



# **AGENDA**

**Wednesday, 14 December 2022**

## **Ordinary Council Meeting**

**I hereby give notice that an Ordinary Meeting of Council will be held on:**

**Date: Wednesday, 14 December 2022**

**Time: 9:00am**

**Location: Council Chambers**

**Peter Franks**  
**Chief Executive Officer**



**Order Of Business**

<b>1</b>	<b>Members in Attendance .....</b>	<b>5</b>
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- 1 MEMBERS IN ATTENDANCE**
- 2 APOLOGIES/LEAVE OF ABSENCE/ABSENCE ON COUNCIL BUSINESS**
- 3 BEREAVEMENTS/CONDOLENCES**
- 4 DECLARATION OF CONFLICTS OF INTEREST**
- 5 CONFIRMATION OF MINUTES**  
  
Ordinary Council Meeting - 16 November 2022  
Special Council Meeting - 30 November 2022
- 6 BUSINESS ARISING OUT OF MINUTES OF PREVIOUS MEETING**
- 7 DEPUTATIONS AND DELEGATIONS**



## 8 CORPORATE AND COMMUNITY SERVICES

### 8.1 T-MSC2022-09 PROVISION OF DEBT MANAGEMENT SERVICES

**Date Prepared:** 25 November 2022

**Author:** Manager Finance

**Attachments:** Nil

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#### EXECUTIVE SUMMARY

The purpose of this report is to provide Council with an assessment of the tenders received for T-MSC2002-09 Provision of Debt Management Services.

#### RECOMMENDATION

That the Council awards Tender T-MSC2022-09 Provision of Debt Management Services to Collection House for a period of three (3) years from December 2022 to December 2025, with an option to extend for a one (1) year period.

#### BACKGROUND

The Request for Tender called for submissions from the market to provide debt management services across a suite of revenue control activities. Principally, these activities being rate arrears and other receivables and based upon Council's Debt Recovery Policy.

Particulars of each submission were to be either a Lump-Sum or a Schedule of Rates and based upon but not limited to the following services:

- Demand Letters
- Telephone Contact
- Legal action (Preparation of Summons Documentation, Judgement Letters)
- Complaints Handling
- Structuring and Maintaining Arrangement to Pay agreements
- Dealing with Hardship

#### Tenders Received

13 submissions were received. Eight (8) from legal firms, four (4) from debt recovery agencies and one (1) from an accounting firm.

All 13 tenderer's could provide what Council offered, however the pricing structure varied between them. The legal and accountancy firms all had fees for service, and some had partner hours. The debt recovery agencies ranged from commission to cost neutral.

Debt Recovery Agents	Legal Firms	Accountancy Firms
Charter Mercantile	DWF Law Australia	UHY Haines Norton
Collection House Limited	Hall & Wilcox	
Recoveries & Reconstruction (Aust)	Nicholas Black	
ECollect.com.au	Preston Law	
	WGC Lawyers	
	Wilson Ryan Grose Lawyers	
	Redenbach Legal	
	Stokes Lawyers	

**Tender Assessment**

Each tender was assessed on:

- a) Management Skills - with particular reference to quality systems, reporting structure, client liaison and financial performance
- b) Relevant Experience / Track Record - particular emphasis will be given to Tenderers who have delivered, integrated / interfaced solutions for Local Government that meet or exceed Queensland legislative frameworks
- c) Price
- d) Functional Specification - meeting the needs specified in the particulars
- e) Project Implementation - with reference to time scheduling based on past time performance / scheduling and training.

**Recommendation**

The panel’s unanimous assessment of Tender Submissions for T-MS2022-09 Provision of Debt Management Services is to award the contract to Collection House Limited. Collection House is cost neutral to Council, there is no commission, and legal charges are mostly recovered from the ratepayer.

Council currently uses the services of Collection House Limited and have been satisfied with the services provided to date.

**RISK IMPLICATIONS**

**LEGAL/COMPLIANCE/POLICY IMPLICATIONS**

The tender process was undertaken in accordance with Council’s Procurement Policy and relevant procurement provisions in the *Local Government Act 2009* and *Local Government Regulation 2012* have been adhered to.

**FINANCIAL AND RESOURCE IMPLICATIONS*****Operating***

Mostly cost neutral to Council, could be some small out of pocket expenses.

***Is the expenditure noted above included in the current budget?***

Yes.

**LINK TO CORPORATE PLAN**

**Financial Sustainability:** A council that continuously looks for savings and opportunities while managing council's assets and reserves to ensure a sustainable future in a cost-effective manner.

**Governance:** Sound decision making based on effective frameworks and clear strategic direction to achieve regulatory compliance and affordable levels of service delivered to the community.

**IMPLEMENTATION/COMMUNICATION**



**8.2 R SHEPPARD - RECONFIGURING A LOT - SUBDIVISION (1 INTO 2 LOTS) - LOT 11 ON RP800497 - 141 COBRA ROAD, MAREEBA - RAL/22/0010**

**Date Prepared:** 8 November 2022

**Author:** Senior Planner

**Attachments:**

1. Proposal Plan [↓](#)
2. State Assessment and Referral Agency response dated 4 November 2022 [↓](#)

**APPLICATION DETAILS**

APPLICATION		PREMISES	
<b>APPLICANT</b>	R Sheppard	<b>ADDRESS</b>	141 Cobra Road, Mareeba
<b>DATE LODGED</b>	8 July 2022	<b>RPD</b>	Lot 11 on RP800497
<b>TYPE OF APPROVAL</b>	Development Permit		
<b>PROPOSED DEVELOPMENT</b>	Reconfiguring a Lot - Subdivision (1 into 2 lots)		
<b>FILE NO</b>	RAL/22/0010	<b>AREA</b>	7.44 hectares
<b>LODGED BY</b>	Freshwater Planning	<b>OWNER</b>	R Sheppard
<b>PLANNING SCHEME</b>	Mareeba Shire Council Planning Scheme 2016		
<b>ZONE</b>	Rural Residential zone		
<b>LEVEL OF ASSESSMENT</b>	Impact Assessment		
<b>SUBMISSIONS</b>	Nil		

**EXECUTIVE SUMMARY**

Council is in receipt of a development application described in the above application details.

The application is impact assessable and no properly made submissions were received in response to public notification of the application.

The application and supporting material has been assessed against the Mareeba Shire Council Planning Scheme 2016 and does not conflict with any relevant planning instrument.

It is recommended that the application be approved in full with conditions.

**OFFICER'S RECOMMENDATION**

1. That in relation to the following development application:

APPLICATION		PREMISES	
<b>APPLICANT</b>	R Sheppard	<b>ADDRESS</b>	141 Cobra Road, Mareeba
<b>DATE LODGED</b>	8 July 2022	<b>RPD</b>	Lot 11 on RP800497
<b>TYPE OF APPROVAL</b>	Development Permit		
<b>PROPOSED DEVELOPMENT</b>	Reconfiguring a Lot - Subdivision (1 into 2 lots)		

and in accordance with the Planning Act 2016, the applicant be notified that the application for a development permit for the development specified in (A) is:

Approved by Council in accordance with the approved plans/documents listed in (B), subject to assessment manager conditions in (C), assessment manager’s advice in (D), concurrence agency conditions in (E), relevant period in (F), further permits in (G), and further approvals from Council listed in (H);

And

The assessment manager does not consider that the assessment manager’s decision conflicts with a relevant instrument.

(A) APPROVED DEVELOPMENT: Development Permit for Reconfiguring a Lot - Subdivision (1 into 2 lots)

(B) APPROVED PLANS:

Plan/Document Number	Plan/Document Title	Prepared by	Dated
7963	Proposed RAL - Option 4	-	26/10/2022

(C) ASSESSMENT MANAGER’S CONDITIONS (COUNCIL)

(a) Development assessable against the Planning Scheme

1. Development must be carried out generally in accordance with the approved plans and the facts and circumstances of the use as submitted with the application, and subject to any alterations:
  - found necessary by the Council’s delegated officer at the time of examination of the engineering plans or during construction of the development because of particular engineering requirements; and
  - to ensure compliance with the following conditions of approval.
2. Timing of Effect
  - 2.1 The conditions of the development permit must be complied with to the satisfaction of Council’s delegated officer prior to the endorsement of the plan of survey for the development, except where specified otherwise in these conditions of approval.
3. General
  - 3.1 The development approval would not have been issued if not for the conditions requiring the construction of infrastructure or the payment of infrastructure charges/contributions within the conditions of approval.
  - 3.2 The applicant/developer is responsible for the cost of necessary alterations to existing public utility mains, services or installations required by works in



relation to the proposed development or any works required by condition(s) of this approval.

- 3.3 All payments or bonds required to be made to the Council pursuant to any condition of this approval must be made prior to the endorsement of the plan of survey and at the rate applicable at the time of payment.
- 3.4 The developer must relocate (in accordance with FNQROC standards) any services such as water, sewer, drainage, telecommunications and electricity that are not wholly located within the lots that are being created/serviced where required by the relevant authority, unless approved by Council's delegated officer.
- 3.5 Where utilities (such as sewers on non-standard alignments) traverse lots to service another lot, easements must be created in favour of Council for access and maintenance purposes. The developer is to pay all costs (including Council's legal expenses) to prepare and register the easement documents.
- 3.6 Where approved existing buildings and structures are to be retained, setbacks to any new property boundaries are to be in accordance with Planning Scheme requirements for the relevant structure and/or Queensland Development Code.
- 3.7 All works must be designed, constructed and carried out in accordance with FNQROC Development Manual requirements (as amended) and to the satisfaction of Council's delegated officer.

### 3.8 Charges

All outstanding rates, charges, and expenses pertaining to the land are to be paid in full.

### 3.9 Bushfire Management

3.9.1 Any new dwelling erected on proposed Lot 2 must:

- (i) Achieve a setback from hazardous vegetation of 1.5 times the predominant mature canopy tree height or 10 metres, whichever is greater.
- (ii) Include on-site water storage of not less than 5,000 litres, fitted with standard rural fire brigade fitting where necessary, to be provided at the same time the dwelling is constructed.

3.9.2 A Bushfire Hazard Management Plan for proposed Lot 2 must be prepared to the satisfaction of Council's delegated officer. The Bushfire Hazard Management Plan must address, at minimum, Performance Outcomes PO3, PO4 and PO8 of the Bushfire Hazard

Bushfire Hazard Overlay Code. Any future use of Lot 2 must comply with the requirements of the Bushfire Hazard Management Plan at all times.

#### 4. Infrastructure Services and Standards

##### 4.1 Access

4.1.1 An access crossover must be constructed (from the edge of the road pavement of Cobra Road to the property boundary of each allotment) in accordance with the FNQROC Development Manual, to the satisfaction of Council's delegated officer.

4.1.2 A bitumen sealed driveway shall be provided within access handle of proposed Lot 2. The driveway must:

- (i) have a minimum formation width of 3 metres;
- (ii) be constructed for the full length of the access handle and include an access crossover;
- (iii) be formed with one-way cross fall to cater for stormwater drainage such that any stormwater runoff is contained within the access handle; and
- (iv) include service and utility conduits provided for the full length of the access handle.

##### 4.2 Stormwater Drainage

- (a) The applicant/developer must take all necessary steps to ensure a non-worsening effect on surrounding land as a consequence of the development.
- (b) All stormwater drainage collected from the site must be discharged to an approved legal point of discharge.

##### 4.3 Water Supply

At the time of construction of a dwelling on proposed Lot 2, a water supply must be provided via:

- (a) a bore or bores are provided in accordance with the Design Guidelines set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual; or
- (b) on-site water storage tank/s:
  - (i) with a minimum capacity of 90,000L; and
  - (ii) which are installed and connected prior to the occupation of the dwelling.

#### 4.4 Wastewater Disposal

At the time of construction of a future dwelling or outbuilding on proposed Lot 2, any associated on-site effluent disposal system must be constructed in compliance with the latest version On-Site Domestic Wastewater Management Standard (ASNZ1547) to the satisfaction of the Council's delegated officer.

#### 4.5 Electricity provision/supply

The applicant/developer must ensure that an appropriate level of electricity supply is provided to each allotment in accordance with FNQROC Development Manual standards (as amended) to the satisfaction of Council's delegated officer.

Written advice from an Electricity Service Provider is to be provided to Council indicating that an agreement has been made for the provision of power reticulation.

#### 4.6 Telecommunications

The applicant/developer must demonstrate that a connection to the national broadband network is available for each allotment, or alternatively, enter into an agreement with a telecommunication carrier to provide telecommunication services to each lot and arrange provision of necessary conduits and enveloping pipes.

### (D) ASSESSMENT MANAGER'S ADVICE

- (a) An Adopted Infrastructure Charges Notice has been issued with respect to the approved development. The Adopted Infrastructure Charges Notice details the type of infrastructure charge/s, the amount of the charge/s and when the charge/s are payable.
- (b) The Adopted Infrastructure Charges Notice does not include all charges or payments that are payable with respect to the approved development. A number of other charges or payments may be payable as conditions of approval. The applicable fee is set out in Council's Fees & Charges Schedule for each respective financial year.
- (c) Easement Documents

Council has developed standard easement documentation to assist in the drafting of formal easement documents for Council easements. Please contact the Planning Section for more information regarding the drafting of easement documents for Council easements.

(d) Endorsement Fees

Council charges a fee for the endorsement of a Survey Plan, Community Management Statements, easement documents, and covenants. The fee is set out in Council's Fees & Charges Schedule applicable for each respective financial year.

(e) Compliance with applicable codes/policies

The development must be carried out to ensure compliance with the provisions of Council's Local Laws, Planning Scheme Policies, Planning Scheme and Planning Scheme Codes to the extent they have not been varied by a condition of this approval.

(f) Notation on Rates Record

A notation will be placed on Council's Rate record with respect to each lot regarding the following conditions:

- condition regarding bushfire management

(g) Environmental Protection and Biodiversity Conservation Act 1999

The applicant is advised that referral may be required under the *Environmental Protection and Biodiversity Conservation Act 1999* if the proposed activities are likely to have a significant impact on a matter of national environmental significance. Further information on these matters can be obtained from [www.dcceew.gov.au](http://www.dcceew.gov.au).

(h) Cultural Heritage

In carrying out the activity the applicant must take all reasonable and practicable measures to ensure that no harm is done to Aboriginal cultural heritage (the "cultural heritage duty of care"). The applicant will comply with the cultural heritage duty of care if the applicant acts in accordance with gazetted cultural heritage duty of care guidelines. An assessment of the proposed activity against the duty of care guidelines will determine whether or to what extent Aboriginal cultural heritage may be harmed by the activity. Further information on cultural heritage, together with a copy of the duty of care guidelines and cultural heritage search forms, may be obtained from [www.dsdsatsip.qld.gov.au](http://www.dsdsatsip.qld.gov.au).

(E) REFERRAL AGENCY CONDITIONS

State Assessment and Referral Agency response dated 4 November 2022

(F) RELEVANT PERIOD

When approval lapses if development not started (s.85)

- Reconfiguring a Lot – four (4) years (starting the day the approval takes effect).

(G) OTHER NECESSARY DEVELOPMENT PERMITS AND/OR COMPLIANCE PERMITS

- Nil

(H) OTHER APPROVALS REQUIRED FROM COUNCIL

- Access approval arising from condition number 4.1

2. That an Adopted Infrastructure Charges Notice be issued for the following infrastructure charge/s for:

Development Type	Rate	Measure	Charge	Credit Detail	Balance
	<b>\$ per Lot</b> <small>(40% reduction of standard charge for no town water/sewer)</small>	<b>Lots</b>		<b>Lots</b>	
<b>Residential</b>	\$12,156.00	2 Lots	\$24,312.00	1 lot	\$12,156.00
<b>TOTAL CURRENT AMOUNT OF CHARGE</b>					<b>\$12,156.00</b>

**THE SITE**

The subject site is situated at 141 Cobra Road, Mareeba, and is more particularly described as Lot 11 on RP800497. The site is irregular in shape with an area of 7.44 hectares and is zoned Rural Residential under the Mareeba Shire Council Planning Scheme 2016.

The site has approximately 100 metres of frontage to Cobra Road which is constructed to a bitumen sealed rural road standard, without kerb and channel. A single gravel crossover provides access to the site off Cobra Road.

The site is improved by a single dwelling house and multiple outbuildings, all of which are sited in proximity to the Cobra Road frontage.

Cobra Creek traverses the site, dividing it into an eastern and western portion. The western portion containing the built improvements is mostly cleared, whereas the eastern portion is unimproved and mostly vegetated.

The existing dwelling house is connected to the electricity grid and telecommunication services. An onsite water supply and wastewater disposal system are also connected to the existing dwelling house.

All adjoining lots are zoned a mixture of rural and rural residential.



**BACKGROUND AND CONTEXT**

Nil

**PREVIOUS APPLICATIONS & APPROVALS**

Nil

**DESCRIPTION OF PROPOSED DEVELOPMENT**

The development application seeks a Development Permit for Reconfiguring a Lot - Subdivision (1 into 2 lots) in accordance with the plans shown in **Attachment 1**.

The applicant proposes the subdivision of the subject site into the following allotments:

- Proposed Lot 1 - area of approximately 2.648 hectares, frontage of 92 metres to Cobra Road;
- Proposed Lot 2 - area of approximately 4.792 hectares, frontage of 8 metres to Cobra Road.

Proposed Lot 1 will contain the existing dwelling house and domestic outbuildings. Access to this lot will continue via the established crossover.

Access to proposed Lot 2 will be via an eight (8) metre wide access handle and a new crossover onto Cobra Road. A bitumen sealed driveway will be required for the full length of the access handle.

The existing piped crossing of Cobra Creek will be located within proposed Lot 2.

**REGIONAL PLAN DESIGNATION**

The subject site is included within the Regional Landscape and Rural Production Area land use category in the Far North Queensland Regional Plan 2009-2031. The Regional Plan Map 3- ‘Areas of Ecological Significance’ also identifies the site is:

- *State & Regional Conservation Corridors*
- *Terrestrial Area of General Ecological Significance*

**PLANNING SCHEME DESIGNATIONS**

Strategic Framework:	<b>Land Use Categories</b> <ul style="list-style-type: none"> <li>• Rural Residential Area</li> </ul> <b>Natural Environment Elements</b> <ul style="list-style-type: none"> <li>• Biodiversity Areas</li> </ul>
Zone:	Rural Residential zone
Overlays:	Airport Environs Overlay Bushfire Hazard Overlay Environmental Significance Overlay Residential Dwelling House and Outbuilding Overlay Transport Infrastructure Overlay



**RELEVANT PLANNING INSTRUMENTS**

Assessment of the proposed development against the relevant planning instruments is summarised as follows:

**(A) Far North Queensland Regional Plan 2009-2031**

Separate assessment against the Regional Plan is not required because the Mareeba Shire Council Planning Scheme appropriately advances the Far North Queensland Regional Plan 2009-2031, as it applies to the planning scheme area.

**(B) State Planning Policy**

Separate assessment against the State Planning Policy (SPP) is not required because the Mareeba Shire Council Planning Scheme appropriately integrates all relevant aspects of the SPP.

**(C) Mareeba Shire Council Planning Scheme 2016****Strategic Framework***3.3 Settlement pattern and built environment**3.3.10 Element—Rural residential areas**3.3.10.1 Specific outcomes*

- (1) Rural residential development is consolidated within rural residential areas where it will not result in the fragmentation or loss of agricultural areas or biodiversity areas.*
- (2) Infill development within rural residential areas occurs only where appropriate levels of infrastructure are available and provided, the existing rural living character can be maintained and an activity centre is proximate.*
- (3) No further subdivision of greater than anticipated density occurs within rural residential areas that are not proximate to an activity centre and its attending physical and social infrastructure.*
- (4) Rural residential areas across Mareeba Shire are characterised by a range of lot sizes, consistent with the form of historical subdivision in the vicinity of proposed development.*

**Comment**

The subject site is in a rural residential area and does not result in the fragmentation or loss of agricultural land. The biodiversity areas (remnant vegetation) within proposed Lot 2 are secured by way of concurrence agency conditions.

Future development on proposed Lot 2 may only occur within the area of Category X non-remnant vegetation.

The proposed development is infill and does not require additional infrastructure. The development is consistent in character with the existing Emerald Heights and Cobra Road rural residential estates. The locality has convenient access to Mareeba township.

The proposed 2 hectare density is consistent with Emerald Heights Estate, Bellevue Estate and the immediately adjoining Cobra Road rural residential estate.

The proposed development does not conflict with these specific outcomes.



## Relevant Developments Codes

The following Development Codes are considered to be applicable to the assessment of the application:

- 6.2.10 Rural residential zone code
- 8.2.1 Agricultural land overlay code
- 8.2.2 Airport environs overlay code
- 8.2.3 Bushfire hazard overlay code
- 8.2.4 Environmental significance overlay code
- 9.4.2 Landscaping code
- 9.4.3 Parking and access code
- 9.4.4 Reconfiguring a lot code
- 9.4.5 Works, services and infrastructure code

The application included a planning report and assessment against the planning scheme. An officer assessment has found that the application satisfies the relevant acceptable outcomes (or performance outcome where no acceptable outcome applies) of the relevant codes set out below, provided reasonable and relevant conditions are attached to any approval.

Relevant Codes	Comments
Rural residential zone code	The application can be conditioned to comply with the relevant acceptable outcomes (or performance outcomes where no acceptable outcome is provided) contained within the code.  The proposed development is not consistent with Overall Outcomes (g) and (h) contained within the code which seek to discourage the creation of additional lots in Rural residential zoned areas that lie outside a precinct. Despite this non-compliance, the application is considered to comply with the higher order Strategic Framework provisions contained within the Planning Scheme. Further commentary is provided in the Planning Discussion section of the report.
Agricultural land overlay code	The application can be conditioned to comply with the relevant acceptable outcomes (or performance outcomes where no acceptable outcome is provided) contained within the code.
Airport environs overlay code	The application can be conditioned to comply with the relevant acceptable outcomes (or performance outcomes where no acceptable outcome is provided) contained within the code.
Bushfire hazard overlay code	The application can be conditioned to comply with the relevant acceptable outcomes (or performance outcomes where no acceptable outcome is provided) contained within the code.
Environmental significance overlay code	The application can be conditioned to comply with the relevant acceptable outcomes (or performance outcomes where no acceptable outcome is provided) contained within the code.
Landscaping code	The application can be conditioned to comply with the relevant acceptable outcomes (or performance outcomes where no acceptable outcome is provided) contained within the code.

Parking and access code	The application can be conditioned to comply with the relevant acceptable outcomes (or performance outcomes where no acceptable outcome is provided) contained within the code.
Reconfiguring a lot code	<p>The application can be conditioned to comply with the relevant acceptable outcomes (or performance outcomes where no acceptable outcome is provided) contained within the code apart from the following:</p> <ul style="list-style-type: none"> <li>• Acceptable Outcome AO1.1</li> <li>• Performance Outcome PO13 (no acceptable outcome)</li> </ul> <p>In the case of AO1.1, it is considered the development can comply with the higher order Performance Outcome PO1. In the case of PO13 and AO13 compliance with the higher order Overall Outcomes of the Reconfiguring a Lot code can be achieved.</p> <p>Further commentary is provided in the planning discussion section of report.</p>
Works, services and infrastructure code	The application can be conditioned to comply with the relevant acceptable outcomes (or performance outcomes where no acceptable outcome is provided) contained within the code.

**(D) Planning Scheme Policies/Infrastructure Charges Plan**

The following planning scheme policies are relevant to the application:

Planning Scheme Policy 4 - FNQROC Regional Development Manual

A condition will be attached to any approval requiring all development works be designed and constructed in accordance with FNQROC Development Manual standards.

**(E) Adopted Infrastructure Charges Notice**

In accordance with Council's Adopted Infrastructure Charges Resolution (No. 1) 2022, a standard charge of \$20,260.00 applies to each additional residential allotment created, where serviced by the following five (5) trunk infrastructure networks:

- Transport network (roads);
- Public parks and land for community facilities network;
- Water supply network;
- Sewerage network; and
- Stormwater network

Part 4.1(d) of Council's Adopted Infrastructure Charges Resolution (No. 1) 2022, a 40% discount will be applied to development charges where no connection to Council's reticulated water and sewer network exists.

\$20,260.00 - 40% = \$12,156.00 per additional allotment.

The application proposes the creation of 1 additional residential lot; therefore, the applicable charge is \$12,156.00.

## REFERRAL AGENCY

The application triggered referral to the State Assessment and Referral Agency as a Concurrence Agency (clearing native vegetation).

The State Assessment and Referral Agency advised in a letter dated 4 November 2022 that they require the conditions to be attached to any approval (**Attachment 2**).

## PUBLIC NOTIFICATION

The development proposal was placed on public notification from 24 August 2022 to 16 September 2022. The applicant submitted the notice of compliance on 21 September 2022 advising that the public notification requirements were carried out in accordance with the requirements of the Act.

No submissions were received.

## PLANNING DISCUSSION

Compliance with the Performance Outcomes and Purpose of the Rural Residential Zone Code and the Reconfiguring a Lot Code is summarised as follows:

### Rural Residential Zone Code

*The development generally complies with the Overall Outcomes contained within the Rural Residential zone code apart from the following:*

- (g) Reconfiguring a lot will maintain the predominant lot size of the precinct or intended for the precinct; and*
- (h) Reconfiguring a lot involving the creation of new lots is not undertaken external to a precinct in the Rural residential zone in consideration of the inherent environmental, and/or physical infrastructure and/or social infrastructure constraints of Rural residential zoned land outside of identified precincts.*

### Comment

Despite not complying with overall outcomes (g) and (h), the application is impact assessable and can therefore be assessed against the Planning Scheme's Strategic Framework which is the highest order assessment provisions contained within the Planning Scheme. It is considered that the proposed development achieves compliance with the Strategic Framework provisions relating to settlement pattern and built environment, specifically for rural residential areas. See the Strategic Framework section of this report for further commentary.

### Reconfiguring a Lot Code

#### ***PO1 Area and frontage of lots***

*Lots include an area and frontage that:*

- (a) is consistent with the design of lots in the surrounding area;*
- (b) allows the desired amenity of the zone to be achieved;*

- (c) *is able to accommodate all buildings, structures and works associated with the intended land use;*
- (d) *allow the site to be provided with sufficient access;*
- (e) *considers the proximity of the land to:*
  - (i) *centres;*
  - (ii) *public transport services; and*
  - (iii) *open space; and*
- (f) *allows for the protection of environmental features; and*
- (g) *accommodates site constraints.*

**AO1.1**

*Lots provide a minimum area and frontage in accordance with **Table 9.4.4.3B**.*

Comment

Table 9.4.4.3B does not nominate a minimum area and frontage for rural residential allotments that are located outside a precinct. Assessment is therefore necessary against PO1 and the criteria it nominates:

- (a) The proposed lots are consistent with the design/size of adjoining on Cobra Road and also the adjoining Emerald Heights Estate.
- (b) The proposed lots allow the desired amenity of the zone to be achieved.
- (c) Each of the proposed lots is of sufficient size and shape to be able to accommodate all buildings, structures and works associated with the intended future residential land use.
- (d) Cobra Road is constructed to a bitumen sealed rural road standard sufficient to provide each proposed lot with good access. Individual access crossovers will be conditioned in accordance with FNQROC Development Manual standards.
- (e) The subject land is within a major existing rural residential node. The site is within reasonable proximity to Mareeba township and the services it offers. Due to their size, both lots offer significant onsite open space opportunities. Further open space opportunities area available at Emerald Falls National Park which is accessed via Cobra Road.
- (f) Proposed Lot 1 is already developed. The State referral agency response restricts future development on proposed Lot 2 to an area of non-remnant native vegetation (north-western corner).
- (g) Both proposed lots reasonably accommodate all constraints.

The development complies with PO1.

**PO13 Rural residential zone**

*New lots are only created in the Rural residential zone where land is located within the 4,000m<sup>2</sup> precinct, the 1 hectare precinct or the 2 hectare precinct.*

**AO13**

*No acceptable outcome is provided.*

Comment

The proposed development conflicts with PO13 as the subject land is not located within a rural residential zone precinct.

An assessment of the development's consistency with the higher order purpose and overall outcomes contained within the Reconfiguring a Lot Code is therefore required and is discussed below:

*The purpose of the Reconfiguring a Lot code will be achieved through the following overall outcomes:*

- (a) *Subdivision of land achieves the efficient use of land and the efficient provision of infrastructure and transport services;*

The site is already serviced by all infrastructure typically conditioned for rural residential lots of 2 hectares in size. Each proposed lot will be adequately serviced with a connection to the electricity grid, access and modern telecommunications via the NBN fixed wireless network.

Water supply and wastewater disposal will be achieved on-site which is standard practice for 2 hectare rural residential allotments.

- (b) *Lots are of a suitable size and shape for the intended or potential use having regard to the purpose and overall outcomes of the relevant zone or precinct;*

Both proposed lots are of a suitable size and shape to accommodate the established and anticipated future rural residential land uses. The size of both proposed lots remains consistent with the adjoining 2 hectare rural residential precinct (Emerald Heights Estate).

- (c) *Subdivision of land creates lots with sufficient area and dimensions to accommodate the ultimate use, meet user requirements, protect environmental features and account for site constraints;*

Proposed Lot 1 will accommodate the existing dwelling house and multiple domestic outbuildings.

The likely use of proposed Lot 2 is a single dwelling house with the potential for some ancillary domestic outbuildings. Proposed Lot 2 contains approximately 1 hectare of Category X area suitable for the siting of all future built improvements. Remnant vegetation over the balance of proposed Lot 2 is protected.

- (d) *A range and mix of lot sizes is provided to facilitate a variety of industry and housing types;*

The proposed development would add to the range of lot sizes available in the locality.

- (e) *Subdivision design incorporates a road network that provides connectivity and circulation for vehicles and provide safe and efficient access for pedestrians, cyclists and public transport;*

Not applicable. The proposed development does not require an extension to the road network.

- (f) *Subdivision design provides opportunities for walking and cycling for recreation and as alternative methods of travel;*

Walking and cycling opportunities are available along the existing network of road reserves. Further walking and cycling opportunities are available within the nearby Emerald Falls and Davies Creek National Parks.

- (g) *Subdivision of land provides and integrates a range of functional parkland, including local and district parks and open space links for the use and enjoyment of the residents of the locality and the shire;*

Not relevant for rural residential lots of this size. Each proposed lot has generous onsite areas for recreation and open space use. The locality also features multiple National Parks (including walking and mountain bike tracks).

- (h) *Subdivision of land contributes to an open space network that achieves connectivity along riparian corridors and between areas with conservation values;*

Not applicable for a small scale 1 into 2 lot development. The areas of remnant vegetation are secured by the development, including the riparian corridor along Cobra Creek. Proposed Lot 2 will be accessed using an established creek crossing.

- (i) *Subdivision within the Rural zone maintains rural landholdings in viable parcels;*

Not applicable. The subject land is within the Rural Residential zone, not the Rural zone.

- (j) *Land in historical townships is not reconfigured to be used for urban purposes; and*

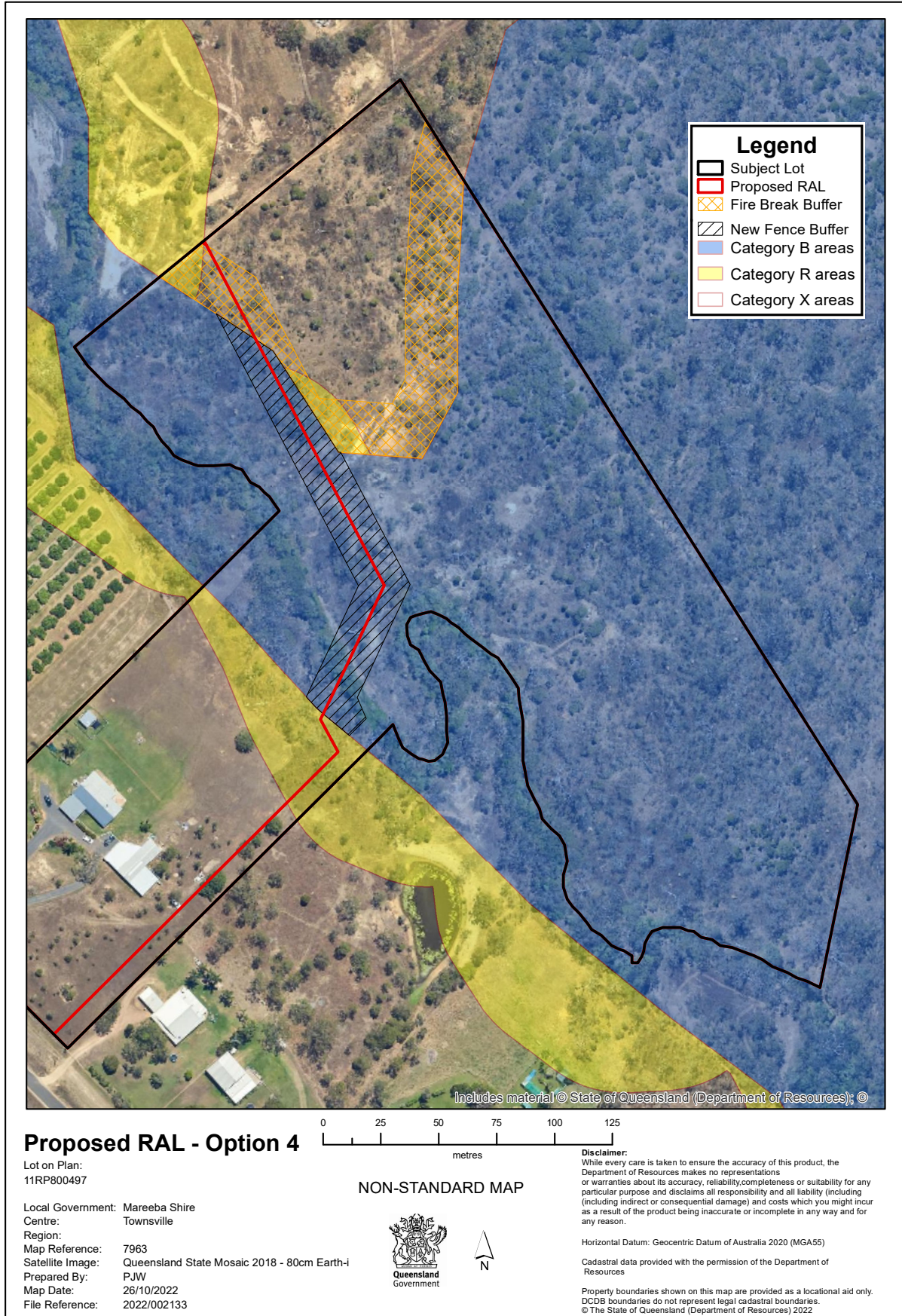
Not applicable. The subject land is not within a historical township for the purpose of the planning scheme.

