



**BURDEKIN SHIRE COUNCIL**



# **AGENDA**

  

## **ORDINARY COUNCIL MEETING**

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

**on 9 September 2014**

**COMMENCING AT 9:00AM**

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**TUESDAY 9 SEPTEMBER 2014**

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## **BURDEKIN SHIRE COUNCIL**



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## **1 PRAYER**

## **2 DECLARATIONS OF INTEREST**

## **3 MINUTES AND BUSINESS ARISING**

### **3.1 Ordinary Council Meeting Minutes - 26 August 2014**

#### **Recommendation**

That the minutes of the Ordinary Council Meeting held on 26 August 2014 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 August 2014**

**COMMENCING AT 9:00AM**



**TUESDAY 26 AUGUST 2014**

### **ORDER OF BUSINESS:**

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Ordinary Council Meeting 26 August 2014



## BURDEKIN SHIRE COUNCIL



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## **ATTENDANCE**

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

Mr. M. Magin - Chief Executive Officer  
Mr. D. Mulcahy - Manager Governance and Local Laws  
Mr. S. Great - Manager Planning and Development  
Mr. T. Vaccaro - Manager Community Development  
Mr. W. Saldumbide - Manager Operations  
Mr. K. Byers - Manager Technical Services  
Mrs. K. Olsen - Manager Financial and Administrative Services

Minutes Clerk - Miss S. Cronin

## **1 PRAYER**

The meeting prayer was delivered by Reverend Greg Rankin of the Uniting Church.

## **2 DECLARATIONS OF INTEREST**

The Mayor called for declarations of interest.

No declarations of interest were identified.

## **17 CLOSED MEETING ITEMS**

### **Council Meeting closed to Public under Section 275 of Local Government Regulation 2012**

#### **Resolution**

Moved Councillor Lewis, seconded Councillor Loizou that the Council meeting be closed to the public under the following sections of the Local Government Regulation 2012:

275(1)(d) rating concessions

275(1)(h) other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage

for the purpose of discussing:

- Proposed temporary road closure
- Rating concessions - application for rates exemption

**CARRIED**



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## **Council Meeting opened to Public**

### **Resolution**

Moved Councillor Loizou, seconded Councillor Liessmann that the Council meeting be opened to the public.

CARRIED

## **3 MINUTES AND BUSINESS ARISING**

### **3.1 Ordinary Council Meeting - 12 August 2014**

#### **Recommendation**

That the minutes of the Ordinary Council Meeting held on 12 August 2014 be received as a true and correct record.

#### **Resolution**

Moved Councillor McCathie, seconded Councillor Bawden that the recommendation be adopted noting the following:

- Councillor Lewis was an apology as he was away on Water Board duties; and
- Councillors Bawden and Liessmann voted against the motion in item 3.8

CARRIED

### **3.2 Burdekin Building Safer Communities Action Team Meeting Minutes - 16 July 2014**

#### **Recommendation**

That the minutes of the Burdekin Building Safer Communities Action Team Meeting held on 16 July, 2014 be received and adopted.

#### **Resolution**

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

CARRIED

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## **4 REPORTS**

### **4.1 Capital Projects Monthly Report for Period Ending 31 July 2014**

#### **Recommendation**

That the Capital Projects Monthly Report for the Period Ending 31 July 2014 be received.

#### **Resolution**

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

CARRIED

### **4.2 Operating Statement for Period Ending 31 July 2014**

#### **Recommendation**

That the Operating Statement for the Period Ending 31 July 2014 be received.

#### **Resolution**

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

CARRIED

## **5 GOVERNANCE & LOCAL LAWS**

### **15.1 2014-15 Capital Budget - Home Hill Transfer Station**

#### **Recommendation**

That in relation to the 2014-15 Capital Budget, Council agrees to:

1. Delete the allocation of an additional 30 cubic metre bin for the Home Hill Transfer Station; and
2. Give consideration to providing a cover for the second hand goods sale area at the Home Hill Transfer Station.

#### **Resolution**

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

CARRIED

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## **6 CLIENT SERVICES**

### **6.1 Relocation of Community Development to Burdekin Library**

#### **Recommendation**

Moved Councillor Lewis, seconded Councillor Loizou that Council approves the Economic Development relocation costs of \$18,298.00 lay on the table for further investigation.

CARRIED

## **18 DELEGATIONS**

Australian Citizenship Ceremony - Mr. Felix Raphael and Mr. Davinder Singh

Councillor McCathie left the meeting and did not return.

## **7 FINANCIAL & ADMINISTRATIVE SERVICES**

### **7.1 Request for Rates Exemption or Reduction - Gudjuda Reference Group Aboriginal Corporation**

#### **Executive Summary**

Council has received a request from the Gudjuda Reference Group Aboriginal Corporation that consideration be given to exempting or reducing rates, at least until the Social Enterprise is producing a return above maintenance and running cost level, over Reserve land described as Part B Lot 91 & Lot 99 SB 202 Reserve 95 for Showground and Recreation & Lot 347 SB365 Reserve 115 for Showground and Recreation. The Local Government Act provides guidelines to determine which land is exempt from rating or when concessions may be granted.

#### **Recommendation**

It is recommended as follows:

1. that in accordance with Section 93 of the Local Government Act 2009 and Sections 119, 120, 121, and 122 of the Local Government Regulation 2012, Council grants a concession of General Rates, CBD 1 Separate Charge, CBD 2 Separate Charge and Environmental Separate Charge from 07/02/2012 to 30/06/2015 on land leased by the Gudjuda Reference Group Aboriginal Corporation, described as Part B Lot 91 & Lot 99 SB 202: Reserve 95 for Showground & Recreation & Lot 347 SB365: Reserve 115 for Showground & Recreation Parish of Inkerman on the basis that the Corporation is an entity whose objects do not include the making of a profit and which has a public benefit;
2. that Council waive the interest charges on the unpaid General Rates, CBD 1 Separate Charge, CBD 2 Separate Charge and Environmental Separate Charge on property number 17251; and



- 
3. that Gudjuda Reference Group Aboriginal Corporation be required to submit audited financial statements before consideration is given to any further request for rates concession beyond 30/06/2015.

**Resolution**

Moved Councillor Lewis, seconded Councillor Loizou that the recommendation lay on the table pending receipt of further information on the matter.

CARRIED

**7.2 Australian Indirect Tax Specialists to Review Council's Fuel Tax Credit Claims**

**Resolution**

Moved Councillor Dalle Cort, seconded Councillor Liessmann that Council engages the services of AITS to undertake a review of Council's Fuel Tax Credit claims.

CARRIED

**7.3 Pre-hearing Conference to Reach Informal Settlement of Overdue Rates**

**Resolution**

Moved Councillor Dalle Cort, seconded Councillor Liessmann that Council confirms the Chief Executive Officer's action in requesting Council's Solicitor to arrange a pre-hearing conference in the Ayr Magistrates Court in an attempt to reach informal settlement with regards to legal action for recovery of overdue rates in respect of property numbers 7998 and 10761.

CARRIED

**8 OPERATIONS**

**8.1 Donation of Excess Clean Fill to Home Hill Cricket Association**

**Resolution**

Moved Councillor Lewis, seconded Councillor Liessmann that Council approves the donation of excess clean fill from roads and drainage projects to the Home Hill Cricket Association to assist with the development of a new cricket field.

CARRIED



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## **8.2 Provision of a Bike Way Link - Round-a-Bout Fourth Street and Fourth Avenue, Home Hill**

### **Resolution**

Moved Councillor Loizou, seconded Councillor Liessmann that Council undertakes the provision of a bike way link at the round-a-bout at Fourth Street and Fourth Avenue, Home Hill.

CARRIED

## **8.3 Appropriate Fill to be used for Remediation Purposes**

### **Resolution**

Moved Councillor Lewis, seconded Councillor Dalle Cort that Council approves provision of appropriate fill from roads and drainage projects for the purpose of remediating vacant land near the Home Hill College of Tafe described as Lot 399 SP 153794.

CARRIED

## **9 TECHNICAL SERVICES**

## **10 PLANNING & DEVELOPMENT**

### **10.1 Development Application - Material Change of Use for Sport, Recreation and Entertainment (Amusement Centre) at 93 Graham Street, Ayr (Lot 11 on RP847438 Parish of Antill, County of Gladstone)**

#### **Executive Summary**

An application has been received from Macarema Pty Ltd, seeking approval for a Sport, Recreation and Entertainment Centre (Amusement Centre) at 93 Graham Street, Ayr (Lot 11 on RP847438, Parish of Antill, County of Gladstone). A Development Application (Impact Assessable) has been triggered in accordance with the Burdekin Shire Council's IPA Planning Scheme.

#### **Recommendation**

That Council approves the Development Application for a Material Change of Use for a Sport, Recreation and Entertainment Centre (Amusement Centre) at 93 Graham Street, Ayr (Lot 11 on RP847438, 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.

- 
- 1.2 All rates and charges (including regulated infrastructure charges), in arrears in respect of the land, subject of the application, are paid in full prior to the commencement of the proposed use.
  - 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 supporting material included in the application and approved plans listed below submitted with the application; except where modified by the conditions of this Development Permit and any approval issued there under.
  - 1.4 The Amusement Centre is to be operated strictly in accordance with the application submitted and in particular the following hours of operation, centre occupants and number of employees:

Hours of operation:

Monday – Friday 9:00am – 5:00pm  
Saturday & Sunday 9:00am – 4.00pm

Centre Occupants:  
Maximum of: 50

Number of employees: 2 x full time  
2 x casual

## **BUILDING WORK**

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

## **NOTICE OF INTENTION TO COMMENCE THE USE**

3. Prior to the commencement of the use on the site, written notice must be given to Council that the use (development and/or works) fully complies with the decision notice issued in respect of the use.

## **AMENITY**

4. Any night and outdoor lighting must be designed, conducted and operated in accordance with 'AS 4282 – Control of the obtrusive effects of outdoor lighting'. Lighting for the car park is not to cause a nuisance to any persons.

## **PUBLIC UTILITY SERVICES**

5. 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.



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## **ACCESS AND CARPARKING**

- 6.1 Any construction or modification of any crossovers to give access to the development is to be the owner's responsibility and to the satisfaction of the Chief Executive Officer.
- 6.2 Parking shall be provided generally in accordance with the approved plan submitted with the application.
- 6.3 Parking space and layout must be designed in accordance with the provisions contained in Schedule 2 – Vehicle Parking Rates & Standards of the Planning Scheme.

## **DRAINAGE**

- 7.1 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.
- 7.2 Any external catchments discharging to the premises must be accepted and accommodated within the development's stormwater drainage system.

## **AMENITY – SCREEN FENCING**

- 8. A 1.8m high screen fence must be provided along the adjoining property boundary between 93 and 91 Graham Street, Ayr. The fence must be designed to achieve an adequate level of privacy for customers and neighbours. The type and design must be submitted and approved by the Chief Executive Officer prior to construction of the screen fence.

## **ENVIRONMENTAL HEALTH**

- 9.1 Environmental nuisance must not be caused at any time, as a result of the emission of noise, movement of vehicles or ancillary activities at the site to which this approval relates.
- 9.2 An enclosed area of suitable size shall be provided to store the number of bins required to service this site. The area shall be of adequate size for the storage of all bins and have a floor which is raised and imperviously paved.
- 9.3 There must be no release of waste water from the washing of waste bins to stormwater, to the ground or to any roadside gutter.

## **TRADE WASTE**

- 10. A Trade Waste permit will be required. A Trade Waste Application for 'Permit to Discharge to the Sewer' is to be submitted to Council prior to the proposed development becoming operational.

## **AMENITY**

- 11. The operator of the Amusement Centre must keep a Complaints Register on the site at all times, for the inspection of an authorised officer of the Council identifying:



- The time, date and detail of any complaint made to the operator relating to the use of the Amusement Centre; and
- Any action or response taken by the operator to rectify or reasonably deal with the complaint.

#### **ADVICE ONLY**

- *It is advised to contact the Environment & Health Department in regards to licensing and registration in accordance with the Food Act 1981.*

**The following comments are from the Manager of Planning & Development, Mr Shane Great:**

#### ***Background Information:***

A Development Application has been received from Macarema Pty Ltd seeking approval for a Material Change of Use for Sport, Recreation and Entertainment Centre (Amusement Centre) at 93 Graham Street, Ayr (Lot 11 on RP847438, Parish of Antill, County of Gladstone). In accordance with the Burdekin Shire Council's IPA Planning Scheme (*the scheme*), the land is zoned 'Retail and Commercial' with the proposal triggering an 'Impact Assessable' Development Application.

The application has been assessed against the relevant provisions of the scheme and was triggered as assessable development under Table 3 – Assessment Categories and relevant assessment criteria for making a Material Change of Use. The defined use is best described as a 'Sport, Recreation and Entertainment Centre' (Amusement Centre)'

#### ***Site Description and Surrounding Land Uses:***

The subject site is located on a regular shaped lot within the Ayr CBD at 93 Graham Street, Ayr, having a total site area of 1,013m<sup>2</sup>. The existing building footprint is 470m<sup>2</sup> and covers approximately 46% of the overall site area, the balance of the site is fully sealed with concrete. The surrounding area includes a mix of uses including retail, commercial and residential uses. Two of the properties adjoining the subject site are used for residential purposes.

#### ***The Application:***

The applicant proposes to operate an amusement centre and casual child minding service out of an existing building at 93 Graham Street, Ayr. The amusement centre will include a constructed playground area, games rooms, toy area, party room, café and dining area. The casual child minding service will be operated as standalone care under the Education and Care Services Act 2013, which will restrict the number of children that can be left at the centre without parental supervision to six at any one time.

The applicant has advised in the supporting material that there is sufficient room to provided 5 on-site customer car parks and also proposes to utilize the on-street parking located in Graham Street. Given the intended use, existing on-site, centre and parallel parking in close proximity to the premises is considered adequate.

The application has been assessed against the relevant codes of the scheme and in particular, the Retail and Commercial Zone code. Relevant outcomes in the code including: building scale, design and appearance; car parking and access; lighting nuisance; infrastructure provision and protecting adjacent residential areas have all been considered



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with most outcomes being met. Conditions have been incorporated into the recommendation to ensure that any identified outcomes can be met once conditions have been complied with. For example, to alleviate any negative impacts on neighbouring properties, a screen fence has been included as a condition of approval. The application has been assessed on individual merit and protecting existing amenity acceptable within this zone has been an important factor in arriving at a recommendation.

The recommendation including reasonable and relevant conditions has been drafted to ensure that Council acting as the assessment manager can be confident in defending any appeal that may be generated by either the applicant or any submitter that forms part of this application process.

**Comment on Submissions:**

The Development Application was triggered as being 'Impact Assessable', therefore public notification was required. The application was advertised in the Ayr Advocate on Wednesday 9<sup>th</sup> July, 2014 and at the closing date for submissions on 31<sup>st</sup> July, 2014, two properly made submissions were received. The table below lists details of individual submitters and their individual comments/concerns:

Name	Address	Comment/Concerns raised
Neville Selby	94 Munro Street, Ayr	<ul style="list-style-type: none"><li>• Excessive noise out of hours.</li><li>• Potential loss of rental income.</li></ul>
Minas Tsaousis	91 Graham Street, Ayr	<ul style="list-style-type: none"><li>• Increase in traffic and excessive noise.</li><li>• Potential loss of rental income.</li><li>• Proximity to existing backpacker accommodation.</li><li>• Waste disposal.</li><li>• Screening from residential property (potential for vandalism, littering and trespassing).</li><li>• Staff to guest ratio.</li></ul>

The following is a response to the comments/concerns raised in the submissions:

**Negative Impacts on property valuations:**

Claims that property valuations may be negatively affected are unfounded. Any impacts to property valuations as a result of this development are not considered valid when assessing applications and are not considered a valid ground for refusal.

**Impact on amenity (general):**

Concerns have been raised by both submitters that the proposed use will negatively impact on existing amenity. It is important to note that the subject land and surrounding properties are all zoned 'Retail/Commercial' and not 'Residential'. In assessing this application, Council's Development Assessment Team (DAT) has thoroughly considered amenity concerns and is confident that any negative impacts can be managed through the provision of reasonable and relevant development conditions. The combination of statutory based



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Local Laws and the Planning Scheme will be the mechanisms used to control any potential negative impacts. For example, a 1.8m screen fence has been conditioned to help protect the amenity of the adjoining residential dwellings. In addition, waste management conditions and the need to comply with legislation dealing with child care and safety all contribute to manage the proposal in an acceptable manner.

**Need for Development:**

One of the submissions raised the issue of 'community need' for a reason to refuse the application. Suggestions that sufficient cafes exist in the Burdekin are unfounded and not reasonable grounds for refusal. If a business is not competing in the market for a particular good or service the enterprise does not generally survive. Unfortunately, Council does not normally intervene in the operations of a small business and whether it is needed in a particular area of the shire.

All development applications assessed in the shire are considered on individual merit with all proposals having to meet relevant scheme and local law requirements. The applicant believes that there is a demand for this type of facility.

As stated in the response to submissions advice, the applicant has a good understanding of the child care industry rules and regulations and intends to implement a strict code of conduct to minimise any negative impacts on existing amenity. The argument that the proposed use is not needed is not a valid ground to refuse the application.

**Recommendation:**

The proposal is to reuse an existing vacant building in Ayr's Central Business/Commercial District. The re-use of a purpose built building will ensure that the building is maintained and not potentially become derelict. The ability of the proposal to meet the 'specific outcomes' and 'acceptable solutions' of the 'Retail and Commercial Zone' also supports the recommendation. Council's Development Assessment Team members have assessed the application and have included reasonable and relevant conditions as part of the recommended approval. Given that the proposal complies with the provisions contained in Council's Planning Scheme, it is recommended that Council approve the application subject to the abovementioned conditions.

**Resolution**

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

CARRIED

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## **11 COMMUNITY DEVELOPMENT**

### **11.1 Civic Guides to be Removed**

#### **Resolution**

Moved Councillor Dalle Cort, seconded Councillor Liessmann that Council writes a letter to Civic Guides requesting the signs be removed from the locations identified.

CARRIED

## **12 ECONOMIC DEVELOPMENT**

## **13 GENERAL BUSINESS**

### **13.1 Leave of Absence - Councillor McCathie**

#### **Resolution**

Moved Councillor Dalle Cort, seconded Councillor Lewis that Council approves a leave of absence for Councillor McCathie for 23 September 2014.

CARRIED

### **13.2 Leave of Absence - Councillor Dalle Cort**

#### **Resolution**

Moved Councillor Dalle Cort, seconded Councillor Bawden that Council approves a leave of absence for Councillor Dalle Cort for 23 September 2014.

CARRIED

### **13.3 Leave of Absence - Councillor Bawden**

#### **Resolution**

Moved Councillor Bawden, seconded Councillor Liessmann that Council approves a leave of absence for Councillor Bawden from 21 October to 17 November 2014.

CARRIED



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### **13.4 Corporate Communication Strategy**

#### **Resolution**

Moved Councillor Bawden, seconded Councillor Loizou that Council adopts the Corporate Communication Strategy 2014/18 which sets minimum standards for communicating with key stakeholders and outlines strategies to assist with the implementation of a customer focused organisational culture.

CARRIED

### **13.5 Resolutions for Consideration at Local Government Association of Queensland Conference - 27-29 October 2014 - Mackay**

#### **Resolution**

Moved Councillor Loizou, seconded Councillor Liessmann that Council submits the following motions for consideration at the Local Government Association of Queensland Conference in Mackay from 27-29 October 2014.

1. Clearly define Not For Profit Organisations in respect of rates exemptions and the Local Government Association of Queensland to investigate and clearly explain the grey areas;
2. Explain or define the definition of a Road Travellers Park and Mobile Home Park;
3. Seek change of threshold for establishing an audit committee;
4. Telstra to replace asbestos pits and footpath levels at no cost to Councils.

CARRIED

### **13.6 Approval for Attendance - Local Government Association of Queensland Conference - 27-29 October 2014 - Mackay**

#### **Resolution**

Moved Councillor Dalle Cort, seconded Councillor Lewis that Council approves the attendance of Chief Executive Officer Matthew Magin, Mayor Bill Lewis and Councillors McCathie and Dalle Cort to the Local Government Association of Queensland Conference in Mackay from 27-29 October 2014.

CARRIED



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### **13.7 Approval for Attendance - River Symposium - 15-17 September 2014 - Canberra**

#### **Resolution**

Moved Councillor Lowis, seconded Councillor Dalle Cort that Council approves the attendance of Mayor Bill Lowis to attend the River Symposium in Canberra from 15-17 September 2014.

CARRIED

### **14 CORRESPONDENCE FOR INFORMATION**

### **15 NOTICES OF MOTION**

### **16 URGENT BUSINESS**

### **17 CLOSED MEETING ITEMS**

### **18 DELEGATIONS**

12.00pm On-site meeting at the Burdekin Library with Library Manager, John Scott and Manager of Client Services, Eileen Robinson.

There being no further business the meeting closed at 1.10pm.

**These minutes were confirmed by Council at the Ordinary Council Meeting held on 9 September 2014.**

**MAYOR**

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### **3.2 Burdekin Cultural Complex Board Minutes - 30 June 2014**

#### **Recommendation**

That the minutes of the Burdekin Cultural Complex Board Meeting held on 30 June 2014 be received and adopted..

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**BURDEKIN CULTURAL COMPLEX BOARD INCORPORATED**

**MINUTES – GENERAL MEETING**

Held on Monday 30 June 2014

Commencing at 5.30 p.m.

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**Clause 1 ATTENDANCE**

Crs. B. Lowis, L. Loizou, U. Liessmann and L. McCathie – representing Burdekin Shire Council

Mr. R. Marriott and Mrs T. List representing Burdekin Memorial Hall Committee

Mr. J. Gooding representing Friends of the Burdekin Theatre

Mr. M. Calder – Burdekin Cultural Complex Manager

Ms D. Gosper – Secretary

Miss L. Cox – Minutes Clerk

Apologies – Cr. R. Lewis representing Burdekin Shire Council and Mrs L. Henderson representing Friends of the Burdekin Theatre

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**Clause 2 MINUTES RECEIVED**

Moved Cr. McCathie, seconded Cr. Loizou, that the Minutes of the General Meeting held on 14 April 2014 be received as a true and correct record.

CARRIED

---

**Clause 3 UPDATE ON OUTSTANDING DEBTORS**  
**(Clause 7)**

Secretary, Mrs Gosper, advised the meeting that one of the outstanding debtors had been paid in full. She informed the meeting that the money was currently in trust with the Board's legal representatives and would be forwarded to the Board shortly.

She informed the meeting that the other debtor, after the matter had been presented in court, had entered into a payment agreement. She advised that a small part payment had been received but the rest of the payment agreement had, as yet, not been adhered to. The Board's legal representatives have indicated that they would prepare to go back to court if the debtor did not start making more payments.

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**Clause 4 BOARD CONFIRMS TOTAL CASH DISBURSEMENTS FOR APRIL 2014**

Moved Cr. Liessmann, seconded Mrs List, that the Board confirm total cash disbursements from the General Account for the month of April 2014 for \$60,720.05.

CARRIED

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**Clause 5 BOARD CONFIRMS TOTAL CASH DISBURSEMENTS FOR MAY 2014**

Moved Cr. Loizou, seconded Mr. Gooding, that the Board confirm total cash disbursements from the General Account for the month of May 2014 for \$50,433.30.

CARRIED

---

**Clause 6 FINANCIAL STATEMENTS FOR PERIOD FROM 1 MAY 2013 to 30 APRIL 2014 BE RECEIVED**

Moved Cr. McCathie, seconded Mr. Marriott, that the financial statements of the Burdekin Cultural Complex Board for the period from 1 May, 2013 to 30 April 2014, be received.

CARRIED

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**Clause 7 BOARD RECEIVES RECEIVABLES RECONCILIATION REPORT**

Secretary, Ms Gosper, tabled a detailed report listing Outstanding Debtors to 31 May 2014. The Board noted that the total outstanding debtors in respect of the Burdekin Theatre and Burdekin Memorial Hall Complex were \$20,080.12. The Board also noted the recovery arrangements to collect the amount outstanding.

Moved Cr. Liessmann, seconded Mr. Marriott, that the report on Receivables Reconciliation be received.

CARRIED

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**Clause 8 MEETING TO BE HELD WITH REGULAR OUTSTANDING DEBTOR**

Discussion was held on the continuing problem the Board has had with two regular outstanding debtors.

It was resolved that Cr. Lowis, Mr. Marriott and Burdekin Memorial Hall Venue Supervisor, Mr. Smith meet with Karen Healy to discuss the ongoing problem of her debt being in arrears and attempt to provide solutions to this problem.

---

**Clause 9 BOARD NOTES DETAILS OF EXPENDITURE TO 31 MAY 2014 FOR ADMINISTRATION AND OPERATION OF BURDEKIN CULTURAL COMPLEX**

Moved Cr. Liessmann, seconded Mrs List, that the report listing receipts and expenditure to 31 May 2014 of Council costs associated with administration and operation of the Burdekin Theatre and Burdekin Memorial Hall by the Burdekin Shire Council as follows be received:-

<u>Receipts</u>	<u>Item</u>	<u>Expenditure</u>
10,033.40	Capital	13,303.40
0.00	Current	499,949.24
<b>\$10,033.40</b>		<b>\$513,252.64</b>

CARRIED

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Clause 10 **BOARD NOTES DETAILS OF LIVE PERFORMANCES IN BURDEKIN THEATRE AND BURDEKIN MEMORIAL HALL SINCE LAST MEETING**

At this stage Members discussed details of reconciliations for performances in the Burdekin Theatre and Burdekin Memorial Hall since the last meeting.

The Chairman advised the meeting that it was necessary to confirm the Theatre Director's action in exercising discretionary powers concerning fee structures negotiated for some performances in the Burdekin Theatre and Burdekin Memorial Hall since the last Board meeting.

