



Burdekin Shire Council

AGENDA

ORDINARY COUNCIL MEETING

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

on 23 July 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 - 9 July 2024

4.2. Burdekin Shire Youth Council Meeting Minutes - 10 June 2024

5. EXECUTIVE

5.1. CEO

5.1.1. Appointment of Acting Chief Executive Officer

5.2. ECONOMIC DEVELOPMENT

5.2.1. Ayr Industrial Estate Expansion – Release of Tenders for Sale of Land

6. CORPORATE AND COMMUNITY SERVICES

6.1. CLIENT SERVICES

6.2. COMMUNITY DEVELOPMENT

6.2.1. Colouring the Water Fountain and Lighting Lloyd Mann Park - Update to Operational Standard

6.3. FINANCIAL AND ADMINISTRATIVE SERVICES

6.3.1. Monthly Financial Report - June 2024

6.4. GOVERNANCE

6.4.1. Funding Applications - 2024-2028 Local Government Grants and Subsidies Program

7. INFRASTRUCTURE, PLANNING AND ENVIRONMENTAL SERVICES

7.1. ENVIRONMENTAL AND HEALTH SERVICES

7.1.1. Acceptance of Tender - Management - Home Hill Swimming Pool and Home Hill Caravan Park

7.2. OPERATIONS

7.2.1. Undetected Water Leak Policy - Update

7.3. PLANNING AND DEVELOPMENT

7.3.1. Late Report - Development Application for a Development Permit for Reconfiguring a Lot (Boundary Realignment) and Indoor Sport and Recreation – Gym (Over Two (2) Stages) at 5 Little Drysdale Street and 177 MacMillan Street, Ayr (Lot 5 on RP882395 and Lot 32 on A26516)

7.3.2. Change Application (Minor) to an existing Material Change of Use

**Development Permit for an Accommodation Building at 9-11 Nelson
Street, Clare (Lot 20 on SP314314)**

7.4. TECHNICAL SERVICES

7.4.1. Ayr Industrial Estate - Heavy Vehicle Access

8. NOTICE OF MOTION

9. RECEIPT OF PETITIONS

10. CORRESPONDENCE FOR INFORMATION

11. GENERAL BUSINESS

12. CLOSED BUSINESS ITEMS

12.1. Appointment of Chief Executive Officer Burdekin Shire Council

12.2. Confidential - Employment Related Matter

13. DELEGATION

13.1. Australian Citizenship Ceremony

4.1. MINUTES AND BUSINESS ARISING

Ordinary Council Meeting Minutes - 9 July 2024

Recommendation

That the minutes of the Ordinary Council Meeting held on 9 July 2024 be received as a true and correct record.

Attachments

1. Minutes - Ordinary Council Meeting - 9 July 2024



Burdekin Shire Council

MINUTES

ORDINARY COUNCIL MEETING

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

on 9 July 2024

COMMENCING AT 9:00 AM

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. Nick O'Connor - Director Corporate and Community Services

Mr. W. Saldumbide - (Acting) Director of Infrastructure, Planning and Environmental Services

Mr. G. Arboit - Manager Community Services (Part)

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

Minutes Clerk - Mrs. S. Iturriaga

2. PRAYER

The meeting prayer was delivered by Pastor Gerry MacManus 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 - 25 June 2024

Recommendation

That the minutes of the Ordinary Council Meeting held on 25 June 2024 be received as a true and correct record.

Resolution

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

CARRIED

4.2. Budget Meeting Minutes - 25 June 2024

Recommendation

That the minutes of the Budget Meeting held on 25 June 2024 be received as a true and correct record.

Resolution

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

CARRIED

4.3. Audit Committee Meeting Minutes - 12 June 2024

Executive Summary

This report provides the Minutes of the Audit Committee Meeting held on 12 June 2024

Recommendation

Item 3 Minutes from the previous Audit Committee Meeting

That the minutes from the previous meeting be formally adopted.

Item 4.1 Related Party Disclosure Policy – Ordinary Citizen Transactions

That the Related Party Disclosure Policy and Ordinary Citizen Transactions Fact Sheet be endorsed by the Committee and presented to Council for formal adoption.

Item 4.2 Financial Maturity Model Results 2024

That the Financial Maturity Model Results 2024 be noted by the Committee.

Item 5.1 Draft 2023-2024 Internal Valuation Report

That the Committee note the 2023-2024 Internal Valuation Report.

Item 6.1, 6.2 QAO Briefing and 2024 Interim Report

That the Committee accepts the QAO Briefing paper and 2024 Interim Report subject to the redaction of the officer's name prior to publication.

Item 6.3 Consider need for closed session briefing with Crowe/QAO

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

Item 7.1, 7.2 Internal Audit Status Report and Inventory Management Review Report

That the Audit Committee endorse the Internal Audit Report and the Inventory Management Review Report and associated agreed management action items.

Item 8.1 Presentation of Risk Management Committee Meeting Minutes from 8 May 2024

That the Committee note the minutes of the Risk Management Committee Meeting held on 8 May 2024.

Item 8.2 Long Term Financial Forecast

That the Committee note the Long Term Financial Forecast.

Item 8.3 Cyber-Security Updates

That the Committee accept the Cyber-Security Update report with the revised dates.

Item 9.1 Chairperson's Annual Report

The Committee endorsed the Audit Committee Chairperson's 2023/2024 Annual Report to be presented to Council.

That:

1. the minutes of the Audit Committee Meeting held on 12 June 2024 be noted, and;
2. the recommendations as detailed in the minutes and summarised in Items 3 to 9.1 above be adopted.

Resolution

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

CARRIED

5. EXECUTIVE

5.1. CEO

5.1.1. Council Workshops - June 2024

Executive Summary

In line with agreed arrangements for Council meetings and workshops, two (2) general workshops were conducted during the last month on 4 and 18 June 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 4 and 18 June 2024 be received and noted.

Resolution

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

CARRIED

5.2. ECONOMIC DEVELOPMENT

5.2.1. Economic Development Advisory Group

Executive Summary

Burdekin Shire Council has recently advertised for expressions of interest for the Economic Development Advisory Group. Expressions of interest for the group were open from the 16 May to 14 June 2024. The group may consist of up to 10 representatives from business/industry and the community. Councillors Max Musumeci and Michael Detenon were appointed as Council representatives on the group.

Recommendation

That Council approves the following nominations and appoints members to the Economic Development Advisory Group:

Eusebio Aguirre, Ian Davies, Ian Macdonald, James Fahey, Kari Ravizza, Lucy Poppi, Neil Williams.

Resolution

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

CARRIED

9.10am - Mr. Arboit entered the meeting.

6. CORPORATE AND COMMUNITY SERVICES

6.1. CLIENT SERVICES

6.2. COMMUNITY DEVELOPMENT

6.2.1. Update to Community Grants Program Guidelines

Executive Summary

The Community Grants Program has been established by Council to disburse funding and in-kind support to eligible community groups and organisations. Funding is generally provided for applications that target the following types of projects:

- Developing new or existing programs or activities within the Burdekin community
- Local festivals or events that have broad community benefit
- Projects or events that support civic pride and enhanced social and economic activity

The Program is administered by a Grants Assessment Panel that evaluates applications based on approved guidelines and assessment criteria. A review of the guidelines was recently undertaken, and a number of changes are recommended to further enhance the grant evaluation process.

Recommendation

That Council notes the following changes:

1. The maximum annual cash funding available to recipients each year will be reduced from \$5,000.00 to \$3,000.00 with maximum annual in-kind funding to remain at \$5,000.00
2. Transition the large-scale community events to a sponsorship arrangement to span the four-year term of the current Council
3. Organisations are only eligible to apply to one Council funding stream per event per year
4. The Grant Assessment Panel will independently score applications based on a range of criteria to guide funding approvals

and adopts the revised guidelines attached.

Resolution

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

CARRIED

6.3. FINANCIAL AND ADMINISTRATIVE SERVICES

6.4. GOVERNANCE

6.4.1. Audit Committee Chairperson's 2023/2024 Annual Report

Executive Summary

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

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

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

Recommendation

That Council notes the attached Audit Committee Chairperson's 2023/2024 Annual Report

Resolution

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

CARRIED

7. INFRASTRUCTURE, PLANNING AND ENVIRONMENTAL SERVICES

7.1. ENVIRONMENTAL AND HEALTH SERVICES

7.2. OPERATIONS

7.3. PLANNING AND DEVELOPMENT

7.4. TECHNICAL SERVICES

8. NOTICE OF MOTION

9. RECEIPT OF PETITIONS

10. CORRESPONDENCE FOR INFORMATION

10.1. Letter from Department of Resources - Regarding Renaming Yellow Gin Creek as part of a Program of Review of Place Names which may cause Offence or Harm

Resolution

That Council provide feedback to Department of Resources voicing objection to renaming Yellow Gin Creek due to the creek's local historical significance to the region.

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

AGAINST: Councillor John Furnell

6/1

CARRIED

11. GENERAL BUSINESS

11.1. Response to Mrs. Marie Finn's offer to Donate her Piano to the Theatre

Recommendation

That Council respond to the letter and kindly decline Mrs. Marie Finn's offer to donate her piano to the Theatre as Council has budgeted funds in the 2024/25 budget to refurbish the existing upright piano at the Theatre.

Correspondence from Mrs. Marie Finn can be found at the end of this item.

Resolution

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

CARRIED

Burdekin Shire Council 3 July 2024

Meeting at Shire Chambers

Present: Pierina Dalle Cort (Shire Chairman), Glenn Arboit (Theatre Manager), Marie Finn (Shire resident)

Proposal re upright piano in Burdekin Theatre

In November 1983, there was great rejoicing in the Burdekin community when the Burdekin Theatre was opened. Not only had the shire acquired a wonderful new performing space with tiered seating, but battle-scarred pianos used for solos and accompaniments were cast aside and two new ones graced the stage when needed. Pride of place went to the fabulous Grand piano which was given its own storage area and conditions.

The upright was enthusiastically welcomed and used on stage, in the pit, in the foyer in the loft – wherever a piano was required, even for after parties for singalongs. Sadly, it wasn't always treated with the respect it deserved over its forty-year life, although I would think David and James would always ensure it received the greatest of care under their stewardship.

Despite regular tuning which, I think, is always paid for by the hirer of the event, the upright piano is beginning to show its age and sound like an 'old' piano. I can't even be sure it held its tuning at the last eisteddfod in May. Certainly, the trundling on and off the stage between music sections would not have assisted, although I know it can't be avoided.

As we move into the digital age while still using instruments of the last century, it would be prudent for the Burdekin Shire Council to consider acquiring a good quality piano at a reasonable price while providing opportunities for pianists to perform on an instrument which allows them to shine. For a young performer, there is a certain prestige about playing on an elegant piano, especially when he or she is rehearsing on a digital keyboard.

Eighteen years ago, while I was teaching privately at home, I purchased a one-year-old piano from the mother of one of my students who was showing promise as a tennis player and had decided to give up her piano lessons. The piano, model Yamaha C-113TPW J22101080, walnut colour, had been purchased from Heather Smith of Adcock's Music store in August 2005. I have the original documentation of the sale. Though I continued teaching for a couple of years, the piano was used less frequently as other activities and interests presented themselves in my life in retirement. The piano was regularly tuned by Kevin Lightfoot until his retirement recently.

Currently, John and I are preparing to downsize and move to Townsville so we will not be able to re-locate the piano with us. The piano tuner, Andrew Delaney, has told me a new one of similar style and size would cost \$10,000. He also thought a reasonable asking price for my piano be would around the \$3,000 mark.

Yours sincerely,

Marie Finn

9.40am - Mr. Arboit left the meeting.

11.2. Change of Ordinary Meeting Date from 27 August 2024 to 29 August 2024

Recommendation

That Council change the date of the Ordinary Council Meeting scheduled for 27 August 2024 to 29 August 2024 due to Councillors Dalle Cort, Hall and Vasta attending the Australian Local Government Women's Association Queensland Branch State Conference in Brisbane from 26-27 August 2024.

Resolution

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

CARRIED

12. CLOSED BUSINESS ITEMS**13. DELEGATION**

There being no further business the meeting closed at 9.55am.

These minutes were confirmed by Council at the Ordinary Council Meeting held on 23 July 2024.

MAYOR

4.2. MINUTES AND BUSINESS ARISING

Burdekin Shire Youth Council Meeting Minutes - 10 June 2024

File Reference:	137
Report Author:	Tammy Quagliata, Community Development Officer
Authoriser:	Glenn Arboit, Manager Community Services
Meeting Date:	23 July 2024

Purpose

This report provides the minutes of the Burdekin Shire Youth Council Meeting held on 10 June 2024.

Summary of recommendations and actions for consideration and adoption:

Item 3 - 30th Anniversary Celebrations of Burdekin Shire Youth Council

Council notes the proposed plans to host the 30th Anniversary Celebrations of the Burdekin Shire Youth Council on Saturday 12 October 2024 to be followed by the annual outdoor movie night in the Burdekin Theatre Forecourt.

Item 4 - Purchase of Burdekin Shire Youth Council Promotional Items

Council notes the purchase of Burdekin Shire Youth Council promotional items within the current allocated 2023/2024 budget.

Item 5 - Involvement in Burdekin Library School Holiday Program

Council notes the proposed involvement of the Burdekin Shire Youth Council volunteers at the June/July Burdekin Library School Holiday Program.

Recommendation

That:

1. the minutes of the Burdekin Shire Youth Council Meeting held on 10 June 2024 be noted and adopted.
2. the recommendations as detailed in the minutes and summarised in Items 3, 4 and 5 above be adopted.

Attachments

1. Minutes - Burdekin Shire Youth Council Meeting - 10 June 2024

Meeting Minutes

Meeting	Burdekin Shire Youth Council Meeting		
Date	Monday, 10 June 2024	Time	3:30 PM
Attendees	Eddie Jones – Youth Mayor Laney Lando – Deputy Youth Mayor Matilda Wiseman – Secretary Alexis Lindley – Ayr State High School Amaya Mahoney – Ayr State High School Breanna Wood – Ayr State High School Chloe Becke – Ayr State High School Charlie Mann – Ayr State High School Danielle Laubscher – Burdekin Christian College Emma Wilkie – Ayr State High School Hayden Berryman – Ayr State High School Jorda Quagliata – Ayr State High School John Grabs – Burdekin Christian College Kasey Dobe – Ayr State High School Laney Lando – Burdekin Christian College Michael Lindley – Ayr State High School Nicole Cervoni – Burdekin Catholic High School William Wiseman – Burdekin Christian College Tammy Quagliata – Community Development Officer, Burdekin Shire Council Councillor John Furnell – Burdekin Shire Council		
Apologies	Brent Dingle – Burdekin Christian College Cecilia Cason – Burdekin Christian College Haigan MacDonald – Burdekin Catholic High School Jorja Ahearn – Ayr State High School Glenn Arboit – Acting Manager Community Services, Burdekin Shire Council		
Chairperson	Eddie Jones, Youth Mayor		
Minutes Clerk	Matilda Wiseman / Tammy Quagliata		
Location	Burdekin Theatre, Music Loft		

Agenda Items

1. Minutes of 13 May 2024 Meeting Received

Moved by Alexis Lindley, seconded by Michael Lindley that the Minutes of the Burdekin Shire Youth Council Meeting held on 13 May, 2024 be received.

CARRIED

2. Correspondence

Inward Correspondence

NIL

Outward Correspondence

NIL

3. 30th Anniversary for Burdekin Shire Youth Council

Tammy Quagliata gave an update regarding the upcoming celebration of the 30th Anniversary for the Burdekin Shire Youth Council, proposed to be held on Saturday, 12 October. This celebration would consist of a civic event with former and current members, invited guests, possible guest speakers and live music to commence about 4pm, followed by the annual outdoor movie night hosted by Burdekin Shire Youth Council and PCYC.

Members agreed to assist in putting together a slideshow of photos and memories over the past 30 years.

The annual outdoor movie night would include a sausage sizzle, soft drinks and popcorn, and would be a great opportunity for the 30th Anniversary celebration to be recognized by the wider community. As per usual, the event would occur during Mental Health Week (5 – 13 October).

4. Purchase of Burdekin Shire Youth Council Promotional Items

There was discussion regarding the purchase of marketing materials for the Burdekin Shire Youth Council particularly for this year's 30th anniversary. Quotations were provided for the purchase of handballs, water bottles, and earbuds. It was noted that budget allowed for the purchase of these items prior to June 30. Members voted in favour of their preferred items, in order, being water bottles, earbuds then hand balls.

Moved Michael Lindley, seconded John Grabs that Burdekin Shire Youth Council proceed with the purchase of promotional items within the allocated budget.

CARRIED

5. School Holiday Programs at the Burdekin Library

Nicholas Wiseman and Kate Burke from the Burdekin Library attended the meeting at this stage. Information was provided on the upcoming School Holiday Program being hosted at the Burdekin Library and assistance from Burdekin Shire Youth Council members was sought. Volunteers for the following activities were sought:

Friday 1 July - Movie Time at Ayr Library

Wednesday 3 July - Nature Scavenger Hunt at Plantation Park

Tammy Quagliata undertook to email members and coordinate volunteers for these activities. Members were also provided with a full list of holiday activities and were encouraged to attend or assist with any activities that were of interest to them.

6. Involvement in Bullying No Way Week

Tammy Quagliata provided information regarding Bullying No Way Week which would be held from 12-16 August 2024. Members discussed ways that Youth Council would be involved in this week, promoting kindness.

The idea of 'notes of kindness' were discussed, and members agreed to promote notes of kindness in a public place at either the Burdekin Theatre, Burdekin Library or at schools. It was discussed that notes of kindness to be fixed on a tree or board in these spaces where members of the community and members from the Burdekin Shire Youth Council could contribute by writing messages and displaying them. Taking photographs of messages displayed and posting them on social media would further assist to promote Bullying No Way Week.

7. Member's Update

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

Tammy Quagliata provided information and upcoming dates during the school holidays including Summer Club and Flipside Circus for those interested in the arts, acting or acrobatics, as well as the Arc performance at the Burdekin Theatre.

8. Next Meeting – 8 July 2024

It was noted that the next meeting of the Burdekin Shire Youth Council would be held on 8 July 2024.

There being no further business, the meeting closed at 4:10pm.

Action Items from Meeting

	Action Item	Responsible Officer	Due Date	Status
	Investigate Youth Leadership Development programs	Tammy Quagliata	Ongoing	
	Liaise with Burdekin Education Program regarding networking opportunities	Tammy Quagliata	Ongoing	
	Host 30 th Anniversary of the Burdekin Shire Youth Council – Proposed date 12 October 2024	All members	12 October 2024	
	Order Burdekin Shire Youth Council promotional items	Tammy Quagliata	30 June 2024	
	Assist with School Holiday Program	All members	24 June to 5 July 2024	

5.1.1. CEO

Appointment of Acting Chief Executive Officer

File Reference: 395

Report Author: Terry Brennan, Chief Executive Officer

Authoriser: Terry Brennan, Chief Executive Officer

Meeting Date: 23 July 2024

Link to Corporate/Operational Plan:

Burdekin Shire Council Corporate Plan 2022-2027

5.4.1: Build effective leadership and management capability.

Executive Summary

The Chief Executive Officer (CEO) will be commencing annual leave from 5 to 30 August 2024 before officially retiring from his role with Council on 31 August 2024. Pending the appointment and commencement of a new CEO, the Council should appoint an Acting CEO to fill the role. It is recommended that the Director Corporate and Community Services, Mr. Nick O'Connor, be appointed Acting CEO during this period.

Recommendation

That the Director Corporate and Community Services, Mr. Nick O'Connor, be appointed Acting Chief Executive Officer (CEO) from 5 August 2024 until the commencement of a new CEO with the Council.

Background

The Chief Executive Officer, Mr. Terry Brennan, will be taking pre-retirement annual leave from 5 August to 30 August 2024, before officially retiring from his role on 31 August 2024.

The Council is currently in the process of recruiting a new CEO and pending the appointment of a person to the role and their commencement with Council, an Acting CEO should be appointed.

It is recommended that the Director Corporate and Community Services, Mr. Nick O'Connor, be appointed Acting CEO until the commencement of the new CEO with Council.

Consultation

Not Applicable.

Budget & Resource Implications

Not Applicable – Will be covered within the existing salaries budget in the 2024/25 Operational Budget

Legal Authority & Implications

Section 195 of *Local Government Act 2009* provides for the appointment of an Acting CEO by the Council.

Policy Implications

Not Applicable.

Risk Implications (Strategic, Operational, Project Risks)

Appointment of an Acting CEO will address any issues that may arise with the execution of documents and exercising of delegated powers during the period until a new CEO officially commences with Council.

Attachments

None

5.2.1. ECONOMIC DEVELOPMENT

Ayr Industrial Estate Expansion – Release of Tenders for Sale of Land

File Reference: 1906

Report Author: Terry Brennan, Chief Executive Officer

Authoriser: Terry Brennan, Chief Executive Officer

Meeting Date: 23 July 2024

Link to Corporate/Operational Plan:

Burdekin Shire Council Corporate Plan 2022 - 2027:

2.3.1 Implement actions from the Burdekin Shire Economic Development Strategy.

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

Executive Summary

In 2019, Council purchased land adjacent to the existing Ayr Industrial Estate to expand industrial land within the Shire. Over the past two (2) financial years, the Council has been developing the site. The project is scheduled for completion in December 2024, and tenders are now prepared to be issued for the sale of land in Stage 1 of the expansion area in accordance with the Local Government Act and Regulations.

Recommendation

That Council notes the release of tenders in accordance with the Local Government Act and Regulations for the sale of industrial land in Stage 1 of the expansion area at the Ayr Industrial Estate as per the proposed timeline.

Background

In 2019, Council purchased land adjacent to the existing Ayr Industrial Estate to expand industrial land within the Shire. Over the past two (2) financial years, the Council has been developing the site. The project is scheduled for completion in December 2024, and tenders are now prepared to be issued for the sale of land in Stage 1 of the expansion area.

Under the Local Government Act and Regulations, Council can only dispose of an asset via an auction or tender process. If auction was used, Council would have to set a reserve price for each individual lot. It was recommended to sell via tender. Tender documents have been drafted for Council by Keir Steele Waldon Lawyers.

The proposed timeline for sale of land is as follows:

External valuers engaged to update Burdekin industrial land valuation - currently underway

Tenders released - 22 July 2024

Tenders close - 19 August 2024

Tenders reviewed by Officers - 20-30 August 2024

Tenders received workshopped with Council - 3 September 2024

Successful tenders report presented to Council for adoption - 24 September 2024

Contracts prepared with successful tenderers - October/November 2024

Contracts executed and sale completed - October/November 2024

After completing this process any unsold lots can then be publicly listed for sale with real estate agents.

Consultation

Consultation has been undertaken internally with Keir Steele Waldon Lawyers, relevant Council Officers and discussed with Councillors.

Budget & Resource Implications

Not Applicable.

Legal Authority & Implications

Legal advice has been received in relation to the drafting of the tender documents and design guidelines and building covenants. The sale of the lots must be undertaken in accordance with the requirements of Section 227 of the *Local Government Regulation 2012*.

Policy Implications

Not Applicable.

