



Burdekin Shire Council

AGENDA

ORDINARY COUNCIL MEETING

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

on 11 July 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 - 27 June 2023

4.2. Budget Meeting Minutes - 27 June 2023

4.3. Burdekin Shire Youth Council Meeting Minutes - 22 May 2023

5. EXECUTIVE

5.1. CEO

5.1.1. Council Workshops - June 2023

5.2. ECONOMIC DEVELOPMENT

6. CORPORATE AND COMMUNITY SERVICES

6.1. CLIENT SERVICES

6.2. COMMUNITY DEVELOPMENT

6.2.1. Volunteer Policy

6.3. FINANCIAL AND ADMINISTRATIVE SERVICES

6.4. GOVERNANCE

7. INFRASTRUCTURE, PLANNING AND ENVIRONMENTAL SERVICES

7.1. ENVIRONMENTAL AND HEALTH SERVICES

7.1.1. Endorsement of North Queensland Regional Waste and Resource Recovery Management Plan 2023

7.2. OPERATIONS

7.3. PLANNING AND DEVELOPMENT

7.3.1. Development Permit for Material Change of Use - Bulk Store and General Industry (Bulk Landscaping Supplies) at 2-8 Railway Street, Ayr (Lot 15 on RP817086)

7.4. TECHNICAL SERVICES

8. NOTICE OF MOTION

9. RECEIPT OF PETITIONS

10. CORRESPONDENCE FOR INFORMATION

11. GENERAL BUSINESS

12. CLOSED BUSINESS ITEMS

12.1. Macro-algae Bioremediation Project

13. DELEGATION

4.1. MINUTES AND BUSINESS ARISING

Ordinary Council Meeting Minutes - 27 June 2023

Recommendation

That the minutes of the Ordinary Council Meeting held on 27 June 2023 be received as a true and correct record.

Attachments

1. Minutes - Ordinary Council Meeting -27 June 2023



Burdekin Shire Council

MINUTES

ORDINARY COUNCIL MEETING

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

on 27 June 2023

COMMENCING AT 10:49 AM

ORDER OF BUSINESS:

1. ATTENDANCE

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

Mr. T. Brennan - Chief Executive Officer

Mr. N. Wellwood – Director of Infrastructure, Planning and Environmental Services

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

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

Mrs. K. Cortabitarte - Financial Accountant Systems (Part)

Ms. L. Govan - Coordinator Environment and Health Projects (Part)

Minutes Clerk - Ms. G. Biffanti

Apologies - Councillor John Bonanno

Mr. N. O'Connor – Director Corporate and Community Services

2. PRAYER

The meeting prayer was delivered by Pastor Peter Holmes of the Australian Christian Churches at the Budget Meeting held prior to the Ordinary Council Meeting.

3. DECLARATIONS OF INTEREST

The Mayor called for declarations of interest.

Councillor McLaughlin advised she had a Declarable Conflict of Interest in relation to Item 4.3 RADF Advisory Group Minutes - 13 June 2023 as her nephew, Mark Vass is President of the Home Hill Harvest Festival Committee. Councillor McLaughlin advised of her intention to leave the meeting prior to this discussion.

4. MINUTES AND BUSINESS ARISING

4.1. Ordinary Council Meeting Minutes - 13 June 2023

Recommendation

That the minutes of the Ordinary Council Meeting held on 13 June 2023 be received as a true and correct record.

Resolution

Moved Councillor Perry, seconded Councillor Musumeci that the recommendation be adopted noting the following amendment to the Declaration of Interest made at the Ordinary Council Meeting - 23 May 2023 to read:

'Councillor Boccalatte advised she had a Declarable Conflict of Interest in relation to Item 4.4.5 RADF Advisory Group Minutes - 3 May 2023 Item 1.7 Burdekin Artisan Community Association as she has received gifts and made donations to the Burdekin Artisan

Community Association Incorporated.'

CARRIED

4.2. Burdekin Shire Road Safety Advisory Committee Meeting Minutes - 17 May 2023

Executive Summary

This report provides the Minutes of the Burdekin Shire Road Safety Advisory Meeting held on 17 May 2023.

Recommendation

Item 6.2.1 - Queensland Development Code For Fence Heights

That Council investigate requirements of the Queensland Development Code for fence heights on corner lots.

Item 6.2.2 - Community Announcement - Residence Reminder - Address and Nearby Crossroads - "000"

That Council liaise with the Media and Communications Officer to post a community announcement via social media to remind residents to clearly advise the "000" operator of their address and the nearby crossroad, allowing emergency services to respond more quickly.

Item 6.6.1 - Installation Of Chevron Markings - Removed Parking Bays - Queen Street, Ayr

That Council investigate installing chevron markings to make it obvious to drivers that parking is no longer permitted at the parking bays removed near Kids Crossing in Queen Street, Ayr.

That:

1. the minutes of the Burdekin Shire Road Safety Advisory Meeting held on 17 May 2023 be noted, and;
2. the recommendations as detailed in the minutes and summarised in Items 6.2.1, 6.2.2 and 6.6.1 above be adopted.

Resolution

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

CARRIED

4.3. RADF Advisory Group Minutes - 13 June 2023

11.08am Councillor McLaughlin advised she had a Declarable Conflict of Interest in relation to Item 4.3 RADF Advisory Group Minutes - 13 June 2023 as her nephew, Mark Vass is President of the Home Hill Harvest Festival Committee. Councillor McLaughlin left the meeting.

Councillor Perry assumed the chair.

Executive Summary

This report provides the Minutes of the RADF Advisory Group Meeting held on Tuesday, 13 June 2023.

Recommendation

Item 7 - Consideration of Applications received in RADF 2022/2023 Round 2

Applicant	Project	Requested Funding	Recommended Funding
Home Hill Harvest Festival	Finishing the exterior of the "Gateway to the Burdekin" installation with vinyl cladding of images of pioneers of the district.	\$5,000.00	\$5,000.00
Home Hill Chamber of Commerce	Create metal silhouette of a couple sitting at a table and chairs and add to the "4806" artwork in Home Hill. <i>The meeting recommends funding of the project on the condition that a final concept drawing is provided which indicates where the silhouette is to be attached to the "4806" posts.</i>	\$3,700.00	\$3,700.00
Lower Burdekin Celtic Dancing Association	Towards cost of conducting a weekend of Highland dancing lessons delivered by a teacher/adjudicator registered with the Royal Scottish Official Board of Highland Dancing	\$3,000.00	\$3,000.00
Burdekin Uniting Church	Towards cost of conducting inaugural Gospel Music Festival at Burdekin Theatre Forecourt on 27 August 2023. <i>The meeting recommends that it be suggested to the Burdekin Uniting Church that stallholders be charged a fee to assist to offset costs.</i>	\$5,180.00	\$5,000.00

Estelle Poots	Development of a comprehensive online course for holistic healing and trauma release with an emphasis on the arts, deliver in person trauma releasing art and singing workshops culminating in an art exhibition. This is a regional event. <i>The meeting recommends funding of the project to a lesser amount on the condition that Mrs Poots provides information on how it is intended to engage with the Burdekin community and provides further information on the budget.</i>	\$1,800.00	\$915.00
		\$18,680.00	\$17,615.00

Item 8.1 Recommendation for Production of Short Videos of RADF Success Stories

1. It is recommended that short videos of RADF success stories be produced which could be placed on social media outlets as a promotional tool for the RADF program.

That:

1. The minutes of the RADF Advisory Group Meeting held on 13 June 2023 be noted, and;
2. The recommendations as detailed in the minutes and summarised in Items 7 and 8.1 be adopted.

Resolution

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

CARRIED

11.09am - Mr. Byers left the meeting.

11.12am - Councillor McLaughlin returned to the meeting and resumed the chair.

4.4. Audit Committee Meeting Minutes - 14 June 2023

Executive Summary

This report provides the Minutes of the Audit Committee Meeting held on 14 June 2023.

Recommendation

Item 3 Minutes from the previous Audit Committee Meeting

That the minutes from the previous meeting be formally adopted by the Committee with the addition of the recorded amendment.

Item 4.1 and 4.2 QAO Emerging issues and reports to Parliament and External Audit Progress

That the Committee note the QAO Briefing Paper and 2023 Interim Audit Report.

Item 4.3 Consider need for closed session briefing with Crowe/QAO

That the Committee agree a closed session briefing is not required.

Item 5.1 Annual Internal Audit Plan – formal endorsement by Committee

That the Committee adopt the revised Internal Audit Plan.

Item 6.1 Presentation of Risk Management Committee Meeting Minutes

That the Committee note the Risk Management Committee Meeting minutes from 31 May 2023.

Item 6.2 Long Term Financial Forecast

That the Committee note the Long Term Financial Forecast.

Item 7.1 Chairperson's Annual Report

That the Committee endorse the Audit Committee Chairperson's 2022/2023 Annual Report to be presented to Council.

Item 8.1 Annual Infrastructure Valuation Methodology Report

That the Committee note the 2022-2023 Internal Valuation Report.

That:

1. the minutes of the Audit Committee meeting held on 14 June 2023 be noted; and
2. the recommendations as detailed in the minutes and summarised in Items 3 to 8.1 above be adopted.

Resolution

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

CARRIED

5. EXECUTIVE

5.1. CEO

5.2. ECONOMIC DEVELOPMENT

6. CORPORATE AND COMMUNITY SERVICES

6.1. CLIENT SERVICES

6.2. COMMUNITY DEVELOPMENT

6.3. FINANCIAL AND ADMINISTRATIVE SERVICES

6.3.1. Consideration for Annual Valuation - 2024 Revaluation Program

Executive Summary

Council has received correspondence from Laura Dietrich, Valuer-General, Department of Resources, seeking Council's view in relation to the revaluation of the Burdekin Shire as part of the 30 June 2024 Revaluation Program.

Recommendation

That Council responds to the Valuer-General supporting the inclusion of the Burdekin Shire in the Department of Resources' 2024 Revaluation Program.

Resolution

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

CARRIED

6.3.2. Monthly Financial Report - May 2023

Recommendation

That the Monthly Financial Report for Period Ending 31 May 2023 be received.

Resolution

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

CARRIED

11.25am - Mr. Mulcahy and Ms. Govan entered the meeting.

11.51am - Mrs. Cortabitarte left the meeting.

6.4. GOVERNANCE

6.4.1. Audit Committee Chairperson's 2022/2023 Annual Report

Executive Summary

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

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

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

Recommendation

That Council notes the attached Audit Committee Chairperson's 2022/2023 Annual Report.

Resolution

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

CARRIED

7. INFRASTRUCTURE, PLANNING AND ENVIRONMENTAL SERVICES

7.1. ENVIRONMENTAL AND HEALTH SERVICES

7.1.1. Amendment to 2023/2024 Fees and Charges - Pool Fees and Waste Disposal Charges

Executive Summary

When reviewing the fees and charges for 2023/2024, further investigation was required to determine appropriate fees for Pools – Private Functions After Hours.

Following discussion with the Pool Managers, agreement was reached on appropriate fees

which are recommended for adoption. The fees are based on cost recovery for the Pool Managers who would have to employ the lifeguards to supervise the function.

In addition, further checking has identified an inconsistency in the Waste Disposal Charges which is recommended to change.

Recommendation

That Council approves the following changes to the 2023/2024 Fees and Charges:

2023/2024 Fees and Charges	Fee (Including GST)
<p>Pool Fees</p> <p>Ayr and Home Hill Pools</p> <p>Private Functions After Hours - minimum 2 hours and up to 50 people; close by 10 p.m.</p> <p>Home Hill Pool (functions greater than 2 hours incur additional \$120 per hour) (functions greater than 50 people to be negotiated with Pool Manager)</p> <p>Ayr Pool (functions greater than 2 hours incur additional \$120 per hour) (functions greater than 50 people to be negotiated with Pool Manager)</p> <p>Ayr Pool – Pool and Water Park (functions greater than 2 hours incur additional \$180 per hour) (functions greater than 50 people to be negotiated with Pool Manager)</p>	<p>\$400.00</p> <p>\$400.00</p> <p>\$620.00</p>
<p>Transfer Station (Home Hill, Ayr, Giru and Clare)</p> <p>Commercial and Industrial Commercial Recyclables</p> <p>Cardboard – per m3</p>	<p>\$16.00</p>

Resolution

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

CARRIED

12.04pm - Mr. Mulcahy and Ms. Govan left the meeting.

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

There being no further business the meeting closed at 12.35pm.

These minutes were confirmed by Council at the Ordinary Council Meeting held on 11 July 2023.

MAYOR

4.2. MINUTES AND BUSINESS ARISING

Budget Meeting Minutes - 27 June 2023

Recommendation

That the minutes of the Budget Meeting held on 27 June 2023 be received as a true and correct record.

Attachments

1. Budget 2023



Burdekin Shire Council

MINUTES

BUDGET MEETING

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

on 27 June 2023

COMMENCING AT 9:00 AM

ATTENDANCE

Councillor Lyn McLaughlin, Councillor Sue Perry, Councillor Kaylee Boccalatte, Councillor John Bonanno (Via Teleconference as arranged prior to the meeting and approved by the Chairperson), Councillor Michael Detenon, Councillor John Furnell, Councillor Max Musumeci.

Mr. Terry Brennan - Chief Executive Officer
Mr. Nick Wellwood - Director of Infrastructure, Planning and Environmental Services
Ms. Kathy Cortabitarte - Financial Accountant Systems
Mrs. Jacqui Thomasson - Revenue Coordinator
Ms. Fiona Smith - Financial Accountant Reporting
Mr. Matthew Furlong - Financial Accountant
Mrs. Rebecca Walker - Finance Officer

Apologies: Mr. Nick O'Connor - Director Corporate and Community Services
Mrs. Kim Olsen - Manager Financial and Administrative Services

Minutes Clerk - Mrs. Simone Iturriaga

PRAYER

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

1. Mayor's 2023/24 Budget Address

The Mayor presented her Budget Address for the 2023/24 Budget.

Recommendation

That the Mayor's 2023/24 Budget Address be received.

Resolution

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

CARRIED

2. Adoption of the Estimated Financial Position

Recommendation

That pursuant to section 205 of the *Local Government Regulation 2012*, the statement of the financial operations and financial position of the Council in respect of the financial period from 1 July 2022 to 30 June 2023 (“the Statement of Estimated Financial Position”) be received and the contents noted.

Resolution

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

CARRIED

3. Adoption of Operational Plan for the 2023/24 Financial Year

Recommendation

That pursuant to section 174(1) of the *Local Government Regulation 2012*, Council adopt the Operational Plan for the 2023/24 financial year.

Resolution

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

CARRIED

4. Adoption of Differential General Rates for the 2023/24 Financial Year

Recommendation

That:

- (a) Pursuant to section 81 of the *Local Government Regulation 2012*, the categories into which rateable land is categorised, the description of those categories and, pursuant to sections 81(4) and 81(5) of the *Local Government Regulation 2012*, the method by which land is to be identified and included in its appropriate category is as follows:

Category	Description	Identification
A – Residential	Land which is used or intended to be used for residential purposes.	Land with land use codes 01, 02, 04-06, 08, 09 and 72 and/or a property type of Urban Residential or Urban Vacant and as identified by the CEO, but excluding the following properties with assessment numbers: 1872, 3085, 3094, 3097, 3100, 3112, 6214, 6215, 6220, 6221, 6781, 6782, 11093 to 11096, 12390, 12391, 12463 to 12465,

		12580 to 12594, 15251, 15252, 15767 and 15768.
A1 – Rural Residential	Land which is used or intended to be used for rural residential purposes.	Land with land use codes 01, 02, 04-06, 09 and 72 and/or a property type of Rural Residential or Rural Vacant and as identified by the CEO.
A2 – Multi Unit Dwellings <2 Flats	Land which is used or intended to be used for residential purposes – multi unit dwellings <2 flats.	Land with land use code 03 and/or a property type of Urban or Rural Residential and as identified by the CEO.
A3 – Multi Unit Dwellings 3-4 Flats	Land which is used or intended to be used for residential purposes – multi unit dwellings 3-4 flats.	Land with land use code 03 and/or a property type of Urban or Rural Residential and as identified by the CEO.
A4 – Multi Unit Dwellings 5-7 Flats	Land which is used or intended to be used for residential purposes – multi unit dwellings 5-7 flats.	Land with land use code 03 and/or a property type of Urban or Rural Residential and as identified by the CEO.
A5 – Multi Unit Dwellings >7 Flats	Land which is used or intended to be used for residential purposes – multi unit dwellings >7 flats.	Land with land use code 03 and/or a property type of Urban or Rural Residential and as identified by the CEO.
B – Commercial and Industrial	Land used, or intended to be used, for commercial and/or industrial purposes other than land included within category B1 or B2.	Land with land use codes 07, 10-59, 90, 92, 96-97 and 99 and as identified by the CEO, and including the following properties with assessment numbers: 1872, 3085, 3094, 3097, 3100, 3112, 6214, 6215, 6220, 6221, 6781, 6782, 11093 to 11096, 12390, 12391, 12463 to 12465, 12580 to 12594, 15251, 15252, 15767 and 15768.
B1 – Shopping Centre	Land used, or intended to be used, for the purposes of a shopping centre, or as a part of a shopping centre, having a gross floor area greater than 4,000 square metres, and on-site car parking for more than 80 vehicles.	Land with land use code 16 and as identified by the CEO.
B2 – Shopping Complex	Land used, or intended to be used, for the purposes of a shopping centre, or as a part of a shopping centre, having a gross floor area greater than 2,000 square metres, and on-site car parking for more than 24 vehicles but less than 81 vehicles.	Land with land use codes 14 or 16 and as identified by the CEO.
C – Grazing and Livestock	Land used for the purposes of grazing or livestock.	Land with land use codes 60-69, 85-87 and 89 and as identified by the CEO.

D – Sugar Cane	Land used for the purposes of growing sugar cane.	Land with land use code 75 and as identified by the CEO.
E – Rural (Other) - less than 20 hectares	Land used for rural purposes, other than land included in category C or D, with an area of less than 20 hectares.	Land with land use codes 70-71, 73-74, 76-84, 88, 93-94 and as identified by the CEO.
E1 – Rural (Other) - 20 hectares or more	Land used for rural purposes, other than land included in category C or D, with an area of 20 hectares or greater.	Land with land use codes 70-71, 73-74, 76-84, 88, 93-94 and as identified by the CEO.
F – Sugar Milling	Land used, or intended to be used, for the purposes of sugar milling, including land used in connection or in association with sugar milling.	Land identified by the CEO.
G1 – Water (Less than 10 hectares)	Land used, or intended to be used, for the extraction, storage, delivery, transport or drainage of water, with an area of less than 10 hectares.	Land with land use code 95 and as identified by the CEO.
G2 – Water (10 hectares or more)	Land used, or intended to be used, for the extraction, storage, delivery, transport or drainage of water, with an area of 10 hectares or greater.	Land with land use code 95 and as identified by the CEO.
H1 – Solar Farms – 40MW – 90MW	Land used, or intended to be used, in whole or in part, for the purposes of a solar farm, with an approved output capacity not lower than 40MW but equal to or less than 90MW.	Land with land use code 91 and as identified by the CEO.
H2 – Solar Farms – 91MW – 250MW	Land used, or intended to be used, in whole or in part, for the purposes of a solar farm, with an approved output capacity not lower than 91MW but equal to or less than 250MW.	Land with land use code 91 and as identified by the CEO.
H3 – Solar Farms – >250MW	Land used, or intended to be used, in whole or in part, for the purposes of a solar farm, with an approved output capacity greater than 250MW.	Land with land use code 91 and as identified by the CEO.
H4 – Electricity and Telecommunications Infrastructure	Land used, or intended to be used, in whole or in part, for the purposes of transformers, electricity substations, communication facilities and telephone exchanges.	Land with land use code 91 and as identified by the CEO.
I – Other	Land not otherwise categorised.	Land identified by the CEO.

