



# Burdekin Shire Council

## **AGENDA**

### **ORDINARY COUNCIL MEETING**

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

**on 14 May 2024**

**COMMENCING AT 9:00 AM**

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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 - 23 April 2024

4.2. Community Grants Panel Meeting Minutes - Round 4 - 24 April 2024

#### **5. EXECUTIVE**

##### **5.1. CEO**

5.1.1. Council Workshops - April 2024

5.1.2. Bowen Pipeline Project

##### **5.2. ECONOMIC DEVELOPMENT**

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

##### **6.1. CLIENT SERVICES**

##### **6.2. COMMUNITY DEVELOPMENT**

6.2.1. Show Office Relocation to Multi-Purpose Building - Ayr Pastoral, Agricultural and Industrial Association Inc (Ayr Show Society)

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

6.3.1. Adoption of 2024/2025 Revenue Policy

6.3.2. Consideration for Annual Valuation - 2025 Land Valuation Program

##### **6.4. GOVERNANCE**

6.4.1. Freehold Lease Renewal - Part of Lot 106 on Registered Plan 898777, Ayr Aerodrome (Lease S) - Kevin Frederick Scheuber

6.4.2. Freehold Lease Renewal - Part of Lot 106 on Registered Plan 898777, Ayr Aerodrome (Lease G) - Neil Christopher Hoffensetz

6.4.3. Trustee Lease Renewal – Lease C and D in Part of Lot 141 on Crown Plan GS808420 (adjacent 129 Boorman Road, Rita Island) – James William Kelly and Annette Marie Kelly

6.4.4. Surrender of Lease - The State of Queensland (represented by Department of Community Safety) - Lease A on SP250569 (Clare RFB)

6.4.5. Trustee Lease Surrender and Re-issue – Part of Lot 91 on Crown Plan GS980 (Lease A) - Queensland Police Citizens Youth Welfare Association

6.4.6. Trustee Lease Surrender – Part of Lot 91 on Crown Plan GS980 (Lease P) - Burdekin Touch Association Incorporated

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

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

7.1.1. Acceptance of Tender - TBSC/23/027 - Provide Animal Pound Services

7.1.2. Extension of Interim Management arrangements - Home Hill Caravan Park and Swimming Pool

##### **7.2. OPERATIONS**

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

**7.3.1. Request to apply Superseded Planning Scheme for development – Reconfiguring a Lot (One (1) Lot into Two (2) lots ) on land located at 4225 Ayr Dalbeg Road, Mulgrave (Lot 34 on SP331997)**

**7.3.2. Request to Apply Superseded Planning Scheme for Development (Roadwork, Engineering Works and Excavation and Filling Works Involving a Waterway) Within the Bill Britt Road Reserve, Lot 96 on SP143120 and the Haughton River, Upper Haughton**

### **7.4. TECHNICAL SERVICES**

**7.4.1. South Ayr Filtration Plant – Construction of a Filtration Plant Tender Recommendation**

**7.4.2. TBSC/24/004 Supply and Delivery of Nine (9) Light Vehicles (SUVs and Utilities)**

**8. NOTICE OF MOTION**

**9. RECEIPT OF PETITIONS**

**10. CORRESPONDENCE FOR INFORMATION**

**11. GENERAL BUSINESS**

**12. CLOSED BUSINESS ITEMS**

**13. DELEGATION**

#### **4.1. MINUTES AND BUSINESS ARISING**

##### **Ordinary Council Meeting Minutes - 23 April 2024**

##### **Recommendation**

That the minutes of the Ordinary Council Meeting held on 23 April 2024 be received as a true and correct record.

##### **Attachments**

1. Minutes - Ordinary Council Meeting - 23 April 2024





# Burdekin Shire Council

## **MINUTES**

## **ORDINARY COUNCIL MEETING**

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

**on 23 April 2024**

**COMMENCING AT 9:00 AM**

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## **ORDER OF BUSINESS:**

### **1. ATTENDANCE**

Councillor Pierina Dalle Cort, Councillor Michael Detenon, Councillor John Furnell, Councillor Amanda Hall, Councillor Max Musumeci, Councillor Callan Oar, Councillor Fina Vasta.

Mr. T. Brennan - Chief Executive Officer  
Mr. N. O'Connor – Director Corporate and Community Services  
Mr. N. Wellwood – Director of Infrastructure, Planning and Environmental Services  
Mrs. K. Olsen - Manager Financial and Administrative Services (Part)  
Mrs. S. Batchelor – Project Officer (Part)  
Ms. C. Mannea – Cadet Engineer (Part)

Minutes Clerk - Mrs. S. Iturriaga

### **2. PRAYER**

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

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

The Mayor called for declarations of interest.

No declarations of interest were identified.

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

#### **4.1. Ordinary Council Meeting Minutes - 12 March 2024**

##### **Recommendation**

That the minutes of the Ordinary Council Meeting held on 12 March 2024 be received as a true and correct record.

##### **Resolution**

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

CARRIED

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#### **4.2. Post Election Meeting Minutes - 3 April 2024**

##### **Recommendation**

That the minutes of the Post-Election Meeting held on 3 April 2024 be received as a true and correct record.

##### **Resolution**

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

CARRIED

#### **4.3. Burdekin Shire Road Safety Advisory Meeting Minutes - 21 February 2024**

##### **Executive Summary**

The report provides the Minutes of the Burdekin Shire Road Safety Advisory Committee meeting held on 21 February 2024.

##### **Recommendation**

That

1. the minutes of the meeting Burdekin Shire Road Safety Advisory Committee held on the 21 February 2024 be noted.

##### **Resolution**

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

CARRIED

*9.10am - Mrs. Olsen entered the meeting.*

#### **4.4. Burdekin Shire Youth Council Meeting Minutes - 26 February 2024**

##### **Executive Summary**

This report provides the minutes of the Burdekin Shire Youth Council Meeting held on 26 February 2024.

Summary of recommendations and actions for consideration and adoption:

##### Item 5 - North Queensland Fast Track Talent Showcase - 16 March 2024

Council notes the involvement of the Burdekin Shire Youth Council in coordinating the North Queensland Fast Track Talent Showcase to be held on 16 March 2024.

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Item 6 - 30th Anniversary Celebrations of Burdekin Shire Youth Council

Council notes the 30th Anniversary of the Burdekin Shire Youth Council in 2024 and give consideration to allocating additional budget to Youth Council in 2024/2025 to assist in hosting a community celebration for the milestone event.

**Recommendation**

That:

1. the minutes of the Burdekin Shire Youth Council Meeting held on 26 February 2024 be noted and adopted.
2. the recommendations as detailed in the minutes and summarised in Items 5 and 6 above be adopted.

**Resolution**

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

CARRIED

**4.5. Burdekin Shire Youth Council Meeting Minutes - 11 March 2024**

**Executive Summary**

This report provides the minutes of the Burdekin Shire Youth Council Meeting held on 11 March 2024.

Summary of recommendations and actions for consideration and adoption:

Item 4 - 2024 Youth Council Executive Positions

Council notes the election of the following 2024 Youth Council Executive positions:

Youth Mayor - Eddie Jones

Deputy Youth Mayor - Laney Lando

Secretary - Matilda Wiseman

Item 6 - North Queensland Fast Track Talent Showcase - 16 March 2024

Council notes the details and information of the North Queensland Fast Track Talent Showcase to be held at the Burdekin Theatre on 16 March 2024 and the involvement of the Burdekin Shire Youth Council members in this event.

Item 7 - Burdekin Shire Youth Council 30th Anniversary Celebrations

Council notes the proposed plans to celebrate the 30th Anniversary of the Burdekin Shire Youth Council, pending budget consideration by Council.

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## **Recommendation**

That:

1. the minutes of the Burdekin Shire Youth Council Meeting held on 11 March 2024 be noted; and
2. the recommendations as detailed in the minutes and summarised in Items 4, 6 and 7 above be adopted.

## **Resolution**

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

CARRIED

### **4.6. Matter Laying on Table - Motion to Implement Reporting Procedure for Councillor Participation**

#### **Executive Summary**

Transparency and accountability are essential principles in local governance. Councillors fulfilling the duties and responsibilities provided to them by the local community is crucial for the effective functioning of the Council. Adopting a practice whereby Councillors provide regular reports on his/her Council duties/commitments and participation in community/Council events/workshops etc can enhance communication with constituents and foster trust in the Council's activities.

## **Recommendation**

That Council implements a reporting procedure whereby each Councillor shall submit a report to every second Council meeting outlining the Council duties/ commitments they have participated in during the preceding period.

## **Resolution**

Moved Councillor Detenon, seconded Councillor Furnell that Council implements a reporting procedure whereby each Councillor shall submit a report to every second Council meeting outlining the Council duties/ commitments they have participated in during the preceding period be adopted.

FOR: Councillors Michael Detenon and John Furnell

AGAINST - Councillors Pierina Dalle Cort, Max Musumeci, Amanda Hall, Callan Oar, Fina Vasta

2/5

LOST

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## **5. EXECUTIVE**

### **5.1. CEO**

#### **5.1.1. Council Workshops - February 2024**

##### **Executive Summary**

In line with agreed meeting arrangements, the Council conducted two(2) general workshops during February which were held on 6 and 20 February 2024.

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

##### **Recommendation**

That the report on the Council workshops held on 6 and 20 February 2024 be received and noted.

##### **Resolution**

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

CARRIED

### **5.2. ECONOMIC DEVELOPMENT**

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

### **6.1. CLIENT SERVICES**

### **6.2. COMMUNITY DEVELOPMENT**

#### **6.2.1. Ayr Pastoral, Agricultural and Industrial Association Inc. Fee Waiver Request - Ayr Showgrounds**

##### **Executive Summary**

Ayr Pastoral, Agricultural and Industrial Association Inc (the Association) will present the 2024 Annual Burdekin Show at the Ayr Showgrounds on Wednesday 26 June 2024.

Each year the Association writes to Council requesting use of the Ayr Showgrounds including use of all the facilities.

In addition, the Association has requested that Council considers waiving any fees and charges including electricity and plumbing associated with delivering the event.

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## **Recommendation**

That Council approves the following:

1. 100% waiver on hire charges (as per the approved schedule of fees and charges) including electrical and plumbing costs for the annual Burdekin Show held at the Ayr Showgrounds.
2. That Council recoups any direct costs should they be incurred, such as cleaning, waste disposal and technical support.
3. That each year the Association must submit a written request to Council to waive the hire fees.

## **Resolution**

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

CARRIED

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

### **6.3.1. Monthly Financial Report - March 2024**

#### **Recommendation**

That the Monthly Financial Report for Period Ending 31 March 2024 be received.

#### **Resolution**

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

CARRIED

*9.42am - Mrs. Olsen left the meeting.*

## **6.4. GOVERNANCE**

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#### **6.4.1. Agreement for Use – Storage Shed at Ayr Showgrounds – Burdekin Canine Club Inc.**

##### **Executive Summary**

Council approval is requested to enter into an Agreement for Use as follows:

User: Burdekin Canine Club Inc.  
Premises: Ayr Showgrounds  
9-21 Edwards Street, Ayr  
(Lot 45 on Crown Plan GS490)  
Facility: Shed located Craig Street boundary adjacent to caretakers residence  
Permitted Use: Storage  
Term: Three (3) years  
Rent: \$0.10 per annum if demanded

##### **Recommendation**

That Council agree to enter into an Agreement for Use with the Burdekin Canine Club Inc. for a three (3) year term.

##### **Resolution**

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

CARRIED

*9.45am - Mrs. Batchelor and Ms. Mannea entered the meeting.*

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

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

### **7.2. OPERATIONS**

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

### **7.4. TECHNICAL SERVICES**



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#### **7.4.1. Tenders Received for the Reconstruction of the Jerona Road Culvert**

##### **Executive Summary**

The Jerona Road Causeway was extensively damaged in a flood event that occurred in January 2023 and the Council has sought funding approval under Disaster Recovery Funding Arrangements (DRFA) for its replacement. This has required Council to have detailed designs prepared and seek approvals from the State Government. This has been a protracted process due to the environmental requirements that the State placed on the replacement of the causeway. The necessary approvals have now been received and tenders invited for the project following receipt of funding approval from the Queensland Reconstruction Authority (QRA) under DRFA.

The purpose of this report is to seek Council's approval to award the contract as per the company stated in the recommendation below.

##### **Recommendation**

That Council endorses the following recommendation:

1. A.Gabrielli to be awarded the contract for the Reconstruction of the Jerona Road Culvert (TBSC/24/002) for the total lump sum of \$2,195,263.20 exc. GST.

##### **Resolution**

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

CARRIED

*9.47am - Mrs. Batchelor and Ms. Mannea left the meeting.*

#### **8. NOTICE OF MOTION**

#### **9. RECEIPT OF PETITIONS**

#### **10. CORRESPONDENCE FOR INFORMATION**

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## **11. GENERAL BUSINESS**

### **11.1 Nomination for Representative for the Local Government Association of Queensland (LGAQ) Policy Executive 2024-2028.**

#### **Summary**

Mayor Dalle Cort advised previous discussions had occurred with other regional Mayors in regard to the nomination of a representative for District 9 of the Local Government Association of Local Government Association of Queensland (LGAQ) Policy Executive 2024-2028.

#### **Resolution**

Moved Mayor Dalle Cort, seconded Councillor Musumeci that Burdekin Shire Council endorse the nomination of Hinchinbrook Shire Council Mayor Ramon Jayo as the District 9 representative for the Local Government Association of Queensland (LGAQ) Policy Executive 2024-2028.

CARRIED

### **11.2 Johnson's Landscaping and Earthmoving**

*9.51am - Councillor Hall advised she had a Declarable Conflict of Interest at the commencement of this discussion as her niece Maddy Pasquale is the partner of Hayden Johnson of Johnson's Landscaping and Earthmoving and Councillor Hall left the meeting. Councillor Hall was unaware prior to General Business that this item would be raised for discussion at the meeting.*

Mr Brennan advised that discussions had occurred with Johnson's Landscaping and Earthmoving and their Planning Consultants concerning the access upgrade requirements for their planning application. Council Officers had offered to undertake the design of the access upgrade works in conjunction with the design of the proposed upgrade works in Railway Street, Ayr for a modest cost of \$1,000.00, which had been accepted by Johnson's Landscaping and Earthmoving. Council endorsement is required for the arrangement given private design works are not normally undertaken by the Council.

#### **Resolution**

Moved Councillor Musumeci, seconded Councillor Furnell that Council endorse the undertaking of design works for the access upgrade requirements for the development located at 2-8 Railway Street, Ayr in conjunction with the design of the proposed upgrade works in Railway Street, Ayr for a fee of \$1,000.00.

CARRIED

*9.54am - Councillor Hall re-entered the meeting.*

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### **11.3 Approved Leave of Absence - Councillor Fina Vasta**

Councillor Vasta requested approval for a leave of absence for the period of 23 May to 31 May 2024.

Resolution Moved Councillor Musumeci, seconded Councillor Furnell that Councillor Vasta be granted a leave of absence for the period 23 May to 31 May 2024.

CARRIED

## **12. CLOSED BUSINESS ITEMS**

### **12.1. CONFIDENTIAL - Discuss the Appointment, Discipline or Dismissal of the Chief Executive Officer.**

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

#### **Resolution**

Moved Councillor Hall, seconded Councillor Vasta that the Council meeting be closed to the public under the following sections of the *Local Government Regulations 2012*:  
254J (a) the appointment, discipline or dismissal of the Chief Executive Officer;  
For the purpose of discussing:

1. The appointment, discipline or dismissal of the Chief Executive Officer.

CARRIED

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

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

CARRIED

### **12.1 The Appointment, Discipline or Dismissal of the Chief Executive Officer Executive Summary**

Terry Brennan is employed in the position of Chief Executive Officer (CEO) of Burdekin Shire Council (Council). The CEO is employed pursuant to an employment agreement made on 28 July 2020 (Employment Agreement). The appointment is for a term of four (4) years which commenced on 12 December 2020 and expires on 11 December 2024 (End Date).

Clause 17.1 of the Employment Agreement provides that Council shall initiate discussions with the CEO, no later than six (6) months prior to the End Date, to consider whether a new contract should be entered into for a further term. Council is required to make a decision to finalise those discussions no later than four (4) months prior to the End Date.

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Pursuant to clause 14.5 of the Employment Agreement, the Employment Agreement may, however, be terminated before the expiry date (ie before 11 December 2024), "Provided the Council shall pay to the Officer (CEO) all salary, benefits and contractual entitlements calculated as if the Officer had worked the balance of the contract to a maximum of six (6) months notional salary"

### **Recommendation**

That the CEO's employment end on the End Date of 11 December 2024 in accordance with the Employment Agreement - subject to Council terminating the CEO's employment earlier pursuant clause 14.5 of the Employment Agreement (as outlined below) and that a new contract for a further term not be entered into with the CEO.

### **Resolution**

Moved Councillor Hall, seconded Councillor Vasta that the recommendation be adopted.

FOR - Councillors Pierina Dalle Cort, Amanda Hall, Callan Oar, Fina Vasta

AGAINST - Councillors Max Musumeci, Michael Detenon, John Furnell

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CARRIED

### **Recommendation**

That Council immediately commence the recruitment process for a new CEO.

### **Resolution**

Moved Councillor Hall, seconded Councillor Vasta that the recommendation be adopted.

FOR - Councillors Pierina Dalle Cort, Amanda Hall, Callan Oar, Fina Vasta

AGAINST - Councillors Max Musumeci, Michael Detenon, John Furnell

4/3

CARRIED

### **Recommendation**

That in the circumstance where a new CEO is successfully recruited, on the date of the new CEO's commencement of employment with Council, where such commencement date is prior to the CEO's End Date, the CEO's employment be terminated pursuant to clause 14.5 of the Employment Agreement by Council paying the CEO, "all salary, benefits and contractual entitlements calculated as if the Officer had worked the balance of the contract to a maximum of six (6) months notional salary".

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**Resolution**

Moved Councillor Hall, seconded Councillor Vasta that the recommendation be adopted.  
FOR - Councillors Pierina Dalle Cort, Amanda Hall, Callan Oar, Fina Vasta  
AGAINST - Councillors Max Musumeci, Michael Detenon, John Furnell

4/3

CARRIED

**13. DELEGATION**

There being no further business the meeting closed at 11.33am.

**These minutes were confirmed by Council at the Ordinary Council Meeting held on 14 May 2024.**

**MAYOR**

## 4.2. MINUTES AND BUSINESS ARISING

### Community Grants Panel Meeting Minutes - Round 4 - 24 April 2024

**File Reference:** 1574

**Report Author:** Tammy Quagliata, Community Development Officer

**Authoriser:** Glenn Arboit, Manager Community Services

**Meeting Date:** 14 May 2024

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#### Purpose

This report provides the minutes of the Community Grants Panel Meeting held on 24 April 2024.

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

##### Item 1 – Consideration of Grants Applications Round 4 – 2023/2024 Financial Year

No.	Applicant	Recommended Cash Funding	Recommended In-kind Support
1.1	Burdekin Junior Rugby League	\$2,500.00	
1.2	Burdekin Brass Band	\$4,000.00	
1.3	Burdekin Artisan Community Association	\$1,000.00	
1.4	Burdekin Junior Eisteddfod	\$5,000.00	
1.5	Burdekin Netball Association	\$1,200.00	\$400.00
1.6	Rotary Club of Home Hill Inc		\$545.00
1.7	Ayr Pastoral Agricultural & Industrial Association Inc		\$4,725.00
1.8	Rotary Club of Ayr		\$265.00
1.9	Giru Show & School of Arts		\$1,020.50
1.10	Lower Burdekin Ski Club		\$975.00

#### Recommendation

That:

1. the minutes of the Community Grants Panel Meeting held on 24 April 2024 be noted; and
2. the recommended funding as detailed in the minutes and noted in Items 1.1 - 1.10 be adopted; and
3. it be noted that the remaining cash funds following the 2023/2024 Financial Year after the allocation from Round 4 will be \$10,864.00.

#### Attachments

1. Round 4 - Meeting Minutes - Community Grants Panel - 24 April 2024

# Meeting Minutes

<b>Meeting</b>	Community Grants Panel Meeting		
<b>Date</b>	Wednesday, 24 April 2024	<b>Time</b>	2.00pm
<b>Attendees</b>	Councillor John Furnell, Councillor Fina Vasta, Janice Horan, Kiera Durrant, Wayne Saldumbide, Glenn Arboit.		
<b>Apologies</b>			
<b>Chairperson</b>	Glenn Arboit, Manager Community Services		
<b>Minutes Clerk</b>	Melissah Lammon, Community Development Officer		
<b>Location</b>	Ernie Ford Board Room		

## Agenda Items

- The following funds for Community Grants 2023/24 were noted:

Cash funds available prior to Round 4 - \$22,064

- Consideration of Grant Applications for Round 4 of 2023/2024 Financial Year requested as below:

No.	Applicant	Project	Requested Cash Funding	Requested In-kind Support	Recommended Cash Funding	Recommended In-kind Support
1.1	Burdekin Junior Rugby League	Facility Upgrade – Grand Opening	\$4500.00		\$2500	
	<i>Comments:</i>					
1.2	Burdekin Brass Band	Public Performances & Annual Concert	\$6000.00		\$4000.00	
	<i>Comments:</i> \$6000 is ineligible. Approved \$4000 noting that they did not receive the \$1600 that was approved in 22/23 financial year due to the funding agreement not being signed by the Brass Band Committee.					
1.3	Burdekin Artisan Community Association	Burdekin Rags to Runway	\$1500.00		\$1000.00	
	<i>Comments:</i>					
1.4	Burdekin Junior Eisteddfod	40 <sup>th</sup> Burdekin Junior Eisteddfod	\$5000.00		\$5000.00	
	<i>Comments:</i>					
1.5	Burdekin Netball Association	Burdekin Junior Carnival	\$1200.00	\$400	\$1200.00	\$400
	<i>Comments:</i>					
1.6	Rotary Club of Home Hill Inc.	Mega Market		\$545		\$545
	<i>Comments:</i>					



1.7	Ayr Pastoral Agricultural & Industrial Association Inc,	2024 Burdekin Show		\$4725		\$4725
	<i>Comments:</i>					
1.8	Rotary Club of Ayr Inc.	2024 Norm Perry Memorial Duck Race		\$265		\$265
	<i>Comments:</i>					
1.9	Giru Show and School of Arts Inc.	The Giru Show		\$1020.50		\$1020.50
	<i>Comments:</i>					
1.10	Lower Burdekin Ski Club	State Titles Water Ski Queensland		\$975		\$975
	<i>Comments: Already pre-approved by Glenn Arboit as the grant came in out of round.</i>					

3. Noted that the total cash funds available for Community Grants program for 2023/2024 Financial Year was \$70,000.00 and the total in-kind for Community Grants program 2023/2024 Financial Year was \$33,200.00.
4. Noted that the total cash funds remaining for Community Grants program for 2023/2024 Financial Year following Round 4 was \$10,864.

There being no further business, meeting closed at 3.15pm.

### 5.1.1. CEO

#### Council Workshops - April 2024

**File Reference:** 1394

**Report Author:** Terry Brennan, Chief Executive Officer

**Authoriser:** Terry Brennan, Chief Executive Officer

**Meeting Date:** 14 May 2024

#### **Link to Corporate/Operational Plan:**

Burdekin Shire Council Corporate Plan 2022-2027:

#### 5.2.1 Demonstrate open and transparent leadership

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#### **Executive Summary**

During the month of April only one (1) general workshop was conducted due to a heavy program of meetings associated with the delivery of the Councillor induction program and the commencement of budget workshops.

A range of policy and operational issues was discussed by Councillors and staff at the workshop held on 11 April. A summary of the items discussed is outlined in the report.

#### **Recommendation**

That the report on the Council workshop held on 11 April 2024 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.

During April it was necessary to depart from these arrangements due to the delivery of the Councillor induction program, which consisted of a series of meetings, along with the commencement of budget workshops as well. As a result, only one workshop was held on 11 April 2024.

A broad range of policy and operational issues was discussed at the workshop. A summary of the issues discussed is outlined below:

11 April 2024

- Presentation – Bill Britt Road matters
- Update on various Swimming Pools issues
- Discussion on Subordinate Local Law – Establishment or Occupation of a Temporary Home
- Discussion of Community Awareness Campaign – Respect for Council Staff
- Discussion on Tender for Reconstruction of Culvert on Jerona Road
- Presentation on Economic Development Section

- Request for Fee Waiver – Ayr Showgrounds – Annual Show
- Request for Equipment Storage at Ayr Showgrounds – Burdekin Canine Club

**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

## **5.1.2. CEO**

### **Bowen Pipeline Project**

**File Reference:** 2119

**Report Author:** Terry Brennan, Chief Executive Officer

**Authoriser:** Terry Brennan, Chief Executive Officer

**Meeting Date:** 14 May 2024

#### **Link to Corporate/Operational Plan:**

Burdekin Shire Council Corporate Plan 2022-2027:

2.3.3 Support development, value-adding, diversification, and expansion to provide a sustainable economic base.

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#### **Executive Summary**

The Bowen Pipeline Company (BPC) recently held a briefing with councillors and provided a presentation updating the current status of the proposed Bowen Pipeline Project. The company is seeking a letter of support from Council in relation to its application to the State Government for a Ministerial Infrastructure Designation (MID) for the proposed project.

#### **Recommendation**

That Council determine if it wishes to provide a letter of 'in principle' support for the Bowen Pipeline Project.

#### **Background**

The Bowen Pipeline Company (BPC) has been undertaking planning and advocacy for the Bowen Pipeline Project for a number of years. The project proposes the construction of a pipeline from the Burdekin River to Merinda on the western outskirts of Bowen.

The BPC was successful in obtaining a Federal Government grant to undertake the preparation of a detailed Business Case for the project. The project is proposed to service both agricultural expansion and green energy opportunities.

The alignment of the proposed pipeline from the Burdekin River has been amended by the company as a result of previous discussions and feedback provided by Council in relation to an earlier alignment that had the pipeline running through parts of the urban area of Home Hill.

The current proposed alignment is for a river intake to be established on the Burdekin River near Kirknie and the pipeline to run along Barry Road and other rural roads and road reserves in the western part of the shire before heading in an easterly direction to Inkerman and follow an alignment adjacent to the Bruce Highway corridor south into the Whitsunday Regional Council area.

The BPC has lodged an application with the State Government for a Ministerial Infrastructure Designation (MID), which if approved, would result in the State undertaking the coordination of the assessment process for the project.

If Council wishes to provide a letter of support, it is suggested that this be 'in principle' support and note it is subject to Council receiving detailed information on the proposed alignment and construction details of the proposed pipeline and for operational works and local law approvals to be obtained for the works.

**Consultation**

External consultation with representatives from the Bowen Pipeline Company and Internal consultation with the Mayor, Councillors and relevant Council Officers.

**Budget & Resource Implications**

Not Applicable - if applications are received from the Company then application fees will need to be paid for the applicable assessments.

**Legal Authority & Implications**

If the application for an MID is approved, the State Government will undertake the coordination of the assessment process for the project.

**Policy Implications**

Not Applicable.

**Risk Implications (Strategic, Operational, Project Risks)**

Not Applicable.

**Attachments**

1. Bowen Pipeline Project - Thank you and Request for Letter of Support

**From:** Sean Brown

**Sent:** Wednesday, May 1, 2024 5:53 PM

**To:** Pierina Dalle Cort

**Cc:**

**Subject:** Bowen Pipeline Project - Thank you and request for a letter of support

---

Hello Mayor Dalle Cort

Thank you for giving us the time on Monday 29th April 2024 to present our Project to you and your team.

As advised, we have lodged our Ministerial Infrastructure Designation application for endorsement with DSDI. Our goal is to secure the MID approval in June/July 2024 before the caretaker mode starts for the upcoming State election. The target date for construction commencement is September 2025 after the MID approvals, during which time we will apply for local council operational works approvals. The Operational start for the pumping of water to customers would then be 2027.

In that light, we request that the Burdekin Shire Council provide a letter of support for the Project so that we can table this before the Minister assessing our MID application.

We intend to operate an employment policy of "Locals First" whereby we can train and employ locals for the construction and operations of the project.

We look forward to hearing from you at your earliest convenience and please do not hesitate to contact me should you have any queries in relation to the above.

Regards

**Sean Brown** DIRECTOR

M: 0488 759 303 T: 07 3289 4776 E: seanb@bowenpipeline.com.au

PO Box 456, Hamilton Central, Qld 4007

Suite 1, Level 1, 468 Kingsford Smith Drive, Hamilton, Qld 4007



### **Bowen Pipeline Project**

The Bowen Pipeline Project is a 182 km underground water pipeline commencing at Barry Rd, Kirknie (16 km upstream from Home Hill) (Burdekin River) moving south to Bowen, generally following the

brownfield road reserves of the Bruce Highway, and will supply 100,000 ML of water each year. We have bipartisan government support.

The project will allow the creation of a reliable, secure water supply to Australia's largest winter vegetable and fruit growing area - currently growing some 250 million kilograms each year, with a market value of some \$600 M. The produce is grown for Coles, Woolworths, Aldi and the general markets, and supplied to Brisbane, Sydney, Melbourne, Canberra, Adelaide, New Zealand, Singapore and other destinations. The Bowen and Burdekin Regions are located in the Dry Tropics, meaning its rainfall is predominantly over the summer period - ideal for controlling inputs.

The project has 40 investors, the majority of whom are locals in the Burdekin and Bowen regions. The investigation area has some 60,000 hectares of Class A & B Good Quality Agricultural Land of which some 40,000 hectares of cleared land is available for conversion from cattle grazing to irrigated agriculture, and tree crops.

The water supply will give the growers the ability to grow the quantities demanded for the export markets of Japan, Taiwan, South Korea, Singapore (using the Free Trade Agreements) and local markets (import substitution). The reliable water supply will enable year round production, diversification of vegetable and crops, and increase annual production by upwards of \$300 M.

Our target date for the commencement of construction is September 2025 (subject to the MID in June/July 2024) - operational 2027.

The Project will use world class Australian technology for the onsite extrusion of the HDPE pipe in 100+ metre lengths, generating a reduction of some 5,000,000 km of B double truck movements on the roads. Water users will utilise modern watering technology to eliminate water runoff. Unrestricted flood irrigation will not be permitted.

One of the major positives for the Project is the significant benefits to the Great Barrier Reef and the Commonwealth Government's Reef 2050 Long Term Sustainability Plan that aims to maintain and enhance the Reef's health and resilience while allowing ecologically sustainable development.

KPMG (2017) assessed the Project will allow the creation of up to 1,200 full time jobs (converting many part time casual jobs into year round full time jobs) as well as 200 jobs during construction.

## **6.2.1. COMMUNITY DEVELOPMENT**

### **Show Office Relocation to Multi-Purpose Building - Ayr Pastoral, Agricultural and Industrial Association Inc (Ayr Show Society)**

**File Reference:** 591

**Report Author:** Glenn Arboit, Manager Community Services

**Authoriser:** Nick OConnor, Director Corporate and Community Services

**Meeting Date:** 14 May 2024

#### **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.

1.4.2: Support community organisations and events.

---

#### **Executive Summary**

Ayr Show Society has formally written to Council requesting approval to relocate to the administration area of the Multi-Purpose Building.

Burdekin Academy (Gymnastics) has now vacated the Multi-Purpose Building which provides Council the opportunity to consider approval for the Ayr Show Society to occupy the administration area.

#### **Recommendation**

That Council approves for the Ayr Show Society to occupy the administration area of the Multi-Purpose Building for the purpose of planning and conducting the Annual Burdekin Show.

That a formal agreement is put in place to outline Council's requirements, establish responsibilities of both parties, provide an equitable and easily administered framework, and protect the safety of users.

#### **Background**

The Ayr Show Society occupies a small weatherboard/masonry block building on the Ayr Showgrounds site which is located at Gate 2 adjacent to Craig Street.

The building is in a dilapidated state and has been assessed as beyond reasonable repair by Council. The Prioritised Implementation Plan in the 2018 Showgrounds Masterplan states: Council has noted that the showgrounds office should be demolished due to its age and condition of the roof, ceilings, sagging stumps and white ant damage.

#### **Consultation**

The matter was presented at Council's Workshop held on 7 May 2024.

Consultation occurred with Local Disaster Coordinator Eileen Devescovi and on the condition that office furniture can be vacated at short notice, no additional concerns were raised. The Ayr Show Society has acknowledged the requirement to dismantle the office within several hours of a notification.

#### **Budget & Resource Implications**

Staff resources will be utilised to prepare all relevant documentation including but not limited to, a formal agreement.



**Legal Authority & Implications**

Not applicable.

**Policy Implications**

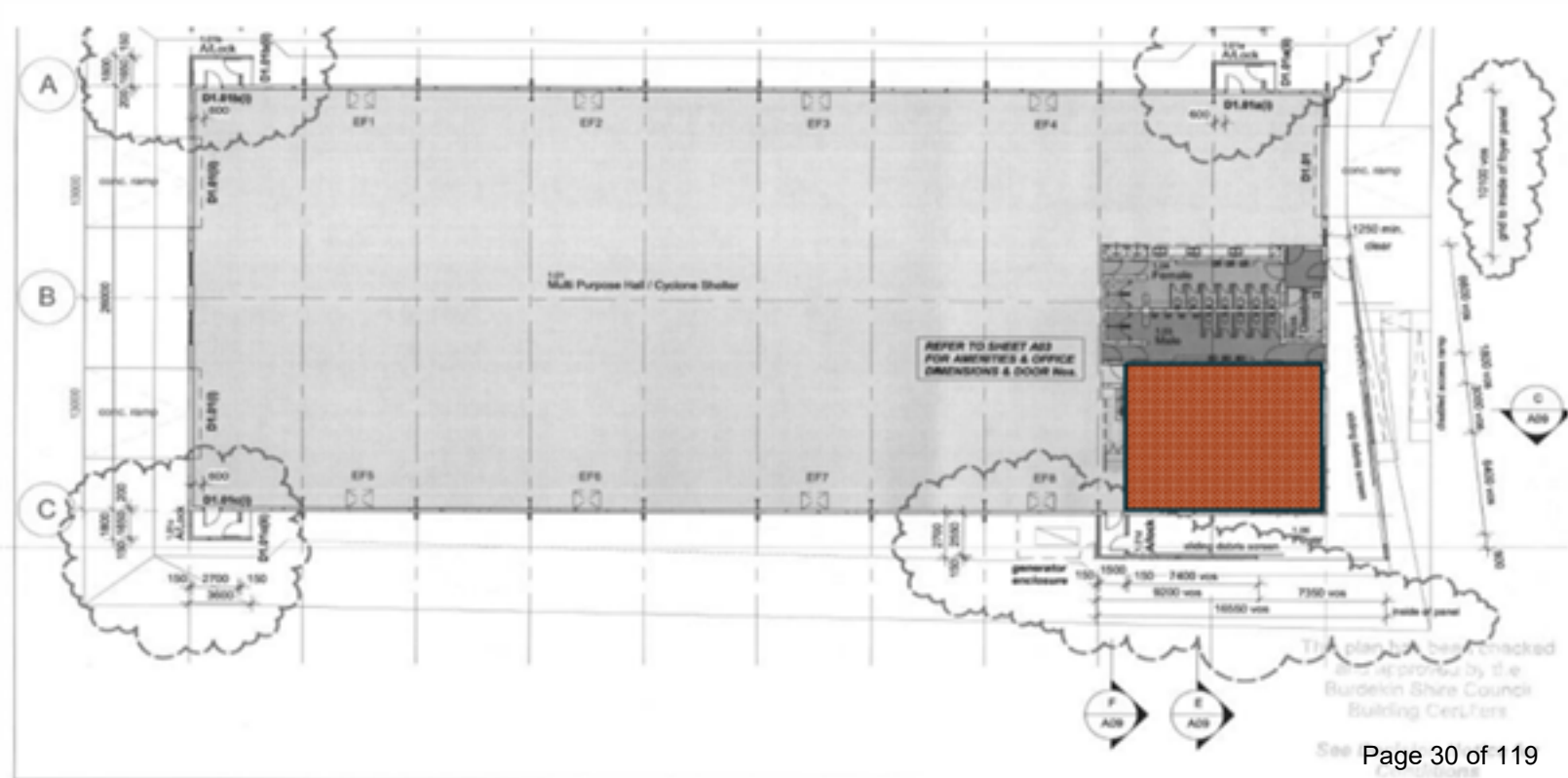
Not applicable.

**Risk Implications (Strategic, Operational, Project Risks)**

There are limited risk implications due to a formal agreement to be in place clearly defining all conditions and requirements.

**Attachments**

1. Proposed Show Office



### 6.3.1. FINANCIAL AND ADMINISTRATIVE SERVICES

#### Adoption of 2024/2025 Revenue Policy

**File Reference:** 1194

**Report Author:** Jacqui Thomasson, Revenue Coordinator

**Authoriser:** Kim Olsen, Manager Finance and Administrative Services

**Meeting Date:** 14 May 2024

#### **Link to Corporate/Operational Plan:**

Burdekin Shire Council Corporate Plan 2022-2027

5.2.2: Responsibly manage Council's financial position to ensure sustainability.

5.2.3: Implement effective governance frameworks.

5.2.4: Undertake regulatory responsibilities in accordance with legislative obligations.

---

#### **Executive Summary**

Under the *Local Government Act 2009*, Council is required to prepare, and by resolution, adopt a Revenue Policy for each financial year.

The policy identifies the principles Council intends to apply in relation to levying rates and charges, granting concessions for rates and charges, recovering overdue rates and charges and cost-recovery methods.

#### **Recommendation**

That Council adopts the attached 2024/2025 Revenue Policy.

#### **Background**

Councils are required to produce a Revenue Policy and a Revenue Statement. The difference between the two (2) documents is as follows:

A Revenue Policy is adopted annually in advance of the budget and clearly sets out the principles to be used by a Local Government for setting rates and charges, cost-recovery methods and funding of infrastructure for new development.

A Revenue Statement is an explanatory statement that outlines and explains the revenue measures that are implemented to give effect to the principles of the Revenue Policy and other revenue decisions made. The Revenue Statement must form part of the budget.

The process of adopting a Revenue Policy in advance of the budget is designed to better inform the public about Council's underlying revenue raising principles and will provide a strategic document for raising revenue in the budget process.

#### **Consultation**

The draft policy was reviewed with Councillors in a Council Budget Workshop held on 22 April 2024.

#### **Budget & Resource Implications**

Not Applicable.

### **Legal Authority & Implications**

A Local Government Revenue Policy must comply with the *Local Government Act 2009* and the *Local Government Regulation 2012*.

The Regulation requires that a Local Government must prepare and, by resolution, adopt a Revenue Policy for each financial year.

The Local Government must adopt the Revenue Policy in sufficient time to allow an Annual Budget that is consistent with the Revenue Policy to be adopted for the next financial year.

### **Policy Implications**

This replaces the 2023/2024 Revenue Policy and will be updated in Council's Policy Register and published to Council's website.

### **Risk Implications (Strategic, Operational, Project Risks)**

This policy helps to mitigate the risk of non-compliance with legislation. Further, the policy enhances Council's position to realise the benefits of transparency, consistency, equity and flexibility and promotes the image of Council as both efficient and fair.

### **Attachments**

1. Revenue Policy 2024/2025

Policy Type	Statutory
Function	Financial Management
Policy Owner	Manager Financial and Administrative Services
Policy Contact	Manager Financial and Administrative Services
Effective Date	14 May 2024

## Purpose

The Revenue Policy identifies the principles that Council intends to apply in the preparation and adoption of the 2024/2025 budget.

## Scope

This policy will identify the principles Council intends to apply for:

- levying rates and charges;
- granting concessions for rates and charges;
- recovering overdue rates and charges; and
- cost-recovery methods.

The policy also addresses:

- the purpose for concessions; and
- the extent to which physical and social infrastructure costs for a new development are to be funded by charges for the development.

## Policy Statement

### Principles used for levying rates and charges

In levying rates and charges Council will apply the principles of:

- **Clarity** – making clear Council's and each ratepayer's responsibility to the rating regime;
- **Simplicity** – making the levying system simple and inexpensive to administer; and
- **Equity** – through flexible payment arrangements for ratepayers with a lower capacity to pay.

### Making rates and charges

In making rates and charges, Council will raise an amount of revenue appropriate to maintain and improve assets and provide services to the Shire as a whole. In deciding how that revenue is raised, Council will take into account the following factors:

- the rateable value of land, including valuation relativities among land, and the rates that would be payable if only one general rate was adopted; and
- the level of services provided to that land and the cost of providing the services compared to the rate burden that would apply under a single general rate; and
- the use of the land in so far as it relates to the extent of utilisation of Council services; and
- the relative economic value of different land uses within the Shire; and

- location and access to services; and
- with an extensive road network, particularly in rural areas of the Shire and demands on Council to upgrade the standard of roads for harvesting, transportation of rural products, processing and services associated with the sugar, grazing, horticulture and aquaculture industries, Council considers those areas benefiting from access to improved road and infrastructure standards should contribute appropriately to Council's revenue base to maintain the high level of road services expected; and
- at the same time, Council acknowledges and again has taken into account that improved services including but not limited to: recreation and sporting, swimming pools, community, cultural, library, welfare services, public halls, environmental health services and amenities, parks and playgrounds, cemeteries, Council's public buildings, Council's economic development initiatives, improvements and development work in Council's principal towns are local government services that should be met by the whole community.

## Valuations and General Rates

Council is of the opinion that a system of differential general rating will achieve a fairer and more equitable distribution of the rating burden, rather than if only one general rate was adopted. A differential general rate system will exhibit the following features:

- Flexible – so that Council can adapt its rating system to the economic circumstances of the community's rateable properties as a whole and/or the circumstances of particular sectors;
- Equitable – in relation to the benefits rateable properties receive from expenditure of rates;
- Simple and easily understood;
- Economical to administer, relative to the revenue derived; and
- Ensures that similar rateable properties are treated in a like manner.

In determining the rating burden to be shared by the differential rating categories, Council acknowledges the following:

- New valuations issued from time to time may produce a shift in relativities between the various differential rating categories in respect of their share of the rating burden;
- New valuations may also lead to shifts in relativities between properties within the differential rating categories;
- New valuations issued from time to time may also result in a differential rating category contributing less of the rating burden than in the preceding year.

Council proposes to continue to levy differential general rates to ensure that the rate burden is distributed in a fair and equitable way. Council will continue to gather data to further consider and refine this process.

## Minimum General Rates

Council considers that each property in the Shire benefits to some extent from the facilities and services provided by Council, including the governance costs in administering the Shire. Such expenditure is limited to that funded by the general rate.

Therefore, minimum general rates are made and levied to recover the costs of such services and facilities.

## Charges

In general, Council will be guided by the 'user pays' principle in the making of charges to minimise the impact of rating within the local economy.

Council will have regard to the principles of:

- **Transparency** – in the making of charges;
- **Simplicity** – having in place a charging regime that is simple and inexpensive to administer;
- **Flexibility** – to take into account local economic conditions; and
- **Full cost recovery** – of associated expenses, including a reasonable return on capital.

Council will charge for water services under a two-part consumption based pricing policy. The outcomes of this form of water supply demand management are aimed at community benefit from:

- Establishment of a charging system more closely aligned to the principles of user pays;
- Reduced water consumption resulting in:
  - reduced operational costs;
  - deferment of future augmentation works for water treatment plants and delivery systems; and
  - an improved environmental balance of ground water reserves for future generations.

Council will eliminate any concessions for any section of the community in respect of consumption based charging.

### Special Charges

When providing services or undertaking activities that can reasonably be seen to benefit only a part of the rate base, Council considers it advantageous to recover those costs from those properties. To facilitate this principle, special charges are used to recover the costs for these services or activities.

### Separate Charges

Council acknowledges that there are various service provisions and infrastructure that the cost recovery of would seem to be unfair if made in accordance with property valuation and are more closely aligned with the concept of equal benefit per property. As a consequence, separate charges are used so that each property in the Shire, regardless of size, pays the same amount towards cost recovery. Separate charges are used to recover costs for these service provisions or infrastructure.

### Interest

Council ensures that the interests of ratepayers in general are protected by charging interest, under the *Local Government Regulation 2012*, on rates and utility charges that remain overdue immediately after the due date for payment on the rate notice.