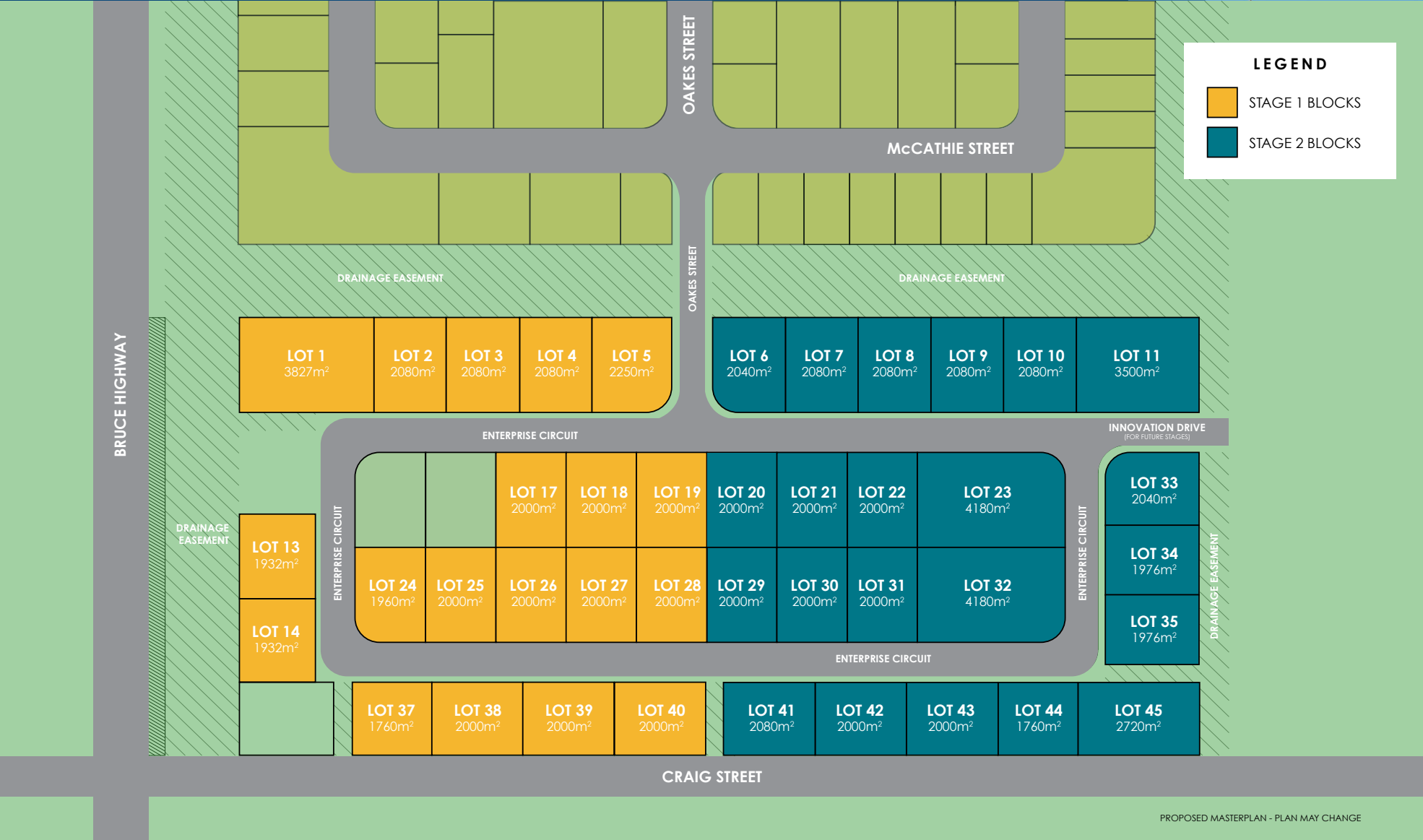
Risk Implications (Strategic, Operational, Project Risks)

Operational risk relating to lack of diversity in local economy and lack of available tourism product.

Attachments

1. 2024 - Ayr Industrial Estate - Proposed Masterplan

Proposed Masterplan



6.2.1. COMMUNITY DEVELOPMENT

Colouring the Water Fountain and Lighting Lloyd Mann Park - Update to Operational Standard

File Reference: 103

Report Author: Sara Smith, Community Engagement and Capacity Building Officer

Authoriser: Glenn Arboit, Manager Community Services

Meeting Date: 23 July 2024

Link to Corporate/Operational Plan:

Burdekin Shire Council Corporate Plan 2022-2027

1.4.2: Support community organisations and events.

Executive Summary

The Colouring Water Fountain and Lighting Operational Standard is due for review. The purpose of the standard is to establish guidelines for colouring of the Queen Street Water Fountain and requests for coloured lighting in Lloyd Mann Park, Home Hill.

Recommendation

That Council notes the following changes:

1. The Operational Standard includes provision for lighting of Lloyd Mann Park
2. Requests for Colouring are to be submitted on the approved Application Form
3. Only two (2) Causes will be supported each calendar month on a "first in first served basis"

and adopts the revised standard attached.

Background

There is a history of Council approving requests from not-for-profit community groups and individuals to colour the Queen Street Water Fountain and more recently, colouring of the lights in Lloyd Mann Park, Home Hill. This is to raise awareness of a cause, or recognition of declared State, National and International days of significance

Consultation

Presentation with Councillors at Council Workshop on Tuesday, 2 July 2024 regarding the practice and discussion on the proposed changes to the Operational Standard.

Budget & Resource Implications

Minimal Council resources required to coordinate, promote and apply/remove colouring.

Legal Authority & Implications

Not Applicable.

Policy Implications

Not Applicable.

Risk Implications (Strategic, Operational, Project Risks)

Not Applicable.

Attachments

1. Colouring Water Fountain Operational Standard

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Purpose

The purpose of this standard is to establish guidelines for colouring Council's water fountain and requests for coloured lighting in Lloyd Mann Park, Home Hill. The Council fountain will be coloured for Council approved requests only, received from not-for-profit community groups and individuals, to raise awareness of a cause, and in recognition of, declared State, National and International days, or weeks, at the complete discretion of Council.

Scope

This standard applies to Council employees, agents and contractors of Council involved in the colouring of Council's water fountain and lighting.

Guidelines

Council from time to time receives requests from not-for-profit community groups and individuals to colour the water and use lighting to acknowledge and promote various issues/causes of interest to the local community.

Recognition of declared State, National and International days or weeks of significance may also be considered by Council. e.g. Australia Day, Queensland Day.

The CBD fountain at the intersection of Queen and Edwards Streets is utilised by Council for this purpose. If this fountain is already coloured, or is otherwise unavailable, the lights located in Lloyd Mann Park can also be coloured for this purpose. Guidelines for colouring the fountain and/or Lloyd Mann Park Lights are as follows:

- a) Applications can be made by filling out the Form and emailing to Community Development at commdev@burdekin.qld.gov.au
- b) Only requests submitted on the approved form will be accepted by Council for consideration.
- c) 14 days' notice is generally required for requests and approval is subject to Council's capacity to undertake normal operational requirements.
- d) Requests are approved and actioned by Community Development.
- e) Community Development ensures there are no double bookings or impediment to actioning.
- f) A maximum of 2 requests will be approved per month on a first in first served basis.
- g) Community Development raise a Customer Request with the Parks Coordinator providing the details of the colour and dates specified.

- h) Information provided at the time of application will then be provided to the Media and Communications Officer which will include dates, background information and details of requesting organisation or individual.
- i) The Media and Communications Officer will liaise with local media to advise details of colouring the water fountain and will organise a photograph with a representative from the organisation where appropriate.
- j) Media and Communications Officer will advise Councillors of successful requests and potential photo opportunities.

Responsibilities

Specific responsibilities that are assigned to individual positions from the context of this Operational Standard are listed below:

Managers (Senior Leadership Group)	<ul style="list-style-type: none"> Approval will be actioned by Community Development advising relevant Council Officers of the details.
Supervisors/Coordinators (Senior Supervisors Group)	<ul style="list-style-type: none"> Colouring of the water on the dates specified with the correct colour will be facilitated by the Parks Coordinator. Colouring of the lights on the dates specified with the correct colour will be facilitated by Community Development.
Workers	<ul style="list-style-type: none"> Media coverage will be organised by the Media and Communications Officer.
Councillors	<ul style="list-style-type: none"> Councillors will be advised of successful requests.

Definitions and Abbreviations

Community Groups	means not-for-profit groups within the Burdekin Shire that would like to raise awareness of a cause.
Individual	means a resident of the Burdekin Shire that would like to raise awareness of a cause.

Document History and Version Control

Title of Document	Colouring Water Fountain & Lighting Operational Standard
Document Reference Number	COM-OSD-0001 Rev 2
Document Owner	Manager Community Services(10002)
Council Section	COM - Community Development
Review Schedule	36 months
SLG Approval Date	Not Applicable
ELT Approval Date	Not Applicable
Council Resolution	

6.3.1. FINANCIAL AND ADMINISTRATIVE SERVICES

Monthly Financial Report - June 2024

Recommendation

That the Monthly Financial Report for Period Ending 30 June 2024 be received.

Attachments

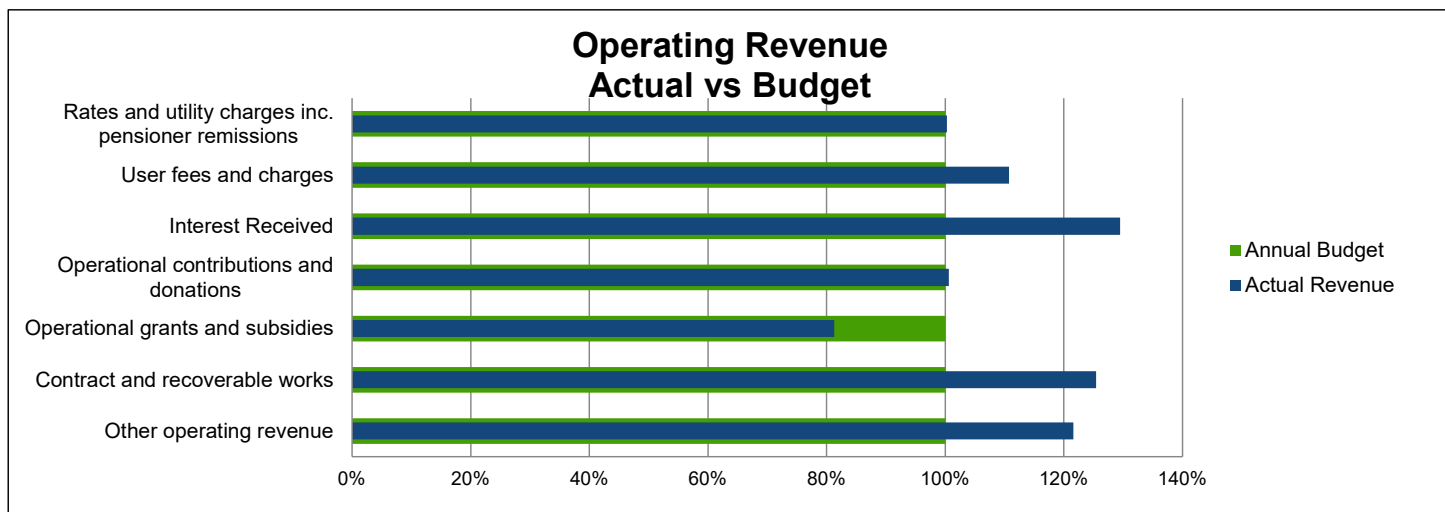
1. Monthly Financial Report - June 2024 Updated
2. 2023-2024 Capital PCG - 30 June 2024 (Confidential)

The following report provides a summary of Council's financial performance to 30 June 2024. The Operating Statements are interim June reports. Financial Statements are currently being completed and there are some end of financial year journals outstanding which will impact the statements.

FINANCIAL STATEMENTS AT A GLANCE

As at 30 June 2024	Actual \$	Annual Budget \$	\$ Variance YTD Actual to YTD Revised Budget	% Variance YTD Actual to YTD Revised Budget
Total Operating Revenue	57,989,178	56,205,983	1,783,195	3%
Total Operating Expenses	60,951,347	61,135,305	-183,958	0%
Operating Position	-2,962,169	-4,929,322	1,967,153	-40%
Capital Revenue	7,061,862	12,209,350	-5,147,488	-42%
Net Result	4,099,693	7,280,028	-3,180,335	-44%

This report contains financial information for the period ending 30 June 2024. Council's operating position at month end is a \$2.9M deficit. Capital Revenue includes capital grants which are budgeted to be received in July.



Under Budget:

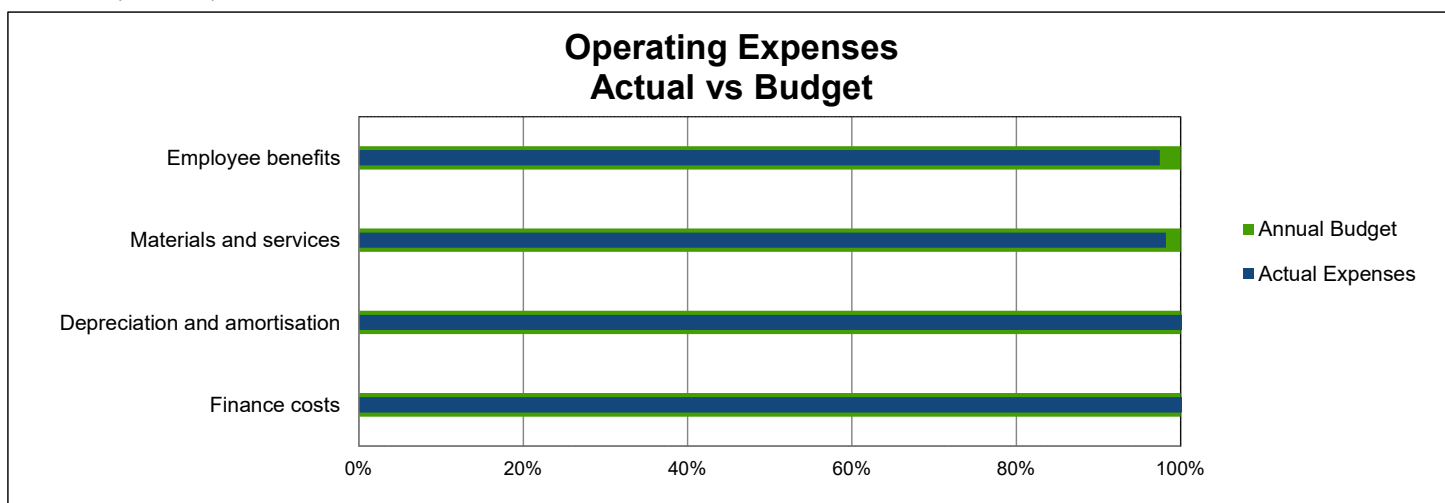
- Operational grants and subsidies: Under budget due to progress of Queensland Reconstruction Authority works.

Ahead of Budget:

- Interest received: Ahead of budget due to sustained higher Interest rates.

- Contract and recoverable works: Additional income from Roads Maintenance Performance Contracts received during year.

- Other operating revenue: Income received for scrap metal sales, workcare payments and unbudgeted income from community wellness events ticket sales and sponsorship received for Fast Track.



Under Budget:

- Employee Benefits: Under budget due to staff vacancies.

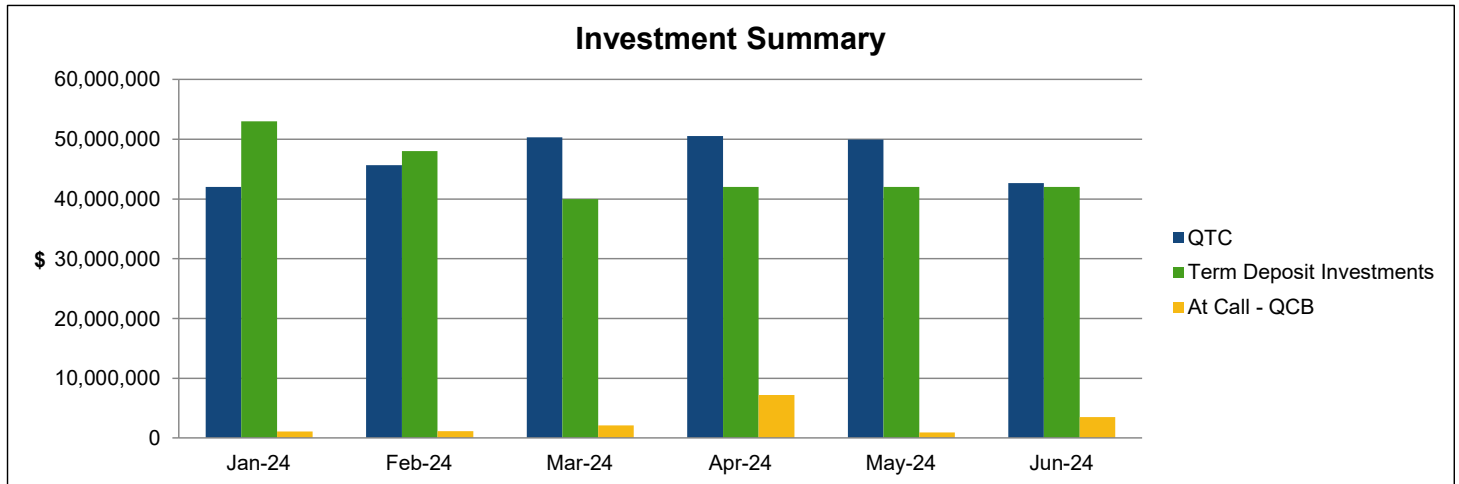
Over Budget:

- Finance Costs : Council does not include in the budget estimates movements for the Restoration provision for landfill sites. Annual provision movements include a borrowing cost of \$751,418 which relates to the discounting used to reflect the passage of time until the sites are remediated.

INVESTMENT PORTFOLIO

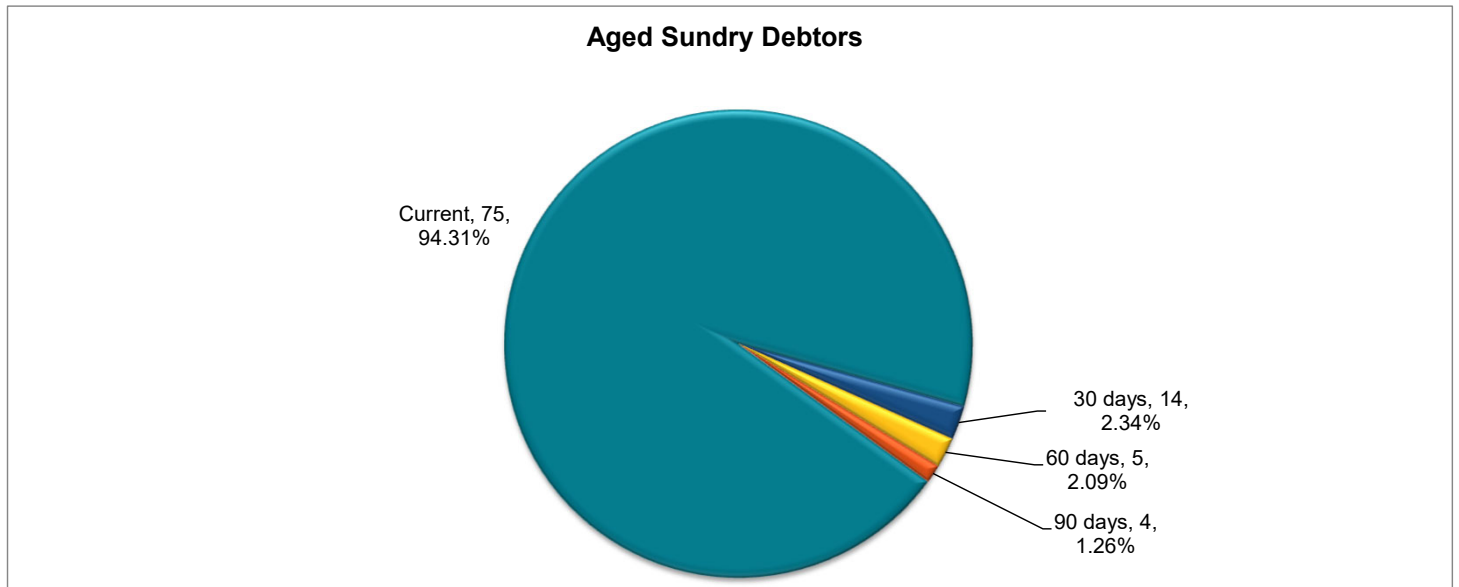
Investment Report as at 30 June 2024 (including at call cash)

	Total Invested	Average Current Rate Weighted	% Invested
NAB	25,000,000	5.09%	28.3%
Suncorp	15,000,000	5.20%	17.0%
Bendigo	2,000,000	5.03%	2.3%
QTC	42,673,370	4.73%	48.4%
QCB General	3,522,713	2.25%	4.0%
Total Funds	\$88,196,084		



SUNDRY DEBTORS

Total outstanding Sundry Debtors as at 30 June are \$606,160.20.



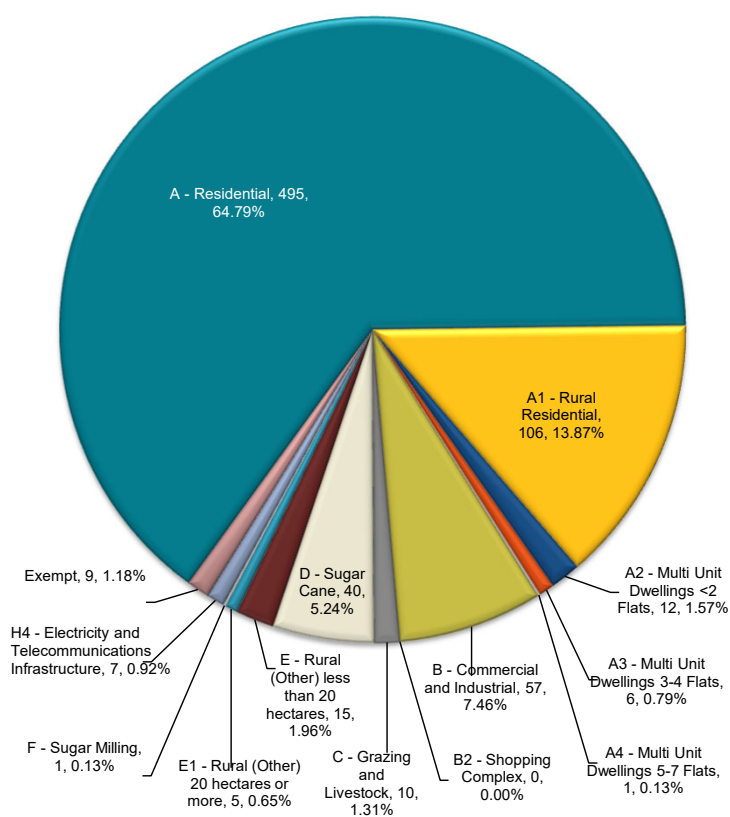
Note: At 30 June the current balance includes one large government department account of \$323,765.66.