- (b) Council delegates to the Chief Executive Officer the power, pursuant to sections 81(4) and 81(5) of the *Local Government Regulation 2012*, to identify the rating category to which each parcel of rateable land belongs.
- (c) Pursuant to section 94 of the *Local Government Act 2009* and section 80 of the *Local Government Regulation 2012*, the differential general rate to be made and levied for each differential general rate category and, pursuant to section 77 of the *Local Government Regulation 2012*, the minimum general rate to be made and levied for each differential general rate category, is as follows:

Category	Rate (Cents) in the Dollar	Minimum Differential General Rate
Category A - Residential	1.902	\$1,179
Category A1 - Rural Residential	1.649	\$1,179
Category A2 - Multi Unit Dwellings <2 Flats	1.854	\$1,533
Category A3 - Multi Unit Dwellings 3-4 Flats	1.973	\$2,300
Category A4 - Multi Unit Dwellings 5-7 Flats	1.867	\$3,833
Category A5 - Multi Unit Dwellings >7 Flats	2.027	\$6,132
Category B - Commercial & Industrial	2.053	\$1,415
Category B1 - Shopping Centre	3.110	\$37,404
Category B2 - Shopping Complex	2.611	\$10,400
Category C - Grazing & Livestock	1.449	\$1,415
Category D - Sugar Cane	3.423	\$1,415
Category E - Rural (Other) - less than 20 hectares	2.098	\$1,415
Category E1 - Rural (Other) - 20 hectares or more	3.423	\$1,415
Category F - Sugar Milling	31.181	\$187,018
Category G1 - Water (less than 10 hectares)	20.538	\$1,415
Category G2 - Water (10 hectares or more)	21.602	\$10,899
Category H1 - Solar Farms - 40MW - 90MW	3.363	\$44,580
Category H2 - Solar Farms - 91MW - 250MW	3.363	\$78,015
Category H3 - Solar Farms > 250MW	3.363	\$111,232
Category H4 - Electricity and Telecommunications Infrastructure	3.561	\$1,769
Category I - Other	1.902	\$1,179

Resolution

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

FOR - Councillors Lyn McLaughlin, Sue Perry, Kaylee Boccalatte, Michael Detenon, John Bonanno, John Furnell.

AGAINST - Councillor Max Musumeci.

6/1

CARRIED

5. Making and Levying Waste Management Utility Charges for the 2023/24 Financial Year

Recommendation

That pursuant to section 94 of the *Local Government Act 2009* and section 99 of the *Local Government Regulation 2012*, Council make and levy waste management utility charges, for the supply of waste management services by the Council, as follows:

Waste Service Charges	
140L 2 Bin Domestic Service	\$445
240L 2 Bin Domestic Service	\$560
140L 3 Bin Domestic Service	\$507
240L 3 Bin Domestic Service	\$622
240L 2 Bin Commercial Service	\$537
240L 3 Bin Commercial Service	\$599
Additional 140L Domestic Waste Bin	\$363
Additional 240L Domestic Waste Bin	\$478
Additional 240L Commercial Waste Bin	\$431
Additional Domestic Recycle Waste Bin	\$431
Additional Commercial Recycle Waste Bin	\$106
Additional Green Waste Bin	\$62
Waste Access Charge	\$25
Waste Legacy Landfill Charge	\$20

Resolution

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

CARRIED

6. Making and Levying Sewerage Utility Charges for the 2023/24 Financial Year

Recommendation

That pursuant to section 94 of the *Local Government Act 2009* and section 99 of the *Local Government Regulation 2012*, Council make and levy sewerage utility charges, for the supply of sewerage services by the Council, as follows:

Sewerage Charge	\$600
Subsequent Water Closet Charges (Where Applicable)	\$360
Pump Septic Tank Effluent to Sewer System	\$480

The charges will be levied in accordance with the details contained in the adopted Revenue Statement for the 2023/24 financial year.

Resolution

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

CARRIED

7. Making and Levying Water Utility Charges for the 2023/24 Financial Year

Recommendation

That:

- (a) Pursuant to section 94 of the *Local Government Act 2009* and section 99 of the *Local Government Regulation 2012*, Council make and levy water utility charges, for the supply of water services by the Council, as follows:

Water Access Charge	\$510
Water Consumption (Per 1,000L)	
For water supplied by Council's Giru Water Supply Scheme to properties included in rating category F – Sugar Milling	\$2.90
For water supplied to all other properties from any of Council's water supply schemes	
For usage up to 1,000,000 litres	\$0.45
For usage above 1,000,000 litres	\$1.80

- (b) Pursuant to section 102(2) of the *Local Government Regulation 2012*, a water meter is taken to have been read during the period that starts 2 weeks before, and ends 2 weeks after, the day on which the meter is actually read.

Resolution

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

CARRIED

8. Making and Levying Environmental Separate Charge for the 2023/24 Financial Year

Recommendation

That pursuant to section 94 of the *Local Government Act 2009* and section 103 of the *Local Government Regulation 2012*, Council make and levy a separate charge (to be known as the Environmental Separate Charge") in the sum of \$10.00 per rateable assessment, to be levied equally on all rateable land in the region, for the Shire to fund projects that have an environmental benefit to the Burdekin community, including but not limited to the following environmental improvement and natural resource conservation, preservation or enhancement initiatives:

-
- (a) Rehabilitation, care or maintenance of the natural environment in areas including aquatic weed management; wetland management; herbicide subsidy; and management of local biosecurity matters such as declared pest animals and weeds.
 - (b) Preservation or remediation of environmentally important areas.
 - (c) Acquisition of land that has particular environmental value.
 - (d) Promotion and encouragement of sustainable practices such as energy efficiency and waste minimisation.

Resolution

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

CARRIED

9. Making and Levying Mount Kelly Rural Fire Brigade Special Charge for the 2023/24 Financial Year

Recommendation

That:

- (a) Pursuant to section 94 of the *Local Government Act 2009*, section 94 of the *Local Government Regulation 2012* and section 128A of the *Fire and Emergency Services Act 1990*, Council make and levy a special charge (to be known as the “Mount Kelly Rural Fire Brigade Special Charge”) of \$15.00, on all rateable properties to which the overall plan applies, to fund the cost of providing rural fire fighting services to properties in the Mount Kelly area.
- (b) The overall plan for the Mount Kelly Rural Fire Brigade Special Charge is as follows:
 - i. The service, facility or activity for which the plan is made is the ongoing provision and maintenance of rural fire fighting equipment for the rural fire brigades that operate in the Mount Kelly area.
 - ii. The rateable land to which the plan applies is every parcel of rateable land shown on plan number RF2009 (as annexed hereto).
 - iii. The estimated cost of carrying out the overall plan is \$2,280.
 - iv. The estimated time for carrying out the overall plan is 1 year.
- (c) The rateable land or its occupier specially benefits from the service, facility or activity funded by the special charge because the properties are located within the area serviced by the rural fire fighting service in the Mount Kelly area.

Resolution

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

CARRIED

10. Making and Levying Scott Rural Fire Brigade Special Charge for the 2023/24 Financial Year

Recommendation

That:

- (a) Pursuant to section 94 of the *Local Government Act 2009*, section 94 of the *Local Government Regulation 2012* and section 128A of the *Fire and Emergency Services Act 1990*, Council make and levy a special charge (to be known as the "Scott Rural Fire Brigade Special Charge") of \$50.00, on all rateable properties to which the overall plan applies, to fund the cost of providing rural fire fighting services to properties in the Scott area.
- (b) The overall plan for the Scott Rural Fire Brigade Special Charge is as follows:
 - i. The service, facility or activity for which the plan is made is the ongoing provision and maintenance of rural fire fighting equipment for the rural fire brigades that operate in the Scott area.
 - ii. The rateable land to which the plan applies is every parcel of rateable land shown on plan number RF0425 (as annexed hereto).
 - iii. The estimated cost of carrying out the overall plan is \$4,400.
 - iv. The estimated time for carrying out the overall plan is 1 year.
- (c) The rateable land or its occupier specially benefits from the service, facility or activity funded by the special charge because the properties are located within the area serviced by the rural fire fighting service in the Scott area.

Resolution

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

CARRIED

11. Adoption of Interest on Overdue Rates or Charges

Recommendation

That pursuant to section 133 of the *Local Government Regulation 2012*, compound interest on daily rests at the rate of eleven percent (11%) per annum is to be charged on all overdue rates and charges.

Resolution

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

CARRIED

12. Adoption of Levy and Payment

Recommendation

That:

- (a) Pursuant to sections 104 and 107 of the *Local Government Regulation 2012* and section 114 of the *Fire and Emergency Services Act 1990*, Council's rates and charges (excluding utility charges for water) and the State Government's Emergency Management, Fire and Rescue Levy be levied for the year 1 July 2023 to 30 June 2024 in August 2023.
- (b) Pursuant to section 107 of the *Local Government Regulation 2012*, Council's utility charges for water be levied bi-annually in the months of August and January.
- (c) Pursuant to section 118 of the *Local Government Regulations 2012*, that Council's rates and charges, and the State Government's Emergency Management, Fire and Rescue Levy, be paid within thirty-one (31) days of the date of the issue of the rate notice.

Resolution

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

CARRIED

9.41am - Mr. N. Wellwood left the meeting.

13. Adoption of Pensioner Concessions

Recommendation

That pursuant to sections 120, 121 and 122 of the *Local Government Regulation 2012*, Council shall grant rating concessions for eligible pensioners with respect to a property which is the principal place of residence of the eligible pensioner.

Eligibility

The concession shall only be granted with respect to a property which is owned solely by eligible pensioner/s and where the property is the principal place of residence of the eligible pensioner/s.

An eligible pensioner is one who is in receipt of a full pension/allowance, who produces a Queensland Pensioner Concession Card issued by Centrelink or Department of Veterans' Affairs or a Veteran Gold Card – Repatriation Health Card For All Conditions issued by Department of Veterans' Affairs.

This rebate shall also extend to:

- War Widows who are the holders of a Veteran Gold Card;
- Eligible pensioners who occupy a dwelling in respect to which a life tenancy has been granted by way of Will and providing there is no provision in the Will which

relieves the life tenant of the obligation to pay the rates and charges; and

- Eligible pensioners who reside in an institution caring for the aged, including hospitals, or are in family care providing the property is not occupied on a paid tenancy basis.

The pensioner rebate is to be calculated as half the sum of the relevant General Rates, up to the maximum rebate set at **\$380**.

Council may, in its discretion, consider any case on its merits where special circumstances apply; and allow such rebate as it sees fit up to the maximum remission.

Applications for rate concessions by qualifying applicants who own relevant properties on 1 July 2023 are to be dealt with in the following manner:

1. For existing eligible pensioners, the details currently held continue to be used for annual verification with Centrelink/Department of Veterans' Affairs;
2. For new eligible Pensioners, an initial application is required to be made; and
3. For pensioners requesting a rebate due to special circumstances, an annual application is required to be made.

The amount of pension payable at time of the verification from Centrelink/Department of Veterans' Affairs will determine the eligibility for the Council rebate.

Any rebate granted pursuant to this section is only applicable for the period of time that the eligible pensioner is the owner of the property and all requirements set out above remain fulfilled. If the principal place of residence is disposed of during the financial year, a supplementary rate notice will be issued to the new owner of the property representing the proportionate share of the remission from date of sale to 30 June next.

Resolution

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

CARRIED

14. Adoption of Concessions for Not for Profit Community Organisations

Recommendation

That in accordance with Chapter 4, Part 10 of the *Local Government Regulation 2012*, rebates (i.e. donations) equivalent to 45% of the sum of the relevant sewerage charges in respect of second and subsequent pedestals and/or urinals at premises or land used for private schools, churches, welfare and youth organisations, sporting purposes and public halls, excluding premises licensed under the *Liquor Act 1992* will be made to the relevant community organisations, on the basis that they are entities whose objects do not include making a profit, for each financial year immediately upon payment in full of all levied rates and charges, together with any overdue rates and charges, if any. Council may, at its discretion, consider any case on its merits where special circumstances apply and make such rebates (i.e. donations) as Council considers appropriate.

Resolution

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

CARRIED

15. Adoption of the Debt Policy for 2023/24 Financial Year**Recommendation**

That pursuant to section 192 of the *Local Government Regulation 2012* Council adopt the Debt Policy which states the new borrowings planned for the 2023/24 financial year and the next nine (9) financial years; and the time over which the local government plan to repay existing and new borrowings.

Resolution

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

CARRIED

16. Adoption of the Investment Policy for 2023/24 Financial Year**Recommendation**

That pursuant to section 191 of the *Local Government Regulation 2012* Council adopt the Investment Policy for the 2023/24 financial year.

Resolution

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

CARRIED

9.46am - Mr. N. Wellwood re-entered the meeting.

17. Adoption of the Procurement Policy for 2023/24 Financial Year**Recommendation**

That pursuant to section 198 of the *Local Government Regulation 2012* Council adopt the Procurement Policy for the 2023/24 financial year.

Resolution

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

CARRIED

18. Adoption of Rates and Charges Recovery Policy for 2023/24 Financial Year

Recommendation

That Council in accordance with sections 132 to 135 and 138 to 152 of the *Local Government Regulation 2012* adopt the Rates and Charges Recovery Policy for the 2023/24 financial year.

Resolution

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

CARRIED

19. Adoption of Rates and Charges Hardship Policy for 2023/24 Financial Year

Recommendation

That Council in accordance with section 120 of the *Local Government Regulation 2012* adopt the Rates and Charges Hardship Policy for the 2023/24 financial year.

Resolution

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

CARRIED

20. Adoption of the Revenue Statement for the 2023/24 Financial Year

Recommendation

That Council in accordance with section 169 of the *Local Government Regulation 2012* adopt the Revenue Statement for the 2023/24 financial year.

Resolution

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

CARRIED

21. Adoption of Budget for the 2023/24 Financial Year

Recommendation

That pursuant to section 169 and 170 of the *Local Government Regulation 2012*, Council's budget for the 2023/24 financial year, incorporating:

- i. Statement of Comprehensive Income and Expenditure;
- ii. Statement of Financial Position;
- iii. Statement of Cash Flows;
- iv. Statement of Changes in Equity;
- v. The relevant measures of financial sustainability;
- vi. The total value of the change, expressed as a percentage, in the rates and utility charges levied for the financial year compared with the rates and utility charges levied in the previous budget;
- vii. The long-term financial forecast which includes the Statement of Comprehensive Income, Statement of Financial Position, Statement of Cash Flows and Statement of Changes in Equity;
- viii. Revenue Statement (as just adopted); and
- ix. Revenue Policy (adopted by Council resolution on 11 April 2023),

as tabled, be adopted.

Resolution

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

CARRIED

Mayor McLaughlin acknowledged the Councillors for their contribution in developing the budget. Mayor McLaughlin thanked the Chief Executive Officer, Directors and Managers along with Mrs. Kim Olsen and her team and all Council staff for their commitment to the preparation of the Budget documents. She believes Council has a good foundation for the years ahead, which may be challenging.

There being no further business the meeting closed at 10.15am.

These minutes were confirmed by Council at the Ordinary Council Meeting held on 11 July 2023.

MAYOR

4.3. MINUTES AND BUSINESS ARISING

Burdekin Shire Youth Council Meeting Minutes - 22 May 2023

File Reference: 137
Report Author: Tammy Quagliata, Community Development Support Officer
Authoriser: Tony Blackwell, Manager Community Services
Meeting Date: 11 July 2023

Purpose

This report provides the minutes of the Burdekin Shire Youth Council Meeting held on 22 May 2023.

Summary of recommendations and actions for consideration and adoption:

Item 3 - Involvement in Sweet Days, Hot Nights Festival - 26-27 May 2023

Council notes the proposed involvement of the Burdekin Shire Youth Council in the upcoming Sweet Days, Hot Nights Festival to be held on 26-27 May 2023.

Item 4 - Involvement in Burdekin Pet Fair - 18 June 2023

Council notes the proposed involvement of the Burdekin Shire Youth Council in the upcoming Burdekin Pet Fair to be held on 18 June 2023

Recommendation

That:

1. the minutes of the Burdekin Shire Youth Council Meeting held on 22 May 2023 be noted; and
2. the recommendations as detailed in the minutes and summarized in Items 3 and 4 above be adopted.

Attachments

1. Minutes - Burdekin Shire Youth Council Meeting held 22 May 2023

Meeting Minutes

Meeting	Burdekin Shire Youth Council Meeting		
Date	Monday, 22 May 2023	Time	3:30 PM
Attendees	Zavier Woods - Youth Mayor Joshua Machin - Secretary Byrin Bojack – Burdekin Catholic High School Eddie Jones – Ayr State High School Emily Holmes – Burdekin Christian College Haigan MacDonald – Burdekin Catholic High School Jorda Quagliata – Ayr State High School Michael Lindley – Ayr State High School Matilda Wiseman – Ay State High School Martina Bojack – Home Hill State High School Sarah Shepherd – Ayr State High School Thomas Lindley – Ayr State High School Taliyah Lammon – Burdekin Catholic High School Tammy Quagliata – Community Development Officer, Burdekin Shire Council Tony Blackwell – Community Services Manager, Burdekin Shire Council Andrew Sherrington – Burdekin PCYC Cr. Kaylee Boccalatte – Burdekin Shire Council		
Apologies	Brent Dingle – Deputy Youth Mayor Jasmine Styles – Home Hill State High School Clodagh Liessmann – Burdekin Catholic High School Milla Licciardello – Burdekin Catholic High School Cr. Lyn McLaughlin - Mayor, Burdekin Shire Council Cr. John Furnell – Burdekin Shire Council		
Chairperson	Zavier Wood, Youth Mayor		
Minutes Clerk	Joshua Machin & Tammy Quagliata		
Location	Burdekin PCYC		

Agenda Items

1. Minutes of 13 March 2023 Meeting Received

Moved by Michael Lindley seconded by Thomas Lindley that the minutes of the Burdekin Shire Youth Council Meeting held on 22 May 2023, be received.

CARRIED

2. Correspondence

Inward Correspondence

1. Briana Newson, Kids Helpline – Providing information about the My Circle Platform for kids aged 13-25 years and promoting the My Circle peer to peer promotion competition. First 30 entries will receive a \$50 teen gift card.
2. Program Coordinator, Qld Government – Advising that nominations are open for the 2023 Qld Youth Indigenous Leadership Program. The program will be held in Brisbane on 16-22 September. Nominations close on Friday 30 June. For more info or to register visit www.qld.gov.au/QIYLP.

Outward Correspondence

1. All local high schools – Advising that Youth Wellbeing/Self Care packs will be distributed to each of the local high schools over coming weeks.
2. Ayr Surf Lifesaving Club – Thanking the club for their assistance in running the sausage sizzle at the Youth Pool Party held on 13 April, noting that a donation of \$200 was made to the club.
3. Burdekin Aquatic Centre – Thanking staff for their assistance and support in hosting the Youth Pool Party held on 13 April.