Details of performances in the Burdekin Theatre and Burdekin Memorial Hall during the period are set out hereunder:-

Production: ..... Harmonious  
 Date: ..... 15/3/2014  
 Promoted By: ..... BCCB Inc.  
 Ticket Sales: ..... CANCELLED  
 Refund to Promoter: ..... \$1,136.36

Production: ..... Jane Rutter  
 Date: ..... 15/3/2014  
 Promoted By: ..... BCCB Inc.  
 Ticket Sales: ..... 24  
 Cost to Promoter: ..... \$2,861.68

Production: ..... Calendar Girls  
 Date: ..... 16/3/2014  
 Promoted By: ..... BCCB Inc.  
 Ticket Sales: ..... 88  
 Cost to Promoter: ..... \$3,906.49

Production: ..... Vic Volunteers Conference  
 Date: ..... 18-19/3/2014  
 Promoted By: ..... Burdekin Tourism Association  
 Ticket Sales: ..... 0  
 Cost to Promoter: ..... \$1,264.00

Production: ..... Rhapsody in Blue  
 Date: ..... 22/3/14  
 Promoted By: ..... Barrier Reef Orchestra  
 Ticket Sales: ..... 38  
 Cost to Promoter: ..... \$0.00

Production: ..... ABBA Live  
 Date: ..... 23/3/14  
 Promoted By: ..... BCCB Inc.  
 Ticket Sales: ..... 46  
 Cost to Promoter: ..... \$4,794.47

Production: ..... Doc Faustus  
 Date: ..... 28/3/14  
 Promoted By: ..... BCCB Inc.  
 Ticket Sales: ..... 19  
 Cost to Promoter: ..... \$3,169.82

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Production: ..... Burdekin Fashion Bash  
 Date: ..... 11-12/4/14  
 Promoted By: ..... Youth Fashion Experience Inc.  
 Ticket Sales: ..... 335  
 Refund to Promoter: ..... \$7,558.00

Production: ..... Long Gone Lonesome Cowgirls  
 Date: ..... 24/4/14  
 Promoted By: ..... BCCB Inc.  
 Ticket Sales: ..... 14  
 Cost to Promoter: ..... \$5,000.26

Production: ..... Interschool Drama Festival  
 Date: ..... 28/4 – 2/5/14  
 Promoted By: ..... Burdekin Catholic High School  
 Ticket Sales: ..... 420  
 Refund to Promoter: ..... \$844.02

Production: ..... Burdekin Junior Eisteddfod  
 Date: ..... 17 – 27/5/14  
 Promoted By: ..... Burdekin Junior Eisteddfod Inc.  
 Ticket Sales: ..... 2692  
 Cost to Promoter: ..... \$5,250.84

Production: ..... Bush Poet's Breakfast  
 Date: ..... 1/6/14  
 Promoted By: ..... Zonta Club  
 Ticket Sales: ..... 0  
 Cost to Promoter: ..... \$823.20

Moved Cr. Loizou, seconded Mrs List, that the Board note details provided by the Theatre Director in respect of performances in the Burdekin Theatre and Burdekin Memorial Hall since the last meeting be received.

CARRIED

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Clause 11 **REPORT ON EXPENDITURE TO 30 APRIL 2014 FOR BOARD PROMOTIONS RECEIVED**

Moved Cr. Liessmann, seconded Cr. McCathie, that the report listing expenditure for Board Promotions as at 30 April 2014, be received.

CARRIED

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Clause 12 **GENERAL MEETING TO BE HELD ON MONDAY 18 AUGUST 2014**

It was confirmed that the next meeting of the Board General Meeting would be held on Monday 18 August 2014 at 5.30 p.m.

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**Clause 13 BURDEKIN CULTURAL COMPLEX MANAGER'S REPORT PRESENTED**

Burdekin Cultural Complex Manager, Mr. Calder, presented his report to the meeting. Discussion was held on:-

- (a) the overhaul of the Theatre foyer;
- (b) the painting of the Theatre foyer and the plans to clad the timber areas in the foyer;
- (c) the possibility of cleaning the foyer ceiling while the overhaul is taking place;
- (d) the 'Arousal' program of shows;
- (e) the inability to sell a show that was previously programmed and the cost for cancelling the show;
- (f) costs involved with the staging of 'Looking Through a Glass Onion';
- (g) comparisons between Theatre markets;
- (h) upcoming performances at the Theatre; and
- (i) arrangements put in place as to when the manager is to report to the Board regarding the potential costs of shows.

---

**Clause 14 MINUTES OF BURDEKIN CULTURAL COMPLEX BOARD SPECIAL MEETING RECEIVED AND ADOPTED**

Discussion was held on:-

- (a) implementation of the new award system;
- (b) the wage costs for the Board if changed to the new award system;
- (c) advice received from Board's legal representatives;
- (d) structure of a possible advisory committee;
- (e) the multi-purpose venue being erected at the Ayr Showgrounds; and
- (f) job descriptions of Board employees..

Moved Cr. Loizou, seconded Mr. Marriott, that the Minutes of the Burdekin Cultural Complex Board Special Meeting held on 19 May 2014,, be received and adopted.

CARRIED

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**Clause 15 MEMORIAL HALL MAINTENANCE UPDATE**

Mr. Marriott provided the meeting with an update on maintenance of the Memorial Hall. He advised the meeting that the roof of the Memorial Hall had yet to be painted and that this had been budgeted by Council several years ago. He questioned whether the money was still in Council's budget.

He informed the meeting that:-

- (a) the floor covering in the dressing rooms is worn and needed replacing;
  - (b) the carpet on the stairs to the stage is lifting and needed to be repaired;
  - (c) there has been a big increase in costs for maintenance of appliances in the Memorial Hall kitchen;
  - (d) a possible solution would be to implement a six month maintenance schedule for appliances in the Memorial Hall kitchen to reduce maintenance costs; and
  - (e) electricity costs at the Hall and the affect on hiring costs.
-

Burdekin Cultural Complex Board Incorporated – 30 June 2014

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Clause 16    **BOARD STAFF WAGE CONDITIONS TO BE CHANGED**

Moved Cr. Liessmann, seconded Mr. Marriott that the Burdekin Cultural Complex Board wage conditions for full time employees be changed to the following, noting that other employees would be apportioned accordingly,:-

- (a) Annual Leave – 5 weeks;
- (b) Sick Leave – 10 days; and
- (c) Long Service Leave – 13 weeks after 10 years.

CARRIED

There being no further business the Meeting concluded at 7.00 p.m.

B. Lewis  
CHAIRMAN

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## 4 REPORTS

## 5 GOVERNANCE & LOCAL LAWS

### 5.1 Dal Santos Approval to Use Council Footpaths - Installation of fixed tables and barriers - Macmillan Street

#### Document Information

**Referring Letter No:** N/A

**File No:** 649

**Name of Applicant:** Carla Dal Santo

**Location:** Macmillan Street Ayr

**Author and Title:** Aaron Clifford - Environment and Health Project Officer

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#### Executive Summary

Application has been made to install permanent tables and barriers on Macmillan Street footpath.

#### Recommendation

Council resolves to approve the application with conditions.

#### Background Information

An application was provided to Council 14 August 2014 to install 3 permanent tables and 2 Vittoria Signs/barriers and 1 Bench on the Macmillan Street footpath adjacent to the Dal Santo's Continental Deli.

Past approval (DN: UseRd13/0069) for the proposed area has been approved for foot path dining within an area of 14 square meters under *Local Law 1 (Administration) 2012* and *'Subordinate Local Law No. 1.2 (Commercial Use of Local Government Controlled Areas and Roads) 2012'*. The application dated 28 May 2013 provides for an area of 9 meters in length and 1.5 meters wide to facilitate unfixed items, including 3 tables, 12 chairs and 3 pot planters.

An assessment has been made of the current application by Council Officers under the *'Local Law 1 (Administration) 2012'* and *'Subordinate Local Law No. 1.2 (Commercial Use of Local Government Controlled Areas and Roads) 2012'*.

The following provisions must be provided within the application:

- 
1. A Public Liability Insurance policy to the value of ten million dollars (\$10,000,000.00), for the proposed activity must demonstrate Council as an interested party. A copy of this policy is required to be provided to Council.

The Permit will remain in force for the period shown on the permit or for the duration of your Public Liability Insurance coverage period, unless sooner revoked, cancelled or suspended.

2. Documentation is to be provided that states that the applicant agrees to:

- (a) Indemnify and keep indemnified Council from and against all actions, proceedings, claims demand, costs, losses, damages, liabilities and expenses which may be brought against, made upon or incurred by Council arising out of or in connection with the use of the Land by the Applicant, its employees, contractors, sub-contractors, agents and other representatives and any works or activities carried out by the Applicant, its employees, contractors, sub-contractors, agents and other representatives under this Agreement.
- (b) The Applicant releases and discharges Council from all actions, proceedings, claims, demands, costs, losses, damages, liabilities and expense which but for the provisions hereof might be brought against Council, arising from the use of the Land by the Applicant, its employees, contractors, sub-contractors, agents and other representatives and any works or activities carried out by the Applicant, its employees, contractors, sub-contractors, agents and other representatives under this approval or decision.
- (c) The indemnity in clause (a) continues in full force and effect at all times in which the Applicant or any employee, contractor, subcontractor, representative or assignee or otherwise of the Applicant occupies or otherwise uses the Land as contemplated by this approval or decision.

Upon approval of the licence the following conditions will apply:

1. The approval will lapse twelve months after the issue date.
2. Insurances must be maintained throughout the approval period.
3. The approval is granted only in relation to the specifications as provided by the applicant within their 'Application for Approval Commercial Use of Local Government Controlled Areas and Roads' and in accordance with the plan provided as part of the application process.
4. No alteration from the approved plan or specifications must be made unless additional approvals granted for the subject change or alteration.
3. The installation must be provided with a 2500mm clearance to the top edge of the kerb and in a manner where the pedestrian flow of traffic of the surrounding area and into shop premises is not impeded.
4. The approved installation including the specified tables and barriers must be affixed to adequately sized concrete bases to Council satisfaction. The edges of the concrete bases are to be flush with the existing pavers.
5. The approved installation must not detrimentally impact on other users of the road reserve.
6. The visual amenity of the surrounding area must not be adversely affected in any manner.

- 
7. All facilities and equipment used in the operation of the prescribed activity must be at all times, maintained—
    - (i) in good working order and condition;
    - (ii) in a clean, sanitary and hygienic condition; and
    - (iii) In a manner that deters pest harbourage.
  8. The approved installations may only be used during usual business hours.
  9. Remove all non fixed tables, chairs, fixtures and fittings from the area identified in the approval when the principal premises are not open for business.
  10. The approved installation must not detrimentally affect any Council assets.
  11. The activity is not to cause a danger or nuisance to neighbouring residents or users of the surrounding area including vehicle traffic.
  12. The approval must be displayed within public view, and produced for inspection on demand by an authorised person.
  13. On lapse of the approval all fixed items are to be removed and the footpath reinstated to Councils satisfaction.
  14. Council reserves the right to cancel or suspend this licence when conditions of the licence are not met, or at any other time. Should the licence be revoked, all structures must be removed and the area restored to the original condition preceding the installation.

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

N/A

#### **Consultation**

N/A

#### **Legal Authority or Implications**

Application reviewed by Authorised Council Officers under the '*Local Law 1 (Administration) 2012*' and '*Subordinate Local Law No. 1.2 (Commercial Use of Local Government Controlled Areas and Roads) 2012*'.

#### **Policy Implications**

N/A

#### **Financial and Resource Implications**

N/A

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**Report prepared by:**

Aaron Clifford - Environment and Health Project Officer

**Report authorised by:**

Daniel Mulcahy - Manager Governance and Local Laws

**Attachments**

N/A

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## 5.2 Implementation NQ Waste Reduction and Recycling Plan 2014-2024

**File No:** 792

**Author and Title:** Anne McLaughlin, Environment and Health Project Officer

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### Executive Summary

Governance arrangements to implement the NQ Waste Reduction and Recycling Plan have been considered. To provide for regional efficiencies and implementation of the plan's actions, a technical working group consisting of Hinchinbrook Shire, Charters Towers Regional, Townsville City and Burdekin Shire Council's representatives has been established. It is now proposed that this working group meet at three monthly intervals along with each council's elected representative, whilst the technical working group will also meet between such meetings.

### Recommendation

It is recommended that:

- Council support the formation of a regional working group to facilitate the implementation of the NQ Regional Waste Reduction and Recycling Plan 2014-2024.
- That Council nominate an elected representative to attend the working group meetings held quarterly.

### Background Information

Council has adopted Burdekin Shire Council's action plan as part of the NQ Regional Waste Reduction and Recycling Plan 2014- 2024 which contains initiatives to drive the plan forward. For the plan's vision to be achieved, consideration is required to determine how and what is going to be delivered. As part of the development of the plan, a paper was produced describing proposed governance structures on how the plan's actions may be delivered collaboratively by the four councils. Numerous models have been considered, including a regional service delivery entity, regional procurement agency, utilising the commercial Townsville waste provider and forming a regional strategy group.

Whilst there may be benefits in providing a formal structure for delivery of services in the future, at this point in time it is recommended that a regional working group be formed to undertake such matters as developing consistent contract specifications for waste management services or optimising logistics and operational costs for matters such as disaster waste.

An inaugural meeting of the technical working group was held on the 28 August 2014 attended by Council's representative Anne McLaughlin. This meeting agreed that the technical group meet every three months together with the relevant Council elected representative. It was also recommended that the technical working group should also meet between these dates to progress issues.

---

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

The working group will direct the implementation of the NQ Waste Reduction and Recycling Plan that meets Corporate Plan strategies for waste management by promoting waste and recycling services, waste minimisation and operation of waste facilities.

## **Consultation**

The NQ Waste Reduction and Recycling plan 2014-2024 was widely consulted throughout the community.

## **Legal Authority or Implications**

Whilst the waste plan is a requirement of the State, there is no particular legislative requirements surrounding the implementation of the plan. The Governance Options paper delivered as part of the plan, discusses legal implications including National Competition Policy and Commonwealths Corporations Act provisions surrounding procurement, structural collaboration and joint service delivery.

The formation of a working group as proposed will not have legal authority in its own right and cannot commit council to any actions. Any relevant recommendations made by the working group will require approval by individual council prior to implementation. Any future arrangements regarding governance arrangements between local government authorities will need to address any relevant legal implications.

## **Policy Implications**

The formation of the working group addresses the actions contained in the NQ Waste Reduction and Recycling Plan with the aim of providing regional efficiencies.

## **Financial and Resource Implications**

Many of the actions contained in the NQ Waste Reduction and Recycling Plan will require funding. The working group is intended to work toward solutions to find the efficiencies through collaboration between member councils.

### **Report prepared by:**

Environment and Health Project Officer - Anne McLaughlin

### **Report authorised by:**

Manager Governance and Local Laws – Dan Mulcahy

## **Attachments**

1. Nil

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### 5.3 Animal Management (Amendment) Local Law (No. 1) 2014 and Animal Management (Amendment) Subordinate Local Law (No. 1) 2014

#### Document Information

**Referring Letter No:** N/A

**File No:** 414

**Name of Applicant:** N/A

**Location:** N/A

**Author and Title:** Vicki Walker, Governance and Property Officer

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#### Executive Summary

Council has completed the consultation process with regard to Animal Management (Amendment) Local Law (No. 1) 2014 and Animal Management (Amendment) Subordinate Local Law (No. 1) 2014. Four responses offering no objection were received from the Government entities. No submissions were received from the public. The local law making process previously adopted by Council contemplates that Council may resolve to proceed with the making of, and actually make, each of the proposed local law and the proposed subordinate local law.

#### Recommendation

That Council:

- (a) notes the comments received from relevant government entities about the overall State interest in *Animal Management (Amendment) Local Law (No. 1) 2014* pursuant to section 29A(3) of the *Local Government Act 2009*; and
- (b) makes *Animal Management (Amendment) Local Law (No. 1) 2014* as advertised; and
- (c) makes *Animal Management (Amendment) Subordinate Local Law (No. 1) 2014* as advertised; and
- (d) pursuant to section 32 of the *Local Government Act 2009*, adopts a consolidated version of *Local Law No. 2 (Animal Management) 2012* as attached to this report to Council; and
- (e) pursuant to section 32 of the *Local Government Act 2009*, adopts a consolidated version of *Subordinate Local Law No. 2 (Animal Management) 2012* as attached to this report to Council.

---

## **Background Information**

Amendments to the Animal Management (Cats and Dogs) Act 2008, effective 23 September 2013, removed the mandatory requirement for state-wide cat registration. Subject to the making of the appropriate resolution, Council was able to continue operating under the state laws for a period of 12 months, to facilitate the ongoing registration of cats in the Shire. Council is required to amend its relevant local laws to facilitate ongoing cat registration following the expiration of the 12 month period on 22 September 2014.

The amended local laws have been prepared by King & Company Solicitors.

As a first step in the amendment process, Council resolved at its Council meeting held on 27 May, 2014 to propose to make Animal Management (Amendment) Local Law (No. 1) 2014 and Animal Management (Amendment) Subordinate Local Law (No. 1) 2014.

Council then undertook the required consultation process with the Government entities and the public.

King & Company has advised that it is not necessary for Council to amend the proposed local law as a consequence of consideration of the responses received from the relevant government entities.

LGA section 38 relevantly provides that Council must not make a local law (including a subordinate local law) that contains an anti-competitive provision unless Council has complied with the procedures prescribed under a regulation for the review of anti-competitive provisions.

King & Company has advised neither the proposed local law nor the proposed subordinate local law contains any anti-competitive provisions.

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

After Council has made the resolutions, Council must let the public know that Council has made each of the proposed local law and the proposed subordinate local law by publishing notice of the making of same in the Gazette and on Council's website. Under section 32 of the Statutory Instruments Act 1992, the local law and the subordinate local law will commence on the date on which the notice is published in the gazette.

LGA section 32 relevantly provides that Council may prepare and adopt, by resolution, a consolidated version of a local law. The necessary resolution is included in this report as part of the recommendation.

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

1.7 Ensure effective corporate governance through compliance with legislation and adoption of risk management strategies.

## **Consultation**

King & Company, Solicitors



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### **Legal Authority or Implications**

Compliance with Local Government Act 2009 and Local Government Regulation 2012.

### **Policy Implications**

N/A

### **Financial and Resource Implications**

Preparation and adoption of local laws will incur legal fees and staff resource allocation.

### **Report prepared by:**

Vicki Walker, Governance and Property Officer

### **Report authorised by:**

Dan Mulcahy, Manager Governance and Local Laws

### **Attachments**

1. Local Law No. 2 (Animal Management) 2012
2. Subordinate Local Law No. 2 (Animal Management) 2012

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## Local Law No. 2 (Animal Management) 2012

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## **Part 1 Preliminary**

### **1 Short title**

This local law may be cited as *Local Law No. 2 (Animal Management) 2012*.

### **2 Purpose and how it is to be achieved**

- (1) The purpose of this local law is to regulate and manage the keeping and control of animals in the local government's area in a way that—
  - (a) balances community expectations with the rights of individuals; and
  - (b) protects the community against risks to health and safety; and
  - (c) prevents pollution and other environmental damage; and
  - (d) protects the amenity of the local community and environment.
- (2) The purpose is to be achieved by providing for—
  - (a) the regulation of the keeping of animals in terms of how many, what type, how, and where animals can be kept; and
  - (b) the registration of cats by imposing registration obligations on cat owners; and
  - (c) the prescription of minimum standards for keeping animals; and
  - (d) the proper control of animals in public places and koala conservation areas; and
  - (e) the management of dangerous or aggressive animals other than dogs;<sup>1</sup> and
  - (f) the seizure and destruction of animals in certain circumstances; and
  - (g) the establishment and administration of animal pounds.
- (3) The purpose of this local law is to be further achieved by adopting a regional approach to the regulation and management of the keeping and control of animals by having, as far as possible, an identical local law applying in the local government areas of each of—
  - (a) Burdekin Shire Council; and
  - (b) Charters Towers Regional Council; and
  - (c) Hinchinbrook Shire Council; and
  - (d) Townsville City Council.

### **3 Definitions—the dictionary**

The dictionary in the schedule defines particular words used in this local law.

### **4 Relationship with other laws<sup>2</sup>**

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<sup>1</sup> The *Animal Management (Cats and Dogs) Act 2008* provides for the management of *regulated dogs*, comprising declared dangerous dogs, declared menacing dogs and restricted dogs.

This local law is—

- (a) in addition to, and does not derogate from—
  - (i) laws regulating the use or development of land; and
  - (ii) other laws about the keeping or control or welfare of animals; and
- (b) to be read with *Local Law No. 1 (Administration) 2012*.

## **Part 2                      Keeping of animals**

### **Division 1                Prohibition on keeping animals**

#### **5      Prohibition on keeping animals in prescribed circumstances**

- (1) The local government may, by subordinate local law, prohibit the keeping of animals in prescribed circumstances.
- (2) The circumstances in which the keeping of animals is prohibited may be specified by reference to 1 or more of the following factors—
  - (a) species;
  - (b) breed;
  - (c) sex;
  - (d) age;
  - (e) number;
  - (f) whether an animal is a restricted dog;<sup>3</sup>
  - (g) the locality in which the animal would be kept;
  - (h) the nature of the premises in which the animal would be kept, including the size of the enclosure or the size of the allotment.<sup>4</sup>

*Example for subsection (2)—*

A prohibition may be imposed in relation to keeping certain species or a prescribed number of animals of a certain species in an urban locality.

- (3) A person must not keep an animal in contravention of a prohibition under this section.

Maximum penalty for subsection (3)—50 penalty units.

### **Division 2                Animals for which approval is required**

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<sup>2</sup> This local law and any subordinate local law made under it do not apply to the extent of any inconsistency with a law of the State or Commonwealth. See the Act, section 27.

<sup>3</sup> Section 72(3) of the *Animal Management (Cats and Dogs) Act 2008* provides: “A permit application may be made for more than 1 restricted dog for the same place only if the keeping of more than 1 restricted dog and more than 1 dog of any breed is permitted under a local law.”

<sup>4</sup> See the *Animal Management (Cats and Dogs) Act 2008*, chapter 4, regarding particular conditions on keeping regulated dogs, including requirements about enclosures.

## 6 Requirement for approval

- (1) Subject to subsections (3) and (4), the local government may, by subordinate local law, require an approval<sup>5</sup> for keeping an animal or animals in prescribed circumstances.
- (2) The circumstances in which an approval is required may be specified by reference to 1 or more of the following factors—
  - (a) species;
  - (b) breed;
  - (c) sex;
  - (d) age;
  - (e) number;
  - (f) the locality in which the animal is to be kept, including whether it is an urban or non-urban locality;
  - (g) the nature of the premises in which the animal is to be kept, including the size of the enclosure or the size of the allotment.<sup>6</sup>
- (3) An approval under this section is not required for the keeping of animals on land if the keeping of the animals on the land is authorised by a development approval under the Planning Act<sup>7</sup>.
- (4) Under this section, the local government may not require an approval for keeping a restricted dog.<sup>8</sup>

## Division 3 Animals for which desexing is required

### 7 Requirement to desex an animal

- (1) The local government may, by subordinate local law, require an animal of a particular species or breed to be desexed.
- (2) The subordinate local law may—
  - (a) specify that the requirement for desexing only applies once an animal reaches a certain age; and
  - (b) exempt animals under particular circumstances.

*Example for paragraph (b)—*

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<sup>5</sup> Keeping an animal for which an approval is required under this local law is a **prescribed activity** under schedule 2 of *Local Law No. 1 (Administration) 2012*. The process for obtaining an approval for a prescribed activity is set out in part 2 of that local law and section 6 creates an offence for a person undertaking a prescribed activity without a current approval.

<sup>6</sup> See note 4.

<sup>7</sup> See the definition of **Planning Act** in the Act, schedule 4.

<sup>8</sup> Section 71 of the *Animal Management (Cats and Dogs) Act 2008* requires a permit issued by the local government for a person to own or be responsible for a restricted dog. The processes for the granting of restricted dog permits are set out under chapter 4, part 3 of that Act.



Exemption might be provided for an animal that is owned by a member of a recognised breeders' association for the purposes of breeding or showing.

- (3) A person must not keep an animal that is required to be desexed unless the animal has been desexed.

Maximum penalty for subsection (3)—20 penalty units.

- (4) The local government may, by written notice, request a person who is required to desex an animal under subsection (1) to provide documents or materials, for example, a certificate signed by a veterinary surgeon stating, or to the effect, that the animal has been desexed.

- (5) The recipient of a notice given under subsection (4) must comply with the notice.

Maximum penalty for subsection (5)—20 penalty units.

## **Division 4 Minimum standards**

### **8 Minimum standards for keeping animals**

- (1) The local government may, by subordinate local law, specify minimum standards for the keeping of animals or a particular species or breed of animal.

- (2) A person who keeps an animal must ensure that the relevant minimum standards prescribed by a subordinate local law are complied with.<sup>9</sup>

Maximum penalty for subsection (2)—20 penalty units.

- (3) If a person is required to hold an approval to keep an animal, the obligation to comply with the minimum standards prescribed by a subordinate local law is in addition to an obligation imposed by a condition of the approval.

## **Division 4A Registration of cats**

### **8A Registration obligation**

- (1) This section does not apply to—

- (a) the operator of a pound or shelter; or
- (b) the owner of a cat less than 12 weeks old.

- (2) An owner of a cat must comply with section 8B to register the cat within 14 days after starting to keep the cat in the local government area unless the person has a reasonable excuse.

Maximum penalty—20 penalty units.

- (3) A person who becomes an owner of a cat must comply with section 8B to register the cat in the local government area within 14 days unless the person has a reasonable excuse.

Maximum penalty — 20 penalty units.

<sup>9</sup> See also *Animal Management (Cats and Dogs) Act 2008*, schedule 1, sections 4 to 5, regarding the requirements about enclosures for declared dangerous dogs, declared menacing dogs and restricted dogs.



