



**BURDEKIN SHIRE COUNCIL**



# **AGENDA**

## **ORDINARY COUNCIL MEETING**

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

**on 10 July 2012**

**COMMENCING AT 9:00AM**



**TUESDAY 10 JULY 2012**

## **ORDER OF BUSINESS:**

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## **1 PRAYER**

## **2 DECLARATIONS OF INTEREST**

## **3 MINUTES AND BUSINESS ARISING**

### **3.1 Ordinary Council Meeting Minutes - 26 June 2012**

#### **Recommendation**

That the minutes of the Ordinary Council Meeting held on 26 June 2012 be received as a true and correct record.



**BURDEKIN SHIRE COUNCIL**



# **MINUTES**

## **ORDINARY COUNCIL MEETING**

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

**on 26 June 2012**

**COMMENCING AT 9:00AM**



**TUESDAY 26 JUNE 2012**

### **ORDER OF BUSINESS:**

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Ordinary Council Meeting 26 June 2012



## **BURDEKIN SHIRE COUNCIL**



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## **ATTENDANCE**

Councillors W.C. Lowis (Mayor), R.H. Lewis (Deputy Mayor), L.D. McCathie, U.E. Liessmann, P.M. Dalle Cort and E.J. Bawden

Mr. K. Holt - Chief Executive Officer  
Mr. D.P. Mulcahy - Director Corporate and Community Services  
Mr. T.G. Williams - Director Environment and Operations  
Mr. S. Great - Manager Planning and Development  
Miss T. Jensen - Manager Environment and Health  
Mr. K. Byers - Manager Technical Services  
Mrs. A. McLaughlin - Environmental Health Officer  
Mr. T. Cross - Manager Financial Services  
Ms. L. Govan - Co-ordinator Environment and Health

Minutes Clerk - Miss S. Cronin

Apologies: Councillor L. Loizou

## **1 PRAYER**

The meeting prayer was delivered by Pastor Peter Holmes of the Burdekin Community Church.

## **2 DECLARATIONS OF INTEREST**

The Mayor called for declarations of interest.

Councillor McCathie declared a material personal interest in respect of the following agenda items:

5.2, 5.3 and 6.2 - the respective applicants are clients of McCathie's Real Estate of which she is an owner.

## **3 MINUTES AND BUSINESS ARISING**

### **3.1 Ordinary Council Meeting Minutes - 5 June 2012**

#### **Recommendation**

That the minutes of the ordinary Council Meeting held on 5 June 2012 be received as a true and correct record.

#### **Resolution**

Moved Councillor Lewis, seconded Councillor Liessmann that the recommendation be adopted.

CARRIED

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### **3.2 Burdekin Be Active Advisory Committee Meeting Minutes - 7 March 2012**

#### **Recommendation**

That the minutes of the Burdekin Be Active Advisory Committee Meeting held on 7 March 2012 be received and adopted.

#### **Resolution**

Moved Councillor Dalle Cort, seconded Councillor McCathie that the recommendation be adopted.

CARRIED

## **4 REPORTS**

### **4.1 Capital Projects Monthly Report for period ending 31st May 2012**

#### **Recommendation**

That the Capital Projects Monthly Report for the period ending 31 May 2012 be received.

#### **Resolution**

Moved Councillor Lewis, seconded Councillor Liessmann that the recommendation be adopted.

CARRIED

### **4.2 Operating Statement for period ending 31st May 2012**

#### **Recommendation**

That the Operating Statement for the period ending 31 May 2012 be received.

#### **Resolution**

Moved Councillor Lewis, seconded Councillor Dalle Cort that the recommendation be adopted.

CARRIED

## **5 ENVIRONMENT & OPERATIONS**

### **5.1 Waste Disposal Fees**



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## **Executive Summary**

Waste disposal fees are attached for Council's consideration and approval. The proposed fees consider the removal of the state government waste levy and introduction of new fees.

## **Recommendation**

That the fees for waste management proposed be accepted for the 2012-2013 year.

## **Resolution**

Moved Councillor Lewis, seconded Councillor Liessmann that the recommendation be adopted.

### Amendment to the motion

Moved Councillor Lewis, seconded Councillor Dalle Cort that the proposed waste management fees for the 2012-2013 year be approved with the exception of the green waste fees.

CARRIED

### Voting on the amendment as the motion

CARRIED

## **5.2 M Coldstream - Development Application for Material Change of Use at 133 Graham Street, Ayr (Lot 8 on SP185662, Parish of Antill, County of Gladstone)**

Councillor McCathie declared a material personal interest in respect of agenda items 5.2 and 5.3 as the respective applicants are clients of McCathie's Real Estate of which she is an owner, and left the meeting.

## **Executive Summary**

An application has been received from Mark Coldstream seeking approval for Material Change of Use for Dual Occupancy at 133 Graham Street, Ayr (Lot 8 on SP185662, Parish of Antill, County of Gladstone). A Development Application (Code Assessable) has been triggered in accordance with the Burdekin Shire IPA Planning Scheme.

## **Recommendation**

That Council approves the Development Application for a Material Change of Use for a Dual Occupancy at 133 Graham Street, Ayr (Lot 8 on SP185662, Parish of Antill, County of Gladstone) subject to the following conditions:

## **GENERAL**

- 1.1 The conditions of the development permit must be effected prior to the commencement of the use, except where specified otherwise in these conditions of approval.

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- 1.2 All rates and charges (including infrastructure charges), in arrears in respect of the land, subject of the application, are paid in full prior to the commencement of the proposed use.
  - 1.3 The development and conduct of the approved use of the premises, the carrying out and maintenance of any works on the premises and construction and maintenance of any building on the premises must be generally in accordance with the approved plans submitted from Tony Ferraris Consulting Building Design Job No TFBD-12009 DWG No. A00-A05 Issue A.

#### **BUILDING WORK**

2. A development permit for Building Works is to be obtained before any building works are carried out on the premise.

#### **DRAINAGE**

- 3.1 Stormwater drainage from paved/sealed and roofed areas must be discharged under the footpath to kerb and channelling within the adjoining road reserves in accordance with AS3500.2.2003 or as otherwise required or agreed to in writing by the Chief Executive Officer.
- 3.2 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.
- 3.3 Any external catchments discharging to the premises must be accepted and accommodated within the development's stormwater drainage system.

#### **PUBLIC UTILITY SERVICES**

4. The developer must at its own cost undertake all necessary alterations to public utility mains and services as are rendered necessary by the carrying out of any required external works or other works associated with the approved development.

#### **ROADWORKS**

- 5.1 Construct a minimum 4m wide industrial crossover (150mm thick, 32 mPa concrete, F72 mesh) from the invert of the existing kerbing and channeling to the property boundary and re-profile the footpath each side of the proposed driveway to comply with the Disability Discrimination Act.
- 5.2 Provide to Council prior to the commencement of works cross sections 1:50 natural scale from the side of Graham Street to the property boundary showing existing and design levels, for the crossover in condition 5.
- 5.3 Construct a minimum 4m wide industrial crossover (150mm thick, 32 mPa concrete, F72 mesh) from the invert of the existing kerbing and channeling to the property boundary and re-profile the footpath each side of the proposed driveway to comply with the Disability Discrimination Act, prior to the construction of the future dwelling/unit.
- 5.4 Provide to Council prior to the commencement of works cross sections 1:50 natural scale from the side of Graham Street to the property boundary showing existing and design levels, for the crossover in condition 7.

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## **ACCESS AND CAR PARKING**

- 6.1 Parking shall be provided generally in accordance with the approved plan from Tony Ferraris Consulting Building Design Job No TFB D-12009 DWG No. A00-A05 Issue A.
- 6.2 Parking space and layout must be designed in accordance with the provisions contained in Schedule 2 – Vehicle Parking Rates & Standards of the Planning Scheme.
- 6.3 Access to the premises, car parking and manoeuvring areas must be constructed in an all weather low glare paving, exposed aggregate concrete or similar material to the satisfaction of the Chief Executive Officer.
- 6.4 If any existing on street parallel car parking fronting the proposed development needs to be realigned or removed, the applicant is to be responsible for any works to be carried out. All design and works are to be in accordance with Council's guidelines and at the applicant's full cost.

## **WATER SUPPLY**

7. The development must be connected to Council's reticulated water supply. The water connection must be provided at a location approved by Council and at the full cost of the developer.

## **SEWERAGE SUPPLY**

- 8.1 The development must be connected to Council's sewerage scheme. The sewerage connection must be provided at a location approved by council and at the full cost of the developer.
- 8.2 An approval to erect a structure over or adjacent to a sewer is to be obtained prior to the construction of the rear dwelling/unit.

## **AMENITY – SCREEN FENCING**

9. A 1.8m high screen fence must be provided along the adjoining property boundaries and must be designed to assist in breeze flow. The type and design must be submitted and approved by the Chief Executive Officer as part of the Landscaping Plan.

## **LANDSCAPING AND SCREENING**

10. A landscaping plan shall be submitted and approved by the Chief Executive Officer. This plan must be prepared by a landscape architect or other suitably qualified and experienced person detailing the following;
  - the location of existing and proposed plantings;
  - landscaping of the designated areas generally in accordance with the approved plans;
  - proposed fencing and screens, including rubbish bin enclosures;
  - location of public infrastructure;

## **DOMESTIC WASTE**

11. The developer shall provide appropriate domestic waste receptacles (wheelie bins) for each dwelling unit. Such receptacles shall be stored adjacent to each unit.

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**ADVICE ONLY**

- *Provide a suitably sized master meter at the water service and individual sub-meters to each of the proposed units in accordance with Part 4 of the Queensland Plumbing and Wastewater Code. The location of such meters shall be as approved by the Chief Executive Officer, and at the applicant's full cost.*

**Resolution**

Moved Councillor Lewis, seconded Councillor Dalle Cort that the recommendation be adopted.

CARRIED

**5.3 Chaplands Pty Ltd - Development Application for Reconfiguring a Lot At Burstall Road, Ayr (Lot 200 on SP236357 Parish of Antill, County of Gladstone)****Executive Summary**

An application has been received from Everson Town Planning on behalf of their client Chaplands Pty Ltd seeking approval for Reconfiguring a Lot (subdivision) at Burstall Road, Ayr (Lot 200 on SP236357 Parish of Antill, County of Gladstone). A Development Application (Code Assessable) has been triggered in accordance with the Burdekin Shire IPA Planning Scheme.