Moved Eddie Jones, seconded by Michael Lindley that the inward correspondence be received, and the outward correspondence adopted.

CARRIED

3. Involvement in Sweet Days, Hot Nights Festival – 26 & 27 May 2023

A final roster was developed for Youth Council members assisting at the Sweet Days, Hot Nights Festival. It was noted Youth Council would be providing a craft activity stall at the Burdekin Cultural Fair featuring The First Fire which would be held at the Home Hill Showgrounds on Friday 26th May from 5.30pm.

Further volunteers were also sought for the Australian Hand Cane Cutting Championships to be held on Saturday 27th May 2023 from 11am.

Members were encouraged to bring along family and friends to the festival over the weekend.

4. Involvement in Burdekin Pet Fair – Sunday 18 June 2023

Tammy Quagliata advised that Youth Council members were invited to provide a craft/activity stall at the Burdekin Shire Council's Pet Fair to be held on Sunday 18 June from 9am to 11.30am.

Members agreed to provide a 'pet rock' craft activity and colouring in stall. Tammy undertook to email members regarding a roster to assist at the event.

5. Wheel of Wellbeing – Youth Program

Tammy Quagliata provided information about the upcoming free wheel of wellbeing community program that was being run by Council. The 6-week Wheel of Well-being course (6 x 1-hour sessions) will focus on the science of happiness and well-being focusing on the benefits of mindfulness, brain & gut connection and how stress impacts the mind and body, just to name a few topics. The course is open to all members of the public, with limited spaces in the weekly courses.

Tammy advised that facilitator, Sean Winning from Qld Health would be adapting a youth wheel of wellbeing course, which would be run at the commencement of the next few meetings.

6. Members Update

Members were each given the opportunity to give an update from within their schools, sporting clubs and community or share personal achievements.

7. Other General Business

- Tammy Quagliata advised that a new order of Burdekin Shire Youth Council shirts had been placed and would hopefully arrive in the near future.

8. Next Meeting – 19th June, 2023

It was noted that the next meeting of the Burdekin Shire Youth Council would be held on Monday 19th June 2023 at the Burdekin Shire Council Chambers.

There being no further business, the meeting closed at 4.10pm.

Following the meeting Andrew Sherrington gave members a brief tour of the PCYC including the new Boxfit Exercise space.

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	Ongoing	
Investigate possibility of hosting a public speaking competition/opportunity for youth.	Tammy Quagliata	Ongoing	
Correspond with local high school interact/student council reps regarding collaboration/networking with Youth Council	Tammy Quagliata/Youth Council Executive	Ongoing	
Table feedback received from Qld Week Pool Party youth consultation	Tammy Quagliata	19 June 2023	

Recommendations for Council Consideration

	Recommendation	Minutes Item No
	Council notes the proposed involvement of the Burdekin Shire Youth Council in the upcoming Sweet Days, Hot Nights Festival – 26 & 27 May 2023	3
	Council notes the proposed involvement of the Burdekin Shire Youth Council in the upcoming Burdekin Pet Fair – 18 June 2023	4

5.1.1. CEO

Council Workshops - June 2023

File Reference: 1394

Report Author: Terry Brennan, Chief Executive Officer

Authoriser: Terry Brennan, Chief Executive Officer

Meeting Date: 11 July 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 its normal meeting arrangements, the Council conducted two (2) general workshops during June with workshops held on 6 and 20 June 2023.

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 6 and 20 June 2023 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, two (2) general workshops were conducted during June with workshops held on 6 and 20 June 2023.

A broad range of policy and operational issues were discussed at the workshops along with presentations from external parties. A summary of the issues discussed at the workshops is outlined below:

6 June 2023

- Discussion on Reef Guardian Funding Project Selection
- Discussion on Proposed A Frame and Signage Subordinate Local Law Changes
- Proposed Sole Supplier Recommendation – NQ Dry Tropics – Wunjunga Dune Protection Works
- Discussion on Vendor Application –Bait and Tackle Stall – Wunjunga Boat Ramp
- Discussion on Code of Competitive Conduct – Business Activities
- Discussion on proposed RADF Application – Home Hill Chamber of Commerce
- Discussion on matters relating to Townsville City Council – Haughton Pipeline Project
- Presentation on Strategic Risk Register

- Update on Possible Replacement of Speakers – Queen Street, Ayr
- Review of existing Volunteer Policy
- Discussion on proposed Implementation Plan – Community Directory
- Presentation on Growing Regions Funding Program
- Presentation on Ayr Aerodrome Fencing Tenders

20 June 2023

- Discussion on Material Change of Use Application – Warehouse, Workshop and Transport Depot – 123 Giddy Road, McDesme
- Discussion on Alva Beach Caravan Park – Request to Open and Close Park Amenities Based on Site Occupancy
- Pest Management Presentation
- Presentation on Drainage Issues – Bannister Street, Brandon
- Discussion on Burdekin Touch Football Association – Surrender of Lease
- Discussion on operation of Ayr Aerodrome Fuel Facility
- Update on First Avenue, Home Hill – Possible Land Disposal
- Update on Building – 261 Edwards Street, Ayr
- Discussion on 2023/2024 Fees and Charges for Pools – Private Function After Hours
- Site Inspection – Macro Algae Earthworks Pad – Ayr/Brandon WWTP

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

6.2.1. COMMUNITY DEVELOPMENT

Volunteer Policy

File Reference: 1757

Report Author: Tony Blackwell, Manager Community Services

Authoriser: Nick OConnor, Director Corporate and Community Services

Meeting Date: 11 July 2023

Link to Corporate/Operational Plan:

Burdekin Shire Council Corporate Plan 2022-2027

1.4.1: Promote and encourage community participation, volunteerism, and capacity building within community organisations.

Executive Summary

The purpose of this policy is to provide Council with a consistent approach to the engagement, management and support of volunteers who assist Council across various operational areas to deliver services to the community.

This policy applies to all Council staff involved in the engagement of volunteer workers, and to all members of the public and community groups who perform voluntary work for Council.

Recommendation

That Council endorse the Volunteer Policy as attached.

Background

Council has developed a Volunteer Policy which aims to:

- ensure a consistent, best practice approach to the engagement and ongoing management of volunteers of Burdekin Shire Council;
- ensure that the rights, interests, dignity and culture of others are respected;
- ensure volunteer activities complement existing policies, procedures and activities of Council.

The Policy has been reviewed in accord with good governance practice.

Consultation

Internal consultation with Economic Development, Disaster Management, Library and Theatre staff confirming that the Volunteer Policy is fit for purpose.

Budget & Resource Implications

Not Applicable.

Legal Authority & Implications

Policy complies with legal requirements.

Policy Implications

Not Applicable.

Risk Implications (Strategic, Operational, Project Risks)

The Policy provides an essential framework for engagement and management of volunteers and associated risks.

Attachments

1. Volunteer Policy

Policy Type	Corporate
Function	Governance
Policy Owner	Manager Community Services
Policy Contact	Manager Community Services
Effective Date	8 June 2021

Purpose

The purpose of this policy is to provide Council with a consistent approach to the engagement, management and support of volunteers who assist Council across various operational areas to deliver services to the community.

Scope

This policy applies to all Council staff involved in the engagement of volunteer workers, and to all members of the public and community groups who perform voluntary work for Council.

Exceptions

This policy does not apply in full to Spontaneous Volunteers due to the nature in which they are engaged. However, Council aims to manage and treat Spontaneous Volunteers in a fair and appropriate manner.

Principles

Volunteer positions are not to be created as an alternative to the appointment of paid employees.

Volunteer workers are obligated to observe the same standards of conduct that are expected of paid Council employees.

Council has a responsibility to provide a safe working environment and systems of work for all volunteers. All statutory requirements of Equal Employment and Work Health and Safety Legislation will be applied to volunteers.

Objectives

The objectives of this policy are to:

- ensure a consistent, best practice approach to the engagement and ongoing management of volunteers of Burdekin Shire Council;
- ensure that the rights, interests, dignity and culture of others are respected;
- ensure volunteer activities complement existing policies, procedures and activities of Council.

Policy Statement

Council acknowledges that volunteers provide a significant contribution and are critical to the effective delivery of a range of programs and services in the community including but not limited to:

- Visitor Information Centres;
- Cultural Venues;
- Library Services;
- Community Events;

- Disaster Management and Recovery.

Council is committed to ensuring volunteers are well supported and encouraged in their service in the community by ensuring a robust volunteer management framework is implemented. The framework may include but is not limited to:

- Volunteer Policy (this document);
- Volunteer handbooks (as required) with details about:
 - Pre-engagement reference, qualification and police checks (where appropriate);
 - Volunteer grievance process;
 - Volunteer recognition and appreciation;
 - Volunteer training programs;
 - Volunteer work appraisal/feedback;
 - Process and Procedures.

Volunteer Engagement

The selection, engagement and management of volunteers will be conducted in a fair, equitable and non-discriminatory manner. Where there is a competitive process, volunteers shall be selected on merit and their capacity to contribute positively to the volunteer project. Expressions of interest, interviews and referee checks may be conducted if required. Notwithstanding the above, the acceptance of any person into a volunteer role is at the sole discretion of the Chief Executive Officer (CEO).

Volunteer Management

Volunteer Agreement and Role Statement – All volunteers will be provided with a role description and/or adequate instructions for the work to be performed prior to engagement. Each volunteer will be required to sign a volunteer agreement and where applicable be given a copy of the role statement.

Volunteer Induction and Training – Volunteers may be provided with relevant training. Training for volunteers may comprise of an induction, specialised training or continuing training as required. The induction should ensure that volunteers understand their duties, rights, responsibilities, health and safety issues, use of equipment and relevant record keeping responsibilities. Volunteers should also be made aware of where to locate all relevant Council Policies and the Burdekin Shire Council Code of Conduct for Workers.

Provision of Supervisory Staff – Council is committed to the appropriate resourcing and support of Volunteers to Council through the provision of well trained and appropriately skilled supervisory staff. Supervisory staff will assist with co-ordination of volunteers and will be available as a conduit so that information is effectively relayed between Council and volunteers.

Volunteer Handbook

Burdekin Shire Council will develop Volunteer Handbooks, as required, specific to each relevant area of operation to establish processes and procedures for all volunteer activities across Council to ensure a professional standard and the wellbeing of volunteers is maintained.

Council's Responsibilities

Council will:

- ensure all volunteers are covered by appropriate public liability and personal accident insurance for the activities they are engaged to perform. (It is noted that public liability insurance cover is only appropriate to volunteers directly assisting or engaged by Council and not volunteers of another organisation which is assisting the Council);
- maintain a register of volunteers;
- conduct formal risk assessments of volunteer programs;

- treat each volunteer with courtesy, respect and consideration;
- provide guidance and support relevant to the work area;
- provide volunteers with appropriate training, regular evaluation and recognition;
- provide volunteers with a job description or instruction;
- provide a safe work environment;
- provide adequate resources for volunteers to effectively carry out their duties;
- provide volunteers with opportunities to be heard and where appropriate and practicable, encourage volunteers to participate in the decision-making process;
- not expect volunteers to undertake work they have not agreed to;
- ensure that volunteers work under the direction of paid staff and/or appointed co-ordinators;
- assess volunteer skills and, where possible, match tasks with expectations, interests and time commitments;
- provide access to relevant Council Policies, Operational Standards and Procedures including the Code of Conduct for Workers;
- provide access to relevant grievance procedures;
- ensure that the work of volunteers complements but does not undermine the work of paid staff;
- ensure that volunteers comply with any Blue Card, Police Check or similar requirements where applicable.

Volunteer Responsibilities

Volunteers of Council will:

- participate in induction and training provided;
- operate in accordance with relevant Council Policies, Operational Standards and Procedures including the Code of Conduct for Workers;
- carry out conscientious work performance with punctuality and reliability;
- treat visitors, fellow volunteers and staff members with courtesy, respect and consideration;
- operate under the directive of relevant Council personnel;
- report any unsafe work environment;
- report any injury or damage to themselves or a third party.

Risk Management

The potential for volunteers to injure themselves is an ongoing risk. As part of the induction process, all new volunteers are trained in health and safety. Council event management procedures where volunteers are involved, includes on-site health and safety briefings for site specific issues and risk assessments.

Legislation

Anti-Discrimination Act 1991

Local Government Act 2009

Local Government Regulation 2012

Public Sector Ethics Act 1994

Work Health and Safety Act 2011

Definitions and Abbreviations

Blue Card	a card issued by the Department of Justice and Attorney-General to adults confirming suitability for working with children. This card must be held by volunteer workers and/or supervisors where specified or otherwise directed or required by law.
Short-term volunteer	a person involved in a defined project or community event, typically of a short-term duration.
Spontaneous Volunteer	are individuals or groups of people who seek, or are invited to contribute their assistance during and/or after an emergency event, and who are unaffiliated with any part of the existing official emergency management response and recovery system and may or may not have relevant training, skills or experience.
Volunteer	a person who wishes to contribute to the community in useful and meaningful ways by undertaking activities of his/her free will, or to gain work experience, without monetary reward. Activities undertaken by volunteers will complement rather than replace the activities of paid Council staff.
Work experience volunteer	a person involved in Council work to gain work experience which may assist them in furthering their skills and obtaining paid work. Such people may work under a contractual arrangement with another organisation, school or tertiary institution.

Related Documents

Reference Number	Document Title
HRS-POL-0001	Bullying, Anti-Discrimination and Sexual Harassment Policy
ECM 1068863	Burdekin Shire Council Code of Conduct for Workers

Document History and Version Control

Title of Document	Volunteer Policy
Document Reference Number	COM-POL-0002 Rev 2
Review Schedule	24 months
Council Meeting Date	8 June 2021
Council Resolution Number	Click or tap here to enter text.

7.1.1. ENVIRONMENTAL AND HEALTH SERVICES

Endorsement of North Queensland Regional Waste and Resource Recovery Management Plan 2023

File Reference: 2505

Report Author: Dan Mulcahy, Manager Environmental and Health Services

Authoriser: Nick Wellwood, Director Infrastructure Planning and Environmental Services

Meeting Date: 11 July 2023

Link to Corporate/Operational Plan:

Burdekin Shire Council Corporate Plan 2022-2023

4.2.4: Actively encourage reduction, reuse, and recycling of waste to support sustainable waste management principles through the implementation of the North Queensland Waste and Resources Recovery Strategy 2020-2030.

4.2.5: Promote the implementation of environmental best practice by Council, residents, and business.

Executive Summary

Council had previously adopted the North Queensland Waste and Resources Recovery Strategy 2020-2030 which was a joint initiative of the Townsville City Council, Charters Towers Regional Council, Hinchinbrook Shire Council, Palm Island Aboriginal Shire Council and the Burdekin Shire Council.

The State Government through the Department of Environment and Science has promoted and funded the development of regional waste plans to further identify specific actions to be implemented in the waste area.

A North Queensland Regional Waste and Resource Recovery Management Plan (Plan) has been prepared and is recommended for endorsement.

Recommendation

That Council endorses the North Queensland Regional Waste and Resource Recovery Management Plan 2023.

Background

Council adopted the North Queensland Waste and Resource Recovery Strategy 2020-2030 on 24 November 2020.

Since that time there have been developments within the State Government to pursue and improve on the plans available for Councils to drill down into more actionable activities and provide more value and direction on waste related management.

The recent elevation of waste on the National and State agendas has provided a strong reason to review and update waste plans. The effective closure of the China trade for mixed recyclables has created pressure for the Commonwealth and State to provide leadership.

At a State level, the Containers for Change Scheme commenced and many State policies and strategies were updated or introduced. Funding for recycling and circular economy type purposes was also made available.

The Queensland Waste Management and Resource Recovery Strategy was released in 2019. The Council of Mayors South East Queensland (COMSEQ) developed a regional plan which was released in 2021. The Department of Environment and Science (DES) then decided to fund the delivery of regional plans across other Queensland regions, including the North Queensland Regional Organisation of Councils (NQROC).

It's important to note that the regional plans provide a stronger link and access to the \$2.1 billion jobs and recycling fund announced in 2020.

Development and preparation of the North Queensland Regional Waste Plan was undertaken by SLR Consulting after a tender process undertaken by an appointed project manager with input from the NQROC Resource Recovery Working Group.

The development of the regional waste plan took some time commencing in 2022 and recently being finalised after receiving some further comments from the NQROC in 2023.

The basic outline of the North Queensland Regional Waste and Resource Recovery Management Plan was presented to Council at a Council Workshop held on 29 November 2022 by Chris Hambling of SLR Consulting.

A copy of the Executive Summary of the Plan is attached for perusal. The key objectives of the plan include the following:

- Maximise the value of waste, including problematic waste streams
- Deliver the best pathway for the region that identifies opportunities for government co-funding arrangements, and industry investment or co-investment.
- Provide councils with the data and options analysis required to make informed decisions about policy, location of infrastructure and optimal value for money investment, and non-infrastructure options.
- Support improved waste management, resource recovery and recycling practices to contribute towards agreed regional and state targets.
- Encourage and support opportunities to embed circular economy principles into business-as-usual practices, including through sustainable procurement principles.
- Encourage and support job creation and economic and market development opportunities.
- Improve environmental outcomes for the community.
- Identify non-infrastructure and social and community benefits.
- Establish and maintain collaborative relationships with key stakeholders to drive long-term sustainable outcomes.

Key issues and opportunities identified in the Plan include:

- Lack of long-term approved and constructed landfill capacity.
- Geographical diversity in the region with a range of large geographical areas with dispersed populations, more densely populated urban areas, and island communities limits a standardised approach.
- Lack of scale for recycling or secondary processing.
- Lack of end-markets locally driving demand for recycled materials.
- Community behaviour lacks understanding to support production of high-quality recyclable output.
- Current policy settings do not support greater recovery and recycling.

Plan outcomes include the following:

- Education as a primary focus.
- Improved organic waste management.
- Improved material recovery and recycling.
- Residual waste management in the long-term.

An Implementation Roadmap is provided as part of the Plan to provide guidance for future activities and budgeting.

The Plan provides the primary vehicle for accessing available funding from the Recycling and Jobs Fund. Endorsement of the Plan does not obligate individual Councils to any funding commitment. In addition, Councils retain the right to make their individual decisions on what projects, activities or direction they take in the future.

Consultation

Presentation at Council Workshop held on 29 November 2022.

Preparation of the Plan has included extensive input from members of the Resource Recovery Working Group.

Budget & Resource Implications

Not Applicable. Any future changes or proposals are to be discussed, considered and approved by Council.

Legal Authority & Implications

In accordance with the *Queensland Waste Reduction and Recycling Act 2011, Chapter 6, Part 2* Local Governments have an obligation to prepare, adopt and implement a plan for managing waste in its Local Government area, in a way that best achieves the objects of the Act. There is also provision for allowing Local Governments to combine on a regional basis to develop a plan.

Policy Implications

Not Applicable.

Risk Implications (Strategic, Operational, Project Risks)

Preparation and adoption of a new Plan reduces the risk of following an outdated plan. The updated Plan takes into account the latest international, national and state policies and strategies dealing with waste. The new Plan would place the Councils in a more favourable position in relation to new funding streams offered by government.

There are unique challenges in bringing together the disparate council areas. The solutions must be tailored to fit. Consideration of solutions at individual council level will also occur as part of the decision-making framework.

