



Burdekin Shire Council

AGENDA

ORDINARY COUNCIL MEETING

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

on 9 December 2025

COMMENCING AT 9:00 AM

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

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

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ORDER OF BUSINESS:

ATTENDANCE

2. PRAYER

3. DECLARATIONS OF INTEREST

4. MINUTES AND BUSINESS ARISING

4.1. Ordinary Council Meeting Minutes - 25 November 2025

4.2. Economic Development Advisory Group Meeting Minutes - 6 November 2025

4.3. Audit and Risk Committee Meeting Minutes - 12 November 2025

4.4. Asset Management Steering Committee Meeting Minutes - 12 November 2025

4.5. ICT Steering Committee Meeting Minutes - 25 November 2025

5. EXECUTIVE

5.1. CEO

5.1.1. Standing Orders - Order of Business for Ordinary Council Meetings

5.1.2. TechnologyOne Transition Ci to CiA for Property and Rating

5.2. ECONOMIC DEVELOPMENT

6. CORPORATE AND COMMUNITY SERVICES

6.1. CLIENT SERVICES

6.1.1. QBSC/25/081 - Secure Communities Partnership Program

6.2. COMMUNITY SERVICES

6.3. FINANCIAL SERVICES

6.3.1. Monthly Financial Report - November 2025

6.4. GOVERNANCE

6.4.1. Amendment to Resolution: Freehold Lease – Lease A on Survey Plan 202797, Part of Lot 106 on Registered Plan 898777, Ayr Aerodrome, Brandon – Ian Haigh and Patricia Haigh

7. INFRASTRUCTURE, PLANNING AND ENVIRONMENTAL SERVICES

7.1. ENVIRONMENTAL AND HEALTH SERVICES

7.1.1. Resource Recovery Boost Fund - Funding Application

7.1.2. Waste Management Policy Review

7.2. OPERATIONS

7.3. PLANNING AND DEVELOPMENT

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- 7.3.1. Development Application for a Development Permit for Reconfiguring a Lot - 1 Lot into 2 Lots, at 190 Marshall Road, Osborne (Lot 179 on SB100)
 - 7.3.2. Development Application for a Development Permit for Reconfiguring a Lot - Boundary Realignment (2 Lots into 2 Lots) at 260 and 276 Hoey Road, Barratta (Lots 1 and 3 on SP240053)
 - 7.3.3. Currency Period Extension Request for Development Permit
CONS15/0028 – Solar Farm, Located at Ayr Dalbeg Road, Mulgrave (Lot 22 on GS1042)
 - 7.4. TECHNICAL SERVICES
 - 7.4.1. Register of Pre-Qualified Suppliers - Trade Services - Builders, Carpenters, Concreters & Painters.
 - 7.4.2. 2025/2026 Operational Plan Quarterly Reporting - Update of Operational Plan Activity - TS5
 - 7.4.3. TBSC/25/022 - Supply and Delivery of One (1) Motor Grader Fitted with Trimble Laser Equipment
 - 7.5. WATER AND WASTEWATER
 - 8. NOTICE OF MOTION
 - 9. RECEIPT OF PETITIONS
 - 10. CORRESPONDENCE FOR INFORMATION
 - 11. COUNCILLOR REPORTS
 - 11.1. Late Councillor Report for October 2025
 - 12. GENERAL BUSINESS
 - 13. CLOSED BUSINESS ITEMS
 - 13.1. Enforcement under *Local Law No. 3 (Community and Environmental Management) 2012* – Part 6A Designated Area for Building Appearance Provisions
 - 14. DELEGATION
 - 14.1. Australian Citizenship Ceremony
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4.1. MINUTES AND BUSINESS ARISING

Ordinary Council Meeting Minutes - 25 November 2025

Recommendation

That the minutes of the Ordinary Council Meeting held on 25 November 2025 be received as a true and correct record.

Attachments

1. Minutes - Ordinary Council Meeting - 25 November 2025



Burdekin Shire Council

MINUTES

ORDINARY COUNCIL MEETING

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

on 25 November 2025

COMMENCING AT 9:00 AM

ORDER OF BUSINESS:

ATTENDANCE

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

Mr. M. Magin - Chief Executive Officer
Mrs. K. Olsen – Director Corporate and Community Services
Mr. J. Stewart - Director Infrastructure, Planning and Environmental Services
Mr. G. Arboit - Manager Community Services (Part)
Mr. P. Day - Manager Environmental and Health Services (Part)
Mrs. K. Galletta - Manager Planning and Development (Part)
Mrs. J. Manganaro - Manager Financial Services (Part)
Mr. W. Saldumbide - Manager Operations (Part)
Ms. B. Mohr - Governance and Property Officer (Part)
Mrs. J. Horan -Governance and Property Officer (Part)

Mrs. Lisa Bandiera (Part)
Mr. George Milford - Milford Planning (Part)
Ms. Leanne Simpson - Adams + Sparkes Town Planning (Via Teams) (Part)

Minutes Clerk - Ms. G. Biffanti

2. PRAYER

The meeting prayer was delivered by Pastor Andrew Ballin of the Burdekin Baptist Church.

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 - 11 November 2025

Recommendation

That the minutes of the Ordinary Council Meeting held on 11 November 2025 be received as a true and correct record.

Resolution

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

Voting on the Motion

FOR - Councillors Delle Cort, Musumeci, Detenon, Furnell, Hall and Vasta

AGAINST - Councillor Oar

6/1

CARRIED

Councillor Oar previously suggested in the Ordinary Council Meeting held on 14 October 2025, that Council investigate its formal recording of Resolutions, specifically recommending a revision to the phrasing to clarify that when a Councillor moves or seconds a motion, it is intended to initiate discussion rather than imply endorsement. Councillor Oar notified he will be voting against the Ordinary Council Meeting minutes until this matter is resolved.

4.2. Burdekin Shire Youth Council Meeting Minutes - 10 November 2025

Executive Summary

This report provides the minutes of the Burdekin Shire Youth Council Meeting held on 10 November 2025.

Recommendation

Item 4 - Involvement in Seniors Week Expo and Luncheon - 30 October 2025

That Council notes the involvement of the Burdekin Shire Youth Council members in the Seniors Week Expo and Luncheon, and the positive feedback received from various stakeholders.

That Council receives and notes:

1. the minutes of the Burdekin Shire Youth Council Meeting held on 10 November 2025; and
2. the recommendation as detailed in the minutes and summarised above in Item 4.

Resolution

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

CARRIED

9:09am - Mr. Arboit left the meeting.

5. EXECUTIVE

5.1. CEO

5.2. ECONOMIC DEVELOPMENT

5.2.1. Funding Application - Regional Drought Resilience Plan

Executive Summary

In 2022, Burdekin Shire together with the Charters Towers Region was selected (as a pilot) to develop a regional drought resilience plan to prepare for and manage future drought risks. The Regional Drought Resilience Planning (RDRP) program was a partnership between the Australian Government's Future Drought Fund (FDF) and the Queensland Government. The program provided funding to the Rural Economies Centre of Excellence (RECoE) to work with five (5) regional communities to pilot the development of these plans.

Council endorsed the Burdekin-Charters Towers Regional Drought Resilience Plan and has since been waiting for funding opportunities to implement the identified priorities.

Recommendation

That Council endorses the submission of a funding application to the Queensland Rural and Industry Development Authority (QRIDA) - Regional Drought Resilience Planning Grant Scheme for priorities and activities in the Burdekin and Charters Towers Regional Drought Resilience Plan:

- 1) Activity grant to the value of \$300,000.00 (excluding GST) for the development of a Regional Workforce Strategy, establishment of an Employment and Skills Development Network, and the implementation of priority actions from the Burdekin Local Housing Action Plan, and
- 2) Remuneration grant to the value of \$150,000.00 (excluding GST) to provide a human resource to coordinate and contribute to the development of a Regional Workforce Strategy, establishment of an Employment and Skills Development Network, the implementation of priority actions from the Burdekin Local Housing Action Plan, as well as to put into operation regional drought resilience action tracking to start measuring Regional Drought Resilience Plan impacts.

Resolution

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

CARRIED

6. CORPORATE AND COMMUNITY SERVICES

6.1. CLIENT SERVICES

6.2. COMMUNITY SERVICES

6.3. FINANCIAL SERVICES

9:15am - Mr. Day entered the meeting.

6.3.1. Monthly Financial Report - October 2025

Recommendation

That the Monthly Financial Report for Period Ending 31 October 2025 be received.

Resolution

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

CARRIED

9:24am - Mrs. Manganaro left the meeting.

6.4. GOVERNANCE

6.4.1. Conflict of Interest for Workers Policy

Executive Summary

Conflicts of interest can arise when there is competition between an Officer's private interests, financial or otherwise, and their official duties. Unidentified and unmanaged conflicts of interest can lead to bias or corruption, which in turn can harm the community's trust in Council and may undermine the legitimacy of its decisions. Council's Conflict of Interest for Workers Policy establishes clear guidelines for identifying, disclosing and managing conflicts of interest. The policy ensures transparency in the decisions-making process in relation to declared conflicts, ensuring that Senior Officers oversee and agree to appropriate treatments and responses to identified conflicts.

The Conflict of Interest for Workers Policy forms part of Council's Fraud and Corruption Control Framework and has been reviewed and updated in accordance with the normal review cycle.

Recommendation

That Council adopts the updated Conflict of Interest for Workers Policy as attached to this report.

Resolution

Moved Vasta, seconded Hall that the recommendation be adopted.

CARRIED

9:27am Ms. Mohr entered the meeting.

9:28am Mrs. Galletta entered the meeting.

6.4.2. Request for Reduction of Lease Fees - Roy Pryor

Executive Summary

Council has a trustee lease (for grazing purposes only) with Mr. Roy Pryor for the following parcels of land:

- part of Lot 141 on Crown Plan GS808420,
- the whole of Lot 122 on Crown Plan GS405 and
- the whole of Lot 121 on Survey Plan 205555 for the period 21 December 2022 - 20 December 2027.

In February 2024, Council provided Mr. Pryor a 50% fee relief for a two-year period. Mr. Pryor has requested a further temporary reduction in lease fees to support the recovery of land for grazing.

Recommendation

That Council:

- declines Mr. Roy Pryor's request for a temporary reduction in lease fees for the following parcels of land:
 - part of Lot 141 on Crown Plan GS808420,
 - the whole of Lot 122 on Crown Plan GS405,
 - the whole of Lot 121 on Survey Plan 205555; and
- notes that the annual lease fee for the period 21 December 2025 - 20 December 2026 is \$8,970.82.

Resolution

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

CARRIED

9:30am - Ms. Mohr left the meeting.

9:31am - Mrs. Horan entered the meeting.

6.4.3. 2026-27 SES Support Grant - Funding Applications

Executive Summary

The 2026-27 SES Support Grant, funded by the Queensland Government, provides financial assistance to Local Governments for the allocation of resources to SES Groups. The Burdekin SES is in need of a new caravan to serve as a base station for search and rescue missions within the Burdekin region and its surrounding areas.

A replacement vehicle is also required for the Area Controller as the vehicle currently being utilised is ten (10) years old.

The new vehicle and caravan will be tailored to meet the operational and welfare needs of SES volunteers, providing comfortable, safe, and functional equipment for emergency operations.

Recommendation

That Council approves:

1. The submission of a funding application to the 2026-27 SES Support Grant program for funds to purchase a caravan for SES use, noting that no financial contribution will be required.
2. The purchase of the customised Nomad 17'10 family caravan from Grand City Caravans as it is considered the best value for money on a customised unit, if the funding application is successful.
3. The submission of a funding application to the SES Support Grant program for funds to purchase a replacement vehicle for the SES Area Controller, noting that no financial contribution will be required.

Resolution

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

CARRIED

9:30am - Mr. Saldumbide entered the meeting.

9:33am - Mrs. Horan left the meeting.

Resolution

Moved Councillor Hall, seconded Councillor Furnell, that the order of business for Item 7.3.4. Development Application for a Development Permit for Material Change of Use – Expansion and Redevelopment of Service Station located at 29285 Bruce Highway, McDesme and formally described as Lots 6 and 7 on RP903580 amended and to follow Item 6.4.3.

CARRIED

7.3.4. Development Application for a Development Permit for Material Change of Use – Expansion and Redevelopment of Service Station located at 29285 Bruce Highway, McDesme and formally described as Lots 6 and 7 on RP903580.

9.36am - Two deputations addressed the Council. Adams & Sparks Town Planning presented first, outlining United Petroleum's proposed development application and the amendments made in consultation with Council. The second deputation was delivered by Milford Planning on behalf of his client, Mr. Ron Bandiera. Mrs. Bandiera, acting on her father's behalf, detailed the objections to the proposed development application.

Executive Summary

Council is in receipt of an Impact Assessable Development Application lodged by Adams & Sparks Town Planning on behalf of applicant, United Petroleum, seeking a Development Permit for an expansion to and redevelopment of the existing Service Station located at 29285 Bruce Highway, McDesme.

The redevelopment of the existing Service Station includes the extension of the development footprint into the adjoining Lot 7 located to south/south-west to allow for truck movements and refuelling. The premises will be operated by United Petroleum and open 24 hours a day, seven (7) days a week.

Recommendation

That Council approve the development application seeking a Development Permit for a Service Station (expansion to and redevelopment of the existing Service Station) on land located at 29285 Bruce Highway, McDesme and described as Lots 6 and 7 on RP903580, subject to reasonable and relevant conditions as set out below:

Condition	Reason	Timing
1. General and Administration		
<u>Compliance with Conditions</u>		At all times.
1.1 The applicant (and any contractor, agent, employee or invitee of the applicant) is responsible for carrying out the approved development and ensuring compliance with this development approval, the conditions of the approval and the relevant requirements in accordance with:		
1.1.1 The specifications, facts and circumstances as set out in the application submitted to Council, including recommendations and findings confirmed within the relevant technical reports.		
1.1.2 The development must comply in full with all conditions of this approval, and is to be designed, constructed and maintained in accordance with relevant Planning Scheme requirements, Council policies, guidelines and standards (except as otherwise specified by any condition) and all other relevant legislative requirements to Council's satisfaction, and best industry practice.		
1.2 Where a discrepancy or conflict exists between the written condition(s) of the approval and the approved plans, the requirements of the written condition(s) of the development approval will prevail.		
1.3 Where these conditions refer to 'Council' in relation to requiring Council to approve or be satisfied, the role of the Council may be fulfilled in whole or in part by an officer acting under appropriate delegation.		
<u>Notice of Intention to Commence the Use</u>		
1.4 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.		
<u>Works – Applicant's Responsibility/Expense</u>		
1.5 The cost of all works associated with the development and construction of the development including services, facilities and/or public utility alterations required, are met by the applicant at no cost to the Council.		
1.6 The applicant must repair any damage to existing infrastructure (e.g. kerb and channel, footpath or roadway) that may occur during any works undertaken as part of the development. Any damage that is deemed to create a hazard to the community must be repaired immediately with all works being undertaken by suitably qualified persons.		

Condition	Reason	Timing
1.7 Any required relocation and/or alteration to a public utility or infrastructure installation must be carried out at no cost to Council.		
Infrastructure Conditions		
1.8 All development conditions contained in this development approval relating to infrastructure under Chapter 4 of the <i>Planning Act 2016 (the Act)</i> , should be read as being non-trunk.		
2. Approved Plans & Documents		
2.1 The proposed development must be completed, comply with and maintained, generally in accordance with the drawings/documents identified in the table below, except as otherwise specified and/or amended by any condition of this approval.	To ensure that the development contributes to a safe and attractive commercial environment.	At all times.
2.2 One full set of the most recent approved plans must be held on-site and available for inspection for the duration of the construction phase.		
2.3 The development must be constructed in the position and at the levels identified on the approved plans or as stipulated by a condition of this approval, noting that all boundary setback measurements are taken from the real property boundary and not from such things as road bitumen or fence lines.		
2.4 Where there is any conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval must prevail.		
Approved Plans and Documents		
Title	Drawing/Revision	Date
Proposed Site Plan - Cnr Bruce Hwy & Ayr-Dalbeg Road AYR, QLD	TP03- Rev I	14 October 2025
Proposed Store Plan - Cnr Bruce Hwy & Ayr-Dalbeg Road AYR, QLD	TP05- Rev B	05 July 2021
North & South Elevations - Cnr Bruce Hwy & Ayr-Dalbeg Road AYR	TP06- Rev B	05 July 2021
Condition	Reason	Timing
East & West Elevations - Cnr Bruce Hwy & Ayr-Dalbeg Road AYR, QLD	TP07- Rev B	05 July 2021
East & West Elevations (Signage) - Cnr Bruce Hwy & Ayr-Dalbeg Road	TP08- Rev B	05 July 2021
Environment Noise Assessment	21BRA0037 R01_2	23 July 2025
Stormwater Assessment Report	ARO0132 Rev 1	27 October 2021
Traffic Impact Assessment (as amended by SARA Referral Agency Conditions dated 25 September 2025)	21-012 Rev A	17 September 2021
3. Outstanding Charges		
3.1 All rates and charges (including infrastructure charges), in arrears in respect of the land subject of the application, are to be paid in full prior to the commencement of the proposed use.		
4. Notice of Intention to Commence the Use		
4.1 Prior to the commencement of use, written notice must be given to Council that the development fully complies with this Development Permit.		
5. Nature of Approved Use		
5.1 This approval provides for a Service station as defined in the Planning Scheme: Service station means the use of premises for – (a) selling fuel, including, for example, petrol, liquid petroleum gas, automotive distillate or alternative fuels; or (b) a food and drink outlet, shop, trailer hire, or maintaining, repairing, servicing or washing vehicles, if the use is ancillary to the use in paragraph (a).	The development must comply with all planning scheme requirements including definitions, nature and extent as approved and conditioned by this development permit.	At all times.
5.2 The approved use is to remain in accordance with the scale and intensity provided in the development application and as set out on the approved plans and documents listed in the table forming part of Condition 2.		

Condition	Reason	Timing
<p>5.3 No other operations and/or activities are allowed other than that approved by this permit.</p> <p>5.4 The Council and its officers make no representations and provide no warranties as to the accuracy of the information contained in the development application including its supporting material provided to it by the applicant.</p> <p>5.5 The Council and its officers rely upon the applicant concerning the accuracy and completeness of the application and its supporting material and accepts the development application and supporting material as constituting a representation by the applicant as to its accuracy and completeness.</p>		
6. Limitation of Use – Operational		
<p>6.1 The approved use is limited to the following:</p> <p>6.1.1 This approval allows for the development, being the Service Station, to operate 24 hours a day, Monday to Sunday.</p> <p>6.1.2 Fuel and all other deliveries to/from site in association with the permitted uses must only occur between 6:30am to 6:30pm, Monday to Sunday.</p> <p>6.1.3 Waste collection from the site in association with the permitted uses must only occur between 6:30am to 6:30pm, Monday to Sunday.</p>	To ensure that the development does not cause adverse impacts on the amenity of nearby residential properties.	At all times.
7. Acoustic Treatments		
7.1 Within 3 months of commencement of use, an independent RPEQ acoustic compliance report must be submitted to Council verifying compliance with the acoustic conditions of this approval and the Environmental Protection (Noise) Policy 2019 or equivalent legislation.	To ensure that the development does not cause adverse impacts on the amenity of nearby residential properties.	Technical details are to be submitted to Council as part of an application for Operational Work.
Condition	Reason	Timing
<p>7.2 Any identified exceedances must be rectified within three (3) months. This may necessitate the reduction in operating hours.</p> <p>7.3 No external loudspeakers or public-address systems are permitted except for safety or emergency use.</p> <p>7.4 Prior to the commencement of the use, a 2.4 m high acoustic barrier must be constructed along the extent of the:</p> <p>7.4.1 shared boundary with Lot 138 on GS923, commencing 10m from the Ayr-Dalbeg Road frontage and continuing for a minimum length of 80 m; and</p> <p>7.4.2 property boundary along the Ayr-Dalbeg Road frontage in accordance with the approved plans, to the extent possible and where not conflicting with the safe sight distance requirements specified in Condition 7.5 at the southern (truck only) entry/exit driveway.</p> <p>7.5 Fencing along the remainder of the shared boundary with Lot 138 on GS923 must comprise a solid screen fence at least 2 m high, except where a lesser height is required to ensure safe sight distance at the Ayr-Dalbeg Road southern (truck only) entry/exit driveway.</p>		<p>Works to be completed prior to the commencement of the use.</p> <p>To be maintained for the life of the development.</p>
8. Nuisance and Environment and Health		
<u>Avoiding Nuisance</u>		
8.1 At all times, the proposed activity shall be conducted in accordance with the provisions of the <i>Environmental Protection Act 1994</i> and all relevant regulations and standards.	To ensure that any outdoor lighting associated with the development does not cause adverse impacts on the amenity of nearby residential properties, maintains the safety of the premises, and complies with acceptable standards for light spill and glare control.	Technical details are to be submitted to Council as part of an application for Operational Work.
8.2 The proposed activity must be conducted in a manner that applies such reasonable and practical means to avoid, minimise or manage the emission or likelihood of emissions that constitutes noise, dust, light, vibration, odour and privacy nuisances.		<p>Works to be completed prior to the commencement of the use.</p> <p>To be maintained for the life of the development.</p>

Condition	Reason	Timing
<p>8.3 The site must be maintained in a clean and tidy condition, free from litter, waste, and refuse.</p> <p><u>Environmental and Site Based Management</u></p> <p>8.4 An Environmental Management Plan (EMP) and/or a Site Based Management Plan (SBMP) prepared by a suitably qualified person is to be submitted to Council for review and approval, prior to the commencement of any works.</p> <p>8.5 The EMP/SBMP must be site specific and activity specific for the proposed development.</p> <p>8.6 The EMP/SBMP must also have a section for incident recording including management and corrective action recording.</p> <p>8.7 The final EMP/SBMP and its associated control measures and any conditions or amendments thereto approved by Council must be implemented and maintained by the applicant/owner at all times.</p> <p>8.8 A copy of the EMP/SBMP for the site must be held on-site at all times and produced if requested by Council officers. All staff, including sub-contractors, must be inducted and familiar with the plan.</p> <p><u>Storage of Hazardous Materials and Flammable and Combustible Liquids</u></p> <p>8.9 Ensure the storage of Hazardous Materials and Flammable and Combustible Liquids is at all times in accordance with the provisions of the Environmental Protection Act 1994 and all relevant regulations and standards.</p> <p><u>Dangerous Goods</u></p>		

Condition	Reason	Timing
<p>8.10 All fuel storage must be underground and designed/constructed in accordance with relevant Australia Standard.</p> <p>8.11 Provide and maintain adequate storage areas for potential liquid contaminants such as paints, thinners, cleaning solvents, detergents and oils to prevent contaminated washdown waters and material from entering waters, soil or ground water.</p> <p>8.12 An Emergency Spill and Response Management Plan, certified by a suitably qualified professional, must be submitted to Council prior to commencement of use.</p> <p><u>Lighting</u></p> <p>8.13 The operation of the activity must not cause undue disturbance to any person or activity because of the light it emits.</p> <p>8.14 The vertical illumination resulting from direct, reflected or incidental light coming from a site does not exceed 8 lux when measured at any point 1.5m outside of the boundary of the property at any level from ground level up.</p> <p><u>Outdoor Lighting</u></p> <p>8.15 Any outdoor lighting fixtures must be designed, positioned installed and maintained so as not to emit glare or light above the levels stated in the relevant Australian Standard 4282 - Control of the Obtrusive Effects of Outdoor Lighting.</p> <p><i>Note: Australian Standard 4282 to be checked at time of condition to ensure it is current, in terms of year of revision.</i></p> <p>8.16 The installation of external lighting must be certified by a suitably qualified person.</p>		

Condition	Reason	Timing
<p>8.17 Install and maintain a suitable system of security lighting to operate from dusk to dawn within all areas where the public may gain access, including car parking areas, building entrances, footpaths under permanent awnings and vegetated areas.</p> <p>8.18 All external lighting must be in accordance with AS/NZS 4282:2019 – Control of the obtrusive effects of outdoor lighting so as to not cause nuisance or distraction to nearby residents or passing motorists.</p> <p>Waste Storage</p> <p>8.19 Store all waste within a waste storage area (e.g. general waste, recyclable waste, pallets, empty drums etc.)</p> <p>8.20 The waste storage area must be:</p> <p>8.20.1 Designed and located to not cause nuisance to neighbouring properties;</p> <p>8.20.2 Screened from any road frontage or adjoining property;</p> <p>8.20.3 Of a sufficient size to accommodate commercial type bins that will be serviced by a commercial contractor plus clearance around the bins for manoeuvring and cleaning;</p> <p>8.20.4 Provided with a suitable hosecock and hoses at the waste storage area; and</p> <p>8.20.5 Maintained to the satisfaction of Council, in accordance with Council's Waste Management Policy, Local Law No. 8 (Waste Management) 2018 and the Environmental Protection Regulation 2019.</p> <p>8.21 Store all liquid waste that cannot be disposed of in an on-site industrial waste treatment system, in a covered area on an</p>		
Condition	Reason	Timing
<p>impervious surface and ensure it is contained in a manner capable of containing the liquids in case of spillage.</p> <p>General</p> <p>8.22 At all times, the proposed activity shall be conducted in accordance with the provisions of the <i>Environmental Protection Act 1994</i> and all relevant regulations and standards.</p> <p>8.23 No off-site release of prescribed contaminants is permitted.</p> <p>8.24 Where potential or actual environmental harm may be caused by the approved development, Council may at any time direct the applicant/owner, or persons acting on behalf of the applicant/owner, to:</p> <p>8.24.1 cease an activity</p> <p>8.24.2 implement appropriate impact control measures</p> <p>8.24.3 modify work plans or methods.</p> <p>Complaint Management</p> <p>8.25 In the event of a complaint being received by Council in relation to 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>8.26 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. The developer/operator must undertake any</p>		

Condition	Reason	Timing
works (if required from the report) within 3 months at no cost to Council.		
9. Screening, Landscaping and Buffers		
<p>9.1 Landscaping is to be carried out generally in accordance with the approved plan.</p> <p>9.2 A detailed landscaping plan is to be submitted to Council for approval showing the detail of the landscape treatment prior to installation.</p> <p>9.3 At a minimum, the following landscaping must be provided-</p> <p>9.3.1 A 2.0M wide landscaping strip along the shared boundary with Lot 138 on GS923 narrowing to 1.0m where adjacent to the truck manoeuvring area for a maximum of 50m.</p> <p>9.3.2 A minimum 3.0 m wide landscaped strip must be provided along the Bruce Highway frontage (with the exception of access driveways), incorporating dense planting to screen headlight glare.</p> <p>9.4 Landscaping must be installed prior to commencement of use and maintained for the life of the development.</p> <p>9.5 All landscaped areas must be provided with an appropriate irrigation system (or alternative watering arrangement) to ensure that planting is adequately watered and maintained.</p> <p>9.6 Landscaping must be continuously maintained in a healthy condition and replaced where it dies, is removed, or becomes unsightly.</p>		<p>Technical details are to be submitted to Council as part of an application for Operational Work.</p> <p>Works to be completed prior to the commencement of the use.</p> <p>To be maintained for the life of the development.</p>
10. Air Quality		
Condition	Reason	Timing
<p>10.1 The approved development must be undertaken generally in accordance with the <i>Environmental Protection (Air) Policy 2019</i> and, at a minimum, include:</p> <p>10.1.1 The underground tank vent pipes, as shown on the approved plans, are to be constructed in accordance with AS 1940 – The storage and handling of flammable and combustible liquids.</p> <p>10.1.2 A Stage 1 (I) vapour recovery system ("VR1") to minimise emissions from fuel storage and refilling activities must be installed and maintained at all times.</p> <p>10.1.3 Exhaust fans discharged at roof level and suitably designed in accordance with Australian Standard AS/NZS 1668 Parts 1 and 2 The Use of Mechanical Ventilation and Air-conditioning in Buildings to mitigate potential odour and noise impacts at surrounding sensitive uses.</p>	To ensure that the development does not cause adverse impacts on the amenity of nearby residential properties, maintains the safety of the premises, and complies with acceptable standards.	At all times
11. Storage of Goods, Equipment, Packaging Material or Machinery		
11.1 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, thoroughfare or adjoining property.	To ensure that the development does not cause adverse impacts on the amenity of nearby residential properties or create unsightly appearance from a public road.	At all times
12. Air-conditioning, plant and machinery units		
12.1 Air-conditioning, plant and machinery units located above ground level and visible from external residential properties and the street at the frontage of the land must be appropriately screened from view with appropriate materials.	To ensure that the development does not cause adverse impacts on the amenity of nearby residential properties or create unsightly appearance from a public road.	At all times
13. Access and Traffic		

Condition	Reason	Timing
13.1 The access crossovers and driveways must be upgraded to a suitable design standard as certified by an RPEQ.	To ensure development is appropriately serviced by adequate on-site parking, access and manoeuvrability areas in accordance with relevant code/s and policy direction; and that the developments impact on the road network and safety of road users in this location is appropriately mitigated.	Technical details are to be submitted to Council as part of an application for Operational Work. Works to be completed prior to the commencement of the use. To be maintained for the life of the development.
14. Internal Layout		
14.1 The design is to be certified by a Registered Professional Engineer of Queensland (RPEQ) that manoeuvring provisions, parking bays, loading facilities, aisle widths etc comply with the requirements of the Australian Standards AS2890 – Parking Facilities.	To ensure development is appropriately serviced by adequate on-site parking, access and manoeuvrability areas in accordance with relevant code/s and policy direction; and that the developments impact on the road network and safety of road users in this location is appropriately mitigated.	Prior to commencement of use and at all times.
14.2 Sufficient manoeuvring space must be provided on-site so that all vehicles (including refuse and service/delivery vehicles) can enter and exit the lot in a forward direction.		
14.3 Heavy vehicle circulation must operate as one-way only, with line-marking and physical treatments installed to enforce this.		
14.4 On-site queuing for a minimum of two heavy vehicles per bowser must be provided.		
14.5 An updated swept path certification by an RPEQ must be submitted prior to commencement of use noting the changes imposed by the SARA referral agency conditions.		
Condition	Reason	Timing
14.6 All parking, loading, servicing activities must be undertaken wholly within the site.		
14.7 All vehicle manoeuvring areas, car parking spaces, driveways, service areas, and associated accessways must be imperviously sealed, line-marked, drained, and maintained in accordance with the approved plans and to the satisfaction of Council.		
14.8 The sealing treatment must be concrete, or other approved impervious surface designed to prevent dust generation and the release of sediment or contaminants to the stormwater system.		
14.9 Appropriate directional signage to be implemented on site.		
14.10 Ensure the area/s set aside for parking, vehicle manoeuvring and loading and unloading are not used for the storage or placement of goods or materials.		
14.11 Ensure the loading and unloading of vehicles, or vehicles waiting to be loaded or unloaded, and the delivery of goods to and from the premises are located and conducted to cause minimal interference.		
14.12 Proposed pedestrian access, internal to the site, is to be separated from vehicular access and provided in a manner that minimises the potential for pedestrian and vehicles conflict.		
15. Parking		
15.1 A minimum of fifteen (15) car parking spaces must be provided and maintained on site for staff and customers.	To ensure development is appropriately serviced by adequate on-site parking, access and manoeuvrability areas in accordance with relevant code/s and policy direction; and that the	At all times.
15.2 The car parking layout must comply with the AS 2890.1:2004 Parking facilities – Off-street car parking and be constructed in accordance with Austroads and good engineering design.		

Condition	Reason	Timing
<p>15.3 The accessible off-street car parking must be designed in accordance with AS 2890.6:2009 Parking facilities, Part 6: Off-Street parking for people with disabilities, including parking bay dimensions and shared area.</p> <p>15.4 The vehicle access and parking design must be certified by a suitably qualified RPEQ Engineer.</p> <p>15.5 Clear signage must be installed at the street frontage and internal to the site directing customers to this location.</p> <p>15.6 Car parking spaces for employees are to be designated and identified with appropriate signage.</p> <p>15.7 All car parking facilities must be always maintained to a safe operating standard thereafter.</p>	developments impact on the road network and safety of road users in this location is appropriately mitigated.	
16. Sewer & Water		
<p>16.1 A new on-site sewage treatment plant (STP) must be installed with a minimum capacity of 10,000 L/day and licensed under ERA 63 as required by the Truewater Australia Sewage System Assessment dated 22 July 2019.</p> <p>16.2 The plans showing the location of the system and the Land Area Application requirements must be provided as part of the Operational Works application.</p> <p>16.3 A maintenance and monitoring schedule prepared by a suitably qualified engineer must be implemented for the life of the development.</p> <p>16.4 The development must be provided with a reliable and adequate water supply capable of meeting the needs of the approved use, including all operational, firefighting, and potable water requirements.</p>	To ensure that development has an appropriate level of infrastructure for the efficient functioning of the use while not impacting on adjoining land uses or the environment.	<p>Technical details are to be submitted to Council as part of an application for Operational Work.</p> <p>Works to be completed prior to the commencement of the use; then To be maintained for the life of the development.</p>
Condition	Reason	Timing
<p>16.5 Where the development relies on a bore, rainwater tanks, or private supply, the applicant must provide certification from a suitably qualified professional (e.g. hydrogeologist or water quality engineer) confirming:</p> <p>16.5.1 The supply yields sufficient volume for the intended use;</p> <p>16.5.2 The water meets the quality requirements for potable use; and</p> <p>16.5.3 The water source is protected from potential contamination sources, including effluent disposal areas, fuel infrastructure, and stormwater systems.</p> <p>16.6 Should testing identify that the supply is unsuitable for drinking water, an alternative compliant potable water supply (e.g. tank storage, treatment system, or carted water) must be implemented to the satisfaction of Council prior to commencement of use.</p> <p>16.7 All water supply infrastructure and components must be maintained in good working order for the life of the development.</p>		
17. Stormwater and Flooding		
<p>17.1 Stormwater drainage works must be designed and constructed in accordance with the Stormwater Management Report prepared by ARO Industries and dated 27 October 2021.</p> <p>17.2 The development must achieve no worsening of pre-development runoff for all storm events up to and including the 1% AEP.</p> <p>17.3 Stormwater quality treatment devices must be installed and maintained to achieve the SPP design objectives.</p> <p>17.4 Certification by an RPEQ that stormwater systems are installed and functional must be submitted prior to commencement of use.</p> <p>Flood Hazard</p>	To ensure that development has an appropriate level of infrastructure for the efficient functioning of the use while not impacting on adjoining land uses or the environment.	<p>Technical details are to be submitted to Council as part of an application for Operational Work.</p> <p>Works to be completed prior to the commencement of the use; then To be maintained for the life of the development.</p>

Condition	Reason	Timing
<p>17.5 Critical or potentially hazardous infrastructure and services such as water supply, electricity, gas and telecommunications are to be suitably located where possible to reduce the impacts of flood hazard upon it.</p> <p>17.6 An appropriate Flood Response Plan (FRP) for both the construction phase and operational phase is to be prepared by a suitability qualified professional and provided to Council for review and approval.</p> <p>17.7 The final FRP and its associated control and mitigation measures and any conditions or amendments thereto approved by Council must be implemented and maintained by the applicant/operator at all times.</p> <p>17.8 The minimum finished floor heights of any proposed structures and buildings on-site will need to achieve appropriate flood immunity in this locality including any freeboard requirements required for a service station and associated ancillary buildings and infrastructure.</p>		
18. Electricity and Telecommunications		
<p>18.1 The development must be connected to the telecommunications network.</p> <p>18.2 The development must be connected to a reticulated electricity supply that provides a standard of service adequate for the approved use.</p> <p>18.3 If a padmount transformer is required to be installed on site, it must be positioned in accordance with the following requirements:</p> <p>18.3.1 Screened from view by landscaping, sightcreens and/or fencing;</p>	To ensure development is appropriately serviced.	<p>At all times</p> <p>If a padmount is required, technical details are to be submitted to Council as part of an application for Operational Work.</p>
19. Construction Management		
<p>18.3.2 Accessible for maintenance in accordance with the relevant utility provider;</p> <p>18.3.3 Located clear of footpaths;</p> <p>18.3.4 Not be located over existing infrastructure; and</p> <p>18.3.5 Located in road reserve or within a services Easement.</p>		
<p>19.1 A construction Management Plan (CMP) must be submitted to and approved by Council prior to the works commencing. The CMP must address:</p> <ul style="list-style-type: none"> • Dust suppression and noise management; • Hours of work (limited to 6.30 am – 6.30 pm, Mon–Sat, unless otherwise approved); • Haulage routes; • Management of construction traffic; • Erosion and sedimentation control. <p>19.2 All works must be carried out in accordance with the approved CMP.</p>	To ensure development is appropriately serviced.	<p>Technical details are to be submitted to Council as part of an application for Operational Work.</p> <p>Works to be completed prior to the commencement of the use; then</p> <p>To be maintained for the life of the development.</p>
20. Amalgamation of Lots		
20.1 Amalgamate Lots 6 and 7 on RP903580 into one lot.	To ensure the development can operate as proposed.	Prior to commencement of use.
21. Operational Works		
21.1 The applicant is required to lodge an Operational Works Application to Council for assessment and approval prior to commencement of construction.	To ensure development is appropriately designed and serviced.	Prior to the issue of a Development Permit for Building Works.

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. Compliance with Conditions	Inspections will be required to be undertaken by Council to determine compliance with conditions that are not subject to a further approval.
3. Further Approvals Required	<p>a) Operational Works A development permit for operational works to carry out civil works associated with the planning approval is required prior to any works commencing on-site.</p> <p>b) Plumbing and Drainage Works A compliance permit to carry out plumbing and drainage works must be obtained prior to the commencement of plumbing and drainage works.</p> <p>c) Building Works A development permit for building works to carry out building works is required, prior to works commencing on site.</p>
4. Equitable Access and Facilities	<p>The plans for the proposed building work have NOT been assessed for compliance with the requirements of the <i>National Construction Code - Building Code of Australia (Volume 1)</i> as they relate to people with disabilities. Your attention is also directed to the fact that in addition to the requirements of the National Construction Code as they relate to people with disabilities, one or more of the following may impact on the proposed building work:</p> <p>(a) <i>the Disability Discrimination Act 1992 (Commonwealth)</i> (b) <i>the Anti-Discrimination Act 1991 (Queensland)</i> (c) <i>the Disability (Access to Premises – Buildings) Standards.</i></p>
5. Construction	
5.1 Commencement	Council must be notified in writing two (2) weeks prior to the proposed construction commencement date via planning@burdekin.qld.gov.au
5.2 Environmental Nuisance	
Advice	
<p>Ensure compliance with the Environmental Protection Act 1994. The Act states that a person must not carry out any activity that causes, or is likely to cause, environmental harm unless the person takes all reasonable and practicable measures to prevent or minimise the harm. Environmental harm includes environmental nuisance.</p> <p>In this regard persons and entities, involved in the civil, earthworks, and construction phases of this development, are to adhere to their "general environmental duty" to minimise the risk of causing environmental harm.</p> <p>5.3 General Safety of Public During Construction</p> <p>It is the project manager's responsibility to ensure compliance with the <i>Work Health and Safety Act 2011</i>. It states that the project manager is obliged to ensure construction work is planned and managed in a way that prevents or minimises risks to the health and safety of members of the public at or near the workplace during construction work.</p> <p>It is the principal contractor's responsibility to ensure compliance with the <i>Work Health and Safety Act 2011</i>. It states that the principal contractor is obliged on a construction workplace to ensure that work activities at the workplace prevent or minimise risks to the health and safety of the public at or near the workplace during the work.</p> <p>It is the responsibility of the person in control of the workplace to ensure compliance with the <i>Work Health and Safety Act 2011</i>. It states that the person in control of the workplace is obliged to ensure there is appropriate, safe access to and from the workplace for persons other than the person's workers.</p> <p>5.4 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>5.5 Storage of Materials and Machinery</p> <p>All construction materials, waste, waste skips, machinery and contractor's vehicles must be located and stored or parked within the site. No storage of materials, parking of construction machinery or contractor's vehicles will be permitted outside the site, on road reserves or adjoining land unless written permission from the owner of that land and Council is provided.</p>	
6. Aboriginal and Cultural Heritage	
6.1	If any item of cultural heritage is identified during site works, all work must cease, and the relevant state agency must be notified. Work can resume only after state agency clearance is obtained.
Advice	
6.2	The applicant is reminded of their obligations under the <i>Aboriginal Cultural Heritage Act 2003</i> and the <i>Torres Strait Islander Cultural Heritage Act 2003</i> . Further information and databases are available from the Department of Aboriginal and Torres Strait Islander Partnerships at: www.datsip.qld.gov.au
7. Miscellaneous	
7.1	Council will not be obligated to upgrade any roads accessing the development due to increased vehicle numbers accessing the development.
7.2	The construction of any additional crossovers to give access to the land is to be the owner's responsibility and to the satisfaction of Council.
7.3	It is the developer's responsibility for the full rectification of any damage caused to neighbouring public infrastructure (such as footpaths, driveways, fences, gardens, trees and the like) caused by contractors, including clean-up of any litter or waste that is a result of the subject development.

9:50am - Mrs. Galletta left the meeting.

9:55am - Mrs. Galletta re-entered the meeting.

9:56am – Mr. Saldumbide left the meeting.

Resolution

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

Voting on the Motion

FOR - Councillors Dalle Cort, Musumeci, Detenon, Furnell, and Vasta

AGAINST - Councillors Oar and Hall

5/2

CARRIED

10:14am - Mrs. Galletta left the meeting.

7. INFRASTRUCTURE, PLANNING AND ENVIRONMENTAL SERVICES

7.1. ENVIRONMENTAL AND HEALTH SERVICES

7.1.1. Review of Fox and Wild Dog Bounty Policy

Executive Summary

This report presents the outcomes of a mandatory review of the existing Fox and Wild Dog Bounty Policy and seeks Council's formal adoption of the updated policy. The revisions include clarifying the acceptable condition of scalps, aligning the policy's review cycle with other Pest Management Policies (reducing it from 36 to 24 months), and amending the claimant declaration to require property owners' permission if the claimant is not the owner.

Adoption is recommended to ensure the policy remains current and effective in managing these restricted invasive animals within the Burdekin Shire Council Local Government Area, thereby reducing risk to the community, environment, and livestock industry.

Recommendation

That Council adopts the attached Fox and Wild Dog Bounty Policy.

Resolution

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

CARRIED

7.1.2. Resource Recovery Boost Fund - Funding Application

Executive Summary

This report seeks Council's approval to submit a funding submission to the Queensland Government's Resource Recovery Boost Fund - Stream 1. Two (2) options are presented for consideration within the report, with the preferred option detailed in the recommendation.

Recommendation

That Council approves:

1. The submission of a funding application to the Queensland Government's Resource Recovery Boost Fund - Stream 1, seeking \$355,812.00 (60%) to construct a 30 metre by 15 metre Resource Recovery Shed, with associated bin bays, and purchase a Telehandler item of plant at the Ayr Transfer Station, and
2. If the funding application is successful, Council's financial commitment towards the project of \$237,208.00 (40%) will be funded from Council's Waste Reserve.

Resolution

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

Voting on the Motion

FOR - Councillors Dalle Cort, Furnell and Vasta

AGAINST - Councillors Musumeci, Detenon, Oar and Hall

3/4

LOSS

Councillors voted against the recommendation, noting that Council's required contribution to the Queensland Government's Resource Recovery Body Fund – Stream 1 application would be too costly if successful. Councillors also raised concerns about the proposal to purchase a telehandler item of plant, for the Ayr Transfer Station, citing potential future budget implications.

Amended Recommendation

That Council approves:

1. The submission of a funding application to the Queensland Government's Resource Recovery Boost Fund – Stream 1, seeking up to \$277,812.00 (60%) to construct a 30 metre by 15 metre Resource Recovery Shed, with associated bin bays, at the Ayr Transfer Station, and
2. If the funding application is successful, Council's financial commitment towards the project of up to \$185,208.00 (40%) will come back to Council for consideration.

Resolution

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

Voting on the Motion

FOR - Councillors Dalle Cort, Musumeci, Detenon, Furnell, Hall and Vasta

AGAINST - Councillor Oar

6/1

CARRIED

10:43am - Mr. Day left the meeting.

7.2. OPERATIONS

7.2.1. Code of Operations Cemeteries

Executive Summary

The Code of Operations Cemeteries presented for adoption as part of this report is a comprehensive guide reflecting current operational standards at cemeteries owned and operated by Burdekin Shire Council and replaces the previous Code of Operations adopted by Council on 16 January 2020.

The document identifies procedures and processes to be followed by council staff, bereaved families, funeral directors and stonemasons when undertaking activities within the Ayr and Home Hill Cemeteries.

The previous version introduced the ability to surrender unoccupied plots and be compensated for same. Additional rigour and evidentiary requirements were introduced around interments and exhumations and the appointment of Burial Rights holders were adopted to clarify ownership and rights of family members.

The major points of difference between the tabled version and previous version is introduction of the ability to construct above ground burial crypts as an addition interment option.

Recommendation

Council adopt the Code of Operations Cemeteries as tabled.

Resolution

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

CARRIED

10:49am - Mr. Saldumbide left the meeting.

10:50am - Meeting adjourned for Morning Tea.

11:10am - Meeting recommenced.

11:10am - Mrs. Galletta re-entered the meeting.

7.3. PLANNING AND DEVELOPMENT

7.3.1. Twelve Month Review - Amenity and Aesthetics and Removal and Rebuilding Works Policy

Executive Summary

Having now been in place for twelve months, the Amenity and Aesthetics and Removal and Rebuilding Building Works policy has been reviewed for its applicability, effectiveness and consistency with relevant legislation, Council resolutions, and other Council documents.

Recommendation

That Council adopt the Amenity and Aesthetics and Removal and Rebuilding Building Works Policy (and associated guideline) without change, as set out in Attachment A.

Resolution

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

CARRIED

7.3.2. Security for Development and Building Works Policy

Executive Summary

The proposed Security for Development and Building Works Policy establishes the framework for the administration of development bonds and bonding agreements to safeguard Council's interests and ensure compliance with development conditions. The policy outlines categories of bonds, conditions for their application, and procedures for their reduction, release, or forfeiture. It also introduces risk management measures and insurance requirements to mitigate potential impacts on Council infrastructure and services.

Recommendation

That Council adopt the Security for Development and Building Works Policy, as attached to this report.

Resolution

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

CARRIED

7.3.3. Adoption of New 'Economic Stimulus Policy - Development Incentives'

Executive Summary

This report recommends that Council adopt the new 'Economic Stimulus Policy - Development Incentives,' effective from January 1, 2026.

The primary purpose of this policy is to encourage new development within the Shire. This is achieved by providing a consistent, equitable, and transparent framework for Council to consider waiving infrastructure charges for future developments in the shire.

To encourage new development in the Shire, Council will consider waiving of infrastructure charges for development that uses capacity within Council's existing trunk infrastructure networks. This policy aligns with the Burdekin Shire Council Corporate Plan 2025-2030 to:

- Foster business growth and innovation.
- Attract investment and diversify the economy.
- Increase housing availability, density, and affordability in the region.

The incentive program will be assessed on merit, giving preference to development types such as residential subdivisions, commercial/industry development, and projects that create employment opportunities.

Recommendation

That Council adopt the new 'Economic Stimulus Policy – Development Incentives' as attached to this report, effective from 1 January 2026.

Resolution

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

CARRIED

7.4. TECHNICAL SERVICES

7.4.1. DRFA Reconstruction of Essential Public Assets Package 5 - Tender Recommendation

Executive Summary

Following the 2025 North Tropical Low event of January-February, Council, with the assistance of Lonergan Project Services have completed assessments of the damages to roads and drainage networks throughout the Shire which require restoration.

Through the tendering process, bids were assessed by an evaluation panel and a recommendation for a suitably qualified civil contractor has been developed for

consideration by Council.

This report aims to inform Council of the evaluation panels process and provide a recommendation to award a civil construction contractor for the Disaster Recovery Funding Arrangement Reconstruction of Essential Public Assets Package 5.

Recommendation

That Council award the contract for TBSC/25/036 DRFA Reconstruction of Essential Public Assets Package 5 for \$295,455.38 (excluding GST) to Olsen Contracting Pty Ltd.

Resolution

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

CARRIED

7.5. WATER AND WASTEWATER

8. NOTICE OF MOTION

9. RECEIPT OF PETITIONS

10. CORRESPONDENCE FOR INFORMATION

11. COUNCILLOR REPORTS

11.1. Councillor Reports - October 2025

Recommendation

That Council notes the October 2025 monthly reports.

Resolution

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

CARRIED

12. GENERAL BUSINESS

12.1. Request for Information - Radio Broadcast

Councillor Oar noted in his preparation for his interview on Sweet FM that the question may arise about the lack of Sweet FM's involvement in the Christmas Carols. He also requested clarification on the upcoming Super Waste Sunday on 7 December 2025, offering waived dumping fees for sorted waste and an update on the water restrictions currently affecting Ayr district residents, in preparation for his radio broadcast. Mr. Stewart provided an update on the water restrictions and will obtain further information regarding the free dumping day, which he will then relay to Councillor Oar.

12.2. Update Information

Councillor Furnell provided the following information:

- Japan is using drones with small crackle devices to disperse bats:
- The use of Graphene in bitumen that may extend the lifespan to bitumen: and
- Kalamia junkyard shows improvement with a few controlled burn-offs

12.3. National Agriculture Day

Councillor Hall noted that the National Agriculture Day, held on 21 November 2025, went unacknowledged by Council, which is disappointing considering agriculture's vital role in the Burdekin Shire economy.

12.4. Absence - Council Meetings

Councillor Hall advised that she may be unable to attend the Council Meeting on 9 December 2025 due to a medical procedure. She further advised that, following another medical procedure, she will be unable to attend any Ordinary Council Meetings or Council Workshops in person for six weeks commencing 23 February 2026, but will participate via Teams due to being unable to drive.

12.5. Request - Link for Ordinary Council Meetings

Councillor Hall suggested including direct links to the Ordinary Council Meeting agenda and minutes, noting difficulties in locating this information on the Council's website. She advised this may make it more accessible could increase public participation and interest.

12.6. Approved Leave of Absence - Councillor Vasta - 2 April 2026 to 11 April 2026

Resolution

Moved Councillor Detenon, seconded Councillor Furnell that Councillor Vasta be granted approved leave of absence from 2 April 2026 to 11 April 2026.

CARRIED

13. CLOSED BUSINESS ITEMS

14. DELEGATION

There being no further business the meeting closed at 11:43am.

These minutes were confirmed by Council at the Ordinary Council Meeting held on 9 December 2025.

MAYOR

4.2. MINUTES AND BUSINESS ARISING

Economic Development Advisory Group Meeting Minutes - 6 November 2025

File Reference: 2225
Report Author: Faith Swindley
Authoriser: Matthew Magin, Chief Executive Officer
Meeting Date: 9 December 2025

Purpose

This report provides the minutes of the Economic Development Advisory Group Meeting held on 6 November 2025.

Summary of recommendations and actions for consideration and adoption:

No recommendations to report.

Recommendation

That the minutes of the Economic Development Advisory Group Meeting held on 6 November 2025 be noted.

Attachments

1. Minutes - Economic Development Advisory Group - 6 November 2025

Meeting Minutes

Meeting	Economic Development Advisory Group Meeting		
Date	Thursday, 6 November 2025	Time	9:00am
Attendees	Councillor Pierina Dalle Cort, Councillor Michael Detenon, Matthew Magin, Eliza Lovell, Melissa Robinson, Faith Swindley, Eusebio Aguirre, Jim Fahey (online), Neil Green, Ian Macdonald, Lucy Poppi, Kari Ravizza, David Zeller (online)		
Apologies	Councillor Max Musumeci, Mark Milani, Neil Williams		
Chairperson	Lucy Poppi		
Minutes Clerk	Melissa Robinson		
Location	Burdekin Shire Council – John Hy Peake Heritage Room		

Minutes

1. Welcome

Ms Poppi welcomed everyone to the meeting and noted the apologies.

Minutes of the previous meeting were approved and subsequently adopted by Council.

Ms Lovell advised the group the previous meeting's recommendations were high level projects that Council noted and will be required to be brought to a future Council Workshop to consider budget implications.

Ms Lovell notified the group that Ms Robinson is about to commence maternity leave and Ms Swindley will be fulfilling her role as Economic Development and Tourism Officer during her absence.

2. Economic Development Advisory Group Priority Projects update

Ms Lovell presented the list of priority projects that were identified by EDAG members and provided updates on each project.

It was advised that promotion of the 'Make the Move' liveability videos have been published on social media and targeted towards North Queensland locations including Hinchinbrook, Charters Towers, Townsville and Whitsundays. Engagement will be tracked with further promotion to commence in other areas of Queensland and Interstate. The videos link back to a new page on the Council Website called 'Make the Move to the Burdekin'. This web page lists accessible information on specific liveability topics including education and childcare, housing and real estate, employment opportunities, healthcare and wellbeing, lifestyle and community, economy and also displays all 'Make the Move' videos. Ms Lovell advised further promotion will continue and this web page will be enhanced and utilised more as a new or potential residents first point of contact for information. The website link is: www.burdekin.qld.gov.au/Business-and-investment/Make-the-Move-to-the-Burdekin

Mr MacDonald asked if the access to water was promoted through this campaign as a drawcard for people considering to move to the Burdekin. It was confirmed that the access to water is referred to in the Make the Move videos and there is a paragraph highlighting water access on the web page under Housing and Real Estate.

Ms Lovell advised that the proposed new upriver boat ramp and upgrades at the Ocean Creek boat ramp will be workshopped with Council on the 18 November.

Ms Lovell provided an update on the Country Universities Centre project. The Management Committee which is made up of community members and Council representatives is continuing to meet and a business case is being drafted along with community consultation. A funding program has not been announced yet.

Action – Ms Robinson to enquire with CUC contacts if any news of a funding program has been announced or due to be announced.

3. Tourism Infrastructure Grants: Regional Tourism Infrastructure Fund – Giru RV Park

Ms Lovell updated the group on Council's submission to the Regional Tourism Infrastructure Fund. Council have been investigating the opportunity for a RV Park in Giru and working with the Campervan and Motorhome Club of Australia (CMCA), Wilmar and the Giru Progress Association to find a mutually beneficial site and structure to suit travellers and Wilmar seasonal workers.

Council have applied for a grant to fund the development of the RV Park in Giru through the Regional Tourism Infrastructure Fund which includes an ablutions block, a dump point and holding tank on the site.

4. Council Master Planning – Eliza Lovell

Ms Lovell delivered a presentation on the Burdekin Master Planning concept, which was jointly developed by Ms Poppi and herself. This will be presented to Council at the workshop on 18 November. Ms Lovell sought feedback from the group prior to presenting to Council. Should Council express interest in the concept, Ms Lovell intends to propose the Burdekin Master Plan project as a budget consideration for the 2026/2027 financial year.

The group noted that the presentation was well-prepared and supported its progression to the Council workshop.

Action – Ms Lovell to send the presentation to members for further feedback before it is presented to Council.

5. Community Cabinet Meeting – Deputations with the Ministers – Mayor & CEO

Mr Magin and Cr Dalle Cort updated the group on their recent trip to Mackay for the Community Cabinet Meeting and their deputations with Ministers. They presented a number of priority projects from Council including the Craig Street/Bruce Highway intersection, the Bruce Highway/Giddy Road intersection and road safety issue, Plantation Park crossing, housing projects and the Burdekin Bridge.

Mr Magin noted that grant funding is highly competitive, with Burdekin competing against other councils that have greater resources allocated to planning and shovel-ready projects. He emphasised to the Ministers that there needs to be a stronger focus on grants that are distributed more equitably across all councils. Examples of such programs include Works for Queensland and the Local Roads and Community Infrastructure Program.

Cr Dalle Cort advised that Council was successful in securing \$2.4 million in funding from the Premier for the Ayr Industrial Estate Second Access project via Craig Street/Bruce Highway intersection which also opens up access to new residential development. This funding agreement is contingent on Council providing the other 50% of the project cost (\$2.4 million), although Council has recently identified a Federal Government program that could potentially cover this remaining cost.

Other topics that were discussed by the group included the future and support of the River Trust in the Burdekin, the raising of the highway at Plantation Creek through TMR, and traffic issues at Giddy Road and the Bruce Highway.

6. Small Business update – Kari Ravizza & Eusebio Aguirre

Ms Ravizza and Mr Aguirre provided an update on the Burdekin Chamber and small businesses. Mr Aguirre advised the group of the Burdekin Chambers upcoming Street Christmas Party which will be held on Thursday 18 December to promote Christmas shopping in the Burdekin. The street will be closed from Edwards Street to Young Steet intersections but shops in other sections of the main street will be part of the promotion. Shops will open late on the evening for shopping, there will be food stalls in the street, kids' entertainment and major prize giveaways. The proposal for the street party will go to Council meeting on 11 November for approval.

Ms Ravizza updated the group on the current Christmas catalogue that was recently released by the Burdekin Chamber which has been well received by the community. Ms Ravizza also advised that there are more businesses coming on board with the Burdekin Gift Card and the Chamber AGM is scheduled for Tuesday 11 November.

Ms Ravizza notified the group that a Burdekin member enquired if Council would be interested in partnering with the Chamber to coordinate a shop the Burdekin campaign.

Action – Ms Lovell to discuss this opportunity further with Chamber representatives.

7. Other Items

a. New Resident Survey

Ms Robinson advised that officers are currently working on the second round of the new resident survey and the group will be notified when the survey draft questions are ready. It was recommended that the survey be launched around May 2026 as the previous survey was released in May 2023. The previous survey captured new residents that moved to the Burdekin between 2020 and 2023 and this survey will capture new residents from 2023 to 2026. It was also decided that this survey will remain targeted towards new residents and not opened up to all Burdekin residents for their views on liveability.

Ms Ravizza asked if new residents receive a 'New Residents Pack' when they move to the Burdekin. Ms Robinson confirmed that Council provides the real estate agents with a new resident's pack that includes information from the disaster management team and the economic development team have included new resident information in the packs as well. This information will be reviewed in the new year to include information on the Make the Move website that council is developing.

8. General Business

a. Neil Green – UNESCO Visit

Mr Green advised that he will discuss this topic at a future meeting.

9. Next Meeting Date – Thursday 5 February 2026, 9am – 10:30am.

10. Meeting Closed at 10am.

Agreed Actions Items

	Action Item	Responsible Officer	Due Date	Status
1	Ms Robinson to enquire with CUC contacts if any news of a funding program has been announced or due to be announced.	Melissa Robinson	05/02/2026	
2	Ms Lovell to send the presentation to members for further feedback before it is presented to Council.	Eliza Lovell	05/02/2026	
3	Ms Lovell to discuss Shop the Burdekin campaign further with Chamber representatives.	Eliza Lovell	05/02/2026	

4.3. MINUTES AND BUSINESS ARISING

Audit and Risk Committee Meeting Minutes - 12 November 2025

File Reference: 2862
Report Author: Jodie Ordorica, Governance Support Officer
Authoriser: Kim Olsen, Director Corporate and Community Services
Meeting Date: 9 December 2025

Purpose

This report provides the minutes of the Audit and Risk Committee Meeting held on 12 November 2025.

Summary of recommendations and actions for consideration and adoption:

Item 3 Minutes from the previous Audit and Risk Committee Meeting

That the minutes from the previous meeting be formally adopted.

Item 4.1 QAO Briefing – emerging issues/report to parliament and Item 4.2 Update on external audit progress/discuss any interim findings or issues

That the Committee accepts the QAO briefing paper and the update on external audit progress.

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

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

Item 5.1 Internal Audit Report

That the Committee accept the Internal Audit Report.

Item 6.2 Project and Program Risk Management

That the Committee accept the Project Risk Summary of 2025/26 Key Projects.

Item 7.1 Business Continuity Plan update, 7.2 Review Fraud and Corruption Control Plan and 7.3 Evaluation Process of Internal Audit Performance Review

That the Committee notes the Business Continuity Plan update, the Review of the Fraud and Corruption Control Plan and the Evaluation process of Internal Audit Performance.

Item 7.4 Cyber-Security Updates

That the Committee accept the Cyber-security Update report.

Item 7.5 Progress report on implementation of agreed management action items from Internal and External Audit

That the Committee approves the Internal Audit Action item with revised due dates.

Recommendation

That:

1. the minutes of the Audit and Risk Committee meeting held on 12 November 2025 be noted; and
2. the recommendations as detailed in the minutes and summarised in Items 3 to 7.5 above be noted.

