



Burdekin
Shire Council

AGENDA

ORDINARY COUNCIL MEETING

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

On 27 January 2026

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:

- 1. ATTENDANCE**
- 2. PRAYER**
- 3. DECLARATIONS OF INTEREST**
- 4. MINUTES AND BUSINESS ARISING**
 - 4.1. Ordinary Council Meeting Minutes - 9 December 2025**
 - 4.2. Fleet Management Steering Committee Meeting Minutes - 3 December 2025**
 - 4.3. Burdekin Shire Road Safety Advisory Committee Meeting Minutes - 26 November 2025**
 - 4.4. ICT Steering Committee Meeting Minutes - 11 December 2025**
- 5. OFFICE OF THE CEO**
 - 5.1. ECONOMIC DEVELOPMENT**
 - 5.2. EXECUTIVE SUPPORT**
 - 5.2.1. Council Attendance at the Local Government Association of Queensland Civic Leaders Summit - 25 to 26 March 2026 - Brisbane**
 - 5.2.2. Change to Ordinary Council Meeting Date - Tuesday 24 March 2026 to Monday 23 March 2026**
 - 5.2.3. Council Participation in the North Queensland Parliamentary Delegation Organised by Townsville Enterprise Limited - 2 to 5 March 2026 - Canberra**
- 6. CORPORATE AND COMMUNITY SERVICES**
 - 6.1. CLIENT SERVICES**
 - 6.2. COMMUNITY SERVICES**
 - 6.2.1. Burdekin Theatre and Ayr Showgrounds Capital Works Projects - Financial Allocation Review**
 - 6.3. FINANCIAL SERVICES**
 - 6.3.1. Monthly Financial Report - December 2025**

6.4. GOVERNANCE

- 6.4.1. Exercise Option of Freehold Lease over Lot 3 on SP323829, Part of Lloyd Mann Park – Lessor State of Queensland (Represented by Queensland Police Service)**
- 6.4.2. Complaints Regarding Corrupt Conduct by the CEO Policy (Section 48A Policy)**
- 6.4.3. Exercise Option of Lease - Freehold Lease N in Part of Lot 106 RP898777 - Ayr Aerodrome - Andrew and Bridget Kerans**
- 6.4.4. Trustee Lease - Part of Lot 1 on Crown Plan G7134 - 27-29 Luxton Street Giru - Giru Progress Association Inc.**
- 6.4.5. Local Government Remuneration Commission Annual Report 2025**

7. INFRASTRUCTURE, PLANNING AND ENVIRONMENTAL SERVICES

7.1. ENVIRONMENTAL AND HEALTH SERVICES

7.2. OPERATIONS

7.3. PLANNING AND DEVELOPMENT

- 7.3.1. Development Application for a Development Permit for Reconfiguring a lot - Boundary Realignment (2 lots into 2 lots) and Access Easement at 151 and 157 Burstall Road, Airdmillan (Lot 6 on SP227222 and Lot 7 on SP205550)**
- 7.3.2. Development Application for a Development Permit for Reconfiguring a lot - Subdivision (2 lots into 4 lots) at 397 and 407 Rita Island Road, Jarvisfield, (Lot1 on RP709413 and Lot 6 on SP240074)**
- 7.3.3. Development Application for a Development Permit for Reconfiguring a Lot - Boundary Re-alignment (2 lots into 2 lots) and Access Easement at 374 and 384 George Road, Clare (Lot 176 and Lot 186 on RP855268 and Lot 317 on GS638)**
- 7.3.4. Development Application for a Development Permit for Reconfiguring a Lot - Access Easement at 268 and 275 Smith Road, Shirbourne (Lot 2 and Lot 4 on RP718750)**

7.4. PROJECT MANAGEMENT

- 7.4.1. 2025-2026 Reseal Program**

7.5. TECHNICAL SERVICES

7.6. WATER AND WASTEWATER

- 8. NOTICE OF MOTION**
- 9. RECEIPT OF PETITIONS**
- 10. CORRESPONDENCE FOR INFORMATION**
- 11. GENERAL BUSINESS**
- 12. CLOSED BUSINESS ITEMS**
- 13. DELEGATIONS**

MINUTES AND BUSINESS ARISING

4.1. Ordinary Council Meeting Minutes - 9 December 2025

Officer's Recommendation

That the minutes of the Ordinary Council Meeting held on 9 December 2025 be received as a true and correct record.

Attachments

1. Ordinary Council Meeting Minutes - 9 December 2025



Burdekin Shire Council

MINUTES

ORDINARY COUNCIL MEETING

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

on 9 December 2025

COMMENCING AT 9:00 AM

ORDER OF BUSINESS:

ATTENDANCE

Councillor Pierina Dalle Cort, Councillor Max Musumeci, Councillor Michael Detenon, Councillor John Furnell, 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. K. Byers - Manager Technical Services (Part)
Mr. P. Day - Manager Environmental and Health Services (Part)
Mrs. E. Devescovi - Manager Client Services (Part)
Mrs. K. Galletta - Manager Planning and Development (Part)
Mrs. J. Manganaro - Manager Financial Services (Part)
Mrs. R. Martin - Coordinator Waste Services (Part)

Apologies - Councillor Amanda Hall - Approved Leave of Absence

Minutes Clerk - Mrs. S. Iturriaga

1.1. Approved Leave of Absence - Councillor Hall - 9 December 2025

Resolution

Moved Councillor Musumeci, seconded Councillor Furnell that Councillor Hall be granted Approved Leave of Absence for 9 December 2025.

CARRIED

2. PRAYER

The Mayor called for a minute silence to reflect and keep in our thoughts all those in need during the Christmas period.

3. DECLARATIONS OF INTEREST

The Mayor called for declarations of interest.

No declarations of interest were identified.

4. MINUTES AND BUSINESS ARISING

4.1. Ordinary Council Meeting Minutes - 25 November 2025

Recommendation

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

Resolution

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

Voting on the Motion

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

AGAINST - Councillor Oar

5/1

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. Economic Development Advisory Group Meeting Minutes - 6 November 2025

Recommendation

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

Resolution

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

CARRIED

9:04am - Mrs. Manganaro entered the meeting.

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

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.

Resolution

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

CARRIED

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

Recommendation

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

Resolution

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

CARRIED

4.5. ICT Steering Committee Meeting Minutes - 25 November 2025

Recommendation

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

Resolution

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

CARRIED

5. EXECUTIVE

5.1. CEO

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

Resolution

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

CARRIED

5.1.2. TechnologyOne Transition Ci to CiA for Property and Rating

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.

Resolution

Moved Councillor Vasta, seconded Councillor Detenon that the recommendations (1-5) be adopted noting the inclusion of changed wording in Item 3 of the recommendation as follows:

3. approve engagement of additional temporary staffing resources to support the transition for a period of up to three (3) years subject to allocation of funds in future budgets. These resources include a Project Manager, a Business Analyst, and two backfill positions.

CARRIED

9:22am - Mr. Day and Mrs. Martin entered the meeting.

5.2. ECONOMIC DEVELOPMENT

6. CORPORATE AND COMMUNITY SERVICES

6.1. CLIENT SERVICES

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

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).

Resolution

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

Voting on the Motion

FOR - Councillors Dalle Cort, Furnell, Oar and Vasta

AGAINST - Councillors Musumeci and Detenon

4/2

CARRIED

Councillors Musumeci and Detenon voted against the recommendation due to concerns regarding Council being required to fund the ongoing costs.

9:34am - Mrs. Devescovi left the meeting.

9:38am - Mrs. Galletta entered the meeting.

6.2. COMMUNITY SERVICES

6.3. FINANCIAL SERVICES

6.3.1. Monthly Financial Report - November 2025

Recommendation

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

Resolution

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

CARRIED

9:41am - Mrs. Manganaro left the meeting.

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

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.

Resolution

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

CARRIED

7. INFRASTRUCTURE, PLANNING AND ENVIRONMENTAL SERVICES

7.1. ENVIRONMENTAL AND HEALTH SERVICES

7.1.1. Resource Recovery Boost Fund - Funding Application

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 unfavourably.

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.

The recommendation, consisting of Part 1 and 2, was resolved in two separate motions due to different voting outcomes for each part.

Resolution

Moved Councillor Furnell, seconded Councillor Vasta that Part 1 of the recommendation be adopted as follows:

That Council 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

FOR - Councillor Dalle Cort, Musumeci, Furnell, Vasta

AGAINST - Councillor Detenon, Oar

4/2

CARRIED

Resolution

Moved Councillor Furnell, seconded Councillor Vasta that Part 2 of the recommendation be adopted as follows:

That Council 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

FOR - Councillor Dalle Cort, Furnell, Vasta

AGAINST – Councillor Musumeci, Detenon, Oar

3/3

Casting Vote - As the vote was tied, Councillor Dalle Cort used her casting vote in favour of amendment.

CARRIED

Councillors Musumeci, Detenon and Oar voted against this recommendation as they did not consider it a priority to commit funds at this time.

9:52am - Mr. Byers entered the meeting.

9:57am - Councillor Oar left the meeting due to other commitments and did not return.

7.1.2. Waste Management Policy Review

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.

Resolution

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

CARRIED

10:00am - Mr. Day and Mrs. Martin left the meeting.

7.2. OPERATIONS

7.3. PLANNING AND DEVELOPMENT

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)

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.

Resolution

Moved Councillor Musumeci, seconded Councillor Detenon that the recommendation be adopted noting the amendment to condition 8.1 which now reads:

8.1 Proposed Lot 1 must be provided with a dedicated water supply that complies with the Australian Drinking Water Guidelines for potable water quality.

CARRIED

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)

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.

Resolution

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

CARRIED

7.3.3. Currency Period Extension Request for Development Permit CONS15/0028 – Solar Farm, Located at Ayr Dalbeg Road, Mulgrave (Lot 22 on GS1042)

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.

Resolution

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

CARRIED

7.4. TECHNICAL SERVICES

7.4.1. Register of Pre-Qualified Suppliers - Trade Services - Builders, Carpenters, Concreters & Painters.

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.

Resolution

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

CARRIED

7.4.2. 2025/2026 Operational Plan Quarterly Reporting - Update of Operational Plan Activity - TS5

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.

Resolution

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

CARRIED

7.4.3. TBSC/25/022 - Supply and Delivery of One (1) Motor Grader Fitted with Trimble Laser Equipment

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.

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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.

Resolution

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

CARRIED

10:15am - Mr. Byers left the meeting.

7.5. WATER AND WASTEWATER

14. DELEGATION

14.1. Australian Citizenship Ceremony

Citizenship Ceremony - The Mayor officiated at the Citizenship ceremony at the Burdekin Theatre Foyer and the following Citizenship Candidates were confirmed as Australian Citizens:

- Ms. Sylvia Aiai Opu
- Ms. Marie Venus Carpio
- Ms. Rosalind April Sydney Grah
- Ms. Chih-Yi Hung
- Ms. Liezel Klopper
- Mr. Andre Henri Klopper
- Ms. Adriana Carmen Klopper
- Ms. Margarita Kopp
- Ms. Natharos Thaksungoen
- Ms. Priyadarshini Varkatam

10:30am - Meeting adjourned for Morning Tea.

11:05am - Meeting recommenced.

8. NOTICE OF MOTION

9. RECEIPT OF PETITIONS

10. CORRESPONDENCE FOR INFORMATION

10.1. Response from Chamber of Commerce - Clarification of Details

A member of the Chamber of Commerce circulated a statement concerning the Mayor and Council's involvement in the Christmas Street Party. The CEO responded in writing to the Chamber of Commerce to address this matter. The Chamber of Commerce later replied, acknowledging that the previous statement was incorrect. They Confirmed that the claim suggesting the Mayor declined to participate was inaccurate and misrepresented the situation. The decision not to participate was made by Pierina Dalle Cort in her capacity as the owner of Hello World, and was a separate business decision – not a decision made in her role as Mayor.

10.2. Vietnam Veterans Association of Australia Intent to Cease Involvement in Plantation Park Markets

As the Vietnam Veterans Association of Australia - Burdekin Branch will no longer be organising the Plantation Markets, Council will issue a letter of thanks acknowledging their service and contribution. A letter was recently received, which did not appear in the Correspondence for Information report, advising that Sweet FM has offered to assume the organising role. This matter has been referred to Community Services for further consideration and discussion with the relevant parties.

11. COUNCILLOR REPORTS

11.1. Late Councillor Report for October 2025

Recommendation

That Council notes the late October 2025 monthly reports.

Resolution

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

CARRIED

12. GENERAL BUSINESS

12.1. Proposal for New Christmas Decorations and Budget Consideration

The Mayor suggested exploring options for new Christmas decorations for Queen Street. Given the high cost of wholesale decorations, she raised the possibility of sourcing from overseas suppliers to reduce expenses. Mrs. Olsen explained that any procurement would need to comply with Council's procurement policy and noted that overseas purchases can present challenges. The Mayor recommended considering this expense in next year's budget.

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

Council Meeting closed to Public under Section 254J (3) of the Local Government Regulation 2012.

Resolution

Moved Councillor Furnell, seconded Councillor Musumeci that the meeting be closed to the Public under Section 254J (3)(e) of the *Local Government Regulation 2012*, which permits the meeting to be closed to the public for business relating to the following: -

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

CARRIED

Council Meeting Opened to Public

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

Executive Summary

This report provides a summary of the results and next steps with respect to enforcement action under Part 6A of *Local Law No. 3 (Community and Environmental Management) 2012* (*Local Law No. 3*), to address the appearance of specific buildings located within the designated areas.

Recommendation

That Council:

1. Accepts the works undertaken to date by the property owners and ceases enforcement action under Part 6A of Local Law No. 3 (Community and Environmental Management) 2012 against 37 First Street, Home Hill (Lot 89 on CP846895) and 59–61 Eighth Avenue, Home Hill (Lot 1 on RP727033).
2. Continues enforcement action under Part 6A of Local Law No. 3 (Community and Environmental Management) 2012 against 158 and 160 Eighth Avenue, Home Hill (Lot 27 and Lot 28 on H6165) by issuing an enforcement agreement (in accordance with the draft agreement set out in Attachment A) under section 21D of Local Law No. 3.
3. Delegates authority to authorised officers to enter the property to carry out the works specified in the compliance notice or remedial notice, if necessary.
4. Recover properly and reasonably incurred costs for completing the works as a debt payable, by giving notice to the person who failed to act under the compliance notice, if required.
5. Delegates authority under section 257 of the *Local Government Act 2009* to the Chief Executive Officer to undertake any and all matters associated with enforcement action under *Part 6A of Local Law No. 3 (Community and Environmental Management) 2012*.

Resolution

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

CARRIED

There being no further business the meeting closed at 11:28am.

These minutes were confirmed by Council at the Ordinary Council Meeting held on 26 January 2026.

MAYOR

MINUTES AND BUSINESS ARISING

4.2. Fleet Management Steering Committee Meeting Minutes - 3 December 2025

Officer's Recommendation

That the minutes of the Fleet Management Steering Committee Meeting held on 3 December 2025 be noted.

Attachments

1. Fleet Management Steering Committee Minutes - 3 December 2025

Meeting Minutes

Meeting	Fleet Management Steering Committee Meeting		
Date	Wednesday, 3 December 2025	Time	10:00 AM
Attendees	Matthew Magin, Kim Olsen, James Stewart, Kevin Byers, Kevin Holt, Jenny Manganaro, Susie Pearce, Cr. Callan Oar, Cr. Max Musumeci		
Apologies	Helen Swinney, Fiona Smith		
Chairperson	Matthew Magin		
Minutes Clerk	Simone Iturriaga		
Location	Ernie Ford Boardroom		

Agenda Items

1. Chair Introduction and welcome

2. Apologies

Helen Swinney and Fiona Smith.

3. Previous Minutes

The minutes from the 1 October 2025 be received as a true and correct record.

4. Evaluation Information and recommendations for reports to Council

The committee received a comprehensive update on fleet procurement activities across graders, utes, and trucks.

- Options were presented under formal quotation processes, with comparative assessments of performance, suitability, and lifecycle considerations.
- The presentation also covered updates on animal management vehicles and the broader 2025/2026 light vehicle program.

Quotation TBSC/25/02 - Motor Grader fitted with Trimble Earthworks UTS

Options considered included:

- CAT 140 JOY3-3D Motor Grader (mastless, integrated Trimble Earthworks system)
- CAT 150 JOY3-3D Motor Grader (mastless, integrated Trimble Earthworks system)
- John Deere 670GP Motor Grader (automatic blade control)
- CAT 140 JOY3-2D Motor Grader
- CAT 150 JOY3-2D Motor Grader
- Komatsu GD655-7 Motor Grader

Discussion focused on:

- Integrated GPS/UTS readiness and automatic blade control features
- High-performance circle (HPC) reducing repair time and improving resale value
- Joystick controls for operator familiarity and cabin space
- Operator visibility across top-ranked graders
- Budget alignment and lifecycle cost considerations

Quotation TBSC/25/041 – (4WD Dual Cab – Standard Ute)

Options considered:

- Ford Ranger XL Double Cab Chassis (diesel 4x4)
- Isuzu D-MAX SX Crew Cab Chassis (diesel 4x4)
- Mazda BT-50 XT Dual Cab Chassis (diesel 4x4)
- Toyota Hilux Workmate Double Cab Chassis (diesel 4x4)

Discussion points:

- Vehicles assessed for suitability, resale value, and availability.
- Accessories such as alloy trays and fit-outs excluded from base pricing.
- Committee noted preference for 4WD configurations due to higher resale value.

Quotation TBSC/25/041 – (2WD Standard Utes)

Options considered:

Single Cab (replacing 1 x high use - 2 years / 150,000 km):

- Toyota Hilux Workmate Single Cab Chassis Hi-Rider (diesel 4x2)
- Ford Ranger XL Single Cab Chassis (diesel 4x2)
- Isuzu D-MAX SX Single Cab Chassis Hi-Ride (diesel 4x2)
- Mazda BT-50 XT Single Cab Chassis (diesel 4x2)

Dual Cab (replacing 1 x high use - 4 years / 150,000 km):

- Isuzu D-MAX SX Crew Cab Chassis Hi-Ride (diesel 4x2)
- Mazda BT-50 XT Dual Cab Chassis (diesel 4x2)

Discussion points:

- Thorough comparison of 2WD options.
- Committee reconsidered 2WD purchases, noting 4WD provides greater resale value and operational flexibility.

Quotation TBSC/25/041 – (Recommended 4 Standard Utes)

Recommended vehicles:

1. 4WD Dual Cab – Works Foreman role (Ford Ranger XL)
2. 4WD Dual Cab – Main Roads Supervisor role (Ford Ranger XL)
3. 2WD Dual Cab – Works Foreman role (Isuzu D-MAX SX Hi-Ride)
4. 2WD Single Cab – Public Convenience role (Toyota Hilux Workmate Hi-Rider)

Discussion points:

- Availability timelines noted (some in stock, others new model releases).
- Accessories included in pricing for these recommendations.
- Post-delivery fit-outs (two-ways, toolboxes, auxiliary equipment) exclude

5. Information of Upcoming Quotations

Quotation TBSC/25/023 – Local Buy Contract NPN1.23 (Trucks with fixed/tipper bodies and cranes)

Options considered:

- FUSO Canter 815 Crew Cab (manual, with different body configurations)
- ISUZU NQR 80-190 Crew Cab (manual, with custom body)
- HINO Trucks (new Euro 6 model pending release in February 2026)

Discussion points:

- Award of one truck only, due to current review of crew rotations and reallocation of existing trucks.
- Procurement process extended slightly to allow suppliers to obtain quotes from body builders.
- Noted difficulty in sourcing custom tipper body fabrications, with limited certified suppliers in North Queensland.
- Suppliers exploring options with other fabricators in Queensland to improve delivery timeframes.
- Budget allocation confirmed for trucks and cranes.

Quotation TBSC/25/037 – Local Buy Contract NPN1.23 (Tandem trucks with poly water tanks)

Options considered:

- HINO Trucks (factory orders, familiar with Allquip tanks)
- ISUZU Trucks (factory orders, familiar with Allquip and TTI tanks)
- IVECO Trucks (factory orders, familiar with Allquip tanks)
- UD Trucks (factory orders, familiar with Allquip tanks)

Discussion points:

- All suppliers indicated delivery timeframes of 4–6 months for trucks, plus 4–6 weeks for poly tank installation.
- Tank suppliers (Allquip and TTI) are prequalified under the same contract.
- Installation process involves importing trucks to the closest port, fitting tanks at nominated body suppliers, then delivery to Townsville.
- Benefits of poly tanks highlighted: higher carrying capacity, chassis protection, extended vehicle life (up to 12 years), and improved disposal value when sold with the poly body.
- Cannon spray option to be included for safe operations (green waste, cleaning tasks).
- Replacement plan timeline noted:
 - Release: 04/12/2025
 - Close: 19/12/2025
 - Fleet Steering Committee: 14/01/2026
 - Council Meeting: 27/01/2026
- Budget allocation confirmed for trucks with poly tanks.

Animal Management Vehicles

- Current ute configuration under review, with strong support for transitioning to a van.
- Assessment underway regarding cage transferability, slide-out mechanisms for cleaning, and ramp options.
- Specifications being finalized, with quotations planned for January 2026.

2025/2026 Light Vehicles

Updates noted:

- One salary sacrifice vehicle delivered and in service.
- Another salary sacrifice vehicle ordered, currently in production with delivery expected March 2026.
- Four standard utes procurement process closed late November, tracking positively against budget.
- Additional salary sacrifice vehicles under consideration for surrender.
- Animal management vehicle specification still in progress, procurement scheduled for early 2026.
- Pool vehicles under review for suitability and reallocation.

6. General Business

No General Business was raised.

Meeting Closed	11.15am
Next Meeting	January 2025

Actions from Current Meeting

	Action Item	Responsible Officer	Due Date	Status
1	Ordinary Council Report – Supply and Delivery of One (1) Motor Grader Fitted with Trimble Laser Equipment	Susie Pearce	9 December 2025	

MINUTES AND BUSINESS ARISING

4.3. Burdekin Shire Road Safety Advisory Committee Meeting Minutes - 26 November 2025

Officer's Recommendation

That the minutes of the Burdekin Shire Road Safety Advisory Committee Meeting held on 26 November 2025 be received as a true and correct record.

Attachments

1. Burdekin Shire Road Safety Advisory Meeting Minutes - 26 November 2025



Meeting Minutes

Meeting	Burdekin Shire Road Safety Advisory Committee Meeting		
Date	Wednesday, 26 November 2025	Time	10:30 AM
Core Attendees	<p>Councillor Max Musumeci - Burdekin Shire Council Mr. Kevin Byers - Burdekin Shire Council Mr. Dean Pappalardo - Burdekin Shire Council Mayor Pierina Dalle Cort – Burdekin Shire Council (Part) Mr. Kevin Riseley - Technical Officer (Road Safety) Northern District - Department of Transport and Main Roads Ms. Beverley Gorman – Road Safety Officer, Safety and Compliance - Department of Transport and Main Roads Senior Constable Brett Elton - Highway Patrol Townsville - Queensland Police Service, Ayr Constable Brendan Gadd – Highway Patrol Townsville – Queensland Police Services, Ayr Mr. Victor Hewett – Officer in Charge - Queensland Ambulance Service Mrs. Samantha Fowler – Ambulance Officer - Queensland Ambulance Service Mr. Ashley Ryder – Station Officer - Queensland Fire Emergency Services Mr. Kevin Trueman – Station Officer - Queensland Fire Emergency Services Mr. Mark Lazzarini – Transport Operations Manager - Wilmar Sugar Australia Limited</p>		
Advisor Attendees	<p>Mrs. Kristy Raitelli – Transport and Main Roads Project Officer – Burdekin Shire Council Mr. David Cooper – Electoral Officer - Dale Last Office</p>		
Apologies	<p>Mr. Matthew Slatcher – Manager (Road Safety) – Northern Region – Department of Transport and Main Roads Marita Stecco - Department of Transport and Main Roads</p>		
Chairperson	Councillor Max Musumeci		
Minutes Clerk	Ms. Ginett Biffanti		
Location	Earnie Ford Room – 145 Young Street, Ayr		

2. Minutes Received

Minutes of the Burdekin Shire Road Safety Advisory Committee Meeting held on 20 August 2025.

Moved, Senior Constable Elton, Seconded, Mr. Kevin Byers that the flying minutes from the Burdekin Shire Road Safety Advisory Committee Meeting held on Wednesday, 20 August 2025 be accepted.

CARRIED



3. Business Arising out of Minutes

Item 4. Delegation – Concerns about Giddy Road, McDesme

Mayor Dalle Cort provided the committee with an update on her discussions with Premier David Crisafulli MP, and Hon. Dale Last MP, concerning road safety matters impacting Giddy Road, McDesme. The discussion was prompted by a recent accident involving a vehicle overturning on the highway connecting Giddy Road, McDesme and the Bruce Highway.

A Transportable Road Safety Camera has been installed in the area for the period of two to three weeks to monitor traffic and driver behaviour, with hopes that monitoring will continue longer. Mayor Dalle Cort requested a reduction of the speed limit from the railway track at Giddys Road, McDesme to the Bruce Highway to 70 km/h.

She also advised that in her discussion with Premier Crisafulli MP and Hon Last MP, they agreed to contact Google through their contacts, but she has not yet followed up to confirm of the outcome. Mayor Dalle Cort also reported concerns regarding speed limit changes from Five ways Road Brandon on towards and Maidavale State School, Airville.

Mayor Dalle Cort left the meeting.

Mr. Riseley gave an update on Giddy Road, McDesme informing the committee that the Transportable Road Safety Camera has been installed and will remain in place for three (3) weeks to collect data. He advised that this is the first stage of several monitoring programs with the camera being repositioned early next year after the wet season to capture data during the peak traffic seasons.

The footage will be reviewed to provide a proper assessment of the traffic activity which will include:

- Vehicle counts between 6:00am and 6:00pm;
- Tracking vehicle movements in and out of the area;
- Monitoring caravan traffic; and
- Recording any alleged near misses.

Mr. Riseley noted that preliminary data suggests that only about one-third of caravans are using Giddy Road, McDesme, while two-thirds continue straight along the Bruce Highway. This indicates that not all drivers are following GPS directions and some may be heading home to Ayr, others toward Townsville.

Overall, the data being collected and review process will provide valuable insights into traffic patterns, caravan movements, and safety concerns in the area.

Item 7.4 Chippendale Street – Kerb and Channel Infrastructure

Mr. Ryder asked for an update on the 400 meters of missing kerb and channelling for the new Ayr Fire Station site on Chippendale Street, Ayr, noting safety concerns to the narrow road, which poses challenges for emergency vehicles because of the angled parking and the need to pull off the road to let other vehicles pass.

It was confirmed by Council that the design is expected to be completed and submitted as part of funding applications, with construction anticipated to commence within the next two years should funding application prove successful.

Mr. Pappalardo advised that a temporary solution may be considered to improve access for emergency vehicles. Mr. Cooper noted that the aim is to have the new fire station to be operational by the next wet season in 2027.

4. Review Action Items List

	Action Item	Responsible Officer	Status
1.	20 November 2024 Item 5 - DTMR will make enquiries into the warrants for such signage, the electrical, ITS capability and co-ordination with the existing Variable Message Sign Board and the total costs associated.	Kevin Riseley DTMR	26 November 2025 TMR advised that this is still on their list and is seeking funding for proposed Advance Warning Sign heading southbound before the corner approaching the Burdekin Bridge. The sign would alert drivers to wide-load movements when the bridge's red lights are activated, helping to prevent vehicles from queuing blindly around the sweeping bend.
2.	28 May 2025 Item 5 - Council to continue to liaise with the Principal of East Ayr State School for possible solutions and to discuss the option of new line marking to relocate the drop off/on once the asphalt is applied.	Dean Papalardo BSC	26 November 2025 Council continuing to work with East Ayr School to improve the parking.
3.	Item 6.6 - TMR to conduct enquiries to confirm if the 'Strobe' system is still functional despite this trial system being no longer in use and disconnected.	Kevin Riseley – TMR QAS Representative QFD Representative	26 November 2025 Completed - QFD representative advised that they have noticed with the new truck's white strobe still activates the stop signs and message boards on the bridge, this was not noticed with the old trucks. TMR reported the old Strobe system was replaced by EVP (Emergency Vehicle Prioritisation) years ago. QAS and QFD to confirm exactly what system (EVP or Strobe) is installed on their vehicles and advise TMR. For the safety concerns about OMOS movements across the bridge, the TMR operator override in STREAMS is at a level higher than the EVP system — meaning the lights will stay red if a wide load is crossing the bridge. .



4.	<p>20 August 2025 Item 4 –</p> <ul style="list-style-type: none"> • Council to collect new traffic count data to show a true reflection of the number of vehicles travelling on Giddy Road, McDesme. • Council to conduct a speed review between Bruce Highway Intersection and Old Clare Road, Airville Intersection. • Council to conduct a review of all signage from Giddy Road, McDesme Intersection to Maidavale Road, Airville, including the top of the S Bends and Maidavale Road, Airville Intersection. • Council to investigate the use of low-profile splitters. 	Dean Papalardo BSC	<p>26 November 2025 Completed -</p> <ul style="list-style-type: none"> • Council reported that three counters were installed with the new traffic counts for Giddy Road, McDesme, showing daily volumes rising to 1,400–1,600 vehicles, up from 980–1,000 in 2022 and 600–800 previously. • Council informed the committee that the crash history between the Bruce Highway Intersection and Old Clare Road Airville, is lower than expected. However, a risk-based assessment recommends reducing the speed limit to 70 km/h along the entire stretch from Old Clare Road intersection to the Bruce Highway. This recommendation will be presented to the Speed Review Committee for endorsement. • A review and update of the existing signage plan will be undertaken, using the most recent traffic and site data to ensure that all signs are appropriately placed, visible, and effective. • Council is further looking into the use of low-profile splinters <p>Mr. Cooper noted that a Federal Black Spot Application has been lodged to access potential funding. Even if it does not meet the fatality or severe injury thresholds, this ensures the matter remains on their radar.</p>
5.	<p>Item 6 - Council will install a traffic counter at the intersection of Soper and Wilmington Street, Ayr to collect data on vehicle movements. The findings will be presented at an upcoming Road Safety Meeting for further discussion and consideration.</p>	Dean Papalardo	<p>26 November 2025 Completed -</p> <p>Traffic counts were installed for three weeks with data showing about 1000 vehicles per day, with the main flow turning left into Wilmington and then right into Soper Street, Ayr. The recommendation is to prioritise Soper Street, Ayr, with give-way signs on Wilmington Street, Ayr. This will maintain traffic flow similar to Wickham Street, Ayr.</p>

			This aims to reduce crashes and near misses while keeping emergency vehicle access safe, with long-term Black Spot funding for a roundabout considered.
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5. Correspondence for Information

Nil.

6. General Business

6.1 Ms. Beverly Gorman – Department of Transport and Main Roads

Ms. Gorman informed the committee that applications for the Community Road Safety Education Grants are open and will close on 31 March 2026.

6.2 Constable Brendan Gadd – Queensland Police Services, Ayr

Constable Brendan Gadd raised concerns in regard to the following roads:

1. Colevale Road, Brandon - Complaints have been received from motorists regarding the unclear speed limit on Colevale Road, Brandon, with one direction the speed limit is at 50 km/h and the other at 60 km/h.
2. Intersection of First Avenue and First Street Home Hill, where the “Ford Park” is blocking the view of northbound traffic. Although it meets sight distance requirements, motorist need to roll forward to improve visibility of oncoming traffic.
3. On Old Clare Road, Ayr when turning right onto Ayr Dalbeg Road, Dalbeg, drivers continue to drive at 60 km/h. Since no speed limit sign is present to indicate the default 100 km/h rural zone, motorists assume the limit remains 60 km/h.
4. Eighth Avenue, Home Hill – Sergeant Sam Pyke from the Home Hill Police Station has requested the installation of yellow lines outside both the police station driveway and the adjacent police residence driveway to prevent vehicles from obstructing access.

Council to investigate all concerns raised and provide their findings to the committee at the next meeting. In addition, Mr. Riseley will conduct a preliminary review of the existing repeater signage (R4-1, 100 km/h) and associated warrants for the Ayr-Dalbeg Road.

6.3 Mr. Victor Hewett – Queensland Ambulance Service

Mr. Hewett informed the committee of cattle wandering onto Woodstock Road, Giru, posing risks to motorist travelling the road even though there is signage to warn of cattle being on the road.

Mrs. Raitelli advised she would liaise with the Council’s Compliance Officers to investigate and advise of the outcome.

6.4 Mr. Ashley Ryder - Queensland Fire Emergency Services

Mr. Ryder raised concerns about the intersection of Burke Street and Mackenzie Street, Ayr. He advised that this intersection poses challenges for emergency vehicles responding to an emergency and has been

the site of frequent crashes. He noted that the situation is likely to worsen once the new station on Chippendale Street, Ayr is developed, as heavy vehicles often need to come to a complete stop to navigate the intersection.

Alternative routes were discussed, such as Craig Street, Ayr and the bypass, to help improve safety and travel times until a long-time solution can be found.

Council to investigate the installation of a roundabout at the intersection of Burke Street and Mackenzie Street, Ayr, through a Black Spot funding application.

6.5 Mr. Kevin Trueman – Queensland Fire Emergency Services

Mr. Trueman reported on the difficulties for emergency services in locating address's that start with 16a or 17a. This has resulted in delays in emergency responses, as crews are sometimes sent in the wrong direction. Additional concerns were raised with residence new to the area and who are unfamiliar with this type of numbering system, further complicating emergency responses. It was noted that the communication system used by emergency services are causing confusion as they do not accommodate for the alpha numeric addresses within Burdekin's network.

Council to investigate and identify solutions for addressing the numbering issues.

6.6 Mr. Dean Pappalardo – Burdekin Shire Council

Mr. Pappalardo raised a resident's concern about the give-way signs at the intersection of Wilmington Street and Edwards Street, Ayr, questioning why stop signs were not in place. It was noted that the intersection experiences heavy traffic, and most vehicles already stop to check traffic on both sides before proceeding.

There being no further business, the meeting closed at 11:36am

The next meeting will be held on Wednesday, 25 February 2026 at 10:30am.

Councillor M. Musumeci.

Chairman



Actions from Meeting

	Action Item	Responsible Officer	Due Date	Status
1.	<p>Item 6.2</p> <p>Council to investigate the following roads and provide their findings to the committee at the next meeting.</p> <p>In addition, Mr. Riseley will conduct a preliminary review of the existing repeater signage (R4-1, 100 km/h) and associated warrants for Ayr–Dalbeg Road.</p> <ul style="list-style-type: none">• Colevale Road, Brandon• First Avenue and First Street Home Hill• Old Clare Road, Ayr turning onto Ayr Dalbeg Road, Dalbeg• Eighth Avenue, Home Hill.	<p>Dean Papalardo BSC</p> <p>Kevin Riseley TMR</p>		Pending
2.	<p>Item 6.4</p> <p>Council to investigate the installation of a roundabout at the intersection of Burke Street and Mackenzie Street, Ayr, through a Black Spot funding application.</p>	<p>Dean Papalardo BSC</p>		Pending
3.	<p>Item 6.5</p> <p>Council to investigate and identify solutions for addressing the numbering issues.</p>	<p>Dean Papalardo BSC</p>		Pending

MINUTES AND BUSINESS ARISING

4.4. ICT Steering Committee Meeting Minutes - 11 December 2025

Officer's Recommendation

That the minutes of the ICT Steering Committee Meeting held on 11 December 2025 be received as a true and correct record.

Attachments

1. ICT Steering Committee Meeting Minutes - 11 December 2025

Meeting Minutes

Meeting	ICT Steering Committee Meeting		
Date	Thursday, 11 December 2025	Time	1.00 PM
Attendees	Matthew Magin, Kim Olsen, James Stewart, Eileen Devescovi, Cr Michael Detenon, Cr Fina Vasta, Jenny Manganaro, Nicholas Gray, Glenn Arboit, Lois Huston		
Apologies	N/A		
Chairperson	Matthew Magin		
Minutes Clerk	Ginett Biffanti		
Location	Music Loft, Burdekin Theatre		

Standing Items

1. Welcome

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

2. Apologies

N/A

3. Previous Minutes

Moved Councillor Detenon, seconded Councillor Vasta, that the minutes of the meeting held on the 25 November 2025 be received as a true and correct record.

CARRIED

4. Review Action List

Actions from Previous Meeting

	Action Item	Responsible Officer	Due Date	Status
1	Send out Teams invite in-line with the quarterly meeting schedule.	Eileen / Executive Support	10/12/25	Completed
2	Schedule a Meeting one week after the release of the Draft ICT Strategy on 2 October 2025 for discussions.	Executive Support	2 October 2025	Completed

Agenda Items

1. Technology One – CiA P&R Transition Discussion

An update was provided on the CiA P&R Transition.

Mrs. Devescovi advised that the matter was presented at the Council Workshop on 2 December 2025 and subsequently at the Ordinary Council Meeting on 9 December 2025. The following adopted resolution was read out to the committee:

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 engagement of additional temporary staffing resources to support the transition for a period of up to three (3) years subject to allocation of funds in future budgets. These resources include a Project Manager, a Business Analyst, and two backfill positions, and
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.

It was advised that the contract extension has been sent for signing, and work has started on writing job descriptions and estimating costs for temporary staff. Different ways of hiring these staff will be considered, such as using contractors, consultants, or fixed-term employees.

Council did not object to hiring of extra staff but requested clearer budget information before giving final approval.

It was also discussed how the project would be managed, with planning to be undertaken by the Council and TechnologyOne. It will also be supported by the project manager, a project reference group, and module owners if needed. It was noted that both Council and TechnologyOne have limits on the staff they can provide.

2. 3-year ICT Strategy and Roadmap Update

The Committee reviewed the three-year ICT Strategy, along with information about expected costs, and benefits for Council.

The following was also discussed:

- The strategy provides a clear direction; however, it was noted that it is not expected that everything will be completed within three years, with the progress depending on budget constraints, staff and Council capacity
- The CiA transition is a key part of the overall direction but will be managed as a separate project.
- There should be priority given to developing policies, improving data governance, reducing and simplifying systems, and doing preparatory work to support the CiA transition.
- A significant amount of staff education and training will be required. It was noted as a large undertaking however effective training is important for success.

The Committee also agreed that the strategy should be delivered in stages, with a focus on:

- What can reasonably be achieved in the next six months?
- What can be delivered using current resources? and
- What will need to be considered in future budgets?

Moved by Eileen Devesovi and seconded by Councillor Michael Detenon, that the ICT Steering Committee endorse the ICT Strategy and recommend its adoption by Council.

CARRIED

3. Burdekin Library Technology Plan Update

Mr. Arboit introduced the Burdekin Library Technology Plan, noting that the plan aligns with Council's strategic direction and reflects the evolving role of libraries as technology-enabled community hubs.

He highlighted the three focus areas;

- User Experience
- Content and Tools
- People and Culture

Mrs. Huston then provided a detailed overview of each of the three areas to give members an understanding of the objectives, targets, actions, and measures associated with each.

The discussion also covered:

- Progress has already been made in areas including Wi-Fi upgrades, website improvements, digital staffing, and public computer infrastructure.
- Future initiatives, including RFID implementation, which will require further investigation and consideration through the budget process.

The Burdekin Library Technology Plan was received and noted by the committee and will inform of future budget planning for future initiatives including RFID implementation.

4. General Business

4.1 Cybersecurity Training

Mrs. Devescovi noted that not enough staff have completed their cybersecurity training. Mr. Magin will send an email to all staff to outline the importance of completing the cyber security training.

4.2 Artificial Intelligence Policy

Mrs. Devescovi informed the committee she has obtained a copy of a Generative AI Policy and Standards from another Council and proposed that the documents be circulated to the Steering Committee to assess whether they align with Council requirements. Subject to feedback, the documents could then go to the ICT Steering Committee and the SLG to be workshopped in the New Year. Mrs. Devescovi also advised that ongoing support has also been offered by the originating Council, including the opportunity to ask questions about development and implementation of the policy and standards.

4.3 Software Requests and Governance

Mrs. Devescovi reported that a large number of software programs are currently in use or being requested, and highlighted the need to encourage greater use of the software already available within Council. It was noted that every request must include a business case submission, which will be reviewed by ICT and then considered by the ICT Steering Committee. The business case submission will be assessed for security, cost, overlap with existing systems, and overall organisational benefit before any new software is approved.

Mrs. Devescovi also noted that ICT always conducts a security review when assessing new software. This includes examining where data is stored, how it is managed, and whether it meets organisational security requirements.

ICT will provide a summary of the subject headings and key information that should be included in all business case submissions.

5. Meeting Close

There being no further business, Mr. Magin thanked members and closed the meeting.

Meeting Closed	2:30pm
Next Meeting	TBA

Actions from the current meeting

	Action Item	Responsible Officer	Due Date	Status
1	A report on the three-year ICT Strategy will be presented at the next Ordinary Council Meeting in 2026 to be considered for adoption.	Eileen Devesovi/Kim Olsen	27 January 2026	Pending
2	An email will sent to all staff to outline the importance of completing the cyber security training.	Matthew Magin		Pending
3.	Further Discussion Artificial Intelligence and Generative AI policy and standards.	Eileen Devescovi		Pending
4.	Business Case Submission to be emailed to ICT Committee.	Nicholas Gray		Pending

EXECUTIVE SUPPORT**5.2.1. Council Attendance at the Local Government Association of Queensland Civic Leaders Summit - 25 to 26 March 2026 - Brisbane****File Reference:** 1029**Report Author:** Rosie McLean, Executive Coordinator**Authoriser:** Matthew Magin, Chief Executive Officer**Meeting Date:** 27 January 2026**Link to Corporate/Operational Plan:**

Burdekin Shire Council Corporate Plan 2025-2030

- Advocate for local and regional needs through lobbying.
- Foster co-operative and collaborative partnerships on matters of regional, state, and national importance.
- Through strong leadership and advocacy demonstrate Council's strategic direction to government, business, and the community

Executive Summary

An invitation to attend the Local Government Association of Queensland (LGAQ) Civic Leaders Summit has been received by the Mayor and Chief Executive Officer. The Civic Leaders Summit is being held in Brisbane from 25 to 26 March 2026, with a separate Mayoral Networking Event at Parliament House in Brisbane on 24 March 2026.

Officer's Recommendation

Council endorses the Mayor Pierina Dalle Cort and Chief Executive Officer Matthew Magin attend the Local Government Association of Queensland (LGAQ) Civic Leaders Summit in Brisbane from 25 to 26 March 2026, as well as the Mayoral Networking Event at Parliament House on 24 March, with all expenses of attendance at the Summit to be met by Council.

Background

LGAQ have sent correspondence regarding the Civic Leaders Summit being held in Brisbane from 25 to 26 March 2026.

