



Burdekin Shire Council

MINUTES

ORDINARY COUNCIL MEETING

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

on 22 November 2022

COMMENCING AT 9:00 AM

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 (Part)
Mr. T. Blackwell - Manager Community Services (Part)
Mrs. K. Galletta - Manager Planning and Development (Part)
Mr. D. Mulcahy - Manager Environmental and Health Services (Part)
Mrs. K. Olsen - Manager Financial and Administrative Services (Part)
Mrs. T. Quagliata - Community Development Office (Part)
Mr. G. Arboit - Cultural Venues Manager (Part)

Minutes Clerk - Ms. G. Biffanti

2. PRAYER

The meeting prayer was delivered by Pastor Ray Hobbs of the Seventh Day Adventist Church.

3. DECLARATIONS OF INTEREST

The Mayor called for declarations of interest.

Mr. Terry Brennan advised he had a Declarable Conflict of Interest in relation to Item 7.1.1 TBSC/22/016 Management - Burdekin Aquatic Centre as his wife Mrs. Vicky Brennan conducts water aerobics classes at the Ayr Pool in conjunction with the current lessee. Mr. Brennan advised of his intention to leave the meeting during this discussion.

Councillor Boccalatte advised she had a Declarable Conflict of Interest in relation to Item 8 Burdekin Community Advisory Network - Townsville Hospital and Health in the Correspondence of Information as she is a member of of the Burdekin Community Advisory Network and has written the letter requesting a letter of support from Council as Chair. Councillor Boccalatte advised of her intention to leave the meeting during this discussion.

9.04am - Mr. Blackwell and Mrs. Quagliata entered the meeting.

4. MINUTES AND BUSINESS ARISING

4.1. Ordinary Council Meeting Minutes - 8 November 2022

Recommendation

That the minutes of the Ordinary Council Meeting held on 8 November 2022 be received as a true and correct record.

Resolution

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

CARRIED

4.2. Community Grants Panel Meeting Minutes - Round 2 - 1 November 2022

Recommendation

Item 1 – Consideration of Grants Applications Round 2 – 2022/2023 Financial Year

No.	Applicant	Recommended Cash Funding	Recommended In-kind Support
1.1	Ayr Surf Life Saving Club	\$3466.00	
1.2	FNQ Regional Committee of Highland Dancing (For a state event to be held in the Burdekin)	\$5,000.00	
1.3	Burdekin Race Club Inc (Country Racing Awards)	\$2,180.00	
1.4	Burdekin Race Club Inc (Burdekin Growers Race Day)	\$2,820.00	\$5200.00
1.5	Qld Police Citizens Youth Welfare Assoc.	NIL	
1.6	Rotary Club of Ayr		\$610.00

That:

1. the minutes of the Community Grants Panel Meeting held on 1 November 2022 be noted, and;
2. it be noted that the remaining cash funds for Community Grants Panel for the 2022/2023 Financial Year prior to Round 2 is \$22,928.00 and;
3. the recommended funding as detailed in the minutes and noted in Item 1.1 – 1.6 be adopted and;
4. it be noted that the remaining funds available for the 2022/2023 Financial Year after the allocation from Round 2 will be \$9,462.00.

Resolution

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

CARRIED

9.11am - Mr. Blackwell and Mrs. Quagliata left the meeting.

5. EXECUTIVE

5.1. CEO

5.2. ECONOMIC DEVELOPMENT

6. CORPORATE AND COMMUNITY SERVICES

6.1. CLIENT SERVICES

6.2. COMMUNITY DEVELOPMENT

6.3. FINANCIAL AND ADMINISTRATIVE SERVICES

6.3.1. Sale of Land for Overdue Rates and Charges

Executive Summary

To effectively address current rate arrears on some properties, the sale of land process will be necessary to discharge overdue rates and charges. Previous requests for payment have been ignored and the total outstanding revenue on these properties now exceeds \$150,000. If at any time during the sale of land process outstanding rates, charges and expenses on a property are paid in full, proceedings will cease.

