



Burdekin Shire Council

# **MINUTES**

## **ORDINARY COUNCIL MEETING**

HELD AT COUNCIL ADMINISTRATION BUILDING,  
145 YOUNG STREET, AYR

**on 28 June 2022**

**COMMENCING AT 10:30 AM**

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## **ORDER OF BUSINESS:**

### **1. ATTENDANCE**

Councillor Lyn McLaughlin, Councillor Sue Perry, Councillor Kaylee Boccalatte, Councillor John Bonanno, Councillor Michael Detenon, Councillor John Furnell, Councillor Max Musumeci.

Mr. T. Brennan - Chief Executive Officer  
Mr. N. O'Connor – Director Corporate and Community Services  
Mr. N. Wellwood – Director of Infrastructure, Planning and Environmental Services  
Mrs. K. Galletta - Manager Planning and Development (Part)  
Mrs. K. Olsen - Manager Financial and Administrative Services (Part)

Minutes Clerk - Mrs. S. Iturriaga

Prior to the Prayer the Mayor noted the recent passing of former Council employee, Mr Tano Buono, who had worked with Council for 43 years.

### **2. PRAYER**

The meeting prayer was delivered by Pastor Peter Holmes of the Australian Christian Churches.

### **3. DECLARATIONS OF INTEREST**

The Mayor called for declarations of interest.

Councillor McLaughlin advised she had a Declarable Conflict of Interest in relation to Item 4.4.5 RADF Advisory Group Minutes - 20 June 2022 as she wrote a letter of support for the Raw application. Councillor McLaughlin advised of her intention to leave the meeting prior to this discussion.

Councillor Perry advised she had a Declarable Conflict of Interest in relation to Item 4.4.5 RADF Advisory Group Minutes - 20 June 2022 as she participates in the Wheel Workshop. Councillor Perry advised of her intention to leave the meeting prior to this discussion.

Councillor Boccalatte advised she had a Declarable Conflict of Interest in relation to Item 4.4.5 RADF Advisory Group Minutes - 20 June 2022 as she has received gifts from Burdekin Artisan Community Association Inc. over two (2) years totalling \$540.00 and made donations totalling \$920.00. Councillor Boccalatte advised of her intention to leave the meeting prior to this discussion.

### **4. MINUTES AND BUSINESS ARISING**

#### **4.1. Ordinary Council Meeting Minutes - 14 June 2022**

##### **Recommendation**

That the minutes of the Ordinary Council Meeting held on 14 June 2022 be received as a true and correct record.

##### **Resolution**

Moved Councillor Musumeci, seconded Councillor Boccalatte that the recommendation be adopted.

CARRIED

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#### **4.2. Economic Development Advisory Group Meeting Minutes - 5 May 2022**

##### **Recommendation**

That the minutes of the Economic Development Advisory Group Meeting Minutes held on 5 May 2022 be noted and adopted.

##### **Resolution**

Moved Councillor Perry, seconded Councillor Detenon that the recommendation be adopted.

CARRIED

*10.45am - Mrs. Galletta entered the meeting.*

#### **4.3. Burdekin Shire Youth Council Meeting Minutes - 30 May 2022**

##### **Executive Summary**

###### Item 2 - Spotify Advertising Now Live

That Council acknowledge the Burdekin Shire Youth Council's Spotify Advertising which is now live.

###### Item 5 - Proposed Involvement at Queensland Day Fun and Fitness Expo

That Council notes the proposed involvement of the Burdekin Shire Youth Council members at the upcoming Queensland Day Fun and Fitness Expo to be held on June 12 2022.

##### **Recommendation**

That:

1. the minutes of the Burdekin Shire Youth Council Meeting held on 9 May 2022 be noted and adopted; and
2. the recommendations as detailed in the minutes and summarised in Items 4 -11 above be adopted.

##### **Resolution**

Moved Councillor Furnell, seconded Councillor Perry that the recommendation be adopted.

CARRIED

#### **4.4. Audit Committee Meeting Minutes - 15 June 2022**

##### **Summary of recommendations and actions for consideration and adoption:**

###### Item 3.1 - Queensland Audit Office Financial Statement Preparation Maturity Self-Assessment Tool

That the Committee note the Queensland Audit Office Financial Statement Preparation Maturity Self-Assessment results and the previous year comparative summary.

