



**BURDEKIN SHIRE COUNCIL**



# **MINUTES**

## **ORDINARY COUNCIL MEETING**

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

**on 08 September 2015**

**COMMENCING AT 9:00AM**



**TUESDAY 8 SEPTEMBER 2015**

## **ORDER OF BUSINESS:**

<b>ITEM</b>	<b>PRECIS</b>	<b>PAGE</b>
<b>1</b>	<b>PRAYER</b>	<b>1</b>
<b>2</b>	<b>DECLARATIONS OF INTEREST</b>	<b>1</b>
<b>3</b>	<b>MINUTES AND BUSINESS ARISING</b>	<b>1</b>
<b>3.1</b>	<b>Ordinary Council Meeting Minutes - 25 August 2015</b>	<b>1</b>
<b>3.2</b>	<b>Burdekin Building Safer Communities Action Team Meeting Minutes - 15 July 2015</b>	<b>2</b>
<b>3.3</b>	<b>Burdekin Shire Youth Council Meeting Minutes - 20 July 2015</b>	<b>2</b>
<b>3.4</b>	<b>Burdekin Shire Youth Council Meeting Minutes - 17 August 2015</b>	<b>2</b>
<b>4</b>	<b>REPORTS</b>	<b>2</b>
<b>5</b>	<b>GOVERNANCE &amp; LOCAL LAWS</b>	<b>3</b>
<b>6</b>	<b>CLIENT SERVICES</b>	<b>3</b>
<b>7</b>	<b>FINANCIAL &amp; ADMINISTRATIVE SERVICES</b>	<b>3</b>
<b>8</b>	<b>OPERATIONS</b>	<b>3</b>
<b>9</b>	<b>TECHNICAL SERVICES</b>	<b>3</b>
<b>9.1</b>	<b>Disabled Access - Kalamia Driveway</b>	<b>3</b>
<b>9.2</b>	<b>Drainage Proposals - South Ayr</b>	<b>3</b>
<b>10</b>	<b>PLANNING &amp; DEVELOPMENT</b>	<b>4</b>
<b>10.1</b>	<b>Development Application for Reconfiguring a Lot at 30 Klondyke Road and 65-119 Drysdale Street, Ayr (Lot 6 on SP251206 and Lot 5 on SP227212 Parish of Antill, County of Gladstone)</b>	<b>4</b>
<b>11</b>	<b>COMMUNITY DEVELOPMENT</b>	<b>5</b>
<b>11.1</b>	<b>Adoption of Fees and Charges for Hire of a Basic PA System for Ayr Showgrounds 2015-16</b>	<b>5</b>
<b>12</b>	<b>ECONOMIC DEVELOPMENT</b>	<b>6</b>



<b>13</b>	<b>GENERAL BUSINESS</b>	<b>6</b>
<b>13.1</b>	<b>Pest Management - Rita Island</b>	<b>6</b>
<b>13.2</b>	<b>Additional Parking - Edwards Street, Ayr</b>	<b>6</b>
<b>13.3</b>	<b>Development Application for Reconfiguring a Lot at 30 Klondyke Road and 65-119 Drysdale Street, Ayr (Lot 6 on SP251206 and Lot 5 on SP227212 Parish of Antill, County of Gladstone)</b>	<b>6</b>
<b>13.4</b>	<b>Changes to Parking Limits - Graham Street, Ayr</b>	<b>17</b>
<b>13.5</b>	<b>Disabled Parking Bay - Macmillan Street, Ayr</b>	<b>17</b>
<b>13.6</b>	<b>Changes to Parking Limits - Little Drysdale Street, Ayr</b>	<b>18</b>
<b>14</b>	<b>CORRESPONDENCE FOR INFORMATION</b>	<b>18</b>
<b>15</b>	<b>NOTICES OF MOTION</b>	<b>18</b>
<b>15.1</b>	<b>LGAQ Annual Conference Motion - Drought Relief Assistance Scheme - October 2015</b>	<b>18</b>
<b>16</b>	<b>URGENT BUSINESS</b>	<b>20</b>
<b>17</b>	<b>CLOSED MEETING ITEMS</b>	<b>20</b>
<b>17.1</b>	<b>Recovery of Outstanding Rates</b>	<b>21</b>
<b>18</b>	<b>DELEGATIONS</b>	<b>21</b>

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## **ATTENDANCE**

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

Mr. M. Magin - Chief Executive Officer  
Mr. D. Mulcahy – Manager Governance and Local Laws  
Mr. S. Great - Manager Planning and Development  
Mrs. K. Olsen - Manager Financial and Administrative Services  
Mr. W. Saldumbide - Manager Operations  
Mr. K. Byers - Manager Technical Services  
Mrs. E. Robinson – Manager Client Services

Minutes Clerk – Miss S. Cronin

Apologies: Councillor U.E. Liessmann

### **1 PRAYER**

The meeting prayer was delivered by Major Gary Johnson of the Salvation Army Church.