Recommendation

That pursuant to Section 140(2) of the *Local Government Regulation 2012*, Council sells the land described in "Schedule A – List of Properties" for overdue rates and charges;

And that Council delegates to the Chief Executive Officer its power to take all further steps under Chapter 4, Part 12, Division 3 of the *Local Government Regulation 2012* to effect sale of the land or end the sale procedures if appropriate (Section 141(3) of the Regulation).

Schedule A – List of Properties

Property No.	Legal Description	Amount Outstanding as at 14 November 2022
374	Lot 46 RP 706755	\$16,363.14
435	Lot 1 RP 727033	\$11,377.28
493	Lot 13 RP 841952	\$11,366.90
494	Lot 2 RP 731710	\$15,204.77
3751	Lot 16 RP 715883	\$12,649.09
4953	Lot 87 RP 711846	\$16,581.29
5255	Lot 16 RP 713758	\$20,225.56
6421	Lot 134 CP A26512	\$13,904.52
8205	Lot 7 RP 720236	\$14,409.43
8994	Lot 2 RP 730452	\$9,776.43
9161	Lot 2 RP 725647	\$11,286.40

Resolution

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

CARRIED

6.3.2. Monthly Financial Report - October 2022**Recommendation**

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

9.16am - Mr. Wellwood entered the meeting.

9.21am - Mr. Mulcahy entered the meeting.

Resolution

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

CARRIED

9.34am - Mrs. Olsen left the meeting.

6.4. GOVERNANCE

7. INFRASTRUCTURE, PLANNING AND ENVIRONMENTAL SERVICES

7.1. ENVIRONMENTAL AND HEALTH SERVICES

7.1.1. TBSC/22/016 Management - Burdekin Aquatic Centre

9.34am Mr. Terry Brennan left the meeting at the commencement of this discussion as he had a Declarable Conflict of Interest in relation to Item 7.1.1 TBSC/22/016 Management - Burdekin Aquatic Centre as his wife Mrs. Vicky Brennan conducts water aerobics classes at the Ayr Pool in conjunction with the current lessee.

Executive Summary

The tender for the Management of the expanded facility, Burdekin Aquatic Centre, was called on 14 October 2022. Tenders closed on 14 November 2022. One (1) tender was received. The current interim quotation will finish on 15 December 2022. The tender response has been assessed and a recommendation provided below for acceptance.

Recommendation

That Council:

1. accept the tender from Sage Swim Pty Ltd to undertake the services required under Tender TBSC/22/016 - Management of Burdekin Aquatic Centre, based on the following pricing table as at time of acceptance:

Service Description	Tender Unit	Price Tender (ex GST)
Management - Burdekin Aquatic Centre - Summer (with water park open)	Per week	\$5,202.00
Management - Burdekin Aquatic Centre - Summer (with water park closed 16 Dec 2022 to late Jan 2023)	Per week	\$4,725.00
Management - Burdekin Aquatic Centre - Winter (operating)	Per week	\$4,828.00
Management - Burdekin Aquatic Centre - Winter (closed)	Per week	\$1,000.00

2. agree to waive the requirement for the Principal to retain 20% of gross income associated with the kiosk; and
3. requires the Facility to be open during the normal 2023 winter period up to the conclusion of the June/July School holiday period, with analysis and negotiation on future winter opening periods to take place.

With specific terms to be determined as part of final contract negotiations for the tender.

Resolution

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

CARRIED

9.39am - Mrs. Galletta entered the meeting.

9.41 am – Mr. Mulcahy left the meeting.

9.42 am – Mr. Brennan re-entered the meeting.

7.2. OPERATIONS

9.42am - Councillor Musumeci left the meeting.

9.44am - Councillor Musumeci re-entered the meeting.

7.3. PLANNING AND DEVELOPMENT

7.3.1. RAL22/0017 Development Application Reconfiguring a Lot (2 into 2 Lots) at 108 and 110 Rita Island Road, Jarvisfield

Executive Summary

Council is in receipt of a development application lodged by Atkinson & Booy Surveys on behalf of applicant Gordon Wood for a reconfiguration of a lot being a boundary realignment of two existing lots mapped within the Rural Zone, described as Lot 3 on SP250551 and Lot 2 on 296513 and located at 108 and 110 Rita Island Road, Jarvisfield, for the purposes of improving viable farming across the site.