- (4) It is a defence to a prosecution for an offence against subsection (2) or (3) for the defendant to prove that the cat is of a class of cat prescribed under a subordinate local law.

#### **8B What the owner of a cat must do**

To register a cat with the local government, the owner of the cat must—

- (a) give the local government a registration form for the cat that complies with section 8C; and
- (b) ensure the registration form is accompanied by—
  - (i) the registration fee for the cat; and
  - (ii) if the cat is desexed — a signed veterinary surgeon's certificate stating, or other evidence that, it has been desexed; and
- (c) if a written notice is given to the owner under section 8D — give the chief executive officer of local government any other information or documents required to be given in the notice.

#### **8C What registration form must state**

A registration form for the registration of a cat must comply with requirements prescribed by subordinate local law.

#### **8D Chief executive officer may ask for further information**

- (1) This section applies if the owner of a cat gives the local government—
  - (a) a registration form for the cat under section 8B; or
  - (b) a notice mentioned in section 8G(3) or 8I(2) for the cat.
- (2) The chief executive officer may, by written notice, require the owner to give other information or documents reasonably required to register the cat.
- (3) The notice must state a reasonable period of at least 14 days to comply with the notice.

#### **8E Local government must give registration notice**

- (1) This section applies if an owner of a cat complies with section 8E for the cat.
- (2) The local government must give the owner of the cat notice (a *registration notice*) that the cat has been registered by the local government.
- (3) The registration notice must—
  - (a) comply with the requirements prescribed by subordinate local law; and
  - (b) be accompanied by any registration device for the cat.

#### **8F Duration of registration**

The registration of a cat is for the period fixed by resolution of the local government for the cat.

**8G Amendment of registration**

- (1) If any information stated in the registration notice for a cat changes (the *changed information*), the owner of the cat must, within 7 days, give the local government notice of the changed information.  
Maximum penalty — 5 penalty units.
- (2) The notice must be—
  - (a) in the prescribed form; and
  - (b) accompanied by other information or documents to enable the local government to record the changed information in the local government's register of cats.
- (3) If the owner complies with subsection (2), the local government must, within 14 days after receiving the notice, ensure the owner is given a written notice for the cat that includes the changed information.

**8H Renewal of registration**

- (1) This section applies if—
  - (a) a cat has been registered by the local government; and
  - (b) the local government has given the owner of the cat a registration notice.
- (2) The local government must give the owner notice (a *renewal notice*) to renew the registration for the cat.
- (3) The renewal notice must comply with requirements prescribed by subordinate local law.

**8I What owner of a cat must do about renewal of registration**

- (1) This section applies to the owner of a cat whether or not the owner has been given a renewal notice.
- (2) The owner of the cat must, before the period of registration for the cat expires—
  - (a) if the local government has given the owner a renewal notice and any information on the renewal notice has changed—give the local government written notice of the change (the *changed information*); and
  - (b) pay the registration fee for the cat; and
  - (c) if the cat is desexed—ensure the fee is accompanied by a signed veterinary surgeon's certificate stating, or other evidence that, it has been desexed.

Maximum penalty — 20 penalty units.

- (3) However, if a registration form for the cat has already been accompanied by the certificate or evidence mentioned in subsection (2) for the cat, the certificate or evidence need not accompany the fee.

**8J Local government's obligations if owner complies**



- (1) This section applies if the owner of a cat given a renewal notice under section 8H complies with section 8I for the cat.
- (2) The local government may ask the owner for other information or documents in the way mentioned in section 8D.
- (3) The owner must give the local government the information or documents required to be given in the notice mentioned in section 8D(2).

Maximum penalty — 5 penalty units.

- (4) If the owner complies with subsection (3), the local government must—
  - (a) within 7 days after receiving the notice mentioned in section 8I(2), ensure the information is updated in the local government's register of cats in a way that reflects the change; and
  - (b) within 14 days after receiving the fee, any information or documents mentioned in section 8I(2) or other information or documents given under section 8D, give the owner any registration device for the cat.

#### **8K Cat not registered at commencement of amending local law**

- (1) This section applies to an owner of a cat other than the operator of a shelter or pound if the cat—
  - (a) is not registered at the commencement of *Animal Management (Amendment) Local Law (No. 1) 2014*; or
  - (b) is less than 12 weeks old.
- (2) The owner must ensure the cat is registered within 3 months after whichever is the later of—
  - (a) the commencement of *Animal Management (Amendment) Local Law (No. 1) 2014*; and
  - (b) the cat is 12 weeks old.

#### **8L Registration of cat continues**

A cat registered under chapter 3 of the *Animal Management (Cats and Dogs) Act 2008* before the commencement of *Animal Management (Amendment) Local Law (No. 1) 2014* is taken to be registered under division 4A.

### **Division 5 Identification of registered dogs**

#### **9 Identification for dogs in certain circumstances**

The local government may, by subordinate local law, prescribe the identification required by the *Animal Management (Cats and Dogs) Act 2008* for a dog that is at a place other than the address stated in the registration notice for the dog.<sup>10</sup>

<sup>10</sup> Section 45 of the *Animal Management (Cats and Dogs) Act 2008* requires a person who keeps a dog at a place other than the address in the registration notice to ensure it bears the identification prescribed by the local government under a local law.

## Part 3 Control of animals

### Division 1 Animals in public places

#### 10 Exclusion of animals

- (1) The local government may, by subordinate local law, specify public places where animals, or animals of a particular species or breed, are prohibited.
- (2) The owner or responsible person for an animal must ensure that the animal is not in a public place in contravention of a prohibition specified under subsection (1).  
Maximum penalty for subsection (2)—20 penalty units.
- (3) The local government must take reasonable steps to provide notice to members of the public regarding the animals that are prohibited in a particular public place.
- (4) In this section—  
*reasonable steps* include, as a minimum, the display of a notice at a prominent place within the particular public place, stating—
  - (a) the animals that are prohibited in the place; and
  - (b) in general terms, the provisions of subsection (2).

#### 11 Dog off-leash areas

- (1) The local government may, under a subordinate local law, designate an area within a public place as an area where a dog is not required to be on a leash (a *dog off-leash area*).
- (2) The local government must take reasonable steps to provide notice to members of the public regarding the designation of an area as a dog off-leash area.
- (3) In this section—  
*reasonable steps* include, as a minimum, the display of a notice at a prominent place within the dog off-leash area indicating the extent of the area.

#### 12 Control of animals in public places<sup>11</sup>

- (1) The owner or responsible person for an animal must ensure that the animal is not in a public place—
  - (a) unless the animal is under the effective control of someone; and
  - (b) if the animal is a declared dangerous animal<sup>12</sup>—unless the animal is securely restrained to prevent it from—

<sup>11</sup> See also *Animal Management (Cats and Dogs) Act 2008*, schedule 1, section 3, regarding the requirement for muzzling and effective control of regulated dogs in public and section 93, which applies this requirement where a dog is subject to a proposed declaration notice.

<sup>12</sup> See the definition of *declared dangerous animal* in the schedule.



- (i) attacking a person or animal; or
- (ii) acting in a way that causes fear to a person or animal; or
- (iii) causing damage to property.

Maximum penalty for subsection (1)—20 penalty units.

- (2) The owner or responsible person for a dog that is on heat must ensure that the animal is not in a public place.

Maximum penalty for subsection (2)—20 penalty units.

- (3) An animal is under the *effective control* of someone only if—
- (a) a person who is physically able to control the animal—
    - (i) is holding it by an appropriate leash, halter or rein; or
    - (ii) has appropriately tethered it to an object fixed to a place from which the object can not be moved by the animal and is continuously supervising the animal; or
    - (iii) has corralled it in a temporary enclosure adequate to contain the animal and is continuously supervising the animal; or
  - (b) the animal is tethered in or on a vehicle and unable to reach beyond the vehicle extremities; or
  - (c) the animal is a dog in a dog off-leash area and under the supervision of a person who is able to control the animal by voice command; or
  - (d) the animal is participating in, or being exhibited or trained at, an exhibition or an obedience trial supervised by a body recognised for this section by the local government; or
  - (e) the animal is a working animal actually engaged in moving livestock and under the supervision of a person who is able to control the animal by voice command.

### **13 Person in control of dog or prescribed animal to clean up faeces**

If a dog or any other animal prescribed by subordinate local law defecates in a public place, the person who has control of the dog or animal must immediately remove and dispose of the faeces in a sanitary way.

Maximum penalty—20 penalty units.

## **Division 2 Restraint of animals**

### **14 Duty to provide adequate enclosure and prevent animal from wandering**

- (1) A person who keeps an animal must maintain an adequate enclosure that—
- (a) prevents the animal from wandering or escaping from the person's land; and
  - (b) prevents the animal from being released from the person's land without the

person's authority<sup>13</sup>.

Maximum penalty for subsection (1)—20 penalty units.

- (2) It is a defence to a prosecution for an offence against subsection (1)(b) for the defendant to prove that—
  - (a) the defendant maintained a locked enclosure for the animal; and
  - (b) the defendant could not, by the exercise of reasonable diligence, have prevented the unauthorised release of the animal.
- (3) The local government may, by subordinate local law, prescribe minimum requirements for an adequate enclosure for an animal or species or breed of animal.
- (4) The owner of the animal must ensure that it is not wandering at large.<sup>14</sup>

Maximum penalty for subsection (4)—20 penalty units.

- (5) It is a defence to a prosecution for an offence against subsection (4) for the defendant to prove that—
  - (a) the defendant maintained an adequate enclosure for the animal and could not, by the exercise of reasonable diligence, have prevented the escape of the animal; or
  - (b) the animal was wandering at large in circumstances authorised by the conditions of an approval granted under a local law.

*Example for paragraph (b)—*

The conditions of an approval to keep racing pigeons might authorise the approval holder to release the pigeons from their enclosure for a certain amount of time each day and during official pigeon racing events.

## 15 Koala conservation requirements

- (1) The local government may, by subordinate local law, prescribe requirements for keeping a dog on land that is within a koala area.
- (2) The prescribed requirements may relate to—
  - (a) the enclosure in which the dog must be kept between sunset and sunrise; or
  - (b) tethering the dog between sunset and sunrise to prevent it from attacking a koala; or
  - (c) fencing that must be in place to separate dogs from koalas on the land or on a part of the land; or
  - (d) other measures that will be likely to prevent an attack by the dog on a koala between sunset and sunrise.
- (3) A person who keeps a dog on land that is within a koala area must comply with requirements prescribed under this section.

Maximum penalty for subsection (3)—20 penalty units.

<sup>13</sup> See also *Animal Management (Cats and Dogs) Act 2008*, schedule 1, sections 4 to 5, regarding the requirements about enclosures for declared dangerous dogs, declared menacing dogs and restricted dogs.

<sup>14</sup> See the definition of *wandering at large* in the schedule.



- (4) In this section—

**koala area** means—

- (a) a koala habitat area; or
- (b) an area designated by subordinate local law as a koala area.

**koala habitat area** means an area designated as a koala habitat by—

- (a) a conservation plan made under the *Nature Conservation Act 1992*; or
- (b) a State planning instrument.

### Division 3 Aggressive behaviour by animals other than dogs

#### 16 Limited application of division to dogs<sup>15</sup>

- (1) Unless otherwise indicated, this division does not apply in relation to aggressive behaviour by a dog.
- (2) In this section—  
**aggressive behaviour** means attacking, or acting in a way that causes fear to, someone else or another animal.

#### 17 Animals not to attack or cause fear to persons or animals

- (1) A responsible person for an animal must ensure that the animal does not attack, or act in a way that causes fear to, someone else or another animal.

Maximum penalty for subsection (1)—

- (a) if the attack causes the death of or grievous bodily harm to a person—300 penalty units; or
- (b) if the attack causes the death of or grievous bodily harm to another animal—100 penalty units; or
- (c) if the attack causes bodily harm to a person or another animal—50 penalty units; or
- (d) otherwise—20 penalty units.
- (2) A person must not allow or encourage an animal to attack, or act in a way that causes fear to, a person or another animal.

Maximum penalty for subsection (2)—300 penalty units.

- (3) In this section—

**allow or encourage**, without limiting the *Criminal Code*, sections 7 and 8, includes cause to allow or encourage.

**another animal** does not include vermin that are not the property of anyone.

*Examples of vermin that are someone's property—*

<sup>15</sup> Aggressive behaviour by dogs is covered by the *Animal Management (Cats and Dogs) Act 2008*, sections 194 to 196.

- a pet mouse or guinea pig
- vermin that are protected animals under the *Nature Conservation Act 1992*.<sup>16</sup>

## **18 Section number not used**

### **Division 4 Dangerous animals other than dogs<sup>17</sup>**

#### **19 Declaration of dangerous animal other than a dog**

- (1) A local government may, by subordinate local law, specify criteria for an authorised person to declare an animal other than a dog to be a declared dangerous animal.
- (2) An authorised person may declare an animal other than a dog to be a declared dangerous animal if the animal meets the criteria prescribed by subordinate local law.
- (3) A declaration under subsection (2) takes effect at the time the local government gives the responsible person for the animal an information notice<sup>18</sup> about the declaration.

#### **20 Power to require responsible person for declared dangerous animal to take specified action**

An authorised person may, by giving a compliance notice,<sup>19</sup> require the responsible person for a declared dangerous animal to take specified action—

- (a) to warn persons who enter land on which the animal is kept of the presence of a declared dangerous animal on the land; and
- (b) to ensure that the animal remains in secure custody and is unable to attack or cause fear to persons or other animals or cause damage to another person's property.

## **Part 4 Seizure, impounding or destruction of animals**

### **Division 1 Seizure of animals**

#### **21 Seizure of animals**

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<sup>16</sup> See section 83 of that Act.

<sup>17</sup> Dangerous dogs are dealt with in the *Animal Management (Cats and Dogs) Act 2008*.

<sup>18</sup> See the definition of **information notice** in *Local Law No.1 (Administration) 2012*, schedule 1.

<sup>19</sup> See *Local Law No.1 (Administration) 2012*, section 27 regarding the requirements for compliance notices and the offence for not complying with a compliance notice.



- (1) An authorised person may seize<sup>20</sup> an animal, other than a dog,<sup>21</sup> in the following circumstances—
  - (a) the animal is found wandering at large; or
  - (b) the responsible person for the animal has not complied with a compliance notice that has been issued in relation to compliance with this local law; or
  - (c) the animal has attacked, threatened to attack, or acted in a way that causes fear to, a person or another animal; or
  - (d) the authorised person considers on reasonable grounds that the animal has been abandoned, left or found on a road in the circumstances mentioned in section 100(12) of the *Transport Operations (Road Use Management) Act 1995*.<sup>22</sup>
- (2) An authorised person may seize a dog in the following circumstances—
  - (a) the dog is found wandering at large; or
  - (b) the responsible person for the dog has not complied with a compliance notice that has been issued in relation to compliance with this local law; or
  - (c) the authorised person considers on reasonable grounds that the animal has been abandoned, left or found on a road in the circumstances mentioned in section 100(12) of the *Transport Operations (Road Use Management) Act 1995*.
- (3) The authorised person may seize an animal under subsection (1)(a) or a dog under subsection (2)(a) where—
  - (a) another person has found the animal or dog wandering at large and delivered it to the authorised person; or
  - (b) an occupier of private land has found the animal or dog wandering at large on the land, taken it under effective control and requested the authorised person to enter the land to seize it.
- (4) However, an authorised person is not obliged to accept the custody of an animal under this section.
- (5) For the purposes of seizing an animal, an authorised person may take any action, including the use of force, which is reasonable in the circumstances to capture or control the animal.

## **Division 2            Destruction of animal without notice**

### **22    Power to immediately destroy seized animal**

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<sup>20</sup> See the *Local Government Act 2009*, chapter 5, part 2, division 1 in relation to authorised persons' enforcement powers, including entry to land.

<sup>21</sup> See the *Animal Management (Cats and Dogs) Act 2008*, section 125, for seizure of a dog.

<sup>22</sup> The *Transport Operations (Road Use Management) Act 1995*, section 100(13) provides: "If a local law provides for a matter mentioned in subsection (12), subsections (3) to (11) no longer apply in the local government's area."

- (1) This section applies where an authorised person has seized an animal, other than a regulated dog,<sup>23</sup> under this local law or another law.
- (2) The authorised person may, without notice, immediately destroy the animal if—
  - (a) the authorised person reasonably believes the animal is dangerous and the authorised person can not control it; or
  - (b) the animal is significantly suffering as a result of disease, severe emaciation or serious injuries; or
  - (c) an owner of the animal has requested the authorised person to destroy it.

### **Division 3                      Return or impounding of animals**

#### **23    Immediate return of animal seized wandering at large**

- (1) This section applies where—
  - (a) an animal has been seized under section 21(1)(a) or section 21(2)(a); and
  - (b) the authorised person who seizes the animal knows, or can readily find out, the name and address of the owner or responsible person for the animal.
- (2) The authorised person may return the animal to the owner or responsible person.

#### **24    Impounding of seized animal**

An authorised person who seizes an animal under this local law or another law may impound the animal at a place of care for animals operated by—

- (a) the local government; or
- (b) another organisation or local government prescribed by subordinate local law.

*Example for paragraph (a)—*

An animal pound.

*Example for paragraph (b)—*

A veterinary surgery or an animal refuge.

#### **25    What is a notice of impounding**

- (1) A ***notice of impounding*** means a written notice, given to the owner or responsible person for an animal, stating that—
  - (a) the animal has been impounded; and
  - (b) the animal may be reclaimed within the prescribed period provided that—
    - (i) the cost-recovery fee is paid; and
    - (ii) if an approval or registration is required for the keeping of the animal and the owner or responsible person does not have the

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<sup>23</sup> See the *Animal Management (Cats and Dogs) Act 2008*, section 127, for power to destroy a seized regulated dog.



approval or registration— the approval or registration is obtained; and

- (iii) if the animal has been seized under section 21(1)(b) or 21(2)(b)— the owner or responsible person has complied with the relevant compliance notice; and
- (iv) continued retention of the animal is not needed as evidence for a proceeding or proposed proceeding for an offence involving the animal; and
- (v) no destruction order has been made for the animal.

(2) In this section—

**relevant compliance notice** means the compliance notice mentioned in section 21(1)(b) or 21(2)(b).

## **26 Dealing with animal seized and impounded for wandering at large**

(1) Subsection (2) applies where—

- (a) an authorised person has impounded an animal seized under section 21(1)(a) or 21(2)(a); and
- (b) the animal was not a declared dangerous animal at the time of being seized; and
- (c) the authorised person knows, or can readily find out, the name and address of the owner or responsible person for the animal.

(2) The authorised person must give the owner or responsible person a notice of impounding.

(3) Subsection (4) applies where—

- (a) an authorised person has impounded a declared dangerous animal seized under section 21(1)(a); or
- (b) an authorised person has impounded an animal that has been seized more than 3 times during a 12 month period.

(4) The authorised person may—

- (a) give the owner or responsible person for the animal a notice of impounding; or
- (b) make a destruction order for the animal under section 30.

## **27 Dealing with animal seized and impounded for non-compliance with local law**

(1) This section applies where an authorised person has impounded an animal seized under section 21(1)(b) or 21(2)(b).

(2) The authorised person may—

- (a) give the owner or responsible person for the animal a notice of impounding; or

- (b) if the animal was being kept in contravention of section 5 of this local law or is an animal for which an approval cannot be granted under this local law or is an animal for which an application for approval under this local law has been rejected—dispose of the animal under division 5.

## **28 Dealing with animal seized and impounded for attacking etc a person or another animal**

- (1) This section applies where an authorised person has impounded an animal seized under section 21(1)(c).
- (2) The authorised person may<sup>24</sup>—
  - (a) make a destruction order for the animal under section 30; or
  - (b) give the owner or responsible person a notice of impounding.

## **29 Reclaiming an impounded animal**

- (1) This section applies where—
  - (a) the owner or responsible person for an animal has been given a notice of impounding; or
  - (b) an authorised person does not know, and cannot readily find out, the name and address of an owner or responsible person for the animal.
- (2) The animal may be reclaimed by an owner or responsible person if the owner or responsible person—
  - (a) reclaims the animal within the prescribed period; and
  - (b) pays the cost-recovery fee; and
  - (c) if an approval or registration is required for the keeping of the animal and the owner or responsible person does not have the approval or registration—obtains the approval or registration; and
  - (d) if the responsible person has not complied with a current compliance notice that has been issued in relation to compliance with this local law—complies with the compliance notice.
- (3) However, the animal may not be reclaimed by an owner or responsible person if—
  - (a) continued retention of the animal is needed as evidence for a proceeding or proposed proceeding for an offence involving the animal; or
  - (b) a destruction order has been made for the animal.
- (4) The animal may be reclaimed by an owner or responsible person for the animal if an event as follows happens—
  - (a) if subsection (3)(a) applies—
    - (i) an authorised person advises the owner or responsible person that the animal's continued retention as evidence is no longer

<sup>24</sup> An authorised person may also declare an animal as a declared dangerous animal under section 19 if specified criteria are met.

- required; and
- (ii) the owner or responsible person has satisfied subsection (2)(b)-(d);
- (b) if subsection (3)(b) applies—
  - (i) an application for a review or an appeal is made relating to the destruction order and, as a result of the review or appeal, the order is no longer in force; and
  - (ii) the owner or responsible person has satisfied subsection (2)(b)-(d).

## **Division 4            Destruction of animal following notice**

### **30    Destruction orders**

- (1) An authorised person may make an order (a *destruction order*) stating the person proposes to destroy an animal 14 days after the order is served.
- (2) A destruction order may only be made in 1 or more of the following circumstances—
  - (a) the animal has attacked, threatened to attack, or acted in a way that causes fear to, a person or another animal; or
  - (b) the animal is a declared dangerous animal and was found wandering at large; or
  - (c) the animal has been seized more than 3 times during a 12 month period; or
  - (d) the animal has been identified wandering at large more than 3 times during a 12 month period (whether or not the identification led to the seizure of the animal or the prosecution of a responsible person for the animal under this local law).
- (3) The destruction order must—
  - (a) be served on a person who owns, or is a responsible person for, the animal; and
  - (b) include or be accompanied by an information notice.<sup>25</sup>
- (4) If a destruction order is made for the animal, the person may destroy the animal 14 days after the order is served if no review application has been made relating to the decision to make the order.
- (5) If an application for review has been made relating to the decision to make the order, the person may destroy the animal if—
  - (a) the review is finally decided or is otherwise ended; and
  - (b) the order is still in force; and
  - (c) the time allowed for filing a notice of appeal has expired and no notice of appeal has been filed.

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<sup>25</sup> See note 17.



- (6) If an appeal is made relating to the decision to make the order, the person may destroy the animal if—
  - (a) the appeal is finally decided or is otherwise ended; and
  - (b) the order is still in force.
- (7) If the animal has been impounded, the owner or responsible person for an animal may reclaim the animal if—
  - (a) a review relating to the decision to make the order is finally decided or is otherwise ended; and
  - (b) no application for an appeal has been made against the order; and
  - (c) the order is no longer in force; and
  - (d) the owner or responsible person has satisfied section 29(2)(b)-(d).
- (8) If the animal has been impounded, the owner or responsible person for an animal may reclaim the animal if—
  - (a) an appeal relating to the decision to make the order is finally decided or is otherwise ended; and
  - (b) the order is no longer in force; and
  - (c) the owner or responsible person has satisfied section 29(2)(b)-(d).
- (9) In this section—

*review* means a review conducted under the process mentioned in part 4 of *Local Law No.1 (Administration) 2012*.

*appeal* means an appeal under part 4 of this local law.

## **Division 5            Disposal of impounded animals**

### **31    Application of this division**

This division applies where—

- (a) an impounded animal has not been reclaimed within the prescribed period under section 29(2); or
- (b) if section 29(3)(a) applies— the impounded animal has not been reclaimed within 3 days of an authorised person’s advice to the owner or responsible person that the animal’s continued retention as evidence is no longer required; or
- (c) if section 29(3)(b) applies—the impounded animal has not been reclaimed within 3 days of the completion of a review or appeal that caused a destruction order to no longer be in force; or
- (d) an authorised person has seized an animal mentioned in section 27(2)(b); or
- (e) the owner of an animal has surrendered the animal to the local government.

### **32    Sale, disposal or destruction of animals**



- (1) The local government may—
  - (a) offer the animal for sale by public auction or by tender; or
  - (b) if the animal is an animal mentioned in section 27(2)(b) or is of a species, breed or class specified by subordinate local law for this paragraph—
    - (i) sell the animal by private agreement; or
    - (ii) dispose of the animal in some other way without destroying it; or
    - (iii) destroy the animal.

*Example for paragraph (b)—*

The subordinate local law might specify dogs, cats and other small domestic animals, for which a public auction or tender might not be practicable.

- (2) An animal may only be sold or disposed of under subsection (1) if the local government is satisfied that this will not result in the animal being kept in contravention of the requirements of this local law.

*Examples—*

- A pig that has been seized because it is being kept in an urban area in contravention of a prohibition under a subordinate local law could be sold to a person outside the urban area but not to another person in an urban area.
  - An animal that a subordinate local law has prohibited in any part of the local government area could not be sold to a person who resides within the local government area.
  - A declared dangerous animal could only be sold to a person who has complied with any specified requirements for keeping such an animal.
- (3) If an animal is to be offered for sale at a public auction under this section, notice of the time and place of the auction must be exhibited at the local government's public office for at least 2 days before the date of the auction.
  - (4) An amount realised on sale of an impounded animal must be applied—
    - (a) first, towards the costs of the sale; and
    - (b) second, towards the cost-recovery fee for impounding; and
    - (c) third, in payment of the remainder to the former owner of the animal, unless the owner had surrendered the animal to the local government.
  - (5) If no person establishes a valid claim to the amount to which the former owner is entitled under subsection (4)(c) within 1 year of the date of the sale, the amount becomes the property of the local government.
  - (6) If an animal that is offered for sale by public auction or tender is not sold through the auction or tender process, the local government may dispose of the animal as it considers appropriate.