RATES

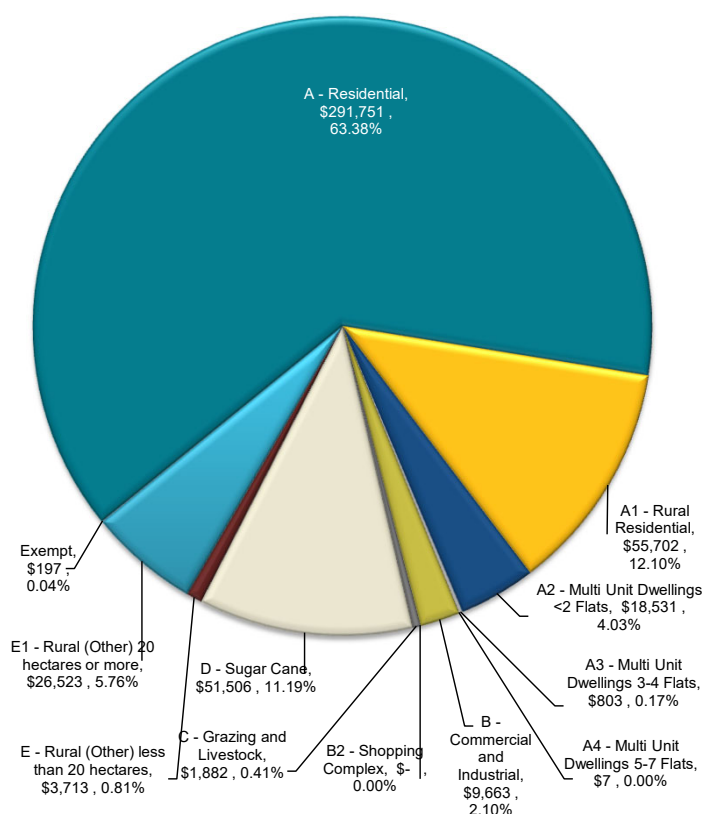
Arrears as at 1 July 2023		\$439,903
Levy and fees raised *	\$46,451,661	
Interest charged *	\$160,174	
Less Pensioner subsidy and rebate	\$685,358	
Adjustment	<u>-\$1</u>	\$45,926,476
Payments received		<u>\$45,906,084</u>
Arrears as at 30 June 2024		<u><u>\$460,295</u></u>
% Arrears June 2024		0.99%
% Arrears June 2023		0.98%
Pre-payments as at 30 June 2024		\$3,299,187
Pre-payments as at 30 June 2023		\$2,730,044

* includes State Govt Emergency Management Levy

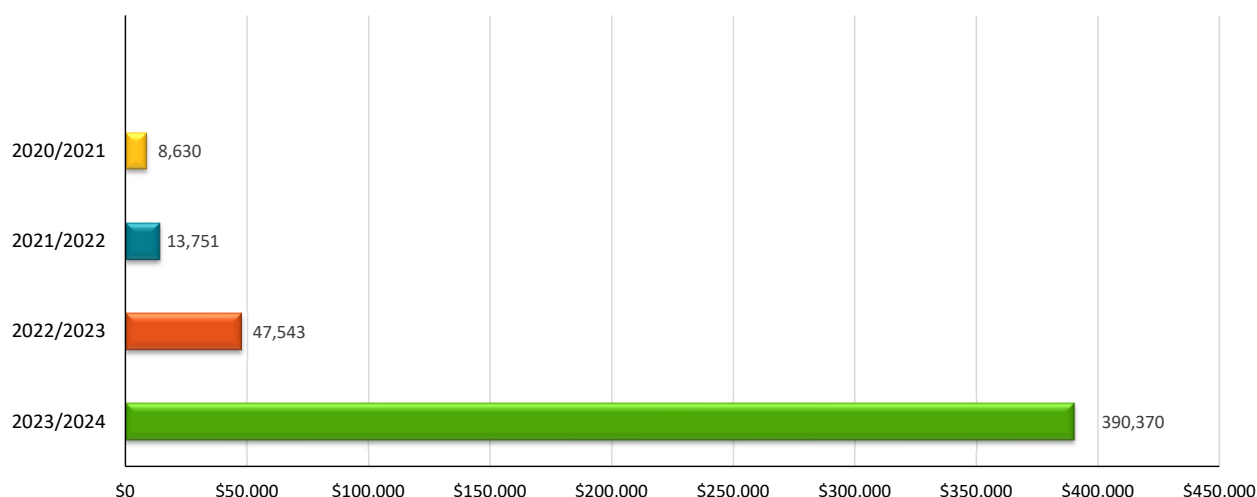
Number of Properties with Outstanding Rates by Rating Category



\$ Value of Outstanding Rates by Rating Category



Total Rates Outstanding by Financial Year



Rates Debt Recovery

Collection House – Debt Referral

Council currently has 110 active files with Collection House with an outstanding balance of \$295,876.20.

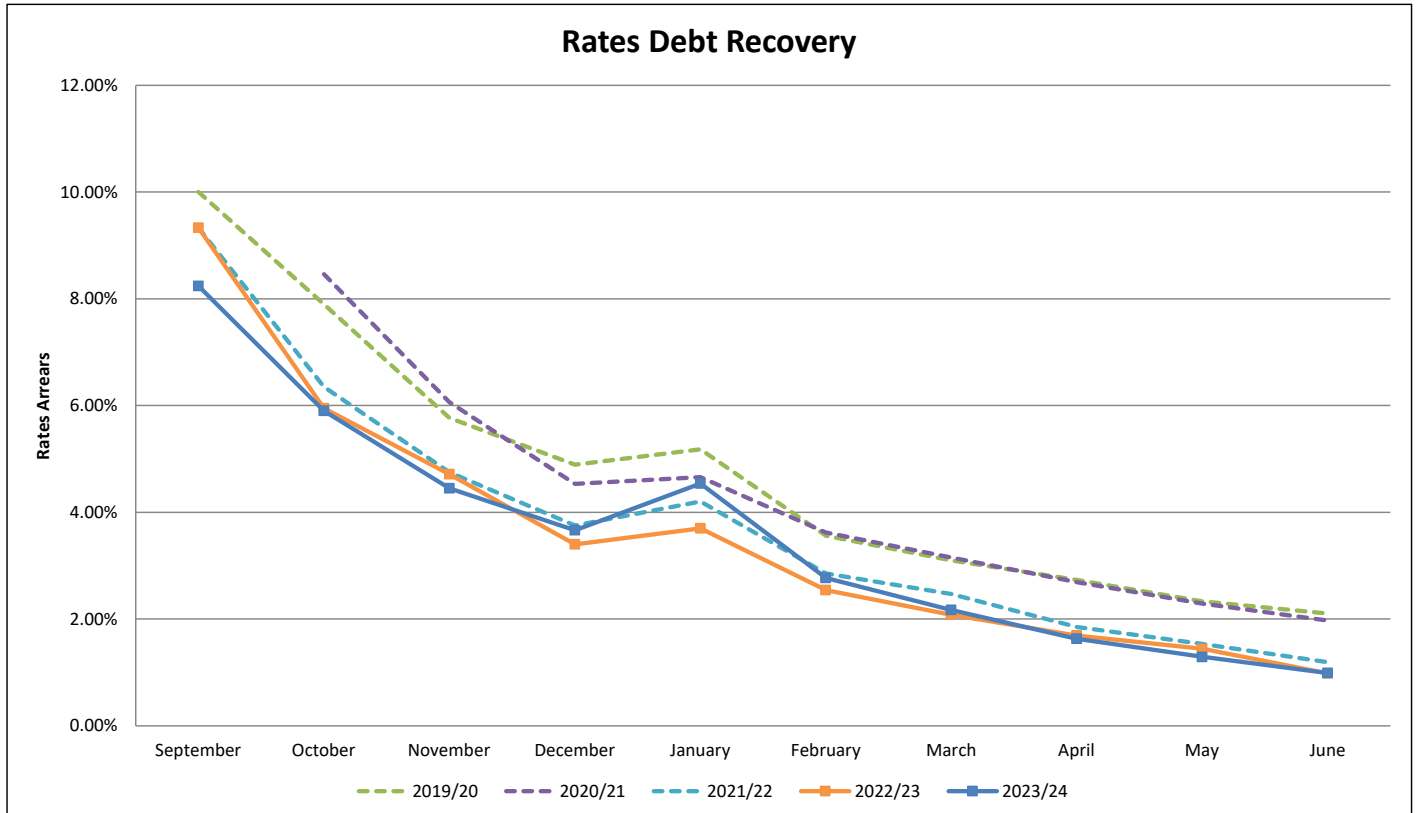
Council Periodic Payment Plans

Council has 46 formalised periodic payment plans currently in place. These will continue to be monitored by Rates Staff to ensure conformance.

Collection House – Sale of Land

Council sold two (2) properties at Auction on 09/05/2024.

There is still one remaining property on the Sale of Land list. A Sales Notice for this property has now been advertised on Council's website. No acceptable offers have been received to date.



OVERVIEW OF COUNCIL'S CAPITAL PROJECTS

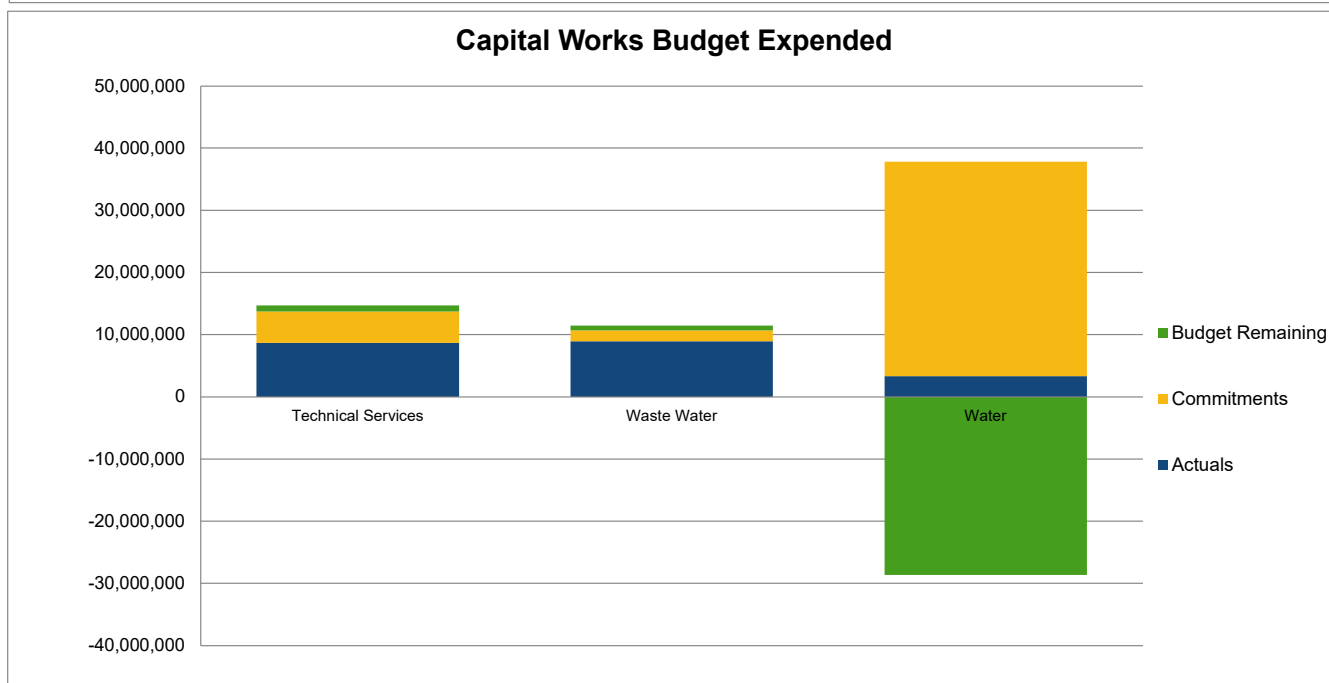
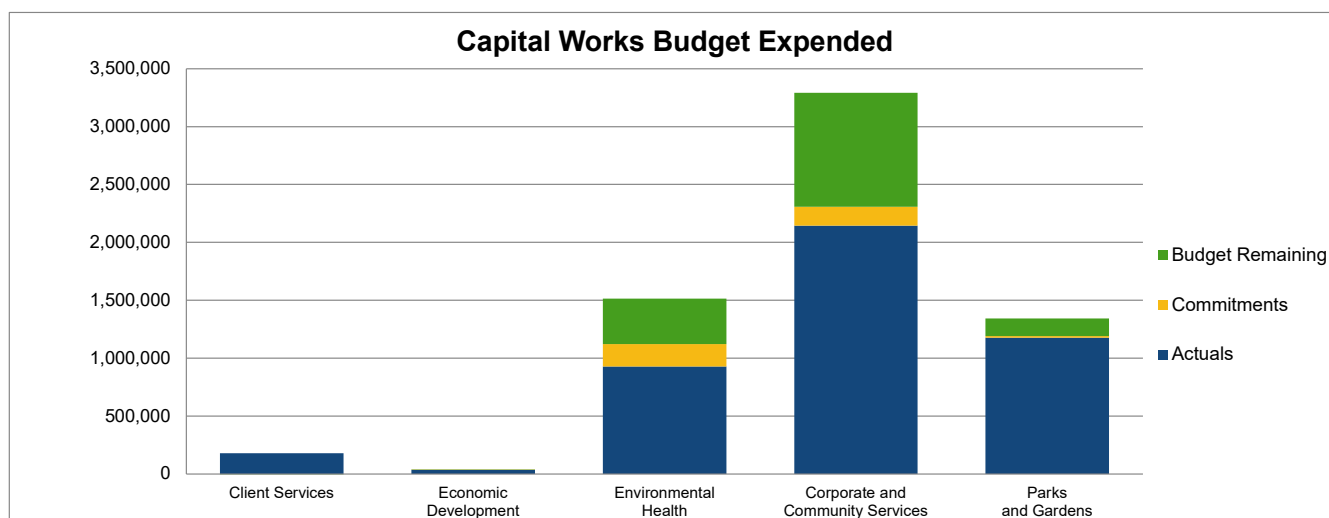
Capital expenditure incurred for the year to 30 June, is shown by asset category in the table below.

Capital project expenditure to 30 June is \$25,411,321. In addition to this, there is \$41,615,352 of commitments. Therefore totalling \$67,026,673.

Financial Overview by Asset Category

Asset Category	Original Budget	Revised Budget	Actuals & Accruals	Commitments	Total
Client Services	\$ 176,000	\$ 175,800	\$ 176,997	\$ -	\$ 176,997
Corporate and Community Services	\$ 1,566,850	\$ 3,290,949	\$ 2,144,294	\$ 161,809	\$ 2,306,104
Economic Development	\$ 30,000	\$ 39,800	\$ 35,476	\$ 2,370	\$ 37,846
Technical Services	\$ 12,605,000	\$ 14,683,562	\$ 8,698,242	\$ 5,001,101	\$ 13,699,343
Environmental Health	\$ 1,039,900	\$ 1,514,588	\$ 926,440	\$ 193,253	\$ 1,119,693
Parks and Gardens	\$ 690,000	\$ 1,343,155	\$ 1,175,017	\$ 13,785	\$ 1,188,802
Waste Water	\$ 8,358,000	\$ 11,438,031	\$ 8,928,581	\$ 1,751,210	\$ 10,679,791
Water	\$ 16,080,000	\$ 9,157,351	\$ 3,326,273	\$ 34,491,825	\$ 37,818,097
TOTAL	\$ 40,545,750	\$ 41,643,236	\$ 25,411,321	\$ 41,615,352	\$ 67,026,673

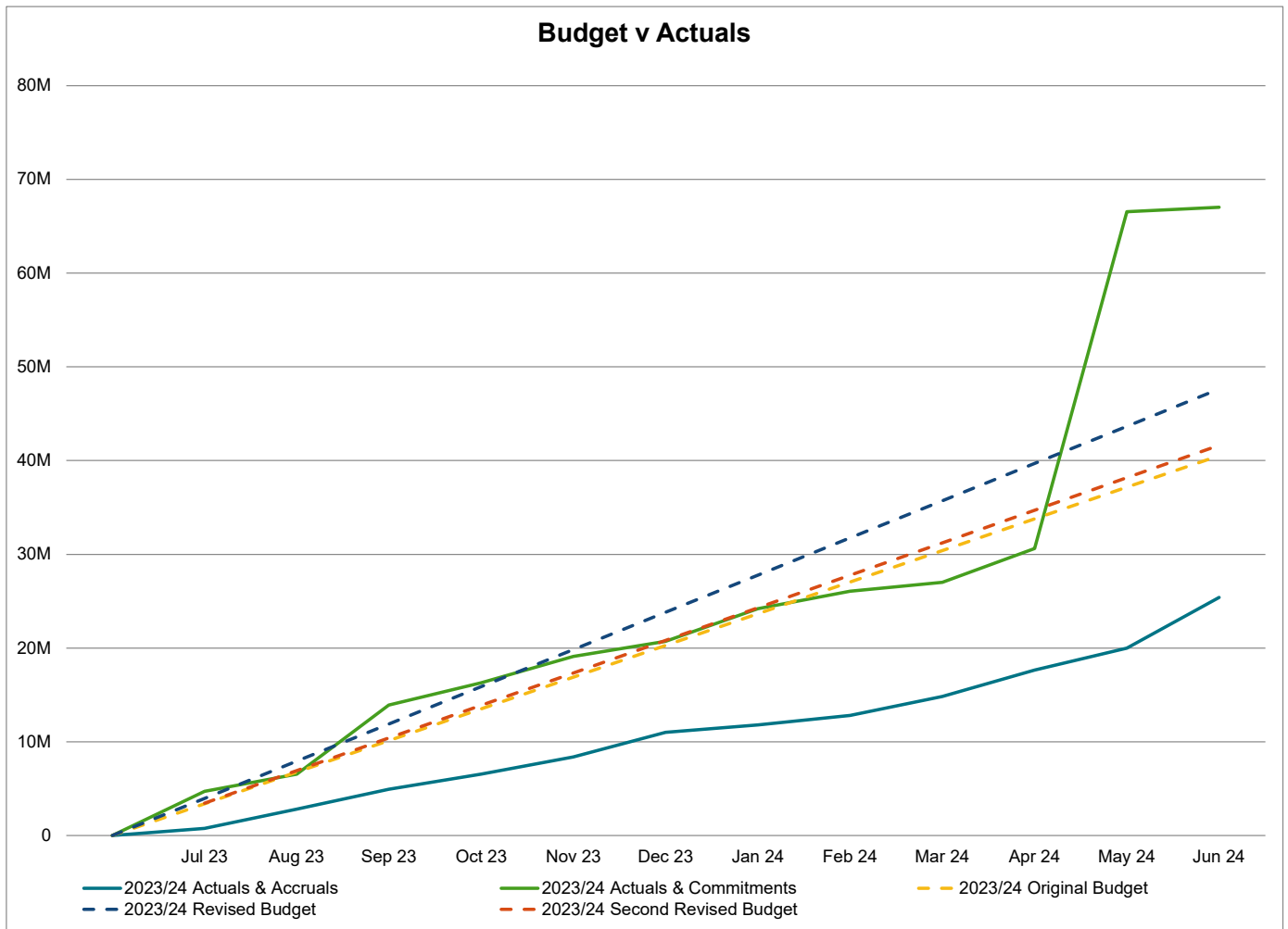
The below graph shows, by Asset Category, how much Council has spent (including accruals and commitments) on Capital Projects, compared to each budget.



Water

- Construction of a Filtration Plant - South Ayr Water Treatment Plant has been awarded for \$34,487,777.00 ex GST. This is a multi-year project. The order was raised in May 2024. Current June commitments for water total \$34,491,825. Commitments for water excluding the South Ayr Water Treatment Plant project total \$235,968, leaving a budget of \$3,562,241 remaining.

OVERVIEW OF COUNCIL'S CAPITAL PROJECTS



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

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

APPENDIX 1 - OPERATING STATEMENT BY MANAGER

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

APPENDIX 2 - TOTAL COUNCIL OPERATING STATEMENT

Attached is the Total Council Operating Statement for your information.

APPENDIX 3 - STATEMENT OF FINANCIAL POSITION

Attached is the Statement of Financial Position as at 30 June 2024.

APPENDIX 4 - STATEMENT OF CASH FLOWS

Attached is the Statement of Cash Flows for the period ending 30 June 2024.

OPERATING STATEMENT
Period Ending 30 June 2024

Chief Executive Officer

	Month of June Actual	Year to Date Actual	Revised Budget	\$ Variance YTD Actual to Revised Budget	% Variance YTD Actual to Revised Budget
Operating Revenue					
Operational contributions and donations	190	742	600	142	24%
Operational grants and subsidies	0	58,570	0	58,570	-
Other operating revenue	2,038	26,446	18,900	7,546	40%
Total operating revenue	2,227	85,758	19,500	66,258	340%
Operating Expenses					
Employee benefits	129,193	1,434,953	1,429,150	5,803	0%
Materials and services	187,198	400,723	485,700	-84,977	-17%
Total operating costs	316,391	1,835,676	1,914,850	-79,174	-4%
Surplus (deficit) from operating activities	-314,164	-1,749,919	-1,895,350	145,431	-8%
Net result for period	-314,164	-1,749,919	-1,895,350	145,431	-8%

Comments

Operational Grants and Subsidies

Income received includes unbudgeted Recovery and Resilience grant received from Queensland Reconstruction Authority for 2022/23 Sweet Days Hot Nights festival costs.

Other operating revenue

Ahead of budget due to sponsorships and registration fees for 2024 North Queensland Regional Tourism Volunteers conference held in the Burdekin.

Materials and services

Under budget due to lower expenditure on advertising and marketing for economic development and tourism activities, reduced conference and training costs for councillors and executive staff, and lower than budgeted expenses for conduct of 2024 local government elections conducted by ECQ.

OPERATING STATEMENT
Period Ending 30 June 2024

Director of Corporate & Community Services

	Month of June Actual	Year to Date Actual	Revised Budget	\$ Variance YTD Actual to Revised Budget	% Variance YTD Actual to Revised Budget
Operating Revenue					
User fees and charges	7,057	93,465	97,669	-4,204	-4%
Operational contributions and donations	7,089	35,572	29,523	6,049	20%
Operational grants and subsidies	0	108,510	106,441	2,069	2%
Other operating revenue	666	5,709	3,500	2,209	63%
Total operating revenue	14,812	243,256	237,133	6,123	3%
Operating Expenses					
Employee benefits	66,245	722,376	687,800	34,576	5%
Materials and services	165,928	727,888	856,984	-129,096	-15%
Depreciation and amortisation	168,188	1,551,150	1,524,160	26,990	2%
Total operating costs	400,361	3,001,414	3,068,944	-67,530	-2%
Surplus (deficit) from operating activities	-385,549	-2,758,157	-2,831,811	73,654	-3%
Capital contributions	0	0	10,000	-10,000	-100%
Capital grants and subsidies	0	138,098	338,098	-200,000	-59%
Other capital income (expense)	-30,009	-117,696	-319,482	201,786	-63%
Net result for period	-415,558	-2,737,756	-2,803,195	65,439	-2%

Comments

Operational contributions and donations

Ahead of budget for electricity reimbursement at Home Hill Showgrounds.

Materials and services

Under budget due to cyber security audit not completed within 2023/24, and consultant for CiA transition project being unavailable.

Capital contributions

Contribution for installation of sugar cane planter not yet received. Works underway, with slab completed.

Capital grants and subsidies

Grant funds received from Regional Airports program for Aerodrome fencing project. The Local Roads and Community Infrastructure Program Phase 4 (LRCIP4) grant funds for Millaroo community project to be received as works completed and claims submitted. Project not commenced in 2023/24.

Other Capital income (expense)

Loss from building asset disposals.

OPERATING STATEMENT
Period Ending 30 June 2024

Manager Client Services

	Month of June Actual	Year to Date Actual	Revised Budget	\$ Variance YTD Actual to Revised Budget	% Variance YTD Actual to Revised Budget
Operating Revenue					
Operational grants and subsidies	0	88,460	36,733	51,727	141%
Other operating revenue	28,876	53,600	37,200	16,400	44%
Total operating revenue	28,876	142,060	73,933	68,127	92%
Operating Expenses					
Employee benefits	484,178	3,388,347	3,262,455	125,892	4%
Materials and services	216,138	2,221,895	2,338,718	-116,823	-5%
Total operating costs	700,316	5,610,242	5,601,173	9,069	0%
Surplus (deficit) from operating activities	-671,439	-5,468,183	-5,527,240	59,057	-1%
 Capital grants and subsidies	 0	 35,558	 0	 35,558	 -
Net result for period	-671,439	-5,432,624	-5,527,240	94,616	-2%

Comments

Operational grants and subsidies

Unbudgeted income received from Queensland Fire & Emergency Services for one off exceptional SES Local Government Subsidy and Queensland Health for Sun Safety Grant.

Other operating revenue

Workcare payments are received as the need arises and therefore often vary to budget.

Materials and services

Under budget in Maintenance IT Software with Council reviewing this area regularly resulting in cancellation of unused subscriptions and licences. Also under budget in Telecommunications, with Council entering into a new contractual arrangement with Telstra. Training registrations under budget due to staff being eligible for Civil Training State Funding and TAFE fee-free Training. Consultants under budget as Safe Work Month consultant were not available. HR Consultants under budget with EB negotiations continuing into 2024/25.

Capital grants and subsidies

Unbudgeted Resilience and Recovery Grant received from Queensland Reconstruction Authority for the refurbishment of the Ayr SES amenities.