**Recommendation**

That Council approves the Development Application for Reconfiguring a Lot (subdivision) at Burstall Road, Ayr (Lot 200 on SP236357 Parish of Antill, County of Gladstone) subject to the following conditions:

**GENERAL**

- 1.1 The Council will not release the formal Plan of Reconfiguration until all rates and charges in arrears in respect of the land, the subject of the application, are paid in full.
- 1.2 Pay the sum of \$953.60 calculated on the basis of a charge of \$29.80 per lot to be levied on the Council by the Department of Environment & Resource Management for each new valuation.
- 1.3 The proposed lots must be filled and compacted with approved material to a minimum level equal to the level of a 50 year ARI flood and must be evenly graded to the road frontage or an approved inter-lot drainage system at not less than 0.25% to ensure that the land is free draining.

Where fill is incorporated on allotments, details of compaction standards obtained are to be provided to Council. Such standards are to comply with the minimum standard for building construction.

- 1.4 Where inter-allotment drainage benefits only freehold lots easements shall be created in favour of benefitted lots.

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- 1.5 Access to all lots is to be via internal access roads only.
- 1.6 The proposed residential lots are to be located or incorporate measures to minimise the impact of dust, smoke, noise and ash generated by nearby agricultural activities in accordance with the *“Planning Guidelines: Separating Agricultural and Residential Land Uses – August 1997.”*

## **PROPOSAL PLAN**

- 2 The reconfiguration of the land must be carried out generally in accordance with:-
- (a) (i) the proposed Plan Drawing EC-002, No 01-03, Rev A
  - (ii) the plans, specifications, facts and circumstances as set out in the application submitted to Council;
- Except where modified by the conditions of approval and any approval issued there under; and
- (b) any approval issued under this approval; and
  - (c) any development permit for operational works relating to the reconfiguring of a lot;

## **SOIL EROSION SEDIMENT CONTROL & STORMWATER**

- 3.1 A detailed Soil Erosion and Sediment Control Plan for the development must be provided as part of Operational Works application. An appropriately qualified professional must design and certify the plan which must comply with the Environment Protection Act 1994 and all its subordinate legislation, and addresses the performance outcomes stated in State Planning Policy 4/10, Appendix 1, Part A.
- 3.2 A Stormwater Management Plan for the development must be provided as part of Operational Works application which demonstrates;
- The proposed stormwater drainage layout, for the completed subdivision, including both surface underground drainage structures.
  - An adequately sized stormwater route from the proposed development to the lawful point of discharge at Lilliesmere Lagoon.
  - Measures to be used to minimise stormwater discharge rate from the developed site.
- 3.3 A Stormwater Quality Management Plan for the subdivision, which addresses the performance outcomes stated in State Planning Policy 4/10, Appendix 1, Part A, must be provided as part of Operational Works application.
- 3.4 Provide to Council all stormwater calculations and design details for the development. Calculations must show:
- hydrology calculations, for both Q5 and Q50 events, including runoff from individual catchments;
  - hydraulic calculations, for both Q5 and Q50 events, including
    - backwater analysis
    - hydraulic grade line results
    - kerb and channel flow widths and depths

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- pipe flows and velocities
  - channel flows and velocities
  - overland flow volumes and velocities

These shall be certified by a Registered Professional Engineer of Queensland (RPEQ) and be included in the operational works application.

## **DRAINAGE**

- 4.1 The developer shall provide a stormwater management plan for the entire development. The plan shall illustrate the flow paths for the minor and major drainage systems.
- 4.2 The minor drainage shall consist of an underground system capable of conveying 5 yr ARI flows from the development and any external catchments currently flowing onto the land being developed. Stormwater shall not overtop kerb for a 5yr ARI event.
- 4.3 The major drainage system shall consist of overland flow paths or suitably sized underground drainage capable of discharging 50yr ARI flows from the development and any external catchments currently flowing onto the land being developed. Stormwater shall be confined to road reservations and easements for a 50yr ARI event.
- 4.4 The lawful point of discharge for stormwater shall be at a location approved by Council.
- 4.5 All surface drainage shall be suitably lined with concrete to maintain levels and grades.
- 4.6 All drainage works are to be designed to ensure no detrimental affect to the upstream and downstream catchments.
- 4.7 Downstream drainage paths and structures are to be analysed to ensure they are suitably sized for the increased flows from the development when fully developed. Any inadequate elements of the system are to be augmented at the developers full cost to allow for the increased flows.
- 4.8 Drainage reserves and easements shall be provided as required by the stormwater design. The developer must at its own cost grant and register all such easements on the title document. Land within proposed reserves shall be transferred to the Burdekin Shire Council upon registration of the Survey Plan.

## **DRAINAGE RESERVES**

- 5.1 Overland flow paths designed as part of the major drainage system shall be constructed within drainage reserves to be dedicated to Council.
- 5.2 Open drains within reserves shall have a 1.2m minimum width concrete invert constructed in the base of the drain.
- 5.3 Widths of drainage reserves shall be the width of the constructed drain plus a minimum of 3m each side of the top of the drain.

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## **DRAINAGE EASEMENTS**

- 6.1 Open drains incorporated in the minor drainage system shall be located within drainage easements and shall have a 600mm wide concrete invert constructed in the base of the drain.
- 6.2 Piped drains traversing allotments shall be located within drainage easements.
- 6.3 Width of drainage easements shall be the width of the constructed drain plus a minimum of 1m each side of the top of the drain, pipe or culvert with a minimum width of 4m.
- 6.4 Temporary drainage constructed during the staging of the project shall be within easements. These easements may be relinquished at the completion of works of any future stages in the development which renders the easement unnecessary for the transportation of stormwater.

## **ROADWORKS**

### New Road

- 7.1 Road reserve width shall be 16.5m.
- 7.2 Provide stand up kerbing and channelling for the full length of the development. The alignment of such shall provide 8.2m minimum between faces of the kerb
- 7.3 Provide an asphalt seal (minimum 30mm thick) for all new roads.
- 7.4 Pavement design shall comply with Queensland Transport pavement design manual guidelines and shall be no less than 150mm thick compacted type 2.2 gravel.

### Temporary Turnarounds

- 7.5 Provide a temporary bitumen turnaround at the end of the Mulberry Circuit. The turnaround shall have a minimum radius of 10 metres and be contained within road reserve or easements. The dedicated road reserve/easement shall extend to a point 5 metres beyond the end of the turnaround. The construction of the turnaround is to be in accordance with Council design guidelines. A bond of \$25,000 shall be lodged with the Burdekin Shire Council as a guarantee for the construction of kerb and channel around the turnaround if future stages of the development have not commenced construction within a two year period after completion of the current stage. This bond shall be returned to the developer upon commencement of operational works for the next stage which continues this road beyond the turnaround within the specified timeframe.

### Accesses

- 7.6 The construction of any crossover or access points to the proposed lots are to be the owners responsibility and to the satisfaction of the Chief Executive Officer. Any proposed purchaser of the land is to be advised accordingly.
- 7.7 An application for street names must be submitted to and approved by Council prior to approval of Operational Works. Approved street names must be shown on all engineering drawings submitted with the Operational Works application.

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- 7.8 Street nameplates must be erected at each intersection indicating the name of each street and the street numbers. The signs shall be in accordance with Council standard street nameplate and erected in accordance with Department of Main Roads Manual of Uniform Traffic Control Devices.

## **PUBLIC UTILITY SERVICES**

- 8.1 The developer must at its own cost undertake all necessary alterations to public utility mains and services as are rendered necessary by the carrying out of any required external works or other works associated with the approved development.

## **OPERATIONAL WORKS**

- 9.1 Where operational works are required to be carried out for the reconfiguration, the developer must, within the timeframe required by the Sustainable Planning Act 2009 and prior to the commencement of any work, lodge with Council an application for a development permit for operational works. As part of such application, the developer must submit:-
- (a) detailed and complete engineering drawings and specifications of the proposed works prepared by a civil engineer, who is both registered under the Professional Engineer's Act 2002 and is current Registered Professional Engineer of Queensland; and
  - (b) certificate from the engineer who prepared the drawings stating that the design and specifications have been prepared in accordance with these conditions, relevant Council Codes and Planning Scheme Policies and the relevant Australian Standard Codes of Practice;
  - (c) a letter from the Electricity Service Provider stating that electricity can be readily supplied to the development;
- 9.2 No work must be commenced prior to issue of a development permit for operational works.

## **ELECTRICITY SUPPLY AND STREET LIGHTING**

- 10.1 The developer must prior to release of formal Plan of Survey submit a letter from Ergon Energy (or other suitable entity) stating that satisfactory arrangements have been made with it for the provision of an underground electricity supply to the subdivision and must provide at the developer's cost:
- (a) a reticulated underground electricity supply to each part of the subdivision in accordance with the requirements of the Electricity Service Provider;
- 10.2 The developer must install ducting to the satisfaction of the Electricity and Telecommunications Service Providers prior to the approval of the Plan of Survey, and
- 10.3 Street lighting is to be provided to Category P5 in accordance with AS 1158.3.11 - Road Lighting. The consent of the Chief Executive Officer will be required prior to the final design being adopted.



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## **WATER SUPPLY WORKS INTERNAL**

- 11.1 The development must be connected to Council's reticulated water supply. The water connection must be provided at a location approved by Council and at the full cost of the developer. Each of the proposed lots shall have separate water services.
- a) A water network analysis for the entire development, prepared by an appropriately qualified and experienced Registered Professional Engineer of Queensland (RPEQ), must be provided to Council for approval as part of the Development Permit for Operational Works.
  - b) The water network analysis must demonstrate that for the entire development minimum pressure (head) of 22m is available at the most disadvantaged allotment frontage/meter location upon completion of the stage and detailing stages at which trunk components of the network should be implemented.
- 11.2 Any connection or upgrades to Councils existing water infrastructure required by the development shall be carried out by the Council at the developers full cost.

## **SEWERAGE SUPPLY**

- 12.1 A sewerage network analysis, prepared by an appropriately qualified and experienced Registered Professional Engineer of Queensland (RPEQ), must be provided to Council for approval as part of the Development Permit for Operational Works.
- 12.2 The development must be connected to Council's reticulated sewerage system or as an alternative, construct the necessary infrastructure to each proposed new lot to allow an appropriate pressure sewer system to be installed. All works required are to be carried out at the developers full cost;
- 12.3 Any connection or upgrades to Councils existing sewerage infrastructure required by the development shall be carried out by the Council at the developers full cost;
- 12.4 Provide a sewer connection to each of the proposed lots included in the development to Councils sewerage scheme. All works required are to be carried out at the developers full cost;
- 12.5 The lawful point of discharge into Council's sewerage infrastructure shall be at a location approved by Council.

