



**BURDEKIN SHIRE COUNCIL**



# **MINUTES**

## **ORDINARY COUNCIL MEETING**

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

**on 11 September 2012**

**COMMENCING AT 9:00AM**



**TUESDAY 11 SEPTEMBER 2012**

## **ORDER OF BUSINESS:**

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## **ATTENDANCE**

Councillors W.C. Lewis (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. K. Byers - Manager Technical Services  
Ms. L. Govan - Co-ordinator Environment and Health  
Mr. M. Pearce - Planning Assistant

Minutes Clerk - Miss S. Cronin

Apologies: R.H. Lewis (Deputy Mayor), P.M. Dalle Cort

## **1 PRAYER**

The meeting prayer was delivered by Pastor Colin Saal of the Christian Outreach Centre.

## **2 DECLARATIONS OF INTEREST**

The Mayor called for declarations of interest.

Councillor McCathie declared conflicts of interest in respect of Agenda Items 5.1 and 5.2 as the applicants are clients of her business, McCathies Real Estate.

## **3 MINUTES AND BUSINESS ARISING**

### **3.1 Ordinary Council Meeting Minutes - 28 August 2012**

#### **Recommendation**

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

#### **Resolution**

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

CARRIED

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## **4 REPORTS**

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

#### **Recommendation**

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

#### **Resolution**

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

CARRIED

### **4.2 Operating Statement for period ending 31 July 2012**

#### **Recommendation**

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

#### **Resolution**

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

CARRIED

## **5 ENVIRONMENT & OPERATIONS**

### **5.1 TFS Properties Ltd - Material Change of Use to establish a Sandalwood Industry (Forestry) at 80 Sellars Road, Dalbeg (Lot 49 on GS820, Parish of Dalbeg, County of Gladstone)**

Councillor McCathie declared conflicts of interest in respect of Agenda Items 5.1 and 5.2 as the applicants are clients of her business, McCathies Real Estate, and left the meeting.

#### **Executive Summary**

An application has been received from Groves & Clark Solicitors on behalf of their client TFS Properties Limited seeking approval for a Material Change of Use to establish a Sandalwood Industry (forestry) at 80 Sellars Road, Dalbeg, (Lot 49 on GS820, Parish of Dalbeg, County of Gladstone). A Development Application (Code Assessable) has been triggered in accordance with the Burdekin Shire IPA Planning Scheme.

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## **Recommendation**

That Council approves the Development Application for a Material Change of Use to establish a Sandalwood Industry at 80 Sellars Road, Dalbeg, (Lot 49 on GS820, 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).*

## **Resolution**

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

CARRIED

## **5.2 Hillward Pty Ltd - Request to Change an Existing Approval at 29344 Bruce Highway, Ayr (Lot 3 on SP213948 Parish of Antill, County of Gladstone)**

### **Executive Summary**

A request to change an existing development approval has been received from RPS on behalf of their client Hillward Pty Ltd. The request is for a change to the wording of a range of conditions as a result of the change to the staging of the proposal. The application is over land at 29344 Bruce Highway, Ayr (Lot 3 on SP213948 Parish of Antill, County of Gladstone).

### **Recommendation**

That Council approves the request to change the Material Change of Use approval and allow an existing subdivision approval to be delivered over two stages (i.e. stage 1A and 1B) at 29344 Bruce Highway, Ayr (Lot 3 on SP213948 Parish of Antill, County of Gladstone) subject to the following changes of conditions:

The Material Change of Use conditions are the same as the original Decision Notice except for marked changes to accommodate each stage.

### **MATERIAL CHANGE OF USE**

#### **GENERAL**

1. The material change of use (preliminary approval) relates to the change in the use rights from the 'Rural' zone to use rights in accordance with the 'Industrial' zone of the Burdekin Shire Council's IPA Planning Scheme. Any subsequent development applications will be assessed against the applicable provisions of the IPA Planning Scheme for the 'Industrial' zone on land described as Lot 3 on SP213948 and shown as attachment one (plan number 83188-04B) as part of the Department of Main Roads referral agency response. **Plan Number 111395-02**

#### **DEVELOPMENT CONTRIBUTIONS**

2. In accordance with Council's adopted policies, fees and charges at the time of payment the developer must contribute towards (but not limited to) the provision of the following infrastructure as a part of subsequent reconfiguration applications -
  - Water Supply Headworks; (applicable only if connected to Council supply) **(stage 1B only)**.