### **2 DECLARATIONS OF INTEREST**

The Mayor called for declarations of interest.

Councillor McCathie declared a material personal interest in respect of item 9.2 and 10.1 as the applicants are clients of her business, Harcourts Landmark.

Councillor Loizou declared a perceived conflict of interest in respect of item 9.2.

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

#### **3.1 Ordinary Council Meeting Minutes - 25 August 2015**

##### **Recommendation**

That the minutes of the Ordinary Council Meeting held on 25 August, 2015 be received as a true and correct record.

##### **Resolution**

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

CARRIED

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### **3.2 Burdekin Building Safer Communities Action Team Meeting Minutes - 15 July 2015**

#### **Recommendation**

That the minutes of the Burdekin Building Safer Communities action Team Meeting held on 15<sup>th</sup> July 2015 be received and adopted

#### **Resolution**

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

CARRIED

### **3.3 Burdekin Shire Youth Council Meeting Minutes - 20 July 2015**

#### **Recommendation**

That the minutes of the Burdekin Shire Youth Council Meeting held on 20 July 2015 be received and adopted.

#### **Resolution**

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

CARRIED

### **3.4 Burdekin Shire Youth Council Meeting Minutes - 17 August 2015**

#### **Recommendation**

That the minutes of the Burdekin Shire Youth Council Meeting held on 17 August 2015 be received and adopted.

#### **Resolution**

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

CARRIED

## **4 REPORTS**

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## **5 GOVERNANCE & LOCAL LAWS**

## **6 CLIENT SERVICES**

## **7 FINANCIAL & ADMINISTRATIVE SERVICES**

## **8 OPERATIONS**

## **9 TECHNICAL SERVICES**

### **9.1 Disabled Access - Kalamia Driveway**

#### **Executive Summary**

Council has received numerous requests to improve parking arrangements and access for customers requiring assistance to visit the physiotherapist, optometrist and/or dentist in the area of First-In Physio. The existing driveway in front of the Kalamia Hotel entrance was investigated as a possible access for customers.

#### **Recommendation**

Council install a disabled parking space, reconstruct the driveway to include a pram ramp and provide a 'no parking' space in front of the pram ramp to improve access for aged/disabled persons to the physiotherapist, optometrist, and dentist.

#### **Resolution**

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

CARRIED

Councillor Lewis voted against the motion.

### **9.2 Drainage Proposals - South Ayr**

Councillor McCathie declared a material personal interest and left the meeting.

Councillor Loizou declared a perceived conflict of interest and remained in the meeting.

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## **Executive Summary**

To alleviate ongoing drainage issues through Breadsell's and Previtera's property along with Roberts Street and Tamarind Estate, four drainage path proposals were investigated.

## **Recommendation**

We recommend Council proceed with consultation and acquisition of easements through Breadsell/Kusu properties (Route 3). It is \$195000 cheaper than the nearest option and also has the least impact on the local residents. There will be further costs associated with the acquiring of an easement, however this will still be the cheapest option.

## **Resolution**

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

LOST

## Motion

Moved Councillor Lewis, seconded Councillor Loizou that Council proceeds with the consultation and the removal of the temporary road closures pertaining to Route 1, subject to the availability of funds from the 2015-2016 budget.