The Summit provides an opportunity for Council Mayors and Chief Executive Officers to meet with key stakeholders in a closed gathering allowing attendees to focus solely on professional development in a setting that is both confidential and collegiate. Civic Leaders is a vibrant and informative platform for collaboration, designed to inspire, inform and energise local leaders as they navigate sector challenges. The Summit allows for networking with council colleagues and peers, resulting in opportunities to exchange ideas, address shared challenges and innovate solutions.

LGAQ have also organised a separate Mayoral Networking Event at Parliament House on the evening of Tuesday 24 March, prior to the Civic Leaders Summit, for Queensland Mayors and Council Chief Executive Officers.

The Mayoral Networking Event is an exclusive opportunity to engagement directly with State Government Ministers, Assistant Ministers, Shadow Ministers, Director-Generals and key government staff to discuss priority local issues, development important relationships and strengthen collaborative efforts which benefit Queensland's communities.

Consultation

All Councillors, Chief Executive Officer and Executive Leadership Team.

Budget & Resource Implications

All expenses of attendance at the Summit will be met by Council. This is budgeted each year from the Elected Members Conferences and Training budget allocation.

Legal Authority & Implications

Not Applicable.

Policy Implications

Not Applicable.

Risk Implications (Strategic, Operational, Project Risks)

Council needs to be kept informed of emerging issues and participate in discussions, which is achieved through attendance at the Summit.

Attachments

None

EXECUTIVE SUPPORT**5.2.2. Change to Ordinary Council Meeting Date - Tuesday 24 March 2026 to Monday 23 March 2026****File Reference:** 1394**Report Author:** Rosie McLean, Executive Coordinator**Authoriser:** Matthew Magin, Chief Executive Officer**Meeting Date:** 27 January 2026**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 Council's Ordinary Meeting scheduled for Tuesday, 24 March 2026 conflicts with proposed travel arrangements for the Mayor and Chief Executive Officer, who are planning to attend the LGAQ Civic Leaders Summit. To ensure appropriate leadership representation at the Ordinary Meeting, it is proposed that the meeting be brought forward by one day to Monday, 23 March 2026. No other changes to the meeting cycle are proposed.

Officer's Recommendation

That Council:

1. Approve the rescheduling of the Ordinary Council Meeting from Tuesday, 24 March 2026 to Monday, 23 March 2026.

Background

Council's adopted meeting schedule occasionally requires adjustment to accommodate unavoidable commitments of key officeholders. The Mayor and Chief Executive Officer are required to travel to attend the LGAQ Civic Leaders Summit, which coincides with the Ordinary Council Meeting currently set for Tuesday, 24 March 2026.

To ensure appropriate leadership representation and maintain continuity of Council business, it is proposed that the meeting be rescheduled to Monday, 23 March 2026. This change is minor and does not affect the broader meeting cycle.

In making this adjustment, Council must meet its procedural obligations under Queensland's Local Government legislation. This includes:

- adopting the change through a formal Council resolution,
- advertising the change, and updating the public meeting notice to reflect the revised date, and
- ensuring the agenda and reports are published within the required timeframes.

These steps ensure the revised meeting date remains compliant with the *Local Government Regulation 2012*.

Consultation

All Councillors and Executive Leadership Team.

Budget & Resource Implications

Not Applicable.

Legal Authority & Implications

Local Government Regulation 2012

Policy Implications

Not Applicable.

Risk Implications (Strategic, Operational, Project Risks)

Governance and Decision-Making Risk

- Rescheduling an Ordinary Council Meeting carries minimal governance risk provided the meeting continues to comply with statutory notice requirements and is formally resolved by Council.

Operational Risk

- Adjusting the meeting date will require minor administrative changes to report deadlines, public notices, and staff availability. These risks are low and manageable through standard internal processes.

Attachments

None

EXECUTIVE SUPPORT

5.2.3. Council Participation in the North Queensland Parliamentary Delegation Organised by Townsville Enterprise Limited - 2 to 5 March 2026 - Canberra

File Reference: 249

Report Author: Rosie McLean, Executive Coordinator

Authoriser: Matthew Magin, Chief Executive Officer

Meeting Date: 27 January 2026

Link to Corporate/Operational Plan:

Burdekin Shire Council Corporate Plan 2025-2030

- Advocate for local and regional needs through lobbying.
- Foster co-operative and collaborative partnerships on matters of regional, state, and national importance.
- Through strong leadership and advocacy demonstrate Council's strategic direction to government, business, and the community

Executive Summary

Townsville Enterprise Limited are organising a North Queensland Parliamentary Delegation to Canberra from 2 to 5 March 2026. The purpose of this report is to seek Council's approval for the Mayor to participate in the Delegation.

Officer's Recommendation

That Council endorse the Mayor, Councillor Pierina Dalle Cort to participate in the Townsville Enterprise Limited North Queensland Delegation 'Unlock the North' travelling to Canberra 2 to 5 March 2026, with all expenses of participation to be met by Council.

Background

Townsville Enterprise Limited organise an annual delegation to Parliament House in Canberra. The North Queensland Delegation 'Unlock the North' is being held from 2 to 5 March 2026.

As part of the Delegation, Townsville Enterprise Limited will prepare a Project Priorities document which includes targeted priorities for the North Queensland region. This document will provide a base for meetings and advocacy when representatives from the region meet with Ministers, Department Representatives and Members of Parliament in Canberra.

Consultation

All Councillors, Chief Executive Officer and North Queensland Regional Organisation of Councils (NQROC) members.

Budget & Resource Implications

All expenses of attendance at the Delegation will be met by Council. There is available funding in the Elected Members Conferences and Training budget allocation.

Legal Authority & Implications

Not Applicable.

Policy Implications

Not Applicable.

Risk Implications (Strategic, Operational, Project Risks)

Council needs to advocate as part of the North Queensland delegation on the issues impacting the region and the projects requiring support from the Australian Government.

Attachments

None

COMMUNITY SERVICES

6.2.1. Burdekin Theatre and Ayr Showgrounds Capital Works Projects - Financial Allocation Review

File Reference: 217

Report Author: Glenn Arboit, Manager Community Services

Authoriser: Kim Olsen, Director Corporate and Community Services

Meeting Date: 27 January 2026

Link to Corporate/Operational Plan:

Burdekin Shire Council Corporate Plan 2025-2030

- Plan, build and maintain infrastructure that enhances and extends the life of community assets.
- Provide safe, attractive, accessible, and functional community spaces and facilities.

Executive Summary

Following the recent tender process for the upgrade of two (2) key community facilities projects - the Burdekin Theatre Dressing Rooms Refurbishment and the Ayr Showgrounds Main Hall Refurbishment, it has been identified that tender submissions have exceeded the project budget allocations. The Burdekin Theatre project, in particular, must be delivered within a clearly defined and limited construction window to align with scheduled performances and existing venue bookings.

To ensure both projects can proceed within the current financial year, and avoid disruption to confirmed theatre programming and community events, a budget variation is sought to address the funding shortfall and enable timely commencement and completion of the works. The variation can be funded from depreciation.

Officer's Recommendation

That Council:

1. approve an increase of the budget to \$473,544.42 for the Burdekin Theatre Dressing Rooms Refurbishment project, with the additional \$223,544.42 to be allocated from depreciation.
2. approve an increase of the budget to \$321,523.73 for the Ayr Showgrounds Main Hall Refurbishment project, with the additional \$101,523.73 to be allocated from depreciation.

Background

The Burdekin Theatre Dressing Rooms Refurbishment Project addresses long-standing issues within one of the Shire's key cultural facilities. The dressing rooms, located on both levels of the building, are original to the 43-year-old facility and have deteriorated to a point where a full redesign and modern fit-out are required. Consultation with community arts organisations and regular hirers informed the design approach and confirmed the need for improved functionality. To minimise disruption to the annual events program, the Theatre has reserved a clear booking window from 9 February to 1 May 2026.

A single tender was received for the refurbishment works. The tender totalled \$473,544.42 (excluding GST), compared to the budget allocation of \$250,000.00, resulting in a funding shortfall of \$223,544.42.

This outcome reflects current market conditions and is consistent with other recent Council capital projects.

The Ayr Showgrounds Main Hall is in poor condition and requires refurbishment. The project scope includes:

- the addition of a new external amenities extension to provide accessible facilities,
- remodelling of existing amenities,
- construction of a discreet walkway to the amenities,
- provision of a cleaners' storage area, and
- repainting of the renovated sections.

Two tenders were received for the works. The preferred tender totals \$321,523.73 (excluding GST), compared to the allocated budget of \$220,000.00. This results in a funding shortfall of \$101,523.73.

Given the importance of both the Burdekin Theatre and Ayr Showgrounds facilities, it is proposed that additional funding be allocated from depreciation to enable works to proceed within the current financial year.

Consultation

Consultation has occurred with the Facilities Management Coordinator and Cultural Venues Manager. Discussions were held with Councillors and the Executive Leadership Team at the Council Workshop held on 20 January 2026.

Budget & Resource Implications

The below table highlights the financial gap for each project:

Project	Current Budget	Tender/Quote (excluding GST)	Shortfall
Burdekin Theatre Dressing Rooms	\$250,000.00	\$473,544.42	\$223,544.42
Ayr Showgrounds Main Hall	\$220,000.00	\$321,523.73	\$101,523.73
Total Variance			\$325,068.15

Legal Authority & Implications

Not Applicable.

Policy Implications

Not Applicable.

Risk Implications (Strategic, Operational, Project Risks)

Escalating project costs and schedule delays due to market-driven tender increases:

Re-scoping, re-tendering, or delaying construction may further increase costs, extend the project timeline, and jeopardise the coordinated delivery of both the Burdekin Theatre and Ayr Showgrounds upgrades.

Reduced community confidence due to inability to deliver key cultural infrastructure upgrades:

If the Theatre and Showgrounds refurbishments cannot proceed due to funding constraints, Council risks being perceived as unable to maintain essential community assets. This may weaken relationships with local arts organisations, reduce community participation, and undermine long-term strategic goals for cultural vitality and regional attractiveness.

Attachments

None

FINANCIAL SERVICES

6.3.1. Monthly Financial Report - December 2025

Officer's Recommendation

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

Attachments

1. Monthly Financial Report - December 2025
2. 2025-2026 Capital PCG 311225 Report - Confidential

The following report provides a summary of Council's financial performance to 31 December 2025.

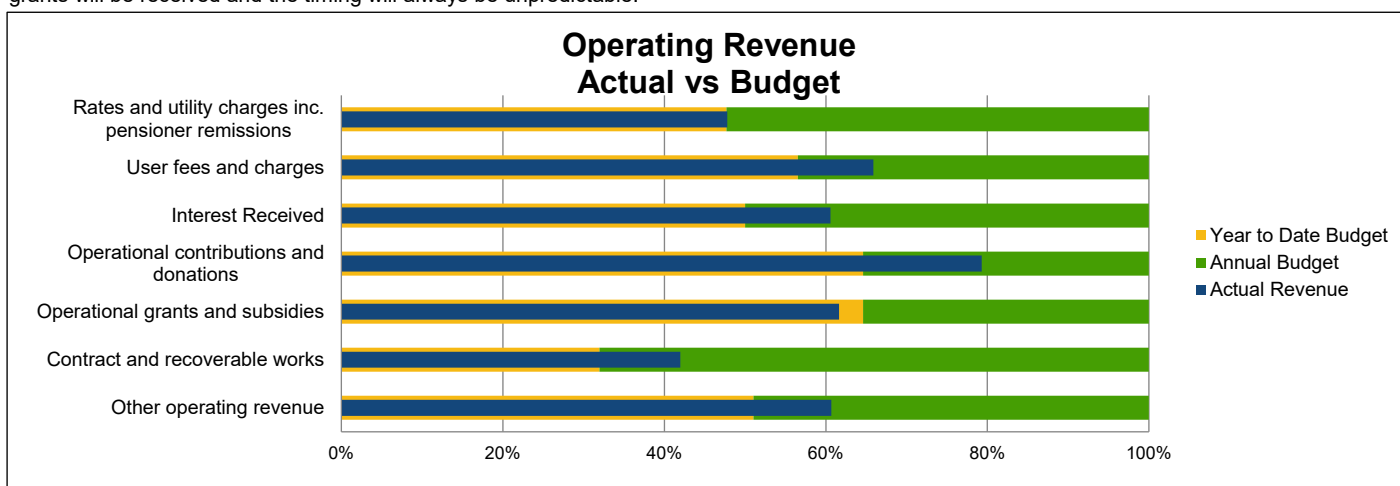
FINANCIAL STATEMENTS AT A GLANCE

As at 31 December 2025	Actual \$	Annual Budget \$	YTD Revised Budget \$	\$ Variance YTD Actual to YTD Revised Budget	% Variance YTD Actual to YTD Revised Budget
Total Operating Revenue	36,558,451	70,227,038	36,060,063	498,388	1%
Total Operating Expenses	34,758,001	74,444,524	37,850,417	-3,092,416	-8%
Operating Position	1,800,450	-4,217,486	-1,790,354	3,590,804	-201%
Capital Revenue	16,834,900	37,324,630	37,324,630	-20,489,730	-55%
Net Result	18,635,350	33,107,144	35,534,276	-16,898,926	-48%

This report contains financial information for the period ending 31 December 2025. Council's operating position at month end is a \$1.8M surplus.

Please note 50% 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.

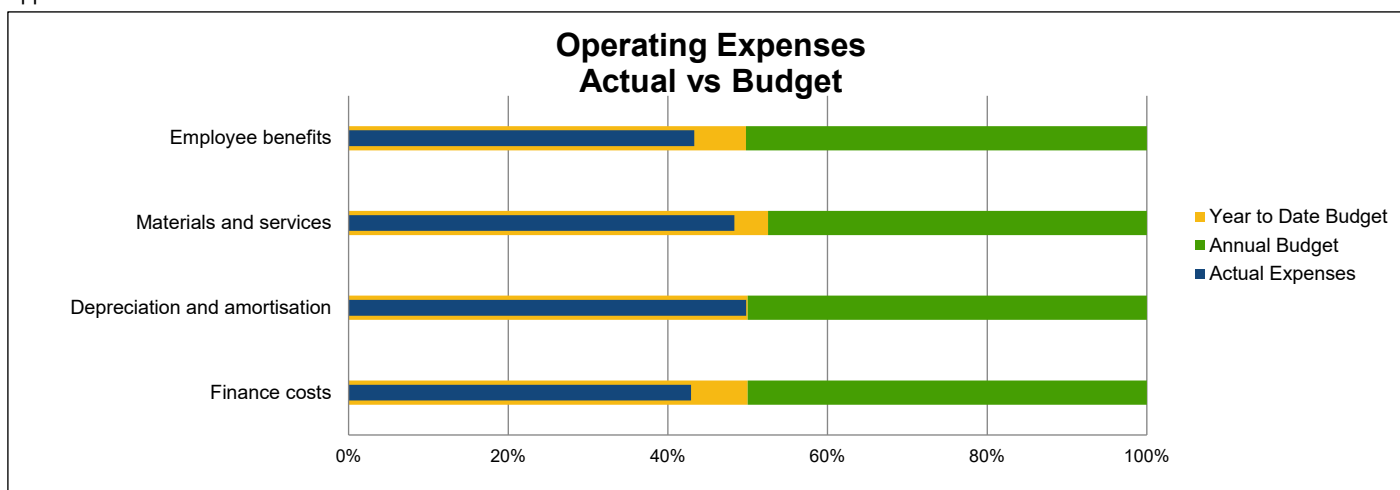


Ahead of Budget:

- 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.
- Contract and recoverable works: Road Maintenance Performance Contract claims.
- Other operating revenue: Income received from Container Revenue Share scheme and small plant sales.

Under Budget:

- Operational grants and subsidies: Queensland Reconstruction Authority (QRA) grant funding is received as work is complete and submissions are approved.



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, plant hire recoveries, and an emphasis on the capital works program.

RATES REPORT

ARREARS ANALYSIS

Rate Category	Number of Properties	Value of Arrears
Residential	751	\$ 500,810
Commercial & Industrial	84	\$ 51,762
Grazing & Livestock	18	\$ 2,192
Sugar Cane	75	\$ 105,489
Rural	32	\$ 120,115
Sugar Milling	0	\$ -
Water	1	\$ 2,843
Solar Farms	0	\$ -
Electricity & Telecommunications	10	\$ 40
Other	16	\$ 748
Total	987	\$ 784,000

AGEING RATES ARREARS				
21/22	22/23	23/24	24/25	25/26
\$ 8,572	\$ 10,296	\$ 104,740	\$ 218,474	\$ 441,918

Arrears Snapshot		
Arrears 31 December 2025		\$ 784,000
Payments Received for the month		\$ 418,614
% Arrears December 2025		3.11%
% Arrears December 2024		2.54%
Pre-payments December 2025		\$ 2,410,549
Pre-payments December 2024		\$ 2,731,553
Debt Balance under \$500	802	\$ 33,855

DEBT COLLECTION AND RECOVERY

IN HOUSE DEBT COLLECTION

Number of Payments Plans	Value
54	\$81,905

SALE OF LAND FOR ARREARS

Status	Properties
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, with the amount outstanding \$54,895.	3

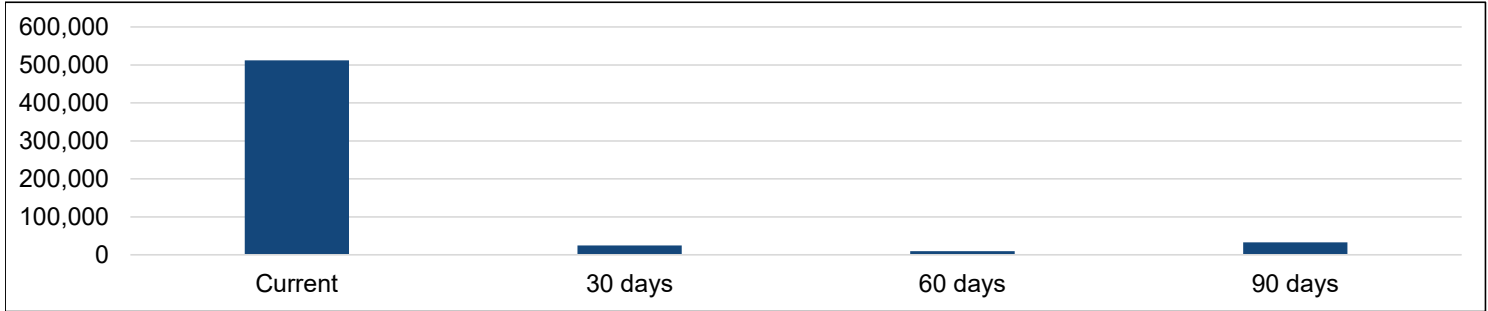
EXTERNAL DEBT COLLECTION - COLLECTION HOUSE

Status	Accounts	Value
Broken Arrangement	19	\$ 40,598
Current Arrangement	9	\$ 7,355
Current Arrangement Arrears	4	\$ 1,651
Contact Required	31	\$ 133,779
Hardship Support	4	\$ 12,223
Notice Of Intention To Sell Issued	3	\$ 53,524
File on Hold - Client Request	1	\$ 2,817
File on Hold - Awaiting Information	3	\$ 8,147
Court Judgment Entered	5	\$ 17,400
New Account	80	\$ 144,453
Promise to Pay in Full Broken	15	\$ 28,259
Review Legal Request	16	\$ 122,460
Summons Unserved	3	\$ 22,517
Total		\$ 595,183

ACCOUNTS RECEIVABLE REPORT

Sundry Debtors

DEBTORS AGEING REPORT



DEBT CATEGORIES

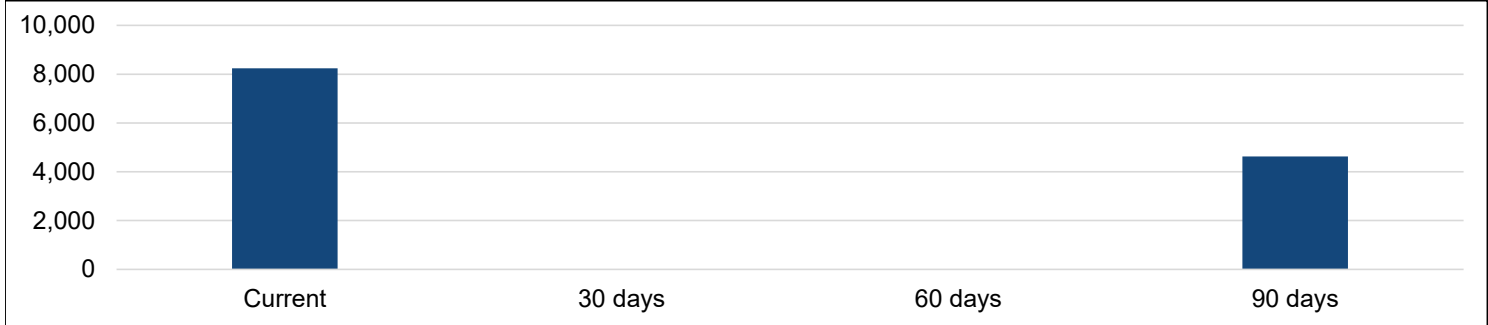
Category	Accounts	Value
Showgrounds	2	\$ 727
Burdekin Memorial Hall	1	\$ 347
Burdekin Theatre	2	\$ 14,934
General	106	\$ 69,221
Government Department	2	\$ 407,164
Waste	16	\$ 82,068
Restitution	1	\$ 4,844
Total		\$ 579,306

EXTERNAL DEBT COLLECTION

Collection House	1 File	\$ 4,844
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Trade Waste Debtors

DEBTORS AGEING REPORT



CASH AND INVESTMENTS REPORT

		Compliant	Policy Condition
Total Cash and Investments	\$ 95,655,255		
Investments within A1+ S & P Short Term ratings	37.01%	✓	(maximum 75%)
Counterparty Limits - CBA	22.37%	✓	(maximum 30%)
Counterparty Limits - WBC	4.18%	✓	(maximum 30%)
Counterparty Limits - Suncorp	5.23%	✓	(maximum 30%)
Counterparty Limits - NAB	5.23%	✓	(maximum 30%)
Counterparty Limits - Queensland Country Bank	0.26%	✓	(maximum 10%)

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	\$ 60,012,283	4.26%	Ongoing	N/A	A1+
Commonwealth Bank of Australia	Term Deposit	\$ 5,000,000	4.12%	10/02/2026	41	A1+
Commonwealth Bank of Australia	Term Deposit	\$ 8,000,000	4.12%	10/02/2026	41	A1+
Commonwealth Bank of Australia	Term Deposit	\$ 5,000,000	4.12%	16/02/2026	47	A1+
National Australia Bank	Term Deposit	\$ 5,000,000	4.15%	04/02/2026	35	A1+
Suncorp Bank	Term Deposit	\$ 5,000,000	4.54%	10/06/2026	161	A1+
Westpac Banking Corporation	Term Deposit	\$ 3,000,000	4.20%	02/04/2026	92	A1+
Westpac Banking Corporation	Term Deposit	\$ 1,000,000	4.10%	13/03/2026	72	A1+
Total Investments		\$ 92,012,283				

CASH HELD BY COUNCIL IN BANK ACCOUNTS

Financial Institution	Description	Principal	Interest Rate	Maturity Date	Days to Maturity	S&P Short Term Rating
Commonwealth Bank of Australia	General Account	\$ 3,398,538	4.10%	31/12/2025	0	A1+
Queensland Country Bank	General Account	\$ 244,434	1.65%	31/12/2025	0	A2
Total Cash at Bank		\$ 3,642,972				

TOTAL CASH AND INVESTMENTS

Total Cash and Investments	\$ 95,655,255
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INVESTMENT INTEREST RATE PERFORMANCE

Weighted Average Interest Rate	4.24%
Target Interest Rate (to be no lower than QTC)	4.26%

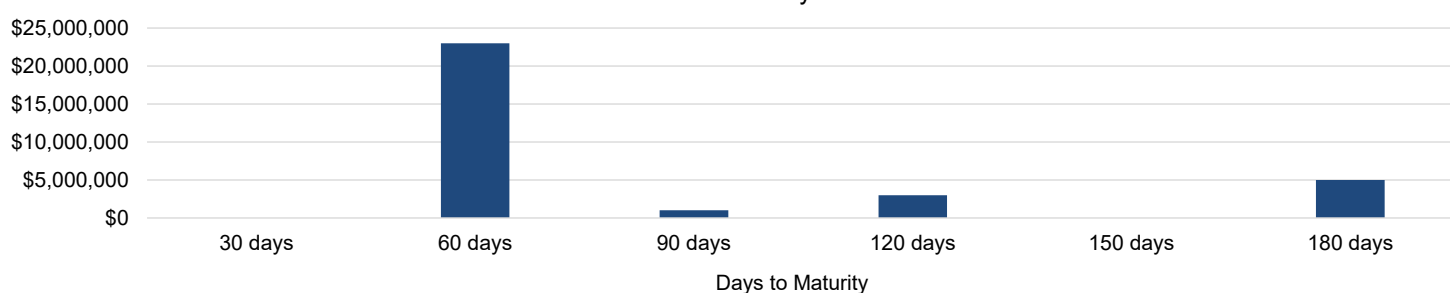
CREDIT RATING LIMITS

S&P Short Term Rating	Policy Limit	Principal	%
Queensland Treasury Corporation	No Limit	\$ 60,012,283	62.74%
A1+	75%	\$ 35,398,538	37.01%
A2	25%	\$ 244,434	0.26%

COUNTERPARTY LIMITS

Financial Institution	Policy Limit	Principal	%
Queensland Treasury Corporation	No Limit	\$ 60,012,283	62.74%
Commonwealth Bank of Australia	30%	\$ 21,398,538	22.37%
Suncorp Bank	30%	\$ 5,000,000	5.23%
Westpac Banking Corporation	30%	\$ 4,000,000	4.18%
Queensland Country Bank	10%	\$ 244,434	0.26%
National Australia Bank	30%	\$ 5,000,000	5.23%

Investment Maturity Profile



OVERVIEW OF COUNCIL'S CAPITAL PROJECTS

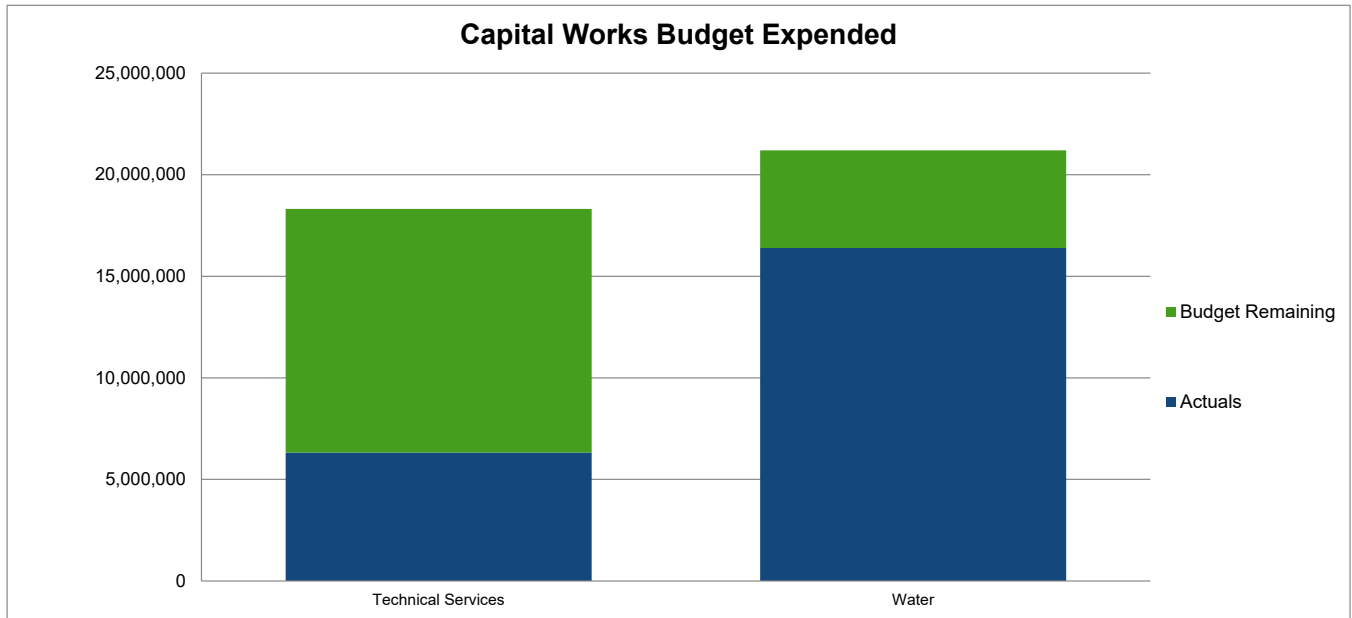
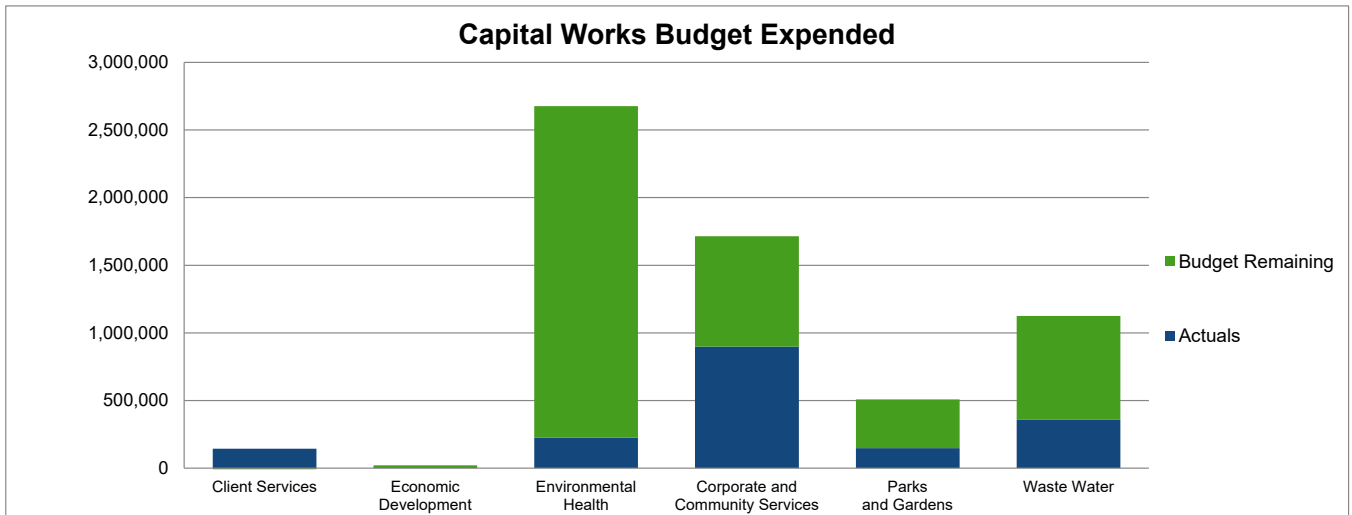
Capital expenditure incurred for the year to 31 December, is shown by asset category in the table below.

Capital project expenditure to 31 December is \$24,501,230 in addition to this, there is \$13,565,324 of commitments. Therefore totalling \$38,066,554.

FINANCIAL OVERVIEW BY ASSET CATEGORY

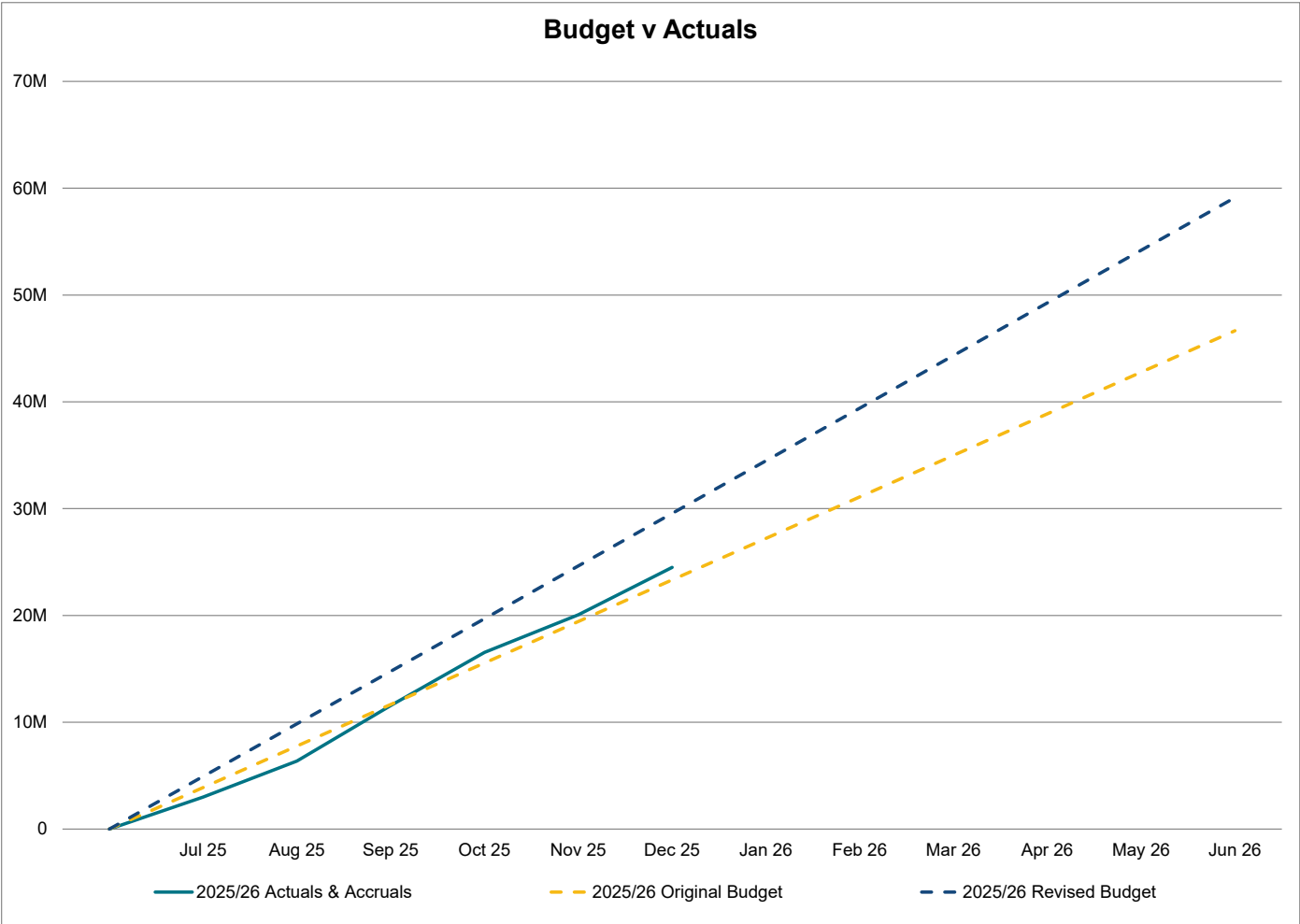
Asset Category	Original Budget	Revised Budget	Actuals & Accruals	Commitments	Total
Client Services	\$ 121,500	\$ 190,989	\$ 143,110	\$ 192,016	\$ 335,126
Corporate and Community Services	\$ 1,357,000	\$ 1,915,377	\$ 899,507	\$ 200,713	\$ 1,100,219
Economic Development	\$ 49,690	\$ 49,690	\$ 6,816	\$ 29,214	\$ 36,031
Technical Services	\$ 14,381,162	\$ 21,257,498	\$ 6,328,512	\$ 2,943,016	\$ 9,271,528
Environmental Health	\$ 2,202,000	\$ 2,770,525	\$ 226,421	\$ 93,665	\$ 320,087
Parks and Gardens	\$ 1,305,000	\$ 1,485,138	\$ 148,270	\$ 977,388	\$ 1,125,658
Waste Water	\$ 1,685,000	\$ 1,972,562	\$ 357,255	\$ 847,362	\$ 1,204,617
Water	\$ 25,555,370	\$ 29,478,640	\$ 16,391,339	\$ 8,281,950	\$ 24,673,289
TOTAL	\$ 46,656,722	\$ 59,120,419	\$ 24,501,230	\$ 13,565,324	\$ 38,066,554

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 31 December 2025.

APPENDIX 4 - STATEMENT OF CASH FLOWS

Attached is the Statement of Cash Flows for the period ending 31 December 2025.

OPERATING STATEMENT
Period Ending 31 December 2025

Chief Executive Officer

	Month of December Actual	Year to Date Actual	Year To Date Revised Budget	\$ Variance YTD Actual to YTD Revised Budget	% Variance YTD Actual to YTD Revised Budget
Operating Revenue					
Operational contributions and donations	23	340	250	90	36%
Other operating revenue	452	15,998	29,800	-13,802	-46%
Total operating revenue	475	16,338	30,050	-13,712	-46%
Operating Expenses					
Employee benefits	590,415	1,753,602	1,971,820	-218,218	-11%
Materials and services	48,153	400,208	469,252	-69,044	-15%
Finance Costs	0	34	0	34	-
Total operating costs	638,568	2,153,843	2,441,071	-287,228	-12%
Surplus (deficit) from operating activities	-638,093	-2,137,505	-2,411,021	273,516	-11%
Net result for period	-638,093	-2,137,505	-2,411,021	273,516	-11%

Comments

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

Other operating revenue

Under budget due to WorkCare payment being received sporadically.

Employee benefits

Under budget for long service leave and sick leave. Oncost recoveries are over budget due to this low level of leave taken.

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 31 December 2025

Director of Corporate & Community Services

	Month of December Actual	Year to Date Actual	Year To Date Revised Budget	\$ Variance YTD Actual to YTD Revised Budget	% Variance YTD Actual to YTD Revised Budget
Operating Revenue					
User fees and charges	14,299	83,236	71,880	11,356	16%
Operational contributions and donations	7,391	20,072	30,000	-9,928	-33%
Operational grants and subsidies	0	114,635	114,635	0	0%
Other operating revenue	646	19,379	11,608	7,771	67%
Total operating revenue	22,336	237,321	228,123	9,198	4%
Operating Expenses					
Employee benefits	57,344	433,871	435,000	-1,129	0%
Materials and services	196,245	527,350	449,920	77,430	17%
Depreciation and amortisation	145,953	866,184	848,530	17,654	2%
Total operating costs	399,542	1,827,406	1,733,450	93,956	5%
Surplus (deficit) from operating activities	-377,206	-1,590,085	-1,505,327	-84,758	6%
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	-377,206	-1,509,132	-1,357,556	-151,576	11%

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

Over budget due to mould remediation works - to be partially claimed under insurance and QRA Counter Disaster Operations.

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 31 December 2025

Manager Client Services

	Month of December Actual	Year to Date Actual	Year To Date Revised Budget	\$ Variance YTD Actual to YTD Revised Budget	% Variance YTD Actual to YTD Revised Budget
Operating Revenue					
Operational grants and subsidies	24,113	36,733	36,733	0	0%
Total operating revenue	24,113	36,733	36,733	0	0%
Operating Expenses					
Employee benefits	102,711	776,654	908,141	-131,487	-14%
Materials and services	74,189	1,741,527	1,723,117	18,410	1%
Total operating costs	176,900	2,518,181	2,631,258	-113,078	-4%
Surplus (deficit) from operating activities	-152,787	-2,481,447	-2,594,525	113,078	-4%
Net result for period	-152,787	-2,481,447	-2,594,525	113,078	-4%

Comments

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

Employee benefits

Under budget in Information Management with staff member returning from maternity leave in October, and vacant position not yet filled. Also under budget in Information and Communication Section with staff leave taken, and Customer Service Section due to vacancy and staff leave taken.

OPERATING STATEMENT
Period Ending 31 December 2025

Manager Community Services

	Month of December Actual	Year to Date Actual	Year To Date Revised Budget	\$ Variance YTD Actual to YTD Revised Budget	% Variance YTD Actual to YTD Revised Budget
Operating Revenue					
User fees and charges	25,352	161,857	142,561	19,296	14%
Operational grants and subsidies	0	99,119	93,619	5,500	6%
Other operating revenue	14,711	61,924	64,150	-2,226	-3%
Total operating revenue	40,063	322,900	300,330	22,570	8%
Operating Expenses					
Employee benefits	159,149	1,050,779	1,023,572	27,206	3%
Materials and services	94,143	677,644	756,789	-79,145	-10%
Depreciation and amortisation	12,088	71,640	71,600	40	0%
Total operating costs	265,380	1,800,063	1,851,961	-51,899	-3%
Surplus (deficit) from operating activities	-225,317	-1,477,163	-1,551,631	74,468	-5%
Capital grants and subsidies	21,772	43,544	230,000	-186,457	-81%
Net result for period	-203,545	-1,433,619	-1,321,631	-111,988	8%

Comments

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

User fees and charges

Ahead of budget due to additional performances and events at the Burdekin Theatre.

Operational grants and subsidies

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

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 next round to be paid in February. Maintenance air-conditioning under budget at Burdekin Library, Burdekin Theatre, and Burdekin Memorial Hall with duct cleaning to occur in the coming months.

Capital grants and subsidies

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

OPERATING STATEMENT
Period Ending 31 December 2025

Manager Environmental & Health Services - Waste Program

	Month of December Actual	Year to Date Actual	Year To Date Revised Budget	\$ Variance YTD Actual to YTD Revised Budget	% Variance YTD Actual to YTD Revised Budget
Operating Revenue					
Rates and Utility Charges	0	2,455,756	2,450,278	5,478	0%
User fees and charges	69,862	379,226	287,500	91,726	32%
Interest Received	37,984	221,419	182,600	38,819	21%
Operational contributions and donations	9,410	9,410	0	9,410	-
Operational grants and subsidies	0	300	0	300	-
Other operating revenue	28,135	86,407	60,582	25,825	43%
Total operating revenue	145,391	3,152,519	2,980,960	171,559	6%
Operating Expenses					
Employee benefits	87,327	564,384	492,193	72,191	15%
Materials and services	260,462	1,210,898	1,301,808	-90,911	-7%
Depreciation and amortisation	47,487	281,741	281,400	341	0%
Total operating costs	395,275	2,057,023	2,075,402	-18,379	-1%
Surplus (deficit) from operating activities	-249,885	1,095,496	905,558	189,938	21%
Other capital income (expense)	0	-36,512	-36,512	0	0%
Net result for period	-249,885	1,058,985	869,046	189,938	22%

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.

Operational contributions and donations

Contribution received from waste contractor for educational program. Budget at Operational grants and subsidies - will be corrected in the second revised budget.

Other operating revenue

Ahead of budget mainly due to income from the Container Revenue Share scheme and takings at the Transfer stations. 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 waste contractor to ensure timely submission of invoices.