### Principles used for granting rebates and concessions

In considering the application of concessions, Council will be guided by the principles of:

- **Equity** – by having regard to the different levels of capacity to pay among the lands of the local community;
- **Consistency** – in treatment for ratepayers receiving concessional rating; and
- **Transparency** – by making clear the requirements necessary to receive concessions.

In accordance with the above principles, Council has developed procedures in respect of the Pensioner Rebate rate concession for pensioners.

Council accepts that certain classes of pensioners have contributed rates over a period of time and/or are restricted by a fixed income and should be afforded a concession in respect of rates and charges.

Council also recognises that there are organisations which operate for the general benefit of the community with limited financial resources including private schools, churches, welfare, youth organisations and sporting organisations. Such organisations may receive a donation based on their sewerage charges.

Notwithstanding the above, individual cases will arise and Council has the discretion to consider each case on its merits.

## Principles used for recovery of unpaid rates and charges

Council will exercise its rate recovery powers in order to treat all ratepayers equitably. It will be guided by the principles of:

- **Transparency** – by making clear the obligations of ratepayers and the processes used by Council in assisting it to meet its financial obligations;
- **Simplicity** – making the processes used to recover overdue rates and charges clear, simple to administer and cost effective;
- **Capacity to pay** – in determining appropriate arrangements for ratepayers; and
- **Equity** – by treating all ratepayers in similar circumstances in the same way.

## Principles used for cost-recovery methods

Council recognises the validity of fully imposing the user pays principle for its cost-recovery fees, unless the imposition of the fee is contrary to its express social, economic, environment and other corporate goals. This is considered to be the most equitable and effective revenue approach and is founded on the basis that the Shire's rating base cannot subsidise the specific users or clients of Council's regulatory products and services.

However, in setting its cost-recovery fees, Council will be cognizant of the requirement that such a fee must not be more than the cost to Council of providing the service or taking the action to which the fee applies.

## Funding of physical and social infrastructure

Pursuant to the mechanisms contained in the *Planning Act 2016 (Qld)* ('PA'), Council requires the developer of a property to pay reasonable and relevant contributions as infrastructure charges towards the cost of infrastructure required to support a development.

Under the provisions of the PA, and Council's relevant planning instruments, developers are required to pay costs associated with the following:

- Any increased demand upon the available capacity of existing trunk infrastructure due to any development; and/or
- Any additional trunk infrastructure required due to any development; and
- Where appropriate, a contribution towards social infrastructure changes required to cater for the increase or changes in population caused by new development.



## Procedures

Procedures arising from this policy are contained in Council's Revenue Statement for 2024/2025.

## Risk Management

As a statutory policy, this policy helps to mitigate the risk of non-compliance with legislation. Further, the policy enhances Council's position to realise the benefits of transparency, consistency, equity, and flexibility and promotes the image of Council as both efficient and fair.

Applying a differential general rating system mitigates the risks of an unfair distribution of the rating burden which would be caused if only one general rate was applied.

By defining the principles to be applied for the recovery of unpaid rates, the policy mitigates the risk to ratepayers of acquiring a level of unachievable debt in cases where they are unable to pay rates and charges within the specified time period.

By granting rebates and concessions for eligible ratepayers, the policy mitigates the risk of inequity regarding the different levels of capacity to pay among the community.

## Legislation

The *Local Government Act 2009* and *Local Government Regulation 2012* require Council to review its revenue policy annually and in sufficient time to allow an annual budget that is consistent with the revenue policy to be adopted for the next financial year.

## Definitions and Abbreviations

Refer to dictionary schedules located in the *Local Government Act 2009* and *Local Government Regulation 2012*.

## Document History and Version Control

Title of Document	Revenue Policy 2024/25
Document Reference Number	FIN-POL-0019 Rev 4.03
Review Schedule	12 months
Council Meeting Date	14 May 2024
Council Resolution Number	TBA

### 6.3.2. FINANCIAL AND ADMINISTRATIVE SERVICES

#### Consideration for Annual Valuation - 2025 Land Valuation Program

**File Reference:** 678

**Report Author:** Jacqui Thomasson, Revenue Coordinator

**Authoriser:** Kim Olsen, Manager Finance and Administrative Services

**Meeting Date:** 14 May 2024

#### **Link to Corporate/Operational Plan:**

Burdekin Shire Council Corporate Plan 2022-2027

5.2.2 Responsibly manage Council's financial position to ensure sustainability.

5.2.4 Undertake regulatory responsibilities in accordance with legislative obligations.

Burdekin Shire Council Operational Plan 2023/2024

R1 Issue timely and accurate rates and charges notices.

R4 Maintain the property and rating database to ensure a high level of accuracy.

---

#### **Executive Summary**

Council has received correspondence from the Valuer-General, Laura Dietrich, seeking Council's view in relation to the revaluation of its Local Government area as part of the 30 June 2025 Land Valuation Program.

#### **Recommendation**

That Council responds to the Valuer-General requesting the inclusion of the Burdekin Shire in the 2025 Land Valuation Program.

#### **Background**

The *Land Valuation Act 2010* requires that the Valuer-General undertake an annual valuation of rateable land within a local government area. However, the Valuer-General may decide not to undertake a valuation within a shire after considering:

- A market survey report for the Local Government area which reviews sales of land and the probable impact of the sales on the value of and since the last annual valuation, and
- The results of consultation with the Local Government for the area and appropriate local and industry groups.

In addition, the State Valuation Service (SVS) is also considering a range of factors, including the timing of the last valuation, any extreme weather events that occurred over the last year and market movements.

The SVS is seeking Council's view in regard to the inclusion of the Burdekin Shire in the 2025 Land Valuation Program.

Historically, Council has responded to the SVS requesting that an annual valuation be undertaken with the view that even minor fluctuations in valuations can have an impact on Council's ratepayers.

It is Council's aim to minimise the impact on ratepayers and avoid possible large adjustments to valuation relativities which may occur when the annual valuation process is not undertaken for a number of years. As a result, it is recommended that Council responds to the Valuer-General requesting that an annual land valuation be conducted for the 2025 financial year.

**Consultation**

Not Applicable.

**Budget & Resource Implications**

Not Applicable.

**Legal Authority & Implications**

Not Applicable.

**Policy Implications**

Not Applicable.

**Risk Implications (Strategic, Operational, Project Risks)**

A potential risk is present in regard to fluctuations in valuations affecting both ratepayers and Council.

**Attachments**

None

### 6.4.1. GOVERNANCE

#### Freehold Lease Renewal - Part of Lot 106 on Registered Plan 898777, Ayr Aerodrome (Lease S) - Kevin Frederick Scheuber

**File Reference:** 173

**Report Author:** Jodie Ordorica, Governance Support Officer

**Authoriser:** Nick OConnor, Director Corporate and Community Services

**Meeting Date:** 14 May 2024

#### Link to Corporate/Operational Plan:

Burdekin Shire Council Corporate Plan 2022-2027

5.2.1: Demonstrate open and transparent leadership.

5.2.2: Responsibly manage Council's financial position to ensure sustainability.

5.2.4: Undertake regulatory responsibilities in accordance with legislative obligations.

Burdekin Shire Council Operational Plan 2023-2024

CG3 Manage Council's property portfolio (including the Ayr Aerodrome) in accordance with legislation with the timely reporting of matters to Council for approval.

---

#### Executive Summary

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

Lessor:	Burdekin Shire Council
Lessee:	Kevin Frederick Scheuber
Leased Area:	Lease S in Part of Lot 106 on RP898777, Ayr Aerodrome
Term:	Five (5) years, 1 July 2024 – 30 June 2029
Rent:	As per Council's Fees and Charges

#### Recommendation

That Council agree to enter into a Freehold Lease with Kevin Frederick Scheuber over Part of Lot 106 on Registered Plan 898777, Ayr Aerodrome shown on Attachment 1 as Lease S, for an initial five (5) year term being 1 July 2024 - 30 June 2029.

#### Background

Kevin Frederick Scheuber is the registered lessee of part of Lot 106 on Registered Plan 898777, Ayr Aerodrome shown as Lease S for the period 1 July 2019 - 30 June 2024.

On 26 March 2024, the Lessee confirmed his intention to enter into a new Freehold Lease with Council for an initial term of five (5) years.

The new Freehold Lease will be subject to, but not limited to, Council's Standard Terms Document Dealing No. 713293560 and Schedule 3 of the *Land Regulation 2020*.

## **Consultation**

Council Workshop on 4 June 2024.

## **Budget & Resource Implications**

Staff resources and Council lawyers will be utilised to prepare Freehold Lease documentation.

The Lessee will bear the associated costs including, but not limited to, the costs of obtaining a registrable lease plan and lease registration fees.

## **Legal Authority & Implications**

*Local Government Regulation 2012 – Section 236*

*Land Act 1994 – Section 57(1)*

*Land Regulation 2020*

## **Policy Implications**

This Lease is in compliance with the Council Property and Leasing Policy.

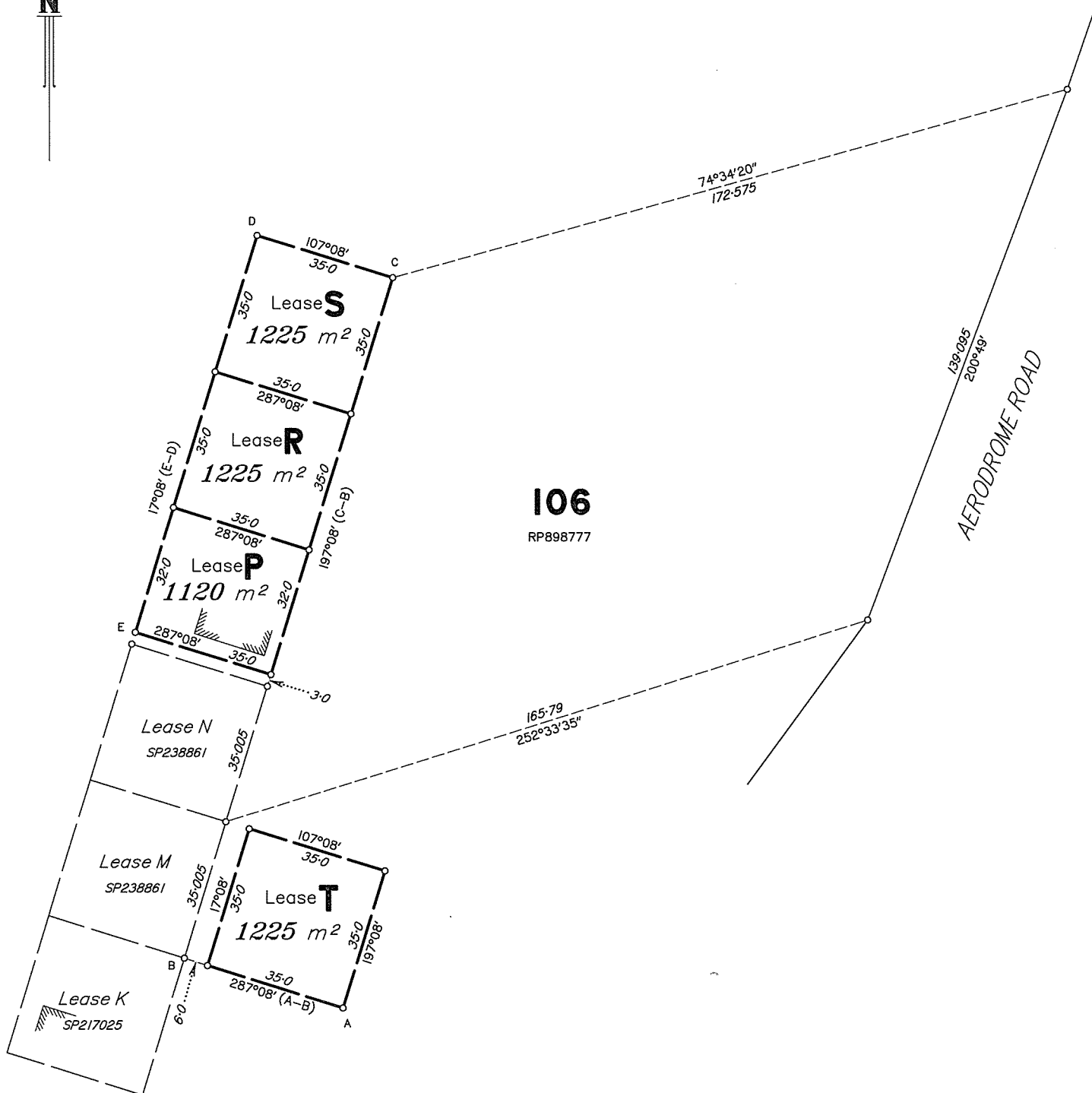
## **Risk Implications (Strategic, Operational, Project Risks)**

Council owned or controlled land used by community, commercial organisations or individuals without formal and consistent tenure arrangements, places liability on Council in the event of injury, accident or unenforceable agreements.

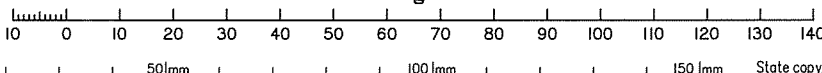
By formalising tenure arrangements, it reduces the risk of unenforceable arrangements and inappropriate use of Council land/property by providing appropriate and consistent tenure guidelines.

## **Attachments**

1. Lease S Lot 106 RP898777



Scale 1:1000 - Lengths are in Metres.



Cleve McGuane Surveys Pty Ltd (ACN 111 589 694) hereby certify that the corporation, by Cleve Patrick McGuane, cadastral surveyor for whose work the corporation accepts responsibility, has made this plan under Section 17 of the Survey and Mapping Infrastructure Regulation 2004 and pursuant to the Survey and Mapping Infrastructure Act 2003 and Surveyors Act 2003 and associated Regulations and Standards and that the plan is accurate, and compiled from ISI41747 & SP238861 in the Department of Environment and Resource Management.

*C.P. McGuane*

Director

Date 12/09/11

Plan of

**Leases P, R, S & T**

in Lot 106 on RP898777

PARISH: **JARVISFIELD**

COUNTY: **Gladstone**

Meridian: **SP238861**

F/N's: **No**

Scale: **1:1000**

Format: **STANDARD**



**SP245553**

Plan Status:

## 6.4.2. GOVERNANCE

### Freehold Lease Renewal - Part of Lot 106 on Registered Plan 898777, Ayr Aerodrome (Lease G) - Neil Christopher Hoffensetz

**File Reference:** 173

**Report Author:** Jodie Ordorica, Governance Support Officer

**Authoriser:** Nick OConnor, Director Corporate and Community Services

**Meeting Date:** 14 May 2024

#### **Link to Corporate/Operational Plan:**

Burdekin Shire Council Corporate Plan 2022-2027

5.2.1: Demonstrate open and transparent leadership.

5.2.2: Responsibly manage Council's financial position to ensure sustainability.

5.2.4: Undertake regulatory responsibilities in accordance with legislative obligations.

Burdekin Shire Council Operational Plan 2023-2024

CG3 Manage Council's property portfolio (including the Ayr Aerodrome) in accordance with legislation with the timely reporting of matters to Council for approval.

---

#### **Executive Summary**

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

Lessor: Burdekin Shire Council

Lessee: Neil Christopher Hoffensetz

Leased Area: Lease G in Part of Lot 106 on RP898777, Ayr Aerodrome

Term: 5 years, 1 July 2024 – 30 June 2029

Rent: As per Council's Fees and Charges

#### **Recommendation**

That Council agree to enter into a Freehold Lease with Neil Christopher Hoffensetz over Part of Lot 106 on Registered Plan 898777, Ayr Aerodrome shown on Attachment 1 as Lease G, for an initial five (5) year term being 1 July 2024 - 30 June 2029.

#### **Background**

Neil Christopher Hoffensetz is the lessee of part of Lot 106 on Registered Plan 898777, Ayr Aerodrome shown as Lease G for the period 1 July 2019 - 30 June 2024.

On 26 March 2024, the Lessee confirmed his intention to enter into a new Freehold Lease with Council for an initial term of five (5) years.

The new Freehold Lease will be subject to, but not limited to, Council's Standard Terms Document Dealing No. 713293560 and Schedule 3 of the *Land Regulation 2020*.

**Consultation**

Not Applicable.

**Budget & Resource Implications**

Staff resources and Council lawyers will be utilised to prepare Freehold Lease documentation.

The Lessee will bear the associated costs including, but not limited to, the costs of obtaining a registrable lease plan and lease registration fees.

**Legal Authority & Implications**

*Local Government Regulation 2012 – Section 236*

*Land Act 1994 – Section 57(1)*

*Land Regulation 2020*

**Policy Implications**

This Lease is in compliance with the Council Property and Leasing Policy.

**Risk Implications (Strategic, Operational, Project Risks)**

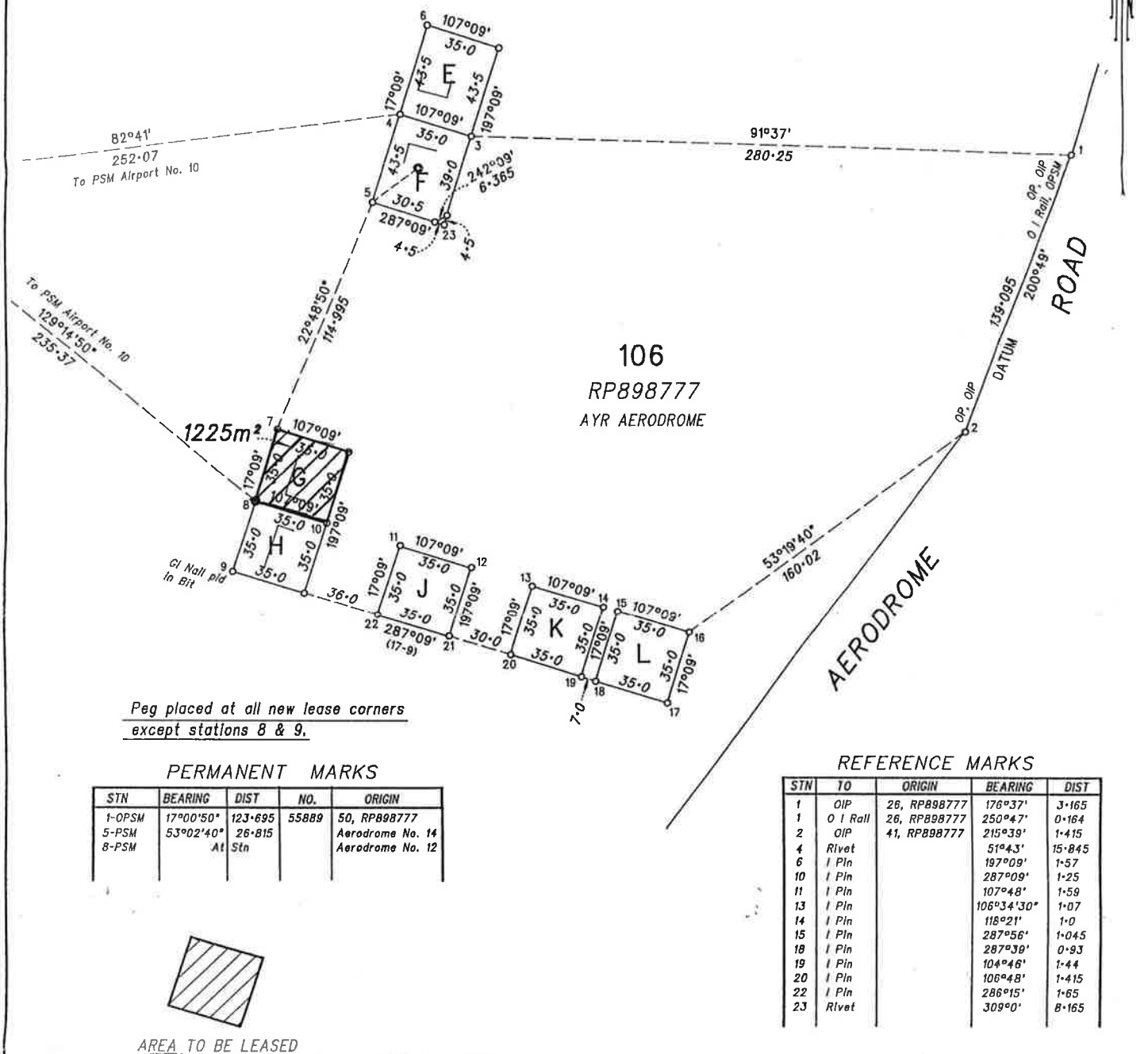
Council owned or controlled land used by community, commercial organisations or individuals without formal and consistent tenure arrangements, places liability on Council in the event of injury, accident or unenforceable agreements.

By formalising tenure arrangements, it reduces the risk of unenforceable arrangements and inappropriate use of Council land/property by providing appropriate and consistent tenure guidelines.

**Attachments**

1. Lease G on Lot 106 RP898777





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

I, JAMES GEORGE BERESFORD hereby certify that I have surveyed the land comprised in this plan personally, that the plan is accurate, that the said survey was performed in accordance with the Surveyors Act and the Surveyors Regulations and that the said survey was completed on 19/8/96

Licensed Surveyor

Date 21/8/96

### J.G. BERESFORD

Consulting Surveyors

102 Beach Road, Ayr, 4807

Phone: 077 835766 Fax: 077 832460

CLIENT

BURDEKIN SHIRE COUNCIL

REF: C:\CPLUS\DATA\4496.G02

### PLAN FOR LEASE PURPOSES ONLY

over Part of Lot 106 on RP898777

ORIGINAL Portion 424

PARISH **JARVISFIELD**  
COUNTY **Gladstone**

TOWN/LOCALITY

LOCAL AUTHORITY **Burdekin S. C.**

LAND AGENTS/MINING

DISTRICT **Northern**

MINING FIELD

MERIDIAN

RP898777

MAP REF

8358-14243

SCALE

1 : 2000

ENDORSED

Northern

ARCHIVED

Northern

LEASE PLAN

### 6.4.3. GOVERNANCE

**Trustee Lease Renewal – Lease C and D in Part of Lot 141 on Crown Plan GS808420 (adjacent 129 Boorman Road, Rita Island) – James William Kelly and Annette Marie Kelly**

**File Reference:** 2394

**Report Author:** Jodie Ordorica, Governance Support Officer

**Authoriser:** Nick OConnor, Director Corporate and Community Services

**Meeting Date:** 14 May 2024

#### **Link to Corporate/Operational Plan:**

Burdekin Shire Council Corporate Plan 2022-2027

5.2.1: Demonstrate open and transparent leadership.

5.2.2: Responsibly manage Council's financial position to ensure sustainability.

5.2.4: Undertake regulatory responsibilities in accordance with legislative obligations.

Burdekin Shire Council Operational Plan 2023-2024

CG3 Manage Council's property portfolio (including the Ayr Aerodrome) in accordance with legislation with the timely reporting of matters to Council for approval.

---

#### **Executive Summary**

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

<b>Lessor:</b>	Burdekin Shire Council
<b>Lessee:</b>	James William Kelly and Annette Marie Kelly
<b>Leased Area:</b>	Lease C and D in Part of Lot 141 on Crown Plan GS808420 (adjacent 129 Boorman Road, Rita Island)
<b>Term:</b>	Five (5) years, 17 May 2024 – 16 May 2029
<b>Rent:</b>	\$350.15 per annum (including GST) – Annual CPI review.

#### **Recommendation**

That Council agree to enter into a Trustee Lease with James William and Annette Kelly over part of Lot 141 on Crown Plan GS808420 (adjacent 129 Boorman Road, Rita Island) shown on Attachment 1 as Lease C and D, for an initial five (5) year term being 17 May 2024 to 16 May 2029.

#### **Background**

Shane and Catherine Johnson leased part of Lot 141 on Crown Plan GS808420 (adjacent 129 Boorman Road, Rita Island) shown as Lease C and D from 17 May 2019 to 16 May 2024. On 13 July 2021 with Council approval, the lease was transferred to James and Annette Kelly keeping the existing expiry date of 16 May 2024.

On 9 April 2024, the Lessee confirmed their intention to enter into a new Trustee Lease with Council for an initial term of five (5) years.

The new Trustee Lease will be subject to, but not limited to, the Prescribed Terms pursuant to the Land Regulation 2020 (Qld) and Council's Standard Terms for a Trustee Lease pursuant to registered dealing 713293560.

### **Consultation**

Not Applicable.

### **Budget & Resource Implications**

Staff resources and Council lawyers will be utilised to prepare Trustee Lease documentation.

The Lessee will bear the associated costs including, but not limited to, the costs of obtaining a registrable lease plan and lease registration fees.

### **Legal Authority & Implications**

*Local Government Regulation 2012 – Section 236*

*Land Act 1994 – Section 57(1)*

### **Policy Implications**

This Lease is in compliance with the Council Property and Leasing Policy.

### **Risk Implications (Strategic, Operational, Project Risks)**

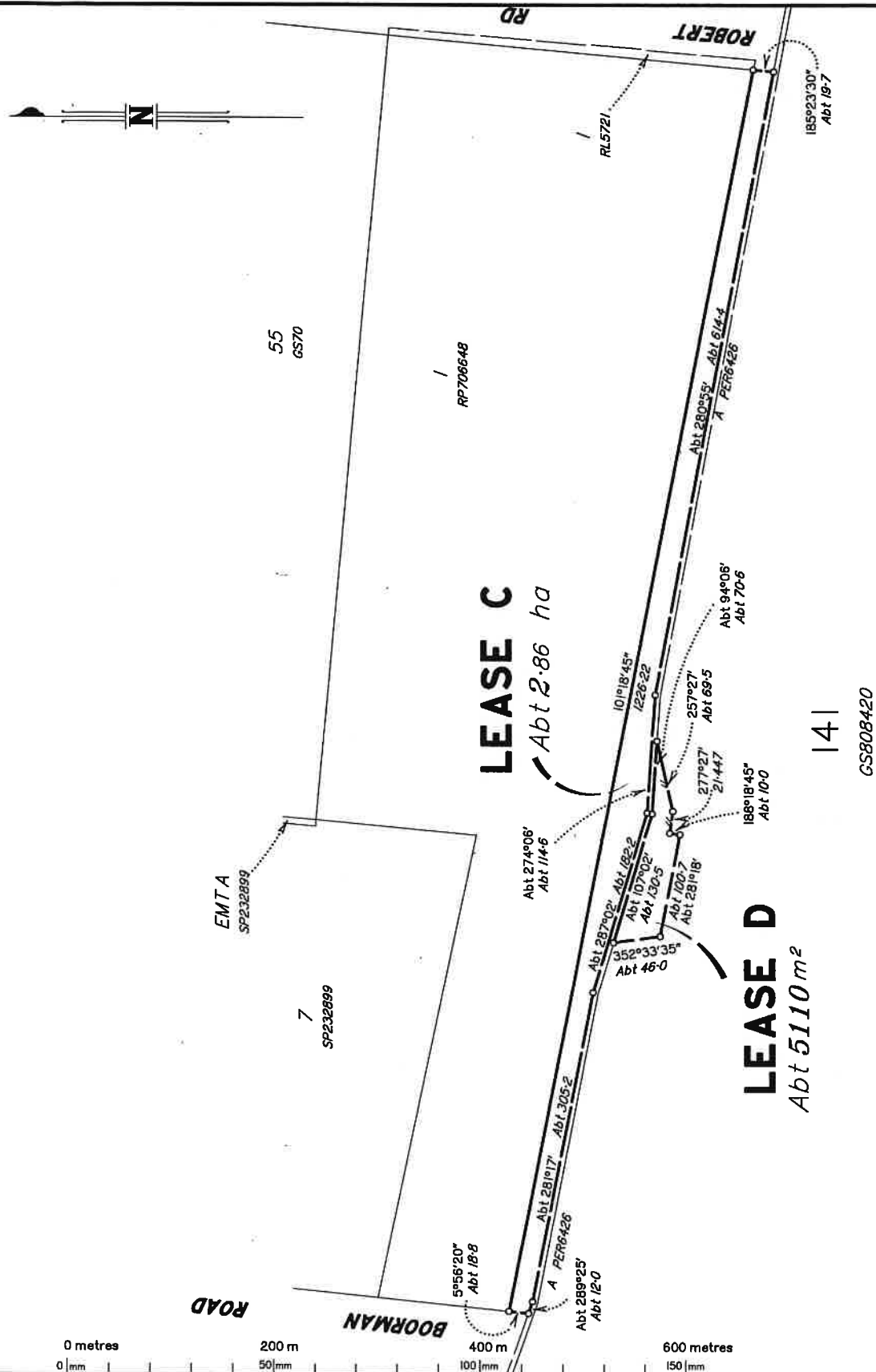
Council owned or controlled land used by community, commercial organisations or individuals without formal and consistent tenure arrangements, places liability on Council in the event of injury, accident or unenforceable agreements.

By formalising tenure arrangements, it reduces the risk of unenforceable arrangements and inappropriate use of Council land/property by providing appropriate and consistent tenure guidelines.

### **Attachments**

1. Lease C & D Lot 141 GS808420

Plan compiled from DP308557 and PER6426  
in the Department of Natural Resources, Mines and Energy.



# Plan of Lease C and D (Trustee Leases) in Lot 141 on GS808420

I, Dale Ian ATKINSON Cadastral Surveyor hereby certify  
that the details on this sketch plan are correct.

*Dale Atkinson*

8<sup>th</sup> March 2019  
Cadastral Surveyor  
Date

LOCALITY: **RITA ISLAND**  
LOCAL GOVT: **BURDEKIN SHIRE**

MERIDIAN MGA z 55 vide DP308557	MAP REF. 8358-11342	SCALE 1 : 4000
TITLE REFERENCE 49012935	SURVEYOR REF. 18-150	FIELDBOOK DALE I
CLIENT S and C Johnson	DRAWN: IWF	

**Atkinson**  
& BOOY SURVEYS

1/56 Thuringowa Dr. Thuringowa Central 4817Q  
Ph: 47234885 E: dale@atkinsonsurveys.com.au

Cadastral Surveys

**L 18-150**

#### 6.4.4. GOVERNANCE

##### **Surrender of Lease - The State of Queensland (represented by Department of Community Safety) - Lease A on SP250569 (Clare RFB)**

**File Reference:** 2678

**Report Author:** Jodie Ordorica, Governance Support Officer

**Authoriser:** Nick OConnor, Director Corporate and Community Services

**Meeting Date:** 14 May 2024

##### **Link to Corporate/Operational Plan:**

Burdekin Shire Council Corporate Plan 2022-2027

5.2.1: Demonstrate open and transparent leadership.

5.2.2: Responsibly manage Council's financial position to ensure sustainability.

5.2.4: Undertake regulatory responsibilities in accordance with legislative obligations.

Burdekin Shire Council Operational Plan 2023-2024

CG3 Manage Council's property portfolio (including the Ayr Aerodrome) in accordance with legislation with the timely reporting of matters to Council for approval.

---

#### **Executive Summary**

Council approval is requested to consent to the surrender of the following Trustee lease:

**Lessor:** Burdekin Shire Council

**Lessee:** The State of Queensland (represented by Department of Community Safety)  
now known as Queensland Fire and Emergency Services (QFES)

**Leased Area:** Lease A on SP250569 on Lot 2 on CP838549

**Term:** 11 May 2012 to 10 May 2032

#### **Recommendation**

That Council agree to the surrender of Trustee Lease A on SP250569 on Lot 2 on CP838549 with The State of Queensland (represented by Department of Community Safety) effective 14 May 2024.

#### **Background**

The State of Queensland (represented by Department of Community Safety) are the registered lessees for Lot 2 on CP838549 - Lease A on SP250569 for the period 11 May 2012 to 10 May 2032. Advice from QFES (formerly known as The State of Queensland (represented by Department of Community Safety)) on 14 December 2023 was that the station is no longer being used by the Clare Rural Fire Brigade (RFB) as the Brigade area is in the process of being incorporated into Millaroo, Dalbeg and Mount Kelly brigades. The brigades have deemed that the Clare station is not required by either brigade. On 15 April 2024 QFES requested surrender of the current lease.

Clare RFB has a local arrangement with Burdekin State Emergency Services (SES) for SES use of the Clare station lease area to support SES delivery of services. SES is being transitioned to the QPS and are continuing operations from this lease area and are exploring lease options over this premise.

## **Consultation**

Howard Ellems - Property and Leasing Officer (QFES)  
Andrea Forsaith - Project Officer (Rural) Property and Leases (QFES)  
Warren Francis - Local Controller, Burdekin State Emergency Services  
Eileen Devescovi - Manager Client Services, Burdekin Shire Council  
Belinda Mohr - Governance and Property Officer, Burdekin Shire Council

## **Budget & Resource Implications**

Staff resources will be utilised to prepare Surrender of Lease documentation.

The Lessee will bear the associated costs.

## **Legal Authority & Implications**

*Local Government Regulation 2012 – Section 236*

*Land Act 1994 – Section 57(1)*

## **Policy Implications**

This Lease is in compliance with the Council Property and Leasing Policy.

## **Risk Implications (Strategic, Operational, Project Risks)**

Council owned or controlled land used by community, commercial organisations or individuals without formal and consistent tenure arrangements, places liability on Council in the event of injury, accident or unenforceable agreements.

By formalising tenure arrangements, it reduces the risk of unenforceable arrangements and inappropriate use of Council land/property by providing appropriate and consistent tenure guidelines.

## **Attachments**

1. Lease A SP250569 Lot 2 CP838549

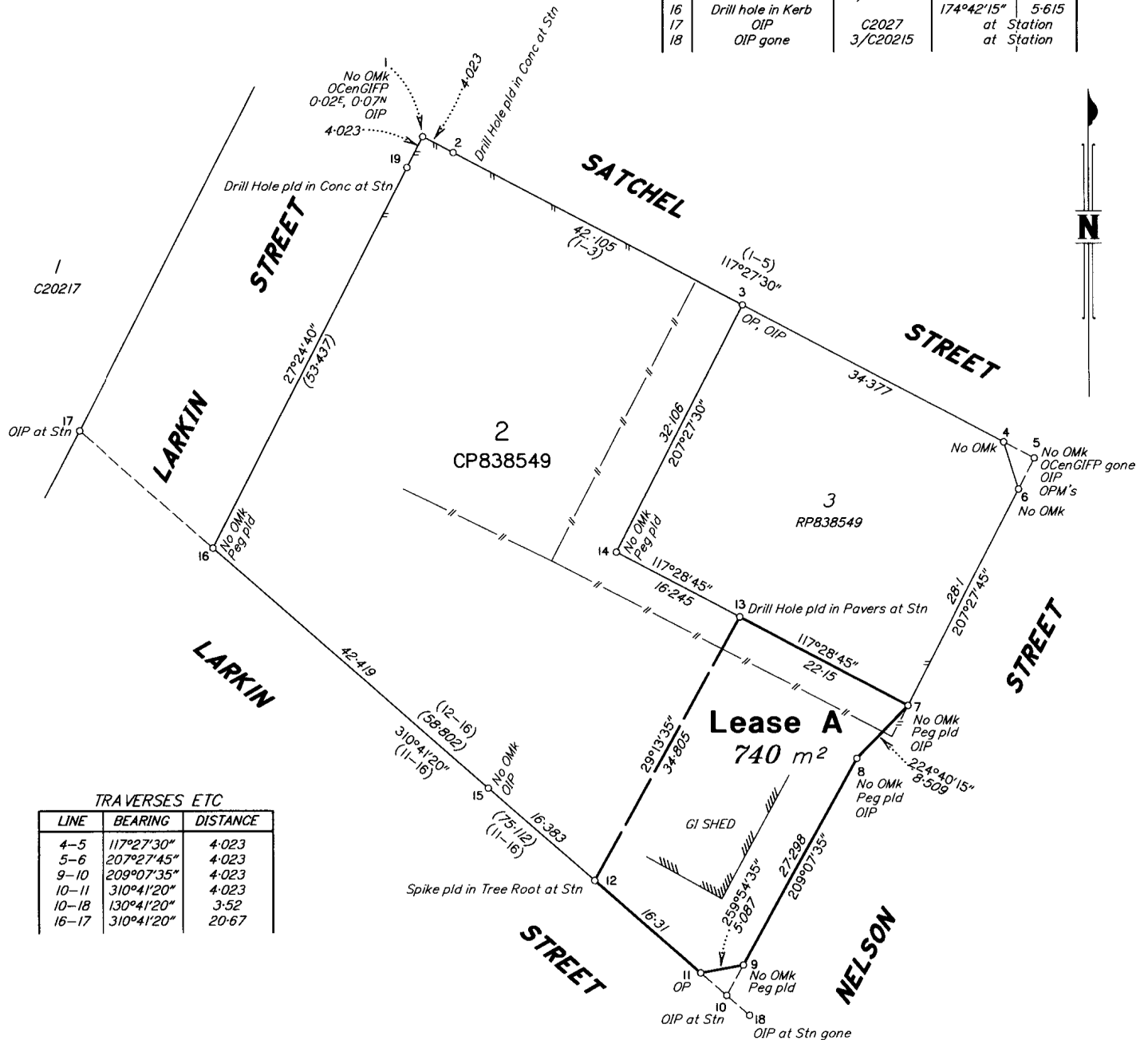
# SURVEY PLAN

## PERMANENT MARKS

PM	ORIGIN	BEARING	DIST	NO	TYPE	
5-OPM	SP117906	121°17'35"	19.935	127787	Brass Plq	New Conn
5-OPM	SP117906	153°47'40"	168.017	127785	Brass Plq	New Conn

## REFERENCE MARKS

STN	TO	ORIGIN	BEARING	DIST	
1	OIP	6/1588192	342°28'	1.697	
3	OIP	8/1588192	27°27'30"	1.2	
5	OCenSteelFP gone	7/1588192	211°52'	0.82	N & C
5	OIP	7/1588192	28°18'	1.2	
7	OIP	2/C20216	207°27'45"	1.006	N & C
8	OIP	6/C20216	45°28'	0.975	
9	Cor GI Shed		341°42'	8.021	
10	OIP	1/C20218	at Station		
10	Screw in Bit		225°18'20"	11.83	
12	Cor GI Shed		65°38'50"	6.62	
12	Screw in Kerb		288°11'25"	9.782	
15	OIP	4/C20218	130°41'20"	1.006	
16	Drill hole in Kerb		174°42'15"	5.615	
17	OIP	C2027	at Station		
18	OIP gone	3/C20215	at Station		



## TRAVERSES ETC

LINE	BEARING	DISTANCE
4-5	117°27'30"	4.023
5-6	207°27'45"	4.023
9-10	209°07'35"	4.023
10-11	310°41'20"	4.023
10-18	130°41'20"	3.52
16-17	310°41'20"	20.67

BRAZIER MOTTI PTY LTD (ACN 066 411 041) hereby certify that the land comprised in this plan was surveyed by the corporation, by Jason Trevor Walter HARCH, Surveying Associate, for whose work the corporation accepts responsibility, under the supervision of Graham Peter WARD, Cadastral Surveyor, and that the plan is accurate, that the said survey was performed in accordance with the Survey and Mapping Infrastructure Act 2003 and Surveyors Act 2003 and associated Regulations and Standards and that the said survey was completed on 20th December, 2011.



Director

Director

Date: 7/2/12

Scale: 1:500  
Format: STANDARD

## Plan of Lease A in Lot 2 on CP838549

PARISH: MULGRAVE

COUNTY: Gladstone

Meridian: vide 1588192

F/N's: No



SP250569

Plan Status:

## 6.4.5. GOVERNANCE

### Trustee Lease Surrender and Re-issue – Part of Lot 91 on Crown Plan GS980 (Lease A) - Queensland Police Citizens Youth Welfare Association

**File Reference:** 1399

**Report Author:** Jodie Ordorica, Governance Support Officer

**Authoriser:** Nick OConnor, Director Corporate and Community Services

**Meeting Date:** 14 May 2024

#### **Link to Corporate/Operational Plan:**

Burdekin Shire Council Corporate Plan 2022-2027

5.2.1: Demonstrate open and transparent leadership.

5.2.2: Responsibly manage Council's financial position to ensure sustainability.

5.2.4: Undertake regulatory responsibilities in accordance with legislative obligations.

Burdekin Shire Council Operational Plan 2023-2024

CG3 Manage Council's property portfolio (including the Ayr Aerodrome) in accordance with legislation with the timely reporting of matters to Council for approval.

---

#### **Executive Summary**

Council approval is requested to consent to the surrender and issue of the following Trustee lease:

##### Lease to be surrendered:

Lessor: Burdekin Shire Council  
Lessee: Queensland Police Citizens Youth Welfare Association  
Leased Area: Lease A on Part of Lot 91 on Crown Plan GS980  
Term: 1 April 2020 to 31 March 2030

##### New Lease to be issued:

Lessor: Burdekin Shire Council  
Lessee: Queensland Police Citizens Youth Welfare Association  
Leased Area: Lease A on Part of Lot 91 on Crown Plan GS980  
Term: 1 April 2024 to 31 March 2034

#### **Recommendation**

That Council agree to the surrender of current Trustee Lease A on Part of Lot 91 on Crown Plan GS980 (building site and car park) as shown on Attachment 1 and issue of a new Trustee Lease A on Part of Lot 91 on Crown Plan GS980 (building site only, excluding car park) as shown on Attachment 2 with Queensland Police Citizens Youth Welfare Association (PCYC) for an initial ten (10) year term being 1 April 2024 to 31 March 2034.

#### **Background**

Queensland Police Citizens Youth Welfare Association (PCYC) are the registered lessees for Part of Lot 91 on Crown Plan GS980 shown as Lease A on Attachment 1 for the period 1 April 2020 to 31 March 2030.



On 17 October 2022 Council contacted PCYC regarding Council's forecasted scope of works for Macmillan Street. Council anticipated the Macmillan Street works impinging on the car park within their leased area. It was identified that they do not presently have exclusive use or benefit of the car parking area as the public regularly use these car parking facilities at their leisure. It was proposed that Queensland Police Citizens Youth Welfare Association relinquish the existing lease and re-enter a new lease on identical terms and at the cost of Council, for the building site only.

On 8 February 2023 PCYC confirmed with Council they support the proposal and have no objection to Council taking over responsibility of the car park area and to enter a new lease.

January 2024 Brazier Motti Surveyors were contracted to survey lease plan A to excise the car park and replace with Lease Plan A (building site only) and B (car park only) as shown on Attachment 2 as Lease A and B.

The new Trustee Lease will be subject to, but not limited to, the Prescribed Terms pursuant to the Land Regulation 2020 (Qld) and Council's Standard Terms for a Trustee Lease pursuant to registered dealing 713293560.

### **Consultation**

Discussions with Council's Project Engineer Tayla Heur and Governance and Property Officer Tamara Bateman, and PCYC Youth Club Manager Andrew Sherrington on 21 July 2022.

Council workshop on 2 August 2022.

Discussions with Council's Director Corporate and Community Services Nick O'Connor, Governance and Property Officer Belinda Mohr, Brazier Motti Surveyor Jason Harch, and PCYC Youth Club Manager Andrew Sherrington on 13 February 2024.

### **Budget & Resource Implications**

Staff resources and Council lawyers will be utilised to prepare Trustee Lease and Surrender of Lease documentation.

The Lessor will bear the associated costs including, but not limited to, the costs of obtaining a registrable lease plan and lease registration fees.

### **Legal Authority & Implications**

*Local Government Regulation 2012 – Section 236*

*Land Act 1994 – Section 57(1)*

### **Policy Implications**

This Lease is in compliance with the Council Property and Leasing Policy.

