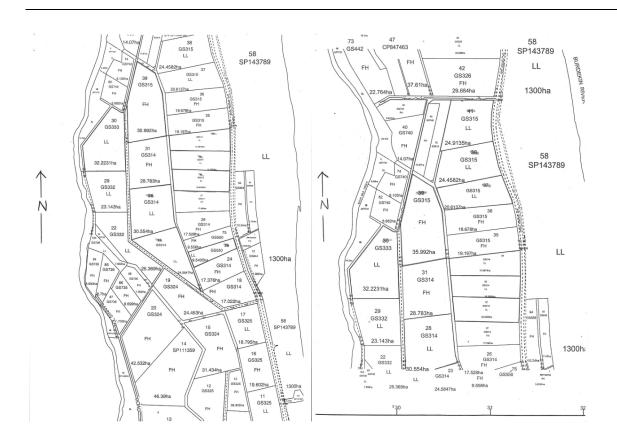
Report prepared by:

S Great - Manager Planning and Development

Report authorised by: S Great – Manager Planning and Development

Attachments





5.4 27 TFS Properties Limited - Development Application for Material Change of Use to establish a Sandalwood Industry (forestry) at 8474 Ayr Dalbeg Road, Dalbeg (Lot 16 on GS325, Parish of Dalbeg, County of Gladstone)

Document Information

Referring Letter No: 1134337

File No: 2011 CONS (CONS11/0027)

Name of Applicant: TFS Properties Limited

Location: 8474 Ayr Dalbeg Road, Dalbeg (Lot 16 on GS325 Parish of Dalbeg,

County of Gladstone)

Author and Title: S Great – Manager Planning and Development

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 8474 Ayr Dalbeg Road, Dalbeg. (Lot 16 on GS325 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 8474 Ayr Dalbeg Road, Dalbeg (Lot 16 on GS325, 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).

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 Material Change of Use to establish a Sandalwood Industry (forestry). The application has been assessed against the Rural zone Code and the Forestry Code under the provisions of the Burdekin Shire Council's IPA Planning Scheme.

The Application:

The applicant has recently acquired a number of properties in the Dalbeg area with a view to establishing a sandalwood industry. The planning report submitted states that the change of use would have advantages both to the district and to the environment. These include little if any application of fertilizers; substantial reduction in the use of chemical sprays; substantial increase in the use of labour compared to the existing use of sugar cane production and substantial reduction in greenhouse emissions (no burning of crop).

The applicants identify the phases for production of sandalwood as land preparation which is a comparable process to other crops such as sugar. The establishment and maintenance of the plantation which is carried out over a 14-15 year period, the staff numbers will be higher in the first couple of years. This will be followed by harvesting where the product will be taken from the point of harvest to a processing plant located off-site, the site will then be replanted and the process repeated.

Site Description/Surrounding Land Uses:

The subject property is located on land at Ayr Dalbeg Road, Dalbeg. The land has an area of 19.602ha and is considered relatively flat. The surrounding area is primarily agricultural 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, the application triggered a referral to the Department of Transport and Main Roads (DTMR) as a concurrence agency due to the lots being on land relating to a State controlled road. Any conditions that the Department has will be attached to the assessment manager's decision notice.

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



5.5 Guy Hills - Development Application for Reconfiguring a Lot at 30935 and 30951 Bruce Highway and 281 Klondyke Road, Brandon (Lot 8 on RP804060. Lot 24 on SP106384 and Lot 22 on SP238854 Parish of Jarvisfield, County of Gladstone)

Document Information

Referring Letter No: 1139912

File No: 2011 Sub (Sub12/0005)

Name of Applicant: Guy Hills

Location: 30935 and 30951 Bruce Highway and 281 Klondyke Road, Brandon

(Lot 8 on RP804060, Lot 24 on SP106384 and Lot 22 on SP238854

Parish of Jarvisfield, County of Gladstone)

Author and Title: S Great – Manager Planning and Development

Executive Summary

An application has been received from Cleve McGuane Surveys Pty Ltd on behalf of their client Guy Hills seeking approval for Reconfiguring a Lot (Boundary Realignment) at 30935 and 30951 Bruce Highway and 281 Klondyke Road, Brandon (Lot 8 on RP804060, Lot 24 on SP106384 and Lot 22 on SP238854 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 30935 and 30951 Bruce Highway and 281 Klondyke Road, Brandon (Lot 8 on RP804060, Lot 24 on SP106384 and Lot 22 on SP238854 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 \$89.40 calculated on the basis of a charge of \$29-80 per lot to be levied on the Council by the Department of Environment & Resource Management for each new valuation.
- 1.3 Provide evidence from a suitably qualified person that proposed lots 22 and 23 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 plan numbered 28469-3;
 - (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 50m from the high bank of Plantation Creek.

