



AGENDA

Wednesday, 24 January 2024

Ordinary Council Meeting

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

Date: Wednesday, 24 January 2024

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 - 20 December 2023
- 6 BUSINESS ARISING OUT OF MINUTES OF PREVIOUS MEETING**
- 7 DEPUTATIONS AND DELEGATIONS**

8 CORPORATE AND COMMUNITY SERVICES

8.1 W & R BLUNDELL - RECONFIGURING A LOT - BOUNDARY REALIGNMENT - LOTS 30 & 31 ON SP284537 - 37 & 50 COBRA ROAD, MAREEBA - RAL/23/0015

Date Prepared: 8 January 2024

Author: Coordinator Planning Services

Attachments: 1. Proposal Plans [↓](#)

APPLICATION DETAILS

APPLICATION		PREMISES	
APPLICANT	W & R Blundell	ADDRESS	37 & 50 Cobra Road, Mareeba
DATE LODGED	2 November 2023	RPD	Lots 30 & 31 on SP284537
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Reconfiguring a Lot – Boundary Realignment		
FILE NO	RAL/23/0015	AREA	Lot 30 – 67.664 ha Lot 31 – 30.92 ha
LODGED BY	U&i Town Plan	OWNER	Lot 30 – WR & R Blundell Lot 31 – R & J Perkes
PLANNING SCHEME	Mareeba Shire Council Planning Scheme 2016, as amended by TLPI No. 01 of 2021		
ZONE	Rural zone		
LEVEL OF ASSESSMENT	Impact Assessment		
SUBMISSIONS	Nil		

EXECUTIVE SUMMARY

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

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

The applicants propose to reconfigure the common boundary between both allotments, by way of boundary realignment only (no additional allotment/s created). The boundary realignment will transfer approximately 13.63 hectares of agricultural land from proposed Lot 87 and include it as part of proposed Lot 88.

The application and supporting material has been assessed against the Mareeba Shire Council Planning Scheme 2016 as amended by TLPI No. 01 of 2021 and is in conflict with certain purpose statements in the Rural zone code, as well as performance outcome PO1.1 of the Reconfiguring a lot code which seek to discourage the creation of any lot below 60 hectares within the Rural zone.

Existing Lot 31 is already below 60 hectares and will remain below 60 hectares following the boundary realignment. No new lot will be created below 60 hectares.

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 reduce agricultural land fragmentation and does not alienate productive agricultural land.

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	W & R Blundell	ADDRESS	37 & 50 Cobra Road, Mareeba
DATE LODGED	2 November 2023	RPD	Lots 30 & 31 on SP284537
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), relevant period in (E), further permits in (F), and further approvals from Council listed in (G);

And

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

(A) APPROVED DEVELOPMENT: Development Permit for Reconfiguring a Lot – Boundary Realignment

(B) APPROVED PLANS:

Plan/Document Number	Plan/Document Title	Prepared by	Dated
SP284537 (as amended)	Plan of Lots 30 & 31	-	-

(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) 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.

(b) 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.

(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) 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.

(f) Electric Ants

Electric ants are designated as restricted biosecurity matter under the *Biosecurity Act 2014*.

Certain restrictions and obligations are placed on persons dealing with electric ant carriers within the electric ant restricted zone. Movement restrictions apply in accordance with Sections 74–77 of the *Biosecurity Regulation 2016*. Penalties may be imposed on movement of electric ant carriers and electric ants in contravention of the legislated restrictions. It is the responsibility of the applicant to check if the nominated property lies within a restricted zone.

All persons within and outside the electric ant biosecurity zone have an obligation (a **general biosecurity obligation**) to manage biosecurity risks and threats that are under their control, they know about, or they are expected to know about. Penalties may apply for failure to comply with a general biosecurity obligation.

For more information please visit the electric ant website at [Electric ants in Queensland | Business Queensland](#) or contact Biosecurity Queensland 13 25 23.

(E) RELEVANT PERIOD

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

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

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

- Nil

(G) OTHER APPROVALS REQUIRED FROM COUNCIL

- Nil

THE SITE

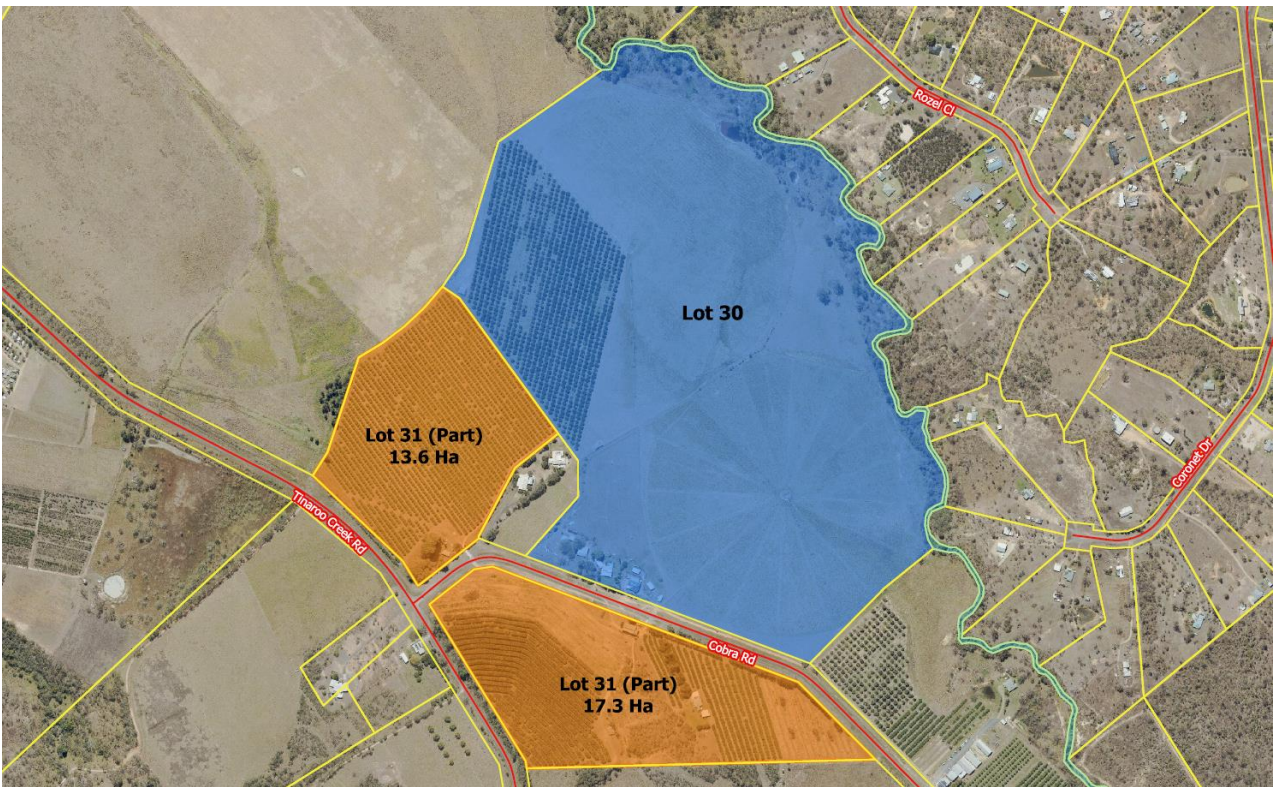
The subject site comprises of the following allotments:

- Lot 30 on SP284537, situated at 37 Cobra Road, Mareeba, having an area of 67.664 hectares, with a frontage of 566 metres to Cobra Road; and
- Lot 31 on SP284537, situated at 50 Cobra Road, Mareeba, having an area of 30.92 hectares, with frontages of approximately 629 metres to Tinaroo Creek Road and 950 metres to Cobra Road.

Tinaroo Creek Road and Cobra Road are both formed to bitumen sealed standard for the entire frontage of both allotments. Access to both allotments is obtained directly off these roads.

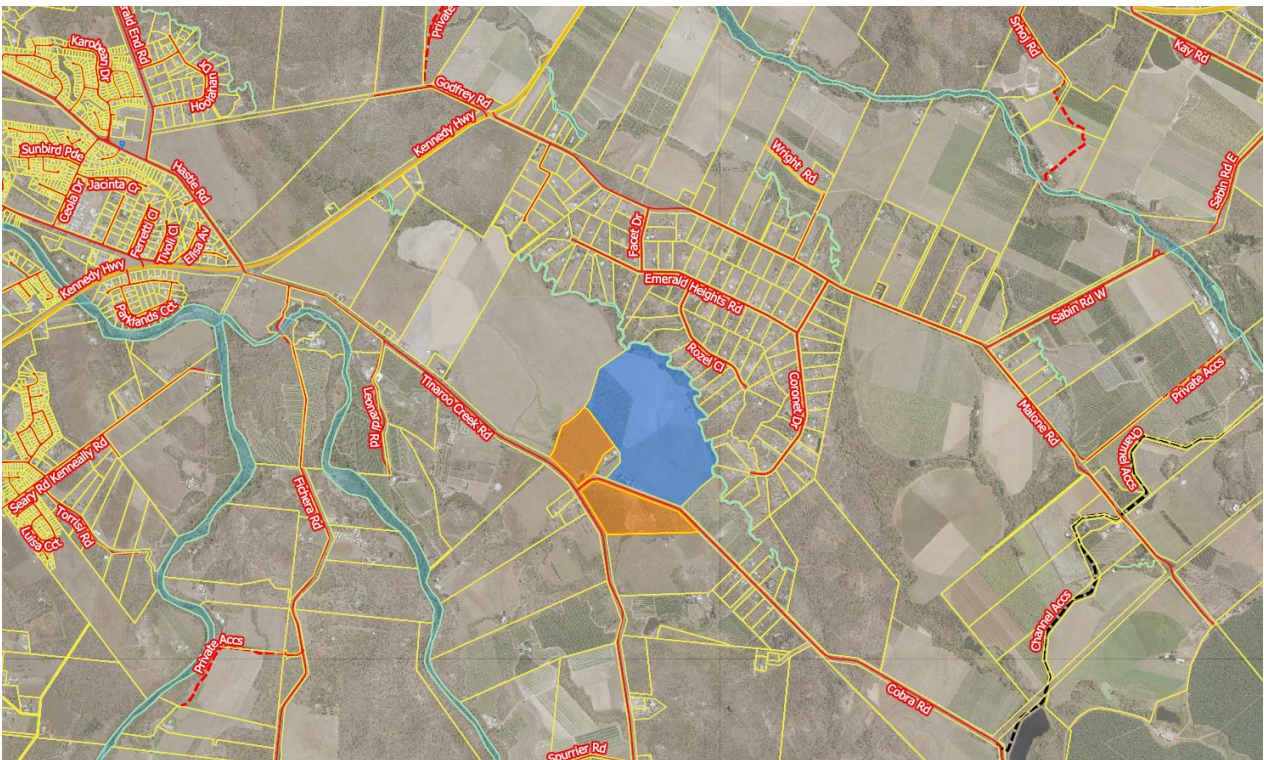
A farm residence, caretaker's residence and multiple farm sheds are established on Lot 31. A farm residence and multiple farm sheds are established on Lot 30. The majority of both allotments has been cleared for farming purposes, with a narrow belt of remnant vegetation remaining along Cobra Creek. Cobra Creek forms the north-eastern boundary of Lot 30. Extensive agriculture and horticulture activities are carried out over the majority of both allotments.

Adjoining properties are used for various rural purposes including agriculture, grazing and rural living. The Emerald Heights rural residential estate is located immediately to the east on the opposite side of Cobra Creek.



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

On 16 August 2016, Council by delegated authority issued a development permit DA/16/0049 for Reconfiguring a Lot – Boundary Realignment over Lot 20 on SP184955 and Lot 22 on SP227510, situated at 37 & 50 Cobra Road, Mareeba.

The boundary realignment was finalised with the registration of survey plan SP284537 on 25 October 2016.

The current application proposes to reverse the change made under DA/16/0049 by returning both lots to the configuration they were in at the commencement of the Mareeba Shire Council Planning Scheme 2016 in July 2016.

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 proposed allotments are:

- Lot 87, an area of 17.29 hectares, frontages of 953 metres to Cobra Road and 343 metres to Tinaroo Creek Road;
- Lot 88, an area of 81.294 hectares, 710 metres frontage to Cobra Road and 285 metres frontage to Tinaroo Creek Road.

The realignment would move approximately 13.63 hectares from existing Lot 31 and include this area as part of proposed Lot 30. The area to be transferred includes a maturing lime tree orchard and associated caretaker's residence.

The transfer of the 13.63 hectare portion into Lot 31 allows it to be farmed in conjunction with a similarly sized orchard (within Lot 31) directly to the north-east.

REGIONAL PLAN DESIGNATION

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

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

PLANNING SCHEME DESIGNATIONS

<p>Strategic Framework:</p>	<p>Land Use Categories</p> <ul style="list-style-type: none"> • Rural Area <ul style="list-style-type: none"> - Rural Agricultural Area - Rural Other <p>Natural Environment Elements</p> <ul style="list-style-type: none"> • Biodiversity Areas
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	Transport Elements <ul style="list-style-type: none"> Principal Cycle Routes
Zone:	Rural zone
Overlays:	Agricultural land overlay Airport environs overlay Bushfire hazard overlay Environmental significance overlay Hill and slope overlay

RELEVANT PLANNING INSTRUMENTS

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

(A) Far North Queensland Regional Plan 2009-2031

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

(B) State Planning Policy

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

(C) Mareeba Shire Council Planning Scheme 2016

Strategic Framework

3.3 Settlement Pattern and built environment

3.3.1 Strategic outcomes

- (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, existing Lot 31 is already less than 60 hectares in size and no new allotment less than 60 hectares will be created. The boundary realignment will transfer approximately 13.63 hectares of agricultural land from proposed Lot 87 and include it as part of proposed Lot 88.

The 13.63 hectares includes a farm dam, caretaker's residence and an orchard which is established over the majority of the land.

The boundary realignment does not result in the loss (alienation) of any agricultural land as all agricultural land on both allotments will continue to be used for agriculture following the realignment.

The proposed boundary realignment will improve the efficiency of the horticultural activities on Lot 30 and the northern portion of Lot 31 by allowing interconnection of farming activities and irrigation infrastructure.

The extinguishment of the common boundary between Lot 30 and the northern portion of Lot 31 frees up approximately 350m by 10m (3,500m²) of land for agricultural activities. This land would otherwise be set aside for fencing and firebreaks. The removal of this common boundary is a reduction in fragmentation.

The boundary realignment does not adversely impact on the rural zone, nor does it result in the creation of an additional rural lifestyle lot or an additional rural residential purposes lot.

The boundary realignment will reverse a 2016 boundary realignment and return each lot to the state it was in at the commencement of the planning scheme in July 2016.

The development 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.

In their current configuration, existing Lot 31 is already less than 60 hectares in size and no new allotment less than 60 hectares will be created. The proposed boundary realignment will not result in any new or additional rural living allotment.

The 13.63 hectares includes a farm dam, caretaker's residence and an orchard which is established over the majority of the land.

The boundary realignment does not result in the loss (alienation) of any agricultural land as all agricultural land on both allotments will continue to be used for agriculture following the realignment.

The proposed boundary realignment will improve the efficiency of the horticultural activities on Lot 30 and the northern portion of Lot 31 by allowing interconnection of farming activities and irrigation infrastructure.

The extinguishment of the common boundary between Lot 30 and the northern portion of Lot 31 frees up approximately 350m by 10m (3,500m²) of land for agricultural activities. This land would otherwise be set aside for fencing and firebreaks. The removal of this common boundary is a reduction in fragmentation.

The boundary realignment does not adversely impact on the rural zone, nor does it result in the creation of an additional rural lifestyle lot or an additional rural residential purposes lot.

The boundary realignment will reverse a 2016 boundary realignment and return each lot to the state it was in at the commencement of the planning scheme in July 2016.

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, existing Lot 31 is already less than 60 hectares in size and no new allotment less than 60 hectares will be created.

The 13.63 hectares includes a farm dam, caretaker's residence and an orchard which is established over the majority of the land.

The boundary realignment does not result in the loss (alienation) of any agricultural land as all agricultural land on both allotments will continue to be used for agriculture following the realignment.

The proposed boundary realignment will improve the efficiency of the horticultural activities on Lot 30 and the northern portion of Lot 31 by allowing interconnection of farming activities and irrigation infrastructure.

The extinguishment of the common boundary between Lot 30 and the northern portion of Lot 31 frees up approximately 350m by 10m (3,500m²) of land for agricultural activities. This land would otherwise be set aside for fencing and firebreaks. The removal of this common boundary is a reduction in fragmentation.

The boundary realignment does not adversely impact on the rural zone, nor does it result in the creation of an additional rural lifestyle lot or an additional rural residential purposes lot.

The boundary realignment will reverse a 2016 boundary realignment and return each lot to the state it was in at the commencement of the planning scheme in July 2016.

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, existing Lot 31 is already less than 60 hectares in size and no new allotment less than 60 hectares will be created.

The 13.63 hectares includes a farm dam, caretaker's residence and an orchard which is established over the majority of the land.

The boundary realignment does not result in the loss (alienation) of any agricultural land as all agricultural land on both allotments will continue to be used for agriculture following the realignment.

The proposed boundary realignment will improve the efficiency of the horticultural activities on Lot 30 and the northern portion of Lot 31 by allowing interconnection of farming activities and irrigation infrastructure.

The extinguishment of the common boundary between Lot 30 and the northern portion of Lot 31 frees up approximately 350m by 10m (3,500m²) of land for agricultural activities. This land would otherwise be set aside for fencing and firebreaks. The removal of this common boundary is a reduction in fragmentation.

The boundary realignment does not adversely impact on the rural zone, nor does it result in the creation of an additional rural lifestyle lot or an additional rural residential purposes lot.

The boundary realignment will reverse a 2016 boundary realignment and return each lot to the state it was in at the commencement of the planning scheme in July 2016.

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
- 8.2.1 Agricultural land overlay code
- 8.2.2 Airport environs overlay code

- 8.2.3 Bushfire hazard overlay code
- 8.2.4 Environmental significance overlay code
- 8.2.8 Hill and slope overlay code
- 9.4.2 Landscaping code
- 9.4.3 Parking and access code
- 9.4.4 Reconfiguring a lot code
- 9.4.5 Works, services and infrastructure code

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

Relevant Codes	Comments
Rural zone code	<p>The application conflicts with 6.2.9.2 Purpose (3) (a) of the code as both 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>
Agricultural land overlay code	The application can be conditioned to comply with the relevant acceptable outcomes (or performance outcomes where no acceptable outcome is provided) contained within the code.
Airport environs overlay code	The application can be conditioned to comply with the relevant acceptable outcomes (or performance outcomes where no acceptable outcome is provided) contained within the code.
Bushfire hazard overlay code	The application can be conditioned to comply with the relevant acceptable outcomes (or performance outcomes where no acceptable outcome is provided) contained within the code.
Environmental significance overlay code	The application can be conditioned to comply with the relevant acceptable outcomes (or performance outcomes where no acceptable outcome is provided) contained within the code.
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.
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 outcome:</p> <ul style="list-style-type: none"> • PO1.1

	Despite conflicting with the abovementioned performance outcome, 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

The following planning scheme policies are relevant to the application:

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.

(E) Adopted Infrastructure Charges Notice

Not applicable as the proposed development is for a boundary realignment and no additional vacant allotment will be created.

REFERRAL AGENCY

This application did not trigger referral to a Referral Agency.

Internal Consultation

Not applicable.

PUBLIC NOTIFICATION

The development proposal was placed on public notification from 22 November 2023 to 13 December 2023. The applicant submitted the notice of compliance on 15 December 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.

In their current configuration, existing Lot 31 is already less than 60 hectares in size and no new allotment less than 60 hectares will be created. The boundary realignment will transfer approximately 13.63 hectares of agricultural land from proposed Lot 87 and include it as part of proposed Lot 88.

The 13.63 hectares includes a farm dam, caretaker's residence and an orchard which is established over the majority of the land.

The boundary realignment does not result in the loss (alienation) of any agricultural land as all agricultural land on both allotments will continue to be used for agriculture following the realignment.

The proposed boundary realignment will improve the efficiency of the horticultural activities on Lot 30 and the northern portion of Lot 31 by allowing interconnection of farming activities and irrigation infrastructure.

The extinguishment of the common boundary between Lot 30 and the northern portion of Lot 31 frees up approximately 350m by 10m (3,500m²) of land for agricultural activities. This land would otherwise be set aside for fencing and firebreaks. The removal of this common boundary is a reduction in fragmentation.

The boundary realignment does not adversely impact on the rural zone, nor does it result in the creation of an additional rural lifestyle lot or an additional rural residential purposes lot.

The boundary realignment will reverse a 2016 boundary realignment and return each lot to the state it was in at the commencement of the planning scheme in July 2016.

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 reduce fragmentation and does not compromise or alienate productive agricultural land.

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

The application conflicts PO1.1 as the area of proposed Lot 87 will be less than 60 hectares.

The application will not result in the creation of a new lot less than 60 hectares as Lot 31 (proposed Lot 87) is already less than 60 hectares (30.92 hectares).

The boundary realignment will move 13.63 hectares of agricultural land from existing Lot 31 into Lot 30.

The 13.63 hectares includes a farm dam, caretaker's residence and an orchard which is established over the majority of the land.

The boundary realignment does not result in the loss (alienation) of any agricultural land.

All agricultural land on both allotments will continue to be used for agriculture following the realignment.

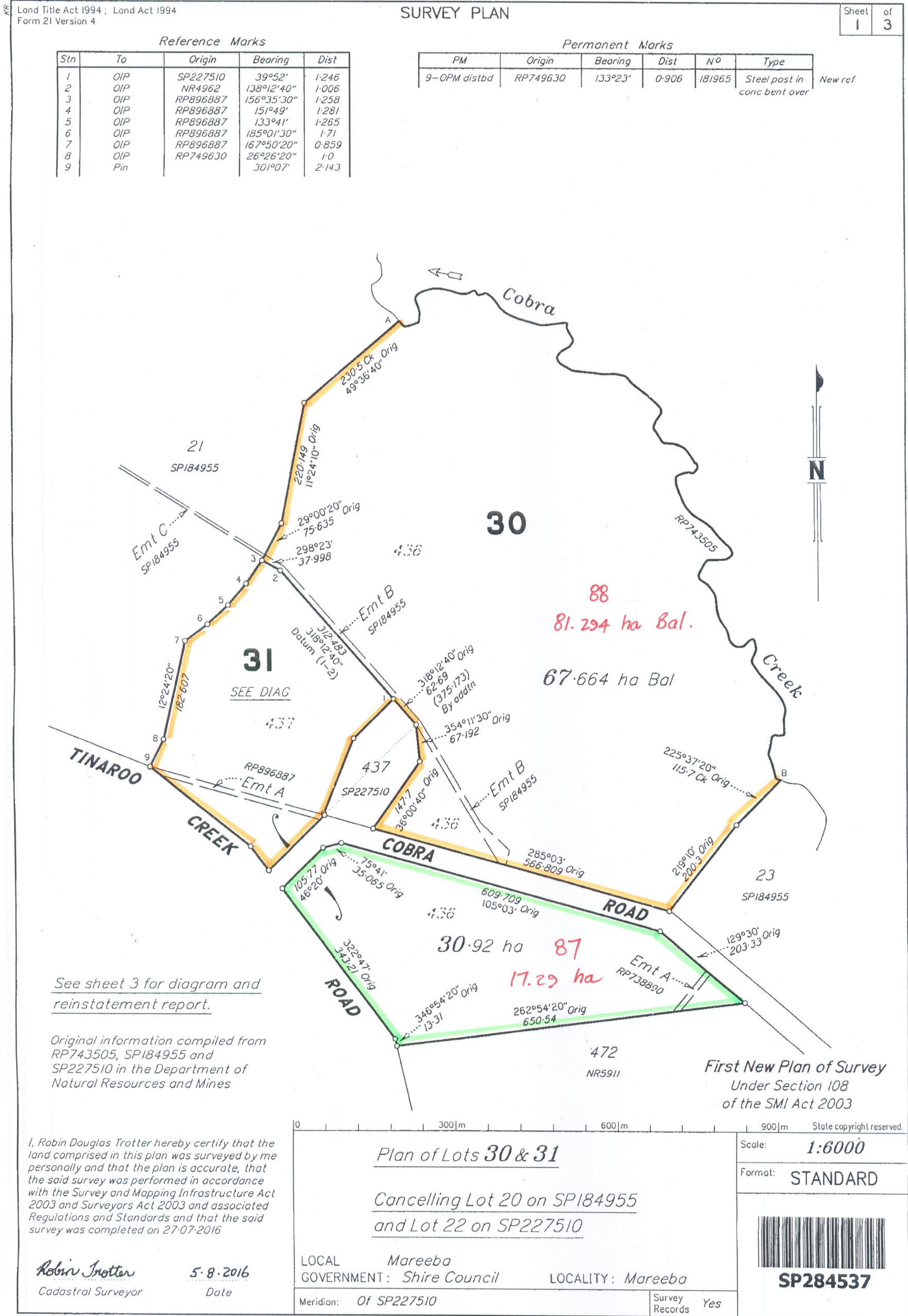
The proposed boundary realignment will improve the efficiency of the horticultural activities on Lot 30 and the northern portion of Lot 31 by allowing interconnection of farming activities and irrigation infrastructure.

The extinguishment of the common boundary between Lot 30 and the northern portion of Lot 31 frees up approximately 350m by 10m (3,500m²) of land for agricultural activities. This land would otherwise be set aside for fencing and firebreaks.

Sufficient town planning grounds to approve the application despite the conflict with PO1.1.

The boundary realignment will reverse a 2016 boundary realignment and return each lot to the state it was in at the commencement of the planning scheme in July 2016.

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 reduce fragmentation and does not compromise or alienate productive agricultural land.



Land Title Act 1994 ; Land Act 1994
Form 21A Version 1

ADDITIONAL SHEET

Sheet 3 of 3

REINSTATEMENT REPORT

Datum established between original marks and reference marks at stations 1 and 2. Linear agreement is noted between stations 1 and 2 (against SP227510). Original angle and distance (RP896887) maintained at station 2 down to OP and OIP in agreement at station 3. Original angle and distance maintained at station 3 (RP896887) down to OIP at station 4. Original angle and distance maintained at station 4 (RP896887) down to OIP at station 5. Original angle and distance maintained at station 5 (RP896887) down to OIP at station 6. Original angle and distance maintained at station 6 (RP896887) down to OIP at station 7. Original angle and distance maintained at station 7 (RP896887) down to OIP at station 8. Original angle and distance maintained at station 8 (RP749630) down to O Nail in Concrete at station 9. The boundary lines station 1 - 2 - 3 - 4 - 5 - 6 - 7 - 8 - 9 are not fenced.

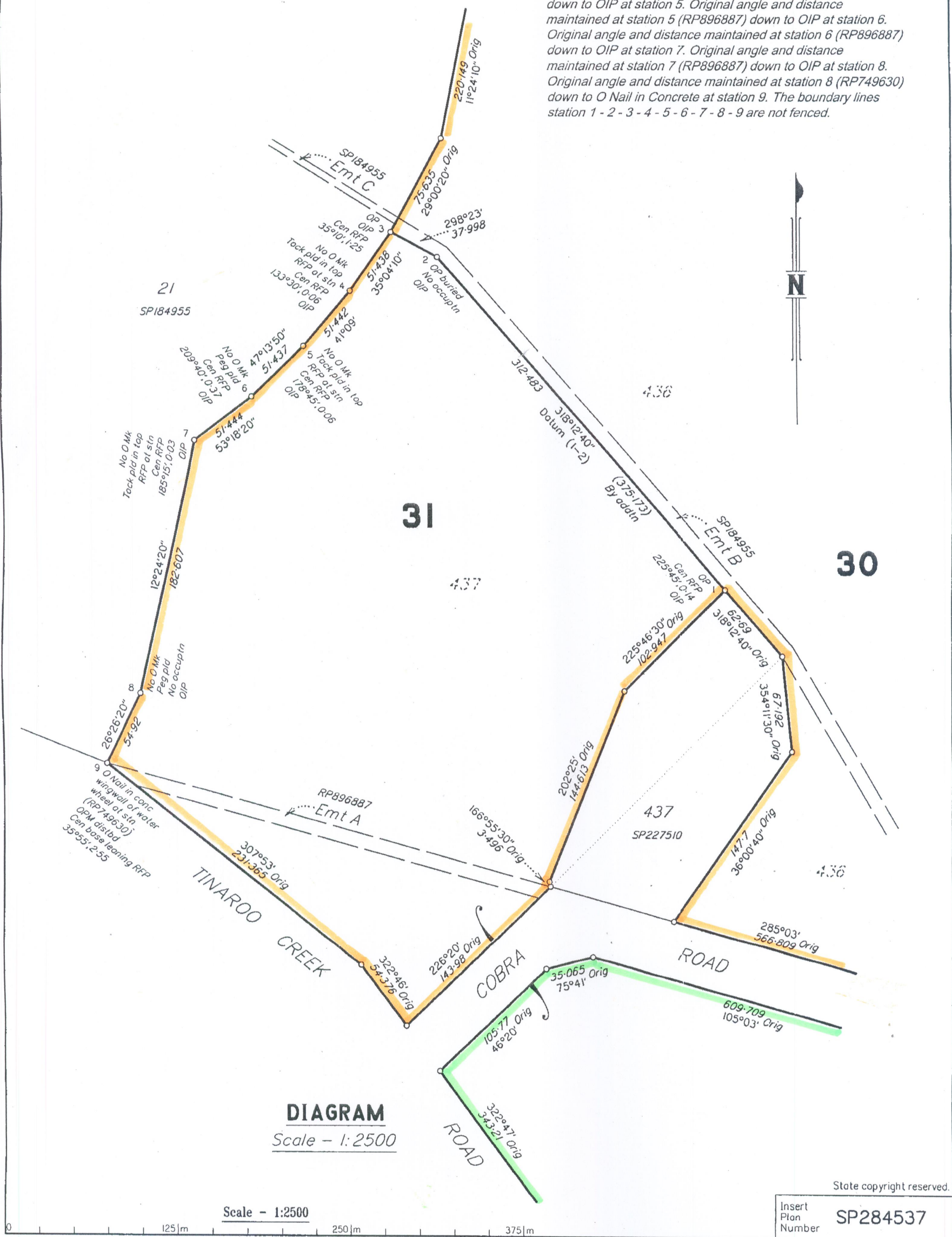


DIAGRAM
Scale - 1:2500

Scale - 1:2500



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Insert Plan Number SP284537

8.2 APPLICATION FOR CONVERSION TO FREEHOLD OF PERPETUAL LEASE OVER LOT 379 ON NR4669, 1 PERKINS STREET, MAREEBA

Date Prepared: 5 January 2024
Author: Coordinator Planning Services
Attachments: 1. DOR email of 3 January 2024 [↓](#)

EXECUTIVE SUMMARY

The Department of Resources (DOR) is considering the conversion to freehold of Perpetual Lease NCL 9/3082 described as Lot 379 on Crown Plan NR4669, situated at 1 Perkins Street, Mareeba.

Perpetual Lease NCL 9/3082 commenced on 1 January 1992 with no defined purpose. A perpetual lease is held by the leaseholder in perpetuity.

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

RECOMMENDATION

That Council advise the Department of Resources that Council has no objection to conversion to freehold of Perpetual Lease NCL 9/3082 described as Lot 379 on Crown Plan NR4669, situated at 1 Perkins Street, Mareeba

BACKGROUND

The Department of Resources is considering an application for the conversion to freehold of Perpetual Lease NCL 9/3082 described as Lot 379 on Crown Plan NR4669, situated at 1 Perkins Street, Mareeba.

The perpetual lease covers an area of 1,105m² and has no lapsing date. The land is presently used for residential purposes containing a single dwelling house and associated domestic outbuildings.

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



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



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

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

The subject land is zoned Medium Density Residential under the Mareeba Shire Council Planning Scheme 2016.

The existing use of the subject land is consistent with its zoning.

There are no known non-indigenous cultural heritage values associated with the land.

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: "Gerry Mcdonald" <Gerry.Mcdonald@resources.qld.gov.au>
Sent: Wed, 3 Jan 2024 11:16:23 +1000
To: "Info" <info@msc.qld.gov.au>
Subject: Seeking Council Views Request for Conversion of Perpetual Lease - Case Ref: 2023/003094
Attachments: Signed Council Views.pdf, QLD Globe Map Lot 379 NR4669.pdf
Categories: Chantel;Added to ECM

OFFICIAL

Good Morning,

Please find the attached views request for your consideration.

Regards



Gerard Mcdonald
 Land Support Officer, Land & Surveying Services
Land Services | Resources -
 Department of Resources

P: 4222 5220
E: Gerry.mcdonald@resources.qld.gov.au
A: 5b Sheridan Street, Cairns, QLD 4870 | PO Box 937, Cairns, QLD, 4870
W: www.resources.qld.gov.au

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File / Ref number 2023/003094

03 January 2024

Mareeba Shire Council
PO BOX 154
Mareeba QLD 4880

Email: info@msc.qld.gov.au



Queensland
Government

Department of Resources

Dear Sir/Madam,

Assessment of Conversion of Perpetual Lease NCL 9/3082 described as Lot 379 on Crown Plan NR4669 to Freehold.

An application has been made to Freehold the abovementioned lease, and the department is considering further dealing with this land. The following information may help you in providing your views and/or requirements regarding further dealing with this land.

Perpetual Lease 9/3082 commenced on 01/01/1992 for no term and issued for No Purpose.

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

It is requested that you provide any views or requirements for the conversion of perpetual lease 9/3082 to Freehold Land.

Objections to the conversion and any views or requirements that may affect the future use of the land should be received by close of business on **02 February 2024**. If you offer an objection, a full explanation stating the reason for the 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. An extension to this due date will only be granted in exceptional circumstances.

If a response is not received by the due date and no alternative arrangements have been made, it will be considered you have no objections or requirements in relation to this matter.

This information has been provided to you in confidence for the purpose of seeking your views on this matter. It is not to be used for any other purpose, or distributed further to any person, company, or organisation, without the express written permission of the department unless required.

Postal :
Resources Cairns
PO Box 937
Cairns QLD 4870

Telephone : (07) 4222 5220

Document Set ID: 4304232
Version: 1, Version Date: 03/01/2024

If you wish to discuss this matter, please contact Gerry McDonald on (07) 4222 5220.

All future correspondence relative to this matter is to be referred to the contact Officer at the address below or by email to lasslsteam1eng@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 **2023/003094** in any future correspondence.

Yours sincerely



Gerry McDonald
Land Support Officer
Land and Surveying Services

Lot 379 on NR4669

17°0'4"S 145°25'8"E

17°0'4"S 145°25'14"E



17°0'10"S 145°25'8"E

17°0'10"S 145°25'14"E



Legend located on next page



Scale: 1:872

Printed at: A4
Print date: 2/1/2024

Not suitable for accurate measurement.
Projection: Web Mercator EPSG 102100 (3857)

For more information, visit
<https://qldglobe.information.qld.gov.au/help-info/Contact-us.html>

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Document Set ID: 4304232
Version: 1, Version Date: 03/01/2024



Lot 379 on NR4669




 Legend

 Attribution




Travelling stock facilities



Stock routes

-  Primary
-  Secondary
-  Tertiary

Stock route reserves

-  Primary
-  Secondary
-  Tertiary

Coastline



Lake

Lake

Reservoir

Reservoir





Canal line

 Canal

Canal area

Canal area

Watercourse line

-  Major - perennial
-  Major - non perennial
-  Minor - perennial
-  Minor - non perennial

Watercourse area

Watercourse area

Water area edge



Watercourse stream order

Road parcel



Land parcel

 Parcel

Land parcel - gt 1 ha

 Parcel

Land parcel - gt 10 ha

 Parcel

Land parcel - gt 1000 ha

 Parcel

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Lot 379 on NR4669

 Legend

Land parcel label

Land parcel label - gt 1 ha

Land parcel label - gt 10 ha

Land parcel label - gt 1000 ha

Places: Search Results

 379NR4669

Railway



Railway station



Cities and Towns



Green bridges



Bridges



Roads and tracks

 Motorway

 Highway

 Secondary

 Connector

 Local

 Restricted Access Road

 Mall

 Busway

 Bikeway

 Restricted Access Bikeway

 Walkway

 Restricted Access Walkway

 Non-vehicular Track

 Track

 Restricted Access Track

 Ferry

 Proposed Thoroughfare

Tunnels



8.3 PLANNING SCHEME POLICY 4 - REVIEW OF SUBMISSIONS AND ADOPTION OF AMENDMENTS TO FNQROC REGIONAL DEVELOPMENT MANUAL - VERSION 05/23 (ISSUE 9)

Date Prepared: 10 January 2024

Author: Coordinator Planning Services

Attachments: 1. **Summary of proposed amendments and public consultation responses**
[↓](#)

EXECUTIVE SUMMARY

Far North Queensland Regional Organisation of Councils (FNQROC) has recently undertaken a review of the regional development manual and completed the public consultation phase. The FNQROC Regional Development Manual is Planning Scheme Policy 4 (the Manual) of the Mareeba Shire Council Planning Scheme 2016.

The Manual provides a comprehensive set of guidelines for carrying out various civil engineering works within multiple local government areas including Cairns, Cassowary Coast, Cook, Douglas, Mareeba, and Tablelands.

The purpose of these latest amendments (referred to as Issue 9), is to ensure the Manual continues to be functional and up to date and to provide a consistent set of standards to which all can refer.

Under section 22 of the Planning Act 2016 and Chapter 3 Minister's rules for making and amending a planning scheme policy (PSP), Council must now consider if it will adopt the amendments to the FNQROC Regional Development Manual, having regard to any submissions received.

It is recommended that Council adopt the proposed amendments, as modified, having regard to the submissions received.

RECOMMENDATION

That Council:

1. Adopts Planning Scheme Policy 4 - FNQROC Regional Development Manual Version 05/23 (Issue 9), as modified, having regard to the submissions received in accordance with Section 22 of the *Planning Act 2016* and Chapter 3 Minister's rules for making and amending a planning scheme policy.
2. Place a notice in a local newspaper, and on Council's website advising of Council's decision to adopt the amendments of Version 05/23 (Issue 9) with an effective date of 31 January 2024.

BACKGROUND

Council adopted the FNQROC Regional Development Manual (Version 8) as a Planning Scheme Policy at its meeting on the 14 October 2020 and the policy took effect from 21 October 2020. Planning Scheme Policy 4 - FNQROC Regional Development Manual supports the Mareeba Shire Council Planning Scheme 2016.

Council, at its Ordinary Meeting on 19 July 2023 resolved to amend Planning Scheme Policy 4 - FNQROC Regional Development Manual.

RISK IMPLICATIONS

Infrastructure and Assets

The risk of not continually updating the Manual is that Council will eventually have a manual that is not functional in providing a consistent set of relevant standards to which all can refer.

LEGAL/COMPLIANCE/POLICY IMPLICATIONS

Representatives from each of the local governments continually work together to review and make amendments to the manual. This is an ongoing process to ensure the manual is contemporary and reflects the needs of the users.

Council officers across the region have been involved in and contributed to the review of the FNQROC Development Manual. Industry representatives have also contributed to the review process, and these have been considered within the proposed amended manual.

The process to date has included:

- Submissions by Industry and member Councils to alter the manual were reviewed and incorporated into the amended manual.
- Public consultation phase was undertaken – 12 August 2023 – 15 September 2023.

Public notice was included in the Cairns Post and regional newspapers. Advice was also emailed to over 300 subscribers to the FNQROC Development Manual Update Newsletter.

Copies of the amendments were located on the Council's and FNQROC Website with a summary of changes available in Customer Service areas for viewing.

- Development Industry Workshop was held Friday 25 August 2023.
- Public submissions were reviewed and actioned according to the working group recommendations at a workshop 20 October 2023.

The FNQROC Executive Officer and Infrastructure Coordinator has managed the review process. A summary of proposed amendments and public consultation responses are attached to this report (**Attachment 1**).

To reduce the bulk / size of this report, it was deemed impractical to include a copy of all proposed amendments as an attachment to this report.

In accordance with Section 22 of the Planning Act 2016 and Chapter 3 Minister's rules for making and amending a planning scheme policy (PSP) Council must consider every properly made submission and decide if it will:

1. Resolve to adopt the amended FNQROC Development Manual - Version 05/23 (Issue 9) taking into consideration the submissions received on the proposed amended Manual;

Or

2. Not adopt the FNQROC Development Manual – Version 05/23 (Issue 9) and retain the current adopted version (Issue 8).

It is recommended that Council adopt the proposed amended Manual – Version 05/23 (Issue 9), having regard to the submissions received.

FINANCIAL AND RESOURCE IMPLICATIONS***Capital***

Nil

Operating

Council will be required to place a public notice in a local newspaper advising of the amendment of the FNQROC Development Manual (Planning Scheme Policy).

Is the expenditure noted above included in the current budget?

Yes.

LINK TO CORPORATE PLAN

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

IMPLEMENTATION/COMMUNICATION

As soon as practical after Council adopts the amended manual, it must place a notice in a newspaper generally circulating in the local government area and on the local government's website. A copy of this notice must also be sent to the FNQROC Executive Officer.

The FNQROC Executive Officer will collate member council notices and send an electronic copy of the amended Manual (Issue 9) with the notices to the chief executive of the Department.