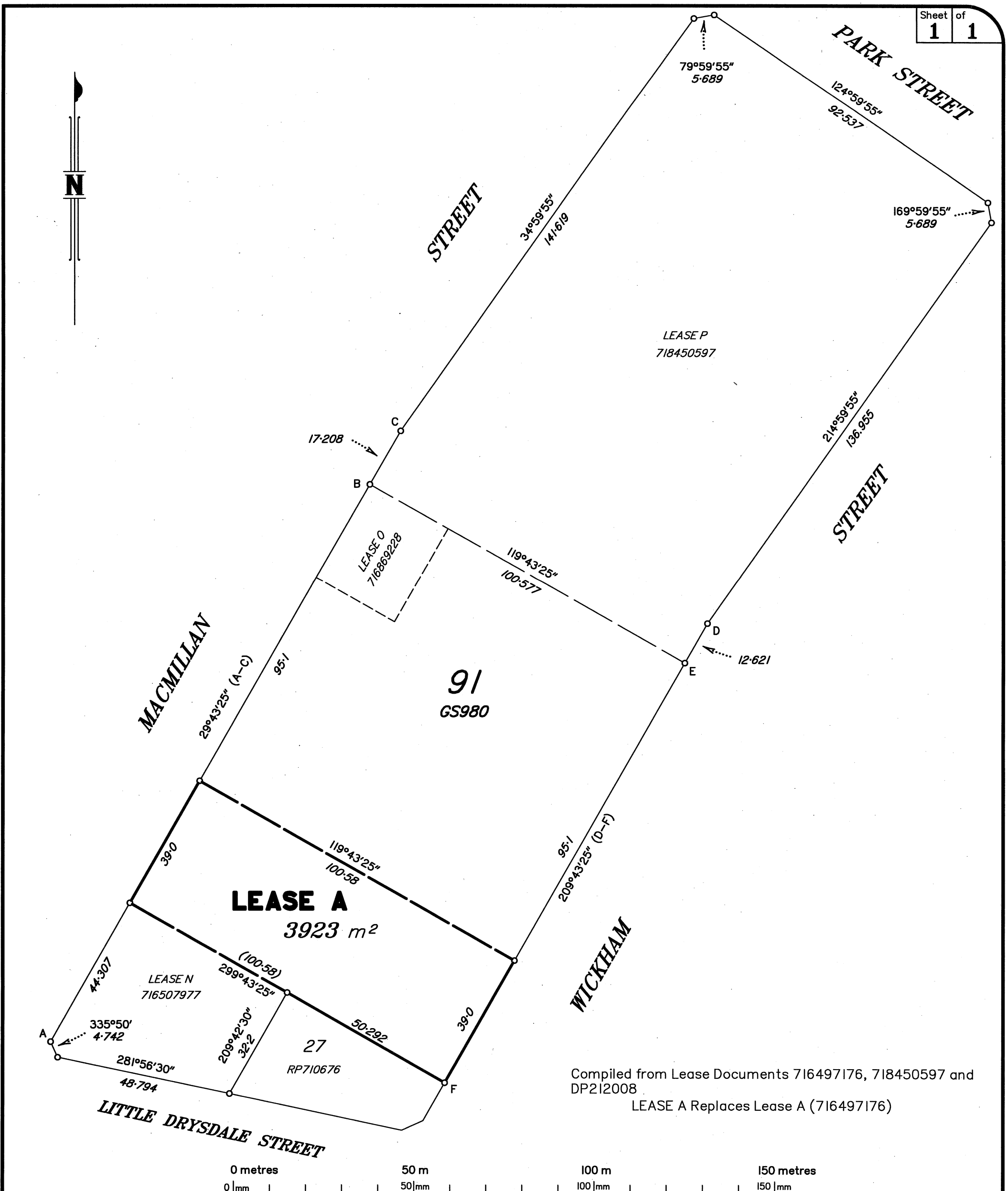
### **Risk Implications (Strategic, Operational, Project Risks)**

Council owned or controlled land used by community, commercial organisations or individuals without formal and consistent tenure arrangements, places liability on Council in the event of injury, accident or unenforceable agreements.

By formalising tenure arrangements, it reduces the risk of unenforceable arrangements and inappropriate use of Council land/property by providing appropriate and consistent tenure guidelines.

### **Attachments**

1. Lease A Lot 91 GS980
2. Lease A and B Lot 91 GS980



Plan of Lease A (Trustee Lease) in Lot 91 on GS980

I, Dale Ian ATKINSON Cadastral Surveyor hereby certify that the details on this sketch plan are correct.

*Dale Atkinson*

Cadastral Surveyor

7 September 2020  
Date

LOCALITY: <b>AYR</b>		
LOCAL GOVT: <b>BURDEKIN SHIRE</b>		
MERIDIAN DP212008	MAP REF. 8358-11342	SCALE <b>1 : 1000</b>
TITLE REFERENCE 49023192	SURVEYOR REF. 20_174	FIELDBOOK DALE I
CLIENT BURDEKIN SHIRE COUNCIL		DRAWN: IWF

**Atkinson & BOOY SURVEYS**  
1/56 Thuringowa Dr. Thuringowa Central 4817Q  
Ph: 47234885 E: dale@atkinsonsurveys.com.au  
**Cadastral Surveys**

**20-174**



Information compiled from  
Lease document 720849492, IS290761 and location of kerb.

NO UNAUTHORISED AMENDMENTS PERMITTED TO THIS PLAN.  
ORIGINAL SIZE OF THIS PLAN IS A4.

ENDORSED	Sketch O.K.
Accredited Surveyor	.....

Leases A & B replaces Lease A (720849492)

0m 40m 80m 120m  
0 50mm 100mm 150mm

We, BRAZIER MOTTI PTY LTD ACN 066 411 041,  
Cadastral Surveyors, certify that the details shown on this  
sketch plan are correct.



21-03-24  
Date .....

Project

PLAN OF LEASES A & B  
(Trustee Leases)  
in Lot 91 on GS980

Client: Burdekin Shire Council  
Locality: Ayr  
Local Authority: Burdekin Shire Council

Job No: 57092/001-01  
Meridian: Vide IS290761  
Title Reference:

Date: 19th February, 2024	
Sheet 1 of 1	Sheets
Scale: 1:800	A4
Plan No: 57902/001 A	

braziermotti.com.au

SURVEYING  
TOWNPLANNING  
PROJECT MANAGEMENT  
MAPPING & GIS



brazier motti

## 6.4.6. GOVERNANCE

### Trustee Lease Surrender – Part of Lot 91 on Crown Plan GS980 (Lease P) - Burdekin Touch Association Incorporated

**File Reference:** 1123

**Report Author:** Jodie Ordorica, Governance Support Officer

**Authoriser:** Nick OConnor, Director Corporate and Community Services

**Meeting Date:** 14 May 2024

#### **Link to Corporate/Operational Plan:**

Burdekin Shire Council Corporate Plan 2022-2027

5.2.1: Demonstrate open and transparent leadership.

5.2.2: Responsibly manage Council's financial position to ensure sustainability.

5.2.4: Undertake regulatory responsibilities in accordance with legislative obligations.

Burdekin Shire Council Operational Plan 2023-2024

CG3 Manage Council's property portfolio (including the Ayr Aerodrome) in accordance with legislation with the timely reporting of matters to Council for approval.

---

#### **Executive Summary**

Council approval is requested to consent to the surrender to the following Trustee lease:

Lessor:	Burdekin Shire Council
Lessee:	Burdekin Touch Association Incorporated
Leased Area:	Lease P on Part of Lot 91 on Crown Plan GS980
Term:	1 October 2017 to 6 April 2025

#### **Recommendation**

That Council agree to the surrender of current Trustee Lease on Part of Lot 91 on Crown Plan GS980 shown as Lease P on Attachment 1 with Burdekin Touch Association Incorporated (BTA) effective 6 December 2023.

#### **Background**

On 1 October 2017 Council entered into a Trustee Lease with Burdekin Touch Association Incorporated (BTA) which is due to expire 6 April 2025.

On 20 May 2023 BTA contacted Council requesting to surrender this lease due to declining local competition resulting in them no longer requiring additional fields at this location and also the progression of the ANZAC Park Redevelopment Project.

On 20 June 2023 the matter was discussed at Council workshop.

On 12 March 2024 BTA formally requested the surrender of Lease P on Part of Lot 91 on Crown Plan GS980 effective 6 December 2023.

## **Consultation**

Council Workshop on 20 June 2023

## **Budget & Resource Implications**

Staff resources will be utilised to prepare Surrender of Lease documentation.

## **Legal Authority & Implications**

*Local Government Regulation 2012 – Section 236*

*Land Act 1994 – Section 57(1)*

## **Policy Implications**

This Lease is in compliance with the Council Property and Leasing Policy.

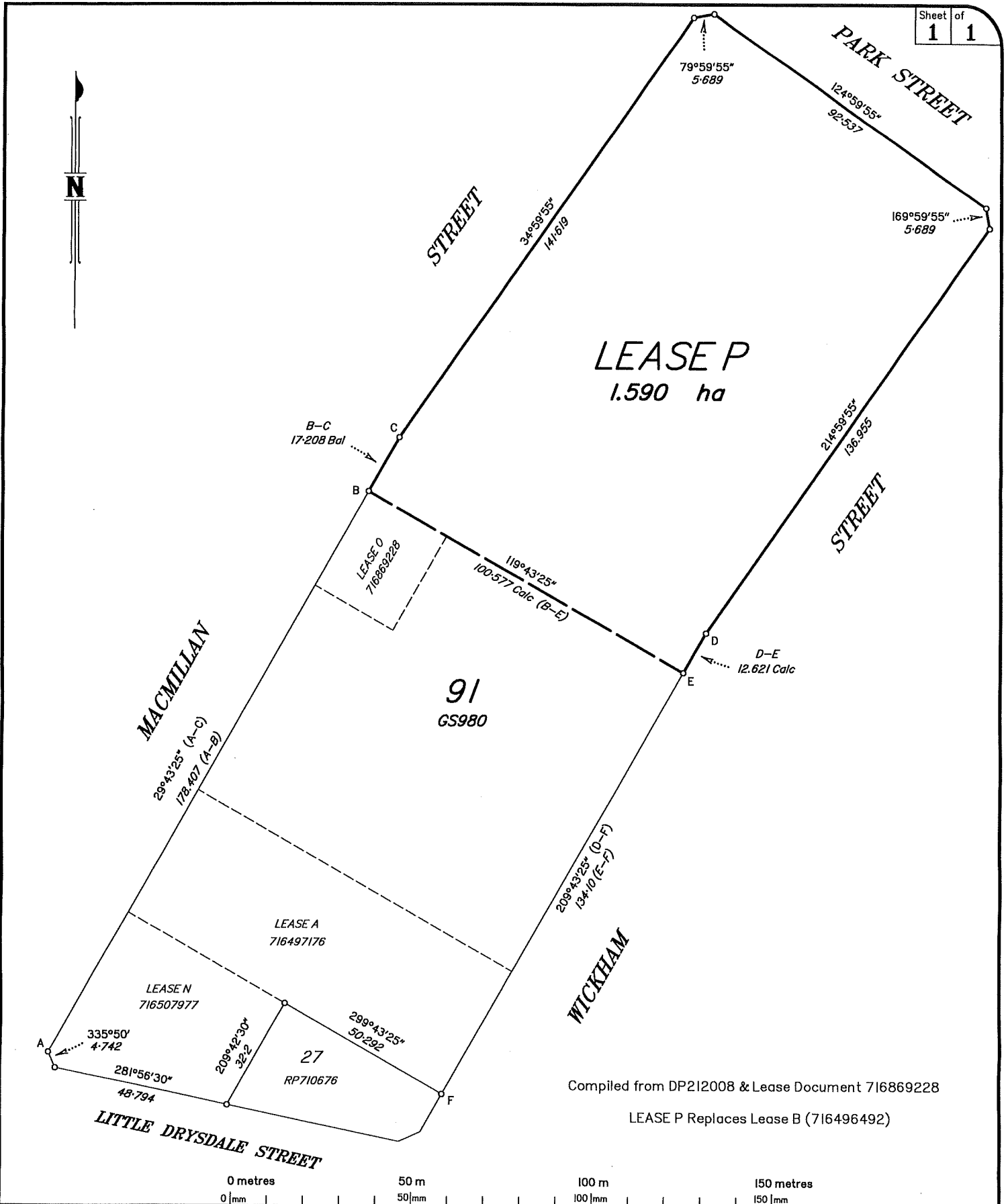
## **Risk Implications (Strategic, Operational, Project Risks)**

Council owned or controlled land used by community, commercial organisations or individuals without formal and consistent tenure arrangements, places liability on Council in the event of injury, accident or unenforceable agreements.

By formalising tenure arrangements, it reduces the risk of unenforceable arrangements and inappropriate use of Council land/property by providing appropriate and consistent tenure guidelines.

## **Attachments**

1. Lease P Lot 91 GS980



### Plan of Lease P (Trustee Lease) in Lot 91 on GS980

I, Dale Ian ATKINSON Cadastral Surveyor hereby certify that the details on this sketch plan are correct.

*Dale Atkinson*  
29/5/2017  
Cadastral Surveyor

LOCALITY: **AYR**  
LOCAL GOVT: **BURDEKIN SHIRE**

MERIDIAN DP212008	MAP REF. 8358-11342	SCALE <b>1 : 1000</b>
TITLE REFERENCE 49023192	SURVEYOR REF. 17-068	FIELDBOOK DALE I
CLIENT BURDEKIN SHIRE COUNCIL		DRAWN: IWF

**Atkinson & BOOY SURVEYS**  
1/56 Thuringowa Dr. Thuringowa Central 4817Q  
Ph: 47234885 E: dale@atkinsonsurveys.com.au  
Cadastral Surveys

**17-068P(2)**

Document Set ID: 1428388 Date  
Version: 1, Version Date: 06/12/2017

Page 58 of 119

## 7.1.1. ENVIRONMENTAL AND HEALTH SERVICES

### Acceptance of Tender - TBSC/23/027 - Provide Animal Pound Services

**File Reference:** 21

**Report Author:** Linda Govan, Coordinator Environment and Health Projects

**Authoriser:** Paul Day, Manager Environment and Health Services

**Meeting Date:** 14 May 2024

#### **Link to Corporate/Operational Plan:**

Burdekin Shire Council Corporate Plan 2022-2027

1.2.1: Deliver regulatory and advisory programs.

Burdekin Shire Council Operational Plan 2023-2024

AM3 Maintain and operate Council's animal pound with a focus on rehoming animals where suitable i.e. where health and temperament allows.

---

#### **Executive Summary**

Councils' current agreement for provision of animal pound services expires on 30 April 2024. Tenders were called and one (1) tender was received.

#### **Recommendation**

That Council:

1. awards TBSC/23/027 – Provision of Animal Pound Services to Robert and Jessica Lowing, trading as Foxtail Park Boarding Kennels and Cattery for the base rate price of \$79,000.00 excluding GST.
2. delegates authority under s257(1)(b) of the Local Government Act 2009 to the Chief Executive Officer to negotiate, finalise and execute any and all matters.

#### **Background**

Council currently engages Foxtail Park Boarding Kennels and Cattery to provide an external pound to assist Council with holding animals for the minimum period of three (3) clear days as provided in Local Law No. 2 (Animal Management) 2012.

Council's pound in Mackenzie Street, Ayr is a short-term holding facility that is not permanently staffed.

Under the tender the supplier will:

- Provide a minimum of eight (8) dog enclosures and eight (8) cat enclosures for exclusive use of Council;
- Provide additional suitable enclosures for poultry, birds, horses and cattle, if required;
- Provide care including food, water, shelter and exercise of the animals held; and
- Assist with the transportation, seizure, handling and euthanasia of animals.

Tender TBSC/23/027 was called and open in VendorPanel from 9 February 2024 to 11 March 2024 and advertised on Council's website and in the Burdekin Life newspaper. One (1) tender was received from the current contractors.

As well as a base price for the provision of 16 enclosures, prices have been provided for the provision of food for the different types of animals and these are charged per day based on use or need. A separate price is also provided for picking up animals from the MacKenize Street pound and for assisting Council in Local Law matters involving animals. These items have had a minimal increase.

Robert and Jessica Lowing bought the business in November 2018 and have been undertaking the work of the existing contract since that time. They have expressed a willingness and interest in working with Council on animal management issues.

Council staff have a good working relationship with Robert and Jessica Lowing and will work together to ensure the community is provided with a quality facility.

### **Consultation**

Public tender process was undertaken.

### **Budget & Resource Implications**

The base rate has increased from \$64,000.00 to \$72,000.00 excluding GST. The unknown is dependent on number of animals that come through the pound and the number of trips they take to pick up animals.

The contract's base rate was increased by 11%, that is for the provision of cages for the eight (8) dogs and eight (8) cats. All other costs have had a minimal increase, approximately 1%.

These increases and the other additional costs have been allowed for in the draft 2024/2025 budget to the amount of \$90,000.00, excluding GST.

### **Legal Authority & Implications**

Not Applicable.

### **Policy Implications**

Not Applicable.

### **Risk Implications (Strategic, Operational, Project Risks)**

Any identified risks will be managed in accordance with the Enterprise Risk Management Policy and adopted Enterprise Risk Management Framework.

Non-acceptance of the tender provides a major strategic and operational risk for Council in that the housing and caring of animals at the Council animal pound for extended periods of time is not a cost effective or a viable option.

### **Attachments**

None



## 7.1.2. ENVIRONMENTAL AND HEALTH SERVICES

### Extension of Interim Management arrangements - Home Hill Caravan Park and Swimming Pool

**File Reference:** 2294

**Report Author:** Linda Govan, Coordinator Environment and Health Projects

**Authoriser:** Paul Day, Manager Environment and Health Services

**Meeting Date:** 14 May 2024

#### **Link to Corporate/Operational Plan:**

Burdekin Shire Council Corporate Plan 2022-2027

1.5.1: Encourage active communities through the provision and maintenance of recreational spaces.

1.5.2: Provide safe, attractive, accessible, and functional community spaces and facilities.

Burdekin Shire Council Operational Plan 2023-2024

CP2 Administer the management contracts for Home Hill Caravan Park and the Burdekin Cascades Caravan Park.

SP1 Administer the management contracts for the Ayr and Home Hill Swimming Pools and inspect and maintain all Shire pools.

---

#### **Executive Summary**

At the meeting on 23 January 2024, Council approved the engagement of Sage Swim Pty Ltd for the interim management of Home Hill Swimming Pool and Caravan Park while Council retendered the contract. No response was received to the tender that closed on 3 April 2024 and Council Officers are now seeking approval to extend the interim management agreement during the re-tendering process that is currently underway.

#### **Recommendation**

That Council approves due to "emergent circumstances" (being there is only one (1) supplier available), Sage Swim Pty Ltd to continue as the temporary Manager at the Home Hill Caravan Park and Swimming Pool for a total cost of \$45,000.00 excluding GST based on a maximum period of two (2) months whilst the formal tender process is completed and new management is appointed.

#### **Background**

In November 2023, Council staff received a request from the Contractor that manages the Home Hill Caravan Park and Swimming Pool seeking termination of the contract as soon as possible. The contract commenced on 1 May 2023 and was due to expire on 30 April 2025.

Ochre Legal provided advice and a termination document to ensure both parties exited the contract meeting all agreed obligations and without liability.

The Termination Agreement was signed by both the Contractor and Council on 9 January 2024, with an agreed end date of 31 January 2024. Following the execution of the termination documentation the next step was to undertake the tender process.

The tender for the Management of Home Hill Caravan Park and Swimming Pool was called on 14 March 2024 and closed on 3 April 2024. No responses were received. Subsequently, the tender documents were revised and the decision made to re-tender as two (2) separate tenders. The tender for the Management - Home Hill Swimming Pool and the tender for the Management - Home Hill Caravan Park were called on 24 April 2024 with a closing date of 15 May 2024. The tenderer for Management - Home Hill Swimming Pool may also tender a price to manage the Home Hill Caravan Park.

The tender has a start date of 1 July 2024, however this may need to be negotiated with the successful tenderer to ensure they have adequate time to prepare to commence work.

The steps to re-tender are:

- April - Review tender documentation
- 24 April - 15 May - Advertise tender (3-week period)
- 15 - 23 May - Evaluate tender submissions
- 28 May - Seek Council approval to engage contractor (Manager)
- July - New Manager commences

Please note, that due to difficulties in providing lifeguards to supervise swimmers and low attendance numbers, Council approved an early change to hours with the winter hours commencing in April this year. The main changes to the winter hours are during the week, Monday to Friday, with the pool closing an hour earlier (at 6.00pm) and closing during the day between 10.00am - 1.00pm.

### **Consultation**

Originally Council held in confidence discussions with two parties and discussions continued with the party that responded, Sage Swim Pty Ltd.

### **Budget & Resource Implications**

The cost provided by Sage Swim Pty Ltd to manage both sites is \$45,000.00 excluding GST, for the two (2) month period, 1 June - 31 July 2024.

Please note that the estimated cost provided in the report to Council in January 2024 approved \$79,000.00 for supervising the pool from 1 February - 31 May 2024, the actual cost will be \$82,180.00. The \$45,000.00 incorporates the 2-month extension plus the additional \$3,180.00 for the service.

### **Legal Authority & Implications**

The process for ending the existing contract has been implemented as per legal advice. The Termination Agreement was signed on 9 January 2024 by both parties.

The tender process for the management of the Home Hill Pool and Caravan Park has been readvertised following no response to the first tender.

### **Policy Implications**

Formal quotations would normally be sourced in line with Council's Procurement Policy and Guideline, given the estimated cost of the contract for the management of the Home Hill Caravan Park and Swimming Pool.

To ensure the Home Hill Caravan Park and Swimming Pool continue to operate during the tender process, Council approval is sought to resolve that there is only one (1) supplier available as a temporary manager as the engagement has been deemed "emergent".

**Risk Implications (Strategic, Operational, Project Risks)**

Non-acceptance of this quote provides a strategic and operational risk for Council in that the Home Hill Caravan Park and Swimming Pool may not be operational whilst advertising, assessing and appointment of the successful tenderer.

Any identified risks will be managed in accordance with the Enterprise Risk Management Policy and adopted Enterprise Risk Management Framework

**Attachments**

None

### 7.3.1. PLANNING AND DEVELOPMENT

**Request to apply Superseded Planning Scheme for development – Reconfiguring a Lot (One (1) Lot into Two (2) lots ) on land located at 4225 Ayr Dalbeg Road, Mulgrave (Lot 34 on SP331997)**

**File Reference:** 234

**Report Author:** Kellie Galletta, Manager Planning and Development

**Authoriser:** Nick Wellwood, Director Infrastructure Planning and Environmental Services

**Meeting Date:** 14 May 2024

#### **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.

Burdekin Shire Council Operational Plan 2023-2024

PD9 Undertake a review of Burdekin Shire Council Planning Scheme December 2022 and implement any amendments in accordance with the required processes.

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#### **Executive Summary**

Council is in receipt of a request lodged on 23 February 2024 by Milford Planning on behalf of applicant Townsville City Council pursuant to section 29(4)(b) of the Planning Act 2016 that Council agree to apply the superseded planning scheme, being the Integrated Planning Act 1997 Burdekin Shire IPA Planning Scheme 2011 to the carrying out of development (being Reconfiguring a Lot to create two (2) lots and creation of an access easement) as specified in the plan prepared by Stantec, referenced as 300203499-SK-G014 Plan F included as Attachment 2 of the Request.

The Request is not a development application. In this circumstance, it is a process giving a Local Government the discretion to consider the following options:

- (a) As the specified works were code development under the superseded Planning Scheme, meaning if the request was agreed to:
- i. the proposed development is assessed and conditioned under the Planning Act 2016; and
  - ii. the application is for code assessable development, not impact assessable as required under the current 2022 Burdekin Shire Council Planning Scheme.

#### **Recommendation**

After considering the Request and the relevant provisions of the Planning Act 2016, Officers recommend the request by applicant Townsville City Council for Burdekin Shire Council to apply the superseded Integrated Planning Act 1997 Burdekin Shire IPA Planning Scheme 2011 to the proposed development specified in the plan prepared by Stantec, referenced as 300203499-SK-G014, Plan F, included as Attachment 2 of the Request, be agreed to, for the following reasons:

1. The proposed development is assessable development under both the Integrated Planning Act 1997 Burdekin Shire IPA Planning Scheme 2011 (superseded) and the 2022 Burdekin Shire Council Planning Scheme (the current scheme).
2. On 1 March 2023, the 2022 Burdekin Shire Council Planning Scheme ( the current scheme) was gazetted and introduced amongst other matters the need for impact assessment for certain reconfigurations in the Rural Zone i.e. where lots under 30.0ha in area were proposed.

3. While the current scheme is the most recent expression of the public interest and planning policy for the Burdekin Local Government area, the proposed development is assessable development under both planning schemes, with the key difference being the change to the level of assessment in each scheme i.e. code (superseded) and impact (current) for subdivisions in the Rural Zone that do not achieve the 30.0ha minimum lot size.
4. Similar benchmarks for assessment apply under both Schemes including Bushfire Hazard.
5. Assessment of any future subdivision approval under the superseded scheme is considered by officers to be acceptable, given the context of the reasoning for of the subdivision, despite its rural zoning, being:
  - a. Future development on the site is for an infrastructure activity (TCC Haughton Pipeline Project - Pump Station) which has already been approved under separate cover in 2023.
  - b. Site is not currently nor historically used for agricultural activities nor has the ability to be joined with other lots to increase farming capacity.
  - c. Does not create residential natured lots within the Rural zone.
6. Despite the public's right to lodge a properly submission not being available for code assessable development, any future development permit application and approval given can be appropriately assessed and reasonably conditioned by Council to ensure an appropriate development outcome for the site, in line with anticipated community expectations and a decision made in the best public interest.

## Background

### 1. Proposal

The proposal associated with this request is a reconfiguration application to subdivide Lot 34 on SP331997 with a total current area of 1.9ha, to create two (2) lots:

- Proposed Lot 1 – 1.73ha in area and which will contain the HPS2 pump station and infrastructure.
- Proposed Lot 2 – 4,318m<sup>2</sup> in area and will contain the future Powerlink substation; and
- Right of Access Easement – 2,837m<sup>2</sup> in area and burdening the adjoining road reserve adjacent to provide legal access to proposed Lot 2.

The applicant advised in the request submitted the following with respect to the future development application:

*.....The proposed development seeks approval to subdivide part of land approved for pump station infrastructure associated with the Haughton Pipeline project, with the purpose of the subdivision being to separate Powerlink electricity substation infrastructure from the remainder of the pump station infrastructure approved and being constructed on the land.*

*The pump station infrastructure was approved by Council on 24 May 2023 with a Development Permit for Material Change of Use being issued for development application reference MCU23/0139. Haughton Pipeline is a Townsville City Council and Queensland Government funded water security initiative for the local government area of Townsville. The proposed development is part of Stage 2 works to connect and extend the existing Stage 1 pipeline from the Haughton River to the Burdekin River near Clare. The proposed subdivision seeks to separate land assigned to the pump station's electricity substation infrastructure from the rest of the subject site, in order to allow Powerlink to maintain ownership of their assets as per contractual agreement. As part of the subdivision, an access easement is proposed to sit over the adjoining road reserve and provide lawful access to the Powerlink electricity substation allotment. This subdivision is anticipated by the existing approval and is compatible and indicated on the existing approved plans.....*

## 2. Assessment Timeframes

ASSESSMENT TIMEFRAMES – SUPERSEDED PLANNING SCHEME REQUEST			
Application Process		Timeframe	Date
1.0	Superseded Planning Scheme Request made to Council		23 February 2024
1.1	Application confirmed as properly made	1 day (after last applicable)	26 February 2024
Assessment and Decision Making Process			
2.0	Decision making period starts	1 day (after last applicable)	26 February 2024
2.1	Decision making period ends	30 days (from 2.0)	9 April 2024
2.2	Extension of time requested by Council to the DMP to 15 May	19 Days from 2.2	9 April 2024
2.3	Applicant agreed to extension of time request to the DMP to 15 May		9 April 2024
2.4	Council Meeting – Decide to assess under superseded scheme		14 May 2024
2.5	Decision making period ends		15 May 2024
2.6	Issue letter advising applicant whether requests was agreed to by Council	5 days (from (2.5))	22 May 2024

## 3. Planning Considerations

Under the superseded Scheme, all reconfiguring a lot applications made in the Rural Zone even if they did not meet the minimum area requirement, were code assessable.

However, the current 2022 Planning Scheme requires an impact assessable development application to be submitted:

- If the minimum lot size cannot be achieved; and
- Does not support a reconfiguration application under the minimum size in the Rural Zone (currently 30.0ha), unless it improves the way the land is used and/or protects environmental values.

The introduction of a new scheme may 'adversely' impact a site. On the other hand there can also be changes that give significant uplift to the development potential of a site.

For situations where a change may be considered to have a negative consequence, the *Planning Act 2016* has a mechanism that allows, in some instances, for a development to be assessed under the previous (superseded) planning scheme, where other parameters may have changed that impact the outcome sought. This is the case in part with this development proposal, as the level of assessment has changed between Schemes.

To deal with this, the Planning Act 2016 has a built-in grace period of one year, during which you can request a proposed development be dealt with under the superseded version of the planning scheme.

Making a superseded planning scheme (SPS) request can be a two-part process. Part 1 being the making of the request allows the applicant to find out the Council's position before going through with lodging a development application (DA) or carry out the development (being Part 2 of the process).

The SPS request needs to be made in writing to Council and the applicant can request either of the following:

- Apply a superseded planning scheme to carrying out the development that was previously accepted (as of right) development under the superseded planning scheme; or
- Request that they assess the development application under a superseded planning scheme.

In this proposal, the applicant is seeking for the application to be assessed under the provisions of the superseded planning scheme due to the change in the level of assessment from code (superseded scheme) to impact (current scheme).

Council's decision whether to accept a request or not is discretionary and Council can take into account any relevant matters, which in some cases includes whether compensation may be payable. Once an applicant makes their request, Council must advise whether they agree or disagree with the request within 30 business days. Once Council decides, the applicant is to be notified within five (5) business days post decision.

If Council agrees to the request, and the development is assessable, the applicant then has six (6) months from the date of request approval, to submit their development application to Council for assessment.

Acceptance of a Request is final. There is no ability to change the proposal plan in the future development application, and with the expiry of the 12 month period under the Planning Act for lawful superseded requests to be made, no new request process is available, as of the 1 March 2024. That is, if the applicant wishes to change the proposal plan, the development application made would become Impact Assessable as per the requirements of the current (new) Scheme.

### Officer Considerations

	2022 Scheme		2011 (2005) Scheme		Officer Comment
Zone	Rural		Rural		<ul style="list-style-type: none"><li>• Zoned Rural in both Schemes.</li></ul>
LoA	Impact		Code		
	Performance Outcomes	Acceptable Solutions	Specific Outcomes	Acceptable Solutions	<ul style="list-style-type: none"><li>• Minimum area requirements of either Scheme not met.</li><li>• Bushfire Hazard (Med – High Potential) applies under both Schemes.</li><li>• Referral to the State for their interests (State controlled road, Native vegetation) regardless of Scheme applied.</li><li>• No ability to change plans submitted with SPS Request – i.e. must develop as submitted.</li></ul>
	Assessment Benchmarks:		Assessment Benchmarks:		
	The Whole of Scheme: <ul style="list-style-type: none"><li>• Strategic Framework</li><li>• Rural Zone Code</li><li>• Reconfiguring a Lot Code</li><li>• Bushfire Hazard Overlay Code</li><li>• Environmental Significance Overlay Code</li><li>• Flood Hazard Overlay Code</li><li>• Regional Infrastructure Overlay Code</li><li>• Development Works Code</li></ul>		<ul style="list-style-type: none"><li>• Rural Zone Code</li><li>• Reconfiguring a Lot Code</li></ul>		

Key Officer Considerations	
<b>1.0 Key Differences between current and superseded Schemes</b>	
<b>1.1 Level of Assessment</b>	
<ul style="list-style-type: none"> <li>2022 Scheme requires Impact Assessment – Public Notification and Third-Party Submitter Appeal Rights</li> <li>2005 (2011) Scheme requires Code Assessment</li> </ul>	
<b>2.0 Key Differences in how the applications are assessed</b>	
<b>2.1 Code</b>	
<ul style="list-style-type: none"> <li>Code assessment is typically expected for approval</li> <li>Needs to substantially comply with or be able to be conditioned to appropriately comply with assessment benchmarks/prescribed regulations.</li> </ul>	

#### Key Officer Considerations

- Impact assessment is a more comprehensive assessment – whole of the Scheme; Relevant need.
- Publicly notified
- Third Party Submitter Appeal Rights

#### 3.0 Other Applications Decided

- Only one (1) other application - RAL (boundary realignment of 3 lots):
- DA recommended for approval, despite conflict, as the development:
  - demonstrated improved farm management of the existing lots (creation of a larger farmed lot with practical access and separation of existing farm operations and sheds from existing residential buildings); and
  - provided legal practical access for lots; and
  - did not create any new vacant lots 'residential' in nature.

#### Officer Comment

- Considering recommending approval of request, as proposed subdivision is assessable development under both schemes.
- Council can assess the application and can condition accordingly.
- Similar code assessment criteria are nominated in both schemes.
- Assessment of any future subdivision approval under the superseded scheme could be considered appropriate given the context of the reasoning for the subdivision, despite its rural zoning:
  - d) Use of site approved for water supply infrastructure activity (TCC Haughton Pipeline Project - Pump Station).
  - e) Site is not currently nor historically used for agricultural activities nor has the ability to be joined with other lots to increase farming capacity.
  - f) Does not create residential natured lots within the Rural zone.
- While the public's right to lodge a submission is lost under code assessment, any DP approval given can be conditioned to ensure an appropriate development outcome for the site, in line with anticipated community expectations and best public interest.

## Consultation

All relevant Council Departments have been consulted with.

The matter has been workshopped with the Mayor and Councillors and Executive at the workshop held 7 May 2024.

## Statutory Environment

Council is required to deal with and assess the request in the context of the *Planning Act 2016*, particularly its purpose.

## Budget & Resource Implications

There are no appeal rights applicable to this decision, Council determines each request at its discretion.

## Legal Authority & Implications

There are no appeal rights applicable to this decision, Council determines each request at its discretion.

## Policy Implications

Not applicable in concerning the acceptance of this report, as Council's decision on superseded planning scheme requests is discretionary.

## Risk Implications (Strategic, Operational, Project Risks)

Risk has been managed by undertaking a thorough assessment of this request.

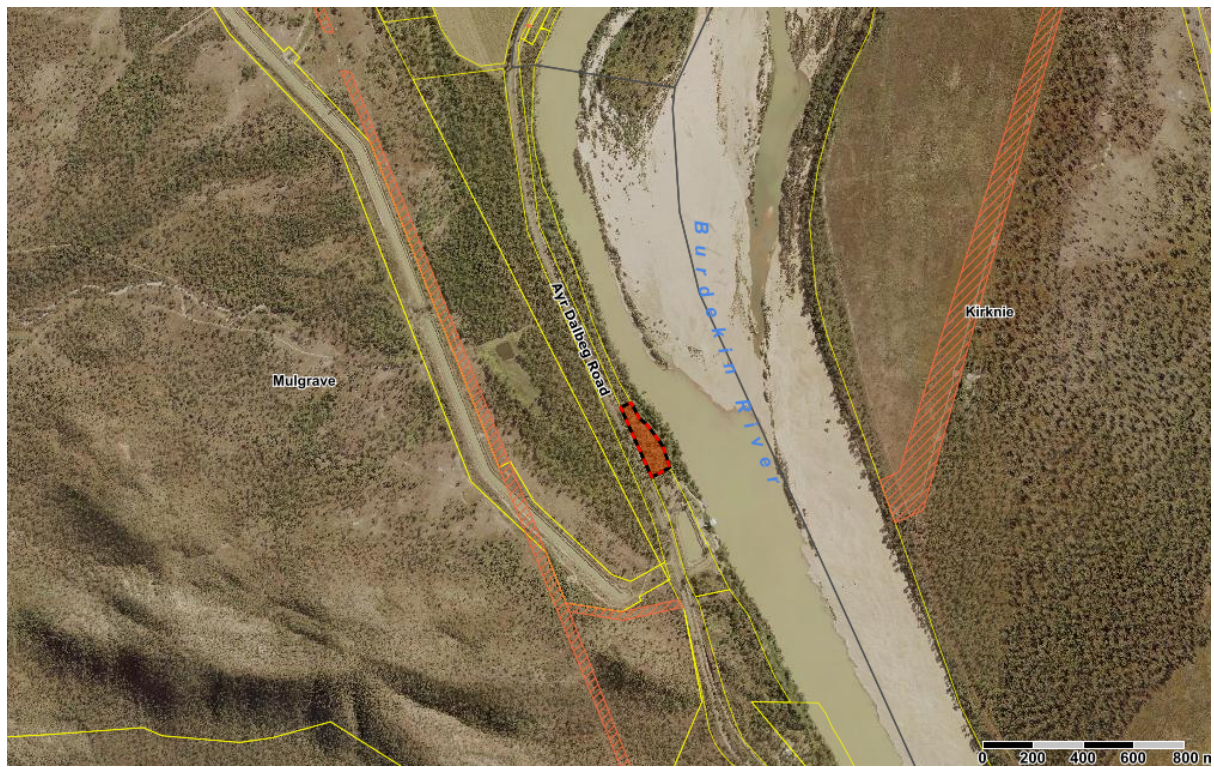
## Attachments

1. Locality Plan

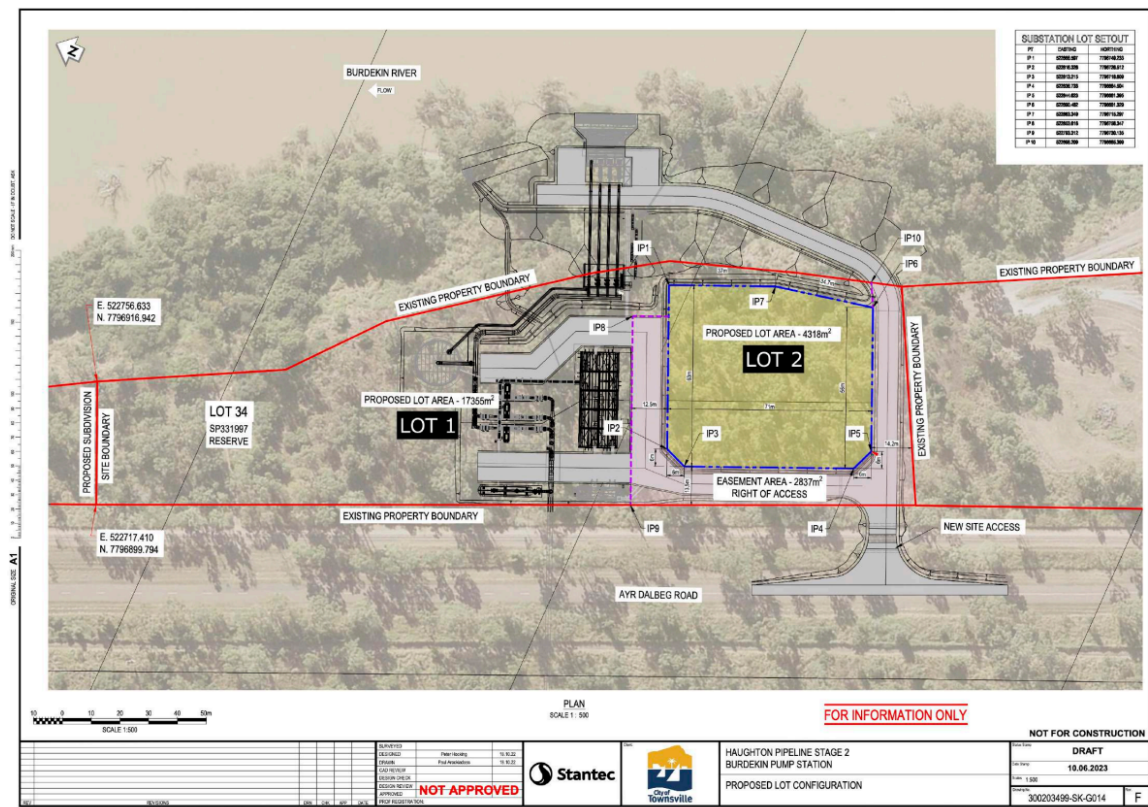


2. Att 2 - Proposal Plan by Stantec

A. Locality Plan



B. Proposal Plan (Prepared by Stantec, referenced as 300203499-SK-G014, Plan F)









### 7.3.2. PLANNING AND DEVELOPMENT

**Request to Apply Superseded Planning Scheme for Development (Roadwork, Engineering Works and Excavation and Filling Works Involving a Waterway) Within the Bill Britt Road Reserve, Lot 96 on SP143120 and the Haughton River, Upper Haughton**

**File Reference:** 226 and SPS24/0002

**Report Author:** Kellie Galletta, Manager Planning and Development

**Authoriser:** Nick OConnor, Director Corporate and Community Services

**Meeting Date:** 14 May 2024

#### **Link to Corporate/Operational Plan:**

Burdekin Shire Council Corporate Plan 2022-2027

PD9 Undertake a review of Burdekin Shire Council Planning Scheme December 2022 and implement any amendments in accordance with the required processes.

Burdekin Shire Council Operational Plan 2023-2024

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

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#### **Executive Summary**

Council is in receipt of a request lodged on 29 February 2024 by Milford Planning on behalf of Bohle Grazing Pty Ltd pursuant to section 29(4)(b) of the *Planning Act 2016* that Council agree to apply the superseded Planning Scheme, being the *Integrated Planning Act 1997 Burdekin Shire IPA Planning Scheme 2011*, to the carrying out of works specified in Plans prepared by Northern Consulting Engineers, referenced as:

- Project TUR0019/01 Issue P16; Project TUR0019/02 Issue P12; Project TUR0019/03 Issue P15; Project TUR0019/04 Issue P6; Project TUR0019/05 Issue P16; Project TUR0019/06 Issue P3; Project TUR0019/07 Issue P5; Project TUR0019/08 Issue P1; Project TUR0019/A01 Issue P3; Project TUR0019/Q01 Issue P10; TUR0019/Q02 Issue P14; TUR0019/Q03 Issue P2; TUR0019/Q04 Issue P1; TUR0019/SID01 Issue P2; TUR0019/V01 Issue P7; TUR0019/V02 Issue P7; and
- Standard drawings listed in Attachment 1 of the Request.

The Request is not a Development Application, nor a merit assessment giving any approval to the works themselves as being appropriate or safe for a Public Road Reserve.

In this circumstance it is a process that triggers a Local Government to exercise its discretion to consider the following assessment options for the proposed works:

- a. As the specified works were exempt development under the superseded planning scheme, *if the request was agreed to*:
  - i. The proposed Works are unable to be assessed or conditioned under the *Planning Act 2016* as they are exempt development without applicable assessment criteria; and

- ii. No application for assessable development under the current *2022 Burdekin Shire Council Planning Scheme* would be required for the initial works, or any rebuilding, repair or significant maintenance of the initial works, limited to a period of two (2) years, (upon which works may become assessable under any criteria applicable at that time).
- b. *If the request is not agreed to*, then the works would require code assessment under the current *2022 Burdekin Shire Council Planning Scheme* and, subject to further Council assessment against the standard applicable codes, could be approved, in perpetuity by a binding Development Permit over the land.

The Request process is therefore not a merit assessment of the works, but merely a decision on the process for assessment. As exempt development is not assessed by Council, there is no assessment of the proposed plans undertaken if the request is accepted, or a future assessment will occur in a necessary Development Application if it is not.

In either scenario, further approvals of the State and the Council under the *Local Government Act 2009, Local Law No. 1 (Administration) 2012* and its *Subordinate Local Law No. 1.15 (Carrying out Works on a Road or Interfering with a Road or its Operation) 2012*, are required.