Attachments

1. Minutes - Audit and Risk Committee Meeting - 12 November 2025

Meeting Minutes

Meeting	Audit and Risk Committee Meeting		
Date	Monday, 20 January 2025	Time	9:00 am
Attendees	Mr. David Sibley – Independent Chairperson (via Teams) Mr. Damien Arboit – Independent Professional Member Mr. Matthew Oar – Independent Community Member Cr. Callan Oar - Councillor Cr. Michael Detenon – Councillor Mr. Bo Jiang – QAO (via Teams) Mr. Neil Bautista – Crowe (via Teams) Mr. Mitchell Witt – Senior Manager BDO Mr. Matthew Magin – Chief Executive Officer Mr. James Stewart – Director Infrastructure, Planning and Environmental Services Mrs. Kim Olsen – Director Corporate and Community Services Mrs. Jenny Manganaro – Manager Financial Services Mrs. Rebecca Stockdale – Senior Governance Officer Mr. Dirk Dabelstein – ICT Coordinator (part) Cr. Pierina Dalle Cort – Mayor (part)		
Apologies	Mr. Michael Claydon – QAO Mrs. Helen Swinney – Financial Management Coordinator Ms. Tracey Mayhew – Crowe		
Chairperson	Mr. David Sibley – Independent Chairperson		
Minutes Clerk	Mrs. Jodie Ordorica - Governance Support Officer		
Location	John Drysdale Chambers		

Minutes

1. Welcome

Mr. Sibley welcomed all attendees.

2. Apologies

Mr. Sibley acknowledged the apologies that were received for the meeting.

3. Minutes of the Audit and Risk Committee Meeting held on 3 September 2025

Minutes of the previous Audit and Risk Committee Meeting held on 3 September 2025 were circulated to Committee members prior to the meeting.

Moved Mr. Arboit, seconded Cr. Detenon that the minutes from the previous meeting be formally adopted by the Committee. Carried.

4. QAO/External Audit Advice

4.1 QAO Briefing – emerging issues/report to parliament and 4.2 Update on external audit progress/discuss any interim findings or issues

The QAO briefing paper was circulated to the committee prior to the meeting.

Mr. Battista reported the audit for the year ended 30 June 2025 has been completed and an unmodified opinion was issued on 8 September 2025. Planning for the 2026 audit will commence in February 2026.

As part of the 2025 audit program, audit opinions were issued by QAO on the Commonwealth Government funded programs: Roads to Recovery (17 October 2025) and the Local Roads and Community Infrastructure Program – Phases 3 and 4 (23 October 2025).

Mr. Jiang provided an update on new reports and resources and recently tabled reports to parliament.

Mr. Jiang highlighted a recent report, *Managing the Ethical Risks of AI*, that provides a checklist for assessing and mitigating risks. The QAO's recently published blog also highlights that rapid AI adoption in the public sector introduces significant ethical challenges requiring executive oversight. The QAO recommend management conduct an AI risk assessment and implement a mitigation plan.

The next QAO briefing for Audit Committee Chairs is scheduled for 2 December 2025 and invitations were sent out in September.

Moved Cr. Oar, seconded Cr. Detenon that the Committee accepts the QAO briefing paper and the update on external audit progress. Carried

4.3 Consider need for closed session briefing with Crowe/QAO

The Committee considered the need for a closed session briefing with Crowe and QAO.

The Committee agreed that no closed session briefing was required.

5. Internal Audit**5.1 Internal Audit Report – Progress towards achieving audit schedule and recommendations from audits undertaken**

Mr. Witt briefed the committee on the report circulated to the committee.

The Procurement and Contract Management audit is progressing well with fieldwork substantively completed. Final validation of queries and observations is planned for later this week, and a closing meeting will be held next week. The final report will be delivered to the next committee meeting.

Mr Witt acknowledged the key scope areas outlined in the status update and noted BDO's appreciation for Councillors' and management's contributions in shaping the review. The briefing paper additionally provided a link to the BDO Risk Blueprint - a global thought leadership resource offering fundamentals of risk management, including videos, templates, and tools - for committee members' awareness and potential use.

Moved Mr. Sibley, seconded Mr. Arboit that the Committee accept the Internal Audit Report. Carried.

6. Risk Management**6.1 Compliance Risks and Regulatory Changes**

Mr. Magin advised the committee that at the recent LGAQ conference, the Premier announced four major

changes to the Local Government Act, none of which are expected to negatively impact Council as we already comply. A report will be circulated with the minutes.

6.2 Project and Program Risk Management

Mr. Stewart reported that the 2025/26 Key Projects – Project Risk Summary Report was previously presented to the Committee in May and will be updated as circumstances change.

Current capital project expenditure is tracking to forecast, though seasonal impacts (wet season and cane season) remain key challenges. Major projects include the DRFA program - partially outsourced for the first time to meet funding compliance - the Industrial Estate construction, which is nearing completion, and the South Ayr Water Filtration Project, expected to finish by early 2026 with commissioning risks managed through contractor and consultant support. Common risks include weather delays, supply chain constraints, and contractor availability, which are being actively monitored.

Moved Cr. Oar seconded Mr. Arboit that the Committee accept the Project Risk Summary of 2025/26 Key Projects. Carried

9.09am Mr. Dabelstein entered the meeting.

7. Management Updates

7.1 Business Continuity Plan update

Mrs. Stockdale briefed the committee on updates to Council's Business Continuity Plans for critical business functions, which now reflect recent structural changes including revised subplans and position titles. A new subplan separates Stores and Fuel Management from Parks and Gardens. Testing tools are not yet developed due to consideration of resources and other priorities, posing a risk to BCP effectiveness. Most disruptions have been handled within normal operations. Ongoing reporting and consideration of resources for testing tools are recommended.

Discussion was held focusing on the risks of having plans in place without conducting actual tests and Mr. Sibley proposed developing a timeline to outline when testing could be carried out and the anticipated resources that would be expected to be available.

7.2 Review Fraud and Corruption Control Plan

Mrs. Stockdale briefed the committee on the ongoing review of Council's Fraud and Corruption Control Plan. The current plan (2022-2025) aligns with Australian standards and includes a risk register, implementation schedule, and defined responsibilities. The Executive Leadership Team is reassessing risks and mitigation measures in light of audit findings, structural changes and sector incidents. A revised plan will be drafted and presented to the Committee in February 2025, with continued monitoring and reporting to follow.

7.3 Evaluation Process of Internal Audit Performance Review

Mrs. Olsen briefed the committee on the agreed approach for the annual performance evaluation of Council's internal audit function, delivered under contract by BDO. The review will assess communication, audit approach, timeliness, reporting quality, and value for money. Committee members are invited to provide input by 12 December 2025, with the final report to be presented in February 2026.

The Committee discussed survey and evaluation methods and agreed to use an email to Committee members listing the criteria, with responses to be submitted accordingly.

Moved Mr. Sibley, seconded Mr. Arboit that the Committee notes the Business Continuity Plan update,

the Review of the Fraud and Corruption Control Plan and the Evaluation process of Internal Audit Performance. Carried

7.4 Cyber-Security Updates

Mr. Dabelstein provided an overview of the Cyber-Security update report circulated to the Committee prior to the meeting.

Several items remain on hold pending endorsement of the ICT Strategy, which was finalised in late October, and the draft will be discussed at the next ICT Steering Committee on 25 November. From there it will go to Council for endorsement. The strategy addresses many previously deferred actions. Progress continues on non-dependent items, including Windows LAPS implementation (target completion 31 December), Microsoft Intune rollout (75% complete), and enforcing a 14-character minimum password length (72% compliant). The Queensland Government vulnerability scanning service has been implemented and remediation is underway. Once the ICT Strategy is adopted, timelines for remaining actions - such as cybersecurity exercises and disaster recovery drills - will be reviewed and prioritised.

Moved Cr. Oar, seconded Mr. Oar that the Committee accept the Cyber-Security Update report. Carried

9.32am Mayor Dalle Cort entered the meeting

9.38am Mr. Dabelstein left the meeting

7.5 Progress report on implementation of agreed management action items from Internal and External Audit

Mrs. Stockdale reported on the status of the Agreed Management Action Items from internal Audits. Since the last report in August, there have been 5 actions completed and 2 actions from Audit 12 requesting extensions to 31 December 2025.

The Committee discussed whether the current target of 31 December 2025 for the majority of Planning and Development action items is achievable given existing resource constraints. Mr. Stewart advised due to the lack of resources in the Planning and Development Department, Council is using external contractors, however it was agreed to extend the due date for all actions currently set for 31 December 2025 to 31 March 2026. If further adjustments are required, they can be discussed and requested at the February Committee meeting.

Mr. Witt offered BDO's services to re-look at the actions from a risk lens or revisiting them as a group.

Moved Mr. Arboit seconded Mr. Oar that the Committee approves the Internal Audit Action item with revised due dates. Carried

8. Effectiveness of Audit Committee

8.1 Discuss Self-Assessment - Audit Committee Performance

Mrs. Stockdale briefed the Committee on the annual self-assessment process for evaluating the Committee's performance. Traditionally, members complete a survey to provide feedback on areas such as Committee effectiveness, communication between management and the Committee, communication between the Chair and members, role clarity, and alignment with the Audit and Risk Committee Charter. This feedback is used to identify improvements.

The committee decided to continue with the self-assessment and maintain the SurveyMonkey format with the addition of sending to all officers that were involved with the Audit Committee, officers from internal and external audit and for members to email Mrs. Stockdale to advise they have completed the survey.

The survey will be sent out in December 2025 with results being presented to the meeting in February 2026.

9. Other Business

9.1 Independent Member's Tenure

Mrs. Olsen advised the Committee that under Burdekin Shire Council's Audit and Risk Committee Charter, the position of Independent Chairperson becomes vacant two years after a local government election, which will be April 2026. Mr. Sibley's initial term will conclude at that time. Council retains full discretion regarding offering a second term, taking into account the performance of the independent member. To maintain continuity of knowledge, independent external members are appointed for a four-year term, with eligibility for extension or reappointment for a further four years following a performance review. The Committee agreed that a review of the Chair's performance will be undertaken prior to the February meeting, with recommendations to be presented at that meeting.

9.2 TechnologyOne transition to CIA platform

The committee was briefed on the planned transition of Council's corporate software system (TechnologyOne) to the CIA platform. The transition will involve multiple modules including property, rating, compliance, customer requests, and financial management. TechnologyOne has discontinued its previous transition program, requiring councils without existing arrangements to undertake a full re-implementation at significant cost. Council has negotiated an alternative approach to avoid full re-implementation by extending its contract term.

Other providers exist; however, feedback from other councils indicates they are not keeping pace with technology improvements. Given Council's size and existing integration with TechnologyOne, this remains the most suitable option. The current platform is still supported but will not receive major improvements, meaning access to enhancements requires moving to CIA.

The *Local Government Act* allows Council to make a decision by resolution in circumstances where the nature of the system and existing integration make alternative procurement impractical.

Next steps include aligning the transition with the ICT strategy, determining required modules, assessing internal capacity, obtaining a fully costed roadmap, and developing change management practices. The transition is expected to commence no earlier than 2027 and will be staged over two to three years. The Committee clarified its role as being kept informed rather than providing direct oversight, noting that risk management during the transition will be monitored through a project control group reporting to support risk oversight. Regular updates will be provided to Council and this Committee.

9.3 Resolve/CivicClerk – online meeting management tool

Mrs. Olsen reported that Council currently uses an online meeting management tool (Resolve/CivicClerk) for Council agendas and minutes. This platform allows members to access documents and make annotations. Council is in the process of expanding the use of this system across all Committees, including this one. Implementation will be staged, and training and access will be provided to members once the framework is established.

9.4 Council banking matters

1. Mrs. Manganaro reported that Council has reviewed banking arrangements within the Burdekin Shire. While the major banks are reducing operating hours, there are 2 local banks offering better customer service Queensland Country Bank and Bendigo Bank. Under the Statutory Bodies Financial Arrangements Regulation, Council is classified as having Category 1 investment power, which currently prevents term deposits with these 2 banks. Council has submitted a request to the

Minister seeking annual approval to invest up to \$5 million with these institutions. If approval is granted, Council will amend its Investment Policy accordingly and present changes to this committee.

2. Mrs. Manganaro reported that the CBA banking transition project has progressed. The scope included reviewing all banking functions, BPAY and BPOINT services, investigating low-cost routing, eliminating petty cash, reviewing cash handling policies, exploring bank reconciliation automation, and managing communications with the current bank and staff. TechnologyOne has assisted with the cutover process. The corporate card changeover from ANZ to Commonwealth Bank has also been completed. The tentative changeover date for the full transition is 3 December.

9.5 LGAQ State Conference motion

Mr. Magin reported that Burdekin Shire Council presented a motion at the recent LGAQ State Conference requesting LGAQ to work with the State Government to develop an overarching AI policy and framework for all local governments. The motion acknowledged AI's potential benefits and associated risks and aimed to ensure a consistent strategic approach across Councils. The motion was passed unanimously, and LGAQ will now engage with the State Government to progress this initiative.

9.6 Briefing for Audit Committee Chairs

Mr. Sibley reported the QAO Audit Chair presentation online is scheduled for 2 December and questioned with Mr. Jiang whether other committee members could join the presentation. Due to technical issues during the meeting, Mr. Jiang was unable to respond.

There being no further business, the meeting closed at 10.06 am

The next meeting will be held on Wednesday, 7 February 2026

Mr. David Sibley

Chairman

Agreed Recommendations to Council

Minute Item	Recommendation
3	That the minutes from the previous meeting be formally adopted.
4.1, 4.2	That the Committee accepts the QAO briefing paper and the update on external audit progress.
4.3	That the Committee agreed that no closed session briefing was required today.
5.1	That the Committee accept the Internal Audit Report.
6.2	That the Committee accept the Project Risk Summary of 2025/26 Key Projects.
7.1, 7.2, 7.3	That the Committee notes the Business Continuity Plan update, the Review of the Fraud and Corruption Control Plan and the Evaluation process of Internal Audit Performance.
7.4	That the Committee accept the Cyber-Security Update report.
7.5	That the Committee approves the Internal Audit Action item with revised due dates.

4.4. MINUTES AND BUSINESS ARISING

Asset Management Steering Committee Meeting Minutes - 12 November 2025

File Reference: 2906
Report Author: Ginett Biffanti, Executive Assistant - Minutes
Authoriser: James Stewart, Director Infrastructure Planning and Environmental Services
Meeting Date: 9 December 2025

Purpose

This report provides the Minutes of the Asset Management Steering Committee Meeting held 12 November 2025.

Summary of recommendations and actions for consideration and adoption:

No recommendations to report.

Recommendation

That the minutes of the Asset Management Steering Committee Meeting held on the 12 November 2025 be noted.

Attachments

1. Minutes - Asset Management Steering Committee Meeting - 12 November 2025



Meeting Minutes

Meeting	Asset and Service Management Steering Committee		
Date	Wednesday, 12 November 2025	Time	11:30am
Attendees	Mr. Matthew Magin, Mr. James Stewart, Mrs. Kim Olsen, Mr. Kevin Byers, Mrs. Jenny Manganaro, Councillor Callan Oar, Mrs. Ashlee Hervey, Mrs. Madeline Janiola		
Apologies	Councillor Max Musumeci Mrs. Helen Swinney		
Chairperson	Mr. Matthew Magin		
Minutes Clerk	Ms. Ginett Biffanti		
Location	Ernie Ford Board Room – 145 Young Street, Ayr		

Standing Items

1. Welcome

Mr. Matthew Magin opened the meeting and welcomed all attendees.

2. Apologies

Apologies were received for:
Councillor Max Musumeci
Mrs. Helen Swinney

3. Previous Minutes

Moved Mr. Stewart, seconded Mr. Byers that the minutes of the meeting held on the 30 June 2025 be received as a true and correct record.

CARRIED

4. Action List

Actions from Previous Meeting

	Action Item	Responsible Officer	Due Date	Status
1	Asset Management Policy to be formally adopted at Council Meeting.	James Stewart	22 July 2025	Completed – Policy adopted at the Ordinary Council Meeting held on 12 August 2025.
2	Meeting to be rescheduled bi-monthly	Genevieve Smith	7 July 2025	Completed – Executive Support has assumed responsibility of meeting scheduling with meetings scheduled accordingly.

3	Facilities Management Team to have a broader overview of requirements for integration of new structure as of 1 July 2025	James Stewart	1 July 2025	Completed – Facilities Management Scope has been established to provide the Facilities Management Team with a broader understanding to their requirements under the new structure. Updates to be provided at future meetings on the progress on the use of Field Apps in the monitoring of defects of Council's Assets.
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Agenda Items

1. Depreciation Estimates and the Effect on Depreciation of Large Infrastructure Projects

Mr. Byers gave a summary of the 2025-2026 Depreciation Expense Forecast highlighting on the impact of large infrastructure projects on the budget. He noted that the increase in the sewerage depreciation forecast for 2026 was due to the following.

1. The original budget was prepared before the revaluations were completed which resulted in the sewerage depreciation estimated at 3 percent and increased to 4.84 percent; and
2. The Macroalgae Bioremediation Facility has led to increased costs as a whole and has affected the depreciation of the asset and the budget.

Further discussions were held on other areas of the Council including the effects on how depreciation is calculated, and financial implications on the budget. It was noted that the fluctuations in depreciation related to the life of an asset may change overtime with the completion of revaluations each year.

2. Asset Revaluation Program

Mr. Byers provided a presentation on the Asset Revaluation Program, highlighting the asset class and the types of assets in each class, including the method in which they were valued.

The following points were discussed:

- Assets valued at cost, including Fleet and Intangibles, are not revalued due to the short lives of the assets held in that class.
- All assets are valued using the Fair Value Methodology, which is required to be conducted every 3 to 5 years, in accordance with Council's Non-Current Asset Accounting Policy.
- Comprehensive valuations are to be at considerable cost to Council, which includes both human resources and financial costs. It was noted that comprehensive valuations are programmed to be done over a 4-year period to minimise a spike in the operational expense and to maintain an achievable workload for the asset and financial staff.
- In the interim, Desktop reviews of the assets are conducted every year and then are carried out by the entity that has done the comprehensive valuation.

3. Asset Inspection Program Update

In the same presentation, Mr. Byers updated the committee on the Asset Inspection Program. These inspections are conducted by either Council Officers or by contractors, depending on the asset being inspected.

Assets included in the Inspection Program are:

- Transport (18,923 assets)
- Road Components - Subgrade, Pavement and Seal (15,539 assets)
- Minor Culverts (2,596 assets)
- Paths (620 assets)
- Drainage (2,380 assets)
- Building and Other Structures (741 assets).

The committee was informed of two software programs that have overtaken the Field App in its technology. Both software options are being reviewed to determine which better suits the needs of the Council to help in the maintenance, renewal, and budgeting purposes of Council assets.

- Road Asset Condition Assessment System (RACAS) is an AI Software that captures and analyses images of Council assets to detect defects. This has been mostly used on roads but can be used on other Council assets.
- Retina Vision also utilises AI software on the images taken by a camera to analyse the vision for any defect of Council's assets. This can be used on footpaths, kerbs and other Council assets.

Mr. Stewart told the committee that the Council's Footpath Policy is not being implemented, and footpath inspections are overdue. He stressed the need to distinguish defects from conditions, noting the Council's focus on defects from a public liability perspective.

4. General Business

1. Mr. Stewart advised that a report will be brought to Council for the amendment of the Operational Plan. It was noted that this would be a cost saving for Council in the short term.
2. Mr. Byers advised that the Fleet Management Plan still has some revisions that need to be made and is not expected to be finalised by December 2025.
3. Mr. Byers stated he intends to discuss with Mrs. Devescovi and the IT Department ways to improve asset footage and photo storage, focusing on cost-effective solutions for the Council. Currently, the S Drive is used, but both historical and new data need to be stored in a central area. At present each department uses its own storage area, which can only be accessed by that Department.
4. Mr. Byers also informed that the Field App should be up and running by June 2026 for facilities and footpath assets. Mr. Stewart gave an overview of how the Field App is intended to work to allow a more efficient and productive way to help staff enter the progress of projects.

5. Mrs. Hervey provided an update on the Capitalisation program, noting that progress is steady despite the department's staff shortage. She advised that Council staff require training to improve their understanding of the CIA system and the documentation requirements for project completion. It was emphasised that the full process must be followed from start to finish to ensure accurate reporting of project status. Currently, delays in following this process are affecting the ability to report on project outcomes accurately within the Capitalisation program.

Mr. Magin closed the meeting at 12:20pm

Next meeting to be held will be announced in 2026.

Actions From This Meeting

	Action Item	Responsible Officer	Due Date	Status
1	Council report to be brought to an Ordinary Council Meeting for consideration.	Kevin Byers		Pending
2	Fleet Management Plan to be finalised in 2026.	Kevin Byers		Pending

4.5. MINUTES AND BUSINESS ARISING

ICT Steering Committee Meeting Minutes - 25 November 2025

File Reference: 395
Report Author: Simone Iturriaga, Executive Assistant - Minutes
Authoriser: Matthew Magin, Chief Executive Officer
Meeting Date: 9 December 2025

Purpose

This report provides the Minutes of the ICT Steering Committee Meeting held 25 November 2025.

Summary of recommendations and actions for consideration and adoption:

No recommendations to report.

Recommendation

That the minutes of the ICT Steering Committee Meeting held on 25 November 2025 be noted.

Attachments

1. Minutes - ICT Steering Committee - 25 November 2025

Meeting Minutes

Meeting	ICT Steering Committee Meeting		
Date	Tuesday, 25 November 2025	Time	2:00 PM
Attendees	Matthew Magin, Cr Pierina Dalle Cort, Kim Oslen, James Stewart, Kevin Byers, Eileen Devescovi, Melanie Napier, Jenny Managnaro, Cr Michael Detenon		
Apologies	Dirk Dabelstein, Nicholas Gray, Cr Fina Vasta, Julian Tickle		
Chairperson	Matthew Magin		
Minutes Clerk	Simone Iturriaga		
Location	Ernie Ford Boardroom		

Agenda Items

1. Chair Introduction and welcome

2. Apologies

Cr Fina Vasta, Dirk Dabelstein, Nicholas Gray, Julian Tickle.

3. Previous Minutes

The minutes from the 25 November 2025 be received as a true and correct record.

4. TechnologyOne – Transition of Property and Rating Modules to CiA

Mrs. Devescovi and Mrs. Olsen delivered an update, outlining and discussing the following key areas:

1. Project Overview

Transition of P&R modules to CiA is critical for achieving two strategic priorities:

- Customer and Digital Service Excellence
- Integrated Systems and Efficiency

Doing nothing is not an option; delays will increase costs and hinder ICT roadmap success.

2. Staged Transition Inclusions

- BPA for Property
- Property & Rating Core
- Name Management
- Property Management
- DocOne for P&R (replacing Crystal Reports)
- Billing
- Address Validation
- Service Management – Waste
- ECR – EFTPOS

3. Required New Modules

- Property & Rating: Rates Modelling, Business Analytics, Interactions & Correspondence, costs, Microsoft Defender licensing
- Secured 42% discount from TechnologyOne and delayed payment terms aligned with implementation

4. Contract

- Current SaaS agreement with TechnologyOne valid until 2028
- Proposal to extend agreement by 5 years to 2033 to lock in pricing and avoid 10% increase

5. Implementation

- Staged transition phases outlined (visual roadmap shared)
- Success depends on adequate resourcing and timely execution
- Webservices
- Field Mobility: Mobile Enquiries, Inspections, Infringements, Requests
- Digital Experience Platform (DxP LG): Core and Experiences for customer self-service and engagement

6. Benefits

- Improved customer experience through self-service and 24/7 access
- Streamlined processes and reduced manual intervention
- Centralised knowledge base for consistent information delivery

7. Financial Overview

- Indicative pricing presented for FY27–FY33
- Additional costs: project management, temporary staff backfill, mobility hardware, data

Due to the detailed and lengthy discussion on this agenda item, remaining items will be deferred and scheduled for discussion at the next meeting on 11 December 2025.

Meeting Closed	3:10pm
Next Meeting	11 December 2025

5.1.1. CEO

Standing Orders - Order of Business for Ordinary Council Meetings

File Reference: 1320

Report Author: Rosie McLean, Executive Coordinator

Authoriser: Matthew Magin, Chief Executive Officer

Meeting Date: 9 December 2025

Link to Corporate/Operational Plan:

Burdekin Shire Council Corporate Plan 2025-2030

- Demonstrate open and transparent decision-making, leadership and financial management.
- Implement effective governance frameworks.
- Undertake regulatory responsibilities in accordance with legislative obligations.

Burdekin Shire Council Operational Plan 2025-2026

EXC4 Coordinate and provide administrative support for Council's statutory meetings and deliver accurate and timely minutes of meetings.

Executive Summary

The purpose of this report is for Council to consider the updated Standing Orders, specifically the Order of Business, to reflect organisational restructures in 2025. The changes rename key items, add new service areas, and standardise terminology to ensure agendas align with the current structure. This provides a clear, transparent framework that supports effective governance and decision-making.

Recommendation

That Council adopt the updated draft Standing Orders, specifically updating the Order of Business as per attached document.

Background

At the Post-Election Meeting held on 3 April 2024, Council adopted an Order of Business for its Ordinary Council Meetings. Following organisational restructures in January and July 2025, the adopted Order of Business now requires to be updated to reflect the revised departmental structure, updated portfolio responsibilities, and clearer alignment with Council's Standing Orders. This update ensures consistency of terminology, recognition of new service areas, and transparency in reporting across all Council functions.

Burdekin Shire Council's Standing Orders provide the formal framework governing Council meetings, ensuring efficiency, transparency, and consistency. The adopted Order of Business expanded "Officers' Reports" into detailed departmental sections, creating differences between the Standing Orders framework and current practice. To maintain alignment, amendments are necessary to bring the Standing Orders and the adopted Order of Business into a consistent format.

The proposed amendments include:

- Renaming existing items for clarity and alignment:
 - *Executive* → *Office of the Chief Executive Officer*
 - *CEO* → *Executive Support*
 - *Community Development* → *Community Services*
 - *Financial and Administrative Services* → *Financial Services*
- Adding new items to reflect organisational structure:
 - *People and Culture* (under Office of the Chief Executive Officer)
 - *Water and Wastewater* (under Infrastructure, Planning and Environmental Services)
 - *Project Management* (under Infrastructure, Planning and Environmental Services)

- Remove:
 - Councillor Reports (which was not formally approved for inclusion).

These changes will ensure that the Order of Business accurately reflects the current organisational structure, provides clearer terminology for reporting, and supports transparency in Council decision-making. They also reinforce the Standing Orders as the guiding framework for consistent governance practices across all Council meetings.

The proposed Order of Business is as follows:

1. Attendance
2. Prayer
3. Declaration of Interest
4. Minutes and Business Arising
5. Office of the CEO
 1. Economic Development
 2. Executive Support
6. Corporate and Community Services
 1. Client Services
 2. Community Services
 3. Financial Services
 4. Governance
7. Infrastructure, Planning and Environmental Services
 1. Environmental and Health Services
 2. Operations
 3. Planning and Development
 4. Project Management
 5. Technical Services
 6. Water and Wastewater
8. Notice of Motion
9. Receipt of Petitions
10. Correspondence for Information
11. General Business
12. Closed Business Items
13. Delegations

Consultation

Councillors and Executive Leadership Team at the Council Workshop held on 18 November 2025.

Budget & Resource Implications

Not Applicable.

Legal Authority & Implications

Local Government Act 2009

Local Government Regulation 2012

Policy Implications

Not Applicable.

Risk Implications (Strategic, Operational, Project Risks)

Strategic Risks:

- Governance and Compliance: Misalignment with Standing Orders.
- Reputation: Council's adopted Order of Business does not align with current practice or Organisational Structure.

Attachments

1. Burdekin Shire Council Standing Orders

1. Standing Orders

- 1.1 These Standing Orders apply to all meetings of Burdekin Shire Council and any of its standing Committees. These standing orders do not apply to meetings of the audit committee.
- 1.2 Any provision of these Standing Orders may be suspended by resolution of any meeting of Council, except those sections that are mandatory under the model meeting procedures. A separate resolution is required for any such suspension and must specify the application and duration of each suspension.
- 1.3 Where a matter arises at a Council meeting that is not provided for in these Standing Orders, the matter will be determined by resolution of Council upon a motion which may be put without notice but otherwise conforming with these Standing Orders.

Procedures for Meetings of Council

2. Procedure for the Chairperson

- 2.1 The Mayor will be the chairperson at a meeting of Council at which the mayor is present.
- 2.2 If the Mayor is absent or unavailable to preside, the meeting will be chaired by the councillor to whom the mayor has delegated their responsibility to chair the meeting.
- 2.3 If both the Mayor is absent or has a temporary incapacity and is unable to chair a local government meeting, and has not delegated another councillor to do so, the deputy mayor will be the chairperson.
- 2.4 If the office of the Mayor becomes vacant the deputy mayor acts as mayor and chairperson of Council meetings.
- 2.5 If the Mayor and the Deputy Mayor are both prevented from chairing the meeting because of absence or temporary incapacitation, and no other councillor has been delegated the responsibility, the local government may by resolution appoint one of the councillors present at the meeting to act as chairperson for the duration of the meeting.
- 2.6 Council will choose the Chairperson for a Committee meeting. This Chairperson will normally preside over meetings of the Committee. The Mayor is a member of each standing committee but not necessarily the chairperson.
- 2.7 If the Chairperson of a Committee is absent or unavailable to preside, a Councillor chosen by the Councillors present will preside over the Committee meeting.
- 2.8 Before proceeding with the business of the local government meeting, the chairperson at the meeting will undertake the acknowledgement and/or greetings deemed appropriate by the local government.

Note: Section 12 of the LGA does not prescribe that other councillors have the responsibility of chairing local government meetings. Other councillors cannot assume the chairperson role except when they are delegated by the mayor to perform the extra responsibilities of a chairperson or a resolution has been passed by the councillors present to select a councillor to act as chairperson of a particular meeting, because the mayor, a delegated councillor and the deputy mayor are unavailable. The provision for the mayor to delegate the responsibility to be chairperson to another councillor caters for the possibility that the mayor will not be the chairperson of a particular local government meeting because the mayor has, for example, a conflict of interest in a matter, or will be absent or incapacitated for that meeting. Upon the mayor's return to the meeting the mayor or deputy mayor (whichever is relevant) can resume their role as chairperson.

3. Order of Business

- 3.1 The order of business will be determined by resolution of the local government from time to time. The order of business may be altered for a particular meeting where the councillors at that meeting pass a procedural motion to that effect. A motion to alter the order of business may be moved without notice.
- 3.2 Unless otherwise altered, the order of business will be as follows:
- Attendance
 - Prayer
 - Declarations of Interest
 - ~~Confirmation of m~~Minutes and business arising
 - Officers' reports
 - Office of the CEO
 - Economic Development
 - Executive Support
 - Corporate and Community Services
 - Client Services
 - Community Services
 - Financial Services
 - Governance
 - Infrastructure, Planning and Environmental Services
 - Environmental and Health Services
 - Operations
 - Planning and Development
 - Project Management
 - Technical Services
 - Water and Wastewater
 - Notice of Motion
 - Receipt of Petitions
 - Correspondence for Information
 - General Business
 - Closed Business Items
 - Delegation

Note: The minutes of a previous meeting, whether an ordinary or a special meeting, not previously confirmed will be taken into consideration, at every ordinary meeting of the local government, in order that the minutes may be confirmed. No discussion will be permitted about these minutes except with

respect to their accuracy as a record of the proceedings. Amendments to the minutes may be made prior to confirming the minutes. This must be done by moving a motion to amend the minutes that must be voted on and carried. Once the resolution is passed the minutes can be amended. All Councillors present at the meeting can vote to confirm the minutes including those who were absent at the previous meeting and those who had a conflict of interest at the previous meeting.

4. Agendas

4.1 The agenda may contain:

- Notice of meeting
- Minutes of the previous meetings
- Business arising out of previous meetings
- Business which the Mayor wishes to have considered at that meeting without notice
- Matters of which notice has been given
- Committees' reports to Council referred to the meeting by the CEO
- Officers' reports to Council referred to the meeting by the CEO
- Councillor conduct breach investigation reports provided by the investigator
- Deputations and delegations
- Any other business Council determines by resolution be included in the agenda paper.

4.2 Business not on the Agenda or not fairly arising from the Agenda shall not be considered at any Meeting unless permission for that purpose is given by Council at such meeting. Business must be in accordance with the adopted Terms of Reference/Charter for each Committee.

4.3 The notice of the meeting and the agenda must be given to each councillor at least two days before the meeting, unless it is impracticable to give the notice before that time.

4.4 The agenda for the local government must be made publicly available by 5pm on the business day after the notice of meeting is given to the councillors. Any related reports, including any summary investigation report for a conduct breach matter, for the local government meeting must also be included and available to the public when the agenda for the meeting is made publicly available, excluding confidential reports. If the related report is made available to Councillors during the period starting immediately after notice of the meeting is given and ending immediately before the meeting is held, then these reports must be made available to the public as soon as practicable after it is made available to the Councillors or committee members.

4.5 Matters on the agenda that will require the meeting to be in a closed session will be clearly identified including the reasons why the session will be closed.

5. Quorum

5.1 A quorum at a Council meeting is four Councillors.

5.2 If a quorum is not present within 15 minutes after the time set for the meeting to begin, it may be adjourned to a later hour or a later day within 14 days after the day of the adjournment. The meeting may be adjourned by a majority of Councillors present, or if only one Councillor is present, then that Councillor, or if no Councillors are present then the Chief Executive Officer.

6. Petitions

6.1 Any petition presented to a meeting of Council shall:

- be in legible writing or typewritten and contain a minimum of ten (10) signatures
- include the name and contact details of the Principal Petitioner (i.e., one person who is the organiser and who will act as the key contact for the issue)
- include the postcode of all petitioners, and
- have the details of the specific request/matter appear on each page of the petition.

- 6.2 Where a Councillor presents a petition to a meeting of Council no debate on or in relation to it shall be allowed and the only motion which may be moved is
- that the petition be received; or
 - received and referred to a committee or officer for consideration and a report to Council; or
 - not be received because it is deemed invalid.
- 6.3 Council will respond to the Principal Petitioner in relation to all petitions deemed valid.

7. Deputations

- 7.1 A deputation wishing to attend and address a meeting of Council shall apply in writing to the Chief Executive Officer not less than seven (7) business days before the meeting. The application must include details of the topic to be discussed and the expected approximate time required to make the address.
- 7.2 The Chief Executive Officer, on receiving an application for a deputation shall notify the Chairperson who shall determine whether the deputation may be heard. The Chief Executive Officer shall inform the deputation of the determination in writing. Where it has been determined the deputation will be heard, a convenient time shall be arranged for that purpose, and an appropriate time period allowed.
- 7.3 For deputations comprising three or more persons, only three persons shall be at liberty to address Council unless the Councillors at the meeting determine otherwise by resolution. A deputation shall be given adequate opportunity to explain the purpose of the deputation.
- 7.4 If a member of the deputation other than the appointed speakers interjects or attempts to address the Council, the Chairperson may finalise the deputation.
- 7.5 The Chairperson may terminate an address by a person in a deputation at any time where:
- the Chairperson is satisfied that the purpose of the deputation has been sufficiently explained to the Councillors at the meeting,
 - the time period allowed for a deputation has expired, or
 - the person uses insulting or offensive language or is derogatory towards Councillors, staff members, or others.
- 7.6 The CEO is responsible for the deputation including that the appointed speaker/s are notified in writing of developments or future actions as appropriate.

8. Public participation at meetings

- 8.1 A member of the public may take part in the proceeding of a meeting only when invited to do so by the chairperson.
- 8.2 In each local government meeting, time may be required to permit members of the public to address the local government on matters of public interest related to local government. An appropriate time period will be allowed (e.g., fifteen (15) minutes) and no more than three (3) speakers shall be permitted to speak at one meeting. The right of any individual to address the local government during this period shall be at the absolute discretion of the chairperson.

- 8.3 If any address or comment is irrelevant, offensive, or unduly long, the chairperson may require the person to cease making the submission or comment.
- 8.4 For any matter arising from such an address, the local government may take the following actions:
- refer the matter to a committee
 - deal with the matter immediately
 - place the matter on notice for discussion at a future meeting
 - note the matter and take no further action.
- 8.5 Any person addressing the local government shall stand (if able), and act and speak with decorum and frame any remarks in respectful and courteous language.
- 8.6 Any person who is considered by the local government or the mayor to be unsuitably dressed may be directed by the mayor or chairperson to immediately withdraw from the meeting. Failure to comply with such a request may be considered an act of disorder.

9. Prescribed conflict of interest

Councillors are ultimately responsible for informing of any prescribed conflict of interest on matters to be discussed at a council or committee meeting (other than ordinary business matters). When dealing with a prescribed conflict of interest, Councillors must abide by the following procedures:

- 9.1 A Councillor who has notified the Chief Executive Officer in writing, including all the particulars of a prescribed conflict of interest in a matter to be discussed in a council meeting must also give notice during the meeting at or before the time when the matter is to be dealt with.
- 9.2 A Councillor who first becomes aware of a prescribed conflict of interest in a matter during a council meeting must immediately inform the meeting of the conflict of the interest and the particulars.
- 9.3 When notifying the meeting of a prescribed conflict of interest, the following details must be provided:
- if it arises because of a gift, loan or contract, the value of the gift, loan or contract.
 - if it arises because of an application or submission, the subject of the application or submission:
 - the name of any entity other than the councillor that has an interest in the matter,
 - the nature of the Councillor's relationship with the entity that has an interest in a matter,
 - details of the Councillor's and any other entity's interest in the matter.
- 9.4 The Councillor must then leave the place of the meeting, including any area set aside for the public, and stay away while the matter is being discussed and voted on, unless the subject Councillor has written notice from the Minister to participate in deciding the matter in a meeting including participating in the discussion and the vote.

Note: Ministerial approval may be obtained when a quorum is lost due to the number of councillors with a conflict of interest in the matter, and the matter cannot be delegated. The Councillor with the conflict of interest must apply to the Minister for approval to participate. The Minister may give the approval subject to the conditions stated in the notice of approval.

- 9.5 Once the Councillor has left the area where the meeting is being conducted (or remains in the meeting under ministerial approval), the council can continue discussing and deciding on the matter at hand. However, if the prescribed conflict of interest was reported to the meeting by a Councillor other than the subject Councillor, then the Councillor must disclose their belief or suspicion to the chairperson and the processes, duty to report another Councillor's conflict of interest under section 150EW of the LGA, will apply. If more than one councillor is reported by another councillor to have a suspected prescribed conflict of interest in a matter, the meeting must deal with each councillor individually. If the Councillor with the suspected prescribed conflict of interest considers there is no conflict of interest then the eligible Councillors (those who do not have a conflict of interest in the matter) must make a decision whether or not the subject Councillor has a prescribed conflict of interest under 150EX(2) of the LGA.

10. Declarable conflict of interest

Councillors are ultimately responsible for informing of any declarable conflict of interest on matters to be discussed at council or committee meetings that might lead to a decision that is contrary to the public interest (other than ordinary business matters).

A Councillor may raise their personal interests in a matter at the meeting to canvas the view of the other councillors prior to deciding to declare a conflict of interest. If the other Councillors suspect the personal interest might be a conflict of interest, the Councillor may disclose their suspicion and the processes under section 150EW of the LGA will apply. The eligible Councillors must then make a decision under 150EX(2) of the LGA.

When dealing with a declarable conflict of interest, Councillors must abide by the following procedures:

- 10.1 A Councillor who has notified the chief executive officer of a declarable conflict of interest in a matter to be discussed at a council meeting must also give notice during the meeting.
- 10.2 A Councillor who first becomes aware of a declarable conflict of interest in a matter during a council meeting must stop participating in the decision on the matter and must inform the meeting of the conflict of interest, including the particulars.
- 10.3 When notifying the meeting of a declarable conflict of interest, Councillors should provide sufficient detail to allow the other Councillors to make an informed decision about how best to manage the declarable conflict of interest in the public interest. The following details must be provided:
- the nature of the declarable conflict of interest
 - if it arises because of the Councillor's relationship with a related party:
 - (i) the name of the related party to the Councillor
 - (ii) the nature of the relationship of the related party to the Councillor
 - (iii) the nature of the related party's interest in the matter
 - if it arises because of a gift or loan from another person to the Councillor or a related party:
 - (i) the name of the other person
 - (ii) the nature of the relationship of the other person to the Councillor or related party
 - (iii) the nature of the other person's interest in the matter
 - (iv) the value of the gift or loan and the date the gift or loan was made.

- 10.4 After a Councillor has declared a conflict of interest, the Councillor should consider leaving the meeting while the matter is discussed unless they have ministerial approval to participate, or they have reasons why their participation would improve making the decision in the public interest.
- 10.5 If the Councillor chooses not to leave the meeting, the Councillor may advise the other Councillors of their reasons for seeking permission to participate in making the decision as prescribed in section 150ES of the LGA. In deciding on a Councillor's declarable conflict of interest in a matter, only Councillors who do not themselves have a prescribed or declarable conflict of interest in the matter are eligible to participate in the decision making. The decision may be made even if the number of eligible Councillors is less than the majority or do not form a quorum for the meeting or is a single eligible Councillor consistent with section 150ET of the LGA. If there is a single eligible Councillor deciding, then a seconder for the resolution is not required.
- 10.6 The other non-conflicted Councillors at the meeting must then decide, by resolution, whether the Councillor can participate in the decision making in relation to the matter, including voting on the matter, or whether they should not participate in the decision and leave the place of the meeting while the matter is decided by the non-conflicted Councillors. The non-conflicted Councillors may impose conditions on the Councillor under a decision to either participate or leave the meeting e.g. may stay for the debate but must leave for the vote. The Councillor must comply with any decision or condition imposed by the non-conflicted councillors.
- 10.7 The Councillor who is the subject of the decision may remain in the meeting while the debate is occurring and can participate by answering questions from the chairperson to assist the other Councillors in making their decision. The subject Councillor must not vote or otherwise participate in making the decision but may remain in the meeting while the vote on the matter takes place and the decision is declared by the chairperson, on whether the Councillor may remain in the meeting and participate in deciding the matter in which the councillor has a declarable conflict of interest.
- 10.8 When deciding whether a Councillor may participate in the decision making on a matter in which they have a declarable conflict of interest, the other Councillors should consider the particular circumstances of the matter including, but not limited to:
- how does the inclusion of the Councillor in the deliberation affect the public trust
 - how close or remote is the Councillor's relationship to the related party
 - if the declarable conflict of interest relates to a gift or other benefit, how long ago was the gift or benefit received
 - will the benefit or detriment the subject Councillor or their related party stands to receive from the decision have major or minor impact on them
 - how does the benefit or detriment the subject Councillor stands to receive compare to others in the community
 - how does this compare with similar matters that council has decided and have other Councillors with the same or similar interests decided to leave the meeting
 - whether the subject Councillor has unique skills, knowledge or expertise that might help make the best decision in the public interest.

- 10.9 If the non-conflicted Councillors cannot decide about the councillor's participating in the meeting with a declarable conflict of interest, they are taken to have decided that the councillor must leave and stay away from the meeting while the non-conflicted Councillors discuss and vote on the matter.
- 10.10 A decision about a Councillor who has a declarable conflict of interest in a matter applies in relation to the Councillor for participating in the decision, and all subsequent decisions, about the same matter unless there is a change to the Councillor's personal interests and/or the nature of the matter being discussed. If the non-conflicted Councillors decide that the Councillor can act in the public interest on the matter, then the Councillor may participate in the meeting and be involved in processes occurring outside of a council meeting about the same matter e.g. briefing sessions or workshops.
- 10.11 In making the decision under 9.6 and 9.9, it is irrelevant how the subject Councillor intended to vote on the issue or any other issue (if known or suspected).
- 10.12 A Councillor does not contravene the above procedures if the Councillor participates in a decision under written approval from the Minister.

11. Reporting a suspected conflict of interest

If a councillor at a meeting reasonably believes or suspects that another councillor has a personal interest in a matter that may be a prescribed or a declarable conflict of interest, and that councillor is participating in a decision on that matter, the informing councillor who believes that a conflict of interest exists must immediately inform the chairperson of the meeting of their belief or suspicion and the facts and circumstances that led to their belief or suspicion. If more than one councillor is reported by another councillor to have a suspected personal interest in a matter, the meeting must deal with each councillor individually.

- 11.1 The chairperson then should ask the relevant Councillor with the suspected personal interest whether they have any prescribed or declarable conflict of interest in the matter. If the Councillor agrees they have a conflict of interest, the Councillor must follow the relevant procedures above for prescribed and declarable conflicts of interest.
- 11.2 If the Councillor believes they do not have a conflict of interest, they must inform the meeting of that belief and their reasons for that belief.
- 11.3 The non-conflicted Councillors must then decide whether the Councillor has a prescribed conflict of interest, a declarable conflict of interest or that the Councillor does not have prescribed or declarable conflict of interest in the matter. If the meeting decides the Councillor has a conflict of interest, the Councillor must follow the relevant procedures above. If a councillor with a declarable conflict of interest wants to participate in the decision despite the declarable conflict of interest, then the eligible councillors must make a decision about the councillor's participation.
- 11.4 If the eligible Councillors cannot reach a majority decision, then they are taken to have determined that the Councillor has a declarable conflict of interest. A decision under these provisions about a Councillor participating in the meeting applies to the matter and subsequent decisions, about the same matter unless there is a change to the Councillor's personal interests and/or the nature of the matter being discussed. If the eligible councillors decide that the subject Councillor can act in the public interest on the matter, then the Councillor may participate in the meeting and be involved in processes occurring outside of a council meeting

about the same matter e.g. workshops.

- 11.5 When a councillor informs a meeting that they or another councillor have a prescribed or declarable conflict of interest in a matter, the minutes of the meeting must record all the relevant details.

Note: *The minutes must include details of how the conflict of interest was dealt with, being (section 150FA of the LGA):*

- *the name of any councillor and any other councillor who may have a prescribed or declarable conflict of interest*
- *the particulars of the prescribed or declarable conflict of interest provided by the councillor*
- *the actions taken by a councillor after informing the meeting that they have, or they reasonably suspect another councillor has a prescribed or declarable conflict of interest*
- *any decision then made by the eligible councillors*
- *whether the councillor with a prescribed or declarable conflict of interest participated in or was present for the decision under ministerial approval*
- *the local government's decision on what actions the councillor with a declarable conflict of interest must take and the reasons for the decision.*

- 11.6 The minutes of the meeting must record the name of each eligible councillor who voted in relation to whether the councillor has a declarable conflict of interest, and how each of the councillors voted

Note: *The eligible councillors include a councillor who has either been granted approval by the Minister or their fellow councillors to participate and vote on a matter (e.g. the eligible councillors in this subsection means all councillors who were entitled to vote on the matter). If the councillor has a declarable conflict of interest, the following additional information must be recorded in the minutes of the meeting when the meeting is informed of a councillor's personal interest by someone other than the councillor.*

12. Loss of quorum

- 12.1 In the event where one or more Councillors leave a meeting due to a prescribed or declarable conflict of interest in a matter that results in a loss of a quorum for deciding the matter, the council must resolve to:

- delegate the consideration and decision on the matter, pursuant to section 257 of the LGA (unless the matter cannot be delegated s, because an Act says it must be decided by resolution of the local government)
- defer the matter to a later meeting
- not decide the matter and take no further action in relation to the matter (unless the LGA or another Act provides that the local government must decide the matter).

- 12.2 The local government may by resolution delegate a power under section 257 of the LGA to:

- the mayor or CEO
- a standing committee, or joint committee of the local government
- the chairperson of a standing committee or joint standing committee of the local government
- another local government for a joint government activity

- 12.3 The council must not delegate a decision to an entity if the entity, or a majority being at least half of its members, has a prescribed or declarable conflict of interest in the matter.
- 12.4 The local government may only delegate a power to make a decision about a councillor's conduct under section 150AG of the LGA pursuant to section 257(2) of the LGA, to:
- the mayor
 - a standing committee
- 12.5 If the matter cannot be delegated under an Act, the council should seek ministerial approval for the Councillors to be able to consider and vote on the matter, subject to any conditions the Minister may impose.

Motions

13. Motion to be moved

- 13.1 A Councillor is required to 'move' a motion and then another Councillor is required to 'second' the motion. When a motion has been moved and seconded, it will become subject to the control of the local government and cannot be withdrawn without the consent of the local government meeting.
- 13.2 Other Councillors can propose amendments to the motion which must be voted on before voting on the final motion.
- A motion brought before a meeting of Council in accordance with the Local Government Act 2009 or these Standing Orders shall be received and put to the meeting by the Chairperson.
 - The Chairperson may require a motion or amendment to a motion to be stated in full or be in writing before permitting it to be received.
 - The Chairperson may refuse to accept a motion if it is not within the meeting's jurisdiction and rule a motion out of order if necessary. Any motion that is vague, proposes an unlawful action, is outside the scope of the meeting, is defamatory, vexatious or is unnecessary, may be ruled out of order.
- 13.3 The Chairperson may call the notices of motion in the order in which they appear on the agenda, and where no objection is taken to a motion being taken as a formal motion, the Chairperson may put the motion to the vote without discussion and the vote occur.
- 13.4 Not more than one motion or one proposed amendment to a motion may be put before a meeting of a local government at any one time.

14. Absence of Mover of Motion

- 14.1 Where a Councillor who has given notice of a motion is absent from the meeting of Council at which the motion is to be considered, the motion may be:
- moved by another Councillor at the meeting, or
 - deferred to the next meeting.

15. Motion to be seconded

- 15.1 A motion or an amendment to a motion shall not be debated at a meeting of Council unless or until the motion or the amendment is seconded, with the exception of Procedural Motions.

16. Amendment of Motion

- 16.1 An amendment to a motion shall be in terms which maintain or further clarify the intent of the original motion and do not contradict the motion.
- 16.2 Where an amendment to a motion is before a meeting of Council, no other amendment to the motion shall be considered until after the first amendment has been voted on.
- 16.3 Where a motion is amended by another motion, the original motion shall not be put as a subsequent motion to amend that other motion.

17. Speaking to motions and amendments

- 17.1 The mover of a motion or amendment shall read it and shall state that it is so moved but shall not speak to it until it is seconded.
- 17.2 The Chairperson will manage the debate by allowing the Councillor who proposed the motion the option of speaking first on the motion. The Chairperson will then call on any other Councillor who wishes to speak against the motion and then alternatively for and against the motion as available, until all Councillors who wish to speak have had the opportunity.
- 17.3 A Councillor may make a request to the Chairperson for further information before or after the motion or amendment is seconded.
- 17.4 The mover of a motion or amendment has the right to reply. Each councillor will speak no more than once to the same motion or same amendment except as a right of reply. Once the right of reply has been delivered the debate ends.
- 17.5 Each speaker will be restricted to not more than five (5) minutes unless the Chairperson rules otherwise.
- 17.6 Where two or more Councillors indicate they may wish to speak at the same time, the Chairperson shall determine who is entitled to priority.
- 17.7 In accordance with section 254H of the *Local Government Regulation 2012* (LGR), if a decision made at the council meeting is inconsistent with a recommendation or advice given to the council by an advisor, the minutes of the meeting must include a statement of the reasons for not adopting the recommendation or advice.

Note: *If a report contains distinct recommendations, the decision of the local government may be taken separately on each recommendation. If a decision by the meeting is contra to a recommendation in a report the minutes must give the reasons for the decision.*

18. Method of taking vote

- 18.1 The Chairperson will call for all Councillors in favour of the motion to indicate their support. The Chairperson will then call for all Councillors against the motion to indicate their objection. A Councillor may call for a 'division' to ensure their objection to the motion is recorded in the minutes. If a division is taken, the minute secretary shall record the names of Councillors voting in the affirmative and of those voting in the negative. The Chairperson shall declare the result of a vote or a division as soon as it has been determined.
- 18.2 Councillors have the right to request that their names and how they voted be recorded in the minutes if they so request, for voting other than by Division.
- 18.3 Except upon a motion to repeal or amend it, the resolution shall not be discussed after the vote has been declared.

19. Withdrawing a motion

- 19.1 A motion or amendment may be withdrawn by the mover with the consent of the council, which will be without debate, and a councillor will not speak to the motion or amendment after the mover has been granted permission by the council meeting for its withdrawal.

20. Repealing or amending resolutions

- 20.1 A resolution of Council may not be amended or repealed unless notice of motion is given in accordance with the requirements of the *Local Government Act 2009* or the *Local Government Regulation 2012*.
- 20.2 Councillors present at the meeting at which a motion to repeal or amend a resolution is put, may defer consideration of that motion. Such deferral shall not be longer than three (3) months.

21. Procedural motions

- 21.1 A Councillor at a meeting of Council may, during the debate of a matter at the meeting, move, as a procedural motion, without the need for a seconder the following motions:
- that the question/motion be now put before the meeting
 - that the motion or amendment now before the meeting be adjourned
 - that the meeting proceeds to the next item of business
 - that the question lie on the table
 - a point of order
 - a motion of dissent against the Chairperson's decision
 - that this report/document be tabled
 - to suspend the rule requiring that (insert requirement)
 - that the meeting stands adjourned.
- 21.2 A procedural motion, that 'the question be put', may be moved and where such a procedural

motion is carried, the Chairperson shall immediately put the question to the motion or amendment to that motion under consideration. Where such procedural motion is lost, debate on the motion or amendment to that motion will resume.

- 21.3 The procedural motion, that 'the motion or amendment now before the meeting be adjourned', may specify a time or date, to which the debate shall be adjourned. Where no date or time is specified:
- a further motion may be moved to specify such a time or date, or
 - the matter about which the debate is to be adjourned, shall be included in the business paper for the next meeting.
- 21.4 Where a procedural motion, that 'the meeting proceeds to the next item' is carried, debate on the matter that is the subject of the motion shall cease and may be considered again by Council on the giving of notice in accordance with the Standing Orders.
- 21.5 A procedural motion, that 'the question lie on the table', shall only be moved where the Chairperson or a Councillor requires additional information on the matter before the meeting (or the result of some other action of Council or person is required) before the matter may be concluded at the meeting. Where such a procedural motion is passed, the Council shall proceed with the next matter on the agenda.
- 21.6 A motion, that 'the matter be taken from the table', may be moved at the meeting at which the procedural motion was carried or at any later meeting.
- 21.7 Any Councillor may ask the Chairperson to decide on a 'point of order' where it is believed that another Councillor:
- has failed to comply with proper procedures
 - is in contravention of the Local Government Act/Regulations, or
 - is beyond the jurisdiction power of Council.

Note: *Points of order cannot be used as a means of contradicting a statement made by the Councillor speaking. Where a 'point of order' is moved, consideration of the matter to which the motion was moved shall be suspended pursuant to clause 10.2. The Chairperson shall determine whether the point of order is upheld.*

- 21.8 Upon the question of order suddenly arising during the process of a debate, a Councillor may raise a point of order, and thereupon the Councillor against whom the point of order is raised, shall immediately cease speaking. Notwithstanding anything contained in these standing orders to the contrary, all questions or points of order at any time arising shall, until decided, suspend the consideration and decision of every other question.
- 21.9 A Councillor may move 'a motion of dissent' in relation to a ruling of the Chairperson on a point of order. Where such motion is moved, further consideration of any matter shall be suspended until after a ruling is made. Where a motion of dissent is carried, the matter to which the ruling of the Chairperson was made shall proceed as though that ruling had not been made. Where the opposite ruling is made, that the matter was discharged as out of order, it will be restored to the agenda and be dealt with in the normal course of business.

- 21.10 The motion, 'that this report/document be tabled', may be used by a Councillor to introduce a report or other document to the meeting, only if the report or other document is not otherwise protected under confidentiality or information privacy laws. On tabling the document, it ceases to be a confidential document and is available for public scrutiny.
- 21.11 A procedural motion, "to suspend the rule requiring that", may be made by any Councillor in order to permit some action that otherwise would be prevented by a procedural rule. A motion to suspend a rule shall specify the duration of such a suspension.
- 21.12 A procedural motion, that 'the meeting stands adjourned', may be moved by a Councillor at the conclusion of debate on any matter on the business paper or at the conclusion of a Councillor's time for speaking to the matter, and shall be put without debate. Such a procedural motion will specify a time for the resumption of the meeting and on resumption of the meeting the Council shall continue with the business before the meeting at the point where it was discontinued on the adjournment.

22. Questions

- 22.1 A Councillor may at the local government meeting ask a question for reply by another councillor or an officer regarding any matter under consideration at the meeting.
- 22.2 A question will be asked categorically and without argument and no discussion will be permitted at the council meeting in relation to a reply or a refusal to reply to the question.
- 22.3 A Councillor or officer to whom a question is asked without notice may request that the question be taken on notice for the next meeting.
- 22.4 A Councillor who asks a question at a meeting, whether or not upon notice, will be deemed not to have spoken to the debate of the motion to which the question relates.
- 22.5 The Chairperson may disallow a question which is considered inconsistent with an acceptable request or good order, provided that a Councillor may move a motion that the Chairperson's ruling be disagreed with, and if carried the Chairperson will allow the question.

Meeting Conduct

23. Process for dealing with Unsuitable Meeting Conduct

The conduct of a Councillor is unsuitable meeting conduct if the conduct happens during a council meeting and contravenes a behavioural standard of the [Code of Conduct for Councillors](#). When dealing with an instance of unsuitable conduct by a Councillor in a meeting, the following procedures must be followed:

- 23.1 The Chairperson must reasonably believe that unsuitable meeting conduct has been displayed by a councillor at a meeting. The chairperson may consider the severity of the conduct and whether the councillor has been issued with any previous warnings for unsuitable meeting conduct. If the chairperson decides the conduct is of a serious nature or another warning is unwarranted, the chairperson can make an order in relation to the conduct under section 23.7 below.
- 23.2 If the Chairperson decides the unsuitable meeting conduct has occurred, but is of a less

For Council Meetings including Standing Committees

serious nature, the chairperson may request the councillor take remedial actions such as:

- ceasing and refraining from exhibiting the conduct
- apologising for their conduct
- withdrawing their comments.

23.3 If the Councillor complies with the Chairperson's request for remedial action, no further action is required.

23.4 If the Councillor fails to comply with the Chairperson's request for remedial action, the chairperson may warn the councillor that failing to comply with the request could result in an order of unsuitable meeting conduct being issued.

23.5 If the Councillor complies with the Chairperson's warning and request for remedial action, no further action is required.

23.6 If the Councillor continues to fail to comply with the Chairperson's request for remedial action or the chairperson decided a warning was not appropriate under 23.2, the Chairperson may make one or more of the orders below:

- an order reprimanding the councillor for the conduct
- an order requiring the councillor to leave the meeting, including any area set aside for the public and stay out for the duration of the meeting

23.7 If the Councillor fails to comply with an order to leave and stay away from the meeting, the Chairperson can issue an order that the Councillor be removed from the meeting.

23.8 Following the completion of the meeting, the Chairperson must ensure:

- details of any order issued is recorded in the minutes of the meeting
- if it is the third or more order made within a 12-month period against a Councillor, or the Councillor has refused to comply with an order issued to leave the meeting, these matters are dealt with at the next meeting of the council and treated as a suspected conduct breach
- Council is not required to notify the independent assessor (IA) about the conduct and may deal with the conduct under section 150AG as if an investigation had been conducted.
- the council's Chief Executive Officer (CEO) is advised to ensure details of any order made is updated in the council's Councillor conduct register.

23.9 Any Councillor aggrieved with an order issued by the Chairperson can move a motion of dissent for parts 23.2, 23.3, 23.7 and 23.8 above.

24. Process for dealing with Unsuitable Meeting Conduct by a Chairperson

- 24.1 If a councillor at the meeting reasonably believes that the conduct of the chairperson during the meeting is unsuitable meeting conduct, the councillor may raise the matter in the meeting by point of order.
- 24.2 The chairperson may correct their unsuitable meeting conduct or if they do not properly correct their behaviour, the councillor may move a motion that the chairperson has engaged in unsuitable meeting conduct (a seconder for the motion is required). The councillors present, excluding the chairperson, must decide by resolution if the conduct is unsuitable meeting conduct.
- 24.3 The chairperson has a declarable conflict of interest in the matter and must declare the conflict of interest and leave the place where the meeting is being held, including any area set aside for the public, during the debate and vote on the matter. If the chairperson wishes to remain in the meeting, the eligible councillors must make a decision and follow the procedures set out above for declarable conflict of interest.
- 24.4 For the debate and vote on the motion, a councillor other than the councillor that moved the motion, is to act as the chairperson.
- 24.5 If the original chairperson remains in the meeting, on the condition that they will not vote on the matter as determined by the eligible councillors, they can put forward their reasoning about their conduct, and respond to questions through the acting chairperson from the eligible councillors.
- 24.6 The acting chairperson of the meeting will preside over the meeting while the councillors present at the meeting vote on whether the chairperson has engaged in unsuitable meeting conduct (the acting chairperson will have a casting vote on the resolution if required).
- 24.7 If it is decided that the chairperson has engaged in unsuitable meeting conduct, the councillors can decide to make an order reprimanding the chairperson for the conduct.
- 24.8 Once the councillors make a decision, the chairperson returns to the meeting (unless they have been permitted to remain in the meeting) and is informed of the decision by the acting chairperson.
- 24.9 The chairperson then resumes the role of chairperson, and the meeting continues

Note: Details of any reprimand order must be recorded in the minutes of the meeting. The local government's CEO is advised to ensure details of any order made is updated in the local government's councillor conduct register. For conduct of a chairperson, at local government meetings that is part of a course of conduct leading to orders for unsuitable meeting conduct being made against the chairperson, on three occasions within a 12-month period, the conduct that led to the orders being made, taken together, becomes a conduct breach. If the conduct of a councillor, including a chairperson, at the meeting becomes a conduct breach (in accordance with section 150J of the LGA and is a conduct breach under section 150K of the LGA), the local government is not required to notify the Independent Assessor (the Assessor) about the conduct, and may deal with the conduct under section 150AG of the LGA as if an investigation had been conducted. It may be dealt with at the next local government meeting.