Currently Lot 3 has a total area of 0.46ha with Lot 2, approximately 75.11ha in area. The boundary realignment will reposition the smaller Lot 3 to front Nuttall Road, becoming proposed Lot 37, 0.40 ha in area with Lot 2 increasing by 0.06ha and containing the entire farmed area.

Based on the assessment of the development application against the relevant assessment benchmarks, it is considered that the proposed boundary realignment complies with and/or can be conditioned to comply, and is recommended for approval, subject to reasonable and relevant conditions.

Recommendation

That Council approve the proposed Reconfiguration of a Lot – Boundary Realignment (2 lots into 2 lots) on land described as Lot 3 on RP250551 and Lot 2 on SP296513 located at 108 and 110 Rita Island Road, Jarvisfield, subject to reasonable and relevant conditions as listed below:

Condition	Reason	Timing
<p>1. General and Administration</p> <p><u>Compliance with Conditions</u></p> <p>1.1 The Applicant is responsible for ensuring compliance with this development approval and the conditions of the approval by an employee, agent, <u>contractor</u> or invitee of the Applicant.</p> <p>1.2 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.</p> <p>1.3 Where these conditions refer to 'Council' in relation to requiring Council to approve or be satisfied the role of the Council may be fulfilled in whole or in part by an officer acting under appropriate delegation.</p> <p>1.4 The proposed development must comply in full <u>with</u> all conditions of this approval, relevant Planning Scheme requirements and the relevant policies, guidelines and standards, as applying at the date of this approval, except as otherwise specified by any condition, to Council's satisfaction prior to the commencement of the use.</p> <p>1.5 All civil works associated with this development permit must be constructed by a suitably qualified/ licenced contractor and delivered as per the accepted design plans, as per Council specifications and requirements.</p> <p>1.6 Council's assessment of the design has been an audit only. In the issuing of this permit Council makes no acknowledgement that the design meets the above requirements.</p> <p>1.7 It is a condition of this permit that any errors in the design are the responsibility of the consulting engineer, and that any rectification costs which may be applicable are to be borne by the developer. Council bears no responsibility for any errors associated with the design or any costs arising therefrom.</p> <p><u>Works – Applicant's Expense</u></p>	The development must comply with all planning scheme requirements as approved and conditioned by this development permit.	During the operation and life of the development.

Condition	Reason	Timing						
<p>1.8 The cost of all works associated with the development and construction of the development including services, facilities and/or public utility alterations required are met at no cost to the Council, unless otherwise stated in a development condition.</p> <p><u>Infrastructure Conditions</u></p> <p>1.9 All development conditions contained in this development approval about infrastructure under Chapter 4 of the <i>Planning Act 2016 (the Act)</i>, should be read as being non-trunk infrastructure conditioned under section 145 of the Act, unless otherwise stated.</p> <p><u>Works – Applicants Responsibility</u></p> <p>1.10 The Applicant must repair any damage to existing infrastructure (e.g. kerb and channel, footpath or roadway) that may have occurred during any works undertaken as part of the development. Any damage that is deemed to create a hazard to the community, it must be repaired immediately.</p> <p><u>Works – Design and Standard</u></p> <p>1.11 Unless otherwise stated, all works must be designed, <u>constructed</u> and maintained in accordance with the relevant Council policies, guidelines and standards.</p>								
2. Approved Plans and Supporting Documents								
<table border="1"> <thead> <tr> <th>Drawing Title</th><th>Drawing/Revision</th><th>Date</th></tr> </thead> <tbody> <tr> <td>Plan of Lots 2 & 37, cancelling Lot 2 on SP296513 and Lot 3 on SP250551</td><td>P22_278</td><td>N/A</td></tr> </tbody> </table>	Drawing Title	Drawing/Revision	Date	Plan of Lots 2 & 37, cancelling Lot 2 on SP296513 and Lot 3 on SP250551	P22_278	N/A		
Drawing Title	Drawing/Revision	Date						
Plan of Lots 2 & 37, cancelling Lot 2 on SP296513 and Lot 3 on SP250551	P22_278	N/A						
Associated Reports								
Development Application (including Response to Information Request) prepared by the applicant and Atkinson & Booy Surveyors, 6 September 2022 and 17 October 2022 respectively.								