###### Item 4.1 - Annual Infrastructure Valuation Methodology Report

That the Committee note the 2021-2022 Internal Valuation Report.

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Item 5.1 & 5.2 - Queensland Audit Office Emerging issues and reports to Parliament & External Audit Progress

That the Committee note the Queensland Audit Office Briefing Paper and 2022 Interim Report.

Item 6.1 - Long Term Financial Forecast

That the Committee note the Long Term Financial Forecast.

Item 6.2 - Management Response to Queensland Audit Office Report – Local Government 2021 (Report 15: 2021-22)

That the Committee note the content of the report and associated programs and initiatives being implemented to address the six (6) recommendations for Councils contained in the Queensland Audit Office Local Government 2021 – Report 15: 2021-22.

Item 7.1 - Chairperson's Annual Report

That the Committee endorse the Audit Committee Chairperson's 2021/2022 Annual Report to be presented to Council.

## **Recommendation**

That:

1. the minutes of the Audit Committee meeting held on 4 May 2022 be noted; and
2. the recommendations as detailed in the minutes and summarised in Item 3 to 9.4 be adopted.

## **Resolution**

Moved Councillor Detenon, seconded Councillor Perry that the recommendation be adopted.

CARRIED

### **4.5. RADF Advisory Group Minutes – 20 June 2022**

10.50 am - Councillor McLaughlin advised she had a Declarable Conflict of Interest in relation to Item 4.4.5 RADF Advisory Group Minutes - 20 June 2022 as she wrote a letter of support for the Raw application. Councillor McLaughlin left the meeting.

10.50 am - Councillor Perry advised she had a Declarable Conflict of Interest in relation to Item 4.4.5 RADF Advisory Group Minutes - 20 June 2022 as she participates in the Wheel Workshop. Councillor Perry left the meeting.

10.50 am - Councillor Boccalatte advised she had a Declarable Conflict of Interest in relation to Item 4.4.5 RADF Advisory Group Minutes - 20 June 2022 as she has received gifts from Burdekin Artisan Community Association Inc. over two (2) years totalling \$540.00 and made donations totalling \$920.00. Councillor Boccalatte left the meeting.

As both Mayor and Deputy Mayor had a declarable Interest in Item 4.4.5 - RADF Advisory Group Meeting Minutes - 20 June 2022, under the Burdekin Shire Council Standing Orders, Clause 2.3, it is required that a Councillor be chosen by the remaining Councillors to preside over the discussion. Councillor Musumeci nominated Councillor Bonanno to assume the chair during the discussion of Item 4.4.5 RADF Advisory Group Meeting Minutes - 20 June 2022. Councillor Bonanno accepted.

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**Summary of recommendations and actions for consideration and adoption:**

Applicant	Project	Requested Funding	Recommended Funding
Brentton Anderson	<p>Towards cost of undertaking street photography project with the intention of presenting work in shop window activation project as part of the Delta Yarns Project in September 2022.</p> <p><i>The meeting recommends funding of this project subject to provision of a break-down of details of in-kind support for the project.</i></p>	\$4,700.00	\$4,700.00
Marni Hine	<p><b>Cr McLaughlin left the meeting during consideration of the following application</b></p> <p>The project 'Raw' will capture through portraiture the contemporary face of Burdekin's sugar cane industry. The ultimate aim is to promote awareness of the calibre of people and the kind of work involved through photography and stories and presented as part of the 2023 Sweet Days Hot Nights Festival.</p> <p><i>The meeting recommends funding of this project subject to provision of a break-down of details of in-kind support for the project.</i></p> <p><b>Cr McLaughlin returned to the meeting.</b></p>	\$5,000.00	\$5,000.00
Burdekin Artisan Community Assoc Inc	<p><b>Cr Perry and Mrs Colquhoun left the meeting during consideration of the following application. Mr Woods assumed the chair. Conduct children's workshops during September 2022 and January 2023 school holidays.</b></p> <p><b>The meeting recommends funding of the materials and printing components of the project.</b></p> <p><b>Cr Perry and Mrs Colquhoun returned to the meeting. Cr Perry assumed the chair.</b></p>	\$3,850.00	\$820.00