CARRIED

## **10 PLANNING & DEVELOPMENT**

### **10.1 Development Application for Reconfiguring a Lot at 30 Klondyke Road and 65-119 Drysdale Street, Ayr (Lot 6 on SP251206 and Lot 5 on SP227212 Parish of Antill, County of Gladstone)**

## **Executive Summary**

A Development Application has been received from Milford Planning Consultants on behalf of their client AJ and LM Shepherdson Pty Ltd seeking approval for Reconfiguring a Lot (1 into 19 Lots and balance) at 30 Klondyke Road and 65-119 Drysdale Street, Ayr (Lot 6 on SP251206 and Lot 5 on SP227212 Parish of Antill, County of Gladstone). A Development Application (Code Assessable) has been triggered in accordance with the Burdekin Shire Council's IPA Planning Scheme (*the Scheme*). Given the 'Rural' zoning, it is considered that the application to subdivide does not meet specific requirements of the scheme. Therefore, refusal of the application is recommended.

## **Recommendation**

That Council refuse the Development Application for Reconfiguring a Lot (1 into 19 Lots and balance) at 30 Klondyke Road and 65-119 Drysdale Street, Ayr (Lot 6 on SP251206 and Lot 5 on SP227212 Parish of Antill, County of Gladstone) based on the following grounds:

- 
- The proposed development compromises the achievement of specific Desired Environmental Outcomes (DEO's) contained within the Burdekin Shire Council's IPA Planning Scheme.
  - The development proposed has not demonstrated sufficient grounds in the public interest to justify or override the identified conflicts with the Burdekin Shire Council's IPA Planning Scheme and in particular the Reconfiguration of a Lot Code and Rural Zone Code.
  - The development proposed conflicts with the Burdekin Shire Council's IPA Planning Scheme and pre-empts the planning process for expansion of the urban footprint.
  - The development proposed is not located in an area planned to benefit from all relevant urban infrastructure and current planning assumptions. The proposal may require out of sequence infrastructure upgrades, which have not been considered for funding trunk infrastructure. Consequently, the proposal conflicts with the provisions of the Burdekin Shire Council's IPA Planning Scheme.

## **Resolution**

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

LOST

### Reasons for not adopting:

1. The close proximity to urban land uses and appropriately zoned 'Village' land;
2. Demand for rural residential style development; and
3. Seven existing similar sized lots are across the road from the subject land.

This item deferred until later in the meeting for further consideration.

Councillor McCathie returned to the meeting.

## **11 COMMUNITY DEVELOPMENT**

### **11.1 Adoption of Fees and Charges for Hire of a Basic PA System for Ayr Showgrounds 2015-16**

#### **Executive Summary**

Council took over management of the Ayr Showgrounds from 24 March 2015, following the Ayr Pastoral, Agricultural and Industrial Association Incorporated withdrawing from the management of the Ayr Showgrounds. The Burdekin Theatre basic PA system is utilised at the Ayr Showgrounds Hall when required for bookings.



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## **Recommendation**

That Council adopts the increase of fees and charges for the hire of a basic PA system for the Ayr Showgrounds to \$100 for the 2015-16 financial year, to match with the Burdekin Theatre Fees and Charges for a basic PA system.

## **Resolution**

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

CARRIED

## **12 ECONOMIC DEVELOPMENT**

### **13 GENERAL BUSINESS**

#### **13.1 Pest Management - Rita Island**

## **Resolution**

Moved Councillor McCathie, seconded Councillor Dalle Cort that Council confirms the Mayors action in engaging Dr Jim Mitchell from FeralFix Services to investigate and develop a coordinated strategy to address the Chital Deer problem at Rita Island, with the costs to be borne by the Environmental Levy Fund.

CARRIED

#### **13.2 Additional Parking - Edwards Street, Ayr**

## **Resolution**

Moved Councillor Lewis, seconded Councillor Loizou that Council investigates additional parking bays and signage in Edwards Street, Ayr where applicable.

CARRIED

#### **13.3 Development Application for Reconfiguring a Lot at 30 Klondyke Road and 65-119 Drysdale Street, Ayr (Lot 6 on SP251206 and Lot 5 on SP227212 Parish of Antill, County of Gladstone)**

Councillor McCathie declared a material personal interest in respect of this item and left the meeting.

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## **Resolution**

Moved Councillor Bawden, seconded Councillor Dalle Cort that Council approves the Development Application for Reconfiguring a Lot (1 into 19 Lots and balance) at 30 Klondyke Road and 65-119 Drysdale Street, Ayr (Lot 6 on SP251206 and Lot 5 on SP227212 Parish of Antill, County of Gladstone) subject to the following conditions:

### **STAGE 1**

#### **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 calculated on the basis of a charge per lot to be levied on the Council by the Department of Environment and Resource Management for each new valuation.
- 1.3 The proposed lots must be filled and compacted with approved material to a minimum level equal to the level of a 50 year ARI flood and must be evenly graded to the road frontage or an approved inter-lot drainage system at not less than 0.25% to ensure that the land is free draining.
- 1.4 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.