### Recommendation

After considering the Request, and the relevant provisions of the *Planning Act 2016*, officers recommend the request by Bohle Grazing Pty Ltd for Council to apply the superseded *Integrated Planning Act 1997 Burdekin Shire IPA Planning Scheme 2011* to the proposed works specified in Plans prepared by Northern Consulting Engineers, referenced as:

- Project TUR0019/01 Issue P16; Project TUR0019/02 Issue P12; Project TUR0019/03 Issue P15; Project TUR0019/04 Issue P6; Project TUR0019/05 Issue P16; Project TUR0019/06 Issue P3; Project TUR0019/07 Issue P5; Project TUR0019/08 Issue P1; Project TUR0019/A01 Issue P3; Project TUR0019/Q01 Issue P10; TUR0019/Q02 Issue P14; TUR0019/Q03 Issue P2; TUR0019/Q04 Issue P1; TUR0019/SID01 Issue P2; TUR0019/V01 Issue P7; TUR0019/V02 Issue P7; and
- Standard drawings listed in Attachment 1 of the Request,

to be carried out as exempt development **is not agreed to** for the following reasons:

1. On 1 March 2023, the *2022 Burdekin Shire Council Planning Scheme* (the current scheme) was gazetted and introduced, amongst other matters, the need for certain civil and engineering works including roadworks, stormwater management works and filling and excavations works involving a watercourse in the Rural Zone to be assessable development.
2. The current scheme is the most recent expression of the public interest and planning policy for the Burdekin Local Government area.
3. The superseded planning scheme was made under planning legislation from 1997 (repealed *Integrated Planning Act 1997*) that has been superseded twice since by new legislation (repealed *Sustainable Planning Act 2009* and the current *Planning Act 2016*). It is outdated and not reflective of modern planning criteria for application by Council.
4. The application of the current Planning Scheme differs to the applicable areas under assessment under *Local Law No. 1 (Administration) 2012* and its *Subordinate Local Law No. 1.15 (Carrying out Works on a Road or Interfering with a Road or its Operation) 2012*.
5. Agreement to the request would remove assessment of the complete works within the watercourse and Lot 96 under the current Planning Scheme and its applicable codes, as Council's Local Law mechanism may only assess the proposed works and condition safety mitigations in the area of Bill Britt Road Reserve. Such Local Laws are intended to be in addition to, not a replacement of, the planning process and serve different purposes.

6. It is considered to be the reasonable expectations of the community that Council assess and determine development in accordance with current Planning Scheme Policy, especially for development that affects the use of Council Controlled Road Infrastructure and Public Safety in accordance with the purposes of the *Planning Act 2016*.

7. To the extent the requested works are within private land (Lot 96 only), future development rights are not unreasonably diminished by the introduction of the *2022 Burdekin Shire Council Planning Scheme*. The proposed works within private land (Lot 96 only), merely facilitate works on State or Local Government owned land that cannot be undertaken without approval and consent of third parties.

**8. Acceptance of a request is final. There is no ability to change the works and with the expiry of the 12 month period under the *Planning Act* for lawful superseded Planning Scheme requests to be made, no new request can be lodged.**

**9. The process therefore risks futility as the works are neither finally approved by the State or by the Local Government and may be changed by future required assessment processes.**

10. Persons seeking to use and/or interfere with a Council managed Road Reserve, including to construct these works will require:

- i. a prescribed activity permit ('written approval' given under the Local Law) to be in place to ensure there is no breach and/or offence committed under s75 of the *Local Government Act 2009*, where Council has the power as 'road owner' to decide what works it would allow on a road it is responsible for; and
- ii. to be an authorised user pursuant to the Council resolved process to do so in accordance with the formal resolution of Council made on 12 December 2024.

11. The Request is premised on an assumption made by the Applicant that Council has previously assessed the proposed works, which is incorrect, given:

- i. the works differ to those provided to Council for the application for a prescribed Activity Permit under the *Local Law No. 1 (Administration) 2012* and its *Subordinate Local Law No. 1.15 (Carrying out Works on a Road or Interfering with a Road or its Operation) 2012*, made in 2021, that was the subject of the Appeal,
- ii. previous assessment under the Local Laws was limited to works within the Road Reserve only. Council's jurisdiction is expanded under the current Planning Scheme and current Planning Policy requires Council consideration of the works in their entirety, including within the watercourse and Lot 96.

12. The request contains no justification for why the proposed works should not be assessed under the current Planning Scheme, which that assumption is corrected.

13. The request contains requirements from a Traffic Engineer that actions to mitigate public safety risks, would be imposed by conditions.

Without a Development Permit under the current scheme, no conditions can be imposed by Council to achieve this outcome in perpetuity to mitigate public safety risks. ( Note: Prescribed activity permits are only binding on an applicant, not the land and are limited to a term).

14. The request was not supported by sufficient expert material to justify the works being assessed efficiently and in the public interest, without a Development Permit process. 6.

## Background

### 1. Proposed Development

The request lodged on 29 February 2024 by Milford Planning on behalf of Bohle Grazing Pty Ltd pursuant to section 29(4)(b) of the *Planning Act 2016* seeks Council's agreement to apply the superseded Planning Scheme, being the *Integrated Planning Act 1997 Burdekin Shire IPA Planning Scheme 2011* to the carrying out of works specified in Plans prepared by Northern Consulting Engineers, referenced as:

- Project TUR0019/01 Issue P16; Project TUR0019/02 Issue P12; Project TUR0019/03 Issue P15; Project TUR0019/04 Issue P6; Project TUR0019/05 Issue P16; Project TUR0019/06 Issue P3; Project TUR0019/07 Issue P5; Project TUR0019/08 Issue P1; Project TUR0019/A01 Issue P3; Project TUR0019/Q01 Issue P10; TUR0019/Q02 Issue P14; TUR0019/Q03 Issue P2; TUR0019/Q04 Issue P1; TUR0019/SID01 Issue P2; TUR0019/V01 Issue P7; TUR0019/V02 Issue P7; and
- Standard drawings listed in Attachment 1 of the Request.

In summary, the works seek to facilitate the creation of a crossover within the Haughton River, a State owned watercourse, and access to it. The works are:

- excavation within the road reserve, to construct of a new road surface and stormwater infrastructure below the existing road levels to create a ramp to a crossing adjacent to Bill Britt Road Reserve;
- creation of an impermanent sand/gravel crossing within the Haughton River (expected to wash away fully or partially annually); and
- A ramp from that crossing into Lot 96,

to facilitate physical vehicle access to that property.

Within Bill Britt Road, additional works to the above are proposed to create a cattle grid/gate structure and turnaround bay, intended by the Requestor to be a public safety mitigation works. The Request does not address management or maintenance requirements for this infrastructure.

### 2. Traffic Matters

The traffic engineers' advice submitted in the request speaks to the future operation of these works, with an expectation it will be the subject of conditions and agreements.

Council will need to assess traffic matters as part of the future application for Operational Works and/or the Prescribed Activity Permit.

It is noted by Officers that the request is supported by a letter to the Applicant that is relied upon to infer that the works are supported by the authorised Traffic Engineer as being safe, however the traffic expert has clearly indicated that there is an expectation of conditions and/or agreement being in place for long term management or maintenance of part of the proposed works.

This cannot be conditioned by acceptance of the request, nor controlled in perpetuity by a Prescribed Activity Permit. Only a Development Permit (e.g. a Development Permit for Operational Works) is binding in such a manner.

### 3. History

The below is provided for Council context, but historical actions are not a relevant consideration for Council's exercise of its discretion to consider a Superseded Planning Scheme request.

Lot 96 on SP143120 was created by a Subdivision Approval granted to Bohle Grazing Pty Ltd in 1995. Documented commitments were made by Bohle Grazing Pty Ltd to provide the subdivision with a practical access via a river crossing outside of the planning process at that time, given Council held no jurisdiction with the State watercourse.

Bohle Grazing breached its timing obligations to provide the access required and all landowners have utilised another crossing for access for over 25 years.

In March 2021, Council granted a Prescribed Activity Permit under *Local Law 1 and Local Law 1.15* for one year subject to conditions to Bohle Grazing Pty Ltd. At this time, Council also resolved to progress a Road Closure of Part of Bill Britt Road for Public Safety purposes. Bohle Grazing subsequently appealed certain conditions within the permit.

In March 2023, Council gazetted a new Planning Scheme.

In December 2023, Bohle Grazing chose to withdraw its appeal and the Permit lapsed. This Application under *Local Law 1 and Local Law 1.15* was only for works within Bill Britt Road Reserve.

Council further resolved in December 2023 to build on its previous resolution made in March 2021 to close a portion of Bill Britt Road, requiring any persons wanting to use the closed portion of the road to become a class of persons limited to those who held an Agreement with the Council to maintain the closed area. This is to be regulated through an Infrastructure Agreement mechanism between all users and Council.

The request was made on 29 February 2024, the last day the one (1) year period for Superseded Planning Scheme requests to be made.

### 4. Statutory Considerations

#### **a. State Legislation - *Planning Act 2016 and Planning Regulations 2017***

The *Planning Act* and its associated regulation is the principal law regulating Planning and Development in three main ways, providing the:

- i. Objectives and purpose framework that must guide Assessment Managers actions under the legislation,
- ii. Framework for Local Governments to prepare Planning Schemes that are mandatory for assessment and for the State Government to prepare regional and statewide planning instruments; and
- iii. The process by which Development Applications are assessed on their merits, usually by reference to a Planning Scheme and other planning instruments such as State Planning Policies. This process is known as the Development Assessment process.

Planning Schemes are legally binding documents prepared by Local Governments, approved by the State to plan for the future Development of their Local Government Areas.

#### **b. *The Burdekin Shire Council Planning Scheme 2022***

The current *Burdekin Shire Council planning Scheme 2022* was developed under the current requirements of the *Planning Act 2016*, was publicly notified and the scheme commenced on 1 March 2023.



It sets out the Burdekin Shire Council's intention for the Future Development of the Planning Scheme area over the next 25 years (See Section 1.1(2)). It is legally considered as the current expression of the public interest within the Burdekin Shire Council Local Government Area.

Part 1.3.3 speaks to zones for roads and closed roads and waterways where if adjoined by land in the same zone – in this location rural – the road, closed road and/or waterway is the same zone as the adjoining land.

Under Table 3.6.1 for Categories of Development and Assessment – Operational Work, the current Planning Scheme now requires certain Operational Works in the Rural Zone such as engineering works and excavation and filling works involving a waterway to be assessable development with applications subject to a code level of assessment.

Works in the Rural Zone requires assessment against Council's Development Works Code and a Development Permit issued by Council for such works to be lawfully commenced. Council may impose conditions on Development Permits and the rights within them are binding in perpetuity once commenced. They are publicly available and confirm the necessary standards of works for future compliance and control. They can be amended, negotiated and a right to appeal conditions exists.

### **c. *The Planning Act 2016*, Chapter Part 2, Part 4 – Superseded Planning Schemes**

Upon the gazettal of the current Planning Scheme, the *Burdekin Shire IPA Planning Scheme 2011* became the Superseded Planning Scheme.

Under the Superseded Planning Scheme, Table 8 of Division 4 - Assessment Table and Applicable Codes for all Zones – Other Development, Operational work activities were exempt from assessment if undertaken in the Rural Zone.

It is noted that in certain circumstances the introduction of a new scheme may adversely impact a site. On the other hand there can also be changes that give significant uplift to the development potential of a site. For situations where changes occur, the *Planning Act 2016* has a mechanism that allows, in some instances, for a development to be assessed under an old (superseded) Planning Scheme.

To deal with this, the *Planning Act 2016* has a built-in grace period of one year from the date the new scheme became effective, during which an Applicant can request a proposed development to be dealt with under the superseded version of the Planning Scheme.

Such a request is not a Development Application.

It is a simplified process by which, during the transitional one (1) year period after a new scheme comes into effect, Council is given a discretion, when requested to maintain the 'status quo' of the superseded scheme.

Unlike other Council's however, Burdekin Shire Council's Superseded Planning Scheme was made under Planning Legislation from 1997 (*Integrated Planning Act 1997*) that has been superseded twice now by new legislation (*Sustainable Planning Act 2009* and the current *Planning Act 2016*).

It was subject to minor updates in 2010/2011 but remains for the whole outdated and not reflective of modern Planning Schemes. This is a relevant consideration for such a request.

#### d. Assessment Timeframes

Assessment Timeframes are outlined below in Table 1:

ASSESSMENT TIMEFRAMES – SUPERSEDED PLANNING SCHEME REQUEST			
Application Process		Timeframe	Date
1.0	Superseded Planning Scheme Request made to Council		29 February 2024
1.1	Application confirmed as properly made	1 day (after last applicable)	29 February 2024
Assessment and Decision Making Process			
2.0	Decision making period starts	1 day (after last applicable)	1 March 2024
2.1	Decision making period ends	30 days (from 2.0)	15 April 2024
2.2	Extension of time requested by Council to the DMP to 15 May	19 Days from 2.2,	9 April 2024
2.3	Applicant agreed to extension of time request to the DMP to 15 May		9 April 2024
2.4	Council Meeting – Decide to assess under superseded scheme		14 May 2024
2.5	Decision making period ends		15 May 2024
2.6	Issue letter advising applicant whether request was agreed to by Council	5 days (from (2.5)	22 May 2024

The timeframes for Council's decision on a request is set in the *Planning Act 2016* and *Planning Regulation 2017*. A day referred to in the timeframe above means a business day as defined by the *Planning Act 2016*. *Note: Public holidays and close down periods are excluded from business days.*

If no decision is made within the relevant decision making period, the request can be deemed accepted by the Applicant.

#### Assessment

There is no regulated assessment criteria for a request, which is, in effect a simple, yes/no response.

The request process is not a merit assessment of the works, but merely a decision on the process for assessment. As exempt development is not assessed by Council, there is no assessment of the proposed plans undertaken if the Request is accepted, or a future assessment will occur in a necessary Development Application if it is not.

No ability to condition or request amendments to a request is regulated by the *Planning Regulations 2017*.

The Council is however bound by the purpose of the *Planning Act 2016* in how it approaches the making of any decision, including whether it accepts this request or not and that it only take into consideration reasonable and relevant matters raised by the Request itself.

### 3. Purpose of the *Planning Act 2016*

(1) The purpose of this Act is to establish an efficient, effective, transparent, integrated, coordinated, and accountable system of land use planning (**planning**), Development Assessment and related matters that facilitates the achievement

It is a relevant consideration how the provisions of both the *2022 Burdekin Shire Council Planning Scheme* and the *Burdekin Shire IPA Planning Scheme 2011* with respect to this request, has been undertaken below in Table 2: of ecological sustainability.

**Table 2.**

	<b>2022 Scheme</b>	<b>2011 (2005) Scheme</b>
<b>Zone</b>	Rural	Rural
<b>Level of Assessment</b>	Code	Exempt
<b>Assessment Benchmarks</b>	<ul style="list-style-type: none"> <li>Development Works Code</li> </ul>	<ul style="list-style-type: none"> <li>Nil. Not assessable</li> </ul>
<b>1. Key Officer Considerations - Key Differences between current and superseded Schemes</b>		
<b>1.1 Level of Assessment</b>		
	<ul style="list-style-type: none"> <li>2022 Scheme requires Code Assessment</li> </ul>	<ul style="list-style-type: none"> <li>Exempt under 2005 (2011) Scheme</li> </ul>
<b>1.2 Key Differences in how the applications are assessed</b>		
	<b>Code</b> <ul style="list-style-type: none"> <li>Code assessment is typically expected for approval</li> <li>Needs to substantially comply with or be able to be conditioned to appropriately comply with assessment benchmarks/prescribed regulations.</li> </ul>	<b>Exempt</b> <ul style="list-style-type: none"> <li>No assessment under Planning scheme requirements and/or policies.</li> </ul>
<b>1.3 Appeal Rights</b>		
	<b>Available</b> <ul style="list-style-type: none"> <li>Only available to Code Assessable Development <ul style="list-style-type: none"> <li>Applicants Appeal Period</li> </ul> </li> </ul>	<b>Nil</b> <ul style="list-style-type: none"> <li>No ability for Applicant and Council to negotiate or amend</li> <li>P/A Permit (LLA) can only be appealed/negotiated in</li> </ul>

	<ul style="list-style-type: none"> <li>○ Negotiated Approval</li> <li>○ Change Application</li> </ul>	the Planning and Environment Court.
<b>2.0 Other Considerations</b>		
<b>2.1 Other Operational Works Applications Decided under Superseded Planning Scheme</b>		
<ul style="list-style-type: none"> <li>• Only one (1) other application received and assessed for Operational Works in the Rural Zone (HPS2 Project – Infrastructure installation (inc. access tracks and roads)):</li> <li>• Request recommended for approval as applicant: <ul style="list-style-type: none"> <li>○ Provided 2x Infrastructure Agreements to Council for Construction and Post/Ongoing Maintenance</li> </ul> </li> </ul> <p>(both acceptable to and satisfied Council requirements for interference within and public safety for Council Controlled Roads).</p>		
<b>2.2 State Interests/Referrals</b>		
<ul style="list-style-type: none"> <li>• Current State OPW approval only for their interests: <ul style="list-style-type: none"> <li>○ River portion only (fish passage and river hydrology effects)</li> <li>○ Vegetation Clearing on Road Reserve</li> <li>○ No new assessment benchmarks for the State</li> <li>○ Change to exiting approval required for amended proposal plans</li> <li>○ Existing upstream crossing (via Sunwater land) to be removed within 2 months of completion of new crossing.</li> <li>○ The State does not assess (has no requirements):</li> <li>○ Management of the crossing; or</li> <li>○ Interface with works outside of watercourse e.g. intersection with Council's Road reserve.</li> </ul> </li> </ul>		
<b>2.3 Local Law Approval - Prescribed Activity Permit (PAP)</b>		
<ul style="list-style-type: none"> <li>• PAP required regardless of Planning Scheme assessment or not.</li> <li>• Only covers the Road reserve</li> <li>• Issued only to the applicant.</li> <li>• Valid only for construction and construction maintenance period only.</li> <li>• Not an on-going approval.</li> <li>• <b>Exempt</b> – <u>Detailed and extensive</u> PAP required to allow for technical and construction requirements in addition to <i>Local Government Act 2009</i> considerations</li> <li>• <b>Code</b> – PAP can adopt previous assessment and only additional apply <i>Local Government Act 2009</i> considerations</li> </ul>		
<b>2.4 Appeal Rights</b>		
<ul style="list-style-type: none"> <li>• Negotiation only available to Code Assessable Development (Applicants Appeal Period/Negotiated Approval/Change Application)</li> <li>• PAP (given under a LLA) will need to be appealed in P &amp; E Court, no negotiation process available.</li> </ul>		

## 2.5 Public Interest

- No development permit contrary to the reasonable expectations of the current community esp. those that affect the use of Council controlled road infrastructure.
- Landowner's and applicant/developers' development rights are not unreasonably diminished under *2022 Scheme*.
- Code Assessable Development (i.e. Operational Works) is expected development provided it complies with the requirements of the relevant codes and does not require public notification.

In summary, Council not agreeing to the request:

- Allows Council to assess and condition works under the *Planning Act 2016*.
- Provides certainty for Council, the future applicant, and future users as to the standard of works approved.
- Allows applicant to amend plans and designs.
- Will ensure a Development Permit is binding and 'At all times' consent can be given, rather than a term only for a prescribed activity permit, that will be required to be renewed.
- Gives the ability to discuss and negotiate approval if necessary – including via a negotiated decision process or even a future change application.

In particular, it also removes the risk that after two years, any works that are required to be done, will not be considered exempt development under the Superseded Planning Scheme. An Operational Works Permit under unknown future legislative change may be required then.

### e. Other Considerations

#### i. Other Approvals – State Government and Local Law Approval/Prescribed Activity Permits.

Approval for Operational Works had been obtained previously in 2020 by the Applicant from the State in accordance with the *Planning Regulation 2017* for the component of the Development Works located within the Haughton River. This State approval covers two state interests being waterway barrier work and regulated vegetation clearing. The State approvals do not cover works within the Road Reserve or Lot 96 which is the responsibility of the Council.

A Riverine Protection Permit under the *Water Act 2000* has also been obtained for the excavation and placing of fill within a watercourse.

Officers note that the works approved within these two (2) approvals differ from the current proposal plans submitted with this request. Should the request be agreed by Council, such works will conflict with the approvals. It can be reasonably anticipated that these approvals will require formal amendment, which may include other changes to the proposed works given the timeframes elapsed.

Further, only an approval under *Local Law No. 1 (Administration) 2012* and its *Subordinate Local Law No. 1.15 (Carrying out Works on a Road or Interfering with a Road or its Operation) 2012* which regulate the prescribed activities under it including installing, changing, damaging or removing a structure in a Local Government Controlled Area or on a road, where a Local Government Controlled Area comprises land held on trust by the Local Government under the *Land Act 1994*, will provide the necessary owners consent to ensure there is no breach of s75 of *Local Government Act 2009* (a Development Offence). If any future Prescribed Activity Permit lapses or is not renewed by its Applicant (noting it cannot be "transferred"), owner's consent will lapse and future users will be subject to further assessment.

The assessment criteria for this permit involve public safety considerations. In that respect, Council must be satisfied that the proposed operation and management of the prescribed activity is adequate to protect public safety and will not result in material harm to human safety.

To safeguard against the risk of harm to public or human safety, Council is empowered by the Local Laws to impose conditions of an approval to take measures to prevent such harm – which include those that:

- a. require compliance with safety requirements,
- b. specify standards with which the prescribed activity must comply,
- c. require the approval holder to take out and maintain public liability insurance, give Council indemnities, exhibit signage warning about the conduct of the prescribed activity; and
- d. maintain structures installed under the approval in good condition.

As the request process is not a merit assessment of the works, but merely a decision on the process for assessment (and exempt development is not assessed by Council), it cannot be confirmed that changes to the works will not be required to satisfy the above criteria. Such changes will not be exempt development if that occurs and will trigger a need for Operational Works Approval before the Prescribed Activity Permit can be finalised.

However a Prescribed Activity Permit is not binding upon the land, but an Applicant and will lapse without renewal. Safety requirements of Council may not be able to be conditioned in perpetuity by this process.

It is noted by Officers that the request is supported by a letter to the applicant that is relied upon to infer that the works are supported by the authored traffic engineer as being safe, however the traffic expert has clearly indicated that there is an expectation of conditions and/or agreement being in place for long term management or maintenance of part of the proposed works.

This cannot be conditioned by acceptance of the request, nor controlled in perpetuity by a Prescribed Activity Permit.

Only a Development Permit (e.g. a Development Permit for Operational Works) is binding in such a manner.

## **ii. Applicants Reasoning for the Request**

In the application material submitted to support the applicants request, the reasoning was listed as follows:

*‘.....We are of the view that all aspects of the work (in the context of the assessment benchmarks of Council’s new planning scheme) have been dealt with or will be dealt with through the assessment of the proposed works through the relevant local government and State approvals obtained under the provisions of the Local Government Act 2009, Planning Regulation 2017, and Water Act 2000. The assessment of these works against the Planning Scheme will add no ‘value’ to the design or works outcome, particularly in the context of the significant scrutiny, consideration, and expert review that the design and works have been subject to, and the approval frameworks available to appropriately regulate the works.....’.*

Council officers disagree with this assertion. As identified above, the gazettal of the current *Burdekin Shire Council Planning Scheme 2022* has created new Assessable Development controls for certain Operational Works within all areas of the Rural Zone, including watercourses and private land, that was not the subject of the only assessment process undertaken to date by Council (2020- 2023) under the *Local Law 1* and *Local Laws 1.15* process (which only covered the road reserve).

It is also the case that, unlike a request under Section 29(4)(a) of the *Planning Act 2016*, which requires a requestor to provide the actual Development Application as sought to be considered under a Superseded Planning Scheme.

In this request, no such material has been presented for assessment.

Council has not been provided with:

1. Any engineering report or analysis of the proposed works in their new format.
2. Any justification for the suitability or reliability of traffic counts taken over seven days one week prior to Christmas, without connection to the actual intended usage of the road during haulage season.
3. Any information of the expected maintenance or management of these works, the traffic engineer advises are needed on their opinion.

It must be noted that the outcome of this request process does not fetter the full discretion of Council for any future application, nor minimize Councils obligation to correctly apply the current law and assessment criteria to either process. In that regard, due the complexity of the assessment of the future works proposed in this location, Council will likely require the future services of external consultants to assist with the assessment of the following matters either as part of the application for Operational Works or the Local Law Application for a Prescribed Activity Permit:

- Traffic engineering and management.
- Civil/technical assessment.
- Environmental; and
- Geomorphology.

#### **f. Conclusion**

In conclusion, the request is not a Development Application, nor a merit assessment giving any approval to the works themselves as being appropriate or safe for a public road reserve. In this circumstance, is a process giving a Local Government a discretion to consider the following options.

- a. As the specified works were exempt development under the superseded planning scheme, meaning if the request was agreed,
  - the proposed Works are unable assessed or conditioned under the Planning Act 2016.
  - no application for assessable development under the current *2022 Burdekin Shire Council Planning Scheme* would be required for the initial works, or any rebuilding, repair or significant maintenance of the works would be required, limited for a period of two (2) years, upon which works may become assessable under any criteria applicable at that time.

b. If the request was not agreed, then the works would require code assessment under the current *2022 Burdekin Shire Council Planning Scheme* and, subject to further Council assessment against the standard applicable codes, could be approved, in perpetuity by a binding Development Permit over the land.

In either scenario, further approvals of the State and the Council under the *Local Government Act 2009*, *Local Law No. 1 (Administration) 2012* and its *Subordinate Local Law No. 1.15 (Carrying out Works on a Road or Interfering with a Road or its Operation) 2012*, are required and may require changes to the works, not yet assessed.

After considering the request, and the relevant provisions of the *Planning Act 2016*, officers recommend the request by Bohle Grazing Pty Ltd for Council to accept the Application of the *Superseded Integrated Planning Act 1997 Burdekin Shire IPA Planning Scheme 2011* to carry out the proposed works specified in Plans prepared by Northern Consulting Engineers, referenced as:

- Project TUR0019/01 Issue P16; Project TUR0019/02 Issue P12; Project TUR0019/03 Issue P15; Project TUR0019/04 Issue P6; Project TUR0019/05 Issue P16; Project TUR0019/06 Issue P3; Project TUR0019/07 Issue P5; Project TUR0019/08 Issue P1; Project TUR0019/A01 Issue P3; Project TUR0019/Q01 Issue P10; TUR0019/Q02 Issue P14; TUR0019/Q03 Issue P2; TUR0019/Q04 Issue P1; TUR0019/SID01 Issue P2; TUR0019/V01 Issue P7; TUR0019/V02 Issue P7; and
- Standard drawings listed in Attachment 1 of the Request, to be carried out as exempt development **is not agreed to.**

## **Consultation**

- All relevant Council Departments have been consulted with.
- The Applicant and their consultant planner Milford Planning presented to the Mayor and Councillors on 15 April 2024.
- The matter has been workshopped with the Mayor and Councillors at the workshop held 7 May 2024.

## **Statutory Environment**

Council is required to deal with and assess the request in the context of the *Planning Act 2016*, particularly its purpose.

## **Budget & Resource Implications**

There are no appeal rights applicable to this decision, Council determines each request at its discretion.

## **Legal Authority & Implications**

As above.

## **Policy Implications**

Not applicable in concerning the acceptance of this report, as Council's decision on Superseded Planning Scheme requests is discretionary.

## **Risk Implications (Strategic, Operational, Project Risks)**

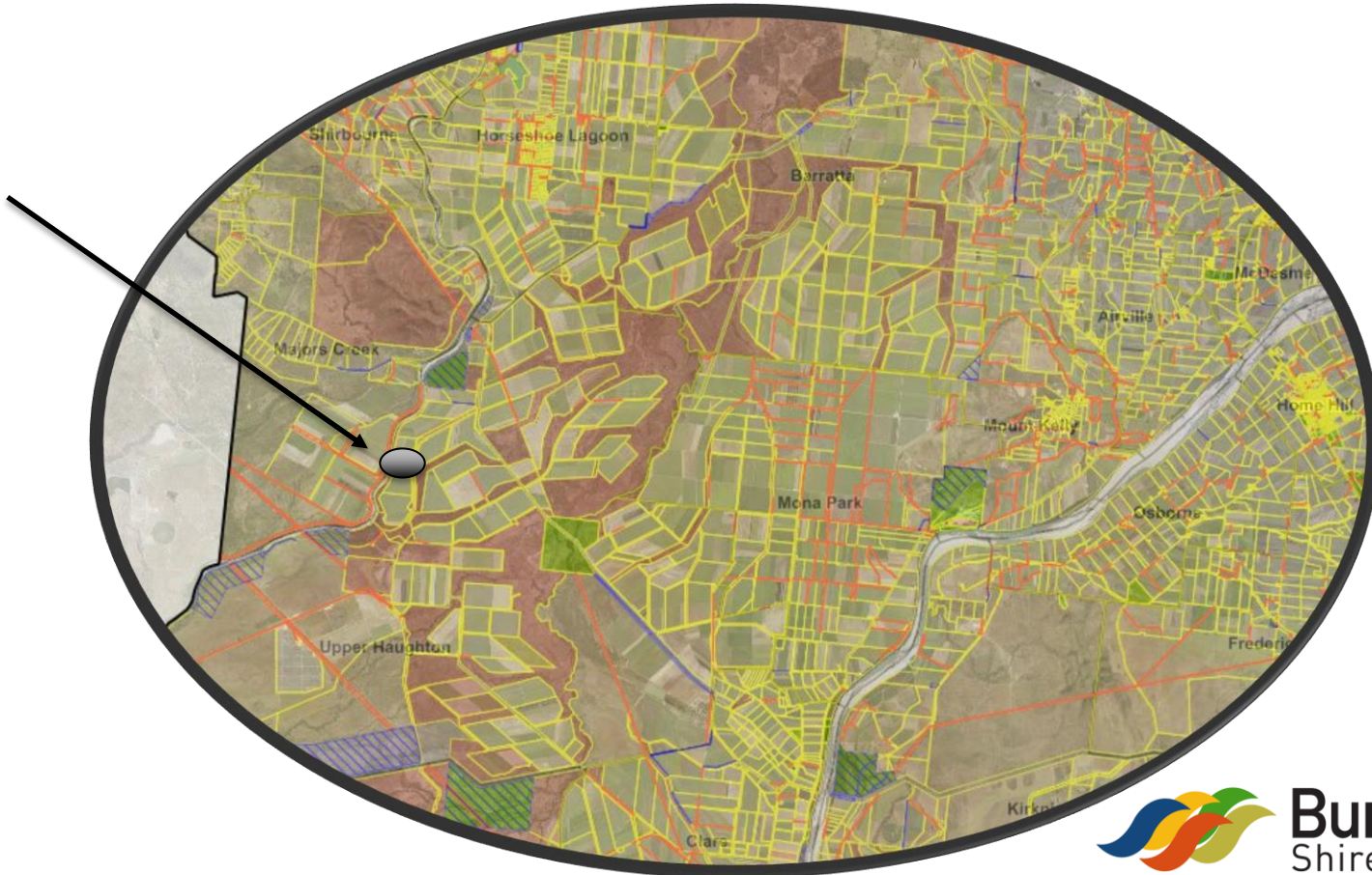
Risk has been managed by undertaking a thorough assessment of this request.

## **Attachments**

1. Att A - SPS24\_0002 -Locality Plan
2. ATT B - SPS24\_0002 -Proposal Plans

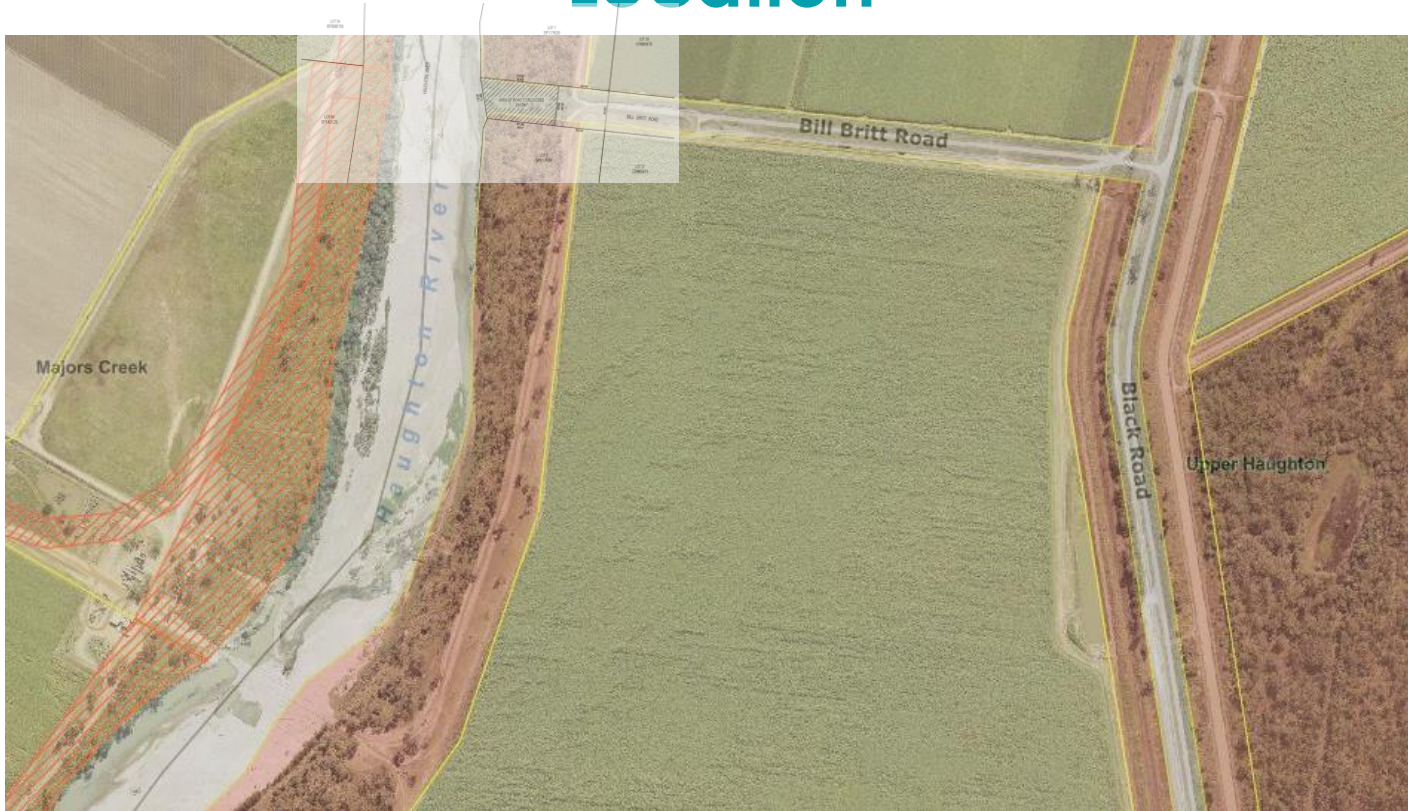


# Location



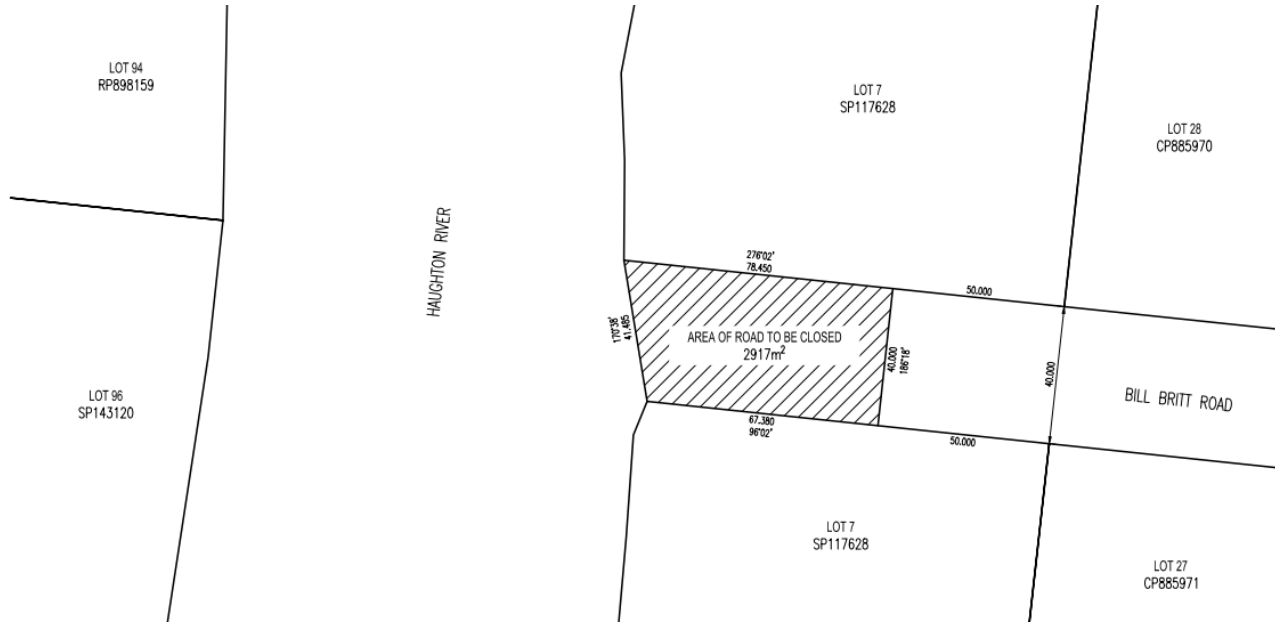
**Burdekin**  
Shire Council

# Location



**Burdekin**  
Shire Council

# Location – Closed Road Portion

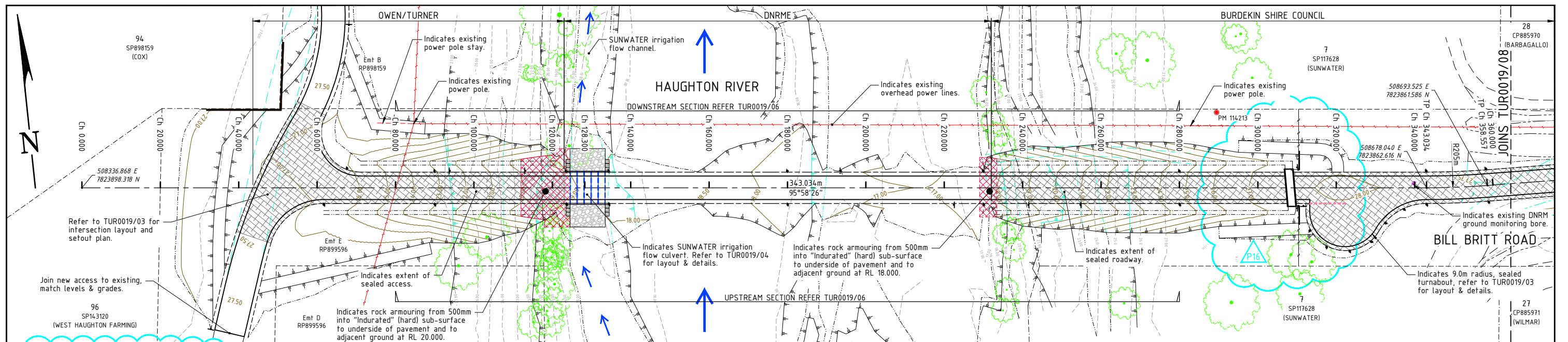


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# Attachment 1

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#### REFERENCED STANDARD DRAWINGS:

DEPARTMENT OF MAIN ROADS

- 1170 - Flood Depth Indicators - Installation
- 1250 - R C Box culverts and slab link box culverts
- 1356 - Road edge guide posts - Post and installation details
- 1359 - Culverts - Installation, bedding and filling/backfilling

P16

#### LAYOUT PLAN

Scale 'A'

#### PROVISIONAL PAVEMENT DESIGN

Prime & 2 coat chip seal (20/10 aggregate) - As Shown  
535mm Base Course DTMR Type 2.3 gravel (CBR 80 min)  
Subgrade CBR ≥ 3%

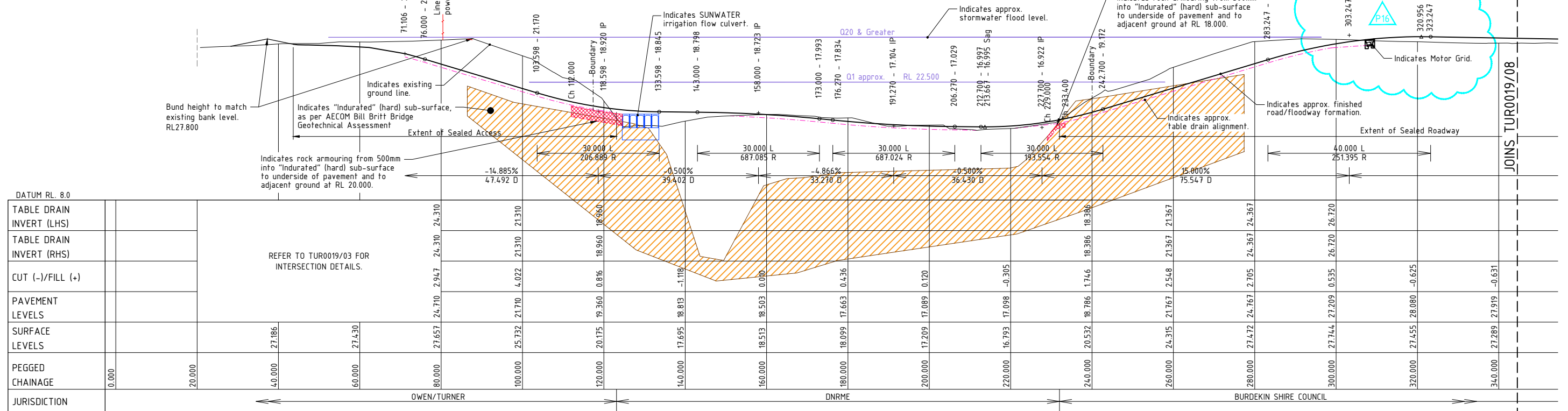
#### DESIGN TRAFFIC DETAILS

Design Life - 20 years  
DESA's - 4.17x10<sup>3</sup>  
AADT - 24 vpd  
%HV - 100%

#### NOTES:

- All road edge guide posts & traffic signs are to be located and installed in accordance with the Manual of Uniform Traffic Control Devices.
- Table drains are to be "GYPSUM" treated as per superintendent's directions onsite.
- All approved fill material should be placed, compacted & tested in accordance with AS 3798 - 2007 'Guidelines on Earthworks for Commercial & Residential Developments'. Level 1 Inspection, Testing & Certification is required for all fill exceeding 300mm in depth.
- Strip any organic topsoil and 'uncontrolled' filling down to stable natural subgrade.
- Stripped & stockpiled topsoil to be re-spread over all batters and disturbed areas 100mm thick and revegetated in accordance with Council specifications.
- Tyne the exposed subgrade and adjust the subgrade to optimum moisture content (OMC).
- Compact the moisture conditioned subgrade with at least six passes of a minimum 12 tonne deadweight roller, with a final test roll pass accompanied by a careful visual inspection to ensure that any deleterious materials such as loose, wet or highly compressible soil and organic materials are identified for removal.
- Place filling in near horizontal layers of maximum 150mm loose thickness. Filling should be approved, homogeneous, free of organic or other deleterious material, and have a maximum particle size of 75mm.
- Compact each layer of filling to at least 98% Standard maximum dry density ratio.
- Maintain moisture contents for filling exhibiting clay-like properties in the range 2% dry to 2% wet of optimum moisture content for Standard compaction, which in this case is considered close to the long term equilibrium moisture content.

**PRELIMINARY  
NOT FOR CONSTRUCTION**



DATUM RL. 8.0	TABLE DRAIN INVERT (LHS)	TABLE DRAIN INVERT (RHS)	CUT (-)/FILL (+)	PAVEMENT LEVELS	SURFACE LEVELS	PEGGED CHAINAGE	JURISDICTION
						0.000	
						20.000	
						40.000	
						60.000	
						80.000	
						100.000	
						120.000	
						140.000	
						160.000	
						180.000	
						200.000	
						220.000	
						240.000	
						260.000	
						280.000	
						300.000	
						320.000	
						340.000	

#### HAUGHTON RIVER BED CROSSING

#### LONGITUDINAL SECTION

Scale 'A' - Horizontal  
Scale 'B' - Vertical

Confirm size, location & elevation of all existing services on site before construction commences. Advise NORTHERN CONSULTING ENGINEERS of any discrepancies between drawings & site

#### LEGEND

- Existing RP boundary.
- Existing easement boundary.
- Existing surface major contour.
- Design surface major contour.
- Top of batter.
- Toe of batter.
- Change of grade.
- Stormwater drain line.
- Rural stock fence.
- Existing overhead power line.