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## **WATER SUPPLY & SEWERAGE**

- 3.1 The development must be serviced by reticulated water supply and sewerage systems at the cost of the developer in accordance with Council and Queensland Government adopted standards.
- 3.2 Should the development require connection to the Council water supply network the developer must carry out works external to the development to connect to the existing network.
- ~~3.3 Connection to Council's sewerage system will not be allowed. A sewage treatment facility will be required to service the entire development. The site for the facility will be within the proposed development site. All regulatory approvals required will need to be obtained by the developer.~~
- 3.3 The lots within Stage 1A must be serviced by an individual on site sewerage system that is of sufficient capacity to cater for the needs of the end users of these lots.
- 3.4 Connection to Council's sewerage system will not be allowed. Lots within Stage 1 B must be serviced by a reticulated sewerage system and a central waste water treatment facility located within the development.

## **50 YEAR ARI FLOOD LEVELS**

- 4.1 All lots created by this development must be constructed to be above the 20 year ARI flood level with the building pad area above the 50 year ARI flood level in accordance with Council's standards.
- 4.2 **With the exception of Stage 1A**, the developer must prepare a flood study to determine the levels of floods having a 20 and 50 year ARI to enable Council to determine the minimum fill levels. ~~and the minimum floor levels for habitable rooms in dwellings erected on the land.~~

## **EASEMENTS AND RESERVES**

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



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development permit for operational works or upon completion or works if subsequently found necessary.

## **STORMWATER DRAINAGE**

- 6.1 Designs for stormwater drainage associated with the approved development must be in accordance with Council's adopted standards.
- 6.2 All external catchments discharging to the subject site must be accepted and accommodated within the development's stormwater drainage system.
- 6.3 Prior to the approval of any development permits for the reconfiguration of the subject land an overall stormwater assessment must be undertaken for the entire catchment that is subject of the application.
- 6.4 Prior the approval of any Operational Works applications for each individual reconfiguration stage, the developer must provide a water sensitive urban design report detailing mitigation measures proposed to reduce pollutant loads in the stormwater discharge.
- 6.5 The development and use must not interfere with the natural flow of stormwater in the locality in such a manner as to cause ponding or concentration of stormwater on adjoining land or roads.

## **ENVIRONMENT AND HEALTH**

7. Any development on the subject site must not be located within 100m of the high bank of the Burdekin River.

## **RECONFIGURING A LOT**

### **Stage 1A GENERAL**

- 1.1 The Council will not release the formal Plan of Reconfiguration until all rates and charges in arrears in respect of the land, the subject of the application, are paid in full.
- 1.2 Pay the sum of ~~\$334.60~~ **\$89.40** calculated on the basis of a charge of ~~\$23.90~~ **\$29.80** per lot to be levied on the Council by the Department Environment and Resource Management for each new valuation.
- 1.3 The proposed lots must be filled and compacted with approved material to a minimum level equal to the level of a 50 year ARI flood for the building pads and 20 year ARI flood for the car parking areas. Lots must be evenly graded to the road frontage or an approved inter-lot drainage system at not less than 0.25% to ensure that the land is free draining.

## **SOIL EROSION SEDIMENT CONTROL AND DRAINAGE PLAN**

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

2.1 A detailed Soil Erosion and Sediment Control Plan for the development must be provided as part of Operational Works application. An appropriately qualified professional must design and certify the plan which must comply with the Environment Protection Act 1994 and all its subordinate legislation, and addresses the performance outcomes stated in State Planning Policy 4/10, Appendix 1, Part A.

2.2 A Stormwater Management Plan for the development must be provided as part of Operational Works application which demonstrates;

- The proposed stormwater drainage layout, for the completed subdivision, including both surface and underground drainage structures.
- The final discharge point for stormwater.
- Measures to be used to minimise stormwater discharge rate from the developed site.

2.3 A Stormwater Quality Management Plan for the subdivision, which addresses the performance outcomes stated in State Planning Policy 4/10, Appendix 1, Part A, must be provided as part of Operational Works application.