Item	Initiated by	Section	Title	Amend / New / Removal	Description	Comments	Action	Council Working Comments	Submissions on proposed changes	Council working group comments	Recommendation
2	Council Working Group	AP1.01	Introduction	add	<p>9. For clarity, landscapers are responsible for 'soft scope' and RPEQs are responsible for structural components i.e. footpaths, buffer mounds etc.</p> <p>10. RPEQs are required to verify that the operational works design complies with the FNOROC Development Manual.</p>	<p>Added to try and resolve submission from UDIA regarding RPEQ vs Landscaper</p>	Recommended		<p>Suzan Quigg - The landscapers will usually nominate the locations only of structure but they should have a separate structure design components from the engineers (should be disclaimer on cover sheet of landscape drawings)</p> <p>Consultation meeting - Alternative requiring both RPEQ and Landscape Architects (or designer) to sign off.</p>	Comment noted	no change required to proposed change
3	UDIA	Landscaping generally		Amend.	<p>Currently an RPEQ is required to lodge landscaping drawings and be involved in prestart/works acceptance. Very few RPEQ's would be experts in landscaping matters and it seems contradictory to have an RPEQ responsible for matters they are not proficient in</p>	<p>Recommend that a Landscape Architect is required for landscaping matters and remove the need for an RPEQ to be involved.</p>	<p>amendments recommended to try and resolve this.</p>	<p>Soft scope yes, it should be a landscaper structural component needs to be RPEQ. Amendment made to try and resolve the issue in AP1.01</p>	<p>Suzan Quigg - Landscaping generally - in the comments it states that landscape Architect is required for landscaping matters. Could you please change this so that approved landscape designers are included?</p>	Recommend change to Landscape Architect or Designer.	Recommend change to Landscape Architect or Designer.
8	UDIA	OFF Maintenance / Development defects		Amend.	<p>Council has begun defecting developments at off maintenance for 3rd party activities (i.e., skip bins on verges, owners using astroturf on verges, owners building planter boxes around street trees, gardens boxed out for landscaping trip hazard etc). In addition, council has begun insisting verges are 'weed free', mown and edged prior to final works acceptance. There is no where in FNOROC where this is a requirement. The requirement is for 80% grass cover. Again, while houses are under construction, verges, no longer in the control of the developer, may have less than 80% cover due to building works. The developer is no longer the owner and has no control over these matters.</p>	<p>We need clarification for council staff what is and what is not a defect or the developers responsibility. 80% grass cover is a requirement of the Final Acceptance Checklist, contained in CP1 at Appendix H, page 1 of 3 D9.06 also related to verges and is silent on weeds</p>	<p>comments noted and raised with council</p>		<p>Suzan Quigg - Council always raise the issue on landscape plan endorsement - could a standard clause go in explaining that all non-FNOROC compliant work will be removed by council after the end of the maintenance by the developer. This should be on the landscape plan to save pain later on. It's usually made quite clear to the landscaper designer. There is however an ambiguous area where we used to be able to plant between the property boundary and the footpath where it was practical to do so - on the proviso that it extended no more than 800mm from the property boundary, must be irrigated in accordance with FNOROC standards, plants must be maintained by landscaper.</p>	<p>Comments noted. Internal issue - Not development Manual CRC will look further internally regarding this.</p>	no change required to proposed change
14	UDIA	Landscaping generally		Amend.	<p>Currently an RPEQ is required to lodge landscaping drawings and be involved in prestart/works acceptance. Very few RPEQ's would be experts in landscaping matters and it seems contradictory to have an RPEQ responsible for matters they are not proficient in</p>	<p>Recommend that a Landscape Architect is required for landscaping matters and remove the need for an RPEQ to be involved.</p>	<p>amendments recommended to try and resolve this.</p>		<p>Suzan Quigg - not just landscape architect please.</p>	Recommend change to Landscape Architect or Designer.	Recommend change to Landscape Architect or Designer.
17	UDIA	CP1.19	Introduction	Amend.	<p>CP1.19 section 4 states the date of works acceptance will be the date of the issue of the certificate. This needs additional clarification as recently, Council underbook a works acceptance inspection and subsequently issued the certificate 2 months later. This has resulted in arguments over 3rd party damage. We do not consider that CP1.19, CP1.25 and CP1.26 contemplated such a delay between the inspection and issue of the certificate.</p>	<p>Reward that the DATE of the SUCCESSFUL Works Acceptance inspection is the date that will be provided on the certificate.</p>	Not recommended	<p>Date of letter and date on certificate will match up. Works acceptance will not be backdated to inspection date. Inspection is part of the process to issue the certificate.</p>	<p>Consultation meeting - Ken Frost told works not on maintenance until certificate issued. In 6 weeks time, weeds have grown, burn out on road etc, turned into a crash. Some taking 2 months for day of inspection, 6 weeks to 2 months common. - Timing issues passed on to CRC development Engineering.</p>	<p>Comments noted, CRC will look further internally regarding this.</p>	no change required to proposed change
45	CRC	D1.09 Table D1.1	Design Guidelines Road Geometry Street and Road Hierarchy	New	<p>Include within the table, characteristics for: - Residential Frontage Access (RFA) - Intersection spacing (minimum), and - On-road Cycling Facilities (min)</p>		Recommended			Recommend removal	Recommended removal of on-road cycling facilities for minor collector roads

48	CRC	D1.08 Table D1.1 (note 2)				Amend.														CRC - amend note 2 from 18m road reserve to 19m to match S1006+J51	Recommended	Recommended		no change required to proposed change
UDIA	D1.17(4) driveway access standards																			Raised during public consultation meeting. Do we need to add additional comment referring back to Australian Standards and confirming a driveway on corner lot is acceptable (working already changed from must to should) - Jo Wakeford to review this.	Noted			
CRC							Utilities Road Lighting													D8.07(12) Add note. Steel lighting columns must be supplied by an underground service an overhead service is not permitted	Covered in D8.06			no change required to proposed change
120	UDIA	Street Trees				Amend.														Suzan Quigg - recommend that location of proposed driveway locations is shown so trees can be added with some accuracy Consultation Meeting - issue raised - landscaper cannot know what infrastructure will be in place from the outside. Landscaper sets out where trees will go at the design stage but inevitably they have to be moved or limited to allow for water and other infrastructure. Lots of time being wasted. Slate required a tree every 15m which in reality is not always achievable.	Noted			no change required to proposed change
176	CRC - CIA	Concrete Kerb and Channel				Amend														Amend Note 1 to suit AS3600 Compliance Requirements for Street Trees and their location is becoming precedent over the construction of physical infrastructure for subdivisional works. FNQROC Section D9.07 provides for where street trees may not be able to be installed. Trying to 'lock in' street trees prior to development and house construction is pointless. See attached commentary and additional information.				no change required to proposed change
181	CRC - CIA	Access Crossovers				Amend														Amend notes: Driveway edge to be 600mm clear of any stormwater kerb inlet pits	Recommended			no change required to proposed change
183	CRC - CIA	Access Crossovers				Amend														Amend Note 2 to suit AS3600 Compliance In accordance with AS3600 Table 4.3, all areas within the FNQROC area have a concrete exposure classification of B1 (or higher). As a result, and in accordance with AS3600 Table 4.4, the minimum grade of concrete should be 32MPa. Recommend changing note 1 to read "Concrete shall be N32 minimum in accordance with AS1379 and AS3600."				no change required to proposed change
190	CRC - CIA	Kerb Ramp				Amend														Amend Note 2 to suit AS3600 Compliance In accordance with AS3600 Table 4.3, all areas within the FNQROC area have a concrete exposure classification of B1 (or higher). As a result, and in accordance with AS3600 Table 4.4, the minimum grade of concrete should be 32MPa. Recommend changing note 2 to read "Concrete shall be N32 minimum in accordance with AS1379 and AS3600."				no change required to proposed change

197	CRC - CIA	New S1034	Typical Bicycle treatment for single lane roundabouts	New	New. Add CRC Preferred Typical Bicycle Treatment for Single Lane Roundabouts drawing as a guide for required signage and line marking only at new roundabouts. Roundabout itself will need to be designed and constructed as per relevant AS.	Recommended		Ken Frost - current drawing would not fit in normal subdivisional roads. The drawing reflects CBD road widths. Please clarify when the drawing is to be used (ie on major collectors and boulevards).	Drawing shows 60 and below. The narrower the road the better this works.	no change required to proposed change
200	CRC - CIA	S1035	Pathways / Bikeways	Amend	Amend Note 6 to suit AS3600 Compliance in accordance with AS3600 Table 4.3, all areas within the FNQROC area have a concrete exposure classification of B1 (or higher). As a result, and in accordance with AS3600 Table 4.4, the minimum grade of concrete should be 32MPa. Recommend changing note 6 to read "Concrete shall be N32 minimum in accordance with AS1379 and AS3600."	Recommended		Ken Frost, UDIA, Paul Pommer - change from N20 to N32, costs 15% more, do you need it stronger for footpaths, bench seating etc? Overkill and prone to cracking. A lot of the concrete problems (damage rather than cracking) is because Council is not policing Builders in residential developments.	Need to retain to meet minimum AS Standards.	no change required to proposed change
211	CRC - CIA	S1041	Traffic Control Devices	New	Amend Note 8 to suit AS3600 Compliance Recommend adding a minimum dimension of 500mm from edge of footpaths to face of post (in accordance with AUSTRROADS AP-G88-17 Figure 3.2).	not recommended		Ken Frost - may not have the width between kerb and path to achieve 500mm clearance - see photo in submission.	Noted: as with all sites anomalies can be dealt with on a case by case basis.	no change required to proposed change
216	CRC - CIA	S1050	Grated Kerb Inlet Pit Pipe Dia <= 600mm	Amend	Amend Note 1 to suit AS3600 Compliance In accordance with AS3600 Table 4.3, all areas within the FNQROC area have a concrete exposure classification of B1 (or higher) as KIPs are always exposed to water. As a result, and in accordance with AS3600 Table 4.4, the minimum grade of concrete should be 32MPa. Recommend changing note 1 to read "Concrete shall be N32 minimum in accordance with AS1379 and AS3600. Minimum cover to be 40mm."	Recommended		Ken Frost, UDIA, Paul Pommer - change from N20 to N32, costs 15% more, do you need it stronger for footpaths, bench seating etc? Overkill and prone to cracking. A lot of the concrete problems (damage rather than cracking) is because Council is not policing Builders in residential developments.	We need to ensure we meet the minimum AS Standards.	no change required to proposed change
219	CRC - CIA	S1055	Grated Kerb Inlet Pit Pipe Dia > 600mm	Amend	Amend Note 2 to suit AS3600 Compliance In accordance with AS3600 Table 4.3, all areas within the FNQROC area have a concrete exposure classification of B1 (or higher) as KIPs are always exposed to water. As a result, and in accordance with AS3600 Table 4.4, the minimum grade of concrete should be 32MPa. Recommend changing note 2 to read "Concrete shall be N32 minimum in accordance with AS1379 and AS3600. Minimum cover to be 40mm."	Recommended		Ken Frost, UDIA, Paul Pommer - change from N20 to N32, costs 15% more, do you need it stronger for footpaths, bench seating etc? Overkill and prone to cracking. A lot of the concrete problems (damage rather than cracking) is because Council is not policing Builders in residential developments.	We need to ensure we meet the minimum AS Standards.	no change required to proposed change
221	CRC - CIA	S1065	Stormwater Manholes 1050 to 1500	Amend	Amend Note 1 to suit AS3600 Compliance In accordance with AS3600 Table 4.3, all areas within the FNQROC area have a concrete exposure classification of B1 (or higher) as manholes are always exposed to water. As a result, and in accordance with AS3600 Table 4.4, the minimum grade of concrete should be 32MPa. Recommend changing note 2 to read "Concrete shall be N32 minimum in accordance with AS1379 and AS3600. Minimum cover to be 40mm."	Recommended		Ken Frost, UDIA, Paul Pommer - change from N20 to N32, costs 15% more, do you need it stronger for footpaths, bench seating etc? Overkill and prone to cracking. A lot of the concrete problems (damage rather than cracking) is because Council is not policing Builders in residential developments.	We need to ensure we meet the minimum AS Standards.	no change required to proposed change
225	CRC - CIA	S1066	Access Chamber Rectangular Roof Slab	Amend	Amend Note 1 to suit AS3600 Compliance In accordance with AS3600 Table 4.3, all areas within the FNQROC area have a concrete exposure classification of B1 (or higher). As a result, and in accordance with AS3600 Table 4.4, the minimum grade of concrete should be 32MPa. Recommend changing note 1 to read "Concrete shall be N32 minimum in accordance with AS1379 and AS3600. Minimum cover to be 40mm."	Recommended		Ken Frost, UDIA, Paul Pommer - change from N20 to N32, costs 15% more, do you need it stronger for footpaths, bench seating etc? Overkill and prone to cracking. A lot of the concrete problems (damage rather than cracking) is because Council is not policing Builders in residential developments.	We need to ensure we meet the minimum AS Standards.	no change required to proposed change
227	CRC - CIA	S1070	Field Inlet Pits	Amend	Amend Note 1 to suit AS3600 Compliance In accordance with AS3600 Table 4.3, all areas within the FNQROC area have a concrete exposure classification of B1 (or higher). As a result, and in accordance with AS3600 Table 4.4, the minimum grade of concrete should be 32MPa. Recommend changing note 1 to read "Concrete shall be N32 minimum in accordance with AS1379 and AS3600. Minimum cover to be 40mm."	Recommended		Ken Frost, UDIA, Paul Pommer - change from N20 to N32, costs 15% more, do you need it stronger for footpaths, bench seating etc? Overkill and prone to cracking. A lot of the concrete problems (damage rather than cracking) is because Council is not policing Builders in residential developments.	We need to ensure we meet the minimum AS Standards.	no change required to proposed change

229	CRC - CIA	S1075	Concrete Pipe Headwall 375 to 675	Amend	Amend Note 1 to suit AS3600 Compliance in accordance with AS3600 Table 4.3, all areas within the FNQROC area have a concrete exposure classification of B1 (or higher). As a result, and in accordance with AS3600 Table 4.4, the minimum grade of concrete should be 32MPa. Recommend changing note 1 to read "Concrete shall be N32 minimum in accordance with AS1379 and AS3600. Minimum cover to be 40mm."		Recommended		Ken Frost, UDIA, Paul Pommer - change from N20 to N32, costs 15% more, houses only require N20 why do you need it stronger for footpaths, bench sealing etc? Overkill and prone to cracking. A lot of the concrete problems (damage rather than cracking) is because Council is not policing the concrete	We need to ensure we meet the minimum AS Standards.	no change required to proposed change
230	CRC - CIA	S1080	Box Culvert Headwall 150 to 600	Amend	Amend Note 1 to suit AS3600 Compliance in accordance with AS3600 Table 4.3, all areas within the FNQROC area have a concrete exposure classification of B1 (or higher). As a result, and in accordance with AS3600 Table 4.4, the minimum grade of concrete should be 32MPa. Recommend changing note 1 to read "Concrete shall be N32 minimum in accordance with AS1379 and AS3600. Minimum cover to be 40mm."		Recommended		Ken Frost, UDIA, Paul Pommer - change from N20 to N32, costs 15% more, houses only require N20 why do you need it stronger for footpaths, bench sealing etc? Overkill and prone to cracking. A lot of the concrete problems (damage rather than cracking) is because Council is not policing the concrete	We need to ensure we meet the minimum AS Standards.	no change required to proposed change
234	CRC - CIA	S1105	Rural Allotment Accesses	Amend	Amend Note 8 to suit AS3600 Compliance in accordance with AS3600 Table 4.3, all areas within the FNQROC area have a concrete exposure classification of B1 (or higher). As a result, and in accordance with AS3600 Table 4.4, the minimum grade of concrete should be 32MPa. Recommend changing note 8 to read "Concrete shall be N32 minimum in accordance with AS1379 and AS3600."		Recommended		Ken Frost, UDIA, Paul Pommer - change from N20 to N32, costs 15% more, houses only require N20 why do you need it stronger for footpaths, bench sealing etc? Overkill and prone to cracking. A lot of the concrete problems (damage rather than cracking) is because Council is not policing the concrete	We need to ensure we meet the minimum AS Standards.	no change required to proposed change
236	CRC - CIA	S1110	Concrete Driveway for Allotment Access	Amend	Amend Note 2 to suit AS3600 Compliance in accordance with AS3600 Table 4.3, all areas within the FNQROC area have a concrete exposure classification of B1 (or higher). As a result, and in accordance with AS3600 Table 4.4, the minimum grade of concrete should be 32MPa. Recommend changing note 2 to read "Concrete shall be N32 minimum in accordance with AS1379 and AS3600."		Recommended		Ken Frost, UDIA, Paul Pommer - change from N20 to N32, costs 15% more, houses only require N20 why do you need it stronger for footpaths, bench sealing etc? Overkill and prone to cracking. A lot of the concrete problems (damage rather than cracking) is because Council is not policing the concrete	We need to ensure we meet the minimum AS Standards.	no change required to proposed change
239	CRC - CIA	S2000	Valve Box Installation	Amend	Amend Note 7 to suit AS3600 Compliance in accordance with AS3600 Table 4.3, all areas within the FNQROC area have a concrete exposure classification of B1 (or higher). As a result, and in accordance with AS3600 Table 4.4, the minimum grade of concrete should be 32MPa. Recommend changing note 7 to read "Concrete shall be N32 minimum in accordance with AS1379 and AS3600."		Recommended		Ken Frost, UDIA, Paul Pommer - change from N20 to N32, costs 15% more, houses only require N20 why do you need it stronger for footpaths, bench sealing etc? Overkill and prone to cracking. A lot of the concrete problems (damage rather than cracking) is because Council is not policing the concrete	We need to ensure we meet the minimum AS Standards.	no change required to proposed change
241	CRC - CIA	S2001	Air Valve Pit / Air Release	Amend	Amend Note 5 to suit AS3600 Compliance in accordance with AS3600 Table 4.3, all areas within the FNQROC area have a concrete exposure classification of B1 (or higher). As a result, and in accordance with AS3600 Table 4.4, the minimum grade of concrete should be 32MPa. Recommend changing note 5 to read "Concrete shall be N32 minimum in accordance with AS1379 and AS3600."		Recommended		Ken Frost, UDIA, Paul Pommer - change from N20 to N32, costs 15% more, houses only require N20 why do you need it stronger for footpaths, bench sealing etc? Overkill and prone to cracking. A lot of the concrete problems (damage rather than cracking) is because Council is not policing the concrete	We need to ensure we meet the minimum AS Standards.	no change required to proposed change
242	CRC - CIA	S2010	Kerb and Road Markers	Amend	Amend Note 1 to suit AS3600 Compliance	In accordance with AS3600 Table 4.3, all areas within the FNQROC area have a concrete exposure classification of B1 (or higher). As a result, and in accordance with AS3600 Table 4.4, the minimum grade of concrete should be 32MPa. Recommend changing note 1 to read "Concrete shall be N32 minimum in accordance with AS1379 and AS3600."	Recommended		Ken Frost, UDIA, Paul Pommer - change from N20 to N32, costs 15% more, houses only require N20 why do you need it stronger for footpaths, bench sealing etc? Overkill and prone to cracking. A lot of the concrete problems (damage rather than cracking) is because Council is not policing the concrete	We need to ensure we meet the minimum AS Standards.	no change required to proposed change
243	CRC - CIA	S2011	Steel Marker Posts	Amend	Amend Note 7 to suit AS3600 Compliance	In accordance with AS3600 Table 4.3, all areas within the FNQROC area have a concrete exposure classification of B1 (or higher). As a result, and in accordance with AS3600 Table 4.4, the minimum grade of concrete should be 32MPa. Recommend changing note 7 to read "Concrete shall be N32 minimum in accordance with AS1379 and AS3600."	Recommended		Ken Frost, UDIA, Paul Pommer - change from N20 to N32, costs 15% more, houses only require N20 why do you need it stronger for footpaths, bench sealing etc? Overkill and prone to cracking. A lot of the concrete problems (damage rather than cracking) is because Council is not policing the concrete	We need to ensure we meet the minimum AS Standards.	no change required to proposed change

244	CRC - CIA	S2012	Timber Marker Posts	Amend	Amend Note 6 to suit AS3600 Compliance	In accordance with AS3600 Table 4.3, all areas within the FNRROC area have a concrete exposure classification of B1 (or higher). As a result, and in accordance with AS3600 Table 4.4, the minimum grade of concrete should be 32MPa. Recommend changing note 6 to read "...Concrete shall be N32 minimum in accordance with AS1379 and AS3600."	Recommended	Ken Frost, UDIA, Paul Pommer - change from N20 to N32, costs 15% more, houses only require N20 why do you need it stronger for footpaths, bench seating etc? Overkill and prone to cracking. A lot of the concrete problems (damage rather than cracking) is because Council is not policing Builders in residential developments and letting	We need to ensure we meet the minimum AS Standards.	no change required to proposed change
246	CRC - W&W	S2015		Amend	Consider adding a notes which specifies: - Crossfall for the footpath area is 2.5% maximum and - amend N25 to N32.		N25 to N32 Recommended Crossfall not recommended	Ken Frost, UDIA, Paul Pommer - change from N20 to N32, costs 15% more, houses only require N20 why do you need it stronger for footpaths, bench seating etc? Overkill and prone to cracking. A lot of the concrete problems (damage rather than cracking) is because Council is not policing Builders in residential developments and letting	We need to ensure we meet the minimum AS Standards.	no change required to proposed change
256	CRC - CIA	S4110	Traffic Islands / Medians	Amend	Amend Note 2 to suit AS3600 Compliance	In accordance with AS3600 Table 4.3, all areas within the FNRROC area have a concrete exposure classification of B1 (or higher). As a result, and in accordance with AS3600 Table 4.4, the minimum grade of concrete should be 32MPa. Recommend changing note 2 to read "Concrete shall be N32 minimum in accordance with AS1379 and AS3600."	Recommended	Ken Frost, UDIA, Paul Pommer - change from N20 to N32, costs 15% more, houses only require N20 why do you need it stronger for footpaths, bench seating etc? Overkill and prone to cracking. A lot of the concrete problems (damage rather than cracking) is because Council is not policing Builders in residential developments and letting	We need to ensure we meet the minimum AS Standards.	no change required to proposed change
262	CRC - CIA	S4340	Typical Bench Seat	Amend	Amend to suit AS3600 Compliance	In accordance with AS3600 Table 4.3, all areas within the FNRROC area have a concrete exposure classification of B1 (or higher). As a result, and in accordance with AS3600 Table 4.4, the minimum grade of concrete should be 32MPa. Recommend adding "N32" to "100mm thick concrete mowing strip 2500 long x 900 wide SL62 mesh centrally placed." note.	Recommended	Ken Frost, UDIA, Paul Pommer - change from N20 to N32, costs 15% more, houses only require N20 why do you need it stronger for footpaths, bench seating etc? Overkill and prone to cracking. A lot of the concrete problems (damage rather than cracking) is because Council is not policing Builders in residential developments and letting	We need to ensure we meet the minimum AS Standards.	no change required to proposed change
266	CRC - CIA	S4390	Advisory Signs	New	New to suit AS3600 Compliance	In accordance with AS3600 Table 4.3, all areas within the FNRROC area have a concrete exposure classification of B1 (or higher). As a result, and in accordance with AS3600 Table 4.4, the minimum grade of concrete should be 32MPa. Recommend adding note to read "Concrete shall be N32 minimum in accordance with AS1379 and AS3600." Adjust notes on plan to suit.	Recommended with N20 not N32	Ken Frost, UDIA, Paul Pommer - change from N20 to N32, costs 15% more, houses only require N20 why do you need it stronger for footpaths, bench seating etc? Overkill and prone to cracking. A lot of the concrete problems (damage rather than cracking) is because Council is not policing Builders in residential developments and letting	We need to ensure we meet the minimum AS Standards.	no change required to proposed change
268	CRC - CIA	S9010	Park Access Gate	Amend	Amend Note 4 to suit AS3600 Compliance	In accordance with AS3600 Table 4.3, all areas within the FNRROC area have a concrete exposure classification of B1 (or higher). As a result, and in accordance with AS3600 Table 4.4, the minimum grade of concrete should be 32MPa. Recommend changing note 4 to read "Concrete shall be N32 minimum in accordance with AS1379 and AS3600." Adjust notes on plan to suit.	Not recommended	Ken Frost, UDIA, Paul Pommer - change from N20 to N32, costs 15% more, houses only require N20 why do you need it stronger for footpaths, bench seating etc? Overkill and prone to cracking. A lot of the concrete problems (damage rather than cracking) is because Council is not policing Builders in residential developments and letting	We need to ensure we meet the minimum AS Standards.	no change required to proposed change

8.4 COUNCIL POLICY REVIEW

Date Prepared: 12 December 2023

Author: Senior Advisor Governance & Compliance

Attachments:

1. **Body Worn Camera Policy** [↓](#)
2. **Standing Orders (Meeting Procedures) for Council Meetings** [↓](#)
3. **Community Management of Council Halls and Other Land and Facilities Policy** [↓](#)
4. **Community Tenure Guidelines** [↓](#)
5. **Community Group Exclusive Use of Council Land and Facilities 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) Community Leasing Policy – adopted 17 May 2023
 - (b) Community Management of Halls and Associated Facilities Policy – adopted 17 May 2023
 - (c) Body Worn Camera Policy – adopted 20 April 2022
 - (d) Standing Orders (Meeting Procedures) for Council Meetings – adopted 20 September 2023
2. Adopts the:
 - (a) Community Group Exclusive Use of Council Land and Facilities Policy
 - (b) Community Management of Halls and other Council Land and Facilities Policy
 - (c) Community Tenure Guidelines
 - (d) Body Worn Camera Policy
 - (e) Standing Orders (Meeting Procedures) for Council Meetings

BACKGROUND**Community Tenure Policy Framework**

Collectively, the new *Community Group Exclusive Use of Council Land and Facilities Policy*, the *Community Management of Halls and other Council Land and Facilities Policy*, and the *Community Tenure Guidelines* create a community tenure policy and administration framework. The framework

ensures that Council land and facilities are made available for the community's use in a fair, consistent, and transparent manner which is affordable to both community groups and ratepayers.

Council makes affordable land and facilities available to approved community groups to conduct community, cultural, sporting, environmental and recreational activities which contribute significantly to the liveability of the Shire's towns and districts, making them places where people want to live, work, invest and visit.

Community groups exist in many sizes and legal forms and conduct different types of activities for community benefit, and there are different types of Council facilities and open space areas used by groups.

Therefore, different community tenure arrangements and levels of Council subsidy for the community's management and use of Council land and facilities are warranted. These are set out in this suite of policies.

The policy framework also allows for not-for-profit organisations not eligible for subsidised community tenure to request Council to consider negotiating a commercial lease, for example, for the operation of state and federal government funded community services or to conduct commercial for-profit operations on Council land or facilities where there is community benefit, for example, a sporting club operating licensed premises and gaming machines.

The policy framework ensures Council does not subsidise activities or operations that compete with local businesses including commercial operations by not-for-profit organisations.

The policy framework covers five (5) types of community tenure with varying levels of Council subsidy and community group responsibilities associated with each type:

- Type 1 Community Tenure: Exclusive use by funded community services and not-for-profit commercial operators;
- Type 2 Community Tenure: Exclusive use by community groups;
- Type 3 Community Tenure: Exclusive use of space within a multi-purpose Council facility.
- Type 4 – Community management of Council halls on behalf of the community
- Type 5 – Community management of Council land/facilities on behalf of the community for free public access

Community Tenure Guidelines provide administrative guidance for the implementation of the above-mentioned policies.

Community Leasing Policy (now Community Group Exclusive Use of Council Land and Facilities Policy)

Purpose

To set out the different community tenure arrangements, levels of Council subsidy and community group responsibilities for *the exclusive use of Council land and facilities* by not-for-profit community groups and organisations conducting activities and services for community benefit.

Summary of amendments

1. Amend title – omit, Community Leasing Policy; insert, Community Group Exclusive Use of Council Land and Facilities Policy
2. Section 1 Purpose – insert of additional paragraphs to qualify policy enablement and assistance for community groups and group eligibility
3. Section 2 – amend and update existing bullet points and insert additional bullet points relevant to policy intention and scoping on Type 1, 2 and 3 tenure type model and exclude types 4 and 5.
4. Section 3.1 – amend points b), d) and e) to clarify policy objectives for group inclusion and exclusions
5. Section 3.2 – amend wording to update community group assistance eligibility requirements, remove subsection series and insert new commerciality exception qualifier. Remove pre-school and child care services provisions and tables
6. Section 3.3 – insert wording to introduce community tenure types model. Remove paragraphs relevant to previous tenure instrument model position
7. Section 5 – remove old table of responsibilities and insert new table and associated notes to delineate community group and Council responsibilities relevant to group types 1-3
8. Section 6 – update lease application assessment factor point series
9. Section 7 – update tenure instrument information to clarify alignment of group type with tenure instrument types
10. Section 10 – insert definition for Multi-Purpose Facility

Community Management of Halls and Associated Facilities Policy (now Community Management of Halls and other Council Land and Facilities Policy)**Purpose**

To set out the different community tenure arrangements, levels of Council subsidy and management group responsibilities for *community management of Council owned halls, land and other facilities* on a non-exclusive basis for community use and benefit.

This policy covers the following community tenure arrangements where a local management group of community members is managing:

1. A council hall on behalf of the community for use by community members with the aim of increasing utilisation of the Council owned hall (Type 4 Community Tenure); or
2. Improvements to a parcel of Council land or establishment of a facility on Council land that has been initiated and led by the management group on behalf of the community for free public access and use of the land or facility e.g. walking trails, environment park, basketball court (Type 5 Community Tenure).

Summary of amendments

1. Amend title – omit, Community Management of Halls and Associated Facilities Policy; insert, now Community Management of Halls and other Council Land and Facilities Policy

2. Section 1 – amend wording to clarify intent for inclusion of other land and facilities and non-exclusive use and partnership model
3. Section 2 – insert wording to introduce Type 4 and 5 tenure type model and exclude Types 1-3 and casual hire arrangements
4. Section 3 – amend wording to introduce land and other facility types, clarify use of the tenure related term ‘non-exclusive’ and replace the term ‘hall’ with the term ‘asset’
5. Section 3.1 – update wording to clarify objectives
6. Section 3.2 – update wording to define Community Group and general exclusions
7. Section 3.3 – update wording to clarify use of the tenure related term ‘non-exclusive’ and replace the term ‘hall’ with the term ‘asset’
8. Section 3.4 – update wording to clarify use of the tenure related term ‘non-exclusive’
9. Section 3.5 – apply minor amendments for clarity
10. Section 3.6 – remove old table of responsibilities and notes and insert new table of responsibilities and associated notes to delineate community group and Council responsibilities relevant to group types 4 and 5
11. Section 5 – update existing definitions and introduce definition for the term Management Agreement
12. Section 6 – update references

Body Worn Camera Policy

Purpose

To declare a principled approach to the implementation and operation of Body Worn Cameras (BWC) used by Mareeba Shire Council ("Council") officers and to ensure that any audio/video recording data captured is used lawfully.

Summary of amendments

1. Section 5.3 Protocols – omit word string from paragraph four ‘*unless there is a real or perceived danger to the officer or another person which precludes the giving of notice*’, insert word string ‘*and where it would not potentially exacerbate the situation, raise tensions and adversely impact the gathering of evidence,*’

Standing Orders (Meeting Procedures) for Council Meetings

Purpose

to provide written rules for the orderly conduct of Council Meetings in accordance with requirements under section 150F of the *Local Government Act 2009* (Qld) (LGA)

Amendment synopsis

Council is in receipt of correspondence dated 12 January 2024 from the Department of Housing, Local Government, Planning and Public Works, advising that the *Local Government (Councillor Conduct) and Other Legislation Amendment Act 2023* (the amending Act) passed through parliament on Wednesday 16 November 2023, requiring amendments to Council’s meeting procedures in relation to council investigations and other matters. Council’s

meeting procedures must not be inconsistent with the model meeting procedures published by the department; hence Councils Standings Orders have been changed to reflect the required changes.

Further amendments have also been applied to correct minor grammatical errors, and ensure consistent use of terms, statutory referencing and formatting throughout.

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.



Body Worn Camera Policy

Policy Type	Governance Policy	Version:	4.1
Responsible Officer	Manager Development & Governance	Date Approved:	24/01/2024
Review Officer:	Manager Development & Governance	Review Due:	20/03/2026
Author:	Manager Development & Governance	Commencement:	24/01/2024

1. PURPOSE

To declare a principled approach to the implementation and operation of Body Worn Cameras (BWC) used by Mareeba Shire Council ("Council") officers and to ensure that any audio/video recording data captured is used lawfully.

2. SCOPE

This policy applies across Council to all persons employed or otherwise engaged by Council who may use BWC devices and/or the Digital Evidence Management Software (DEMS) and to the subsequent management of any recordings (data) captured by BWC devices.

This policy does not apply to the administration and operation of:

- fixed CCTV systems;
- Covert camera surveillance devices deployed for investigative purposes, e.g., gathering of evidence for enforcement of a Local Law.

3. POLICY STATEMENT

The purpose for use of BWC is to assist in protecting the safety of Council employees and the public, discourage aggressive and abusive behaviour and capture evidence where required to investigate complaints.

The policy sets out the purpose for use of BWC, what information will be recorded, under what circumstances, who will have access to recorded information and how this information will be stored and disposed of.

Council may at its sole discretion, on a case by case basis, alter the manner in which this policy or any associated procedure is implemented to ensure it suits the particular circumstances of the case.

4. PRINCIPLES

Authorised persons (Council officers) who, as part of their normal duties, are responsible for engaging in compliance and enforcement activities, may utilise BWC. The use of these BWC devices in the context of work duties is intended to:

Human Rights Compatibility Statement

This policy has been drafted in alignment with obligations under s 58 of the *Human Rights Act 2019* (Qld).

Body Worn Camera Policy

- Assist in the lawful collection of evidence for actual or suspected breaches of legislation, including Council local laws.
- Maintain and improve community safety.
- Mitigate identified risks to the health, safety and welfare of Council officers in the execution of their duties.
- Provide a record of the interaction between an officer and a potential complainant in situations that may result in an allegation of inappropriate behaviour or other complaint.
- Assist in the investigation of allegations of inappropriate conduct by officers.

The BWC will not be used as a tool to assist in the ad-hoc monitoring of Council employees.

5. RESPONSIBILITIES

5.1 TRAINING

All Council officers required to operate a BWC will receive training in the use of BWC including:

- Practical use of equipment.
- Operational guidance, e.g. when to commence and cease recording.
- Legal implications of BWC use.

5.2 EQUIPMENT SECURITY

BWC devices will be held at a secure location when not in use and will be issued to individual officers, who will be responsible for the correct operation and security of the device whilst in their possession.

The loss or theft of any BWC is to be immediately reported to the relevant responsible Council officer so that an investigation can be undertaken to minimise loss, particularly the loss of any recordings containing Personal Information remaining on the BWC device.

5.3 USE PROTOCOLS

BWC devices will only be used by on-duty officers wearing Council uniform or clearly displaying formal Council identification.

BWC devices will be used in an overt manner and worn on a prominent location on the officer's body, uniform, or clothing, and in a manner that maximises the camera's ability to capture video footage of the officer's activities.

Council officers may use a BWC while conducting duties only in so far as is reasonable and necessary under the circumstances in order to capture evidence relevant to their duties as applies to the circumstance or incident at hand. Use of a BWC device should seek to minimise collateral intrusion to persons not involved in the incident at hand.

Where reasonably practicable and where it would not potentially exacerbate the situation, raise tensions and adversely impact the gathering of evidence, officers will give notice to any person (or group of persons) likely to be captured in the field of view that the BWC is switched on and actively recording. Where the decision is made not to give notice, the officer may be required to justify that decision.

Body Worn Camera Policy

BWC recording should continue uninterrupted from the commencement of an incident until the conclusion of that incident. Where possible, the officer should continue recording for a short period after any incident to clearly demonstrate that the incident has concluded. The present circumstances of a given incident may make it necessary for the officer to consider the necessity for continuing to record throughout the entirety of the incident.

If questioned by any person being captured by a BWC, the officer must confirm to the enquirer that they are subject to being captured by the recording and be prepared to answer questions as to the security of the recorded data.

5.4 DATA MANAGEMENT, USE AND DISCLOSURE

Recordings (data) must not be deleted from the BWC by the officer in the field. All BWC recordings captured must be retained for assessment and classification. BWC recordings will be downloaded from the BWC for storage on Council's DEMS as soon as practicable upon return from the field, and subsequently deleted from the relevant BWC.

All recordings will initially be classified as 'non-evidential' and stored for a period of 180 days, before being permanently deleted. In doing so Council will observe established authoritative guidelines to reduce the personal information holdings it maintains to in turn reduce the likelihood of misuse, loss and unauthorised access, modification or disclosure.¹ If, at any time during the initial 180-day period, a recording is used as part of any internal or external investigation process or relates to the issuance of any form of compliance documentation, the relevant recording will be re-classified as per the Queensland State Archives Retention and Disposal Schedules and subsequently managed in accordance with Council's *Record Management Policy*.

BWC recordings will, upon request, be made accessible as soon as practicable to Queensland Police Service (QPS) and other law enforcement agencies where it is deemed 'reasonably necessary' for a law enforcement activity. Council response to requests from external law enforcement agencies seeking access to recordings will have regard to a properly documented process for release.² In such circumstances, the relevant released recording will be re-classified accordingly.

Any person may request access to BWC footage under relevant information access legislation.³

5.5 AUTHORISED PERSONS

The following Council staff are authorised to administer the use and operation of BWC devices, and subsequently manage the records stored in Council's DEMS, including the delegation of applicable permissions to relevant operational personnel:

- Manager Development and Governance
- Manager Information Systems

6. DEFINITIONS

Authorised Person – means a person who:

- 1) Is an employee of Council; and

¹ See generally Office of the Information Commissioner, 'Camera Surveillance and Privacy' (1 November 2019) <Camera Surveillance and Privacy | Office of the Information Commissioner Queensland (oic.qld.gov.au)>.

² See *Closed-Circuit Television (CCTV) System Procedure* s 3.2.1.

³ See *Right to Information Act 2009* (Qld) s 3, 23. See also *Information Privacy Act 2009* (Qld) ss 3(1)(b), 40.

Body Worn Camera Policy

- 2) Has the competencies that the chief executive officer considers are necessary to perform the duties and responsibilities that are required under this policy.⁴

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.

Incident – means an event:

- of engagement with a member of the public during which, in the opinion of the officer, there exists a future potential for matters to become, confrontational.
- during which an officer is presently being approached by a member of the public in a manner perceived by the officer as aggressive, threatening, or confrontational.
- during which an officer is witnessing behaviour that they believe constitutes an offence as prescribed under Council’s Local Laws or other applicable legislation.
- during which an officer feels they may be required to further substantiate their actions or decisions, or the manner of interaction with a member of the public in a future subsequent investigation.

Officer – means an employee of Council.

Personal Information – means information about an individual whose identity is apparent or can be reasonably ascertained from the information. Personal Information may include an audio and/or video recording.⁵

Recording – means image and audio data captured by a BWC device.

Note: it is intended that words importing the singular include the plural and vice versa, and the masculine gender includes the feminine or neuter gender and vice versa and words importing persons includes corporations and vice versa.

7. RELATED DOCUMENTS AND REFERENCES

- *Closed-Circuit Television (CCTV) System Procedure* (MSC)
- *Code of Conduct* (MSC)
- *Information Systems Access Policy* (MSC)
- *Information Privacy Act 2009* (Qld)
- *Public Records Act 2002* (Qld)
- *Records Management Policy* (MSC)
- *Right to Information Act 2009* (Qld)

8. REVIEW

It is the responsibility of the Manager Development & 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.

⁴ See also *Local Government Act 2009* (Qld) s 202.

⁵ See *Information Privacy Act 2009* (Qld) s 12.



Standing Orders (Meeting Procedures) for Council Meetings

Policy Type	Governance Policy	Version	8
Responsible Officer	Manager Development and Governance	Date Approved	24/01/2024
Review Officer	Manager Development and Governance	Review Due	01/01/2028
Author	Director Corporate and Community Services	Commencement	24/01/2024

1. PURPOSE

The purpose of the Standing Orders (meeting procedures) for Council Meetings (Standing Orders) is to provide written rules for the orderly conduct of Council Meetings in accordance with requirements under the *Local Government Act 2009 (Qld)* (LGA).¹ These Standing Orders also set out:

- the process for how the Chairperson of a local government meeting may deal with unsuitable meeting conduct by a Councillor
- the process for how the Councillors at a local government meeting may deal with the unsuitable meeting conduct by the Chairperson
- the process for how a suspected conduct breach by a Councillor, that is referred to the local government by the Independent Assessor (IA), must be dealt with at a local government meeting
- the processes for dealing with a conflict of interest (COI) arising during a local government meeting and recording the COI in the minutes of the meeting
- the process for dealing with a loss of quorum due to the number of Councillors with a COI
- procedures for closing a local government meetings to the public.

It is intended that these procedures will help strengthen public confidence in local government to deal with the conduct of Councillors in meetings.

2. SCOPE

This policy applies to all meetings of the Mareeba Shire Council, other than a statutory meeting and Council’s audit committee meetings.

3. POLICY STATEMENT

3.1 STANDING ORDERS

1. These Standing Orders apply to all meetings of Council and any standing committees.
2. Any provision of these Standing Orders may be suspended by resolution of any meeting of Council. A separate resolution is required for any such suspension and must specify the application and duration of each suspension.
3. Where at a Council meeting a matter arises which is not provided for in these Standing Orders, such matters shall be determined by resolution of Council upon a motion which may be put without notice but otherwise in conformity with these Standing Orders.

¹ See s 150F of the *Local Government Act 2009 (Qld)*.

Standing Orders (Meeting Procedures) for Council Meetings**3.2 PROCEDURES FOR MEETINGS OF COUNCIL – INCLUDING REFERRALS FROM THE INDEPENDENT ASSESSOR****3.2.1 *Presiding Officer***

1. The Mayor will preside at a meeting of Council.
2. If the Mayor is absent or unavailable to preside, the deputy Mayor will preside.
3. If both the Mayor and the deputy Mayor are absent or unavailable to preside, a Councillor chosen by the Councillors present at the meeting will preside at the meeting.
4. In specified circumstances the Mayor is delegated to give leave to a Councillor under section 162(1) of the LGA;
5. The Mayor may give approval for attendance via teleconferencing for Councillors in certain circumstances.

3.2.2 *Order of Business*

1. Before proceeding with the business of the meeting, the person presiding at the meeting shall undertake the acknowledgement and/or greetings deemed appropriate by Council.
2. The order of business shall be determined by resolution of Council from time to time. The order of business may be altered for a particular meeting where the Councillors at that meeting pass a motion to that effect. A motion to alter the order of business may be moved without notice.
3. Unless otherwise altered, the order of business shall be as follows:
 - Attendances
 - Apologies and granting of leaves of absence
 - Confirmation of Minutes
 - Officers Reports
4. The minutes of a preceding meeting whether an ordinary or a special meeting, not previously confirmed shall be taken into consideration, at every ordinary meeting of Council, in order that such minutes may be confirmed, and no discussion shall be permitted with respect to such minutes except with respect to their accuracy as a record of the proceedings.

3.2.3 *Agendas*

1. Council reports shall be made available to Councillors, if practical, two (2) days prior to meetings.
2. The agenda may contain:
 - Apologies / leave of absence / absence on Council business
 - Bereavements / condolences
 - Declaration of any material personal interests / conflicts of interest
 - Confirmation of minutes of previous meetings
 - Business arising out of minutes of previous meetings
 - Deputations and delegations
 - Mayoral minutes
 - Notified motions
 - Consideration of officers' reports to Council

Standing Orders (Meeting Procedures) for Council Meetings

- General business
 - Consideration of closed session matters
 - Notice of next meeting
3. Business not on the agenda or not fairly arising from the agenda shall not be considered at any meeting unless permission for that purpose is given by Council at such meeting.
 4. Matters considered under General Business shall only include non-substantive issues i.e., requests for a report to be prepared or leave of absence.
 5. In terms of transparency and good governance, the items that Council should be making substantive decisions about should be contained in the public agenda and as such, General Business should not allow for making of decisions on matters of public interest.

3.2.4 Mayoral Minute

The Mayor may move that a matter be introduced to the agenda for consideration at a meeting. This motion does not require to be seconded but requires a majority vote.

3.2.5 Petitions

1. Any petition presented to a meeting of Council shall:
 - be in legible writing or typewritten and contain a minimum of 10 signatures;
 - include the name and contact details of the principal petitioner (i.e., one person who is the organiser and who will act as the key contact for the issue);
 - include the postcode of all petitioners; and
 - have the details of the specific request/matter appear on each page of the petition.
2. A petition must be forwarded or handed to the CEO, who shall take reasonable steps to check the validity of the petition and include it on the agenda for the next ordinary meeting of Council. Noting that the agenda closes seven (7) days prior to a meeting.
3. A petition may be presented to a meeting of Council by a Councillor who, before presenting the petition, shall, as far as practicable, become acquainted with the subject matter of the petition. A Councillor, on presenting a petition to a meeting, shall:
 - (a) state the nature of the petition; and
 - (b) read the petition.
4. Where a Councillor presents a petition to a meeting of Council no debate on or in relation to it shall be allowed and the only motion which may be moved is that the petition be received; or received and referred to a committee or officer for consideration and a report to Council; or not be received because it is deemed invalid.
5. Council will respond to the principal petitioner in relation to all petitions deemed valid.

3.2.6 Deputations

1. A deputation wishing to attend and address a meeting of Council shall apply in writing to the CEO not less than seven (7) clear days before the meeting.

Standing Orders (Meeting Procedures) for Council Meetings

2. The CEO, on receiving an application for a deputation shall notify the Chairperson who shall determine whether the deputation may be heard. The CEO shall inform the deputation of the determination in writing. Where it has been determined the deputation will be heard, a convenient time shall be arranged for that purpose, and an appropriate time period allowed.
3. For deputations comprising three or more persons, only three persons shall be at liberty to address Council unless the Councillors at the meeting determine otherwise by resolution. For each deputation, a nominated spokesperson shall be appointed to address Council. A deputation shall be given adequate opportunity to explain the purpose of the deputation.
4. If a member of the deputation other than the appointed speakers interjects or attempts to address Council, the Chairperson may finalise the deputation.
5. The Chairperson may terminate an address by a person in a deputation at any time where:
 - the Chairperson is satisfied that the purpose of the deputation has been sufficiently explained to the Councillors at the meeting
 - the time period allowed for a deputation has expired, or
 - the person uses insulting or offensive language or is derogatory towards Councillors or staff members.
6. The CEO is responsible for the deputation including that the appointed speaker/s are notified in writing of developments or future actions as appropriate.

3.3 MOTIONS**3.3.1 Motions**

1. A Councillor is required to 'move' a motion and then another Councillor is required to 'second' the motion.
2. When a motion has been moved and seconded, it shall become subject to the control of Council and shall not be withdrawn without the consent of Council.
3. If a motion is not moved and/or seconded it is deemed lost unless a procedural motion is proposed
4. Other Councillors can propose amendments to the original motion after it has been moved and seconded. The original motion must be voted on before voting on the final motion.
5. A motion brought before a meeting of Council in accordance with the LGA or these Standing Orders shall be received and put to the meeting by the Chairperson. The Chairperson may require a motion or amendment to a motion to be stated in full or be in writing before permitting it to be received.
6. The Chairperson may call the notices of motion in the order in which they appear on the agenda, and where no objection is taken to a motion being taken as a formal motion, the Chairperson may put the motion to the vote without discussion.
7. Where a Councillor wishes to propose a specific motion, this must be submitted to the CEO for inclusion in the agenda seven (7) days prior to the meeting.

Standing Orders (Meeting Procedures) for Council Meetings**3.3.2 Absence of Mover of Motion**

1. Where a Councillor who has given notice of a motion is absent from the meeting of Council at which the motion is to be considered, the motion may be:
 - moved by another Councillor at the meeting; or
 - deferred to the next meeting.

3.3.3 Motion to be seconded

1. A motion or an amendment to a motion shall not be debated at a meeting of Council unless or until the motion or the amendment is seconded, with the exception of procedural motions.
2. Notwithstanding item 1, where there is no seconder, a Councillor who moves a motion or an amendment to a motion may request permission of the Chairperson to speak in support of that motion or amendment in an attempt to have the motion seconded.

3.3.4 Amendment of Motion

1. An amendment to a motion shall be in terms which maintain or further clarify the intent of the original motion and do not contradict the motion.
2. Not more than one motion or one proposed amendment to a motion may be put before a meeting of Council at any one time.
3. Where an amendment to a motion is before a meeting of Council, no other amendment to the motion shall be considered until after the first amendment has been put.
4. Where a motion is amended by another motion, the original motion shall not be put as a subsequent motion to amend that other motion.

3.3.5 Speaking to motions and amendments

1. The mover of a motion or amendment shall read it and shall state that it is so moved but shall not speak to it until it is seconded.
2. The Chairperson will manage the debate by allowing the Councillor who proposed the motion the option of speaking first on the motion. The Chairperson will then call on any other Councillor who wishes to speak against the motion and then alternatively for or against the motion as available, until all Councillors who wish to speak have had the opportunity.
3. A Councillor may make a request to the Chairperson for further information before or after the motion or amendment is seconded.
4. A motion or amendment may be withdrawn by the mover thereof with the consent of Council, which shall be signified without debate, and a Councillor shall not speak upon such motion or amendment thereof after the mover has been granted permission by Council for its withdrawal.
5. The mover of a motion or amendment shall have the right to reply. Each Councillor shall speak no more than once to the same motion or same amendment except as a right of reply.
6. Each speaker shall be restricted to not more than three (3) minutes unless the Chairperson rules otherwise.

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7. Where two or more Councillors indicate they may wish to speak at the same time, the Chairperson shall determine who is entitled to priority.
8. If a decision made at a meeting is inconsistent with a recommendation or advice given to Council by an advisor of the Council, the minutes of the meeting must include a statement of the reasons for not adopting the recommendation or advice.

Where a decision is made at a meeting involving either or both of the following:

- (a) entering into a contract the total value of which is more than the greater of:
 - \$200,000 (ex GST) or;
 - 1% of the net rates and utility charges (or such other amounts as may be specified by legislation from time to time); and/or
- (b) is inconsistent with the policy or approach:
 - ordinarily followed by the local government for that type of decision or;
 - previously adopted by the local government and which is still in force

and that decision is also inconsistent with a recommendation or advice given to Council by officers, the minutes of the meeting must include a statement of the reasons for not adopting the recommendation or advice.²

3.3.6 Method of taking vote

1. A resolution is determined by a vote on a motion. A resolution is the formal adoption by Council of a position or an action.
2. Before any matter is put to the vote, the Chairperson may direct the motion or amendment to be read again. The Chairperson shall, in taking the vote on a motion or amendment, put the question, first in the affirmative and then in the negative and may do so as often as necessary to form and declare an opinion as to whether the affirmative or the negative has the majority vote.
3. Abstaining from voting is a negative vote.
4. The Chairperson has a deliberative vote and can exercise this right as a member of Council. If the votes on a matter are equal, legislation provides for the Chairperson to have a 'casting vote' to break the deadlock and bring resolution on the matter before Council.
5. Unless otherwise directed by the Chairperson, voting shall be by a show of hands.
6. Any Councillor may call for a division on a question before the Chairperson calls for a vote. If a division is taken, the minute secretary shall record the names of Councillors voting in the affirmative and of those voting in the negative. The vote for a division shall be taken by a show of hands.
7. The Chairperson will call for all Councillors in favour of the motion to indicate their support. The Chairperson will then call for all Councillors against the motion to indicate their objection. A Councillor may call for a 'division' to ensure their objection to the motion is recorded in the minutes. A call for a division must be made before the Chairperson calls for the vote. If a division is taken, the minute secretary shall record the names of Councillors voting in the affirmative and

² See *Local Government Regulation 2012* (Qld) s 254H.

Standing Orders (Meeting Procedures) for Council Meetings

of those voting in the negative. The Chairperson shall declare the result of a vote or a division as soon as it has been determined.

8. Councillors have the right to request that their names and how they voted be recorded in the minutes if they so request, for voting other than by division at the time the vote is taken.
9. Except upon a motion to repeal or amend it, the resolution shall not be discussed after the vote has been declared.
10. If a report contains distinct recommendations, the decision of Council may be taken separately on each recommendation.

3.3.7 Repealing or amending resolutions

1. A resolution of Council may not be amended or repealed unless notice of motion is given in accordance with the requirements of the LGA or the LGR.
2. Where a motion to rescind or alter a resolution is lost, a motion of the same or like effect shall not be moved until at least three (3) months after the date on which the first mentioned motion to rescind or alter was lost.
3. Councillors present at the meeting at which a motion to repeal or amend a resolution is put, may defer consideration of that motion. Such deferral shall not be longer than three months.