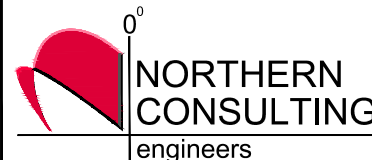
#### ENGINEERING CERTIFICATION

Signed:   
DEREK ROBERT CONLEY SAW - RPEQ 7363

Scale 'A' 1:500 @ A1  
Scale 'B' 1:250 @ A1  
THE ORIGINAL OF THIS DOCUMENT IS COMPLETED TO THE SCALE NOTED. AS REPRODUCTION CAN DISTORT SIZE & SHAPE USE ONLY THE DIMENSIONS PROVIDED ON ARCHITECTURAL &/OR ENGINEERING DRAWINGS. VERIFY DIMENSIONS ON SITE BEFORE CONSTRUCTION.

All work is to be carried out in accordance with LOCAL AUTHORITY'S standard details.

REFER TO DRAWING TUR0019/03 FOR TYPICAL ROAD/FLOODWAY SECTIONS.



Civil & Structural Engineers  
50 Punari Street, Currajong 4812  
Phone: [07] 4725 5550  
Email: mail@nceng.com.au  
Milton Messer & Associates Pty. Ltd.  
ACN 100 817 356

PRELIMINARY This drawing is NOT FOR CONSTRUCTION. When the drawing has been approved and stamped by the relevant approving authority, then the drawing may be used for construction.

- P16 PRELIMINARY - FOR DISCUSSION PURPOSES ONLY - MOTOR GRID AND ACCESS GATE AMENDED.
- P15 PRELIMINARY - FOR DISCUSSION PURPOSES ONLY - E.W.F.S. SIGNAGE REMOVED AND MOTOR GRID ADDED.
- P14 PRELIMINARY - NOT FOR CONSTRUCTION - BILL BRITT ROAD REALIGNMENT ADDED.
- P13 PRELIMINARY - NOT FOR CONSTRUCTION - AMENDED IN RESPONSE TO COUNCIL'S CORRESPONDENCE OF 25 JANUARY 2023.
- P12 PRELIMINARY - NOT FOR CONSTRUCTION - AMENDED IN ACCORDANCE WITH MEDIATION AGREEMENT - 30 SEPTEMBER 2022.
- P11 PRELIMINARY - NOT FOR CONSTRUCTION - CLIENT ASSOCIATION AMENDED.

26/02/2024  
22/02/2024  
23/08/2023  
21/02/2023  
14/10/2022  
03/03/2022

Issue	Description	Date
Drawn DC Date 12/12/2018	In Association With <b>BOHLE GRAZING Pty Ltd</b>	
Checked DS	<b>HAUGHTON RIVER BED CROSSING</b>	
Reviewed DS	<b>BILL BRITT ROAD UPPER HAUGHTON</b>	
COPYRIGHT ©		
LAYOUT PLAN AND LONGITUDINAL SECTION		
Drawing Number <b>TUR0019/01</b>		Issue <b>P16</b>

PRELIMINARY  
NOT FOR CONSTRUCTION

LEVEL DATUM A.H.D.  
Horizontal Datum GDA' 94 Zone 55  
Refer PM 30121 RL. 140.000  
498469.819 E  
7827314.741 N

ENGINEERING CERTIFICATION

Signed:   
DEREK ROBERT CONLEY SAW - RPEQ 7363

Scale 1:100 @ A1  
0 1 2 3 4m

THE ORIGINAL OF THIS DOCUMENT IS COMPLETED TO THE SCALE NOTED.  
AS REPRODUCTION CAN DISTORT SIZE & SHAPE USE ONLY THE DIMENSIONS  
PROVIDED ON ARCHITECTURAL &/OR ENGINEERING DRAWINGS. VERIFY  
DIMENSIONS ON SITE BEFORE CONSTRUCTION.

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with LOCAL AUTHORITY'S standard details.

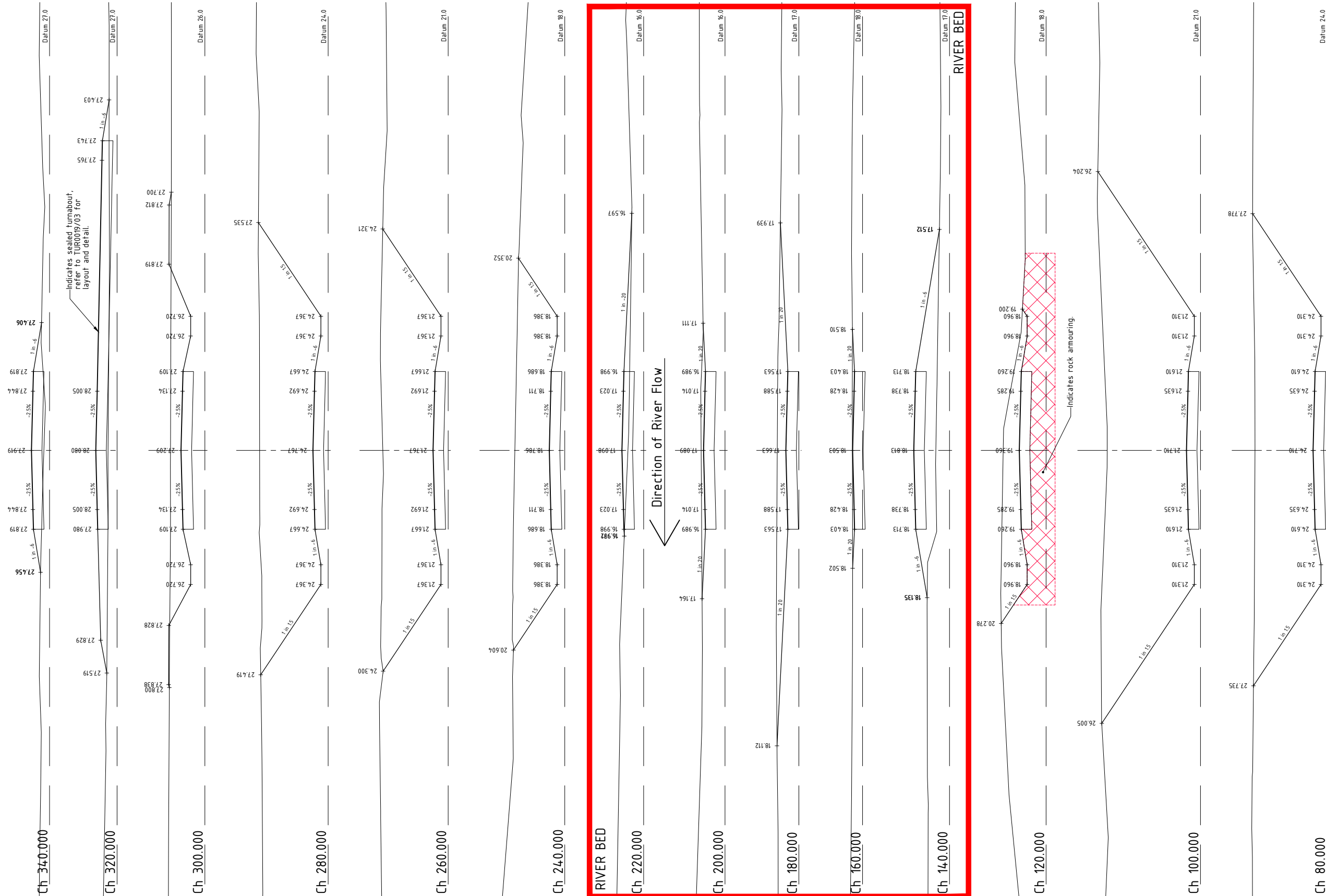


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ACN 100 817 356

REFER TO DRAWING TUR0019/01 FOR  
ROAD/FLOODWAY PAVEMENT DESIGN.

REFER TO DRAWING TUR0019/03 FOR  
TYPICAL ROAD/FLOODWAY SECTIONS.

CROSS SECTIONS

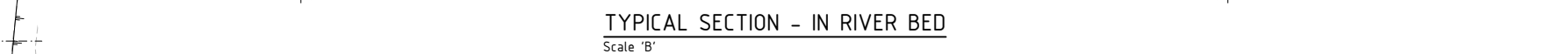
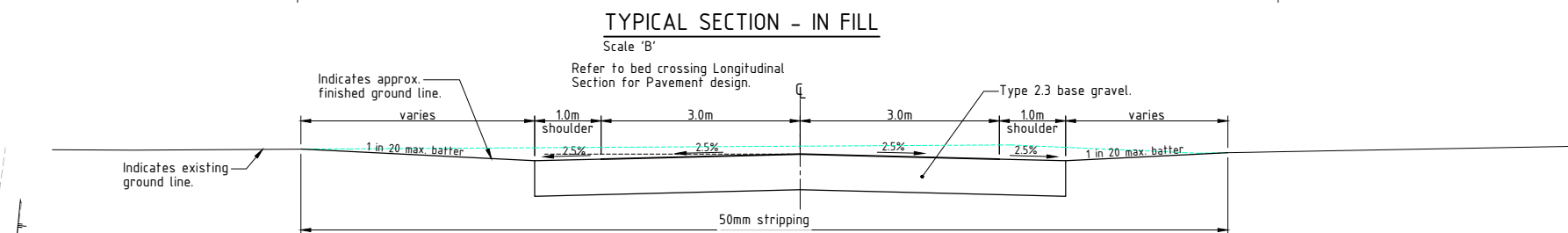
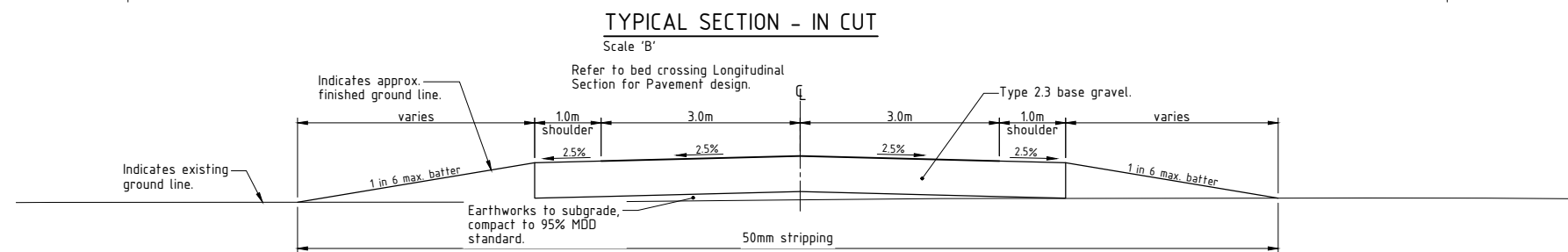
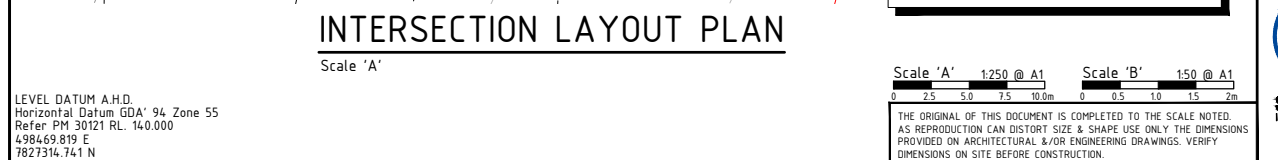


PRELIMINARY This drawing is NOT FOR CONSTRUCTION. When the drawing has been approved and stamped by the relevant approving authority, then the drawing may be used for construction.

P12	PRELIMINARY - FOR DISCUSSION PURPOSES ONLY - FLOODWAY CROSS SECTIONS UPDATED.	22/02/2024
P11	PRELIMINARY - NOT FOR CONSTRUCTION - AMENDED IN RESPONSE TO COUNCIL'S CORRESPONDENCE OF 25 JANUARY 2023.	21/02/2023
P10	PRELIMINARY - NOT FOR CONSTRUCTION - AMENDED IN ACCORDANCE WITH MEDIATION AGREEMENT - 30 SEPTEMBER 2022.	14/10/2022
P9	PRELIMINARY - NOT FOR CONSTRUCTION - CLIENT ASSOCIATION AMENDED.	03/03/2022
P8	PRELIMINARY - NOT FOR CONSTRUCTION - BATTERS AMENDED IN ACCORDANCE WITH "WPM" REQUIREMENTS.	17/12/2021
P7	PRELIMINARY - NOT FOR CONSTRUCTION - AMENDED IN ACCORDANCE WITH "WPM" REQUIREMENTS.	07/12/2021

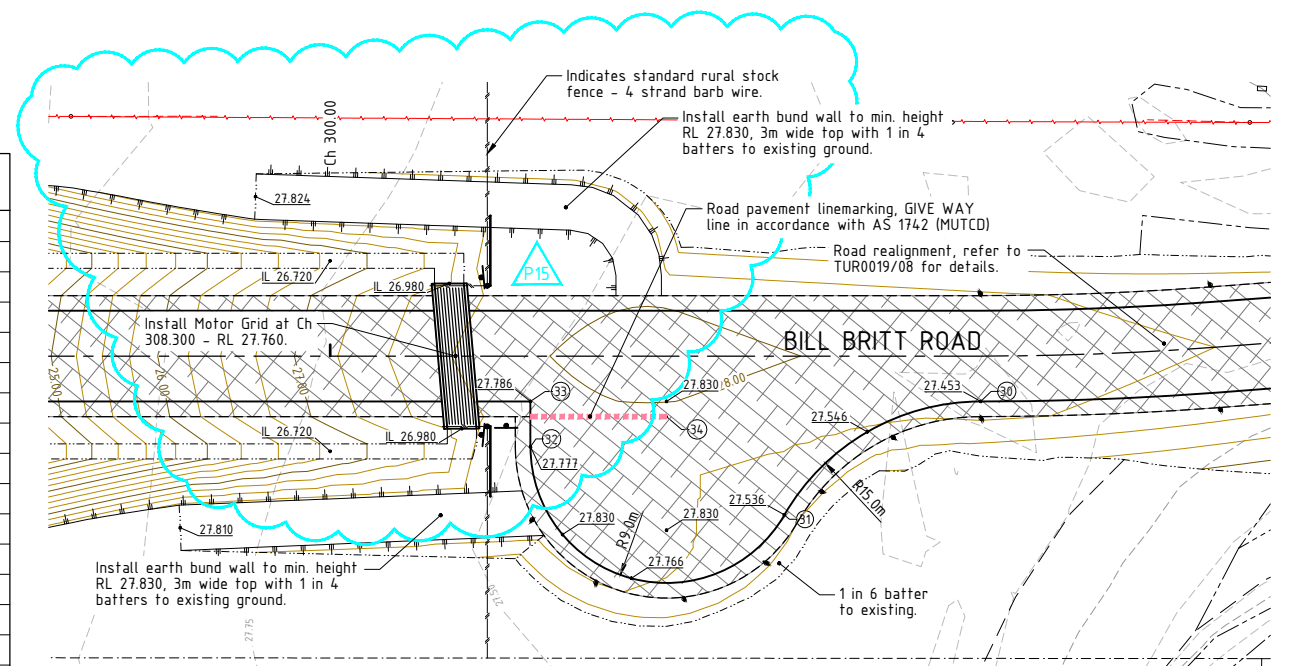
Issue	Description	Date
Drawn DC Date 12/12/2018	In Association With <b>BOHLE GRAZING Pty Ltd</b>	CROSS SECTIONS
Checked DS	<b>HAUGHTON RIVER BED CROSSING</b>	
Reviewed DS	<b>BILL BRITT ROAD UPPER HAUGHTON</b>	
DRAWING NUMBER <b>TUR0019/02</b>		Issue <b>P12</b>





Point #	Easting	Northing
1	508366.794	7823858.796
2	508371.746	7823872.955
3	508375.776	7823882.694
4	508392.471	7823910.765
5	508394.700	7823913.978
6	508400.159	7823925.623
7	508402.237	7823935.405
8	508402.248	7823946.188
9	508404.513	7823970.090
10	508410.360	7823967.285
11	508408.269	7823946.292
12	508408.201	7823934.751
13	508405.874	7823923.796
14	508399.760	7823910.754
15	508407.891	7823893.902
16	508397.876	7823888.917
17	508382.426	7823879.694
18	508378.966	7823870.261
19	508374.083	7823856.285
20	508384.367	7823898.860

Point #	Easting	Northing
30	508677.728	7823859.632
31	508664.027	7823853.525
32	508647.793	7823859.748
33	508648.105	7823862.732
34	508656.952	7823860.801

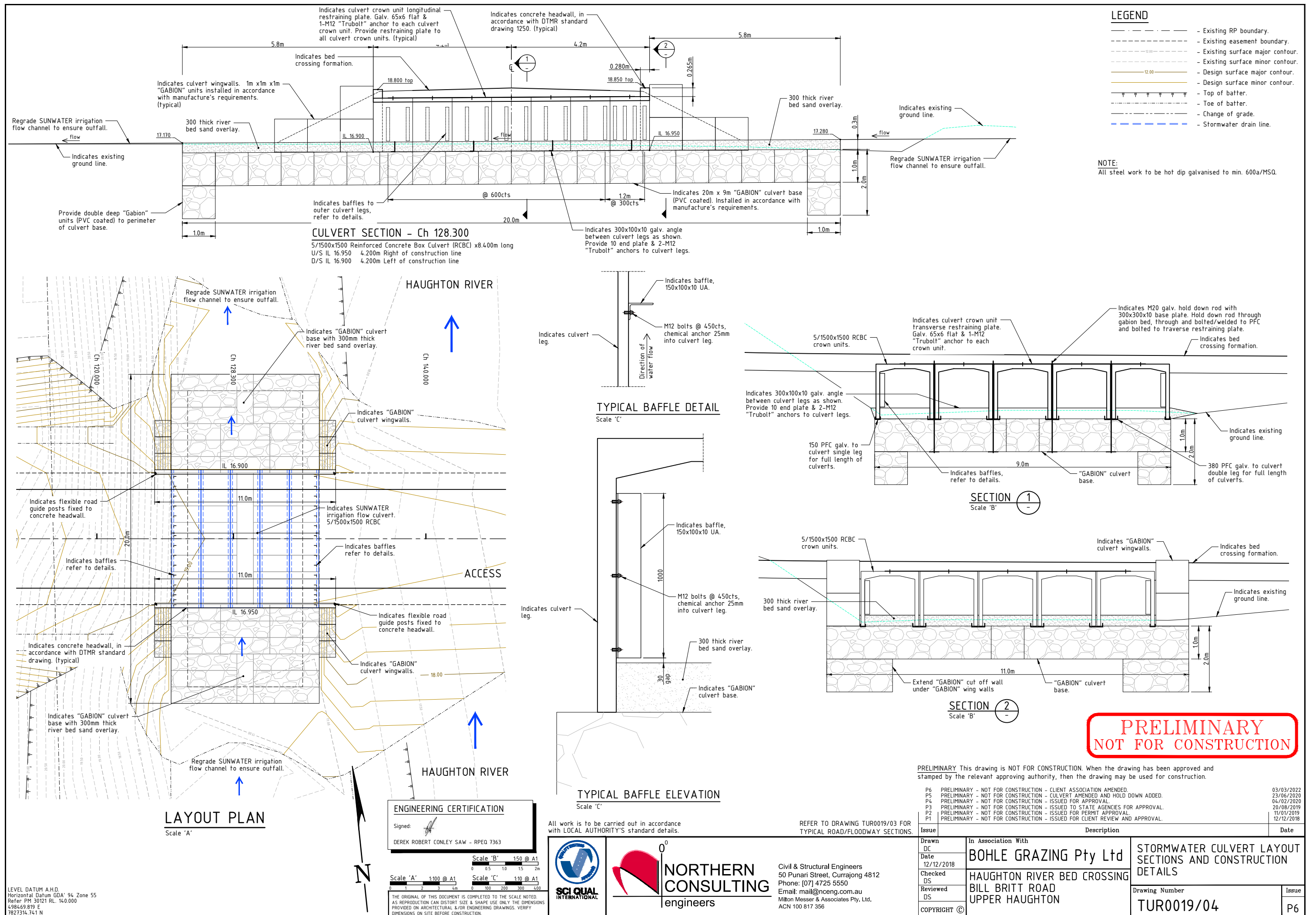


## Scale 'A'

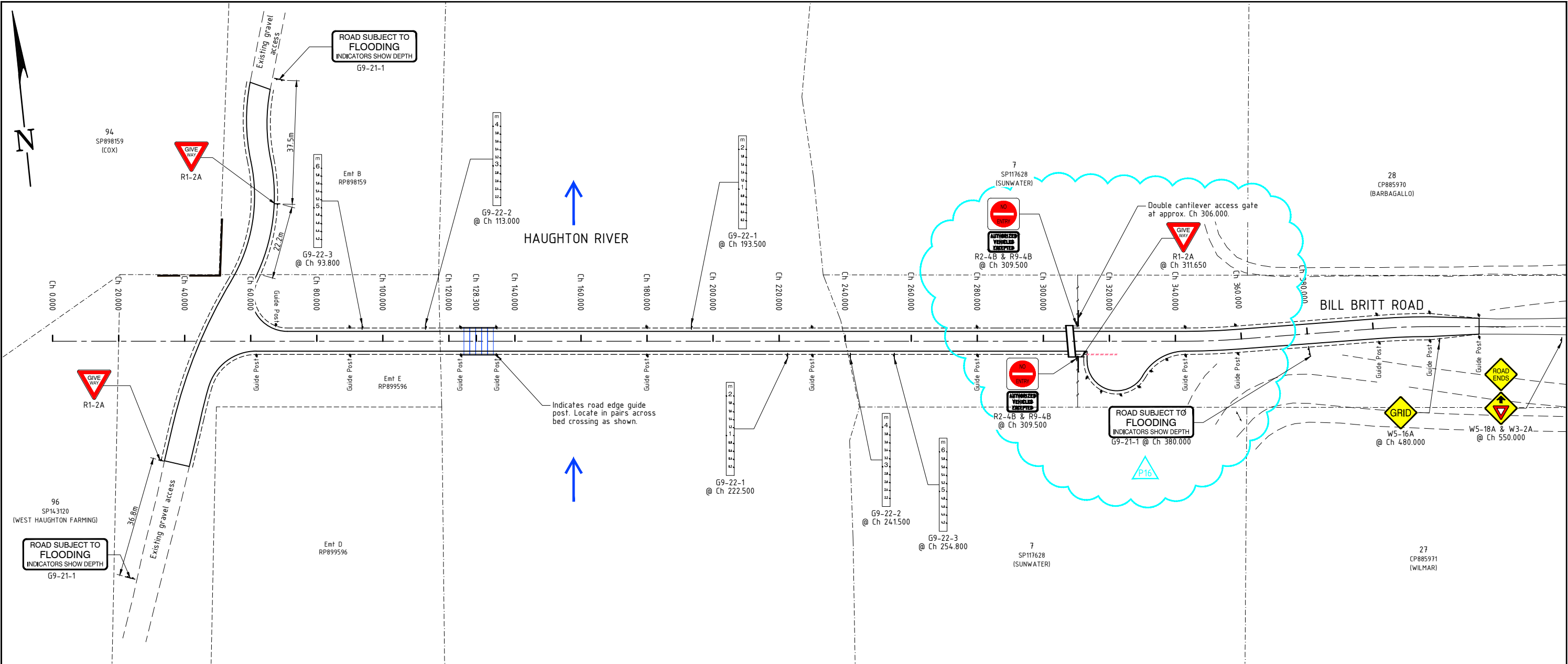
PRELIMINARY This drawing is NOT FOR CONSTRUCTION. When the drawing has been approved and stamped by the relevant approving authority, then the drawing may be used for construction.

P15	PRELIMINARY - FOR DISCUSSION PURPOSES ONLY - MOTOR GRID AND ACCESS GATE AMENDED.	26/02/2024
P14	PRELIMINARY - FOR DISCUSSION PURPOSES ONLY - C.W.F.S SIGNAGE REMOVED AND MOTOR GRID ADDED.	22/02/2024
P13	PRELIMINARY - NOT FOR CONSTRUCTION - HILL BRIT <sup>®</sup> ROAD ALIGNMENT ADDED.	23/08/2023
P12	PRELIMINARY - NOT FOR CONSTRUCTION - AMENDED IN RESPONSE TO COUNCIL'S CORRESPONDENCE OF 25 JANUARY 2023.	21/07/2023
P11	PRELIMINARY - NOT FOR CONSTRUCTION - AMENDED IN ACCORDANCE WITH MEDIATION AGREEMENT - 30 SEPTEMBER 2022.	14/10/2022
P10	PRELIMINARY - NOT FOR CONSTRUCTION - CLIENT ASSOCIATION AMENDED.	03/03/2022
P9	PRELIMINARY - NOT FOR CONSTRUCTION - LINEMARKING TYPE AMENDED.	02/03/2022
	<b>Description</b>	<b>Date</b>

Drawn DC	In Association With	INTERSECTION LAYOUT PLAN, TYPICAL SECTIONS AND CONSTRUCTION DETAILS	
Date 12/12/2018	BOHLE GRAZING Pty Ltd		
Checked DS	HAUGHTON RIVER BED CROSSING		
Reviewed DS	BILL BRITT ROAD UPPER HAUGHTON		
COPYRIGHT ©			
		Drawing Number	Issue
		TUR0019/03	P15







LAYOUT PLAN

NOTES:

1. All road edge guide posts & traffic signs are to be located and installed in accordance with the Manual of Uniform Traffic Control Devices.

PRELIMINARY  
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P16	PRELIMINARY - FOR DISCUSSION PURPOSES ONLY - MOTOR GRID AND ACCESS GATE AMENDED.	26/02/2023
P15	PRELIMINARY - FOR DISCUSSION PURPOSES ONLY - E.W.F.S. SIGANGE REMOVED AND MOTOR GRID ADDED.	22/02/2023
P14	PRELIMINARY - NOT FOR CONSTRUCTION - BILL BRITT ROAD REALIGNMENT ADDED.	23/08/2023
P13	PRELIMINARY - NOT FOR CONSTRUCTION - AMENDED IN RESPONSE TO COUNCIL'S CORRESPONDENCE OF 25 JANUARY 2023.	21/02/2023
P12	PRELIMINARY - NOT FOR CONSTRUCTION - AMENDED IN ACCORDANCE WITH MEDIATION AGREEMENT - 30 SEPTEMBER 2022.	22/11/2022
P11	PRELIMINARY - NOT FOR CONSTRUCTION - AMENDED IN ACCORDANCE WITH MEDIATION AGREEMENT - 30 SEPTEMBER 2022.	14/11/2022
P10	PRELIMINARY - NOT FOR CONSTRUCTION - AMENDED IN ACCORDANCE WITH MEDIATION AGREEMENT - 30 SEPTEMBER 2022.	14/10/2022
P9	PRELIMINARY - NOT FOR CONSTRUCTION - CLIENT ASSOCIATION AMENDED.	03/03/2022
P8	PRELIMINARY - NOT FOR CONSTRUCTION - AMENDED TO INCLUDE EXTRA TRAFFIC SIGNS.	08/12/2021
P7	PRELIMINARY - NOT FOR CONSTRUCTION - AMENDED IN ACCORDANCE WITH "WPM" REQUIREMENTS.	07/12/2021
P6	PRELIMINARY - NOT FOR CONSTRUCTION - CULVERT AMENDED.	23/06/2020
P5	PRELIMINARY - NOT FOR CONSTRUCTION - ISSUED FOR APPROVAL.	04/02/2020
P4	PRELIMINARY - NOT FOR CONSTRUCTION - ISSUED TO STATE AGENCIES FOR APPROVAL.	20/08/2019
P3	PRELIMINARY - NOT FOR CONSTRUCTION - WEST INTERSECTION UPDATED.	22/05/2019
P2	PRELIMINARY - NOT FOR CONSTRUCTION - ISSUED FOR PERMIT APPROVAL.	11/01/2019
P1	PRELIMINARY - NOT FOR CONSTRUCTION - ISSUED FOR CLIENT REVIEW AND APPROVAL.	12/12/2018

ENGINEERING CERTIFICATION

Signed:   
DEREK ROBERT CONLEY SAW - RPEQ 7363

Scale 1:600 @ A1  
0 6 12 18 24

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REFER TO DRAWING TUR0019/03 FOR TYPICAL ROAD/FLOODWAY SECTIONS.



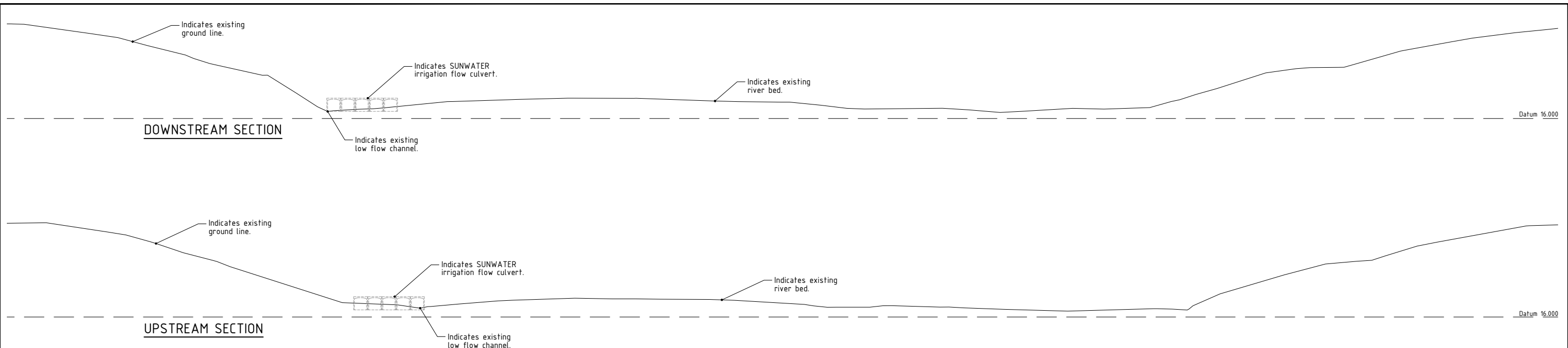
Civil & Structural Engineers  
50 Punari Street, Currajong 4812  
Phone: [07] 4725 5550  
Email: mail@nceng.com.au  
Milton Messer & Associates Pty. Ltd.  
ACN 100 817 356

Drawn DC Date 12/12/2018	In Association With <b>BOHLE GRAZING Pty Ltd</b>	ROAD SIGNAGE LAYOUT PLAN	
Checked DS	HAUGHTON RIVER BED CROSSING		
Reviewed DS	BILL BRITT ROAD UPPER HAUGHTON	Drawing Number <b>TUR0019/05</b>	Issue <b>P16</b>
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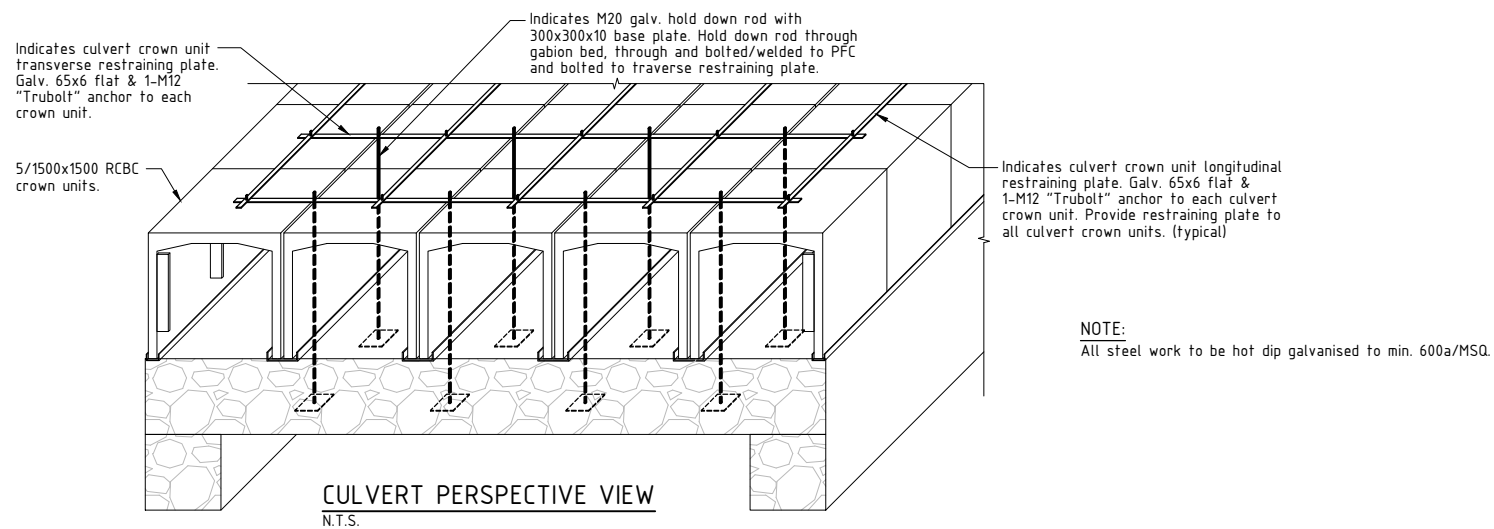
LEGEND

- Existing RP boundary.
- Existing easement boundary.
- Stormwater drain line.
- Rural stock fence.

LEVEL DATUM A.H.D.  
Horizontal Datum GDA' 94 Zone 55  
Refer PM 30121 RL 140.000  
498469.819 E  
7827314.741 N



HAUGHTON RIVER OVERALL SECTIONS



PRELIMINARY  
NOT FOR CONSTRUCTION

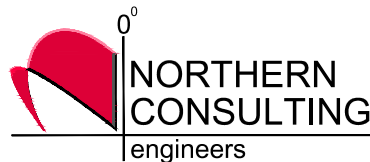
PRELIMINARY This drawing is NOT FOR CONSTRUCTION. When the drawing has been approved and stamped by the relevant approving authority, then the drawing may be used for construction.

LEVEL DATUM A.H.D.  
Horizontal Datum GDA' 94 Zone 55  
Refer PM 30121 RL. 140.000  
498469.819 E  
7827314.741 N

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Scale 1:250 @ A1  
0 2.5 5.0 7.5 10.0m  
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Phone: [07] 4725 5550  
Email: mail@nceng.com.au  
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REFER TO DRAWING TUR0019/03 FOR  
TYPICAL ROAD/FLOODWAY SECTIONS.

P3	PRELIMINARY - NOT FOR CONSTRUCTION - CLIENT ASSOCIATION AMENDED.	03/03/2022
P2	PRELIMINARY - NOT FOR CONSTRUCTION - CULVERT AMENDED.	23/06/2020
P1	PRELIMINARY - NOT FOR CONSTRUCTION - ISSUED FOR APPROVAL.	04/02/2020
Issue	Description	Date
Drawn DC	In Association With <b>BOHLE GRAZING Pty Ltd</b>	
Date 04/02/2020		
Checked DS	<b>HAUGHTON RIVER BED CROSSING</b>	
Reviewed DS	<b>BILL BRITT ROAD UPPER HAUGHTON</b>	
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Drawing Number <b>TUR0019/06</b>		Issue <b>P3</b>





OVERALL LAYOUT PLAN

ENGINEERING CERTIFICATION

Signed: 

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Scale 1:600 @ A1

0 6 12 18 24

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PRELIMINARY  
NOT FOR CONSTRUCTION

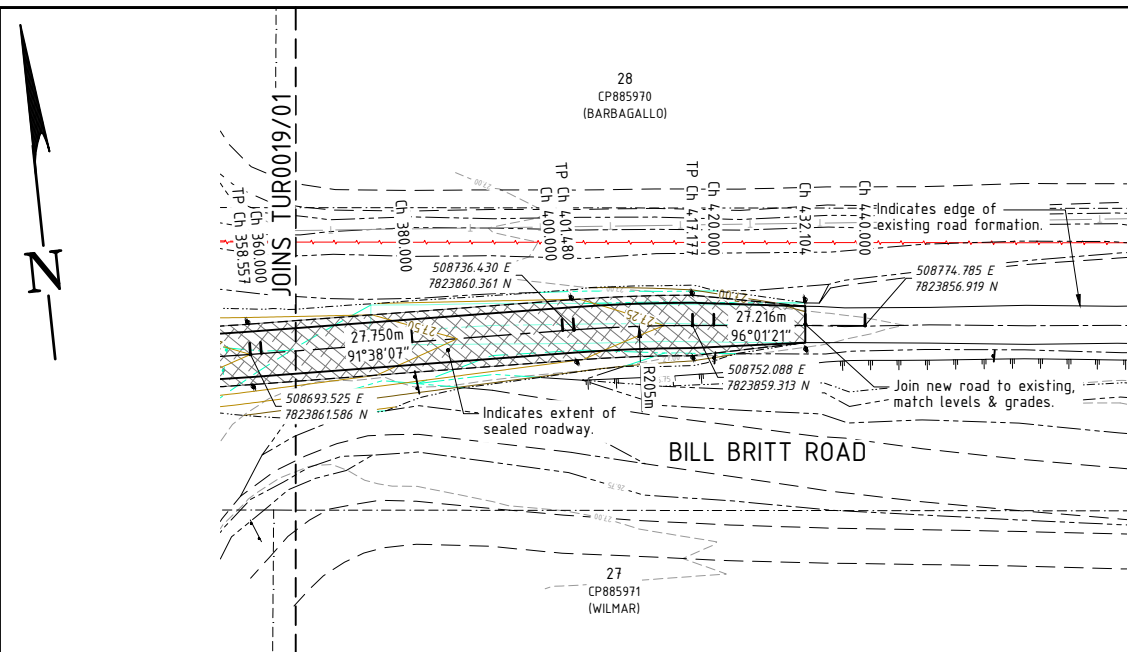
PRELIMINARY This drawing is NOT FOR CONSTRUCTION. When the drawing has been approved and stamped by the relevant approving authority, then the drawing may be used for construction.

P5	PRELIMINARY - FOR DISCUSSION PURPOSES ONLY - MOTOR GRID AND ACCESS GATE AMENDED.	26/02/2024
P4	PRELIMINARY - FOR DISCUSSION PURPOSES ONLY - E.W.F.S. SIGANCE REMOVED AND MOTOR GRID ADDED.	22/02/2024
P3	PRELIMINARY - NOT FOR CONSTRUCTION - BILL BRITT ROAD REALIGNMENT ADDED.	23/08/2023
P2	PRELIMINARY - NOT FOR CONSTRUCTION - AMENDED IN RESPONSE TO COUNCIL'S CORRESPONDENCE OF 25 JANUARY 2023.	21/02/2023
P1	PRELIMINARY - NOT FOR CONSTRUCTION - FOR INFORMATION.	01/12/2022

Issue	Description	Date
Drawn DC Date 01/12/2022	In Association With <b>BOHLE GRAZING Pty Ltd</b>	<b>OVERALL LAYOUT PLAN</b>
Checked DS	<b>HAUGHTON RIVER BED CROSSING</b>	
Reviewed DS	<b>BILL BRITT ROAD UPPER HAUGHTON</b>	
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Drawing Number <b>TUR0019/07</b>		Issue <b>P5</b>

LEVEL DATUM A.H.D.  
Horizontal Datum GDA' 94 Zone 55  
Refer PM 30121 RL. 140.000  
498469.819 E  
7827314.741 N





LAYOUT PLAN  
Scale 'A'



HAUGHTON RIVER BED CROSSING  
LONGITUDINAL SECTION - cont.

Scale 'A' - Horizontal  
Scale 'B' - Vertical

ENGINEERING CERTIFICATION  
Signed: [Signature]  
DEREK ROBERT CONLEY SAW - RPEQ 7363

Scale 'A' 1:500 @ A1  
Scale 'B' 1:250 @ A1  
Scale 'C' 1:100 @ A1  
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Confirm size, location & elevation of all existing services on site before construction commences. Advise NORTHERN CONSULTING ENGINEERS of any discrepancies between drawings & site

PROVISIONAL PAVEMENT DESIGN  
Ch 232.000 to Ch 432.104  
Prime & 2 coat chip seal (20/10 aggregate) - As Shown  
Ch 232.000 to Ch 374.830  
535mm Base Course DTMR Type 2.3 gravel (CBR 80 min)  
Subgrade CBR ≥ 3%  
Ch 374.830 to Ch 432.104  
Match existing pavement - assumed 150mm thick

DESIGN TRAFFIC DETAILS  
Design Life - 20 years  
DESA's - 4.17x10<sup>7</sup>  
AADT - 24 vpd  
%HV - 100%

- LEGEND
- Existing RP boundary.
  - Existing easement boundary.
  - Existing surface major contour.
  - Design surface major contour.
  - Top of batter.
  - Toe of batter.
  - Change of grade.
  - Existing overhead power line.

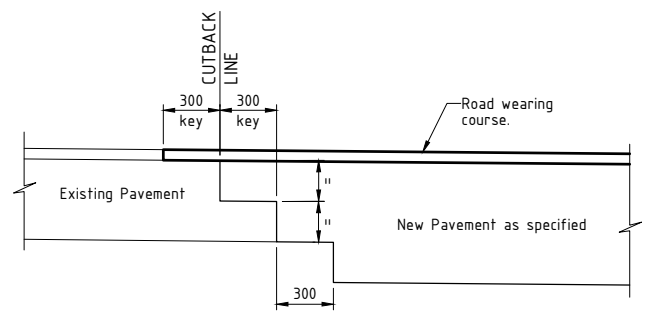
REFERENCED STANDARD DRAWINGS:

DEPARTMENT OF MAIN ROADS  
1170 - Flood Depth Indicators - Installation  
1250 - R C Box culverts and slab link box culverts  
1356 - Road edge guide posts - Post and installation details  
1359 - Culverts - Installation, bedding and filling/backfilling against/over culverts

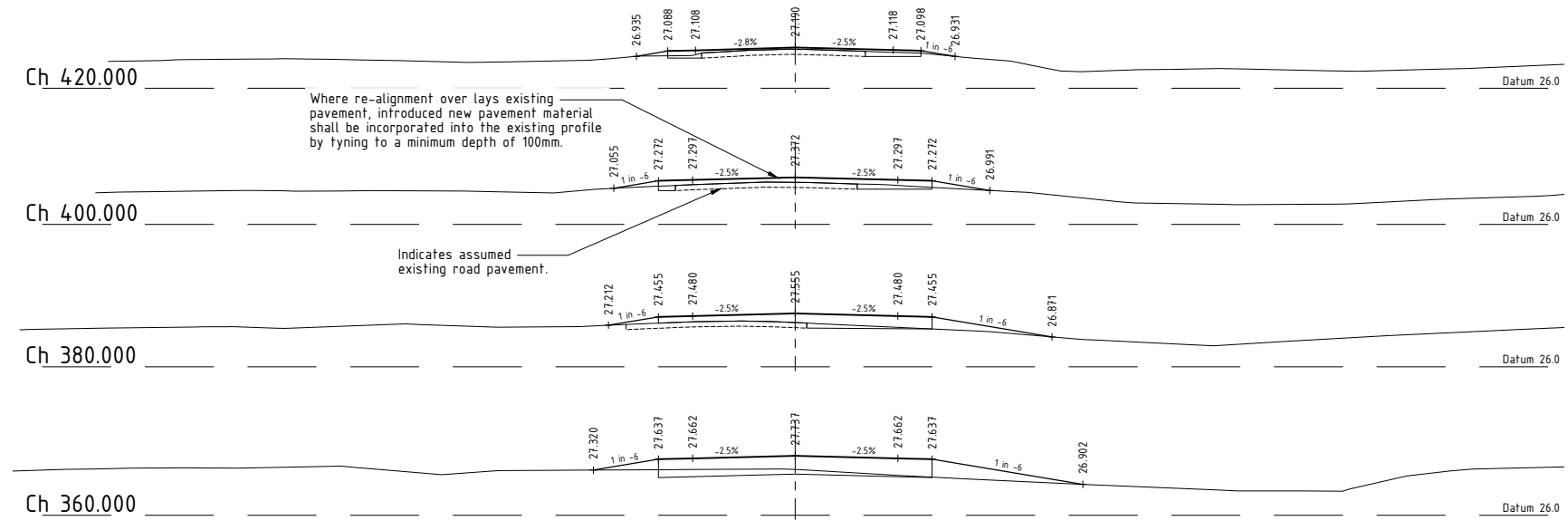
INSTITUTE OF PUBLIC WORKS  
GS-048 - Fencing entrance barrier double swing gate

NOTES:

- All road edge guide posts & traffic signs are to be located and installed in accordance with the Manual of Uniform Traffic Control Devices.
- Table drains are to be "GYPSUM" treated as per superintendent's directions onsite.
- All approved fill material should be placed, compacted & tested in accordance with AS 3798 - 2007 'Guidelines on Earthworks for Commercial & Residential Developments'. Level 1 Inspection, Testing & Certification is required for all fill exceeding 300mm in depth.
- Strip any organic topsoil and 'uncontrolled' filling down to stable natural subgrade.
- Stripped & stockpiled topsoil to be re-spread over all batters and disturbed areas 100mm thick and revegetated in accordance with Council specifications.
- Tyne the exposed subgrade and adjust the subgrade to optimum moisture content (OMC).
- Compact the moisture conditioned subgrade with at least six passes of a minimum 12 tonne deadweight roller, with a final test roll pass accompanied by a careful visual inspection to ensure that any deleterious materials such as loose, wet or highly compressible soil and organic materials are identified for removal.
- Place filling in near horizontal layers of maximum 150mm loose thickness. Filling should be approved, homogeneous, free of organic or other deleterious material, and have a maximum particle size of 75mm.
- Compact each layer of filling to at least 98% Standard maximum dry density ratio.
- Maintain moisture contents for filling exhibiting clay-like properties in the range 2% dry to 2% wet of optimum moisture content for Standard compaction, which in this case is considered close to the long term equilibrium moisture content.