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.

SERVICES

7. 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 lot.

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 22 and any new house on proposed lot 23 will be in the vicinity of existing agricultural land uses. The owner of proposed lots 22 and 23 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."

Proposed lot 23 may not be able to connect 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 (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 boundaries of the existing 3 lots to allow for rationalisation of the existing rural land, and also create an extra lot of vacant land that could provide a suitable area for a future dwelling.

A relevant issue that makes this application slightly different from the standard rural lot reconfiguration is the fact that the existing lots the applicant is utilising to make the new proposed lots are located a considerable distance from the farm. There is no provision in the current planning scheme that restricts this from happening.

The applicant is amalgamating lots on the Bruce Highway to compensate for the additional lot that is to be created on the banks of Plantation Creek off Klondyke Road. The nature of the proposed new lot remains within the character of the locality.

These Lots will have areas of 1.619ha and 2.233ha and gain access to Klondyke Road, proposed Lot 22 has an existing residential dwelling on it and proposed Lot 23 will be vacant land. The balance land proposed Lot 24 will have an area of 78.88ha and be improved with a residential dwelling, farm shed and is currently used for the production of sugar cane.

Site Description/Surrounding Land Uses:

The subject site fronting the Bruce Highway has approximately 500m frontage and comprises a total area of 78.88ha. This site is currently improved by a residential dwelling, shed with the remaining land being used for agricultural purposes, mainly the growing of sugar cane. Proposed Lots 22 and 23 are relatively flat with a slight slope north to south towards Plantation Creek. (Hutchings Lagoon) The surrounding area of the subject sites 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

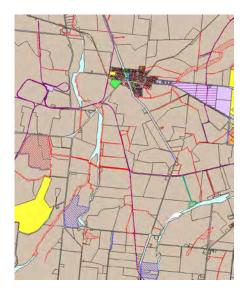
Report prepared by:

S Great – Manager Planning and Development

Report authorised by:

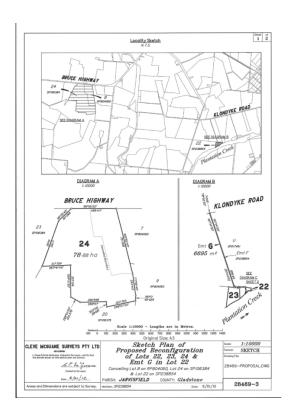
S Great - Manager Planning and Development

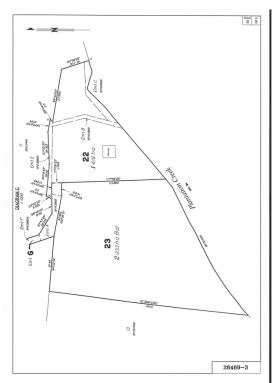
Attachments











5.6 32 TFS Properties Limited - Development Application for Material Change of Use to establish a Sandalwood Industry (forestry) at 7924 & 7888 Ayr Dalbeg Road, Dalbeg (Lots 43 & 44 on GS326, Parish of Dalbeg, County of Gladstone)

Document Information

Referring Letter No: 1134332

File No: 2011 CONS (CONS11/0032)

Name of Applicant: TFS Properties Limited

Location: 7924 & 7888 Ayr Dalbeg Road, Dalbeg (Lots 43 & 44 on GS326

Parish of Dalbeg, County of Gladstone)

Author and Title: S Great – Manager Planning and Development

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 7924 & 7888 Ayr Dalbeg Road, Dalbeg. (Lots 43 & 44 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 7924 & 7888 Ayr Dalbeg Road, Dalbeg (Lots 43 & 44 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.

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).

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 Material Change of Use to establish a Sandalwood Industry (forestry). The application has been assessed against the Rural zone Code and the Forestry Code under the provisions of the Burdekin Shire Council's IPA Planning Scheme.

The Application:

The applicant has recently acquired a number of properties in the Dalbeg area with a view to establishing a sandalwood industry. The planning report submitted states that the change of use would have advantages both to the district and to the environment. These include little if any application of fertilizers; substantial reduction in the use of chemical sprays; substantial increase in the use of labour compared to the existing use of sugar cane production and substantial reduction in greenhouse emissions (no burning of crop).

The applicants identify the phases for production of sandalwood as land preparation which is a comparable process to other crops such as sugar. The establishment and maintenance of the plantation which is carried out over a 14-15 year period, the staff numbers will be higher in the first couple of years. This will be followed by harvesting where the product will be taken from the point of harvest to a processing plant located off-site, the site will then be replanted and the process repeated.