Attachments

1. North Queensland Regional Waste Resources Recovery Plan Executive Summary - June 2023

REGIONAL WASTE AND RESOURCE RECOVERY MANAGEMENT PLAN

North Queensland

Prepared for:

Local Government Association of Queensland
Local Government House
25 Evelyn Street
Newstead
Fortitude Valley 4006



SLR Ref: 620.31042-R04
Version No: -v3.1
June 2023



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BASIS OF REPORT

This report has been prepared by SLR Consulting Australia Pty Ltd (SLR) with all reasonable skill, care and diligence, and taking account of the timescale and resources allocated to it by agreement with Local Government Association of Queensland (the Client). Information reported herein is based on the interpretation of data collected, which has been accepted in good faith as being accurate and valid.

This report is for the exclusive use of the Client. No warranties or guarantees are expressed or should be inferred by any third parties. This report may not be relied upon by other parties without written consent from SLR.

SLR disclaims any responsibility to the Client and others in respect of any matters outside the agreed scope of the work.

DOCUMENT CONTROL

Reference	Date	Prepared	Checked	Authorised
620.31042-R04-v3.1	20 June 2023	SLR Consulting	SLR Consulting	SLR Consulting
620.31042-R04-v3.0	5 June 2023	SLR Consulting	SLR Consulting	SLR Consulting
620.31042-R04-v2.0	6 April 2023	SLR Consulting	SLR Consulting	SLR Consulting
620.31042-R04-v1.0	23 November 2022	SLR Consulting	SLR Consulting	SLR Consulting

EXECUTIVE SUMMARY

North Queensland Regional Waste and Resource Recovery Management Plan

This Plan identifies a pathway for the region via regional and individual council actions to improve waste and resource recovery outcomes in the region align with the objectives and targets of Queensland's Waste Management and Resource Recovery Strategy.¹ Participating councils are Burdekin Shire Council, Charters Towers Regional Council, Hinchinbrook Shire Council, Palm Island Aboriginal Shire Council and Townsville City Council. Through an existing Resource Recovery Working Group established under the North Queensland Regional Organisation of Councils (NQROC), a series of workshops and interviews were undertaken to initially define current challenges and opportunities, to identify, refine and select preferred options, and to identify a pathway for implementation.

The North Queensland Region contributes over \$17.1 billion annually to the Queensland Economy and is described as one of the most diverse economic bases in Australia. The region is expected to see significant population growth from around 234,000 people now to 324,000 residents in 2041, driven by significant growth in Townsville. The region has an extensive logistics network which includes the largest general cargo and container port in northern Australia, facilitating export of a range of products including zinc, lead, sugar, fertiliser, and molasses.

Palm Island Aboriginal Shire Council is a member of the North Queensland region for the purpose of developing and implementing this Plan. The Council has been consulted during the development of this Plan and agreement reached for the first stage to refine its own local waste reduction and resource recovery plan which would then be acknowledged in the implementation of the North Queensland Regional Waste and Resource Recovery Management Plan. This Plan should be read and interpreted with this inclusion in mind.

Current state

Waste arisings and services

In the North Queensland Region, a total of 382,545 tonnes of waste was managed by Councils in the 2020-21 financial year. This included (see Figure EX1):

- 132,135 tonnes of household waste (MSW),
- 78,704 tonnes of commercial and industrial waste (C&I); and
- 171,705 tonnes of construction and demolition waste (C&D), of which 115,000 tonne was reported as clean earth.

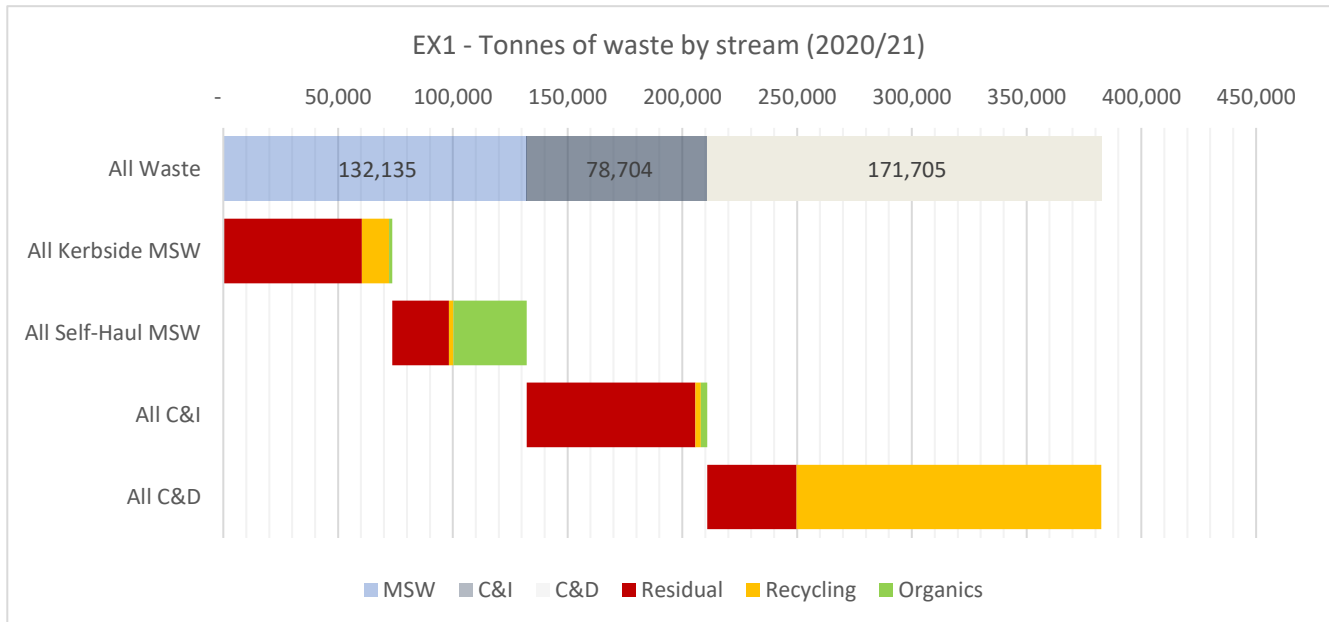
Regionally, the amount of waste managed by individual council is:

- Burdekin Shire Council: 6%
- Charters Towers Regional Council: 3%
- Hinchinbrook Shire Council: 2%
- Palm Island Aboriginal Shire Council: <1%
- Townsville City Council: 88%

¹ State of Queensland, 2019. *Waste Management and Resource Recovery Strategy*

EXECUTIVE SUMMARY

Without action, waste arisings in the region are forecast to grow to 464,000 tonnes in 2030 and 601,000 tonnes by 2050-51.



There also remains a need to improve the quality and quantity of data available, particularly for private sector waste and recycling operations in the region.

All Councils offer a kerbside residual waste collection service, covering 98% of households across the North Queensland Region. Hinchinbrook Shire Council, and Townsville City Council offer a 2-bin collection system with a kerbside recycling bin. Burdekin Shire Council offers a 3-bin collection system including residual, kerbside recycling and garden organics collected at the kerbside. Charters Towers Regional Council currently offers a residual waste kerbside service only. Palm Island Aboriginal Shire Council also currently offers a weekly residual waste bin collection service with the aim of removing all waste from the island promptly to reduce risk of impact to the waterways of the island and the Great Barrier Reef.

All Councils offer a form of self-haul facility which receive MSW, C&I, and C&D wastes, with Palm Island Aboriginal Shire Council improving existing transfer facilities. Councils typically manage residual wastes from the C&I stream, however data is incomplete for C&I recycling within the region, hence the low volume of C&I waste reported as recovered in the region. Problematic wastes specifically identified in the region include contaminated soils, e-waste, plastics, mattresses, food, and garden organics (sent to landfill), timber, textiles, and tyres.

The Plan identifies several regional or cross-regional solutions for these but acknowledges that Queensland or Commonwealth Government leadership and interventions will be needed for some of the more problematic waste streams.

Key issues

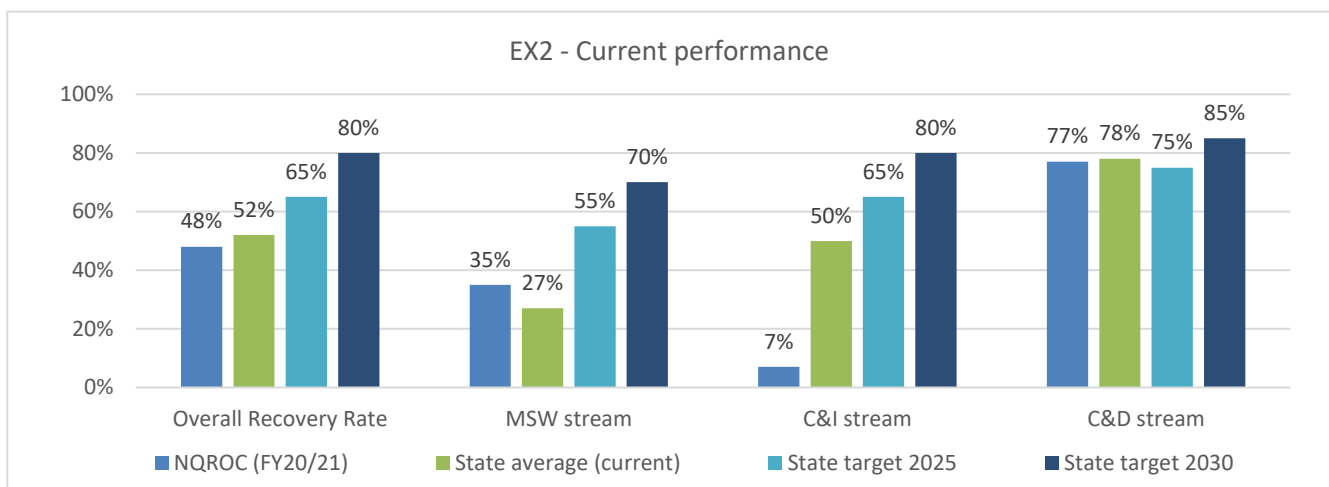
To inform the development of this Plan, several key issues identified that were considered to limit waste outcomes in the region including:

EXECUTIVE SUMMARY

- Lack of long-term approved and constructed landfill capacity.
- Geographical diversity in the region with a range of large geographical areas with dispersed populations, more densely populated urban areas, and island communities limits a standardised approach.
- Lack of scale for recycling or secondary processing
- Lack of end-markets locally driving demand for recycled materials
- Community behaviour lacks understanding to support production of high-quality recyclable output.
- Current policy settings do not support greater recovery and recycling.

Current performance against Strategy targets

The North Queensland region has a current resource recovery rate of 48% across all streams (see Figure EX2), compared to a state average of 52% and 2025 state target of 65%. The C&D waste stream is performing well against the 2025 target whilst the C&I and household (MSW) streams are reported as performing well below the 2025 targets. In the case of the C&I stream, this may be due to incomplete data for private sector waste managed outside of council facilities in the region.



Plan Outcomes

Education as a primary focus

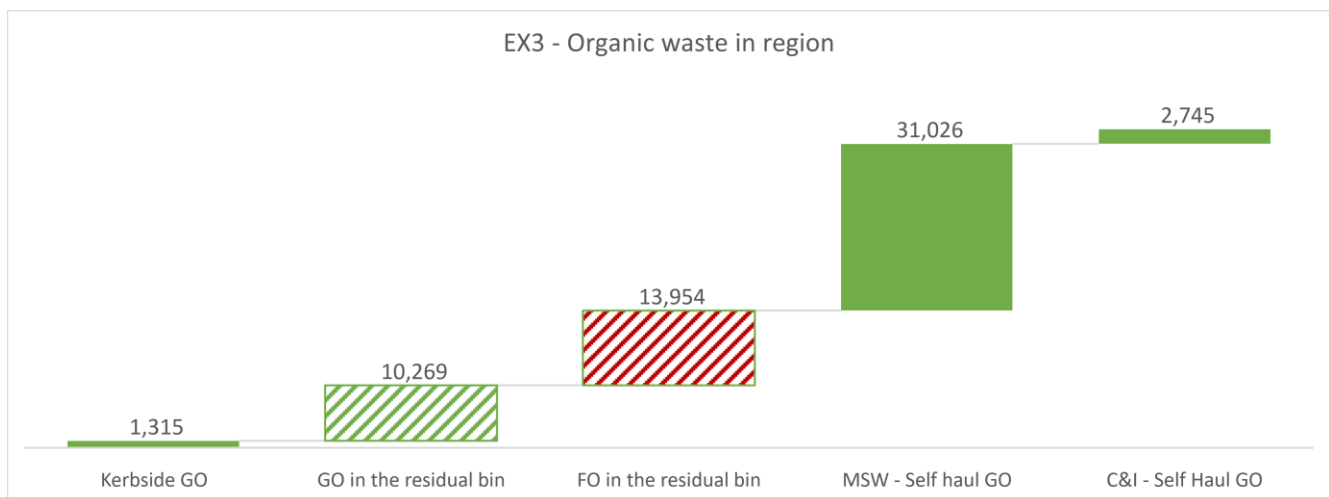
A Regional Waste and Recycling Education strategy has been identified by Councils to focus investment on education and behaviour change activities that promote better outcomes for the region. Education will focus on problem areas including reducing the kerbside recycling bin contamination rates, which diminishes the value of sorted material and can increase operational costs, as well as capturing more recyclable material currently sent to landfill. Other areas of focus will include food waste avoidance programs, and other behaviour change activities which educate residents on the benefits of getting recycling right.

EXECUTIVE SUMMARY

The regional education strategy will be developed through collaboration by Councils in the region however will require investment and input from the Queensland Government to prepare and implement. Through further investment, this Strategy, and the resources deployed could also target education of waste producers in the C&I stream to drive better resource recovery outcomes. Palm Island Aboriginal Shire Council will develop their own community specific education Plan to align with other education services in the area.

Improved organic waste management

Across the North Queensland Region, 35,086 tonnes of organic waste was reported as recovered in the region (in FY20-21). A further 24,000 tonnes of food and garden organic (FOGO) waste is estimated to currently goes to landfill via the residual waste bin (**Figure EX3**). This represents an opportunity to target further diversion of household organic wastes in the region. In the region, current policy and economic settings suggest that Townsville City Council has sufficient scale to consider implementation of a kerbside organic waste diversion service, pending business case development and council approval. For other councils in the region, lack of suitable processing and current policy settings may limit the potential establishment of kerbside organic waste services.



For those parts of the region that cannot access a kerbside organic waste collection service, the Queensland Government will establish mechanisms for residents to participate in composting through community gardens or composting hubs, or by encouraging access to at-home composting infrastructure such as compost bins or worm farms. These interventions will be implemented as soon as practically possible and dependent on availability of funding. Food waste avoidance education should also be rolled out across the region.

Economic analysis to support this Plan has identified that the introduction of a new kerbside organic waste collection service is expected to result in extra cost for councils. The estimated incremental cost for a new kerbside organics solution in Townsville is **\$42 per household per year** (present value) averaged over a 30-year forecast period, based on an overall whole-of-life system cost of **\$80 million** (present value) and assuming the residual bin collection is reduced to fortnightly at the same time. This includes:

- Capital and operational costs associated with collection of organic waste and the establishment of a new facility and operation over the economic model period of **\$74 million** (present value)
- One-off transition costs to purchase consumables and distribute to households including new kerbside organic solution bins, kitchen caddies and compostable liners estimated at **\$5.1 million**.

EXECUTIVE SUMMARY

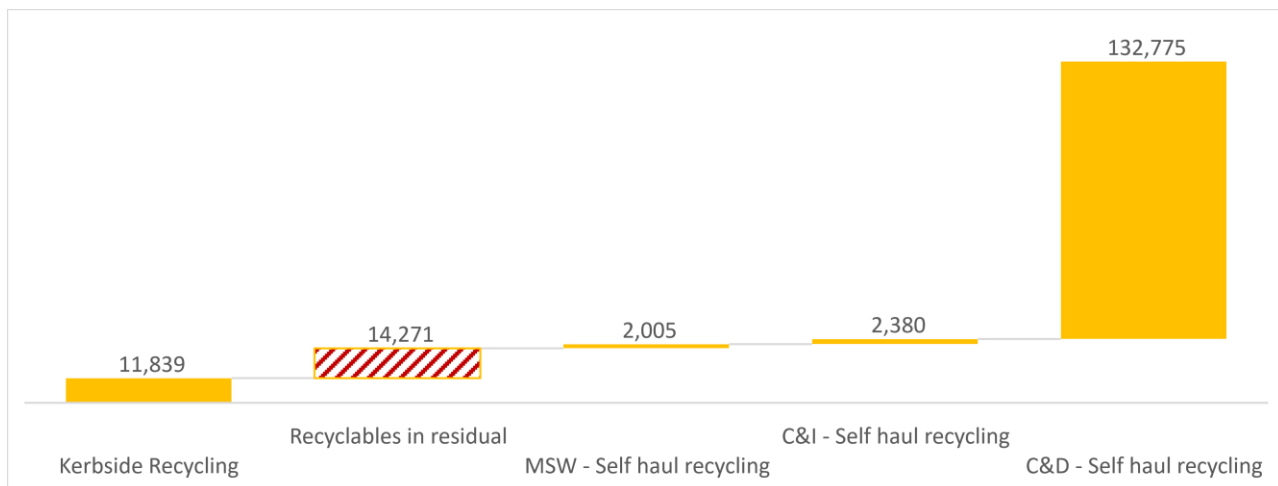
- Additional potential one-off-costs associated with switching the residual bin lid colour in Townsville only from green to the standard red, estimated at \$11 to \$21 per bin for 20,000 services is **\$0.30 million**.
- Additional establishment education and ongoing organics diversion education costs specifically for the new FOGO service in Townsville estimated to be **\$0.61 million**, assuming the solution is provided to 76,000 households.

Whilst nothing in this Plan precludes other Councils from introducing a kerbside FOGO collection and processing solution, under current policy settings, the comparable cost per household would be higher due to 100% of landfill levy paid being returned to council in annual advance payments, in addition to the lack of scale and large distances required to transport waste for processing. Similar proportional costs may be incurred by other Councils progressing organic waste diversion. For Burdekin Shire Council, increased costs may be incurred in converting the existing garden organics (GO) service to include food including the potential need for a new processing solution.

Activities and actions are identified for Councils not introducing new kerbside services to support food waste avoidance, at-home, or community composting. These interventions are expected to be led by the Queensland Government.

It is estimated that the introduction of a FOGO collection service in Townsville could capture an initial 20,945 tonnes of organic waste to be processed. This would improve the regional recovery rate for the region to an estimated 55%. By FY30-31 this intervention is estimated to divert an estimated additional 65,000 tonnes of organic waste from landfill.

Improved material recovery and recycling



In FY20-21, 148,999 tonnes of material managed in the region was reported as recovered, of which the household kerbside collection of dry recyclables contributed 11,839 tonnes. A further 137,160 tonnes was self-hauled to council facilities in the region. Contamination of the kerbside commingled bin in the region ranges from 19% to 41% across the North Queensland Region. It is estimated that there is also approximately 14,300 tonnes of dry recyclable material in the kerbside residual waste bin that could potentially be captured for recycling (see figure EX4).

EXECUTIVE SUMMARY

Through focussed education campaigns as part of the regional education strategy it is expected that contamination will be reduced, and that there will be greater capture of recyclable material currently lost to landfill.