- (k) *Residential subdivision and greenfield development is designed to consider and respect:*
- i. topography;*
  - ii. climate responsive design and solar orientation;*
  - iii. efficient and sustainable infrastructure provision;*
  - iv. environmental values;*
  - v. water sensitive urban design;*
  - vi. good quality agricultural land; and*
  - vii. the character and scale of surrounding development.*

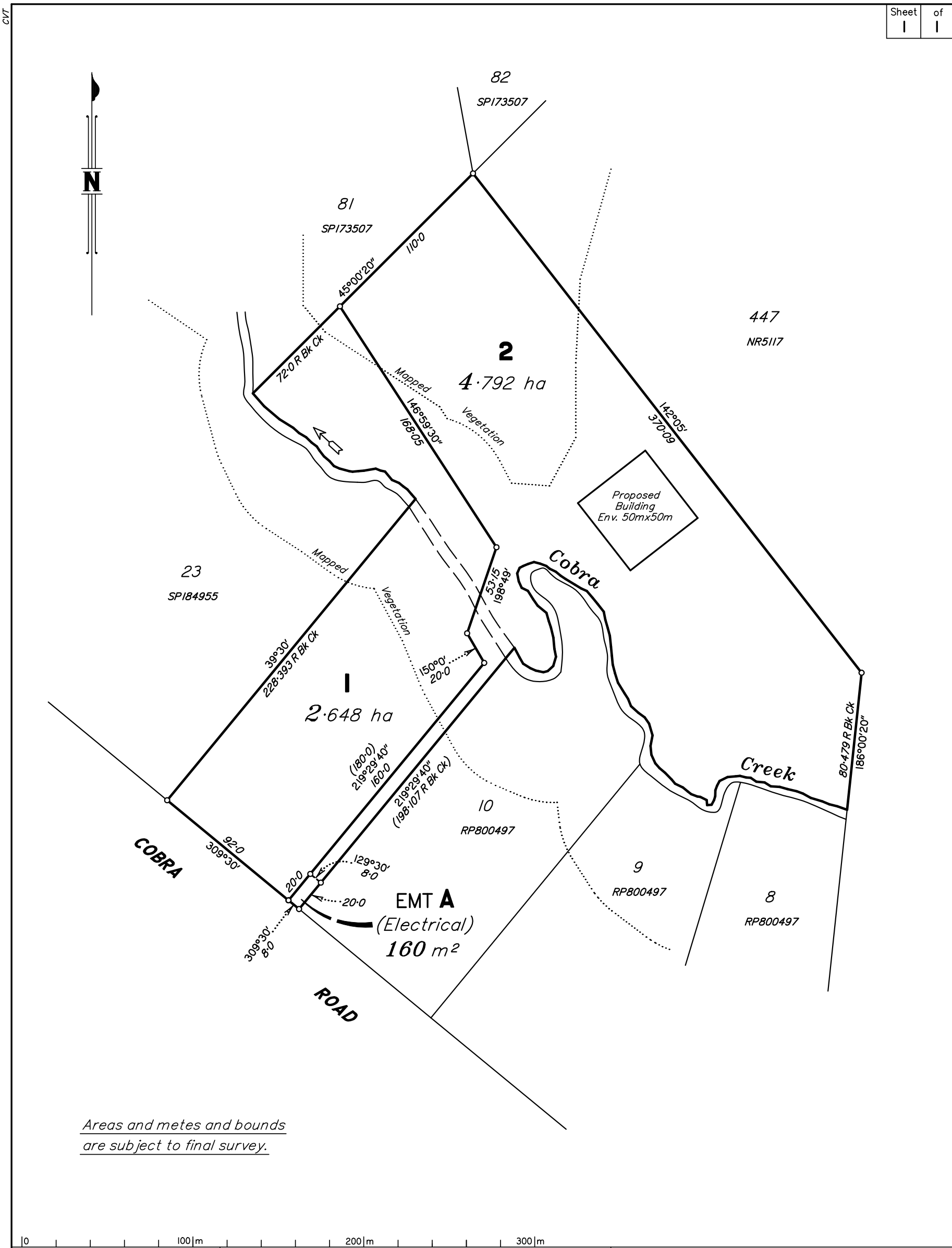
The proposed lot layout appropriately and efficiently responds to the relevant identified criteria.



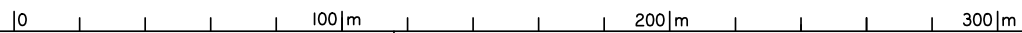








*Areas and metes and bounds are subject to final survey.*



LOCAL GOVERNMENT: MSC  
 LOCALITY: Mareeba  
 Scale 1: 2000  
 Reference: 9082 – Rev B  
 Lot Layout – 10-05-2022

**DEVELOPMENT PLAN**  
 Plan of Lots **1 & 2**  
 and Easement **A** in Lot **2**  
 Cancelling Lot 11 on RP800497



TWINE SURVEYS PTY LTD  
 36 Mabel Street, Atherton QLD 4883  
 PO Box 146, Atherton QLD 4883  
 P: 07 4091 1303  
 E: info@twinesurveys.com.au

RA6-N



SARA reference: 2207-30021 SRA  
 Council reference: RAL/22/0010  
 Applicant reference: F22/12

4 November 2022

Chief Executive Officer  
 Mareeba Shire Council  
 PO Box 154  
 Mareeba QLD 4880  
 planning@msc.qld.gov.au

Attention: Mr Brian Millard

Dear Sir/Madam

## SARA response—141 Cobra Road, Mareeba

(Referral agency response given under section 56 of the *Planning Act 2016*)

The development application described below was confirmed as properly referred by the State Assessment and Referral Agency on 25 July 2022.

### Response

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Outcome:	Referral agency response – with conditions
Date of response:	4 November 2022
Conditions:	The conditions in <b>Attachment 1</b> must be attached to any development approval
Advice:	Advice to the applicant is in <b>Attachment 2</b>
Reasons:	The reasons for the referral agency response are in <b>Attachment 3</b>

### Development details

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Description:	Development permit    Reconfiguring a lot (one lot into two lots)
SARA role:	Referral agency
SARA trigger:	Schedule 10, Part 3, Division 4, Table 2 – Clearing native vegetation (Planning Regulation 2017)
SARA reference:	2207-30021 SRA
Assessment manager:	Mareeba Shire Council
Street address:	141 Cobra Road, Mareeba
Real property description:	Lot 11 on RP800497

2207-30021 SRA

Applicant name: Russell William Sheppard  
Applicant contact details: C/- Freshwater Planning Pty Ltd  
17 Barron View Drive  
Freshwater QLD 4870  
freshwaterplanning@outlook.com

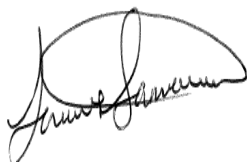
## Representations

An applicant may make representations to a concurrence agency, at any time before the application is decided, about changing a matter in the referral agency response (s.30 Development Assessment Rules). Copies of the relevant provisions are in **Attachment 4**.

A copy of this response has been sent to the applicant for their information.

For further information please contact Belinda Jones, Principal Planning Officer, on 4037 3208 or via email CairnsSARA@dsdilgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Javier Samanes  
A/Manager (Planning)

cc Russell William Sheppard C/- Freshwater Planning Pty Ltd, freshwaterplanning@outlook.com

enc Attachment 1 - Referral agency conditions  
Attachment 2 - Advice to the applicant  
Attachment 3 - Reasons for referral agency response  
Attachment 4 - Representations provisions  
Attachment 5 - Approved plans and specifications

2207-30021 SRA

### Attachment 1—Referral agency conditions

(Under section 56(1)(b)(i) of the *Planning Act 2016* the following conditions must be attached to any development approval relating to this application) (Copies of the plans and specifications referenced below are found at Attachment 5)

No.	Conditions	Condition timing
<b>Reconfiguring a lot</b>		
Schedule 10, Part 3, Division 4, Table 2 – Clearing native vegetation —The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of the Department of Resources to be the enforcement authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition(s):		
1.	Clearing of vegetation must: (a) only occur within Area A(A1) as shown on the attached: (i) Vegetation Management Plan, prepared by Queensland Government, reference VMP 2207-30021 SRA, Sheet 1 of 1, version 1, dated 4 November 2022; and (ii) Attachment to Vegetation Management Plan VMP 2207-30021 SRA Derived Reference Points for GPS. (b) not exceed 0.35 hectares.	At all times
2.	Clearing of vegetation must not occur within the area(s) identified as Area B(B <sub>1</sub> ) as shown on the attached: (a) Vegetation Management Plan, prepared by Queensland Government, reference VMP 2207-30021 SRA, Sheet 1 of 1, version 1, dated 4 November 2022; and (b) Attachment to Vegetation Management Plan VMP 2207-30021 SRA Derived Reference Points for GPS.  Note: This condition is not applicable where clearing of vegetation is an exempt clearing activity for essential management items (a), (b), (c), (d) and (e), under Schedule 21 of the Planning Regulation 2017.	At all times
3.	Built infrastructure, other than for fences, roads, underground services as relevant, must not be established, constructed or located within Area C(C <sub>1</sub> ) as shown on the attached: (a) Vegetation Management Plan, prepared by Queensland Government, reference VMP 2207-30021 SRA, Sheet 1 of 1, version 1, dated 4 November 2022; and (b) Attachment to Vegetation Management Plan VMP 2207-30021 SRA Derived Reference Points for GPS.  Note: Schedule 21 of the Planning Regulation 2017 provides where exempt clearing work can occur.	At all times
4.	Any person(s) engaged or employed to carry out the clearing of vegetation under this development approval must be provided with a full copy of this development approval, and must be made aware of the full extent of clearing authorised by this development approval.	Prior to clearing

2207-30021 SRA

**Attachment 2—Advice to the applicant**

<b>General advice</b>	
1.	Terms and phrases used in this document are defined in the <i>Planning Act 2016</i> its regulation or the State Development Assessment Provisions (SDAP) v3.0. If a word remains undefined it has its ordinary meaning.
2.	The site contains a mapped waterway (Cobra Creek) and any works within this waterway may require approval for waterway barrier works.

2207-30021 SRA

**Attachment 3—Reasons for referral agency response**

(Given under section 56(7) of the *Planning Act 2016*)

**The reasons for SARA's decision are:**

- The proposed development layout reasonably avoids impacts on regulated vegetation and where avoidance is not possible the impacts have been reasonably minimised.
- The impact of the development on connectivity, loss of biodiversity and the ecosystem function is considered minimal.
- Sufficient vegetation will be retained in the landscape to maintain ecological processes.
- The site does not include endangered vegetation, of concern vegetation or essential habitat.
- SARA has carried out an assessment of the development application against State code 16: Native vegetation clearing and has found that with conditions, the proposed development complies with relevant performance outcomes.

**Material used in the assessment of the application:**

- The development application material and submitted plans
- *Planning Act 2016*
- Planning Regulation 2017
- The State Development Assessment Provisions (version 3.0)
- The Development Assessment Rules
- SARA DA Mapping system
- State Planning Policy mapping system
- *Human Rights Act 2019*

2207-30021 SRA

**Attachment 4—Representation provisions**

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(page left intentionally blank – attached separately)

2207-30021 SRA

**Attachment 5—Approved plans and specifications**

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(page left intentionally blank – attached separately)



## Development Assessment Rules—Representations about a referral agency response

The following provisions are those set out in sections 28 and 30 of the Development Assessment Rules<sup>1</sup> regarding **representations about a referral agency response**

### Part 6: Changes to the application and referral agency responses

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#### 28 Concurrence agency changes its response or gives a late response

- 28.1. Despite part 2, a concurrence agency may, after its referral agency assessment period and any further period agreed ends, change its referral agency response or give a late referral agency response before the application is decided, subject to section 28.2 and 28.3.
- 28.2. A concurrence agency may change its referral agency response at any time before the application is decided if—
- (a) the change is in response to a change which the assessment manager is satisfied is a change under section 26.1; or
  - (b) the Minister has given the concurrence agency a direction under section 99 of the Act; or
  - (c) the applicant has given written agreement to the change to the referral agency response.<sup>2</sup>
- 28.3. A concurrence agency may give a late referral agency response before the application is decided, if the applicant has given written agreement to the late referral agency response.
- 28.4. If a concurrence agency proposes to change its referral agency response under section 28.2(a), the concurrence agency must—
- (a) give notice of its intention to change its referral agency response to the assessment manager and a copy to the applicant within 5 days of receiving notice of the change under section 25.1; and
  - (b) the concurrence agency has 10 days from the day of giving notice under paragraph (a), or a further period agreed between the applicant and the concurrence agency, to give an amended referral agency response to the assessment manager and a copy to the applicant.

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<sup>1</sup> Pursuant to Section 68 of the *Planning Act 2016*

<sup>2</sup> In the instance an applicant has made representations to the concurrence agency under section 30, and the concurrence agency agrees to make the change included in the representations, section 28.2(c) is taken to have been satisfied.

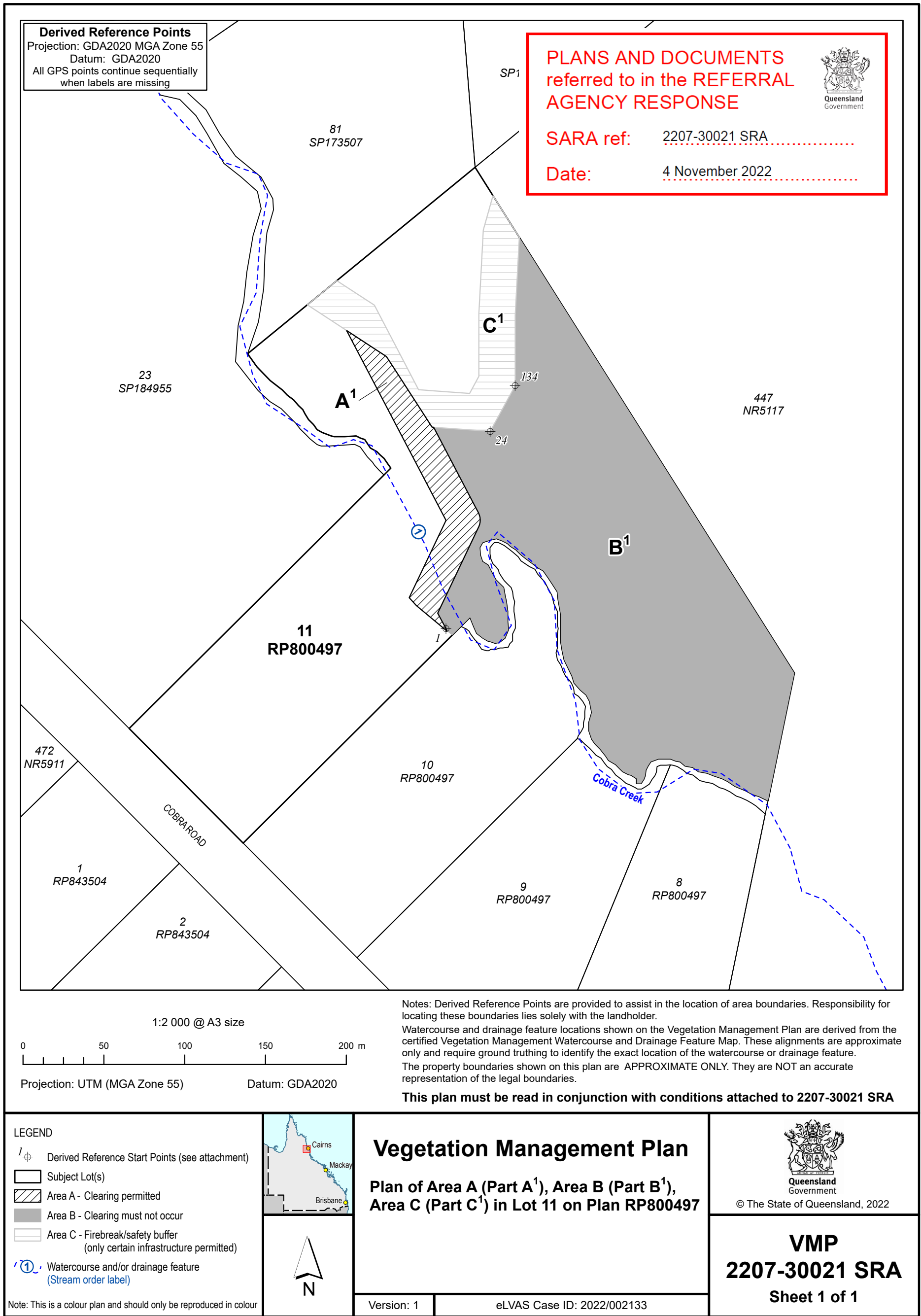
## Part 7: Miscellaneous

### 30 Representations about a referral agency response

- 30.1. An applicant may make representations to a concurrence agency at any time before the application is decided, about changing a matter in the referral agency response.<sup>3</sup>

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<sup>3</sup> An applicant may elect, under section 32, to stop the assessment manager's decision period in which to take this action. If a concurrence agency wishes to amend their response in relation to representations made under this section, they must do so in accordance with section 28.



**Derived Reference Points**  
 Projection: GDA2020 MGA Zone 55  
 Datum: GDA2020  
 All GPS points continue sequentially when labels are missing

**PLANS AND DOCUMENTS referred to in the REFERRAL AGENCY RESPONSE**

SARA ref: 2207-30021 SRA

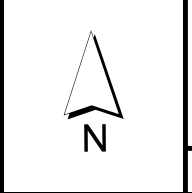
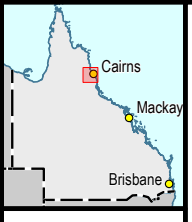
Date: 4 November 2022



Notes: Derived Reference Points are provided to assist in the location of area boundaries. Responsibility for locating these boundaries lies solely with the landholder.  
 Watercourse and drainage feature locations shown on the Vegetation Management Plan are derived from the certified Vegetation Management Watercourse and Drainage Feature Map. These alignments are approximate only and require ground truthing to identify the exact location of the watercourse or drainage feature.  
 The property boundaries shown on this plan are APPROXIMATE ONLY. They are NOT an accurate representation of the legal boundaries.

**This plan must be read in conjunction with conditions attached to 2207-30021 SRA**

- LEGEND**
- Derived Reference Start Points (see attachment)
  - Subject Lot(s)
  - Area A - Clearing permitted
  - Area B - Clearing must not occur
  - Area C - Firebreak/safety buffer (only certain infrastructure permitted)
  - Watercourse and/or drainage feature (Stream order label)



**Vegetation Management Plan**  
 Plan of Area A (Part A<sup>1</sup>), Area B (Part B<sup>1</sup>), Area C (Part C<sup>1</sup>) in Lot 11 on Plan RP800497

Queensland Government  
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**VMP**  
**2207-30021 SRA**  
 Sheet 1 of 1

Version: 1 | eLVAS Case ID: 2022/002133

Prepared by: SAK (VMGIS-NR-1162)

**Attachment to Plan: 2207-30021 SRA  
Derived Reference Points  
Datum: GDA2020, Projection: MGA Zone 55**

**PLANS AND DOCUMENTS  
referred to in the REFERRAL  
AGENCY RESPONSE**



SARA ref: 2207-30021 SRA .....

Date: 4 November 2022 .....

**Notes:** Derived Reference Points are provided to assist in the location of area boundaries.  
Responsibility for locating these boundaries lies solely with the landholder and delegated contractor(s).  
Coordinates start at a point indicated on the accompanying plan and proceed in a clockwise direction.

Part ID	Unique ID	Easting	Northing
A1	1	338635	8117239
A1	2	338635	8117238
A1	3	338619	8117251
A1	4	338616	8117254
A1	5	338612	8117258
A1	6	338635	8117306
A1	7	338603	8117366
A1	8	338573	8117424
A1	9	338590	8117413
A1	10	338598	8117408
A1	11	338602	8117401
A1	12	338626	8117364
A1	13	338627	8117364
A1	14	338653	8117314
A1	15	338655	8117311
A1	16	338655	8117310
A1	17	338656	8117308
A1	18	338656	8117307
A1	19	338656	8117305
A1	20	338655	8117304
A1	21	338655	8117302
A1	22	338629	8117249
A1	23	338635	8117239
B1	24	338662	8117361
B1	25	338677	8117390
B1	26	338677	8117433
B1	27	338680	8117481
B1	28	338850	8117212
B1	29	338834	8117133
B1	30	338828	8117135
B1	31	338824	8117137
B1	32	338820	8117139
B1	33	338813	8117142
B1	34	338809	8117145
B1	35	338806	8117147
B1	36	338800	8117148
B1	37	338796	8117150
B1	38	338791	8117151
B1	39	338787	8117154
B1	40	338783	8117154
B1	41	338779	8117157
B1	42	338777	8117157
B1	43	338773	8117159
B1	44	338771	8117159
B1	45	338766	8117159
B1	46	338761	8117157
B1	47	338760	8117154
B1	48	338758	8117152
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B1	51	338755	8117144
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B1	54	338749	8117149
B1	55	338747	8117149
B1	56	338744	8117151
B1	57	338742	8117153
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B1	60	338733	8117160

Part ID	Unique ID	Easting	Northing
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B1	68	338721	8117198
B1	69	338718	8117201
B1	70	338714	8117206
B1	71	338713	8117210
B1	72	338711	8117213
B1	73	338708	8117220
B1	74	338707	8117226
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B1	100	338661	8117279
B1	101	338663	8117273
B1	102	338665	8117270
B1	103	338670	8117265
B1	104	338671	8117260
B1	105	338672	8117256
B1	106	338673	8117250
B1	107	338673	8117243
B1	108	338673	8117239
B1	109	338671	8117233
B1	110	338667	8117231
B1	111	338665	8117230
B1	112	338662	8117231
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B1	114	338658	8117233
B1	115	338654	8117236
B1	116	338652	8117240
B1	117	338649	8117246
B1	118	338638	8117235
B1	119	338635	8117238
B1	120	338635	8117239

Part ID	Unique ID	Easting	Northing
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B1	122	338629	8117249
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B1	126	338656	8117305
B1	127	338656	8117307
B1	128	338656	8117308
B1	129	338655	8117310
B1	130	338655	8117311
B1	131	338653	8117314
B1	132	338627	8117364
B1	133	338662	8117361
C1	134	338677	8117390
C1	135	338662	8117361
C1	136	338640	8117363
C1	137	338627	8117364
C1	138	338626	8117364
C1	139	338602	8117401
C1	140	338598	8117408
C1	141	338590	8117413
C1	142	338573	8117424
C1	143	338564	8117430
C1	144	338549	8117440
C1	145	338567	8117455
C1	146	338569	8117453
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C1	149	338629	8117386
C1	150	338649	8117385
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C1	152	338655	8117434
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C1	154	338664	8117507
C1	155	338675	8117490
C1	156	338680	8117481
C1	157	338677	8117433
C1	158	338677	8117390

**8.3 J & V XHAFER - RECONFIGURING A LOT - SUBDIVISION (1 INTO 2 LOTS) - LOT 7 ON SP117678 - 100 BLACKS ROAD, MAREEBA - RAL/22/0016**

**Date Prepared:** 2 December 2022  
**Author:** Senior Planner  
**Attachments:** 1. [Proposal Plan](#) ↓  
 2. [Submission](#) ↓

**APPLICATION DETAILS**

APPLICATION		PREMISES	
<b>APPLICANT</b>	J & V Xhafer	<b>ADDRESS</b>	100 Blacks Road, Mareeba
<b>DATE LODGED</b>	13 September 2022	<b>RPD</b>	Lot 7 on SP117678
<b>TYPE OF APPROVAL</b>	Development Permit		
<b>PROPOSED DEVELOPMENT</b>	Reconfiguring a Lot - Subdivision (1 into 2 lots)		
<b>FILE NO</b>	RAL/22/0016	<b>AREA</b>	2.0064 hectares
<b>LODGED BY</b>	Freshwater Planning Pty Ltd	<b>OWNER</b>	J & V Xhafer
<b>PLANNING SCHEME</b>	Mareeba Shire Council Planning Scheme 2016		
<b>ZONE</b>	Emerging Community zone		
<b>LEVEL OF ASSESSMENT</b>	Impact Assessment		
<b>SUBMISSIONS</b>	One (1)		

**EXECUTIVE SUMMARY**

Council is in receipt of an impact assessable development application described in the above application details. During the mandatory public notification process, 1 properly made submission was received.

The application and supporting material has been assessed against the Mareeba Shire Council Planning Scheme 2016 and does not substantially conflict with any relevant aspect of the Planning Scheme.

The key issue with the proposed development is ensuring the reconfiguration of the subject land at this time would not compromise the potential future residential redevelopment of this area, which is the overarching intention of the Emerging Community Zone. Council officers are satisfied that the proposal will not compromise future redevelopment of the area and that the subdivision represents logical in-fill development that makes efficient use of site constraints and existing improvements.

Draft conditions were provided to the Applicant care of their consultant and have been agreed. It is recommended that the application be approved in full, subject to conditions.

**OFFICER’S RECOMMENDATION**

1. That in relation to the following development application:

APPLICATION		PREMISES	
<b>APPLICANT</b>	J & V Xhafer	<b>ADDRESS</b>	100 Blacks Road, Mareeba
<b>DATE LODGED</b>	13 September 2022	<b>RPD</b>	Lot 7 on SP117678
<b>TYPE OF APPROVAL</b>	Development Permit		
<b>PROPOSED DEVELOPMENT</b>	Reconfiguring a Lot - Subdivision (1 into 2 lots)		

and in accordance with the Planning Act 2016, the applicant be notified that the application for a development permit for the development specified in (A) is:

Approved by Council in accordance with the approved plans/documents listed in (B), subject to assessment manager conditions in (C), assessment manager’s advice in (D), relevant period in (E), further permits in (F), and further approvals from Council listed in (G);

And

The assessment manager does not consider that the assessment manager’s decision conflicts with a relevant instrument.

(A) APPROVED DEVELOPMENT: Development Permit for Reconfiguring a Lot - Subdivision (1 into 2 lots)

(B) APPROVED PLANS:

Plan/Document Number	Plan/Document Title	Prepared by	Dated
DWG No 9173 - LL1	Development Plan Proposed Reconfiguration of a Lot (1 Lot into 2 Lots)	Twine Surveys Pty Ltd	11/07/2022

(C) ASSESSMENT MANAGER’S CONDITIONS (COUNCIL)

(a) Development assessable against the Planning Scheme

1. Development must be carried out substantially in accordance with the approved plans and the facts and circumstances of the use as submitted with the application, and subject to any alterations:

- found necessary by the Council’s delegated officer at the time of examination of the engineering plans or during construction of the development because of particular engineering requirements; and
- to ensure compliance with the following conditions of approval.

2. Timing of Effect

2.1 The conditions of the development permit must be complied with to the satisfaction of Council’s delegated officer prior to the endorsement of the plan of

survey of the development, except where specified otherwise in these conditions of approval.

3. General

3.1 The applicant/developer is responsible for the cost of necessary alterations to existing public utility mains, services or installations required by works in relation to the proposed development or any works required by condition(s) of this approval.

3.2 All payments or bonds required to be made to the Council pursuant to any condition of this approval must be made prior to the endorsement of the plan of survey and at the rate applicable at the time of payment.

3.3 The developer must relocate (in accordance with FNQROC standards) any services such as water, sewer, drainage, telecommunications and electricity that are not wholly located within the lots that are being created/serviced where required by the relevant authority, unless approved by Council's delegated officer.

3.4 Where utilities (such as sewers on non-standard alignments) traverse lots to service another lot, easements must be created in favour of Council for access and maintenance purposes. The developer is to pay all costs (including Council's legal expenses) to prepare and register the easement documents.

3.5 All works must be designed, constructed and carried out in accordance with FNQROC Development Manual requirements (as amended) and to the satisfaction of Council's delegated officer.

3.6 Charges

All outstanding rates, charges, and expenses pertaining to the land are to be paid in full.

4. Infrastructure Services and Standards

4.1 Access

The existing access crossovers servicing **both allotments** must be upgraded in accordance with FNQROC Development Manual standards, to the satisfaction of Council's delegated officer.

4.2 Stormwater Drainage

(a) The applicant/developer must take all necessary steps to ensure a non-worsening effect on surrounding land as a consequence of the development.

(b) All stormwater drainage collected from the site must be discharged to an approved legal point of discharge.

4.3 Water Supply

(a) Where the existing reticulated water supply does not currently service the site or is not at an adequate capacity, the developer is required to extend or upgrade the reticulated water supply infrastructure to connect the site to Council's existing infrastructure at a point that has sufficient capacity to

service the development in accordance with FNQROC Development Manual standards (as amended).

- (b) A water service connection must be provided to each lot in accordance with FNQROC Development Manual standards (as amended) to the satisfaction of Council's delegated officer.

#### 4.4 Wastewater Disposal

The existing on-site effluent disposal system on Lot 71 must be evaluated by a registered site and soil evaluator, and a report lodged with Council outlining compliance with the On-Site Domestic-Wastewater Management Standard (AS/NZS1547:2000) to the satisfaction of Council's delegated officer.

The wastewater disposal system including trenches must be contained wholly within Lot 71.

#### 4.5 Electricity provision/supply

The applicant/developer must ensure that an appropriate level of electricity supply is provided to each allotment in accordance with FNQROC Development Manual standards (as amended) to the satisfaction of Council's delegated officer.

#### 4.6 Telecommunications

The applicant/developer must enter into an agreement with a telecommunication carrier to provide telecommunication services to each allotment and arrange provision of necessary conduits and enveloping pipes.

### (D) ASSESSMENT MANAGER'S ADVICE

- (a) An Adopted Infrastructure Charges Notice has been issued with respect to the approved development. The Adopted Infrastructure Charges Notice details the type of infrastructure charge/s, the amount of the charge/s and when the charge/s are payable.

- (b) The Adopted Infrastructure Charges Notice does not include all charges or payments that are payable with respect to the approved development. A number of other charges or payments may be payable as conditions of approval. The applicable fee is set out in Council's Fees & Charges Schedule for each respective financial year.

- (c) Endorsement Fees

Council charges a fee for the endorsement of a Survey Plan, Community Management Statements, easement documents, and covenants. The fee is set out in Council's Fees & Charges Schedule applicable for each respective financial year.

- (d) Compliance with applicable codes/policies

The development must be carried out to ensure compliance with the provisions of Council's Local Laws, Planning Scheme Policies, Planning Scheme and Planning Scheme Codes to the extent they have not been varied by a condition of this approval.

- (e) Environmental Protection and Biodiversity Conservation Act 1999



The applicant is advised that referral may be required under the *Environmental Protection and Biodiversity Conservation Act 1999* if the proposed activities are likely to have a significant impact on a matter of national environmental significance. Further information on these matters can be obtained from [www.dcceew.gov.au](http://www.dcceew.gov.au).

(f) Cultural Heritage

In carrying out the activity the applicant must take all reasonable and practicable measures to ensure that no harm is done to Aboriginal cultural heritage (the “cultural heritage duty of care”). The applicant will comply with the cultural heritage duty of care if the applicant acts in accordance with gazetted cultural heritage duty of care guidelines. An assessment of the proposed activity against the duty of care guidelines will determine whether or to what extent Aboriginal cultural heritage may be harmed by the activity. Further information on cultural heritage, together with a copy of the duty of care guidelines and cultural heritage search forms, may be obtained from [www.dsdsatsip.qld.gov.au](http://www.dsdsatsip.qld.gov.au).

(E) RELEVANT PERIOD

When approval lapses if development not started (s.85)

- Reconfiguring a Lot – four (4) years (starting the day the approval takes effect).

(F) OTHER NECESSARY DEVELOPMENT PERMITS AND/OR COMPLIANCE PERMITS

- Nil

(G) OTHER APPROVALS REQUIRED FROM COUNCIL

- Access approval arising from condition number 4.1 (Please contact Planning Section to obtain application form and applicable fee)

2. That an Adopted Infrastructure Charges Notice be issued for the following infrastructure charge/s for:

Development Type	Rate	Measure	Credit Detail	Charge
	<i>\$ per Lot</i>	<i>Lots</i>	<i>Lots</i>	
Residential Lot (Water Charge Only)	\$5,065.00	1 Lot (Additional)	Nil	\$5,065.00
<b>TOTAL CURRENT AMOUNT OF CHARGE</b>				<b>\$5,065.00</b>

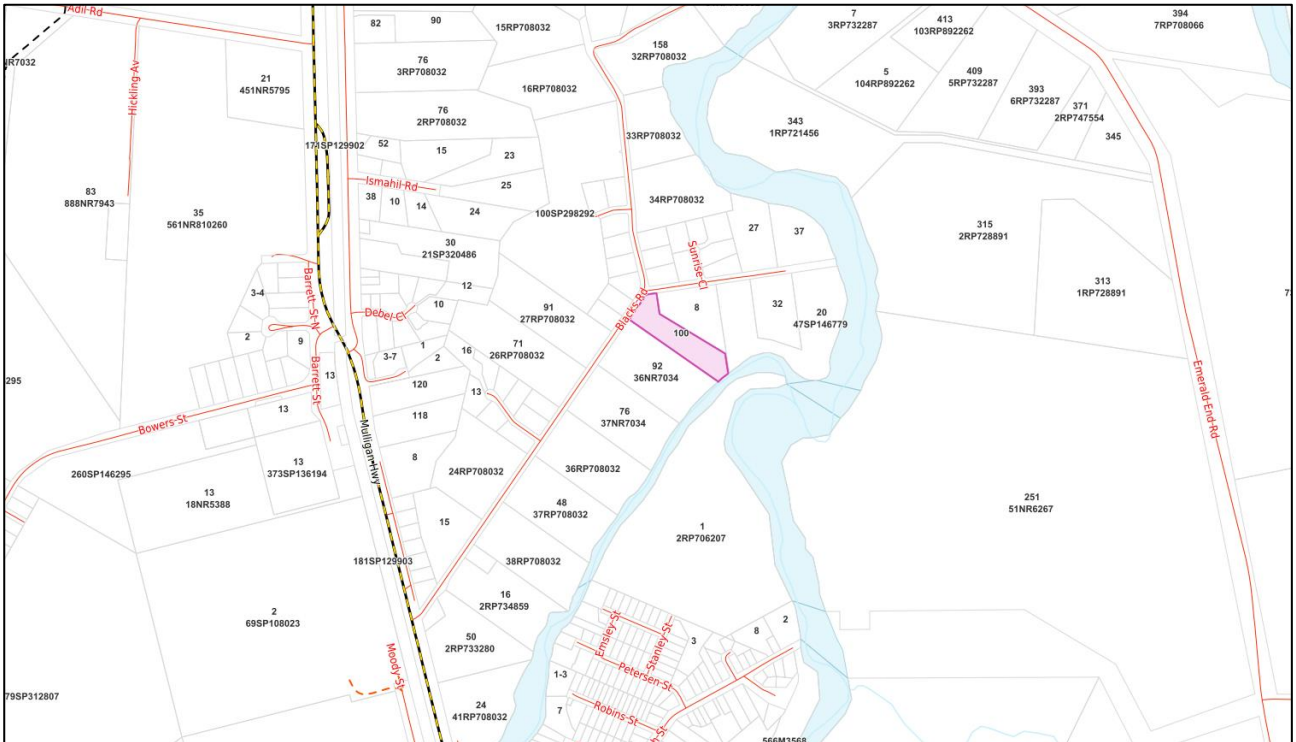
**THE SITE**

The site is situated at 100 Blacks Road, Mareeba, and is described as Lot 7 on SP117678. The site is irregular in shape with a total area of 2.0064 hectares and is zoned Emerging Community under the Mareeba Shire Council Planning Scheme 2016.



Map Disclaimer:

Based on or contains data provided by the State of Queensland (Department of Environment and Resource Management) (2009). In consideration of the State permitting use of this data you acknowledge and agree that the State gives no warranty in relation to the data (including accuracy, reliability, completeness, currency or suitability) and accepts no liability (including without limitation, liability in negligence) for any loss, damage or costs (including consequential damage) relating to any use of the data. Data must not be used for direct marketing or be used in breach of the privacy laws.



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The site includes 81 metres of frontage to Blacks Road which is constructed to a bitumen sealed standard with kerb and channel on the western side of the road only and a further 27 metres of frontage to Dawson Road which is also constructed to a bitumen sealed standard with kerbing only on the northern side of the road. No kerbing exists on the development side of either road.

The site is improved by a dwelling and two outbuildings situated at the eastern end of the property and another smaller standalone dwelling in the north-west corner of the site adjacent the intersection of Blacks and Dawson Roads. The property is connected to all urban services except for reticulated town sewer. A formed gravel crossover services the eastern dwelling from Blacks Road while an unformed gravel/grassed crossover services the north-west dwelling from Dawson Road.

All surrounding lots are also zoned Emerging Community and are predominantly rural residential in nature and contain single dwellings.