#### **PROPOSAL PLAN**

2. The reconfiguration of the land must be carried out generally in accordance with:-
  - (a) (i) the proposed LCJ Engineers plan numbered: MILP002, Sheet No: SK05, Revision: C
  - (ii) the plans, specifications, facts and circumstances as set out in the application submitted to Council;Except where modified by the conditions of approval and any approval issued there under; and
  - (b) any approval issued under this approval; and
  - (c) any development permit for operational works relating to the reconfiguring of a lot;

#### **SOIL EROSION SEDIMENT CONTROL & STORMWATER**

- 3.1 A detailed Soil Erosion and Sediment Control Plan for the whole development must be provided as part of Operational Works application. An appropriately qualified professional must design and certify the plan which must comply with the Environment Protection Act 1994 and all its subordinate legislation.
- 3.2 A Stormwater Management Plan for the whole development which shows:
  - The proposed stormwater drainage layout, for the whole development including both surface underground drainage structures;
  - The final discharge point for stormwater flows associated with the development;

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- Measures to be used to minimise stormwater discharge rate from the developed site;
- must be provided as part of any Operational Works application.

3.3 A Stormwater Quality Management Plan, for the whole development, which addresses the performance outcomes stated in State Planning Policy, July 2014 must be provided as part of any Operational Works application.

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

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

These shall be certified by a Registered Professional Engineer of Queensland (RPEQ) and be included in any Operational Works application.

## **DRAINAGE**

4.1 The Stormwater Management Plan as required in condition 3.2 above shall illustrate the flow paths for the minor and major drainage systems.

4.2 The minor drainage shall consist of an underground system or overland drains capable of conveying 5 yr ARI flows from the development and any external catchments currently flowing onto the land being developed. Stormwater shall not overtop kerb for a 5yr ARI event.

4.3 The major drainage system shall consist of overland flow paths or suitably sized underground drainage capable of discharging 50yr ARI flows from the development and any external catchments currently flowing onto the land being developed. Stormwater shall be confined to road reservations and easements for a 50yr ARI event.

4.4 The lawful point of discharge for stormwater shall be at the northwest corner of the development. Post development outflow is to be no greater than that existing prior to the development for a 50year ARI event.

4.5 All surface drainage shall be suitably lined with concrete to maintain levels and grades.

4.6 All drainage works are to be designed to ensure no detrimental effect on the upstream and downstream catchments.

4.7 Downstream drainage paths and structures are to be analysed to ensure they are suitably sized for the increased flows from the development when fully developed. Any inadequate elements of the system are to be augmented at the developers full cost to allow for the increased flows.

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- 4.8 Drainage reserves and easements shall be provided as required by the stormwater design. The developer must at its own cost grant and register all such easements on the title document. Land within proposed reserves shall be transferred to the Burdekin Shire Council upon registration of the Survey Plan.

## **DRAINAGE RESERVES**

- 5.1 Overland flow paths designed as part of the major drainage system shall be constructed within drainage reserves to be dedicated to Council.
- 5.2 Detention basins designed as part of the major drainage system shall be constructed within drainage reserves to be dedicated to Council.
- 5.3 Open drains within reserves shall have a 0.9m minimum width concrete invert constructed in the base of the drain.
- 5.4 Widths of drainage reserves shall be the width of the constructed drain plus a minimum of 3m each side of the top of the drain.

## **DRAINAGE EASEMENTS**

- 6.1 Open drains incorporated in the minor drainage system shall be located within drainage easements and shall have a 600mm wide concrete invert constructed in the base of the drain.
- 6.2 Piped drains traversing allotments shall be located within drainage easements.
- 6.3 Width of drainage easements shall be the width of the constructed drain plus a minimum of 1m each side of the top of the drain, pipe or culvert with a minimum width of 4m.
- 6.4 All drainage easements are to be established in stage one.
- 6.5 The drain at the rear of proposed Lots 1 to 6 and 9 to 11 shall be constructed.
- 6.6 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**

### Drysdale Street

- 7.1 Provide lay back kerbing and channelling for the full length of stage 1. The alignment of such shall be 5.35 metres from the boundary to the back of kerb. This kerb shall extend from the western boundary of proposed lot 1 to the intersection of Drysdale Street and Klondyke Road.
- 7.2 Provide a two coat chip seal road from the lip of the new kerb and channel to 0.3 metres into the existing sealed road.