3.3.8 Procedural motions

1. A Councillor at a meeting of Council may, during the debate of a matter at the meeting, move, as a procedural motion, without the need for a seconder the following motions:
 - that the question/motion be now put
 - that the motion and amendment now before the meeting be adjourned
 - that the meeting proceed to the next item of business
 - that the question lie on the table
 - a point of order
 - a motion of dissent against the Chairperson's decision
 - that this report/document be tabled
 - to suspend the rule required that (insert requirements)
 - that the meeting stand adjourned
2. A procedural motion, that the question be put, may be moved and where such a procedural motion is carried, the Chairperson shall immediately put the question to the motion or amendment to that motion under consideration. Where such procedural motion is lost, debate on the motion or amendment to that motion shall continue.
3. The procedural motion, that the motion and amendment now before the meeting be adjourned, may specify a time or date, to which the debate shall be adjourned. Where no date or time is specified,
 - a further motion may be moved to specify such a time or date; or
 - the matter about which the debate is to be adjourned, shall be included in the business paper for the next meeting.

Standing Orders (Meeting Procedures) for Council Meetings

4. Where a procedural motion, that the meeting proceed to the next item is carried, debate on the matter that is the subject of the motion shall cease and may be considered again by Council on the giving of notice in accordance with the Standing Orders.
5. A procedural motion, that the question lie on the table, shall only be moved where the Chairperson or a Councillor requires additional information on the matter before the meeting (or the result of some other action of Council or person is required) before the matter may be concluded at the meeting. Where such a procedural motion is passed, the Council shall proceed with the next matter on the business paper. The motion, that the matter be taken from the table, may be moved at the meeting at which the procedural motion was carried or at any later meeting.
6. Any Councillor may ask the Chairperson to decide on a 'point of order' where it is believed that another Councillor:
 - has failed to comply with proper procedures,
 - is in contravention of the LGA/LGR, or
 - is beyond the jurisdiction power of Council.

Points of order cannot be used as a means of contradicting a statement made by the Councillor speaking. Where a 'point of order' is moved, consideration of the matter to which the motion was moved shall be suspended subject to Item 2 as outlined above. The Chairperson shall determine whether the point of order is upheld.

Upon the question of order suddenly arising during the process of a debate, a Councillor may raise a point of order, and thereupon the Councillor against whom the point of order is raised, shall immediately cease speaking. Notwithstanding anything contained in these standing orders to the contrary, all questions or order at any time arising shall, until decided, suspend the consideration and decision of every other question.

7. A Councillor may move 'a motion of dissent' in relation to a ruling of the Chairperson on a point of order. Where such motion is moved, further consideration of any matter shall be suspended until after a ruling is made. Where a motion of dissent is carried, the matter to which the ruling of the Chairperson was made shall proceed as though that ruling had not been made. Where as a result of that ruling the matter was discharged as out of order, it shall be restored to the business paper and be dealt with in the normal course of business.
8. The motion, 'that this report/document be tabled', may be used by a Councillor to introduce a report or other document to the meeting only if the report or other document is not otherwise protected under confidentiality or information privacy laws. On tabling the document, it ceases to be a confidential document and is available for public scrutiny.
9. A procedural motion, "to suspend the rule requiring that", may be made by any Councillor in order to permit some action that otherwise would be prevented by a procedural rule. A motion to suspend a rule shall specify the duration of such a suspension.
10. A procedural motion, that the meeting stands adjourned, may be moved by a Councillor at the conclusion of debate on any matter on the business paper or at the conclusion of a Councillor's time for speaking to the matter, and shall be put without debate. Such a procedural motion will specify a time for the resumption of the meeting and on resumption of the meeting the Council shall continue with the business before the meeting at the point where it was discontinued on the adjournment.

Standing Orders (Meeting Procedures) for Council Meetings

11. Any other procedural motion is required to be seconded.

3.3.9 Conduct during Meetings

1. Councillors will conduct themselves in accordance with the principles outlined in the LGA and the standards of behaviour set out in the *Code of Conduct for Councillors*. The Chairperson may observe or be made aware of instances of possible unsuitable meeting conduct.
2. After a meeting of Council has been formally constituted and the business commenced, a Councillor shall not enter or leave from such meeting without first notifying the Chairperson.
3. Councillors shall speak of each other during the Council meeting by their respective titles, "Mayor" or "Councillor", and in speaking of or addressing officers shall designate them by their respective official or departmental title and shall confine their remarks to the matter then under consideration.
4. No Councillor who is speaking shall be interrupted except upon a point of order being raised either by the Chairperson or by a Councillor.
5. When the Chairperson speaks during the process of a debate, the Councillor then speaking or offering to speak shall immediately cease speaking, and each Councillor present shall preserve strict silence so that the Chairperson may be heard without interruption.
6. Councillors shall ensure there is no audible noise from mobile devices during a formally constituted meeting except with permission of the Chairperson.
7. Councillors may sit or stand and address the Chairperson while moving any motion or amendment, seconding any motion or amendment, or taking part in any discussion, placing, or replying to any question, or addressing the Council for any other purpose.
8. Councillors shall remain seated and silent while a vote is being taken.
9. No Councillor shall make personal reflections on or impute improper motives to any other Councillor.

3.4 QUESTIONS

1. A Councillor may at a Council meeting ask a question for reply by another Councillor or an officer regarding any matter under consideration at the meeting. A question shall be asked categorically and without argument and no discussion shall be permitted at the meeting of Council in relation to a reply or a refusal to reply to the question. A Councillor or officer to whom a question is asked without notice may request that the question be taken on notice for the next meeting.
2. A Councillor who asks a question at a meeting, whether or not upon notice, shall be deemed not to have spoken to the debate of the motion to which the question relates.
3. The Chairperson may disallow a question which is considered inconsistent with an acceptable request or good order, provided that a Councillor may move a motion that the Chairperson's ruling be disagreed with, and if such motion be carried the Chairperson shall allow such question.

Standing Orders (Meeting Procedures) for Council Meetings**3.5 MAINTENANCE OF GOOD ORDER****3.5.1 Disorder**

1. The Chairperson may adjourn the meeting of Council, where disorder arises at a meeting other than by a Councillor. On resumption of the meeting, the Chairperson shall move a motion, which shall be put without debate, to determine whether the meeting shall proceed. Where such a motion is lost, the Chairperson shall declare the meeting closed, and any outstanding matters referred to a future meeting.

3.5.2 Business of Objectionable nature

1. If, at a meeting of Council, the Chairperson or a Councillor considers that a matter or motion before a meeting is of an objectionable nature or outside the powers of Council, the Chairperson or another Councillor may move a motion to declare a point of order that the matter not be considered further.

3.6 ATTENDANCE AND NON-ATTENDANCE**3.6.1 Attendance of public and the media at meeting**

1. An area shall be made available at the place where any meeting of Council is to take place for members of the public and representatives of the media to attend the meeting and as many members of the public as reasonably can be accommodated in that area shall be permitted to attend the meeting.
2. When the Council is sitting in closed session, the public and representatives of the media shall be excluded.
3. The resolution that Council proceed into closed session must specify the nature of the matters to be considered and these matters must be in accordance with requirements under the LGR.³ The Chairperson may direct any persons improperly present to withdraw immediately. Council must not make a resolution (other than a procedural resolution) in a closed session. Council must resolve to move out of closed session so that a resolution can be passed on the matters considered in closed session.

3.6.2 Public Participation at meetings

1. A member of the public may take part in the proceeding of a meeting only when invited to do so by the Chairperson.
2. In each meeting, time may be required to permit members of the public to address the Council on matters of public interest related to local government. The time allotted shall not exceed fifteen minutes and no more than three speakers shall be permitted to speak at any one meeting. The right of any individual to address the Council during this period shall be at the absolute discretion of Council.
3. If any address or comment is irrelevant, offensive, or unduly long, the Chairperson may require the person to cease making the submission or comment.

³ See *Local Government Regulation 2012* (Qld) s 254I.

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4. For any matter arising from such an address, Council may take the following actions:
 - refer the matter to a committee
 - deal with the matter immediately
 - place the matter on notice for discussion at a future meeting
 - note the matter and take no further action.
5. During a debate on a motion, the Chairperson may invite submission, comments, or questions from members of the public.
6. Any person addressing the Council shall stand and act and speak with decorum and frame any remarks in respectful and courteous language.
7. Any person who is considered by the Council or the Mayor to be unsuitably dressed may be directed by the Mayor or Chairperson to immediately withdraw from the meeting. Failure to comply with such a request may be considered an act of disorder.
8. Any person who is considered by the Council or the Mayor to be conducting themselves in an unsuitable manner, may be directed by the Mayor or Chairperson to immediately withdraw from the meeting. Should any person fail to adhere to this direction, they may be forcibly removed from the premises.
9. Audio and/or video recording of a Council meeting by a member of the public is not permitted unless approved by the Chairperson.

3.7 PROCESS FOR DEALING WITH UNSUITABLE MEETING CONDUCT BY A COUNCILLOR IN A MEETING

While Councillors generally will conduct themselves in accordance with the principles of the LGA, the Chairperson may observe or be made aware of instances of possible unsuitable meeting conduct. The conduct of a Councillor is unsuitable meeting conduct if the conduct happens during a Council meeting and contravenes a behavioural standard of the *Code of Conduct for Councillors*. When dealing with an instance of unsuitable meeting conduct by a Councillor, the following procedures must be followed:

1. The Chairperson must decide whether or not unsuitable meeting conduct has been displayed by a Councillor.
2. If the Chairperson decides the unsuitable meeting conduct has occurred, the Chairperson may consider the severity of the conduct and whether the Councillor has had any previous warnings for unsuitable meeting conduct issued. If the Chairperson decides the conduct is of a serious nature or another warning is unwarranted, refer to section 3.7, item 7 for the steps to be taken.
3. If the Chairperson decides unsuitable meeting conduct has occurred but is of a less serious nature, the Chairperson may request the Councillor take remedial actions such as:
 - Ceasing the unsuitable meeting conduct and refraining from exhibiting the conduct
 - Apologising for their conduct
 - Withdrawing their comments.
4. If the Councillor complies with the Chairperson's request for remedial action, no further action is required.

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5. If the Councillor fails to comply with the Chairperson's request for remedial action, the Councillor may warn the Councillor that failing to comply with the request may result in an order being issued.
6. If the Councillor complies with the Chairperson's warning and request for remedial action, no further action is required.
7. If the Councillor continues to fail to comply with the Chairperson's request for remedial action or the Chairperson decided a warning was not appropriate under section 3.7, item 3, the Chairperson may make one or more of the orders below:
 - an order reprimanding the Councillor for the conduct
 - an order requiring the Councillor to leave the meeting, including any area set aside for the public and stay out for the duration of the meeting.
8. If the Councillor fails to comply with an order to leave and stay away from the meeting, the Chairperson can issue an order that the Councillor be removed from the meeting.
9. Following the completion of the meeting, the Chairperson must ensure:
 - (a) details of any order issued is recorded in the minutes of the meeting;
 - (b) if it is the third (3rd) or more order made within a 12-month period made against a Councillor or the Councillor has refused to comply with an order issued to leave the meeting, these matters are to be dealt with at the next meeting of the Council as a suspected conduct breach;
 - (c) the Council's Chief Executive Officer is advised to ensure details of any order made is updated in the Council's Councillor Conduct Register.
10. Any Councillor aggrieved with an order issued by the Chairperson can move a motion of dissent for parts 1, 7 and 8 above.

3.8 PROCESS FOR DEALING WITH UNSUITABLE MEETING CONDUCT BY A CHAIRPERSON IN A MEETING

1. If a Councillor at the meeting reasonably believes that the conduct of the Chairperson during the meeting is unsuitable meeting conduct, the Councillor will raise the matter in the meeting by point of order.
2. The Chairperson may correct their unsuitable meeting conduct or if they do not properly correct their behaviour, the Councillor may move a motion that the Councillor has engaged in unsuitable meeting conduct (a seconder for the motion is required). Councillors present, excluding the Chairperson, must decide by resolution if the conduct is unsuitable meeting conduct.
3. The Chairperson has a declarable conflict of interest in the matter and must leave the place where the meeting is being held, including any area set aside for the public, during the debate and vote on the matter. If the Chairperson wishes to remain in the meeting, the eligible Councillors must make a decision and follow the procedures set out in 3.11 below.
4. For the debate and vote on the motion, a Councillor other than the Councillor that moved the motion, is to act as the Chairperson.

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5. If the original Chairperson remains in the meeting, on the condition that they will not vote on the matter as determined by the eligible Councillors, they can put forward their reasoning about their conduct, and respond to questions through the Chairperson from the eligible Councillors.
6. The acting Chairperson of the meeting will preside over the meeting while the Councillors present at the meeting vote on whether the Chairperson has engaged in unsuitable meeting conduct (the acting Chairperson will have a casting vote on the resolution if required).
7. If it is decided that the Chairperson has engaged in unsuitable meeting conduct the Councillors can make an order reprimanding the Chairperson for the conduct.
8. Once the Councillors make a decision, the Chairperson returns to the meeting (unless they have been permitted to remain in the meeting) and is informed of the decision by the acting Chairperson.
9. The Chairperson then resumes the role of Chairperson, and the meeting continues.
10. Details of any reprimand order is recorded in the minutes of the meeting. Council's CEO will ensure details of any order made is updated in Council's Councillor Conduct Register.

3.9 MEETING PROCEDURES FOR DEALING WITH A SUSPECTED CONDUCT BREACH INCLUDING THAT WHICH HAS BEEN REFERRED TO A LOCAL GOVERNMENT BY THE INDEPENDENT ASSESSOR

Pursuant to requirements under the LGA (Referral of conduct to local government)⁴ a referral from the IA of a conduct breach or an instance of suspected conduct breach may arise from circumstances under section 3.7, item 9 of these Standing Orders. In relation to matters referred by the IA to Council, Council may decide not to start or discontinue an investigation if the complainant withdraws the complaint, or consents to the investigation not starting or discontinuing, or the complainant does not provide extra information when requested, or there is insufficient information to investigate the complaint, or the Councillor vacates or has vacated their office as a Councillor.

An investigation into the alleged conduct must be:

- consistent with any recommendations from the IA; and
- consistent with Council's *Investigation Policy*; or
- in another way decided by resolution of Council.

After the completion of the investigation, the Council must decide in a council meeting, whether the Councillor has engaged in a conduct breach, unless it has delegated responsibility for this decision under section 257 of the LGA.

When dealing with an instance of suspected conduct breach which has been referred to Council by the IA:

1. Council must be consistent with the local government principle of transparent and accountable decision making in the public interest by deciding the outcome of an investigation of with a suspected conduct breach in an open meeting of the Council. However, where the matter requires debate, the Council may close all or part of a meeting to the public under section 254J of the LGR if considered necessary, to discuss an investigation report.

⁴ See *Local Government Act 2009* (Qld) Chapter 5A, Part 3, Division 5.

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2. No resolution for a decision can be made in the closed session. The matter must be decided in an open session of the meeting or at a later meeting.
3. Where Council makes a decision about a conduct breach matter at a Council meeting that is inconsistent with a recommendation made about that matter in an investigation report, a statement of the reasons for the inconsistency must be included in the minutes of the meeting.⁵
4. The subject Councillor has a declarable COI in the matter and is permitted by the Council to remain in the closed meeting (unless Council decides otherwise) during the debate about the investigation report and answer questions put to the subject Councillor through the Chairperson in relation to the evidence or written submission provided by the Councillor to the Council. The permission to remain in the meeting for the debate is on the condition that the subject Councillor must leave the place where the meeting is being held, including any area set aside for the public, during the vote on whether they have engaged in a conduct breach and what, if any, penalty to impose if the Councillor is found to have engaged in a conduct breach.
5. Should the complainant be a Councillor, that Councillor may have a declarable COI in the matter and if so, must follow the declarable COI procedures in Section 3.11. If the complainant Councillor who has a COI, wishes to remain in the meeting during the debate and vote on the matter, the other eligible Councillors (who do not have a COI in the matter) must decide how to deal with the COI under section 3.11. The complainant Councillor can be ordered to leave the meeting place or conditions may be applied to allow that Councillor to participate in either the debate, the vote or the decision on any disciplinary action to be applied.
6. After making a decision under section 150AG of the LGA, the local government must make the full investigation report, publicly available within 10 business days after the decision is made, with redactions of the name of the complainant and any witnesses but including the name of a Councillor or the CEO of the local government if they were complainants, or any Councillor who declared a COI in the matter.
7. If Council has lost quorum due to the number of conflicted Councillors or another reason, the matter must be delegated consistent with section 257 of the LGA or decided by resolution to defer the matter to a later meeting.
8. If a decision is reached that the subject Councillor has engaged in a conduct breach, then the Councillors must decide what penalty or penalties from the orders detailed in 3.8(6), if any, to impose on the Councillor. In deciding what penalty to impose, Council may consider any previous unsuitable meeting conduct of the Councillor and any allegation made in the investigation that was admitted, or not challenged, and that the Council is reasonably satisfied is true.
9. Council may order that no action be taken against the Councillor or make one or more of the following:
 - a) an order that the Councillor make a public apology in a way decided by Council
 - b) an order reprimanding the Councillor for the conduct breach
 - c) an order that the Councillor attend training or counselling to address the Councillor's conduct, including at the Councillor's expense
 - d) an order that the Councillor be excluded from a stated Council meeting

⁵ See *Local Government Regulation 2012* (Qld) ss 254H(2)-(3).

Standing Orders (Meeting Procedures) for Council Meetings

- e) an order that the Councillor is removed, or must resign, from a position representing the local government, other than the office of Councillor, for example that the Councillor is ordered to resign from an appointment representing the local government on a state board or committee
 - f) an order that if the Councillor engages in the same type of conduct again, it will be treated as misconduct
 - g) an order that the Councillor reimburse the local government for all or some of the costs arising from the Councillor’s conduct breach.
10. A local government may not make an order in relation to a person who has vacated their office as a Councillor.
 11. The subject Councillor, and where relevant, the complainant Councillor, must be invited back into the place where the meeting is being held once a decision has been made, and the Chairperson must advise them of the details of the decision made by the Council and if relevant, any orders made by resolution.
 12. The minutes of the meeting must reflect the decision and any orders made. A notice must be given to the IA as soon as practicable about the decision and the reasons for the decision and if an order is made under section 150AH of the LGA, the details of the order.

3.10 PRESCRIBED CONFLICT OF INTEREST

Councillors are ultimately responsible for informing of any prescribed COI on matters to be discussed at a council meeting, standing or advisory committee meeting (other than ordinary business matters). When dealing with a prescribed COI, Councillors must abide by the following procedures:

1. A Councillor who has notified the chief executive officer of a prescribed COI in a matter to be discussed in a council meeting must also give notice during the meeting.
2. A Councillor who first becomes aware of a prescribed COI in a matter during a council meeting must immediately inform the meeting of the COI.
3. When notifying the meeting of a prescribed COI, the following details must, at a minimum, be provided:
 - if it arises because of a gift, loan or contract, the value of the gift, loan, or contract
 - if it arises because of an application or submission, the subject of the application or submission
 - the name of any entity, other than the Councillor, that has an interest in the matter
 - the nature of the Councillor’s relationship with the entity that has an interest in a matter
 - details of the Councillor’s and any other entity’s interest in the matter.
4. The Councillor must then leave the place of the meeting, including any area set aside for the public, and stay away while the matter is being discussed and voted on, unless the subject Councillor has written notice from the Minister to participate in the matter.
5. Once the Councillor has left the area where the meeting is being conducted, the Council can continue discussing and deciding on the matter at hand.

3.11 DECLARABLE CONFLICT OF INTEREST

Councillors are ultimately responsible for informing of any declarable COI on matters to be discussed at council meetings, standing or advisory committee meetings that might lead to a decision that is contrary to the public interest (other than ordinary business matters).

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A Councillor may raise their personal interests in a matter at the meeting to canvas the view of the other Councillors prior to deciding to declare a COI. If the other Councillors suspect the personal interest might be a COI, the Councillor may disclose their suspicion and the processes under section 150EW of the LGA applies.

When dealing with a declarable COI, Councillors must abide by the following procedures:

1. A Councillor who has notified the chief executive officer of a declarable COI in a matter to be discussed at a council meeting must also give notice during the meeting.
2. A Councillor who first becomes aware of a declarable COI in a matter during a council meeting must inform the meeting of the COI.
3. When notifying the meeting of a declarable COI, Councillors should provide sufficient detail to allow the other Councillors to make an informed decision about how best to manage the declarable COI in the public interest. The following minimum details must be provided:
 - the nature of the declarable COI
 - if it arises because of the Councillor's relationship with a related party:
 - the name of the related party to the Councillor
 - the nature of the relationship of the related party to the Councillor
 - the nature of the related party's interest in the matter
 - if it arises because of a gift or loan from another person to the Councillor or a related party:
 - the name of the other person
 - the nature of the relationship of the other person to the Councillor or related party
 - the nature of the other person's interest in the matter
 - the value of the gift or loan and the date the gift or loan was made.
4. After a Councillor has declared a COI, the Councillor should consider leaving the meeting while the matter is discussed unless they have reasons why their participation would improve making the decision in the public interest.
5. If the Councillor chooses not to leave the meeting, the Councillor may advise the other Councillors of their reasons for seeking permission to participate in making the decision.
6. The other eligible Councillors at the meeting must then decide, by resolution, whether the Councillor can participate in the decision making in relation to the matter, including voting on the matter, or whether they should not participate in the decision and leave the place of the meeting while the matter is decided by the non-conflicted Councillors. The non-conflicted Councillors may impose conditions on the Councillor under a decision to either participate or leave the meeting e.g., may stay for the debate but must leave for the vote. The Councillor must comply with any decision or condition imposed by the non-conflicted Councillors unless authorised under an approval by the Minister for local government. The Councillor must not participate in the decision unless authorised in compliance with section 150ES of the LGA or under an approval by the minister for local government under section 150EV of the LGA.
7. In deciding on whether a Councillor may participate in a decision about a matter in which the Councillor has a declarable COI, only Councillors who do not themselves have a prescribed or declarable COI in the matter are eligible to participate in the decision making. The decision may be made even if the number of those Councillors is less than a majority or less than a quorum for the meeting consistent with section 150ET of the LGA.

Standing Orders (Meeting Procedures) for Council Meetings

8. The Councillor who is the subject of the decision may remain in the meeting while the debate is occurring and can participate by answering questions from the Chairperson to assist the other Councillors in making their decision. The subject Councillor must not vote or otherwise participate in making the decision but may remain in the meeting while the vote on the matter takes place and the decision is declared by the Chairperson, on whether the Councillor may remain in the meeting and participate in deciding the matter in which the Councillor has a declarable COI.
9. When deciding whether a Councillor may participate in the decision making on a matter in which they have a declarable COI, the other Councillors should consider the circumstances of the matter including, but not limited to:
 - how does the inclusion of the Councillor in the deliberation affect the public trust
 - how close or remote is the Councillor's relationship to the related party
 - if the declarable COI relates to a gift or other benefit, how long ago was the gift or benefit received
 - will the benefit or detriment the subject Councillor or their related party stands to receive from the decision have major or minor impact on them
 - how does the benefit or detriment the subject Councillor stands to receive compared to others in the community
 - how does this compare with similar matters that Council has decided and have other Councillors with the same or similar interests decided to leave the meeting
 - whether the subject Councillor has unique skills, knowledge or expertise that might help make the best decision in the public interest.
10. If the eligible Councillors cannot decide about the declarable COI of a Councillor, they are taken to have decided that the Councillor must leave and stay away from the meeting while the eligible Councillors discuss and vote on the matter.
11. A decision about a Councillor who has a declarable COI in a matter applies in relation to the Councillor for participating in the decision, and subsequent decisions, about the same matter unless there is a change to the Councillor's personal interests and/or the nature of the matter being discussed. If the eligible Councillors decide that the Councillor can act in the public interest on the matter, then the Councillor may participate in the meeting and be involved in processes occurring outside of a council meeting about the same matter e.g., briefing sessions or workshops.
12. In making the decision about the Councillor's COI in a matter, it is irrelevant how the subject Councillor intended to vote on the issue or any other issue (if known or suspected).
13. A Councillor does not contravene the above procedures if the Councillor participates in a decision under written approval from the Minister.⁶

3.12 REPORTING A SUSPECTED CONFLICT OF INTEREST

1. If a Councillor at a meeting reasonably believes or suspects that another Councillor has a personal interest in a matter that may be a prescribed or declarable COI, and that Councillor is participating in a decision on that matter, the Councillor must immediately inform the Chairperson of the meeting of their belief or suspicion, and the facts and circumstances that led to their belief or suspicion.

⁶ See *Local Government Act 2009* (Qld) s 150EV.

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2. The Chairperson should ask the relevant Councillor with the suspected personal interest whether they have any prescribed or declarable COI in the matter. If the Councillor agrees they have a COI, the Councillor must follow the relevant procedures above.
3. If the Councillor believes they do not have a COI, they must inform the meeting of that belief and their reasons for that belief.
4. The non-conflicted Councillors must then decide whether the Councillor has a prescribed COI, a declarable COI or that the Councillor does not have a prescribed or declarable COI in the matter. If the meeting decides the Councillor has a COI, the Councillor must follow the relevant procedures above.
5. If the Councillors cannot reach a majority decision, then they are taken to have determined that the Councillor has a declarable COI.
6. If the belief or suspicion of a COI relates to more than one Councillor. The parts 3.11(1) to 3.11(8) of these procedures must be complied with in relation to each Councillor separately.

3.13 LOSS OF QUORUM

1. In the event where one or more Councillors leave a meeting due to a prescribed or declarable COI in a matter that results in a loss of a quorum for deciding the matter, the Council must resolve to:
 - delegate the consideration and decision on the matter, pursuant and subject to restrictions under section 257 of the LGA; or
 - defer the matter to a later meeting; or
 - not to decide the matter and take no further action in relation to the matter unless the LGA or another Act provides that the local government must decide the matter.

All Councillors including the conflicted Councillors, may participate in deciding to delegate or defer a matter.

2. Council must not delegate a decision to an entity if the entity, or a majority being at least half of its members, has a prescribed or declarable COI in the matter.
3. If the matter cannot be delegated under an Act, Council should seek ministerial approval for the Councillors to be able to consider and vote on the matter, subject to any conditions the Minister for Local Government may impose.⁷

3.14 RECORDING PRESCRIBED AND DECLARABLE CONFLICTS OF INTEREST

When a Councillor informs a meeting that they or another Councillor have a prescribed or declarable COI in a matter, the minutes of the meeting must record all of the relevant details of how the COI was dealt with, being:⁸

- the name of any Councillor and any other Councillor who may have a prescribed or declarable COI
- the particulars of the prescribed or declarable COI provided by the Councillor

⁷ See *Local Government Act 2009* (Qld) s 257(3) – restriction on delegation of a power which must be decided by resolution of Council. See also s 257 generally. See also s 150AG – restriction on delegation of power to make a decision on Councillor conduct.

⁸ *Ibid* s 150FA.

Standing Orders (Meeting Procedures) for Council Meetings

- the actions taken by a Councillor after informing the meeting that they have, or they reasonably suspect another Councillor has a prescribed or declarable COI
- any decision then made by the eligible Councillors
- whether the Councillor with a prescribed or declarable COI participated in or was present for the decision under ministerial approval
- the Council's decision on what actions the Councillor with a declarable COI must take and the reasons for the decision
- the name of each Councillor who voted on the matter and how each voted

If the Councillor has a declarable COI the following additional information must be recorded in the minutes of the meeting when the meeting is informed of a Councillor's personal interest by someone other than the Councillor:

- the name of each Councillor who voted in relation to whether the Councillor has a declarable COI, and how each of the Councillors voted

where a decision has been made under section 3.9, Item 9 above – the minutes must include:

- the decision and reasons for the decision, and the name of each eligible Councillor who voted and how each eligible Councillor voted

3.15 CLOSED MEETINGS

Council meetings, standing and advisory committee meetings may resolve that a meeting be closed to the public if its Councillors consider it necessary to discuss any of the following matters:⁹

- Appointment, dismissal, or discipline of the CEO
- Industrial matters affecting employees
- The Council's budget
- Rating concessions
- Legal advice obtained by the Council, including legal proceedings that may be taken by or against the Council
- Matters that may directly affect the health and safety of an individual or a group of individuals
- negotiations relating to a commercial matter involving the Council for which a public discussion could prejudice the interests of the Council
- negotiations relating to the taking of land by the Council under the *Acquisition of Land Act 1967* (Qld)
- a matter that the Council is required to keep confidential under a law of, or a formal agreement with, the Commonwealth or State.
- A matter relating to the consideration of an investigation report for an investigation of a conduct breach given to the local government under the LGA Chapter 5A, Part 3, Division 5.

A council meeting, standing and advisory committee meeting cannot resolve that a meeting be closed where the meeting is informed of a Councillor's personal interest in the matter by another person and the eligible Councillors at the meeting must decide whether the Councillor has a declarable COI in the matter.

⁹ Ibid s 254J(3).

Standing Orders (Meeting Procedures) for Council Meetings

Further, the meeting must not be closed if a quorum is lost due to the number of conflicted Councillors who leave the meeting, and the Council must;

- delegate the matter
- decide by resolution to defer the matter to a later meeting
- decide by resolution to take no further action on the matter.

None of the above will be considered, discussed, voted on or made during a closed session.

If a closed session includes attendance by teleconference, the Councillor/s attending by teleconference must maintain confidentiality by ensuring no other person can hear their conversation while in the closed meeting.¹⁰

To take a matter into a closed session the Council must abide by the following:

1. Pass a resolution to close the meeting.
2. The resolution must state the matter to be discussed, an overview of what is to be discussed and why the meeting should be closed while the matter is considered.
3. If the matter is known in advance, the agenda should clearly identify that the matter may be considered in closed session, and an explanation of why the Councillors at the meeting may consider it necessary to take the issue into closed session must be stated.
4. Not make a resolution while in a closed meeting (other than a procedural resolution).

3.16 TELECONFERENCING MEETINGS

1. If a Councillor wishes to be absent from a council meeting place during a meeting, the Councillor must apply to the Chairperson to participate by teleconference, at least three business days prior to the meeting or as soon as practicable once the Councillor becomes aware of their intended absence. The Chairperson may allow a Councillor to participate in a council meeting, standing or advisory committee meeting by teleconference.
2. A Councillor taking part by teleconference is taken to be present at the meeting if the Councillor was simultaneously in audio contact with each other person at the meeting. The attendance of the Councillor must be recorded in the minutes as present at the meeting.

Note: Teleconferencing includes the use of a telephone, video conferencing equipment or other means of instant communication that allows a person to take part in a discussion as it happens.

3.17 AMENDMENT OF STANDING ORDERS

Standing Orders are a Council policy and can be amended by resolution of Council at any time.

¹⁰ Ibid s 171(3) – contravention provision.

Standing Orders (Meeting Procedures) for Council Meetings

4. REPORTING

No additional reporting is required.

5. DEFINITIONS

Advisor – holds the meaning declared in section 254(H)(4) of the LGR

Conduct – holds the meaning declared in section 150C of the LGA

Conduct breach – holds the meaning declared in section 150K of the LGA

Council – means the Mareeba Shire Council

IA – means the Independent Assessor as appointed under section 150CV of the LGA

LGA – means the *Local Government Act 2009* (Qld)

local government (or **Council** meeting) – holds the meaning declared in Schedule 8 of the LGR

LGR – means the *Local Government Regulation 2012* (Qld)

misconduct – holds the meaning declared in section 150L of the LGA

unsuitable meeting conduct – holds the meaning declared in section 150H of the LGA

6. RELATED DOCUMENTS AND REFERENCES

Code of Conduct for Councillors (MSC)

Councillor Conduct Register (MSC)

Investigation Policy (MSC)

Local Government Act 2009 (Qld)

Local Government Regulation 2012 (Qld)

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.



Community Management of Halls and other Council Land and Facilities Policy

Policy Type	Governance Policy	Version:	3.0
Responsible Officer	Manager Customer & Community Services	Date Approved:	
Review Officer:	Manager Customer & Community Services	Review Due:	
Author:	Manager Customer & Community Services	Commencement:	

1. PURPOSE

The purpose of this policy is to set out the community tenure arrangements and levels of Council subsidy for the community management of Council owned halls, land and other facilities, on a non-exclusive basis for community use and benefit.

This policy covers community tenure arrangements where a local management group of community members is managing:

1. A council hall on behalf of the community for use by community members with the aim of increasing utilisation of the Council owned hall; or
2. Improvements to a parcel of Council land or establishment of a facility on Council land that has been initiated and led by the management group on behalf of the community for free public access and use of the land or facility.

This policy:

- Sets out the level of Council subsidy and management group responsibilities for each type of community tenure;
- Provides clarity on the scope and purpose of non-exclusive community management agreements;
- Defines the relationships and responsibilities of Council, management groups and facility users;
- Details a partnership approach to the community management of halls, land or other facilities, where Council supports management groups to manage the asset.

Through the provision of a coherent policy framework for management groups, Council will ensure that fair, equitable and ongoing usage is achieved for community groups and residents.

<p>Human Rights Compatibility Statement This policy has been drafted in alignment with obligations under s 58 of the <i>Human Rights Act 2019</i> (Qld).</p>

Community Management of Halls and Other Council Land and Facilities Policy
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2. SCOPE

This policy applies to:

- Type 4 Community Tenure: Community management of Council owned halls by a local management group on behalf of the community; and
- Type 5 Community Tenure: Community management of Council land or facilities by a local management group on behalf of the community for free public use and access.

This policy does not apply to the following types of tenure arrangements with community groups which are covered by other Council policies and procedures:

- Commercial leases with businesses operating for the profit or gain of its individual members;
- Agreements for exclusive use of defined land and facilities or space within a multi-purpose Council facility (Type 1, 2 and 3 Community Tenure);
- Casual hall hire arrangements.

3. POLICY STATEMENT

Council recognises the significant community benefits to be gained by supporting the community management of halls, land and other facilities such as sports fields, tennis courts and amenities blocks, in towns and districts in the shire.

The community management of these assets is a commitment by Council to re-position community halls, land and facilities in local communities as well used and valued community assets. Community management groups responsible for the management of the hall, land or facility are drawn from the community serviced by the asset. They have intimate knowledge of how best to manage the land or facility to increase usage in ways that suit unique local characteristics and issues.

The asset is, and will remain, the property of Council, however the issuing of a non-exclusive community Management Agreement enables the management group to manage the asset on a long term basis as it sees fit.

3.1 OBJECTIVES

- Support local management groups to manage community halls, land or facilities to become well used and valued spaces for a diverse range of community, recreational and sporting activities, to enhance community connectedness, liveability and wellbeing in the Shire.
- Support the management group to competently manage usage and the asset as they see fit.
- Increase the capacity of the management group by providing security of tenure to occupy and invest in assets and access grants for the benefit of the community.

Community Management of Halls and Other Council Land and Facilities Policy

- Outline Council's level of subsidy and the responsibilities held by Council and the Management Group to manage the asset.
- Ensure decisions regarding non-exclusive community management agreements are made in a transparent, consistent and fair manner, whilst allowing some flexibility to take into account special circumstances.

3.2 ELIGIBILITY**Definition of Management Group**

For the purposes of this policy, eligible management groups are not-for-profit community groups which manage and operate Council owned halls, land and other facilities, on a non-exclusive basis, for the benefit of the community rather than for the primary benefit of the group's members.

A management group eligible to enter into a non-exclusive agreement is defined as:

- a) A not for profit, incorporated, group or association of persons with the primary aim of providing services for community benefit;
- b) A community group that relies predominantly on volunteer labour, community fundraising, membership fees and donations; and
- c) A community group that does not receive state or federal government operational grants and does not reply on a fee for service business model.

General Exclusions

This policy excludes the following groups and facilities:

- a) Groups who do not meet the definition of a community group as defined in this policy, Section 3.2;
- b) Facilities where community groups undertake only commercial activities;
- c) Community assets that are managed by community groups under an exclusive use agreement, for example sporting clubs;
- d) Political groups and
- e) Community groups where religious worship is the primary purpose.

Exception

Council will consider negotiating a subsidised community tenure arrangement with a not-for-profit community organisation that does not meet the definition of an eligible Community Group at Section 3.2, should the community group request non-exclusive use of Council land, facilities or premises to lead and develop a community asset for community benefit including free public access.

The terms and conditions of the tenure agreement will be in accordance with the relevant Type Four or Type Five Community Tenure level of Council subsidy with approval by Resolution of the Council.

Community Management of Halls and Other Council Land and Facilities Policy**3.2 TYPE FOUR COMMUNITY TENURE – COMMUNITY MANAGEMENT OF COUNCIL HALLS****a) Management Group**

- The eligible management group must be a not-for-profit incorporated legal body that can insure and protect members, conduct activities or improve facilities for community benefit.
- The primary focus of the management group is to ensure the fair, equitable and ongoing usage of the hall by the management group, community groups, clubs, associations, societies, the general public and Council.
- The management group will manage the day-to-day operation of the hall in accordance with the terms and conditions of the Community Management of Council Halls Agreement and will be responsible for operating expenses.
- The management group will aim to manage bookings and activities in such a way as to ensure full utilisation of the hall.
- Full and adequate books of accounts and booking records will be established and kept by the management group and provided to Council on request.
- The management group will provide Council with a copy of their annual general meeting (AGM) minutes.
- The management group will provide Council with usage information by the first working day of each month, or as requested. The information required will be agreed to between Council and the management group.
- Where the management group is also a user group of the hall, the management group agrees to adopt a usage plan detailing how the facility will be available to user groups 80% of the time.

b) Council Assistance

- Council recognises the community benefits from the efforts of volunteer management groups managing Council-owned halls to increase the community's use of the halls. The primary beneficiaries are community members and rate payers, and not the management group's members. Therefore, Council provides a significant level of assistance to support the tenure arrangement.
- The management group and Council share maintenance responsibilities and Council is responsible for major maintenance. Council does not charge the management group rates and utilities for the hall and may cover other costs depending on the layout of the facility e.g., Public toilet cleaning and grounds maintenance.
- This level of subsidy is fair and reasonable as the group is managing the hall on behalf of the community for community benefit, yet halls have some revenue raising capacity which the management group can use to cover operating expenses such as power and cleaning.

Community Management of Halls and Other Council Land and Facilities Policy**c) Community Management of Council Halls Agreement**

- A non-exclusive Community Management of Council Halls Agreement (Agreement) grants the management group the right to operate, use and manage the hall in accordance with the Management Agreement and the usage plan.
- The Agreement will commence on the date it is executed and continues in perpetuity until Council or the management group provides written notice to the other party, three months prior to the intended end date of the agreement, or in the case that the management group ceases to operate.
- The management group can request a management agreement for a specified period. This request will be assessed on a case by case basis.
- The management group and a Council representative will review the management agreement on an as needs / as requested basis.

d) Management and Use of Council Halls

- The management group will take all reasonable steps to advertise and encourage shared use of the hall by community groups, clubs, associations, societies and the general public to increase community utilisation of the hall.
- The management group, if required, may utilise a small area of the hall for administration purposes and as an office for the management group.
- Where appropriate the management group will determine appropriate fees to be charged for use of the hall and are to be set at a level to ensure full and equitable access to and availability of the facility for the whole community.
- The management group may, at its discretion, reduce or waive any fees they have set for hiring of the hall.
- The management group will have discretionary power to make certain decisions relevant to user groups or other groups or individuals who may seek to utilise the hall, and the extent of this discretionary power is outlined in the management agreement.
- Fees derived by the management group in the operation and management of the hall shall be used to cover the operating expenses for the hall.

3.3 TYPE FIVE COMMUNITY TENURE: COMMUNITY MANAGEMENT OF COUNCIL LAND OR FACILITIES**a) Management Group**

- The management group must be a not-for-profit incorporated legal body that can insure and protect members, conduct activities or improve facilities for community benefit.
- The management group is fully responsible for the facility or improvements to the parcel of Council land it has initiated and developed.

Community Management of Halls and Other Council Land and Facilities Policy
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- The management group will take all reasonable steps to advertise and encourage free public use of the community asset it has developed on Council land;
- The management group will manage the activities or improvements on the Council land in accordance with the terms and conditions of the Community Management of Council Land and Facilities Agreement and will be responsible for all associated costs.

b) Council Assistance

- Council recognises the community benefits from the management group establishing and managing a facility/asset on behalf of the community for free community use and enjoyment, such as walking trails, basketball court or environmental park. The primary beneficiaries are community members and not the management group's members.
- Therefore, Council's contribution is the provision of land at no cost, most often reserve land for which Council is Trustee, for the project.
- Council does not charge rates and utilities for the property.
- This level of subsidy is fair and reasonable as it is a facility/asset for community benefit and free public access, but the project was initiated and led by the group and the group may have access to grant funds for establishment and ongoing maintenance/upgrades.

c) Community Management of Council Land/Facilities Agreement

- A Community Management of Council Land/Facilities Agreement (Agreement) grants the management group the right to operate, use and manage the land and improvements on the land for free public access and use in accordance with the Agreement.
- The Agreement will commence on the date it is executed and continues in perpetuity until Council or the management group provides written notice to the other party, three months prior to the intended end date of the agreement, or in the case that the management group ceases to operate.
- The management group can request a management agreement for a specified period of time. This request will be assessed on a case by case basis.
- The management group and a Council representative will review the management agreement on an as needs / as requested basis.

4. COMMUNITY GROUP AND COUNCIL RESPONSIBILITIES

A consolidated summary of the respective responsibilities of Council and community groups with exclusive use tenures is presented in the Table on the following pages.

Community Management of Halls and Other Council Land and Facilities Policy

No.	Item	Type 4 Community Tenure: Community Management of Halls		Type 5 Community Tenure: Non-Exclusive Use and Management of Council Land / Facilities	
		Management Group	Council	Management Group	Council
1	Rent	No rent charged to groups with no commercial operations.			
2	Legal Costs/Admin Fee for preparation and maintenance of Agreement	No charge provided the standard documents are used			
3	Operating expenses including cleaning, gas, telephone, administration	✓	✗	✓	✗
4	Insurance – Public Liability	✓	✗	✓	✗
5	Insurance - contents/chattels	✓	✗	✓	✗
6	Insurance - general building at management group's discretion	✓	✗	✓	✗
7	Waste disposal	✓	✗	✓	✗
8	Workplace Health and Safety	✓	✗	✓	✗
9	Electrical equipment testing and tagging	✓	✗	✓	✗
10	Fire equipment maintenance and compliance	✓	✗	✓	✗
11	Furniture and equipment – purchase, repair and replacement	✓	✗	✓	✗
12	Cost to repair facility damage including vandalism and graffiti removal	✓	✗	✓	✗
13	Water and Electricity consumption costs (sole or shared connections)	✓	✗	✓	✗
14	Septic tank maintenance (sole or shared connections)	✓	✗	✓	✗
15	Minor maintenance and refurbishments + grounds maintenance	✓	✗	✓	✗
16	Major maintenance, refurbishments and renewals	✗	✓	✓	✗
17	RCD testing and tagging	✗	✓	✓	✗
18	Building fire and safety compliance	✗	✓	✓	✗
19	General property rates and utility charges	Not Charged			
20	Promotion of facility for community utilisation	✓	✓ at Council's discretion	✓	✗
21	Administrative records for community utilisation	✓	✗	NA	NA
22	User/hire agreements and fee collection	✓	✗	NA	NA

Explanatory Notes:

Community Management of Halls and Other Council Land and Facilities Policy

Item 1 – Council does not charge for legal costs or other costs associated with the preparation and maintenance of agreements provided the standard documents are utilised. This applies to all groups with community tenure, including those with commercial operations.

Item 2 – Management groups are not charged rent.

Items 3-12 These items are the responsibility of all management groups with tenure to occupy and use Council land or facilities, irrespective of the type of community tenure.

Items 13 -20 These items involve responsibilities that may be shared between Council and the management group depending on factors outlined in the specific item.

4 The management group must at its own cost maintain public liability insurance having a minimum limit of twenty million dollars.

5 Each management group is responsible for insuring chattels and contents, at its discretion and own expense. Council is not responsible for insuring the furniture or equipment or other unspecified contents contained within facilities and accepts no liability for equipment owned by the management group.

6 Management groups with facility tenure are responsible for general building insurance, including Management groups managing land and facilities on behalf of the community such as community halls. However, each Community group can decide to effect general building insurance at its discretion and own expense.

7 Waste disposal is the responsibility of all management groups including organising and paying for their own waste disposal.

8 All management groups with a type of community tenure are responsible for complying with the relevant workplace health and safety requirements.

9 & 10 All management groups are responsible for the testing and tagging of electrical equipment and for fire equipment maintenance and compliance within the facility, space within a multi-use facility or on the land for which they are responsible.

11 All management groups are responsible for the purchase, repair and replacement of their own equipment and furniture.

12 It is the responsibility of all management groups to repair any asset damage including costs associated with, or arising from, anti-social behaviour.

13 In principle, it is the responsibility of each management group with facility tenure to pay for the Group's **electricity and water consumption costs** to ensure these resources are managed in a responsible and sustainable manner. In practice, the assignment of these respective responsibilities depends on whether the facility (hall, clubhouse, building) or parcel of land (sports field, walking trails) has a separate water connection and a separate electricity connection for each management group with facility tenure and whether public amenities/spaces are connected.

The most common arrangement is one management group with tenure for one facility/parcel of land with a **sole water connection and a sole electricity connection**. The management group with facility tenure is therefore responsible for paying all water and electricity costs.

Under the Community Partnerships Program, financial assistance is available to eligible, not for profit community organisations for water consumption fees, by application to the Program. Current assistance for eligible groups using >\$100 water/year is:

Group 1: 35% donation of annual water costs up to a maximum \$2,000

Group 2: 35% donation of annual water costs up to a maximum \$1,000

Group 3: 35% donation of annual water costs up to a maximum \$500

Community Management of Halls and Other Council Land and Facilities Policy

Less common is a facility with **shared connections for water and/or electricity**. This generally involves more than one Community group with facility tenure and public amenities may or may not be connected. In this case, the costs will be shared on a pro-rata basis with Council contributing the water and/or electricity costs for the public amenities such as toilets or sports fields. If the administration of a pro-rata payment system is not feasible when public amenities are connected, Council will pay all water and electricity costs for the facility.

14 It is the responsibility of each management group with facility tenure to contribute to the maintenance of the facility's septic system on a pro-rata basis. Where the facility has one septic tank and public amenities are attached, the septic system maintenance costs will be met by Council.

15 & 16 Minor Maintenance is defined as a sensible and practical repair on a like-for-like basis for the continuance of operations, preservation, protection, repair to and upkeep, normally lasting no longer than one day. It can also include tangible changes to improve service delivery within the asset.

Major Maintenance is defined as maintenance which is either infrequent in nature or which is scheduled on a non-routine basis and may require setting aside funds over time or issuing additional debt to fund it.

Management groups with Type 4 Community Tenure for the non-exclusive use of the community hall are responsible for all minor maintenance of the facility. Council is responsible for major maintenance of the facility. This is fair and reasonable as the Management group does not have exclusive use and is managing the community hall for community use.

However, Council reserves the right to not undertake major maintenance on facilities under a **Type 3 or Type 4 Community Tenure agreement**. Should this occur the Management group will be issued with a Notice to Terminate the Agreement. Such notice will be in writing and be served not less than three (3) months prior to the intended date of termination.

17 For similar reasons outlined at Item 16, Management groups with Type 2 and Type 5 Community Tenures are responsible for Residual Current Device (RCD) testing obligations within the Facility or on the land e.g., Sports field. Council is responsible for Residual Current Device (RCD) testing obligations for Community groups with Type 3 and Type 4 Community Tenures.