2.4 Provide to Council all stormwater calculations and design details for the development. Calculations must show:

- hydrology calculations, for both Q5 and Q50 events, including runoff from individual catchments;
- hydraulic calculations, for both Q5 and Q50 events, including
  - backwater analysis
  - hydraulic grade line results
  - kerb and channel flow widths and depths
  - pipe flows and velocities
  - channel flows and velocities
  - overland flow volumes and velocities

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

## **SITE LAYOUT**

3. The reconfiguration of the land must be carried out generally in accordance with:-
- (a) (i) ~~the proposed Conics (Townsville) Pty Ltd plan numbered 83188-04B included as part of the Department of Main Roads referral agency response — Attachment 1;~~ RPS plan numbered 111395-02 rev A;
- (ii) the plans, specifications, facts and circumstances as set out in the application submitted to Council;

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- (iii) amendments required to the plan to comply with conditions of this MCU and subsequent reconfiguration approvals; and
  - (b) any approval issued under this approval; and
  - (c) any development permit for operational works relating to the reconfiguring of a lot;

## **TIME FOR COMPLIANCE**

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

## **PUBLIC UTILITY SERVICES**

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

## **STORMWATER**

- 6.1 The developer shall provide a stormwater management plan for ~~the entire~~ **Stage 1 A of the proposed** development. The plan shall illustrate the flow paths for the minor and major drainage systems.
- 6.2 The minor drainage **system for Stage 1A** shall consist of an underground system capable of conveying 5 yr ARI flows from the development and any external catchments currently flowing onto the land being developed.
- 6.3 The major drainage system **for Stage 1A** shall consist of overland flow paths or suitably sized underground drainage capable of discharging 50yr ARI flows from the development and any external catchments currently flowing onto the land being developed.
- 6.4 Post development stormwater flow discharged from the site shall be no greater than the pre development stormwater flow discharged from the site.
- 6.5 The proposed drainage shall ensure that there is no detrimental effect to upstream and downstream catchments.
- 6.6 All stormwater calculations and design details shall be certified by a Registered Professional Engineer of Queensland (RPEQ) and included in the operational works application **for Stage 1A**.
- 6.7 Drainage reserves and easements shall be provided as required by the stormwater design. The developer must at its own cost grant and register all such easements on the title document. Land within proposed reserves shall be transferred to the Burdekin Shire Council upon registration of the Survey Plan.
- 6.8 On-going maintenance associated with existing open stormwater drains and any proposed changes to these drains as a result of this application, shall be

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the responsibility of the developer for a period of twelve (12) months or up until the developer achieves off-maintenance.

## **DRAINAGE RESERVES**

- 7.1 Overland flow paths designed as part of the major drainage system shall be constructed within drainage reserves to be dedicated to Council.
- 7.2 Open drains within reserves shall have a 1.5m minimum width concrete invert constructed in the base of the drain
- (i) Open drains within a drainage reserve with longitudinal grades of less than 0.5% shall have a 1.5m minimum width concrete invert constructed in the base of the drain to accommodate low flows;
  - (ii) Where no concrete invert is provided, capacity of the open drain shall be calculated assuming a Mannings “n” Roughness coefficient of 0.045 (long grass);
  - (iii) Where no concrete invert is provided, provision must be made to prevent water logging of the channel bed during low flow situations (eg - subsoil drainage)
  - (iv) No drain invert is to be constructed lower than the existing standing water level
- 7.3 Widths of drainage reserves shall be the width of the constructed drain plus a minimum of 3m each side of the top of the drain.

## **DRAINAGE EASEMENTS**

- 8.1 Stormwater drains where required are to be constructed in accordance with the following design specifications –
- i) Open drains incorporated in the minor drainage system shall be located within drainage easements;
  - ii) Open drains within a drainage easements with flat grades less than 0.5%, shall have a 600mm wide concrete invert constructed in the base of the drain;
- 8.2 Piped drains traversing allotments shall be located within drainage easements.
- 8.3 Width of drainage easements shall be the width of the constructed drain plus a minimum of 1m each side of the top of the drain, pipe or culvert with a minimum width of 4m.
- 8.4 Temporary drainage constructed during the staging of the project shall be within easements. These easements may be relinquished at the completion of works of any future stages in the development which renders the easement unnecessary for the transportation of stormwater.