**BACKGROUND AND CONTEXT**

Nil

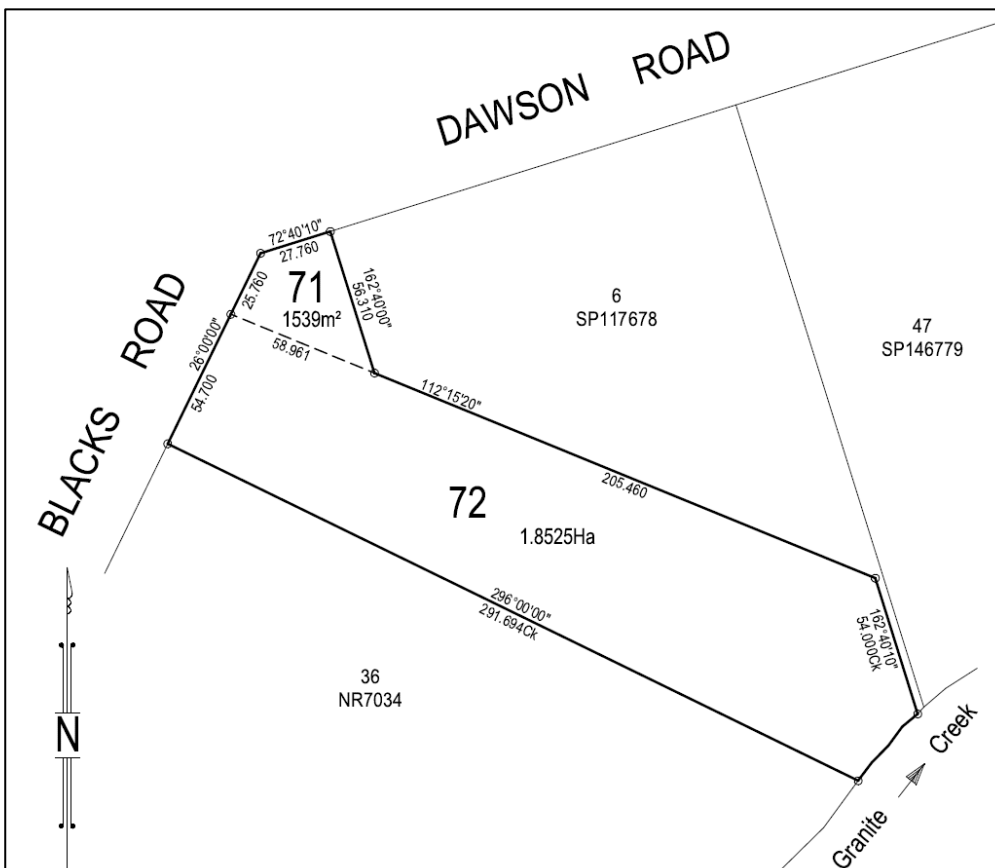
**PREVIOUS APPLICATIONS & APPROVALS**

Nil

**DESCRIPTION OF PROPOSED DEVELOPMENT**

The development application seeks a Development Permit for Reconfiguring a Lot - Subdivision (1 into 2 lots) in accordance with the plans shown below and in **Attachment 1**.

The proposed subdivision will separate the 2 dwellings on-site and excise smaller proposed Lot 71, which contains the north-west dwelling, from the balance of the property (proposed Lot 72). Both proposed Lots will be appropriately serviced with all available urban services and will contain the respective wastewater disposal systems currently servicing each dwelling.



**REGIONAL PLAN DESIGNATION**

The subject site is included within the Regional Landscape and Rural Production Area land use category in the Far North Queensland Regional Plan 2009-2031. Mareeba is identified as a Major Regional Activity Centre in the Regional Plan. The Regional Plan Map 3- ‘Areas of Ecological Significance’ also identifies the site is:

- *Wetland Area of General Ecological Significance*
- *Terrestrial Area of High Ecological Significance*
- *Terrestrial Area of General Ecological Significance*

**PLANNING SCHEME DESIGNATIONS**

Strategic Framework:	<b>Land Use Categories</b> <ul style="list-style-type: none"> <li>• <i>Investigation Area</i></li> </ul> <b>Natural Environment Elements</b> <ul style="list-style-type: none"> <li>• <i>Biodiversity Areas</i></li> </ul>
Zone:	Emerging Community zone
Mareeba Local Plan:	Mareeba Northern Expansion
Overlays:	Airport Environs Overlay Bushfire Hazard Overlay Environmental Significance Overlay Flood Hazard Overlay Hill and Slope Overlay Transport Infrastructure Overlay

**RELEVANT PLANNING INSTRUMENTS**

Assessment of the proposed development against the relevant planning instruments is summarised as follows:

**(A) Far North Queensland Regional Plan 2009-2031**

Separate assessment against the Regional Plan is not required because the Mareeba Shire Council Planning Scheme appropriately advances the Far North Queensland Regional Plan 2009-2031, as it applies to the planning scheme area.

**(B) State Planning Policy**

Separate assessment against the State Planning Policy (SPP) is not required because the Mareeba Shire Council Planning Scheme appropriately integrates all relevant aspects of the SPP.

**(C) Mareeba Shire Council Planning Scheme 2016**

**Strategic Framework**

*3.3 Settlement pattern and built environment*

*3.3.1 Strategic outcomes*

- (3) *Residential areas and urban expansion areas support strategically located and logically sequenced residential development, maximising the efficient utilisation of new and existing infrastructure, particularly active and public transport. Residential development, including*

*infill housing in designated areas, is focussed in Mareeba and the Kuranda district. A diversity of housing choices is developed within proximity to services and activity centres while protecting the character of the shire.*

*Housing for aged persons, both for independent and assisted living, is provided to support the aging population of the shire. Aged care development is provided in suitable locations in the residential areas and urban expansion areas of the shire.*

#### Comment

The subject land and all immediate surrounding lots are mapped as an urban expansion area by the Planning Scheme's Strategic Framework mapping. The proposed subdivision will separate the two existing dwellings on-site and will excise smaller proposed Lot 71 from the balance of the property. The proposed lot layout represents practical and logical infill development and will not compromise the future development potential of the larger balance of the land (proposed Lot 72).

The development does not conflict with the intent of Strategic Outcome 3.

### *3.3.8 Element - Urban expansion and investigation areas*

#### *3.3.8.1 Specific outcomes*

- (1) Urban expansion areas and investigation areas are anticipated to provide for development beyond the life of the planning scheme and are preserved for this purpose, with interim development not compromising future residential development.*

#### Comment

The subject land and all immediate surrounding lots are mapped as an urban expansion area by the Planning Scheme's Strategic Framework mapping. The proposed subdivision will separate the two existing dwellings on-site and will excise smaller proposed Lot 71 from the balance of the property. The proposed lot layout represents practical and logical infill development and will not compromise the future development potential of the larger balance of the land (proposed Lot 72).

The development does not conflict with the intent of Specific Outcome 1.

#### *3.3.8.2 Land use strategies*

- (1) Investigation areas are to be investigated to accommodate future development beyond the life of the planning scheme. Investigation areas are not to be developed unless there is an insufficient supply of land for the purpose intended to be developed. The purpose of development in an investigation area should promote a logical land use pattern, having regard to nearby land use and the established hierarchy of activity centres. In the instance that new or expanded areas are investigated, these are to be supported by detailed land use investigations that must demonstrate:
  - (a) need for land for the proposed land use;*
  - (b) mitigation or avoidance of impacts on sensitive receiving environments;*
  - (c) where involving good quality agricultural land:
    - (i) there is no alternative land available that is not good quality agricultural land; and*
    - (ii) the need for future development represents a public benefit.**
  - (d) suitable mitigation or offset arrangements in respect to impacts on areas of high ecological significance**

- (e) consistency with the Strategic Framework.
- (f) consistency with State and Regional Planning requirements.

Comment

The subject land and all immediate surrounding lots are mapped as an urban expansion area by the Planning Scheme's Strategic Framework mapping. The proposed subdivision will separate the two existing dwellings on-site and will excise smaller proposed Lot 71 from the balance of the property. The proposed lot layout represents practical and logical infill development and will not compromise the future development potential of the larger balance of the land (proposed Lot 72).

The proposed development will not further compromise the development potential of the subject land any more than it already is through existing configuration, built form and the presence of Dawson Road to the north and Blacks Road to the west. The development represents logical infill development, making efficient and practical use of residential land and is therefore not considered to be in conflict with the intent of Land Use Strategy 1.

**Relevant Developments Codes**

The following Development Codes are considered to be applicable to the assessment of the application:

- 6.2.4 Emerging community zone code
- 7.2.2 Mareeba local plan code
- 8.2.2 Airport environs overlay code
- 8.2.3 Bushfire hazard overlay code
- 8.2.4 Environmental significance overlay code
- 8.2.6 Flood hazard overlay code
- 8.2.8 Hill and slope overlay code
- 9.4.2 Landscaping code
- 9.4.3 Parking and access code
- 9.4.4 Reconfiguring a lot code
- 9.4.5 Works, services and infrastructure code

The application included a planning report and assessment against the planning scheme. An officer assessment has found that the application satisfies the relevant acceptable outcomes (or performance outcome where no acceptable outcome applies) of the relevant codes set out below, provided reasonable and relevant conditions are attached to any approval.

Relevant Codes	Comments
Emerging community zone code	The application complies with applicable acceptable/probable solutions/performance criteria apart from the following: <ul style="list-style-type: none"> <li>▪ Performance Outcome PO7</li> </ul> Refer to planning discussion section of report.

Mareeba local plan code	The application can be conditioned to comply with the codes relevant acceptable outcomes and/or performance outcomes (where no acceptable outcome is provided).
Airport environs overlay code	The application can be conditioned to comply with the codes relevant acceptable outcomes and/or performance outcomes (where no acceptable outcome is provided).
Bushfire hazard overlay code	The application can be conditioned to comply with the codes relevant acceptable outcomes and/or performance outcomes (where no acceptable outcome is provided).
Environmental significance overlay code	The application can be conditioned to comply with the codes relevant acceptable outcomes and/or performance outcomes (where no acceptable outcome is provided).
Flood hazard overlay code	The application can be conditioned to comply with the codes relevant acceptable outcomes and/or performance outcomes (where no acceptable outcome is provided).
Hill and slope overlay code	The application can be conditioned to comply with the codes relevant acceptable outcomes and/or performance outcomes (where no acceptable outcome is provided).
Landscaping code	The application can be conditioned to comply with the codes relevant acceptable outcomes and/or performance outcomes (where no acceptable outcome is provided).
Parking and access code	The application can be conditioned to comply with the codes relevant acceptable outcomes and/or performance outcomes (where no acceptable outcome is provided).
Reconfiguring a lot code	The application complies with applicable acceptable/probable solutions/performance criteria apart from the following: <ul style="list-style-type: none"> <li>▪ Performance Outcome PO1</li> </ul> Refer to planning discussion section of report.
Works, services and infrastructure code	The application can be conditioned to comply with the codes relevant acceptable outcomes and/or performance outcomes (where no acceptable outcome is provided).

#### **(D) Planning Scheme Policies/Infrastructure Charges Plan**

The following planning scheme policies are relevant to the application:

Planning Scheme Policy 4 - FNQROC Regional Development Manual

A condition will be attached to any approval requiring all development works be designed and upgraded in accordance with FNQROC Development Manual standards.

#### **(E) Adopted Infrastructure Charges Notice**

The subject site contains 2 dwellings. The proposed reconfiguration will separate the dwellings onto separate allotments. It is therefore considered that credits exist over both Lots 71 and 72 for the following trunk networks:



- Parks and open space; and
- Transport (roads)

No charge is applicable for sewer as the subject land is not serviced by the reticulated town sewer network.

With regards to town water supply, of which the land is benefited by, the site currently contains only 1 water service connection, situated along the frontage of proposed Lot 72. In line with Council's current practice for new water service connections, Lot 71 will need to be provided with a separate additional water service, and an infrastructure charge will be payable. The current infrastructure charge for water supply is \$5,065.00.

**REFERRAL AGENCY**

This application did not trigger referral to any Referral Agency.

**Internal Consultation**

Development Engineering

**PUBLIC NOTIFICATION**

The development proposal was placed on public notification from 28 September 2022 to 21 October 2022. The applicant submitted the notice of compliance on 26 October 2022 advising that the public notification requirements were carried out in accordance with the requirements of the Act.

One (1) properly made submission was received.

The grounds for objection/support are summarised and commented on below:

Grounds for objection /support	Comment
<p>The roadside drain between the edge of Dawson Road and the property boundary becomes waterlogged throughout the wet season and does not drain correctly. Furthermore, Both Dawson Road and Blacks Road hold a considerable amount of water in the middle of both roads during the wet season. This Stagnant water is a breeding ground for Mosquitos. How does the new development meet its responsibilities for drainage or help improve the drainage on both roads.</p>	<p>The proposed subdivision will separate the two existing dwellings on-site onto separate allotments. The subdivision will not change the current arrangement on site and will not result in an increase in dwellings accessing from either Blacks Road or Dawson Road. In this instance, it is not considered reasonable to require frontage works for either Lot 71 or 72, including drainage works. In future when the balance allotment and surrounding lots are master planned for residential development, the surrounding road and drainage networks will be required to be upgraded, inclusive of roadside drainage.</p>
<p>The current intersection of Blacks Road and Dawson Road is not constructed to standard with no line marking, poor visibility and Ergon power poles in close proximity to the road edge. What consideration has been given to road safety and will the developer be required to upgrade or improve safety at this intersection.</p>	<p>The proposed subdivision will separate the two existing dwellings on-site onto separate allotments. The subdivision will not change the on-ground situation and will not result in an increase in dwellings accessing from either Blacks Road or Dawson Road. In this instance, it is not considered reasonable to require frontage works for either Lot 71 or 72. In future when the balance allotment and surrounding lots are master planned for residential development, the surrounding road network will be required to be upgraded.</p>
<p>There is no coherent development policy for Blacks Road (i.e. a Master Plan) that leads to Sunrise Close or Blacks Road heading North.</p>	<p>Since the current Planning Scheme has been in effect no development of a scale large enough to warrant a master plan (referred to as a Structure Plan in the current Planning Scheme) has been proposed along Blacks Road. The rural residential (1 acre) allotments in proximity to the development site were</p>



	created under an old approval granted under a previous Planning Scheme. When the balance land is eventually developed, a structure plan will be required to be produced and approved by Council.
The proposed lots do not meet the minimum lot size and frontage requirements for the Emerging Community Zone. The development is inconsistent with the intent of the zone.	Refer to Planning Discussion section of the report for further commentary on non-compliance with the Emerging community zone code and the Reconfiguring a lot code.
What headworks charges will be payable by the developer.	Refer to the Adopted Infrastructure Charges Notice section of the report for further commentary.
<i>"In the last 15-20 years we have experienced new subdivisions in this area. And with this growth, you can expect an increase in traffic on Blacks Road and Dawson Road. During this time, other than developers contributing to the widening and improvement of roads around their own development, there has been no other improvements made in this area."</i>	Infrastructure upgrade requirements are made on a case by case basis when development applications are lodged. To date, no master planned development has occurred in the Blacks/Dawson Road areas that would warrant road works beyond the frontages of the land developed. Although Blacks Road is currently not constructed to standard, the road is considered to be of an adequate standard to cater for the amount of traffic using the road. This proposed development will separate existing dwellings only and will therefore not result in an increase in users on Blacks Road or Dawson Road. Eventually when funding is available, or a master planned residential estate is proposed in the area these roads will be upgraded.
<i>"Will the Mareeba Shire Council now allow further 'one off' allotments around the 1,000/2,000m<sup>2</sup> in this Blacks/Dawson Road area without improving the existing road, intersections or drainage?"</i>	Each application will need to be looked at on a case by case basis and assessed for compliance against the Planning Scheme. Any development that is likely to compromise the future long-term residential development of the area is not likely to be approved by Council.

**Submitters**

Name of Principal submitter	Address
1. Frank Carusi	8 Dawson Road, Mareeba QLD 4880

**PLANNING DISCUSSION**

Compliance with the Performance Outcomes of the Emerging community zone code and the Reconfiguring a lot code are summarised as follows:

**Emerging Community Zone Code**

**PO7**

*Development occurs as outlined in a Structure Plan that:*

- (a) is prepared in accordance with Planning Scheme Policy 8 Structure Planning;*
- (b) takes into consideration land use need and the type, scale, density of proposed urban development;*
- (c) includes a road network that:*
  - (i) is logically designed;*
  - (ii) can be delivered sequentially;*
  - (iii) includes an urban morphology that is consistent with the surrounding area;*

- (iv) *provides pedestrian links to centres and open space;*
- (d) *locates any non-residential development:*
  - (i) *on major roads;*
  - (ii) *where not introducing non-residential traffic to residential streets; and*
  - (iii) *to provide the day to day needs of the immediate residential community;*
- (e) *scales any non-residential development to:*
  - (i) *be consistent with the scale of surrounding residential development;*
  - (ii) *not undermine the viability of nearby centres or the centres network; and*
  - (iii) *not unduly detract from the amenity of nearby residences.*

**A07**

*No acceptable outcome provided.*

**Comment**

A structure plan has not been prepared as part of this development application, nor is it considered necessary that a structure plan be produced in this instance.

- The proposed subdivision will separate the two existing dwellings on-site and will excise smaller proposed Lot 71 from the balance of the property. The proposed lot layout represents practical and logical infill development and will not compromise the future development potential of the larger balance of the land (proposed Lot 72).

The development will not compromise the fulfilment of PO7 for future applicable large scale residential development.

**Reconfiguring a Lot Code****PO1**

*Lots include an area and frontage that:*

- (a) *is consistent with the design of lots in the surrounding area;*
- (b) *allows the desired amenity of the zone to be achieved;*
- (c) *is able to accommodate all buildings, structures and works associated with the intended land use;*
- (d) *allow the site to be provided with sufficient access;*
- (e) *considers the proximity of the land to:*
  - (i) *centres;*
  - (ii) *public transport services; and*
  - (iii) *open space; and*
- (f) *allows for the protection of environmental features; and*
- (g) *accommodates site constraints.*

**AO1.1**

*Lots provide a minimum area and frontage in accordance with **Table 9.4.4.3B**.*

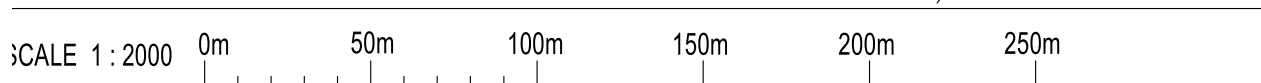
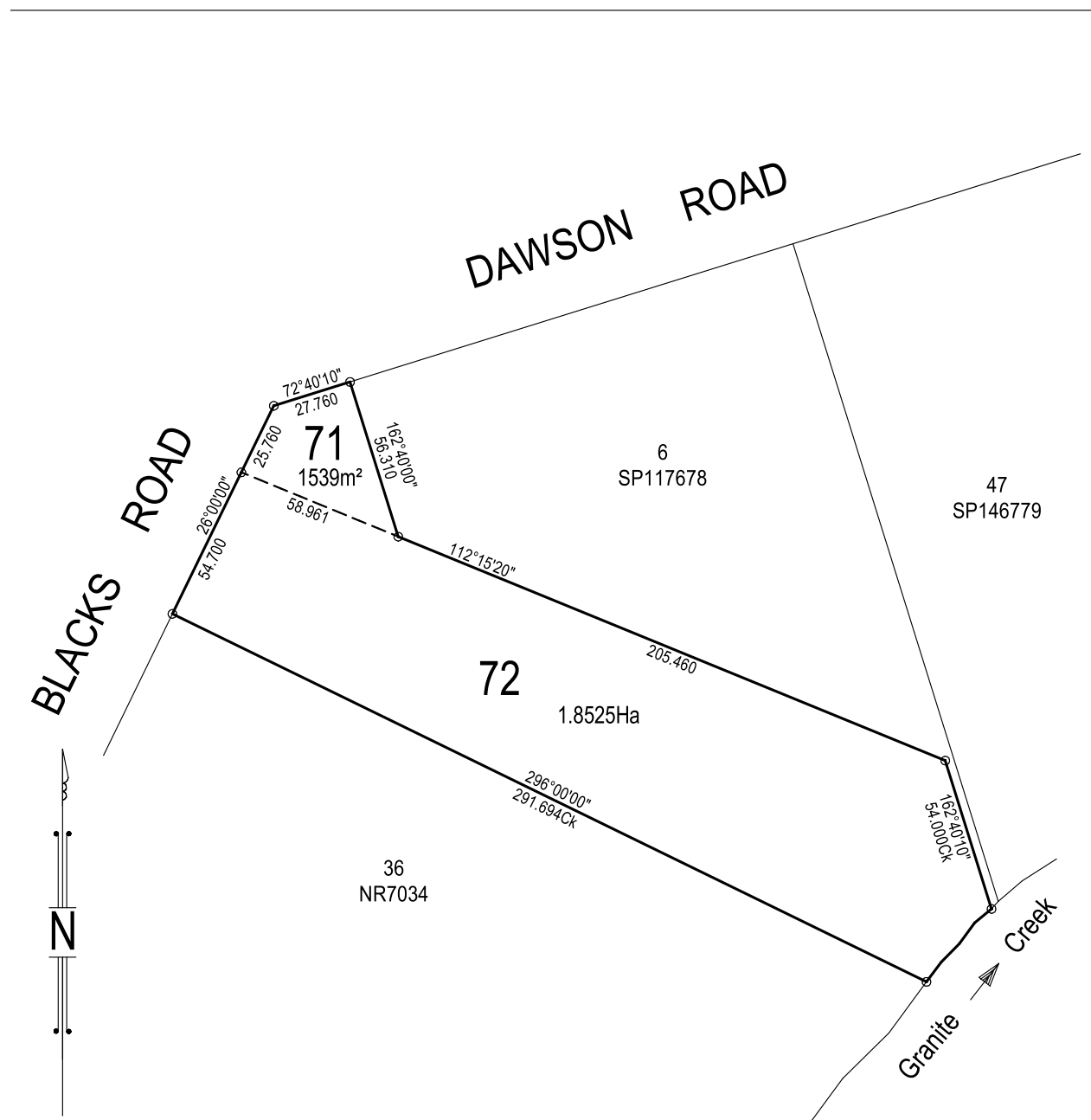
Comment

Table 9.4.4.3.B dictates that land within the Emerging Communities Zone achieve a minimum lot size of 10 hectares and a minimum frontage of 100m. The proposed reconfiguration is therefore non-compliant with AO1.1.

Assessment is therefore necessary against PO1 and the criteria it nominates:

- (a) Proposed Lot 72 is consistent in size with other lots in the vicinity. Smaller proposed Lot 71 is the smallest lot in the vicinity at only 1,539m<sup>2</sup>, however its size and shape is a result of a logical lot layout and excision and still allows for the desired amenity of the zone to be achieved.
- (b) The proposed lots allow the desired amenity of the zone to be achieved.
- (c) Each of the proposed lots is of sufficient size and shape to be able to accommodate all buildings, structures and works associated with the intended future residential land use;
- (d) No change to the existing access arrangements to each of the dwellings/lots will occur.
- (e) The site is within reasonable proximity to Mareeba township and the services it offers. Due to their size, both lots offer significant onsite open space opportunities.
- (f) The proposed subdivision will not impact on any environmental feature on-site.
- (g) Both proposed lots reasonably accommodate all constraints.

The development complies with PO1.



AMENDMENTS - ORIGINAL       	PROPERTY DESCRIPTION LOT 7 ON SP117678	REGISTERED OWNER V & J XHAFER	LOCAL GOVERNMENT: MSC LOCALITY: MAREEBA SITUATED AT : BLACKS ROAD & DAWSON ROAD
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<b>DEVELOPMENT PLAN</b> Proposed Reconfiguration of a Lot (1 Lot into 2 Lots)	 <b>TWINE SURVEYS PTY LTD</b> 36 Mabel St, Atherton 4883 PO Box 146, Atherton 4883 P 07 40911303 E info@twinesurveys.com.au
DWG NO. 9173 - 111      11 7 2022      REV A	

Chief Executive Officer  
Mareeba Shire Council  
P.O. Box 154  
MAREEBA QLD 4880

To whom it may concern,

Development Application No. RAL/22/0016

This submission is regarding the application for Reconfiguration of Lot (1 Lot into 2 lots), located at Lot 7 on SP117678, 100 Blacks Road, Mareeba. The application proposes 2 lots described as Lot 71 (1,539m<sup>2</sup>) and Lot 72 (1.8525 hectares)

Proposed Lot 71 – 1,539m<sup>2</sup> is a near level, corner allotment with frontage to both Blacks and Dawson Road. The proposed lot is improved with a fibrous cement dwelling with corrugated galvanised iron roofing. The dwelling appears to be in fair condition.

We raise the following concerns regarding the application which we seek to be addressed in assessing the development application.

- The existing road drain facing Dawson Road, in front of the new development is waterlogged throughout the wet season. This is not 'sheet' water but stagnant water. This water does not flow around the corner to the drain on Blacks Road (a drain that was installed during the Adil family development). This stagnant water is a breeding ground for Mosquitoes.





- Both sides of the intersection, (Blacks and Dawson Road) currently hold a considerable amount of water (again stagnant water) in the middle of the road throughout the wet season.
- The surrounding area is near level and low lying. This hinders water runoff in heavy rain.
- How does the new development meet its responsibilities for drainage OR improve the drainage on Blacks and Dawson Road?
- Is the current intersection of an approved width? Dawson road at the intersection is approximately 5 metres wide. If the current intersection is NOT of an approved width, what consideration is given to road safety in regards the to the very close Ergon Energy electricity poles, on either side of the intersection?
- Traffic approaching the Blacks Road and Dawson Road intersection have little to no visibility of other traffic approaching until arriving at the intersection. There have been several near collisions at this intersection. Traffic regularly cut the corner off Blacks and Dawson roads leaving the bitumen, destroying the gravel sides whilst narrowly missing the nearby Ergon timber pole by very few centimetres.
- There are no line markings at the intersection of Blacks Road and Dawson Road. With regards to the Blacks Road and Dawson Road intersection, how will this subdivision improve intersection safety in this Emerging Community?
- Up until now, there hasn't been a coherent development policy for Blacks Road (i.e., A Master Plan) that leads to Sunrise close or Blacks Road heading North.
- The subject Lot 7 currently does not meet the minimum size of 10 hectares permitted under the Emerging Community Zone. Further reconfiguration of Lot 7 to create 2 smaller lots, with frontages less than 100m, further exacerbates the non-compliance of the lot size and dimensions. The proposed lots are inconsistent with the intention of the Emerging Community Zone, namely that, *“Urban development may occur in the zone in accordance with an approved structure plan but the primary purpose of the zone and the code is to reserve land for future urban development, the majority of which is likely to occur beyond the life of the planning scheme.”*
- Assuming the proposed lot will be 'For Sale' if approved, what contribution will be made to Headworks? We have seen in the past that the developers in the surrounding area, within very close proximity to the subject proposal, have had to pay Headwork charges as part of their Development Approval. We assume that this new proposed lot would have to contribute, the same as the other developers. We have not seen any documentation that there will be any improvements made to the existing roads and/or intersections. How is it that other developers (in the Blacks Road Emerging Community) have all had to improve the road width/drainage and pay Headworks charges. It's a new lot therefore under the planning scheme should it not be made to contribute to "Headworks charges" as they currently apply, notwithstanding the fact there is an existing dwelling.

- In the last 15-20 years we have experienced new subdivisions in this area. And with this growth, you can expect an increase in traffic on Blacks and Dawson Road. During this time, other than developers contributing to the widening and improvement of roads around their own development, there has been no other improvements made in this area.
- Will the Mareeba Shire Council now allow further 'one off' allotments around the 1,000/2,000m<sup>2</sup> in this Blacks/Dawson Road area without improving the existing road, intersections, or drainage?

We hope that you take our concerns into consideration and that the safety of the community is a priority, whilst achieving a desirable outcome for all parties involved.

We would like to see that all property owners in this Emerging Communities Zoning follow the same guidelines according to the Mareeba Planning Scheme.

Regards

Frank Carusi  
8 Dawson Road  
MAREEBA QLD 4880  
0488 405 880





**8.4 COUNCIL POLICY REVIEW**

**Date Prepared:** 15 November 2022

**Author:** Manager Development and Governance

**Attachments:**

1. **Signing of Correspondence and Documents Policy** [↓](#)
2. **Contact with Lobbyists Policy** [↓](#)
3. **Investigation Policy** [↓](#)

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**EXECUTIVE SUMMARY**

As part of the ongoing organisation-wide compliance policy review work, amended and newly created instruments along with instruments marked for repeal are presented to Council for consideration.

**RECOMMENDATION**

That Council:

1. Repeals the
  - (a) Signing of Correspondence and Documents Policy – adopted 17 November 2021
  - (b) Business Continuity Management Policy – adopted 18 April 2018
  - (c) Contact with Lobbyists Policy – adopted 21 November 2018
  - (d) Investigation Policy – adopted 21 November 2018
2. Adopts the
  - (a) Signing of Correspondence and Documents Policy
  - (b) Contact with lobbyists Policy
  - (c) Investigation Policy

**BACKGROUND*****Signing of Correspondence and Documents Policy*****Purpose**

Section 236 of the *Local Government Act 2009* (Qld) (LGA) provides the authority for the signing of documents on behalf of a local government. More specifically, the section provides for **who** may sign a document.

Relevantly, section 236(1)(c) of the LGA provides that a local government employee who does not hold an authority to sign documents of behalf of Council under a statutory delegation may be authorised by the head of the local government (the Mayor as defined under s 236(2)), in writing, to sign documents. Section 3.4 of Council's current *Signing of Correspondence and Documents Policy* provides for this mechanism.

**Issue**

It has been identified that some senior officers do not hold an authorisation to sign documents on behalf of Council under the extant policy and these officers additionally do not hold an authorisation via an existing statutory delegation. Section 3.4 of the policy provides authorisation for officers **not** holding an authorisation under a statutory delegation however the section provides such authorisation only for officers holding a position of **Supervisor** or **Coordinator**. It is determined that some 'senior' officers of Council who do not hold the position of a Supervisor or Coordinator undertake routine business functions on behalf of Council which necessitate that they ought reasonably to hold an authorisation to sign routine template documents on behalf of Council.

**Proposed amendment**

To remedy the above circumstance of policy limitation, section 3.4 of the policy has been amended to include the words 'Senior officer' to facilitate the routine business functions undertaken by those senior officers.

**Business Continuity Management Policy**

The policy held the purpose of assisting the organisation prepare for disruptive events to its operations and defined Council's approach to business continuity management and the principles by which business continuity plans will be developed and maintained.

Review of this instrument undertaken in late May of 2022 has determined that the principles and responsibilities outlined in the *Business Continuity Management Policy* are sufficiently represented in the *Business Continuity Management Plan*. The policy instrument is therefore deemed redundant and no longer required.

**Contact with Lobbyists Policy**

The purpose of this policy is to provide guidance for Councillors and Council Officers when dealing with lobbyists – defined as an entity such as a body corporate, partnership, unincorporated body, individual or trustee that carries out a **lobbying activity** for a third-party client or whose employees or contractors carry out a lobbying activity for a third-party client.

The content remains relevant in entirety. Minor formatting changes only affected to section 7 References section to denote jurisdictional authority relevant to each reference instrument.

**Investigation Policy**

The purpose of this policy is to describe how complaints about the inappropriate conduct of Councillors will be dealt with as required under section 150AE of the *Local Government Act 2009* (Qld).

The content remains relevant in entirety. Minor formatting changes only affected to section 6 References section to denote jurisdictional authority relevant to each reference instrument.

**FINANCIAL AND RESOURCE IMPLICATIONS****Capital**

Nil

**Operating**

Nil

**LINK TO CORPORATE PLAN**

**Governance:** Sound decision making based on effective frameworks and clear strategic direction to achieve regulatory compliance while delivering affordable levels of identified services within the Shire.

**IMPLEMENTATION/COMMUNICATION**

Policy library and website updated to publish.



### Signing of Correspondence and Documents Policy

Policy Type	Governance Policy	Version:	5.0
Responsible Officer	Director Corporate & Community Services	Date Approved:	14/12/2022
Review Officer:	Director Corporate & Community Services	Review Due:	14/11/2025
Author:	Senior Compliance Officer	Commencement:	14/12/2022

**1. PURPOSE**

To inform employees of the levels of responsibility for signing of documents on behalf of Council.

**2. SCOPE**

This policy applies across Council.

**3. POLICY STATEMENT**

**3.1 AUTHORITY**

The *Local Government Act 2009* (Qld) (LGA) relevantly provides the authority for the signing of local government documents as follows:

**"236 Who is authorised to sign local government documents**

*(1) The following persons may sign a document on behalf of a local government—*

- (a) the head of the local government;*
- (b) a delegate of the local government;<sup>1</sup>*
- (c) a councillor or local government employee who is authorised by the head of the local government, in writing, to sign documents."*

This Policy records authority from the Mayor and Chief Executive Officer to other Council officers to sign correspondence and documents on behalf of Council.

Officers have the responsibility of making decisions on behalf of Council. This means that decisions may be subject to appeal or to the making of administrative action complaints. Officers are therefore expected to exercise their discretion in accordance with the provisions of the law as it would have applied to Council were it making the decision.

In making decisions, officers should make themselves aware of any specific Council policies, decisions, local laws, etc, that may be relevant. This is a critical responsibility that forms an integral part of the authority to sign. This authority does not derogate from the power of Council or the Chief Executive Officer to act in any matter itself. Accordingly, decisions that appear to the officer to be of public interest, controversial, or to have some special importance, should be referred to the officer's supervisor for determination. In exercising this judgment, decisions should be referred if the officer has any doubts about the interest in or significance of the proposal.

Before signing any Council document, an officer must ensure that they have the delegated authority to do so.

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<sup>1</sup> See *Local Government Act 2009* (Qld) s 257. Authority is commonly delegated by Council to the Chief Executive Officer.

## Signing of Correspondence and Documents Policy

Separate delegated authority may be given through other legislation, for example, under Instruments of Appointment and Instruments of Delegation. Some of Council's Local Laws also have provision for delegated authority.

Unless an officer has delegated authority, they cannot sign any document on behalf of Council.

### 3.2 GENERAL CORRESPONDENCE AND DOCUMENTATION

This Policy is to be applied by officers in dealings involving correspondence and documentation on behalf of Council under such a delegation. All officers to whom the duty and authority to sign outward correspondence and other documentation have been delegated have the following obligations:

- correspondence which appears to the officer to be potentially controversial or to have major policy ramifications, should be discussed with the Chief Executive Officer or the Director of the officer's department prior to signing; and
- to be aware of specific Statutes and Council policies, decisions, local-laws, etc, which relate to the matter under reply. This is a key responsibility which forms an integral part of the authority.

### 3.3 EXCEPTIONS

The following correspondence is expressly **excluded** from this Policy and requires the signature of the Chief Executive Officer:

- correspondence originating from or otherwise involving the Chief Executive Officer's direct interest;
- correspondence determined to be legally requiring signature by the Chief Executive Officer, that cannot be delegated;
- letters of legal action and or prosecution that have not been particularly described in a delegation; and
- any other letter which the Director of the relevant Department feels, for reasons of protocol or importance, should be personally signed by the Chief Executive Officer.

### 3.4 DESIGNATED OFFICERS

Officers at Supervisor/Coordinator/Senior officer level may sign their own name on template letters approved by the relevant Manager and Director under section 3.5 including minor variations emanating from areas under their supervision but excluding correspondence under clause 3.3.

### 3.5 MANAGERS

Managers may sign in their own name routine correspondence emanating from areas under their control excluding correspondence under clause 3.3.

The Manager Human Resources has the delegated authority to sign letters of appointment for internal transfers and appointments in accordance with an appropriately completed selection report and endorsement of the Executive Management Team.

All standard letter templates should be reviewed by the Manager annually and approved by the Director. Any merge file letter template (including authority generated letters) must be appropriately profiled.

Signing of Correspondence and Documents Policy

In special circumstances, the Chief Executive Officer may approve the delegation to sign standard correspondence to a specific position for a specified period, to a maximum period of three months. A copy of this delegation is to be placed on the officer's personnel file and recorded in the Delegations Register.

**3.6 DIRECTORS**

Directors may sign in their own name, correspondence concerning both routine and policy items excluding correspondence under clause 3.3.

**3.7 CORRESPONDENCE RELEVANT TO APPOINTMENT AND DISCIPLINARY ACTION OF EMPLOYEES**

The LGA provides that the Chief Executive Officer appoints the local government's employees (other than senior executive employees) and is the only person who may take disciplinary action against a local government employee.<sup>2</sup> The LGA permits the Chief Executive Officer to delegate the chief executive officer's powers.<sup>3</sup>

The Chief Executive Officer has delegated to the Directors the power to appoint a local government employee up to and excluding Contract Managers.

**3.8 FORMAT OF SIGNATURE BLOCK**

The signature block displayed upon correspondence between Council and other parties is to hold the following format:

Signature of Delegated Signatory  
**TYPED FIRST NAME AND SURNAME OF SIGNATORY**  
**POSITION TITLE OF SIGNATORY**

**3.9 USE OF SCANNED SIGNATURES**

The use of scanned signatures must have documented approval of the relevant authorised person.

**3.10 AUTHORITY TO SIGN DOCUMENTS**

Excluding those documents set out in section 3.3, the following table sets out those positions which are authorised to sign documents.

Authority No.	Description of Powers	Delegated Position
A1	Plans of Survey and other documentation relating to subdivisions of land and community management plans	CEO Director Corporate & Community Services Manager Development & Governance (in the absence of the above)

<sup>2</sup> Ibid ss 196-197.

<sup>3</sup> Ibid s 259.

