



Burdekin
Shire Council

MINUTES

ORDINARY COUNCIL MEETING

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

On 27 January 2026

COMMENCING at 9:00 AM

ORDER OF BUSINESS

1. ATTENDANCE

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

Mr. M. Magin - Chief Executive Officer
Mrs. K. Olsen - Director Corporate and Community Services
Mr. J. Stewart - Director Infrastructure, Planning and Environmental Services
Mr. G. Arboit - Manager Community Services (Part)
Mr. K. Byers - Manager Technical Services (Part)
Mrs. J. Manganaro - Manager Financial Services (Part)
Mr. M. Sandona - Acting Manager Planning and Development (Part)
Ms. B. Mohr - Governance and Property Officer (Part)
Mrs. R. Stockdale - Senior Governance Officer (Part)
Mrs. K. Waterson - Governance and Property Officer (Part)

Minutes Clerk - Mrs. S. Iturriaga

2. PRAYER

The meeting prayer was delivered by Pastor John Mackay from the Burdekin Uniting Church.

3. DECLARATIONS OF INTEREST

The Mayor called for declarations of interest.

Councillor Vasta advised she had a Declarable conflict of Interest in relation to Item 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) as she is employed by Queensland Police Service. Councillor Vasta advised she will leave the room prior to the discussion.

Councillor Hall advised she had a Declarable Conflict of Interest in relation to Item 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) as she is one of the Applicants. As Councillor Hall is attending via Teams she will disconnect from Teams prior to the discussion.

4. MINUTES AND BUSINESS ARISING

4.1. Ordinary Council Meeting Minutes - 9 December 2025

Recommendation

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

Resolution No. 2026-1-1

Moved: Councillor Musumeci

Seconded: Councillor Detenon

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

CARRIED

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.

Resolution No. 2026-1-2

Moved: Councillor Musumeci

Seconded: Councillor Furnell

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

CARRIED

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.

Resolution No. 2026-1-3

Moved: Councillor Musumeci

Seconded: Councillor Detenon

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.

CARRIED

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.

Resolution No. 2026-1-4

Moved: Councillor Detenon

Seconded: Councillor Vasta

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

CARRIED

5. OFFICE OF THE CEO

5.1. ECONOMIC DEVELOPMENT

There are no reports presented for consideration.

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

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.

Resolution No. 2026-1-5
Moved: Councillor Vasta
Seconded: Councillor Furnell

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.

CARRIED

5.2.2. Change to Ordinary Council Meeting Date - Tuesday 24 March 2026 to Monday 23 March 2026

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.

Resolution No. 2026-1-6
Moved: Councillor Furnell
Seconded: Councillor Musumeci

That Council:

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

CARRIED

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

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.

Resolution No. 2026-1-7
Moved: Councillor Vasta
Seconded: Councillor Furnell

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.

CARRIED

6. CORPORATE AND COMMUNITY SERVICES

6.1. CLIENT SERVICES

There are no reports presented for consideration.

6.2. COMMUNITY SERVICES

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

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.

Resolution No. 2026-1-8**Moved:** Councillor Vasta**Seconded:** Councillor Furnell

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.

CARRIED 4/3**For:** Councillors Dalle Cort, Furnell, Hall, Vasta**Against:** Councillors Musumeci, Detenon, Oar

Councillors Musumeci, Detenon and Oar made note of their support for Item 1 (Burdekin Theatre Dressing Rooms Refurbishment Project) proceeding; however, they voted against the overall recommendation due to their objection to Item 2 (Ayr Showgrounds Main Hall Refurbishment Project). The Councillors raised concerns about the quoted tender prices, limited number of quotations received, the proposal to use depreciation funds to cover budget shortfalls, and the limited time available to consider broader budget impacts and competing asset priorities. They acknowledged the importance and timing of the Burdekin Theatre works, but noted that the Ayr Showgrounds project may have been able to be deferred.

9:25am - Ms. Mohr and Mrs. Waterson entered the meeting.

9:29am - Mr. Sandona entered the meeting.

9:37am - Mrs. Stockdale entered the meeting.

9:38am - Mr. Arboit left the meeting.

6.3. 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.

Resolution No. 2026-1-9
Moved: Councillor Musumeci
Seconded: Councillor Detenon

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

CARRIED

9:50am - Mr. Byers entered the meeting.

9:53am - Mrs. Manganaro left the meeting.

6.4. 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)

9:55am - Councillor Vasta left the meeting as she had a Conflict of Interest in relation to Item 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) as she is employed by Queensland Police Service.

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.

Resolution No. 2026-1-10

Moved: Councillor Detenon

Seconded: Councillor Furnell

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.

CARRIED

10:03am - Councillor Vasta re-entered the meeting.

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

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.

Resolution No. 2026-1-11

Moved: Councillor Musumeci

Seconded: Councillor Furnell

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

CARRIED

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

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.

Resolution No. 2026-1-12

Moved: Councillor Vasta

Seconded: Councillor Furnell

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.

CARRIED

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

Resolution No. 2026-1-13
Moved: Councillor Furnell
Seconded: Councillor Detenon

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.

