



**BURDEKIN SHIRE COUNCIL**



# **AGENDA**

## **ORDINARY COUNCIL MEETING**

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

**on 24 July 2012**

**COMMENCING AT 9:00AM**



**TUESDAY 24 JULY 2012**

## **ORDER OF BUSINESS:**

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# **BURDEKIN SHIRE COUNCIL**



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## **1 PRAYER**

## **2 DECLARATIONS OF INTEREST**

## **3 MINUTES AND BUSINESS ARISING**

### **3.1 Ordinary Council Meeting Minutes - 10 July 2012**

#### **Recommendation**

That the minutes of the Ordinary Council Meeting held on 10 July 2012 be received as a true and correct record.



**BURDEKIN SHIRE COUNCIL**



# **MINUTES**

## **ORDINARY COUNCIL MEETING**

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

**on 10 July 2012**

**COMMENCING AT 9:00AM**



**TUESDAY 10 JULY 2012**

### **ORDER OF BUSINESS:**

<b>ITEM</b>	<b>PRECIS</b>	<b>PAGE</b>
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<b>3</b>	<b>MINUTES AND BUSINESS ARISING</b>	<b>1</b>
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<b>10.2</b>	<b>Letter to be forwarded to Woolworths Supermarket requesting Toilets be opened to Public</b>	<b>4</b>
<b>10.3</b>	<b>Manager Economic and Community Development, Tony Vaccaro appointed as Community Representative to North Queensland Sports Foundation</b>	<b>4</b>
<b>10.4</b>	<b>Amendment to Subordinate Local Law 4 Schedule 2 No. 10(a) to include description for Comfort Stop Land Area</b>	<b>5</b>
<b>10.5</b>	<b>Amendment to Subordinate Local Law 4 Schedule 2 to allow Camping at Funny Dunny Park, Wunjunga for Period</b>	<b>5</b>

Ordinary Council Meeting 10 July 2012



## **BURDEKIN SHIRE COUNCIL**



of 4 days

<b>11</b>	<b>IN COMMITTEE DISCUSSIONS</b>	<b>5</b>
<b>12</b>	<b>DELEGATIONS</b>	<b>6</b>

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## **ATTENDANCE**

Councillors W.C. Lowis (Mayor), R.H. Lewis (Deputy Mayor), L.D. McCathie, L. Loizou, U.E. Liessmann, P.M. Dalle Cort and E.J. Bawden

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

Minutes Clerk – Mrs. Vicki Walker

## **1 PRAYER**

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

## **2 DECLARATIONS OF INTEREST**

The Mayor called for declarations of interest.

No declarations of interest were identified.

## **3 MINUTES AND BUSINESS ARISING**

### **3.1 Ordinary Council Meeting Minutes - 26 June 2012**

#### **Recommendation**

That the minutes of the Ordinary Council Meeting held on 26 June 2012 be received as a true and correct record.

#### **Resolution**

Moved Councillor Liessmann, seconded Councillor McCathie that the recommendation be adopted subject to the following amendments:

Item 8.1 - Amend wording "Councillor Dalle Cort returned to the meeting" to "Councillor Dalle Cort voted in favour of the motion".

CARRIED



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### **3.2 Budget Workshop Minutes - 19 June 2012**

#### **Recommendation**

That the minutes of the Budget Workshop held on 19 June 2012 be received as a true and correct record.

#### **Resolution**

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

CARRIED

## **4 REPORTS**

## **5 ENVIRONMENT & OPERATIONS**

## **6 CORPORATE & COMMUNITY SERVICES**

### **6.1 Museum of Tropical Queensland Community Pass Program**

#### **Executive Summary**

The Museum of Tropical Queensland (MTQ) has corresponded with Council requesting the renewal of Council's participation in the Community Pass Program.

#### **Recommendation**

That Council agrees to enter into a new agreement formalising Council's participation in the Community Pass Program (CPP) with the Museum of Tropical Queensland (MTQ) for the period 1 July 2012 to 30 June 2013 for an annual fee of \$10,576 (ex GST) providing that the MTQ continues to provide Council with visitation statistics and continues to market and promote the CPP and MTQ within the Burdekin Shire.

#### **Resolution**

Moved Councillor Liessmann, seconded Councillor Bawden that the recommendation be adopted.

CARRIED

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## **7 CORRESPONDENCE FOR INFORMATION**

## **8 NOTICES OF MOTION**

### **8.1 Reimbursement to Home Hill Boat Club - Supply of Water to Groper Creek Reserve for Public Use**

Councillor Lewis declared a perceived conflict of interest in respect of this item as his business partner is the Commodore of the Home Hill Boat Club, and remained in the meeting.

#### **Recommendation**

That Council reimburses Home Hill Boat Club the amount of \$3,071-25 (ex GST) being for the supply of water to the Groper Creek reserve for public use for 2011-12 noting that the supply of water is a long standing arrangement between the Council and the Club and that 2011-12 was the first year of charging for bulk water supply.

#### **Resolution**

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

CARRIED

Councillor Lewis voted in favour of the motion.

## **9 URGENT BUSINESS**

## **10 GENERAL BUSINESS**

### **10.1 Camping Signage to be erected in Local Areas in accordance with Local Laws - Local Laws to be enforced once Signage is erected**

#### **Resolution**

##### Motion

Moved Councillor Dalle Cort, seconded Councillor Liessmann that Council officers erect signage as soon as possible in accordance with Council's Local Laws in the following areas:

Wunjunga (Funny Dunny Park)  
Plantation Park

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#### Amendment to the Motion

Moved Councillor McCathie, seconded Councillor Liessmann that camping signage for all local areas be erected as soon as possible in accordance with Local Laws

FOR: Councillors Lowis, McCathie, Loizou, Liessmann, Dalle Cort

AGAINST: Councillors Lewis and Bawden

CARRIED 5/2

#### Voting on the Amendment as the Motion

FOR: Councillors Lowis, McCathie, Loizou, Liessmann, Dalle Cort

AGAINST: Councillors Lewis and Bawden

CARRIED 5/2

Moved Councillor Dalle Cort, seconded Councillor Liessmann that once camping signage is erected in local areas in accordance with Local Laws, appropriate action be taken to enforce the Local Laws.