Signing of Correspondence and Documents Policy

Authority No.	Description of Powers	Delegated Position
A2	Deeds of indemnity, agreements and service level agreements relating to operational matters within their area of responsibility	CEO Directors
A3	Approve and issue variation for contracts/agreements (Subject to delegations from Council)	CEO Directors Authorised officers in accordance with <i>Local Government Regulation 2012</i> (Qld) (LGR) and Procurement Policy
A4	Approve purchasing contract documentation and associated variations within the delegated purchasing authority	CEO Directors Authorised officers in accordance with LGR and Procurement Policy
A5	Agreements for professional services, copyrights, reproduction, indemnification, grants, etc.	CEO Directors
A6	Statutory and legal documents including: <ul style="list-style-type: none"> <li>• Licence Agreements</li> <li>• Leases</li> <li>• Employment contracts (CEO only for contract positions)</li> <li>• Appointment of an employee not included in the organisational structure (with the exception of casual staff)</li> <li>• Contracts for sale/purchase of major assets within the delegated purchasing authority</li> <li>• Termination of staff</li> </ul>	CEO Directors
A7	<ul style="list-style-type: none"> <li>• Statutory compliance reports and documentation</li> </ul>	CEO Directors Authorised officers in accordance with the sub-delegation under the relevant legislation

**4. REPORTING**

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No additional reporting is required

**5. DEFINITIONS**

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**Correspondence** – means:

- letters compiled to manage the day-to-day administration relating to operational matters within the officer's area of responsibility;

Signing of Correspondence and Documents Policy

- technical correspondence, standard and form letters relating to operational matters within the officer's area of responsibility;
- letters compiled to manage the day-to-day administration and operational requirements of Council within the Chief Executive Officer's or Director's area of responsibility.

**Council** – means: the Mareeba Shire Council including all elected representatives, employees, contractors, volunteers, a Standing or Joint Standing Committee, committee members and any entity under direct Council ownership, management, sponsorship or financial control.

**Documents** – include:

- plans of survey;
- deeds of indemnity;
- agreements;
- contracts;
- licences;
- variation orders for contracts;
- tenders;
- sponsorship and endorsements;
- leases;
- applications;
- memorandum of understanding
- Statutory compliance reports and documentation in accordance with delegation or sub-delegation under the relevant legislation.

**Head of Local Government** – means:

*"(a) the mayor; or  
 (b) if all of the councillors have been suspended or the local government has been dissolved under section 123 and an interim administrator is appointed—the interim administrator; or  
 (c) if there are no councillors for any other reason and an interim administrator has not been appointed—the chief executive officer."*<sup>4</sup>

**6. RELATED DOCUMENTS AND REFERENCES**

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Local Government Act 2009 (Qld)  
 Local Government Regulation 2012 (Qld)

**7. REVIEW**

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It is the responsibility of the Director Corporate & Community Services to monitor the adequacy of this policy and implement and approve appropriate changes. This policy will be formally reviewed every three (3) years or as required by Council.

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<sup>4</sup> Ibid s 236(2).





## Contact with Lobbyists Policy

Policy Type	Governance Policy	Version	2.0
Responsible Officer	Manager Development & Governance	Date Approved:	14/12/2022
Review Officer:	Manager Development & Governance	Review Due:	14/11/2026
Author:	Manager Development & Governance	Commencement:	14/12/2022

### 1. PURPOSE

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The purpose of the Contact with Lobbyists Policy is intended to provide guidance for Councillors and Council Officers when dealing with lobbyists.

### 2. POLICY BACKGROUND

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Free and open access to Councillors, and Council itself is vital to efficient and effective local government. It is accepted that Councillors and Council Officers may be approached or lobbied by members of the community on a broad range of issues. However, there is a difference between the type of lobbying carried out by members of the community representing their own interests and professional lobbyists engaged by a third-party client for a fee or reward to influence local government decision-making.

Regulation of the activities of professional lobbyists is via the *Integrity Act 2009* which defines lobbying and related concepts, places limitations on lobbying activities and also requires the registration of professional lobbyists with the Integrity Commissioner.

To ensure that there is no confusion as to who is classified as a lobbyist and what are considered lobbying activities, it is important to have a clear understanding of the definition of “lobbyist” and “lobbying activity” as set out in the *Integrity Act 2009*.

It is always the aim of Council to ensure that all decisions are legal, ethical and impartial. Such principles are reflected in s4 the *Local Government Act 2009* (i.e. the “local government principles”) and s 12 of that Act (the responsibilities of Councillors). Providing a policy as to how Councillors and Council Officers should deal with lobbyists will assist in better decision-making for Councillors and Council Officers relating to lobbyists dealings with Council and can also be used to confirm Council’s approach with potential lobbyists.

### 3. POLICY STATEMENT

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This policy confirms Council’s commitment to:

- Compliance with relevant Codes of Conduct, the *Local Government Act 2009* and the *Integrity Act 2009* which regulates contact between lobbyists and local government representatives;
- A consistent and transparent approach with regard to Councillors’ and Council Officers’ contact with lobbyists to ensure that the public’s expectations of transparency and integrity are upheld; and
- Ensuring that careful consideration is given to any recommendations or directions provided by the Integrity Commissioner in relation to lobbying.

## Contact with Lobbyists Policy

The focus of this Policy is on lobbying activities conducted by lobbyists (as defined below) however it is important to note that in certain circumstances, such as, Council's Expression of Interest and Tender Process, the act of lobbying a Councillor or Council Officer may not be permitted under any circumstances whether it is conducted by a lobbyist (as defined below) or an individual acting on their own behalf.

### 4. SCOPE

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This policy applies to all Councillors and Council officers.

### 5. GUIDING PRINCIPLES

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#### 5.1 LOBBYISTS' OBLIGATIONS

It is the responsibility of lobbyists to register on the Lobbyists' Register held by the Integrity Commissioner and to ensure that all lobbying is conducted in accordance with the Lobbyists Code of Conduct, as approved by the Commissioner.

When a lobbyist makes initial contact with a Councillor or Council Officer in order to carry out a lobbying activity, that lobbyist must inform the Councillor or Council Officer:

- a) That they are a lobbyist currently listed on the register of registered lobbyists held by the Integrity Commissioner, or
- b) That they are a listed person for a lobbyist who is currently on the register of registered lobbyists; and
- c) That they are making contact on behalf of a third party; and
- d) The name of the third-party; and
- e) The nature of that third party's issues; and
- f) The reasons for the approach.

When a lobbyist who became a former senior government representative (including a former Councillor) less than two years earlier makes contact with a Councillor or Council Officer, they must indicate all of the following:

- a) That they are a former senior government representative;
- b) When they became a former senior government representative; and
- c) That the matter is not a 'related lobbying activity' - an activity prohibited under the *Integrity Act 2009*.

In addition to the above, the Integrity Commissioner requires a lobbyist to record details of any lobbying contact made with a Councillor or Council Officer. For the avoidance of doubt, this policy does not set out all the requirements and processes imposed upon lobbyists by the *Integrity Act 2009*.

#### 5.2 COUNCIL OBLIGATIONS

Under s71 of the *Integrity Act 2009*, a Councillor or Council Officer must not knowingly permit an entity that is not a registered lobbyist to carry out a lobbying activity for a third-party client.

If a Councillor or Council Officer becomes aware that an entity seeking to carry out a lobbying activity for a third-party client is not a registered lobbyist, Council is required to advise the Integrity Commissioner as soon as practicable.

### Contact with Lobbyists Policy

Under s70 of the *Integrity Act 2009*, for 2 years after a person becomes a former senior government representative the person must not carry out a related lobbying activity for a third-party client and a Councillor or Council Officer must not knowingly permit a related lobbying activity. If a Councillor or Council Officer is aware that an entity seeking to carry out a lobbying activity for a third-party client is not a registered lobbyist, the details must be provided to the CEO, and the Integrity Commissioner is to be advised as soon as practicable.

Under the advice of the Queensland State Archivist made under the *Public Records Act 2002*, records need to be created and retained of all contact by our Councillors and Council Officers with all entities seeking to influence government decision-making whether the lobbyist was registered or not.

The Integrity Commissioner requires that Council maintains its own register of contact with lobbyists and be able to provide this to the Office of the Integrity Commissioner as required. Council will maintain a Contact with Lobbyists' Register, which is to be made available to the Integrity Commissioner. Attachment 1 sets out the format of the Register of Contact with Lobbyists Register as provided by the Integrity Commissioner.

Council's Organisational Guideline 'Contact with Lobbyists' will set out the specific procedures to assist Councillors and Council Officers comply with their obligations.

### 5.3 COMPLIANCE WITH ETHICAL STANDARDS

The *Integrity Act 2009* seeks to ensure that contact between lobbyists, as defined by The Act, and a Council representative is conducted in accordance with public expectations of transparency and integrity, and in the public interest. In this regard, Councillors and Council Officers should remember that legislation binds them, codes of conduct and Council policies to ensure that all actions were taken and decisions made are legal, ethical and impartial.

Such principles are reflected in s4 of the *Local Government Act 2009* ("the local government principles") and s12 and 13 of that Act (s12 responsibilities of councillors; s13 Responsibilities of local government employees).

## 6. DEFINITIONS

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A **lobbyist** is an entity such as a body corporate, partnership, unincorporated body, individual or trustee that carries out a **lobbying activity** for a third-party client or whose employees or contractors carry out a lobbying activity for a third-party client.

A **third-party client** is an entity that engages another entity in providing services constituting, or including, a lobbying activity for a fee or other reward that is agreed to before the other entity provides the services.

The following entities, or an employee or contractor of, or person otherwise engaged by such entities are **not considered lobbyists**:

- A non-profit entity;
- An entity constituted to represent the interests of its members (for example, an employer group, a trade union, a professional body such as the Queensland Law Society);
- Members of trade delegations visiting Queensland;
- An entity carrying out incidental lobbying activities;
- An entity carrying out a lobbying activity only for the purpose of representing that entity's own interests.

### Contact with Lobbyists Policy

A **non-profit entity** is an entity that is not carried on for the profit or gain of its members (for example, a charity, church, club or environmental protection society).

An entity carries out **incidental lobbying activities** if the entity undertakes, or carries on a business, primarily intended to allow individuals to undertake a technical or professional occupation in which lobbying activities are occasional only and incidental to the provision of professional or technical services. Examples of incidental lobbying activities include:

- An entity is carrying on the business of providing architectural services, as or by using, a practicing architect under the *Architects Act 2002*.
- An entity carrying on the business of providing professional engineering services as, or by using, a registered professional engineer under the *Professional Engineers Act 2002*;
- An entity carrying on the business of providing legal services as an Australian legal practitioner or a law practice under the *Legal Profession Act 2007*;
- An entity is carrying on the business of providing accounting services as, or by using, an accountant who holds a practising certificate issued by CPA Australia, the Institute of Chartered Accountants in Australia or the Institute of Public Accountants.

A **lobbying activity** is:

Contact with a government representative in an effort to influence State or Local Government decision-making, including:

- The making or amendment of legislation; and
- The development or amendment of a government policy or program; and
- The awarding of a government contract or grant; and
- The allocation of funding; and
- The making of a decision about planning or giving of a development approval under the *Planning Act 2016*.

**Contact** includes telephone contact, email contact, written mail contact and face-to-face meetings.

The following contact is **not a lobbying activity**:

- Contact with a committee of the Legislative Assembly or a Local Government;
- Contact with a member of the Legislative Assembly, or a Councillor, in his or her capacity as a local representative on a constituency matter;
- Contact in response to a call for submissions;
- Petitions or contact of a grassroots campaign nature in an attempt to influence government policy or decision;
- Approved contact in response to a request for tender;
- Statements made in a public forum;
- Responses to requests by government representatives or Opposition representatives for information;
- Incidental meetings beyond the control of a government representative or Opposition representative (for example, a Minister or the Leader of the Opposition speaks at a conference and has an unscheduled discussion with a lobbyist who is a conference participant).
- Contact on non-business issues, including, for example, issues not relating to a third-party client of the lobbyist or lobbyists' sector; or
- Contact only for the purpose of making a statutory application.

A **statutory application** means an application under an Act that is considered and decided by a government representative under that Act (for example, an application for a licence, permit or other authority).

### Contact with Lobbyists Policy

A former **senior government representative** is someone who previously held one of the following positions:

- The Premier or another Minister;
- An Assistant Minister;
- A Councillor;
- A public sector officer, who was a chief executive, senior executive or senior executive equivalent (an employee, other than chief executive, whose remuneration is equal to or greater than the remuneration payable to a senior executive);
- A ministerial staff member; or
- An assistant minister staff member.

A **related lobbying activity**, for a person who is a former senior government representative or former Opposition representative, means a lobbying activity relating to the person's official dealings as a government representative or Opposition representative in the two years before becoming a former senior government representative or a former opposition representative.

The **Lobbyists Register** is a register of registered lobbyists kept by the Integrity Commissioner. The register is published on the Integrity Commissioner's website.

The **Lobbyists Code of Conduct** is approved by the Integrity Commissioner for lobbyists in relation to lobbying activities. The purpose of the Lobbyists Code of Conduct is to provide standards of conduct for lobbyists to ensure that contact between lobbyists and government and opposition representatives is carried out in accordance with public expectations of transparency and integrity.

## 7. REFERENCES

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*Architects Act 2002 (Qld)*  
*Integrity Act 2009 (Qld)*  
*Legal Profession Act 2007 (Qld)*  
*Local Government Act 2009 (Qld)*  
*Planning Act 2016 (Qld)*

## 8. PROFESSIONAL ENGINEERS ACT 2002 (QLD) REVIEW

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It is the responsibility of the Manager Development and Governance to monitor the adequacy of this policy and implement and approve appropriate changes. This policy will be formally reviewed every four (4) years or as required by Council.





## Investigation Policy

Policy Type	Governance Policy	Version	2.0
Responsible Officer	Manager Development and Governance	Date Approved	14/12/2022
Review Officer	Manager Development and Governance	Review Due	14/11/2026
Author	Manager Development and Governance	Commencement	14/12/2022

### 1. PURPOSE

To describe how complaints about the inappropriate conduct of Councillors will be dealt with as required by the section 150AE of the *Local Government Act 2009* (the LGA). However, this policy does not relate to more serious Councillor conduct.

### 2. SCOPE

This investigation policy applies to investigations and determinations of a complaint about the alleged inappropriate conduct of a Councillor/s which has been referred by the Independent Assessor.

### 3. POLICY STATEMENT

#### 3.1 CONFIDENTIALITY

Matters of suspected inappropriate conduct of a Councillor are confidential except as otherwise specifically provided for either in the LGA or this investigation policy.

**Note:** *It must be kept in mind that the matter is an allegation only and not yet proven. Further, there will be circumstances where the detail of the referral will need to remain confidential to the local government. Any release of confidential information that a Councillor knows, or should reasonably know, to be confidential to the local government may be contrary to section 171(3) of the LGA and dealt with as misconduct.*

#### 3.2 NATURAL JUSTICE

Any investigation of suspected inappropriate conduct of a Councillor/s must be carried out in accordance with natural justice. An overview of the principles of natural justice follows.

"Natural justice" or procedural fairness, refers to three key principles:

- the person being investigated has a chance to have his or her say before adverse formal findings are made and before any adverse action is taken (fair hearing);
- the investigator(s) should be objective and impartial (absence of bias), and
- any action taken is based on evidence (not suspicion or speculation).

A fair hearing means the Councillor who is the subject of the suspected inappropriate conduct matter must be told of the case against them including any evidence and be provided with an opportunity to put their case in writing with the investigation report provided to the Councillors as part of the meeting agenda.

An absence of bias means that any investigation must not be biased or be seen to be biased in any way. This principle embodies the concept of impartiality.

## Investigation Policy

Decisions based on evidence requires that the investigation should not be based on mere speculation or suspicion but instead must be based upon logical proof or evidence material.

A proper examination of all issues means the investigation must give a proper and genuine consideration to each party's case.

### **3.3 ASSESSOR'S REFERRAL**

The Council may from time to time receive from the Assessor a referral notice about the suspected inappropriate conduct of a Councillor/s. Council may also receive referrals directly.

### **3.4 RECEIPT OF ASSESSOR'S REFERRAL**

On receipt of a referral notice about the suspected inappropriate conduct of a Councillor/s from the Assessor, the Council's Chief Executive Officer will forward a copy of that referral notice to the Mayor and all Councillors as a confidential document.

Should the Mayor or a Councillor/s (other than the subject of the complaint or the complainant) disagree with any recommendation accompanying the Assessor's referral notice or form the opinion that the complaint should be dealt with in a way other than under this policy, the Mayor or Councillor may request the matter be placed on the agenda of the next Council meeting to decide on the appropriate process to investigate the complaint. Such a request must be made in accordance with the Council's meeting procedure requirements.

### **3.5 INVESTIGATOR**

Unless otherwise resolved by Council, the Mayor will manage the investigation of suspected inappropriate conduct of other Councillors.

If the suspected inappropriate conduct involves conduct that in the circumstances, the Mayor believes, it is in the best interests of the investigation to refer the matter for external investigation, then the Chief Executive Officer must refer the suspected inappropriate conduct to the President of the Tribunal to investigate and make recommendations to the Council about dealing with the conduct.

If the suspected inappropriate conduct involves:

- an allegation about the conduct of the Mayor, or
- the Mayor as the complainant, then

the Chief Executive Officer must refer the suspected inappropriate conduct to the President of the Tribunal to investigate and make recommendations to the Council about dealing with the conduct.

### **3.6 EARLY RESOLUTION**

Before beginning an investigation, the investigator must consider whether it is appropriate for resolution prior to the investigation. This consideration includes any recommendation made by the Assessor.

A matter is only appropriate for early resolution if the parties to the matter agree to explore early resolution.

The investigator may engage an independent person with suitable qualifications or experience to facilitate this process.

If the matter cannot be resolved, the matter will then be investigated as outlined in this investigation policy.



## Investigation Policy

If the matter is resolved prior to investigation, the investigator will advise the Chief Executive Officer of this outcome. In turn, the Chief Executive Officer will advise the Mayor (if the Mayor is not the investigator) and all Councillors that the matter has been resolved. The Chief Executive Officer will also update the Councillor Conduct Register to reflect this.

### **3.7 TIMELINESS**

The investigator will make all reasonable endeavors to complete the investigation and provide a report for inclusion on the agenda of a Council meeting no more than eight weeks after the receipt of the complaint.

*Note: If the investigator is of the opinion that it may take longer than eight weeks to complete the investigation, the matter should be raised with the Mayor (if the Mayor is not the investigator) to seek an extension of time.*

### **3.8 ASSISTANCE FOR INVESTIGATOR**

If the Mayor is the investigator of a matter of suspected inappropriate conduct, the Mayor may use section 170A of the LGA to seek assistance during the investigation.

The Mayor is authorised by Council to expend money as reasonably needed to engage contractors in accordance with the Council's procurement policy.

### **3.9 POSSIBLE MISCONDUCT OR CORRUPT CONDUCT**

If during the course of an investigation the investigator obtains information which indicates a Councillor/s may have engaged in misconduct, the investigator must cease the investigation and advise the Chief Executive Officer. The Chief Executive Officer will then notify the Assessor of the possible misconduct.

If during the course of an investigation, the investigator obtains information which indicates a Councillor/s may have engaged in corrupt conduct, the investigator must cease the investigation and advise the Chief Executive Officer. The Chief Executive Officer will then notify the Crime and Corruption Commission of the possible corrupt conduct.

Instances of suspected misconduct or corrupt conduct may be referred back to the Council if determined by the Assessor or Crime and Corruption Commission to be inappropriate conduct.

### **3.10 COMPLETION OF INVESTIGATION**

On the completion of an investigation, the investigator will provide a report to the Council outlining the investigation process, the investigation findings, any recommendations about dealing with the conduct and a record of the investigation costs.

The Council will consider the findings and recommendations of the investigator's report and decide whether the Councillor has engaged in inappropriate conduct and, if so, what action it will take under section 150AH of the LGA.

Provisions for internal and external review of decisions are set out in sections 150CO to 150CS of the LGA.

### **3.11 NOTICE ABOUT THE OUTCOME OF INVESTIGATION**

After an investigation is finalised, the Council must give notice about the outcome of the investigation to the person who made the complaint about the Councillor/s' conduct that was the subject of the investigation.

Investigation Policy
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### 3.12 COUNCILLOR CONDUCT REGISTER

The Chief Executive Officer of the respective Council must ensure decisions about suspected inappropriate conduct of a Councillor/s must be entered into the Councillor conduct register.

Where a complaint has been resolved under section 3.6 of this policy, the Chief Executive Officer will update the register to reflect that the complaint was withdrawn.

### 3.13 EXPENSES

Council must pay any reasonable expenses of Council associated with the informal early resolution or investigation of suspected inappropriate conduct of a Councillor including any costs of:

- the president of the Tribunal in undertaking an investigation for Council;
- a mediator engaged under this investigation policy;
- a private investigator engaged on behalf of or by the investigator;
- travel where the investigator needed to travel to undertake the investigation or to interview witnesses;
- seeking legal advice; and
- engaging an expert.

*Note: Council may order the subject Councillor reimburse it for all or some of the costs arising from the Councillor's inappropriate conduct.*

Any costs incurred by complainants or the subject Councillors will not be met by Council.

## 4. REPORTING

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The Chief Executive Officer must ensure decisions about suspected inappropriate conduct of a Councillor/s be entered into the Councillor conduct register.

## 5. DEFINITIONS

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**Assessor** means the Independent Assessor appointed under section 150CV of the LGA

**behavioural standard** means a standard of behaviour for Councillors set out in the Code of Conduct approved under section 150E of the LGA

**conduct** includes—

- (a) failing to act; and
- (b) a conspiracy, or attempt, to engage in conduct

**Councillor conduct register** means the register required to be kept by Council as set out in section 150DX of the LGA

**inappropriate conduct** see section 150K of the LGA

**investigation policy**, refers to this policy, as required by section 150AE of the LGA

**investigator** means the person responsible under this investigation policy for carrying out the investigation of the suspected inappropriate conduct of a Councillor or Mayor

Investigation Policy
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**LGA** means the *Local Government Act 2009 (the Act)*

**local government** meeting means a meeting of—

- (a) a local government; or
- (b) a committee of a local government.

**misconduct** see section 150L of the LGA

**model procedures** see section 150F of the LGA

**natural justice**— a set of principles to ensure fair and just decision making, including a fair hearing, an absence of bias, decisions based on evidence, and the proper examination of all issues.

**referral notice** see section 150AC of the LGA

**Tribunal** means the Councillor Conduct Tribunal as established under section 150DK of the LGA

**unsuitable meeting conduct** see section 150H of the LGA

## 6. RELATED DOCUMENTS AND REFERENCES

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*Code of Conduct for Councillors* (MSC)

*Councillors Conduct Register* (MSC)

*Fraud and Corruption Control Policy* (MSC)

*Fraud and Corruption Control Plan* (MSC)

*Local Government Act 2009* (Qld)

*Standing Orders (meeting procedures) for Council Meetings* (MSC)

## 7. REVIEW

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It is the responsibility of the Manager Development and Governance to monitor the adequacy of this policy and implement and approve appropriate changes. This policy will be formally reviewed every four (4) years or as required by Council.



**8.5 COMMUNITY HOUSING FUTURE OPTIONS**

**Date Prepared:** 17 November 2022

**Author:** Manager Development and Governance

**Attachments:** Nil

**EXECUTIVE SUMMARY**

The housing crisis playing out not only in the Shire but across Australia has given cause for Council to develop a proposal for the State's consideration and approval which could help ameliorate the lack of social housing for seniors in the Shire, thereby freeing up private rental properties.

The construction of a new two x two-bedroom duplex for seniors and the divestment of Council's Long-Term Community Housing Service to the Mareeba Community Housing Company will result in the construction of new housing stock which will substantially help to alleviate the housing crisis in the Shire without additional funding from the State or Council.

The terms and conditions of the divestment agreement will include specific clauses to ensure on-going provision of social housing for seniors and that the assets are retained for community benefit.

**RECOMMENDATION**

That Council:

1. Requests formal approval from the Department of Communities, Housing and Digital Economy for Council to engage Mareeba Community Housing Company to construct a new two x two-bedroom duplex for seniors at Dickenson Close, Mareeba being Lot 515 SP276113, to be funded by the Community Housing Reserve.
2. Commences negotiations with the Department of Communities, Housing and Digital Economy to divest the Long-Term Community Housing Service to the Mareeba Community Housing Company.
3. Engages 99 Consulting to provide management services for the divestment project.

**BACKGROUND*****Long-term Community Housing Provider***

Mareeba Shire Council (Council) is an accredited community housing provider under the Queensland State Regulatory System for Community Housing, delivering a long-term community housing service for seniors with eighty-four (84) properties for which State funding has been received. These comprise eighty (80) one-bedroom units for seniors in Mareeba, Kuranda, Mt Molloy, and Dimbulah and four (4) two-bedroom units in Mareeba. Both the State and Council hold equity in these properties. The housing portfolio also includes 24 long-term community housing units which were fully funded and owned by Council.

The 108 community housing properties are constructed on 11 separate parcels of land, including three Council owned Freehold blocks and eight Reserve parcels.

All of these properties are currently managed by Mareeba Community Housing Company (MCHC) under a subcontracting Deed, approved by the Department of Communities, Housing and Digital

Economy (DCHDE), which further strengthens the proposal for divestment. Mareeba Community Housing Company is successfully managing an efficient and effective service in accordance with Departmental standards and has built strong relationships with the tenants.

### ***Housing Crisis***

Along with much of Australia, the Mareeba Shire is suffering the impacts of a shortage of housing and high levels of overcrowding and homelessness. This is manifesting in an increased incidence of youth crime and anti-social behaviour, which is causing fear and division amongst the community. Mareeba Shire Council has taken an active and collaborative approach to improving community safety, working closely with several State government departments including Children, Youth Justice & Multicultural Affairs, Justice & Attorney-General, the Queensland Police Service and community support services to ensure that local resources are equipped to respond to these issues.

Similarly, by Council partnering with DCHDE and MCHC, the potential to impact the housing crisis is far greater than what could be expected by any one organisation working alone.

### ***Reducing the Housing Crisis***

The need for seniors' housing in Mareeba is widely recognised. It is proposed that Council requests approval from the DCHDE for the construction of a new two x two-bedroom duplex on Reserve land in Mareeba which is already utilised for long-term community housing for seniors with all construction and project delivery costs to be met by the community housing reserve. The construction project is to commence immediately departmental approval is received. Council proposes to engage MCHC to manage the project delivery for the construction of the duplex. MCHC has demonstrated an ability to deliver construction projects for department-funded social housing, as well as working in partnership with private developers in Mareeba. It is also proposed that MCHC will take on the tenancy management for the new units under the current subcontracting arrangements.

By increasing the availability of social housing for seniors, other renters will have access to housing which has previously been utilised by seniors. This new construction is a positive step towards alleviating the rental housing crisis in the Mareeba Shire in the short term.

On an ongoing and long-term basis, a proposed innovative partnership between Council, DCHDE and MCHC provides the opportunity to build new units for seniors without requiring the State or Council to fund the construction or project delivery costs. This can be achieved by unlocking the equity in the 108 social housing properties to build new social housing which will make a significant ongoing contribution to ameliorating the rental housing crisis in the Shire.

This proposal involves the State approving Council's divestment of 84 funded long-term community housing properties for seniors to MCHC with both Council and DCHDE transferring its respective equity to MCHC. It also involves Council transferring ownership of a further 24 units for seniors to MCHC as part of the divestment proposal. Critically, MCHC has agreed to leverage the equity in the 108 funded and unfunded dwellings to expand the housing stock for seniors. The proposal also involves the State agreeing to the conversion to freehold at nil consideration of the properties on reserve land.

The proposal involves Council engaging Jon Eastgate from 99 Consulting to manage the divestment process as the most suitably qualified and experienced consultant. This is a highly specialised area and Jon Eastgate of 99 Consulting has a well-developed knowledge of Council's community housing service having completed a background study into the future options of the long-term community housing service in 2019/20. It is recommended that 99 Consulting is engaged to project manage the divestment project which will include managing the cadastral surveying for the subdivision of the

blocks, liaising with legal representatives to review the final proposal, and organising for a Registered Property Valuer to value the freehold assets.

All up, it is estimated the divestment project costs will be up to \$50,000 per annum with major costs being the engagement of 99 Consulting, cadastral surveying, and property valuations over the next 3 years with these costs to be fully covered by the community housing reserve. Council officer time involved in this project has not been costed but will serve as Council's in-kind contribution.

The terms and conditions of the divestment agreement are yet to be determined however they will include specific clauses to ensure on-going provision of social housing for seniors and that the assets are retained for community benefit.

This proposal will result in the construction of new housing stock which will substantially help to alleviate the housing crisis in the Shire.

### **LEGAL/COMPLIANCE/POLICY IMPLICATIONS**

Queensland Government approval will be requested for the innovative proposal.

Until final approval from the State is received Council can review and change its decision to divest should concerns arise during the process that the expected benefits will not be realised.

### **FINANCIAL AND RESOURCE IMPLICATIONS**

#### ***Capital***

The community housing assets are managed under the Community Housing Asset Management Plan and in accordance with the State's Maintenance Management Framework and relevant legislation. Capital costs for renewals, new units and replacements are met by the Community Housing Reserve.

#### ***Is the expenditure noted above included in the current budget?***

The Community Housing Reserve has sufficient funds to cover the proposed expenditure

#### ***Operating***

The community housing service is fully funded through the Community Housing operational budget and reserve which includes operational surpluses and provisions for future maintenance by way of depreciation. The Community Housing Reserve can cover the proposed operational costs.

### **LINK TO CORPORATE PLAN**

**Financial Sustainability:** A council that continuously operates in a cost-effective manner while managing council's assets and reserves to ensure a sustainable future.

**Community:** An informed and engaged community which supports and encourages effective partnerships to enhance the liveability of the Shire.

**Transport and Council Infrastructure:** The provision of quality services and infrastructure for our growing community that is planned and managed using sound asset management principles.

**Economy and Environment:** A resilient economy that promotes and supports the shire's natural assets and local industry and encourages investment while preserving and future proofing for generations to come.

**Governance:** Sound decision making based on effective frameworks and clear strategic direction to achieve regulatory compliance while delivering affordable levels of identified services within the Shire.

**IMPLEMENTATION/COMMUNICATION**

A communication plan will be implemented to ensure all stakeholders are informed and understand the proposal.



**8.6 FINANCIAL STATEMENTS PERIOD ENDING 30 NOVEMBER 2022****Date Prepared:** 25 November 2022**Author:** Manager Finance**Attachments:** 1. [Budgeted Income Statement by Fund 2022/23 Budget](#) [↓](#)**EXECUTIVE SUMMARY**

The purpose of this report is to provide Council with an overview of financial matters for the period 1 July 2022 to 30 November 2022.

**RECOMMENDATION**

That Council receives the Financial Report for the period ending 30 November 2022.

**BACKGROUND**

Each month, year to date financial statements are prepared in order to monitor actual performance against budgets.

For the month ending 30 November 2022, the actual results are in line with the year-to-date budget.

The budgeted figures reflect the 2022/23 Budget as adopted by Council at the 20 July 2022 meeting.

There are no issues to highlight, any variances at this stage are due to either budget allocation timing issues.

<i>November 2022 - Snapshot</i>	Actuals YTD	Budget YTD
Total Operating Income	\$ 30,024,922	22,153,088
Total Operating Expenditure	\$ 23,532,491	19,281,087
Operating Surplus/(Deficit)	\$ 6,492,431	2,872,001
Total Capital Income (grants, developer contributions)	\$ 2,929,184	75,000
<b>Net Result - Surplus/(Deficit)</b>	<b>\$ 9,421,615</b>	<b>2,947,001</b>

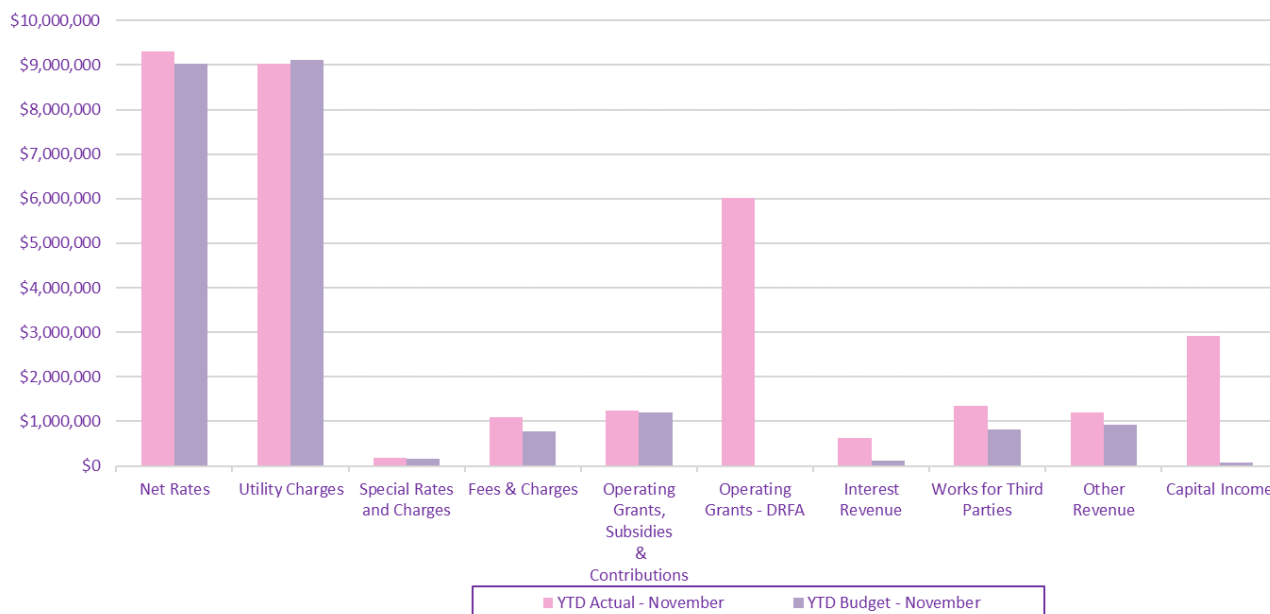
Please note that the surplus above is due to the receipt of Disaster Recovery Funding for restoration works. This has not been budgeted but will result in an offset with expenditure this financial year.

Income Analysis

Total income (inclusive of capital income of \$2,929,184) for the period ending 30 November 2022 is \$32,954,106 compared to the YTD budget of \$22,228,088.

The graph below shows actual income against budget for the period ending 30 November 2022.

### Actual Income V Budget Income



	Actual YTD	Budget YTD	Note
Net Rates	9,297,236	9,028,433	<b>1</b>
Utility Charges	9,030,206	9,109,176	<b>1</b>
Special Rates and Charges	171,870	162,030	<b>1</b>
Fees & Charges	1,094,151	775,363	
Operating Grants, Subsidies & Contributions	1,245,870	1,207,925	
Operating Grants, Subsidies - DRFA	6,018,298	-	<b>2</b>
Interest Received	623,561	124,166	<b>3</b>
Works for Third Parties	1,341,293	810,994	<b>4</b>
Other Revenue	1,202,437	935,001	<b>5</b>
Capital Income	2,929,184	75,000	<b>6</b>

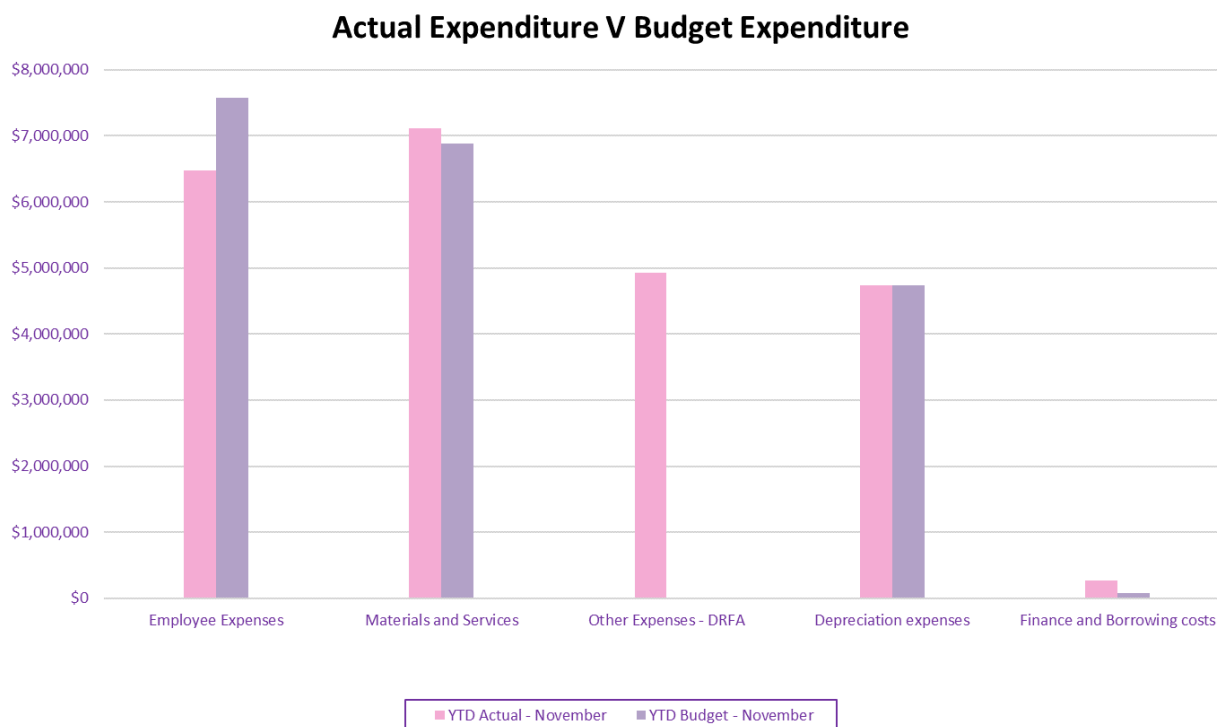
**Notes:**

1. Rates for the half year ending 31 December 2022 were levied in August.
2. Favourable variance is due to grant monies received for Disaster Recovery Funding Arrangements (DRFA) restoration works. This is not budgeted but will result in a complete offset with expenditure.
3. Positive outcome due to the rising interest rates, which has proven favourable.
4. Favourable result due third party works not budgeted for. The associated costs form part of the operational expenses which were also not budgeted for. The net impact of these additional works is the likely result of the surplus.