## **WATER SUPPLY AND SEWERAGE HEADWORKS**

- 13.1 The developer must contribute in accordance with Council's Planning Scheme Policy for Infrastructure Provision - Developer Contribution for Provision of Water supply and Sewerage services is payable, the contribution must be paid at the rate current at the time of payment.

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## **AS-CONSTRUCTED PLANS**

- 14.1 Prior to the release of the plan, the developer shall provide Council with a complete set of as-constructed plans and an electronic copy which is to be compatible to Council's system at the relevant time, for all works. Such plans are to be certified by an R.P.E.Q.

## **OPEN SPACE AND PARKLAND**

15. Instead of dedicating land for park purposes, the developer must pay to Council a cash contribution. The current amount payable is \$23,250.00 (i.e. 31 lots @ \$750.00/lot). Payment must be received before the formal plan of subdivision is released.

### **ADVICE (Note: These are not conditions)**

- *An application for Operational works must be submitted to Council in accordance with these conditions.*
- *Unless otherwise specified by these conditions, the conditions must be complied with prior to approval of the Plan of Survey.*
- **Earthworks**  
*If the development of the subject property requires soil to be imported or exported, the developer must identify the allotments which would be used for borrowing or filling and must obtain Council approval for such works in addition to engineering approval for the development. In this regard, the developer must obtain Council approval for the route of transport, the period and time of transport during the construction phase of the development.*
- **Environmental Considerations**  
*E.P.A. Requirements*  
*Construction must comply with the Environmental Protection Act, Policies and Guidelines to prevent or minimise either environmental harm or nuisance.*

## **Resolution**

Moved Councillor Dalle Cort, seconded Councillor Liessmann that the recommendation be adopted.

CARRIED

Councillor McCathie returned to the meeting.

## **6 CORPORATE & COMMUNITY SERVICES**

### **6.1 Contribution towards 2012 Tastes of the Burdekin and Burdekin Water Festival**

#### **Executive Summary**

The Burdekin Water Festival Committee requested financial and in-kind assistance towards the 2012 Tastes of the Burdekin and Burdekin Water Festival. Last year, Council donated

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\$4000 plus in kind support to the value of \$3000 towards Tastes of the Burdekin and \$5000 plus in kind support to the value of \$3000 towards the Burdekin Water Festival. Tastes of the Burdekin has grown in participation numbers over the past few years and is now the festival's main signature event and is considered worthy of its own additional support.

### **Recommendation**

Council approves a donation of \$4000.00 (inc. GST) and up to \$3000.00 in kind support towards the 2012 Tastes of the Burdekin and a donation of \$5000.00 (inc. GST) and up to \$3000.00 in-kind support towards the 2012 Burdekin Water Festival.

### **Resolution**

Moved Councillor Lewis, seconded Councillor Dalle Cort that the recommendation be adopted.

CARRIED

## **6.2 Alteration to Deed between Council and JR & OM Breadsell**

Councillor McCathie declared a material personal interest in respect of this item as the applicants are clients of McCathie's Real Estate of which she is an owner, and left the meeting.

### **Executive Summary**

Alteration to Deed between Council and JR & OM Breadsell.

### **Recommendation**

Council resolves to change the location of the drainage path referenced in the deed as requested by JR & OM Breadsell.

### **Resolution**

Moved Councillor Lewis, seconded Councillor Liessmann that the recommendation be adopted.

CARRIED

Councillor McCathie returned to the meeting.

## **6.3 Second Amended Budget for 2011/12**

### **Executive Summary**

An amended budget for the 2011/12 financial year is submitted for adoption to better reflect estimates of income and expenditure for the year.

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## **Recommendation**

That the amended budget and report for the period ending 30 June, 2012 as tabled be adopted.

## **Resolution**

Moved Councillor Bawden, seconded Councillor Liessmann that the recommendation be adopted.

CARRIED

## **6.4 Councillor Expenses Reimbursement Policy**

### **Executive Summary**

The Councillor Expenses Reimbursement Policy has been updated as part of an extensive review of Council's policies.

References to legislation have been updated and the layout of the policy has been updated to be consistent with the new policy template.

## **Recommendation**

Council adopts the amended Councillor Expenses Reimbursement Policy.

## **Resolution**

Moved Councillor Liessmann, seconded Councillor Lewis that the recommendation be adopted subject to agreed amendments.

CARRIED

## **6.5 Making of Local Laws**

### **Executive Summary**

Council has received a letter from the Minister under section 29A(4) of the Local Government Act 2009 advising that Council may proceed further in making its proposed "other" local laws without the need to satisfy any conditions.

As part of Council's local law and subordinate local law making process, Council needs to resolve to make each proposed local law and subordinate local law.

King and Company Solicitors have provided the resolutions dealing with making each proposed local law and subordinate local law, incorporating any necessary amendments to those previously considered.

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## **Recommendation**

Council resolves to—

- (a) satisfy the conditions (if any) imposed by the Minister about each proposed “other” local law of Council under section 29A(4) of the Local Government Act 2009; and
- (b) make each proposed local law listed in schedule 1 as advertised; and
- (c) adopt each proposed model local law listed in schedule 2; and
- (d) make each proposed subordinate local law listed in schedule 3 as advertised; and
- (e) make each proposed local law listed in schedule 4 with amendments as particularised in schedule 4; and
- (f) make each proposed subordinate local law listed in schedule 5 with amendments as particularised in schedule 5.

### **SCHEDULE 1**

- 1. Local Law (Repealing) Local Law (No. 1) 2012 (formerly Local Law (Repealing) Local Law (No. 1) 2011);
- 2. Local Law No. 2 (Animal Management) 2012 (formerly Local Law No. 2 (Animal Management) 2011);
- 3. Local Law No. 7 (Aerodromes) 2012 (formerly Local Law No. 7 (Aerodromes) 2011).

### **SCHEDULE 2**

- 1. Model Local Law No. 5 (Parking) 2010, to be known as Local Law No. 5 (Parking) 2012;
- 2. Model Local Law No. 6 (Bathing Reserves) 2010, to be known as Local Law No. 6 (Bathing Reserves) 2012.

### **SCHEDULE 3**

- 1. Subordinate Local Law No. 1.1 (Alteration or Improvement to Local Government Controlled Areas and Roads) 2012 (formerly Subordinate Local Law No. 1.1 (Alteration or Improvement to Local Government Controlled Areas and Roads) 2011);
- 2. Subordinate Local Law No. 1.2 (Commercial Use of Local Government Controlled Areas and Roads) 2012 (formerly Subordinate Local Law No. 1.2 (Commercial Use of Local Government Controlled Areas and Roads) 2011);
- 3. Subordinate Local Law No. 1.3 (Establishment or Occupation of a Temporary Home) 2012 (formerly Subordinate Local Law No. 1.3 (Establishment or Occupation of a Temporary Home) 2011);
- 4. Subordinate Local Law No. 1.5 (Keeping of Animals) 2012 (formerly Subordinate Local Law No. 1.5 (Keeping of Animals) 2011);

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5. Subordinate Local Law No. 1.6 (Operation of Camping Grounds) 2012 (formerly Subordinate Local Law No. 1.6 (Operation of Camping Grounds) 2011);
  6. Subordinate Local Law No. 1.7 (Operation of Cane Railways) 2012 (formerly Subordinate Local Law No. 1.7 (Operation of Cane Railways) 2011);
  7. Subordinate Local Law No. 1.8 (Operation of Caravan Parks) 2012 (formerly Subordinate Local Law No. 1.8 (Operation of Caravan Parks) 2011);
  8. Subordinate Local Law No. 1.9 (Operation of Cemeteries) 2012 (formerly Subordinate Local Law No. 1.9 (Operation of Cemeteries) 2011);
  9. Subordinate Local Law No. 1.10 (Operation of Public Swimming Pools) 2012 (formerly Subordinate Local Law No. 1.10 (Operation of Public Swimming Pools) 2011);
  10. Subordinate Local Law No. 1.12 (Operation of Temporary Entertainment Events) 2012 (formerly Subordinate Local Law No. 1.12 (Operation of Temporary Entertainment Events) 2011);
  11. Subordinate Local Law No. 1.13 (Undertaking Regulated Activities regarding Human Remains) 2012 (formerly Subordinate Local Law No. 1.13 (Undertaking Regulated Activities regarding Human Remains) 2011);
  12. Subordinate Local Law No. 1.14 (Undertaking Regulated Activities on Local Government Controlled Areas and Roads) 2012 (formerly Subordinate Local Law No. 1.14 (Undertaking Regulated Activities on Local Government Controlled Areas and Roads) 2011);
  13. Subordinate Local Law No. 1.15 (Carrying out Works on a Road or Interfering with a Road or its Operation) 2012 (formerly Subordinate Local Law No. 1.15 (Carrying out Works on a Road or Interfering with a Road or its Operation) 2011);
  14. Subordinate Local Law No. 1.16 (Gates and Grids) 2012 (formerly Subordinate Local Law No. 1.16 (Gates and Grids) 2011);
  15. Subordinate Local Law No. 1.17 (Reservation of Bathing Reserve for Training, Competition etc) 2012 (formerly Subordinate Local Law No. 1.17 (Reservation of Bathing Reserve for Training, Competition etc) 2011);
  16. Subordinate Local Law No. 1.18 (Bringing or Driving a Motor Vehicle onto a Local Government Controlled Area) 2012 (formerly Subordinate Local Law No. 1.18 (Bringing or Driving a Motor Vehicle onto a Local Government Controlled Area) 2011);
  17. Subordinate Local Law No. 1.19 (Parking Contrary to an Indication on an Official Traffic Sign Regulating Parking by Time or Payment of a Fee) 2012 (formerly Subordinate Local Law No. 1.19 (Parking Contrary to an Indication on an Official Traffic Sign Regulating Parking by Time or Payment of a Fee) 2011);
  18. Subordinate Local Law No. 1.20 (Parking in a Loading Zone by Displaying a Commercial Vehicle Identification Label) 2012 (formerly Subordinate Local Law No. 1.20 (Parking in a Loading Zone by Displaying a Commercial Vehicle Identification Label) 2011);

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19. Subordinate Local Law No. 3 (Community and Environmental Management) 2012 (formerly Subordinate Local Law No. 3 (Community and Environmental Management) 2011);
  20. Subordinate Local Law No. 5 (Parking) 2012 (formerly Subordinate Local Law No. 5 (Parking) 2011);
  21. Subordinate Local Law No. 6 (Bathing Reserves) 2012 (formerly Subordinate Local Law No. 6 (Bathing Reserves) 2011).