18 For similar reasons outlined at Item 16, Management groups with Type 2 and Type 5 Community Tenures are responsible for meeting building fire safety compliance. Council is responsible for building fire safety compliance including providing facility evacuation plans for facilities occupied by Community groups with Type 3 and Type 4 Community Tenures.

19 Management groups with Type 4 & Type 5 Community Tenures are managing a community hall or another community asset or facility on behalf of the community and not for the sole benefit of group members, so are not charged rates and services.

20 Management Groups responsible for community halls are required to promote the community hall to increase community utilisation. Council may assist at its discretion and in consultation with the Management Group for the respective hall. Management groups managing other community assets will promote and encourage community access at its own discretion and cost.

21 Management Groups are required to keep administrative records for public utilisation including accounts, monthly usage statistics and other records reflecting the management of the facility. Management groups with a Type 5 Community Tenure to manage other types of community assets for public utilisation should keep relevant records as required.

22 Management Groups with a Type 4 Community Tenure to manage community halls are responsible for ensuring user/hall hire agreements are in place with all user groups and that fees are collected and accounted for appropriately.

Community Management of Halls and Other Council Land and Facilities Policy
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5. REPORTING

No additional reporting is required.

6. DEFINITIONS

Management group – means an incorporated not for profit community group. Refer definition of an eligible community group at Section 3.2 of the Policy.

Management Agreement – means a tenure instrument used to execute the non-exclusive use and operation arrangements of council halls, land and other facilities.

User group – means community groups, clubs, associations, societies formed for a particular purpose or activity.

7. RELATED DOCUMENTS AND REFERENCES

Community Group Exclusive Use of Council Land and Facilities Policy (MSC)

Community Partnership Program Policy (MSC)

Standard Requirements for Public Liability Insurance for Approval Holders (MSC)

8. REVIEW

It is the responsibility of the Manager Customer & Community Services 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.

Community Tenure Guidelines



Community Tenure Guidelines

Policy Type	Governance Procedure	Version:	2.0
Responsible Officer	Manager Development and Governance	Date Approved:	
Review Officer:	Manager Development and Governance	Review Due:	
Author:	Manager Development and Governance	Commencement:	

1. PURPOSE

This guideline sets out the approval and administration of community tenure arrangements for the community’s use of Council land and facilities in a fair, consistent, and transparent manner which is affordable to both community groups and ratepayers.

Council makes affordable land and facilities available to approved community groups to conduct community, cultural, sporting, environmental and recreational activities which contribute significantly to the liveability of the Shire’s towns and districts, making them places where people want to live, work, invest and visit.

Community groups exist in many sizes and legal forms and conduct different types of activities for community benefit, and there are different types of Council facilities and open space areas used by groups. Therefore, different community tenure arrangements with varying levels of Council subsidy for the community’s use of Council land and facilities are warranted.

2. SCOPE

This guideline:

- a) Directly relates to the *Community Group Exclusive Use of Council Land and Facilities Policy* and the *Community Management of Halls and other Council Land and Facilities Policy* and should be read in conjunction with these policies.
- b) Sets out the approval and administration processes for five (5) types of community tenure administered by Council:
 - Type 1 - Exclusive use by funded services and not-for-profit commercial operators (not-for-profit commercial operations)
 - Type 2 - Exclusive use by eligible community groups (subsidised community tenure)
 - Type 3 – Exclusive use within a shared/multiuse facility (subsidised community tenure)
 - Type 4 – Community management of halls on behalf of the community (subsidised community tenure)
 - Type 5 – Community management of other council land/facilities on behalf of the community (subsidised community tenure)
- c) Outlines for each type of community tenure, the level of Council subsidy, tenure instruments, responsibilities of the community group.

Community Tenure Guidelines

3. PROCEDURE STATEMENT

The procedural statement includes:

- 3.1 Overview of community tenure arrangements
- 3.2 Types of community tenure and levels of council subsidy
- 3.3 Types of community tenure and community group responsibilities
- 3.4 Types of community tenure and tenure instruments

3.1 Table 1. Overview of Community Tenure Arrangements

Type of Community Tenure	Tenure Group	Level of Council Subsidy	Tenure Instrument
Type 1: Not-for-profit commercial Operations	Funded services and not-for-profit commercial operators as per definition in policy	Nil <i>However, no fee for the preparation, management or renewal of a commercial lease is charged provided the standard documents are used.</i>	Trustee or Freehold Commercial Lease
Type 2: Exclusive use by eligible community groups	Eligible community group as per definition in policy	High	Trustee or Freehold Community Lease; or Community Group Exclusive Use Management Agreement
Type 3: Exclusive use within a shared/multiuse facility	Eligible community group as per definition in policy	Very High	Community Group User Agreement
Type 4: Community management of halls on behalf of the community	Eligible management group as per definition in policy	Highest	Community Management of Council Halls Agreement
Type 5: Community management of other council land/facilities on behalf of the community with free public access	Eligible management group as per definition in policy	Very High	Community Management of Council Land/Facilities Agreement

Community Tenure Guidelines

3.2 Table 2. Types of Community Tenure and Levels of Council Subsidy

Type of Community Tenure	Level of Council Subsidy
<p>Type 1 Community Tenure: Commercial</p> <ul style="list-style-type: none"> • State or Federal government funded community services • Not-for-profit organisations with commercial operations where the profits are not retained by the business or individual members but are used for community benefit • Organisation may request exclusive use of council land/facilities for the delivery of services and activities for community benefit 	<p><i>Nil – No Council subsidy applies, although no fee for the preparation, management or renewal of a commercial lease is charged provided the standard documents are used.</i></p> <ul style="list-style-type: none"> • Delivery of community services such as youth and family support, earlay childhood education and disability respite is not a local government responsibility so Council does not subsidise state or federal government funded community services. • It is fair and reasonable that grant funds for community services should cover all operational costs including premises. • Council does not subsidise activities or operations that compete with local businesses including commercial operations by not-for-profit organisations eg. Gaming, restaurant, licenced premises, event facilities, childcare services. • It is expected revenue from the commercial operations are used to cover operating costs including all costs for premises and facilities. • Commercial lease terms and conditions will be negotiated and approval is by Resolution of the Council.
<p>Type 2 Community Tenure: Exclusive Use:</p> <ul style="list-style-type: none"> • Eligible community group has exclusive occupation and use of the land/facility e.g., Sporting Club, Men’s Shed • Land/Facility is used by group members and is not used for any other purpose or by any other groups or the public without permission of the community group. • This is the most common type of community tenure. • It allows for the clearest assignment of respective responsibilities. 	<p><i>High level of Council subsidy</i></p> <ul style="list-style-type: none"> • No rent is charged for exclusive use of the land and facilities. • No fee is charged for the preparation, management and renewal of tenure instruments. • Generous rate rebates and remissions apply to eligible groups (if eligible for Type 2 exclusive use community tenure, then generally also eligible for rate rebates). Group needs to apply under the <i>Rate Rebate and Remissions Policy</i>. • Group members are the primary beneficiaries therefore it is fair and reasonable they should be responsible for the facility and any associated land such as sports fields. • Group is responsible for all planned and reactive maintenance and operating expenses.
Type of Community Tenure	Level of Council Subsidy

Community Tenure Guidelines

<p>Type 3 Community Tenure: Exclusive Use Within a Multi-use Facility:</p> <ul style="list-style-type: none"> • Eligible community Group has exclusive use of a space within a multi-use facility. Spaces do not comprise a full standalone facility e.g., Netball Club at Davies Park, Craft Group at Geraghty Park • Space is mainly used by group members, but some facilities are shared e.g., public toilets. 	<p><i>Very high level of Council subsidy Higher level than Types 1, 2 & 5 but lower than Type 4</i></p> <ul style="list-style-type: none"> • No rent is charged for the group’s exclusive use areas. • No fee is charged for the preparation, management and renewal of tenure instruments. • Group members are the primary beneficiaries therefore it’s fair and reasonable they should be responsible for their exclusive use areas. • Where possible, group contributes to costs for shared use spaces, but Council may be responsible for the shared use spaces when it’s not feasible to apportion costs and/or shared spaces are also used by the public eg. car park, public toilets.
<p>Type 4 Community Tenure: Community Management of Halls:</p> <ul style="list-style-type: none"> • Community management group is managing a Council hall on behalf of the community for use by community members e.g., Mutchilba, Koah, Mt Molloy and Geraghty Park halls. • Generally, the group has been asked by Council to take on the role 	<p><i>Highest level of Council subsidy</i></p> <ul style="list-style-type: none"> • No rent is charged even if the management group uses the hall for only for its members up to 20% of the time. • No fee is charged for the preparation, management and renewal of tenure instruments. • Council is responsible for major maintenance. • Council does not charge the group rates and utilities for the hall and may cover other costs depending on the layout of the facility e.g., Public toilet cleaning. • This is fair and reasonable as volunteer group members are managing the hall on behalf of the community for community benefit and working to increase utilisation, yet halls have some revenue raising capacity.
<p>Type 5 Community Tenure: Community Management of Council Land/Facilities on Behalf of the Community:</p> <ul style="list-style-type: none"> • Community management group has developed a facility/asset on behalf of the community for community use e.g., Abattoir Swamp, Babblers’ Hill, Granite Ck Esplanade half basketball court • Generally, group has initiated the project on Council land/facility. 	<p><i>Very high level of Council subsidy, similar to Type 3 but Council does no maintenance.</i></p> <ul style="list-style-type: none"> • The group is fully responsible for the facility/asset it has developed including all maintenance. • Council’s contribution is the provision of free land, most often reserve land for which Council is Trustee for the project. • No rates and utilities are charged. • This level of subsidy is fair and reasonable as it is a facility/asset for community benefit and public access, but the project was initiated and led by the group and the group may have access to grant funds for establishment and ongoing maintenance / upgrades.

3.3 Types of Community Tenure and Responsibilities of Community Groups

		Type of Community Tenure										
		Type 1: Exclusive Use by Funded Service or NFP Commercial Operator		Type 2: Exclusive Use by Community Group		Type 3: Exclusive Use within a Multi-Purpose Facility		Type 4: Community Management of Halls		Type 5: Community Management of Council Land / Facilities for Public Use		
No.	Responsibility	Funded Service or NFP Commercial Operator	Council	Community Group	Council	Community Group	Council	Community Group	Management Group	Council	Management Group	Council
1	Costs for the preparation, management & renewal of tenure agreements											
2	Rent	✓										
3	Operating expenses including cleaning, gas, telephone, administration	✓	x	✓	x	✓	x	✓	✓	x	✓	x
4	Insurance – Public Liability	✓	x	✓	x	✓	x	✓	✓	x	✓	x
5	Insurance - contents/chattels	✓	x	✓	x	✓	x	✓	✓	x	✓	x
6	Insurance - general building at Group's discretion	✓	x	✓	x	✓	x	✓	✓	x	✓	x
7	Waste disposal	✓	x	✓	x	✓	x	✓	✓	x	✓	x
8	Workplace Health and Safety	✓	x	✓	x	✓	x	✓	✓	x	✓	x
9	Electrical equipment testing and tagging	✓	x	✓	x	✓	x	✓	✓	x	✓	x
No charge provided the standard tenure instruments are used												
No rent charged to groups not operating commercial operations												

Community Tenure Guidelines

No.	Item	Type 1: Exclusive Use by Funded Service or NFP Commercial Operator		Type 2: Exclusive Use by Community Group		Type 3: Exclusive Use within a Multi-Purpose Facility		Type 4: Community Management of Halls		Type 5: Community Management of Council Land / Facilities for Public Use	
		NFP Commercial Operator	Council	Community Group	Council	Group	Council	Management Group	Management Group	Council	
10	Fire equipment maintenance and compliance	✓	x	✓	x	✓	x	✓	x	✓	x
11	Furniture and equipment – purchase, repair and replacement	✓	x	✓	x	✓	x	✓	x	✓	x
12	Cost to repair facility damage including vandalism and graffiti removal	✓	x	✓	x	✓	x	✓	x	✓	x
13	Water and Electricity consumption costs (sole or shared connections)	✓	x	✓	x	✓	If required	✓	If required	✓	x
14	Septic tank maintenance (sole or shared connections)	✓	x	✓	x	✓	If required	✓	If required	✓	x
15	Minor maintenance and refurbishments + grounds maintenance	✓	x	✓	x	✓	x	✓	x	✓	x
16	Major maintenance, refurbishments & renewals	✓	x	✓	x	x	✓	✓	x	✓	x
17	RCD testing and tagging	✓	x	✓	x	x	✓	✓	x	✓	x

No.	Item	Type 1: Exclusive Use by Funded Service or NFP Commercial Operator		Type 2: Exclusive Use by Community Group		Type 3: Exclusive Use within a Multi- Purpose Facility		Type 4: Community Management of Halls		Type 5: Community Management of Council Land / Facilities for Public Use	
		NFP Commercial Operator	Council	Community Group	Council	Management Group	Council	Management Group	Council	Management Group	Council
18	Building fire and safety compliance	✓	x	✓	x	x	✓	x	✓	✓	x
19	General property rates and utility charges	✓	NA	✓	NA	x	NA	x	x	x	NA
20	State Emergency Management Levy	✓	NA	✓	NA	x	NA	x	x	x	NA
21	Promotion of facility for community utilisation	NA	NA	✓	x	✓	x	✓	At Council's discretion	✓	x
22	Administrative records for community utilisation	NA	NA	x	x	x	x	✓	x	x	x
23	User/hire agreements and fee collection	NA	NA	x	x	x	x	✓	x	x	x

Responsibilities of Community Groups - Explanatory Notes:

Item 1 Council does not charge for legal or other costs associated with the preparation, management and renewal of agreements provided the standard documents are utilised.

Item 2 Not-for-profit commercial lessees are charged market rent.

Items 3-12 These items are the responsibility of all community groups with tenure to occupy and use Council land or facilities, irrespective of the type of community tenure.

Items 13 -20 These items involve responsibilities that may be shared between Council and the community group depending on factors outlined in the specific item.

4 The community group must at its own cost maintain public liability insurance having a minimum limit of twenty million dollars.

5 Each community group is responsible for insuring chattels and contents, at its discretion and own expense. Council is not responsible for insuring the furniture or equipment or other unspecified contents contained within facilities and accepts no liability for equipment owned by the community group.

6 Community groups with facility tenure are responsible for general building insurance, including community groups managing land and facilities on behalf of the community such as community halls. However, each community group can decide to effect general building insurance at its discretion and own expense.

7 Waste disposal is the responsibility of all community groups including organising and paying for their own waste disposal.

8 All community groups with a type of community tenure are responsible for complying with the relevant workplace health and safety requirements.

9 & 10 All community groups are responsible for the testing and tagging of electrical equipment and for fire equipment maintenance and compliance within the facility, space within a multi-use facility or on the land for which they are responsible.

11 All community groups are responsible for the purchase, repair and replacement of their own equipment and furniture.

12 It is the responsibility of all community groups to repair any asset damage including costs associated with, or arising from, anti-social behaviour for the land, facilities and premises for which it has exclusive use.

13 In principle, it is the responsibility of each community group with facility tenure to pay for the Group's **electricity and water consumption costs** to ensure these resources are managed in a responsible and sustainable manner. In practice, the assignment of these respective responsibilities depends on whether the facility (hall, clubhouse, building) or parcel of land (sports field, walking trails) has a separate water connection and a separate electricity connection for each Community group with facility tenure and whether public amenities/spaces are connected.

The most common arrangement is one community group with tenure for one facility/parcel of land with a **sole water connection and a sole electricity connection**. The Community group with exclusive use tenure of this type of facility is therefore responsible for paying all water and electricity costs.

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Community Tenure Guidelines

Under the Community Partnerships Program, financial assistance is available to eligible, not for profit community organisations for water consumption fees, by application to the Program. Current assistance for eligible groups using >\$100 water/year is:

- Group 1: 35% donation of annual water costs up to a maximum \$2,000
- Group 2: 35% donation of annual water costs up to a maximum \$1,000
- Group 3: 35% donation of annual water costs up to a maximum \$500

Less common is a facility with **shared connections for water and/or electricity** such as a multi-purpose facility or hall. This generally involves more than one community group/management group with facility tenure and public amenities may or may not be connected. In this case, the costs will be shared on a pro-rata basis with Council contributing the water and/or electricity costs for the public amenities such as toilets or sports fields. If the administration of a pro-rata payment system is not feasible when public amenities are connected, Council will pay all water and electricity costs for the facility.

Payment of costs for water and power for community assets for free public access managed under a Type 5 community tenure agreement will be negotiated on a case by case basis where it is not feasible for the management group to cover all costs.

- 14** Where there is a shared connection, it is the responsibility of each community group with facility tenure to contribute to the maintenance of the facility’s septic system on a pro-rata basis. Where the facility has one septic tank and public amenities are attached, the septic system maintenance costs will be met by Council.

15 & 16 Minor Maintenance is defined as a sensible and practical repair on a like-for-like basis for the continuance of operations, preservation, protection, repair to and upkeep, normally lasting no longer than one day. It can also include tangible changes to improve service delivery within the asset.

Major Maintenance is defined as maintenance which is either infrequent in nature or which is scheduled on a non-routine basis and may require setting aside funds over time or issuing additional debt to fund it.

Community Groups with Type 1, Type 2 or Type 5 Community Tenure are responsible for *all* maintenance including grounds maintenance, building and facilities maintenance including repairs due to fair wear and tear and structural renewals. This is appropriate for commercial lessees and fair and reasonable for Type 2 Community Tenure as it is the Group’s members that have exclusive occupation and use of the facilities and grounds. Regarding Type 5 Community Tenure, it is fair and reasonable the group is responsible for all maintenance as the land and facilities were initiated, led and developed by the community group and not by Council and the group often has access to grant funds for establishment, upgrades and renewals. Council will consider a request for maintenance assistance on a case-by-case basis.

Community Groups with Type 3 Community Tenure for the exclusive use of a space within a shared Council facility are responsible for minor maintenance within the Group’s exclusive use area, for example, within a room at the Geraghty Park complex. Council is responsible for major maintenance including structural renewals of the building. This is fair and reasonable as the group generally has use of a relatively small space and shares the main facility with other groups and/or the public.

Management Groups with Type 4 Community Tenure for the non-exclusive use of the community hall are responsible for all minor maintenance of the facility. Council is responsible for major

Community Tenure Guidelines

maintenance of the facility. This is fair and reasonable as the Community group does not have exclusive use and is managing the community hall for community use.

However, Council reserves the right to not undertake major maintenance on facilities under a **Type 3 or Type 4 Community Tenure agreement**. Should this occur the Community group will be issued with a Notice to Terminate the Agreement. Such notice will be in writing and be served not less than three (3) months prior to the intended date of termination.

- 17 For similar reasons outlined at Item 16 Major Maintenance, community groups with Type 1, Type 2 or Type 5 Community Tenures are responsible for Residual Current Device (RCD) testing obligations within the Facility or on the land e.g., Sports field. Council is responsible for Residual Current Device (RCD) testing obligations for community groups with Type 3 and Type 4 Community Tenures.
- 18 For similar reasons outlined at Item 16 Major Maintenance, community groups with Type 2 and Type 5 Community Tenures are responsible for meeting building fire safety compliance. Council is responsible for building fire safety compliance including providing facility evacuation plans for facilities occupied by community groups with Type 3 and Type 4 Community Tenures.
- 19 It is appropriate that commercial lessees (Type 1 Community Tenure) pay rates and service charges. Community groups with Type 2 Exclusive Use Community Tenure charged general property rates and service charges are responsible for payment of the rates and charges. However, significant rate rebates and remissions are offered to eligible community groups on application under Council's *Rate, Rebate and Remission Policy*.
It is not practicable to charge community groups with Type 3 Community Tenure where they are sharing a small space in a multi-use facility and the facility may also have amenities or spaces used by the public.
Management groups with Type 4 & Type 5 Community Tenures are managing a community hall or another community asset or facility on behalf of the community and not for the sole benefit of group members, so are not charged rates and services.
- 20 Community groups charged rates and utilities are expected to pay the State Emergency Management Levy. Council is required to collect this levy and pass it onto the State Government and no Council rebate applies.
- 21 Management Groups responsible for community halls are required to promote the community hall to increase community utilisation and Council may assist at its discretion and in consultation with the Management Group. Other groups with community tenure can encourage and promote use and membership at their own discretion and cost.
- 22 Management Groups managing a Council owned hall (Type 4 Community Tenure) are required to keep administrative records for public utilisation including accounts, monthly usage statistics and other records reflecting the management of the facility. Groups with other types of community tenure keep relevant records at their discretion.
- 23 Management Groups with a Type 4 Community Tenure to manage community halls are responsible for ensuring user/hall hire agreements are in place with all user groups and that fees are collected and accounted for appropriately.

Community Tenure Guidelines

3.4 Types of Community Tenure, Eligible Groups and Tenure Instruments

Type of Community Tenure	Type of Tenure Group	Tenure Instrument	Comment
<p>Type 1: Commercial</p>	<ul style="list-style-type: none"> • Funded Community Services • Not for Profit organisations with commercial operations 	<p>Commercial Lease</p>	<p>Site is surveyed and commercial lease is registered on title.</p>
<p>Type 2: Exclusive Use of Council Land/Facilities</p>	<p>Eligible community groups meeting the definition in the <i>Community Group Exclusive Use of Council Land and Facilities Policy</i></p>	<p>Community Lease</p>	<p>The site can be clearly identified by survey or is the whole of a Lot, and the intention is to grant exclusive possession of the site.</p> <p>The issuing of a lease registered on title is the preferred option where feasible as it allows for the clearest assignment of respective responsibilities and is the most secure form of tenure.</p> <p>The lease is for a fixed term, with a maximum term of 10 years. If Reserve land, the permitted use must be consistent with the gazetted purpose, Land Management Plan, and zoning regulations.</p>
		<p>Community Group Exclusive Management Agreement</p>	<p>The issuing of a management agreement should only be considered where a lease cannot be achieved; such as, where the site cannot be surveyed and therefore there is no Lot on Plan number.</p> <p>A management agreement is a contractual agreement, and is not registered on title. Therefore, security of tenure is inferior compared to a lease. The management agreement is for a maximum term of 10 years.</p> <p>If Reserve land, the permitted use must be consistent with the gazetted purpose, Land Management Plan, and zoning regulations.</p>
<p>Type 3: Exclusive Use Within a Multi-use Facility</p>	<p>Eligible community groups meeting the definition in the <i>Community Group Exclusive Use of Council Land and Facilities Policy</i></p>	<p>Community Group User Agreement</p>	<p>Used where Community Group has exclusive use of a space within a multi-use facility or community precinct.</p>

Community Tenure Guidelines

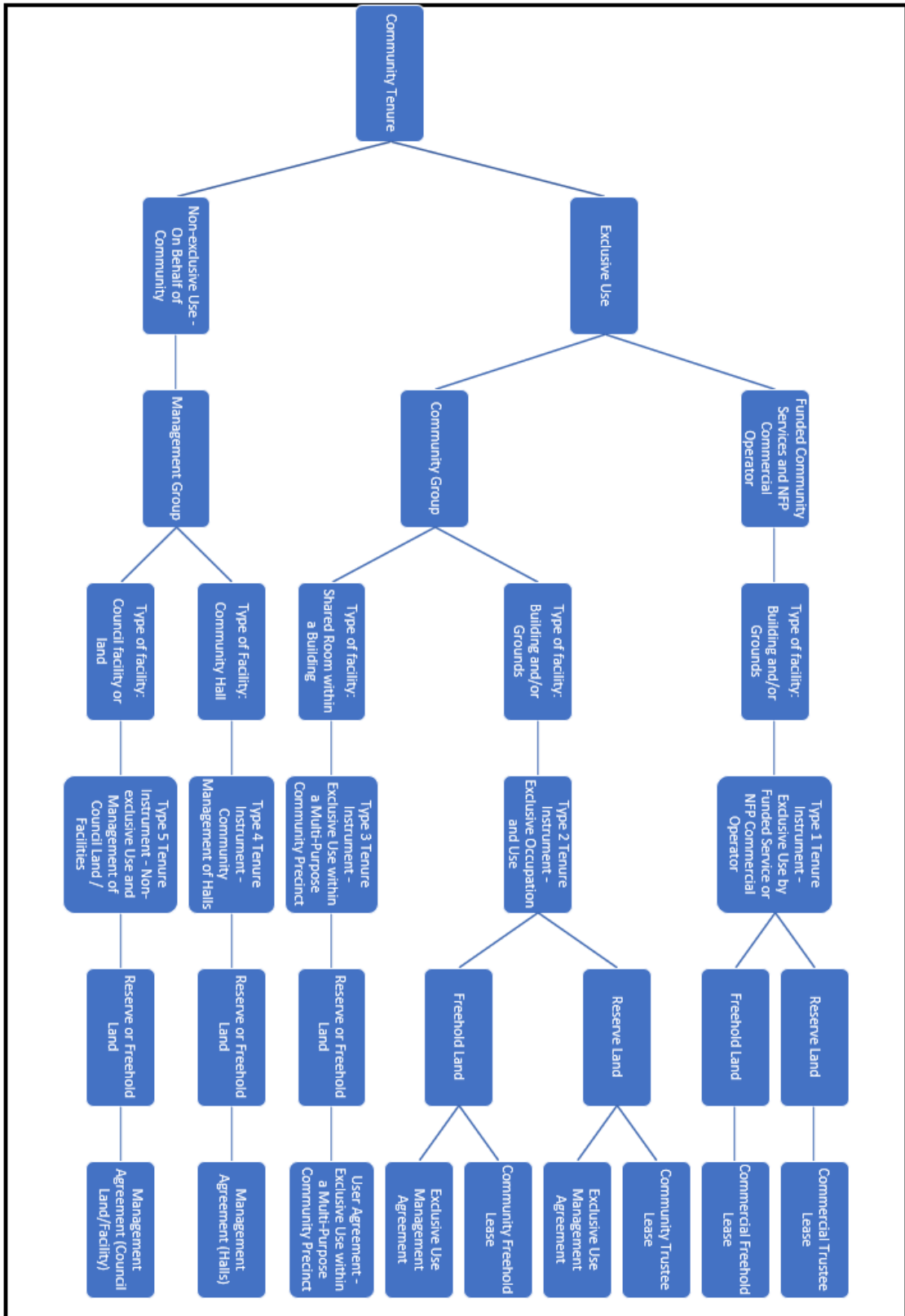
Type of Community Tenure	Type of Eligible Group	Tenure Instrument	Comment
Type 4: Community Management of Halls	Eligible management groups meeting the definition in the <i>Community Management of Halls and Other Council Land and Facilities Policy</i>	Community Management of Council Halls Agreement	Used where a Community Group is managing the whole of a Council hall on behalf of the community for use by community members.
Type 5: Community Management of Council Land/Facilities on Behalf of the Community	Eligible management groups meeting the definition in the <i>Community Management of Halls and Other Council Land and Facilities Policy</i>	Community Management of Council Land and Facilities Agreement	Used where a Community Group is managing a Council asset on behalf of the community for use by community members.

Workflow Chart – Types of Tenure Instruments

The Workflow Chart on the following page shows the type of tenure instrument to be issued for each type of tenure arrangement.

Community Tenure Guidelines

Workflow Chart – Types of Tenure Instruments



Community Tenure Guidelines

4. REPORTING

- "No additional reporting is required".

5. DEFINITIONS

Community group – means a group approved for exclusive occupation and use of Council land or facilities and a formal tenure instrument has been executed between Council and the Group. Refer definition of an eligible community group at Section 3.2.1 of the *Community Group Exclusive Use of Council Land and Facilities Policy*.

Community Lease – means a tenure instrument used to execute the exclusive use and occupation of council land and facilities by a community group where the reserve or freehold land has been surveyed and the Land Lot and Plan is used to register the lease on title.

Community Management Agreement or Licence or User Agreement – a tenure instrument used to execute the exclusive use and occupation of council land and facilities by a community group where the land has not been surveyed and there is no Land Lot and Plan for the exclusive use area.

Lessor – means Council as the owner or trustee of the land.

Multi-Purpose Facility – means a Council owned facility that has multiple user groups, each with an allocated space for exclusive use and there may be public use of amenities or a section of the facility, for example a sporting field, car park or public toilets.

6. RELATED DOCUMENTS AND REFERENCES

- Community Group Exclusive Use of Council Land and Facilities Policy (MSC)*
- Community Management of Halls and Other Council Land and Facilities Policy (MSC)*
- Community Partnership Program Policy (MSC)*
- Rate Rebate and Remissions Policy (MSC)*
- Standard Requirements for Public Liability Insurance for Approval Holders (MSC)*

7. REVIEW

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



Community Group Exclusive Use of Council Land and Facilities Policy

Policy Type	Governance Policy	Version:	3.0
Responsible Officer	Manager Development and Governance	Date Approved:	
Review Officer:	Manager Development and Governance	Review Due:	
Author:	Manager Development and Governance	Commencement:	

1. PURPOSE

To set out the different community tenure arrangements and levels of Council subsidy for *the exclusive use of Council land and facilities* by not-for-profit community groups and organisations conducting activities and services for community benefit.

Council makes affordable land and facilities available to approved community groups to conduct community, cultural, sporting, environmental and recreational activities which contribute significantly to the liveability of the Shire’s towns and districts, making them places where people want to live, work, invest and visit.

Community groups exist in many sizes and legal forms and conduct different types of activities for community benefit, and there are different types of Council facilities and open space areas used by groups. Therefore, different community tenure arrangements and levels of Council subsidy for the community’s management and use of Council land and facilities are warranted. This policy outlines how subsidised Council land and facilities for exclusive use by community groups is approved in a fair, consistent, and transparent manner which is affordable to both community groups and ratepayers.

Not-for-profit organisations not eligible for subsidised community tenure can request Council to consider negotiating a commercial lease, for example, for the operation of state and federal government funded community services or to conduct commercial for-profit operations on Council land or facilities where there is community benefit.

2. SCOPE

This policy:

- Covers tenure arrangements between Council and eligible not-for-profit smaller community groups and larger organisations for the exclusive occupation and use of Council land or facilities to conduct activities for community benefit.
- Applies to vacant land, sporting fields, buildings, and other structures as well as multi-purpose facilities on freehold land owned by Council or reserve land for which Council is trustee.
- Sets out the level of Council subsidy and community group responsibilities for each type of community tenure.

<p>Human Rights Compatibility Statement This policy has been drafted in alignment with obligations under s 58 of the <i>Human Rights Act 2019</i> (Qld).</p>
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Community group Exclusive Use of Council Land and Facilities Policy

- Outlines the conditions under which Council will consider approving a commercial lease with government funded services or not-for-profit organisations with commercial operations.
- Outlines the community tenure application and approval processes.

This policy applies to:

- Type 1 Community Tenure: Exclusive use by funded community services and not-for-profit commercial operators;
- Type 2 Community Tenure: Exclusive use by community groups;
- Type 3 Community Tenure: Exclusive use of space within a multi-purpose Council facility.

This policy does not apply to the following types of tenure arrangements with community groups as other Council policies and procedures apply:

- Commercial leases with businesses operating for the profit or gain of its individual members;
- Agreements for the community management of Council halls (Type 4 Community Tenure) and the community management of other Council facilities and land on behalf of the community (Type 5 Community Tenure);
- Casual hall hire arrangements.

3. POLICY STATEMENT

3.1 POLICY OBJECTIVES

The objectives of the policy are to:

- a) Provide eligible not-for-profit community groups with exclusive occupancy and use of Council facilities or land to conduct community activities for community benefit that are affordable to both the groups and ratepayers.
- b) Enable community groups with exclusive occupation and use of Council land and facilities to responsibly manage and take care of the land and facilities as they see fit so the Council assets are well managed and utilised;
- c) Enhance the sustainability of not-for-profit community groups by providing security of tenure to occupy and invest in facilities and access grants for the benefit of the community;
- d) Define the level of responsibility of community groups regarding the three types of exclusive use tenure of Council land and facilities that is fair, reasonable and affordable to both community groups and the Shire's ratepayers;
- e) Recognise that while Council acknowledges the good work of not-for-profit community organisations conducting services and activities for community benefit, Council does not subsidise state and federal government funded community services, fee for service models, pre-school services and childcare services or support commercial activities that compete with other businesses even when these are conducted by not-for-profit organisations.

Community group Exclusive Use of Council Land and Facilities Policy

3.2 ELIGIBILITY**3.2.1 Definition of Community Group**

A community group eligible to apply for subsidised exclusive occupation and use of Council land and/or facilities is defined as:

- a) A not for profit, incorporated group or association of persons with the primary aim of conducting activities and providing services for community benefit; and
- b) The community group is volunteer led and relies predominantly on volunteer labour, community fundraising, membership fees and donations; and
- c) The community group does not receive state or federal government operational grants; and
- d) The community group does not rely on a fee for service business model; and
- e) The organisation does not retain profits from commercial activities for the gain of the business or its individuals but uses profits for community benefit.

3.2.2 Exclusions

This policy excludes the following community groups:

- a) Community groups that do not meet the definition of a community group as defined in this policy at Section 3.2.1;
- b) Community groups that will use the Council land or facilities to undertake commercial activities for the gain of the business or individuals in the business;
- c) Community groups managing Community halls or other Council facilities or land on behalf of the community, for example walking trails;
- d) Community groups where religious worship is the primary purpose;
- e) Political groups.

3.2.3 Exception

If requested, Council will consider negotiating a commercial lease for the exclusive use of Council land and/or facilities to:

- A government funded community service to conduct funded services and activities; or
- A not-for-profit organisation to conduct for-profit commercial activities where profits are not retained by the business or its individuals but are used for community benefit.

The terms and conditions of a commercial lease will be negotiated on a case-by case-basis with approval by Resolution of the Council. This arrangement is defined as Type 1 Community Tenure and further details are at Section 3.3.

Community group Exclusive Use of Council Land and Facilities Policy

3.3 TYPES OF EXCLUSIVE USE COMMUNITY TENURE**3.3.1 Type 1 Community Tenure: Exclusive Use by Funded Services and Not-for-Profit Commercial Operators**

Type 1 Community Tenure applies when:

- Council is requested by a government funded community service or a not-for-profit organisation conducting commercial activities to consider entering into a commercial lease for the exclusive use of Council land, facilities or premises where there are demonstrable community benefits from the arrangement; and
- The terms and conditions of the commercial lease will be negotiated on a case-by case-basis with approval by Resolution of the Council.

- a) **Funded Community Service:** A government funded not-for-profit community service may request exclusive use of Council land and/or premises for the delivery of funded activities and services to meet community needs.

No Council Subsidy – Commercial Lease

The delivery of community services such as family and youth support, aged care and kindergartens is not a local government responsibility, therefore Council does not subsidise state or federal government funded community services.

It is expected that the state or federal government funds or fees charged by the service provider will cover the operating costs of funded services, including costs for premises.

Therefore, a subsidised community tenure arrangement is not appropriate and commercial leasing terms and conditions will apply. For example, the charging of market rent will be considered, and Council will not contribute to maintaining the premises, grounds or facilities used or occupied by a funded community service.

- b) **Not-for-Profit Commercial Operator:** Where profits from the not-for-profit organisation are not retained by the business or its individuals but are used for community benefit, Council is willing to consider entering into a commercial lease with the organisation for the exclusive use and occupation of Council land and/or premises. Commercial activities could include gaming, horse racing, restaurant, catering, event hire, licensed premises, camping, accommodation services.

No Council Subsidy – Commercial Lease

Council does not subsidise activities or operations that compete with local businesses including commercial operations by not-for-profit organisations.

It is expected that revenue from the commercial operations is used to cover operating costs including all costs for premises and facilities.

Therefore, a subsidised community tenure arrangement is not appropriate and commercial leasing terms and conditions will apply. For example, the charging of market rent will be considered, and Council is not responsible for maintaining the premises, grounds, or facilities from which not-for-profit organisations operate commercial activities, even where there are community benefits.

Community group Exclusive Use of Council Land and Facilities Policy

3.3.2 Type 2 Community Tenure: Exclusive Use by an Eligible Community Group

Type 2 Community Tenure applies when:

- The eligible community group has exclusive occupation and use of a clearly defined Council facility or parcel of land and while the services and activities conducted deliver community benefits, the primary beneficiaries are the community group's members; and
- The land or facilities are not used for any other purpose or by any other groups or the general public without the permission of the community group.

Examples include a sporting club with its own clubhouse and/or sporting fields and an arts group operating a community art gallery with free entry and workshop space.

Subsidised Community Tenure

While it is recognised there are broad and indirect community benefits generated by the activities of sporting clubs and community groups, it is also acknowledged that where a community group has exclusive use of Council land and/or facilities, it is the group's members that are the primary beneficiaries of the exclusive use arrangement.

As such, it is fair and reasonable the group's members are responsible for all maintenance and operating expenses associated with the group's exclusive use and occupation of the land, facilities and/or premises.

3.3.3 Type 3 Community Tenure: Exclusive Use Within a Shared Facility

Type 3 Community Tenure applies when:

- The eligible community group may or may not be an incorporated body relying on a relatively small volunteer membership that has been allocated exclusive use of a space within a multi-purpose Council facility or community precinct; and
- The defined space is used exclusively by the community group's members, but other elements or areas of the land or facility are used for other purposes by other groups or are shared with the public eg. public toilets, car park, grounds; and
- The community group's members are the primary beneficiaries of the exclusive use space within the multi-use facility even though indirect community benefits are generated by the group's activities; and
- It is not practicable to assign responsibility for the exclusive use and occupation of a clearly defined facility or substantial section of a facility to a specific community group. Neither is it feasible to survey the land or the exclusive use spaces within the facility and consequently there is no Land Lot and Plan for each exclusive use area.

Examples include:

- A community group with exclusive use of one room within a facility with multiple rooms and a community hall and public amenities are attached to the facility.
- Two community groups share a building or a space with each having an exclusive use area in which to meet and store equipment and both groups share one set of toilets.

Community group Exclusive Use of Council Land and Facilities Policy

Subsidised Community Tenure

Under Type 3 Community Tenure, the community group is allocated exclusive use of a space within a Council owned multi-use facility, for example, a room at the Geraghty Park facility. As the group members are the primary beneficiaries of the space for which the Group has exclusive use, it is fair and reasonable they should be responsible for the internal maintenance of this exclusive use space and for the group's operating expenses. The group's members will share some of the costs of maintaining and operating the shared spaces and amenities, where practicable.

4. LEVEL OF COUNCIL SUBSIDY

4.1 Type 1 Community Tenure – funded services and NFP organisations with commercial operations

Council does not subsidise state or federally funded community services as this is a state or federal government responsibility and Council does not subsidise activities or operations that compete with local businesses including commercial operations by not-for-profit organisations. In these tenure arrangements, commercial leasing terms and conditions will prevail.

Therefore, Council has no responsibility for, and does not contribute towards the costs of the management, maintenance and operating expenses associated with the exclusive occupation and use of Council land and facilities by funded services or not-for-profit commercial operators. In extenuating circumstances, Council assistance may be requested on a case-by-case basis and consideration will be given to, amongst other factors, the sustainability of the organisation, community needs and the demand for services.

4.2 Type 2 and Type 3 Community Tenures – volunteer led community groups

Council recognises the community benefits from the services and activities of volunteer led not-for-profit community groups. Consequently, Council is willing to provide affordable land and facilities from which these services and activities can be delivered by volunteers.

Council substantially subsidises eligible community groups with Type 2 and Type 3 Community Tenures by:

- Not charging an application fee or an annual administration fee to prepare, manage or renew the community tenure as long as the standard tenure documents are used; and
- Not charging rent to occupy the land or facilities under a Type 2 or Type 3 Community Tenure; and
- Offering generous rate rebates and remissions to eligible groups under the *Rate Rebate and Remissions Policy* and a donation towards water consumption costs under the *Community Partnerships Program Policy* for those groups charged rates and services; and
- Sharing the maintenance responsibilities with community groups with Type 3 Community Tenure in a multi-purpose facility where there are multiple user groups.

5. COMMUNITY GROUP AND COUNCIL RESPONSIBILITIES

A consolidated summary of the respective responsibilities of Council and community groups with exclusive use tenures is presented in the Table on the following pages.

Community group Exclusive Use of Council Land and Facilities Policy

No.		Responsibility		Type of Community Tenure					
				Type 1: Exclusive Use by Funded Service or NFP Commercial Operator		Type 2: Exclusive Use by Community Group		Type 3: Exclusive Use within a Multi-Purpose Facility	
				Funded Service or NFP Commercial Operator	Council	Community Group	Council	Community Group	Council
1	Costs for preparation, management & renewal of tenure agreements		No charge provided the standard tenure instrument documents are used						
2	Rent		✓	No rent charged for groups with no commercial operations					
3	Operating expenses including cleaning, gas, telephone, administration		✓	x	✓	x	✓	x	
4	Insurance – Public Liability		✓	x	✓	x	✓	x	
5	Insurance - contents/chattels		✓	x	✓	x	✓	x	
6	Insurance - general building at Group's discretion		✓	x	✓	x	✓	x	
7	Waste disposal		✓	x	✓	x	✓	x	
8	Workplace Health and Safety		✓	x	✓	x	✓	x	
9	Electrical equipment testing and tagging		✓	x	✓	x	✓	x	
10	Fire equipment maintenance and compliance		✓	x	✓	x	✓	x	
11	Furniture and equipment – purchase, repair and replacement		✓	x	✓	x	✓	x	
12	Cost to repair facility damage including vandalism and graffiti removal		✓	x	✓	x	✓	x	

Community group Exclusive Use of Council Land and Facilities Policy

		Type of Community Tenure					
		Type 1: Exclusive Use by Funded Service or NFP Commercial Operator		Type 2: Exclusive Use by Community Group		Type 3: Exclusive Use within a Multi-Purpose Facility	
No.	Responsibility	Funded Service/ NFP Commercial Operator	Council	Community Group	Council	Community Group	Council
13	Water and Electricity consumption costs (sole or shared connections)	✓	✗	✓	✗	✓	If required
14	Septic tank maintenance (sole or shared connections)	✓	✗	✓	✗	✓	If required
15	Minor Maintenance and refurbishments + grounds maintenance	✓	✗	✓	✗	✓	✗
16	Major maintenance, refurbishments, and renewals	✓	✗	✓	✗	✗	✓
17	RCD testing and tagging	✓	✗	✓	✗	✗	✓
18	Building fire and safety compliance	✓	✗	✓	✗	✗	✓
19	General property rates and utility charges	✓	NA	✓	NA	✗	NA
20	State Emergency Management Levy	✓	NA	✓	NA	✗	NA

Explanatory Notes:

Item 1 Council does not charge for legal or other costs associated with the preparation, management and renewal of tenure agreements provided the standard documents are utilised.

Item 2 Not-for-profit commercial lessees are charged market rent.

Items 3-12 These items are the responsibility of all community groups with tenure to occupy and use Council land or facilities, irrespective of the type of community tenure.

Items 13 -20 These items involve responsibilities that may be shared between Council and the community group depending on factors outlined in the specific item.

Community group Exclusive Use of Council Land and Facilities Policy

- 4 The community group must at its own cost maintain public liability insurance having a minimum limit of twenty million dollars.
- 5 Each community group is responsible for insuring chattels and contents, at its discretion and own expense. Council is not responsible for insuring the furniture or equipment or other unspecified contents contained within facilities and accepts no liability for equipment owned by the community group.
- 6 Community groups with facility tenure are responsible for general building insurance, including community groups managing land and facilities on behalf of the community such as community halls. However, each community group can decide to effect general building insurance at its discretion and own expense.
- 7 Waste disposal is the responsibility of all community groups including organising and paying for their own waste disposal.
- 8 All community groups with a type of community tenure are responsible for complying with the relevant workplace health and safety requirements.
- 9 & 10 All community groups are responsible for the testing and tagging of electrical equipment and for fire equipment maintenance and compliance within the facility, space within a multi-use facility or on the land for which they are responsible.
- 11 All community groups are responsible for the purchase, repair and replacement of their own equipment and furniture.
- 12 It is the responsibility of all community groups to repair any asset damage including costs associated with, or arising from, anti-social behaviour for the land, facilities and premises for which it has exclusive use.
- 13 In principle, it is the responsibility of each community group with facility tenure to pay for the Group's **electricity and water consumption costs** to ensure these resources are managed in a responsible and sustainable manner. In practice, the assignment of these respective responsibilities depends on whether the facility (hall, clubhouse, building) or parcel of land (sports field, walking trails) has a separate water connection and a separate electricity connection for each Community group with facility tenure and whether public amenities/spaces are connected.

The most common arrangement is one community group with tenure for one facility/parcel of land with a **sole water connection and a sole electricity connection**. The Community group with exclusive use tenure of this type of facility is therefore responsible for paying all water and electricity costs.

Under the Community Partnerships Program, financial assistance is available to eligible, not for profit community organisations for water consumption fees, by application to the Program. Current assistance for eligible groups using >\$100 water/year is:

Group 1:	35% donation of annual water costs up to a maximum	\$2,000
Group 2:	35% donation of annual water costs up to a maximum	\$1,000
Group 3:	35% donation of annual water costs up to a maximum	\$500

Less common is a facility with **shared connections for water and/or electricity**. This generally involves more than one community group with facility tenure and public amenities may or may not be connected. In this case, the costs will be shared on a pro-rata basis with Council contributing the water and/or electricity costs for the public amenities such as toilets or sports fields. If the administration of a pro-rata payment system is not feasible when public amenities are connected, Council will pay all water and electricity costs for the facility. Payment of costs for water and power for community assets for free public access managed under a Type 5 community tenure agreement will be negotiated on a case by case basis where it is not feasible for the management group to cover all costs.

Community group Exclusive Use of Council Land and Facilities Policy

14 Where there is a shared connection, it is the responsibility of each community group with facility tenure to contribute to the maintenance of the facility's septic system on a pro-rata basis. Where the facility has one septic tank and public amenities are attached, the septic system maintenance costs will be met by Council.

15 & 16 Minor Maintenance is defined as a sensible and practical repair on a like-for-like basis for the continuance of operations, preservation, protection, repair to and upkeep, normally lasting no longer than one day. It can also include tangible changes to improve service delivery within the asset.

Major Maintenance is defined as maintenance which is either infrequent in nature or which is scheduled on a non-routine basis and may require setting aside funds over time or issuing additional debt to fund it.

Community Groups with Type 1 and Type 2 Community Tenure are responsible for *all* maintenance including grounds maintenance, building and facilities maintenance including repairs due to fair wear and tear and structural renewals. This is appropriate for commercial lessees and fair and reasonable for Type 2 Community Tenure as the Group's members have exclusive occupation and use of the facilities and grounds. Council will consider a request for maintenance assistance on a case-by-case basis.

Community Groups with Type 3 Community Tenure for the exclusive use of a space within a shared Council facility are responsible for minor maintenance within the Group's exclusive use area, for example, within a room at the Geraghty Park complex. Council is responsible for major maintenance including structural renewals of the building. This is fair and reasonable as the group generally has use of a relatively small space and shares the main facility with other groups and/or the public.

However, Council reserves the right to not undertake major maintenance on facilities under a **Type 3 Community Tenure agreement**. Should this occur the Community group will be issued with a Notice to Terminate the User Agreement. Such notice will be in writing and be served not less than three (3) months prior to the intended date of termination.