OPERATING STATEMENT
Period Ending 30 June 2024

Manager Community Services

	Month of June Actual	Year to Date Actual	Revised Budget	\$ Variance YTD Actual to Revised Budget	% Variance YTD Actual to Revised Budget
Operating Revenue					
User fees and charges	34,642	315,374	230,410	84,964	37%
Operational grants and subsidies	186,744	251,951	177,045	74,906	42%
Other operating revenue	12,053	112,676	88,500	24,176	27%
Total operating revenue	233,440	680,001	495,955	184,046	37%
Operating Expenses					
Employee benefits	157,316	1,885,923	1,916,058	-30,135	-2%
Materials and services	171,442	1,299,632	1,362,577	-62,945	-5%
Depreciation and amortisation	10,480	124,311	118,700	5,611	5%
Total operating costs	339,239	3,309,866	3,397,335	-87,469	-3%
Surplus (deficit) from operating activities	-105,799	-2,629,865	-2,901,380	271,515	-9%
Capital grants and subsidies	4,771	70,086	80,000	-9,914	-12%
Other capital income (expense)	0	-15,556	-51,225	35,669	-70%
Net result for period	-101,029	-2,575,335	-2,872,605	297,270	-10%

Comments

User fees and charges

Ahead of budget for cultural facilities which is attributed to additional events across the venues.

Operational grants and subsidies

North Queensland Recovery and Resilience Grant for Community Capacity Officer final payment received in June. Received unbudgeted income from North Queensland Sports Foundation for Move It NQ and RADF funding for Fast Track Talent Showcase.

Other operating revenue

Ahead of budget due to unbudgeted income received (ticket sales) for Community Wellness Event (Kick Off the Conversation). Over budget in Fast Track ticket sales and sponsorship income. Unbudgeted insurance reimbursement also received for damaged hot water system at Theatre and contribution towards Theatre equipment from Friends of the Burdekin Theatre.

Materials and services

Under budget due to program expenses for Community Capacity Officer. Unspent funds have been allocated to other projects within the Resilience and Recovery projects. Theatre and Memorial Hall expenses under budget including electricity and maintenance of fire alarms. Budget for Beach Patrol (Lifesavers) not expended as services not required.

Depreciation and amortisation

Variance due to extension of PCYC carpark.

Capital grants and subsidies

Under budget due to State Library Grant not fully spent.

Other capital income (expense)

Write off following capitalisation of PCYC carpark.

OPERATING STATEMENT
Period Ending 30 June 2024

Manager Environmental & Health Services - Waste Program

	Month of June Actual	Year to Date Actual	Revised Budget	\$ Variance YTD Actual to Revised Budget	% Variance YTD Actual to Revised Budget
Operating Revenue					
Rates and Utility Charges	408	4,430,949	4,414,749	16,200	0%
User fees and charges	102,754	789,050	780,240	8,810	1%
Interest Received	95,157	429,953	331,700	98,253	30%
Other operating revenue	56,807	327,525	291,000	36,525	13%
Total operating revenue	255,126	5,977,477	5,817,689	159,788	3%
Operating Expenses					
Employee benefits	86,183	958,688	947,208	11,480	1%
Materials and services	734,430	3,403,138	3,379,934	23,204	1%
Depreciation and amortisation	41,961	494,431	498,900	-4,469	-1%
Finance Costs	0	751,418	0	751,418	-
Total operating costs	862,574	5,607,675	4,826,042	781,633	16%
Surplus (deficit) from operating activities	-607,448	369,802	991,647	-621,845	-63%
Capital contributions	5,000	5,000	0	5,000	-
Other capital income (expense)	21,000	-509,575	-23,588	-485,987	2060%
Net result for period	-581,448	-134,773	968,059	-1,102,832	-114%

Comments

Interest Received

Ahead of budget for interest on investments due to sustained higher interest rates.

Other operating revenue

Over budget due to higher than expected income received for scrap steel.

Finance Costs

Council does not include in the budget estimates movements for the Restoration provision for landfill sites. Annual provision movements include a borrowing cost of \$751,418 which relates to the discounting used to reflect the passage of time until the sites are remediated.

Capital contributions

Developer contributed land asset at Gainsborough Drive.

Other capital income (expense)

Council does not include in the budget estimates movements for the Restoration provision for landfill sites. Included in capital expense is \$507,399 for the Restoration provision review of costs to remediate and extend the restoration date.

OPERATING STATEMENT
Period Ending 30 June 2024

Manager Environmental & Health Services excluding Waste Program

	Month of June Actual	Year to Date Actual	Revised Budget	\$ Variance YTD Actual to Revised Budget	% Variance YTD Actual to Revised Budget
Operating Revenue					
Rates and Utility Charges	-13	87,359	87,500	-141	0%
User fees and charges	101,156	900,013	791,914	108,099	14%
Operational contributions and donations	3,509	138,431	129,014	9,417	7%
Operational grants and subsidies	120,644	169,262	92,934	76,328	82%
Other operating revenue	2,437	20,238	15,900	4,338	27%
Total operating revenue	227,732	1,315,303	1,117,262	198,041	18%
Operating Expenses					
Employee benefits	115,335	1,578,741	1,628,200	-49,459	-3%
Materials and services	310,688	2,576,175	2,314,497	261,678	11%
Depreciation and amortisation	56,196	406,022	366,300	39,722	11%
Finance Costs	532	905	0	905	-
Total operating costs	482,751	4,561,842	4,308,997	252,845	6%
Surplus (deficit) from operating activities	-255,019	-3,246,539	-3,191,735	-54,804	2%
Capital grants and subsidies	126,220	126,220	237,370	-111,150	-47%
Other capital income (expense)	0	-2,271	-92,346	90,075	-98%
Net result for period	-128,799	-3,122,590	-3,046,711	-75,879	2%

Comments

User fees and charges

Ahead of budget due to an increase in revenue from the Home Hill and Burdekin Cascades caravan parks.

Operational contributions and donations

Ahead of budget due to additional landowner payments received.

Operational grants and subsidies

Over budget due to early payment of the Local Government Illegal Dumping Partnership Program for 2024/25. Unbudgeted funds received for the Flying Fox Roost Management Program, and the Grader Grass Grant that was budgeted for in operational contributions and donations.

Materials and Services

Over budget due to higher chemical and electricity expenses at the Ayr Pool due to the operation of the Water Park, as well as additional clean-up costs at the Burdekin Cascades Caravan Park following the cyclone. Also over budget in declared weed control for woody weed removal by contractor.

Depreciation and amortisation

Variance due to revaluation of Council's four pools, and inclusion of Ayr Swimming Pool Kiosk into building assets.

Capital grants and subsidies

Under budget for Clare Swimming Pool rejuvenation project, with LRCIP4 grant funds allocated as work is completed. Income in period is grant funds for the Burdekin Water Park (LRCIP3) transferred from Contract Liability following final acquittal.

Other capital income (expense)

Loss from environmental building asset disposals.

OPERATING STATEMENT
Period Ending 30 June 2024

Manager Financial and Administrative Services

	Month of June Actual	Year to Date Actual	Revised Budget	\$ Variance YTD Actual to Revised Budget	% Variance YTD Actual to Revised Budget
Operating Revenue					
Rates and Utility Charges	-1,945	30,157,678	30,193,489	-35,811	0%
Pensioner remissions	-743	-355,608	-355,000	-608	0%
User fees and charges	9,383	130,442	113,000	17,442	15%
Interest Received	334,299	2,871,843	2,213,400	658,443	30%
Operational grants and subsidies	0	253,316	245,975	7,341	3%
Other operating revenue	52	35,862	35,500	362	1%
Total operating revenue	341,046	33,093,533	32,446,364	647,169	2%
Operating Expenses					
Employee benefits	165,938	1,885,137	1,983,000	-97,863	-5%
Materials and services	156,311	917,545	1,054,250	-136,705	-13%
Depreciation and amortisation	34,339	461,648	456,100	5,548	1%
Finance Costs	4,117	87,320	83,500	3,820	5%
Total operating costs	360,705	3,351,649	3,576,850	-225,201	-6%
Surplus (deficit) from operating activities	-19,659	29,741,884	28,869,514	872,370	3%
 Other capital income (expense)	 -14,918	 -16,767	 -48,400	 31,633	 -65%
Net result for period	-34,578	29,725,117	28,821,114	904,003	3%

Comments

User Fees and Charges

Ahead of budget due to income received from Property Searches being higher than budget estimates.

Interest Received

Ahead of budget for interest on investments due to sustained higher interest rates.

Employee Benefits

Under budget due to staff vacancies and leave.

Materials and Services

Under budget due to reduction in subscription expenses, telephone expenses, and legal fees.

Other capital income (expense)

Loss from office equipment asset disposals.

OPERATING STATEMENT
Period Ending 30 June 2024

Manager Operations - General Fund

	Month of June Actual	Year to Date Actual	Revised Budget	\$ Variance YTD Actual to Revised Budget	% Variance YTD Actual to Revised Budget
Operating Revenue					
User fees and charges	26,892	210,507	192,000	18,507	10%
Operational contributions and donations	14,032	81,597	88,565	-6,968	-8%
Operational grants and subsidies	18,240	749,584	1,486,062	-736,478	-50%
Contract and recoverable works	59,137	103,595	68,400	35,195	51%
Other operating revenue	3,083	7,770	12,000	-4,230	-35%
Total operating revenue	121,384	1,153,054	1,847,027	-693,973	-38%
Operating Expenses					
Employee benefits	421,607	5,198,079	5,480,241	-282,162	-5%
Materials and services	516,774	5,148,421	5,226,486	-78,065	-1%
Depreciation and amortisation	108,607	1,254,258	1,264,700	-10,442	-1%
Finance Costs	0	371	0	371	-
Total operating costs	1,046,988	11,601,129	11,971,427	-370,298	-3%
Surplus (deficit) from operating activities	-925,604	-10,448,075	-10,124,400	-323,675	3%
Capital grants and subsidies	19,857	90,189	0	90,189	-
Other capital income (expense)	-44,195	-325,514	-122,600	-202,914	166%
Net result for period	-949,942	-10,683,400	-10,247,000	-436,400	4%

Comments

User fees and charges

Over budget in cemetery permits and second hand culvert sales.

Operational grants and subsidies

Under budget for Queensland Reconstruction Authority disaster recovery funding arrangements for the January 2023 monsoonal flooding event, with budgeted works not completed within 2023/24, and submission of 2021/22 event claims yet to be finalised. This is partially offset by unbudgeted funds received for the Walking Local Government grant and Recovery and Resilience grant received from Queensland Reconstruction Authority for Kidby Gully remediation.

Contract and recoverable works

Over budget for income received for private works.

Employee benefits

Currently under budget Parks Operations, Works Supervision, Roads Maintenance, Engineering Operational Section and Purchasing and Stores due to a number of unfilled vacancies in Parks, Works and Stores. Over budget in Drainage Maintenance due to a wetter than average summer.

Capital grants and subsidies

Funding received from Queensland Reconstruction Authority for the January 2019 rainfall event and January 2023 monsoonal flooding event.

Other capital income (expense)

Loss from asset disposals.

OPERATING STATEMENT
Period Ending 30 June 2024

Manager Operations - Sewerage

	Month of June Actual	Year to Date Actual	Revised Budget	\$ Variance YTD Actual to Revised Budget	% Variance YTD Actual to Revised Budget
Operating Revenue					
Rates and Utility Charges	1,233	4,443,959	4,441,920	2,039	0%
User fees and charges	16,586	173,693	167,400	6,293	4%
Interest Received	226,420	1,006,634	781,000	225,634	29%
Operational contributions and donations	1,888	5,488	6,000	-512	-9%
Other operating revenue	0	11,607	0	11,607	-
Total operating revenue	246,128	5,641,381	5,396,320	245,061	5%
Operating Expenses					
Employee benefits	114,095	1,377,015	1,398,000	-20,985	-2%
Materials and services	123,284	1,063,871	1,082,503	-18,632	-2%
Depreciation and amortisation	136,006	1,689,691	1,752,000	-62,309	-4%
Total operating costs	373,386	4,130,577	4,232,503	-101,926	-2%
Surplus (deficit) from operating activities	-127,258	1,510,804	1,163,817	346,987	30%
Capital grants and subsidies	-9,193	2,414,061	4,277,865	-1,863,804	-44%
Other capital income (expense)	-11,181	-52,299	-143,481	91,182	-64%
Net result for period	-147,631	3,872,566	5,298,201	-1,425,635	-27%

Comments

Interest Received

Ahead of budget for interest on investments due to sustained higher interest rates.

Capital grants and subsidies

Includes income received for Macro Algae Project and the emergency stand-by generators and platforms at the Brandon and Home Hill No. 1 Sewerage Pump Stations.

Other capital income (expense)

Under budget due to timing of project capitalisation.

OPERATING STATEMENT
Period Ending 30 June 2024

Manager Operations - Water

	Month of June Actual	Year to Date Actual	Revised Budget	\$ Variance YTD Actual to Revised Budget	% Variance YTD Actual to Revised Budget
Operating Revenue					
Rates and Utility Charges	1,346,993	5,674,669	5,527,200	147,469	3%
User fees and charges	4,573	82,603	82,800	-197	0%
Interest Received	114,393	518,658	402,300	116,358	29%
Operational contributions and donations	1,888	5,488	12,000	-6,512	-54%
Other operating revenue	7,465	7,687	0	7,687	-
Total operating revenue	1,475,312	6,289,106	6,024,300	264,806	4%
Operating Expenses					
Employee benefits	117,727	1,419,181	1,413,800	5,381	0%
Materials and services	278,953	1,961,868	2,158,200	-196,332	-9%
Depreciation and amortisation	152,279	1,237,997	1,195,100	42,897	4%
Total operating costs	548,959	4,619,046	4,767,100	-148,054	-3%
Surplus (deficit) from operating activities	926,352	1,670,060	1,257,200	412,860	33%
Capital grants and subsidies	1,117,992	1,117,992	6,400,000	-5,282,008	-83%
Other capital income (expense)	-10,656	-187,396	-335,537	148,141	-44%
Net result for period	2,033,688	2,600,656	7,321,663	-4,721,007	-64%

Comments

Rates and utility charges

Water consumption charges are higher than the budget estimate due to the successful rollout of smart meters which has resulted in increased accuracy in readings.

Interest Received

Ahead of budget for interest on investments due to sustained higher interest rates.

Operational Contributions and donations

Under budget in infrastructure access charges. Income is variable throughout the year and can differ from budget.

Other operating revenue

Unbudgeted revenue received from water main relocation.

Materials and services

Under budget partially attributable to higher than average rainfall during the summer months. Leading to savings in electricity in water production and treatment as well as reduced quantities of bulk water sourced from both Lower Burdekin Water and Townsville City Council. Approximately 10% of the variance can be attributed to savings generated through utilisation of smart meter technology and the opportunity for walk/drive by meter reading.

Capital grants and subsidies

Grant funds recognised for expenditure to 30 June for South Ayr Water Filtration Plant project.

Other capital income (expense)

Under budget due to timing of project capitalisation.

OPERATING STATEMENT
Period Ending 30 June 2024

Manager Planning and Development

	Month of June Actual	Year to Date Actual	Revised Budget	\$ Variance YTD Actual to Revised Budget	% Variance YTD Actual to Revised Budget
Operating Revenue					
User fees and charges	29,282	580,139	500,000	80,139	16%
Other operating revenue	0	85	0	85	-
Total operating revenue	29,282	580,224	500,000	80,224	16%
Operating Expenses					
Employee benefits	100,161	1,211,391	1,278,000	-66,609	-5%
Materials and services	46,657	384,475	292,384	92,091	31%
Total operating costs	146,818	1,595,865	1,570,384	25,481	2%
Surplus (deficit) from operating activities	-117,537	-1,015,641	-1,070,384	54,743	-5%
Net result for period	-117,537	-1,015,641	-1,070,384	54,743	-5%

Comments

User fees and charges

Ahead of budget due to a large town planning development application for a new renewable energy facility and increased building and planning development applications received.

Employee benefits

Under budget due to staff vacancies and leave.

Materials and services

Over budget in legal expenses due to current appeals at the Planning and Environment Court and other enforcement and compliance actions being undertaken. This is offset by town planning consultants with the new Local Government Infrastructure Plans (LGIPs) not finalised in 2023/24.

OPERATING STATEMENT
Period Ending 30 June 2024

Manager Technical Services

	Month of June Actual	Year to Date Actual	Revised Budget	\$ Variance YTD Actual to Revised Budget	% Variance YTD Actual to Revised Budget
Operating Revenue					
User fees and charges	0	3,868	5,500	-1,632	-30%
Operational grants and subsidies	24,116	160,746	120,000	40,746	34%
Contract and recoverable works	890,720	2,609,335	2,095,000	514,335	25%
Other operating revenue	2,200	14,076	10,000	4,076	41%
Total operating revenue	917,035	2,788,025	2,230,500	557,525	25%
Operating Expenses					
Employee benefits	233,184	2,656,738	2,904,000	-247,262	-9%
Materials and services	155,141	156,303	75,500	80,803	107%
Depreciation and amortisation	801,741	8,913,323	8,920,200	-6,877	0%
Total operating costs	1,190,066	11,726,365	11,899,700	-173,335	-1%
Surplus (deficit) from operating activities	-273,030	-8,938,340	-9,669,200	730,860	-8%
Capital contributions	3,901,158	4,049,606	488,043	3,561,563	730%
Capital grants and subsidies	455,999	1,728,745	3,000,002	-1,271,257	-42%
Other capital income (expense)	-358,371	-1,486,619	-1,485,369	-1,250	0%
Net result for period	3,725,755	-4,646,608	-7,666,524	3,019,916	-39%

Comments

Operational grants and subsidies

Ahead of budget as fuel tax credit is higher than estimated due to higher fuel consumption mainly related to Macro Algae and Ayr Industrial Estate projects.

Contract and recoverable works

Additional income from Road Maintenance Performance Contract (RMPC) variations for extra works throughout the year.

Employee benefits

Under budget due to current staff vacancies in Technical Services, Asset Management and Project Management and RMPC works using more contractors to date.

Materials and services

Over budget due to higher expenditure on RMPC works including contractors and materials - this is offset by additional contract and recoverable works income. Under budget in consultants, with technical consultancy work not completed within the year.

Capital contributions

Includes contributed infrastructure assets from developments and Haughton Floodplain upgrade. Contributions for Garrone and Shirbourne Roads transferred from Contract Liability for works completed during year.

Capital grants and subsidies

Grant funds recognised for expenditure to 30 June for Haughton River Flood Gauge project, Home Hill Sewage Pump Station Fixed Generator, Brandon Sewage Pump Station Fixed Generator, Ayr Town Drain Studies, and Searle Court Drainage Pit Replacement. Grant funds also received for Blackspot, TIDS, Roads to Recovery and LRCIP4 projects.

BURDEKIN SHIRE COUNCIL
OPERATING STATEMENT
Period Ending 30 June 2024

Appendix 2

	Month of June Actual	Year to Date Actual	Revised Budget	\$ Variance YTD Actual to Revised Budget	% Variance YTD Actual to Revised Budget
Operating Revenue					
Rates and Utility Charges	1,346,677	44,794,613	44,664,858	129,755	0%
Pensioner remissions	-743	-355,608	-355,000	-608	0%
User fees and charges	332,325	3,279,155	2,960,933	318,222	11%
Interest Received	770,270	4,827,089	3,728,400	1,098,689	29%
Operational contributions and donations	28,596	267,318	265,702	1,616	1%
Operational grants and subsidies	349,744	1,840,399	2,265,190	-424,791	-19%
Contract and recoverable works	949,856	2,712,930	2,163,400	549,530	25%
Other operating revenue	115,677	623,281	512,500	110,781	22%
Total operating revenue	3,892,401	57,989,178	56,205,983	1,783,195	3%
Operating Expenses					
Employee benefits	2,191,162	23,716,568	24,327,912	-611,344	-3%
Materials and services	3,062,947	20,261,934	20,627,733	-365,799	-2%
Depreciation and amortisation	1,509,797	16,132,831	16,096,160	36,671	0%
Finance Costs	4,649	840,013	83,500	756,513	906%
Total operating costs	6,768,555	60,951,347	61,135,305	-183,958	0%
Surplus (deficit) from operating activities	-2,876,154	-2,962,169	-4,929,322	1,967,153	-40%
Capital contributions	3,906,158	4,054,606	498,043	3,556,563	714%
Capital grants and subsidies	1,715,646	5,720,948	14,333,335	-8,612,387	-60%
Other capital income (expense)	-448,330	-2,713,692	-2,622,028	-91,664	3%
Net result for period	2,297,320	4,099,694	7,280,028	-3,180,334	-44%

BURDEKIN SHIRE COUNCIL
STATEMENT OF FINANCIAL POSITION
As at 30 June 2024

Appendix 3

	Year to Date Actual \$	Annual Budget \$
Current Assets		
Cash and Cash Equivalents	88,146,562	67,807,456
Receivables	1,723,118	1,576,693
Inventories	703,648	617,965
Contract Assets	193,822	0
Other Assets	2,533,079	1,761,467
Total Current Assets	93,300,229	71,763,581
Non-Current Assets		
Receivables	321,264	385,141
Property, Plant and Equipment	653,976,721	649,283,640
Intangibles Assets	243,495	238,015
Other Assets	100,317	64,309
Total Non-Current Assets	654,641,797	649,971,105
TOTAL ASSETS	747,942,026	721,734,686
Current Liabilities		
Payables	7,369,680	6,378,290
Provisions	5,812,945	6,040,641
Contract Liabilities	14,026,587	3,101,574
Other Liabilities	556,108	555,701
Total Current Liabilities	27,765,321	16,076,206
Non-Current Liabilities		
Provisions	20,047,423	18,561,868
Other Liabilities	1,177,159	1,135,979
Total Non-Current Liabilities	21,224,582	19,697,847
TOTAL LIABILITIES	48,989,903	35,774,053
NET COMMUNITY ASSETS	698,952,123	685,960,633
Community Equity		
Asset Revaluation Surplus	406,023,043	389,851,222
Retained Surplus (deficiency)	292,929,080	296,109,411
TOTAL COMMUNITY EQUITY	698,952,123	685,960,633

BURDEKIN SHIRE COUNCIL
STATEMENT OF CASH FLOWS
For Period Ending 30 June 2024

Appendix 4

	Year to Date Actual \$	Annual Cashflow Budget \$
Cash Flows from Operating Activities		
Receipts		
Receipts from Customers	50,643,802	48,898,583
Payments to Suppliers and Employees	-47,507,811	-44,677,772
	3,135,991	4,220,811
Interest Received	4,501,441	3,728,400
Operating Grants, Subsidies and Contributions	2,192,017	2,606,045
Other	3,792,437	512,500
Net Cash Inflow (Outflow) from Operating Activities	13,621,887	11,067,756
Cash Flows from Investing Activities		
Proceeds from Sale of Property, Plant and Equipment	204,065	912,000
Grants, subsidies and contributions	16,028,114	14,078,864
Payments for Property, Plant and Equipment	-25,405,801	-41,643,236
Payments for Intangible Assets	-5,520	0
Payments for rehabilitation work	0	-120,000
Net Movement in Loans to Community Organisations	62,367	0
Other	129,379	0
Net Cash Inflows (Outflow) from Investing activities	-8,987,396	-26,772,372
Net Increase (Decrease) in Cash and Cash Equivalents Held	4,634,490	-15,704,616
Cash and Cash Equivalents at Beginning of the Financial Year	83,512,072	83,512,072
Cash and Cash Equivalents at end of the Period	88,146,562	67,807,456

6.4.1. GOVERNANCE

Funding Applications - 2024-2028 Local Government Grants and Subsidies Program

File Reference: 2740

Report Author: Janice Horan, Grants and Property Officer

Authoriser: Nick OConnor, Director Corporate and Community Services

Meeting Date: 23 July 2024

Link to Corporate/Operational Plan:

Burdekin Shire Council Corporate Plan 2022-2027

3.2.2: Improve water and sewerage network reliability and efficiency through planned infrastructure renewals and upgrades.

3.1.3: Improve drainage networks and structures through upgrades and renewals.

Executive Summary

This report seeks Council's endorsement of funding submissions to the State Government's 2024-2028 Local Government Grants and Subsidies Program as follows:

- (a) Construction of approximately 450 meters of Duplicate Water Main from existing Home Hill Water Tower and reservoir to intersection of Third Avenue and Sixth Street, Home Hill - total estimated cost \$1,200,000.00;
- (b) Upgrade of Ayr Town Drain in vicinity of McKersie Street by construction of an upgraded concrete lined drainage channel to a width of 5 meters, as identified in the Ayr Town Drain Flood Study - total estimated cost \$2,019,500.00; and
- (c) Design of the continuation of the Home Hill augmentation main to create a secondary main under State owned reserves (Department of Main Roads and Queensland Rail) - total estimated cost \$60,000.00.