#### **SCHEDULE 4**

1. Local Law No. 1 (Administration) 2012 (formerly Local Law No. 1 (Administration) 2011);
2. Local Law No. 3 (Community and Environmental Management) 2012 (formerly Local Law No. 3 (Community and Environmental Management) 2011);
3. Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2012 (formerly Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2011).

#### **Local Law No. 1 (Administration) 2012 (formerly Local Law No. 1 (Administration) 2011);**

- (1) Schedule 2, part 2, definition of prescribed activity ***operation of rental accommodation***, paragraph (a)—  
*omit, insert—*  
'(a) means each of—
  - (i) the provision of shared facility accommodation to holiday makers or travellers; and
  - (ii) the provision of accommodation in a hotel or motel; but'.

#### **Local Law No. 3 (Community and Environmental Management) 2012 (formerly Local Law No. 3 (Community and Environmental Management) 2011);**

- (1) Sections 13 and 14—  
*omit, insert—*  
**'13 Overgrown allotments**
  - (1) This section applies where an authorised person forms the opinion that an allotment is overgrown with vegetation to such an extent that it—
    - (a) has seriously affected the visual amenity of the allotment; or
    - (b) is likely to attract or harbour reptiles or vermin.

- 
- (2) The authorised person may, by compliance notice<sup>1</sup> given to the responsible person for the allotment, require the responsible person to clear the vegetation to an extent specified in the notice.
- (3) However, the notice cannot prevent a use of land authorised under the Planning Act<sup>2</sup> or the *Environmental Protection Act 1994*.
- (4) In this section—
- vegetation** includes a tree, bush, shrub, plant or grass, but does not include vegetation that is protected under a law<sup>3</sup> of the State or Commonwealth or under the local government's planning scheme.

#### **14 Accumulation of objects and materials on allotments**

- (1) This section applies where an authorised person forms the opinion that objects or materials brought on to, or allowed to accumulate on, an allotment—

- (c) have seriously affected the visual amenity of the allotment; or
- (d) are likely to attract or harbour reptiles or vermin.

*Examples for paragraph (a) of objects and materials that may seriously affect the visual amenity of an allotment—*

- *Discarded or disused machinery or machinery parts.*
- *Broken-down or severely rusted vehicles.*
- *Discarded bottles, containers or packaging.*
- *Refuse or scrap material.*

- (2) The authorised person may, by compliance notice<sup>4</sup> given to the responsible person for the allotment, require the responsible person to—
- (e) remove objects or materials that are causing the circumstance mentioned in subsection (1)(a) or (b); or
- (f) take other specified action to remedy the circumstance mentioned in subsection (1)(a) or (b).

*Example of action that might be required under paragraph (b)—*

*Erecting an appropriate structure (in accordance with requirements under the Planning Act) to screen unsightly objects or materials from public view.*

- (3) However, the notice cannot prevent a use of land authorised under the Planning Act or the *Environmental Protection Act 1994*.<sup>1</sup>

#### **(2) Section 19—**

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<sup>1</sup> See footnote 5.

<sup>2</sup> See definition of *Planning Act* in the Act, schedule 4.

<sup>3</sup> For example, vegetation may be protected under the *Nature Conservation Act 1992*, the *Vegetation Management Act 1999*, the *Planning Act*, the *Queensland Heritage Act 1992*, the *Fisheries Act 1994* and the *Environment Protection and Biodiversity Conservation Act 1999 (Cwlth)*.

<sup>4</sup> See footnote 5.



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*omit, insert—*

**‘19 Removal or reduction of community safety hazards**

- (1) This section applies where an authorised person forms the opinion that a community safety hazard exists on an allotment.
- (2) The authorised person may, by compliance notice<sup>14</sup> given to the responsible person for the allotment, require the responsible person to take specified action in relation to the community safety hazard to—
  - (g) remove the hazard; or
  - (h) reduce the level of risk to persons or property.

*Example of specified action that might be required under paragraph (b) to reduce the risk to the community from a community safety hazard—*

*Securing objects or materials that may become airborne in periods of high wind.’*

**Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2012 (formerly Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2011):**

- (1) Section 4, footnote 2, ‘1995’—

*omit, insert—*

‘2009’.

- (2) Section 9, heading, ‘**or local government controlled area**’—

*omit.*

- (3) Section 9(1)—

*omit, insert—*

‘(1) This section applies if, in the local government’s opinion, it is necessary for land adjoining a road to be fenced to prevent the risk of—

- (a) animals escaping from the land onto the road; or
- (b) interference with the safe movement of traffic or the safe use of the road.’.

- (4) section 11 —

*omit, insert—*

**‘11 Compliance notice about a road or footpath crossing**

- (1) The local government may give a compliance notice to a person

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<sup>14</sup> See footnote 5.

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who is the owner or occupier of land adjoining or adjacent to a road to do 1 or more of the following—

- (a) perform work on the land or the road;
- (b) construct a vehicle crossing to provide vehicular access between the land and the road to a standard specified by the local government in the compliance notice;
- (c) maintain or repair a vehicle crossing which provides vehicular access between the land and the road to a standard specified by the local government in the compliance notice if, in the opinion of an authorised person, the vehicle crossing—
  - (i) is not effective for its intended purpose; or
  - (ii) is causing a nuisance or poses a risk of a nuisance; or
  - (iii) constitutes an actual or potential safety hazard;
- (d) alter a vehicle crossing, or construct a new or modified vehicle crossing between the land and the road to a standard specified by the local government in the compliance notice if, in the opinion of an authorised person, the vehicle crossing is no longer adequate having regard to—
  - (i) the volume or nature of traffic using the vehicle crossing; or
  - (ii) the manner in which the vehicle crossing is used by traffic; or
  - (iii) changes in the use of the land to which the vehicle crossing provides access; or
  - (iv) changes in the usual or expected standard of vehicle crossing provision in the relevant locality.

- (2) However, a compliance notice may only be given under subsection (1) if the work to be carried out is required as a direct result of the intentional act or negligence of the person and, in the reasonable opinion of an authorised person, the work should be performed to—

- (a) protect public health, safety or amenity; or
- (b) prevent environmental harm or environmental nuisance; or
- (c) prevent interference with the safe movement of traffic or the safe use of a road.’

- (5) Section 12(6) and (7) —

*omit.*

- (6) Section 12(8)—

*renumber* as subsection (6).

- (7) Section 14(f), ‘or local government controlled area’—

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*omit.*

## **SCHEDULE 5**

1. Subordinate Local Law No. 1.4 (Operation of Advertising Devices) 2012 (formerly Subordinate Local Law No. 1.4 (Operation of Advertising Devices) 2011);
2. Subordinate Local Law No. 1.11 (Operation of Rental Accommodation) 2012 (formerly Subordinate Local Law No. 1.11 (Operation of Rental Accommodation) 2011);
3. Subordinate Local Law No. 2 (Animal Management) 2012 (formerly Subordinate Local Law No. 2 (Animal Management) 2011);
4. Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2012 (formerly Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2011).

### **Subordinate Local Law No. 1.4 (Operation of Advertising Devices) 2012 (formerly Subordinate Local Law No. 1.4 (Operation of Advertising Devices) 2011);**

- (1) Schedule 1, section 2(2)(a)—

*omit, insert—*

'(a) defined in schedule 3 as—

- (i) a real estate sign; or
- (ii) an under awning sign; and'.

- (2) Schedule 1, section 3(1)(c), before 'the name'—

*insert—*

'if available—'.

- (3) Schedule 1, section 3(7)(b)—

*omit.*

- (4) Schedule 1, section 3(7)(c) to (h)—

*renumber* as paragraphs (b) to (g).

- (5) Schedule 1, section 3(7)(c), after 'content,'—

*insert—*

'if available,'.

- (6) Schedule 1, section 4(1)(a)(vii), 'potential'—

*omit, insert—*

- 
- 'likely'.
- (7) Schedule 1, section 6(1)(d)(v), after 'period'—  
*insert—*  
'unless the local government has received and approved an application for renewal of the term'.
- (8) Schedule 3, section 6(2)(a), '45'—  
*omit, insert—*  
'48'.
- (9) Schedule 3, section 6(2)(b), after 'degrees'—  
*insert—*  
'unless the space between each face is filled or cladded'.
- (10) Schedule 4, section 3—  
*omit, insert—*  
'3 If an advertising device advertises an activity being conducted on premises—the activity must be able to be lawfully conducted on the premises.'
- (11) Schedule 4, section 18, 'The advertising device must blend'—  
*omit, insert—*  
'An advertising device at a location must be compatible'.
- (12) Schedule 4, section 25, '45'—  
*omit, insert—*  
'48'.

**Subordinate Local Law No. 1.11 (Operation of Rental Accommodation) 2012 (formerly Subordinate Local Law No. 1.11 (Operation of Rental Accommodation) 2011);**

- (1) Schedule 1, section 2, 'No activities stated.'—  
*omit, insert—*  
'Section 6(2) of the authorising local law does not apply to the provision of accommodation in a hotel or motel if the only accommodation provided at the hotel or motel is accommodation other than backpacker accommodation.'
- (2) Schedule 1, section 3(1)(e)(iii)—

- 
- omit.*
- (3) Schedule 1, section 3(1)(e), paragraphs (iv) to (vi)—  
*renumber* as paragraphs (iii) to (v).
- (4) Schedule 1, section 3(3)—  
*omit.*
- (5) Schedule 1, section 6(1)(e)—  
*omit.*
- (6) Schedule 1, section 6(1)(f) to (q)—  
*renumber* as paragraphs (e) to (p).
- (7) After schedule 1, section 6(1)(p)—  
*insert*—  
‘(q) specify requirements or standards about the use of bunk beds within the premises, for example, a requirement for compliance with AS/NZS 4220:2010 Bunk beds and other elevated beds.’
- (8) Schedule 1, section 6(6)—  
*omit.*
- (9) Schedule 1, section 6(7)—  
*omit, insert*—  
‘(7) A bedroom must not be used as sleeping accommodation unless the minimum space provided for each person occupying the room is not less than the space required under the Building Code of Australia after disregarding the space occupied by bulky furniture.’
- (10) Schedule 1, section 6(8), ‘subsections (6) and (7)’—  
*omit, insert*—  
‘subsection (6)’.
- (11) Schedule 1, section 6(15)—  
*omit, insert*—  
‘(15) The premises must be provided with toilet and ablution facilities which comply with the requirements of the Building Code of Australia.’
- (12) Schedule 1, section 6(16)—

---

*omit, insert—*

‘(16) The premises must be provided with laundry facilities as follows—

(a) a laundry of adequate size containing—

- (i) at least 1 washing tub with reticulated hot and cold water; and
- (ii) 1 washing machine for each 15 persons occupying the premises with an adequate supply of hot and cold water; and

(b) clothes drying facilities as follows—

- (i) 1 100 litre dryer for each 15 persons; and
- (ii) 7.5m of clothes line per bedroom.’