25. Meeting Procedures for Dealing with a Suspected Conduct Breach including that which has been Referred to a Local Government by the Independent Assessor

Under chapter 5A, part 3, division 3A of the LGA, the Assessor must make a preliminary assessment and dismiss a complaint, notice or information if satisfied that particular circumstances apply – see section 150SD of the LGA. If the Assessor finds that a matter is a suspected conduct breach it must refer the matter to the local government to be dealt with. The Assessor refers the councillor's suspected conduct breach to the local government by giving a referral notice.

Note: A conduct breach is conduct that:

- *contravenes a behavioural standard of the Code of Conduct for Councillors, or a policy, procedure, or resolution of the local government; or*
- *the conduct contravenes an order of the chairperson of a local government meeting for the councillor to leave and stay away from the place at which the meeting is being held; or*
- *an instance of a suspected conduct breach that may arise from circumstances of three instances of unsuitable meeting conduct orders within a 12-month period.*

25.1 In relation to matters referred by the Assessor to the local government, the local government may decide not to start or discontinue an investigation if:

- the complainant withdraws the complaint
- the complainant consents to the investigation not starting or discontinuing
- the complainant does not provide extra information when requested
- there is insufficient information to investigate the complaint
- the councillor vacates or has vacated their office as a councillor.

Note: *The local government investigation must be conducted in a way that is consistent with the local government's Investigation Policy. An investigation report must be prepared to assist the councillors in making a decision on the outcome under section 150AG of the LGA. Before debating a matter relating to making a decision, a summary investigation report (with redactions) must be prepared and made publicly available under section 150AFA of the LGA on or before the day and time prescribed by regulation.*

25.2 The local government must decide in a local government meeting, whether the councillor has engaged in a conduct breach, unless the decision has been delegated to the mayor under section 257(2)(a) of the LGA, or to a standing committee section 257(2)(b) of the LGA.

25.3 When dealing with an instance of a suspected conduct breach which has been referred to a local government by the Assessor:

- the local government must be act in a manner consistent with the local government principle of transparent and accountable decision making in the public interest, by deciding the outcome of an investigation of a suspected conduct breach in an open meeting of the local government. However, where the matter requires debate a local government may close all or part of a meeting to the public, if considered necessary, to discuss an investigation report under section 254J of the LGR.

For Council Meetings including Standing Committees

- no resolution for a decision can be made in the closed session including a decision about a conflict of interest matter. All matters must be decided in an open session of the meeting or at a later meeting.
- where a local government makes a decision about a conduct breach matter at a local government meeting that is inconsistent with a recommendation made about that matter in an investigation report, a statement of the reasons for the inconsistency must be included in the minutes of the meeting under section 254H of the LGR.
- the subject councillor has a declarable conflict of interest in the matter and must declare the conflict of interest. The eligible councillors at the meeting can decide by resolution that the subject councillor may remain in the meeting (unless the eligible councillors decide otherwise) during the debate about the investigation report and may answer questions put to the subject councillor through the chairperson in relation to the evidence or written submission about the conduct breach provided by the councillor to the local government.
- the subject councillor who has a declarable conflict must leave the place where the meeting is being held, including any area set aside for the public, during the vote on whether they have engaged in a conduct breach and what, if any, penalty to impose if the councillor is found to have engaged in a conduct breach.
- if the complainant is a councillor, that councillor has a declarable conflict of interest in the matter and if so, must follow the declarable conflict of interest procedures. If the complainant councillor who has a conflict of interest, wishes to remain in the meeting during the debate and vote on the matter, the eligible councillors (who do not have a conflict of interest in the matter) must decide how to deal with the conflict of interest. The complainant councillor can be required to leave the meeting place, or conditions may be applied to allow that councillor to participate in either the debate, the vote, or the decision on any disciplinary action to be applied under section 150AH of the LGA.

Note: After making a decision under section 150AG of the LGA, the local government must make the full investigation report, publicly available within 10 business days after the decision is made, with redactions of the name of the complainant and any witnesses, but including the name of a councillor or the CEO of the local government if they were the complainant/s, or any councillor who declared a conflict of interest in the matter.

25.4 If the local government has lost quorum due to the number of conflicted councillors or another reason, the local government must do one of the following:

- delegate deciding the matter under section 257 of the LGA to the mayor or a standing committee, whichever is the most appropriate in the circumstances, or
- decide, by resolution, to defer the matter to a later meeting, or
- decide, by resolution, not to decide the matter and take no further action in relation to the matter unless the LGA or another Act provides that the local government must decide the matter.

Note: A local government cannot decide to take no further action on a decision about a conduct matter because it is required under the LGA. In order to reach a decision when a loss of quorum has occurred, the matter can be delegated to the mayor or a standing committee, or the matter can be

deferred to a later meeting when a quorum can be maintained. If the conduct breach referral notice is about the suspected conduct breach by the mayor, then the matter will need to be delegated to a standing committee for a decision. The local government should establish a standing committee under section 264 of the LGR to deal with decisions about conduct breach matters. The standing committee must be in existence before receiving the referral notice from the Assessor, in circumstances where there is no quorum to decide a matter under sections 150AEA or 150AG of the LGA due to conflicts of interest. The standing committee will decide about the mayor's conduct. While section 12(4)(f) of the LGA provides that the mayor has the extra responsibility of being a member of each standing committee, the mayor could not be a decision making member of a standing committee dealing with decisions about the mayor's conduct because of a conflict of interest. The remainder of the unconflicted members of the committee will decide the matter.

- 25.5 If a decision is reached that the subject councillor has engaged in a conduct breach, then the councillors must decide what penalty or penalties from the orders detailed in 150AH of the LGA, if any, to impose on the councillor. In deciding what penalty to impose, the local government may consider any previous inappropriate conduct of the councillor and any allegation made in the investigation that was admitted, or not challenged, and that the local government is reasonably satisfied is true.
- 25.6 The local government may order that no action be taken against the councillor or make one or more of the following:
- an order that the councillor make a public apology, in the way decided by the local government, for the conduct
 - an order reprimanding the councillor for the conduct
 - an order that the councillor attend training or counselling to address the councillor's conduct, including at the councillor's expense
 - an order that the councillor be excluded from a stated local government meeting
 - an order that the councillor is removed, or must resign, from a position representing the local government, other than the office of councillor
 - an order that if the councillor engages in the same type of conduct again, it will be treated as misconduct
 - an order that the councillor reimburse the local government for all or some of the costs arising from the councillor's conduct breach.

Note: *The minutes of the meeting must reflect the decision and any orders made. A notice must be given to the Assessor as soon as practicable about the decision and the reasons for the decision and if an order is made under section 150AH the details of the order.*

26. General conduct during meetings

- 26.1 After a meeting of the council has been formally constituted and the business commenced, a Councillor will not enter or leave from the meeting without first notifying the Chairperson.
- 26.2 Councillors will speak to each other or about each other during the local government meeting by their respective titles ('mayor' or 'councillor'), and when speaking of or addressing officers will call them by their respective official or departmental title and will confine their remarks to the matter under consideration.
- 26.3 No Councillor who is speaking will be interrupted except upon a point of order being raised

either by the Chairperson or by another Councillor.

- 26.4 When the Chairperson speaks during the process of a debate, the Councillor speaking or offering to speak will immediately cease speaking, and each Councillor present will observe strict silence so that the Chairperson may be heard without interruption.

27. Disorder

- 27.1 The Chairperson may adjourn the meeting of Council, where disorder arises at a meeting other than by a Councillor.
- 27.2 On resumption of the meeting, the Chairperson shall move a motion, which shall be put without debate, to determine whether the meeting shall proceed. Where such a motion is lost, the Chairperson shall declare the meeting closed, and any outstanding matters referred to a future meeting.

Attendance and Non-Attendance

28. Attendance of public and the media at meeting

- 28.1 An area shall be made available at the place where any meeting of Council is to take place for members of the public and representatives of the media to attend the meeting and as many members of the public as reasonably can be accommodated in that area shall be permitted to attend the meeting.
- 28.2 When the Council is sitting in Closed Session, the public and representatives of the media shall be excluded.

29. Closed session

- 29.1 Council and standing committee meetings may resolve that a meeting be closed to the public if its Councillors consider it necessary to discuss any of the following matters:
- appointment, dismissal or discipline of the CEO
 - industrial matters affecting employees
 - the council's budget
 - rating concessions
 - legal advice obtained by the council, including legal proceedings that may be taken by or against the council
 - matters that may directly affect the health and safety of an individual or a group of individuals
 - negotiations relating to a commercial matter involving the council for which a public discussion could prejudice the interests of the council
 - negotiations relating to the taking of land by the council under the *Acquisition of Land Act 1967*
 - a matter that the council is required to keep confidential under a law of, or a formal agreement with, the Commonwealth or state.
- 29.2 A council or committee meeting cannot resolve that a meeting be closed where the meeting is informed of a Councillor's personal interest in the matter by another person and the eligible

Councillors at the meeting must decide whether the Councillor has a declarable conflict of interest in the matter.

- 29.3 Further, the meeting must not be closed if a quorum is lost due to the number of conflicted Councillors who leave the meeting and the council must;
- delegate the matter
 - decide by resolution to defer to a later meeting
 - decide by resolution to take no further action on the matter.
- 29.4 None of the above will be considered, discussed, voted on or made during a closed session.
- 29.5 If a closed session includes attendance by teleconference, the Councillor/s attending by teleconference must maintain confidentiality by ensuring no other person can hear their conversation while in the closed meeting.
- 29.6 To take a matter into a closed session the council must abide by the following:
- pass a resolution to close the meeting
 - the resolution must state the matter to be discussed, an overview of what is to be discussed and why the meeting should be closed while the matter is considered
 - if the matter is known in advance, the agenda should clearly identify that the matter will be considered in closed session, and an explanation of why it is deemed necessary to take the issue into closed session must be stated
 - not make a resolution while in a closed meeting (other than a procedural resolution).

30. Teleconferencing of meetings

- 30.1 If a Councillor wishes to be absent from a council meeting place during a meeting, the Councillor must apply to the Chairperson to participate by teleconference, at least three (3) business days prior to the meeting or as soon as practicable once the Councillor becomes aware of their intended absence. The Council may allow a Councillor to participate in a council or committee meeting by teleconference.

Note: *There is no legislative requirement for a resolution by a local government to allow a councillor to participate by audio link or audio-visual link. This means the local government may delegate the matter. For example, the local government may delegate to the chairperson of the local government or a committee meeting the ability to decide whether a councillor can attend a meeting by audio link or audio-visual link.*

- 30.2 A Councillor taking part by teleconference is taken to be present at the meeting if the Councillor was simultaneously in audio contact with each other person at the meeting. The attendance of the Councillor must be recorded in the minutes as present at the meeting.

Note: *Teleconferencing includes the use of a telephone, video conferencing equipment or other means of instant communication that allows a person to take part in a discussion as it happens.*

31. Related Documents

Document Title

Councillor Code of Conduct
Burdekin Shire Council Meeting Procedures
Investigations of Inappropriate Councillor Conduct Policy

32. Document History

Revision Number	Revision Details	Approved By (Officers Name)	Resolution Number	Date
1.0	As provided by Department of Local Government, racing and Multicultural Affairs	Ordinary Council Meeting	1499251	27/11/2018
1.1	Updated 6.1 to require requests for deputations to include details of the topic to be discussed.	Ordinary Council Meeting	1528840	14/05/2019
2.0	Updated in line with new legislation introduced 12 October 2020	Ordinary Council Meeting	N/A	10/11/2020
3.0	Amended November 2022. Adopted by Council 28 Feb 2023.	Ordinary Council Meeting	1741038	28/2/2023
4.0	Amended October 2024 in accordance with updates provided by Department in July 2024	Ordinary Council Meeting	1844270	29/10/2024

5.1.2. CEO

TechnologyOne Transition Ci to CiA for Property and Rating

File Reference: 2290

Report Author: Eileen Devescovi, Manager Client Services

Authoriser: Kim Olsen, Director Corporate and Community Services

Meeting Date: 9 December 2025

Link to Corporate/Operational Plan:

Burdekin Shire Council Corporate Plan 2025-2030

- Demonstrate open and transparent decision-making, leadership and financial management.
- Support and improve Council's operational performance through the delivery of innovative, efficient, and effective ICT solutions.
- Through digital platforms, improve access to information.

Burdekin Shire Council Operational Plan 2025-2026

ICT2 Provide quality ICT services to internal customers, including timely resolution of customer requests.

Executive Summary

This report seeks Council approval for the transition of the Property and Rating system from TechnologyOne Ci to Ci Anywhere (CiA) to ensure continuity of service delivery and alignment with Council's digital transformation objectives. The proposed transition represents a strategic step toward modernising Council's service delivery and operational environment.

By adopting CiA, Council will:

- Enhance customer experience: Provide 24/7 online access to property and rating services, ensuring consistent and user-friendly interactions for both internal and external customers.
- Streamline operations: Consolidate systems into a single, integrated digital environment, reducing duplication and simplifying processes end-to-end.
- Boost efficiency: Automate workflows and introduce staff mobility, enabling faster, more accurate service delivery.
- Support digital transformation: Establish a foundation for customer-centric, digitally enabled services that align with community expectations and Council's long-term strategic goals.

Overall, the transition to CiA will deliver a modern, agile, and efficient platform that strengthens Council's ability to serve the community, while improving internal productivity and reducing operational complexity.

Recommendation

That Council:

1. approve the extension of the TechnologyOne SaaS Agreement for an additional five-year term, covering the period from 1 July 2028 to 30 June 2034 at a total contract sum of \$7,904,850.00 (excluding GST) noting an additional \$300,000.00 may be added to the total term of the contract should Council decide to retain the PLUS module from 1 July 2029,
2. approve the transition of the Property and Rating system from TechnologyOne Ci to Ci Anywhere (CiA) to ensure continuity of service delivery and alignment with Council's digital transformation objectives,
3. approve the appointment of additional staffing resources to support the transition for a period of up to three (3) years. These resources include a Project Manager, a Business Analyst, and two backfill positions,
4. approve the inclusion in future budgets funding for the additional hardware and software costs required to support mobility, and

5. resolve that in accordance with Section 235 of the *Local Government Regulation 2012*, that in the circumstances it is satisfied there is only one provider reasonably available.

Background

In the 2003/04 financial year, Council undertook a significant project to identify, select and implement a new corporate software system for the whole of Council. TechnologyOne Limited was chosen as the supplier to deliver the new on-premises enterprise-wide system.

- Finance One and People One were implemented on 1 July 2004.
- Proclaim One was implemented on 4 April 2005.
- Works and Assets system was implemented on 2 September 2015.

In February 2019 Council's suite of TechnologyOne ICT systems transitioned from an on-premises environment to an externally hosted Software as a Service (SaaS) arrangement. This move to the cloud provided a greater user experience, improved efficiency, and ultimately enhanced service delivery.

In July 2020 Council embarked on the Ci to CiA Anywhere transition for the following modules:

- Project Management
- Human Resources and Payroll
- Asset Lifecycle Management
- Financials
- Corporate Performance Management
- Enterprise Content Management
- Supply Chain

The transition was completed in late 2024, after which it was agreed to pause the next phase, CiA Property and Rating, to allow staff time to consolidate learnings, provide the newly appointed Mayor and Councillors with an opportunity to consider future implications of the proposed transition, and ensure adequate time for review and budgeting for the next stage.

Council's 3-year ICT Strategy

In 2025 the Council engaged consultants to develop a 3-year ICT Strategy. The strategy aims to enhance Council's ability to provide value for money services to the community by better utilising existing ICT infrastructure and strategically positioning future ICT investment. Council's ICT Strategy provides a strong strategic framework and justification for the next phase in transition to CiA Property and Rating. The strategy identified five (5) themes of which the first two (2) themes are highly dependent on the CiA transition to Property and Rating.

Theme 1 - Customer and Digital Service Excellence

This strategic priority focuses on transforming how Council delivers services to the community by making them customer-centric and digitally enabled. It entails providing seamless online platforms (web portal, mobile app) and tools like AI chatbots so residents and businesses can access information, lodge requests, and receive support anytime, anywhere. It also means redesigning services around user needs – simplifying forms, offering real-time updates, and ensuring consistent experiences across in-person and digital channels.

Theme 2 - Integrated Systems and Efficiency

This priority is about creating a single, connected digital environment for Council operations to replace the patchwork of siloed systems and manual processes. It involves consolidating key applications (or ensuring they talk to each other), automating workflows between departments, and eliminating duplicate data entry. Essentially, Council staff will work within a unified ICT architecture where information flows seamlessly and processes are streamlined end-to-end (for example, a customer request automatically triggers actions in finance and works without separate data re-entry).

Transitioning to Ci Anywhere for Property and Rating is essential to complete Council's move to a fully integrated digital environment. This upgrade will eliminate reliance on outdated systems, streamline workflows, and reduce duplication by enabling seamless data flow across departments.

It will also support customer-centric service delivery through improved online platforms and real-time updates, aligning with Council's ICT Strategy priorities of digital excellence and operational efficiency. Ultimately, the transition will enhance service quality, improve staff productivity, and position Council for future innovation.

Consultation

Executive Leadership Team

ICT Steering Committee on 25 November 2025

Councillor Workshops held on 04 November 2025 and 02 December 2025

Senior Leadership Group meetings in November 2025 and December 2025

Budget & Resource Implications

Indicative pricing for the next five (5) financial years (FY) up to and including 30 June 2033 are:

- FY 26/27 - \$751,691.00
- FY 27/28 - \$904,897.00
- FY 28/29 - \$1,217,032.00
- FY 29/30 - \$1,186,571.00
- FY 30/31 - \$1,232,847.00
- FY 31/32 - \$1,280,928.00
- FY 32/33 - \$1,330,884.00

These figures include CPI increases and are based on Council not continuing with TechnologyOne's PLUS module from FY 29/30. Should Council which to continue with PLUS then an additional annual fee of \$75,000.00 for the remaining four (4) years of the contract will have to be included.

In addition to the TechnologyOne contract costs, resources are required to support the successful delivery of the CiA Property and Rating transition. These include:

- Project Manager – either through consultant engagement or temporary recruitment, for a period of three (3) years,
- Business Analyst – either through consultant engagement or temporary recruitment, for a period of three (3) years,
- Accommodation and Travel Costs – should the appointed Project Manager and/or Business Analyst not be locally based, Council will need to budget for associated accommodation and travel expenses,
- Two (2) temporary positions for a period of three (3) years to backfill staff,
 - These roles will provide operational continuity while permanent staff are engaged in project delivery.
 - The specific positions may change throughout the project depending on the knowledge and skills required,
- Tablets/Smartphones for mobility rollout
 - Approximately 20 devices in FY 2027/28 – \$30,000.00
 - Approximately 15 devices in FY 2028/29 – \$22,500.00
- Additional data costs
 - FY 2027/28 – \$8,400.00
 - FY 2028/29 – \$6,300.00
- Microsoft Defender licensing for additional tablets/smartphones – approx. \$1,600.00 per year
- Additional cloud storage – cost currently unknown, to be charged “at cost” based on usage.

Legal Authority & Implications

Section 235 of the *Local Government Regulation 2012* provides exemptions for calling tenders for goods and services in certain circumstances.

235 Other exceptions

A Local Government may enter into a medium-sized contractual arrangement or large sized contractual arrangement without first inviting written quotes or tenders if—

- (a) the Local Government resolves it is satisfied that there is only one supplier who is reasonably available or
- (b) the Local Government resolves that, because of the specialised or confidential nature of the services that are sought, it would be impractical or disadvantageous for the local government to invite quotes or tenders; or
- (c) a genuine emergency exists; or
- (d) the contract is for the purchase of goods and is made by auction; or
- (e) the contract is for the purchase of second-hand goods; or
- (f) the contract is made with, or under an arrangement with, a government agency.

The Local Government Association of Queensland (LGAQ) commentary to this section of the Regulation confirms that paragraph (a) might be applied, as an example, where Council is using a proprietary computer software program and wishes upgrade that program to add functionality. There is generally only one (1) possible supplier, and the calling of tenders or quotes would be a manifest waste of time and resources.

Policy Implications

Not Applicable.

Risk Implications (Strategic, Operational, Project Risks)

Transitioning to Ci Anywhere (CiA) for Property and Rating carries several risks that Council must consider.

These risks, along with mitigation strategies, are outlined below:

1. Implementation Risk

- Risk: Delays in project delivery due to system complexity, resource availability, or vendor dependencies.
- Mitigation: Dedicated Project Manager and Business Analyst roles, phased implementation approach, and regular project governance reporting.

2. Business Continuity Risk

- Risk: Disruption to business-as-usual (BAU) operations during transition.
- Mitigation: Backfilling of two (2) temporary positions for three (3) years to maintain BAU, plus staged rollout to minimise service interruptions.

3. Financial Risk

- Risk: Potential cost overruns due to unforeseen requirements (e.g., additional cloud storage, extended PLUS module use, travel/accommodation for non-local staff).
- Mitigation: Clear budget allocation, ongoing monitoring of expenditure, and Council approval for any significant variations.

4. Technology Risk

- Risk: Integration challenges with existing systems, data migration issues, or reliance on vendor-hosted infrastructure.
- Mitigation: Vendor support agreements, thorough testing before go-live, and alignment with Council's ICT Strategy for integrated systems.

5. Cybersecurity and Data Privacy Risk

- Risk: Increased exposure to cyber threats and data breaches in a cloud-hosted environment.
- Mitigation: Use of Microsoft Defender for mobile devices, adherence to TechnologyOne's security protocols, and compliance with legislative requirements for data protection.

6. Change Management Risk

- Risk: Staff resistance to new systems and processes, impacting adoption and efficiency.
- Mitigation: Comprehensive training, communication strategy, and ongoing support to build staff capability and confidence.

Attachments

None

6.1.1. CLIENT SERVICES

QBSC/25/081 - Secure Communities Partnership Program

File Reference: 1790

Report Author: Eileen Devescovi, Manager Client Services

Authoriser: Kim Olsen, Director Corporate and Community Services

Meeting Date: 9 December 2025

Link to Corporate/Operational Plan:

Burdekin Shire Council Corporate Plan 2025-2030

- Facilitate partnerships to improve community safety and wellbeing including crime prevention initiatives.

Burdekin Shire Council Operational Plan 2025-2026

ICT1 Coordinate the design, acquisition, configuration, maintenance and management of ICT hardware infrastructure.

Executive Summary

Burdekin Shire Council has been successful in securing funding under the State Government's *Secure Communities Program*. This grant supports the installation of additional Closed-Circuit Television (CCTV) cameras at six (6) strategic locations - four (4) within Ayr and two (2) within Home Hill.

The project is 100% grant funded and represents a proactive investment in community safety. By expanding CCTV coverage in the central business districts of Ayr and Home Hill, the initiative will:

- Enhance public security and deter anti-social behaviour
- Support local businesses by fostering a safer trading environment
- Provide reassurance to residents and visitors
- Assist law enforcement agencies with crime prevention and investigation

This initiative aligns with Council's ongoing commitment to creating safe, vibrant, and welcoming communities across the Burdekin Shire.

Recommendation

That Council awards the contract for QBSC/25/081 – Secure Communities Partnership Program (CCTV Installation) to SAPE Industries Pty Ltd for the amount of \$187,955.66 (excluding GST).

Background

Burdekin Shire Council was approached by the Queensland Police Service to consider expanding the existing Closed-Circuit Television (CCTV) network to address identified surveillance gaps within the Ayr and Home Hill Central Business Districts. The expansion was proposed as a proactive measure to enhance public safety, deter anti-social behaviour, and provide greater support to law enforcement activities in these key community areas.

In response, Council submitted an application under the State Government's *Secure Communities Program* and was successful in securing full funding for the project. This funding will enable the installation of additional CCTV cameras at strategic locations across Ayr and Home Hill, thereby strengthening the current network and improving safety outcomes for businesses, residents, and visitors.

Tender responses were assessed by a panel of three (3) assessors. Each submission was reviewed against the following weighted criteria to ensure transparency, fairness, and alignment with Council's procurement standards:

- Price (40%) – Assessment of overall cost competitiveness and value for money
- Experience (10%) – Demonstrated capability and track record in delivering similar projects
- Qualifications (20%) – Relevant technical expertise and professional accreditations of key personnel
- Methodology (5%) – Proposed approach, work plan, and ability to meet project objectives
- Local Content (5%) – Commitment to utilising local suppliers, contractors, and resources where possible
- Compliance with Specifications (20%) – Adherence to technical requirements and scope of works outlined in the tender documentation

Evaluation Sheet			
Instructions - Complete details in the top section of the form. Amend the weightings as per the RFT/RFQ. Hide any not required. Enter price into Price row. Enter scores into the blue boxes as per the criteria tab. Complete compliance checks. Enter notes into the bottom of the form			
Panel Assessor	Nicholas Gray, Dirk Dabestien, Mark MacDonald		
Project	QBSC/25/081 - Secure Communities Partnership Program – CCTV		
Date	Installation		
	17/11/2025		
Tenderer Name		SAPE Industries	Voltec Services
		A	B
Selection Criteria	Weighting (%)		
1 - 10 Scoring			
Quoted Price			
Price	40%	\$ 187,955.66	
Normal Score (refer Submission Register tab)		2	10
Weighted Score		0.8	4
Demonstrated Experience	10%		
Normal Score		9	5
Weighted Score		0.9	0.5
Qualifications	20%		
Normal Score		6	6
Weighted Score		1.2	1.2
Methodology	5%		
Normal Score		8	2
Weighted Score		0.4	0.1
Local Content (Max 15%)	5%		
Normal Score		6	4
Weighted Score		0.3	0.2
Specification Compliance	20%		
Normal Score		10	10
Weighted Score		2	2
Quoted Price.		\$ 187,955.66	\$ -
Total Weighted Score.		5.6	8
	100%		
WHS Compliance Checked		Met	Partially met
Mandatory Requirements met		Yes	Yes
NOTES			
Dates, schedule		Yes	Yes
Insurances		Yes	Yes
Location head office		Townsville	Townsville
Location branch		Townsville	Townsville
Experience		Met	Partially met
Methodology		Met	Partially met
Resources		Yes	Yes
Summary - Pros		<ul style="list-style-type: none"> •Solution includes surge suppression on all cameras and radio links. •Solution addresses Theatre mounting – proposes to install a new pole. •Includes stainless steel cabinets including ventilation fans. •Includes provision sum for traffic control at supplier's expense. •Quote does not pass on training costs. •SAPE have ample experience in similar local government installs, including SAF radio links and Hanwha Wisenet cameras. •Existing maintenance arrangements already in place with SAPE, who are Council's ongoing camera CCTV maintenance contractor - they already understand Council's CCTV infrastructure, network topology and integration requirements. 	<ul style="list-style-type: none"> •Lowest price. •Solution uses specified cameras and wireless links. •Installation works (including electrical) to be done in-house without the use of any subcontractors.
Summary - Cons		<ul style="list-style-type: none"> •Electrical components are sub-contracted – another supplier to manage. •No guarantees provided regarding Ergon applications or line of sight requirements. 	<ul style="list-style-type: none"> •No surge suppression on any equipment – could be very problematic in storms. •No experience at all with SAF wireless links – concerns regarding execution of this component of the installation. •No information regarding mounting of radios on Theatre – concerns regarding lack of space on current mounting pole. •No information regarding comms cabinets. •Ergon training costs passed directly on to Council. •Quotation simply appears to be a copy and paste from the RFQ document – concerned not a lot of thought has gone into the quotation. •Limited safety documentation/evidence provided in response.
Overall Summary		SAPE's solution exemplifies best practice, hence the more expensive price. SAPE have a reputation for providing "gold standard" CCTV and Communications link installations, which is demonstrated in this quotation.	Voltec's solution is considerably less expensive. While it uses the same cameras and wireless links, there are both installation and long term reliability concerns as listed in the cons above.

Two (2) conforming submissions were received for Contract QBSC/25/081 – Secure Communities Partnership Program: CCTV Installation, from SAPE Industries Pty Ltd and Voltec Services Pty Ltd. Importantly, both submissions were within the allocated project budget.

Following a comprehensive evaluation of the tender submissions against the criteria of price, experience, qualifications, methodology, local content, and compliance with specifications, SAPE Industries Pty Ltd was identified as the preferred supplier for this project.

While SAPE Industries Pty Ltd achieved a lower overall score due to the high weighting applied to price in the assessment, their proposal was more comprehensive and demonstrated stronger performance across all other evaluation criteria. The submission provided high-quality components, a robust installation methodology, and clear evidence of relevant experience, including existing maintenance arrangements with Council's CCTV infrastructure.

On balance, SAPE Industries Pty Ltd's proposal offers the most reliable and sustainable solution to deliver the objectives of the *Secure Communities Program*, ensuring the expansion of the CCTV network is undertaken to a high standard and with minimal risk.

Consultation

Consultation was carried out with the following entities:

- Burdekin Shire Council Councillors
- Burdekin Shire Council Senior Leadership Group
- Queensland Police Service

Budget & Resource Implications

The Secure Communities Program provides 100% grant funding, with a total budget of \$233,409.00 for the six-location CCTV expansion.

Legal Authority & Implications

A Memorandum of Understanding (MOU) is in place between Burdekin Shire Council and the Queensland Police Service (QPS). Under this agreement, QPS is authorised to extract video footage from Council's CCTV network for the purpose of public safety.

Policy Implications

Camera Surveillance Policy

Risk Implications (Strategic, Operational, Project Risks)

Project is unable to be completed by the funding deadlines.
Project goes over budget due to unforeseen circumstances.

Attachments

None

6.3.1. FINANCIAL SERVICES

Monthly Financial Report - November 2025

Recommendation

That the Monthly Financial Report for Period Ending 30 November 2025 be received.

Attachments

1. Monthly Financial Report - November 2025
2. 2025-2026 Capital PCG Report - Confidential

The following report provides a summary of Council's financial performance to 30 November 2025.

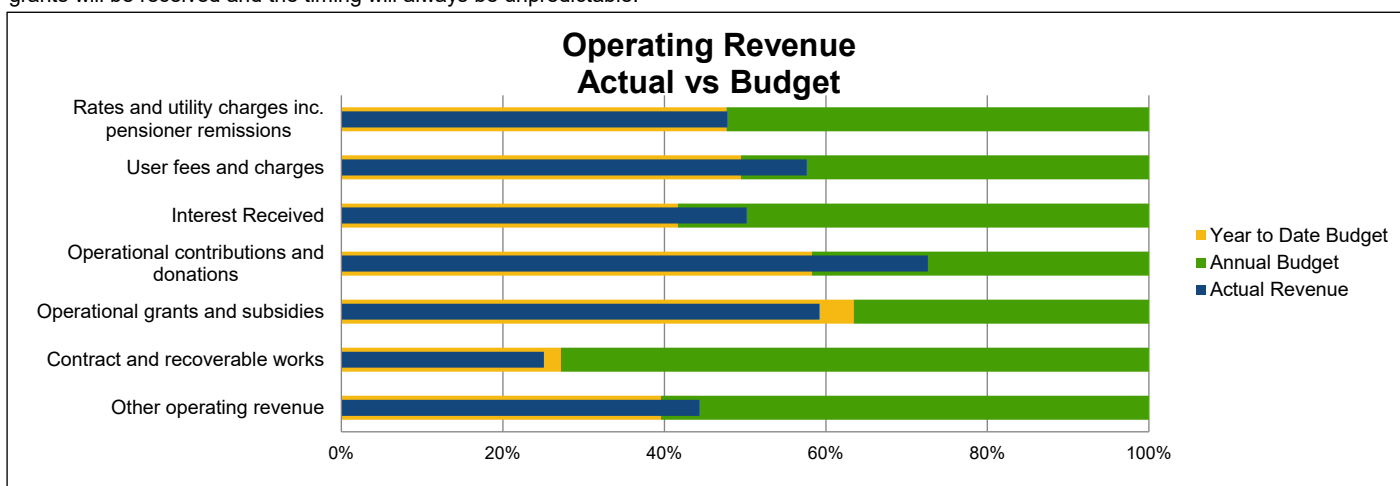
FINANCIAL STATEMENTS AT A GLANCE

As at 30 November 2025	Actual \$	Annual Budget \$	YTD Revised Budget \$	\$ Variance YTD Actual to YTD Revised Budget	% Variance YTD Actual to YTD Revised Budget
Total Operating Revenue	35,204,332	70,227,038	35,265,999	-61,667	0%
Total Operating Expenses	28,379,955	74,444,524	31,856,545	-3,476,590	-11%
Operating Position	6,824,377	-4,217,486	3,409,454	3,414,923	100%
Capital Revenue	8,473,619	37,324,630	37,324,630	-28,851,011	-77%
Net Result	15,297,996	33,107,144	40,734,084	-25,436,088	-62%

This report contains financial information for the period ending 30 November 2025. Council's operating position at month end is a \$6.8M surplus.

Please note 42% of the year is now completed.

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

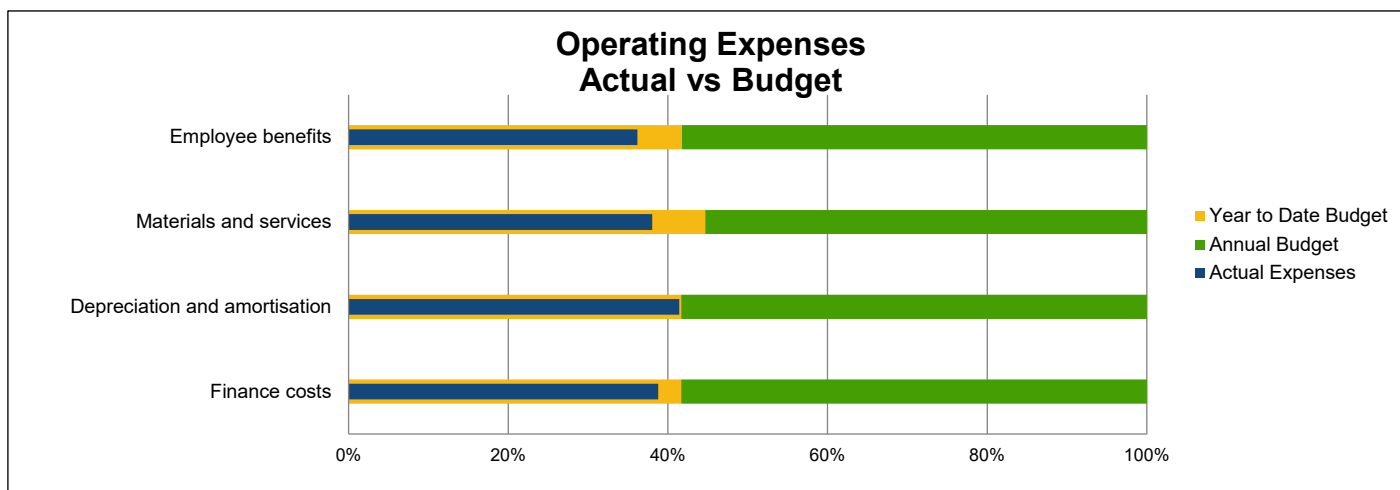


Ahead of Budget:

- User fees and charges: Mainly due to transfer stations, Caravan Park income, and operational works application fees in town planning which are variable throughout the year.
- Interest received: Due to conservative budgeting.
- Operational contributions and donations: Internal infrastructure charges in relation to the Ayr Industrial Estate subdivisional works.
- Other operating revenue: Income received from Container Revenue Share scheme and transfer station takings.

Under Budget:

- Operational grants and subsidies: Queensland Reconstruction Authority (QRA) grant funding is received as work is complete and submissions are approved.
- Contract and recoverable works: Roads Maintenance Performance Contract monies received for works claimed.



Under Budget:

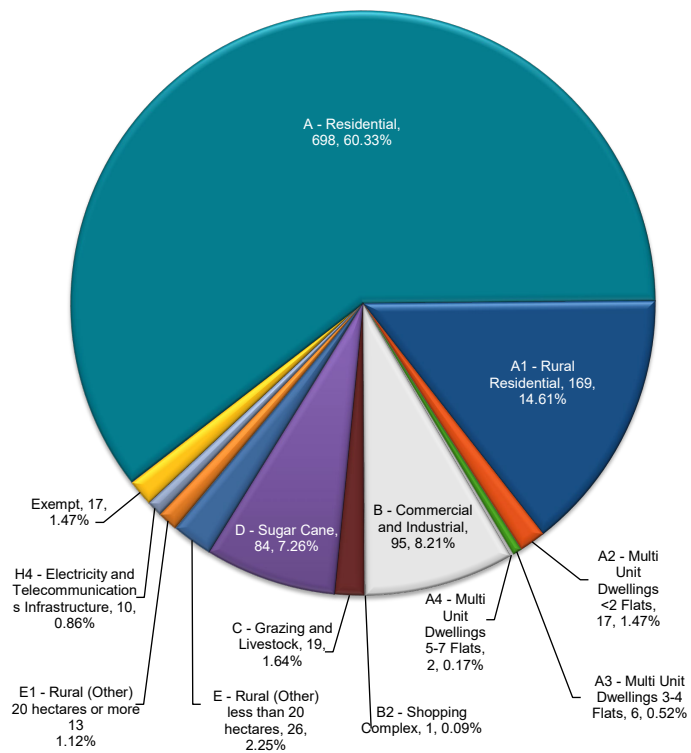
- Employee benefits: Timing of Disaster Recovery Funding Arrangements (DRFA) works and an emphasis on the capital works program.
- Materials and services: Timing of DRFA works.

RATES

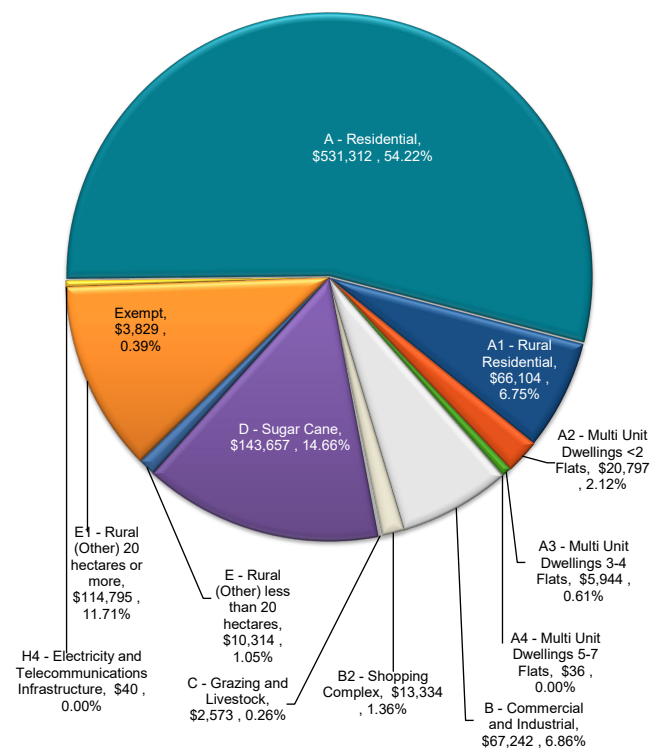
Arrears as at 1 July 2025		\$761,476
Levy and fees raised *	\$24,725,628	
Interest charged *	\$60,325	
Less Pensioner subsidy and rebate	<u>\$358,982</u>	\$24,426,972
Payments received		<u>\$24,205,637</u>
Arrears as at 30 November 2025		<u><u>\$982,811</u></u>
% Arrears November 2025		3.90%
% Arrears November 2024		3.73%
Pre-payments as at 30 November 2025		\$2,185,751
Pre-payments as at 30 November 2024		\$2,529,809

* includes State Govt Emergency Management Levy

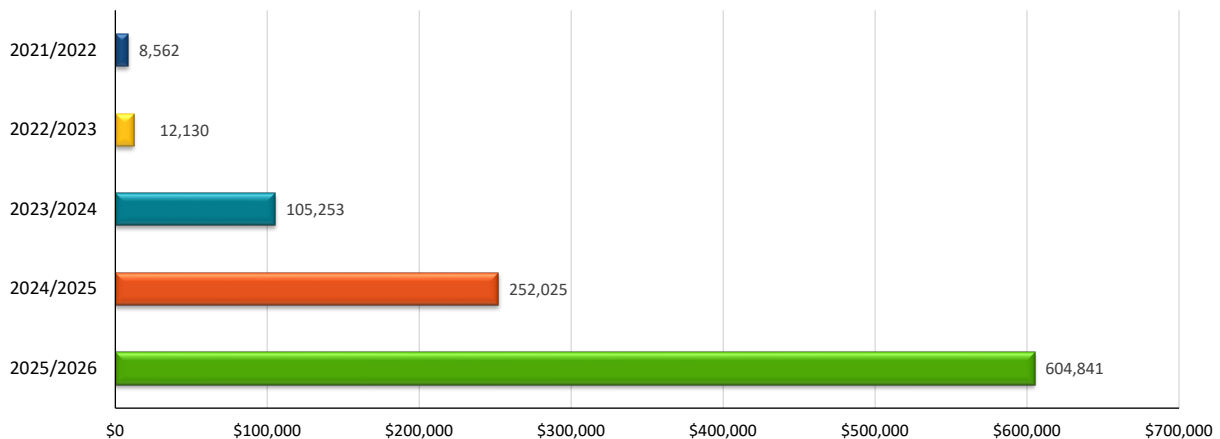
Number of Properties with Outstanding Rates by Rating Category



\$ Value of Outstanding Rates by Rating Category



Total Rates Outstanding by Financial Year



Rates Debt Recovery

Collection House – Debt Referral

Council currently has 222 active files with Collection House.

Council Payment Plans

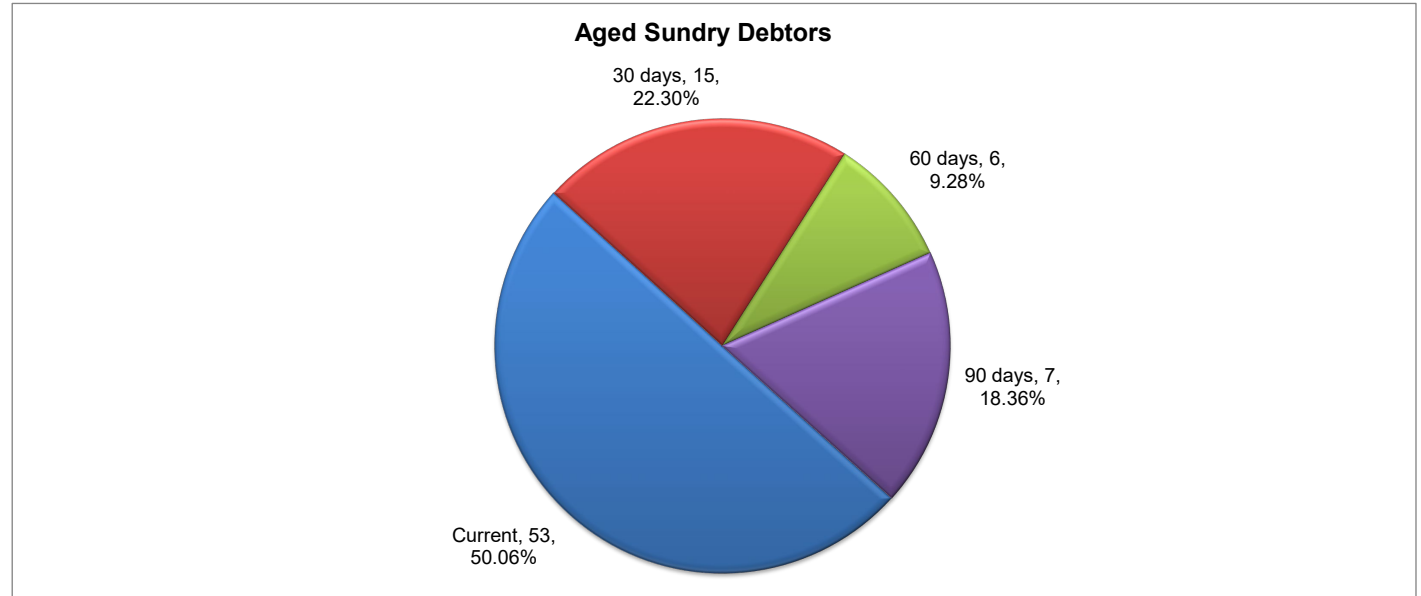
Council has received 134 approved periodic payment plans, with a total outstanding balance of \$139,227.62. These plans will be monitored to ensure conformance throughout their duration.

Collection House – Sale of Land

On the 11 November, Council resolved to commence Sale of Land proceedings for three properties. A Notice of Intention to Sell was issued to all interested parties on the 13 November 2025.

SUNDRY DEBTORS

Total outstanding Sundry Debtors as at 30 November are \$118,523.69.



Collection House - Debt Referral

Council currently has 1 active file with Collection House.

CASH AND INVESTMENTS REPORT

For the Month Ending 30 November 2025

		Compliant	Policy Condition
Total Cash and Investments	\$ 96,164,036		
Investments within A1+ S & P Short Term ratings	38.97%	✓	(maximum 75%)
Counterparty Limits - CBA	20.04%	✓	(maximum 30%)
Counterparty Limits - WBC	4.45%	✓	(maximum 30%)
Counterparty Limits - NAB	14.47%	✓	(maximum 30%)

INVESTMENTS HELD BY COUNCIL

Financial Institution	Description	Principal	Interest Rate	Maturity Date	Days to Maturity	S&P Short Term Rating
Queensland Treasury Corporation	On Call	\$ 54,811,627	4.15%	Ongoing	N/A	A1+
Commonwealth Bank of Australia	Term Deposit	\$ 5,000,000	4.12%	10/02/2026	72	A1+
Commonwealth Bank of Australia	Term Deposit	\$ 8,000,000	4.12%	10/02/2026	72	A1+
Commonwealth Bank of Australia	Term Deposit	\$ 5,000,000	4.12%	16/02/2026	78	A1+
National Australia Bank	Term Deposit	\$ 5,000,000	4.15%	04/02/2026	66	A1+
National Australia Bank	Term Deposit	\$ 5,000,000	4.15%	09/12/2025	9	A1+
National Australia Bank	Term Deposit	\$ 3,000,000	4.15%	09/12/2025	9	A1+
Westpac Banking Corporation	Term Deposit	\$ 3,000,000	4.20%	02/04/2026	123	A1+
Westpac Banking Corporation	Term Deposit	\$ 1,000,000	4.10%	13/03/2026	103	A1+
Total Investments		\$ 89,811,627				

CASH HELD BY COUNCIL IN BANK ACCOUNTS

Financial Institution	Description	Principal	Interest Rate	Maturity Date	Days to Maturity	S&P Short Term Rating
Queensland Country Bank	General Account	\$ 6,352,409	1.65%	30/11/2025	0	A2
Total Cash at Bank		\$ 6,352,409				

TOTAL CASH AND INVESTMENTS

Total Cash and Investments	\$ 96,164,036
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INVESTMENT INTEREST RATE PERFORMANCE

Weighted Average Interest Rate	4.15%
Target Interest Rate (to be no lower than QTC)	4.15%

CREDIT RATING LIMITS

S&P Short Term Rating	Policy Limit	Principal	%
Queensland Treasury Corporation	No Limit	\$ 54,811,627	61.03%
A1+	75%	\$ 35,000,000	38.97%

COUNTERPARTY LIMITS

Financial Institution	Policy Limit	Principal	%
Queensland Treasury Corporation	No Limit	\$ 54,811,627	61.03%
Commonwealth Bank of Australia	30%	\$ 18,000,000	20.04%
Westpac Banking Corporation	30%	\$ 4,000,000	4.45%
National Australia Bank	30%	\$ 13,000,000	14.47%

Investment Maturity Profile



OVERVIEW OF COUNCIL'S CAPITAL PROJECTS

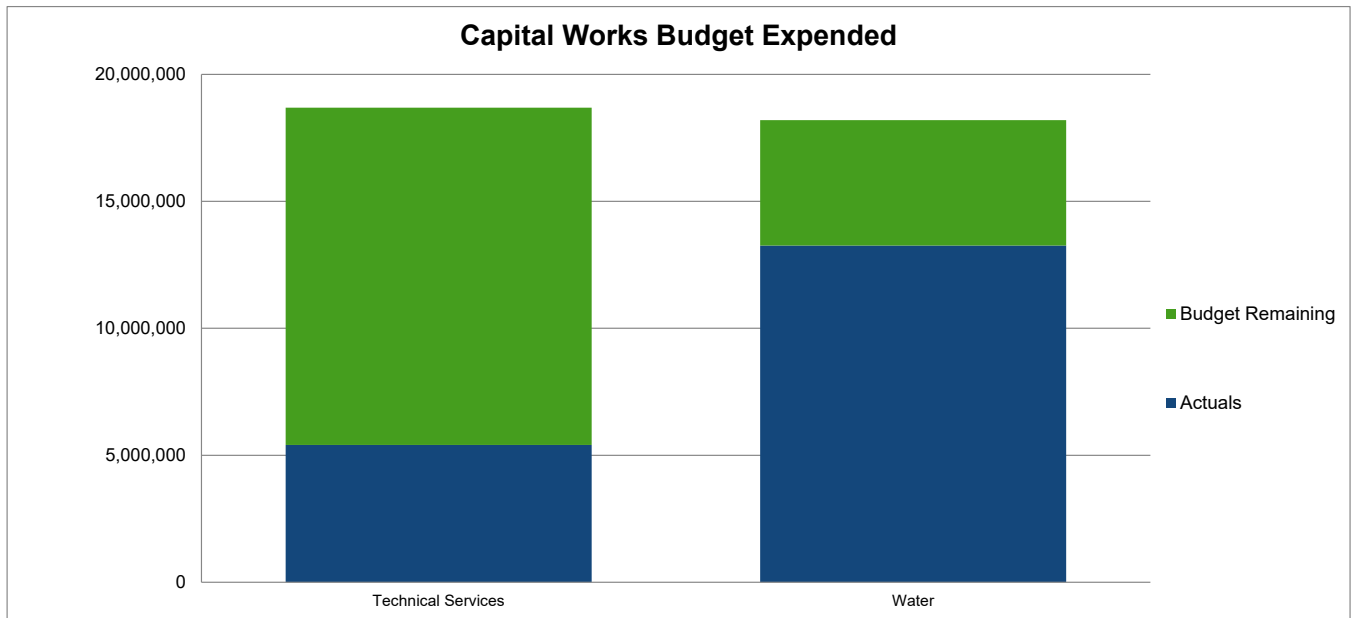
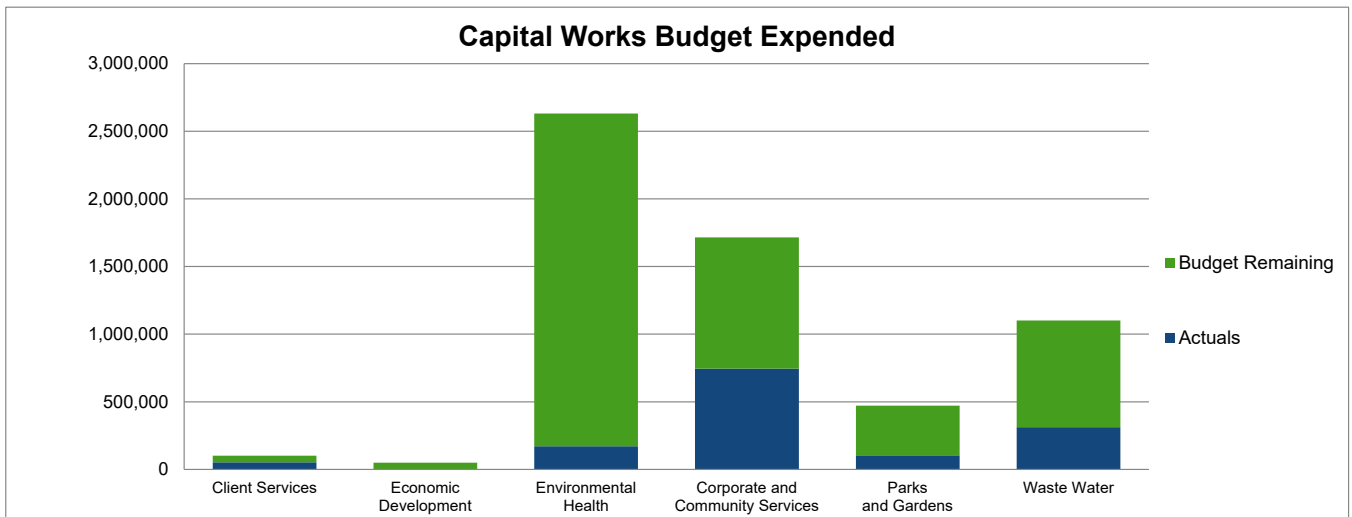
Capital expenditure incurred for the year to 30 November, is shown by asset category in the table below.

Capital project expenditure to 30 November is \$20,054,834 in addition to this, there is \$16,169,995 of commitments. Therefore totalling \$36,224,829.

Financial Overview by Asset Category

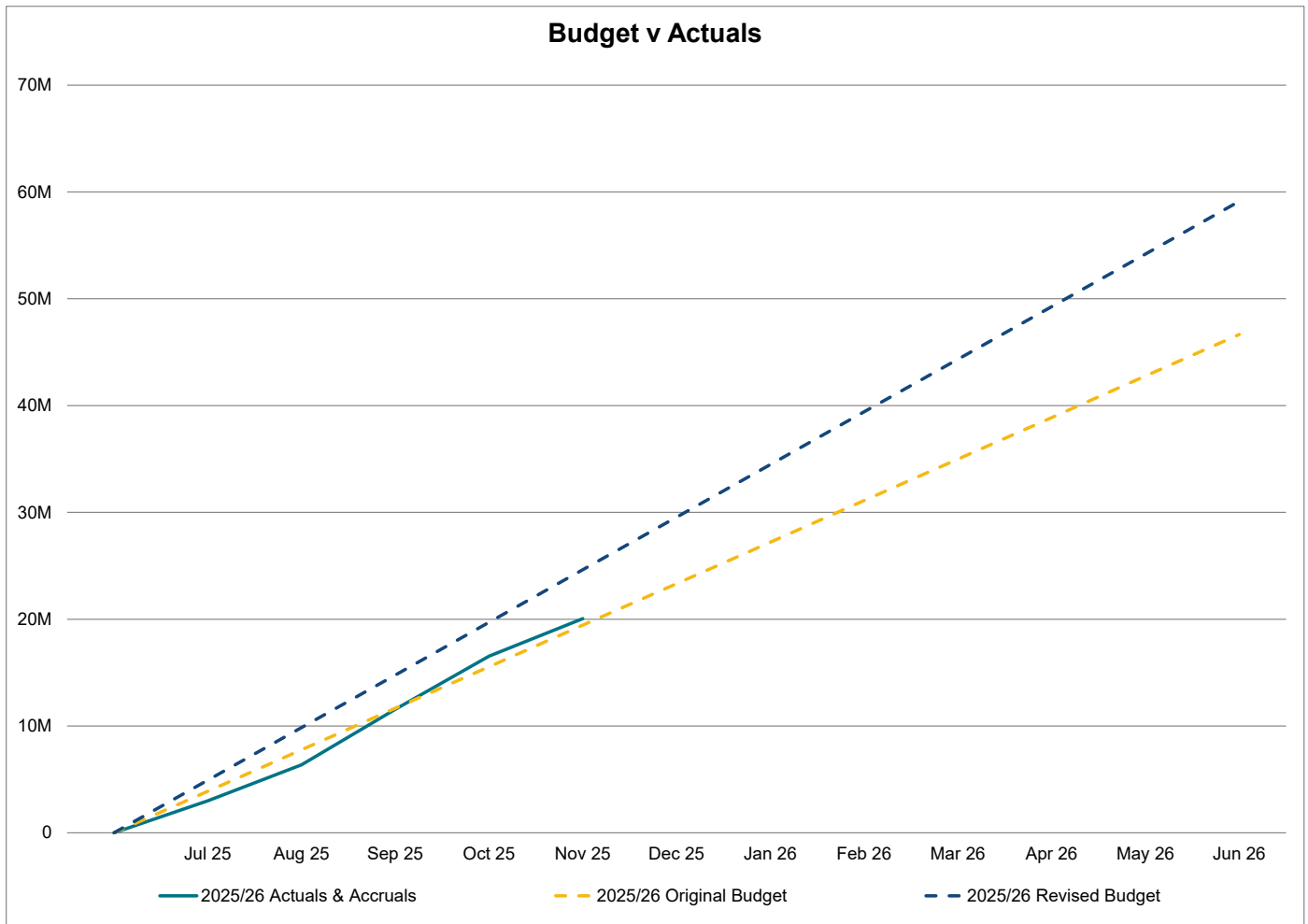
Asset Category	Original Budget	Revised Budget	Actuals & Accruals	Commitments	Total
Client Services	\$ 121,500	\$ 190,989	\$ 52,338	\$ 90,038	\$ 142,375
Corporate and Community Services	\$ 1,357,000	\$ 1,915,377	\$ 745,422	\$ 200,464	\$ 945,887
Economic Development	\$ 49,690	\$ 49,690	\$ -	\$ -	\$ -
Technical Services	\$ 14,381,162	\$ 21,257,498	\$ 5,405,506	\$ 2,571,371	\$ 7,976,876
Environmental Health	\$ 2,202,000	\$ 2,770,525	\$ 171,658	\$ 139,603	\$ 311,261
Parks and Gardens	\$ 1,305,000	\$ 1,485,138	\$ 104,199	\$ 1,013,278	\$ 1,117,477
Waste Water	\$ 1,685,000	\$ 1,972,562	\$ 312,575	\$ 871,978	\$ 1,184,553
Water	\$ 25,555,370	\$ 29,478,640	\$ 13,263,137	\$ 11,283,263	\$ 24,546,399
TOTAL	\$ 46,656,722	\$ 59,120,419	\$ 20,054,834	\$ 16,169,995	\$ 36,224,829

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



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

OVERVIEW OF COUNCIL'S CAPITAL PROJECTS



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

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 November 2025.

APPENDIX 4 - STATEMENT OF CASH FLOWS

Attached is the Statement of Cash Flows for the period ending 30 November 2025.

OPERATING STATEMENT
Period Ending 30 November 2025

Chief Executive Officer

	Month of November Actual	Year to Date Actual	Year To Date Revised Budget	\$ Variance YTD Actual to YTD Revised Budget	% Variance YTD Actual to YTD Revised Budget
Operating Revenue					
Operational contributions and donations	25	318	208	109	52%
Other operating revenue	694	15,546	17,000	-1,454	-9%
Total operating revenue	718	15,863	17,208	-1,345	-8%
Operating Expenses					
Employee benefits	101,102	1,177,376	1,590,186	-412,810	-26%
Materials and services	41,667	352,055	392,802	-40,747	-10%
Finance Costs	0	34	0	34	-
Total operating costs	142,769	1,529,465	1,982,988	-453,523	-23%
Surplus (deficit) from operating activities	-142,051	-1,513,601	-1,965,780	452,178	-23%
Net result for period	-142,051	-1,513,601	-1,965,780	452,178	-23%

Comments

Note: Comments to be provided for variances that are +/- 5%

Other operating revenue

Under budget due to Workcover payment being received sporadically. Also under budget in economic development with industry breakfast income expected in December.

Employee benefits

Under budget for annual and long service leave, as minimal leave has been taken. Oncost recoveries are over budget due to this low level of leave taken. This is partially offset by CEO section which is over budget.

Materials and services

Under budget in Training Registrations due to timing and availability of providers, qualification renewals and staffing. Also under budget in Tourism as Sweet Days Hot Nights alternate year budget has been split evenly across 12 months, however expenses will not be incurred until the last quarter.

OPERATING STATEMENT
Period Ending 30 November 2025

Director of Corporate & Community Services

	Month of November Actual	Year to Date Actual	Year To Date Revised Budget	\$ Variance YTD Actual to YTD Revised Budget	% Variance YTD Actual to YTD Revised Budget
Operating Revenue					
User fees and charges	3,533	68,937	58,696	10,241	17%
Operational contributions and donations	0	12,680	25,000	-12,320	-49%
Operational grants and subsidies	0	114,635	114,635	0	0%
Other operating revenue	203	18,733	11,275	7,458	66%
Total operating revenue	3,736	214,985	209,606	5,379	3%
Operating Expenses					
Employee benefits	72,258	377,494	368,077	9,417	3%
Materials and services	45,922	331,104	403,270	-72,166	-18%
Depreciation and amortisation	141,245	720,231	707,108	13,123	2%
Total operating costs	259,425	1,428,829	1,478,456	-49,626	-3%
Surplus (deficit) from operating activities	-255,689	-1,213,844	-1,268,850	55,005	-4%
Capital grants and subsidies	0	84,260	147,771	-63,511	-43%
Other capital income (expense)	0	-3,307	0	-3,307	-
Net result for period	-255,689	-1,132,892	-1,121,079	-11,813	1%

Comments

Note: Comments to be provided for variances that are +/- 5%

User fees and charges

Ahead of budget for aerodrome terminal rental income and fees and charges.