5. A significant portion of the favourable result is due to the sales of five (5) lots of land parcels sold at the Mareeba Industrial Park, year to date gross sales are \$678k.
6. Funding received for the DTMR Bridge Renewal Program John Doyle Bridge, LRCIP2, and from the QRA, funding for the Chillagoe Bore and Water Main construction.

**Expenditure Analysis**

Total expenses for the period ending 30 November 2022 is \$23,532,491 compared to the YTD budget of \$19,281,087. The graph below shows actual expenditure against budget for the period ending 30 November 2022.



	Actual YTD	Budget YTD	Note
Employee expenses	6,481,188	7,578,434	<b>1</b>
Materials & Services	7,120,460	6,883,362	
Other Expenses - DFRA	4,925,398	-	<b>2</b>
Depreciation expenses	4,741,582	4,741,582	
Finance & Borrowing costs	263,863	77,709	<b>3</b>

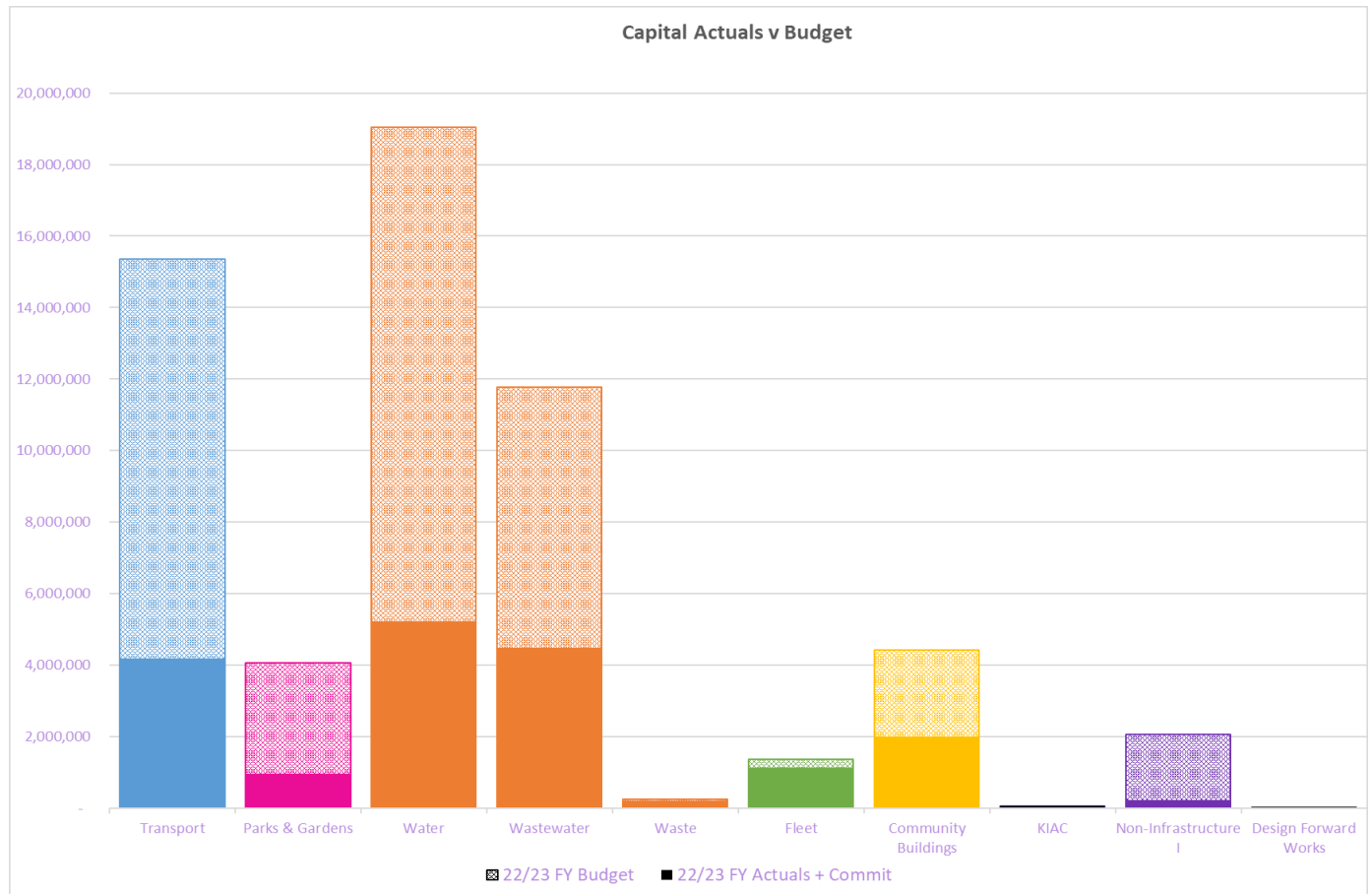
**Notes:**

1. There are no significant issues to report. The reason for the variance is a timing issue for the annual increment, staff absences, vacancies and staff working on capital projects.
2. The variance relates to the expenditure incurred for the Disaster Recovery Funding Arrangements (DRFA) restoration works. This expenditure is offset against the income received.

- The large variance in Finance and Borrowing costs in comparison to budget is due to the valueless land properties that have been acquired (as per the November 2021 council report). A total of seven (7) properties have been acquired and recognised as Council assets and the associated rates and charges have been written off.

**Capital Expenditure**

Total capital expenditure of \$18,560,567 (including commitments) has been spent for the period ending 30 November 2022 against the 2022/23 adjusted annual capital budget of \$58,427,688.



**Loan Borrowings**

Council's loan balance is \$7,181,109.

**Rates and Sundry Debtors Analysis**

Rates and Charges

The total rates and charges payable as at 30 November 2022 are \$1,845,690 which is broken down as follows:

Status	30 November 2022		31 November 2021	
	No. of properties	Amount	No. of properties	Amount
Valueless land	4	64,811	10	382,002
Payment Arrangement	174	14,880	153	142,798
Collection House	362	1,659,248	330	1,229,345
Exhausted – awaiting sale of land	9	71,101	11	211,763
Sale of Land	-	-	-	-
Other (includes supplementary rate notices) *	204	35,650	230	40,300
<b>TOTAL</b>	<b>753</b>	<b>1,845,690</b>	<b>734</b>	<b>2,006,208</b>

\*Of this amount, 170 properties have a balance less than \$20

The Rate Notices for the period ending 31 December 2022 were issued on 8 August 2022 with discount due date 9 September 2022. The total gross rates and charges levied for the six (6) month period amounted to \$20,511,554.

Collection House collected \$221,960 for the month of November 2022.

Sundry Debtors

The total outstanding for Sundry Debtors as at 30 November 2022 is \$346,842 which is made up of the following:

Current	30 days	60 days	90 + days
\$309,261	\$22,800	\$2,904	\$11,877
89%	7%	1%	3%

**Procurement**

There were no emergency orders for the month.

**Financial Sustainability Ratios**

In accordance with s169(5) of the *Local Government Regulation 2012* requires Councils to report against the Department of Local Government, Racing and Multicultural Affairs (DLGRMA) sustainability financial ratios. These ratios are designed to provide an indication of the performance of Council against key financial sustainability criteria which must be met to ensure the prudent management of financial risks.

Ratio	Description	Actual Result	Target	Target met	FY Budget
<b>Operating surplus ratio</b>	This is an indicator of the extent to which revenue raised covers operational expenses only or are available for capital funding purposes.  The higher the ratio the better.	21.62%	0 - 10%	<input checked="" type="checkbox"/>	10.72%
<b><i>*This ratio is high due to the rates for the 6-month period July to December all recognised in August. The ratio will effectively decline to the budget figure as the months progress.</i></b>					
<b>Net financial liabilities ratio</b>	This is an indicator of the extent to which the net financial liabilities of a Council can be serviced by its operating revenues.  A ratio less than zero (negative) indicates that the current assets exceed total liabilities and therefore  The lower the percentage the better.	N/A	<=60%	<input checked="" type="checkbox"/>	(80.35)%
<b><i>As the information required for the net financial liabilities ratio is based on full year results no monthly figure can be provided. This ratio will be provided in the budget and annual financial statements as regulated.</i></b>					
<b>Asset sustainability ratio</b>	This is an approximation of the extent to which the assets managed by Council are being replaced as these reach the end of their useful lives.  This ratio indicates whether Council is renewing or replacing existing non-financial assets at the same rate that its overall portfolio of assets is wearing out.	N/A	>90%	<input checked="" type="checkbox"/>	160.23%
<b><i>As the information required for the asset sustainability ratio is based on full year results no monthly figure can be provided. This ratio will be provided in the budget and annual financial statements as regulated.</i></b>					

**RISK IMPLICATIONS**

Nil

**Legal/Compliance/Policy Implications**

Section 204 of the *Local Government Regulation 2012* requires the financial report to be presented to local government if the local government holds its ordinary meetings more frequently (than once per month) - to a meeting in each month.

**FINANCIAL AND RESOURCE IMPLICATIONS**

Nil

**LINK TO CORPORATE PLAN**

**Governance:** Sound decision making based on effective frameworks and clear strategic direction to achieve regulatory compliance while delivering affordable levels of identified services within the Shire.

**IMPLEMENTATION/COMMUNICATION**

Nil

<b>Budgeted Income Statement by Fund 2022/23 Budget</b>			
<b><u>Consolidated</u></b>			
	<b>Actual YTD</b>	<b>Budget YTD</b>	<b>2022/23</b>
<b>Revenue</b>			
Rates and utility charges	19,577,370	19,332,139	38,664,277
Less Discounts and Pensioner Remissions	(1,078,058)	(1,032,500)	(2,065,000)
<b>Net Rates and Utility Charges</b>	<b>18,499,312</b>	<b>18,299,639</b>	<b>36,599,277</b>
Fees and Charges	1,094,151	775,363	1,542,903
Operating Grants and Subsidies	1,245,870	1,207,925	7,940,750
Operating Grants and Subsidies - DRFA	6,018,298	-	-
Operating Contributions	-	-	51,051
Interest Revenue	623,561	124,166	298,000
Works for Third Parties	1,341,293	810,994	1,945,825
Other Revenue	1,202,437	935,001	2,206,605
<b>Total Operating Revenue</b>	<b>30,024,922</b>	<b>22,153,088</b>	<b>50,584,412</b>
<b>Expenditure</b>			
Employee Expenses	6,481,188	7,578,434	18,386,475
Materials and Services	7,120,460	6,883,362	15,123,472
Other Expenses - DRFA	4,925,398	-	-
Depreciation expense	4,741,582	4,741,582	11,379,827
Finance and Borrowing costs	263,863	77,709	257,402
<b>Total Operating Expenses</b>	<b>23,532,491</b>	<b>19,281,087</b>	<b>45,147,177</b>
<b>Operating Surplus/(Deficit)</b>	<b>6,492,431</b>	<b>2,872,001</b>	<b>5,437,235</b>
<b>Capital Income</b>			
Capital Contributions	105,842	-	-
Capital Grants and Subsidies	2,368,952	-	13,094,510
Donated Assets	-	-	-
Profit/(Loss) on Sale of Asset	454,390	75,000	180,000
<b>Total Capital Income</b>	<b>2,929,184</b>	<b>75,000</b>	<b>13,274,510</b>
<b>Net Result</b>	<b>9,421,615</b>	<b>2,947,001</b>	<b>18,711,745</b>



## 9 INFRASTRUCTURE SERVICES

### 9.1 T-MSC2022-12 SUPPLY AND DELIVERY TYPE 4.3 ROAD BASE

**Date Prepared:** 15 November 2022

**Author:** Manager Works

**Attachments:** Nil

#### EXECUTIVE SUMMARY

The purpose of this report is to seek Council endorsement of the awarding of Contract T-MSC2022-12 Supply and Delivery Type 4.3 Road Base to be used for re-sheeting the Burke Developmental Road from Ch 364.416 to Ch 367.866.

#### RECOMMENDATION

That the Council endorses the awarding of Tender T-MSC2022-12 Supply and Delivery Type 4.3 Road Base to Davis Transport as per the tendered Schedule of Rates.

#### BACKGROUND

The Department of Transport and Main Roads (TMR) has invited Council to provide pricing under Contract CN-19692 - Gravel Re-sheet Program Mareeba Council 2022-2023 which included a section of gravel re-sheeting on the Burke Developmental Road from Ch 364.416 to Ch 367.866.

On 12 September 2022, Council invited tenders to undertake the supply and delivery of 14,400 tonnes of Type 4.3 road base for the re-sheeting on a rate per tonne basis.

Council received a Conditional Letter of Agreement from TMR for the contract on 3 November 2022 to proceed with the project.

#### Tenders Received

Tenders closed on 4 October 2022 and two (2) submissions were received. A summary of the tender prices at opening is provided in *Table 1* below;

*Table 1: Tendered Price at opening*

Tenderer	Tendered Price (including GST)
Davis Transport Pty Ltd	\$ 71.50/tonne
Gregg Construction Pty Ltd	\$ 84.15/tonne

#### Tender Assessment

Tenders were assessed in accordance with the evaluation criteria stated in the tender documentation and as provided in *Table 2* below;

*Table 2: Evaluation Criteria*

Criteria	Weighting
Price	40%
Local Business Profile	20%
Technical capacity	20%
Program of Works	10%
Key Personnel & Equipment	10%
<b>Total</b>	<b>100%</b>

Each tender was evaluated and scored against the criteria, with the criteria scores then weighted to provide a total weighted score for the submissions. Additionally, each tender was assessed for conformance, compliance, and discrepancies, against the requested response schedules.

All submissions received met the requirements of the tender and both were assessed as conforming submissions. The outcomes of the assessed responses displayed in *Table 3* below.

Tenderer	Ranking
Davis Transport Pty Ltd	1
Gregg Construction Pty Ltd	2

A brief review of the Tenderers is provided below.

Davis Transport Pty Ltd are an established company operating from facilities in Mareeba and Mutchilba, providing transport services and specialising in the delivery of sand and road construction materials. In 2021, Davis Transport Pty Ltd loaded and carted approximately 48,000 tonnes of re-sheet material from Browns Creek Pit to various re-sheeting sections on the with no issues.

Gregg Construction Pty Ltd are an established company operating from facilities in Mareeba, providing a broad range of services including Civil Construction and Project Management. Gregg Constructions Pty Ltd have regularly been engaged by Council over the past few years to deliver various road restoration projects under Disaster Recovery Funding Arrangements (DRFA) programs.

### **Project Timing**

It is anticipated that this project will commence in late April after the 2022-23 wet season when access across to the north-west areas of the shire are possible.

**9.2 REGIONAL AND REMOTE RECYCLING MODERNISATION FUND - BALER PROJECT**

**Date Prepared:** 16 November 2022  
**Author:** Grants Project Officer  
**Attachments:** Nil

**EXECUTIVE SUMMARY**

This report seeks to confirm Council's commitment to meet the pre-conditions in the executed funding agreement for the project to purchase a recycling baler under the Regional and Remote Recycling Modernisation Fund administered by Queensland and Australian Government Joint Initiative, Department of State Development, Infrastructure, Local Government and Planning.

**RECOMMENDATION**

That Council:

1. Confirms there is sufficient finance available to undertake this project, establish and operate the facility and achieve the milestones in the funding agreement between Mareeba Shire Council and the State of Queensland (acting through the Department of State Development, Infrastructure, Local Government and Planning).
2. Approves the unconditional investment of \$74,976 to deliver this project.

**BACKGROUND**

The Regional and Remote Recycling Modernisation Fund Grant Program provides a maximum funding of \$500,000. Whilst no mandatory co-contribution was required by applicants, co-contributions were encouraged to demonstrate a commitment to the project and considered against the 'value for money' criterion.

The objectives of the program are to:

- Improve the viability of sorting, processing, recycling or remanufacturing of waste in regional areas
- Connect organisations in remote and regional areas to resource recovery supply chains
- Facilitate waste avoidance, landfill diversion (including stockpile diversion / reduction) and recycling activities
- Create economic development and job development opportunities in regional areas: and
- Contribute towards a circular economy by adding value to waste resources and retaining them where possible within local economies.

On 27 January 2022, an application for grant funding to purchase a recycling baler at the Mareeba Waste Facility was lodged for a total of \$72,135 (plus GST). Of this, \$67,135 was to be grant funded, with a Council co-contribution of \$5,000.

On 9 May 2022, Council was notified they were successful with their application and had received grant funding of \$67,135 towards the delivery of this project. The project is to be delivered by 31 May 2023.

Within 20 days of the Department executing the funding agreement, as part of the preconditions, Council has to provide evidence of the following -

- Finance - sufficient available finance to undertake the project, establish and operate the facility and achieve the milestones; and
- Council approval - received unconditional investment approval from Council

The cost of the project has increased to \$74,976 due to the delays in execution of the funding agreement following Federal elections in 2022, which has resulted in procurement delays for the baler.

The purchase of a Recycling Baler will reduce storage, handling, and transportation costs at the Mareeba Waste Transfer Station for recyclable products, including cardboard, paper, plastic bottles, light gauge ferrous metals and non-ferrous metals.

## **RISK IMPLICATIONS**

### **Financial**

Council has approved \$74,976 in the 2022-23 Capital Works Program for the delivery of project CP00933, including \$67,135 in grant funding.

## **FINANCIAL AND RESOURCE IMPLICATIONS**

### **Capital**

***Is the expenditure noted above included in the current budget?***

Yes, the budget of \$74,976 has been allocated in the 2022-23 Capital Works Program.

## **LINK TO CORPORATE PLAN**

**Financial Sustainability:** A council that continuously operates in a cost-effective manner while managing council's assets and reserves to ensure a sustainable future.

**Economy and Environment:** A resilient economy that promotes and supports the shire's natural assets and local industry and encourages investment while preserving and future proofing for generations to come.

## **IMPLEMENTATION/COMMUNICATION**

Council approval will be communicated when meeting the pre-conditions to the funding provider.

### 9.3 INFRASTRUCTURE SERVICES, WATER AND WASTE OPERATIONS REPORT - NOVEMBER 2022

**Date Prepared:** 22 November 2022

**Author:** Manager Water and Waste

**Attachments:** Nil

#### EXECUTIVE SUMMARY

The purpose of this report is to summarise Council's Water and Waste activities undertaken by the Infrastructure Services Department during the month of November 2022.

#### RECOMMENDATION

That Council receives the Infrastructure Services, Water and Waste Operations Report for November 2022.

#### BACKGROUND

##### Water and Wastewater Treatment:

All treatment plants are generally performing satisfactorily. Water demand was varied across all schemes with rainfall in some catchments resulting in varied consumption per connection whereas some were slightly higher due to lower rainfall.

Routine environmental monitoring did not detect any exceedances of environmental discharge limits. No anomalies or reportable notifications were reported in relation to routine water quality testing conducted during the month.

Water Treatment	Mareeba	Kuranda	Chillagoe	Dimbulah	Mt Molloy*
Water Plant average daily production (kL)	9,511	1191	312	305	95
Number of Connections	4,385	982	157	272	137
Average daily water consumption per connection (L)	2,169	1,213	1,987	1,121	693

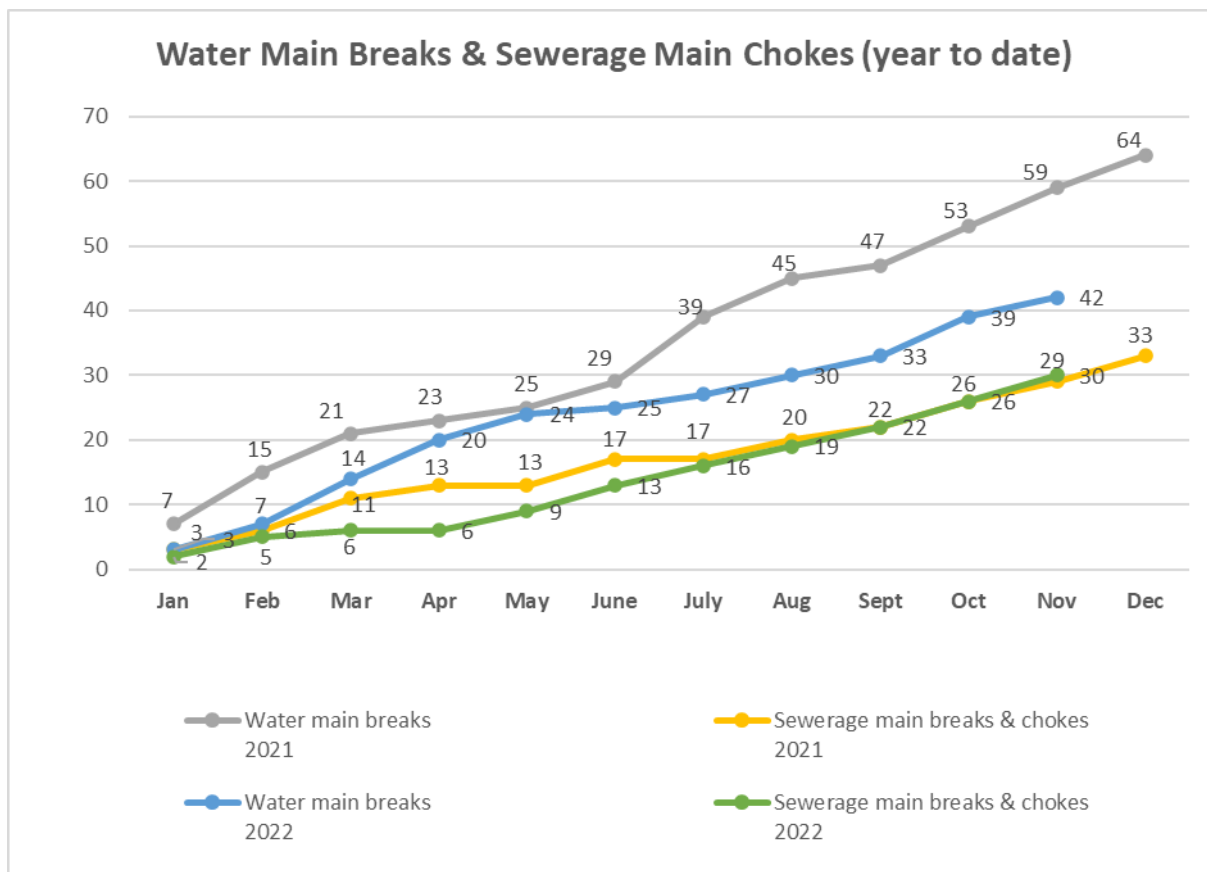
\* Mt Molloy is an untreated, non-potable water supply

Wastewater Treatment	Mareeba	Kuranda
Wastewater Plant average daily treatment (kL)	1,868	206
Number of Connections	3,424	346
Average daily inflow per connection (L)	546	595

**Water and Wastewater Reticulation:**

Council's water reticulation crew attended to three (3) water main breaks which does not include the now redundant section of water main on Anzac Avenue, and four (4) sewer main breaks/chokes this month, and average response times were within targets set out in Council's customer service standard for water services.

Monthly statistics are shown on the water reticulation main breaks and sewerage main breaks and chokes:



**Waste Operations:**

- ARUP’s work on the Regional Resource Recovery Plan is continuing and a Multicriteria Analysis Workshop was run 25 November, and we’re going to use the data collected as a sensitivity check again ARUPs preliminary analysis.
- An online workshop will be held with the technical committee to:
  - o Review the preliminary analysis against the results of the work you have done and resolve any issues.
  - o Review and agree the waste flow model

This will then enable ARUP to undertake the cost benefit assessment of the options over the Christmas period prior to the 30 January committee meeting.

New opening hours signage for Mareeba and Kuranda Waste Transfer Stations has been completed and delivered. These signs will be erected on the 31-12-2022. Brochures have been printed for distribution as per the following directions: Flyers to be handed out to people attending the Mareeba or Kuranda Transfer Stations in the hour that will not be continuing past 31 December. This distribution to only occur between the period 16 December to 31 December 2022.

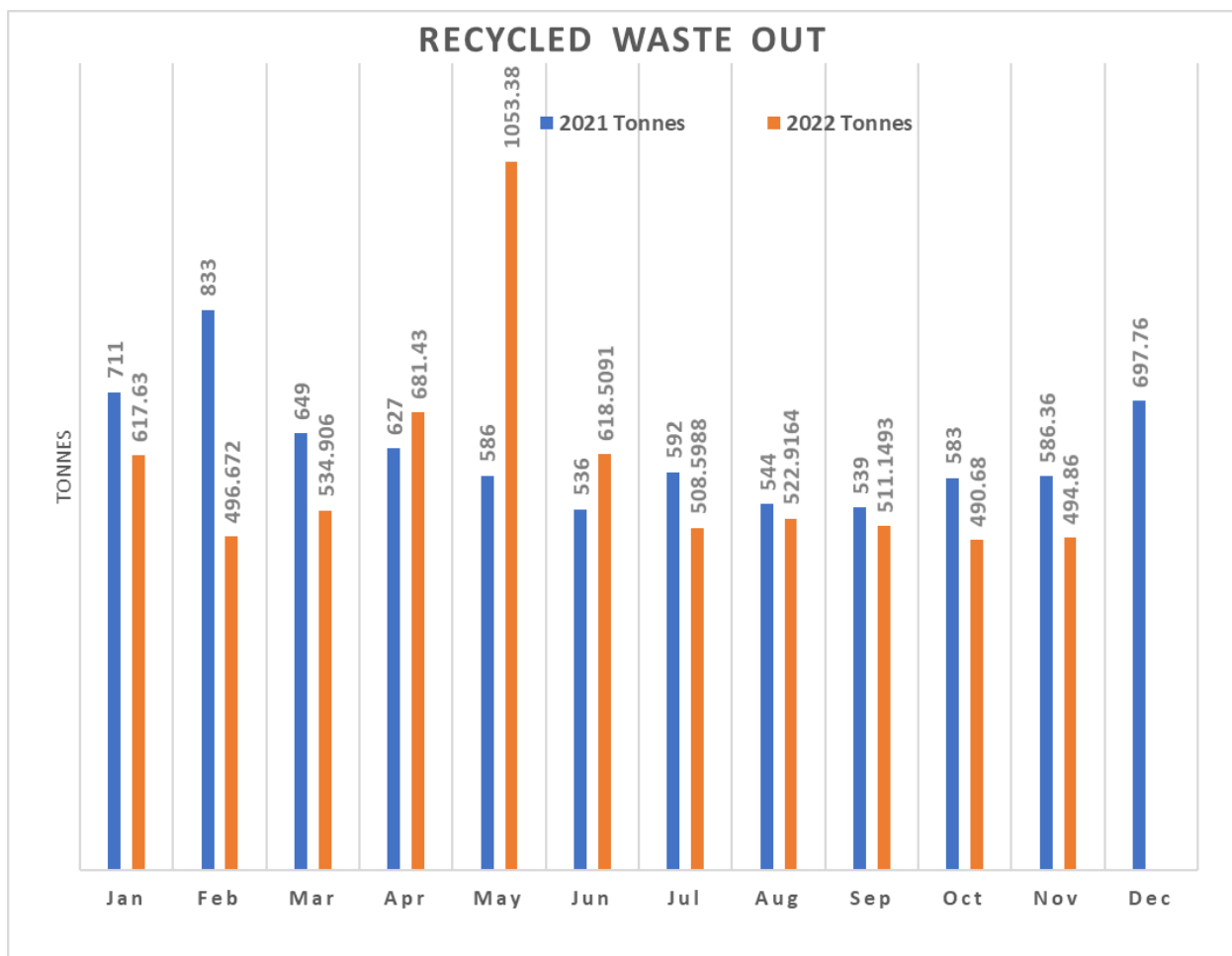
The FNQROC Regional Collection & Disposal of Ferrous Metal, Non-Ferrous Metal & Used Lead Acid Batteries was awarded to Simms Metal Group and the contract commenced on 1 December 2022 for a period of three years.

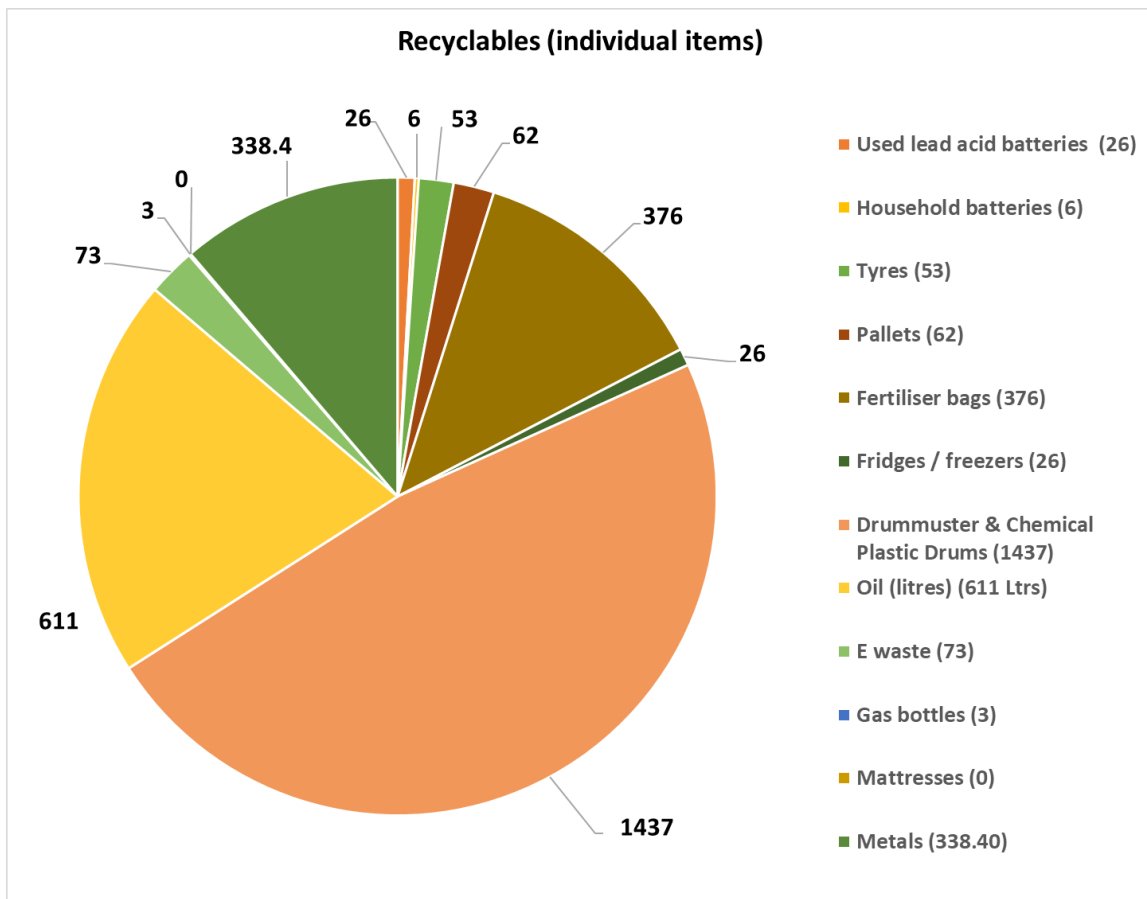
IWeigh tablets are now operating at all transfer stations and the data is now networking efficiently for invoicing.

Dallas Control Station Tags have been issued to contractors and internal staff that use the Kuranda Transfer Station after hours or on days it is not open; this will record the waste coming in and leaving the site – note this is still not functional – the error is with IWeigh.

Recycling

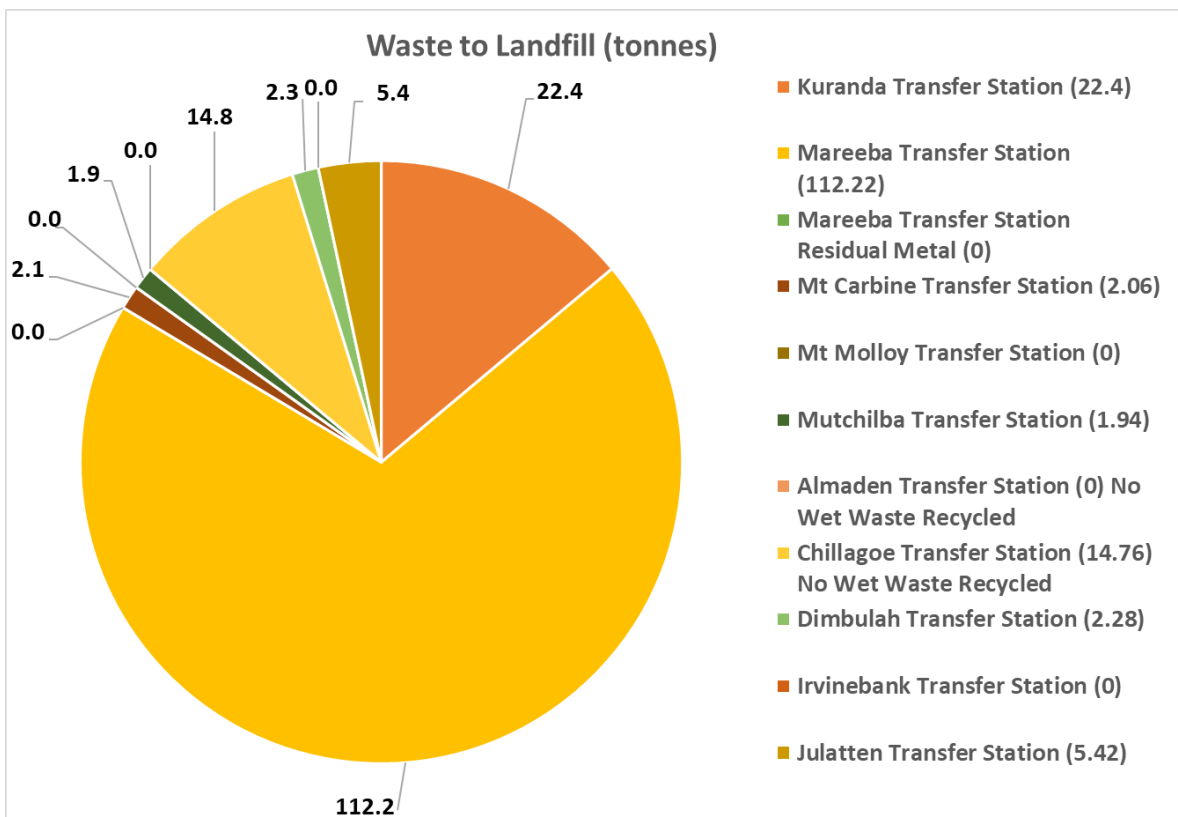
Waste material collected at each of the waste transfer stations are either deposited directly to the Springmount Waste Facility, recycled, or transported to the Veolia Advanced Resource Recovery Facility (ARRF) in Cairns for processing.