PAVEMENT TIE-IN DETAIL  
N.T.S.



CROSS SECTIONS  
Scale 'C'

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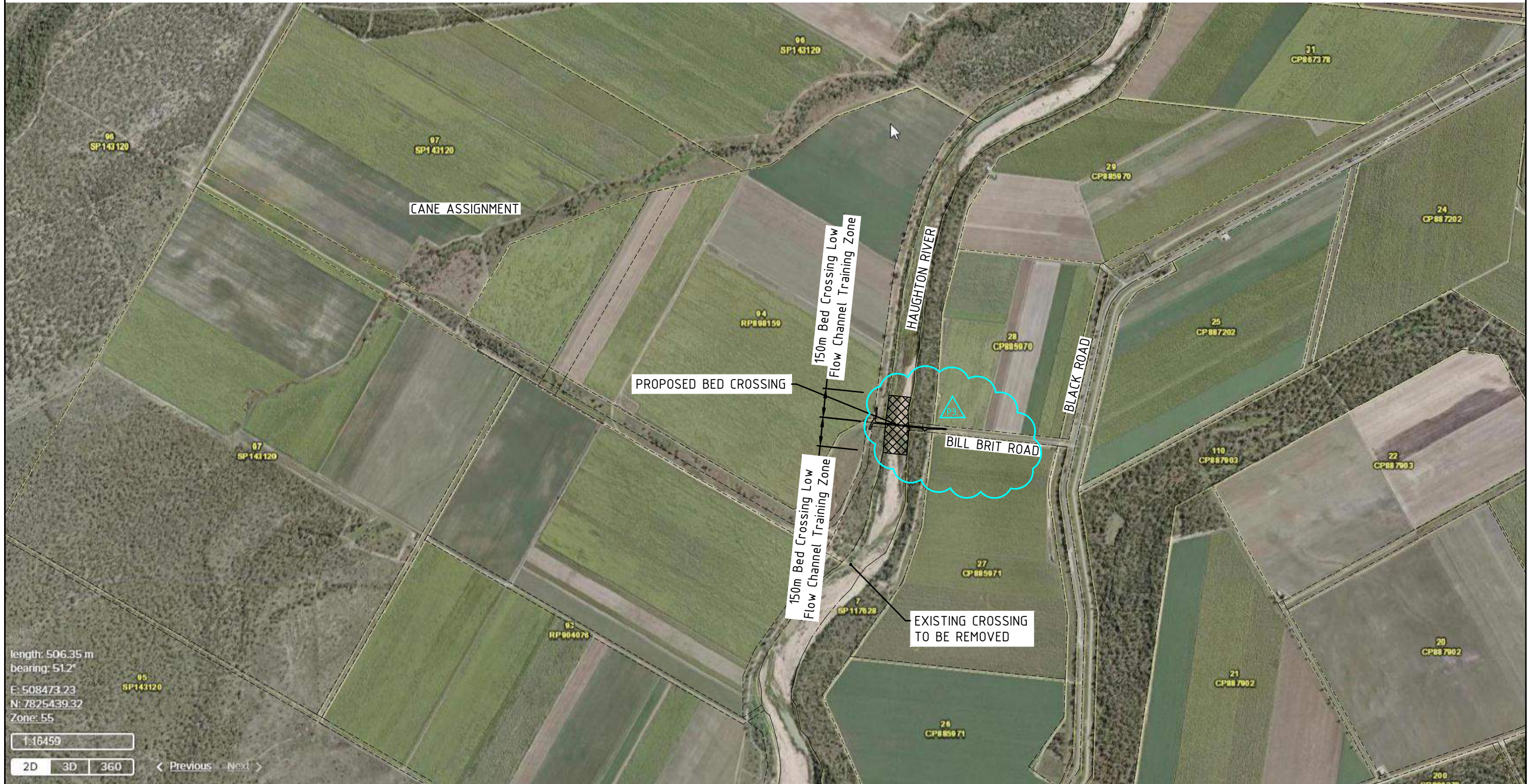
LEVEL DATUM A.H.D.  
Horizontal Datum GDA' 94 Zone 55  
Refer PM 30121 RL 140.000  
498469.819 E  
7827314.741 N



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50 Punari Street, Currajong 4812  
Phone: [07] 4725 5550  
Email: mail@nceng.com.au  
Milton Messer & Associates Pty. Ltd.  
ACN 100 817 356

P1	PRELIMINARY - NOT FOR CONSTRUCTION - BILL BRITT ROAD REALIGNMENT ADDED.	23/08/2023
Issue	Description	Date
Drawn DC Date 23/08/2023	In Association With <b>BOHLE GRAZING Pty Ltd</b>	LAYOUT PLAN AND LONGITUDINAL SECTION
Checked DS	<b>HAUGHTON RIVER BED CROSSING</b>	Drawing Number
Reviewed DS	<b>BILL BRITT ROAD UPPER HAUGHTON</b>	<b>TUR0019/08</b>
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LAYOUT PLAN

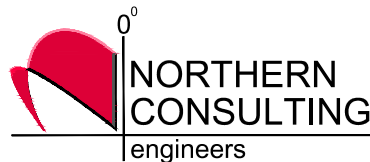


LEVEL DATUM A.H.D.  
Horizontal Datum GDA' 94 Zone 55  
Refer PM 30121 RL: 140.000  
498469.819 E  
7827314.741 N

ENGINEERING CERTIFICATION  
Signed:   
DEREK ROBERT CONLEY SAW - RPEQ 7363

Scale 1:10,000 @ A1  
0 100 200 300 400m  
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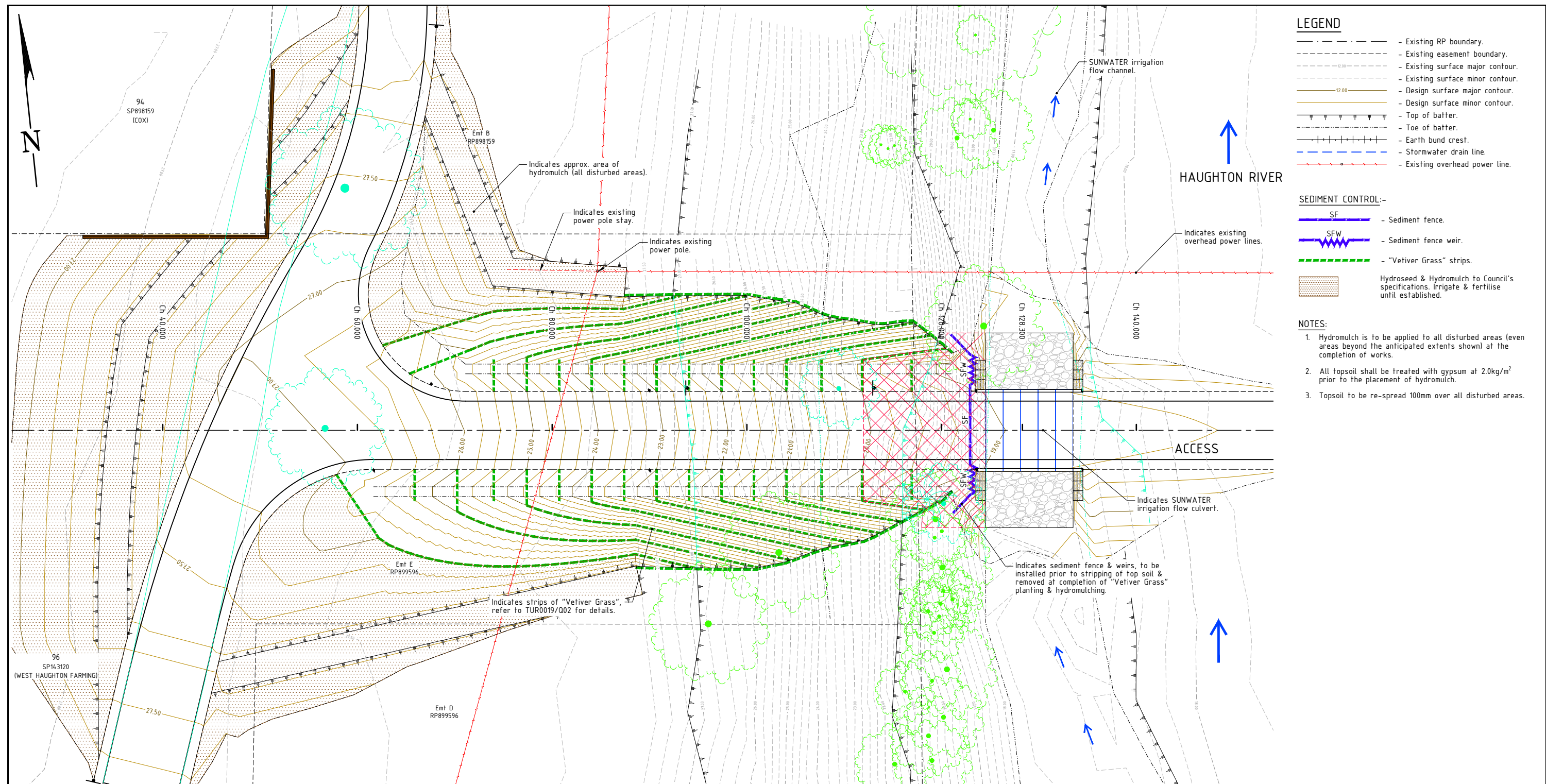
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P3	PRELIMINARY - NOT FOR CONSTRUCTION - AMENDED IN RESPONSE TO COUNCIL'S CORRESPONDENCE OF 25 JANUARY 2023.	21/02/2023
P2	PRELIMINARY - NOT FOR CONSTRUCTION - CLIENT ASSOCIATION AMENDED.	03/03/2022
P1	PRELIMINARY - NOT FOR CONSTRUCTION - ISSUED FOR APPROVAL.	04/02/2020
Issue	Description	Date
Drawn DC Date 04/02/2020	In Association With <b>BOHLE GRAZING Pty Ltd</b>	LAYOUT PLAN
Checked DS Reviewed DS	<b>HAUGHTON RIVER BED CROSSING BILL BRITT ROAD UPPER HAUGHTON</b>	Drawing Number <b>TUR0019/A01</b>
COPYRIGHT ©		Issue <b>P3</b>





LAYOUT PLAN

PRELIMINARY  
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P10	PRELIMINARY - NOT FOR CONSTRUCTION - CLIENT ASSOCIATION AMENDED.	03/03/2022
P9	PRELIMINARY - NOT FOR CONSTRUCTION - BATTERS AMENDED IN ACCORDANCE WITH "WPM" REQUIREMENTS.	17/12/2021
P8	PRELIMINARY - NOT FOR CONSTRUCTION - ISSUED FOR APPROVAL.	28/01/2021
P7	PRELIMINARY - NOT FOR CONSTRUCTION - BUND WALLS AMENDED.	15/09/2020
P6	PRELIMINARY - NOT FOR CONSTRUCTION - CULVERT AMENDED.	23/06/2020
P5	PRELIMINARY - NOT FOR CONSTRUCTION - ISSUED FOR APPROVAL.	04/02/2020
P4	PRELIMINARY - NOT FOR CONSTRUCTION - ISSUED TO STATE AGENCIES FOR APPROVAL.	20/08/2019
P3	PRELIMINARY - NOT FOR CONSTRUCTION - WEST INTERSECTION AMENDED.	22/05/2019
P2	PRELIMINARY - NOT FOR CONSTRUCTION - ISSUED FOR PERMIT APPROVAL.	11/01/2019
P1	PRELIMINARY - NOT FOR CONSTRUCTION - ISSUED FOR CLIENT REVIEW AND APPROVAL.	12/12/2018

ENGINEERING CERTIFICATION	
Signed:	
DEREK ROBERT CONLEY SAW	- RPEQ 7363
TCC Accreditation No.	- SOP-030

All work is to be carried out in accordance with LOCAL AUTHORITY'S standard details.



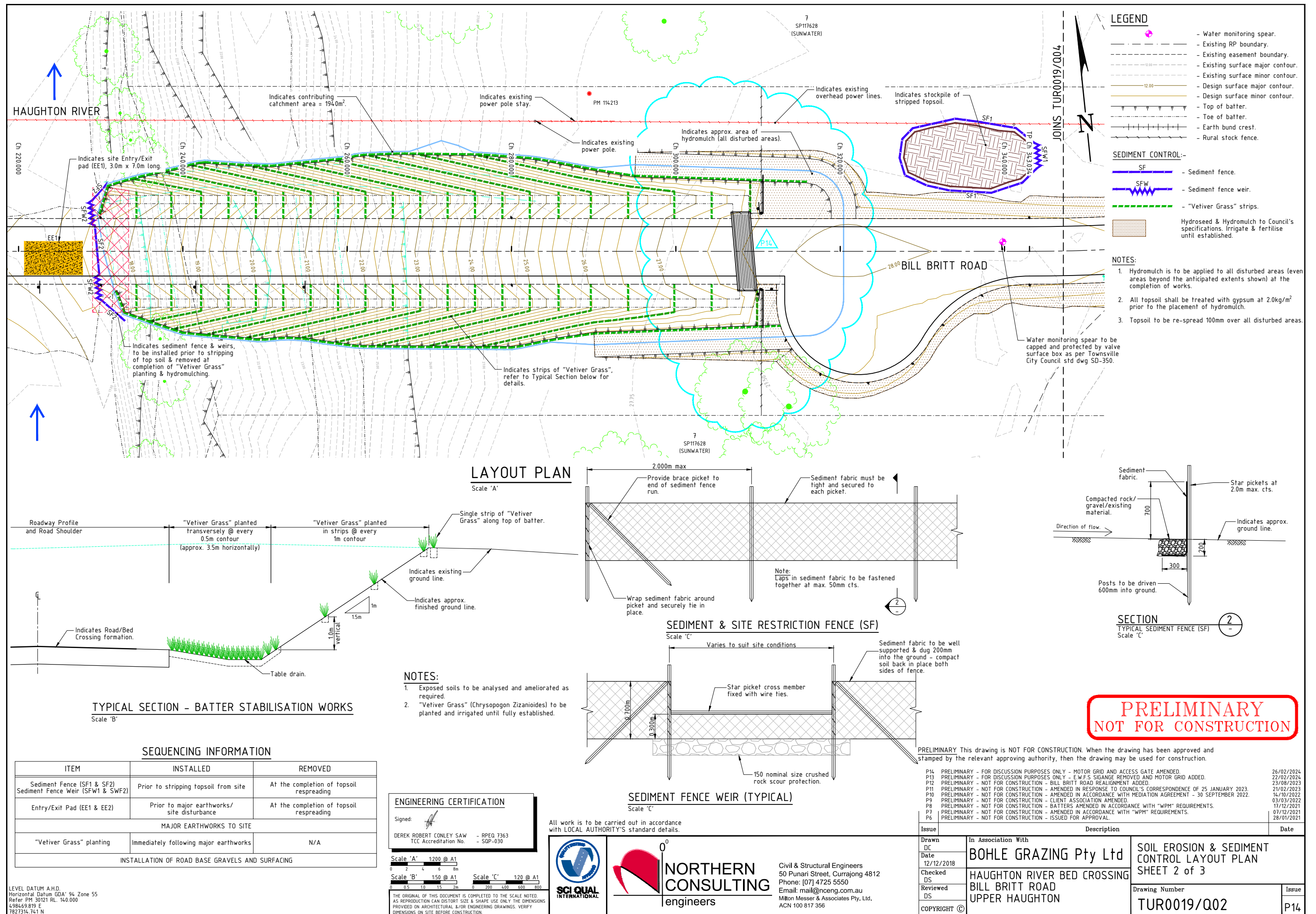
Civil & Structural Engineers  
50 Punari Street, Currajong 4812  
Phone: [07] 4725 5550  
Email: mail@nceng.com.au  
Milton Messer & Associates Pty. Ltd.  
ACN 100 817 356

Drawn DC Date 12/12/2018	In Association With <b>BOHLE GRAZING Pty Ltd</b>	SOIL EROSION & SEDIMENT CONTROL LAYOUT PLAN SHEET 1 of 2
Checked DS	<b>HAUGHTON RIVER BED CROSSING</b>	
Reviewed DS	<b>BILL BRITT ROAD UPPER HAUGHTON</b>	Drawing Number <b>TUR0019/Q01</b>
COPYRIGHT ©		Issue <b>P10</b>

LEVEL DATUM A.H.D.  
Horizontal Datum GDA' 94 Zone 55  
Refer PM 30121 RL 140.000  
498469.819 E  
7827314.741 N

Scale 1:200 @ A1  
0 2 4 6 8m

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# Soil Erosion & Sediment Control

EROSION & SEDIMENT CONTROL NOTES:

GENERAL:

1.

The sub-contractors undertaking works following the completion of the civil works will be responsible for maintaining and implementing additional measures as necessary to suit the type of construction occurring and in accordance with IECA best practices guides.
2.

Construction is to be undertaken during the dry weather months (May – Oct).
3.

It is assumed that the earthworks will be placed in accordance with the fall direction of the finished earthworks fall direction.

RESPONSIBILITY:

4.

This ESCP has been prepared by a Suitably Qualified Person – Derek Saw TCC Accreditation No. SQP-030.
5.

The Responsible Person nominated for on-site implementation of this ESCP is the Contractor's Construction Manager.
6.

The Site Foreman nominated for overseeing and implementing site works is the Contractor's site foreman.

ESCP OBJECTIVE:

7.

The objective of this ESCP is to ensure works are carried out in the following manner:
- a.

Minimise exposure of disturbed soils at any time, i.e. land clearing should be staged to minimise the extent and duration of soil exposure.
- b.

Diversion of runoff from upstream undisturbed areas around disturbed areas.
- c.

Site discharge shall have <50mg/L TSS, turbidity not >10% of the receiving waters turbidity and PH 6.5-8.5, unless defined otherwise.
- d.

Oils and grease – no visible films or odour.
- e.

Litter – no visible litter washed or blown from the site.
7.

This ESCP is a living document that can and should be modified by suitably qualified site personnel (Responsible Person or Site Forman) if:
- a.

Site conditions change;
- b.

The adopted measures fails to achieve the required treatment standard and/or overall ESCP objective;

Any changes will need to comply with the intent of the original ESCP.

DEVICE DESIGN:

8.

The devices (sediment traps, catch drains, diversion channels) are anticipated to be evolving structures such that they will change in level as the earthworks are undertaken. The details shown on the typical sections for the devices are the minimum / critical requirements.
9.

The devices have been designed for the following:
- a.

Diversion channel – 1 in 2 year ARI as device is anticipated to be in place for <12 months.
- b.

Flow diversion bund – 1 in 5 year ARI as device is anticipated to be in place for 12-24 months.
- c.

Catch drain – 1 in 2 year ARI as device is anticipated to be in place for <12 months.
- d.

Sediment basin – 3 to 12 months, ½ 1 year ARI flow. (design as Type 2 device)
- e.

Sediment trap – 3 to 12 months, ½ 1 year ARI flow. (design as Type 2 device)
- f.

Sediment basin spillway – 3 to 12 months, 1 in 20 year ARI.
- g.

Sediment trap spillway – 3 to 12 months, 1 in 10 year ARI.
- h.

Temporary culvert crossings – 1 in 1 year ARI.
10.

The design storm for sediment basin / trap sizing is the 85th percent five-day event. This is due to water discharging into sensitive waters, i.e. Ross River.

ADDITIONAL & TEMPORARY DEVICES:

11.

Road cleaning, primarily swept, secondarily washed, is to occur weekly and should only occur following installation/inspection that kerb inlet protection is in good working order.
12.

Rock and/or geofabric lined chutes will be required in catch drains where there is a longitudinal change in invert level >0.3m, refer to IECA for standard chute details.
13.

Appropriate control is required during all construction activities. This is initially assumed to occur as water application via a water truck.
14.

In the event that an area will be exposed for more than 5 days without water application, a non-vegetation soil binder will be required. Either a cationic bitumen emulsion or organic based binder will be required. For further details, refer to IECA soil binder specification located at <https://www.austieca.com.au/documents/item/227>

DUST MANAGEMENT:

IDENTIFICATION OF INCIDENT OR FAILURE:

15.

Non-compliance with the ESCP Objectives will be identified by the following:
- a.

Build-up of sediment off the site, i.e. on roadways, kerb and channel, etc;
- b.

Excessive sediment build-up on the site at ESC devices;
- c.

Excessive erosion on the site;
- d.

Release of construction material from the site;
- e.

Poorly maintained, damaged or failed ESC devices;
- f.

Deteriorated water quality, as identified by the Environmental Consultant, attributed to construction activities;
- g.

Excessive dust.

CORRECTIVE ACTION:

10.

After any identification of incident or failure, the source / cause is to be investigated and corrected immediately. Corrective measures for potential incident or failure include, but are not limited to the following:
- a.

Build-up of sediment off the site: – collect and dispose of material in a manner that will not cause ongoing environmental nuisance or harm. Amended / rectified ESC measures where appropriate to reduce the risk of further sediment loss.
- b.

Excessive sediment build-up on the site: – collect and dispose of material in a manner that will not cause ongoing environmental nuisance or harm. Amended / rectified ESC upstream measures where appropriate and review / modify maintenance / inspection timing.
- c.

Sediment / mud on public roads: – sweep / wash streets. Ensure appropriate kerb inlet protection is in place if streets are washed. Clean out and rectify exit rumble pad and / or review traffic management for vehicles exiting the site.
- d.

Excessive erosion in drainage devices: – investigate cause and identify if additional in channel flow control devices are required. This may include upgraded lining methods, rock check dams or other velocity control devices.
- e.

Release of construction material / litter from the site: – collect and dispose of material in a manner that will not cause ongoing environmental nuisance or harm then review existing devices and litter control practices.
- f.

Poorly maintained, damaged or failed ESC devices: – review maintenance and inspection records. Confirm that inspection and maintenance procedures have been followed and if necessary increase the frequency of inspections or rectification timeframes to ensure devices are in good working order at all times.
- g.

Deteriorated water quality: – increase runoff capture devices and prevent free discharge from site. Collect and treat runoff on-site, ensuring appropriate water quality targets are achieved, prior to discharging from site.
- h.

Excessive dust: – increase dust suppression works, i.e. incorporate additional water cart during periods of high winds. Alternately, apply a dust suppression binder and continue to monitor the binders' performance.
11.

If the release of excessive sediment and / or other materials off-site is identified during two (2) consecutive site inspections, or water quality monitoring indicates levels are not within the water quality targets on two (2) consecutive tests, review and revise the ESCP or reduce the rate, extent and / or duration of soil exposure.
12.

If collection and treatment of run-off is required and the water quality targets are not being achieved prior to release, undertake the following:
- a.

To reduce suspended solids – add an appropriate flocculent (e.g. gypsum), then retest.
- b.

Modify pH – add acid if pH is too high or hydrated lime if pH is too low, then retest.

MONITORING, RECORDS & MAINTENANCE:

13.

The contractor shall ensure that ESC measures are maintained and in good working order at all times. The contractor shall visually inspect ESC measures in accordance with the associated inspection and record plan and maintain records of these checks.
14.

All measures should be inspected:
- a.

Daily when rain is occurring;
- b.

Weekly, regardless of weather or works occurring on-site;
- c.

Within 24 hours prior to expected rainfall;
- d.

Immediately after a rainfall event.
15.

The Responsible Person will be responsible for preparing monthly reports that record the following as a minimum:
- a.

Records of any failures in ESC measures, identifying the reason for failure and the corrective actions implemented to prevent or reduce the risk of re-occurrence.
- b.

Photographic evidence of ESC measures.
- c.

For stormwater releases from the site, record the results of water quality samples. In addition, records shall be kept of the reason for the release, the date of the release, date of sampling and the amount of rainfall during the previous 24 hours.
- d.

Records of any complaints received, including date, time, person making complaint and the action taken to resolve the complaint.

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LEVEL DATUM A.H.D.  
Horizontal Datum GDA' 94 Zone 55  
Refer PM 30121 RL. 140.000  
498469.819 E  
7827314.741 N


ENGINEERING CERTIFICATION

Signed: 

DEREK ROBERT CONLEY SAW  
TCC Accreditation No. - RPEQ 7363  
- SOP-030

All work is to be carried out in accordance with LOCAL AUTHORITY'S standard details.





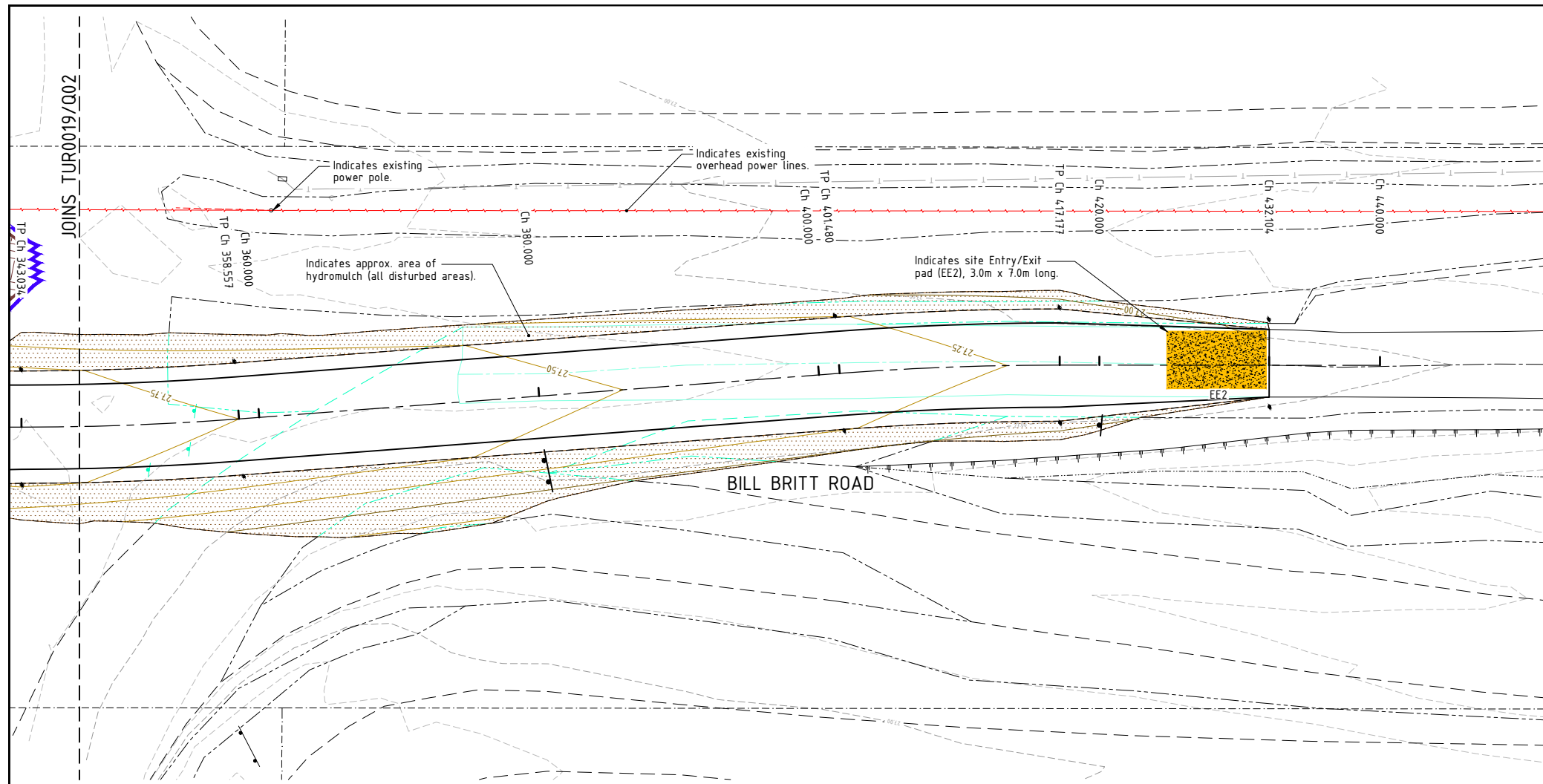
NORTHERN  
CONSULTING  
engineers

Civil & Structural Engineers  
50 Punari Street, Currajong 4812  
Phone: [07] 4725 5550  
Email: [mail@nceng.com.au](mailto:mail@nceng.com.au)  
Milton Messer & Associates Pty. Ltd.  
ACN 100 817 356

P2	PRELIMINARY – NOT FOR CONSTRUCTION – CLIENT ASSOCIATION AMENDED.		03/03/2022
P1	PRELIMINARY – NOT FOR CONSTRUCTION – ISSUED FOR APPROVAL.		28/01/2021
Issue	Description		Date
Drawn DC	In Association With <b>BOHLE GRAZING Pty Ltd</b>	SOIL EROSION & SEDIMENT CONTROL MANAGEMENT NOTES	
Date 28/01/2021			
Checked	HAUGHTON RIVER BED CROSSING		Drawing Number <b>TUR0019/Q03</b>
Reviewed	BILL BRITT ROAD UPPER HAUGHTON		
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LAYOUT PLAN

LEGEND

- Water monitoring spear.
- Existing RP boundary.
- Existing easement boundary.
- Existing surface major contour.
- Existing surface minor contour.
- Design surface major contour.
- Design surface minor contour.
- Top of batter.
- Toe of batter.
- Earth bund crest.

SEDIMENT CONTROL:-

- SF - Sediment fence.
- SFW - Sediment fence weir.
- Hydroseed & Hydromulch to Council's specifications. Irrigate & fertilise until established.

NOTES:

- Hydromulch is to be applied to all disturbed areas (even areas beyond the anticipated extents shown) at the completion of works.
- All topsoil shall be treated with gypsum at 2.0kg/m<sup>2</sup> prior to the placement of hydromulch.
- Topsoil to be re-spread 100mm over all disturbed areas.
- Refer to TUR0019/Q02 for all details and sequencing information.

PRELIMINARY  
NOT FOR CONSTRUCTION

ENGINEERING CERTIFICATION  
Signed: [Signature]  
DEREK ROBERT CONLEY SAW - RPEQ 7363  
TCC Accreditation No. - SOP-030

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Civil & Structural Engineers  
50 Punari Street, Currajong 4812  
Phone: [07] 4725 5550  
Email: mail@nceng.com.au  
Milton Messer & Associates Pty. Ltd.  
ACN 100 817 356

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P1	PRELIMINARY - NOT FOR CONSTRUCTION - BILL BRITT ROAD REALIGNMENT ADDED.		23/08/2023
Issue	Description		Date
Drawn DC	In Association With <b>BOHLE GRAZING Pty Ltd</b>		SOIL EROSION & SEDIMENT CONTROL LAYOUT PLAN SHEET 3 of 3
Date 23/08/2023			
Checked DS	HAUGHTON RIVER BED CROSSING BILL BRITT ROAD UPPER HAUGHTON		Drawing Number <b>TUR0019/Q04</b>
Reviewed DS			
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Horizontal Datum GDA' 94 Zone 55  
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0 2 4 6 8m

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DESIGN HAZARD SCHEDULE

Item	Design Hazard	Potential Risk	Risk	Elimination / Minimisation of Hazard / Risk	Residual Risk
D1	Existing Underground / Overhead Services Hazard	Existing underground and/or overhead services hazard exist on site.	High	The design of the approach has accounted for the avoidance of these existing services and the contractor is to be made aware of these existing services and take all actions necessary to mitigate this hazard during construction.	Moderate
D2	Deep Excavation Hazard	Deep Excavation is required to construct roadway approach to riverbed.	High	The deep excavation hazard cannot be avoided and the contractor will need to take all actions necessary to address this hazard during construction.	Moderate
D3	Roadway entering flooded river	Road users unaware of flood event could enter flood waters.	Extreme	Design to include physical barrier to notify and prevent road users from entering hazard.	Low
D4	Roadway covered in debris and sediment following flood event	Maintenance crews working with unstable road conditions.	High	Debris and sediment zone to be washed down via high pressure water to reveal stable road surface. Removal of debris using hand operated clearing equipment. Physical inspection of road surface to identify potential failure zones. Geotechnical investigation required prior to vehicular movement over previously flooded roadway zones.	Moderate
D5	Working on steep earth batters	Batter failure (slumping, caving).	High	Contractor to utilise elevated platforms to reach batter face, whilst equipment founded on stable road surface. Machinery to include reaching arms sufficient to extend to the face from the stable road surface.	Moderate

CONSTRUCTION HAZARD SCHEDULE

Item	Potential Hazard	Possible Preventative Action
C1	Deep Excavation Hazard	All steps must be taken to obtain current underground services information before excavation works commence. Excavation work must be undertaken by appropriately experienced and qualified personnel. Excavations shall be adequately shored and appropriate barricades and signage erected, if required.
C2	Overhead Power Hazard	Warning signs and markers shall be erected advising of the presence of live overhead cables. A representative of the supply authority shall remain on site during earthworks and any other high risk works, if required.
C3	Underground Electrical, Telecommunication, Gas and Water Main Hazard	Warning signs and markers shall be erected advising of the presence of the existing service. The service shall be identified and marked by the supply authority prior to the commencement of excavation. A representative of the supply authority shall remain on site during the excavation work, if required.
C4	Works Near Rail, Airports and Roads Hazard	All required permits, approvals and safety requirements from the relevant authority should be obtained prior to commencing work. A representative of the relevant authority shall remain on site during construction while the hazard remains.
C5	Pedestrian Access Hazard	Work within or adjacent to areas which the public requires pedestrian access must have appropriate barricades and signage erected at all times.
C6	Potential Vehicle Hazard	Site personnel shall be advised of the potential hazards and the appropriate procedures for working adjacent to operating public roads. Appropriate safety clothing shall be worn and the required signage shall be erected. The works shall be undertaken in a manner which does not compromise the safety of the vehicle occupants or the site personnel.
C7	Traffic Management Hazard	Suitably qualified and experienced personnel shall be responsible for the safe and orderly passage of vehicular and pedestrian traffic through the project at all times. The contractor shall develop a traffic management plan (tmp) for the project to establish appropriate controls in accordance with the manual for uniform traffic control.

DESIGN HAZARD NOTES:

- Northern Consulting Engineers (NCE), having been commissioned to carry out detailed design and documentation of these works, confirm that the NCE drawing set has been internally reviewed for design safety in accordance with Section 22 of the Work Health and Safety Act 2011 Qld.
- This report summarises an internal review of the NCE detailed design drawings for design safety.
- This report in no way relieves the principal, contractor or any other party of their own obligations and responsibilities under the Work Health and Safety Act 2011 Qld, to preparation of satisfactory Safe Work Method Statements and Duties of Care.
- It is a requirement under Section 296 of the Work Health and Safety Act 2011 Qld, that a copy of this report be provided to the contractor by the entity commissioning the work shown on the NCE drawings.
- As per the Department of Justice and the Attorney General – Workplace Health and Safety Queensland, a written report is not required for designs that have typical features.

CONSTRUCTION HAZARD NOTES:

- Under the Queensland Work Health and Safety Act 2011, the Work Health and Safety Regulation 2011 and other legislation and guidelines, the principal contractor has specific obligations in relation to the safe operation of the site and of the works. To assist the principal contractor in complying with these obligations the project designers have identified by drawing notes, areas where potential hazards may arise. These notes or advice, shall not necessarily be considered complete and are based upon the designers' understanding of the safety risks associated with the works. These notes or advice shall not relieve the principal contractor of any obligation under the relevant legislation or guideline. The principal contractor shall remain responsible for the preparation of an appropriate work health safety management plan and safe work method statements for the site.
- Pursuant to the Work Health and Safety Act 2011 we hereby advise that our design safety review has identified unusual or atypical design features that may present additional hazards or risks during the construction phase and these are listed in the construction hazard schedule.

CONSEQUENCE TABLE

Level	Consequence	Cost / Time
5 - CATASTROPHIC	Fatality or multiple persons onsite with life threatening health effects or inability to continue.	Huge financial or time loss
4 - MAJOR	Extensive injuries, or onset of severe or life threatening health effects to single person onsite. Multiple persons with onset of irreversible health effects. Permanent injury to person onsite.	Major financial or time loss
3 - MODERATE	Medical treatment required. Irreversible health effect to a single person. Multiple persons onsite with reversible health effects.	High financial or time loss
2 - MINOR	First aid, single or multiple injuries amongst persons onsite. Single person onsite with moderate short term reversible health effects.	Medium financial or time loss
1 - INSIGNIFICANT	No injuries. Over exposure to a single person onsite, but no reported health effects.	Low financial or time loss

LIKELIHOOD TABLE

Level	Description	Quantification Guide
A - ALMOST CERTAIN	The event <u>IS</u> expected to occur in most certain circumstances	More than once per year
B - LIKELY	The event <u>WILL</u> probably occur in most circumstances	At least once in 5 years
C - POSSIBLE	The event <u>SHOULD</u> occur at some time	At least once in 10 years
D - UNLIKELY	The event <u>COULD</u> occur at some time	At least once in 30 years
E - RARE	The event <u>MAY</u> occur in exceptional circumstances	Less than once in 30 years

RISK ANALYSIS MATRIX

		CONSEQUENCE				
		1 - INSIGNIFICANT	2 - MINOR	3 - MODERATE	4 - MAJOR	5 - CATASTROPHIC
LIKELIHOOD	A - ALMOST CERTAIN	MODERATE	HIGH	EXTREME	EXTREME	EXTREME
	B - LIKELY	MODERATE	HIGH	HIGH	EXTREME	EXTREME
	C - POSSIBLE	LOW	MODERATE	HIGH	EXTREME	EXTREME
	D - UNLIKELY	LOW	LOW	MODERATE	HIGH	EXTREME
	E - RARE	LOW	LOW	MODERATE	HIGH	HIGH

RISK ANALYSIS MATRIX

RISK LEVEL	ACTION REQUIRED
EXTREME	Unacceptable risk. Re-design required. Do not proceed without additional controls.
HIGH	Unacceptable risk. Additional controls needed. Consider further review and consider re-design.
MODERATE	Risk may be acceptable. Management to determine actions required.
LOW	Acceptable. Manage risk through routine procedures and other administrative controls.

