



Burdekin Shire Council

AGENDA

ORDINARY COUNCIL MEETING

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

on 17 January 2023

COMMENCING AT 9:00 AM

At this meeting contributions made by members of the public may be recorded by way of audio recording which will be used for the purpose of developing minutes of the meeting and decision making of Council. Burdekin Shire Council is bound by the *Information Privacy Act 2009* to protect the privacy of personal information.

Under Local Law 1 Section 35(3) a person must not make an audio or video recording of a local government meeting, a standing committee meeting, a special committee meeting or an advisory committee meeting unless the chairperson at the meeting gives consent in writing to the recording of the meeting.

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ORDER OF BUSINESS:

ATTENDANCE

- 2. PRAYER**
 - 3. DECLARATIONS OF INTEREST**
 - 4. MINUTES AND BUSINESS ARISING**
 - 4.1. Ordinary Council Meeting Minutes - 13 December 2022**
 - 4.2. Burdekin Shire Youth Council Meeting Minutes - 5 December 2022**
 - 4.3. Economic Development Advisory Group Meeting Minutes - 8 December 2022**
 - 5. EXECUTIVE**
 - 5.1. CEO**
 - 5.1.1. Council Workshops - December 2022**
 - 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. Monthly Financial Report - December 2022**
 - 6.4. GOVERNANCE**
 - 6.4.1. Councillor Remuneration Commission Determination 2021-2022**
 - 6.4.2. Freehold Lease Renewal - Lease 'F' in Part of Lot 106 on Registered Plan 898777 - Ayr Aerodrome - Burdekin Aero Club Inc.**
 - 6.4.3. Freehold Lease Renewal - Lease 'AA' in Part of Lot 106 on Registered Plan 898777 - Ayr Aerodrome - Burdekin Aero Club Inc.**
 - 6.4.4. Freehold Lease Renewal Option - Lease 'B', 'C' and 'D' on Survey Plan 217488 in Part of Lot 106 on Registered Plan 898777 - Ayr Aerodrome - Kenrose Co Pty Ltd**
 - 7. INFRASTRUCTURE, PLANNING AND ENVIRONMENTAL SERVICES**
 - 7.1. ENVIRONMENTAL AND HEALTH SERVICES**
 - 7.2. OPERATIONS**
 - 7.3. PLANNING AND DEVELOPMENT**
 - 7.4. TECHNICAL SERVICES**
 - 8. NOTICE OF MOTION**
 - 9. RECEIPT OF PETITIONS**
 - 10. CORRESPONDENCE FOR INFORMATION**
 - 11. GENERAL BUSINESS**
 - 12. CLOSED BUSINESS ITEMS**
 - 13. DELEGATION**
-

4.1. MINUTES AND BUSINESS ARISING

Ordinary Council Meeting Minutes - 13 December 2022

Recommendation

That the minutes of the Ordinary Council Meeting held on 13 December 2022 be received as a true and correct record.

Attachments

1. Minutes - Ordinary Council Meeting 13 December 2022



Burdekin Shire Council

MINUTES

ORDINARY COUNCIL MEETING

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

on 13 December 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

Mrs. K. Olsen - Acting Director Corporate and Community Services and Manager Financial and Administrative Services

Mr. N. Wellwood - Director of Infrastructure, Planning and Environmental Services (Part)

Mr. T. Blackwell - Manager Community Services (Part)

Mr. K. Byers - Manager Technical Services (Part)

Mr. D. Mulcahy - Manager Environmental and Health Services (Part)

Mr. W. Saldumbide - Manager Operations (Part)

Mrs. A. Adams - Library Services Manager (Part)

Mr. M. Pearce - Senior Planning Officer (Part)

Mr. K. Lewty - Facilities Management Coordinator (Part)

Mrs. T. Quagliata - Community Development Officer (Part)

Minutes Clerk - Mrs. S. Iturriaga

2. PRAYER

The meeting prayer was delivered by Pastor Gavin Henderson of the Presbyterian Church.

9.09 am - Mr. Blackwell, Mr. Byers and Mrs. Adams entered the meeting.

3. DECLARATIONS OF INTEREST

The Mayor called for declarations of interest.

No declarations of interest were identified.

4. MINUTES AND BUSINESS ARISING

4.1. Ordinary Council Meeting Minutes - 22 November 2022

Recommendation

That the minutes of the Ordinary Council Meeting held on 22 November 2022 be received as a true and correct record.

Resolution

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

CARRIED

4.2. Economic Development Advisory Group Meeting Minutes - 3 November 2022

Recommendation

That:

1. the minutes of the Economic Development Advisory Group Meeting held on 3 November 2022 be noted and adopted.

Resolution

Moved Councillor Musumeci, seconded Councillor Detenon that the recommendation be adopted noting the following amendment:

That:

the wording under section 1. to be changed from 'a welcome to country' to 'an acknowledgement of country'.

CARRIED

9.17 am - Mr. Wellwood entered the meeting.

4.3. Burdekin Shire Youth Council Meeting Minutes - 7 November 2022

Recommendation

Item 2 - Amendment to Minutes (10 October 2022)

Council notes an amendment to the Burdekin Shire Youth Council Meeting Minutes from 10 October (Attendance) being that Gracie Hosie undertook the role of Chairperson, not Xavier Wood.

Item 3.1 - Involvement in Seniors Luncheon and Expo

Council acknowledges the involvement of Burdekin Shire Youth Council Members in the Seniors Month Luncheon and Expo held on 28 October 2022.

Item 3.2 - Youth First Aid Course

Council notes the proposed Youth First Aid Course to be held on Tuesday 13 December, 2022.

Item 7 - End of Year Break Up

Council notes the Burdekin Shire Youth Council end of year break up will be held at the Ayr Pool on Sunday 4 December 2022.

That:

1. the minutes of the Burdekin Shire Youth Council Meeting held on 7 November be noted; and
2. the recommendations as detailed in the minutes and summarised in Items, 2, 3 and 7 above be adopted.

Resolution

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

CARRIED

4.4. RADF Advisory Group Meeting Minutes - 22 November 2022

Recommendation

Item 6 - Consideration of Applications received in RADF 2022/23 Round 1

It is recommended that the following projects be funded from RADF 2022/23 Round 1:

Applicant	Project	Requested Funding	Recommended Funding
Burdekin Shire Council – Economic Development Section	Towards cost of conducting 2023 Burdekin Cultural Fair featuring First Fire – 26 May 2023.	\$5,000.00	\$5,000.00
Selectability Burdekin	Towards cost of conducting art classes as part of Art Wellbeing Program, culminating in an art exhibition. <i>The meeting recommends funding of \$2,500 which would fund the project for a period of 8 weeks (instead of the 15 weeks requested).</i>	\$4,900.00	\$2,500.00
Burdekin Brass Band	Employ tutors to conduct brass music learner and advanced classes for new and existing members. <i>The meeting recommends funding of \$3,800. It was considered that the fee payable for learner classes should be increased to \$10 (from \$5).</i>	\$5,000.00	\$3,800.00
Jye Ravizza	Towards cost of attending 2023 Queensland Band Association Queensland Youth Band Development Camp - 9/1/23 to 13/1/23 - Brisbane. <i>The meeting noted that this was Jye Ravizza's first application.</i>	\$500.00	\$500.00
Cecillia Cason	Towards cost of attending 2023 Queensland Band Association Queensland Youth Band Development Camp - 9/1/23 to 13/1/23 - Brisbane. <i>The meeting noted this was Cecillia Cason's fourth application. She had been funded to attend three (3) previous Queensland Youth Band Development Camps (which is the limit of accepted parameters per genre).</i>	\$500.00	\$0
Zale Ivory	Towards cost of attending	\$500.00	\$500.00

	2023 Queensland Band Association Queensland Youth Band Development Camp - 9/1/23 to 13/1/23 - Brisbane. <i>The meeting noted that funds provided to Zale Ivory in the previous RADF round had been returned due to his inability to attend because of Covid concerns. (His application would fund his second attendance).</i>		
David Kelly	Towards cost of attending 2023 Queensland Band Association Queensland Youth Band Development Camp - 9/1/23 to 13/1/23 - Brisbane. <i>The meeting noted that this application would fund David Kelly's second attendance.</i>	\$500.00	\$500.00
Burdekin Singers & Theatre Co	Towards cost of production of "Shrek the Musical" to be staged in the Burdekin Theatre - February 2023.	\$5,000.00	\$5,000.00
Burdekin Shire Youth Council	Mr. Blackwell left the meeting. Towards cost of conducting Fast Track Talent Showcase and workshops - 17 and 18 March 2023. Mr. Blackwell returned to the meeting.	\$5,000.00	\$5,000.00
Burdekin Potters Inc	Councillor Perry left the meeting and Mr. Woods assumed the chair. Towards the cost of conducting "Fat Ladies in Clay" workshop with tutor Cathy Spencer - 20 and 21 May 2023. Councillor Perry returned to the meeting and resumed the chair.	\$1,635.00	\$1,635.00
TOTAL		\$28,535.00	\$24,435.00

Item 7 - Consideration of Burdekin RADF Priority Funding Areas for 2022/23

It is recommended that Item 3 be extended to read:

3. Applications which support skill development and mentoring for artists and artworkers to promote and strengthen *individual development for a maximum of three (3) years per genre.*

Item 8.2 - Appointment of Proxy in situations of Mr. Blackwell's unavailability for RADF Advisory Group meetings

It is recommended that Theatre Manager, Mr. Arboit to be appointed as Mr. Blackwell's proxy in situations of his unavailability for RADF Advisory Group meetings.

That:

1. The minutes of the RADF Advisory Group Meeting held on 22 November 2022 be noted, and;
2. the recommendations as detailed in the minutes and summarised in Items 6, 7 and 8.2 above be adopted.

Resolution

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

CARRIED

4.5. Burdekin Shire Road Safety Advisory Meeting Minutes - 16 November 2022

Recommendation

Item 6.2 – Current Give Way Sign Arrangement – Intersection of Milburn Road and Mill Lane, Home Hill

That Council investigate the use of “Give Way Sign Ahead” treatment to alert motorist of the approach of the Give Way Sign and leave the Give Way Sign as is and to remove trees that may obstruct the line of sight of the motorist.

Item 6.7 - Complaints Regarding Traffic Disobeying Give Way Sign at Plantation Creek Crossing on Giddy Road, McDesme

That Council reline the road’s white markings at the Plantation Creek Crossing on Giddy Road, McDesme to make it clear to motorists that it is only one lane.

Item 7.0 – Complaints Regards Speeding in Adelaide Street, Ayr near Burdekin Christian School

That Council investigate the moving of the School Zone Sign to reduce speeding.

Item 7.0 – Replacement of Missing School Zone Sign – End of Ross Street, Ayr

That Council arrange a replacement School Zone sign in Ross Street, Ayr and install, when Council staff are replacing other signs in the shire due to fading.

That:

1. the minutes of the Burdekin Shire Road Safety Advisory Meeting held on 16 November 2022 be noted, and;
2. the recommendations as detailed in the minutes and summarised in Item 6.2,6.7 and 7.0 above be adopted.

Resolution

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

CARRIED

9.27 am - Mr. Byers left the meeting.

5. EXECUTIVE

5.1. CEO

5.1.1. Council Workshops - November 2022

Executive Summary

The Council conducted three (3) general workshops during November with workshops held on 1, 15 and 29 November 2022. As there were five (5) Tuesdays in November and only one (1) workshop scheduled in December it was agreed to conduct the three (3) workshops to finalise key presentations and discussions with Councillors.

A range of policy and operational issues were discussed by Councillors and staff at the workshops. A summary of the items discussed at the workshops is outlined in the report.

Recommendation

That the report on the Council workshops held on 1, 15 and 29 November 2022 be received and noted.

Resolution

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

CARRIED

5.1.2. Appointment of Acting Chief Executive Officer

Executive Summary

The Chief Executive Officer (CEO) will be taking a period of annual leave from 9 to 27 January 2023, returning to work on Monday 30 January 2023. During the absence of the CEO on annual leave the Council should appoint an Acting CEO. It is proposed that the Director Corporate and Community Services, Mr. Nick O'Connor, be appointed Acting CEO for this period.

Recommendation

That the Director Corporate and Community Services, Mr. Nick O'Connor, be appointed Acting CEO from 9 to 27 January 2023 during the absence of the CEO on annual leave.

Resolution

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

CARRIED

5.2. ECONOMIC DEVELOPMENT

5.2.1. Macro-algae Bioremediation Project – Sole Supplier Arrangement with Pacific Biotechnologies (Australia) Pty Ltd

Executive Summary

The Council has been advocating for a number of years for funding support from the State and Federal Governments to undertake the construction of a Macro-algae Bioremediation facility at the Ayr-Brandon Waste-Water Treatment Plant (WWTP). The facility will be built on land adjoining the existing WWTP and based on the design, requires an area of approximately 4.5 hectares.

The project will be a joint initiative between Council and Pacific-Biotechnologies (Australia) Pty Ltd (Pacific Bio), who owns the intellectual property for the macro-algae treatment process, to construct and operate the facility.

The estimated cost of the facility is approximately \$8.32 Million and the Council has been successful in securing funding from the State Government under both the 2022/24 Local Government Grants and Subsidies Program (LGGSP) and Round 6 of the Building Our Regions (BOR) Program to undertake the project. The combined funding approved by the State Government is approximately \$5.512 Million, with Council being responsible for the balance of the costs, which will be funded from Sewerage Reserves.

As the intellectual property for the Macro-algae facility is owned by Pacific Bio, Council will be required to enter into a contract with the company. In order to meet the contracting provisions of the Local Government Regulation 2012, Council must pass a resolution that Pacific Bio is the only supplier reasonably available to undertake this work.

Recommendation

That :

- (a) In accordance with Section 235 (a) of the Local Government Regulation 2012 Council resolve that Pacific Biotechnologies (Australia) Pty Ltd is the only supplier that is reasonably available to Council to undertake the construction of a Macro-algae Bioremediation facility at the Ayr-Brandon Waste-Water Treatment Plant and the Chief Executive Officer be authorised to enter into negotiations with the company to undertake this work, along with ongoing operation and maintenance of the facility once complete; and
- (b) Council note and endorse that its funding contribution for both the 2022/24 LGGSP project funding and Round 6 of the Building Our Regions project funding will be met from existing capital funds held in Sewerage Reserves.

Resolution

Moved Councillor Perry, seconded Councillor Boccalatte that the recommendation be adopted noting the following wording to be added to section (b):

1. 'and acknowledges it will be responsible for any funding shortfalls if costs or other contributors change.'

CARRIED

6. CORPORATE AND COMMUNITY SERVICES

6.1. CLIENT SERVICES

6.2. COMMUNITY DEVELOPMENT

6.2.1. Burdekin Library Collection Development Policy Report

Executive Summary

The Burdekin Library Collection Development Policy provides a formally endorsed framework for the development and maintenance of the Burdekin Library collections. The library collection includes print materials, photographs, streaming services and various digital mediums. The Policy is aimed at ensuring the information, educational, recreational and cultural needs of the community are considered and balanced in relation to the limitations of Library space and budget. The policy sets out criteria for selection of materials as well as detailing the maintenance and disposal triggers for items within Council's Library Collections.

Recommendation

That Council adopts the Library Collection Development Policy.

Resolution

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

CARRIED

9.43 am - Mr. Blackwell and Ms. Adams left the meeting.

9.49 am - Mr. Mulcahy entered the meeting.

9.53 am - Mr. Saldumbide entered the meeting.

6.3. FINANCIAL AND ADMINISTRATIVE SERVICES

6.3.1. Monthly Financial Report for Period Ending 30 November 2022

Recommendation

That the Monthly Financial Report for Period Ending 30 November 2022 be received.

Resolution

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

CARRIED

6.4. GOVERNANCE

6.4.1. Townsville City Council - Haughton Pipeline Project Stage 2 - Request for Support: Priority Purchase Application (Part of Lot 33 on Survey Plan 117630)

Executive Summary

Townsville City Council has written further correspondence to Council, as the Trustee of Lot 33 on Survey Plan 117630, seeking Council's support to provide a letter of no objection to Townsville City Council's priority purchase application for the acquisition of an additional 2,593m² of Lot 33 on Survey Plan 117630 for the purpose of a High Voltage (HV) substation and pump station site in Stage 2 of the Haughton Pipeline Project.

Recommendation

That Council:

1. Write to Townsville City Council confirming:
 - a. Council understands that an additional 2,593m² of Lot 33 on Survey Plan 117630 is required to allow for the HV substation and pump station to be located within the same allotment; and
 - b. Council does not require part of Lot 33 on Survey Plan 117630 totaling an area of 18,905m² (shown in Attachment A) for its dedicated community purposes being, camping and water; and
 - c. Council provides consent as the Trustee of Lot 33 on Survey Plan 117630 to Townsville City Council's priority purchase application to the Department of Resources for the acquisition of part of Lot 33 on Survey Plan 117630 totaling an area of 18,905m².

Resolution

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

CARRIED

7. INFRASTRUCTURE, PLANNING AND ENVIRONMENTAL SERVICES

7.1. ENVIRONMENTAL AND HEALTH SERVICES

7.1.1. Adoption of Compliance and Enforcement Policy

Executive Summary

The Compliance and Enforcement Policy was first adopted by Council on 27 October 2020. The policy guides Council Officers in enforcing the variety of laws that are in place to protect public infrastructure, public health and safety and the environment.

Recommendation

That Council adopt the revised Compliance and Enforcement Policy.

Resolution

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

CARRIED

10.09 am - Mrs. Quagliata entered the meeting.

7.1.2. Adoption of Revised Environmental Levy Policy

Executive Summary

The Environmental Levy Policy establishes criteria to guide how the environmental levy funds will be applied and to establish basic reporting and recording guidelines.

A review has been undertaken of the policy and a revised version is attached for consideration and adoption.

Recommendation

That Council adopt the attached revised Environmental Levy Policy.

Resolution

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

CARRIED

7.1.3. Adoption of Revised Animal Management De-Sexing Policy

Executive Summary

The Animal Management De-Sexing Policy sets guidelines for providing financial support to eligible Burdekin Shire residents to alleviate the costs of de-sexing their cat or dog. The policy therefore assists to reduce the impact and cost to the Council and the community in dealing with unwanted animal litters.

A review has been undertaken of the policy and a revised version is attached for consideration and adoption.

Recommendation

That Council adopt the attached revised Animal Management De-Sexing Policy.

Resolution

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

CARRIED

7.1.4. Adoption of Revised Fox and Wild Dog Bounty Policy

Executive Summary

The Fox and Wild Dog Bounty Policy describes a practice that has been undertaken in the Burdekin Shire for a considerable period of time. The policy sets out the Council's commitment to the management of foxes and wild dogs within the Shire area and provides the rules for administering bounty monies for fox and wild dog scalps to ensure consistency when providing payments.

A review has been undertaken of the policy and a revised version is attached for consideration and adoption.

Recommendation

That Council adopt the attached revised Fox and Wild Dog Bounty Policy.

Resolution

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

CARRIED

10.12 am - Mrs. Pearce entered the meeting.

10.13 am - Mr. Mulcahy left the meeting.

10.14 am - Mr. Blackwell entered the meeting.

7.2. OPERATIONS

7.2.1. 2022 Betterment Submissions

Executive Summary

Each year the Queensland Reconstruction Authority, through its Disaster Relief Funding Arrangements (DRFA), provides an opportunity for Councils to access Betterment funding to improve the resilience of infrastructure that is regularly impacted by natural disaster events.

The following three (3) roads have been selected for nomination under the above program.

Butler Road, Jarvisfield - It is proposed to construct a 20 metre concrete floodway over existing drainage culverts at an estimated total cost of \$81,000.00 ex GST.

Poopoonbah Road, Giru – It is proposed to complete 40 metres length of in-situ stabilisation and two (2) coat bitumen seal to the end of the road for an estimated total cost of \$30,929.00 ex GST.

Sandy Camp Road, Majors Creek – It is proposed to complete 100 metres length of in-situ stabilisation and two (2) coat bitumen seal near the last culvert under the road for an estimated total cost of \$43,500.00 ex GST.

Recommendation

That Council endorses the DRFA Betterment applications for the following three (3) projects and approves the budget required as Council's contribution should each application be successful:

Butler Road, Jarvisfield	\$20,250.00 ex GST
Poopoonbah Road, Giru	\$10,875.00 ex GST
Sandy Camp Road, Majors Creek	\$ 7,732.25 ex GST
Total Council Contribution	\$38,857.25 ex GST

Resolution

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

CARRIED

7.3. PLANNING AND DEVELOPMENT

7.3.1. MCU22/0006 - Development Application Material Change of Use for a Mental Health Hub (Community Facility) at 178-182 Edwards Street, Ayr (Lots 97-99 on RP707557)

Executive Summary

Council is in receipt of a development application lodged by BNC Planning on behalf of applicant, Selectability Ltd for a Material Change of Use for a Mental Health Hub (Community Facility) across three (3) parcels of residential zoned land, described as Lots 97-99 on RP707557 and located at 178-182 Edwards Street, Ayr.

The application proposes to convert the existing community hall building to establish a community facility use, termed the 'Burdekin Mental Health Hub and Suicide Prevention Safe Haven' that will provide:

- Clinical services;
- Accommodate existing services providers (e.g. NDIS services, CORES);
- Mental health hub (including a community kitchen and a 'bike-shed/clubhouse'); and
- A registered training organisation (Selectability Ltd).

A Community Facility use is an impact assessable development in the Residential Zone. Public Notification was undertaken, and a single submission was received. The application did not trigger referral to the North Queensland State Assessment and Referral Agency (NQSARA).

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 legislation and notwithstanding any conflicts identified, have determined that any approval can generally comply through the use of reasonable and relevant development conditions.

Recommendation

That Council approve the proposed Material Change of Use for a Mental Health Hub (Community Facility) on land described as Lots 97-99 on RP707557 and located at 178-182 Edwards Street, Ayr, subject to reasonable and relevant conditions, and infrastructure charges as listed below:

Condition	Reason	Timing
1 General and Administration <u>Compliance with Conditions</u> 1.1 The Applicant (and any contractor, agent, <u>employee</u> or invitee of the applicant) is responsible for carrying out the approved development and ensuring compliance with this development approval, the conditions of the approval and the relevant requirements in accordance with: 1.1.1 The specifications, facts and circumstances as set out in the application submitted to Council, including recommendations and findings confirmed within the relevant technical reports. 1.1.2 The development must comply in full <u>with</u> all conditions of this approval, and is to be designed, constructed and maintained in accordance with relevant Planning Scheme requirements, Council policies, guidelines and standards (except as otherwise specified by any condition) to Council's satisfaction, and best practice engineering. 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) of the development approval 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. <u>Works – Applicant's Responsibility/Expense</u> 1.4 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 by the applicant, at no cost to the Council. 1.5 The applicant must repair any damage to existing infrastructure (<u>e.g.</u> kerb and channel, footpath or roadway) that may occur 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>Infrastructure Conditions</u> 1.6 All development conditions contained in this development approval relating to 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.		
2 Approved Plans and Documents <u>Approved Plans & Documents</u> 2.1 The proposed development and use of the site must be completed, comply <u>with</u> and maintained generally in accordance with drawings/documents		
	The approved development must be completed and maintained generally in	At all times.

Condition	Reason	Timing
<p>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>	accordance with the approved drawings and documents.	
Approved Plans		
Drawing/Plan Title	Number/Issue	Date
Coversheet	DA1, Issue A	1/6/2022
Site Plan	DA2, Issue A	1/6/2022
Existing Floor Plan	DA3, Issue A	1/6/2022
Proposed Floor Plan	DA4, Issue A	1/6/2022
Proposed Bike Shed	DA5, Issue A	1/6/2022
Elevations	DA6, Issue A	1/6/2022
Elevations	DA7, Issue A	1/6/2022
Associated Reports		
Development Application (including Response to Information Request) prepared by BNC Planning, dated August 2022.		
Engineering Services Report prepared by Langtree Consulting Engineers, dated 19 August 2022.		
<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>		

Condition	Reason	Timing
3 Outstanding charges 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.		
4 Operation of the Use/Limitations of the Approval 4.1 This approval is limited to the 'Community Facility' use as defined by Schedule 1, Division 2 – Defined Uses and Use Classes of <i>Burdekin Shire IPA Planning Scheme</i> . 4.2 <u>Specifically</u> the approved use is to remain in accordance with the scale and intensity provided in the development application and as set out on the approved proposal plans listed in the table forming part of Condition 2. 4.3 No other operations and/or activities are allowed other than that approved by this permit. 4.4 The use may only operate between 8:00am to 5:00pm, Monday to Friday and must not operate on a Sunday or Public Holiday. 4.5 The Council and its officers make no representations and provide no warranties as to the accuracy of the information contained in the development application including its supporting material provided to it by the Applicant. 4.6 The Council and its officers rely upon the applicant concerning the accuracy and completeness of the application and its supporting material and accepts the development application and supporting material as constituting a representation by the applicant as to its accuracy and completeness.		
5 Amalgamation of Allotments The amalgamation of Lots 97, 98 and 99 on RP707557 into single parcel must be undertaken and the survey plan must be registered in accordance with the <i>Land Title Act 1994</i> or relevant legislation as amended.		
The development application identified multiple lots were required to allow the approved use to commence and operate. Accordingly, the amalgamation of the lots is required to support the proposed use.		
At all times.		
Prior to the commencement of the use.		

Condition	Reason	Timing
<p>6 Car Parking, Access, Roadworks and Traffic</p> <p>6.1 The use must be provided with a minimum of 14 car parks including a minimum of 4 dedicated accessible spaces provided for persons with a disability.</p> <p>6.2 Parking space layout must be generally in accordance with the provisions contained in the supporting material included in the plans submitted with the application by 'GVD Building Design'. All off-street parking bays must be designed in accordance with AS2890.1 (2004). All car parking facilities must be always maintained to a safe operating standard thereafter.</p> <p>6.3 The construction of any additional crossovers to give access to the site is the owner's responsibility and to the satisfaction of Council.</p> <p>6.4 Accesses to the property must be industrial crossovers with a minimum 6.0 metre width for dual access and minimum 3.6 metre width for single access.</p> <p>6.5 There must be appropriate signage and pavement marking to delineate the direction of traffic entering and exiting the site. All pavement marking must be in accordance with the MUTCD and to the satisfaction of the Council.</p> <p>6.6 Provide to Council prior to the commencement of works, a cross section 1:50 scale of all driveways, showing existing and design levels for the crossovers.</p> <p>6.7 Access 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 Council.</p> <p>6.8 On-street parking bays must be line marked for the full Edwards Street frontage of the amalgamated lots. All on-street parking bays must be designed in accordance with AS2890.5 (2020).</p>	<p>To ensure development is appropriately serviced by parking and access facilities in accordance with relevant code/s and policy direction.</p>	<p>Technical details are to be submitted to Council as part of an application for Operational Work and maintained for the life of the development.</p>

Condition	Reason	Timing
<p>7 Street Enhancements</p> <p><u>Pedestrian Pathway</u></p> <p>7.1 The applicant must, at no cost to Council, design and construct a new minimum 1.8m wide footpath that provides a connection to the existing footpath, located within the road reserve along the Edwards Street frontage for the entire length of the development site, in accordance with Council's requirements and the relevant standards.</p> <p>7.2 The pedestrian pathway design and location must be detailed as part the required Operational Works application.</p> <p>7.3 Construct and maintain the footpath at no cost to Council until the asset is accepted 'off maintenance' in accordance with Council's requirements and to the satisfaction of the Chief Executive Officer.</p> <p><u>On Street Carparks</u></p> <p>7.4 The applicant, at no cost to Council, must line mark on-street parking bays for the full Edwards Street frontage of the amalgamated lots. All on-street parking bays must be designed in accordance with AS2890.5 (2020).</p> <p>7.5 The applicant must maintain the <u>on-street car</u> parking spaces at no cost to Council, until the asset is accepted 'off maintenance' in accordance with Council's requirements and to the satisfaction of the Chief Executive Officer.</p>	<p>To achieve the desired streetscape character of the location in accordance with the relevant code/s and policy direction.</p>	<p>Technical details are to be submitted to Council as part of an application for Operational Work.</p>
<p>8 Infrastructure Services – Sewerage Supply</p> <p>8.1 Existing sewer main must be condition assessed for the full width of the development.</p> <p>8.2 Assessment is to be completed by Council or approved contractor. All costs associated with the condition assessment will be borne by the applicant.</p> <p>8.3 Relining of the sewer main may be required if in poor condition.</p> <p>8.4 Relining of the sewer will be completed by a contractor that is approved by Council. All costs associated with the relining of the sewer will be borne by the applicant.</p>	<p>To ensure that the development is appropriately serviced by reticulated sewer infrastructure in accordance with relevant code/s and policy direction.</p>	<p>Technical details are to be submitted to Council as part of an application for Operational Work and maintained for the life of the development.</p>

Condition	Reason	Timing
8.5 Any additional sewer connections within the development must be capped off.		
9 Stormwater 9.1 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. 9.2 Any external catchments discharging to the premises must be accepted and accommodated within the development's stormwater drainage system. 9.3 A grated trench drain is to be installed at the property boundary to catch stormwater before crossing the footpath. The stormwater is to be conveyed to the kerb, under the footpath, in suitable sized conduits as approved by Council. 9.4 Stormwater drainage from any new paved/sealed areas must be discharged under the footpath to kerb and channelling within the adjoining road reserves in accordance with AS3500.2.2003 or as otherwise required or agreed to in writing by Council.	To ensure the premises appropriately manages and conveys stormwater legally and in an environmentally responsible manner in accordance with relevant standards, code/s and policy direction.	At all times.
10 Stormwater Quality Treatment The approved development must achieve the applicable stormwater management design objectives listed in Part G, Appendix 2 of the <i>State Planning Policy, July 2017</i> .	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.
11 Amenity Impacts 11.1 Use of the site is to be operated in a way that protects the values of the existing residential environment and will not cause unacceptable impacts on surrounding areas as a result of dust, odour, noise or lighting.	To ensure that the use does not cause a nuisance in accordance with the relevant provisions of the <i>Queensland Environmental Protection Act 1994</i> .	At all times.