(13) Schedule 1, section 6, after subsection (16)—

*insert—*

‘(16A) The premises must be provided with kitchen facilities as follows—

(a) a kitchen separate from all other rooms which is kept in a clean and hygienic manner at all times; and

(b) if a kitchen on the premises is used, or intended to be used, for self-catering purposes by the occupants of the premises—the kitchen must comply with the following standards—

- (i) all kitchen walls and ceilings must be smooth and free of ledges, protrusions, cracks and crevices and treated with washable gloss or another washable surface; and
- (ii) all kitchen floors must be covered with a smooth impervious floor covering; and
- (iii) all kitchen benches, tables and shelving must be covered in a smooth impervious material; and
- (iv) cooking appliances must be provided at a rate of—

(A) at least 2 burners or hot plates for each 15 persons occupying the premises; and

(B) 1 microwave oven for each 15 persons occupying the premises; and

(C) 1 oven for each 50 persons occupying the premises; and

(c) refrigeration space at the rate of 15 litres for each person occupying the premises; and

- 
- (d) dishwashing facilities at the rate of 1 double bowl stainless steel sink for each 15 persons with an adequate supply of hot and cold water and fitted with a commercial waste food digester; and
- (e) adequate crockery, cutlery and cooking utensils which are maintained in a sound and clean condition; and
- (f) kitchen cupboard space at the rate of 0.015m<sup>2</sup> for each person occupying the premises.’.
- (14) Schedule 1, section 6 subsections (7) to (16A) inclusive—  
*renumber* as subsections (6) to (16) inclusive.
- (15) Schedule 1, section 6(18)—  
*omit, insert—*
- ‘(18) The approval holder must ensure that the operation of the prescribed activity at the premises complies with each Act, including each Local Government Act, applicable to the operation of the prescribed activity at the premises.’.
- (16) Schedule 3, Dictionary, before the definition ***bed***—  
*insert—*
- ‘***backpacker accommodation*** means accommodation in a building in which an individual bed within the building can be let.’.
- (17) Schedule 3, Dictionary, definition ***fire safety installation***—  
*omit.*
- (18) Schedule 3, Dictionary, after the definition ***sanitary convenience***—  
*insert—*
- ‘***traveller*** includes a temporary worker who resides in shared facility accommodation for a period of time determined by—
- (a) the work that the worker is employed to perform, for example, the period during which a crop is harvested; or
- (b) the duration of a project on which the worker is employed to work, for example, the construction of specified infrastructure.’.

**Subordinate Local Law No. 2 (Animal Management) 2012 (formerly Subordinate Local Law No. 2 (Animal Management) 2011);**

- (1) Schedule 5, item 1, column 2, ‘dogs’—  
*omit, insert—*

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'1 or more dogs'.

- (2) Schedule 5, item 7, column 2, 'cats'—

*omit, insert*—

'1 or more cats'.

- (3) Schedule 7, from 'No' to 'designated.'—

*omit, insert*—

'1. The fenced area within Plantation Park, corner of Kennedy Street and Bruce Highway, Ayr, which is designated by sign as a dog off-leash area.'

- (4) Schedule 14, definition **cattery**—

*omit, insert*—

'**cattery** see kennel.'

**Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2012 (formerly Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2011):**

- (1) Schedule 2, item 10, column 2, after 'Camping'—

*insert*—

'at a park or reserve identified in column 1.'

- (2) Schedule 2, item 10—

*insert*—

	<b>Column 1 Local government controlled area or road</b>	<b>Column 2 Restricted activity</b>	<b>Column 3 Extent of restriction</b>
		Use of a facility provided by the local government at a park or reserve identified in column 1, for example, a table, chair, electricity supply or barbeque facility.	If the local government erects on or near the facility a notice that is approved by the local government which restricts the use of the facility, for example, notice that a person must not use the facility for more than 2 hours—



			a person using the facility must comply with the requirements of the notice.
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- (3) Schedule 4, item 1, column 2, '9.00 a.m. to 6.00 p.m.'—  
*omit, insert—*  
 '6.00 a.m. to 9.00 p.m.'.

## Resolution

Moved Councillor Liessmann, seconded Councillor Bawden that the recommendation be adopted.

CARRIED

## 7 CORRESPONDENCE FOR INFORMATION

### 7.1 Council does not agree to boat facilities at Kierle's Landing

#### Resolution

Moved Councillor Dalle Cort, seconded Councillor Lewis that Member for Burdekin Rosemary Menkens MP be advised that Council does not agree to the installation of boat launching facilities at Kierle's Landing due to the unstable environmental conditions and consequential safety problems in the area. (Refer letter number 1175054).

CARRIED

### 7.2 Election of LGAQ Policy Executive District Representatives

#### Resolution

Moved Councillor Liessmann, seconded Councillor Bawden that Council supports Councillor Jenny Hill to be elected as LGAQ Policy Executive District Representative for District Number 9 - Northern.

FOR: Councillors, Liessmann, Dalle Cort, Lewis, Bawden, Lowis  
 AGAINST: Councillor McCathie

CARRIED 5/1

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### 7.3 2012/2013 Councillor Conferences

#### Resolution

Moved Councillor Dalle Cort, seconded Councillor Liessmann that Council authorises the attendance of Councillors' at conferences as follows:

CARRIED

CONFERENCE	DATE	VENUE	ATTENDEES
LGAQ Civic Leaders and Financial Summit	4-6 July 2012	Novotel Twin Waters, Sunshine Coast	Crs. Lowis, Lewis
Australian Local Government Women's Assn. (ALGWA) Conference	25-27 July 2012	Hilton, Cairns	Cr. Dalle Cort
LGAQ Disaster Management Conference	30 July–2 August 2012	Ipswich Civic Centre	Cr. Lewis,
Invitation from Minister for Local Government – Financial Management Forum	1 August 2012 10 August 2012	Cairns Brisbane	Crs. Lowis, McCathie, Dalle Cort
NQLGA Conference	8-10 August 2012	Rydges South Bank, Townsville	Crs. Bawden, Liessmann, McCathie, Lowis, Loizou
Burdekin Crime Prevention & Community Safety Conference	6-7 September 2012	Burdekin Theatre	All Councillors authorised to attend at their discretion
LGAQ 116 <sup>th</sup> Annual Conference	22-25 October 2012	Brisbane Convention & Exhibition Centre	
State Council of River Trusts Conference	October		Crs. Lowis, Loizou
Regional Arts Australia	October 2012	Gawlor, South Australia	

<b>Conference (biennial)</b>		(funded by RADF)	
<b>Arts Queensland RADF Conference (biennial)</b>	*September 2013	Rockhampton (funded by RADF)	
<b>NQ Economic Development Conference</b>	17-20 September 2012	Cairns	
<b>LGAQ Economic &amp; Regional Development Conference</b>			
<b>LAWMAC AGM &amp; Annual Conference</b>			

## 8 NOTICES OF MOTION

### 8.1 Jurisdiction over Activities carried out within Lilliesmere Lagoon

Councillor Dalle Cort declared a conflict of interest in respect of this issue as her sister resides in the area and remained in the meeting.

#### **Recommendation**

That Council directs the CEO to determine what authority has jurisdiction over activities carried out within Lilliesmere Lagoon due to landowner concerns in respect of the following:

- Speed boats and jet skies using the lagoon are causing erosion to the banks of the lagoon; and
- Some adjoining property boundaries are within the lagoon.

#### **Resolution**

Moved Councillor McCathie, seconded Councillor Dalle Cort that the recommendation be adopted.

CARRIED

Councillor Dalle Cort returned to the meeting.

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## **8.2 Sale of Land at 35 McCathie Street, Ayr Industrial Estate**

### **Recommendation**

That Council approves the sale of land described as Lot 68 on SP102302 located at 35 McCathie Street, Ayr Industrial Estate through a public tender process.

### **Resolution**

Moved Councillor Lewis, seconded Councillor Dalle Cort that the recommendation be adopted.

CARRIED

## **9 URGENT BUSINESS**

### **10 GENERAL BUSINESS**

#### **10.1 Council to Investigate LGAQ Representative for Burdekin Water Festival and Home Hill Harvest Festival**

##### **Resolution**

Moved Councillor Lewis, seconded Councillor McCathie that Council investigates the cost and availability for the presence of LGAQ representative Shane Webcke at the Burdekin Water Festival and Home Hill Harvest Festival.

CARRIED

#### **10.2 Leave of Absence - Councillor Pierina Dalle Cort**

##### **Resolution**

Moved Councillor Dalle Cort, seconded Councillor Lewis that Councillor Dalle Cort be granted leave of absence from 28 August, 2012 to 25 September, 2012.

CARRIED

#### **10.3 Council Seeks Exemption from Providing Fluoride to Ayr and Home Hill Water Supplies**

##### **Resolution**

Moved Councillor McCathie, seconded Councillor Dalle Cort that Council writes to the Minister for Health seeking an exemption from providing fluoride to the Ayr and Home Hill water supplies because of the high capital cost (\$2.3 million funded by Queensland Government) and high on-going operational costs (\$200,000 per annum funded by council), which would result in a 10% increase in water production costs.

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CARRIED

#### **10.4 Reconstruction of Nuttall Road, Jarvisfield**

##### **Resolution**

Moved Councillor Liessmann, seconded Councillor Lewis that approximately \$122,000 be allocated from the current WIP (Roadworks) for the reconstruction of 900m of Nuttall Road noting that the works were undertaken in conjunction with adjoining NDRRA works on Rita Island Road.

CARRIED

#### **10.5 Council offers no objection to Proposal for Boxing Tournament - 25 August 2012 - Burdekin Basketball Stadium**

##### **Resolution**

Moved Councillor Dalle Cort, seconded Councillor McCathie that Council offers no objection to the proposal from PCYC to hold a boxing tournament at the Burdekin Basketball Stadium on Saturday 25 August 2012, which includes a liquor licence.

CARRIED

#### **10.6 Council offers no objection to extended Trading Hours - Kalamia Hotel Liquor Barn**

Councillor Dalle Cort declared a conflict of interest in relation to this matter as the applicant is a family member and left the meeting.