CARRIED

### **10.2 Letter to be forwarded to Woolworths Supermarket requesting Toilets be opened to Public**

#### **Resolution**

Moved Councillor Bawden, seconded Councillor Liessmann that Council corresponds with Woolworths Supermarket requesting that the toilets located adjacent to the supermarket be opened to the public, as it was Council's view at the time of considering the development application for expansion that the toilets would be for public use.

CARRIED

### **10.3 Manager Economic and Community Development, Tony Vaccaro appointed as Community Representative to North Queensland Sports Foundation**

#### **Resolution**

Moved Councillor Lewis, seconded Councillor McCathie that Manager Economic and Community Development, Tony Vaccaro be appointed as community representative to the North Queensland Sports Foundation.

CARRIED

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#### **10.4 Amendment to Subordinate Local Law 4 Schedule 2 No. 10(a) to include description for Comfort Stop Land Area**

##### **Resolution**

Moved Councillor Loizou, seconded Councillor Liessmann that in respect of Subordinate Local Law 4 Schedule 2 Item 10(a), the description for the land area of the Home Hill Comfort Stop be defined as Lot 20 on SP164382 and Railway Avenue from Tenth Street to Sixth Street.

CARRIED

#### **10.5 Amendment to Subordinate Local Law 4 Schedule 2 to allow Camping at Funny Dunny Park, Wunjunga for Period of 4 days**

##### **Resolution**

Moved Councillor Dalle Cort, seconded Councillor Liessmann that in respect of Subordinate Local Law 4 Schedule 2 Item 10, the permitted time period for camping at Funny Dunny Park, Wunjunga be changed from 48 hours to 4 days in any 14 day period.

CARRIED

### **11 IN COMMITTEE DISCUSSIONS**

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

##### **Resolution**

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

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

72(1)(h) other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage;

for the purpose of discussing:

1. Legal matter in relation to an animal
2. Sale of Council freehold land in Conley Street, Ayr

CARRIED

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## **Ordinary Meeting of Council Resumed**

### **Resolution**

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

CARRIED

## **12 DELEGATIONS**

There being no further business the meeting closed at 1.15 pm.

**These minutes were confirmed by Council at the Ordinary Council Meeting held on 24 July 2012.**

**MAYOR**

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### **3.2 Budget Workshop Minutes - 17 July 2012**

#### **Recommendation**

That the minutes of the Budget Workshop Meeting held on 17 July 2012 be received as a true and correct record.

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**BURDEKIN SHIRE COUNCIL**  
**MINUTES – BUDGET WORKSHOP**

Held in John Drysdale Chamber  
Tuesday 17 July 2012  
Commencing 3.00 pm.

**ATTENDANCE**

Councillors W.C. Lowis (Mayor), R.H. Lewis (Deputy Mayor), L.D. McCathie, L. Loizou, U.E. Liessmann and E.J. Bawden

Mr. K. Holt – Chief Executive Officer  
Mr. D.P. Mulcahy – Director Corporate and Community Services  
Mr. T.G. Williams – Director Environment and Operations  
Mr. W. Saldumbide – Manager Operations  
Mr. K. Byers – Manager Technical Services  
Miss T. Jensen – Manager Environment and Health  
Mr. T. Cross – Manager Financial Services  
Mrs. K Olsen – Senior Financial Accountant  
Mrs. K. Cortabitarte – Financial Accountant

Apology – Councillor P.M. Dalle Cort

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

**Resolution**

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

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

CARRIED

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## **2. Ordinary Meeting of Council Resumed**

### **Resolution**

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

CARRIED

There being no further business the meeting closed at 5.10 pm.

**These minutes were confirmed by Council at the Ordinary Council Meeting held on 24 July 2012.**

**MAYOR**



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## 4 REPORTS

## 5 ENVIRONMENT & OPERATIONS

### 5.1 Trustee Lease - Millaroo and Dalbeg Rural Fire Brigade

#### Document Information

**Referring Letter No:** 1169142

**File No:** 01-04-05F

**Name of Applicant:** Millaroo-Dalbeg Rural Fire Brigade

**Location:** Lot 2 on M91019 (2-8 Carty Street Millaroo)

**Author and Title:** Connie Elton, Corporate Management Support Officer

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#### Executive Summary

Council has received a proposal from the Department of Community Safety on behalf of the Millaroo-Dalbeg Rural Fire Brigade to construct a fire station to house their medium attack fire appliance. A potential site has been identified at Lot 2 on M91019, adjacent to the Millaroo community pool on Carty St.

#### Recommendation

That Council approves in principle a trustee lease under Section 57 of the Land Act 1994 to The State of Queensland (represented by the Department of Community Safety) over part of Lot 2 on M91019 subject to the following terms:

- a) Purpose – The facility will be used as a station and storage area to store the fire truck (medium attack appliance) and associated fire fighting equipment.
- b) Area – approximately 1000m<sup>2</sup> of land on Lot 2 on M91019, Reserve for Local Government R.167 (adjacent to the pool area).
- c) Term – the lease shall be for twenty (20) years.
- d) Rental - \$0.10 per annum if and when demanded.
- e) Access – entry and exit to the station will be through Carty Street.
- f) The Department of Community Safety to pay all costs associated with preparation of a survey plan and registration fees for the trustee lease.

#### Background Information

Council has been approached by Mr Tony Hazel, Rural Operations Area Director, Department of Community Safety with regards to leasing a parcel of land in Millaroo to construct a fire station for the Millaroo and Dalbeg Rural Fire Brigade.

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The station will be used as a storage area to store a fire truck (medium attack appliance) and associated fire fighting equipment and will be available to be accessed 24/7 for operational purposes. Other than operational access, the occasional meeting/training for volunteers is likely to be conducted at night or on weekends. Entry and exit to the station will be via Carty Street.