Operational contributions and donations

Under budget due to lower electricity usage at Home Hill Showgrounds.

Other operating revenue

Ahead of budget due to reimbursement of costs relating to a prior financial year not budgeted for.

Materials and services

Under budget for consultants in Governance due to timing of payment for Procurement and Contract Management internal audit. Also under budget as a result of Council chambers cleaning budget spread, and RADF remains under budget with current round grants scheduled for payment in December.

Capital grants and subsidies

Grant funds received for Ayr Aerodrome Runway Reseal. Funding yet to be received for the Charlies Hill development and the Reef Guardian Solar Panel project at the Multi Purpose Hall.

Other capital income (expense)

Loss from write-off of building PCYC services assets.

OPERATING STATEMENT
Period Ending 30 November 2025

Manager Client Services

	Month of November Actual	Year to Date Actual	Year To Date Revised Budget	\$ Variance YTD Actual to YTD Revised Budget	% Variance YTD Actual to YTD Revised Budget
Operating Revenue					
Operational grants and subsidies	0	12,620	36,733	-24,113	-66%
Total operating revenue	0	12,620	36,733	-24,113	-66%
Operating Expenses					
Employee benefits	136,238	675,154	768,427	-93,273	-12%
Materials and services	53,298	1,667,337	1,591,402	75,935	5%
Total operating costs	189,536	2,342,491	2,359,829	-17,338	-1%
Surplus (deficit) from operating activities	-189,536	-2,329,871	-2,323,096	-6,775	0%
Net result for period	-189,536	-2,329,871	-2,323,096	-6,775	0%

Comments

Note: Comments to be provided for variances that are +/- 5%

Operational grants and subsidies

Under budget as payment for SES Local Government Subsidy not yet paid.

Employee benefits

Under budget in Information Management with staff member returning from maternity leave in October, and vacant position not expected to be filled until the new year. Also under budget in Information and Communication Section with staff leave taken.

Materials and services

Over budget in IT portable and attractive equipment with equipment received earlier than budgeted. Also over budget in maintenance ICT equipment with additional warranties were required to be purchased on equipment. These increases are partially offset by Counter Disaster internal plant hire costs being under budget.

OPERATING STATEMENT
Period Ending 30 November 2025

Manager Community Services

	Month of November Actual	Year to Date Actual	Year To Date Revised Budget	\$ Variance YTD Actual to YTD Revised Budget	% Variance YTD Actual to YTD Revised Budget
Operating Revenue					
User fees and charges	36,047	136,505	133,606	2,899	2%
Operational grants and subsidies	5,000	99,119	93,619	5,500	6%
Other operating revenue	4,876	47,213	50,483	-3,270	-6%
Total operating revenue	45,923	282,837	277,708	5,129	2%
Operating Expenses					
Employee benefits	185,160	891,260	865,956	25,304	3%
Materials and services	42,882	583,469	654,738	-71,269	-11%
Depreciation and amortisation	11,698	59,552	59,667	-114	0%
Total operating costs	239,740	1,534,281	1,580,361	-46,080	-3%
Surplus (deficit) from operating activities	-193,817	-1,251,444	-1,302,652	51,209	-4%
Capital grants and subsidies	0	21,772	230,000	-208,228	-91%
Net result for period	-193,817	-1,229,672	-1,072,652	-157,020	15%

Comments

Note: Comments to be provided for variances that are +/- 5%

Operational grants and subsidies

Ahead of budget due to unbudgeted RADF grant received for 2026 Fast Track event.

Other operating revenue

Ahead of budget with bar revenue for November events to be recognised in December due to events occurring late in the month.

Materials and services

Under budget in Community Development for expenditure of Tackling Regional Adversity through Connected Communities funding, with invoice to be paid after community group has delivered mental health first aid training sessions. Also under budget in community grants with Round 2 grants approved lower than budgeted.

Capital grants and subsidies

Queensland State Library Grant paid quarterly, with the first payment received in September. Funding yet to be received for the Reef Guardian Solar Panel project at the Burdekin Theatre and Burdekin Memorial Hall.

OPERATING STATEMENT
Period Ending 30 November 2025

Manager Environmental & Health Services - Waste Program

	Month of November Actual	Year to Date Actual	Year To Date Revised Budget	\$ Variance YTD Actual to YTD Revised Budget	% Variance YTD Actual to YTD Revised Budget
Operating Revenue					
Rates and Utility Charges	2,476	2,455,756	2,450,278	5,478	0%
User fees and charges	79,793	309,364	239,583	69,781	29%
Interest Received	32,306	183,435	152,167	31,268	21%
Operational grants and subsidies	0	300	0	300	-
Other operating revenue	6,753	58,272	46,041	12,231	27%
Total operating revenue	121,329	3,007,128	2,888,069	119,059	4%
Operating Expenses					
Employee benefits	92,415	475,073	412,635	62,437	15%
Materials and services	172,313	950,260	1,030,321	-80,060	-8%
Depreciation and amortisation	45,955	234,254	234,500	-246	0%
Total operating costs	310,683	1,659,587	1,677,456	-17,869	-1%
Surplus (deficit) from operating activities	-189,353	1,347,541	1,210,613	136,928	11%
Other capital income (expense)	0	-36,512	-36,512	0	0%
Net result for period	-189,353	1,311,030	1,174,101	136,929	12%

Comments

Note: Comments to be provided for variances that are +/- 5%

User fees and charges

Ahead of budget with income received sporadically throughout the year.

Interest Received

Ahead of budget due to conservative budgeting.

Other operating revenue

Ahead of budget mainly due to takings at the Transfer stations. Other income received is from the Container Revenue Share scheme. This revenue stream tends to vary significantly from year to year, and its unpredictable nature makes it difficult to accurately forecast income throughout the financial year.

Employee benefits

Over budget due to backpay paid in September after a review of entitlements under the relevant industrial instrument, which confirmed that casual staff have been underpaid for a defined period.

Materials and services

Under budget in waste collection contract payments due to invoices from contractors not submitted. Staff continue to discuss this with Cleanaway to ensure timely submission of invoices.

Other capital income (expense)

Loss from write off of Ayr Transfer Station bin bays.

OPERATING STATEMENT
Period Ending 30 November 2025

Manager Environmental & Health Services excluding Waste Program

	Month of November Actual	Year to Date Actual	Year To Date Revised Budget	\$ Variance YTD Actual to YTD Revised Budget	% Variance YTD Actual to YTD Revised Budget
Operating Revenue					
Rates and Utility Charges	34	43,817	43,750	67	0%
User fees and charges	57,934	463,123	390,697	72,425	19%
Operational contributions and donations	2,743	51,846	72,712	-20,866	-29%
Operational grants and subsidies	0	60,000	126,915	-66,915	-53%
Other operating revenue	489	5,595	4,375	1,220	28%
Total operating revenue	61,201	624,381	638,450	-14,069	-2%
Operating Expenses					
Employee benefits	145,495	776,740	804,123	-27,383	-3%
Materials and services	364,740	1,095,909	988,807	107,102	11%
Depreciation and amortisation	39,307	199,539	203,500	-3,961	-2%
Total operating costs	549,542	2,072,188	1,996,430	75,758	4%
Surplus (deficit) from operating activities	-488,341	-1,447,806	-1,357,980	-89,826	7%
Capital grants and subsidies	0	0	1,534,000	-1,534,000	-100%
Other capital income (expense)	0	-14,133	-11,099	-3,034	27%
Net result for period	-488,341	-1,461,940	164,921	-1,626,861	-986%

Comments

Note: Comments to be provided for variances that are +/- 5%

User fees and charges

Ahead of budget mainly due to caravan park income which is variable throughout the year. Unbudgeted income received for overgrown allotments cost recovery. Animal management licences and permits and fines and infringements both ahead of budget with budget spread evenly across the year.

Operational contributions and donations

Under budget as invoices for aquatic weed removal are raised in March, with budget spread throughout the year.

Operational grants and subsidies

Under budget as Reef Guardian Grant income is contingent upon milestone achievements which are not due yet.

Materials and services

Over budget in Land Protection trade/contract services with Reef Guardian grant funded programs for woody weed eradication and feral deer aerial shoots almost completed. Also over budget in Swimming Pool chemicals which are ordered in bulk to save money, and electricity which will be offset by the future solar install at the Ayr Pool.

Capital grants and subsidies

Grant funding for swimming pool projects (Works for Queensland) and new animal management facility (North Queensland Resilience Program) transferred quarterly from contract liabilities as works are completed.

Other capital income (expenses)

Loss on building asset write-offs.

OPERATING STATEMENT
Period Ending 30 November 2025

Manager Financial Services

	Month of November Actual	Year to Date Actual	Year To Date Revised Budget	\$ Variance YTD Actual to YTD Revised Budget	% Variance YTD Actual to YTD Revised Budget
Operating Revenue					
Rates and Utility Charges	-45,771	15,513,625	15,480,444	33,181	0%
Pensioner remissions	2,480	-186,451	-185,000	-1,451	1%
User fees and charges	31,472	86,682	82,083	4,599	6%
Interest Received	148,166	840,532	693,208	147,324	21%
Operational grants and subsidies	956,942	1,867,279	1,870,717	-3,438	0%
Other operating revenue	61	18,215	19,200	-985	-5%
Total operating revenue	1,093,350	18,139,883	17,960,653	179,229	1%
Operating Expenses					
Employee benefits	150,027	832,768	833,845	-1,077	0%
Materials and services	66,210	614,927	614,289	638	0%
Depreciation and amortisation	31,748	166,792	159,833	6,959	4%
Finance Costs	-5,416	34,883	37,500	-2,617	-7%
Total operating costs	242,569	1,649,370	1,645,467	3,903	0%
Surplus (deficit) from operating activities	850,781	16,490,512	16,315,186	175,326	1%
Capital grants and subsidies	0	163,386	0	163,386	-
Net result for period	850,781	16,653,898	16,315,186	338,713	2%

Comments

Note: Comments to be provided for variances that are +/- 5%

User fees and charges

Ahead of year to date budget due to increased property searches.

Interest Received

Ahead of budget due to conservative budgeting.

Capital grants and subsidies

Unbudgeted grant funds received for Installation of CCTV cameras.

OPERATING STATEMENT
Period Ending 30 November 2025

Manager Operations

	Month of November Actual	Year to Date Actual	Year To Date Revised Budget	\$ Variance YTD Actual to YTD Revised Budget	% Variance YTD Actual to YTD Revised Budget
Operating Revenue					
User fees and charges	10,047	89,442	84,550	4,892	6%
Operational contributions and donations	2,500	142,197	95,880	46,317	48%
Operational grants and subsidies	393,533	6,583,602	7,098,947	-515,345	-7%
Contract and recoverable works	1,625	549,537	595,600	-46,063	-8%
Total operating revenue	407,705	7,364,777	7,874,977	-510,200	-6%
Operating Expenses					
Employee benefits	530,774	2,391,108	3,495,075	-1,103,967	-32%
Materials and services	1,298,250	3,554,137	4,804,887	-1,250,749	-26%
Depreciation and amortisation	114,200	582,332	590,708	-8,376	-1%
Total operating costs	1,943,225	6,527,577	8,890,670	-2,363,093	-27%
Surplus (deficit) from operating activities	-1,535,520	837,200	-1,015,693	1,852,893	-182%
Capital grants and subsidies	0	0	2,894,124	-2,894,124	-100%
Other capital income (expense)	0	-20,742	-20,742	0	0%
Net result for period	-1,535,520	816,458	1,857,689	-1,041,231	-56%

Comments

Note: Comments to be provided for variances that are +/- 5%

User fees and charges

Ahead of budget with income received from cemetery permits including advance purchase of cemetery plots by local undertakers to install vaults. Also ahead of budget for sale of second hand grader blades and CBD pot plants.

Operational contributions and donations

Ahead of budget mainly attributed to internal infrastructure charges for subdivisional works at the Ayr Industrial Estate.

Operational grants and subsidies

Under budget for income received from the Queensland Reconstruction Authority. QRA grant funding is received as work is complete and submissions are approved. First two quarterly payments of Financial Assistance Grants received.

Contract and recoverable works

Ahead of budget for the Road Maintenance Performance Contract with monies received for works claimed.

Employee benefits

Under budget due to unspent Reconstruction of Essential Public Areas (REPA) approvals for unsealed roads. Council's workforce has now transitioned to focus on REPA works in the period up until Christmas as some of the larger capital roadworks projects are completed. Roads maintenance spending YTD has been reduced as a direct result of Council undertaking REPA work.

Materials and services

Under budget due to the unspent value of gravel resheeting in REPA claims and roads maintenance. The variance will reduce as Council's workforce transitions to focus on REPA works in the period up until Christmas as some of the larger capital roadworks projects are completed.

Capital grants and subsidies

Capital grant funding not yet received for Queensland Reconstruction DRFA projects, Works For Queensland funding for Anzac Park precinct pump track, or Sport and Recreation funding for basketball units upgrades.

Other capital income (expense)

Write-off and partial disposal of the Coutts Park irrigation system and elements renewed as part of the Millaroo Pool project.

OPERATING STATEMENT
Period Ending 30 November 2025

Manager Water and Waste Water - Sewerage

	Month of November Actual	Year to Date Actual	Year To Date Revised Budget	\$ Variance YTD Actual to YTD Revised Budget	% Variance YTD Actual to YTD Revised Budget
Operating Revenue					
Rates and Utility Charges	2,484	2,647,869	2,636,286	11,583	0%
User fees and charges	17,085	77,654	77,083	571	1%
Interest Received	49,669	282,511	237,542	44,969	19%
Operational contributions and donations	12,737	78,398	49,167	29,231	59%
Other operating revenue	273	273	0	273	-
Total operating revenue	82,248	3,086,704	3,000,078	86,627	3%
Operating Expenses					
Employee benefits	137,797	701,655	673,532	28,123	4%
Materials and services	102,198	783,038	789,664	-6,626	-1%
Depreciation and amortisation	161,773	824,163	832,167	-8,003	-1%
Total operating costs	401,768	2,308,856	2,295,363	13,494	1%
Surplus (deficit) from operating activities	-319,520	777,848	704,715	73,133	10%
Capital grants and subsidies	0	0	230,000	-230,000	-100%
Other capital income (expense)	0	-17,165	-14,357	-2,808	20%
Net result for period	-319,520	760,683	920,358	-159,674	-17%

Comments

Note: Comments to be provided for variances that are +/- 5%

Interest Received

Ahead of budget due to conservative budgeting.

Operational contributions and donations

Ahead of budget due to receiving substantial material change of use infrastructure charges.

Capital grants and subsidies

Grant funding for Craig Street and Chippendale Street extension sewer design (Residential Activation fund) transferred quarterly from contract liabilities as works are completed. Funding yet to be received for the Reef Guardian Solar Panel Project at the MacroAlgae Facility.

Other capital income (expense)

Loss on sewerage asset write-off's.

OPERATING STATEMENT
Period Ending 30 November 2025

Manager Water and Waste Water - Water

	Month of November Actual	Year to Date Actual	Year To Date Revised Budget	\$ Variance YTD Actual to YTD Revised Budget	% Variance YTD Actual to YTD Revised Budget
Operating Revenue					
Rates and Utility Charges	201	1,816,078	1,814,940	1,138	0%
User fees and charges	11,459	65,610	44,667	20,944	47%
Interest Received	29,153	165,411	139,333	26,078	19%
Operational contributions and donations	0	42,500	20,000	22,500	113%
Total operating revenue	40,813	2,089,599	2,018,940	70,659	3%
Operating Expenses					
Employee benefits	126,016	642,246	624,428	17,818	3%
Materials and services	141,505	953,164	1,154,469	-201,305	-17%
Depreciation and amortisation	115,361	590,619	624,167	-33,548	-5%
Total operating costs	382,882	2,186,029	2,403,063	-217,034	-9%
Surplus (deficit) from operating activities	-342,069	-96,430	-384,123	287,693	-75%
Capital grants and subsidies	0	7,548,328	28,172,464	-20,624,136	-73%
Other capital income (expense)	-85,212	-90,000	-4,787	-85,213	1780%
Net result for period	-427,281	7,361,898	27,783,554	-20,421,656	-74%

Comments

Note: Comments to be provided for variances that are +/- 5%

User fees and charges

Ahead of budget as revenue is dependent on frequency of new water service connection applications and variability of hire income from metered standpipes.

Interest Received

Ahead of budget due to conservative budgeting.

Operational contributions and donations

Ahead of budget due to receiving substantial change of use infrastructure charges.

Materials and services

Under budget with bulk water invoices yet to be received. Also under budget due to timing of the receipt of electricity accounts.

Capital grants and subsidies

Capital grant funds for the South Ayr Filtration Plant to be received as works completed and claims submitted. Grant funding for Craig Street and Chippendale Street extension water design (Residential Activation fund) transferred quarterly from contract liabilities as works are completed.

Other capital income (expense)

Loss on water asset write-off's.

OPERATING STATEMENT
Period Ending 30 November 2025

Manager Planning and Development

	Month of November Actual	Year to Date Actual	Year To Date Revised Budget	\$ Variance YTD Actual to YTD Revised Budget	% Variance YTD Actual to YTD Revised Budget
Operating Revenue					
User fees and charges	54,176	300,963	263,578	37,385	14%
Operational grants and subsidies	0	0	30,000	-30,000	-100%
Total operating revenue	54,176	300,963	293,578	7,385	3%
Operating Expenses					
Employee benefits	82,489	466,303	501,624	-35,321	-7%
Materials and services	52,070	329,633	316,452	13,181	4%
Total operating costs	134,559	795,936	818,076	-22,140	-3%
Surplus (deficit) from operating activities	-80,383	-494,973	-524,498	29,525	-6%
Net result for period	-80,383	-494,973	-524,498	29,525	-6%

Comments

Note: Comments to be provided for variances that are +/- 5%

User fees and charges

Ahead of budget in Town Planning due to receiving large operational works application fees.

Operational grants and subsidies

Under budget due to grant monies under the Housing Supply Fund not being received anticipated, with the payment now expected in January 2026.

Employee benefits

Under budget in Town Planning due to staff vacancies.

OPERATING STATEMENT
Period Ending 30 November 2025

Manager Technical Services

	Month of November Actual	Year to Date Actual	Year To Date Revised Budget	\$ Variance YTD Actual to YTD Revised Budget	% Variance YTD Actual to YTD Revised Budget
Operating Revenue					
User fees and charges	0	5,636	2,292	3,345	146%
Operational grants and subsidies	13,371	51,556	43,332	8,224	19%
Other operating revenue	0	7,399	4,375	3,024	69%
Total operating revenue	13,371	64,591	49,999	14,593	29%
Operating Expenses					
Employee benefits	239,635	1,244,859	1,358,076	-113,217	-8%
Materials and services	-93,053	-977,250	-717,772	-259,477	36%
Depreciation and amortisation	800,498	4,077,736	4,088,083	-10,347	0%
Total operating costs	947,080	4,345,346	4,728,387	-383,041	-8%
Surplus (deficit) from operating activities	-933,709	-4,280,754	-4,678,388	397,634	-8%
Capital contributions	0	366,613	1,819,099	-1,452,486	-80%
Capital grants and subsidies	0	576,554	2,482,701	-1,906,147	-77%
Other capital income (expense)	9,245	-105,436	-98,032	-7,404	8%
Net result for period	-924,463	-3,443,023	-474,620	-2,968,403	625%

Comments

Note: Comments to be provided for variances that are +/- 5%

User fees and charges

Ahead of budget as National Heavy Vehicle Regulator prepaid 12 months of workshop pit hire for inspections in October.

Operational grants and subsidies

Ahead of budget for Fuel tax credits due to higher than anticipated fuel usage.

Other operating revenue

Ahead of budget due to timing of income from sales of small plant and other miscellaneous income variable throughout the year.

Employee benefits

Under budget due to vacancies in the Workshop. Savings offset by additional costs in Materials and Services for contract works.

Materials and services

Under budget due to Plant Hire Recoveries being higher than estimated. Review of recoveries and hire rates currently in progress to determine any amendments required prior to the second budget revision to reflect actual fleet costs. This is offset by Fleet operations over budget due to additional contract work required as a result of vacancies.

Capital contributions

Budgeted contributions for Bahr Road restoration are transferred quarterly from contract liabilities as works are completed.

Capital grants and subsidies

Income from capital grants is received as works are completed and claims submitted.

Other capital income (expense)

Loss from write-off of assets when new works are capitalised.

BURDEKIN SHIRE COUNCIL
OPERATING STATEMENT
Period Ending 30 November 2025

Appendix 2

	Month of November Actual	Year to Date Actual	Revised Budget	Year to Date Revised Budget	\$ Variance YTD Actual to YTD Revised Budget	% Variance YTD Actual to YTD Revised Budget
Operating Revenue						
Rates and Utility Charges	-40,576	22,477,145	47,010,394	22,425,698	51,447	0%
Pensioner remissions	2,480	-186,451	-370,000	-185,000	-1,451	1%
User fees and charges	301,545	1,603,916	2,783,360	1,376,836	227,080	16%
Interest Received	259,295	1,471,889	2,933,400	1,222,250	249,639	20%
Operational contributions and donations	18,005	327,938	451,480	262,967	64,971	25%
Operational grants and subsidies	1,368,846	8,789,111	14,841,446	9,414,898	-625,787	-7%
Contract and recoverable works	1,625	549,537	2,190,800	595,600	-46,063	-8%
Other operating revenue	13,349	171,246	386,158	152,749	18,497	12%
Total operating revenue	1,924,569	35,204,332	70,227,038	35,265,999	-61,667	0%
Operating Expenses						
Employee benefits	1,999,405	10,652,035	29,441,985	12,295,984	-1,643,949	-13%
Materials and services	2,288,001	10,237,785	26,913,179	12,023,328	-1,785,544	-15%
Depreciation and amortisation	1,461,786	7,455,219	17,999,360	7,499,733	-44,515	-1%
Finance Costs	-5,416	34,917	90,000	37,500	-2,583	-7%
	0	0	0	0	0	-
Total operating costs	5,743,775	28,379,955	74,444,524	31,856,545	-3,476,590	-11%
Surplus (deficit) from operating activities	-3,819,206	6,824,377	-4,217,486	3,409,454	3,414,923	100%
Capital contributions	0	366,613	1,819,099	1,819,099	-1,452,486	-80%
Capital grants and subsidies	0	8,394,301	35,691,060	35,691,060	-27,296,759	-76%
Other capital income (expense)	-75,967	-287,295	-185,529	-185,529	-101,766	55%
Net result for period	-3,895,173	15,297,996	33,107,144	40,734,084	-25,436,088	-62%

BURDEKIN SHIRE COUNCIL
STATEMENT OF FINANCIAL POSITION
As at 30 November 2025

Appendix 3

	Year to Date Actual \$	Annual Budget \$
Current Assets		
Cash and Cash Equivalents	92,191,838	77,108,820
Financial Assets	4,000,000	5,000,000
Receivables	1,048,947	2,550,272
Inventories	599,224	580,693
Contract Assets	447,335	0
Other Assets	787,939	2,444,465
Total Current Assets	99,075,284	87,684,250
Non-Current Assets		
Receivables	399,264	258,897
Property, Plant and Equipment	712,122,733	739,944,173
Intangibles Assets	172,662	155,908
Other Assets	12,451	33,445
Total Non-Current Assets	712,707,109	740,392,423
TOTAL ASSETS	811,782,393	828,076,673
Current Liabilities		
Payables	4,951,048	8,319,995
Provisions	7,680,441	7,680,441
Contract Liabilities	7,008,801	2,563,314
Other Liabilities	386,326	603,674
Total Current Liabilities	20,026,616	19,167,424
Non-Current Liabilities		
Provisions	17,898,953	17,898,953
Other Liabilities	600,351	0
Total Non-Current Liabilities	18,499,304	17,898,953
TOTAL LIABILITIES	38,525,920	37,066,377
NET COMMUNITY ASSETS	773,256,472	791,010,296
Community Equity		
Asset Revaluation Surplus	437,228,118	437,228,232
Retained Surplus (deficiency)	336,028,354	353,782,064
TOTAL COMMUNITY EQUITY	773,256,472	791,010,296

BURDEKIN SHIRE COUNCIL
STATEMENT OF CASH FLOWS
For Period Ending 30 November 2025

Appendix 4

	Year to Date Actual \$	Annual Cashflow Budget \$
Cash Flows from Operating Activities		
Receipts		
Receipts from Customers	25,652,157	48,846,945
Payments to Suppliers and Employees	-26,317,089	-56,445,162
	-664,932	-7,598,217
Interest Received and Investment Revenue Received	1,948,630	2,933,400
Operating Grants, Subsidies and Contributions	9,161,595	15,292,926
Other	3,409,041	2,576,958
Net Cash Inflow (Outflow) from Operating Activities	13,854,335	13,205,067
Cash Flows from Investing Activities		
Proceeds from Sale of Property, Plant and Equipment	310,154	1,061,500
Grants, subsidies, contributions and donations	12,237,141	37,103,783
Net movement in cash investments	1,000,000	0
Payments for Property, Plant and Equipment	-19,995,682	-59,120,419
Net Movement in Loans to Community Organisations	-73,000	0
Net Cash Inflows (Outflow) from Investing activities	-6,521,387	-20,955,136
Net Increase (Decrease) in Cash and Cash Equivalents Held	7,332,948	-7,750,069
Cash and Cash Equivalents at Beginning of the Financial Year	84,858,890	84,858,889
Cash and Cash Equivalents at end of the Period	92,191,838	77,108,820

6.4.1. GOVERNANCE

Amendment to Resolution: Freehold Lease – Lease A on Survey Plan 202797, Part of Lot 106 on Registered Plan 898777, Ayr Aerodrome, Brandon – Ian Haigh and Patricia Haigh

File Reference: 2747

Report Author: Jodie Ordorica, Governance Support Officer

Authoriser: Kim Olsen, Director Corporate and Community Services

Meeting Date: 9 December 2025

Link to Corporate/Operational Plan:

Burdekin Shire Council Corporate Plan 2025-2030

- Demonstrate open and transparent decision-making, leadership and financial management.
- Responsibly manage Council's financial position to ensure sustainability.
- Undertake regulatory responsibilities in accordance with legislative obligations.

Burdekin Shire Council Operational Plan 2025-2026

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

Executive Summary

This report seeks a resolution from Council to amend the previous resolution adopted on 28 October 2025 regarding the Freehold Lease for Ian Douglas Haigh and Patricia Carmel Haigh. The original resolution incorrectly stated the lease term as 1 January 2026 to 31 December 2036 (11 years). The correct term should be ten years, being 1 January 2026 to 31 December 2035.

Additionally, the rent section incorrectly referenced the sugar crushing seasons as 2026 to 2036. This should be corrected to 2026 to 2035 to align with the amended lease term.

Recommendation

That Council amend its resolution of 28 October 2025 (Item 6.4.3. Freehold Lease - Lease A on Survey Plan 202797, Part of Lot 106 on Registered Plan 898777, Ayr Aerodrome, Brandon - Ian Haigh and Patricia Haigh) to reflect the correct lease term as follows:

That Council agree to enter into a Freehold Lease with Ian Douglas Haigh and Patricia Carmel Haigh over Part of Lot 106 on Registered Plan 898777, Ayr Aerodrome, Lease A on Survey Plan 202797 for a renewed term of ten years being 1 January 2026 to 31 December 2035 (Nil Options) for uses consistent with Sugar Cane Farming Operations. The rent being the sum equivalent to 10% of the gross proceeds (including GST) of the crops of sugar cane to be harvested by the Lessee from the demised lands during the 2026 to 2035 sugar crushing seasons.

Background

At its meeting on 28 October 2025, Council resolved to approve a Freehold Lease for Ian Haigh and Patricia Haigh for a term incorrectly calculated as 11 years. The lease should align with the standard tenure period of ten years as intended and agreed by both parties. This amendment corrects the end date from 31 December 2036 to 31 December 2035.

Consultation

Senior Governance Officer, Director Corporate and Community Services and Chief Executive Officer.

Budget & Resource Implications

No additional budget implications. Staff resources will be utilised to update documentation.

Legal Authority & Implications

Local Government Regulation 2012 – Section 236

Land Act 1994

Land Regulation 2020

Policy Implications

This amendment ensures compliance with Council's Property and Leasing Policy.

Risk Implications (Strategic, Operational, Project Risks)

Correcting the lease term mitigates risk of unenforceable agreements and ensures tenure arrangements remain consistent and legally sound.

Attachments

None

7.1.1. ENVIRONMENTAL AND HEALTH SERVICES

Resource Recovery Boost Fund - Funding Application

File Reference: 2951

Report Author: Rachel Martin, Coordinator Waste Services

Authoriser: James Stewart, Director Infrastructure Planning and Environmental Services

Meeting Date: 9 December 2025

Link to Corporate/Operational Plan:

Burdekin Shire Council Corporate Plan 2025-2030

- Deliver effective waste management programs that support waste reduction, reuse, and recycling in alignment with the North Queensland Waste and Resource Recovery Strategy 2020-2030.
- Lead by example in adopting environmental best practices across Council operations and actively support businesses and residents to embrace environmentally friendly practices.

Executive Summary

This report seeks Council's approval to submit a funding application to the Queensland Government's Resource Recovery Boost Fund – Stream 1. Two (2) options are presented for consideration.

The report also seeks to repeal the previous resolution adopted at the Council Meeting on 25 November 2025 for the following reason:

The original resolution stated that Council would “*consider*” its 40% contribution if the grant application was successful. However, the Queensland Government's Resource Recovery Boost Fund requires applicants to demonstrate a *confirmed financial commitment* from Council at the time of application. A resolution that only indicates consideration does not meet this requirement and may result in the application being assessed unfavorably.

To strengthen the application and ensure compliance with funding guidelines, Council must formally commit to its 40% contribution from the Waste Reserve.

Recommendation

That Council:

1. Repeals the recommendation adopted at the Ordinary Meeting held on 25 November 2025 (Item 7.1.2. Resource Recovery Boost Fund - Funding Application), which stated: “The submission of a funding application to the Queensland Government's Resource Recovery Boost Fund – Stream 1, seeking up to \$277,812.00 (60%) to construct a 30-metre by 15-metre Resource Recovery Shed, with associated bin bays, at the Ayr Transfer Station, and if the funding application is successful, Council's financial commitment towards the project of up to \$185,208.00 (40%) will come back to Council for consideration.”
2. Approves (Option A) the submission of a funding application to the Queensland Government's Resource Recovery Boost Fund – Stream 1, seeking \$355,800.00 (60%) to construct a 30-metre by 15-metre Resource Recovery Shed, with associated bin bays, and purchase a telehandler at the Ayr Transfer Station, and that Council's financial commitment towards the project of \$237,200.00 (40%) will be funded from Council's Waste Reserve, should the application be successful.

Background

Advice was recently received inviting the submission of funding applications to the Queensland Government's Resource Recovery Boost Fund. The funding program will provide grants to undertake projects that address local and regional resource recovery priorities, increase recycling rates, and contribute to reducing the amount of waste Queensland sends to landfill. The first funding round will provide \$60 million in two (2) streams - small projects and major projects. The proposed project aligns with the small projects' stream, which supports smaller-scale initiatives that provide waste management and/or resource recovery benefits at the local scale.

With Council approval, it is proposed to submit an application under Stream 1 of the program. Two (2) options are submitted for consideration.

Option A: The total project cost is \$593,000.00, of which Council will seek funding of \$355,800.00 (60%), which includes the construction of a new 30-metre by 15-metre Resource Recovery Shed and associated bin bays at the Ayr Transfer Station, including the purchase of an item of plant, called a Telehandler. If the funding application is successful, Council's required contribution to the project will be \$237,200.00 (40%).

Why Option A is Preferred

Option A offers substantial strategic and financial advantages that make it the superior choice:

- **Rare Funding Opportunity for Plant & Equipment** - Grants seldom allow the purchase of plant and equipment. This funding round provides a unique chance to acquire a telehandler, a critical asset for waste handling, at a significantly reduced cost.
- **Major Cost Offset** - 60% of the telehandler's purchase price will be funded by the grant, reducing Council's capital expenditure and minimising the financial impact on the Waste Reserve.
- **Reduced Depreciation Burden** - With the grant covering the majority of the cost, depreciation expenses are greatly reduced compared to a full Council-funded acquisition, improving long-term budget sustainability.
- **Operational Efficiency & Safety** - The telehandler will streamline handling of bulky materials such as mattresses and cardboard, reduce manual handling risks and improve site safety.
- **Ongoing Savings & Revenue** - Improved material handling will lower transport costs, reduce mattress rejection rates, and increase recycling revenue, offsetting maintenance costs and contributing to operational savings.
- **Future-Proofing Council Operations** - Securing this asset now ensures Council is better equipped to manage waste efficiently, particularly if future funding opportunities become more restrictive.



Option B: The total project cost is \$463,000.00, of which Council will seek funding of \$277,800.00 (60%), which includes the construction of a new 30-metre by 15-metre Resource Recovery Shed, and associated bin bays at the Ayr Transfer Station. If the funding application is successful, Council's required contribution to the project will be \$185,200.00 (40%).

The project will improve traffic management, increase safety at the site for staff, customers, and contractors, and protect items from the weather, thereby improving recycling rates and reducing contamination for a number of waste streams.

Ongoing depreciation and maintenance costs for the new shed, bin bays, baling machine, and telehandler are estimated at \$28,000.00 per year. These costs will be partly offset by increased revenue and savings associated with improved handling of cardboard and mattresses. By storing these materials under cover and baling the cardboard, transport costs will be significantly reduced. Additionally, keeping mattresses out of the weather will greatly reduce rejection rates, minimising the need for landfill disposal and associated fees.

Important note: It is uncertain whether Council will continue to receive the waste levy advance payment at 100% following the upcoming levy review. These upgraded facilities will help mitigate potential financial impacts by promoting recycling, reducing landfill volumes, and lowering waste levy charges. By improving material handling and storage, Council can achieve greater efficiency and cost savings while supporting environmental sustainability.

The Waste Management Team will continue to operate the site with one permanent staff member and a casual during the peak season. The proposed project will not increase the full-time staff numbers at Council.

Applications close on 11 December 2025, and approved projects must be ready to commence within six (6) months of execution of a funding agreement and delivered within 18 months. Due to the development of the Ayr Transfer Station Master Plan, the site is shovel-ready.

Consultation

Discussions with Councillors at Council Workshop regarding the proposed Recovery Boost Funding on 18 November and 2 December 2025.

Discussions with Councillors at Council Workshop regarding the Ayr Transfer Station Master Plan on 4 March 2025.

Budget & Resource Implications

The preferred option is Option A with a total value of \$593,000.00 40% (\$237,200.00) contribution will be required from Council.

The current funds available in Council's Waste Reserve Fund are \$1,368,719.00. This is expected to increase to \$1,539,788.00 by 30 June 2026.

Please note: It is anticipated that the increase to the waste reserve at the time work commences would be approximately \$171,069.00 This is almost 75% of the funding required by Council to support Option A.

Maintenance costs yearly for the baling machine and the Telehandler are \$3,000.00.

Asset	Establishment Cost	Purchase Cost	Estimated Asset Cost	Estimated Residual Value	Useful Life	Method	Estimated Yearly Depreciation	Estimated Monthly Depreciation
Power/Switchboard	1,962.83	33,083.00	35,045.83	0.00	25	STL	1,401.83	116.82
Shed	10,110.89	170,416.00	180,526.89	0.00	50	STL	3,610.54	300.88
Concrete - Civil Works	5,974.59	100,700.00	106,674.59	0.00	50	STL	2,133.49	177.79
Recycling Bays	2,192.50	36,954.00	39,146.50	0.00	50	STL	782.93	65.24
Cardboard/Plastic Baler	3,936.29	66,345.00	70,281.29	0.00	15	STL	4,685.42	390.45
Boom Gate	1,322.89	22,297.00	23,619.89	0.00	20	STL	1,180.99	98.42
Pallet Jack			7,725.00	1,158.75	10	STL	656.63	54.72
Telehandler			130,000.00	32,500.00	10	STL	9,750.00	812.50
Total	25,500.00	429,795.00	593,020.00				24,201.83	2,016.82

Legal Authority & Implications

Not Applicable.

Policy Implications

Waste Management Policy

Risk Implications (Strategic, Operational, Project Risks)

Construction works would be scheduled outside the cyclone and wet season.

Contingency time would need to be built into the proposed construction timeline.

Possible community dissatisfaction if waste disposal fees require increasing to cover operational costs.

Attachments

None

7.1.2. ENVIRONMENTAL AND HEALTH SERVICES

Waste Management Policy Review

File Reference: 438

Report Author: Rachel Martin, Coordinator Waste Services

Authoriser: James Stewart, Director Infrastructure Planning and Environmental Services

Meeting Date: 9 December 2025

Link to Corporate/Operational Plan:

Burdekin Shire Council Corporate Plan 2025-2030

- Deliver effective waste management programs that support waste reduction, reuse, and recycling in alignment with the North Queensland Waste and Resource Recovery Strategy 2020-2030.

Burdekin Shire Council Operational Plan 2025-2026

WM2 Implement Waste Management Services Contract including Collection Service Specification to ensure Contractor meets performance standards, including:

- Delivery of new bin services;
- Number of missed services;
- Response to missed services;
- Bin repairs/replacements;
- Service complaints.

WM3 Supervise and manage waste and recycling sites to ensure compliance with conditions of the Environmental Authority and improve performance for the Kirknie Landfill, and the Ayr, Home Hill, Giru and Clare Transfer Stations.

Executive Summary

This report outlines the objectives and guiding principles for Council's delivery of waste management services and seeks formal adoption of the updated policy changes.

Key Revisions:

- Removal of detailed lists of accepted and non-accepted waste items, as well as current waste services, to streamline the document. These lists will now be referenced on Council's website, allowing timely updates to reflect best-practice recycling and disposal methods.
- Rewording and clarification of Council's waste management services, processes, exemptions, and requirements to improve understanding and consistency.

Adoption of the updated policy is recommended to ensure it remains current and effective in:

- Reducing waste to landfill,
- Encouraging recycling and repurposing of materials,
- Increasing community awareness of waste management practices,
- Minimising the environmental impacts of waste disposal within the Burdekin community.

Recommendation

That Council adopts the attached Waste Management Policy.

Background

The Waste Management Policy is reviewed on a two (2) year basis to determine if any improvements or changes are required. A review has been undertaken of the policy, and a revised version is attached for consideration and adoption.

Recommended changes to the Waste Management Policy include:

1. Addition of the following point in the objectives: work towards educating residents about the costs associated with waste management.
2. Removal of the list of accepted and non-accepted waste at each site to streamline the document. Listing opening hours and a full list of types of waste accepted on Council's website ensures Council is following best practice recycling without having to amend the policy each time.
3. Amended the Drummuster services to reflect the current process, which no longer includes the Ayr Transfer Station as a collection site.
4. Rebranding from Tip Shop to Resale Shed to follow the reuse, repurpose, and recycle messaging.
5. Improve wording to support the need for waste disposal charges on items that are costly to manage.
 - Charges may vary depending on the items taken to the landfill or transfer stations. Council's policy seeks to balance the provision of affordable waste services for residents with the responsible management of ratepayers' funds by applying a user-pays principle. Charges to residents generally apply only to items that incur a cost to Council through third-party processing. A State Government waste levy applies to all waste which is disposed of to landfill. The levy has been introduced in Queensland to increase recycling and resource recovery and reduce reliance on landfill. Please refer to Council's Waste Fees and Charges Schedule for more details.
6. Improve wording to encourage community groups to apply for Community Grants funding for waste disposal. Disposal of charity waste is for those that hold a State Government Charity Waste levy exemption only, and applies to disposal at Kirknie Landfill only.
 - An exemption from Council landfill and transfer station charges may apply for charitable organisations, non-profit organisations or for approved sporting carnivals or community events. Applications for exemptions to sporting carnivals or community events must be made to Council's Community Development Department through the Community Grants Program. In accordance with the State Government waste levy, a charitable organisation is eligible to apply for an exemption from the waste levy. This application must be made to the State Government. This exemption applies to waste taken to Kirknie Landfill only. Charity Waste Exemptions given at Council's Transfer Stations may apply to sorted waste in the form of donated goods for resale at the facilities Resale Shed.
7. Additional wording to support Council's requirement to annually review future costs of landfill remediation and post-closure aftercare.
 - Council will review its closed landfills' remediation costs annually to determine the cost provisions for each facility and the associated post-closure aftercare. It is Council's responsibility to allocate and manage the costs for rehabilitation and ongoing care as part of this process.
8. Addition of 360L recycling bins as per the new 2025 Waste Collection contract.
9. Amendment to the description of ineligible mobile bins.
 - The Council will not service ineligible standard general waste containers (herein after referred to as mobile bins) that residents leave out for collection, including second-hand mobile bins that have the old-style dark green lid, which residents have purchased previously from Council for private use.

10. Clarifying the requirements of the green waste service for Multi-residential premises.
- Multi-Residential Premises including Duplexes
Multi-Residential premises include two (2) or more permanently constructed residential units (single occupancy per unit). Council will supply each unit with 1 x 140L mobile domestic waste red lidded bin and 1 x 240L mobile recyclable yellow lidded bin. Council's Waste Officers will determine the provision of the number of lime green lidded green waste bins for premises within Designated Area A. Consideration will be given for the properties' potential to generate green waste.
11. Clarification of approved alternate waste services (Domestic and Commercial)
- Domestic - Alternatively, a bulk waste bin may be provided (through a private contractor) for the domestic waste portion of the service. The bulk bin must be the equivalent of the calculated volume of the 140L mobile domestic waste bins, rounded up to the next bulk bin size. The bulk bin must be tipped at least once every week. The premises must provide a copy of their waste service agreement as proof of alternative service.
 - Commercial - Each premise shall have either a 240 litre mobile commercial waste bin or equivalent service provided by an approved private contractor plus a yellow lidded recyclable waste bin supplied through Council.
Item-specific recycling services, e.g. beverage containers, bulk cardboard, scrap metal and the like, may be available through a private contractor, but it is not equivalent to a recyclable waste bin as it does not cover all recyclable waste streams.
12. Residential Premises not within the Designated Area (Request to extend service area)
Further clarification that if a request to extend the service area is made and 65% of property owners in the area are supportive of receiving a waste collection service, all properties in the area will receive a bin service as per the designated area ruling.
- When determining the request, Council's Waste Service Officers will work together with Council's waste collection contractor to determine the following:
 - if the collection vehicles can access the area;
 - whether it is economically viable for the contractor to provide the requested service; and
 - if there is support from 65% of property owners on the road in favour of receiving the service.
 - If 65% of property owners are in favour of receiving the service, all properties will receive the service as per the designated area ruling.
13. Changes to Service Level - Additional wording to ensure a change to a service is in effect for a minimum of six (6) months to ensure operational consistency and to avoid unnecessary administrative burdens associated with frequent service adjustments.
- The owner may request a change to the service in writing or via the Council's Customer Service Centre. The charges for these services are set annually in Council's Revenue Statement, and Council will levy the amount via the rates notice. Once a change to a service level is requested, the service must remain in place for a minimum of 6 months.
14. Adjust mobile bin collection time frame as per Council's Waste Collection Contract.
15. Mobile Bin prohibited items and contamination. Inclusion of infringement notices for repeat offenders.
- Removed the list of mobile bin prohibited waste to streamline the document. Listing the items on Council's website allows all involved to follow current best practice recycling without having to amend the policy each time.
 - Recyclable waste and green waste mobile bins must only contain the products listed on the lid and/or authorised by Council via the website or official brochures provided. Mobile bins contaminated with unsuitable material may be issued with a notice and information brochure advising of the contamination. Mobile bins contaminated with unsuitable material or prohibited items will not be collected.
 - Where the premises receives three (3) contamination notices in any 12-month period (which starts on the day of any notice), the service may be suspended by Council:
 - initially for one (1) month; and

- for an additional month if the premises receives a notice within three (3) months of the service being reinstated at the discretion of the Manager Environmental and Health Services.
- An infringement notice may be issued, which will be considered in the review of Council's Local Laws

16. Rectification of Missed Bin Collections - Additional information relating to missed waste collection services.

- Mobile bins that have not been collected on the published collection day due to an error or oversight by Council or its contractor, vehicle breakdown, weather event, road traffic incident, or staff shortage will be rectified as soon as practicable upon notification. Mobile bins that have not been collected due to an error or oversight on the part of the resident (including but not limited to: bin not placed at kerbside by 6:00am, bin placed behind a parked car, unauthorised bin, contaminated recycling or green waste bin) will not be collected. In such cases, residents will need to take their waste to the landfill or transfer station, as the truck will not return to empty the bin. Disposal costs may apply.

Consultation

Senior Leadership Group on 31 October 2025
Council Workshop - Tuesday 2 December

Budget & Resource Implications

Not Applicable.

Legal Authority & Implications

Local Government Act 2009
Local Government Regulation 2012
Environmental Protection Act 1994
Waste Management Policy
Environmental Protection Regulation 2019
Local Law No. 8 (Waste Management) 2018
Waste Reduction and Recycling Act 2011
Waste Reduction and Recycling and Other Legislation Amendment Act 2023
Waste Reduction and Recycling Regulation 2023
Disaster Management Act 2003
Disaster Management Regulation 2014

Policy Implications

There are no direct policy implications foreseen, as the proposed changes to the current Waste Management Policy are not substantial. This policy will replace the existing Waste Management Policy that was adopted on 26 April 2023.

Risk Implications (Strategic, Operational, Project Risks)

Proposed changes to the policy following review are not substantial therefore there is no foreseen risk implications.

Attachments

1. Waste Management Policy

Policy Type	Corporate
Function	Waste Management
Policy Owner	Manager Environmental and Health Services
Policy Contact	Coordinator Waste Services
Effective Date	26 April 2023

Purpose

This policy explains the objectives and general principles of the Burdekin Shire Council in the optimum delivery of waste management services of the community.

Scope

This policy applies to waste services within designated areas in which Council conducts general waste, recycling and green waste collection and waste facilities in the Burdekin Shire area.

Exceptions

Nil.

Objectives

Burdekin Shire Council embraces the Waste Management hierarchy of waste avoidance, waste re-use, waste recycling, energy recovery from waste. We encourage residents and businesses to think about their activities and use the hierarchy as a guide. By working together, we can minimise our impact on the environment and reduce our costs involved in the processing, manufacturing, transport and disposal of materials.

The aim of the policy is to:

- reduce the amount of waste produced by the community.
- reduce the amount of waste going to landfill.
- encourage greater recycling.
- encourage repurposing to reduce the waste stream to landfill.
- increase the community's knowledge of waste management issues.
- work towards educating residents of the costs associated with waste management.
- reduce the impact of waste disposal on the environment.

Policy Statement

Waste Facilities

The Burdekin Shire has one (1) landfill and four (4) transfer stations.

The following waste facilities and services are available for community use as detailed below:

Waste Facility / Service	Location
Ayr Transfer Station	53-57 Jones Street, Ayr
Home Hill Transfer Station	Bojack Road, Home Hill
Clare Transfer Station	Ayr Dalbeg Road
Giru Transfer Station	Cromarty Creek Road, Giru
Kirknie Landfill	1614 Kirknie Road, Osborne
Dalbeg 15m3 Skip Bin	Dalbeg Hall, 13-15 Quartermaine Street, Dalbeg

Opening Hours and a list of accepted and non-accepted waste can be found on the Waste and Recycling Page on Council's website.

DrumMuster – Council accepts drums at the Home Hill Transfer and Giru Transfer Station during normal operating hours to assist local farmers in the responsible disposal of chemical containers. If you have more than 150 drums appointments at the Home Hill Transfer Station need to be made at Council's Customer Service Centre for the first Wednesday of the month. The Clare DrumMuster collection site is managed by the Clare P&C and is available by appointment.

Council encourages the repurposing/reuse of materials no longer wanted by the owner, by operating a Resale Shed at three of Council's waste handling facilities (Ayr, Home Hill and Giru Transfer Stations).

To encourage the objectives of this policy, all domestic and commercial users are encouraged to sort their waste into general refuse, recyclable or regulated waste items. Most domestic sorted waste is accepted free of charge at all Council waste facilities for Burdekin Residents. Refer to Council's Waste Fees and Charges for more details.

Charges may vary depending on the items taken to the landfill or transfer stations. Council's policy seeks to balance the provision of affordable waste services for residents with the responsible management of ratepayers' funds by applying a user-pays principle. Charges to residents generally apply only to items that incur a cost to Council through third-party processing. State Government waste levy applies to all waste which is disposed of to landfill. The levy has been introduced in Queensland to increase recycling and resource recovery and reduce reliance on landfill. Please refer to Council's Waste Fees and Charges Schedule for more details.

Exemptions

An exemption from Council landfill and transfer station charges may apply for charitable organisations, non-profit organisations or for approved sporting carnivals or community events.

Applications for exemptions to sporting carnivals or community events must be made to Council's Community Development Department through the Community Grants Program

In accordance with the State Government waste levy, a charitable organisation is eligible to apply for an exemption of the waste levy. This application must be made to the State Government. This exemption applies to waste taken to Kirknie Landfill only. Charity Waste Exemptions given at Council's Transfer Stations may apply to sorted waste in the form of donated goods for resale at the facilities Resale Shed.

Closed Landfills

Council will review its closed landfills remediation costs annually to determine the cost provisions for each facility and the associated post-closure aftercare. It is Council's responsibility to allocate and manage the costs for rehabilitation and ongoing care as part of this process.

Designated Area

In accordance with s. 5(a) of the *Waste Reduction & Recycling Regulation 2023* and Local Law No 8 (Waste Management) 2018, Council has resolved to designate areas within which Council may conduct general waste or green waste collection. The designated area is shown in Schedule 1 attached.

There are two (2) designated areas which differentiate the level of mobile bin service provided to premises located within the areas.

Only standard general waste containers supplied and rated by Burdekin Shire Council are eligible for Council's collection service. The standard general waste container approved by the Council must meet the following specifications:

- 140,240 and 360 litre mobile bins must comply with AS 4123:2008 mobile Waste Containers;
- have the following colours for domestic and commercial premises:
 - for domestic and commercial waste – have dark green bodies and red lids;
 - for recyclable waste – have dark green bodies and yellow lids;
 - for green waste – have dark green bodies and lime green lids.
- be constructed of UV stabilised HDPE suitable for Queensland climatic conditions;
- contain a minimum of 30% Post Consumer recycled Australian content;
- where reasonably possible, be made in Australia;
- be hot stamped with individual identification serial numbers in sequential order;
- be stickered with Council supplied sticker(s), when requested by Council;
- be provided with Council approved permanent embossing in all manufacturer insert locations on the lid; and
- be hot foil embossed with an approved Burdekin Shire Council logo.

The Council will not service ineligible standard general waste containers (herein after referred to as mobile bins) that residents leave out for collection, including second hand mobile bins that have the old style dark green lid, residents have purchased previously from Council for private use.

The mobile bins supplied to a property are to remain at that property when there are changes in occupants, including with the sale of the property.

To avoid any doubt, only domestic or commercial waste is to be put in the mobile bin with the red lid, only recyclable waste is to be put in the mobile bin with the yellow lid and only green waste is to be put in the mobile bin with the green lid.

Mobile Bin Service

The mobile bin service for the Shire that is delivered to domestic premises and commercial premises comprises of the following mobile bins and collection frequency:

- *Domestic Premises within Designated Area A*
 - A 140 litre mobile bin with a red lid for domestic waste and collected weekly. *
 - A 240 litre mobile bin with a yellow lid for recyclable waste (excluding green waste) and collected fortnightly.
 - A 240 litre mobile bin with a lime green lid for green waste and collected fortnightly.

The above service is referred to as a **3 bin domestic service**.

- *Domestic Premises within Designated Area B*
 - A 140 litre mobile bin with a red lid for domestic waste and collected weekly. *
 - A 240 litre mobile bin with a yellow lid for recyclable waste (excluding green waste) and collected fortnightly.

The above service is referred to as a **2 bin domestic service**.

** Residents of domestic premises may request to upgrade to a 240 litre mobile domestic bin with a red lid or 360L recyclable waste bin with a yellow lid.*

- **Commercial Premises within Designated Areas A and B**
 - A 240 litre mobile bin with a red lid for commercial waste and collected weekly.
 - A 240 litre mobile bin with a yellow lid for recyclable waste (excluding green waste) and collected fortnightly.

The above service is referred to as a **2 bin commercial service**.

Commercial premises may request to upgrade to a 360L recyclable waste bin with a yellow lid.

Levying of Waste management utility charges for mobile bin waste collection

Council will provide waste services to occupied land only.

The owner of any residential premises or land within the designated area that is capable of producing waste will be levied a Waste Management Utility charge. The type of waste service charge will depend on whether the premise receives a 3 bin domestic service or a 2 bin domestic service.

For residential premises or land outside of these areas, the owner or occupier is required to service their own refuse bins on a weekly basis. Fees may apply for the disposal of these wastes at Council's waste facilities. Waste Fees & Charges are available on Council's website.

Services based on Type of Residential Premises

House or House with Granny Flat

Each single unit dwelling must have at least a single waste service, i.e. either a 3 bin domestic service or a 2 bin domestic service.

Multi-Residential Premises including Duplexes

Multi-Residential premises include two (2) or more permanently constructed residential units (single occupancy per unit).

Council will supply each unit with 1 x 140L mobile domestic waste red lidded bin and 1 x 240L mobile recyclable yellow lidded bin... Council's Waste Officers will determine the provision of the number of lime green lidded green waste bins for premises within Designated Area A. Consideration will be given for the properties' potential to generate green waste.

The green waste service for multi-residential premises will be a communal service with the mobile bins shared between units. The owner or the owner's representative may make a written request for an extra green waste service for a particular unit. To clarify, it is expected that a green waste service would be required for any multi-residential premises that include green space or gardens.

Alternatively, a bulk waste bin may be provided (through a private contractor) for the domestic waste portion of the service. The bulk bin must be the equivalent of the calculated volume of the 140L mobile domestic waste bins, rounded up to the next bulk bin size. The bulk bin must be tipped at least once every week. The premises must provide a copy of their waste service agreement as proof of alternative service.

Example

Multi-Residential Premises of five units (5 x 140L = 700L) is required to have at least 5 x 140L mobile domestic waste bins or the equivalent in bulk domestic waste bin, serviced at least once per week and at least 5 x 240L mobile

recyclable waste bins and a sufficient number of 240L mobile green waste bins (as determined by the Council's authorised officer), serviced at least once per fortnight.

Residential Unit attached to Commercial/Industrial Premises

The commercial/industrial portion of the premises shall receive a commercial/industrial service (refer – Commercial and Industrial Services). The residential unit shall receive the appropriate domestic mobile bin service (refer – Domestic Services).

Residential Premises not within the Designated Areas

Rateable properties within the Shire that are outside the designated area and therefore not receiving a regular waste collection service, are required to pay a Waste Access Charge for access to free sorted domestic dumping at Council's waste facilities.

Residents currently outside the designated area and who would like to receive a domestic mobile collection service are required to submit a request in writing or via Council's customer request management service by phoning (07) 478. 9800

When determining the request, Council's Waste Service Officers will work together with Council's waste collection contractor to determine the following:

- if the collection vehicles can access the area;
- whether it is economically viable for the contractor to provide the requested service; and
- if there is support from 65% of property owners in the road in favour of receiving the service.
- if 65% of property owners are in favour of receiving the service all properties will receive the service as per the designated area ruling.

Commercial and Industrial Services

Commercial and industrial premises within the designated areas, as described in Schedule 1, are required to have a commercial waste service with a minimum collection frequency of weekly.

Each premise shall have either a 240 litre mobile commercial waste bin or equivalent service provided by an approved private contractor plus a yellow lidded recyclable waste bin supplied through Council. Item specific recycling services e.g. beverage containers, bulk cardboard, scrap metal and the like may be available through a private contractor but it is not equivalent to a recyclable waste bin as it does not cover all recyclable waste streams.

Where it is deemed by the Manager Environmental and Health Services that the replacement service provided by a private contractor is not an equivalent service, then waste charges levied will consist of the relevant component as detailed in the revenue statement.

General Issues

Change to Service Level

The owner may request a change to the service in writing or via Council's Customer Service Centre. The charges for these services are set annually in Council's Revenue Statement and Council will levy the amount via the rates notice. Once a change to a service level is requested the service must remain in place for a minimum of 6 months.

Lost/Stolen Bins

The replacement of lost or stolen bins can be reported in writing or via Council's Customer Service Centre.

Repeated incidences of lost/stolen bins for a single property may incur a replacement fee and will be at the discretion of the Manager Environmental and Health

Cancelling a service

Cancelling of a waste service will only occur where the building has been demolished or is unfit for occupation due to causes such as significant damage by fire or natural disaster or extensive building dereliction or dilapidation.

A commercial or industrial premise may cancel their waste service provided they are to receive an equivalent waste service from an approved private contractor. The premises must provide a copy of their waste service agreement as proof of alternative service. For clarification purposes, this paragraph does not apply to domestic waste services provided to a dwelling that is part of a commercial or industrial building or part of an agricultural enterprise.

Cancelling a service will lead to a proportional reduction or refund of the annual levied charge.

Commencing a Service

Waste service charges will apply from the date of commencement or availability of service. New services commenced during the year are pro-rata levied.

Bulk Bin Service

Commercial premises that require a bulk bin service may contact an approved waste contractor to arrange a service at their own cost.

Variation under this Policy

The Manager Environmental and Health Services will assess written requests for an exemption, refund, part refund or variation under this Policy. Assessments are to take into account the waste generated at the premises.

Requirements for Mobile Bin Collection

Collections may occur at any time between 6:00am and 5:00pm on the published collection day. Place mobile bins on the kerb prior to 6:00am on collection day and bring back within property boundaries as soon as possible after collection, preferably by dusk.

Place mobile bins approximately one (1) metre apart and bins are not to be located near trees, parked cars or other obstacles that may prevent the truck from emptying the bin.

Mobile bins that are overfull (with the lid open more than 45 degrees) or too heavy (weigh more than 55 kilograms) will not be collected. Residents will need to take their waste to the landfill or transfer station, as the truck will not return to empty the bin. Disposal costs may apply.

A list of items prohibited to be placed in mobile bins but may be accepted at Council's Waste Facilities is available on the Waste and Recycling Page on Council's website.

Mobile Bin Contamination

Recyclable waste and green waste mobile bins must only contain the products listed on the lid and/or authorised by Council via website or official brochures provided. Mobile bins contaminated with unsuitable material may be issued with a notice and information brochure advising of the contamination. Mobile bins contaminated with unsuitable material or prohibited items will not be collected.

Where the premises receives three (3) contamination notices in any 12-month period (which starts on the day of any notice), the service may be suspended by Council:

- initially for one (1) month; and
- for an additional month if the premises receives a notice within three (3) months of the service being reinstated at the discretion of the Manager Environmental and Health Services.
- An infringement notice may be issued which will be considered in the review of Council's Local Laws

Charges will not be removed where green waste or recyclable waste services have been suspended under this clause.

Rectification of Missed Bin Collections

Mobile bins that have not been collected on the published collection day due to an error or oversight by Council or its contractor, vehicle breakdown, weather event, road traffic incident, or staff shortage will be rectified as soon as practicable upon notification.

Mobile bins that have not been collected due to an error or oversight on the part of the resident (including but not limited to: bin not placed at kerbside by 6:00am, bin placed behind parked car, unauthorised bin, contaminated recycling or green waste bin) will not be collected. In such cases, residents will need to take their waste to the landfill or transfer station, as the truck will not return to empty the bin. Disposal costs may apply.

Mobile Bin Charges

The levying of a charge as detailed in the Revenue Statement will occur on all lands and/or premises within the designated area.

Consistent Commencement of Charges

The levy for all waste charges applies on a pro-rata basis from the date of delivery of the mobile bins to the property and/or where Council identifies that a domestic or commercial structure or occupied land is without a general waste collection charge, the charge will be levied pro-rata from the time that the structure was completed, or the occupied land was capable of producing waste.

Removal of Charges

Removal of any general waste charge on a pro-rata basis will only occur:

- when Council identifies that the domestic or commercial structure has been demolished or is unfit for occupation due to causes such as significant damage by fire or natural disaster or extensive building dereliction or dilapidation; or
- upon supply of written evidence (e.g. a copy of new waste contract) that a commercial premise has an equivalent service provided by an alternative waste service provider.

Council Public Services

Council will provide appropriate waste and recyclable waste (excluding green waste) services to public areas including CBD streets and parks.

Education Program

Council will provide an education program throughout the Shire focussing on the waste hierarchy of avoidance, re-use, recycling and disposal as a last resort.

Pre-Cyclone Clean Up

When a cyclone watch and/or warning has been issued for the Burdekin area, the Council may allow free disposal of certain wastes to Shire facilities during the period of the watch and/or warning. It is noted that for Burdekin residents, sorted domestic waste is free.

Council retains the right to nominate which wastes may still attract a charge and where certain volumes may be disposed of. In providing this service, Council does not want the pre-cyclone clean up to replace an orderly waste disposal obligation for residents.

Serious Local Event Waste

Waste defined as 'serious local event waste' may also be exempt from payment of the State waste levy under certain circumstances.