Site Description/Surrounding Land Uses:

The subject property is located on land at Ayr Dalbeg Road, Dalbeg. The land has a combined area of 48.792ha and is considered relatively flat. The surrounding area is primarily agricultural 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, the application triggered a referral to the Department of Transport and Main Roads (DTMR) as a concurrence agency due to the lots being on land relating to a State controlled road. Any conditions that the Department has will be attached to the assessment managers decision notice.

Legal Authority or Implications

N/A

Policy Implications

N/A

Financial and Resource Implications

N/A

Report prepared by:

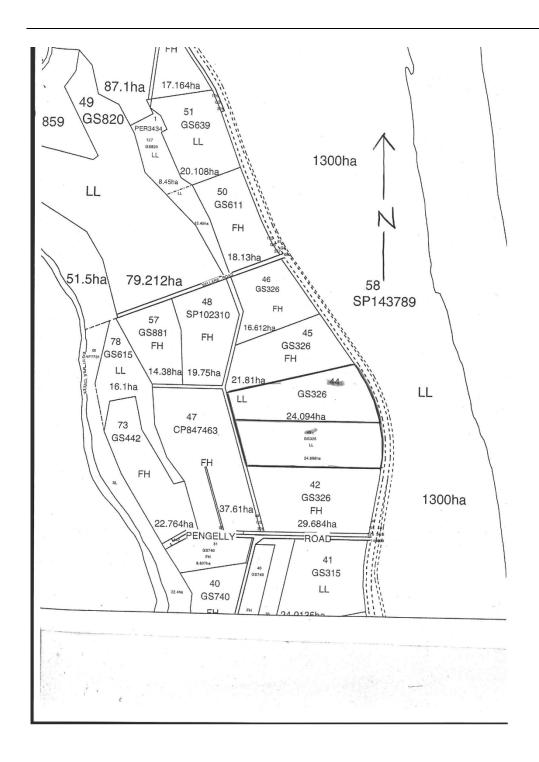
S Great - Manager Planning and Development

Report authorised by:

S Great - Manager Planning and Development

Attachments





5.7 33 TFS Properties Limited - Development Application for Material Change of Use to establish Sandalwood Industry (forestry) at 7676 Ayr Dalbeg Road, Dalbeg (Lot 51 on GS639, Parish of Dalbeg, County of Gladstone)

Document Information

Referring Letter No: 1134331

File No: 2011 CONS (CONS11/0033)

Name of Applicant: TFS Properties Limited

Location: 7676 Ayr Dalbeg Road, Dalbeg (Lot 51 on GS326 Parish of Dalbeg,

County of Gladstone)

Author and Title: S Great – Manager Planning and Development

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 7676 Ayr Dalbeg Road, Dalbeg. (Lot 51 on GS639 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 7676 Ayr Dalbeg Road, Dalbeg (Lot 51 on GS639, 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).

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 Material Change of Use to establish a Sandalwood Industry (forestry). The application has been assessed against the Rural zone Code and the Forestry Code under the provisions of the Burdekin Shire Council's IPA Planning Scheme.

The Application:

The applicant has recently acquired a number of properties in the Dalbeg area with a view to establishing a sandalwood industry. The planning report submitted states that the change of use would have advantages both to the district and to the environment. These include little if any application of fertilizers; substantial reduction in the use of chemical sprays; substantial increase in the use of labour compared to the existing use of sugar cane production and substantial reduction in greenhouse emissions (no burning of crop).

The applicants identify the phases for production of sandalwood as land preparation which is a comparable process to other crops such as sugar. The establishment and maintenance of the plantation which is carried out over a 14-15 year period, the staff numbers will be higher in the first couple of years. This will be followed by harvesting where the product will be taken from the point of harvest to a processing plant located off-site, the site will then be replanted and the process repeated.

Site Description/Surrounding Land Uses:

The subject property is located on land at Ayr Dalbeg Road, Dalbeg. The land has an area of 20.108ha and is considered relatively flat. The surrounding area is primarily agricultural 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, the application triggered a referral to the Department of Transport and Main Roads (DTMR) as a concurrence agency due to the lots being on land relating to a State controlled road. Any conditions that the Department has will be attached to the assessment manager's decision notice.