The proposed location is an approximate area of 1000m<sup>2</sup> (adjacent to the pool).  
There is a requirement to ensure future development does not:

- a) restrict vehicle access to the pool via Cunningham Street or ;
- b) impact on the pool redevelopment.

Tracey Jensen, Manager of Environmental Health has reviewed the site and approves a lease over the area based on the conditions above.

The land is a Reserve for Local Government R.167 therefore all construction of improvements and tenures on the reserve will require approval from the Department of Environment and Resource Management (DERM).

Council proposes to keep the conditions of this Trustee Lease similar to leases of this nature held with the Department of Community Safety.

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

6.1 Promote community participation, support community groups, and maintain and grow social capital.

6.4 Facilitate and provide ongoing support for approved community groups.

#### **Consultation**

Discussions with applicants.

#### **Legal Authority or Implications**

In accordance with DERM Policy on Secondary Use of Trust Land and the Land Act 1994.

#### **Policy Implications**

N/A

#### **Financial and Resource Implications**

Requirement for lease document to be produced.

#### **Report prepared by:**

Connie Elton, Corporate Management Support Officer

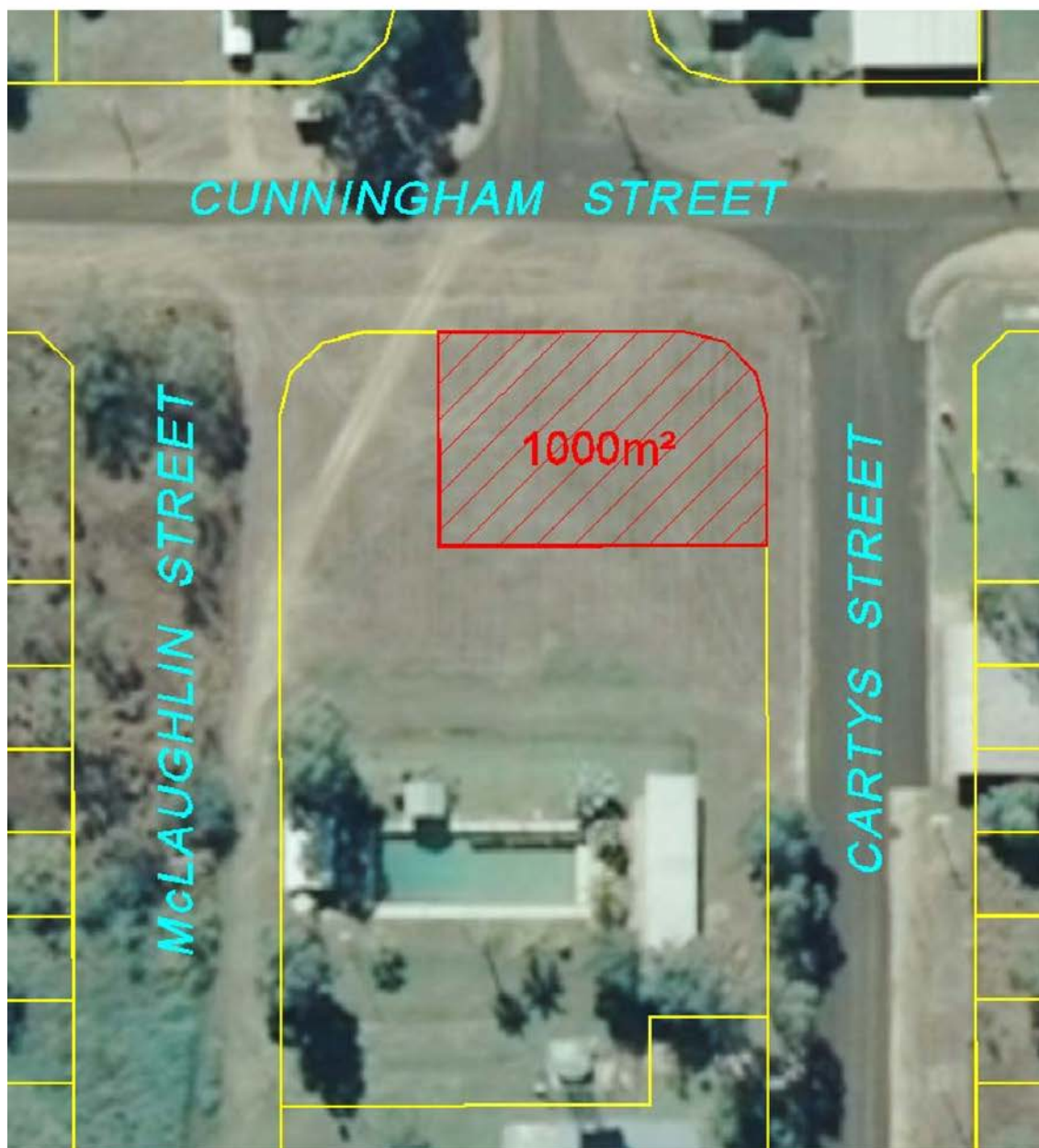
#### **Report authorised by:**

Dan Mulcahy, Director Corporate and Community Services

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## **Attachments**

1. Sketch Plan - Lot 2 on M91019



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## **5.2 Conversion to Freehold of Special Lease 44-46047, 26-28 SS Wakefield Avenue, Jerona (lot 6 on GS934)**

### **Document Information**

**Referring Letter No:** 1163602

**File No:** 1/4/5

**Name of Applicant:** Department of Environment and Resource Management

**Location:** 26-28 Wakefield Avenue, Jerona (Lot 6 on GS934, Parish of Selkirk, County of Gladstone)

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

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### **Executive Summary**

A request has been received from Department of Environment & Resource Management (DERM), seeking Council's views in respect of the application for conversion to freehold of special lease over land described as 26-28 SS Wakefield Avenue, Jerona (Lot 6 on GS934, 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 application for conversion to freehold of special lease over land described as 26-28 SS Wakefield Avenue, Jerona (Lot 6 on GS934, Parish of Selkirk, County of Gladstone) provided that:

1. Any changes in use of the land is in accordance with Council's Planning Scheme; and
2. The applicant is advised that access to Jerona is not serviced by an all-weather road and Council cannot guarantee to provide access at all times.

