



AGENDA

Wednesday, 15 February 2023

Ordinary Council Meeting

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

Date: Wednesday, 15 February 2023

Time: 9:00am

Location: Council Chambers

Peter Franks
Chief Executive Officer

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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 - 25 January 2023
- 6 BUSINESS ARISING OUT OF MINUTES OF PREVIOUS MEETING**
- 7 DEPUTATIONS AND DELEGATIONS**

8 CORPORATE AND COMMUNITY SERVICES

8.1 D, C & D MACKENZIE AND B RHODES - MATERIAL CHANGE OF USE - NATURE-BASED TOURISM - LOT 622 ON SP176565 - 702 SPEEWAH ROAD, SPEEWAH - MCU/22/0023

Date Prepared: 30 January 2023
Author: Senior Planner
Attachments: 1. [Proposal Plans](#) ↓
 2. [Submission](#) ↓

APPLICATION DETAILS

APPLICATION		PREMISES	
APPLICANT	D, C & D Mackenzie and B Rhodes	ADDRESS	702 Speewah Road, Speewah
DATE LODGED	17 November 2023	RPD	Lot 622 on SP176565
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Material Change of Use – Nature-based Tourism		
FILE NO	MCU/22/0023	AREA	35.911 hectares
LODGED BY	Freshwater Planning Pty Ltd	OWNER	D, C & D Mackenzie and B Rhodes
PLANNING SCHEME	Mareeba Shire Council Planning Scheme 2016		
ZONE	Rural zone		
LEVEL OF ASSESSMENT	Impact Assessment		
SUBMISSIONS	One (1)		

EXECUTIVE SUMMARY

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

The application is impact assessable and one (1) properly made submission was 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.

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 with conditions.

OFFICER’S RECOMMENDATION

1. That in relation to the following development application:

APPLICATION		PREMISES	
APPLICANT	D, C & D Mackenzie and B Rhodes	ADDRESS	702 Speewah Road, Speewah
DATE LODGED	17 November 2023	RPD	Lot 622 on SP176565
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Material Change of Use – Nature-based Tourism		

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 Material Change of Use – Nature-based Tourism

(B) APPROVED PLANS:

Plan/Document Number	Plan/Document Title	Prepared by	Dated
FP22/39 Rev A	Site Plan	Freshwater Planning	Nov 22
DAN.01	Plan and Elevations	-	Apr 22
DAN.02	Footing Plan, Roof Plan and Sections	-	Apr 22

(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, subject to any alterations:

- found necessary by 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 commencement of the use except where specified otherwise in these conditions of approval.
- 2.2 Prior to the commencement of use, the applicant must notify Council that all the conditions of the development permit have been complied with, 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 commencement of the use and at the rate applicable at the time of payment.
- 3.3 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.

3.4 Noise Nuisance

Refrigeration equipment, pumps/ compressors and mechanical ventilation systems must be located, designed, installed and maintained to achieve a maximum noise level of 3dB(A) above background levels as measured from noise sensitive locations and a maximum noise level of 8dB(A) above background levels as measured from commercial location.

3.5 Waste Management

- 3.5.1 On site refuse storage area/s must be provided and be screened from view from adjoining properties and road reserve by 1 metre wide landscaped screening buffer or 1.8m high solid fence or building.
- 3.5.2 Where bulk bins are used and are to be serviced on site, prior to the issue of a development permit for building works, Council's delegated officer must be satisfied that internal access is of adequate design and construction to allow waste collection/delivery vehicles to enter and exit the site in a forward gear only.

3.6 Bushfire Management

- 3.6.1 A Bushfire Management Plan for the site, incorporating evacuation procedures for guests, must be prepared to the satisfaction of Council's delegated officer. The approved use must comply with the requirements of the Management Plan at all times.
- 3.6.2 An on-site water supply for firefighting purposes must be provided with a minimum capacity of 5,000 litres that must comprise either:
 - (a) a stand-alone tank; or

- (b) a reserve section in the bottom part of the main water supply tank;
or
- (c) a dam; or
- (d) a swimming pool.

Where tank water supply is provided, the outlet must be fitted with a 50mm ball valve with a camlock fitting for connection to firefighting appliances.

4. Infrastructure Services and Standards

4.1 Access

An access crossover must be constructed (from the edge of the Harper Road road pavement, extending for a distance of 10 metres) to the satisfaction of Council's delegated officer.

The applicant/developer is to make an application for driveway access onto a Council road. The application is to be accompanied by the relevant fee and will be required to certify or be assessed for compliance by Council's delegated officer.

4.2 Stormwater Drainage

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

4.2.2 All stormwater drainage concentrated by the development must be collected from site and discharged to an approved legal point of discharge.

4.3 Car Parking/Internal Driveways

The developer must ensure that the development is provided with sufficient on-site car parking spaces which are available for use solely for the parking of vehicles associated with the approved use. All car parking spaces and internal driveways must be constructed to at least compacted gravel standard, clearly identifiable and appropriately drained prior to the commencement of the use, to the satisfaction of Council's delegated officer.

4.4 Non-Reticulated Water Supply

The development must be provided with a potable water supply that can satisfy the standards for drinking water set by the Australian Drinking Water Guidelines 2004 (National Health and Medical Research Council and the National Resource Management Ministerial Council).

All non-potable sources of water must be sign posted "non-potable water supply" or similar in order to deter consumption.

4.5 On-Site Wastewater Management

All on site effluent disposal associated with the approved use must be in compliance with the latest version of On-Site Domestic Wastewater Management Standard (AS/NZS 1547) to the satisfaction of the Council's delegated officer.

4.6 Lighting

Where outdoor lighting is required, the developer shall locate, design and install lighting to operate from dusk to dawn within all areas where the public will be given access, which prevents the potential for light spillage to cause nuisance to neighbours and must be provided in accordance with Australian Standard 1158.1 – Lighting for Roads and Public Spaces.

Illumination resulting from direct, reflected or other incidental light emanating from the subject land does not exceed 8 lux when measured at any point 1.5m outside the property boundary of the subject site. The lighting fixtures installed on site must meet appropriate lux levels as documented within Australian Standard 4282 – Control of the Obtrusive Effects of Outdoor Lighting.

(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) 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.

(d) Compliance with Acts and Regulations

The erection and use of the building must comply with the Building Act and all other relevant Acts, Regulations and Laws, and these approval conditions.

(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.

(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.

(E) RELEVANT PERIOD

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

- Material Change of Use – six (6) years (starting the day the approval takes effect)

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

- Development Permit for Building Work

(G) OTHER APPROVALS REQUIRED FROM COUNCIL

- Compliance Permit for Plumbing and Drainage Work
- 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
Nature-based tourism (transport network only)	per cabin				
Stage 1	\$1,013.00	1	\$1,013.00	Nil	\$1,013.00
Stage 2	\$1,013.00	1	\$1,013.00	Nil	\$1,013.00
TOTAL CURRENT AMOUNT OF CHARGE					\$2,026.00

THE SITE

The subject site is situated at 702 Speewah Road, Speewah and is described as Lot 622 on SP176565. The site is irregular in shape with an area of 35.911 hectares and is zoned Rural under the Mareeba Shire Council Planning Scheme 2016.

The site contains approximately 516 metres of frontage to Harper Road and 1054 metres of frontage to Speewah Road. Both frontage roads are constructed to rural gravel standard. The bitumen sealed section of Speewah Road ends approximately one (1) kilometre short of the subject site.

Access to the subject site is available off each road frontage via existing access crossovers.

The site is improved by a dwelling house which is located in the south-eastern corner overlooking Ganyan Creek. Ganyan Creek forms the southern boundary of the subject site.

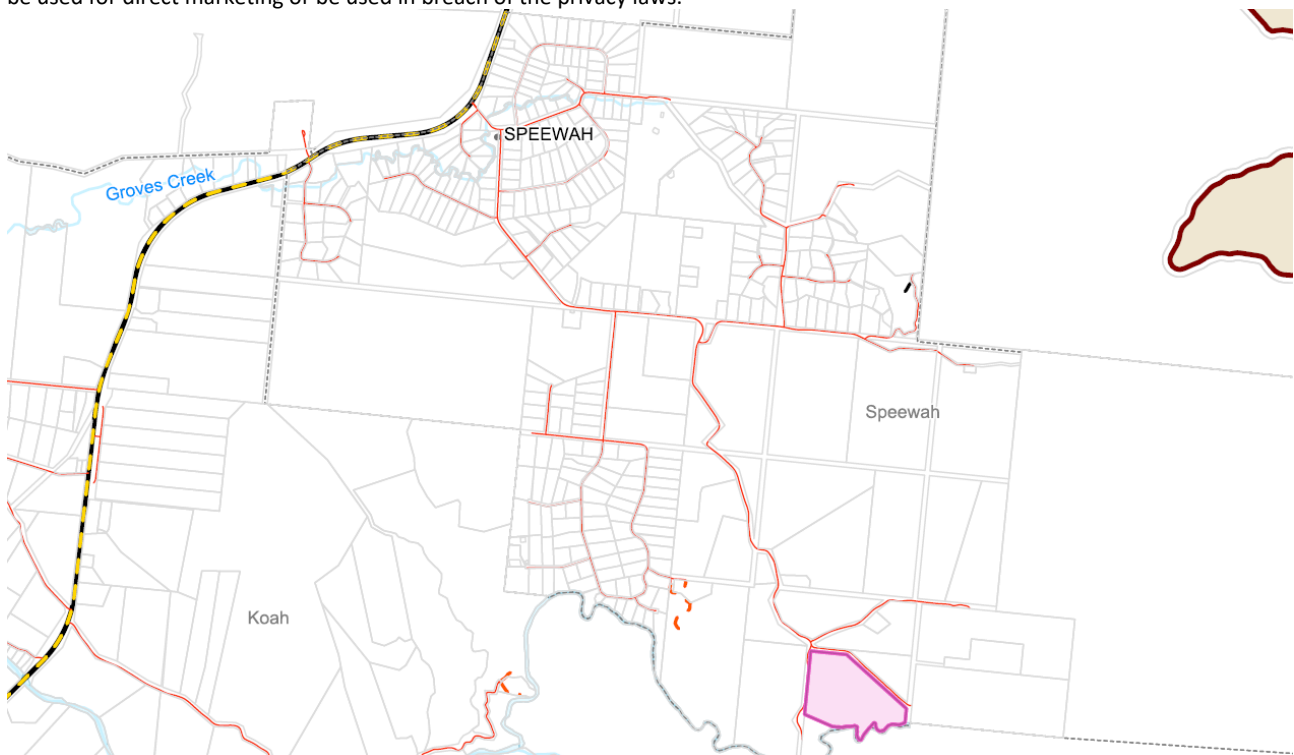
The subject site remains mostly vegetated, apart from a 3.4 hectare clearing around the dwelling house and a 1,500m² clearing which is the site of the proposed development.

Surrounding properties are zoned rural and are used for grazing and rural living purposes. Land immediately to the south, on the opposite side of Ganyan Creek is National Park.



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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BACKGROUND AND CONTEXT

Nil

PREVIOUS APPLICATIONS & APPROVALS

Nil

DESCRIPTION OF PROPOSED DEVELOPMENT

The development application seeks a Development Permit for Material Change of Use – Nature-based Tourism in accordance with the plans shown in **Attachment 1**.

The development is described as follows:

“A Development Permit for a Material Change of Use is sought to facilitate the construction of two (2) Nature-Based Tourism Accommodation Cabins over two (2) Stages. The first stage is to provide the initial Accommodation Cabin with Stage 2 to include a future Accommodation Cabin. The site is designated within the Rural Zone of the Mareeba Shire Planning Scheme with the Planning Scheme supporting Nature-Based Tourism within Rural areas. The proposed Nature-Based Tourism Accommodation Cabins will be located within the existing cleared area and access is via the existing gated access located on Harper Road. The proposal will ensure to take a non-viable part of the Rural Allotment and convert into Nature-Based Tourism Accommodation to support the surrounding Speewah/Kuranda Townships and Tablelands Region.

The Nature-Based Tourism Accommodation Cabins proposes Single Bedroom Unit comprising of a shower, toilet, kitchen, living area and Bedroom with a deck. The Accommodation contains an approximate area of 96 m² and is provided as a nature-based/ecological friendly cabin. Each proposed Nature-Based Tourism Accommodation will be provided with a rainwater tank/s, solar (off-grid) power and onsite effluent disposal. The proposal is provided as an Eco-friendly Nature-Based Tourism Accommodation and will be provided with eco-friendly, natural servicing.

The site contains frontage to the Speewah and Harper Roads and contains existing accesses from each Road. No change to the existing accesses is proposed and each Nature-Based Tourism can be provided with a parking space.

There is sufficient room onsite for the manoeuvring of vehicles within the site and in particularly the cleared area where the Nature-Based Tourism is proposed. The proposal is accessed via a graded gravel road to ensure that the Nature-Based Tourism natural aesthetics are maintained and enhanced. Any car parking spaces will be appropriately sealed (gravel/grassed) in keeping with the natural environment.”

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 as:

- *Strategic Rehabilitation Area*
- *State & Regional Conservation Corridors*

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

PLANNING SCHEME DESIGNATIONS

Strategic Framework:	Land Use Categories <ul style="list-style-type: none"> • Rural Area (Rural other) Natural Environment Elements <ul style="list-style-type: none"> • Biodiversity Areas
Zone:	Rural zone
Overlays:	Bushfire Hazard Overlay Environmental Significance Overlay Hill and Slope Overlay Transport Infrastructure Overlay

Planning Scheme Definitions

The proposed use is defined as:

Column 1 Use	Column 2 Definition	Column 3 Examples include	Column 4 Does not include the following examples
<i>Nature-based tourism</i>	<p><i>The use of land or premises for a tourism activity, including tourist and visitor short-term accommodation, that is intended for the conservation, interpretation and appreciation of areas of environmental, cultural or heritage value, local ecosystem and attributes of the natural environment.</i></p> <p><i>Nature-based tourism activities typically:</i></p> <ul style="list-style-type: none"> • <i>maintain a nature based focus or product</i> • <i>promote environmental awareness, education and conservation</i> • <i>carry out sustainable practices.</i> 	<p><i>Environmentally responsible accommodation facilities including lodges, cabins, huts and tented camps</i></p>	<p><i>Environment facility</i></p>

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*

- (5) *Primary industries in Rural areas are not compromised or fragmented by incompatible and/or unsustainable development, including but not limited to subdivision that results in a detrimental impact on rural productivity. The valued, relaxed rural lifestyle, character and scenic qualities of the rural area are preserved and enhanced. The rural area is largely maintained to its current extent, while accommodating development directly associated with or reliant on natural resources including rural activities and tourism. Rural areas protect the shire's agricultural area and ensure food security. Other rural areas predominantly remain agricultural grazing properties.*

Comment

The proposed development will not compromise existing or potential future primary industries within the locality or rural zone in general. The proposed development is at least 175 metres from the nearest boundary and is substantially buffered by dense vegetation.

The low-impact nature-based tourism use, will not impact upon the valued relaxed rural lifestyle, character and scenic qualities of the of the rural area. The proposed development will not detract from the ability of the land to perform as a viable agricultural holding.

The proposed development complies with Strategic Outcome 5.

*3.3.11 Element - Rural areas**3.3.11.1 Specific outcomes*

- (1) *Rural areas include rural activities and land uses of varying scale, consistent with surrounding land use, character and site conditions.*

- (3) *Tourism, rural industry, intensive animal industries and outdoor recreation facilities are developed in the rural area in a way which:*
- (a) *does not impede or conflict with agricultural activities and production; and*
 - (b) *does not compromise rural character and scenic qualities; and*
 - (c) *does not adversely impact on ecological and biodiversity values.*
- (5) *Rural lifestyle, tourism, outdoor recreation, horticultural activities and natural bushland uses may be considered in other rural areas where appropriately located, serviced and otherwise consistent with the Strategic Framework.*

Comment

The proposed development will not compromise existing or potential future primary industries within the locality or rural zone in general. The proposed development is at least 175 metres from the nearest boundary and is substantially buffered by dense vegetation.

The low-impact nature-based tourism use, will not impact upon the valued relaxed rural lifestyle, character and scenic qualities of the of the rural area. The proposed development will not detract from the ability of the land to perform as a viable agricultural holding.

The proposed development complies with Specific Outcomes 1, 3 and 5.

3.7 Economic Development

3.7.7 - Element - Tourism

3.7.7.1 Specific Outcomes

- (4) *The outstanding scenic qualities of the regional landscape and the character and heritage values of the shire's activity centres are recognised and protected for their role in promoting and attracting visitors to the shire. Development in scenic and highly visible locations will minimise its impacts on scenic amenity through sensitive location, design, colour and scale.*
- (5) *A variety of small-scale, low impact tourist facilities are established across the rural landscape, including:*
- (a) *tourist attractions and facilities within activity centres;*
 - (b) *cultural interpretive tours;*
 - (c) *nature based tourism;*
 - (d) *sports and recreational activities;*
 - (e) *tourist attractions;*
 - (f) *adventure tourism;*
 - (g) *farm based tourism;*
 - (h) *food based tourism;*
 - (i) *bed and breakfasts;*
 - (j) *camping and recreational vehicle facilities;*
 - (k) *cycle tourism.*
- (6) *Small scale tourism related development is sensitively designed, scaled and located to not compromise the natural landscape values and agricultural values of Mareeba Shire.*

Comment

The proposed development will not compromise existing or potential future primary industries within the locality or rural zone in general. The proposed development is at least 175 metres from the nearest boundary and is substantially buffered by dense vegetation.

The low-impact nature-based tourism use, will not impact upon the valued relaxed rural lifestyle, character and scenic qualities of the of the rural area. The proposed development will not detract from the ability of the land to perform as a viable agricultural holding.

The proposed development complies with Specific Outcomes 4, 5 and 6.

Relevant Developments Codes

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

- 6.2.9 Rural zone code
- 8.2.3 Bushfire hazard overlay code
- 8.2.4 Environmental significance overlay code
- 8.2.8 Hill and slope overlay code
- 9.4.2 Landscaping code
- 9.4.3 Parking and access 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 zone code	The application complies or can be conditioned to comply with the relevant acceptable outcomes (or performance outcome where no acceptable outcome is provided) contained within the code.
Bushfire hazard overlay code	The application complies or can be conditioned to comply with the relevant acceptable outcomes (or performance outcome where no acceptable outcome is provided) contained within the code.
Environmental significance overlay code	The application complies or can be conditioned to comply with the relevant acceptable outcomes (or performance outcome where no acceptable outcome is provided) contained within the code.
Hill and slope overlay code	The application complies or can be conditioned to comply with the relevant acceptable outcomes (or performance outcome where no acceptable outcome is provided) contained within the code.
Landscaping code	The application complies or can be conditioned to comply with the relevant acceptable outcomes (or performance outcome

	where no acceptable outcome is provided) contained within the code.
Parking and access code	The application complies or can be conditioned to comply with the relevant acceptable outcomes (or performance outcome where no acceptable outcome is provided) contained within the code.
Works, services and infrastructure code	The application complies or can be conditioned to comply with the relevant acceptable outcomes (or performance outcome 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

Council's Adopted Infrastructure Charges Resolution (No. 1) 2022 does not specify a charge rate for nature-based tourism.

The subject land is only serviced by the trunk transport network (roads).

The standard charge for each ten vehicle movements per day is \$5,065.00.

The proposed development is assumed to generate two (2) vehicle movements per day for each cabin.

The applicable charge for each cabin will therefore be:

- $0.2 \times \$5,065.00 = \underline{\$1,013.00}$ (per cabin)

REFERRAL AGENCY

This application did not trigger referral to a Referral Agency.

Internal Consultation

Nil

PUBLIC NOTIFICATION

The development proposal was placed on public notification from 7 December 2022 to 18 January 2023. The applicant submitted the notice of compliance on 19 January 2023 advising that the public notification requirements were carried out in accordance with the requirements of the Act.

One (1) properly made submission was received objecting to the proposed development.

The grounds for objection are summarised and commented on below:

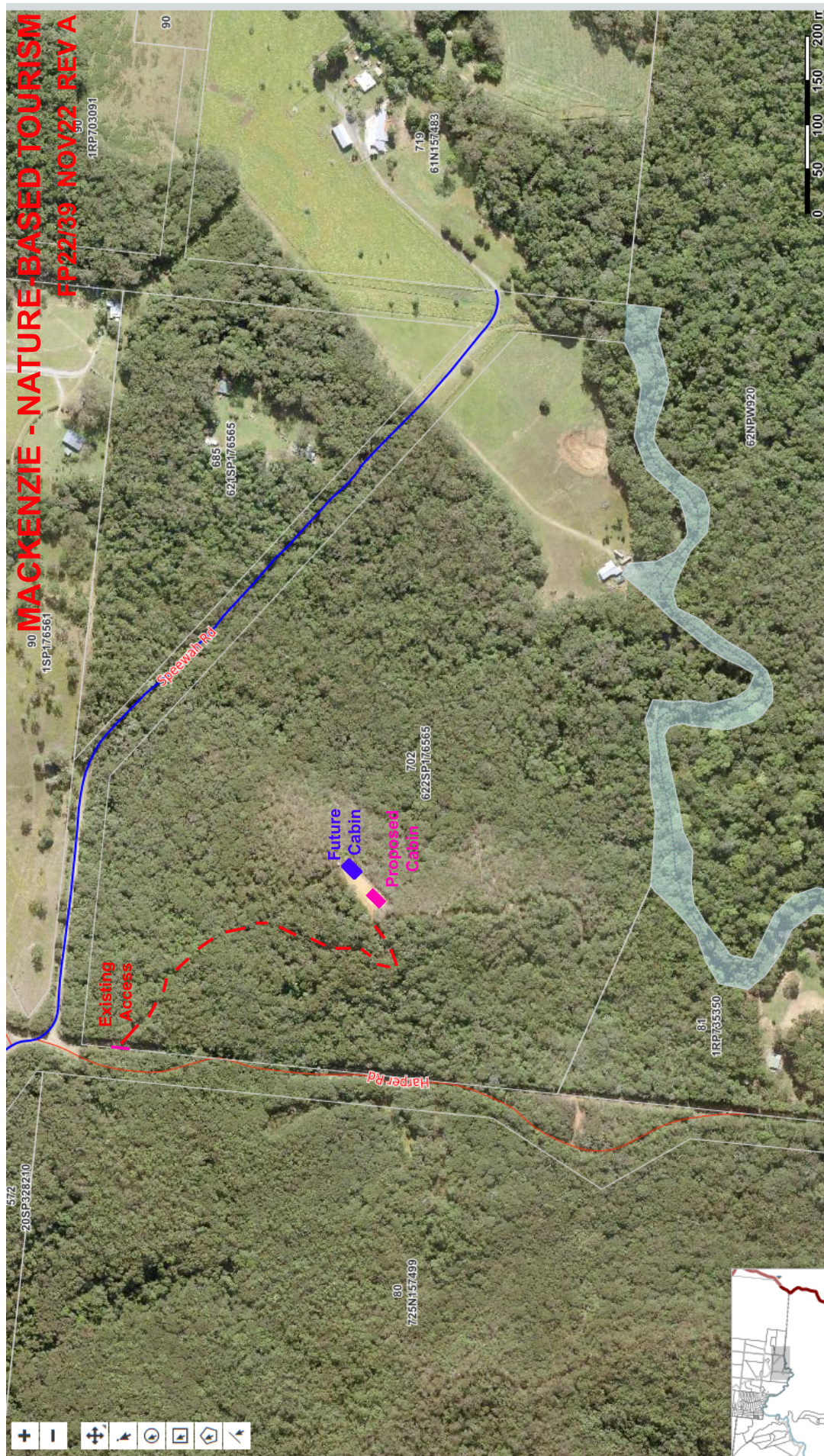
Grounds for objection	Comment
<p>Submitter is a long-term resident and fears that the proposed development is only the start of more development.</p>	<p>The proposed development is low key and proposed within an existing 1,500m² cleared area.</p> <p>The application is for two (2) cabins only.</p> <p>Any further future development will require separate assessment against the planning scheme in force at that time.</p>

Submitters

Name of Principal submitter	Address
<p>1. Gabriel Ephraims</p>	<p>Gabriel-Ephraims91@hotmail.com</p>

PLANNING DISCUSSION

Nil



From: "Gabriel Ephraims" <Gabriel-Ephraims91@hotmail.com>
Sent: Fri, 9 Dec 2022 20:35:37 +1000
To: "Info" <info@msc.qld.gov.au>
Subject: Proposed property development
Categories: Added to ECM

Good evening, this is regarding the proposed property development on speewah road lot 702. We the people that have lived here for over 50 years and the family that are the pioneers of the area are utterly disgusted in what has been happening on this property and the property next door to it. These two new people that have bought out these property's have no regard for the land and have no community respect, this proposal is the start of what we see as an end to this beautiful part of the shire, once this gets approved these people are going to continue to build these things, they have already started to desecrate and damage the water ways and banks of the river with unnecessary clearing. If you let this go ahead I will be taking this to a state level. Please do not give the go ahead!!

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8.2 APPLICATION FOR CONVERSION TO FREEHOLD OF PASTORAL HOLDING PH14/5422 BEING LOT 14 ON SP250040, PALMER ROAD, LOCALITY OF PALMER

Date Prepared: 2 February 2023

Author: Senior Planner

Attachments: 1. DOR letter dated 24 January 2023 [↓](#)

EXECUTIVE SUMMARY

The Department of Resources (DOR) is considering an application for the conversion to freehold of Pastoral Holding PH14/5422 described as Lot 14 on SP250040, situated at Palmer Road, Locality of Palmer.

PH14/5422 is issued for grazing purposes and is otherwise known as Palmerville Station. Palmerville Station straddles the boundary of Cook Shire and Mareeba Shire, with less than seven (7) percent of the land area being within Mareeba Shire.

DOR seeks Council's view on the conversion to freehold.

RECOMMENDATION

That Council advise the Department of Resources that Council has no objection to the conversion to freehold of Pastoral Holding PH14/5422 described as Lot 14 on SP250040, situated at Palmer Road, Locality of Palmer.