## **ROADWORKS**

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- 9.1 The developer must construct roads along all road frontages to each property in accordance with the following;
- The proposed roads shall be 23m wide
  - Provide stand-up kerbing and channelling on both sides of the road with a distance of 15m between the kerbs and 4m wide footpaths each side.
  - Provide gravel pavement for the full width between kerbing and channelling and 50mm minimum thickness PMB asphaltic concrete surface.
  - Pavement markings and signage shall be provided in accordance with the Department of Main Roads Manual of Uniform Traffic Control Devices.
- 9.2 Gravel pavements shall be designed in accordance with Queensland Transport Pavement Design Manual and relevant Main Roads Standard specifications.
- ~~9.3 The developer must construct a suitable intersection treatment, minimum type AUR, at the intersection of the new road and Gillian's Road.~~
- 9.4 An application for street names must be submitted to and approved by Council prior to approval of Operational Works. Approved street names must be shown on all engineering drawings submitted with the Operational Works application.
- 9.5 Street nameplates must be erected at each intersection indicating the name of each street and the street numbers. The signs shall be in accordance with Council standard street nameplate and erected in accordance with Department of Main Roads Manual of Uniform Traffic Control Devices.
- 9.6 a) Prior to the release of the Plan of Survey, the developer must construct an asphaltic concrete sealed temporary cul-de-sac to be located at the end of the proposed roads. The cul-de-sac shall have a minimum radius of 20m and be completely within road reserve **or easements** with a minimum of 4m clear from the proposed property boundary to the edge of the bitumen.
- b) The developer must provide Burdekin Shire Council security for the construction of kerbing and channelling to the cul-de-sac if future extensions of these roads have not commenced within a four year period after completion of the current development. The security shall be in the form of a bond for \$30,000.
- 9.7 No vehicular access is allowed to Gillian Road from proposed lots 1 and 2, Access to proposed Lots 1 and 2 is to be via the new stub road.**

## **LANDSCAPING**

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

## **OPERATIONAL WORKS**

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

- (a) detailed and complete engineering drawings and specifications of the proposed works prepared by a civil engineer, who is both registered under the Professional Engineer's Act 2002 and is current Registered Professional Engineer of Queensland; and
- (b) certificate from the engineer who prepared the drawings stating that the design and specifications have been prepared in accordance with these conditions, relevant Council Codes and Planning Scheme Policies and the relevant Australian Standard Codes of Practice;

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

## **ELECTRICITY AND TELECOMMUNICATIONS SUPPLY**

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

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

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

## **STREET LIGHTING**

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

## **SEWERAGE SUPPLY WORKS INTERNAL**

~~13. The development must be serviced by a reticulated sewerage system and a central wastewater treatment facility located within the development.~~

The lots within Stage 1A must be serviced by an individual on site sewerage system that are of sufficient capacity to cater for the needs of the end users of these lots.

## **WATER SUPPLY WORKS INTERNAL**

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~~14. The development must be connected to a reticulated water supply. If the system is to be connected to Council's water supply the connection must be provided at a location approved by council and at the full cost of the developer. Each of the proposed lots shall have separate water services.~~

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

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

15. The lots within Stage 1A must be serviced by individual on site potable water supply that are of sufficient capacity to cater for the needs of the end users of these lots and fire fighting purposes.

Upon completion of Stage 1B a reticulated water supply must be supplied to each lot with Stage 1A.

#### **WATER SUPPLY HEADWORKS**

~~16. If the development is connected to Council's water supply system the developer must contribute in accordance with Council's Planning Scheme Policy for Infrastructure Provision – Developer Contribution for Provision of Water Supply and Sewerage Services. The contribution must be paid at the rate current at the time of payment.~~

#### **COMPACTION STANDARDS**

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

#### **AS-CONSTRUCTED PLANS**

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

#### **ENVIRONMENT AND HEALTH**

19. Adequate and appropriate access for service vehicles is to be maintained throughout each stage of the development.

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20. In accordance with the requirements of the *Environmental Protection Regulation 2008*, a builder or a building contractor must not make audible noise from building work:
- (a) on a Sunday or public holiday, at any time; or
  - (b) on a Saturday or business day, before 6.30 am or after 6.30 pm.

**These conditions are all new**  
**RECONFIGURING A LOT – Stage 1B**

**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 relevant fee which is to be calculated on the basis of a charge of \$29.80 per lot to cover the fee levied on the Council by the Department of Environment and Resource Management.
- 1.3 The proposed lots must be filled and compacted with approved material to a minimum level equal to the level of a 50 year ARI flood for the building pads and 20 year ARI flood for the car parking areas lots must be evenly graded to the road frontage or an approved inter-lot drainage system at not less than 0.25% to ensure that the land is free draining.