##### **Resolution**

Moved Councillor McCathie, seconded Councillor Liessmann that Council offers no objection to the application from Kalamia Hotel, Ayr for extended trading hours as follows:

9.00am to 12.00 midnight - Monday to Sunday (Liquor Barn only)

CARRIED

Councillor Dalle Cort returned to the meeting.

### **11 IN COMMITTEE DISCUSSIONS**

#### **Council meets In Committee under Section 72 of Local Government (Operations) Regulation 2010**

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## **Resolution**

Moved Councillor Lewis, seconded Councillor McCathie that the Council meets in committee under the following sections of the Local Government (Operations) Regulation 2010:

72(1)(c) the Council's budget

CARRIED

## **Ordinary Meeting of Council Resumed**

## **Resolution**

Moved Councillor Lewis, seconded Councillor McCathie that the ordinary meeting of Council be resumed.

CARRIED

## **12 DELEGATIONS**

Nil

There being no further business the meeting closed at 4.35pm.

**These minutes were confirmed by Council at the Ordinary Council Meeting held on Tuesday 10 July, 2012.**

**MAYOR**

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### **3.2 Budget Workshop Minutes - 19 June 2012**

#### **Recommendation**

That the minutes of the Budget Workshop held on 19 June 2012 be received as a true and correct record.

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**BURDEKIN SHIRE COUNCIL**  
**MINUTES – BUDGET WORKSHOP**

Held in John Drysdale Chamber  
Tuesday 19 June 2012  
Commencing 9.00 a.m.

**ATTENDANCE**

Councillors W.C. Lowis (Mayor), R.H. Lewis (Deputy Mayor), L.D. McCathie, L. Loizou, U.E. Liessmann, P.M. Dalle Cort and E.J. Bawden

Mr. K. Holt – Chief Executive Officer  
Mr. D.P. Mulcahy – Director Corporate and Community Services  
Mr. T.G. Williams – Director Environment and Operations  
Mr. W. Saldumbide – Manager Operations  
Miss T. Jensen – Manager Environment and Health  
Mr. T. Cross – Manager Financial Services  
Mr. T. Vaccaro – Manager Economic and Community Development  
Mrs. P. Miller – Rates Supervisor  
Miss F. Smith – Financial Accountant

**1. Council meets In Committee under Section 72 of Local Government (Operations) Regulation 2010**

**Resolution**

Moved Councillor Loizou, seconded Councillor Dalle Cort that the Council meets in committee under the following sections of the Local Government (Operations) Regulation 2010:

72(1)(c) the Council's budget.

CARRIED

**2. Delegations**

During the meeting, the following delegations addressed the Council in relation to a proposed rating policy:

Graziers – represented by R. McNee, D. Heatley, W. Tudehope, M. Searle and J. Rapisarda.



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Canegrowers – represented by R. McNee, W. Smith, M. Barbagallo, D.Lando and D. Burden.

### **3. Ordinary Meeting of Council Resumed**

#### **Resolution**

Moved Councillor McCathie, seconded Councillor Dalle Cort that the ordinary meeting of Council be resumed.

CARRIED

There being no further business the meeting closed at 4.30 pm.

**These minutes were confirmed by Council at the Ordinary Council Meeting held on 10 July 2012.**

**MAYOR**

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## 4 REPORTS

## 5 ENVIRONMENT & OPERATIONS

## 6 CORPORATE & COMMUNITY SERVICES

### 6.1 Museum of Tropical Queensland Community Pass Program

#### Document Information

**Referring Letter No:** 1176146

**File No:** 01-11-3B

**Name of Applicant:** Museum of Tropical Queensland

**Location:** Townsville

**Author and Title:** Mrs Janice Horan, Grants and Property Officer

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#### Executive Summary

The Museum of Tropical Queensland (MTQ) has corresponded with Council requesting the renewal of Council's participation in the Community Pass Program.

#### Recommendation

That Council agrees to enter into a new agreement formalising Council's participation in the Community Pass Program (CPP) with the Museum of Tropical Queensland (MTQ) for the period 1 July 2012 to 30 June 2013 for an annual fee of \$10,576 (ex GST) providing that the MTQ continues to provide Council with visitation statistics and continues to market and promote the CPP and MTQ within the Burdekin Shire.

#### Background Information

Council's existing agreement to participate in the Community Pass Program with the MTQ expired on 30 June 2012.

Council has entered into 3 agreements with the MTQ as follows:

- 8 March 2004 to 31 December 2007;
- 1 January 2008 to 30 June 2009; and
- 1 July 2009 to 30 June 2012.

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Recently, the Director of MTQ, Mr Peter McLeod provided Council with information on visitation statistics, marketing strategies and future exhibitions. Please refer to the attachment for details.

The proposal from MTQ is for only 1 year to allow the Museum to undertake a review of the programme during the year. As part of the review the Museum will be interested in exploring other opportunities to engage the Burdekin community.

New agreements with both the Charters Towers Regional Council and the Hinchinbrook Shire Council have been established for a new 3 year period. Negotiations are also in progress for a 1 year agreement with the Townsville City Council.

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

5.4 Plan and encourage equitable access to facilities, services and opportunities for all members of the community.

### **Consultation**

Nil

### **Legal Authority or Implications**

Nil

### **Policy Implications**

Nil

### **Financial and Resource Implications**

\$961 increase over previous annual payment.

### **Report prepared by:**

Mrs Janice Horan, Grants and Property Officer

### **Report authorised by:**

Mr Dan Mulcahy, Director of Corporation and Community Services

### **Attachments**

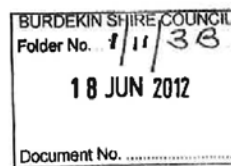
1. Letter 1176146

15 June 2012

**qm**  
queensland museum  
museum of tropical queensland

70-102 Hindlers Street  
Townsville  
QLD Australia 4810  
T 07 4726 0600  
F 07 4721 3093  
www.mtq.qm.qld.gov.au

Mr Dan Mulcahy  
Director of Corporate and Community Services  
Burdekin Shire Council  
PO Box 974  
AYR QLD 4807



Dear Dan

**RE: Museum of Tropical Queensland**

As you would be aware the current agreement between the Museum of Tropical Queensland and Burdekin Shire Council ends in June 30 2012. Earlier communications with the Council requested that the Museum hold off until after the Local Government elections before providing a new proposal.

Attached is a proposal document for council to consider for a new agreement.

Also attached is a report including statistics of visitation from Burdekin residents to the Museum under the current agreement, we have also provided you with information outlining our program for the next year.

If approved a memorandum of understanding would be established between the two parties, an updated version is attached.

I would be very pleased to assist you with any further information if required

Yours sincerely

**Peter McLeod**  
Director

VIEW		AGENDA	
		DATE	
NOTED		APPLIC #	
LAND #		PROP #	
ACTION	DCCS	ACTION	
DEADLINE		DEADLINE	



queensland museum south bank | museum of tropical queensland | the workshops rail museum | robb+co museum | woodworks museum

DataWorks Document Number: 1176146

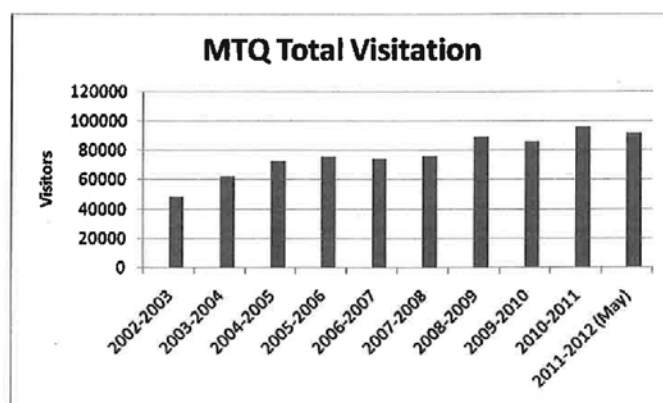
## Report to Burdekin Shire Council – Re MTQ Community Pass

### 2011/12 financial Year to date

MTQ experienced another pleasing year in 2011/12, during this year several public and education programs were delivered and visitation remained strong.

### Overall Visitation

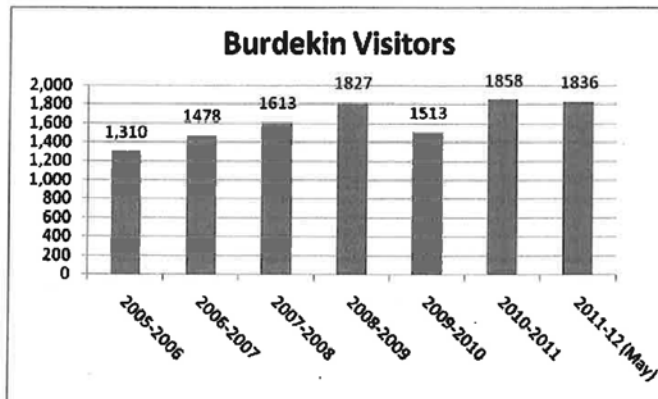
Visitation year to date for the 2011/12 financial year has continued to grow as compared to previous years. Visitation up to the end of May 2012 is currently sitting at 91,434 visitors, a figure which exceeds every other year except 2010-11. By the end of June 2012 we expect that visitation will exceed that of previous year and will also exceed the 100,000 for the first time. These results are particularly pleasing given the difficult year that the State and region has experienced with the downturn in tourism and ongoing impacts of the GFC.



### Visitation from Burdekin Shire residents

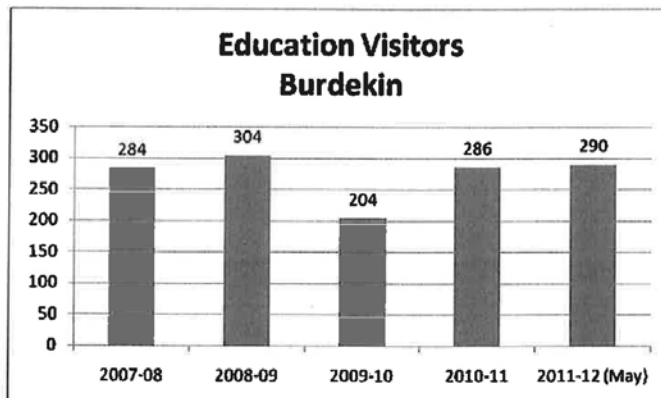
The chart below shows that 1,836 Visitors from the Burdekin Shire Council area have attended the Museum up to the end of May 2012, similar to the trend in the above chart this figure exceeds the annual visitation achieved for every year except 2010-11. Again by the end of June we expect this figure to exceed that of previous year and also achieve a new record for Burdekin visitors.