Other capital income (expense)

Loss from write off of Ayr Transfer Station bin bays.

OPERATING STATEMENT
Period Ending 31 December 2025

Manager Environmental & Health Services excluding Waste Program

	Month of December Actual	Year to Date Actual	Year To Date Revised Budget	\$ Variance YTD Actual to YTD Revised Budget	% Variance YTD Actual to YTD Revised Budget
Operating Revenue					
Rates and Utility Charges	0	43,817	43,750	67	0%
User fees and charges	56,716	519,839	448,441	71,398	16%
Operational contributions and donations	1,522	53,368	82,554	-29,186	-35%
Operational grants and subsidies	0	60,000	131,498	-71,498	-54%
Other operating revenue	7,523	13,118	5,250	7,868	150%
Total operating revenue	65,762	690,143	711,493	-21,350	-3%
Operating Expenses					
Employee benefits	116,960	897,191	951,766	-54,575	-6%
Materials and services	210,023	1,305,956	1,172,919	133,037	11%
Depreciation and amortisation	40,341	239,880	244,200	-4,320	-2%
Total operating costs	367,324	2,443,027	2,368,885	74,143	3%
Surplus (deficit) from operating activities	-301,563	-1,752,885	-1,657,392	-95,493	6%
Capital grants and subsidies	0	0	1,534,000	-1,534,000	-100%
Other capital income (expense)	-3,019	-17,153	-11,099	-6,054	55%
Net result for period	-304,582	-1,770,038	-134,491	-1,635,547	1216%

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. Also under budget in contributions received for Herbicide Subsidy Scheme, with invoices raised as chemicals are purchased. This income is variable from month to month.

Operational grants and subsidies

Under budget as Reef Guardian Grant income and Illegal Dumping Officer funding is contingent upon milestone achievements which are not due yet.

Other operating revenue

Ahead of budget for swimming pool income. An invoice was raised to the Ayr Swimming Pool for 20% of entrance fees revenue in line with the contract.

Employee benefits

Under budget due to staff vacancies and leave taken.

Materials and services

Over budget in Land Protection trade and contract services due to increased costs for woody weed eradication and feral deer aerial control activities. This variance will be addressed in the second budget revision through the reallocation of underspent funds from other Reef Guardian program projects. Also over budget in Swimming Pool chemicals which are ordered in bulk to save money.

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 31 December 2025

Manager Financial Services

	Month of December Actual	Year to Date Actual	Year To Date Revised Budget	\$ Variance YTD Actual to YTD Revised Budget	% Variance YTD Actual to YTD Revised Budget
Operating Revenue					
Rates and Utility Charges	0	15,513,625	15,480,444	33,181	0%
Pensioner remissions	-899	-187,349	-185,000	-2,349	1%
User fees and charges	8,583	95,265	92,500	2,765	3%
Interest Received	174,061	1,014,593	831,850	182,743	22%
Operational grants and subsidies	0	1,867,279	1,880,084	-12,805	-1%
Other operating revenue	0	18,215	20,400	-2,185	-11%
Total operating revenue	181,745	18,321,627	18,120,278	201,349	1%
Operating Expenses					
Employee benefits	116,194	948,049	985,453	-37,404	-4%
Materials and services	69,880	684,807	674,585	10,222	2%
Depreciation and amortisation	32,806	199,598	191,800	7,798	4%
Finance Costs	3,690	38,573	45,000	-6,427	-14%
Total operating costs	222,570	1,871,027	1,896,838	-25,811	-1%
Surplus (deficit) from operating activities	-40,826	16,450,600	16,223,440	227,160	1%
 Capital grants and subsidies	 0	 163,386	 0	 163,386	 -
Net result for period	-40,826	16,613,987	16,223,440	390,546	2%

Comments

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

Interest Received

Ahead of budget due to conservative budgeting.

Other operating revenue

Under budget for scrap metal sales at Jones Street Depot. This income is received sporadically throughout the year.

Finance Costs

Finance costs are variable and often differ to budget as they are dependent on the volume of transactions.

Capital grants and subsidies

Unbudgeted grant funds received for Installation of CCTV cameras.

OPERATING STATEMENT
Period Ending 31 December 2025

Manager Operations

	Month of December Actual	Year to Date Actual	Year To Date Revised Budget	\$ Variance YTD Actual to YTD Revised Budget	% Variance YTD Actual to YTD Revised Budget
Operating Revenue					
User fees and charges	16,269	105,710	106,000	-290	0%
Operational contributions and donations	7,360	149,556	103,880	45,676	44%
Operational grants and subsidies	314,002	6,897,603	7,098,947	-201,344	-3%
Contract and recoverable works	370,149	919,686	700,400	219,286	31%
Total operating revenue	707,779	8,072,556	8,009,227	63,329	1%
Operating Expenses					
Employee benefits	465,236	2,841,436	4,163,249	-1,321,813	-32%
Materials and services	1,700,189	5,289,946	5,765,833	-475,887	-8%
Depreciation and amortisation	118,007	700,339	708,850	-8,511	-1%
Total operating costs	2,283,431	8,831,721	10,637,932	-1,806,211	-17%
Surplus (deficit) from operating activities	-1,575,652	-759,165	-2,628,705	1,869,540	-71%
Capital grants and subsidies	55,022	55,022	2,894,124	-2,839,102	-98%
Other capital income (expense)	0	-20,742	-20,742	0	0%
Net result for period	-1,520,631	-724,886	244,677	-969,563	-396%

Comments

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

Operational contributions and donations

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

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.

Materials and services

Under budget due to the unspent value of gravel resheeting in REPA claims and roads maintenance. The variance is reducing as Council's workforce continues 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 received for Queensland Reconstruction DRFA project. Funding not yet received for Works For Queensland funding for Anzac Park precinct pump track, or Sport and Recreation funding for basketball units upgrades, and further DRFA claims.

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 31 December 2025

Manager Water and Waste Water - Sewerage

	Month of December Actual	Year to Date Actual	Year To Date Revised Budget	\$ Variance YTD Actual to YTD Revised Budget	% Variance YTD Actual to YTD Revised Budget
Operating Revenue					
Rates and Utility Charges	0	2,647,869	2,636,286	11,583	0%
User fees and charges	8,243	85,897	92,500	-6,603	-7%
Interest Received	58,603	341,114	285,050	56,064	20%
Operational contributions and donations	4,365	82,763	55,000	27,763	50%
Other operating revenue	579	852	0	852	-
Total operating revenue	71,790	3,158,495	3,068,836	89,659	3%
Operating Expenses					
Employee benefits	98,380	798,388	795,992	2,396	0%
Materials and services	124,352	910,667	940,697	-30,029	-3%
Depreciation and amortisation	167,388	991,551	998,600	-7,049	-1%
Total operating costs	390,119	2,700,607	2,735,289	-34,682	-1%
Surplus (deficit) from operating activities	-318,329	457,888	333,547	124,341	37%
Capital grants and subsidies	0	0	230,000	-230,000	-100%
Other capital income (expense)	-9,725	-26,890	-14,357	-12,533	87%
Net result for period	-328,054	430,998	549,190	-118,192	-22%

Comments

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

User fees and charges

Under budget primarily due to Trade Waste income being less than anticipated. This income can be variable over the year and dependant on frequency of septic receival use.

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 31 December 2025

Manager Water and Waste Water - Water

	Month of December Actual	Year to Date Actual	Year To Date Revised Budget	\$ Variance YTD Actual to YTD Revised Budget	% Variance YTD Actual to YTD Revised Budget
Operating Revenue					
Rates and Utility Charges	-73	1,816,004	1,814,940	1,064	0%
User fees and charges	2,195	67,805	48,000	19,805	41%
Interest Received	34,120	199,531	167,200	32,331	19%
Operational contributions and donations	0	42,500	20,000	22,500	113%
Total operating revenue	36,242	2,125,841	2,050,140	75,701	4%
Operating Expenses					
Employee benefits	108,792	750,113	737,960	12,153	2%
Materials and services	125,615	1,082,177	1,329,910	-247,733	-19%
Depreciation and amortisation	118,752	709,371	749,000	-39,629	-5%
Total operating costs	353,160	2,541,661	2,816,870	-275,209	-10%
Surplus (deficit) from operating activities	-316,918	-415,821	-766,730	350,909	-46%
Capital grants and subsidies	8,297,969	15,846,297	28,172,464	-12,326,167	-44%
Other capital income (expense)	0	-90,000	-4,787	-85,213	1780%
Net result for period	7,981,051	15,340,477	27,400,947	-12,060,471	-44%

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 material change of use infrastructure charges.

Materials and services

Under budget with bulk water invoices not expected until June. 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 31 December 2025

Manager Planning and Development

	Month of December Actual	Year to Date Actual	Year To Date Revised Budget	\$ Variance YTD Actual to YTD Revised Budget	% Variance YTD Actual to YTD Revised Budget
Operating Revenue					
User fees and charges	28,001	328,964	281,728	47,236	17%
Operational grants and subsidies	0	0	30,000	-30,000	-100%
Total operating revenue	28,001	328,964	311,728	17,236	6%
Operating Expenses					
Employee benefits	50,256	513,554	590,101	-76,547	-13%
Materials and services	112,445	442,077	364,308	77,769	21%
Total operating costs	162,700	955,632	954,409	1,223	0%
Surplus (deficit) from operating activities	-134,700	-626,668	-642,681	16,013	-2%
Net result for period	-134,700	-626,668	-642,681	16,013	-2%

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 as anticipated, with the payment now expected in January 2026.

Employee benefits

Under budget in Town Planning due to ongoing staff vacancies.

Materials and services

Over budget relating to legal expenses for various Town Planning matters.

OPERATING STATEMENT
Period Ending 31 December 2025

Manager Technical Services

	Month of December Actual	Year to Date Actual	Year To Date Revised Budget	\$ Variance YTD Actual to YTD Revised Budget	% Variance YTD Actual to YTD Revised Budget
Operating Revenue					
User fees and charges	0	5,636	2,750	2,886	105%
Operational grants and subsidies	19,405	70,961	204,165	-133,204	-65%
Other operating revenue	11,018	18,417	5,250	13,167	251%
Total operating revenue	30,423	95,014	212,165	-117,151	-55%
Operating Expenses					
Employee benefits	183,495	1,421,136	1,604,999	-183,863	-11%
Materials and services	-235,963	-1,266,031	-803,647	-462,384	58%
Depreciation and amortisation	824,970	4,902,706	4,905,700	-2,994	0%
Total operating costs	772,502	5,057,811	5,707,052	-649,241	-11%
Surplus (deficit) from operating activities	-742,079	-4,962,796	-5,494,887	532,091	-10%
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)	-736	-106,172	-98,032	-8,140	8%
Net result for period	-742,815	-4,125,801	-1,291,119	-2,834,682	220%

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

Under budget due to delay in Burdekin River flood study project.

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 and Asset Management. 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 31 December 2025

Appendix 2

	Month of December Actual	Year to Date Actual	Year to Date Revised Budget	\$ Variance YTD Actual to YTD Revised Budget	% Variance YTD Actual to YTD Revised Budget
Operating Revenue					
Rates and Utility Charges	-74	22,477,071	22,425,698	51,373	0%
Pensioner remissions	-899	-187,349	-185,000	-2,349	1%
User fees and charges	229,519	1,833,435	1,573,860	259,575	16%
Interest Received	304,768	1,776,657	1,466,700	309,957	21%
Operational contributions and donations	30,072	358,010	291,684	66,326	23%
Operational grants and subsidies	357,520	9,146,631	9,589,681	-443,050	-5%
Contract and recoverable works	370,149	919,686	700,400	219,286	31%
Other operating revenue	63,064	234,310	197,040	37,270	19%
Total operating revenue	1,354,119	36,558,451	36,060,063	498,388	1%
Operating Expenses					
Employee benefits	2,136,258	12,749,157	14,660,246	-1,911,089	-13%
Materials and services	2,779,732	13,007,226	14,145,491	-1,138,265	-8%
Depreciation and amortisation	1,507,792	8,963,011	8,999,680	-36,669	0%
Finance Costs	3,690	38,607	45,000	-6,393	-14%
	0	0	0	0	-
Total operating costs	6,427,473	34,758,001	37,850,417	-3,092,416	-8%
Surplus (deficit) from operating activities	-5,073,354	1,800,450	-1,790,354	3,590,804	-201%
Capital contributions	0	366,613	1,819,099	-1,452,486	-80%
Capital grants and subsidies	8,374,762	16,769,063	35,691,060	-18,921,997	-53%
Other capital income (expense)	-13,481	-300,776	-185,529	-115,247	62%
Net result for period	3,287,927	18,635,350	35,534,276	-16,898,926	-48%

BURDEKIN SHIRE COUNCIL
STATEMENT OF FINANCIAL POSITION
As at 31 December 2025

Appendix 3

	Year to Date Actual \$	Annual Budget \$
Current Assets		
Cash and Cash Equivalents	87,777,321	77,108,820
Financial Assets	8,000,000	5,000,000
Receivables	1,275,351	2,550,272
Inventories	665,530	580,693
Contract Assets	406,874	0
Other Assets	944,982	2,444,465
Total Current Assets	99,070,057	87,684,250
Non-Current Assets		
Receivables	399,264	258,897
Property, Plant and Equipment	715,010,368	739,944,173
Intangibles Assets	170,207	155,908
Other Assets	20,250	33,445
Total Non-Current Assets	715,600,089	740,392,423
TOTAL ASSETS	814,670,146	828,076,673
Current Liabilities		
Payables	4,547,542	8,319,995
Provisions	7,680,441	7,680,441
Contract Liabilities	7,008,801	2,563,314
Other Liabilities	340,232	603,674
Total Current Liabilities	19,577,016	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	38,076,320	37,066,377
NET COMMUNITY ASSETS	776,593,827	791,010,296
Community Equity		
Asset Revaluation Surplus	437,228,118	437,228,232
Retained Surplus (deficiency)	339,365,709	353,782,064
TOTAL COMMUNITY EQUITY	776,593,827	791,010,296

BURDEKIN SHIRE COUNCIL
STATEMENT OF CASH FLOWS
For Period Ending 31 December 2025

Appendix 4

	Year to Date Actual \$	Annual Cashflow Budget \$
Cash Flows from Operating Activities		
Receipts		
Receipts from Customers	26,725,456	48,846,945
Payments to Suppliers and Employees	-32,618,681	-56,445,162
	-5,893,225	-7,598,217
Interest Received and Investment Revenue Received	2,253,398	2,933,400
Operating Grants, Subsidies and Contributions	9,588,765	15,292,926
Other	3,521,689	2,576,958
Net Cash Inflow (Outflow) from Operating Activities	9,470,627	13,205,067
Cash Flows from Investing Activities		
Proceeds from Sale of Property, Plant and Equipment	332,818	1,061,500
Grants, subsidies, contributions and donations	20,612,787	37,103,783
Net movement in cash investments	-3,000,000	0
Payments for Property, Plant and Equipment	-24,424,800	-59,120,419
Net Movement in Loans to Community Organisations	-73,000	0
Net Cash Inflows (Outflow) from Investing activities	-6,552,196	-20,955,136
Net Increase (Decrease) in Cash and Cash Equivalents Held	2,918,431	-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	87,777,321	77,108,820

GOVERNANCE

6.4.1. Exercise Option of Freehold Lease over Lot 3 on SP323829, Part of Lloyd Mann Gardens – Lessor State of Queensland (Represented by Queensland Police Service)

File Reference: 2383

Report Author: Belinda Mohr, Governance and Property Officer

Authoriser: Kim Olsen, Director Corporate and Community Services

Meeting Date: 27 January 2026

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

Council approval is requested to exercise the freehold lease option of 1 x five (5) years:

Lessor: State of Queensland (Represented by Queensland Police Service (QPS))
Lessee: Burdekin Shire Council
Lease Area: Lot 3 on SP323829
Term: Five (5) years, 1 March 2026 to 28 February 2031
Rent: \$1.00 per annum if demanded

This report also seeks Council's approval to provide a response to Queensland Police Service's request regarding sealing the shared driveway on the adjoining lot.

Officer's Recommendation

That Council:

1. agree to exercising the freehold lease option of 1 x five (5) years over Lot 3 on SP323829 noting Council's responsibility for document preparation and lodgement fees. The option term being five (5) years, from 1 March 2026 to 28 February 2031; and
2. provides a response to the Queensland Police Service advising that Council currently has no plans to upgrade the driveway area as requested; however, will maintain the existing driveway to a reasonable standard; and
3. delegates to the Chief Executive Officer its power to take all necessary action on Council's behalf, including negotiating, executing, amending, and discharging the lease.

Background

Burdekin Shire Council is the Lessee over Lot 3 on SP323829 known as part of Lloyd Mann Gardens, through a Freehold Lease with The State of Queensland (Represented by Queensland Police Service) for the period 1 March 2021 to 28 February 2026. The lease includes a 1 x five (5) year option.

On 18 November 2025 Council contacted Queensland Police Service advising of Council's intention to exercise the option of 1 x five (5) years for Lot 3 on SP323829. On 6 January 2026, Queensland Police Service advised that the Assistant Commissioner, Northern Region in-principle endorsed the exercising of the five (5) year option for the lease to Council.

In February 2025, the Queensland Police Service contacted Council to request addressing the state of the shared driveway between Council and the Queensland Police Service which had been impacted by rain and floods. To rectify the damage, four (4) tonnes of crusher dust was spread on the shared driveway.

As part of the Queensland Police Service consultation with the Assistant Commissioner and Officer in Charge, Home Hill station, the unsealed driveway off Tenth Street and part of the car park areas behind the police station were raised as a concern. In light of the peppercorn lease arrangement, Queensland Police Service have requested Council's consideration to cover the costs to seal an area of the shared driveway including an area on Queensland Police Service freehold land with bitumen. As the existing Queensland Police Service driveway is asphalt, the recommended design solution is to use asphalt rather than bitumen. The estimated costs of the two options (asphalt vs 2 coat seal upgrade), including a split between the part of the driveway on Lot 1 and the part of the driveway on Lot 2 is outlined below.

Estimated Cost Options for Driveway Upgrade:

Driveway Costs (approximates and inclusive of 10% contingency)	Total Driveway Upgrade Costs (\$) Lot 1 and 2 on SP323829 (356sq.m)	Costs (\$) of Driveway Upgrade on Council's Lease - Lot 1 on SP323829 (151sq.m)	Costs (\$) of Driveway Upgrade on QPS Freehold Land - Lot 2 on SP323829 (205sq.m)
Asphalt Upgrade	50,000.00	21,200.00	28,800.00
2 Coat Seal Upgrade	25,000.00	10,600.00	14,400.00

Consultation

6 and 9 January 2026 - Property Leasing Officer - Queensland Police Service

8 January 2026 - Traffic Management and Administrative Support Officer

12 January 2026 - GIS Administrator; Overseer - Works Operations; Technical Officer - Civil Design

20 January 2026 - Council Workshop

Budget & Resource Implications

Staff resources and Council's legal representative will be utilised to prepare relevant legal documentation, incurring professional fees. Queensland Titles lodgement fees of approximately \$476.28 will also apply.

Legal Authority & Implications

Land Act 1994

Land Regulation 2020

Policy Implications

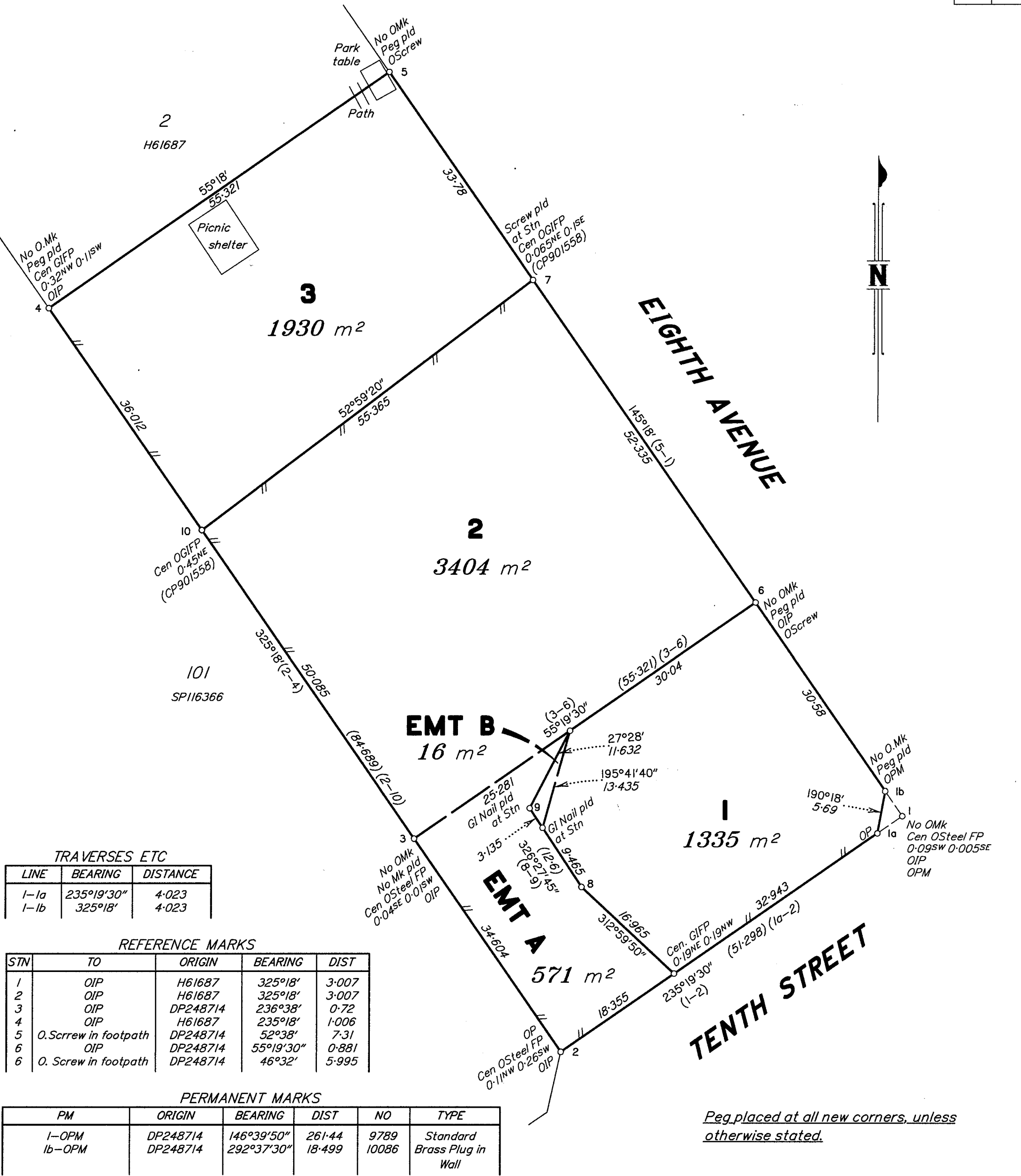
The Lease is in compliance with the Council Property and Leasing Policy.

Risk Implications (Strategic, Operational, Project Risks)

Entering into a formal lease arrangement mitigates the risk of unauthorised occupation or use, unclear responsibilities, and potential legal or financial exposure for Council.

Attachments

1. Survey Plan - Lots 1-3 on SP 323829



TRAVERSES ETC

LINE	BEARING	DISTANCE
1-1a	235°19'30"	4.023
1-1b	325°18'	4.023

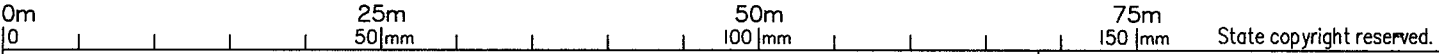
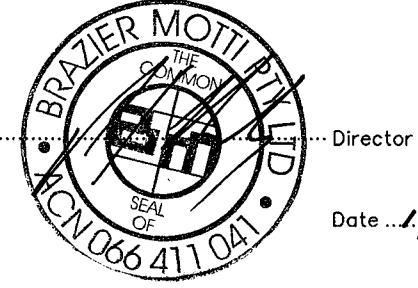
REFERENCE MARKS

STN	TO	ORIGIN	BEARING	DIST
1	OIP	H61687	325°18'	3.007
2	OIP	H61687	325°18'	3.007
3	OIP	DP248714	236°38'	0.72
4	OIP	H61687	235°18'	1.006
5	O. Screw in footpath	DP248714	52°38'	7.31
6	OIP	DP248714	55°19'30"	0.881
6	O. Screw in footpath	DP248714	46°32'	5.995

PERMANENT MARKS

PM	ORIGIN	BEARING	DIST	NO	TYPE
1-OPM	DP248714	146°39'50"	261.44	9789	Standard
1b-OPM	DP248714	292°37'30"	18.499	10086	Brass Plug in Wall

BRAZIER MOTTI PTY LTD (ACN 066 411 041) hereby certify that the land comprised in this plan was surveyed by the corporation, by Stephen John Bryant, Cadastral Surveyor, for whose work the corporation accepts responsibility, and that the plan is accurate, that the said survey was performed in accordance with the Survey and Mapping Infrastructure Act 2003 and Surveyors Act 2003 and associated Regulations and Standards and that the said survey was completed on 19th November, 2020.



Plan of Lots 1-3, Easement A in Lot 2 and Easement B in Lot 1

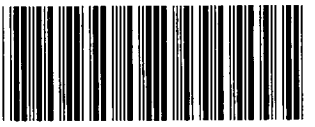
Cancelling Lot 1 on H61687

LOCAL GOVERNMENT: BURDEKIN SHIRE COUNCIL LOCALITY: HOME HILL

Meridian: vide DP248714

Survey Records: No

Scale: 1:500
Format: STANDARD



SP323829

(Dealing No.)

4. Lodged by

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

I. Existing		Created		
Title Reference	Description	New Lots	Road	Secondary Interests
50949205	Lot 1 on H61687	1-3	—	Easements A & B

SURVEY REPORT

Stations 1-6 and 1b have been reinstated from original marks and or reference marks with good agreement to DP248714.

Note: The purpose of this survey is to allow The Burdekin Shire Council (proprietor of adjoining lot 2 on H61687) ownership of lot 3 on this survey plan. The Council has for a considerable time maintained and improved the area encompassed by lot 3 on this plan. Both the Burdekin Shire Council and the State of Queensland (represented by the Public Safety Business Agency) are aware of the improvements as shown on this plan.

6. Building Format Plans only.

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

.....Cadastral Surveyor/Director* Date
*delete words not required

7. Lodgement Fees :

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

1-3	Lot 1 on H61687
Lots	Orig

2. Orig Grant Allocation :

3. References :

Dept File :
Local Govt :
Surveyor : 42546/001-01 - 42546_002A.dwg - SJB - 01/2021

5. Passed & Endorsed :

By : BRAZIER MOTTI PTY LTD
Date : 17/1/21
Signed :
Designation : Liaison Officer

8. Insert Plan Number
SP323829

42546/002 506

GOVERNANCE

6.4.2. Complaints Regarding Corrupt Conduct by the CEO Policy (Section 48A Policy)

File Reference: 1282

Report Author: Rebecca Stockdale, Senior Governance Officer

Authoriser: Kim Olsen, Director Corporate and Community Services

Meeting Date: 27 January 2026

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

CG5 Manage Council's Corporate Policy Program.

Executive Summary

This report seeks Council's adoption of the reviewed and updated Complaints Regarding Corrupt Conduct by the CEO Policy (Section 48A Policy). The policy has been reviewed and updated in accordance with the adopted review schedule and is now presented to Council for adoption.

Officer's Recommendation

That Council adopts the revised Complaints Regarding Corrupt Conduct by the CEO Policy (Section 48A Policy) as attached to this report.

Background

The Crime and Corruption Act 2001 (Qld) requires every public unit of administration, including each Local Government, to develop and adopt a policy for dealing with any complaints that may be made regarding corrupt conduct of the Chief Executive Officer (CEO). The Complaints Regarding Corrupt Conduct of the CEO Policy (Section 48A Policy) has been developed to comply with requirements of the Crime and Corruption Act 2001, promote public confidence in the way Council deals with allegations or suspicions of corrupt conduct by the CEO and promote accountability, transparency and integrity.

This periodic review ensures the policy remains current by:

- Updating the contact details for the Mayor.
- Removing references to outdated or superseded legislation
- Reaffirming the Mayor and the Independent Chairperson of the Audit and Risk Committee as the "nominated persons" responsible for handling such allegations.
- Ensuring the "nominated persons" are provided with appropriate resources to fulfill their investigative and reporting obligations.

Consultation

Council discussed this policy at a workshop on 20 January 2025. All Senior Leadership Group members were given the opportunity to review and provide feedback, and the policy was endorsed by the SLG on 17 December 2025.

Budget & Resource Implications

The policy commits to resourcing the nominated person to deal with a complaint, if one is received. This may include entering into a contract for the purposes of investigating a complaint (e.g. engaging an independent investigator).

Legal Authority & Implications48A Policy about how complaints involving public official are to be dealt with

(1) A public official must, in consultation with the chairperson, prepare a policy about how the unit of public administration for which the official is responsible will deal with a complaint that involves or may involve corruption of the public official.

(2) The policy may nominate a person other than the public official to notify the commission of the complaint under section 37 or 38, and to deal with the complaint under subdivision 1 or 2, on behalf of the public official.

(3) If the policy includes a nomination as mentioned in subsection (2), this Act applies as if a reference about notifying or dealing with the complaint to the public official were a reference to the nominated person.

Example of operation of subsection (3)—

If a policy prepared under this section for a unit of public administration includes a nomination as mentioned in subsection (2)—

(a) under section 38 as applying under subsection (3), the nominated person must notify the commission of complaints about the relevant public official that the person suspects involve or may involve corrupt conduct; and

(b) under section 35(1)(b) as applying under subsection (3), the commission may refer complaints about the relevant public official to the nominated person for the nominated person to deal with; and

(c) under section 42 or 44 as applying under subsection (3), the nominated person must deal with complaints about the relevant public official referred to the nominated person by the commission.

(4) In this section - complaint includes information or matter.

Policy Implications

The updated policy will be published to Council's website and updated in Council's Policy Register.

Risk Implications (Strategic, Operational, Project Risks)

This policy helps to mitigate the risk of non-compliance with legislation as it is a statutory requirement for Council to have this policy in place. The policy addresses the risk that informants or victims may not report instances of corrupt conduct by providing a simple and effective avenue to facilitate reporting of corrupt conduct.

Attachments

1. Complaints Regarding Corrupt Conduct by the CEO Policy (Section 48A Policy)

Policy Type	Statutory
Function	Governance
Policy Owner	Director of Corporate and Community Services
Policy Contact	Senior Governance Officer
Effective Date	27 January 2026

Purpose

The purpose of this policy is to provide Council with direction for dealing with any complaint that may arise that involves or may involve corrupt conduct of the Chief Executive Officer (CEO) so that integrity and transparency are maintained.

Scope

This policy applies to any complaints, information or matters received by Council which involve allegations of corrupt conduct by the CEO.

Policy Rationale

The policy is designed to assist Council to:

- comply with s48A of the Crime and Corruption Act 2001;
- promote public confidence in the way suspected corrupt conduct by the CEO of Council is dealt with (s34(c) CC Act);
- promote accountability, integrity, and transparency in the way Council deals with a complaint that is suspected to involve, or may involve, corrupt conduct by the CEO.

Policy Application

This policy applies if there are grounds to suspect that a complaint may involve corrupt conduct by Burdekin Shire Council's Chief Executive Officer.

For clarity, this policy applies to all persons who hold an appointment in, or are employees of the Council (whether full-time, part-time or casual), all councillors and all persons performing work at the direction of, or in connection with, or on behalf of the Council (collectively "workers") and places an obligation on each individual to report any known or suspected corrupt conduct by the Chief Executive Officer.

Meaning of worker:

A person is a **worker** if the person carries out work in any capacity for a person conducting a business or undertaking (for this Policy "Council") including work as:

- an employee; or
- a contractor or subcontractor; or
- an employee of a contractor or subcontractor; or
- an employee of a labour hire company who has been assigned to work in the person's business or undertaking; or
- an apprentice; or
- a trainee; or
- a student gaining work experience; or
- a volunteer.

Policy Statement

As a Unit of Public Administration (UPA), Council is committed to providing open, honest and transparent processes particularly in respect of dealing with complaints regarding corrupt conduct of the CEO.

Nominated Person

Having regard to s48A (2) and (3) of the CC Act, Council nominates, through this policy:

- the Independent Chair of the Audit Committee; and
- the Mayor of Burdekin Shire Council as the nominated persons to notify the Crime and Corruption Commission (CCC) of the complaint and to deal with the complaint under the CC Act.

Together, the nominated persons will, with or without consulting the CCC or the Minister responsible for Local Government, decide who will be the nominated person for the particular complaint; and

- the nominated person for that particular complaint will inform the CCC and the Minister responsible for Local Government that they are the nominated person for the particular complaint.

Once Council nominates a person (through adoption of this policy), the *Crime and Corruption Act* applies as if a reference about notifying or dealing with the complaint to the CEO is a reference to the nominated person/s.

For the purposes of this policy, a complaint includes information or matter.

Contact Details

The Independent Chair of the Audit Committee is currently Mr David Sibley. Mr Sibley is contactable via email: davidhwsibley@gmail.com.

The Mayor is currently Cr Pierina Dalle Cort. Mayor Dalle Cort can be contacted by phone on 4783 9800 or alternatively via email: mayor@burdekin.qld.gov.au

Written correspondence can be forwarded to either nominated person via Council's postal address: PO Box 974, Ayr, 4807.

Complaints Involving a Reasonable Suspicion of Corrupt Conduct by the CEO

Council can accept complaints involving allegations of corrupt conduct by the CEO through Council's Complaints Management System or they can be referred directly to either of the nominated persons.

Complaints involving reasonable suspicion of corrupt conduct by the CEO can also be referred directly to the CCC, the Minister responsible for Local Government, the Queensland Ombudsman and/or to the Police.

If there is uncertainty about whether or not a complaint should be reported, it is best to report it to the nominated person.

If the nominated person reasonably suspects the complaint may involve corrupt conduct by the CEO, they are to:

- notify the CCC of the complaint¹, and
- deal with the complaint, subject to the CCC's monitoring role, when:
 - directions issued under s40 apply to the complaint, if any, or

¹ Under ss37 or 38 subject to s40 of the CC Act

- pursuant to s46, the CCC refers the complaint to the Mayor or the Independent Chair of the Audit Committee to deal with.

If the CEO is in receipt of a complaint and reasonably suspects the complaint may involve corrupt conduct on their part, they are to:

- report the complaint to one or both of the nominated persons as soon as practicable and may also notify the CCC, and
- take no further action to deal with the complaint unless requested to do so by the nominated person in consultation with the Minister responsible for Local Government.

Recordkeeping requirements

Should the nominated person decide that a complaint, or information or matter, about alleged corrupt conduct of the CEO is not required to be notified to the CCC under s. 38 of the CC Act, the nominated person must make a record of the decision that complies with s. 40A of the CC Act.

Resourcing the Nominated Person

If pursuant to ss40 or 46 the nominated person has responsibility to deal with the complaint:

- Burdekin Shire Council will ensure that sufficient resources are available to the nominated person to enable them to deal with the complaint appropriately, and
- the nominated person is to ensure that consultations, if any, for the purpose of securing resources sufficient to deal with the complaint appropriately are confidential and are not disclosed, other than to the CCC, without authorisation under a law of the Commonwealth or the State;
- the nominated person must, at all times, use their best endeavours to act independently, impartially and fairly having regard to the:
 - Purposes of the CC Act
 - The importance of promoting public confidence in the way suspected corrupt conduct in Council is dealt with², and
 - Council's statutory, policy and procedural framework.

If the nominated person has responsibility to deal with the complaint, they:

- are delegated the same authority, functions and powers as the CEO to direct and control staff of Burdekin Shire Council as if the nominated person is the CEO of Burdekin Shire Council for the purpose of dealing with the complaint only;
- are delegated the same authority, functions and powers as the CEO to enter into contracts on behalf of Burdekin Shire Council for the purpose of dealing with the complaint;
- do not have any authority, function or power that cannot – under the law of the Commonwealth or the State be delegated by either the Mayor or the CEO, to the nominated person.

Principles

Procedural Fairness

When dealing with a matter under this policy procedural fairness principles must be observed.

Managing Conflicts of Interest

The nominated person/s must ensure that they manage any real or perceived conflicts of interest in relation to dealing with matters under this policy. A Conflict of Interest Decision-Making Guide can be found in Council's adopted Conflict of Interest Policy for Workers.

² See s34(c) CC Act

Procedures

Liaising with the CCC

The CEO is to keep the CCC and the nominated person/s informed of:

- the contact details for the CEO and the nominated persons (where there is more than one nominated person)
- any proposed changes to this policy.

Consultation with the CCC

The CEO will consult with the CCC when preparing or amending any policy about how the Burdekin Shire Council will deal with a complaint that involves or may involve corrupt conduct by the CEO.

Legislation

Crime and Corruption Act 2001

Local Government Act 2009

Local Government Regulation 2012

Definitions and Abbreviations

Crime and Corruption Commission	the Commission continued in existence under the Crime and Corruption Act 2001.
CC Act	<i>Crime and Corruption Act 2001.</i>
Complaint	for the purposes of this policy, complaint means not only a formal complaint, but also: <ul style="list-style-type: none"> • ‘information’ that might be received through such means as internal audits, media articles, or investigation of other complaints for example. • ‘matter’ that might be received through such means as court proceedings, or referrals from the Coroner or a public inquiry.
Corruption	means corrupt conduct.
Conduct	the act, manner, or process of carrying on. Includes: <ul style="list-style-type: none"> • neglect, failure or inaction • conspiracy to engage in conduct • attempt to engage in conduct
Corrupt Conduct	see Section 15 of the <i>Crime and Corruption Act 2001</i> .
Nominated Person	is the position nominated by this Policy to deal with complaints, information or matters involving corrupt conduct or alleged corrupt conduct by the CEO.
Reasonable Suspicion	is suspicion based on evidence sufficient for a reasonable person to suspect corrupt conduct. You do not have to “believe” that the alleged conduct is corrupt conduct, or that the conduct has actually occurred.

Related Documents

Reference Number	Document Title
GOV-POL-0017	Complaints Management Policy
GOV-POL-0018	Public Interests Disclosures Policy
GOV-POL-0009	Fraud and Corruption Control Policy
GOV-POL-0020	Conflict of Interest for Workers Policy

Document History and Version Control

Title of Document	Complaints Regarding Corrupt Conduct by the CEO Policy (Section 48A Policy)
Document Reference Number	GOV-POL-0014 Rev 2.01
Review Schedule	24 months
Council Meeting Date	
Council Resolution Number	Click or tap here to enter text.

GOVERNANCE

6.4.3. Exercise Option of Lease - Freehold Lease N in Part of Lot 106 RP898777 - Ayr Aerodrome - Andrew and Bridget Kerans

File Reference: 173

Report Author: Belinda Mohr, Governance and Property Officer

Authoriser: Kim Olsen, Director Corporate and Community Services

Meeting Date: 27 January 2026

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

Council approval is requested to exercise option for Freehold Lease as follows:

Lessor: Burdekin Shire Council
Lessee: Andrew and Bridget Kerans
Lease Area: Lease N in part of Lot 106 on RP898777
Term: 1 x Five (5) years, 1 May 2026 to 30 April 2031
Rent: As per Council's Fees and Charges

Officer's Recommendation

That Council:

1. agree to Andrew and Bridget Kerans' request to exercise option for Freehold Lease N in part of Lot 106 on RP898777 at the Ayr Aerodrome shown on Attachment 1 and Attachment 2, for a term of five (5) years being from 1 May 2026 to 30 April 2031, subject to the current lease terms and conditions; and
2. delegates to the Chief Executive Officer its power to take all necessary action on Council's behalf, including negotiating, executing, amending, and discharging the lease.

Background

On 25 August 2020, Council resolved to enter into a Freehold Lease, Lease N in Lot 106 on RP878777 with Andrew and Bridget Kerans for the period 1 May 2021 to 30 April 2026 with a 1 x five (5) year option.

On 15 December 2025 Andrew and Bridget Kerans confirmed their intent to exercise their 1 x five (5) year option. The option is for a term of 1 May 2026 to 30 April 2031, subject to the current lease terms and conditions.

Consultation

Not Applicable.

Budget & Resource Implications

Staff resources and Council's legal representative will be utilised to prepare relevant legal documentation, incurring professional fees.

Legal Authority & Implications

Local Government Regulation 2012, Section 236

Land Act 1994, Section 57(1)

Land Regulation 2020

Policy Implications

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

Risk Implications (Strategic, Operational, Project Risks)

By making this resolution, Council will be supporting good customer service standards by being responsive to the needs of the customer. Council owned or controlled land used by community, commercial organisations or individuals without formal and consistent tenure arrangements, places liability on Council in the event of injury, accident or unenforceable agreements. By formalising tenure arrangements, it reduces the risk of unenforceable arrangements and inappropriate use of Council land/property by providing appropriate and consistent tenure guidelines.

Attachments

1. Attachment 1 - Survey Plan - Lease N Lot 15 on RP898777
2. Attachment 2 - Lease N with Aerial Overlay

Peg placed at stations 1, 3 & 4.