There may be opportunities for the establishment of new recycling or reprocessing facilities in the region aligned with the Queensland Governments precinct approach, however this requires further refinement. Townsville is identified as a major hub for reprocessing across Northern Queensland. Target reprocessors may include organic waste, glass, paper and cardboard, masonry, aggregates, and concrete (collectively C&D waste), tyres, mattresses, e-waste, and solar panel recycling to complement existing arrangements.

To facilitate future precinct development and better diversion through resource recovery facilities, an allowance has also been made in the economic analysis for improvements to transfer facilities, additional operating costs, and transport to move recyclables from satellite sites to processing hubs. This may also include community recycling hubs or hazardous waste transfer facilities, and circular economy solutions such as repair facilities, which it is expected will be supported through programs led by the Queensland Government.

The estimated cost to implement interventions to the material recycling and recovery stream for the region is **\$31 million** (present value) equivalent to an annualised cost of \$4 per household per year at present value. This includes:

- Small-scale infrastructure improvement indicative budget of **\$6.25 million** to allow for upgrades to existing facilities, or conversion of existing landfills to transfer facilities. This estimate may be higher or lower pending individual council needs.
- The inclusion of increased operational costs associated with growth in kerbside recyclables driven by population growth and impact of education.
- The exclusion of recycling beneficiation technology within the cost breakdown as it is assumed that Councils are unlikely to financially contribute to these costs, which will be borne by the private sector.
- The development and delivery of a regional education strategy that applies across all Councils to provide education priorities in collaboration with the Queensland Government, estimated to be **\$0.79 million** per annum commencing immediately.
- The cost estimates presented in this Plan exclude precinct establishment and enabling works costs, estimated to be in the range \$62 million to \$76 million.

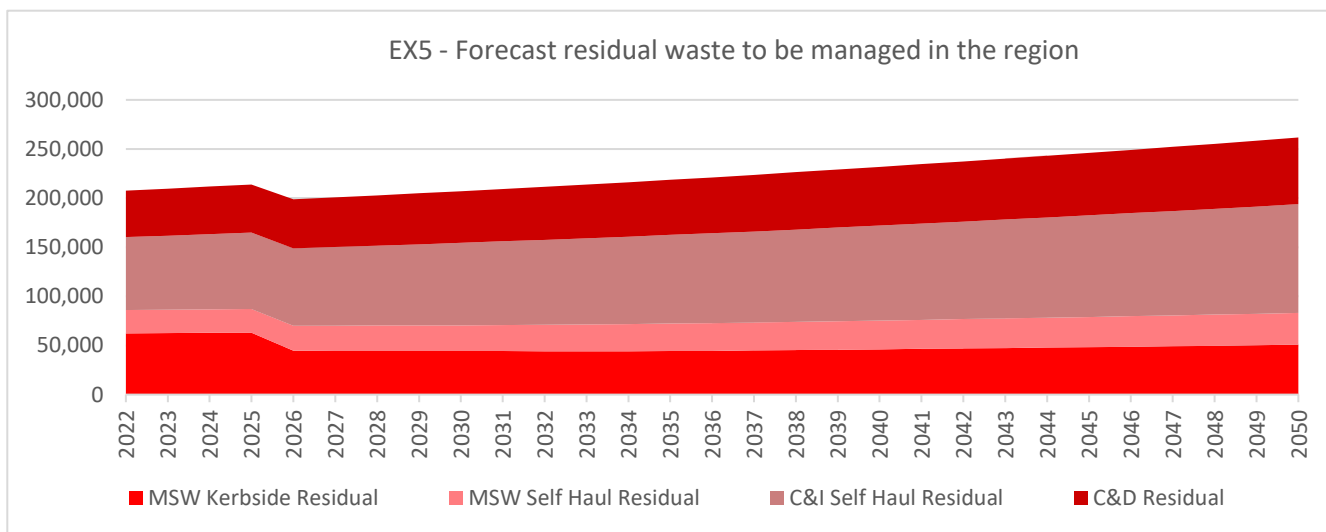
It is assumed that additional education costs are funded by the Queensland Government. These changes are focussed on improving the quality and quantity of material captured for recycling through enhanced education across the region. A separate education Plan has also been identified for Palm Island Aboriginal Shire Council specific to community needs.

At present Burdekin Shire Council, Hinchinbrook Shire Council and Townsville City Council provide services to collect kerbside recyclables individually and deliver to a privately owned MRF in Townsville for processing. Councils have identified the opportunity to collaborate on a potential new recycling processing solution to be in place between 2025 and 2027 and to determine the best ownership and contracting approach for securing this service. It is not expected that Charters Towers Regional Council or Palm Island Aboriginal Shire Council will provide a kerbside recycling service.

EXECUTIVE SUMMARY

Residual waste management in the long-term

In FY20-21, 197,653 tonnes of residual waste was managed in the region, of which 85,143 tonnes was generated directly by households. With the interventions identified in this Plan, there will be a per-capita reduction in the amount of waste that goes to landfill, however the resulting residual waste generated by the region is expected to grow to 212,000 tonnes by FY30-31, 238,000 tonnes by FY40-41 and 279,000 tonnes by FY50-51 (see Figure EX5).



Some Councils in the region are running out of constructed landfill capacity in the near term, necessitating potential expansion considerations. The cost of residual waste management is expected to increase as new landfill capacity is required, or alternative solutions procured.

The largest landfill in the region, the Stuart Landfill at Townsville does not have capacity for further expansion. Additionally, the cost of landfilling is increasing rapidly for Townsville City Council due to changes in annual advanced payments. In the long-term the region will need to identify and plan a residual waste solution that considers continuation of landfill through development of new capacity, or via sending some residual waste to energy or to fuel from waste facilities that could be developed in the region. All solutions however will still require ongoing landfill capacity.

Aligned with Queensland's Waste Management and Resource Recovery Strategy, utilisation of energy from waste is the likely path to achieve the states target of 90% resource recovery by 2050. There is however some uncertainty over the costs as an energy from waste solution is not currently available in the North Queensland region, or Queensland at present. If a solution was available, the estimated cost per household of diverting residual waste to EfW is likely to be significantly greater than continued landfilling. An action in the Plan is to monitor the opportunity to develop an EfW facility of suitable scale for the region. If energy from waste is chosen as the preferred option, the region is forecast to achieve a recovery rate of an estimated 77% however this could be higher depending on technology choice and utilisation of the C&I stream.

Other problematic streams identified in the residual waste stream include disaster wastes, biosolids and timber. Long term solutions for these streams that avoid the need for landfill will require further cross-regional collaboration and strategic transformation of regional waste management.

EXECUTIVE SUMMARY

Expected recycling and resource recovery outcome of the Plan

To achieve an estimated regional resource recovery rate on the MSW stream of approximately 55% resource recovery, which amounts to an overall improvement of 7% for the entire region, the Councils, principally Townsville City Council, would need to introduce an organics diversion service targeting FOGO. On just the kerbside MSW stream, this represents a 27% increase in resource recovery rate. This should be coupled with improvements to the existing yellow top bin recycling services for all Councils through a combination of improved transfer facilities and education. Beyond this, significant improvements to the C&I stream are required, but only after data for non-council managed wastes are collected and assessed. If Energy from waste is introduced in the region are sent out of region to EfW then the expected recovery rate would be around 77%.

Implementation

Cost to deliver the Plan

The estimated cost for implementation of this Plan is **\$72 million** (real costs²) over the period to FY30-31 with the assumption that changes to residual waste management come into effect beyond this period. The costs for beneficiation facilities are not included as expected to largely be incurred by private sector operators.

Table EX1 Indicative Cost Estimate (costs in millions)

Item	2024	2025	2026	2027	2028	2029	2030	2031	Total to FY31
Regional Implementation									
Project Manager (RWG)	0.25	0.26	0.26	0.27	0.28	0.28	0.29	0.30	2.18
Administrative & Legal	0.10	-	-	-	-	-	-	-	0.10
Develop detailed implementation Plan	0.05	-	-	-	-	-	-	-	0.05
Review & update RWMP	-	-	-	-	0.10	-	-	-	0.10
Meetings (Council FTE requirement)	0.08	0.08	0.09	0.09	0.09	0.09	0.09	0.10	0.71
Council contribution to actions	0.04	0.02	0.02	0.03	0.03	0.03	0.03	0.03	0.22
Sub-total PM & Plan Management	0.52	0.36	0.37	0.38	0.49	0.40	0.41	0.42	3.37
Regional Education Strategy									
Education Strategy (and updates)	0.05	-	0.02	-	0.02	-	0.02	-	0.10
FOGO implementation, TCC only	Captured under Organics Costs below (\$3.92M over period)								
Kerbside Education & Other	Captured under MRR Solution Costs below (\$6.72M over period)								
Sub Total – Regional Education	0.05	0.00	0.02	0.00	0.02	0.00	0.02	0.00	0.10
Regional Organics Solution									
<i>FOGO Implementation, Townsville City Council (TCC) only</i>									
Administration, business cases, PM	0.20	0.20	0.15	0.15	0.15	0.15	0.15	0.15	1.30

² Costs are estimated in real terms to a maximum of p50 accuracy where presented in this Plan. Note this table presents a summary of the actual costs expected to be incurred in delivery of the Plan over the period FY30-31. This table does not allow for discounting nor provide present value costs nor represent the full costs associated with the cost-benefit analysis.

EXECUTIVE SUMMARY

Item	2024	2025	2026	2027	2028	2029	2030	2031	Total to FY31
FOGO education costs (new TCC)	0.61	0.62	0.64	0.65	0.67	0.69	0.71	0.72	5.31
One off investment (new FOGO bins) (TCC)	-	-	5.10	-	-	-	-	-	5.10
One off investment (replacement residual lids)	-	-	0.30	-	-	-	-	-	0.30
Collection costs (new, TCC)	-	-	3.00	3.07	3.15	3.23	3.31	3.39	19.16
Processing Costs (TCC)	-	-	2.92	3.00	3.07	3.15	3.23	3.31	18.68
Sub-total - FOGO TCC only	0.81	0.82	12.22	6.98	7.16	7.33	7.53	7.94	52.07
Regional shredding equipment	-	0.80	-	-	-	-	-	-	0.80
Community composting	0.10	0.10	0.11	0.11	0.11	0.11	0.12	0.12	0.87
Roll out of compost bin program	-	0.25	-	-	-	-	-	0.25	0.49
Material flow analysis - organics	0.01	0.02	-	-	-	-	0.02	-	0.05
Sub-Total: Organics, Programs & R&D	0.11	1.17	0.11	0.11	0.11	0.11	0.14	0.37	2.22
Total – Organics Solution	0.92	1.99	12.22	6.98	7.16	7.33	7.53	7.94	52.07
Material recycling & recovery solution									
Education Implementation (kerbside + other)	0.79	0.81	0.79	0.79	0.79	0.79	0.79	0.79	6.34
Education Plan (Palm Island)	0.05	0.05	0.05	0.05	0.06	0.06	0.06	0.06	0.44
Waste facility infrastructure improvements ³	-	1.00	1.00	1.00	1.00	1.00	0.75	0.50	6.25
Community circular economy programs	0.05	0.05	0.05	0.05	0.05	0.05	0.05	0.05	0.40
Household Hazardous Waste CRCs	-	-	0.20	0.20	0.20	0.20	0.20	-	1.00
Bin audit support	0.08	0.08	0.08	0.08	0.08	0.08	0.08	0.08	0.64
Total: Material recovery & recycling	0.97	1.99	2.21	2.23	2.26	2.28	2.05	1.63	15.62
Residual Waste (excluding EfW)									
Develop regional residual waste solution & business case	0.10	0.10	0.10	0.50	0.05	0.05	0.05	0.05	1.00
Progress & implement R&D into problematic wastes	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.80
Total: Residual Waste Management	0.20	0.20	0.20	0.60	0.15	0.15	0.15	0.15	1.80
TOTAL IMPLEMENTATION COST	2.65	4.55	15.02	10.20	10.07	10.16	10.16	10.14	72.96

³ Waste facility infrastructure improvements provides an allowance per year. A detailed assessment of individual council upgrade needs has not been undertaken. This cost may be higher or lower as determined by detailed design and cost estimation, and available funding.

EXECUTIVE SUMMARY

Access to supporting resources and funding

There is a need for support around the development of business cases and forecasting suitable for approval by the Queensland Government, particularly for infrastructure such as new or improved transfer facilities, new collections, or processing infrastructure. Access to regional facilitation / coordination support resources is essential for Councils implementation of the Plan, as would funding support to develop supporting documentation for funding applications. Implementation at the regional scale will also require funding to coordinate, liaise with the Queensland Government, and advocate for better waste outcomes in the region.

Funding for capital expenditure such as an organic waste processing facility (or enhancements to existing privately owned facilities), small scale infrastructure improvements, or potentially an energy from waste facility may also be facilitated by the Queensland Government, pending specific business case development.

Regional collaboration and responsibilities

Under the existing Resource Recovery Working Group (RRWG) the region has established a functioning collaborative approach to strategy development and implementation. In the immediate term the region will continue to collaborate on Plan implementation, and seek to undertake regional procurement where beneficial, as well as collaborate on the implementation of education and awareness campaigns. Depending on procurement and ownership decisions around certain infrastructure, there may be a need to establish additional governance structures. Responsibility for decision making for the implementation of interventions under this Plan will sit with individual councils facilitated by the RRWG. The RRWG will coordinate funding requests required to the Queensland Government for approval under the following proposed structure:

EXECUTIVE SUMMARY

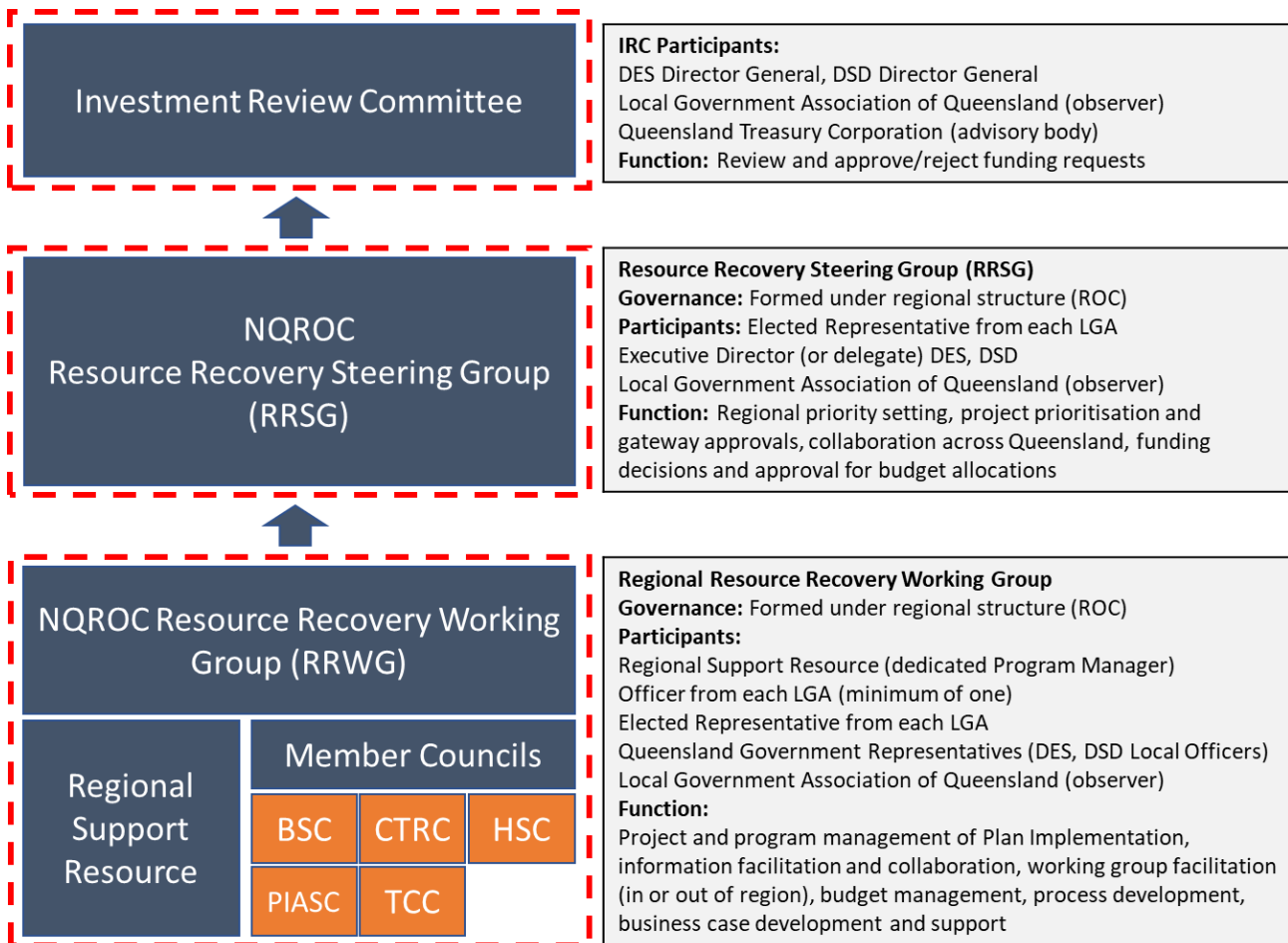


Figure EX6 – Regional governance structure

Review and monitoring

Implementation of the Plan will be the responsibility of the RRWG and ultimately the Regional Organisation of Councils (ROC). Initial first actions will be measured against progress, but longer-term review should be against metrics including delivery of specific services identified in the Plan and achieving levels of education, capture of types of waste (e.g., FOGO collection) and resultant change to recovery rates compared to forecast. The Plan should be reviewed and updated every 5-years.

Implementation roadmap

An implementation roadmap has been developed identifying timing and activities to deliver this Plan, as show in **Table EX2**.

While the Regional Waste and Resource Recovery Management Plan provides the primary vehicle for accessing available funding from the Recycling and Jobs Fund, there may also be opportunities for initiatives to be funded that are outside the Plan. For example, a pilot at a local level to ‘test’ the suitability of a model or infrastructure for the region (or sub-region). It is recognised that the Plan needs to be a living document and that not all potential initiatives will have been identified in the Plan.

EXECUTIVE SUMMARY

However, it is expected that the bulk of the funding will come through the projects identified in the Plan with a more streamlined pathway for funding approvals as it has already been identified in the Plan. In the first instance any projects identified that are outside the Plan would likely be discussed with the regional working and steering groups and the proposed regional support resource position that will be funded to support implementation of the Plan, to assess suitability for funding under the Plan or whether this would be considered under a separate funding process.

Councils, in participating in the development of this Plan and subsequent endorsement of or support for its finalisation and publication, can do so in the knowledge that this consideration does not obligate individual Councils to any funding commitment. Subsequent business cases developed as part of implementing the Plan and implementation decisions made by the region for implementing the Plan would normally include that detail.