Legal Authority or Implications

N/A

Policy Implications

N/A

Financial and Resource Implications

N/A

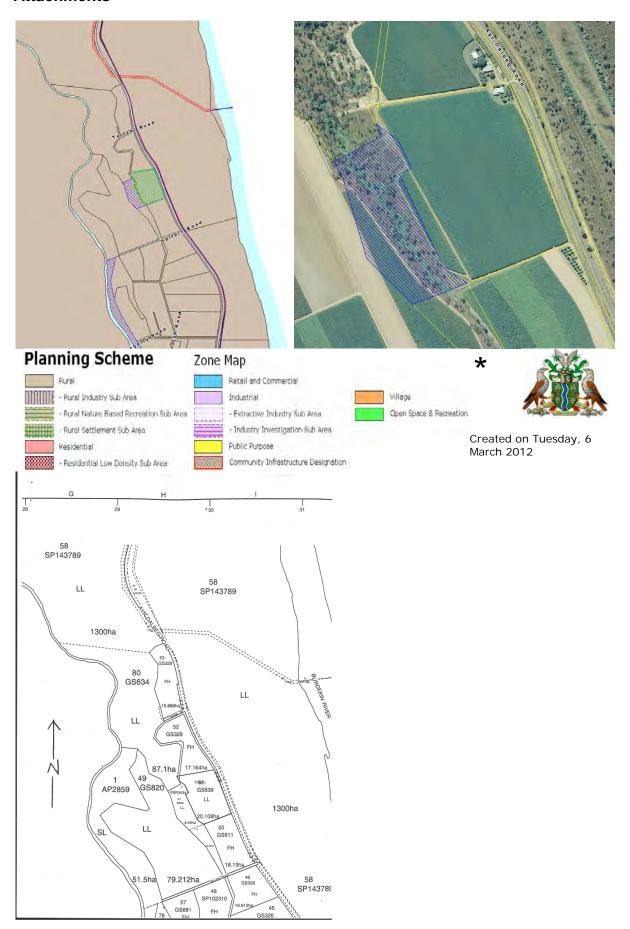
Report prepared by:

S Great - Manager Planning and Development

Report authorised by:

S Great - Manager Planning and Development

Attachments



6 CORPORATE & COMMUNITY SERVICES

6.1 Extension to Gudjuda Cultural Centre

Document Information

Referring Letter No: 1147133

File No: 1/10/15 1/4/5

Name of Applicant: Gudjuda Reference Group Aboriginal Corporation

Location: Plantation Park

Author and Title: Mrs Janice Horan, Grants and Property Officer

Executive Summary

Gudjuda Reference Group Aboriginal Corporation (Gudjuda) has requested financial assistance to complete the extension to the Gudjuda Cultural Centre at Plantation Park.

Recommendation

That Council provide an interest free loan of \$8,000 (no GST applicable) to the Gudjuda Reference Group Aboriginal Corporation towards the cost of completing the extension to the Gudjuda Cultural Centre at Plantation Park, subject to the following conditions:

- 1. Repayments to be made over an agreed period of time;
- 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 extension in good repair and condition;
- 4. 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 building extension (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;

- 5. 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 building extension 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 reinstating the building extension so destroyed or damaged as aforesaid;
- 6.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 respect of the use of the building extension, and against any claims, demands, proceedings, costs, charges and expenses whatsoever in respect thereof;
- 7.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 at all reasonable times to view and examine the condition of the building extension 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.

Background Information

Gudjuda holds a lease with Council over the Gudjuda Cultural Centre (former Ayr School of Arts building) situated at Plantation Park. At present the building is utilised as a retail outlet for indigenous art and a meeting area.

Gudjuda recently sought and received funding to extend the Gudjuda centre on the southern side of the building to create a café area as a business initiative and to provide employment for indigenous people.

Gudjuda members met with Council to advise of their plans to extend the centre. After reviewing the plans, Council representatives requested that the deck extension be redesigned to ensure that an existing tree could be preserved and the roof line changed to a hip roof (instead of a skillion) to complement the roof line of the existing building.

The redesign resulted in additional costs in the order of approximately \$15,000. Therefore, Gudjuda has sought Council's assistance in meeting \$8,000 of the additional costs.

The options available to Council are:

- 1. Provide an interest free loan of \$8,000 repayable over an agreed period of time;
- 2. Provide a donation of \$8,000;
- 3. Provide a combination of a donation and an interest free loan:
- 4. Take no action in the matter.

Link to Corporate/Operational Plan

Corporate Plan 2010 – 2015: Item 5.5 – Provide ongoing support for art, culture, youth, sport, recreation and welfare

Consultation

Members of Gudjuda Reference Group Aboriginal Corporation

Legal Authority or Implications

Nil

Policy Implications

Nil

Financial and Resource Implications

The Community Debt Fund is presently oversubscribed by \$12,660 (assuming a total amount of debt circulating in the community of \$400,000), however, this can be temporarily topped up by other reserves.

Report prepared by:

Mrs Janice Horan, Grants and Property Officer

Report authorised by:

Mr Dan Mulcahy, Director of Corporate and Community Services

Attachments

1. N/A

6.2 First Amended Budget for 2011-2012

Document Information

Referring Letter No: N/A

File No: 02-02-04

Name of Applicant: N/A

Location: N/A

Author and Title: Terry Cross, Manager Financial Services

Executive Summary

An amended budget for the 2011/12 financial year is submitted for adoption to better reflect estimates of income and expenditure for the year. The main purposes of the first amended budget are to bring in the actual retained surplus, include carryover projects and funding, and to include any changes to operating and capital budgets.