### **Background Information**

Correspondence has been received from Department Environment and Resource Management, requesting Council's views on the application for the conversion to freehold of special lease over land described as 26-28 SS Wakefield Avenue, Jerona (Lot 6 on GS934, Parish of Selkirk, County of Gladstone).

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

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Council's Manager – Environment and Health, Tracy Jensen has recommended that as the land is a small allotment, and the purpose of the land is residential, that Council offer no objection to the request.

**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



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### 5.3 Application for Permit to Occupy over lot 154 on GS814666, Weir Road, Millaroo

#### Document Information

**Referring Letter No:** 1179683

**File No:** 1/4/5a

**Name of Applicant:** Jim Dunn

**Location:** Lot 154 on GS814666, Weir Road, Millaroo (Parish of Millaroo, County of Gladstone)

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

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#### Executive Summary

A request has been received from Mr Jim Dunn, seeking Council's views in respect of a proposed application for a permit to occupy over land described as Lot 154 on GS814666, Weir Road, Millaroo (Parish of Millaroo, County of Gladstone), in accordance with the Departments requirements.

#### Recommendation

That Council offers no objection to the request from Mr Jim Dunn for the proposed application for a permit to occupy over land described as Lot 154 on GS814666, Weir Road, Millaroo (Parish of Millaroo, County of Gladstone) provided that:

- 1) A current Pest Management Plan is in place;
- 2) Fencing is maintained to Industry Best Practice;

#### Background Information

Correspondence has been received from Mr Jim Dunn, requesting Council's views on the proposed application for a Permit to Occupy over land described as Lot 154 on GS814666, Weir Road, Millaroo (Parish of Millaroo, County of Gladstone).

Council's views in respect of the proposed application for a Permit to Occupy are requested in accordance with Department of Environment and Resource Management requirements.

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

#### Link to Corporate/Operational Plan

N/A



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## Consultation

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

## Legal Authority or Implications

N/A

## Policy Implications

N/A

## Financial and Resource Implications

N/A

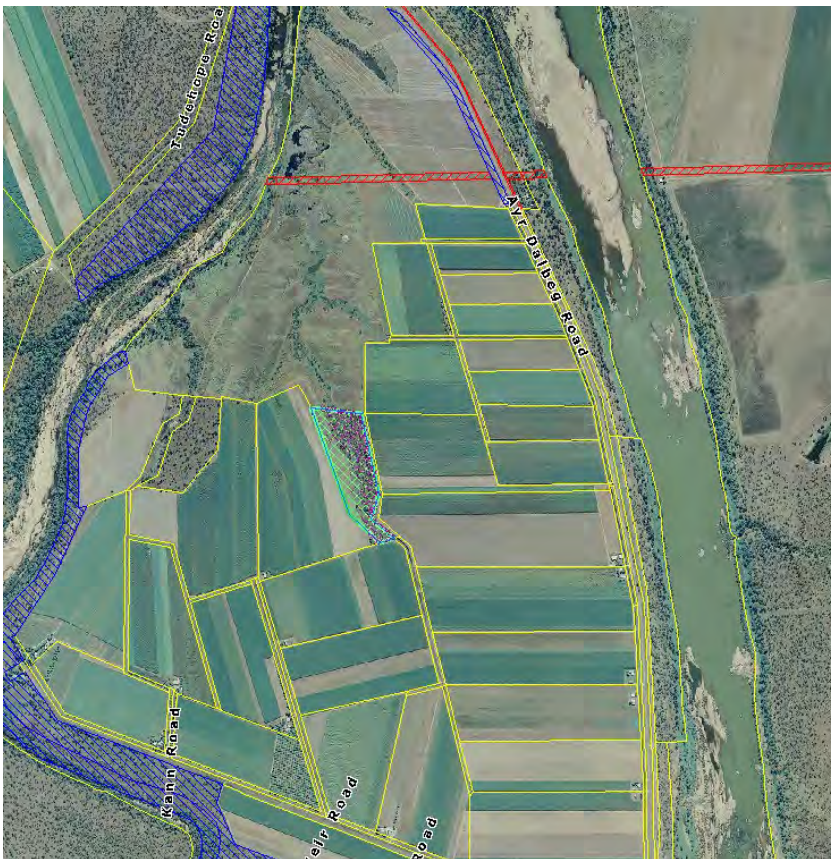
### Report prepared by:

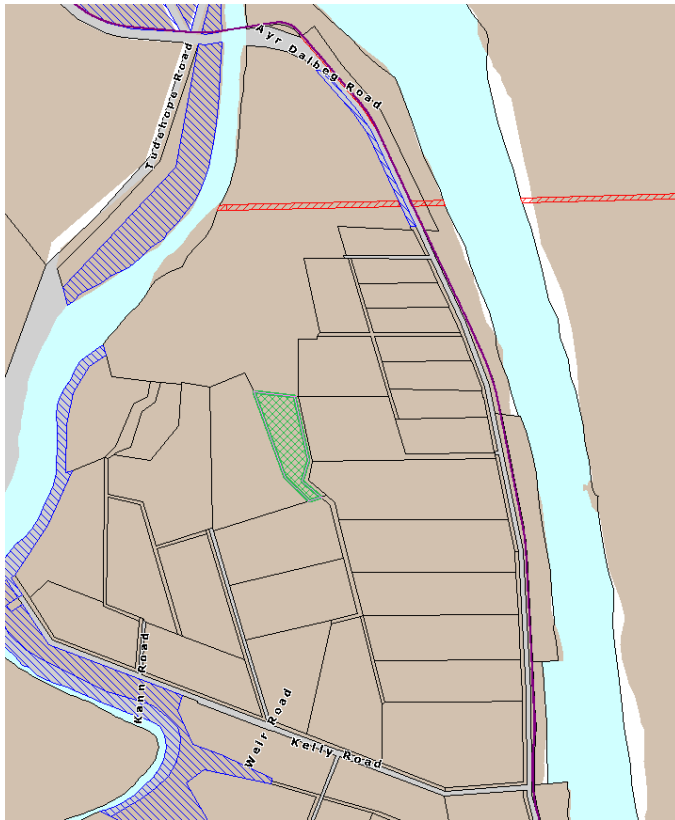
S Great - Manager Planning and Development