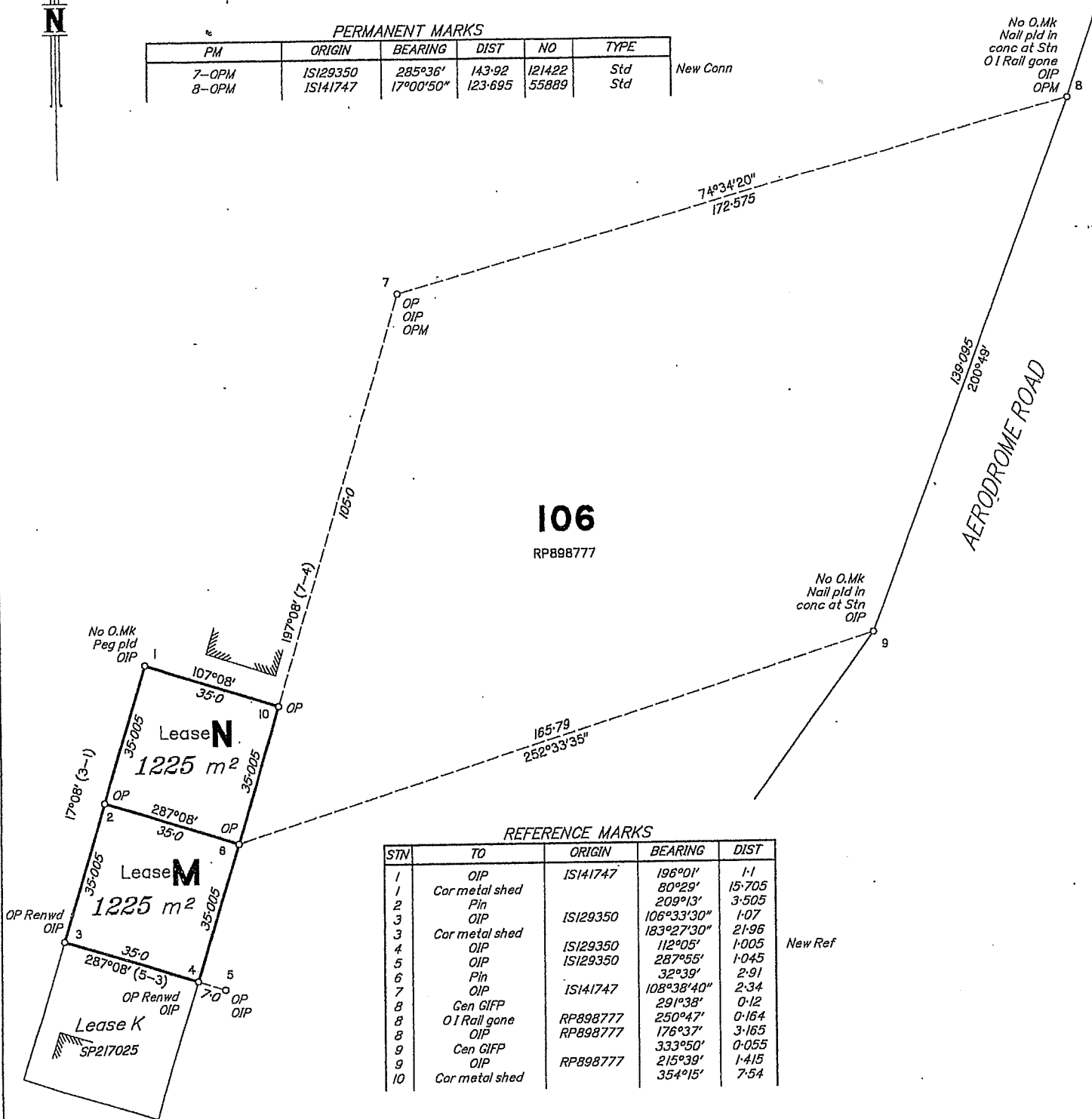
Nail placed in concrete at stations 8 & 9.

PERMANENT MARKS

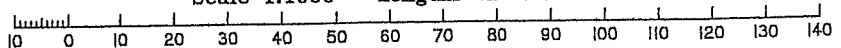
PM	ORIGIN	BEARING	DIST	NO	TYPE
7-OPM	IS129350	285°36'	143.92	121422	Std
8-OPM	IS141747	17°00'50"	123.695	55889	Std

New Conn

No O.Mk
Nail pld in
conc at Stn
O I Rail gone
OIP
OPM



Scale 1:1000 - Lengths are in Metres.



Cleve McGuane Surveys Pty Ltd (ACN 111 589 694) hereby certify that the land comprised in this plan was surveyed by the corporation, by Cleve Patrick McGuane, cadastral surveyor for whose work the corporation accepts responsibility, and that the plan is accurate, that the said survey was performed in accordance with the Survey and Mapping Infrastructure Act 2003 and Surveyors Act 2003 and associated Regulations and Standards and that the said survey was completed on 9/02/11.

C.P. McGuane
Director

Date 15/02/11

Plan of

Leases M & N

in Lot 106 on RP898777

PARISH: **JARVISFIELD**

COUNTY: **Gladstone**

Meridian: **RP898777**

F/N's: **No**

Scale: **1:1000**

Format: **STANDARD**



SP238861

Plan Status:



LAYOUT PLAN
SCALE: 1:1000

SCALE 1:50 0 0.25 0.5 0.75 1.0 1.25	Revision	Date	Alterations and Remarks	Check	Certified	Level Datum	STATE	Original Page Size	Project	Checked	Date	
SCALE 1:100 0 0.5 1.0 1.5 2.0 2.5						Datum Location		Scale	AS SHOWN	Approved	Date	
SCALE 1:200 0 1.0 2.0 3.0 4.0 5.0								Level Book No.				
SCALE 1:500 0 2.5 5.0 7.5 10 12.5						Design		Date				
SCALE 1:1000 0 5 10 15 20 25	A		ORIGINAL ISSUE			Drawn	TH	Date	12/07/2021			
						File Name	Survey File					
AYR AERODROME LEASE M AND N LAYOUT PLAN										Burdakin Shire Council 145 Young Street, AyR Qld 4807 PO Box 974, AyR Qld 4807 ABN: 66 393 843 289 Phone: (07) 4783 9800 Fax: (07) 4783 9999 E-mail: burdakin@burdakin.qld.gov.au		
RPEO 21902										Project Number	Plan Number	Revision
												A

GOVERNANCE

6.4.4. Trustee Lease - Part of Lot 1 on Crown Plan G7134 - 27-29 Luxton Street Giru - Giru Progress Association Inc.

File Reference: 2918

Report Author: Kimi Waterson, Governance and Property Officer

Authoriser: Kim Olsen, Director Corporate and Community Services

Meeting Date: 27 January 2026

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

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

Lessor: Burdekin Shire Council
Lessee: Giru Progress Association Inc.
Premises: Part of Lot 1 on Crown Plan G7134 - 27-29 Luxton Street Giru
Term: Ten (10) years, 1 April 2026 to 31 March 2036
Rent: \$0.10 (if demanded)

Officer's Recommendation

That Council agrees in principle to enter into a new Trustee Lease with Giru Progress Association Inc. over part of Lot 1 on Crown Plan G7134, shown on Attachment 1, for a term of ten (10) years being 1 April 2026 to 31 March 2036 (Nil Options) for community historical and information purposes.

The Trustee Lease will be subject to the Prescribed Terms pursuant to the *Land Regulation 2020 (Qld)* and Council's Standard Tenure Terms for a Trustee Lease.

That Council delegates to the Chief Executive Officer its power to take all necessary action on Council's behalf, including negotiating, executing, amending, and discharging the lease.

Background

On 29 May 2025, the Giru Progress Association Inc. (GPA) submitted a formal request to Council seeking a lease agreement or ownership of the former Girl Guide and Scout building located on Trustee land at 27-29 Luxton Street Giru, described as Lot 1 on Crown Plan G7134.

The Trust land is Reserve land for the purpose of Sport and Recreation.

The Giru Historical and Information Centre building has been established on the land and is occupied and maintained by the GPA. The building is used for community historical and information purposes.

The former Girl Guide and Scout building is located adjacent to this building and is currently vacant and has been vacant for some time.

The GPA requires additional space to accommodate additional memorabilia relating to the district's history and to enhance the community's historical and information resources. The GPA plans to refurbish the former Girl Guide and Scout building with grant funding to improve community amenity, accommodate the additional memorabilia, and restore functionality to the building for community use.

Currently, there is no formal tenure in place between Council and GPA for their occupation and use of the Giru Historical and Information Centre. To formalise this arrangement, it is proposed that a Trustee Lease be established incorporating both the existing Historical and Information Centre building and the adjacent former Girl Guide and Scout building. The permitted use of the premises under the lease will be for Community Historical and Information purposes.

The Trustee Lease terms will be in accordance with the Council Property and Leasing Policy, Schedule 3 of the *Land Regulation 2020*, and any additional terms and conditions deemed necessary to meet Council's operational or compliance requirements.

The land is dedicated as Reserve for Sport and Recreation purposes. The proposed community historical use is inconsistent with this dedicated purpose. Consequently, Council is required to prepare a Land Management Plan (LMP) in accordance with Section 57 of the *Land Act 1994* to support the proposed change in use and ensure continued compliance with the legislative framework.

Consultation

Chief Executive Officer
Director Corporate and Community Services
Economic Development Coordinator
Council Workshop 5 August 2025
Giru Progress Association Inc.

Budget & Resource Implications

Staff resources and Legal representation will be utilised to prepare Trustee Lease documentation. The Lessee will bear the associated costs including, but not limited to, the costs of obtaining a registrable lease plan and lease registration fees.

Legal Authority & Implications

Local Government Regulation 2012
Land Act 1994
Land Regulation 2020

Policy Implications

The Lease is compliant with the Council Property and Leasing Policy.

Risk Implications (Strategic, Operational, Project Risks)

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

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

Attachments

1. Proposed Trustee Lease Area - Part of Lot 1 G7134 - GPA

Proposed New Trustee Lease Plan Area

Giru Progress Association – Part of Lot 1 G7134 – 27-29 Luxton Street GIRU 4809



GOVERNANCE

6.4.5. Local Government Remuneration Commission Annual Report 2025

File Reference: 404

Report Author: Rebecca Stockdale, Senior Governance Officer

Authoriser: Kim Olsen, Director Corporate and Community Services

Meeting Date: 27 January 2026

Link to Corporate/Operational Plan:

Burdekin Shire Council Corporate Plan 2025-2030

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

Executive Summary

The Local Government Remuneration Commission is an independent body appointed by the State Government charged with the responsibility of deciding the remuneration amounts for Mayors, Deputy Mayors and Councillors in Queensland. The Commission is also responsible for reviewing and deciding the categories for each Local Government. Each year, the commission publish this information in their annual report. The Local Government Remuneration Commission Annual Report for 2024 was published to the Government Gazette on 12 December 2025 and is attached to this report. In line with the report, Councillors will receive a 4.5 percent increase to their remuneration effective from 1 July 2026.

Officer's Recommendation

That Council notes the Local Government Remuneration Commission Annual Report 2025 as attached to this report.

Background

The Local Government Remuneration Commission Annual Report from 2023 placed Burdekin Shire Council in the new Category of B1.

As a category B1 Council, the maximum remuneration level of Mayors, Deputy Mayors and Councillors will increase by 4.5 percent from 1 July 2026.

The below table shows the current remuneration rates for Burdekin Shire Councillors and the new remuneration rates that will come into effect at the beginning of the new financial year.

Position	25/26	26/27
Mayor	\$124,157.00	\$129,744.00
Deputy Mayor	\$71,629.00	\$74,852.00
Councillor	\$62,078.00	\$64,872.00

Consultation

No consultation was undertaken in relation to this report.

Budget & Resource Implications

The new Councillor remuneration figures will contribute to the development of the 2026/2027 budget.

Legal Authority & Implications

Not Applicable.

Policy Implications

Not Applicable.

Risk Implications (Strategic, Operational, Project Risks)

Not Applicable.

Attachments

1. Local Government Remuneration Commission Annual Report 2025

Local Government
Remuneration Commission
ANNUAL REPORT 2025

Acknowledgement of Country

The Department of Local Government, Water and Volunteers respectfully acknowledges the Traditional Custodians of Country. We recognise the ongoing spiritual and cultural connection Aboriginal Peoples and Torres Strait Islander Peoples have with land, water, sea and sky. We pay our deep respects to their Elders past and present, support future leaders and acknowledge First Nations People's right to self-determination.

This publication has been compiled by the Secretariat of the Queensland Local Government Remuneration Commission, within the Department of Local Government, Water and Volunteers.

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12 December 2025

The Honourable Ann Leahy MP
Minister for Local Government and Water and
Minister for Fire, Disaster Recovery and Volunteers
1 William Street
Brisbane QLD 4000

Dear Minister

On 28 November 2025, the Local Government Remuneration Commission (the Commission) concluded its determination of the levels of remuneration for mayors, deputy mayors and councillors of Queensland local governments (excluding Brisbane City Council) as required by section 177(c) of the *Local Government Act 2009* and Chapter 8, Division 1 of the *Local Government Regulation 2012* (the Regulation).

Our determinations on these matters, together with the Remuneration Schedule to apply from 1 July 2026 are included in the enclosed Report, which we commend to you.

Yours sincerely



Robert (Bob) Abbot OAM
Chairperson



Andrea Ranson
Commissioner



Reimen Hii
Commissioner



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1. 2025 Report key determinations

Determination of maximum remuneration levels

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

Council Categories A1, A2, A3 and B1	Increase by 4.5% from 1 July 2026
Council Categories B2, B3, C1, C2, C3, D2, D3, E2 and F2	Increase by 3.25% from 1 July 2026

In making its determination of maximum remuneration levels applicable for 2025-26, the Commission considered the following:

- The outcomes of the Commission's 2023 remuneration category methodology.
- Remuneration and wages indexation applied for other public sector entities.
- The importance of maintaining financially sustainable and fiscally responsible wage growth, taking into consideration:
 - the recently challenging and unstable inflationary environment and measures taken by other government authorities to manage the impacts of inflation.
 - the challenges faced by local governments and their communities in relation to climate change and environmental, social and corporate governance (ESG) reporting, and the additional resources required in relation to sustainability and resilience strategies.
 - the realistic affordability and sustainability impacts for councils and their communities of wage increases for elected members.
 - the potential differential impact of Consumer Price Index (CPI) changes across various parts of Queensland, including rural and remote regions.
 - the appropriateness or otherwise of CPI as a potential measure in significant inflationary periods of time and the relative volatility of annual CPI since the COVID-19 pandemic.
 - existing remuneration disparity in dollar terms between the remuneration paid to mayors and councillors in smaller, rural, regional and remote parts of Queensland when compared to mayors and councillors in larger, metropolitan locations.
 - anecdotal evidence of the desire to attract and retain high quality candidates to these roles, particularly in regional and remote areas.
 - the continuing significant disparity in remuneration between Mayors and Councillors from smaller rural, regional, and remote communities compared to those in larger metropolitan areas, as highlighted in written and oral depositions to the Commission over the last five years.
 - the gap in real wage terms between Mayors and Councillors in Categories A1 to B1 and those in Categories B2 to F2, despite the equally important work undertaken by local governments in all categories.
 - the Commission remains committed to addressing this gap through its annual remuneration schedule and category reviews and has applied a higher percentage increase for A1, A2, A3 and B1 councils.

The Commission further took into consideration the following data:

Increase in CPI¹:

	Dec Qtr 2024	Mar Qtr 2025	June Qtr 2025	Sep Qtr 2025
All Groups CPI inflation change (quarter)				
Brisbane	0.6%	1.9%	0.8%	1.3%
Australia*	0.2%	0.9%	0.7%	1.3%
All Groups CPI inflation change (annual)				
Brisbane	1.8%	2.7%	2.5%	4.7%
Australia	2.4%	2.4%	2.1%	3.2%

* Australia* refers to weighted average of eight capital cities

Increases in the Wage Price Index (WPI)²:

For the financial year ended 30 June 2025 as compared to the financial year ending 30 June 2024¹:

Total hourly rates of pay excluding bonuses			
		Quarterly change (%) Mar 2025 to Jun 2025	Annual change (%) Jun 2024 to Jun 2025
Seasonally Adjusted	Australia	0.8	3.4
	Private sector	0.8	3.4
	Public sector	1.0	3.7
Original	Australia	0.6	3.4
	Private sector	0.6	3.3
	Public sector	0.8	3.7

Total hourly rates of pay excluding bonuses (original) Annual and quarterly movement - states and territories		
	Annual Change (%)	Quarterly Change (%)
NSW	3.2	0.5
VIC	3.4	0.6
QLD	3.6	0.6
SA	3.4	0.5
WA	3.7	0.8
TAS	3.1	0.6
NT	3.3	0.3
ACT	3.6	1.2
Australia	3.4	0.6

¹ Australian Bureau of Statistics
<https://www.abs.gov.au/statistics/economy/price-indexes-and-inflation/consumer-price-index-australia/latest-release>

² Australian Bureau of Statistics
<https://www.abs.gov.au/statistics/economy/price-indexes-and-inflation/wage-price-index-australia/jun-2025>

Brisbane City Council's Independent Councillor Remuneration Tribunal (ICRT)³:

- The Commission has considered the Brisbane City Council's Independent Councillor Remuneration Tribunal (ICRT) determination as a potentially relevant factor.
- The Tribunal has determined that the base rate for a BCC Councillor should be increased by 2.5% on 1 June 2022 with effect on and from 1 September 2022.
- Note: Councillors remuneration is reviewed every 4 years.

The Office of Industrial Relations (OIR):

The State Government Entities Certified Agreement 2023 (2023 Core Agreement) wage increase arrangements:

- 4% effective 1 July 2023 + COLA⁴ payment of max 3% base wages
- 4% effective 1 July 2024 + max 3% COLA if applicable
- 3% effective 1 July 2025 + max 3% COLA if applicable.

New South Wales⁵

The New South Wales Local Government Remuneration Tribunal has determined an increase of 3.0% to mayoral and councillor fees for the 2025-26 financial year, with effect from 1 July 2025, circulated on 21 May 2025.

Victoria⁶

On 30 June 2025, the Victorian Independent Remuneration Tribunal (VIRT) made the allowance payable to mayors, deputy mayors, and councillors (Victoria) Annual Adjustment Determination 2025.

The VIRT determined a 3.0% increase to the values of the base allowances payable to mayors, deputy mayors, and councillors, effective from 1 July 2025. A 3.0% increase has also been applied to the base allowance values which take effect on 18 December 2025.

³ Brisbane City Council's Independent Councillor Remuneration Tribunal
<https://www.brisbane.qld.gov.au/about-council/governance-and-strategy/councillors-and-wards>

⁴ COLA refers to the Cost-of-Living Adjustment paid if CPI is higher than the base wage increases e.g. in a year where base increase is 4% and CPI is 7% the COLA paid will be 3%. If base increase is 4% and CPI is 6%, the COLA paid will be 2%
<https://www.qirc.qld.gov.au/agreements/public-service-agreements>

⁵ <https://www.olg.nsw.gov.au/https-www-olg-nsw-gov-au-category-https-www-olg-nsw-gov-au-category-council-circulars/governance/council-circular-2025-26-determination-of-the-local-government-remuneration-tribunal/>

⁶ <https://www.remunerationtribunal.vic.gov.au/allowances-mayors-deputy-mayors-and-councillors-annual-adjustment>

Western Australia⁷

- In a determination published on 4 April 2025, the Western Australian Salaries and Allowances Tribunal, resolved that attendance fees and annual allowance ranges for Elected Members would be increased by 3.5%, with the adjustment to taking effect from 1 July 2025.
- In Western Australia a local government or regional local government can elect to pay council members an attendance or an annual fee to all council members who attend council, committee, or prescribed meetings. There is also provision for reimbursement of expenses.

Tasmania⁸

In Tasmania, the remuneration for local government councillors is automatically increased under the provisions of the Local Government (General) Regulations 2015.

Allowances are adjusted from 1 November each year by multiplying the allowances for the previous year by the inflationary factor for the current year.

Individual allowances payable to elected members from 1 November 2025 will be rounded to the nearest dollar using the inflationary factor, which is 3.09% for 2025-26.

Northern Territory⁹

The Northern Territory Remuneration Tribunal has increased all base allowances paid to Mayors and Councillors on 10 December 2024 by 4% in recognition of movements in earnings within Australia as well as the Territory, effective from 1 July 2025.

Determination of remuneration policy for A1, A2 and A3 Councils

The Commission resolved to discontinue the meeting-based remuneration requirement for councillors in A1, A2, and A3 category councils, effective from the 2026–2027 determination period.

Prior to making this determination, the Commission consulted with councils from these categories, as well as more broadly across the sector, to ascertain industry support for removing the meeting-based remuneration model. Overwhelming positive support was received during consultations, with many councils expressing favour in ensuring there is parity in the remuneration policies for all councillors in Queensland and in taking steps to remove unnecessary administrative burden on category A1, A2 and A3 councils.

This amendment to the remuneration policy seeks to:

⁷ <https://www.wa.gov.au/government/publications/local-government-chief-executive-officers-and-elected-council-members-determination-no-1-of-2025#determination-of-the-salaries-and-allowances-tribunal-for-local-government-chief-executive-officers-and-elected-council-members>

⁸ https://www.dpac.tas.gov.au/divisions/local_government/councillor_resources/councillor_allowances

⁹ <https://cmc.nt.gov.au/supporting-government/boards-and-committees/reports-determinations>

1. **Promote Equity:** Ensure that all councillors across Queensland's 77 local governments remuneration process is administered on a similar basis, reflecting the value of their contributions irrespective of council size or classification.
2. **Reduce Administrative Burden:** Simplify remuneration processes by eliminating the need for monthly certification, consistent with the Queensland Government's commitment to reducing red tape for local governments.
3. **Support Financial Sustainability:** Enable councils to allocate their operating budgets with greater consistency and predictability

Councillor advisors

The Commission was not approached to make recommendations relating to councillor advisors in the period between 1 December 2024 to 30 November 2025.

2. The Commission

Formation and composition

The Local Government Remuneration Commission (the Commission) is an independent entity established under the *Local Government Act 2009* (the Act). On 1 October 2019, the Governor in Council, approved the current Commission for a term of four years.

The Chair and Commissioners were reappointed by the Governor in Council for a second four-year term on 1 October 2023.

This is the seventh report of the Commission, and the 19th report about Queensland councillor remuneration, including the reports of the former Local Government Remuneration and Discipline Tribunal and the Local Government Remuneration Tribunal.

The Chair and Commissioners of the Commission are:

Mr Robert (Bob) Abbot OAM

Chairperson

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

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

Ms Andrea Ranson

Commissioner

Ms Ranson is a practising commercial and dispute resolution lawyer with experience in both public and private sectors of business and governance. She holds a Master of Laws (LLM), Bachelor of Laws (Hons) and Bachelor of Arts from Monash University, Victoria. She is additionally a Graduate of the Australian Institute of Directors (AICD) and a Fellow of the Governance Institute of Australia (FGIA).

Ms Ranson was a director appointed to North Queensland Bulk Ports Corporation, a government owned corporation, holding the role of Chair of the Corporate Governance and Planning Committee, and the role of Member of the Audit & Financial Risk Management Committee of that Board from 2018 to 2025. Ms Ranson was appointed on 1 October 2024, as a Member of the Mackay Health & Hospital Service, a board upon which she currently serves, and is a Member of the Finance Committee, a Member of the Quality, Safety and Health Committee and a Member of the Sustainability and Capital Works Committee of that Board. Her experience includes business and commercial law, employment and industrial relations, diversity, justice, and ethics. Ms Ranson lives regionally and is passionate about regional development. Ms Ranson is a Nationally Accredited Mediator presently working with QCAT, the QSBC, and is a member of the QLD Department of Justice & Attorney-General Dispute Resolution Panel.

Mr Reimen Hii

Commissioner

Mr Hii is a barrister and Nationally Accredited Mediator. He holds the degrees of Bachelor of Laws and Bachelor of Arts. He is a practicing lawyer with extensive knowledge in public administration and community affairs, and a particular interest in civil and commercial law. Mr Hii is experienced in professional discipline matters, including investigations, public administration, corporate and public governance, public sector ethics and finance.

Mr Hii has a culturally and linguistically diverse background and experience collaborating with diverse communities. Mr Hii has previously been recognised as Australian Young Lawyer of the Year by the Law Council of Australia, in recognition of his significant contribution to access to justice and diversity advocacy. Mr Hii provides a deep understanding of diversity and brings well respected analytic skill, together with legal and business acumen to the role.

Commission Responsibilities

Chapter 6, Part 3 of the *Local Government Act 2009* (the Act) established the Local Government Remuneration Commission to assume the remuneration functions of the former Local Government Remuneration and Discipline Tribunal which ceased to exist on 3 December 2018.

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

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

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

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

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

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

Section 248 of the Regulation does not address whether a council can pay a councillor whilst temporarily acting in higher duties, such as moving from Councillor to Deputy Mayor or from Deputy Mayor to Mayor. The determination to compensate for higher duties during any relieving period—provided the payment amount does not exceed the maximum established by the commission for the respective role—resides exclusively with each individual council. The Commission strongly encourages all councils to establish thorough human resources policies that guide decision-making protocols concerning the assignment of higher duties, minimum relieving periods (eg.4 weeks), the disbursement of allowances, superannuation payments, and any other related procedures.

3. Remuneration determination

Remuneration determination for councillors

As required by section 246 of the Regulation the Commission has prepared a Remuneration Schedule (the Schedule) for the 2026-27 financial year, applicable from 1 July 2026, which appears below.

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

Methodology

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

Pro rata payment

Should an elected representative hold a councillor position for only part of a financial year, they are only entitled to remuneration to reflect the portion of the year served. It is out of the scope of the Commission's powers to determine otherwise.

Remuneration schedule to apply from 1 July 2026

Remuneration determined from 1 July 2026 (\$ per annum; see Note 1)

Category	Local Governments assigned to categories	Mayor	Deputy Mayor	Councillor
A1 *Note 1	Barcaldine Regional Council	\$128,509	\$74,139	\$64,253
	Barcoo Shire Council			
	Bulloo Shire Council			
	Croydon Shire Council			
	Doomadgee Aboriginal Shire Council			
	Kowanyama Aboriginal Shire Council			
	Mapoon Aboriginal Shire Council			
	McKinlay Shire Council			
	Richmond Shire Council			
	Torres Shire Council			
	Woorabinda Aboriginal Shire Council			
	Wujal Wujal Aboriginal Shire Council			
A2 *Note 1	Aurukun Shire Council	\$128,509	\$74,139	\$64,253
	Blackall-Tambo Regional Council			
	Boulia Shire Council			
	Burke Shire Council			
	Cherbourg Aboriginal Shire Council			
	Cloncurry Shire Council			
	Diamantina Shire Council			
	Etheridge Shire Council			
	Hinchinbrook Shire Council			
	Hope Vale Aboriginal Shire Council			
	Lockhart River Aboriginal Shire Council			
	Mornington Shire Council			
	Murweh Shire Council			
	Napranum Aboriginal Shire Council			
	North Burnett Regional Council			
	Palm Island Aboriginal Shire Council			
	Paroo Shire Council			

Category	Local Governments assigned to categories	Mayor	Deputy Mayor	Councillor
	Pormpuraaw Aboriginal Shire Council			
	Quilpie Shire Council			
	Winton Shire Council			
	Yarrabah Aboriginal Shire Council			
A3 * Note 1	Longreach Regional Council	\$129,744	\$74,852	\$64,872
	Balonne Shire Council			
	Douglas Shire Council			
	Flinders Shire Council			
	Goondiwindi Regional Council			
	Northern Peninsula Area Regional Council			
B1	Banana Shire Council	\$129,744	\$74,852	\$64,872
	Carpentaria Shire Council			
	Burdekin Shire Council			
	Cook Shire Council			
	Torres Strait Island Regional Council			
B2	Maranoa Regional Council	\$154,767	\$96,729	\$82,218
	Cassowary Coast Regional Council			
	Charters Towers Regional Council			
	Gympie Regional Council			
	Livingstone Shire Council			
	Mareeba Shire Council			
	Mount Isa City Council			
	Scenic Rim Regional Council			
	Somerset Regional Council			
	South Burnett Regional Council			
	Southern Downs Regional Council			
	Tablelands Regional Council			
B3	Isaac Regional Council	\$155,141	\$96,963	\$82,417
	Noosa Shire Council			
	Whitsunday Regional Council			

Category	Local Governments assigned to categories	Mayor	Deputy Mayor	Councillor
	Lockyer Valley Regional Council			
C1	Central Highlands Regional Council	\$157,010	\$98,130	\$83,409
	Western Downs Regional Council			
C2	Gladstone Regional Council	\$181,137	\$119,170	\$104,868
	Rockhampton Regional Council			
C3	Bundaberg Regional Council	\$182,895	\$120,327	\$105,886
	Fraser Coast Regional Council			
D2	Cairns Regional Council	\$209,739	\$143,002	\$123,938
	Mackay Regional Council			
	Redland City Council			
	Toowoomba Regional Council			
D3	Townsville City Council	\$238,338	\$162,076	\$143,002
	Ipswich City Council			
E2	Logan City Council	\$266,942	\$184,952	\$162,072
	Moreton Bay City Council			
	Sunshine Coast Regional Council			
F2	Gold Coast City Council	\$295,542	\$208,148	\$176,371

Notes to the Remuneration schedule

The 2014 annual report by the former Local Government Remuneration and Discipline Tribunal explained the rationale behind the adoption of a system of remuneration which comprised a base payment (of two thirds of the annual remuneration) and a monthly payment based upon attendance at, and participation in, the 12 mandated council meetings.

The monetary amounts shown are the per annum figures to apply from 1 July 2026. If an elected representative only serves for part of a full financial year (that is, 1 July to 30 June) they are only entitled to a pro rata payment to reflect the portion of the year served.

***Note 1: The meeting-based remuneration requirement for A1, A2 and A3 Councils has been removed in 2026-27.**

Previously, councillors in A1, A2, and A3 category councils were remunerated through a hybrid model comprising a base payment (constituting two-thirds of the annual remuneration) and a meeting attendance payment (constituting one-third of the annual remuneration). This meeting attendance payment was contingent upon certification by the mayor or chief executive officer of the council. In contrast, mayors and deputy mayors in these categories received their total annual remuneration without this attendance-based condition.

The Commission resolved to discontinue the meeting-based remuneration requirement for councillors in A1, A2, and A3 category councils, effective from the 2026–2027 determination period.

4. Matters raised with the Commission

Meetings and deputations

Local governments were invited to engage with the Commission during the Annual Conference of the Local Government Association of Queensland (LGAQ), held in Brisbane from 20 to 23 October 2025. As part of this engagement, the Commission conducted face-to-face deputations with representatives from eight councils, including:

- Barcoo Shire Council
- Cassowary Coast Regional Council
- Cherbourg Aboriginal Shire Council
- Gladstone Regional Council
- Isaac Regional Council
- Redlands City Council
- Townsville City Council
- Whitsunday Regional Council

In addition to oral deputations, local governments were also encouraged to provide written submissions to the Commission. A total of seven written submissions were received and carefully considered.

Overall, the submissions highlighted the need for increased remuneration to better reflect the growing complexities and demands faced by mayors and councillors in modern local government. Several councils also proposed changes to their individual categorisation. However, the Commission has decided to defer any decisions regarding category changes until the next scheduled review.

In reaching its maximum determination decision for 2026-27, the Commission considered the submissions received, as well as the broader notions outlined in this report.

Key themes raised during the 2025 deputations, and the previous twelve-month review period reflected issues/topics consistently highlighted by councils in previous years as accounting for increasing the complexity and workload for elected members. These included:

- **Remuneration and Talent:** The need for competitive salaries to attract diverse and skilled candidates, particularly in regional areas, and to retain high-quality elected representatives.
- **Innovation Recognition:** Suggestions to explore mechanisms for incentivising and rewarding innovative council initiatives that foster community growth, resourcefulness, and development.
- **Inflationary Impact:** Concerns about the disproportionate effects of rising inflation and cost escalation on local governments and their communities, especially those with lower-income populations and in rural areas.
- **Community Sustainability:** A greater emphasis on ensuring the long-term viability and prosperity of communities, particularly in the context of the global transition to renewable energy and the associated need for significant infrastructure changes.
- **Leadership in Crisis and Recovery:** Acknowledging the heightened responsibilities, physical and emotional burden faced by councillors during natural disasters and other

significant events, including leading their communities through immediate response efforts and long-term recovery processes.

This feedback will continue to inform the Commission's future deliberations and decisions.

A summary table of written submissions made to the Commission during the previous 12 months is provided below:

Table – Summary of 2025 written submissions

1. Date received	10 October 2025
Received from	Gladstone Regional Council Mayor, Cr Matt Burnett
Summary of submission	Gladstone Regional Council proposed the introduction of a transition allowance for councillors who are not re-elected. This allowance would recognize the long-term service of elected officials and support their reintegration into the workforce, aligning local government entitlements with those of other public and private sector roles. The proposal suggests a base of 12 weeks' salary, with an additional two weeks for each consecutive term served.
Determination	The Commission acknowledges the submission and the significance of this proposal and will consider it during the next category review.
2. Date received	24 September 2025
Received from	Hope Vale Aboriginal Shire Council CEO, Lew Rojahn
Summary of submission	Hope Vale Aboriginal Shire Council advocated for a 20% increase in councillor salaries for remote Queensland communities, particularly for category A2 councils. The submission highlighted the unique demands placed on councillors in small communities, including their deep involvement in daily community life and responsibilities that extend beyond formal duties (e.g. attend funerals, resolve disputes, respond to emergencies within community). Key factors cited include cost of living differentials, workload intensity, recruitment and retention challenges, and the need for equity with urban counterparts.
Determination	The Commission acknowledges the submission. Given the nature of the issue seeking a substantial increase to base councillor remuneration rates, the Commission will consider this proposal at the next category review.
3. Date received	4 November 2025
Received from	Northern Peninsula Area Regional Council CEO, Dalassa Yorkston
Summary of submission	The Northern Peninsula Area Regional Council requested that the Commission take into account the unique cultural and community challenges faced by councillors in their region as part of the 2028

	<p>council categorisation review. Councils' submission provided a comprehensive statistical overview, comparing the Northern Peninsula Area to Queensland averages on several key indicators, including the proportion of Indigenous residents, population mobility, homelessness rates, developmental vulnerability in children, educational attainment, and socio-economic disadvantage. The Council emphasised that these factors significantly increase the complexity and demands of the councillor role in their community. Additionally, the submission proposed the introduction of new classifications to distinguish between divisional and regional councils, reflecting the distinct governance and service delivery challenges in remote areas. Council has sought that its proposal and issues are considered as part of the next category review. The proposal and issues will be taken into consideration in the next category review.</p> <p>Determination</p> <p>The Commission acknowledges Councils submission and the importance of these issues and confirms that they will be considered in the next category review.</p>
<p>4. Date received</p> <p>Received from</p> <p>Summary of submission</p> <p>Determination</p>	<p>7 November 2025</p> <p>Winton Shire Council Mayor, Cr Cathy White</p> <p>Winton Shire Council expressed support for the current framework in which remuneration levels are independently set by the Local Government Remuneration Commission. In its submission, the Council has requested the removal of the requirement for council resolution to formally accept or not the Commission's maximum remuneration determination. Council is seeking that once the Commission makes the determination that it should automatically apply to all councils within the relevant category. Council has also proposed that remuneration levels be set for the full four-year term, incorporating an annual adjustment applying indexation by the Consumer Price Index.</p> <p>The Commission acknowledges Winton Shire Council's submission and confirms that, once the Commission makes its annual maximum remuneration determination, it is automatically applied to all councils within the relevant category for the forthcoming financial year. A council resolution is only required if a council resolution is only required if a council wishes to provide a lesser remuneration amount. The Commission will consider the suggestion to implement fixed four-year remuneration terms with annual CPI indexation as part of its next category review.</p>
<p>5. Date received</p> <p>Received from</p> <p>Summary of submission</p>	<p>6 November 2025</p> <p>Toowoomba Regional Council CEO, Sal Petrocchio OAM</p> <p>Toowoomba Regional Council requested a reclassification from category D2 to D3 to ensure parity with comparable councils. The submission provided comparative statistical and financial data, as well as details of significant capital infrastructure projects required to address regional growth.</p>

Determination	The Commission noted that the new methodology allows for category review based on factors such as population and will consider this request in the next review cycle.
6. Date received	10 October 2025
Received from	Isaac Regional Council Councillor Jane Pickels CEO, Cale Dendle
Summary of submission	Isaac Regional Council has formally requested a reclassification of its remuneration category from B3 to C1 for 2026. The submission highlights that the Council's 2025/26 budget operating revenue is \$154 million, aligning the Council to category C1 based on the primary criterion under the new categorisation framework which the Commissioners have previously advised is the principal determinant applied. Council concludes its alignment to the C1 classification is further justified when service population, geography, forecast growth, and SEIFA indices are considered. The submission also noted that Isaac has long advocated for reclassification alongside Central Highlands and Western Downs Councils, which were recently reclassified to C1. While the financial difference in remuneration is minimal, the Council seeks recognition of its councillors' roles in comparison to similar resource and agriculture-based councils.
Determination	The Commission acknowledges the submission from Isaac Regional Council and will review the request in 2026, taking into account the Council's audited financial statement and other relevant data.
7. Date received	20 October 2025
Received from	Western Downs Regional Council CEO, Jodie Taylor
Summary of submission	Council has requested consideration of a category change from C1 to C2. Council has identified previous submissions made to the Commission that identify factors in the Western Downs Regional Council Area impacting upon councillors' time, workload and responsibilities. In this new submission the Council also refers to the increasingly high level of activity in the clean energy sector in the region.
Determination	The Commission notes the submission and will consider category change as part of the next category review.

5. Other activities

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

Nil.

6. Future priorities

The Commission will continue to consider enhancements to the framework for council remuneration categorisation including an equitable method to consider industry impacts on councils and matters relating to transitioning communities and improving sustainability.

The Commission will continue to invite submissions from all Councils as part of its general review of categories and maximum determination of remuneration, as well as make themselves available for deputations at the annual LGAQ conference.

The Commission intends to travel during 2026 to engage with local governments.

Further information about the Commission can be located at

<https://www.localgovernment.qld.gov.au/for-councils/governance/local-government-remuneration-commission>

Local Government Remuneration Commission

GPO Box 2247

Brisbane Qld 4001

1 William Street

Brisbane Qld 4000

Email: LGRcenquiries@dlgwv.qld.gov.au

Website: <https://www.localgovernment.qld.gov.au/for-councils/governance/local-government-remuneration-commission>

Department of Local Government,
Water and Volunteers
GPO Box 2247, Brisbane,
Queensland 4001
13 QGOV (13 74 68)
info@dlgww.qld.gov.au
dlgww.qld.gov.au

DELIVERING
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Government

PLANNING AND DEVELOPMENT

7.3.1. Development Application for a Development Permit for Reconfiguring a lot - Boundary Realignment (2 lots into 2 lots) and Access Easement at 151 and 157 Burstall Road, Airdmillan (Lot 6 on SP227222 and Lot 7 on SP205550)

File Reference: RAL25/0019 234

Report Author: Kelly Reaston, Urban Planning North

Authoriser: James Stewart, Director Infrastructure Planning and Environmental Services

Meeting Date: 27 January 2026

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

PD11 Decide on development applications for new residential plumbing works development in accordance with legislative timelines.

Executive Summary

Council has received an impact assessable development application for the reconfiguration of a lot lodged by Brazier Motti on behalf of applicant. The development is for a boundary realignment of two (2) lots into two (2) lots and an access easement described as Lot 6 SP227222 and Lot 7 SP205550 located at 151 and 157 Burstall Road, Airdmillan. The lots that form part of the application are within the Rural zone.

To ensure the application meets compliance, Officers have assessed it both against the relevant assessment benchmarks of the *Burdekin Shire Council Planning Scheme 2022* (Planning Scheme), other relevant legislation, and relevant matters.

The proposal generally aligns with the outcomes sought by the Planning Scheme including its Strategic Framework. Given this, and through the application of reasonable and relevant conditions, the proposed boundary realignment and access easement are recommended for approval.

Officer's Recommendation

That Council approve the proposed Development Application seeking a Development Permit for Reconfiguring a Lot – Boundary Realignment (2 lots into 2 lots) and access easement on land described as Lot 6 SP227222 and Lot 7 SP205550 located at 151 and 157 Burstall Road, Airdmillan, subject to reasonable and relevant conditions as set out in Attachment A.

Background

Proposal

The applicant is proposing to realign the existing boundaries of both Lot 6 SP227222 and Lot 7 SP205550 and for an easement to be placed over proposed Lot 6, in favour of proposed Lot 7 for the purpose of access.

The following configuration is proposed for the development:

- Proposed Lot 6 is being decreased in size by 597.4m² from 113.326 ha to 113.13 ha
- Proposed Lot 7 is being increased in size from 1.002 ha to 1.062 ha
- Access Easement 483m² in size to be located parallel to the western boundary of proposed Lot 7. The easement is 4m wide and is 103.9m in length and is to be located over an existing driveway/access way.

Proposed Lot 6 contains the main farming operations and has associated ancillary farm structures. There is direct frontage to Burstall Road and Lilliesmere/Kalamia Creek is located to the north. Proposed Lot 7 seeks to obtain 597.4m² from proposed Lot 6 to enable appropriate access to be obtained to the existing Dwelling House and the ancillary structures. The easement proposed will also capture an existing driveway that connects to the existing Dwelling House located on Lot 7 and this driveway is already constructed to an all-weather standard.

The proposal plan [Plan No. 57201/001 A] prepared by Brazier Motti is provided at Attachment B.

The planning report submitted with the application states that*"Specifically, the proposal seeks to increase the size of Lot 7 to include the line of landscaping and access point into the rear of the lot, into the lot. In addition, the proposal seeks to create an access easement over part of the existing track in Lot 6, in favour of Lot 7 to be able to access said portion of the rear of the lot."*

Post approval, the existing land uses will remain as is, unchanged from the current arrangements. Proposed Lot 6 will remain as the rural industry lot, with proposed Lot 7 remaining as a Dwelling House lot with domestic outbuildings. The existing Dwelling House on proposed Lot 7 has a driveway that encroaches within Lot 6 that is shared driveway between the lots presently. The access easement will be located in proposed Lot 6, in favour of proposed Lot 7 and run parallel to the common boundary. The area being excised from existing Lot 6 is currently cleared of farming operations and contains a landscaping strip.

No change to the existing infrastructure arrangements currently servicing the properties is proposed.

Subject Site and Surrounding Land Uses

A locality plan is provided at Attachment B. The subject site is located approximately 4km southwest of the Ayr township centre. Proposed Lot 6 has an unusual shape and has two (2) separate areas where road frontage can be obtained, being one near the Cole Road/Burstall Road intersection and one to the north, further along Burstall Road. Proposed Lot 7 is irregular in shape with 147.5m of frontage to Burstall Road. Lot 7 is burdened by a stormwater easement within the eastern portion of the lot that connects to a stormwater outlet to Burstall Road. There is an existing tramway that runs through both properties.

As part of the proposed boundary realignment, the uses of each site are not changing. Although Lot 7 seeks to obtain more land from the large rural holding identified as proposed Lot 6, the area being obtained does not contain any cropping and will maintain an existing row of trees in the smaller lot which appears to act as a buffer between the farming operations to the north of proposed Lot 7.

The subject land is located within the Rural Zone of the *Burdekin Shire Council's Planning Scheme 2022*.