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Lower Burdekin Celtic Dancing Assoc Inc	<p><b>Towards the cost of providing entertainment for the Hogmanay to be conducted as a family friendly event on 31 December 2022.</b></p> <p><b>The meeting recommends that an application for this project be submitted to the Council's Community Grants Program.</b></p>	\$3,200.00	\$0.00
Lower Burdekin Celtic Dancing Assoc Inc	<p><b>Towards cost of 15 Burdekin Highland dancers' attendance at Outback Titles and Highland dancing workshop in Mt Isa in November 2022.</b></p>	\$3,750.00	\$3,750.00
Burdekin Singers & Theatre Co	<p><b>Mr Woods left the meeting during consideration of the following application.</b></p> <p><b>Towards cost of producing "Beginners Act 1 – The Centenary of the Ayr Choral Society and Burdekin Singers" to be launched at the beginning of each night of a two night centenary concert.</b></p> <p><b>Mr Woods returned to the meeting.</b></p>	\$5,000.00	\$4,940.00
Burdekin Potters Inc	<p><b>Cr Perry left the meeting during consideration of the following application. Mr Woods assumed the chair.</b></p> <p><b>Towards cost of conducting second part of wheel workshop for new members.</b></p> <p><b>Cr Perry returned to the meeting and assumed the chair.</b></p>	\$1,372.00	\$1,372.00
TOTALS		\$26,872.00	\$20,582.00

### Recommendation

That:

1. the minutes of the RADF Advisory Group Meeting held on 20 June 2022 be noted, and;
2. the recommendations as detailed in the minutes and summarised in (Item 5 to Item 8.2) above be adopted.

### Resolution

Moved Councillor Musumeci, seconded Councillor Furnell that the recommendation be adopted.

CARRIED

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*10.53 am - Councillors McLaughlin, Perry and Boccalatte re-entered the meeting. Councillor McLaughlin resumed the chair.*

## **5. EXECUTIVE**

### **5.1. CEO**

#### **5.1.1. Council Attendance at the Local Government Association of Queensland Annual Conference and Annual General Meeting - 17 to 19 October 2022 - Cairns**

##### **Executive Summary**

Advice has been received from the Local Government Association of Queensland (LGAQ) that it's Annual Conference and Annual General Meeting is being held in Cairns from 17 to 19 October 2022.

##### **Recommendation**

That:

1. Council endorses the Mayor, Councillor Lyn McLaughlin and two (2) Councillors to attend the Local Government Association of Queensland Annual Conference in Cairns from 17 to 19 October 2022, with all expenses of attendance at the Conference be met by Council.
2. Council consider any motions requiring submission to the Annual Conference before the closing time on 10 August 2022.

##### **Resolution**

Moved Councillor Detenon, seconded Councillor Furnell that the recommendation be adopted and Councillor Perry and Musumeci be approved to attend the conference.

CARRIED

*11.00 am - Councillor Detenon left the meeting.*

*11.02 am - Councillor Detenon re-entered the meeting.*

### **5.2. ECONOMIC DEVELOPMENT**

## **6. CORPORATE AND COMMUNITY SERVICES**

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## **6.1. CLIENT SERVICES**

## **6.2. COMMUNITY DEVELOPMENT**

## **6.3. FINANCIAL AND ADMINISTRATIVE SERVICES**

### **6.3.1. Monthly Financial Report - May 2022**

#### **Recommendation**

That the Monthly Financial Report for Period Ending 31 May 2022 be received.

#### **Resolution**

Moved Councillor Detenon, seconded Councillor Perry that the recommendation be adopted.

CARRIED

*11.10am - Mrs. Olsen left the meeting.*

## **6.4. GOVERNANCE**

### **6.4.1. Revised Enterprise Risk Management Policy**

#### **Executive Summary**

Council's Enterprise Risk Management (ERM) Policy outlined Council's commitment to the effective management of risks that may have an impact on the achievement of strategic priorities, operational goals and project objectives as defined in Council's adopted Corporate and Operational Plans. Council's ERM policy was first adopted in 2013 and the Policy has been reviewed and updated in 2017 and 2019. The policy has been reviewed in line with the regular review cycle and only minimal adjustments have been proposed.

#### **Recommendation**

That Council adopts the revised Enterprise Risk Management Policy as attached to this report.

#### **Resolution**

Moved Councillor Furnell, seconded Councillor Bonanno that the recommendation be adopted.