Condition	Reason	Timing
<p>2.1 The proposed development must be completed, comply with and maintained generally in accordance with the drawings/ documents identified in the above, except as otherwise specified and/or amended by any condition of this approval.</p> <p>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.</p> <p>2.3 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.</p> <p>2.4 Where there is any conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval must prevail.</p>	The development must comply with all planning scheme requirements as approved and conditioned by this development permit.	At all times.
<p>3. Payment of Rates, Charges and Expenses</p> <p>3.1 Prior to signing the Plan of Survey, payment is required of any outstanding rates or charges levied by the Council or any expenses being a charge over the subject land.</p> <p>3.2 Pay the sum calculated at the current charge per lot to be levied on the Council by the Department of Natural Resources, Mines and Energy, for each new valuation.</p>	Confirmation to be provided to Council prior to the release of the Plan of Survey.	
<p>4. Confirmation of Existing Services</p> <p>The existing services for each lot must be contained within the individual allotments.</p>	To ensure the development is appropriately serviced by in accordance with relevant code/s and policy direction.	Confirmation to be provided to Council prior to the release of the Plan of Survey.

Condition	Reason	Timing
<p>5. Relocation/alteration of Public Utilities</p> <p>The developer must at its own cost undertake all necessary alterations to public utility mains and services as rendered necessary by the carrying out of any required external works or other works associated with the approved development to the satisfaction of Council, and at no cost to Council.</p>	<p> Saved to this PC To ensure development is appropriately serviced by public services and/or facilities in accordance with relevant code/s and policy direction. </p>	Prior to the release of the Plan of Survey.
<p>6. Roadworks</p> <p>The construction of any crossovers to give access to the land is to be the owner's responsibility and at no cost to Council, to the satisfaction of the Chief Executive Officer.</p>	To provide appropriate access in accordance with relevant code/s and policy direction.	Prior to the issuing of a Development Permit for Building Works.
<p>7. Drainage/Stormwater</p> <p>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.</p>	To convey stormwater across other lands legally and in an environmentally responsible manner in accordance with relevant code/s and policy direction.	At all times.

Advice
<p>1. Infrastructure Charges</p> <p>Not Applicable.</p>
<p>3. Compliance with Conditions</p> <p>Unless otherwise specified by these conditions, the conditions must be complied with prior to Council's endorsement of the Plan of Survey.</p>
<p>4. Future Development</p> <p>4.1 Any future on-site sewerage treatment and disposal on the proposed lots must be in accordance with the On-Site Sewerage Code and AS/NZS 1547:2000.</p>

Condition	Reason	Timing
4.2 Any development application for building works which includes habitable rooms may have to include a 1% AEP Flood Certificate. N.B. this applies in Localised and River Flood areas as identified in Burdekin Shire Councils mapping.		

Resolution

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

CARRIED

7.3.2. MCU22/0012 Development Application Material Change of Use for a Dual Occupancy at 995 Woodstock Giru Road, Shirbourne.

Executive Summary

Council is in receipt of a development application lodged by BNC Planning on behalf of their client and applicant C and C Essex for a Material Change of Use for a Dual Occupancy use on Rural zoned land described as Lot 2 on RP882142 and located at 995 Woodstock Giru Road, Shirbourne.

The application did not require referral to the State for an assessment of their mapped interests (state-controlled road (Woodstock Giru Road) and regulated vegetation).

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.

As the development application is impact assessable, officers have assessed it on its own merits and against the relevant assessment benchmarks of the Planning Scheme and all other relevant plans, policies and legislation, and notwithstanding the conflicts identified, have determined that any approval is able to be conditioned appropriately to generally comply.