Recommendation

That the amended budget and report for the period ending 30 June, 2012 as tabled be adopted.

Background Information

The amended budget is based on best estimates of expenditure and income as provided by the relevant Directors and Managers.

To some degree, the principle of conservatism is practised when estimating so that final actual expenditures are less than the estimates and final actual incomes are more than the estimates.

Financial Analysis

A review of the amended budget raises the following matters:

- 1. An amended operating surplus of \$1,603,936 compares with the original budget surplus of \$1,953,858. An operating surplus or deficit is a performance measure for the period indicative of how well Council's ordinary (day to day) activities are funded. The operating surplus or deficit also indicates Council's sustainability.
- 2. An amended retained surplus of \$27,228 compares with the original budget retained surplus of \$13,786.
- 3. Estimated debt at 30 June, 2012 remains at \$8.4M.

- a. Funded depreciation, other capital reserves and internal borrowings are to be used to support the infrastructure expenditure.
- b. Using internal capital funds for capital projects is financially advantageous and supports Council's future capacity to borrow externally.
- 4. Total amended capital asset acquisitions of \$18.13M compares with the original budget of \$14.39M.
 - a. The carryover and new capital expenditure indicates that the Council is allocating funds for asset refurbishment and replacement as well as new acquisitions to maintain and improve the Council's capital base for provision of services to the community.

Major Variances

The major variances in the amended budget are:

- Revenue
- \$2,478,693 increase in operating grants, subsidies and contributions for NDRRA (Natural Disaster Relief and Recovery Arrangements) flood projects less a net adjustment for early payment of 2012 Commonwealth Financial Assistance Grants (FAGS) in June 2010 and the final approved FAGS for 2012 for general operations and roads
- \$195,000 increase in sales of contract and recoverable works for additional Main Roads maintenance works for State Government
- Expenses
- \$656,150 increase in employee benefits for additional work on NDRRA flood projects and additional flushing for Ayr water supply
- \$2,938,372 increase in materials and services for additional recoverable Main Roads maintenance works and NDRRA flood projects
- Capital Income
- \$508,882 increase in capital grants and subsidies for additional and adjusted grants for roads, drainage, properties, parks and waste management

Depreciation

The depreciation expense was marginally reduced compared with the original estimates.

Depreciation expenses are likely to increase in future due to expected construction and material cost rises affecting asset valuations and as new assets are commissioned for the community.

This is an issue that Council keeps in mind for future budgets.

The increasing costs to maintain existing assets reduces funds available for other purposes, including new capital works, unless additional revenue, grant or loan funds are identified and obtained.

Forecast Years

At this time, the forecasts for the next two financial years of 2012/13 and 2013/14 are not expected to be materially affected by this amendment of the 2011/12 budget estimates and

have been reviewed accordingly. These forecasts undergo more detailed review during Council's annual budget process, usually completed in June.

Measures of Financial Sustainability (Financial Ratios of the Budget)

The budget and any amended budget must include each of the relevant measures of financial sustainability for the financial year for which it is prepared and the next nine financial years.

These ratios are based on and result from Council's current amended budget and the next nine forecast years. Thus they reflect the forecast expectations of the preceding paragraph.

Link to Corporate/Operational Plan

Strategy 1.7 - Ensure effective corporate governance through compliance with legislation and adoption of risk management strategies.

Consultation

Amended Budget has been prepared in accordance with estimates provided by Directors and Managers.

Legal Authority or Implications

Local Government Act 2009

Section 104 Financial management, planning and accountability documents

This section includes the requirement for an annual budget as a financial management document.

Local Government (Finance, Plans and Reporting) Regulation 2010

Section 99 Budget contents

Section 100 Adoption and amendment of the budget

These sections specify the contents of any budget or amended budget and that the local government may, by resolution, amend the budget for a financial year at any time before the end of the financial year.