### Report authorised by:

S Great - Manager Planning and Development

## Attachments





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## **5.4 Burdekin Catholic High School - Development Application for Reconfiguring a Lot at 10 & 12 Conley Street, Ayr (Lots 1 & 2 on RP731381 Parish of Antill, County of Gladstone)**

### **Document Information**

**Referring Letter No:** 1179147

**File No:** 2011 Sub (Sub12/0020)

**Name of Applicant:** Burdekin Catholic High School

**Location:** 10 & 12 Conley Street, Ayr (Lots 1 & 2 on RP731381 Parish of Antill, County of Gladstone)

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

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### **Executive Summary**

An application has been received from Brazier Motti on behalf of their client the Burdekin Catholic High School seeking approval for Reconfiguring a Lot (boundary realignment) at 10 & 12 Conley Street, Ayr (Lots 1 & 2 on RP731381 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 10 & 12 Conley Street, Ayr (Lots 1 & 2 on RP731381 Parish of Antill, County of Gladstone), subject to the following conditions:

#### **GENERAL**

- 1.1 The Council will not release the formal Plan of Reconfiguration until all rates and charges in arrears in respect of the land, the subject of the application, are paid in full.
- 1.2 Pay the sum of \$59-60 calculated on the basis of a charge of \$29-80 per lot to be levied on the Council by the Department of Environment & Resource Management for each new valuation.

#### **PROPOSAL PLAN**

2. The reconfiguration of the land must be carried out generally in accordance with:-
  - (a) (i) the proposed Brazier Motti plan numbered 55174/004A;
  - (ii) the plans, specifications, facts and circumstances as set out in the application submitted to Council;Except where modified by the conditions of approval and any approval issued there under; and

- 
- (b) any approval issued under this approval; and
  - (c) any development permit for operational works relating to the reconfiguring of a lot;

## **ROADWORKS**

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

## **DRAINAGE**

- 4. The approved development and use(s) must not interfere with the natural flow of stormwater in the locality in such a manner as to cause ponding or concentration of stormwater on adjoining land or roads.

## **WATER SUPPLY**

- 5.1 Proposed Lot 3 of the development must be connected to Council's reticulated water supply. The water connection must be provided at a location approved by Council and at the full cost of the developer.
- 5.2 The applicant must provide a certified statement from a licensed plumber that no existing interconnecting water supply plumbing crosses the boundaries between the proposed lots.

## **SEWERAGE SUPPLY**

- 6. Proposed Lot 3 of the development must be connected to Council's sewerage scheme. The sewerage connection must be provided at a location approved by Council and at the full cost of the developer.

## **PUBLIC UTILITY SERVICES**

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

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

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

## **Background Information**

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

Lot 2 of this application is zoned 'Residential Low Density Sub Area' with Lot 1 zoned 'Public Purpose' with the proposal triggering a 'code assessable' development application for reconfiguring a lot (subdivision). The application has been assessed against the "Reconfiguring a Lot" Code under the provisions of the Burdekin Shire Council's IPA Planning Scheme.

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**The Application:**

It is the applicant's intent to reconfigure the existing two Lots to create proposed Lots 3 and 4. This proposal will increase the area of proposed Lot 3 which is mainly zoned residential and will remain vacant land. Proposed Lot 4 will be Zoned Public Purpose, contains an existing Council pump station and will decrease in area.

**Site Description/Surrounding Land Uses:**

The subject site comprises a total area of 1,927m<sup>2</sup> with approximately 37m frontage to Conley Street. Proposed Lot 3 will have an area of 1212m<sup>2</sup> and proposed Lot 4 will have an area of 716m<sup>2</sup>. The surrounding area contains a mixture of uses including the Burdekin Catholic High School to the north, with the land to the south mainly of a residential amenity.

**Conclusion:**

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

**Link to Corporate/Operational Plan**

N/A

**Consultation**

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

**Legal Authority or Implications**

N/A

**Policy Implications**

N/A

**Financial and Resource Implications**

N/A

**Report prepared by:**

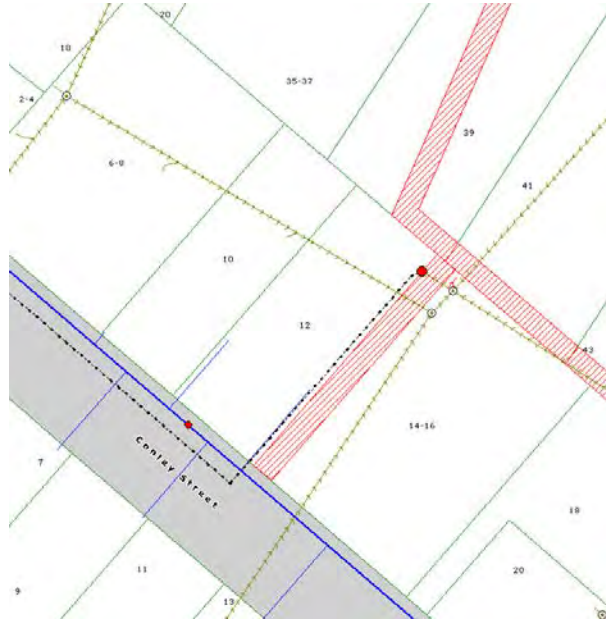
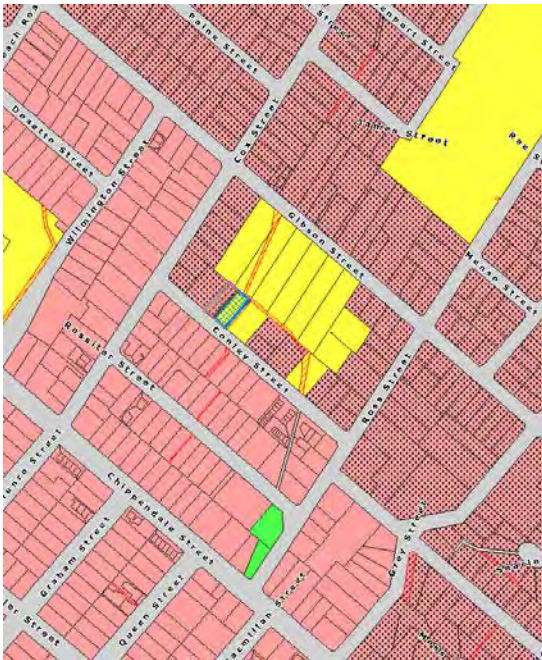
S. Great – Manager Planning and Development