CARRIED

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#### **6.4.2. Audit Committee Chairperson's 2021/22 Annual Report**

##### **Executive Summary**

Council's Audit Committee (the Committee) has been established in accordance with requirements of the *Local Government Act 2009*. The Committee operates independently of management and plays a key role in assisting Council discharge its responsibilities for the efficient, effective, economical, and ethical use of ratepayer's resources. The Committee does this by providing independent oversight and assurance of Council's governance and internal control frameworks, financial reporting, and compliance with relevant legislation.

In accordance with the *Local Government Regulation 2012*, the Committee is to examine the internal audit plan, reports of internal audit activity, a draft of the financial statements before being provided to the auditor-general, and the auditor-general's audit report and observation report of the financial statements.

The Committee meets in accordance with an adopted meeting schedule and provides prompt and constructive reports directly to Council via the provision of meeting minutes. In addition, the Independent Chairperson is required to provide an Annual Report to Council on the performance of the Committee throughout the year.

##### **Recommendation**

That Council notes the attached Audit Committee Chairperson's 2021/22 Annual Report.

##### **Resolution**

Moved Councillor Detenon, seconded Councillor Boccalatte that the recommendation be adopted.

CARRIED

#### **6.4.3. Revised Community Use of Council Bus Policy**

##### **Executive Summary**

Traditionally, the council-owned bus has been made available for use by Burdekin community groups if a Council employee or Councillor has been available to voluntarily drive the bus. Council's policy for community use of the Council bus provides the guidelines and conditions for use of the Burdekin Shire Council bus by community groups. The policy has been reviewed and updated in accordance with the adopted review schedule.

##### **Recommendation**

That Council adopts the revised Community Use of Council Bus Policy as attached to this report.

##### **Resolution**

Moved Councillor Furnell, seconded Councillor Boccalatte that the recommendation be adopted.

CARRIED

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#### **6.4.4. Response to Queensland Audit Office Local Government 2021 - Report 15: 2021-22**

##### **Executive Summary**

On 11 May 2022 the Queensland Audit Office's (QAO) *Local Government 2021 Report 15: 2021-22* was tabled in Parliament.

The report contains six (6) recommendations for Councils to strengthen internal controls, governance and sustainability.

The purpose of this report is to detail the various programs and initiatives management has in place to address the QAO recommendations.

##### **Recommendation**

That Council receives and notes the content of this report and the associated programs and initiatives being implemented to address the six (6) recommendations for Councils contained in the Queensland Audit Office's *Local Government 2021 - Report 15: 2021-22*.

##### **Resolution**

Moved Councillor Perry, seconded Councillor Musumeci that the recommendation be adopted.

CARRIED

## **7. INFRASTRUCTURE, PLANNING AND ENVIRONMENTAL SERVICES**

### **7.1. ENVIRONMENTAL AND HEALTH SERVICES**

### **7.2. OPERATIONS**

### **7.3. PLANNING AND DEVELOPMENT**

#### **7.3.1. Amend Building Application "Lodgement Fee" in 2022/23 Fees and Charges**

##### **Executive Summary**

It has been discovered that the Lodgement Fee for Building Applications was adopted as \$110.00 per application for the 2022/2023 Fees and Charges.

However the proposed fee by Council's Building Section was \$109.00 which is the same as the Lodgement Fee for Plumbing Applications. The Lodgement Fee for Plumbing Applications was adopted at the \$109.00 Fee.

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It is required to amend the Lodgement Fee on the 2022/2023 Fees and Charges under the heading 'Building Application Fees/Development Assessment Fees' from the adopted \$110.00 per application to \$109.00/application (fee proposed by Building Section)

### **Recommendation**

The Council amend the Lodgement Fee under the heading 'Building Application Fees/Development Assessment Fees' for the 2022/23 Fees and Charges from \$110.00 to \$109.00. To bring it in line with the Plumbing Application Lodgement Fee being \$109.00.

### **Resolution**

Moved Councillor Perry, seconded Councillor Musumeci that the recommendation be adopted.

CARRIED

### **7.3.2. Material Change of Use – MCU22/0001 - Dual Occupancy 20-26 Patricia Road, Ayr (Lot 29 on RP744911)**

#### **Executive Summary**

Council is in receipt of a Development Application lodged by Gordon Wood, care of BNC Planning for a Material Change of Use – Dual Occupancy on land described as Lot 29 on RP744911 and located at 20-26 Patricia Road, Ayr.