Condition	Reason	Timing
<p>11.2 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>11.3 In the event of a complaint being received by Council associated with the use, the developer/operator may be required to undertake an impact assessment addressing these matters in accordance with the provisions of the relevant legislation, regulations, Australian Standards and any other policies to the satisfaction of Council.</p> <p>11.3.1 The assessment must be accompanied by a report, inclusive of supporting calculations and site investigations and provide a recommended method of mitigation measures.</p> <p>11.3.2 The developer/operator must provide a copy of the report to Council and undertake any works outlined in the report (if required) within three (3) months at no cost to Council.</p>		
<p>12 Noise Management</p> <p>The proposed activity must be conducted in a manner that applies such reasonable and practicable means necessary to avoid, minimise or manage the emission or likelihood of emission of noise that constitutes an intrusive or noise nuisance.</p> <p>In the event of a complaint being received by Council in relation to noise associated with the use, the developer/operator must engage a suitably qualified acoustic consultant to undertake an assessment addressing noise emanating from the site for this use in accordance with the provisions of the <i>Environmental Protection Act 1994</i>, <i>Environmental Protection (Noise) Policy 2019</i>, <i>Environmental Protection Regulation 2019</i> and Australian Standard AS1055 Acoustics to the satisfaction of Council.</p> <p>The assessment must be accompanied by a report, inclusive of supporting calculations and site investigations and provide a recommended method and location of noise attenuation measures. The developer/operator must provide a</p>	<p>To ensure that the use does not cause a noise nuisance to nearby sensitive receptors, and to ensure that a nuisance is not caused to the use from other nearby noise sources in accordance with the <i>Queensland Environmental Protection Act 1994</i> Section 440.</p>	<p>To be maintained for the life of the development.</p>

Condition	Reason	Timing
copy of the report to Council and undertake any works (if required from the report) within 3 months at no cost to Council.		
13 Building Materials The exterior surfaces of all buildings and structures associated with the use must be constructed from materials and/or painted or similarly treated with paint or pigment of a low reflective level which does not cause excessive glare.	To ensure protection of matters of public safety and amenity in accordance with relevant code/s and policy direction.	Prior to the commencement of the use and maintained for the life of the development.
14 Landscaping A landscape design plan shall be submitted and approved by Council, prepared by a suitably qualified person detailing the following: <u>Onsite:</u> <ol style="list-style-type: none"> A minimum 3.0m wide landscaping strip is to be provided along the entire Edwards Street frontage of the site, excepting existing access points. Existing trees to be retained on the site and all proposed trees, shrubs and ground covers. The location of all areas to be covered by turf or other surface material including paving and surface treatment details. <u>Other</u> <ol style="list-style-type: none"> Landscaping and irrigation must be constructed in accordance with the approved landscaping plan(s) and constructed to the relevant standards in accordance with Council's specification. Appropriate signage is to be erected to direct visiting vehicles to visitor car parking spaces within the development site. 	To enhance the appearance of the development in accordance with Council's relevant code/s and policy direction.	Technical details must be submitted to Council as part of an application for Operational Work. The landscaping must be provided in accordance with any approval issued and be maintained for the life of the development.
15. Screen Fencing 15.1 A minimum 1.8m high acoustic fence is to be provided for the full length of the property boundaries adjoining residential uses. 15.2 The type and design of the fencing must be submitted and approved by Council as part of the Landscaping Plan.	To ensure the development does not have a detrimental effect on the residential amenity of the surrounding area and to address crime prevention through environmental design principles in accordance with the relevant code/s and policy direction.	Prior to the commencement of the use and maintained for the life of the development.

Condition	Reason	Timing
16 Screening of Plant and Utilities All plant and utilities must be screened or located so as not to be visible from the street.	To ensure the development does not have a detrimental effect on the residential amenity of the surrounding area in accordance with relevant code/s and policy direction.	Prior to the commencement of the use and maintained for the life of the development.
17 Building Works A Development Permit for Building Works for a change of classification of building is to be obtained before commencement of the use.	To ensure the buildings and structures are correctly classified according to their use.	Prior to the commencement of the use and maintained for the life of the development
18 Signage 18.1 Any signage to be associated with the use must be designed to the satisfaction of Council. 18.2 To maintain amenity for the adjoining properties, no illumination of the signage is to occur unless otherwise approved by Council.	To maintain amenity for the adjoining properties.	Prior to the commencement of the use.
19 Property Numbering 19.1 Legible property numbers must be erected at the premises and must be maintained. 19.2 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.
20 Storage 20.1 Goods, equipment, packaging material or machinery must not be stored or left exposed outside the building so as to be visible from any public road or thoroughfare. 20.2 Where storage of chemicals is required, a bunded area with a non-porous base is to be provided. 20.3 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 area in accordance with relevant code/s and policy direction.	At all times following the commencement of the use.

Condition	Reason	Timing
<p>21 Earthworks and 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 Chief Executive Officer.</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>22 Refuse Facilities</p> <p>Refuse collection arrangements must be provided by the developer to the satisfaction of Council.</p> <p>In particular:</p> <ul style="list-style-type: none"> a) The approved waste storage area is to be of sufficient size to house all garbage bins including recycling bins. b) Storage area is suitably paved, with a hose cock fitted in close proximity to the enclosure and drain to sewer via a legal sewer connection, provided. c) All waste generated as a result of the construction of the development is to be effectively controlled and contained entirely within the boundaries of the site prior to disposal. d) All waste is to be disposed of in accordance with the Environmental Protection Regulation 2019 and Council's waste management policy. 	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.	<p>Amended plans providing details for the refuse facilities are to be submitted to Council as part of an application for Operational Work.</p> <p>Refuse facilities must be provided in accordance with any approval issued and be maintained for the life of the development.</p>
<p>23 Notice of Intention to Commence the Use</p> <p>Prior to the commencement of the use on the land subject to 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
1 Infrastructure Charges An Infrastructure Charges Notice outlining the estimated infrastructure contributions payable relevant to the Development Permit is attached for your information.
2 General Council will not be obligated to upgrade any roads that provide access to the development as a result of increased vehicles numbers accessing the site.
3 Further Approvals Required a) Operational Work An Operational Work application associated with the following conditions must be submitted to Council for approval prior to the issue of a Development Permit for Building Works, unless otherwise approved by Council. Condition 6 - Carparking, Access, Roadworks and Traffic Condition 7 - Street Enhancements Condition 8 - Infrastructure Services – Sewerage Supply Condition 14 - Landscaping Condition 22 - Refuse Facilities All engineering, soil erosion and sediment control and landscaping designs and documentation associated with such an application must be prepared and, where necessary, certified by a suitably qualified/experienced person. b) Building Works A Development Permit for Building Works to change the classification of the building is required prior to the commencement of the use.
4 Further Inspections Required Compliance with Conditions 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 5 - Amalgamation of Allotments Condition 13 - Building Materials Condition 15 - Screen Fencing Condition 16 - Screening of Plant and Utilities Condition 19 - Property Numbering Condition 20 - Storage
5 Council Water Supply Connection The site is currently connected to Council's reticulated water supply.

6 Council Sewerage Connection The site is currently serviced by Council's reticulated sewerage infrastructure. Any modifications proposed to the property's connection will need to be assessed as part of an application for Operational Work, and a subsequent plumbing application will also be required to be submitted to council.	
7 Community Kitchen Use The activity must be operated in accordance with the <i>Food Act 2006</i> . It is advised to contact the Environment & Health Department in regard to licencing in accordance with the <i>Food Act 2006</i> , if applicable.	
8 Building Work Noise 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">6.30 a.m. to 6.30 p.m. Monday to Saturday; with No work is permitted on Sundays or Public Holidays.	To ensure compliance with the <i>Environmental Protection Act 1994</i> .
9 Dust Management 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.	
10 Asbestos All asbestos removed from the site must be handled, transported and disposed of in accordance with the relevant legislation.	
11 Building Over/Adjacent to Services All structures are to be built in accordance with Council's 'Erection of Structures Over or Adjacent to Sewers or Water Mains Policy'.	
12 Clinical/Medical Waste Clinical and medical related waste is to be handled in accordance with the relevant Australian Standards.	
13 Waste Management 13.1 Waste and recycling services must be provided in accordance with Council's Waste Management Policy. 13.2 All regulated waste must be removed from the site by a regulated waste removal contractor. The records for this disposal must be kept on site and be available for viewing by an authorised officer.	
14 Plant and Utilities Noise All refrigeration equipment, pumps, compressors, air conditioning units and mechanical ventilation systems must be located, designed and installed to not exceed a maximum noise level of: <ul style="list-style-type: none">5dB(A) above background level between the times of 7am to 10pm; and3 dB(A) above background level between the times of 10pm to 7am.	To ensure the use does not have a detrimental effect on the amenity of nearby sensitive receptors in

INFRASTRUCTURE CHARGES NOTICE
(Section 119 of the Planning Act 2016)

APPLICANT:	Selectability Ltd
APPLICATION:	Material Change of Use for Community Facility (Mental Health Hub)
Notice Number:	ICN2022-008
DATE:	13 December 2022
FILE REFERENCE:	MCU22/0006
AMOUNT OF THE LEVIED CHARGE: (Details of how these charges were calculated are shown overleaf)	\$7,450.00 Total \$1,296.00 Water Supply Network \$1,296.00 Sewerage Network \$1,368.00 Transport Network \$0.00 Public Parks and Community Land Network \$3,490.00 Stormwater Network
AUTOMATIC INCREASE OF LEVIED CHARGE:	The amount of the levied charge is subject to an automatic increase. Refer to the General Information attached to this notice for more information on how the increase is worked out.
LAND TO WHICH CHARGE APPLIES:	Lots 97, 98 & 99 on RP707557
SITE ADDRESS:	178-182 Edwards Street, Ayr
PAYABLE TO:	Burdekin Shire Council
WHEN PAYABLE: (In accordance with the timing stated in Section 122 of the Planning Act 2016)	Material Change of Use – When the use commences
OFFSETS OR REFUNDS:	Not Applicable.

This charge is made in accordance with Council's *Charges Resolution (No. 2) 2018*

Resolution

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

CARRIED

13. DELEGATION

13.1. Presentation of North Queensland Sportstar Awards Team Runner Up - U14 Burdekin Wildcats Girls

Mayor McLaughlin presented the Runner Up North Queensland Sportstar Award to the U14 Burdekin Wildcats Basketball Girls congratulating the team on its success at the State Championship.

10.38 am - Mr. Brennan and Mr. Wellwood left the meeting.

10.40 am - Mr. Brennan entered the meeting.

10.42 am - Mr. Wellwood entered the meeting.

10.47 am - Meeting adjourned for Morning Tea.

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

11.08 am - Meeting recommenced.

7.3.2. MCU22/0010 - Development Application Material Change of Use for a Mechanical Workshop at 13 Ross Street, Ayr (Lot 3 on RP723877)

Executive Summary

Council is in receipt of a development application, lodged by Milford Planning on behalf of applicant, John Desisto, for a Material Change of Use for a Vehicle Repair Station (Mechanic Shop) on residential zoned land described as Lot 3 on RP723877 and located at 13 Ross Street, Ayr.

The application proposes to convert an existing commercial/light industrial building to establish a mechanic shop use.

A vehicle repair station is an impact assessable development in the Residential Zone. Public Notification was undertaken, and three (3) submissions were received.

The application did not trigger referral to the North Queensland State Assessment and Referral Agency (NQSARA).

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 legislation and notwithstanding any conflicts identified, have determined that any approval can generally comply through the use of reasonable and relevant development conditions.

Recommendation

That Council approve the proposed Material Change of Use for a Vehicle Repair Station (Mechanic Shop) on Residential zoned land described as Lot 3 on RP723877 and located at 13 Ross Street, Ayr, 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 (and any contractor, agent, employee or invitee of the applicant) is responsible for carrying out the approved development and ensuring compliance with this development approval, the conditions of the approval and the relevant requirements in accordance with:</p> <p>1.1.1 The specifications, facts and circumstances as set out in the application submitted to Council, including recommendations and findings confirmed within the relevant technical reports.</p> <p>1.1.2 The development must comply in full <u>with</u> all conditions of this approval, and is to be designed, constructed and maintained in accordance with relevant Planning Scheme requirements, Council policies, guidelines and standards (except as otherwise specified by any condition) to Council's satisfaction, and best practice engineering.</p> <p>1.2 Saved to \\burdekin.qld.gov.au\dfs-bsc between the written condition(s) of the approval and the approved plans, the requirements or the written condition(s) of the development approval 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><u>Works – Applicant's Responsibility/Expense</u></p> <p>1.4 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 by the applicant, at no cost to Council.</p> <p>1.5 The applicant must repair any damage to existing infrastructure (e.g. kerb and channel, footpath or roadway) that may occur 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.</p> <p><u>Infrastructure Conditions</u></p> <p>1.6 All development conditions contained in this development approval relating to 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>		At all times.

Condition	Reason	Timing												
2 Approved Plans and Documents <u>Approved Plans & Documents</u> 2.1 The proposed development and use of the site must be completed, complied with and maintained generally in accordance with drawings/documents identified in the table below, except as otherwise specified and/or amended by any condition of this approval. 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. The approved development must be completed and maintained generally in accordance with the approved drawings and documents.		At all times.												
Approved Plans <table border="1"> <thead> <tr> <th>Drawing/Plan Title</th><th>Number/Issue</th><th>Date</th></tr> </thead> <tbody> <tr> <td>Proposed Layout Plan</td><td>M1988-SK-04, Issue A, Sheet 1</td><td>6/10/2022</td></tr> <tr> <td>Traffic Movement, <u>Access</u> and Parking External Areas</td><td>M1988-SK-05, Issue B, Sheet 1</td><td>6/10/2022</td></tr> <tr> <td>Traffic Movement, <u>Access</u> and Parking Internal Areas</td><td>M0000-SK-05, Issue B, Sheet 1</td><td>6/10/2022</td></tr> </tbody> </table>			Drawing/Plan Title	Number/Issue	Date	Proposed Layout Plan	M1988-SK-04, Issue A, Sheet 1	6/10/2022	Traffic Movement, <u>Access</u> and Parking External Areas	M1988-SK-05, Issue B, Sheet 1	6/10/2022	Traffic Movement, <u>Access</u> and Parking Internal Areas	M0000-SK-05, Issue B, Sheet 1	6/10/2022
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Associated Reports Development Application (including Response to Information Request) prepared by Milford Planning, dated June 2022 and 6 October 2022, respectively.														
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.														
3 Outstanding charges 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.														
4 Operation of the Use/Limitations of the Approval	The development must comply with all planning scheme requirements and	At all times.												

Condition	Reason	Timing
<p>4.1 This approval is limited to the 'Vehicle Repair Station' use as defined by Schedule 1, Division 2 – Defined Uses and Use Classes of <i>Burdekin Shire IPA Planning Scheme</i>.</p> <p>4.2 Specifically the approved use is to remain in accordance with the scale and intensity provided in the development application and as set out on the approved proposal plans listed in the table forming part of Condition 2.</p> <p>4.3 No other operations and/or activities are allowed other than that approved by this permit.</p> <p>4.4 The use may only operate between 8:00am to 5:00pm, Monday to Friday and must not operate on a Sunday or Public Holiday.</p> <p>4.5 The Council and its officers make no representations and provide no warranties as to the accuracy of the information contained in the development application including its supporting material provided to it by the Applicant.</p> <p>4.6 The Council and its officers rely upon the applicant concerning the accuracy and completeness of the application and its supporting material and accepts the development application and supporting material as constituting a representation by the applicant as to its accuracy and completeness.</p>	<p>definitions as approved, and as conditioned by this Development Permit.</p>	
<p>5 Car Parking, Access, Roadworks and Traffic</p> <p>5.1 The use must be provided with a minimum of three (3) on site car parks including a minimum of one (1) dedicated accessible spaces provided for persons with a disability.</p> <p>5.2 All on-site parking spaces sizes and layout must be designed in accordance with AS2890.1-2004 generally in accordance with the supporting material included in the plans submitted with the application.</p> <p>5.3 All pavement marking is to be in accordance with the Transport Operations (Road Use Management) Act 1995 (TORUM Act) and must be read alongside the Manual of Uniform and Traffic Control Devices (MUTCD).</p>	<p>To ensure development is appropriately serviced by parking and access facilities in accordance with relevant code/s and policy direction.</p>	<p>Prior to the commencement of the use and maintained for the life of the development.</p>

Condition	Reason	Timing
<p>5.4 The construction of any additional crossovers to give access to the land is to be the owner's responsibility and to the satisfaction of the Chief Executive Officer.</p> <p>5.5 Access 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 Council.</p> <p>5.6 All vehicles must enter and exit the site in a forward motion.</p> <p>5.7 Appropriate signage is to be erected to direct vehicles to the car parking spaces within the development site.</p> <p>5.8 Prior to the commencement of the use on the site, the applicant must lodge with Council an "Aspect Inspection Certificate" (Form 12) signed by an RPEQ Engineer certifying that all internal accesses, parking bays and manoeuvring areas comply with the applicable Australian Standards and Council's requirements.</p>		
<p>6 Environment and Health</p> <p><u>General Environmental Duty</u></p> <p>6.1 All activities must be carried out within the confines of the workshop.</p> <p>6.2 An Environmental Management Plan (EMP) shall be developed and submitted to Council for approval. The approved EMP is to be implemented and complied with for the proposed use.</p> <p>6.3 The operator must investigate and address all environmental nuisance and/or environmental harm complaints. The following details must be recorded and provided to Council upon request:</p> <ul style="list-style-type: none"> a) time, date, name and contact details of the complainant; b) reasons for the complaint; c) any investigations undertaken; d) conclusions formed; and e) any actions taken. <p>6.4 When requested by Council, an assessment, including monitoring and/or sampling must be undertaken by a suitably qualified person(s) to</p>	<p>To ensure that the use does not cause a nuisance and/or environmental harm in accordance with the relevant provisions of the <i>Queensland Environmental Protection Act 1994</i>.</p>	<p>At all times.</p>

Condition	Reason	Timing
<p>investigate any complaint of environmental nuisance and/or environmental harm (which in the opinion of an authorised person is not frivolous, vexatious nor based on mistaken belief). Upon completion of the assessment, the results must be submitted to Council within ten (10) business days. This must be undertaken in accordance with any direction given by Council at the time.</p> <p>6.5 If the results of the assessment indicate, or where it is determined by an authorised person, that environmental nuisance and/or environmental harm is being caused, abatement or control measures must be implemented as recommended by a suitably qualified person and/or Council.</p> <p>6.6 No change, replacement or operation of any plant or equipment is permitted if the change, replacement or operation of the plant or equipment increases, or is likely to substantially increase, the risk of environmental nuisance and/or environmental harm above that expressly provided by this development approval/ environmental authority.</p> <p>6.7 The washing down of the workshop, the cleaning of waste containers or the washing of any other items that generate contaminated water, is not permitted unless the contaminated water is directed to an approved wastewater treatment system prior to release.</p> <p>6.8 Spray painting is not permitted to be conducted at the site other than for minor touch-ups.</p> <p>6.9 Abrasive blasting is to be conducted within a fully enclosed chamber, vented to the atmosphere through an effective dust extraction system and designed to enable frequent or continuous recovery of spent abrasives.</p> <p><u>Storage</u></p> <p>6.10 Any storage of flammable and/or combustible liquids must comply with the minor storage provision of 'Australian Standard AS:1940 The Storage and Handling of Flammable and Combustible Liquids.'</p>		

Condition	Reason	Timing												
<p>6.11 Any hazardous materials (e.g. oil and fuel) must be stored in a covered and bunded area.</p> <p><u>Spills</u></p> <p>6.12 Any liquid spills must be cleaned up immediately and disposed of in an appropriate manner that ensures environmental harm does not occur. An appropriate spill kit for the management of wastes and hazardous liquids associated with the activity must be readily available at the site. Anyone operating under this approval must be trained in the use of the spill kit.</p> <p><u>Regulated Waste</u></p> <p>6.13 Regulated wastes are to be removed for disposal by a licenced waste transporter.</p> <p><u>Noise Management</u></p> <p>6.14 Where a complaint is made about noise from the activity, which is considered reasonable by an authorised officer and cannot be resolved by the operator of the activity subject of this approval, the emission of noise from the development must not result in levels greater than those specified in Table 1 until circumstances which gave rise to the complaint are resolved.</p> <p>Table 1: Noise Limits (dBA)</p> <p>NOISE LIMITS MEASURED AT THE FACADE OF THE NEAREST NOISE SENSITIVE PLACE</p> <table> <tr> <td>Period</td><td>Measured as LAeq</td><td>Measured as maxLpA</td></tr> <tr> <td>7am - 6pm</td><td>55</td><td>60</td></tr> <tr> <td>6pm - 10pm</td><td>50</td><td>55</td></tr> <tr> <td>10pm - 7am</td><td>45</td><td>50</td></tr> </table>	Period	Measured as LAeq	Measured as maxLpA	7am - 6pm	55	60	6pm - 10pm	50	55	10pm - 7am	45	50		
Period	Measured as LAeq	Measured as maxLpA												
7am - 6pm	55	60												
6pm - 10pm	50	55												
10pm - 7am	45	50												
7 Stormwater	To ensure the premises appropriately manages and conveys stormwater	At all times.												

Condition	Reason	Timing
<p>7.1 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>7.2 Any external catchments discharging to the premises must be accepted and accommodated within the development's stormwater drainage system.</p>	legally and in an environmentally responsible manner in accordance with relevant standards, code/s and policy direction.	
<p>8 Stormwater Quality Treatment</p> <p>The approved development must achieve the applicable stormwater management design objectives listed in Part G, Appendix 2 of the <i>State Planning Policy, July 2017</i>.</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>9 Amenity Impacts</p> <p>9.1 Use of the site is to be operated in a way that protects the values of the existing residential environment and will not cause unacceptable impacts on surrounding areas as a result of dust, odour, noise or lighting.</p> <p>9.2 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>9.3 In the event of a complaint being received by Council associated with the use, the developer/operator may be required to undertake an impact assessment addressing these matters in accordance with the provisions of the relevant legislation, regulations, Australian Standards and any other policies to the satisfaction of Council.</p> <p>9.3.1 The assessment must be accompanied by a report, inclusive of supporting calculations and site investigations and provide a recommended method of mitigation measures.</p>	To ensure that the use does not cause a nuisance in accordance with the relevant provisions of the <i>Queensland Environmental Protection Act 1994</i> .	At all times.

Condition	Reason	Timing
9.3.2 The developer/operator must provide a copy of the report to Council and undertake any works outlined in the report (if required) within three (3) months at no cost to Council.		
10 Building Materials The exterior surfaces of all buildings and structures associated with the use must be constructed from materials and/or painted or similarly treated with paint or pigment of a low reflective level which does not cause excessive glare.	To ensure protection of matters of public safety and amenity in accordance with relevant code/s and policy direction.	Prior to the commencement of the use and maintained for the life of the development.
11 Screening of Plant and Utilities All plant and utilities must be screened or located so as not to be visible from the street.	To ensure the development does not have a detrimental effect on the residential amenity of the surrounding area in accordance with relevant code/s and policy direction.	Prior to the commencement of the use and maintained for the life of the development.
12 Building Works A Development Permit for Building Works for a Change of Classification of building is to be obtained before commencement of the use.	To ensure the buildings and structures are correctly classified according to their use.	Prior to the commencement of the use and maintained for the life of the development
13 Signage 13.1 Any signage to be associated with the use must be designed to the satisfaction of Council. 13.2 To maintain amenity for the adjoining properties, no illumination of the signage is to occur unless otherwise approved by Council.	To maintain amenity for the adjoining properties.	Prior to the commencement of the use.
14 Property Numbering 14.1 Legible property numbers must be erected at the premises and must be maintained.	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.

Condition	Reason	Timing
14.2 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.		
15 Storage 15.1 Goods, equipment, packaging material or machinery must not be stored or left exposed outside the building so as to be visible from any public road or thoroughfare. 15.2 Where storage of chemicals is required, a bunded area with a non-porous base is to be provided. 15.3 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 area in accordance with relevant code/s and policy direction.	At all times following the commencement of the use.
16 Refuse Facilities Refuse collection arrangements must be provided by the developer to the satisfaction of Council. In particular: a) The approved waste storage area is to be of sufficient size to house all garbage bins including recycling bins. b) Storage area is suitably paved, with a hose cock fitted in close proximity to the enclosure and drain to sewer via a legal sewer connection, provided. c) All waste generated as a result of the construction of the development is to be effectively controlled and contained entirely within the boundaries of the site prior to disposal. d) All waste is to be disposed of in accordance with the <i>Environmental Protection Regulation 2019</i> and Council's Waste Management Policy.	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.	Refuse facilities must be provided in accordance with any approval issued and be maintained for the life of the development.
17 Notice of Intention to Commence the Use Prior to the commencement of the use on the land subject to 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.		Prior to the commencement of the use.