BACKGROUND

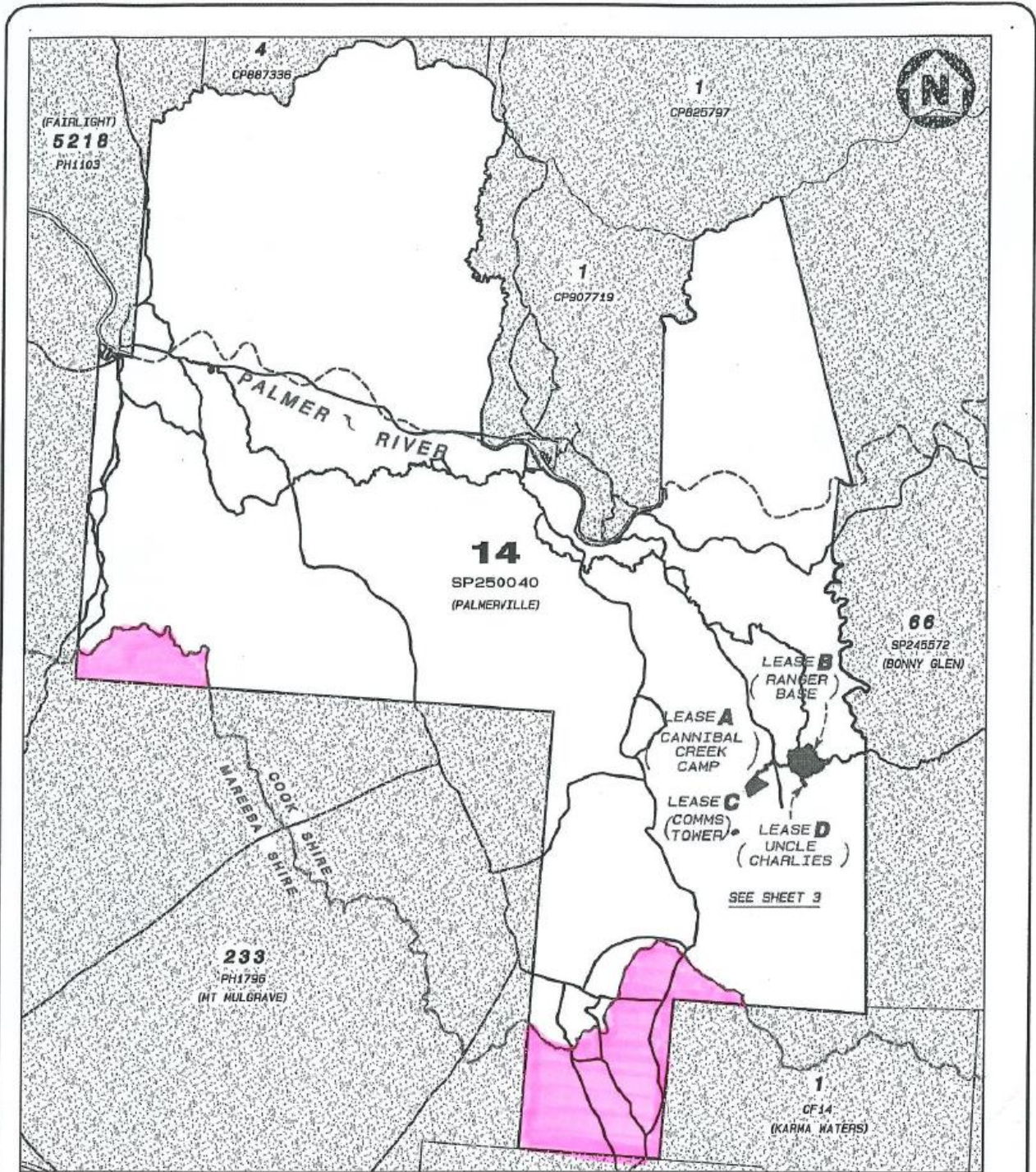
DOR is considering an application for the conversion to freehold of Pastoral Holding PH14/5422 described as Lot 14 on SP250040, situated at Palmer Road, Locality of Palmer.

PH14/5422 is issued for grazing purposes and is otherwise known as Palmerville Station.

Palmerville Station has a total area of 134,000 hectares and straddles the boundary of Cook Shire and Mareeba Shire. Approximately 8,500 hectares (less than seven (7) percent) of the land area is located within the Mareeba Shire.

The land within Mareeba Shire is highlighted in pink on the following maps.

DOR seeks Council's view on the conversion to freehold.



EXPLANATORY NOTES:

1. Final bearings, distances and areas subject to field survey.
2. Services & asset locations must be independently verified prior to any excavation, construction or development works commencing at site.
3. This plan has been prepared to aid in the State Government evaluation of a Development Application and must not be used for any other purpose.

PO Box 38
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 F: (07) 4037 0166
 M: 0427 570 100
 E: B.Lane@ausnorth.com.au

**SUBVYING
 PLANNING
 DESIGN
 PROPERTY
 CONSULTANTS**

This plan depicts proposed lease boundaries only and as such is not registered. Subsequent registered or other surveys in the area may affect the boundary definition shown on the plan. Any such boundary definition differences are beyond the control of Ausnorth Consultants Pty Ltd who can accept no responsibility or liability for such differences.



**TENURE MANAGEMENT
 PROPOSED LEASES A - D
 PART OF LOT 14 ON SP250040
 PALMERVILLE**

COUNTY CHELMSFORD
 LOCALITY PALMER, MOUNT
 MULGRAVE, etc
 LGA COOK & MAREEBA SC

DWG. No
22005/ROL/01

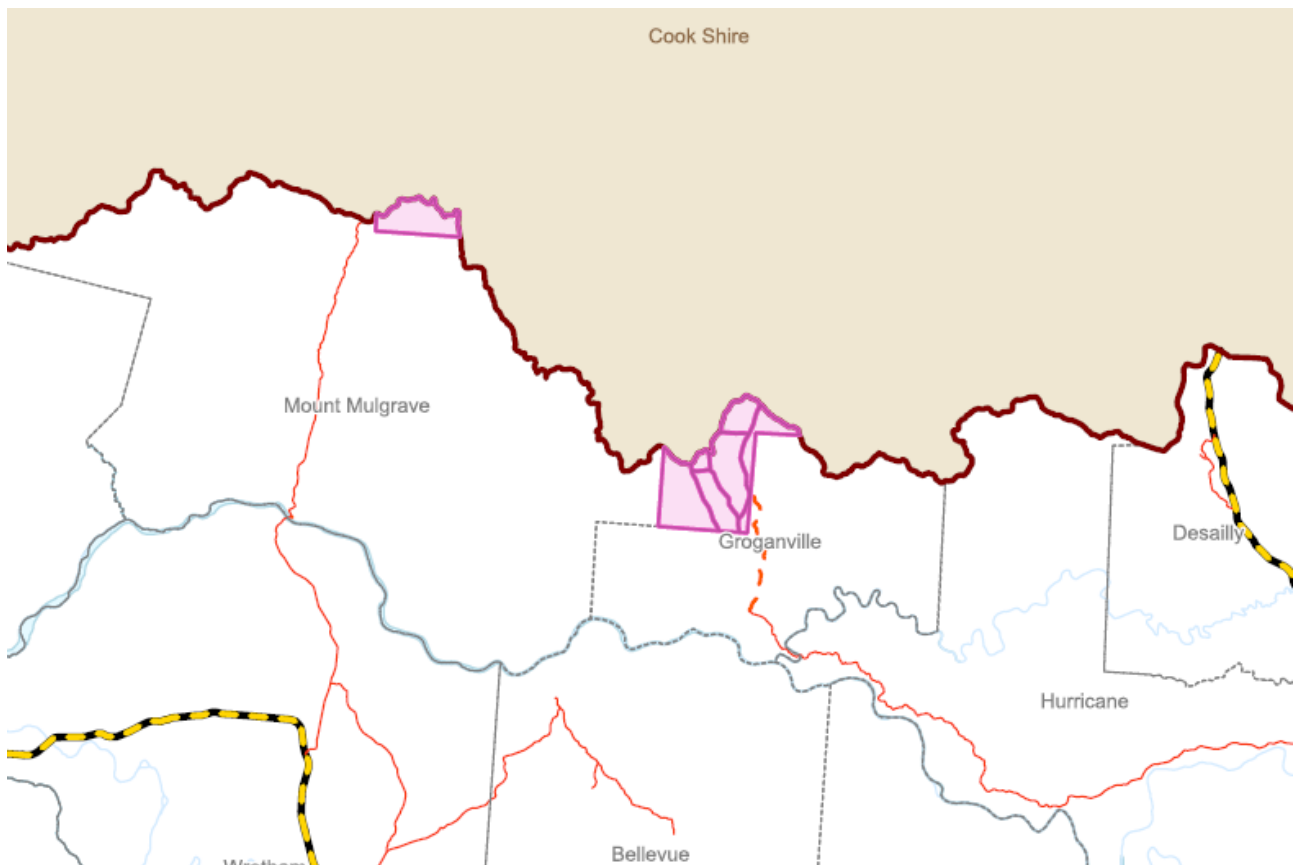
21-04-2022
 Date

B.J. LANE
 Cadastral Surveyor/
 Director

MGA2020 ZONE 55 MERIDIAN	1 OF 4 SHEET	CONTOUR INTERVAL N/A	7765-14333 MAP REF	1: 200 000 (A3) SCALE	2022/22005 ROL 51 3001 ARCHIVED
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Rev.

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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RISK IMPLICATIONS

LEGAL/COMPLIANCE/POLICY IMPLICATIONS

Those parts of Palmerville Station located within the Mareeba Shire are zoned Rural under the Mareeba Shire Council Planning Scheme 2016.

There is no objection to the conversion of Lot 14 on SP250040 to freehold.

FINANCIAL AND RESOURCE IMPLICATIONS

Capital

Nil

Operating

Nil

LINK TO CORPORATE PLAN

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

The Department of Resources will be informed of Council’s decision by letter.

From: "Janine York" <Janine.York@resources.qld.gov.au>
Sent: Tue, 24 Jan 2023 11:36:11 +1000
To: "Info" <info@msc.qld.gov.au>
Subject: Request for views
Attachments: SmartMap for 14 SP250040.pdf
Categories: Added to ECM

Dear Sir/Madam

Application for conversion to freehold.

PH 14/5422 being Lot 14 on SP250040

The Department has received the above application. The proposed use of the land is grazing.

The enclosed Smartmap shows the subject land and the surrounding locality.

The application for conversion will be assessed in terms of Section 167 (1) of the *Land Act 1994*, after considering the views of all interested parties and an inspection of the land.

Objections to the conversion application, and any views or requirements that may affect the future use of the land should be received by close of business on **24 March 2023**. If you offer an objection to the proposal, a full explanation stating the reason for such an objection should be forwarded to this Office.

If you wish to provide a response but are unable to do so before the due date, please contact the author before the due date to arrange a more suitable timeframe. If a response is not received by the due date and no alternative arrangements have been made, it will be assumed you have no objections or requirements in relation to this matter.

If you wish to discuss this matter please contact Janine York on (07)46241524.

All future correspondence relative to this matter is to be referred to the contact Officer at the address below or by email to lasst3@resources.qld.gov.au. Any hard copy correspondence received will be electronically scanned and filed. For this reason, it is recommended that any attached plans, sketches or maps be no larger than A3-sized.

Please quote reference number 2022/002058 in any future correspondence.

Yours sincerely



Janine York
Senior Land Officer
Land Services
Land and Surveying Services
Department of Resources

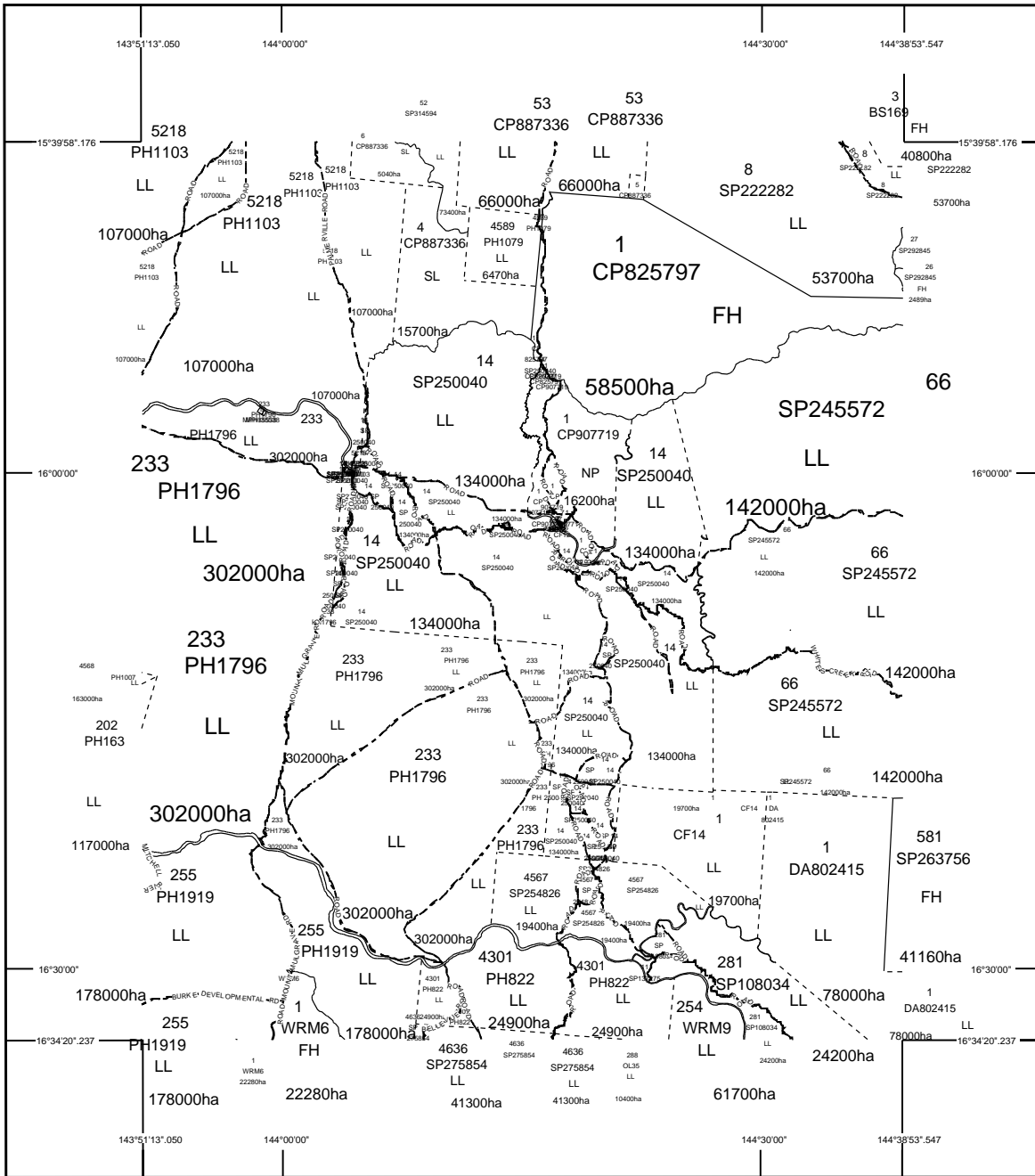
P: 46241500

E: SLAM-Roma@resources.qld.gov.au

A: 25 Quintin Street, Roma Q 4455 | PO Box 350, Roma Q 4455

W: www.resources.qld.gov.au

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STANDARD MAP NUMBER
7765-14333



SmartMap

An External Product of
SmartMap Information Services
Based upon an extraction from the
Digital Cadastral Data Base

MAP WINDOW POSITION &
NEAREST LOCATION
144°15'07\"/>

SUBJECT PARCEL DESCRIPTION

DCDB	
Lot/Plan	14/SP250040
Area/Volume	134000ha
Tenure	LANDS LEASE
Local Government	COOK SHIRE
Locality	PALMER
Segment/Parcel	9262/2

CLIENT SERVICE STANDARDS

PRINTED 18/07/2022

DCDB 17/07/2022 (Lots with an area less than 10.000ha are not shown)

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Despite Department of Resources best efforts, RESOURCES makes no representations or warranties in relation to the Information, and, to the extent permitted by law, exclude or limit all warranties relating to correctness, accuracy, reliability, completeness or currency and all liability for any direct, indirect and consequential costs, losses, damages and expenses incurred in any way (including but not limited to that arising from negligence) in connection with any use of or reliance on the Information.

For further information on SmartMap products visit
<https://www.qld.gov.au/housing/buying-owning-home/property-land-valuations/smartmaps>



Queensland Government
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(Department of Resources) 2022.



Document Set ID: 417262
Version: 1, Version Date: 24/01/2023

8.3 J PORTELLI, B PORTELLI & A STRONG - RECONFIGURING A LOT - BOUNDARY REALIGNMENT - LOTS 2 & 18 ON SP297295 AND LOT 15 ON SP180665 - 841, 963 & 965 BILWON ROAD, BIBOOHRA - RAL/22/0018

Date Prepared: 3 February 2023

Author: Planning Officer

Attachments: 1. [Proposal Plan/s](#) [↓](#)
2. [SARA Referral Agency Response Dated 5 December 2022](#) [↓](#)

APPLICATION DETAILS

APPLICATION		PREMISES	
APPLICANT	James Portelli, Barry Portelli and Anni Strong	ADDRESS	841, 963 and 965 Bilwon Road, Biboohra
DATE LODGED	27 October 2022	RPD	Lots 2 and 18 on SP297295 and Lot 15 on SP180665
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Reconfiguring a Lot – Boundary Realignment		
FILE NO	RAL/22/0018	AREA	Lot 2 – 39.446 ha Lot 18 – 31.27 ha Lot 15 – 4.047 ha
LODGED BY	Scope Town Planning	OWNER	Lot 2 – Anni Strong Lot 18 – James Portelli Lot 15 – Barry Portelli
PLANNING SCHEME	Mareeba Shire Council Planning Scheme 2016		
ZONE	Rural Zone		
LEVEL OF ASSESSMENT	Impact Assessment		
SUBMISSIONS	0 submissions received		

EXECUTIVE SUMMARY

Council is in receipt of an impact assessable development application described in the above application details. The application was made impact assessable as a result of Temporary Local Planning Instrument (TLPI) No. 01 of 2021 (Subdivision in Rural zone). No submissions were received during the mandatory public notification period.

The applicants propose to reconfigure the common boundaries between the 3 allotments, by way of boundary realignment only (no additional allotment/s created). An approximate area of 8,000m² covered by an existing access easement will be transferred from existing Lot 2 to existing Lot 18, creating an access handle for Lot 18 in lieu of the easement. Additionally, the 5.3 ha portion of existing Lot 2 on the north-east side of the proposed Lot 18 access handle will be transferred to Lot 15.

The application and supporting material has been assessed against the Mareeba Shire Council Planning Scheme 2016 and is in conflict with certain purpose statements in the Rural zone code, as well as performance outcomes contained within the Reconfiguring a lot code which seek to discourage the creation of any lot below 60 hectares within the Rural zone.

In their current configuration, all three lots are less than 60 hectares in size and are considered to be rural living allotments. All three lots are almost fully vegetated with undulating topographies and are not considered to be viable agricultural holdings, even for livestock grazing. The proposed boundary realignment will result in the minor transfer of vegetated non-agricultural land only and will not result in the creation of any new or additional rural living allotment, nor does it create the opportunity for another dwelling house to be built within the Rural zone.

The Mareeba Shire Council Planning Scheme 2016 contains a hierarchy of assessment benchmarks. The Strategic Framework are the highest order assessment benchmarks contained in the Planning Scheme and hold more weight than the Rural zone code and reconfiguring a lot code. An officer assessment has determined that despite the identified conflicts with the lower order Rural zone code and reconfiguring a lot code provisions mentioned above, the proposed boundary realignment meets the intent of the Strategic Framework, in that the development will not further fragment, compromise or alienate productive agricultural land.

It is recommended that the application be approved.

OFFICER’S RECOMMENDATION

1. That in relation to the following development application:

APPLICATION		PREMISES	
APPLICANT	James Portelli, Barry Portelli and Anni Strong	ADDRESS	841, 963 and 965 Bilwon Road, Bibohra
DATE LODGED	27 October 2022	RPD	Lots 2 and 18 on SP297295 and Lot 15 on SP180665
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Reconfiguring a Lot – Boundary Realignment		

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), referral 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 – Boundary Realignment

(B) APPROVED PLANS:

Plan/Document Number	Plan/Document Title	Prepared by	Dated
132_20 Sheet 1 of 2	Proposed Realignment	R. D. Trotter	12.10.2022
132_20 Sheet 2 of 2	Proposed Realignment	R. D. Trotter	12.10.2022

(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, 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 Where approved existing buildings and structures are to be retained, setbacks to new property boundaries are to be in accordance with Planning Scheme requirements for the relevant structure and/or Queensland Development Code. Where a structure is located in close proximity to a new property boundary, a plan demonstrating compliance must be submitted prior to endorsement of the plan of survey

3.6 Charges

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

(D) ASSESSMENT MANAGER'S ADVICE

(a) 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.

(b) 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.

(c) Notation on Rates Record

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

- a registered easement over the subject site (Emt A in Lot Proposed Lot 20 – Benefiting Lot Proposed Lot 21)

(d) 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.

(e) 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.

(E) REFERRAL AGENCY CONDITIONS

Department of State Development, Infrastructure, Local Government and Planning conditions dated 5 December 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

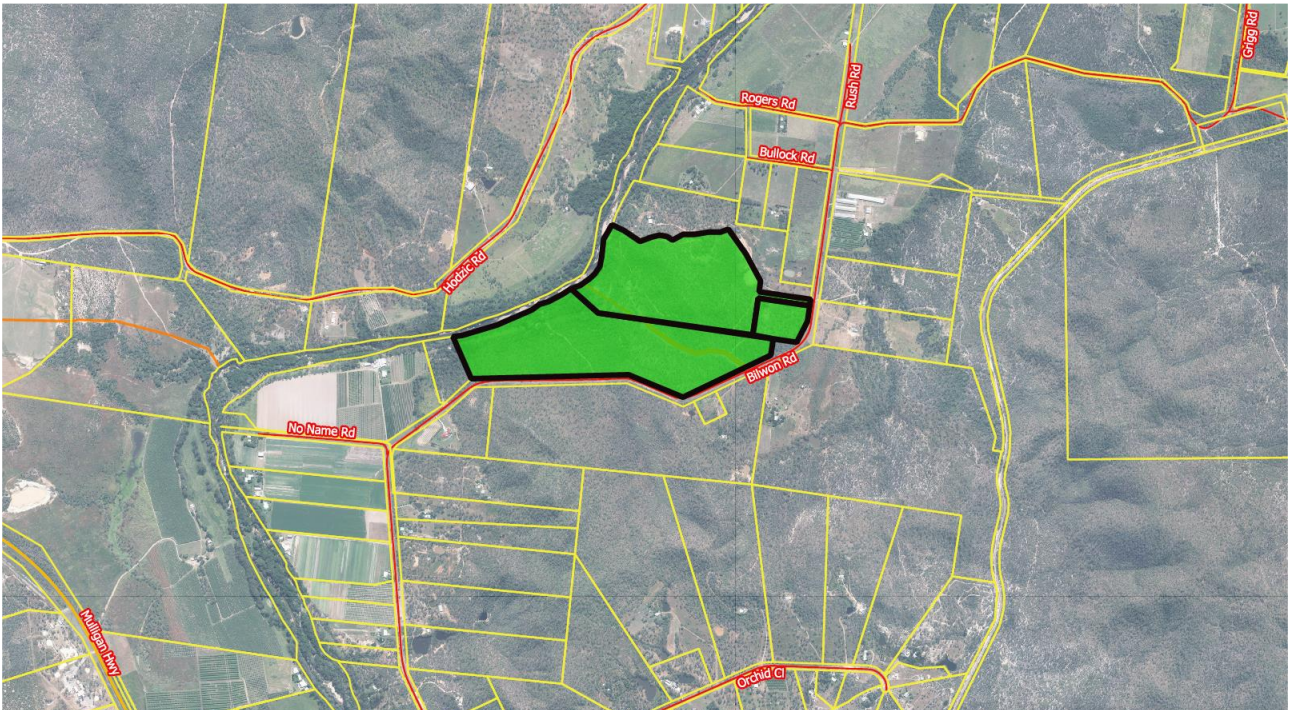
- Nil

THE SITE

The subject land comprises 3 allotments described as Lots 2 & 18 on SP297295 and Lot 15 on SP180665, situated at 841, 963 and 965 Bilwon Road, Bibbohra. Lots 2, 18 and 15 have areas of 39.446 ha, 31.27 ha and 4.047 ha respectively and are all zoned Rural under the Mareeba Shire Council Planning Scheme 2016.

**Map Disclaimer:**

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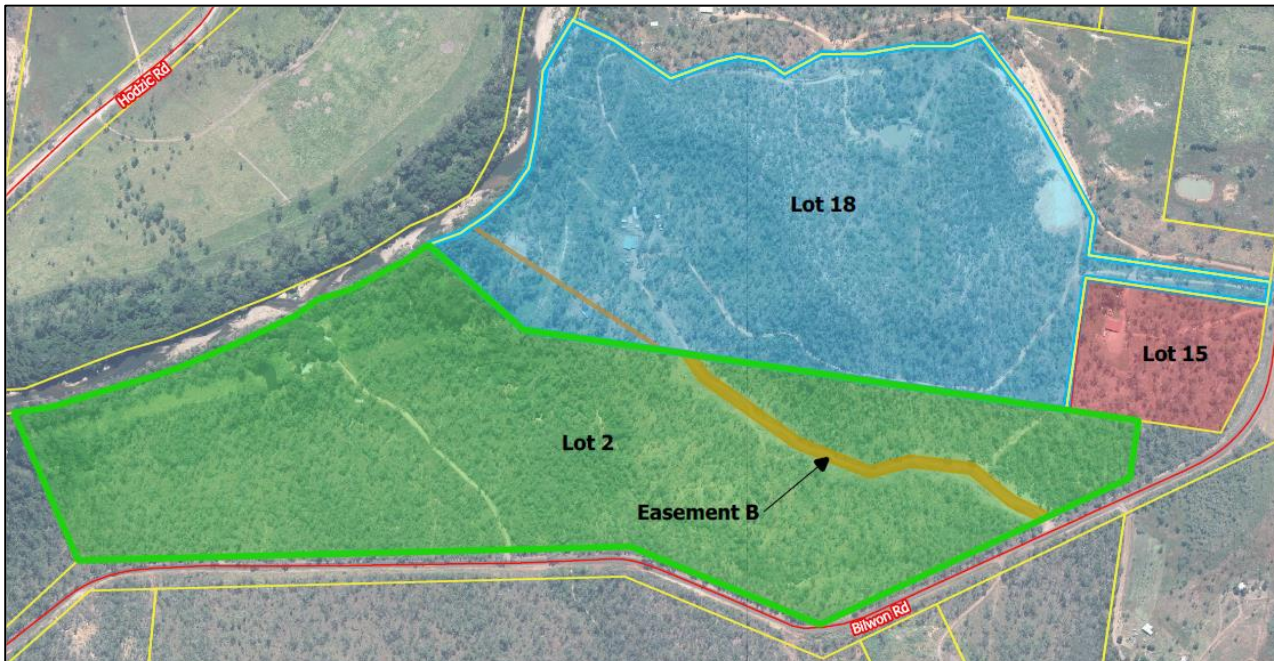
BACKGROUND AND CONTEXT / PREVIOUS APPLICATIONS & APPROVALS

Nil

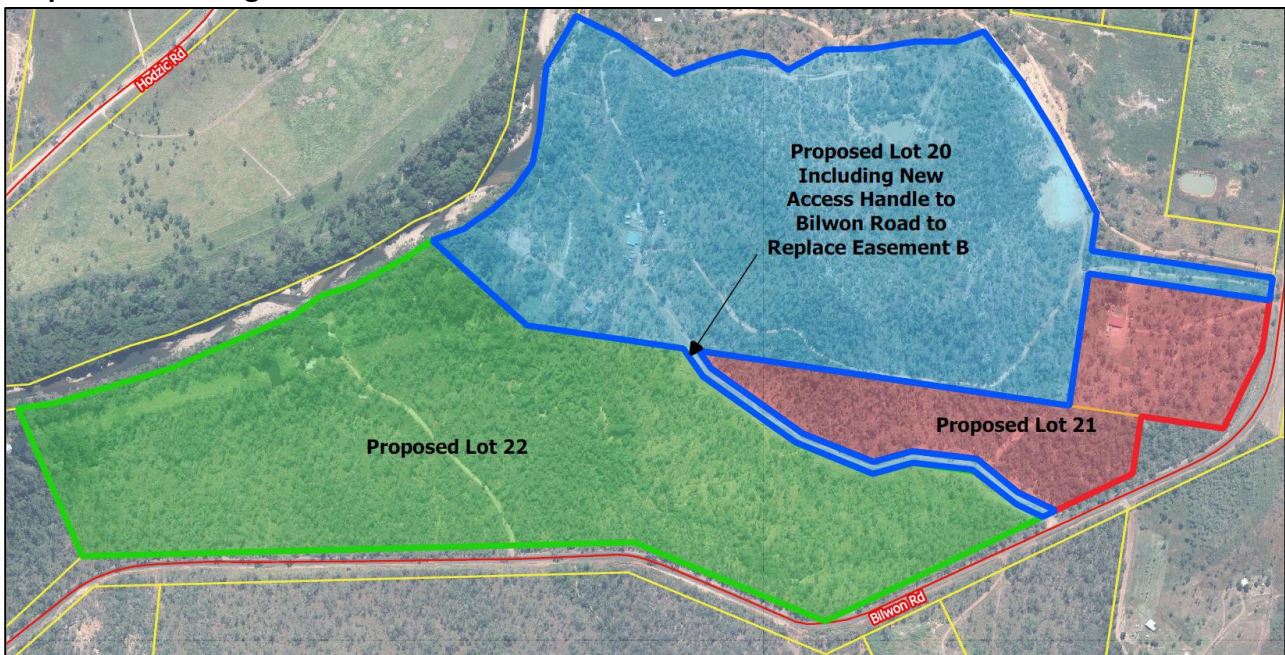
DESCRIPTION OF PROPOSED DEVELOPMENT

The development application seeks a Development Permit for Reconfiguring a Lot – Boundary Realignment in accordance with the plans shown in **Attachment 1**. The existing and proposed lot configuration is shown on the below maps. An approximate 8,000m² portion of Lot 2 which is covered by an existing easement (Emt B) will be transferred to existing Lot 18, creating an access handle for Lot 18 (with the easement to be surrendered). Additionally, the 5.3 ha portion of existing Lot 2 on the north-east side of the proposed Lot 18 access handle will be transferred to Lot 15.