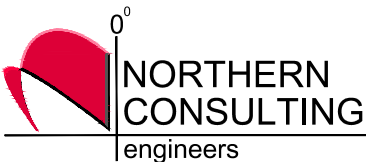
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Horizontal Datum GDA' 94 Zone 55  
Refer PM 30121 RL. 140.000  
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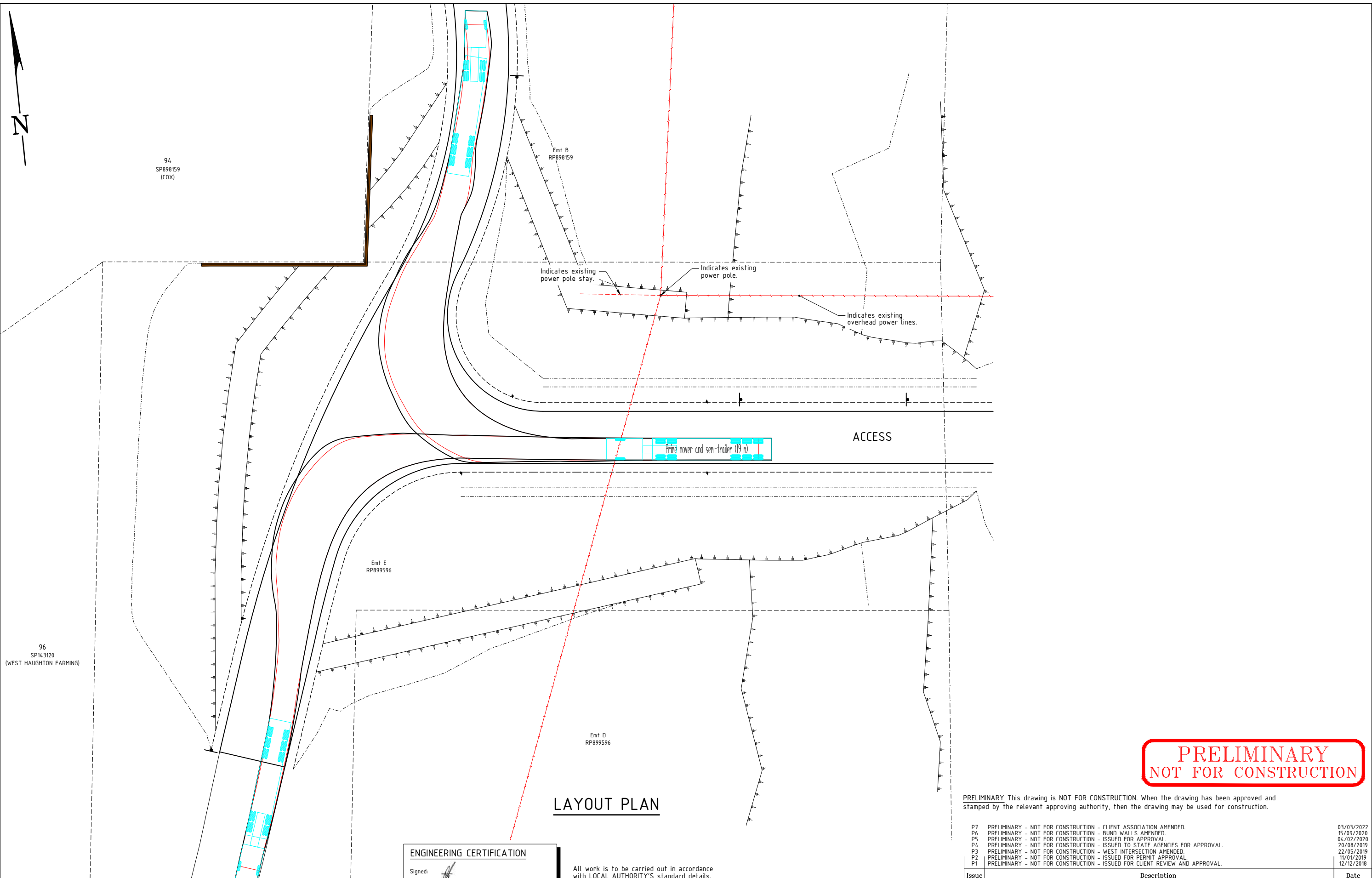
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Civil & Structural Engineers  
50 Punari Street, Currajong 4812  
Phone: [07] 4725 5550  
Email: mail@nceng.com.au  
Milton Messer & Associates Pty. Ltd.  
ACN 100 817 356

P2 P1	PRELIMINARY - NOT FOR CONSTRUCTION - CLIENT ASSOCIATION AMENDED. PRELIMINARY - NOT FOR CONSTRUCTION - ISSUED FOR APPROVAL.	03/03/2022 29/01/2021
Issue	Description	Date
Drawn DC Date 21/01/2021	In Association With <b>BOHLE GRAZING Pty Ltd</b>	SAFTEY IN DESIGN REPORT
Checked DS	HAUGHTON RIVER BED CROSSING	
Reviewed DS	BILL BRITT ROAD UPPER HAUGHTON	
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Drawing Number <b>TUR0019/SID01</b>		Issue <b>P2</b>



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P7	PRELIMINARY - NOT FOR CONSTRUCTION - CLIENT ASSOCIATION AMENDED.	03/03/2022
P6	PRELIMINARY - NOT FOR CONSTRUCTION - BUND WALLS AMENDED.	15/09/2020
P5	PRELIMINARY - NOT FOR CONSTRUCTION - ISSUED FOR APPROVAL.	04/02/2020
P4	PRELIMINARY - NOT FOR CONSTRUCTION - ISSUED TO STATE AGENCIES FOR APPROVAL.	20/08/2019
P3	PRELIMINARY - NOT FOR CONSTRUCTION - WEST INTERSECTION AMENDED.	22/05/2019
P2	PRELIMINARY - NOT FOR CONSTRUCTION - ISSUED FOR PERMIT APPROVAL.	11/01/2019
P1	PRELIMINARY - NOT FOR CONSTRUCTION - ISSUED FOR CLIENT REVIEW AND APPROVAL.	12/12/2018

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**NORTHERN  
CONSULTING**  
engineers

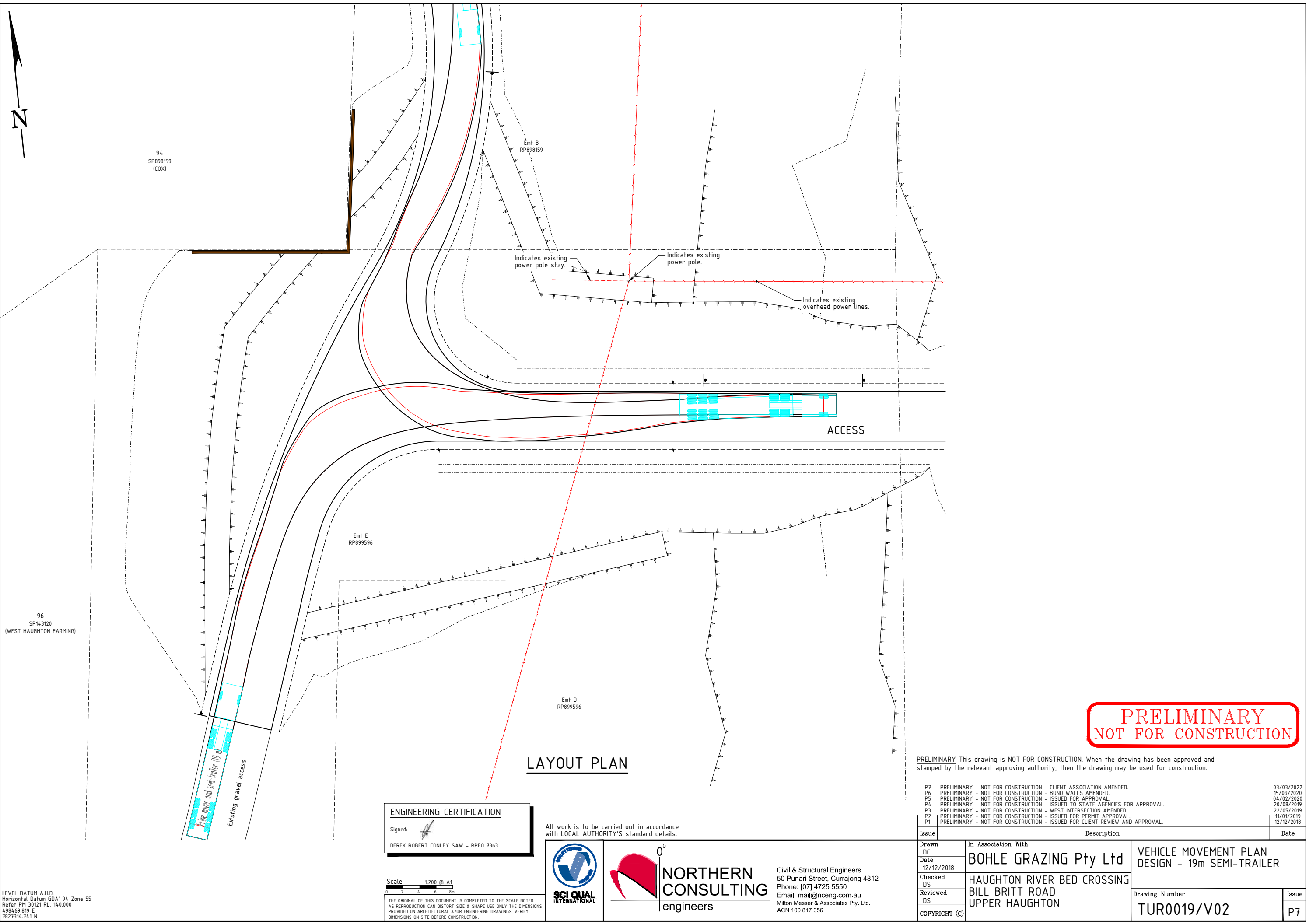
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Drawn DC
Date 12/12/2018
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In Association With
<b>BOHLE GRAZING Pty Ltd</b>
<b>HAUGHTON RIVER BED CROSSING</b>
<b>BILL BRITT ROAD</b>
<b>UPPER HAUGHTON</b>

VEHICLE MOVEMENT PLAN DESIGN - 19m SEMI-TRAILER	
Drawing Number	Issue
<b>TUR0019/V01</b>	<b>P7</b>

LEVEL DATUM A.H.D.  
Horizontal Datum GDA' 94 Zone 55  
Refer PM 30121 RL. 140.000  
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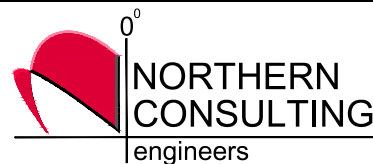


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0 2 4 6 8m  
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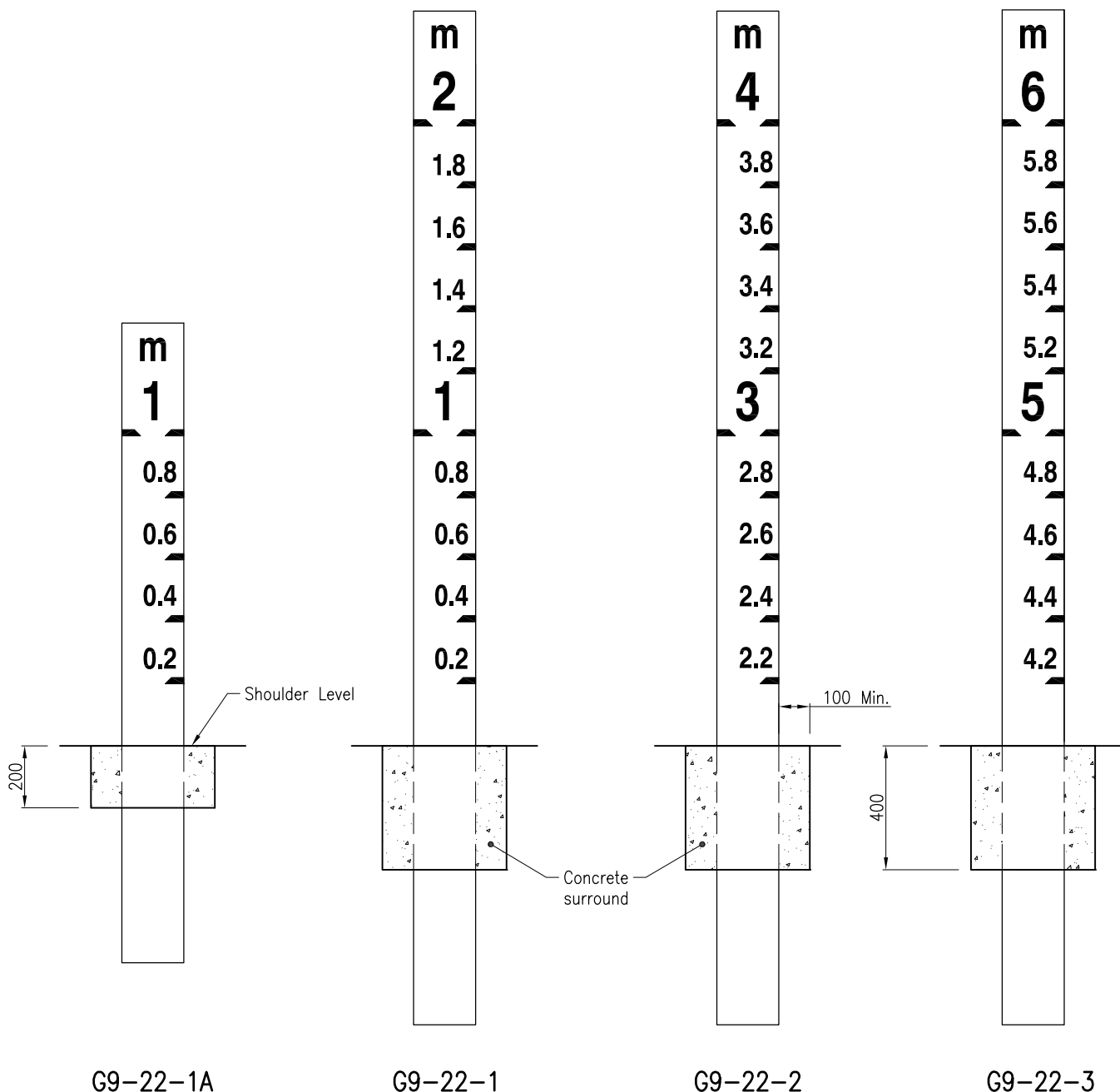


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P1	PRELIMINARY - NOT FOR CONSTRUCTION - ISSUED FOR CLIENT REVIEW AND APPROVAL.	12/12/2018

Issue	Description	Date
Drawn DC Date 12/12/2018	In Association With <b>BOHLE GRAZING Pty Ltd</b>	<b>VEHICLE MOVEMENT PLAN DESIGN - 19m SEMI-TRAILER</b>
Checked DS	<b>HAUGHTON RIVER BED CROSSING</b>	
Reviewed DS	<b>BILL BRITT ROAD UPPER HAUGHTON</b>	
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Drawing Number <b>TUR0019/V02</b>		Issue <b>P7</b>



## NOTES:

### FLOOD DEPTH INDICATORS:

1. To be located at the chainages specified or as directed by the Superintendent.
2. Zero mark to be set at the lowest pavement level on the section of road subject to flooding.
3. G9-22-2 and G9-22-3 indicators to be erected on progressively higher ground where flood depths are in excess of 1.5m or 3.5m respectively.
4. To conform with the details as shown in the MUTCD.

### CONCRETE SURROUND:

5. To be class N20/20 and provide 100mm minimum cover all round.
6. Dimensions are in millimetres unless shown otherwise.



### ASSOCIATED DEPARTMENTAL DOCUMENTS:

Standard Drawings  
Specifications  
Manual of Uniform Traffic Control Devices (MUTCD)

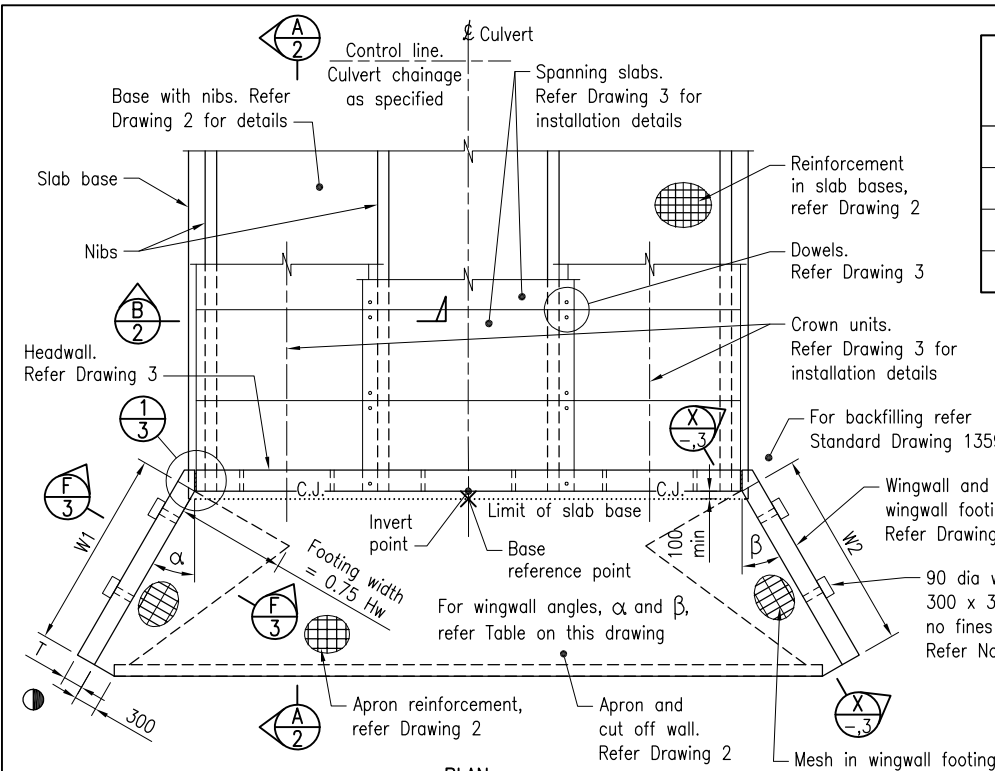
### REFERENCED DOCUMENTS:

Departmental Specifications:  
MRTS14 Road Furniture  
MRTS70 Concrete

Australian Standards:  
AS1743 Road Signs – Specifications

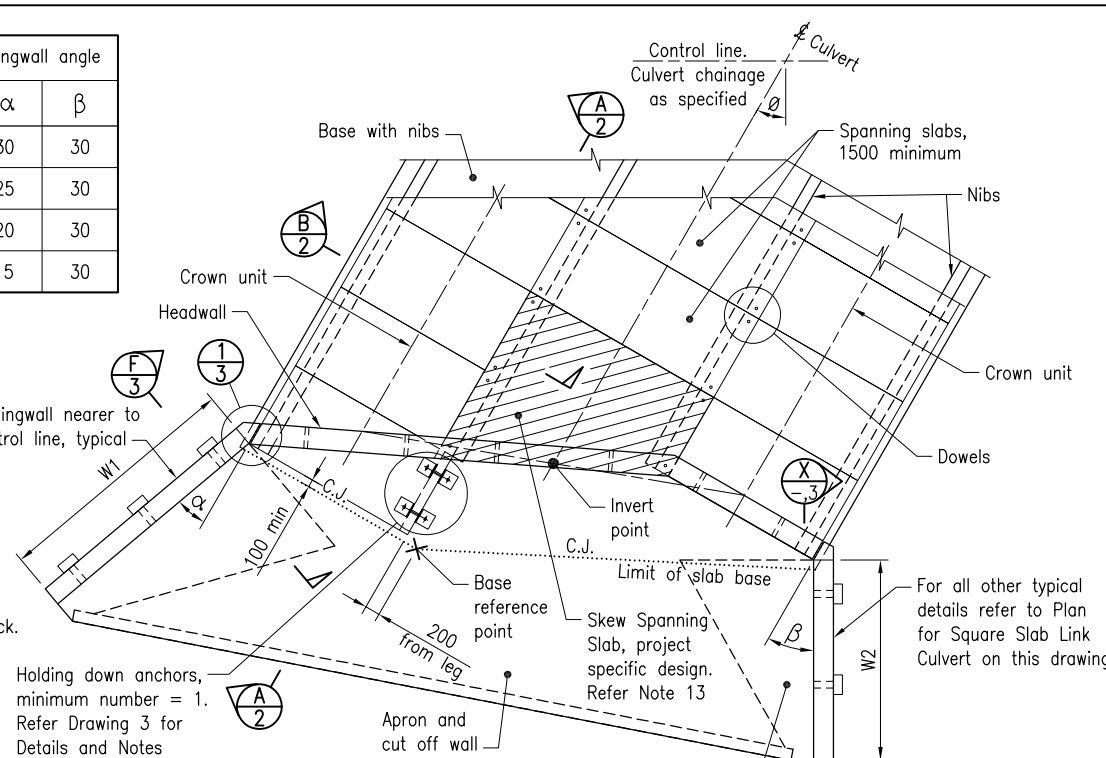
Department of Transport and Main Roads		 <b>Queensland Government</b>			
FLOOD DEPTH INDICATORS		© The State of Queensland (Department of Transport and Main Roads) 2014 <a href="http://creativecommons.org/licenses/by/3.0/au">http://creativecommons.org/licenses/by/3.0/au</a>			
INSTALLATION		A3	Standard Drawing No		
		Not to Scale	1170		
			Date 6/14		
A	B	C			





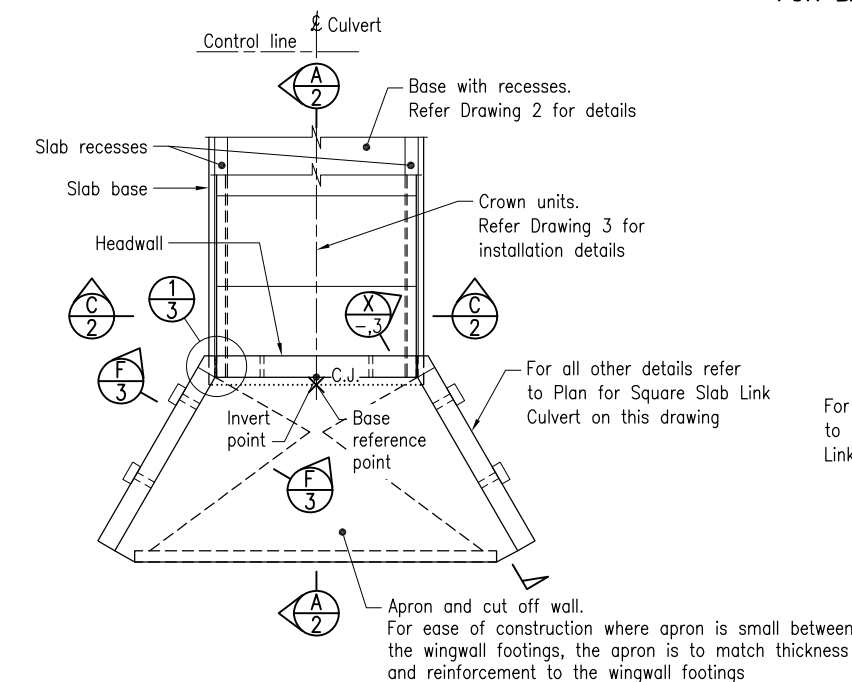
Skew angle $\theta$	Wingwall angle	
	$\alpha$	$\beta$
0–10	30	30
11–20	25	30
21–30	20	30
31–45	15	30

W1 = wingwall nearer to the control line, typical



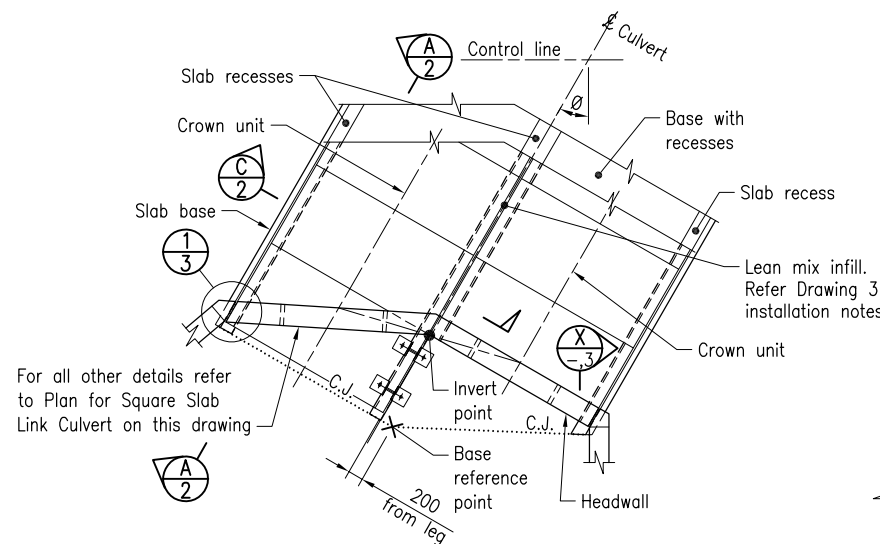
PLAN  
SKEWED SLAB LINK CULVERT SHOWN  
SKEWED SINGLE AND MULTICELL BOX CULVERTS SIMILAR

TYPICAL FRAMING LAYOUTS  
FOR BASE SLAB WITH NIBS



PLAN  
SQUARE SINGLE BOX CULVERT SHOWN  
SQUARE MULTIPLE CELL BOX AND SLAB LINK CULVERTS SIMILAR

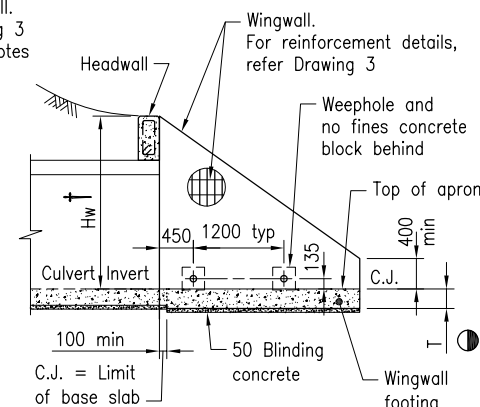
TYPICAL FRAMING LAYOUTS  
FOR BASE SLAB WITH RECESSES



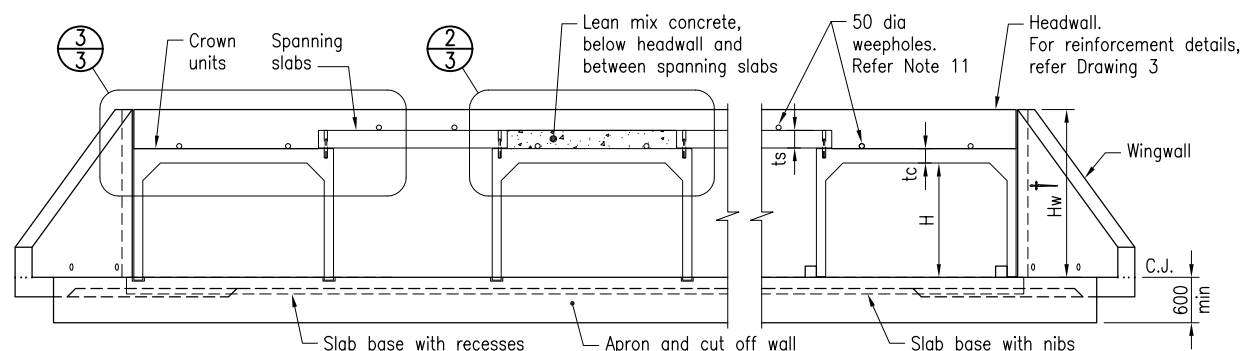
PLAN  
SKEWED MULTIPLE CELL BOX CULVERT SHOWN  
SKEWED SINGLE BOX AND SLAB LINK CULVERTS SIMILAR

† where  $H_w = H + t_c + 10 + t_s + 275$   
height of opening H;  
thickness of culvert  $t_c$ ;  
thickness of slab  $t_s$ .  
Refer table on Drawing 3

● T is a constant thickness for wingwalls and footings. Refer table on Drawing 3



SECTION X  
TYPICAL ELEVATION AT WINGWALL  
– CONCRETE DETAILS

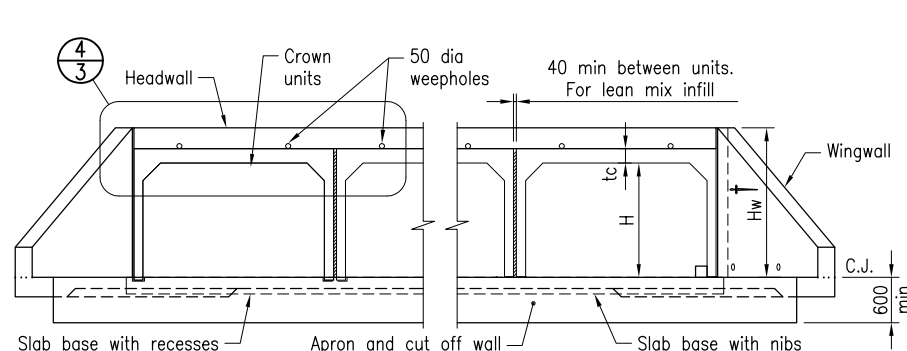


TYPICAL ELEVATION –  
BASE WITH RECESSES

TYPICAL ELEVATION –  
SPANNING SLAB DETAILS

TYPICAL ELEVATION –  
BASE WITH NIBS

GENERAL ARRANGEMENT – SLAB LINK BOX CULVERT



TYPICAL ELEVATION  
GENERAL ARRANGEMENT –  
MULTIPLE CELL R C BOX CULVERT

The purpose of This Standard Drawing is to provide typical standard details. The fitness for purpose of these details for a specific project shall be designed and certified by an RPEQ. The details specific to the project location shall be shown on the project specific drawings.

#### NOTES:

- SCOPE: This drawing is to detail cast insitu slab base, aprons, headwalls and wingwalls for precast RC Box Culverts and Slab Link Box Culverts where H (height of opening) > 600. This drawing supersedes Standard Drawings 1303, 1316, 1317, 1318 and 1320. This drawing does not provide details of fish passage requirements. Where project specific environmental assessment determines that waterway barrier works are required, additional details shall be developed and included in the project drawings.
- BOX CULVERTS shall be constructed in accordance with MRTS03.
- DESIGN TRAFFIC LOADING: HLP400, M1600, A160 and W80 are in accordance with AS 5100.2. Maximum height of fill over the culvert shall be 2000. Maximum design bearing pressure under the base slab shall be 150 kPa.
- DOWELLED CONTRACTION JOINTS shall be provided where (a) the length and/or (b) the width of the base slab exceed 20m. When contraction joints are required across the width, they shall be located at 1/4 span points of crown units and are to be continued across the aprons and cut off walls. 24 hours minimum shall be allowed between pours.
- APRON AND BASE SLAB MINIMUM REINFORCEMENT for shrinkage and temperature effects are designed considering the full restraint condition to AS 5100. For the slab on ground condition, only the top half of the slab thickness is considered for calculation of this reinforcement.
- WINGWALLS for skewed culverts with angle greater than 45 require a special design.
- CONCRETE shall be in accordance with MRTS70. Design life 100 years. Exposure classification and cover to reinforcement shall be in accordance with AS 5100. Minimum concrete strength and cover to reinforcement shall be as shown in table below.

Exposure classification	minimum B2	C1	C2
Minimum concrete strength	S40/20	S50/20	S55/20
Minimum Cover UNO	60	70	80

Triple-blend concrete in accordance with MRTS70 is required for Exposure classifications C1 and C2.

Blinking concrete N20/20.

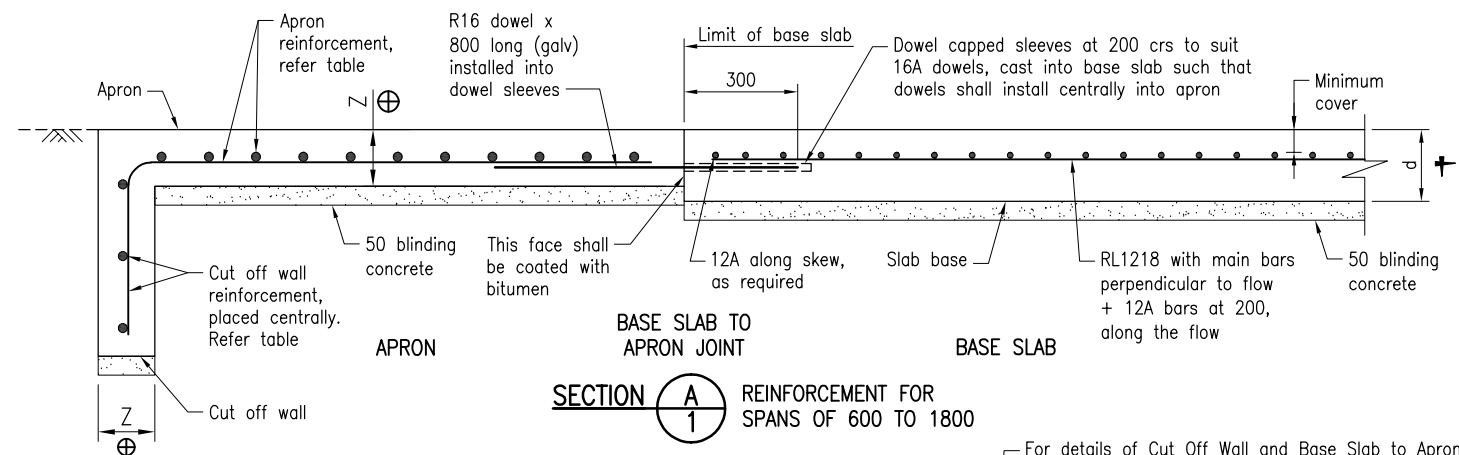
All exposed edges shall have 19 x 19 chamfers, unless nominated otherwise.

- PRECAST CONCRETE CULVERTS shall be designed and manufactured in accordance with MRTS24.
- STEELWORK shall be fabricated to the requirements of MRTS78. Flat bar and angle shall be Grade 300 to AS/NZS 3679.1. Bolts and screws Class 4.6 to AS 1111.1 Nuts Class 5 to AS 1112.1. Washers Class 5 to AS 1237.1. After fabrication all bolts and nuts shall be hot dip galvanised to AS 1214, and all other steelwork to AS/NZS 4680.
- REINFORCING STEEL shall be read in conjunction with Standard Drawings 1043 and 1044, shall be in accordance with MRTS71 and AS/NZS 4671, and ACRS certified. Deformed bars Grade D500N. Round bars Grade R250N. Mesh Grade D500L. Reinforcement shall be hot dip galvanised to AS/NZS 4680 where shown. Reinforcing Steel welding shall be in accordance with Standard Drawing 1044.
- WEEPHOLES shall be provided horizontally as follows:
  - Wingwalls at 1200 crs,
  - Headwalls, a minimum of 2 weepholes for each culvert crown or link slab,
  - Location of weepholes shall be determined such that reinforcement cover requirements are met,
  - A 300 x 300 x 150 no fines concrete block or approved equivalent shall be provided at each weephole as a drainage filter.
- Refer Standard Drawing 1359 for details of earthworks to culverts.
- PROJECT-SPECIFIC INFORMATION to be shown on the drawings: Exposure classification; Culvert chainage; Skew angle; Base and apron setout, extents and details; Skew spanning slab details (if required); Headwall and wingwall extents (W1, W2,  $\alpha$ ,  $\beta$ ) and details; Requirements for fish passage.
- DIMENSIONS are in millimetres.

#### ASSOCIATED AND REFERENCED DEPARTMENTAL DOCUMENTS:

Design Criteria for Bridges and Other Structures; Road Drainage Manual (RDM)  
Standard Drawing 1359 Culverts – Installation, Bedding and Filling/Backfilling  
MRTS03 Drainage, Retaining Structures and Protective Treatments  
MRTS24 Manufacture of Precast Concrete Culverts  
MRTS70 Concrete; MRTS71 Reinforcing Steel

Department of Transport and Main Roads		R C BOX CULVERTS AND SLAB LINK BOX CULVERTS	
CULVERTS HEIGHT > 600 DRAWING 1 OF 3		Standard Drawing No 1250	
GENERAL ARRANGEMENT AND NOTES		Date 7/19	
A3	Not to Scale	A	



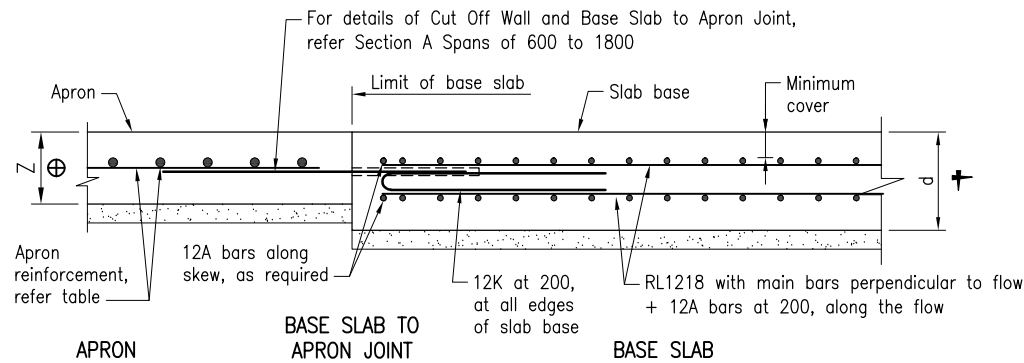
CUT OFF WALL  
TYPICAL FOR ALL SPANS

### APRON AND CUT OFF WALL DIMENSIONS AND MINIMUM REINFORCEMENT REQUIREMENTS

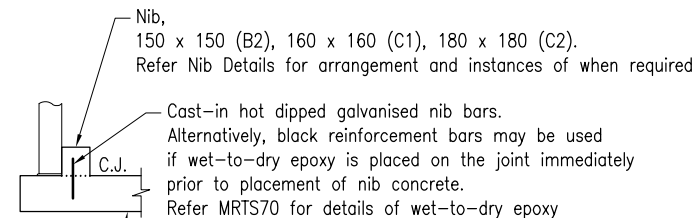
Exposure classification	Apron and Cut off wall #	
	Thickness Z ⊕	Reinforcement
B2	150	N12 at 150 both ways
C1	175	N12 at 150 both ways
C2	190	N12 at 125 both ways

⊕ where Z is a constant thickness for aprons and cut off walls.

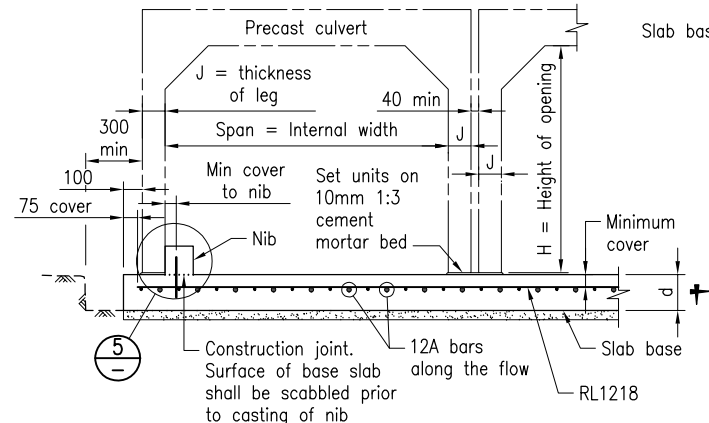
# Refer Note 5 of Drawing 1



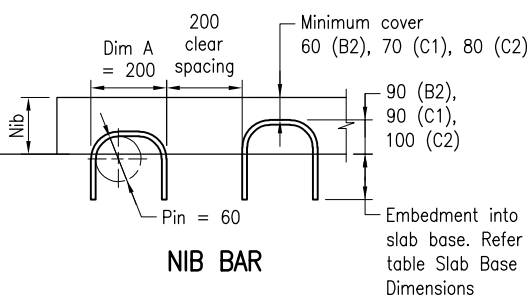
SECTION A 1 REINFORCEMENT FOR  
SPANS OF 2100 OR GREATER



DETAIL 5 NIB CONNECTION  
TYPICAL DETAILS



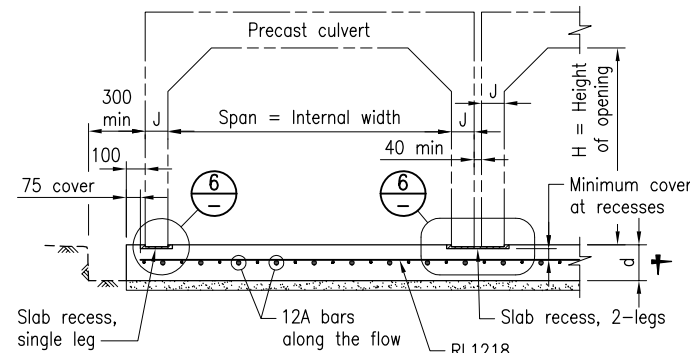
SECTION B 1 WITH NIB FOR SPANS OF 600 TO 1800



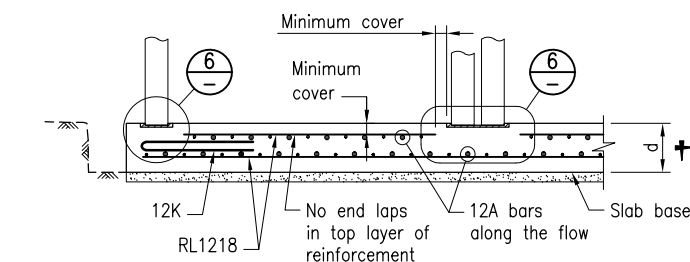
TYPICAL BASE SLAB WITH NIBS

Arrangements:	for RCBC H > 600	- nibs supporting external legs of external cells	
	for SLBC H > 600 to 900	- nibs supporting external legs of external cells	
	for SLBC H > 900	- nibs supporting both legs of external cells	
Installation:	for H < 1500	- nibs cast before placement of units	
	for H ≥ 1500	- nibs cast after placement of units	

NIB DETAILS

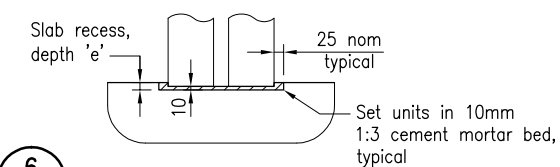


SECTION C 1 WITH RECESSES FOR SPANS  
OF 600 TO 1800



SECTION C 1 WITH RECESSES FOR SPANS  
OF 2100 OR GREATER

Recess depths 'e' for H are as follows :  
where H > 600 to 750, 'e' = 20  
H > 750 to 1200, 'e' = 30  
H > 1200, 'e' = 40



DETAIL 6 SLAB RECESS DETAILS

TYPICAL BASE SLAB WITH RECESSES

### SLAB BASE DIMENSIONS

Up to Span	Base slab thickness d ⊕ for Exposure classification			Depth of embedment of 12E nib bar
	B2	C1	C2	
750	180	190	200	120
900	180	190	200	
1200	180	190	200	
1500	190	200	210	
1800	190	200	210	150
2100	210	220	230	
2400	245	255	265	
2700	255	265	275	
3000	260	270	280	200
3300	265	275	285	
3600	275	285	295	

⊕ where d is a constant thickness for slab base

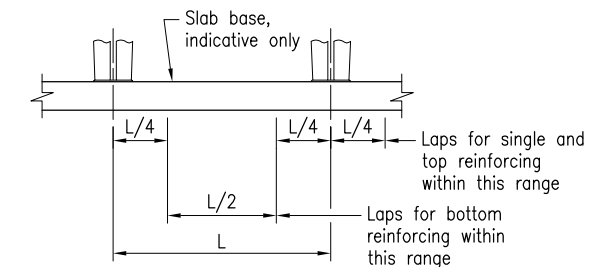
### DESIGN EXCLUSIONS :

For culverts with a base > 10 metres along road centreline, this design should not be used in:

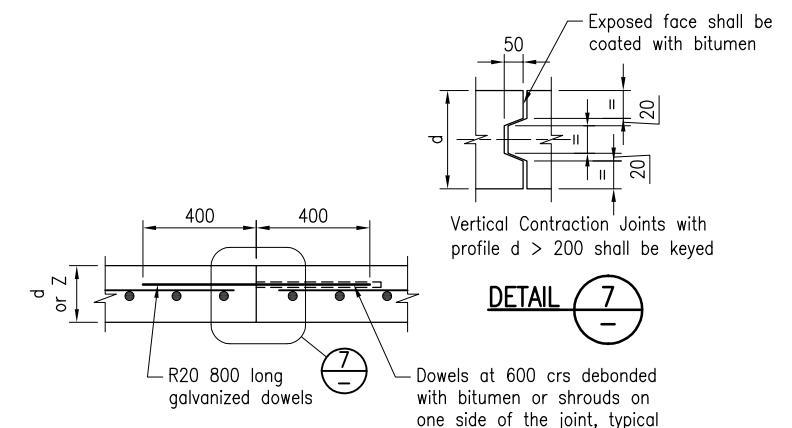
- Highly reactive or expansive clay soils (linear shrinkage > 8%).
  - Where large differential settlements are expected to occur.
- Specialist geotechnical design advice shall be sought in these circumstances, and structural capacity checked by structural engineer.

DESIGN FOUNDATION BEARING CAPACITY is 150 kPa.

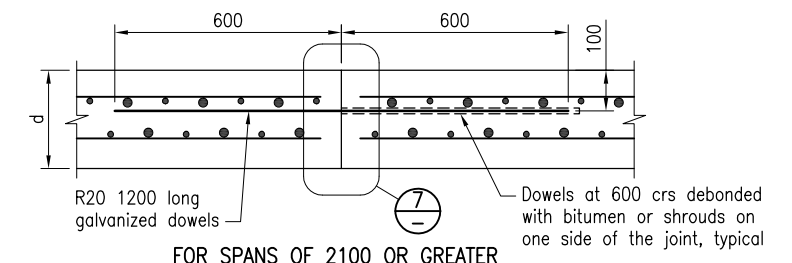
Foundation bearing capacity shall be certified by an RPEQ Geotechnical engineer prior to casting of base slab



REINFORCING BAR LAP LOCATIONS  
- ALL SLAB BASES



FOR SPANS OF 600 TO 1800 AND FOR ALL APRONS



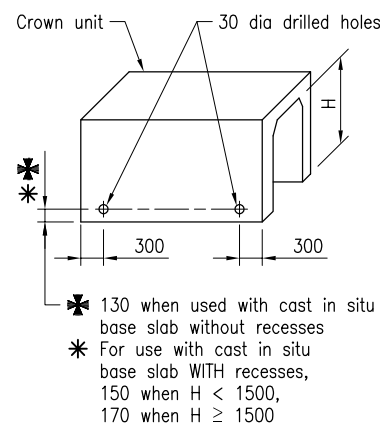
TYPICAL DOWELLED CONTRACTION JOINT  
FOR ALL SLAB BASES AND APRONS

Installed with direction of flow. Refer Note 4 on Drawing 1

### NOTES:

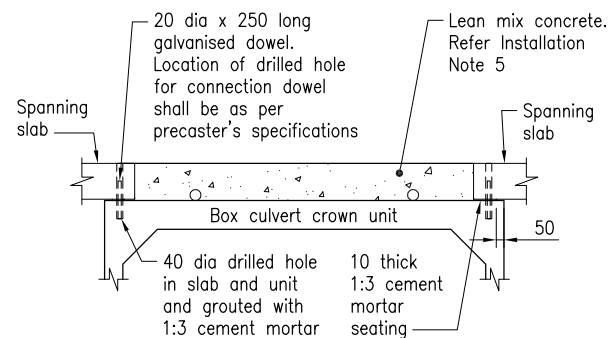
- Refer Drawing 1 for all notes.
- Refer Drawing 1 for typical General Arrangements for large RCBC and SLBC culverts.
- Refer Drawing 3 for details and notes for installation of precast units in large RCBC and SLBC culverts.
- Refer Drawing 3 for Headwall and Wingwall details for large RCBC and SLBC culverts.