Advice	
1 Infrastructure Charges	
Not applicable.	
2 Trade Waste	
A Trade Waste Approval/Agreement may be required under the <i>Water Supply (Safety and Reliability) Act 2008</i> . This should be discussed with Council at an early stage of project development.	
3 General	
Council will not be obligated to upgrade any roads that provide access to the development due to increased vehicle traffic as a result of the use.	
4 Further Approvals Required	
a) Building Works	
A Development Permit for Building Works to Change the Classification of the building is required prior to the commencement of the use.	
5 Further Inspections Required	
Compliance with Conditions – 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 5 - Car Parking, Access, Roadworks and Traffic Condition 10 - Building Materials Condition 11 - Screening of Plant and Utilities Condition 14 - Property Numbering Condition 15 - Storage Condition 16 - Refuse Facilities	
6 Building Work Noise	
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"> 6.30 a.m. to 6.30 p.m. Monday to Saturday; with No work permitted on Sundays or Public Holidays. 	To ensure compliance with the <i>Environmental Protection Act 1994</i> .
7 Waste Management	
7.1 Waste and recycling services must be provided in accordance with Council's Waste Management Policy. 7.2 All regulated waste must be removed from the site by a regulated waste removal contractor. The records for this disposal must be kept on site and be available for viewing by an authorised officer.	
8 Plant and Utilities Noise	
All refrigeration equipment, pumps, compressors, air conditioning units and mechanical ventilation systems must be located, designed and installed to not exceed a maximum noise level of:	To ensure the use does not have a detrimental effect on the amenity of nearby
<ul style="list-style-type: none"> 5dB(A) above background level between the times of 7am to 10pm; and 3dB(A) above background level between the times of 10pm to 7am. 	sensitive receptors in accordance with the <i>Environmental Protection Act 1994</i> .

Resolution

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

CARRIED

7.3.3. MCU21/0011 - Change Representations on Decision Notice Material Change of Use for an Accommodation Building 9-11 Nelson Street, Clare. (Lot 20 on SP314314)

Executive Summary

Council is in receipt of change representations made in relation to the conditions of approval for Development Permit (MCU22/0007) for a Material Change of Use – Accommodation Building on land described as Lot 20 on SP314314 and located at 9-11 Nelson Street, Clare.

On the 27 September, the Material Change of Use application was given approval to allow the conversion of the existing community hall building into a nine (9) bedroom accommodation building. The decision notice included twenty-six conditions of approval and fourteen advice notes.

The change representations (refer Attachment A) were lodged on 4 November 2022 by BNC Planning on behalf of the applicant Asimus Pty Ltd, seeking to amend two (2) conditions of the approval being:

- Condition 2: Approved Plans; and
- Condition 10: Roadworks, Traffic and Access.

Both conditions relate to the request from the applicant to provide new on street carparking along School Street, rather than on site carparking as approved by the development permit, due the current cost of construction and materials required to provide the onsite carparking.

The draft amended proposal plans provided with the change request show that six (6) angled spaces are to be provided along the frontage of the development site in School Street.

Council officers have reviewed and considered the change representations made and cannot support the proposed carparks being in School Street, as their positioning would be too close to pedestrian crossing points and accesses to adjoining properties.

Council officers would however be supportive of the construction and sealing of the onsite carparking and access to be undertaken in two (2) stages as follows:

Stage 1

- A new 4.0m wide bitumen sealed roadway is to be constructed from the concrete crossover in School Road to the southern extent of the subject site.
- On-site parking areas are to be constructed of angular crushed rock.
- On-site parking areas are to be compacted using a steel drum roller prior to operation.
- All areas used for vehicle movements between the new sealed roadway and the property boundary are to be bitumen sealed.
- All construction must be to the satisfaction of the Chief Executive Officer and Council's Standards.
- All on-site parking spaces must be marked in accordance with the Transport Operations (Road Use Management) Act 1995 (TORUM Act) and must be read alongside the Manual of Uniform and Traffic Control Devices (MUTCD).

Stage 2

- All on-site parking areas must be bitumen sealed and line-marked within 24 months of completing Stage 1 works.

Recommendation

That Council issue a Negotiated Decision Notice for the Development Permit for a Material Change of Use – Accommodation Building on land described as Lot 20 on SP314314 and located at 9-11 Nelson Street, Clare, subject to the amended conditions, as listed below:

Condition	Reason	Timing
1. General and Administration 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 by the conditions of this Development Permit and any approval issued there under.		At all times.
2. Approved Plans 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. 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.	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.

Condition	Reason	Timing
Approved Plans		
Drawing Title	Drawing/Revision	Date
Preliminary Drawings - Existing Site and First Floor Plan	Job No. TFBD-21019 Dwg No. A01 Issue P2	19.05.2021
Preliminary Drawings – Proposed Site and First Floor Plan	Job No. TFBD-21019 Dwg No. A03 Issue P3	19.05.2021
Preliminary Drawings – Proposed Site and Ground Floor Plan	Job No. TFBD-21019 Dwg No. A04 Issue P6	19.05.2021
Associated Reports		
Development application prepared by BNC Planning.		
3. Outstanding charges		Prior to the commencement of the use.
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.		
4. Compliance with Conditions	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.
The proposed development must comply with all conditions of this development permit prior to the commencement of the use.		

Condition	Reason	Timing
<p>5. Limitation of Approval</p> <p>This approval is limited to Accommodation Building within the Residential Use Class as 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>6. 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>		<p>Prior to the commencement of the use.</p>
<p>7. On-site Water Supply</p> <p>Confirmation from the relevant private water service provider in this locality that an adequate and appropriate water supply for the development can be provided, is to be provided to Council.</p>	<p>The development is not located within a Burdekin Shire Council service area for a reticulated water service.</p> <p>Council understands that currently Sunwater is the private water service provider.</p>	<p>Prior to the issue of the Certificate of Occupancy by the Building Certifier and prior to the commencement of the use.</p>
<p>8. On-site Sewage Disposal</p> <p>8.1 The development must be serviced by an on-site sewage facility.</p>	<p>Development is not located within a service area for a sewerage service under the <i>Water Supply (Safety and</i></p>	<p>Prior to the issue of the Certificate of Occupancy by the Building Certifier</p>

Condition	Reason	Timing
8.2 This planning approval is not permission to install the facility or commence building works. Under the <i>Plumbing and Drainage Act 2018</i> , an application must be lodged with Burdekin Shire City Council before any building work or installation of an on-site facility can be carried out.	<i>Reliability) Act 2008</i> and must be appropriately serviced by a wastewater treatment and disposal facility that is appropriate for the level of demand generated by the development.	and prior to the commencement of the use.
9. Privacy Screening Privacy screening or suitable alternative treatments are to be provided to habitable room windows located on the first floor. Treatments may consist of: <ul style="list-style-type: none"> a) Fixed, tinted or opaque glazing in at least any part of the fixed window; and b) Sliding external screens (e.g. louvered panels), of durable weather resistant materials and with a maximum of 50% transparency. 	To ensure the development appropriately addresses privacy requirements for residents at the premises, neighbouring residents and the community to ensure a suitable level of amenity and privacy is maintained.	Prior to the issue of the Certificate of Occupancy by the Building Certifier and during the operation and life of the development.
10. Roadworks, Traffic and Access <u>Works are to be completed in two (2) stages:</u> <u>Stage 1</u> 10.1 A new 4.0m wide bitumen sealed roadway from concrete crossover in School Road to southern extent of the subject site, including the area between the roadway and on site bitumen sealed carpark is to be constructed to the satisfaction of the Chief Executive Officer and Council's standards. 10.2 <u>On-site parking areas are to be constructed of angular crushed rock.</u>	To provide development with access in accordance with council standards.	Technical details are to be submitted to council as part of an application for Operational Work.

Condition	Reason	Timing
<p><u>10.3 On-site parking areas are to be compacted using a steel drum roller prior to operation.</u></p> <p><u>10.4 All areas used for vehicle movements between the new sealed roadway and the property boundary are to be bitumen sealed.</u></p> <p><u>10.5 All construction must be to the satisfaction of Council and in accordance with Council's standards.</u></p> <p><u>10.6 All on-site parking spaces must be marked in accordance with the Transport Operations (Road Use Management) Act 1995 (TORUM Act) and must be read alongside the Manual of Uniform and Traffic Control Devices (MUTCD).</u></p> <p><u>Stage 2</u></p> <p><u>10.7 All on-site parking areas must be bitumen sealed and line-marked within 24 months of completing Stage 1 works.</u></p> <p><u>General (applicable for both stages)</u></p> <p><u>10.8</u> RPEQ certification is required to be submitted as part of an Operational Works application.</p> <p>10.3-9 Parking spaces, accesses and driveways not to be used for any other purpose.</p> <p>10.4-10 Provide to Council prior to the commencement of works, a cross section 1:50 scale of all driveways showing existing and design levels for crossovers.</p> <p>10.5-11 Vehicles must not exit the site in a reverse direction.</p> <p>10.6-12 Provide pedestrian access, both internal and external to the site, which is separated from vehicular access to minimise the potential for pedestrian and vehicle conflict.</p> <p>10.7-13 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>10.8-14 During the construction phase, any damage to the road reserve (i.e. footpath/kerb and channel) must be replaced in accordance with council's standards.</p>		

Condition	Reason	Timing
<p>10.0 Roadworks Approval</p> <p>10.0.1 The developer is responsible for obtaining a Roadworks permit for the installation of any hoardings, gantries or temporary road closures of the footpath or road prior to the commencement of works.</p> <p>10.0.2 The application must indicate the following:</p> <p>a) Completed Roadworks permit application form.</p> <p>b) Prescribed fee.</p> <p>c) Traffic Management Plan prepared by a suitable qualified traffic professional detailing the traffic management measures put in place to manage all Roadworks including pedestrians, cyclists and vehicles in accordance with the Manual of Uniform Traffic Control Devices (Queensland) Part 3 Works on Roads.</p> <p>d) If the works require closure of part of the road reserve, a temporary Road Closure Permit will be required.</p> <p>This permit allows for a section of road reserve to be closed for the purpose of works. The Queensland Police Service is the issuing authority for these permits. An application will need to be made to council for a letter of 'no objection' prior to applying to the Queensland Police Service for the permit.</p> <p>The Traffic Management Plan will need to be included with the application to council.</p>		
<p>11. On Site Car Parking</p> <p>11.1 A minimum of ten (10) car parking spaces (including a dedicated accessible space) must be provided on site and made available to serve the development.</p> <p>11.2 All on-site car parking facilities, associated ramps, driveways and manoeuvring areas must be designed and constructed in accordance with Council's requirements and the relevant Standards.</p>	<p>To ensure development is appropriately serviced by parking and access facilities in accordance with relevant code/s and policy direction.</p>	<p>Technical details are to be submitted to council as part of an application for Operational Work</p>

Condition	Reason	Timing
11.3 All car parking facilities must be always maintained to a safe operating standard thereafter.		and maintained for the life of the development.
12. Stormwater Drainage 12.1 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. 12.2 Any external catchments discharging to the premises must be accepted and accommodated within the development's stormwater drainage system. 12.3 Stormwater drainage must be discharged under the footpath to kerb and channelling within the adjoining road reserves in accordance with AS3500.2.2003 or as otherwise required or agreed to in writing by the Chief Executive Officer. 12.4 RPEQ Certified Stormwater Management Plan is required to be provided as part of the Operational Works Application.	To convey stormwater legally and in an environmentally responsible manner in accordance with relevant standards, code/s and policy direction.	Technical details are to be submitted to council as part of an application for Operational Work and maintained for the life of the development.
13. Landscaping and Screen Fencing i. The site is to be suitably landscaped (with appropriate irrigation installed) with suitable species, in accordance with council's specifications and to the satisfaction of the Chief Executive Officer. ii. A minimum 1.8m high timber paling (with max 10mm gap) or similar style fence is to be provided for the full length of all property boundaries excepting pedestrian and vehicle access points.	To enhance the appearance of the development for both residents and the community in accordance with Council's relevant code/s and policy direction.	To be maintained for the life of the development.
14. Communal Open Space		

Condition	Reason	Timing
Provide sufficient communal open space that is accessible, useable and safe, centrally located and landscaped to an appropriate standard and designed and located in such a way to ensure any noise impacts are acceptable.	To ensure the development provide occupants with an appropriate level of communal open space.	To be maintained for the life of the development.
<p>15. Noise Management</p> <p>The proposed activity must be conducted in a manner that applies such reasonable and practicable means necessary to avoid, minimise or manage the emission or likelihood of emission of noise that constitutes an intrusive or noise nuisance.</p> <p>In the event of a complaint being received by Council in relation to noise associated with the use, the developer/operator must engage a suitably qualified acoustic consultant to undertake an assessment addressing noise emanating from the site for this use in accordance with the provisions of the <i>Environmental Protection Act 1994</i>, <i>Environmental Protection (Noise) Policy 2019</i>, <i>Environmental Protection Regulation 2019</i> and Australian Standard AS 1055 Acoustics to the satisfaction of the Burdekin Shire Council.</p> <p>The assessment must be accompanied by a report, inclusive of supporting calculations and site investigations and provide a recommended method and location of noise attenuation measures. The developer/operator must provide a copy of the report to Council and undertake any works (if required from the report) within 3 months at no cost to Council.</p>	<p>To ensure that the use does not cause a noise nuisance to nearby sensitive receptors, and to ensure that a nuisance is not caused to the use from other nearby noise sources in accordance with the Queensland <i>Environmental Protection Act 1994</i> Section 440.</p>	<p>To be maintained for the life of the development.</p>
<p>16. Refuse Facilities</p> <p>Refuse collection arrangements must be provided by the developer to the satisfaction of the Chief Executive Officer.</p> <p>In particular:</p>	<p>To ensure the premises is appropriately serviced and to protect matters of public</p>	<p>Prior to commencement of the use and to be</p>

Condition	Reason	Timing
<p>a) The approved waste storage area is to be of sufficient size to house all garbage bins including recycling bins.</p> <p>b) Provide a storage area that is suitably paved, with a hose cock fitted in close proximity to the enclosure and drained via a legal on-site sewer connection.</p> <p>c) All waste generated as a result of 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.	maintained for the life of the development.
<p>17. Screen Fencing</p> <p>17.1 A minimum 1.8m high fence is to be provided for the full length of the property boundaries, excepting access points.</p> <p>17.2 The type and design of the fencing must be submitted and approved by the Chief Executive Officer.</p>	To ensure the development does not have a detrimental effect on the amenity of the surrounding land and to address Crime Prevention through Environmental Design principles in accordance with the relevant code/s and policy direction.	Prior to the commencement of the use and maintained for the life of the development.
<p>18. 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 general public, service and emergency service providers to	Prior to the commencement of the use and maintained for the

Condition	Reason	Timing
	effectively identify the property.	life of the development.
19. Relocation of Services or facilities 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 commencement of use.
20. Storage 20.1 Goods, equipment, packaging material or machinery must not be stored or left exposed outside the building so as to be visible from any public road or thoroughfare. 20.2 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.
21. Building Works A development permit for Building Works (Certificate of Occupancy) is to be obtained before commencement of the use.		Prior to the commencement of the use and maintained for the life of the development.
22. Screening of Plant and Utilities Unless otherwise agreed in writing by council, all plant and utilities must be screened or located so as not to be visible from the street.	To ensure the development does not have a detrimental effect on the amenity of the	Prior to the commencement of the use and

Condition	Reason	Timing
	surrounding land in accordance with relevant code/s and policy direction.	maintained for the life of the development.
<p>23. 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 commencement of the use and to be maintained for the life of the development.
<p>24. Signage</p> <p>Any signage to be associated with the use must be designed to satisfaction of the Chief Executive officer.</p> <p>To maintain amenity for the adjoining properties, no illumination of the signage is to occur unless otherwise approved by council.</p>	To maintain amenity for the adjoining properties.	Prior to the commencement of the use.
<p>25. Soil Erosion Minimisation, Sediment Control</p> <p>Erosion and sediment control management including site specific stormwater treatment devices must be installed and maintained to the satisfaction of the Chief Executive Officer.</p>	To ensure that receiving waters during construction of the development are managed from the effects of increased sediment run-off	At all times during the construction phase.

Condition	Reason	Timing
	in accordance with relevant code/s and policy direction.	
26. Dust Management 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 as part of an application for Operational Work.

Advice	
1. Infrastructure Charges An Infrastructure Charges Notice outlining the estimated infrastructure contributions payable relevant to the Development Permit is attached for your information.	
2. General Council will not be obligated to upgrade any roads accessing the development due to increased vehicle numbers accessing the development.	
3. Further Approvals Required a) Operational Work An Operational Work application associated with the following conditions must be submitted to Council for approval prior to the issue of a Development Permit for Building Works, unless otherwise approved by council. Condition 10 – Roadworks and Traffic Condition 11 – On Site Car Parking	

<p>Condition 12 – Stormwater Drainage</p> <p>Condition 26 – Dust Management</p> <p>All engineering, soil erosion and sediment control and landscaping designs and documentation associated with such an application must be prepared and, where necessary, certified by a suitably qualified/experience person.</p> <p>b) Plumbing and Drainage Works.</p> <p>A Compliance Permit to carry out plumbing and drainage works prior to the commencement of sanitary drainage works.</p> <p>c) Building Works</p> <p>A Development Permit for Building Works to carry out building works prior to works commencing on site.</p>	
<p>4. 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 13 – Landscaping</p> <p>Condition 14 – Communal Open Space</p> <p>Condition 16 – Refuse Facilities</p> <p>Condition 17 – Screen Fencing</p> <p>Condition 18 – Property Numbering</p> <p>Condition 19 – Relocation of Services or facilities</p> <p>Condition 22 – Screening of Plant and Utilities</p> <p>Condition 25 – Soil Erosion Minimisation, Sediment Control</p>	
<p>5. Licenced Operator of Premises</p> <p>The operator of the premises must hold a licence with Burdekin Shire Council for the operation of the accommodation premises under the provisions of the <i>Local Government Act 2009</i> and Local Laws pursuant to the Act.</p>	
<p>6. Roadworks Permit</p> <p>If required, a Roadworks Permit for the construction of a driveway or access within the road reserve must be obtained.</p>	
<p>7. Storage of Materials and Machinery</p>	

All materials and machinery to be used during the construction period are to be wholly stored on the site, unless otherwise approved by council.	
8. Building Work Noise 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"> 6.30 a.m. to 6.30 p.m. Monday to Saturday; with No work on Sundays or Public Holidays. 	To ensure compliance with the <i>Environmental Protection Act 1994</i> .
9. Dust Management 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.	
10. Asbestos All asbestos removed from the site must be handled, transported and disposed of in accordance with the relevant legislation.	
13. Waste Management The activity must be in accordance with Council's Waste Management Policy, Local Law No. 8 (Waste Management) 2018 and the Environmental Protection Regulation 2019 to ensure sufficient waste management storage capacity is provided on site to adequately cater for the demand generated by the use of the premises. All regulated waste must be removed from the site by a regulated waste removal contractor. The records for this disposal must be kept on site and be available for viewing by an authorised officer.	
14. Plant and Utilities Noise All refrigeration equipment, pumps, compressors, air conditioning units and mechanical ventilation systems must be located, designed and installed to not exceed a maximum noise level of: <ul style="list-style-type: none"> 5dB(A) above background level between the times of 7am to 10pm; and 	To ensure the use does not have a detrimental effect on the amenity of
<ul style="list-style-type: none"> 3 dB(A) above background level between the times of 10pm to 7am. 	nearby sensitive receptors in accordance with the <i>Environmental Protection Act 1994</i> .

Resolution

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

CARRIED

11.23 am - Mr. Lewty entered the meeting.

11.23 am - Mr. Pearce left the meeting.

7.4. TECHNICAL SERVICES

7.4.1. Burdekin Aquatic Centre Kiosk Construction and Entrance Works Contract Award

Executive Summary

Building a community space that includes a water park has been on the public agenda for some time. To facilitate the new water park and update the existing amenities, a new kiosk building was prioritised to provide safe and direct access to the Burdekin Aquatic Centre, formally the Ayr Swimming Pool complex.

Council preliminarily earmarked \$394,000.00 from its 2022/2023 Capital Budget for the design and construction of the Burdekin Aquatic Centre Kiosk, with Councillors and staff undertaking preliminary planning for the project since January 2022.

The tender responses for the construction of the kiosk, shaded seating area for the water park, ramp and entrance works came in significantly higher than anticipated, requiring the reallocation of funded budgets across the Burdekin Precinct Project to support the inflated cost estimates.

The assessment panel has further undertaken an extensive review of each tender response. From this review, the two (2) front running companies were asked to supply a breakdown of their lump sum project costs and comment about possible construction cost reductions to better suit Council's allocated budget.

Due to the major increase in materials and labour costs industry wide, it was determined that the two (2) front running companies provided competitive prices. Suggestions to reduce costs included the major redesign of the iconic roof line, which was not a desired outcome from Council.

From this revision period, the assessment panel determined a preferred company and came to a recommendation.

The purpose of this report is to seek Council's approval for the selection of one (1) company to be awarded the contract for the Burdekin Aquatic Centre kiosk, shaded seating area for water park, ramp and entrance construction works.

Recommendation

That Council:

1. Endorses the recommendations of the assessment panel and selects W&F Constructions Pty Ltd to be awarded the contract for the construction of the Burdekin Aquatic Centre Kiosk (TBSC/22/015) for the total lump sum of \$870,100.00 ex GST.

Resolution

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

CARRIED

11.30 am - Mr. Lewty left the meeting.

8. NOTICE OF MOTION

9. RECEIPT OF PETITIONS

10. CORRESPONDENCE FOR INFORMATION

11. GENERAL BUSINESS

Executive Summary

The CEO advised that the Burdekin Singers had requested Council to reduce the value of the previously approved loan that the Singers were seeking from \$150 000.00 to \$120 000.00 due to delays experienced with obtaining State Government approval for the loan. The new loan amount is within the threshold of the General Approval issued by the State Government for granting a loan by Council to community organisations without the need to seek specific approvals.

Recommendation

That, in accordance with a written request received from Burdekin Singers and Theatre Company for a reduction in the proposed interest free loan of \$150 000.00 approved by Council at its meeting held on 13 September 2022, Council approve the request and note the reduction in interest to \$120 000.00, subject to:

1. Repayments at an annual amount \$12 000.00 for a term of ten (10) years, and
2. Execution of mortgage, in favour of Burdekin Shire Council, with costs to be borne by the Applicant, and the mortgage would continue in place until such time as all monies due and payable to the Council had been repaid.

Resolution

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

CARRIED

12. CLOSED BUSINESS ITEMS

Council Meeting closed to Public under Section 254J of *Local Government Regulation 2012*.

Resolution

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

254J (e) legal advice obtained by the local government or legal proceedings involving the local government including, for example, legal proceedings that may be taken by or against the local government;

For the purpose of discussing:

1. Ayr Water Supply Management options.

CARRIED

Council Meeting opened to Public.

Resolution

Moved Councillor Perry, seconded Councillor Detenon that the Council meeting be opened to the public.

CARRIED

12.1 Confidential Report - Ayr Water Supply Management Options

Executive Summary

Councillors noted the confidential report prepared by the Director of Infrastructure Planning And Environment outlining options in relation to the operation of the Ayr Water Supply.

Recommendation

That Council notes and endorses the officers detail steps and associated measures regarding the Ayr Water Supply Management options.

Resolution

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

CARRIED

Confidential Report - Ayr Water Supply Management Options

13. DELEGATION

There being no further business the meeting closed at 12.10am.

These minutes were confirmed by Council at the Ordinary Council Meeting held on 17 January 2023.

MAYOR

4.2. MINUTES AND BUSINESS ARISING

Burdekin Shire Youth Council Meeting Minutes - 5 December 2022

File Reference:	137
Report Author:	Tammy Quagliata, Community Development Support Officer
Authoriser:	Tony Blackwell, Manager Community Services
Meeting Date:	17 January 2023

Purpose

This report provides the minutes of the Burdekin Shire Youth Council Meeting held on 5 December 2022

Summary of recommendations and actions for consideration and adoption:

Items 5 & 6 - Involvement in Community Events

Council notes the proposed involvement of Burdekin Shire Youth Council Members

Item 8 - Youth Council End of Year Break Up

Council notes that the Burdekin Shire Youth Council celebrated their end of year break up at the Ayr Pool on Sunday 4 December

Item 10

Council acknowledges that ongoing contribution and hard work of the 2022 Burdekin Shire Youth Council members as noted by Cr. Lyn McLaughlin

Recommendation

That:

1. the minutes of the Burdekin Shire Youth Council Meeting held on 5 December be noted; and
2. the recommendations as detailed in the minutes and summarized in Items 5, 6, 8 & 10 above be adopted.

Attachments

1. Minutes - Burdekin Shire Youth Council Meeting held 5 December 2022

Meeting Minutes

Meeting	Burdekin Shire Youth Council Meeting		
Date	Monday, 5 December 2022	Time	3:30 PM
Attendees	Gracie Hosie – Youth Mayor Xavier Woods - Deputy Youth Mayor Mikayla McDonnell – Secretary Byryn Bojack – Burdekin Catholic High School Brent Dingle – Burdekin Christian College Clodagh Liessmann - Burdekin Catholic High School Charlie Stanton-Cook – Home Hill State High School Emily Holmes – Burdekin Christian College Eddie Jones – Ayr State High School Haigan MacDonald – Burdekin Catholic High School Isabella Lando – Burdekin Christian College Laney Lando – Burdekin Christian College Lucy Young – Home Hill State High School Michael Lindley – Ayr State High School Thomas Lindley – Ayr State High School Vaylee Grabs – Ayr State High School Tammy Quagliata – Burdekin Shire Council Tony Blackwell – Burdekin Shire Council Cr. Lyn McLaughlin – Mayor, Burdekin Shire Council Cr. John Furnell – Burdekin Shire Council Andrew Sherrington – Burdekin PCYC		
Apologies	Georgia Tomasetig – Ayr State High School Breanna Wood – Ayr State High School		
Chairperson	Gracie Hosie		
Minutes Clerk	Mikayla McDonnell		
Location	John Drysdale Chamber		

Agenda Items

1. Meeting officially opened

Gracie Hosie officially opened the meeting.

2. Minutes of 7 November 2022 Meeting Received

Moved by Michael Lindley seconded by Eddie Jones that the minutes of the Burdekin Shire Youth Council Meeting held on 7 November 2022, be received.

CARRIED

3. Business Arising from the Minutes

4. Correspondence

Inward Correspondence

1. Burdekin Festival of Arts – Thanking the Burdekin Shire Youth Council for their ongoing support for the Burdekin Festival of Arts since 2015, and advising that regretfully the committee has decided to close operation as at 31 December 2022.

Outward Correspondence

NIL

Moved Laney Lando, seconded by Sarah Shepard that the inward correspondence be received.

CARRIED

5. Volunteers for Christmas Movie Day at Burdekin PCYC – Friday 23 December (12pm to 2 pm)

Andrew Sherrington from Burdekin PCYC asked members to assist with operating the popcorn machine at the upcoming Burdekin Christmas Movie Day to be held Burdekin PCYC on 23 December. Tammy undertook to email details to members and confirm volunteers with Andrew Sherrington.

6. Volunteers for Badge Making School Holiday Activity – Thursday 15 December (10 am to 11am)

Tammy Quagliata noted the Youth Council Members were asked to assist at the upcoming badge making school holiday activity at the Ayr Library on Thursday 15 December from 10am to 11am. Tammy undertook to email details to members and confirm volunteers with Brittany Wise at the Burdekin Library.

7. Youth First Aid Course – Tuesday 13 December 2022 (Registration fee now due)

Tammy Qualigata reminded members that the fee of \$100 for the Youth First Aid course on Tuesday 13 December is now due and informed members that there are still spaces left if anyone was still interested. It was noted there were 7 participants registered to date.

8. Feedback from Youth Council Christmas Party at Ayr Pool – Sunday 4 December 2022

Members provided great feedback from the Youth Council Christmas Party held at the Ayr Pool on Sunday 4 December, with over 20 attendees enjoying a picnic at the Ayr Pool with food and drinks.

9. Members Update and 2022 Wrap Up

Members were each given the opportunity to give an update from within their schools, sporting clubs and community or share personal achievements. Members noted their appreciation for involvement in the Burdekin Shire Youth Council during 2022 and shared some of their highlights.

Tammy Quagliata thanked 2022 Youth Council members for their ongoing involvement and dedication to the Burdekin Shire Youth Council and the Burdekin Community. It was noted that 2022 was a very successful year for Youth Council.