CARRIED

10:10am - Mrs. Waterson and Ms. Mohr left the meeting.

6.4.5. Local Government Remuneration Commission Annual Report 2025

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.

Resolution No. 2026-1-14
Moved: Councillor Furnell
Seconded: Councillor Vasta

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

CARRIED

10:15am - Mrs. Stockdale left the meeting.

7. INFRASTRUCTURE, PLANNING AND ENVIRONMENTAL SERVICES

7.1. ENVIRONMENTAL AND HEALTH SERVICES

There are no reports presented for consideration.

7.2. OPERATIONS

There are no reports presented for consideration.

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)

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 below.

Resolution No. 2026-1-15
Moved: Councillor Furnell
Seconded: Councillor Musumeci

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 below:

Condition	Reason	Timing
<p>1. General and Administration</p> <p><u>Compliance with Conditions</u></p> <p>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:</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p><u>Works – Applicant's Responsibility/Expense</u></p> <p>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.</p> <p>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.</p> <p><u>Infrastructure Conditions</u></p> <p>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.</p>		
<p>2. Approved Plans and Documents</p> <p><u>Approved Plans & Documents</u></p> <p>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.</p>		
	<p>The development must comply with all planning scheme requirements as approved and conditioned by this development permit.</p>	<p>At all times.</p>

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		
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.	Confirmation to be provided to Council prior to the release of the Plan of Survey.	
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		
4.1 The existing services for each lot must be contained within the individual allotments.	To ensure the development is appropriately serviced in accordance with relevant code/s and policy direction.	Confirmation to be provided to Council prior to the release of the Plan of Survey.
5. Access and Roadworks		
Roadworks		
5.1 The construction of any additional crossovers to give access to the land is the owner's responsibility.	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.
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.	To ensure that stormwater does not adversely affect surrounding properties or properties downstream from the development.	At all times
6.2 Any external catchments discharging to the premises must be accepted and accommodated within the development's stormwater drainage system.		

CARRIED

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)

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 unserved 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.

Resolution No. 2026-1-16
Moved: Councillor Vasta
Seconded: Councillor Furnell

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.

LOST 0/7

For: None

Against: Councillors Dalle Cort, Musumeci, Detenon, Furnell, Hall, Oar, Vasta

The reasons for Councillors voting against the Recommendation are as follows:

- a. Subdivision of the land will not result in further fragmentation of productive rural land.
- b. The area of land proposed for subdivision has historically been used for residential purposes and has not served a productive agricultural purpose.
- c. The existing two (2) allotments forming the land contained a total of three Dwelling Houses, with the proposed development seeking to facilitate a total of four lots and thus potential for four (4) future Dwelling Houses.
- d. The proposed layout is consistent with the pattern of development that has been established in the immediate locality, as well as community expectation that the subject land is used for residential purposes as per its historic use.

Resolution No.

2026-1-17

That Council approve 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, subject to reasonable and relevant conditions as set out below:

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.									
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Drawing Title	Drawing/Revision	Date									
PLAN OF RECONFIGURATION Subdivision – Two (2) into Four (4) Lots	S01-01, Rev. A	September 2025									
3. Payment of Rates, Charges and Expenses 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.											
Confirmation to be provided to Council prior to the release of the Plan of Survey.											
Access and Roadworks 4. Roadworks 4.1 The construction of any additional crossovers to give access to the land is the owner's responsibility. 4.2 An application must be made to and approved by Council before the construction of any additional access crossovers. 4.3 Approved crossovers must be constructed in accordance with requirements of the approval to the satisfaction of Council.											
To provide appropriate access in accordance with relevant code/s and policy direction.		At all times.									
Services and Infrastructure 5. Stormwater 5.1 The approved development and use(s) must not interfere with the natural flow of stormwater in the locality in such a manner as to cause ponding or concentration of stormwater on adjoining land or roads.											
To ensure that stormwater does not adversely affect surrounding properties or properties downstream from the development.		At all times									

Condition	Reason	Timing
5.2 Any external catchments discharging to the premises must be accepted and accommodated within the development's stormwater drainage system.		
6. Confirmation of Existing Services 6.1 The existing services for each lot must be contained within the individual allotments.	To ensure the development is appropriately serviced in accordance with relevant code/s and policy direction.	Confirmation to be provided to Council prior to the release of the Plan of Survey.
7. Water Supply 7.1 Proposed Lots 1-3 must be provided with a dedicated water supply that complies with the Australian Drinking Water Guidelines for potable water quality. 7.2 The bore must be located wholly within the boundaries of the lot it serves, at least 10 metres clear of any onsite effluent disposal areas, wastewater treatment systems, stormwater drains or potential sources of contamination, to the satisfaction of Council. 7.3 The applicant must provide Council with certification from a suitably qualified professional (hydrogeologist or water quality engineer) confirming that the water supply for Proposed Lots 1-3: 7.3.1 is potable and meets the required standards; 7.3.2 has sufficient yield for domestic use; and 7.3.3 is free from contamination sources. 7.4 Should the bore not be capable of providing potable water at an acceptable standard, an alternative compliant potable water supply must be provided to Proposed Lots 1-3 to the satisfaction of Council.		Confirmation to be provided to Council prior to the release of the Plan of Survey.