Waste to Transfer Stations

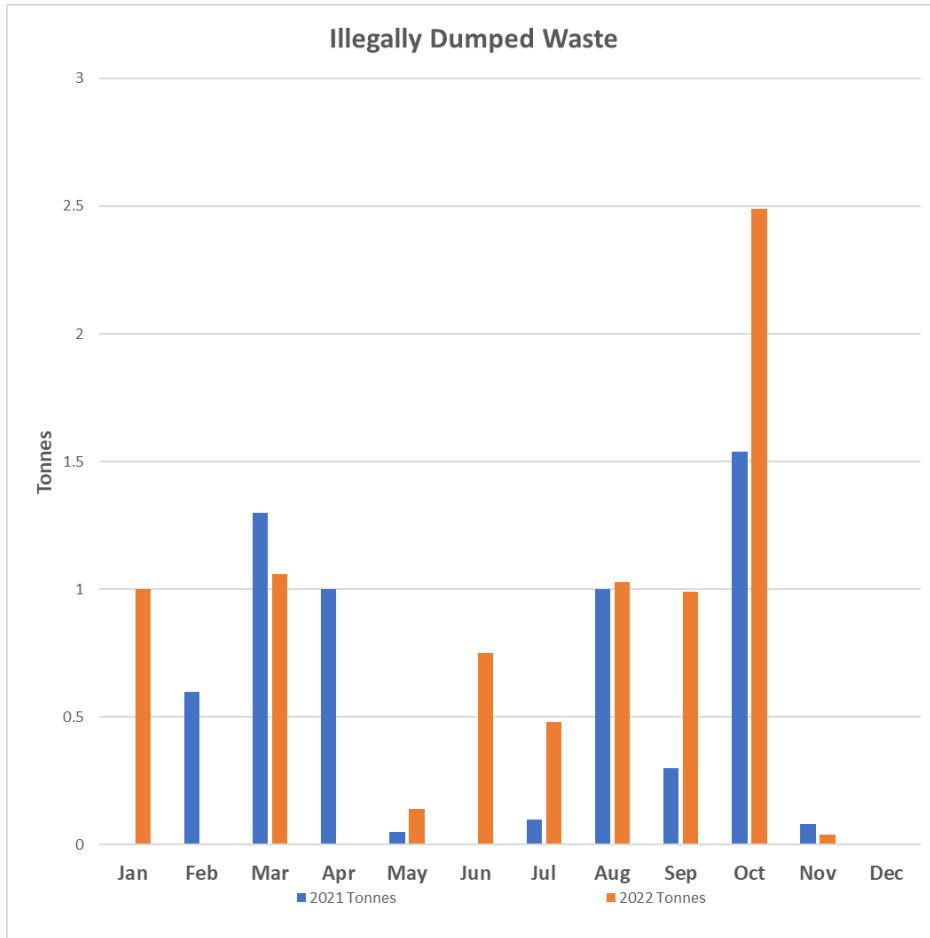
Transfer Station dry waste is transported off site to the Springmount Waste Facility and for the month of November 161 tonnes was landfilled.





**Illegally Dumped Waste**

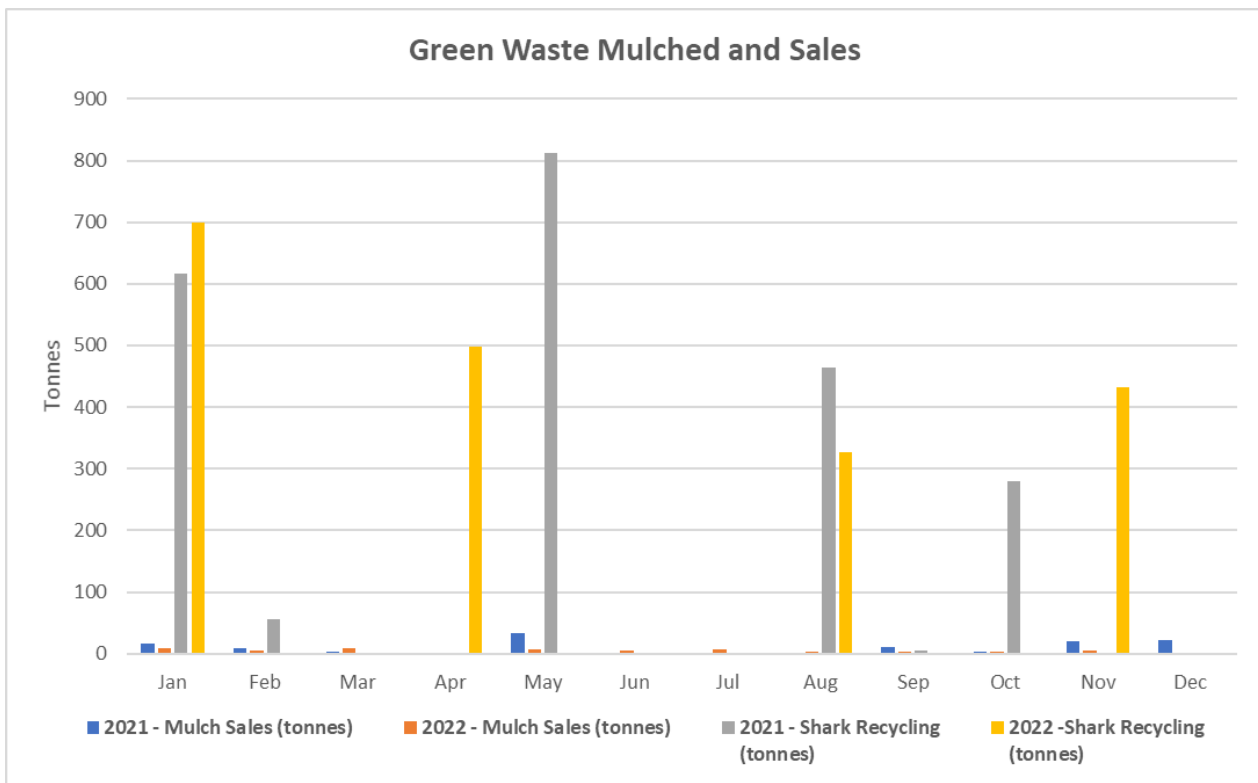
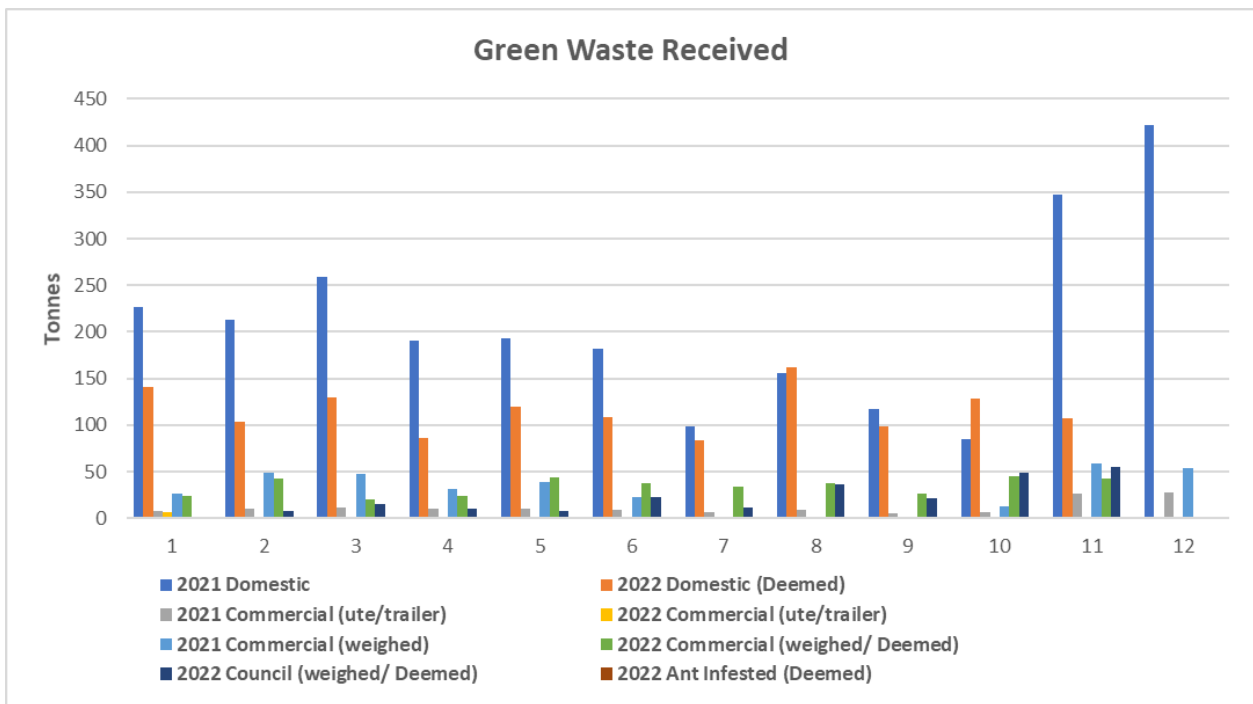
There were 0.4 tonnes of illegally dumped waste recorded through Waste Transfer Stations during the month of November.



**Green Waste**

Council received a total of 206.27 tonnes of green waste in the month of November. Mulching of 431 tonnes occurred in November. Kuranda recorded 1.2 tonnes of Electric Ant contaminated green waste in November.

Free Green Domestic Waste days are now four (4) times a year instead of three (3). The next scheduled Free Green Domestic Waste days occurred in early December.



**RISK IMPLICATIONS**

**Environmental**

Council holds an Environmental Authority issued under the *Environmental Protection Act 1994* to operate landfill facilities.

**LEGAL/COMPLIANCE/POLICY IMPLICATIONS**

Nil

**FINANCIAL AND RESOURCE IMPLICATIONS*****Capital***

Nil

***Operating***

Nil

**LINK TO CORPORATE PLAN**

**Financial Sustainability:** A council that continuously operates in a cost-effective manner while managing council's assets and reserves to ensure a sustainable future.

**Transport and Council Infrastructure:** The provision of quality services and infrastructure for our growing community that is planned and managed using sound asset management principles.

**Economy and Environment:** A resilient economy that promotes and supports the shire's natural assets and local industry and encourages investment while preserving and future proofing for generations to come.

**Governance:** Sound decision making based on effective frameworks and clear strategic direction to achieve regulatory compliance while delivering affordable levels of identified services within the Shire.

**IMPLEMENTATION/COMMUNICATION**

Nil



## 9.4 INFRASTRUCTURE SERVICES, TECHNICAL SERVICES OPERATIONS REPORT - NOVEMBER 2022

**Date Prepared:** 22 November 2022

**Author:** Manager Technical Services

**Attachments:** Nil

### EXECUTIVE SUMMARY

The purpose of this report is to outline Council's Fleet, Design, Soils Lab, Survey, Quality, GIS, Project Management, Facilities and Investigation Services activities undertaken by Infrastructure Services during the month of November 2022.

### RECOMMENDATION

That Council receives the Infrastructure Services, Technical Services Operations Report for November 2022.

### BACKGROUND

#### Technical Services

Design, quality and investigations:

Investigation activities undertaken in October included:

Activity	Current Requests	Closed Requests
Road Infrastructure Review	52	18
Drainage Investigations	8	1
NHVR Permit Applications	0	18
Aerodrome Investigations	0	0
Traffic Count Surveys	0	12
Parks Investigations	5	0
Miscellaneous <i>e.g.</i> Planning; Local Laws	17	11
Before You Dig Requests	0	132

Soil Laboratory:

Council's Soil Laboratory provides NATA-accredited soil and material testing for internal and external services.

Supplier	No. of Tests
Internal	91
External	176

Asset Inspections:

Facility asset inspections and defect backlog verification process has commenced in full. The updated defect backlogs will assist to inform the 2023-24 Operational and Capital programs.

Ongoing improvements to data associated with water, sewerage, roads, underground stormwater and kerbs asset data sets continues.

### Operational Works and Subdivisions

To ensure ongoing compliance with development conditions, both during construction and on-maintenance, Council undertakes routine inspection and monitoring of sites. The following developments remain current:

Locality	Subdivisions Name	Status
Mareeba	Prestige Gardens Stage 1-6	Under construction
Mareeba	Emerald End Road & Country Road	Under construction
Mareeba	Amaroo Stage 12	On-maintenance
Mareeba	7 Haren Street	On-maintenance
Koah	123 Fantin Road (Two Chain Road)	On-maintenance
Mareeba	Kenneally Estate Stage 4	Off-maintenance, but holding \$5k bond (monitoring K&C)
Mareeba	The Edge Stage 3	Off-maintenance
Mareeba	Amaroo Stage 11	Off-maintenance
Mareeba	Mareeba Roadhouse and Accommodation Park, Williams Close	On-maintenance - Monitoring
Kuranda	112 Barnwell Road widening	Monitoring

### Disaster Recovery Funding Arrangements (DRFA)

The DRFA is jointly funded by the Commonwealth and Queensland governments to help alleviate the costs of relief and recovery activities undertaken in disaster-affected communities by delivering recovery activities to return affected eligible assets back to pre-event condition. The status of declared disaster events currently being managed are provided below:

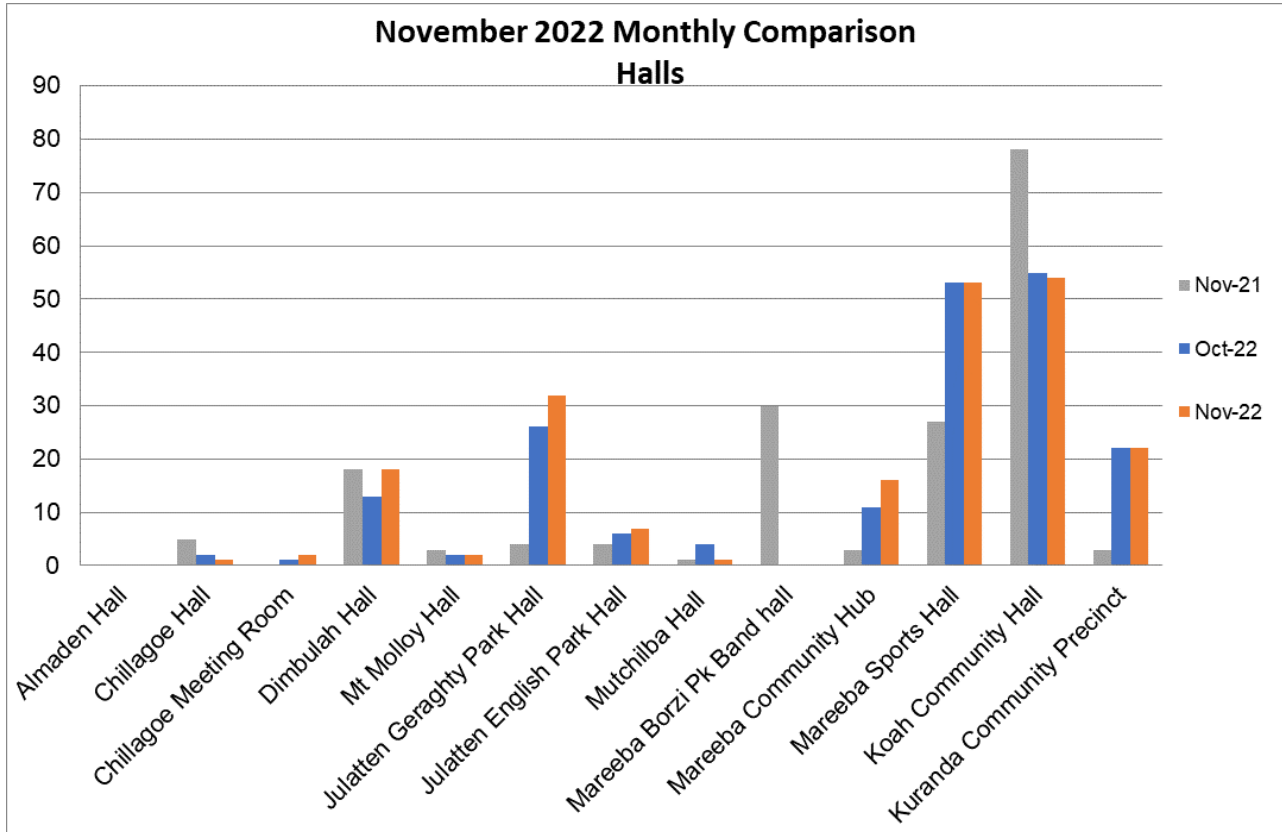
Program	Status
2021 DRFA REPA Program	Council at its Ordinary Meeting, 15 December 2021, endorsed award of the REPA Contracts on condition of endorsement by QRA. Works have commenced on all restoration packages with works on track for completion prior to end of calendar year.
2022 DRFA	Mareeba Shire activated DRFA assistance measures linked Far North Queensland Low Pressure Trough, that occurred 1 – 7 February 2022. Council have nearly finalised all assessments of damage, emergency repairs and immediate restoration of impacted roads throughout the Shire. A consultant has been engaged to assist with delivery of the 2022 DRFA Program.
2022 Betterment	Officers are currently working on development of the proposed Betterment Program for submission to QRA for consideration prior to end of calendar year.

**Facilities**

Community Halls:

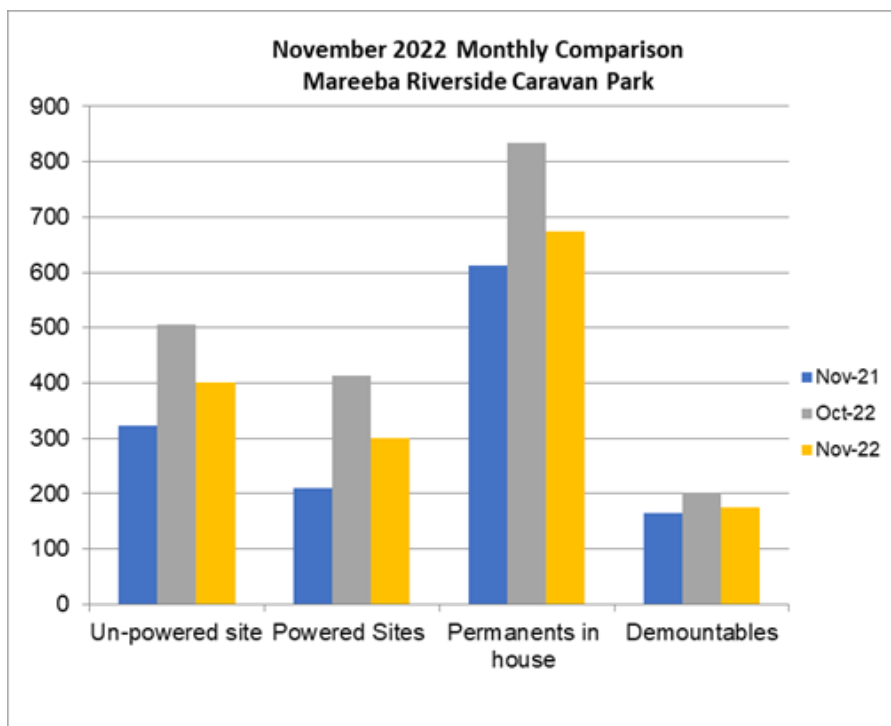
Maintaining safe and efficient access to Council Community Halls is recognised as an important aspect for the community's ongoing wellbeing.

October hall hires have recovered against the previous month and are generally showing strong improvements against the previous year's utilisation.



Caravan Parks:

Mareeba Riverside Caravan Park tenant numbers have remained strong across all sectors. Works to replace the Ablution Building are underway.



Aquatic Centres

Monthly statistics were not available at time of reporting.

Vandalism & Graffiti:

During November, 12 reports of vandalism/graffiti were recorded for Council facilities, with annual costs provided below;

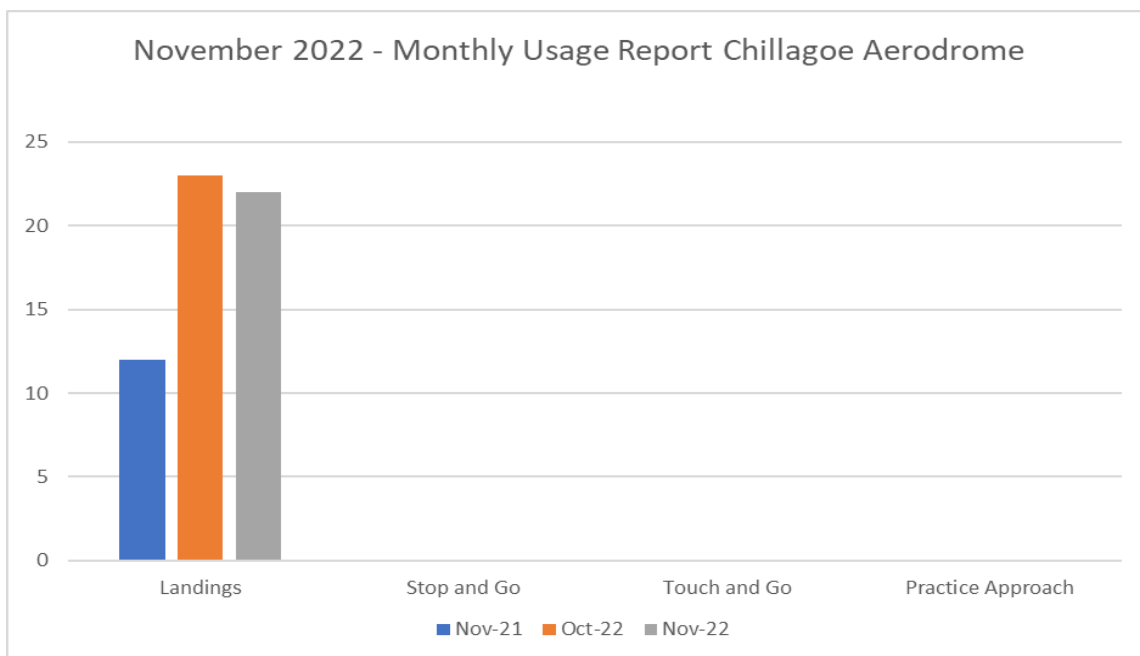
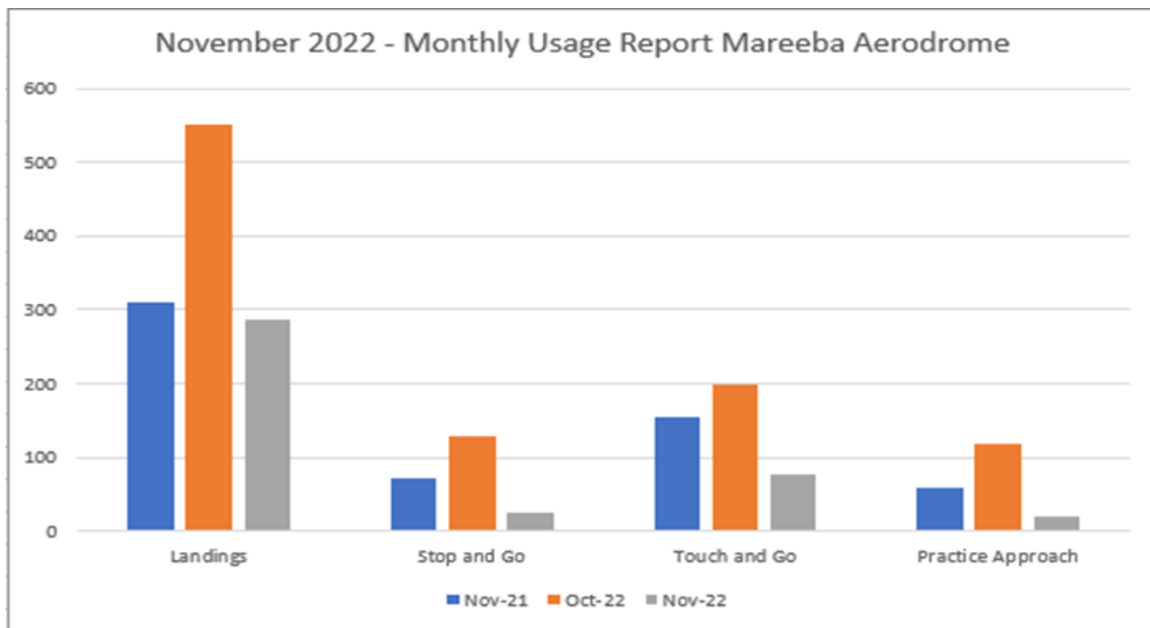
Financial Year	Actuals	Comments – November 2022
2015/16	\$ 2,134.00	• Mareeba Arnold Park Toilets x 1
2016/17	\$ 16,546.00	• Mareeba CWA Toilets x 2
2017/18	\$ 23,948.00	• Mareeba Sports Hall - Graffiti x 2
2018/19	\$ 14,851.00	• Mareeba Davies Park Toilets -Vandalism x 2
2019/20	\$ 14,211.18	• Kuranda Community Precinct Toilets - Vandalism x 1
2020/21	\$ 62,199.62	• Mt Molloy Hall Toilets - Vandalism x 1
2021/22	\$ 48,301.12	• Mt Molloy Rifle Ck Toilets - Vandalism x 1
2022/23	\$14,524.33	• Julatten Geraghty Park Toilets - Vandalism x 1 • Mareeba Theatre Hall - Vandalism x 1

*Note - actuals for vandalism/graffiti do not reflect costs to repairs during that period. Incoming expenses for repairs carry over until works are completed.*

**Aerodromes**

The data recorded below is current for the month of November, however there is usually a lag of data for each current month from the service provider, which continues to be updated into the next month.





**FINANCIAL AND RESOURCE IMPLICATIONS**

**Capital**

Programs are being delivered in line with expectations, a small surplus across the portfolio is anticipated.

**Operating**

Additional cost associated with graffiti and vandalism is expected and will be accommodated within existing budget allocations.

**LINK TO CORPORATE PLAN**

**Financial Sustainability:** A council that continuously operates in a cost-effective manner while managing council’s assets and reserves to ensure a sustainable future.

**Transport and Council Infrastructure:** The provision of quality services and infrastructure for our growing community that is planned and managed using sound asset management principles.

**Community:** An informed and engaged community which supports and encourages effective partnerships to enhance the liveability of the Shire.

**Economy and Environment:** A resilient economy that promotes and supports the shire's natural assets and local industry and encourages investment while preserving and future proofing for generations to come.

<b>9.5 INFRASTRUCTURE SERVICES, WORKS SECTION ACTIVITY REPORT - NOVEMBER 2022</b>
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**Date Prepared:** 22 November 2022

**Author:** Manager Works

**Attachments:** Nil

### EXECUTIVE SUMMARY

The purpose of this report is to summarise Council's Transport Infrastructure, Parks and Gardens and Land Protection operational activities undertaken by Infrastructure Services during the month of November 2022.

### RECOMMENDATION

That Council receives the Infrastructure Services, Works Progress Report for the month of November 2022.

### BACKGROUND

#### Transport Infrastructure

##### Road Maintenance Activities

Unsealed roads graded in November were as follows;

Road Name	Location
Black Mountain Road	Kuranda
Mona Mona Road	Kuranda
Wolfram Road	Dimbulah
Lemonside Road	Mutchilba
Metzger Road	Dimbulah
Price Creek Road	Dimbulah

Other maintenance activities during the month of November include:

- Dimbulah Area
  - Shoulder grading
- Mt Molloy / Julatten Area
  - Tree trimming and removal
  - Unsealed road patching
  - Mow, slash and brush cut parks
- Mareeba Area
  - Install gravel turnaround Mclver Road
  - Drain cleaning
  - Bitumen patching - rural roads
  - Signage repair

Customer Requests

During the month of November, the Works Group received 69 Customer Requests (CRs) with 117 resolved (resolved requests include those received prior to November 2022). The table below shows the number of requests lodged per Works Section for the month.

Month	Roads	Parks and Gardens	Pest Management
November	51	15	3

At the time of reporting, the Works Group had 64 open requests.

Bridges and Major Culverts

With the completion of the Davies Creek Bridge Upgrade on Kanervo Road, Koah, the bridge crew returned to routine bridge inspection and maintenance activities. Bridges on the following roads were inspected and/or received standard maintenance in the month of November.

- Black Mountain Road, Kuranda
- Bilwon Road, Biboohra
- Hodzic Road, Biboohra
- Blackdown Road, Arbouin
- Pine Close, Biboohra
- Speewah Road, Speewah

TMR Routine Maintenance Performance Contract (RMPC)

- Burke Developmental Road
  - Medium formation grading continued between the Lynd River and the Carpentaria Shire boundary. Works ceased 9km from the shire boundary due to rain. No further routine maintenance will be undertaken west of Ferguson's Crossing this year
  - Heavy shoulder grading was completed on both approaches to Eureka Creek, west of Dimbulah
- Herberton - Petford Road
  - Maintenance grading on the unsealed sections of the Herberton - Petford Road
- Mossman - Mt Molloy Road
  - Pipe inspections have commenced
- Mulligan Highway
  - Pipe inspections between Mareeba and Mt Molloy have been completed
  - Pipe inspections between Mt Molloy and the northern boundary have commenced
  - Herbicide spraying and tree trimming

Parks and Open Spaces

In late October, the Parks and Open Spaces Section reduced reticulated water irrigation use in Mareeba township by 50% to assist with managing the town's demand for treated water during hot and dry conditions. No irrigated plantings or grassed areas have been lost due to the reduction of irrigation although in some areas additional hand watering has had to be undertaken to ensure plant survival. Recent rains have alleviated the situation somewhat and staff will continue monitor irrigated areas for signs of distress.

Other points of note for the Parks and Open Spaces Section during November were:

- Seven (7) burials - Mareeba Cemetery
- Irrigation auditing and repair of major sporting fields
- Installation of Christmas trees in Chillagoe and Dimbulah
- Banner installations
- Tree trimming for street sweeper operations

### **Land Protection**

**Parthenium Weed:** Monthly inspections carried out on 12 sites. All landholders are complying with their bio security obligation. Officers continue to monitor all of the sites every three (3) weeks

**Amazon Frogbit:** Officers continued to inspect sentinel sites in the Mitchell River catchment. To date, no Amazon Frogbit has been detected. Michael Graham from Biosecurity Queensland will be visiting Mareeba in early December to choose suitably accessible infestation sites to conduct Clipper® trials for the eradication of Amazon Frogbit.

**Multi Species Weeds-Emu Creek/Walsh River Catchment:** Work has continued along Emu Creek in the Wash River catchment targeting two (2) *Jatropha* species, Rubber vine and Siam weed.

**Miconia:** Council Land Protection officers assist Biosecurity Queensland one day a month to survey and remove targeted plants in the Kuranda area.

**Wild dogs:** Baiting has been carried out on nine (9) rural properties in the Mareeba and Julatten districts, and the Walsh and Lynd River catchments totalling 814,797ha of land; several land holders were also given advice on trapping and shooting.

**Feral Deer:** Council Land Protection staff and a Biosecurity Queensland officer held a meeting with Lotus Glen Correctional Centre regarding the management of an isolated herd of feral deer in the vicinity. Given the nature of the property, no firearms are allowed so the deer have historically not been managed, allowing populations to flourish. Lotus Glen Correctional Centre will seek approval from the State Government for the use of firearms to hopefully manage the deer in the near future.

**Rabbits:** Two (2) *Calisivirus* releases were carried out in November, one (1) in Mutchilba and another in Almaden.

**Electric Ants:** Mareeba Shire sentinel sites in Mareeba, Kuranda, Julatten, Mt Molloy, Mt Carbine, Mutchilba and Dimbulah were inspected using lure baits with ant samples sent to Biosecurity Queensland for identification.

### **FINANCIAL AND RESOURCE IMPLICATIONS**

#### ***Operating***

All operational works are funded by the section specific 2022/23 maintenance budgets.

### **LINK TO CORPORATE PLAN**

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**Transport and Council Infrastructure:** The provision of quality services and infrastructure for our growing community that is planned and managed using sound asset management principles.

**Economy and Environment:** A resilient economy that promotes and supports the shire's natural assets and local industry and encourages investment while preserving and future proofing for generations to come.



**9.6 INFRASTRUCTURE SERVICES, CAPITAL WORKS MONTHLY REPORT - NOVEMBER 2022**

**Date Prepared:** 22 November 2022

**Author:** Manager Assets and Projects

**Attachments:**

1. [Capital Works Highlights - November 2022](#) ↓
2. [Capital Works Summary - November 2022](#) ↓

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**EXECUTIVE SUMMARY**

The purpose of this report is to provide an update on capital works projects undertaken by the Infrastructure Services Department during the month of November 2022.

**RECOMMENDATION**

That Council receives the Infrastructure Services Capital Works Monthly Report for the month of November 2022.

**BACKGROUND**

Council's Capital Works program is focussed on renewal and upgrade of Council infrastructure to achieve Council's corporate vision of "A growing, confident and sustainable Shire". The program is funded through a combination of Council's own funding and external grants and subsidies.

**RISK IMPLICATIONS****Financial**

The capital works program is tracking within budget.

**Infrastructure and Assets**

Projects included in the current capital works program were identified through Council's Project Prioritisation Tool (PPT) which uses a risk-based, multi-criteria approach to rank projects in order of priority. The PPT is aligned with Council's Long-Term Financial Plan and Asset Management sub-plans, which focus of renewal of existing assets.

**FINANCIAL AND RESOURCE IMPLICATIONS****Capital**

All capital works are listed in and funded by the 2022/23 Capital Works Program.

**LINK TO CORPORATE PLAN**

**Transport and Council Infrastructure:** The provision of quality services and infrastructure for our growing community that is planned and managed using sound asset management principles.

**IMPLEMENTATION/COMMUNICATION**

## Infrastructure Services Capital Works Report Project Highlights - November 2022



**Project Name: Centenary Park Kuranda Playground Upgrade**

**Program: Parks and Open Spaces**

### Background

Centenary Park Kuranda serves a dual function for visiting tourists and the local community. The Kuranda Infrastructure Agreement Review 2021 and the Parks and Open Spaces Strategy 2022-2031 identified the playground at Centenary Park Kuranda as a high priority for renewal and improvement to the play features within the playground.

### Scope of Works

This project includes the complete demolition and removal of the old playground and replacement with an entire new playground including modernised play equipment and features. The project includes:

- interactive play equipment
- rubberised soft fall surface
- shade sail structure
- lighting for night-time use and security
- shelter, seating, and tables for parents
- removal of the existing playground and shade structure



*Photo 1 Centenary Park Kuranda Playground Render*



## Infrastructure Services Capital Works Report Project Highlights - November 2022



### Progress Update

The playground is nearing completion and subject to weather constraints, is expected to be open to the public within the next two weeks. The play elements have been installed, and the rubber soft fall is nearly complete, with the colour layer being finalised. Irrigation around the playground is in place ready for turf installation around the playground.



*Photo 2 Centenary Park Kuranda Playground New Climbing Frame Play Element.*



*Photo 3 Centenary Park Kuranda Playground New Slide Play Element and Shaded Picnic Table*

## Infrastructure Services Capital Works Report Project Highlights - November 2022



### Project Name: Mareeba East Park – New Playground and Carpark

#### Program: Parks and Open Spaces

#### Background

The Mareeba East Park is identified in the Parks and Open Spaces Strategy as a Catchment Park for the eastern side of Mareeba. The identified site is on the corner of Hastie Road and Karobean Drive, providing a new parkland to over 900 properties in the catchment. A new playground and carpark were identified as the highest immediate priorities for construction. A Master Plan for future works prioritisation and feature placement is scheduled for development in consultation with the community, commencing in early to mid-2023.