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- 7.3 Pavement design shall comply with Queensland Transport pavement design manual guidelines and shall be no less than 150mm thick compacted type 2.2 gravel.
- 7.4 Dedicate a splay corner, 15 metres along each frontage, at the intersection of Klondyke Road and Drysdale Street as public road
- 7.5 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.

#### Klondyke Road

- 7.6 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

### **PUBLIC UTILITY SERVICES**

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

### **OPERATIONAL WORKS**

- 9.1 Where operational works are required to be carried out for the reconfiguration, the developer must, within the timeframe required by the Sustainable Planning Act 2009 and prior to the commencement of any work, lodge with Council an application for a development permit for operational works. As part of such application, the developer must submit:-
- (a) detailed and complete engineering drawings and specifications of the proposed works prepared by a civil engineer, who is both registered under the Professional Engineer's Act 2002 and is current Registered Professional Engineer of Queensland; and
  - (b) certificate from the engineer who prepared the drawings stating that the design and specifications have been prepared in accordance with these conditions, relevant Council Codes and Planning Scheme Policies and the relevant Australian Standard Codes of Practice;
  - (c) a letter from the Electricity Service Provider stating that electricity can be readily supplied to the development;
- 9.2 No work must be commenced prior to issue of a development permit for operational works.

### **ELECTRICITY SUPPLY AND STREET LIGHTING**

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

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

10.2 The developer must install ducting to the satisfaction of the Electricity and Telecommunications Service Providers prior to the approval of the Plan of Survey, and

10.3 Street lighting is to be provided to Category P5 in accordance with AS 1158.3.11 – Road Lighting. The consent of the Chief Executive Officer will be required prior to the final design being adopted.

## **WATER SUPPLY WORKS INTERNAL**

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

- a) A water network analysis for the entire development prepared by an appropriately qualified and experienced Registered Professional Engineer of Queensland (RPEQ), must be provided to Council for approval as part of the Development Permit for Operational Works.
- b) The water network analysis must demonstrate that for the entire development minimum pressure (head) of 22m is available at the most disadvantaged allotment frontage/meter location upon completion of the stage and detailing stages at which trunk components of the network should be implemented.
- c) Fire hydrant flow and pressure shall meet AS1429

11.2 Any connection to Council's existing water infrastructure required by the development shall be carried out by the Council at the developer's full cost.

## **WATER SUPPLY HEADWORKS**

12.1 The developer must contribute in accordance with Council's Planning Scheme Policy for Infrastructure Provision - Developer Contribution for Provision of Water supply services is payable, the contribution must be paid at the rate current at the time of payment.

12.2 The developer must provide a contribution to the pressure/flow augmentation of Council's existing water supply. The contribution is \$1567.40 per lot indexed annually to the CPI.

## **AS-CONSTRUCTED PLANS**

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

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## STAGE 2

### 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 calculated on the basis of a charge per lot to be levied on the Council by the Department of Environment and Resource Management for each new valuation.
- 1.3 The proposed lots must be filled and compacted with approved material to a minimum level equal to the level of a 50 year ARI flood and must be evenly graded to the road frontage or an approved inter-lot drainage system at not less than 0.25% to ensure that the land is free draining.
- 1.4 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.

### PROPOSAL PLAN

2. The reconfiguration of the land must be carried out generally in accordance with:-
  - (a) (i) the proposed LCJ Engineers plan numbered: MILP002, Sheet No:SK05, Revision:C
  - (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

#### Drysdale Street

- 3.1 Provide layback kerbing and channelling for the full length of stage 2. The alignment of such shall be 5.35 metres from the boundary to the back of kerb. This kerb shall extend from the existing kerb at the intersection of Drysdale and Robert Streets to the kerb at the western boundary of proposed lot1.
- 3.2 Provide a two coat chip seal road from the lip of the new kerb and channel to 0.3 metres into the existing sealed road.
- 3.3 Pavement design shall comply with Queensland Transport pavement design manual guidelines and shall be no less than 150mm thick compacted type 2.2 gravel.
- 3.4 The construction of any crossovers to give access to the land is to be the owner's responsibility and to the satisfaction of the Chief Executive Officer.