*Examples—*

- The local government may give the animal away.
- The local government may have the animal destroyed.

## **Division 6                      Other impounding matters**

**33 Register of impounded animals**

- (1) The local government must ensure that a proper record of impounded animals (the *register of impounded animals*) is kept.
- (2) The register of impounded animals must contain the following information about each impounded animal—
  - (a) the species, breed and sex of the animal; and
  - (b) the brand, colour, distinguishing markings and features of the animal; and
  - (c) if applicable—the registration number of the animal; and
  - (d) if known—the name and address of the responsible person; and
  - (e) the date and time of seizure and impounding; and
  - (f) the name of the authorised person who impounded the animal; and
  - (g) the reason for the impounding; and
  - (h) a note of any order made by an authorised person relating to the animal; and
  - (i) the date and details of whether the animal was sold, released, destroyed or disposed of in some other way.
- (3) The register of impounded animals must be kept available for public inspection at the place of care for animals or, if the place has no public office, at an office prescribed by subordinate local law.

**34 Access to impounded animal**

- (1) This section applies to an animal impounded under section 24.
- (2) The local government must allow the owner of the animal to inspect it at any reasonable time, from time to time.
- (3) Subsection (2) does not apply if it is impracticable or would be unreasonable to allow the inspection.
- (4) The inspection must be provided free of charge.

**35 Unlawful removal of seized or impounded animal**

- (1) A person must not, without the authority of an authorised person, remove or attempt to remove—
  - (a) a seized animal from the custody or control of an authorised person; or
  - (b) an impounded animal from the local government's facility for keeping impounded animals.

Maximum penalty for subsection (1)—50 penalty units.

- (2) Any costs arising from damage or loss caused by a person contravening subsection (1) are recoverable by the local government as a debt.



## **Part 5                      Appeals against destruction orders**

### **36    Who may appeal**

An owner or responsible person for an animal the subject of a destruction order may appeal to the Magistrates Court against the decision to make the destruction order.

### **37    Starting appeal**

- (1) An appeal must not be started unless a review of the decision to make the destruction order has been finally decided or otherwise ended.
- (2) An appeal is started by—
  - (a) filing notice of appeal with the Magistrates Court; and
  - (b) serving a copy of the notice of appeal on the local government; and
  - (c) complying with rules of court applicable to the appeal.
- (3) The notice of appeal must be filed within 14 days after the appellant is given notice by the local government about the finalisation of the review of the decision to make a destruction order.
- (4) However, the court may, at any time, extend the time for filing the notice of appeal.
- (5) The notice of appeal must state fully the grounds of the appeal and the facts relied on.

### **38    Stay of destruction order**

Upon filing the notice of appeal, the destruction order is stayed until the court decides the appeal.

### **39    Hearing procedures**

- (1) In deciding an appeal, the Magistrates Court—
  - (a) has the same powers as the local government; and
  - (b) is not bound by the rules of evidence; and
  - (c) must comply with natural justice.
- (2) An appeal is by way of rehearing, unaffected by the decision appealed against.

### **40    Court's powers on appeal**

- (1) In deciding an appeal, the Magistrates Court may—
  - (a) confirm the decision appealed against; or
  - (b) set aside the decision and substitute another decision; or
  - (c) set aside the decision and return the matter to the local government with directions the court considers appropriate.

- (2) If the court substitutes another decision, the substituted decision is, for the purposes of this local law, other than this part, taken to be the decision of the local government.
- (3) An order for the costs of an appeal may only be made against the local government if the court is satisfied that the animal was unlawfully seized or there was no reasonable basis for making the decision subject to the appeal.

#### **41 Appeal to District Court**

An appeal lies to a District Court from a decision of the Magistrates Court, but only on a question of law.

## **Part 6 Miscellaneous**

#### **42 Sale of animals**

- (1) The local government may, by subordinate local law, specify conditions to be complied with by persons who offer animals, or a particular species of animal, for sale.
- (2) Conditions specified under subsection (1) are in addition to requirements of the *Animal Management (Cats and Dogs) Act 2008* in relation to the supply of cats and dogs.
- (3) A person must not offer or display animals for sale in the area unless the person complies with conditions specified under subsection (1).

Maximum penalty for subsection (3)—50 penalty units.

#### **43 Subordinate local laws**

The local government may make subordinate local laws about—

- (a) the circumstances in which the keeping of animals is prohibited;<sup>26</sup> or
- (b) the circumstances in which an approval is required for the keeping of animals;<sup>27</sup> or
- (c) the circumstances in which desexing of an animal is required;<sup>28</sup> or
- (d) minimum standards for keeping animals generally or animals of a particular species or breed;<sup>29</sup> or
- (e) the class of cat prescribed for the purposes of section 8A(4) (Registration obligation) of this local law;<sup>30</sup> or

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<sup>26</sup> See section 5(1).

<sup>27</sup> See section 6(1).

<sup>28</sup> See section 7(1).

<sup>29</sup> See section 8(1).

<sup>30</sup> See section 8A(4).



- (f) prescribed requirements for a registration form;<sup>31</sup> or
- (g) prescribed requirements for a registration notice;<sup>32</sup> or
- (h) prescribed requirements for a renewal notice;<sup>33</sup> or
- (i) the identification for dogs required under the *Animal Management (Cats and Dogs) Act 2008*;<sup>34</sup> or
- (j) the exclusion of animals, or animals of a specified species, from public places;<sup>35</sup> or
- (k) designated dog off-leash areas;<sup>36</sup> or
- (l) animals whose faeces in public places must be removed and disposed of;<sup>37</sup> or
- (m) adequate enclosure requirements;<sup>38</sup> or
- (n) requirements for keeping a dog within a koala area;<sup>39</sup> or
- (o) designation of an area as a koala area;<sup>40</sup> or
- (p) the criteria for declaring an animal other than a dog to be a declared dangerous animal;<sup>41</sup> or
- (q) the organisation or local government that operates a place or care for impounded animals;<sup>42</sup> or
- (r) the species, breed or class of animal that may be disposed of other than by public auction or tender;<sup>43</sup> or
- (s) the office at which the register of impounded animals is available for public inspection;<sup>44</sup> or
- (t) the conditions to be complied with by persons who offer animals, or a particular species of animal, for sale;<sup>45</sup> or
- (u) the exclusion of animals of a particular species from the application of this

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<sup>31</sup> See section 8C.

<sup>32</sup> See section 8E(3).

<sup>33</sup> See section 8H(3).

<sup>34</sup> See section 9.

<sup>35</sup> See section 10(1).

<sup>36</sup> See section 11(1).

<sup>37</sup> See section 13.

<sup>38</sup> See section 14(2).

<sup>39</sup> See section 15(1).

<sup>40</sup> See section 15(4).

<sup>41</sup> See section 19(1).

<sup>42</sup> See section 24(b).

<sup>43</sup> See section 32(1)(b).

<sup>44</sup> See section 33(3).

<sup>45</sup> See section 42(1).

local law;<sup>46</sup> or

- (v) the declaration of a species of animal as a declared dangerous animal;<sup>47</sup> or
- (w) the period within which an impounded animal may be reclaimed.<sup>48</sup>

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<sup>46</sup> See the definition of *animal* in the schedule.

<sup>47</sup> See the definition of *declared dangerous animal* in the schedule.

<sup>48</sup> See the definition of *prescribed period* in the schedule.

## Schedule Dictionary

### Section 3

**animal** includes a mammal, fish, bird, reptile, amphibian or insect but does not include an animal of a species excluded by subordinate local law from the application of this local law.

**attack**, by an animal, means—

- (a) aggressively rushing at or harassing any person or animal; or
- (b) biting, butting, kicking, or otherwise causing physical injury to, a person or an animal; or
- (c) tearing clothing on, or otherwise causing damage to the property in the immediate possession of, a person.

**cat** has the meaning given in section 11 of the *Animal Management (Cats and Dogs) Act 2008*.

**changed information**—

- (a) for section 8G—see section 8G(1); and
- (b) for section 8I—see section 8I(2).

**compliance notice** means a compliance notice mentioned in *Local Law No.1 (Administration) 2012*, section 27.

**cost-recovery fee** means the fee fixed by the local government to cover the costs associated with impounding an animal.<sup>49</sup>

**declared dangerous animal** means an animal—

- (a) of a species declared by subordinate local law as a declared dangerous animal; or
- (b) declared under section 19 of this local law to be a declared dangerous animal.

**desex** see *Animal Management (Cats and Dogs) Act 2008*, schedule 2.

**destroy**, an animal, includes causing it to be destroyed.

**destruction order** see section 30(1).

**dog off-leash area** see section 11(1).

**effective control** see section 12(3).

**notice of impounding** see section 25(1).

**owner**, of an animal, means

- (a) its registered owner;
- (b) a person who owns the animal, in the sense of it being the person's personal property;
- (c) a person who usually keeps the animal, including through an agent, employee or anyone else;
- (d) if a person mentioned in paragraphs (a) to (c) is a minor—a parent or guardian of the minor.

**pound**, for part 2, division 4A, means premises maintained for the purpose of impounding

<sup>49</sup> See the Act, section 97 for the power of a local government to fix a cost recovery fee.



animals.

**prescribed form** means the form approved by the local government.

**prescribed period** means the period, fixed by subordinate local law, of not less than 3 business days, and commencing on the day a notice of impounding is given to a person or, if no notice is given to a person, on the day of the seizure.

**registered** —

- (a) for a cat, means that the information about the cat is recorded in the local government's register of cats;
- (b) for a dog, means the dog is registered under the *Animal Management (Cats and Dogs) Act 2008*.

**registered owner**, of an animal, means a person recorded as being the owner of the animal in a registry kept by a local government.

**registration** — see registered.

**registration device** means a device to assist in identifying an animal which is decided by resolution of the local government.

**registration fee**, for a cat, means the prescribed fee for the registration of the cat.

**registration form**, for the registration of a cat, means the prescribed form for registering cats in the local government area.

**registration notice**—

- (a) for a cat — see section 8E(2);
- (b) for a dog — see *Animal Management (Cats and Dogs) Act 2008*, schedule 2.

**renewal notice** — see section 8H(2).

**responsible person**, for an animal, means—

- (a) the person, or the person's employee acting within the scope of the employment, who has immediate control or custody of the animal; or
  - (b) the parent or guardian of a minor who has immediate control or custody of the animal; or
  - (c) the person who occupies the place at which the animal is usually kept,
- but does not include—

- (a) a person who occupies the place at which the animal is usually kept, if someone else who is an adult and lives at the place keeps the animal; or
- (b) a person who has the control or custody of or keeps the animal as an employee of someone else, if the person is acting within the scope of the employment.

**restricted dog** see *Animal Management (Cats and Dogs) Act 2008*, section 63.

**shelter**, for part 2, division 4A, means premises maintained for the purpose of providing shelter to, or finding a home for, stray, abandoned or unwanted animals.

**State planning instrument** see *Sustainable Planning Act 2009*, schedule 3.

**the Act** means the *Local Government Act 2009*.

**veterinary surgeon** means a person registered as a veterinary surgeon under the *Veterinary*



*Surgeon's Act 1936.*

**wandering at large** means—

- (a) the animal is not under the effective control of someone; and
- (b) the animal is in either—
  - (i) a public place; or
  - (ii) a private place without the consent of the occupier.

This and the preceding 29 pages bearing my initials is a certified copy of the consolidated version of *Local Law No. 2 (Animal Management) 2012* adopted in accordance with the provisions of section 32 the *Local Government Act 2009* by Burdekin Shire Council by resolution dated the                      day of                      (*insert the date of the relevant resolution of Council*) 2014.

.....  
Chief Executive Officer

431766 1

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## Subordinate Local Law No. 2 (Animal Management) 2012

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## **Part 1 Preliminary**

### **1 Short title**

This subordinate local law may be cited as *Subordinate Local Law No. 2 (Animal Management) 2012*.

### **2 Purpose and how it is to be achieved**

- (1) The purpose of this subordinate local law is to supplement *Local Law No. 2 (Animal Management) 2012*, which provides for regulation of the keeping and control of animals within the local government's area.
- (2) The purpose is to be achieved by providing for—
  - (a) the circumstances in which the keeping of animals is prohibited or requires approval; and
  - (b) requirements for keeping animals, including minimum standards, mandatory desexing, proper enclosures, koala conservation and identification; and
  - (c) the control of animals in public places; and
  - (d) matters regarding the impounding of animals and the sale or disposal of impounded animals; and
  - (e) the conditions to be complied with by persons who offer animals, or a particular species of animal, for sale; and
  - (f) the declaration of a species of animal as a declared dangerous animal and the criteria for declaration of a specific animal as a declared dangerous animal.

### **3 Authorising local law**

The making of the provisions in this subordinate local law is authorised by *Local Law No. 2 (Animal Management) 2012* (the **authorising local law**).

### **4 Definitions**

- (1) Particular words used in this subordinate local law have the same meaning as provided for in the authorising local law.
- (2) The dictionary in schedule 13 defines particular words used in this subordinate local law.

## **Part 2 Keeping of animals**

### **5 Circumstances in which keeping animals prohibited—Authorising local law, s 5(1)**

For section 5(1) of the authorising local law, keeping an animal or animals

mentioned in column 1 of schedule 1 is prohibited in the circumstances described in column 2 of schedule 1.

**6 Circumstances in which keeping animals requires approval—Authorising local law, s 6(1)**

For section 6(1) of the authorising local law, keeping an animal or animals of the species or breed mentioned in column 1 of schedule 2 requires approval in the circumstances described in column 2 of schedule 2.

**7 Animals that must be desexed—Authorising local law, s 7**

For section 7 of the authorising local law, an animal of the species or breed mentioned in column 1 of schedule 3 must be desexed once it reaches the age specified in column 2 of schedule 3 except in the circumstances described in column 3 of schedule 3.

**8 Minimum standards for keeping animals—Authorising local law, s 8(1)**

- (1) For section 8(1) of the authorising local law, the minimum standards for the keeping of animals are set out in schedule 4.
- (2) For section 8(1) of the authorising local law, column 2 of schedule 5 sets out the minimum standards for keeping an animal of the species or breed mentioned in column 1 of schedule 5.

**8A What registration form must state — Authorising local Law, s8C**

- (1) For section 8C of the authorising local law, a registration form for the registration of a cat must—
  - (a) be in the prescribed form; and
  - (b) state all of the following information about the owner of the cat—
    - (i) name;
    - (ii) residential address;
    - (iii) contact telephone number;
    - (iv) email address, if any; and
  - (c) state all of the following information about the cat—
    - (i) age;
    - (ii) breed;
    - (iii) colour;
    - (iv) sex;
    - (v) any other noticeable distinguishing features or marks;
    - (vi) address;

- (vii) if it is desexed—that it is desexed.
- (2) In this section, the *address* for a cat is the address of the place where the cat is usually kept or proposed to be kept.

#### **8B Local government must give registration notice — Authorising local Law, s8E(3)**

For section 8E(3) of the authorising local law, a registration notice must—

- (a) be given to the owner within 14 days after the cat is registered by the local government; and
- (b) state—
  - (i) the information, for the owner and the cat, required to be given under sections 8C and 8D(2) of the authorising local law; and
  - (ii) the period of the registration.

#### **8C Local government must give renewal notice — Authorising local law, s8H(3)**

For section 8H(3) of the authorising local law, a renewal notice must—

- (a) be given at least 14 days before the period of registration for the cat expires; and
- (b) state—
  - (i) the information, for the owner and the cat, stated in the register of cats maintained by the local government; and
  - (ii) the period of renewal of registration; and
  - (iii) that the owner must, within 7 days, give the local government notice of any change to the information.

#### **9 Identification for dogs in certain circumstances—Authorising local law, s 9**

For section 9 of the authorising local law, the identification required for a dog that is at a place other than the address stated in the registration notice for the dog is the registration device mentioned in section 12(3) of the *Animal Management (Cats and Dogs) Act 2008*.

### **Part 3 Control of animals**

#### **10 Public places where animals are prohibited—Authorising local law, s 10(1)**

For section 10(1) of the authorising local law, the species or breeds of animals mentioned in column 2 of schedule 6 are prohibited in the public places described in column 1 of schedule 6.

#### **11 Dog off-leash areas—Authorising local law, s 11(1)**



For section 11(1) of the authorising local law, the areas described in schedule 7 are designated as dog off-leash areas.

## **12 Animal faeces in public places—Authorising local law, s 13**

For section 13 of the authorising local law, the following animals are prescribed as an animal whose faeces must be removed from a public place in an urban area and disposed of in a sanitary way—

- (a) an alpaca;
- (b) a buffalo;
- (c) a camel;
- (d) a cat;
- (e) a cow or bull;
- (f) a donkey;
- (g) an emu;
- (h) a goat;
- (i) a horse;
- (j) a llama;
- (k) an ostrich;
- (l) a sheep.

## **13 Requirements for adequate enclosure for keeping animals—Authorising local law, s 14(2)**

For section 14(2) of the authorising local law, column 2 of schedule 8 sets out the requirements for an adequate enclosure for an animal of the species or breed mentioned in column 1 of schedule 8.

## **14 Koala conservation—Authorising local law, s 15**

- (1) For section 15(1) of the authorising local law, schedule 9 sets out the requirements for keeping a dog on land that is within a koala area.
- (2) For section 15(4) of the authorising local law, each area described in schedule 10 is designated as a koala area.

## **15 Criteria for declared dangerous animals—Authorising local law, s 19(1)**

For section 19(1) of the authorising local law, the criteria for declaring an animal as a declared dangerous animal are set out in schedule 11.

# **Part 4                      Seizure, impounding or destruction of animals**

**16 Place of care for impounded animals—Authorising local law, s 24**

For section 24 of the authorising local law, the place of care for animals impounded by the local government will be operated by the local government or a contractor of the local government.

**17 Animals that may be disposed of without auction or tender—Authorising local law, s 32(1)(b)**

For section 32(1)(b) of the authorising local law, the species, breeds or classes of animal that may be sold by private agreement, destroyed or disposed of in some other way are the following—

- (a) a buffalo; and
- (b) a camel; and
- (c) a cat; and
- (d) a cow or bull; and
- (e) a dog; and
- (f) a donkey; and
- (g) a goat; and
- (h) a horse; and
- (i) a sheep; and
- (j) other small domestic animals; and
- (k) poultry, including any species of fowl, duck, goose, pigeon, turkey, peafowl or guineafowl.

**18 Register of impounded animals—Authorising local law, s 33(3)**

For section 33(3) of the authorising local law, the register of impounded animals will be kept at —

- (a) if the place of care for animals has a public office — the public office; or
- (b) if the place of care for animals does not have a public office — the public office of the local government.

**Part 5 Appeals against destruction orders**

*This part in the authorising local law does not contain any matters to be provided for by subordinate local law.*

**Part 6 Miscellaneous**

**19 Conditions regarding sale of animals—Authorising local law, s 42(1)**

For the purposes of section 42(1) of the authorising local law, persons who offer for sale an animal of a species or breed mentioned in column 1 of schedule 12 must comply with the conditions set out in column 2 of schedule 12.

**20 Animals excluded from application of the local law—Authorising local law, schedule**

For the purposes of the definition of “*animal*” in the schedule to the authorising local law, animals of the fish species are excluded from the application of the authorising local law.

**21 Species that are declared dangerous animals—Authorising local law, schedule**

For the purposes of the definition of “*declared dangerous animal*” in the schedule to the authorising local law, no species of animal is declared to be a declared dangerous animal.

**22 Prescribed period for reclaiming animals—Authorising local law, schedule**

For the purposes of the definition of “*prescribed period*” in the schedule to the authorising local law, the period within which an animal may be reclaimed is 3 business days.



## Schedule 1 Prohibition on keeping animals

### Section 5

	Column 1 Animal	Column 2 Circumstances in which keeping of animal or animals is prohibited
1	Dog	<p>(a) More than 4 dogs over the age of 3 months on an allotment with an area less than 4,000m<sup>2</sup>.</p> <p>(b) More than 2 dogs over the age of 3 months on multi-residential premises.</p> <p>(c) More than 2 dogs over the age of 3 months on an allotment with an area less than 400m<sup>2</sup>.</p> <p>(d) Any of the following breeds anywhere in the local government area: American pit bull terrier or pit bull terrier; dogo Argentino; fila Brasileiro; Japanese tosa; Perro de Presa Canario or Presa Canario.</p>
2	Cat	<p>(a) More than 4 cats over the age of 3 months on an allotment with an area less than 4,000m<sup>2</sup>.</p> <p>(b) More than 2 cats over the age of 3 months on multi-residential premises.</p> <p>(c) More than 2 cats over the age of 3 months on an allotment with an area less than 400m<sup>2</sup>.</p>
3	Horse (including a racehorse), mule, ass, donkey, cow, bull, buffalo or camel	An animal to which this item 3 applies on an allotment with an area less than 2,000m <sup>2</sup> .
4	Sheep, goat, alpaca, llama, ostrich or emu	An animal to which this item 4 applies on an allotment with an area less than 2,000m <sup>2</sup> .
5	Rooster	A rooster on an allotment with an area less than 4,000m <sup>2</sup> .
6	Poultry (other than a rooster) duck or goose	<p>(a) More than 6 birds to which this item 6 applies on an allotment with an area less than 1,000m<sup>2</sup>.</p> <p>(b) More than 12 birds to which this item 6 applies on an allotment with an area between 1,001m<sup>2</sup> and 4,000m<sup>2</sup>.</p>
7	Pig	<p>(a) A pig on an allotment with an area less than 4,000m<sup>2</sup>.</p> <p>(b) More than 2 pigs on an allotment with an area between 4,001m<sup>2</sup> and 10,000m<sup>2</sup>.</p>

A prohibition prescribed in this schedule does not apply to the keeping of an animal or animals on premises if—

- (a) the animal or animals were kept on the premises before the commencement of the authorising local law; and
- (b) the keeping of the animal or animals on the premises immediately before the commencement of the authorising local law did not contravene any provision of a local law of the local government that was repealed contemporaneously with the making of the authorising local law.

## Schedule 2 Requirement for approval to keep animal

Section 6

	Column 1 Species or breed of animal	Column 2 Circumstances in which keeping of animal or animals requires approval <sup>1</sup>
1	Dog	(a) 3 or 4 dogs over the age of 3 months on an allotment with an area less than 4,000m <sup>2</sup> . (b) 1 or 2 dogs over the age of 3 months on multi-residential premises. (c) 1 or 2 dogs over the age of 3 months on an allotment with an area less than 400m <sup>2</sup> .
2	Cat	(a) 3 or 4 cats over the age of 3 months on an allotment with an area less than 4,000m <sup>2</sup> . (b) 1 or 2 cats over the age of 3 months on multi-residential premises. (c) 1 or 2 cats over the age of 3 months on an allotment with an area less than 400m <sup>2</sup> .
3	Horse (including a racehorse), mule, ass, donkey, cow, bull, buffalo or camel	(a) 1 animal to which this item 3 applies on an allotment with an area between 2,001m <sup>2</sup> and 4,000m <sup>2</sup> . (b) More than 2 animals to which this item 3 applies on an allotment with an area between 4,001m <sup>2</sup> and 10,000m <sup>2</sup> .
4	Sheep, goat, alpaca, llama, ostrich or emu	(a) More than 4 animals to which this item 4 applies on an allotment with an area between 2,001m <sup>2</sup> and 4,000m <sup>2</sup> . (b) More than 6 animals to which this item 4 applies on an allotment with an area between 4,001m <sup>2</sup> and 6,000m <sup>2</sup> .
5	Cockatoo, galah or other bird of a similar size, peahen or peacock	1 bird to which this item 5 applies on an allotment with an area less than 4,000m <sup>2</sup> .
6	Budgerigar, canary or other bird of a similar size or racing pigeons	More than 20 birds to which this item 6 applies on an allotment with an area less than 4,000m <sup>2</sup> .

<sup>1</sup> See *Local Law No.1 (Administration) 2011* and *Subordinate Local Law No.1.5 (Administration) 2011* in relation to the requirements and processes for approvals (e.g. form of application for approval, documents and materials that must accompany applications, criteria for granting approval, conditions that must be imposed on approvals, conditions that will ordinarily be imposed on approvals, term of approval, third party certification of applications).



**Schedule 3      Requirement to desex animal**

Section 7

	<b>Column 1</b> <b>Species or breed</b> <b>of animal</b>	<b>Column 2</b> <b>Age at which animal must be</b> <b>desexed</b>	<b>Column 3</b> <b>Exemptions to the</b> <b>requirement for desexing</b>
	No species or breed of animal mentioned.		

## **Schedule 4      Minimum standards for keeping animals generally**

### **Section 8(1)**

A person who keeps an animal on premises must —

- (a) ensure that the animal is adequately identified so that the owner's name, address and telephone number are readily ascertainable; and
- (b) ensure that waste waters from enclosures are drained in a nuisance free manner and that run-off is kept off adjoining premises or as otherwise directed by an authorised person; and
- (c) ensure that excreta, food scraps and other material that is, or is likely to become, offensive is collected at least daily and, if not immediately removed from the premises, is kept in a waste container of a kind approved by an authorised person; and
- (d) ensure that any enclosure in which the animal is kept is properly maintained in—
  - (i) a clean and sanitary condition; and
  - (ii) an aesthetically acceptable condition; and
- (e) take all reasonable steps to prevent the animal from making a noise or disturbance that causes a nuisance or disturbance to the occupiers of—
  - (i) adjoining premises; or
  - (ii) premises in the vicinity of the land on which the animal is ordinarily kept; and
- (f) ensure that the area available to the animal kept on the premises is appropriately sized so that the animal can be effectively and comfortably kept; and
- (g) ensure that the animal is provided with, and has access to, adequate shelter, drinking water and appropriate food; and
- (h) ensure that any enclosure in which the animal is kept is not located within 10m of a place used for the preparation of food other than a place used for the preparation of food by the owner of, or the responsible person for, the animal; and
- (i) ensure that the animal does not make a noise that is excessive in all the circumstances, that is—
  - (i) noise that is made for more than a total of 6 minutes in any hour from 7a.m. to 10p.m. on any day; or
  - (ii) noise that is made for more than a total of 3 minutes in any 30 minute period on any day after 10p.m. or before 7a.m..