#### Scope of Works

This project includes

- interactive play equipment
- rubberised soft fall surface
- shade sail structure
- lighting for night-time use and security
- shelter, seating, and tables for parents
- off-road car park for safe and easy access to playground
- footpath loop around playground and connections to Karobean Drive and carpark
- irrigation and turf around the playground
- two shade trees within the playground footprint

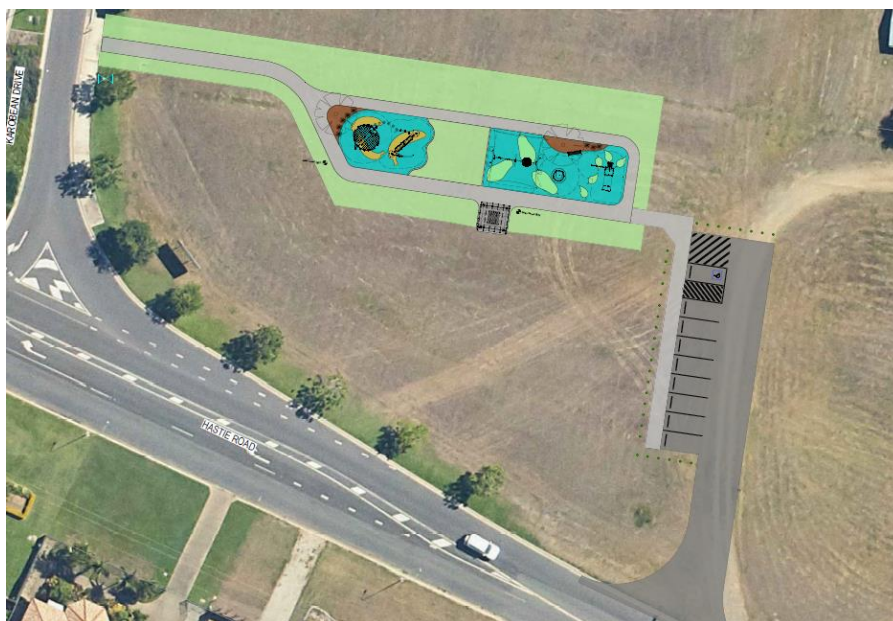


Photo 4 Mareeba East Catchment Park Playground and Carpark Layout



## Infrastructure Services Capital Works Report Project Highlights - November 2022



### Progress Update

Construction of the playground and carpark commenced in November and subject to weather conditions, is expected to be complete before Christmas.



*Photo 5 Mareeba East Park Playground Construction*



*Photo 6 Mareeba East Park Play Elements Installation*

**Infrastructure Services Capital Works Report  
Project Highlights - November 2022**



**Project Name: Splash Park**

**Program: Parks and Open Spaces**

**Background**

Council received \$1.5M funding from the Queensland Government to construct a Splash Park in Mareeba. Council identified that the optimised location for the Splash Park is within the Mareeba Sports and Aquatic Centre. This location allows for the lowest ongoing operational expense to the community and gives visitors a more interactive experience by leveraging the existing Children’s Pool and 50m Pool as part of the Splash Park experience. \$1.5M is funded by the Department of State Development, Infrastructure, Local Government and Planning to provide the Splash Park and upgrades to existing infrastructure at the Mareeba Aquatic Centre. A further \$150,000 of the \$195,075 project cost to install a heating system, is funded by the Active Gameday Projects Fund from the Department of Tourism, Innovation and Sport’s (Sport and Recreation). The remaining funds will be contributed by Mareeba Shire Council.”

**Scope of Work**

The facility will be a new zero-depth, zero-height splash play area that will include various unique water spray areas with interactive play elements and shade structures. As part of the upgrade, a heating system will also be installed for the pool and the front entry gardens and pathways will be refreshed.



*Photo 7 Mareeba Aquatic Centre Splash Park Render*



## Infrastructure Services Capital Works Report Project Highlights - November 2022



### Progress Update

Site clearing for the splash park has commenced, the toddler pool has been decommissioned and a sewer main has been realigned so that it is not underneath the new splash park concrete pad. The Children’s Pool and 50m Pool are both operational and open to the public.



*Photo 8 Toddler Pool Decommissioning*



*Photo 9 Site Clearing for Splash Park*

## Infrastructure Services Capital Works Report Project Highlights - November 2022



**Project Name: Granite Creek Sewage Pump Station Upgrade**

**Program: Wastewater**

### Background

An allocation has been provided in the 2021/22 Capital Works Program to renew and upgrade the Granite Creek Sewage Pump Station, located on Byrnes Street, adjacent to Granite Creek. The ageing infrastructure is rapidly deteriorating and reaching capacity, is inadequate to achieve current safety standards for servicing and maintaining the asset, and there have been numerous odour complaints about the pump station in its present form.

The upgraded pump station will meet current design standards and cater for future growth in the catchment area, which includes all sewered areas of the Mareeba township south of Granite Creek.

### Scope of Works

The scope of works includes removal of the existing pump station building, pumps, pipework and associated services, and construction of a new dry well, supply and installation of new pumps, pipework, valves and switchboard. Wastewater will need to be bypassed during construction and the scope of works includes provision of a temporary aboveground bypass system and standby pump for the duration of the project.

### Progress Update

Works to install the external pipe work and flow meter well advanced and the internal protective coating, which is to be applied to the walls and ceiling is programmed for the week commencing 12 December.



*New pump station with external pipe work installation*



**Infrastructure Services Capital Works Report  
Project Highlights - November 2022**



**Project Name: AC Pipe Renewal Water Main Upgrade Program – Anzac Avenue**

**Program: Wastewater**

**Background**

An allocation has been provided in the 2022/23 Capital Works Program to replace the failed existing asbestos cement (AC) water mains throughout the Shire as part of Council's strategy to address critical water issues across the Shire over the next 10 years.

The upgrade of the Anzac Avenue Water Main is being undertaken with funding from the Local Roads and Community Infrastructure Program (LRCIP3).

**Scope of Works**

The scope of works included replacement of the existing water main with 300mm PVC Supermain and Ductile Iron (DICTL) on road crossings, in addition to new service connections, valving and hydrants are being installed.

**Progress Update**

Works continuing along Anzac Avenue with the contractor making good progress. The contractor is running a clean and tidy job site with remediation of asphalt works being done as soon as practical to provide a seal over the excavations with minimal disruption to traffic.



*Anzac Avenue installation of the new 300mm diameter PVC Supermain water main*

## Infrastructure Services Capital Works Report Project Highlights - November 2022



**Project Name: Euluma Creek Road, Julatten - Rehabilitate and Widen**

**Program: Rural Roads**

### Background

Euluma Creek Road is classed as a Local Road of Regional Significance (LRRS) under the Roads and Transport Alliance and is eligible for a maximum of 50% funding from the Transport and Infrastructure Development Scheme (TIDS).

Several projects are currently listed in the FNQROC TIDS Program for the widening of sections of Euluma Creek Road between Black Mountain Road and McLeans Bridge Road to cater for increasing heavy traffic and to address ongoing defects, edge wear and edge drop.

### Scope of Works

The second of these projects is the widening of the narrow sections of existing bitumen sealed road to 8m including the replacement and extension of existing culverts from Chainage 7010 to Chainage 9350.

### Progress Update

The pavement rehabilitation and widening activities commenced in December 2021 and were subsequently put on hold due to the continued wet weather certain areas of the shire have experienced in 2022. Work recommenced in late May when site conditions improved enough to allow construction at several locations within the project footprint. The final two (2) sections had the first 16mm bitumen seal coat applied on 28 November but due to rain the second 10mm bitumen seal was unable to be completed. Pioneer NQ are attempting to fit the second seal into their pre-close down program and have indicated that the second coat will be done at the first opportunity.

Work completed in November include;

#### **Section A - Ch 7010 to 7180,**

- First Coat Seal - 16mm

#### **Section B - Ch 7630 to 8295**

- First Coat Seal - 16mm

#### **Section C - Ch 8385 to Ch 8760**

- Complete

#### **Section D - Ch 9010 to Ch 9350**

- Complete



# Infrastructure Services Capital Works Report Project Highlights - November 2022



*First spray run - Section B*



*Spreading 16mm aggregate - Section A*



*Completed first coat seal - Section B*



*Completed first coat seal - Section A*

## Infrastructure Services Capital Works Report Project Highlights - November 2022



### Project Name: Kanervo Road - Davies Creek Bridge Replacement

#### Program: Bridges

#### Background

A Level 3 engineering inspection and load assessment was undertaken on the Davies Creek bridge on Kanervo Road in 2015 which identified significant deterioration of some of the timber girders and a load limit of 14 tonnes was imposed on the bridge.

In August 2019, Council secured a grant under the Australian Government's Bridges Renewal Program towards upgrade of the existing bridge over Davies Creek on Kanervo Road. The purpose of this project is to restore the bridge to its original intended load limit, extend the life of the structure and provide accessibility for heavy vehicles.

#### Scope of Works

The scope of works includes replacing the existing timber girders and deck of the bridge over Davies Creek on Kanervo Road with concrete precast deck units and a concrete deck, in addition to strengthening of the existing abutments and pier and piers.

#### Progress Update

The Davies Creek Bridge on Kanervo Road was opened to traffic in late October, as scheduled, with the asphalt deck wearing surface and bridge approaches installed mid-November. The project is now complete.



*Western bridge approach*



*Eastern bridge approach*



## Infrastructure Services Capital Works Report Project Highlights - November 2022



**Project Name:** Borzi Road, Mutchilba - Widen and Seal Ch 40 - 800

**Program:** Rural Roads

### Background

As part of the 2021/22 Capital Works Program a project was adopted to widen and seal a narrow section of Borzi Road, Mutchilba. This road provides access to agricultural properties and a quarry, and the project will cater for increasing heavy traffic and provide safety improvements.

### Progress Update

Work commenced at Borzi Road in early November with the extension of several RCP and RCBC culverts. The majority of the section required the replacement of unsuitable subgrade with shot rock and bidim prior to the installation of Type 2.1 and Cement Stabilised Road Base. The project is progressing well and is programmed for bitumen sealing on Saturday, 17 December, weather permitting.



*De-watering the site*



*RCP extension*



*Bidim and shot rock treatment*



*Installation of road base*

## Infrastructure Services Capital Works Report Project Highlights - November 2022



**Project Name: Kauri Creek Bridge, Speewah Road - Timber Girder Replacement**

**Program: Bridges**

### Background

Routine bridge inspections identified that several timber girders on the Kauri Creek Bridge on Speewah Road were failing and required replacement.

### Progress Update

Originally it was planned to replace four (4) timber girders at Kauri Creek Bridge but on further investigation it was determined that all eight (8) girders would need to be replaced.

Work commenced 24 November 2022 and is programmed to be completed 9 December 2022, weather permitting. Arrangements have been made with the two (2) property owners that traverse the bridge to have vehicles parked the Speewah side of the bridge whilst the works are carried out.



*Running plank removal*



*Bridge deck removal*



*Girder removal*



*Replaced girders - span one*





Project Description	Project Stage	Comments
<b>Program: 01 Rural and Urban Roads Reseal Program</b>		
2021/22 Reseal & Asphalt Program	Close Out	Project completed August 2022.
22/23 Reseal & Asphalt Program	Construction	Contractor advises they are having supply issues of sealing aggregate. Contractor will return 16/12/2022 to complete the remaining reseals (weather permitting).
BETTERMENT Co-Contribution	Planning	QRA & Council working on submission. Anticipate \$3.3M program.
<b>Program: 02 Gravel Resheet</b>		
2021/22 Gravel Resheet Program	Close Out	Works Group have changed to 22/23 project number & this project will be closed out when commitments clear. Project complete August 2022.
22/23 Gravel Resheet Program	Construction	Sections of Metzger, Boonmoo, Sandy Creek & Mt Mulligan Roads programmed for resheeting.
<b>Program: 03 Urban Streets</b>		
R2R Reynolds St Mba Replace K&C	Close Out	Project completed August 2022. As constructed ongoing by GIS Officer.
TIDS Rankin/Walsh St Roundabout	Design	Consultant engaged and currently completing Options Study. Report to be finalised by Dec 2022.
<b>Program: 04 Rural Roads</b>		
TIDS Euluma Ck Rd Ch7.01-9.325 Rehab	Construction	Final seal started 28/11/2022. Rain caused work to stop. 100% 16mm first coat completed. Approximately 30% of 10mm second coat completed. MSC will need a cancellation of another sealing project for the sealing works to be completed this calendar year. Line marking will be scheduled after the seal has been completed.
TIDS Euluma Ck Rd Ch 9.350-10.130 Rehab	Procurement	The start date for the project has been pushed back to mid-April 2023 to allow for the construction of curve widening on Springmount Road, which is also a TIDS project that needs to be completed by 2023 FY end.
Borzi Rd Mba Widen & Seal Ch 0.03-0.67	Construction	Subgrade replacement works completed. Currently importing base layer. Seal programmed for 8 December, weather permitting.
TIDS Ootann Rd Section 1&2 Widen & Seal	Design	Section 1 design to be finalised prior to end of Calendar year 2022. Other sections now on hold until funding arrangements are clarified.
TIDS Springmount Rd Widen & Seal	Design	Works will commence onsite 5/12/22.
R2R Bilwon Rd Rehab & Culverts	Planning	Project is in planning stage with TS Group.
R2R Wolfram Rd Stage 3 Priority Sections	Procurement	Programmed January 2023 to March 2023
<b>Program: 05 Bridges</b>		
BRP4 Kanervo Rd Davies Cr Br Rplc Bridge	Completed	Project completed November 2022.
BRP5 Davies Ck Road Bridge Replacement	Close Out	Construction complete July 2022 & funding acquitted. Final certification is ongoing.
Granite Ck Mba Replace Footbridge Deck	Procurement	Designs received, works will be programmed for after the completion of Kanervo Road Bridge Upgrade.
Palm CI Mba Replace Footbridge Boards	Procurement	Designs received, works will be programmed for after the completion of Kanervo Road Bridge.
Bicentennial Lakes F/bridge Safety Upgr	Procurement	Designs received, works will be programmed for after the completion of Kanervo Road Bridge Upgrade.
Kauri Ck Bridge Speewah Rd Repl. Girders	Construction	Project commenced 23/11/22 and should be completed 02/12/23. Minor traffic delays but no road closure necessary. All 8 girders being replaced.
Bullaburrah Ck Rd C'way Relieving Slab	Not Commenced	Programmed for March 2023, weather permitting.
Clohesy River Barron St Inspect & Design	On Hold	Geotechnical Investigation not proceeding. Survey to undertake monitoring before/after wet season to assess for signs of ongoing subsidence. Project on Hold.
Bolton Rd Inspect/Design/Repl Girders	Planning	Level 2 Bridge Inspection and load assessment completed, awaiting report - anticipate report by 2 December 2022.
Barron Riv. Bridge Oakforest Rd Insp/Des	Planning	Level 2 Bridge Inspection and load assessment completed, awaiting report - anticipate report by 2 December 2022.
Barron River Cwy Henry H Dr Repl Slabs	Not Commenced	Programmed for April 2023, weather permitting.



Project Description	Project Stage	Comments
<b>Program: 06 Drainage</b>		
21/22 Minor Culvert & C/ways Renewal	Close Out	During August culvert repairs were completed at Pin Road, Wright Road & Leafgold Weir Road. Project complete August 2022.
Amaroo Mba Drainage Upgrade Stage 2	Close Out	Project completed August 2022.
22/23 Minor Culvert & C/ways Renewal	Construction	Mclver Road RCP complete. Additional works maybe required to remove driveway access pipe. Works Group to be notified.
MBA Amaroo Drainage Upgrades	Not Commenced	Programmed for May 2023, weather permitting
MBA Hastings Dr Replace Concrete Pipe	Planning	Commencing investigations December 2022.
Tilse Street Upgrade Drainage	Not Commenced	Council's contribution to trunk infrastructure, drainage for Prestige Gardens.
<b>Program: 07 Traffic Facilities</b>		
Mareeba Aerodrome Signage	Construction	Fabrication of Tom Gilmore Aviation Industrial Precinct sign to be complete 2 December. 6 businesses have confirmed their names on the sign. Sign footings will be installed in the week commencing 5 December. Mareeba Airport sign fabrication to follow.
<b>Program: 08 Parking</b>		
Borzi Park Mba Carparking Masterplan	Planning	Design to be completed Feb 2023.
MBA Heritage Centre Carpark Extension	Design	Survey underway, design to be completed Dec 2022.
<b>Program: 09 Footpaths</b>		
21/22 Footpath Renewal Program	Close Out	Completed.
MBA Rail Trail Stage 1 Mba to Airport	Completed	Project completed November 2022.
MBA Walking Network Plan	Design	Priority Works Plan is being finalised and will be presented to Council.
KDA Walking Network Plan	Planning	Draft Kuranda Walking Network Plan is being workshopped with Council 30 November 2022.
22/23 Shire Wide Footpath Renewal Prog	Planning	Walking Network Report received. Initial review in late August identified several sections of new footpath & pedestrian safety improvements within the 500m CBDbuffer zone (centered at Anzac Park) would benefit pedestrians. A tender will be developed after further scoping & released for external delivery.
22/23 Walking Network Upgrade Program	Not Commenced	Pending adoption of Priority Works Program for Kuranda and Mareeba.
<b>Program: 10 Parks and Gardens</b>		
Parks & Open Spaces Strategy	Close Out	Parks and Open Spaces Strategy and 3 year action plan adopted by Council in February 2022. Refer attached report for progress updates on individual projects.
Mba Off road Trails Masterplan	Cancelled	Project Cancelled.
LRCIP2 21/22 Park Entrance Sign Renewal	Close Out	10 Acre Park sign has been installed. Project complete August 2022.
LRCIP2 Mba Byrnes Street Medians	Construction	Street bin installation on hold. Corporate Communications Officer sourcing pictorial wraps to cover new street bins.
DIM Town Hall Park Refresh	Planning	Scoping of project commenced.
KDA Centenary Park Playground Upgrade	Construction	Construction nearly complete. Soft-fall and turf installation to be finalised. Expected completion by Friday 2 December.
MBA Bicentennial Lakes (Southern) D&C	Planning	Notice of intent to award tender provided to TEC.
MBA Byrnes St Medians	Not Commenced	Work will be programmed for the second half of the current financial year.
MBA Anzac Memorial Pk L'scaping & Safety	Construction	Park renders for public consultation being prepared.
MBA Byrnes St Traffic Islands (BP)	Not Commenced	Work will be programmed for the second half of the current financial year.
MBA Connection Rd/Byrnes St Intersection	Not Commenced	Work will be programmed for the second half of the current financial year
MBA Costin St Medians	Not Commenced	Work will be programmed for the second half of the current financial year.
MBA Sunset Park Exercise Equip Renew	Cancelled	Project Cancelled.



Project Description	Project Stage	Comments
KDA Anzac Park Landscaping	Planning	The landscape architect has provided 4 design/ refurbishment options for Council consideration.
KDA Coondoo Street Upper Refurb	Not Commenced	Workshop brief being prepared to present to Council.
KDA CBD Planter Boxes & Gardens	Not Commenced	Planning to commence in second half of financial year.
DIM Avenue of Trees Irrigation	Not Commenced	Work will be programmed for the second half of the current financial year.
IRV School of Arts Park Seating & Shade	Not Commenced	Planning to commence in second half of financial year.
MBA Eastern Catchment Park Amaroo St1	Construction	Construction of playground foundation footing commenced.
Roscommon Park -Renew Exercise Equipment	Not Commenced	Static exercise equipment to be procured.

**Program: 11 Water**

WTP Staged start up water pump upgrade	Cancelled	Design process has commenced with on site inspection in early September, surveyand locations works completed and RFI feed back sent to designer so design can be progressed.
MWTP Filter 3 install backwash pumps	Planning	Now that grant funding has been received this will be rolled out in conjunctionwith the MWTP Filtration Project.
Mba Optimise clarifer performance upgrad	Design	Some initial works commenced
Mareeba - Backwash operation renewal	Planning	Now that grant funding has been received this will be rolled out in conjunctionwith the MWTP Filtration Project.
W4Q4 Mba AC & Defunct Pipe Rplcmnt 2.5km	Close Out	Completed September 2022.
Mba WTP Study for Upgrade of WW System	Construction	Works progressing well and now scheduled for completion early February.
MWTP 5ML Reservoir Roof Replacement	Close Out	Works now finished.
BOR6 MWTP Filtration Upgrade	Design	Project design works continuing and actual project grant funding confirmed through BOR program and set to go to tender early February.
MBA Clear Water Booster Pump Station	Design	Project design underway and design expected to be completed by end of December or early January.
22/23 Water Pipe Renewal Program	Construction	Project works well underway with contractor making good progress and slightly ahead of project schedule.
22/23 Water Telemetry/SCADA Upgrades	Planning	Works underway with our external provider.
DIM WTP New Turbidity Meters	Completed	Project complete, finalising invoices.
KDA WTP Auto Backwash on 3 Filter Cells	Planning	Treatment operations staff to liaise with City Water Technology and or suitablyqualified person for the implementation works.
22/23 Smart Meters Replacement	Planning	Project commenced with the first 20 installed and a further 200 meters on orderwith a six month lead time on delivery.
22/23 Hydrant Renewal Program	Construction	Council officers reviewed recent maintenance works to determine number and locations for hydrant renewals, with installation works commenced .
MBA WTP Raw Water Pumps & Electrics	Design	Design underway with project site inspection and survey and locations done.
22/23 Valve Replacement Program (Retic)	Construction	Council reticulation staff currently installation valves and locations identified on the western side of Mareeba.
BOR6 22/23 Water Forward Design Program	Design	Works commenced with trials on alternate methods of dosing equipment and chemicals underway.
MBA Additional Pressure Reduction Valves	Planning	Locations of RPV's have been modelled and calculated during booster pump station design works and will have to be cells at the treatment plant and centenary park booster station.
MBA Deommission Basalt St Elevated Tank	Planning	Works to be undertaken in conjunction with the booster station project, can only be done as the new booster station is being commissioned.
MBA Decommission Granite Ck Pump Station	Planning	Works to be undertaken in conjunction with the booster station project, can only be done as the new booster station is being commissioned.
MBA WTP Chemical Bund	Close Out	Works now complete.
DIM Caustic Soda Dosing Pumps & Shed	Construction	Shed installation completed and connection of dosing equipment underway.



Project Description	Project Stage	Comments
WTP Minor Infrastructure Replacements	Construction	Equipment ordered and installation works will commence once equipment arrives and time will depend on supply chain delivery times.
MBA WTP Clarifier Infra Process Improv.	Design	Design underway, once their assessment has been completed they'll submit to Council officers for further review and options assessments.
MBA/KDA/DIM WTP Inst. Chloring Analysers	Procurement	Quotes were sourced and equipment ordered, when the equipment arrives it'll be installed and commissioned.
MBA Trial Chloring Dosing	Planning	Now that the filtration project has been funded this project needs to be rolled into that project.
DIM WTP Standby Generator Replacement	Not Commenced	Generator has been acquired and now on site, it will be lifted into position as soon as possible and connected to the site.
<b>Program: 12 Wastewater</b>		
Mareeba Aeration diffusers every 5 years	Close Out	Works now complete.
21/22 W/water Telemetry/SCADA Upgrades	Close Out	Works completed.
New Sewer Pump Stn Standby Generators x2	Construction	New generators have been installed and housing being made to protect them from vandalism and the elements, just finalizing the telemetry connection to the generators and project is then completed.
21/22 Mba Sewer CCTV & Relining Program	Construction	There were a few lines that run adjacent to the Barron River that didn't get completed prior to end of June and these will now be done in December, weather permitting.
21/22 Mba WWTP Component Renewals	Completed	Works essentially completed and once commitments are cleared project can be closed out.
Granite Ck Mba Sewerage Pump Stn Refurb	Construction	Pump station concrete works completed. Installation and commissioning of pumps has commenced.
21/22 Mba Pump Stn Magflow Install Prog	Close Out	Project complete.
Mba Minor Pump Stn H2S Protect/Refurb	Completed	Project now completed and once final commitments are finalised the project can be closed out.
MBA Bi-Lakes Sewer Main Capacity	Design	Project design well underway and applications to TMR and QRail for crossing permits have been submitted as part of the project.
22/23 WW Telemetry/SCADA Upgrades	Planning	Program will see the Mareeba WWTP SCADA upgraded to latest version with work planned for first half of 2022-23 FY.
22/23 New Standby Generator Program	Procurement	New generators have been delivered and are now on site and will be electrically connected as soon as an electrician is available.
22/23 MBA Sewer CCTV & Relining	Construction	Contractor commenced in late November. Contractor will work through to mid-December and return after Christmas shutdown.
22/23 Manhole Rehab & Replace Program	Construction	Works underway with about 50 % of the 2022-23 scheduled program completed.
KDA TP Chlorine Dosing Pumps	Procurement	Goods are on order and potentially long lead time of delivery.
KDA TP RAS System Submersible Pumps	Procurement	Quotes received for new pumps under assessment.
KDA TP Bioreactor Aeration Blower	Planning	New blower on order with potentially a six month lead time for delivery.
Minor WW Pump Station Refurbishments	Not Commenced	Project on hold as funds from this project diverted to Granite Creek SPS project.
22/23 WW Forward Works Design Program	Planning	Review of Atherton St SPS underway to determine if a new pump station is required or the existing pump station can be refurbished.
<b>Program: 13 Waste</b>		
KWTS Weighbridge & Gatehouse	Close Out	In negotiations with weighbridge about final invoicing, at this stage not in agreement with supplier and trying to resolve as soon as possible. Supplier taking time to respond.
MWF Buy Back Shop Construction	Close Out	Project completed June 2022. Ident Survey still ongoing.





Project Description	Project Stage	Comments
MWF Construct New Landfill Cells	Design	Project design progressing however there is a lot of work required on the electrical side of the design works and council officers met with Golder/WSP to determine a way forward and Council officers have now provided Golder/WSP with further technical information which will hopefully allow the design to progress in the coming months then to completion.
MBA Transfer Station New Baler	Procurement	Grant funding source wanted the project plan updated which has been completed prior to signing the grant deed and progressing the project.
MBA/KDA Transfer Station Security Improv	Construction	Mareeba WTS CCTV Upgrade works completed. Swivel pole installed for the Kuranda WTS and awaiting contractor to complete CCTV connection.
<b>Program: 15 Fleet</b>		
GPS Vehicle Management System	Planning	GPS tracking equipment to be procured as part of fleet replacement program rather than one large capital expenditure.
Hydro Vac to Replace Jet Rodder	Close Out	Secondhand Truck Mounted Hydrovac unit purchased, Unit available for service 1 October 2022.
Fleet Replace #676 Civil Works Truck	Close Out	Project Completed May 2022
Fleet Renewal #509 Backhoe	Close Out	New machine delivered 2nd August
Fleet Replace #4053 Husqvarna Zero Turn	Close Out	Project completed, August 2022
Fleet Refurb Truck Mounted Water Tank	Planning	Business Case being developed.
Fleet Replace #621 Single Cab Tipper	Procurement	Purchase order raised July 2022. Wait time for delivery 8-10 months.
Fleet Replace #675 Crew Cab Tipper	Procurement	Purchase order raised July 2022. Wait time for delivery 8-10 months.
Fleet Replace #623 Crew Cab Tipper	Procurement	Purchase order raised July 2022. Wait time for delivery 8-10 months.
Fleet Replace #5006 Tractor	Procurement	Purchase order raised July 2022. Wait time for delivery 8-10 months.
Fleet Replace #6253 Road Broom	Planning	February 2023 Project.
Fleet Replace #1304 Landcruiser	Procurement	Purchase order raised and sent to supplier July 2022. Expected delivery 8-10 months.
Fleet Replace #1305 Landcruiser	Procurement	Purchase order raised and sent to supplier July 2022. Expected delivery 8-10 months.
Fleet Replace #1323 Triton	Procurement	Purchase order raised and sent to supplier July 2022. Expected delivery 8-10 months.
Fleet Replace #1337 Triton	Procurement	Purchase order raised and sent to supplier July 2022. Expected delivery 8-10 months.
Fleet Replace #1229 Hilux	Procurement	Purchase order raised and sent to supplier July 2022. Expected delivery 8-10 months.
Fleet Replace #2052 Triton	Procurement	Purchase order raised and sent to supplier July 2022. Expected delivery 8-10 months.
Fleet Replace #1315 Landcruiser	Procurement	Purchase order raised and sent to supplier July 2022. Expected delivery 8-10 months.
Fleet Replace #1328 Triton Trayback	Procurement	Purchase order raised and sent to supplier July 2022. Expected delivery 8-10 months.
<b>Program: 16 Depots and Council Offices</b>		
Rankin St MSC Admin Office Refurb	Construction	Works completed with minor changes to plumbing to be completed in December 2022.
Kowa St MSC Depot Emergency Generator	Design	Investigation completed, options prepared for consideration by EMT.
Kowa St MSC Depot New Fuel Bowser	Not Commenced	Planning to commence in second half of financial year.
<b>Program: 17 Community Buildings</b>		
Koah Tennis Court Replace Timber Poles	Construction	Electrician is scheduling auger for installation early December.
Kitchen replacement program	Construction	New kitchen installed at 12/27 Lawson Street.
Internal painting for five properties	Not Commenced	



Project Description	Project Stage	Comments
Aquatic Facility Upgrades & Splash Park	Construction	Kirratech have site possession. Sewer main has been realigned in preparation for Splash Park concrete Pad. Toddler pool is being demolished. Children's Pool is now open to the public. Some delays expected with delivery of splash park play equipment from Canada.
Dimb/Mba/Kda Pools Chloring Dosing Impr	On Hold	On Hold until Aquatics Management Agreement sorted.
Mba Leagues Club Grandstand Refurb	Close Out	Sustained inclement weather April-May impacted Contractors work commitments. Works scheduled for completion mid- July 2022. Work complete week 11-15 July.
Mba PCYC Shire Hall Part Roof Replacemnt	Construction	Variations raised for water damaged timber fascia's and hood vents. Works commenced to manufacture new hood vents.
LRCIP2 21/22 Shire-wide Ablution Ref Pg	Close Out	Close out.
Mba Library - Laurie Tracona Youth Space	Procurement	
MBA Women's Restroom Refurb	Planning	Lease Tender currently underway, closes 2pm Tuesday 13 December 2022.
MBA Riverside CPark Amenities Replace	Construction	Amenities block base has been constructed and concrete slab has been poured.
22/23 Shire Toilet Facility Repl Program	Not Commenced	Projects are: Mareeba Aerodrome, Mareeba Cemetery, Mt Molloy Vains Park. To be commenced in New Calendar Year.
MBA Community Hub Signage & Seating	Design	Concept design provided to Project Management Team for inclusion in delivery program.
DIM CPark Shower Septic Modifications	Procurement	Revised septic design completed and costing underway. Still targeting completion by end of calendar year, weather/contractor dependant.
MBA New CBD Toilet Facilities	Design	RFQ for Supply and Delivery of new toilet to be released. Concept plans for location developed.
MBA Purchase Leagues Club Land	Not Commenced	
22/23 Facilities Refurbishment Program	Not Commenced	Restricted Use - Only to progress under direction of EMT to address Management Agreement constraints.
MBA Aquatic Cnt Entrance Upgrade & Paint	Not Commenced	On site scoping meeting arranged for Thursday 1 December.
KDA Community Prec. Toilet Refurb	Not Commenced	Planning to commence in second half of financial year.
KDA Aquatic Cnt 25m Pool Auto Fillers	On Hold	On hold pending completion of Tender Process.
CHI Hub Sign Replacement	Cancelled	Following Community meeting in Chillagoe, project put on hold until further notice.
KDA Aquatic Cnt 25m Pool Cleaner	On Hold	On hold pending completion of Tender Process.
KDA Aquatic Cnt 25m Pool Aquaris Upgrade	On Hold	On hold pending completion of Tender Process.
22/23 MBA Roof Replacement Program	Planning	Contract awarded to Langley Plumbing. Compliant submission compliant with significant value for money margins.
22/23 MBA Bitument Driveway Renewals	Completed	Works completed November 2022.
MBA Timber Fascia Replacement	On Hold	Project on hold. Timber fascia's not required at this time. Possible minor maintenance works to be delivered by Mareeba Community Housing Company.
22/23 DIM Bathroom Renewal Progam	Planning	Scoping commenced.
<b>Program: 18 Non-Infrastructure Items</b>		
Kuranda New Cemetery	Design	Draft Civil Plans received for commentary, delivery of designs anticipated prior to Dec 2022. Tender for construction to be undertaken February 2023, with construction in dry season of 2023.
ICT - Annual Cloud Implementation	Not Commenced	Finalised implementation of Microsoft Operator Connect project to route 50 lines to MSC tenancy.
DRFA Flood Warning Infra Network (Rn)	Completed	Physically completed June 2022, documentation closeout to be finalised by end of September 2022.
Telephone Handsets PABX Replcmnt Prog	Not Commenced	Project has yet to commence.
Kuranda Columbarium Wall	Close Out	Project complete June 2022.



Project Description	Project Stage	Comments
MBA Rankin St Building UPS	Not Commenced	Project has yet to commence.
MBA Rankin/Kowa St Network Switches	Not Commenced	Project has yet to commence.
New Total Station Tilting Auto Pole	On Hold	Preparing financial close out.
MBA Cemetery Lawn Plaque on Beam	Construction	Installation commenced on a second new beam 25/11/2022. The intent is to cover any cost overruns with budget for new Dimbulah beam. It is anticipated that there will still be sufficient funds to complete the Dimbulah beam within budget.
DIM Cemetery Lawn Plaque on Beam	Not Commenced	New beam will be installed in Dimbulah prior to the end of the 22/23 financial year.
MBA MIP Expansion	Planning	Scope of works being refined to align with cost expectations. engagement to occur November, delivery of masterplan expected by March 2023.
<b>Program: 20 KIAC</b>		
KIAC - New Wayfinding Signage	Construction	Currently being installed.



**9.7 PARKS AND OPEN SPACES ACTION PLAN QUARTERLY PROGRESS REPORT - SEPTEMBER TO NOVEMBER 2022**

**Date Prepared:** 22 November 2022

**Author:** Manager Assets and Projects

**Attachments:** 1. Parks and Open Spaces Progress September - November 2022 [↓](#)

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**EXECUTIVE SUMMARY**

The purpose of this report is to provide an update on projects being delivered under the Parks and Open Spaces Three-Year Action Plan during the months of September to November 2022.

**RECOMMENDATION**

That Council receives the Parks and Open Spaces Action Plan Quarterly Progress Report for the months of September to November 2022.

**BACKGROUND**

Council adopted its Parks and Open Spaces Strategy and Three-Year Action Plan in February 2022.

The Parks and Open Spaces Strategy 2022-2031 has been developed to achieve Council's vision to enhance the Shire's liveability and visual appeal, and to encourage active communities and economic development. The Strategy was developed using a structured community engagement and internal consultation process.

Alongside the Strategy, a Three-Year Action Plan was developed for implementation of initial priority projects, with monthly updates provided to Council on the progress of the action plan, with each project presented to Council in detail prior to construction.

The format of the information on project status has been updated and information is provided in the legend within the attached progress report.

**FINANCIAL AND RESOURCE IMPLICATIONS*****Capital***

The Three-Year Action Plan is fully funded at no additional cost to ratepayers.

***Is the expenditure noted above included in the current budget?***

Yes

***Operating***

The Three-Year Action Plan has been developed with an objective of no increase to the operational budget.

***Is the expenditure noted above included in the current budget?***

Yes

**LINK TO CORPORATE PLAN**

**Financial Sustainability:** A council that continuously operates in a cost-effective manner while managing council's assets and reserves to ensure a sustainable future.

**Community:** An informed and engaged community which supports and encourages effective partnerships to enhance the liveability of the Shire.

**Transport and Council Infrastructure:** The provision of quality services and infrastructure for our growing community that is planned and managed using sound asset management principles.

**Economy and Environment:** A resilient economy that promotes and supports the shire's natural assets and local industry and encourages investment while preserving and future proofing for generations to come.

**Governance:** Sound decision making based on effective frameworks and clear strategic direction to achieve regulatory compliance while delivering affordable levels of identified services within the Shire.

#### **IMPLEMENTATION/COMMUNICATION**

Updates will be provided to Council on a monthly basis, with targeted engagement to be undertaken on specific projects.

**Parks and Open Spaces 3 Year Action Plan - Project Update – September to November 2022**

**Legend**

	Project scheduled
	Project scheduled but not yet started
	Project in planning stage
	Project started
	Project completed
Project Updated in this Report	
Project Not Updated in this Report	

Project	2022	2023	2024	Monthly Update to Council
<b>RAIL TRAIL</b>				
Mareeba Rail Trail Stage 1 (Mareeba to Airport)				Works Complete McIver Road to Airport.
<b>BETTER PLAYGROUNDS</b>				
Geraghty Park (Julatten)				Not commenced. Design to commence in 2023. Grant funding application lodged for funding under Community Gambling Benefit Fund for partial funding.
Pat Kinnear Memorial Park (Chillagoe Town Hall)				Not commenced. Design to commence in 2023.
Dimbulah Town Hall Park Revitalisation				Currently reviewing options for park upgrades in Dimbulah. Draft proposal will be prepared in early 2023.
Kuranda Community Precinct				Not commenced. Design to commence in early 2023.
General Playground and Fitness Equipment Renewals - Various Locations				Roscommon Park, Speewah is the next priority for replacement of exercise equipment.
<b>IMPROVE BICENTENNIAL LAKES</b>				
Bicentennial Lakes (Southern) Upgrade				Design for Bicentennial Lakes Southern and Northern Upgrades has commenced. Grant funding has been received for under Local Government Grants and Subsidies Program for the Design.
Bicentennial Lakes (Northern) Upgrade				Refer to comments within the Southern Stage.
<b>IMPROVE PARKS AND OPEN SPACES</b>				
New Mareeba East Park – Hastie Road				Playground and carpark construction commenced. A Master Plan for the broader reserve area will be developed in consultation with the community in early 2023.
Mareeba Town Walking Trails Upgrades				The Walking Network Plan has been adopted by Council and a Priority Works Program is being developed. This project was funded by the Department of Transport and Main Roads.
Gregory Terrace (Kuranda) Park Upgrade				Not commenced. Design to commence in 2023.
Kuranda Town Walking Trails Upgrades				Council has been granted funding under the Walking Local Government Grants program and a Walking Network Plan has been prepared for Council’s adoption. Once adopted, a Priority Works Program will be developed.