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### Klondyke Road

- 3.5 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

### New Road

- 3.6 Provide lay back kerbing and channelling from Klondyke Road to the northern boundary of Lots 7 and 8. The width of the road shall be 8.2 metres between faces of kerb.
- 3.7 Provide a DG10 asphaltic concrete sealed (minimum 30 mm thick) road between the lips of the new kerbs.
- 3.8 Provide a temporary bitumen turnaround at the end of the new road. The turnaround shall have a minimum radius of 10 metres and be contained within road reserve or easements. The dedicated road reserve/easement shall extend to a point 5 metres beyond the end of the turnaround. The construction of the turnaround is to be in accordance with Council design guidelines. A bond of \$25,000 shall be lodged with the Burdekin Shire Council as a guarantee for the construction of kerb and channel around the turnaround if future stages of the development have not commenced construction within a two year period after completion of the current stage. This bond shall be returned to the developer upon commencement of operational works for the next stage which continues this road beyond the turnaround within the specified timeframe.
- 3.9 Pavement design shall comply with Queensland Transport pavement design manual guidelines and shall be no less than 150mm thick compacted type 2.2 gravel.
- 3.10 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

### **PUBLIC UTILITY SERVICES**

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

### **OPERATIONAL WORKS**

- 5.1 Where operational works are required to be carried out for the reconfiguration, the developer must, within the timeframe required by the Sustainable Planning Act 2009 and prior to the commencement of any work, lodge with Council an application for a development permit for operational works. As part of such application, the developer must submit:-
- (a) detailed and complete engineering drawings and specifications of the proposed works prepared by a civil engineer, who is both registered under the Professional Engineer's Act 2002 and is current Registered Professional Engineer of Queensland; and
  - (b) certificate from the engineer who prepared the drawings stating that the design and specifications have been prepared in accordance with these



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conditions, relevant Council Codes and Planning Scheme Policies and the relevant Australian Standard Codes of Practice;

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

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

## **ELECTRICITY SUPPLY AND STREET LIGHTING**

6.1 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 electricity supply to the subdivision and must provide at the developer's cost:-

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

6.2 The developer must install ducting to the satisfaction of the Electricity and Telecommunications Service Providers prior to the approval of the Plan of Survey, and

6.3 Street lighting is to be provided to Category P5 in accordance with AS 1158.3.11 – Road Lighting. The consent of the Chief Executive Officer will be required prior to the final design being adopted.

## **WATER SUPPLY WORKS INTERNAL**

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

7.2 Any connection to Council's existing water infrastructure required by the development shall be carried out by the Council at the developer's full cost.

## **WATER SUPPLY HEADWORKS**

8.1. The developer must contribute in accordance with Council's Planning Scheme Policy for Infrastructure Provision - Developer Contribution for Provision of Water supply services is payable, the contribution must be paid at the rate current at the time of payment.

8.2 The developer must provide a contribution to the pressure/flow augmentation of Council's existing water supply. The contribution is \$1567.40 per lot indexed annually to the CPI

## **AS-CONSTRUCTED PLANS**

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

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## STAGE 3

### 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 calculated on the basis of a charge per lot to be levied on the Council by the Department of Environment and Resource Management for each new valuation.
- 1.3 The proposed lots must be filled and compacted with approved material to a minimum level equal to the level of a 50 year ARI flood and must be evenly graded to the road frontage or an approved inter-lot drainage system at not less than 0.25% to ensure that the land is free draining.
- 1.4 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.

### PROPOSAL PLAN

2. The reconfiguration of the land must be carried out generally in accordance with:-
  - (a) (i) the proposed LCJ Engineers plan numbered: MILP002, Sheet No: SK05, Revision: C
  - (ii) the plans, specifications, facts and circumstances as set out in the application submitted to Council;Except where modified by the conditions of approval and any approval issued there under; and
  - (b) any approval issued under this approval; and
  - (c) any development permit for operational works relating to the reconfiguring of a lot;