**Report authorised by:**

S. Great – Manager Planning and Development



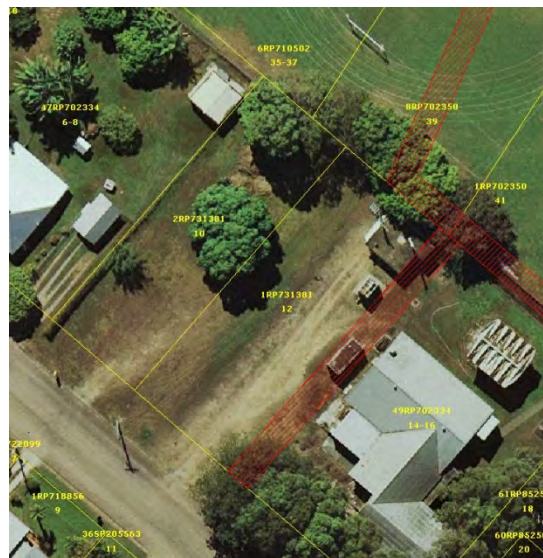
## Attachments



### Planning Scheme



### Zone Map



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## **5.5 Ross Pirrone - Development Application for Reconfiguring a Lot at 164 Old Clare Road, Ayr (Lot 3 on SP250564 Parish of Antill, County of Gladstone)**

### **Document Information**

**Referring Letter No:** 1179148

**File No:** 2011 Sub (Sub12/0018)

**Name of Applicant:** Ross Pirrone

**Location:** 164 Old Clare Road, Ayr (Lot 3 on SP250564 Parish of Antill, County of Gladstone)

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

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### **Executive Summary**

An application has been received from Brazier Motti on behalf of their client Ross Pirrone seeking approval for Reconfiguring a Lot (subdivision) at 164 Old Clare Road, Ayr (Lot 3 on SP250564 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 257 Old Clare Road, McDesme (Lot 4 on SP232079, 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.

#### **PROPOSAL PLAN**

2. The reconfiguration of the land must be carried out generally in accordance with:-
  - (a) (i) the proposed Brazier Motti plan numbered 55743/006A;
  - (ii) the plans, specifications, facts and circumstances as set out in the application submitted to Council;Except where modified by the conditions of approval and any approval issued there under; and
  - (b) any approval issued under this approval; and

- 
- (c) any development permit for operational works relating to the reconfiguring of a lot;

## **ROADWORKS**

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

## **DRAINAGE**

4. The approved development and use(s) must not interfere with the natural flow of stormwater in the locality in such a manner as to cause ponding or concentration of stormwater on adjoining land or roads.

## **PUBLIC UTILITY SERVICES**

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

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

- *The proposed lots may not be able to be connected to Council's water supply in future.*
- *Unless otherwise specified by these conditions, the conditions must be complied with prior to approval of the Plan of Survey.*

## **Background Information**

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

The land is zoned 'Rural' with the proposal triggering a 'code assessable' development application for reconfiguring a lot (subdivision). The application has been assessed against the "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 subdivide existing Lot 3 to create proposed Lots 5 and 6. Both proposed Lots will meet the minimum requirements for a newly created rural lot with an area of 30ha and road frontages of more than 200m. The site is improved with sugar cane farms and the proposed subdivision will have minimal impacts on existing land uses.

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

The subject site comprises a total area of 65.28ha with frontages to Old Clare Road Totorica Road and Spelta Street. Proposed Lot 5 will have an area of 31.28ha and proposed Lot 6 will have an area of 34ha. The land is currently used for agricultural purposes and improved by a sugar cane farm. The surrounding area is primarily sugar cane farm land, with some village land uses including rural residential houses and sheds concentrated on Spelta Street.



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**Conclusion:**

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

**Link to Corporate/Operational Plan**

N/A

**Consultation**

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

**Legal Authority or Implications**

N/A

**Policy Implications**

N/A

**Financial and Resource Implications**

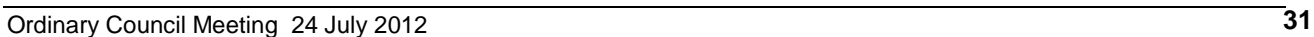
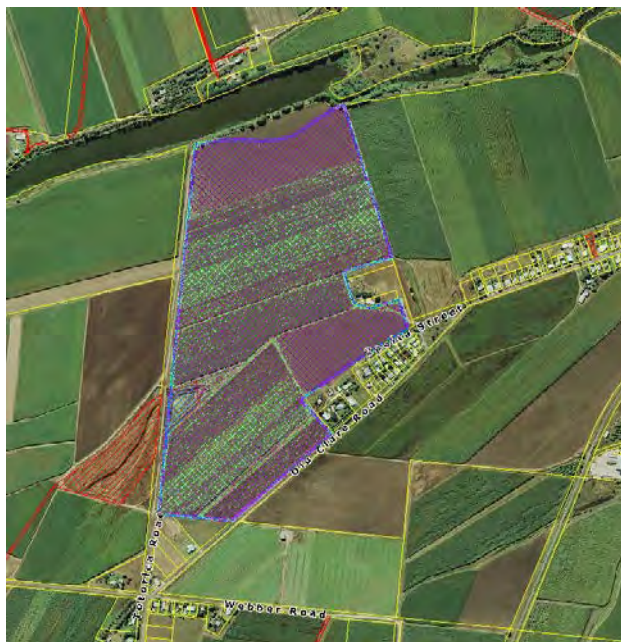
N/A