Recommendation

That Council

1. Endorse the submission of three (3) funding applications to the State Government's 2024-2028 Local Government Grants and Subsidies Program, and seek a 60 percent subsidy towards the total cost of each project, as follows:

- (a) Construction of approximately 450 meters of Duplicate Water Main from existing Home Hill Water Tower and reservoir to intersection of Third Avenue and Sixth Street, Home Hill - total estimated cost \$1,200,000.00;
- (b) Upgrade of Ayr Town Drain in vicinity of McKersie Street by construction of an upgraded concrete lined drainage channel to a width of 5 meters, as identified in the Ayr Town Drain Flood Study - total estimated cost \$2,019,500.00; and
- (c) Design of the continuation of the Home Hill augmentation main to create a secondary main under State owned reserves (Department of Main Roads and Queensland Rail) - total estimated cost \$60,000.00; and

2. Notes the Council's financial commitment of 40% towards the projects of approximately \$1,311,800.00 which would be financed from the 2025/2026 and future Council budget.

Background

Recent advice on the opening of the 2024-2028 Local Government Grants and Subsidies Program prompted discussions between staff and elected members at the Council Workshop on 16 July 2024 on suitable projects which met the guidelines and could be submitted to the Department for consideration and approval.

The guidelines provide that applications can be submitted for infrastructure and planning projects with up to 60 percent funding provided to successful projects. Council would be responsible for the remaining 40 percent of project costs. Councils are eligible to submit two (2) infrastructure project applications and one (1) planning project application to the 2024-2028 funding rounds.

Following consultation with relevant staff and deliberations, three (3) projects have been recommended for submission under the 2024-2028 Local Government Grants and Subsidies Program, as follows:

- (a) Construction of approximately 450 meters of Duplicate Water Main from existing Home Hill Water Tower and reservoir to intersection of Third Avenue and Sixth Street, Home Hill - total estimated cost \$1,200,000.00 (This trunk main is the only existing water supply from the current water tower into the town network. The project will duplicate the main and ensure supply of water to the Town of Home Hill in the event of a failure in the existing trunk water infrastructure constructed as part of the original water supply network).
- (b) Upgrade of Ayr Town Drain in vicinity of McKersie Street by construction of an upgraded concrete lined drainage channel to a width of 5 meters, as identified in the Ayr Town Drain Flood Study - total estimated cost \$2,019,500.00. (This project will reduce flood impacts during rainfall events in the town of Ayr and implement some of the priority works identified in the Ayr Town Drain Flood Study).
- (c) Design of the continuation of the Home Hill augmentation main to create a secondary main under State owned reserves (Department of Main Roads and Queensland Rail) - total estimated cost \$60,000.00. (The design will ensure that water pressures and flows are sustained during a possible failure on the existing main installed in the existing water network).

Consultation

Discussions between staff and elected members at Council Workshop held on 16 July 2024.

Budget & Resource Implications

Funds towards Council's financial commitment to the projects will be allocated in the 2025-2026 Council Budget and additional funds will be allocated in future Council Budget

Legal Authority & Implications

Project Funding Schedules for the 2024-2028 Local Government Grants and Subsidies Program between the Department of Housing, Local Government, Planning and Public Works and Burdekin Shire Council will be signed if department approval of the submitted projects is received.

Policy Implications

Not Applicable.

Risk Implications (Strategic, Operational, Project Risks)

Projects have been costed on the basis of preliminary information available at this time. Project contingencies have been allowed. The funding program is over a four (4) year period, allowing Council adequate time to plan and deliver the projects.

Attachments

None

7.1.1. ENVIRONMENTAL AND HEALTH SERVICES

Acceptance of Tender - Management - Home Hill Swimming Pool and Home Hill Caravan Park

File Reference: 2294

Report Author: Linda Govan, Coordinator Environment and Health Projects

Authoriser: Paul Day, Manager Environment and Health Services

Meeting Date: 23 July 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

Tenders have been called three (3) times since the previous contractor finished on 31 January 2024. The tender was split into Management - Home Hill Swimming Pool (TBSC/24/015) and Management - Home Hill Caravan Park (TBSC/24/016). The current tender opened on 13 June 2024 and closed on 9 July 2024.

Three (3) tenders were received for the management of Home Hill Swimming Pool, two (2) of these included a price to manage the Home Hill Caravan Park. One (1) response was received for the management of the Home Hill Caravan Park separately.

Recommendation

That Council:

1. awards TBSC/24/015 – Management – Home Hill Swimming Pool for a period of (3) years with 2 x 1-year options for extension by mutual agreement to L D and L T Shepherd, for \$160,733.00 (GST exclusive) per annum, with the pool open to the public with minimum hours of:

Monday to Friday – 5.30am to 10.00am, and 1.00pm to 6.00pm

Saturday – 8.00am to 5.00pm

Sunday – 10.00am to 5.00pm

Public Holidays – 9.00am to 5.00pm (Closed Good Friday and Christmas Day); and

2. accepts the tendered price provided in TBSC/24/015 for managing the Home Hill Caravan Park from L D and L T Shepherd for \$87,000.00 (GST exclusive) per annum; and
3. 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

Tenders TBSC/24/015 Management - Home Hill Swimming Pool and TBSC24/016 Management - Home Hill Caravan Park were called on 13 June 2024, closing on 9 July 2024. Three (3) tenders were received for the management of the swimming pool with two (2) of those providing a price for the management of the caravan park. One (1) tender was received solely for the management of the caravan park.

TBSC/24/015 Management - Home Hill Swimming Pool

Sage Swim Pty Ltd - Sage Swim Pty Ltd are the current contractors for the Burdekin Aquatic Centre and have been the interim managers at Home Hill Pool and Caravan Park since 1 February 2024, whilst the tendering process has been underway. Sage Swim Pty Ltd have extensive experience in managing swimming pools and have been managing pools in the Burdekin since 2015. This tender response was **only** for managing the Home Hill Swimming Pool.

Lloyd and Lisa Shepherd - Lloyd and Lisa Shepherd were managers of the Home Hill Swimming Pool and Caravan Park from 2017 - 2023 and are familiar with the requirements of the contract and scope of works. The tender response included a price for managing **both** the Home Hill Swimming Pool and Caravan Park.

C.A.M. Coaching - C.A.M. Coaching are in the process of completing pool contracts in North-West Queensland and would be available to commence on 1 October 2024. While the tenderer has experience managing pools, they have no experience in managing a caravan park, however, they are willing to undertake this aspect and have provided a price in their tender response.

TBSC/24/016 Management - Home Hill Caravan Park

Belgravia PRO Pty Ltd - Belgravia PRO Pty Ltd have extensive experience in managing caravan parks with contracts for 40 parks across Australia and New Zealand as well as being the current contractor managing Burdekin Cascades Caravan Park. A modified tender was submitted with a proposal to manage the bookings for the park and requiring Council to coordinate cleaning and grounds maintenance.

The tenders have been reviewed and based on price, experience and the degree of compliance with the scope of works for both sites the recommendation is to award the tender to LD and L T Shepherd.

Consultation

The tender documents were available via VendorPanel and advertised on Council's website, and the Burdekin Life. The documents were accessed in VendorPanel by 19 parties for managing the swimming pool and 10 parties for managing the caravan park.

Budget & Resource Implications

Swimming Pool Tendered Prices			
Hours per week	C.A.M Coaching	<u>LD and LT Shepherd</u>	Sage Swim
Current Hours - Summer (89) Winter (63.5)	\$312,857.00	\$203,530.00	\$207,434.00
Winter Hours for 12 months (63.5)	\$260,000.00	\$160,733.00	\$159,000.00
Winter Hours for 11 months (63.5)	\$230,400.00	\$147,963.00	\$146,000.00

Caravan Park Tendered Prices			
	C.A.M Coaching	<u>LD and LT Shepherd</u>	Belgravia PRO
Price per year	\$203,840.00	\$87,000.00	approx. \$128,000.00

The recommendation is to award the contract to LD and LT Shepherd due to their experience, submitted price, and the ability to manage both sites. The total cost for LD and LT Shepherd to manage both sites per year is \$247,733.00 excluding GST.

This price is within Council's 2024/2025 budgeted amount for both the Home Hill Swimming Pool and the Home Hill Caravan Park contracts. If the recommendation is supported, it will realise a saving compared to the previous tender submission and a saving per year within the current 2024/2025 Council operating budget.

A bonus is available to the Managers if the Caravan Park income exceeds a base rate at the end of each 12-month period. The calculation is 20% of the amount over a threshold level. The threshold at the end of the first year is \$118,000.00 gross revenue, excluding GST. The revenue for the Caravan Park in 2023/2024 was \$117,729.00. The threshold level is adjusted each year.

Legal Authority & Implications

The tender process has been followed in accordance with the *Local Government Act 2009*.

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

Attachments

None

7.2.1. OPERATIONS

Undetected Water Leak Policy - Update

File Reference: 1291

Report Author: Julian Tickle, Water & Wastewater

Authoriser: Wayne Saldumbide, Manager Operations

Meeting Date: 23 July 2024

Link to Corporate/Operational Plan:

Burdekin Shire Council Corporate Plan 2022-2027

5.2.1: Demonstrate open and transparent Leadership.

Burdekin Shire Council Corporate Plan 2022-2027

CG5 - Manage Council's Corporate Policy Program.

Executive Summary

Burdekin Shire Council recognises that residential property owners, and non-residential property owners with a permit to discharge to sewer (conditionally **) may request assistance to reduce the water consumption costs incurred due to an undetected water leak.

It is a recognised practice in Local Government to allow applications for financial relief from water consumption charges levied against a property when qualifying criteria can be met to establish that the charges were impacted by an undetected water leak.

To qualify for a rebate of water consumption charges related to an undetected leak to be considered all of the following criteria must be met:

- the water leak must be undetectable e.g. escaping from either underground, under or within concrete or underneath a building where an occupant could not reasonably be expected to know of its existence.
- the leak must be repaired within four (4) weeks of receiving a high water usage notification letter or the date of the water account (whichever was earliest). Notification by Burdekin Shire Council is provided as a courtesy only.
- the application must be submitted to Council by the property owner within three (3) months of receiving a high water usage notification letter or the date of the water account (whichever was earliest).

This policy explains how Burdekin Shire Council will manage requests for financial rebate related to undetected water leaks of potable water.

Recommendation

That Council adopts the Undetected Water Leak Policy and accompanying documents attached to this report.

Background

The objective of this policy is to allow an equitable remission of water charges whilst maintaining the owner's responsibility of maintenance of the internal water service and wastage of water.

The following amendments have been made:

- Policy Contact changed to Manager Water and Wastewater
- Relevant changes were made to differentiate between Residential, Non-Residential Trade Waste and Non-Residential Customer
- Relevant additional documents have been amended to reflect changes (Undetected Water Leak Rebate Application and Fact Sheet)

Consultation

The policy has been reviewed by Council's Water and Wastewater Department and the Manager Operations. It was discussed at a Council Workshop held on the 2 June 2024.

Budget & Resource Implications

Not Applicable.

Legal Authority & Implications

Not Applicable.

Policy Implications

The policy will be updated on Council's public website and in Council's Policy Register.

Risk Implications (Strategic, Operational, Project Risks)

Council acknowledges the risk that undetected water leaks can lead to higher than normal water consumption charges being applied to a water connection service. Council supports the Local Government Principle of transparent and effective process, and decision-making in the public interest.

This policy is a control measure to ensure that fees for water consumption are charged fairly when there is evidence that an undetected water leak has occurred. The policy provides a transparent and equitable process to reduce the risk of customers being unfairly charged and outlines the eligibility criteria that must be met for a rebate to be provided.

The changes made through this review establish an appropriate level of financial risk for Council to accept under the policy.

Attachments

1. Undetected Water Leak Policy
2. WS Fact Sheet - Undetected Water Leak
3. Undetected Water Leak Rebate Application

Policy Type	Corporate
Function	Water Supply
Policy Owner	Manager Water and Wastewater
Policy Contact	Manager Water and Wastewater
Effective Date	23 July 2024

Purpose

Burdekin Shire Council recognises that residential property owners, and non-residential property owners with a permit to discharge to sewer (conditionally ******) may request assistance to reduce the water consumption costs incurred due to an undetected water leak.

This policy explains how Burdekin Shire Council will manage requests for financial adjustments related to undetected water leaks.

Scope

The assistance outlined in this policy applies in circumstances of undetected water leaks of potable water only.

Objectives

The objective of this policy is to allow an equitable remission of water charges where financial hardship is evident, whilst maintaining the owner's responsibility of maintenance of the internal water service and wastage of water.

Policy Statement

Burdekin Shire Council:

- may assist eligible property owners with a financial adjustment of 50% of the difference between the consumption for the billing period and the average of the previous consumption history as recorded by Council over the preceding three (3) years or applicable period of ownership.
- ****** may assist non-residential property owners with a permit to discharge to sewer (trade waste) with an adjustment of the trade waste portion of the charges:
 - where the trade waste charge is calculated based on the water measured through the property's water meter; and
 - if increased trade waste charges occurred due to the relationship between water consumption volumes used to calculate trade waste charges and the concealed leak that occurred.
- will provide a rebate for a maximum of two (2) consecutive billing periods.

Application of this policy is at the discretion of Burdekin Shire Council and all requests for financial adjustment will be assessed against the entire eligibility criteria.

Eligibility Criteria

For a rebate due to an undetected leak to be considered all of the following criteria must be met:

- the water leak must be undetectable e.g. escaping from either underground, under or within concrete or underneath a building where an occupant could not reasonably be expected to know of its existence.

- the leak must be repaired within four (4) weeks of receiving a high water usage notification letter or the date of the water account (whichever was earliest). Notification by Burdekin Shire Council is provided as a courtesy only.
- the application must be submitted to Council by the property owner within three (3) months of receiving a high water usage notification letter or the date of the water account (whichever was earliest).

Council requires the property owner to submit the following details:

- a completed *Undetected Water Leak Rebate Application Form* (available on the Burdekin Shire Council website: www.burdekin.qld.gov.au) giving two (2) accurate water meter readings (one week apart) after the leak has been repaired.
- a letter/report from the licensed plumber who repaired the leak to confirm that the leak was undetectable and the date it was repaired.
- a copy of the licensed plumber's tax invoice for repairing the water leak.

The property owner has not received a rebate for undetected water within the last two (2) years from the same property unless a property transfer had occurred.

Exceptions

Nil.

Risk Management

Council acknowledges the risk that undetected water leaks can lead to higher than normal water consumption charges being applied to a water connection service. Council supports the Local Government Principle of transparent and effective process, and decision-making in the public interest. This policy is a control measure to ensure that fees for water consumption are charged fairly when there is evidence that an undetected water leak has occurred. The policy provides a transparent and equitable process to reduce the risk of customers being unfairly charged and outlines the eligibility criteria that must be met for a rebate to be provided.

Legislation

Nil.

Definitions and Abbreviations

Undetected Leak	water escaping from a water service that is either underground, under or within concrete or underneath a building where an occupant could not reasonably be expected to know of its existence as determined by the authorised officer.
Average Water Consumption	average water consumption will be calculated based on the last three (3) years or applicable period of ownership. Where no prior billing history is available, the average Burdekin residential consumption will be used.
Billing Period	is the time between meter readings and does not refer to the time when the bill was sent, nor to the time of payment.

Related Documents

Reference Number	Document Title
TEC-FAC-0009	Fact Sheet –Undetected Water Leaks
TEC-FAC-0008	Fact Sheet – Your Water Consumption
TEC-FRM-0007	Undetected Water Leak Rebate Application Form

Document History and Version Control

Title of Document	Undetected Water Leak Policy
Document Reference Number	WRN-POL-0002 Rev 4
Review Schedule	36 months
Council Meeting Date	23 July 2024
Council Resolution Number	TBA

If you experience a significant increase in water consumption and a higher than normal water consumption bill, you may have an undetected water leak somewhere on your property.

What is an undetected water leak?

Water escaping from a residential water service that is either underground, under or within concrete or underneath a building where an occupant could not reasonably be expected to know of its existence as determined by the authorised officer.

It does not include water loss from:

- Leaking taps, toilets cisterns or other water appliances;
- Faulty plumbing or human error;
- Property sprinkler or other irrigation system; and
- Leaking hot water systems or plumbing relating to a faulty hot water system.

It is important to have any leaks repaired as quickly as possible by a licensed plumber.

How can I tell if I have an undetected water leak?

Conduct an overnight leakage test by –

1. Ensuring all water appliances are turned off (for example showers, taps, washing machines).
2. Record your water meter reading last thing at night before going to bed.
3. Then read your water meter first thing in the morning.

If the reading on your water meter has changed, you may have an undetected leak.

What happens if I have an undetected water leak

If the leak is undetectable and you have met the following criteria you may be eligible for a rebate from Council for part of the consumption charge.

Do I qualify for a rebate?

You may be eligible for a rebate from Council if:

- You are a residential property owner.
- The leak is undetectable.
- The leak must be repaired by a licenced plumber within four (4) weeks of receiving a high-water usage notification letter or the date of the water account (whichever was earliest).
- The application must be submitted to Council by the property owner within three (3) months of receiving a high-water usage notification letter or the date of the water account (whichever was earliest).
- Non-residential property owners with a licence to discharge are conditionally eligible for assistance (refer policy).

How much will I get back?

- A financial adjustment of 50% of the difference between the consumption for the billing period and the average of the previous consumption history as recorded by Council over the preceding three (3) years or applicable period of ownership.
- Council will consider a rebate for a maximum of two (2) consecutive billing periods.

How to read your water meter?

There are a number of meters in use throughout the Burdekin Shire (analogue meters and digital smart meters).

How to read an analogue meter:

The display panel on your meter has both black and red figures. The black figures on white represent kilolitres or thousands of litres. For our readings of your consumption we only read these figures:



The **white figures on red** are parts of kilolitres. They are useful to assess the amount of water used over a short period of time; for example, if you are checking for leakage overnight.

Some meters have three red digits and some have four. If your meter has four red digits the best thing to do is to ignore the last digit (in this case the 9). This makes the maths easier.

By doing this the red digits show litres or thousandths of kilolitres; for example, in this case 3746.285kl or 3,746,285 litres.

Note: All analogue water meters show kilolitres in black figures on white and parts of kilolitres in red.

How to read a digital smart meter:

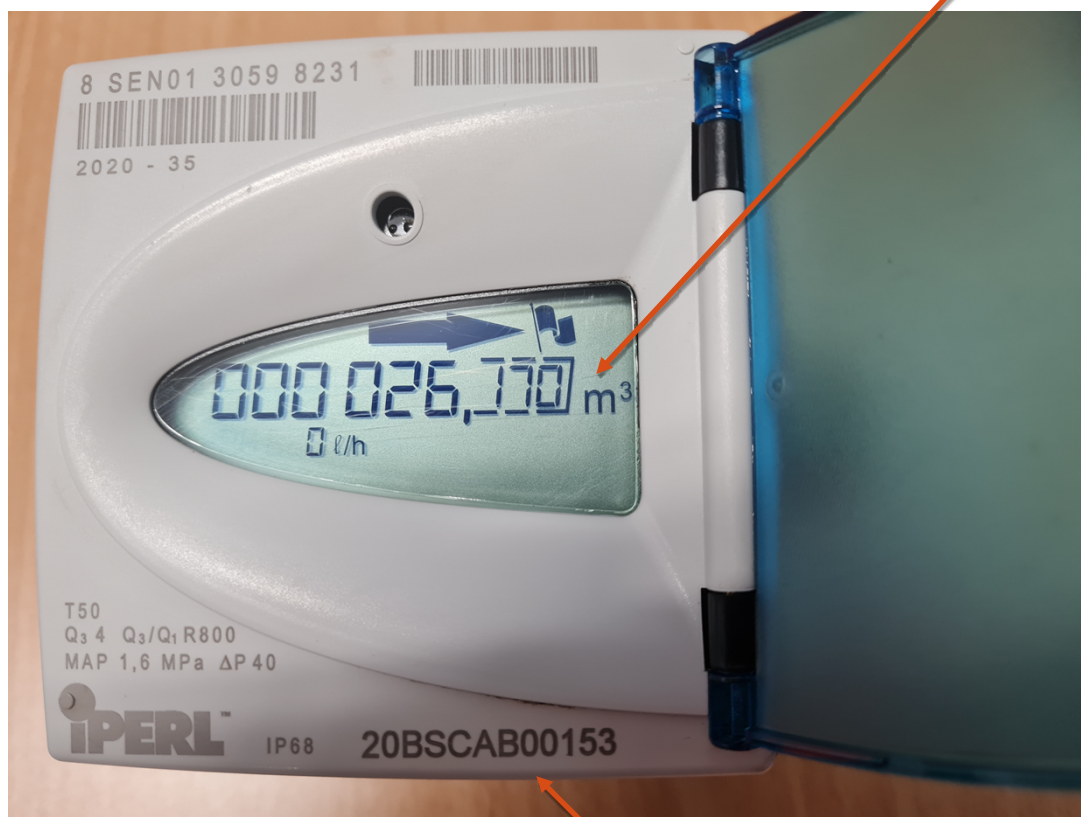
The new digital smart meter allows Council to read your meter without entering your property.

Please ensure no metal items or covers are placed over these meters as it may impede the signal.

The display panel on your meter has a blue cover to protect the screen. Flip cover to the side to read the digital display. The first six figures represent kilolitres or thousands of litres.

The small figures after the comma are parts of kilolitres. They are useful to assess the amount of water used over a short period of time; for example, if you are checking for leakage overnight.

When your meter is being read, it will upload the whole range of figures e.g. in this case 26.170 kilolitres. Please note 1 m³ is equal to 1 kilolitre.



The new digital water meter serial numbers are found here.

If your water meter is of a type that you cannot understand, please contact Council for assistance on (07) 4783 9800.

Council water meters are read twice per year and may be checked at random.

Undetected Water Leak Rebate Application

Address all communications to
The Chief Executive Officer

PO Box 974, Ayr Qld 4807
T (07) 4783 9800 | F (07) 4783 9999
enquiries@burdekin.qld.gov.au

Information Privacy Act 2009. Burdekin Shire Council is collecting the personal information you provide on this form in accordance with the *Local Government Act 2009* for the purpose of processing your application. Your information will not be disclosed to a third party without your consent unless required or authorised by law.

1. Applicant's Details

Full Name

Postal Address

Postcode:

Daytime Telephone Contact Number

Email Address

2. Is the above address the same address where the leak occurred?

Yes ☐ No ☐

(If no, complete the following address details)

Postcode:

3. Was the leak repaired by a licensed plumber?

Yes ☐ No ☐

If you answered NO to Question 3, you do not meet the eligibility criteria and will not be considered for an undetected leak rebate.

4. Has an undetected leak rebate been approved within the past two (2) years?

Yes ☐ No ☐

If you answered YES to Question 4, you do not meet the eligibility criteria and will not be considered for an undetected leak rebate.

5. Was the water leak repaired within four (4) weeks of receiving a high water notification letter or the date of the water account (whichever was earliest)?

Yes ☐ No ☐

If you answered NO to Question 5, you do not meet the eligibility criteria and will not be considered for an undetected leak rebate.

6. Leak Repair Details

Date leak **detected**

Date Leak **Repaired**

7. What caused the leak?

8. What repair work was carried out?

9. Two water meter readings

After leak is repaired, take two water meter readings at least one week apart in order to confirm your leak has been repaired successfully.

The first meter reading is to be taken the day of the repair.

Water Meter Number

First Reading Date

First Reading

Second Reading Date

Second Reading

10. Declaration

I/we declare the above information is, to the best of my knowledge, true and correct.

Name of applicant

Signature of applicant

Date

Your application and supporting documentation MUST be lodged with Burdekin Shire Council within four (4) weeks of the leak repair.