Recommendation

That Council approve the proposed Material Change of Use for a Dual Occupancy on land described as Lot 2 on RP882142 and located at 995 Woodstock Giru Road, Shirbourne, subject to reasonable and relevant conditions, as included below:

Condition	Reason	Timing
1 General and Administration <u>Compliance with Conditions</u> 1.1 The Applicant is responsible for ensuring compliance with this development approval and the conditions of the approval by an employee, agent, <u>contractor</u> or invitee of the Applicant. 1.2 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. 1.3 Where these conditions refer to 'Council' in relation to requiring Council to approve or be satisfied, the role of the Council may be fulfilled in whole or in part by an officer acting under appropriate delegation. 1.4 The proposed development must comply in full <u>with</u> all conditions of this approval, relevant Planning Scheme requirements and the relevant Council policies, guidelines and standards, as applying at the date of this approval, except as otherwise specified by any condition, to Council's satisfaction prior to the commencement of the use. <u>Works – Applicant's Expense</u> 1.5 The cost of all works associated with the development and construction of the development including services, facilities and/or public utility alterations required are met at no cost to the Council, unless otherwise stated in a development condition. <u>Infrastructure Conditions</u> 1.6 All development conditions contained in this development approval about infrastructure under Chapter 4 of the <i>Planning Act 2016 (the Act)</i> , should be read as being non-trunk infrastructure conditioned under section 145 of the Act, unless otherwise stated. <u>Works – Applicants Responsibility</u> 1.7 The Applicant must repair any damage to existing infrastructure (<u>e.g.</u> kerb and channel, footpath or roadway) that may have occurred during any works undertaken as part of the development. Any damage that is deemed to create a hazard to the community, must be repaired immediately. <u>Works – Design and Standard</u> 1.8 Unless otherwise stated, all works must be designed, <u>constructed</u> and maintained in accordance with the relevant Council policies, guidelines and standards.		At all times.

Condition	Reason	Timing
<p>2 Approved Plans and Documents</p> <p>2.1 The proposed development must be completed, comply with and maintained generally in accordance with drawing s/ documents identified in the Table below, except as otherwise specified and/or amended by any condition of this approval.</p> <p>2.2 The development must generally accord with 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.</p> <p>2.3 Where there is any conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval must prevail.</p>	The approved development must be completed and maintained generally in accordance with the approved drawings and documents.	At all times.
Approved Plans		
Drawing Title	Drawing/Revision	Date
SITE PLAN - Dual Occupancy	055-22S01-J11.1...R1111. A	June 2022
THE WEEKENDER 85 ELEVATIONS		Received 8.7.22
THE WEEKENDER 85 FLOOR PLANS		Received 8.7.22
Associated Reports		
Development Application (including Response to Information Request) prepared by BNC Planning dated June 2022 and 2 September 2022 respectively.		
<p>3 Outstanding charges</p> <p>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</p>		

Condition	Reason	Timing
<p>4 Stormwater Drainage and Management</p> <p>4.1 The approved development and use(s) must not interfere with the natural flow of stormwater in the locality in such a manner as to cause ponding or concentration of stormwater on adjoining land or roads.</p> <p>4.2 Any external catchments discharging to the premises must be accepted and accommodated within the development's stormwater drainage system.</p>	To ensure the premises appropriately manages and convey stormwater legally and in an environmentally responsible manner in accordance with relevant standards, code/ and policy direction.	At all times.
<p>5 Stormwater Quality Treatment</p> <p>The approved development must achieve the applicable stormwater management design objectives listed in Part G, Appendix 2 of the State Planning Policy, July 2017.</p>	To manage and to minimise the risk of causing environmental harm to receiving waters, damage to council infrastructure, and unnecessary financial burdens to council and the community in accordance with relevant code/s and policy direction.	At all times.
<p>6 On Site Water Supply</p> <p>A private water supply must be provided for the new dwelling</p>	The development is not located within a service area for a reticulated water service and in accordance with relevant code/s and policy direction.	Prior to the commencement of the use
<p>7 On Site Sewerage Treatment and Disposal</p> <p>7.1 At future building application stage, the applicant is to design and construct a suitable on-site sewerage treatment system for the new dwelling.</p> <p>7.2 Such work must be designed and constructed in accordance with the <u>Queensland Sewerage Code</u> and AS/NZS 1547:2000.</p>	To ensure development is appropriately serviced by parking and access facilities in accordance with relevant code/s and policy direction.	Prior to the commencement of the use.