**Report prepared by:**

S. Great – Manager Planning and Development

**Report authorised by:**

S. Great – Manager Planning and Development



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## **5.6 John Mahon - Development Application for Reconfiguring a Lot at 2 & 4 Webber Road, McDesme (Lot 7 on RP734728 and Lot 6 on SP180098 Parish of Jarvisfield, County of Gladstone)**

### **Document Information**

**Referring Letter No:** 1158931

**File No:** 2011 Sub (Sub12/0013)

**Name of Applicant:** John Mahon

**Location:** 2 & 4 Webber Road, McDesme (Lot 7 on RP734728 and Lot 6 on SP180098 Parish of Jarvisfield, County of Gladstone)

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

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### **Executive Summary**

An application has been received from Brazier Motti on behalf of their client John Mahon seeking approval for Reconfiguring a Lot (boundary realignment) at 2 & 4 Webber Road, McDesme (Lot 7 on RP734728 and Lot 6 on SP180098 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 2 & 4 Webber Road, McDesme (Lot 7 on RP734728 and Lot 6 on SP180098 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 lots 8 and 9 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.

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## PROPOSAL PLAN

3. The reconfiguration of the land must be carried out generally in accordance with:-
  - (a) (i) the proposed Brazier Motti plan numbered 55925/001A, and 55925/2A;
  - (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;

## DRAINAGE

4. The approved development and use(s) must not interfere with the natural flow of stormwater in the locality in such a manner as to cause ponding or concentration of stormwater on adjoining land or roads.

## PUBLIC UTILITY SERVICES

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

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

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

## Background Information

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

The land is zoned 'Rural' with the proposal triggering a 'code assessable' development application for reconfiguring a lot (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 2 lots to formalise the current land uses. The realigning of the boundary to create Proposed Lot 8 will allow the existing utilized area of yard for the house and shed to be wholly contained within the boundary of Lot 8. Proposed Lot 9 will basically remain unchanged.

The proposed reconfiguration will have no impacts on existing land uses.

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

The subject site comprises a total area of approximately 4,500m<sup>2</sup> with a frontage of 47m to Old Clare Road and 83.5m to Webber Road. Both existing lots are currently improved with residential dwellings and sheds. The surrounding area has mixture of commercial and village residential amenity that has developed over a long period of time around this intersection. The wider area is agricultural land mainly being small crops and sugar cane farms.

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**Conclusion:**

Council's Development Assessment Team members have assessed the application and have included reasonable and relevant conditions as part of the recommended approval. Given that the proposal complies with the provisions contained in Council's IPA Planning Scheme, 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 a Concurrence Agency due to the land being classified as Strategic Cropping Land (SCL). The Department has assessed the application in accordance with State Planning Policy 1/12 and have advised they have no requirements. The relevant decision notice or negotiated decision notice issued will be forwarded to the Department.

**Legal Authority or Implications**

N/A

**Policy Implications**

N/A

**Financial and Resource Implications**

N/A

**Report prepared by:**

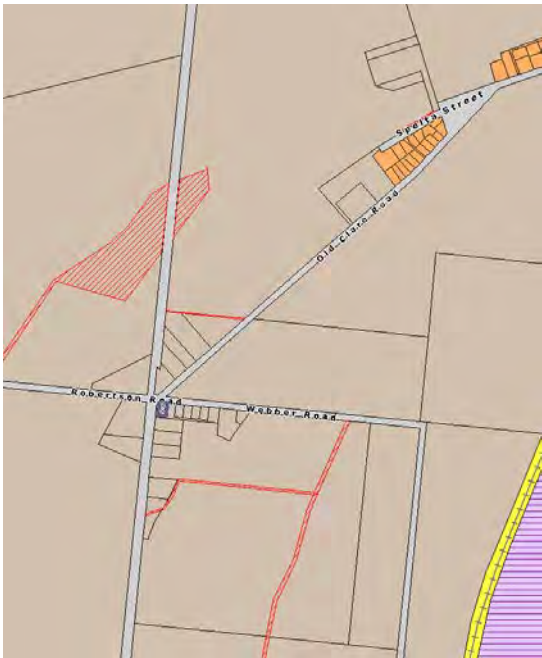
S Great – Manager Planning and Development

**Report authorised by:**

S Great – Manager Planning and Development



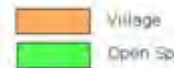
## Attachments



### Planning Scheme



### Zone Map



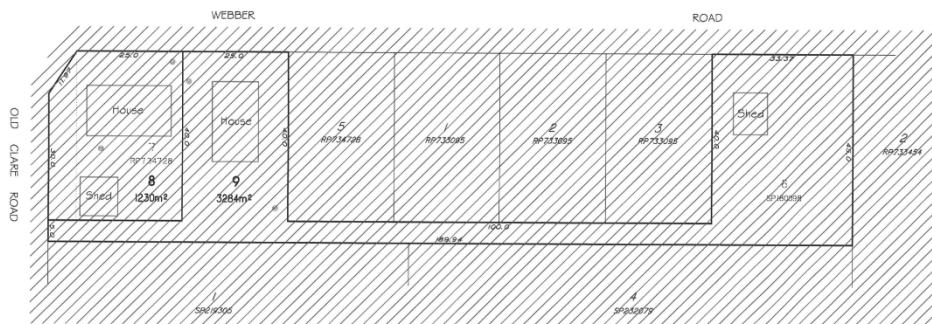
### PROPOSED RECONFIGURATION

Lots 8 & 9

Cancelling Lot 7 on RP734728  
& Lot 6 on SP180098

Parish of Jansfield  
County of Gladstone  
Shire of Burdekin

☒ Potential Strategic Cropping Land  
(Obtained from D.E.R.M. Mapping February 2012)



### LEGEND



surveying town planning  
project management mapping and GIS

Date: 16 February 2012

Job No: 58925-001-01

Plan No: 58925-001A

Scale: 1:500

Drawn: PJ

This plan is confidential and for discussion purposes only. All areas, dimensions and lot sizes are preliminary, subject to investigation, survey, registration, and local Authority and Agency approval.