Policy Implications

N/A

Financial and Resource Implications

Refer to content of report

Report prepared by:

Terry Cross, Manager Financial Services

Report authorised by:

Dan Mulcahy, Director Corporate and Community Services

Attachments

1. Budget Statements for adoption RBUD1 – 11-12

Budgeted Statement of Comprehensive Income

For the periods ending 30 June

	2011/12	2011/12	2012/13	2013/14
	Original Budget	Revised Budget	Revised Budget	Revised Budget
	\$	\$	\$	\$
Revenue				
Rates and utility charges	33,800,090	33,951,790	36,301,607	38,551,985
Less Discounts & Pensioner remissions	-3,373,034	-3,380,034	-3,594,054	-3,811,249
Net rates and utility charges	30,427,056	30,571,756	32,707,553	34,740,736
User fees and charges	2,321,295	2,393,245	2,512,906	2,638,548
Operating grants, subsidies and contributions	14,401,551	16,880,244	12,990,618	3,867,554
Interest revenue	1,587,000	1,587,000	1,572,700	1,673,200
Sales of contract and recoverable works	1,400,000	1,595,000	1,674,750	1,758,487
Other Income	176,196	299,581	314,559	330,285
TOTAL OPERATING REVENUES	50,313,098	53,326,826	51,773,086	45,008,810
Expenses				
Employee benefits	-18,256,120	-18,912,270	-17,947,517	-17,242,297
Materials and services	-21,554,367	-24,492,739	-22,783,861	-16,937,504
Depreciation and Amortisation	-7,976,451	-7,745,579	-8,439,796	-9,168,373
Finance Costs	-572,302	-572,302	-608,518	-678,352
TOTAL OPERATING EXPENSES	-48,359,240	-51,722,890	-49,779,692	-44,026,526
Operating surplus (deficit)	1,953,858	1,603,936	1,993,394	982,284
Capital income and expenditure:				
Cash capital grants, subsidies and contributions	3,702,489	4,211,371	1,869,560	1,364,560
Net result for the period	5,656,347	5,815,307	3,862,954	2,346,844

Budgeted Statement of Financial Position

As at the periods ending 30 June

	2011/12	2011/12	2012/13	2013/14
	Original Budget	Revised Budget	Revised Budget	Revised Budget
	\$	\$	\$	\$
Current Assets				
Cash and deposits	17,136,417	20,278,232	21,990,753	20,992,207
Receivables	2,550,418	3,135,825	3,135,825	3,135,825
Inventories	1,157,916	1,014,805	1,014,805	1,014,805
Other financial assets	188,099	211,834	211,834	211,834
	21,032,850	24,640,696	26,353,217	25,354,671
Non-Current Assets				
Receivables	254,660	300,160	300,160	300,160
Other financial assets	1,536	1,473	1,473	1,473
Property, plant and equipment	413,589,688	413,840,617	417,791,213	421,675,892
Intangible assets	1,122,963	1,047,659	1,010,718	914,156
Capital Work in Progress	4,917,122	3,683,952	3,683,952	3,683,952
	419,885,969	418,873,861	422,787,516	426,575,633
TOTAL ASSETS	440,918,819	443,514,557	449,140,733	451,930,304
Current Liabilities				
Trade and other payables	3,030,988	4,371,850	4,371,850	4,371,850
Interest bearing liabilities		1,566,772	1,723,729	1,629,818
Provisions	460,059	101,046	101,046	101,046
Other	3,082	1,197	1,197	1,197
	3,494,129	6,040,865	6,197,822	6,103,911
Non-Current Liabilities				
Trade and other payables	429,756	441,002	441,002	441,002
Interest bearing liabilities	8,376,084	6,801,159	8,407,424	8,944,062
Provisions	9,243,591	9,838,227	9,838,227	9,838,227
	18,049,431	17,080,388	18,686,653	19,223,291
TOTAL LIABILITIES	21,543,560	23,121,253	24,884,475	25,327,202
NET COMMUNITY ASSETS	419,375,259	420,393,304	424,256,258	426,603,102
Community Equity				
Investment in capital assets	155,654,722	156,609,696	158,770,670	162,126,601
Future Capital Sustainability Reserve	8,912,771	9,053,346	9,890,484	10,867,922
Asset revaluation reserve	248,045,690	245,863,899	245,863,899	245,863,899
Other reserves	6,748,290	8,839,135	9,722,328	7,739,159
Accumulated Surplus/(Deficiency)	13,786	27,228	8,877	5,521
TOTAL COMMUNITY EQUITY	419,375,259	420,393,304	424,256,258	426,603,102