Existing lot configuration:



Proposed lot configuration:



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 as containing:

- *Strategic Rehabilitation Area*
- *State & Regional Conservation Corridors*
- *Wetland Area of General Ecological Significance*
- *Terrestrial Area of High Ecological Significance*
- *Terrestrial Area of General Ecological Significance*

PLANNING SCHEME DESIGNATIONS

Strategic Framework:	<p>Land Use Categories</p> <ul style="list-style-type: none"> • Rural Area (Rural Other) <p>Natural Environmental Elements</p> <ul style="list-style-type: none"> • Biodiversity Areas • Habitat Linkage <p>Other Elements</p> <ul style="list-style-type: none"> • Major Watercourse (Barron River)
Zone:	Rural
Overlays:	<p>Bushfire Hazard Overlay Environmental Significance Overlay Flood Hazard Overlay Hill and Slope Overlay Transport Infrastructure Overlay</p>

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

- (5) *Primary industries in Rural areas are not compromised or fragmented by incompatible and/or unsustainable development, including but not limited to subdivision that results in a detrimental impact on rural productivity or fragments large land holdings. The valued, relaxed rural character and scenic qualities of the rural area are preserved and enhanced. The rural area is largely maintained to its current extent, while accommodating development directly associated with or reliant on natural resources including rural activities and tourism. Rural areas protect the shire's agricultural area and ensure food security. Other rural areas predominantly remain agricultural grazing properties.*

Comment

The proposed development is for a "boundary realignment" only, so does not constitute a "subdivision" by definition.

In their current configuration, all three lots are less than 60 hectares in size and are considered to be rural living allotments. All three lots are almost fully vegetated with undulating topographies and are not considered to be viable agricultural holdings, even for livestock grazing. The proposed boundary realignment will result in the minor transfer of vegetated non-agricultural land only and will not result in the creation of any new or additional rural living allotment, nor does it create the opportunity for another dwelling house to be built within the Rural zone.

The proposed development will not further fragment agricultural land or compromise agricultural activity in the immediate locality and is therefore considered to comply with Strategic outcome 5.

(6) New subdivisions which propose lots less than the minimum lot size of 60ha are not supported within the Rural zone.

Comment

The proposed development is for a "boundary realignment" only, so does not constitute a "subdivision" by definition.

The proposed boundary realignment will not result in any new or additional rural living allotment, nor does it create the opportunity for another dwelling house to be built within the Rural zone. The proposed development does not conflict with Strategic Outcome 6.

3.3.11 Element - Rural areas

3.3.11.1 Specific outcomes

(2) Land in rural areas is maintained in large (60ha or greater) lot sizes to ensure that regional landscape and rural production values are not compromised by fragmentation, alienation or incompatible land uses. Subdivision of land is not supported on lots less than 60ha in the Rural zone.

Comment

The proposed development is for a "boundary realignment" only, so does not constitute a "subdivision" by definition.

In their current configuration, all three lots are less than 60 hectares in size and are considered to be rural living allotments. All three lots are almost fully vegetated with undulating topographies and are not considered to be viable agricultural holdings, even for livestock grazing. The proposed boundary realignment will result in the minor transfer of vegetated non-agricultural land only and will not result in the creation of any new or additional rural living allotment, nor does it create the opportunity for another dwelling house to be built within the Rural zone.

The proposed development will not compromise, fragment or alienate agricultural land and is therefore considered to satisfy Specific Outcome 2.

- (3) *Other rural areas will be largely maintained in their current configuration, only being subdivided where large land holdings of 60ha or greater can be achieved and the infrastructure base of rural operations including workers accommodation, airstrips and farm infrastructure is provided.*

Comment

The proposed development is for a "boundary realignment" only, so does not constitute a "subdivision" by definition.

In their current configuration, all three lots are less than 60 hectares in size and are considered to be rural living allotments. All three lots are almost fully vegetated with undulating topographies and are not considered to be viable agricultural holdings, even for livestock grazing. The proposed boundary realignment will result in the minor transfer of vegetated non-agricultural land only and will not result in the creation of any new or additional rural living allotment, nor does it create the opportunity for another dwelling house to be built within the Rural zone.

The proposed development will not compromise, fragment or alienate agricultural land and is therefore considered to satisfy Specific Outcome 3.

3.6 Transport and infrastructure

3.6.1 Strategic outcomes

- (6) *New development is appropriately sequenced and coordinated with existing and future water, wastewater, stormwater and transport infrastructure, to ensure the operations of existing infrastructure are not compromised and community needs continue to be met. New infrastructure is provided to development in accordance with the council's desired standards of service and supports a consolidated urban form to maximise return on investment. The ongoing operation of key infrastructure elements is not prejudiced by inappropriate development. Subdivision of land in the Rural zone to create lots less than 60ha is not consistent with facilitating appropriately sequenced and coordinated development.*

Comment

The proposed development is for a "boundary realignment" only, so does not constitute a "subdivision" by definition. No additional title will be created, and no change to the service arrangement of each lot will occur as a result of the development.

The proposed development does not compromise Strategic Outcome 6.

Relevant Developments Codes

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

- 6.2.9 Rural zone 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

- 8.2.12 Transport infrastructure 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 solutions (or probable solutions/performance criteria where no acceptable solution applies) of the relevant codes set out below, provided reasonable and relevant conditions are attached to any approval.

Relevant Codes	Comments
Rural zone code	<p>The application conflicts with 6.2.9.2 Purpose (3) (a) of the code as all three lots will be under 60 ha in size.</p> <p>Despite this conflict, it is considered that the proposed development complies with the higher order strategic/specific outcomes contained in the Planning Scheme's Strategic Framework. Refer to planning discussion section of report for commentary.</p>
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.
Flood 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.
Hill and slope 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.
Transport infrastructure 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 conflicts with the following performance outcomes:</p> <ul style="list-style-type: none"> • PO1.1 • PO1.2

	Despite conflicting with the abovementioned performance outcomes, it is considered that the proposed development complies with the higher order strategic/specific outcomes contained in the Planning Scheme's Strategic Framework. Refer to planning discussion section of report for commentary.
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

Planning Scheme Policy 4 - FNQROC Regional Development Manual

A condition of approval will be included requiring all development works be designed and constructed/upgraded in accordance with FNQROC Development Manual standards.

REFERRAL AGENCY

The application triggered referral to the Department of State Development, Infrastructure, Local Government and Planning as a referral agency (SARA – Vegetation Management Unit).

The Department advised in their Referral Agency Response dated 5 December 2022 that their conditions must be attached to any approval (**Attachment 2**).

Advice

This application did not trigger referral to any Advice Agencies.

Internal Consultation

Nil

PUBLIC NOTIFICATION

The development proposal was placed on public notification from 8 December 2022 to 16 January 2023. The applicant submitted the notice of compliance on 19 January 2023 advising that the public notification requirements were carried out in accordance with the requirements of the Act.

No submissions were received.

PLANNING DISCUSSION

Non-compliance with assessment benchmarks contained within the Rural zone code and Reconfiguring a lot code are discussed below:

6.2.9 Rural zone code

6.2.9.2 Purpose

- (3) (a) *Areas for use for primary production are conserved and new allotments below the minimum lot size identified in Table 9.4.4.3B is not supported.*

Comment

Table 9.4.4.3B dictates a minimum reconfiguring lot size of 60 hectares for land within the Rural zone. All three proposed allotments are smaller than 60 hectares, particularly proposed Lot 21 with an area of just 9.3 hectares.

In their current configuration, all three lots are less than 60 hectares in size and are considered to be rural living allotments. All three lots are almost fully vegetated with undulating topographies and are not considered to be viable agricultural holdings, even for livestock grazing. The proposed boundary realignment will result in the minor transfer of vegetated non-agricultural land only and will not result in the creation of any new or additional rural living allotment, nor does it create the opportunity for another dwelling house to be built within the Rural zone.

Despite not complying with Purpose (3)(a) of the Rural zone code, it is considered that the proposed boundary realignment meets the intent of the higher order Strategic Framework, in that the development will not further fragment, compromise or alienate productive agricultural land, and will only increase the agricultural viability of an existing farming enterprise.

9.4.4 Reconfiguring a lot code**Area and frontage of lots - Rural zone****PO1.1**

No lots are created with an area of less than 60 ha

Note: This also applies to applications for boundary realignment

AO1.1

No acceptable outcome is provided.

Comment

Proposed Lots 20, 21 and 22 will all have areas less than 60 hectares, with proposed Lot 21 being the smallest at just 9.3 hectares.

In their current configuration, all three lots are considered to be rural living allotments. All three lots are almost fully vegetated with undulating topographies and are not considered to be viable agricultural holdings, even for livestock grazing. The proposed boundary realignment will result in the minor transfer of vegetated non-agricultural land only and will not result in the creation of any new or additional rural living allotment, nor does it create the opportunity for another dwelling house to be built within the Rural zone.

Despite not complying with PO1.1, it is considered that the proposed boundary realignment meets the intent of the higher order Strategic Framework, in that the development will not further fragment, compromise or alienate productive agricultural land.

PO1.2

No lots are created with a frontage less than 400m

Note: This also applies to applications for boundary realignment.

AO1.2

No acceptable outcome is provided.

Comment

Proposed Lots 21 and 22 comply with frontages in excess of 400 metres.

Existing Lot 18 in its current configuration is a rear access lot with an access handle just 30 metres wide and is benefited by access Easement B (through Lot 2) which will become an access handle under the proposed reconfiguration. Therefore, no change to the access arrangements to Lot 18 (proposed Lot 20) will occur as a result of the reconfiguration.

The frontages proposed for each lot are appropriate.

Form 21 Version 4

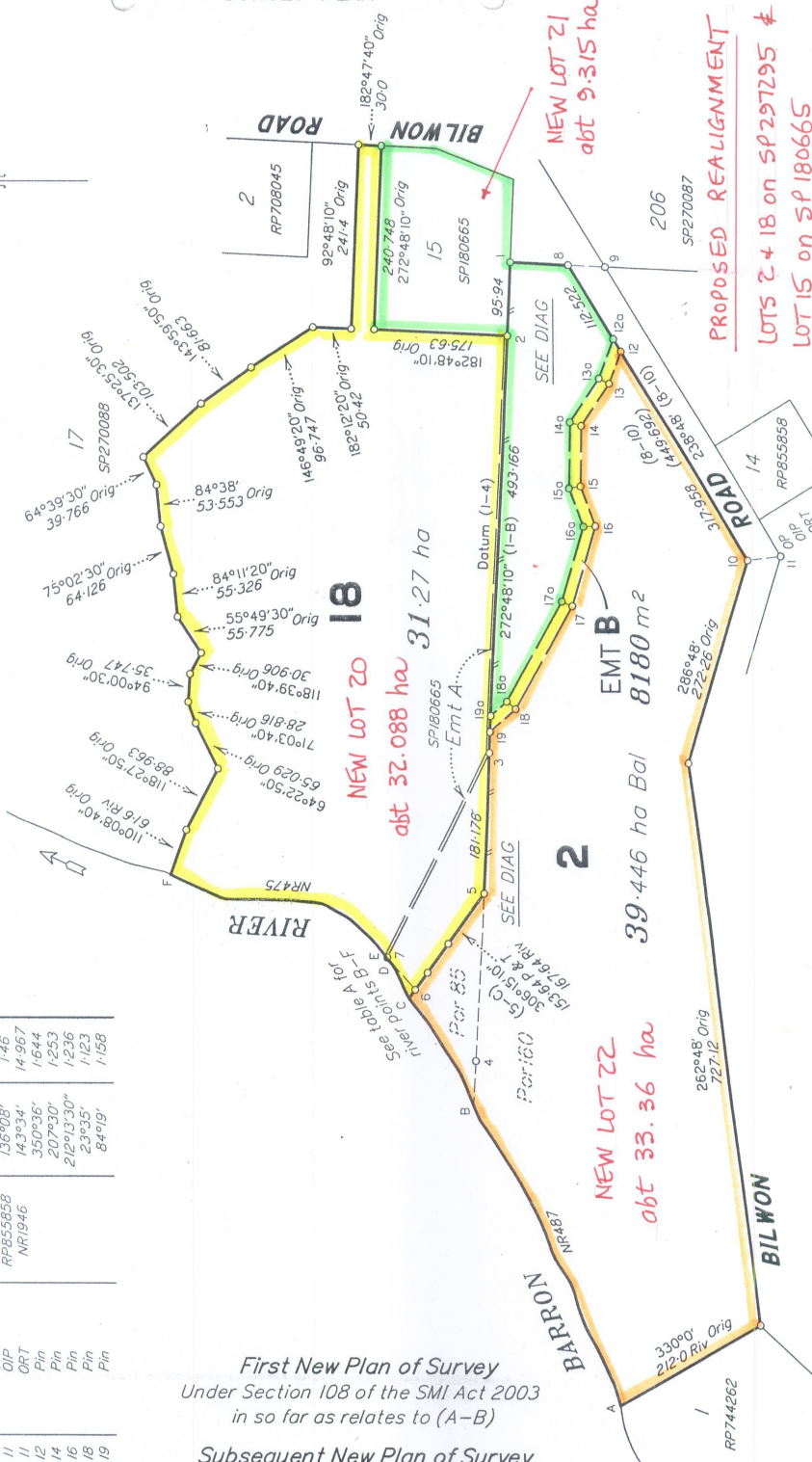
Peg pld at all new corners and original corners where noted. Station 1 not marked.

See sheet 2 for diagram, traverses, river points and reinstatement report.

Stn	To	Bearing	Dist	Notes
1	OIP	183°26'40"	11.32	
2	Remns ORT stump	231°23'	19.493	Hollow
3	OIP	122°10'	1.044	
4	OIP	2°48'	0.962	
5	OIP	100°24'	1.865	
6	Pin	306°15'	0.82	
7	Pin	137°43'	2.411	
8	OIP lying out	135°43'	2.622	
9	Pin	8°49'	4.74	
10	Pin	353°18'	1.88	
11	Pin	262°20'	6.799	
12	Pin	243°30'	2.16	
13	OIP	257°11'	14.343	
14	ORT sighted	225°10'	16.818	
15	ORT sighted	355°53'	1.33	
16	Pin	136°08'	1.46	
17	OIP	143°34'	14.967	
18	Pin	350°36'	1.644	
19	Pin	207°30'	1.253	
20	Pin	212°13'30"	1.236	
21	Pin	23°35'	1.123	
22	Pin	84°19'	1.158	

First New Plan of Survey Under Section 108 of the SMI Act 2003 in so far as relates to (A-B)

Subsequent New Plan of Survey Under Section 113 of the SMI Act 2003 in so far as relates to (B-C-D-E-F)



PROPOSED REALIGNMENT
 LOTS 2 + 18 on SP297295 #
 LOT 15 on SP180665
 CONCEPT DRAWING 132_20
 PREPARED BY R.D. TROTTER
 12.10.2022 SHEET 1 OF 2

Original information compiled from NR475, NR487, RP744262, SP180665 and SP270088 in the Department of Natural Resources and Mines.

I, Robin Douglas Trotter hereby certify that the land comprised in this plan was surveyed by me personally and that the plan is accurate, that the said survey was performed in accordance with the Survey and Mapping Infrastructure Act 2003 and Surveyors Act 2003 and associated Regulations and Standards and that the said survey was completed on 17-11-2017.

Robin Trotter 6.12.2017
 Cadastral Surveyor Date

Plan of Lots 2 & 18 & Easement B in Lot 2

Cancelling Lot 2 on RP744262 and Lot 18 on SP270088

LOCAL GOVERNMENT: Mareeba Shire Council LOCALITY: Bibohra

Scale: 1:6000 Format: STANDARD

SP297295

Meridian: Of SP180665 Survey

Form 21A Version 1

Table A
River Points

Line	Bearing	Dist
4-B	272°48'10"	57.413
5-4	48°18'20"	215.275
6-7	182°48'	55.48
8-9	172°48'	48.531
10-11	172°48'	44.042
13-13a	26°55'10"	15.106
14-14a	17°21'35"	15.632
15-15a	350°00'05"	15.281
16-16a	357°37'20"	15.829
17-17a	23°00'15"	15.105
18-18a	39°31'05"	15.219

Traverses etc

Line	Bearing	Dist
B	67°42'20"	42.678
C	55°56'30"	40.283
D	57°22'10"	40.247
E	50°13'	39.618
F	52°19'	1.066
G	64°59'50"	43.789
H	47°45'50"	14.946
I	55°25'10"	4.531
J	50°14'	25.082
K	29°16'20"	40.347
L	29°05'30"	40.683
M	6°11'40"	46.061
N	340°18'10"	1.081
O	1°29'30"	41.03
P	0°07'20"	41.24
Q	24°06'50"	41.03
R	25°25'30"	36.305



Scale - 1:3000

NEW LOT 20

18

NEW LOT 22

EMT B
8180 m²

NEW LOT 21

(WATER SUPPLY)

EMT B ON SP297295
TO BE SURRENDERED

2

REINSTATEMENT REPORT

Datum established between original marks/reference marks at stations 1, 2, 3 and 4. Linear agreement noted against SP180665. Shortage of 247 mm noted between station 1 and station 4 against NR487.

OSP hole and ORT adopted at station 8. OSP and OIP adopted at station 9. Angular difference of 10 seconds noted at station 1 down to station 9 against NR1946 and NR487 albeit in sympathy with IS172087. Shortage of 16 mm noted in the line station 1 to station 8 against NR1946. Road width maintained station 8 to station 9. Shortage of 7 mm noted in the line station 1 to station 9 against IS172087.

OP, OIP and ORT adopted at station 11. In the absence of monumentation station 10 fixed by maintaining secant width and angle across to station 11. Original angle maintained at station 8 down to station 10. Excess of 61 mm noted in the line station 8 to station 10 against NR1946.

OP buried adopted at station 7.

State copyright reserved

Insert Plan SP297295

DIAGRAM

Scale - 1:3000

CONCEPT DRAWING 132-20

SHEET 2 OF 2

3 3

RA6-N



SARA reference: 2211-31886 SRA
 Council reference: RAL/22/0018
 Applicant reference: 22016

5 December 2022

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

Attention: Carl Ewin

Dear Sir/Madam

SARA response—Boundary Realignment (3 lots into 3 lots) at 841, 963 and 965 Bilwon Road, Biboohra

(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 (SARA) on 8 November 2022.

Response

Outcome:	Referral agency response – with conditions
Date of response:	5 December 2022
Conditions:	The conditions in Attachment 1 must be attached to any development approval
Advice:	Advice to the applicant is in Attachment 2
Reasons:	The reasons for the referral agency response are in Attachment 3

Development details

Description:	Development Permit	Reconfiguring a Lot - Boundary Realignment (3 lots into 3 lots)
SARA role:	Referral agency	
SARA trigger:	Schedule 10, Part 3, Division 4, Table 2 (Planning Regulation 2017)	

Page 1 of 7

Far North Queensland regional office
 Ground Floor, Cnr Grafton and Hartley Street, Cairns
 PO Box 2358, Cairns QLD 4870

Document Set ID: 4166600
 Version: 1, Version Date: 08/12/2022

2211-31886 SRA

Reconfiguring a lot involving vegetation clearing

SARA reference: 2211-31886 SRA

Assessment manager: Mareeba Shire Council

Street address: 841, 963 and 965 Bilwon Road, Biboohra

Real property description: Lot 2 on SP297295, Lot 15 on SP180665 and Lot 18 on SP297295

Applicant name: James Portelli, Anni Strong, Barry Portelli and Peta Emmerson

Applicant contact details: C/- Scope Town Planning
38 Kowa Street
Mareeba QLD 4880
scopetownplanning@gmail.com

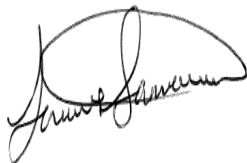
Representations

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 Anthony Westbury, Planning Officer, on 07 4037 3214 or via email CairnsSARA@dasilgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Javier Samanes
A/Manager (Planning)

cc James Portelli, Anni Strong, Barry Portelli and Peta Emmerson, scopetownplanning@gmail.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

2211-31886 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
Reconfiguring a lot		
Schedule 10, Part 3, Division 4, Table 2—Reconfiguring a lot involving native vegetation clearing—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 (Part A ¹) as shown on the attached: (i) Vegetation Management Plan prepared by Queensland Government, dated 5 December 2022, reference VMP 2211-31886 SRA, Sheet 1, Version 1; and (ii) Attachment to Vegetation Management Plan VMP 2211-31886 SRA, Derived Reference Points for GPS. (b) Not exceed 1.13 hectares.	At all times.

2211-31886 SRA

Attachment 2—Advice to the applicant

General advice	
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.

2211-31886 SRA

Attachment 3—Reasons for referral agency response

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

The reasons for the SARA decision are:

The proposed development, with conditions, complies with the relevant provisions of State code 16:
Native vegetation clearing of the SDAP as follows:

- The proposed development has reasonably avoided, and minimised, the impacts to native vegetation and essential habitat.
- Clearing is limited to essential management exemptions for fencing of the new boundary.
- Clearing will not occur within 150m of the unnamed watercourse traversing Lot 2.
- There is no clearing of endangered regional ecosystems, of concern regional ecosystems, or essential habitat.
- Clearing will retain sufficient vegetation in the subject lots and adjacent landscape to maintain ecological connectivity.

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*

2211-31886 SRA

Attachment 4—Representations provisions

(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 Rules¹ regarding **representations about a referral agency response**

Part 6: Changes to the application and referral agency responses

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.²
- 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.

¹ Pursuant to Section 68 of the *Planning Act 2016*

² 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

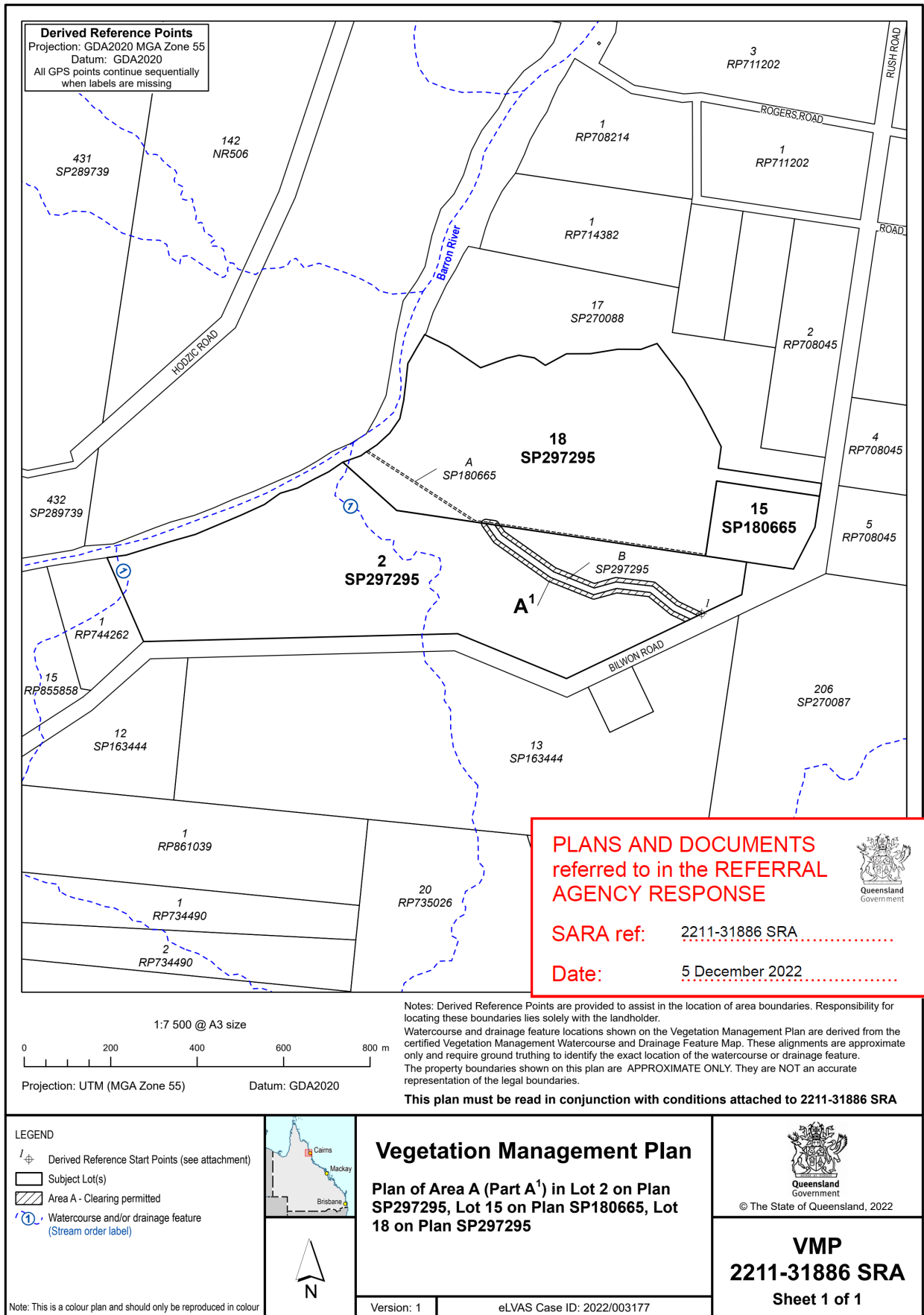
- 30.1. An applicant may make representations to a concurrence agency at any time before the application is decided, about changing a matter in the referral agency response.³

³ 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.

2211-31886 SRA

Attachment 5—Approved plans and specifications

(page left intentionally blank – attached separately)



8.4 COUNCIL POLICY REVIEW

Date Prepared: 24 January 2023

Author: Manager Development and Governance

Attachments:

1. [Public Interest Disclosure Policy](#) ↓
2. [Delegations and Authorisations Policy](#) ↓
3. [Caretaker Period Policy](#) ↓

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) Public Interest Disclosure Policy – adopted 29 January 2020;
 - (b) Delegations and Authorisations Policy – adopted 19 March 2019;
 - (c) Caretaker Period Policy – adopted 19 February 2019.
2. Adopts the
 - (a) Public Interest Disclosure Policy;
 - (b) Delegations and Authorisations Policy;
 - (c) Caretaker Period Policy.

BACKGROUND***Public Interest Disclosure Policy*****Purpose**

To acknowledge Council's obligations as a Public Sector Entity as defined in the *Public Interest Disclosure Act 2010* (Qld), to establish Council's commitment to the proper management of Public Interest Disclosures and to provide for a framework for Councillors and employees to make disclosures.