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## 5.7 Application for Permanent Road Closure of Ayr Dalbeg Road

### Document Information

**Referring Letter No:** 1178144

**File No:** RC12-02

**Name of Applicant:** Department of Natural Resources and Mines

**Location:** Abutting the south western boundary of lot 2 RP734345

**Author and Title:** Matthew Ingle – Design Office Manager

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### Executive Summary

Department of Natural Resources and Mines (DNRM) has requested Council's view on a permanent closure of part of Ayr-Dalbeg Road.

### Recommendation

Council resolves to offer no objection to the permanent closure of the section of Ayr-Dalbeg Road abutting the south western boundary of lot 2 RP734345 and the northern boundaries of lots 1 & 2 RP726636.

### Background Information

DNRM has requested Council's views on the permanent closure of a triangular section of Ayr Dalbeg Road. The proposed use of the road is stated as "grazing purposes". The new road boundary will provide for a road reservation width of about 60 metres and the closure of this section should have no impact on future requirements.

### Link to Corporate/Operational Plan

N/A

### Consultation

N/A

### Legal Authority or Implications

N/A

### Policy Implications

N/A

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## Financial and Resource Implications

N/A

### Report prepared by:

Matthew Ingle – Design Office Manager

### Report authorised by:

Kevin Byers – Manager Technical Services





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## 5.8 Application for Permanent Closure of Part of Wilson Road, Jarvisfield

### Document Information

**Referring Letter No:** 1178145

**File No:** RC12-03

**Name of Applicant:** Department of Natural Resources and Mines (DNRM)

**Location:** Between Lot 74 SP195140 & Lot 10 RP705529

**Author and Title:** Matthew Ingle – Design Office Manager

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### Executive Summary

Department of Natural Resources and Mines (DNRM) has requested Council's view on a permanent closure of part of Wilson Road.

### Recommendation

Council resolves to offer an objection to the permanent closure of the section of Wilson Road abutting the eastern boundary of Lot 74 SP195140.

### Background Information

Groves and Clark requested Council's view prior to lodging, on behalf of K & A Oar, an application for a road closure and issue of a road license. K & A Oar are the registered owners of properties on both sides of the affected road. Council considered this matter at its meeting of 27 September 2011 and resolved to offer no objection to the temporary closure of the section of road. Groves and Clark were notified accordingly.

DNRM has requested Council's views on the permanent closure of this section of road.

Whilst this section of road is being used for cane cropping, it does provide access to the Ana Branch of the Burdekin River. Historically council has objected to the permanent closure of roads that provide access to waterways in the shire.

### Link to Corporate/Operational Plan

N/A

### Consultation

N/A

### Legal Authority or Implications

N/A

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## Policy Implications

N/A

## Financial and Resource Implications

N/A

## Report prepared by:

Matthew Ingle – Design Office Manager

## Report authorised by:

Kevin Byers – Manager Technical Services

## Attachments



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## **6 CORPORATE & COMMUNITY SERVICES**

### **6.1 Sponsorship for 2012 Home Hill Harvest Festival**

#### **Document Information**

**Referring Letter No:** 1178611

**File No:** 01/10/38

**Name of Applicant:** Home Hill Harvest Festival Inc.

**Location:** N/A

**Author and Title:** Tony Vaccaro, Economic and Community Development Manager

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#### **Executive Summary**

The Home Hill Harvest Festival Committee requested financial assistance towards the 2012 Harvest Festival to be held from 27<sup>th</sup> October to 10<sup>th</sup> November 2012. The Home Hill Harvest Festival has been largely self-serving in the financing, organisation, and management of this successful event. Last year Council provided sponsorship to the value of \$4,000-00 plus in-kind support.

#### **Recommendation**

Council approves a donation of \$4000.00 (inc. GST) and in-kind support of \$3000.00 towards the 2012 Home Hill Harvest Festival.

#### **Background Information**

Council has supported the Home Hill Harvest Festival for numerous years. In-kind support for the Festival includes the erection and dismantling of road closure signs and street sweeping to the value of approx. \$3000.00.

The small group of volunteers who co-ordinate the Festival work tirelessly for six months to organise the week-long celebrations. There has been renewed support for this event with attendance numbers increasing over the past five years. The committee has provided a copy of their profit and loss statement.

Given the ongoing success and significant economic value of the event, I recommend that Council continue its annual sponsorship towards the event. Being one of the key events recognised in the Economic Development budget event allocation, a contribution to the value of \$4,000 in cash is considered reasonable.

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**Link to Corporate/Operational Plan**

6.6 Encourage and support community events.

**Consultation**

Discussions with Harvest Festival Representatives.

**Legal Authority or Implications**

N/A

**Policy Implications**

N/A

**Financial and Resource Implications**

The Economic Development budget has sufficient funds to cover the contribution of \$4000.00 (inc. GST)

**Report prepared by:**

Tony Vaccaro  
(Economic and Community Development Manager)

**Report authorised by:**

Mr. Ken Holt  
(Chief Executive Officer)

**Attachments**

1. N/A

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## **7 CORRESPONDENCE FOR INFORMATION**

Tabled Separately

## **8 NOTICES OF MOTION**

## **9 URGENT BUSINESS**

## **10 GENERAL BUSINESS**

## **11 CLOSED MEETING ITEMS**

11.00 am Deanne Cartledge from Gilkerson Legal will attend the meeting to discuss the Native Title claim over part of the Burdekin Shire.

## **12 DELEGATIONS**

10.15 am – Citizenship Ceremony – Ms Mariana OPITZ HOFLE