### DRAINAGE

3. The drains within Lots 12 to 14 are to be constructed

### ROADWORKS

#### New Road

- 4.1 Provide lay back kerbing and channelling from the kerb and channel at the northern boundary of lots 7 and 8 to the end of the road. The width of the road shall be 8.2 metres between faces of kerb.
- 4.2 Provide a DG10 asphaltic concrete sealed (minimum 30 mm thick) road between the lips of the new kerbs
- 4.3 The turning circle in the cul de sac shall have a minimum radius of 10 metres to face of kerb. There shall be a minimum of 4 metres footpath width between the face of kerb and the boundary

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- 4.4 Pavement design shall comply with Queensland Transport pavement design manual guidelines and shall be no less than 150mm thick compacted type 2.2 gravel.
- 4.5 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

## **PUBLIC UTILITY SERVICES**

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

## **OPERATIONAL WORKS**

- 6.1 Where operational works are required to be carried out for the reconfiguration, the developer must, within the timeframe required by the Sustainable Planning Act 2009 and prior to the commencement of any work, lodge with Council an application for a development permit for operational works. As part of such application, the developer must submit:-
- (a) detailed and complete engineering drawings and specifications of the proposed works prepared by a civil engineer, who is both registered under the Professional Engineer's Act 2002 and is current Registered Professional Engineer of Queensland; and
  - (b) certificate from the engineer who prepared the drawings stating that the design and specifications have been prepared in accordance with these conditions, relevant Council Codes and Planning Scheme Policies and the relevant Australian Standard Codes of Practice;
  - (c) a letter from the Electricity Service Provider stating that electricity can be readily supplied to the development;
- 6.2 No work must be commenced prior to issue of a development permit for operational works.

## **ELECTRICITY SUPPLY AND STREET LIGHTING**

- 7.1 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 electricity supply to the subdivision and must provide at the developer's cost:-
- (c) a reticulated electricity supply to each part of the subdivision in accordance with the requirements of the Electricity Service Provider;
- 7.2 The developer must install ducting to the satisfaction of the Electricity and Telecommunications Service Providers prior to the approval of the Plan of Survey, and

- 
- 7.3 Street lighting is to be provided to Category P5 in accordance with AS 1158.3.11 – Road Lighting. The consent of the Chief Executive Officer will be required prior to the final design being adopted.

### **WATER SUPPLY WORKS INTERNAL**

- 8.1 The development must be connected to Council's reticulated water supply. The water connection must be provided at a location approved by Council and at the full cost of the developer. Each of the proposed lots shall have separate water services.
- 8.2 Any connection to Council's existing water infrastructure required by the development shall be carried out by the Council at the developer's full cost.

### **WATER SUPPLY HEADWORKS**

9. The developer must contribute in accordance with Council's Planning Scheme Policy for Infrastructure Provision - Developer Contribution for Provision of Water supply services is payable, the contribution must be paid at the rate current at the time of payment.

The developer must provide a contribution to the pressure/flow augmentation of Council's existing water supply. The contribution is \$1567.40 per lot indexed annually to the CPI.

### **AS-CONSTRUCTED PLANS**

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

CARRIED

Councillor McCathie returned to the meeting.

### **13.4 Changes to Parking Limits - Graham Street, Ayr**

#### **Resolution**

Moved Councillor McCathie, seconded Councillor Lewis that Council changes the parking time to one hour limit in Graham Street, Ayr between Subway and Coles Express.

CARRIED

### **13.5 Disabled Parking Bay - Macmillan Street, Ayr**

#### **Resolution**

Moved Councillor Lewis, seconded Councillor Dalle Cort that Council installs a disabled parking bay at 113-115 Macmillan Street, Ayr.

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CARRIED

### **13.6 Changes to Parking Limits - Little Drysdale Street, Ayr**

Councillor McCathie declared a material personal conflict of interest in respect of this item and left the meeting.

#### **Resolution**

Moved Councillor Bawden, seconded Councillor Loizou that Council changes the parking times to one hour parking adjacent to 5 Little Drysdale Street, Ayr.

CARRIED

Councillor McCathie returned to the meeting.

## **14 CORRESPONDENCE FOR INFORMATION**

## **15 NOTICES OF MOTION**

### **15.1 LGAQ Annual Conference Motion - Drought Relief Assistance Scheme - October 2015**

#### **Recommendation**

That Council adopts the attached motion for submission to LGAQ for the Annual Conference to be held in Toowoomba in October 2015.