Summary of amendments

Nil amendments applied – the instrument content and referencing remains entirely relevant for a renewed term.

Delegations and Authorisations Policy**Purpose**

To provide a framework for the exercise and administration of delegations, sub-delegations and appointment of authorised persons, ensuring Council effectively and efficiently meets its legislative requirements under the *Local Government Act 2009* (LGA) and related Acts.

Summary of amendments

1. Minor formatting amendments applied to section 6 Related documents and references to remove bullet points for consistency with Council's other policy instruments.

The remainder of the instrument content and referencing continues to hold relevance for a renewed term.

Caretaker Period Policy**Purpose**

To provide for the lawful and effective handling of Council business during the Caretaker Period as defined in accordance with requirements under the *Local Government Act 2009* (Qld) and the *Local Government Act Electoral 2011* (Qld).

Summary of amendments

1. Minor grammatical and formatting amendments applied to sections 2, 3.2 and 3.4.

The remainder of the instrument content and referencing continues to hold relevance for a renewed term.

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.



Public Interest Disclosure Policy

Policy Type	Governance Policy	Version:	3.0
Responsible Officer	Manager Development and Governance	Date Approved:	15/02/2023
Review Officer:	Manager Development and Governance	Review Due:	01/01/2026
Author:	Senior Compliance Officer	Commencement:	15/02/2023

1. PURPOSE

To:

- acknowledge Council’s obligations as a Public Sector Entity as defined in the *Public Interest Disclosure Act 2010* (Qld) (“**PID Act**”);
- establish Council’s commitment to the proper management of Public Interest Disclosures;
- Declare a high level framework for Councillors and employees of Mareeba Shire Council (“**Council**”) to make appropriate disclosures.

2. SCOPE

This policy applies across Council and to members of the public.

3. POLICY STATEMENT

Council is committed to fostering an ethical, transparent culture. In pursuit of this, Council values the disclosure of information about suspected wrongdoing in the public sector so that it can be properly assessed and, if necessary, appropriately investigated. Council will provide support to an employee or others who make disclosures about matters in the public interest.

Public Interest Disclosures are broadly defined in the PID Act as being all information disclosed to a proper authority about a public interest matter referred to within the PID Act.

A Public Interest Disclosure can be **made by any person**¹ about—

- a) a substantial and specific danger to the health or safety of a person with a disability; or
- b) the commission of an offence against a provision mentioned in schedule 2 of the PID Act,² if the commission of the offence is or would be a substantial and specific danger to the environment; or
- c) a contravention of a condition imposed under a provision mentioned in schedule 2 of the PID Act,³ if the contravention is or would be a substantial and specific danger to the environment; or
- d) the conduct of another person that could, if proved, be a reprisal.

¹ See *Public Interest Disclosure Act 2010* s 12.

² Ibid sch 2 - specifies particular statutory offences or contraventions involving endangering the environment.

³ Ibid.

Public Interest Disclosure Policy

Alternatively, a Public Interest Disclosure can be made **by a public officer**⁴ about—

- a) the conduct of another person that could, if proved, be—
 - (i) official misconduct; or
 - (ii) maladministration that adversely affects a person's interests in a substantial and specific way; or
- b) a substantial misuse of public resources (other than an alleged misuse based on mere disagreement over policy that may properly be adopted about amounts, purposes or priorities of expenditure); or
- c) a substantial and specific danger to public health or safety; or
- d) a substantial and specific danger to the environment.

Public Interest Disclosures made under the PID Act must:

- a) be made to a **proper authority**,⁵ and
- b) be information about the conduct of another person or another matter if—
 - (i) the person honestly believes on reasonable grounds that the information tends to show the conduct or other matter; or
 - (ii) the information tends to show the conduct or other matter, regardless of whether the person honestly believes the information tends to show the conduct or other matter.

Council recognises the important role Councillors, Council employees and members of the public can play in the identification of cases of maladministration, official misconduct and the misuse of public resources or contraventions giving rise to dangers to public health and safety, the environment or to persons with disabilities.

In accordance with the objectives of the PID Act, Council will:

- a) promote the public interest by facilitating Public Interest Disclosures of wrongdoing in the public sector; and
- b) ensure that Public Interest Disclosures are properly made, assessed, and when appropriate, properly investigated and dealt with; and
- c) ensure that appropriate consideration is given to the interests of persons who are the subject of a Public Interest Disclosure; and
- d) afford protection from reprisals to persons making Public Interest Disclosures.

These outcomes (including information regarding how a PID may be made) are achieved via Council's *Public Interest Disclosure Management Plan*.

⁴ See *Public Interest Disclosure Act 2010* s 13.

⁵ *Ibid* s 5 - as defined.

Public Interest Disclosure Policy

Council recognises the sensitivities which can be associated with Public Interest Disclosures and the need to maintain public confidence in its process for managing Public Interest Disclosures. To this end, Council will:

- a) ensure that Public Interest Disclosures are managed appropriately in accordance with Council's *Public Interest Disclosure Management Plan*;
- b) maintain the confidentiality of Public Interest Disclosures received;⁶
- c) prosecute any person who provides a false or misleading statement or information to Council with the intention of it being processed as a Public Interest Disclosure;⁷
- d) prosecute and/or take disciplinary action against any Councillor or Council employee who takes or attempts to take a reprisal action;⁸
- e) ensure that the proper records of Public Interest Disclosures received are maintained,⁹ and that the confidentiality of all records created during the investigation and reporting of Public Interest Disclosures is preserved.¹⁰

4. REPORTING

- Refer to Council's *Public Interest Disclosure Management Plan* for reporting requirements

5. DEFINITIONS

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.

Proper authority – includes a public sector entity as defined under the PID Act¹¹ if the information the subject of the disclosure relates to the conduct of the entity or the public sector entity has the power to investigate or remedy. A proper authority may include public sector entities¹² such as the Crime and Misconduct Commission, the Public Service Commission, the Queensland Ombudsman, Anti-Discrimination Commission or the Queensland Industrial Relations Commission; it may also include Council itself or another Government department that maintains relevant investigation and/or enforcement powers relating to the nature of the disclosure.

Public Interest Disclosure – means a disclosure by any person or a public officer as detailed in section 2 of this policy and includes all information and help given by the discloser.

Public officers – means an employee, member of officer of the entity. Public officers of local governments include both Councillors and employees (including persons engaged under a contract of employment).

⁶ See *Public Interest Disclosure Act 2010* s 65 - requirements for preservation of confidentiality.

⁷ *Ibid* s 66.

⁸ *Ibid* ss 40-41.

⁹ *Ibid* s 29.

¹⁰ *Ibid* s 65.

¹¹ *Ibid* s 5.

¹² *Ibid* s 6.

Public Interest Disclosure Policy

6. RELATED DOCUMENTS AND REFERENCES

Public Interest Disclosure Act 2010 (Qld)

Public Interest Disclosure Management Plan (MSC)

7. REVIEW

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 three (3) years or as required by Council.



Delegations and Authorisations Policy

Policy Type	Governance Policy	Version:	3.0
Responsible Officer	Manager Development and Governance	Date Approved:	15/02/2023
Review Officer:	Manager Development and Governance	Review Due:	01/01/2027
Author:	Senior Compliance Officer	Commencement:	15/02/2023

1. PURPOSE

To provide a framework for the exercise and administration of delegations, sub-delegations and appointment of authorised persons, ensuring Council effectively and efficiently meets its legislative requirements under the *Local Government Act 2009* (LGA) and related Acts.

2. SCOPE

This policy applies all elected representatives, employees, contractors, volunteers of the Mareeba Shire Council, a Standing or Joint Standing Committee, committee members and any entity under direct Council ownership, management, sponsorship or financial control. The policy applies to any Council activity or action which requires the use of a delegation or an authorisation under the Acts.

3. POLICY STATEMENT

Effective management of instruments of delegation and authorisation reduces enterprise risk and enables effective Council discharge of obligations under the Acts. Council will ensure:

- Delegation of local government powers are conducted strictly in accordance with requirements of the LGA,¹ and;
- A current register of delegations is established, maintained and available for public inspection at all times,² and;
- The necessary level of delegated power and authority is in place for all parties mentioned in section 2 sufficiently for effective discharge of duties and responsibilities under the Acts, and;
- The framework of established procedures for administration of delegations and authorisations is adhered to, monitored frequently and actioned to account for amendments to legislation, employee movements and changes to the organisational structure of Council.

4. REPORTING

- No additional reporting is required

¹ *Local Government Act 2009*. See s 257-257A for Council delegation of power to the CEO, s 258 for delegation of the Mayor's powers, s 259 for delegation of the CEO's powers. Note particularly exceptions in s 257(2-3), s 257A(3) and 259(2) and annual review requirements under s 257(5).

² *Local Government Act 2009* s 260; *Local Government Regulation* s 305.

Delegations and Authorisations Policy

5. DEFINITIONS

Act: *the Local Government Act 2009* (Qld) - abbreviated here to LGA.

Acts: collectively includes an Act of the Queensland Parliament;³ Queensland legislation; Queensland statutory law.

Authorisation: is an appointment of a person as an authorised person for the exercise of power under a specific piece of legislation (an Act) for a specific purpose in relation to an Act. In practice, the authorisation attaches to a *person*, not to a position. The authorisation ceases once the person who provided the authorisation leaves office.

Delegation: is a delegation of a function or power under an Act⁴. In practice, the LGA provides for delegation of power from Council to the CEO, in turn providing for sub-delegation of power from the CEO to a Council Officer. Delegated power is assigned to a position or office. The delegation continues in force regardless of changes to the person occupying or holding the position or office.

6. RELATED DOCUMENTS AND REFERENCES

Code of Conduct for Councillors (MSC)

Employee Code of Conduct (MSC)

Enterprise Risk Management Policy (MSC)

Fraud and Corruption Prevention Management Policy (MSC)

Local Government Act 2009 (Qld)

Local Government Regulation 2012 (Qld)

Signing of Correspondence and Documents (MSC)

7. REVIEW

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.

³ *Acts Interpretation Act 1954* (Qld) s 6-7.

⁴ *Ibid* s 27A.



Caretaker Period Policy

Policy Type	Governance Policy	Version:	4.0
Responsible Officer	CEO	Date Approved:	15/02/2023
Review Officer:	Manager Development and Governance	Review Due:	15/01/2027
Author:	CEO	Commencement:	15/02/2023

1. PURPOSE

To inform Councillors and Council staff of responsibilities during the mandatory **caretaker period** prior to and during Local Government elections.¹

2. SCOPE

This policy applies during Council's quadrennial elections. It does not apply to by-elections or fresh elections.²

It applies to all Mareeba Shire Councillors and all Council officers, whether permanent, temporary, casual or part-time employees, contractors or volunteers.

The *Caretaker Period Policy* is to be read and implemented in conjunction with policies regarding requests by Councillors for information and advice and guidelines for election advertising.

The principles of sections 3.4 and 3.7 also apply to caretaker periods associated with State and Federal Government elections.

The CEO is the final decision-maker in relation to this policy.

3. POLICY STATEMENT

3.1 POLICY PRINCIPLES

Council reaffirms its commitment during a caretaker period to:

- The efficient continuation of Council's day to day business;
- Transparent actions and decision-making;
- Actions that do not, or cannot be perceived to, bind an incoming Council in its operational delivery;
- The suspension of major policy decisions;
- The neutrality of Council officers;
- The continuation of the principle that the use of public funds for electoral purposes is unacceptable.

Exceptions

¹ *Local Government Act 2009* (Qld) ch 3 pt 5.

² *Ibid* s 90A(2).

Caretaker Period Policy

It is acknowledged that during an election period, candidates may make election commitments which they intend to honour if they are elected.

Such commitments are not subject to this policy.

3.2 TIMING AND PLANNING

The length of the caretaker period will be determined by the date selected by the Returning Officer for publication of the notice of election and the date on which the election concludes as defined under the LGEA.³

The timing of local government elections, and any restrictions that apply in the period leading up to an election, should be considered by all managers in forward planning processes.

The CEO, as far as possible, shall ensure that matters of Council business that require major policy decisions are scheduled for Council business before the commencement of the caretaker period or are deferred for consideration by an incoming Council.

3.3 PROHIBITION ON MAJOR POLICY DECISIONS

A local government must not make a *major policy decision* during the caretaker period.⁴

Any contracts made pursuant to an invalid major policy decision are void and Council may be liable to any person who suffers loss or damage as a result of a void contract. Such persons have the right to bring court proceedings against Council.

Official correspondence must not be entered into by any Councillor during caretaker period that makes future policy commitments that could bind an incoming Council.⁵

Exceptions

If Council considers that, having regard to exceptional circumstances that apply, it is necessary to make a major policy decision in the public interest, Council may resolve to apply to the Minister for approval to make the decision.

The Minister may give approval if the Minister is satisfied that, having regard to exceptional circumstances that apply, it is necessary for Council to make the major policy decision in the public interest. The Minister's decision may include conditions with which Council must comply.⁶

3.4 ELECTION MATERIAL, COUNCIL RESOURCES, MEDIA, EVENTS AND ADVERTISING

Election material

Council (or a *controlled entity* of Council) may not publish or distribute election material during a caretaker period.

³ See *Local Government Electoral Act 2011* s 25(1) for notice of election and s 7 for election conclusion date. See also *Local Government Act 2009* (Qld) s 90A.

⁴ See *Local Government Act 2009* s 90B.

⁵ *Ibid* s 90C.

⁶ *Ibid* s 90B(2)-(4).

Caretaker Period Policy

Election material is anything able to, or intended to:

- (a) influence an elector about voting at an election; or
- (b) affect the result of an election.

Example -

A fact sheet or newsletter that raises the profile of a Councillor.⁷

This prohibition includes:

- the use of Council newsletters, brochures, email and web site for political purposes
- the distribution by Councillors of Council funded promotional material or giveaways
- the use of equipment or information purchased from Council funds to carry out electioneering activities
- the use of any Council provided mobile telephone or handheld device for the purposes of promoting a Councillor as an actual or potential candidate for any election
- Councillors shall not affix, or allow to remain affixed, to Council property any sticker, poster, decal or other magnetic or adhesive device that promotes the Councillor as an actual or potential candidate for any election

Media and public events

1. If a Councillor is attending a media or public event during the caretaker period and is asked a political question, he/she shall respond in their capacity as a candidate.
2. In a Council media release issued during caretaker period, quotes will be attributed to a Council spokesperson.
3. During the caretaker period, Council will respond to media enquiries that relate to operational matters only.

Exceptions

The following are permitted:

1. advertising on-going business and commercial operations of Council
2. provision of essential public information without which the public would be detrimentally affected
3. provision of information on core Council services or information that has a clear community education benefit
4. activities that have already commenced or routinely occur at the same time each year, the deferral of which would have a significant impact on the cost and effectiveness of Council's operations
5. activities that fulfil the Mayor's ceremonial and civic functions
6. activities that meet Council's previously agreed vision and objectives.

All candidates may advertise election material as per Council's *Guidelines for Political Advertising and Erection of Street Stalls during Elections* which stipulate that:

1. a permit is required to erect political advertising or operate a stall on Council lands (fees and conditions apply)
2. defamatory material identifying a political party or candidate is prohibited

⁷ Ibid s 90D(2).

Caretaker Period Policy

3. promotional material and activities must comply with relevant State and Federal legislation.

3.5 PROHIBITION ON FUNDING FOR COMMUNITY GRANTS

Decisions regarding community grants are delegated by this policy to the CEO during caretaker period.

1. During the caretaker period, representation to Council to support community funding must be referred to the CEO for approval on the basis that it is part of an on-going or recurrent project or of exceptional benefit to the community or timing is critical.
2. Community grants programs (including sponsorships, scholarships and awards) that are open for submission during the caretaker period may remain open but applications will not be considered until after the election.
3. Invitations to put forward submissions and other community engagement activities should only be approved by the CEO on the basis that they are part of an on-going or recurrent project or of exceptional benefit to the community or essential to Council's operations.

Exceptions

Community grants that meet Council's previously agreed vision, objectives and/or resolutions.

3.6 REQUESTS FOR INFORMATION

1. Councillors must not request information or advice from Council staff to assist with political or electioneering activities unless they identify themselves as being in the role of a candidate.
2. Requests for information by candidates (including Councillors in their role as a candidate) will be dealt with as per the process for a request by a member of the public.
3. Requests by candidates for information that is outside the public domain (for example, information that has not been published) will be referred to the appropriate agency.
4. Councillors may continue to request information and advice from Council staff in order to conduct day to day Council business as per the relevant policies. Councillors must therefore ensure that they inform the CEO (or staff member) of the nature of the proposed Council decision or issue when requesting information and advice.

3.7 COUNCIL OFFICERS

1. Council officers shall maintain the normal activities of Council during the caretaker period.
2. Officers shall take all steps to avoid any real or perceived partisanship in order to preserve the organisation's ability to impartially serve any incoming Council following an election.
3. Officers shall not fulfil any request that is, or could be perceived to be, an electioneering activity.
4. Any Council officer proposing to stand as a candidate for the election must be absent on leave from their appointment from the date they formally nominate and become a candidate for the election to the end of the caretaker period.

3.8 REQUIREMENT TO DISCLOSE ELECTION GIFTS, LOANS AND EXPENDITURE

The LGEA requires candidates and groups of candidates to disclose all election **gifts** received during the disclosure period via return submission to the Electoral Commission Queensland, regardless of the election

Caretaker Period Policy

outcome.⁸ Candidates should be aware of the impact of gifts received from third parties enabling expenditure and the disclosure requirements.⁹

The LGEA further requires candidates and groups of candidates to disclose all **loans** received during the disclosure period via return submission to the Electoral Commission Queensland, regardless of the election outcome.¹⁰

The LGEA prohibits candidates from receiving gifts exceeding \$500.00 in value¹¹during the disclosure period.¹²

Candidates, groups of candidates must observe requirements for lodgement of expenditure returns to the Electoral Commission Queensland.¹³

The above requirements are not met by the Councillor's registration of interests and is the responsibility of candidates, not Council.

4. REPORTING

No additional reporting is required

5. DEFINITIONS

Caretaker period – is defined as the period during an election for the local government that—

- (a) starts on the day when public notice of the holding of the election is given under the *Local Government Electoral Act 2011, section 25(1)*; and
- (b) ends at the conclusion of the election.¹⁴

Control – means the capacity of an entity to dominate decision-making of another entity, directly or in directly, in order to enable the other entity to operate with the first entity in pursuing the objectives of the first entity.

Controlled entity of Council – means an entity subject to the control of either or both of—

- (a) Council;
- (b) Another entity subject to the control of Council.

Disclosure Period – means:

⁸ See *Local Government Electoral Act 2011* (Qld) ss 117-118. Specific real-time disclosure deadlines apply - within 7 days during the disclosure period or where received within 7 days of polling day, 24-hours applies - see *Local Government Electoral Regulation 2012* ss 5-6.

⁹ See *Local Government Electoral Act 2011* (Qld) s 118A, s 125A.

¹⁰ See *Local Government Electoral Act 2011* (Qld) s 120. Specific real-time disclosure deadlines apply - within 7 days during the disclosure period or where received within 7 days of polling day, 24-hours applies - see *Local Government Electoral Regulation 2012* s 5, s 8.

¹¹ See *Local Government Electoral Act 2011* (Qld) s 108.

¹² Ibid s 119.

¹³ Ibid ss 123-125.

¹⁴ *Local Government Act 2009* (Qld) s 90A.

Caretaker Period Policy

1. for an election for a **candidate** in the election, is the period that—
 - (a) starts—
 - I. if the candidate was a candidate in an election held within 5 years before the polling day for the election—30 days after the polling day for the earlier election; or
 - II. otherwise—on the day that applies for the candidate under subsection (2); and
 - (b) ends 30 days after the polling day for the election.
2. For subsection (1)(a)(ii), the day that applies for the candidate for the election is the earlier of the following days—
 - (a) the day the person announces or otherwise publicly indicates the person’s intention to be a candidate in the election;
 - (b) the day the person nominates as a candidate in the election;
 - (c) the day the person otherwise indicates the person’s intention to be a candidate in the election, including, for example, by accepting a gift made for the purpose of the election.
3. The disclosure period for an election, for a **group of candidates** for the election or a **third party** to whom section 118A or 125A applies for the election, is the period that—
 - (a) starts 30 days after the polling day for the last quadrennial election; and
 - (b) ends 30 days after the polling day for the election.
4. However, a regulation may prescribe another day on which a disclosure period mentioned in subsection (1) or (3) starts or ends.

Major policy decision - means a decision—

- (a) about the appointment of a chief executive officer of the local government; or
- (b) about the remuneration of the chief executive officer of the local government; or
- (c) to terminate the employment of the chief executive officer of the local government; or
- (d) to enter into a contract the total value of which is more than the greater of the following:
 - I. \$200,000;
 - II. 1% of the local government’s net rate and utility charges as stated in the local government’s audited financial statements included in the local government’s most recently adopted annual report.
- (e) relating to making or preparing an arrangement, list, plan or register in the way provided under a regulation made under this Act that can be used to establish an exception to obtaining quotes or tenders when entering into a contract; or
- (f) to make, amend or repeal a local law; or
- (g) to make, amend or repeal a local planning instrument under the Planning Act; or
- (h) under the Planning Act, chapter 3, part 3, division 2 on a development application that includes a variation request under that Act if the application proposes to—
 - I. vary the category of development or category of assessment of development;
 - II. vary the assessment benchmarks or criteria for accepted development that would apply to development; or

Caretaker Period Policy

- III. *facilitate development that would result in a greater demand on infrastructure than the demand anticipated in the local government's local government infrastructure plan; or*
- (i) *under the Planning Act, chapter 3, part 5, division 2, subdivision 2 on a change application under that Act that includes a change to a variation approval if the application is being assessed under section 82 of that Act and the application proposes to—*
 - I. *further vary the category of development or category of assessment of development; or*
 - II. *further vary the assessment benchmarks or criteria for accepted development that would apply to development; or*
 - III. *facilitate development that would result in a greater demand on infrastructure than the demand anticipated in the local government's local government infrastructure plan.*¹⁵

6. RELATED DOCUMENTS AND REFERENCES

Local Government Act 2009 (Qld)

Local Government Electoral Act 2011 (Qld)

Local Government Electoral Regulation 2012 (Qld)

Guidelines for Political Advertising and Erection of Street Stalls during Elections (MSC)

Councillors Acceptable Requests Policy (Guideline) (MSC)

7. REVIEW

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.

¹⁵ Ibid sch 4 Definitions.

8.5 FINANCIAL STATEMENTS PERIOD ENDING 31 JANUARY 2023

Date Prepared: 1 February 2023
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 31 January 2023.

RECOMMENDATION

That Council receives the Financial Report for the period ending 31 January 2023.

BACKGROUND

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

For the month ending 31 January 2023, 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 budget allocation timing issues.

<i>January 2023 - Snapshot</i>	Actuals YTD	Budget YTD
Total Operating Income	\$ 34,454,953	23,188,927
Total Operating Expenditure	\$ 32,962,474	26,606,169
Operating Surplus/(Deficit)	\$ 1,492,479	(3,417,242)
Total Capital Income (grants, developer contributions)	\$ 4,435,416	105,000
Net Result - Surplus/(Deficit)	\$ 5,927,895	(3,312,242)

Please note that the operating 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 \$4,435,416) for the period ending 31 January 2023 is \$38,890,369 compared to the YTD budget of \$23,293,927.

The graph below shows actual income against budget for the period ending 31 January 2023.

Actual Income V Budget Income



	Actual YTD	Budget YTD	Note
Net Rates	9,301,911	9,028,433	1
Utility Charges	9,032,535	9,109,176	2
Special Rates and Charges	171,934	162,030	
Fees & Charges	1,421,423	1,116,313	3
Operating Grants, Subsidies & Contributions	1,489,864	1,286,926	
Operating Grants, Subsidies - DRFA	8,752,958	-	4
Interest Received	1,027,654	173,834	5
Works for Third Parties	1,726,471	1,135,231	6
Other Revenue	1,530,203	1,176,984	7
Capital Income	4,435,416	105,000	8

Notes:

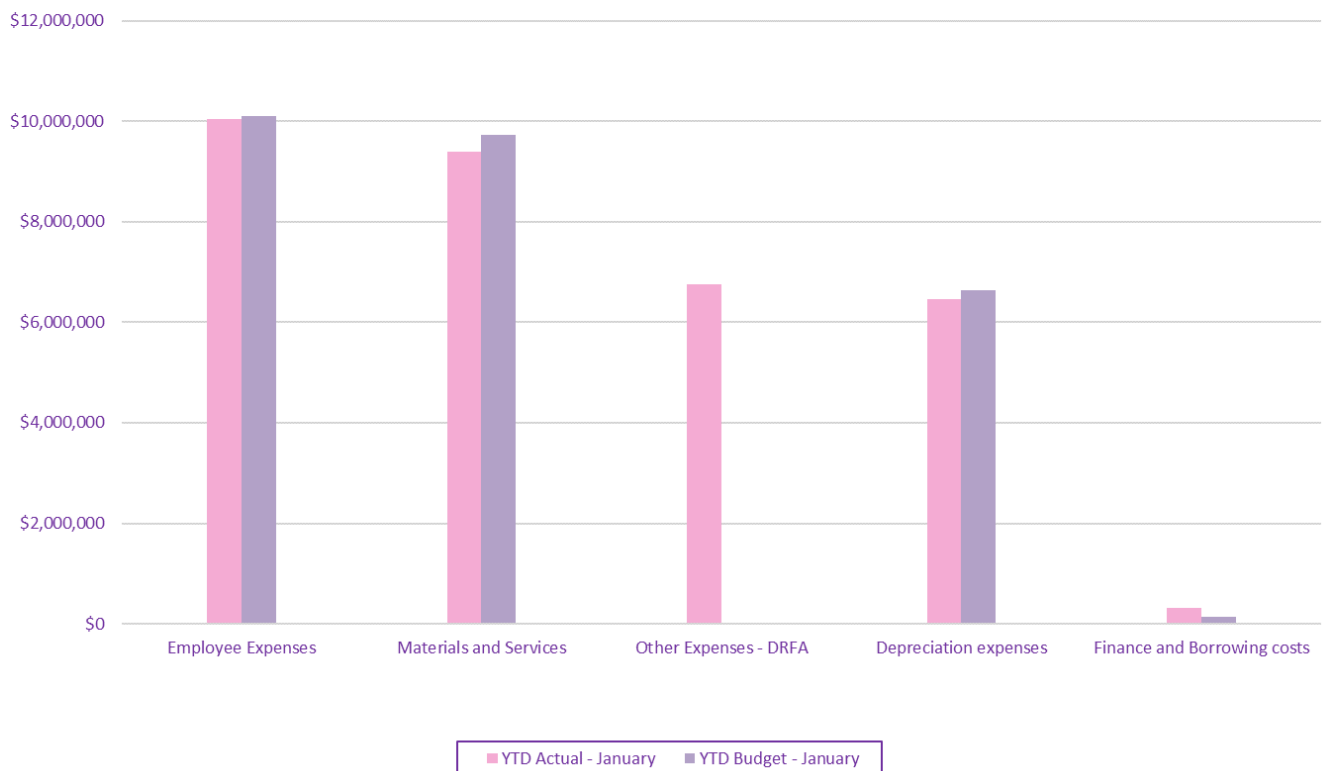
1. Rates for the half year ending 31 December 2022 were levied in August. The Rate Notices for the period ending 30 June 2023 are due to be issued 13 February 2023 with the discount due date being 17 March 2023.