Cr. John Furnell gave appreciation to all members for their involvement and contribution to Youth Council and the community.

10. Presentation of Certificates by Mayor, Cr. Lyn McLaughlin

Mayor, Cr. Lyn McLaughlin thanked all members for their contribution and acknowledged their hard work throughout 2022. Cr. McLaughlin also acknowledged Gracie Hosie and Mikayla McDonnell for their dedicated work throughout their years with Youth Council, noting that 2022 was their final year.

Cr. McLaughlin and Tammy Quagliata presented members with a Certificate of Recognition for their service in 2022 and members enjoyed afternoon tea.

11. Next Meeting – February 2022

Tammy Quagliata noted that applications for 2023 Youth Council will be called in early 2023 with the first meeting likely to be late February 2023.

Actions Items from Meeting

Action Item	Responsible Officer	Due Date	Status
Investigate alternative Youth Leadership Development programs	Tammy Quagliata	Ongoing	
Liaise with Burdekin Education Program regarding networking opportunities	Tammy Quagliata	Early 2023	
Compile CORES Youth Wellbeing Packs for circulation in local high schools in 2023	All members	Early 2023	

Recommendations for Council Consideration

Recommendation	Minutes Item No
Council notes the proposed involvement of Burdekin Shire Youth Council Members in the following: <ul style="list-style-type: none"> - Christmas Movie Day at PCYC (23 December) - Badge Making School Holiday Activity (15 December) 	5 & 6
Council noted that the Burdekin Shire Youth Council celebrated their end of year break up at the Ayr Pool on Sunday December 4	8
Council acknowledges the ongoing contribution and hard work of the 2022 Burdekin Shire Youth Council members as noted by Cr. Lyn McLaughlin.	10

4.3. MINUTES AND BUSINESS ARISING

Economic Development Advisory Group Meeting Minutes - 8 December 2022

File Reference:	1224
Report Author:	Eliza Lovell, Economic Development Coordinator
Authoriser:	Terry Brennan, Chief Executive Officer
Meeting Date:	17 January 2023

Purpose

This report provides the minutes of the Economic Development Advisory Group Meeting held on 8 December 2022.

Summary of recommendations and actions for consideration and adoption:

That:

1. the minutes of the Economic Development Advisory Group Meeting held on 8 December 2022 be noted and adopted.
2. Council considers subscribing to the 'Community Profile' tool within .ID to understand why people move in and out of the Burdekin.
3. Council develops a survey and distributes locally to obtain data from new residents that have moved to the Burdekin within the last 12 months.
4. Investigate if a page can be added to the existing Council website to contain links to information and films that promote the Burdekin's lifestyle and facilities for new residents and those people looking to relocate.

Recommendation

That:

1. the minutes of the Economic Development Advisory Group Meeting held on 8 December 2022 be noted and adopted.
2. Council considers subscribing to the 'Community Profile' tool within .ID to understand why people move in and out of the Burdekin.
3. Council develops a survey and distributes locally to obtain data from new residents that have moved to the Burdekin within the last 12 months.
4. Investigate if a page can be added to the existing Council website to contain links to information and films that promote the Burdekin's lifestyle and facilities for new residents and those people looking to relocate.

Attachments

1. 15. EDAG - Minutes - 8 Dec 2022

Meeting Minutes

Meeting	Economic Development Advisory Group Meeting		
Date	Thursday, 8 December 2022	Time	3:00pm
Attendees	Councillor Max Musumeci, Councillor Michael Detenon, Eliza Lovell, Ian Macdonald, Jim Fahey, Neil Green, Paul Giordani		
Apologies	Eddie Smallwood, Neil Williams, Matthew Oar, James Lewty, Melissa Robinson		
Chairperson	Jim Fahey		
Minutes Clerk	Eliza Lovell		
Location	Burdekin Shire Council – Ernie Ford Board Room		

Minutes

1. Welcome

Mr Fahey welcomed everyone to the meeting and provided an acknowledgement to Country. Apologies were noted.

2. 2021 Census Data Review – Eliza Lovell

Ms Lovell advised that following the last meeting, 2021 Census data for Burdekin has been benchmarked against Hinchinbrook. The group reviewed the following topics:

- Estimated resident population
- Estimated resident population by age
- Projected population by age and sex
- Migration – 1 year ago
- Migration – 5 years ago
- Family composition
- Household composition
- Migration by age and location – RDA Townsville North West Region

Action: Distribute Census Data Review presentation to members.

Council currently subscribe to the 'Economic Profile' tool within .ID. This data does not include detailed information on migration to and from the Burdekin. .ID have an additional 'Community Profile' tool which can provide this information. This would be an extra subscription for Council. It was discussed that having this additional data available could also be beneficial to Council for future planning and potential investors looking to develop in the Burdekin.

Recommendation 1: Council considers subscribing to the 'Community Profile' tool within .ID to understand why people move in and out of the Burdekin.

Discussion held on the possibility of Council developing their own survey to obtain data from new residents. It was suggested that survey questions could include:

Where have you moved from?

Why have you moved to the area?

Family composition?

Has the Burdekin met your expectations?

What facilities would you like to see that aren't available locally?

If the survey does proceed it could be promoted through social media, local real estate agents, schools and chemists.

Recommendation 2: Council develops a survey and distributes locally to obtain data from new residents that have moved to the Burdekin within the last 12 months.

Discussion held on Burdekin Shire Council's website and if it includes information for new residents or those looking to move to the area. Ms. Lovell advised that currently there is not a dedicated section on the Council website and the Visit Burdekin website provides information on what to see and do in the area.

Recommendation 3: Investigate if a page can be added to the existing Council website to contain links to information and films that promote the Burdekin's lifestyle and facilities for new residents and those people looking to relocate.

Next meeting – Thursday 2 February 2023 @ 3pm.

Meeting closed at 4pm

Agreed Actions Items

	Action Item	Responsible Officer	Due Date	Status
1	Distribute Census Data Review Presentation to members.	E Lovell	02-02-2023	

Agreed Recommendations for Council Consideration

	Action Item	Responsible Officer	Due Date	Status
1	Council considers subscribing to the 'Community Profile' tool within .ID to understand why people move in and out of the Burdekin.	E Lovell	02-02-2023	
2	Council develops a survey and distributes locally to obtain data from new residents that have moved to the Burdekin within the last 12 months.	E Lovell	02-02-2023	
3	Investigate if a page can be added to the existing Council website to contain links to information and films that promote the Burdekin's lifestyle for new residents and those people looking to relocate.	E Lovell	02-02-2023	

5.1.1. CEO

Council Workshops - December 2022

File Reference: 1394

Report Author: Terry Brennan, Chief Executive Officer

Authoriser: Nick OConnor, Director Corporate and Community Services

Meeting Date: 17 January 2023

Link to Corporate/Operational Plan:

Burdekin Shire Council Corporate Plan 2022-2027:

5.2.1 Demonstrate open and transparent leadership

Executive Summary

In line with meeting arrangements over the December/January period each year, the Council conducted one (1) general workshop during December with a workshop held on 6 December 2022.

A range of policy and operational issues were discussed by Councillors and staff at the workshops. A summary of the items discussed at the workshops is outlined in the report.

Recommendation

That the report on the Council workshop held on 6 December 2022 be received and noted.

Background

The Council has adopted governance arrangements based on holding Council meetings on a fortnightly basis each month, except in December and January each year, where only one (1) meeting is held in each month. Similar arrangements apply to the conduct of general workshops which are held on the alternate week to Council meetings.

In line with these arrangements there was only one (1) workshop conducted during December which was held on 6 December 2022. A broad range of policy and operational issues were discussed at the workshop along with presentations from external parties.

A summary of the issues discussed at the workshop is outlined below:

6 December 2022

- Presentation on new Local Government Sustainability Framework for Queensland
- Development application for Material Change of Use - Proposed Service Station and Shop - Eighth Avenue, Home Hill
- Proposed Reconfiguration of Lot - Home Hill Road, Osborne
- Update on Burdekin Community Precinct - Macmillan Street, Ayr
- Construction of New Kiosk at Burdekin Aquatic Centre - Information on Tenders Received
- Design Brief for Proposed Youth Zone adjacent to Burdekin Water Park, Macmillan Street, Ayr
- Discussion regarding official opening of the Burdekin Water Park
- Discussion on the Home Hill Swimming Pool Change Rooms and Amenities
- Development of Capital Priorities for 2023/24
- Presentation on Spring into Summer Health Promotion website
- Update on Alva Community Connect
- Presentation on Building Asset Management
- Update in relation to 261 Edwards Street, Ayr

Consultation

Consultation was undertaken with various parties in the presentation of the workshop topics.

Budget & Resource Implications

Not Applicable.

Legal Authority & Implications

Not Applicable.

Policy Implications

Any policy proposals or approvals are subsequently referred to a Council meeting via a report for consideration and if approved, formal adoption.

Risk Implications (Strategic, Operational, Project Risks)

Strategic Risk due to possible reputation damage if policies or major initiatives are not effectively developed with input and support from Councillors.

Attachments

None

6.3.1. FINANCIAL AND ADMINISTRATIVE SERVICES

Monthly Financial Report - December 2022

Recommendation

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

Attachments

1. Monthly Financial Report - December 2022
2. 2022-2023 Capital PCG December 2022

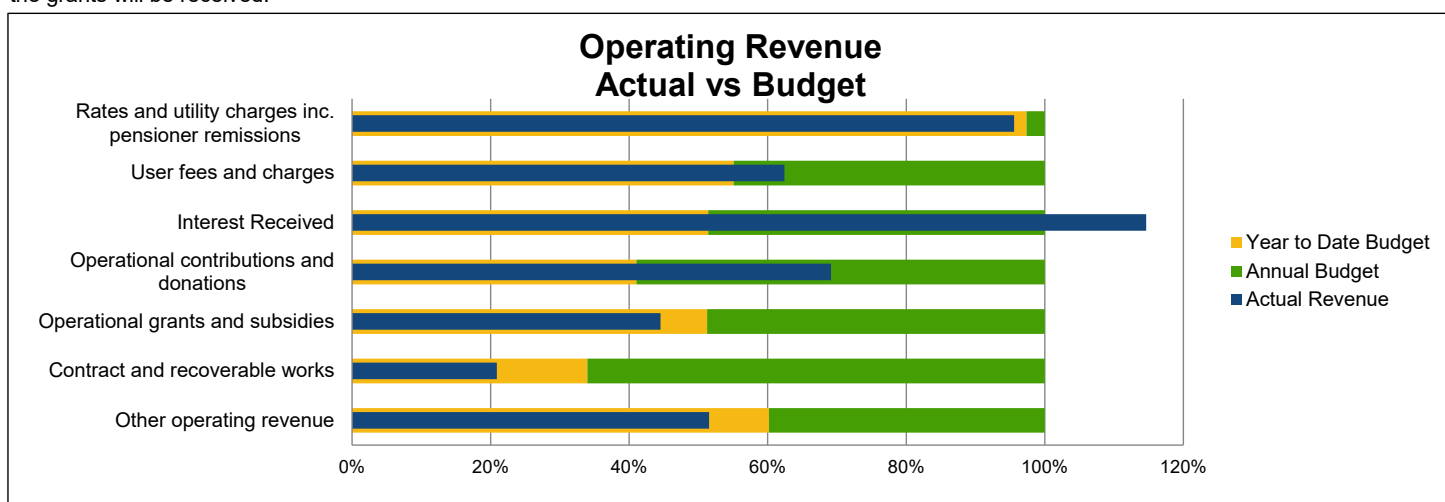
The following report provides a summary of Council's financial performance to 31 December 2022.

FINANCIAL STATEMENTS AT A GLANCE

As at 31 December 2022	Actual \$	Annual Budget \$	YTD Revised Budget \$	\$ Variance YTD Actual to YTD Revised Budget	% Variance YTD Actual to YTD Revised Budget
Total Operating Revenue	46,185,141	52,995,827	46,598,313	-413,172	-1%
Total Operating Expenses	26,786,371	56,334,301	28,954,026	-2,167,655	-7%
Operating Position	19,398,770	-3,338,474	17,644,287	1,754,483	10%
Capital Revenue	8,124,341	13,870,228	13,870,228	-5,745,887	-41%
Net Result	27,523,111	10,531,754	31,514,515	-3,991,404	-13%

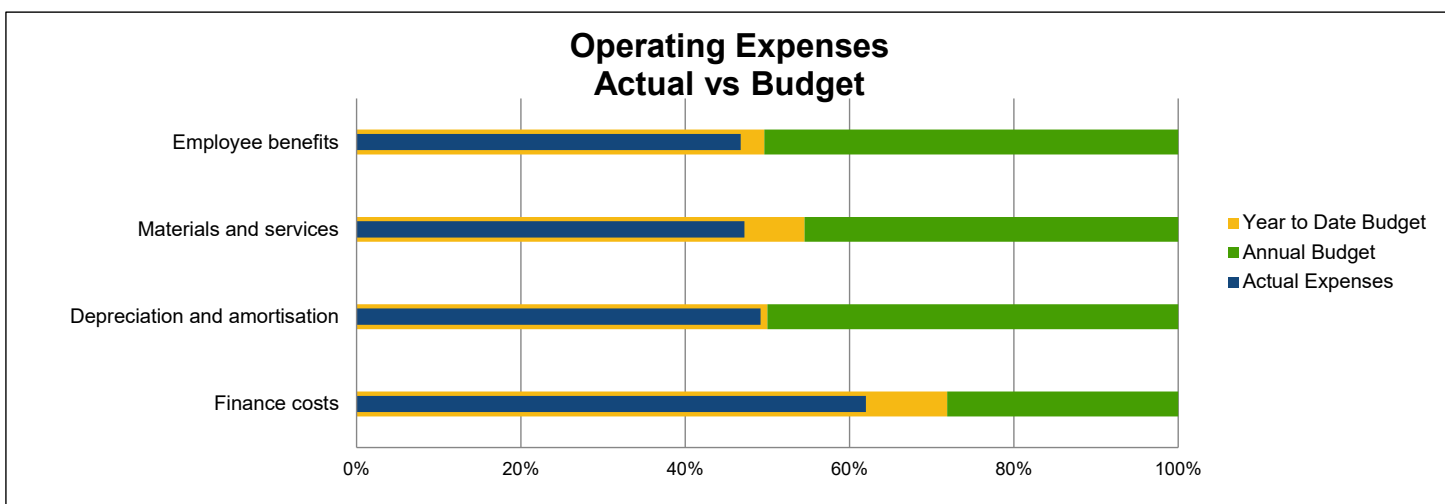
This report contains financial information for the period ending 31 December 2022. Council's operating position at month end is a \$19.4M surplus.

Capital Revenue includes capital grants which are budgeted to be received in July. The nature of capital grants means that it is often unknown when the grants will be received.



Over Budget:

- Interest Received: Current interest rates are higher than the conservative budget estimates.



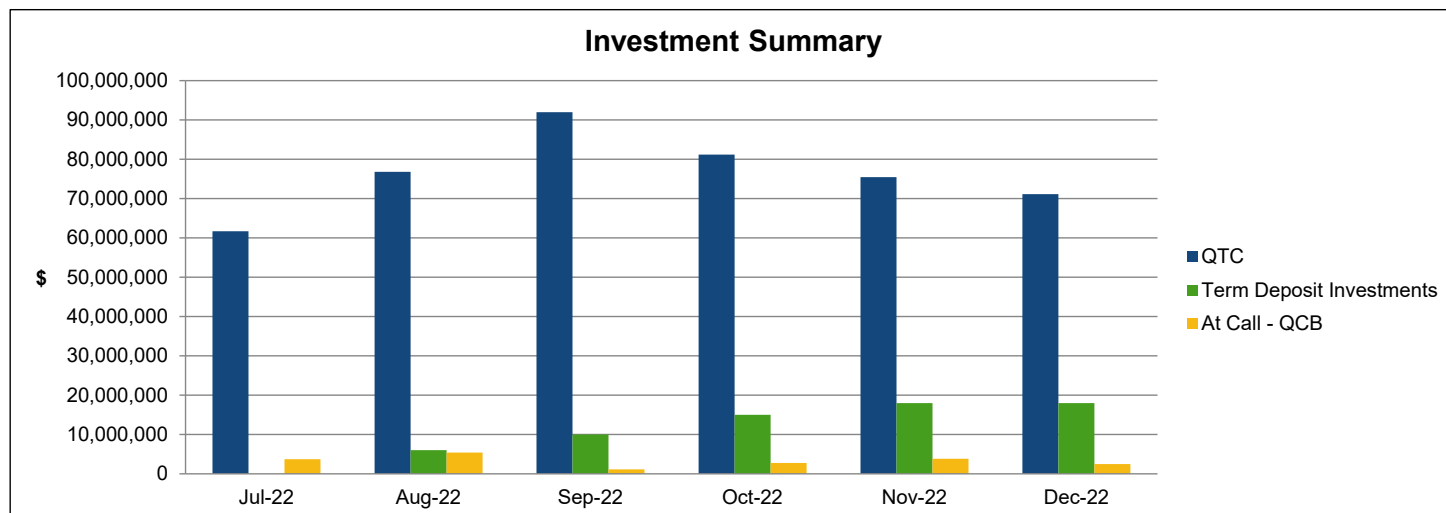
Under Budget:

- Materials and services: Major variances are QRA Recoverable works, waste collection, and recoverable works expenditure as identified in program reports.
 - Employee Benefits: Under budget due to staff vacancies and leave taken.

INVESTMENT PORTFOLIO

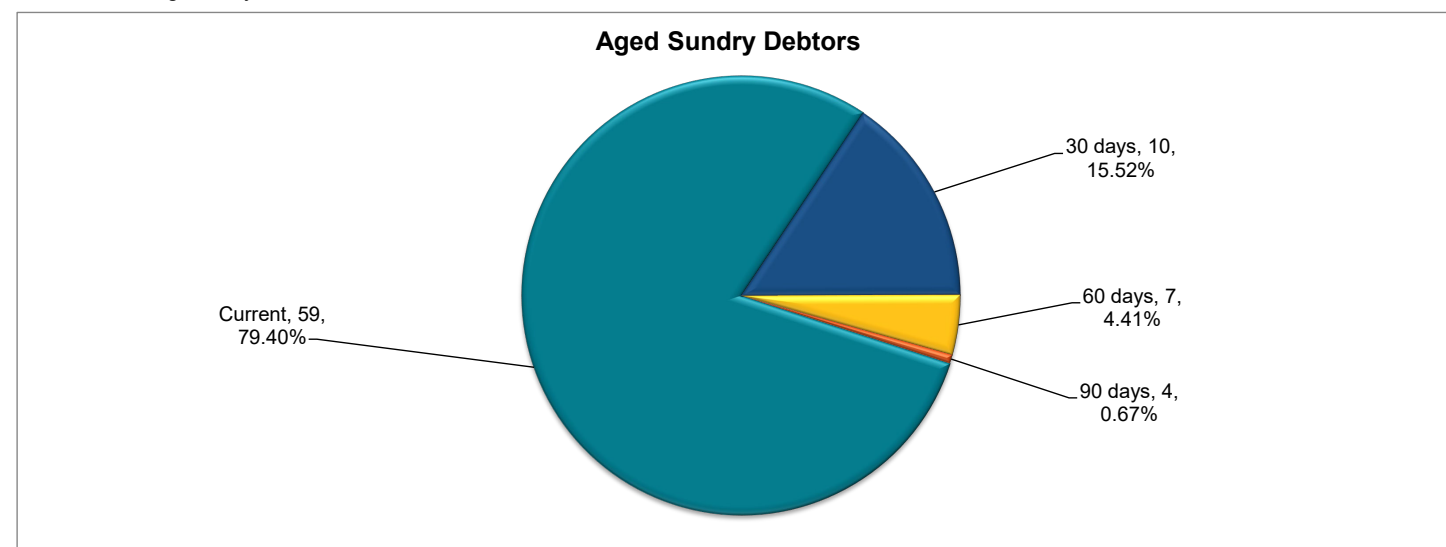
Investment Report as at 31 Dec 2022 (including at call cash)

	Total Invested	Average Current Rate Weighted	% Invested
Bendigo	1,000,000	3.75%	1.1%
CBA	8,000,000	3.65%	8.7%
NAB	7,000,000	3.75%	7.6%
Suncorp	2,000,000	3.84%	2.2%
QTC	71,126,173	3.26%	77.7%
QCB General	2,470,324	1.90%	2.7%
Total Funds	\$91,596,497		



SUNDRY DEBTORS

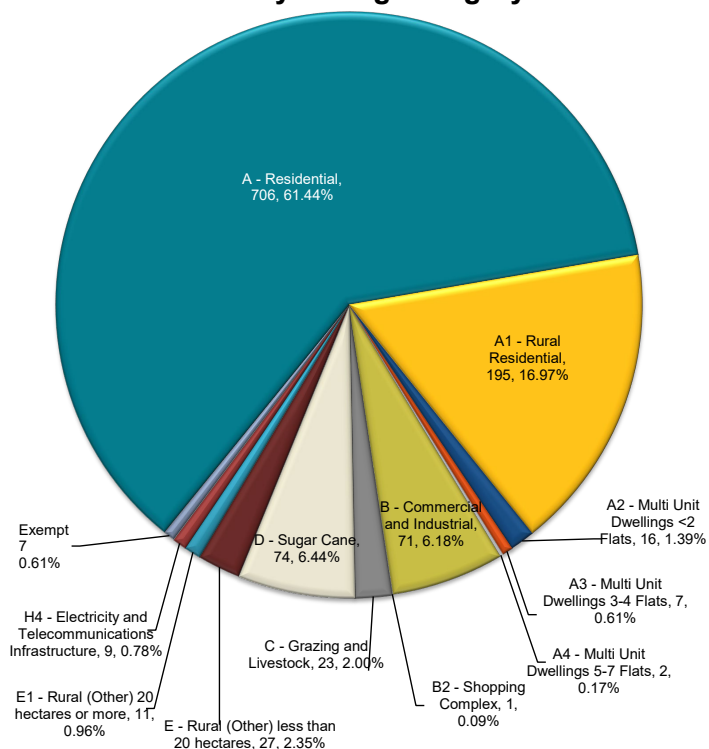
Total outstanding Sundry Debtors as at 31 December are \$292,352.



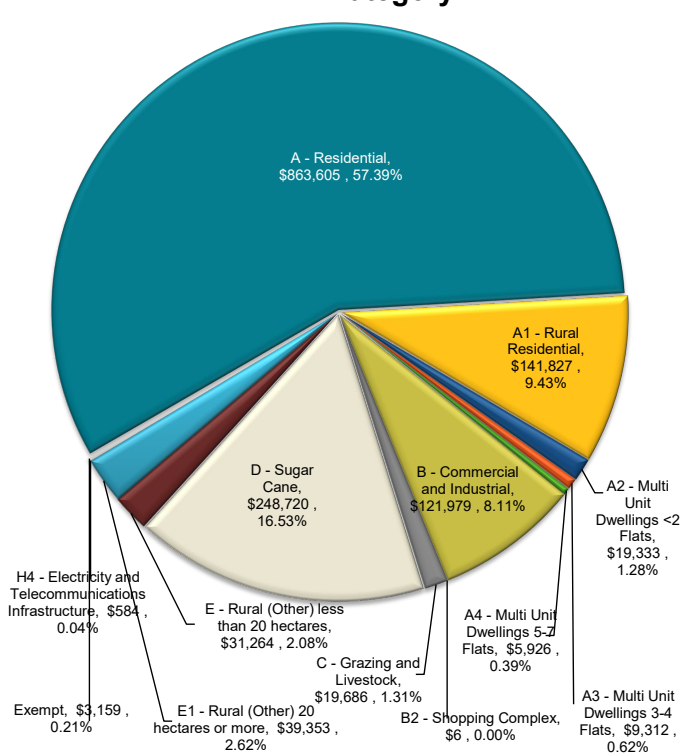
RATES

Arrears as at 1 July 2022		\$518,242
Levy and fees raised *	\$44,169,242	
Interest charged *	\$78,892	
Less Pensioner subsidy and rebate	<u>\$665,276</u>	\$43,582,858
Payments received		<u>\$42,602,026</u>
Arrears as at 31 December 2022		<u><u>\$1,499,074</u></u>
% Arrears December 2022		3.40%
% Arrears December 2021		3.75%
Pre-payments as at 31 December 2022		\$939,302
Pre-payments as at 31 December 2021		\$929,037
* includes State Govt Emergency Management Levy		

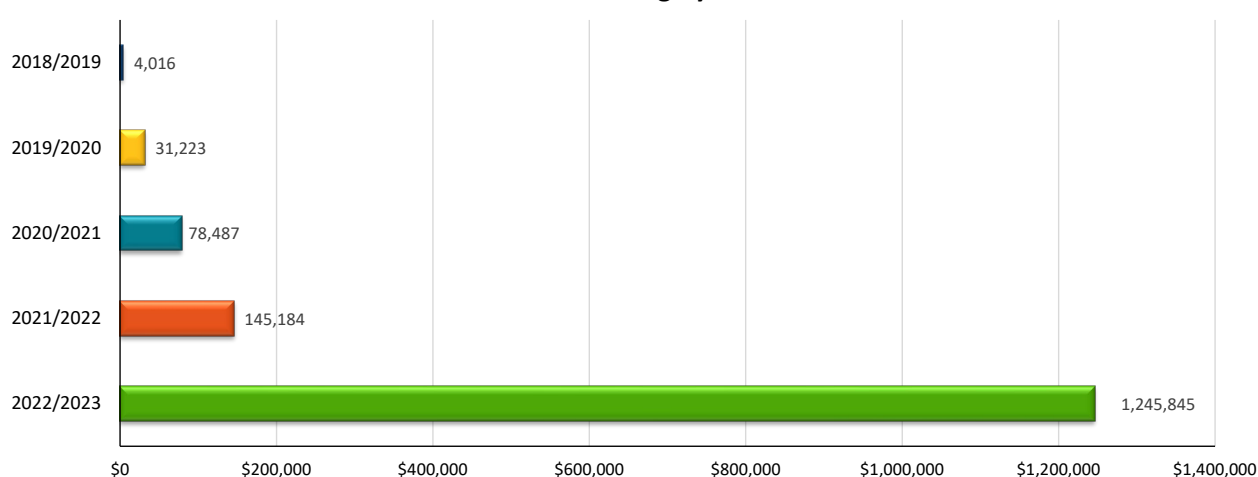
Number of Properties with Outstanding Rates by Rating Category



\$ Value of Outstanding Rates by Rating Category



Total Rates Outstanding by Financial Year



Collection House - Debt Referral

Council currently has 221 active files with Collection House with an outstanding balance of \$616,092.32.