**Parks and Open Spaces 3 Year Action Plan - Project Update – September to November 2022**

<b>Kuranda Tourism Parks and Open Space Upgrades*</b>				Centenary Park Kuranda – Playground construction is nearing completion. Coondoo Street - Electrical Design Consultant has been and a Street Lighting Plan is being developed.
<b>Bill Newman Park (Irvinebank) Upgrade</b>				Initial discussions have taken place at the Community forum in Irvinebank. Draft proposal will be prepared in early 2023.
<b>Anzac Park (Mareeba) Revitalisation</b>				Contract has been awarded. Final design renders are being prepared for the community prior to construction commencing in early 2023.
<b>Toilet Facilities Improvements - Various Locations</b>				Centenary Park Mareeba toilet refurbishment has been completed.
<b>Footpaths Improvements - Various Locations</b>				Footpaths renewed along Rankin St and Basalt Gully (Stewart St), Mareeba. Pedestrian bridge improvements for Basalt Gully (Stewart St) and Granite Creek (Eales Park to Ward St) under design. A comprehensive footpath works program is currently being developed in conjunction with the Mareeba and Kuranda Walking Network Plans and will be presented to Council for consideration in early 2023.
<b>Park Entrance Signage Improvements - Various Locations</b>				10 park entrance signs have been replaced in February 2022. Funding for this project has been fully expended.
<b>WATER PARK</b>				
<b>New Mareeba Water Splash Park</b>				Site clearing has commenced ready for construction and a sewer main has been realigned to be clear of the splash park concrete pad. Project funded by the Queensland Government.

\*Tourism projects in Kuranda to be funded by the Kuranda Infrastructure Levy



**9.8 KURANDA WALKING NETWORK PLAN**

**Date Prepared:** 1 December 2022

**Author:** Manager Assets and Projects

**Attachments:**

1. Draft Kuranda Walking Network Plan 1km Catchment [↓](#)
2. Draft Kuranda Walking Network Plan 2.5km Catchment [↓](#)

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**EXECUTIVE SUMMARY**

The purpose of this report is to present for adoption the Kuranda Walking Network Plan (WNP) that has been developed for Council.

**RECOMMENDATION**

That Council

1. Adopts the Kuranda Walking Network Plan (WNP).
2. Uses the Kuranda Walking Network Plan (WNP) to develop a Priority Works Plan.

**BACKGROUND**

The Queensland Government has implemented a new initiative called the 'Queensland Walking Strategy' which is supported by new 'Walking Network Planning Guidance'.

The derivation of an area's Walking Network Plan (WNP) is an iterative process with the intent to develop a set of primary and secondary walking routes connecting the key destinations within a local area, such as schools, parks, shopping, health, and recreational facilities.

The WNP is intended to provide a future Master Plan of the areas 'Walking Network'.

From the adopted WNP a comprehensive work plan can be developed.

**The Structure of the Process**

Stage 1 – Prepare the Draft WNP

1. A desktop study was prepared to identify primary destinations within a 1km and 2.5km radius of the town centre.
2. A draft plan was prepared for community consultation purposes which proposes primary and secondary walking networks.

Stage 2 – Test the Draft WNP

3. Community Consultation with local stakeholders and end users to confirm the choice of networks proposed in the inception draft plan.

Stage 3 – Finalise the WNP

4. Development of the draft plan to be presented for adoption based on the outcomes of the community consultation process.
5. Adopt the WNP

Stage 4 – Prepare the draft Priority Works Program

6. A physical Audit of the primary and secondary proposed networks is undertaken to develop a Priority Work Plan.
7. Development of a Priority Work Plan (PWP).
8. Adoption of the PWP.

Stage 5 – Finalise and Implement

Stage 6 – Evaluate and Promote

Council is currently at Stage 3 of the process – Finalise the WNP and Adopt.

- The Community Consultation Workshop was held on 19 October in Kuranda.
- The WNP has been developed incorporating the outcomes of the Community Consultation Workshop and further reviewed by Council Officers.

The development of a comprehensive WNP is considered critical to not only raise the awareness of walking as a healthy lifestyle but also provide a safe environment for pedestrians to link between major activity nodes across Kuranda.

As part of the Community Consultation Workshop, several initiatives were identified together with sections of footpaths that were missing. This feedback will be critical in the development of the Works program that will form part of this comprehensive review.

Due to the broad extent of the WNP, both in terms of the primary and secondary routes, it is important that Council identify the priorities across the study area and stage any works program based on such principles as safety, connectivity, current demand and potential demand.

The other issues that need to be considered in the development of the Works program is the availability of resources and funding. As such, it is likely that the final works program will need to be stages based on the criteria previously outlined.

Council officers are currently in the process of reviewing the material that has resulted from the Community Consultation Workshop and will develop a Priority Works Program based on the criteria and onsite inspections for adoption by Council at a future meeting.

## **FINANCIAL AND RESOURCE IMPLICATIONS**

### ***Capital***

Council has received funding through the Queensland Government's Walking Local Government Grants Program to undertake a Walking Network Plan (WNP) for Kuranda. The Walking Network Plan is a Masterplan for planning purposes to produce a Priority Work Plan (PWP).

Capital projects under the PWP will be funded through the Long-Term Asset Management Plan and included for funding consideration in the 2023-24 Proposed Capital Works Program.

## **LINK TO CORPORATE PLAN**

**Financial Sustainability:** A council that continuously operates in a cost-effective manner while managing council's assets and reserves to ensure a sustainable future.

**Community:** An informed and engaged community which supports and encourages effective partnerships to enhance the liveability of the Shire.

**Transport and Council Infrastructure:** The provision of quality services and infrastructure for our growing community that is planned and managed using sound asset management principles.

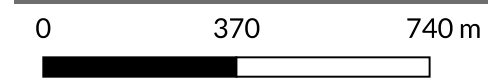
**IMPLEMENTATION/COMMUNICATION**

The Kuranda Walking Network Plan will be published on Council's website and be used to develop a Priority Works Program.

WNP 1km Catchment

Legend

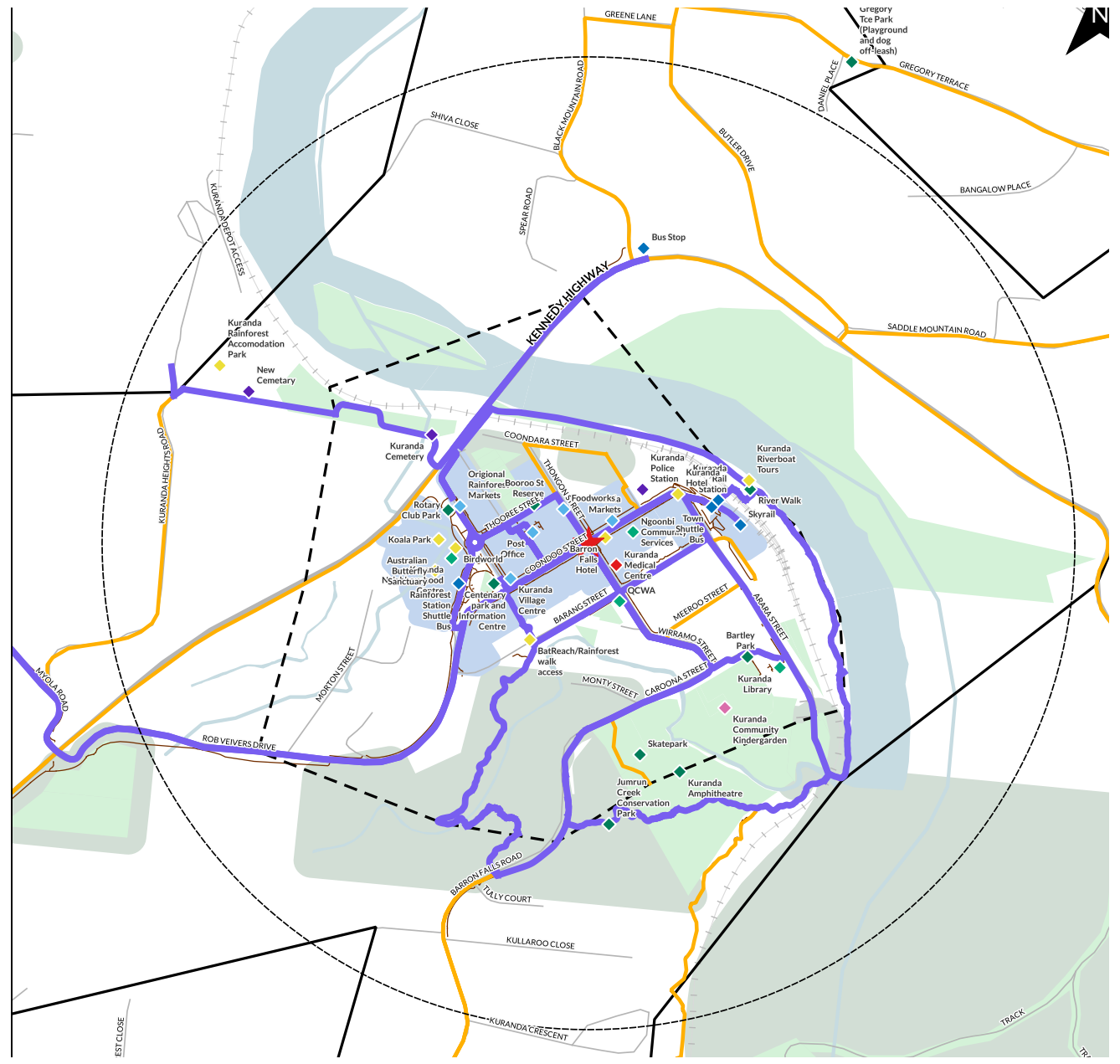
- ★ Primary Destination
  - 1km buffer
  - 2.5km buffer
  - 1km catchment
  - 2.5km catchment
  - Secondary Destinations**
  - ▶ Community Facility
  - ▶ Recreation Facility
  - ▶ Shopping Centre
  - ▶ Transport
  - ▶ Other
  - ▶ Education Facility
  - ▶ Health Facility
  - ▶ Tourist Attraction/Accommodation
- WNP**
  - Primary Route
  - Secondary Route
- Roads and Rail**
  - Footpath
  - Major Roads
  - Local Roads
  - Rail Network
- Water**
  - Waterways
  - Watercourses
- Land Uses**
  - Centre
  - Conservation
  - Parks and open space



Map Scale (A4) - 1:10,000



Version	1
Status	Draft
Issued	01/11/22



/NP 2.5km Catchment

Legend

- ★ Primary Destination
  - 1km buffer
  - 2.5km buffer
  - 1km catchment
  - 2.5km catchment
  - Secondary Destinations**
  - ▶ Community Facility
  - ▶ Recreation Facility
  - ▶ Shopping Centre
  - ▶ Transport
  - ▶ Other
  - ▶ Education Facility
  - ▶ Health Facility
  - ▶ Tourist Attraction/Acomodation
- Roads and Rail**
  - Footpath
  - Major Roads
  - Local Roads
  - Rail Network
- Water**
  - Waterways
  - Watercourses
- Land Uses**
  - Centre
  - Conservation
  - Education Facility
  - Parks and open space

/NP

- Primary Route
- Secondary Route



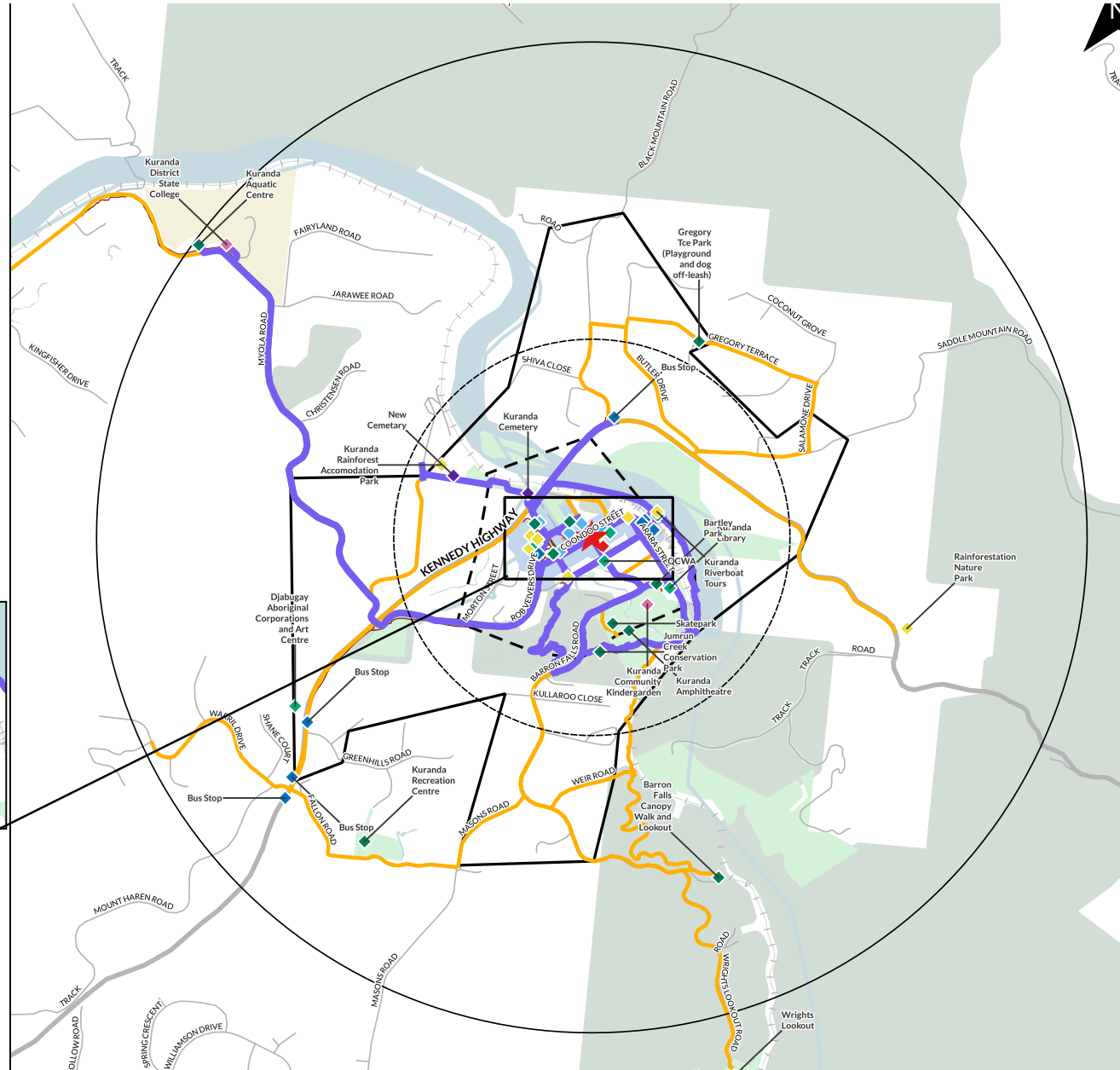
0 900 1,800 m



Map Scale (A4) - 1:25,000



Version	3.2
Status	Draft
Issued	01/11/22





## 10 OFFICE OF THE CEO

### 10.1 MAREEBA MULTICULTURAL FESTIVAL COMMITTEE APPOINTMENT

**Date Prepared:** 28 October 2022

**Author:** Senior Corporate Communications Officer

**Attachments:**

1. [Advisory Committee Meeting Minutes - 15 November 2022](#) ↓
2. [Advisory Committee Meeting Minutes - 30 August 2022](#) ↓

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#### EXECUTIVE SUMMARY

The Mareeba Multicultural Festival Committee (MMFC) is appointed by Council under the Local Government Regulation 2012.

The purpose of the Advisory Committee is to organise the annual Mareeba Multicultural Festival, including attracting sponsors, performers, and food vendors; to advise Council on the delivery of the event; and to promote an environment of cultural inclusiveness.

#### RECOMMENDATION

That Council:

1. Appoints the following new members to the Mareeba Multicultural Festival Advisory Committee:  
Samanthia Dooley;  
Tuaoivasa Ngan-Woo;  
Nonoa Bejramovic.
2. Notes the attached Minutes of the Mareeba Multicultural Festival Advisory Committee meetings held on Tuesday, 30 August 2022 and Tuesday, 15 November 2022.

#### BACKGROUND

The Mareeba Multicultural Festival (MMF) commenced in 1998 and is a highly successful annual event that brings the Far North Queensland community together to celebrate the cultural depth of the region and promotes cultural understanding and mutual respect.

Historically held on the last Saturday in August of each year, the free, one (1) day Festival includes dance and music by hundreds of performers from many different cultural backgrounds. Fabulous food showcasing a range of cuisines is available. Social cohesion, acceptance and mutual understanding are promoted through the sharing of cultural experiences.

Mareeba Shire Council supports the delivery of the festival by providing ongoing event management assistance through the Corporate Communications Officer, as well significant assistance through Council's Stores and Parks and Gardens departments.

### **Advisory Committee**

The Mareeba Multicultural Festival committee was established in 2008 to organise and host a celebration of cultural diversity highlighting the 75 different nationalities represented in the Shire, and it has become recognised as one of the most significant events in Mareeba.

With support from local businesses, Council and the Queensland Government (Department of Children, Youth Justice and Multicultural Affairs) the festival continues to grow and attracts thousands of visitors to the Shire.

Chaired by Councillor Mary Graham, the current Advisory Committee comprises the following members:

- Mr Giuliano Cordenos
- Mr Frank Avolio
- Mr Fred Cristaldi
- Ms Millabelle Krauss
- Mrs Fatima Metou
- Mrs Sabrina Liaver
- Mr Iuto Patolo

The current Committee was appointed in March 2022 for a 3-year term, ending in March 2025. The new members are recommended to be appointed for a term which will also conclude in March 2025.

### **RISK IMPLICATIONS**

#### **Legal and Compliance**

The purpose of appointing the Mareeba Multicultural Festival organising committee as an advisory committee to Council is to ensure that all risks associated with the conduct of the annual event are appropriately managed. Risk assessment and management is a critical component of the organisation and conduct of any event.

#### **Health and Safety**

Council has implemented an Event Management Plan and Community Event Risk Management Hazard Checklist which is utilised for each significant event conducted by Council.

### **LINK TO CORPORATE PLAN**

**Community:** An informed and engaged community which supports and encourages effective partnerships to enhance the liveability of the Shire.

**Governance:** Sound decision making based on effective frameworks and clear strategic direction to achieve regulatory compliance while delivering affordable levels of identified services within the Shire.

### **IMPLEMENTATION/COMMUNICATION**

Formal advice will be provided to all appointees confirming their appointment to the Advisory Committee and the Committee members will undertake volunteer training in 2023.





Chair: Cr Mary Graham  
 info@mareebamulticulturalfestival.com  
 www.mareebamulticulturalfestival.com

## Mareeba Multicultural Festival Committee MINUTES

**An ordinary committee meeting was held on Tuesday, 15 November 2022 at the Mareeba Shire Council Meeting Room commencing at 7.00pm.**

**PRESENT:** Cr Mary Graham (Chair), Sabrina, Fatima, Frank, Fred, Giuliano, Milli, Fatima, Lindie (MSC), Amy (MSC).

**APOLOGIES:** luto

<b>ITEM 1</b>	<b>Receive and Note Previous Minutes</b>		
	<i>Moved: Frank</i>		<i>Seconded: Sabrina</i>
<b>ITEM 2</b>	<b>Business arising from previous minutes</b>		
	<b>Previous Action Items</b>	<b>Responsible</b>	<b>Status</b>
	Quote for cleaners	Lindie	In progress
	Programs: Investigate if the cost would be less if printing less	Lindie	In progress
	Confirm cash sponsorship of last year	Lindie	In progress
	Public Liability book for Frank	Lindie	Completed
	Confirm security details for park for 2023 festival	Lindie	Completed
	Committee dinner – Date to be confirmed	Frank	In progress
	Advertisement to thank the Sponsors	Lindie	Completed
	Public Notice for raffle ticket winners	Lindie	Completed
<b>ITEM 3</b>	<b>New Committee Recruitment</b>		
3.1	All current committee are 1 year into a 3-year term		
3.2	Three nominations received and considered		
	That the three nominations are supported. Recommend to Mareeba Shire Council.		
	<i>Moved: Milli</i>		<i>Seconded: Fatima</i>
<b>ITEM 4</b>	<b>Festival Date</b>		
	Saturday, 26 August 2023		
<b>ITEM 5</b>	<b>Festival Name</b>		
	Meeting of Many Cultures		
<b>ITEM 6</b>	<b>Event Management Plan</b>		
	Event coordinator – Committee & Council will coordinate in 2023.		
	Stallholder selection criteria – to be finalised and implemented.		
	Stallholder site fee – to be implemented.		
	Stallholder insurance – to be implemented.		
	Food Handling - NFP & Community / Family Food Vendors.		
	Excluded performers – criteria to be developed.		
<b>ITEM 7</b>	<b>Funding Outcome</b>		
	Notification of successful funding application.		



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<b>ITEM 8</b>	<b>General Business</b>
	Insurance query – Committee requests advice regarding insurance coverage in the event of legal issue or any activity of the Committee.
<b>ITEM 9</b>	<b>Next meeting</b> Date: Tuesday, 31 January 2023 Meeting closed: 7:45pm

<b>ACTION SUMMARY</b>	<b>DUE</b>	<b>RESPONSIBLE</b>
Present draft Event Management Plan at next meeting.	February	Lindie / Amy
Formally recommend new Committee nominations to MSC	December	Lindie / Amy
Include financial summary in Agenda at each meeting.	February	Lindie / Amy
Provide advice to Committee regarding insurance	February	Lindie / Amy
Quote for cleaners	February	Lindie
Programs: Investigate if the cost would be less if printing less	February	Lindie
Confirm cash sponsorship of last year	February	Lindie
Committee dinner – Date to be confirmed	February	Frank

**2023 Meeting Dates**

<b>Day</b>	<b>Date</b>	<b>Notes</b>
Tuesday	31 January 2023	
Tuesday	21 February 2023	
Wednesday	26 April 2023	Public Holiday - Tuesday
Tuesday	23 May 2023	
Tuesday	27 June 2023	Fortnightly meetings
Tuesday	11 July 2023	
Tuesday	25 July 2023	Weekly meetings
Tuesday	1 August 2023	
Tuesday	8 August 2023	
Tuesday	15 August 2023	
Tuesday	22 August 2023	
<b>Saturday</b>	<b>26 August 2023</b>	<b>Festival Day!</b>
Tuesday	29 August 2023	Debrief & wrap-up



Chair: Jennifer Murat

info@mareebamulticulturalfestival.com  
www.mareebamulticulturalfestival.com

## Mareeba Multicultural Festival Committee MINUTES

**An ordinary committee meeting was held on Tuesday, 30 August 2022 at the Mareeba Shire Council Meeting Room commencing at 7.00pm.**

**PRESENT:** Cr Mary Graham (Chair), Sabrina, Lindie (MSC), Fatima, Frank, Stacey Maisel (Event Coordinator), Fred, Giuliano, Mick, Millie, Fatima

**APOLOGIES:** luto

<b>ITEM 1</b>	<b>Receive and Note Previous Minutes</b>		
	<i>Moved: Frank</i>		<i>Seconded: Sabrina</i>
<b>ITEM 2</b>	<b>Business arising from previous minutes</b>		
	<b>Previous Action Items</b>	<b>Responsible</b>	<b>Status</b>
	Confirm Daniel's performance by talking to Sally	Stacey	Completed
	Offer Janene Rankin a 5 min performance and food stall	Stacey	Completed
	Confirm Public Liability cost and provide Frank with the details	Stacey	Completed
	Receipt books	Lindie	Completed
	Ambulance and Fire brigade notify festival	Lindie	Completed
	Two boxes at the tent: Surveys and Raffle entries	Lindie	Completed
	A4 envelopes for performances donations	Lindie	Completed
	Donation envelopes	Stacey	Completed
<b>ITEM 3</b>	<b>Event Planning Update</b>		
<b>3.1</b>	<b>Application Form (Stall holders and Performers)</b>		
	<ul style="list-style-type: none"> <li>Stall Holders: Suggested changes are a cut-off date, Stall Holders to pay a fee for stall and set price for public liability cost upfront. Cost to be determined.</li> <li>Event Coordinator: Asked Stacey to quote for next years' event.</li> </ul>		
<b>3.2</b>	<b>Performers</b>		
	Flags: Australian, Torres Strait, Aboriginal and Mareeba Shire Council flags		
<b>ITEM 4</b>	<b>Advertisements</b>		
	<ul style="list-style-type: none"> <li>Raffle ticket winners</li> </ul>		
<b>ITEM 5</b>	<b>Sponsorship Arrangements next year</b>		
	Send an email to all sponsors of the previous year to request a sponsorship. Suggested date to send the email at the end of May. Bendigo Bank needs to be approached earlier in the year.		
	<b>Cleaners, Programs and Cash Banked</b>		
	<ul style="list-style-type: none"> <li>Contact the basketball group regarding the hall.</li> <li>Cleaners to clean the toilets 10:00am – 17:00pm.</li> <li>Programs: Investigate</li> </ul> Security weekend: \$2000.00.		
<b>ITEM 6</b>	<b>Photos</b>		



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<b>ITEM 8</b>	<ul style="list-style-type: none"> <li>• Showed the committee the photographer’s images. The committee is happy with the outcome.</li> </ul>
	<ul style="list-style-type: none"> <li>▪ <b>Next meeting:</b></li> </ul>
	<ul style="list-style-type: none"> <li>Date TBC</li> <li>Meeting closed: 8:05 pm</li> </ul>

<b>ACTION SUMMARY</b>	<b>DUE</b>	<b>RESPONSIBLE</b>
Quote for cleaners		Lindie
Programs: Investigate if the cost would be less if printing less		Stacey
Confirm cash sponsorship of last year		Lindie
Public Liability book for Frank		Lindie
Confirm security details for park for 2023 festival		Lindie
Committee dinner – Date to be confirmed		Frank
Advertisement to thank the Sponsors		Stacey
Public Notice for raffle ticket winners		Lindie

**10.2 SALE OF LAND DUE TO RATES AND CHARGES IN ARREARS****Date Prepared:** 6 December 2022**Author:** Financial Accountant

**Attachments:**

1. Schedule of Properties - Item 1 - Confidential
2. Schedule of Properties - Item 2 - Confidential
3. Schedule of Properties - Item 3 - Confidential

**EXECUTIVE SUMMARY**

The purpose of this report is to inform Council of the properties which are available to sell under the Local Government Regulation 2012, Chapter 4 Part 12 Division 3 (Selling or acquiring land for overdue rates or charges) and request a resolution to be able to sell these properties under Section 140.

**RECOMMENDATION**

That Council:

- 1 Sell the land listed below due to the rates and charges which have accrued on the rateable lands remaining unpaid for one (1) year or longer, in accordance with section 140(1)(c)(ii) of the *Local Government Regulation 2012*;

<b>Property No</b>	<b>Property Description</b>
19930	Lot 8 SP 143217
19931	Lot 9 SP 143217
19935	Lot 13 SP 143217
19940	Lot 18 SP 143217
19941	Lot 19 SP 143217
19943	Lot 21 SP 143217
19944	Lot 22 SP 143217
19945	Lot 23 SP 143217
19946	Lot 24 SP 143217
19947	Lot 25 SP 143217
19950	Lot 28 SP 143217
19987	Lot 60 SP 143218
19994	Lot 67 SP 143218
19988	Lot 61 SP 143218
19929	Lot 7 SP 143217
19934	Lot 12 SP 143217

- 2 To re-affirm the recommendation in which Council resolved on 20 April 2022 to sell the land list below due to the rates and charges which have accrued on the rateable lands remaining unpaid for three (3) years or longer, in accordance with section 140 of the *Local Government Regulation 2012*; and

<b>Property No</b>	<b>Property Description</b>
19928	Lot 6 SP 143217
19933	Lot 11 SP 143217
19937	Lot 15 SP 143217
19938	Lot 16 SP 143217
19939	Lot 17 SP 143217
19942	Lot 20 SP 143217
19948	Lot 26 SP 143217
19952	Lot 30 SP 143217
19953	Lot 31 SP 143217
19954	Lot 32 SP 143217
19955	Lot 33 SP 143217
19956	Lot 34 SP 143217
19957	Lot 35 SP 143217
19958	Lot 36 SP 143217
19959	Lot 37 SP 143217
19960	Lot 38 SP 143217
19962	Lot 40 SP 143217
19963	Lot 41 SP 143217
19965	Lot 43 SP 143217
19966	Lot 44 SP 143217
19967	Lot 45 SP 143217
19968	Lot 46 SP 143217
19969	Lot 47 SP 143217
19970	Lot 48 SP 143217
19971	Lot 49 SP 143217
19972	Lot 50 SP 143217
19973	Lot 51 SP 143217
19974	Lot 52 SP 143217

19975	Lot 53 SP 143217
19976	Lot 54 SP 143217
19977	Lot 55 SP 143217
19978	Lot 56 SP 143217
19989	Lot 62 SP 143218
19990	Lot 63 SP 143218
19991	Lot 64 SP 143218
19992	Lot 65 SP 143218
19993	Lot 66 SP 143218
60392	Lot 58 SP 143218
60394	Lot 68 SP 143218
60395	Lot 69 SP 143218
60396	Lot 3 SP 139622

Delegate to the Chief Executive Officer its power to take all further steps under Chapter 4, Part 12 Division 3 of the *Local Government Regulation 2012* to effect sale of land (including, for avoidance of doubt, the power to end sale procedures including the authority to remove a property where circumstances arise whereby the continuation of this action is considered unwarranted or inappropriate).

### **BACKGROUND**

The properties listed in the Council recommendation are used for commercial purposes and have been unpaid for greater than one (1) year, and in accordance with Section 140(1)(c)(ii) of the *Local Government Regulation 2012*, selling land for overdue rates or charges applies for vacant or land used for commercial purposes if Council has obtained judgement for overdue rates or charges. Council has made every attempt to recover the unpaid rates on each property with no success to date.

If a local government sells or acquires land for overdue rates or charges, the local government cannot start or continue any court proceedings to recover the overdue rates or charges (Section 135 of the *Local Government Regulation 2012*).

The proposed timeline if Council were to conduct the auction, is as prescribed in legislation.

To re-affirm Council's resolution of 20 April 2022 to sell the properties listed.

### **RISK IMPLICATIONS**

Nil

### **LEGAL/COMPLIANCE/POLICY IMPLICATIONS**

Mareeba Shire Council Debt Recovery Policy

The sale of land process must be carried out giving consideration to the *Local Government Act 2009*, in particular Chapter 4, Part 12, Division 3 of the *Local Government Regulation 2012*.

**FINANCIAL AND RESOURCE IMPLICATIONS**

Nil

**LINK TO CORPORATE PLAN**

**Financial Sustainability:** A council that continuously operates in a cost-effective manner while managing council's assets and reserves to ensure a sustainable future.

**Governance:** Sound decision making based on effective frameworks and clear strategic direction to achieve regulatory compliance while delivering affordable levels of identified services within the Shire.

**IMPLEMENTATION/COMMUNICATION**

The Notice of Intention process will be undertaken by Collection House on behalf of Council, the date that the Notice of Intentions are issued by Collection House is largely dependent on Council meeting and resolution, at present estimate around mid-July 2022.



**11 CONFIDENTIAL REPORTS**

Nil

**12 BUSINESS WITHOUT NOTICE**

**13 NEXT MEETING OF COUNCIL**



**14 FOR INFORMATION**

**14.1 SUMMARY OF NEW PLANNING APPLICATIONS & DELEGATED DECISIONS FOR THE MONTH OF NOVEMBER 2022**

**Date Prepared:** 2 December 2022

**Author:** Senior Planner

**Attachments:** Nil

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Please see below information.

**Summary of new Planning Development Applications and Delegated Decisions for November 2022**

New Development Applications					
Application #	Lodgement Date	Applicant/ Address	Property Description	Application Type	Status
MCU/22/0023	17/11/2022	Daniel Mackenzie, Bayley Rhodes, Douglas Cusack Peter & Deborah J Mackenzie C/- Freshwater Planning Pty Ltd 702 Speewah Road, Speewah	Lot 622 on SP176565	MCU - Nature-based Tourism (2 cabins)	In Public Notification stage
RAL/22/0020	23/11/2022	S Rizvi 5 Admore Park, Kuranda	Lot 3 on RP728478	ROL (1 into 2 Lots)	In Decision Stage

Decision Notices issued under Delegated Authority					
Application #	Date of Decision Notice	Applicant	Address	Property Description	Application Type
OPW/22/0006	10/11/2022	The Rise Unit Trust C/- Freshwater Planning Pty Ltd	Catherine Atherton Drive, Mareeba	Lot 100 on SP306259	Operational Works associated with REC/07/0074 - Stage 3 - 5 lots
OPW/22/0007	14/11/2022	Conmat No 2 Pty Ltd C/- Erscon Consulting Engineers	Country Road, Mareeba	Lot 200 on SP323217	Operational Works associated with REC/08/0096 - Stage 4 - 13 lots
MCU/22/0021	09/11/2022	Selena Carabot C/- Freshwater Planning Pty Ltd	19 Herberton Street, Mareeba	Lot 16 on RP700549	ROL (1 into 2 Lots) & MCU Dual Occupancy
RAL/22/0017	10/11/2022	Vaughan R Edwards C/- Freshwater Planning Pty Ltd	7 McKenzie Street, Kuranda	Lot 2 on SP262355	ROL (1 into 2 Lots)

November 2022 (Regional Land Use Planning)

<b>Negotiated Decision Notices issued under Delegated Authority</b>					
Application #	Date of Decision Notice	Applicant	Address	Property Description	Application Type
Nil					

<b>Change to Existing Development Approval issued</b>					
Application #	Date of Decision	Applicant	Address	Property Description	Application Type
Nil					

<b>Referral Agency Response Decision Notices issued under Delegated Authority</b>					
Application #	Date of Decision	Applicant	Address	Property Description	Application Type
CAR/22/0028	02/11/2022	D Chambers & M McDonald C/- Emergent Building Approvals	109 Coolamon Close, Mareeba	Lot 6 on RP739382	Referral agency response for building work assessable against the Mareeba Shire Council Planning Scheme 2016 (Class 10a Shed GFA Dispensation)
CAR/22/0029	7/11/2022	P & S Harben C/- Northern Building Approvals	24 Parklands Circuit, Mareeba	Lot 24 on SP204554	Referral agency response for building work assessable against the Mareeba Shire Council Planning Scheme 2016 (Class 10a Shed GFA Dispensation)
CAR/22/0030	15/11/2022	S & S Beckett C/- The Building Approval Company	Dominikovic Close, Koah	Lot 16 on SP237162	Referral agency response for material change of use (secondary dwelling) assessable against the Mareeba Shire Council Planning Scheme 2016
CAR/22/0031	24/11/2022	M Smith C/- Emergent Building Approvals	28 Williamson Drive, Kuranda	Lot 13 on RP891014	Referral agency response for material change of use (secondary dwelling)

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					assessable against the Mareeba Shire Council Planning Scheme 2016
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Extensions to Relevant Period issued					
Application #	Date of Decision	Applicant	Address	Property Description	Application Type
DA/17/0034	24/11/2022	T & L Marsterson	548 McGrath Road, Biboohra	Lot 3 on RP708286	MCU - Tourist Park, Animal Keeping and Outdoor Sport & Recreation - Extension to 21 November 2026

Survey Plans endorsed					
Application #	Date	Applicant	Address	Property Description	No of Lots
REC/07/0052	17/11/2022	Hockey Machinery Sales Pty Ltd	Matilda Close, Mareeba	LOTS 76 & 100 ON SP336265 (CANCELLING LOT 100 ON SP333827)	1 new lot

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