2. Water consumption is lower than budget YTD however this is due to the water consumption budget being split equally over each half year however actuals does not follow this same trend.
3. Favourable variance due to fees and charges trending higher than anticipated, such as cemetery fees, building and plumbing, animal management fines and permits and waste fees.
4. 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.
5. Positive outcome due to the rising interest rates, which has proven favourable.
6. Favourable result due third party works not budgeted for. The associated costs form part of the operational expenses which were also not budgeted for.
7. A significant portion of the favourable result is due to the sales of seven (7) lots of land parcels sold at the Mareeba Industrial Park, year to date gross sales are \$894k.
8. 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 31 January 2023 is \$32,962,474 compared to the YTD budget of \$26,606,169. The graph below shows actual expenditure against budget for the period ending 31 January 2023.

Actual Expenditure V Budget Expenditure



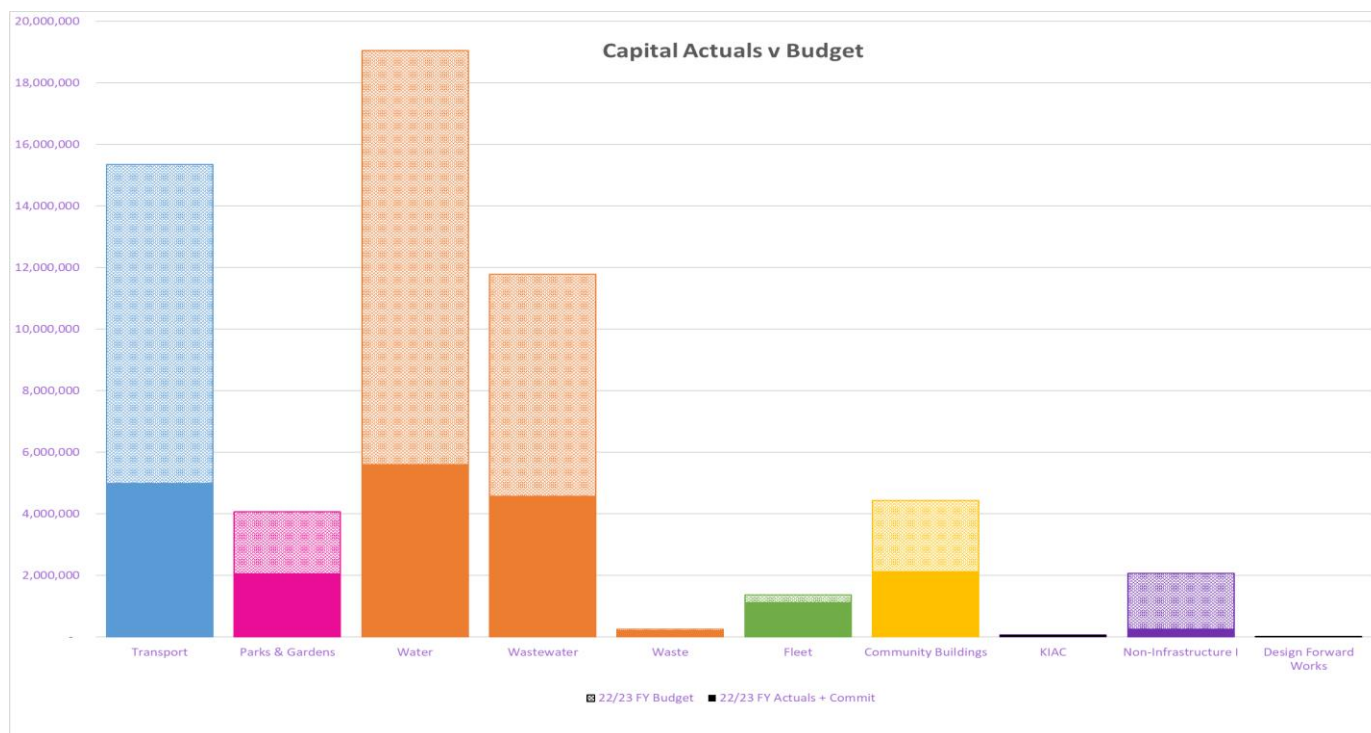
	Actual YTD	Budget YTD	Note
Employee expenses	10,035,038	10,107,633	
Materials & Services	9,399,008	9,724,941	1
Other Expenses - DFRA	6,746,768	-	2
Depreciation expenses	6,463,912	6,638,215	
Finance & Borrowing costs	317,748	135,380	3

Notes:

1. There are no significant issues to report. The reason for the variance is mainly a timing issue between budget allocation and actual expenditure trend. The variance is forecasted to even out as 30 June approaches.
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.
3. 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 \$21,134,416 (including commitments) has been spent for the period ending 31 January 2023 against the 2022/23 adjusted annual capital budget of \$58,437,688.



Loan Borrowings

Council's loan balance is \$7,071,353.

Rates and Sundry Debtors AnalysisRates and Charges

The total rates and charges payable as at 31 January 2023 are \$1,746,949 which is broken down as follows:

Status	31 January 2023		31 January 2022	
	No. of properties	Amount	No. of properties	Amount
Valueless land	4	65,917	10	387,786
Payment Arrangement	2	7,302	1	1,401
Collection House	295	1,533,114	284	1,162,594
Exhausted – awaiting sale of land	7	53,230	11	215,236
Sale of Land	5	58,107	-	-
Other (includes supplementary rate notices) *	279	29,279	280	40,647
TOTAL	592	1,746,949	586	1,807,664

*Of this amount, 207 properties have a balance less than \$20

The Rate Notices for the period ending 30 June 2023 are due to be issued 13 February 2023 with the discount due date being 17 March 2023.

Collection House collected \$83,230 for the month of January 2023.

Sundry Debtors

The total outstanding for Sundry Debtors as at 31 January 2023 is \$547,075 which is made up of the following:

Current	30 days	60 days	90 + days
\$507,114	\$6,679	\$18,523	\$14,759
92.7%	1.2%	3.4%	2.7%

Procurement

There were no emergency purchase 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
Operating surplus ratio	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.	4.33%	0 - 10%	<input checked="" type="checkbox"/>	10.72%
Net financial liabilities ratio	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)%
<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>					
Asset sustainability ratio	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%
<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>					

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

Budgeted Income Statement by Fund 2022/23 Budget			
<u>Consolidated</u>			
	Actual YTD	Budget YTD	2022/23
Revenue			
Rates and utility charges	19,592,037	19,332,139	38,664,277
Less Discounts and Pensioner Remissions	(1,085,657)	(1,032,500)	(2,065,000)
Net Rates and Utility Charges	18,506,380	18,299,639	36,599,277
Fees and Charges	1,421,423	1,116,313	1,742,903
Operating Grants and Subsidies	1,438,813	1,235,875	7,940,750
Operating Grants and Subsidies - DRFA	8,752,958	-	-
Operating Contributions	51,051	51,051	51,051
Interest Revenue	1,027,654	173,834	298,000
Works for Third Parties	1,726,471	1,135,231	1,945,825
Other Revenue	1,530,203	1,176,984	2,006,605
Total Operating Revenue	34,454,953	23,188,927	50,584,412
Expenditure			
Employee Expenses	10,035,038	10,107,633	18,040,035
Materials and Services	9,399,008	9,724,941	15,469,912
Other Expenses - DRFA	6,746,767	-	-
Depreciation expense	6,463,912	6,638,215	11,379,827
Finance and Borrowing costs	317,748	135,380	257,402
Total Operating Expenses	32,962,474	26,606,169	45,147,177
Operating Surplus/(Deficit)	1,492,479	(3,417,242)	5,437,235
Capital Income			
Capital Contributions	117,064	-	-
Capital Grants and Subsidies	4,015,928	-	13,094,510
Donated Assets	-	-	-
Profit/(Loss) on Sale of Asset	302,424	105,000	180,000
Total Capital Income	4,435,416	105,000	13,274,510
Net Result	5,927,895	(3,312,242)	18,711,745

9 INFRASTRUCTURE SERVICES

9.1 INFRASTRUCTURE SERVICES, CAPITAL WORKS MONTHLY REPORT - JANUARY 2023

Date Prepared: 2 February 2023

Author: Manager Assets and Projects

Attachments:

1. [Capital Works Highlights - January 2023](#) 
2. [Capital Works Summary - January 2023](#) 

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 January 2023.

RECOMMENDATION

That Council receives the Infrastructure Services Capital Works Monthly Report for the month of January 2023.

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.

Infrastructure Services Capital Works Report Project Highlights – January 2023



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.

Progress Update

A new retaining wall and security fence has been constructed. The Children’s Pool and 50m Pool are both operational and open to the public. Preliminary site clearing work is continuing and progress on construction of the splash park foundation is constrained by the current wet weather event causing the site to be waterlogged. Site clearing and preparation for the heat pump including upgrading the Ergon Transformer is underway.



Mareeba Aquatic Centre Splash Park Render

**Infrastructure Services Capital Works Report
Project Highlights – January 2023**



Mareeba Aquatic Centre Ergon Energy Transformer Upgrade



Site preparation for heat pump installation

Infrastructure Services Capital Works Report Project Highlights – January 2023



Project Name: Bicentennial Lakes Upgrade

Background

As part of Council’s Parks and Open Spaces 3 year Action Plan, Bicentennial Lakes will be upgraded to contribute to building a safe, connected and liveable community. The Queensland Government has committed up to \$166,200 in funding on a 60:40 basis with Council towards the design of the upgrade, with a vision to creating an attractive, safe and accessible public recreation space for the community.

Scope of Work

Council has engaged a consultant to undertake detailed which includes survey, investigation and design to produce costed, construction-ready plans for upgrade of the northern and southern sections of Bicentennial Lakes. This will be used to develop a scope of work for construction and will be informed and confirmed via community and stakeholder engagement.

Progress Update

Planning and preliminary draft design sketches for Bicentennial Lakes Upgrades are being prepared ready for community engagement in the coming months. Construction is planned to commence from mid-2023.



Bicentennial Lakes Southern Precinct

Infrastructure Services Capital Works Report Project Highlights – January 2023



Project Name: Riverside Caravan Park Amenities Upgrade

Background

The Riverside Amenities Block has reached the end of its useful life and functionality and safety issues were identified. A condition assessment determined that refurbishment was unviable, and a full replacement is required.

Scope of Work

This project is to demolish and replace the amenities block at Riverside Caravan Park, Mareeba. The project includes the provision of a temporary amenities block for the duration of the works.

Progress Update

Construction commenced prior to Christmas and is now well underway. The plumbing and foundation slab is in place and the masonry block wall construction has commenced.



Riverside Caravan Park New Amenities Block Under-slab

Infrastructure Services Capital Works Report Project Highlights – January 2023



Riverside Caravan Park New Amenities Block Concrete Slab and Plumbing



Riverside Caravan Park New Amenities Block Masonry Block Wall Construction

Infrastructure Services Capital Works Report Project Highlights – January 2023



Project Name: Granite Creek Sewerage Pump Station Upgrade Project

Program: Wastewater

Background

An allocation has been provided in the 2021/22 Capital Works Program to renew and upgrade the Granite Creek Sewerage 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 completed, the internal protective coating which has been applied to the walls and ceiling is all but complete with the floor yet to be coated once the concrete curing period has been achieved.



New pump station with external pipe work installation



Project Description	Project Stage	Comments
Program: 01 Rural and Urban Roads Reseal Program (Renewal)		
2021/22 Reseal & Asphalt Program	Close Out	Project completed August 2022.
22/23 Reseal & Asphalt Program	Construction	Latest advice from RPQ is that they will be returning to complete reseals mid February, weather permitting.
BETTERMENT Co-Contribution	Planning	QRA submission provided Dec 23, await negotiations with QRA.
Program: 02 Gravel Resheet		
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	Boonmoo Road 60% completed. Mt Mulligan, Sandy Creek & McLeans Bridge Roads completed. Further works to be programmed to commence after wet season.
Program: 03 Urban Streets		
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. Stage 2 of the report underway, anticipate receipt prior to end of Jan. Completion of Report anticipated by End of February 23.
Program: 04 Rural Roads		
TIDS Euluma Ck Rd Ch 7.01-9.325 Rehab	Construction	2nd coat seal to be applied February 2023, weather permitting.
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 has a TIDS funding component that will need to be acquitted by 2023 F/Y end.
Borzi Rd Mba Widen & Seal Ch 0.03-0.67	Construction	Project sealed 16/12/2022. Line marking to be installed February 2023 weather permitting.
TIDS Ootann Rd Section 1&2 Widen & Seal	Design	Stage 1 & 2 design underway, anticipate delivery of design end of Feb 23.
TIDS Springmount Rd Widen & Seal	Construction	No further progress on this project due to wet weather.
R2R Bilwon Rd Rehab & Culverts	Planning	Survey underway, design to commence.
R2R Wolfram Rd Stage 3 Priority Sections	Procurement	Project may be delayed due to emergent works across the shire. Procurement has been completed.
Program: 05 Bridges		
BRP4 Kanervo Rd Davies Cr Br Rplc Bridge	Completed	Project completed November 2022. Bridge asphalt deck surface was damaged in the recent rain event & will be repaired under DRFA arrangements. The final claim has been prepared & will be sent once the existing commitments are extinguished.
BRP5 Davies Ck Road Bridge Replacement	Completed	Construction complete July 2022 & funding acquitted. Final certification is ongoing.
Granite Ck Mba Replace Footbridge Deck	Procurement	Project will commence after current wet season.
Palm Cl Mba Replace Footbridge Boards	Procurement	Project will be programmed for after current wet season.
Bicentennial Lakes F/bridge Safety Upgr	Procurement	Project will be programmed for after the current wet season.
Kauri Ck Bridge Speewah Rd Repl. Girders	Close Out	Project completed December 2022.
Bullaburrah Ck Rd C'way Relieving Slab	Not Commenced	Programmed for March 2023, weather permitting.
Clohesy River Barron St Inspect & Design	On Hold	Draft Report received, review underway.
Bolton Rd Inspect/Design/Repl Girders	Planning	Draft Report received, review underway.
Barron Riv. Bridge Oakforest Rd Insp/Des	Planning	Draft Report received, review underway.
Barron River Cwy Henry H Dr Repl Slabs	Not Commenced	Programmed for April 2023, weather permitting.
Program: 06 Drainage		
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.

Infrastructure Services Capital Works Summary Report - January 2023



Project Description	Project Stage	Comments
22/23 Minor Culvert & C/ways Renewal	Construction	Driveway access pipe removed. Works complete at McIver Road. Further works to be programmed to commence after wet season.
MBA Amaroo Drainage Upgrades	Not Commenced	Programmed for May 2023, weather permitting.
MBA Hastings Dr Replace Concrete Pipe	Planning	Investigations January to February 2023.
Tilse Street Upgrade Drainage	Not Commenced	Council's contribution to trunk infrastructure, drainage for Prestige Gardens.
Program: 07 Traffic Facilities		
Mareeba Aerodrome Signage	Completed	Signs and plaque construction complete.
Program: 08 Parking		
Borzi Park Mba Carparking Masterplan	Planning	Design to be completed prior end of financial year - June 23.
MBA Heritage Centre Carpark Extension	Design	Preliminary design completed. Reviewing alternative options.
Program: 09 Footpaths		
21/22 Footpath Renewal Program	Close Out	Completed.
MBA Rail Trail Stage 1 Mba to Airport	Completed	Rail trail sustained no damage from recent rain event.
MBA Walking Network Plan	Design	Priority Works Program workshopped with Council in January.
KDA Walking Network Plan	Design	Kuranda Walking Network Plan adopted December 2022. Draft Priority Works Program is ready to be workshopped with Council.
22/23 Shire Wide Footpath Renewal Prog	Planning	Program to be developed in conjunction with the walking network plans.
22/23 Walking Network Upgrade Program	Planning	Program to be developed in conjunction with the walking network plans.
Program: 10 Parks and Gardens		
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 Parks Refresh	Planning	Scope development underway. Additional community engagement will be undertaken in consultation with Community and Customer Service.
KDA Centenary Park Playground Upgrade	Construction	Construction of playground complete. Defects will be monitored and addressed over the defects liability period. Bin has been installed. New park seating has been ordered. Refurbishment of stonework and pathways is currently being planned.
MBA Bicentennial Lakes (Southern) D&C	Design	Fauna and Flora Survey Complete 30% Design Presented to Council and feedback will be provided to consultants to progress. Site walkthrough planned for Councillors. Hydraulic assessment will be integrated into the draft designs for 80% design.
MBA Byrnes St Medians	Not Commenced	P&OS Coordinator is currently reviewing site with a view to ordering suitable low maintenance plants.
MBA Anzac Memorial Pk L'scaping & Safety	Design	Park renders for public consultation being prepared.
MBA Byrnes St Traffic Islands (BP)	Not Commenced	Construction will not start until after Anzac Day. P&OS Coordinator is currently reviewing landscape architect plans with a view to ordering suitable low maintenance plants.
MBA Connection Rd/Byrnes St Intersection	Not Commenced	P&OS Coordinator is currently reviewing site with a view to ordering suitable low maintenance plants.
MBA Costin St Medians	Not Commenced	Work will be programmed for the second half of the current financial year.



Project Description	Project Stage	Comments
MBA Sunset Park Exercise Equip Renew	Cancelled	Project Cancelled.
KDA Anzac Park Landscaping	Design	Workshop brief will be presented 15 February.
KDA Coondoo Street Upper Refurb	Design	Aurecon will prepare a scope of works for Upper Coondoo Street Lighting Upgrade Tender and Lower Coondoo Street submission to Ergon to upgrade the lighting.
KDA CBD Planter Boxes & Gardens	Not Commenced	Planning to commence after Coondoo St lighting and hardscaping refurbishments are completed.
DIM Avenue of Trees Irrigation	Not Commenced	Work will be programmed for the second half of the current financial year.
IRV Bill Newburn Park Refresh	Planning	Preparing information for stakeholder and community engagement.
MBA Eastern Catchment Park Amaroo St1	Construction	Practical completion reached for playground. Monitoring defects and working with contractor to rectify after the wet season.
Roscommon Park -Renew Exercise Equipment	Planning	Project being scoped to ensure park furniture is included if required.
Program: 11 Water		
WTP Staged start up water pump upgrade	Cancelled	Design process has commenced with on site inspection in early September, survey and locations works completed and RFI feedback sent to designer so design can be progressed.
MWTP Filter 3 install backwash pumps	Planning	Now that grant funding has been received and project has gone to tender this funding needs to be rolled into and with the MWTP Filtration Project.
Mba Optimise clarifer performance upgrad	Design	This is to be done in conjunction with the clarifier detailed design works.
Mareeba - Backwash operation renewal	Planning	Now that grant funding has been received this will be rolled in with 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 this financial year.
MWTP 5ML Reservoir Roof Replacement	Close Out	Works now finished.
BOR6 MWTP Filtration Upgrade	Design	Project has been issued for tender, once tender closes it will be assessed and taken to Council for consideration.
MBA Clear Water Booster Pump Station	Design	Design on project originally set for completion late January and expecting to go to tender mid February, however some design delays may see it out to tender late February.
22/23 Water Pipe Renewal Program	Construction	Works have been delayed due to recent monsoon rainfall and will recommence as soon as practically possible.
22/23 Water Telemetry/SCADA Upgrades	Planning	Works progressing well with integrator on site during January and some minor offsite works required to complete project.
DIM WTP New Turbidity Meters	Completed	Project completed and can be closed out if no commitments.
KDA WTP Auto Backwash on 3 Filter Cells	Planning	Treatment operations staff to liaise with City Water Technology and or suitably qualified person for the implementation works.
22/23 Smart Meters Replacement	Construction	New meters now in Stores and they will be installed when staff have the available time.
22/23 Hydrant Renewal Program	Construction	Works progressing and will be completed as soon as practical.
MBA WTP Raw Water Pumps & Electrics	Design	Design well under way and final design drawings to be with Council by end of March.
22/23 Valve Replacement Program (Retic)	Construction	Majority of work was done in the latter part of 2022 with remainder of works to be completed prior to end of June.
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 and requires either EMT or Council approval to combine with new Mba WTP Booster Pump Station project.



Project Description	Project Stage	Comments
MBA Deommission Basalt St Elevated Tank	Planning	Project cannot commence until the new water booster station project has been commissioned and suggest this project will need to be carried forward to the 2023-2024 capital program.
MBA Decommission Granite Ck Pump Station	Planning	Project cannot commence until the new water booster station project has been commissioned and suggest this project will need to be carried forward to the 2023-2024 capital program.
MBA WTP Chemical Bund	Close Out	Works now complete.
DIM Caustic Soda Dosing Pumps & Shed	Close Out	Project works are done, once commitments are cleared the project can be closed out.
WTP Minor Infrastructure Replacements	Construction	Inclement weather holding up works at present and the works will recommence as soon as possible.
MBA WTP Clarifier Infra Process Improv.	Design	Works commenced with trials on alternate methods of dosing equipment and chemicals underway.
MBA/KDA/DIM WTP Inst. Chloring Analysers	Construction	Works are essentially done and once any commitments are cleared the project canbe closed out.
MBA Trial Chloring Dosing	Planning	Now that the filtration project has been funded this project needs to be rolledinto that project.
DIM WTP Standby Generator Replacement	Close Out	Works completed.
Program: 12 Wastewater		
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	Electrical contractor currently working to complete the electrical installationworks. Once completed commissioning will be finalized.
21/22 Mba Sewer CCTV & Relining Program	Completed	Practical completion in December.
21/22 Mba WWTP Component Renewals	Close Out	Works essentially completed and once commitments are cleared project can be closed out.
Granite Ck Mba Sewerage Pump Stn Refurb	Construction	Works should be completed by end of February or early March, inclement weather has hampered the internal coating works.
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 is currently out to tender, once tenders are received they will be assessed and taken to Council for consideration.
22/23 WW Telemetry/SCADA Upgrades	Planning	Works have been progressing well with integrator completing site works during January, some minor works are required to finalize works.
22/23 New Standby Generator Program	Construction	Generators and site shelters installed, awaiting electrical and telemetry connections when suitably qualified trades people are available.
22/23 MBA Sewer CCTV & Relining	Construction	Works commenced in January but the contractor has had to stop due to monsoon rainfall, they will recommence works as soon as possible.
22/23 Manhole Rehab & Replace Program	Construction	Works recommenced in January with project due for completion by June.
KDA TP Chlorine Dosing Pumps	Close Out	New pumps are in and project completed.
KDA TP RAS System Submersible Pumps	Procurement	Quotes received for new pumps however the existing pump can be overhauled.
KDA TP Bioreactor Aeration Blower	Procurement	New blower on order with potentially a six month lead time for delivery.
Minor WW Pump Station Refurbishments	On Hold	Project to be carried forward to 2023-2024 capital Program.



Project Description	Project Stage	Comments
22/23 WW Forward Works Design Program	Planning	Review of Atherton St SPS finalised to determine if a new pump station is required or the existing pump station can be refurbished. Review indicated the existing pump station can be refurbished and final upgrade design being worked on.
Program: 13 Waste		
KWTS Weighbridge & Gatehouse	Close Out	In negotiations with weighbridge about final invoicing, at this stage not in agreeance 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.
MWF Construct New Landfill Cells	Design	Design documents received with the electrical design still to come and works will be completed by June
MBA Transfer Station New Baler	Procurement	Funding deed not back from provider for final sign off, baler on order with long lead time on delivery.
MBA/KDA Transfer Station Security Improv	Construction	Contractor has advised they are waiting on delivery of goods, once the goods arrive the works will be finalized.
Program: 15 Fleet		
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 22.
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	Unit received and being prepared for commission.
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	Unit received and being prepared for commission.
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	Unit received and being prepared for commission.
Fleet Replace #1315 Landcruiser	Procurement	Unit received and being prepared for commission.
Fleet Replace #1328 Triton Trayback	Procurement	Unit received and being prepared for commission.
Program: 16 Depots and Council Offices		
Rankin St MSC Admin Office Refurb	Construction	Works completed with minor items to be finalised.
Kowa St MSC Depot Emergency Generator	Design	EMT to be consulted on way forward prior to Capital Program development.
Kowa St MSC Depot New Fuel Bowser	Not Commenced	Planning to commence in second half of financial year.
Program: 17 Community Buildings		
Koah Tennis Court Replace Timber Poles	Completed	Installation complete.
Kitchen replacement program	Construction	New kitchen installed at 12/27 Lawson Street.
Internal painting for five properties	Not Commenced	
Aquatic Facility Upgrades & Splash Park	Construction	Construction and concrete slab preparation continuing slowly as wet weather constraints continuing.



Project Description	Project Stage	Comments
Dimb/Mba/Kda Pools Chloring Dosing Impr	Planning	Tender process now finalised, new Management Contractor undertaking review to identify issues with pools. This funding will be used to address concerns.
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 Replacemt	Completed	Defects have been rectified and awaiting invoice.
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	No tenders received. Real estate agent to be engaged to lease facility.
MBA Riverside CPark Amenities Replace	Construction	Masonry block wall construction has commenced.
22/23 Shire Toilet Facility Repl Program	Planning	Request for Quote being prepared
MBA Community Hub Signage & Seating	Design	Concept design under assessment.
DIM CPark Shower Septic Modifications	Construction	Contract awarded to BSP. Awaiting program of works from contractor for construction. Wet weather has delayed commencement.
MBA New CBD Toilet Facilities	Procurement	Request for quotes has closed and are now under assessment.
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	Construction	Pathway complete. Planning for landscaping and signage is underway.
KDA Community Prec. Toilet Refurb	Planning	Scope has been developed, ready for procurement.
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	Construction	Works delayed by inclement weather conditions.
22/23 MBA Bitument Driveway Renewals	Close Out	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.
22/23 DIM Town Hall A/C/Solar/Lighting	Planning	Scoping commenced.
Program: 18 Non-Infrastructure Items		
Kuranda New Cemetery	Design	Draft Civil Plans received for commentary. Tender for construction to be undertaken March 2023, with construction in dry season of 2023.
ICT - Annual Cloud Implementation	Not Commenced	No projects currently committed.
DRFA Flood Warning Infra Network (Rn)	Close Out	Project Complete.
Telephone Handsets PABX Replcmnt Prog	Not Commenced	Project has yet to commence.
Kuranda Columbarium Wall	Close Out	Project complete June 2022.
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	Close Out	Preparing financial close out.
MBA Cemetery Lawn Plaque on Beam	Close Out	Second beam completed December 2022.
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	Fee proposal negotiations have resulted in savings in project, delivery prior to end of Financial Year, June 23.
Program: 20 KIAC		

Infrastructure Services Capital Works Summary Report - January 2023



Project Description	Project Stage	Comments
KIAC - New Wayfinding Signage	Construction	Installation Complete. Sign audit complete. Some additional works are needed including removal of redundant signs and amendments to some of the installed sign details.

9.2 LOCAL AREA TRAFFIC MANAGEMENT (LATM) PLAN

Date Prepared: 12 January 2023

Author: Manager Technical Services

Attachments:

1. Plan A: LATM Precincts - Mareeba [↓](#)
2. Draft LATM Plan for Precinct 7 - Anzac Avenue [↓](#)

EXECUTIVE SUMMARY

The purpose of this report is to outline the process undertaken and resultant outcomes of the recently completed Local Area Traffic Management (LATM) study for Precinct seven (7), Anzac Avenue, and to seek adoption of the draft Local Area Traffic Management (LATM) Plan.

RECOMMENDATION

That Council adopts the draft Local Traffic Management (LATM) Plan for Precinct seven (7), Anzac Avenue.

BACKGROUND

At its Ordinary Meeting, 15 June 2022, Council adopted the Local Area Traffic Management (LATM) model as the process to deal with traffic management issues across the municipality and selected Precinct seven (7) (Anzac Avenue) be the first of the precincts to be investigated using the LATM model process.

An LATM study is a process which:

- Investigates traffic conditions in local streets of a precinct;
- Involves the community in identifying issues and developing solutions;
- Considers the impacts of traffic management on an area-wide basis; and
- Aims to improve amenity.

The LATM Study sought to engage the local community to identify issues and develop solutions for their own local area.