EXECUTIVE SUMMARY

Table EX2 Implementation Roadmap

Action	Responsibility	Immediate	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2040	2050	
		Next 2 years			Within next 5 years			Within next 10 years						To 2040	To 2050
General															
Program management	SG, RRWG														
Regional collaboration (e.g., RRWG meetings, action management, etc.)	SG, RRWG, All														
Organic Waste Management															
Participate in Food Waste Avoidance initiative	RRWG, All														
Continuation of self-haul green waste receipt and processing	All														
Develop business case for organics collection service for council approval	TCC + others as necessary														
Commence new organic waste collection service education	TCC														
Procurement of organic waste collection solution	TCC														
Procurement of organic waste processing solution	TCC														
Commence kerbside organic waste collection service	TCC														
Organic waste service education (continuation)	TCC														
Roll out of at-home composting solutions	QGOV														
Roll out of community composting solutions including guidance	QGOV														
Collaborate on regional solution for finding highest value market for green waste across region	RRWG														
Develop regional business case for procurement of regionally owned and shared GO shredding technology	RRWG														
Develop regional solution for biosolids and timber	RRWG														
Develop pathway to improve non-Council held data collection	QGOV, All														
Support development and establishment of anaerobic digestion within the region	RRWG, All														
Develop feasibility study and business case for small-scale organics processing on Magnetic Island	TCC														
Material Recycling & Recovery															
Develop regional education strategy	SG, RRWG														
Develop specific indigenous community waste education Plan for Palm Island	GGOV, PIASC														
Participate in Education and Behaviour Change Initiative (assumed continuation) as part of regional education strategy	RRWG, All														
Review & agree pathway for improved enforcement activity for poor household behaviours in kerbside bin service provision, and implement	SG, RRWG All														
Collaborate and share information on use of local Planning policy to drive better reuse and recycling outcomes from construction activities.	SG, RRWG														
Develop new resource recovery and transfer facility on Palm Island	PIASC														
Develop business case / Plans for enhancements to transfer facilities to better segregate self-haul recyclables and household hazardous materials	SG, RRWG, All														

EXECUTIVE SUMMARY

Action	Responsibility	Immediate	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2040	2050
		Next 2 years			Within next 5 years			Within next 10 years						To 2040
Construct and commission new transfer facilities	SG, RRWG, All													
Collaborate on establishment of regional scale precinct and ancillary satellite sites in accordance with precinct guidelines	SG, RRWG, All													
Construct enabling infrastructure for precinct	SG, RRWG, All													
Procure, construct and commission new regional recycling processing solutions	TCC, BSC, HSC													
Establish new resource recovery processing facilities within precinct	GGOV, All support													
Work with Queensland Government agencies to improve uptake or recycled materials in procurement	QGOC, All RRWG													
Work with Commonwealth Government to refine insurance company approach to disaster waste management to minimise landfill disposal	Cwth Gov, QGOC, All													
Develop pathway to improve material flow data and knowledge across region for recyclable material	QGOV, All													
Residual Waste Management														
Develop short-term landfill life expansion activities	All													
Construct and commission short-term options as necessary	All													
Develop long-term solution for regional infrastructure considering existing capacity, needs including business case for regional residual waste management	SG, RRWG, All													
Design, construct & commission long term residual waste solution	SG, RRWG, All													
Develop long-term approach to managing problem and emerging wastes	RRWG, All													
Develop long-term collaborative approach to managing disaster wastes in region	RRWG, All													

Notes: BSC-Burdekin Shire Council, CTCR-Charters Towers Regional Council, HSC-Hinchinbrook Shire Council, PIASC-Palm Island Aboriginal Shire Council, TCC-Townsville City Council, QGOV-Queensland Government, All-All Councils, RRWG-Resource Recovery Working Group, SG-ROC as Steering Group

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7.3.1. PLANNING AND DEVELOPMENT

Development Permit for Material Change of Use - Bulk Store and General Industry (Bulk Landscaping Supplies) at 2-8 Railway Street, Ayr (Lot 15 on RP817086)

File Reference: 226

Report Author: Kellie Galletta, Manager Planning and Development

Authoriser: Nick Wellwood, Director Infrastructure Planning and Environmental Services

Meeting Date: 11 July 2023

Link to Corporate/Operational Plan:

Burdekin Shire Council Corporate Plan 2022-2027

3.4.1: Support strategic projects that will contribute to liveability and economic growth in the Burdekin.

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

Burdekin Shire Council Operational Plan 2022-2023

PD9 Ensure all new developments are assessed against provisions contained within Council's adopted Local Government Infrastructure Plan (LGIP), Planning Act 2026, Planning Scheme legislative requirements and other relevant instruments.

Executive Summary

Council is in receipt of a development application lodged by Milford Planning on behalf of applicant, Johnson's Landscaping & Earthmoving Pty Ltd for a Material Change of Use - Bulk Store and General Industry (Bulk landscaping Supplies) on land described as Lot 15 on RP817186 and located at 2-8 Railway Street, Ayr.

The application was subject to a code level of assessment and is recommended for approval, subject to conditions.

Recommendation

That Council approve the proposed Material Change of Use - Bulk Store and General Industry (Bulk landscaping Supplies) on land described as Lot 15 on RP817186 and located at 2-8 Railway Street, Ayr, subject to reasonable and relevant conditions, as included in **Attachment A**.

Background

Proposed Development

The Development Application received in early September 2022, is for a Material Change of Use - Bulk Store and General Industry (Bulk landscaping Supplies) on land described as Lot 15 on RP817186 and located at 2-8 Railway Street, Ayr.

The subject land is located within the Industrial Zone of the *2011 Burdekin Shire Council's IPA Planning Scheme* (the current Planning Scheme at time of lodgment). Lot 15 is currently 1.7600ha in area and improved with an existing 400m² and a temporary office building.

The applicant is proposing to use the site to operate a Bulk Landscaping Supplies business, utilising the existing buildings and infrastructure where site operations will occur into three (3) separate zones, being:

- A gated operations area for the storage of equipment and accessed by staff only;
- Stockpiling and screening areas for bulk materials;
- Material storage bays
- Customer carpark and site office also including storage bays for sorted landscaping materials.

The applicant advises that:

- Customer access to the site will be via the site office and customer car parking area.
- Customers able to access the remainder of the site (except for the exclusive operations area) following instruction and permission from site management.
- A total of five (5) employees.
- The total number of vehicles (including customers and deliveries) anticipated to attend the site at any one time has been determined to peak at 10 vehicles movements per hour.
- Loading will occur throughout the site, adjacent the relevant storage bay or stockpiling area depending on the type of material required/ being loaded given the nature of the use.
- Operations area will be accessible to staff only and is for the storage of equipment and machinery, other goods, chemical and general waste and cleaning and general maintenance activities.

The proposal plan shows a future larger site office area (smaller demountable building to be replaced by a larger one) and the expansion of the existing shed to provide additional undercover storage area. The applicant has advised that the timing of the expansion will be determined by demand.

Proposal plans prepared by Milford Planning together with Traffic manoeuvrability plans included in the Traffic Engineering Assessment from PTT Traffic & Transport Engineering are included in **Attachment B**.

The development application is subject to code level of assessment in the *2011 Planning Scheme* and therefore did not require public notification.

Recommended conditions of approval are provided in **Attachment A**.

Infrastructure charges are not applicable at this stage as no new or change to the existing gross floor area (GFA) and/or impervious areas on site, are proposed.

Should future building works occur, they may attract infrastructure charges. However a credit would also be applicable given the previous use of the site.

Definition of Proposed Use

Two separate 2011 Planning Scheme definitions apply to the proposed use:

1. **Bulk Store**.....*Premises used for the storage and handling of goods in bulk whether or not such goods are stored within a building or buildings, prior to their distribution and subsequent use elsewhere. The term does not include the treatment, processing or packaging of any kind of such goods to be stored.*

The term also does not include "Produce Store"....

and

2. **General Industry**.....*Premises used for any industrial activity such as the manufacturing, processing, fabrication, packaging, repair, storage or maintenance of any item, machine or product, which activity involves one or more of the following:*

1. *the intense emission of noise, light, heat, waste material or by-products of any kind;*
2. *the generation of high traffic flows in the context of the locality or the road network; and*

3. *an elevated demand for services such as treated water, sewerage and solid waste disposal, electricity, roads, stormwater drainage and the like.*

The term does not include the use of land for the purpose of any other industry defined in this sub-section.....

Subject Site and Surrounding Land Uses

A locality plan is provided in **Attachment C**. The subject site is located within an Industrial zoned area and has frontage to Railway Street, Ayr (being the Ayr Heavy Vehicle By-Pass Road). The surrounding area has a mixture of uses including agricultural being both sugar cane and small crops.

A sand stockpile business is located adjacent to the property along its northern boundary. Council's transfer station is located across the by-pass road to the northwest.

The nearest residential dwelling (sensitive receptor) is located a minimum of 140.0m to the south of the subject site.

Traffic and Access

As the business has been operating without an approval, Council undertook line marking works (installed double lines) along part of Railway Street, as an interim measure to prevent right turns into/out of Railway Street in an attempt to address both Council and the community's immediate concerns regarding traffic impact for all road users in this location.

The recommended conditions of approval detail the access works required including the provision of a turning lane and road widening works.

The applicant provides that there is sufficient area available on site to provide carparking areas for both light and heavy vehicles.

Infrastructure and Servicing

The subject site is connected to Council's reticulated water supply. However as the site is not sewerred, it has an existing onsite sewage treatment system servicing the existing amenities located on site.

Council did request confirmation that this existing infrastructure and services were adequate for the proposed use. A stormwater management plan was also requested.

While the applicant did not provide this information in their response, they have advised that the relevant qualified people have been engaged to supply this information and asked that the planning approval be conditioned to allow the delivery of these reports as part of the operational works application stage.

Information Request

A request for further information was issued to the applicant on 26 October 2022, requesting clarification of the operations and activities, access and parking, infrastructure provision, stormwater management and dust, odour, noise impacts.

The applicant responded to the information request on 23 May 2023 following several extensions of time by the applicant. Council officers considered that any approval could be appropriately conditioned to ensure the development applies with the relevant benchmarks and required outcomes are achieved.

Enforcement Action

The applicant and landowners were issued with a Show Cause Notice in November 2022 for operating a business without development approval. No further enforcement action has been taken to date during the assessment of the development application.

Public Notification

Not applicable.

Referral Agency Response

Not applicable. As the proposal is located on the Heavy Vehicle By-pass Road, Council sought Third Party Advice from the Department of Transport and Main Roads. The Department advised that they had assessed the proposed development and determined that it had no advice to offer.

Assessment Summary

Refer to **Attachment D** for the detailed assessment formally against the provisions of the relative planning scheme.

Assessment of the development application has determined that the proposed development can be conditioned to comply with the relevant benchmarks and the outcomes sought by Industry Zone Code.

The proposed development is considered able to comply with the relevant assessment benchmarks of the planning scheme, subject to relevant and reasonable conditions of approval.

Consultation

All relevant Council Departments have been consulted with comments and development conditions included as part of the recommendation.

As the proposal is located on the Heavy Vehicle By-pass Road, Council sent a request for third party advice to the Department of Transport and Main Roads. The response advised that the Department assessed the proposed development and determined that it had no advice to offer with respect to the application.

The proposal has been workshopped twice with the Mayor, Councillors and Executive Leadership at Council Workshops held on the 20 September 2022 and 4 July 2023.

Budget & Resource Implications

Possible legal fees associated with any Planning and Environment Court appeal.

Legal Authority & Implications

A potential risk is present in that any decision made by the Assessment Manager may attract an appeal in the Planning and Environment Court.

Policy Implications

Not applicable in concerning the acceptance of this report.

Risk Implications (Strategic, Operational, Project Risks)

Risk has been managed by undertaking a thorough assessment of this application and identifying both relevant and reasonable conditions of approval.

Attachments

1. Attachment A - Recommended Conditions
2. Attachment B - Proposal Plans
3. Attachment C - Locality Plan
4. Attachment D - Detailed Assessment

Attachment A – Assessment Manager Recommended Conditions of Approval

Condition	Reason	Timing
1 General and Administration <u>Compliance with Conditions</u> 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: 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 with 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 (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. <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.		At all times.

Attachment A – Assessment Manager Recommended Conditions of Approval

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, comply 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. 2.3 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.	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 Title</th><th>Drawing/Revision</th><th>Date</th></tr> </thead> <tbody> <tr> <td>Layout Concept Plan – Johnson's Landscaping & Earthmoving</td><td>M1975-SK-01; Issue D; Sheet 1</td><td>23.09.2022</td></tr> </tbody> </table>			Drawing Title	Drawing/Revision	Date	Layout Concept Plan – Johnson's Landscaping & Earthmoving	M1975-SK-01; Issue D; Sheet 1	23.09.2022
Drawing Title	Drawing/Revision	Date						
Layout Concept Plan – Johnson's Landscaping & Earthmoving	M1975-SK-01; Issue D; Sheet 1	23.09.2022						
Associated Reports								
Development application (including response to Information Request) prepared by Milford Planning.								
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/Limitation of Approval 4.1 This approval is limited to 'Bulk Store' and 'General Industry' uses as defined by Schedule 1, Division 2 – Defined Uses and Use Classes of <i>Burdekin Shire IPA Planning Scheme 2011</i> .	The development must comply with all planning scheme requirements and	At all times.						

Attachment A – Assessment Manager Recommended Conditions of Approval

Condition	Reason	Timing
<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 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>4.5 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 conditioned by this development permit.</p>	
<p>5. Water Supply</p> <p>5.1 Development is to be connected to the existing reticulated water supply.</p> <p>5.2 Provide a statement and/or report from a suitably qualified person for assessment and approval by Council that:</p> <ul style="list-style-type: none"> i. provides a capacity assessment for the development's connection to Council's reticulated water supply network; and ii. details of how the development will achieve the required fire-fighting flows. <p>5.3 Obtain approval from Council for the statement and/or report in accordance with 5.2 above.</p> <p>5.4 Implement the requirements and recommendations of the approved statement and/or report. The approved statement and/or report will form part of the approval.</p>	<p>To ensure that the premises is appropriately serviced by reticulated water supply infrastructure for general use and firefighting in accordance with relevant code/s and policy direction.</p>	<ul style="list-style-type: none"> i. Prior to commencement of use and at all times. ii. Technical details required to be submitted to Council as part of an application for Operational Works, prior to the commencement of any works on site.

Attachment A – Assessment Manager Recommended Conditions of Approval

Condition	Reason	Timing
<p>5.5 Any alterations required to Council's water reticulation network must be submitted as part of the application for Operational Works and approved Council.</p> <p>5.6 Any alterations required to Council's water reticulation network are to be completed at the applicant's full cost with no cost to Council.</p>		
<p>6. On Site Wastewater Treatment</p> <p>6.1 Provide a statement and/or report for assessment and approval by Council from a suitably qualified person that provides an assessment of the existing onsite sewage treatment infrastructure to demonstrate that it is suitably sized and complies with current standards for the proposed developments activities.</p> <p>6.2 Obtain approval from Council for the statement and/or report in accordance with 6.1 above.</p> <p>6.3 Implement the requirements and recommendations of the approved statement and/or report. The approved statement and/or report will form part of the approval.</p> <p>6.4 Any alterations proposed/required to the onsite sewage treatment infrastructure must be approved Council.</p> <p>6.5 Any alterations required are to be completed at the applicant's full cost with no cost to Council.</p> <p><i>Advisory Note: Any new wastewater treatment unit or land application system will require a plumbing and drainage permit prior to the commencement of work.</i></p>	<p>To ensure that the premises is appropriately serviced in accordance with relevant code/s and policy direction.</p>	<p>i Prior to commencement of use and at all times.</p> <p>ii Technical details required to be submitted to Council as part of an application for Operational Works, prior to the commencement of any works on site.</p>
<p>7. Stormwater</p> <p>7.1 Provide a stormwater management plan for assessment and approval by Council for the development, prepared by a suitably qualified person that includes:</p> <ul style="list-style-type: none"> i. lawful point of discharge. ii. proposed drainage path downstream of the development site. iii. demonstrating how the proposed stormwater management will meet water quality and quantity requirements/guidelines. 	<p>To ensure the premises appropriately manages and convey stormwater legally and in an environmentally responsible manner in accordance with relevant standards, code/s and policy direction.</p>	<p>i. Prior to commencement of use and at all times.</p> <p>ii. Technical details required to be submitted to Council as part of an application for Operational Works, prior to the commencement of any works on site.</p>

Attachment A – Assessment Manager Recommended Conditions of Approval

Condition	Reason	Timing
<ul style="list-style-type: none"> iv. demonstrates that the proposed works on site will not have a worsening effect on adjoining landowners as a result of this development. v. measures taken to minimise the risk of environmental harm to receiving waters and damage to Council's infrastructure. vi. Demonstrate how the development achieves the applicable stormwater management design objectives listed in Part G, Appendix 2 of the State Planning Policy, July 2017. <p>7.2 Obtain approval from Council for the management plans in accordance with 7.1 above.</p> <p>7.3 Implement the requirements and recommendations of the approved management plans. The approved plans will form part of the approval.</p> <p>7.4 All site works must be undertaken to ensure that there is no increase in flood levels and/or flood frequency at any locations where existing landowners and/or users are adversely affected by waterway flooding for all events up to and including 1% AEP.</p> <p>7.5 Any stormwater discharged to Railway Street surface drainage must be at a rate equal or lower than pre-development flows.</p> <p>7.6 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>7.7 Any external catchments discharging to the premises must be accepted and accommodated within the development's stormwater drainage system.</p>		
<p>8. Roadworks, Access, Parking and Traffic</p> <p>8.1 Auxiliary Left Turn (AUL) treatment must be constructed for the left turn movement into the development site.</p> <p>8.2 A 3.0m widening with a 1 in 10 taper must be constructed on the left turn movement out of the development site.</p> <p>8.3 Access to the site must be left in and left out only. The installation of a concrete splitter island, adequate signage and pavement marking at the entrance to the property to direct traffic in the required direction to achieve the left in, left out control.</p>	<p>To ensure development mitigates its impact on the road network and safety of road users in this location and is appropriately serviced by parking and access facilities in accordance with relevant code/s and policy direction.</p>	<ul style="list-style-type: none"> i. Technical details are to be submitted to council as part of an application for Operational Work; and ii. Maintained for the life of the development.

Attachment A – Assessment Manager Recommended Conditions of Approval

Condition	Reason	Timing
<p>8.4 If the applicant requires the site to accommodate right in and right-out traffic movements, then a Channelised Right Turn (CHR) treatment will be required on Railway Street.</p> <p>8.5 All widenings/intersection works within the road reserve must have an asphalt seal.</p> <p>8.6 Access to the site from the boundary to the gate must be bitumen seal, asphalt seal or concrete.</p> <p>8.7 All turn treatments must be designed in accordance with the relevant Austroads and TMR guidelines/standards for road design.</p> <p>8.8 Provide a minimum of ten (10) on site car parking spaces including sufficient disability car parking spaces.</p> <p>8.9 All on-site parking bays, loading areas and manoeuvring areas are to be designed in accordance with AS2890.1, AS2890.2 and AS 2890.6.</p> <p>8.10 Appropriate directional signage to be implemented on site.</p> <p>8.11 Ensure the area/s set aside for parking, vehicle manoeuvring and loading and unloading are not used for the storage or placement of goods or materials.</p> <p>8.12 Ensure the loading and unloading of vehicles, or vehicles waiting to be loaded or unloaded, and the delivery of goods to and from the premises are located and conducted to cause minimum interference.</p> <p>8.13 Ensure the car parking spaces for 'Staff' are designated and identified with appropriate signage.</p> <p>8.14 Prior to the construction of the access, submit a plan from a suitably qualified person showing:</p> <ul style="list-style-type: none"> i. Site specific layout plan of the location of the access. ii. Construction materials. iii. Existing surface levels. iv. Finished surface levels. v. Length and width of access. vi. A 1:50 scaled cross section through the proposed access. 		