## Schedule 5 Minimum standards for keeping particular animals

Section 8(2)

	Column 1 Species or breed of animal	Column 2 Minimum standards for keeping animals
1	Dog (other than a greyhound)	Each owner of, and responsible person for, 1 or more dogs kept on premises must ensure that— <ul style="list-style-type: none"> <li>(a) each kennel, run and exercise yard on the premises is—               <ul style="list-style-type: none"> <li>(i) set back a minimum of 2m from each boundary of the premises; and</li> <li>(ii) located not less than 10m from a residence, other than a residence on the premises; and</li> </ul> </li> <li>(b) all dog accommodation and enclosure areas are thoroughly cleansed and disinfected on a regular basis to the satisfaction of an authorised person.</li> </ul>
2	Greyhound	<ul style="list-style-type: none"> <li>(a) Each owner of, and responsible person for, a greyhound must, when the dog is outside the premises on which the dog is normally kept, be—               <ul style="list-style-type: none"> <li>(i) under the effective control of a person aged 16 or over who has control of not more than 2 greyhounds at any 1 time; and</li> <li>(ii) kept muzzled so as to prevent the dog from biting unless it is a decommissioned greyhound.</li> </ul> </li> <li>(b) Each owner of, and responsible person for, a greyhound must ensure that the dog is kept—               <ul style="list-style-type: none"> <li>(i) without nuisance; and</li> <li>(ii) if a code of practice for the keeping of greyhounds has been approved by the Greyhound Racing Authority of Queensland—in accordance with the requirements of the code of practice.</li> </ul> </li> </ul>
3	Horse (including a racehorse), donkey, ass, mule, cow, bull, camel, buffalo and other domesticated animals of a similar size and sheep, goat,	Each owner of, and responsible person for, an animal specified in column 1, item 3 which is kept at a stable on premises must ensure that— <ul style="list-style-type: none"> <li>(a) the stable is not located within a 10m radius of—               <ul style="list-style-type: none"> <li>(i) a residence on adjoining premises; or</li> <li>(ii) a place used for the manufacture, preparation or</li> </ul> </li> </ul>



	alpaca, llama and other animals of a similar size	<p>storage of food intended for human consumption other than a domestic kitchen used solely for domestic purposes by the owner or responsible person for the animal; or</p> <p>(iii) a place used for the storage of food (other than food kept in hermetically sealed packages); and</p> <p>(b) the stable is set back a minimum of 2m from each boundary of the premises; and</p> <p>(c) the stable is located a minimum of 20m from any watercourse, well or bore; and</p> <p>(d) the stable has a floor which is covered with an absorbent soft floor material which is changed at least once in every 6 week period; and</p> <p>(e) the interior of the stable and any associated open yard are cleaned of manure and other unhygienic matter daily; and</p> <p>(f) the construction of the stable complies with the requirements of any applicable approval or code; and</p> <p>(g) the stable is maintained in good condition and repair.</p> <p>Each owner of, and responsible person for, an animal specified in column 1, item 3 which is kept free range or in a paddock on premises must ensure that shelter of a clean, dry and shady nature is provided together with a minimum space per animal as prescribed in the Model Code of Practice for the Welfare of Animals published from time to time by the Commonwealth Scientific and Industrial Research Organisation.</p>
4	Budgerigar, canary and other birds of a similar size and cockatiel and other birds of a similar size and cockatoo, galah and other birds of a similar size.	<p>Each owner of, and responsible person for, a bird specified in column 1, item 4 must ensure that—</p> <p>(a) the bird is kept without nuisance; and</p> <p>(b) the bird is contained within an enclosed cage or aviary; and</p> <p>(c) the bird's food is kept in a properly sealed, vermin proof container; and</p> <p>(d) the cage or aviary in which the bird is kept is thoroughly cleaned at least once each week; and</p> <p>(e) if a code of practice for the keeping of birds of a relevant species has been approved by the local government—the bird is kept in accordance with the requirements of the code of practice; and</p> <p>(f) the fence surrounding the premises on which the bird is kept does not form part of the cage or aviary in which the bird is kept; and</p> <p>(g) the enclosure in which the bird is kept is set back a</p>

		minimum of 2m from each boundary of the premises.
5	Poultry including duck, drake, goose, turkey, and rooster.	<p>Each owner of, and responsible person for, a bird specified in column 1 item 5 which is kept on premises must ensure that—</p> <ul style="list-style-type: none"> <li>(a) the bird is kept without nuisance; and</li> <li>(b) the bird is contained within an enclosure; and</li> <li>(c) the bird's food is kept in a properly sealed, vermin proof container; and</li> <li>(d) the enclosure in which the bird is kept is— <ul style="list-style-type: none"> <li>(i) thoroughly cleaned at least once each week; and</li> <li>(ii) located at the rear of, and behind, any residence situated on the premises; and</li> </ul> </li> <li>(e) the enclosure in which the bird is kept is not located within a radius of 10m of— <ul style="list-style-type: none"> <li>(i) a residence on adjoining premises; or</li> <li>(ii) a place used for the manufacture, preparation or storage of food intended for human consumption other than a domestic kitchen used solely for domestic purposes by the owner or responsible person for the bird; or</li> <li>(iii) a place used for the storage of food (other than food kept in hermetically sealed packages); and</li> </ul> </li> <li>(f) the enclosure in which the bird is kept is set back a minimum of 2 m from each boundary of the premises; and</li> <li>(g) a rooster kept on the premises does not create a noise nuisance.</li> </ul>
6	Pig	<p>Each owner of, and responsible person for, a pig which is kept on premises must ensure that the enclosure in which the pig is kept is not located within—</p> <ul style="list-style-type: none"> <li>(a) 15 m of a residence on adjoining premises; or</li> <li>(b) 5 m of a place used for the manufacture, preparation or storage of food intended for human consumption other than a domestic kitchen used solely for domestic purposes by the owner or responsible person for the pig; or</li> <li>(c) 5 m of a place used for the storage of food (other than food kept in hermetically sealed packages).</li> </ul>
7	Cat	Each owner of, and responsible person for, 1 or more cats kept on premises must ensure that —



		<p>(a) each enclosure, run and exercise yard on the premises is—</p> <p>(i) set back a minimum of 2m from each boundary of the premises; and</p> <p>(ii) located not less than 10m from a residence other than a residence on the premises; and</p> <p>(b) all cat accommodation and enclosure areas are thoroughly cleansed and disinfected on a regular basis to the satisfaction of an authorised person; and</p> <p>(c) any external cat enclosure on the premises is set back a minimum of 2m from each boundary of the premises.</p>
8	Any animal, if the animal is kept on premises used for the purposes of the operation of a pet shop	Each owner of, and responsible person for, an animal kept on premises used for the purposes of the operation of a pet shop must, if a code of practice for the keeping of animals at a pet shop has been approved by the local government — ensure that the animal is kept in accordance with the requirements of the code of practice.
9	Dogs, if the dogs are kept on premises used for the purposes of the operation of a kennel, and cats, if the cats are kept on premises used for the purposes of the operation of a cattery	<p>Each owner of, and responsible person for, a animal kept on premises in the circumstances specified in column 1 item 9 must ensure that —</p> <p>(a) the keeping of the animals on the premises</p> <p>(i) does not detrimentally affect the amenity of neighbouring premises; and</p> <p>(ii) does not involve the storage in the open of goods, materials or activities associated with the keeping of the animals; and</p> <p>(iii) does not encourage fly breeding; and</p> <p>(b) the premises are suitably and continuously ventilated to ensure that all areas on which animals are kept are free of dampness, nuisance odours and dust emissions; and</p> <p>(c) only rain water from uncontaminated areas may drain directly into the storm water system; and</p> <p>(d) all spillages of wastes, contaminants and other materials are cleaned up immediately and are not cleaned up by hosing, sweeping or otherwise releasing such wastes, contaminants or materials to any storm water system or waters; and</p> <p>(e) the premises are kept free of vermin and conditions offering harbourage for vermin; and</p> <p>(f) all fixtures, fittings, equipment and facilities at the premises are maintained in a clean, tidy, sanitary and</p>



		<p>hygienic condition; and</p> <p>(g) waste waters from the washing down of floors, surfaces, enclosures and other areas is collected, and drained to, an approved pre-treatment device before discharge to the sewerage system; and</p> <p>(h) waste containers sufficient to accommodate the collection and storage of all waste generated as part of the operation of the premises are provided; and</p> <p>(i) all waste containers are regularly cleaned and maintained in a clean, tidy, sanitary and hygienic condition; and</p> <p>(j) the premises, including all buildings, structures, vehicles, car parks, access and egress routes, facilities and equipment of and incidental to the keeping of the animals is maintained at all times—</p> <p>(i) in good working order and condition; and</p> <p>(ii) in a clean and sanitary condition; and</p> <p>(k) all enclosures which form part of the operation of the premises are provided and maintained in a manner so as to—</p> <p>(i) be clean and in a sanitary condition; and</p> <p>(ii) prevent the escape of any animal kept in the enclosure; and</p> <p>(iii) protect the safety of staff and the public; and</p> <p>(iv) be in a state of good order and repair; and</p> <p>(v) avoid injury to any animal kept in the enclosure; and</p> <p>(vi) permit regular cleaning of all internal and external surfaces of each enclosure and regular checking of any animal within the enclosure; and</p> <p>(vii) be impervious and able to be effectively cleaned and sanitised; and</p> <p>(viii) ensure the comfort of any animal kept in the enclosure and prevent the spread of disease; and</p> <p>(l) animal feed is stored in insect and vermin proof containers; and</p> <p>(m) if a code of practice for the operation of a cattery or a kennel has been approved by the local government—the cattery or kennel is operated in accordance with the requirements of the code of practice.</p>
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## Schedule 6 Prohibition of animals in public places

Section 10

	<b>Column 1 Public place</b>	<b>Column 2 Species or breed of animals prohibited</b>
1	<p>(a) Queen Street, Ayr (including the footpath) but only from the intersection with Soper Street to the intersection with Railway Street.</p> <p>(b) Eighth Avenue, Home Hill (including the footpath) but only from the intersection with Fifth Street to the intersection with Tenth Street.</p> <p>(c) Drysdale Street, Brandon (including the footpath) but only from the intersection with Spiller Street to the intersection with Payard Street.</p>	<p>All species and breeds of animal unless—</p> <p>(a) the animal is participating in a parade authorised by the local government; or</p> <p>(b) a responsible person for the animal is attending a veterinary clinic for treatment or a pet grooming business for grooming purposes and the animal is in the immediate vicinity of the responsible person.</p>
2	Plantation Park, Bruce Highway, Ayr, more particularly described as lot 123 on plan GS 863, lot 18 on plan GS 863 and lot 95 on plan GS 780.	Horses, cattle, sheep and other domesticated livestock of a similar size.
3	<p>(a) A designated playground area which forms part, or the whole, of a local government controlled area.</p> <p>(b) Any area where equipment has been provided by the local government in a local government controlled area for use by the public for the purpose of physical exercise.</p>	<p>All species and breeds of animal.</p> <p>All species and breeds of animal.</p>

## **Schedule 7      Dog off-leash areas**

### **Section 11**

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.



## Schedule 8 Requirements for adequate enclosure for keeping animals

### Section 13

	Column 1 Species or breed of animal	Column 2 Requirements for adequate enclosure
1	All animals regardless of species or breed	<p>(1) An adequate enclosure is an area of the land on which the animal is kept, appropriately sized so as to be capable of effectively and comfortably housing the animal.</p> <p>(2) The area must be suitably fenced—</p> <ul style="list-style-type: none"> <li>(a) appropriate to the species and breed of the animal to be enclosed; and</li> <li>(b) so as to effectively enclose the animal on the land on which it is kept at all times.</li> </ul> <p>(3) For the purposes of this item 1 <i>suitably fenced</i> means enclosed by a fence —</p> <ul style="list-style-type: none"> <li>(a) constructed of materials which are of sufficient strength to prevent the animal from escaping over, under or through the fence; and</li> <li>(b) of a height which is sufficient to prevent the animal jumping or climbing over the fence; and</li> <li>(c) where the animal has the ability to dig — which includes a barrier installed directly below the fence to prevent the animal digging its way out; and</li> <li>(d) where the animal has the ability to climb — designed and constructed in such a way as to prevent the animal from climbing over the fence; and</li> <li>(e) of which all gates are kept closed and latched except when in immediate use by a person entering or leaving the land on which the animal is kept.</li> </ul> <p>(4) An adequate enclosure must include a weather proof area appropriate to the species or breed of animal to be enclosed.</p> <p>(5) If the animal is poultry, the enclosure must be constructed so as to prevent the poultry from wandering off, or flying away from, the land on which the poultry is kept.</p>

2	Horse	<p>(1) An adequate enclosure for the keeping of a horse must, in addition to the requirements specified in item 1—</p> <p>(a) effectively enclose the horse so that the horse can not reach over or through the fence to adjoining land or any public place; and</p> <p>(b) where the animal is a stallion—the enclosure must be constructed within an additional or second suitable and adequate fence or enclosure that is provided at the land on which the stallion is kept to a standard approved by an authorised person.</p>
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**Schedule 9      Requirements for keeping a dog in a koala  
area**

Section 14(1)

No requirements prescribed.



## **Schedule 10 Koala areas<sup>2</sup>**

Section 14(2)

No area designated.

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<sup>2</sup> “Koala areas” under section 15(4) of the authorising local law comprise the areas designated in this schedule plus “koala habitat areas” designated by a State planning instrument or a conservation plan made under the *Nature Conservation Act 1992*.

## **Schedule 11     Criteria for declared dangerous animals**

### **Section 15**

There is a high likelihood of the animal causing injury to a person or animal or damage to property, taking into account—

- (a) its prior history of attacking or causing fear to persons or animals or damaging property; and
- (b) the extent of injury or damage that could potentially be inflicted by an animal of its size and species or breed.

**Schedule 12     Conditions for sale of animals**

Section 19

	<b>Column 1</b> <b>Species or breed of animal</b>	<b>Column 2</b> <b>Conditions that must be complied with when offering animal for sale</b>
	No species or breed of animal mentioned.	No conditions set out.



## Schedule 13 Dictionary

### Section 4

**allotment** means a single parcel of land, or several contiguous parcels of land where all of the contiguous parcels of land are in —

- (a) the same ownership; or
- (b) the same occupation.

**Animal Management Act** see *Animal Management (Cats and Dogs) Act 2008*.

**building** has the meaning given in the *Building Act 1975*.

**cat**—

- (a) has the meaning given in section 11 of the Animal Management Act; and
- (b) includes a kitten regardless of age.

**cattery** see kennel.

**designated playground area** means an area which is—

- (a) physically defined; and
- (b) constructed by the local government for recreational use by minors; and
- (c) provided with 1 or more items of playground apparatus.

**Example**—

A designated playground area may be an area which is—

- (a) enclosed by a fence or some other barrier; and
- (b) covered by bark chips or similar material; and
- (c) equipped with a swing, see-saw or similar playground apparatus.

**destroy**, an animal, includes causing it to be destroyed.

**dog**—

- (a) has the meaning given in section 11 of the Animal Management Act; and
- (b) includes a puppy regardless of age.

**domestic purposes** means the purposes of—

- (a) human consumption; or
- (b) food preparation; or
- (c) washing; or
- (d) other normal domestic duties.

**horse** includes a pony and a miniature horse.

**keep** (an animal)—

- (a) includes board, breed and train; and
- (b) in the absence of evidence to the contrary, a person is presumed to keep an animal on land if the person —
  - (i) feeds and cares for the animal on the land; and

- (ii) the animal is observed by an authorised person on the land on more than 1 occasion during a month.

**kennel** has the meaning given in the planning scheme of the local government.

**land** has the meaning given in the *Sustainable Planning Act 2009*.

**local government public health risk** has the meaning given in the *Public Health Act 2005*.

**multi-residential premises** means —

- (a) a residence which forms part of a group of 2 or more residences in circumstances where 2 or more of the residences of the group are directly adjacent to each other and share—
  - (i) a common wall; or
  - (ii) a ceiling in circumstances where 1 residence is directly under the floor of another residence; and
- (b) a residence situated on a lot which forms part of a community titles scheme as defined in the *Body Corporate and Community Management Act 1997*.

*Examples of multi-residential premises —*

Flats, boarding houses, tenement buildings, home units, townhouses and duplexes.

**non-residential premises** means premises other than residential premises.

**occupier**, of premises—

- (a) means the person who has the control or management of the premises; and
- (b) includes the owner of the premises where there is no person in apparent occupation of the premises.

**pet shop** has the meaning given in the planning scheme of the local government.

**premises** means any land, building or structure and includes any part thereof.

**registered** has the meaning given in the authorising local law.

**residence** means a building, or part of a building, that is—

- (a) fixed to land; and
- (b) a self-contained unit used by, or intended for the exclusive residential use of, one household.

**residential premises** means premises used, or intended to be used, predominantly as a place of residence.

**sewerage system** has the meaning given in the *Plumbing and Drainage Act 2002*.

**stallion** means an uncastrated adult male horse.

**structure** has the meaning given in the *Local Government Act 2009*.

**urban area** has the meaning given in *Subordinate Local Law No. 3 (Community and Environmental Management) 2012*.

**vehicle** has the meaning given in the *Transport Operations (Road Use Management) Act 1995*.

**vermin** means—

- (a) reptiles, bed bugs, lice, fleas, parasites and cockroaches; and
- (b) guinea pigs and other rodents capable of carrying or transmitting a notifiable disease; but
- (c) does not include—
  - (i) a protected animal within the meaning of the *Nature Conservation Act 1992*; or
  - (ii) a local government public health risk.

**waste** has the meaning given in the *Environmental Protection Act 1994*.

This and the preceding 28 pages bearing my initials is a certified copy of the consolidated version of *Subordinate Local Law No. 2 (Animal Management) 2012* adopted in accordance with the provisions of section 32 the *Local Government Act 2009* by Burdekin Shire Council by resolution dated the                      day of                      (*insert the date of the relevant resolution of Council*) 2014.

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Chief Executive Officer

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## 5.4 Burdekin Shire Council Operational Plan 2013/2014 - Comments as at 30 June 2014

### Document Information

**Referring Letter No:** N/A

**File No:** N/A

**Name of Applicant:** N/A

**Location:** N/A

**Author and Title:** Rebecca Woods, Executive Officer

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### Executive Summary

It is a requirement of the *Local Government Regulation 2012* for Council to prepare and adopt an annual operational plan. As a Local Government we must discharge our responsibilities in a way that is consistent with the annual operational plan. The CEO must also present a written report to Council assessing the progress towards the implementation of the operational plan. The Operational Plan 2013/2014 end of year comments have been prepared with this in mind.

### Recommendation

That the Operational Plan 2013/2014 end of financial year comments be received.

### Background Information

The Operational Plan 2013/2014 was received by Council in December 2013.

### Link to Corporate/Operational Plan

N/A

### Consultation

All managers have been involved in submitting end of year comments for their relevant activities.

### Legal Authority or Implications

Section 174 *Local Government Regulation 2012*

#### **174 Preparation and adoption of annual operational plan**

(1) A local government must prepare and adopt an annual operational plan for each financial year.



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- (2) The local government may, but need not, adopt the annual operation plan for a financial year at the same time the local government adopts its budget for the financial year.
- (3) The chief executive officer must present a written assessment of the local government's progress towards implementing the annual operational plan at meetings of the local government held at regular intervals of not more than 3 months.
- (4) A local government may, by resolution, amend its annual operational plan at any time before the end of the financial year.
- (5) A local government must discharge its responsibilities in a way that is consistent with its annual operational plan.

#### **175 Annual operational plan contents**

- (1) The annual operational plan for a local government must—
- (a) be consistent with its annual budget; and
  - (b) state how the local government will—
    - (i) progress the implementation of the 5-year corporate plan during the period of the annual operational plan; and
    - (ii) manage operational risks;

#### **Policy Implications**

N/A

#### **Financial and Resource Implications**

The Operational Plan must be consistent with the annual budget.

#### **Report prepared by:**

Rebecca Woods- Executive Officer

#### **Report authorised by:**

Matthew Magin- Chief Executive Officer

#### **Attachments**

1. Burdekin Shire Council Operational Plan 2013/2014- comments as at 30.06.14

**BURDEKIN SHIRE COUNCIL – OPERATIONAL PLAN – END OF FINANCIAL YEAR COMMENTS 2013/14**

**OPERATIONS**

Corporate Plan Outcome	Corporate Plan Strategies	Activity	Responsible Officer / Team	Participating Officer(s)	Outputs	Targets	Performance Measures	Review Comments 30.06.2014	Review 2 Comments
<b>Works</b>									
Infrastructure	To provide and maintain appropriate infrastructure to service the Shire's existing and future service levels	Annual Works Program Roads as adopted to be 90% delivered within the financial year	MO	DEO & Works Overseer	Complete capital works to improve transport infrastructure	30-Jun-14	Date of Achievement 30.06.14	Target Achieved. 83% dollar value BSC Roads Capital + 100% NDRRA 2011, 2012.	
Infrastructure	To provide and maintain appropriate infrastructure to service the Shire's existing and future service levels	NDRRA Program to be identified and approved by QRA. Complete 2011 and 2012 events. Commence works for 2013 event.	Manager NDRRA	DEO, MO & Works Overseer	Complete 2011 & 2012 NDRRA programs. Commence 2013 NDRRA program.	30-Jun-14	Date of Achievement 30.06.14	Physical completion of all reconstruction works approved under 2011 and 2012 NDRRA programs achieved.	
Infrastructure	To implement a robust Asset Management framework and policy to ensure optimal decisions on asset creation, operation, maintenance, rehabilitation/replacement, disposal and performance based on agreed service levels.	Inspect all roads after the wet season, and prioritise maintenance activities as per service levels.	WO	Works Foremen	Provide properly maintained gravel road network in shire	Ongoing	% of network area treated per year	100% of Shire roads inspected following TC Ita. Rolling inspections carried out throughout year.	
Organisational Management and Corporate Governance	Foster an organisational culture that is challenging, rewarding and values employees committed to innovative, quality outcomes, teamwork, quality customer service and continuous improvement	Ongoing review of staffing in Operational Area to achieve and maintain efficiency gains.	MO	DEO, Works Overseer	Greater efficiency and improved staff accountability and responsibility	30-Jun-14	Date of Achievement	Ongoing.	
Infrastructure	To implement a robust Asset Management framework and policy to ensure optimal decisions on asset creation, operation, maintenance, rehabilitation/replacement, disposal and performance based on agreed service levels.	Attend to maintenance matters raised in customer request system by required timeframe	MO	Works Overseer & Works Foremen	Provide properly maintained transport infrastructure at a sustainable level of service	Ongoing	80% of requests completed within timeframe	86.6% Customer Requests completed within target timeframe at June 30, 2014.	
Infrastructure	To implement a robust Asset Management framework and policy to ensure optimal decisions on asset creation, operation, maintenance, rehabilitation/replacement, disposal and performance based on agreed service levels.	Review customer request system, including monitoring & reviewing of intervention levels and reporting mechanisms to manage system - Part of Asset Management Process	MO	DEO, MTS, DOM & Works Overseer, Works Foreman	Improved management and greater efficiency in customer relations	30-Jun-14	Date of Achievement	Ongoing. Two reviews of intervention levels undertaken.	
Infrastructure	To provide and maintain appropriate infrastructure to service the Shire's existing and future service levels	Works Program Drainage as adopted to be delivered within the financial year (except for schemes spanning two or more financial years)	MO	DEO & Works Overseer	Complete capital works to improve drainage infrastructure	30-Jun-14	Date of Achievement	On target. Ayr town drain extension complete. Brice's culvert complete. Muguira's drain complete. Home Hill drainage scheme commenced – Target Date April, 2015.	
Infrastructure	To provide and maintain appropriate infrastructure to service the Shire's existing and future service levels	Implement Reseal Program as per budget	WO	DOM & Works Foremen	Complete reseal program to provide ongoing pavement protection	30-Jun-14	Date of Achievement	Program completed June 30, 2014.	