'Serious local event waste' is defined in the *Waste Reduction and Recycling Act 2011* and generally refers to waste generated by activities in the immediate preparation for, or by or because of, a serious local event but does not include waste generated by activities in general preparation for storms that are predicted or are likely to occur in a particular season each year or in anticipation of the next cyclone season. The maximum period for which waste is to be serious local event waste is seven (7) days immediately before the serious local event starts or is predicted to start and ends 28 days after the serious local event ends.

Serious local event waste is exempt waste under the *Waste Reduction and Recycling (Waste Levy) Amendment Act 2019*. The exemption is not automatic but requires an application made by the Chief Executive Officer of the Council to the Department of Environment, Tourism, Science & Innovation which shall decide on the application.

Disaster Management Waste

Waste defined as 'disaster management waste' may also be exempt from payment of the State waste levy under certain circumstances.

'Disaster management waste' is defined in the *Waste Reduction and Recycling Act 2011* and means waste generated by or because of a disaster that is or has been the subject of a declaration of a disaster situation under the *Disaster Management Act 2003*, but only within the limits, if any, declared by the Department of Environment and Science, by publication on the Department's website, for a particular disaster.

Risk Management

Managing risk is achieved through the systematic application of policies, procedures and practices to identify, analyse, evaluate, treat, monitor and communicate risk.

This policy is intended to improve the consistency of the application and enforcement of the exercise of Council's powers in dealing with the management of waste, particularly through its local law. The policy provides guidelines for applicants and Council staff in the consideration and approval of applications.

The absence of such a policy or non-adherence to the policy could result in invalid levies and inconsistent decisions.

Legislation

Local Government Act 2009

Local Government Regulation 2012

Environmental Protection Act 1994

Environmental Protection Regulation 2019

Local Law No. 8 (Waste Management) 2018

Waste Reduction and Recycling Act 2011

Waste Reduction and Recycling and Other Legislation Amendment Act 2023 *Waste Reduction and Recycling Regulation 2023*

Disaster Management Act 2003

Disaster Management Regulation 2014

Definitions and Abbreviations

Authorised Officer	means a person authorised under the <i>Environmental Protection Act 1994</i> , the <i>Waste Reduction & Recycling Act 2011</i> , <i>Local Government Act 2009</i> and all Council Local Laws & Subordinate Local Laws.
Charitable Organisation	means an organisation officially recognised as devoted to the assistance of those in need.
Commercial Premises	means any of the following types of premises: <ul style="list-style-type: none"> • a hotel, motel, caravan parks, café, food store or canteen; • an assembly building, institutional building, kindergarten, child minding centre, school or other building used for education; • premises where a sport or game is ordinarily played in public; • an exhibition ground, showground or racecourse; or • an office, shop or other premises where business or work, other than a manufacturing process, is carried out.
Commercial Waste	means waste (other than green waste, recyclable waste, interceptor waste or waste discharged to a sewer) produced as a result of the ordinary use or occupation of commercial premises.
Council	means Burdekin Shire Council
Designated Area	means the area that the Council has resolved to be the area in which the Council may conduct general waste or green waste collection.
Domestic Premises	means any of the following types of premises: <ul style="list-style-type: none"> • a single unit private dwelling; • premises containing two or more separate flats, apartments or other dwelling units; or • a boarding house, hostel, lodging house or guest house. <p><i>In interpreting this definition, it is submitted that a dwelling that is part of a commercial or industrial building or part of an agricultural enterprise, is a domestic premise.</i></p>
Domestic Waste	means waste (other than domestic clean-up waste, green waste, recyclable waste, interceptor waste or waste discharged to a sewer) produced as a result of the ordinary use or occupation of domestic premises.
Domestic Clean-up Waste	means non-putrescible, dry and inoffensive waste, other than green waste or recyclable waste, produced as a result of a clean-up of domestic premises.
General Waste	means: <ul style="list-style-type: none"> • waste other than regulated waste; and • any of the following: <ul style="list-style-type: none"> ○ commercial waste ○ domestic waste ○ recyclable waste
Green Waste	means grass clippings, trees, bushes, shrubs, loppings of trees, bushes or shrubs, or similar matter produced as a result of the ordinary use or occupation of premises, excluding logs or stumps over 300mm in diameter.

Industrial Waste	means: <ul style="list-style-type: none"> • interceptor waste; or • waste other than the following: <ul style="list-style-type: none"> ○ commercial waste ○ domestic clean-up waste ○ domestic waste ○ green waste ○ recyclable interceptor waste ○ recyclable waste ○ waste discharged to sewer.
Interceptor	means a device used to intercept a substance in sewage, waste water or trade waste and prevent its discharge into a sewer, septic tank, waste water disposal system or other treatment device.
Interceptor Waste	means matter, other than recyclable interceptor waste, intercepted by and held in an interceptor.
Non-profit organisation	means an organisation where all revenue raised goes directly towards advancing a relevant public purpose, that no individual makes a personal profit out of the operations, that no remuneration is made to any individual, member or employee or the organisation, relies on volunteers and does not receive significant government funding for its operations.
Occupied Land	means land other than vacant land and includes land with a shed, caravan or similar structure, where people may reside, regardless of the length of time.
Occupier of Premises	means the person who has the control or management of the premises.
Owner of Premises	means the person for the time being entitled to receive the rent for the premises or would be entitled to receive the rent for it if it were to let to a tenant at a rent.
Premises	includes domestic premises, government premises, industrial premises and commercial premises.
Rates	includes supplementary rates.
Recyclable Interceptor Waste	means matter that is, or is intended to be, removed from a grease interceptor and taken elsewhere for processing into a non-toxic, non-hazardous and usable substance for sale.
Recyclable Waste	means clean and inoffensive waste and includes the following: <ul style="list-style-type: none"> • cardboard and mixed paper; • aluminium steel cans, aerosol cans and foil trays; • certain plastics with the recycling symbol of 1- 5; • empty milk and juice cartons; • glass bottles and jars.
Regulated Waste	has the meaning given in the <i>Environmental Protection Regulation 2019</i> .

Standard General Waste Container	<p>means a container of a type approved by the local government for storing domestic waste, commercial waste or recyclable waste as premises in the local government's area and for the avoidance of doubt, includes one (1) or more containers each of which is approved by the local government for storing, at premises in the local government's area:</p> <ul style="list-style-type: none"> ○ one (1) or more multiple types of commercial waste; or ○ one (1) or more multiple types of recyclable waste. <p><i>Example – the Local Government may approve one (1) container for storing recyclable waste which is green waste and one (1) container for storing recyclable waste other than green waste.</i></p>
Waste	has the meaning given in s. 8AA of the Waste Reduction & Recycling Act 2011 and includes anything that is specified to be waste under a subordinate local law.
Waste Service	refers to the storage, collection and conveyance of waste and the disposal thereof.
Waste Services Charges	means a charge set by Council in the Revenue Statement.

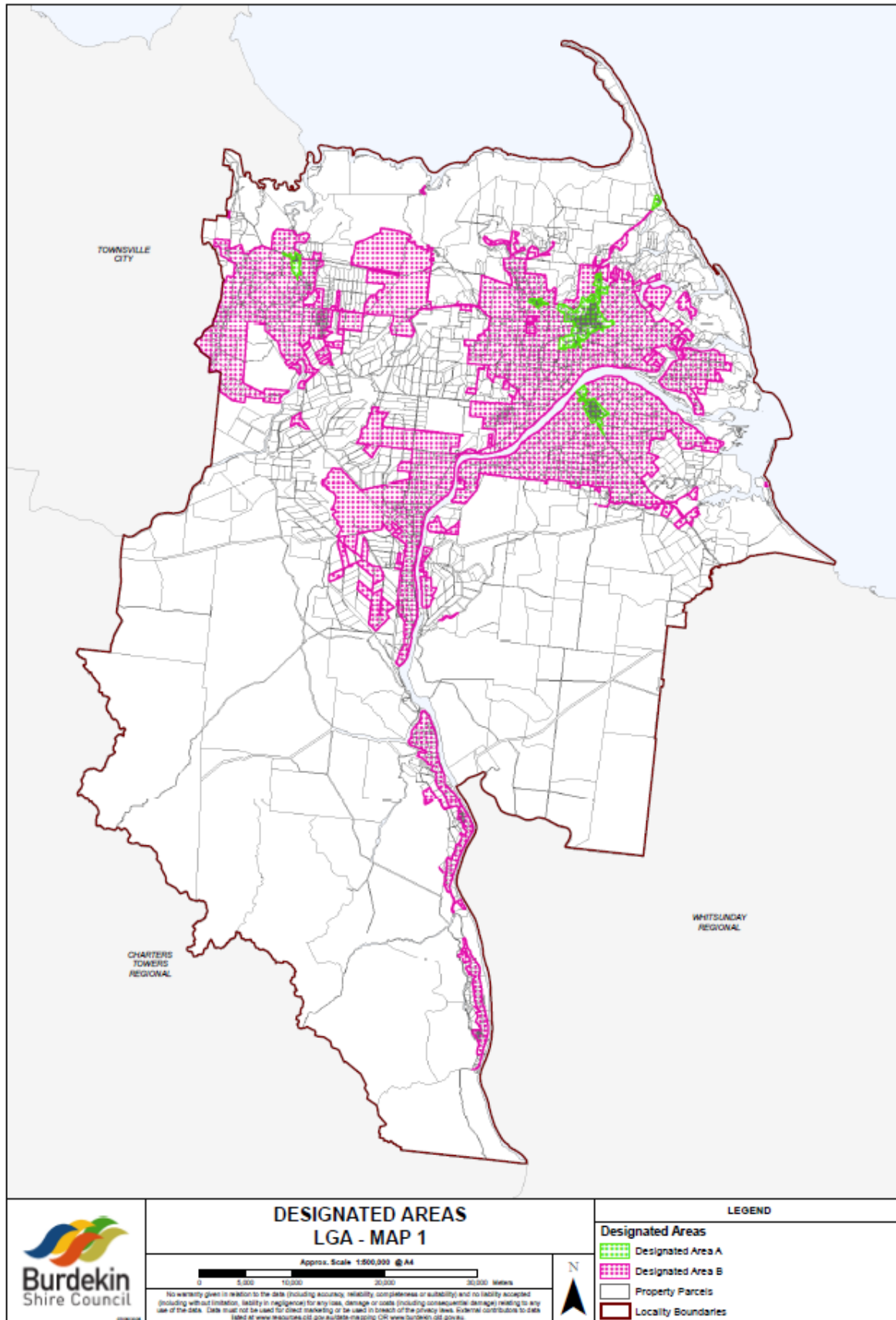
Related Documents

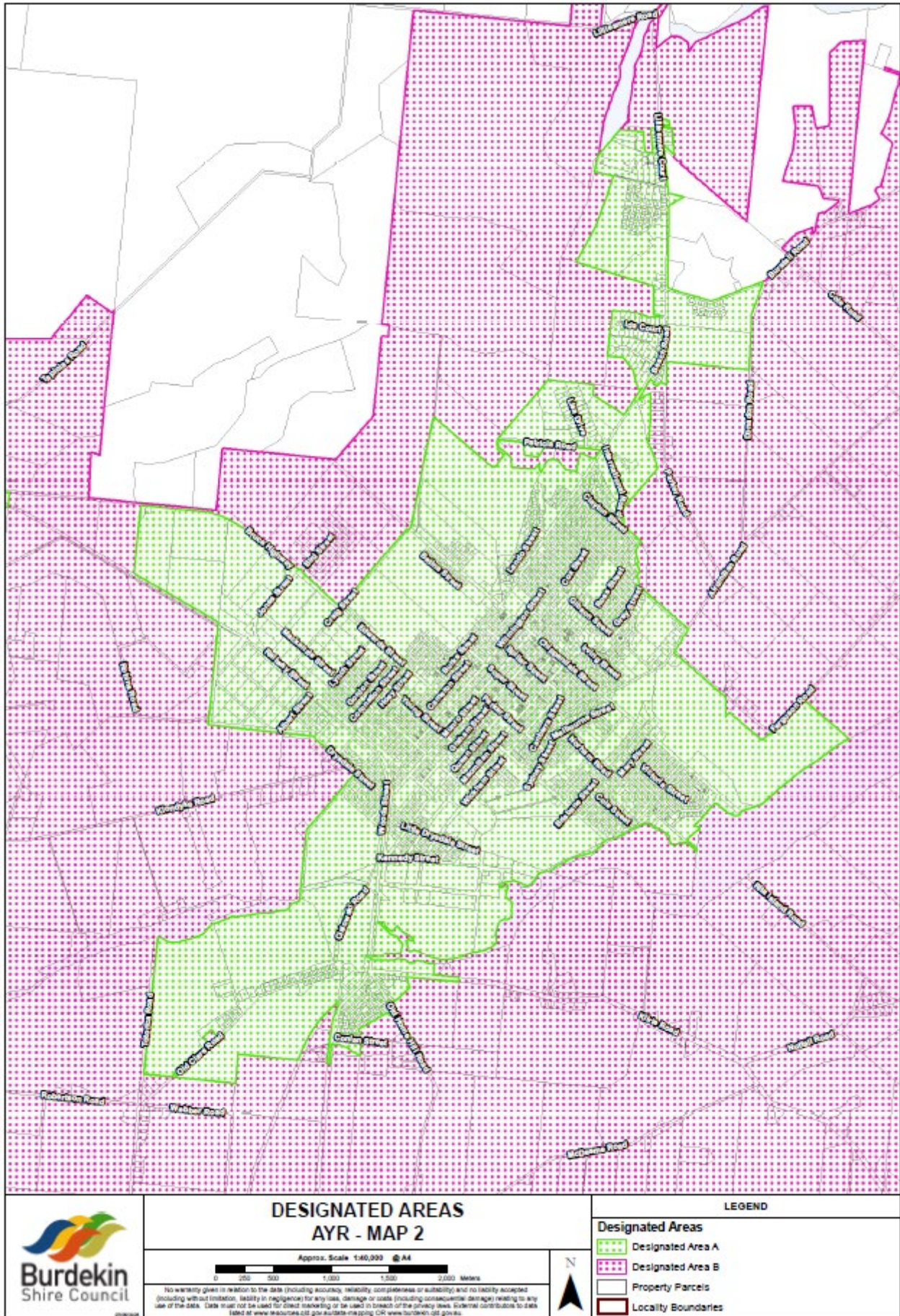
Reference Number	Document Title
Schedule 1	Schedule 1 – Maps of Waste Collection Areas
ECM 1367706	Current Waste Contract
DLGRMA Website	Local Law No 8. (Waste Management) 2018
Burdekin Shire Council Website	Waste and Recycling Burdekin Shire Council
WST-OSD-0001	Transfer Station Resale Shed Operational Standard
COM-POL-0005	Community Assistance Policy

Document History and Version Control

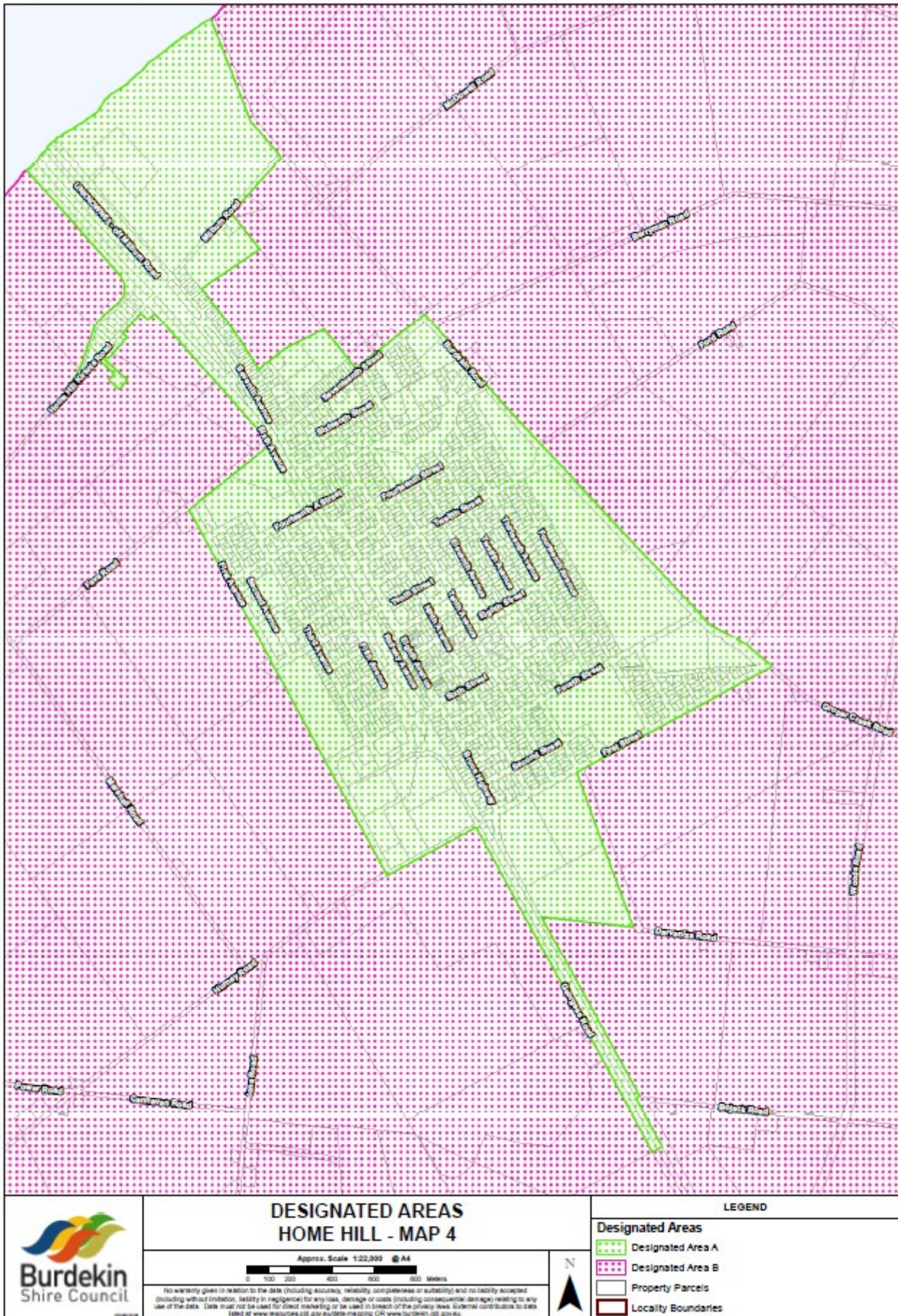
Title of Document	Waste Management Policy
Document Reference Number	WST-POL-0001 Rev 3
Review Schedule	24 months
Council Meeting Date	26 April 2023
Council Resolution Number	1749075

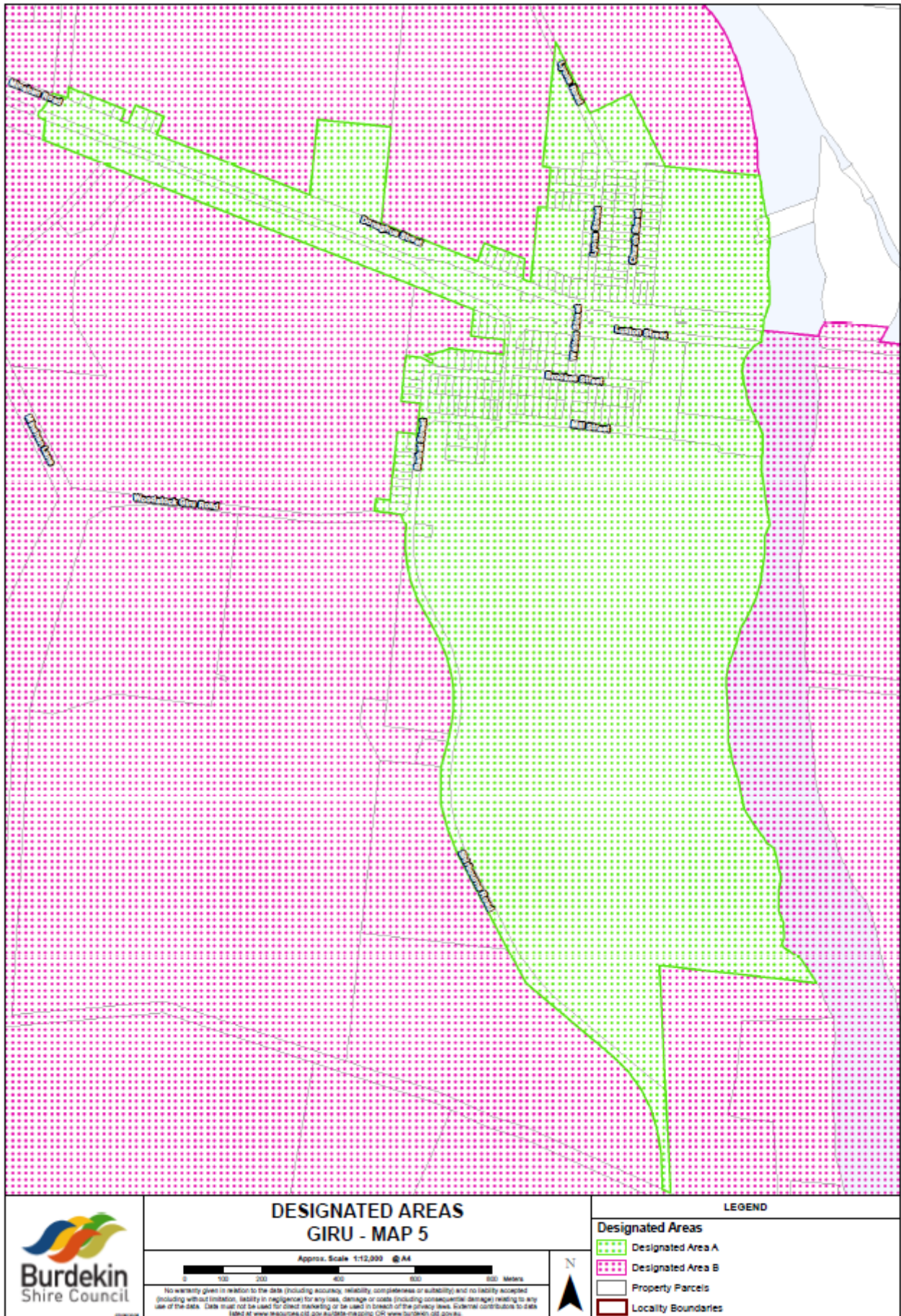
Schedule 1 – Maps of Waste Collection Areas

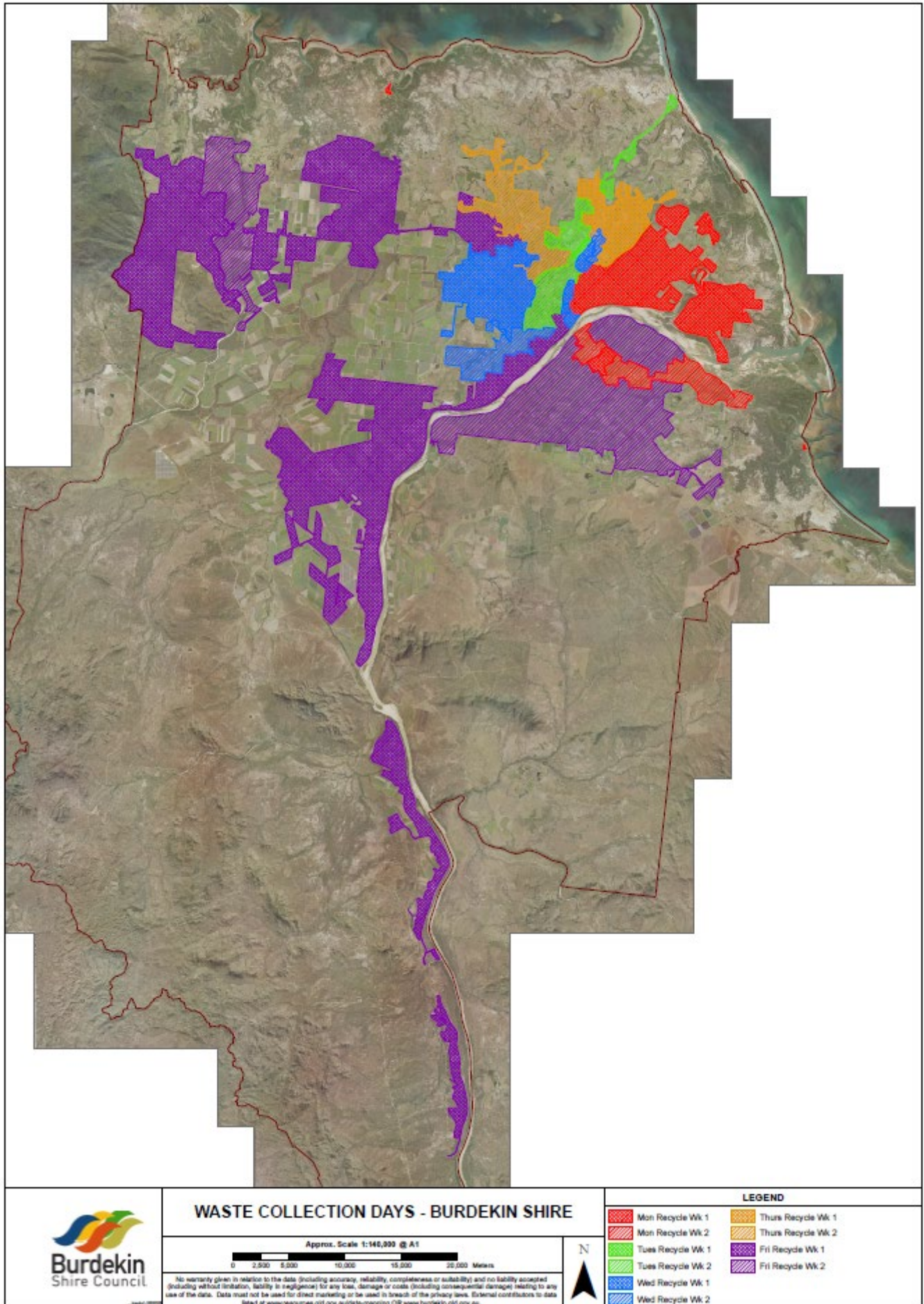












7.3.1. PLANNING AND DEVELOPMENT

Development Application for a Development Permit for Reconfiguring a Lot - 1 Lot into 2 Lots, at 190 Marshall Road, Osborne (Lot 179 on SB100)

File Reference: 234, RAL25/0017

Report Author: Kellie Galletta, Manager Planning and Development

Authoriser: James Stewart, Director Infrastructure Planning and Environmental Services

Meeting Date: 9 December 2025

Link to Corporate/Operational Plan:

Burdekin Shire Council Corporate Plan 2025-2030

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

Burdekin Shire Council Operational Plan 2025-2026

PD13Assess Planning Applications to ensure compliance with requirements of the current Planning Scheme.

Executive Summary

Council has received an impact assessable development application lodged by Brazier Motti on behalf of the applicant, Murray Cannavan. The application seeks a Development Permit for Reconfiguring a Lot to subdivide the site at 190 Marshall Road, Osborne (Lot 179 on SB100) into two (2) lots: one (1) containing the existing dwelling house, and the other comprising the balance area of the existing agricultural activity (cane farm).

Recommendation

That Council approve the development application for a Development Permit for Reconfiguring a Lot - 1 Lot into 2 Lots at 190 Marshall Road, Osborne (Lot 179 on SB100), subject to reasonable and relevant conditions as set out in Attachment A.

Background

Proposal

The proposal creates one (1) additional lot, with the new boundary encompassing the existing dwelling house and associated services. The existing rural shed will be retained on the balance (farm) lot, supporting ongoing agricultural operations. All actively cropped areas are contained within Proposed Lot 2. The proposal is recommended for approval despite any non-compliances with the Planning Scheme.

This subdivision separates the dwelling house from the productive agricultural property. Proposed lot sizes are summarised below in Table 1. and detailed in the proposal plan (refer Attachment B):

Table 1.

Lot	Proposed Area	Proposed Frontage
<i>Planning Scheme Requirements</i>	<i>Min. area 30ha</i>	<i>Min. frontage 200m</i>
1	2,701m ²	41.2m (Marshall Road)
2	53.256ha	894.8m (Marshall Road) 571.5m (Hurney Road)

The current configuration is a single, regularly shaped rural lot.

Proposed Lot 1 will contain the dwelling house, shed, bore, and on-site sewerage treatment plant.

Proposed Lot 2 will retain the rural shed and all productive agricultural land (cane farm).

The applicant advises that no change to existing land uses will result from the subdivision. Cropping areas and the farm shed remain wholly within Proposed Lot 2, while Proposed Lot 1 accommodates all existing buildings and servicing arrangements. Both lots have suitable access to Marshall Road.

As an impact assessable application, the proposal has been assessed against the relevant assessment benchmarks of the entire *Burdekin Shire Council Planning Scheme 2022*, the provisions of the *Planning Act 2016*, the *Planning Regulation 2017*, relevant state policies and regional plans, and any other relevant matters.

Subject Site

A locality plan is provided in Attachment B. The subject site is located approximately 1.6km south-west of Home Hill.

The subject land is located within the Rural Zone of the *Burdekin Shire Council's Planning Scheme 2022* and is affected by the following overlays:

- Acid Sulfate Soils (5-20m contour)
- Agricultural (Agricultural Land (Classes A and B and Priority Agricultural Area))
- Flood hazard overlay map (River flood hazard – Burdekin River (medium-extreme hazard))

Surrounding Land Uses

The surrounding area contains a range of both small rural lots and larger productive lots used predominately for sugar cane farms.

Information Request

Council did not issue a Request for Further Information on this application.

Public Notification

The applicant undertook Public Notification between 22 October 2025 and 12 November 2025, being a period of at least 15 business days, in accordance with the relevant requirements of the *Planning Act 2016*.

No submissions were received during the notification period.

Referral Agency Response

The application did not trigger referral to the North Queensland State Assessment and Referral Agency (NQSARA) under the *Planning Regulation 2017*.

State Planning Provisions

State Planning Policy

The Planning Minister is satisfied that the State Planning Policy (SPP) July 2017 is appropriately integrated into the Burdekin Shire Council Planning Scheme in full excluding Cultural Heritage.

North Queensland Regional Plan

The Planning Minister has identified that the North Queensland Regional Plan (NQRP) is appropriately integrated into the Burdekin Shire Council Planning Scheme in full. The site is mapped as being priority agricultural area (PAA) under the NQRP, of which its provisions are considered by the State to have been appropriately integrated into Council's Planning Scheme when adopted.

However, impact assessable development applications (as regulated by Council's Planning Scheme) such as this proposal, are also subject to additional assessment under the *Planning Regulation 2017*, with the NQRP policy relevant to this proposal stating:

1.3.1 Non-agricultural development within PAAs is not supported, unless the proposed use demonstrates net benefits for regional agricultural production, without compromising the PALUs current or future ability to operate or is for public infrastructure.

Officer Comment

The proposal generally aligns with the regional outcome and the regional policies for PAAs of the NQRP, as it does not adversely impact the operation and production of an existing agricultural land use. The proposed subdivision separates the existing dwelling house but retains the farm shed within the balance lot/existing agricultural area to ensure the development does not conflict with the objectives of the NQRP nor does it introduce any incompatible non-agricultural land uses.

The proposed layout is consistent with the assessment benchmarks particularly noting that:

- Development does not contribute to a net loss to overall agricultural productivity within the PAA.

Detailed Summary

Refer to Attachment C for the detailed assessment against the relevant provisions of the planning scheme.

Planning Assessment Summary

Development applications that attract an impact level of assessment are assessable against the whole of the planning scheme and other applicable planning instruments, any other relevant matters and on their individual merit.

A summary of the planning assessment is provided below in Table 2:

Table 2.

2022 Planning Scheme Provision	Proposal/Officer Comment
<u>Strategic Framework</u> 2.3 Liveable communities and infrastructure: 2.3.5 Integrated infrastructure 2.4 Economic Growth: 2.4.1 Diverse Rural Futures 2.5 Safe and resilient communities: 2.5.1 All natural hazards 2.5.2 Flood hazard	Proposal considered to comply. <ul style="list-style-type: none"> • The development supports Economic Growth and Diverse Rural Futures, consistent with the Strategic Framework. • Subdivision increases the number of lots but confines the new boundary to the dwelling footprint, retaining the balance for agricultural use. • No urban land use is introduced; no extensions to infrastructure other than road are required.
Rural Zone Code	Proposal considered to comply. <ul style="list-style-type: none"> • One new lot is created around an existing dwelling, consistent with Scheme provisions. • The balance lot (53ha) remains dedicated to agriculture. • Both lots retain suitable access and servicing.
Development Works Code	Proposal considered to comply in general, where applicable. <ul style="list-style-type: none"> • No excavation, filling, or operational works are proposed. • Existing servicing arrangements (septic, water supply, electricity) remain adequate. • No new access points are required, as existing crossovers are retained. • No changes to stormwater or environmental values, with existing rural amenity preserved.
Reconfiguring a Lot Code	Proposal considered to comply. <ul style="list-style-type: none"> • One new rural lot is created in a functional configuration for continued rural activity - both farming and residential use. • The farming lot exceeds the minimum 30ha requirement at almost 53ha and remains dedicated to cropping. • The smaller lot accommodates the existing dwelling. • No new access, services, vegetation clearing, or significant earthworks are required. • Layout is compatible with the existing settlement pattern and supports continued agricultural use.
Overlay Codes <ul style="list-style-type: none"> • Flood Hazard Overlay Code 	The site is mapped within the Burdekin River Flood Hazard Area, with hazard categories ranging from medium to extreme. All areas of extreme hazard will be contained within the balance agricultural lot (Proposed Lot 2). The existing dwelling is located outside extreme hazard zones. Access via Marhsall Road to Hurney Road remains available in flood

2022 Planning Scheme Provision	Proposal/Officer Comment
	events, ensuring safe evacuation. No earthworks are proposed that could alter flood storage capacity or conveyance, and the proposal is not considered to increase flood risk to people, property, or surrounding land.

Based on the assessment of the development application, Council officers consider that the proposed development can be recommended for approval, subject to the application of reasonable and relevant conditions.

Infrastructure Charges

The proposal is a development type that triggers infrastructure charges to be applied, as per Council's Charges Resolution. Table 3 below outlines the applicable charges for this development. Note the discount for the existing lot has been applied, in accordance with Council's Charges Resolution.

Table 3.

Development Description	Water Supply	Sewerage	Transport	Public Land Parks & Community Facilities for	Stormwater	Total
Residential lots (x 2 lots)	Nil	Nil	\$5,000.00	Nil	Nil	\$5,000.00
Discount (existing lot)	Nil	Nil	\$2,500.00	Nil	Nil	\$2,500.00
Total	Nil	Nil	\$2,500.00	Nil	Nil	\$2,500.00

Consultation

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

The application was workshopped with the Mayor, Councillors and Executive Leadership Team on 2 December 2025.

Statutory Environment

Council is required to deal with and assess the development application in the context of the *Planning Act 2016*, *North Queensland Regional Plan* and the *Burdekin Shire Planning Scheme December 2022*.

Budget & Resource Implications

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

Legal Authority & Implications

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

Policy Implications

Not applicable in concerning the acceptance of this report.

Risk Implications (Strategic, Operational, Project Risks)

Risk to Council relating to its obligation under the *Planning Act 2016*, is primarily ensuring that the development application is properly managed, assessed and decided. Risk has been managed by undertaking a thorough assessment of this application, preparation of this report and identifying relevant and reasonable conditions of approval.

Attachments

1. Attachment A - Recommended Conditions of Approval
2. Attachment B - Locality and Proposal Plan
3. Attachment C - Detailed Assessment

Attachment A – Recommended Conditions of Approval

Condition	Reason	Timing
1 General and Administration <u>Compliance with Conditions</u> 1.1 The Applicant (and any contractor, agent, employee or invitee of the applicant) is responsible for carrying out the approved development and ensuring compliance with this development approval, the conditions of the approval and the relevant requirements in accordance with: 1.1.1 The specifications, facts and circumstances as set out in the application submitted to Council, including recommendations and findings confirmed within the relevant technical reports. 1.1.2 The development must comply in full with all conditions of this approval, and is to be designed, constructed and maintained in accordance with relevant Planning Scheme requirements, Council policies, guidelines and standards (except as otherwise specified by any condition) to Council's satisfaction, and best practice engineering. 1.2 Where a discrepancy or conflict exists between the written condition(s) of the approval and the approved plans, the requirements of the written condition(s) of the development approval will prevail. 1.3 Where these conditions refer to 'Council' in relation to requiring Council to approve or be satisfied, the role of the Council may be fulfilled in whole or in part by an officer acting under appropriate delegation. <u>Works – Applicant's Responsibility/Expense</u> 1.4 The cost of all works associated with the development and construction of the development including services, facilities and/or public utility alterations required are met by the applicant, at no cost to the Council. 1.5 The applicant must repair any damage to existing infrastructure (e.g. kerb and channel, footpath or roadway) that may occur during any works undertaken as part of the development. Any damage that is deemed to create a hazard to the community must be repaired immediately. <u>Infrastructure Conditions</u> 1.6 All development conditions contained in this development approval relating to infrastructure under Chapter 4 of the <i>Planning Act 2016 (the Act)</i> , should be read as being non-trunk infrastructure conditioned under section 145 of the Act, unless otherwise stated.		At all times.
2. Approved Plans and Documents <u>Approved Plans & Documents</u> 2.1 The proposed development must be completed, comply with and maintained generally in accordance with the drawings/ documents identified in the above, except as otherwise specified and/or amended by any condition of this approval.	The development must comply with all planning scheme requirements as approved and conditioned by this development permit.	At all times.

Attachment A – Recommended Conditions of Approval

Condition		Reason	Timing
2.2	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.		
2.3	Where there is any conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval must prevail.		
Approved Plans			
Drawing Title		Drawing/Revision	Date
PROPOSED RECONFIGURATION Lots 1 and 2 Cancelling Lot 179 on SB100		57293/001 C	25 August 2025
3. Payment of Rates, Charges and Expenses		Confirmation to be provided to Council prior to the release of the Plan of Survey.	
3.1	Prior to signing the Plan of Survey, payment is required of any outstanding rates or charges levied by the Council or any expenses being a charge over the subject land.		
3.2	Pay the sum calculated at the current charge per lot to be levied on the Council by the Department of Resources, for each new valuation.		
Access and Roadworks			
4. Roadworks		To provide appropriate access in accordance with relevant code/s and policy direction.	At all times.
4.1	The construction of any additional crossovers to give access to the land is the owner’s responsibility.		
4.2	An application must be made to and approved by Council before the construction of any additional access crossovers.		
4.3	Approved crossovers must be constructed in accordance with requirements of the approval to the satisfaction of Council.		
Services and Infrastructure			
5. Stormwater		To ensure that stormwater does not adversely affect surrounding properties or properties downstream from the development.	At all times
5.1	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.		

Attachment A – Recommended Conditions of Approval

Condition	Reason	Timing
5.2 Any external catchments discharging to the premises must be accepted and accommodated within the development's stormwater drainage system.		
6. Flood 6.1 The approved development must not directly, indirectly or cumulatively result in any increase in water flow velocity or flood level, and must not increase the potential for flood damage either on-site or on other properties.	To ensure that the flow of flood water does not adversely affect surrounding properties or properties downstream from the development.	At all times
7. Confirmation of Existing Services 7.1 The existing services for each lot must be contained within the individual allotments.	To ensure the development is appropriately serviced in accordance with relevant code/s and policy direction.	Confirmation to be provided to Council prior to the release of the Plan of Survey.
8. Water Supply 8.1 All proposed lots must be provided with a dedicated water supply that complies with the Australian Drinking Water Guidelines for potable water quality. 8.2 The bore must be located wholly within the boundaries of the lot it serves, at least 10 metres clear of any onsite effluent disposal areas, wastewater treatment systems, stormwater drains or potential sources of contamination, to the satisfaction of Council. 8.3 The applicant must provide Council with certification from a suitably qualified professional (hydrogeologist or water quality engineer) confirming that the water supply for the proposed lots: 8.3.1 is potable and meets the required standards; 8.3.2 has sufficient yield for domestic use; and 8.3.3 is free from contamination sources. 8.4 Should the bore not be capable of providing potable water at an acceptable standard, an alternative compliant potable water supply must be provided to Proposed Lot 1 to the satisfaction of Council.		Confirmation to be provided to Council prior to the release of the Plan of Survey.

Attachment A – Recommended Conditions of Approval

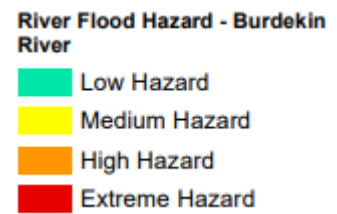
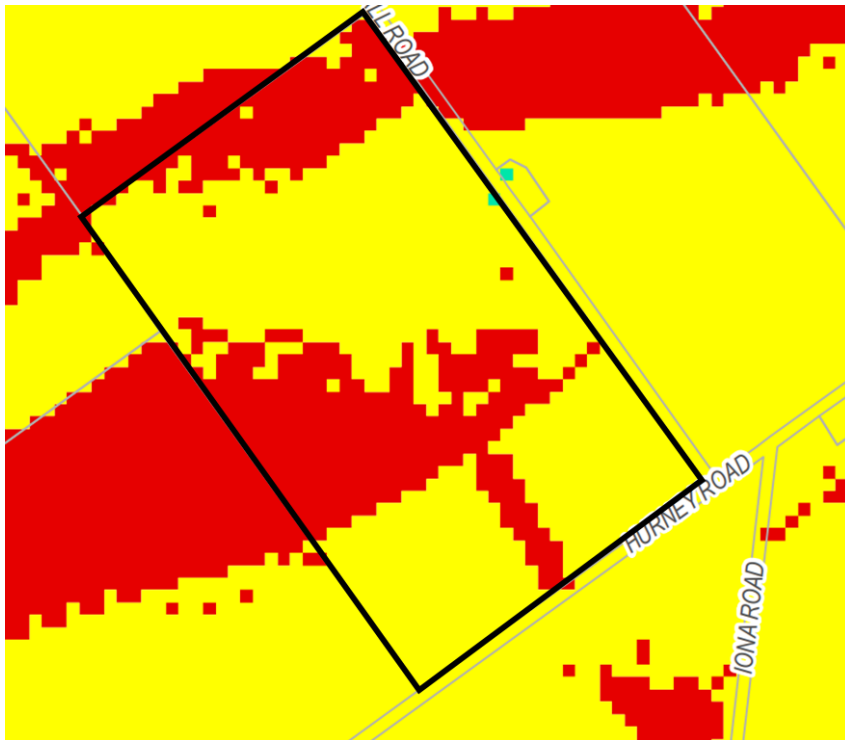
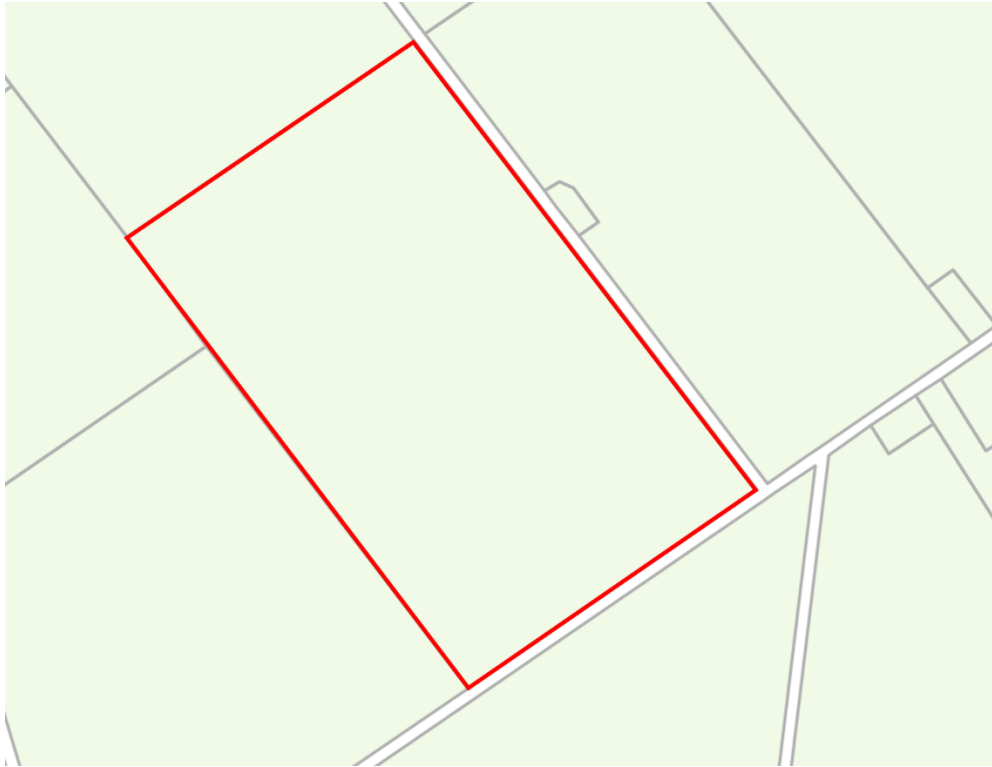
Advice

<p>1. Infrastructure Charges</p> <p>An Infrastructure Charges Notice outlining the estimated infrastructure contributions payable relevant to the development permit is attached for your information</p>
<p>2. Compliance with Conditions</p> <p>Unless otherwise specified by these conditions, the conditions must be complied with prior to Council's endorsement of the Plan of Survey.</p>
<p>3. Limitation of Approval</p> <p>3.1 The Council and its officers make no representations and provide no warranties as to the accuracy of the information contained in the application including its supporting material provided to it by the applicant.</p> <p>3.2 The Council and its officers rely upon the applicant concerning the accuracy and completeness of the application and its supporting material and accepts the application and supporting material as constituting a representation by the applicant as to its accuracy and completeness. Insofar as the application and its supporting material may be incomplete and/or inaccurate giving rise to any claim by a third party the applicant agrees to indemnify and save the council harmless in respect of any claim so arising.</p>
<p>4. Acid Sulfate Soils</p> <p>Should the presence of acid sulfate soils or potential acid sulfate soils be detected, an Acid Sulfate Soils Management Plan may be required to be prepared and submitted to Council for approval.</p>
<p>5. Amenity Impacts</p> <p>Use of the site is to be operated in a way that protects the values of the existing environment and will not cause unacceptable impacts on surrounding areas as a result of dust, odour, noise or lighting, in accordance with the <i>Environmental Protection Act 1994</i>.</p>
<p>6. Earthworks</p> <p>Earthworks are not approved as part of this Development Permit. If any earthworks are required and deemed assessable development, an operational works development application is to be lodged with Council for assessment in accordance with relevant code/s and policy direction.</p>
<p>7. Miscellaneous</p> <p>The Applicant is reminded of their obligations under the Aboriginal Cultural Heritage Act, 2003 and the Torres Strait Islander Cultural Heritage Act 2003. Further information and databases are available from the Department of Aboriginal and Torres Strait Islander Partnerships at: www.datsip.qld.gov.au.</p> <p>If any item of cultural heritage is identified during site works, all work must cease, and the relevant State Agency must be notified. Work can resume only after State Agency clearance is obtained.</p>

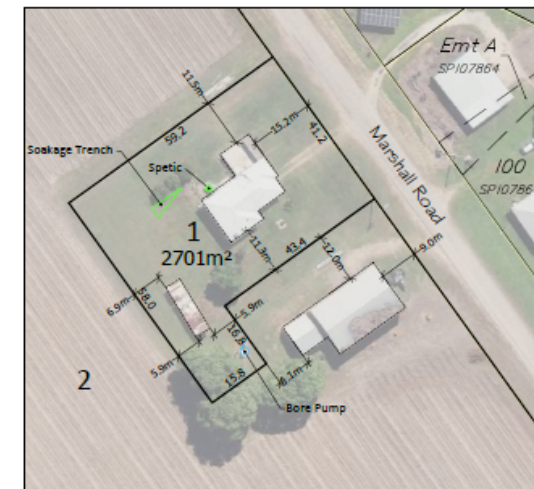
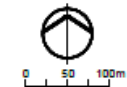
Attachment B – Zone, Locality and Proposal Plan



RAL25/0017



PROPOSED
RECONFIGURATION
Lots 1 and 2
Cancelling Lot 179 on SB100



Inset A - 1:1000

This plan is conceptual and for discussion purposes only. All areas, dimensions and land uses are preliminary, subject to investigation, survey, engineering, and Local Authority and Agency approvals.

Date: 25th August, 2023	
Scale: 1:5000	A3
Drawn: MJM	
Job No: 57293/003-01	
Plan No: 57293/001	C

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MAPPING&GIS



RAL25/0017

Attachment C – Detailed Assessment

Assessment Summary

Based on the assessment of the development application, Council officers have determined that there are sufficient grounds within the assessment benchmarks relevant to the assessment to support the proposal.

Detailed Assessment

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

The assessment timeframes applicable to this application are as follows:

ASSESSMENT TIMEFRAMES			
Application Process		Timeframe	Date
1.0	Application lodged with Council		3 October 2025
1.1	Application deemed properly made		13 October 2025
1.2	Confirmation Notice issued	10 days (from 1.1)	15 October 2025
2.0	Application referred	10 days (from 1.2)	Not applicable
3.0	Council issued Information Request	10 days (from 1.2)	Not Applicable
4.0	Public Notification commences	20 days (from 3.2)	22 October 2025
4.1	Public Notification completed (no submissions received)	Min. 15 business days	12 November 2025
4.2	Notice of compliance with Public Notification received	10 days (from 4.1)	14 November 2025
5.0	Decision making period starts	1 day (after last applicable)	17 November 2025
5.1	Decision making period ends	35 days (minus up to 10 days from 3.0 plus up to 10 days under s19.3 of the DA Rules as a submission was received)	19 January 2026
	Council Meeting		9 December 2025
5.2	Issue Decision Notice	5 days (after decision is made)	16 December 2025

Attachment C – Detailed Assessment

Level of Assessment

The development proposal is assessable under the *Burdekin Shire Planning Scheme December 2022* (the planning scheme) in accordance with Section 43 (1) of the *Planning Act 2016*. The Assessment Manager is the Burdekin Shire Council as determined by Schedule 8 of the *Planning Regulation 2017*. In accordance with the planning scheme, the Reconfiguring a Lot application was subject to Impact assessment.

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

Assessment against the relevant provisions of the planning scheme has been undertaken:

Development	Zone	Overlays	Assessment Benchmarks
Reconfiguring a Lot – (1 lot into 2 lots)	Rural	<ul style="list-style-type: none"> • Acid Sulfate Soils (5-20m contour) • Agricultural (Agricultural Land (Classes A and B and Priority Agricultural Area) • Flood Hazard Overlay – River Flood (Low and Extreme Hazard) 	<p>The following assessment benchmarks are applicable in the assessment of the development application:</p> <ul style="list-style-type: none"> • The whole planning scheme, specifically: <ul style="list-style-type: none"> - Strategic Framework - Rural Zone Code - Flood Hazard Overlay Code - Development Works Code - Reconfiguring a Lot Code

ASSESSMENT
APPLICABLE ASSESSMENT BENCHMARKS
<p>Part 2 Strategic framework</p> <p>2.1 Preliminary</p> <p>(1) The strategic framework sets the policy direction for the Planning Scheme and forms the basis for ensuring appropriate development occurs in the Planning Scheme area for the life of the Planning Scheme.</p> <p>(2) Mapping for the strategic framework is included in part 2 and schedule 4.</p> <p>(3) For the purpose of describing the policy direction for the Planning Scheme, the strategic framework is structured in the following way:</p> <ul style="list-style-type: none"> (a) the strategic intent (b) the following four themes that collectively represent the policy intent of the Scheme: <ul style="list-style-type: none"> (i) Liveable communities and infrastructure (ii) Economic growth (iii) Safe and resilient communities (iv) Natural resources, the environment and heritage (c) the strategic outcomes proposed for development in the Planning Scheme area for each theme. <p>(4) The strategic framework in its entirety represents the policy intent for the Planning Scheme.</p> <p><u>Officers Comment</u></p> <p>The proposed reconfiguration is recognised in the Strategic Framework as a permitted development form that supports economic growth and diverse rural future. Despite the sites rural zoning and non-compliance with the minimum lot sizes for reconfiguration, the proposed development complies with the policy direction and intent of the Scheme, where the balance of the farmed lot at almost 53ha exceeds the 30ha minimum lot size for Class A and Class B agricultural land and the new small lot contains a dwelling that lawfully existed prior to the commencement of the Planning Scheme.</p>

APPLICABLE ASSESSMENT BENCHMARK**4.2.9 Rural Zone Code****4.2.9.1 Application**

- (1) This code applies to development where the code is identified as applicable in the categories of assessment and development in part 3.
- (2) When using this code, reference should be made to section 3.3.2 and, where applicable, section 3.3.3 in part 3.

4.2.9.2 Purpose and overall outcomes

- (1) The purpose of the rural zone is to—
- (a) provide for rural uses and activities; and
 - (b) provide for other uses and activities that are compatible with—
 - i. existing and future rural uses and activities; and
 - ii. the character and environmental features of the zone; and
 - (c) maintain the capacity of land for rural uses and activities by protecting and managing significant natural resources and processes.
- Editor's note—This purpose statement is required to be used for the zone under the regulated requirements set out in the Planning Regulation 2017.
- Editor's note—The rural zone includes the village precinct.
- (2) The purpose of the zone will be achieved through the following overall outcomes:
- (a) rural land will be used sustainably to ensure the viability of the primary production base;
 - (b) other than in the Groper Creek, Jarvisfield, Jerona or Wunjunga village precincts, residential and accommodation uses in the rural zone include:
 - i. dwelling houses generally limited to a single dwelling house on a lot;
 - ii. caretaker's accommodation, small scale rural workers' accommodation and non-resident workforce accommodation where they directly support primary production activities in the locality; and
 - iii. small scale tourist accommodation in the form of bed and breakfasts, farm stay, cabins and camping;
 - (c) in the Groper Creek, Jarvisfield, Jerona or Wunjunga village precincts, development is limited to a dwelling house on an existing lot;

Editor's note—Additional requirements may exist for the establishment of dwelling houses in some villages that are affected by natural hazards (refer to part 5 Overlays).
 - (d) land in the rural zone is not used or subdivided for urban residential or rural residential purposes;
 - (e) other than as provided for under (f), reconfiguration does not result in the creation of:

- i. any new lots in the Groper Creek, Jarvisfield, Jerona or Wunjunga village precincts; or
 - ii. lots less than 30ha in priority agricultural areas or agricultural land classification class A and B areas shown on overlay map OM2; or
 - iii. lots less than 100ha elsewhere;
- (f) reconfiguration to create a smaller lot than the minimum set out in (e)(ii) and (iii) may occur where:
 - i. consolidating the balance of the farmed lot, which is a minimum of 30ha and the single lot created contains a dwelling house that existed at the commencement of this Planning Scheme; or
 - ii. rearranging lot boundaries in a way that demonstrates a substantial improvement in the management of the land or the protection of its environmental values, without increasing the number of lots;

Editor's note—Applicants would need to demonstrate the nature of the improvement, such as amalgamating lots to create a large balance area for an environmental reserve or that is managed in accordance with an appropriate land management plan.
- (g) agricultural land classification class A and B and priority agricultural areas shown on overlay map OM2 are protected from encroachment of uses that may impact on the opportunity to enable increased agricultural production;
- (h) other than for public infrastructure, non-agricultural development within priority agricultural areas does not result in a net loss in agricultural production;

Editor's note—A net loss is one that results in widespread or irreversible impacts to existing or future agricultural activities, such as a significant reduction in the supply of raw product or altering resources necessary to maintain the function of the land.
- (i) intensive animal industries and aquaculture occur in the rural zone (other than in the Groper Creek, Jarvisfield, Jerona or Wunjunga village precincts) where they are sufficiently separated from existing sensitive land uses to ensure significant impacts are avoided;
- (j) industries which may establish in the rural zone (other than in the Groper Creek, Jarvisfield, Jerona or Wunjunga village precincts) include only:
 - i. rural industries;
 - ii. industries processing agricultural products which require a rural location:
 - A. for proximity to the produce being processed; or
 - B. to ensure a clean environment separate from general industrial activities; or
 - C. to secure a lot size larger than lots available within industrial zoned land;
 - iii. industries associated with the use or processing of commodities grown in the region, such as sugar cane and grain, or their biproducts;
 - iv. extractive industries and other industries that require separation from urban or rural residential areas; and
 - v. renewable energy facilities;

- (k) other than within the KRA shown on overlay map OM6, any expansion of an existing extractive industry is limited to development that will not increase impacts to the priority agricultural area or nearby sensitive land uses, the visual amenity of the locality or matters of environmental significance;
- (l) development for small scale tourism and recreational activities, such as nature-based tourism, outdoor sport and recreation, environment facilities or similar cultural attractions occur where they have a limited building footprint and do not involve significant modification of the natural landform;
- (m) home based businesses occur at a scale consistent with the amenity and character of the surrounding area;
- (n) development does not prejudice or detract from existing and intended rural activities in the surrounding area, or on the functionality of the stock route network shown on overlay map OM2;
Editor's note—The stock route network within Burdekin Shire Council exists as pasturage rights through pasturage leases. Stock routes exist as pasturage rights 800m either side of an unsurveyed road (section 432 of the Land Act 1994).
- (o) development does not significantly impact on:
 - i. water and soil quality;
 - ii. the amenity of nearby sensitive land uses;
 - iii. the landscape and natural values of the locality; and
 - iv. the capacity of the road network on which it relies;
- (p) development minimises impacts on the natural environment and maintains habitat areas and corridors;
- (q) development is sited, designed and managed to avoid or reduce any risk of landslide to an acceptable or tolerable level;
- (r) sensitive land uses and other forms of inappropriate development do not occur in proximity to former mining activities and related hazards (e.g. abandoned mines, tunnels and shafts), which may cause risk to people and property.
Editor's note—The location of mining claims, mineral development licences and mining leases is available online via GeoResGlobe.

Officers Comment

The proposal aligns with the overall purpose of the Rural Zone Code, as it creates one new lot—smaller than the minimum lot size—around a dwelling that lawfully existed at the commencement of the Planning Scheme. The balance of the site, comprising almost 53 hectares, will be retained for ongoing agricultural use. Both lots maintain adequate access and servicing infrastructure.

Attachment C – Detailed Assessment

4.2.9.3 Specific Benchmarks for assessment

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
Site layout		
PO1 Any non-residential buildings, structures and open use areas are setback from site boundaries to ensure that the amenity of adjoining land and the rural character of the locality are maintained.	AO1 Non-residential buildings, structures and open use areas are setback not less than: <ul style="list-style-type: none"> (a) 20m from any road frontage of the site; (b) 10m from all other site boundaries; and (c) 100m from any existing dwelling on an adjacent property. 	Alternative Solution considered to comply The proposed new boundary is a minimum of 8.0m from the existing non-residential building to be contained on Proposed Lot 2 and is only 23.0m from the existing dwelling. As the new boundary surrounds the existing dwelling house while retaining the functionality of the balance agricultural lot, this non-compliance with the setback requirements is considered acceptable in this location and is not considered to affect the rural character of the locality. As no new buildings or structures are proposed.
Lighting		
PO2 Lighting does not cause undue disturbance.	AO2 The vertical illumination resulting from direct, reflected or incidental light coming from a site does not exceed 8 lux when measured at any point 1.5m outside of the boundary of the property at any level from ground level up.	Considered to comply No changes to lighting are proposed as a result of this application.
Infrastructure		
PO3 Premises have a level of infrastructure that allows for the efficient functioning of the use while not impacting on nearby land uses or the environment.	AO3.1 Premises are connected to a reliable supply of potable water. AO3.2	Considered to comply No changes are proposed to the existing water and wastewater systems for the dwelling as a result of this application.

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
	Premises are provided with an on-site sewerage treatment and disposal system. PO3.3 Premises have a legal access to a constructed road.	Both lots have access to a constructed road.
Separation		
PO4 Sensitive land uses are sufficiently separated from approved or existing lawful activities likely to generate impacts to protect the safety and amenity of residents and to ensure the ongoing operation of those activities is not prejudiced.	AO4 Minimum separation distances to animal keeping (being kennels or catteries), intensive animal industries and extractive industries are in accordance with table 4.2.9.3(c).	Not Applicable The site is not in proximity to any animal keeping, intensive animal industry or extractive industry uses.
Home based business – bed and breakfast and other		
PO5-PO11	AO5.1 – AO11.12	Not Applicable.
Roadside stalls		
PO12 Roadside stalls are small in scale and do not impact negatively upon the amenity, character or safety of the locality and the safety and efficiency of roads. Editor's note—A roadside stall on a State controlled road requires approval from the Department of Transport and Main Roads.	AO12.1 Any structure used for the sale of goods or produce is limited to 20m2 gross floor area. AO12.2 Access to the structure is via the existing primary property access point. AO12.3 Produce or goods sold is grown, made or produced on the land on which the roadside stall is erected.	Not Applicable.
Stock route network		
PO13	AO13	Not Applicable.