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 detailed assessment has been completed (refer Attachment C) with a summary provided below in the below table (Table 1):

2022 Planning Scheme Provision	Proposal/Officer Comment
<p><u>Strategic Framework</u></p> <p>2.3 Liveable communities and infrastructure:</p> <p>2.3.5 Integrated infrastructure</p> <p>2.4 Economic Growth:</p> <p>2.4.1 Diverse Rural Futures</p> <p>2.5 safe and resilient communities:</p> <p>2.5.1 All natural hazards</p> <p>2.5.2 Flood hazard</p>	<p>As only a boundary realignment of the common boundary of two (2) existing rural zoned parcels of land and an access easement is proposed, the proposal is considered to comply with the relevant intention sought by the Strategic Framework, as it does not increase the number of lots, creates lawful access, and does not change the agricultural viability of the land expected as a result.</p> <p>The relocation of the common boundary is to increase the size of proposed Lot 7 by 597.4m² however the land being obtained is currently free of cropping activities and currently contains a row of trees which acts as a buffer between the existing dwelling and the cropping activities to the north. The change in boundary will result in the existing row of vegetation being wholly located in proposed Lot 7 which is retaining the existing Dwelling house and associated structures.</p> <p>The existing operations of both lots will continue to operate after the application with no changes to existing operational arrangements proposed.</p> <p>The associated access easement is to ensure that proposed Lot 7 obtains lawful access over an existing driveway that is currently shared between the lots that are forming part of this development.</p>
Rural Zone Code	<p>Proposed Lot 7 will remain less than the 30.0ha minimum area requirement if approved. However, this lot is already below 30ha and has an existing area of 1.002 ha. The boundary realignment seeks to increase this lot slightly by 597.4m². The area being incorporated into proposed Lot 7, is an area that is not used for agricultural purposes and therefore rural production is not reduced by the proposed boundary realignment. Overall, the proposal is considered to generally achieve the outcomes sought by the Rural Zone Code.</p>
Development Works Code	<p>There are no changes to the existing servicing nor are there any earthworks proposed. An access easement is proposed to formalise an existing arrangement and capture the existing all-weather driveway that is currently utilised by both lots forming part of this application. Overall, the proposal of a boundary realignment and access easement is considered to be generally consistent with the relevant requirements of the Development Works Code.</p>
Reconfiguring a Lot Code	<p>Proposed Lot 7 does not comply with the minimum lot size requirement in the Rural Zone (being 30.0ha for each lot created).</p> <p>It should be noted the current size of Lot 7 (proposed Lot 7), is less than 30.0ha and the proposed development is only a minor boundary realignment to rectify and formalise access to existing structures located towards the rear. No new lots are to be created and although an access easement is proposed, this it to be located over an established driveway. Despite the non-compliance with lot</p>

2022 Planning Scheme Provision	Proposal/Officer Comment
	size requirements for proposed Lot 7, Officers consider that the realignment does not propose significant layout changes and can be recommended for approval despite this non-compliance.
Overlay Codes <ul style="list-style-type: none"> Flood Hazard Overlay Code Environmental Significance 	<p>The site is mapped as:</p> <ol style="list-style-type: none"> being subject to low and medium and extreme flood hazard inundation in a river flood event and a rain event; and there is mapped Regulated Vegetation (Intersecting a Water Course) that has been identified. <p>As the proposal is a realignment only of a common boundary and the access easement is to formalise an existing arrangement, with minimal changes to the current layout, these overlays are not affected by the new layout proposed if approved.</p>

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

Further Information Request

All relevant details were submitted with the application and therefore no further information request was issued to the applicant.

Public Notification

The applicant undertook Public Notification between 5 November 2025 and 25 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*.

Detailed Summary

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

Infrastructure Charges

Reconfiguring a lot is a development type which can trigger infrastructure charges to be applied as per Council's Charges Resolution. However, as this application is for a boundary realignment and no additional lots are being created, an Infrastructure Charges Notice will not be issued.

Consultation

All relevant Council departments have been consulted, and development conditions are included as part of the recommendation.

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 Council's Planning Scheme 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.

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 - Conditions - RAL25 0019
2. Attachment B - Locality Plan - RAL25 0019
3. Attachment C - Detailed Assessment - RAL25 0019

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.		
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 Boundary Realignment - Lots 6 and 7, cancelling Lot 6 on SP227222 and Lot 7 on SP205550 and Access easement – Brazier Motti Pty Ltd		57201/001 Revision B	5 December 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.		
4. Services and Infrastructure Provision			
Confirmation of Existing Services		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.
4.1	The existing services for each lot must be contained within the individual allotments.		
5. Access and Roadworks			
Roadworks		To provide appropriate access in accordance with relevant code/s and policy direction.	Prior to the issuing of a Development Permit for Building or Operational Works.
5.1	The construction of any additional crossovers to give access to the land is the owner's responsibility.		

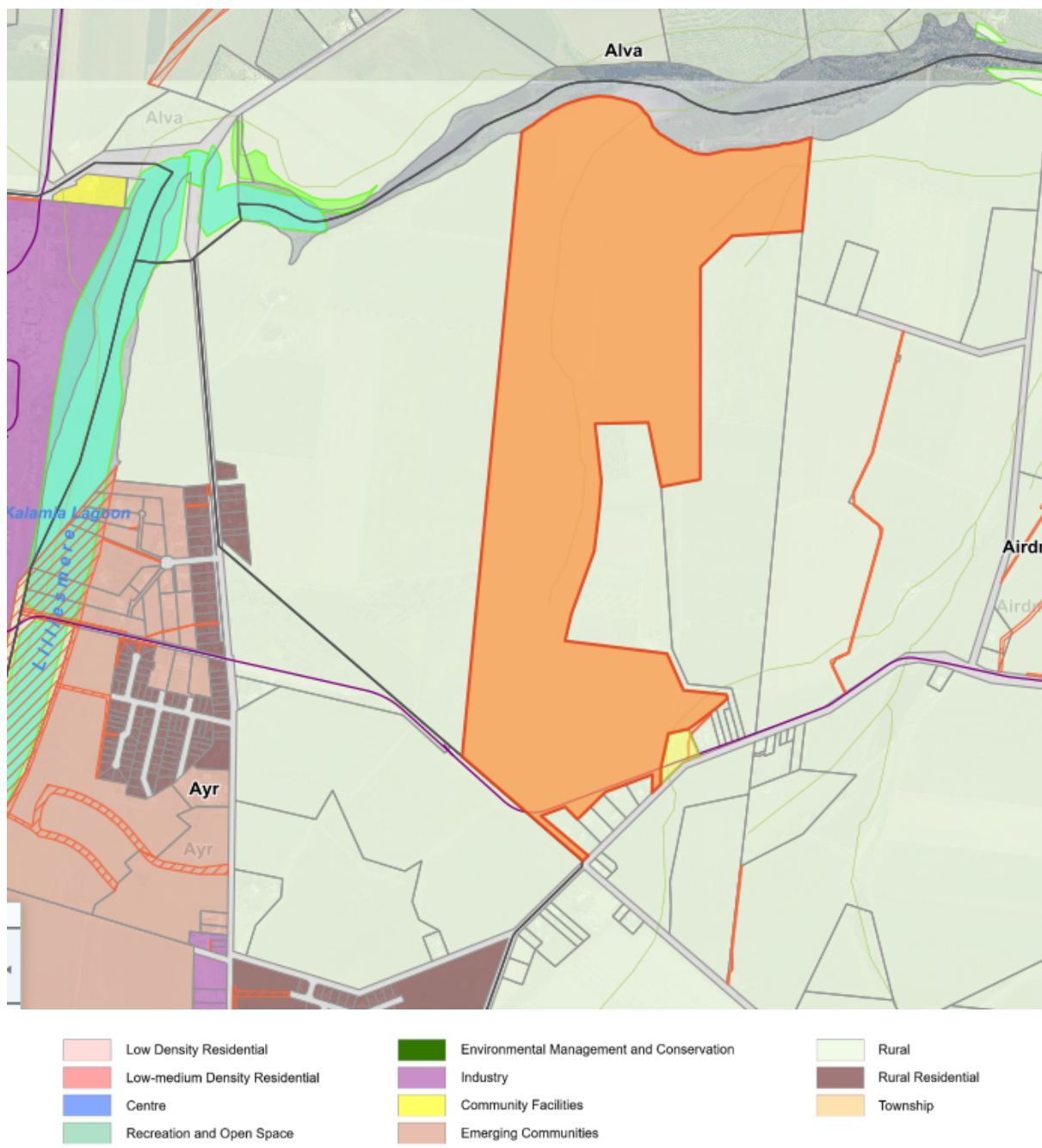
Attachment A – Recommended Conditions of Approval

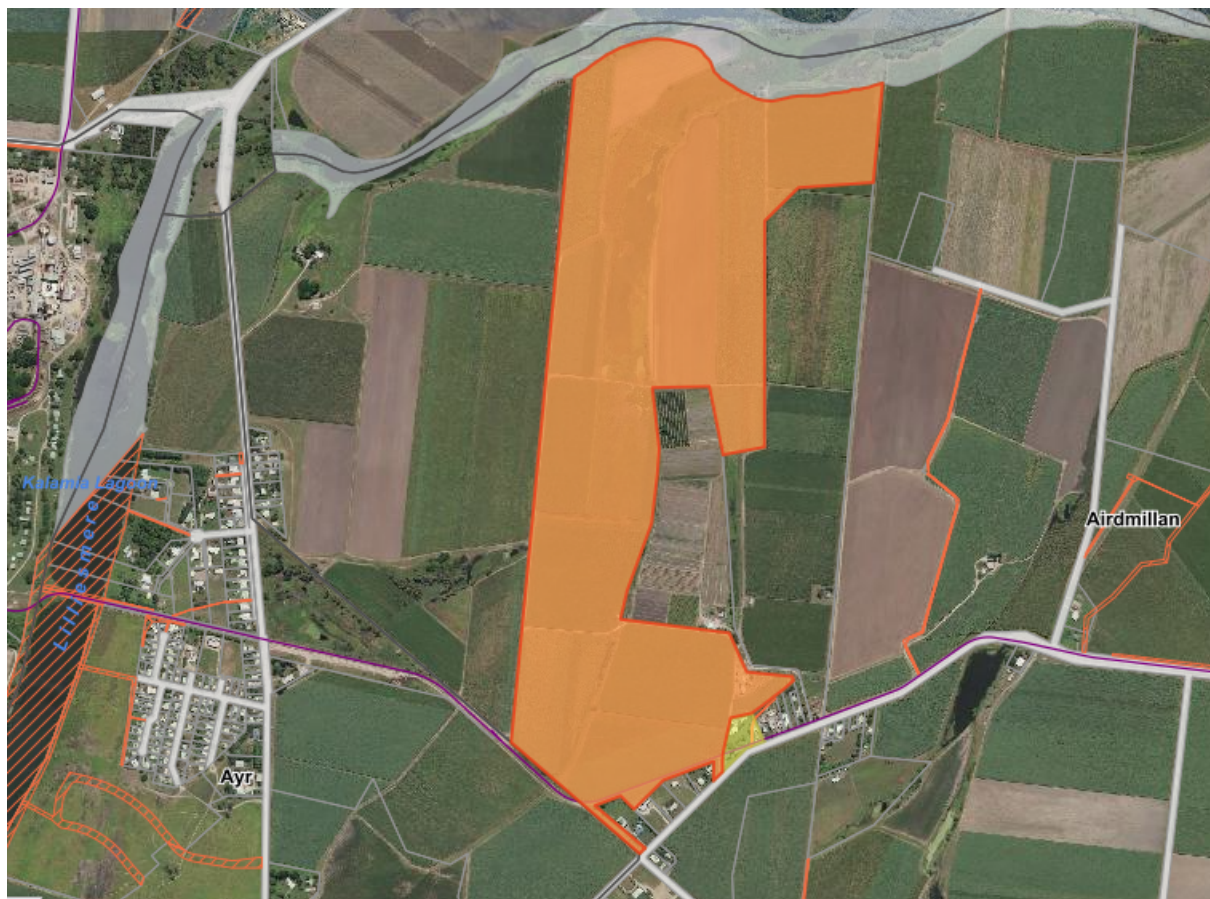
Condition	Reason	Timing
5.2 An application must be made to and approved by Council before the construction of any additional access crossovers. 5.3 Approved crossovers must be constructed in accordance with requirements of the approval to the satisfaction of Council.		
6. Stormwater 6.1 The approved 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.	To ensure that stormwater does not adversely affect surrounding properties or properties downstream from the development.	At all times

Attachment A – Recommended Conditions of Approval

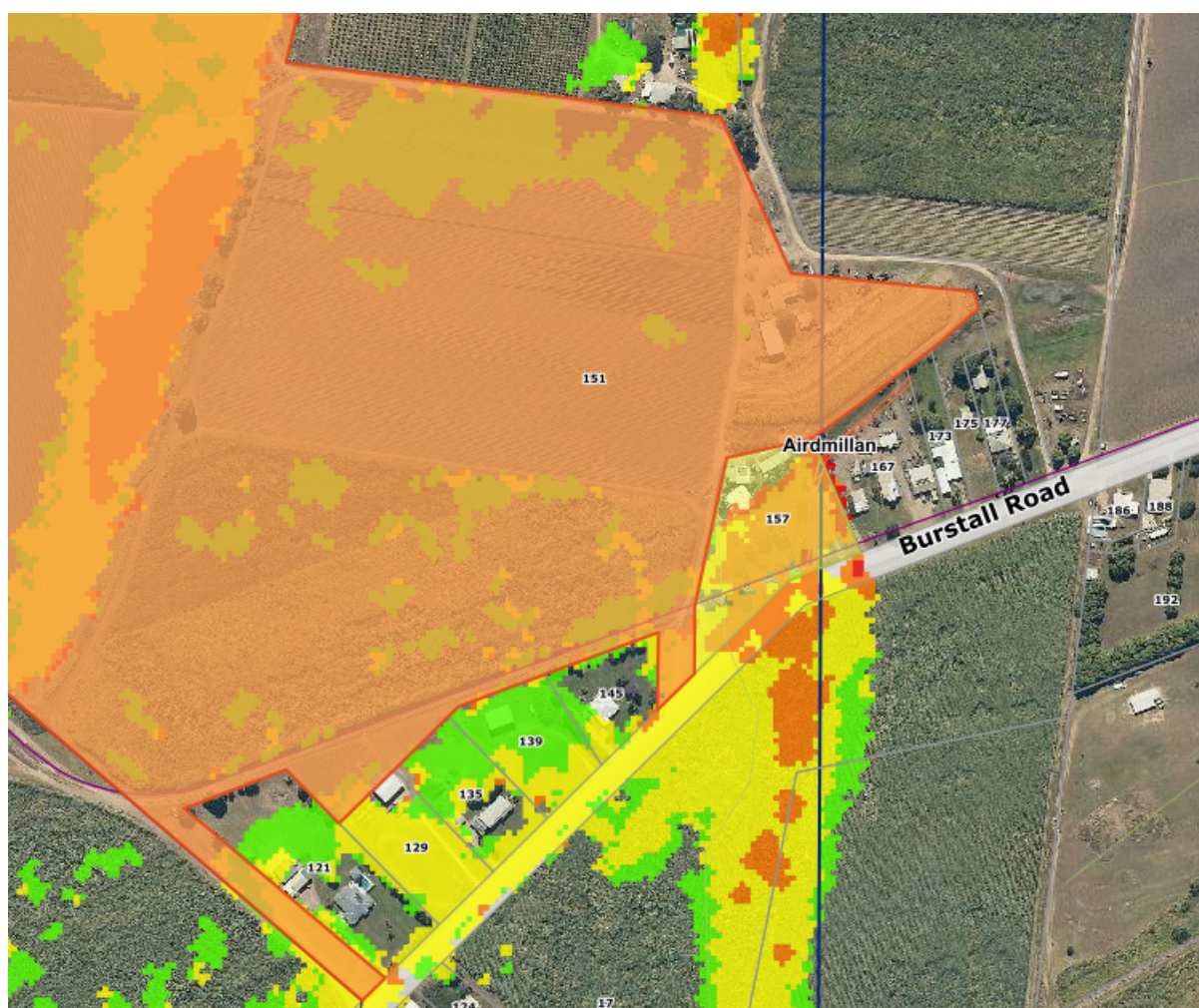
Advice

<p>1. 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>2. 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 indemnity and save the Council harmless in respect of any claim so arising.</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. Reticulated Water Infrastructure</p> <p>The proposed lots are unable to be connected to Council's reticulated water supply.</p>
<p>8. Miscellaneous</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> <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>





River Flood mapping



LEGEND

Overlay Map 07a - Flood River Hazard and QRA

River Flood Hazard

Low Hazard

Medium Hazard

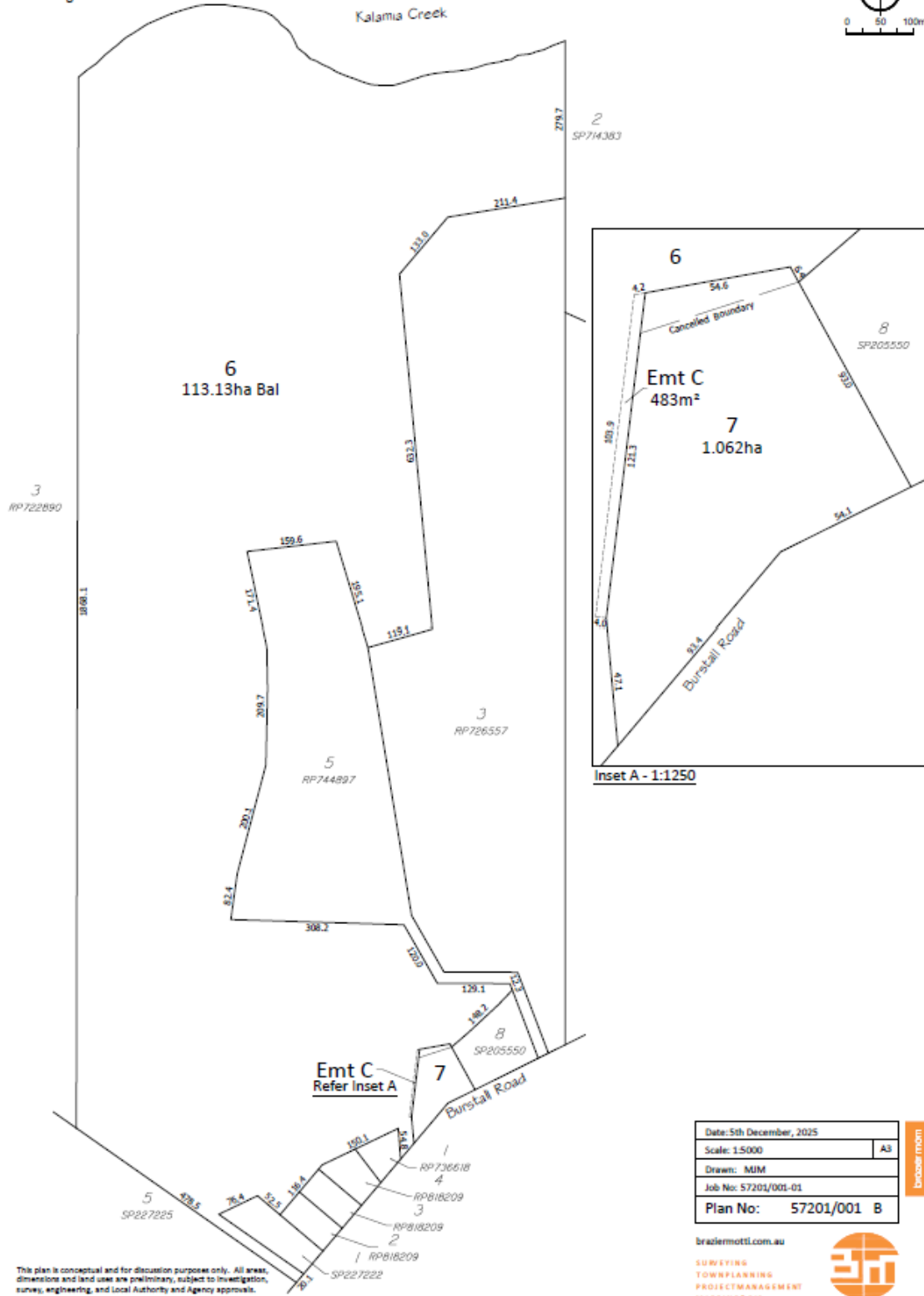
High Hazard

Extreme Hazard

Regulated Vegetation

Proposal Plan – Two (2) into two (2) lots and Access easement

PROPOSED
RECONFIGURATION
Lots 6 and 7 and Easement in Lot 6
Cancelling Lot 6 on SP227222 and Lot 7 on SP205550



Attachment C – Detailed Assessment

Assessment Summary

Based on the assessment of the development application, Council officers have determined that the proposed development can comply or can be conditioned to comply with the assessment benchmarks relevant to the assessment.

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		
1.1	Application deemed properly made		27 October 2025
1.2	Action Notice issued	5 days (from 1.0)	Not applicable
1.3	Confirmation Notice issued	10 days (from 1.0)	27 October 2025
2.0	Application referred (properly referred)	10 days (from 1.2)	Not applicable
2.1	Referral agency response	25 days (from 2.0)	Not applicable
3.0	Council Information Request	10 days (from 1.1)	Not Applicable
4.0	Public Notification commences	20 days (from 3.1)	5 November 2025
4.1	Public Notification completed	Min. 15 business days	25 November 2025
4.2	Consider submissions	10 days (from 4.1)	Not applicable
5.0	Further Advice Request		Not applicable
6.0	Decision making period starts	1 day (after last applicable)	27 November 2025
6.1	Decision making period ends	35 days (minus up to 10 days from 3.0)	23 January 2026
6.2	Decision making period extended	9 days	30 January 2026
	Council Meeting		27 January 2026
6.3	Issue Decision Notice	5 days (after decision is made)	3 February 2026

Attachment C – Detailed Assessment

Level of Assessment

The development proposal is assessable under the *Burdekin Shire Council 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 whole of 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 (two (2) lots into two (2) lots) and Access easement	Rural	<ul style="list-style-type: none"> • Agricultural • Flood (River) Hazard – River Flood and Rain Event Flood • Environmental Significance • Acid Sulfate Soils 	<p>The following assessment benchmarks are applicable in the assessment of the development application:</p> <ul style="list-style-type: none"> • The whole of the planning scheme.

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. <u>Officers Comment</u> The proposed development is considered to align with the policy direction and intent of the Scheme, including the Strategic Framework given the proposal is a minor boundary realignment of a common boundary to include an area that is not currently being used for farming activities within a small holding with the existing Dwelling house. The proposed access easement will also formalise an existing driveway with an easement. Although the easement is not from a constructed road, it ensures the areas of the driveway relevant to proposed Lot 7 are within the easement. This development is for a boundary realignment only, there are no new lots being created in the Rural zone, nor is the change in boundaries removing any land from agricultural production.	

ASSESSMENT

APPLICABLE ASSESSMENT BENCHMARKS

6.2.2 Reconfiguring a lot zone code
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6.2.2.1 Application

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| <p>(1) This code applies to development identified as requiring assessment against the Reconfiguring a lot code by the tables of assessment in part 3.</p> <p>(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> |
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6.2.2.2 Purpose and overall outcomes

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|---|
| <p>(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.</p> <p>(2) The purpose of the code will be achieved through the following overall outcomes:</p> <ul style="list-style-type: none"> (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. |
|---|

<u>Officers Comment</u>

<p>The proposal is for a minor boundary realignment only that is not proposing significant layout changes. No new rural zoned lots are to be created. Notwithstanding the non-compliance of the proposed Lot 7 with the requirements of the Reconfiguring a Lot Code for a rural lot (being a minimum 200.0m road frontage and minimum area of 30ha), the proposed development is generally in compliance with the outcomes sought.</p>

Attachment C – Detailed Assessment

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 - As this development is for a boundary realignment and access easement, there are no new neighbourhoods being created and the site characters are being maintained.
PO2 Open space and movement networks are integrated internally within the development site and with surrounding areas, including: <ul style="list-style-type: none"> (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. 	No acceptable outcome is nominated.	Not applicable - As this development is for a boundary realignment, no open space and movement networks are required as there is no increase in the number of lots being created.
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 - No new lots are forming part of the development.

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
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 development is for a Rural boundary realignment and access easement only. No new lots are being created, nor is a sensitive land use affected by the proposal.
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 development is for a Rural boundary realignment and access easement only. No new lots are being created.
P06 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 lot configurations will retain the existing uses on each retrospective lot.
P07 The subdivision layout retains significant habitat areas and ecological corridors.	No acceptable outcome is nominated.	Not applicable - The existing vegetation on each lot is being retained. None of these areas are considered to contain significant habitat.
P08 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 - There are no new lots or buildings proposed as part of the development. The proposed realigned boundaries are located outside any mapped waterways. It is acknowledged that there is

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
		a mapped drainage line that is identified as Regulated Vegetation (Intersecting a Water Course) that already travers both lots but as above, the boundary realignment will not alter the function of this water course.
<i>Landslip hazard</i>		
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%	Not applicable – The subject properties have not been identified as containing landslip hazard.
PO10 Reconfiguration results in lots that are: <ul style="list-style-type: none"> (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 street and accommodate all ancillary components of the use. 	AO10 Minimum frontage and lot size occurs in accordance with table 6.2.2.3(b), unless stated otherwise in a zone code.	Does not strictly comply for proposed Lot 7. The proposal is for a minor boundary realignment and access easement only of a shared boundary to enable a portion of land that is currently not used for the purpose of cropping to be given to the smaller holding being proposed lot 7. Proposed Lot 7 already contains an existing Dwelling house and is well below the minimum lot size and frontage requirements however the lot in its current form, is already well below these provisions. The portion of land being obtained for proposed Lot 7 will rectify access to an existing shed and locate an existing landscape strip within proposed lot 7.

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
		<p>The uses on each lot are not changing and although there is a slight increase in lot area for proposed Lot 7, proposed Lot 6 will maintain the farming operations as the land currently being acquired for proposed Lot 7, is not use for agricultural purposes. The configuration of both proposed Lot 6 and proposed Lot 7 is consistent with other lot configurations within the locality.</p> <p>The reduction in area of existing Lot 6 (proposed Lot 6) by 597.4m² is considered minor in nature and is not considered to result in any reduced farming ability/agricultural viability to what currently exists as the lot area remains above 30 ha.</p> <p>There is no creation of any new lots in the Rural Zone and therefore compliance with the PO is achieved.</p>
PO11 Reconfiguration does not reduce the future development potential of land within the emerging community zone.	No acceptable outcome is nominated.	Not application - Both subject properties are within the Rural zone.

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
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.	Not applicable - No new lots are being created as part of the boundary realignment. Each lot will retain the existing uses and the existing Dwelling house on proposed lot 7 was already existing prior to the commencement of this planning scheme.
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.	Complies - There are no increases in the number of lots being created. The proposed boundary realignment will result in proposed Lot 7 being increased in size and allow for the row of trees currently existing to be located within the smaller holding. This area is not currently used for rural production and displays limited environmental values outside of the trees being used as a buffer between the two lots.
PO14 New lots are not created in the environmental management and conservation zone.	No acceptable outcome is nominated.	Not applicable - Both lots are zoned Rural
Services		
PO15 All lots are provided with legal access to a constructed road.	No acceptable outcome is nominated.	Complies - Currently each lot gains access via Burstall Road which is a constructed road and this arrangement is not changing as part of the proposed development. It is acknowledged that an access

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
Note—A constructed road in an urban zone means a sealed road with kerbing and channelling. Elsewhere, this means a formed and trafficable road.		easement is proposed as part of the application but the easement is not from the access point at the frontage, it is to be located over an existing driveway, parallel to the common boundary between proposed Lots 6 and 7. The easement is proposed over Lot 6 in favour of Lot 7 and will allow for lawful access to be obtained to existing structures on Lot 7. The length of the easement is 103.9m and is 4 metres wide.
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.	Complies – Existing Lot 7 (Proposed Lot 7) contains existing structures in the form of a Dwelling house and ancillary structures and existing lot 6 (proposed Lot 6) will retain existing structures that form part of the farming operations that occurs on this lot. The existing uses on each lot are not changing as a result of this proposed boundary realignment and easement. All services to each lot currently will be maintained as part of the development.
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. AO17.2	Complies - Although no new lots are being created as part of the proposed development, the existing lots will maintain the existing overhead power connection.

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
	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 - No new roads form part of the proposed development for a boundary realignment within a 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. Minor boundary realignment only with no changes to existing site regimes proposed as part of this application. The uses on each lot are existing and are not changing as part of the proposed boundary realignment. While the development includes an access easement, the access/driveway itself is existing and is constructed to an all-weather standard. No earthworks are proposed that may result in erosion or sediment run off to what already occurs.
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 - There are no changes proposed to the existing uses on each lot and all stormwater drainage is remaining unchanged.

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

Zone	Frontage (m)	Area
Low density residential zone	15	500m ²
Low-medium density residential zone		
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	20	1,000m ²
Recreation and open space zone		
Emerging community zone	200	5ha
Rural zone		
(a) In the Groper Creek, Jarvisfield, Jerona and Wunjunga village precincts	No new lots created	

Attachment C – Detailed Assessment

Zone	Frontage (m)	Area
(b) In the priority agricultural area or agricultural land class A and B on overlay map OM2.	200	30ha
(c) Elsewhere	200	100ha

APPLICABLE ASSESMENT 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; Burdekin Shire Council Planning Scheme Part 4–87 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

APPLICABLE ASSESMENT BENCHMARK

4.2.9 Rural Zone Code

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 proposed development involves a minor adjustment of the shared boundary between existing lots, which will add 597.4m² of land to a smaller parcel and establish an access easement. This action is considered consistent with the locality and the intended outcomes of the Rural Zone Code.

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: (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.	Not applicable - The proposed boundary realignment is to acquire land from a larger holding so that the smaller holding can gain access to the existing Dwelling house and ancillary structures on Lot 7. There are no non-residential buildings within close proximity to the new common boundary being created. Proposed boundary realignment does not affect existing structure setbacks, nor the existing character and amenity of the area.
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.	Not applicable - Rural boundary realignment only. The existing uses on both lots are not changing as part of this application for a boundary realignment.
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.	Complies – As part of the boundary realignment, there are no changes to the existing services provided on-site.

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
	PO3.3 Premises have a legal 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 proposed development is for a boundary realignment of 2 lots into 2 lots and access easement to enable access to existing structures to be obtained via an existing driveway. No new lots are being created, and the uses on-site are existing.
Home based business – bed and breakfast and other		
PO5-PO11	AO6 – AO11.2	Not applicable – Application is for a Boundary realignment and Access easement only. Existing uses of each lot are being maintained, and no new uses are proposed.
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 – Application is for a Boundary realignment and Access easement only. Existing uses of each lot are being maintained, and no new uses are proposed.
Stock route network		

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
PO13 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.	AO13 Development is not located within the stock route network.	Complies – The subject properties are not located within a mapped 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 – Application is for a Boundary realignment and Access easement only to enable suitable access to existing structures on proposed lot 7.
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 – No building works are forming part of the application.

Table 4.2.9.3(b)—Benchmarks for assessable development only

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
Protecting rural production		
PO16	No acceptable outcome is nominated	Complies – The proposed Boundary realignment results in approximately 597.4m ² of land being

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
Other than for public infrastructure, non-agricultural development within priority agricultural areas does not result in a net loss to 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.		incorporated into a smaller holding that is not used for agricultural purposes.
PO17 Development occurs on the least productive part of the site.	No acceptable outcome is nominated	Complies
PO18 Development does not prejudice the ongoing operation, intensification or expansion of nearby farming activities.	No acceptable outcome is nominated	Complies – Proposed Lot 6 is maintaining all the existing farming operations and majority of the site is used for farming activities currently with the exception of the portion of land that is forming part of this boundary realignment request.
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	Complies – A vegetation/landscape buffer already exists along the common boundary between existing Lots 6 and 7.
PO20 Development does not interfere with the use of cane tram lines.	No acceptable outcome is nominated	Complies – Although there is an access easement proposed as part of the development, it will not traverse over the existing tram way.

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
Editor's note—Cane tram lines are shown on the road hierarchy map in Figure 6.2.1.3.		
PO21 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.	No acceptable outcome is nominated	Not applicable – There are no mapped stock routes within proximity to the subject properties.
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 – This application is for a boundary realignment with an access easement and does not result in the creation of any new lot.
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	Partly Complies – Existing Lot 7 is identified within the Priority Agricultural area and significantly below 30ha in size, having a site area currently of 1.002ha. The boundary realignment results in 597.4m ² of land being obtained from the larger farming holding lot to increase the size of the smaller holding that contains an existing Dwelling house and structures. The proposed new configuration is retaining Lot 6 to be above 30ha which is identified within the Priority Agricultural Area and Land Classification A and B and proposed lot 7 will continue to be well below 30ha. The uses of each lot are not changing as part of the proposed development.

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
<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 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>	No acceptable outcome is nominated	Complies – The proposed boundary realignment is to increase the size of a smaller holding (Lot 7) to enable access to the existing structures on-site. The land being obtained also includes a row of trees that would effectively act as a buffer between the two (2) lots.
Industrial activities		
<p>PO25</p> <p>Other than in the Groper Creek, Jarvisfield, Jerona or Wunjunga village precincts, industries in the rural zone include only:</p> <p>(a) rural industries;</p>	No acceptable outcome is nominated	Not applicable – The existing uses of each lot are not changing as part of this proposed boundary realignment

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
(b) industries processing agricultural products which require a rural location: (i) for proximity to the produce being processed; or (ii) to ensure a clean environment separate from general industrial activities; or (iii) to secure a lot size larger than lots available within the industrial zoned land; (c) industries associated with the use or processing of commodities grown in the region, such as sugar cane and grain; (d) extractive industries and other industries that require separation from urban or rural residential areas; and (e) renewable energy facilities.		
Aquaculture, intensive animal industries, animal keeping and extractive industry		
PO26 Premises used for extractive industry, aquaculture, animal keeping or intensive animal husbandry are separated from existing sensitive land uses so that significant impact from noise, odour or other emissions are unlikely to be experienced at the sensitive receptor.	No acceptable outcome is nominated Editor's note—Applicants seeking approval for intensive animal industries should refer to the 'National Guidelines for Beef Cattle Feedlots in Australia, National Beef Cattle Feedlot Environmental Code of Practice', 'Queensland Dairy Farming Environmental Code of Practice', 'National Environmental Guidelines for Piggeries' and 'Queensland Guidelines Meat Chicken Farms and that applicants consult with the relevant State	Not applicable.

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
	government department prior to the lodgement of a development application. For other uses council may require a study that, amongst other matters, identifies how the development meets Environmental Protection (Air) Policy 2019 or Environmental Protection (Noise) Policy 2019.	
Rural workers' accommodation, non-resident workforce accommodation, caretaker's Accommodation		
PO27 – PO28	No acceptable outcome is nominated; AO28	Not applicable – The existing uses of each lot are not changing as part of the Boundary realignment
Development for tourism and recreation purposes		
PO29 – PO30	No acceptable outcome is nominated	Not applicable – The existing uses of each lot are not changing as part of the Boundary realignment
Renewable energy facilities		
PO31 – PO32	No acceptable outcome is nominated	Not applicable – The existing uses of each lot are not changing as part of the Boundary realignment
Extractive industries		
PO33 - PO38	No acceptable outcome is nominated; AO34.1 – AO35.2	Not applicable – The existing uses of each lot are not changing as part of the Boundary realignment
Rural amenity and character		
PO39 Development maintains the visual amenity and landscape character of the locality.	No acceptable outcome is nominated.	Complies – The proposed boundary realignment will result in the row of trees to be incorporated into proposed Lot 7 which creates a buffer between the rural activities and the existing dwelling house.

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
PO40 Development minimises the loss of existing vegetation and earthworks on the site.	AO40 Development is conducted within an existing cleared area.	Complies – There is no new built form that forms part of this application for a boundary realignment, and the new boundary will be in an already cleared section.
PO41 Development minimises impacts on the natural environment and maintains habitat areas and corridors.	No acceptable outcome is nominated.	Complies – The proposed boundary realignment will not result in a new boundary that will impact on the natural environment, and all existing vegetation is being maintained on-site.
PO42 Landscaping is provided to screen views from surrounding roads and neighbouring sites.	No acceptable outcome is nominated.	Complies – There is existing vegetation on-site and all of this vegetation is being retained on-site despite the change in boundaries. As the uses are not changing and there are no new lots created, additional landscaping screens are not required for this boundary realignment.
PO43 Non-residential buildings or structures are screened by a landscaped buffer when adjoining land used for rural residential or residential development	AO43 Buildings or other structures are screened by a landscaped buffer of 5m when adjoining residential or rural residential development.	Not applicable – The area adjoining the subject properties are all within the Rural zone.
PO44	No acceptable outcome is nominated.	Complies - The existing uses on each lot are not changing as a result of the boundary realignment. Therefore, no additional impacts are created.

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
Development does not create significant impacts as a result of noise, odour, dust, volume of traffic generated or other cause.		
PO45 Development does not impact on public health or safety.	No acceptable outcome is nominated.	Complies - The proposed boundary realignment will create an access easement within proposed lot 6 in favour of proposed lot 7 but is not within an area that would compromise safety. There are no impacts to public health as a result of the boundary realignment.
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 uses are existing on both subject properties and are not changing as part of this request for a boundary realignment

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.	

ASSESSMENT	
APPLICABLE ASSESSMENT BENCHMARKS	
6.2.1 Development works code	
6.2.1.1 Application	
<p>(1) This code applies to development identified as requiring assessment against the Development works code by the tables of assessment in part 3.</p> <p>(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>	
6.2.1.2 Purpose and overall outcomes	
<p>(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.</p> <p>(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. 	
<u>Officers Comment</u>	
<p>Where relevant, the proposed development is considered to comply overall with the prescribed relevant outcomes sought by the Development Works Code, as no earthworks or new roads are required as part of the proposed boundary realignment and access easement. The access easement is being located over an existing driveway that has been there for a number of years.</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:

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
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.	Not applicable

Table 6.2.1.3(b)—Benchmarks for assessable development only

Earthworks		
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.	Not applicable
PO4 Earthworks do not: result in ponding on the site or on nearby land; adversely affect the flow of water through an overland flow path; and	No acceptable outcome is nominated.	Not applicable

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result in the loss of safety to users or uses of any other land.		
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.	Not applicable
PO6 Earthworks maintain the visual amenity of surrounding land and do not compromise the privacy of adjoining property.	No acceptable outcome is nominated.	Not applicable
PO7 The risk of erosion and sedimentation is minimised by: progressive rehabilitation of disturbed areas within the site; avoiding long term stockpiling of soil; diverting drainage paths around disturbed areas; and preventing sediments from leaving the site.	No acceptable outcome is nominated.	Not applicable - no earthworks form part of the application.
Excavation and/or filling in the rural zone		
PO8 Excavation and/or filling do not: (a) result in ponding on Council controlled land, including road reserves and infrastructure;	No acceptable outcome nominated.	Not applicable - no earthworks form part of the application.

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<p>(b) impede the flow of water through an overland flow path or drainage path on Council controlled land, including road reserves and infrastructure; and</p> <p>(c) alter the location and/or flow rate of water discharge points from the premises adversely impacting on Council road and drainage infrastructure.</p>		
<p>PO9</p> <p>Excavation and/or filling do not result in an increase to the volume or concentration of water:</p> <p>(a) in an overland flow path or drainage path on Council controlled land, including road reserves and infrastructure; and</p> <p>(b) waterways and wetlands.</p>	<p>No acceptable outcome nominated.</p>	<p>Not applicable - no earthworks form part of the application.</p>
<p>PO10</p> <p>Excavation and/or filling do not adversely impact on waterways and wetlands.</p>	<p>AO10</p> <p>Excavation and/or filling do not occur within 15m of the:</p> <p>(a) outer bank of a waterway; or</p> <p>(b) outer landward boundary of a wetland.</p>	<p>Not applicable - no earthworks form part of the application.</p>
<p>PO11</p> <p>Excavation and/or filling do not adversely impact on Council road and drainage infrastructure.</p>	<p>AO11</p> <p>Excavation and/or filling do not:</p> <p>(a) occur within 15m of Council road and drainage infrastructure; and</p> <p>(b) alter the flow rate or velocity of water at discharge points from the premises to Council road and drainage infrastructure.</p>	<p>Not applicable - no earthworks form part of the application.</p>
Infrastructure		

<p>PO12</p> <p>Development in an urban zone (other than the township zone) or within the priority infrastructure area is connected to reticulated water, sewerage and stormwater.</p> <p>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.</p>	<p>No acceptable outcome is nominated.</p>	<p>Not applicable - The development is not occurring within an Urban zone</p>
<p>PO13</p> <p>Development sites are provided with services in a way that is:</p> <ul style="list-style-type: none"> (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. 	<p>AO13</p> <p>All infrastructure required to service the development is provided in accordance with Planning scheme policy – S.C5.2 – Development works.</p>	<p>Complies - Each lot contains a use that is being retained as part of the boundary realignment. No services are changing as a result of the proposed development</p>
<p>PO14</p> <p>Where reticulated water supply is not available, development is provided with a reliable water supply that is sufficient for the demands generated on site.</p>	<p>No acceptable outcome is nominated.</p>	<p>Complies - Each lot contains existing uses, and these uses are not changing as a result of the proposed boundary realignment.</p>
<p>PO15</p> <p>Where a reticulated sewerage service is not available, an on-site system of treatment and</p>	<p>No acceptable outcome is nominated.</p>	<p>Complies – Proposed lot 7 is retaining the on-site waste disposal for the existing dwelling house that is already located on this lot. Proposed lot 6 contains farming sheds only and all services</p>

disposal is established that is sufficient for the level of waste water generated on the site.		provided at this facility will be retained. The proposal is for a boundary realignment only, with no intensification of the uses occurring.
PO16 Where provided on-site, water, waste water 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.	Not applicable - the subject properties are not within a rural residential zone
	AO16.2 Elsewhere, no acceptable outcome is nominated	Complies - All existing services are being maintained within each retrospective lot and although there is a slight change in the boundaries, it will not compromise the existing infrastructure.
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.	Complies - Each lot is connected to overhead electricity, and this is not changing as part of the development.
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;	No acceptable outcome is nominated.	Not applicable - There are no changes proposed to the uses on each lot.

<p>(b) waste water;</p> <p>(c) the creation or expansion of non-tidal artificial waterways; or</p> <p>(d) the release and mobilisation of nutrients and sediments.</p>		
<p>PO19</p> <p>Development achieves the stormwater management design objectives outlined in tables 6.2.1.3(c) and 6.2.1.3(d).</p> <p>Editor's note—Urban purpose is defined in the <i>Planning Regulation 2017</i>.</p>	No acceptable outcome is nominated.	Not applicable - The stormwater management on each lot is existing and is not changing as a result of this proposed boundary realignment.
<p>PO20</p> <p>Wherever practical, development:</p> <p>minimises clearing and earthworks;</p> <p>utilises natural flow paths; and</p> <p>minimises impervious surfaces and maximises opportunities for infiltration, capture and reuse.</p>	No acceptable outcome is nominated.	Not applicable - The development will not result in any clearing, earthworks or increase in impervious surfaces.
<p>PO21</p> <p>Stormwater drainage is provided that has sufficient capacity to safely remove stormwater run-off, in a way that:</p> <p>minimises risk to public safety and property;</p> <p>provides a lawful point of discharge from each lot;</p> <p>minimises ponding;</p>	No acceptable outcome is nominated.	Not applicable - The stormwater drainage on each lot is existing and is not changing as part of the proposed boundary realignment.