Engagement steps completed:

- Survey questionnaire distributed to all households in the LATM precinct;
- Review by Council staff to validate feedback and prepare draft options;
- Community forum to present feedback from questionnaire and draft options;
- Formation of community study group to review draft options;
- Formation of Local Resident Traffic Working Group, to review and develop priority plan;
- Community feedback on developed priority plan.
- Preparation and adoption of LATM Plan by Council.

The draft LATM Plan has been prepared based on the engagement process. The Plan outlines the findings from the survey and engagement process and makes recommendations on LATM upgrades and treatments for Precinct seven (7). The Plan also provides recommendations on other priorities that are related to, but outside the LATM process.

Should Council resolve to adopt the LATM Plan for Precinct seven(7), budget estimates for the LATM works identified as highest priority will be prepared and included for future capital works consideration.

LEGAL/COMPLIANCE/POLICY IMPLICATIONS

Nil.

FINANCIAL AND RESOURCE IMPLICATIONS

Capital

As this LATM process commenced after the 2022/23 budget the funding for specific projects or treatments identified within the LATM Plan is not currently available. Future budget allocations will be needed for projects listed within the plan, which will be further investigated, scoped and costed for future consideration.

Operating

Nil.

LINK TO CORPORATE PLAN

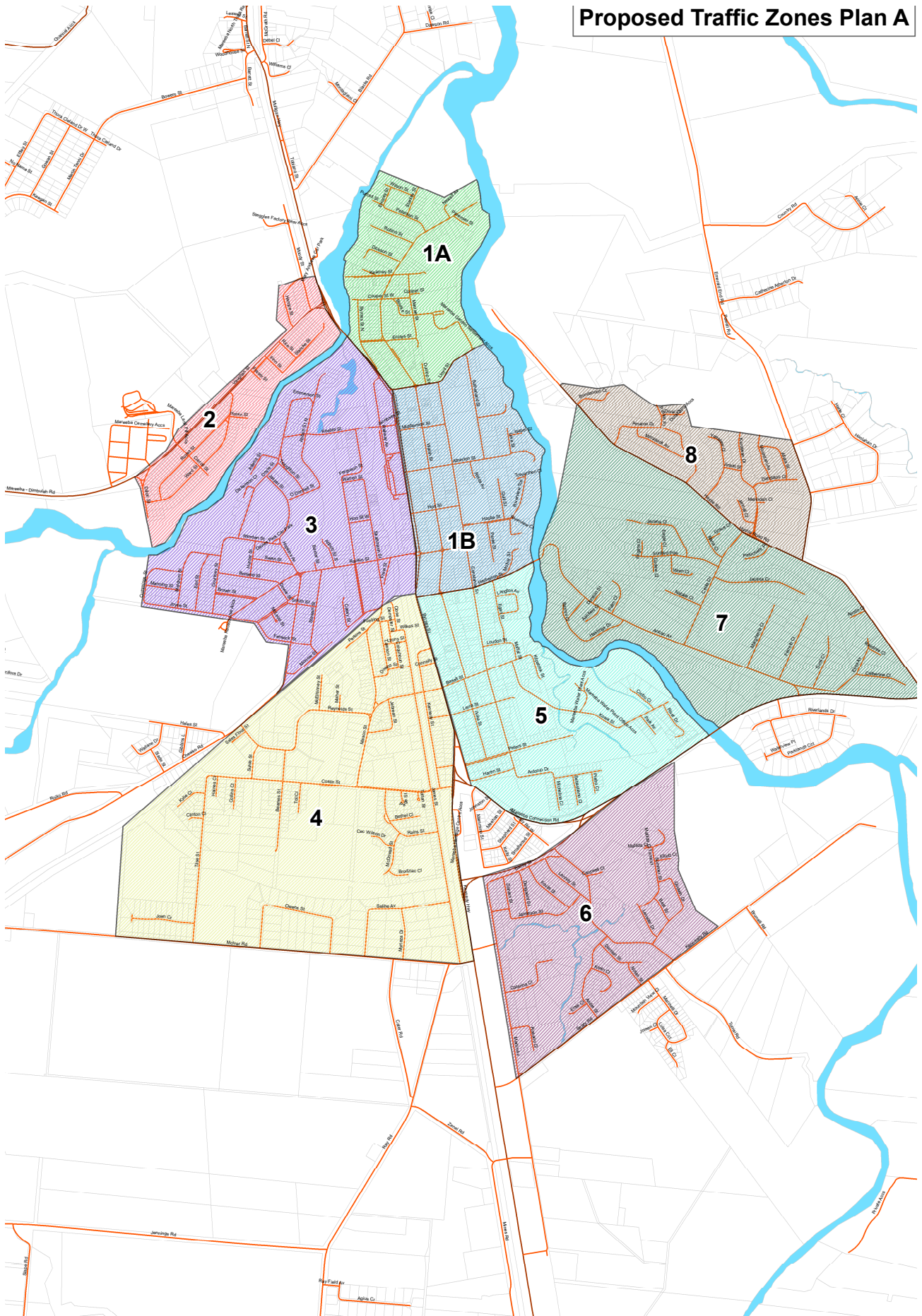
Community: An informed and engaged community which supports and encourages effective partnerships to enhance the liveability of the Shire.

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

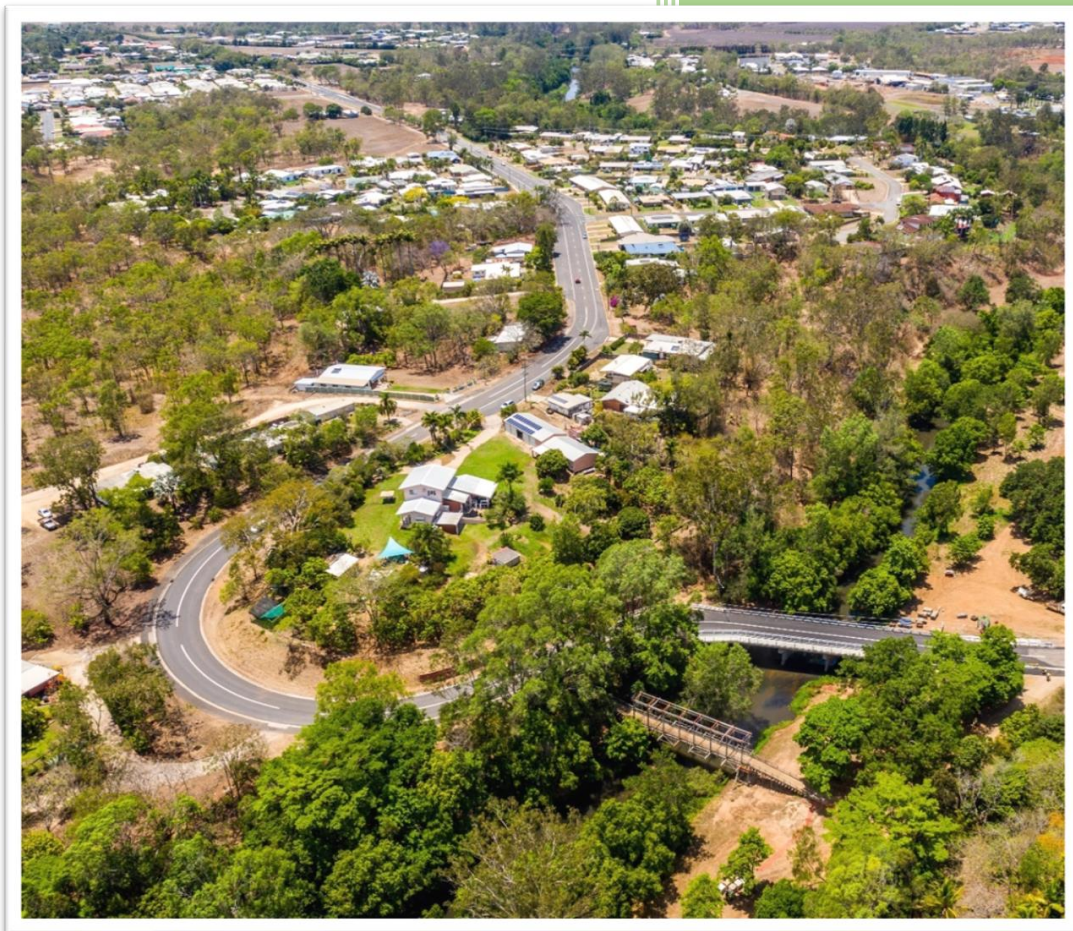
Nil

Proposed Traffic Zones Plan A





Local Area Traffic Management (LATM) Plan Precinct 7: Anzac Avenue, Mareeba



Introduction

There is an ever-increasing demand from local communities for Mareeba Shire Council to address unwanted traffic intrusion into residential streets. As vehicle volumes increase and many of our roads and intersections become congested, drivers turn to the local road network to avoid this congestion.

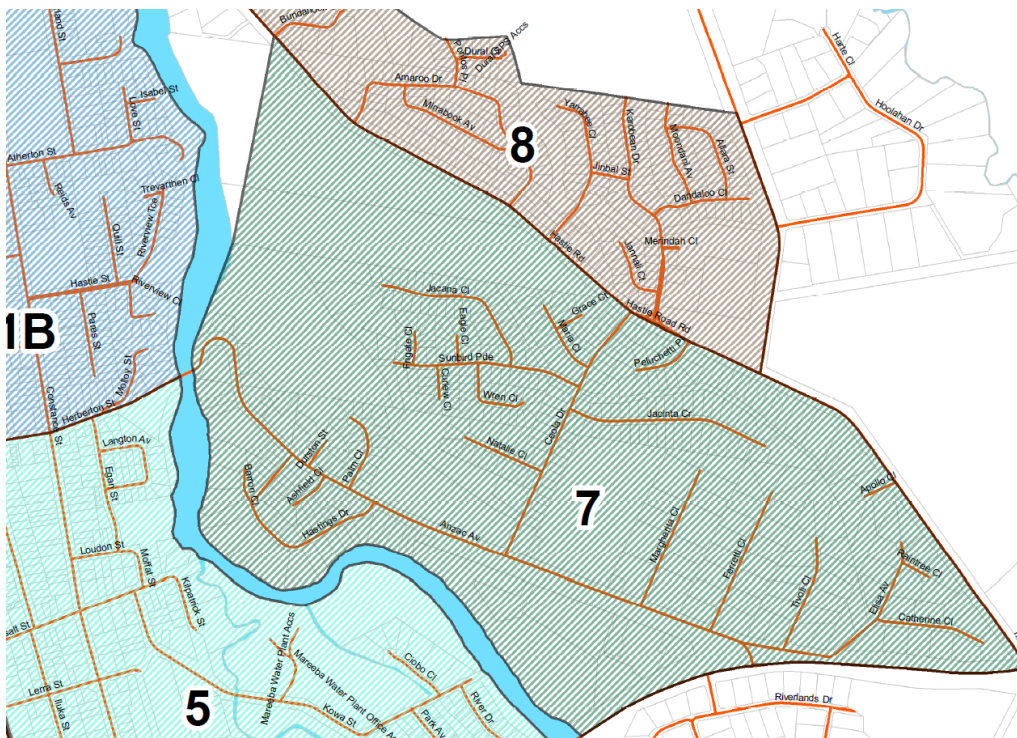
Local Area Traffic Management (LATM) is the process of planning and managing local road networks, often to modify streets which were originally designed in ways that are now no longer considered appropriate for the needs of residents and users of the local area.

LATM is a holistic approach to traffic management taking into consideration the road hierarchy, community input and any relevant issues within the surrounding Local Traffic Area to establish a broader outcome with community ownership.

It involves the use of physical devices, streetscaping treatments and other measures (including regulations and other non-physical measures) to influence vehicle operation, in order to create safer and more pleasant streets in local areas.

Study Area

In June 2022, Council adopted the LATM framework for the urban areas of Mareeba, with Precinct 7 (Anzac Avenue) chosen as the first pilot area to undertake targeted community engagement under the new framework. The Precinct was chosen due to the significant traffic volumes travelling along Anzac Avenue, from the Kennedy Highway, and the significant development in recent years on the eastern side of Mareeba.



Summary of existing situation

Land use

Precinct 7 is mostly zoned as low density residential under Council's Planning Scheme, with some rural residential and emerging communities at the outskirts.

The Precinct also includes the Cedric Davies Community Hub and a large childcare centre on Anzac Avenue and a medical centre on Karobean Drive. A new playground has been constructed for the Mareeba East catchment in late 2022.

There has been a substantial expansion of residential development within the Anzac Avenue LATM precinct in recent years. This rapid urban sprawl has created challenges in terms of keeping up with the upgrades to infrastructure needed to cater for current and future traffic and pedestrian volumes.

Road network

All vehicular traffic enters and leave the Precinct via Anzac Avenue or Hastie Road. Anzac Avenue is a sub-arterial road which connects to Herberton St and into Mareeba CBD to the west, and to the Kennedy Highway to the east. Hastie Road is a major collector road which connects to the Kennedy Highway. Ceola Drive joins Hastie Road and Anzac Avenue.

Community Engagement

The LATM Study sought to engage the local community to identify issues and develop solutions for their own local area.

Engagement steps completed:

- Survey questionnaire distributed to all households in the LATM precinct;
- Review by Council staff to validate feedback and prepare draft options;
- Community forum to present feedback from questionnaire and draft options;
- Formation of community study group to review draft options;
- Formation of Local Resident Traffic Working Group, to review and develop priority plan;
- Community feedback on developed option plan.
- Preparation and adoption of LATM Plan by Council.

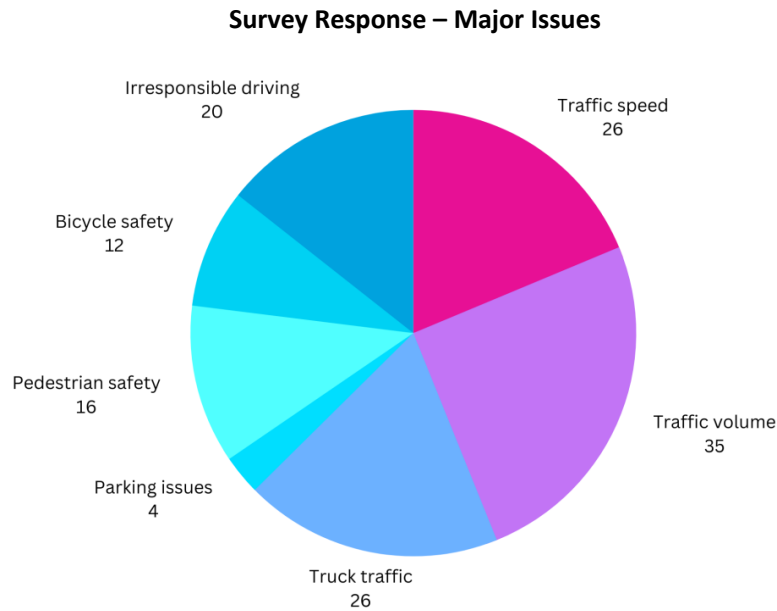
Survey

As part of this study, local residents, businesses and other key stakeholders were surveyed to help identify local traffic issues in conjunction with Council's investigations.

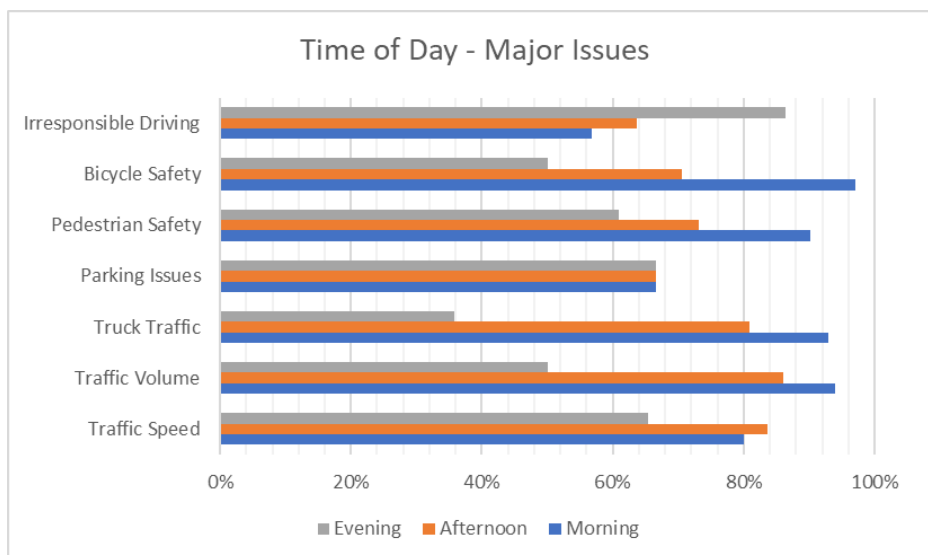
Council received survey responses from 99 residents living within the identified Anzac Avenue LATM Precinct. More than 67 per cent of respondents said there were traffic-related issues in their street.

More than 51 per cent of respondents identified traffic-related issues in other areas within the Anzac Avenue LATM Precinct.

The quantum of respondents noting specific major issues is provided below, *Pie Graph 1: 'Survey Response – Major Issues'*. Respondents identified issues were further assessed against the time of day at which the issue was most likely to occur, refer *Bar Graph 1: 'Time of Day – Major Issues'*.



Pie Graph 1: 'Survey Response – Major Issues'



Bar Graph 1: 'Time of Day – Major Issues'

Resident Traffic Working Group

The survey also sought nominations from interested community members living in the Anzac Avenue Precinct to be a part of the Local Resident Traffic Working Group, comprising community volunteers and Council officers and chaired by a Councillor.

The role of community volunteers has been to provide local information, act as a contact for the local community and to provide feedback in the development of the LATM Plan.

The Working Group met three (3) times to review the issues, potential solutions and to prioritise proposed actions.

Neighbourhood Meetings

Two (2) neighbourhood meetings were held for local residents, the following collation of the survey responses and a second one to present key recommendations from the Working Group. The neighbourhood meetings provided residents with updates on the LATM process and enabled them to ask questions and provide feedback about the LATM Study.

Key Recommendations

Recommendations have been developed based on the traffic and transport issues, existing conditions, and community feedback. Key recommendations range from installing traffic calming devices, modifications to the existing road environment, and infrastructure upgrades and undertaking future planning. A summary of these recommendations is detailed below.

Priority LATM treatments

The Local Resident Traffic Working Group identified 15 action items designed to improve the liveability for residents within the precinct.

The action items were directly obtained from residents’ responses in the neighbourhood survey. The working group then gave each action item a ranking from 1 to 5 with 1 being the highest priority and 5 being the lowest priority.

Road	Location	Issue	Rank #1 - #5
Anzac Avenue	Each end	Investigate traffic calming solutions, eg. threshold entry treatments (painting on road, LED smiley face signs) or physical methods (not speed humps)	1
Anzac Avenue	Between Ferretti Close and Ceola Drive intersections	Assess options to widen this section of road and improve intersections at Ferretti Close, Margherita Close, Cedric Davies Community Hub driveway and Thyme Lifestyle Resort driveway (includes potential relocation of entrance to Cedric Davies Community Hub)	1
Anzac Avenue	John Doyle Bridge	Assess option to restrict the length of heavy vehicles crossing the bridge (with appropriate signage on the Kennedy Highway and Herberton Street)	1
Anzac Avenue	Full length	Improve lighting on footpath and road	1

Road	Location	Issue	Rank #1 - #5
Ceola Drive	Each end	Investigate traffic calming solutions, eg. threshold entry treatments (painting on road, LED smiley face signs) or physical methods (not speed humps)	1
Anzac Avenue	Intersection with Ceola Drive	Investigate options for turning lanes and pedestrians crossing/refuge to be installed on Ceola Drive at intersection with Anzac Avenue	2
Anzac Avenue	Between Durston St intersection and John Doyle Bridge	Improve pedestrian safety between Durston St intersection and 14 Anzac Avenue (eg. more clearly delineate pedestrian path on road shoulder)	2
Anzac Avenue	John Doyle Bridge	Assess option to reduce the load limit on Anzac Bridge (with appropriate signage on the Kennedy Highway and Herberton Street)	2
Hastie Road	Full length	Improve lighting on footpath and road	2
Jacana Crescent	Full length	Complete footpath construction	2
Anzac Avenue	John Doyle Bridge	Investigate options to improve pedestrian, cycle and mobile vehicle safety on bridge and approaches (eg. cyclist-calming measures, widen existing pedestrian walkway/shared bike lane, construct new separate shared path/bridge)	3
Ceola Drive	Full length	Improve lighting on footpath and road	3

Short-term Actions and Maintenance

There were five (5) major issues identified as part of Neighbourhood Survey which Council has scheduled within its existing capital works program. These projects are due for completion by June 2023.

- Resealing of Ceola Drive
- Resealing of Hastings Drive
- No Through Sign installation at Tivoli Close, Jacinta Close, Ferretti Close and Margherita Close (completed January 2023)
- Driveway access line-markings and No Standing line-markings outside Thyme Lifestyle Resort
- Footpath replacement between Margherita and Ferretti Close

Note: Separate to the LATM process, Council will also schedule for the road surface to be resealed following the recent water main works along Anzac Avenue, the once the works have settled for a period of 12 months.

Pedestrian and cycle facilities

There were two (2) priorities identified by the community in relation to pedestrian and cycle facilities which are being prioritised and will be programmed under a separate process as part of the Mareeba Walking Network Plan.

Road	Location	Issue	Rank #1 - #5
Ceola Drive	Full length	Construct new footpath along full length of road (to connect existing Anzac Avenue footpath to footpaths being constructed as part of Mareeba East Park)	1
Hastie Road	Full length	Construct new footpath along full length of road	2

Future Considerations

There were three (3) projects identified by the community that fell outside the scope and remit of the LATM process.

However, given the importance of these projects, Council has agreed to investigate their feasibility as part of its annual future capital work project prioritisation process.

Road	Location	Issue
New Barron River Crossing	To be identified	Undertake planning of future options for new link between Precinct 7 and Mareeba CBD and timing for implementation
Anzac Avenue	Between Ceola Drive and Hastings Drive intersections	Widen this section of road, including installation of kerb and channel
Anzac Avenue	Intersection with Ceola Drive	Review intersection configuration taking into account the future traffic that will use this intersection and identify future upgrade and timing of implementation (eg. Traffic lights, two lane round about etc)

Other Agencies

Feedback provided by the community included a number of issues which are outside of Council’s authority to act (TMR, Police, etc). To assist in having those matters addressed, these matters have been referred to various agencies to advise them of community concerns received through the LATM Study.

Advocacy

Mareeba Shire Council continues to advocate for upgrades to the State-controlled road network to improve transport connectivity throughout Mareeba Shire.

At the time of preparing this report, the Department of Transport and Main Roads (TMR) has commenced with planning for the southern section of the Mareeba Bypass and review the alignment of the northern section.

Implementation and Review

While no funding has been committed to undertake the recommended projects identified in the LATM Plan within any particular timeframe, Council will consider these as part of its annual budget process with the view to implement them in upcoming financial years where funding permits.

Additionally, the Local Government Infrastructure Plan (LGIP) will be updated based on recommendations for trunk infrastructure upgrades in the LATM Plan.

Acknowledgements

Council would like to thank all residents who participated in the neighbourhood survey for their input in helping shape their community.

In particular, Council would like to acknowledge the hard work, enthusiasm and dedication shown by Local Resident Traffic Working Group members:

- Cr. Kevin Davies (Chair)
- Terry Roos
- Shane Garozzo
- Janice Van Der Zwaan
- Neil Newton
- Gladys France

9.3 INFRASTRUCTURE SERVICES, TECHNICAL SERVICES OPERATIONS REPORT - JANUARY 2023

Date Prepared: 2 February 2023
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 January 2023.

RECOMMENDATION

That Council receives the Infrastructure Services, Technical Services Operations Report for January 2023.

BACKGROUND**Technical Services**Design, quality and investigations:

Investigation activities undertaken in January included:

Activity	Current Requests	Closed Requests
Road Infrastructure Review	50	7
Drainage Investigations	18	5
NHVR Permit Applications	0	13
Traffic Count Surveys	0	0
Parks Investigations	5	0
Miscellaneous <i>e.g.</i> Planning; Local Laws	4	1
Before You Dig Requests	44	44

Soil Laboratory:

Council's Soil Laboratory provides NATA-accredited soil and material testing for internal and external services. The laboratory was closed during January, reopening February.

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
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:

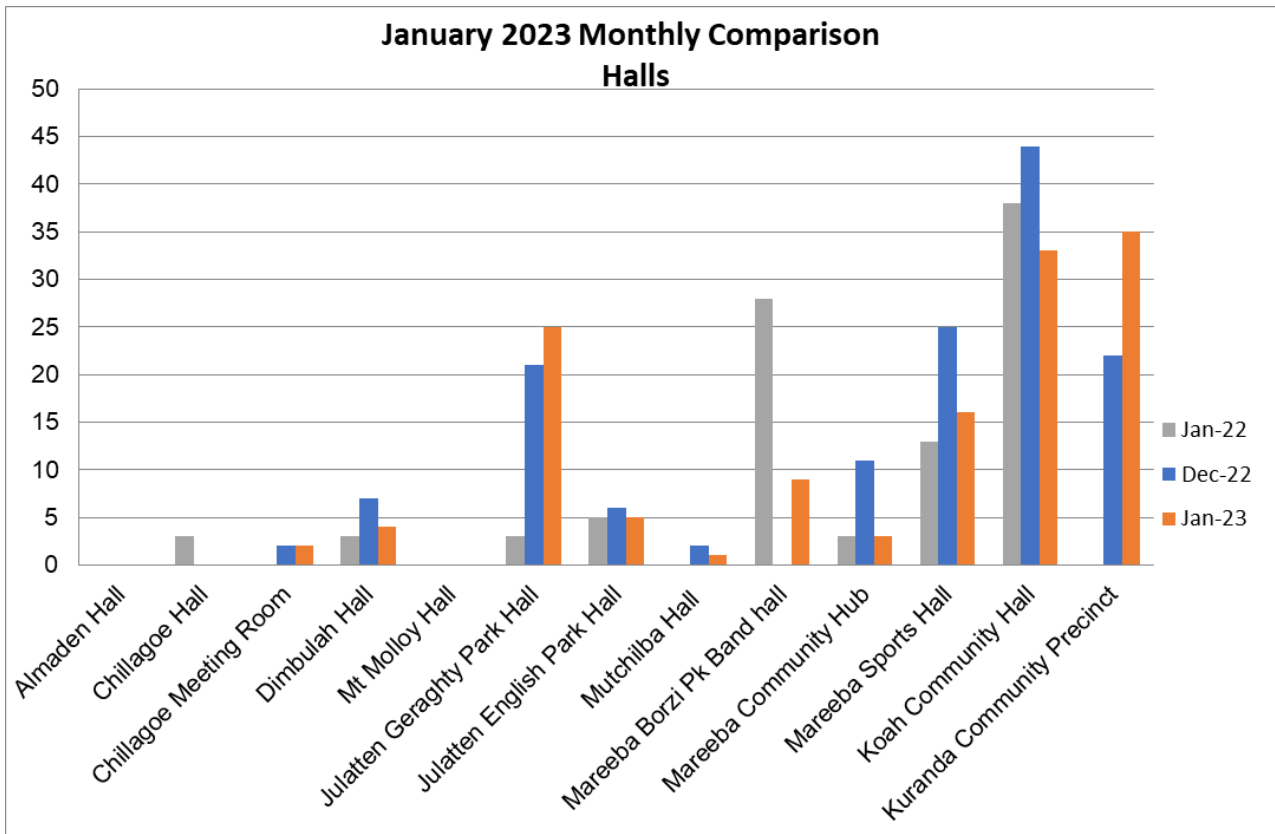
Program	Status
2021 DRFA REPA Program	Works have now been completed on all restoration packages with some minor defect works to be addressed by contractors.
2022 DRFA	Mareeba Shire activated DRFA assistance measures linked Far North Queensland Low Pressure Trough, that occurred 1 – 7 February 2022. Council have 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 have provided a Betterment proposal to QRA for consideration and discussion.
2023 DRFA	Activation for DRFA assistance has occurred for the Northern and Central Queensland Monsoon and Flooding Event, 20 December 2022 – January 2023, has occurred. Further information on activities completed is provided in the Infrastructure Services – Works Section Activity Report.