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
Development does not interfere with the use of stock routes or diminish their landscape, recreational or heritage values. Editor's note—Stock routes are shown on overlay map OM2.	Development is not located within a stock route network.	
Hazardous activities		
PO14 Where development is in proximity to an abandoned mine, geotechnical investigations and adequate protections are applied. Editor's note—The location of mining claims, mineral development licences and mining leases is available online via GeoResGlobe.	AO14 Abandoned mines are avoided.	Not Applicable.
Landslip hazard		
PO15 Development does not occur on land that is vulnerable to landslip and erosion and ensures the safety of people and property.	AO15 Where involving building work, development is not located on slopes greater than 15%.	Not applicable.

Table 4.2.9.3(b)—Benchmarks for assessable development only

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
Protecting rural production		
PO16 Other than for public infrastructure, non-agricultural development within priority	No acceptable outcome is nominated	Performance Solution The proposal is for a subdivision where the existing lawful dwelling house is being separated from the

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
<p>agricultural areas does not result in a net loss to agricultural production.</p> <p>Editor's note—A net loss is one that results in widespread or irreversible impacts to existing or future agricultural activities, such as a significant reduction in the supply of raw product or altering resources necessary to maintain the function of the land.</p>		<p>balance rural land parcel, which at 52.921ha is a greater area than the minimum 30.0ha required for Class A and Class B agricultural classed land.</p> <p>This form of development is permitted in the Rural Zone as it is not considered to result in a net loss of agricultural production.</p>
<p>PO17</p> <p>Development occurs on the least productive part of the site.</p>	No acceptable outcome is nominated	<p>No new development on Proposed Lot 2 is proposed as the existing farm shed is being retained for use with the farm.</p> <p>The proposal will not impact the operation of any cane tram lines. The site does not front any stock routes.</p>
<p>PO18</p> <p>Development does not prejudice the ongoing operation, intensification or expansion of nearby farming activities.</p>	No acceptable outcome is nominated	
<p>PO19</p> <p>Development is buffered so nuisance from normal farming practices such as spray drift, odour, noise and the like are avoided.</p>	No acceptable outcome is nominated	
<p>PO20</p> <p>Development does not interfere with the use of cane tram lines.</p> <p>Editor's note—Cane tram lines are shown on the road hierarchy map in Figure 6.2.1.3.</p>	No acceptable outcome is nominated	
<p>PO21</p>	No acceptable outcome is nominated	

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
<p>Development does not interfere with the use of stock routes or diminish their landscape, recreational or heritage values.</p> <p>Editor's note—Stock routes are shown on overlay map OM2.</p>		
Reconfiguration		
<p>PO22</p> <p>Reconfiguration does not result in the creation of any new lots in the Groper Creek, Jarvisfield, Jerona or Wunjunga village precincts.</p>	No acceptable outcome is nominated	Not Applicable.
<p>PO23</p> <p>Except as provided for in PO24, reconfiguration does not result in the creation of:</p> <p>(a) lots less than 30ha in the priority agricultural area or agricultural land classification class A and B areas shown on overlay map OM2; or</p> <p>(b) lots less than 100ha elsewhere.</p> <p>Editor's note—to remove any doubt, this performance outcome does not apply to land in a village precinct.</p>	No acceptable outcome is nominated	Refer to PO24.
<p>PO24</p> <p>Reconfiguration creating lots less than required under PO23 occurs only where:</p> <p>(a) consolidating the balance of the farmed lot, which is a minimum of 30ha and the single lot created contains a dwelling house that</p>	No acceptable outcome is nominated	<p>Complies with PO24(a).</p> <p>The proposed subdivision will create one small rural lot, while the balance of the site remains with an area of almost 53.0ha. The proposed small lot surrounds a dwelling that existed at the commencement of the Planning Scheme.</p>

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
<p>existed at the commencement of this Planning scheme; or</p> <p>(b) rearranging lot boundaries in a way that demonstrates a substantial improvement in the management of the land or the protection of its environmental values without increasing the number of lots.</p> <p>Editor's note – Applicants would need to demonstrate the nature of the improvement, such as amalgamating lots to create a large balance area for an environmental reserve or that is managed in accordance with an appropriate land management plan.</p>		
Land Uses		
PO25 – PO38		Not applicable.
Rural amenity and character		
<p>PO39</p> <p>Development maintains the visual amenity and landscape character of the locality.</p>	No acceptable outcome is nominated.	<p>Complies</p> <p>The proposed will separate residential and agricultural land uses on the site and does not propose any new buildings or structures.</p>
<p>PO40</p> <p>Development minimises the loss of existing vegetation and earthworks on the site.</p>	Development is conducted within an existing cleared area.	<p>Complies</p> <p>The proposed new boundary will generally retain existing vegetation on the site.</p>
<p>PO41</p>	No acceptable outcome is nominated.	<p>Not Applicable</p> <p>The site is not mapped as being in proximity to any mapped habitat areas or corridors.</p>

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
Development minimises impacts on the natural environment and maintains habitat areas and corridors.		
PO42 Landscaping is provided to screen views from surrounding roads and neighbouring sites.	No acceptable outcome is nominated.	Not Applicable The proposal is a subdivision only and does not propose any new buildings or structures.
PO43 Non-residential buildings or structures are screened by a landscaped buffer when adjoining land used for rural residential or residential development	Buildings or other structures are screened by a landscaped buffer of 5m when adjoining residential or rural residential development.	Not Applicable No new buildings are proposed and the site does not adjoin urban or rural residential uses.
PO44 Development does not create significant impacts as a result of noise, odour, dust, volume of traffic generated or other cause.	No acceptable outcome is nominated.	Not Applicable The proposal will not alter the existing lawful land uses occurring on site and is therefore not expected to create any new impacts.
PO45 Development does not impact on public health or safety.	No acceptable outcome is nominated.	Not Applicable The proposal is a subdivision only.

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
PO46 Sensitive land uses and other forms of inappropriate development do not occur in proximity to former mining activities and related hazards (e.g. abandoned mines, tunnels and shafts), which may cause risk to people and property. Editor's note—The location of mining claims, mineral development licences and mining leases is available online via GeoResGlobe.	No acceptable outcome is nominated.	Not Applicable The site is not in proximity to any former mining activities.

Table 4.2.9.3(c)–Separation Distances

Column 1	Column 2	Column 3 Minimum separation distances (metres)	
Use	Number of animals	Land in an urban zone or rural residential zone	Other sensitive land use
Poultry	100-200	100	60
	200-500	200	60
	501+	300	150
Animal keeping (being kennels or cattery)	n/a	400	150
Intensive animal industry	n/a	1000	400
Extractive industry (being an existing or approved extractive industry operation or a resource/processing area shown on overlay map OM6)	n/a	(i) 1,000m from a hard rock extractive industry; (ii) 200m from a sand and gravel extractive industry; and (iii) 100m from a haul route used by any existing operation.	

APPLICABLE ASSESSMENT BENCHMARK**5.2.5 Flood hazard overlay code****5.2.5.1 Application**

- (1) This code applies to development where the code is identified as applicable in the categories of assessment and development for the Flood hazard overlay code.
- (2) When using this code, reference should be made to section 3.3.2 and, where applicable, section 3.3.3, in part 3.
Note—For the purposes of section 13 of the Building Regulation 2006:
 - (a) the area covered by the flood overlay maps is the designated flood hazard area;
 - (b) the defined flood level is the level described in schedule SC1.2;
 - (c) the overlay mapping shows both river flooding (overlay mapping OM7(a)) and local rain event flooding (overlay map OM7(b)). The defined flood event and defined flood level relates to both events. To remove any doubt, the defined flood level is the higher of either flood type under the defined flood event.

5.2.5.2 Purpose and overall outcomes

- (1) The overall outcomes are the purpose of the flood hazard overlay code.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) in an urban zone or rural residential zone, reconfiguration of land does not result in additional lots on land subject to high or extreme flood hazard;
Editor's note—to remove any doubt, this outcome does not apply to the township of Giru for which just one "flood hazard area" category is mapped.
Editor's note—the provisions of the rural zone code identify when reconfiguration may be contemplated in the rural zone. No new lots are intended in the village precinct of the rural zone, which includes settlements also affected by flood hazard.
 - (b) elsewhere, reconfiguration is designed to ensure each lot is provided with:
 - (i) a building envelope to accommodate a dwelling house with floor levels above the defined flood level; and
 - (ii) vehicular access from a public road to the building envelope that is free of high or extreme flood hazard;
 - (c) in the rural, low density residential, township or emerging community zones, new dual occupancies or more intensive residential uses, or worker or tourist accommodation uses are not established on land subject to medium, high or extreme flood hazard, and any redevelopment of an existing use does not substantially increase the number of people accommodated or requiring evacuation from the site;
Editor's note—to remove any doubt, this outcome does not apply to the area covered by the Giru flood hazard area or the floodplain assessment area.
 - (d) unless necessary to meet a significant community need:

- (i) new critical or vulnerable uses are not established in a flood hazard area; and
- (ii) any redevelopment of an existing use does not substantially increase the number of people accommodated or requiring evacuation from the site;

Editor's note—Critical or vulnerable uses are defined in schedule 1.

- (e) development in a flood hazard area otherwise occurs in the way intended in the relevant zone;
- (f) development in a flood hazard area is designed to ensure the safety of people, reduce vulnerability to the hazard and, for critical uses, minimise disruption to services;
- (g) development involving the bulk storage or manufacture of hazardous materials does not increase the risk to public safety or the environment in a flood hazard event;
- (h) development does not worsen the severity of, or exposure to, the hazard on other properties;
- (i) flood flow conveyance paths and flood storage volumes of the floodplain are maintained;
- (j) the cost to the public of measures to mitigate flood risks is minimised;
- (k) development supports effective and efficient disaster management capacity and capabilities.

Officers Comment

The site is mapped within the Burdekin River Flood Hazard Area, with hazard categories ranging from medium to extreme. All areas of extreme hazard will be contained within the balance agricultural lot (Proposed Lot 2). The existing dwelling is located outside extreme hazard zones. Access via Marhsall Road to Hurney Road is understood to remain available in flood events, ensuring safe evacuation. No earthworks are proposed that could alter flood storage capacity or conveyance, and the proposal is not considered to increase flood risk to people, property, or surrounding land.

5.2.5.3 Specific benchmarks for assessment

Table 5.2.5.3—Benchmarks for assessable development

Performance outcomes	Acceptable outcomes	Comments
Compatible development		
PO1 Where land is included in an urban or rural residential zone, development does not increase the number of lots within the high or extreme flood hazard area.	AO1 No new lots are created.	Not Applicable The site is not within an urban or rural residential zone.
PO2	No acceptable outcome is nominated.	Not Applicable

Performance outcomes	Acceptable outcomes	Comments
Development involving critical or vulnerable uses is not located within any flood hazard area, unless it involves a minor extension to, or redevelopment of, an existing use.		The proposal is not for a vulnerable use.
PO3 Dual occupancies and more intensive residential uses do not establish in the rural, low density residential, township or emerging community zones where they fall within the extreme, high or medium hazard areas, unless it involves a minor extension to, or redevelopment of, an existing use.	No acceptable outcome is nominated.	Not Applicable The proposal is not for a dual occupancy or intensive residential use.
PO4 Development involving worker or tourist accommodation uses do not establish in the rural, low density residential, township or emerging community zones where they fall within the extreme, high or medium hazard areas, unless it involves a minor extension to, or redevelopment of, an existing use.	No acceptable outcome is nominated.	Not Applicable The development is not for worker or tourist accommodation.
PO5 Development involving an existing use mentioned in PO2, PO3 or PO4 does not substantially increase the number of people accommodated or requiring evacuation from the site.	No acceptable outcome is nominated.	Complies The proposal will not increase the number of people accommodated on site.
PO6 Critical uses are able to function effectively during and immediately after a flood hazard event.	No acceptable outcome is nominated.	Not Applicable The proposal is not for a critical use.

Performance outcomes	Acceptable outcomes	Comments
PO7 Where components of commercial or industrial uses are located below the level of the defined flood event, stock or facilities: <ul style="list-style-type: none"> (a) are relocatable or readily replaced; (b) are not vital to the safe operation of the use during or after a flood event; and (c) are located or designed to avoid causing a risk to public safety in the event of a flood or impede the flow of flood water. Note—To demonstrate compliance with this performance outcome, applicants should prepare a flood response plan.	No acceptable outcome is nominated.	Not Applicable
PO8 Development either: <ul style="list-style-type: none"> (a) does not involve the manufacture or storage of hazardous materials within a flood hazard area; or (b) is designed to prevent the release of hazardous materials during a flood event. 	No acceptable outcome is nominated.	Not Applicable
PO9 Premises used for extractive industry, aquaculture, animal keeping or intensive animal husbandry are at low risk of inundation.	AO9 Development occurs on land which is above the defined flood event.	Not Applicable
Mitigation of flood hazard		
PO10 Development which occurs in areas subject to a flood hazard ensures new buildings or extensions are designed to remain structurally sound during the defined flood event.	No acceptable outcome is nominated.	Not Applicable The proposal does not involve building work.
PO11 Infrastructure likely to become a public asset is designed to withstand hydrodynamic forces of the defined flood event.	No acceptable outcome is nominated.	Not Applicable The development does not involve the donation of assets.

Performance outcomes	Acceptable outcomes	Comments
PO12 Development involving the expansion or redevelopment of critical or vulnerable uses ensures new buildings or extensions are provided with a high level of flood immunity.	AO12 Floor levels are established at the level of the 0.5% AEP plus a freeboard of 500mm.	Not Applicable The proposal does not involve any building work, new or expansion, nor is it a critical/vulnerable land use.
PO13 Development involving the expansion or redevelopment of critical or vulnerable uses ensures effective provision is made for evacuating residents and users, or shelter in place in the event available response times prevent evacuation.	No acceptable outcome is nominated.	Not Applicable The development does not involve critical or vulnerable land uses.
PO14 Any new lots created provide for a building envelope to accommodate a dwelling house with floor levels above the defined flood level.	No acceptable outcome is nominated.	Complies While the lot is currently a cane farm activity, due to the size of proposed Lot 2, it is considered there is an enough area available to accommodate a suitable building envelope in the areas mapped as being subject to medium flood hazard, if desired.
PO15 Any new lots created provide for vehicular access between a building envelope and a public road free of high or extreme hazard.	No acceptable outcome is nominated.	Complies The proposed subdivision ensures both lots have access to a public road that is free of high or extreme flood hazard.
PO16 Development does not change inundation characteristics outside the subject site in ways that would: <ul style="list-style-type: none"> (a) result in loss of flood storage or loss of, or changes to, flow paths; (b) adversely change the depth or behaviour of the hazard; or (c) reduce warning times; or (d) increase the duration of the hazard. 	No acceptable outcome is nominated.	Not Applicable The development does not involve site works.
PO17	No acceptable outcome is nominated.	Not Applicable The development does not involve site works.

Performance outcomes	Acceptable outcomes	Comments
Any structures or works intended to mitigate the risk or impacts of inundation on a development site are located wholly on private land.		
PO18 Adequate provision is made for safe evacuation, response and recovery during a flood event.	No acceptable outcome is nominated.	Complies The proposed subdivision ensures both lots have access to a public road that is free of high or extreme flood hazard.

ASSESSMENT**APPLICABLE ASSESSMENT BENCHMARKS****6.2.2 Reconfiguring a lot code****6.2.2.1 Application**

- (1) This code applies to development identified as requiring assessment against the Reconfiguring a Lot code by the tables of assessment in part 3.
- (2) When using this code, reference should be made to section 3.3.2 and, where applicable, section 3.3.3, in part 3.

6.2.2.2 Purpose and overall outcomes

- (1) The purpose of the reconfiguring a lot code is to facilitate the development of attractive, accessible, safe and functional neighbourhoods, centres and industrial areas, and to protect Burdekin's natural resources and environmental and landscape values.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) reconfiguration creates safe, convenient and attractive neighbourhoods, industrial areas and centres that are consistent with the intended outcomes for the zone in which the land is located;
 - (b) reconfiguration occurs in a way that makes efficient use of land and facilitates cost effective provision of infrastructure;
 - (c) functional street networks are created which provide high levels of accessibility and safety, particularly for pedestrians and cyclists;
 - (d) lots are of a size to support the uses intended and create the character and density intended for the zone in which the land is located;
 - (e) the creation of new lots for residential purposes occurs only within urban or rural residential zoned land;
 - (f) reconfiguration ensures public open space and movement networks can be provided that are interconnected with the surrounding area, convenient, safe and able to meet community needs;

- (g) reconfiguration in the rural zone occurs only in the circumstances intended in the zone code;
- (h) new lots are provided with services that meet the need of users and minimise risks to the environmental or public health and safety;
- (i) reconfiguration enables the protection of waterways, wetlands, ecological corridors for the movement of fauna and other significant environmental values.

Officers Comment

The development creates one new rural lot in a configuration that is functional for both farming and existing residential use. The larger farming lot at 52.9ha exceeds the 30ha minimum size for a new lot in Rural Zone on land identified as Class A and Class B, and is entirely dedicated to cropping, with operations supported by the existing rural shed. The smaller lot accommodates the existing dwelling and its existing services, being a form of development permitted under the Rural Zone Code, supported by the Strategic Framework in providing economic growth and diverse rural futures. The proposal does not involve new roads or services and avoids vegetation clearing or significant earthworks. The layout is compatible with the existing settlement pattern in the locality and supports continued agricultural use.

Specific assessment against the relevant provisions of the Reconfiguring a Lot Code is provided below:

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
<i>Neighbourhood design</i>		
PO1 The layout for a new neighbourhoods and subdivisions creates a strong and positive identity, and is responsive to site characteristics, setting, landmarks and views.	No acceptable outcome is nominated.	Not Applicable The proposal will create one new rural lot only. The proposal does not create a new neighbourhood.
PO2 Open space and movement networks are integrated internally within the development site and with surrounding areas, including:	No acceptable outcome is nominated.	Not Applicable The proposal will create one new rural lot only. The proposal does not create a new neighbourhood.

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
(a) a clear hierarchy of roads linking safely and directly with external roads; (b) an open space network linking with other existing or potential open space; (c) an urban drainage system integrated with the open space and pathway network and major streams; and (d) a pedestrian and bicycle path system integrated with the open space and road networks.		
P03 Vehicle, cyclist and pedestrian networks reduce need for local vehicle trips and ensures walking and cycling are prioritised.	No acceptable outcome is nominated.	Not Applicable The proposal will create one new rural lot only. The proposal does not create a new neighbourhood.
P04 The subdivision layout incorporates separation of sensitive land uses from potentially incompatible land uses or infrastructure within or external to the site.	No acceptable outcome is nominated.	Not Applicable The proposal will create one new rural lot only. The proposal does not create a land use conflict.
P05 The reconfiguration is designed to maximise personal safety and minimise potential for antisocial behaviour and crime, including by establishing clear sight lines and creating opportunities for casual surveillance of streets, paths, parks and public spaces.	No acceptable outcome is nominated.	Not Applicable The proposal will create one new rural lot only. The proposal does not create a new neighbourhood.

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
PO6 Street and lot orientation facilitates energy-efficient building and site design by: (a) maximising lot orientation to the north and minimising orientation to the west; and (b) maximising access to prevailing breezes.	No acceptable outcome is nominated.	Not Applicable The proposal will create one new rural lot only. The proposal does not create a new neighbourhood.
PO7 The subdivision layout retains significant habitat areas and ecological corridors.	No acceptable outcome is nominated.	Not Applicable The proposal will create one new rural lot only. No habitat areas or ecological corridors are identified on site.
PO8 The subdivision layout ensures development is setback from and protects the habitat values and ecological function values of waterways.	No acceptable outcome is nominated.	Not Applicable The proposal will create one new rural lot only. No habitat areas or ecological corridors are identified on site.
Landslip hazard		
PO9 Reconfiguration does not occur on land vulnerable to landslip and erosion, unless it is in the form of a boundary alignment which improves the safety of people and property.	AO9 Development is not located on slopes greater than 15%	Complies The site is not identified as being subject to landslip risk.
PO10 Reconfiguration results in lots that are: (a) of a size and dimension which complement the intended character of the zone in which the land is located;	AO10 Minimum frontage and lot size occurs in accordance with table 6.2.2.3(b), unless stated otherwise in a zone code.	Complies The proposal will create one new lot in the Rural Zone. The proposed small lot accommodates all buildings and associated services associated with the existing dwelling land use. While the small lot does not meet the minimum lot and frontage sizes

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
<p>(b) are capable of accommodating uses intended in the zone in which the land is located; and</p> <p>(c) are sized and located to enable development to be primarily oriented to the street and accommodate all ancillary components of the use.</p>		specified in general for the Rural Zone, the form of the development is permitted under Performance Outcome 24 of the Rural Zone Code.
<p>PO11</p> <p>Reconfiguration does not reduce the future development potential of land within the emerging community zone.</p>	No acceptable outcome is nominated.	Not Applicable.
<p>PO12</p> <p>New lots are not created in the rural zone, other than where consolidating the balance of the farmed lot, which is a minimum of 30ha and the single lot created contains a dwelling house that existed at the commencement of this Planning Scheme.</p>	No acceptable outcome is nominated.	<p>Complies</p> <p>The proposal creates one new lot around a dwelling house that existed at the commencement of the Planning Scheme. The balance lot is almost 53ha and is retained for continued farming purposes.</p>
<p>PO13</p> <p>Realignment of boundaries in the rural zone occurs only where this demonstrates a substantial improvement in the management of the land or the protection of its environmental values, without increasing the number of lots.</p>	No acceptable outcome is nominated.	Not Applicable

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
PO14 New lots are not created in the environmental management and conservation zone.	No acceptable outcome is nominated.	Not Applicable.
Services		
PO15 All lots are provided with legal access to a constructed road. Note—A constructed road in an urban zone means a sealed road with kerbing and channelling. Elsewhere, this means a formed and trafficable road.	No acceptable outcome is nominated.	Complies No change to the existing access arrangements is proposed as part of this application.
PO16 Services, including water supply, stormwater management, sewage disposal, waste disposal, drainage, electricity and telecommunications, are provided in a manner that: <ul style="list-style-type: none"> (a) is efficient; (b) is adaptable to allow for future extensions and upgrades; (c) minimises the risk of adverse environmental or amenity related impacts; and (d) minimises whole-of-lifecycle costs for that infrastructure. 	No acceptable outcome is nominated.	Not Applicable No new services are proposed as part of this application. Any future development on Proposed Lot 2 will be required to be adequately serviced and suitably located within an identified envelope to reduce exposure to flood hazard.
PO17 Lots are provided with an electricity supply which minimises visual impacts on the locality.	AO17.1 Except for land in the Rural zone, electricity is connected to all new lots.	Not Applicable The proposal is in the Rural Zone.

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
	AO17.2 Underground electricity service is provided to all new lots in an urban zone.	
Road design		
PO18 The design features of each type of street are appropriate to the primary function of the street in the network.	AO18 The design of each new street or road complies with the approach taken in “Austroads Guide to Traffic Engineering Practice Manuals”.	Not applicable The proposal is a subdivision in the rural zone.
PO19 Provision for safe on-street parking in appropriate locations.	No acceptable outcome is nominated.	
PO20 Intersections along streets are spaced to create safe and convenient pedestrian and vehicle movements and designed to provide safe sight lines and geometry for all road users.	AO20 The street or road network complies with the approach taken in the “Austroads Guide to Traffic Engineering Practice Manuals”.	
PO21 Road reserves are designed to accommodate co-location of infrastructure services.	No acceptable outcome is nominated.	
PO22 All new roads are constructed to standards appropriate to their intended use.	No acceptable outcome is nominated.	
PO23 All streets in an urban and rural residential zone are provided with street lighting.	AO23.1 Street lighting is provided in all new urban streets.	
	AO23.2	

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
	In all new development where an underground electricity service is provided, underground mains service street lighting.	
Environmental management Editor's note—A property management plan or environmental management plan, illustrating how environmental impacts will be minimised, may be required to support the proposed development.		
PO24 Development does not alter the hydrological regime external to the site.	No acceptable outcome is nominated	Not Applicable. The proposal is a rural subdivision only. No changes are proposed to existing site uses as part of this application.
PO25 Development maintains the environmental values and water quality of Burdekin Shire's groundwater, waterways and surface water storages.	No acceptable outcome is nominated	
PO26 Development minimises erosion and sediment run-off by: <ul style="list-style-type: none"> (a) minimising clearing and earthworks; (b) not increasing the rate or volume of run-off; (c) utilising natural flow paths; (d) minimising impervious surfaces; (e) incorporating erosion and sediment control devices to detain and treat run off to remove sediments and gross pollutants. 	No acceptable outcome is nominated	

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
PO27 Stormwater drainage is provided that has sufficient capacity to safely remove stormwater run-off, in a way that: <ul style="list-style-type: none"> (a) minimises risk to public safety and property; (b) provides a lawful point of discharge from each lot; (c) minimises ponding; (d) allows for risk associated with potential failures within the system; and (e) allows for practical access for maintenance requirements. 	No acceptable outcome is nominated	Not Applicable The proposal is a rural reconfiguration with no change to the existing stormwater drainage regime within the locality proposed.

Table 6.2.2.3(b)–Acceptable outcome – lot size and frontage

Zone	Frontage (m)	Area
Low density residential zone Low-medium density residential zone	15	500m ²
Township zone	15	800m ² Or 2,000m ² where not connected to sewerage
Rural residential zone - Horseshoe Lagoon	60	2ha
- Mount Kelly	40	4,000m ²
- Elsewhere	40	2,000m ²
Centre zone	10	400m ²
Industry zone	20	1,000m ²
Community facilities zone Recreation and open space zone	20	1,000m ²
Emerging community zone	200	5ha
Rural zone		
(a) In the Groper Creek, Jarvisfield, Jerona and Wunjunga village precincts	No new lots created	
(b) In the priority agricultural area or agricultural land class A and B on overlay map OM2.	200	30ha
(c) Elsewhere	200	100ha

ASSESSMENT
APPLICABLE ASSESSMENT BENCHMARKS
<p>6.2.1 Development works code</p> <p>6.2.1.1 Application (1) This code applies to development identified as requiring assessment against the Development Works Code by the tables of assessment in part 3. (2) When using this code, reference should be made to section 3.3.2 and, where applicable, section 3.3.3, in part 3.</p> <p>6.2.1.2 Purpose and overall outcomes (1) The purpose of the code is to ensure that development provides services to a standard which is efficient, effective and reflects community expectations, enhances the lifestyle of the community, and minimises impacts on neighbours, the streetscape and the environment. (2) The purpose of the code will be achieved through the following overall outcomes:</p> <ul style="list-style-type: none"> (a) the location and design of infrastructure or works minimise impacts on amenity and landscape character; (b) development minimises site disturbance and impacts on the natural environment; (c) adequate infrastructure is provided to meet the demand likely to be generated by the development; (d) the safe, efficient and cost-effective provision and operation of infrastructure networks occurs by ensuring: <ul style="list-style-type: none"> (i) development is of a scale commensurate with the capacity of the strategic road network and provides access in a manner that protects the safety and efficiency of the network; (ii) development maintains high standards of water quality and the environmental health of waterways; (iii) public health and safety are protected. (e) excavation and/or filling in the rural zone does not adversely impact on Council controlled land including road reserves and infrastructure, overland flow paths, drainage paths, waterways, wetlands, or road and drainage infrastructure. <p><u>Officers Comment</u> Given the nature of the proposed development for a small scale rural subdivision, where relevant, the proposed development is considered to comply overall with the prescribed relevant outcomes sought by the Development Works Code, as no changes/works to existing roads or to that currently exists on site are proposed.</p>

6.2.1.3 Specific benchmarks for assessment

Table 6.2.1.3(a)—Benchmarks for development that is accepted subject to requirements and assessable development

Specific assessment against the relevant provisions of the Development Works Code is provided below:

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
Earthworks		
PO1 Excavation and filling on land maintains the amenity and utility of adjoining land.	AO1 Excavation and filling is not carried out within 1.5m of any site boundary.	Not Applicable The proposal is a rural subdivision only and no earthworks or filling is proposed.
PO2 The carrying out of any excavation or filling does not contaminate any land.	AO2 No contaminated material or potential acid sulfate soil is used as fill.	
PO3 The carrying out of any excavation does not create any land instability or public safety risk.	AO3 Earthworks and retaining structures are carried out in accordance with: (a) Australian Standard 3798:1996- Guidelines on earthworks for commercial and residential development; and (b) Section 3 of Australian Standard 4678:2002- Earth retaining structures.	
PO4 Earthworks do not: (a) result in ponding on the site or on nearby land; (b) adversely affect the flow of water through an overland flow path; and (c) result in the loss of safety to users or uses of any other land.	No acceptable outcome is nominated.	

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
PO5 Earthworks do not result in structures or changes to ground level within a pipeline easement without the consent of the pipeline licence holder. Editor's note—Refer to sections 807-808 of the <i>Petroleum and Gas (Production and Safety) Act 2004</i> .	No acceptable outcome is nominated.	
PO6 Earthworks maintain the visual amenity of surrounding land and do not compromise the privacy of adjoining property.	No acceptable outcome is nominated.	
PO7 The risk of erosion and sedimentation is minimised by: (a) progressive rehabilitation of disturbed areas within the site; (b) avoiding long term stockpiling of soil; (c) diverting drainage paths around disturbed areas; and (d) preventing sediments from leaving the site.	No acceptable outcome is nominated.	
Excavation and/or filling in the rural zone		
PO8- PO11	No acceptable outcome is nominated.	Not applicable No earthworks or filling proposed.
Infrastructure		
PO12 Development in an urban zone (other than the township zone) or within the priority infrastructure area is connected to reticulated water, sewerage and stormwater. Note—Urban zone is defined in the Planning Regulation 2017. The priority infrastructure area is identified in the Local Government Infrastructure Plan in schedule 6.	No acceptable outcome is nominated.	Not Applicable The site is in the Rural Zone.

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
PO13 Development sites are provided with services in a way that is: (a) safe and efficient; (b) maintains the integrity of the external network; (c) does not impose a load on external networks that exceed their capacity; and (d) can be safely, conveniently and cost effectively maintained.	AO13 All infrastructure required to service the development is provided in accordance with Planning Scheme Policy – S.C5.2 – Development Works.	Not Applicable The site is in the rural zone. No urban infrastructure is required to service the development.
PO14 Where reticulated water supply is not available, development is provided with a reliable water supply that is sufficient for the demands generated on-site.	No acceptable outcome is nominated.	Not Applicable The proposal is a rural subdivision only. The existing dwelling on site will retain all existing services.
PO15 Where a reticulated sewerage service is not available, an on-site system of treatment and disposal is established that is sufficient for the level of wastewater generated on the site.	No acceptable outcome is nominated.	
PO16 Where provided on-site, water, wastewater and stormwater infrastructure are established in a way that ensures public and environmental health, safety, water quality and amenity are maintained.	AO16.1 In the rural residential zone, premises are provided with an on-site sewerage treatment and disposal system. AO16.2 Elsewhere, no acceptable outcome is nominated	
PO17 Premises are connected to an electricity supply approved by the relevant authority.	AO17 The development is connected to electricity infrastructure in accordance with the standards of the relevant regulatory authority.	

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
Water management Editor's note—A property management plan or environmental management plan, illustrating how environmental impacts will be minimised, may be required to support the proposed development.		
PO18 Development is located, designed, constructed and operated to avoid adverse impacts on environmental values and water quality of groundwater, waterways and surface water storages arising from: (a) altered stormwater quality and hydrology; (b) wastewater; (c) the creation or expansion of non-tidal artificial waterways; or (d) the release and mobilisation of nutrients and sediments.	No acceptable outcome is nominated.	Not applicable The proposal is a rural subdivision only. No earthworks are proposed nor required.
PO19 Development achieves the stormwater management design objectives outlined in tables 6.2.1.3(c) and 6.2.1.3(d). Editor's note—Urban purpose is defined in the <i>Planning Regulation 2017</i> .	No acceptable outcome is nominated.	
PO20 Wherever practical, development: (a) minimises clearing and earthworks; (b) utilises natural flow paths; and (c) minimises impervious surfaces and maximises opportunities for infiltration, capture and reuse.	No acceptable outcome is nominated.	

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
PO21 Stormwater drainage is provided that has sufficient capacity to safely remove stormwater run-off, in a way that: <ul style="list-style-type: none"> (a) minimises risk to public safety and property; (b) provides a lawful point of discharge from each lot; (c) minimises ponding; (d) allows for risk associated with potential failures within the system; and (e) allows for practical access for maintenance. 	No acceptable outcome is nominated.	
Acid sulfate soils		
PO22 Within the areas identified as potential acid sulfate soils on overlay map OM1, the generation or release of acid and metal contaminants into the environment from acid sulfate soils is avoided by: <ul style="list-style-type: none"> (a) not disturbing acid sulfate soils when excavating or otherwise removing soil or sediment, draining or extracting groundwater, excluding tidal water or filling land; or (b) where disturbance of acid sulfate soils cannot be avoided, development: <ul style="list-style-type: none"> (i) neutralises existing acidity and prevents the generation of acid and metal contaminants; and (ii) prevents the release of surface or groundwater flows containing acid and metal contaminants into the environment. <p>Editor's note—Where works are proposed within the areas identified as potential acid sulfate soils on overlay</p>	AO22.1 Development does not: <ul style="list-style-type: none"> (a) involve excavating or removing 100m³ or more of soil and sediment at or below 5m AHD; or (b) permanently or temporarily drain or extract groundwater or exclude tidal water resulting in the aeration of previously saturated acid sulfate soils; or (c) involve filling with 500m³ or more with an average depth of 0.5m or greater that results in: <ul style="list-style-type: none"> (i) actual acid sulfate soils being moved below the water table; or (ii) previously saturated acid sulfate soils being aerated. <p>OR</p>	Complies The proposal does not involve any excavation on the site.

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
map OM1 - Acid sulfate soils, the applicant is required to undertake an on-site acid sulfate investigation. The reason for undertaking an acid sulfate soils investigation is to determine the presence of acid sulfate soil in order to avoid disturbance. Where acid sulfate soils cannot reasonably be avoided, investigation results assist in the planning of treatment and remedial activities and must be undertaken in accordance with the Queensland Acid Sulfate Soil Technical Manual and relevant State Planning Policy. Applicants should also refer to the Guidelines for Sampling Analysis of Lowland Acid Sulfate Soils in Queensland, Acid Sulfate Soils Laboratory Methods Guidelines or Australian Standard 4969. It is highly recommended that the applicant develops a practical Acid Sulfate Soil Management Plan for use in monitoring and treating acid sulfate soils.	AO22.2 Development manages waters so that: <ul style="list-style-type: none"> (a) all disturbed acid sulfate soils are adequately treated and/or managed so that they can no longer release acid or heavy metals; (b) the pH of all sites, and any water including discharges and seepage to groundwater, is maintained between 6.5 and 8.5 (or an agreed pH in line with natural background); (c) waters on the site, including discharges and seepage to groundwater, do not contain elevated levels of soluble metals; (d) there are no visible iron stains, flocs or sums in discharge water; (e) all reasonable preparations and actions are undertaken to ensure that aquatic health is safeguarded; and (f) infrastructure such as buried services, pipes, culverts and bridges are protected from acid attack. 	
Traffic and access		
PO23 - PO32	AO21- AO24	Complies (where applicable) No changes are proposed to the existing rural access and traffic arrangements.
Landscaping		
PO33 - PO34	No acceptable outcome is nominated.	Not applicable The proposal is a rural subdivision only. No new landscaping is required.

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
Waste and pollutant management		
PO35 - PO37	No acceptable outcome is nominated.	Not applicable The proposal is a rural subdivision around existing land uses.
Fire hydrants in urban areas for buildings accessed by common private title Editor's note—This section will not apply where other legislation applies which mandates requirements for fire hydrants.		
PO38-PO40	No acceptable outcome is nominated.	Not applicable The proposal is a standard format lot subdivision.

North Queensland Regional Plan

The proposal site is located in the Priority Agricultural Area (PAA) mapped in the North Queensland Regional Plan (NQRP), with the NQRP integrated into the Burdekin Shire Planning Scheme December 2022.

The proposal generally aligns with the regional outcome and the regional policies for PAAs of the NQRP, as it does not adversely impact the operation and production of an existing agricultural land use. The proposed subdivision separates the existing Dwelling House but retains the farm shed within the balance lot/existing agricultural area to ensure the development does not conflict with the objectives of the NQRP nor does it introduce any incompatible non-agricultural land uses.

The proposed layout is consistent with the assessment benchmarks particularly noting that:

- Development does not contribute to a net loss to overall agricultural productivity within the PAA.

Public Submissions

The application was publicly notified between 22 October 2025 and 12 November 2025, being a period of fifteen (15) business days, in accordance with the minimum specified in the relevant requirements of the *Planning Act 2016*.

Attachment C – Detailed Assessment

No submission (properly made or otherwise) was received during the public notification period.

Infrastructure Charges

The proposal is a development type that triggers infrastructure charges to be applied, as per Council's Charges Resolution. The below table outlines the applicable charges for this development. Note the discount for the existing lot has been applied, in accordance with Council's Charges Resolution.

Development Description	Water Supply	Sewerage	Transport	Public Parks & Land for Community Facilities	Stormwater	Total
Residential lots (x 2 lots)	Nil	Nil	\$5,000.00	Nil	Nil	\$5,000.00
Discount (existing lot)	Nil	Nil	\$2,500.00	Nil	Nil	\$2,500.00
Total	Nil	Nil	\$2,500.00	Nil	Nil	\$2,500.00

7.3.2. PLANNING AND DEVELOPMENT

Development Application for a Development Permit for Reconfiguring a Lot - Boundary Realignment (2 Lots into 2 Lots) at 260 and 276 Hoey Road, Barratta (Lots 1 and 3 on SP240053)

File Reference: 234, RAL25/0016

Report Author: Kellie Galletta, Manager Planning and Development

Authoriser: James Stewart, Director Infrastructure Planning and Environmental Services

Meeting Date: 9 December 2025

Link to Corporate/Operational Plan:

Burdekin Shire Council Corporate Plan 2025-2030

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

Burdekin Shire Council Operational Plan 2025-2026

PD13 Assess Planning Applications to ensure compliance with requirements of the current Planning Scheme.

Executive Summary

Council is in receipt of an impact assessable development application lodged by Brazier Motti on behalf of the applicant, MHPF Burdekin Land Pty Ltd, seeking a Development Permit for Reconfiguring a Lot to realign the common boundary of two (2) lots located at 260 and 276 Hoey Road, Barratta, on land described as Lots 1 and 3 on SP240053.

Recommendation

That Council approve the development application for a Development Permit for Reconfiguring a Lot – Boundary Realignment (2 Lots into 2 Lots) at 260 and 276 Hoey Road, Barratta (Lots 1 and 3 on SP240053), subject to reasonable and relevant conditions as set out in Attachment A.

Background

Proposal

This application seeks approval for a boundary realignment which intends to increase the size of existing Lot 3 to contain areas of Lot 1 subject to inundation. The existing and proposed lot sizes are summarised below in Table 1 and detailed in the proposal plan (Attachment B):

Table 1.

Lot	Existing Area	Existing Frontage	Proposed Area	Proposed Frontage
<i>Planning Scheme Requirements</i>			<i>Min. area 30ha</i>	<i>Min. frontage 200m</i>
1	95.9ha	990m (Hoey Road) 754.49m (Sayers Road)	85.91ha	802m (Hoey Road) 571m (Sayers Road)
3	4.344ha	214m (Hoey Road) 309m (Sayers Road)	14.34ha	404.156m (Hoey Road) 491.9m (Sayers Road)

The current configuration comprises two (2) irregularly shaped rural lots. Lot 1 is burdened by Easement A on SP240053 for drainage purposes and is subject to a covenant restricting dealings over Lots 1 and 2 on SP240053.

Proposed Lot 3 will contain all built infrastructure, including the dwelling houses and three (3) existing rural outbuildings. The covenant and easement will be transferred from Lot 1 to Proposed Lot 3.

As an impact assessable application, the proposal has been assessed against the *Burdekin Shire Council Planning Scheme 2022*, the *Planning Act 2016*, the Planning Regulation 2017, relevant state policies, regional plans, and other applicable matters.

The proposal does not create additional lots. The applicant submits that the realignment will not fragment or reduce productive agricultural land. The boundary adjustment ensures that areas of extreme flood hazard and land burdened by a water easement are contained within Proposed Lot 3, along with existing built infrastructure, while all actively cropped areas remain within Proposed Lot 1.

Subject Site

A locality plan is provided in Attachment B. The subject site is located approximately 10.8km south-west of Ayr.

The subject land is located within the Rural Zone of the *Burdekin Shire Council's Planning Scheme 2022* and is mapped as being affected by the following overlays:

- Acid Sulfate Soils (5-20m contour)
- Agricultural (Agricultural Land (Classes A and B and Priority Agricultural Area))
- Flood hazard overlay map (River flood hazard – Burdekin River (low-extreme hazard))
- Regional Infrastructure overlay map – Tramway (Sayers Road)


Surrounding Land Uses

The surrounding area contains a range of both small rural lots and larger productive lots used predominately for sugar cane farms.

Information Request

On 2 October 2025, Council issued a Request for Further Information to the applicant. The response to Council's request was received on 20 October 2025. The information requested and the applicant's response, together with the officer's comment are summarised below in Table 2.

Table 2.

Information Requested	Applicant's Response
<p>Justification for conflict with the 2022 North Queensland Regional Plan and 2022 Burdekin Shire Council Planning Scheme: Strategic Framework and Rural Zone Code</p> <p>The applicant was asked to provide justification for the proposed development. Council was concerned about the cumulative impacts that flow from this proposed realignment, including:</p> <ul style="list-style-type: none"> • The removal of additional cropping land from production as a result of the enlarged Lot 3 boundary; • The transfer of existing sheds to Lot 3, which will likely necessitate the establishment of new farm infrastructure on the balance rural parcel; and • The creation of accepted development rights for a dwelling house on the balance parcel, where the most suitable location for a future dwelling is within the cropped area, leading to further fragmentation. <p>Council requested a detailed planning justification addressing these matters, with reference to specific provisions of</p>	<p><i>"The land being transferred from Lot 1 contains approximately 2.5ha of agricultural land (refer to Figure 1 overleaf) which is subject to persistent inundation throughout 6 months of the year, rendering it unsuitable for cropping purposes.</i></p> <p><i>Figure 1: Extent of transferred agricultural land</i></p>  <p><i>Source: Brazier Motti</i></p> <p><i>The proprietors of the land have come to agreement to rationalise the common boundary in an effort to maximise productivity within the priority agricultural area (PAA). The productivity of the identified area cannot be realised through cropping; however, it can be more appropriately utilised for rotational grazing activities (animal husbandry) during dry periods. Therefore, the development will not adversely impact the existing level of productivity from the land but instead facilitates an alternate continued and</i></p>

the Planning Scheme and Regional Plan. The justification should explain why the boundary of proposed Lot 3 extends significantly beyond the existing dwelling and associated infrastructure, and why a smaller, more tightly drawn boundary, would not be more appropriate.

Alternatively, Council suggested the applicant consider amending the proposal to:

- Redraw proposed Lot 3 more tightly around the existing primary dwelling and its immediate curtilage; and
- Retain the secondary dwelling and associated infrastructure within the balance rural parcel (Lot 1).

improved use (S 4.2.9.2.2.f.ii, Planning Scheme).

Increasing the area of Lot 3 will support an extension to the existing grazing activities carried out on site while also improving lot size and dimensions for land in the Rural Zone (S 6.2.2.2.2.g, Planning Scheme). Therefore, the development will improve productive efficiencies without increasing the number of lots (S 2.4.1.3, Planning Scheme).

The development maintains the capacity of land for rural uses and activities by directly responding to environmental constraints to optimise agricultural productivity (S 4.2.9.2.1.c, Planning Scheme). Resultant Lots 1 and 3 are of adequate size to support the ongoing productivity of rural activities associated with each lot while ensuring the character and density intended for the Rural Zone remains (S 6.2.2.2.2.d, S 6.2.2.2.2.g, Planning Scheme).

There will be no reduction in the raw product supplied to, for example, a mill or processing facility in the region as the constrained land cannot be used for cropping, therefore not impacting the net productivity of sugar cane within Lot 1. Employing this agricultural land for rotational grazing purposes will ultimately increase productivity of the currently underutilised 2.5ha of agricultural land. Furthermore, the development will not constrain, restrict or prevent the ongoing conduct of priority agricultural land uses (PALUs) or other agricultural land uses within future Lots 1 and 3 or adjacent properties.

The new boundary follows the natural line of crop and extends south to create a clean shaped lot, avoiding fragmentation by creating hard to access areas. A smaller, more tightly drawn boundary would not fulfil the purpose of this reconfiguration, which is to remove low-lying inundation prone areas from Lot 1 and to maximise the productivity of the land."

Officer's Comment

While the proposal reduces Lot 1 by approximately 10ha, sufficient justification has been provided that the ongoing viability of priority agricultural land uses will not be impacted. Proposed Lot 3 will be burdened by existing built structures, a drainage easement, covenant and flood hazard constraints, all which limit its cropping potential, with grazing to be considered instead.

Public Notification

The applicant undertook Public Notification between 28 October 2025 and 18 November 2025, being a period of at least 15 business days, in accordance with the relevant requirements of the *Planning Act 2016*. No submissions were received during the notification period.

Referral Agency Response

The application did not trigger referral to the North Queensland State Assessment and Referral Agency (NQSARA) under the *Planning Regulation 2017*.

State Planning Provisions

State Planning Policy

The Planning Minister is satisfied that the State Planning Policy (SPP) July 2017 is appropriately integrated into the Burdekin Shire Council Planning Scheme in full excepting Cultural Heritage.

North Queensland Regional Plan

The Planning Minister has identified that the North Queensland Regional Plan (NQRPlan) is fully integrated

into the Burdekin Shire Council Planning Scheme. The site is mapped as a priority agricultural area (PAA) under the NQRP, and its provisions are considered by the State to have been appropriately incorporated into Council's Planning Scheme at adoption.

Impact assessable development applications, such as this proposal, are also subject to additional assessment under the *Planning Regulation 2017*.

The relevant NQRP policy states:

1.3.1 Non-agricultural development within PAAs is not supported, unless the proposed use demonstrates net benefits for regional agricultural production, without compromising the PALUs current or future ability to operate or is for public infrastructure.

Officer Comment

The proposal generally aligns with the regional outcomes and policies for PAAs under the NQRP, as it does not adversely impact the operation or production of existing agricultural land uses. The boundary realignment does not conflict with NQRP objectives, nor does it introduce incompatible non-agricultural uses. The resultant lot layout also provides additional opportunity for other rural land uses to operate on the premises.

The proposed layout is consistent with assessment benchmarks, particularly noting that:

- The development does not create new lots that could contribute to a net loss of agricultural productivity within the PAA.
- The development does not result in widespread or irreversible impacts on the future use of the PAA for agricultural activities.

Detailed Summary

Refer to Attachment C for the detailed assessment against the relevant provisions of the planning scheme.

Planning Assessment Summary

Development applications that attract an impact level of assessment are assessable against the whole of the planning scheme and other applicable planning instruments, any other relevant matters and on their individual merit.

The summary of the planning assessment is provided below in Table 3:

Table 3.

2022 Planning Scheme Provision	Proposal/Officer Comment
<u>Strategic Framework</u> 2.3 Liveable communities and infrastructure: 2.3.5 Integrated infrastructure 2.4 Economic Growth: 2.4.1 Diverse Rural Futures 2.5 Safe and resilient communities: 2.5.1 All natural hazards 2.5.2 Flood hazard	Considered to comply. The proposal is a boundary realignment of rural zoned lots that aligns with the outcomes sought under the Strategic Framework. The proposal increases the size of proposed Lot 3 by 10.0ha to 14.34ha, improving overall farm management by providing a viable opportunity for the establishment of a grazing activity on the site. Grazing is identified in the Strategic Framework as an industry of growing importance to the region. Proposed Lot 1 will remain for cane farming with its operational management improved with the 2.5ha area prone to substantial and long lasting flood events (and therefore unsuitable for cropping activity, removed). Despite the site rural zoning and the non-compliance of proposed Lot 3 with the minimum rural lot sizes, the proposed development due to not creating any new lots plus improving farm management, is considered to align with the policy direction and intent of the Scheme.
Rural Zone Code	Considered to comply.

2022 Planning Scheme Provision	Proposal/Officer Comment
	The proposal aligns with the purpose of the Rural Zone Code by supporting ongoing agricultural production and providing for other rural uses. While one lot will remain below the 30ha minimum lot size at 14.34ha, the realignment increases the area of the existing smaller lot while retaining the productive capacity of proposed Lot 1, which exceeds the minimum lot size of 30.0ha. Both lots will maintain the existing and considered adequate access, servicing and separation distances.
Development Works Code	Considered to comply in general. No excavation, filling, or operational works are proposed. Existing servicing arrangements (septic, water supply, electricity) remain unchanged and adequate. No new access points are proposed; existing crossovers and driveways from Sayers Road and Hoey Road will be retained. Stormwater regimes and environmental values remain unaffected, preserving rural amenity.
Reconfiguring a Lot Code	Considered to comply. The realignment maintains two (2) rural lots in a configuration that is functional for both farming and residential use. The larger lot exceeds the 30ha minimum size for Rural Zone land and is entirely dedicated to cropping, while the smaller lot accommodates the existing dwellings and ancillary rural structures without reducing productive capacity. The proposal does not involve new roads or services and avoids vegetation clearing or significant earthworks. The layout is compatible with the existing settlement pattern and supports continued agricultural use.
Overlay Codes <ul style="list-style-type: none"> Flood Hazard Overlay Code 	Considered to comply overall in general. The site is mapped within the Burdekin River Flood Hazard Area, with all hazard categories mapped. Almost all areas of extreme hazard will be contained within the expanded area of Proposed Lot 3. Both existing dwellings are located outside extreme hazard zones. Access to both Sayers Road and Hoey Road remain available in flood events, ensuring safe evacuation. No earthworks are proposed that could alter flood storage capacity or conveyance, and the proposal is not considered to increase flood risk to people, property, or surrounding land.

Based on the assessment of the development application, Council officers consider that the proposed development can be recommended for approval, subject to the application of reasonable and relevant conditions.

Infrastructure Charges

Reconfiguring a Lot is a development type which can trigger infrastructure charges to be applied as per Council's Charges Resolution. As this application is for a boundary realignment and not proposing to create any additional lots, an Infrastructure Charges Notice will not be issued.

Consultation

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

The application was workshopped with the Mayor, Councillors and Executive Leadership Team on 2 November 2025.

Statutory Environment

Council is required to deal with and assess the development application in the context of the *Planning Act 2016*, *North Queensland Regional Plan* and the *Burdekin Shire Planning Scheme December 2022*.

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 concerning the acceptance of this report.

Risk Implications (Strategic, Operational, Project Risks)

Risk to Council relating to its obligation under the *Planning Act 2016*, is primarily ensuring that the development application is properly managed, assessed and decided. Risk has been managed by undertaking a thorough assessment of this application, preparation of this report and identifying relevant and reasonable conditions of approval.

Attachments

1. Attachment A - Recommended Conditions of Approval
2. Attachment B - Locality and Proposal Plan
3. Attachment C - Detailed Assessment

Attachment A – Recommended Conditions of Approval

Condition	Reason	Timing
1 General and Administration <u>Compliance with Conditions</u> 1.1 The Applicant (and any contractor, agent, employee or invitee of the applicant) is responsible for carrying out the approved development and ensuring compliance with this development approval, the conditions of the approval and the relevant requirements in accordance with: 1.1.1 The specifications, facts and circumstances as set out in the application submitted to Council, including recommendations and findings confirmed within the relevant technical reports. 1.1.2 The development must comply in full with all conditions of this approval, and is to be designed, constructed and maintained in accordance with relevant Planning Scheme requirements, Council policies, guidelines and standards (except as otherwise specified by any condition) to Council's satisfaction, and best practice engineering. 1.2 Where a discrepancy or conflict exists between the written condition(s) of the approval and the approved plans, the requirements of the written condition(s) of the development approval will prevail. 1.3 Where these conditions refer to 'Council' in relation to requiring Council to approve or be satisfied, the role of the Council may be fulfilled in whole or in part by an officer acting under appropriate delegation. <u>Works – Applicant's Responsibility/Expense</u> 1.4 The cost of all works associated with the development and construction of the development including services, facilities and/or public utility alterations required are met by the applicant, at no cost to the Council. 1.5 The applicant must repair any damage to existing infrastructure (e.g. kerb and channel, footpath or roadway) that may occur during any works undertaken as part of the development. Any damage that is deemed to create a hazard to the community must be repaired immediately. <u>Infrastructure Conditions</u> 1.6 All development conditions contained in this development approval relating to infrastructure under Chapter 4 of the <i>Planning Act 2016 (the Act)</i> , should be read as being non-trunk infrastructure conditioned under section 145 of the Act, unless otherwise stated.		At all times.
2. Approved Plans and Documents <u>Approved Plans & Documents</u> 2.1 The proposed development must be completed, comply with and maintained generally in accordance with the drawings/ documents identified in the above, except as otherwise specified and/or amended by any condition of this approval.	The development must comply with all planning scheme requirements as approved and conditioned by this development permit.	At all times.

Attachment A – Recommended Conditions of Approval

Condition		Reason	Timing
2.2	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.		
2.3	Where there is any conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval must prevail.		
Approved Plans			
Drawing Title		Drawing/Revision	Date
PROPOSED RECONFIGURATION Lots 1 & 3 Cancelling Lots 1 & 3 on SP240053		57290/001 A	2/09/2025
3. Payment of Rates, Charges and Expenses		Confirmation to be provided to Council prior to the release of the Plan of Survey.	
3.1	Prior to signing the Plan of Survey, payment is required of any outstanding rates or charges levied by the Council or any expenses being a charge over the subject land.		
3.2	Pay the sum calculated at the current charge per lot to be levied on the Council by the Department of Resources, for each new valuation.		
Access and Roadworks			
4. Roadworks		To provide appropriate access in accordance with relevant code/s and policy direction.	At all times.
4.1	The construction of any additional crossovers to give access to the land is the owner’s responsibility.		
4.2	An application must be made to and approved by Council before the construction of any additional access crossovers.		
4.3	Approved crossovers must be constructed in accordance with requirements of the approval to the satisfaction of Council.		
Services and Infrastructure			
5. Stormwater		To ensure that stormwater does not adversely affect surrounding properties or properties downstream from the development.	At all times
5.1	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.		

Attachment A – Recommended Conditions of Approval

Condition	Reason	Timing
5.2 Any external catchments discharging to the premises must be accepted and accommodated within the development's stormwater drainage system.		
6. Flood 6.1 The approved development must not directly, indirectly or cumulatively result in any increase in water flow velocity or flood level, and must not increase the potential for flood damage either on-site or on other properties.	To ensure that the flow of flood water does not adversely affect surrounding properties or properties downstream from the development.	At all times
7. Confirmation of Existing Services 7.1 The existing services for each lot must be contained within the individual allotments.	To ensure the development is appropriately serviced in accordance with relevant code/s and policy direction.	Confirmation to be provided to Council prior to the release of the Plan of Survey.

Advice

1. Infrastructure Charges Not Applicable.
2. Compliance with Conditions Unless otherwise specified by these conditions, the conditions must be complied with prior to Council's endorsement of the Plan of Survey.
3. Limitation of Approval 3.1 The Council and its officers make no representations and provide no warranties as to the accuracy of the information contained in the application including its supporting material provided to it by the applicant. 3.2 The Council and its officers rely upon the applicant concerning the accuracy and completeness of the application and its supporting material and accepts the application and supporting material as constituting a representation by the applicant as to its accuracy and completeness. Insofar as the application and its supporting material may be incomplete and/or inaccurate giving rise to any claim by a third party the applicant agrees to indemnify and save the council harmless in respect of any claim so arising.
4. Acid Sulfate Soils Should the presence of acid sulfate soils or potential acid sulfate soils be detected, an Acid Sulfate Soils Management Plan may be required to be prepared and submitted to Council for approval.

Attachment A – Recommended Conditions of Approval

5. **Amenity Impacts**

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

6. **Earthworks**

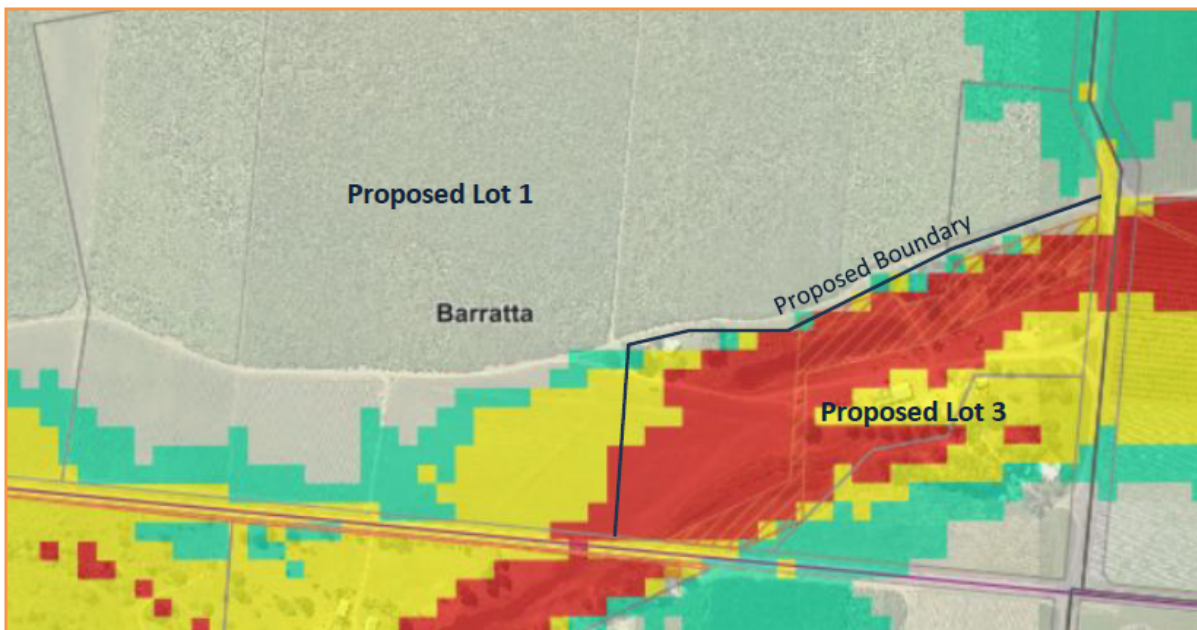
Earthworks are not approved as part of this Development Permit. If any earthworks are required and deemed assessable development, an operational works development application is to be lodged with Council for assessment in accordance with relevant code/s and policy direction.

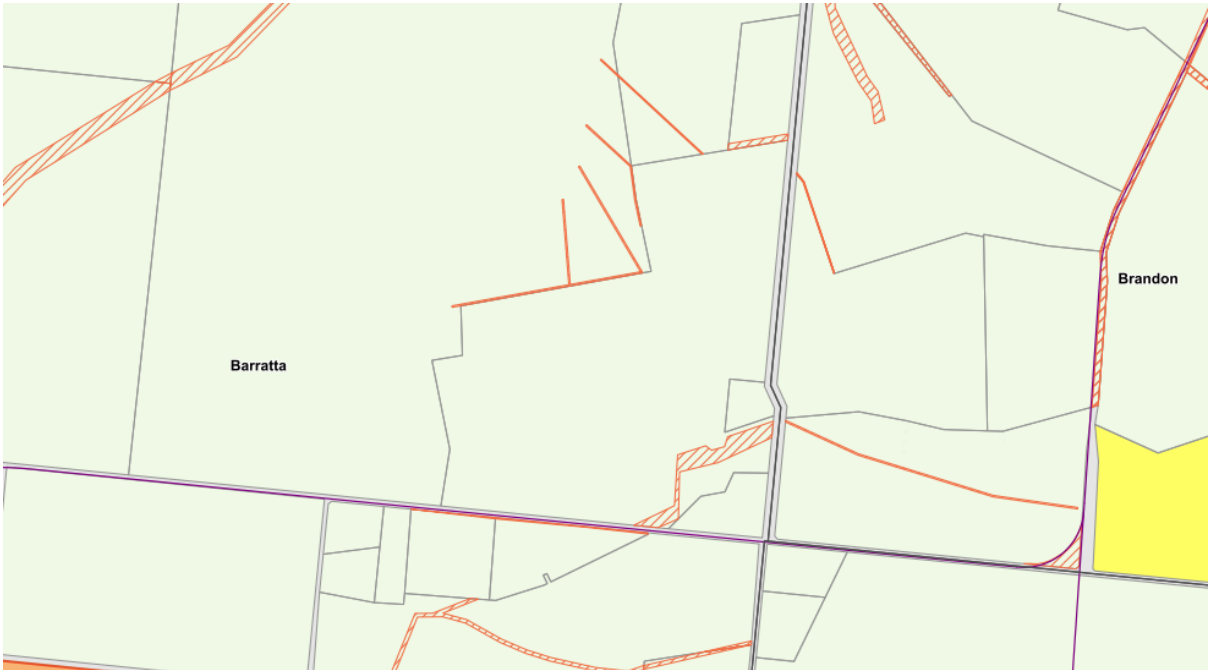
7. **Miscellaneous**

The Applicant is reminded of their obligations under the Aboriginal Cultural Heritage Act, 2003 and the Torres Strait Islander Cultural Heritage Act 2003. Further information and databases are available from the Department of Aboriginal and Torres Strait Islander Partnerships at: www.datsip.qld.gov.au.