17 For similar reasons outlined at Item 16 Major Maintenance, community groups with Type 1 & 2 Community Tenures are responsible for Residual Current Device (RCD) testing obligations within the Facility or on the land e.g., Sports field. Council is responsible for Residual Current Device (RCD) testing obligations for community groups with Type 3 Community Tenure.

18 For similar reasons outlined at Item 16 Major Maintenance, community groups with Type 1 & 2 Community Tenures are responsible for meeting building fire safety compliance. Council is responsible for building fire safety compliance including providing facility evacuation plans for facilities occupied by community groups with Type 3 Community Tenure.

19 It is appropriate that commercial lessees (Type 1 Community Tenure) pay rates and service charges. Community groups with Type 2 Exclusive Use Community Tenure charged general property rates and service charges are responsible for payment of the rates and charges. However, significant rate rebates and remissions are offered to eligible community groups on application under Council's *Rate, Rebate and Remission Policy*.

It is not practicable to charge rates to community groups with Type 3 Community Tenure where they are sharing a small space in a multi-use facility and the facility may also have amenities or spaces used by the public.

20 Community groups charged rates and utilities are expected to pay the State Emergency Management Levy. Council is required to collect this levy and pass it onto the State Government and no Council rebate applies.

Community group Exclusive Use of Council Land and Facilities Policy

6. LEASE APPLICATION AND ASSESSMENT

- Groups wishing to apply to Council for a community tenure instrument under this policy can register their interest by contacting Mareeba Shire Council and submitting an *Application for Community Use and/or Occupation of Council Land and Facilities*.
- When a new space becomes available for tenure, Council will invite applications through open advertisement and direct notification to groups who have registered interest and to Council's Indigenous Land Use Agreement (ILUA) partners.
- The following factors may be assessed when considering an application:
 - Community group eligibility for subsidised community tenure
 - Funded service or not-for-profit commercial operator eligibility for commercial lease
 - Alignment with Council strategies
 - Type of services and activities the group provides
 - Willingness of the group to share the facility and/or building, if relevant
 - Planning and Building requirements
 - Native Title and Cultural Heritage issues
 - Ability to fulfil lease requirements including maintenance of the land/facilities/premises
 - Level of community need for the community activity proposed or proximity to other services offered
 - Accessibility of the community activity proposed
 - Community group facility requirements
 - An assessment of the impact of the proposed activity on open space (where the lease is on open space)
 - Whether there are alternative tenure options for the applicant.

7. TENURE INSTRUMENTS

7.1 TRUSTEE AND FREEHOLD LEASES

A community lease with terms and conditions, roles and responsibilities will be executed between Council (Lessor) and a community group approved for subsidised exclusive occupation and use of Council land or facilities (Lessee).

A trustee lease or a freehold lease may be issued over the whole of the land or part of the land where the lease area is defined by survey plan. Trustee Leases will be registered with the Queensland Titles Registry in accordance with requirements under the *Land Act 1994* (Qld).

A commercial lease will be issued for approved tenure agreements with funded community services and not-for-profit organisations with commercial operations requesting the exclusive use of Council land and/or facilities.

7.2 OTHER TENURE INSTRUMENTS

Where the community group has exclusive use of a clearly defined parcel of land and/or an identified facility or is allocated a defined space within a multi-use facility and it is not feasible to survey the land/facilities, tenure instruments may take the form of an Agreement or Licence with substantially the

Community group Exclusive Use of Council Land and Facilities Policy

same terms and conditions as an exclusive use trustee or freehold lease. It should be noted this type of tenure instrument is unable to be registered with the Queensland Titles Registry.

8. TENURE INSTRUMENT TERM, REVIEW, RENEWAL AND COMPLIANCE

8.1 TERM

A 10 year term will be offered under a community lease. Equal or varied terms may be applied at the sole discretion of Council to other tenure instruments for the exclusive use and occupation of Council land and facilities. This ensures the community group has security of tenure and eligibility for government grants; encourages investment for improved facilities for the benefit of the community; and fosters a sense of responsibility for managing the facilities for which the group has exclusive use.

8.2 REVIEW

Tenure instruments will be reviewed at the end of the relevant term. Factors considered can include:

- Compliance with the core community activities as stated in the tenure instrument;
- Compliance with the definition of an eligible community group as defined at Section 3.2.1.
- Compliance with Community group responsibilities such as maintenance and annual reporting;
- The level of community use of the facilities;
- Whether Council requires the land and/or buildings for another purpose which, in the opinion of Council, is of higher public interest;

8.3 RENEWAL

Subject to a satisfactory tenure review, a new tenure instrument may be offered for a further term.

8.4 COMPLIANCE WITH TERMS AND CONDITIONS

It is the responsibility of Community groups with exclusive occupation and use arrangements to comply with all conditions in the tenure instrument including changes in the group's level of commerciality or business model which could affect eligibility for tenure. Non-compliance with the conditions under the tenure instrument could result in the tenure being terminated.

Community Leases and other tenure instruments will be terminated for non-payment of charges and / or loans if a Community group falls in arrears for a period of in excess of two years (2) years and where a satisfactory repayment scheme is not agreed upon.

9. REPORTING

- No additional reporting is required.

10. DEFINITIONS

Community group – means a group approved for exclusive occupation and use of Council land or facilities and a formal tenure instrument has been executed between Council and the Group. Refer definition of an eligible community group at Section 3.2.1 of the Policy.

Community group Exclusive Use of Council Land and Facilities Policy

Community Lease – means a tenure instrument used to execute the exclusive use and occupation of council land and facilities by a community group where the reserve or freehold land has been surveyed and the Land Lot and Plan is used to register the lease on title.

Community Management Agreement or User Agreement – a tenure instrument used to execute the exclusive use and occupation of council land and facilities by a community group where the land has not been surveyed and there is no Land Lot and Plan for the exclusive use area.

Lessor – means Council as the owner or trustee of the land.

Multi-Purpose Facility – means a Council owned facility that has multiple user groups, each with an allocated space for exclusive use and there may be public use of amenities or a section of the facility, for example a sporting field, car park or public toilets.

11. RELATED DOCUMENTS AND REFERENCES

Community Management of Halls and Other Council Land and Facilities Policy (MSC)

Community Partnership Program Policy (MSC)

Rate Rebate and Remissions Policy (MSC)

Standard Requirements for Public Liability Insurance for Approval Holders (MSC)

12. 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.

8.5 MAREEBA SHIRE COUNCIL LOCAL HOUSING ACTION PLAN

Date Prepared: 15 December 2023

Author: Manager Development and Governance

Attachments: 1. [Mareeba Shire Local Housing Action Plan](#) 

EXECUTIVE SUMMARY

The Mareeba Shire Local Housing Action Plan is presented for consideration and adoption.

RECOMMENDATION

That Council adopt the Mareeba Shire Local Housing Action Plan.

BACKGROUND

Under the Queensland Government's *Queensland Housing and Homelessness Action Plan 2021-2025*, each Queensland council is required to prepare a plan that will provide council "with a dedicated pathway for implementing specific, localised housing outcomes with the support of dedicated project resources in the State government. It is ... tailored to meet the needs of council and the community and there is no requirement for the LHAP to address all cohorts, areas, or towns in a local government area."

This is a State Government initiative in response to the significant housing challenges across Queensland and is an opportunity for Council to encourage a whole of community response tailored to help address the housing crisis in the Mareeba Shire.

The Local Government Association of Queensland was funded by the Queensland Government and engaged Credconsulting to assist Council with the preparation of the plan.

Quantitative demographic and housing data along with qualitative local data about supply and demand issues and community needs was analysed to identify key focus areas and priority actions for the Plan.

Council conducted a local survey of key stakeholders to gather qualitative local data. More comprehensive community engagement will be conducted later in 2024 if required.

Officers presented the research findings and recommended actions for tackling the local housing crisis at a Council workshop on 15 November 2023. Councillor feedback and input was used to finalise the Shire's draft Local Housing Action Plan which was presented for review by State agencies. The State's feedback was minimal, and the final plan is presented for consideration and adoption.

RISK IMPLICATIONS

NIL

FINANCIAL AND RESOURCE IMPLICATIONS**Capital**

Government funding for the action in the plan for the construction of a new social housing duplex for seniors has been approved by the Queensland Government and is at nil cost to Council.

Is the expenditure noted above included in the current budget?

Council actions in the plan are within the current budget and future actions will be considered during planning for future 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.

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

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

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

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

IMPLEMENTATION/COMMUNICATION

Nil.

Local Housing Action Plan

Mareeba Shire Council

January 2024



Mareeba Shire Council acknowledges
the traditional owners and custodians
of the land and pays its respects to
elders past, present and emerging:

Bar Barrum People

Djabugay People

Djungan People

Ewamian People

Kowanyama People

Kurtijar People

Muluridji People

Tableland Yidinji People

Tagalaka People

Wakaman People

Western Yalanji People

Photo source: Mareeba Shire Council

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Introduction

This Local Housing Action Plan (the Plan) is developed through a joint initiative involving the Queensland Government, Mareeba Shire Council and the Local Government Association of Queensland (LGAQ) to respond to a range of immediate, emerging, and longer-term housing challenges in the Mareeba Shire.

This is an iterative process that does not intend to duplicate existing Council actions or actions under the *Queensland Housing Strategy 2017-2027* or *Housing and Homelessness Action Plan 2021-2025*. It seeks to identify opportunities, consider an agreed response, develop targeted actions on key priorities and enable ongoing review of effort to adapt and respond to changing need.

This Plan aims to:

1. **Develop agreed priority actions** to respond to housing need in the local government area.
2. **Establish strong foundations for longer-term housing responses** to assist housing and homelessness outcomes in the local government area into the future.
3. **Incorporate existing information and plans** that assist with developing responses to housing need and acknowledge work already completed by the Council, state agencies, private and not-for-profit organisations.
4. **Facilitate targeted interaction between all parties through agreed actions** to ensure a focus on deliverables and projects that can improve housing responses in the short and longer-term.

Figure 1: The Local Housing Action Plan Iterative Process



Approach and methodology

This Plan provides an overview of key community and housing characteristics, and emerging issues related to housing in the community and identifies a targeted initial set of priority actions to respond to housing need. It has been developed through a review of a range of supporting documentation including:

- Council's planning scheme and relevant, strategies, reports and plans.
- Regional infrastructure plans.
- Statistical data from the Queensland Government Statisticians Office, including Census and other data sets such as building approvals, rental market data and housing approvals.
- Housing needs data from the Department of Housing, other state agencies, and research houses as required.
- Queensland Government housing documents, including *Queensland Housing Strategy 2017-2027* and *Housing and Homelessness Action Plan 2021-2025*.
- Other local data and information, including survey responses from stakeholders in the housing sector.

Emerging issues and opportunities, key challenges and potential responses have been developed from the review of a range of data sets, anecdotal feedback, and preceding engagement opportunities with Council and other stakeholders.

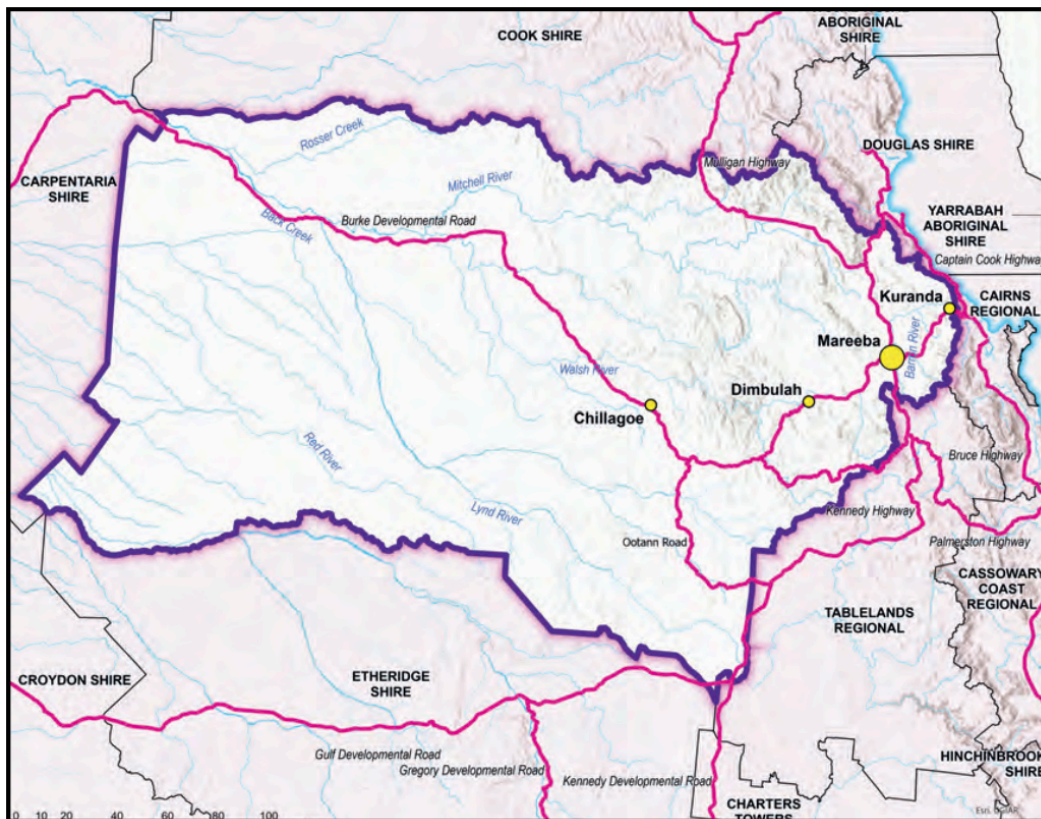
About Mareeba Shire

Mareeba Shire is home to over 22,800 residents, spanning 53,457 square kilometers with significant ecological diversity including rainforest, wetlands and savannah bushland.

Mareeba is the main commercial and administrative centre, a short, one hour drive west from Cairns and where more than half the population live. It is also the gateway to the Atherton Tablelands, Cape York and other Gulf destinations. Other smaller and more rural communities include Kuranda, Koah, Speewah, Bibohra, Mt Molloy, Julatten, Mt Carbine, Mutchilba, Dimbulah, Irvinebank, Watsonville, Petford, Almaden and Chillagoe.

Mareeba Shire is one of the largest fruit producing regions in Australia, bringing seasonal workers to the area to work on coffee plantations, mango and avocado farms, as well as sugar cane fields and orchards. Although the agriculture industry continues to sustain the shire’s economy, the tourism sector has grown in recent years, seeing more visitors to the area.

Figure 2: Mareeba Shire Council Local Government Area



How this Plan aligns with Council’s strategic directions

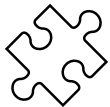
Mareeba Corporate Plan 2021-2025

Council’s Corporate Plan 2021-2025 sets the strategic direction for the local government authority. It includes performance indicators for measuring Council’s progress in achieving its vision for the future.

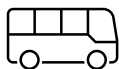
Council’s vision is for a **growing, confident and sustainable Shire**. Current strategic priorities to achieve this vision are:



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



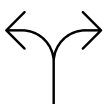
Community: an informed and engaged community which supports and encourages effective partnerships to enhance the liveability of the shire.



Transport and council infrastructure: the provision of quality services and infrastructure for our growing community that is planned and managed using sound asset management principles.



Economy and environment: a resilient economy that promotes and supports the shire’s natural assets and local industry and encourages investment while preserving and future proofing for generations to come.



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

The Mareeba Community Taskforce

The Mareeba Community Taskforce is a joint initiative of the Mareeba Chamber of Commerce and Mareeba Shire Council, initially formed to assess the economic and social impacts of the coronavirus pandemic and develop long-term plans for the region’s recovery.

The Taskforce now continues to promote Mareeba's prosperity and wellbeing, and coordinates positive community actions and outcomes by:

- Bringing business, government, and community representatives together to identify gaps, priorities, solutions, and opportunities.
- Supporting and coordinating local actions to improve economic growth and community wellbeing.
- Coordinating actions for advocacy at all levels of government and industry.

The Taskforce identifies affordable housing as a key priority, alongside improved healthcare services, improved transport connectivity, attracting and retaining a skilled workforce, and improved community safety.



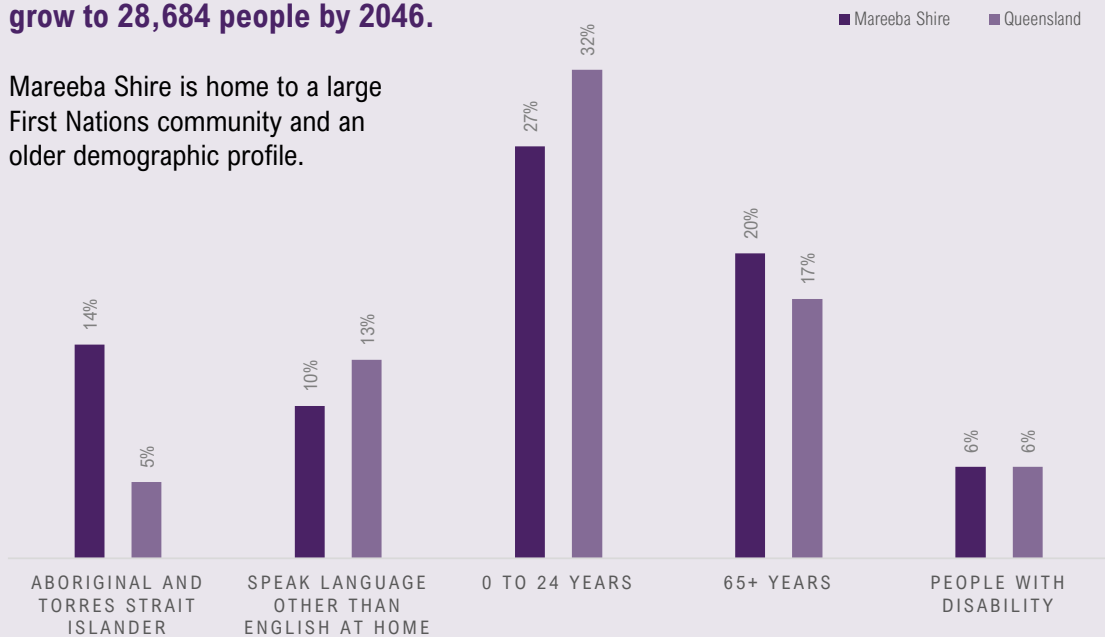
Photo credit: Mareeba Shire Council

Snapshot

The following describes key population, demographic and housing trends in Mareeba Shire. All data is ABS Census data, 2016-2021, unless specified otherwise.

In 2021, there were 23,170 people living in Mareeba Shire, and this is forecast to grow to 28,684 people by 2046.

Mareeba Shire is home to a large First Nations community and an older demographic profile.



There is a high proportion of low income households. The median household income is \$1,259 per week, which is around \$400 lower than statewide average.

23% earn less than \$499 per week

2% earn more than \$3,000 per week

30% earn \$500 to \$999 per week

6% unemployment

Key workers underpin the Mareeba Shire local economy. Major local employers include:

17% agriculture, forestry and fishing

8% education and training

13% healthcare and social assistance

8% retail trade



There are approximately 7,836 private dwellings in Mareeba Shire, and this number is forecast to grow to 11,530 by 2046.

Housing availability is scarce across the Mareeba Shire. In October 2023, the residential vacancy rate for Mareeba, Arriga, Bibohra, Chewko, Paddys Green localities was just 0.4% (SQM Research 2023).

There is minimal housing diversity. Separate houses are the most common dwelling type, representing 90% of all private dwellings.

More smaller dwellings are needed to support our shrinking households and ageing population.

Although median weekly rental prices remain below the state average, **rental prices have been increasing in the past 12 months.** In September 2023, median rental prices were:



\$420 3 bedroom house
\$30 increase from September 2022

\$500 4 bedroom house
\$30 increase from September 2022



\$220 1 bedroom flat
\$15 decrease from September 2022

\$340 2 bedroom flat
\$20 increase from September 2022

Housing stress is higher than the statewide average, with 32% of rental households and 13% of households with a mortgage contributing more than 30% of their incomes toward housing.

Wait list times for social housing are on the rise, indicating increasing demand and insufficient stock. The average waiting time has increased from 10 months in 2017 to 26 months in 2023 (QCOS 2023).

Responding to Mareeba Shire’s population shifts and housing trends, the focus areas of this LHAP are:

- Increasing housing supply and diversity
- Increasing access to and affordability of worker housing
- Increasing social housing supply and supports for at risk community members
- Housing to meet the ageing population





Dancers perform at the 2023 Mareeba Multicultural Festival

Photo credit: Mareeba Shire Council

Local government area characteristics

Demographic characteristics

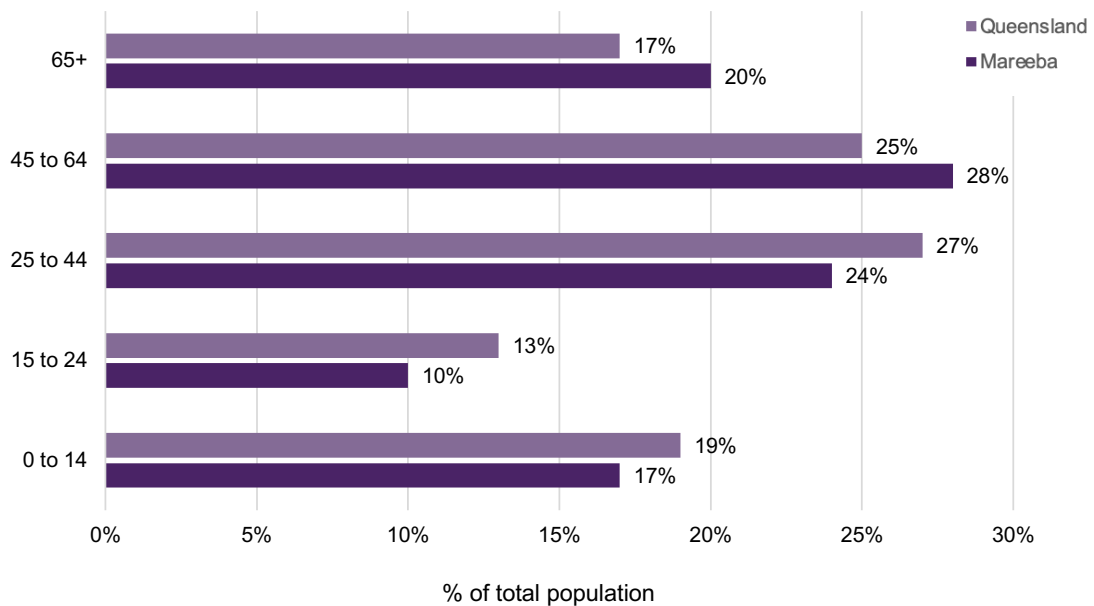
Population

In 2021, Mareeba Shire was home to 23,170 residents. Using an average annual growth rate of 0.9%, the Queensland Government Statisticians Office (QGSO) projects that the population will increase to 28,684 persons by 2046, seeing an additional 5,514 people living in the LGA.

Age

The median age in Mareeba Shire is 43 years, reflecting an older population when compared to the Queensland median (38 years). As shown in **Figure 3**, people between 45 to 65 years make up the largest age group in Mareeba Shire. There is also a higher proportion of people above 65 years in the Mareeba Shire (20%) when compared with Queensland (17%). There is a smaller proportion of children and young people, between 0 to 24 years, living in Mareeba Shire (27%) than Queensland (32%).

Figure 3: Age breakdown of persons in Mareeba Shire and Queensland, 2021 (Source: QGSO, 2023)



Household composition

In 2021, there were 7,836 households in Mareeba Shire. As shown in **Figure 4**, one family households are the dominant household composition, at 67%. This is followed by lone person households, representing 27% of households in Mareeba Shire.

In Mareeba Shire, there were approximately 5,600 families in 2021. As shown in Figure 5, 46% of total families were couples with no children, followed by couples with children (35%) and one-parent families (17%).

Over the last 15 years, the household composition of the shire has remained relatively stable. The proportion of couples without children has risen by 0.6%. Similarly, lone-persons households have increased slightly since 2011 (+0.3%).

Figure 4: Household composition in Mareeba Shire and Queensland, 2021 (Source: QGSO, 2023)

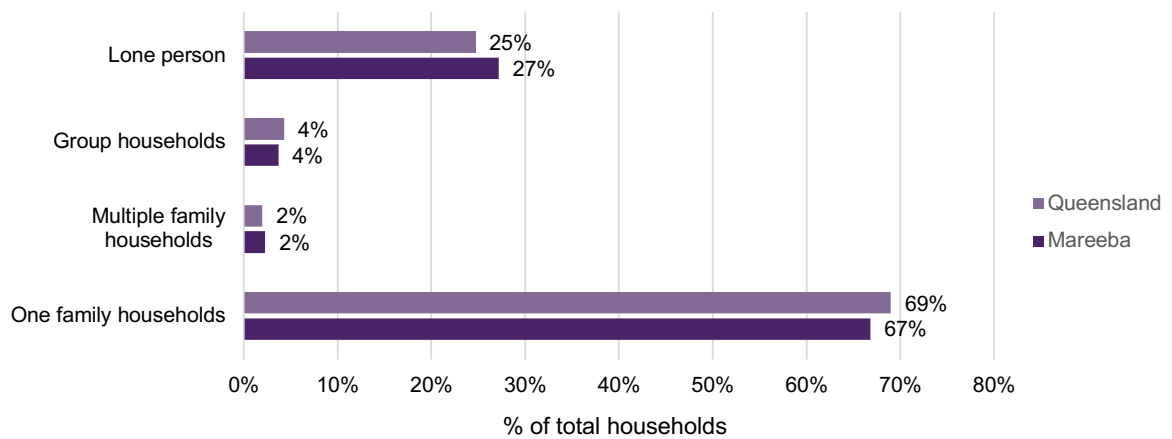
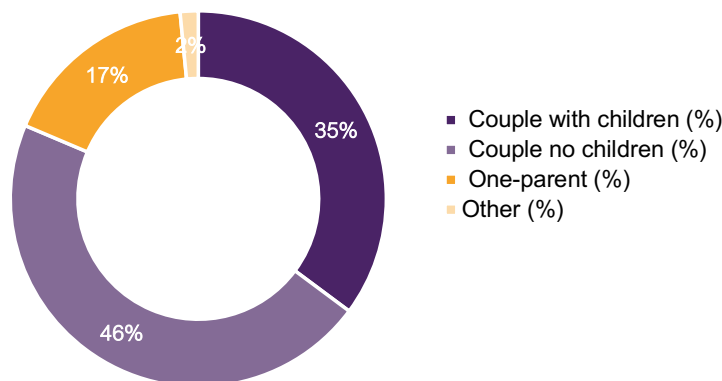


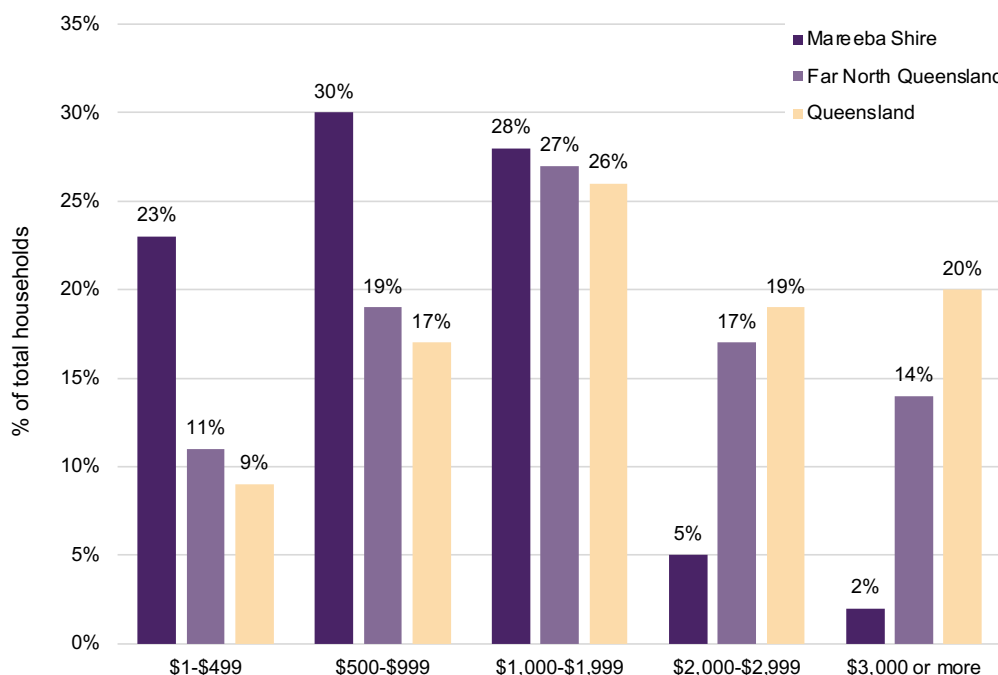
Figure 5: Family composition in Mareeba Shire, 2021 (Source: QGSO, 2023)



Income and employment

The median household income is \$1,259 per week, which is lower than the Queensland average, at \$1,675. As shown in **Figure 6**, there is a significantly higher proportion of low income households in Mareeba Shire compared to Queensland and Far North Queensland averages, with 23% of households earning less than \$499 per week, and 30% earning \$500 to \$999 per week.

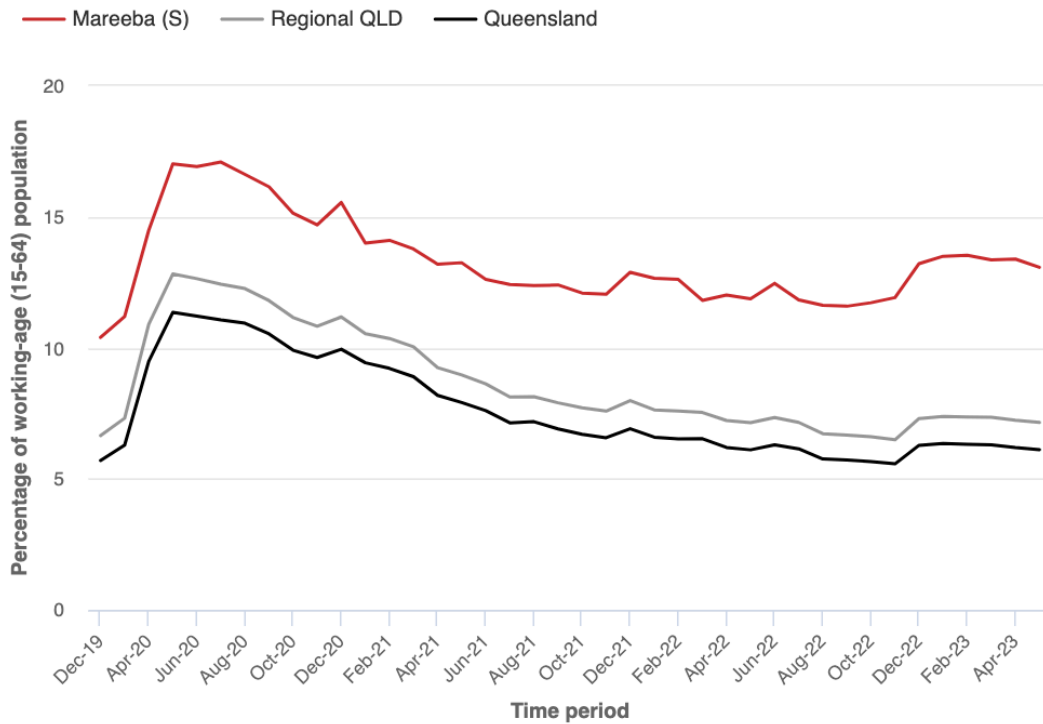
Figure 6: Household weekly income distribution in Mareeba Shire, FNQ and Queensland (Source: ABS Census, 2021)



In Mareeba Shire, 50.8% of persons over 15 years old were active in the labour force. This proportion is lower than Queensland (61.6%). In 2021, the unemployment rate was 5.9%, which is slightly higher than Queensland, at 5.4%.

JobSeeker rates help to measure socio-economic disadvantage. In May 2023, there were 1,865 JobSeeker and Youth Allowance recipients, representing 13.1% of Mareeba Shire residents between 15 to 64 years old. As shown in **Figure 7**, the JobSeeker rate is higher than Queensland and Regional Queensland, however the rate has been decreasing since June 2020.

Figure 7: JobSeeker and Youth Allowance rates (Source: Department of Social Services, 2023. Presented by .id Community Profile)



Migration

The 2021 ABS Census measures migration into a community by understanding the usual place of residence both one-year and 5-years prior to the Census. This information can provide insight into local property markets due to the rate of turnover and demand that occurs as people move in and out of a community.

There has been less community migration in Mareeba Shire when compared to Queensland. Just 11.8% had a different address 1 year prior to the 2021 Census and 31.3% had a different address 5 years prior to the Census. This is less than Queensland, which measured 17% and 44.8% respectively.

Cultural background

Around 3,260 Aboriginal and/or Torres Strait Islander peoples live in Mareeba Shire. This represents 14.3% of the total population of Mareeba Shire, which is significantly higher in comparison the Queensland average at 4.6% and the Far North Queensland region with 11.2%.

Around 3,865 Mareeba Shire residents were born overseas, representing 16.9% of the total population. This is smaller in comparison with Queensland, at 22.7%. The top countries of origin are:

- United Kingdom (3.2%)
- Italy (2%)
- New Zealand (2%)
- Germany (0.9%)
- South Africa (0.6%)
- Papua New Guinea (0.6%)

More than 30 languages are spoken in Mareeba Shire. The most common languages other than English include:

- Italian (2.9%)
- German (0.8%)
- Mandarin (0.7%)
- Australian Indigenous languages (0.5%)
- Afrikaans (0.5%).

Since 2016, there has also been an increase in people speaking Malay, Punjabi and Thai.

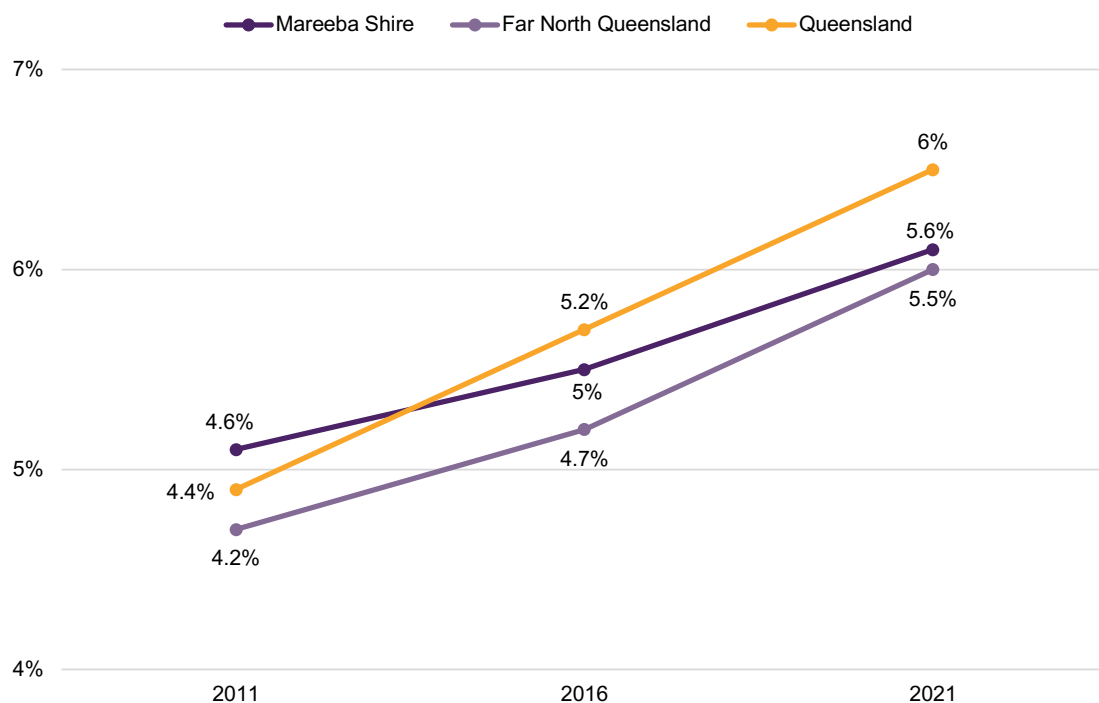
People born overseas are continuing to settle in Mareeba Shire. While 69% of Mareeba Shire residents born overseas came to Australia over 10 years ago, 14.1% arrived in Australia between 2016 and 2021.

Health and wellbeing

Approximately 1,270 people, or 5.6% of the total population, live with disability and require support in daily life. As shown in **Figure 8**, the proportion of people with disability in Mareeba Shire is continuing to increase, however remains lower than the Queensland average.

In addition, 27.6% of the Mareeba Shire residents live with at least one long-term health condition, with the most common being arthritis, mental health condition, asthma, diabetes and heart disease. There is a lower proportion of people with long-term health conditions in Mareeba Shire compared with Queensland (32.9%).

Figure 8: Percentage of population with disability in Mareeba Shire, Far North Queensland and Queensland (Source: ABS, 2021)



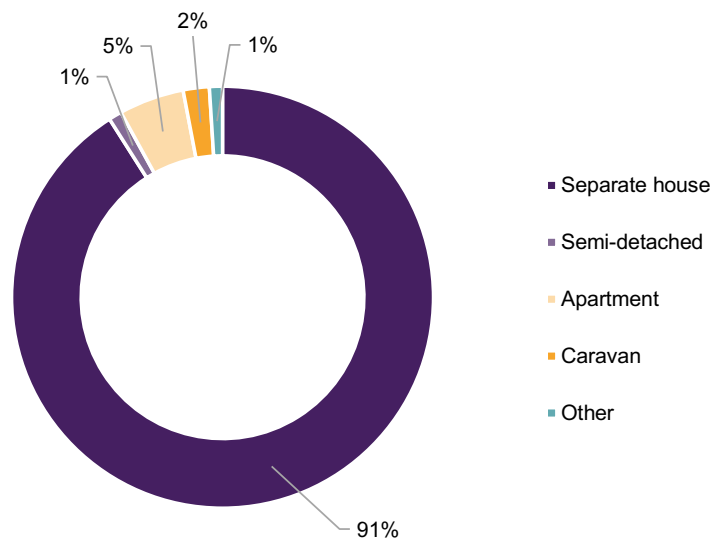
Housing characteristics

Dwelling type

Most dwellings in Mareeba Shire are separate houses, representing 91% of all private dwellings. As shown in **Figure 9**, there were smaller proportion of apartments (5%), caravans used as dwellings (2%), and semi-detached dwellings (1%).

This shows there is minimal housing diversity stock in Mareeba Shire, presenting an opportunity for future stock to respond to changing population composition and need, such as the increasing proportion of lone person households.

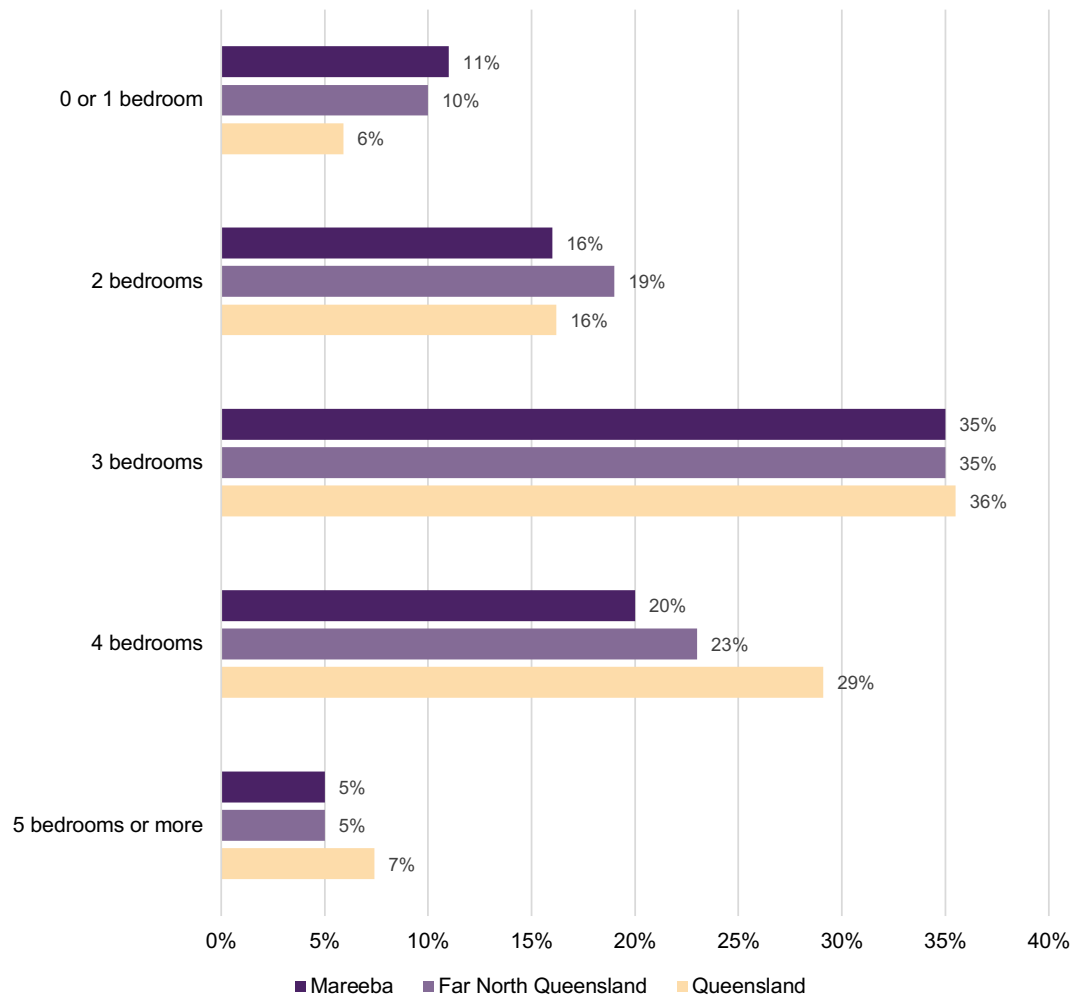
Figure 9: Percentage of occupied private dwellings by dwelling type in Mareeba Shire (Source: ABS, 2021)



Number of bedrooms

As shown in **Figure 10**, the proportion of dwellings and number of bedrooms are similar between Mareeba Shire, Far North Queensland and Queensland. However, there is a lower proportion of 4-bedroom houses in Mareeba Shire (20%) when compared with Far North Queensland (23%) and Queensland (29%).

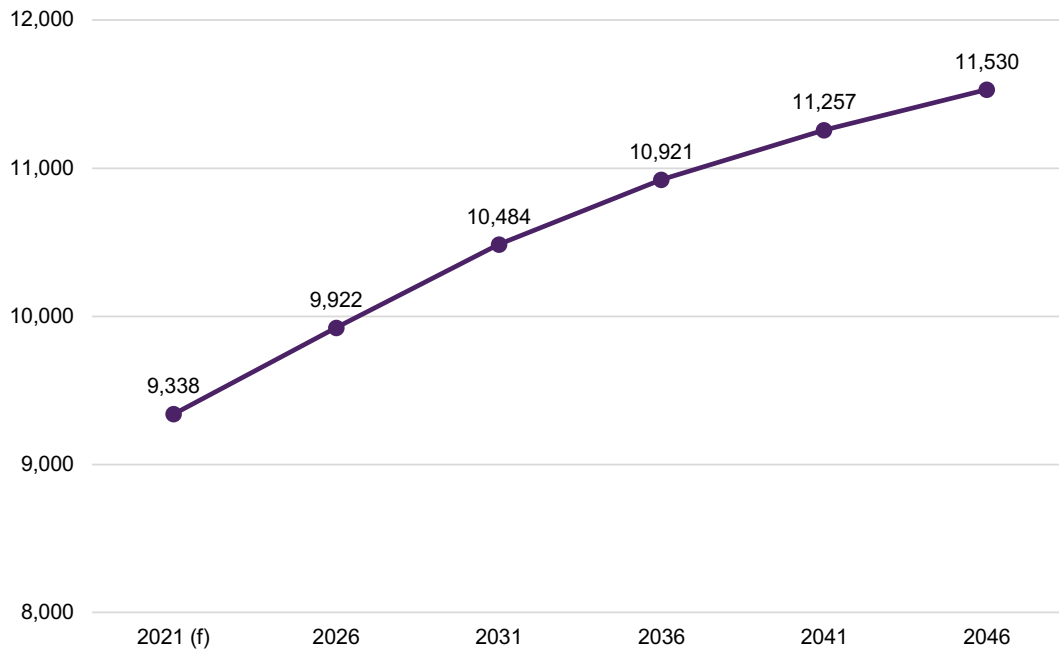
Figure 10: Number of bedrooms per dwelling in Mareeba Shire, Far North Queensland and Queensland (ABS, 2021)



Dwelling projections

As shown in **Figure 11**, the Queensland Government forecasts an additional 2,192 private dwellings in Mareeba Shire by 2046, from 9,338 dwellings in 2021 to 11,530 in 2046.

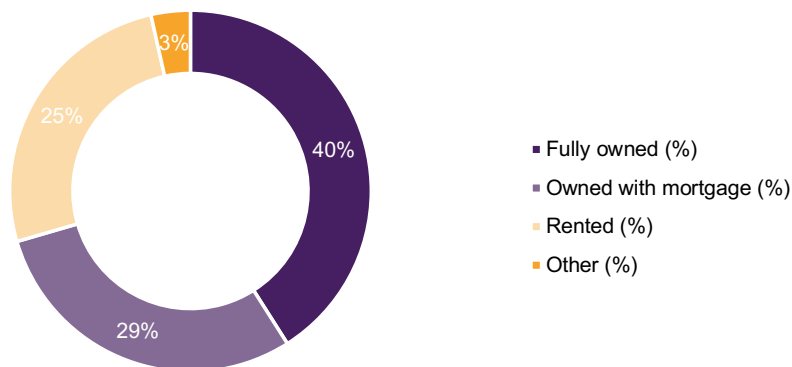
Figure 11: Number of projected private dwellings in Mareeba Shire under “medium series” (Source: QGSO Housing and Dwelling Projections, 2023)



Home ownership

As shown in **Figure 12**, current home ownership rates indicate that 69% of households own their home, with 40% fully owning their home and 29% owned by mortgage. Around 25% of households rent in Mareeba Shire, which is lower than Queensland, at 33.1%, and other council areas in Far North Queensland. More than 18% were renting privately, and 3.7% were in social housing.