Facilities

Community Halls:

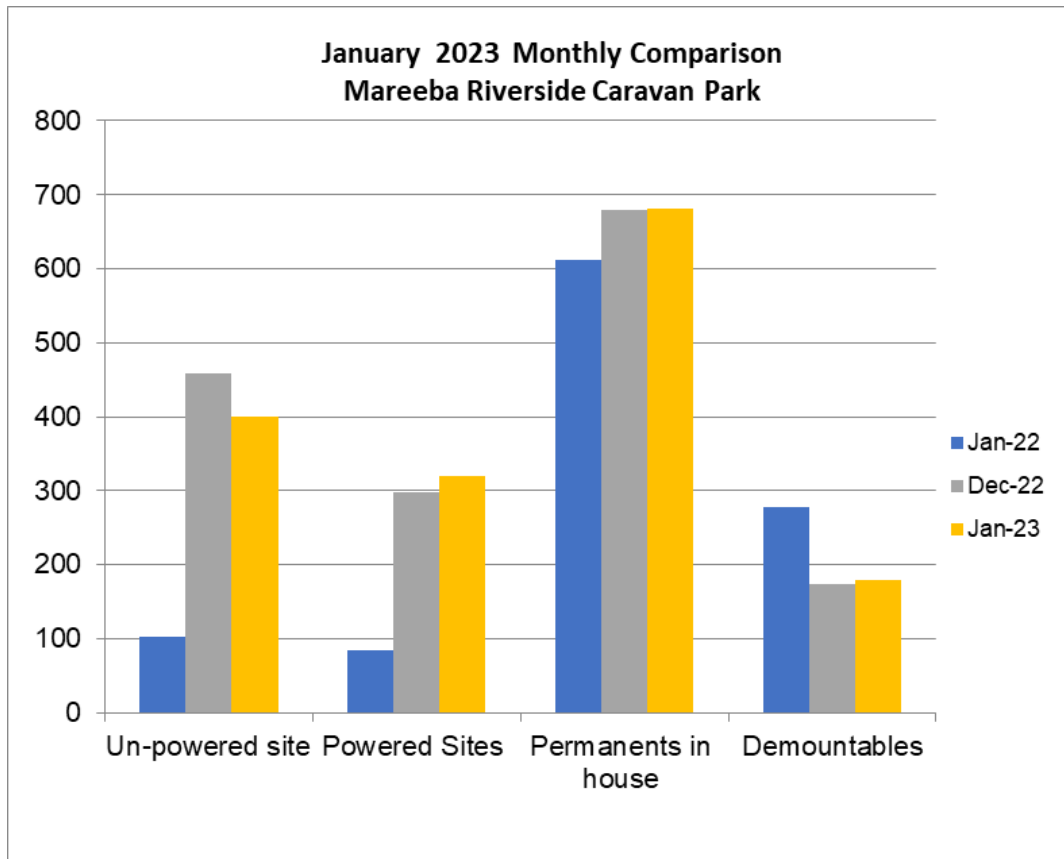
Maintaining safe and efficient access to Council Community Halls is recognised as an important aspect for the community's ongoing wellbeing.

January hall hires are generally showing 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.

The contractual arrangement with H2O Sport and Leisure for managing Council’s three swimming pools and the Dimbulah caravan park ceased on Thursday, 22 December 2022.

Marlin Coast Swimming and Fitness (MCSF) has been engaged under an interim arrangement to operate the facilities until 30 June 2023. Council staff are working with MCSF to provide high level services to the public.

Vandalism & Graffiti:

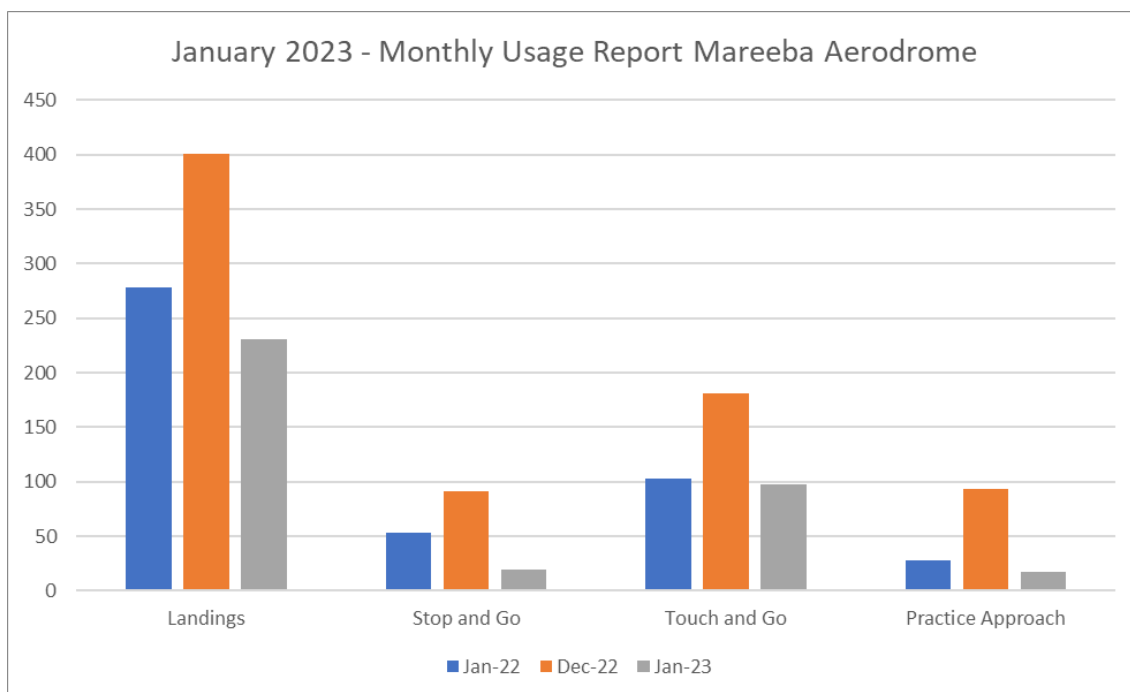
During December, eight (8) reports of vandalism/graffiti were recorded for Council facilities, with annual costs provided below;

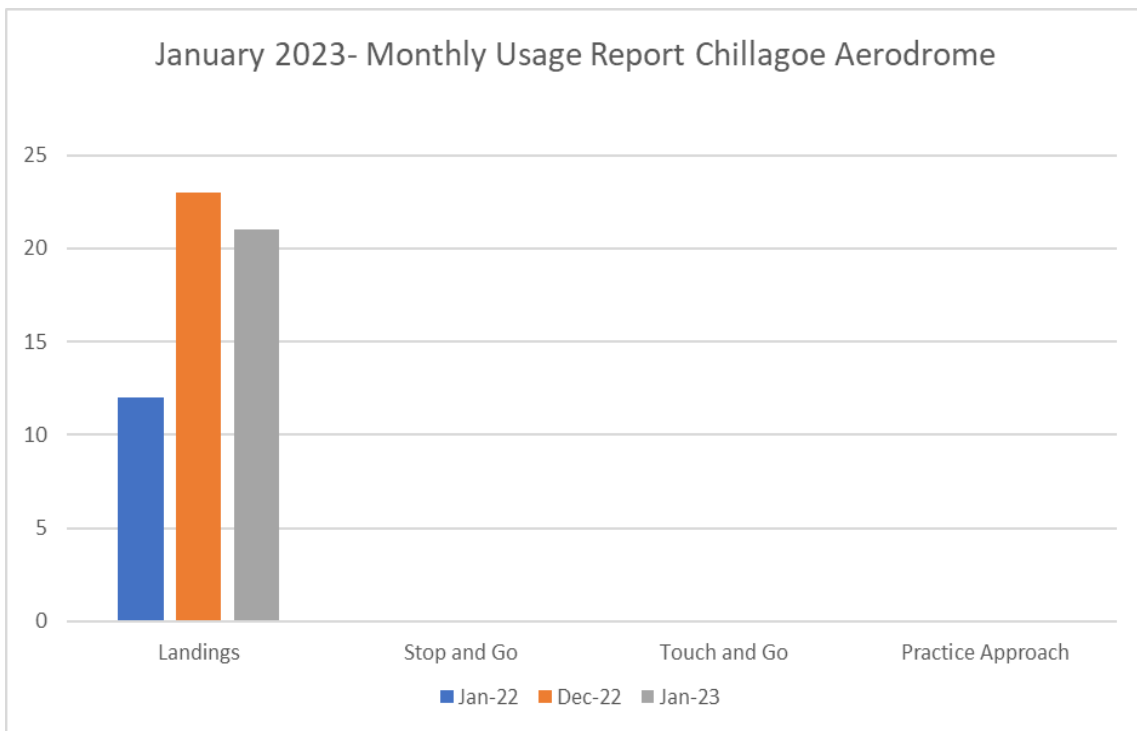
Financial Year	Actuals	Comments – January 2023
2015/16	\$ 2,134.00	<ul style="list-style-type: none"> • Mareeba CWA Toilets -Vandalism x2 • Mareeba CWA Toilets – Graffiti x1 • Mareeba CWA Restrooms - Vandalism x1 • Mareeba Rotary Park toilets - Vandalism x1 • Dimbulah Memorial Hall - Vandalism x1 • Kuranda Centenary Park toilets - Vandalism x1
2016/17	\$ 16,546.00	
2017/18	\$ 23,948.00	
2018/19	\$ 14,851.00	
2019/20	\$ 14,211.18	
2020/21	\$ 62,199.62	
2021/22	\$ 48,301.12	
2022/23	\$18,868.60	

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 December, however there is usually a lag of some 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.

9.4 INFRASTRUCTURE SERVICES, WATER AND WASTE OPERATIONS REPORT - JANUARY 2023

Date Prepared: 2 February 2023
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 January 2023.

RECOMMENDATION

That Council receives the Infrastructure Services, Water and Waste Operations Report for January 2023.

BACKGROUND

Water and Wastewater Treatment:

All treatment plants are generally performing satisfactorily. Water demand was varied across all schemes. Rainfall in most catchments resulting in decreased consumption per connection.

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)	5,815	778	178	196	81
Number of Connections	4,385	982	157	272	137
Average daily water consumption per connection (L)	1,326	792	1,134	721	717

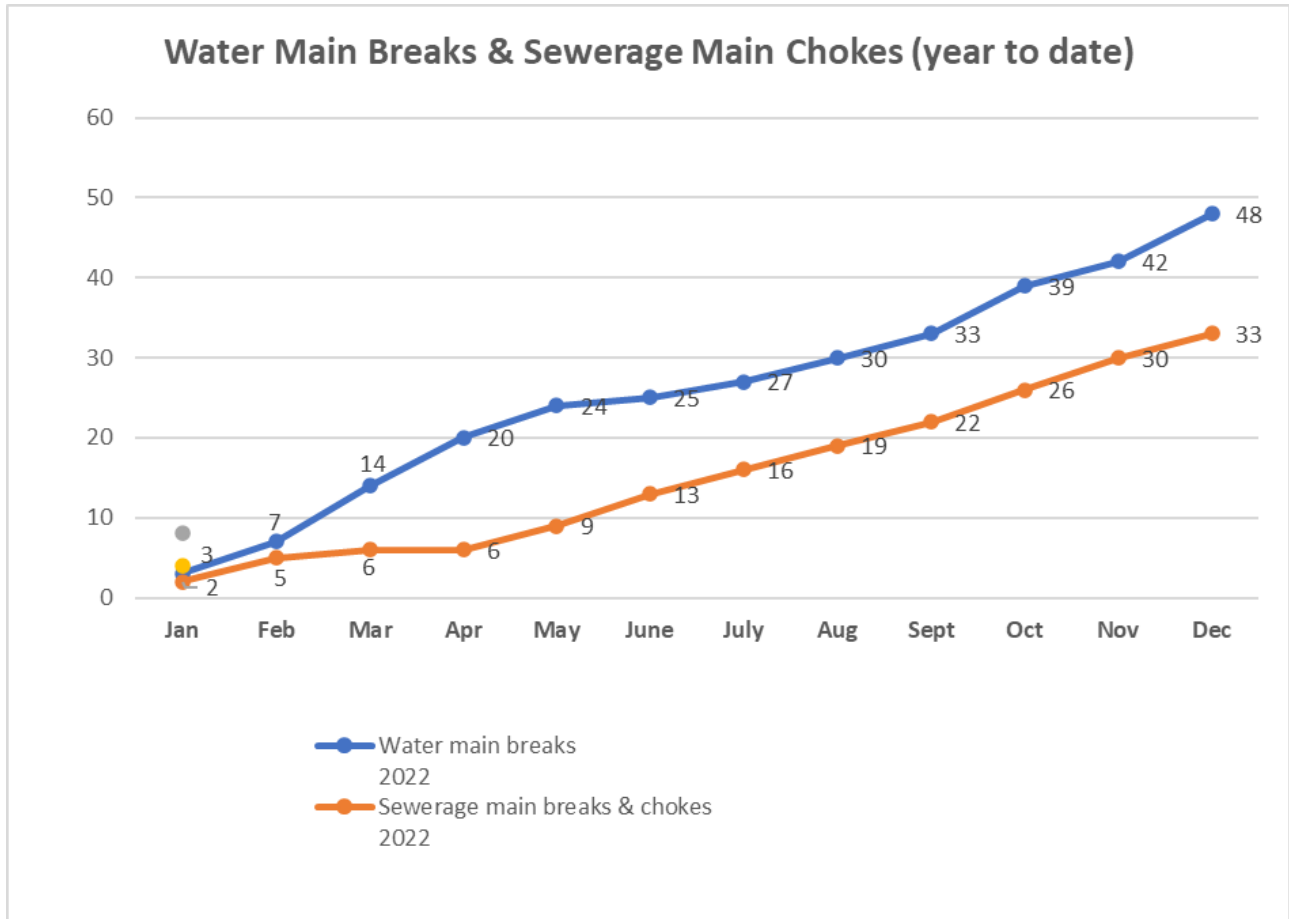
* Mt Molloy is an untreated, non-potable water supply

Wastewater Treatment	Mareeba	Kuranda
Wastewater Plant average daily treatment (kL)	6,386	244
Number of Connections	3,424	346
Average daily inflow per connection (L)	1,856	705

Water and Wastewater Reticulation:

Council's water reticulation crew attended to eight (8) water main breaks, 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:

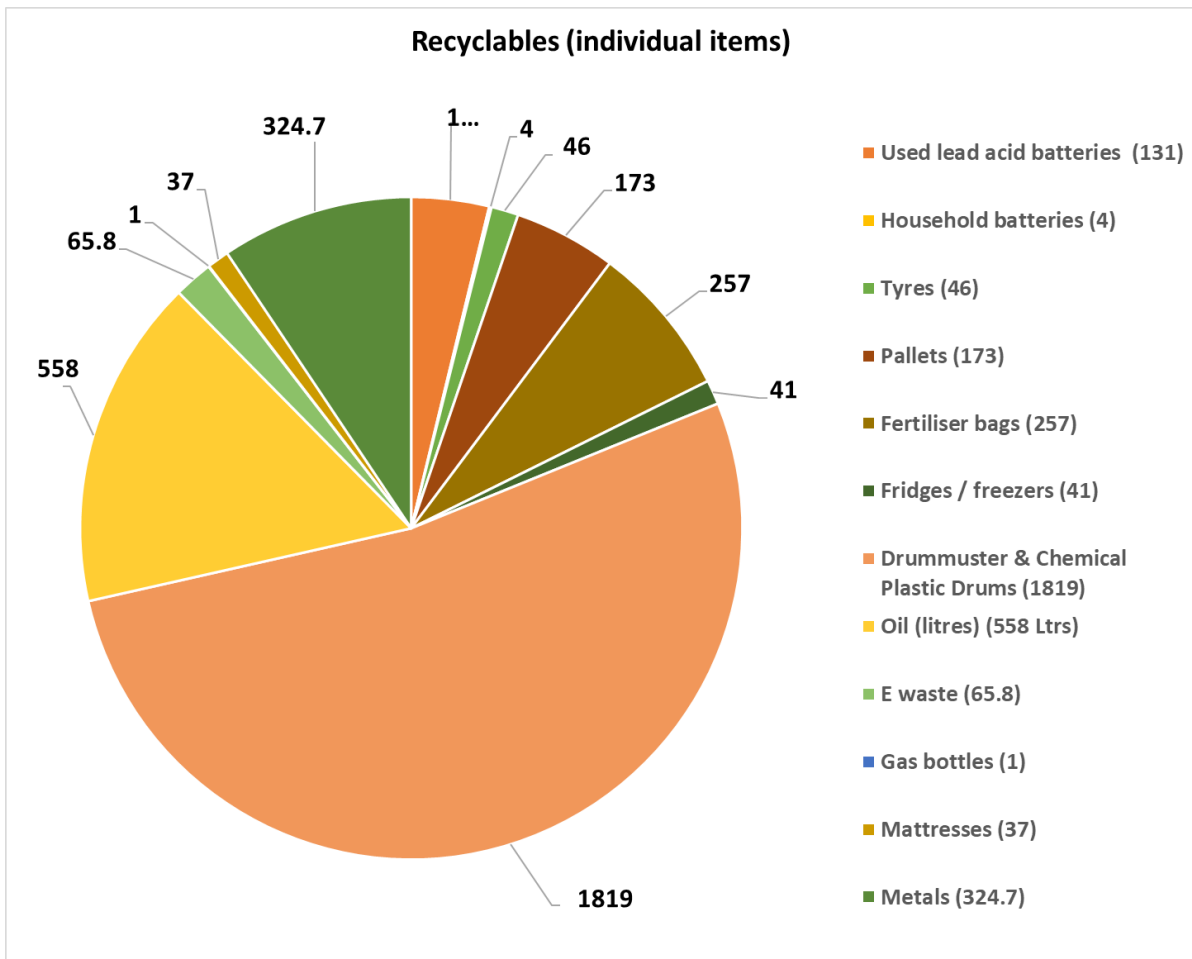
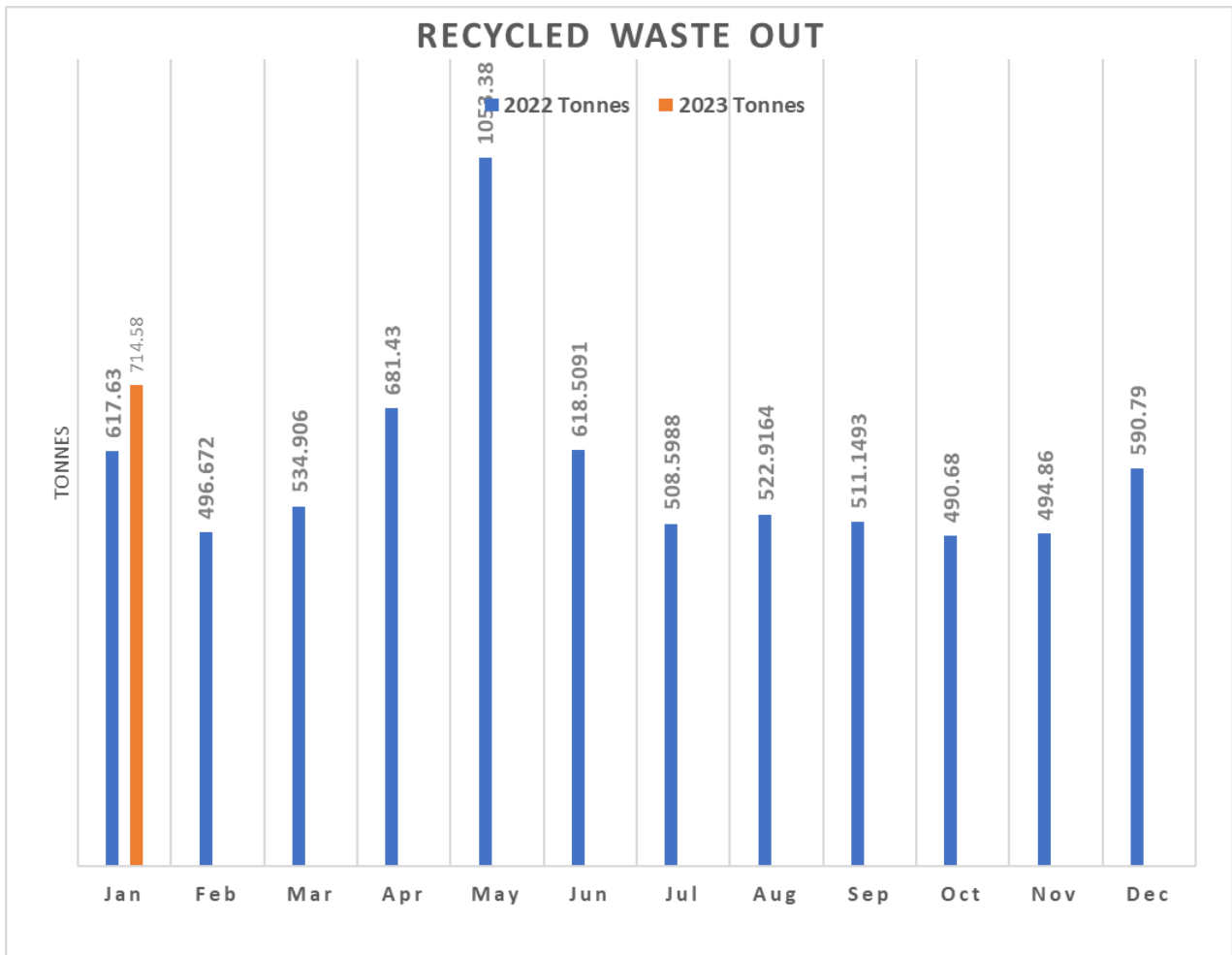


Waste Operations:

ARUP’s work on the Regional Resource Recovery Plan is continuing with an agreed extension of timeline to the presentation of the draft report to FNQROC due by 30 March 2023.

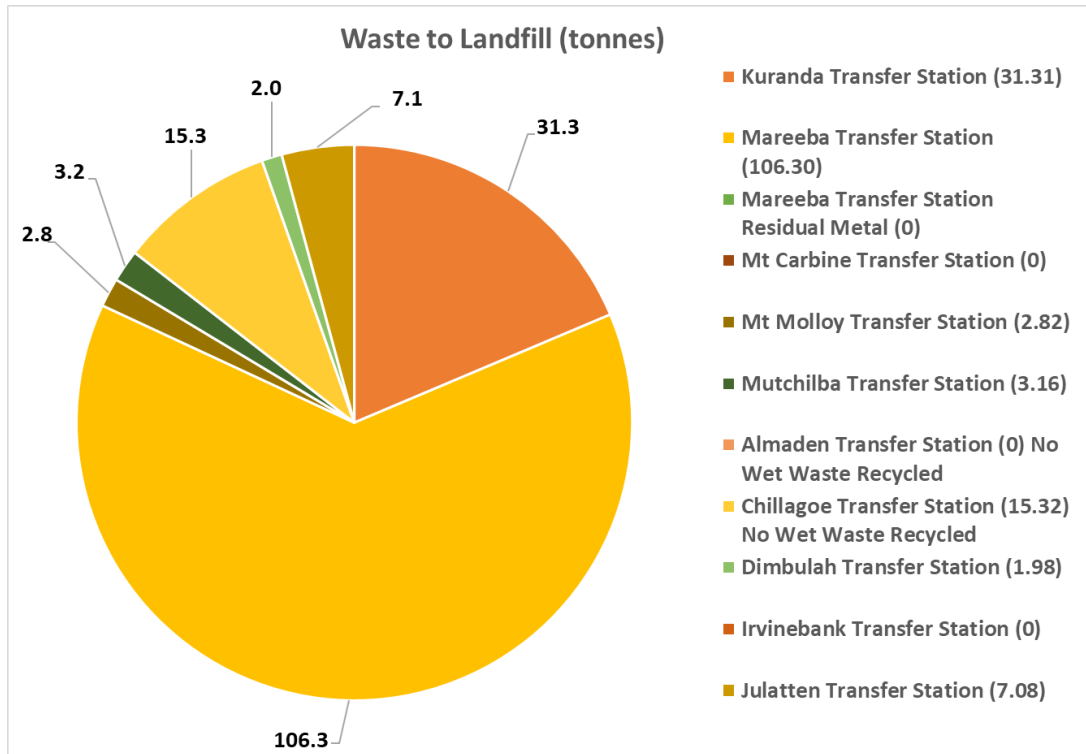
Recycling

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.



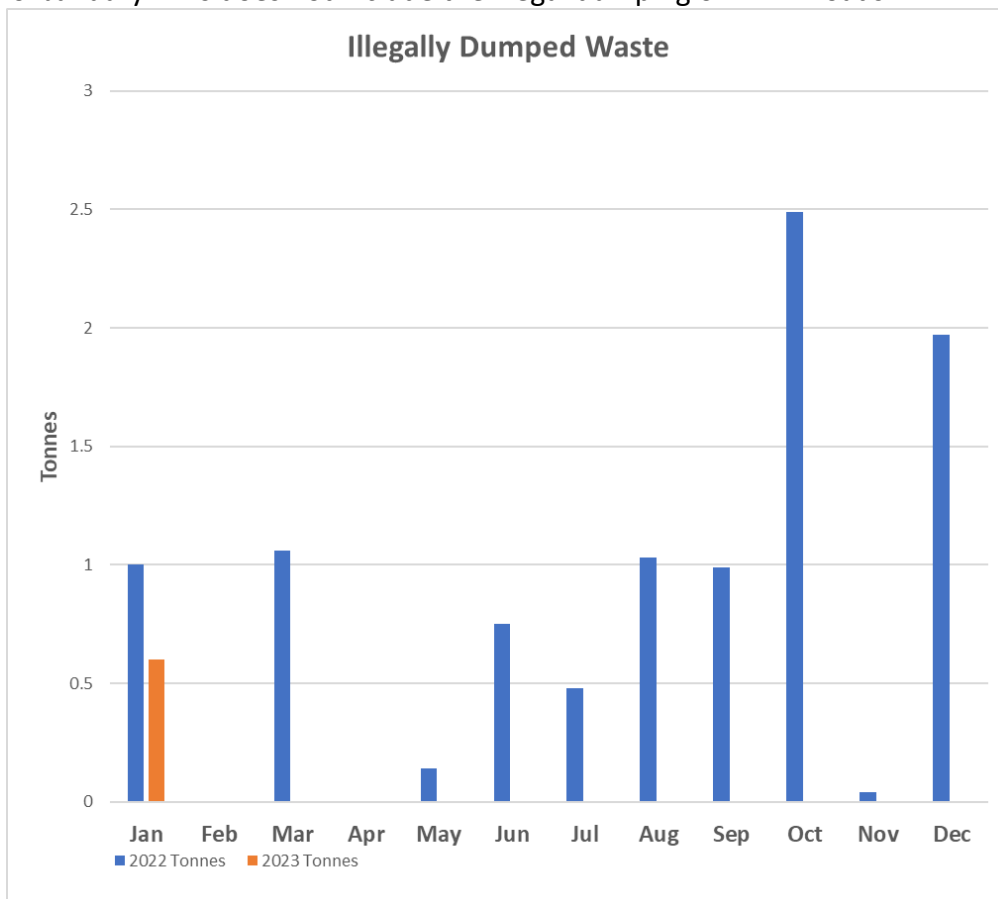
Waste to Transfer Stations

Transfer Station dry waste is transported off site to the Springmount Waste Facility and for the month of December 168 tonnes was landfilled.