If any item of cultural heritage is identified during site works, all work must cease, and the relevant State Agency must be notified. Work can resume only after State Agency clearance is obtained.

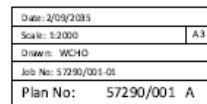
Attachment B –Locality, Zone and Flood Hazard Mapping and Proposal Plan







Locality of Barratta
Burdekin Shire Council



Attachment C – Detailed Assessment

Assessment Summary

Based on the assessment of the development application, Council officers have determined that there are sufficient grounds within the assessment benchmarks relevant to the assessment to support the proposal.

Detailed Assessment

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

The assessment timeframes applicable to this application are as follows:

ASSESSMENT TIMEFRAMES			
Application Process		Timeframe	Date
1.0	Application lodged with Council		23 September 2025
1.1	Application deemed properly made		30 September 2025
1.2	Confirmation Notice issued	10 days (from 1.1)	2 October 2025
2.0	Application referred	10 days (from 1.2)	Not applicable
3.0	Council issued Information Request	10 days (from 1.2)	2 October 2025
3.1	Applicant responded to Information Request	Within 3 months (from 3.1) 3 months extension provided	20 October 2025
4.0	Public Notification commences	20 days (from 3.2)	28 October 2025
4.1	Public Notification completed (no submissions received)	Min. 15 business days	18 November 2025
4.2	Notice of compliance with Public Notification received	10 days (from 4.1)	19 November 2025
5.0	Decision making period starts	1 day (after last applicable)	20 November 2025
5.1	Decision making period ends	35 days (minus up to 10 days from 3.0 plus up to 10 days under s19.3 of the DA Rules as a submission was received)	8 January 2026
	Council Meeting		9 December 2025
5.2	Issue Decision Notice	5 days (after decision is made)	16 December 2025

Attachment C – Detailed Assessment

Level of Assessment

The development proposal is assessable under the *Burdekin Shire Planning Scheme December 2022* (the planning scheme) in accordance with Section 43 (1) of the *Planning Act 2016*. The Assessment Manager is the Burdekin Shire Council as determined by Schedule 8 of the *Planning Regulation 2017*. In accordance with the planning scheme, the Reconfiguring a Lot application was subject to Impact assessment.

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

Assessment against the relevant provisions of the planning scheme has been undertaken:

Development	Zone	Overlays	Assessment Benchmarks
Reconfiguring a Lot – Boundary Realignment (2 lots into 2 lots)	Rural	<ul style="list-style-type: none"> • Acid Sulfate Soils (5-20m contour) • Agricultural (Agricultural Land (Classes A and B and Priority Agricultural Area) • Flood Hazard Overlay – River Flood (Low, Medium and Extreme Hazard) 	<p>The following assessment benchmarks are applicable in the assessment of the development application:</p> <p>The whole Planning Scheme, specifically:</p> <ul style="list-style-type: none"> - Strategic Framework - Rural Zone Code - Flood Hazard Overlay Code - Development Works Code - Reconfiguring a Lot Code

ASSESSMENT**APPLICABLE ASSESSMENT BENCHMARKS****Part 2 Strategic framework****2.1 Preliminary**

- (1) The strategic framework sets the policy direction for the Planning Scheme and forms the basis for ensuring appropriate development occurs in the Planning Scheme area for the life of the Planning Scheme.
- (2) Mapping for the strategic framework is included in part 2 and schedule 4.
- (3) For the purpose of describing the policy direction for the Planning Scheme, the strategic framework is structured in the following way:
 - (a) the strategic intent
 - (b) the following four themes that collectively represent the policy intent of the Scheme:
 - (i) Liveable communities and infrastructure
 - (ii) Economic growth
 - (iii) Safe and resilient communities
 - (iv) Natural resources, the environment and heritage
 - (c) the strategic outcomes proposed for development in the Planning Scheme area for each theme.
- (4) The strategic framework in its entirety represents the policy intent for the Planning Scheme.

Officers Comment

The proposal is a boundary realignment of two 920 rural zoned lots. The proposal increases the size of existing smaller lot (proposed Lot 3) by 10ha and provides opportunities for the establishment of a viable grazing activity on the site, identified in the Strategic Framework as an industry of growing importance to the region, together with overall improved farm outcomes. Proposed Lot 1 will retain the existing cane farming activity, with the portion of the site unviable for cropping to form part of proposed Lot 3.

Despite its rural zoning and non-compliance with the minimum lot sizes for reconfiguration, the proposed boundary realignment as made does not create any additional rural lots and is considered to align with the Strategic Framework outcomes by providing better farm management and improved environmental outcomes.

APPLICABLE ASSESSMENT BENCHMARK**4.2.9 Rural Zone Code****4.2.9.1 Application**

- (1) This code applies to development where the code is identified as applicable in the categories of assessment and development in part 3.
- (2) When using this code, reference should be made to section 3.3.2 and, where applicable, section 3.3.3 in part 3.

4.2.9.2 Purpose and overall outcomes

- (1) The purpose of the rural zone is to—
- (a) provide for rural uses and activities; and
 - (b) provide for other uses and activities that are compatible with—
 - i. existing and future rural uses and activities; and
 - ii. the character and environmental features of the zone; and
 - (c) maintain the capacity of land for rural uses and activities by protecting and managing significant natural resources and processes.
- Editor's note—This purpose statement is required to be used for the zone under the regulated requirements set out in the Planning Regulation 2017.
- Editor's note—The rural zone includes the village precinct.
- (2) The purpose of the zone will be achieved through the following overall outcomes:
- (a) rural land will be used sustainably to ensure the viability of the primary production base;
 - (b) other than in the Groper Creek, Jarvisfield, Jerona or Wunjunga village precincts, residential and accommodation uses in the rural zone include:
 - i. dwelling houses generally limited to a single dwelling house on a lot;
 - ii. caretaker's accommodation, small scale rural workers' accommodation and non-resident workforce accommodation where they directly support primary production activities in the locality; and
 - iii. small scale tourist accommodation in the form of bed and breakfasts, farm stay, cabins and camping;
 - (c) in the Groper Creek, Jarvisfield, Jerona or Wunjunga village precincts, development is limited to a dwelling house on an existing lot;

Editor's note—Additional requirements may exist for the establishment of dwelling houses in some villages that are affected by natural hazards (refer to part 5 Overlays).
 - (d) land in the rural zone is not used or subdivided for urban residential or rural residential purposes;
 - (e) other than as provided for under (f), reconfiguration does not result in the creation of:

- i. any new lots in the Groper Creek, Jarvisfield, Jerona or Wunjunga village precincts; or
 - ii. lots less than 30ha in priority agricultural areas or agricultural land classification class A and B areas shown on overlay map OM2; or
 - iii. lots less than 100ha elsewhere;
- (f) reconfiguration to create a smaller lot than the minimum set out in (e)(ii) and (iii) may occur where:
- i. consolidating the balance of the farmed lot, which is a minimum of 30ha and the single lot created contains a dwelling house that existed at the commencement of this Planning Scheme; or
 - ii. rearranging lot boundaries in a way that demonstrates a substantial improvement in the management of the land or the protection of its environmental values, without increasing the number of lots;
- Editor's note—Applicants would need to demonstrate the nature of the improvement, such as amalgamating lots to create a large balance area for an environmental reserve or that is managed in accordance with an appropriate land management plan.
- (g) agricultural land classification class A and B and priority agricultural areas shown on overlay map OM2 are protected from encroachment of uses that may impact on the opportunity to enable increased agricultural production;
- (h) other than for public infrastructure, non-agricultural development within priority agricultural areas does not result in a net loss in agricultural production;
- Editor's note—A net loss is one that results in widespread or irreversible impacts to existing or future agricultural activities, such as a significant reduction in the supply of raw product or altering resources necessary to maintain the function of the land.
- (i) intensive animal industries and aquaculture occur in the rural zone (other than in the Groper Creek, Jarvisfield, Jerona or Wunjunga village precincts) where they are sufficiently separated from existing sensitive land uses to ensure significant impacts are avoided;
- (j) industries which may establish in the rural zone (other than in the Groper Creek, Jarvisfield, Jerona or Wunjunga village precincts) include only:
- i. rural industries;
 - ii. industries processing agricultural products which require a rural location:
 - A. for proximity to the produce being processed; or
 - B. to ensure a clean environment separate from general industrial activities; or
 - C. to secure a lot size larger than lots available within industrial zoned land;
 - iii. industries associated with the use or processing of commodities grown in the region, such as sugar cane and grain, or their biproducts;
 - iv. extractive industries and other industries that require separation from urban or rural residential areas; and
 - v. renewable energy facilities;

- (k) other than within the KRA shown on overlay map OM6, any expansion of an existing extractive industry is limited to development that will not increase impacts to the priority agricultural area or nearby sensitive land uses, the visual amenity of the locality or matters of environmental significance;
- (l) development for small scale tourism and recreational activities, such as nature-based tourism, outdoor sport and recreation, environment facilities or similar cultural attractions occur where they have a limited building footprint and do not involve significant modification of the natural landform;
- (m) home based businesses occur at a scale consistent with the amenity and character of the surrounding area;
- (n) development does not prejudice or detract from existing and intended rural activities in the surrounding area, or on the functionality of the stock route network shown on overlay map OM2;
Editor's note—The stock route network within Burdekin Shire Council exists as pasturage rights through pasturage leases. Stock routes exist as pasturage rights 800m either side of an unsurveyed road (section 432 of the Land Act 1994).
- (o) development does not significantly impact on:
 - i. water and soil quality;
 - ii. the amenity of nearby sensitive land uses;
 - iii. the landscape and natural values of the locality; and
 - iv. the capacity of the road network on which it relies;
- (p) development minimises impacts on the natural environment and maintains habitat areas and corridors;
- (q) development is sited, designed and managed to avoid or reduce any risk of landslide to an acceptable or tolerable level;
- (r) sensitive land uses and other forms of inappropriate development do not occur in proximity to former mining activities and related hazards (e.g. abandoned mines, tunnels and shafts), which may cause risk to people and property.
Editor's note—The location of mining claims, mineral development licences and mining leases is available online via GeoResGlobe.

Officers Comment

The proposal aligns with the purpose of the Rural Zone Code by supporting ongoing agricultural production and providing for other rural/agricultural uses. While proposed Lot 3 at 14.3ha will remain below the 30ha minimum lot size, the realignment does increase its area by some 10ha while not undermining the productive capacity of Proposed Lot 1, which will still have an area exceeding the minimum lot size at 85.19ha. Both lots maintain the existing access, servicing and separation distances from the established dwelling house uses.

Attachment C – Detailed Assessment

4.2.9.3 Specific Benchmarks for assessment

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
Site layout		
PO1 Any non-residential buildings, structures and open use areas are setback from site boundaries to ensure that the amenity of adjoining land and the rural character of the locality are maintained.	AO1 Non-residential buildings, structures and open use areas are setback not less than: <ul style="list-style-type: none"> (a) 20m from any road frontage of the site; (b) 10m from all other site boundaries; and (c) 100m from any existing dwelling on an adjacent property. 	Alternative Solution The proposed new boundary is approximately 5m from the existing dwellings and associated outbuildings and structures, which is considered appropriate in this location and given the uses are already established. The realigned boundary does not affect the existing rural character of the locality, and no new buildings or structures are proposed.
Lighting		
PO2 Lighting does not cause undue disturbance.	AO2 The vertical illumination resulting from direct, reflected or incidental light coming from a site does not exceed 8 lux when measured at any point 1.5m outside of the boundary of the property at any level from ground level up.	Considered to comply No changes to lighting are proposed as a result of this application.
Infrastructure		
PO3 Premises have a level of infrastructure that allows for the efficient functioning of the use while not impacting on nearby land uses or the environment.	AO3.1 Premises are connected to a reliable supply of potable water. AO3.2 Premises are provided with an on-site sewerage treatment and disposal system. PO3.3 Premises have a legal access to a constructed road.	Considered to comply No changes are proposed to the existing water and wastewater systems for the existing dwellings as a result of this boundary realignment. Both lots have access to existing constructed roads.

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
Separation		
PO4 Sensitive land uses are sufficiently separated from approved or existing lawful activities likely to generate impacts to protect the safety and amenity of residents and to ensure the ongoing operation of those activities is not prejudiced.	AO4 Minimum separation distances to animal keeping (being kennels or catteries), intensive animal industries and extractive industries are in accordance with table 4.2.9.3(c).	Not Applicable The proposal is a boundary realignment only; no new lots are created.
Home based business – bed and breakfast and other		
PO5-PO11	AO5.1 – AO11.12	Not Applicable.
Roadside stalls		
PO12 Roadside stalls are small in scale and do not impact negatively upon the amenity, character or safety of the locality and the safety and efficiency of roads. Editor's note—A roadside stall on a State controlled road requires approval from the Department of Transport and Main Roads.	AO12.1 Any structure used for the sale of goods or produce is limited to 20m2 gross floor area. AO12.2 Access to the structure is via the existing primary property access point. AO12.3 Produce or goods sold is grown, made or produced on the land on which the roadside stall is erected.	Not Applicable.
Stock route network		
PO13 Development does not interfere with the use of stock routes or diminish their landscape, recreational or heritage values.	AO13 Development is not located within a stock route network.	Not Applicable.

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
Editor's note—Stock routes are shown on overlay map OM2.		
Hazardous activities		
PO14 Where development is in proximity to an abandoned mine, geotechnical investigations and adequate protections are applied. Editor's note—The location of mining claims, mineral development licences and mining leases is available online via GeoResGlobe.	AO14 Abandoned mines are avoided.	Not Applicable.
Landslip hazard		
PO15 Development does not occur on land that is vulnerable to landslip and erosion and ensures the safety of people and property.	AO15 Where involving building work, development is not located on slopes greater than 15%.	Not applicable.

Table 4.2.9.3(b)—Benchmarks for assessable development only

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
Protecting rural production		
PO16 Other than for public infrastructure, non-agricultural development within priority agricultural areas does not result in a net loss to agricultural production.	No acceptable outcome is nominated	Performance Solution. The proposal involves a boundary realignment only; no additional lots are created. While the area of Proposed Lot 1 is reduced by 10ha, it remains

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
Editor's note—A net loss is one that results in widespread or irreversible impacts to existing or future agricultural activities, such as a significant reduction in the supply of raw product or altering resources necessary to maintain the function of the land.		<p>compliant at 85.91ha, exceeding the 30ha minimum requirement.</p> <p>The applicant advises that approximately 2.5ha of land is subject to persistent flood inundation, rendering it unsuitable for viable cropping, and therefore the least productive.</p> <p>The realignment would allow this area to be incorporated into Proposed Lot 3, providing an opportunity for grazing activities rather than cropping.</p> <p>The proposal does not increase the number of lots or access points to Sayers Road and is therefore not expected to impact the cane tram line. The site does not adjoin any stock routes.</p>
PO17 Development occurs on the least productive part of the site.	No acceptable outcome is nominated	
PO18 Development does not prejudice the ongoing operation, intensification or expansion of nearby farming activities.	No acceptable outcome is nominated	
PO19 Development is buffered so nuisance from normal farming practices such as spray drift, odour, noise and the like are avoided.	No acceptable outcome is nominated	
PO20 Development does not interfere with the use of cane tram lines. Editor's note—Cane tram lines are shown on the road hierarchy map in Figure 6.2.1.3.	No acceptable outcome is nominated	
PO21 Development does not interfere with the use of stock routes or diminish their landscape, recreational or heritage values.	No acceptable outcome is nominated	

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
Editor's note—Stock routes are shown on overlay map OM2.		
Reconfiguration		
PO22 Reconfiguration does not result in the creation of any new lots in the Groper Creek, Jarvisfield, Jerona or Wunjunga village precincts.	No acceptable outcome is nominated	Not Applicable.
PO23 Except as provided for in PO24, reconfiguration does not result in the creation of: (a) lots less than 30ha in the priority agricultural area or agricultural land classification class A and B areas shown on overlay map OM2; or (b) lots less than 100ha elsewhere. Editor's note—to remove any doubt, this performance outcome does not apply to land in a village precinct.	No acceptable outcome is nominated	Refer to PO24. The proposal is a boundary realignment only
PO24 Reconfiguration creating lots less than required under PO23 occurs only where: (a) consolidating the balance of the farmed lot, which is a minimum of 30ha and the single lot created contains a dwelling house that existed at the commencement of this Planning scheme; or (b) rearranging lot boundaries in a way that demonstrates a substantial improvement in	No acceptable outcome is nominated	Complies with PO24(b). The proposed boundary realignment rearranges existing lot boundaries to improve land management without increasing the number of lots. It reflects the flood constraints affecting the site.

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
<p>the management of the land or the protection of its environmental values without increasing the number of lots.</p> <p>Editor's note – Applicants would need to demonstrate the nature of the improvement, such as amalgamating lots to create a large balance area for an environmental reserve or that is managed in accordance with an appropriate land management plan.</p>		
Land Uses		
PO25 – PO38		Not applicable.
Rural amenity and character		
PO39 Development maintains the visual amenity and landscape character of the locality.	No acceptable outcome is nominated.	Complies The proposed is a boundary realignment and does not propose any new buildings or structures.
PO40 Development minimises the loss of existing vegetation and earthworks on the site.	Development is conducted within an existing cleared area.	Complies The proposed new boundary will generally retain existing vegetation on the site and follows existing crop lines.
PO41 Development minimises impacts on the natural environment and maintains habitat areas and corridors.	No acceptable outcome is nominated.	Not Applicable The proposal is a boundary realignment only and will not impact habitat areas and corridors.
PO42 Landscaping is provided to screen views from surrounding roads and neighbouring sites.	No acceptable outcome is nominated.	Not Applicable The proposal is a boundary realignment only.

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
PO43 Non-residential buildings or structures are screened by a landscaped buffer when adjoining land used for rural residential or residential development	Buildings or other structures are screened by a landscaped buffer of 5m when adjoining residential or rural residential development.	Not Applicable The proposal is a boundary realignment only. No new buildings are proposed and the site does not adjoin urban or rural residential uses.
PO44 Development does not create significant impacts as a result of noise, odour, dust, volume of traffic generated or other cause.	No acceptable outcome is nominated.	Not Applicable The proposal is a boundary realignment only.
PO45 Development does not impact on public health or safety.	No acceptable outcome is nominated.	Not Applicable The proposal is a boundary realignment only.
PO46 Sensitive land uses and other forms of inappropriate development do not occur in proximity to former mining activities and related hazards (e.g. abandoned mines, tunnels and shafts), which may cause risk to people and property. Editor's note–The location of mining claims, mineral development licences and mining leases is available online via GeoResGlobe.	No acceptable outcome is nominated.	Not Applicable The proposal is a boundary realignment only.

Table 4.2.9.3(c)–Separation Distances

Column 1	Column 2	Column 3 Minimum separation distances (metres)	
Use	Number of animals	Land in an urban zone or rural residential zone	Other sensitive land use
Poultry	100-200	100	60
	200-500	200	60
	501+	300	150
Animal keeping (being kennels or cattery)	n/a	400	150
Intensive animal industry	n/a	1000	400
Extractive industry (being an existing or approved extractive industry operation or a resource/processing area shown on overlay map OM6)	n/a	(i) 1,000m from a hard rock extractive industry; (ii) 200m from a sand and gravel extractive industry; and (iii) 100m from a haul route used by any existing operation.	

APPLICABLE ASSESSMENT BENCHMARK**5.2.5 Flood hazard overlay code****5.2.5.1 Application**

- (1) This code applies to development where the code is identified as applicable in the categories of assessment and development for the Flood hazard overlay code.
- (2) When using this code, reference should be made to section 3.3.2 and, where applicable, section 3.3.3, in part 3.
Note—For the purposes of section 13 of the Building Regulation 2006:
 - (a) the area covered by the flood overlay maps is the designated flood hazard area;
 - (b) the defined flood level is the level described in schedule SC1.2;
 - (c) the overlay mapping shows both river flooding (overlay mapping OM7(a)) and local rain event flooding (overlay map OM7(b)). The defined flood event and defined flood level relates to both events. To remove any doubt, the defined flood level is the higher of either flood type under the defined flood event.

5.2.5.2 Purpose and overall outcomes

- (1) The overall outcomes are the purpose of the flood hazard overlay code.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) in an urban zone or rural residential zone, reconfiguration of land does not result in additional lots on land subject to high or extreme flood hazard;
Editor's note—to remove any doubt, this outcome does not apply to the township of Giru for which just one "flood hazard area" category is mapped.
Editor's note—the provisions of the rural zone code identify when reconfiguration may be contemplated in the rural zone. No new lots are intended in the village precinct of the rural zone, which includes settlements also affected by flood hazard.
 - (b) elsewhere, reconfiguration is designed to ensure each lot is provided with:
 - (i) a building envelope to accommodate a dwelling house with floor levels above the defined flood level; and
 - (ii) vehicular access from a public road to the building envelope that is free of high or extreme flood hazard;
 - (c) in the rural, low density residential, township or emerging community zones, new dual occupancies or more intensive residential uses, or worker or tourist accommodation uses are not established on land subject to medium, high or extreme flood hazard, and any redevelopment of an existing use does not substantially increase the number of people accommodated or requiring evacuation from the site;
Editor's note—to remove any doubt, this outcome does not apply to the area covered by the Giru flood hazard area or the floodplain assessment area.
 - (d) unless necessary to meet a significant community need:

- (i) new critical or vulnerable uses are not established in a flood hazard area; and
- (ii) any redevelopment of an existing use does not substantially increase the number of people accommodated or requiring evacuation from the site;

Editor's note—Critical or vulnerable uses are defined in schedule 1.

- (e) development in a flood hazard area otherwise occurs in the way intended in the relevant zone;
- (f) development in a flood hazard area is designed to ensure the safety of people, reduce vulnerability to the hazard and, for critical uses, minimise disruption to services;
- (g) development involving the bulk storage or manufacture of hazardous materials does not increase the risk to public safety or the environment in a flood hazard event;
- (h) development does not worsen the severity of, or exposure to, the hazard on other properties;
- (i) flood flow conveyance paths and flood storage volumes of the floodplain are maintained;
- (j) the cost to the public of measures to mitigate flood risks is minimised;
- (k) development supports effective and efficient disaster management capacity and capabilities.

Officers Comment

The site is mapped within the Burdekin River Flood Hazard Area, with hazard categories ranging from low to extreme mapped. Almost all areas of extreme hazard will be contained within the expanded area of Proposed Lot 3. Both existing dwellings are located outside extreme hazard zones. Access to both Sayers Road and Hoey Road remain available in flood events, ensuring safe evacuation. No earthworks are proposed that could alter flood storage capacity or conveyance, and the proposal is not considered to increase flood risk to people, property, or surrounding land.

5.2.5.3 Specific benchmarks for assessment

Table 5.2.5.3—Benchmarks for assessable development

Performance outcomes	Acceptable outcomes	Comments
Compatible development		
PO1 Where land is included in an urban or rural residential zone, development does not increase the number of lots within the high or extreme flood hazard area.	AO1 No new lots are created.	Not Applicable The site is not within an urban or rural residential zone.
PO2	No acceptable outcome is nominated.	Not Applicable

Performance outcomes	Acceptable outcomes	Comments
Development involving critical or vulnerable uses is not located within any flood hazard area, unless it involves a minor extension to, or redevelopment of, an existing use.		The proposal is not for a vulnerable use.
PO3 Dual occupancies and more intensive residential uses do not establish in the rural, low density residential, township or emerging community zones where they fall within the extreme, high or medium hazard areas, unless it involves a minor extension to, or redevelopment of, an existing use.	No acceptable outcome is nominated.	Not Applicable The proposal is not for a dual occupancy or intensive residential use.
PO4 Development involving worker or tourist accommodation uses do not establish in the rural, low density residential, township or emerging community zones where they fall within the extreme, high or medium hazard areas, unless it involves a minor extension to, or redevelopment of, an existing use.	No acceptable outcome is nominated.	Not Applicable The development is not for worker or tourist accommodation.
PO5 Development involving an existing use mentioned in PO2, PO3 or PO4 does not substantially increase the number of people accommodated or requiring evacuation from the site.	No acceptable outcome is nominated.	Complies The proposal will retain the existing dwelling houses within Proposed Lot 3.
PO6 Critical uses are able to function effectively during and immediately after a flood hazard event.	No acceptable outcome is nominated.	Not Applicable The proposal is not for a critical use.

Attachment C – Detailed Assessment

Performance outcomes	Acceptable outcomes	Comments
PO7 Where components of commercial or industrial uses are located below the level of the defined flood event, stock or facilities: <ul style="list-style-type: none"> (a) are relocatable or readily replaced; (b) are not vital to the safe operation of the use during or after a flood event; and (c) are located or designed to avoid causing a risk to public safety in the event of a flood or impede the flow of flood water. Note—To demonstrate compliance with this performance outcome, applicants should prepare a flood response plan.	No acceptable outcome is nominated.	Not Applicable
PO8 Development either: <ul style="list-style-type: none"> (a) does not involve the manufacture or storage of hazardous materials within a flood hazard area; or (b) is designed to prevent the release of hazardous materials during a flood event. 	No acceptable outcome is nominated.	Not Applicable
PO9 Premises used for extractive industry, aquaculture, animal keeping or intensive animal husbandry are at low risk of inundation.	AO9 Development occurs on land which is above the defined flood event.	Not Applicable
Mitigation of flood hazard		
PO10 Development which occurs in areas subject to a flood hazard ensures new buildings or extensions are designed to remain structurally sound during the defined flood event.	No acceptable outcome is nominated.	Not Applicable The proposal does not involve building work.
PO11 Infrastructure likely to become a public asset is designed to withstand hydrodynamic forces of the defined flood event.	No acceptable outcome is nominated.	Not Applicable The development does not involve the donation of assets.

Performance outcomes	Acceptable outcomes	Comments
PO12 Development involving the expansion or redevelopment of critical or vulnerable uses ensures new buildings or extensions are provided with a high level of flood immunity.	AO12 Floor levels are established at the level of the 0.5% AEP plus a freeboard of 500mm.	Not Applicable The proposal does not involve building work.
PO13 Development involving the expansion or redevelopment of critical or vulnerable uses ensures effective provision is made for evacuating residents and users, or shelter in place in the event available response times prevent evacuation.	No acceptable outcome is nominated.	Not Applicable The development does not involve critical or vulnerable land uses.
PO14 Any new lots created provide for a building envelope to accommodate a dwelling house with floor levels above the defined flood level.	No acceptable outcome is nominated.	Complies Although used for cropping, the proposed realignment provides adequate area within Proposed Lot 1 to accommodate a suitable building envelope into the future if required.
PO15 Any new lots created provide for vehicular access between a building envelope and a public road free of high or extreme hazard.	No acceptable outcome is nominated.	Complies The proposed realignment ensures both lots have access to a public road that is free of high or extreme hazard.
PO16 Development does not change inundation characteristics outside the subject site in ways that would: (a) result in loss of flood storage or loss of, or changes to, flow paths; (b) adversely change the depth or behaviour of the hazard; or (c) reduce warning times; or (d) increase the duration of the hazard.	No acceptable outcome is nominated.	Not Applicable The development does not involve site works.
PO17 Any structures or works intended to mitigate the risk or impacts of inundation on a development site are located wholly on private land.	No acceptable outcome is nominated.	Not Applicable The development does not involve site works.

Performance outcomes	Acceptable outcomes	Comments
PO18 Adequate provision is made for safe evacuation, response and recovery during a flood event.	No acceptable outcome is nominated.	Complies The proposed realignment ensures both lots have access to a public road that is free of high or extreme hazard.

ASSESSMENT

APPLICABLE ASSESSMENT BENCHMARKS

6.2.2 Reconfiguring a lot code

6.2.2.1 Application

- (1) This code applies to development identified as requiring assessment against the Reconfiguring a Lot code by the tables of assessment in part 3.
- (2) When using this code, reference should be made to section 3.3.2 and, where applicable, section 3.3.3, in part 3.

6.2.2.2 Purpose and overall outcomes

- (1) The purpose of the reconfiguring a lot code is to facilitate the development of attractive, accessible, safe and functional neighbourhoods, centres and industrial areas, and to protect Burdekin's natural resources and environmental and landscape values.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) reconfiguration creates safe, convenient and attractive neighbourhoods, industrial areas and centres that are consistent with the intended outcomes for the zone in which the land is located;
 - (b) reconfiguration occurs in a way that makes efficient use of land and facilitates cost effective provision of infrastructure;
 - (c) functional street networks are created which provide high levels of accessibility and safety, particularly for pedestrians and cyclists;
 - (d) lots are of a size to support the uses intended and create the character and density intended for the zone in which the land is located;
 - (e) the creation of new lots for residential purposes occurs only within urban or rural residential zoned land;
 - (f) reconfiguration ensures public open space and movement networks can be provided that are interconnected with the surrounding area, convenient, safe and able to meet community needs;
 - (g) reconfiguration in the rural zone occurs only in the circumstances intended in the zone code;
 - (h) new lots are provided with services that meet the need of users and minimise risks to the environmental or public health and safety;

- (i) reconfiguration enables the protection of waterways, wetlands, ecological corridors for the movement of fauna and other significant environmental values.

Officers Comment

The realignment maintains two rural lots in a configuration that is functional for both farming and associated on farm rural living. The larger lot at 85.91ha exceeds the 30ha minimum size for a new lot created in the Rural Zone and is entirely dedicated to cropping. The smaller lot accommodates the existing dwellings and ancillary rural structures and the covenant and drainage easement. The new layout is considered compatible with the existing settlement pattern and amenity.

Specific assessment against the relevant provisions of the Reconfiguring a Lot Code is provided below:

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
<i>Neighbourhood design</i>		
PO1 The layout for a new neighbourhoods and subdivisions creates a strong and positive identity, and is responsive to site characteristics, setting, landmarks and views.	No acceptable outcome is nominated.	Not Applicable The proposal is a rural boundary realignment only. No new lots are created.
PO2 Open space and movement networks are integrated internally within the development site and with surrounding areas, including: (a) a clear hierarchy of roads linking safely and directly with external roads; (b) an open space network linking with other existing or potential open space;	No acceptable outcome is nominated.	Not Applicable The proposal is a rural boundary realignment only. No new lots are created.

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
(c) an urban drainage system integrated with the open space and pathway network and major streams; and (d) a pedestrian and bicycle path system integrated with the open space and road networks.		
PO3 Vehicle, cyclist and pedestrian networks reduce need for local vehicle trips and ensures walking and cycling are prioritised.	No acceptable outcome is nominated.	Not Applicable The proposal is a rural boundary realignment only. No new lots are created.
PO4 The subdivision layout incorporates separation of sensitive land uses from potentially incompatible land uses or infrastructure within or external to the site.	No acceptable outcome is nominated.	Not Applicable The proposal is a rural boundary realignment only. No new lots are created.
PO5 The reconfiguration is designed to maximise personal safety and minimise potential for antisocial behaviour and crime, including by establishing clear sight lines and creating opportunities for casual surveillance of streets, paths, parks and public spaces.	No acceptable outcome is nominated.	Not Applicable The proposal is a rural boundary realignment only. No new lots are created.
PO6 Street and lot orientation facilitates energy-efficient building and site design by:	No acceptable outcome is nominated.	Not Applicable The proposal is a rural boundary realignment only. No new lots are created.

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
(a) maximising lot orientation to the north and minimising orientation to the west; and (b) maximising access to prevailing breezes.		
PO7 The subdivision layout retains significant habitat areas and ecological corridors.	No acceptable outcome is nominated.	Not Applicable The proposal is a rural boundary realignment only. No new lots are created.
PO8 The subdivision layout ensures development is setback from and protects the habitat values and ecological function values of waterways.	No acceptable outcome is nominated.	Not Applicable The proposal is a rural boundary realignment only. No new lots are created.
Landslip hazard		
PO9 Reconfiguration does not occur on land vulnerable to landslip and erosion, unless it is in the form of a boundary alignment which improves the safety of people and property.	AO9 Development is not located on slopes greater than 15%	Complies The site is not identified as being subject to landslip risk.
PO10 Reconfiguration results in lots that are: (a) of a size and dimension which complement the intended character of the zone in which the land is located; (b) are capable of accommodating uses intended in the zone in which the land is located; and (c) are sized and located to enable development to be primarily oriented to the	AO10 Minimum frontage and lot size occurs in accordance with table 6.2.2.3(b), unless stated otherwise in a zone code.	Complies The proposal is for a rural boundary realignment to reflect the existing site constraints and characteristics. The proposal does not propose the creation of any new lots in the Rural Zone. While the size of one of the existing and proposed lots do not meet the minimum area requirements, the

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
street and accommodate all ancillary components of the use.		development does not change the uses occurring at the premises.
PO11 Reconfiguration does not reduce the future development potential of land within the emerging community zone.	No acceptable outcome is nominated.	Not Applicable.
PO12 New lots are not created in the rural zone, other than where consolidating the balance of the farmed lot, which is a minimum of 30ha and the single lot created contains a dwelling house that existed at the commencement of this Planning Scheme.	No acceptable outcome is nominated.	Complies No new lots are created.
PO13 Realignment of boundaries in the rural zone occurs only where this demonstrates a substantial improvement in the management of the land or the protection of its environmental values, without increasing the number of lots.	No acceptable outcome is nominated.	Performance Solution The proposal is a boundary realignment and does not increase the number of lots. The applicant submits that, due the flood inundation on the property, the proposed realignment reflects an area of Lot 1 that is not practically able to be used for cropping production. The proposed realignment provides opportunity for grazing activities to be undertaken on Proposed Lot 3. The layout therefore responds to the characteristics of the site and is understood will improve the management of the land.

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
PO14 New lots are not created in the environmental management and conservation zone.	No acceptable outcome is nominated.	Not Applicable.
Services		
PO15 All lots are provided with legal access to a constructed road. Note—A constructed road in an urban zone means a sealed road with kerbing and channelling. Elsewhere, this means a formed and trafficable road.	No acceptable outcome is nominated.	Complies No change to the existing access arrangements is proposed as part of this application.
PO16 Services, including water supply, stormwater management, sewage disposal, waste disposal, drainage, electricity and telecommunications, are provided in a manner that: <ul style="list-style-type: none"> (a) is efficient; (b) is adaptable to allow for future extensions and upgrades; (c) minimises the risk of adverse environmental or amenity related impacts; and (d) minimises whole-of-lifecycle costs for that infrastructure. 	No acceptable outcome is nominated.	Not Applicable The proposal is a boundary realignment only. No new services are proposed as part of this application.
PO17 Lots are provided with an electricity supply which minimises visual impacts on the locality.	AO17.1 Except for land in the Rural zone, electricity is connected to all new lots.	Not Applicable The proposal is a boundary realignment in the Rural Zone.

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
	AO17.2 Underground electricity service is provided to all new lots in an urban zone.	
Road design		
PO18 The design features of each type of street are appropriate to the primary function of the street in the network.	AO18 The design of each new street or road complies with the approach taken in “Austroads Guide to Traffic Engineering Practice Manuals”.	Not applicable The proposal is a boundary realignment of existing rural lots only.
PO19 Provision for safe on-street parking in appropriate locations.	No acceptable outcome is nominated.	
PO20 Intersections along streets are spaced to create safe and convenient pedestrian and vehicle movements and designed to provide safe sight lines and geometry for all road users.	AO20 The street or road network complies with the approach taken in the “Austroads Guide to Traffic Engineering Practice Manuals”.	
PO21 Road reserves are designed to accommodate co-location of infrastructure services.	No acceptable outcome is nominated.	
PO22 All new roads are constructed to standards appropriate to their intended use.	No acceptable outcome is nominated.	
PO23 All streets in an urban and rural residential zone are provided with street lighting.	AO23.1 Street lighting is provided in all new urban streets.	

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
	AO23.2 In all new development where an underground electricity service is provided, underground mains service street lighting.	
Environmental management Editor's note—A property management plan or environmental management plan, illustrating how environmental impacts will be minimised, may be required to support the proposed development.		
PO24 Development does not alter the hydrological regime external to the site.	No acceptable outcome is nominated	Not Applicable. The proposal is a rural boundary realignment only. No changes are proposed to existing site uses proposed as part of this application.
PO25 Development maintains the environmental values and water quality of Burdekin Shire's groundwater, waterways and surface water storages.	No acceptable outcome is nominated	
PO26 Development minimises erosion and sediment run-off by: <ul style="list-style-type: none"> (a) minimising clearing and earthworks; (b) not increasing the rate or volume of run-off; (c) utilising natural flow paths; (d) minimising impervious surfaces; (e) incorporating erosion and sediment control devices to detain and treat run off to remove sediments and gross pollutants. 	No acceptable outcome is nominated	

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
PO27 Stormwater drainage is provided that has sufficient capacity to safely remove stormwater run-off, in a way that: <ul style="list-style-type: none"> (a) minimises risk to public safety and property; (b) provides a lawful point of discharge from each lot; (c) minimises ponding; (d) allows for risk associated with potential failures within the system; and (e) allows for practical access for maintenance requirements. 	No acceptable outcome is nominated	Not Applicable The proposal is a rural reconfiguration with no change to the existing stormwater drainage proposed.

Table 6.2.2.3(b)–Acceptable outcome – lot size and frontage

Zone	Frontage (m)	Area
Low density residential zone Low-medium density residential zone	15	500m ²
Township zone	15	800m ² Or 2,000m ² where not connected to sewerage
Rural residential zone - Horseshoe Lagoon	60	2ha
- Mount Kelly	40	4,000m ²
- Elsewhere	40	2,000m ²
Centre zone	10	400m ²
Industry zone	20	1,000m ²
Community facilities zone Recreation and open space zone	20	1,000m ²
Emerging community zone	200	5ha
Rural zone		
(a) In the Groper Creek, Jarvisfield, Jerona and Wunjunga village precincts	No new lots created	
(b) In the priority agricultural area or agricultural land class A and B on overlay map OM2.	200	30ha
(c) Elsewhere	200	100ha

ASSESSMENT
APPLICABLE ASSESSMENT BENCHMARKS
<p>6.2.1 Development works code</p> <p>6.2.1.1 Application (1) This code applies to development identified as requiring assessment against the Development Works Code by the tables of assessment in part 3. (2) When using this code, reference should be made to section 3.3.2 and, where applicable, section 3.3.3, in part 3.</p> <p>6.2.1.2 Purpose and overall outcomes (1) The purpose of the code is to ensure that development provides services to a standard which is efficient, effective and reflects community expectations, enhances the lifestyle of the community, and minimises impacts on neighbours, the streetscape and the environment. (2) The purpose of the code will be achieved through the following overall outcomes:</p> <ul style="list-style-type: none"> (a) the location and design of infrastructure or works minimise impacts on amenity and landscape character; (b) development minimises site disturbance and impacts on the natural environment; (c) adequate infrastructure is provided to meet the demand likely to be generated by the development; (d) the safe, efficient and cost-effective provision and operation of infrastructure networks occurs by ensuring: <ul style="list-style-type: none"> (i) development is of a scale commensurate with the capacity of the strategic road network and provides access in a manner that protects the safety and efficiency of the network; (ii) development maintains high standards of water quality and the environmental health of waterways; (iii) public health and safety are protected. (e) excavation and/or filling in the rural zone does not adversely impact on Council controlled land including road reserves and infrastructure, overland flow paths, drainage paths, waterways, wetlands, or road and drainage infrastructure. <p><u>Officers Comment</u> Given the nature of the proposed development, boundary realignment of two existing rural lots, where relevant, the proposed development is considered to comply overall with the prescribed relevant outcomes sought by the Development Works Code, as no changes/works to existing roads or to that currently exists on site are proposed.</p>

6.2.1.3 Specific benchmarks for assessment

Table 6.2.1.3(a)—Benchmarks for development that is accepted subject to requirements and assessable development

Specific assessment against the relevant provisions of the Development Works Code is provided below:

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
Earthworks		
PO1 Excavation and filling on land maintains the amenity and utility of adjoining land.	AO1 Excavation and filling is not carried out within 1.5m of any site boundary.	Not Applicable The proposal is a rural boundary realignment only and no earthworks or filling is proposed.
PO2 The carrying out of any excavation or filling does not contaminate any land.	AO2 No contaminated material or potential acid sulfate soil is used as fill.	
PO3 The carrying out of any excavation does not create any land instability or public safety risk.	AO3 Earthworks and retaining structures are carried out in accordance with: (a) Australian Standard 3798:1996- Guidelines on earthworks for commercial and residential development; and (b) Section 3 of Australian Standard 4678:2002- Earth retaining structures.	
PO4 Earthworks do not: (a) result in ponding on the site or on nearby land; (b) adversely affect the flow of water through an overland flow path; and (c) result in the loss of safety to users or uses of any other land.	No acceptable outcome is nominated.	

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
PO5 Earthworks do not result in structures or changes to ground level within a pipeline easement without the consent of the pipeline licence holder. Editor's note—Refer to sections 807-808 of the <i>Petroleum and Gas (Production and Safety) Act 2004</i> .	No acceptable outcome is nominated.	
PO6 Earthworks maintain the visual amenity of surrounding land and do not compromise the privacy of adjoining property.	No acceptable outcome is nominated.	
PO7 The risk of erosion and sedimentation is minimised by: (a) progressive rehabilitation of disturbed areas within the site; (b) avoiding long term stockpiling of soil; (c) diverting drainage paths around disturbed areas; and (d) preventing sediments from leaving the site.	No acceptable outcome is nominated.	
Excavation and/or filling in the rural zone		
PO8- PO11	No acceptable outcome is nominated.	Not applicable No earthworks or filling proposed.
Infrastructure		
PO12 Development in an urban zone (other than the township zone) or within the priority infrastructure area is connected to reticulated water, sewerage and stormwater. Note—Urban zone is defined in the Planning Regulation 2017. The priority infrastructure area is identified in the Local Government Infrastructure Plan in schedule 6.	No acceptable outcome is nominated.	Not Applicable The site is in the Rural Zone.

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
PO13 Development sites are provided with services in a way that is: (a) safe and efficient; (b) maintains the integrity of the external network; (c) does not impose a load on external networks that exceed their capacity; and (d) can be safely, conveniently and cost effectively maintained.	AO13 All infrastructure required to service the development is provided in accordance with Planning Scheme Policy – S.C5.2 – Development Works.	Not Applicable The site is in the rural zone. No urban infrastructure is required to service the development.
PO14 Where reticulated water supply is not available, development is provided with a reliable water supply that is sufficient for the demands generated on-site.	No acceptable outcome is nominated.	Not Applicable The proposal is a rural boundary realignment only. The existing dwellings on site will retain all existing services.
PO15 Where a reticulated sewerage service is not available, an on-site system of treatment and disposal is established that is sufficient for the level of wastewater generated on the site.	No acceptable outcome is nominated.	
PO16 Where provided on-site, water, wastewater and stormwater infrastructure are established in a way that ensures public and environmental health, safety, water quality and amenity are maintained.	AO16.1 In the rural residential zone, premises are provided with an on-site sewerage treatment and disposal system. AO16.2 Elsewhere, no acceptable outcome is nominated	
PO17 Premises are connected to an electricity supply approved by the relevant authority.	AO17 The development is connected to electricity infrastructure in accordance with the standards of the relevant regulatory authority.	

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
Water management Editor's note—A property management plan or environmental management plan, illustrating how environmental impacts will be minimised, may be required to support the proposed development.		
PO18 Development is located, designed, constructed and operated to avoid adverse impacts on environmental values and water quality of groundwater, waterways and surface water storages arising from: (a) altered stormwater quality and hydrology; (b) wastewater; (c) the creation or expansion of non-tidal artificial waterways; or (d) the release and mobilisation of nutrients and sediments.	No acceptable outcome is nominated.	Not applicable The proposal is a rural boundary realignment only. No earthworks are proposed nor required.
PO19 Development achieves the stormwater management design objectives outlined in tables 6.2.1.3(c) and 6.2.1.3(d). Editor's note—Urban purpose is defined in the <i>Planning Regulation 2017</i> .	No acceptable outcome is nominated.	
PO20 Wherever practical, development: (a) minimises clearing and earthworks; (b) utilises natural flow paths; and (c) minimises impervious surfaces and maximises opportunities for infiltration, capture and reuse.	No acceptable outcome is nominated.	

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
PO21 Stormwater drainage is provided that has sufficient capacity to safely remove stormwater run-off, in a way that: <ul style="list-style-type: none"> (a) minimises risk to public safety and property; (b) provides a lawful point of discharge from each lot; (c) minimises ponding; (d) allows for risk associated with potential failures within the system; and (e) allows for practical access for maintenance. 	No acceptable outcome is nominated.	
Acid sulfate soils		
PO22 Within the areas identified as potential acid sulfate soils on overlay map OM1, the generation or release of acid and metal contaminants into the environment from acid sulfate soils is avoided by: <ul style="list-style-type: none"> (a) not disturbing acid sulfate soils when excavating or otherwise removing soil or sediment, draining or extracting groundwater, excluding tidal water or filling land; or (b) where disturbance of acid sulfate soils cannot be avoided, development: <ul style="list-style-type: none"> (i) neutralises existing acidity and prevents the generation of acid and metal contaminants; and (ii) prevents the release of surface or groundwater flows containing acid and metal contaminants into the environment. <p>Editor's note—Where works are proposed within the areas identified as potential acid sulfate soils on overlay</p>	AO22.1 Development does not: <ul style="list-style-type: none"> (a) involve excavating or removing 100m³ or more of soil and sediment at or below 5m AHD; or (b) permanently or temporarily drain or extract groundwater or exclude tidal water resulting in the aeration of previously saturated acid sulfate soils; or (c) involve filling with 500m³ or more with an average depth of 0.5m or greater that results in: <ul style="list-style-type: none"> (i) actual acid sulfate soils being moved below the water table; or (ii) previously saturated acid sulfate soils being aerated. <p>OR</p>	Complies The proposal does not involve and excavation on the site.

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
map OM1 - Acid sulfate soils, the applicant is required to undertake an on-site acid sulfate investigation. The reason for undertaking an acid sulfate soils investigation is to determine the presence of acid sulfate soil in order to avoid disturbance. Where acid sulfate soils cannot reasonably be avoided, investigation results assist in the planning of treatment and remedial activities and must be undertaken in accordance with the Queensland Acid Sulfate Soil Technical Manual and relevant State Planning Policy. Applicants should also refer to the Guidelines for Sampling Analysis of Lowland Acid Sulfate Soils in Queensland, Acid Sulfate Soils Laboratory Methods Guidelines or Australian Standard 4969. It is highly recommended that the applicant develops a practical Acid Sulfate Soil Management Plan for use in monitoring and treating acid sulfate soils.	AO22.2 Development manages waters so that: <ul style="list-style-type: none"> (a) all disturbed acid sulfate soils are adequately treated and/or managed so that they can no longer release acid or heavy metals; (b) the pH of all sites, and any water including discharges and seepage to groundwater, is maintained between 6.5 and 8.5 (or an agreed pH in line with natural background); (c) waters on the site, including discharges and seepage to groundwater, do not contain elevated levels of soluble metals; (d) there are no visible iron stains, flocs or sums in discharge water; (e) all reasonable preparations and actions are undertaken to ensure that aquatic health is safeguarded; and (f) infrastructure such as buried services, pipes, culverts and bridges are protected from acid attack. 	
Traffic and access		
PO23 - PO32	AO21- AO24	Complies (where applicable) No changes are proposed to the existing rural access and traffic arrangements.
Landscaping		
PO33 - PO34	No acceptable outcome is nominated.	Not applicable The proposal is a rural boundary realignment only. No new landscaping is required.

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
Waste and pollutant management		
PO35 - PO37	No acceptable outcome is nominated.	Not applicable The proposal is a boundary realignment of existing lots.
Fire hydrants in urban areas for buildings accessed by common private title Editor's note—This section will not apply where other legislation applies which mandates requirements for fire hydrants.		
PO38-PO40	No acceptable outcome is nominated.	Not applicable The proposal is a boundary realignment of existing rural lots.

North Queensland Regional Plan

The proposal site is located in the Priority Agricultural Area (PAA) mapped in the North Queensland Regional Plan (NQRP), with the NQRP integrated into the Burdekin Shire Planning Scheme December 2022.

The NQRP benchmarks expect the proposed development will not contribute to a net loss to overall agricultural activity or result in widespread or irreversible impacts of the PAA. It is noted that officers consider that the proposed development may not strictly comply with the benchmarks specified for development in the PAA. However, given the nature of the proposal being a realignment of the common boundary that responds to site characteristics, the proposal will not adversely impact land management, and no material loss of existing agricultural activities are expected if approved. Therefore, the outcomes sought by the NQRP are generally satisfied.

Public Submissions

The application was publicly notified between 28 October 2025 and 18 November 2025, being a period of sixteen (16) business days, above the minimum specified in the relevant requirements of the *Planning Act 2016*.

No submission (properly made or otherwise) was received during the public notification period.

Infrastructure Charges

Reconfiguring a Lot is a development type which can trigger infrastructure charges to be applied as per Council's Charges Resolution. As this application is for a boundary realignment and not proposing to create any additional lots, no Infrastructure Charges are applicable.

7.3.3. PLANNING AND DEVELOPMENT

Currency Period Extension Request for Development Permit CONS15/0028 – Solar Farm, Located at Ayr Dalbeg Road, Mulgrave (Lot 22 on GS1042)

File Reference: 226, CONS15/0028

Report Author: Kellie Galletta, Manager Planning and Development

Authoriser: James Stewart, Director Infrastructure Planning and Environmental Services

Meeting Date: 9 December 2025

Link to Corporate/Operational Plan:

Burdekin Shire Council Corporate Plan 2025-2030

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

Burdekin Shire Council Operational Plan 2025-2026

PD13 Assess Planning Applications to ensure compliance with requirements of the current Planning Scheme.

Executive Summary

Council has received a request to extend the currency period (only) for a second time for existing Development Permit CONS15/0028 being a Material Change of Use approval for a large-scale solar farm located at Ayr Dalbeg Road, Mulgrave, by three (3) years, to 25 October 2028, to allow sufficient time to finalise detailed design, progress infrastructure planning (including a Battery Energy Storage System), finalise EPBC assessment processes and commence construction.

Recommendation

That Council approve the second application to extend the currency period of Development Permit CONS15/0028 for Material Change of Use - Solar farm located at Ayr Dalbeg Road, Mulgrave, on land described as Lot 22 on GS1042 until 25 October 2028.

Background

The original permit was granted in 2017, with the first extension to the currency period granted in 2020 (refer to Attachment A and Attachment B).

The current approval was due to lapse on 25 October 2025 however the applicant lodged an extension application prior to the lapse date in accordance with section 87 of the *Planning Act 2016*.

Proposal

The approved development involves a large-scale solar photovoltaic (PV) facility with a developable footprint of approximately 227ha and a generation capacity of 75–90 MW (AC).

Key components of the proposal include:

- 448,000 solar panels within 27 solar arrays on single-axis trackers
- Substation (0.6ha)
- Future Battery Storage Facility (3.0ha)
- Operation and maintenance building (300m² GFA)
- Laydown and parking areas (1.0ha)
- Perimeter security fencing and landscaping (11,000m)
- Connection to the existing Powerlink 66 kV transmission line
- Construction requires up to 140 workers, with an operational workforce of approximately four (4) full-time and eight (8) part-time staff.

The applicant seeks a three-year extension to the currency period to allow sufficient time to finalise approvals, refine design and commence construction. No amendments to plans or intensification of the use are proposed.

Subject Site

A locality plan is provided in Attachment C. The subject site is located formally at Ayr Dalbeg Road, Mulgrave, however the development footprint within the site adjoins Woodhouse Road.

The site has a total area of 4,224ha and approximately 490m of frontage to Ayr Dalbeg Road.

The subject land is located within the Rural Zone of the *Burdekin Shire Council's Planning Scheme 2022*.

Surrounding Land Uses

The surrounding area includes a mix of lot sizes with predominately cropping and grazing activity being undertaken proximate to the site.

Information Request

Although not a formal information request, Council officers requested further information from the applicant to demonstrate that the approved development continues to comply with the *Burdekin Shire Planning Scheme 2022*, including updated overlay mapping, strategic outcomes, and contemporary assessment benchmarks. The material provided in response addresses these matters.

Public Notification

Not applicable.

Referral Agency Response

Not applicable.

State Planning Provisions

State Planning Policy

The Planning Minister is satisfied that the State Planning Policy (SPP) July 2017 is appropriately integrated into the Burdekin Shire Council Planning Scheme in full excepting Cultural Heritage.

North Queensland Regional Plan

The Planning Minister has identified that the North Queensland Regional Plan (NQRP) is appropriately integrated into the Burdekin Shire Council Planning Scheme in full. The site is mapped as being priority agricultural area (PAA) under the NQRP, of which its provisions are considered by the State to have been appropriately integrated into Council's Planning Scheme when adopted.

The North Queensland Regional Plan 2020 identifies renewable energy as a key regional economic opportunity. The approved solar farm aligns with this regional policy direction, as it contributes to energy diversification, regional job creation and long-term economic sustainability. The site is suitably located near transmission infrastructure and does not impact regional ecological or landscape values. The project therefore remains consistent with the Regional Plan.

Planning Assessment

Planning Act 2016

Under s87(1), Council may consider any relevant matter when assessing an extension application. This includes:

- Common material submitted;
- Changes to the Planning Scheme;
- Infrastructure or environmental context; and,
- Project progress and prudent investment.

The assessment confirms:

- No material changes have arisen that would alter the appropriateness of the development.
- Conditions of approval (stormwater, road access upgrades, vegetation management, decommissioning) remain reasonable and relevant.

State code 26: Solar Farm development

Although State Code 26 (Solar Farm) did not apply at the time of the original approval, the applicant has provided an assessment demonstrating that the project achieves the purpose of the code. The development avoids adverse impacts to individuals, communities, infrastructure and the environment. The construction, operation and decommissioning phases do not create unacceptable risks and the facility can be fully removed at the end of its life cycle to return the land to agricultural use. The extension request does not introduce any new impacts or intensify the development, meaning that the project remains consistent with the intent of the contemporary state assessment requirements.

Burdekin Shire Planning Scheme 2022

The applicant has provided an updated and comprehensive assessment of the development against the *Burdekin Shire Planning Scheme 2022*. Although the original approval was granted under the *2011 Planning Scheme*, section 87 of the *Planning Act 2016* allows Council to consider any relevant matter when deciding an extension request, including changes to the current planning framework. The information supplied is considered to sufficiently demonstrate that the approved solar farm approval continues to comply with the contemporary planning requirements and remains an appropriate use of the land.

Strategic Framework

The Strategic Framework of the Planning Scheme identifies renewable energy generation as an emerging and desirable industry for the Burdekin. It encourages rural economic diversification, supports infrastructure that improves regional resilience, and places strong emphasis on protecting natural resources, ecological processes and agricultural land. The approved solar farm continues to align with these directions. The development will contribute to the region's renewable energy capacity, support economic growth, diversify the rural sector, and maintain ecological processes because no new clearing or further encroachment is proposed beyond what was originally approved.

Rural Zone Code

The land is located in the Rural Zone. The Rural Zone Code allows non-agricultural uses where they maintain rural character, avoid fragmentation and protect agricultural productivity. The approved solar farm remains consistent with these outcomes. The infrastructure is low rise, widely separated from sensitive receivers, and sited so that it does not adversely affect the rural landscape. The project does not involve subdivision and the land will continue to be used for grazing outside the development footprint. The solar farm use is nominated as being fully reversible at the end of its operational life, meaning that the land can be restored to its former agricultural use. The infrastructure and servicing arrangements, including access, water supply and stormwater management, are appropriate for a rural setting and do not create new impacts.

Agricultural Land Overlay

The development avoids long-term loss of agricultural productivity, as the solar farm use is temporary and removable, and grazing can continue on unaffected parts of the site concurrently.

Environmental Significance Overlay

The project sits on the fringe of a biodiversity corridor. All necessary clearing was approved under the original application, and no further encroachment into ecological areas is proposed. Riparian vegetation and habitat features are retained.

Flood Hazard Overlay

The layout avoids the highest hazard flood areas. It is understood that solar infrastructure will be designed to withstand occasional inundation without increasing flood risk elsewhere.

Development Works Code

The Development Works Code applies to operational works associated with larger developments. The current extension request does not propose any additional works requiring additional assessment and the previously approved infrastructure, including access and drainage, remains appropriate and compliant. The project continues to avoid new vegetation clearing and does not require changes to stormwater management or traffic arrangements.

Planning Assessment Summary

Overall, the approved solar farm activity as approved currently meets all relevant elements of the *Burdekin Shire Planning Scheme 2022*, including its Strategic Framework, the Rural Zone Code, all relevant overlay codes and the Development Works Code, where applicable. It also aligns with the North Queensland Regional Plan and the State Planning Policy benchmarks. The extension of time to the currency period does not alter the development in any way and does not give rise to new impacts or risks. The development remains an appropriate, low-impact and strategically beneficial use of the land, and the extension of the currency period is therefore supported.

Infrastructure Charges

Not applicable.

Consultation

All relevant Council Departments have been consulted.

The application was workshopped with the Mayor, Councillors and Executive Leadership Team on 2 December 2025.

Budget & Resource Implications

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

Legal Authority & Implications

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

Policy Implications

Not applicable in concerning the acceptance of this report.

Risk Implications (Strategic, Operational, Project Risks)

Risk to Council relating to its obligation under the *Planning Act 2016*, is primarily ensuring that the development application is properly managed, assessed and decided. Risk has been managed by undertaking a thorough assessment of this extension application.

Attachments

1. Attachment A - 2017 Decision Notice and Approved Plan
2. Attachment B - 2020 Extension to Currency Period Notice
3. Attachment C - Locality Plan

Decision Notice Approval

Sustainable Planning Act 2009 s.335



Burdekin Shire Council

ABN: 66 393 843 289

Enquiries to: Megan Bradford
Our Ref: Cons15/0028, 226
Your Ref: N/A
Letter No: 1476905

Telephone: (07)47839 800
Postal Address: PO Box 974, Ayr. Q4807

25th October, 2017.

Cleangen Projects Pty Ltd
P O Box 237
NORTH SYDNEY NSW 2059

Re: Development Application

IDAS Number	CONS15/0028
Proposal	Material Change of Use for Solar Farm
Property Location	Ayr Dalbeg Road, Mulgrave
Property Description	Lot 22 on GS1042

Dear Sir/Madam,

I wish to advise that, 24th October, 2017 the abovementioned development application was:

- ☐ approved in full or
- ☐ approved in part for the following or
- ☒ approved in full with conditions; or
- ☐ approved in part for the following, with conditions

The conditions of this approval are set out in **Attachment 1**. These conditions are clearly identified to indicate whether the assessment manager or a concurrence agency imposed them.

Approval under s331

This application has not been deemed to be approved under section 331 of the *Sustainable Planning Act 2009* (SPA).

1. Details of the Approval

The following type/s of approval is given:

	Sustainable Planning Regulation 2009, Schedule 3, Reference	Development Permit	Preliminary Approval
Making a material change of use assessable under the planning scheme , a temporary local planning instrument, a master plan or a preliminary approval to which section 242 applies		<input checked="" type="checkbox"/>	

The Sustainable Planning Act 2009 is administered by the Department of Infrastructure and Planning, Queensland Government.

2. **Preliminary approval affecting the planning scheme – N/A**
3. **Details of any compliance assessment required for documents or work in relation to the development – N/A**
4. **Submissions** - There were no properly made submissions about the application.
5. **Conflict with a relevant instrument and reasons for the decision despite the conflict – N/A**
6. **Referral agencies**

The referral agencies for this application are:

Name of referral agency	Advice agency or concurrence agency	Address
SARA Assessment and Referral Agency	Concurrence	DILGP SARA – North Queensland Office PO Box 5666 Townsville Q 4810 Email:: NQSARA@dilgp.qld.gov.au

7. **Approved Plans**

The approved plans and/or documents for this development approval are listed in the following table:

Document/Title	Reference	Revision	Date
Revised General layout drawing	N/A	1	3 rd July 2017
Layout details	N/A	1	3 rd July 2017
Planning Report/Application	N/A		June 2017

8. **When Approval Lapses if Development Not Started (Section 341)**

- ☒ the relevant periods stated in section 341 of the *Sustainable Planning Act 2009 (SPA)* apply to each aspect of development of this approval, as outlined below -
- ☒ material change of use – 4 years;
 - ☐ reconfiguring a lot not requiring operational works – 2 years;
 - ☐ reconfiguring a lot requiring operational works – 4 years;
 - ☐ any other development not listed above – 2 years.

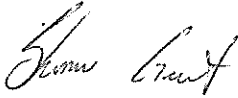
If there is 1 or more subsequent related approvals (for meaning refer to Section 341(7) of SPA) for a development approval for a material change of use or a reconfiguration, the relevant period for the approval will be taken to have started on the day the latest related approval takes effect.