Figure 12: Home ownership in Mareeba Shire (Source: ABS, 2021)



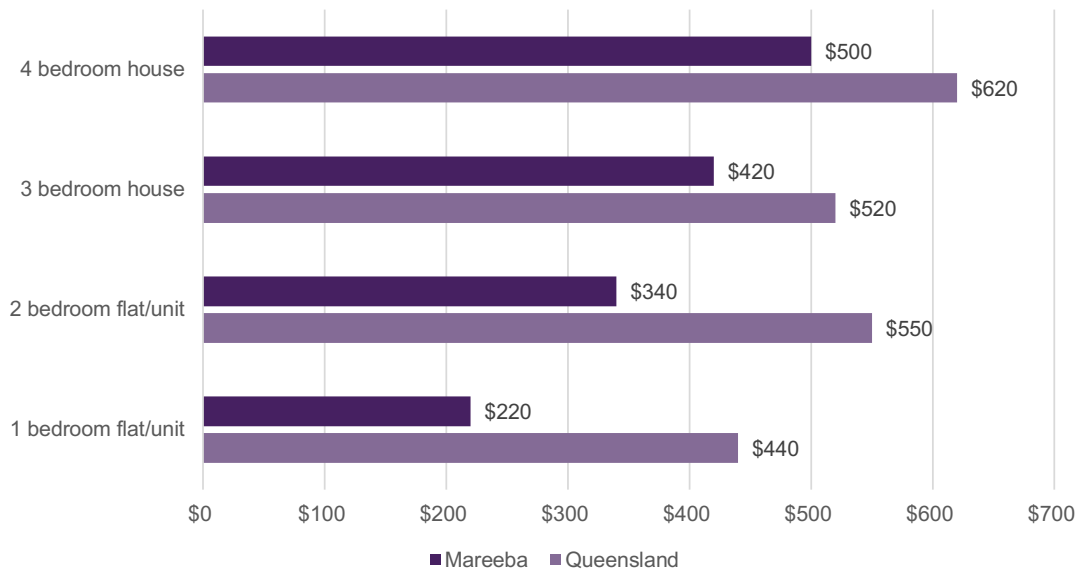
Private rental market

As of September 2023, the median weekly rental price for Mareeba Shire was \$375. This varies from \$500 per week for a 4-bedroom house to \$220 for 1-bedroom flat. As shown in **Figure 13**, rental prices in Mareeba Shire are lower for all tenure types compared to the state averages.

Although median rental prices remain lower than the state averages, Queensland Government Residential Tenancies Authority (RTA) data shows that rental prices are increasing, seeing a \$45 per week increase between September 2022 and September 2023.

The table below shows rising rental prices in the Mareeba Shire, with most dwellings seeing increasing rental prices between September 2022 and September 2023.

Figure 13: Weekly median rental prices in Mareeba Shire and Queensland, September 2023 (Source: RTA, 2023)



New rental bonds and vacancy rates

Although there has been a slight increase in the number of rental bonds, from 1,673 in September 2022 to 1,688 in September 2023 (RTA 2023), Mareeba Shire continues to see extremely low residential vacancy rates, indicating that rental demand is higher than available rental stock.

As shown in **Figure 14**, vacancies have remained low in the 4880 postcodes since 2010, reaching a 3.2% peak in December 2018. In October 2023, the residential vacancy rate was 0.4%, indicating almost no housing available for rent. This postcode includes the localities of Mareeba, Arriga, Bibohra, Chewko, Paddys Green and Glen Russell.

Between September 2022 and September 2023, there were 619 new rental bonds. As shown in **Figure 15**, new rental bond data indicates that the majority of rental accommodation is for three and four bedroom houses and two bedroom flats.

Figure 14: Residential vacancy rates for postcodes 4880, 2008-2023 (Source: SQM Research, 4 December 2023)

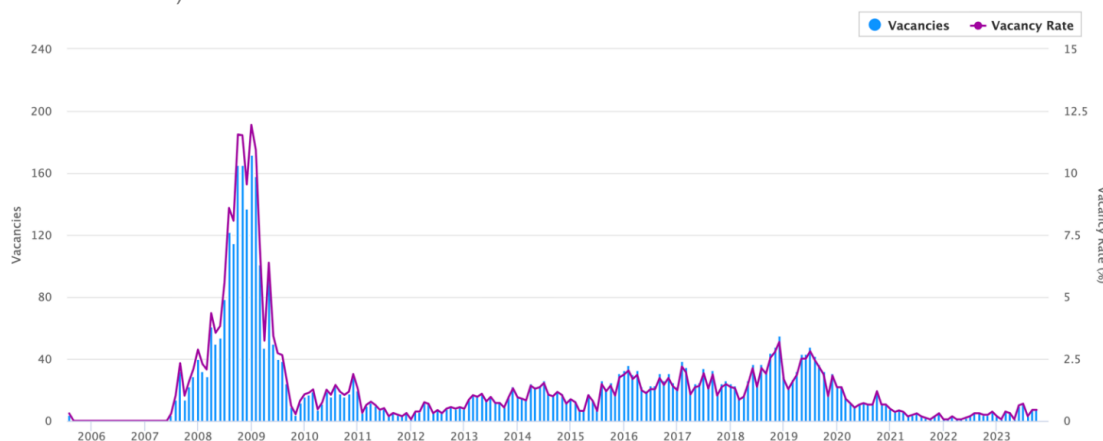
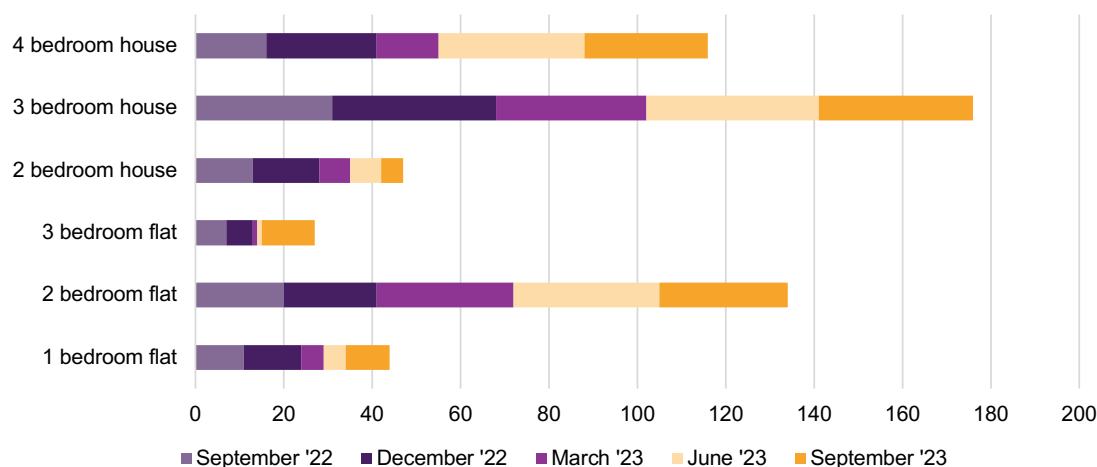


Figure 15: Number of new rental bonds in Mareeba Shire, 2022-2023 (Source: RTA, September 2023)

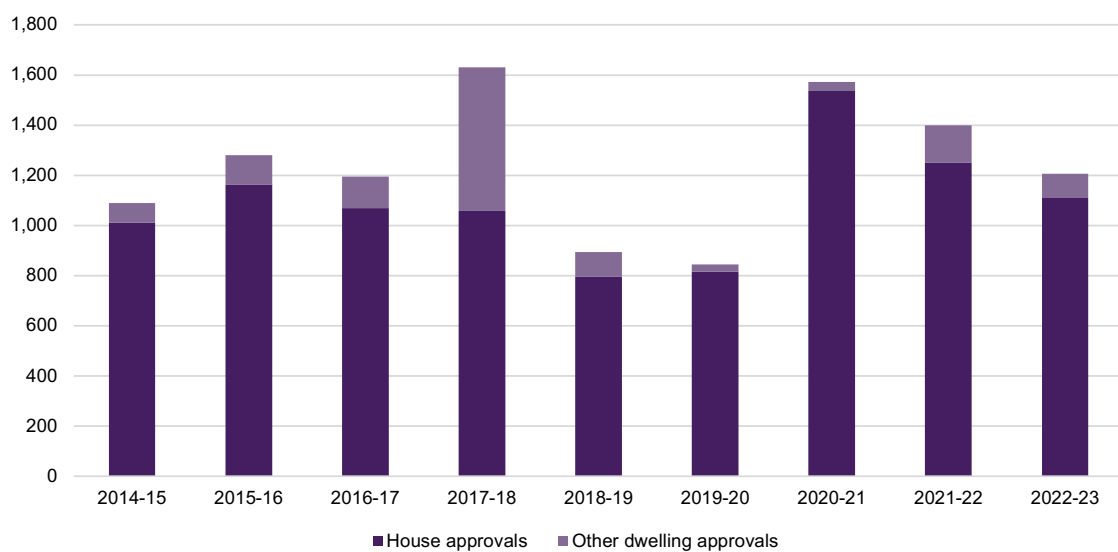


Residential building approvals

ABS Building Approvals data (October 2023) shows there were 83 residential dwelling approvals in the last 12 months in the Mareeba Shire. Of these 74 were for detached dwellings and 9 were “other” housing types (e.g. units, semidetached, townhouses).

As shown in Figure 16, there has been an overall decline in building approvals for Far North Queensland dwellings since July 2021.

Figure 16: Far North Queensland Regional Organisation of Councils FNQROC Residential building approvals, 2014-2023 (ABS Building Approvals, 2023. Compiled by .id Housing Monitor)



Housing stress

Of the 7,836 households in the Mareeba, 919 were experiencing housing stress in 2021. This data shows that rental households are more likely to experience housing stress than households with mortgages.

As shown in **Figure 17**, rental households are more likely to experience housing stress than mortgage households. The FNQROC Housing Monitor shows that 32% of rental households were paying more than 30% of their income towards rent, and 13% of mortgage households were experiencing mortgage stress. These rates exceed the averages for Far North Queensland and Regional Queensland.

Figure 17: Percentage of households experiencing housing stress in Mareeba Shire, Far North Queensland and Regional Queensland (Source: ABS 2023. Data compiled by .id Housing Monitor).

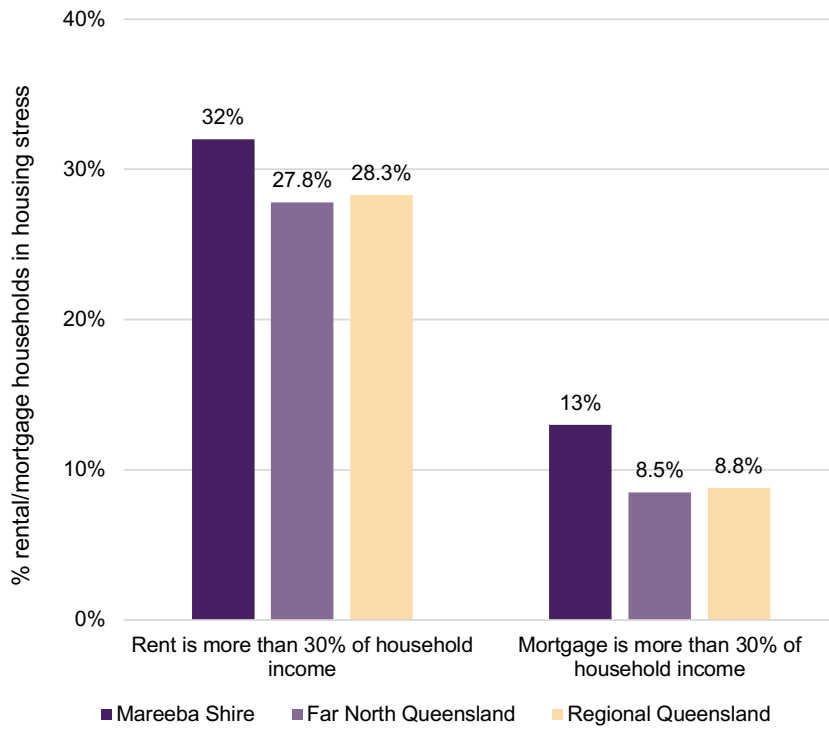




Photo source: Mareeba Shire Council

Key focus areas

Key focus areas help direct action and resources to address the most pressing housing needs and issues across the shire. These have been determined through a review of existing data and engagement with stakeholders.

In October 2023, Council conducted a targeted survey to support this Plan. A total of 21 responses were received, including from local housing providers, community support services, developers, real estate agents and key workers. Respondents were invited to comment about local housing challenges in Mareeba Shire, covering dwelling supply, unmet housing needs, and opportunities to improve housing availability and affordability. Findings from the survey are presented where relevant in the focus areas below.

Focus area 1: Increase housing supply and diversity

Mareeba's current housing supply is not meeting the needs of the shire's shifting population and household compositions. While there is an available supply of residential land, including areas zoned for greenfield development, Mareeba has seen minimal dwelling construction in recent years (see 'Residential Building Approvals' on page 24).

Together with the housing shortfall, within Mareeba's existing housing stock there is minimal housing diversity, with 91% of private dwellings being separate houses, and despite increasing percentages of single person and couple households in the past decade, 60% of dwellings have three or more bedrooms. There is opportunity for future stock to respond to current need, as well as changing household compositions.

The FNQ region, including Mareeba Shire, faces challenges in delivering new housing stock, including construction costs, access to tradespeople, materials and freight costs, alongside the increasing need to build resilient housing and cover insurance costs.

A key opportunity is to support housing diversity and growth through the delivery of secondary dwellings. From 2022, restrictions on who can live in secondary dwellings no longer apply across Queensland, enabling homeowners to rent out secondary dwellings, such as granny flats. Dual occupancy developments could help to meet housing demand, for example one- and two-bedroom units built as secondary dwellings could provide housing options for professional workers looking for accommodation in small complexes, or accessible smaller housing for older residents or people with disability.

It is important to strategically position smaller housing product close to town centres and essential services to support efficient and sustainable growth, as well as local amenity and overall liveability. Housing designs should also be tailored to respond to Mareeba's strong rural character.

Response opportunities

- Encourage government incentives for private investment in housing.
- Share information about policy settings and diverse housing options to encourage the development of new residential builds.
- Investigate opportunities to deliver a range of housing types to create a mix of housing to cater for small household compositions.
- Continue to offer streamlined charges and approval processes to support and encourage residential builds.
- Promote dual occupancy development and provide information to residents and developers about secondary dwellings and tiny houses.
- Investigate the viability of encouraging 'infill' in larger lots around town centres with ready access to essential services, especially in Mareeba and Kuranda, to increase housing diversity.

Focus area 2: Increase access to and affordability of worker housing

Workers across the skills spectrum come to Mareeba Shire to support a range of industries including farm work, infrastructure projects, and to work in the education, healthcare and social assistance sectors. ABS 2021 Census data shows that Mareeba’s major employment sectors are:

- Agriculture, forestry and fishing (17%)
- Health care and social assistance (13%)
- Education and training (8%)
- Retail trade (8%)
- Construction (8%).

Some are short term workers, fulfilling seasonal jobs, ad hoc work, or short term contracts, while others relocate longer term. The below summarises the unique challenges and needs for farm and seasonal workers, and key workers including truck drivers, tradespersons, nurses, teachers, medical practitioners and other professionals.

Generally speaking, Mareeba Shire experiences challenges in recruiting and retaining workers, in part, due to the housing shortage. More housing stock that meets the needs of Mareeba’s diverse workforce is needed, including affordable housing, smaller dwellings, and in areas that facilitate access to town centers and social connection.

Rural farm and seasonal workers

Mareeba Shire is one of the largest fruit producing regions in Australia, with horticulture making up 48% of the municipality’s agricultural production, valued at \$175 million for the 2020-2021 financial year (Department of Agriculture and Fisheries, 2022). Some produce markets are experiencing significant expansion, with new commodities gaining a foothold and traditional industries evolving with new varieties.

This flourishing horticulture sector brings seasonal workers to the area. Previously, seasonal workers would typically be international visitors or “backpackers” who would work for 88 days to fulfil their working holiday visa requirements. Given the short timeframe, they would often camp, stay in on-site accommodation on farms or backpacker style accommodation.

The Australian Government’s new Pacific Australia Labour Mobility (PALM) scheme enables eligible businesses to hire workers from Pacific Island countries and Timor-Leste when there are local worker shortages. Under the PALM scheme, farming businesses in Mareeba Shire

How can we meet the needs of the community with the greatest unmet housing needs?

“Closer regulation of the farm worker accommodation to reduce overcrowding and loss of affordable rentals from the private market, and more accountability for farm worker businesses to supply accommodation for workers.”

- Survey respondent

are recruiting Pasifika workers for short-term jobs up to nine months, or longer-term roles up to four years.

The PALM scheme requires employers to support a longer stay for workers, and this has had significant impacts on local housing supply, as well as contributing to overcrowding. In some cases, large farming operators purchased existing motels, caravan parks and backpacker hostels to accommodate their labour force. In other cases, farmers have been seeking to establish on-farm workforce accommodation facilities.

The alternative to on-farm housing developments for a rural workforce is farmers purchasing or renting residential housing for rural workers. This has impacted the availability of residential housing, particularly in Mareeba. Social and recreational programs are also required to support the integration of PALM workers into local communities, as well as their own health and wellbeing.

Key worker housing

Mareeba Shire is facing a worker shortage, with challenges in recruiting and retaining workers, in part due to housing affordability and housing shortages. This includes health workers, truck drivers and builders – all essential occupations for sustaining the local economy and creating liveable communities.

While some occupation groups can afford to purchase or pay market rent in Mareeba Shire, there is insufficient supply for purchase or rent. The residential vacancy rate for the 4880 postcode, was 0.4% in October 2023 and even lower in May 2023 at 0.1% (SQM Research, 2023).

Other workers face challenges in affording housing even when working and require state and federal government subsidised housing or other supports.

Access to quality, well located, diverse and affordable housing is essential to attracting and retaining key workers in the Mareeba shire and supporting local economic growth.

What are the key housing challenges for Mareeba Shire?

“Attracting workers to the region to fill employment positions when there is a lack of affordable housing, especially for singles and families to find housing.”

- Survey respondent

Response opportunities

- Advocate to State and federal governments for statutory mechanisms or strategic approaches to support seasonal, essential and skilled workers.
- Encourage investment in rental properties.
- Develop a regional Key Worker Housing Strategy, perhaps through the FNQ Regional Organisation of Councils (FNQROC).
- Review state and local government land that can be developed for key worker housing.
- Support businesses to increase understanding and deliver rural farm worker accommodation.
- Support initiatives that address skills shortages in rural and regional areas.

Focus area 3: Increase social housing supply and supports for at risk community members

Across Queensland, there is high demand for social housing, and this is no exception in Mareeba Shire where the weekly median household income is \$1,249, far below the state average of \$1,675. Mareeba Shire is home to a high proportion of low income households, with 23% earning less than \$499 per week, and 30% between \$500 to \$999.

While there is increasing demand for social housing, there is inadequate supply locally. There are 426 social housing dwellings spread across Chillagoe, Mareeba, Mt Molloy, Kuranda, Koah, and Dimbulah. This includes 166 community housing properties, 118 public housing properties, and 142 Indigenous housing properties.

Social housing register data shows increasingly long wait list times (QCOSS, June 2023), with the average wait time for Mareeba Shire increasing from 10 months in 2017 to 26 months in 2023. This data also shows that for the Mareeba Shire, there is higher need from single persons, single parents with young children, older people, people with disability, and Aboriginal and Torres Strait Islander peoples. Not only is there a need to increase social housing stock, but there is demand for diverse social housing typologies to support a range of age cohorts and family compositions, as well as Indigenous families.

Anecdotal evidence suggests that existing social services in Mareeba Shire cannot keep up with demand, indicating that additional community services are needed. This includes in-home care services, support for people experiencing family and domestic violence, and youth support responses. The below summarises challenges and needs for high needs cohorts.

Appropriate housing for First Nations households

The Mareeba Shire region has a high proportion of Aboriginal and Torres Strait Islander peoples (14%) when compared with the Queensland average (5%). The social housing register indicates that 66% of all social housing applications in Mareeba Shire are from First Nations people. This group has the highest demand and need of all population groups.

ABS 2021 Census shows that 3.9% of Mareeba Shire households are considered homeless and another 3.1% are marginally housed. These figures are higher than the Regional Queensland averages. According to feedback from local stakeholders homelessness in Mareeba Shire primarily manifests as “people living in severely crowded dwellings” (58%) and “people staying temporarily with other households” (21%).

There are residents with a range of different vulnerabilities in the Mareeba Shire community who require access to social housing:

- 23% very low income households (Qld average 9%)
- 20% of population are 65 years and over (Qld average 17%)
- 13.5% youth disengagement (Qld average 10%).
- 14% Aboriginal and Torres Strait Islander population (Qld average 5%)
- 5.6% live with disability (Qld average 6%)
- High socioeconomic disadvantage in Mareeba Shire, with SEIFA score of 937 (Qld average 995)

Survey respondents consider First Nations people to have the greatest unmet housing and housing support needs, pointing to a need for housing that accommodates multigenerational families and greater First Nations input into social housing design to ensure cultural appropriateness.

Crisis and emergency accommodation

There is no crisis accommodation available in Mareeba Shire, despite high rates of domestic and family violence. For example, the number of breaches to domestic violence protection orders more than doubled between 2019 and 2022 (Queensland Police Service, 2023).

Anecdotal evidence suggests women and children escaping violence in the Mareeba Shire are being housed with other family members or friends, in motels, or leave the shire to access safe and affordable housing. There is an urgent need to explore emergency and crisis accommodation models that best suit regional and rural areas, and to allocate more funding for local support services.

Survey responses suggest that cohorts of the community with the greatest unmet housing and/or housing support needs are:

- Low and very low income earners
- First Nations people
- Women and children escaping domestic violence
- Families.

Housing support for young people

Alongside growing domestic and family violence, Mareeba Shire reports higher youth disengagement (13.5%) in comparison to the statewide average (10%). The shortage of crisis accommodation is mirrored by insufficient housing supply for young people at risk or with low incomes, and in March 2023, Mareeba Shire Council urged both the Queensland and Federal Governments to fund more youth support initiatives including youth outreach and a drop-in center for young people at risk.

Response opportunities

- Continue to advocate for the delivery of social and affordable housing in Mareeba Shire.
- Improve understanding about suitable housing typologies for First Nations households.
- Improve understanding about suitable domestic and family violence models for rural and regional areas.
- Encourage more First Nations home ownership, including “rent to buy” program.
- Allocate more funding to deliver services and support sector roles, e.g. youth workers, culturally competent services, and supports for women and children experiencing domestic violence.

Focus area 4: Housing to meet the ageing population

Queensland Government’s *Healthy Ageing Strategy* indicates there is increasing desire among older people to age in place, that is, continuing to live in their communities as they get older. The ability to age in place depends on multiple factors, such as the ability to access appropriate housing, transport, health services, and social connection.

Mareeba Shire is home to an ageing population, with over 20% of residents aged 65 and over. This is higher in proportion to the statewide average of 17%, and population forecasts anticipate that Mareeba’s residents will continue to age into the future.

There are two nursing homes located in Mareeba and Julatten, however these facilities do not meet current local demand for aged care housing. There is a need to expand existing facilities and/or build new developments to support local needs.

Further compounding this issue is the lack of housing diversity in Mareeba Shire, with limited opportunities for people to downsize their homes. Mareeba Shire Council is one of the largest social housing providers in FNQ with 108 one- and two- bedroom units, and there remains a critical need for more social housing for seniors. In addition, there is not adequate access to health services, including in-home care, which also impacts the ability of Mareeba’s older community to age in place.

How can we meet the needs of the community with the greatest unmet housing needs?

Have homes that are set up for people with disabilities or seniors, such as grab rails, ramps, easy to turn taps and door handles.”

- Survey respondent

What needs to be done to improve the availability and affordability of housing?

If considering accommodation for at-risk populations like seniors, people with disability or domestic violence, then possibly apartments may be a better option for density and would allow support services to more easily service all clients in that property.

- Survey respondent

Response opportunities

- Continue to support community housing for seniors and people with disability in Mareeba Shire.
- Divestment of Mareeba Shire Council’s 108 units for social housing for seniors to Mareeba Community Housing Company could create opportunities for leveraging existing social housing stock to build more social housing for seniors.
- There is an opportunity to utilise surplus funds in Mareeba Shire Council’s Community Housing for Seniors program to build new social housing units for seniors in Mareeba and Kuranda.
- Investigate the reported lack of in-home care packages to support older residents to continue living independently in their own homes.

- Build adaptable housing in regional areas to allow seniors to remain in their communities, close to family, friends, and key services. This includes building one and two-bedroom low-set duplex and villa homes, to be sold at market value, with design features that facilitate ageing in place and independent living.
- Advocate for funding to deliver aged care services in Mareeba Shire.



Local residents enjoying the 2023 Mareeba Multicultural Festival

Photo credit: Mareeba Shire Council

Response opportunities

A Local Housing Action Plan enables engagement across all levels of government, and benefits from partnerships between private and not-for-profit organisations.

An initial set of tactical actions has been developed, enabling refinement through an ongoing iterative process. These actions provide for a targeted response and outcomes that will seek to either create immediate benefit or establish a foundation for the next phase of actions.

More specific responses can then be determined that provide flexibility in delivery and support each of the broad areas identified.



Actions

Mareeba Shire Council with the support of the Queensland Government through the Housing and Homelessness Action Plan 2021-2025 is committed to engage in the delivery of its initial Local Housing Action Plan through this set of actions, developed to target immediate to longer term housing responses. This is an iterative process, and these actions and target outcomes will seek to either create immediate benefit or to establish foundations that help respond to ongoing housing need.

<input type="checkbox"/>	Land and Development	Timeline
1.1	Promote the availability of affordable land for residential development in Mareeba.	Ongoing

<input type="checkbox"/>	Planning	
2.1	Propose FNQROC investigates feasibility of Tiny Homes as viable solution to housing crisis in Far North Queensland.	May 2024
2.2	Prepare a Fact Sheet on Rural Worker Accommodation outlining factors for consideration in the development application, e.g. importance of site	Early 2024

	selection and considering impact on road network, community integration opportunities, neighbours etc.	
2.3	Amend <i>Local Law #1 Schedule 9 Establishment or occupation of a temporary home</i> to allow approval of an extension of the current 4 weeks by application to Council. The proposal is to provide the ability to approve a caravan or RV to be located in a dwelling allotment for up to 6 months in a 12 month period for occupation by friends or family with no payment made and set conditions applying.	January to September 2024

<input type="checkbox"/>	Optimisation	
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3.1	Liase with the Queensland Government regarding the outcome of the State's recent land audit and investigate development opportunities.	From January 2024
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<input type="checkbox"/>	Master planning	
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4.1	Consider recommending new residential subdivision developments include an integrated mix of lot sizes including smaller lots with a maximum area of 400sqm.	June 2024
4.2	Advocate for the development of a Rural Worker Accommodation and Support Strategy perhaps through FNQROC	July 2024

<input type="checkbox"/>	Supports	
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5.1	Promote Secondary Dwellings and Dual Occupancy by preparing a Fact Sheet and disseminate information about Secondary Dwellings (Granny Flats) and Dual Occupancy (duplex).	July 2024
5.2	Review trunk infrastructure charges for residential development.	2024/2025
5.3	Review trunk infrastructure charging fees for secondary dwellings, duplex and multi-unit development.	July 2024
5.4	Hold an 'Open House' with the community and industry invited to share information, encourage discussion and dialogue about options to build more affordable housing of diverse types.	June 2024

<input type="checkbox"/>	People in need	
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6.1	Finalise negotiations with the Queensland Government to divest Council's community housing for seniors stock to Mareeba Community Housing Company for leveraging the construction of new stock.	Completion by December 2024
6.2	Advocate to State government to consult with First Nations peoples to provide input into Indigenous housing design.	Ongoing

6.3	Advocate to State government for additional local social supports and health service delivery in Mareeba Shire.	Ongoing
6.4	Advocate to State and Federal governments to provide funding for the construction and operation of suitable crisis accommodation models in regional and rural contexts.	Ongoing
6.5	Advocate to State and Federal governments to provide funding for more residential care beds and in-home care packages for older residents.	Ongoing

<input type="checkbox"/>	Construction	
7.1	Build new social housing for seniors duplex approved by the State.	March 2023 to June 2024
7.2	Consider building a second duplex for seniors with State funding.	July 2024 to June 2025
7.3	Advocate to State and Federal governments for incentives to build more residential housing in rural and regional locations that appeal to 'Mum and Dad' investors as well as corporate investors. Consider linking incentives such as income tax and stamp duty deductions for new residential housing that meets demonstrated local needs.	From March 2024

<input type="checkbox"/>	Capital solutions	
8.1	Finalise negotiations with the Queensland Government to divest Council's community housing for seniors stock to Mareeba Community Housing Company to leverage the construction of new stock without requiring the injection of State capital.	Completion by December 2024

Next Steps

A working group of key representatives from Mareeba Shire Council and select State Government agencies will progress actions, review findings, report quarterly and develop and test next steps.

8.6 OPERATIONAL PLAN 2023/24 PROGRESS REPORT

Date Prepared: 5 January 2024

Author: Manager Development and Governance

Attachments: 1. [Operational Plan Progress Report October to December 2023](#) 

EXECUTIVE SUMMARY

The attached report provides information regarding the progress of the 2023/24 Operational Plan projects.

RECOMMENDATION

That Council receives and notes the progress report on the implementation of the 2023/24 Operational Plan for the period October to December 2023.

BACKGROUND

The Local Government Regulation 2012 provides that a local government must prepare and adopt an annual operational plan for each year. The Operational Plan is a statement of specific works to be undertaken and services to be provided to progress the goals and objectives set out in a Council's Corporate Plan over a period of one (1) year.

Council adopted the Operational Plan for 2023/24 on 21 June 2023.

In accordance with section 174(3) of the Local Government Regulation 2012, the Chief Executive Officer must present a written assessment of the local government's progress towards implementing the annual operational plan at meetings of the local government held at regular intervals of not more than three (3) months.

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

It is a statutory requirement for an assessment of progress in implementing the Operational Plan to be presented to Council at least on a quarterly basis.

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

Financial Sustainability						
“A council that continuously operates in a cost-effective manner while managing council’s assets and reserves to ensure a sustainable future.”						
Project	Corporate Plan Ref	Corporate Plan Goal	Business Section	Performance Measures	Actions Taken October to December 2023	Progress: <ul style="list-style-type: none"> • Not commenced • In Progress • Completed
Long-term Financial Plan	FIN 1 FIN 2	Long-Term Financial Plan that supports effective and sustainable financial management Effective and sustainable financial management	Finance Development & Governance	<ul style="list-style-type: none"> • Ensure Long Term Asset Management Plan and Financial Plan aligns with revised Sub-Asset Management Plans and Local Government Infrastructure Plan 	Nil	Completed
Comprehensive Asset Revaluations: <ul style="list-style-type: none"> • Land • Buildings • Drainage 	FIN 1	Long-Term Financial Plan that supports effective and sustainable financial management	Finance	<ul style="list-style-type: none"> • comprehensive revaluations 	<ul style="list-style-type: none"> • Gathering of information to pass onto valuers continued with valuations expected to be completed by end January 2024 	In Progress
Internal Access to Financial Information	FIN 3 FIN 4	Effective Business Management A Skilled and Sustainable Workforce	Finance	<ul style="list-style-type: none"> • More users able to operate financial systems and locate relevant documentation • Provide additional in-house training and support 	<ul style="list-style-type: none"> • Continuing improvement on reporting options and training available as requested 	In Progress

Financial Sustainability						
“A council that continuously operates in a cost-effective manner while managing council’s assets and reserves to ensure a sustainable future.”						
Project	Corporate Plan Ref	Corporate Plan Goal	Business Section	Performance Measures	Actions Taken October to December 2023	Progress: <ul style="list-style-type: none"> • Not commenced • In Progress • Completed
Technology One enhancements	FIN 3	Effective and sustainable financial management	Information Systems	<ul style="list-style-type: none"> • Provide further enhancements • Transition to CiAnywhere 	<ul style="list-style-type: none"> • Human Resources and Payroll – Organisation Management module transitioned to CiAnywhere • Work continuing on the transition of Payroll Processing 	In Progress
Mareeba Industrial Estate	FIN 3	Effective business management	Development & Governance	<ul style="list-style-type: none"> • Adopt Masterplan • Implement Promotional Strategy 	<ul style="list-style-type: none"> • Digital Marketing continuing with monthly social media and google advertising by MPO • Two new land sale settlements were recorded leaving 12 remaining Lots for sale • Masterplan for Eastern and Western precincts continues 	In Progress
Mareeba Airport Precinct Tom Gilmore Mareeba Aviation Industrial Precinct	FIN 3	Effective business management	Tourism & Economic Development	<ul style="list-style-type: none"> • Produce Promotional Strategy 	Brief for consultants has been prepared to call for quotes in the next quarter for the preparation of a promotional strategy	In Progress

Financial Sustainability						
“A council that continuously operates in a cost-effective manner while managing council’s assets and reserves to ensure a sustainable future.”						
Project	Corporate Plan Ref	Corporate Plan Goal	Business Section	Performance Measures	Actions Taken October to December 2023	Progress: <ul style="list-style-type: none"> • Not commenced • In Progress • Completed
Customer Service Standards and Process	FIN 3	Effective business management	Customer & Community	<ul style="list-style-type: none"> • Customer request systems and processes reviewed to determine appropriate responses including resolution timeframes 	<ul style="list-style-type: none"> • Customer request response process developed and implemented to handle Ex-Cyclone Jasper disaster enquiries 	In progress
ICT Strategy implementation:	FIN2 FIN 3	Effective and sustainable financial management Effective business management	Information Systems	<ul style="list-style-type: none"> • Transition to Teams Calling 	<ul style="list-style-type: none"> • Organisation transitioned to Teams Calling for telephony • On-premises PABX decommissioned 	Completed
Sustainable Workforce	FIN 4	A skilled and sustainable workforce	Human Resources	<ul style="list-style-type: none"> • Training and development of workforce where required to improve efficiencies and ensure workplace safety 	<ul style="list-style-type: none"> • Leadership training program completed with positive staff feedback • Ongoing organisation wide training and development is underway. 	Completed In Progress

Financial Sustainability						
“A council that continuously operates in a cost-effective manner while managing council’s assets and reserves to ensure a sustainable future.”						
Project	Corporate Plan Ref	Corporate Plan Goal	Business Section	Performance Measures	Actions Taken October to December 2023	Progress:
Workforce Efficiencies	FIN 1 FIN 2 FIN 3	Long-Term Financial Plan that supports effective and sustainable financial management Effective and sustainable financial management Effective business management	All	<ul style="list-style-type: none"> • Implement efficiencies & cost saving measures identified in 2022 review • Review Recruitment Process & Employer Branding initiatives. Implement efficiencies and cost saving measures identified in 2022 review 	<ul style="list-style-type: none"> • Fleet Vehicles continue to be branded with MSC Logo • Progress Report presented to Councillors 4th October 2023. 	<ul style="list-style-type: none"> • Not commenced • In Progress • Completed <p style="margin-left: 20px;">In Progress</p>

Community

“An informed and engaged community which supports and encourages effective partnerships to enhance the liveability of the shire.”

Project	Corporate Plan Ref	Corporate Plan Goal	Business Section	Performance Measures	Actions Taken October to December 2023	Progress: <ul style="list-style-type: none"> • Not commenced • In Progress • Completed
Arts Connection to Tourism	COM 1	An engaged community	Customer & Community	<ul style="list-style-type: none"> • Implementation of public mural action plan 	<ul style="list-style-type: none"> • Artist engaged to deliver public murals in Mutchilba and Chillagoe • Mural on Chillagoe Town Hall completed 	In Progress
Enhanced Online Presence	COM 1	An engaged community	Information Systems	<ul style="list-style-type: none"> • Improved capacity and information sharing • Increased web-based forms 	<ul style="list-style-type: none"> • Social media platforms and Disaster Management Dashboard used extensively for community communications regarding Cyclone Jasper and disaster recovery 	In Progress

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”

Project	Corporate Plan Ref	Corporate Plan Goal	Business Section	Performance Measures	Actions Taken October to December 2023	Progress: <ul style="list-style-type: none"> • Not commenced • In Progress • Completed
Review Asset Management Plans across asset classes	TCI 1	Sustainable Infrastructure for the future.	Assets & Projects	<ul style="list-style-type: none"> • Undertake data verification 	<ul style="list-style-type: none"> • Asset registers continue to be reviewed and improved. 	In Progress
	TCI 4	Facilities	Technical Services	<ul style="list-style-type: none"> • Undertake condition assessment and defect identification across individual asset classes. 	<ul style="list-style-type: none"> • Facilities inspections / defect assessment / condition rating ongoing 	
	COM2	An active, safe and healthy community	Finance	<ul style="list-style-type: none"> • Document and review prioritisation and response times for maintenance and operational activities • Improvement of asset management processes to be reflected in Long Term Asset Management Plan and Long Term Financial Plan 	<ul style="list-style-type: none"> • Water and Wastewater Asset Management Sub Plans Updated. Parks Asset Management Sub Plan Commenced. 	

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"						
Project	Corporate Plan Ref	Corporate Plan Goal	Business Section	Performance Measures	Actions Taken October to December 2023	Progress: <ul style="list-style-type: none"> • Not commenced • In Progress • Completed
Local Government Infrastructure Plans Review (LGIP)	TCI 1 FIN 2	Sustainable Infrastructure for the future Effective and sustainable financial management	Development & Governance Finance Technical Services Water and Waste	<ul style="list-style-type: none"> • Conduct 5 year review of LGIP 	<ul style="list-style-type: none"> • Formal feedback received from Queensland Government regarding proposed amendments and the review will commence in 2024. 	In Progress
Parks and Open Spaces Strategy	TCI4	Public spaces and facilities	Assets & Projects	<ul style="list-style-type: none"> • Complete planned construction for financial year 	<ul style="list-style-type: none"> • Planned construction works being completed as per action plan and reported monthly and quarterly to Council 	In Progress
New Kuranda Cemetery	TCI 1	Sustainable Infrastructure for the future	Technical Services Assets & Projects	<ul style="list-style-type: none"> • Complete required operational works to enable internments 	<ul style="list-style-type: none"> • Constructions of facility nearing completion 	Ongoing

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”

Project	Corporate Plan Ref	Corporate Plan Goal	Business Section	Performance Measures	Actions Taken October to December 2023	Progress: <ul style="list-style-type: none"> • Not commenced • In Progress • Completed
Waste Management Services Strategy	EAE 1	Environmentally responsible and efficient waste and wastewater management	Water & Waste	<ul style="list-style-type: none"> • Commence review and update of Waste Strategy to align with Regional Waste Plan and Council’s future waste management needs 	Waiting on the Director General DES to sign off on the Regional Waste Coordinator Position so it can be advised. FNQ Regional WMRR- RRR Plan Implementation Of the \$1.1 billion in the Recycling and Jobs Fund, currently money is allocated up to 2027: <ul style="list-style-type: none"> • \$153.7 million for Regional Waste Management Plans • \$147.2 million for Industry Development and infrastructure • \$16.5 million for state-wide Behaviour Change programs • \$29.3 million for circular economy initiatives • \$21 million to bolster regulatory assessment and compliance 	In Progress
	TCI 1	Sustainable Infrastructure for the future	Finance			
Planning Scheme Review	EAE 2	A Sustainable Planning Scheme	Development & Governance	<ul style="list-style-type: none"> • Commence 10 Year review of MSC Planning Scheme and supporting documents • Prepare scope of works 	<ul style="list-style-type: none"> • On hold pending completion of the FNQ Regional Plan 	Not Commenced

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”

Project	Corporate Plan Ref	Corporate Plan Goal	Business Section	Performance Measures	Actions Taken October to December 2023	Progress: <ul style="list-style-type: none"> • Not commenced • In Progress • Completed
Temporary Local Planning Instrument (TLPI)	EAE 2	A Sustainable Planning Scheme	Development & Governance	and community profile for 10 Year review Draft Review of MSC Planning Scheme and supporting documents <ul style="list-style-type: none"> • Amend the Planning Scheme to address the TLPI in accordance with Queensland Government advice 	<ul style="list-style-type: none"> • Amendment adopted by Council on 18 October 2023 	Completed

Governance

“Sound decision making based on effective frameworks and clear strategic direction to achieve regulatory compliance and affordable levels of service delivered to the community”

Project	Corporate Plan Ref	Corporate Plan Goal	Business Section	Performance Measures	Actions Taken October to December 2023	Progress: <ul style="list-style-type: none"> • Not commenced • In Progress • Completed
Housing Strategy	EAE3	Support and encourage sustainable industrial and commercial growth and development	Development & Governance	<ul style="list-style-type: none"> • Investigate options for addressing the housing crisis • Investigate options for sustainable social housing for seniors 	<ul style="list-style-type: none"> • Draft Local Housing Action Plan completed and waiting on State government feedback • Awaiting Dept of Housing feedback on the 30 year Lease issued to Mareeba Community Housing Company for the site of the new duplex for seniors to be constructed with government funding 	In Progress
Cybersecurity Enhancements	GOV2	Strong focus on compliance and enterprise risk	Information Systems	<ul style="list-style-type: none"> • Monitor security measures as defined by the ACSC Essential 8 • Establish incident response partnership 	<ul style="list-style-type: none"> • Continues implementation of ACSC Essential 8 mitigation strategies 	In Progress
Compliance Review	GOV 2	Strong focus on compliance and enterprise risk	Human Resources	<ul style="list-style-type: none"> • Comply with relevant legislative requirements • Comply with requirements of the LGW Mutual Risk Obligation program 	<ul style="list-style-type: none"> • Council is operating within LGW Mutual risk obligation program requirements 	In Progress

8.7 DEVELOPMENT AND GOVERNANCE QUARTERLY REPORT - OCTOBER TO DECEMBER 2023

Date Prepared: 2 January 2024
Author: Manager Development and Governance
Attachments: Nil

EXECUTIVE SUMMARY

This report presents the key activities of the Development and Governance Group for the October to December 2023 quarter.

RECOMMENDATION

That Council receives the quarterly report of the Development and Governance Group for the October to December 2023 quarter.

The Development and Governance Group is comprised of the following Council service areas:

- Governance, Compliance, and Records
- Building, Plumbing, and Trade Waste
- Regional Land Use Planning
- Local Laws and Environmental Health
- Strategic Community Housing Projects

In addition to routine matters of operation, the following activities have occurred during the October to December 2023 quarter and are presented below by service area.

GOVERNANCE, COMPLIANCE and RECORDS**Native Title**

There are currently five (5) Native Title claims within Mareeba Shire consisting of Djungan #5 (QUD811/2018), Wallara People (QUD224/2021), Djabugay Nation Native Title Claim (QUD692/2016), Muluridji #3 (QUD824/2018), and Eastern Kuku Yalanji People #2 (QUD356/2022).

Indigenous Land Use Agreements (ILUA)

Council has five (5) Indigenous Land Use Agreements (ILUAs) that establish the context in which Council operates with specific groups on matters of Native Title and Cultural Heritage.

On 26 October 2023, Council issued a Native Title and Cultural Heritage Consultation Notice to the Muluridji People under the terms of the ILUA to initiate consultation relevant to the Social Housing for Seniors Duplex at Doyle Street Mareeba scheduled for commencement in January of 2024.

Land Tenure Instruments

Council negotiated three (3) new tenure instruments during the period relevant to Council's road maintenance related Western Camp Agreements with Highbury Station, Wrotham Park Station and Gamboola Station.

Council reviewed and updated one (1) Land Management Plan relevant to the Chillagoe Rodeo Grounds to facilitate opportunities for the lessee in holding an expanded range of future community events at the facility.

Mareeba Aviation Industrial Precinct

Council recorded one (1) new Licence tenure instrument for use of a portion of airside space for aircraft posterity display purposes.

Mareeba Industrial Park

Council recorded two (2) new land sale settlements during the period.

Currently there remain 12 developed lots available for sale.

Notifiable Breaches - internal

Council recorded one (1) notifiable policy related breach during the period.

Right to Information and Information Privacy

Council recorded receipt of one (1) new Right to Information and Information Privacy Access Application and one (1) application for internal review, both being assessable under the *Right to Information Act 2009* (Qld).

Unreasonable Complainant Conduct

Council recorded nil (0) new cautionary notice actions undertaken during the period under Council's *Unreasonable Complainant Conduct Policy*.

Administrative Action Complaints

Details of complaints received/processed during the period ending 31 December 2023 are displayed in the following table as aligned with the same period in 2022:

	Oct – Dec 2022	Oct – Dec 2023
Complaints carried over from previous period	2	5
Complaints carried over from previous period finalised during this reporting period	2	5
Complaints lodged during reporting period	8	9
Complaints finalised during reporting period	6	4
Complaints still in process (not finalised) during reporting period	2	5

BUILDING, PLUMBING and TRADEWASTE

Building Applications

In 2018, Council resolved to no longer provide building certification in the major population areas of Mareeba Shire. In 2020, Council resolved not to provide building certification across the entire jurisdiction, however Council is still responsible for the applications it had received up until this point. Generally, approved building applications are granted two (2) years to complete the approved building works. Council's Policy is to provide one (1) extension for all applications upon valid request where works have begun. Therefore, some applications may continue for a maximum of two (2) further years.

The below table provides information on issued building approvals that remain the responsibility of the Council:

Current applications as at 1 October 2023	7
Completed	1
Cancelled	0
Current applications as of 31 December 2023	6

Plumbing Applications

The below table provides information on plumbing approvals that are the responsibility of the Council:

Current applications as at 1 October 2023	319
New Applications	35
Completed	45
Cancelled	0
Current applications as of 31 December 2023	309

Trade Waste

The 2023 Trade Waste inspection program for Mareeba is occurring in conjunction with Plumbing Inspections.

Regulatory

Building, Plumbing, and Trade Waste Services had 101 customer requests this quarter of which 97 were resolved. In comparison to the same quarter in 2022, Council received 86 customer requests.

Compliance

Council continues to progress 44 escalated building and plumbing compliance enforcement actions for unapproved structures relevant to 27 properties across the jurisdiction.

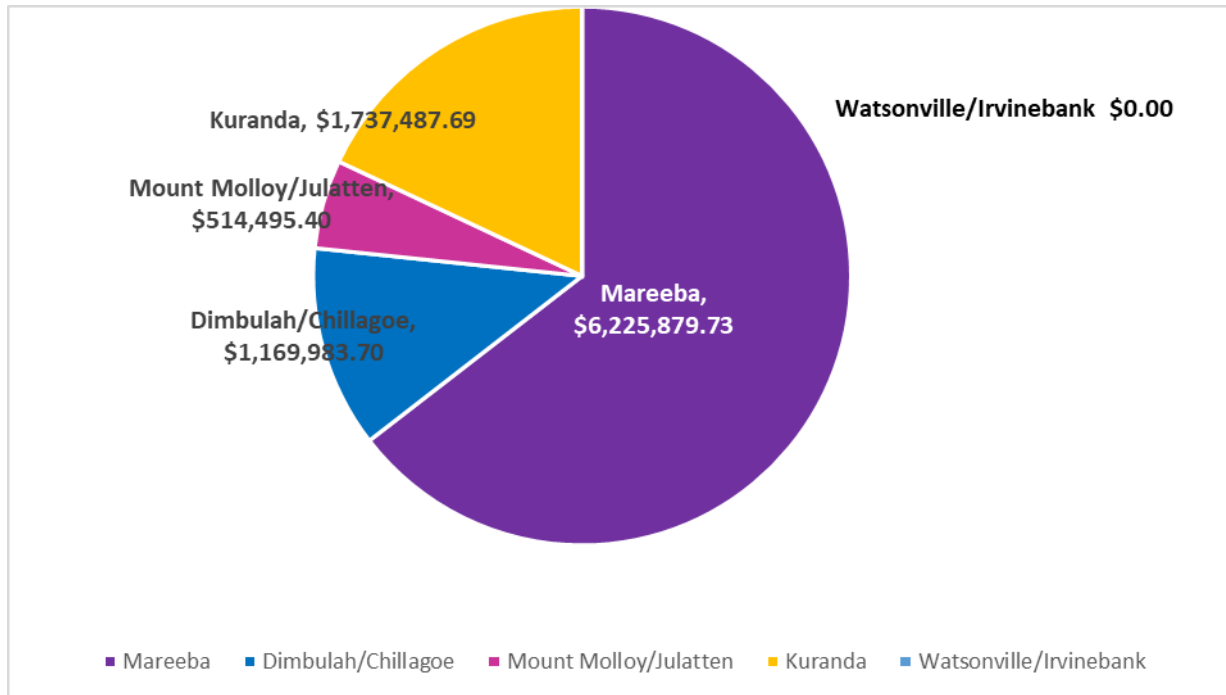
A strategic risk management approach to responding to non-compliance complaints has been actively pursued since September 2022. Council’s approach is still to manage each complaint as low, medium and high risk compliance matter.