Illegally Dumped Waste

There were 0.6 tonnes of illegally dumped waste recorded through Waste Transfer Stations during the month of January. This does not include the illegal dumping on TMR Roads.

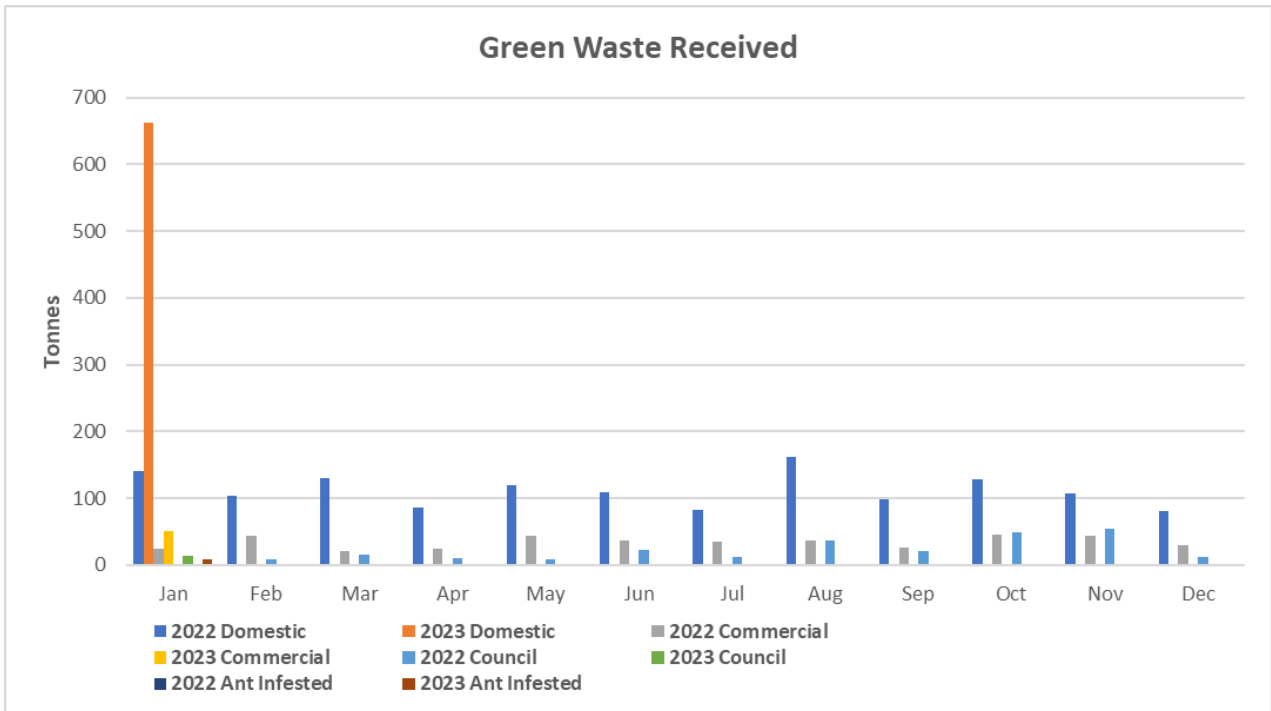


Green Waste

Council received a total of 725.7 tonnes of green waste in the month of January.

Kuranda recorded 9 tonnes of Electric Ant contaminated green waste in January.

Free Green Domestic Waste days are scheduled for the weekend 4th and 5th February.



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

9.5 INFRASTRUCTURE SERVICES, WORKS SECTION ACTIVITY REPORT - JANUARY 2023**Date Prepared:** 3 February 2023**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 January 2023.

RECOMMENDATION

That Council receives the Infrastructure Services, Works Progress Report for the month of January 2023.

BACKGROUND**Transport Infrastructure**Emergent Works

Mareeba Shire Council is now eligible for DRFA funding following the activation of the shire under the Northern and Central Queensland Monsoon and Flooding 20 December 2022 January 2023 event.

Works crews have been undertaking emergence work on the following roads within the shire in January;

Area	Road Name	Area	Road Name
Dimbulah	Braund Road	Mareeba	Henry Hannam Drive
Dimbulah	Metzger Road	Mareeba	Cobra Road (Ongoing)
Dimbulah	Leadingham Creek Road	Watsonville	Eichblatt Road
Dimbulah	Mt Mulligan Road (Ongoing)	Watsonville	Walsh River Road
Almaden	Ootann Road (Ongoing)	Watsonville	Bischoff Mill Road
Paddy's Green	Beh Road	Watsonville	Arbouin Mine Road
Mareeba	McIver Road	Watsonville	Zaicz Road
Mareeba	Cowan Road (Ongoing)	Biboohra	Vallely Road
Mareeba	Peters Road (Ongoing)	Biboohra	Bilwon Road
Mareeba	George Fabris Road	Biboohra	McGrath Road

A further 86 roads have been inspected, photographed and signed if required. Work Orders have been prepared in readiness for when crews are able to attend the sites to commence temporary repairs. During the emergent period the catch phrase is "open and safe", and the repairs undertaken reflect this in most cases. The number of roads requiring maintenance due to the rain event is likely to increase as access into the more remote areas of the shire becomes available.



Braund Road



Ootann Road



Eichblatt Road



George Fabris Road



Bolwarra Road



Kanervo Road



*Leadingham Creek Road**Lappa – Mt Garnet Road*Customer Requests

During the month of January, the Works Group received 127 Customer Requests (CRs) with 141 resolved (resolved requests include those received prior to January 2023). The table below shows the number of requests lodged per Works Section for the month.

Month	Roads	Parks and Gardens	Pest Management
January	96	23	8

At the time of reporting, the Works Group had 80 open requests.

Bridges and Major Culverts

Bridges and major culverts on the following roads were inspected and cleared of debris as a result of the wet season rains.

- Bullaburra Creek Road, Dimbulah
- Leadingham Creek Road, Dimbulah
- Barron Street, Koah
- Kanervo Road, Koah
- Bolton Road, Koah
- Black Mountain Road, Kuranda
- Speewah Road, Speewah
- Mt Kooyong Road, Julatten
- Pinnacle Road, Julatten

TMR Routine Maintenance Performance Contract (RMPC)

- Burke Developmental Road (89B)
 - Emergent response to sections of the road between Almaden and Chillagoe
 - Regular debris removal at Chillagoe Creek Causeway
 - Emergent response to the approaches to Eureka Creek, west of Dimbulah
- Mossman - Mt Molloy Road (653)
 - Emergent response to fallen trees on the Rex Range
 - Regular opening and closing of Bushy Creek, Julatten
- Mulligan Highway (34B)
 - Emergent response to rock falls at the Desailly Range
- Mareeba – Dimbulah Road (664)
 - Emergent response to cutting slump at the southern approach to Granite Creek, Mareeba
 - Investigate and respond to DTMR regarding drainage erosion at newly constructed works at the intersection of the Mareeba-Dimbulah Road and Leadingham Creek Road



Granite Creek Bridge Approach



Rock slide Desailly Range



Chillagoe Creek Causeway



Erosion on Mareeba – Dimbulah Road

Parks and Open Spaces

During January, as well as routine maintenance activities, Parks and Open Spaces staff undertook the following;

- Removed Christmas Trees in Mareeba, Dimbulah, Mt Molloy and Chillagoe
- Drainage repair and general ground maintenance at the Judo Hall, Mareeba
- Contractors – Slashing of the Rail Trail from McIver Road to Vicary Road. Slashing of Eales, Mooraridgi and Shaban Parks
- Burials
 - Kuranda x3
 - Dimbulah x1
 - Mareeba x7

Land Protection

Parthenium Weed: Inspections carried out on 12 sites. All landholders are complying with their biosecurity obligation. Land protection officers continue to monitor one site every 2 weeks with the other 11 every 3 weeks.

While carrying out roadside spraying of Gamba Grass, officers detected a new Parthenium site at Roiko Road, Mareeba. The property in question is a certified organic farm so herbicide spraying is not supported, however the property owner has agreed to hand remove the Parthenium themselves and land protection officers will inspect the property once a month in future to ensure biosecurity obligation is met.

Gamba Grass: The annual roadside spray program has commenced this month and officers are treating roadsides and table drains throughout the shire for Gamba Grass using glyphosate.

Frogbit on the Mitchell River Catchment: Mareeba Shire Council maintain a sentinel site program on the Two Mile and Douglas Creeks. All sites remain free of Frogbit.

Wild dogs: Property owners in the Mareeba area were given advice on baiting and managing wild dogs.



Untreated Gamba Grass, Bower Road



Treated Gamba Grass, Bower Road

FINANCIAL AND RESOURCE IMPLICATIONS

Operating

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

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.

IMPLEMENTATION/COMMUNICATION

Nil

10 OFFICE OF THE CEO

10.1 PETITION REGARDING DIMBULAH POOL

Date Prepared: 31 January 2023

Author: Chief Executive Officer

Attachments: 1. Petition - Dimbulah Swimming Pool [↓](#)

EXECUTIVE SUMMARY

This report introduces a petition from some residents of Dimbulah which was received by Council on 22 December 2022, which requests Council consider reviewing the entry fee and hours of operation for the Dimbulah swimming pool.

RECOMMENDATION

That Council receives the petition and a report be tabled at a future Council meeting.

BACKGROUND

In terms of Council's Standing Orders, Council has three (3) options with regard to petitions that are tabled and these are:

1. The petition be received; or
2. The petition be received and referred to a committee or officer for consideration and a report to Council; or
3. The petition not be received because it is deemed invalid.

The petition generally meets the requirements as per the Standing orders as the Petition has over 10 signatures.

The petition reads as follows:

"We the undersigned as Ratepayers and Residents of the Mareeba Shire wish to impress upon our Mareeba Shire Council the problems associated with the Dimbulah Memorial Swimming Pool regarding unacceptable increased Entry Fees and decreased Opening Hours when compared to the Mareeba & Kuranda Swimming Pools.

Fees for the 20 Adult Pool Entry Pass have increased 300% from \$20.00 to \$80.00 without any community consultation.

Pool fees are the same for Mareeba, Kuranda & Dimbulah Swimming Pools – but the services provided are not the same for Dimbulah Swimming Pool.

Mareeba & Kuranda Swimming Pools are open 7 days a week, all year, from 6.00am to 6.00pm. Mareeba Swimming Pool has shade cloth over half the pool and has plans for the Mareeba Pool to be heated.

The Dimbulah Swimming Pool is closed Mondays, open Tuesday to Friday 2.00pm – 6.00pm, Saturday & Sunday 12.00pm -5.00pm. Also the Dimbulah Pool is closed for 4 months of the year with any community consultation.

We the undersigned request that the increased fees for the 20 Adult Pool Entry Pass be reviewed and reduced – and the Dimbulah Pool have the same opening hours as Mareeba & Kuranda Pools. All 3 Swimming Pools are community assets within Mareeba Shire Council and need to be treated equally."

RISK IMPLICATIONS**LEGAL/COMPLIANCE/POLICY IMPLICATIONS**

Nil.

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

The Head Petitioner will be notified of Council's decision.



DIMBULAH POOL

PETITION NOVEMBER/DECEMBER 2022

We the undersigned as Ratepayers and Residents of the Mareeba Shire wish to impress upon our Mareeba Shire Council the problems associated with the Dimbulah Memorial Swimming Pool regarding unacceptable increased Entry Fees and decreased Opening Hours when compared to the Mareeba & Kuranda Swimming Pools.

1. Fees for the 20 Adult Pool Entry Pass have increased 300% from \$20.00 to \$80.00 without any community consultation.
2. Pool fees are the same for Mareeba, Kuranda & Dimbulah Swimming Pools - but the services provided are not the same for Dimbulah Swimming Pool.
3. Mareeba & Kuranda Swimming Pools are open 7 days a week, all year, from 6.00am to 6.00pm. Mareeba Swimming Pool has shade cloth over half the pool and has plans for the Mareeba Pool to be heated.
4. The Dimbulah Swimming Pool is closed Mondays; open Tuesday to Friday 2.00pm – 6.00pm; Saturday & Sunday 12.00pm – 5.00pm. Also the Dimbulah Pool is closed for 4 months of the year without any community consultation.

We the undersigned request that the increased fees for the 20 Adult Pool Entry Pass be reviewed and reduced - and the Dimbulah Pool have the same opening hours as Mareeba & Kuranda Pools. All 3 Swimming Pools are community assets within the Mareeba Shire and need to be treated equally.

NAME & ADDRESS	SIGNATURE	YES	NO	COMMENTS
Principal Petitioner: Kevin Wallace P.O. Box 301, Dimbulah 0417 191978				
Abrar Khan 1 Brickley St. Dimbulah	<i>[Signature]</i>	✓		
Toni Ataly 382 Springs Creek Rd Mitchelba	<i>[Signature]</i>	✓		
Beverley Di Carlo 13 Hwy St Dimbulah	<i>[Signature]</i>	✓		
Tasha Hodges 20 Stephens St. Dimbulah	<i>[Signature]</i>	✓		
Marcia Sabatini 41 Ericson Rd Dimbulah	<i>[Signature]</i>	✓		
DONNA GOWDSWORTHY 13 BRICKLEY ST, DIMBULAH	<i>[Signature]</i>	✓		
INES CAGANOLA 14 BOOTH RD, DIMBULAH	<i>[Signature]</i>	✓		
Jane Murphy 20 Davey Rd Dimbulah	<i>[Signature]</i>	✓		
TERESA WARENG ROBOX800TOLGA	<i>[Signature]</i>	✓		
Lynsa Anzilieri 287 Sinner Creek Rd Dimbulah	<i>[Signature]</i>	✓		
Nathan Wilmshy 2744 Murrumbidgee Rd	<i>[Signature]</i>	✓		
Natalie Curtis 5 Walsh Rd Mitchelba	<i>[Signature]</i>	✓		
CHARLIE REBIE	<i>[Signature]</i>	✓		

DIMBULAH POOL PETITION NOVEMBER/DECEMBER 2022

We the undersigned Ratepayers and Residents of the Mareeba Shire wish to impress upon our Mareeba Shire Council the problems associated with the Dimbulah Memorial Swimming Pool regarding unacceptable increased entry fees and decreased Opening Hours when compared to the Mareeba & Kuranda Swimming Pools.

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NAME & ADDRESS	SIGNATURE	YES	NO	COMMENTS
Principal Petitioner: Kevin Wallace	<i>[Signature]</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Sheree Walmsley - Mutchilba	<i>[Signature]</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	I too noticed a significant difference in cost.
Giulia Dalla Lama - Dunderberg	<i>[Signature]</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Ridiculous increase in cost do what we can to support families
Linda Tomic - Mutchilba	<i>[Signature]</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
M.H. Robinson - Dingsbach	<i>[Signature]</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Frank ...	<i>[Signature]</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Peter Reeves - DIMBULAH	<i>[Signature]</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Phillip Bonaccorsi	<i>[Signature]</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
HERK TEN VANHOET	<i>[Signature]</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Rosa Venturolo - DIMBULAH	<i>[Signature]</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Please help keep kids off streets
JAN RANDALL - DIMBULAH	<i>[Signature]</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	KEEP A FANTASTIC ASSET AS IS.
ROY JAGUES - DIMBULAH	<i>[Signature]</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Jodie Taylor - DIMBULAH	<i>[Signature]</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
DAVID BARTON	<i>[Signature]</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Brendan Verheyen - Dimbulah	<i>[Signature]</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

PETITION NOVEMBER/DECEMBER 2022

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NAME & ADDRESS	SIGNATURE	YES	NO	COMMENTS
Principal Petitioner: Kevin Wallace	<i>vsambino</i>	✓		
<i>Victoria Sambino</i>	<i>(Signature)</i>	✓		
<i>Marilyn Kampman</i>	<i>(Signature)</i>	✓		
<i>Laura Delai</i>	<i>(Signature)</i>	✓		
<i>Rani Schure</i>	<i>(Signature)</i>	✓		
<i>Sandra Coetzer</i>	<i>(Signature)</i>	✓		
<i>T MARTEL</i>	<i>(Signature)</i>	✓		
<i>SUE MARTEL</i>	<i>(Signature)</i>	✓		
<i>Jarah Martel</i>	<i>(Signature)</i>	✓		
<i>Glenda Delai</i>	<i>(Signature)</i>	✓		
<i>(Signature)</i>	<i>(Signature)</i>	✓		
<i>Jolene Bailey</i>	<i>(Signature)</i>	✓		
<i>Maria Ratumanjaya</i>	<i>(Signature)</i>	✓		
<i>Catherine Fawcett</i>	<i>(Signature)</i>	✓		
<i>Caterina Severini</i>	<i>(Signature)</i>	✓		

Dimbulah Swimming Pool - Reduced Hours - 300% Increase in admission fees

PETITION NOVEMBER/DECEMBER 2022

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NAME & ADDRESS	SIGNATURE	YES	NO	COMMENTS
Principal Petitioner: Kevin Wallace 240 BOWMAN RD DIMBULAH	<i>[Signature]</i>	✓		
Mark Conroy 12-18 King St, Chillagoe	<i>[Signature]</i>	✓		
Rachael Canzon 65 Raleigh Street, Dimbulah	<i>[Signature]</i>	✓		
Leanne Emerson 385 BRIDGEWEIR RD DIMBULAH	<i>[Signature]</i>	✓		
Mark Falkrecht 11 BROWN STREET MAREEBA	<i>[Signature]</i>	✓		
BARRY HALLAM 23 MARTIN AVE MAREEBA	<i>[Signature]</i>	✓		
Lyle Basswell 415 Leafeld Weir Rd Dimbulah	<i>[Signature]</i>	✓		
Kristalie Hezinheld Davenport Rd Dimbulah	<i>[Signature]</i>	✓		
Marissa Kostake Dimbulah Rd.	<i>[Signature]</i>	✓		
Scott Hepple Davenport Road Dimbulah	<i>[Signature]</i>	✓		
Tabetha Reed Fair St Mutchilba	<i>[Signature]</i>	✓		NEED SWIM TEACHER
Juliet Wilkinson 17 Brennan Dimbulah	<i>[Signature]</i>	✓		
LARAINÉ COLCLOUGH	<i>[Signature]</i>	✓		
Gerco Van Zyl 6 Peluchetti Ct	<i>[Signature]</i>	✓		
Therms Gisthuizen 136 Leafeld Weir	<i>[Signature]</i>	✓		

NAME & ADDRESS	SIGNATURE	YES	NO	COMMENTS
SHWAL TAN HORE	<i>[Signature]</i>	✓		
MARGOY GETAIAN	M. Grawson	✓		
CESIDIO DICARIO Amber Landle 17	<i>[Signature]</i>	✓		
MARDELINE HARRIS	<i>[Signature]</i>	✓		
T. F. A. R. U. G. I. N.	<i>[Signature]</i>	✓		
T. S. E. R. A. T. I. N.	<i>[Signature]</i>	✓		
NOY SERAFIN	<i>[Signature]</i>	✓		
BRENON GOLDWORTHY	<i>[Signature]</i>	✓		
LOWREY WATSON	<i>[Signature]</i>	✓		
SA DUTKE KLASSEN	<i>[Signature]</i>	✓		DIMBULAH
BONCHITA TOSKA	<i>[Signature]</i>	✓		DIMBULAH
SAU BOOMEIRO	<i>[Signature]</i>	✓		DIMBULAH
L. RICHMOND	<i>[Signature]</i>	✓		DIMBULAH
J. RICHARDS	<i>[Signature]</i>	✓		DIMBULAH
RICKY WONG	<i>[Signature]</i>	✓		DIMBULAH
RYNISTREBALL	<i>[Signature]</i>	✓		DIMBULAH
KEVIN ISBELL	<i>[Signature]</i>	✓		DIMBULAH
ALAN STAROVICH	<i>[Signature]</i>	✓		DIMBULAH
LARVAINE COLCLOUGH	<i>[Signature]</i>	✓		DIMBULAH
SCOTT WHEELER	<i>[Signature]</i>	✓		DIMBULAH
HELLA KOEMEN	<i>[Signature]</i>	✓		DIMBULAH
COLUM ACKERING	<i>[Signature]</i>	✓		DIMBULAH
TOMMY EVANS	<i>[Signature]</i>	✓		DIMBULAH
DAVE BARKER	<i>[Signature]</i>	✓		DIMBULAH
SARANTINA MORAN	<i>[Signature]</i>	✓		DIMBULAH
PETER INGRAM	<i>[Signature]</i>	✓		DIMBULAH
LIYANILLA BURNABE	<i>[Signature]</i>	✓		DIMBULAH
SARA KUSTON	<i>[Signature]</i>	✓		DIMBULAH
SUDAMA SERAFIN	<i>[Signature]</i>	✓		DIMBULAH
SEWUNYER SARTO	<i>[Signature]</i>	✓		DIMBULAH

NAME & ADDRESS	SIGNATURE	YES	NO	COMMENTS
Don Stevens	<i>[Signature]</i>	✓		
ALAN SUTTON 303 LEARGOOGA WARR ROAD	<i>[Signature]</i>	✓		
Amber Winchhaus	<i>[Signature]</i>	✓		
Sordom Richardson	<i>[Signature]</i>	✓		
Susan Richardson	<i>[Signature]</i>	✓		
Cilla Tecca	<i>[Signature]</i>	✓		
Matthew Rowan	<i>[Signature]</i>	✓		
COIT LAMYANG	<i>[Signature]</i>	✓		
Jack Robinson	<i>[Signature]</i>	✓		
Gary Jones	<i>[Signature]</i>	✓		
Kim Johnson	<i>[Signature]</i>	✓		
Miss HARBERGER	<i>[Signature]</i>	✓		
STEPHEN PHILIP	<i>[Signature]</i>	✓		
ALEX PARKER	<i>[Signature]</i>	✓		
K. ERICSON	<i>[Signature]</i>	✓		
M P Anderson	<i>[Signature]</i>	✓		
Janes rae booth	<i>[Signature]</i>	✓		
Johnny Watford	<i>[Signature]</i>	✓		
Carolee Adams	<i>[Signature]</i>	✓		
Jana Martin 14 yrs	<i>[Signature]</i>	✓		
Katrina Jackson	<i>[Signature]</i>	✓		
Karla Kingale	<i>[Signature]</i>	✓		
Kenny Melconian	<i>[Signature]</i>	✓		
Lina Dalia Lara	<i>[Signature]</i>	✓		
Robert Curley	<i>[Signature]</i>	✓		
ROBERT CURLEY	<i>[Signature]</i>	✓		
Earl Ross	<i>[Signature]</i>	✓		
S. M. HARR	<i>[Signature]</i>	✓		














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NAME & ADDRESS	SIGNATURE	YES	NO	COMMENTS
Principal Petitioner: Kevin Wallace	L. P. PRIOR	✓		
LORRAINE PRIOR	[Signature]	✓		
Maree HAWLOCK	[Signature]	✓		
MARY ELLERY	[Signature]	✓		
EMIZABETH CEHM	[Signature]	✓		
MAL MACDONALD	[Signature]	✓		
ROSINA DE JACOU	[Signature]	✓		
P. Dunigan	[Signature]	✓		
L. Billie	[Signature]	✓		
M. Holmes	[Signature]	✓		
Noy Prior	[Signature]	✓		
Amanda Prior	[Signature]	✓		
Casey Prior	[Signature]	✓		
Belinda Lewis	[Signature]	✓		
Lewis Sands	[Signature]	✓		

NAME & ADDRESS	SIGNATURE	YES	NO	COMMENTS
JOSEPH TOMILO 31 DAWKINS ST		✓		Better hours.
Loughlin Street 3-5 Baker St		✓		
John 1 Baker St		✓		
Joanne Sedgewick 41 Kennedy St		✓		
Sarah Skirrow 174 Hedder St		✓		
Gillian Taylor 174 Hedder St		✓		
Elizabeth Brown 174 Hedder St		✓		
K. K. Brunjes		✓		
TIM SELLAR		✓		
JANE FRICH 6 Kennedy Street		✓		
CATHY WITMERS		✓		
DOUG STRUTTON		✓		
DAVID POSE		✓		

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Principal Petitioner: Kevin Wallace				
DEBORAH BUTLER DIMBULAH	<i>[Signature]</i>			
Noelene Pedersen DIMBULAH	<i>[Signature]</i>			
MARIA PINESE DIMBULAH	<i>[Signature]</i>			
SHIAN LEY DIMBULAH	<i>[Signature]</i>			
Margie Minnaga DIMBULAH	<i>[Signature]</i>			
CHRISTOPHER MULLIKEN DIMBULAH	<i>[Signature]</i>			
Marilyn Brix Dimbulah	<i>[Signature]</i>			

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Phil Quayle, 37 LEWINGHAM CK RD DIMBULAH		✓		
Gary Taylor, 37 LEWINGHAM CK RD DIMBULAH		✓		
Andrew Macleod 45 MILLER RD DIMBULAH		✓		
Carole Davis 321 Mulligan road		✓		
Karen Goetlings 119 Brand Rd Dimbulah		✓		
Sue Greenhalgh 9 Daine Dr DIMBULAH		✓		

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Principal Petitioner: Kevin Wallace				
Judith Suggden-Smith, 693 Wulkram Rd, Dimbulah	<i>Judith Suggden-Smith</i>	✓		Its one of the few local Amenities.
Maddison Suggden-Smith, " " "	<i>Maddison Suggden-Smith</i>	✓		

11 CONFIDENTIAL REPORTS

RECOMMENDATION

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 275 of the Local Government Act 2012:

11.1 Human Resources Progress and Information Report

This matter is considered to be confidential under Section 275 - b of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with industrial matters affecting employees.

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 JANUARY 2023

Date Prepared: 31 January 2023

Author: Senior Planner

Attachments: Nil

Please see below information.

Summary of new Planning Development Applications and Delegated Decisions for January 2023

New Development Applications					
Application #	Lodgement Date	Applicant/ Address	Property Description	Application Type	Status
MCU/23/0001	10/01/2023	MLK Springs Pty Ltd C/- Neil Beck 429 Fichera Road, Mareeba	Lot 414 on RP835558	MCU - Undefined Use ('Workforce Accommodation' as defined by the Planning Regulation 2017)	In Public Notification stage
MCU/23/0002	12/01/2023	Dusty Nuts Pty Ltd C/- Freshwater Planning Pty Ltd 8 Vicary Road, Mareeba	Lot 1 on RP741791	MCU - Undefined Use ('Workforce Accommodation' as defined by the Planning Regulation 2017)	In Public Notification stage

Decision Notices issued under Delegated Authority					
Application #	Date of Decision Notice	Applicant	Address	Property Description	Application Type
Nil					

Negotiated Decision Notices issued under Delegated Authority					
Application #	Date of Decision Notice	Applicant	Address	Property Description	Application Type
Nil					

Change to Existing Development Approval issued					
Application #	Date of Decision	Applicant	Address	Property Description	Application Type
Nil					

January 2023 (Regional Land Use Planning)

Referral Agency Response Decision Notices issued under Delegated Authority					
Application #	Date of Decision	Applicant	Address	Property Description	Application Type
CAR/22/0033	09/01/2022	Steven Brown	5/271 Oak Forest Road, Kuranda	Lot 5 on SP181108	Development Permit for Operational Works (Vegetation Clearing) assessable against the Mareeba Shire Council Planning Scheme 2016 - Environmental Significance Overlay

Extensions to Relevant Period issued					
Application #	Date of Decision	Applicant	Address	Property Description	Application Type
RAL/19/0003	30/01/2023	T Wallace	231 Walsh Street, Mareeba	Lot 1 on RP708211	ROL (1 into 2 Lots)

Survey Plans endorsed					
Application #	Date	Applicant	Address	Property Description	No of Lots
Nil					

January 2023 (Regional Land Use Planning)