9. Appeal Rights

Attached is an extract from the Sustainable Planning Act 2009 which details the applicant's appeal rights and the appeal rights of any submitters regarding this decision.

If you wish to discuss this matter further, please contact Council's Planning & Development Department on 4783 9800.

Yours faithfully



Shane Great
MANAGER – PLANNING & DEVELOPMENT

Attachment 1—Conditions of the approval

Part 1—Conditions imposed by the assessment manager

Part 2—Concurrence agency conditions

Attachment 2—SPA extract on appeal rights

Attachment 1 – Part 1

Assessment Manager Conditions

Burdekin Shire Council

SUSTAINABLE PLANNING ACT 2009, IDAS DEVELOPMENT APPLICATION

Approved Plans/Staging

- 1.(a) 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 including all drawings/documents identified in the Table below, except as otherwise specified by any condition of this approval.

Document/Title	Reference	Revision	Date
General layout drawing	N/A	1	3 rd July 2017
Layout details	N/A	1	3 rd July 2017
Planning Report/Application			June 2017

- (b) 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.
- (c) The proposed development must comply with all Planning Scheme requirements as applying at the date of this approval, except as otherwise specified by any condition.

Compliance with conditions

2. The proposed development must comply with all conditions of this development permit prior to the commencement of the use.

Outstanding charges

3. All rates and charges (including regulated 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.

Notice of Intention to commence the use

4. Prior to the commencement of the use on the site, 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.

Public Utility Services/Damage

- 5.1 The developer must at its own cost undertake all necessary alterations to public utility mains and services as are rendered necessary by the carrying out of any required external works or other works associated with the approved development.
- 5.2 Any damage which is caused to Council's infrastructure as a result of the proposed development must be repaired immediately.

Stormwater

- 6.1 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.
- 6.2 Any external catchments discharging to the premises must be accepted and accommodated within the development's stormwater drainage system.

Road/Access

- 7.1 Upgrade the pavement width of the access road to be 6m. This will allow a 4m carriageway with 1m wide shoulders either side. The pavement thickness will be 175mm of type 2.4 gravel (or equivalent) with an evaluation required of the subgrade and gravel which forms the existing pavement. The track is to be constructed within the road corridor and to the satisfaction of the Chief Executive Officer;
- 7.2 Provide evidence that the applicant has an agreement from Sunwater to traverse the irrigation channel crossing on Woodhouse Road to gain access to the site.
- 7.3 The construction of any crossovers to give access to the land is to be the owner's responsibility and to the satisfaction of the Chief Executive Officer.

Operational Works

8. Where operational works are required to be carried out for the proposed solar farm, the developer must, within the timeframe required by the Sustainable Planning Act 2009 and prior to the commencement of any work, lodge with Council an application for a development permit for operational works. As part of such application, the developer must submit:-
 - (a) detailed and complete engineering drawings and specifications of the proposed works prepared by a civil engineer, who is both registered under the Professional Engineer's Act 2002 and is current Registered Professional Engineer of Queensland; and
 - (b) a certificate from the engineer who prepared the drawings stating that the design and specifications have been prepared in accordance with these conditions, relevant Council Codes and Planning Scheme Policies and the relevant Australian Standard Codes of Practice;

On-site Sewerage Disposal

9. Prior to commencement of construction the development must be serviced by an appropriate sewerage disposal system.

Refuse Facilities

10. All waste generated as a result of the construction activities is to be effectively controlled and contained entirely within the boundaries of the site before disposal, unless otherwise approved by Council.

Management Plans

- 11.1 Prepare, implement and maintain a Construction Management Plan (CMP) for the subject site. The CMP must be prepared and certified by a Registered Professional Engineer of Queensland (RPEQ), submitted to the Council and available on site at all times. The CMP must include, but not be limited to, the following details for the construction phase of the approved development:
 - a) a description of all relevant activities to be undertaken on the site during construction including the anticipated staging for bulk earthworks and the construction works program
 - b) a description of the roles and responsibilities for all relevant employees involved in the construction of the project including relevant training and induction provisions for ensuring that all employees, contractors and sub-contractors are aware of their environmental and compliance obligations under these conditions of approval
 - c) details of any construction sites and mitigation, monitoring, management and rehabilitation measures specific to the site that would be implemented
 - d) statutory and other obligations that the applicant is required to fulfil during construction including all relevant approvals, consultations and agreements required from authorities and other stakeholders, and key legislation and policies
 - e) details of how the environmental performance of construction will be monitored, and what actions will be taken to address identified potential adverse environmental impacts including soil and water impacts and dust emissions

- f) emergency management measures including measures to control bushfires.
- 11.2 Prior to the commencement of construction, the applicant must submit to the Council a Traffic Management Plan (TMP) prepared and certified by a Registered Professional Engineer of Queensland (RPEQ). The TMP must include, but is not limited to:
- a) details of how construction of the project will be managed in proximity to local and regional roads
 - b) details of traffic routes for heavy vehicles, including any necessary route for oversized loads
 - c) details of how any potential safety hazards resulting from the increased vehicle movements will be mitigated during the construction phase
 - d) procedures for informing the public where any road access will be restricted as a result of the project
 - e) dilapidation report for Mitchell Road
 - f) details of access from Mitchell to project site
- 11.3 No later than one month prior to the decommissioning of the project, or otherwise agreed to by the Chief Executive Officer, the applicant is to submit to the Council a Decommissioning and Rehabilitation Management Plan prepared and certified by a suitably qualified person. The plan must include but is not limited to:
- a) identification of structures, including but not limited to all solar panels, the substation, the control and facility building and electrical infrastructure, including underground infrastructure to be removed, except where the substation, control room or overhead electricity lines are transferred to or in control of the local electricity network operator, and how they will be removed
 - b) measures to reduce impacts of the development on the environment and surrounding land uses
 - c) details of how the land will be rehabilitated back to its predevelopment condition, including slope and soil profile.

Decommissioning/Post Operations

- 12.1 If the solar farm is not used for the generation of electricity for a continuous period of 12 months, the use shall be considered decommissioned, and the site shall be returned as far as practical, to its condition prior to the commencement of the use, unless otherwise agreed by the Chief Executive Officer.
- 12.2 Within 18 months of the site being decommissioned the site shall be returned as far as practicable to its condition prior to the commencement of construction. All solar panels and associated above ground structures including but not necessarily limited to, the substation, the control and facilities building and electrical infrastructure, including underground infrastructure shall be removed from the site unless otherwise agreed by the Chief Executive Officer, except where the substation, control room or overhead electricity lines are transferred to or in the control of the local electricity network operator.

Advice;

- *Given that the site is located in a cyclonic region defined as C2, it will be necessary for all buildings and for the solar panel supporting framework (Special structures) to be designed assessed and constructed in accordance with relevant Building Regulations.*
- *All waste is to be disposed of in accordance with the Environmental Protection (Waste Management) Regulation 2000.*



Department of Infrastructure,
Local Government and Planning

Our reference: SDA-1216-035675
Your reference: Cons15/0028 SG:MB

27 July 2017

Chief Executive Officer
Burdekin Shire Council
PO Box 974
AYR QLD 4807

Attention: Mr Shane Great

Dear Mr Great

Concurrence agency response—with conditions

Development Permit for Material Change of Use for Solar Farm
Land situated at Ayr-Dalbeg Road, Mulgrave and described as Lot 22 on GS1042
(Given under section 285 of the *Sustainable Planning Act 2009*)

The referral agency material for the development application described below was received by the Department of Infrastructure, Local Government and Planning under section 272 of the *Sustainable Planning Act 2009* on 15 February 2017.

Applicant details

Applicant name: Cleangen Projects Pty Ltd
Applicant contact details: PO Box 237
NORTH SYDNEY NSW 2059
kreddy@cleangenpower.com

Site details

Street address: Ayr-Dalbeg Road, Mulgrave QLD 4807
Lot on plan: Lot 22 on GS1042
Local government area: Burdekin Shire

Application details

Proposed development: Development permit for material change of use – Solar farm

Aspects of development and type of approval being sought

Nature of Development	Approval Type	Brief Proposal of Description	Level of Assessment
Material Change of Use	Development permit	Solar Farm	Impact Assessment

Referral triggers

The development application was referred to the department under the following provisions of the *Sustainable Planning Regulation 2009*:

Referral trigger **Schedule 7, Table 3, Item 1 – State-Controlled Road**
 Schedule 7, Table 3, Item 10 – Clearing Vegetation

Conditions

Under section 287(1)(a) of the *Sustainable Planning Act 2009*, the conditions set out in Attachment 1 must be attached to any development approval.

Reasons for decision to impose conditions

Under section 289(1) of the *Sustainable Planning Act 2009*, the department must set out the reasons for the decision to impose conditions. These reasons are set out in Attachment 2.

Further advice

The department offers advice about the application to the applicant—see Attachment 3.

Approved plans and specifications

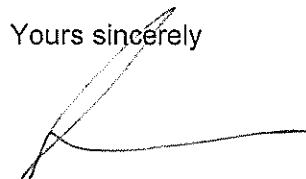
The department requires that the following plans and specifications set out below and in Attachment 4 must be attached to any development approval.

Drawing/Report Title	Prepared by	Date	Reference no.	Version/Issue
Aspect of development: Development permit for material change of use – Solar farm				
Referral Agency Response (Vegetation) Plan (RARP)	Queensland Government	14 June 2017	SDA-1216-035675	-

A copy of this response has been sent to the applicant for their information.

For further information, please contact Catherine Hobbs, Principal Planning Officer, SARA North QLD on 4758 3412, or email catherine.hobbs@dilgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Steve Conner
A/Deputy Director-General

cc: Cleangen Projects Pty Ltd, email: kreddy@cleangenpower.com

enc: Attachment 1—Conditions to be imposed
 Attachment 2—Reasons for decision to impose conditions
 Attachment 3—Further advice
 Attachment 4—Approved Plan and Specifications

Our reference: SDA-1216-035675
 Your reference: Cons15/0028 SG:MB

Attachment 1—Conditions to be imposed

No.	Conditions	Condition timing
Development Permit for Material Change of Use for Solar Farm		
Schedule 7, Table 3, Item 10—Clearing Vegetation—Pursuant to section 255D of the <i>Sustainable Planning Act 2009</i> , the chief executive administering the Act nominates the Director-General of the Department of Natural Resources and Mines to be the assessing authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition(s):		
1.	The clearing of vegetation is not to exceed 198.76 hectares as identified as Area A (parts A1-A2) on the attached Referral Agency Response (Vegetation) Plan (RARP) SDA-1216-035675, dated 14 June 2017.	At all times
2.	Any person(s) engaged or employed to carry out the clearing of vegetation must be provided with a full copy of this concurrence agency response, and must be made aware of the full extent of clearing authorised by the relevant development approval.	Prior to clearing
3.	<p>(a) Prepare a Management Plan addressing Salinity. The management must be prepared by a suitably qualified professional and recommend salinity management measures to ensure :</p> <p>i. no worsening of the salinity levels of the soil and surface or ground water as a result of changes in the hydrology of the subject land; and</p> <p>ii. no increase in the incidence of waterlogging.</p> <p>(b) Submit a copy of the Management Plan mentioned at part (a) of this condition to: Vegetation Management Department of Natural Resources and Mines Address: PO Box 5318 Townsville QLD 4810 Email: northvegetation@dnrm.qld.gov.au</p> <p>(c) Implement and maintain all required salinity management measures identified within the Management Plan mentioned at part (a) of this condition.</p>	<p>(a) and (b) Prior to clearing commencing</p> <p>(c) For the duration of the clearing</p>
Schedule 7, Table 3, Item 1—State-controlled Road—Pursuant to section 255D of the <i>Sustainable Planning Act 2009</i> , the chief executive administering the Act nominates the Director-General of the Department of Transport and Main Roads to be the assessing authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition(s):		
4.	<p>(a) A Construction Management Plan must be prepared by an RPEQ (suitably qualified and experienced in traffic engineering) and given to: Program Delivery and Operations Unit Department of Transport and Main Roads North Queensland Region Email North.Queensland.IDAS@tmr.qld.gov.au</p> <p>(b) The Construction Management Plan must demonstrate that there will be no disruption to vehicular traffic on Ayr-</p>	<p>(a) and (b) Prior to obtaining development approval for building work or operational work, whichever occurs first</p>

No.	Conditions	Condition timing
	<p>Ravenswood Road, Ayr-Dalbeg Road during the course of construction, In particular, the plan is to include:</p> <ul style="list-style-type: none"> i. A linked program of construction activities (program of works) encompassing all activities associated with stage 1 and stage 2 of construction. ii. Traffic routes that will be used for haulage of materials to and from the site, from point of origin. iii. Number, size and types of vehicles to be used during the construction stage, including any over-dimensional / over-size loads and including work hours. iv. Volume and frequency of traffic movements during the construction and operational stage, including any over dimensional / over-size loads. v. Include a Traffic Management Plan prepared by a competent person in accordance with Clause 1.4.3 of the Department of Transport and Main Roads' <i>Guidelines for Assessment of Road Impacts of Development 2006 (GARID)</i>. vi. A road safety review, prepared in accordance with Department of Transport and Main Roads' <i>Guidelines for Assessment of the Road Impact of Development</i>, that looks at key haul route intersections identified on the haul route and considers road safety issues with regard to harvest periods/seasonal considerations, pavement type (unsealed v sealed), speed environment, sight distances, heavy vehicle turn paths and vehicle queuing/storage and details mitigation works. vii. A pavement impact assessment (PIA) undertaken in accordance with Department of Transport and Main Roads <i>Guidelines for the Assessment of Road Impacts of Developments (GARID)</i>. The PIA is to identify all road and structure impacts (for example, , causeways, bridges), impact amelioration measures to be undertaken by the developer, including but not limited to construction of additional pavement, monetary contributions or bring forward and maintenance costs to mitigate the proposed developments impact on the state-controlled road network. <p>(c) The construction of the development must be undertaken in accordance with the Construction Management Plan.</p>	<p>(c) At all times during the construction of the development</p>

Our reference: SDA-1216-035675
Your reference: Cons15/0028 SG:MB

Attachment 2—Reasons for decision to impose conditions

The reasons for this decision are:

- To ensure the clearing works are carried out in the location and to the extent specified on the approved plans.
- To ensure the person undertaking the clearing works is aware of the requirements and conditions associated with the carrying out of the works.
- To ensure that the land is protected from waterlogging and salinisation.
- To ensure the development does not compromise the safe and efficient operation and integrity of state transport infrastructure during construction.

Our reference: SDA-1216-035675
Your reference: Cons15/0028 SG:MB

Attachment 3—Further advice

Further development permits, compliance permits or compliance certificates	
1.	<p>Over-dimensional Road Loads (Queensland Rail)</p> <p>Under the <i>Transport Infrastructure (Rail) Regulation 2006</i> permission from the Railway Manager (Queensland Rail) is required to take over-dimensional road loads across Queensland Rail infrastructure (e.g. rail level crossings and rail bridges). Further information can be obtained from Queensland Rail's website at: http://www.queenslandrail.com.au/forbusiness/overdimensionalloads.</p>

Our reference: SDA-1216-035675
Your reference: Cons15/0028 SG:MB

Attachment 4—Approved plan and specifications

Attachment 2 – SPA Extract Appeal Rights

SUSTAINABLE PLANNING ACT 2009, IDAS DEVELOPMENT APPLICATION

The following is an extract from the *Sustainable Planning Act 2009* (Chapter 7, Part 1).

MATERIAL CHANGE OF USE, RECONFIGURING A LOT & OPERATIONAL WORKS

Division 8 Appeals to court relating to development applications and approvals

461 Appeals by applicants

- (1) An applicant for a development application may appeal to the court against any of the following—
 - (a) the refusal, or the refusal in part, of the development application;
 - (b) any condition of a development approval, another matter stated in a development approval and the identification or inclusion of a code under section 242;
 - (c) the decision to give a preliminary approval when a development permit was applied for;
 - (d) the length of a period mentioned in section 341;
 - (e) a deemed refusal of the development application.
- (2) An appeal under subsection (1)(a), (b), (c) or (d) must be started within 20 business days (the **applicant's appeal period**) after—
 - (a) if a decision notice or negotiated decision notice is given—the day the decision notice or negotiated decision notice is given to the applicant; or
 - (b) otherwise—the day a decision notice was required to be given to the applicant.
- (3) An appeal under subsection (1)(e) may be started at any time after the last day a decision on the matter should have been made.

462 Appeals by submitters—general

- (1) A submitter for a development application may appeal to the court only against—
 - (a) the part of the approval relating to the assessment manager's decision about any part of the application requiring impact assessment under section 314; or
 - (b) the part of the approval relating to the assessment manager's decision under section 327.
- (2) To the extent an appeal may be made under subsection (1), the appeal may be against 1 or more of the following—
 - (a) the giving of a development approval;
 - (b) any provision of the approval including—
 - (i) a condition of, or lack of condition for, the approval; or
 - (ii) the length of a period mentioned in section 341 for the approval.
- (3) However, a submitter may not appeal if the submitter—
 - (a) withdraws the submission before the application is decided; or
 - (b) has given the assessment manager a notice under section 339(1)(b)(ii).
- (4) The appeal must be started within 20 business days (the **submitter's appeal period**) after the decision notice or negotiated decision notice is given to the submitter.

463 Additional and extended appeal rights for submitters for particular development applications

- (1) This section applies to a development application to which chapter 9, part 7 applies.
- (2) A submitter of a properly made submission for the application may appeal to the court about a referral agency's response made by a prescribed concurrence agency for the application.
- (3) However, the submitter may only appeal against a referral agency's response to the extent it relates to—
 - (a) if the prescribed concurrence agency is the chief executive (environment)—development for an aquacultural ERA; or
 - (b) if the prescribed concurrence agency is the chief executive (fisheries)—development that is—
 - (i) a material change of use of premises for aquaculture; or
 - (ii) operational work that is the removal, damage or destruction of a marine plant.
- (4) Despite section 462(1), the submitter may appeal against the following matters for the application even if the matters relate to code assessment—
 - (a) a decision about a matter mentioned in section 462(2) if it is a decision of the chief executive (fisheries);
 - (b) a referral agency's response mentioned in subsection (2).

464 Appeals by advice agency submitters

- (1) Subsection (2) applies if an advice agency, in its response for an application, told the assessment manager to treat the response as a properly made submission.
- (2) The advice agency may, within the limits of its jurisdiction, appeal to the court about—
 - (a) any part of the approval relating to the assessment manager's decision about any part of the application requiring impact assessment under section 314; or
 - (b) any part of the approval relating to the assessment manager's decision under section 327.
- (3) The appeal must be started within 20 business days after the day the decision notice or negotiated decision notice is given to the advice agency as a submitter.

- (4) However, if the advice agency has given the assessment manager a notice under section 339(1)(b)(ii), the advice agency may not appeal the decision.

465 Appeals about decisions relating to extensions for approvals

- (1) For a development approval given for a development application, a person to whom a notice is given under section 389, other than a notice for a decision under section 386(2), may appeal to the court against the decision in the notice.
- (2) The appeal must be started within 20 business days after the day the notice of the decision is given to the person.
- (3) Also, a person who has made a request under section 383 may appeal to the court against a deemed refusal of the request.
- (4) An appeal under subsection (3) may be started at any time after the last day the decision on the matter should have been made.

466 Appeals about decisions relating to permissible changes

- (1) For a development approval given for a development application, the following persons may appeal to the court against a decision on a request to make a permissible change to the approval—
- (a) if the responsible entity for making the change is the assessment manager for the application—
- (i) the person who made the request; or
- (ii) an entity that gave a notice under section 373 or a pre-request response notice about the request;
- (b) if the responsible entity for making the change is a concurrence agency for the application—the person who made the request.
- (2) The appeal must be started within 20 business days after the day the person is given notice of the decision on the request under section 376.
- (3) Also, a person who has made a request under section 369 may appeal to the court against a deemed refusal of the request.
- (4) An appeal under subsection (3) may be started at any time after the last day the decision on the matter should have been made.

467 Appeals about changing or cancelling conditions imposed by assessment manager or concurrence agency

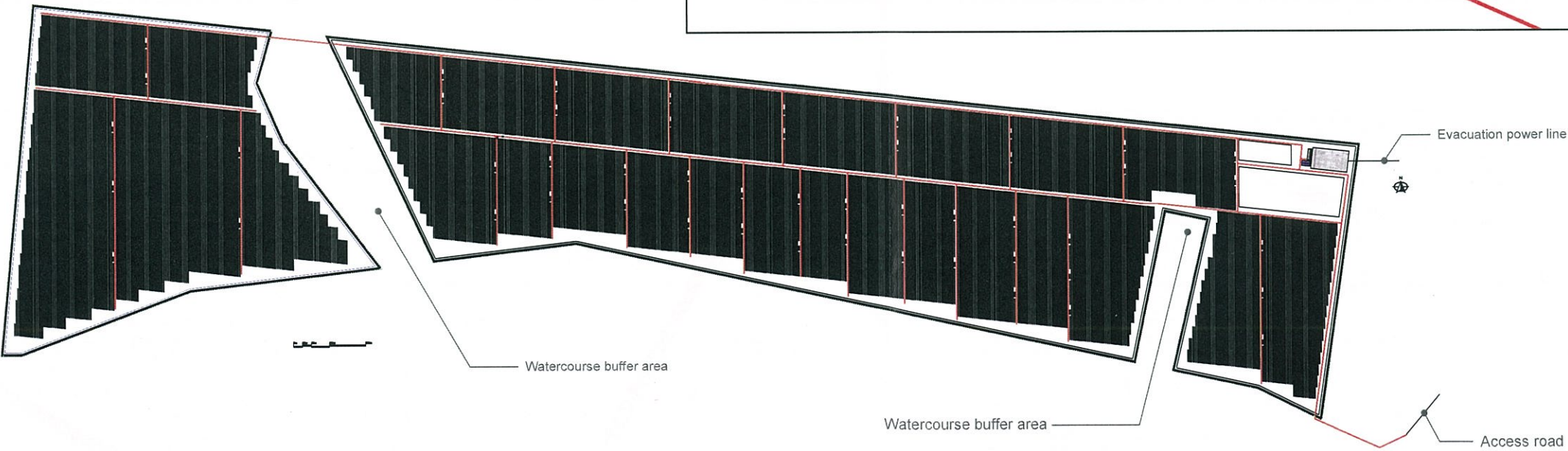
- (1) A person to whom a notice under section 378(9)(b) giving a decision to change or cancel a condition of a development approval has been given may appeal to the court against the decision in the notice.
- (2) The appeal must be started within 20 business days after the day the notice of the decision is given to the person.



Esale: 1:10000
Detail: North West area



Esale: 1:5000
Detail: Substation area



Watercourse buffer area

Watercourse buffer area

Access road

Solar Plant

Location:
19.877780°S, 147.162417°E

Legend:

● ● ● ●	Hedge
—	Solar panels - tracker row
—	Inverter station
—	Boundary
—	Fence
---	Overhead power line OHL
—	Substation
—	Internal paths
—	Not used

APPROVED

REF: CONS 1510028 DATE: 25-10-17

Notes:

- 448,050 Solar panels multicrystalline 365 Wp each (163,538 kWp), 27 PV arrays

- 30 modules connected in series forming one string totalling 14,935 strings

- 46 Central inverters, 3 MW each, 140,760 kW total AC capacity

- Inverters inside prefabricated containers housing inverter, transformer and 33 kV switchgear

- Single Axis Trackers hold 90, 60 or 30 modules in portrait with +/-60 degree tilt, 4.5 m distance from row center to center (pitch).

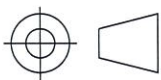
- Total area inside boundary line 226.8 ha, according to amended layout based on surveyed watercourses including buffer. File downloaded from <http://qldspatial.information.qld.gov.au>

- Total Occupied area: 194.0 ha
- Total fenced area 210.8 ha, 11,072 m (perimeter)

- Laydown & storage area: 8,000 m2
- Space for future stationary batteries: 3 ha
- O&M building: 300 m2
- Substation: 6,000 m2
- Inverter station: 36 m2 each
- Parking: 360 m2
- Setback boundary - fence: 15 m
- Setback boundary - occupied area: 25 m
- Fire break - 20 m

- Evacuation voltage 275 kV

Rev.	Date	Remarks
0	30/06/17	First release
1	03/07/17	Cosmetic changes



3RD angle projection

ALL DIMENSIONS
"mm"



Cleangen Projects Pty Ltd

Burdekin Solar Farm (Lot 22 on GS1042, Clare)

General layout drawing

Date: Jun 2017 Designed by SA

DWG SIZE
A3

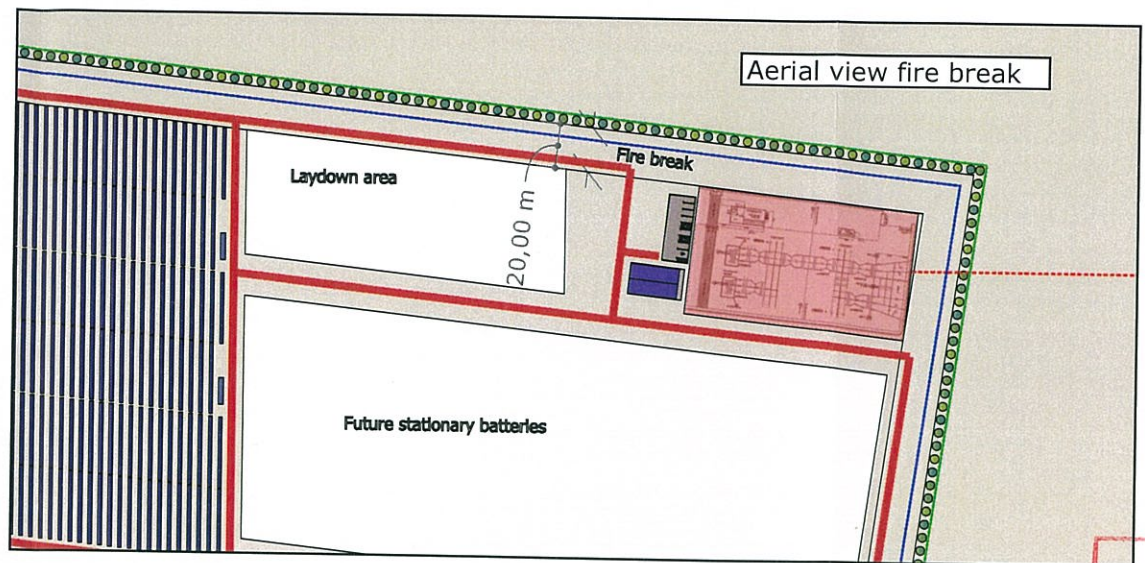
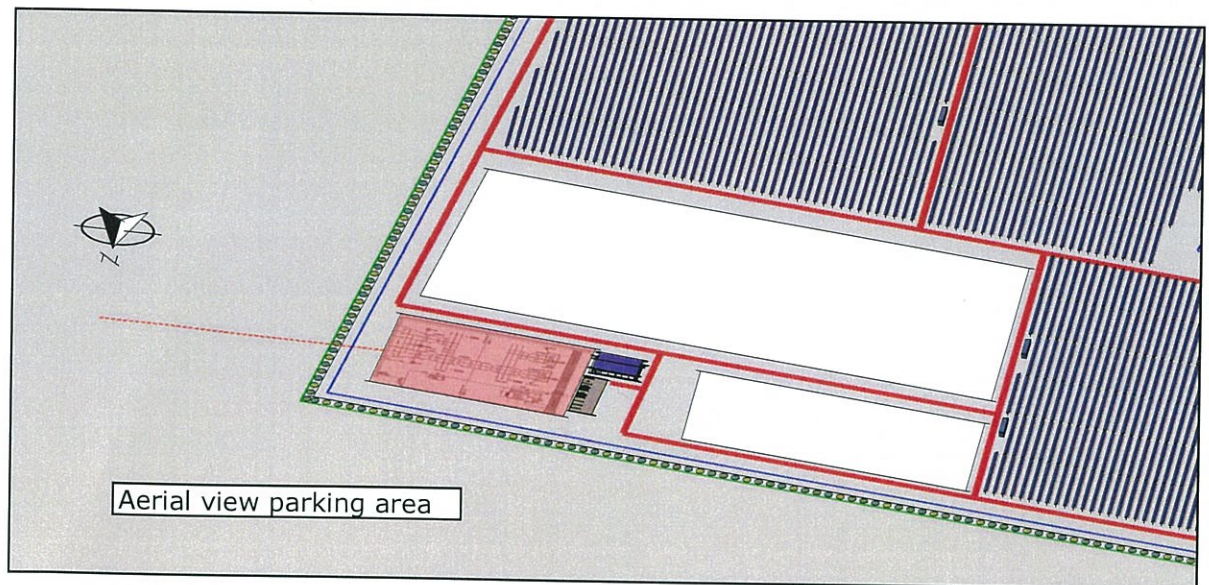
Power project Capacity (AC): 140 MW

REV. No.
1

SCALE: Several

Mulgrave QLD 4807 , Australia

Sheet: 1 of 1



Solar Plant

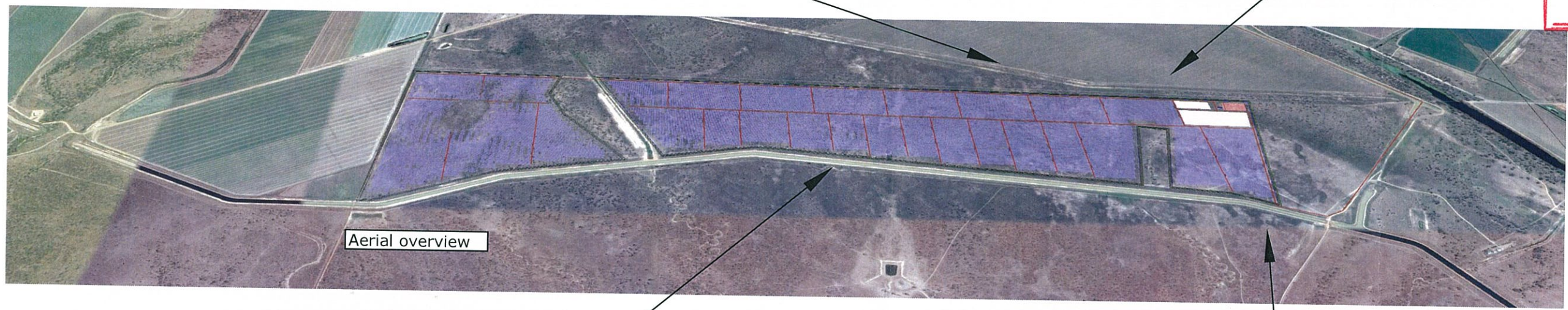
Location:
19.877780°S, 147.162417°E

Legend:

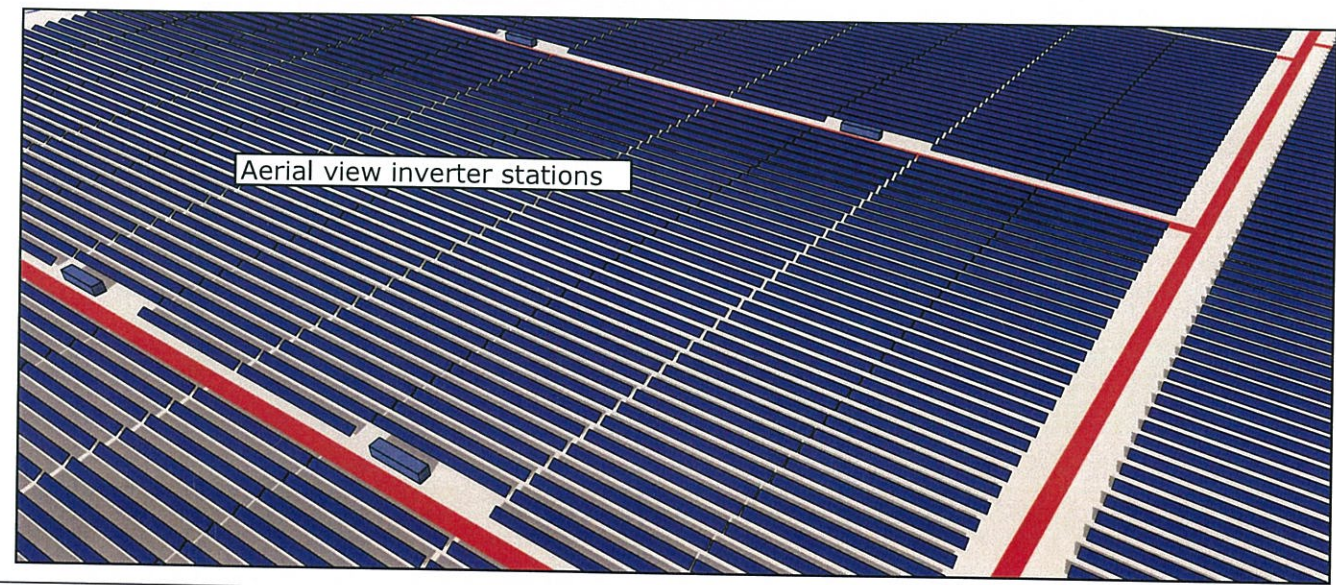
- Hedge
- Solar panels - tracker row
- Inverter station
- Boundary
- Fence
- Overhead power line OHL
- Substation
- Internal paths

REF: **APPROVED** CONSIS/0028 DATE: 25-10-17

Notes:



- 448,050 Solar panels multicrystalline 365 Wp each (163,538 kWp), 27 PV arrays
- 30 modules connected in series forming one string totalling 14,935 strings
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- Inverters inside prefabricated containers housing inverter, transformer and 33 kV switchgear
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- Total fenced area 210.8 ha, 11,072 m (perimeter)
- Laydown & storage area: 8,000 m2
- Space for future stationary batteries: 3 ha
- O&M building: 300 m2
- Substation: 6,000 m2
- Inverter station: 36 m2 each
- Parking: 360 m2
- Setback boundary - fence: 15 m
- Setback boundary - occupied area: 25 m
- Fire break: 20 m
- Evacuation voltage 275 kV



Rev.	Date	Remarks
0	30/06/17	First release
1	03/07/17	Cosmetic changes



Extension to Currency Period

Planning Act 2016

30th July, 2020

CleanGen Pty Ltd
Attention: Koovashni Reddy
PO Box 237
North Sydney NSW 2059

Dear Madam

I refer to your request dated 30th June, 2020 to extend the currency period for an existing approval. On 28th July, 2020 Council decided your request. Details of the decision are as follows:

Application Details

Application Number:	Cons15/0028
Proposal:	Material Change of Use for a Solar Farm
Street Address:	Ayr Dalbeg Road, Mulgrave
Real Property Description:	Lot 22 on GS1042
Planning Scheme	Burdekin Shire IPA Planning Scheme

Development Details

The following type of approval has been issued:

Development Permit Material Change of Use for Solar Farm

In relation to the request to extend the currency period for this approval, council decided to extend the currency period by 4 years.

Currency Period of Approval

The currency period for this development approval will now end on 25th October, 2025.

Rights of Appeal

You are entitled to appeal against this decision. A copy of the relevant appeal provisions from the *Planning Act 2016* is attached.

Decision Notice History

Cons15/0028 Original Decision Notice 25th October, 2017.

Cons15/0028 Extension to Relevant Period 30th July, 2020.

Other Details

If you wish to obtain more information about council's decision, electronic copies are available online at www.burdekin.qld.gov.au, or at the Council Chambers, 145 Young Street, Ayr Qld 4807.

If you have any further queries in relation to the above, please contact the Planning Department on 97 4783 9800.

Yours faithfully



Shane Great

MANAGER – PLANNING & DEVELOPMENT

Appeal Rights

Planning Act 2016 & The Planning Regulation 2017

Chapter 6 Dispute resolution

Part 1 Appeal rights

229 Appeals to tribunal or P&E Court

- (1) Schedule 1 of the *Planning Act 2016* states –
 - (a) Matters that may be appealed to –
 - (i) either a tribunal or the P&E Court; or
 - (ii) only a tribunal; or
 - (iii) only the P&E Court; and
 - (b) The person-
 - (i) who may appeal a matter (**the appellant**); and
 - (ii) who is a respondent in an appeal of the matter; and
 - (iii) who is a co-respondent in an appeal of the matter; and
 - (iv) who may elect to be a co-respondent in an appeal of the matter.

(Refer to Schedule 1 of the Planning Act 2016)

- (2) An appellant may start an appeal within the appeal period.
- (3) The **appeal period** is –
 - (a) for an appeal by a building advisory agency – 10 business days after a decision notice for the decision is given to the agency; or
 - (b) for an appeal against a deemed refusal – at any time after the deemed refusal happens; or
 - (c) for an appeal against a decision of the Minister, under chapter 7, part 4, to register premises or to renew the registration of premises – 20 business days after a notice is published under section 269(3)(a) or (4); or
 - (d) for an appeal against an infrastructure charges notice – 20 business days after the infrastructure charges notice is given to the person; or
 - (e) for an appeal about a deemed approval of a development application for which a decision notice has not been given – 30 business days after the applicant gives the deemed approval notice to the assessment manager; or
 - (f) for any other appeal – 20 business days after a notice of the decision for the matter, including an enforcement notice, is given to the person.

Note –

See the P&E Court Act for the court's power to extend the appeal period.

- (4) Each respondent and co-respondent for an appeal may be heard in the appeal.
- (5) If an appeal is only about a referral agency's response, the assessment manager may apply to the tribunal or P&E Court to withdraw from the appeal.
- (6) To remove any doubt. It is declared that an appeal against an infrastructure charges notice must not be about-
 - (a) the adopted charge itself; or
 - (b) for a decision about an offset or refund-
 - (i) the establishment cost of trunk infrastructure identified in a LGIP; or
 - (ii) the cost of infrastructure decided using the method included in the local government's charges resolution.

230 Notice of appeal

- (1) An appellant starts an appeal by lodging, with the registrar of the tribunal or P&E Court, a notice of appeal that-
 - (a) is in the approved form; and
 - (b) succinctly states the grounds of the appeal.
- (2) The notice of appeal must be accompanied by the required fee.
- (3) The appellant or, for an appeal to a tribunal, the registrar must, within the service period, give a copy of the notice of appeal to –
 - (a) the respondent for the appeal ; and
 - (b) each co-respondent for the appeal; and
 - (c) for an appeal about a development application under schedule 1, table 1, item 1 – each principal submitter for the development application; and
 - (d) for an appeal about a change application under schedule 1, table 1, item 2 – each principal submitter for the change application; and
 - (e) each person who may elect to become a co-respondent for the appeal, other than an eligible submitter who is not a principal submitter in an appeal under paragraph (c) or (d); and
 - (f) for an appeal to the P&E Court – the chief executive; and

- (g) for an appeal to a tribunal under another Act – any other person who the registrar considers appropriate.
- (4) The *service period* is –
 - (a) if a submitter or advice agency started the appeal in the P&E Court – 2 business days after the appeal has started; or
 - (b) otherwise – 10 business days after the appeal is started.
- (5) A notice of appeal given to a person who may elect to be a co-respondent must state the effect of subsection (6).
- (6) A person elects to be a co-respondent by filing a notice of election, in the approved form, within 10 business days after the notice of appeal is given to the person.

231 Other appeals

- (1) Subject to this chapter, schedule 1 and the P&E Court Act, unless the Supreme Court decides a decision or other matter under this Act is affected by jurisdictional error, the decision or matter is non-appealable.
- (2) The *Judicial Review Act 1991*, part 5 applies to the decision or matter to the extent it is affected by jurisdictional error.
- (3) A person who, but for subsection (1) could have made an application under the *Judicial Review Act 1991* in relation to the decision or matter, may apply under part 4 of that Act for a statement of reasons in relation to the decision or matter.
- (4) In this section –
 - decision* includes-
 - (a) conduct engaged in for the purpose of making a decision; and
 - (b) other conduct that relates to the making of a decision; and
 - (c) the making of a decision or failure to make a decision; and
 - (d) a purported decision ; and
 - (e) a deemed refusal.
 - non-appealable*, for a decision or matter, means the decision or matter-
 - (a) is final and conclusive; and
 - (b) may not be challenged, appealed against, reviewed, quashed, set aside or called into question in any other way under the *Judicial Review Act 1991* or otherwise, whether by the Supreme Court, another court, a tribunal or another entity; and
 - (c) is not subject to any declaratory, injunctive or other order of the Supreme Court, another court, a tribunal or another entity on any ground.

232 Rules of the P&E Court

- (1) A person who is appealing to the P&E Court must comply with the rules of the court that apply to the appeal.
- (7) However, the P&E Court may hear and decide an appeal even if the person has not complied with the rules of the P&E Court. The *service period* is –
 - (c) if a submitter or advice agency started the appeal in the P&E Court – 2 business days after the appeal has started; or
 - (d) otherwise – 10 business days after the appeal is started.
- (8) A notice of appeal given to a person who may elect to be a co-respondent must state the effect of subsection (6).
- (9) A person elects to be a co-respondent by filing a notice of election, in the approved form, within 10 business days after the notice of appeal is given to the person.

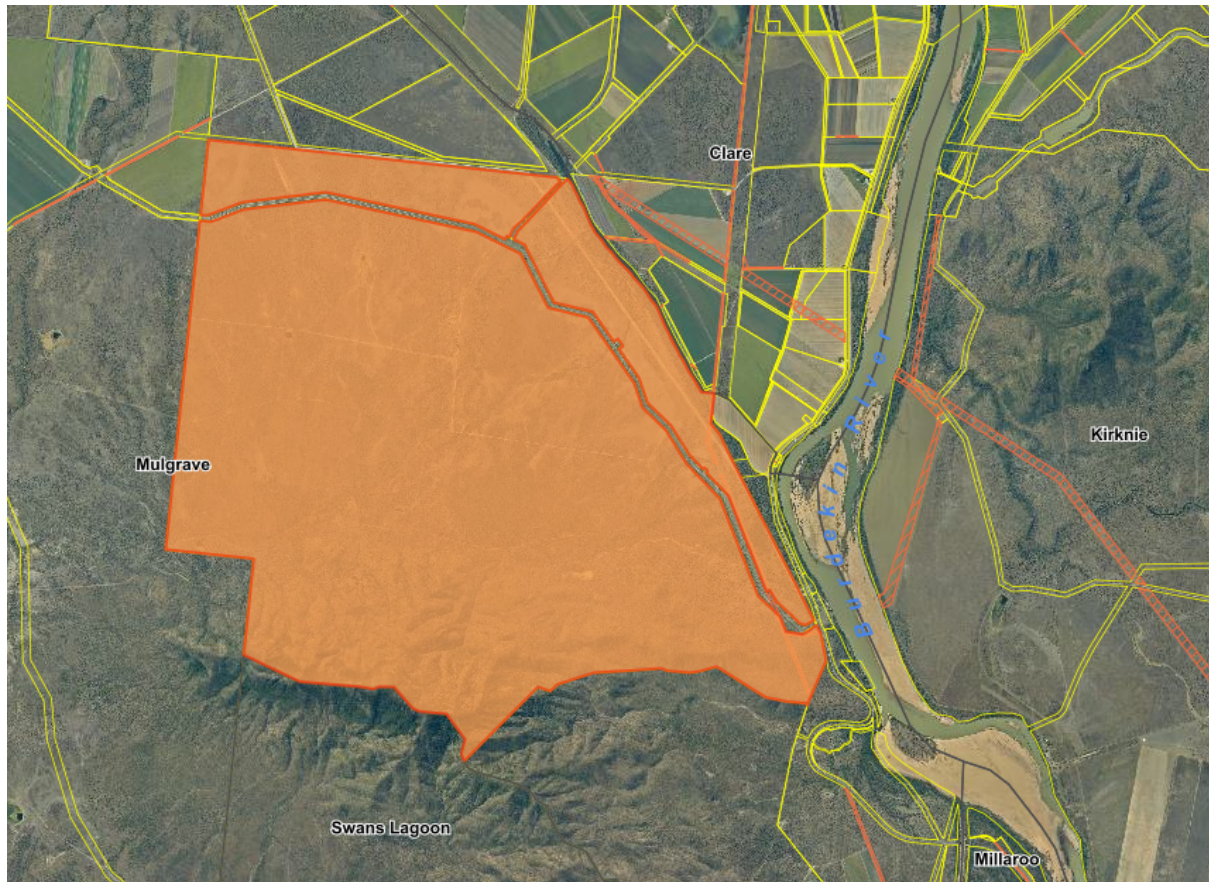
231 Other appeals

- (5) Subject to this chapter, schedule 1 and the P&E Court Act, unless the Supreme Court decides a decision or other matter under this Act is affected by jurisdictional error, the decision or matter is non-appealable.
- (6) The *Judicial Review Act 1991*, part 5 applies to the decision or matter to the extent it is affected by jurisdictional error.
- (7) A person who, but for subsection (1) could have made an application under the *Judicial Review Act 1991* in relation to the decision or matter, may apply under part 4 of that Act for a statement of reasons in relation to the decision or matter.
- (8) In this section –
 - decision* includes-
 - (f) conduct engaged in for the purpose of making a decision; and
 - (g) other conduct that relates to the making of a decision; and
 - (h) the making of a decision or failure to make a decision; and
 - (i) a purported decision ; and
 - (j) a deemed refusal.
 - non-appealable*, for a decision or matter, means the decision or matter-
 - (d) is final and conclusive; and
 - (e) may not be challenged, appealed against, reviewed, quashed, set aside or called into question in any other way under the *Judicial Review Act 1991* or otherwise, whether by the Supreme Court, another court, a tribunal or another entity; and
 - (f) is not subject to any declaratory, injunctive or other order of the Supreme Court, another court, a tribunal or another entity on any ground.

232 Rules of the P&E Court

- (2) A person who is appealing to the P&E Court must comply with the rules of the court that apply to the appeal.
- (3) However, the P&E Court may hear and decide an appeal even if the person has not complied with the rules of the P&E Court.

Attachment C – Locality Plan



7.4.1. TECHNICAL SERVICES

Register of Pre-Qualified Suppliers - Trade Services - Builders, Carpenters, Concreters & Painters.

File Reference: 765, 766, 202, 807

Report Author: Gary Keane, Manager Contracts

Authoriser: James Stewart, Director Infrastructure Planning and Environmental Services

Meeting Date: 9 December 2025

Link to Corporate/Operational Plan:

Burdekin Shire Council Corporate Plan 2025-2030

- Support and promote local businesses.
- Plan, build and maintain infrastructure that enhances and extends the life of community assets.

Executive Summary

Tenders for TBSC/25/035 - Register of Pre-Qualified Suppliers - Trade Services - Builders, Carpenters, Concreters and Painters closed on 17 November 2025 at 2:00pm.

Eighty-six sets of documents were requested from prospective tenderers through Vendor Panel - Marketplace.

One (1) local tender was received at the nominated closing time.

Recommendation

That Council accepts the tender submitted by Strata Building and Construction for inclusion in the register of pre-qualified suppliers - Trade Services, covering the categories of Builders, Carpenters, Concreters, and Painters.

Background

The previous report to Council on 28 October 2025, successfully added several contractors to the Pre-Qualified panels for Trade Services. Despite this success, the Council's facility management department observed a disappointing lack of interest from local trades in submitting tenders to assist with Building Trade related reactive maintenance tasks.

To address the low local response, Council officers made direct phone calls to several local Builders to ensure they were aware of the request for tender applications. Tenders for the specific contract, TBSC/25/035 - Register of Pre-Qualified Suppliers - Trade Services (covering Builders, Carpenters, Concreters, and Painters), closed on 17 November 2025, at 2:00 pm. A total of Eighty-six sets of documents were downloaded by prospective tenderers via Vendor Panel - Marketplace.

However, even with the proactive follow-up (phone calls and re-advertising), only one (1) local tender was ultimately received by the closing time. This sole local tender was submitted by Strata Building and Construction, registering across all categories: Builders, Carpenters, Concreters, and Painters. To keep in line with the adoption of the previous additions in the report to Council on the 28 October, the register will be effective for a period of two (2) years from 3 November 2025.

Consultation

Tenders for the above, closing on 17 November 2025 at 2:00pm were advertised on Council's Web page, Vendor Panel (Marketplace) and in the Burdekin Life commencing on 17 October 2025.

Budget & Resource Implications

Budget for these services is allocated by Council each year in the capital projects budget and Operational Budget for maintenance tasks.

Legal Authority & Implications

Local Government Regulations 2012, Chapter 6 Contracting.

Division 3: Exceptions for medium-sized and large-sized contractual arrangements.

Section 232: Exception for register of pre-qualified suppliers.

Burdekin Shire Council Procurement Policy 2025/2026.

Policy Implications

The establishment of a Register of Pre-qualified Suppliers is consistent with the Burdekin Shire Council Procurement Policy 2025/2026 as follows:

The Policy's objectives states:

The objectives of this policy are to achieve advantageous procurement outcomes by:-

- promoting value for money with probity and accountability; and
- advancing Council's economic, social and environmental policies; and
- providing reasonable opportunity for competitive local businesses that comply with relevant legislation to supply to Council; and
- promoting compliance with relevant legislation.

Principles states:

Councillors and Council officers must have regard to the following sound contracting principles in all purchasing and disposal activities in accordance with the *Local Government Act 2009* (the Act), Section 104:

Value for money

Council must harness its purchasing power to achieve the best value for money. The concept of value for money is not restricted to price alone. The value for money assessment must include consideration of:

- contribution to the advancement of Council's priorities; and
- fitness for purpose, quality, service and support; and
- whole-of-life costs including costs of acquiring, using, maintaining and disposal; and
- internal administration costs; and
- technical compliance issues; and
- risk exposure; and
- the value of any associated environmental benefits.

Open and effective competition

Purchasing and disposal should be open and result in effective competition in the provision of goods and services and disposal of assets. Council must give fair and equitable consideration to all prospective suppliers or purchasers.

The development of competitive local business and industry

Council encourages the development of competitive local businesses within its local government area. Where price, performance, quality, suitability and other evaluation criteria are comparable, the following areas may be considered in evaluating offers:-

- creation of local employment opportunities;
- more readily available servicing support;
- more convenient communications for contract management;
- economic growth within the local area;
- benefit to Council of associated local commercial transaction.

Exceptions

The *Local Government Regulation 2012*, Chapter 6 Contracting, Part 3 Default contracting procedures at Division 3 (Sections 229-235) identifies exceptions for medium-sized and large-sized contracts. If one (1) of the exceptions applies, Council may enter into:-

- a medium-sized contract without first inviting written quotes; or
- a large-sized contract without first inviting written tenders.

The exceptions are summarized as follows:

Section 232 – Register of pre-qualified suppliers.

Risk Implications (Strategic, Operational, Project Risks)

Council has significant assets & infrastructure through the organisation. The upgrades and maintenance have been delivered by suppliers utilising tenders and mainly quotations. The obtaining of quotes for minor works is becoming increasingly difficult due to the current contractor environment. Operationally the infrastructure requires maintenance and upgrades. A number of companies offer these services, and it is considered risk averted to utilise a number of companies to deliver these services especially to complete works in a timely manner.

Attachments

None

7.4.2. TECHNICAL SERVICES

2025/2026 Operational Plan Quarterly Reporting - Update of Operational Plan Activity - TS5

File Reference:

Report Author: Kevin Byers, Manager Technical Services

Authoriser: James Stewart, Director Infrastructure Planning and Environmental Services

Meeting Date: 9 December 2025

Link to Corporate/Operational Plan:

Burdekin Shire Council Operational Plan 2025-2026

TS5 Complete asset valuation reviews including desktop reviews for Transport, Drainage, Land and Improvements and Other Assets and comprehensive valuation of Buildings, Water and Sewerage Assets.

Executive Summary

The purpose of this report to Council is to amend the Operational Plan Activity in the 2025/2026 Operational Plan Target (TS5).

TS5 currently reads:

"Complete asset valuation reviews including desktop reviews for Transport, Drainage, Land and Improvements and Other Assets and comprehensive valuation of Buildings, Water and Sewerage Assets."

Council Officers propose it be changed to:

"Complete asset valuation reviews including desktop reviews for Transport, Drainage, Buildings, Water and Sewerage Assets and comprehensive valuation of and Improvements and Other Assets."

This change is to reflect the updated 10-year asset valuation program.

Recommendation

That Council accept the changes to the name of the Operational Plan Activity TS5 in the 2025/2026 Operational Plan Quarterly Report as follows:

Complete asset valuation reviews including desktop reviews for Transport, Drainage, Buildings, Water and Sewerage Assets and comprehensive valuation of land Improvements and Other Assets.

Background

Council performs annual valuations of all assets valued using the Fair Value valuation method. This is to ensure the holding cost of each asset accurately reflects the fair value at that time and includes the determination of the replacement cost of the assets and an estimate of the remaining useful life of each asset.

This is achieved by a comprehensive valuation which is performed on a three-to-five-year cycle with desktop valuations completed in the intervening years. A comprehensive valuation takes considerably longer to complete and additional costs to engage independent valuers if required.

The Asset Management Unit has developed 10-year valuation program to balance the workload for staff and to avoid spikes in operational costs for these valuations.

The proposed change to the details of TS5 in the Operational Plan reflects the long-term plan for asset valuations.

Consultation

The proposed changes to the current year comprehensive valuation schedule and 10-year valuation program was presented to the Asset Management Steering Committee on 12 November 2025.

Budget & Resource Implications

No additional resources are required.

Legal Authority & Implications

Not Applicable.

Policy Implications

Complies with Council's Non-Current Asset Accounting Policy

Risk Implications (Strategic, Operational, Project Risks)

Not Applicable.

Attachments

1. 2025-2026 10 Year Program - Valuation Cycle by Asset Class

VALUATION CYCLE BY ASSET CLASS

10 YEAR PROGRAM

		2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31	2031-32	2032-33	2033-34	2034-35
Buildings	Independent			C	1	2	C	1	2	C	1	2	3	C	1
Drainage	Internal		C	1	2	3	C	1	2	3	C	1	2	3	C
Land & Improvements	Independent		C	1	2	C	1	2	3	C	1	2	3	C	1
Other	Independent		C	1	2	C	1	2	3	C	1	2	3	C	1
Sewerage	Independent			C	1	2	3	C	1	2	3	C	1	2	3
Sewerage	Internal			C	1	2	3	C	1	2	3	C	1	2	3
Transport	Independent (Bridges)	C	1	2	3	4	C	1	2	3	C	1	2	3	C
Transport	Internal (Roads & KnC)		C	1	2	3	C	1	2	3	C	1	2	3	C
Transport	Internal (Remainder)		C	1	2	3	C	1	2	3	C	1	2	3	C
Water	Independent			C	1	2	3	C	1	2	3	C	1	2	3
Water	Internal			C	1	2	3	C	1	2	3	C	1	2	3

Comprehensive

C

Yr 1

1

Yr 2

2

Desktop Reviews

Yr 3

3

Yr 4

4

7.4.3. TECHNICAL SERVICES

TBSC/25/022 - Supply and Delivery of One (1) Motor Grader Fitted with Trimble Laser Equipment

File Reference: 2067

Report Author: Susie Pearce, Fleet and Administration Officer - Workshop

Authoriser: Kevin Byers, Manager Technical Services

Meeting Date: 9 December 2025

Link to Corporate/Operational Plan:

Burdekin Shire Council Corporate Plan 2025-2030

- Implement the Asset Management Strategy and Roadmap.
- Responsibly manage Council's financial position to ensure sustainability

Burdekin Shire Council Operational Plan 2025-2026

TS11 Implementation of Council fleet renewal program - ordered, delivered and program developed.

Executive Summary

This report to Council is with regards to the procurement of one (1) Motor Grader with laser equipment under quotation TBSC/25/022. The purchase is expected to be above the \$200,000.00 threshold set by the *Local Government Regulation Queensland 2012*.

Recommendation

That Council:

1. Award Contract TBSC/25/022 for the supply and delivery of one (1) Motor Grader fitted with Trimble laser equipment, pursuant to Local Buy Contract NPN2.15-2 Heavy Plant Machinery Equipment, to the prequalified supplier Hastings Deering (Australia) Limited for the total value of \$639,166.00 excluding GST, being for a CAT 140 JOY3-3D Motor Grader Mastless and Trimble Earthworks UTS laser equipment.
2. Further accepts the trade-in of existing Grader 10356 with GCS900 laser equipment for \$153,000.00 excluding GST, resulting in a net quotation value of \$486,166.00 excluding GST.
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 related to the execution of Contract TBSC/25/022 – Supply and delivery of one (1) Motor Grader fitted with Trimble laser equipment.

Background

The grader and laser are listed in the 2025-2026 Budget for replacement. Assessment of the grader and the Trimble Earthworks UTS laser equipment meet the expectation of upcoming works and operational costs whilst maintaining a fit for purpose fleet.

Quotation TBSC/25/022 was offered to the three (3) suppliers listed on the pre-qualified supplier list on Local Buy Contract NPN 2.15-2. At the time of closing, six (6) conforming quotations were received from the below suppliers:

- Hastings Deering (Australia) Limited;
- RDO Australia Group Pty Ltd; and
- Komatsu Australia Pty Ltd.

Council used a multi-criteria assessment scoring based on:

- Whole of Life Costs
- Price
- Local Content
- Suitability for Work Purpose
- Compliance
- Delivery
- Commonality
- Warranty

The three (3) top ranking machines feature a high-performance circle (HPC), which reduces repair time and maintenance costs, automatic blade control, and good operator visibility. The Caterpillar 140 3JOY 3D Mastless Grader with Trimble UTS equipment, is the most advantageous and cost-effective option for Council with the additional benefit of integrated Trimble Earthworks, largest cabin room, operator familiarity and fleet commonality across the four (4) Caterpillar graders in the fleet.

Analysis of the quotations for the six (6) machines are shown below:

Grader (Supplier)	Weighted Score	Ranking
CAT 140 JOY3-3D Motor Grader Mastless (Hastings Deering Australia Ltd)	6.50	1
CAT 150 JOY3-3D Motor Grader Mastless (Hastings Deering Australia Ltd)	6.35	2
JOHN DEERE 670GP (RDO Equipment Pty Ltd)	6.33	3
CAT 140 JOY3-2D Motor Grader (Hastings Deering Australia Ltd)	6.28	4
CAT 150 JOY3-2D Motor Grader (Hastings Deering Australia Ltd)	6.13	5
KOMATSU GD655-7 (Komatsu Australia Pty Ltd)	5.80	6

Two (2) respondents offered a trade-in price for the existing grader 10356 with GCS900 UTS laser equipment. After evaluation, it is most advantageous for Council to accept the trade-in offer from the highest-ranking supplier, Hastings Deering (Australia) Limited, for grader 10356 with GCS900 UTS laser equipment.

Consultation

Consultations were held with Council Works section to evaluate the procurement plan and quotations for the motor grader and laser equipment ensuring the specification suits the job application and is cost effective for Council.

Budget & Resource Implications

The *Local Government Regulation Queensland 2012* (the Regulation) requires Council to invite written tenders for large-sized contractual arrangements for goods and services purchased from a supplier that is expected to exceed \$200,000.00 excluding GST per financial year. The Regulation allows an exception to this requirement if the contract is entered into with a supplier from a register of prequalified suppliers stated under section 232. The purchase of the motor grader and laser equipment is expected to be over the \$200,000.00 threshold.

The purchase of the grader and laser equipment is included in the 2025/2026 Capital Budget. The delivery of one (1) grader and laser equipment is expected to be in June 2026. The motor grader and laser equipment for recommendation are under the budget estimate of \$650,000.00 excluding GST.

Legal Authority & Implications

Not Applicable.

Policy Implications

This report details a tender process that complies with Council's adopted Procurement Policy.

Risk Implications (Strategic, Operational, Project Risks)

Timely renewal of Council's fleet ensures that our resources are well maintained and available for use to meet operational requirements.

Attachments

None

11.1. COUNCILLOR REPORTS

Late Councillor Report for October 2025

Recommendation

That Council notes the late October 2025 monthly report.

Attachments

1. Councillor Furnell - October 2025

Councillor

MONTHLY REPORT



Councillor John Furnell

Councillor Report for the month of October 2025.

Date	Description
02OCT25	Queensland Water Awards for Macroalgae Project – Brisbane
08OCT25	Burdekin Community Sector Network Meeting
09OCT25	Sport & Recreation Community Information Session
06SEP25	Burdekin Water Festival
10OCT25	Financial Management Service Planning – Townsville
11OCT25	Health and Wellbeing Expo – Burdekin Theatre Forecourt
13OCT25	Burdekin Shire Youth Council Meeting
14OCT25	First Ordinary Burdekin Shire Council Meeting
17OCT25	Local Disaster Management Group Meeting
19OCT25	Travel to Gold Coast
20OCT25	Local Government Association Queensland Annual General Meeting and Conference – Gold Coast
21OCT25	Local Government Association Queensland Gold Coast Annual General Meeting and Conference – Gold Coast
22OCT25	Local Government Association Queensland Gold Coast Annual General Meeting and Conference – Gold Coast
23OCT25	Travel from Gold Coast
27OCT25	Community Grants Panel Meeting
28OCT25	Second Ordinary Council Meeting
30OCT25	Burdekin Seniors Expo Lunch