Advice

1. Infrastructure Charges

An Infrastructure Charges Notice outlining the estimated infrastructure contributions payable relevant to the development permit is attached for your information.

2. Compliance with Conditions

Unless otherwise specified by these conditions, the conditions must be complied with prior to Council's endorsement of the Plan of Survey.

CARRIED

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)

10:25am - Councillor Hall disconnected from the meeting as she had a Conflict of Interest with Item 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) as she is one of the Applicants.

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 below.

Resolution No.

2026-1-18

Moved:

Councillor Furnell

Seconded:

Councillor Oar

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 below:

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.								
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.								
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3. Payment of Rates, Charges and Expenses 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 4.1 The existing services for each lot must be contained within the individual allotments.								
To ensure the development is appropriately serviced in accordance with relevant code/s and policy direction.								
Confirmation to be provided to Council prior to the release of the Plan of Survey.								
5. Access and Roadworks Roadworks 5.1 The construction of any additional crossovers to give access to the land is the owner's responsibility.								
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.								

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.	To ensure that stormwater does not adversely affect surrounding properties or properties downstream from the development.	At all times
6.2 Any external catchments discharging to the premises must be accepted and accommodated within the development's stormwater drainage system.		

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

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 <i>Aboriginal Cultural Heritage Act 2003</i> and the <i>Torres Strait Islander Cultural Heritage Act 2003</i> . Further information and databases are available from the Department of Aboriginal and Torres Strait Islander Partnerships at: www.datsip.qld.gov.au . 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.

CARRIED

10:27am - Councillor Hall re-connected to the meeting.

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)

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.

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 below.

Resolution No. 2026-1-19
Moved: Councillor Furnell
Seconded: Councillor Detenon

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 below:

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.

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.								
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3. Payment of Rates, Charges and Expenses 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.								
	Confirmation to be provided to Council prior to the release of the Plan of Survey.							
4. Services and Infrastructure Provision Confirmation of Existing Services 4.1 The existing services for each lot must be contained within the individual allotments.								
	To ensure the development is appropriately serviced in accordance with relevant code/s and policy direction.	Confirmation to be provided to Council prior to the release of the Plan of Survey.						
5. Access and Roadworks Roadworks 5.1 The construction of any additional crossovers to give access to the land is the owner's responsibility.								
	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.						

Condition	Reason	Timing
5.2 An application must be made to and approved by Council before the construction of any additional access crossovers.		
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6. Stormwater		
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6.2 Any external catchments discharging to the premises must be accepted and accommodated within the development's stormwater drainage system.		

Advice

1. Infrastructure Charges Not Applicable.
2. Compliance with Conditions Unless otherwise specified by these conditions, the conditions must be complied with prior to Council's endorsement of the Plan of Survey.
3. Limitation of Approval 3.1 The Council and its officers make no representations and provide no warranties as to the accuracy of the information contained in the application including its supporting material provided to it by the applicant. 3.2 The Council and its officers rely upon the applicant concerning the accuracy and completeness of the application and its supporting material and accepts the application and supporting material as constituting a representation by the applicant as to its accuracy and completeness. Insofar as the application and its supporting material may be incomplete and/or inaccurate giving rise to any claim by a third party the applicant agrees to indemnify and save the council harmless in respect of any claim so arising.
4. 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

CARRIED

10:27am - Mr. Sandona left the meeting.

7.4. PROJECT MANAGEMENT

7.4.1. 2025-2026 Reseal Program

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).

Resolution No.	2026-1-34
Moved:	Councillor Furnell
Seconded:	Councillor Detenon

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).

CARRIED

10:35am - Mr. Byers left the meeting.

7.5. TECHNICAL SERVICES

There are no reports presented for consideration.

7.6. WATER AND WASTEWATER

There are no reports presented for consideration.

8. NOTICE OF MOTION

9. RECEIPT OF PETITIONS

10. CORRESPONDENCE FOR INFORMATION

11. GENERAL BUSINESS

11.1. Colevale Signage Request

A Colevale farm owner approached Councillor Musumeci regarding Council owned land that he and a neighbour maintain. He reported recent issues with quad bikes causing damage to the area and asked whether Council could provide signage to help deter this behaviour.

11.2. Drainage Concern - Twelfth Street Home Hill

A Home Hill farm owner contacted Councillor Musumeci regarding drainage issues. The owner advised that a recent Council drain cleanout in Twelfth Street Home Hill has affected the drainage to his nearby property. Councillor Musumeci has requested a site visit with a Council Officer to inspect the area firsthand. He also noted that while in Home Hill he would like to point out several additional areas of interest.

11.3. Council Cleaning Services Update

Councillor Hall requested an update on the performance of Council's cleaning services. It was advised that while some issues have been identified, they are currently being addressed.

12. CLOSED BUSINESS ITEMS

13. DELEGATIONS

There being no further business the meeting closed at 10:52am.

These minutes were confirmed by Council at the Ordinary Council Meeting held on 10 February 2026.

MAYOR