<p>allows for risk associated with potential failures within the system; and</p> <p>allows for practical access for maintenance.</p>		
Acid sulfate soils		
<p>PO22</p> <p>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:</p> <p>(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</p> <p>(b) where disturbance of acid sulfate soils cannot be avoided, development:</p> <p style="padding-left: 40px;">neutralises existing acidity and prevents the generation of acid and metal contaminants; and</p> <p style="padding-left: 40px;">prevents the release of surface or groundwater flows containing acid and metal contaminants into the environment.</p> <p>Editor's note—Where works are proposed within the areas identified as potential acid sulfate soils on overlay 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</p>	<p>AO22.1</p> <p>Development does not:</p> <p>(a) involve excavating or removing 100m³ or more of soil and sediment at or below 5m AHD; or</p> <p>(b) permanently or temporarily drain or extract groundwater or exclude tidal water resulting in the aeration of previously saturated acid sulfate soils; or</p> <p>(c) involve filling with 500m³ or more with an average depth of 0.5m or greater that results in:</p> <p style="padding-left: 40px;">actual acid sulfate soils being moved below the water table; or</p> <p style="padding-left: 40px;">previously saturated acid sulfate soils being aerated.</p> <p>OR</p> <p>AO22.2</p> <p>Development manages waters so that:</p> <p>all disturbed acid sulfate soils are adequately treated and/or managed so that they can no longer release acid or heavy metals;</p> <p>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);</p>	<p>Not applicable - The development does not include earthworks. The proposed access easement is to be located over an existing driveway that is already constructed to an all-weather standard.</p>

<p>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 develop a practical Acid Sulfate Soil Management Plan for use in monitoring and treating acid sulfate soils.</p>	<p>waters on the site, including discharges and seepage to groundwater, do not contain elevated levels of soluble metals;</p> <p>there are no visible iron stains, flocs or sums in discharge water;</p> <p>all reasonable preparations and actions are undertaken to ensure that aquatic health is safeguarded; and</p> <p>infrastructure such as buried services, pipes, culverts and bridges are protected from acid attack.</p>	
Traffic and access		
<p>PO23</p> <p>The development is located on roads appropriate for the nature of traffic generated, having regard to the safety and efficiency of the transport network, and the functions and characteristics of the road hierarchy.</p> <p>Note–The road hierarchy is illustrated in Figure 6.2.1.3 of the Development works code.</p>	No acceptable outcome is nominated.	Complies - The uses on each lot are existing and are not changing as a result of the proposed boundary realignment. As the uses are existing, there are no changes to the traffic generated by this development and therefore the existing road network is considered sufficient.
<p>PO24</p> <p>Development maintains a safe environment for pedestrians, cyclists and vehicles on the site and external to the site.</p>	No acceptable outcome is nominated.	Complies - The proposed development is not increasing densities or changing the uses on-site and therefore maintains the safe environment that already exists.
PO25	AO25	Complies – The proposed easement located in proposed lot 6 in favour of proposed lot 7 is to

Development has vehicle access and manoeuvring sufficient to accommodate the anticipated traffic demand and servicing requirements safely and efficiently.	Circulation areas, turning areas and driveways comply with Australian Standards AS2890.1 and AS2890.2, as amended from time to time.	ensure that vehicle access to the dwelling and the ancillary structure at the rear has lawful access. The existing arrangement on-site has been there for several years, and the proposal is to formalise the access arrangements.
PO26 Development (other than dwelling houses and dual occupancies) are designed to enable vehicles to enter and leave the site in a forward direction	AO26 Circulation areas, turning areas and driveways comply with Australian Standards AS2890.1 and AS2890.2, as amended from time to time.	Not applicable - The uses on each lot are not changing as a result of this proposed boundary realignment. There are no proposed changes to the existing access arrangement apart from to formalise an existing arrangement.
PO27 Development provides sufficient parking on-site to accommodate the anticipated demand safely and efficiently.	AO27 Vehicle parking is provided in accordance with table 6.2.1.3(e)–Vehicle parking rates and standards. Where the use is not nominated in table 6.2.1.3(e), no acceptable outcome is nominated.	Not applicable - The uses are existing on each lot and there is no increase in intensification of the uses that would warrant an increase in the vehicle parking rate.
PO28 On-site parking is clearly defined, safe and easily accessible.	AO28 Parking areas comply with Australian Standards AS2890.1 and AS2890.2, as amended from time to time.	Not applicable - The uses are existing on each lot and are not changing as result of the proposed boundary realignment.
PO29 Open parking spaces are designed and constructed to facilitate stormwater infiltration on-site.	No acceptable outcome is nominated.	Not applicable - The uses are existing on each lot and are not changing as result of the proposed boundary realignment.
PO30	No acceptable outcome is nominated.	Not applicable - The uses are existing on each lot and are not changing as result of the proposed boundary realignment.

Transport noise impacts are managed by the siting and design of development so that the need for acoustic screening is minimised.		
PO31 Where they are used, acoustic walls are designed to mitigate visual impacts.	No acceptable outcome is nominated.	Not applicable - The uses are existing on each lot and are not changing as result of the proposed boundary realignment.
PO32 Lighting is provided to ensure pedestrian and vehicle safety.	No acceptable outcome is nominated.	Not applicable - The uses are existing on each lot and are not changing as result of the proposed boundary realignment.
Landscaping		
PO33 Landscaping is designed, established and maintained to: incorporate existing vegetation, where appropriate; reinforce existing streetscape character; provide effective shade and screening; be sustainable without undue reliance on irrigation; be suitable to the tropical climate. Editor's note—A landscaping plan may be required which should incorporate: a fully dimensioned site plan describing the existing landscape including the landscape and environmental significance of remnant vegetation; the location and depth of all existing services;	No acceptable outcome is nominated.	Not applicable - The development does contain an existing vegetation strip near the dwelling house to the north. This strip will assist with screening of the farming operations to the north. It is not proposed to remove this vegetation, and the boundary realignment will ensure it is in the same allotment as the Dwelling house.

natural drainage lines; existing levels and finished levels; a full schedule of plantings and materials including growing characteristics, quantities of each plant and other materials; and a drainage and irrigation plan.		
PO34 Landscaping: (a) is established using semi-advanced plants in conjunction with shrubs and ground covers; (b) uses native and endemic species where possible; and (c) does not utilise species which are noxious or poisonous or have drop limbs.	No acceptable outcome is nominated.	Not applicable - No additional landscaping is required for the proposed boundary realignment.
Waste and pollutant management		
PO35 Development provides on-site facilities for the storage and collection of solid wastes that are secure and avoid potential for nuisance.	No acceptable outcome is nominated.	Not applicable - The uses on each lot are not changing as part of the proposed boundary realignment.
PO36 Liquid wastes produced by development are managed and disposed of so no risk of nuisance or environmental harm is created.	No acceptable outcome is nominated.	Not applicable - The uses on each lot are not changing as part of the proposed boundary realignment.
PO37 Development involving the handling of potential pollutants is designed and operated to ensure	No acceptable outcome is nominated.	Not applicable - The uses on each lot are not changing as part of the proposed boundary realignment.

spills and on-site surface water are captured and treated prior to release to the environment.		
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 Development ensures fire hydrants are installed and located to enable fire services to access water safely, effectively and efficiently.	No acceptable outcome is nominated.	Not applicable - The subject properties are not within an Urban area.
PO39 Road widths and construction within the development are adequate for fire emergency vehicles to gain access to a safe working area close to buildings and near water supplies whether or not on-street parking spaces are occupied.	No acceptable outcome is nominated.	Not applicable - No new roads form part of the application.
PO40 Fire hydrants are suitably identified so fire services can locate them at all hours.	No acceptable outcome is nominated.	Not applicable

ASSESSMENT	
APPLICABLE ASSESSMENT BENCHMARKS	
5.2.5 Flood hazard overlay code	
<p>5.2.5.1 Application</p> <p>(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.</p> <p>(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>Note—For the purposes of section 13 of the Building Regulation 2006:</p> <ul style="list-style-type: none"> (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. <p>5.2.5.2 Purpose and overall outcomes</p> <p>(1) The overall outcomes are the purpose of the flood hazard overlay code.</p> <p>(2) The purpose of the code will be achieved through the following overall outcomes:</p> <ul style="list-style-type: none"> (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: <ul style="list-style-type: none"> (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: <ul style="list-style-type: none"> (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; 	

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- (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 as being subject to flood hazard in a river flood event and local rain event, with some areas being mapped as extreme. The proposed realignment does not change any of the existing uses of the subject properties which have been on-site prior to this planning scheme coming into effect. For this reason, no further assessment is required for this application.

5.2.5.3 Specific benchmarks for assessment

Table 5.2.5.3–Benchmarks for assessable development

Specific assessment against the relevant provisions of the Flood Hazard overlay code is provided below:

Compatible development		
PO1 – PO9	AO1; No acceptable outcome is nominated.	Not applicable - Each lot already contains an existing use and associated structures. There are no changes proposed to these uses and the proposed boundary realignment is to allow for a landscaping area to be wholly located in proposed Lot 7 where the associated Dwelling house is already located and to formalise access over an existing driveway.
Mitigation of flood hazard		
PO10 – PO18 Development does not change inundation characteristics outside the subject site in ways that would:	No acceptable outcome is nominated; AO12	Complies – The change in the boundary will not result in any changes to the characteristics of flow paths or result in an increased hazard outside of what already

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<p>(a) result in loss of flood storage or loss of, or changes to, flow paths;</p> <p>(b) adversely change the depth or behaviour of the hazard; or</p> <p>(c) reduce warning times; or</p> <p>increase the duration of the hazard.</p>		<p>exists on-site. All structures and uses are remaining unchanged as part of the development.</p>
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APPLICABLE ASSESMENT BENCHMARK
5.2.3.1 Environmental significance overlay code

5.2.3.1 Application

- (1) This code applies to development where the code is identified as applicable in the categories of assessment and development for the Environmental significance 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.

5.2.3.2 Purpose and overall outcomes

- (1) The overall outcomes are the purpose of the environmental significance overlay code.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) development avoids or minimises direct and indirect impacts on areas of environmental significance and their associated ecological functions and biophysical processes;
 - (b) development protects and complements the ecological function and integrity of the strategic environmental area (designated precinct);
Editor's note—Certain land uses are unacceptable uses within the designated precinct of the strategic environmental area under the *Regional Planning Interests Regulation 2014* (schedule 2).
 - (c) development maintains the functionality, connectivity, diversity and viability of areas of environmental significance;
 - (d) ecological corridors facilitate viable wildlife movement between habitat areas, habitat diversity and health;
 - (e) development does not impact on the physical and hydrological integrity, water quality or ecological functions and values of waterways and wetlands;
 - (f) development incorporates appropriate buffering and mitigation strategies to avoid or minimise potential damage to natural areas and other environmental assets.
Editor's note—Environmental offsets for significant residual impacts on matters of state environmental significance are regulated by the Environmental Offsets Act 2014 and Environmental Offsets Regulation 2014.
 - (g) development does not impact on the environmental values or ecological functions of land in the zone;

Officers Comment

Both of the subject properties do contain mapped regulated vegetation (intersecting with a watercourse) due to the location of the creek located at the rear of proposed Lot 6. The new boundaries being created will not compromise the function of these mapped areas as only 597.4m² of land is forming the changes to the lots sizes and an easement is to be located over an existing driveway. All environmental values are remaining unchanged as part of the development.

5.2.3.3 Specific benchmarks for assessment

Table 5.2.3.3(a)—Benchmarks for development that is accepted subject to requirements and assessable development

<p>PO1</p> <p>Development:</p> <ul style="list-style-type: none"> (a) avoids impacts to areas of environmental significance; or (b) where impacts cannot be avoided, they are minimised and mitigated through appropriate location, siting and design; or (c) where impacts cannot be avoided or minimised and mitigated, an environmental offset is provided for any significant residual impact. <p>Editor's note—Significant residual impacts on matters of state environmental significance are offset in accordance with the <i>Environmental Offsets Act 2014</i>.</p>	<p>AO1</p> <p>Development is:</p> <ul style="list-style-type: none"> (a) not located within an area supporting matters of state environmental significance; or <p>Editor's note—Matters of state environmental significance are shown on OM5.</p> <ul style="list-style-type: none"> (b) located wholly within an area that has a valid development approval for native vegetation clearing. <p>Editor's note—A development approval has been given under schedule 10, part 3 of the <i>Planning Regulation 2017</i>.</p>	<p>Complies – There are no new structures or uses forming part of the proposed development and therefore the slight change in boundary will not change the environmental significance areas that are identified within the subject properties. There is also no removal of vegetation proposed.</p>
<p>PO2</p> <p>Development protects and complements the ecological function and integrity of the strategic environmental area (designated precinct).</p> <p>Editor's note—Certain land uses are unacceptable uses within the designated precinct of the strategic environmental area under the <i>Regional Planning Interests Regulation 2014</i> (schedule 2).</p>	<p>AO2</p> <p>Development is:</p> <ul style="list-style-type: none"> (a) not located within a strategic environmental area (designated precinct); or <p>Editor's note—The strategic environmental area (designated precinct) is shown on OM5.</p> <ul style="list-style-type: none"> (b) located wholly within an area that has a valid development approval for native vegetation clearing. 	<p>Complies – The subject properties are not identified within a designated precinct.</p>

	Editor's note—A development approval has been given under schedule 10, part 3 of the <i>Planning Regulation 2017</i> .	
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Table 5.2.3.3(b)—Benchmarks for assessable development

PO3 Development is located, designed and operated to: (a) retain and protect significant values; and (b) maintain the underlying ecological functions and biophysical processes. Editor's note—Values of significance may include, but are not limited to, areas of habitat that support a critical life cycle stage such as feeding, breeding or roosting or an ecological function for threatened species, ecological communities or migratory species.	No acceptable outcome is nominated.	Complies – The uses on each existing lot are not changing as part of the proposed boundary realignment which will ensure environmental values are maintained.
PO4 Ecological corridors are retained to maintain ecological processes and functions and ensure viable connectivity between habitat areas for terrestrial and aquatic wildlife movement between habitat areas.	No acceptable outcome is nominated.	Complies – The uses on each existing lot are not changing as part of the proposed boundary realignment.
PO5 Development maintains a buffer to wetlands and waterways, in order to: (a) protect or enhance ecological processes and values; (b) protect water quality and aquatic conditions;	AO5.1 Other than for linear infrastructure, riparian vegetation is retained and/or rehabilitated along each side of a waterway, within at least 50m of the defining banks of all waterways. Note—The defining bank can either be the bank or terrace that confines the water before the point of flooding or where there is no	Complies - No vegetation is being removed as part of the development. While there is reference to a vegetation strip, this strip is not of value and its purpose is to assist with mitigating some nuisance from the cropping operations nearby.

(c) provide unimpeded movement of fauna within and along waterways or wetlands; and (d) improve bank stability and prevent soil erosion.	bank, the seasonal high water line which represents the point of flooding.	
	<p>AO5.2</p> <p>Development provides the following buffers::</p> <ul style="list-style-type: none"> (a) 100m from the maximum water level of freshwater wetlands; and (b) 100m from the Highest Astronomical Tide (HAT) line of a tidal wetland. 	Not applicable – The existing uses on each lot are not changing as part of this proposed development for a boundary realignment.
<p>PO6</p> <p>Development maintains natural surface water and groundwater hydraulic regimes of wetlands and waterways.</p>	No acceptable outcome is nominated.	Complies – Each lot is retaining their existing uses and the slight change in boundaries will not change surface water and groundwater hydraulic regimes of wetlands and waterways to what already occurs on-site presently.
<p>PO7</p> <p>The ongoing protection of those parts of a development site supporting significant ecological features or processes that are to be retained is secured.</p>	<p>AO7</p> <p>Those parts of the site to be protected are secured using one or more of the following mechanisms:</p> <ul style="list-style-type: none"> (a) transferring into public ownership; (b) setting aside for open space and conservation purposes within a group title arrangement; (c) restricted building envelopes; or (d) protection under a conservation covenant. 	Complies – The proposed boundary realignment is for 597.4m2 of land and this area is not identified as containing any significant values.
<p>PO8</p> <p>Development does not result in the introduction of pest species (plant or animal), that pose a risk to ecological integrity or disturbance to native flora and fauna</p>	No acceptable outcome is nominated.	Not applicable – The proposed development for a boundary realignment will not introduce pest species as the uses on each lot are not changing.

Attachment C – Detailed Assessment

PO9 Development minimises potential for disturbance of wildlife as a result of noise, light, vibration or other sources.	No acceptable outcome is nominated.	Not applicable – The proposed development for a boundary realignment and the uses on each lot are not changing.
PO10 Where development occurs within habitat areas (to the extent provided for by the other performance outcomes in this code): (a) fauna is safely relocated to suitable alternative locations; and (b) the sequence of habitat disturbance ensures that fauna is not isolated from adjoining areas of habitat.	No acceptable outcome is nominated.	Not applicable – The new boundary is not within an area of significant value.

North Queensland Regional Plan

The proposal site is located in the Priority Agricultural Area (PPA) mapped in the North Queensland Regional Plan (NQRP). Officers consider that the proposed development if approved, will not contribute to a net loss to overall agricultural activity or result in widespread or irreversible impacts of the PPA and therefore is considered consistent with the outcomes sought by the NQRP.

Public Submissions

Public notification was required for the development, as it is subject to impact level of assessment under the *Burdekin Shire Planning Scheme December 2022*. The applicant undertook Public Notification between 5 November 2025 to 25 November 2025, being a minimum 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.

Infrastructure Charges

Attachment C – Detailed Assessment

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.

PLANNING AND DEVELOPMENT

7.3.2. Development Application for a Development Permit for Reconfiguring a lot - Subdivision (2 lots into 4 lots) at 397 and 407 Rita Island Road, Jarvisfield, (Lot1 on RP709413 and Lot 6 on SP240074)

File Reference: RAL25/0015 234

Report Author: Kelly Reaston, Urban Planning North

Authoriser: James Stewart, Director Infrastructure Planning and Environmental Services

Meeting Date: 27 January 2026

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

PD11 Decide on development applications for new residential plumbing works development in accordance with legislative timelines.

Executive Summary

Council has received a development application seeking a Development Permit for Reconfiguring a Lot (2 lots into 4 lots) at 397 and 407 Rita Island Road, Jarvisfield, creating four (4) 'lifestyle' size lots of approximately 4,000m² and 4,200m². The land is zoned Rural under the *Burdekin Shire Council Planning Scheme 2022* (Planning Scheme), mapped as Priority Agricultural Area (PAA) and Class A and B Agricultural Land, and affected by the Flood Hazard Overlay.

The proposal represents a significant departure from the planning intent for the Rural Zone, where the minimum lot size is 30 hectares. While the subject lots are already below the minimum area to support viable rural production, this is not sufficient justification to support further subdivision of the land. The proposal will introduce an additional small lot, residential style development within an area strategically designated for agricultural production. This outcome increases the potential for land use conflict with adjoining agricultural activities and as such, fragments rural land.

While the applicant asserts the site is unproductive and unable to support meaningful agriculture, this does not satisfy the regional plan policy requirement to demonstrate a net benefit to agricultural production.

Officers acknowledge that a number of small rural lots exist along Rita Island Road and nearby localities. These lots are legacies of historic planning regimes that pre date the current policy framework. The 2022 Planning Scheme, supported by the North Queensland Regional Plan, deliberately strengthened provisions to protect agricultural land from further fragmentation and to avoid incremental encroachment of rural residential development into farming areas.

Although the site is located only five (5) kilometres from Ayr, it remains outside the township and established residential areas. More suitable locations for rural residential development exist, where land can be strategically planned and integrated with existing residential zones. Importantly, the subject site lies outside Council's reticulated infrastructure networks and would rely on bore water and on-site effluent disposal.

While this may be suitable for large rural holdings, it is not considered an appropriate or sustainable servicing standard for small lifestyle lots. Incremental approvals of this type create expectations for higher service levels in unserviced areas, placing long-term cost pressures on Council and the community to retrofit infrastructure in an unplanned way.

Supporting this proposal creates a linear pattern of small lifestyle lots along Rita Island Road. This form of subdivision is specifically what the Planning Scheme seeks to prevent, as it incrementally transforms rural roads into residential corridors without the benefit of planned infrastructure or coordinated growth management. Once established, such a pattern becomes very difficult to manage across the shire, leading to a cumulative erosion of the Rural Zone's purpose and the efficient delivery of services.

The proposal is in direct conflict with:

- The North Queensland Regional Plan 2020, which seeks to maintain and expand a prosperous and sustainable agricultural sector, and expressly states that non-agricultural development within PAAs is not supported unless it demonstrates net benefits for regional production.
- The Strategic Framework of the Burdekin Shire Council Planning Scheme 2022, which requires protection of Class A and B agricultural land and PAAs, prevents rural residential development outside designated zones, and prohibits further fragmentation of rural land below the minimum lot size.
- The Rural Zone Code and the Reconfiguring a Lot Code, which both seek to prevent fragmentation, maintain rural character and productive capacity, and avoid the creation of small rural lots inconsistent with the zone's purpose.

No overriding planning, community or economic need has been demonstrated that justifies approval despite these conflicts. The proposal cannot be conditioned to achieve compliance, and approval would undermine the integrity of the regional and local planning frameworks.

Accordingly, refusal of the application is recommended.

Officer's Recommendation

That Council refuse the proposed Development Application seeking a Development Permit for Reconfiguring a Lot (2 Lots into 4 Lots) on land described as Lot 1 on RP709413 and Lot 6 on SP240074 and located at 397 and 407 Rita Island Road, Jarvisfield, as the proposed development is in direct conflict with:

1. *North Queensland Regional Plan 2020*, in particular:

- Goal 1 – A leading economy in regional Australia
 - Regional Outcome 1.3: Maintain and expand a prosperous and sustainable agricultural sector in the region.

Regional Policy 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.

2. *Burdekin Shire Council Planning Scheme 2022*, in particular:

- Part 2 - Strategic Framework
 - 2.3.2 (1) Rural residential development occurs within areas included in the rural residential zone. New rural residential development does not occur beyond these zoned areas.
 - 2.4.1 (2) Agricultural land classification class A and B and priority agricultural areas are protected from encroachment of uses that may impact on the opportunity to enable increased agricultural production.
 - 2.4.1 (3) All land in the rural zone is protected from fragmentation as a result of the creation of small lot sizes below the minimum size nominated in the zone code.

- Part 4 – Zones
 - 4.2.9 Rural Zone Code
 - The Purpose Statement
 - Overall Outcomes 2(a), 2(d), 2(e), 2(g).
 - Performance Outcomes PO16, PO18, PO19, PO23, PO39.
 - Part 6 – Development Codes
 - 6.2.2 Reconfiguring a Lot Code
 - Overall Outcomes 2(a), 2(b), 2(d), 2(e), 2(g).
 - Performance Outcomes PO10, PO12, PO16.
3. There are no other relevant matters applicable to the application, including the existence of planning, economic or community need, that justify approving the application despite these conflicts.

Background

Proposal

The application seeks a Development Permit for Reconfiguring a Lot (2 Lots into 4 Lots) on the site at 397 and 407 Rita Island Road, Jarvisfield (Lot 1 on RP709413 and Lot 6 on SP240074).

The proposal is to subdivide the two (2) existing lots to create four (4) lots with frontage to Rita Island Road (Attachment B).

Table 1: Development Proposal.

Existing Lots			Proposed Lots		
Lot	Area	Frontage	Lot	Area	Frontage
1	9,571m ²	101m (Ivanhoe Road) 152m (Rita Island Road)	1	4,000m ²	101m (Ivanhoe Road) 73m (Rita Island Road)
6	6,630m ²	73m (Rita Island Road)	2	4,000m ²	56m (Rita Island Road)
			3	4,000m ²	56m (Rita Island Road)
			4	4,200m ²	41m (Rita Island Road)

Lots 1 and 6 both contain Dwelling Houses, with Lot 1 also containing existing outbuildings. Both lots are serviced by separate septic systems, a bore and electrical connections and have crossovers and access driveways to Rita Island Road.

As a result of the proposed development, Lot 4 will retain the existing dwelling and services currently contained in Lot 6.

The existing dwelling and all associated outbuildings on Lot 1 will be demolished to provide for the future development of Proposed Lots 1-3. New accesses will be constructed for Lots 1 and 4, with the existing driveway crossovers located at the frontages of Proposed Lots 2 and 3.

Proposed Lots 1-3 will require new on-site water and sewerage treatment systems and will also require individual connections to electrical and telecommunications networks. Electricity infrastructure exists along Rita Island Road therefore it is anticipated that the development will be able to achieve connection to this service.

Subject Site

The subject site is located at 397 and 407 Rita Island Road, Jarvisfield approximately five (5) kilometres southeast of the Ayr town centre.

The land is formally described as Lot 1 on RP709413 and Lot 6 on SP240074 and is freehold. The lots are generally regular shaped allotments and have a combined area of 16,201m². The site has frontages to Ivanhoe Road and Rita Island Road on the north-western and south-western boundaries respectively. Access is provided to Rita Island Road only at two (2) locations.

The site 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 (0-5 and 5-20m contour);
- Agricultural (Agricultural Land (Classes A and B and Priority Agricultural Area); and
- Flood hazard overlay map (River flood hazard – Burdekin River (medium hazard)).

Surrounding Land Uses

The surrounding area has several rural holdings that exceed 30ha, with some small lots around existing Dwelling Houses. There is an existing form of residential/ lifestyle strip development approximately 1.2km further south-east of the site, along Anabranh Road.

Information Request

On 2 October 2025, Council issued a Request for Further Information to properly assess this application. The response from the applicant was received on 13 November 2025. The information requested, the applicant's response together with the Officer's comment are summarised below in Table 2.

Table 2 Information Request and Response Summary:

Information Requested	Applicant's Response (summary)
<p><u>Justification for conflict with the 2022 Burdekin Shire Council Planning Scheme - Strategic Framework and Rural Zone Code</u></p> <p>The proposed development results in four (4) rural lots approximately 4,000m² each in area, which is significantly below the minimum lot size of 30 hectares prescribed for new lots created in the Rural Zone.</p> <p>The application does not currently provide sufficient planning grounds to demonstrate how the proposed reconfiguration:</p> <ol style="list-style-type: none"> 1. Aligns with the Strategic Framework, in particular the intent to protect productive rural land and avoid further fragmentation; and 2. Satisfies the Purpose and Overall Outcomes of the Rural Zone Code, which seek to avoid subdivision of rural zoned land for 'rural residential' or 'lifestyle' purposes, which are considered to compromise the ongoing use of land for rural or agricultural purposes. <p>Council requests detailed planning justification is provided that addresses the following:</p> <ul style="list-style-type: none"> • Demonstration that the site is genuinely unsuitable for productive rural or agricultural use, and evidence that the land has historically not been used for such purposes. • Explanation of how the proposed lot sizes are consistent with, or complement, the rural character and agricultural function of the surrounding area. 	<ul style="list-style-type: none"> • <i>The applicant acknowledges that the development proposal involves some inconsistencies with certain provisions of the Planning Scheme. These matters have been identified and addressed in the original application but have been further embellished below. Specifically, that the proposal warrants consideration on the basis that the productivity of agricultural land will not be impacted by the development as the subject land is not able to facilitate functional agricultural activities. As such, there is no impact or change to the productivity of agricultural land as a result of the development.</i> • <i>The development will have a direct social benefit for the community in that it will facilitate the provision of additional vacant land at a time of significant under supply that can provide for the desired lifestyle characteristics typical of Burdekin Shire residents. The land is highly accessible, can be fully serviced and does not involve any environmental hazards that cannot be effectively mitigated.</i> • <i>There is an established and engrained community expectation within the Burdekin for development of this nature to occur.</i>

Information Requested	Applicant's Response (summary)
<ul style="list-style-type: none"> • Discussion of how the proposal maintains or enhances the capacity of the rural zone to support rural uses in the long term. • A needs assessment prepared by a suitably qualified professional (e.g. Economist; Registered Professional Valuer) which justifies the creation of lots in the Rural Zone that appear more consistent with a lot size found in the Rural Residential Zone, and in this locality. <p>This justification should reference specific provisions of the Burdekin Shire Planning Scheme, Strategic Framework, and Rural Zone Code, and explain how any identified conflict is outweighed by relevant planning need or other grounds.</p>	<ul style="list-style-type: none"> • <i>Regardless of how the land and lots have been used over the history of their existence, as they exist right now, they clearly do not allow for the genuine operation of rural or agricultural activities. This is objectively evident through even a cursory investigation of the site.</i> • <i>The existing lots are clearly an established element of the landscape as is evident through the time of occupation and the progressive evolution of established built form, services and infrastructure in the immediate area.</i> • <i>Jarvisfield, and indeed other urban fringe suburbs around Ayr, is characterised by small pockets of acreage sized lots grouped together at key road network and service nodes. The subject site forms part of one of these unique groupings. The subdivision does not seek to expand the footprint of this grouping, but to achieve a more efficient lot layout within it while also ensuring lot sizes remain generally consistent in size. In this way, the proposal is consistent with the established and expected rural character of the area. Matters relating to impacts on agricultural function have been addressed in detail in the other sections of this response.</i>
<p>Officer's Comment</p> <ul style="list-style-type: none"> • Whether the current lot is actively farmed or not is not the applicable benchmark in the Rural Zone. The Planning Scheme expressly seeks to avoid further subdivision for lifestyle purposes and to protect rural land from fragmentation. Increasing the number of small, sensitive receivers adjacent to working farms heightens reverse amenity risk (noise, dust, odour, spray drift) and land use conflict over time. • Citing nearby historic small lots in Jarvisfield does not demonstrate scheme compliance. Those lots are legacy outcomes of previous planning frameworks. The current scheme strengthened rural protection and minimum lot sizes to prevent further ribbon/strip outcomes in line with the Regional Plan and state planning policies. • The applicant states that the fact the land is zoned rural but unable to be used for such purposes should form a relevant matter in the assessment of the application. This is not a reasonable justification as zoning is intended to reflect Council's future intention for 	

Information Requested	Applicant's Response (summary)
	<p>the use of land, not the current activity occurring, as reflected in the clear statements where the village of Jarvisfield is retained in the Rural Zone as Council does not support further urban development in this area.</p> <ul style="list-style-type: none"> • The submission does not address the cumulative effect of repeating this format on many similarly sized frontages in the locality. Cumulative risk is a relevant matter for consideration in this assessment. • The submission relies on a community benefit being provided in response to a housing supply shortage. This is market preference, not a demonstrated planning need that would outweigh clear policy conflict. A planning "need" case should show that similar housing outcomes cannot be delivered in appropriately zoned or strategically supported locations; the response fails to demonstrate this. • The site sits outside Council's reticulated infrastructure networks. Reliance on bore water may be appropriate for larger rural holdings, but it is not an appropriate service standard for residential lots. Incrementally adding such lots along a rural road corridor creates future expectations for higher service levels or extensions, with associated lifecycle costs and inefficiencies. • Asserting that there is no loss of agricultural production on this single holding does not address the wording of the regional policy. The NQRP's PAA outcomes seek to maintain and improve agricultural function and avoid incremental residentialisation pressures within rural landscapes. <p>The response does not resolve the key issues identified in Council's Information Request. It relies on legacy lot patterns, market preference, and site-specific viability rather than demonstrating consistency with the Strategic Framework and Rural Zone Code or establishing an overriding economic or community need to justify a clear departure.</p>

Public Notification

The applicant undertook Public Notification between 20 November 2025 and 12 December 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 2022* 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 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's Comment

The NQRP benchmarks expect that development will not contribute to a net loss to overall agricultural activity or result in widespread or irreversible impacts of the PAA. The proposed development does not comply with the benchmarks specified for development in the PAA. The proposal does not demonstrate a net benefit for regional agricultural production and increases the number of residential land uses in the locality which increases the risk of land use conflicts with established Priority Agricultural Land Uses (PALUs).

Further, the proposed development conflicts with Regional Policy 3.1.1 as the proposal is for an urban style development outside of the regional centre that does not support the consolidation of urban areas.

Detailed Summary

Planning Assessment Summary

Impact assessable development applications are assessable against the whole of the planning scheme and other applicable planning instruments, any other relevant matters and on their individual merit.

Based on the assessment of the development application, Council Officers consider that the proposed development must be recommended for refusal for the reasons outlined above.

Infrastructure Charges

An Infrastructure Charges Notice is not issued if a development application is refused.

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 20 January 2026.

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.

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

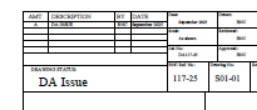
1. Attachment A - Locality Site and Approved Plan - RAL25 0015
2. Attachment B - Detailed Assessment - RAL25 0015

Attachment A – Zone, Locality and Proposal Plan





	Low Density Residential		Environmental Management and Conservation		Rural
	Low-medium Density Residential		Industry		Rural Residential
	Centre		Community Facilities		Township
	Recreation and Open Space		Emerging Communities		



Attachment B – Detailed Assessment

Assessment Summary

Based on the assessment of the development application, Council officers have determined that the development conflicts with the outcomes of the Burdekin Shire Planning Scheme and there are not sufficient grounds to support the proposal despite the conflicts.

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		4 September 2025
1.1	Application deemed properly made		5 September 2025
1.2	Confirmation Notice issued	10 days (from 1.1)	18 September 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 requested an extension to the Information Request response	3 months (from 3.0)	Not applicable
3.2	Applicant responded to Information Request	Within 3 months (from 3.1) 3 months extension provided	13 November 2025
4.0	Public Notification commences	20 days (from 3.2)	20 November 2025
4.1	Public Notification completed (no submissions received)	Min. 15 business days	12 December 2025
4.2	Notice of compliance with Public Notification received	10 days (from 4.1)	18 December 2025
5.0	Decision making period starts	1 day (after last applicable)	19 December 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)	2 February 2026
Council Meeting			27 January 2026

ASSESSMENT TIMEFRAMES

Application Process		Timeframe	Date
5.2	Issue Decision Notice	5 days (after decision is made)	3 February 2026

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 Regulation 2017*.

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

Development	Zone	Overlays	Assessment Benchmarks
Reconfiguring a Lot – Subdivision (2 lots into 4 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 (Medium Hazard) 	<p>The following assessment benchmarks are applicable in the assessment of the development application:</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 (4) themes that collectively represent the policy intent of the Planning 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 subdivision of existing small rural-zoned lots into rural residential size allotments, in close proximity to the village of Jarvisfield. The proposal conflicts with the Strategic Outcome 2.3.1(4) and 2.3.2(1) as it seeks to increase the number of lots near the Jarvisfield village for rural residential style development on rural land.

The proposed lots are directly adjacent to agricultural activities, and the development will not provide buffering from spray drift, noise, smoke or other sources of rural nuisance. The proposal is located on land mapped as being Class A1 Agricultural Land. While the existing lot sizes impact the viability of any agricultural production being undertaken on the site, this is not sufficient justification to support further fragmentation and intensification of development on the site.

Further, the site is wholly mapped as being subject to medium flood hazard and the proposal will increase the number of people and properties at risk during a flood event.

As a result of the rural zoning, non-compliance with the minimum lot sizes for reconfiguration, and rural residential nature of the development, the proposed development is considered to conflict with the policy direction and intent of the Planning Scheme.

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 is not considered to align with the purpose of the Rural Zone Code as the existing and proposed lots provide limited opportunity for any rural uses or activities to occur. In addition, the proposed subdivision layout is rural residential in nature and will increase the number of dwellings in this locality, resulting in additional encroachment on surrounding rural land uses.

All existing and proposed lots are well below the 30ha minimum lot size specified for the zone.

Attachment B – 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: (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.	Complies No non-residential land uses are proposed on site. The application states that the existing dwelling and associated outbuildings on Lot 1 will be demolished to facilitate the proposal.
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 services and access for the dwelling house on Proposed Lot 4. New on-site service connections and road access will be required to service Proposed Lots 1-3. If approved, conditions can be applied to ensure services and access are provided to a suitable standard.

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).	Complies The site is not located 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 20m ² 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. Editor's note—Stock routes are shown on overlay map OM2.	AO13 Development is not located within a stock route network.	Not Applicable.

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
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. 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	No acceptable outcome is nominated	The proposal is a subdivision of two (2) existing small rural lots. The lots have limited productive capacity and are not currently accommodating any agricultural land uses. However, the proposal will increase the density of residential land uses in the area which increases the risk of land use conflict with surrounding rural properties that could result in future losses.

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
resources necessary to maintain the function of the land.		
PO17 Development occurs on the least productive part of the site.	No acceptable outcome is nominated	The entire site is mapped as being Class A Agricultural Land. While the existing lot size limits viable agricultural production, this does not justify the proposal to further fragment Class A Agricultural Land.
PO18 Development does not prejudice the ongoing operation, intensification or expansion of nearby farming activities.	No acceptable outcome is nominated	The proposal will increase the density of residential land uses in the area which increases the risk of land use conflict with surrounding rural properties and prejudices expansion of these uses.
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	No buffering is provided or available within the proposed lots to protect future residences from rural nuisance.
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	An existing cane tram line is located within Ivanhoe Road. The proposal will allow for the establishment of two (2) additional lots in close proximity to the key regional infrastructure.
PO21 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.	No acceptable outcome is nominated	Not Applicable The site is not in proximity to a mapped stock route.

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
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 The site is located 1km north of the Jarvisfield village precinct.
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	Does not Comply The proposal will create four (4) rural residential style allotments with areas of approximately 4,000m ² each in the Rural Zone. This is significantly below the minimum 30ha lot size and is considered to be an ad hoc extension to the Jarvisfield village, where subdivision is also not supported by PO22.
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 the management of the land or the protection of its environmental values without increasing the number of lots.	No acceptable outcome is nominated	Not Applicable

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
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.		
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.	The proposal is for a rural residential style subdivision that will create up to three new dwellings in the locality. This is not considered to be in keeping with the rural landscape character of the area.
PO40 Development minimises the loss of existing vegetation and earthworks on the site.	Development is conducted within an existing cleared area.	The proposal will result in the clearing of non-remnant vegetation on site. Limited earthworks are proposed.
PO41 Development minimises impacts on the natural environment and maintains habitat areas and corridors.	No acceptable outcome is nominated.	The site is not mapped as being in proximity to areas of environmental significance.
PO42 Landscaping is provided to screen views from surrounding roads and neighbouring sites.	No acceptable outcome is nominated.	The proposal is a subdivision only. No landscaping is proposed to buffer the rural residential allotments from adjoining agricultural land.

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.	The proposal is for the establishment of four (4) rural residential allotments that would place additional buffering burden on adjoining lots if new assessable development was proposed.
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.	The proposal is a rural residential subdivision that is not expected to generate significant emissions.
PO45 Development does not impact on public health or safety.	No acceptable outcome is nominated.	The proposal is a rural residential subdivision that is not expected to impact on public safety.
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.	The site is not in proximity to any identified 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 the site wholly mapped within the medium flood hazard category. The proposal intensifies residential occupation on the site and no building envelope can be accommodated that is outside the flood hazard area. Therefore, the proposal will increase the number of people accommodated in a medium hazard area that may require evacuation in a flood event. The development is also not in keeping with the intended in the Rural Zone.

No earthworks are currently proposed that would alter flood storage capacity or conveyance.

5.2.5.3 Specific benchmarks for assessment

Table 5.2.5.3–Benchmarks for assessable development

Performance outcomes	Acceptable outcomes	Comments
Compatible development		
P01 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.
P02 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.	No acceptable outcome is nominated.	Not Applicable The proposal is not for a vulnerable use.
P03 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.	The proposal is not for a dual occupancy or intensive residential use. However, the proposal will create accepted development rights to establish two (2) additional dwelling houses in the medium flood hazard area of the Rural Zone.
P04 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.

Performance outcomes	Acceptable outcomes	Comments
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.	The proposal will create accepted development rights to establish two (2) additional dwelling houses in the medium flood hazard area of the Rural Zone. The development will intensify occupation of a flood hazard area and thereby increase the number of people accommodated PO16 or requiring evacuation from the 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.
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

Performance outcomes	Acceptable outcomes	Comments
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.	If approved, any future dwelling will be required to be constructed above the Defined Flood Level and remain structurally sound during a Defined Flood Event.
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.
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.	If approved, any future dwelling will be required to be constructed above the Defined Flood Level.
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.	The entire site is mapped as being subject to medium flood hazard. No building envelope can be accommodated that is above the defined flood level.

Performance outcomes	Acceptable outcomes	Comments
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 All lots have access Rita Island Road that is mapped as being subject to medium flood hazard at the property frontage.
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.
PO18 Adequate provision is made for safe evacuation, response and recovery during a flood event.	No acceptable outcome is nominated.	Complies All lots have access Rita Island Road that is mapped as being subject to medium flood hazard at the property frontage.

ASSESSMENT
APPLICABLE ASSESSMENT BENCHMARKS
6.2.2 Reconfiguring a lot code
6.2.2.1 Application <p>(1) This code applies to development identified as requiring assessment against the Reconfiguring a Lot code by the tables of assessment in part 3.</p> <p>(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>
6.2.2.2 Purpose and overall outcomes <p>(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.</p> <p>(2) The purpose of the code will be achieved through the following overall outcomes:</p> <ul style="list-style-type: none"> (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 proposal is for a rural residential subdivision that conflicts with the intended outcomes for the Rural Zone. The proposal creates new lots for residential purposes outside the urban footprint and is not in keeping with the density intended for the zone. The subject site lies outside Council's reticulated infrastructure network and would rely on bore water and on-site effluent disposal. While this may be suitable for large rural holdings, it is not considered an appropriate or sustainable servicing standard for small lifestyle lots.

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 subdivision. While the proposal creates new lots, it is not considered to establish a new neighbourhood.
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; (c) an urban drainage system integrated with the open space and pathway network and major streams; and	No acceptable outcome is nominated.	Not Applicable The proposal is a rural subdivision. While the proposal creates new lots, it is not considered to establish a new neighbourhood

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
(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 subdivision. While the proposal creates new lots, it is not considered to establish a new neighbourhood.
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.	The proposal is a rural subdivision and is not considered to establish a new neighbourhood. However, the proposed lots do not incorporate any separation from adjoining agricultural land uses.
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 subdivision. While the proposal creates new lots, it is not considered to establish a new neighbourhood.
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 is a rural subdivision only. No new streets are created.

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
PO7 The subdivision layout retains significant habitat areas and ecological corridors.	No acceptable outcome is nominated.	Not Applicable No habitat areas or ecological corridors are in place on the 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 No identified waterways are in proximity to the 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; (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 street and accommodate all ancillary components of the use.	AO10 Minimum frontage and lot size occurs in accordance with table 6.2.2.3(b), unless stated otherwise in a zone code.	The proposal is for a rural residential subdivision in the Rural Zone and does not meet the minimum lot size and frontage requirements of the Rural Zone. The subdivision is not supported in the Rural Zone Code. The site and dimension of the lots is more suitable for the rural residential zone and the lots are not capable of accommodating viable agricultural land uses.