Building

The total value of Council's dwelling and commercial approvals is lower compared to the same quarter last year. The trend for building development in the Shire over the past 12 months is closer to the typical average development over the past five (5) years.

Quarter	October - December 2023		October - December 2022	
	\$	A	\$	A
Total	\$9,647,846.52	69	\$14,838,711.57	102

Value of Building Applications Oct – Dec 2023



REGIONAL LAND USE PLANNING

New Development Applications

10 development applications were lodged in the December quarter 2023 compared to 11 lodged in the December quarter 2022.

Development applications received/approved during the December quarter 2023 as compared to the YTD comparisons are as follows:

	Oct - Dec 2023	2023/24 YTD	2022/23 YTD
New Development Applications lodged	10	26	22
Decision Notices issued under delegated authority	5	12	17
Negotiated Decision Notices issued under delegated authority	0	0	0
Decision Notices issued (from Council Minutes)	5	12	5
Negotiated Decision Notices issued (from Council Minutes)	0	1	0
Extensions to relevant period issued	1	1	1

Extensions to relevant period issued (from Council Minutes)	1	2	0
Change to existing Development Approval issued	1	3	0
Referral Agency Response approvals issued under delegated authority	4	7	19
Survey Plans endorsed	6	11	10
Notices issued under Planning Act	0	0	0
Planning Appeals and other Court proceedings	0	0	0

LOCAL LAWS AND ENVIRONMENTAL HEALTH

Local Laws

Local Laws Officers dealt with the below complaints and enquiries during the quarter relating to the following matters:

Animals

	Oct - Dec 2023	Oct - Dec 2022	Oct - Dec 2021
Animal Attacks *	32	18	31
Barking Complaints	50	41	58
Council traps	32	38	29
Cruelty	10	1	2
Dangerous Aggressive Dogs	2	2	4
Enquiries, Unregistered, Hygiene, unleashed	117	99	193
Missing/Lost/Found	9	16	29
Restrained for Collection	19	40	30
Straying Animals	125	92	110
Too many animals	9	11	7
Total	405	358	493

**There has been an increase in animal attacks in the last quarter. Council has increased patrols in areas where animal attacks have occurred, to try and prevent wandering animals from causing attacks.*

Dog Registration

As at the 31 December 2023, Council has a registered population of 4,130 dogs in the shire with 70 dog renewals outstanding. Mareeba Shire has the highest dog registration per capita compared to neighbouring Local Government Areas.

The 70 outstanding renewals relate to animal owners not renewing their animal registration for the current financial year. Infringements were issued to dog owners for failing to renew their dog registrations for the upcoming financial year or failing to advise Council of a change of circumstances (dog deceased, left the area). The infringements were issued on 22 August 2023, and the unpaid infringements were sent to SPER for recovery in October 2023.

	Oct - Dec 2023	Oct - Dec 2022	Oct - Dec 2021
Deceased	55	33	2
Left the area	28	30	7
New registrations	230	176	146

	Oct - Dec 2023	Oct - Dec 2022	Oct - Dec 2021
Abandoned Vehicles	27	24	37
Commercial Use of Roads	5	19	18
Illegal Camping	14	13	4
Illegal Signs	1	5	6
Obstruction of Footpath	1	1	8
Overgrown	6	9	34
Parking, illegal parking	7	19	24
Other	3	2	9
Total	64	92	140

Review of the Local Law for Temporary Accommodation

Work commenced on the review of the Local Law for Temporary Accommodation to enable a friend or relative to reside in a temporary caravan on a dwelling allotment under certain conditions as a short term option for the housing crisis, for example, until a rental property becomes available or the purchase of a property settles.

Environmental Health

The Environmental Health section responded to a total of 129 enquiries, complaints and service requests for the quarter relating to the following matters:

	Oct - Dec 2023	Oct - Dec 2022	Oct - Dec 2021
Flying Foxes	-	-	1
Food Complaints	4	4	1
Food Enquiry	23	19	30
Food General	4	4	3
General Service Enquiry	6	25	25
Health Enquiry	6	10	15
Illegal Dumping	7	11	17
Other	6	9	6
Pollution	17	18	21
Public Health Complaint/enquiry	4	7	3
Total	75	107	119

Notices Issued, Inspections Carried Out, Applications Processed

	Oct - Dec 2023	Oct - Dec 2022	Oct - Dec 2021
Animal Management infringements issued	27	16	29
Animals Impounded	85	107	123
Compliance Notices Issued	16	10	18
Food Inspections Undertaken	60	9	19
Local Laws infringements issued	6	21	28
Regulated Parking infringements issued	2	81	64
Warning letters issued	68	59	63

There is an increase in food inspections undertaken this last quarter, due to Council's contractor working back in the Shire from November 2023.

In the last quarter (1 October 2023 to 31 December 2023) the following impounds were recorded for dogs:

- Animal returned to owner 1st occasion for free (dog was wandering but was registered): 7 dogs.
- Animal caught wandering (not registered or registered and previously returned to owner): 78 dogs were impounded.

All licence renewals (Food, Accommodation, Commercial Use for Roads, Excess Animals, Public Health) have been renewed for the follow financial year.

COMMUNITY HOUSING PROJECTS

New Duplex for Social Housing for Seniors

A 30 year draft lease has been prepared and issued to the Mareeba Community Housing Company in accordance with the Capital Funding Agreement between Council, the Department of Communities, Housing and Digital Economy (DCHDE) and the Mareeba Community Housing Company (MCHC). The project is for the construction of a new two (2) bedroom duplex in Mareeba with government funding. The draft lease will be finalised once the department has provided feedback.

Local Housing Action Plan (LHAP)

Officers completed a draft Local Housing Action Plan for the Mareeba Shire and are awaiting feedback from a review by State agencies. The final plan will be presented for adoption by Council ahead of final Ministerial adoption in 2024. LGAQ engaged Credconsulting to assist Officers with the preparation of the plan.

Quantitative demographic and housing data along with qualitative local data about supply and demand issues and community needs was analysed to identify key focus areas and priority actions for the Plan. Council conducted a local survey of key stakeholders to gather qualitative local data. More comprehensive community engagement will be conducted later in 2024 if required.

This is a State initiative in response to the significant housing challenges across Queensland and is an opportunity for Council to encourage a whole of community response tailored to help address the housing crisis in the Mareeba Shire.

Under the Queensland Government's *Queensland Housing and Homelessness Action Plan 2021-2025*, each Queensland council is required to prepare a Plan that will provide council "with a dedicated pathway for implementing specific, localised housing outcomes with the support of dedicated project resources in the State government. It is ... tailored to meet the needs of council and the community and there is no requirement for the LHAP to address all cohorts, areas, or towns in a local government area."

LINK TO CORPORATE PLAN

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.

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

KEY COMMUNICATION MESSAGES – INTERNAL USE ONLY

8.8 SALE OF LAND DUE TO RATES IN ARREARS

Date Prepared: 5 January 2024
Author: Manager Finance
Attachments: 1. Schedule of Properties - Confidential (under separate cover)

EXECUTIVE SUMMARY

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

RECOMMENDATION

That Council:

- 1 Sell the land listed below due to the rates and charges which have accrued on the rateable lands remaining unpaid for three (3) years or longer, in accordance with section 140 of the Local Government Regulation 2012; and

Property No	Property Description
10564	Lot 1 MPH 24996
10615	Lot 42 W 2632
14058	Lot 196 CP 898462
14186	Lot 3 HG 716, Lot 540 OL 450
20074	Lot 15 SP 154001
60524	Lot 36 SP 276116, Lot 37 SP 276116
60526	Lot 49 SP 276116

- 2 Delegate to the Chief Executive Officer its power to take all further steps under Chapter 4, Part 12 Division 3 of the Local Government Regulation 2012 to effect sale of land (including, for avoidance of doubt, the power to end sale procedures including the authority to remove a property where circumstances arise whereby the continuation of this action is considered unwarranted or inappropriate).

BACKGROUND

The properties listed on the above Schedule have rates and charges unpaid for three (3) years or more and in accordance with Section 140 of the *Local Government Regulation 2012*, selling land for overdue rates or charges applies. Council has made every attempt to recover the unpaid rates on each property with no success to date.

If a local government sells or acquires land for overdue rates or charges, the local government cannot start or continue any court proceedings to recover the overdue rates or charges (Section 135 of the *Local Government Regulation 2012*).

The proposed timeline is as follows:

Date	Milestone
12/02/2024	Issue Notice of Intention to all interested parties (3 months given for payment)
12/05/2024	Due date for payment
10/07/2024	Auction Notices issued
25/07/2024	Auction Date

RISK IMPLICATIONS

Nil

LEGAL/COMPLIANCE/POLICY IMPLICATIONS

Mareeba Shire Council Debt Recovery Policy

The sale of land process must be carried out giving consideration to the Local Government Act 2009, in particular Chapter 4, Part 12, Division 3 of the Local Government Regulation 2012.

FINANCIAL AND RESOURCE IMPLICATIONS

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.

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

Notice of Intentions will be sent to the ratepayers on the 12 February 2024.

8.9 FINANCIAL STATEMENTS PERIOD ENDING 31 DECEMBER 2023

Date Prepared: 22 December 2023

Author: Manager Finance

Attachments: 1. [Budgeted Income Statement by Fund 2023/24 Budget](#) [↓](#)

EXECUTIVE SUMMARY

The purpose of this report is to provide Council with an overview of financial matters for the period 1 July 2023 to 31 December 2023.

RECOMMENDATION

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

BACKGROUND

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

For the month ending 31 December 2023, the actual results are in line with the year-to-date budget. There are no issues or concerns to discuss or highlight at this stage, any variances at this stage are due to budget allocation timing issues.

The budgeted figures reflect the 2023/24 Budget as adopted by Council at the 19 July 2023 meeting.

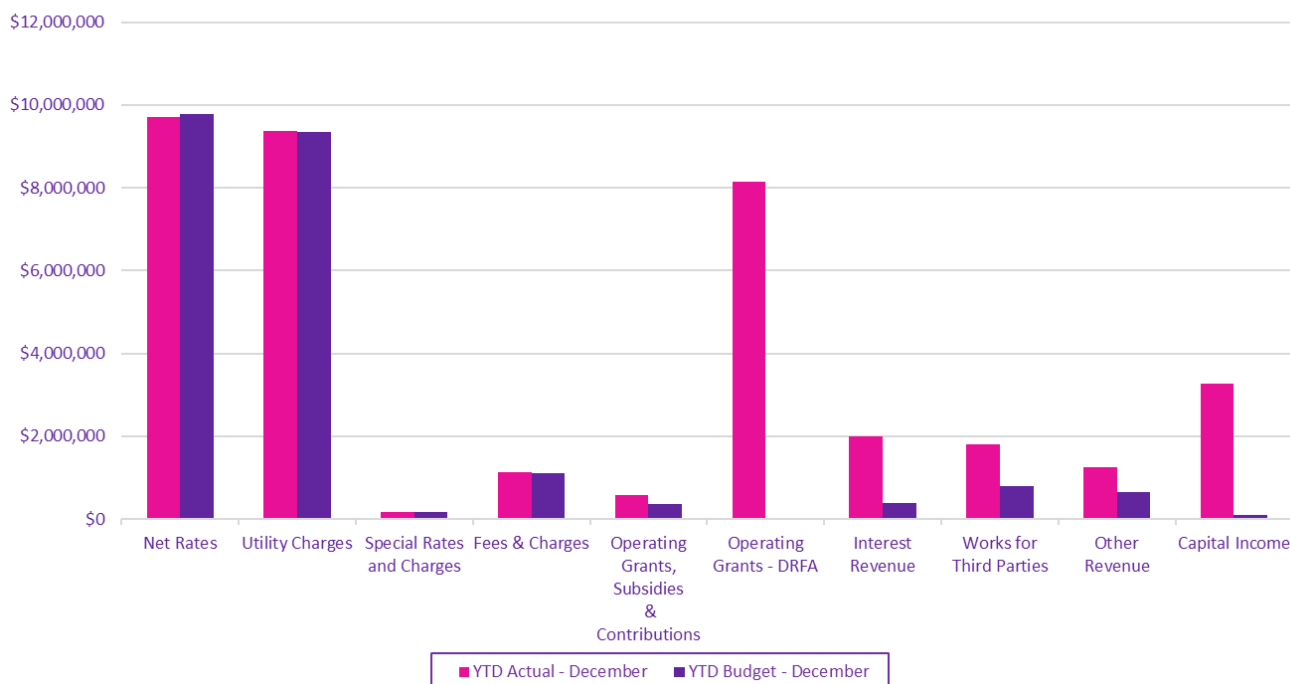
<i>December 2023 - Snapshot</i>	Actuals YTD	Budget YTD
Total Operating Income	\$ 34,154,954	22,595,692
Total Operating Expenditure	\$ 31,552,487	24,237,920
Operating Surplus/(Deficit)	\$ 2,602,467	(1,642,228)
Total Capital Income (grants, developer contributions)	\$ 3,266,167	90,000
Net Result - Surplus/(Deficit)	\$ 5,868,634	(1,552,228)

Income Analysis

Total income (inclusive of capital income of \$3,266,167) for the period ending 31 December 2023 is \$37,421,121 compared to the YTD budget of \$22,685,692.

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

Actual Income V Budget Income



	Actual YTD	Budget YTD	Note
Net Rates	9,707,224	9,783,705	1
Utility Charges	9,381,036	9,345,831	1
Special Rates and Charges	167,165	166,559	1
Fees & Charges	1,126,110	1,097,548	
Operating Grants, Subsidies & Contributions	571,160	353,523	
Operating Grants, Subsidies - DRFA	8,151,505	-	2
Interest Received	2,000,418	393,500	3
Works for Third Parties	1,796,212	803,413	4
Other Revenue	1,254,124	651,613	5
Capital Income	3,266,167	90,000	6

Notes:

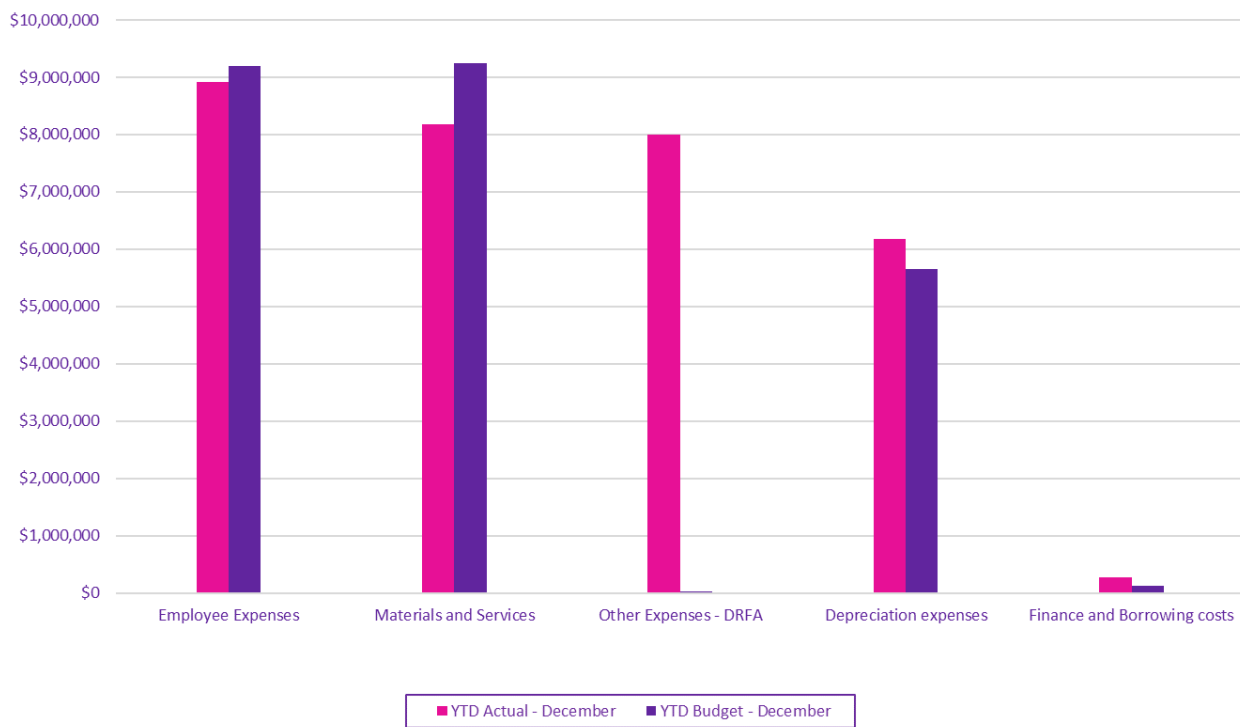
1. Rates for the half year ending 31 December 2023 were levied in August.
2. Funding for Disaster Recovery Funding Arrangements (DRFA) restoration works which is not budgeted for. This revenue is offset against the expenditure incurred.
3. Favourable variance above budget due to interest rates rising. This interest will be allocated between constrained reserves (developer contributions), waste, water and wastewater funds.

4. Favourable due to third party works not budgeted for and RMPC income received. RMPC income budget is allocated equally over 12-month period, however actuals do not reflect the same trend. This will be the same with expenditure.
5. Annual invoices have been raised for some rent and leases, however the budget has been apportioned equally over 12 months. Sale of two (2) lots at Mareeba Industrial Park earlier in the financial year with gross sales totalling \$333k. These proceeds will go into the MIP reserve to fund future development.
6. Funding received for the Black Summer Bushfire Recovery Grant, from DTMR for TIDS claims Rankin Street and Walsh Street upgrade of intersection and Euluma Creek road widen and seal and from QRA funding received for the Bicentennial Lakes Gravity Main Upgrade, Betterment Works Gully Upgrades over various sites.

Expenditure Analysis

Total expenses for the period ending 31 December 2023 is \$31,552,487 compared to the YTD budget of \$24,237,920. The graph below shows actual expenditure against budget for the period ending 31 December 2023.

Actual Expenditure V Budget Expenditure



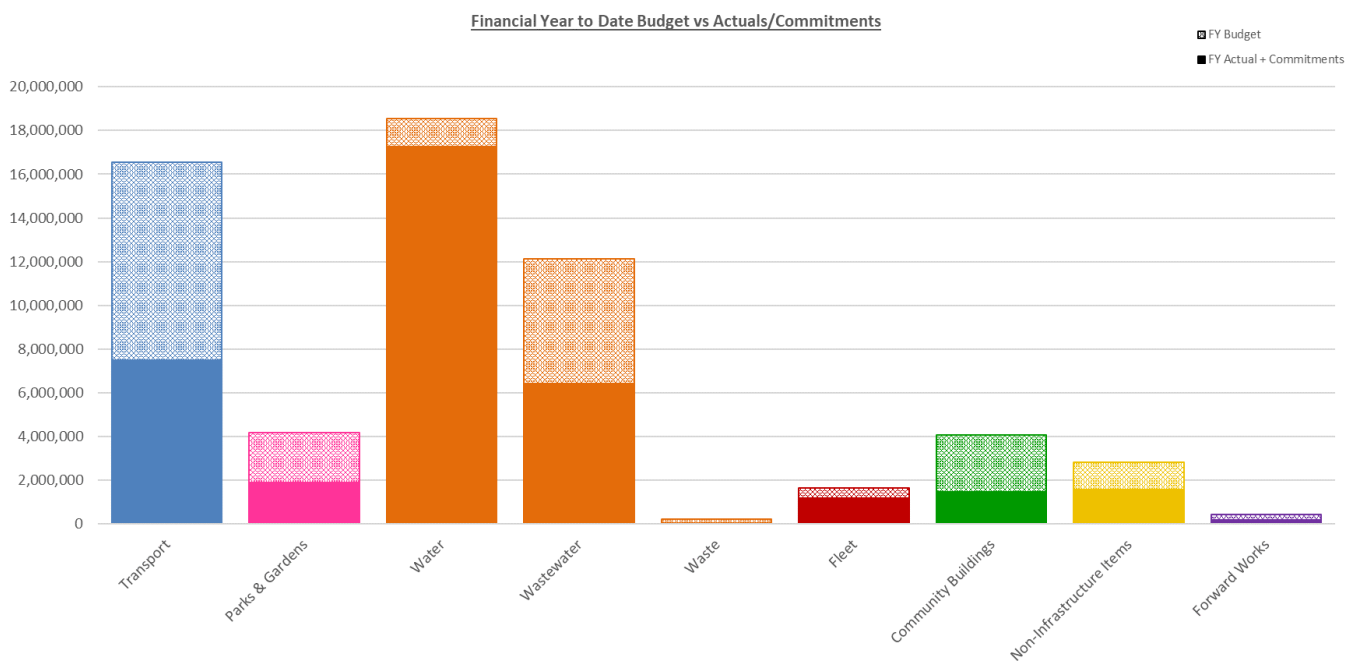
	Actual YTD	Budget YTD	Note
Employee expenses	8,921,649	9,195,829	1
Materials & Services	8,183,767	9,242,359	2
Other Expenses - DRFA	7,996,013	17,500	3
Depreciation expenses	6,172,021	5,657,733	
Finance & Borrowing costs	279,037	124,500	4

Notes:

1. There are no significant issues to report. The reason for the variance is a timing issue for the annual increment, staff absences, vacancies and staff working on capital.
2. No issues or significant issues to report. Mainly budget allocation timings.
3. The variance relates to the expenditure incurred for the Disaster Recovery Funding Arrangements (DRFA) restoration works which is not budgeted for. This expenditure is offset against the income to be received.
4. The variance is in relation to Stores write off of various sundry items relating to floating plant and signs as well as items sold off at auction in December.

Capital Expenditure

Total capital expenditure of \$37,557,677 (including commitments) has been spent for the period ending 31 December 2023 against the 2023/24 adjusted annual capital budget of \$60,682,569.



Loan Borrowings

Council's loan balance is \$6,667,629.

Rates and Charges

The total rates and charges payable as at 31 December 2023 are \$1,851,278 which is broken down as follows:

Status	31 December 2023		31 December 2022	
	No. of properties	Amount	No. of properties	Amount
Valueless land	3	85,194	4	65,214
Payment Arrangement	126	90,471	102	60,996
Collection House	291	1,136,928	320	1,619,801
Exhausted – awaiting sale of land	9	74,313	8	63,491
Sale of Land	1	13,168	-	-
Other (includes supplementary rate notices)	368*	451,204	269	43,664
TOTAL	798	1,851,278	703	1,853,166

*Of this amount, 260 properties have a balance less than \$20

The Rate Notices for the period ending 31 December 2023 were issued on 21 August 2023 with a discount due date of 22 September 2023. The total gross rates and charges levied for the six (6) month period amounted to \$21,453,547.

Collection House collected \$106,320 for the month of December 2023.

Council is currently in the process of selling property 2577 Herberton-Petford Road Irvinebank. This property was passed in at auction on 25 July 2023.

Sundry Debtors

The total outstanding for Sundry Debtors as at 31 December 2023 is \$338,750 which is made up of the following:

Current	30 days	60 days	90 + days
\$242,775	\$74,443	\$11,712	\$9,820
72%	22%	3%	3%

Procurement

There were no emergency purchase orders for the month.

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 2023/24 Budget

Consolidated			
	Actual YTD	Budget YTD	2023/24 Budget
Revenue			
Rates and utility charges	20,366,901	20,338,535	40,677,068
Less Discounts and Pensioner Remissions	(1,111,476)	(1,042,440)	(2,084,880)
Net Rates and Utility Charges	19,255,425	19,296,095	38,592,188
Fees and Charges	1,126,110	1,097,548	2,128,351
Operating Grants and Subsidies	405,571	327,523	8,233,196
Operating Grants and Subsidies - DRFA	8,151,505	-	-
Operating Contributions	165,589	26,000	52,000
Interest Revenue	2,000,418	393,500	787,000
Works for Third Parties	1,796,212	803,413	1,606,826
Other Revenue	1,254,124	651,613	1,199,625
Total Operating Revenue	34,154,954	22,595,692	52,599,186
Expenditure			
Employee Expenses	8,921,649	9,195,829	18,500,677
Materials and Services	8,183,767	9,242,359	17,460,588
Other Expenses - DRFA	7,996,013	17,500	35,000
Depreciation expense	6,172,021	5,657,733	11,315,475
Finance and Borrowing costs	279,037	124,500	249,000
Total Operating Expenses	31,552,487	24,237,920	47,560,740
Operating Surplus/(Deficit)	2,602,467	(1,642,228)	5,038,446
Capital Income			
Capital Contributions	419,547	-	-
Capital Grants and Subsidies	3,608,860	-	6,575,000
Donated Assets	-	-	-
Profit/(Loss) on Sale of Asset	(762,240)	90,000	180,000
Total Capital Income	3,266,167	90,000	6,755,000
Net Result	5,868,634	(1,552,228)	11,793,446

Budgeted Income Statement by Fund 2023/24 Budget

General			
	Actual YTD	Budget YTD	2023/24 Budget
Revenue			
Rates and utility charges	10,921,690	10,929,111	21,858,221
Less Discounts and Pensioner Remissions	(1,111,476)	(1,042,440)	(2,084,880)
Net Rates and Utility Charges	9,810,214	9,886,671	19,773,341
Fees and Charges	758,820	761,733	1,283,965
Operating Grants and Subsidies	389,049	327,523	8,233,196
Operating Grants and Subsidies - DRFA	8,151,505	-	-
Operating Contributions	-	-	-
Interest Revenue	1,360,766	234,000	468,000
Works for Third Parties	1,771,268	803,413	1,606,826
Other Revenue	1,074,306	544,613	985,625
Total Operating Revenue	23,315,928	12,557,953	32,350,953
Expenditure			
Employee Expenses	7,959,235	8,195,630	16,484,913
Materials and Services	3,673,982	3,921,931	7,214,824
Other Expenses - DRFA	7,996,013	17,500	35,000
Depreciation expense	4,424,042	4,001,793	8,003,597
Finance and Borrowing costs	224,904	71,426	142,852
Total Operating Expenses	24,278,176	16,208,280	31,881,186
Operating Surplus/(Deficit)	(962,248)	(3,650,327)	469,767
Capital Income			
Capital Contributions	419,183	-	-
Capital Grants and Subsidies	2,092,849	-	4,314,000
Donated Assets	-	-	-
Profit/(Loss) on Sale of Asset	(234,322)	90,000	180,000
Total Capital Income	2,277,710	90,000	4,494,000
Net Result	1,315,462	(3,560,327)	4,963,767

Budgeted Income Statement by Fund 2023/24 Budget

Waste			
	Actual YTD	Budget YTD	2023/24 Budget
Revenue			
Rates and utility charges	2,296,354	2,280,165	4,560,330
Less Discounts and Pensioner Remissions	-	-	-
Net Rates and Utility Charges	2,296,354	2,280,165	4,560,330
Fees and Charges	270,001	278,315	729,386
Operating Grants and Subsidies	-	-	-
Operating Contributions	53,604	26,000	52,000
Interest Revenue	96,710	21,000	42,000
Works for Third Parties	12,273	-	-
Other Revenue	140,094	94,500	189,000
Total Operating Revenue	2,869,036	2,699,980	5,572,716
Expenditure			
Employee Expenses	123,213	111,046	222,091
Materials and Services	2,091,971	2,561,090	5,116,750
Depreciation expense	105,662	90,072	180,144
Finance and Borrowing costs	-	-	-
Total Operating Expenses	2,320,846	2,762,208	5,518,985
Operating Surplus/(Deficit)	548,190	(62,228)	53,731
Capital Income			
Capital Contributions	-	-	-
Capital Grants and Subsidies	-	-	-
Donated Assets	-	-	-
Profit/(Loss) on Sale of Asset	-	-	-
Total Capital Income	-	-	-
Net Result	548,190	(62,228)	53,731

Budgeted Income Statement by Fund 2023/24 Budget

Wastewater			
	Actual YTD	Budget YTD	2023/24 Budget
Revenue			
Rates and utility charges	3,059,219	3,035,238	6,070,475
Less Discounts and Pensioner Remissions	-	-	-
Net Rates and Utility Charges	3,059,219	3,035,238	6,070,475
Fees and Charges	35,877	30,000	60,000
Operating Grants and Subsidies	-	-	-
Operating Contributions	-	-	-
Interest Revenue	267,089	102,500	205,000
Works for Third Parties	4,071	-	-
Other Revenue	-	-	-
Total Operating Revenue	3,366,256	3,167,738	6,335,475
Expenditure			
Employee Expenses	318,095	333,048	669,805
Materials and Services	849,629	1,024,716	1,773,161
Depreciation expense	864,587	824,577	1,649,153
Finance and Borrowing costs	54,133	53,074	106,148
Total Operating Expenses	2,086,444	2,235,415	4,198,267
Operating Surplus/(Deficit)	1,279,812	932,323	2,137,208
Capital Income			
Capital Contributions	364	-	-
Capital Grants and Subsidies	625,846	-	2,261,000
Donated Assets	-	-	-
Profit/(Loss) on Sale of Asset	-	-	-
Total Capital Income	626,210	-	2,261,000
Net Result	1,906,022	932,323	4,398,208

Budgeted Income Statement by Fund 2023/24 Budget

Water			
	Actual YTD	Budget YTD	2023/24 Budget
Revenue			
Rates and utility charges	4,026,989	4,031,929	8,063,857
Less Discounts and Pensioner Remissions	-	-	-
Net Rates and Utility Charges	4,026,989	4,031,929	8,063,857
Fees and Charges	61,412	27,500	55,000
Operating Grants and Subsidies	16,522	-	-
Operating Contributions	-	-	-
Interest Revenue	260,997	36,000	72,000
Works for Third Parties	8,600	-	-
Other Revenue	39,724	12,500	25,000
Total Operating Revenue	4,414,244	4,107,929	8,215,857
Expenditure			
Employee Expenses	521,106	556,105	1,123,868
Materials and Services	1,503,132	1,690,798	3,308,279
Depreciation expense	745,680	712,316	1,424,631
Finance and Borrowing costs	-	-	-
Total Operating Expenses	2,769,918	2,959,219	5,856,778
Operating Surplus/(Deficit)	1,644,326	1,148,710	2,359,079
Capital Income			
Capital Contributions	-	-	-
Capital Grants and Subsidies	890,165	-	-
Donated Assets	-	-	-
Profit/(Loss) on Sale of Asset	(527,918)	-	-
Total Capital Income	362,247	-	-
Net Result	2,006,573	1,148,710	2,359,079

Budgeted Income Statement by Fund 2023/24 Budget

Benefited Area			
	Actual YTD	Budget YTD	2023/24 Budget
Revenue			
Rates and utility charges	62,650	62,093	124,185
Less Discounts and Pensioner Remissions	-	-	-
Net Rates and Utility Charges	62,650	62,093	124,185
Fees and Charges	-	-	-
Operating Grants and Subsidies	-	-	-
Operating Contributions	111,985	-	-
Interest Revenue	14,856	-	-
Works for Third Parties	-	-	-
Other Revenue	-	-	-
Total Operating Revenue	189,491	62,093	124,185
Expenditure			
Employee Expenses	-	-	-
Materials and Services	65,053	43,824	47,574
Depreciation expense	32,050	28,975	57,950
Finance and Borrowing costs	-	-	-
Total Operating Expenses	97,103	72,798	105,524
Operating Surplus/(Deficit)	92,388	(10,706)	18,661
Capital Income			
Capital Contributions	-	-	-
Capital Grants and Subsidies	-	-	-
Donated Assets	-	-	-
Profit/(Loss) on Sale of Asset	-	-	-
Total Capital Income	-	-	-
Net Result	92,388	(10,706)	18,661

8.10 NEW CEMETERIES FEES AND CHARGES 2023/24

Date Prepared: 12 January 2024
Author: Manager Customer and Community Services
Attachments: Nil

EXECUTIVE SUMMARY

This report details proposed new Cemeteries Fees and Charges for 2023/24.

RECOMMENDATION

That Council adopts the new proposed fees as follows:

1. Cemeteries - Private land Interment application: \$255.00
2. Cemeteries – Reservation, double depth burial, Kuranda Heights: \$921.00
3. Cemeteries – 50% non-resident burial and reservation surcharge

BACKGROUND

Kuranda Heights Cemetery will open in the first quarter of 2024 for interments and reservations. New fees and charges are proposed to manage the burial options that can be provided at this new cemetery.

The number of private land interment applications lodged is increasing. A new fee is proposed to recover the costs that are incurred to administer these applications.

Fees and charges have been recommended on either full cost recovery or discounted community service obligation by direction of Council.

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

Nil

FINANCIAL AND RESOURCE IMPLICATIONS

Nil

LINK TO CORPORATE PLAN

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

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

IMPLEMENTATION/COMMUNICATION

The fees and charges detailed in this report will be included in the Register of Fees and Charges, published on Council's website and provided to relevant funeral directors and stonemasons.

9 INFRASTRUCTURE SERVICES

9.1 INFRASTRUCTURE SERVICES, CAPITAL WORKS MONTHLY REPORT - DECEMBER 2023

Date Prepared: 2 January 2024

Author: Manager Assets and Projects

Attachments:

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

RECOMMENDATION

That Council receives the Infrastructure Services Capital Works Monthly Report for the month of December 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 2023/24 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 – December 2023



Project Name: Bicentennial Lakes Revitalisation Project

Program: Parks and Open Spaces

Background

This project will activate the Lakes, breathing life back into the area and surrounds for the enjoyment of our community and visitors.

Scope of Work

The Bicentennial Lakes Project will completely revitalise the Lakes, starting in the southern section between Rankin Street and Keeble Street. In the southern section, the weirs will be removed, and the lakes will be filled to allow for more parkland. A watercourse will remain, although it will be narrower to encourage seasonal rains to flow through into the northern section. Water will no longer stagnate in a series of weirs. The increased parkland will allow for the addition of a playground and outdoor facilities.

Key Features:

- Bulk earthworks to improve the movement of water
- Earthworks to increase parkland in the southern section
- Construction of a playground and pump track
- New toilet facility
- Footpath improvements
- Construction of outdoor facilities

Progress Update

Waterway improvements

The weirs have been removed in the Southern Lakes precinct; the silt is being removed from the drained lakes and rock lining is being installed to reshape into a gully.

Mason Street Playground

Site earthworks preparation is complete and a contract has been let for the pump track construction and is scheduled for commencement in January 2024.

Toilet construction works are underway.

Playground equipment including a flying fox, hill slides, rope climb net and swing are being manufactured.

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



Bicentennial Lakes Pump Track, Flying Fox, and Hill-slides Site Preparation



Bicentennial Lakes Toilet Amenities Block Construction

Infrastructure Services Capital Works Report Project Highlights – December 2023



Project Name: Dimbulah Pump Track

Program: Parks and Open Spaces

Background

As part of the Parks and Open Spaces Strategy, Council engaged with the Dimbulah community to identify a new play feature for the town. The clear feedback received was that tweens and teens needed to be catered for as well as younger children. The agreed outcome was that a pump track would provide an active recreation option suitable for all ages. As part of the project, it was also identified that an old steel skate bowl on the outskirts of town and play equipment in the Dimbulah Memorial Hall Park that have reached end of life will be removed for safety.

Scope of Work

- The Design to include a variety of features including berms, rollers, jumps and change of direction options.
- Approximately 130 lineal meters of asphalt track.
- Total track to consist of 350m² of asphalt.
- Line marking on asphalt.
- 400 m² of turf for reinstatement upon project completion.
- Approx 80LM of 1200mm high, Banksia Weldmesh Rolltop fencing and 2 access gates.

Progress Update

Construction of pump track and fencing now complete.



Dimbulah Pump Track Practical Completion



Dimbulah Railway Park and Pump Track Fence Construction

Infrastructure Services Capital Works Summary Report - December 2023



Project Code	Project Description	Project Stage	Project Comment
Program: 01 Rural and Urban Roads Reseal Program (Renewal)			
P0001020	23/24 Reseal & Asphalt Program	Construction	Bitumen re-seals are programmed to commence late January, weather permitting.
P00835	BETTERMENT Co-Contribution	Procurement	Gully Betterment approved by QRA and construction contract documentation being finalised.
Program: 02 Gravel Resheet			
P0001022	23/24 Gravel Resheet Program	Construction	Re-sheeting of various sections of Bolwarra Road commenced in October. The total length of re-sheeting is estimated to be 15km.
Program: 03 Urban Streets			
P0001023	Recovery Way (WTS) Rehab Ch 0.176-0.272	Not Commenced	Programmed for 2nd half of current financial year.
P0001024	Myola Rd Ch 0.2-3.06	Procurement	R2R funding confirmed. Tenders closed 15/12/2023. Works will now be deferred until after the wet season, weather & contractor availability pending.
P00791	Hastie/Constance Upgrade (School)	Procurement	Contract awarded at December meeting. Contractor to commence from 8 January 2024.
P00795	TIDS 23-27 Herberton/Constance Inter	Design	Draft design received, final checks being undertaken on some services which maybe impacted to assist in finalisation.
P00797	TIDS Rankin/Walsh St Roundabout	Design	Awaiting finalised report from Consultant. Detailed design to commence in early 2024.
P00943	Design Only Mclver Rd Ch. 0.00-7.20	Design	Design to be completed June 2024.
Program: 04 Rural Roads			
P0000948	TIDS 23/24 Springmount Rd Ch 11.35-12.7	Procurement	Plans received & procurement commenced. Works will commence on site mid-January, weather permitting.
P0000949	TIDS 23-25 Springmount Rd Ch 6.7-7.55	Procurement	Procurement underway. Some culvert widening works & clear & grubbing will commence before the Xmas break. Works will continue in the new year, weather permitting.
P00801	TIDS Ootann Rd Section 1&2 Widen & Seal	Procurement	Federal funding approved. New project milestones will be formulated once advice from Department of Infrastructure, Transport, Regional Development, Communications and the Arts on funding dates has been received.
P00802	TIDS Springmount Rd - Ch13.2 to 18.1	Construction	Construction complete. Line marking to be installed 05/12/2023.
P00836	R2R Bilwon Rd Rehab & Culverts	Completed	Project complete October 2023.
Program: 05 Bridges			
P00711	Granite Ck Mba Replace Footbridge Deck	Procurement	Materials ordered. Works to be completed as resources permit.
P00712	Palm Cl Mba Replace Footbridge Boards	Construction	Materials ordered. Works to be completed as resources permit.
P00713	Bicentennial Lakes F/bridge Safety Upgr	Procurement	Materials ordered. Works to be completed as resources permit.
P00839	Bullaburrah Ck Rd C'way Relieving Slab	Not Commenced	Not commenced.
P00840	Clohesy River Barron St Inspect & Design	Design	GHD to undertake review of previous design and advise as to whether it remains suitable as replacement project.
P00841	Bolton Rd Inspect/Design/Repl Girders	On Hold	Draft Report received, review underway.
P00842	Barron Riv. Bridge Oakforest Rd Insp/Des	Design	GHD Load Assessment completed 6/11/2023, report anticipated by early January.

Infrastructure Services Capital Works Summary Report - December 2023



Project Code	Project Description	Project Stage	Project Comment
P00843	Barron River Cwy Henry H Dr Repl Slabs	Not Commenced	Not commenced.
Program: 06 Drainage			
P0001021	23/24 Minor Culvert & C/ways Program	Construction	Four culvert road crossings installed on Pickford Road in September.
P00844	MBA Amaroo Drainage Upgrades	Design	Design works commenced, anticipate completion February 2024.
P00845	MBA Hastings Dr Replace Concrete Pipe	Construction	Interflow completed relining works in early December. Minor works to finalise project to be completed early 2024.
P00938	Tilse Street Upgrade Drainage	Construction	Developer's contractor made substantial progress in December and will return in early 2024 to complete the work.
Program: 07 Traffic Facilities			
P0000947	Mareeba Aerodrome Safety & Repairs	Construction	Replacement fire fighting pumps to be installed prior to end of financial year.
P0000951	Anzac Ave LATM Upgrades	Design	Initial concept prepared.
P0001025	Design Only Byrnes St Accessibility	Planning	Stormwater capacity assessment commenced. Grant application lodged for CBD upgrades design.
Program: 08 Parking			
P00715	Borzi Park Mba Carparking Masterplan	On Hold	On hold pending sporting clubs' grant applications.
P00846	MBA Heritage Centre Carpark Extension	Design	Layout Plan and Quantities completed. Engagement to commence in early 2024.
Program: 09 Footpaths			
P0001026	23/24 Footpath Renewal Program	Procurement	Quotations have been called for the reconstruction of a section of footpath at the northern end of Byrnes Street adjacent to Think Water that will extend to new footpath work around Rotary Park.
P0001027	23/24 Footpath Upgrade Program	Planning	Locations to be identified.
Program: 10 Parks and Gardens			
P0001028	Mary Andrews Park Repaint Play Equip	Construction	80% of the required replacements have been completed. Big Splash will be installing the last two components when they erect the new play equipment at the Bicentennial Lakes.
P0001029	Kda Com Precinct Parks Upgrade	Planning	Planning to progress in 2024.
P0001030	Mba-Dim Rd/Mulligan Hwy Intersection	Not Commenced	To commence after March 2024.
P0001031	Byrnes St Median Hedges (Lloyd-Granite)	Not Commenced	To commence after March 2024.
P00805	Chillagoe Parks Improvement	Construction	RFQ submissions for half sized Basketball courts received. Molloy Constructions awarded works. Works to commence early January 2024.
P00806	DIM Parks Refresh	Construction	Pump track complete. Landscaping works progressing. Fence works complete.
P00807	KDA Centenary Park Playground Upgrade	Construction	Hans Pehl currently refurbishing the sign structures. Centenary Park structure will include Australian attractions.
P00809	MBA Bicentennial Lakes (Southern) D&C	Construction	Waterway reconfiguration paused due to Cycone Jasper. Playground equipment in manufacturing. Toilet construction commenced.
P00817	MBA Byrnes St Medians	Not Commenced	To commence after March 2024.

Infrastructure Services Capital Works Summary Report - December 2023



Project Code	Project Description	Project Stage	Project Comment
:P00818	MBA Anzac Memorial Pk L'scaping & Safety	Completed	Project completed November 2023.
:P00853	MBA Byrnes St Traffic Islands (BP)	Not Commenced	To commence after March 2024.
:P00855	MBA Connection Rd/Byrnes St Intersection	Not Commenced	To commence after March 2024.
:P00860	KDA Anzac Park Landscaping	Design	The proposed scope of works reduced in line with community expectations. The revised scope of works taken back to the community for discussion and endorsement. Proposed to move forward with initial tree trimming and fountain demolition preparation for the concrete pathway upgrade.
:P00861	KDA Coondoo Street Refurb	Design	On hold pending grant application outcome.
:P00862	KDA CBD Planter Boxes & Gardens	Not Commenced	On hold pending grant application outcome.
:P00865	IRV Bill Newburn Park Refresh	Procurement	Shelter and swing set installation programmed for January 2024.
:P00939	Roscommon Park -Renew Exercise Equipment	Procurement	Fitness equipment and artificial turf installed. Shade sail to go out to RFQ now that location, layout and orientation fixed.
Program: 11 Water			
:P0001032	Chillagoe WTP Construct Storage Shed	Construction	Works substantially complete. Raised platform to connect the two sheds to be completed in early 2024
:P0001033	Chillagoe WTP Construct Roof over Plant	Construction	Works substantially complete. Raised platform to connect the two sheds to be completed in early 2024
:P0001034	Ibis Dam Replace Inlet Feed Pipeline	Planning	Stores have ordered materials, once they arrive installation works will commence.
:P0001035	23/24 WTP Minor Infra Replace Program	Construction	Various minor projects under way which include the Dimbulah WTP chlorination works and Mareeba WTP sludge lagoon concreting.
:P0001036	23/24 AC Water Main Replace Program	Construction	Works continuing to progress on schedule. Works between Warren and Downs St completed.
:P0001037	23/24 Water Telemetry/SCADA Upgrades	Planning	W&W along with IT participating in a presentations by iControl on Ignition Historian and with Parasyn on Canary as the current Historian eDNA is at the end of its useful life. Following the presentations a decision will be made on which new Historian platform for W&W will be acquired.
:P0001038	23/24 Retic Valve/Hyd Replace Program	Construction	Works progressing now materials have arrived.
:P0001039	23/24 Retic Smart Meter Replace Program	Construction	Works on installation of new meters underway and this work will progress for some time.
:P00730	Mba WTP Study for Upgrade of WW System	Construction	Estimated completion early to mid 2024.
:P00733	BOR6 MWTP Filtration Upgrade	Construction	Contractor on site with civil excavation and concrete works underway. There are some long lead times on equipment arrivals though at this stage not expected to hold project up but will advise as things progress.
:P00824	MBA Clear Water Booster Pump Station	Construction	Contractor has made good progress on civil works, shed slab and shed frame construction. There are some very long lead times on critical equipment items for this project and will advise as things progress but at this stage the project is on schedule.

Infrastructure Services Capital Works Summary Report - December 2023



Project Code	Project Description	Project Stage	Project Comment
P00874	MBA WTP Raw Water Pumps & Electrics	Construction	Project work is underway with new electrical switchboard completed and the arrival of the new pumps. Switchboard and electrical cabling will be installed early January with internal pump station works to follow.
P00876	BOR6 22/23 Water Forward Design Program	Design	Original scope of work for MWTP clarifier design completed under budget. Following discussions with State Government, approval has been granted for the residual funds to be allocated to design of the new MWTP clearwater reservoir.
P00877	MBA Additional Pressure Reduction Valves	Construction	This work is being done in conjunction with the booster pump station project. There is a 28 week lead time on the delivery of equipment from France.
P00878	MBA Decommission Basalt St Elevated Tank	Construction	This work will be done in conjunction with the commissioning of the booster pump station.
P00879	MBA Decommission Granite Ck Pump Station	Planning	Project cannot commence until the new water booster station project has been commissioned.
P00882	WTP Minor Infrastructure Replacements	Construction	Works were scheduled to be completed by end of December, however some critical equipment has not arrived from England and the works will now be completed in February 2024.
P00883	MBA WTP Clarifier Infra Process Improv.	Design	Original scope of work for MWTP clarifier design completed under budget. Following discussions with State Government, approval has been granted for the residual funds to be allocated to design of the new MWTP clearwater reservoir.
Program: 12 Wastewater			
P0001040	Mba WWTP Install Gantry (Blower Room)	Design	OSE Group progressing to Design Documentation.
P0001041	Mba WWTP Inlet Works Replacements	Construction	New screens ordered and being manufactured, once they're made they'll be shipped to site and installed.
P0001042	Kda WWTP Intet Works Replacements	Construction	New screen being manufactured and once made will be shipped to site and installed.
P0001043	Atherton St Pump Station Refurb	Not Commenced	Project subject to grant funding.
P0001044	Robins St SPS Rising Main Upgrade	Not Commenced	This project being done as a variation to the Bi-Lakes Gravity Sewer Main work.
P0001045	23/24 WW Retic Pump Renewal Program	Planning	An assessment will be made following the routine pump servicing in November on which pump/pumps require replacing.
P0001046	23/24 WW Telemetry/SCADA Upgrades	Planning	W&W along with IT participating in a presentations by iControl on Ignition Historian and with Parasyn on Canary as the current Historian eDNA is at the end of its useful life. Following the presentations a decision will be made on which new Historian platform for W&W will be acquired.
P0001047	23/24 WW CCTV & Relining Program	Construction	Contracts have just been signed off on and works will commence on the regional program with MSC's section scheduled in January/February 2024.
P0001048	SPS New Standby Generators	Construction	New generators now positioned at relevant pump stations and electrical and telemetry connections will be done as soon as practical.
P0001049	23/24 WW Manhole Rehab/Replace Prog	Construction	Project tender now awarded and contractor to completed works by end of financial year.