**SOIL EROSION SEDIMENT CONTROL AND DRAINAGE PLAN**

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



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- hydrology calculations, for both Q5 and Q50 events, including runoff from individual catchments;
  - hydraulic calculations, for both Q5 and Q50 events, including
    - backwater analysis
    - hydraulic grade line results
    - kerb and channel flow widths and depths
    - pipe flows and velocities
    - channel flows and velocities
    - overland flow volumes and velocities

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

## **SITE LAYOUT**

- 3.1 An amended subdivision plan showing the proposed configuration of a 1.4778ha area within Stage 1B must be submitted to and approved by Council prior to lodging an Operational Works Permit for Stage 1B
- 3.2 The reconfiguration of the land must be carried out generally in accordance with:-
  - (a) (i) the proposed RPS plan numbered 111395-03;
  - (ii) the plans, specifications, facts and circumstances as set out in the application submitted to Council;
  - (iii) amendments required to the plan to comply with conditions of this approval;and
  - (b) any subsequent approval issued;
  - (c) any subsequent approved subdivision plan for 1.4778ha within Stage 1B;and
  - (d) any development permit for operational works relating to the reconfiguring of a lot.

## **TIME FOR COMPLIANCE**

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

## **PUBLIC UTILITY SERVICES**

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

## **STORMWATER**

- 6.1 The developer shall provide a stormwater management plan for Stage 1 B of the proposed development. The plan shall illustrate the flow paths for the minor and major drainage systems.

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- 6.2 Any minor drainage system for Stage 1B shall consist of an underground system capable of conveying 5 year ARI flows from the development and any external catchments currently flowing into the land being developed.
  - 6.3 Any major drainage system for Stage 1B shall consist of overland flow paths or suitably sized underground drainage capable of discharging 50 yr ARI flows from the development and any external catchments currently flowing onto the land being developed.
  - 6.4 Post development stormwater flow discharged from the site shall be no greater than the pre development stormwater discharged from the site.
  - 6.5 The proposed drainage shall ensure that there is no detrimental effect to upstream and downstream catchments.
  - 6.6 All stormwater calculations and design details shall be certified by a Registered Professional Engineer of Queensland (RPEQ) and included in the operational works application for Stage 1B.
  - 6.7 Drainage reserves and easements shall be provided as required by the stormwater design. The developer must at its own cost grant register all such easements on the title document. Land within proposed reserves shall be transferred to the Burdekin Shire Council upon registration of the Survey Plan.
  - 6.8 On going maintenance associated with existing open stormwater drains and any proposed changes to these drains as a result of the application, shall be transferred to the responsibility of the developer for a period of twelve (12) months of up until the developer achieves off-maintenance.

## **DRAINAGE RESERVE**

- 7.1 Overland flow paths designed as part of the major drainage system shall be constructed within drainage reserves to be dedicated to Council.
- 7.2 Open drains within reserves shall have a 1.5m minimum width concrete invert constructed in the base of the drain.
  - (i) Open drains within a drainage reserve with longitudinal grades of less than 0.5% shall have a 1.5m minimum width concrete invert constructed in the base of the drain to accommodate low flows;
  - (ii) Where no concrete invert is provided, capacity of the open drain shall be calculated assuming a Mannings "n" Roughness coefficient of 0.045 (long grass);
  - (iii) Where no concrete invert is provided, provision must be made to prevent water logging of the channel bed during low flow situations (eg – subsoil drainage);
  - (iv) No drain invert is to be constructed lower than the existing standing water level.
- 7.3 Widths of drainage reserves shall be the width of the constructed drain plus a minimum of 3m each side of the top of the drain.

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## **DRAINAGE EASEMENTS**

- 8.1 Stormwater drains where required are to be constructed in accordance with the following design specifications –
- (i) Open drains incorporated in the minor drainage systems shall be located within drainage easements;
  - (ii) Open drains within a drainage easements with flat grades less than 0.5%, shall have a 600mm wide concrete invert constructed in eh base of the drain.
- 8.2 Piped drains traversing allotments shall be located within drainage easements.
- 8.3 Width of drainage easements shall be the width of the constructed drain plus a minimum of 1m each side of the top of the drain, pipe or culvert with a minimum width of 4m.
- 8.4 Temporary drainage constructed during the staging of the project shall be within easements. These easements may be relinquished at the completion of works of any future stages in the development which renders the easement unnecessary for the transportation of stormwater.