The subject land is designated within the Rural Zone of the *Burdekin Shire Council's IPA Planning Scheme* (the Planning Scheme).

Lot 29 is 8.7 hectares in total area with and contains an existing dwelling house and shed.

A second new 4-bedroom dwelling house, 263m<sup>2</sup> in area and located approximately 16.0m to the west of the existing dwelling is proposed. Proposal plans are provided at **Attachment A**.

The development is not proposing a new reticulated water connection however a new and separate driveway providing access from Patricia Road is proposed.

The Development Application is subject to Impact Assessment and therefore required Public Notification. Public Notification was undertaken in accordance with the requirements of the *Planning Act 2016* with no submissions received.

Officers have assessed the Development Application and notwithstanding the conflicts identified, have determined that any approval is able to be conditioned appropriately to be generally consistent with the relevant assessment benchmarks of the Planning Scheme and all other relevant plans, policies and legislation.

Recommended conditions of approval are provided as below:

Condition	Reason	Timing
<b>1. General and Administration</b>		
1.1 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 applications supporting material, except where modified		At all times.

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Condition		Reason	Timing
1.2	by the conditions of this Development Permit and any approval issued there under.		
	Where a discrepancy or conflict exists between the written condition(s) of the approval and the approved plans, the requirements of the written condition(s) will prevail.		
	The proposed development must comply with all Planning Scheme requirements as applying at the date of this approval, except as otherwise specified by any condition.		
<b>2. Approved Plans and/or Supporting Documents</b>		The development must comply with all planning scheme requirements and definitions as approved and conditioned by this development permit.	During the operation and life of the development.
2.1	The proposed development must be completed and maintained generally in accordance with the drawing/ documents identified in the Table below, except as otherwise specified by any condition of this approval.		
2.2	One full set of the most up to date approved plans must be held on site and available for inspection for the duration of the construction phase and during compliance checks.		
2.3	Where a discrepancy or conflict exists between the written condition(s) of the approval and the approved plans, the requirements of the written condition(s) will prevail.		
2.4	The proposed development must comply with all scheme requirements as applying at the date of this approval, except as otherwise specified by any condition of this approval.		
2.5	The development must be constructed in the position and at the levels identified on the approved plans or as stipulated by a condition of this approval, noting that all boundary setback measurements are taken from the real property boundary and not from such things as road bitumen or fence lines.		
<b>3. Approved Plans</b>			
<b>Drawing Title</b>		<b>Drawing Ref &amp; Issue</b>	<b>Prepared by</b>
SITE PLAN		PD01 Rev 1	Michael Case Homes
FLOOR PLAN		PD02 Rev 1	Michael Case Homes
ELEVATIONS		PD03 Rev 1	Michael Case Homes
ELEVATIONS		PD04 Rev 1	Michael Case Homes
<b>Associated Reports</b>			
Development application prepared by BNC Planning. File Ref: DA128-19 V1.0 December 2021			
<b>4.</b>	<b>Community Title Scheme Not Permitted</b> The submission to Council for its endorsement of any Community Management Statement that would allow the development to be separately titled into a Community Titles Scheme is not permitted. i. A Land Memo will be imposed on the land parcel (Lot 29 on RP744911) prior to the issue of classification for the building approval, advising that separate titling of the land by away of a Community Titles Scheme is not	To ensure all development is appropriately located, designed and operated to ensure that: i. Existing and future agricultural activities anticipated in the	At all times. The Land Memo to be attached to the land parcel record, prior to the issue of the certificate of final inspection by the Building Certifier.