Corporate Plan Outcome	Corporate Plan Strategies	Activity	Responsible Officer / Team	Participating Officer(s)	Outputs	Targets	Performance Measures	Review Comments 30.06.2014	Review 2 Comments
Infrastructure	To provide and maintain appropriate infrastructure to service the Shire's existing and future service levels	Undertake inspection of aerodromes and carry out maintenance as per CASA requirements	WO	Works Overseer	Provide properly maintained aerodrome and airstrip infrastructure at a sustainable level of service	30-Jun-14	Date of Achievement	Ayr aerodrome inspected monthly.	
Organisational Management and Corporate Governance	Advancing the interests of the Shire through representation and effective working relationships with federal, state and local governments and other regional bodies	Deliver Annual RMPC	DEO/MTS/MO	Senior Works Admin Officer & WF(Construction, Maintenance & Contracts)	Ongoing profitable contract with Main Roads	30-Jun-14	Date of Achievement	Work commenced.	
Infrastructure	Maintain Certificate of Registration as a Quality Assured Supplier and R2 prequalification status under the Major Works Prequalification System in respect of road works for the Department of Main Roads	Maintain QA Certification for Works Department	DEO/MO	Council Staff. Coordinator.	Continued improvement in work processes and service delivery	30-Jun-14	Date of Achievement	Certification maintained. Audit completed November 2013.	
<b>Water Supply and Sewerage</b>									
Organisational Management and Corporate Governance	Foster an organisational culture that is challenging, rewarding and values employees committed to innovative, quality outcomes, teamwork, quality customer service and continuous improvement	Ongoing review of staffing in Operational Area to achieve and maintain efficiency gains.	DEO/MO	Field Supervisor - Water & Wastewater	Greater efficiency and improved staff accountability and responsibility.	30-Jun-14	Date of Achievement	Ongoing.	
Infrastructure	Continue augmenting existing Water and Waste Water Schemes to maintain existing standards and cater for future growth	Capital Works -Refurbishment Home Hill Aerator	MO	DOM & Field Supervisor - Water & Wastewater	Improved water supply service to Home Hill	30-Jun-14	Date of achievement	New ladder system installed HHWT and lift structure removed – January 2014. Original project to refurbish existing aerators unworkable. Project extended to replace existing aerators.	
Infrastructure	To implement a robust Asset Management framework and policy to ensure optimal decisions on asset creation, operation, maintenance, rehabilitation/replacement, disposal and performance based on agreed service levels.	Monitor Adopted Maintenance & Service Level Manuals - Sewerage - Part of Asset Management Process	DEO/MO	DOM, Field Supervisor - Water & Wastewater, Foreman - Water & Wastewater	Review Process and Manuals	30-Jun-14	Date of Achievement	95% Customer Requests completed within target timeframe at June 30, 2014.	
Infrastructure	To implement a robust Asset Management framework and policy to ensure optimal decisions on asset creation, operation, maintenance, rehabilitation/replacement, disposal and performance based on agreed service levels.	Replacement / refurbishment of water infrastructure as necessary	MO	DOM & Field Supervisor - Water & Wastewater	Well maintained and reliable water supply infrastructure	30-Jun-14	Date of achievement	Digital repeater commissioned Mt Kelly and critical sites converted to digital – June 30, 2014. Scour injection point installed 375mm main Railway Street – December 2013.	
Infrastructure	To implement a robust Asset Management framework and policy to ensure optimal decisions on asset creation, operation, maintenance, rehabilitation/replacement, disposal and performance based on agreed service levels.	Capital Works - relining of sewers - \$500,000 ; refurbishment of sludge digester dome, Ayr WWTP. Replace #23 SPS. Replace #21 rising main. Replace switchboard #1 SPS Home Hill.	MO	DOM & Field Supervisor - Water & Wastewater	Reliable sewerage infrastructure	30-Jun-14	Date of achievement	Relining of Sewer program combined with 14/15 funding for economic benefit. Ayr WWTP Primary Digester dome refurbishment complete. PS 21 Rising Main replacement complete. Switchboard No. 1 PS Home Hill not completed – Condition assessment tool and report to be utilised.	

Corporate Plan Outcome	Corporate Plan Strategies	Activity	Responsible Officer / Team	Participating Officer(s)	Outputs	Targets	Performance Measures	Review Comments 30.06.2014	Review 2 Comments
Infrastructure	To implement a robust Asset Management framework and policy to ensure optimal decisions on asset creation, operation, maintenance, rehabilitation/replacement, disposal and performance based on agreed service levels	Replacement / refurbishment of sewerage infrastructure	MO	DOM & Field Supervisor - Water & Wastewater	Well maintained and reliable sewerage infrastructure	30-Jun-14	Date of achievement	Refer above.	
Infrastructure	To implement a robust Asset Management framework and policy to ensure optimal decisions on asset creation, operation, maintenance, rehabilitation/replacement, disposal and performance based on agreed service levels	Water Quality to be monitored and benchmarked against relevant National Standards for drinking water	MO	Field Supervisor - Water & Wastewater	Deliver highest possible quality potable water to consumers	Ongoing	Quarterly reports on testing program to be completed	Target achieved. Confirmation received from Queensland Water Supply Regulator July 17, 2014.	
<b>Parks and Recreation</b>									
Infrastructure	To implement a robust Asset Management framework and policy to ensure optimal decisions on asset creation, operation, maintenance, rehabilitation/replacement, disposal and performance based on agreed service levels	Undertake maintenance of Shire Parks and Gardens Attend to maintenance matters raised in customer request system by required timeframe	MO	Coordinator Parks & Gardens & Parks Foreman	A high standard of park	Ongoing	75% of requests completed within timeframe	74.3% Achievement Rate for Financial Year for Parks and Gardens Department	
Environmental	Promote sustainable land and water management practices	Continuation of park irrigation program	MO	Coordinator Parks & Gardens & Parks Foreman	Complete program	30-Jun-14	Date of Achievement	Plantation park irrigation extension completed May 2014.	
Lifestyle	Continue programme of upgrading and installing playground equipment incorporating shade within Shire Parks.	Construct skate park in Home Hill. Upgrade BBQ and park furniture in Ford Park Home Hill.	MO	Working Group, Coordinator Parks & Gardens & Parks Foreman	Complete program	30-Jun-14	Date of Achievement	Skate park in Home Hill opening October 1, 2013.	
<b>Cemeteries</b>									
Infrastructure	To provide and maintain appropriate infrastructure to service the Shire's existing and future service levels	Maintain Shire cemeteries	MO	Coordinator Parks & Gardens & Parks Foreman	Well maintained facilities	Ongoing	75% of requests completed within timeframe	74.3% Achievement Rate for Financial Year for Parks and Gardens Department	
Infrastructure	To provide and maintain appropriate infrastructure to service the Shire's existing and future service levels	Construct new Sextons hut at Ayr and Home Hill cemeteries.	MO	Coordinator Parks & Gardens & Parks Foreman	Improved facilities at the Ayr and Home Hill cemeteries.	30-Jun-14	Date of Achievement	Ayr Sextons hut complete October, 2013. Home Hill Sextons Building expected completion September, 2014.	
<b>Public Conveniences</b>									
Infrastructure	To provide and maintain appropriate infrastructure to service the Shire's existing and future service levels	Maintain Shire toilet facilities to a high standard of cleanliness	Coordinator Parks & Gardens	Parks Foreman	Provide a service that meets community needs	Ongoing	75% of customer requests completed within timeframe	74.3% Achievement Rate for Financial Year for Parks and Gardens Department	
Infrastructure	To provide and maintain appropriate infrastructure to service the Shire's existing and future service levels	Refurbish Home Hill Comfort Stop.	Coordinator Parks & Gardens	Parks Foreman	Provide a service that meets community needs	Funding Agreement expires 19 <sup>th</sup> November-14	Date of Achievement	Project substantially complete. Refurbishment of Burdekin Seed Pod mosaic only outstanding task.	



## TECHNICAL SERVICES

Corporate Plan Outcome	Corporate Plan Strategies	Activity	Responsible Officer / Team	Participating Officer(s)	Outputs	Targets	Performance Measures	Review Comments 30/06/14	
<b>Planning</b>									
Infrastructure	To provide and maintain appropriate infrastructure to service the Shire's existing and future service levels	Produce reseal program for current year	DOM	Senior Technical Officer	Monitor and achieve a sustainable reseal cycle	31-Dec-13	Date of achievement	Reseal program substantially complete.	
Infrastructure	To provide and maintain appropriate infrastructure to service the Shire's existing and future service levels	Produce Five Year Works Improvement Program for years 2012-2017	MTS	DEO, MO & DOM	Council adopts the Works Implementation program including a commitment to the first two years	15-Apr-14	Date of Adoption	Program commenced.	
Infrastructure	To provide and maintain appropriate infrastructure to service the Shire's existing and future service levels	Plans or works brief for budget jobs to be delivered within a three week timeframe prior to the commencement of works. Alternatively discussions with foreman/overseer detailing extent of works to allow preliminary works programming and order materials (eg pipes/culverts) three weeks prior to commencement of works.	DOM	Design Office, Works Overseer & Works Foremen	Deliver high quality plans in advance of construction to enable efficient allocation of resources	70% compliance	Level of achievement	Target achieved.	
Community Development	Improve our communities' resistance to disaster impacts by undertaking a disaster risk management process including developing a strategic policy framework for disaster management incorporating disaster mitigation, prevention, preparation, response and recovery arrangements in partnership with the Burdekin Local Government Disaster Management Group	Participate in the Local Disaster Management Group (LDMG) and carry out emergency planning and works	DEO	MTS, MO, DOM, Works Overseer & Senior Technical Officer	Being prepared for and responding to disasters	Attend all LDMG meetings and disaster management training	Level of achievement	Six ordinary LDMG meetings convened and attended by Council officers. Desktop training exercises completed as scheduled by EMQ Response to TC Dylan and TC Ita.	
Infrastructure	To provide and maintain appropriate infrastructure to service the Shire's existing and future service levels	Produce Annual Works Program and review monthly with Management	DEO	MO, MTS, MPD, MEH, DOM, Works Overseer, Co-ordinator Parks & Gardens, Field Supervisor Water & Wastewater	Up to date works program allowing greater efficiency in allocation of resources and improved staff accountability	Monthly	Number of updates (not less than 9)	12 - Reviews undertaken for period.	
<b>Plant</b>									
Infrastructure	Maintain a modern, effective, flexible and efficient plant fleet that matches organisational needs.	Develop an asset management plan for all types of plant/vehicles	MTS	MTS, Workshop Superintendent & Workshop Admin Officer	Monitor and achieve a sustainable plant replacement cycle	30-Jun-14	Date of achievement	Project not commenced.	
Infrastructure	Maintain a modern, effective, flexible and efficient plant fleet that matches organisational needs.	Update Plant replacement program for 2014-2023 to reflect adopted standard renewal schedule	MTS	MTS, Workshop Superintendent & Workshop Admin Officer	Monitor and achieve a sustainable plant replacement cycle	30-Apr-14	Date of Achievement	Project not commenced.	
Infrastructure	Maintain a modern, effective, flexible and efficient plant fleet that matches organisational needs.	Implement plant replacement program as adopted within financial year	MTS	MTS, Workshop Superintendent & Workshop Admin Officer	Optimal replacement of plant in current year	30-Jun-14	Date of achievement	Project commenced.	
Organisational Management and Corporate Governance	Strive to achieve effective and efficient use of technology to enable delivery of timely service and information including upgrading of infrastructure to improve service provision	Manage Councils plant fleet, including investigating and monitoring plant utilisation and plant hire rates	MTS	Workshop Superintendent, Works Overseer, Field Supervisor Water & Wastewater and Asset Officer	Optimal usage of Councils plant fleet	30-Jun-14	Date of achievement	Project commenced.	
<b>Assets and Design</b>									

Corporate Plan Outcome	Corporate Plan Strategies	Activity	Responsible Officer / Team	Participating Officer(s)	Outputs	Targets	Performance Measures	Review Comments 30/06/14	
Infrastructure	To implement a robust Asset Management framework and policy to ensure optimal decisions on asset creation, operation, maintenance, rehabilitation/replacement, disposal and performance based on agreed service levels.	Prepare Asset Management Strategy for 2013-2018	MTS	Asset Co-ordinator	Defined objectives and targets to ensure Council achieves the intent of the Asset Management Policy and provide a road map for the implementation and ongoing improvements to an asset management framework.	30-Jun-14	Strategy adopted	Strategy commenced.	
Infrastructure	To implement a robust Asset Management framework and policy to ensure optimal decisions on asset creation, operation, maintenance, rehabilitation/replacement, disposal and performance based on agreed service levels.	Prepare Asset Management Plans for outstanding water supply and stormwater drainage classes	MTS	Asset Co-ordinator	Provide a strategic approach to the management of Council assets including long term financial plans and maintenance and renewal programs.	30-Jun-14	Asset Management Plans adopted	Asset Management Plans commenced for both classes. Water Supply workshoped with Council November 2013.	
Infrastructure	To implement a robust Asset Management framework and policy to ensure optimal decisions on asset creation, operation, maintenance, rehabilitation/replacement, disposal and performance based on agreed service levels.	Review condition assessment methodologies for all asset classes. Review Transport and Buildings Asset Management Plans.	MTS	MO, Asset Co-ordinator, Field Supervisor – Water & Wastewater	Service Level & Condition Assessment manuals and inspection regime to assist in the development of a maintenance and renewal program.	30-Jun-14	Service Levels and Condition Assessment Criteria Adopted	Condition Assessment Review commenced.	
Infrastructure	To implement a robust Asset Management framework and policy to ensure optimal decisions on asset creation, operation, maintenance, rehabilitation/replacement, disposal and performance based on agreed service levels.	Review service levels and maintenance intervention levels for all asset classes	MTS	MO, Asset Co-ordinator, Field Supervisor – Water & Wastewater	Service Level & Condition Assessment manuals and inspection regime to assist in the development of a maintenance and renewal program.	30-Dec-15	Service Levels and Adopted	Not commenced.	
Infrastructure	To implement a robust Asset Management framework and policy to ensure optimal decisions on asset creation, operation, maintenance, rehabilitation/replacement, disposal and performance based on agreed service levels.	Value and revalue physical non-current assets for infrastructure in compliance with audit requirements for previous financial year	MTS	DOM, Senior Technical Officer, Asset Officer & Finance Department	Revaluation report	15-Aug-13	Date of achievement	Target Achieved	
Infrastructure	To provide and maintain appropriate infrastructure to service the Shire's existing and future service levels	Complete supervision of design and construction contract for schemes funded by the regional flood mitigation program, royalties for the regions program and natural disaster mitigation program & drainage programs	DOM	Senior Technical Officer & Design Office Staff	Improved flood mitigation for Ayr	30-Jun-14	Reports and claims submitted to the relevant department in accordance with relevant agreements.	Home Hill Drainage Project commenced.	
<b>Water Supply and Sewerage</b>									

Corporate Plan Outcome	Corporate Plan Strategies	Activity	Responsible Officer / Team	Participating Officer(s)	Outputs	Targets	Performance Measures	Review Comments 30/06/14	
Infrastructure	To provide and maintain appropriate infrastructure to service the Shire's existing and future service levels	Monitor network demand and update network analyses on the water reticulation system to enable planning for future augmentation and development requirements	DOM	Senior Technical Officer	Ensure systems provide acceptable service delivery for both current and future use	Ongoing	Number of reviews of network analysis	Nil carried out.	
Environment	Promote sustainable land and water management practices	Monitor consumption and set up systems (if required) to ensure sustainable water use.	MTS	DEO, MO & Overseer WWW	Ensure long term sustainability of water supply	Ongoing	Number of systems established	Consumption monitored after November meter reading.	
Environment	Promote sustainable land and water management practices	Review water pricing policy with recommendations for further refinement as necessary	MTS	DOM, Finance	Equitable and fair pricing for water consumers	31-Mar-14	Date of achievement	Part of budget process for 14/15.	
Environment	Promote sustainable land and water management practices	Submit annual report to Environmental Protection Agency for the operation and environmental compliance of sewerage systems during the 2012-13 year.	MTS	DOM, Field Supervisor - Water & Wastewater, Technical Assistant	Ensure compliance with license	22-Nov-13	Date of achievement	Target achieved.	
Infrastructure	Promote sustainable land and water management practices	Submit annual water and sewerage data to Statewide Water Information System (SWIM)	MTS	DOM, Technical Officer	SWIM data	30-Oct-13	Date of achievement	Data submitted 3/11/13.	
Infrastructure	To implement a robust Asset Management framework and policy to ensure optimal decisions on asset creation, operation, maintenance, rehabilitation/replacement, disposal and performance based on agreed service levels.	Continue evaluation of Sewerage Systems performance and capacity to enable planning for future augmentation and development.	MTS	DOM, Senior Technical Officer	Ensure systems provide acceptable service delivery for both current and future use	Ongoing	Number of reviews of network analysis	Nil carried out.	
<b>Works</b>									
Organisational Management and Corporate Governance	Advancing the interests of the Shire through representation and effective working relationships with federal, state and local governments and other regional bodies	Deliver Burdekin Shire Rivers Improvement Trust annual works program and NDRRA repairs	DOM	MTS, MO BSRIT Patrolman	Preserve the integrity of the existing river banks and mitigate breakouts and flooding	30-Jun-14	Date of Achievement	One project programmed after wet season.	



# **ENVIRONMENTAL SERVICES**

Corporate Plan Outcome	Corporate Plan Strategies	Activity	Responsible Officer / Team	Participating Officer(s)	Outputs	Targets	Performance Measures	Review Comments 30/06/14	
<b>Environmental Services Administration</b>									
Lifestyle	To promote, support and facilitate services to the community to enhance community pride, wellbeing and the quality of life enjoyed by residents	Provide efficient and effective customer services for the various programs delivered by the Department. ( Health, Environment, Vector Control, Waste Management, Land Protection, Animal)	MEH	DEO / CCS / Department Staff	Provide a high level of customer satisfaction	70% of requests responded to within specified business days	% of requests completed within timeframe	3,892 customer requests received in 2013-14. Excluding current requests, 64% completed within target and 34% completed outside target.	
<b>Environmental Health</b>									
Lifestyle	Undertake regulatory and advisory inspection programmes to maintain and improve health and environmental standards within the community such as animal control and vector control programmes.	Undertake a range of activities and projects within available resources to sustain and improve community health and well being (inc. customer requests).	MEH	EHO's / TO	Maintaining and improving health and environmental standards.	Inspection programs undertaken	No of premises inspected	Inspections continuing on premises identified in Approved Inspection Program from 2012/13, and from customer requests. 114 inspections of 84 food premises out of a total of 103 premises.	
<b>Vector Management</b>									
Lifestyle	Undertake regulatory and advisory inspection programmes to maintain and improve health and environmental standards within the community such as animal control and vector control programmes	Undertake a larvicidal program to manage mosquito numbers	MEH	EHO / VCU	Reduced mosquito numbers; develop mosquito management plan	Tidal and freshwater control program undertaken	Program undertaken	Two (2) aerial treatments completed. Ongoing monitoring of breeding sites with treatment as required.	
Lifestyle	To promote, support and facilitate services to the community to enhance community pride, wellbeing and the quality of life enjoyed by residents	Undertake Mosquito specific educational/promotional activities (Dengue Awareness)	MEH	EHO / VCU	Deliver education / promotion activities	2 promotion activities carried out	Level of Achievement	Promotional activities undertaken in conjunction with Get Ready Burdekin Event on 26 October 2013. Press release Feb 2014.	
<b>Animal Management</b>									
Lifestyle	Undertake regulatory and advisory inspection programmes to maintain and improve health and environmental standards within the community such as animal control and vector control programmes	Enforce Animal Control Local Law and promote responsible animal ownership	MEH	EHO / CO	Increased responsible pet ownership	10 educational activities undertaken	Number of educational opportunities undertaken; number of proactive activities undertaken	Monthly "Pet Pointers" column published in Ayr Advocate (Sept, Oct, and Nov).  Pets in Disasters information provided at Get Ready Burdekin event on 26 October.  Pet Day Out held on 22 June 2014.	



Corporate Plan Outcome	Corporate Plan Strategies	Activity	Responsible Officer / Team	Participating Officer(s)	Outputs	Targets	Performance Measures	Review Comments 30/06/14	
								35 dogs were declared dangerous or menacing in 2013-14.	
<b>Waste Management</b>									
Environment	Operate and maintain Council's waste management facilities to comply with environmental standards	Implement waste facility development plans and install infrastructure.	MEH	EHPO	Infrastructure constructed	Construction completed by June 2014	New gatehouse and shed for 2 <sup>nd</sup> hand area at Ayr TS. Oil shed at Giru TS. Green waste pad at Kirknie landfill.	New shed for 2 <sup>nd</sup> hand area at Ayr TS completed. New Gatehouse commenced. Green waste pad at Kirknie Road Landfill constructed. Quotes obtained for Giru Oil Shed.	
Environment	Promote waste and recycling services which encourage waste minimisation	Supervise waste collection contract	MEH	EHPO	Monitor contract performance	Compliance with contract Performance indicators	Level of achievement	Monitoring of contract ongoing. No evidence of non-compliance to date.	
Environment	Operate and maintain Council's waste management facilities to comply with environmental standards	Undertake risk assessment into closed landfills and develop rehabilitation plans.	MEH	EHPO	Closed landfill rehabilitation report	Risk assessment completed and report prepared	Report received	Reports received on 5 higher risk legacy landfills received in June 2014.	
Environment	Promote waste and recycling services which encourage waste minimisation	Promote within available resources Waste Minimisation Measures	MEH	EHPO	Increase in materials recycled	3% increase in recycled materials from previous year	Level of Achievement	Increase in E-Waste and timber recycling. E-Waste volume 36,104 kg in 2013-14. Household recycling down by 1% in volume in 2013-14.  Participated in National Recycle Week and joined with other Councils to produce TV and radio commercials.	
<b>Caravan Parks</b>									
Infrastructure	Encourage development and maintenance of local infrastructure and services and appropriate land use planning to encourage existing business and attract new business investment.	Business Plans progressively developed and implemented.	MEH	CEH	Well maintained and operated facilities	Business Plans developed	Burdekin Cascades Business Plan developed by 30 June 2014	Project not commenced.	
<b>Swimming Pools</b>									
Infrastructure	Encourage development and maintenance of local infrastructure and services and appropriate land use planning to encourage existing business and attract new business investment.	Operate and maintain Councils Swimming Pool Facilities	MEH	CEH	Well maintained and operated facilities	Pools operational	Number of operational issues	Pump replaced at Ayr Pool – no impact on operations as pool did not need to be closed.	

Corporate Plan Outcome	Corporate Plan Strategies	Activity	Responsible Officer / Team	Participating Officer(s)	Outputs	Targets	Performance Measures	Review Comments 30/06/14	
Infrastructure	Encourage development and maintenance of local infrastructure and services and appropriate land use planning to encourage existing business and attract new business investment.	Operate and maintain Councils Swimming Pool Facilities	MEH	CEH	Well maintained and operated facilities	Design new swimming pool at Ayr	Design completed	Project delayed due to opportunity to apply for grant. Grant unsuccessful. Design planned for 2014-15.	
<b>Natural Resource Management</b>									
Environment	Continue to develop systems and support programs that improve Council's environmental performance and provide sustainable outcomes	Identify and develop management plans for Natural Resource areas and issues such as wetlands, foreshore areas, Council reserves and Climate Change.	MEH	EHPO	Improved land management practices	NR areas identified and plans developed	List of priority areas identified, No of plans developed	Project commenced with Wetland Care Australia for Barratta Creek Catchment.  Ongoing participation in Reef Guardian Council program.	
Environment	Develop and implement natural resource management projects in conjunction with the community and other partners to improve the natural environment in the Shire, particularly aquatic weed control, beach protection and land protection	Undertake projects and provide project support to improve and sustain the environment.	MEH	EHPO	Improved environmental outcomes from use of Environmental Levy	Number of NRM issues responded to	Number of projects supported and undertaken	Input provided into CSIRO National Environmental Research Program Inshore Management Strategy Evaluation Project.  Project commenced with NQ Dry Tropics focussing on water weeds in a number of systems throughout the Burdekin. Joint projects with community groups e.g. Landcare	
<b>Land Protection</b>									
Environment	Promote sustainable land and water management practices	Undertake property inspections and liaise with landholders to develop property pest management plans and landholder syndicates to reduce the impact of pest plants and animals within the Shire.	MEH	PMO	Improved land management practices	Reduced pest plant and animal infestations in the Shire	No of current pest management plans	16 new pest management plans completed. Now have 144 participants	
Environment	Continue to develop systems and support programs that improve Council's environmental performance and provide sustainable outcomes	Review and implement Shire Pest Management Plan	MEH	PMO	Improved land management practices	Pest Management Plan approved by DAFF and actions implemented	Plan approved and actions implemented from plan	No progress on review of plan in light of the new Biosecurity Act.	

# DEVELOPMENT

Corporate Plan Outcome	Corporate Plan Strategies	Activity	Responsible Officer / Team	Participating Officer(s)	Outputs	Targets	Performance Measures	Review Comments 30/06/14	
<b>Development Administration</b>									
Land Use Planning	To promote a dynamic approach to integrated planning and management of development and growth that reflects community aspirations and enhances our lifestyle, diverse heritage and environment	Provide efficient and effective customer services for the various programs delivered by the Planning and Development Department. (Planning, Building, Plumbing)	MPD	CSC / Department Staff	Provide a service that meets community needs with all outcomes in accordance with relevant legislation.	90% of requests responded to within 15 business days (building & plumbing); 75% Planning DA's responded to within 10 business days	Level of Achievement	Average Building Application decision issued within 10 -14 days. All other Development Permits are being issued within statutory timelines identified in the IDAS.	
<b>Development</b>									
Land Use Planning	To promote a dynamic approach to integrated planning and management of development and growth that reflects community aspirations and enhances our lifestyle, diverse heritage and environment	Ensure Council's statutory planning instruments accommodate the changing needs of the community. Review planning scheme and monitor the effectiveness of the scheme including codes to ensure compliance with Queensland Planning Provisions (QPP)	MPD	Town Planning Staff	SPA planning scheme and other relevant planning instruments	Amendments to scheme and policies / codes developed. IDAS procedures fully implemented	Planning Scheme and codes amended as required. Ensure 100% compliance with development consent conditions. Commence review of Planning Scheme to ensure compliance with new planning reforms.	Compliance checks are being carried out on a regular basis to ensure compliance objectives are being met. SPA Planning Scheme drafting has commenced. DSDIP resource reduction has caused delays in progressing the scheme review. Planning reform has also meant some delays will be imminent.	
Infrastructure	Development of a Priority Infrastructure Plan (PIP) which identifies areas for future urban growth in the planning scheme and the Council's ability to service that area with infrastructure and provides a clear, transparent and certain basis for the calculation of infrastructure charges.	Implement Priority Infrastructure Plan and Regulated Infrastructure Charges Schedule. (RICS) Plan to include maps identifying the Priority Infrastructure Area (PIA) and Plans For Trunk Infrastructure (PFTI)	MPD	MTS, MO,MGL	Achieve consistency in development applications and forward planning of developments to ensure appropriate levels of trunk infrastructure is made available.	Ongoing	DA's assessed and appropriate infrastructure charges imposed	PIP is ensuring current infrastructure charges are being imposed on specific developments. New infrastructure charges reform commencing 4 July, 2014 will generate the need for further review.	
<b>Building</b>									
Land Use Planning - Quality Control Building Works	Monitor and regulate Council's planning strategies, development approvals and building approvals to ensure development and building activities deliver equitable outcomes	Undertake a Building Certification service both within the Burdekin Shire and externally to the Shire in accordance with statutory requirements. Ensure affected swimming pools comply with current pool fencing legislation.	MPD	Building Certifier's, Building Inspectors and Admin Staff.	Ensure all building works comply with statutory requirements. Provide approval and inspection service for all classes of development as a certifying authority	Ongoing	Number of Development Permits issued and inspected. Number of swimming pools and pool fences inspected	During this period a total of 287 local and 599 external building approvals were issued. New swimming pool approvals: 12 local and 128 external. Swimming pool compliance certificates (18-local & 4 external.	