## **ROADWORKS**

- 9.1 The developer must construct roads along all road frontages to each property in accordance with the following:
- The proposed roads shall be 23m wide;
  - Provide stand-up kerbing and channelling on both side of the road with a distance of 15m between the kerbs and 4m wide footpaths each side;
  - Provide gravel pavement for the full width between kerbing and channelling and 50mm minimum thickness PMB asphaltic concrete surface;
  - Pavement markings and signage shall be provided in accordance with the Department of Transport and Main Roads Manual of Uniform Traffic Control Devices.
- 9.2 Gravel pavements shall be designed in accordance with Queensland Transport Pavement Design Manual and relevant Main Roads Standard specifications.
- 9.3 The developer must construct a suitable intersection treatment, minimum type AUR, at the intersection of the new road and Gillian's Road.
- 9.4 An application for street names must be submitted to and approved by Council prior to the approval of operational works. Approved street names must be shown on all engineering drawings submitted with the Operation Works Application.
- 9.5 Street nameplates must be erected at each intersection indicating the name of each street and street numbers. The signs shall be in accordance with Council standard street nameplate and erected in accordance with the Department of Transport and Main Roads Manual of Uniform Traffic Control Devices.

- 
- 9.6 (a) Prior to the release of the Plan of Survey, the developer must construct an asphaltic concrete sealed temporary cul-de-sac to be located at the end of the proposed roads. The cul-de-sac shall have a minimum radius of 20m and be completely within road reserve or easements with a minimum of 4m clear from the proposed property boundary to the edge of the bitumen.
- (b) the developer must provide Burdekin Shire Council security of the construction of kerbing and channelling to the cul-de-sac if future extensions of these roads have not commenced within a four year period after completion of the current development. The security shall be in the form of bond for \$30,000.00.

## **LANDSCAPING**

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

## **OPERATIONAL WORKS**

- 11.1 Where operation 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 work, lodge with Council an application for a development permit for operation works. As part of such application, the developer must submit: -

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

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

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

## **ELECTRICITY & TELECOMMUNICATIONS SUPPLY**

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

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

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

### **STREET LIGHTING**

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

### **SEWERAGE SUPPLY WORKS INTERNAL**

14. The development must be serviced by a reticulated sewerage system and a central waste water treatment facility located within the development.

### **WATER SUPPLY WORKS INTERNAL**

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

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

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

### **WATER SUPPLY HEADWORKS**

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

### **COMPACTION STANDARDS**

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

### **AS-CONSTRUCTED PLANS**

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

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## Environmental Health

19. Adequate and appropriate access for service vehicles to be maintained throughout each stage of the development.
20. In accordance with the requirements of the *Environmental Protection Regulation 2008*, a builder or a building contractor must not make audible noise from building work:
  - (a) on a Sunday or public holiday at any time; or
  - (b) on a Saturday or business day, before 6:30am or after 6:30pm

### Resolution

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

CARRIED

Councillor McCathie returned to the meeting.

### 5.3 339 Sandhill Road, Rita island (Lot 62 on GS31 Parish of Morrill , County of Gladstone) Application for Conversion to Freehold Tenure of Grazing Homestead Perpetual Lease 44/2826

## Executive Summary

A second request from Department of Environment and Resource Management has been received seeking Councils views and/or requirements, if any, in respect to an application to convert Perpetual Lease 44/2826, over land described as 339 Sandhill Road, Rita Island (Lot 62 on GS31, Parish of Morrill, County of Gladstone) to three separate land allocations.

## Recommendation

That Council objects to the proposal to convert existing Perpetual Lease 44/2826, over land described as 339 Sandhill Road, Rita Island (Lot 62 on GS31, Parish of Morrill, County of Gladstone) to the following land allocations:

- Area of proposed Lot A to freehold land;
- Area of proposed Lot B to be included as addition to existing camping reserve (Lot 150 on GS26);

Furthermore,

That Council offers no objection to the balance area (proposed Lot C) of Lot 62 on GS31 to remain as leasehold land for short term grazing purposes subject to the following conditions being included as part of any management strategy.

1. A current Pest Management Plan is in place;

- 
2. Fencing is maintained to Industry Best Practice;
  3. Conservative grazing pressure is undertaken to maintain grass cover.

Please note that Council has previously advised that they offer no objection to the entire Lot 62 on GS31 remain as leasehold land for short term grazing purposes.