### **LGAQ ANNUAL CONFERENCE MOTION TEMPLATE – 2015**

<b>Submitting council / organisation</b> BURDEKIN SHIRE COUNCIL	
<b>Date of council / organisation resolution</b> Tuesday 8 <sup>th</sup> September, 2015	<b>LGAQ Policy Executive district</b> District 9 Northern
<b>Number and title of motion</b>	<b>1. Funding under Drought Relief Assistance Scheme for payment of annual property rates on lands under drought declaration.</b>
<b>Motion</b>	That LGAQ make representations to the Queensland Parliament's Agriculture and Environment Committee, under the review of the Drought Relief Assistance Scheme, to provide financial assistance to drought affected property owners through the payment of annual property rates direct to the local authority.
<b>Background</b>	Whilst 32 entire local government areas and three part local

	<p>government areas are currently drought declared, Burdekin Shire, like many other shires throughout Queensland, is not currently drought declared. However, under the current Drought Relief Assistance Scheme, individual property owners may be eligible for financial assistance, and can apply for an “Individually Droughted Property” declaration.</p> <p>The failure of seasonal rain during the past two years is leading the Burdekin Shire toward a serious situation for farmers and graziers, and primary production in general.</p> <p>This Shire has a mix of intensive irrigated agriculture farming, dependent on a reducing Burdekin Falls Dam storage and groundwater resource, as well as rangelands grazing interests reliant on overland water capture of rain in their private dams which are also reducing and in some cases dry.</p> <p>Other local government areas across Queensland are facing similar drought conditions.</p> <p>As a responsible Council, we have advised residents of this community to consider their individual situations and eligibility for ‘Individually Droughted Property’ (IDP) declaration.</p> <p>Burdekin Shire Council would like the Agriculture and Environment Committee to acknowledge the importance to those in need of support to retain their dignity by an ability to meet payments due e.g. annual property rates.</p> <p>Burdekin Shire Council would like to see the introduction of a funding programme to provide financial assistance to drought affected property owners, through the direct payment to local authorities of annual property rates on lands under drought recognition.</p>
<p>What is the desired outcome sought?</p> <p>What are the impacts (positive or negative) on local government?</p>	<p>For drought affected property owners to receive assistance from the Queensland Government through the Drought Relief Assistance Scheme to meet annual property rates payments.</p> <p>Burdekin Shire Council acknowledges the impact on property owners of drought conditions. Often, these property owners are asset rich and cash poor, and they may not have the financial resources to meet their annual property rates payment. These circumstances place the property owner and the local authority in a very unfortunate situation.</p> <p>Financial assistance to drought affected property owners by way of direct payment to local authorities of annual property rates, will support the property owner in times of need, and ensure they are able to retain their dignity, and ultimately ownership of their properties.</p> <p>For Councils, the financial assistance will eliminate the possibility of legal action to recover outstanding rates from property owners who are</p>

	<p>already suffering extreme hardship as a result of drought conditions.</p> <p>Council has made a submission to the Agriculture and Environment Committee for the 'Review of Queensland Government Drought Assistance Measures'.</p>
LGAQ comment	

### **Resolution**

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

CARRIED

## **16 URGENT BUSINESS**

### **17 CLOSED MEETING ITEMS**

#### **Council Meeting closed to Public under Section 275 of Local Government Regulation 2012**

### **Resolution**

Moved Councillor Bawden, seconded Councillor Loizou that the Council meeting be closed to the public under the following sections of the Local Government Regulation 2012:

275(1)(e) Contracts proposed to be made by it.

For the purpose of discussing recovery of outstanding rates.

CARRIED

#### **Council Meeting opened to Public**

### **Resolution**

Moved Councillor Lewis, seconded Councillor Loizou that the Council meeting be opened to the public.

CARRIED

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## **17.1 Recovery of Outstanding Rates**

### **Resolution**

Moved Councillor Loizou, seconded Councillor Bawden that in relation to the proposed auction of land for recovery of outstanding rates on 12 September 2015, Council adopts the reserve price as recommended for the following property:

Property Number: 10303

CARRIED

## **18 DELEGATIONS**

10.00 am      Presentation by Marie Finn, President of the Burdekin Festival of Arts Inc. –  
Report on Inaugural Burdekin Festival of Arts.

There being no further business the meeting closed at 1.50pm.

**These minutes were confirmed by Council at the Ordinary Council Meeting held on 22 September 2015.**

**MAYOR**