Department of Transport and Main Roads			
R C BOX CULVERTS AND SLAB LINK BOX CULVERTS		© The State of Queensland (Department of Transport and Main Roads) 2019 <a href="http://creativecommons.org/licenses/by/4.0/au">http://creativecommons.org/licenses/by/4.0/au</a>	
CULVERTS HEIGHT > 600 DRAWING 2 OF 3 CONSTRUCTION OF SLAB BASES AND APRONS		A3 Not to Scale A	Standard Drawing No 1250 Date 7/19

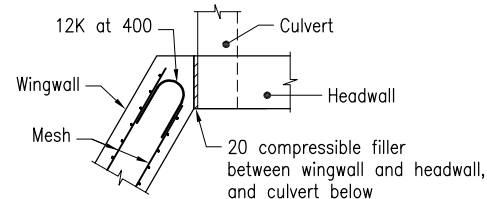


**HOLDING DOWN BRACKET**  
Isometric view

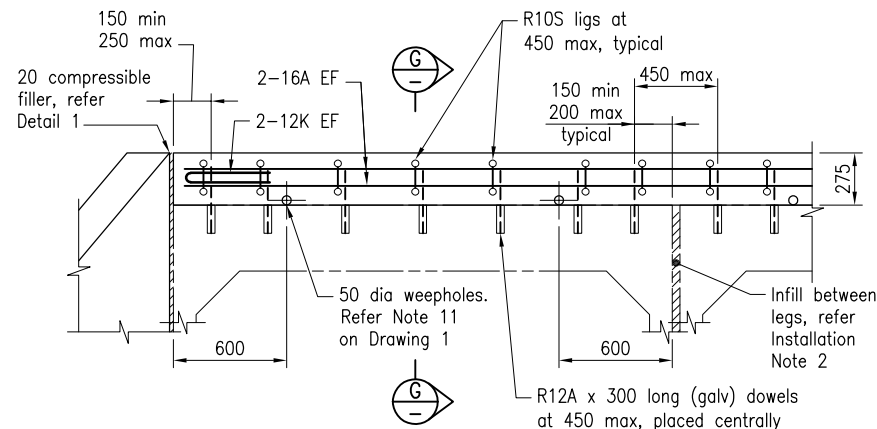
**SKewed CULVERTS ONLY**  
**DRILLED HOLES IN CROWN UNITS FOR HOLDING DOWN ANCHORS**



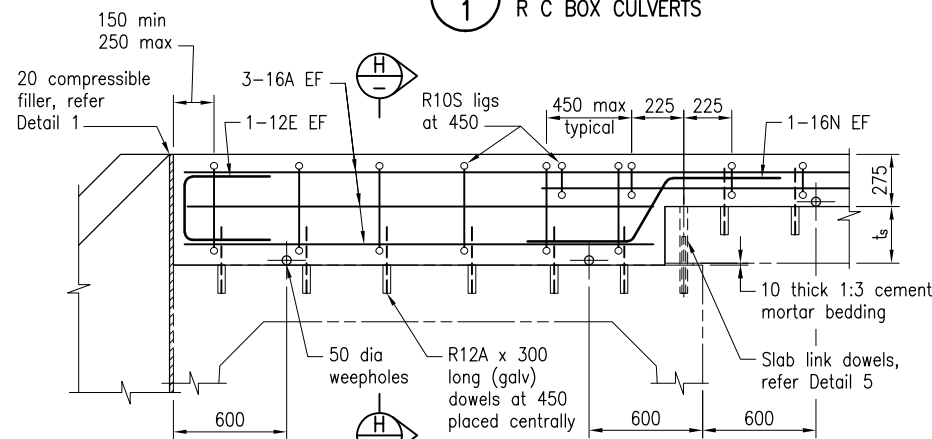
**DETAIL 5** SPANNING SLAB SUPPORT AND LEAN MIX CONCRETE FILL DETAILS



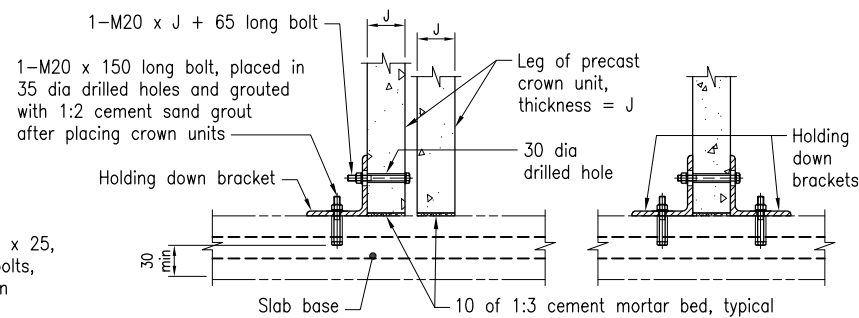
**DETAIL 1**



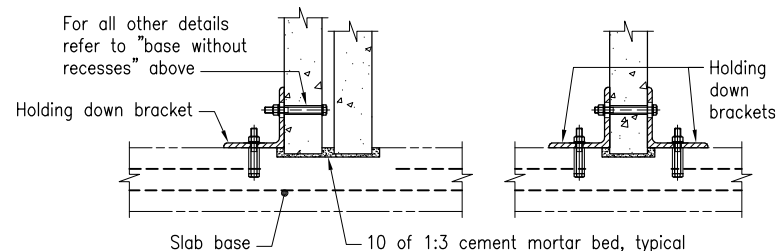
**DETAIL 3** HEADWALL FOR R C BOX CULVERTS



**DETAIL 4** HEADWALL FOR SLAB LINK CULVERTS



**TYPICAL DETAILS FOR BASE WITHOUT RECESSES**



**TYPICAL DETAILS FOR BASE WITH RECESSES**

**HOLDING DOWN ANCHORS**

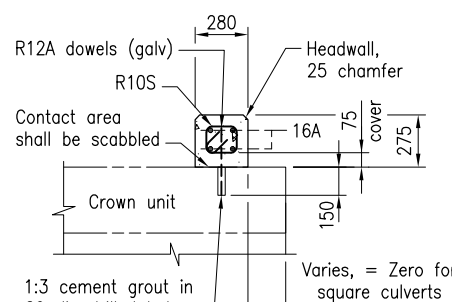
**WINGWALL MINIMUM REINFORCEMENT REQUIREMENTS**

up to Hw ↑	T for Exposure classification			Outer mesh M	A bars at 200 Dia	Type D1 bars				12 dia Type D2 bars
	B2	C1	C2			Dia	A	B	C	E
1000	210	230	250	RL918	12	12	550	550	200	650
1500	210	230	250	RL918	12	12	550	550		
2000	260	280	300	RL1018	16	16	600	600		
2500	330	350	370	RL1018	16	16	650	650		
3000	350	400	420	RL1218	16	20	750	750		
3700	360	410	430	RL1218	16	20	800	800		
4350	360	410	430	RL1218	16	20	800	800		

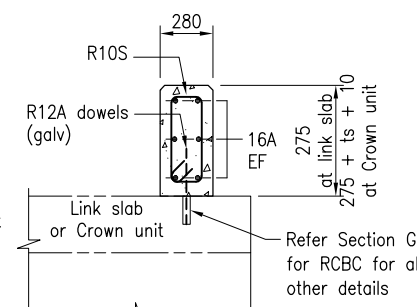
↑ where Hw = H + tc + 10 + ts + 275  
 height of opening H; thickness of culvert tc; thickness of slab ts.

◆ where bars length A and E exceed the wall height, curtail the bars to match the wall height, ensuring cover requirements are met

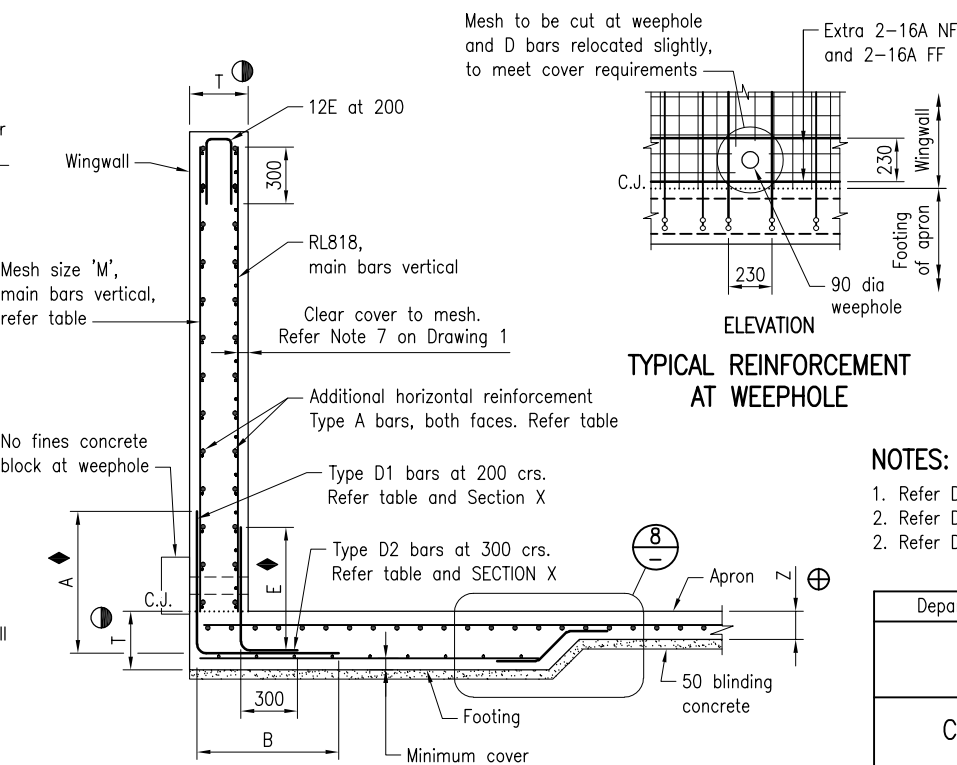
● T is a constant thickness for wingwalls and footings



**SECTION G** HEADWALL DETAILS

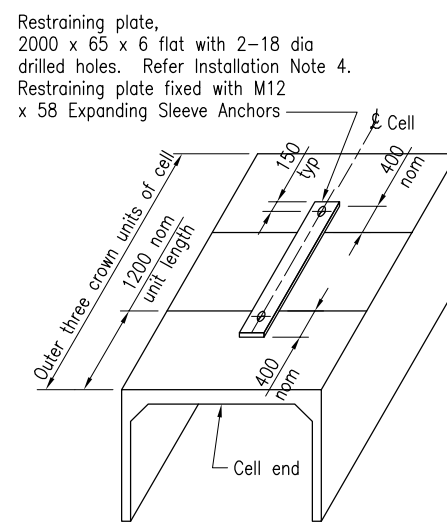


**SECTION H** HEADWALL DETAILS



**TYPICAL REINFORCEMENT AT WEEPHOLE**

**SECTION F** WINGWALL AND FOOTING REINFORCEMENT DETAILS

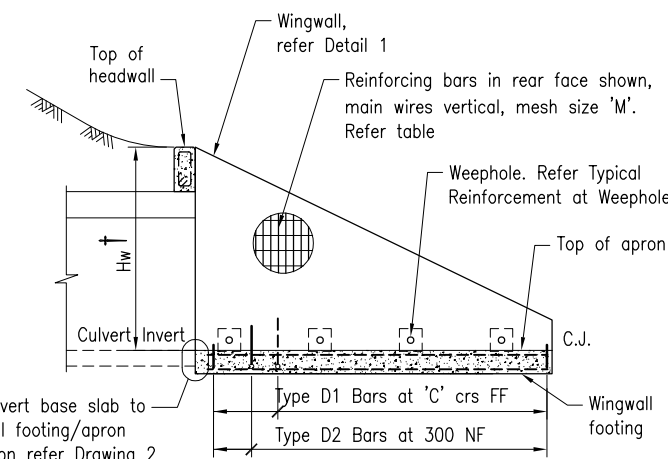


**RESTRAINING PLATE**

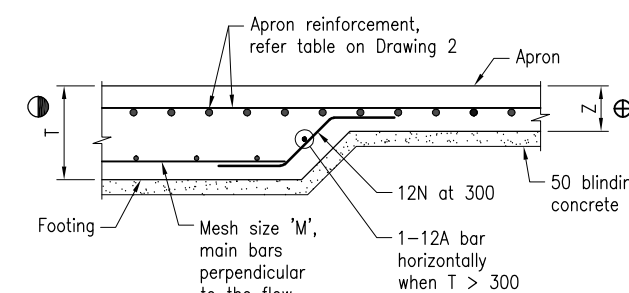
FOR USE WITH SLAB LINK BOX CULVERT  
 1200 LONG CROWN UNITS ONLY

**NOTES FOR INSTALLATION OF PRECAST UNITS:**

1. PRECAST CONCRETE CULVERTS shall be supplied and installed in accordance with MRTS03 and MRTS24.  
 Doweled connections shall be in accordance with this drawing.
2. INFILL between legs of multiple cell culverts shall be achieved by placing concrete plugs of 250 minimum length at both ends of the structure and infill the remaining gap with 1:10 lean mix having maximum aggregate size of 10mm packed dry.  
 Do not use fluid grout as hydrostatic head will damage culvert legs.
3. HOLDING DOWN ANCHORS shall be installed where the leg(s) of the crown unit extend more than 300 beyond the outside face of the headwall.  
 Nibs are not required for these crown units. Where nibs are required, they are to extend for the full length of all other units.  
 Refer details on this drawing for holding down anchor placement and installation.
4. CROWN UNIT RESTRAINING PLATES are required on the outer 3 of all internal cells when Slab Link Box Culvert > 5 cells when crown units  $\geq 1800$  high, and 1200 long, are used.  
 Expanding Sleeve Anchors shall be selected and installed in accordance with manufacturer's specifications.
5. LEAN MIX CONCRETE shall be placed between spanning slabs on crown unit cells.  
 Lean mix concrete infill is not required on the outermost crown units.





**SECTION X** TYPICAL ELEVATION AT WINGWALL



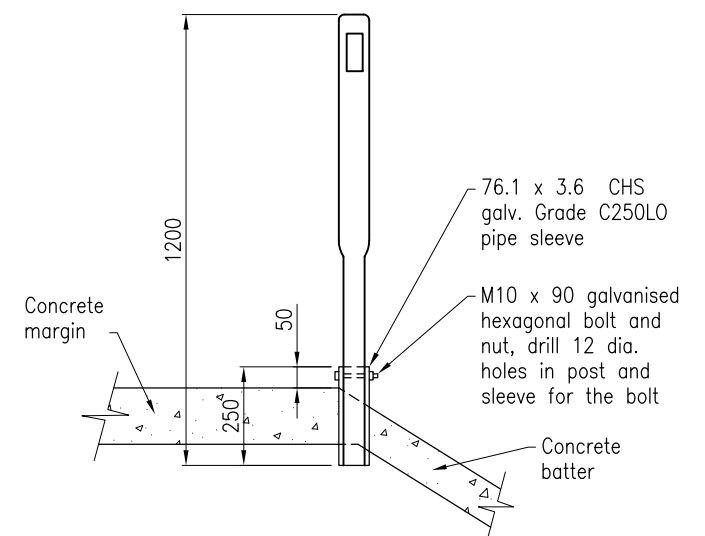
**DETAIL 8** WINGWALL FOOTING TO APRON REINFORCEMENT

**NOTES:**

1. Refer Drawing 1 for all notes.
2. Refer Drawing 1 for typical General Arrangements for large RCBC and SLBC culverts.
2. Refer Drawing 2 for typical details of slab bases for large box culverts.

Department of Transport and Main Roads		 <b>Queensland Government</b>	 © The State of Queensland (Department of Transport and Main Roads) 2019 <a href="http://creativecommons.org/licenses/by/4.0/au">http://creativecommons.org/licenses/by/4.0/au</a>
R C BOX CULVERTS AND SLAB LINK BOX CULVERTS			
CULVERTS HEIGHT > 600 DRAWING 3 OF 3 INSTALLATION OF PRECAST UNITS AND CONSTRUCTION OF HEADWALLS & WINGWALLS		A3	Standard Drawing No <b>1250</b> Date 7/19
		Not to Scale	
		A	





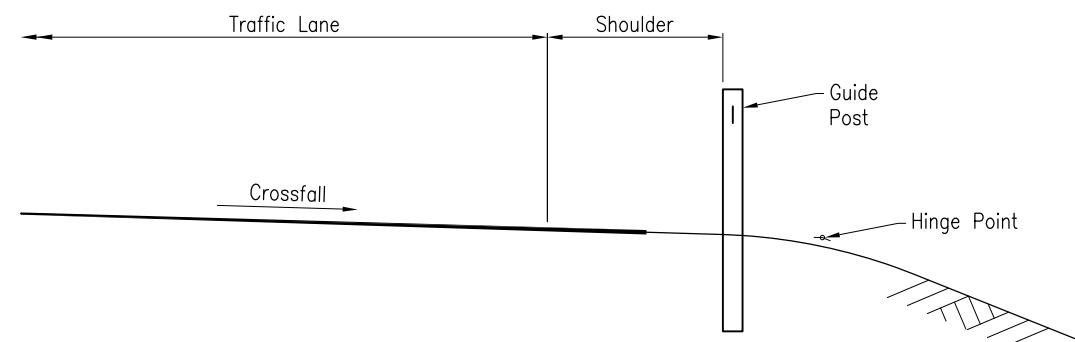
NOTES:

- ASSOCIATED DEPARTMENTAL DOCUMENTS:

REFERENCED DOCUMENTS:

Australian Standards:



AS/NZS 1163	Cold-Formed Structural Steel Hollow Sections
AS/NZS 1552	Hot-dip galvanized steel bolts with associated nuts and washers for structural engineering
AS/NZS 1906.2	Retroreflective materials and devices for road traffic control purposes – Retroreflective devices (non – pavement application)
AS/NZS 4680	Hot-dip Galvanized (Zinc) Coatings on Fabricated Ferrous Articles

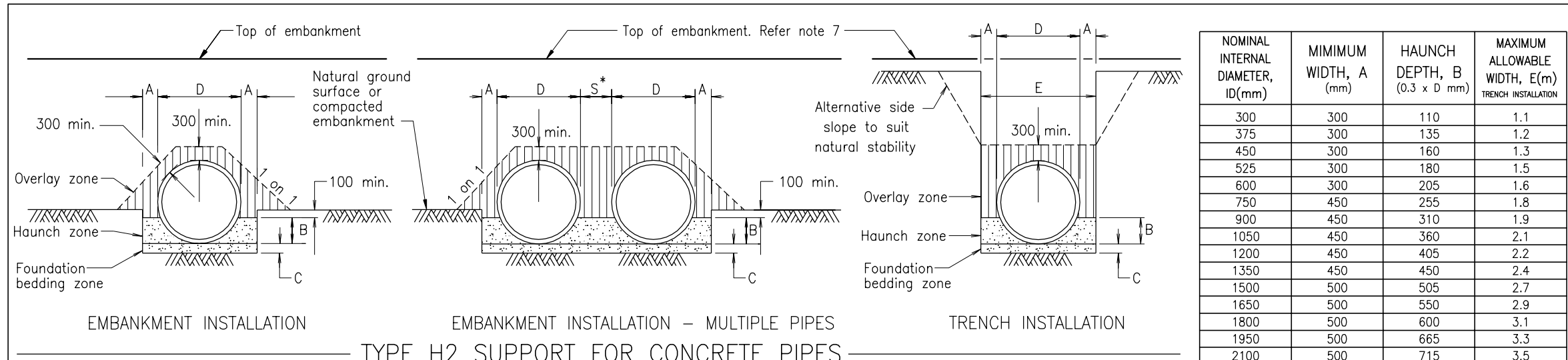


Inside face of post to be set beyond the shoulder edge, but within the verge width.

Installation variations:-

- Low lengths of embankment
- Inside face of post to be generally beyond the shoulder edge
- Culvert/Bridges
- Where culvert headwall is at or inside the hinge point, provide REGP's. Inside face of post to be generally beyond the shoulder edge but always be in line with the adjacent culvert headwall.
- Where the culvert headwall is outside the hinge point, REGP's are not required.
- Post Length
- Post lengths are to be increased when placed beyond the formation edge to allow for slope.

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ROAD EDGE GUIDE POSTS		
POST AND INSTALLATION DETAILS	A3 Not to Scale	Standard Drawing No <b>1356</b> Date 7/19
	A B C D E	



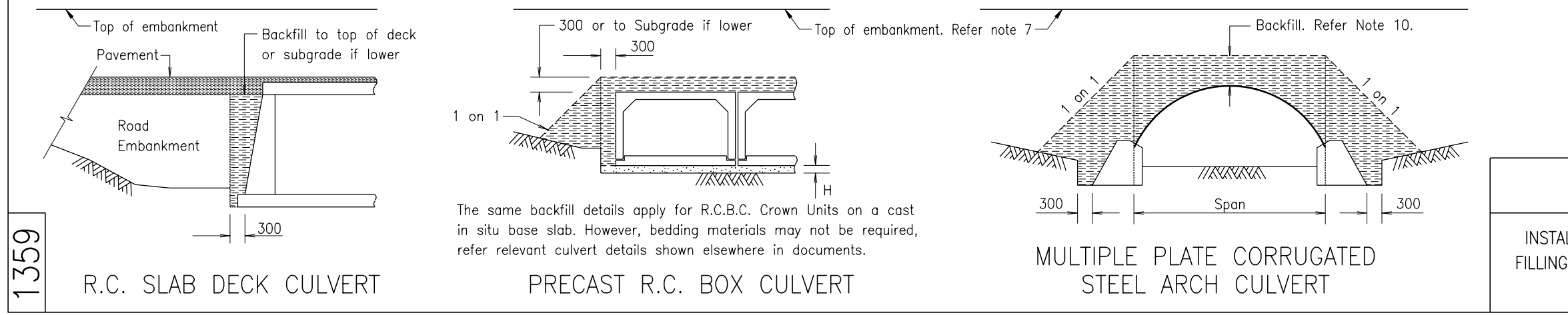
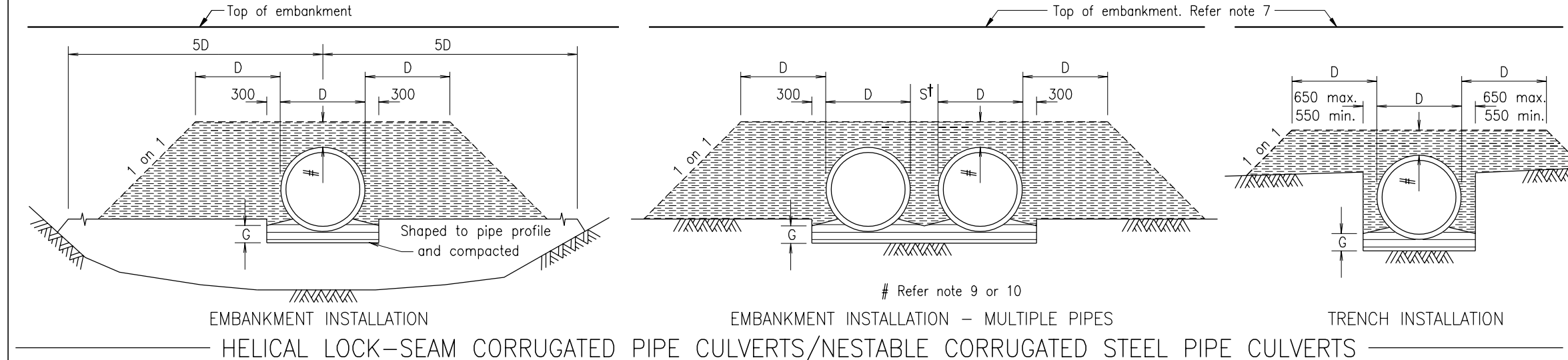
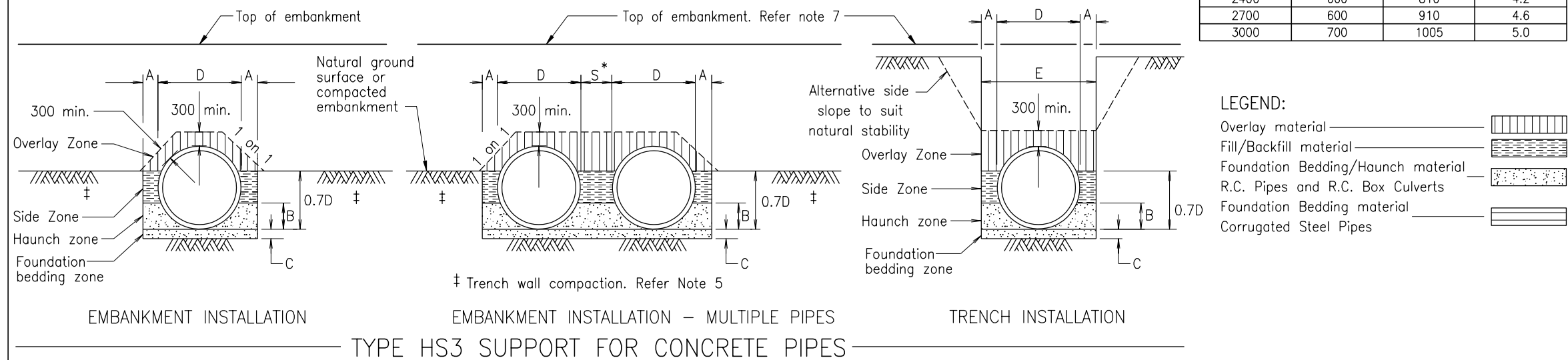
NOMINAL INTERNAL DIAMETER, ID(mm)	MINIMUM WIDTH, A (mm)	HAUNCH DEPTH, B (0.3 x D mm)	MAXIMUM ALLOWABLE WIDTH, E(m) TRENCH INSTALLATION
300	300	110	1.1
375	300	135	1.2
450	300	160	1.3
525	300	180	1.5
600	300	205	1.6
750	450	255	1.8
900	450	310	1.9
1050	450	360	2.1
1200	450	405	2.2
1350	450	450	2.4
1500	500	505	2.7
1650	500	550	2.9
1800	500	600	3.1
1950	500	665	3.3
2100	500	715	3.5
2400	600	810	4.2
2700	600	910	4.6
3000	700	1005	5.0

- NOTES :**
- "D" denotes external diameter of culvert.
  - FOUNDATION BEDDING**
    - C R.C. Pipes
      - 100 if ID < 1350
      - 150 if ID ≥ 1350
    - G Corrugated Steel Culverts
      - 100 in firm material other than rock
      - $\frac{D}{4}$  or 250 whichever the lesser in rock
    - H Precast Box Culverts
      - 75 min. in firm material other than rock
      - 150 min. in rock
  - SPACING BETWEEN MULTIPLE CULVERTS**
    - S† R.C. Pipes
      - 300 when nominal ID ≤ 600
      - 600 when nominal ID > 600 and ≤ 1800
      - 900 when nominal ID > 1800
    - st† Corrugated Steel Culverts
      - 1. Nestable Culverts :
        - $\frac{Dia}{2}$  or 300 min.
      - 2. Helical Lock-seam Culvert :
        - 300 (when nominal ID ≤ 600)
        - $\frac{Dia}{2}$  (when nominal ID > 600 and ≤ 1800)
        - 1200 (when nominal ID > 1800)
      - 3. Plate Culverts :
        - $\frac{Dia \text{ (or span)}}{2}$  or 1200 max.
  - WINGWALLS fill/backfill material shall be placed 300mm thick behind wingwalls for the length and height of the wings.
  - TRENCH WALL COMPACTION** of natural ground or embankment Minimum 90% Standard RDD for minimum 2.5D each side of trench wall and to a minimum depth of 0.7D.
  - DETAILS TO BE SHOWN ELSEWHERE IN THE DOCUMENTS** concrete pipe support type.
  - WORKING LOADS** are those due to fill material and standard highway vehicles as per AS 3725. Allowance for construction loads shall comply with standard specification MRS11.03.
  - MINIMUM DEPTH OF OVERLAY ZONE** above pipes/culverts as shown may include pavement. Pavement within this area to be compacted by hand or alternatively a lean mix concrete pavement layer may be used.
  - HELICAL LOCK-SEAM CORRUGATED PIPE CULVERTS MINIMUM COVER:**

Diameter	Minimum Cover
≤1200mm	600mm
>1200mm	$\frac{Diameter}{2}$

**LEGEND:**

- Overlay material
- Fill/Backfill material
- Foundation Bedding/Haunch material
- R.C. Pipes and R.C. Box Culverts
- Foundation Bedding material
- Corrugated Steel Pipes



- NESTABLE AND MULTIPLE PLATE CORRUGATED STEEL CULVERTS: Minimum cover shall be 600mm or Diameter or Span whichever is the greater.
  - DIMENSIONS** are in millimetres unless shown otherwise.
- ASSOCIATED DOCUMENTS :**  
 Department of Main Roads Manual of Standard Drawings Roads  
 Department of Main Roads Manual of Standard Specifications Roads
- REFERENCED DOCUMENTS :**  
 Australian Standards :  
 AS 3725 Loads on Buried Concrete Pipes  
 Standard Specifications :  
 MRS11.03 Drainage, Retaining Structures and Protective Treatments  
 MRS11.04 General Earthworks

CULVERTS	Queensland Government Department of Main Roads						
	Size A3	Drawing No					
	as shown	1359					
	Date 10/03						
INSTALLATION, BEDDING AND FILLING/BACKFILLING AGAINST/ OVER CULVERTS		<table border="1"> <tr> <td>A</td> <td>B</td> <td>C</td> <td>D</td> <td>E</td> </tr> </table>	A	B	C	D	E
A	B	C	D	E			

## 7.4.1. TECHNICAL SERVICES

### South Ayr Filtration Plant – Construction of a Filtration Plant Tender Recommendation

**File Reference:** 2646

**Report Author:** Tayla Heuir, Project Engineer

**Authoriser:** Nick Wellwood, Director Infrastructure Planning and Environmental Services

**Meeting Date:** 14 May 2024

#### **Link to Corporate/Operational Plan:**

Burdekin Shire Council Corporate Plan 2022-2027

- 3.2.1 Enhance water security and protect and improve water quality.
  - 3.2.2 Improve water and sewerage network reliability and efficiency through planned infrastructure renewals and upgrades.
  - 3.4.2 Review land supply and uses to meet community and business needs.
- 

#### **Executive Summary**

Over the past several months, Council has been tendering for a Principal Contractor to construct Stage 1 of a Filtration Plant within the existing South Ayr Water Treatment Plant on Burke Street, Ayr. This filtration plant is a critical piece of infrastructure that will allow Council to filter and treat water from the South Ayr bores to supplement the supply of clean, potable drinking water to the townships of Ayr, Alva and Brandon.

The Principal Contractor will be responsible for the full construction of the filtration plant to an operable standard as per the design plans developed by GHD in 2022. Through the project, the Principal Contractor will work closely with Council's Project Manager and Council's Engineering Consultant (GHD) to deliver the project.

Through an extensive tendering process, bids were assessed by an evaluation panel and a recommendation for a suitably qualified contractor has been developed for consideration by Council.

This report aims to inform Council of the evaluation panels process and provide a recommendation for the Principal Contractor.

#### **Recommendation**

That Council endorses the recommendation to:

1. Award Tallai Project Group Pty Ltd the contract for TBSC/23/037 Construction of a Filtration Plant – South Ayr Water Treatment Plant for the lump sum cost of \$34,487,777.00 excluding GST.
2. Council submits additional funding request to the Queensland State Government for an amount of \$8,000,000.00 excluding GST for the balance of construction costs of the Stage 1 Water Filtration Plant.

## **Background**

Council first identified the Per-and Polyfluoroalkyl (PFAS) contaminate in the water supply from the primary Nelson bore field in 2018 that triggered investigations into water management and existing water infrastructure to derive a plan to ensure that water supply continued to meet drinking water guidelines and that the supply demand was maintained for residents in Ayr, Alva and Brandon.

Over the past five (5) years, Council have worked with external private and Government agencies to manage the water supply to meet drinking water guidelines. A design was also developed for a water filtration plant that aims to filter water from the South Ayr borefield that is currently contaminated with iron and manganese. This plant will allow the inclusion of another water source into the network to support the supply and further provide water security for the region.

The two-stage filtration plant design was completed in 2022 by GHD. Stage 1 of the design incorporates a standard flocculation treatment system to remove iron and manganese particles from bore water sourced from the South Ayr bore field and cleanse the clean bore water sourced from Conlan Street bore field. Stage 2 of the design includes infrastructure that can be added into the Stage 1 infrastructure if it becomes necessary to source raw water from Plantation Creek.

With approvals from the Queensland Government for grant funding to fully support the construction costs of the Filtration Plant Stage 1 in December 2023, Council was able to proceed with tendering for an Engineering Consultant to assist Council with the construction project, and further tendered for a Principal Contractor for the construction of the filtration plant.

## **Tender Process and Evaluation**

Council has recently undertaken the tendering for a Principal Contractor to construction Stage 1 of the Filtration Plant. The Principal Contractor will be responsible for the full construction of the plant to an operatable standard and as per the design plans.

The tender was placed on the open Marketplace on Vendor Panel. Twelve tenderers attended the mandatory site inspection on 15 December 2023. After the 9-week tendering period, three (3) tenderers submitted a formal bid that was assessed by Council's evaluation panel for the project.

All three (3) tender submissions exceeded the proposed construction budget, and therefore a period of tender negotiations and scope revisions commenced. With the assistance of GHD, Council completed design revisions and removed certain infrastructure to reduce the overall project cost. Tenderers were asked to resubmit a bid that included these scope changes and design revisions. Each tenderer submitted a revised bid on 16 April 2024 which were further assessed by the project's evaluation panel.

The panels combined assessment scores were tabulated to show an average result for the preferred tenderer, as can be seen below. The evaluation criteria was outlined in the tender documentation.

## Evaluation Panel Combined Assessment

<b>Project</b>	<b>TBSC/23/037 - Construction of a Filtration Plant - Ayr Water Treatment</b>			
<b>Date</b>	21/02/2024			
<b>Reviewed Date</b>	16/04/2024			
<b>Tenderer Name</b>		<b>A Gabrielli</b>	<b>NQCC</b>	<b>Tallai</b>
<b>Selection Criteria</b>	<b>Weighting (%)</b>			
<b>1 - 10 Scoring</b>				
<b>Price (Revised Costs)</b>	40%			
Your Score		6	7	9
Weighted Score		2.4	2.8	3.6
<b>Experience</b>	20%			
Your Score		5	6.3	8.7
Weighted Score		1	1.26	1.74
<b>Resources</b>	10%			
Your Score		8.7	9	9
Weighted Score		0.87	0.9	0.9
<b>Methodology</b>	15%			
Your Score		5.6	4.3	8.7
Weighted Score		0.84	0.645	1.31
<b>Local Content</b>	15%			
Your Score		7.3	7	5
Weighted Score		1.10	1.05	0.75
<b>Total Weighted Score</b>		<b>6.2</b>	<b>6.7</b>	<b>8.3</b>

The revised bids still exceeded the original proposed budget and as a result, Council will submit a request for additional funding, with Council's approval, through the State Government Department of Regional Development, Manufacturing and Water (DRDMW). It is anticipated that approval for these additional funds could be confirmed within two (2) months of the adoption of this tender award. It is noted that Council have obtained sufficient funding from the first phase of the approved funding to commence construction without Council contribution. However, the cost deficit would have to be recovered from the reserves budgeted to ongoing operation and maintenance of the filtration plant if additional funding is not approved.

### Consultation

Not Applicable.

### Budget & Resource Implications

State Government Grant Funding for approved \$46.88 million from the Queensland Department of Regional Development, Manufacturing and Water for the South Ayr Filtration Plan project, a budget for the Engineering Consultant has been considered and allocated.

An additional funding request has been submitted to the State Government Department of Regional Development, Manufacturing and Water (DRDMW) to the total value of \$8 million to cover the total construction costs.

### Legal Authority & Implications

TBD

### Policy Implications

Burdekin Shire Council Procurement Policy

**Risk Implications (Strategic, Operational, Project Risks)**

Risk has been reduced through extending the tender evaluation period to further negotiation bids and revise the design and scope of works to achieve the best value for money for Council. However, the extension has postponed the commencement of construction and therefore adds an additional summer period of peak demand to the water supply network. During these peak demand periods, additional supply is applied to existing, operational borefields and controlled operational practices are implemented by Council to ensure plentiful supply.

Council have been proactive in their communication with the State Government about the difference between the approved funding and the costs of construction determined through the tender process. Through a formal request to the DRDMW, Council have requested an additional \$8 million to cover the total construction costs for the project. Informal comments from the department have indicated that additional funding can be made available to the project, however any formal response is not anticipated to be delivered prior to the adoption of this tender.

It is noted that if Council are not successful with their request for additional funding, the deficit will be sourced from the reserves for the ongoing operational and maintenance funds that were approved as part of the original \$46.88 million.

**Attachments**

None

## 7.4.2. TECHNICAL SERVICES

### TBSC/24/004 Supply and Delivery of Nine (9) Light Vehicles (SUVs and Utilities)

**File Reference:** 2067

**Report Author:** Susie Pearce, Fleet and Administration Officer - Workshop

**Authoriser:** Kevin Byers, Manager Technical Services

**Meeting Date:** 14 May 2024

#### **Link to Corporate/Operational Plan:**

Burdekin Shire Council Corporate Plan 2022-2027

Burdekin Shire Council Operational Plan 2023-2024

3.3.1: Implement the Asset Management Strategy and Roadmap.

5.2.2: Responsibly manage Council's financial position to ensure sustainability.

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#### **Executive Summary**

*The Local Government Regulation Queensland 2012* (Regulation) requires Council to invite written tenders for large sized contractual arrangements for goods and services purchased from a supplier that is expected to exceed \$200,000.00 excluding GST per financial year. Section 232 of the Regulation allows an exception to this requirement if the contract is entered into with a supplier from a register of pre-qualified suppliers.

The purchase of light vehicles for the 2023/2024 year is in this category with quotations called in TBSC/24/004 – Supply and Delivery of nine (9) Light Vehicles (SUVs and Utilities).

Two local Pre-qualified Suppliers were selected from Burdekin Shire Council's Register of Pre-qualified Suppliers of Motor Vehicles, Contract No TBSC/23/014 adopted by Council on 28 November 2023.

The quotation closed on Wednesday 1 May 2024 with responses received from the two suppliers consisting of quotations for fifteen (15) light vehicle options. These quotations were assessed using a multi-criteria weighting method.

#### **Recommendation**

That Council:

1. Award TBSC/24/004 Supply and Delivery of Nine (9) light vehicles (SUVs and Utilities) pursuant of Register of Prequalified Suppliers – Motor Vehicles Contract No. TBSC/23/014 for a combined value of \$374,207.17 excluding GST in part to two Prequalified Suppliers.

Burdekin Motors Pty Ltd for eight (8) light vehicles to the value of \$335,755.56 that consists of:

- Vehicle 1 - 2024 Isuzu MUX-LSU 4x4 for \$55,062.73
- Vehicle 3 - 2024 Kia Sportage SX HEV 2WD for \$42,631.82
- Vehicle 4 - 2024 Isuzu DMAX-SX Single Cab 2WD for \$36,502.73
- Vehicle 5 - 2024 Isuzu DMAX-SX Dual Cab 2WD for \$42,399.09
- Vehicle 6 - 2024 Isuzu DMAX-SX Single Cab 2WD for \$36,911.82
- Vehicle 7 - 2024 Isuzu DMAX-SX Single Cab 2WD for \$37,844.55
- Vehicle 8 - 2024 Isuzu DMAX-SX Single Cab 2WD for \$37,844.55

- Vehicle 9 - 2024 Isuzu DMAX-SX Dual Cab 4WD for \$46,558.27

Honeycombes Sales and Service Pty Ltd for one (1) light vehicle to the value of \$38,451.61 for

- Vehicle 2 - 2024 Mazda CX5 MAXX SPORT AWD for \$38,451.61.

2. Delegates authority under s257(1)b of the Local Government Act 2009 to the Chief Executive Officer to negotiate, finalise and execute any and all matters related to the execution of Contract TBSC/24/004 Supply and Delivery of Nine (9) light vehicles (SUVs and Utilities).

### Background

The nine (9) light vehicles are listed in the 2023-2024 Budget for replacement. Assessment of each vehicle was held with the applicable Council sections and meets the expectation of upcoming works and operational costs whilst maintaining a fit for purpose fleet.

Quotation TBSC/24/004 was offered to the two (2) local suppliers listed on Burdekin Shire Council's Register of Pre-qualified Suppliers of Motor Vehicles Contract No. TBSC/23/014.

Quotation offers from Honeycombes Sales and Service Pty Ltd for Vehicle 2 and Burdekin Motors Pty Ltd for Vehicles 1, 3, 4, 5, 6, 7, 8, and 9 being the most advantageous and cost effective for Council while meeting operational requirements.

**Table 1: Received Quotations**

Prequalified Supplier	Status of Quotations	Quotations Assessed
Burdekin Motors Pty Ltd	Conforming – Vehicles 1 to 9	Yes
Honeycombes Sales & Service Pty Ltd	Conforming – Vehicles 2 to 9	Yes

**Table 2: Evaluation Criteria**

Criteria	Weighting
Compliance	10%
Local Content	10%
Price	10%
Warranty	10%
Risk Assessment, Suit to work purpose	25%
Delivery	10%
Aftersales service, fleet commonality	10%
Projected whole of life costs	15%

**Table 3: Ranking and Scoring of Quotations**

Vehicle 1 - 4WD SUV	Price	Weighted Score	Weighted Ranking
2024 Isuzu MUX-LSU 4X4 Diesel Burdekin Motors Pty Ltd	\$55,062.73	6.80	1



Honeycombes no offer			
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<b>Vehicle 2 – AWD SUV</b>	<b>Price</b>	<b>Weighted Score</b>	<b>Ranking</b>
2024 Mazda CX5 MAXX SPORT - AWD Petrol Honeycombes Sales & Service Pty Ltd	\$38,451.61	7.03	1
2024 Kia Sportage SXT AWD Petrol Burdekin Motors Pty Ltd	\$40,631.82	6.80	2

<b>Vehicle 3 – Hybrid SUV</b>	<b>Price</b>	<b>Weighted Score</b>	<b>Ranking</b>
2024 Kia Sportage SX HEV 2WD HYBRID Burdekin Motors Pty Ltd	\$42,631.82	7.85	1
2024 Mazda CX5 TOURING - AWD Petrol Honeycombes Sales & Service Pty Ltd	\$37,950.87	6.03	2

<b>Vehicle 4 – 2WD Single Cab</b>	<b>Price</b>	<b>Weighted Score</b>	<b>Ranking</b>
2024 2WD Isuzu Dmax SX Single Cab Burdekin Motors Pty Ltd	\$36,502.73	6.90	1
2024 2WD Mazda XT Single Cab Honeycombes Sales & Service Pty Ltd	\$36,401.03	6.53	2

<b>Vehicle 5 – 2WD Dual Cab</b>	<b>Price</b>	<b>Weighted Score</b>	<b>Ranking</b>
2024 2WD Isuzu Dmax SX Dual Cab Burdekin Motors Pty Ltd	\$42,399.09	7.30	1
2024 2WD Mazda XT Dual Cab Honeycombes Sales & Service Pty Ltd	\$43,001.44	6.53	2

<b>Vehicle 6 – 2WD Single Cab</b>	<b>Price</b>	<b>Weighted Score</b>	<b>Ranking</b>
2024 2WD Isuzu Dmax SX Single Cab Burdekin Motors Pty Ltd	\$36,911.82	6.90	1
2024 2WD Mazda XT Single Cab Honeycombes Sales & Service Pty Ltd	\$36,945.84	6.53	2

<b>Vehicle 7 &amp; 8 – 2WD Single Cab</b>	<b>Price</b>	<b>Weighted Score</b>	<b>Ranking</b>
2024 2WD Isuzu Dmax SX Single Cab Burdekin Motors Pty Ltd	\$37,844.55	6.90	1
2024 2WD Mazda XT Single Cab Honeycombes Sales & Service Pty Ltd	\$37,881.50	6.53	2

<b>Vehicle 9 – 4WD Dual Cab</b>	<b>Price</b>	<b>Weighted Score</b>	<b>Ranking</b>
2024 4WD Isuzu Dmax SX Dual Cab Burdekin Motors Pty Ltd	\$46,558.27	7.30	1
2024 4WD Mazda BT50 XT Dual Cab Honeycombes Sales & Service Pty Ltd	\$48,510.50	6.53	2

### **Consultation**

Consultations were held with Council Sections - Client Services, Economic Development, Environmental and Health Services, Parks, Workshop, Water & Waste Water, and Works to discuss the procurement plan and quotations received for these nine light vehicles to determine the specification details to suit the job application and cost benefit for Council.

### **Budget & Resource Implications**

The purchase of these light vehicles is included in the 2023/2024 Capital Budget. The delivery of the Vehicles 5 and 9 is expected in 2023/2024, with Vehicles 1, 2, 3, 4, 6, 7, and 8 expected in 2024/2025. Capital funds for any vehicles not delivered by 30 June 2024 will be carried over to the 2024/2025 budget.

### **Legal Authority & Implications**

Not Applicable.

**Policy Implications**

Not Applicable.

**Risk Implications (Strategic, Operational, Project Risks)**

Not Applicable.

**Attachments**

None