DataWorks Document Number: 1176146



#### Education

Education visitors for the year (to end of May) have exceeded those of the past 2 years. At the time of writing we are also aware of bookings for Burdekin schools during the month of June which will result in the highest level of education visitation since the community pass scheme started. In addition to this several Burdekin schools have also made use of the Museums loans kits service which includes curriculum based materials and museum objects collated in a take away kit for use in the classroom.



#### Public Programs

In 2011/12 MTQ delivered a considerable range of public programs. During the year five temporary exhibitions and five travelling exhibitions were opened, four school holiday programs and ten discover more talks were delivered as well as several other community displays and also attendance at several community outreach activities.

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#### Temporary Exhibitions

- **Torres Strait Islander Collection** An exhibit featuring the highlights from Queensland Museum's extensive collection of Torres Strait Islander items, including spectacular headdresses.
- **Bridges of North Queensland**, A display produced by the volunteer staff of the Museum of Tropical Queensland describing some of north Queensland's historic bridges with a link to Aurecon's bridge building competition.
- **Back to Front**, An in-house exhibition showcasing several artefacts and specimens from the collection that have not been previously on display.
- **Karakoram Exhibit**. An exhibition of photos taken by the late Jon Stephenson (MTQ Volunteer) documenting his 1980 expedition in the Karakoram Himalaya region of West Pakistan.
- **Dance North "Grace" Exhibit**. A photographic exhibit from Dance North, illustrating a link between art, dance and rugby league.

#### Travelling Exhibitions

- **The Butterfly Man of Kuranda**. Displays the wonderful array of Queensland butterflies, beetles and moths, showcasing Queensland Museum's spectacular FP & AP Dodd Collection of tropical insects from Australia and New Zealand.
- **How to make a Monster**, An exhibit produced by John Cox Studios detailing the techniques required to produce a "movie monster" from initial concept and storyboarding to the final product
- **From Little Things, Big things Grow**. An exhibit developed by the National Museum of Australia highlighting the fight for indigenous rights from 1920 to 1970
- **Proclamation of Queensland**. A display from the Queensland State Archives describing the official creation of the State of Queensland and featuring a copy of the Proclamation of Queensland.
- **Science on the Move**. A Questacon interactive exhibit consisting of 35 experiences within 23 hands-on exhibits and featuring bright banners, intriguing investigations and unique handling exhibits that are suitable for adults and children.

#### Holiday Programs

- July 2011 – **Dino Discoveries**, a program celebrating dinosaur discoveries and palaeontology techniques
- October 2010 – **Monsters in Motion** a program with a monsters theme that offers kids the opportunity to create their own monsters, and even bring them to life with stop-motion film techniques.

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- January 2012 - **Creepy Crawlies Alive**, a hands on exhibition of some of North Queensland's giant insect species.
- April 2012 – **Kids Holiday Business**. An Indigenous themed program that featured bush tucker talks and demonstrations.

#### **Marketing and Promotion**

In 2011-12, the Museum of Tropical Queensland Marketing team visited the Burdekin to distribute MTQ holiday program flyers to day care centres, kindergartens and the community.

Holiday program flyers were posted to above centres in the region ahead of the April and September school holiday periods.

Advertising schedules reached the Burdekin for the four school holiday campaigns through Seven and Win local news, the Ayr Advocate and 106.3FM. Media releases for these campaigns plus all unrelated releases also sent to Ayr Advocate for coverage.

All media releases with regards the Museum's public programs carries acknowledgement of the Community Pass Program and the 'Free For Locals' message.

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**Museum of Tropical Queensland: Public Programs 2012-13**

Type	Title	Description	Dates	Marketing and Promotion (acknowledging support of Burdekin Shire Council through Community Pass Program)
HP	Heavens Above	A two week program of activities based around the science and mythology of space and the night sky. With north Queenslanders this year witnessing lunar eclipses, a total solar eclipse and the last Transit of Venus in our lifetimes, the program will be highly relevant for kids and families.	25 June - 6 July 2012	<ul style="list-style-type: none"> <li>Press Release</li> <li>MTQ Website</li> <li>MTQ e-newsletters and online calendar</li> <li>Advertising with the Bulletin, Seven and Win and Townsville 103.6 Mix</li> </ul>
DMT	Speaker TBA	Discover More Talk – speaker and topic TBA.	10 July 2012	<ul style="list-style-type: none"> <li>Press Release</li> <li>MTQ Website</li> <li>MTQ e-newsletters and online calendar</li> </ul>
TE	Perception Deception	A Questacon interactive exhibit allowing visitors to explore the world inside their heads, and to play perceptual tricks on their minds. The exhibit consists of 15 exhibits with 37 interactive experiences.	21 July 2012 - 21 July 2013	<ul style="list-style-type: none"> <li>Press Release</li> <li>MTQ Website</li> <li>MTQ e-newsletters and online calendar</li> </ul>
PP	Indigenous Careers Expo	MTQ represented with a stand at the 2011 FOGs Indigenous Careers Expo at the Townsville Entertainment Centre, talking about career opportunities within museums.	25 July 2012	<ul style="list-style-type: none"> <li>MTQ Website</li> <li>MTQ e-newsletters and online calendar</li> </ul>
PP	Aurecon Bridge Building Competition	Aurecon's North Queensland Bridge Building competition open to school students in years 8 to 9 and part of a national competition which also extends to New Zealand.	8 August 2012	<ul style="list-style-type: none"> <li>Press Release (Aurecon)</li> <li>MTQ Website</li> </ul>

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DMT	Speaker TBA	Discover More Talk – speaker and topic TBA.	14 August 2012	<ul style="list-style-type: none"> <li>MTQ Website</li> <li>MTQ e-newsletters and online calendar</li> </ul>
PP	Science Week Program	MTQ's Back to Front exhibit and accompanying programs will give visitors to chance to see behind the scenes techniques required for specimen preparation and display including taxidermy and casting.	12 August - 16 August 2012	<ul style="list-style-type: none"> <li>Press Release</li> <li>MTQ Website</li> <li>MTQ e-newsletters and online calendar</li> </ul>
PP	Cultural Festival	MTQ's staff will be showcasing collection items and resources that illustrate the links between Aboriginal Culture and science, including the new BHP sponsored Indigenous Science Loans kits developed by MTQ.	15 August - 19 August 2012	<ul style="list-style-type: none"> <li>Press Release</li> <li>MTQ Website</li> <li>MTQ e-newsletters and online calendar</li> </ul>
PP	PNG Independence Day	A day of celebration and community activities developed by the region's PNG community and held at MTQ, commemorating the anniversary of PNG's independence.	15 September 2012	<ul style="list-style-type: none"> <li>Press Release</li> <li>MTQ Website</li> <li>MTQ e-newsletters and online calendar</li> </ul>
TE	To Have and To Hold	An MTQ Exhibit co-developed with the regions amateur collecting community exploring who collectors are, what they collect and why they collect.	24 September - 25 November 2012	<ul style="list-style-type: none"> <li>Press Release</li> <li>MTQ Website</li> <li>MTQ e-newsletters and online calendar</li> <li>Print ad Townsville Bulletin</li> </ul>
HP	Collector Kids	MTQ's September school holiday program will link with MTQ's temporary exhibit 'To Have and To Hold' and also with QM's program 'What do you collect?' to explore the interests in collecting that children have.	24 September - 5 October 2012	<ul style="list-style-type: none"> <li>Press Release</li> <li>MTQ Website</li> <li>MTQ e-newsletters and online calendar</li> <li>Advertising with Seven, Wfn and 103.6 Mix</li> <li>Advertising Ayr Advocate</li> <li>Flyers distributed to daycare &amp; community centres in the Burdekin</li> </ul>

DataWorks Document Number: 1176146

DMT	Speaker TBA	Discover More Talk – speaker and topic TBA.	11 September 2012	<ul style="list-style-type: none"> <li>Press Release</li> <li>MTQ Website</li> <li>MTQ e-newsletters and online calendar</li> </ul>
PP	CollExpo	A day-long community Expo event centred on the theme of collectors and collecting. Conducted in conjunction with MTQ's 'To Have and To Hold' exhibit and QM's 'What do you collect?' program.	29 September 2012	<ul style="list-style-type: none"> <li>Press Release</li> <li>MTQ Website</li> <li>MTQ e-newsletters and online calendar</li> </ul>
DMT	Speaker TBA	Discover More Talk – speaker and topic TBA.	9 October 2012	<ul style="list-style-type: none"> <li>Press Release</li> <li>MTQ Website</li> <li>MTQ e-newsletters and online calendar</li> </ul>
PP	Japan Day	A day of celebration and community activities developed by the region's Japanese community and held at MTQ, commemorating the anniversary of PNG's independence.	21 October 2012	<ul style="list-style-type: none"> <li>Press Release</li> <li>MTQ Website</li> <li>MTQ e-newsletters and online calendar</li> </ul>
CO	Tourism Expo	MTQ will be represented by a stand at North Queensland's 2011 Tourism Expo.	2 November 2012	<ul style="list-style-type: none"> <li>MTQ flyers</li> <li>MTQ pop up banners</li> </ul>
DMT	Speaker TBA	Discover More Talk – speaker and topic TBA.	13 November 2012	<ul style="list-style-type: none"> <li>Press Release</li> <li>MTQ Website</li> <li>MTQ e-newsletters and online calendar</li> </ul>
DMT	Speaker TBA	Discover More Talk – speaker and topic TBA.	11 December 2012	<ul style="list-style-type: none"> <li>Press Release</li> <li>MTQ Website</li> <li>MTQ e-newsletters and online calendar</li> </ul>
CO	Burdekin	Two day community outreach delivering interactive educational programs to schools in the Burdekin region	2012 Dates TBA	