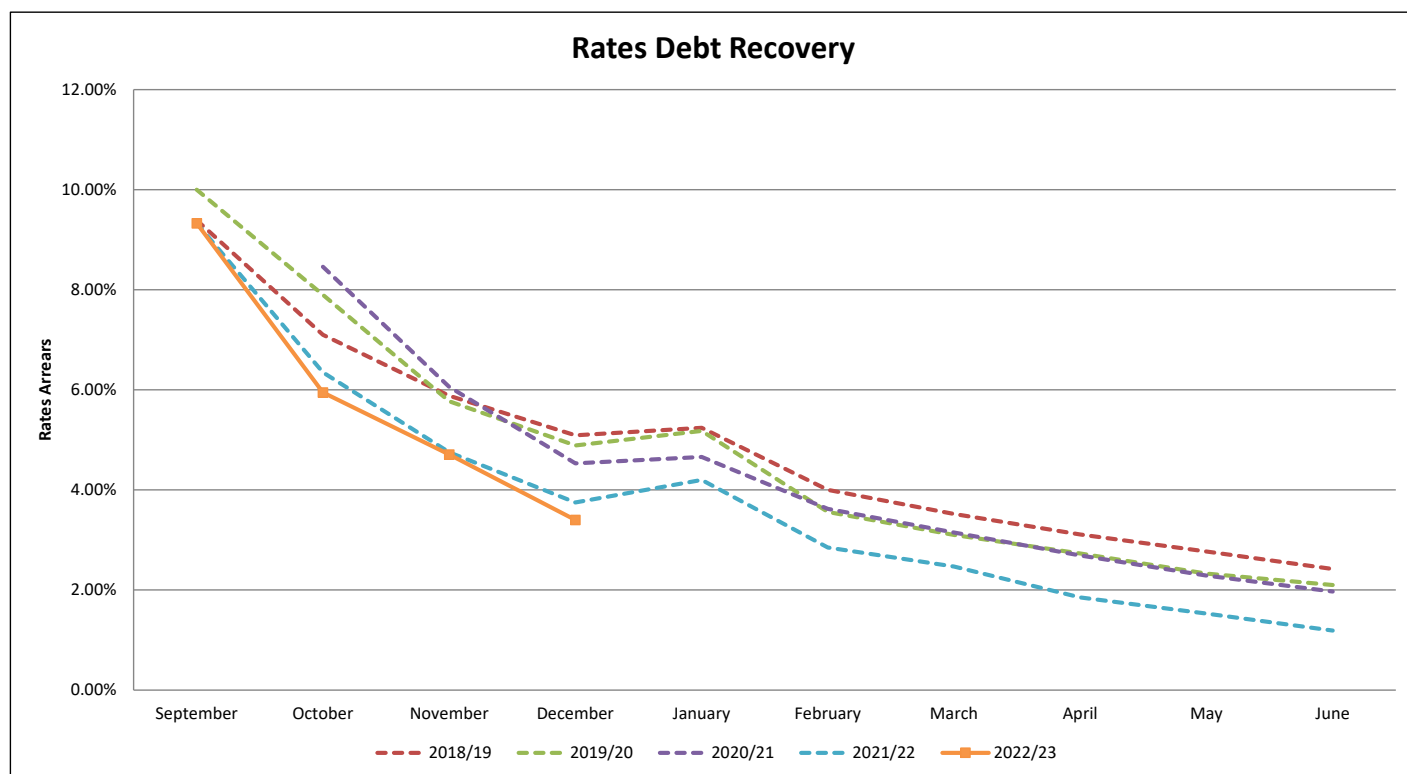
Council Periodic Payment Plans

Council has 299 formalised periodic payment plans currently in place. These will continue to be monitored by Rates Staff to ensure conformance. In addition, there are three properties with approved Hardship Applications currently on payment plans.

Collection House - Sale of Land

On 22 November 2022 Council resolved to commence Sale of Land proceedings for 11 properties. A Notice of Intention to Sell was issued for each property on 28 November 2022.

On 2 December two of these properties paid the outstanding rates and charges and have subsequently been removed from the Sale of Land list.



OVERVIEW OF COUNCIL'S CAPITAL PROJECTS

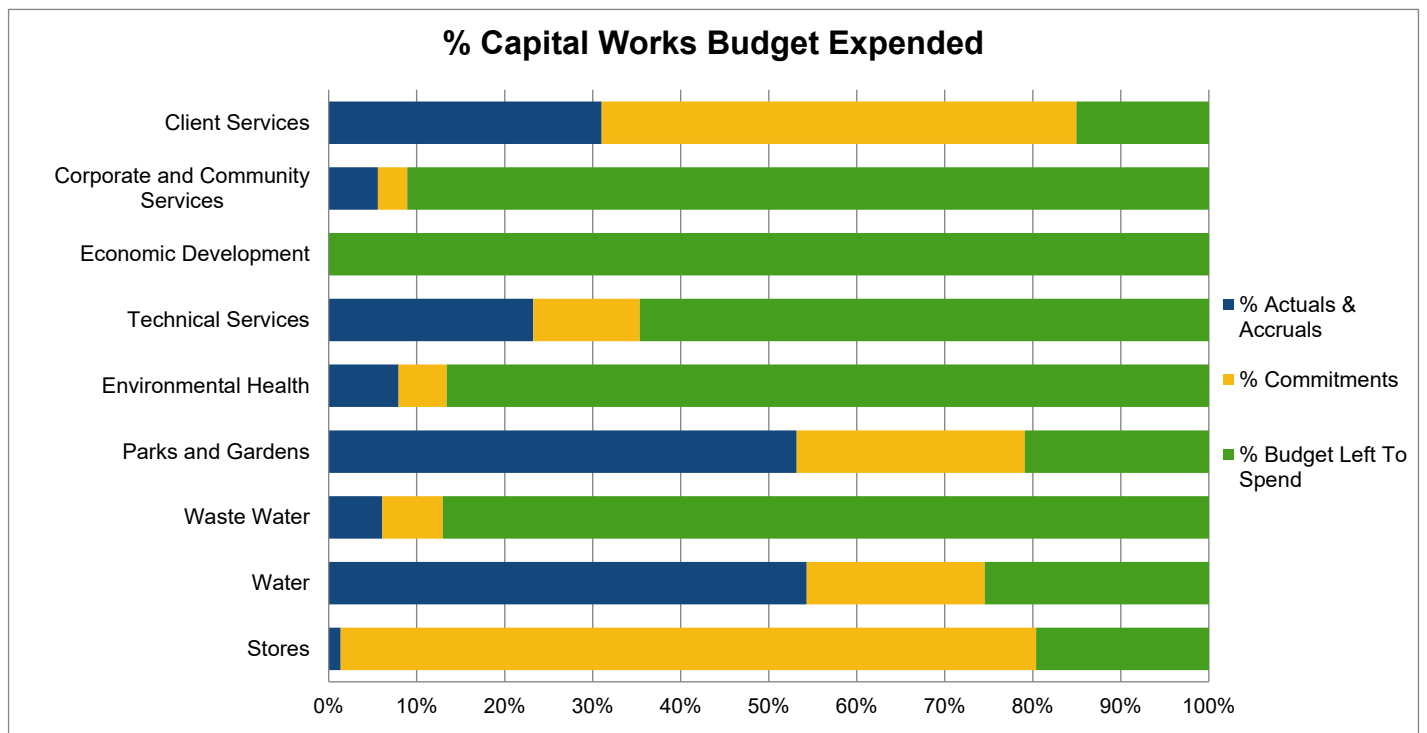
Capital expenditure incurred for the year to 31 December, is shown by asset category in the table below.

Capital project expenditure to 31 December is \$10,786,136. In addition to this, there is \$5,302,817 of commitments. Therefore totalling \$16,088,953.

Financial Overview by Asset Category

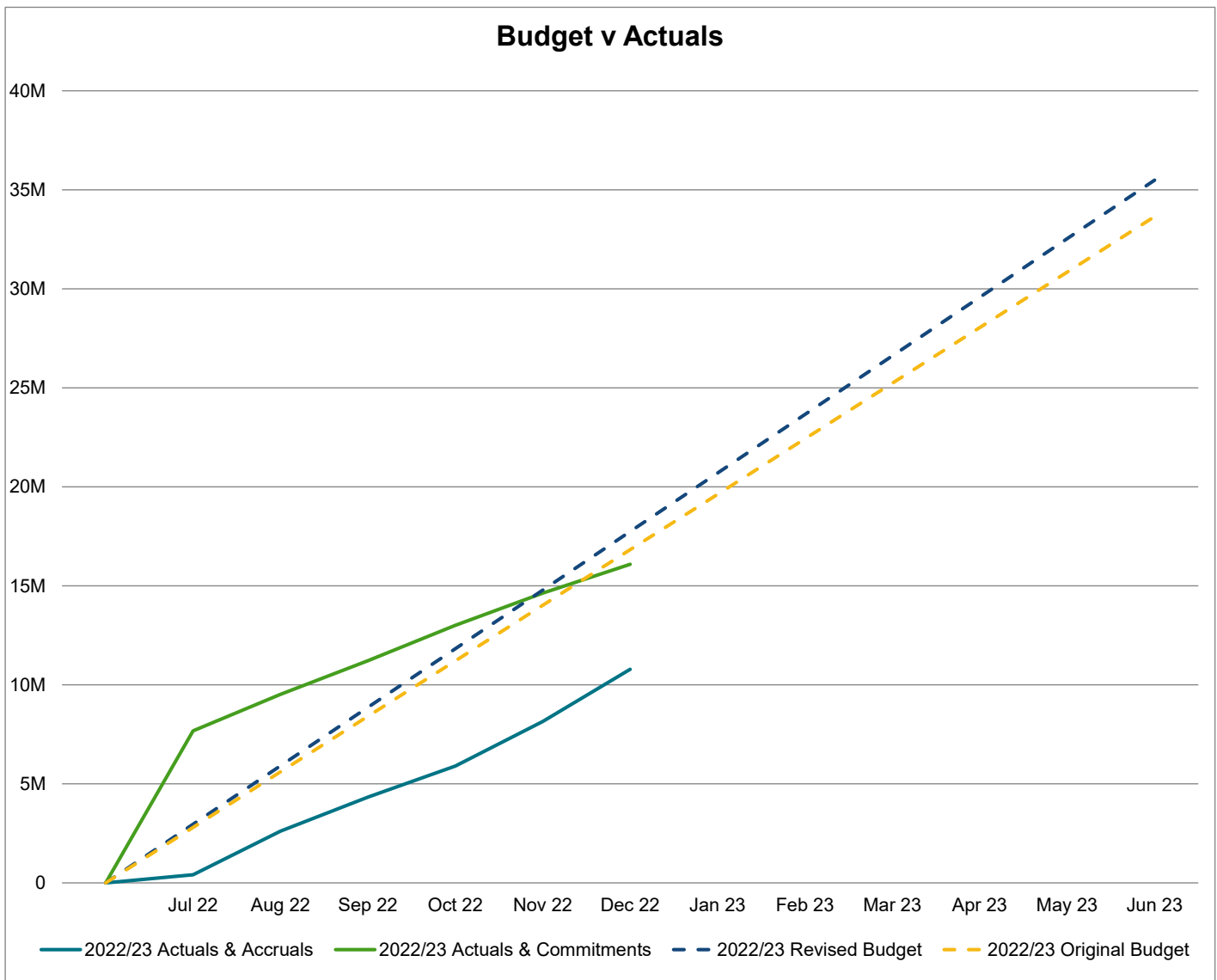
Asset Category	Original Budget	Revised Budget	Actuals & Accruals	Commitments	Total
Client Services	\$ 196,000	\$ 263,056	\$ 81,619	\$ 141,850	\$ 223,469
Corporate and Community Services	\$ 2,622,700	\$ 2,736,287	\$ 153,019	\$ 91,243	\$ 244,262
Economic Development	\$ 30,000	\$ 30,000	\$ -	\$ -	\$ -
Technical Services	\$ 13,199,000	\$ 14,203,912	\$ 3,303,961	\$ 1,716,140	\$ 5,020,101
Environmental Health	\$ 335,000	\$ 652,530	\$ 51,763	\$ 35,683	\$ 87,446
Parks and Gardens	\$ 4,898,520	\$ 5,899,624	\$ 3,136,667	\$ 1,529,860	\$ 4,666,527
Waste Water	\$ 4,250,000	\$ 4,677,403	\$ 284,172	\$ 321,976	\$ 606,148
Water	\$ 8,040,483	\$ 6,949,372	\$ 3,773,917	\$ 1,406,806	\$ 5,180,723
Stores	\$ 75,000	\$ 75,000	\$ 1,018	\$ 59,259	\$ 60,277
TOTAL	\$ 33,646,703	\$ 35,487,184	\$ 10,786,136	\$ 5,302,817	\$ 16,088,953

The below graph shows, by Asset Category, how much Council has spent (including accruals) on Capital Projects, compared to each budget.



Extended information on individual projects has been provided to Council in a separate dashboard report.

OVERVIEW OF COUNCIL'S CAPITAL PROJECTS



Actuals and Accruals include payments made and materials/services received but not yet invoiced.

Actuals and Commitments include payments made, accrual transactions and purchase orders raised for materials/services not yet provided/supplied.

APPENDIX 1 - OPERATING STATEMENT BY MANAGER

Attached are the Operating Statement Reports by Manager - please refer to these report for individual comments.

APPENDIX 2 - TOTAL COUNCIL OPERATING STATEMENT

Attached is the Total Council Operating Statement for your information.

APPENDIX 3 - STATEMENT OF FINANCIAL POSITION

Attached is the Statement of Financial Position as at 31 December 2022.

APPENDIX 4 - STATEMENT OF CASH FLOWS

Attached is the Statement of Cash Flows for the period ending 31 December 2022.

OPERATING STATEMENT
Period Ending 31 December 2022

Chief Executive Officer

	Month of December Actual	Year to Date Actual	Year To Date Revised Budget	\$ Variance YTD Actual to YTD Revised Budget	% Variance YTD Actual to YTD Revised Budget
Operating Revenue					
Operational contributions and donations	5	119	400	-281	-70%
Operational grants and subsidies	0	29,550	0	29,550	-
Other operating revenue	1,303	42,396	69,900	-27,504	-39%
Total operating revenue	1,308	72,065	70,300	1,765	3%
Operating Expenses					
Employee benefits	97,600	668,874	676,388	-7,514	-1%
Materials and services	8,331	128,155	207,627	-79,472	-38%
Total operating costs	105,930	797,029	884,015	-86,986	-10%
Surplus (deficit) from operating activities	-104,622	-724,965	-813,715	88,750	-11%
Net result for period	-104,622	-724,965	-813,715	88,750	-11%

Comments

Other operating revenue

Under year to date budget as sponsorships and other financial support for the Sweet Days Hot Nights festival will be received closer to the staging of the event.

Materials and services

Under year to date budget for marketing and promotion expenses and costs for the Sweet Days Hot Nights festival being staged later in the financial year.

OPERATING STATEMENT
Period Ending 31 December 2022

Director of Corporate & Community Services

	Month of December Actual	Year to Date Actual	Year To Date Revised Budget	\$ Variance YTD Actual to YTD Revised Budget	% Variance YTD Actual to YTD Revised Budget
Operating Revenue					
User fees and charges	3,772	53,536	48,853	4,683	10%
Operational contributions and donations	4,508	11,345	11,000	345	3%
Operational grants and subsidies	1,530	66,966	65,436	1,530	2%
Other operating revenue	477	2,013	1,250	763	61%
Total operating revenue	10,286	133,860	126,539	7,321	6%
Operating Expenses					
Employee benefits	33,218	300,108	323,605	-23,497	-7%
Materials and services	101,256	388,127	397,039	-8,912	-2%
Depreciation and amortisation	116,153	689,371	697,850	-8,479	-1%
Total operating costs	250,627	1,377,606	1,418,494	-40,888	-3%
Surplus (deficit) from operating activities	-240,341	-1,243,746	-1,291,955	48,209	-4%
Capital grants and subsidies	5,000	5,000	1,100,000	-1,095,000	-100%
Other capital income (expense)	0	-12,062	-6,867	-5,195	76%
Net result for period	-235,341	-1,250,808	-198,822	-1,051,986	529%

Comments

User fees and charges

Showgrounds facility hire income trending above budgeted forecasts.

Employee benefits

Under budget due to staff leave.

Capital grants and subsidies

Grant application for Ayr Industrial Estate was unsuccessful, to be adjusted in second revised budget. RADF Grant received for the 2023 Burdekin Cultural Fair. To be journalled to operational grants in January.

Other capital income (expense)

Disposal of roof covering at Ayr Showgrounds Bird and Poultry Pavilion and switchboard at Burdekin Community Association building.

OPERATING STATEMENT
Period Ending 31 December 2022

Manager Client Services

	Month of December Actual	Year to Date Actual	Year To Date Revised Budget	\$ Variance YTD Actual to YTD Revised Budget	% Variance YTD Actual to YTD Revised Budget
Operating Revenue					
Operational grants and subsidies	0	34,678	35,940	-1,262	-4%
Other operating revenue	14,514	32,653	20,600	12,052	59%
Total operating revenue	14,514	67,331	56,540	10,791	19%
Operating Expenses					
Employee benefits	462,717	1,461,788	1,253,971	207,817	17%
Materials and services	45,187	1,448,532	1,491,131	-42,599	-3%
Total operating costs	507,904	2,910,320	2,745,102	165,218	6%
Surplus (deficit) from operating activities	-493,389	-2,842,989	-2,688,562	-154,427	6%
Net result for period	-493,389	-2,842,989	-2,688,562	-154,427	6%

Comments

Other operating revenue

Budget includes Queensland Local Government Workcare for reimbursement of wages. Workcare payments are received as the need arises and therefore often varies to budget.

Employee benefits

This budget is for the staff wages within the Client Services department, as well as employee related costs for the whole organisation. The ICT, Safety and CSC sections are slightly under budget due to length of time to fill vacant positions and excess sick leave. Employee Benefits for the whole of Council are over budget mainly due to Sick Leave and Statutory Holidays; with Sick leave being excessively high due to Covid and seasonal viruses and Statutory Holidays over budget due to the additional one-off Public Holiday for the Queen's Day of Mourning. Both of these budgets will be amended in the second budget revision.

OPERATING STATEMENT
Period Ending 31 December 2022

Manager Community Services

	Month of December Actual	Year to Date Actual	Year To Date Revised Budget	\$ Variance YTD Actual to YTD Revised Budget	% Variance YTD Actual to YTD Revised Budget
Operating Revenue					
User fees and charges	28,721	100,032	110,250	-10,218	-9%
Operational contributions and donations	0	50	0	50	-
Operational grants and subsidies	5,000	28,098	86,556	-58,458	-68%
Other operating revenue	2,061	28,023	40,625	-12,602	-31%
Total operating revenue	35,782	156,204	237,431	-81,227	-34%
Operating Expenses					
Employee benefits	131,467	883,776	914,250	-30,474	-3%
Materials and services	83,219	680,724	791,002	-110,278	-14%
Depreciation and amortisation	8,663	51,424	53,050	-1,626	-3%
Total operating costs	223,350	1,615,924	1,758,302	-142,378	-8%
Surplus (deficit) from operating activities	-187,568	-1,459,721	-1,520,871	61,150	-4%
Capital grants and subsidies	21,772	43,544	80,000	-36,457	-46%
Other capital income (expense)	0	-6,473	-6,473	0	0%
Net result for period	-165,797	-1,422,650	-1,447,344	24,694	-2%

Comments

User fees and charges

Under year to date budget for hire fees for the Burdekin Theatre and Burdekin Memorial Hall.

Operational grants and subsidies

North Queensland Recovery and Resilience Grant for Community Capacity officer has been budgeted to be received monthly, however is paid on completion of milestones.

Other operating revenue

Under budget for theatre promotions and bar sales.

Materials and services

Under year to date budget due to timing of Burdekin Neighbourhood Centre and Chaplaincy donations, timing of expenses for the Community Capacity Building Program and electrical savings at the Burdekin Library.

Capital grants and subsidies

Second quarter payment received for Public Library Grant. Under budget due to capital income entered in full in July.

Other capital income (expense)

Disposal of Burdekin Theatre LED Message Board.

OPERATING STATEMENT
Period Ending 31 December 2022

Manager Environmental & Health Services - Waste Program

	Month of December Actual	Year to Date Actual	Year To Date Revised Budget	\$ Variance YTD Actual to YTD Revised Budget	% Variance YTD Actual to YTD Revised Budget
Operating Revenue					
Rates and Utility Charges	0	4,249,733	4,251,424	-1,691	0%
User fees and charges	71,396	376,300	295,748	80,552	27%
Interest Received	23,073	119,937	54,100	65,837	122%
Other operating revenue	3,336	54,578	70,846	-16,268	-23%
Total operating revenue	97,804	4,800,548	4,672,118	128,430	3%
Operating Expenses					
Employee benefits	71,114	415,325	431,493	-16,168	-4%
Materials and services	268,860	1,049,706	1,272,980	-223,274	-18%
Depreciation and amortisation	36,659	217,589	220,750	-3,161	-1%
Total operating costs	376,633	1,682,620	1,925,223	-242,602	-13%
Surplus (deficit) from operating activities	-278,829	3,117,928	2,746,895	371,032	14%
Net result for period	-278,829	3,117,928	2,746,895	371,032	14%

Comments

User fees and charges

Over budget due to increased income at Landfill including fees and waste levy.

Interest Received

Over year to date for interest on investments as the budget was spread evenly over the year. Current interest rates are higher than the conservative budget estimates.

Other operating revenue

Scrap steel income under budget.

Materials and services

Under budget due to Cleanaway invoices behind schedule; and timing of consultants fees not yet paid.

OPERATING STATEMENT
Period Ending 31 December 2022

Manager Environmental & Health Services excluding Waste Program

	Month of December Actual	Year to Date Actual	Year To Date Revised Budget	\$ Variance YTD Actual to YTD Revised Budget	% Variance YTD Actual to YTD Revised Budget
Operating Revenue					
Rates and Utility Charges	0	349,452	349,481	-29	0%
User fees and charges	43,911	477,021	471,959	5,062	1%
Operational contributions and donations	4,718	39,261	42,182	-2,921	-7%
Operational grants and subsidies	0	0	12,648	-12,648	-100%
Other operating revenue	300	11,673	3,500	8,173	234%
Total operating revenue	48,929	877,408	879,770	-2,363	0%
Operating Expenses					
Employee benefits	95,605	706,732	792,913	-86,181	-11%
Materials and services	273,961	1,015,859	1,094,689	-78,830	-7%
Depreciation and amortisation	27,967	165,997	168,100	-2,103	-1%
Total operating costs	397,533	1,888,587	2,055,701	-167,114	-8%
Surplus (deficit) from operating activities	-348,604	-1,011,180	-1,175,931	164,751	-14%
Capital grants and subsidies	0	0	2,904,922	-2,904,922	-100%
Net result for period	-348,604	-1,011,180	1,728,991	-2,740,171	-158%

Comments

Operational contributions and donations

Siam weed contribution not yet received.

Operational grants and subsidies

QFPI Feral Pig Project grant yet to be received.

Other operating revenue

One-off income received from Millaroo Pool Committee.

Employee benefits

Under year to date budget due to sick and annual leave taken.

Materials and services

Under budget due to timing differences for payment of precepts and under budget for proposed Siam weed treatment due to use of different weed treatment.

Capital grants and subsidies

Capital budget for design, construction and site works at Burdekin Water Park. Funds to be received as works completed and claims submitted. Works for Queensland 2021-2024 funds received last year will be allocated to the project from Contract Liability in June.

OPERATING STATEMENT
Period Ending 31 December 2022

Manager Financial and Administrative Services

	Month of December Actual	Year to Date Actual	Year To Date Revised Budget	\$ Variance YTD Actual to YTD Revised Budget	% Variance YTD Actual to YTD Revised Budget
Operating Revenue					
Rates and Utility Charges	0	29,031,596	28,975,813	55,783	0%
Pensioner remissions	-3,362	-345,290	-350,000	4,710	-1%
User fees and charges	-9,924	72,402	72,445	-43	0%
Interest Received	128,082	639,491	290,850	348,641	120%
Operational grants and subsidies	0	925,442	913,373	12,069	1%
Other operating revenue	-345	34,956	35,500	-544	-2%
Total operating revenue	114,450	30,358,597	29,937,981	420,616	1%
Operating Expenses					
Employee benefits	117,309	895,612	944,250	-48,638	-5%
Materials and services	33,874	627,332	705,109	-77,777	-11%
Depreciation and amortisation	40,050	238,363	238,450	-87	0%
Finance Costs	1,119	49,589	57,500	-7,911	-14%
Total operating costs	192,351	1,810,896	1,945,309	-134,413	-7%
Surplus (deficit) from operating activities	-77,901	28,547,701	27,992,673	555,028	2%
Other capital income (expense)	0	-132	-132	0	0%
Net result for period	-77,901	28,547,569	27,992,541	555,028	2%

Comments

Interest Received

Over year to date for interest on investments as the budget was spread evenly over the year. Current interest rates are higher than the conservative budget estimates.

Employee benefits

Under budget due to staff leave and vacant position.

Materials and services

Under budget due mainly to the timing of subscriptions which includes Technology One transition to CiA. This was offset by over budget on legal fees.

Finance Costs

Under budget due to timing of bank charges.

OPERATING STATEMENT
Period Ending 31 December 2022

Manager Operations - General Fund

	Month of December Actual	Year to Date Actual	Year To Date Revised Budget	\$ Variance YTD Actual to YTD Revised Budget	% Variance YTD Actual to YTD Revised Budget
Operating Revenue					
User fees and charges	18,667	89,627	90,800	-1,173	-1%
Operational contributions and donations	63,147	93,928	37,800	56,128	148%
Operational grants and subsidies	49,479	554,654	766,216	-211,562	-28%
Contract and recoverable works	32	17,311	39,000	-21,689	-56%
Other operating revenue	4,519	7,624	5,400	2,224	41%
Total operating revenue	135,844	763,143	939,216	-176,072	-19%
Operating Expenses					
Employee benefits	297,299	2,363,289	2,644,362	-281,074	-11%
Materials and services	300,836	1,994,295	2,426,265	-431,970	-18%
Depreciation and amortisation	77,300	458,755	486,750	-27,995	-6%
Total operating costs	675,435	4,816,338	5,557,377	-741,039	-13%
Surplus (deficit) from operating activities	-539,591	-4,053,195	-4,618,162	564,967	-12%
Capital contributions	5,000	5,000	11,750	-6,750	-57%
Capital grants and subsidies	0	0	153,999	-153,999	-100%
Other capital income (expense)	0	-130,233	0	-130,233	-
Net result for period	-534,591	-4,178,427	-4,452,413	273,985	-6%

Comments

Operational contributions and donations

Contribution towards asphalt works required on Upper Haughton Road received. To be transferred in January to Manager Technical Services capital contributions.

Operational grants and subsidies

Income received in the period represents monies received as 30% advance payment of REPA claims related to the April 2022 monsoonal rain event. Under budget due to timing of QRA funding.

Contract and recoverable works

Under budget for income received for private works. Income is variable throughout the year and can differ to budget.

Employee benefits

Under year to date budget QRA recoverable works, roads maintenance, work section, cemeteries and public conveniences. Over year to date budget in drainage maintenance, depot and aerodromes. Variation is in part due to employee vacant positions, emphasis on the Capital Works program delivery and Christmas closedown period and will reduce over the coming periods.

Materials and services

Under budget due to timing delays waiting for QRA claim approvals. This will reduce in the coming months as REPA works are undertaken. Road maintenance expenditure is also under budget.

Depreciation and amortisation

Under budget due to finalisation of capital works.

Capital contributions

Contribution towards the new BBQ Shelter at Rotary Park, Ayr received.

Capital grants and subsidies

Capital grants for Giru Tennis Court and Home Hill Electronic Variable Message board budgeted in July, not yet received.

Other capital income (expense)

Loss from asset disposals in other assets - parks.

OPERATING STATEMENT
Period Ending 31 December 2022

Manager Operations - Sewerage

	Month of December Actual	Year to Date Actual	Year To Date Revised Budget	\$ Variance YTD Actual to YTD Revised Budget	% Variance YTD Actual to YTD Revised Budget
Operating Revenue					
Rates and Utility Charges	0	4,247,116	4,251,136	-4,020	0%
User fees and charges	459	2,295	0	2,295	-
Interest Received	58,442	298,204	129,150	169,054	131%
Operational contributions and donations	0	0	2,000	-2,000	-100%
Total operating revenue	58,901	4,547,615	4,382,286	165,329	4%
Operating Expenses					
Employee benefits	89,628	651,839	685,500	-33,661	-5%
Materials and services	59,353	546,674	557,200	-10,526	-2%
Depreciation and amortisation	130,669	775,589	782,400	-6,811	-1%
Total operating costs	279,650	1,974,102	2,025,100	-50,998	-3%
Surplus (deficit) from operating activities	-220,749	2,573,513	2,357,186	216,327	9%
Capital grants and subsidies	0	1,053,696	1,930,000	-876,304	-45%
Other capital income (expense)	0	-6,891	0	-6,891	-
Net result for period	-220,749	3,620,318	4,287,186	-666,868	-16%

Comments
Interest Received

Over year to date for interest on investments as the budget was spread evenly over the year. Current interest rates are higher than the conservative budget estimates.