Condition	Reason	Timing
<p>8 Access, Roadworks and Traffic</p> <p>8.1 No new access from Woodstock Yifil Road to the new dwelling is permitted.</p> <p>8.2 The applicant must design and reconstruct the existing internal access from Woodstock Giru Road to provide appropriate access to the new dwelling.</p> <p>8.3 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.</p> <p>8.4 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.</p> <p>8.5 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.</p> <p>8.6 Any damage which is caused to Council's infrastructure <u>as a result of</u> the proposed development must be repaired immediately.</p>	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.
<p>9 On Site Car Parking</p> <p>Provide adequate <u>on site</u> car parking spaces per dwelling for residents and visitors, in accordance with the requirements of the Dual Occupancy Code.</p> <p>All on-site car parking facilities, driveways and manoeuvring areas must be designed and constructed in accordance with Council's requirements and the relevant Standards.</p> <p>All car parking facilities must be always maintained to a safe operating standard thereafter.</p>	To ensure the development is appropriately serviced by car parking and access facilities in accordance with relevant code/s and policy direction.	<p>i. Technical details are to be submitted to council prior to the issue of the certificate of final inspection by the Building Certifier.</p> <p>ii. At all times and maintained for the life of the development.</p>

Condition	Reason	Timing
<p>10 Amenity and Screening Treatments</p> <p>10.1 The proposed development is to be suitable screened by fencing or vegetation when viewed from all roads and adjoining properties to ensure the existing amenity and character of the area is maintained.</p> <p>10.2 Building materials and colours for the new dwelling are to be compatible with the surrounding amenity and character of the locality.</p>	To ensure the development is appropriately screened in accordance with relevant code/s and policy direction.	Prior to the commencement of the use.
<p>11 Property Numbering</p> <p>Legible property numbers must be erected at the premises and must be maintained.</p> <p>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.</p>	To allow the <u>general public</u> , 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.
<p>12 Storage</p> <p>Any storage on site is required to be screened from view from all roads and adjacent properties, including materials associated with construction of the second dwelling.</p>	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.
<p>13 Soil Erosion Minimisation, Sediment Control</p> <p>Should any works that involve the exposure of earth occur on site, appropriate erosion and sediment control management must be undertaken (including installation of site-specific stormwater treatment devices) and maintained to the satisfaction of the Council.</p>	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.
<p>14 Waste Management Facilities</p> <p>Refuse collection arrangements on site must be provided by the developer to the satisfaction of the Council.</p> <p>In particular</p>	To ensure the premises is appropriately serviced and to protect matters of public	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>a) The approved waste storage area is to be of sufficient size to house all garbage bins for the life of the development including recycling bins and area is to be suitably screened</p> <p>b) All waste generated <u>as a result of</u> the construction of the development is to be effectively controlled and contained entirely within the boundaries of the site prior to disposal.</p> <p>All waste is to be disposed of in accordance with the <i>Environmental Protection Regulation 2019</i> and council's waste management policy.</p>	health and amenity in accordance with relevant code/s and policy direction.	
<p>15 Outdoor Lighting</p> <p>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>	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	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>16 Limitation of Approval</p> <p>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>	The development must comply with all planning scheme requirements and definitions as approved and conditioned by this development permit.	During the operation and lifetime of the development.
<p>17 Notice of Intention to Commence the Use</p> <p>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>		Prior to the commencement of the use.