Corporate Plan Outcome	Corporate Plan Strategies	Activity	Responsible Officer / Team	Participating Officer(s)	Outputs	Targets	Performance Measures	Review Comments 30/06/14	
Infrastructure	To implement a robust asset management framework including control measures such as suitable policy directives to ensure optimal decisions on asset creation, operation, maintenance, rehabilitation/replacement, disposal and performance are identified in accordance with agreed upon service levels.	Develop & Implement Building Maintenance Program. (N.B. Outcomes associated with a functioning asset management program will facilitate this task.)	MPD	Building Certifier's, Building Inspector's and Building Maintenance Officer.	Building Maintenance program which identifies scheduled maintenance needs and works undertaken	100% Relevant Council buildings inspected, assessed and subsequently maintained.	Level of Achievement	Project Management of capital works programs have been carried out efficiently and effectively. Budgeted works are being completed within targets.	
<b>Plumbing</b>									
Land Use Planning	To promote a dynamic approach to integrated planning and management of development and growth that reflects community aspirations and enhances our lifestyle, diverse heritage and environment	Undertake a Plumbing Inspection service and relevant compliance works in accordance with statutory requirements.	MPD	Plumbing Inspector's	All plumbing installations that are not "notifiable works" are carried out in accordance with the <i>Plumbing and Drainage Act 2002</i> .	Ongoing	Number of relevant plumbing installations inspected. Backflow prevention devices inspected annually. Number of designs issued for on-site effluent disposal.	Plumbing approvals totalled 85 for the period. A total of 10 on-site effluent designs were issued.	



## Community and Cultural Program

Corporate Plan Outcome	Corporate Plan Strategies	Activity	Responsible Officer / Team	Participating Officer(s)	Outputs	Targets	Performance Measures	Review Comments 30.06.2014	Review 2 Comments
<b>Community and Cultural Program</b>									
<b>Lifestyle</b>	5.5 Provide ongoing support to Council policies in the areas of art and culture, youth, sport, recreation and welfare.	Management of Council's donations program	DCCS		Donations provided	Ongoing	Donations provided & requests made	Donations made as per budget, resolution or delegated authority.	
		Management of Council's RADF Scheme	Grants & Property Officer		Reports on RADF grants	June & December	Reports provided	December 2013 Round - 6 applicants for \$15,280. June 2014 Round - 6 applicants for \$24,704	
		Management of Council's policy for Sporting Grants and Interest Free Loans	DCCS	Grants & Property Officer	Provision of funds in accordance with policy	Ongoing	Reports provided	One interest free loan - Burdekin Junior Rugby League \$14,990. 5 applicants for Sporting Grants totalling \$1,350.	
		Preparation of funding applications to develop programs, services and facilities	Grants & Property Officer		Funding applications submitted	Ongoing	No. of funding applications submitted.	21 grant applications submitted - 8 successful totalling \$5,744,440.	
<b>Lifestyle</b>	5.6 Provide library resources and facilities to support informational, recreational, educational and cultural needs of the community.	Scanning of Local History Images for Picture Queensland	Manager Library Services	Manager Library Services, IT Staff	No of Photographs scanned and sent to SLQ	Ongoing	target of 150 pictures to scan	130 photos scanned 2013-14	
		Complete Shelving Project	Manager Library Services		New Shelving in Adult Area	30-Jun-14	feedback from community	Project Completed January 2014. Initial feedback has been extremely positive.	
		Launch eBooks and E-movie services	Manager Library Services	Library Staff	public launch	1-Jul-13	no of attending, no of people who sign up for service	Services launched September 2013 - 20 attended launch. Indiflix not renewed due to poor take up. EBook service had 100 users as at 30 June 2014.	

Corporate Plan Outcome	Corporate Plan Strategies	Activity	Responsible Officer / Team	Participating Officer(s)	Outputs	Targets	Performance Measures	Review Comments 30.06.2014	Review 2 Comments
		"Tech Talks with John" programmed from Aug 2013	Manager Library Services	Library Staff	Hosting of training sessions.	ongoing	No of sessions, bookings and feedback received.	Tech Talks finished may 2014. This quarter 4 session 60 attendees	
		Library education classes - 1 day per month for half hour on how to use the catalogue	Manager Library Services	Library Staff	Hosting of education sessions	1 session per month	No of sessions, bookings and feedback received.	Still under development will run after relaunch of library	
		One on one computer instruction - basic quick questions answered	Community Services Outreach Coordinator	Manager Library Services	Weekly sessions based on demand	Ongoing	No of sessions, bookings and feedback received.	9 sessions 18hrs staff time. This will now become part of our core service delivery	
		Storytelling sessions, School holiday activities and library visits	Manager Library Services	Community Services Outreach Coordinator, Library Staff	Public activities	Ongoing	No of activities held and participation	36 Activities 1537 participants	
		Outreach Events	Community Services Outreach Coordinator	Manager Library Services, Library Staff	Quarterly event	1 event per quarter	Date of Achievement	1 author talk 20 people	
		New Local history area	Manager Library Services	Library Staff	refurbished space and relocation of the collection	completion by 30 June 2014	public feedback, public launch	Completed May 2014. Official launch October 2014	
		Oral History Project	Manager Library Services	Library Staff	begin preliminary work to identify equipment needed and possible stories to capture	ongoing	equipment identified and possible people to capture their story	Ongoing project has had a low priority but this will change with launch of new history area later this year.	
	6.2 Improve our communities' resistance to disaster impacts by undertaking a disaster risk management process including developing a strategic policy framework for disaster management incorporating disaster mitigation, prevention, preparation, response and recovery arrangements in partnership with the Burdekin	Disaster Management - Guardian software maintenance and coordination of training	HR Manager	All Council Staff	Facilitation and activation of Software during a Disaster. Competent workforce who is familiar with the software and able to access and use the software during times of disaster.	Ongoing	Updated Guardian software; regular training sessions prior to each 'wet' season is conducted.	Customer Services Team Leader and WHS/QA officers to attend Guardian Training Sept/Oct and rollout all agency and staff training prior to commencement of "Wet Season". Janai Giddy now	

Corporate Plan Outcome	Corporate Plan Strategies	Activity	Responsible Officer / Team	Participating Officer(s)	Outputs	Targets	Performance Measures	Review Comments 30.06.2014	Review 2 Comments
	Local Disaster Management Group.							responsible for all LDCC operations and coordination during an event. Emergency contact lists are up to date.	
<b>Community Development</b>	6.4 Build and strengthen our community identity and acknowledge the diversity in our communities.	Finalise future direction for Ayr Showgrounds	DCCS	Corp Management Officer	Course of action for future direction of Ayr Showgrounds	30-Jun-14	Date of Achievement	Agency agreement approved for management of showgrounds area. Discussions ongoing for use of the land for self contained motor home stopover.	
		Arrange appropriate Civic Receptions and Celebrations	Admin Co-ordinator & Ec Dev Officer	Admin staff	Australia Day, People to People, Misc Receptions	Ongoing	No of receptions & events held. Customer feedback	Events held - People to People (300 students), Carols by Candlelight, Australia Day, Seniors Week, Morning Melodies, Queensland Week Expo.	
<b>Community Development</b>	6.6 Provide ongoing support for particular community welfare organisations within the Shire including the Burdekin Community Association and Burdekin Neighbourhood Centre.	Manage donations and inkind support to BCA and BNC.	DCCS		Donations provided	Ongoing	Donations provided	Donations provided as per budget.	
		Provide Information Technology support services to BCA under agreement.	Manager ICS	IT staff	Provision of IT support	Ongoing	IT support provided	Support continued to be provided as requested.	
<b>Administration Program</b>									
<b>Organisational Management and Corporate Governance</b>	1.3 Review and refine short and long term planning throughout Council including focus on a Ten (10) Forecasting Model.	To prepare budgets and forecasts							
		To prepare first amended budget							

Corporate Plan Outcome	Corporate Plan Strategies	Activity	Responsible Officer / Team	Participating Officer(s)	Outputs	Targets	Performance Measures	Review Comments 30.06.2014	Review 2 Comments
		Gather and provide estimates for first amended budget 2013-14	Manager Finance	Dir/Managers, Financial Management	Draft estimates	18-Oct-13	Timeliness and accuracy	Completed	
		Co-ordinate officer review of estimates for first amended budget 2013-14	Manager Finance	Dir/Managers, Financial Management	Amended estimates review	08-Nov-13	Timeliness and accuracy	Completed	
		Submit first amended budget 2013-14 for Council adoption	Manager Finance	Dir/Managers, Financial Management	Adopted amended budget	10-Dec-13	Date of Achievement	Completed and adopted by Council 17/12/13	
		To prepare second amended budget							
		Gather and provide estimates for second amended budget 2013-14	Manager Finance	Dir/Managers, Financial Management	Draft estimates	14-Feb-14	Timeliness and accuracy	Completed	
		Co-ordinate officer review of estimates for second amended budget 2013-14	Manager Finance	Dir/Managers, Financial Management	Amended estimates review	07-Mar-14	Timeliness and accuracy	Completed	
		Submit second amended budget 2013-14 for Council review and adoption	Manager Finance	Dir/Managers, Financial Management	Adopted amended budget	08-Apr-14	Date of Achievement	Completed and adopted by Council 13/05/14	
		To prepare original budget and forward forecasts							



Corporate Plan Outcome	Corporate Plan Strategies	Activity	Responsible Officer / Team	Participating Officer(s)	Outputs	Targets	Performance Measures	Review Comments 30.06.2014	Review 2 Comments
		Commence budget planning discussions with Council	Manager Finance	Dir/Managers, Financial Management, Rates	Budget workshops and actions plan and targets	28-Jan-14	Date of achievement	Discussions with Council commenced February 2014	
		Gather and provide estimates for original budget 2014-15 and forecasts for years 2015-16 to 2023-24	Manager Finance	Dir/Managers, Financial Management	Draft estimates	28-Feb-14	Timeliness and accuracy	Completed	
		Co-ordinate officer review of estimates for original budget 2014-15	Manager Finance	Dir/Managers, Financial Management	Original estimates review	21-Mar-14	Timeliness and accuracy	Completed	
		Co-ordinate officer review of forecasts for years 2015-16 to 2023-24	Manager Finance	Dir/Managers, Financial Management	Forecast estimates review	04-Apr-14	Timeliness and accuracy	Review undertaken 16/05/14	
		Submit draft original budget 2014-15 and forecasts for years 2015-16 to 2023-24 for Council review	Manager Finance	Dir/Managers, Financial Management	Original and forecast estimates review	29-Apr-14	Date of Achievement	Completed	
		Review policies and revenue statement for inclusion in budget agenda	Manager Finance	Dir/Managers, Financial Management and Rates	Reviewed policies and revenue statement	20-May-14	Date of Achievement	Completed	
		Submit original budget and forecast estimates 2013-14 for Council tabling by Mayor	Manager Finance	Financial Management	Adopted original budget and forecast estimates	20-May-14	Date of Achievement	Budget documents emailed to Councillors 6/06/14	
		Original budget and forecast estimates 2013-14 for Council adoption	Manager Finance	Financial Management	Adopted original budget and forecast estimates	03-Jun-14	Date of Achievement	Completed and adopted 24/06/14	

Corporate Plan Outcome	Corporate Plan Strategies	Activity	Responsible Officer / Team	Participating Officer(s)	Outputs	Targets	Performance Measures	Review Comments 30.06.2014	Review 2 Comments
<b>Organisational Management and Corporate Governance</b>	1.4 Progress towards achieving "Employer of Choice" status	Review and improve payroll systems and procedures	HR Manager	HR staff	Improved operating systems and procedures	Ongoing	No. of systems or procedures improved.	Ongoing	
		Maintain and support electronic timesheets program for indoor staff. Phase out of paper timesheets by December 2013.	HR Manager	HR staff	All Internal Council Staff competent with Electronic Timesheet Program	30-Dec-13	Date of achievement.	Ongoing	
		Maintain and support Performance Appraisal Module. Analysis of information received from Performance Development Reviews. Establish and roll out of Departmental Reports as feedback to Directors/Managers. Reporting to be finalised and issued each review period.	HR Manager	HR staff	Functioning Performance Appraisal Module.	28-Feb-14	Ongoing	Ongoing - Management team to workshop a new format for the performance review and decide on outcomes wanted from the review. Review period is now annually with the next review period February 2015.	
		Process fortnightly payroll effectively	HR Manager	HR staff	Successful payroll run.	Ongoing	Payroll errors and time delivered.	Ongoing - Less than 2 % error margin	
		Manage recruitment process across council	HR Manager	HR staff	Effective and timely recruitment processes.	Ongoing	Timeframe from close of applications to appointment.	HR will endeavour to reduce timeframes between appointment and start date of any new incumbents. Average start date is between 2-6 weeks depending on type of role (labourer or specialist skill set). Average is 3 weeks.	
		Review need for HR policies and create/amend where required	HR Manager	HR Manager	Review of policies.	Ongoing	No of policies reviewed.	Bullying and harassment Policy reviewed and Updated. New Lone Worker Policy Adopted by Council. Service milestone policy adopted by Council.	

Corporate Plan Outcome	Corporate Plan Strategies	Activity	Responsible Officer / Team	Participating Officer(s)	Outputs	Targets	Performance Measures	Review Comments 30.06.2014	Review 2 Comments
		Produce monthly HR Reports for managers meetings and discussion, e.g. staff numbers, length of service, AL, LSL, Sick, Overtime.	HR Manager	HR Staff	Monthly Reports for managers meetings. Trend analysis.	Monthly	Date of achievement.	Ongoing - All of Council reporting (Monthly and Quarterly) - Staff numbers, gender, length of service, A/L, LSL, Sick Leave, Overtime	
		Conduct council workplace WH&S audit	HR Manager	HR Manager & WH&S Officer	Completed WH&S audit.	31-Dec-13	Audit conducted with recommendations made and improvements implemented	Ongoing - Certex Accreditation Surveillance Audit findings - It is recommended the business retain its registration as an AS/NZS ISO 9001-2008 certificated firm. Continual rolling audits will be carried out during 2014.	
		Manage workers compensation and return to work programs	HR Manager	HR staff	Successful management of claims and programs.	Ongoing	No of workers comp claims and RTW programs	From 1st July 2013 to 30th June 2014 we have had 16 Workers Compensation Claims. Total of 267 Days Lost	
		Maintain and Review WH&S systems (Safe Plan 3) and all procedures. Continual updating of all Safe Plan documents as required (change to legislation, new work method statements etc)	HR Manager	HR staff, WH&S Officer	System and process improvements in relation to WH&S. Updated Safe Plan 3,	Ongoing	Improvements implemented	Ongoing	
		Training and development option available - Learning Seat. Update with BSC Induction Program, Take 5 Program and Department Information Program.	HR Manager	HR staff	Successful completion of on-line training. Staff statistics.	Ongoing	Number of staff undertaking training. Statistics for monthly, quarterly, 6 monthly and annual.	From 1st July 2013 to 30th June 2014 - 31 New Staff Enrolments for Learning Seat online training packages	
		Internal WPHS Training. New Training Programs to be rolled out to the workforce include: 1. Dealing with Aggressive Behaviours 2. Manual Handling and Lifting Techniques 3. Hazardous Chemicals.	HR Manager	HR Manager & WH&S Officer	Successful roll out of internal WPHS Training packages for all BSC Staff.	30-Dec-13	Number of Courses being run internal. Cost savings.	Safety & Quality Coordinator to review all training modules. Create and adopt a training Plan.	
		WPHS Asbestos Management Plans and Register	HR Manager	HR Manager & WH&S Officer	Asbestos Management Plans and Register - Completed and available for review every 5 years.	30-Dec-13	Approved Document and Register	Plan and register completed. Next annual register review in 2015. Next Plan update due in 2017.	

Corporate Plan Outcome	Corporate Plan Strategies	Activity	Responsible Officer / Team	Participating Officer(s)	Outputs	Targets	Performance Measures	Review Comments 30.06.2014	Review 2 Comments
		Transferring HR Documents to a secure location and file within ECM.	HR Manager	HR staff	All HR Documents in ECM for better security and management of records.	30-Jun-14	All Employees files on ECM.	Ongoing project. 100% of Employee Files have been transferred. Remaining HR documents will be transferred once security issues have been rectified.	
	1.5 Foster an organisational culture that is challenging, rewarding and values employees committed to innovative, quality outcomes, teamwork, customer service and continuous improvement.	Burdekin Shire Council - Internal Customer Service Survey to improve relationships between departments; continually improve on internal services; to identify "other" tasks to be undertaken to improve internal relationships.	Customer Services Team Leader	All Departments within Council - Internal and External	Department Meetings. Identification of tasks and issues to improve service delivery.	Ongoing - Each meeting to take place with a different department each month	Quarterly Reviews - On feedback and any process improvements/ changes.	Internal survey discontinued. Any improvements or suggestions are made on a regular basis. No longer waiting for a monthly meeting.	
		Ongoing participation in professional development and training programme for Customer Service staff based on knowledge competencies of key internal sections and departments.	Customer Services Team Leader	All CSO Officers; various Section Heads.	Professional Development and Training Programme based on key internal knowledge competencies.	Ongoing	Number of staff trained and competences achieved.	New employee Ann-Maree to now take part in PD&T. Some regular staff are interested in refresher training. These are organised when staff availability is high.	
		Identify and implement backfill positions for other staff on leave as part of professional development and training programme.	Customer Services Team Leader	All CSO Officers; various Section Heads.	Backfill positions identified and planned to be filled.	Ongoing	Date achieved.	Three staff members had been involved in backfill positions 2013-2014.	
		Review and Update Training Manual, 'On-Line' CSC Officer Training Program, CSC Induction Program and the Professional Development and Training Program.	Customer Services Team Leader	All CSO Officers, HR Manager	Update the current Training manuals, 'on-line' training program, induction program to reflect the new CI upgrade. The professional development and training program will also be looked at for improvements.	31-Mar-14	Updated manuals. Ready for Staff training or new Employee Training.	Updated manuals. Ready for Staff training or new Employee Training.	
<b>Organisational Management and Corporate Governance</b>	1.6 Strive to achieve effective and efficient use of technology, to enable delivery of timely service and information, including upgrading of infrastructure to improve service provision.	Administer the incoming calls in the Customer Service Centre.	Customer Services Team Leader	All CSO Officers; various sections dealing with CR's.	Efficient Call Centre Operations with a Service Level of over 80% sustainable. 80% of Calls will be answered within 16 seconds and the Customer Service Officer will be able to answer the query 80% of the time without transferring the Customer to another staff	Ongoing	Telephone call statistics and acceptable (80%) Service level minimum requirement.	30259 calls received 2013-2014 with an average service level of 91% being reached.	



Corporate Plan Outcome	Corporate Plan Strategies	Activity	Responsible Officer / Team	Participating Officer(s)	Outputs	Targets	Performance Measures	Review Comments 30.06.2014	Review 2 Comments
					member for further information.				
		Administer the Customer Request Module component of the Customer Service Centre.	Customer Services Team Leader	All CSO Officers; various other sections dealing with CR's.	Efficient Call Centre Operations include accurate reporting of information on CRM's for responsible officers. Understanding the Groups and Request types in the Proclaim system and ensuring requests for services are recorded accurately and in a timely manner.	Ongoing	CRM statistics and number of CRM's tasked to the incorrect request type against number of CRM's created.	7412 customer requests generated 2013-2014. Top four request categories Animal Control 2020, Water 1194, Roads & Drainage 756, Waste Management Health 517.	
		Monitoring and development of new public website to ensure the information is current, the links are active and the website is regularly updated.	Customer Services Team Leader	Web Coordinator, HR Manager	Daily checking, updating and entering the static content for the new BSC Website. Sending out emails and reminder notices to all Managers when information needs to be updated on website.	Ongoing	Current information displayed at all times.	Responsible officers notified when content needs to be updated.	
		Management of Council's core corporate software systems infrastructure. (Proclaim, FinanceOne, PeopleOne, DataWorks, Exponare - GIS, Outlook , SirsiDynix Symphony )	Manager ICS	IT Staff				Ongoing	
		Maintain application software and database integrity using service agreements, backup arrangements, system upgrades and patches.	Manager ICS	IT Staff	Functional & upgraded application software; accurate & reliable databases.	Ongoing	Software downtime; no. of missed backups; no. of upgrades and patches installed.	99.9% uptime of core corporate software systems. 04/06/2014: All Council Systems unavailable for approximately 20 minutes outside of business hours due to network switch malfunction. 21/01/2014: T1 P&R unavailable for approximately 10 minutes during business hours due to server crash (BSOD) caused by McAfee VirusScan.	

Corporate Plan Outcome	Corporate Plan Strategies	Activity	Responsible Officer / Team	Participating Officer(s)	Outputs	Targets	Performance Measures	Review Comments 30.06.2014	Review 2 Comments
								05/12/2013: T1 Financials and T1 P&R unavailable for approximately 10 minutes during business hours due to server crash (BSOD) caused by McAfee VirusScan.	
		Upgrade DataWorks 4.2 to ECM 4.3	Manager ICS	IT Staff, Records Staff	Functional Testing/Training and Production Environment	30-Jun-14	Successful upgrade and Go-Live	T1 has still not released the version as GD (General Distribution).	
		Installation, management and support of the Windows server infrastructure providing application, file and print and web services.	Manager ICS	IT Staff				Ongoing Support	
		Maintain hardware using service agreements, backup arrangements, upgrades, virus updates and security patch installations.	Manager ICS	IT Staff	Functional server hardware; data backup up; network availability and security.	Ongoing	Hardware downtime; No. of missed backups; no. of security breaches; % of network downtime.	99.9% uptime of Windows Server infrastructure. 04/06/2014: All Council Systems unavailable for approximately 20 minutes outside of business hours due to network switch malfunction. 20/02/2014: Updated the NIC firmware on the VMware host servers and SAN storage systems to resolve the issues with the NICs. 07/09/2013: The NICs on one of the VMware host servers stopped responding and some services were unavailable for approximately 2.5 hours outside of business hours. 07/07/2013: The NICs on one of the VMware host servers stopped responding and some services were unavailable for approximately 1.5 hours outside of	

Corporate Plan Outcome	Corporate Plan Strategies	Activity	Responsible Officer / Team	Participating Officer(s)	Outputs	Targets	Performance Measures	Review Comments 30.06.2014	Review 2 Comments
								business hours.	
		Installation, management and maintenance of client desktop hardware or mobile client devices (PC's, Laptops & PDA's)	Manager ICS	IT Staff				Ongoing Support	
		Install and upgrade desktops & councillors laptops computers or client devices as per replacement schedule.	Manager ICS	IT Staff	PC's and laptops installed and functional	30-Jun-14	Date of Achievement	The staff desktop and notebook computers have been purchased and delivered but not yet installed due to other work commitments. Following the results of the Councillor survey, it was decided that we needed to meet with Councillor's and provide them with a couple of device options.	
		Upgrade Design Office PCs to Windows 7 64bit	Manager ICS	IT Staff	Run the latest version of AutoCAD	30-Jun-14	Date of Achievement	Six (6) of the nine (9) Design Office computers were upgraded to Windows 7 64bit before 30/06/2014. There were installation issues with some of the Design Office software that held up the upgrade project.	
		Dispose of redundant IT equipment	Manager ICS	IT Staff	Listing, advertising and sale of redundant IT equipment	30-Jun-14	Date of Achievement	23/05/2014: Second attempt to sell old/redundant equipment. 19/02/2014: First attempt to sell old/redundant equipment.	
		Installation and support of client device operating systems and approved office productivity software applications (Windows Professional Operating system, Microsoft Office, AutoCad, SeatAdvisor - Theatre)	Manager ICS	IT Staff				Ongoing Support	

Corporate Plan Outcome	Corporate Plan Strategies	Activity	Responsible Officer / Team	Participating Officer(s)	Outputs	Targets	Performance Measures	Review Comments 30.06.2014	Review 2 Comments
		Maintain standard operating and corporate software for all networked client devices including software updates and security patches.	Manager ICS	IT Staff	Functioning operating and corporate software for all networked client devices; installed updates and security patches.	Ongoing	% downtime of operating and corporate software; no. of updates and security patches installed.	99.9% uptime of client computers. Critical updates and security updates are automatically approved and installed on Windows client computers.	
		Maintain a helpdesk to coordinate support for users of the network.	Manager ICS	IT Staff	Operational Helpdesk	Ongoing	No of Helpdesk requests successfully completed.	2762 Helpdesk Tickets were completed during the 2013-2014 financial year.	
		Correct the property data base within Proclaim to reflect the correct localities as assigned in the GIS	GIS Coordinator	Rates Officer	Updated Proclaim database	Ongoing	Number of records not matching	331 records not matching.	
		Correct anomalies in the PLI (Property Location Index) data as outlined by DERM	GIS Coordinator	Rates Officer	Updated Proclaim database	Monthly	No. of amendments to database	704 amendments to database. This also includes new and/or deleted records.	
		Maintain the Geographic Information System's data layers to ensure they are up to date and meet with customer satisfaction.	GIS Coordinator	Water/Sewerage, Design and Planning staff	Updated GIS data layers	Ongoing	No of amendments to data layers.	263 amendments to databases.	
		Continue to develop the Public Access GIS Application provided on Council's web site.	GIS Coordinator	IT Staff	Expanded GIS Application on website	Ongoing	Changes made to public access GIS.	DCDB in Exponare Public updated monthly.	
		Develop an Android application to capture manhole data as part of the wastewater asset data collection.	GIS Coordinator	Design Staff	Workable Android application utilised in the field for manhole data collection.	31/08/2014	Manhole asset data collected in the field and copied to the computer network for analysis.	Workable app developed, successfully tested in the field and data analysed on a PC. App further developed to be utilised on a Google Nexus 7 2013 model tablet.	
		Acquire updated high resolution aerial imagery of the Shire through participation in the DNRM Coastal and Central Queensland 2013 Imagery Project.	GIS Coordinator	N/A	Replacement of current 15cm/50cm aerial imagery with updated 10cm/40cm imagery.	30/06/2014	Staff access to updated imagery through Exponare Enquiry and MapInfo Professional.	Aerial Imagery captured in 2013 (10cm/50cm) copied to the network in January 2014 and made available to staff through	



Corporate Plan Outcome	Corporate Plan Strategies	Activity	Responsible Officer / Team	Participating Officer(s)	Outputs	Targets	Performance Measures	Review Comments 30.06.2014	Review 2 Comments
								Exponare Enquiry and MapInfo Professional.	
		Continue to support, develop and enhance the Public Website and Intranet	Web Coordinator	Web Coordinator, IT Staff	Current Information and up to date Community Information	30-Jun-14	No out of date information	Supported and trained staff. Added new features when required. Maintained in excess of 99.9% uptime.	
		Complete Stage 2 of the GovCloud Project - RSDS	Web Coordinator	Web Coordinator, IT Staff	Replication, Add Database and file update from Slave Web Server, Online Forms and Facebook Updates	31-Dec-13	Reliability of Site, Usage Statistics and feedback	Senior management decided the GovCloud solution was not cost effective, so an alternative offsite solution was used.	
		Website Enhancements	Web Coordinator	Web Coordinator, IT Staff	Calendar of Events and Business Directory, Website Access Statistics, Tender and Purchasing, Employment Application Submission, RSS Feeds, Website Pages Approval Process and Road Closures	30-Jun-14	Usage Statistics and feedback	All completed except RSS feeds which are still to be done as part of the new social media strategy.	
		Manage the telecommunication assets of Council and implement strategies to improve voice and data communication. (Including Mobiles & Paging Services; Call Centre system)	Manager ICS	IT Staff	Functioning telecommunication assets.	Ongoing	% downtime.	99.9% uptime of telecommunication assets.	
		Commence investigations to upgrade/replace existing telecommunication asset (PABX - last major upgrade to this asset was in 1997)	Manager ICS	IT Staff	Upgrade asset to take advantage of the latest technological advancements in telecommunications. Upgrade to a current and supported system.	30-Jun-14	Success of upgrade and user feedback	The upgrade of the PBX commenced prior to 30/06/2014. The go-live date was 08/07/2014. All core/major components have been upgraded. Some additional features are still to be completed.	
		Cabling Project - Stage 2. Chambers - Financial Services, Expenditure Services, Information Technology, Customer Services & Development	Manager ICS	IT Staff	Upgraded communication infrastructure capable of Gigabit transmission	30-Jun-14	Reliability and performance of communication infrastructure	11/2013: Stage 2 of the network cable upgrade was completed.	