Capital grants and subsidies

Budget includes grant for Ayr Industrial Estate which was unsuccessful. To be adjusted in second revised budget.

OPERATING STATEMENT
Period Ending 31 December 2022

Manager Operations - Water

	Month of December Actual	Year to Date Actual	Year To Date Revised Budget	\$ Variance YTD Actual to YTD Revised Budget	% Variance YTD Actual to YTD Revised Budget
Operating Revenue					
Rates and Utility Charges	-1	3,292,609	4,114,844	-822,235	-20%
User fees and charges	14,545	52,286	45,800	6,486	14%
Interest Received	30,335	155,846	70,250	85,596	122%
Operational contributions and donations	0	16,000	2,000	14,000	700%
Other operating revenue	0	0	600	-600	-100%
Total operating revenue	44,879	3,516,741	4,233,494	-716,753	-17%
Operating Expenses					
Employee benefits	89,647	630,542	671,500	-40,958	-6%
Materials and services	100,894	913,518	1,188,100	-274,582	-23%
Depreciation and amortisation	75,049	445,211	490,650	-45,439	-9%
Total operating costs	265,590	1,989,271	2,350,250	-360,979	-15%
Surplus (deficit) from operating activities	-220,711	1,527,470	1,883,244	-355,774	-19%
Capital grants and subsidies	0	1,625,194	3,985,000	-2,359,806	-59%
Other capital income (expense)	0	-23,021	0	-23,021	-
Net result for period	-220,711	3,129,642	5,868,244	-2,738,602	-47%

Comments

Rates and Utility Charges

Second half water consumption levy to be issued in January 2023.

User fees and charges

Revenue received in the period is for lease payment for occupation of the Ayr Water Tower site, with the remaining balance from the sale of bulk water to fill swimming pools.

Interest Received

Over year to date for interest on investments as the budget was spread evenly over the year. Current interest rates are higher than the conservative budget estimates.

Operational contributions and donations

Budget will be amended at second budget revision to reflect year to date actuals.

Materials and services

Year to date variance is largely attributable to decreased electricity consumption in water production following a wetter than average spring, lower than forecast annual payment for bulk water to Lower Burdekin Water for the last financial year and timing of Giru bulk water charges from Townsville Water.

Depreciation and amortisation

Under budget due to finalisation of capital works.

Capital grants and subsidies

Variation will reduce significantly upon final acquittal of the State Government Special Purpose Grant for the Ayr Water Supply. Budget also includes grant for Ayr Industrial Estate which was unsuccessful, to be adjusted in second revised budget.

Other capital income (expense)

Asset disposals including damaged pump at Bore Number 3 at Home Hill and security fence recently replaced at Home Hill Water Tower.

OPERATING STATEMENT
Period Ending 31 December 2022

Manager Planning and Development

	Month of December Actual	Year to Date Actual	Year To Date Revised Budget	\$ Variance YTD Actual to YTD Revised Budget	% Variance YTD Actual to YTD Revised Budget
Operating Revenue					
User fees and charges	20,984	260,674	187,500	73,174	39%
Other operating revenue	0	40	0	40	-
Total operating revenue	20,984	260,714	187,500	73,214	39%
Operating Expenses					
Employee benefits	88,309	573,154	589,000	-15,846	-3%
Materials and services	28,702	189,490	120,125	69,365	58%
Total operating costs	117,011	762,645	709,125	53,520	8%
Surplus (deficit) from operating activities	-96,027	-501,930	-521,625	19,695	-4%
Net result for period	-96,027	-501,930	-521,625	19,695	-4%

Comments

User fees and charges

Over year to date budget due to the large volume of development applications received in 2022.

Materials and services

Actuals for materials and services are exceeding budget due to legal expenses associated with current appeals to the Planning and Environment Court and other enforcement actions undertaken.

OPERATING STATEMENT
Period Ending 31 December 2022

Manager Technical Services

	Month of December Actual	Year to Date Actual	Year To Date Revised Budget	\$ Variance YTD Actual to YTD Revised Budget	% Variance YTD Actual to YTD Revised Budget
Operating Revenue					
User fees and charges	8,392	159,142	127,400	31,742	25%
Operational grants and subsidies	13,193	34,043	45,835	-11,792	-26%
Contract and recoverable works	135,601	436,864	699,403	-262,539	-38%
Other operating revenue	0	866	2,500	-1,634	-65%
Total operating revenue	157,186	630,915	875,138	-244,223	-28%
Operating Expenses					
Employee benefits	169,626	1,128,981	1,409,500	-280,520	-20%
Materials and services	62,562	-50,073	63,378	-113,451	-179%
Depreciation and amortisation	685,730	4,082,126	4,107,150	-25,024	-1%
Total operating costs	917,917	5,161,034	5,580,029	-418,995	-8%
Surplus (deficit) from operating activities	-760,732	-4,530,118	-4,704,891	174,772	-4%
Capital contributions	0	4,333,000	1,105,000	3,228,000	292%
Capital grants and subsidies	118,169	1,282,390	2,613,029	-1,330,639	-51%
Other capital income (expense)	0	-44,670	0	-44,670	-
Net result for period	-642,563	1,040,601	-986,862	2,027,463	-205%

Comments

User fees and charges

Trade waste income higher than anticipated mainly from septage receival income.

Operational grants and subsidies

Fuel Tax credits lower due to reduced fuel excise.

Contract and recoverable works

Roads Maintenance Performance Contract income under budget due to timing of works. December payment to be received in January.

Employee benefits

Under budget due to timing of expenditure on recoverable works and vacancies in the following areas - Technical Services, Asset Management Unit, Workshop and Project Engineer.

Materials and services

Under budget due to timing of consultancy payments and recoverable works expenditure.

Capital contributions

Contribution for damaged local roads received in full in August, with projects to be completed over two years. Funds unspent at the 30 June will be recognised as a Contract Liability.

Capital grants and subsidies

Capital grant funds to be received as works completed and claims submitted. Budget includes grant for Ayr Industrial Estate which was unsuccessful, to be adjusted in second revised budget.

Other capital income (expense)

Loss from transport asset disposals.

BURDEKIN SHIRE COUNCIL
OPERATING STATEMENT
Period Ending 31 December 2022

Appendix 2

	Month of December Actual	Year to Date Actual	Revised Budget	Year to Date Revised Budget	\$ Variance YTD Actual to YTD Revised Budget	% Variance YTD Actual to YTD Revised Budget
Operating Revenue						
Rates and Utility Charges	-1	41,170,507	43,072,858	41,942,698	-772,191	-2%
Pensioner remissions	-3,362	-345,290	-350,000	-350,000	4,710	-1%
User fees and charges	200,922	1,643,315	2,633,499	1,450,755	192,559	13%
Interest Received	239,931	1,213,477	1,058,700	544,350	669,127	123%
Operational contributions and donations	72,377	160,703	232,401	95,382	65,321	68%
Operational grants and subsidies	69,202	1,673,431	3,758,673	1,926,004	-252,573	-13%
Contract and recoverable works	135,632	454,176	2,173,000	738,403	-284,227	-38%
Other operating revenue	26,165	214,822	416,696	250,721	-35,899	-14%
Total operating revenue	740,867	46,185,141	52,995,827	46,598,313	-413,172	-1%
Operating Expenses						
Employee benefits	1,743,538	10,680,019	22,846,591	11,336,732	-656,713	-6%
Materials and services	1,367,034	8,932,339	18,917,410	10,314,644	-1,382,306	-13%
Depreciation and amortisation	1,198,240	7,124,425	14,490,300	7,245,150	-120,725	-2%
Finance Costs	1,119	49,589	80,000	57,500	-7,911	-14%
Total operating costs	4,309,931	26,786,371	56,334,301	28,954,026	-2,167,655	-7%
Surplus (deficit) from operating activities	-3,569,064	19,398,770	-3,338,474	17,644,287	1,754,483	10%
Capital contributions	5,000	4,338,000	1,116,750	1,116,750	3,221,250	288%
Capital grants and subsidies	144,941	4,009,823	12,766,950	12,766,950	-8,757,127	-69%
Other capital income (expense)	0	-223,482	-13,472	-13,472	-210,010	1559%
Net result for period	-3,419,123	27,523,111	10,531,754	31,514,515	-3,991,404	-13%

BURDEKIN SHIRE COUNCIL
STATEMENT OF FINANCIAL POSITION
As at 31 December 2022

Appendix 3

	Year to Date Actual \$	Annual Budget \$
Current Assets		
Cash and Cash Equivalents	91,598,708	59,520,972
Receivables	1,727,983	1,247,512
Inventories	672,815	603,236
Contract Assets	287,279	0
Other Assets	598,594	1,911,475
Total Current Assets	94,885,379	63,283,195
Non-Current Assets		
Receivables	341,018	341,018
Property, Plant and Equipment	592,570,845	609,775,172
Intangibles Assets	346,905	300,750
Other Assets	37,895	70,205
Total Non-Current Assets	593,296,663	610,487,145
TOTAL ASSETS	688,182,042	673,770,340
Current Liabilities		
Payables	1,779,830	5,911,555
Provisions	5,569,551	5,569,551
Contract Liabilities	1,808,386	91,574
Other Liabilities	370,572	535,315
Total Current Liabilities	9,528,339	12,107,995
Non-Current Liabilities		
Provisions	18,126,667	18,126,667
Other Liabilities	1,665,681	1,665,681
Total Non-Current Liabilities	19,792,348	19,792,348
TOTAL LIABILITIES	29,320,687	31,900,343
NET COMMUNITY ASSETS	658,861,356	641,869,997
Community Equity		
Asset Revaluation Surplus	358,610,465	358,610,467
Retained Surplus (deficiency)	300,250,890	283,259,530
TOTAL COMMUNITY EQUITY	658,861,356	641,869,997

BURDEKIN SHIRE COUNCIL
STATEMENT OF CASH FLOWS
For Period Ending 31 December 2022

Appendix 4

	Year to Date Actual \$	Annual Cashflow Budget \$
Cash Flows from Operating Activities		
Receipts		
Receipts from Customers	43,774,998	47,946,053
Operating Grants, Subsidies and Contributions	1,844,615	4,001,556
Interest Received	1,244,832	1,058,700
Payments		
Payments to Suppliers and Employees	-23,832,099	-41,844,001
Net Cash Inflow (Outflow) from Operating Activities	<u>23,032,347</u>	<u>11,162,308.00</u>
Cash Flows from Investing Activities		
Commonwealth Government Grants	620,261	0
State Government Subsidies and Grants	3,389,562	12,766,950
State Government Subsidies and Grants arising from Contract Assets and Liabilities	1,621,282	191,749
Capital Contributions	4,338,000	1,116,750
Payments for Property, Plant and Equipment	-10,781,029	-35,487,184
Proceeds from Sale of Property, Plant and Equipment	51,887	444,000
Net Cash Inflows (Outflow) from Investing activities	<u>-760,037</u>	<u>-20,967,735</u>
Net Increase (Decrease) in Cash and Cash Equivalents Held	<u>22,272,309</u>	<u>-9,805,427</u>
Cash and Cash Equivalents at Beginning of the Financial Year	69,326,399	69,326,399
Cash and Cash Equivalents at end of the Period	<u><u>91,598,708</u></u>	<u><u>59,520,972</u></u>

6.4.1. GOVERNANCE

Councillor Remuneration Commission Determination 2021-2022

File Reference:	404
Report Author:	Rebecca Stockdale, Senior Governance Officer
Authoriser:	Nick OConnor, Director Corporate and Community Services
Meeting Date:	17 January 2023

Link to Corporate/Operational Plan:

- 5.2.1: Demonstrate open and transparent leadership.
- 5.2.2: Responsibly manage Council's financial position to ensure sustainability.
- 5.2.3: Implement effective governance frameworks.
- 5.2.4: Undertake regulatory responsibilities in accordance with legislative obligations.

Executive Summary

The Local Government Remuneration Commission (Commission) is an independent entity established under the *Local Government Act 2009* (Act). On 30 November 2022, the Commission concluded its determination on the levels of remuneration for Mayors, Deputy Mayors and Councillors of Queensland Local Governments (excluding Brisbane City Council) as required by section 177(c) of the Act and Chapter 8, Division 1 of the *Local Government Regulation 2012* (Regulation). The determination is to be applied from 1 July 2023.

Recommendation

That Council receives and notes the attached Local Government Remunerations Commission Annual Report 2021-2022.

Background

Section 176 of the *Local Government Act 2009* establishes the Local Government Remuneration Commission. The functions of the remuneration commission are: -

- a. to establish the categories of local governments; and
- b. to decide the category to which each local government belongs; and
- c. to decide the maximum amount of remuneration payable to the Councillors in each of the categories; and
- d. another function related to the remuneration of Councillors directed, in writing, by the Minister.

The Annual Report 2021-22 of the Local Government Remuneration Commission confirms a 4% increase to remuneration levels for Mayors, Deputy Mayors and Councillors be applied from 1 July 2023. Burdekin Shire Council is classed as a Category 1 Council which means that the following remuneration determinations have been made:

Mayor	\$114,801.00
Deputy Mayor	\$ 66,231.00
Councillor	\$ 57,400.00

For Councillors in Category 1 councils, a base payment of \$38,266.67 is payable for the 12 months commencing on 1 July 2023. A meeting fee of \$1,594.44 per calendar month (or fortnightly equivalent) is payable for attendance at, and participating in, scheduled meetings of council subject to certification by the Mayor and/or Chief Executive Officer of the Council. Mayors and Deputy Mayors in Category 1 Councils are to receive the full annual remuneration level shown.

Consultation

Not Applicable.

Budget & Resource Implications

As per the information above and the attached report, the 4% increase to Councillor Remuneration will be included in the 2023/2024 Annual Budget.

Legal Authority & Implications

s176 Establishment

The Local Government Remuneration Commission (the remuneration commission) is established.

s177 Functions

The functions of the remuneration commission are-

- a) to establish the categories of local governments; and*
- b) to decide the category to which each local government belongs; and*
- c) to decide the maximum amount of remuneration payable to the Councillors in each of the categories; and*
- d) another function related to the remuneration of Councillors directed, in writing, by the Minister.*

Policy Implications

The Councillor Remuneration Policy aligns with the Commission's determination and no additional amendments are proposed at this time.

Risk Implications (Strategic, Operational, Project Risks)

There are no strategic, operational or project risks associated with noting this report.

Attachments

1. local-government-remuneration-commission-report-2022

Local Government Remuneration Commission

Annual Report 2021-22

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Any references to legislation are not an interpretation of the law. They are to be used as a guide only. The information in this publication is general and does not consider individual circumstances or situations. Where appropriate, independent legal advice should be sought.

An electronic copy of this report is available at www.statedevelopment.qld.gov.au.

Local Government Remuneration Commission

12 December 2022

The Honourable Steven Miles MP
Deputy Premier
Minister for State Development, Infrastructure, Local Government and Planning
1 William Street
Brisbane QLD 4000

Dear Minister

On 30 November 2022, the Local Government Remuneration Commission (Commission) concluded its determination of the levels of remuneration for mayors, deputy mayors and councillors of Queensland local governments (excluding Brisbane City Council) as required by section 177(c) of the *Local Government Act 2009* and Chapter 8, Division 1 of the *Local Government Regulation 2012*.

Our determinations on these matters, together with the Remuneration Schedule to apply from 1 July 2023 are included in the enclosed Report, which we commend to you.

Yours sincerely



Robert (Bob) Abbot OAM
Chair Commissioner



Andrea Ranson
Commissioner



Reimen Hii
Commissioner



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2022 Report key determinations

Determination of maximum remuneration levels

The Commission has decided to increase the maximum remuneration levels for mayors, deputy mayors and councillors as follows:

Categories 1, 2 and 3	increase by 4% from 1 July 2023
Categories 4, 5, 6, 7 and 8	increase by 3% from 1 July 2023

In making its determination, the Commission considered the following:

- Increase in the Consumer Price Index (CPI)¹:
 - for the period September 2022 Quarter:
 - Weighted average of the eight capital cities: 1.8%; Brisbane: 1.8%
 - for the 12 months to the September quarter 2022:
 - Weighted average of the eight capital cities: 7.3%; Brisbane: 7.9%
 - for the period June 2022 Quarter:
 - Weighted average of the eight capital cities: 1.8% per cent; Brisbane: 2.1%
 - for the 12 months to the June quarter 2022:
 - Weighted average of the eight capital cities: 6.1%; Brisbane: 7.3%
- Increases in the Wage Price Index (WPI) for the financial year ended 30 June 2022 as compared to the financial year ending 30 June 2021²:
 - (All Industries) Australia: 2.6%; Queensland: 2.9%
 - (Public Sector) Australia: 2.1%; Queensland: 2.7%
- Average Weekly Earnings for the period of May 2021 to May 2022³:
 - (All Industries) Australia: 2.0%; Queensland: 3.5%
 - (Public Sector) Australia: 3.0% Queensland: 5.6%
- As in previous years, the Commission considered the Brisbane City Council's Independent Councillor Remuneration Tribunal (ICRT) remuneration determination as a potentially relevant factor. In March 2022, the ICRT determined that the base rate for a Brisbane City Council Councillor be increased by 2.5% effective from 1 June 2022.

¹ Source: *Consumer Price Index (report), September quarter 2022, Consumer Price Index (report), March quarter 2022*, Queensland Government Statisticians Office, Queensland Treasury.

² Source: *Wage Price Index, Australia, June 2022*, Australian Bureau of Statistics (previously cat 6345.0)

³ Source: *Average Weekly Earnings, Australia, May 2022*, Australian Bureau of Statistics (previously cat 6302.0); *Average weekly earnings, Queensland and Australia, 1981–82 to 2021–22 (table)*, 19 August 2022, Queensland Government Statisticians Office, Queensland Treasury.

- The determination of the Queensland Independent Remuneration Tribunal (QIRT) on 31 May 2021 to increase the Base and Additional Salary rates for members of the legislative assembly by:
 - 0% with effect on and from 1 September 2019;
 - 2.0% with effect on and from 1 September 2021;
 - 2.25% with effect on and from 1 March 2022; and
 - 2.5% with effect on and from 1 September 2022.
- On 1 March 2021, the Queensland Industrial Relations Commission (QIRC) made Wages Determination: Certification of Salary Schedules (Wages Determination) which varied the State Government Entities Certified Agreement 2019 (the 2019 Certified Agreement) to:
 - set the salary rate for public service employees under the core agreement at 1 September 2021 as the award rate current at that time (this will be the rate upon which annual increases will be made);
 - align the salary increase dates for public service employees as follows:
 - 2.5% wage increase from 1 September 2019;
 - 2.5% wage increase from 1 September 2021;
 - 2.5% wage increase from 1 March 2022; and
 - 2.5% wage increase from 1 September 2022.
- Determination of the Salaries and Allowances Tribunal of Western Australia dated 7 April 2022: that remuneration, fees, and annual allowance ranges provided to CEOs and elected members be increased by 2.5%.
- Decision of the New South Wales Local Government Remuneration Tribunal Determination and Annual Report dated 20 April 2022: to apply a 2.0% increase in the minimum and maximum fees applicable in each category and that the current allocation of councils into the current categories of councils is appropriate.
- Decision of the Victorian Independent Remuneration Tribunal dated 7 March 2022: new base levels and increases for 5 years from 18 December 2021, for mayors, deputy mayors and councillors, as set out in tables 1-13 of Allowance payable to Mayors, Deputy Mayors, and Councillors (Victoria) Determination No. 01/2022.
- In Tasmania, the remuneration for local government councillors is automatically increased under the provisions of the Local Government (General) Regulations 2015. The increase, effective 1 November 2022, is an automatic indexation of local government allowances provided for under the Local Government Act 1993 (Tas) by multiplying the allowances for the previous year by the inflationary factor (determined by calculating the current year's June quarter Wage Price Index divided by the previous years' June Wage Price Index).
- In the Northern Territory, the allowances for local government council members are indexed by CPI (Darwin) at 1 July each year.

- The Commission also considered the impact of inflation and relative volatility of CPI in the past twelve (12) months, along with:
 - the Commission’s inability to predict changes in CPI in the short or long term;
 - the potential differential impact of CPI changes across various parts of Queensland (including rural and remote regions); and
 - whether in a significantly inflationary environment remuneration should match inflation, and the potentially differential impact on sustainability in different parts of the State.
- The application of principles of consistency and austerity, when reviewing wages in the public sector.
- The continued impact of the COVID-19 pandemic, global trade tensions, and the ongoing impact and disruption caused by extreme or natural weather events impacting many parts of the State.
- The impact on communities of global supply chain shortages and disruption.
- The impact on communities of global transition to renewable energy sources, climate change and sustainability.
- Anecdotal evidence of:
 - ‘communities in transition’, changing demographics and population movement, resilience and sustainability challenges and opportunities;
 - rapid trade and infrastructure diversification, and the potential for disproportionate impact throughout communities;
 - uncertainty and the cost to communities of ensuring sustainability, trade diversification and investment in infrastructure and innovation; and
 - the Commission’s observation of a generally increasing call for role recognition through remuneration, particularly with regard to attracting and retaining reasonable and diverse mayoral and councillor candidates, along with the desire to foster and keep local talent, by creating competitive career path opportunities.
- The disparity in actual dollar terms between the remuneration paid to Mayors and councillors from the smaller rural, regional, and remote communities versus those residing in the larger or more metropolitan communities as was highlighted for the Commission through written and oral depositions this year.
- The gap between the remuneration (in real dollar/wage terms) payable to Mayors and Councillors in Categories 1 to 3, compared to those Mayors and Councillors in Categories 4 to 8, notwithstanding the work being carried out by local governments generally in Categories 1 to 3 is no less important as those in Categories 4 to 8. This is an issue the Commission will continue to consider as part of its general and category review in 2023.

- The impact of the unforeseen significant rise in inflation, interest rates and CPI, and the disproportionately greater impact it has had on the communities in rural, remote, and regional areas since the start of the 2022 calendar year, as observed and reported to the Commission.
- The current observed volatility and uncertainty regarding inflation, and the impact of this on councils and their constituents.
- The importance of maintaining wages growth in a sustainable and fiscally responsible manner, while measures are being taken by other government authorities to combat inflation.
- The need to ensure financial sustainability of local governments and the diverse communities they serve.
- Local governments' role in Queensland's economic development and innovation.

The Commission gratefully acknowledges the increased number of submissions it received this year which have assisted in its discharge of its statutory obligations.

Councillor advisors

The Commission did not receive any direction or request to make recommendations relating to councillor advisors in the period between 1 December 2021 to 30 November 2022.

Category review and future actions

The Act requires the Commission to review the categories of local governments once every four years, in the year prior to each quadrennial election. The next review of the categories is due in 2023.

In its 2019 report, the Commission determined not to make any category changes to the categories of local government.

In its 2019 and subsequent reports, the Commission stated its intention to undertake an analysis of the categories and category system in the period 2021-2023, with the intention of commencing after the 2021 quadrennial Queensland Local Government Elections. This anticipated analysis was delayed due to the impact of the COVID-19 global pandemic. COVID-19 inevitably resulted in an increased focus on other priorities for Queensland local government. The Commission commends all local government members for their on-going contribution to their communities and the State of Queensland in the recent and consecutively challenging years,

The Commission has advised of its intention to proceed with a general review of categories and the category system during 2023, and will engage with, and invite submissions from, councils and stakeholders commencing in early 2023. The

Commission expects that in addition to the category review due in December 2023, that the Commission will conduct a general review of its methodology in determining its maximum remuneration and categories in early 2023. After the scope of the general review has been formulated, the Commission will also invite submissions from councils and stakeholders to assist it in its general review.

To that end, the Commission intends to issue practice directions to assist councils and stakeholders to engage with, and make relevant submissions, to the Commission to inform and assist in the discharge of the Commission's statutory functions.

2. The Commission

Formation and composition

The Local Government Remuneration Commission (the Commission) is an independent entity established under the *Local Government Act 2009* (the Act). On 1 October 2019, His Excellency the Governor, acting by and with the advice of the Executive Council, approved three new appointees to the Commission for a term of four years.

This is the fourth report of the new Commission, and the sixteenth report including the reports of the former Local Government Remuneration and Discipline Tribunal and the Local Government Remuneration Tribunal.

The current Chair and Commissioners of the Commission are:

Mr. Robert (Bob) Abbot OAM

Chair

Mr. Abbot has extensive experience in the local government sector with 32 years as an elected councillor and mayor. Mr. Abbot has experience working at state and national local government organizations and has held board and panel positions, including Deputy Chair of the South East Queensland Council of Mayors, Director of the Local Government Association of Queensland (LGAQ), and Director of the Australian Local Government Association. Mr. Abbot has been a mentor for newly elected mayors on behalf of the LGAQ, with a particular focus on mentoring Queensland Indigenous mayors.

In the Australia Day 2021 Honours List, Mr. Abbot was the recipient of an Order of Australia (OAM) for his service to local government and to the communities of Noosa and the Sunshine Coast.

Ms. Andrea Ranson

Commissioner

Ms. Ranson is a lawyer experienced in public and private sector business and governance. Ms. Ranson brings substantial legal experience in business and commercial law, industrial relations, dispute resolution, justice, and ethics. Ms Ranson is also passionate about regional development, communities, and sustainability. Ms. Ranson is a Nationally Accredited Mediator currently working with the Queensland Civil and Administrative Tribunal (QCAT) and is a member of the Queensland Department of Justice & Attorney-General Dispute Resolution Panel. Ms. Ranson is also now in her second term as a Non-Executive Director appointed to the Board of North Queensland Bulk Ports Corporation, a government owned corporation. Ms. Ranson is Chair of the Corporate Governance & Planning Committee and a Member of the Audit & Financial Risk Management Committee of that Board. Ms. Ranson holds a Master of Laws (LLM), Bachelor of Laws (Hons) and Bachelor of Arts from Monash University. She is a Graduate of the Australian Institute of Directors (GAICD) and a Fellow of the Governance Institute of Australia (FGIA).

Mr. Reimen Hii

Commissioner

Mr. Hii is a barrister and Nationally Accredited Mediator. He holds the degrees of Bachelor of Laws and Bachelor of Arts. He is a practicing lawyer with extensive knowledge in public administration and community affairs, and a particular interest in civil and commercial law. Mr. Hii is experienced in professional discipline matters, including investigations, public administration, corporate and public governance, public sector ethics and finance. Mr. Hii has a culturally and linguistically diverse background and experience working with diverse communities. Mr. Hii has previously been recognized as Australian Young Lawyer of the Year by the Law Council of Australia, in recognition of his significant contribution to access to justice and diversity advocacy. Mr Hii provides a deep understanding of diversity and brings well respected analytic skill, together with legal and business acumen to the role.

Remuneration responsibilities

Chapter 6, Part 3 of the Act, proclaimed into force on 3 December 2018, established the Local Government Remuneration Commission to assume the remuneration functions of the former Local Government Remuneration and Discipline Tribunal which ceased to exist on 3 December 2018.

Section 177 of the Act provides the functions of the Commission are:

- to establish the categories of local governments, and
- to decide the category to which each local government belongs, and
- to decide the maximum amount of remuneration payable to the councillors in each of the categories, and
- to consider and make recommendations to the Minister about the following matters relating to councillor advisors—
 - (i) whether or not to prescribe a local government under section 197D(1)(a);
 - (ii) the number of councillor advisors each councillor of a local government may appoint;
 - (iii) the number of councillor advisors a councillor of the council under the City of Brisbane Act 2010 may appoint; and
- another function related to the remuneration of councillors if directed, in writing, by the Minister.