Budgeted Statement of Cash Flows

For the periods ending 30 June

	2011/12	2011/12	2012/13	2013/14
	Original Budget	Revised Budget	Revised Budget	Revised Budget
	\$	\$	\$	\$
Cash Flows from Operating Activities				
Receipts				
Net rates and utility charges	30,427,056	30,571,756	32,707,553	34,740,736
Total fees and charges	2,321,295	2,393,245	2,512,906	2,638,548
Sales of contract and recoverable works	1,400,000	1,595,000	1,674,750	1,758,487
Interest revenue	1,587,000	1,587,000	1,572,700	1,673,200
Contributions and donations	148,639	201,226	211,287	221,850
Government subsidies and grants	14,252,912	16,679,018	12,779,331	3,645,704
Other Income	176,196	299,581	314,559	330,285
	50,313,098	53,326,826	51,773,086	45,008,810
Payments				
Employee benefits	-18,119,120	-18,775,270	-17,947,517	-17,242,297
Materials and services	-21,554,367	-24,492,739	-22,783,861	-16,937,504
Finance costs	-572,302	-572,302	-608,518	-678,352
	-40,245,789	-43,840,311	-41,339,896	-34,858,153
Cash provided by / (used in) operational activities	10,067,309	9,486,515	10,433,190	10,150,657
Cash Flow from Investing Activities :				
Proceeds from sale of capital assets	470,000	486,000	457,000	480,000
Contributions				
Government grants and subsidies	3,702,489	4,211,371	1,869,560	1,364,560
Payments for property, plant and equipment	-14,237,691	-17,751,048	-12,744,451	-13,430,490
Payments for intangibles	-157,300	-377,389	-66,000	-6,000
Net proceeds (cost) from advances and cash investments		1,000,000		
Net cash provided by investing activities	-10,222,502	-12,431,066	-10,483,891	-11,591,930
Cash Flow from Financing Activities :				
Proceeds from borrowings	1,400,000	1,400,000	3,450,000	2,250,000
Repayment of borrowings	-1,883,629	-1,883,629	-1,686,778	-1,807,273
Net cash provided by financing activities	-483,629	-483,629	1,763,222	442,727
Net Increase (Decrease) in Cash Held	-638,822	-3,428,180	1,712,521	-998,546
Cash at beginning of reporting period	17,775,239	23,706,412	20,278,232	21,990,753
Cash at end of Reporting Period	17,136,417	20,278,232	21,990,753	20,992,207

Budgeted Statement of Changes in Equity

For the periods ending 30 June

		T.,				Databased Co.				0			
	Total					Retained Surplus/Deficit				Capital			
	2011/12	2011/12	2012/13	2013/14	2011/12	2011/12	2012/13	2013/14	2011/12	2011/12	2012/13	2013/14	
	OBUD	RBUD	RBUD	RBUD	OBUD	RBUD	RBUD	RBUD	OBUD	RBUD	RBUD	RBUD	
	\$	s	s	\$	s	s	s	\$	\$	\$	\$	s	
Balance at the beginning of period	413,718,912	414,577,997	420,393,304	424,256,258	43,864	20,925	27,228	8,877	158,759,072	157,905,536	165,663,042	168,661,154	
Increase (decrease) in net result	5,656,347	5,815,307	3,862,954	2,346,844	5,656,347	5,815,307	3,862,954	2,346,844					
Other transfers to capital and reserves					-6,071,358	-7,907,797	-4,081,305	-2,684,060	565,165	1,351,012	530,552	768,809	
Transfers from capital and reserves					384,933	2,098,793	200,000	333,860					
Transfers between capital and reserves									5,243,256	6,406,494	2,467,560	3,564,560	
Balance at the end of period	419,375,259	420,393,304	424,256,258	426,603,102	13,786	27,228	8,877	5,521	164,567,493	165,663,042	168,661,154	172,994,523	

Balance at the beginning of period
Increase (decrease) in net result
Transfers to capital and reserves
Transfers from capital and reserves
Transfers between capital and reserves
Balance at the end of period

	Asset Revalua	ation Reserve			Other R	eserves	
2011/12	2011/12	2012/13	2013/14	2011/12	2011/12	2012/13	2013/14
OBUD	RBUD	RBUD	RBUD	OBUD	RBUD	RBUD	RBUD
\$	\$	\$	\$	\$	\$	\$	\$
248,045,690	245,863,899	245,863,899	245,863,899	6,870,286	10,787,637	8,839,135	9,722,328
1				5,506,193	6,556,785	3,550,753	1,915,251
1				-384,933	-2,098,793	-200,000	-333,860
				-5,243,256	-6,406,494	-2,467,560	-3,564,560
248,045,690	245,863,899	245,863,899	245,863,899	6,748,290	8,839,135	9,722,328	7,739,159