Corporate Plan Outcome	Corporate Plan Strategies	Activity	Responsible Officer / Team	Participating Officer(s)	Outputs	Targets	Performance Measures	Review Comments 30.06.2014	Review 2 Comments
		Ensure the hardware and software is ready and available for immediate deployment on activation of the disaster centre during an emergency.	Manager ICS	IT Staff	Ensure the hardware and software is ready and available for immediate deployment in the event of a disaster.	31-Dec-13	Success of the deployment and user feedback.	Dedicated notebook computers were purchased for the LDCC last financial year. These are stored in a specialised network-connected, smart "charging" cart that keeps the notebooks charged and up-to-date ready for an emergency. The cart holds all IT and telecommunications equipment required for the LDCC.	
		Investigate options for large file corporate transfer of data.	Manager ICS	IT Staff	Seamlessly transfer files > 10mb	30-Jun-14	Ease of use, success of transfers and user feedback	20/06/2014: Created a procedure for transferring large files through a cloud-based service called WeTransfer. The procedure was given to a test group of non-IT staff for end-user testing prior to approval and general distribution. 29/04/2014: Increased the maximum email size limit to 20MB to better align with limits introduced in Outlook 2010.	
		Install Voice and Data Services to the Sexton's Hut at the Ayr Cemetery	Manager ICS	IT Staff	Direct Voice and Data Service - Telephone Extension, Email, Cemetery Database and Cemetery Plans	30-Sep-14	Date of Achievement	05/06/2014: Installation of IT and telecommunications services completed.	
		Install communication rack at Jones Street to house the Quorum Server.	Manager ICS	IT Staff	Robust and reliable network in the event that we lose the Chambers or Library Sites.	30-Jun-14	Success of the implementation.	With the approval of the IT room in the cyclone shelter, this activity is no longer required.	
		Investigate and implement a security review of IT hardware and software controls	Manager ICS	IT Staff	The review is aimed to identify control weaknesses (if any) and to recommend remedial actions.	30-Jun-14	Number of weaknesses and the number of remedial actions.	03/06/2014: An audit and associated report has been completed reviewing Council's compliance with the Queensland Government's	

Corporate Plan Outcome	Corporate Plan Strategies	Activity	Responsible Officer / Team	Participating Officer(s)	Outputs	Targets	Performance Measures	Review Comments 30.06.2014	Review 2 Comments
								Information Standard 18: Information security (IS18). IS18 is not specifically an IT standard. It is a whole of organisation "Information" security standard.	
	1.7 Ensure effective Corporate Governance through compliance with legislation and adoption of Risk Management strategies.	Update Registers to ensure compliance with legislation - Policies, Delegations	CEO	Exec Assist; Dir/Managers	Updated Registers, Policies and Delegations	Ongoing	No of policies and delegations updated.	5 policies updated. 7 new policies adopted. Register of Delegations from Council to CEO reviewed in November 2013.	
		Facilitate all of Council's Statutory Meetings and provide accurate and timely minutes of meetings	DCCS	Admin Co-ordinator & Minutes Clerks	Completed & timely Minutes	Ongoing	No. of Minutes completed on time	Completed Minutes - 23 Council and 35 Statutory and Other	
		Annual Report - preparation and submission to Council	DCCS	Manager - Fin & Dir/Managers	Annual Report	30-Nov-13	Date of Achievement	2012-13 Annual Report adopted on 17 December 2013.	
		Report on Operational Plans	DCCS	Manager - Fin & Manager - ITC	Quarterly Reports on Operational Plans	Quarterly	Date of Achievement	2013-14 Operational Plans adopted 17 December 2013. No progress reports submitted.	
		Consultation and adoption of organisational documents - Email and Internet Policy, Code of Conduct	DCCS	CEO, HR Officer & Manager - ITC	Adopted documents	30-Jun-14	No of organisational documents approved.	5 Guidelines and Operational Standards approved.	
		To prepare annual financial statement and notes							
		Provide end of year financial and asset information for annual financial statements for 2012-13	Manager Finance	Dirs/Managers, Financial Management	EOY information	29-Jul-13	Timeliness and accuracy	Completed	

Corporate Plan Outcome	Corporate Plan Strategies	Activity	Responsible Officer / Team	Participating Officer(s)	Outputs	Targets	Performance Measures	Review Comments 30.06.2014	Review 2 Comments
		Prepare proposed annual financial statements for 2012-13 and submit to audit committee	Manager Finance	Financial Management and Dir/Managers	Proposed Financial Statements	02-Sep-13	Date of Achievement	Proposed financial statements send to auditor on 11/09/13 and Audit Committee for review on 25/09/13	
		Respond to final audit for 2012-13 financial statements	Manager Finance	Dirs/Managers, Financial Services	Audited financial statements	20-Sep-13	Audit opinion	Financial Statements signed 28/10/13. Certified by QAO 14/11/13	
		Prepare Community Financial Report	Manager Finance	Financial Management	Community Financial Report	30-Sep-13	Date of Achievement	Completed	
		To issue and collect annual rates and charges levy							
		Maintain Proclaim database for property and rating	Rates Supervisor	Rates Officers	Up-to-date property database	Ongoing	Number of database amendments	Ongoing and including: Valuation amendments (242), Valuation Objections (23), Property Transfers (592) and Service Address amendments (373).	
		Issue annual rates and charges levy	Rates Supervisor	Rates Officers	Annual rates and charges levy	09-Aug-13	Timeliness and accuracy	Annual Rates Levy issued on 9/8/13 (9,088 Notices)	
		Issue half year water consumption levy	Rates Supervisor	Rates Officers	Half year water consumption levy	06-Jan-14	Timeliness and accuracy	Half Year Water Consumption Levy issued on 13/12/13 (5,463 Notices)	
		Issue supplementary rates and charges levy	Rates Supervisor	Rates Officers	Supplementary rates and charges levy	Ongoing	Timeliness and accuracy	Supplementary Levies issued on 25/10/13, 14/2/14 and 23/5/14 (479 Notices)	



Corporate Plan Outcome	Corporate Plan Strategies	Activity	Responsible Officer / Team	Participating Officer(s)	Outputs	Targets	Performance Measures	Review Comments 30.06.2014	Review 2 Comments
		Maximise recovery of outstanding rates and charges	Rates Supervisor	Rates Officers, Manager Finance	Rates arrears collection	Monthly	Rates arrears level and ratio	Overdue Reminder Notices issued 3/10/13 (808), 3/4/14 (531) and 3/6/14 (398). 44 Properties remain in hands of Debt Collector with legal action commenced or pending. 106 Properties on payment arrangements. Sale under LG Act commenced for 7 properties with 6 paid in full and 1 taken to have been sold at auction to BSC.	
		Implement new State Government Emergency Management, Fire and Rescue Levy	Rates Supervisor	Rates Officers	Initial 6 month levy	01-Jan-14	New levy issued	Classification of 4,143 parcels of land for new "E" class EMFRL. 86% of notices issued on 21/2/14 (2,797). Remainder included in 14/2/14 and 23/5/14 Supplementary Levies (454).	
		To co-ordinate and prepare organisation returns to external bodies.							
		Co-ordinate and compile Local Government Comparative Data Return	Financial Management	Dirs/Managers, Financial Services	Major Grants Commission data return	30-Nov-13	Timeliness and accuracy and grant amount	Completed and submitted 10/12/13	
		Co-ordinate and submit 10 year forecast to Local Government Department to support loan borrowing application	Manager Finance	Dir/Managers, Financial Management	10 year forecast	31-Dec-13	Date of Achievement	Completed and submitted 22/04/14	
		Annual Fringe Benefits Tax return	Financial Accountant Reporting	Financial Management, Expenditure Services	Return lodgement	19-May-14	Date of Achievement	Annual return finalised 21/05/14	

Corporate Plan Outcome	Corporate Plan Strategies	Activity	Responsible Officer / Team	Participating Officer(s)	Outputs	Targets	Performance Measures	Review Comments 30.06.2014	Review 2 Comments
		Monthly Business Activity Statement for Goods & Services Tax	Financial Accountant Reporting	Financial Management	Return lodgement	21st monthly	Date of Achievement	Monthly BAS statements submitted by deadline	
		To complete prominent organisation tasks within Financial Services area							
		Support financial asset register software implementation	Manager Finance	Financial Accountant Assets, Asset Management Group	Asset register implementation	Ongoing	Improvements achieved.	Project put on hold due to audit commitments involving both engineering and finance staff	
		Support asset management planning implementation	Manager Finance	Financial Accountant Assets, Asset Management Group	Asset Management Plans implementation	Ongoing	Improvements achieved.	Ongoing participation in AMG and assisting with asset queries and accounting matters.	
		Maximise recovery of outstanding general debtors	Debtors Clerk	Financial Management	General debtors collection	Monthly	General debtors arrears level and ratio	Long outstanding debtors followed up and a significant reduction in outstanding debtors achieved.	
		Co-ordinate and produce Operating Statement and Capital Projects Reports	Financial Management	Directors	Financial reports	Monthly	Timeliness and accuracy	Monthly reports prepared and presented to Council	
		Review financial administration policies and procedures as required by LG Act 2009 and LG Reg 2012	Manager Finance	Financial Services	Reviewed policies & procedures	Ongoing	Up-to-date policies and procedures	Policies up to date and review will be ongoing.	
		Monitor and maintain corporate financial systems for user operability	Financial Management	Financial system users	System operability	Ongoing	Action requests to software provider	System Administration is undertaken as needed. Testing of F1 upgrade currently being undertaken.	

Corporate Plan Outcome	Corporate Plan Strategies	Activity	Responsible Officer / Team	Participating Officer(s)	Outputs	Targets	Performance Measures	Review Comments 30.06.2014	Review 2 Comments
		Administer existing and new external and internal loan borrowings	Financial Management	Manager Finance	Loan program	Ongoing	Borrowings level and ratios	Borrowing approval received 27/05/14. Loans drawn down 10/06/14.	
		Review GST and FBT taxation issues and processes	Manager Finance	Financial Management	Reviews	Ongoing	Issues and processes improved	GST on Fees and Charges were reviewed and changes implemented as at 1 July 2014.	
		Prepare Burdekin Cultural Complex Board Inc financial statements and submit to audit	Financial Accountant Reporting	Expenditure Services staff	Audited financial statements	15-Jun-14	Date achieved.	Completed and submitted to audit on 30/05/14	
		Address and monitor management issues from audit recommendations	Manager Finance	CEO, Directors, Managers, Financial Management	Audit recommendations completed	01-Jun-14	Date achieved.	Matters from 2012/13 audit reviewed at 2013/14 Interim audit	
		To complete prominent organisation tasks within Expenditure Services area							
		Maximise earnings on cash holdings	Expenditure Services	Finance Manager	Interest earnings	Monthly	Level of earnings	Rates are sourced from various institutions to ensure most advantageous & fair value to council. Actual interest earned \$1,567,100 vs Budget \$1,516,000.	
		Administer purchasing financial delegations and purchase cards	Expenditure Services	Authorised purchasing officers	Update and monitoring of purchasing practices	Ongoing	Compliance levels	Delegation register updated with 2 new positions added & 1 position removed. Register now has password as per auditors request. 7 P/cards were issued throughout the year and 13 P/cards cancelled.	

Corporate Plan Outcome	Corporate Plan Strategies	Activity	Responsible Officer / Team	Participating Officer(s)	Outputs	Targets	Performance Measures	Review Comments 30.06.2014	Review 2 Comments
		Quarterly review of purchase procedure variances to management	Expenditure Services	Authorised purchasing officers	Update and monitoring of purchasing practices	Ongoing	Compliance levels	Orders are monitored every 6 - 7 weeks to ensure orders are complying with LG Act. Variance report provided to management quarterly.	
		Administer accounts payable and contract register	Expenditure Services	Authorised purchasing officers	Weekly, Fortnightly & Monthly creditor payments	Ongoing	Timeliness and accuracy	Accounts are followed up regularly to ensure payment is made within specific timeframe. Total of 11,935 AP transactions to the value of \$ 90,205,150-98 (this includes investment transactions of 22 totalling \$37M)	
		Provide administrative, budget & financial services support to Burdekin Cultural Complex Board Inc	Expenditure Services	Financial Management	Services support	Ongoing	Timeliness and accuracy	Relevant assistance provided for minutes, budget and financial services support	
		To complete prominent organisation tasks within Purchasing and Stores area							
		Co-ordinate calling of major supply tenders for works goods and services	Purchasing Officer	Purchasing/Store & Dirs/Managers	Adopted supply tenders	14-Jun-14	Timeliness and accuracy	Annual Tenders for F/Y 2014-2015 completed and approved by Council - commencement date 01/07/2014	
		Improvement of procurement and materials and supply management system to reduce manual intervention	Purchasing Officer	Purchasing/Store & Dirs/Managers	Store work procedures improvements	31-Mar-14	Issues and processes improved	Inventory has been reviewed with changes to max-min holding of stocks. Other departments consulted regarding identifying those stock items needed to be reduced or disposed of	
		Progressive stocktaking of store holdings and disposal of obsolete and surplus items	Purchasing Officer	Purchasing/Store & count staff	Confirmation of holdings	Monthly	Level of adjustments	Progressive stock take for F/Y 2013-2014 completed Total adjustment - \$4254.61 write off	



Corporate Plan Outcome	Corporate Plan Strategies	Activity	Responsible Officer / Team	Participating Officer(s)	Outputs	Targets	Performance Measures	Review Comments 30.06.2014	Review 2 Comments
		Maintain function based Business Classification Scheme with associated thesaurus and retention and disposal references, as required by Queensland State Archives	Corporate Records Coordinator	Corporate Records Staff	An efficient Business Classification Scheme, Thesaurus and Retention and Disposal Schedule	Ongoing	Feedback from staff	373 extra files created since the implementation of the Business Classification Scheme. Online Thesaurus updated weekly. Feedback from staff indicates that it is widely used.	
		Develop and implement an End User Training Program for new File Plan and Function and Tender Indexes	Corporate Records Officer	CEO, Dir/Managers & Records Staff	ECM End User Training on new File Plan and Function and Tender Indexes	30-Jun-13	Number of staff trained. User Feedback Survey.	ECM Training (which includes the File Plan) is provided to all new staff and to existing staff when requested.	
		Upgrade of ECM from CI 4.02 to CI 4.03	Corporate Records Coordinator	CEO, Dir/Managers & Records Staff	New version of ECM working	30-Jun-14	Successful upgrade by target date	Upgrade delayed by TechOne due to the implementation of further enhancements to 4.03	
		Develop and implement a Key & End User Training Program for ECM CI 4.03 Upgrade	Corporate Records Officer	CEO, Dir/Managers & Records Staff	ECM CI 4.03 End User Training Program	30-Jun-14	Number of staff trained. User Feedback Survey.	Upgrade delayed by TechOne due to further enhancements to 4.03	
		Implement systematic ongoing ECM CI and Browser training for all staff including feedback form	Corporate Records Coordinator	Corporate Records Staff	ECM DataWorks Training Program	Ongoing	Number of staff trained.	ECM training sessions continuing (On average 2 users have a one-on-one training session per week - Regular refresher training sessions to begin Aug 2014)	
		Scope and populate new Employee Index and Position Index in ECM	Corporate Records Coordinator	Corporate Records Staff & HR Staff	Functional Employee and Position Indexes	31-Aug-13	Successful download of existing Employee and Position records into ECM	New Indexes successfully installed into ECM.	
		Provide training for Human Resources staff on implementing and maintaining the new confidential Employee Index and the new Position Index	Corporate Records Coordinator	Corporate Records Staff & HR Staff	ECM End User Training on Employee and Position Indexes	31-Aug-13	HR staff trained to manage and maintain these two indexes	HR Staff successfully trained on the maintenance of the new Indexes. New and pre-existing records are continually being registered to these indexes.	

Corporate Plan Outcome	Corporate Plan Strategies	Activity	Responsible Officer / Team	Participating Officer(s)	Outputs	Targets	Performance Measures	Review Comments 30.06.2014	Review 2 Comments
		Develop and implement operational standards and procedures to reflect recordkeeping requirements imposed by legislation, regulations, statements of best practice and formal directives	Corporate Records Coordinator	Corporate Records Staff	Operational standards and procedures on Records Management developed	30-Jun-14	Number of operational standards and procedures on Records Management developed.	Operational Standards and procedures on Records Management yet to be developed.	
		Develop and implement a Recordkeeping Awareness and Education Program for all employees	Corporate Records Coordinator	Corporate Records Staff	Recordkeeping Awareness & Education Program	Ongoing	Number of staff trained	A recordkeeping awareness and education presentation is delivered to new staff as part of the induction program. A more comprehensive presentation is included in ECM training sessions. A formal program will be established based upon the operational standards and procedures yet to be developed.	
		Follow State Archives retention and disposal schedules for files based on existing Business Classification Scheme and other corporate records	Corporate Records Coordinator	Corporate Records Staff	Retention and disposal schedule developed for existing Business Classification Scheme	Ongoing	Number of existing files and records disposed.	168 archive boxes of records have been disposed of from the Council Chambers last financial year. A further 66 boxes have been archived off site for disposal in the future.	
		Maintain portal space (Wiki) to contain all recordkeeping operational standards, procedures, user guides, fact sheets, quick tips, FAQ's etc.	Corporate Records Coordinator	Corporate Records Staff	Useful search and reference tool for corporate records and ECM information	Ongoing	Feedback from staff on use of content	New version of Sharepoint installed so several modifications were necessary to the Corporate Records portal. New CI 4.02 user guides have been completed and uploaded.	
		Address compliance with Right to Information Act and Information Privacy Act.	DCCS	Corp Management Support Officer	Compliant with legislation.	Ongoing	Changes made. Applications processed.		
	2.8 To implement a robust Asset Management framework and policy to ensure optimal decisions on asset creation, operation, maintenance, rehabilitation/replacement, disposal and performance based on agreed service levels.	Undertake capital improvements and upgrades to building assets as per budget.	DCCS	Building staff	Upgraded buildings	30-Jun-14	Date of achievement	Projects within Admin and Finance Programme - Commenced Library Circulation Desk Area project; replaced existing cabling in	

Corporate Plan Outcome	Corporate Plan Strategies	Activity	Responsible Officer / Team	Participating Officer(s)	Outputs	Targets	Performance Measures	Review Comments 30.06.2014	Review 2 Comments
								Chambers; Commenced Cyclone Shelter project; resheet roof guttering and down pipes at BCA Building.	
<b>Infrastructure</b>	2.10 Implement an Asset Rationalisation Plan for building and land assets to determine strategic need.	Implement recommendations from Asset Rationalisation Plan for freehold land assets.	DCCS	Dir/Man's; Corp Management Support Officer	Implementation of recommendations.	30-Jun-14	No of recommendations implemented.	Sold vacant lot in 14th Avenue, HH. Placed lots for sale with real estate agents - Mackenzie & Paine Streets. Minor progress on Ross St land.	

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## 5.5 Appointment of Acting Chief Executive Officer

### Document Information

**Referring Letter No:** N/A

**File No:** N/A

**Name of Applicant:** N/A

**Location:** N/A

**Author and Title:** Rebecca Woods- Executive Officer

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### Executive Summary

From time to time the CEO will have planned absences from the office due to training, conferences, meetings and planned leave. The Local Government Act 2009 allows for Council to appoint an acting CEO for these absences. As an efficiency measure a Council resolution should be in place to allow for the CEO to appoint an acting CEO at his discretion for periods of planned absence.

### Recommendation

That Council makes the following resolution:

Council appoints Eileen Robinson, Manager Client Services; Kim Olsen, Manager Finance and Administration; Wayne Saldumbide, Manager Operations; Kevin Byers, Manager Technical Services; Shane Great, Manager Planning and Development; Daniel Mulcahy, Manager Governance and Local Laws and Tony Vaccaro, Manager Community Development to act as the Chief Executive Officer, during planned periods of absence by the Chief Executive Officer, such appointments being at the discretion of the Chief Executive Officer.

### Background Information

Council have passed a previous resolution for the appointment of either of the Directors in the absence of the CEO, at the CEO's discretion. As the organisational structure has changed, and there are no longer Directors, there is a need for a new resolution from Council.

### Link to Corporate/Operational Plan

Corporate Plan

1.7 Ensure effective corporate governance through compliance with legislation and adoption of risk management strategies.



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## Consultation

N/A

## Legal Authority or Implications

Section 195 Local Government Act 2009

A local government may appoint a qualified person to act as the chief executive officer during-

a) any vacancy, or all vacancies, in the position; or

b) any period, or all periods, when the chief executive officer is absent from duty or can not, for another reason, perform the chief executive officer's responsibilities.

## Policy Implications

N/A

## Financial and Resource Implications

Within the Manger's contracts there is a clause allowing for the payment of higher duties allowance.

"Where an Employee undertakes a higher grade role, higher duties may be payable where relieving is for a period of five working days or more.

Higher duties payments will be calculated as the difference between the Employee's Notional Salary and the first pay point of the level of the role relieved or as otherwise determined by the Chief Executive Officer. It will be payable only in cases of undertaking full duties and responsibilities."

The difference between the Executive managers Level 1- highest pay point and the CEO's lowest pay point is approximately \$60,000 p.a.

This would equate to approximately \$2300 per fortnight increase in salary during the CEO's absence if he were to appoint an acting CEO.

There is no financial implication to the organisation where an acting CEO is appointed for periods of less than 5 working days.

### Report prepared by:

Rebecca Woods, Executive Officer

### Report authorised by:

Matthew Magin, Chief Executive Officer

## Attachments

1. N/A

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## **6 CLIENT SERVICES**

## **7 FINANCIAL & ADMINISTRATIVE SERVICES**

## **8 OPERATIONS**

## **9 TECHNICAL SERVICES**

## **10 PLANNING & DEVELOPMENT**

## **11 COMMUNITY DEVELOPMENT**

## **12 ECONOMIC DEVELOPMENT**

## **13 GENERAL BUSINESS**

## **14 CORRESPONDENCE FOR INFORMATION**

Tabled Separately

## **15 NOTICES OF MOTION**

### **15.1 Change of Date for 2015 Burdekin Annual Show Holiday - Friday 26 June 2015**

#### **Recommendation**

That Council approves the change of date for the appointment of a special holiday for the 2015 Burdekin Show from Wednesday 24 June 2015 to Friday 26 June 2015 due to the Ayr Pastoral, Agricultural & Industrial Association Inc. being forced to change the date for the 2015 Burdekin Show so as not to be in direct competition with the Mackay Show.

Note: The 2015 Burdekin Show will be held on Friday 26 June and Saturday 27 June.

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**16 URGENT BUSINESS**

**17 CLOSED MEETING ITEMS**

**18 DELEGATIONS**