Advice	Reasons	Timing
<p>1. Infrastructure Charges</p> <p>The Infrastructure Charges Notice outlining the estimated infrastructure contributions payable relevant to the Development Permit is attached for your information.</p>		
<p>2. Future Development Application for Reconfiguration of a Lot to establish a Community Titles Scheme</p> <p>Any future development application for reconfiguration of a lot to establish a community titles scheme that does not reasonably comply with the requirements of the Planning Scheme including the Rural Zone, would likely be refused</p>	<p>To ensure all development is appropriately located, <u>designed</u>, and operated to ensure that</p> <p>i. Existing and future agricultural activities anticipated in the 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>	<p>At all times.</p> <p>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</p>
<p>3. General</p> <p>Council will not be obligated to upgrade any roads accessing the development due to increased vehicle numbers accessing the development.</p>		
<p>4. Further Approvals Required</p> <p>a) Building Works</p> <p>i. A Development Permit for Building Works to carry out building works prior to works commencing on site.</p> <p>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.</p> <p>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.</p> <p>b) Plumbing and Drainage Works.</p> <p>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>.</p>		

<p>5. Further Inspections Required</p> <p>Compliance with Conditions</p> <p>The following inspections will be required to be undertaken by council to determine compliance with conditions that are not subject to a further approval.</p> <p>Condition 8 - Roadworks, <u>Access</u> and Traffic</p> <p>Condition 9 - On Site Car Parking</p> <p>Condition 10 - Amenity and screening</p> <p>Condition 12 - Storage</p> <p>Condition 13 - Soil Erosion Minimisation, Sediment Control</p> <p>Condition 14 - Waste Management Facilities</p>
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Resolution

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

CARRIED

9.56am - Mrs. Galletta left the meeting.

7.4. TECHNICAL SERVICES

8. NOTICE OF MOTION

9. RECEIPT OF PETITIONS

10. CORRESPONDENCE FOR INFORMATION

10.1. Letter of Support Request - Funding CT Scanner - Ayr Health Services - Burdekin Community Advisory Network

9.59am Councillor Boccalatte left the meeting at the commencement of this discussion as she has a Declarable Conflict of Interest in relation to Item 8 Burdekin Community Advisory Network - Townsville Hospital and Health in the Correspondence of Information as she is a member of the Burdekin Community Advisory Network and has written the letter requesting a letter of support from Council as Chair.

Executive Summary

Burdekin Shire Council received a letter from the Burdekin Community Advisory Network requesting a letter of support to assist in obtaining funding for the purchase of a CT scanner for the Ayr Health Services.

Resolution

Moved Councillor Detenon, seconded Councillor Perry that Council write a letter of support for the Burdekin Community Advisory Network's bid to obtain funding for a CT scanner at Ayr Health Services.

CARRIED

10.00am - Councillor Boccalatte re-entered the meeting.

11. GENERAL BUSINESS

11.1. Council Endorsement - Re-nomination of Councillor Boccalatte - Lower Burdekin Water Board

Resolution

Moved Councillor Perry, seconded Councillor Furnell that Council endorse Councillor Boccalatte for re-nomination to the role as the Council's representative to the Lower Burdekin Water Board.

CARRIED

13. DELEGATION

13.1. Australian Citizenship Ceremony

Recommendation

10.15am - Citizenship Ceremony - The Mayor officiated at the Citizenship Ceremony and the following Citizenship Candidates were confirmed as Australian Citizens:

Mrs. Melanie Sevilla Anito
Miss. Rheanna Anito
Mrs. Jocelyn Anne Cullen
Mrs. Nancy Lim Nacino

10.30am - Meeting adjourned for Morning Tea.

11.05am - Meeting recommenced.

11.05am - Mr. Blackwell and Mr. Arboit entered the meeting.

11. GENERAL BUSINESS

11.2. Update - Preliminary Arts Culture and Venues Business Review

Mr. Blackwell and Mr. Arboit undertook a presentation to Council on some of the outcomes of the preliminary Arts Culture and Venues Business Review they had initiated including some initial key findings.

12. CLOSED BUSINESS ITEMS

There being no further business the meeting closed at 11.45am.

These minutes were confirmed by Council at the Ordinary Council Meeting held on 13 December 2022.

MAYOR