### **Resolution**

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

CARRIED

### **5.4 Amendment to Burdekin Shire Council Maintenance Service Level - Corrugations on Unsealed Roads**

#### **Executive Summary**

In delivering the Burdekin Shire Council 2012/13 annual budget, Council reduced the budget allocation for road maintenance by \$100,000.

Maintenance on Council sealed roads, unsealed roads and footpaths is driven by intervention levels specified in the Burdekin Shire Council Maintenance Service Level Manual. A reduction in budget allocation necessitates a corresponding adjustment in intervention level to reduce the level of service previously provided.

To reduce the maintenance level of service without compromising safety of road users, the specified dimensions (width and depth) of defects must not be increased. For example, increasing the intervention level for pothole repair from 100mm depth to 150mm in depth increases the likelihood of damage to vehicles striking the pothole as well as the possibility of the pothole causing an accident. For this reason maintenance intervention levels on sealed roads should remain unaltered.

Achieving an estimated reduction in road maintenance expenditure of the order of \$100,000 annually will require a reduction in service level for maintenance grading on unsealed roads within the shire.

Reducing the maintenance intervention level for corrugations on unsealed roads from its current level of “exceeds 75mm for more than 15% of a roads length” to “exceeds 75mm for more than 25% of a roads length” is the recommended method of achieving the reduction in road maintenance spending without compromising the safety of road users.

Expenditure will be monitored during the year and further adjustments to intervention levels in the Maintenance Service Level manual may be necessary to achieve budget outcomes.

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## **Recommendation**

Council increase the maintenance intervention level for corrugations on unsealed roads from its current level of “exceeds 75mm for more than 15% of a roads length” to “exceeds 75mm for more than 25% of a roads length.”

The Burdekin Shire Council Maintenance Service Level Manual to be updated to reflect this change.

## **Resolution**

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

FOR: Councillors McCathie, Lowis, Liessmann and Bawden

AGAINST: Councillor Loizou

CARRIED

## **5.5 Dedication of Land as Road - Rossiter Park**

### **Executive Summary**

Request to dedicate council land as road

### **Recommendation**

Council resolves to dedicate approximately twenty seven square metres, from lots 11 and 12 RP717578, to the public as road with the Newland Group responsible for all costs associated with the dedication.

### **Resolution**

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

### **Amendment**

Moved Councillor Liessman, seconded Councillor Loizou that Council resolves to dedicate part of lots 11 and 12 RP717578, to the public as road with the Newland Group responsible for all costs associated with the dedication.

CARRIED

### **Voting on the Amendment as the Motion**

CARRIED



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## 5.6 Amendment of Fees and Charges 2012-2013 for new Local Laws

### Executive Summary

The adoption of the new Local Laws requires an update or additional fees and charges to the current fees and charges.

### Recommendation

That Council adopts the following fees and charges:

1. Animal Approvals – Application to keep animals (Subordinate Local Law 1.4 – Keeping of Animals)  
New Application/Transfer/Renewal: \$143.50
2. Operation of Caravan Parks - *Subordinate Local Law 1.8 (Operation of caravan parks) 2012*  
Application for new: \$450  
Renewal: up to 25 sites \$292  
more than 25 sites \$353  
Transfer: \$ 84  
The term 'site' includes caravan, tent, vehicle, cabins, villas and the like, but would not include accommodation that falls under another category.
3. Operation of Camping Grounds - *Subordinate Local Law 1.6 (Operation of camping grounds) 2012*  
Application for new: \$450  
Renewal: up to 25 sites \$292  
more than 25 sites \$353  
Transfer: \$ 84  
The term 'site' includes a tent, vehicle and the like, but would not include accommodation that falls under another category.
4. Installation of Advertising Devices – *Subordinate Local Law 1.4 (Installation of Advertising Devices) 2012*  
Billboards/Hoarding/Roof /Inflatable signs –  
Application processing fee: \$250  
Renewal: \$175  
Transfer: \$ 84
5. Operation of a Public Swimming Pool *Subordinate Local Law 1.10 (Operation of Public Swimming Pool) 2012*  
Application processing fee: \$350  
Renewal: \$250  
Transfer: \$ 84
6. Control of nuisances  
Administration fee for inspection and processing of overgrown allotments after failure to comply with a remedial notice:  
\$210.00 (plus cost of undertaking the work)