Condition		Reason	Timing
	<p>permitted to occur.</p> <p>ii. The property record notation will read as follows:  <i>'Subdividing the land by way of a Community Titles Scheme is not permitted to occur and has been prevented by way of a condition of development approval. A copy of the conditions of the development approval is available from Council. Landowners or purchasers are strongly advised to seek further details by contacting Council's Planning and Development section.'</i></p>	<p>Rural Zone are not compromised; and</p> <p>ii. A safe and pleasant environment is provided while reasonably maintaining the amenity experienced in the locality.</p>	
<b>5. Outstanding charges</b> All rates and charges (including infrastructure charges), in arrears in respect of the land, subject of the application, are paid in full prior to the commencement of the proposed use			Prior to the issue of the certificate of final inspection by the Building Certifier.
<b>6. Compliance with Conditions</b> The proposed development must comply with all conditions of this development permit prior to the commencement of the use, or prior to the issue of the Certificate of Classification by the building certifier, whichever occurs first.		The development must comply with all planning scheme requirements and definitions as approved and conditioned by this development permit.	<p>i. Prior to the issue of the certificate of final inspection by the Building Certifier; and</p> <p>ii. During the operation and life of the development.</p>
<b>7. On Site Water Supply</b>		To ensure the development is appropriately and adequately serviced by private infrastructure and to ensure that excessive impacts to Council's reticulated infrastructure and water supply in the locality are effectively mitigated.	<p>i. Prior to the issue of the certificate of final inspection by the Building Certifier; and</p> <p>ii. During the operation and life of the development.</p>
<b>7.1</b>	<p>i. No new water connection and/or meter for the development is permitted.</p> <p>ii. Water supply for the new dwelling is to be accessed via a connection from the existing property service to and meter that currently services Lot 29 on RP744911.</p>		
<b>7.2</b>	An adequate flow restricting device as approved by Council, must be installed on the supply line to the new dwelling, with flow limited to 23 L/min.		
<b>7.3</b>	A physical air break is to be provided between the each residential supply. For example, the development is to be provided with adequate storage tanks ( minimum storage capacity of 10,000 litres), installed to service the new dwelling.		
<b>8. On Site Sewerage Treatment and Disposal</b> 8.1 At future building application stage, the applicant is to design and construct a suitable on-site sewerage treatment system for the new dwelling. 8.2 Such work must be designed and constructed in accordance with <i>the On Site Sewerage Code and AS/NZS 1547:2000</i> .		To ensure the development is appropriately serviced by the required infrastructure.	Prior to the issue of the certificate of final inspection by the Building Certifier.
<b>9. Public Utility Services</b> 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			At all times.

Condition	Reason	Timing
external works or other works associated with the approved development.		
<b>10. Stormwater Drainage and Management</b> 10.1 All site works must be undertaken to ensure that there is no increase in flood levels and/or flood frequency at any locations where existing landowners and/or users are adversely affected by waterway flooding for all events up to and including Q100. 10.2 The approved development 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. 10.3 Any external catchments discharging to the premises must be accepted and accommodated within the development's stormwater drainage system.	To convey stormwater legally and in an environmentally responsible manner in accordance with relevant standards, code/s and policy direction,	At all times.
<b>11. Acid Sulfate Soils (Potential or Actual)</b> Should the soil and groundwater investigations reveal the presence of acid sulfate soils or potential acid sulfate soils, an Acid Sulfate Soils Management Plan must be prepared and submitted to Council for approval	To ensure potential adverse impacts on the natural and built environment including infrastructure and human health as a result of acid sulfate soils are avoided in accordance with relevant code/s and policy direction.	Technical details are to be submitted to council prior to the issue of the certificate of final inspection by the Building Certifier.
<b>12. Access, Roadworks and Traffic</b> 12.1 No new access from Patricia Road to the new dwelling is permitted. 12.2 The applicant must design and reconstruct the existing internal access from Patricia Road to provide appropriate access to the new dwelling. 12.3 All vehicle access, parking and manoeuvring areas proposed for the development must be adequate, safe and designed in accordance with the relevant standards and Council's policies, with all vehicles entering and exiting the site in a forward direction. 12.4 The proposed development must not impact adversely on the efficiency and safety of the transport network and those who use it, nor adversely impact on the immediately surrounding uses. 12.5 Accesses to the premises, car parking and manoeuvring areas must be constructed in an all-weather, suitably sealed, low glare paving (bitumen, asphalt, concrete) to the satisfaction of the Chief Executive Officer. 12.6 Any damage which is caused to Council's infrastructure as a result of the proposed development must be repaired immediately.	To provide development with access in accordance with council standards.	Technical details are to be submitted to council prior to the issue of the certificate of final inspection by the Building Certifier.
<b>13. On Site Car Parking</b> Provide adequate on site car parking spaces per dwelling for residents and visitors, in accordance with the requirements of the Dual Occupancy Code. All on-site car parking facilities, driveways and manoeuvring areas must be designed and constructed in accordance	To ensure the development is appropriately serviced by car parking and access facilities in accordance with	i. Technical details are to be submitted to council prior to the issue of the certificate of final