Financial Ratios of the Budget

For the years ending 30 June											
	2011/12	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21
	OBUD	RBUD	RBUD	RBUD	RBUD	RBUD	RBUD	RBUD	RBUD	RBUD	RBUD
	%	%	%	%	%	%	%	%	%	%	%
Asset Sustainability Ratio											
Expenditure on replacement assets											
Funded depreciation for year	91.7%	114.2%	89.8%	99.0%	84.7%	82.6%	77.0%	78.1%	72.0%	70.1%	64.6%
The extent to which current year replacements are funded from			00.070	00.070	04.170	02.070	11.0%	70.170	12.070	10.170	04.070
,											
Asset Consumption Ratio											
Written down value of infrastructure assets											
Replacement cost of infrastructure assets	77.4%	77.7%	76.3%	75.6%	74.8%	73.9%	73.2%	72.3%	70.6%	69.8%	68.5%
The written down current value of Council's depreciable assets				75.0%	74.070	73.9%	73.276	12.3%	70.0%	09.076	00.576
The whiteh down current value of Council's depreciable assets i	elative to their as	illew value ili u	to date prices								
Interest Coverage Ratio											
Net Interest expense on debt service											
Total operating revenue	-2.1%	-2.0%	-1.9%	-2.3%	-1.9%	-1.8%	-1.7%	-1.6%	-1.5%	-1.6%	-1.8%
Indicates the extent to which Council's operating revenues are c	ommitted to net i	nterest expense									
Debt Payment Ratio											
Debt servicing & redemption cost											
Total operating revenue	4.8%	4.5%	4.4%	5.4%	5.6%	5.8%	6.3%	6.4%	6.7%	6.8%	7.0%
Extent to which total operating revenue services Council's intere	st and redemption	n									
Operating Surplus Ratio											
Net operating surplus											
Total operating revenue	3.9%	3.0%	3.9%	2.2%	2.4%	1.8%	1.9%	1.7%	1.5%	1.0%	1.2%
Extent to which operating revenue covers operational expenses	3.370	3.070	3.3 %	2.270	2.470	1.0%	1.570	1.7 70	1.570	1.070	1.270
A ratio >0% indicates an operating surplus, these funds are available.	lable to maintain	or increase cour	ncil's canital value								
A ratio <0% indicates an operating loss, results in opening capital											
A ratio -0 // indicates an operating loss, results in opening capita	a value deciling	Willell Has latar	s sustainability is	3003							
Payanya Patia											
Revenue Ratio											
Rate revenue	60.50/	E7 20/	62.20/	77.00/	77.00/	70.40/	70.40/	70.00/	70.00/	70.00/	70.00/
Total revenue	60.5%	57.3%	63.2%	77.2%	77.8%	78.1%	78.4%	78.8%	78.9%	79.0%	79.2%
The extent to which Council's total revenue is funded by rates ar	id charges										

or the years ending 30 June											
	2011/12	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/2
	OBUD %	RBUD %	RBUD %	RBUD %	RBUD %	RBUD %	RBUD %	RBUD %	RBUD %	RBUD %	RBUD %
	70	70	70	70	70	70	70	70	70	70	70
Norking Capital Ratio											
Current assets											
Current liabilities	6.0 : 1	4.1 : 1	4.3 : 1	4.2:1	4.3 : 1	4.4:1	4.7 : 1	5.0 : 1	5.5 : 1	6.0 : 1	6.7 : 1
Measures the extent to which Council has liquid assets available	to meet short te	rm financial oblig	ations								
evel of Debt											
Total liabilities											
Total assets	4.9%	5.2%	5.5%	5.6%	6.1%	6.3%	6.7%	7.2%	7.4%	7.7%	7.8%
Measures the extent to which total assets are funded from loan											
Net Financial Liabilities Ratio											
Total liabilities-current assets											
Operating revenue	1.0%	-2.8%	-2.8%	-0.1%	3.7%	3.8%	4.6%	5.4%	1.9%	-0.2%	-5.3%
Measures the extent to which the net financial liabilities of Counc	il can be service	d by operating re	evenues								
All Rates/Total Operating Costs	62.9%	59.1%	65.7%	78.9%	79.7%	79.5%	80.0%	80.2%	80.1%	79.8%	80.1%
ndicates extent of total operating costs that are funded by curren	it rates and char	ges									
let rates & utility charges original budget prior year	28,902,450	28,902,450	30,571,756	32,707,553	34,740,736	37,054,201	39,265,615	41,704,436	44,507,298	46,911,112	49.580.8
let rates & utility charges budgeted for current year	30,427,056	30,571,756	32,707,553	34,740,736	37,054,201	39,265,615	41,704,436	44,507,298	46,911,112	49,580,837	52,547,4
Change rates and utility charges net of discounts	1,524,606	1,669,306	2,135,797	2,033,183	2,313,465	2,211,414	2,438,821	2,802,862	2,403,814	2,669,725	2,966,5
Percentage change	5.3%	5.8%	7.0%	6.2%	6.7%	6.0%	6.2%	6.7%	5.4%	5.7%	6.0%

7 CORRESPONDENCE FOR INFORMATION

Tabled Separately

- **8 NOTICES OF MOTION**
- 9 URGENT BUSINESS
- **10 GENERAL BUSINESS**
- 11 IN COMMITTEE DISCUSSIONS
- **12 DELEGATIONS**