Chapter 8, Part 1, Division 1 of the *Local Government Regulation 2012* (Regulation) sets out the processes of the Commission in deciding the remuneration that is payable to councillors.

The Regulation requires the Commission to review the categories of local governments once every four years, in the year prior to each quadrennial election, to determine whether the categories and the assignment of local governments to those categories require amendment.

After determining the categories of local governments, the Regulation also requires the Commission to decide annually, before 1 December each year, the maximum amount of remuneration to be paid to mayors, deputy mayors and councillors in each category from 1 July of the following year.

In addition, section 248 of the Regulation allows a local government to make a submission to the Commission to vary the remuneration for a councillor, or councillors, to a level higher than that stated in the remuneration schedule where the local government considers exceptional circumstances apply. The Commission may, but is not required to, consider any such submission. If the Commission is satisfied that exceptional circumstances exist, the Commission may approve payment of a higher amount of remuneration.

On 12 October 2021, the *Electoral and Other Legislation (Accountability, Integrity and Other Matters) Amendment Act 2021* and section 197A of the *Local Government Act 2009* came into force. These changes formed part of the Queensland Government rolling reform agenda in the local government sector to further strengthen transparency, accountability and integrity measures that apply to the system of local government in Queensland.

Section 197A of the Act established requirements for councils that wish to employ councillor advisors and councillor administrative support staff to assist councillors complete their duties. The role of councillor advisors is currently restricted to Brisbane City Council and to those councils within category 4 to 8 as prescribed by this Commission.

The requirements in relation to the appointment of councillor advisors include the following:

- must vote to pass a resolution to create councillor advisor positions (except Brisbane City Council)
- appoint advisor, at the discretion of councillors and only until the councillor's term ends, unless re-appointed by a new councillor
- must report the costs of councillor advisors to the community, for example through the council's annual report.

Requirements for councillor advisors include the following:

- they must submit registers of interests and keep them up-to-date
- they must follow a new Code of conduct for councillor advisors in Queensland
- they must comply with the local government principles and can be found guilty of integrity offences.

A dedicated telephone hotline (07 3452 6747) has been established by the Department of State Development, Infrastructure, Local Government and Planning to respond to any questions regarding councillor advisors. The hotline is available between the hours of 8.30am to 5.00pm, Monday to Friday.

Alternatively, email enquiries can be forwarded to lgreforms@dsdilp.qld.gov.au.

The Commission is yet to receive any submissions or enquiries in relation to councillor advisors as at the date of its determination.

3. Remuneration determination

Remuneration determination for councillors

As required by section 246 of the Regulation the Commission has prepared a remuneration schedule for the 2022-2023 financial year, applicable from 1 July 2023 (the Schedule), which appears below.

Arrangements have been made to publish the Schedule in the Queensland Government Gazette and for this Report to be printed and presented to the Minister for Local Government.

Methodology

The Commission had regard to the matters in section 244 and 247 (2), (5) of the Regulation in determining the Schedule. The Commission also noted and had regard to the matters listed on pages 6 to 10 of this Report to determine the appropriate maximum remuneration in each category of local government.

Matters not included in the remuneration schedule

During the 2022 consultation period, the Whitsunday Regional Council sought clarification in relation to whether a mechanism may be implemented to ensure that Mayors and Councillors remuneration is suspended when campaigning for Federal political office, similar to the provisions which are provided for in s.160B of the Act for Mayors and Councillors campaigning for State political office.

Whitsunday Regional Council also requested the introduction of additional remuneration rates for Acting Mayors and Acting Deputy Mayors for prolonged relief arrangements (e.g., paid at 80% of the scheduled rate for periods in excess of a four-week vacancy or absence).

The Commission notes that the submission is not a request for approval for a specific councillor to remunerated at a level more than the maximum amount payable under the Schedule, or in relation to categories of local government generally. The Commission considers that it is unable to issue any determination about the remuneration payable to sitting Mayors or Councillors who are running for office in Federal elections as this is a matter that is outside the Commission's statutory functions. The Commission also does not have the power to approve remuneration at an amount lower than in the Schedule.

The Commission nevertheless notes the submission regarding potential inconsistency between candidates for State elections and Federal elections, and will refer this matter back to the Department for further consideration.

The Commission has informed Whitsunday Regional Council of this determination.

Pro rata payment

Should an elected representative hold a councillor position for only part of a financial year, they are only entitled to remuneration to reflect the portion of the year served.

Remuneration schedule to apply from 1 July 2023

Remuneration determined (from 1 July 2023)				
(\$ per annum; see Note 1)				
Category	Local governments assigned to categories	Mayor	Deputy mayor	Councillor
Category 1 (see Note 2)	Aurukun Shire Council Balonne Shire Council Banana Shire Council Barcaldine Regional Council Barcoo Shire Council Blackall-Tambo Regional Council Boulia Shire Council Bulloo Shire Council Burdekin Shire Council Burke Shire Council Carpentaria Shire Council Charters Towers Regional Council Cherbourg Aboriginal Shire Council Cloncurry Shire Council Cook Shire Council Croydon Shire Council Diamantina Shire Council Doomadgee Aboriginal Shire Council Douglas Shire Council Etheridge Shire Council Flinders Shire Council Goondiwindi Regional Council Hinchinbrook Shire Council Hope Vale Aboriginal Shire Council Kowanyama Aboriginal Shire Council Lockhart River Aboriginal Shire Council Longreach Regional Council Mapoon Aboriginal Shire Council McKinlay Shire Council Mornington Shire Council Murweh Shire Council Napranum Aboriginal Shire Council North Burnett Regional Council Northern Peninsula Area Regional Council Palm Island Aboriginal Shire Council Paroo Shire Council	\$114,801	\$66,231	\$57,400

	Pormpuraaw Aboriginal Shire Council Quilpie Shire Council Richmond Shire Council Torres Shire Council Torres Strait Island Regional Council Winton Shire Council Woorabinda Aboriginal Shire Council Wujal Wujal Aboriginal Shire Council Yarrabah Aboriginal Shire Council			
Category 2	Mareeba Shire Council Mount Isa City Council Somerset Regional Council	\$132,461	\$79,478	\$66,231
Category 3	Cassowary Coast Regional Council Central Highlands Regional Council Gympie Regional Council Isaac Regional Council Livingstone Shire Council Lockyer Valley Regional Council Maranoa Regional Council Noosa Shire Council Scenic Rim Regional Council South Burnett Regional Council Southern Downs Regional Council Tablelands Regional Council Western Downs Regional Council Whitsunday Regional Council	\$141,294	\$88,308	\$75,061
Category 4	Bundaberg Regional Council Fraser Coast Regional Council Gladstone Regional Council Rockhampton Regional Council	\$166,171	\$109,324	\$96,204
Category 5	Cairns Regional Council Mackay Regional Council Redland City Council Toowoomba Regional Council	\$192,410	\$131,187	\$113,698
Category 6	Ipswich City Council Townsville City Council	\$218,647	\$148,681	\$131,187
Category 7	Logan City Council Moreton Bay Regional Council Sunshine Coast Regional Council	\$244,886	\$169,671	\$148,681
Category 8	Gold Coast City Council	\$271,124	\$188,038	\$161,799

Notes to the remuneration schedule

In its 2014 report the then Tribunal explained the rationale behind the adoption of a system of remuneration which comprised a base payment (of two thirds of the annual remuneration) and a monthly payment based upon attendance at, and participation in, the 12 mandated council meetings.

Note 1 The monetary amounts shown are the per annum figures to apply from 1 July 2023. If an elected representative only serves for part of a full financial year (that is, 1 July to 30 June) they are only entitled to a pro rata payment to reflect the portion of the year served.

Note 2 For councillors in category 1 councils, a base payment of \$38,266.67 is payable for the 12 months commencing on 1 July 2023. A meeting fee of \$1,594.44 per calendar month (or fortnightly equivalent) is payable for attendance at, and participation in, scheduled meetings of council subject to certification by the mayor and/or chief executive officer of the council. Mayors and deputy mayors in category 1 councils are to receive the full annual remuneration level shown.

4. Matters raised with the Commission during the remuneration review program

A summary table of submissions made to the Commission during the review period and the Commission's determination is provided below.

Meetings and deputations

Local governments were provided with the opportunity to engage with the Commission at the Annual Conference of the LGAQ at the Cairns Convention Centre held from 17 to 19 October 2022.

Central Highlands, Gladstone, Isaac, Somerset, Western Downs and Whitsunday Regional Councils, and Douglas Shire Council, provided the Commission with oral deputations during the 2022 LGAQ Conference in Cairns.

Local governments were also given an opportunity to provide written submissions to the Commission. The Commission determined and advised councils that the date for written submissions would close on 4 November 2022.

Nine written submissions were received by 4 November 2022: from the Northern Peninsula Area Regional Council, Toowoomba Regional Council, Whitsunday Regional Council, Western Downs Regional Council, Fraser Coast Regional Council, Mackay Regional Council, Central Highlands Regional Council, and Somerset Regional Council.

In making its determination, the Commission had regard to all submissions it received, together with the matters on pages 6 to 10 of this report.

Key points raised with the Commission during the 2022 review period included:

- increasing demands on councils in relation to innovation and sustainability;
- increasing demands on councils in relation to trade diversification and industry engagement, particularly in light of the global move towards renewable energy sources;
- role and career recognition, through remuneration, particularly in attracting and retaining diverse and reasonable mayoral and councillor candidates;
- role and career recognition, through remuneration, in order to attract greater diversity in age, and to support regional communities in developing and keeping local talent
- potential recognition of innovation;
- the impact of the sudden increase in inflation over the last 12 months on all local governments, and the disproportionate effect on those on lower wages, as well as those from rural, regional and remote communities.
- the current observed volatility and uncertainty regarding inflation, and the impact of this on councils and their constituents.
- continuing concerns for the future and sustainability of their communities and community constituents, economic growth, development, and sustainability.

especially with global transition to renewables in mind and significant uncertainty around future large infrastructure changes required to meet new demands.

Table – Summary of 2022 submissions

<p>1</p> <p>Date received</p> <p>Received from</p> <p>Summary of submission</p>	<p><u>Written Submission</u> on 10 October 2022 Oral Submission on 17 October 2022 LGAQ Conference</p> <p><u>Western Downs Regional Council:</u> CEO Jodie Taylor Councillor Paul McVeigh Deputy Mayor Andrew Smith</p> <p>Council is currently identified by the LGRC as a category 3 council. Council submitted that it be elevated to Category 4. The following factors were relied upon in Council's submission:</p> <ol style="list-style-type: none"> 1. Size, Geographical & Environmental terrain of Western Downs RC is extensive and Council covers 38,000km² and comprises six principal towns – Chinchilla, Dalby, Jandowae, Miles, Tara and Wandoan – with 23 smaller towns and 99 communities. Significant travel is required in order for Councillors to fulfill their duties, and provide Representation across the region, particularly at community and business events. 2. Councillors hold additional portfolio responsibilities linked to key council business functions and the corporate plan, carrying additional responsibilities and constraints on Councillor's time. 3. Population, demographics, spread of population & extent of services provided are important considerations for Council. Council submitted that its population unlike many other regional areas, has expanded rapidly with 56% growth in migration from urban areas in last 12 months. The Region was one of top 5 LGAs in Australia (and only LGA in Qld) achieving this level of migration increase. Managing 6 principle towns, 23 smaller towns and 99 communities creates significant challenges in service delivery, additional budget and financial management complexity, as well as significant asset and infrastructure management outside of the scope of a Category 3 Council, in particularly highlighting that Council has the Largest road network in Qld – 7,500km of local roads and 2,500km of state/federal roads managed by council; 20 water schemes; 7 sewerage schemes; 18 transfer stations and landfills; gas reticulation network; over 1000 buildings; 116,000 hectares of stock routes; large network of parks & open spaces; 8 airport facilities; saleyards business - throughput over 230,000 head per annum. Council submitted these factors require significant time spent on strategic development, building skills, knowledge and understanding the diversity of
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	<p>services delivered by council in region. Diverse range of business activities unique for council size.</p> <p>4. Strong regional economic growth, investment and consistently high employment - GRP (region) grown 34% in 5 years - \$4.31B.</p> <p>5. High confidence in regional development having approval for 23 solar farms (6 operational and 1 under construction), 3 wind farms (1 operational and 3 approved), approved renewable-based hydrogen plant; and the largest battery plant in Qld (more proposed).</p> <p>6. Existing and growing trade –coal mines, gas or coal powered plants, strong and growing gas resources sector; intensive agriculture growth (42% of national feed lot capacity; 57 feedlots operating; highly developed and productive agricultural base); 123 manufacturing businesses with total sales volume of \$696M in 2021 = 100% increase in 5 years. Council submitted that continued economic growth places greater responsibilities upon mayor and councillors to understand and manage the diverse development occurring withing region and strategic needs of community.</p> <p>7. Financial sustainability - Council operates on a financially sustainable basis despite five (5) significant flooding events expected to equate to \$170M in regional flood damage funding to be delivered in 18 months.</p>
Request	Change from category 3 to Category 4.
Determination	<p>The Commission will commence its review of categories and the category system in 2023 and take into consideration the matters raised. Council is invited to participate in the 2023 review. No change to the current category pending the Commission’s 2023 review.</p> <p>The matters raised specifically in the submissions have also been considered by the Commission as part of the 2022 annual review of the maximum remuneration payable to mayors and councillors.</p>
2 Date received	<u>Written Submission</u> on 10 October 2022
Received from	<u>Individual submission:</u> Cr Tim McMahon, Toowoomba Regional Council
Summary of submission	Council is currently identified by the LGRC as a category 5 council. Council submitted that it be elevated to Category 6. The following factors were relied upon in Council’s submission:

	<ol style="list-style-type: none"> Competitive remuneration terms: Councillor McMahon submitted that as a Councillor in his first term, the role has significant challenges, stress, responsibility, and a lack of job security. Councillor McMahon highlighted that the 2022 Queensland Education EBA resulted in there being greater earning capacity in his previous role as a teacher, together with greater job security than as a Councillor. Council doesn't have divisions and therefore Councillor's have significant travel across Toowoomba's large and diverse LGA. Commitments are often 7 days per week, exceeding regular full time job responsibilities. Comparison to other LGA – for example Ipswich Council which has divisions, with Councillor responsibility for 30,000 constituents vs. 100,000 for Toowoomba. Ipswich is Category 6.
Request	Change from Category 5 to Category 6.
Determination	The Commission will commence its review of categories and the category system in 2023 and take into consideration the matters raised. Council is invited to participate in the 2023 review. No change to the current category pending the Commission's 2023 review.
3	
Date received	<u>Written Submission</u> on 10 October 2022
Received from	<u>Individual submission:</u> Cr Alison Jones, Mackay Regional Council
Summary of submission	<p>Local Government councillors are the closest to the community and put in long hours that are no different to a state or federal politician. As a third term councillor, concern that the true value of councillors' work is not being considered. The factors relied upon in Councillor Jones' submission included:</p> <ol style="list-style-type: none"> Councillor income of \$108,000, while performing an average of 50-80 hours per week. Average 50 hour per week post-tax salary equates to approximately \$66,000 per annum or \$24 per hour. Councillor roles are 24/7, with evening calls, weekend work and no overtime to recompense Councillors for their time. Remuneration should fairly reflect role and responsibilities – using the analogy of Council as a company, Councillors are effectively members of a company board with responsibility for budgets exceeding \$100 million per year.

	Request	Consideration be given to these matters when considering Councillor remuneration.
	Determination	The Commission will give consideration to the matters raised when it commences its review of categories and the category system in 2023. The Council is invited to participate in the 2023 review. The matters raised specifically in Cr Jones' submissions have been considered by the Commission as part of its annual review of the maximum remuneration payable to mayors and councillors.
4	Date received	<u>Written Submission</u> on 13 October 2022
	Received from	<u>Individual submission:</u> Cr Jade Wellings, Fraser Coast Regional Council
	Summary of submission	Remuneration for a category 4 Deputy Mayor does not fairly compensate or incentivise Councillors for the additional workload of a Deputy Mayor. Category 4 Mayoral roles have full time assistant support, while Councillors (including the Deputy Mayor) share one assistant.
	Request	An increase in the remuneration for the role of Deputy Mayor.
	Determination	<p>The Commission will commence its review of categories and the category system in 2023 and take into consideration the matters raised. Council is invited to participate in the 2023 review. The matters raised specifically in Cr Jones' submissions have been considered by the Commission as part of its annual review of the maximum remuneration payable to mayors and councillors.</p> <p>The matters raised specifically in Cr Jones' submissions have been considered by the Commission as part of its annual review of the maximum remuneration payable to mayors and councillors.</p>
5	Date received	<u>Written Submission</u> on 14 October 2022 <u>Oral Submission</u> on 17 October 2022 LGAQ conference
	Received from	<u>Central Highlands Regional Council:</u> Deputy Mayor Christine Rolfe CEO Sharon Houlihan
	Summary of submission	<p>Remuneration is considered too low to attract high calibre councillor candidates, this ultimately limits the pool of councillor candidates.</p> <p>Query whether remuneration should be based on council categories - mayor and councillors of small councils have just</p>

	<p>as complex a job and similar workload as those in medium councils.</p> <p>Remuneration is not the complete picture for explaining what a councillor role entails and other aspects for example leave entitlements should be taken into consideration.</p> <p>Taxation treatment differs depending on how the role of Councillor is defined.</p> <p>The impact of taking leaves of absence is not currently addressed in setting remuneration, this is a complex area for councils.</p> <p>Councillor roles / criteria should be defined in a similar way to a normal position description, including duties description, remuneration, skills required to undertake role and conditions (for example, leave entitlements, coverage of expenses, access to child-care, vehicle and so on).</p>
Request	Consideration be given by the Commission to the matters raised.
Determination	<p>The Commission will commence its review of categories and the category system in 2023 and take into consideration the matters raised. All Councils are invited to participate in the 2023 review.</p> <p>The matters raised specifically in the submission have also been considered by the Commission as part of the 2022 annual review of the maximum remuneration payable to mayors and councillors.</p>
6	<p>Date received <u>Written Submission</u> on 14 October 2022 <u>Oral Submission</u> on 17 October 2022 LGAQ conference</p> <p>Received from <u>Somerset Regional Council:</u> Mayor Graeme Lehmann Cr Bob Whalley, Cr Sean Choat, Cr Cheryl Gaedtke, Cr Jason Wendt</p> <p>Summary of submission Pre amalgamation Somerset RC was a Category 3 Council. Somerset RC is now a Category 2 Council and should be reinstated to Category 3.</p> <p>The following factors were relied upon:</p> <ol style="list-style-type: none"> 1. Membership to SEQ Council of Mayors - Somerset is the only Local Government in the South East Queensland (SEQ) area which is also a member of the SEQ Council of Mayors, and categorised as a category two (2) Council.

		<ol style="list-style-type: none"> Comparison to neighbouring LGR – Councillor participation and workload in fulfilling SEQ duties are the same as neighbouring rural-based councils, for example, Scenic Rim and Lockyer Valley Regional Councils, each of which are category three (3). Existing remuneration metrics require change to reflect effort and participation. Community expectation - there is a high level of community expectation as communities benchmark Council against adjoining densely populated communities, resulting in an increased workload. Councillor remuneration in Somerset has reduced since amalgamation, while Somerset continues to grow, is located in SEQ, and the representation (and workload increased), Changes in legislation have increased scrutiny and burden on elected members. This increased burden needs to be considered.
	Request	Reinstate Council from Category two (2) to Category (3).
	Determination	<p>The Commission will commence its review of categories and the category system in 2023 and take into consideration the matters raised. All Councils are invited to participate in the 2023 review. No change to the current category pending the Commission's 2023 review.</p> <p>The matters raised specifically in the submissions have been also considered by the Commission as part of its annual review of the maximum remuneration payable to mayors and councillors.</p>
7	Date received	<p><u>Written Submission</u> on 14 October 2022</p> <p><u>Oral Submission</u> on 17 October 2022 LGAQ Conference</p>
	Received from	<p><u>Whitsunday Regional Council:</u></p> <p>CEO Rod Ferguson</p> <p>Mayor Julie Hall, Deputy Mayor Gary Simpson</p>
	Summary of submission	<p>Consideration is requested to introducing additional remuneration rates for Acting Mayor and Acting Deputy Mayor for prolonged relief arrangements (e.g., paid at 80% of the scheduled rate for periods in excess of a four-week vacancy or absence).</p> <p>Council identified discrepancy in current pay structures with reliance upon the following factors:</p> <ol style="list-style-type: none"> Acting Mayoral or Acting Deputy Mayoral roles do not currently receive compensation for the higher duties. Acting roles have been for extended periods of time to cover leave of absence, for example, a former Deputy

	<p>Mayor recently performed duties as Acting Mayor for period of four (4) months without additional remuneration.</p> <ol style="list-style-type: none"> 2. Retention former Mayor and Deputy Mayor resigned to contest Federal and State roles. 3. Local Government Act 2009 – drafted in a way to cater for acting periods of short duration and does not adequately consider longer term acting roles. The current remuneration structure requires flexibility to allow for unplanned and prolonged vacancies and absences. 4. Remuneration consistency during Federal and State election campaigns – there is currently no mechanism to suspend Mayoral or Deputy Mayor remuneration when contesting Federal elections. This appears to be an anomaly. There should be a mechanism that allows for the removal of access to remuneration as per section 16oB of the Act that relates to candidates running for office at a State election.
Request	Council seeks clarification as to the remuneration payable to Councillors running Federal election campaigns, and that consideration be given to these matters in the Commission’s review.
Determination	<p>The Commission notes that the submission is not a request for approval for a specific councillor to remunerated at a level more than the maximum amount payable under the Schedule, or in relation to categories of local government generally. The Commission considers that it is unable to issue any determination about the remuneration payable to sitting Mayors or Councillors who are running for office in Federal elections as this is a matter that is outside the Commission’s statutory functions. The Commission also does not have the power to approve remuneration at an amount lower than in the Schedule.</p> <p>The Commission nevertheless notes the submission regarding potential inconsistency between candidates for State elections and Federal elections and will refer this matter back to the Department for consideration.</p> <p>As to increasing the amount of compensation payable to councillors in acting Mayoral and Acting Deputy Mayoral roles and long term acting roles generally, the Commission notes that it has the power to consider specific request to remunerate a specific councillor at an amount more than the maximum payable under the Schedule if there are exceptional circumstances that exist in relation to such request.</p>
8 Date received	<u>Oral Submission</u> on 17 October 2022 LGAQ Conference

	Received from	<u>Gladstone Regional Council:</u> Mayor Matt Burnett Deputy Mayor Kahn Goodluck Councillor Natalia Muszkat CEO Leisa Dowling
	Summary of submission	<p>The focus of council’s oral submission was recognition of Council roles as full-time, and fair remuneration for full time workload and responsibilities.</p> <p>Councillors advocated the importance of fair remuneration for full time councillor roles and consider there is no long term financial security, including in relation to superannuation or long-service benefits.</p>
	Request	Council seeks consideration be given to how remuneration best supports matters such as progression, career recognition and longevity; as well as arrangements for unpaid leave, sick leave, which at the moment it is at the discretion of councillors by resolution
	Determination	<p>The Commission will commence its review of categories and the category system in 2023 and take into consideration the matters raised. All Councils are invited to participate in the 2023 review.</p> <p>The matters raised have been also considered by the Commission as part of its annual review of the maximum remuneration payable to mayors and councillors.</p>
9	Date received	<u>Oral Submission</u> on 17 October 2022 LGAQ Conference
	Received from	<u>Isaac Regional Council:</u> Deputy Mayor Kellie Vea Vea Mary-Anne Uren CEO Jeff Stewart-Harris
	Summary of submission	Council provided suggestions for changes to the remuneration categories which would explore innovation or amendments. Council representatives relayed the current experience of serving in a councillor role in their local government area. This includes high expectations from the community, industry and other tiers of government to carry out the role. Councillors play a key role in local economic development and yet the role is neither remunerated as a full time role nor at a competitive level with local industry. Added to this is the pressures of lengthy travel time in a dispersed area and the pressures and time commitment of social media as a public figure. There is a distinct lack of incentive for younger community members to enter local government and it is not perceived as a viable career path.

	Request	Council requests the Commission instigate change to remuneration categories with new criteria that encourage councillor role as career path and recognise that the role is no longer a part-time vocation.
	Determination	<p>The Commission will commence its review of categories and the category system in 2023 and take into consideration the matters raised. All Councils are invited to participate in the 2023 review.</p> <p>The matters raised have been also considered by the Commission as part of its annual review of the maximum remuneration payable to mayors and councillors.</p>
10	Date received	<u>Oral Submission</u> on 17 October 2022 LGAQ Conference
	Received from	<u>Douglas Shire Council:</u> Mayor Michael Kerr
	Summary of submission	<p>Council advocated that category 1 is not the appropriate classification for council.</p> <p>There are a number of reasons why council feels that the role can no longer be treated or remunerated as part-time:</p> <ol style="list-style-type: none">1. COVID era resulted in council having to manage vaccinations, requirements for businesses, council operations/arrangements.2. Tackling the increased crime rates in the local government area.3. The population is increasing to above 13,000 and growing rapidly.4. Impact of social media and digital access and scrutiny on the role of local government.5. Increasing threat of legal implications on the role of local government.6. Increasingly broad skill set required for role in modern local government.
	Request	The Mayor requested that Council be reclassified as category 3 rather than category 1.
	Determination	<p>The Commission will commence its review of categories and the category system in 2023 and take into consideration the matters raised. All Councils are invited to participate in the 2023 review. No change to the current category pending the Commission’s 2023 review.</p> <p>The matters raised have been also considered by the Commission as part of its annual review of the maximum remuneration payable to mayors and councillors.</p>

11	Date received	<u>Written Submission</u> on 31 October 2022
	Received from	<u>Toowoomba Regional Council:</u> CEO Brian Pidgeon
	Summary of submission	<p>Toowoomba Regional Council is currently a Category 5 Council and Council observes that the characteristics of Toowoomba RC are currently deemed consistent with Cairns, Mackay and Redland Regional / City councils. Council proposes that Toowoomba is in fact more closely aligned to Ipswich and Townsville City Councils which are both in Category 6.</p> <p>Council relied upon the following factors:</p> <ol style="list-style-type: none"> 1. Principal Regional Activity Centre - Toowoomba City is vibrant regional capital and regional hub; designated in the South East Queensland Regional Plan 2017 as a Principal Regional Activity Centre. 2. Population Growth - In the next 30 years the population is anticipated to grow by 55,000 with 36,000 new jobs expected to be created. 3. Western Gateway - Toowoomba also functions as the western gateway – with inland port services trade in and out of agricultural areas of Darling Down and South West QLD. 4. Supply Chain significance - Council submitted that the Wellcamp Airport & Toowoomba Bypass has a unique character, role & function. These both service freight to Asian markets; and in the future Melbourne to Brisbane Inland Rail connections to Port of Brisbane. 5. Geographical Area – large area with dispersed population – specifically one city, and 31 independent towns spread across 12,937km². 6. Longer than Average Road Network - Council maintains a road network which is 3 times longer than the average road network compared to other category 5 and 6 councils. 7. Councillor Travel - Councillors are expected to travel extensive distances to meet community expectation. Within its local government area there is approximately 3,350km sealed roads, 3,248km unsealed roads, 162 major structures including 54 ridges; 644km stormwater network, 5,225 cross drains; and 577km of footpaths. 8. Contribution to State Economy - Its work is also diverse and has a significant impact on the State economy. 9. Inland Rail Project - Toowoomba RC will be reviewing many large infrastructure projects in the coming decade (of about \$15M - \$200M). While the full impacts of the Inland Rail project are yet to be determined, it is anticipated to be significant. 10. Annual Capital Expenditure - Council's average annual capital expenditure over the past five years approximately \$163.2M per annum.