Post: PO Box 974
Ayr Qld 4807
Email: enquiries@burdekin.qld.gov.au

Supporting Documentation Required:

- ☐ Report from plumber detailing undetected water leak
- ☐ Copy of plumber's tax invoice for repairing of undetected water leak

This application cannot be accessed until **ALL** of the above required documentation is received.

See over the page for how to read smart and analogue meters.

Office Use Only

Date Received: _____

Property No: _____

Undetected Leak Approved by WWW Office:

Yes ☐ **Rebate:** _____

No ☐

Officer: _____

Adjustment Completed by Rates Department:

Yes ☐

No ☐

Officer: _____

Undetected Water Leak Rebate Application

Address all communications to
The Chief Executive Officer

PO Box 974, Ayr Qld 4807
T (07) 4783 9800 | F (07) 4783 9999
enquiries@burdekin.qld.gov.au

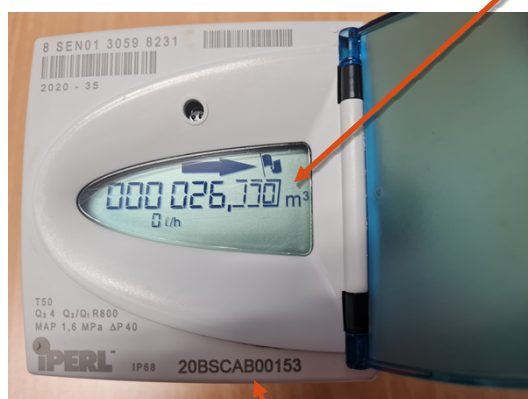
Information Privacy Act 2009. Burdekin Shire Council is collecting the personal information you provide on this form in accordance with the *Local Government Act 2009* for the purpose of processing your application. Your information will not be disclosed to a third party without your consent unless required or authorised by law.

How to read a digital smart meter:

The display panel on your meter has a blue cover to protect the screen. Flip cover to the side to read the digital display. The first six figures represent kilolitres or thousands of litres.

The small figures after the comma are parts of kilolitres. They are useful to assess the amount of water used over a short period of time; for example, if you are checking for leakage overnight.

When your meter is being read, it will upload the whole range of figures e.g. in this case 26.170 kilolitres. Please note 1 m³ is equal to 1 kilolitre.



The new digital water meter serial numbers are found here.

If your water meter is of a type that you cannot understand, please contact Council for assistance on (07) 4783 9800. Council water meters are read twice per year and may be checked at random.

How to read an analogue meter:

The display panel on your meter has both black and red figures. The black figures on white represent kilolitres or thousands of litres. For our readings of your consumption we only read these figures:-


e.g. In this case 3746kl

The white figures on red are parts of kilolitres (they are read on your water meter). They are useful to assess the amount of water used over a short period of time; for example, if you are checking for leakage overnight.

Some meters have three red digits and some have four. If your meter has four red digits the best thing to do is to ignore the last digit (in this case the 9). This makes the maths easier.

By doing this the red digits show litres or thousandths of kilolitres; for example, in this case 3746.285kl or 3,746,285 litres.

Note: All analogue water meters show kilolitres in black figures on white and parts of kilolitres in red.

If your water meter is of a type that you cannot understand, please contact Council for assistance on (07) 4783 9800. Council water meters are read twice per year and may be checked at random.

7.3.1. PLANNING AND DEVELOPMENT

Late Report - Development Application for a Development Permit for Reconfiguring a Lot (Boundary Realignment) and Indoor Sport and Recreation – Gym (Over Two (2) Stages) at 5 Little Drysdale Street and 177 MacMillan Street, Ayr (Lot 5 on RP882395 and Lot 32 on A26516)

File Reference:

Report Author:

Authoriser:

Meeting Date: 23 July 2024

Link to Corporate/Operational Plan:

Burdekin Shire Council Corporate Plan 2022-2027

Burdekin Shire Council Operational Plan 2023-2024

Executive Summary

Recommendation

Background

(This section is Mandatory - Provide background to support recommendation)

Consultation

Budget & Resource Implications

Legal Authority & Implications

Policy Implications

Risk Implications (Strategic, Operational, Project Risks)

Attachments

None

7.3.2. PLANNING AND DEVELOPMENT

Change Application (Minor) to an existing Material Change of Use Development Permit for an Accommodation Building at 9-11 Nelson Street, Clare (Lot 20 on SP314314)

File Reference: MCU22/0007 (226)

Report Author: Kellie Galletta, Manager Planning and Development

Authoriser: Wayne Saldumbide, Manager Operations

Meeting Date: 23 July 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

PD8 Ensure all new developments are assessed against provisions contained within Council's adopted Local Government Infrastructure Plan (LGIP), Planning Act 2016, Planning Scheme, legislative requirements and other relevant instruments.

Executive Summary

Council is in receipt of Change Application (Minor) made in relation to the conditions of approval for Development Permit (MCU22/0007, Negotiated Decision Notice given 19 December 2022) for a Material Change of Use – Accommodation Building on land described as Lot 20 on SP314314 and located at 9 - 11 Nelson Street, Clare.

The Change Application (Minor) (refer **Attachment A**) was properly made to Council on 11 June 2024, by BNC Planning on behalf of the applicant, Asimus Pty Ltd, with the notice seeking to amend two (2) conditions of the development permit being:

- Condition 10: Roadworks, Traffic and Access; and
- Condition 13: Landscaping and Screen Fencing.

Council officers have reviewed and considered the Change Application (Minor) made by the applicant and do not support the request.

However, as a result of further discussions with the applicant since the request was made, officers have recommended that Council agree to approve a minor change to the existing development permit that includes partial amendments (shown as tracked changes) to Conditions 10 and 13 as follows:

<p>10. Roadworks, Traffic and Access Works are to be completed in two (2) stages: Stage 1 10.1 A new 4.0m wide bitumen sealed roadway from concrete crossover in School Road to southern extent of the subject site <u>is to be provided.</u> 10.2 <u>All on-site parking areas must be bitumen sealed and line marked.</u> 10.2 On-site parking areas are to be constructed of angular crushed rock. 10.3 On-site parking areas are to be compacted using a steel drum roller prior to operation. 10.4.3 All areas used for vehicle movements between the new sealed roadway and the property boundary are to be bitumen sealed.</p>	<p>To provide development with access in accordance with council <u>Council's</u> standards and to ensure the community has a suitable level of amenity maintained as a result of the development activity.</p>	<p>Technical details are to be submitted to council as part of an application for Operational Work, then at all times.</p>
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MCU22/0007

4

Attachment B – Recommended Amended Conditions of Approval



Condition	Reason	Timing
<p>10.5.4 <u>All bitumen sealing works are to be completed within thirty-six (36) months from the date the Development Permit for Operational Works is issued.</u></p> <p>10.5 All construction must be to the satisfaction of Council and in accordance with Council's standards.</p> <p>10.6 All on-site parking spaces must be marked in accordance with the Transport Operations (Road Use Management) Act 1995 (TORUM Act) and must be read alongside the Manual of Uniform and Traffic Control Devices (MUTCD).</p> <p>Stage 2 10.7 <u>All on-site parking areas must be bitumen sealed and line marked within 24 months of completing Stage 1 works.</u></p> <p>General (applicable for both stages) 10.8.7 RPEQ certification is required to be submitted as part of an Operational Works application. 10.9.8 Parking spaces, accesses and driveways not to be used for any other purpose. 10.40.9 Provide to Council prior to the commencement of works, a cross section 1:50 scale of all driveways showing existing and design levels for crossovers. 10.44.10 Vehicles must not exit the site in a reverse direction. 10.42.11 Provide pedestrian access, both internal and external to the site, which is separated from vehicular access to minimise the potential for pedestrian and vehicle conflict. 10.43.12 Development must not impact adversely on the efficiency and safety of the transport network and those who use it, nor adversely impact on the immediately surrounding uses. 10.44.13 During the construction phase, any damage to the road reserve (i.e. footpath/kerb and channel) must be replaced in accordance with council's standards.</p>		
<p>13. Landscaping and Screen Fencing i. The site is to be suitably landscaped (with appropriate irrigation installed) with suitable species, in accordance with council's specifications and to the satisfaction of the Chief Executive Officer.</p>	<p>To protect the existing amenity and privacy experienced in the</p>	<p><u>Landscaping works to be completed</u></p>

MCU22/0007

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Attachment B – Recommended Amended Conditions of Approval



Condition	Reason	Timing
<p>i. A minimum 1.8m high timber paling (with max 10mm gap) or similar style fence is to be provided for the full length of all property boundaries excepting pedestrian and vehicle access points.</p> <p>13.1 The site is to be suitably landscaped (with appropriate irrigation installed) with suitable species, including the provision of a fast-growing native plant (e.g. Syzygium (lilly pilli)) as a screening mechanism for the full length of both the side (Nelson Street frontage) and rear (adjoining Lot 18 on C2028, 13 Nelson Street, Clare) property boundaries, excepting pedestrian and vehicle access points, in accordance with council's specifications and to the satisfaction of the Chief Executive Officer.</p> <p>13.2 The proposed activity must be conducted in a manner that applies such reasonable and practical means to avoid, minimise or manage significant impacts on the existing amenity of the locality as a result of noise, lighting, odour, dust, volume of traffic generated, loss of privacy or other cause.</p> <p>Complaint Management 13.3 In the event of a complaint being received by Council in relation to any nuisance associated with the use that is considered reasonable, Council will require the developer/operator to engage a suitably qualified consultant to undertake an assessment addressing nuisance emanating from the site for this use to the satisfaction of the Burdekin Shire Council. 13.4 The assessment must be accompanied by a report, inclusive of supporting calculations and site investigations and must provide a recommended method and proposed measures for Council's review and approval. 13.5 The developer/operator must undertake any works required within three (3) months of Council's acceptance of the report, at no cost to Council.</p>	<p>surrounding area by the residents and community and to enhance, soften and enhance the appearance of the development for both residents and the community in accordance with Council's relevant code/s and policy direction.</p>	<p><u>prior to the issue of the Certificate of Occupancy, then To be maintained for the life of the development.</u></p>

Recommendation

- (a) That the minor change request as made by the applicant on 11 June 2024 be refused; and
- (b) That Council approve a Change Application (Minor) to the Development Permit for a Material Change of Use – Accommodation Building on land described as Lot 20 on SP314314, located at 9-11 Nelson Street, Clare, subject to amended Conditions 10 and Condition 13 (as follows) with all other conditions of approval remaining applicable as per the Negotiated Decision Notice issued 19 December 2022 (refer **Attachment B** for Recommended Amended Conditions of Approval):

10. Roadworks, Traffic and Access

- 10.1 A new 4.0m wide bitumen sealed roadway from the concrete crossover in School Road to the southern extent of the subject site is to be provided.
- 10.2 All on-site parking areas must be bitumen sealed and line marked.
- 10.3 All areas used for vehicle movements between the new sealed roadway and the property boundary are to be bitumen sealed.
- 10.4 All bitumen sealing works are to be completed within thirty-six (36) months from the date the Development Permit for Operational Works is issued.
- 10.5 All construction must be to the satisfaction of Council and in accordance with Council's standards.
- 10.6 All on-site parking spaces must be marked in accordance with the Transport Operations (Road Use Management) Act 1995 (TORUM Act) and must be read alongside the Manual of Uniform and Traffic Control Devices (MUTCD).

General (applicable for both stages)

- 10.7 RPEQ certification is required to be submitted as part of an Operational Works application.
- 10.8 Parking spaces, accesses and driveways not to be used for any other purpose.
- 10.9 Provide to Council prior to the commencement of works, a cross section 1:50 scale of all driveways showing existing and design levels for crossovers.
- 10.10 Vehicles must not exit the site in a reverse direction.
- 10.11 Provide pedestrian access, both internal and external to the site, which is separated from vehicular access to minimise the potential for pedestrian and vehicle conflict.
- 10.12 Development must not impact adversely on the efficiency and safety of the transport network and those who use it, nor adversely impact on the immediately surrounding uses.
- 10.13 During the construction phase, any damage to the road reserve (i.e. footpath/kerb and channel) must be replaced in accordance with council's standards.

13. Landscaping and Screen Fencing

- 13.1 The site is to be suitably landscaped (with appropriate irrigation installed) with suitable species, including the provision of a fast-growing native plant (e.g. Syzygium (lilly pilly)) as a screening mechanism for the full length of both the side (Nelson Street frontage) and rear (adjoining Lot 18 on C2028, 13 Nelson Street, Clare) property boundaries, excepting pedestrian and vehicle access points, in accordance with council's specifications and to the satisfaction of the Chief Executive Officer.
- 13.2 The proposed activity must be conducted in a manner that applies such reasonable and practical means to avoid, minimise or manage significant impacts on the existing amenity of the locality as a result of noise, lighting, odour, dust, volume of traffic generated, loss of privacy or other cause.

Complaint Management

- 13.3 In the event of a complaint being received by Council in relation to any nuisance associated with the use that is considered reasonable, Council will require the developer/operator to engage a suitably qualified consultant to undertake an assessment addressing nuisance emanating from the site for this use to the satisfaction of the Burdekin Shire Council.
- 13.4 The assessment must be accompanied by a report, inclusive of supporting calculations and site investigations and must provide a recommended method and proposed measures for Council's review and approval.
- 13.5 The developer/operator must undertake any works required within three (3) months of Council's acceptance of the report, at no cost to Council.

Background

Nature of the Change Request

Under Section 78 of the *Planning Act 2016*, the applicant on 11 June 2024 requested the following amendments to the development permit conditions of approval be made (refer **Attachment A** for full change notice submitted):

10. Roadworks, Traffic and Access

- 10.1 A new 4.0m wide roadway from concrete crossover in School Road to southern extent of the subject site, constructed of angular crushed rock.
- 10.2 On-site parking areas are to be constructed of angular crushed rock.
- 10.3 On-site parking areas are to be compacted using a steel drum roller prior to operation.
- 10.4 All areas used for vehicle movements between the new sealed roadway and the property boundary are to be constructed of angular crushed rock.
- 10.5 All construction must be to the satisfaction of Council and in accordance with Council's standards.
- 10.6 All on-site parking spaces must be marked in accordance with the Transport Operations (Road Use Management) Act 1995 (TORUM Act) and must be read alongside the Manual of Uniform and Traffic Control Devices (MUTCD).
- 10.7 The constructed roadway and parking areas are to be inspected by a RPEQ within 24 months of completing construction, to demonstrate that these areas have been maintained to the satisfaction of Council and in accordance with Council's standards.

General

- 10.8 RPEQ certification is required to be submitted as part of an Operational Works application.
- 10.9 Parking spaces, accesses and driveways not to be used for any other purpose.
- 10.10 Provide to Council prior to the commencement of works, a cross section 1:50 scale of all driveways showing existing and design levels for crossovers.
- 10.11 Vehicles must not exit the site in a reverse direction.
- 10.12 Provide pedestrian access, both internal and external to the site, which is separated from vehicular access to minimise the potential for pedestrian and vehicle conflict.

BNC Planning Pty Ltd

Office 7 / Ground Floor / 41 Denham Street TOWNSVILLE CITY QLD 4810 (PO Box 5493 Townsville QLD 4810)
T: +61 (07) 4724 1763 E: enquire@bncplanning.com.au www.bncplanning.com.au ABN 80 147 498 397

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- 10.13 Development must not impact adversely on the efficiency and safety of the transport network and those who use it, nor adversely impact on the immediately surrounding uses.
- 10.14 During the construction phase, any damage to the road reserve (i.e. footpath/kerb and channel) must be replaced in accordance with council's standards.

Condition 13 – Landscaping and Screen Fencing

It is requested that subsection ii. be amended to require the existing screen fencing in place around the building to be retained, removing the need for full site perimeter fencing. A sample photo of the current building screen fencing is provided below. Example wording changes for the condition are offered below:

"The existing screen fencing provided for the full perimeter of the building is to be retained."



Approvals History

September 2022 – Original Development Permit Approval

At the Council meeting held 27 September 2022, the original development permit for this development was given, subject to conditions, including the following with respect to Condition 10 and Condition 13:

10. Roadworks, Traffic and Access

- 10.1 *A new 4.0m wide bitumen sealed roadway from concrete crossover in School Road to southern extent of the subject site including the area between the roadway and on-site bitumen sealed carpark is to be constructed to the satisfaction of the Chief Executive Officer and Council's standards.*
- 10.2 *RPEQ certification is required to be submitted as part of an Operational Works application.*
- 10.3 *Parking spaces, accesses and driveways not to be used for any other purpose.*
- 10.4 *Provide to Council prior to the commencement of works, a cross section 1:50 scale of all driveways showing existing and design levels for crossovers.*
- 10.5 *Vehicles must not exit the site in a reverse direction.*
- 10.6 *Provide pedestrian access, both internal and external to the site, which is separated from vehicular access to minimise the potential for pedestrian and vehicle conflict.*
- 10.7 *Development must not impact adversely on the efficiency and safety of the transport network and those who use it, nor adversely impact on the immediately surrounding uses.*
- 10.8 *During the construction phase, any damage to the road reserve (i.e. footpath/kerb and channel) must be replaced in accordance with council's standards.*
- 10.9 **Roadworks Approval**
 - 10.9.1 *The developer is responsible for obtaining a Roadworks permit for the installation of any hoardings, gantries or temporary road closures of the footpath or road prior to the commencement of works.*
 - 10.9.2 *The application must indicate the following:*
 - a. *Completed Roadworks permit application form.*
 - b. *Prescribed fee.*
 - c. *Traffic Management Plan prepared by a suitable qualified traffic professional detailing the traffic management measures put in place to manage all Roadworks including*

pedestrians, cyclists and vehicles in accordance with the Manual of Uniform Traffic Control Devices (Queensland) Part 3 – Works on Roads.

- d. *If the works require closure of part of the road reserve, a temporary Road Closure Permit will be required. This permit allows for a section of road reserve to be closed for the purpose of works. The Queensland Police Service is the issuing authority for these permits. An application will need to be made to council for a letter of 'no objection' prior to applying to the Queensland Police Service for the permit. The Traffic Management Plan will need to be included with the application to council.*

13. Landscaping and Screen Fencing

- i. *The site is to be suitably landscaped (with appropriate irrigation installed) with suitable species, in accordance with council's specifications and to the satisfaction of the Chief Executive Officer.*
- ii. *A minimum 1.8m high timber paling (with max 10mm gap) or similar style fence is to be provided for the full length of all property boundaries excepting pedestrian and vehicle access points.*

December 2022 - Negotiated Approval

On the 4 November 2022, change representations were lodged by BNC Planning on behalf of the applicant, Asimus Pty Ltd, seeking to change the following conditions of the original development permit :

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

Council at its meeting held 13 December 2022, agreed to following changes to the development permit with respect to Conditions 2 and 10, with Condition 10 amended as follows to allow for staging of works required to be completed by the applicant:

10. Roadworks, Traffic and Access

Works are to be completed in two (2) stages:

Stage 1

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

Stage 2

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

General (applicable for both stages)

- 10.8 *RPEQ certification is required to be submitted as part of an Operational Works application.*

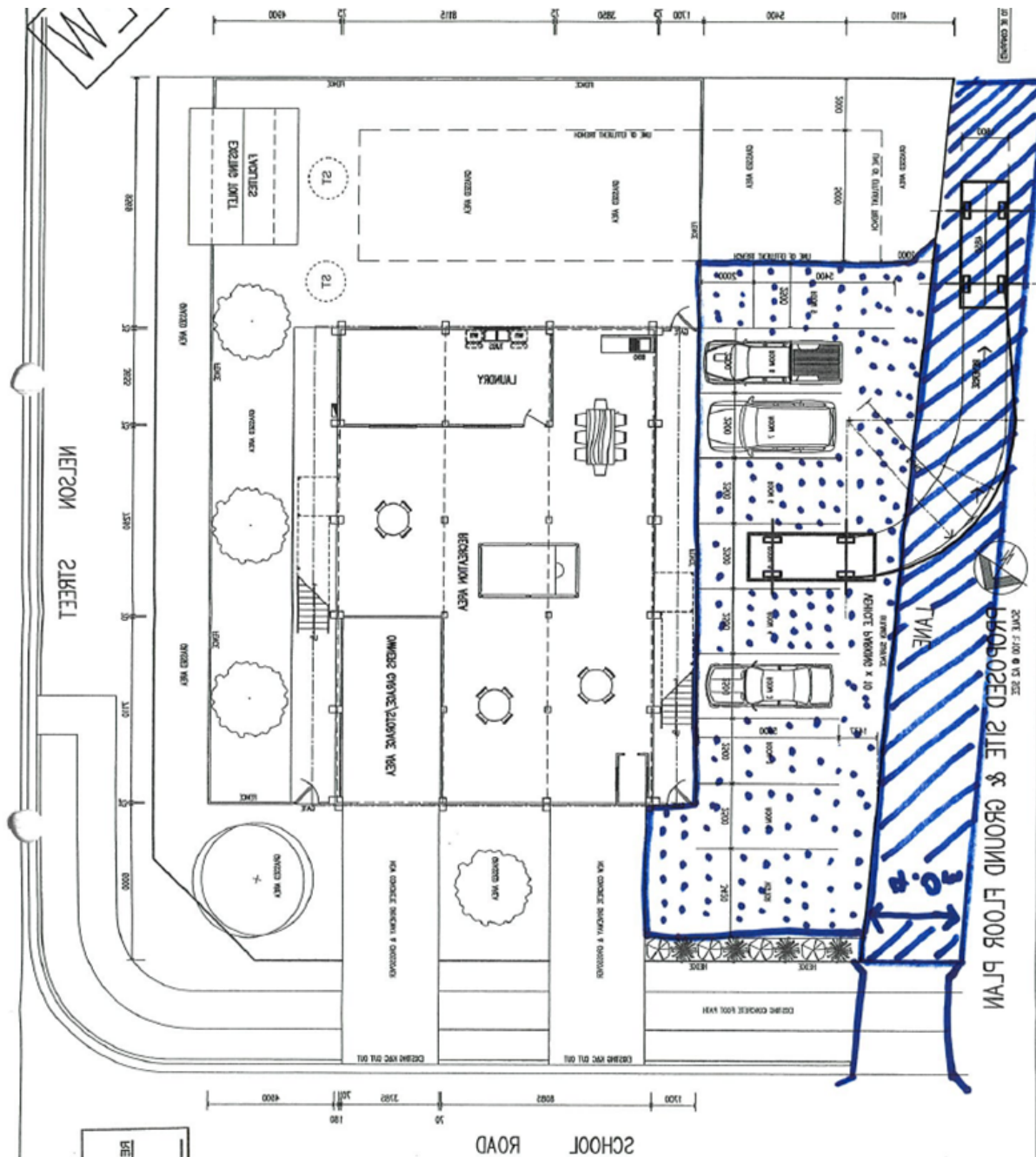
- 10.9 *Parking spaces, accesses and driveways not to be used for any other purpose.*
- 10.10 *Provide to Council prior to the commencement of works, a cross section 1:50 scale of all driveways showing existing and design levels for crossovers.*
- 10.11 *Vehicles must not exit the site in a reverse direction.*
- 10.12 *Provide pedestrian access, both internal and external to the site, which is separated from vehicular access to minimise the potential for pedestrian and vehicle conflict.*
- 10.13 *Development must not impact adversely on the efficiency and safety of the transport network and those who use it, nor adversely impact on the immediately surrounding uses.*
- 10.14 *During the construction phase, any damage to the road reserve (i.e. footpath/kerb and channel) must be replaced in accordance with council's standards.*

The following diagrams being the officer's depiction of the areas forming part of the Stage 1 works proposal, were provided for Council consideration as part of the officer report for the consideration of the negotiation request.

Diagram 1 – Extent of Stage 1 Works to be completed (overlaid on aerial image)



Diagram 2 – Extent of Stage 1 Works to be completed (marked up proposal plan)



Officer Considerations and Assessment Summary

Existing Locality and Surrounding Uses

While the Clare township is located approximately thirty (30) kilometres from the Ayr CBD, the development site has for almost twenty (20) years, been located within an 'urban' type zoning – 'Public Purpose' Zone from 2005 to 2023 and now the 'Township' Zone since the new Scheme was implemented in March 2023.