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TE	Wildlife of Gondwana	Touring exhibit developed by Monash University exploring the prehistoric wildlife of the Gondwana supercontinent from early Precambrian through the evolution and extinction of dinosaurs and megafauna. Included full articulated skeletons and specimens never before seen outside of their home institutions.	15 December 2012- 14 April 2013	<ul style="list-style-type: none"> <li>• Press Release</li> <li>• MTQ Website</li> <li>• MTQ e-newsletters and online calendar</li> <li>• Advertising with the Bulletin, Seven and Win and Townsville 103.6 Mix</li> </ul>
HP	Creepy Crawlies Alive	See some of North Queensland's weird and wonderful creeping, crawling creatures, right before your eyes!	2 January - 25 January 2013	<ul style="list-style-type: none"> <li>• Press Release</li> <li>• MTQ Website</li> <li>• MTQ e-newsletters and online calendar</li> <li>• Advertising with Seven, Win, SC10 and Townsville 103.6 Mix</li> <li>• Advertising Ayr Advocate</li> <li>• Flyers distributed to daycare &amp; community centres in the Burdekin</li> </ul>
DMT	Speaker TBA	Discover More Talk – speaker and topic TBA.	8 January 2013	<ul style="list-style-type: none"> <li>• Press Release</li> <li>• MTQ Website</li> <li>• MTQ e-newsletters and online calendar</li> </ul>
DMT	Speaker TBA	Discover More Talk – speaker and topic TBA.	12 February 2013	<ul style="list-style-type: none"> <li>• Press Release</li> <li>• MTQ Website</li> <li>• MTQ e-newsletters and online calendar</li> </ul>
DMT	Speaker TBA	Discover More Talk – speaker and topic TBA.	12 March 2013	<ul style="list-style-type: none"> <li>• Press Release</li> <li>• MTQ Website</li> <li>• MTQ e-newsletters and online calendar</li> </ul>
HP	Dino Discoveries Holiday	Become a junior palaeontologist as part of Dino Discoveries. Search our dig pits for fossils and meet Dinomite, MTQ's dino-	2 April - 12 April 2013	<ul style="list-style-type: none"> <li>• Press Release</li> <li>• MTQ Website</li> </ul>

DataWorks Document Number: 1178146

	Program	mascot.		
DMT	Speaker TBA	Discover More Talk – speaker and topic TBA.	9 April 2013	<ul style="list-style-type: none"> <li>• MTQ e-newsletters and online calendar</li> <li>• Advertising with Seven and Win and Townsville 103.6 Mix</li> <li>• Advertising Ayr Advocate</li> <li>• Flyers distributed to daycare &amp; community centres in the Burdekin</li> <li>• Press Release</li> <li>• MTQ Website</li> <li>• MTQ e-newsletters and online calendar</li> </ul>
TE	Shell Shocked	Travelling exhibition from the Australian War Memorial exploring the experience of Australians in the aftermath of WWI.	4 May – 28 July 2013	<ul style="list-style-type: none"> <li>• Press Release</li> <li>• MTQ Website</li> <li>• MTQ e-newsletters and online calendar</li> </ul>
DMT	Speaker TBA	Discover More Talk – speaker and topic TBA.	14 May 2013	<ul style="list-style-type: none"> <li>• Press Release</li> <li>• MTQ Website</li> <li>• MTQ e-newsletters and online calendar</li> </ul>
DMT	Speaker TBA	Discover More Talk – speaker and topic TBA.	11 June 2013	<ul style="list-style-type: none"> <li>• Press Release</li> <li>• MTQ Website</li> <li>• MTQ e-newsletters and online calendar</li> </ul>
HP	Camo Kids	In partnership with Townsville's defence community and linked with MTQ's concurrent travelling exhibit "Shell Shocked" this program will share stories and experiences from the perspectives of the children and families of the regions serving personnel.	24 June 2013 – 5 July 2013	<ul style="list-style-type: none"> <li>• Press Release</li> <li>• MTQ Website</li> <li>• MTQ e-newsletters and online calendar</li> <li>• Advertising with Seven and Win and Townsville 103.6 Mix</li> </ul>

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					<ul style="list-style-type: none"> <li>• Advertising Avr Advocate</li> <li>• Flyers distributed to daycare &amp; community centres in the Burdekin</li> </ul>
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TE	Temporary Exhibit
HP	Holiday Program
PP	Public Program
DMT	Discover More Talk
CO	Community Outreach

DataWorks Document Number: 1176146

**Museum of Tropical Queensland  
Submission to the Burdekin Shire Council  
Community Pass Sponsorship**

**Background**

A Community Pass program has been in operation at the Museum of Tropical Queensland since January 2003. The program has involved all of the immediate Local Government Areas in the Townsville region including Townsville City Council, Hinchinbrook Shire Council, Burdekin Shire Council and the Charters Towers Regional Council. Since commencement of this program, the museum has seen a significant growth in overall visitation from 49,000 visitors in 2003 to an expected 100,000 visitors during 2012. In addition to this the museum has also achieved significant growth in attendance from the Burdekin community during this same period.

Agreements with each of the councils for the Community Pass program have operated on multiple year cycles with the current agreement due to expire in June 2012.

New agreements with both the Charters Towers Regional Council and the Hinchinbrook Shire Council have been established for a new three year period, negotiations are also in progress for a 1 year agreement with the Townsville City Council. The Burdekin Shire Council requested to defer any decision until after the April Local Government elections.

**Proposal**

That the Burdekin Shire Council consider sponsorship of a new Community Pass Program to enable free entry for Burdekin residents to the Museum of Tropical Queensland. The new agreement would provide for the financial year July 2012 – June 2013. The program would provide for unlimited exemption from standard museum admission fees to the permanent exhibition spaces and general facilities. This exemption would also apply to school groups to conduct curriculum based lesson plans within the Museum that were led by the class teacher.

Exceptions to this exemption includes;

1. That the Museum reserves the right to charge residents additional fees for any short term or periodical special events or high investment programs such as touring exhibitions. Such fees however would be small as they would need to be affordable for all Museum visitors including those not covered by the Community Pass.
2. Education groups from within the Community Pass area requiring lesson plans to be delivered by the Museums specialist education staff would be charged a discounted admission fee.

As noted above the previous agreements between Council and the museum have been over a multiple year time frames, in this case the museum is seeking a 1 year agreement in order to undertake a review of the program during the year. As part of a review the museum will be interested in exploring other opportunities to engage the Burdekin community.

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### **Sponsorship**

The Museum requests a sponsorship contribution of \$10,576 (Ex GST) per annum for the period July 2012 – June 2013

The calculation of this amount reflects the amount contributed in the current agreement however adjusted for CPI (cumulative) over the last three years, as follows.

Community Pass Sponsorship 2009 -2012                      \$9,615 per annum

CPI growth over this time	July 2010	3.2%
	July 2011	3.8%
	July 2012	3.0% (estimate)
	Total	10%

Community Pass Sponsorship 2012 – 2013                      \$10,576 (Ex GST) per annum

Cost per Burdekin resident (population 18,000)                      \$0.58

Cost per resident visitor                      \$5.70

### **Council Recognition**

As per the current arrangements the Museum is highly amenable to promoting and publicising councils contribution to the Museum and as the source of the free entry provision.

Recognition of Councils contribution is achieved by

- Presence of prominent signage displaying the Burdekin Shire Councils support in the Museum Foyer.
- Display of the Burdekin Shire Councils logo on promotional materials
- Acknowledgment of the Council in advertising and media releases



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**Memorandum of Understanding  
between  
the Museum of Tropical Queensland  
and  
Burdekin Shire Council**

Page 1 of 4

DataWorks Document Number: 1176146

## MEMORANDUM OF UNDERSTANDING

<b>BETWEEN</b>	The Board of the Queensland Museum represented by the Museum of Tropical Queensland (hereinafter called MTQ) on the one hand
<b>AND</b>	Burdekin Shire Council (hereinafter called BSC)

### PREAMBLE

- A. The Parties wish to enter into this Memorandum of Understanding to formalise their agreement to the provision of free access to MTQ for Burdekin Shire Council residents (hereinafter called COMMUNITY PASS).

## MEMORANDUM OF UNDERSTANDING

### 1. COMMUNITY PASS

- 1.1 Burdekin Shire Council agrees to pay MTQ the cash sum in accordance with the payment schedule in clause 1.10 to enable the residents of the Burdekin Shire Council area to obtain free entry (subject to clause 1.2) to MTQ during the term of this arrangement. This cash sum is acknowledged to be a subsidy in recognition of entry fee revenue forgone by MTQ.
- 1.2 COMMUNITY PASS entitles BSC residents to exemption from standard entry admission fees to the Museum's permanent exhibition spaces. The Museum reserves the right to charge residents any additional fees for any short term or periodical special events, programs or touring exhibits.
- 1.3 The parties agree that the funding is fixed for the term of the agreement and will not be varied based on actual numbers of residents utilising the COMMUNITY PASS.
- 1.4 This Memorandum of Understanding will be reviewed in 2013 thereby providing sufficient lead-time for renegotiations prior to the end of the agreement.
- 1.5 MTQ agrees to accept the following forms of identification as verification of residency in the Burdekin Shire Council:

• Library card	• Passport
• Drivers licence	• Other form of photographic identification

- 1.6 MTQ agrees to collect statistics relating to the use of the COMMUNITY PASS and make this data available to BSC upon request. Minimum agreed statistics will include the total number of Burdekin resident entries each month throughout the term of this agreement.

- 1.7 Both parties agree to actively promote the COMMUNITY PASS program to residents and schools in the BSC area and also acknowledge each other in any publicity or promotions relating to the COMMUNITY PASS.
- 1.8 The agreed announcement date of the COMMUNITY PASS is 1 July 2012.
- 1.9 The proposed implementation date for the COMMUNITY PASS is immediately following the announcement.
- 1.10 BSC agrees to effect the following payments (GST Exclusive) to MTQ within thirty days of receipt of an invoice issued by MTQ:
- |              |              |
|--------------|--------------|
| 1 July, 2012 | \$ 10,576.00 |
|--------------|--------------|
- 1.11 The official start date for the COMMUNITY PASS program is 1 July 2012 and the official end date is 30 June 2013.

## 2. NATURE OF AGREEMENT

The parties acknowledge that this Memorandum of Understanding sets out the parties' agreement and understanding of their respective roles in relation to the COMMUNITY PASS.

DATED this    day of    201 .

**Signed for and on behalf of the Board of the Queensland Museum by**

.....

In the presence of

.....

**Signed for and on behalf of the Burdekin Shire Council by**

.....

In the presence of

.....

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## **7 CORRESPONDENCE FOR INFORMATION**

Tabled Separately

## **8 NOTICES OF MOTION**

### **8.1 Reimbursement to Home Hill Boat Club - Supply of Water to Groper Creek Reserve for Public Use**

#### **Recommendation**

That Council reimburses Home Hill Boat Club the amount of \$3,071-25 (ex GST) being for the supply of water to the Groper Creek reserve for public use for 2011-12 noting that the supply of water is a long standing arrangement between the Council and the Club and that 2011-12 was the first year of charging for bulk water supply.

## **9 URGENT BUSINESS**

## **10 GENERAL BUSINESS**

## **11 IN COMMITTEE DISCUSSIONS**

## **12 DELEGATIONS**