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
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.	The proposal will create two (2) new lots in the Rural Zone. The application states that one (1) existing dwelling will be demolished to accommodate the proposed subdivision and therefore does not relate to the separation of an existing lawful dwelling house. The development therefore does not comply with the Performance Outcome.
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.	Not Applicable
PO14 New lots are not created in the environmental management and conservation zone.	No acceptable outcome is nominated.	Not Applicable.

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
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 All lots will have frontage to a constructed road.
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.	The subject site lies outside Council's reticulated infrastructure network and would rely on bore water and on-site effluent disposal. While this may be suitable for large rural holdings, it is not considered an appropriate or sustainable servicing standard for small lifestyle lots.
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. AO17.2 Underground electricity service is provided to all new lots in an urban zone.	Not Applicable The site is located in the Rural Zone.

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
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 No new roads are proposed or required.
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 In all new development where an underground electricity service is provided, underground mains service street lighting.	

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
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	The proposal does not identify any proposed earthworks that would alter the hydrological characteristics of the site. However, the proposal is for rural residential style lots that will provide accepted development rights for the establishment of Dwellings and outbuildings that can also include exempt earthworks.
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	
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; 	No acceptable outcome is nominated	Stormwater drainage can be accommodated on site.

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
(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.		

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****6.2.1 Development works code****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.

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:
- (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:
 - (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.

Officers Comment

The proposed development is generally consistent with the purpose and overall outcomes of the development works code.

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 and no earthworks or filling is proposed as part of this application.
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: <ul style="list-style-type: none"> (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 proposed 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.	The proposal is a rural subdivision and, if approved, all new lots will be required to provide adequate on site 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: <ul style="list-style-type: none"> (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 No earthworks are proposed as part of this application.
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: <ul style="list-style-type: none"> (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. 	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
<p>Editor's note—Where works are proposed within the areas identified as potential acid sulfate soils on overlay 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.</p>	<p>AO22.2 Development manages waters so that:</p> <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		
<p>PO23 The development is located on roads appropriate for the nature of traffic generated, having regard to the safety and efficiency of the transport network, and the functions and characteristics of the road hierarchy. Note—The road hierarchy is illustrated in Figure 6.2.1.3 of the Development works code.</p>	No acceptable outcome is nominated.	<p>The proposal is for a rural residential style subdivision utilising rural roads. The proposal increases the number of residential vehicle movements in a rural area, increasing risk for conflict.</p> <p>No new roads are proposed.</p>

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
PO24 Development maintains a safe environment for pedestrians, cyclists and vehicles on the site and external to the site.	No acceptable outcome is nominated.	
PO25 Development has vehicle access and manoeuvring sufficient to accommodate the anticipated traffic demand and servicing requirements safely and efficiently.	AO25 Circulation areas, turning areas and driveways comply with Australian Standards AS2890.1 and AS2890.2, as amended from time to time.	
PO26 Development (other than dwelling houses and dual occupancies) are designed to enable vehicles to enter and leave the site in a forward direction	AO26 Circulation areas, turning areas and driveways comply with Australian Standards AS2890.1 and AS2890.2, as amended from time to time.	
PO27 Development provides sufficient parking on-site to accommodate the anticipated demand safely and efficiently.	AO27 Vehicle parking is provided in accordance with table 6.2.1.3(e)–Vehicle parking rates and standards. Where the use is not nominated in table 6.2.1.3(e), no acceptable outcome is nominated.	
PO28 On-site parking is clearly defined, safe and easily accessible.	AO28 Parking areas comply with Australian Standards AS2890.1 and AS2890.2, as amended from time to time.	
PO29 Open parking spaces are designed and constructed to facilitate stormwater infiltration on-site.	No acceptable outcome is nominated.	
PO30 Transport noise impacts are managed by the siting and design of development so that the need for acoustic screening is minimised.	No acceptable outcome is nominated.	

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
PO31 Where they are used, acoustic walls are designed to mitigate visual impacts.	No acceptable outcome is nominated.	
PO32 Lighting is provided to ensure pedestrian and vehicle safety.	No acceptable outcome is nominated.	
Landscaping		
PO33 - PO34	No acceptable outcome is nominated.	Not applicable The proposal is a rural subdivision. No new landscaping is proposed.
Waste and pollutant management		
PO35 - PO37	No acceptable outcome is nominated.	Not applicable The proposal is a rural subdivision and waste collection and storage will be managed in accordance with relevant requirements.
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 that development will not contribute to a net loss to overall agricultural activity or result in widespread or irreversible impacts of the PAA. The proposed development does not comply with the benchmarks specified for development in the PAA. The proposal does not demonstrate a net benefit for regional agricultural production and increases the number of residential land uses in the locality which increases the risk of land use conflicts with established Priority Agricultural Land Uses (PALUs).

Further, the proposed development conflicts with Regional Policy 3.1.1 as the proposal is for an urban style development outside of the regional centre that does not support the consolidation of urban areas.

Public Submissions

The application was publicly notified between 20 November 2025 and 12 December 2025, being a period of at least 15 business days, as per the relevant requirements of the *Planning Act 2016*.

No submission (properly made or otherwise) was received during the public notification period.

Infrastructure Charges

An Infrastructure Charges Notice is not issued if a Development Application is refused.

PLANNING AND DEVELOPMENT

7.3.3. Development Application for a Development Permit for Reconfiguring a Lot - Boundary Re-alignment (2 lots into 2 lots) and Access Easement at 374 and 384 George Road, Clare (Lot 176 and Lot 186 on RP855268 and Lot 317 on GS638)

File Reference: RAL25/0018 234

Report Author: Kelly Reaston, Urban Planning North

Authoriser: James Stewart, Director Infrastructure Planning and Environmental Services

Meeting Date: 27 January 2026

Link to Corporate/Operational Plan:

Burdekin Shire Council Corporate Plan 2025-2030

- Support strategic projects that will contribute to livability 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 an impact assessable development application lodged by Brazier Motti on behalf of applicant, Peter Hall. The application seeks a Development Permit for Reconfiguring a lot to facilitate a boundary realignment of two (2) Lots into two (2) lots and an access easement described as lot 176 and Lot 186 on RP855268 and Lot 317 GS638 located at 374 and 384 George Road, Clare. All lots that form part of the application are in the Rural zone.

Officer's Recommendation

That Council approve the development application for a Development Permit for Reconfiguring a Lot – Boundary Realignment 2 lots into 2 lots) on land described as Lots 176 and 186 on RP855268 located at 374 and 384 George Road, Clare, and an Access easement on land described as Lot 317 on GS638, subject to reasonable and relevant conditions as set out in Attachment A.

Background

Officer's Summary

Proposal

The applicant is proposing to realign the existing boundaries of both Lot 176 and Lot 186 on RP855268 and for an easement to be placed over Lot 317 on GS638 for the purpose of access. The following configuration is proposed for the development:

- Proposed Lot 1 is being increased by 2,666m² in size from 2,943m² to 5,609m²
- Proposed Lot 2 is being decreased in size from 396,900m² (39.69 ha) to 394,234m² (39.5ha)
- Access Easement is for the full frontage of proposed Lot 1 and has an area of 943m²

Proposed Lot 2 contains the main farming operations and has an associated Dwelling House, located to the north of the canal.

Proposed Lot 1 seeks to obtain 2,666m² from proposed Lot 2 to rectify a current encroachment of a domestic shed and garden area. Existing Lot 317 is not changing in size or configuration but will be burdened by an access easement in favour of proposed Lot 1 which will formalise the existing access arrangements that are occurring.

The proposal plan [Plan No. 57263/001 B] prepared by Brazier Motti is provided at Attachment B.

The planning report submitted with the application states that ...*"Specifically, the proposal seeks to realign the common boundary of the two (2) lots to increase the size of Lot 176 in order to fully contain the house, shed and lines of trees to the west and south, on one (1) title. Because the site in its current form is land locked, an access easement in Lot 317 on GS638 is to be established to formalise lawful access rights to the constructed road."*

Post approval, the existing land uses will remain as is, unchanged from the current arrangements. Proposed Lot 2 will remain as the rural industry lot, with proposed Lot 1 remaining as a dwelling house lot with domestic outbuildings. The existing dwelling house on proposed Lot 1 has a circular driveway with two (2) access points onto George Road. Post approval, the access easement will be located along the full frontage of proposed Lot 1 to cater for the existing access points and manicured garden area.

No change to the existing infrastructure arrangements currently servicing the properties is proposed.

Subject Site

A locality plan is provided at Attachment B. The subject site is located approximately 1km southwest of the Clare township centre.

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

- Agricultural (Agricultural Land (Classes A and B and Priority Agricultural Area))
- Flood hazard overlay map (River flood hazard – Dalbeg, Millaroo and Clare (low-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 5 November 2025 and 25 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 (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's 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 realignment does not conflict with the objectives of the NQRP nor does it introduce any incompatible non-agricultural land 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 the assessment benchmarks particularly noting that:

- Development does not create any new lots that could contribute to a net loss to overall agricultural productivity within the PAA; and
- Development does not result in widespread or irreversible impacts to the future use of a 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.

A detailed assessment has been completed (refer Attachment C) with a summary provided below in the below table (Table 1.):

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	<p>As only a boundary realignment of the common boundary of two (2) existing rural zoned parcels of land and an access easement is proposed, the proposal is considered to comply with the relevant intention sought by the Strategic Framework, as it does not increase the number of lots, creates lawful access and is required to rectify a small encroachment, with no change to the agricultural viability of the land expected as a result.</p> <p>The relocation of the common boundary is to increase the size proposed Lot 1 by 2666m² however the land being obtained is currently free of cropping activities and currently contains a row of trees which acts as a buffer between the existing dwelling and the cropping activities. The change in boundary will result in the existing row of vegetation being wholly located in proposed Lot 1 which is retaining the existing Dwelling House and associated structures.</p> <p>The existing operations of both lots will continue to operate after the application with no changes to existing operational arrangements proposed.</p>

2022 Planning Scheme Provision	Proposal/Officer Comment
	The associated access easement is to ensure that proposed Lot 1 obtains a lawful access point from a constructed road which will rectify the current landlock situation that is currently occurring for existing Lot 176 on RP855268.
Rural Zone Code	Proposed Lot 1 will remain less than the 30.0ha minimum area requirement if approved. However, this lot is already below 30ha and has an existing area of 2,906m ² . The boundary realignment seeks to increase this lot slightly by 2666m ² and obtain this area from the adjoining farming lot (proposed Lot 2). The area being incorporated into proposed Lot 1, is an area that is not used for agricultural purposes currently and therefore rural production is not reduced by the proposed boundary realignment. Overall, the proposal is considered to generally achieve the outcomes sought by the Rural Zone Code.
Development Works Code	There are no changes to the existing servicing provided on each respective lot nor are there any earthworks proposed. An access easement is proposed however this is to formalise an existing arrangement and rectify a current landlocked lot, identified as existing Lot 176. Overall, the proposal of a boundary realignment and access easement is considered to be generally consistent with the relevant requirements of the Development Works Code.
Reconfiguring a Lot Code	<p>Proposed Lot 1 does not comply with the minimum lot size requirement in the Rural Zone (being 30.0ha for each lot created).</p> <p>However, it should be noted the current lot size of Lot 176 (proposed Lot 1), is less than 30.0ha and the proposed development is only a minor boundary realignment to rectify an encroachment of an existing structure and formalise access to George Road. No new lots are to be created and although an access easement is proposed, this is to formalise an existing arrangement.</p> <p>Therefore, despite the non-compliance with lot size requirements for proposed Lot 1, Officers consider that the realignment does not propose significant layout changes and can be recommended for approval despite this non-compliance.</p>
Overlay Codes <ul style="list-style-type: none"> • Flood Hazard Overlay Code • Regional infrastructure overlay code 	<p>The site is mapped as:</p> <ol style="list-style-type: none"> 1. being subject to low and medium and extreme flood hazard inundation in a river flood event; and 2. Only Lot 317 GS638 is within the Regional Infrastructure overlay, and the proposed access easement is to be located within this in favour of proposed Lot 1 (existing Lot 176). <p>As the proposal is a realignment only of a common boundary and an access easement to formalise an existing arrangement and as there are minimal changes to the current layout, these overlays are not affected by, the new layout proposed if approved.</p>

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

Infrastructure Charges

Reconfiguring a Lot is a development type which can trigger infrastructure charges to be applied as per Council's Charges Resolution. However, as this application is for a boundary realignment and no additional lots are being created, an Infrastructure Charges Notice will not be issued.

Consultation

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

The application was workshopped with the Mayor, Councillors and Executive Leadership Team on 20 January 2026.

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 Council's 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.

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 - RAL25 0018
2. Attachment B - Locality Plan - RAL25 0018
3. Attachment C - Detailed Assessment - RAL25 0018

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.		
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 Boundary Realignment - Lots 1 and 2, cancelling Lots 176 and 186 on RP855268 and Access easement in Lot 317 on GS638 – Brazier Motti Pty Ltd		57263/001 Revision B	7 October 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.		
4. Services and Infrastructure Provision			
Confirmation of Existing Services		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.
4.1	The existing services for each lot must be contained within the individual allotments.		
5. Access and Roadworks			
Roadworks		To provide appropriate access in accordance with relevant code/s and policy direction.	Prior to the issuing of a Development Permit for Building or Operational Works.
5.1	The construction of any additional crossovers to give access to the land is the owner's responsibility.		

Attachment A – Recommended Conditions of Approval

Condition	Reason	Timing
5.2 An application must be made to and approved by Council before the construction of any additional access crossovers.		
5.3 Approved crossovers must be constructed in accordance with requirements of the approval to the satisfaction of Council.		
6. 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.	To ensure that stormwater does not adversely affect surrounding properties or properties downstream from the development.	At all times

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 indemnity and save the council harmless in respect of any claim so arising.
4. 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 <i>Environmental Protection Act 1994</i> .
5. Earthworks Earthworks are not approved as part of this Development Permit. If any earthworks are required and deemed assessable development, an operational

Attachment A – Recommended Conditions of Approval

works development application is to be lodged with Council for assessment in accordance with relevant code/s and policy direction.

6. Reticulated Water Infrastructure

The proposed lots are unable to be connected to Council's reticulated water supply.

7. Miscellaneous

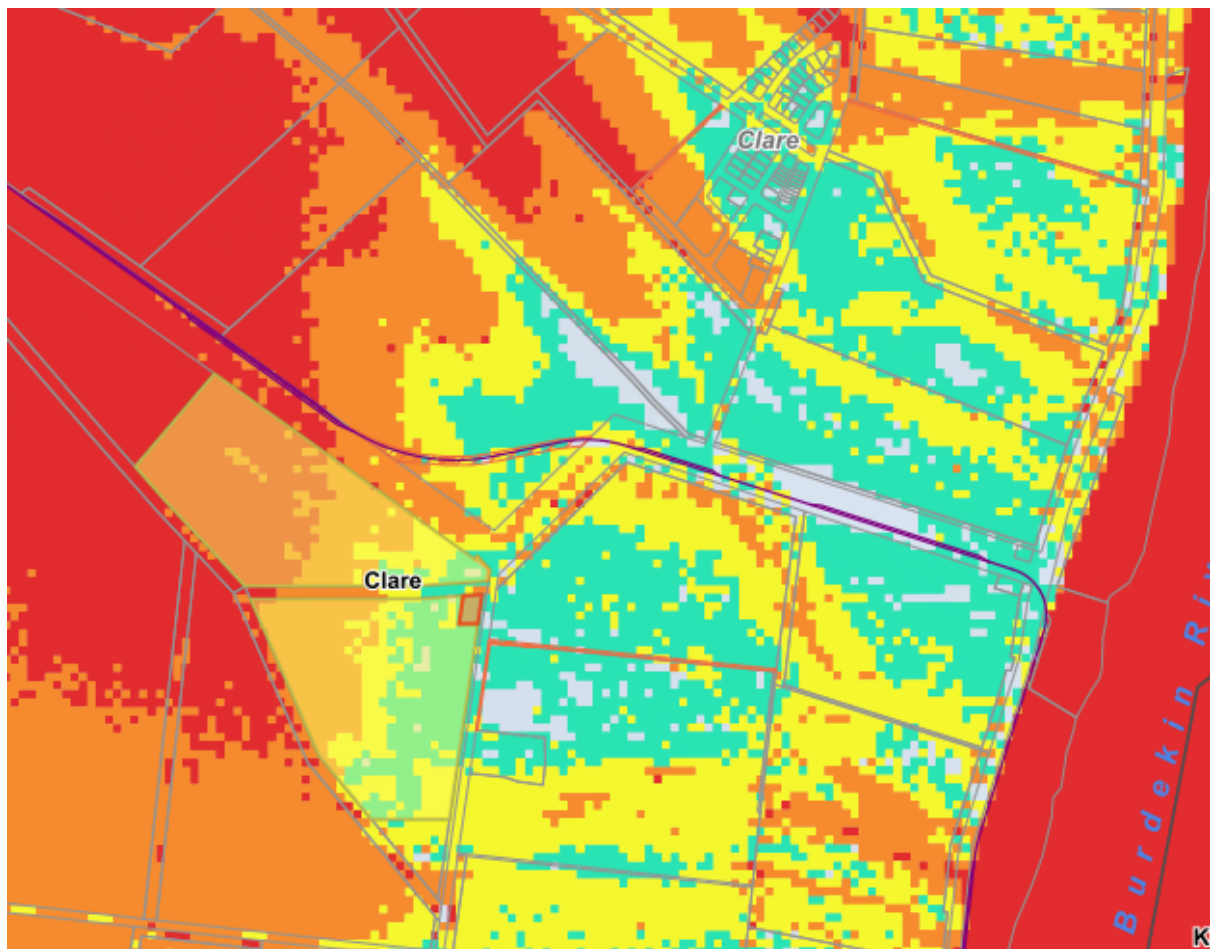
The Applicant is reminded of their obligations under the *Aboriginal Cultural Heritage Act 2003* and the *Torres Strait Islander Cultural Heritage Act 2003*. Further information and databases are available from the Department of Aboriginal and Torres Strait Islander Partnerships at: www.datsip.qld.gov.au.

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.





River Flood mapping



LEGEND

Overlay Map 07a - Flood River Hazard and QRA

River Flood Hazard

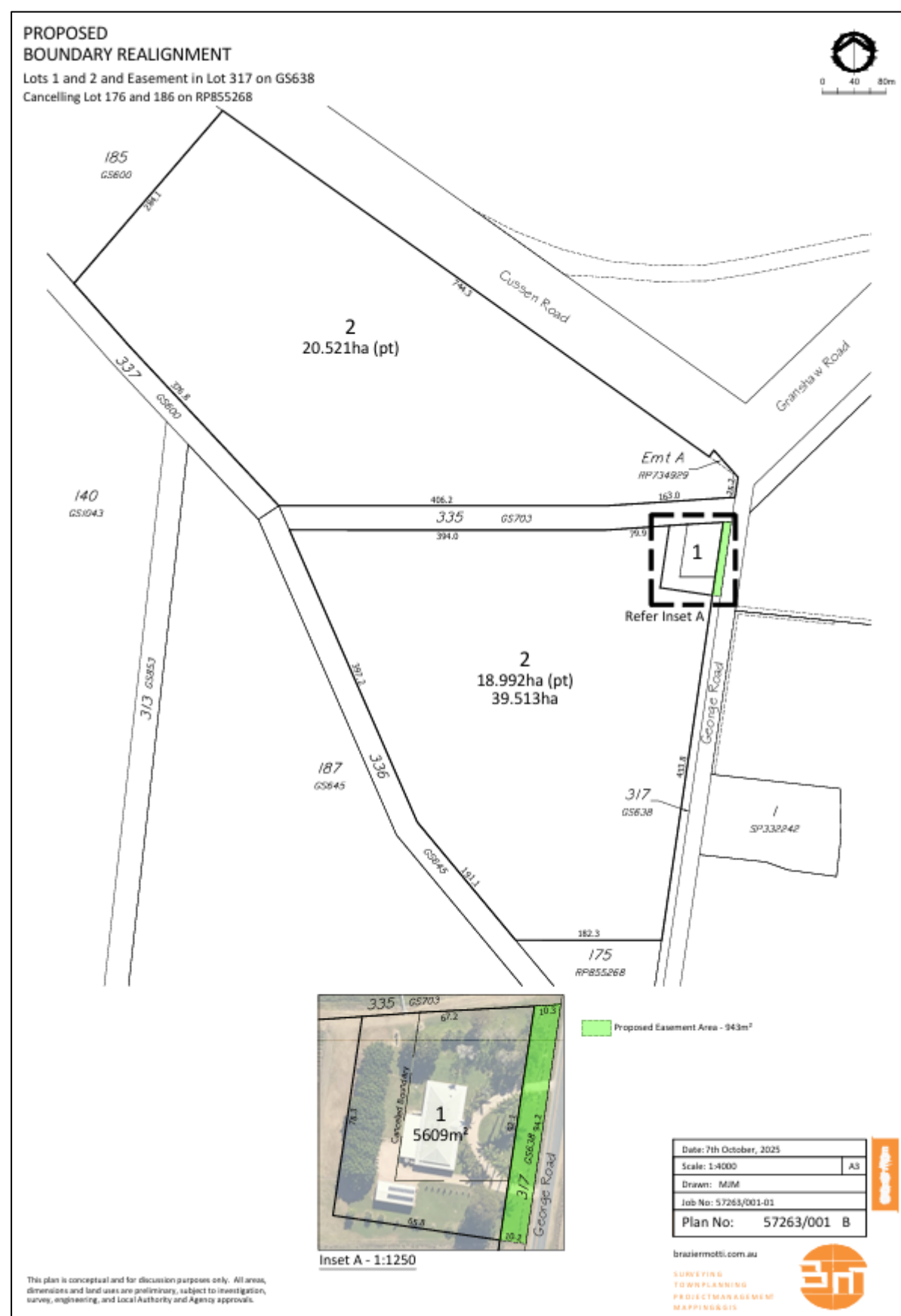
Low Hazard

Medium Hazard

High Hazard

Extreme Hazard

Attachment B – Locality Plan, Site Aerial & Proposal plan



Attachment C – Detailed Assessment

Assessment Summary

Based on the assessment of the development application, Council officers have determined that the proposed development can comply or can be conditioned to comply with the assessment benchmarks relevant to the assessment.

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		15 October 2025
1.1	Application deemed properly made		23 October 2025
1.2	Action Notice issued	5 days (from 1.0)	Not applicable
1.3	Confirmation Notice issued	10 days (from 1.0)	27 October 2025
2.0	Application referred (properly referred)	10 days (from 1.2)	Not applicable
2.1	Referral agency response	25 days (from 2.0)	Not applicable
3.0	Council Information Request	10 days (from 1.1)	Not Applicable
4.0	Public Notification commences	20 days (from 3.1)	5 November 2025
4.1	Public Notification completed	Min. 15 business days	25 November 2025
4.2	Consider submissions	10 days (from 4.1)	Not applicable
5.0	Further Advice Request		Not applicable
6.0	Decision making period starts	1 day (after last applicable)	26 November 2025
6.1	Decision making period ends	35 days (minus up to 10 days from 3.0)	22 January 2026
6.2	Decision making period extended	3 days	27 January 2026
	Council Meeting		
6.3	Issue Decision Notice	5 days (after decision is made)	

Attachment C – Detailed Assessment

Level of Assessment

The development proposal is assessable under the *Burdekin Shire Council 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 whole of 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 Regulation 2017*.

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

Development	Zone	Overlays	Assessment Benchmarks
Reconfiguring a lot - Boundary Realignment (two (2) lots into two (2) lots) and Access easement	Rural	<ul style="list-style-type: none"> • Agricultural • Flood (River) Hazard 	<p>The following assessment benchmarks are applicable in the assessment of the development application:</p> <ul style="list-style-type: none"> • The whole of the planning scheme.

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.	
<u>Officers Comment</u> The proposed development is considered to align with the policy direction and intent of the Scheme, including the Strategic Framework given the proposal is a minor boundary realignment of a common boundary to include a shed and landscaping into the same lot as an existing Dwelling house. The proposed access easement will also formalise the existing access points into George Road for existing Lot 176 (proposed Lot 1) which is currently landlocked. As this development is for a boundary realignment, there are no new lots being created in the Rural zone, nor is the change in boundaries removing any land from agricultural production.	

ASSESSMENT
APPLICABLE ASSESSMENT BENCHMARKS

6.2.2 Reconfiguring a lot zone 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 proposal is for a minor boundary realignment only that is not proposing significant layout changes. No new rural zoned lots are to be created. Notwithstanding the non-compliance of proposed Lot 1 with the requirements of the Reconfiguring a Lot Code for land in the Rural zone (being a minimum 200.0m road frontage and minimum area of 30ha), the proposed development is generally in compliance with the outcomes sought.

Attachment C – Detailed Assessment

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 - As this development is for a boundary realignment and access easement, there are no new neighbourhoods being created and the site characters are being maintained.
PO2 Open space and movement networks are integrated internally within the development site and with surrounding areas, including: <ul style="list-style-type: none"> (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. 	No acceptable outcome is nominated.	Not applicable - As this development is for a boundary realignment, no open space and movement networks are required as there is no increase in the number of lots being created.
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 - No new lots are forming part of the development.

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
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 development is for a Rural boundary realignment and access easement only. No new lots are being created, nor is a sensitive land use affected by the proposal.
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 development is for a Rural boundary realignment and access easement only. No new lots are being created.
P06 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 lot configurations will retain the existing uses on each retrospective lot.
P07 The subdivision layout retains significant habitat areas and ecological corridors.	No acceptable outcome is nominated.	Not applicable - The existing vegetation on each lot is being retained. None of these areas are considered to contain significant habitat.
P08 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 - There are no new lots or buildings proposed as part of the development. The proposed realigned boundaries are located outside any mapped waterways.

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
<i>Landslip hazard</i>		
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%	Not applicable – The subject properties have not been identified as containing landslip hazard.
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 street and accommodate all ancillary components of the use.	AO10 Minimum frontage and lot size occurs in accordance with table 6.2.2.3(b), unless stated otherwise in a zone code.	<p>Does not strictly comply for proposed Lot 1.</p> <p>The proposal is for a minor boundary realignment and access easement only of a shared boundary to enable a shed and landscaping area to be located within proposed Lot 1. Proposed Lot 1 already contains an existing Dwelling house and is already on a small holding that is well below the minimum lot size and frontage requirements.</p> <p>There is no creation of any new lots in the Rural Zone.</p> <p>The proposed development is not changing any of the frontage to proposed Lot 2. Lot 1 currently is landlocked, and the proposed access easement will ensure lawful access to George Road is obtained. The easement is for the full length of proposed Lot 1, with the existing dwelling orientated to the east, towards George Road which will ensure that casual</p>

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
		<p>surveillance is maintained. The uses on each lot are not changing and although there is a slight increase in lot area for proposed Lot 1, proposed Lot 2 will maintain the farming operations as the land currently being acquired for proposed Lot 1, is not used for agricultural purposes. The configuration of both proposed Lot 1 and proposed Lot 2 is consistent with other lot configurations within the locality.</p> <p>The reduction in area of existing Lot 186 (proposed Lot 2) by 2,666m² is considered minor in nature and is not considered to result in any reduced farming ability/agricultural viability to what currently exists as the lot area remains above 30 ha.</p>
PO11 Reconfiguration does not reduce the future development potential of land within the emerging community zone.	No acceptable outcome is nominated.	Not applicable - Both subject properties are within the Rural zone.
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	No acceptable outcome is nominated.	Not applicable – No new lots are being created as part of the boundary realignment. Each lot will retain the existing Dwelling houses which were already existing prior to the commencement of this planning scheme.

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
existed at the commencement of this planning scheme.		
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.	Complies - There are no increases in the number of lots being created. The proposed boundary realignment will result in proposed Lot 1 being increased in size and allow for the row of trees currently existing to be located within the smaller holding. This area is not currently used for rural production and displays limited environmental values outside of the trees being used as a buffer between the two (2) lots.
PO14 New lots are not created in the environmental management and conservation zone.	No acceptable outcome is nominated.	Not applicable - Both lots are zoned Rural
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 - Currently existing Lot 176 is landlocked and the proposed access easement will ensure that this lot will obtain legal access from George Road. The length of the easement will cater for the two (2) existing access points.
PO16 Services, including water supply, stormwater management, sewage disposal, waste disposal,	No acceptable outcome is nominated.	Complies - Each lot contains existing structures and uses that are not changing as a result of this proposed boundary realignment. All services to each

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
drainage, electricity and telecommunications, are provided in a manner that: (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.		lot currently will be maintained as part of the development.
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. AO17.2 Underground electricity service is provided to all new lots in an urban zone.	Complies - Although no new lots are being created as part of the proposed development, the existing lots will maintain the existing overhead power connection.
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 - No new roads form part of the proposed development for a boundary realignment within a rural zone.
PO19 Provision for safe on-street parking in appropriate locations.	No acceptable outcome is nominated.	
PO20	AO20	

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
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.	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 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. Minor boundary realignment only with no changes to existing site regimes proposed as part of this application.
PO25 Development maintains the environmental values and water quality of Burdekin Shire’s	No acceptable outcome is nominated	

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
groundwater, waterways and surface water storages.		The uses on each lot are existing and are not changing as part of the proposed boundary realignment. While the development includes an access easement, the access itself is existing and will not require any earthworks that may result in erosion or sediment run off to what already occurs.
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	
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	

Attachment C – Detailed Assessment

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

Zone	Frontage (m)	Area
Low density residential zone	15	500m ²
Low-medium density residential zone		
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	20	1,000m ²
Recreation and open space zone		
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

APPLICABLE ASSESMENT 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; Burdekin Shire Council Planning Scheme Part 4–87 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

APPLICABLE ASSESMENT BENCHMARK

4.2.9 Rural Zone Code

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 proposed development involves a minor adjustment of the shared boundary between existing lots, which will add 2,666m² of land to a smaller parcel and establish an access easement. This action is considered consistent with the locality and the intended outcomes of the Rural Zone Code.

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: (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.	Not applicable - The proposed boundary realignment is to rectify an encroachment for a residential use within proposed Lot 1. There are no non-residential buildings within close proximity to the new common boundary being created. Proposed boundary realignment does not affect existing structure setbacks, nor the existing character and amenity of the area.
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.	Not applicable - Rural boundary realignment only. The existing uses on both lots are not changing as part of this application for a boundary realignment.
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	Complies – As part of the boundary realignment, there are no changes to the existing services provided on-site. Proposed Lot 1 is increasing in size and therefore won't compromise the existing operations on-site. Although proposed Lot 2 is decreasing in size, the existing services are located

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
	Premises have a legal access to a constructed road.	<p>to the north of the canal and will not be compromised by the proposed new boundary.</p> <p>The proposed development includes an access easement to enable proposed Lot 1 to gain lawful access to a constructed road. Existing Lot 176 is currently landlocked, with a canal to the north and Lot 317 running parallel to George Road, along the full length of Lot 176 frontage. The proposed access easement ensures compliance with the accepted outcome and rectifies a landlocked situation.</p>
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 proposed development is for a boundary realignment of 2 lots into 2 lots and access easement to rectify an encroachment and ensure lawful access is obtained from a constructed road. No new lots are being created, and the uses on-site are existing.
Home based business – bed and breakfast and other		
PO5-PO11	AO6 – AO11.2	Not applicable – Application is for a Boundary realignment and Access easement only. Existing uses of each lot are being maintained, and no new uses are proposed.
Roadside stalls		
PO12	AO12.1	Not applicable – Application is for a Boundary realignment and Access easement only. Existing

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
<p>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.</p> <p>Editor's note—A roadside stall on a state controlled road requires approval from the Department of Transport and Main Roads.</p>	<p>Any structure used for the sale of goods or produce is limited to 20m² gross floor area.</p> <p>AO12.2 Access to the structure is via the existing primary property access point.</p> <p>AO12.3 Produce or goods sold is grown, made or produced on the land on which the roadside stall is erected.</p>	<p>uses of each lot are being maintained, and no new uses are proposed.</p>
Stock route network		
<p>PO13 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>	<p>AO13 Development is not located within the stock route network.</p>	<p>Complies – The subject properties are not located within a mapped stock route network.</p>
Hazardous activities		
<p>PO14 Where development is in proximity to an abandoned mine, geotechnical investigations and adequate protections are applied.</p> <p>Editor's note—The location of mining claims, mineral development licences and mining leases is available online via GeoResGlobe.</p>	<p>AO14 Abandoned mines are avoided.</p>	<p>Not applicable – Application is for a Boundary realignment and Access easement only to rectify a small encroachment.</p>
Landslip hazard		
<p>PO15</p>	<p>AO15</p>	<p>Not applicable – No building works are forming part of the application.</p>

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
Development does not occur on land that is vulnerable to landslip and erosion and ensures the safety of people and property.	Where involving building work, development is not located on slopes greater than 15%.	

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. 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.	No acceptable outcome is nominated	Complies – The proposed Boundary realignment results in approximately 2,666m ² of land being incorporated into a smaller holding that is not used for agricultural purposes. However, this portion of land is currently free of cropping activities and contains a row of vegetation that is acting as a buffer between the 2 lots. Although the proposal results in proposed Lot 2 decreasing in size, it will not result in a loss of agricultural production because this area has been free of rural activities for several years and according to Council's Intra Maps, the map for Rural 2009, shows this area not being used for agricultural activities.
PO17 Development occurs on the least productive part of the site.	No acceptable outcome is nominated	Complies – No details have been provided such as a soil test to demonstrate that the change in boundaries is only occurring in the least productive section of the subject property but aerial images do demonstrate that this section of the site has not been used for rural

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
		activities and has always contained the vegetation which appears to act as a buffer between the existing dwelling house on proposed Lot 1 and the rural activities on proposed Lot 2. As this area has not been used for rural activities in the past, the development is occurring on the least productive portion of the land.
PO18 Development does not prejudice the ongoing operation, intensification or expansion of nearby farming activities.	No acceptable outcome is nominated	Complies – Proposed Lot 2 is maintaining all the existing farming operations and majority of the site is used for farming activities currently with the exception of the portion of land that is forming part of this boundary realignment request. The proposed development is not considered to prejudice the ongoing operations, intensification or expansion of the farming activities of proposed Lot 2 and proposed Lot 1 has never been of a significant size that would enable farming activities.
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	Complies – A vegetation/landscape buffer already exists along the common boundary between existing Lots 176 and 186 in the vicinity of where the change in boundaries are proposed. Currently the vegetation is within Lot 186 (to be proposed Lot 2) and as part of the development it is proposed to locate the existing vegetation/landscape buffer within proposed Lot 1 (currently Lot 176) which contains the existing Dwelling house. The change in boundaries will

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
		ensure that the lot which contains the existing dwelling house will be responsible for maintaining their own mitigation measures i.e. the vegetation buffer, to reduce nuisance such as spray drift, odour and noise from the farming operational that occurs on proposed Lot 2.
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	Complies – Proposed Lot 1 is approximately 315m away from a mapped tramway and the change in boundaries at this location, will not interfere with the use of this tramway. All existing uses are remaining unchanged as part of the development.
PO21 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.	No acceptable outcome is nominated	Not applicable – There are no mapped stock routes within proximity to the subject properties.
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 – This application is for a boundary realignment with an access easement and does not result in the creation of any new lot.
PO23 Except as provided for in PO24, reconfiguration does not result in the creation of:	No acceptable outcome is nominated	Partly Complies – Existing Lot 176 is significantly below 30ha in size, having a site area of 2950m ² . This is not changing as part of the proposed boundary realignment that involves approximately

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
<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>		<p>2,666m² of land being taken from the larger holding being existing Lot 186 and given to the smaller holding. While proposed Lot 1 is increasing in size, it will still ensure proposed Lot 2 maintains an area greater than 30 ha.</p>
<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 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>	No acceptable outcome is nominated	<p>Complies – The proposed boundary realignment is to increase the size of a smaller holding to rectify an encroachment of a structure and include a row of trees that would effectively act as a buffer between the two (2) lots. The change in boundaries will result in the vegetation being the responsibility of the property owners on the smaller holding which contains an existing dwelling house. This dwelling house has been there since before the introduction of this planning scheme. As the boundary realignment will result in the row of trees being within the smaller holding that contains a Dwelling house, it will ensure the property that potentially can be affected by dust and spray from the adjoining farming operations is maintaining this vegetation. Outside of this buffer there are no environmental values on the subject property.</p>

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
Industrial activities		
PO25 Other than in the Groper Creek, Jarvisfield, Jerona or Wunjunga village precincts, industries in the rural zone include only: (a) rural industries; (b) industries processing agricultural products which require a rural location: (i) for proximity to the produce being processed; or (ii) to ensure a clean environment separate from general industrial activities; or (iii) to secure a lot size larger than lots available within the industrial zoned land; (c) industries associated with the use or processing of commodities grown in the region, such as sugar cane and grain; (d) extractive industries and other industries that require separation from urban or rural residential areas; and (e) renewable energy facilities.	No acceptable outcome is nominated	Not applicable – The existing uses of each lot are not changing as part of this proposed boundary realignment
Aquaculture, intensive animal industries, animal keeping and extractive industry		
PO26 Premises used for extractive industry, aquaculture, animal keeping or intensive animal husbandry are separated from existing sensitive	No acceptable outcome is nominated Editor's note—Applicants seeking approval for intensive animal industries should refer to the 'National Guidelines for Beef Cattle Feedlots in	Not applicable.

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
land uses so that significant impact from noise, odour or other emissions are unlikely to be experienced at the sensitive receptor.	Australia, National Beef Cattle Feedlot Environmental Code of Practice', 'Queensland Dairy Farming Environmental Code of Practice', 'National Environmental Guidelines for Piggeries' and 'Queensland Guidelines Meat Chicken Farms and that applicants consult with the relevant State government department prior to the lodgement of a development application. For other uses council may require a study that, amongst other matters, identifies how the development meets Environmental Protection (Air) Policy 2019 or Environmental Protection (Noise) Policy 2019.	
Rural workers' accommodation, non-resident workforce accommodation, caretaker's Accommodation		
PO27 – PO28	No acceptable outcome is nominated; AO28	Not applicable – The existing uses of each lot are not changing as part of the Boundary realignment
Development for tourism and recreation purposes		
PO29 – PO30	No acceptable outcome is nominated	Not applicable – The existing uses of each lot are not changing as part of the Boundary realignment
Renewable energy facilities		
PO31 – PO32	No acceptable outcome is nominated	Not applicable – The existing uses of each lot are not changing as part of the Boundary realignment
Extractive industries		
PO33 - PO38	No acceptable outcome is nominated; AO34.1 – AO35.2	Not applicable – The existing uses of each lot are not changing as part of the Boundary realignment
Rural amenity and character		

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
PO39 Development maintains the visual amenity and landscape character of the locality.	No acceptable outcome is nominated.	Complies – The proposed boundary realignment will result in the row of trees to be incorporated into proposed Lot 1 which creates a buffer between the rural activities and the existing dwelling house. The change in boundaries will ensure proposed Lot 1 will maintain the vegetation within their own lot, rather than rely upon their neighbour maintaining vegetation/buffer that effectively is to the benefit of the dwelling located on proposed Lot 1. The proposal will ensure that the landscape character is maintained.
PO40 Development minimises the loss of existing vegetation and earthworks on the site.	AO40 Development is conducted within an existing cleared area.	Complies – There is no new built form that forms part of this application for a boundary realignment, and the new boundary will be in an already cleared section.
PO41 Development minimises impacts on the natural environment and maintains habitat areas and corridors.	No acceptable outcome is nominated.	Complies – The proposed boundary realignment will not result in a new boundary that will impact on the natural environment, and all existing vegetation is being maintained on-site.
PO42 Landscaping is provided to screen views from surrounding roads and neighbouring sites.	No acceptable outcome is nominated.	Complies – There is existing vegetation on-site and all of this vegetation is being retained on-site despite the change in boundaries. As the uses are not changing and there are no new lots created, additional landscaping screens are not required for this boundary realignment.

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	AO43 Buildings or other structures are screened by a landscaped buffer of 5m when adjoining residential or rural residential development.	Not applicable - Proposed Lot 1 does not adjoin residential or rural residential development.
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.	Complies - The existing uses on each lot are not changing as a result of the boundary realignment. Therefore, no additional impacts are created.
PO45 Development does not impact on public health or safety.	No acceptable outcome is nominated.	Complies - The proposed boundary realignment will create a safe lawful access for proposed Lot 1. There are no impacts to public health as a result of the boundary realignment.
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 uses are existing on both subject properties and are not changing as part of this request for a boundary realignment

Table 4.2.9.3(c)—Separation Distances

Column 1	Column 2	Column 3 Minimum separation distances
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Attachment C – Detailed Assessment

Use	Number of animals	(metres)	
		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.	

ASSESSMENT	
APPLICABLE ASSESSMENT BENCHMARKS	
6.2.1 Development works code	
6.2.1.1 Application	
<p>(1) This code applies to development identified as requiring assessment against the Development works code by the tables of assessment in part 3.</p> <p>(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>	
6.2.1.2 Purpose and overall outcomes	
<p>(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.</p> <p>(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. 	
<u>Officers Comment</u>	
<p>Where relevant, the proposed development is considered to comply overall with the prescribed relevant outcomes sought by the Development Works Code, as no earthworks or new roads are required as part of the proposed boundary realignment and access easement.</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:

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 - There are no new structures or earthworks forming part of the application. Although the boundary is slightly changing, the uses are remaining in their current form on each respective lot.
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.	Not applicable - no earthworks are proposed as part of the development.

Table 6.2.1.3(b)—Benchmarks for assessable development only

Earthworks		
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.	Not applicable - The uses on each lot are existing and are not changing as a result of this proposed boundary realignment.
PO4 Earthworks do not: result in ponding on the site or on nearby land;	No acceptable outcome is nominated.	Not applicable - no earthworks form part of the application.

Attachment C – Detailed Assessment

adversely affect the flow of water through an overland flow path; and result in the loss of safety to users or uses of any other land.		
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.	Not applicable - no earthworks form part of the application.
PO6 Earthworks maintain the visual amenity of surrounding land and do not compromise the privacy of adjoining property.	No acceptable outcome is nominated.	Not applicable - no earthworks form part of the application.
PO7 The risk of erosion and sedimentation is minimised by: progressive rehabilitation of disturbed areas within the site; avoiding long term stockpiling of soil; diverting drainage paths around disturbed areas; and preventing sediments from leaving the site.	No acceptable outcome is nominated.	Not applicable - no earthworks form part of the application.
Excavation and/or filling in the rural zone		
PO8	No acceptable outcome nominated.	Not applicable - no earthworks form part of the application.