The development is located adjacent to the existing shop (separated by the unformed laneway (Council controlled road reserve)) to the east with residential natured lots surrounding the site to the west and south, with approximately 70% containing existing single detached dwellings (refer below images).

Image 1 – Current aerial of site and immediate surrounds.

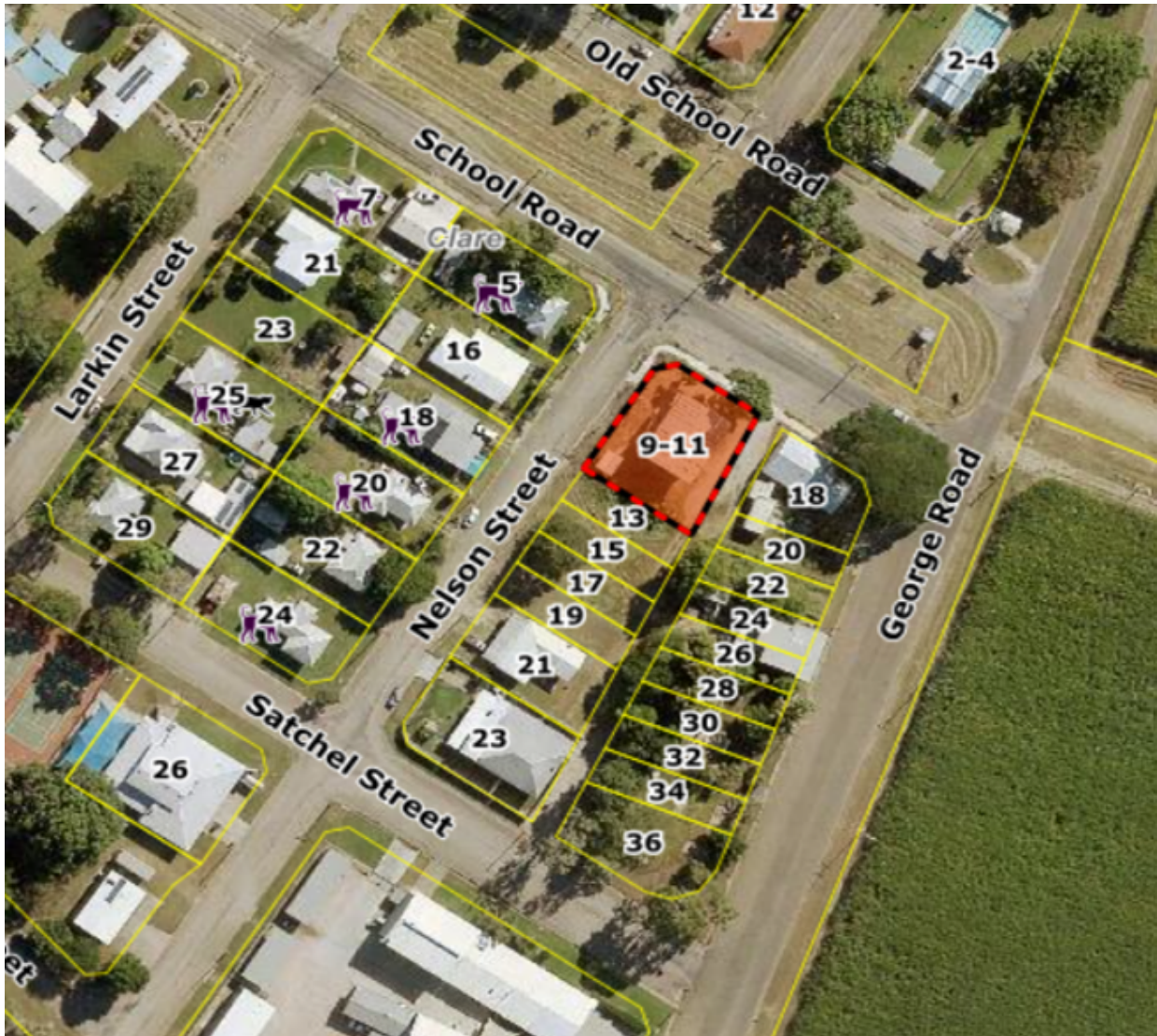


Image 2 – View from School Street to front of property



Image 3 – View from Nelson Street to rear of property



Images 4 and 5 – Views from Nelson Street



Nuisance Considerations

The approved development is for a:

- nine (9) bedroom accommodation building (6x single bed rooms and 3x queen bed rooms), with
- ten (space) on site carpark accessed via adjacent road reserve (existing unformed laneway) from School Road to the property boundary.

Given this, it may be possible that up to 12 persons may be using the premises at any one time with a minimum of ten (10) cars regularly entering and exiting the premises and manoeuvring on site.

The site is noted as being directly opposite (i.e. 20.0m away) existing houses established in Nelson Street. Further dwellings are located within 40.0m of the site.

While the applicant has chosen to provide screening to the undercroft of the existing building, the grassed area within the site remains open and available for use by residents.

Officers have given considerable and site/locality specific consideration to the development as part of the original approval, the negotiated approval and now this change request, with respect to matters of nuisance including, but not limited to, amenity, dust, noise and privacy considerations.

As a result:

(a) Officers remain firmly of the opinion that the proposed on site carpark and the access to it (using Council's road reserve (laneway)) is to be sealed.

Different design requirements may have been considered by officers if the development site and proposed use was located entirely within a Rural zoned property, surrounded by rural type uses. However as this was not the case for this development site and the approved development activity, no further consideration by officers is given to the justifications provided by the applicant as to why they do not need to seal the laneway and on site carpark.

Given this, Council officers have recommended that only the timing to complete the bitumen sealing works be increased from twenty four (24) months to thirty six (36) months from the date the Development Permit for Operational Works was issued.

and

(b) Officers are prepared to recommend a part change to Condition 13 - Landscaping and Screen Fencing only, being the removal of the need for the provision of the boundary fencing at the commencement of the use. Condition 13 – Landscaping and Screen Fencing is recommended to be amended as follows (**bold** indicates insertion, ~~strikeout~~ indicates removal):

10. Landscaping and Screen Fencing

- i. The site is to be suitably landscaped (with appropriate irrigation installed) with suitable species, **including the provision of a fast-growing native plant (e.g. Syzygium (lilly pilly)) as a screening mechanism for the full length of both the side (Nelson Street frontage) and rear (adjoining Lot 18 on C2028, 13 Nelson Street, Clare) property boundaries**, boundaries excepting pedestrian and vehicle access points, in accordance with council's specifications and to the satisfaction of the Chief Executive Officer.
- ii. ~~A minimum 1.8m high timber paling (with max 10mm gap) or similar style fence is to be provided for the full length of all property boundaries excepting pedestrian and vehicle access points.~~
 - ii. **The proposed activity must be conducted in a manner that applies such reasonable and practical means to avoid, minimise or manage significant impacts on the existing amenity of the locality as a result of noise, lighting, odour, dust, volume of traffic generated, loss of privacy or other cause.**

Complaint Management

- iii. **In the event of a complaint being received by Council in relation to any nuisance associated with the use that is considered reasonable, Council will require the developer/operator to engage a suitably qualified consultant to undertake an assessment addressing nuisance emanating from the site for this use to the satisfaction of the Burdekin Shire Council.**
- iv. **The assessment must be accompanied by a report, inclusive of supporting calculations and site investigations and must provide a recommended method and proposed measures for Council's review and approval.**
- v. **The developer/operator must undertake any works required within three (3) months of Council's acceptance of the report, at no cost to Council.**

Other matters noted - Non compliance with other permit requirements

(i) Planning Permit

The following items require a compliance inspection to be completed by and/or further evidence to be supplied to, Council:

- Onsite water supply confirmation from Sunwater.
- Privacy Screening for habitable rooms.
- Communal open space details.
- Property numbering.
- Dust management plan (for construction works)

(ii) Building Works Permit

- Council waiting on copy of the certificate of installation for the smoke alarms.

Consultation

All relevant Council Departments have been consulted with comments and development conditions included as part of the recommendation for the Minor Change approval to the Development Permit.

This change request application has been discussed with the Mayor, Councillors and Executive Leadership Team on 16 July 2024 workshop.

Further, numerous discussions have been held between the Council officers and the applicant and the Mayor and Councillors and the applicant since June 2024.

Budget & Resource Implications

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

Legal Authority & Implications

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

Policy Implications

Not applicable in concerning the acceptance of this report.

Risk Implications (Strategic, Operational, Project Risks)

Minimal organisational risk is apparent given that the recommendation has considered all relevant outcomes associated with Strategic, Operational and Project risks.

Risk has been managed by undertaking a thorough assessment against the assessment benchmarks relevant to this application and identifying conditions that should apply to the approval.

Attachments

1. Attachment A - MCU22 0007 Change Application 11 June 2024
2. Attachment B - Officers Report - Asimus Minor Change Recommended Amended Conditions

BNC Ref. DA001-22
BSC Ref. MCU22-0007

Date >> 11 June 2024

ASSESSMENT MANAGER
BURDEKIN SHIRE COUNCIL
PO BOX 974
AYR QLD 4807
Attention: Planning

Dear Assessment Manager,

**RE: CHANGE NOTICE UNDER s78 OF THE PLANNING ACT 2016
CHANGE APPLICATION (MINOR) TO AN EXISTING MATERIAL CHANGE OF USE DEVELOPMENT PERMIT
9-11 NELSON STREET, CLARE QLD 4807 (RPD: LOT 20 ON SP314314)**

BNC Planning acting on behalf of the applicant lodge this *change application* under section 78 of the *Planning Act 2016* (the Act) for changes to the assessment managers conditions associated with an existing development approval over the above referenced premises.

1.0 INTRODUCTION

The existing development approval (Council ref. MCU22-0007) is in the form of a development permit for material change of use to establish an accommodation building, issued by the Burdekin Shire Council by way of a Decision Notice dated 27 September 2022. The approval was issued subject to conditions and was approved by way of a standard decision notice.

The amendments proposed as part of this change application are to alter the requirement of the roadway and on-site parking area to be bitumen sealed and seeking to apply an alternative fencing solution. The current roadway and parking finished surface requirement is not necessary, as the alternative provision of angular crushed rock provides appropriate vehicle infrastructure to facilitate the development, and support any use of the laneway by nearby lots. The solution is fit-for-purpose, reflects the low traffic volumes likely to be generated and will not result in any unreasonable ongoing maintenance issued. In addition, the applicant is seeking to alter the fencing requirements to only require the building to be screened by timber paling fencing, noting that suitable landscaping will still be provided to achieve the desired screening outcomes.

There are no substantial changes proposed to the development, nor are there any changes proposed to the fundamental nature of the proposal. The changes do not result in a change in the types of works occurring, nor any other characteristic that would result in a substantially different development. There are no changes which would compromise or undermine the integrity of the assessment undertaken and decision made by Council as the assessment manager. Accordingly, the proposed change constitutes a *minor change* under the *Planning Act 2016* (the Act) and in accordance with schedule 1 of the *Development Assessment Rules*. Given the continued consistency

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enquire@bncplanning.com.au
www.bncplanning.com.au

with the applicable assessment benchmarks from the relevant planning instruments, a direct assessment against each of the components and the planning scheme and state codes is not considered necessary. Alternatively, a higher-level discussion and justification against the current conditions of approval has been provided to show that the proposal remains generally consistent with the existing development permit and in turn remains generally consistent with the codes and policies from the applicable planning instruments. The justification provided as part of the original development application, along with the reasoning provided within this *Notice* and updated plans, provides assessing authorities with the surety that the applicable policy outcomes continue to be addressed and that this minor change request can be supported.

2.0 MINOR CHANGE REQUEST

The relevant components of the current development approval which require amending are listed and discussed below:

ASSESSMENT MANAGER DECISION NOTICE

Condition 2 – Approved Plans

It is noted that the approved plans do not include detail relating to the required roadworks, and as such this condition does not require amending.

Condition 10 – Roadworks, Traffic and Access

This section of the Decision Notice will require amending to replace the requirement for a bitumen sealed roadway and car parking for the alternative construction of angular crushed rock. As the construction of angular crushed rock is the final solution, a second stage of the roadworks is not required. The general condition wording and all other approved documents remain relevant. The applicant proposes the following condition to replace condition 10 as a suitable alternative.

10. Roadworks, Traffic and Access

- 10.1 A new 4.0m wide roadway from concrete crossover in School Road to southern extent of the subject site, constructed of angular crushed rock.
- 10.2 On-site parking areas are to be constructed of angular crushed rock.
- 10.3 On-site parking areas are to be compacted using a steel drum roller prior to operation.
- 10.4 All areas used for vehicle movements between the new sealed roadway and the property boundary are to be constructed of angular crushed rock.
- 10.5 All construction must be to the satisfaction of Council and in accordance with Council's standards.
- 10.6 All on-site parking spaces must be marked in accordance with the Transport Operations (Road Use Management) Act 1995 (TORUM Act) and must be read alongside the Manual of Uniform and Traffic Control Devices (MUTCD).
- 10.7 The constructed roadway and parking areas are to be inspected by a RPEQ within 24 months of completing construction, to demonstrate that these areas have been maintained to the satisfaction of Council and in accordance with Council's standards.

General

- 10.8 RPEQ certification is required to be submitted as part of an Operational Works application.
- 10.9 Parking spaces, accesses and driveways not to be used for any other purpose.
- 10.10 Provide to Council prior to the commencement of works, a cross section 1:50 scale of all driveways showing existing and design levels for crossovers.
- 10.11 Vehicles must not exit the site in a reverse direction.
- 10.12 Provide pedestrian access, both internal and external to the site, which is separated from vehicular access to minimise the potential for pedestrian and vehicle conflict.

- 10.13 Development must not impact adversely on the efficiency and safety of the transport network and those who use it, nor adversely impact on the immediately surrounding uses.
- 10.14 During the construction phase, any damage to the road reserve (i.e. footpath/kerb and channel) must be replaced in accordance with council's standards.

Condition 13 – Landscaping and Screen Fencing

It is requested that subsection ii. be amended to require the existing screen fencing in place around the building to be retained, removing the need for full site perimeter fencing. A sample photo of the current building screen fencing is provided below. Example wording changes for the condition are offered below:

"The existing screen fencing provided for the full perimeter of the building is to be retained."



3.0 SUMMARY

Should Council not agree in full with the changes outlined above, it is requested that the applicant be engaged to discuss such matters prior to any changed decision notice being issued.

Chapter 3, Part 5, Division 2, Subdivision 2 of the *Planning Act 2016* outlines the process required to facilitate a *minor change*.

For clarity and statutory consistency, this notice is to be taken by:

- the Burdekin Shire Council, in their role as the responsible entity, as a change application made in accordance with s78 of the Planning Act 2016 for the changes proposed to the assessment managers conditions.

The changes relate to the assessment managers conditions only and there are no referral agencies involved. As such, there are no affected entities involved in this change request.

The following information has been included in support of this *Change Application*:

- Change Application Form (Form 5)
- Permit DA MCU22/0007

The proposal constitutes a development of the site in a manner that continues to meet the strategic outcomes sought by the planning instruments, that responds to the economic demands and localised environmental constraints of the locality and is consistent with the expectations of the community and previous development decisions over the site. This is based on the following characteristics of the proposal:

- The proposal remains generally consistent with an approved development outcome for the site and remains appropriate given the physical characteristics, surrounding land uses and the existing development and use rights;
- The proposed amendments do not substantially change the type, scale or intensity of the approved development;
- The proposal remains consistent with the *Strategic Framework* for the planning scheme;
- The proposal remains consistent with the outcomes prescribed by all other relevant codes and policies;
- The proposal remains consistent with the outcomes prescribed in the relevant State codes, State development assessment provisions and all other relevant regional, State and Federal level planning policies.

I trust this information is sufficient for acceptance of the *change application as properly made* subject to payment of any relevant processing fees. Please contact me should there be any issues or if you require any further information.

Kind regards,



Benjamin Collings, Director
BNC Planning Pty Ltd

Att

Change application form

Planning Act Form 5 (version 1.2 effective 7 February 2020) made under Section 282 of the Planning Act 2016.

This form is to be used for a change application made under section 78 of the *Planning Act 2016*. It is important when making a change application to be aware of whether the application is for a minor change that will be assessed under section 81 of the *Planning Act 2016* or for an other change that will be assessed under section 82 of the *Planning Act 2016*.

An applicant must complete all parts of this form, and provide any supporting information that the form identifies as being required to accompany the change application, unless stated otherwise. Additional pages may be attached if there is insufficient space on the form to complete any part.

Note: All terms used in this form have the meaning given under the *Planning Act 2016*, the *Planning Regulation 2017*, or the *Development Assessment Rules (DA Rules)*.

PART 1 – APPLICANT DETAILS

1) Applicant details	
Applicant name(s) (individual or company full name)	Asimus Investments PTY LTD
Contact name (only applicable for companies)	C/- BNC Planning. Contact: Benjamin Collings
Postal address (P.O. Box or street address)	PO Box 5493
Suburb	Townsville
State	QLD
Postcode	4810
Country	AUS
Email address (non-mandatory)	enquire@bncplanning.com.au
Mobile number (non-mandatory)	
Applicant's reference number(s) (if applicable)	DA001-22

2) Owner's consent - Is written consent of the owner required for this change application?	
Note: Section 79(1A) of the <i>Planning Act 2016</i> states the requirements in relation to owner's consent.	
<input type="checkbox"/> Yes – the written consent of the owner(s) is attached to this change application	
<input checked="" type="checkbox"/> No	

PART 2 – LOCATION DETAILS

3) Location of the premises (complete 3.1) or 3.2), and 3.3) as applicable)				
3.1) Street address and lot on plan				
<input checked="" type="checkbox"/> Street address AND lot on plan (all lots must be listed), or				
<input type="checkbox"/> Street address AND lot on plan for an adjoining or adjacent property of the premises (appropriate for development in water but adjoining or adjacent to land e.g. jetty, pontoon. All lots must be listed).				
a)	Unit No.	Street No.	Street Name and Type	Suburb
		9-11	Nelson Street	Clare
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4807	20	SP314314	Burdekin Shire Council
b)	Unit No.	Street No.	Street Name and Type	Suburb
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)



**Queensland
Government**

3.2) Coordinates of premises (appropriate for development in remote areas, over part of a lot or in water not adjoining or adjacent to land e.g. channel dredging in Moreton Bay)

Note: Place each set of coordinates in a separate row.

☐ Coordinates of premises by longitude and latitude

Longitude(s)	Latitude(s)	Datum	Local Government Area(s) (if applicable)
		<input type="checkbox"/> WGS84 <input type="checkbox"/> GDA94 <input type="checkbox"/> Other:	

☐ Coordinates of premises by easting and northing

Easting(s)	Northing(s)	Zone Ref.	Datum	Local Government Area(s) (if applicable)
		<input type="checkbox"/> 54 <input type="checkbox"/> 55 <input type="checkbox"/> 56	<input type="checkbox"/> WGS84 <input type="checkbox"/> GDA94 <input type="checkbox"/> Other:	

3.3) Additional premises

- ☐ Additional premises are relevant to the original development approval and the details of these premises have been attached in a schedule to this application
- ☒ Not required

PART 3 – RESPONSIBLE ENTITY DETAILS

4) Identify the responsible entity that will be assessing this change application

Note: see section 78(3) of the Planning Act 2016

Burdekin Shire Council

PART 4 – CHANGE DETAILS

5) Provide details of the existing development approval subject to this change application

Approval type	Reference number	Date issued	Assessment manager/approval entity
<input checked="" type="checkbox"/> Development permit <input type="checkbox"/> Preliminary approval	MCU22/0007	4 October 2022	Burdekin Shire Council
<input type="checkbox"/> Development permit <input type="checkbox"/> Preliminary approval			

6) Type of change proposed

6.1) Provide a brief description of the changes proposed to the development approval (e.g. changing a development approval for a five unit apartment building to provide for a six unit apartment building):

Minor changes – alterations to the roadway and car parking area materials and fencing requirements

6.2) What type of change does this application propose?

- ☒ Minor change application – proceed to Part 5
- ☐ Other change application – proceed to Part 6

PART 5 – MINOR CHANGE APPLICATION REQUIREMENTS

7) Are there any affected entities for this change application

- ☒ No – proceed to Part 7
- ☐ Yes – list all affected entities below and proceed to Part 7

Note: section 80(1) of the Planning Act 2016 states that the person making the change application must give notice of the proposal and the details of the change to each affected entity as identified in section 80(2) of the Planning Act 2016.

Affected entity	Pre-request response provided? (where a pre-request response notice for the application has been given, a copy of the notice must accompany this change application)	Date notice given (where no pre-request response provided)
	<input type="checkbox"/> No <input type="checkbox"/> Yes – pre-request response is attached to this change application	
	<input type="checkbox"/> No <input type="checkbox"/> Yes – pre-request response is attached to this change application	
	<input type="checkbox"/> No <input type="checkbox"/> Yes – pre-request response is attached to this change application	

PART 6 – OTHER CHANGE APPLICATION REQUIREMENTS

Note: To complete this part it will be necessary for you to complete parts of DA Form 1 – Development application details and in some instances parts of DA Form 2 – Building work details, as mentioned below. These forms are available at <https://planning.dsdmip.qld.gov.au>.

8) Location details - Are there any additional premises included in this change application that were not part of the original development approval?

- ☐ No
☐ Yes

9) Development details

9.1) Is there any change to the type of development, approval type, or level of assessment in this change application?

- ☐ No
☐ Yes – the completed Sections 1 and 2 of Part 3 (Development details) of DA Form 1 – Development application details as these sections relate to the new or changed aspects of development are provided with this application.

9.2) Does the change application involve building work?

- ☐ No
☐ Yes – the completed Part 5 (Building work details) of DA Form 2 – Building work details as it relates to the change application is provided with this application.

10) Referral details – Does the change application require referral for any referral requirements?

Note: The application must be referred to each referral agency triggered by the change application as if the change application was the original development application including the proposed change.

- ☐ No
☐ Yes – the completed Part 5 (Referral details) of DA Form 1 – Development application details as it relates to the change application is provided with this application. Where referral is required for matters relating to building work the [Referral checklist for building work](#) is also completed.

11) Information request under Part 3 of the DA Rules

- ☐ I agree to receive an information request if determined necessary for this change application
☐ I do not agree to accept an information request for this change application

Note: By not agreeing to accept an information request I, the applicant, acknowledge:

- that this change application will be assessed and decided based on the information provided when making this change application and the assessment manager and any referral agencies relevant to the change application are not obligated under the DA Rules to accept any additional information provided by the applicant for the change application unless agreed to by the relevant parties
- Part 3 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules.

Further advice about information requests is contained in the [DA Forms Guide: Forms 1 and 2](#).

12) Further details

- ☐ Part 7 of *DA Form 1 – Development application details* is completed as if the change application was a development application and is provided with this application.

PART 7 – CHECKLIST AND APPLICANT DECLARATION

13) Change application checklist

I have identified the:

- responsible entity in 4); and
- for a minor change, any affected entities; and
- for an other change all relevant referral requirement(s) in 10)

☒ Yes

Note: See the *Planning Regulation 2017* for referral requirements

For an other change application, the relevant sections of [DA Form 1 – Development application details](#) have been completed and is attached to this application

☐ Yes

☒ Not applicable

For an other change application, where building work is associated with the change application, the relevant sections of [DA Form 2 – Building work details](#) have been completed and is attached to this application

☐ Yes

☒ Not applicable

Supporting information addressing any applicable assessment benchmarks is attached to this application

Note: This includes any templates provided under 23.6 and 23.7 of *DA Form 1 – Development application details* that are relevant as a result of the change application, a planning report and any technical reports required by the relevant categorising instrument(s) (e.g. the local government planning scheme, State Planning Policy, State Development Assessment Provisions). For further information, see [DA Forms Guide: Planning report template](#).

☒ Yes

Relevant plans of the development are attached to this development application

Note: Relevant plans are required to be submitted for all relevant aspects of this change application. For further information, see [DA Forms Guide: Relevant plans](#).