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## **Resolution**

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

LOST

## **5.7 Annual Inspection Fee**

### **Resolution**

Moved Councillor McCathie, seconded Councillor Loizou that the recommendation be adopted with the exception of point 5, the wording of which is to now read as follows:

5. Operation of a Public Swimming Pool Subordinate Local Law 1.10 (Operation of Public Swimming Pool) 2012

Application processing fee: \$350

Inspection Fee

(maximum of one inspection per year): \$250

Transfer: \$ 84

FOR: Councillors MacCathie, Loizou and Lowis

AGAINST: Councillors Liessmann and Bawden

CARRIED

## **6 CORPORATE & COMMUNITY SERVICES**

### **6.1 2012 Work Health & Safety Policy**

#### **Executive Summary**

Council's Work Health & Safety Policy is reviewed on an annual basis. The Burdekin Shire Council Work Health & Safety Policy is now due for review and endorsement.

#### **Recommendation**

Council adopts the Work Health & Safety Policy for 2012.

#### **Resolution**

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

CARRIED

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## **6.2 Sponsorship towards 2012 State Council River Trust Annual Conference**

### **Executive Summary**

Burdekin Shire Rivers Improvement Trust requested assistance to hold the 2012 State Council River Trust Annual Conference.

### **Recommendation**

Council approves sponsorship of \$1,500 (inc. GST) as well as in-kind support to the value of \$300 to Burdekin Shire Rivers Improvement Trust to hold the 2012 State Council River Trust Annual Conference in the Burdekin on the 17<sup>th</sup> and 18<sup>th</sup> October 2012.

### **Resolution**

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

FOR: Councillors McCathie, Loizou, Bawden and Lewis

AGAINST: Councillor Liessmann

CARRIED

## **6.3 Restoration of Burdekin Tractor**

### **Executive Summary**

Burdekin Machinery Preservationists have requested funds of \$2,400 to allow final works to be undertaken on the Burdekin Tractor to get it to running order prior to the Queensland Heritage State Rally to be held in the Burdekin in July 2014.

### **Recommendation**

That a contribution of \$2,400 be made to the Burdekin Machinery Preservationists towards restoration costs of the Burdekin Tractor.

### **Resolution**

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

FOR: Councillors McCathie, Loizou, and Lewis

AGAINST: Councillors Liessmann and Bawden

CARRIED

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## **6.4 Personal Protective Equipment (PPE) Policy**

### **Executive Summary**

The PPE Policy has been updated as part of an extensive review of Council's policies.

### **Recommendation**

Council adopts the amended Personal Protective Equipment (PPE) Policy.

### **Resolution**

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

CARRIED

## **7 CORRESPONDENCE FOR INFORMATION**

### **7.1 Appointment of Special Holidays 2013**

#### **Resolution**

Moved Councillor McCathie, seconded Councillor Liessmann that Council makes an application to the Attorney-General and Minister for Justice for the appointment of the following special holidays in 2013:

- Wednesday, 26 June – for the northern side of the Burdekin River – Ayr Annual Show Holiday
- Tuesday, 5 November – for the southern side of the Burdekin River – Home Hill Harvest Festival public holiday.

CARRIED

## **8 NOTICES OF MOTION**

## **9 URGENT BUSINESS**

## **10 GENERAL BUSINESS**

### **10.1 Inquiry into After Hours Fire Services**

#### **Resolution**

Moved Councillor McCathie, seconded Councillor Liessmann that as a matter of urgency, Council asks the Member for Burdekin, Rosemary Menkins, how the fire service is meant to respond to fires and emergencies that occur after normal working hours.

CARRIED

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## **10.2 Continuation of Wickham Street Footpath to Ayr Community Kindergarten**

### **Resolution**

Moved Councillor Loizou, seconded Councillor Liessmann that Council resolves to construct a 1.5m wide footpath from the intersection of Mackenzie Street and Wickham Street to the Ayr Community Kindergarten for an estimated cost of \$8000. The works are to be carried out in conjunction with the new 2.5m wide footpath in Wickham Street. The project is to be funded from the existing capital budget for roadworks.

CARRIED

## **11 CLOSED MEETING ITEMS**

## **12 DELEGATIONS**

There being no further business the meeting closed at 12.25pm.

**These minutes were confirmed by Council at the Ordinary Council Meeting held on 25 September 2012.**

**MAYOR**