Attachment A – Assessment Manager Recommended Conditions of Approval

Condition	Reason	Timing
8.15 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.		
9. Landscaping and Screening Maintain the existing mature trees and existing fencing provisions on site.	To ensure the existing appearance of the development is maintained in accordance with Council's relevant code/s and policy direction.	i. To be maintained for the life of the development.
10. Notice of Intention to Commence the Use 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.		Prior to the commencement of the use.
11. 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.
12. Property Numbering Legible property numbers must be erected at the premises and must be maintained. The site identification numbers should be of reflective material, maintained free from foliage and other obstructions, and be large enough to be read from the street.	To allow the general public, service and emergency service providers to effectively identify the property.	Prior to the commencement of the use and maintained for the life of the development.
13. 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 development achieving on maintenance or commencement of use.

Attachment A – Assessment Manager Recommended Conditions of Approval

Condition	Reason	Timing
14. Storage 14.1 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. 14.2 Where storage of chemicals is required, a bunded area with a non-porous base is to be provided. 14.3 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 land in accordance with relevant code/s and policy direction.	At all times following the commencement of the use.
15. 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 surrounding land in accordance with relevant code/s and policy direction.	Prior to the commencement of the use and maintained for the life of the development.
16. Soil Erosion Minimisation, Sediment Control Erosion and sediment control management including site specific stormwater treatment devices must be installed and maintained to the satisfaction of the Chief Executive Officer.	To ensure that receiving waters during operation 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.
17. Air 17.1 No release of contaminants, including but not limited to dust, fumes, odour or aerosols are to cause or be likely to cause an environmental nuisance beyond the boundaries of the premises to which this development permit relates. 17.2 A dust management plan must be prepared and submitted to council for assessment and approval.	To manage and to minimise the risk of causing environmental harm including the potential adverse impacts of dust hazards, as per the requirements of the <i>Environmental Protection Act 1994</i> .	Technical details are to be submitted to council as part of an application for Operational Work.
18. Environmental Health Contaminants/Hazardous chemicals	To manage and to minimise the risk of causing environmental harm and to	i. Technical details are to be submitted to council as part of an application for Operational Work; and

Attachment A – Assessment Manager Recommended Conditions of Approval

Condition	Reason	Timing
<p>18.1 All chemicals and/or environmentally hazardous liquids must be contained within a covered, sealed and bunded storage area that has a volume of at least that of the largest container in the bund plus twenty-five per cent (25%) of the total storage capacity</p> <p>18.2 An incidents register must be kept at the premises, and it must record</p> <ul style="list-style-type: none"> i) any incidents including but not limited to: any fire at the premises; and ii) any release of contaminants not in accordance with the development approval conditions. <p>18.3 An appropriate spill kit must be kept on-site for neutralising or decontaminating spills. The spill kit must be clearly identifiable, maintained regularly and stored in a central location that is easily accessible to employees. Staff must be adequately trained in the use of these materials. The spill kit may consist of:</p> <ul style="list-style-type: none"> i. a bin with a tight-fitting lid, partially filled with non-combustible absorbent material such as vermiculite. ii. a broom, shovel, face shield, iii. chemically resistant boots and gloves. iv. and waste bags and ties. <p>18.4 Any spillage of environmentally hazardous liquids or other materials must be cleaned up as quickly as practicable. Any spillage of waste and/or contaminants must not be hosed or swept to any stormwater drainage system, roadside gutter or waters.</p> <p>18.5 Contaminants or contaminated water must not be directly or indirectly released to surface water or groundwater at or outside the site except for:</p> <ul style="list-style-type: none"> i. uncontaminated overland stormwater flow, or ii. uncontaminated stormwater to the stormwater system. 	<p>ensure that if a spill occurs there are adequate control measures in place.</p>	<p>ii. Maintained for the life of the development.</p>

Attachment A – Assessment Manager Recommended Conditions of Approval

Condition	Reason	Timing
<p>18.6 Fuels, oils, chemicals and similar materials must be stored in bunded and covered areas or otherwise stored in a manner whereby any spillage is not subject to stormwater or stormwater runoff.</p> <p>18.7 Rainfall and stormwater runoff which may contact wastes or contaminants on the site must not be released to any stormwater drain, roadside gutter or waters.</p>		
<p>19 Environmental Management</p> <p>19.1 An Environmental Management Plan prepared by a suitably authorised person is to be submitted to Council for assessment and approval, prior to the commencement of any works.</p> <p>19.2 Prior to commencement of any work on the site, the applicant must submit to Council for approval, a site-based Erosion Prevention and Sediment Control Plan for the site.</p> <p>19.3 The plan must be prepared in accordance with Best Practice Erosion & Sediment Control – November 2008 (IECA White Book).</p> <p>19.4 The strategy of the plan must be implemented and maintained for the duration of the operational and building works, and until exposed soil areas are permanently stabilised (e.g. turfed, concreted).</p> <p>19.5 Discharges of water pollutants, wastewater or stormwater from the site must not cause measurable levels of water pollutants in the receiving waters to fall outside the acceptable ranges specified in the 'Australian Water Quality Guidelines for Fresh and Marine Waters', ANZECC 2000.</p> <p>19.6 No visible emissions of dust must occur beyond the boundaries of the site during earthworks and construction activities on the site. If, at any time during the earthworks and construction activities the dust emissions exceed the levels specified above, all dust generating activities must cease until the corrective actions have been implemented to reduce dust</p>	<p>To manage and to minimise the risk of causing environmental harm and to ensure adequate control measures are in place.</p>	<p>i. Technical details are to be submitted to Council as part of an application for Operational Work.</p> <p>ii. Works to be completed prior to the commencement of the use.</p> <p>iii. To be maintained for the life of the development.</p>

Attachment A – Assessment Manager Recommended Conditions of Approval

Condition	Reason	Timing
<p>emissions to acceptable levels or wind conditions are such that acceptable levels are achieved.</p> <p>19.7 Where potential or actual environmental harm may be caused by the approved development, Council may at any time direct the Applicant, or persons acting on behalf of the Applicant, to:</p> <ul style="list-style-type: none"> • cease an activity • implement appropriate impact control measures • modify work plans or methods. 		
<p>20. Site Management</p> <p>20.1 Provide a Site Based Management Plan that addresses/details at a minimum for all works occurring pre, during and post construction works; on-going site activities; cessation of use, as follows: <u>Pre and during construction and on-going site activities:</u></p> <ul style="list-style-type: none"> • Site establishment activities and works on site proposed. • Access arrangements. • On site movement and activities including parking. • All infrastructure and servicing existing on site and all existing public utilities, services and Council assets. • Material storage on site. • Stockpiling of materials on site. • Emergency response procedures for spills • Storage of hazardous materials • Waste management <p>20.2 Provide a professionally prepared erosion and sediment control plan for the proposed earthworks that includes stormwater management and sediment controls during and post construction, for approval by Council and installed and maintained to the satisfaction of Council.</p>	<p>i. To manage and to minimise disruption to the local Community and users of the site and construction workers while works are occurring and for the life of the development and at the cessation of the use.</p> <p>ii 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.</p>	<p>i. Technical details are to be submitted to Council as part of an application for Operational Work</p> <p>ii. At all times during the construction phase.</p> <p>iii. Maintained for the life of the development.</p>

Attachment A – Assessment Manager Recommended Conditions of Approval

Condition	Reason	Timing
<p>21. Noise Management - General</p> <p>21.1 The proposed activity must be conducted in a manner that applies such reasonable and practicable means to avoid, minimise or manage the emission or likelihood of emission of noise that constitutes an intrusive or noise nuisance.</p> <p>21.2 In the event of a complaint being received by Council in relation to noise associated with the use that is considered reasonable, the emission of noise from the development must not result in levels greater than 5dB Leq above background noise at the sensitive receptor.</p> <p>21.3 If required, 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>21.4 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 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>Environmental Protection Act 1994</i>.</p>	<p>At all times during operation, for the life of the development.</p>
<p>22. Odour Management</p> <p>22.1 Implement odour control measures during the operation and life of the development to prevent an environmental nuisance from affecting nearby sensitive receptors.</p> <p>22.2 In the event of a complaint being received by Council in relation to odour associated with the use that is considered reasonable, the developer/operator must engage a suitably qualified consultant to undertake an</p>	<p>To ensure that the use does not cause an odour nuisance to nearby sensitive receptors, in accordance with the <i>Environmental Protection Act 1994</i>.</p>	<p>During the operation and life of the development.</p>

Attachment A – Assessment Manager Recommended Conditions of Approval

Condition	Reason	Timing
<p>assessment addressing odour emanating from the site for this use in accordance with the provisions of the <i>Environmental Protection Act 1994</i>.</p> <p>22.3 The assessment must be accompanied by a report, inclusive of supporting calculations and site investigations and provide a recommended method and location of odour 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>23. Outdoor Lighting</p> <p>23.1 Any outdoor lighting fixtures must be installed and maintained so that they do not emit glare or light above the levels stated in Australian Standard 4282 – 1997 Control of the Obtrusive Effects of Outdoor Lighting.</p> <p>23.2 All illuminated signage must be turned off when the facility is closed.</p> <p><i>Note: Australian Standard 4282 to be checked at time of condition to ensure it is current, in terms of year of revision.</i></p>	<p>To ensure that the use does not cause a light nuisance to nearby sensitive receptors, and to ensure that a nuisance is not caused to the use from other nearby light sources in accordance with the <i>Environmental Protection Act 1994</i>.</p>	<p>Prior to commencement of the use and to be maintained for the life of the development.</p>
<p>24. Refuse Facilities and Waste Management</p> <p>24.1 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 refuse bins including recycling bins. b) 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>24.2 All waste is to be disposed of in accordance with the <i>Environmental Protection Regulation 2019</i> and Council's waste management policy.</p>	<p>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>	<ul style="list-style-type: none"> i. Technical details are to be submitted to Council as part of an application for Operational Work. ii. Works to be completed prior to the commencement of the use. iii. To be maintained during the operation and life of the development.

Attachment A – Assessment Manager Recommended Conditions of Approval

Condition	Reason	Timing
<p>24.3 Waste and recycling services must be provided in accordance with Council's Waste Management Policy.</p> <p>24.4 Wastewater and solid waste shall not be released to stormwater, groundwater, waterbodies or onto the ground.</p> <p>24.5 Regulated waste and any other waste must not be released to the environment, stored, transferred or disposed of in such a manner that it will or may cause environmental harm or nuisance. This includes any waste being burnt or incinerated at the premises.</p> <p>24.6 All traceable regulated waste must be removed from the premises by a licensed regulated waste transporter.</p> <p>24.7 Where regulated waste is removed from the premises, records must be maintained for a period of five (5) years, and include the following:</p> <ul style="list-style-type: none"> a) the date, quantity and type of waste removed. b) a copy of any licensed waste transport vehicle dockets. c) the name of the licensed regulated waste removalist and/or disposal operator; and d) the intended treatment and/or disposal destination of the waste. e) These records must be available for inspection by Council when requested. 		
<p>25. Signage</p> <p>25.1 Any signage to be associated with the use may require further approvals.</p> <p>25.2 No illuminated signage permitted.</p>	To maintain amenity for the surrounding area.	Prior to the commencement of the use.
<p>26. Hours of Operation</p> <p>Unless otherwise agreed in writing by council, the activities associated with the use must only be conducted at the following times:</p> <ul style="list-style-type: none"> ▪ Monday to Friday: 5am – 6pm. ▪ Saturday and Public Holidays: 6am - 4pm. ▪ Sunday: 7am – 3pm. 	To ensure the development does not have a detrimental impact on the amenity of the surrounding land in accordance with relevant code/s and policy direction.	At all times following the commencement of the use.

Attachment A – Assessment Manager Recommended Conditions of Approval

Condition	Reason	Timing
<p>27. Operational Works</p> <p>27.1 Obtain an Operational Works – Development Permit for the following:</p> <ul style="list-style-type: none"> i. Condition 5 – Water Supply (if required) ii. Condition 6 – On Site Wastewater Treatment (if required) iii. Condition 7 – Stormwater iv. Condition 8 – Roadworks, Access, Parking and Traffic v. Condition 17 - Dust Management vi. Condition 18 – Environmental Health vii. Condition 19 – Environmental Management viii. Condition 20 – Site Management ix. Condition 24 - Refuse Facilities <p><i>Note - All engineering, soil erosion and sediment control design and documentation associated with such an application must be prepared and, where necessary, certified by a suitably qualified/experience person.</i></p> <p>27.2 An application for Operation Works is to be submitted to Council for assessment within 30 business days of receipt of planning approval for the material change of use.</p>	<p>To ensure development mitigates its impact on the road network and safety of road users in this location and is appropriately serviced by parking and access facilities in accordance with relevant code/s and policy direction.</p>	<ul style="list-style-type: none"> iii. Technical details are to be submitted to council as part of an application for Operational Work; and iv. Maintained for the life of the development.
<p>28. Building Approval – Site Office Building</p> <p>A development permit for building works for the site office is to be obtained before commencement of the use and any assessable building works are carried out on the land the subject of the approval.</p>		

Attachment A – Assessment Manager Recommended Conditions of Approval

Advice

1. Infrastructure Charges Not Applicable.
2. General Council will not be obligated to upgrade any roads accessing the development due to increased vehicle numbers accessing the development.
3. Water Supply 3.1 Section 41 of the <i>Water Supply (Safety and Reliability) Act</i> 2008 allows Council to impose restrictions on a customer should it consider: <ul style="list-style-type: none"> a. there is an urgent need for the service provider water restriction; or b. the available water supply has fallen to a level at which unrestricted use of the water is not in the public interest. 3.2 Should the water supply demand at any time in the future exceed the proposed demand, Council may impose restrictions on the supply of water to the property. If the applicant or any future owners of the subject site or part of the site require additional capacity in Council water supply, they may apply to Council to upgrade the network at the applicant's full cost. 3.3 Any proposed connection to Council water supply infrastructure is to be carried out by the Council at the applicant's full cost.
4. Uses other than Bulk Store and General Industry Any other uses proposed on this lot that are not defined as 'Bulk Store' and 'General Industry' and/or separately defined in <i>Council's Planning Scheme</i> will require a separate development application and permit as per the Planning Scheme requirements.
5. Further Approvals Required a) Operational Work A Development Permit for Operational Works to carry out civil works associated with the planning approval is required prior to any works commencing on site.

Attachment A – Assessment Manager Recommended Conditions of Approval

An application seeking an Operational Works approval associated with the following conditions must be submitted to Council for approval within **thirty (30) business days** upon receipt of the planning approval for the material change of use, unless otherwise approved by Council.

b) Building Works

A Development Permit for Building Works to carry out building works prior to works commencing on site.

c) Plumbing Works

A Development Permit for Plumbing Works to carry out plumbing works prior to works commencing on site.

d) Road Works Permit

A Roadworks permit for works within the road reserve must be obtained.

6. Further Inspections Required

Compliance with Conditions

Inspections will be required to be undertaken by council to determine compliance with conditions that are not subject to a further approval.

7. Storage of Materials and Machinery

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:

- 6.30 a.m. to 6.30 p.m. Monday to Saturday; with
- No work on Sundays or Public Holidays.

9. Building Over/Adjacent to Services

The developer is advised that should any proposed building structures be located over/adjacent to an existing service, an application to Council for consent under Section 191 of the Water Supply (Safety and Reliability) Act 2008 for building over or adjacent to services may be required.

Attachment A – Assessment Manager Recommended Conditions of Approval

10. Amenity Impacts

Use of the site is to be operated in a way that protects the values of the existing environment and will not cause unacceptable impacts on surrounding areas as a result of dust, odour, noise or lighting, in accordance with the *Environmental Protection Act 1994*.

11. Miscellaneous

- a) If any item of cultural heritage is identified during site works, all work must cease, and the relevant State Agency must be notified. Work can resume only after State Agency clearance is obtained.
 The Applicant is reminded of their obligations under the Aboriginal Cultural Heritage Act, 2003 and the Torres Strait Islander Cultural Heritage Act 2003. Further information and databases are available from the Department of Aboriginal and Torres Strait Islander Partnerships at: www.datsip.qld.gov.au
- b) All construction materials, waste, waste skips, machinery and contractors' vehicles must be located and stored or parked within the site. No storage of materials, parking of construction machinery or contractors' vehicles will be permitted outside the site, on road reserves or adjoining land unless written permission from the owner of that land and Council is provided.
- c) It is the developer's responsibility for the full rectification of any damage caused to neighbouring public infrastructure (such as footpaths, driveways, fences, gardens, trees and the like) caused by contractors, including clean-up of any litter or waste that is a result of the subject development.

MILFORD PLANNING

Drawing
Lynett Concept Plan
Johnson's Landscaping & Earthmoving

Property
2-8 Rainey Street, Apt
Lot 15 on MB17006

Drawing Number
M17075-Sk-01

Date
23.9.22

Issue
D

Author
HA/PL

Sheet
1

Reviewer
MS

Legend

- Stockpiling Area
- Batching Area
- Operations Area
- Building Footprint
- Future Building Footprint
- Customer Parking
- Storage Bays
- Temporary Storage Bays
- Gates
- Fence Line
- Calacrete

Site Cover (Buildings)

Proposed: 2.3%

Future: 4.3%

Scale (A1 Original)
1:800

Sources
M17075-Sk-01 (23.9.22)

Disclaimer
This plan and drawings are approximate and
are subject to site survey.