	<p>11. Financial Responsibility - it has a significant comparative level of financial responsibility compared to other category 6 councils. Details are contained within Council's written submission.</p> <p>12. Spillway Improvements - Two of Council's three dams have been identified as requiring a large investment over the coming years at projected cost of over \$200M to improve spillways.</p> <p>Council advocated that these comparisons warrant the Commission's favourable consideration as factors relevant to reclassification of the currently allocated Category 5 level of remuneration. Considerable information and provided comparative data is available in Council's written submission.</p>
Request	Toowoomba Regional Council be reclassified from category 5 to a category 6 council.
Determination	The Commission will commence its review of categories and the category system in 2023 and take into consideration the matters raised. All Councils are invited to participate in the 2023 review. No change to the current category pending the Commission's 2023 review.
12	<p>Date received <u>Written Submission</u> on 31 October 2022</p> <p>Received from <u>Northern Peninsula Area Regional Council:</u> Acting Chief Executive Officer Kate Gallaway</p> <p>Summary of submission The current remuneration structure does not recognise the additional responsibilities of divisional councillors of amalgamated indigenous councils.</p> <p>Council observed that in 2008, five (5) surrounding Indigenous Community Councils, Seisia Island Council, New Mapoon Aboriginal Shire Council, Bamaga Island Council, Umagico Aboriginal Shire Council and Injinoo Aboriginal Shire council, were amalgamated to form Northern Peninsula Area Regional Council (NPARC), with NPARC being only one of two councils in the region to be amalgamated <u>and</u> hold Deed of Grant in Trust (DOGIT) land.</p> <p>Council submitted that prior to amalgamation, each of the five (5) community councils had a council structure where they had their own chair, deputy and 3 councillors (with the exception of Seisia Island Council, which had a chair and 2 councillors), to make trust and council decisions.</p>

Council advocated that the structure has been reduced to 1 person to hold the responsibility of these previous 5 communities, leading to a high workload and pressure.

Council stated that under the *Local Government Act 2009*, divisional councillors hold veto rights for decisions relating to trust matters, as the trustee of DOGIT Land. While community forums are established in the legislation for the governance of veto, this has not been practical as it would require a secretary to be funded by NPARC and community members would need to be compensated for their time if expected to be involved in community forums, leading an increased workload on divisional councillors compared to councillors within other Indigenous shire councils.

Additionally, Council stated that the current remuneration structure does not empower community members into career pathways into the stream of elected members. Further that there are limited opportunities for the younger population to have career pathways in the space of governance of local government. Council argued that the community used to look forward to the leadership and opportunities that were available.

Request

The Commission review the current remuneration structure to ensure that:

- (a) Local Government can remain a viable career pathway for the future sustainability of our councils; and
- (b) the remuneration structure recognises the additional responsibilities of divisional councillors of amalgamated indigenous councils.

Determination

The Commission will commence its review of categories and the category system in 2023 and take into consideration the matters raised. All Councils are invited to participate in the 2023 review. No change to the current category pending the Commission's 2023 review.

The matters raised have been also considered by the Commission as part of its annual review of the maximum remuneration payable to mayors and councillors.

5. Other activities of the Commission

Exceptional circumstances submissions (matters raised under Local Government Regulation 2012, section 248):

Nil.

6. Commission's future priorities

The Commission will invite further submissions from all Councils in early 2023 as part of its general review of categories and the category system. The Commission encourages local government to participate and looks forward to engaging with local government and its stakeholders over the next 12 months.

Further information about the Commission can be located at www.statedevelopment.qld.gov.au.

Local Government Remuneration Commission

PO Box 15009
City East Qld 4002

1 William Street
Brisbane Qld 4000

Email: LGRcenquiries@dsdilgp.qld.gov.au

Phone: (07) 3452 6735

Website: www.statedevelopment.qld.gov.au

6.4.2. GOVERNANCE

Freehold Lease Renewal - Lease 'F' in Part of Lot 106 on Registered Plan 898777 - Ayr Aerodrome - Burdekin Aero Club Inc.

File Reference: 173

Report Author: Tamara Bateman, Governance and Property Officer

Authoriser: Nick OConnor, Director Corporate and Community Services

Meeting Date: 17 January 2023

Link to Corporate/Operational Plan:

Burdekin Shire Council Corporate Plan 2022-2027

3.4.2: Review land supply and uses to meet community and business needs.

Burdekin Shire Council Operational Plan 2022-2023

CG5 Manage Council's Property portfolio (including the Ayr Aerodrome) in accordance with legislation with the timely reporting of matters to Council for approval.

Executive Summary

Council approval is requested to enter into a new Freehold Lease as follows:

Lessor: Burdekin Shire Council
Lessee: Burdekin Aero Club Inc.
Interest: Fee Simple
Leased Area: Lease 'F' in part of Lot 106 on Registered Plan 898777
Location: Ayr Aerodrome, Aerodrome Road, Brandon
Permitted Use: Hangar
Term: 5 years plus 1 x 5 year Option
Expiry Date: 30 June 2027

Recommendation

That Council agree to enter into a Freehold Lease with Burdekin Aero Club Inc. over part of Lot 106 on Registered Plan 898777 shown on attachment 1 as Lease 'F', for an initial five (5) year term with a five (5) year Option.

Background

Burdekin Aero Club Inc.'s current lease over part of Lot 106 on Registered Plan 898777 shown as Lease 'F' has been in effect since 1 July 1997 and expired on 30 June 2022.

On 10 January 2023, Burdekin Aero Club Inc. wrote to Council confirming its intention to enter into a new Freehold Lease with Council for an initial term of five (5) years plus a five (5) year Option.

Consultation

Not Applicable.

Budget & Resource Implications

Staff resources will be utilised to prepare the lease documentation. The Lessee will bear all costs associated with obtaining a registrable survey plan and registering the new survey plan and Freehold Lease with Titles Queensland.

Legal Authority & Implications

Not Applicable.

Policy Implications

Not Applicable.

Risk Implications (Strategic, Operational, Project Risks)

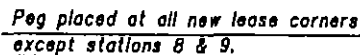
Not Applicable.

Attachments

1. Attachment 1

SKETCH PLAN

SCHEDULE
Title reference



AREA TO BE LEASED

STN	TO	ORIGIN	BEARING	DIST
1	OIP	26, RP88777	176°37'	3-165
1	O I Roll	26, RP88777	250°47'	0-184
2	OIP	41, RP88777	215°39'	1-415
4	Rivet		51°43'	15-845
8	I Pin		197°09'	1-545
10	I Pin		287°09'	1-25
11	I Pin		107°48'	1-59
13	I Pin		106°34'30"	1-07
14	I Pin		118°21'	1-0
15	I Pin		287°56'	1-045
18	I Pin		287°39'	0-93
19	I Pin		104°46'	1-44
20	I Pin		108°48'	1-15
22	I Pin		286°55'	1-65
23	Rivet		369°0'	8-185

Title Reference: 50195833

This plan is of a Lease Survey only, and as such is not examined for registration. It is lodged with the Department of Lands for survey information only in accordance with the Surveyors Regulations 1992. No responsibility can therefore be accepted for any future difference in boundary definition which may result from resurveys of adjoining lands or subsequent registration of new survey plans.

I, JAMES GEORGE BERESFORD
do hereby certify that I have surveyed the land comprised
in this plan personally, that the plan is accurate, that
the said survey was performed in accordance with the
Surveyors Act and the Surveyors Regulations and that
the said survey was completed on 19/8/98

J. F. Baulby Licensed Surveyor
Date: 21/8/96

LEASE PLAN

6.4.3. GOVERNANCE

Freehold Lease Renewal - Lease 'AA' in Part of Lot 106 on Registered Plan 898777 - Ayr Aerodrome - Burdekin Aero Club Inc.

File Reference: 173

Report Author: Tamara Bateman, Governance and Property Officer

Authoriser: Nick OConnor, Director Corporate and Community Services

Meeting Date: 17 January 2023

Link to Corporate/Operational Plan:

Burdekin Shire Council Corporate Plan 2022-2027

3.4.2: Review land supply and uses to meet community and business needs.

Burdekin Shire Council Operational Plan 2022-2023

CG5 Manage Council's Property portfolio (including the Ayr Aerodrome) in accordance with legislation with the timely reporting of matters to Council for approval.

Executive Summary

Council approval is requested to enter into a new Freehold Lease as follows:

Lessor: Burdekin Shire Council
Lessee: Burdekin Aero Club Inc.
Interest: Fee Simple
Leased Area: Lease 'AA' in part of Lot 106 on Registered Plan 898777
Location: Ayr Aerodrome, Aerodrome Road, Brandon
Permitted Use: Clubhouse and Recreational Purposes
Term: 5 years plus 1 x 5 year Option
Expiry Date: 28 February 2028

Recommendation

That Council agree to enter into a Freehold Lease with Burdekin Aero Club Inc. over part of Lot 106 on Registered Plan 898777 shown on attachment 1 as Lease 'AA', for an initial five (5) year term with a five (5) year Option.

Background

Burdekin Aero Club Inc.'s current lease over part of Lot 106 on Registered Plan 898777 shown as Lease 'AA' has been in effect since 1 March 2018 and expires on 28 February 2023.

On 10 January 2023, Burdekin Aero Club Inc. wrote to Council confirming its intention to enter into a new Freehold Lease with Council for an initial term of five (5) years plus a five (5) year Option.

Consultation

Not Applicable.

Budget & Resource Implications

Staff resources will be utilised to prepare the lease documentation. As Lease 'AA' is over only part of a building, this lease will continue to not be registered with Titles Queensland and therefore will not require a cadastral survey plan.

Legal Authority & Implications

Not Applicable.

Policy Implications

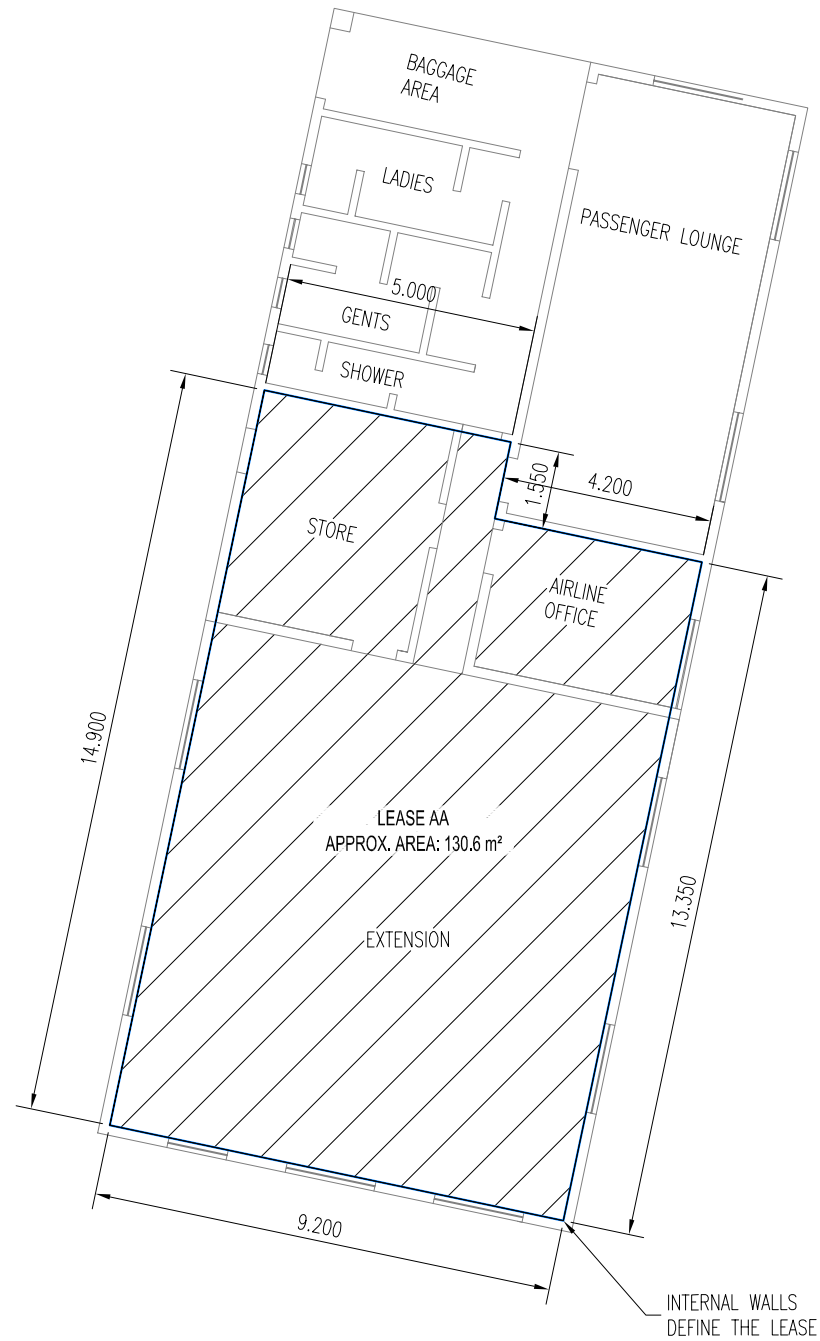
Not Applicable.

Risk Implications (Strategic, Operational, Project Risks)

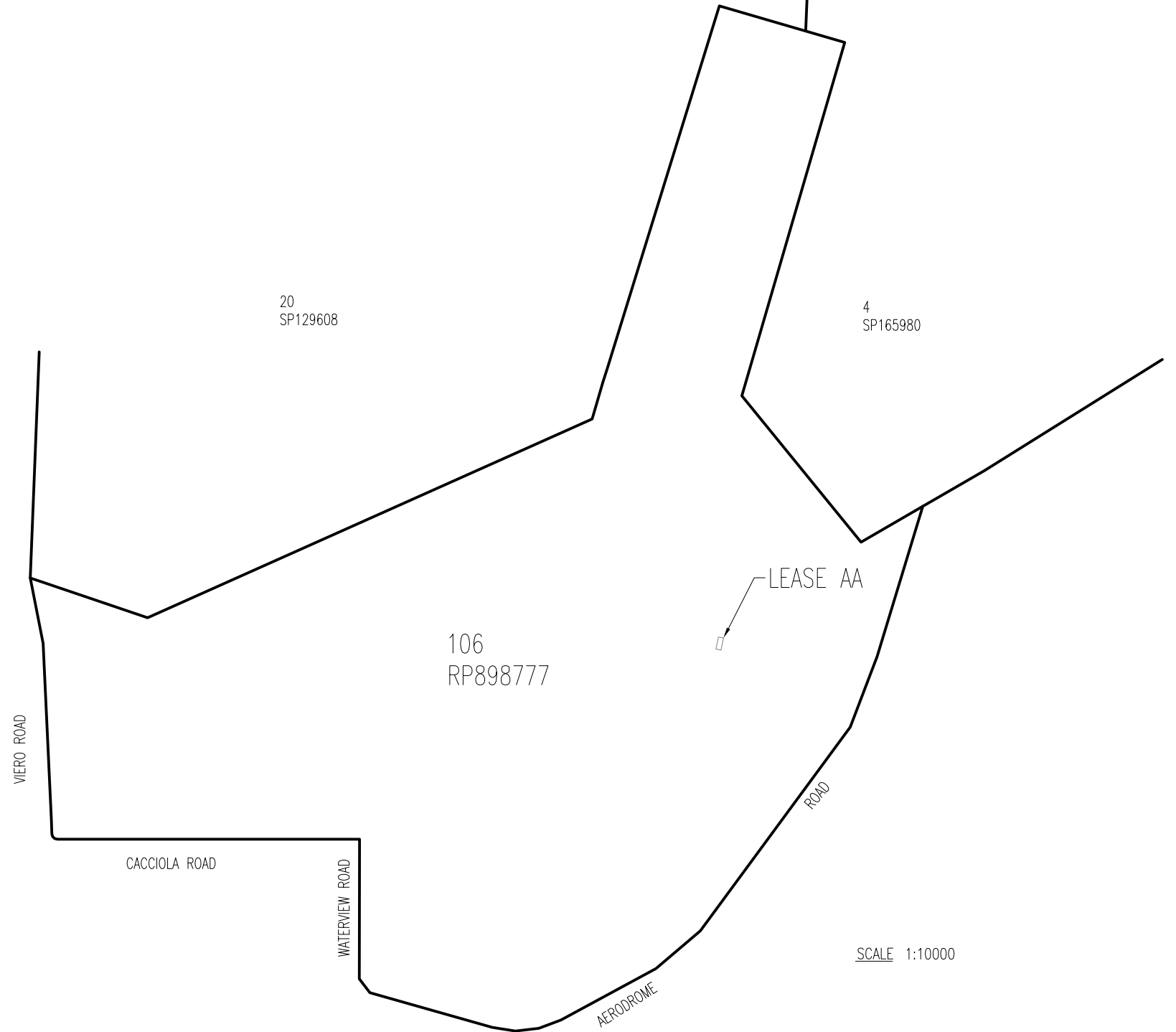
Not Applicable.

Attachments

1. Attachment 1

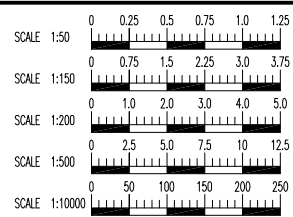


SCALE 1:150



SCALE 1:10000

S:\LD PROJECTS\2018 FILES\2018-009 - AERODROME LEASE DRAWINGS\A-043-A.DWG Printed on: 16 February 2018 08:49 AM Printed by: Kylee Cottell



Revision	Date	Alterations and Remarks
A		ORIGINAL ISSUE

Level Datum	N/A	Original Page Size	A3
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		Level Book No.	N/A
Design	KC	Date	16-02-2018
Drawn	KC	Date	16-02-2018
File Name	A-043-A	Survey File	2018-009

Project

AYR AERODROME

PLAN OF LEASE AA ON LOT 106 RP898777



Burdekin Shire Council

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Project Number	Sheet Number	Plan Number	Revision
	1 OF 1	A-043-1	A

Checked Date	Recommended Date	Approved Date

6.4.4. GOVERNANCE

Freehold Lease Renewal Option - Lease 'B', 'C' and 'D' on Survey Plan 217488 in Part of Lot 106 on Registered Plan 898777 - Ayr Aerodrome - Kenrose Co Pty Ltd

File Reference: 173

Report Author: Tamara Bateman, Governance and Property Officer

Authoriser: Nick OConnor, Director Corporate and Community Services

Meeting Date: 17 January 2023

Link to Corporate/Operational Plan:

Burdekin Shire Council Corporate Plan 2022-2027

3.4.2: Review land supply and uses to meet community and business needs.

Burdekin Shire Council Operational Plan 2022-2023

CG5 Manage Council's Property portfolio (including the Ayr Aerodrome) in accordance with legislation with the timely reporting of matters to Council for approval.

Executive Summary

Council approval is requested to exercise the Option to Renew the following Lease:

Lessor: Burdekin Shire Council
Lessee: Kenrose Co Pty Ltd ACN 131 016 389
Interest: Fee Simple
Leased Area: Lease 'B', 'C' and 'D' on Survey Plan 217488 in part of Lot 106 on Registered Plan 898777
Location: Ayr Aerodrome, Aerodrome Road, Brandon
Permitted Use: Agricultural Production of Small Crops
Expiry Date: 14 March 2023 (2 x 1 year Options)

Recommendation

That Council agree to Kenrose Co Pty Ltd exercising the first Option to renew Lease 'B', 'C' and 'D' on Survey Plan 217488 in part of Lot 106 on Registered Plan 898777 shown on attachment 1, for a further one (1) year term.

Background

Kenrose Co Pty Ltd leases an area of agricultural land (approximately 54.114 hectares) described as Lease 'B', 'C' and 'D' on Survey Plan 217488 in part of Lot 106 on Registered Plan 898777 located at the Ayr Aerodrome, Aerodrome Road, Brandon. The current Lease has been in effect since 15 March 2022 and expires on 14 March 2023. The current Lease has two (2) Options to renew for further one (1) year terms.

On 4 November 2022, Kenrose Co Pty Ltd wrote to Council confirming its intention to exercise the first Option to renew the Lease for a further one (1) year term.

Consultation

Not Applicable.

Budget & Resource Implications

Staff resources will be utilised to prepare the required documentation. The Lessee will bear all costs associated with registering the Form 13 - Amendment with Titles Queensland.

Legal Authority & Implications

Not Applicable.

Policy Implications

Not Applicable.

Risk Implications (Strategic, Operational, Project Risks)

Not Applicable.

Attachments

1. Attachment 1

Land Title Act 1994 ; Land Act 1994
Form 21 Version 2

SURVEY PLAN

Sheet 1 of 1

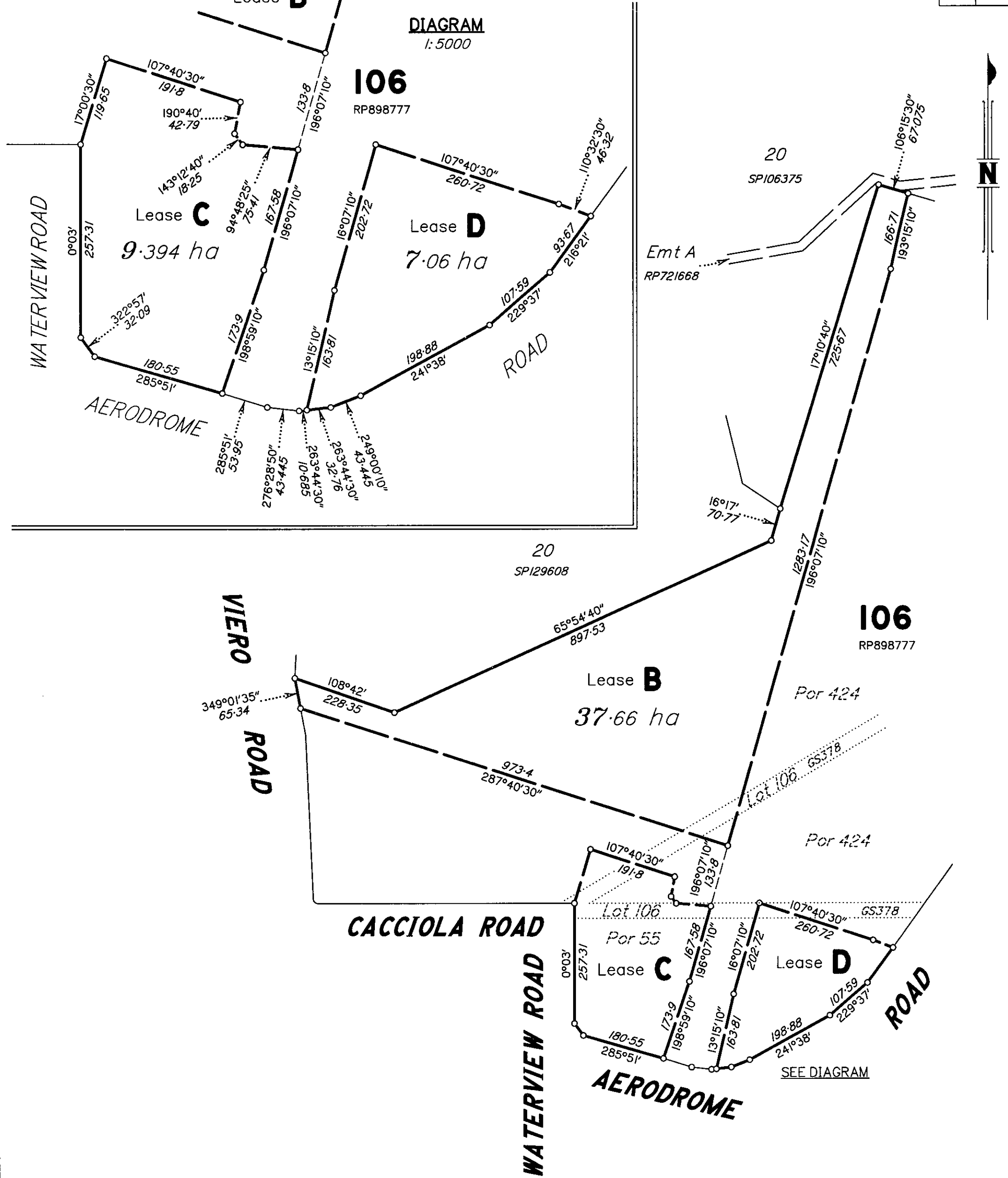
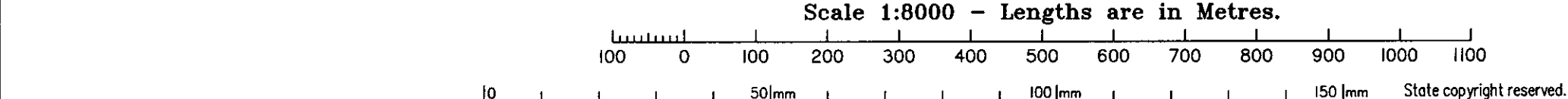


DIAGRAM
1:5000



Scale 1:8000 - Lengths are in Metres.

I, Cleve Patrick McGuane, hereby certify that I have made this plan under Section 17 of the Survey and Mapping Infrastructure Regulation 2004 and pursuant to the Survey and Mapping Infrastructure Act 2003 and Surveyors Act 2003 and associated Regulations and Standards and that the plan is accurate, and compiled from Drawing 54443L2 in Lease No 707766145 in the Department of Natural Resources and Water.

4/12/08
Date.....
C.P. McGuane
Cadastral Surveyor

Plan of	
Leases B, C & D	
in Lot 106 on RP898777	
PARISH: JARVISFIELD	COUNTY: Gladstone
Meridian: RP898777	F/N's: No

Scale: 1:8000
Format: STANDARD
SP217488
Plan Status:

712175760

\$308.50
21/01/2009 14:56

TE 400 NT

WARNING : Folded or Mutilated Plans will not be accepted.
Plans may be rolled.
Information may not be placed in the outer margins.

Registered

5. Lodged by

(Include address, phone number, reference, and Lodger Code)

1. Certificate of Registered Owners or Lessees.

I/WeCOUNCIL OF THE SHIRE OF BURDEKIN.....

(Names in full)

*as Registered Owners of this land agree to this plan and dedicate the Public Use
Land as shown hereon in accordance with Section 50 of the Land Title Act 1994.

*as Lessees of this land agree to this plan.

Signature of *Registered Owners *Lessees-

K. Holt
Chief Executive Officer

* Rule out whichever is inapplicable

2. Local Government Approval.

* **Burdekin Shire Council**

hereby approves this plan in accordance with the :

% **Integrated Planning Act 1997**Dated this Eighth day of December 2008.# K. Holt Chief Executive Officer

#

* Insert the name of the Local Government. % Insert Integrated Planning Act 1997 or
Insert designation of signatory or delegation Local Government (Planning & Environment) Act 1990

3. Plans with Community Management Statement :

CMS Number :

Name :

4. References :

Dept File :

Local Govt : 4/2/4

Surveyor : 28434

6. Existing

Title Reference	Lot	Plan	Lots	Leases	Road
50195833	106	RP898777		B, C & D	

Created

Lots Orig

7. Portion Allocation :

8. Map Reference :
8358-142439. Locality :
Brandon10. Local Government :
BURDEKIN S.C.

11. Passed & Endorsed :

By :
Date :
Signed :
Designation :

12. Building Format Plans only.

I certify that :

* As far as it is practical to determine, no part
of the building shown on this plan encroaches
onto adjoining lots or road;

* Part of the building shown on this plan
encroaches onto adjoining * lots and road

Cadastral Surveyor/Director * Date
* delete words not required

13. Lodgement Fees :

Survey Deposit	\$
Lodgement	\$
.....New Titles	\$
Photocopy	\$
Postage	\$
TOTAL	\$

14. Insert
Plan
Number

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