Excavation and/or filling do not: (a) result in ponding on Council controlled land, including road reserves and infrastructure; (b) impede the flow of water through an overland flow path or drainage path on Council controlled land, including road reserves and infrastructure; and (c) alter the location and/or flow rate of water discharge points from the premises adversely impacting on Council road and drainage infrastructure.		
PO9 Excavation and/or filling do not result in an increase to the volume or concentration of water: (a) in an overland flow path or drainage path on Council controlled land, including road reserves and infrastructure; and (b) waterways and wetlands.	No acceptable outcome nominated.	Not applicable - no earthworks form part of the application.
PO10 Excavation and/or filling do not adversely impact on waterways and wetlands.	AO10 Excavation and/or filling do not occur within 15m of the: (a) outer bank of a waterway; or (b) outer landward boundary of a wetland.	Not applicable - no earthworks form part of the application.
PO11 Excavation and/or filling do not adversely impact on Council road and drainage infrastructure.	AO11 Excavation and/or filling do not: (a) occur within 15m of Council road and drainage infrastructure; and (b) alter the flow rate or velocity of water at discharge points from the premises to Council road and drainage infrastructure.	Not applicable - no earthworks form part of the application.

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 development is not occurring within an Urban zone
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.	Complies - Each lot contains a use that is being retained as part of the boundary realignment. No services are changing as a result of the proposed 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.	Complies - Each lot contains existing uses, and these uses are not changing as a result of the proposed boundary realignment. As the uses are not changing, the existing water supply on each lot is considered sufficient.
PO15	No acceptable outcome is nominated.	Complies - Each lot has on-site waste disposal for the existing dwelling houses, and this is not

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 waste water generated on the site.		changing as part of the proposed boundary realignment.
PO16 Where provided on-site, water, waste water 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.	Not applicable - the subject properties are not within a rural residential zone
	AO16.2 Elsewhere, no acceptable outcome is nominated	Complies - All existing services are being maintained within each retrospective lot and although there is a slight change in the boundaries, it will not compromise the existing infrastructure.
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.	Complies - Each lot is connected to overhead electricity, and this is not changing as part of the development.
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:	No acceptable outcome is nominated.	Not applicable - There are no changes proposed to the uses on each lot.

<p>(a) altered stormwater quality and hydrology; (b) waste water; (c) the creation or expansion of non-tidal artificial waterways; or (d) the release and mobilisation of nutrients and sediments.</p>		
<p>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>.</p>	No acceptable outcome is nominated.	Not applicable - The stormwater management on each lot is existing and is not changing as a result of this proposed boundary realignment.
<p>PO20 Wherever practical, development: minimises clearing and earthworks; utilises natural flow paths; and minimises impervious surfaces and maximises opportunities for infiltration, capture and reuse.</p>	No acceptable outcome is nominated.	Not applicable - The development will not result in any clearing, earthworks or increase in impervious surfaces.
<p>PO21 Stormwater drainage is provided that has sufficient capacity to safely remove stormwater run-off, in a way that: minimises risk to public safety and property; provides a lawful point of discharge from each lot; minimises ponding;</p>	No acceptable outcome is nominated.	Not applicable - The stormwater drainage on each lot is existing and is not changing as part of the proposed boundary realignment.

<p>allows for risk associated with potential failures within the system; and</p> <p>allows for practical access for maintenance.</p>		
Acid sulfate soils		
<p>PO22</p> <p>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:</p> <p>(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</p> <p>(b) where disturbance of acid sulfate soils cannot be avoided, development:</p> <p style="padding-left: 40px;">neutralises existing acidity and prevents the generation of acid and metal contaminants; and</p> <p style="padding-left: 40px;">prevents the release of surface or groundwater flows containing acid and metal contaminants into the environment.</p> <p>Editor's note—Where works are proposed within the areas identified as potential acid sulfate soils on overlay 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</p>	<p>AO22.1</p> <p>Development does not:</p> <p>(a) involve excavating or removing 100m³ or more of soil and sediment at or below 5m AHD; or</p> <p>(b) permanently or temporarily drain or extract groundwater or exclude tidal water resulting in the aeration of previously saturated acid sulfate soils; or</p> <p>(c) involve filling with 500m³ or more with an average depth of 0.5m or greater that results in:</p> <p style="padding-left: 40px;">actual acid sulfate soils being moved below the water table; or</p> <p style="padding-left: 40px;">previously saturated acid sulfate soils being aerated.</p> <p>OR</p> <p>AO22.2</p> <p>Development manages waters so that:</p> <p>all disturbed acid sulfate soils are adequately treated and/or managed so that they can no longer release acid or heavy metals;</p> <p>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);</p>	<p>Not applicable - The development does not include earthworks.</p>

<p>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 develop a practical Acid Sulfate Soil Management Plan for use in monitoring and treating acid sulfate soils.</p>	<p>waters on the site, including discharges and seepage to groundwater, do not contain elevated levels of soluble metals;</p> <p>there are no visible iron stains, flocs or sums in discharge water;</p> <p>all reasonable preparations and actions are undertaken to ensure that aquatic health is safeguarded; and</p> <p>infrastructure such as buried services, pipes, culverts and bridges are protected from acid attack.</p>	
Traffic and access		
<p>PO23</p> <p>The development is located on roads appropriate for the nature of traffic generated, having regard to the safety and efficiency of the transport network, and the functions and characteristics of the road hierarchy.</p> <p>Note–The road hierarchy is illustrated in Figure 6.2.1.3 of the Development works code.</p>	No acceptable outcome is nominated.	Complies - The uses on each lot are existing and are not changing as a result of the proposed boundary realignment. As the uses are existing, there are no changes to the traffic generated by this development and therefore the existing road network is considered sufficient.
<p>PO24</p> <p>Development maintains a safe environment for pedestrians, cyclists and vehicles on the site and external to the site.</p>	No acceptable outcome is nominated.	Complies - The proposed development is not increasing densities or changing the uses on-site and therefore maintains the safe environment that already exists.
PO25	AO25	Complies - The access arrangements to each lot are not changing but there is an access easement

Development has vehicle access and manoeuvring sufficient to accommodate the anticipated traffic demand and servicing requirements safely and efficiently.	Circulation areas, turning areas and driveways comply with Australian Standards AS2890.1 and AS2890.2, as amended from time to time.	that is proposed to ensure Lot 1 has legal access even though this access has existed for several years.
PO26 Development (other than dwelling houses and dual occupancies) are designed to enable vehicles to enter and leave the site in a forward direction	AO26 Circulation areas, turning areas and driveways comply with Australian Standards AS2890.1 and AS2890.2, as amended from time to time.	Not applicable - The uses on each lot are not changing as a result of this proposed boundary realignment.
PO27 Development provides sufficient parking on-site to accommodate the anticipated demand safely and efficiently.	AO27 Vehicle parking is provided in accordance with table 6.2.1.3(e)–Vehicle parking rates and standards. Where the use is not nominated in table 6.2.1.3(e), no acceptable outcome is nominated.	Not applicable - The uses are existing on each lot and are not changing as result of the proposed boundary realignment.
PO28 On-site parking is clearly defined, safe and easily accessible.	AO28 Parking areas comply with Australian Standards AS2890.1 and AS2890.2, as amended from time to time.	Not applicable - The uses are existing on each lot and are not changing as result of the proposed boundary realignment.
PO29 Open parking spaces are designed and constructed to facilitate stormwater infiltration on-site.	No acceptable outcome is nominated.	Not applicable - The uses are existing on each lot and are not changing as result of the proposed boundary realignment.
PO30	No acceptable outcome is nominated.	Not applicable - The uses are existing on each lot and are not changing as result of the proposed boundary realignment.

Transport noise impacts are managed by the siting and design of development so that the need for acoustic screening is minimised.		
PO31 Where they are used, acoustic walls are designed to mitigate visual impacts.	No acceptable outcome is nominated.	Not applicable - The uses are existing on each lot and are not changing as result of the proposed boundary realignment.
PO32 Lighting is provided to ensure pedestrian and vehicle safety.	No acceptable outcome is nominated.	Not applicable - The uses are existing on each lot and are not changing as result of the proposed boundary realignment.
Landscaping		
PO33 Landscaping is designed, established and maintained to: incorporate existing vegetation, where appropriate; reinforce existing streetscape character; provide effective shade and screening; be sustainable without undue reliance on irrigation; be suitable to the tropical climate. Editor's note—A landscaping plan may be required which should incorporate: a fully dimensioned site plan describing the existing landscape including the landscape and environmental significance of remnant vegetation; the location and depth of all existing services;	No acceptable outcome is nominated.	Complies. Existing vegetation is provided around the dwelling houses on each lot.

natural drainage lines; existing levels and finished levels; a full schedule of plantings and materials including growing characteristics, quantities of each plant and other materials; and a drainage and irrigation plan.		
PO34 Landscaping: (a) is established using semi-advanced plants in conjunction with shrubs and ground covers; (b) uses native and endemic species where possible; and (c) does not utilise species which are noxious or poisonous or have drop limbs.	No acceptable outcome is nominated.	Not applicable - No additional landscaping is required for the proposed boundary realignment.
Waste and pollutant management		
PO35 Development provides on-site facilities for the storage and collection of solid wastes that are secure and avoid potential for nuisance.	No acceptable outcome is nominated.	Not applicable - The uses on each lot are not changing as part of the proposed boundary realignment.
PO36 Liquid wastes produced by development are managed and disposed of so no risk of nuisance or environmental harm is created.	No acceptable outcome is nominated.	Not applicable - The uses on each lot are not changing as part of the proposed boundary realignment.
PO37 Development involving the handling of potential pollutants is designed and operated to ensure	No acceptable outcome is nominated.	Not applicable - The uses on each lot are not changing as part of the proposed boundary realignment.

spills and on-site surface water are captured and treated prior to release to the environment.		
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 Development ensures fire hydrants are installed and located to enable fire services to access water safely, effectively and efficiently.	No acceptable outcome is nominated.	Not applicable - The subject properties are not within an Urban area.
PO39 Road widths and construction within the development are adequate for fire emergency vehicles to gain access to a safe working area close to buildings and near water supplies whether or not on-street parking spaces are occupied.	No acceptable outcome is nominated.	Not applicable - No new roads form part of the application.
PO40 Fire hydrants are suitably identified so fire services can locate them at all hours.	No acceptable outcome is nominated.	Not applicable - As the development is for a boundary realignment with no increases in densities, no fire hydrants are required.

ASSESSMENT	
APPLICABLE ASSESSMENT BENCHMARKS	
5.2.5 Flood hazard overlay code	
<p>5.2.5.1 Application</p> <p>(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.</p> <p>(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>Note—For the purposes of section 13 of the Building Regulation 2006:</p> <ul style="list-style-type: none"> (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. <p>5.2.5.2 Purpose and overall outcomes</p> <p>(1) The overall outcomes are the purpose of the flood hazard overlay code.</p> <p>(2) The purpose of the code will be achieved through the following overall outcomes:</p> <ul style="list-style-type: none"> (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: <ul style="list-style-type: none"> (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: <ul style="list-style-type: none"> (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 as being subject to flood hazard in a river flood event, with some areas being mapped extreme. The proposed realignment does not change any of the existing uses of the subject properties which have been on-site prior to this planning scheme coming into effect. For this reason, no further assessment is required for this application.

5.2.5.3 Specific benchmarks for assessment

Table 5.2.5.3–Benchmarks for assessable development

Specific assessment against the relevant provisions of the Flood Hazard overlay code is provided below:

Compatible development		
PO1 – PO9	AO1; No acceptable outcome is nominated.	Not applicable - Each lot already contains an existing use and associated structures. There are no changes proposed to these uses and the proposed boundary realignment is to allow for an existing shed and landscaping area to be wholly located in proposed Lot 1 where the associated Dwelling house is already located.
Mitigation of flood hazard		
PO10 – PO18 Development does not change inundation characteristics outside the subject site in ways that would:	No acceptable outcome is nominated; AO12	Complies – The change in the boundary will not result in any changes to the characteristics of flow paths or result in an increased hazard outside of what already

Attachment C – Detailed Assessment

<p>(a) result in loss of flood storage or loss of, or changes to, flow paths;</p> <p>(b) adversely change the depth or behaviour of the hazard; or</p> <p>(c) reduce warning times; or</p> <p>increase the duration of the hazard.</p>		<p>exists on-site. All structures and uses are remaining unchanged as part of the development.</p>
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APPLICABLE ASSESMENT BENCHMARK

5.2.7.1 Regional infrastructure overlay code

5.2.7.1 Application

- (1) This code applies to development where the code is identified as applicable in the categories of assessment and development for the Regional infrastructure 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.

5.2.7.2 Purpose and overall outcomes

- (1) The overall outcomes are the purpose of the Regional infrastructure overlay code.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) regional infrastructure sites and corridors are established in locations anticipated by the relevant zone and are designed and managed to mitigate impacts on sensitive land uses and the natural environment and protect the health and safety of communities;
 - (b) major water supply infrastructure is protected from incompatible development;
 - (c) the safety, efficiency and functionality of regional infrastructure sites and corridors are protected from encroachment of incompatible development;
 - (d) lawfully established regional infrastructure sites and corridors are protected from encroachment by sensitive land uses that would compromise their ability to function safely and effectively.

Note—Renewable Energy Investigation Areas are shown in overlay map OM9; however, related assessment benchmarks are included in the Rural zone code.

Officers Comment

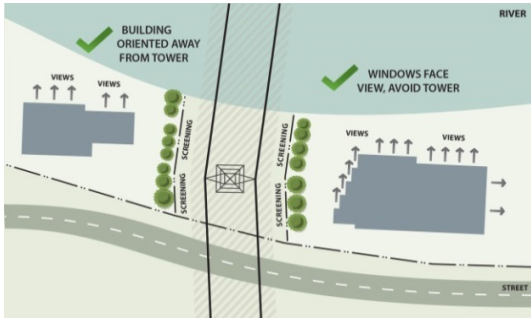
Only Lot 317 on GS638 is identified within the overlay and there are no changes to the configuration of this lot. The introduction of the access easement is to formalise an existing arrangement and will not compromise the future intent of the lot as there are no permanent structures proposed within this lot and the access points are of gravel construction and can be reinstated.


5.2.7.3 Specific benchmarks for assessment


Table 5.2.7.3—Benchmarks for assessable development

RAL25/0018

Specific assessment against the relevant provisions of the Regional infrastructure overlay code is provided below:

<p>PO1</p> <p>Development does not increase risk to community health or safety, or the operation and reliability of regional infrastructure, including high pressure gas pipelines.</p>	<p>No acceptable outcome is nominated.</p>	<p>Not applicable – The development is a boundary realignment and access easement only and there are no changes to the existing uses or structures on-site.</p>
<p>PO2</p> <p>Development involving a sensitive land use is sufficiently separated from regional infrastructure to:</p> <ul style="list-style-type: none"> (a) avoid safety risks to people and property; (b) minimise nuisance from noise, visual impact or another source; (c) protect the physical integrity and operation of regional infrastructure; and (d) maintain adequate access for any required maintenance or upgrading of the regional infrastructure. 	<p>AO2</p> <p>Sensitive land uses maintain a setback of at least:</p> <ul style="list-style-type: none"> (a) 50m from an electricity transmission (Powerlink operated) substation; (b) 20m from any other substation; (c) 40m from a Powerlink high voltage electricity transmission corridor; (d) 20m from bulk water storage infrastructure. 	<p>Not applicable – The development is a boundary realignment and access easement only and there are no changes to the existing uses or structures on-site.</p>
<p>PO3</p> <p>Other than where they are separated from the infrastructure by a road, buildings are oriented to avoid direct overlooking of regional infrastructure.</p>	<p>No acceptable outcome is nominated.</p> <p>Editor's note–The figure below provides an illustration of buildings oriented away from infrastructure.</p> 	<p>Not applicable – The development is a boundary realignment and access easement only and there are no changes to the existing uses or structures on-site.</p>

<p>PO4</p> <p>Regional infrastructure within private land is protected by easements in favour of the service provider.</p>	<p>AO4</p> <p>Existing easements are maintained and where none currently exist, new easements are created which are sufficient for the service provider's requirements.</p>	<p>Not applicable – The development is a boundary realignment and access easement only and there are no changes to the existing uses or structures on-site.</p>
<p>Major electricity infrastructure (including substations)</p>		
<p>PO5</p> <p>Where major electricity infrastructure is located within public open space, the dimensions and characteristics of the open space area are sufficient to accommodate the electricity easement, in combination with compatible recreational facilities and landscaping, so that:</p> <ul style="list-style-type: none"> (a) it has an open and expansive character, with landscape design that helps break up the linear and vertical dominance of the infrastructure; (b) landscaping is located outside the easement area and screens and softens the appearance of poles, towers or other structures; and (c) recreational facilities and landscaping are compatible with major electricity infrastructure, having regard to safety, height, the conductivity of materials and access to major electricity infrastructure by the electricity provider; and (d) the function of the open space is maintained. 	<p>No acceptable outcome is nominated.</p> <p>Editor's note—The figures below provide an example of a well-integrated transmission corridor.</p> 	<p>Not applicable – The development is a boundary realignment and access easement only and there are no changes to the existing uses or structures on-site.</p>

		
<p>PO6</p> <p>Where major electricity infrastructure is located in a road:</p> <ul style="list-style-type: none"> (a) an attractive, functional and safe streetscape is achieved; (b) street furniture, planting and lighting are compatible with major electricity infrastructure, having regard to safety, height and the conductivity of materials; (c) the reserve has sufficient width to accommodate significant landscaping which assists in screening and softening poles, towers or other structures and equipment from nearby sensitive land uses; and (d) convenient access to the infrastructure by the electricity provider is maintained. 	<p>AO6</p> <p>Development maintains the clearances required under schedules 4 and 5 of the <i>Electrical Safety Regulations 2013</i>.</p>	<p>Not applicable – The development is a boundary realignment and access easement only and there are no changes to the existing uses or structures on-site.</p>
<p>PO7</p> <p>Development avoids potential noise nuisance from electricity substations.</p>	<p>AO7</p> <p>Noise emissions do not exceed 5db(A) above background noise level at the facia of a building measured in accordance with AS 1055.</p>	<p>Not applicable – The development is a boundary realignment and access easement only and there are no changes to the existing uses or structures on-site.</p>

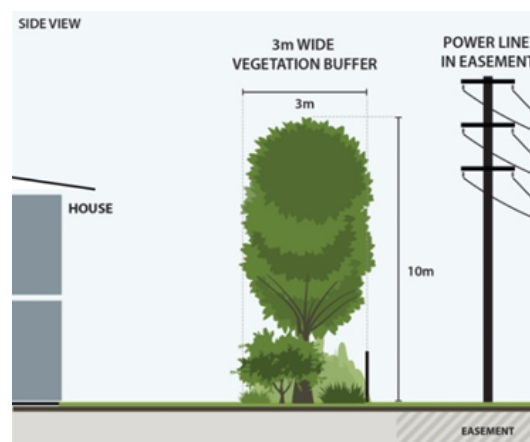
PO8

There is sufficient space within the site to establish landscaping which minimises the visual impacts of major electricity infrastructure and substations.

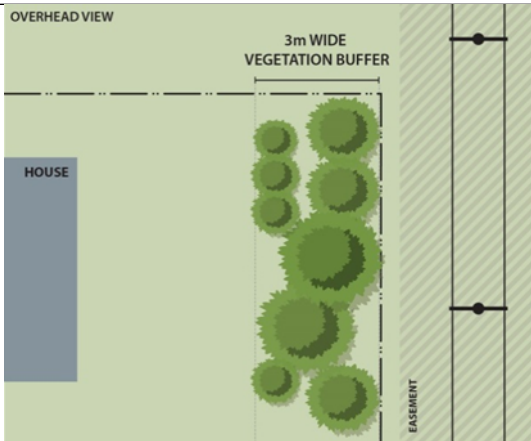
AO8

A minimum 3m wide densely planted landscaped buffer is provided along the boundary adjoining the major electricity infrastructure, including provision for advanced trees and shrubs that will grow to a minimum height of 10m.

Editor's note—The figures below provide an example but are not drawn to scale. Applicants may find guidance in Powerlink's Screening your home from powerlines: A guide for planting trees and shrubs outside of easements to screen powerlines. Applicants should also note that vegetation will need to maintain statutory clearances (refer to Ergon's Standard for Vegetation Management and Standard for Vegetation Clearance Profile).

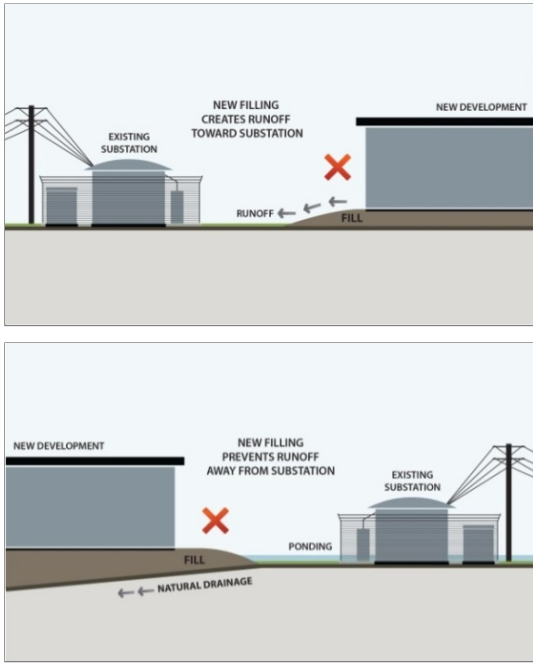


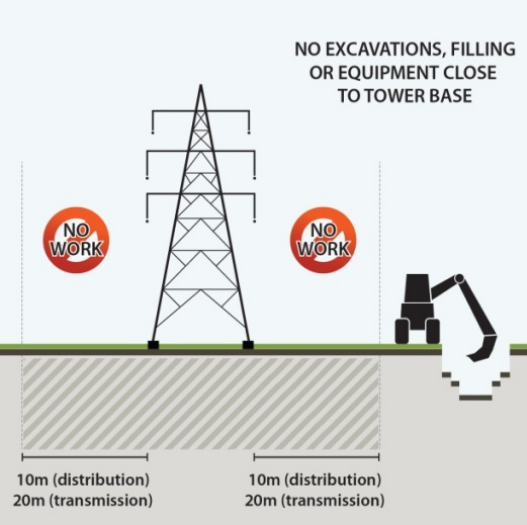
Not applicable – The development is a boundary realignment and access easement only and there are no changes to the existing uses or structures on-site.

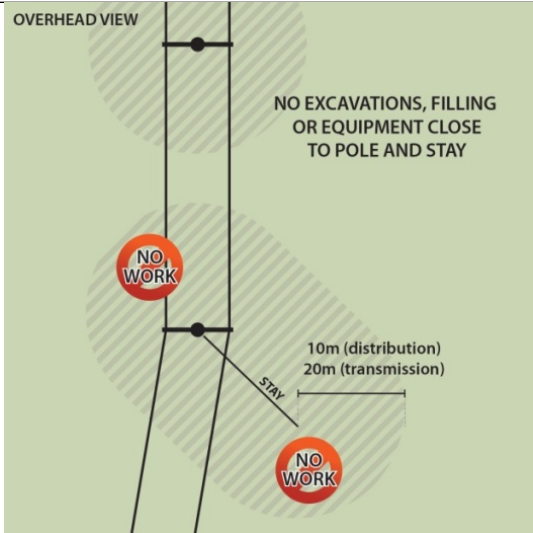
	 <p>OVERHEAD VIEW</p> <p>3m WIDE VEGETATION BUFFER</p> <p>HOUSE</p> <p>EASEMENT</p>	
Reconfiguring a lot		
PO9 Reconfiguring lots does not compromise or adversely impact upon the efficiency, functionality and integrity of regional infrastructure networks.	No acceptable outcome is nominated.	Complies - Lot 317 on GS638 is within this overlay where an access easement is proposed for Lot 176 on RP855268 to gain access from George Road. Currently there is no identified network within the lot however only access within Lot 317 is proposed. The existing access points are of gravel construction and if in the future infrastructure is required within this lot, the access points can easily allow for the construction of this network and the gravel can be reinstated. As there are no permanent structures proposed within Lot 317, the development does not compromise the regional infrastructure network.
PO10 Lot reconfiguring integrates regional infrastructure sites and corridors within the overall layout. Layout and design:	No acceptable outcome is nominated.	Not Applicable - The proposed development is for a boundary realignment and access easement

Attachment C – Detailed Assessment

<p>(a) ensures land of sufficient size and suitability is allocated to accommodate the existing and future regional infrastructure networks;</p> <p>(b) minimises the visual impact of regional infrastructure;</p> <p>(c) maintains access to the infrastructure by the infrastructure provider via existing or new easements; and</p> <p>(d) provides for an interface to surrounding land uses that minimises the potential for nuisance (including noise and odour), health and safety concerns.</p> <p>Editor's note—Applicants should consult with infrastructure providers early in the planning process to determine relevant infrastructure requirements.</p>		
<p>PO11</p> <p>Where reconfiguring involves a major electricity infrastructure corridor, the corridor is incorporated within a useable public open space network wherever possible.</p>	<p>No acceptable outcome is nominated.</p>	<p>Not applicable</p>
<p>Operational works</p>		
<p>PO12</p> <p>Development within a bulk water storage infrastructure corridor is located, designed and constructed to:</p> <p>(a) protect the integrity of the water supply infrastructure; and</p> <p>(b) maintain adequate access for any required maintenance or upgrading work to the water supply infrastructure.</p>	<p>AO12</p> <p>Development does not involve works within a bulk water storage infrastructure corridor.</p>	<p>Not applicable – No operational works form part of the development.</p>

<p>PO13</p> <p>Earthworks do not restrict access to major electricity infrastructure by the electricity providers, using their normal vehicles and equipment.</p>	<p>No acceptable outcome is nominated.</p>	<p>Not applicable – No operational works form part of the development.</p>
<p>PO14</p> <p>Development does not increase flooding, drainage or erosion conditions that would impact on the regional infrastructure.</p>	<p>No acceptable outcome is nominated.</p> <p>Editor's note–The figures below illustrate the concept.</p> 	<p>Not applicable – No operational works form part of the development.</p>
<p>PO15</p> <p>Development maintains the clearances required under schedules 4 and 5 of the <i>Electrical Safety Regulations 2002</i>.</p>	<p>No acceptable outcome is nominated.</p>	<p>Not applicable – No operational works form part of the development.</p>

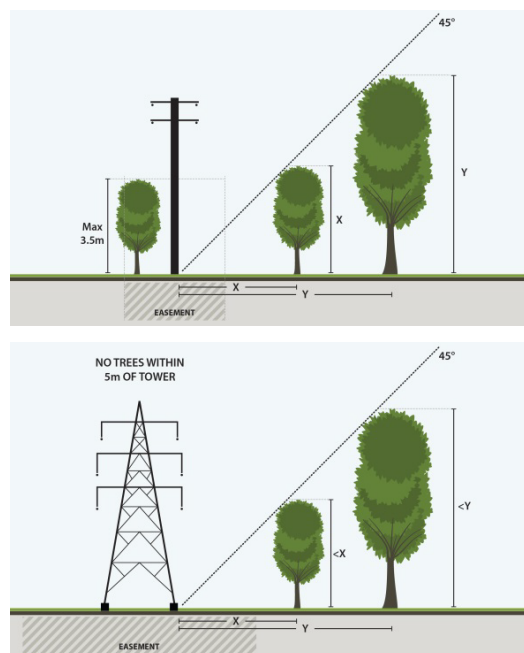
<p>PO16</p> <p>Earthworks are undertaken in a way that:</p> <ul style="list-style-type: none"> (a) ensures stability of the land on or adjoining major electricity infrastructure; (b) does not otherwise impact on the safety and reliability of major electricity infrastructure; and (c) does not restrict the placement or use of the electricity provider's equipment. 	<p>AO16.1</p> <p>No earthworks are undertaken:</p> <ul style="list-style-type: none"> (a) for overhead transmission infrastructure, within 20m of a transmission tower, pole or stay; or (b) for overhead distribution infrastructure, within 10m of a tower, pole or stay; or (c) for transmission substations, within 50m of a property boundary shared with the substation; or (d) for any other substation, within 10m of a property boundary shared with the substation. <p>Editor's note—The figures below illustrate the concept.</p> 	<p>Not applicable – No operational works form part of the development.</p>
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	<p>AO16.2</p> <p>No earthworks are undertaken, or other loading or displacement of earth caused, within the easement of an underground power line.</p>	<p>Not applicable – No operational works form part of the development.</p>
<p>PO17</p> <p>Other services and infrastructure works (such as stormwater, sewerage, water and the like) do not impact on the safety and reliability of major electricity infrastructure.</p>	<p>AO17.1</p> <p>Underground services are not located within 20m of a tower, pole, stay or substation boundary.</p>	<p>Not applicable – No operational works form part of the development.</p>
	<p>AO17.2</p> <p>No valve pits occur within:</p> <ul style="list-style-type: none"> (a) for transmission infrastructure, 60m of a tower, pole or stay; or (b) for distribution infrastructure, 20m of a tower, pole or stay. 	<p>Not applicable – No operational works form part of the development.</p>

	AO17.3 Pipelines with cathodic protection systems comply with part 13 of the <i>Electrical Safety Regulation 2013</i> .	Not applicable – No operational works form part of the development.
	AO17.4 Underground services traversing an easement cross at right angles to the overhead or underground lines.	Not applicable – No operational works form part of the development.
	AO17.5 Trenches for services are backfilled to be compacted in 150mm layers to at least 95% modified dry density compaction ratio.	Not applicable – No operational works form part of the development.
	AO17.6 Trenches under construction are not left open overnight.	Not applicable – No operational works form part of the development.
PO18 Vegetation does not pose a risk to the physical integrity, safety or reliability of or access to major electricity infrastructure.	AO18.1 Vegetation planted within an easement of an overhead powerline or the area of influence of a powerline has a mature height of no more than 3.5m.	Not applicable – No operational works form part of the development.
	AO18.2 Vegetation planted within an underground powerline easement does not have a mature root system greater than 150mm in depth and is not located directly above the powerline.	Not applicable – No operational works form part of the development.

AO18.3

Vegetation adjoining easements complies with the clearance dimensions illustrated in the figures below.



Not applicable – No operational works form part of the development.

AO18.4

Planting complies with (as relevant to the infrastructure concerned):

- (a) Energex's Safe Tree Guidelines; or
- (b) Ergon's Plant Smart brochures; or
- (c) Powerlink's Screening Your Home from Powerlines information.

Not applicable – No operational works form part of the development.

	Editor's note—Further information can be found on the websites of the abovementioned infrastructure providers.	
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North Queensland Regional Plan

The proposal site is located in the Priority Agricultural Area (PPA) mapped in the North Queensland Regional Plan (NQRP). Officers consider that the proposed development if approved, will not contribute to a net loss to overall agricultural activity or result in widespread or irreversible impacts of the PPA and therefore is considered consistent with the outcomes sought by the NQRP.

Public Submissions

Public notification was required for the development, as it is subject to impact level of assessment under the *Burdekin Shire Planning Scheme December 2022*. The applicant undertook Public Notification between 5 November 2025 – 25 November, being a minimum 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.

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.

PLANNING AND DEVELOPMENT

7.3.4. Development Application for a Development Permit for Reconfiguring a Lot - Access Easement at 268 and 275 Smith Road, Shirbourne (Lot 2 and Lot 4 on RP718750)

File Reference: RAL25/0025 234

Report Author: Kelly Reaston, Urban Planning North

Authoriser: James Stewart, Director Infrastructure Planning and Environmental Services

Meeting Date: 27 January 2026

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

PD11 Decide on development applications for new residential plumbing works development in accordance with legislative timelines.

Executive Summary

Council has received a development application lodged by Brazier Motti on behalf of the applicant, Clint and Andrea Smith, seeking a Development Permit for Reconfiguring a Lot – Access Easement located at 268 and 275 Smith Road, Shirbourne, on land described as Lot 2 and Lot 4 on RP718750.

The subject land is designated within the rural zone of the *Burdekin Shire Council Planning Scheme 2022* (the Planning Scheme) and the proposal is subject to an impact level of assessment.

Proposal plans for the development proposal are provided in Attachment B.

Officer's Recommendation

That Council approve the development application seeking a Development Permit for Reconfiguring a Lot – Access Easement at 268 and 275 Smith Road, Shirbourne, on land described as Lot 2 and Lot 4 on RP718750, subject to reasonable and relevant conditions as set out in Attachment A.

Background

Officer summary

Application

The application was submitted to Council on the 25 November 2025. A Confirmation Notice was issued on 28 November 2025.

Subject Site and Surrounding Land Uses

The subject land is located within the rural zone, as outlined in the *Burdekin Shire Council Planning Scheme 2022*. The development site is located in an established rural area used predominantly for agriculture.

The development site comprises two lots, which are separated by Smith Road. Both lots are used for cropping and are improved by various sheds to support this use, with Lot 4 also improved by a dwelling house.

A locality plan is provided at Attachment B.

Planning Assessment Summary

Development applications that are impact assessable are assessable against the entire planning scheme. A summary of the assessment against the *Burdekin Shire Council Planning Scheme 2022* is provided in the table below:

2022 Planning Scheme Provision	Proposal/Officer Comment
Rural zone code	The development does not result in a net loss to agricultural production and there is no impact on the ongoing operation, intensification or expansion of nearby farming activities. The development ensures that Lot 2 on RP718750 can be adequately serviced, ensuring access to a reliable water supply. No new lots are created as a result of the development. The development does not impact the rural amenity and character of the development site. The proposed development complies with the relevant requirements of the rural zone code.
Development Works Code	The proposal is for the creation of an access easement. The access easement will ensure Lot 2 on RP718750 has legal access to Iron Bark Creek for the purpose of establishing water supply in the future. This is in keeping with the development works code, which requires a reliable water supply be provided to each lot (PO14). No excavation or filling is proposed as part of the development as the application is for the establishment of the legal mechanism only. The development is in line with the relevant requirements of the development works code.
Reconfiguring a Lot Code	The proposal is for the creation of an access easement. No new lots are to be created. The development ensures that Lot 2 on RP718750 can be adequately serviced, ensuring access to a reliable water supply. The development is in line with the relevant requirements of the development works code.

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.

Further Information Request

An information request was not issued.

Public Notification

The development proposal was placed on public notification from 4 December 2025 to 7 January 2026.

No properly made submissions were received during the public 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*.

Detailed Summary

Giving consideration to the simplicity of the Application, a detailed assessment was not undertaken against the Planning Scheme.

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 the creation of an access easement and no additional lots are to be created as a result of the development, Infrastructure Charges are not applicable.

Consultation

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

The application was workshopped with the Mayor, Councillors and Executive Leadership Team on 20 January 2026.

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 Council's 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.

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 - Conditions of Approval - RAL25 0025
2. Attachment B - Locality and Proposal Plan - RAL25 0025

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.		
2. Approved Plans and Documents <u>Approved Plans & Documents</u> 2.1 The proposed development must be completed, comply with and maintained generally in		
	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
<p>accordance with the drawings/ documents identified below, except as otherwise specified and/or amended by any condition of this approval.</p> <p>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.</p> <p>2.3 Where there is any conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval must prevail.</p>		
Approved Plans		
Drawing Title	Drawing/Revision	Date
Proposal plan - Access and Services Easement in Lot 4 on RP718750 In favour of Lot 2 on RP718750	57313/001A	12/11/2025
<p>3. Payment of Rates, Charges and Expenses</p> <p>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.</p> <p>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.</p>	Confirmation to be provided to Council prior to the release of the Plan of Survey.	

Attachment A – Recommended Conditions of Approval

Condition	Reason	Timing
4. Easements <u>Access and Services Easement</u> 4.1 Prepare for registration at the Department of Resources (Titles Registry) the following Access and Services Easement, at no cost to Council: a) An Access and Services easement in favour of proposed Lot 2 on RP718750 over Lot 4 on RP718750, as indicated in the approved plans outlined in Condition 2 of this approval. b) A copy of the easement documents must be submitted to Council for endorsement at no cost to Council.	To ensure legal access to the proposed easement is established.	Prior to Council approval of the Plan of Subdivision.

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

Attachment A – Recommended Conditions of Approval

supporting material may be incomplete and/or inaccurate giving rise to any claim by a third party the applicant agrees to indemnity and save the council harmless in respect of any claim so arising.

4. 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*.

5. 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.

6. 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 and Proposal Plan



Image 1 – Aerial imagery of development site

PROPOSAL PLAN
Access and Services Easement in Lot 4 on RP718750
In favour of Lot 2 on RP718750



Date: 12th, November 2025	
Scale: 1:5000	A3
Drawn: MRS	
Job No: 57313	
Plan No: 57313/001 A	

bradenmont.com.au

SUPPORTING
TOWNPLANNING
PROJECT MANAGEMENT
HARDWARE



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.

Document Set ID: 1807263
Version: 1, Version Date: 18/11/2025

Image 2 – Proposed plan of development

PROJECT MANAGEMENT

7.4.1. 2025-2026 Reseal Program

File Reference: 2960

Report Author: Sonya Batchelor, Project Administration Officer DRFA

Authoriser: James Stewart, Director Infrastructure Planning and Environmental Services

Meeting Date: 27 January 2026

Link to Corporate/Operational Plan:

Burdekin Shire Council Corporate Plan 2025-2030

- Prioritise road and drainage network renewals and upgrades to improve safety, connectivity, and flood resilience and to enable economic growth

Executive Summary

Each year Council budgets for roads in both Urban and Rural areas to be resealed in order to protect the infrastructure and extend the life of the asset.

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 2025-2026 Reseal Program.

Officer's Recommendation

That Council endorses the recommendation to award the contract for TBSC/25/038 2025-2026 Reseal Program to Downer EDI Works Pty Ltd for the lump sum cost of \$1,705,863.57 (excluding GST).

Background

Tender Process and Evaluation

Council has recently undertaken a tendering process for the 2025-2026 Reseal Program. The contractor will be responsible for the reseal of sections below:

Anabran Road, Jarvisfield	Corica Road, Mount Kelly	Henry Street, Ayr	McAllister Road, Jarvisfield	Rose Road, Barratta	Tenth Street, Home Hill
Archer Road, Rita Island	Cox Street, Ayr	Hobson Road, Jarvisfield	McDonald Road, Ayr	Sandhill Road, Rita Island	Third Avenue, Home Hill
Barratt Road, Airville	Downs Road, Jarvisfield	Hodder Road, Rita Island	McNeil Road, Jarvisfield	Sayers Road, Barratta	Tomlins Road, Barratta
Barratta Road, Upper Haughton	Eleventh Avenue, Home Hill	Hoey Street, Ayr	Milanese Road, Barratta	Seventeenth Street, home Hill	Upper Haughton Road, Upper Haughton
Bayliss Road, Fredericksfield	Fifteenth Avenue, Home Hill	Ivanhoe Road, Jarvisfield	Moss Street, Ayr	Sexton Road, Mount Kelly	Vasta Road, Jarvisfield

Beach Road, Ayr	Fourteenth A Street, Home Hill	Kennedy Street, Ayr	Northern Road, Jarvisfield	Sibson Road, Fredericksfield	Waterview Road, Airville
Betina Street, Ayr	Fredericksfield Road, Fredericksfield	Kilrie Road, Jarvisfield	Nuttall Road, Jarvisfield	Sixteenth Street, Home Hill	Wickham Street, Ayr
Cacciola Road, Airville	Georgees Road, Home Hill /Fredericksfield	Laurelvale Road, Mount Kelly	Parker Street, Ayr	Soper Street, Ayr	Wilson Road, Jarvisfield
Cameron Street, Ayr	Gordon Street, Ayr	Loram Road, Jarvisfield	Railway Street, Ayr	Spiller Street, Ayr	Young Street, Ayr
Canberra Street, Ayr	Groper Creek Road, Home Hill/Carstairs	Mackenzie Street, Ayr	Riita Island Road, Jarvisfield	Stace Road, Ayr	Cannavan Road, Osborne
Heather Street, Ayr	Macmillan Street, Ayr	Roncato Road, Jarvisfield	Switchback Road, Rita Island		

The tender was a Construction & Operation Public Tender open on VendorPanel on 19 November 2025 and closed on 12 December 2025. After a 21-day period, three (3) tenderers submitted a formal bid that was assessed by Council's project evaluation panel.

The evaluation panel completed an assessment of all three (3) responses based on the evaluation criteria, which was provided in the tender documentation. The primary focus of the assessment was value for money, demonstrated experience, methodology and local content. A mandatory requirement was to utilise crumb rubber made from Burdekin tyres in the seal materials. Two (2) of the three (3) tenderers indicated they currently source the local product.

Of the three (3) submissions, two (2) were from Townsville and one from the Mackay district.

The combined assessment scores from the three (3) panel members were combined to show an average result and confirmed the preferred tenderer.

Tenderer Name		Fulton Hogan Industries Pty Ltd	Queensland Central Bitumen Pty Ltd	Downer EDI Works Pty Ltd
Selection Criteria (1 - 10 Scoring)	Weighting (%)			
Value for Money	50%			\$1,705,863.57
Normal Score		6.2	6.93	9.67
Weighted Score		3.1	3.47	4.83
Demonstrated Experience	20%			
Normal Score		9	8	8
Weighted Score		1.8	1.6	1.6
Methodology	20%			
Normal Score		8	3	5.33
Weighted Score		1.6	0.6	1.07
Local Content (Max 15%)	10%			
Normal Score		3.33	0.00	2.67
Weighted Score		0.33	0	0.27
Total Weighted Score.		6.83	5.67	7.77

Evaluation Summary:

Based on the evaluation of the Reseal Program tenders, Downer EDI Works Pty Ltd is the recommended contractor, achieving the highest total weighted score of 7.77 out of 10. Downer's primary advantage lies in its superior Value for Money, submitting the most competitive price of \$1,705,863.57 (excluding GST), which significantly outperformed the other proponents. Beyond pricing, Downer demonstrated strong technical capability with a well-resourced team, and a solid track record in managing seal and reseal programs for Department of Transport and Main Roads (TMR). While their methodology score was moderate (5.33), their submission was noted for including a comprehensive Risk Register and utilising quality-assured systems (BQC and QA Cert). Although minor clarifications are required regarding seal design and road surface delineation costs, Downer's overall combination of the lowest price and proven operational experience makes them the most advantageous choice for the project.

Consultation

Not Applicable.

Budget & Resource Implications

Within the 2025-2026 Reseal Program budget of \$1,800,000.00.

Legal Authority & Implications

Not Applicable.

Policy Implications

Burdekin Shire Council Procurement Policy

Risk Implications (Strategic, Operational, Project Risks)

Risk has been reduced through the 21-day tender period and thorough assessment of all responses by the evaluation panel.

Attachments

None