Condition	Reason	Timing
with Council's requirements and the relevant Standards. All car parking facilities must be always maintained to a safe operating standard thereafter.	relevant code/s and policy direction.	inspection by the Building Certifier. ii. At all times and maintained for the life of the development.
<b>14. Property Numbering</b> Legible property numbers must be erected at the premises and must be maintained. The site identification numbers should be of reflective material, maintained free from foliage and other obstructions, and be large enough to be read from the street.	To allow the general public, service and emergency service providers to effectively identify the property.	Prior to the commencement of the use and maintained for the life of the development.
<b>15. Relocation of Services or facilities</b> Any required relocation and/or alteration to any public service or facility installation must be carried out at no cost to council.	To ensure development is appropriately serviced by public services and/or in accordance with relevant code/s and policy direction.	Prior to the issue of the certificate of final inspection by the Building Certifier and maintained for the life of the development.
<b>16. Storage</b> Any storage on site is required to be screened from view from all roads and adjacent properties.	To ensure the development does not have a detrimental effect on the visual amenity of the surrounding land in accordance with relevant code/s and policy direction.	At all times following the commencement of the use.
<b>17. Soil Erosion Minimisation, Sediment Control</b> Erosion and sediment control management including site specific stormwater treatment devices must be installed and maintained to the satisfaction of the Chief Executive Officer.	To ensure that receiving waters during construction of the development are managed from the effects of increased sediment run-off in accordance with relevant code/s and policy direction.	At all times during the construction phase.
<b>18. Dust Management</b> A dust management plan must be prepared and submitted to council for approval.	To mitigate potential adverse impacts of dust hazards.	Technical details are to be submitted to council prior to the issue of the certificate of final inspection by the Building Certifier.
<b>19. Waste Management Facilities</b> Refuse collection arrangements on site must be provided by the developer to the satisfaction of the Chief Executive Officer. In particular: a) The approved waste storage area is to be of sufficient size to house all garbage bins including recycling bins and area is to be suitably screened. b) All waste generated as a result of the construction of the development is to be effectively controlled and	To ensure the premises is appropriately serviced and to protect matters of public health and amenity in accordance with relevant code/s and policy direction.	Technical details are to be submitted to council prior to the issue of the certificate of final inspection by the Building Certifier.

Condition	Reason	Timing
<p>contained entirely within the boundaries of the site prior to disposal.</p> <p>c) All waste is to be disposed of in accordance with the <i>Environmental Protection Regulation 2019</i> and council's waste management policy.</p>		
<p><b>20. Outdoor Lighting</b> Any outdoor lighting fixtures must be installed and maintained so that they do not emit glare or light above the levels stated in <i>Australian Standard 4282 – 1997 Control of the Obtrusive Effects of Outdoor Lighting</i>.</p>	<p>To ensure that the use does not cause a light nuisance to nearby sensitive receptors, and to ensure that a nuisance is not caused to the use from other nearby light sources in accordance with the <i>Queensland Environmental Protection Act 1994</i> Section 440.</p>	<p>Prior to the issue of the certificate of final inspection by the Building Certifier, and to be maintained for the life of the development.</p>
<p><b>21. Limitation of Approval</b> This approval is limited to a Dual Occupancy use defined by Schedule 1, Division 2 – Defined Uses and Use Classes of <i>Burdekin Shire IPA Planning Scheme</i>.</p>	<p>The development must comply with all planning scheme requirements and definitions as approved and conditioned by this development permit.</p>	<p>During the operation and life of the development.</p>
<p><b>22. Notice of Intention to Commence the Use</b> Prior to the commencement of the use on the land the subject of the application, written notice must be given to Council that the use (development and/or works) fully complies with the decision notice issued in respect of the use.</p>		<p>Prior to the commencement of the use.</p>