☒ Yes

14) Applicant declaration

- ☒ By making this change application, I declare that all information in this change application is true and correct.
- ☒ Where an email address is provided in Part 1 of this form, I consent to receive future electronic communications from the responsible entity and any relevant affected entity or referral agency for the change application where written information is required or permitted pursuant to sections 11 and 12 of the *Electronic Transactions Act 2001*.

Note: It is unlawful to intentionally provide false or misleading information.

Privacy – Personal information collected in this form will be used by the responsible entity and/or chosen assessment manager, any relevant affected entity or referral agency and/or building certifier (including any professional advisers which may be engaged by those entities) while processing, assessing and deciding the change application.

All information relating to this change application may be available for inspection and purchase, and/or published on the assessment manager's and/or referral agency's website.

Personal information will not be disclosed for a purpose unrelated to the *Planning Act 2016*, *Planning Regulation 2017* and the *DA Rules* except where:

- such disclosure is in accordance with the provisions about public access to documents contained in the *Planning Act 2016* and the *Planning Regulation 2017*, and the access rules made under the *Planning Act 2016* and *Planning Regulation 2017*; or
- required by other legislation (including the *Right to Information Act 2009*); or
- otherwise required by law.

This information may be stored in relevant databases. The information collected will be retained as required by the *Public Records Act 2002*.

PART 8 – FOR COMPLETION OF THE ASSESSMENT MANAGER – FOR OFFICE
USE ONLY

Date received: Reference number(s):

QLeave notification and payment			
Note: For completion by assessment manager if applicable			
Description of the work			
QLeave project number			
Amount paid (\$)		Date paid (dd/mm/yy)	
Date receipted form sighted by assessment manager			
Name of officer who sighted the form			

Condition	Reason	Timing
<p>1. General and Administration</p> <p>1.1 The development and conduct of the approved use of the premises, the carrying out and maintenance of any works on the premises and construction and maintenance of any building on the premises must be generally in accordance with the applications supporting material, except where modified by the conditions of this Development Permit and any approval issued there under.</p>		At all times.
<p>2. Approved Plans</p> <p>2.1 The proposed development must be completed and maintained generally in accordance with the drawing/ documents identified in the Table below, except as otherwise specified by any condition of this approval.</p> <p>2.2 One full set of the most up to date approved plans must be held on site and available for inspection for the duration of the construction phase.</p> <p>2.3 Where a discrepancy or conflict exists between the written condition(s) of the approval and the approved plans, the requirements of the written condition(s) will prevail.</p> <p>2.4 The proposed development must comply with all scheme requirements as applying at the date of this approval, except as otherwise specified by any condition of this approval.</p> <p>2.5 The development must be constructed in the position and at the levels identified on the approved plans or as stipulated by a condition of this approval, noting that all boundary setback measurements are taken from the real property boundary and not from such things as road bitumen or fence lines.</p>	The development must comply with all planning scheme requirements and definitions as approved and conditioned by this development permit.	During the operation and life of the development.

Condition		Reason	Timing
Approved Plans			
Drawing Title	Drawing/Revision		Date
Preliminary Drawings - Existing Site and First Floor Plan	Job No. TFBD-21019 Dwg No. A01 Issue P2		19.05.2021
Preliminary Drawings – Proposed Site and First Floor Plan	Job No. TFBD-21019 Dwg No. A03 Issue P3		19.05.2021
Preliminary Drawings – Proposed Site and Ground Floor Plan	Job No. TFBD-21019 Dwg No. A04 Issue P6		19.05.2021
Associated Reports			
Development application prepared by BNC Planning.			
3. Outstanding charges			
All rates and charges (including infrastructure charges), in arrears in respect of the land, subject of the application, are paid in full prior to the commencement of the proposed use.			Prior to the commencement of the use.
4. Compliance with Conditions			
The proposed development must comply with all conditions of this development permit prior to the commencement of the use.		The development must comply with all planning scheme requirements and definitions as approved and conditioned by this development permit.	During the operation and life of the development.

Condition	Reason	Timing
<p>5. Limitation of Approval</p> <p>This approval is limited to Accommodation Building within the Residential Use Class as defined by Schedule 1, Division 2 – Defined Uses and Use Classes of <i>Burdekin Shire IPA Planning Scheme</i>.</p>	<p>The development must comply with all planning scheme requirements and definitions as approved and conditioned by this development permit.</p>	<p>During the operation and life of the development.</p>
<p>6. Notice of Intention to Commence the Use</p> <p>Prior to the commencement of the use on the land the subject of the application, written notice must be given to Council that the use (development and/or works) fully complies with the decision notice issued in respect of the use.</p>		<p>Prior to the commencement of the use.</p>
<p>7. On-site Water Supply</p> <p>Confirmation from the relevant private water service provider in this locality that an adequate and appropriate water supply for the development can be provided, is to be provided to Council.</p>	<p>The development is not located within a Burdekin Shire Council service area for a reticulated water service.</p> <p>Council understands that currently Sunwater is the private water service provider.</p>	<p>Prior to the issue of the Certificate of Occupancy by the Building Certifier and prior to the commencement of the use.</p>
<p>8. On-site Sewage Disposal</p> <p>8.1 The development must be serviced by an on-site sewage facility.</p>	<p>Development is not located within a service area for a sewerage service under the <i>Water Supply (Safety and Reliability) Act 2008</i> and must be appropriately serviced by a wastewater</p>	<p>Prior to the issue of the Certificate of Occupancy by the Building Certifier and prior to the</p>

Condition	Reason	Timing
<p>8.2 This planning approval is not permission to install the facility or commence building works. Under the <i>Plumbing and Drainage Act 2018</i>, an application must be lodged with Burdekin Shire Council before any building work or installation of an on-site facility can be carried out.</p>	<p>treatment and disposal facility that is appropriate for the level of demand generated by the development.</p>	<p>commencement of the use.</p>
<p>9. Privacy Screening</p> <p>Privacy screening or suitable alternative treatments are to be provided to habitable room windows located on the first floor.</p> <p>Treatments may consist of:</p> <ul style="list-style-type: none"> a) Fixed, tinted or opaque glazing in at least any part of the fixed window; and b) Sliding external screens (e.g. louvered panels), of durable weather resistant materials and with a maximum of 50% transparency. 	<p>To ensure the development appropriately addresses privacy requirements for residents at the premises, neighbouring residents and the community to ensure a suitable level of amenity and privacy is maintained.</p>	<p>Prior to the issue of the Certificate of Occupancy by the Building Certifier and during the operation and life of the development.</p>
<p>10. Roadworks, Traffic and Access</p> <p>10.1 A new 4.0m wide bitumen sealed roadway from the concrete crossover in School Road to the southern extent of the subject site is to be provided.</p> <p>10.2 All on-site parking areas must be bitumen sealed and line marked.</p> <p>10.3 All areas used for vehicle movements between the new sealed roadway and the property boundary are to be bitumen sealed.</p> <p>10.4 All bitumen sealing works are to be completed within thirty-six (36) months from the date the Development Permit for Operational Works is issued.</p> <p>10.5 All construction must be to the satisfaction of Council and in accordance with Council's standards.</p>	<p>To provide development with access in accordance with council standards.</p>	<p>Technical details are to be submitted to council as part of an application for Operational Work.</p>

Condition	Reason	Timing
<p>10.6 All on-site parking spaces must be marked in accordance with the Transport Operations (Road Use Management) Act 1995 (TORUM Act) and must be read alongside the Manual of Uniform and Traffic Control Devices (MUTCD).</p>		
General (applicable for both stages)		
<p>10.7 RPEQ certification is required to be submitted as part of an Operational Works application.</p>		
<p>10.8 Parking spaces, accesses and driveways not to be used for any other purpose.</p>		
<p>10.9 Provide to Council prior to the commencement of works, a cross section 1:50 scale of all driveways showing existing and design levels for crossovers.</p>		
<p>10.10 Vehicles must not exit the site in a reverse direction.</p>		
<p>10.11 Provide pedestrian access, both internal and external to the site, which is separated from vehicular access to minimise the potential for pedestrian and vehicle conflict.</p>		
<p>10.12 Development must not impact adversely on the efficiency and safety of the transport network and those who use it, nor adversely impact on the immediately surrounding uses.</p>		
<p>10.13 During the construction phase, any damage to the road reserve (i.e. footpath/kerb and channel) must be replaced in accordance with council's standards.</p>		
<p>11. On Site Car Parking</p>		
<p>11.1 A minimum of ten (10) car parking spaces (including a dedicated accessible space) must be provided on site and made available to serve the development.</p>	To ensure development is appropriately serviced by parking and access facilities in accordance with relevant code/s and policy direction.	Technical details are to be submitted to council as part of an application for Operational Work
<p>11.2 All on-site car parking facilities, associated ramps, driveways and manoeuvring areas must be designed and constructed in accordance with Council's requirements and the relevant Standards.</p>		

Condition	Reason	Timing
11.3 All car parking facilities must be always maintained to a safe operating standard thereafter.		and maintained for the life of the development.
12. Stormwater Drainage 12.1 The approved development and use(s) must not interfere with the natural flow of stormwater in the locality in such a manner as to cause ponding or concentration of stormwater on adjoining land or roads. 12.2 Any external catchments discharging to the premises must be accepted and accommodated within the development's stormwater drainage system. 12.3 Stormwater drainage must be discharged under the footpath to kerb and channelling within the adjoining road reserves in accordance with <i>AS3500.2.2003</i> or as otherwise required or agreed to in writing by the Chief Executive Officer. 12.4 RPEQ Certified Stormwater Management Plan is required to be provided as part of the Operational Works Application.	To convey stormwater legally and in an environmentally responsible manner in accordance with relevant standards, code/s and policy direction.	Technical details are to be submitted to council as part of an application for Operational Work and maintained for the life of the development.
13. Landscaping and Screen Fencing 13.1 The site is to be suitably landscaped (with appropriate irrigation installed) with suitable species, including the provision of a fast-growing native plant (e.g. <i>Syzygium</i> (lilly pilly)) as a screening mechanism for the full length of both the side (Nelson Street frontage) and rear (adjoining Lot 18 on C2028, 13 Nelson Street, Clare) property boundaries, excepting pedestrian and vehicle access points, in accordance with council's specifications and to the satisfaction of the Chief Executive Officer. 13.2 The proposed activity must be conducted in a manner that applies such reasonable and practical means to avoid, minimise or manage significant impacts on the existing amenity of	To enhance the appearance of the development for both residents and the community in accordance with Council's relevant code/s and policy direction.	To be maintained for the life of the development.

Condition	Reason	Timing
<p>the locality as a result of noise, lighting, odour, dust, volume of traffic generated, loss of privacy or other cause.</p> <p><u>Complaint Management</u></p> <p>13.3 In the event of a complaint being received by Council in relation to any nuisance associated with the use that is considered reasonable, Council will require the developer/operator to engage a suitably qualified consultant to undertake an assessment addressing nuisance emanating from the site for this use to the satisfaction of the Burdekin Shire Council.</p> <p>13.4 The assessment must be accompanied by a report, inclusive of supporting calculations and site investigations and must provide a recommended method and proposed measures for Council's review and approval.</p> <p>13.5 The developer/operator must undertake any works required within three (3) months of Council's acceptance of the report, at no cost to Council.</p>		
<p>14. Communal Open Space</p> <p>Provide sufficient communal open space that is accessible, useable and safe, centrally located and landscaped to an appropriate standard and designed and located in such a way to ensure any noise impacts are acceptable.</p>	To ensure the development provide occupants with an appropriate level of communal open space.	To be maintained for the life of the development.
<p>15. Noise Management</p> <p>The proposed activity must be conducted in a manner that applies such reasonable and practicable means necessary to avoid, minimise or manage the emission or likelihood of emission of noise that constitutes an intrusive or noise nuisance.</p> <p>In the event of a complaint being received by Council in relation to noise associated with the use, the developer/operator must engage a suitably qualified acoustic consultant to undertake an assessment addressing noise emanating from the site for this use in accordance with the provisions of the</p>	To ensure that the use does not cause a noise nuisance to nearby sensitive receptors, and to ensure that a nuisance is not caused to the use from other nearby noise sources in accordance	To be maintained for the life of the development.

Condition	Reason	Timing
<p><i>Environmental Protection Act 1994, Environmental Protection (Noise) Policy 2019, Environmental Protection Regulation 2019 and Australian Standard AS 1055 Acoustics to the satisfaction of the Burdekin Shire Council.</i></p> <p>The assessment must be accompanied by a report, inclusive of supporting calculations and site investigations and provide a recommended method and location of noise attenuation measures. The developer/operator must provide a copy of the report to Council and undertake any works (if required from the report) within 3 months at no cost to Council.</p>	<p>with the Queensland <i>Environmental Protection Act 1994</i> Section 440.</p>	
<p>16. Refuse Facilities</p> <p>Refuse collection arrangements must be provided by the developer to the satisfaction of the Chief Executive Officer.</p> <p>In particular:</p> <ul style="list-style-type: none"> a) The approved waste storage area is to be of sufficient size to house all garbage bins including recycling bins. b) Provide a storage area that is suitably paved, with a hose cock fitted in close proximity to the enclosure and drained via a legal on-site sewer connection. c) All waste generated as a result of the construction of the development is to be effectively controlled and contained entirely within the boundaries of the site prior to disposal. <p>All waste is to be disposed of in accordance with the <i>Environmental Protection Regulation 2019</i> and council's waste management policy.</p>	<p>To ensure the premises is appropriately serviced and to protect matters of public health and amenity in accordance with relevant code/s and policy direction.</p>	<p>Prior to commencement of the use and to be maintained for the life of the development.</p>
<p>17. Screen Fencing</p>		

Condition	Reason	Timing
<p>17.1 A minimum 1.8m high fence is to be provided for the full length of the property boundaries, excepting access points.</p> <p>17.2 The type and design of the fencing must be submitted and approved by the Chief Executive Officer.</p>	<p>To ensure the development does not have a detrimental effect on the amenity of the surrounding land and to address Crime Prevention through Environmental Design principles in accordance with the relevant code/s and policy direction.</p>	<p>Prior to the commencement of the use and maintained for the life of the development.</p>
<p>18. Property Numbering</p> <p>Legible property numbers must be erected at the premises and must be maintained. The site identification numbers should be of reflective material, maintained free from foliage and other obstructions, and be large enough to be read from the street.</p>	<p>To allow the general public, service and emergency service providers to effectively identify the property.</p>	<p>Prior to the commencement of the use and maintained for the life of the development.</p>
<p>19. Relocation of Services or facilities</p> <p>Any required relocation and/or alteration to any public service or facility installation must be carried out at no cost to council.</p>	<p>To ensure development is appropriately serviced by public services and/or in accordance with relevant code/s and policy direction.</p>	<p>Prior to the commencement of use.</p>
<p>20. Storage</p>		

Condition	Reason	Timing
<p>20.1 Goods, equipment, packaging material or machinery must not be stored or left exposed outside the building so as to be visible from any public road or thoroughfare.</p> <p>20.2 Any storage on site is required to be screened from view from all roads and adjacent properties.</p>	To ensure the development does not have a detrimental effect on the visual amenity of the surrounding land in accordance with relevant code/s and policy direction.	At all times following the commencement of the use.
<p>21. Building Works</p> <p>A development permit for Building Works (Certificate of Occupancy) is to be obtained before commencement of the use.</p>		Prior to the commencement of the use and maintained for the life of the development.
<p>22. Screening of Plant and Utilities</p> <p>Unless otherwise agreed in writing by council, all plant and utilities must be screened or located so as not to be visible from the street.</p>	To ensure the development does not have a detrimental effect on the amenity of the surrounding land in accordance with relevant code/s and policy direction.	Prior to the commencement of the use and maintained for the life of the development.
<p>23. Outdoor Lighting</p>	To ensure that the use does not cause a light nuisance to nearby sensitive receptors,	Prior to commencement of the use and to be

Condition	Reason	Timing
Any outdoor lighting fixtures must be installed and maintained so that they do not emit glare or light above the levels stated in <i>Australian Standard 4282 – 1997 Control of the Obtrusive Effects of Outdoor Lighting</i> .	and to ensure that a nuisance is not caused to the use from other nearby light sources in accordance with the Queensland <i>Environmental Protection Act 1994</i> Section 440.	maintained for the life of the development.
<p>24. Signage</p> <p>Any signage to be associated with the use must be designed to satisfaction of the Chief Executive officer.</p> <p>To maintain amenity for the adjoining properties, no illumination of the signage is to occur unless otherwise approved by council.</p>	To maintain amenity for the adjoining properties.	Prior to the commencement of the use.
<p>25. Soil Erosion Minimisation, Sediment Control</p> <p>Erosion and sediment control management including site specific stormwater treatment devices must be installed and maintained to the satisfaction of the Chief Executive Officer.</p>	To ensure that receiving waters during construction of the development are managed from the effects of increased sediment run-off in accordance with relevant code/s and policy direction.	At all times during the construction phase.

Condition	Reason	Timing
26. Dust Management A dust management plan must be prepared and submitted to council for approval.	To mitigate potential adverse impacts of dust hazards.	Technical details are to be submitted to council as part of an application for Operational Work.

Advice	
1. Infrastructure Charges An Infrastructure Charges Notice outlining the estimated infrastructure contributions payable relevant to the Development Permit is attached for your information.	
2. General Council will not be obligated to upgrade any roads accessing the development due to increased vehicle numbers accessing the development.	
3. Further Approvals Required a) Operational Work An Operational Work application associated with the following conditions must be submitted to Council for approval prior to the issue of a Development Permit for Building Works, unless otherwise approved by council. Condition 10 – Roadworks and Traffic Condition 11 – On Site Car Parking Condition 12 – Stormwater Drainage Condition 26 – Dust Management	

<p>All engineering, soil erosion and sediment control and landscaping designs and documentation associated with such an application must be prepared and, where necessary, certified by a suitably qualified/experience person.</p> <p>b) Plumbing and Drainage Works. A Compliance Permit to carry out plumbing and drainage works prior to the commencement of sanitary drainage works.</p> <p>c) Building Works A Development Permit for Building Works to carry out building works prior to works commencing on site.</p>	
<p>4. Further Inspections Required Compliance with Conditions The following inspections will be required to be undertaken by council to determine compliance with conditions that are not subject to a further approval. Condition 13 – Landscaping Condition 14 – Communal Open Space Condition 16 – Refuse Facilities Condition 17 – Screen Fencing Condition 18 – Property Numbering Condition 19 – Relocation of Services or facilities Condition 22 – Screening of Plant and Utilities Condition 25 – Soil Erosion Minimisation, Sediment Control</p>	
<p>5. Licenced Operator of Premises The operator of the premises must hold a licence with Burdekin Shire Council for the operation of the accommodation premises under the provisions of the <i>Local Government Act 2009</i> and Local Laws pursuant to the Act.</p>	
<p>6. Roadworks Permit If required, a Roadworks Permit for the construction of a driveway or access within the road reserve must be obtained.</p>	
<p>7. Storage of Materials and Machinery All materials and machinery to be used during the construction period are to be wholly stored on the site, unless otherwise approved by council.</p>	

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

7.4.1. TECHNICAL SERVICES

Ayr Industrial Estate - Heavy Vehicle Access

File Reference: 682

Report Author: Kevin Byers, Manager Technical Services

Authoriser: Wayne Saldumbide, Manager Operations

Meeting Date: 23 July 2024

Link to Corporate/Operational Plan:

Burdekin Shire Council Corporate Plan 2022-2027

3.3.3: Develop and implement strategic infrastructure plans to inform the decisionmaking process when planning for future infrastructure renewal and enhancements.

Burdekin Shire Council Operational Plan 2023-2024

TS9 Develop 5 and 10 year roadworks and drainage capital works program.

Executive Summary

Heavy vehicle access into and throughout the existing Ayr Industrial Estate has been restricted due to physical constraints in the existing road configuration. Council has committed to upgrade the existing roads and kerbing within the estate to improve heavy vehicle access within the next two (2) to three (3) years. With the pending expiration of all existing access permits and the refusal of several new applications and renewals, this timeframe will cause major disruptions for the movement of freight to and from the Estate.

Interim works will be completed to improve manoeuvrability for heavy vehicles within the existing estate. The proposed works will improve access to the majority of the estate and will, in most cases, allow approval of access permits in the areas where applications have been requested and refused.

Recommendation

That Council approves the following works at the Ayr Industrial Estate for a total cost of \$10,000.00 to improve heavy vehicle access:

1. Installation of "No Stopping" signs and pavement markings in Bird, Oakes and McCathie Streets, Ayr to restrict parking in areas on the road required to provide adequate turning space for trucks, and
2. Temporary modifications to the existing kerb and channel at the intersection of Bird and Oakes Streets, Ayr to provide adequate turning space for trucks.

Background

The development of the Ayr

Industrial Estate commenced in 1984 with the construction of the first stage, with additional stages completed in 1987 and 1998. Roads were constructed at a width of 12 meters which provided adequate capacity for heavy vehicles at that time.

Following the introduction of B-Double heavy vehicle configurations into Queensland in the late 1980's, the

use of this configuration has undergone rapid growth to become the most popular format for efficient road transport. Along with the increasing use of A-Double Type 1 Road Trains for transport of freight, improved access to industrial development is essential to support a productive and economically viable industry.

Several businesses within the existing estate have either been refused access permits or hold existing approvals that are about to expire which will not be renewed due to the current road widths and parking arrangements. These restrictions are due to inadequate space to manoeuvre particular heavy vehicle combinations within the existing road width and intersection configurations.

Council has committed to a major project to widen Bird Street and Oakes Street, Ayr within the Ayr Industrial Estate with provisions for sufficient space to improve heavy vehicle access. The design is currently in progress, however, construction of the new roads is not scheduled for 24 -36 months.

Council has developed a plan for interim works which can be completed in the short term to allow approval of access permits for these restricted access combination vehicles where possible.

The works involve the installation of “No Stopping” signs and pavement markings at strategic locations throughout the estate which accommodates turning movements for the trucks, however, reduces the available on- street parking. To minimise the loss of parking spaces, Council currently plans to restrict routes to a one-way access in some cases.

Council does not employ a parking compliance officer to ensure parking does not occur in the proposed “No Stopping” zones. The pavement markings included in the interim works will supplement the signage and deter people from parking illegally. Upon completion of the future road upgrade project, this problem will be eliminated in most areas with the provision of indented parking where possible. Further action may be required if non-compliance with the parking restrictions occurs regularly.

Consultation

The interim works will result in reduced on-street parking availability in front of seven (7) properties. Council Officers have liaised with these property owners to advise the details of the proposed works and how they affect the on-street parking in front of their properties. Many of these parking areas are not regularly used for parking. All owners were agreeable with the solution and will change their parking arrangements if required. One (1) owner was concerned with the loss of parking in front of their property. These concerns will be resolved with the provision of indented parking in this area as part of the road upgrade project and will be programmed to proceed in the early stages of that project.

Budget & Resource Implications

The cost of the proposed interim works will be funded from current allocations in 2024/2025 capital budget for the design and commencement of the overall road upgrade project.

No additional budget allocation required for this project.

Legal Authority & Implications

The National Heavy Vehicle Regulator (NHVR) administers the Heavy Vehicle National Law (HVNL)* and five sets of regulations. Council is responsible for the approval or refusal of heavy vehicle access permits on local roads within the Burdekin Shire.

Heavy Vehicle National Law Act 2012.

The *Transport Operations (Road Use Management—Road Rules) Regulation 2009* regulates the use of roads and requirements associated with vehicle use and parking.

Policy Implications

Not Applicable.

Risk Implications (Strategic, Operational, Project Risks)

The risk associated with the completion of the works is that motorists may not comply with the parking restrictions and create a potentially unsafe situation for turning trucks. This risk is mitigated by providing signage, pavement markings and indented parking in front of one business. Any non-compliance with the Transport Operations (Road Use Management; Road Rules) Regulation 2009 may result in infringement notices issued by Queensland Police if required.

The risk associated with not proceeding with the works is the continued illegal use of restricted heavy vehicles on the Estate streets without permits resulting in unsafe operations.

Attachments

None

13.1. DELEGATION

Australian Citizenship Ceremony

10.15am Citizenship Ceremony