Document Set ID: 1721063
Version: 1.0 (Milford Planning)

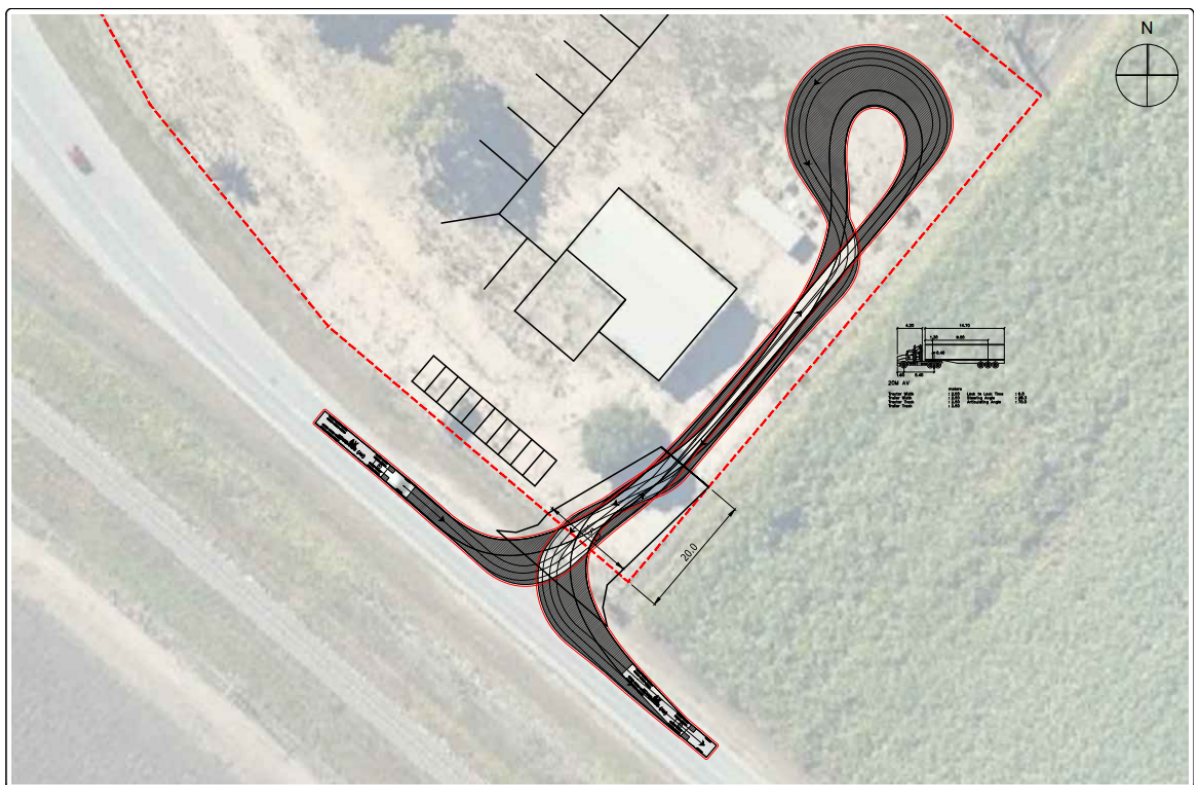
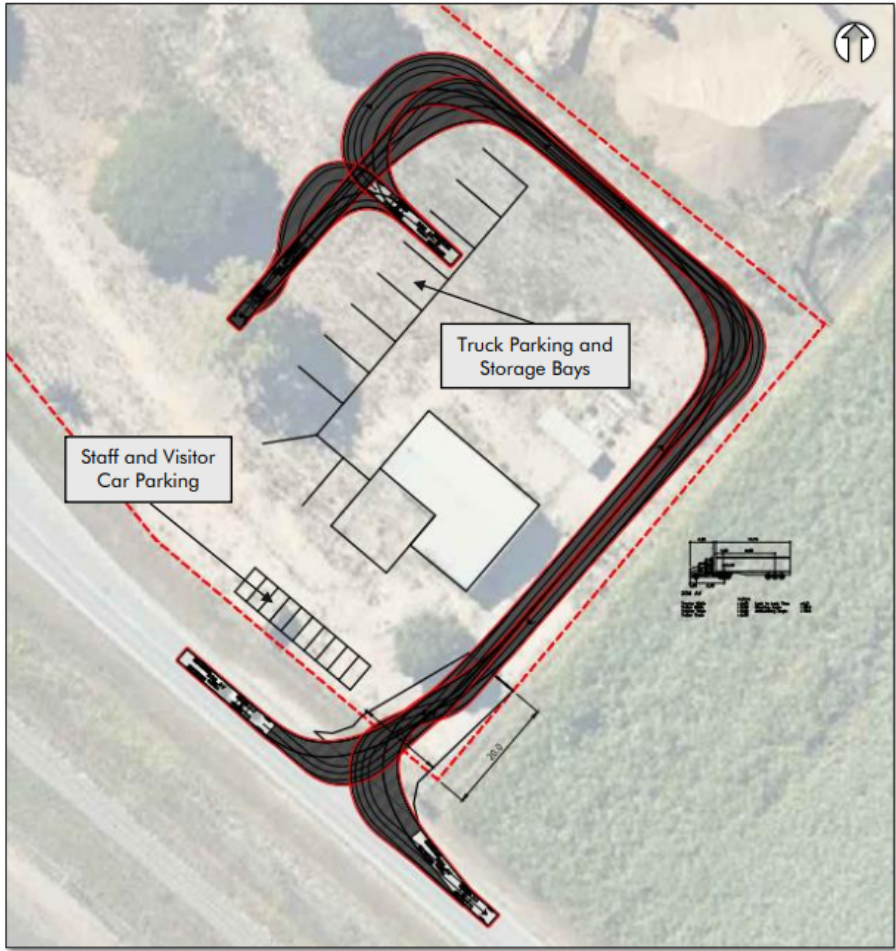
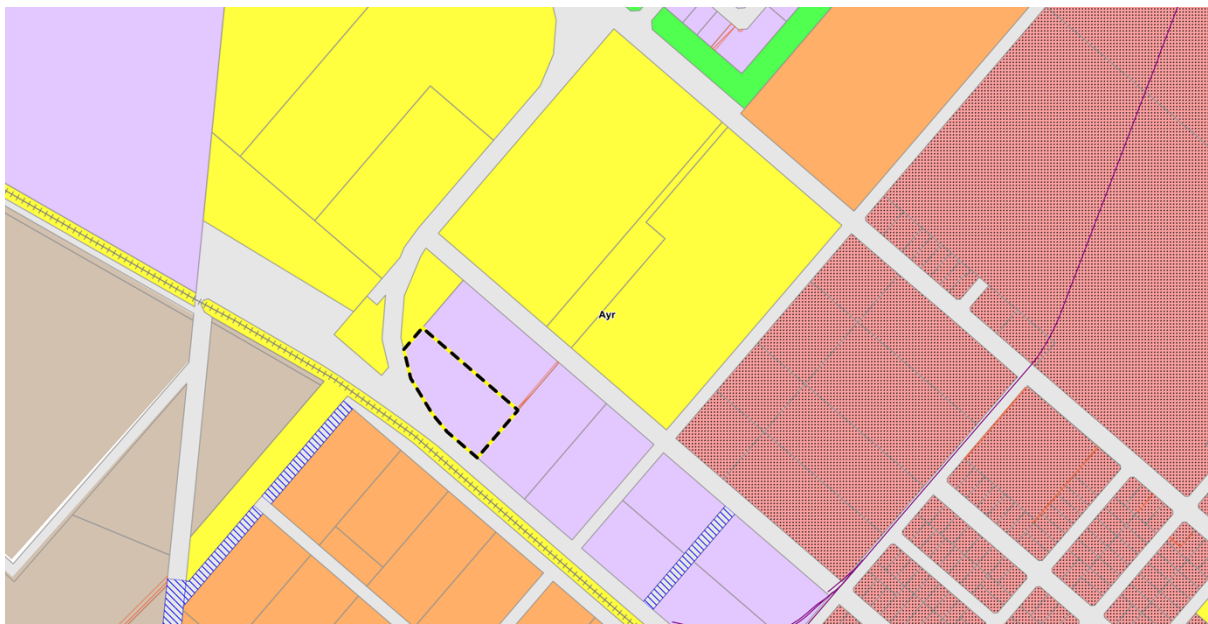
Page 85 of 98

Figure 4: PARKING & MANOEUVRING



Attachment C – Locality Plan



Rural	Residential Low Density Sub Area	Industry Investigation Sub Area
Rural Nature Based Recreation Sub Area	Retail and Commercial	Public Purpose
Rural Settlement Sub Area	Industrial	Village
Residential	Extractive Industry Sub Area	Open Space & Recreation







ASSESSMENT TIMEFRAMES			
Application Process		Timeframe	Date
1.0	Initial application lodged with Council (properly made)		27 September 2022
1.1	Action Notice issued	5 days (from 1.0)	N/A
1.2	Confirmation Notice issued	10 days (from 1.0)	N/A
1.3	Council sort Third Party Advice from DTMR	N/A	7 October 2022
1.4	DTMR responded with no advice to offer	N/A	17 October 2022
2.0	Application referred (properly referred)	10 days (from 1.2)	N/A
2.1	Referral agency response	25 days (from 2.0)	N/A
3.0	Council Information Request	10 days (from 1.2)	26 October 2022
3.1	Request to Stop Current Period	25 January 2023	8 March 2023
3.2	Further Request to Stop Current Period	8 March 2023	31 March 2023
3.3	Further Request to Stop Current Period	31 March 2023	12 May 2023
3.4	Further Request to Stop Current Period	15 May 2023	26 May 2023
3.5	Response to Information Request	3 months (from 3.1)	23 May 2023
4.0	Public Notification starts	20 days (from 3.5)	N/A
4.1	Public Notification ends	Min. 15 business days	N/A
4.2	Consider submissions	10 days (from 4.1)	N/A
5.0	Decision making period starts	1 day (after last applicable)	24 May 2023
5.1	Request to extend the decision making period		12 June 2023
5.2	Request to extend the decision making period	On 21 June 2023	14 July 2023
	Council Meeting		11 July 2023
5.4	Decision making period ends	35 days (minus up to 10 days from 3.0)	21 June 2023
5.5	Issue Decision Notice	5 days (after decision is made)	18 July 2023

The timeframes for assessing and deciding applications is set in the *Planning Act 2016* and *Development Assessment Rules* (s.60 and 61(3)). A day referred to in the timeframe above means a business day as defined by the *Planning Act 2016*.

Attachment D – Detailed Assessment

Material Change of Use (MCU22/0016)

The development proposal is assessable under the *Burdekin Shire IPA Planning Scheme* (the planning scheme) in accordance with Section 43 (1) of the *Planning Act 2016*. The Assessment Manager is the Burdekin Shire Council as determined by Schedule 8 of the *Planning Regulation 2017*. In accordance with the planning scheme, the material change of use application was subject to code assessment.

Council, as the Assessment Manager, has undertaken assessment of the application against the planning scheme making the decision pursuant to s. 60 of the *Planning Act 2016*, as outlined in s. 45 (3) and s.26 to 28 of the *Planning Regulations 2017*.

APPLICABLE ASSESSMENT BENCHMARKS		
Development	Zone	Assessment Benchmarks
Material Change of Use – Bulk Store and General Industry Bulk Landscaping Supplies	Industry Zone	<ul style="list-style-type: none">Industry Zone CodeSchedule 2 – Vehicle Parking Rates and Standards
ASSESSMENT		
Benchmark	Purpose	
Industry Zone Code	<p>Overall outcomes for the Industry Zone code</p> <p>1. The overall outcomes are the purpose of the Industry Zone code.</p> <p>2. The overall outcomes sought for the Industry Zone Code are the following:</p> <ul style="list-style-type: none">(a) provide for a range of activities to facilitate sustainable economic development in the shire, including alternative forms of industrial development, particularly those industries which value add to the shire's natural resources;(b) establish and operate extractive industrial uses preferably within the Extractive Industry sub area;(c) protect any adjoining residential use from the effects of industrial development;(d) protect preferred industrial areas from inappropriate non-industrial development; and(e) maintain the quality of the surrounding environment by reaching acceptable environmental management standards for both the construction and operation phases of the use in respect of:<ul style="list-style-type: none">(i) management of soil erosion and sedimentation control and possible contaminated land;	

	<p>(ii) management of environmental and operational risks and hazards; and</p> <p>(iii) the protection of air quality, water quality and the acoustic environment.</p> <p><u>Officers Comment</u></p> <p>The proposed development is to be located on an industrial zoned lot, which has been historically used for industrial activities.</p> <p>Officers consider that the approval can be appropriately conditioned to ensure the relevant benchmarks of the Industrial Zone Code are achieved.</p>	
Benchmark	Purpose	Assessment
Assessable Development		
Site Suitability		
The site is of a size suitable for the intended use.	The site has a minimum site area and frontage of 1000m ² and 20m respectively except where for the purpose of a noxious or offensive industry or a general industry where a minimum site area of 4000m ² and a frontage of 20m is provided.	Considered to comply. The site is 1.76ha in area and has a 200m street frontage to Railway Street.
Development and the impacts of development can be accommodated within the site, including: a) industrial processes and activities; b) vehicle parking and access areas; and c) appropriate buffer and landscape areas.	Development has the following: a) a maximum site coverage of 75%; b) a maximum setback of 10m from the road frontage; c) road frontage to the allotment is at least 20m with a carriageway of at least 12m, sealed; and d) vehicle parking and access and manoeuvring areas are provided in	Considered to comply. The proposed development has a less than 5% site coverage and is setback adequately from the road frontage. The applicant proposes to provide eight (8) on site light vehicle carparks, which is considered to comply with the requirements of Schedule 2.

	accordance with Schedule 2 – Vehicle Parking Rates & Standards.	The approval can be conditioned appropriately to ensure access and manoeuvring areas are adequate.
Lighting Nuisance		
The operation of the activity does not cause undue disturbance to any person, activity or fauna because of the light it emits.	The vertical illumination resulting from direct, reflected or incidental light coming from a site does not exceed 8 lux when measured at any point 1.5m outside of the boundary of the property at any level from ground level up.	Officers consider that any development approval can be appropriately conditioned to ensure light nuisance as a result of the development, is not caused.
Landscaping		
Landscaping is provided to: a) soften the visual impact of the land use and/or associated building(s) from the street and adjoining land; b) reduce radiant heat and glare to adjoining properties.	Premises incorporate landscaping as follows ⁴¹ : a) landscaped area along the entire frontage of the site, with a minimum width of 3m; and b) species that mature to at least 10m are included where there are buildings and structures of 2 or more storeys in height.	Officers consider that any development approval can be conditioned to comply with the landscaping requirements if required, through the imposition of appropriate conditions.
Infrastructure Provision		
All premises have an appropriate level of infrastructure for the efficient functioning of the use while not impacting on adjoining land uses or the environment.	All premises are connected to a reticulated water supply. All premises are connected to reticulated sewerage system. All stormwater drainage is conveyed across the site to a legal point of discharge. The premises has frontage to a sealed road with kerbing and channelling.	The site is connected to Council's reticulated water infrastructure only and is serviced by an existing onsite STP. Recommended conditions of approval will require the applicant to: <ul style="list-style-type: none"> confirm that the capacity of existing infrastructure is adequate for the proposed development; and

		<ul style="list-style-type: none"> provide a Stormwater Management Plan with the Operational Works application for assessment and approval.
Air Quality		
<p>All activities maintain the air quality and consequently, public health standards, including:</p> <p>a) minimising emission and odour levels; and</p> <p>b) preventing the generation of dust.</p>	<p>Activities are provided with:</p> <p>a) adequate physical measures for removing pollutants from emissions prior to discharge to the atmosphere;</p> <p>b) adequate physical measures for reducing the temperature gradient between emissions and the atmosphere prior to discharge; and</p> <p>c) effective operational systems, including monitoring systems for industry, which maintain emissions within ANZECC guideline standards.</p>	<p>Officers consider that the development can be conditioned to comply with the relevant benchmarks and <i>requirements of the Environmental Protection Act 1994</i>.</p>
Water Quality		
<p>All activities maintain the water quality in Burdekin Shire's groundwater, waterways and surface water storages.</p>	<p>Premises:</p> <p>a) with activities which involve the handling of water-borne pollutants are provided with bunded, impervious surfaces linked to an integrated drainage and treatment system;</p> <p>b) with activities which involve the storage of waste water is provided with properly designed and constructed, secure, sealed storage facilities; and</p>	<p>Officers consider that the development can be conditioned to comply with the relevant benchmarks and <i>requirements of the Environmental Protection Act 1994</i>.</p>

	<p>c) all liquid wastes are contained and discharged to a sewer or removed from the site for treatment and disposal to an approved facility.</p> <p>Development is set back:</p> <ul style="list-style-type: none"> - 25 metres for stream orders 1 or 2; - 50 metres for stream orders 3 or 4; - 100 metres for stream orders 5 or greater. <p>With stream orders determined by 1:100,000 DNRm topographic mapping (or 1:250,000 where 1:100,000 is unavailable).</p>	
Development has adequate provision for managing stormwater, to ensure that the environmental values of the surface and ground water resources are not diminished.	<p>Premises have:</p> <ul style="list-style-type: none"> a) Adequate physical measures for intercepting and treating surface water drainage and spilled substances prior to their release to the waterways. b) Bunding of sites or areas within sites or integrated drainage systems which include waste water treatment measures, where chemicals, fuels lubricants and other soluble pollutants are being handled on site; and c) Banks and channels constructed to divert stormwater runoff. 	<p>Officers consider that any approval can be appropriately conditioned to ensure compliance with this benchmark.</p> <p>Recommended conditions of approval will require the applicant to provide a Stormwater Management Plan with the Operational Works application for assessment and approval.</p>
<i>Sediment and Erosion Control</i>		
Development prevents erosion occurring on the site or to allow sediments to leave the site.	Development incorporates soil erosion and sedimentation management by:	Officers consider that any approval can be appropriately conditioned to ensure compliance with this benchmark.

	<ul style="list-style-type: none"> a) avoiding extensive land clearing and earthworks of land with a slope steeper than 15% (1:5); b) minimising the extent of disturbance on slopes steeper than 10% (1:10); c) managing and controlling surface drainage by using natural flow paths wherever possible; and d) incorporating sediment traps to prevent the movement of sediment off site. 	
SCHEDULE 2 – VEHICLE PARKING RATES & STANDARDS Division 1 – Preliminary This schedule contains the required rates of car parking (division 2) and design and construction standards for car parking, access and manoeuvring areas (division 3) for all land uses in the city. Division 2 – Car Parking Rates The following lists the required rates of car parking to be provided for proposed development.		
Industry - Extractive Otherwise	1 space per employee 1 space per 100m ² gross floor area, or 1 space per 2 employees, whichever is the greater.	The applicant proposes to provide eight (8) on site light vehicle car parks, which is considered to comply with the requirements of Schedule 2.

State Interest Considerations

An assessment against the 'applicable' provisions of the relevant State Interests has been undertaken as reflected below. *The State Planning Policy (SPP)* is a key component of Queensland's planning system. The SPP (July 2017) expresses the State's interests in land use planning and development.

The SPP has effect throughout Queensland and sits above regional plans and planning schemes in the hierarchy of planning instruments under the Act.

The SPP clearly focusses on delivery of outcomes and applies to:

- i. a local government in assessing a development application.
- ii. an assessment manager or referral agency in assessing a development application.

STATE PLANNING POLICY (JULY 2017)				
Liveable Communities and Housing	Economic Growth	Environment and Heritage	Safety & Resilience to Hazards	Infrastructure
Housing supply and diversity	Agriculture	Biodiversity	Emissions and hazardous activities	Energy and water supply
Liveable Communities	Development and construction	Coastal environment	Natural hazards, risk and resilience	Infrastructure Integration
	Mining and extractive resources	Cultural heritage		Transport Infrastructure
	Tourism	Water quality		Strategic airports and aviation facilities
				Strategic ports

The *Burdekin Shire IPA Planning Scheme 2011* does not currently integrate the relevant State Planning Policies; however it is considered that the following are relevant to the development:

- Liveable Communities and Housing (Liveable Communities); and
- Economic Growth (Development and Construction).

For the purposes of this report and that the development is located within a developed industrial zone, no further assessment of these matters is required. All relevant matters are considered to be dealt with under the provisions of the Planning scheme and all other relevant legislation and policies.

North Queensland Regional Plan

The North Queensland Regional Plan (NQRP) establishes strategic planning framework intended to guide the region's development and grow the local economy. The NQRP introduces assessment benchmarks for the assessment of proposed development within a Priority Agriculture Area (PAA) and also applies as a 'matter to have regard to' under the *Planning Regulation 2017*, where the NQRP or aspects of the NQRP are identified as having not been appropriately integrated in a local planning instrument. The proposed development is not located in a Priority Agriculture Area and therefore the Development Assessment Benchmarks for PAAs are not applicable. The proposal is considered to be generally consistent with the relevant goals, regional outcomes and regional policies of the plan.

Public Submissions

Not Applicable

Infrastructure Charges

Not Applicable