<b>Advice</b>	
<b>1. Infrastructure Charges</b> No infrastructure contributions are payable relevant to the Development Permit.	
<b>2. General</b> Council will not be obligated to upgrade any roads accessing the development due to increased vehicle numbers accessing the development.	
<b>3. General – Environmental Health</b> Waste and recycling services must be provided in accordance with Council's Waste Management Policy.	
<b>4. Further Approvals Required</b> <b>a) Building Works</b> <ul style="list-style-type: none"> <li>i. A Development Permit for Building Works to carry out building works prior to works commencing on site.</li> <li>ii. Any Development Application for building works which include habitable rooms will have to include a 1% AEP Flood Certificate. N.B this only applies in Localised and River Flood areas as identified in Burdekin Shire Council's flood overlay mapping.</li> <li>iii. All habitable dwellings must be constructed to a level not less than 100mm above the Adopted Flood Level, in accordance with Council's policies.</li> </ul> <b>b) Plumbing and Drainage Works.</b> Before an onsite sewerage facility can be installed on a property, the applicant is required to apply for a permit to install the treatment facility on that property as per the <i>Plumbing and Drainage Act 2018 and On-Site Sewerage Code and AS/NZS 1547:2000</i> .	
<b>5. Further Inspections Required</b> <b>Compliance with Conditions</b> The following inspections will be required to be undertaken by council to determine compliance with conditions that are not subject to a further approval. Condition 12 – Roadworks, Access and Traffic Condition 13 – On Site Car Parking Condition 15 - Relocation of Services or facilities Condition 16 – Storage Condition 17 – Soil Erosion Minimisation, Sediment Control Condition 18 - Dust Management Condition 10 – Waste Management Facilities	
<b>6. Council Water Supply Connection</b> <ul style="list-style-type: none"> <li>i. Council will continue to supply a potable water service as per Council guidelines up to the existing meter located at 20 -26 Patricia Road only.</li> <li>ii. Council is not however responsible for any non-conformance or supply issues past the location of current meter.</li> </ul>	
<b>7. Storage of Materials and Machinery</b> All materials and machinery to be used during the construction period are to be wholly stored on the site, unless otherwise approved by council.	
<b>8. Building Work Noise</b> The hours of audible noise associated with construction and building work on site must be limited to between the hours of: <ul style="list-style-type: none"> <li>▪ 6.30 a.m. to 6.30 p.m. Monday to Saturday; with</li> <li>▪ No work on Sundays or Public Holidays.</li> </ul>	To ensure compliance with the <i>Environmental Protection Act 1994</i> .

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<b>9. Dust Management</b> Dust control measures should be implemented onsite during the construction phase to prevent an environmental nuisance from affecting the occupiers and users of nearby premises.	
<b>10. Asbestos</b> All asbestos removed from the site must be handled, transported and disposed of in accordance with the relevant legislation.	
<b>11. Building Over/Adjacent to Services</b> The developer is advised that should any proposed building structures be located over/adjacent to an existing service, an application to Council for consent under Section 191 of the <i>Water Supply (Safety and Reliability) Act 2008</i> for building over or adjacent to services may be required.	

Infrastructure charges will be applicable for Transport, Community Facilities and Parks and Stormwater, which for a 4-bedroom residential dwelling, is currently \$6,000.00 Refer to **Attachment D** for draft Infrastructure Charges Notice.

### Recommendation

That Council approve the proposed Material Change of Use – Dual Occupancy on land described as Lot 29 on RP744911 and located at 20-26 Patricia Road, Ayr, subject to reasonable and relevant conditions, as set out in **Attachment B**, and the Infrastructure Charges Notice, as set out in **Attachment D**.

### Resolution

Moved Councillor Musumeci, seconded Councillor Detenon that the recommendation be adopted subject to the following amendments:

1. the deletion of the words 'as set out in Attachment B' and replaced with "as attached and contained within Attachment B."
2. the reference to 'as set out in Attachment D' is removed.

CARRIED

*11.40am - Mrs. Galletta left the meeting.*

## 7.4. TECHNICAL SERVICES

## 8. NOTICE OF MOTION

## 9. RECEIPT OF PETITIONS

## 10. CORRESPONDENCE FOR INFORMATION

## 11. GENERAL BUSINESS

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**12. CLOSED BUSINESS ITEMS**

**13. DELEGATION**

There being no further business the meeting closed at 12.05 pm.

**These minutes were confirmed by Council at the Ordinary Council Meeting held on 12 July 2022.**

**MAYOR**

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