Infrastructure Services Capital Works Summary Report - December 2023



Project Code	Project Description	Project Stage	Project Comment
P0001050	Kennedy Hwy PS Control Board Upgrade	Construction	Project under way with the manufacturing of the new switchboard. Once built it can be shipped to site and installed.
P0001051	Mba WWTP Sewer Pump Replacement	Procurement	Supervisor Treatment Operations placed an order for the new pump, once it arrives it will be installed. There is a 12 to 16 week lead time on delivery.
P0001052	23/24 WWTP Minor Infa Renewal Program	Construction	Works currently underway and should be completed this financial year.
P0001053	23/24 WWPS Refurbishment Program	Construction	Working with suitable consultants and suppliers to understand the works required at some key SPS's before commencing works and councils fabricator completed the upgrading of shelters to the pump stations in Kuranda.
P00886	MBA Bi-Lakes Sewer Main Capacity	Construction	Majority of works completed by December 2023. Final road, footpath and verge reinstatement will be done in the new year.
P00889	22/23 MBA Sewer CCTV & Relining	Construction	Relining works are substantially complete. Some minor works will need to be finalised then once invoices are received and paid project can be closed out.
P00894	Minor WW Pump Station Refurbishments	On Hold	Subject to grant funding.
Program: 13 Waste			
P0001054	23/24 Mba L/Fill Leachate Pump Replace	Planning	An assessment will be done by early 2024 on which pumps to replace.
P0001055	23/24 Mba L/Fill PS Pump Replace	Planning	An assessment will be done by early 2024 on which pumps to replace.
P00935	MBA/KDA Transfer Station Security Improv	Construction	Contractor has been engaged and once their equipment arrives the works will commence.
Program: 15 Fleet			
P0001066	Fleet Replace #14 Grader Caterpillar	Procurement	Purchase order raised and sent. Expected delivery March/April 2024.
P0001067	Fleet Replace #401 Mini Excavator	Planning	Currently in planning stage.
P0001068	Fleet Replace #619 Job Truck Tipper	Procurement	Purchase order raised, truck delivery mid January 2024.
P0001069	Fleet Replace #1206 Mitsu Pool Vehicle	Procurement	Purchase order raised, truck delivery mid March 2024.
P0001070	Fleet Replace #1210 Mitsu Pool Vehicle	Planning	Currently in procurement stage.
P0001071	Fleet Replace #1231 Toyota WW	Procurement	Tender evaluation underway.
P0001072	Fleet Replace #1313 Nissan Dual Cab	Procurement	Tender evaluation underway.
P0001073	Fleet Replace #1402 Mazda Oncall Veh	Procurement	Tender evaluation underway.
P0001074	Fleet Replace #2055 Mitsu P&G	Procurement	Tender evaluation underway.
P0001075	Fleet Replace #4050 Kubota Zero Turn	Procurement	Mower delivered 30 November 2023, waiting final fit out.
P0001076	Fleet Replace #4051 Kubota Out Front	Procurement	Mower delivered 30 November 2023.
P0001077	Fleet Replace Jet Rodder Trailer	Completed	Machine has been delivered and in service.
P0001078	Fleet New Caterpillar Mini Excavator	Procurement	Waiting delivery, mid December 2023.
P00427	GPS Vehicle Management System	In Progress (for the non-infrastructure projects)	As new equipment comes on line, Procurement will commence. Expected April 2024.

Infrastructure Services Capital Works Summary Report - December 2023



Project Code	Project Description	Project Stage	Project Comment
:P00915	Fleet Replace #675 Crew Cab Tipper	Procurement	Truck received and with the body fabricator. Waiting delivery date from supplier.
:P00916	Fleet Replace #623 Crew Cab Tipper	Procurement	Truck received and with the body fabricator. Waiting delivery date from supplier.
Program: 16 Depots and Council Offices			
:P0001064	Mba Depot Admin Building Refurb	Design	Design complete. Scoping works commenced.
:P0001065	Mba Depot Stores Mez Floor Safety Upgr	Planning	Extra support has been added. Waiting on the stairs to be installed, should be completed by early January 2024.
:P00759	Kowa St MSC Depot Emergency Generator	Planning	Will recommence investigations February 2024.
Program: 17 Community Buildings			
:P0000950	Cedric Davies Hub Disaster Resilience Up	Construction	Communication mast removed and re-installed for new roof sheeting.
:P0001056	Chillagoe Hall Septic Modifications	Construction	Contract awarded to Langley Plumbing. Works to commence February 2024.
:P0001057	Mba Aquatic Fac Pump Shed Upgrades	Planning	Fencing to be completed in January.
:P0001059	Mba/Dim Aquatic Condition Assessment	Planning	Condition Assessment scope of works in development. Expect Quotations to be called early 2024.
:P0001060	Dimbulah Hall Replace Roller Doors/Gates	Completed	New auto security grille , fully installed and operational.
:P0001061	Dimbulah Hall Replace Roof	Completed	Major works completed.
:P0001062	23/24 Amenities Refurbishment Program	Planning	Davies Park toilets to be completed in January.
:P0001063	Davies Park Lighting Upgrade	Design	Preliminary Lighting design received for use with grant funding application.
:P0001087	Aquatic Facilities Equipment	Completed	Pool Blankets and Chair Lift onsite and installed December 2023.
:P0002902	SES SUPPORT Kda SES External Facility	Procurement	Shed kit ordered. Works to commence early January 2024.
:P00749	Aquatic Facility Upgrades & Splash Park	Completed	Emergent electrical works complete. Ergon offer pending following electrical engineer assessment and application for increased power capacity into the facility.
:P00793	MBA Women's Restroom Refurb	Planning	Report received. Finalising the repairs that need to be done.
:P00819	22/23 Shire Toilet Facility Repl Program	Construction	Mareeba Cemetery, Vains Park complete. Aerodrome Toilet confirmation of completion underway.
:P00827	MBA Community Hub Signage & Seating	Completed	Shelter and seating completed.
:P00905	KDA Community Prec. Toilet Refurb	Completed	Painting works completed.
:P00909	KDA Aquatic Cnt 25m Pool Aquaris Upgrade	Procurement	Awaiting receipt of 2nd & 3rd quotes from suppliers, it has proven difficult to source contractors for works.
:P00941	23/24 Park/Sporting LED Lights Arnold Pk	Design	Electrical Engineer undertaking design. Waiting on the report due to staff shortage from contractor.
:P00942	22/23 DIM Town Hall A/C/Solar/Lighting	Design	Electrical engineering design commenced.
Program: 18 Non-Infrastructure Items			
:P0000946	Mba Cemetery New Mausoleum Wall	Construction	Slab and first level blockwork complete.
:P0001058	WAT Cemetery Lawn Plaque on Beam	Not Commenced	Works will be carried out in January, weather and resources permitting.
:P0001084	Mba Cemetery New Lawn Beam (x2)	Construction	Works commenced 23/11/2023.

Infrastructure Services Capital Works Summary Report - December 2023



<i>Project Code</i>	<i>Project Description</i>	<i>Project Stage</i>	<i>Project Comment</i>
P0001085	Mba Cemetery Expansion Planning	Not Commenced	Not commenced.
P00446	Kuranda New Cemetery	Construction	Bitumen and asphalt pavement works complete. Toilet is under construction.
P00932	MBA MIP Expansion	Planning	Awaiting consultant to provide draft Masterplan.

9.2 PARKS AND OPEN SPACES QUARTERLY REPORT OCTOBER 2023 - DECEMBER 2023.

Date Prepared: 12 January 2024

Author: Manager Assets and Projects

Attachments: 1. [Parks and Open Spaces Quarterly Report October 2023 - December 2023](#)
[↓](#)

EXECUTIVE SUMMARY

The purpose of this report is to provide an update on projects being delivered under the Parks and Open Spaces Three-Year Action Plan during the months of October 2023 – December 2023.

RECOMMENDATION

That Council receives the Parks and Open Spaces Action Plan Progress Report for the months of October 2023 – December 2023.

BACKGROUND

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

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

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

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

FINANCIAL AND RESOURCE IMPLICATIONS

Parks and Open Spaces 3 Year Action Plan - Project Update: July 2023 – September 2023

Legend

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

Project	2022	2023	2024	Monthly Update to Council
RAIL TRAIL				
Mareeba Rail Trail Stage 1 (Mareeba to Airport)				Works Complete
BETTER PLAYGROUNDS				
Geraghty Park (Julatten)				Not commenced. Design to commence in 2023/24. Grant funding application for funding under Community Gambling Benefit Fund for partial funding not successful.
Pat Kinnear Memorial Park (Chillagoe Town Hall)				Existing hexagonal picnic setting removed and in storage until it can be relocated in late January/early February 2024 in conjunction with the new picnic shelter installation. Swing set expected to be installed early 2024.
Dimbulah Parks Revitalisation				Pump track and fence complete. Swing to be ordered with remaining budget.
Kuranda Community Precinct				Not commenced. Design to commence in mid-2023/24. Potential grant application to leverage Council's funds.
General Playground and Fitness Equipment Renewals - Various Locations				Fitness equipment and artificial turf installed. Shade sail to go out to RFQ now that location, layout and orientation fixed.
IMPROVE BICENTENNIAL LAKES				
Bicentennial Lakes (Southern) Upgrade				Design for Bicentennial Lakes Southern and Northern Upgrades is complete. Grant funding has been received under Local Government Grants and Subsidies Program for the project design. Waterway damaged in Ex-Jasper Flooding and will be reinstated. Pump Track contractor mobilising to site in mid January 2024 Playground equipment to be installed from late January 2024.
Bicentennial Lakes (Northern) Upgrade				Community engagement complete for Bicentennial Lakes Northern precinct. Grant funding will be required for construction. https://msc.qld.gov.au/current-community-consultation/
IMPROVE PARKS AND OPEN SPACES				
Amaroo Park				Playground and carpark construction complete. A Master Plan for the broader reserve area is being developed with the community input.

Parks and Open Spaces 3 Year Action Plan - Project Update: July 2023 – September 2023

Mareeba Town Walking Trails Upgrades				The Walking Network Plan has been adopted by Council and a Priority Works Program has been developed. Planning has commenced for construction of priority projects. This project was funded by the Department of Transport and Main Roads.
Gregory Terrace (Kuranda) Park Upgrade				Not commenced. Design to commence in 2023/24.
Kuranda Town Walking Trails Upgrades				Council was granted funding under the Walking Local Government Grants program and a Walking Network Plan and a Priority Works Program have been adopted by Council.
Kuranda Tourism Parks and Open Space Upgrades*				Centenary Park Kuranda – Playground construction is complete. Further works to refresh the surrounding stone retaining walls and footpaths are in the planning stages. Community consultation complete for Coondoo Street lighting upgrades, pathway refresh and improvements for Anzac Park Kuranda. https://msc.qld.gov.au/current-community-consultation/
Bill Newburn Park (Irvinebank) Upgrade				Picnic table installation contract awarded. Preparations have begun for procurement of a swing set with remaining budget.
Anzac Park (Mareeba) Revitalisation				Project complete.
Toilet Facilities Improvements - Various Locations				Centenary Park Mareeba, Mareeba Cemetery and Mt Molloy Vains Parks toilet refurbishment has been completed. Mareeba Aerodrome toilet facility is ready to commence.
Footpaths Improvements - Various Locations				Footpaths renewed along Rankin St and Basalt Gully (Stewart St), Mareeba. Pedestrian bridge improvements for Basalt Gully (Stewart St) and Granite Creek (Eales Park to Ward St) under design. Walking Network Priority Works Programs have been developed and adopted for Kuranda and Mareeba.
Park Entrance Signage Improvements - Various Locations				Ten park entrance signs have been replaced in February 2022. Funding for this project has been fully expended.
WATER PARK				
New Mareeba Water Splash Park				Splash Park officially opened 24 June 2023. The project was 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 to the value of \$1.5M. The remaining construction funding was contributed by Council, who will also be responsible for the ongoing maintenance and operating costs.

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

9.3 INFRASTRUCTURE SERVICES, TECHNICAL SERVICES OPERATIONS REPORT - DECEMBER 2023

Date Prepared: 2 January 2024
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, Facilities and Investigation Services activities undertaken by Infrastructure Services during the month of December 2023.

RECOMMENDATION

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

BACKGROUND

Technical Services

Design, quality, and investigations:

Investigation activities undertaken in December included:

Activity	Current Requests	Closed Requests
Road Infrastructure Review	75	13
Drainage Investigations	29	1
NHVR Permit Applications	0	9
Traffic Count Surveys	0	0
Parks Investigations	4	0
Miscellaneous e.g. Planning; Local Laws	33	7
Before You Dig Requests	0	23

Soil Laboratory:

Council's Soil Laboratory provides NATA-accredited soil and material testing for internal and external services. Approximately 207 tests were undertaken during the month, with a significant percentage being for External Clients.

Asset Inspections:

Facility asset condition and defect inspections continue, and a review of internal facility processes/practices is underway to seek efficiency improvements. Inspections are currently targeted towards assisting in the development of Asset Management sub plans.

Ongoing improvements to GIS data associated with water, sewerage, roads, underground stormwater, and kerbs asset data sets continues, as information is received from other areas of Council. An internal data improvement project for stormwater assets has resulted in improved asset and condition data within the Mareeba Township, with Kuranda Township soon to be completed.

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
Kuranda	Jum Rum Rainforest Estate Stage 1, Fallon Road	Under construction
Mareeba	Prestige Gardens Stage 1-6	Under construction
Mareeba	Catherine Atherton Drive	Under construction
Mareeba	Emerald End Road and Country Road	Under construction
Mareeba	Amaroo Stage 13a	On-maintenance
Mareeba	Amaroo Stage 12 – Drainage Infrastructure	On-maintenance
Mareeba	7 Haren Street	On-maintenance
Mareeba	Mareeba Roadhouse and Accommodation Park, Williams Close	On-maintenance - Monitoring
Kuranda	112 Barnwell Road widening	Monitoring

Disaster Recovery Funding Arrangements (DRFA)

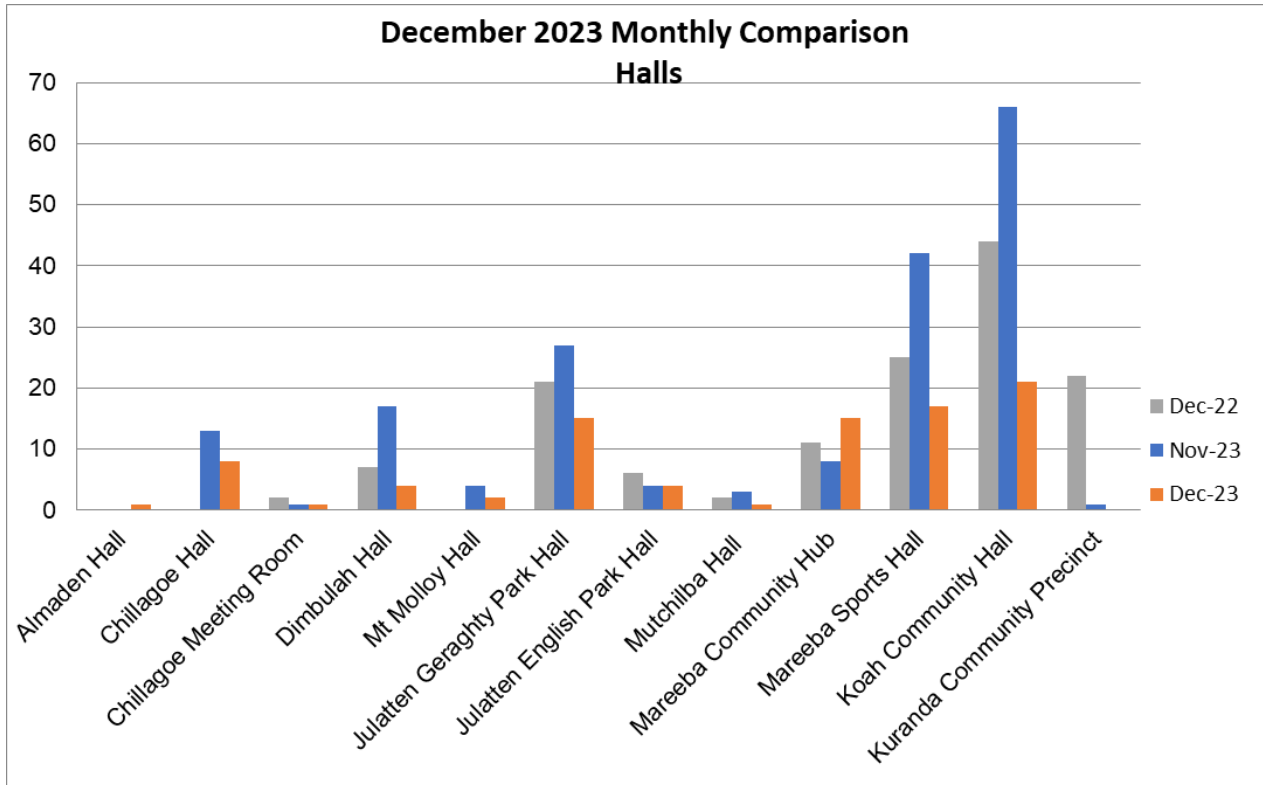
The DRFA is jointly funded by the Commonwealth and Queensland governments to help alleviate the costs of relief and recovery activities undertaken in disaster-affected communities by delivering recovery activities to return affected eligible assets back to pre-event condition. The status of declared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

Program	Status
2022 DRFA	Far North Queensland Low Pressure Trough, that occurred 1 – 7 February 2022. All contracts achieved practical completion prior to end of calendar year (excluding defects), with the exception of Gamboola Crossing bridge which was demobilised prior to wet season, with work on deck units to be undertaken over the wet.
2022 Betterment	QRA approval received, and construction contract documentation being finalised.
2023 DRFA	Northern and Central Queensland Monsoon and Flooding Event, 20 December 2022 – 30 April 2023. Focus on finalising damage assessments/submission for QRA consideration as well as preparing reconstruction contracts for priority locations.
2023 Bushfires	A number of fires within communities have been responded to by QFES, with Council providing support on request, i.e. traffic management, plant engagement, etc.
2023 Cyclone	Declared event December 2023 - ‘Tropical Cyclone Jasper, associated rainfall and flooding, 13 – 28 December 2023’. Emergency response activities continue.

Facilities

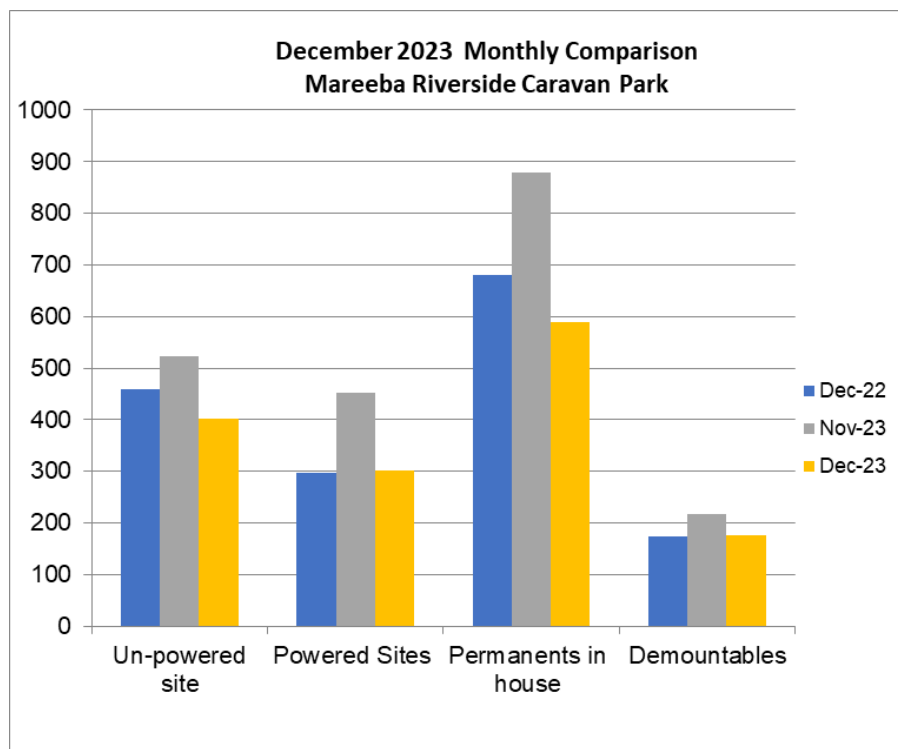
Community Halls:

Maintaining safe and efficient access to Council’s Community Halls is recognised as an important aspect for the community's ongoing wellbeing. Utilisation of facilities in December was adversely impacted due to the effects of declared event Cyclone Jasper.

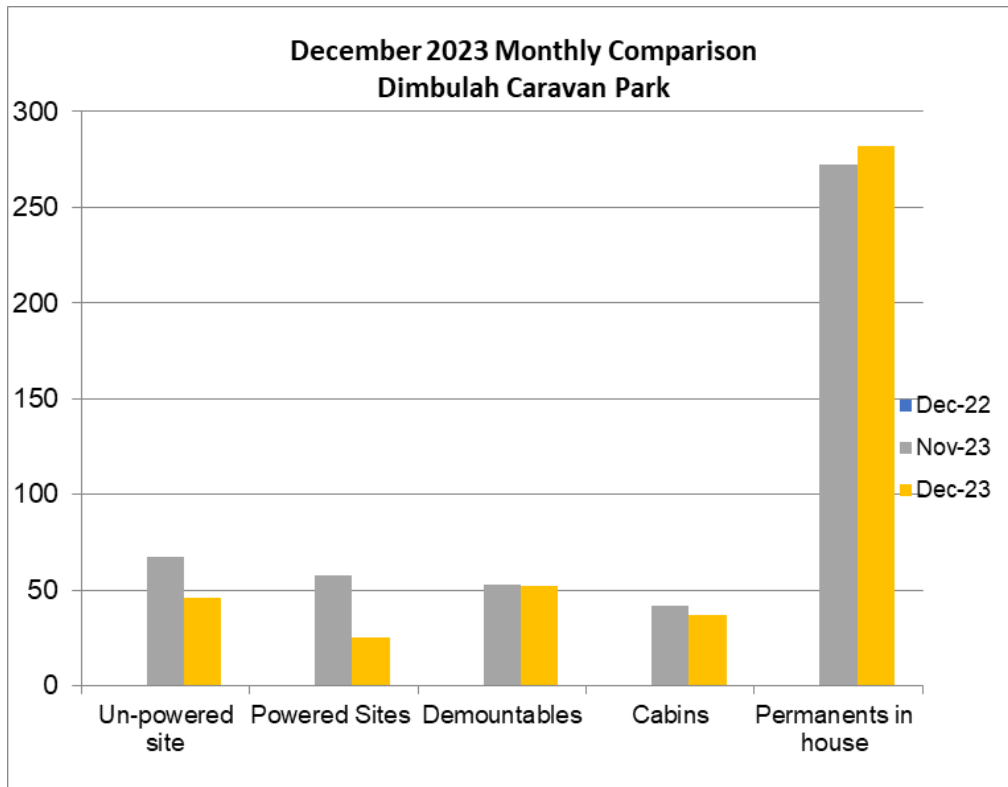


Caravan Parks:

Mareeba Riverside Caravan Park tenant numbers reduced for December, this would align with expectations due to Cyclone Jasper.

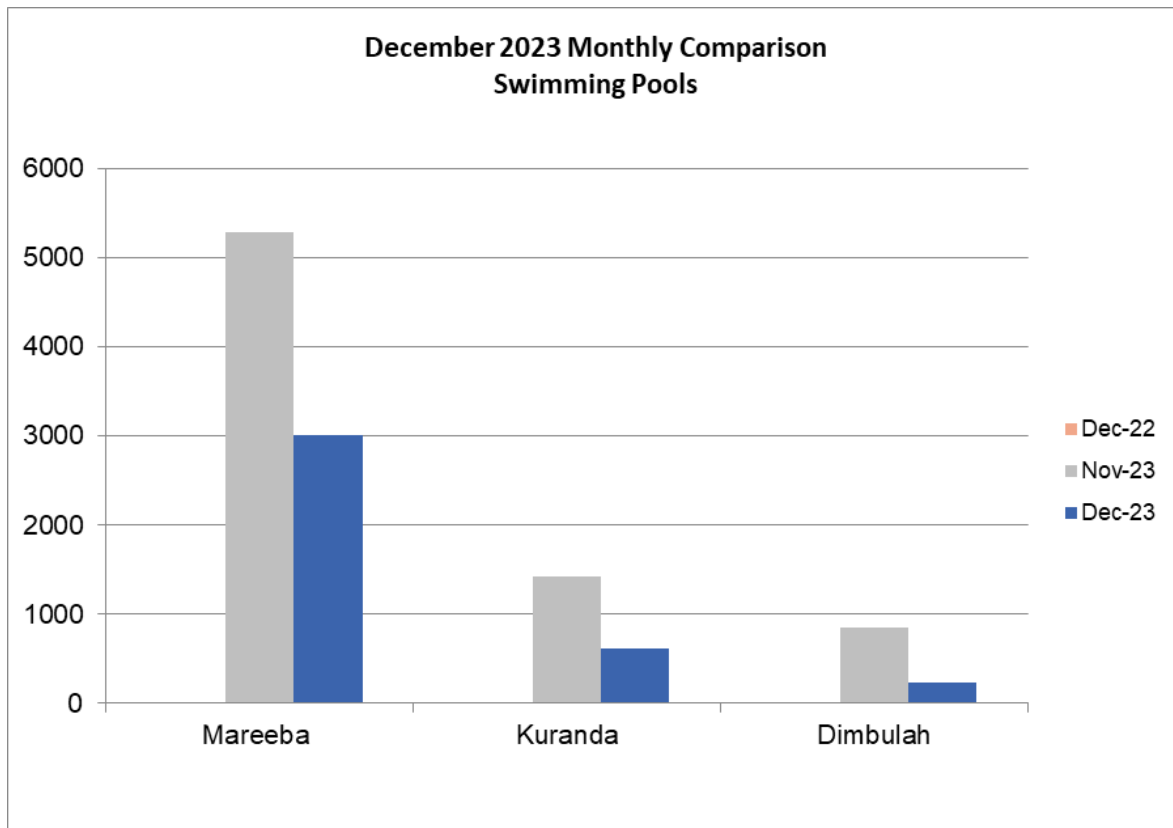


Dimbulah Caravan Park visitor numbers have varied across categories, but generally remained constant overall. Utilisation numbers for previous year is unavailable for comparison.



Aquatic Centres

Attendance numbers for all facilities were impacted by Cyclone Jasper, however a recovery in utilisation is anticipated in January with warmer temperatures continuing. Utilisation numbers for previous year is unavailable for comparison.



Vandalism & Graffiti:

During December, four (4) reports of vandalism and graffiti were recorded for Council facilities, with annual costs provided below;

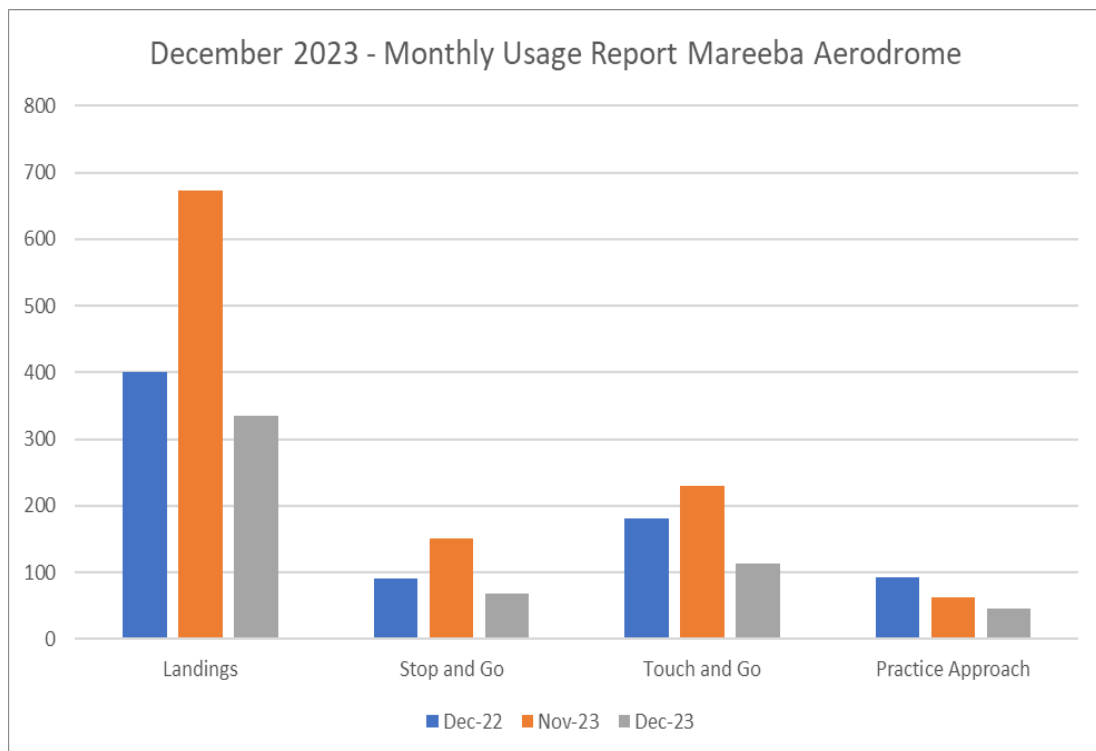
Financial Year	Actuals	Comments – November 2023
2015/16	\$ 2,134.00	<ul style="list-style-type: none"> • Kuranda Visitor Information Centre - Vandalism x1 • Mareeba Rotary Park Toilets - Graffiti x1 • Mt Molloy Hall Toilets - Vandalism x1 • Mareeba Rankin St Office - Vandalism x1
2016/17	\$ 16,546.00	
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	\$33,030.18	
2023/24	\$4,015.91	

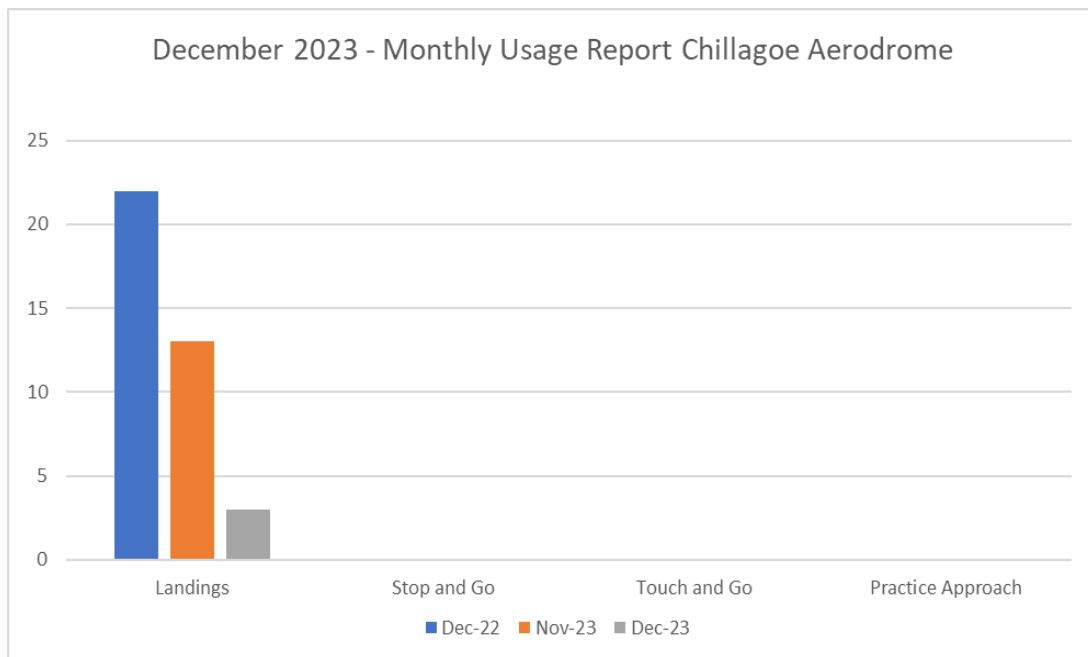
Note - actuals for vandalism/graffiti do not reflect costs to repairs during that period. Incoming expenses for repairs carry over until works are completed.

Aerodromes:

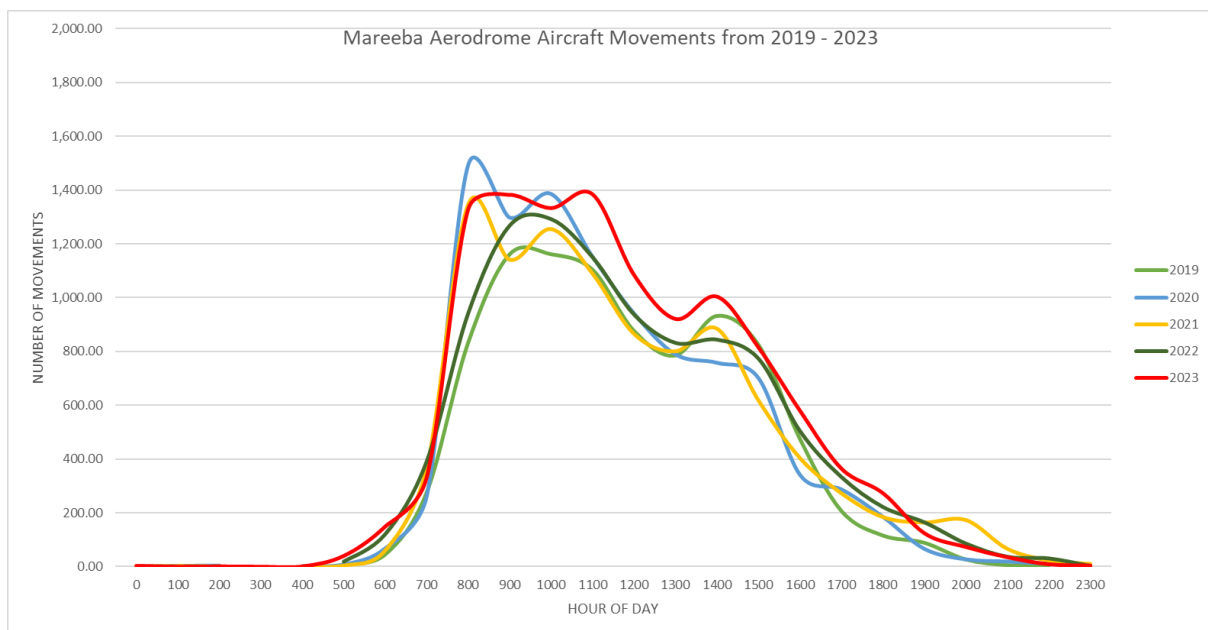
The data recorded below is current for the month of December, however there is usually a lag of some data for each current month from the service provider, which continues to be updated into the next month.

While utilisation of Mareeba Aerodrome for general aviation was adversely impacted by weather events related to TC Jasper, the aerodrome became an important base for refuelling rotary wing aircraft which were operating to provide emergency response activities, particularly with the range road closures following the event.





A review of the previous five (5) years utilisation, indicates ongoing growth at the aerodrome which is anticipated to continue as additional leases are implemented within the Tom Gilmore Aviation Industrial Precinct.



FINANCIAL AND RESOURCE IMPLICATIONS

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 - DECEMBER 2023

Date Prepared: 2 January 2024
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 December 2023.

RECOMMENDATION

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

BACKGROUND

Water and Wastewater Treatment:

All treatment plants continued to operate during TC Jasper and are generally performing satisfactorily post-event. Sand, debris and strong currents may have caused damage at Kuranda Water Treatment Plant intake infrastructure and the extent of any damage is yet to be fully assessed. Wastewater treatment plant volumes were greater than usual due to rainfall and flooding caused by TC Jasper.

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. The water service regulator required an event notification for the residents isolated from the water mains caused by the Cobra Creek washout on Emerald End Road and potential damage caused to Kuranda raw water intake.

Data for Mt Molloy is now available from the Month of November. Connections have been updated with information provided by the Rates Section to correspond with annual KPI reporting.

Water Treatment	Mareeba	Kuranda	Chillagoe	Dimbulah	Mt Molloy*
Water Plant average daily production (kL)	8,542	941	237	216	131
Number of Connections	4,141	1053	127	246	111
Average daily water consumption per connection (L)	2,063	894	1,862	897	1,184

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

Wastewater Treatment	Mareeba	Kuranda
Wastewater Plant average daily treatment (kL)	4,540	446
Number of Connections	3,519	356
Average daily inflow per connection (L)	1,290	1,254

Mareeba Water Treatment Plant Upgrades:

Three (3) critical infrastructure projects at the Mareeba Water Treatment Plant (MWTP) have commenced as part of Council’s 10-year Water Strategy:

- MWTP Filtration System Upgrade
- MWTP Raw Water Pump Upgrade
- MWTP Booster Pump Station Upgrade

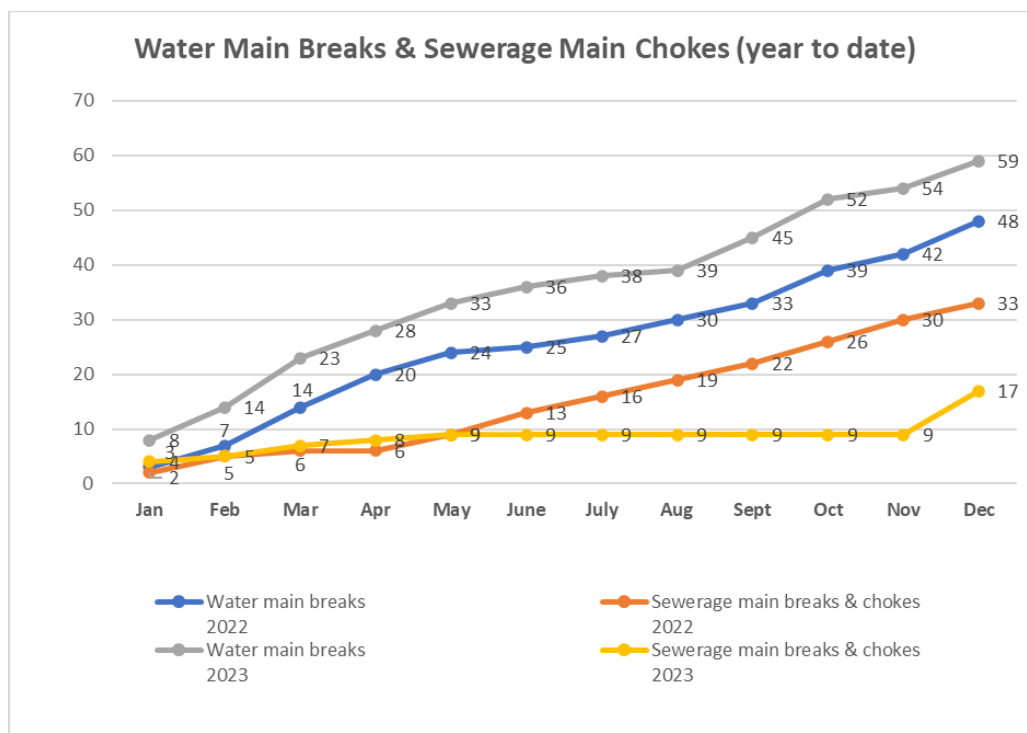
These projects will increase capacity of the plant and ensure that Council is able to supply safe water to residents and businesses in Mareeba now and into the future. Completion of the upgrades is programmed for mid-2024.

While these works occur at the Mareeba Water Treatment Plant there may be disruptions from time-to-time. As a result, the community has been asked to conserve water and reduce consumption during the upgrades. It may be necessary to introduce water restrictions to enable certainty of water supply to residents.

Water and Wastewater Reticulation:

Council's water reticulation crew attended to five (5) water main breaks, and eight (8) sewer main breaks/chokes this month, and average response times were within targets set out in Council's customer service standard for water services.

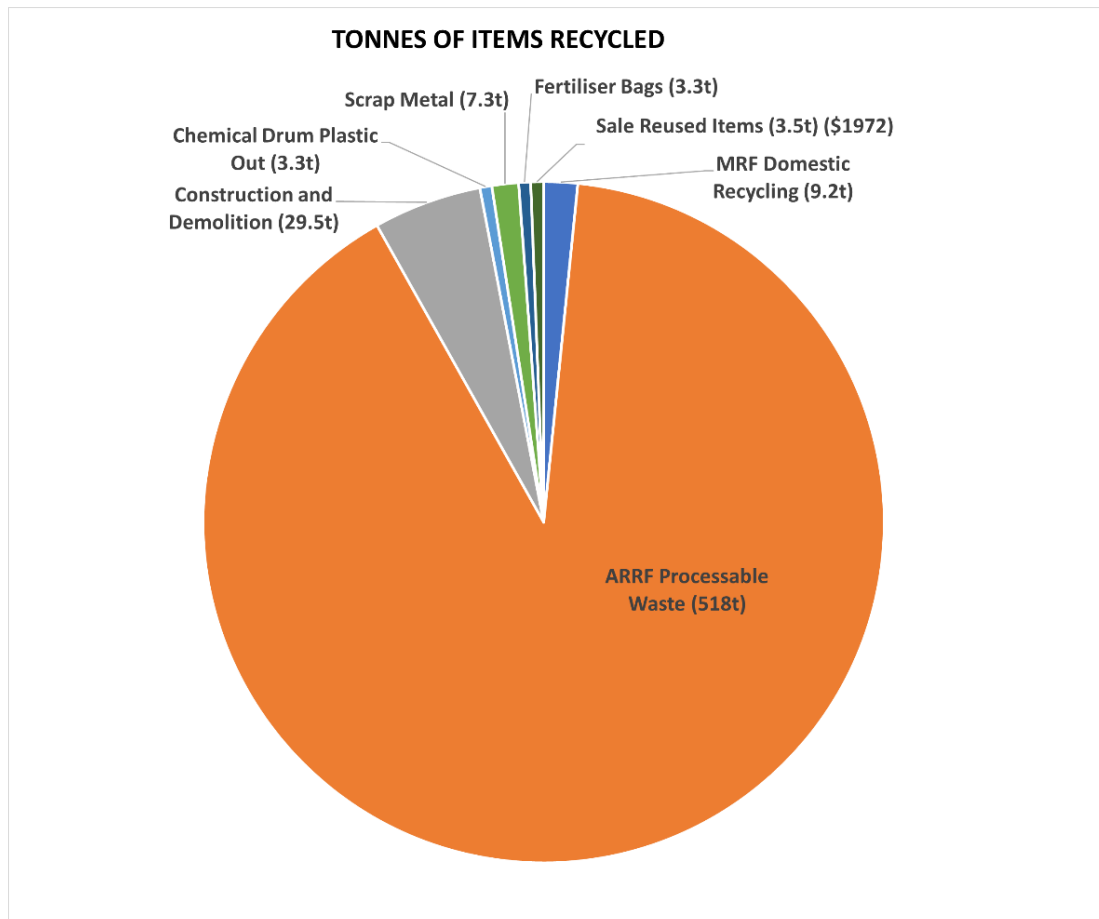
Monthly statistics are shown on the water reticulation main breaks and sewerage main breaks and chokes:



Waste Operations:

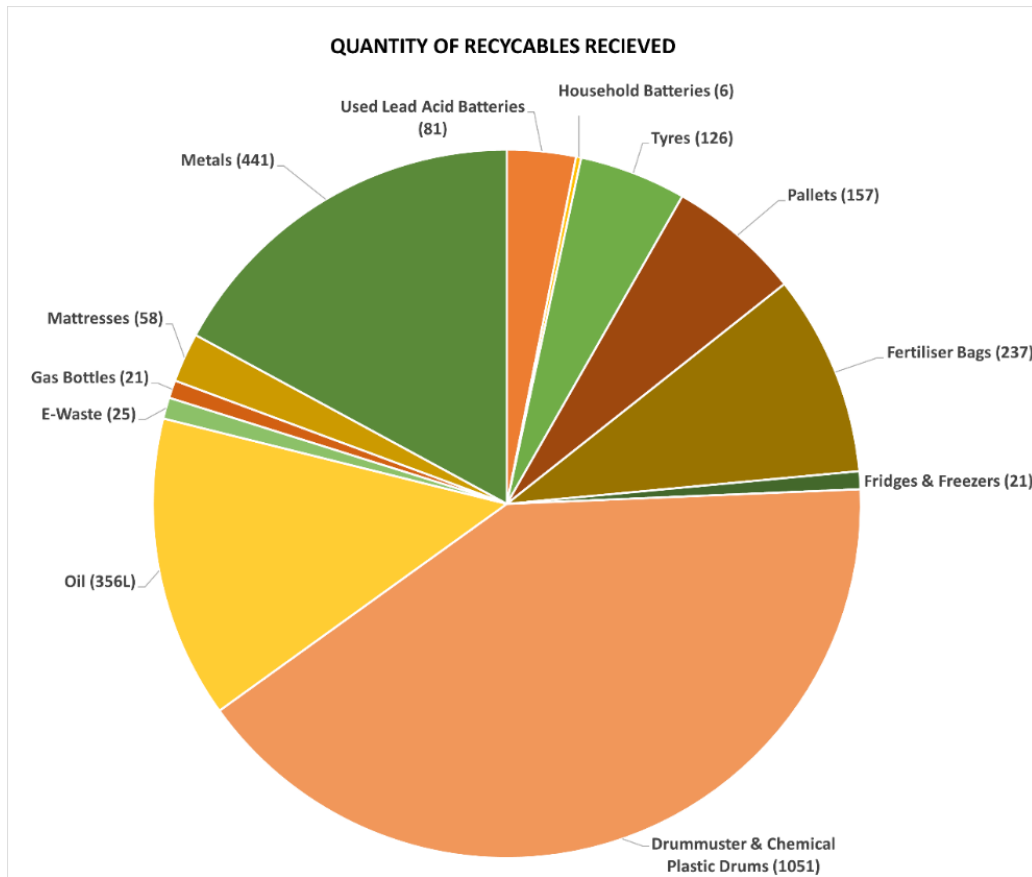
Waste material collected in Kerbside Trucks is transported to the Advanced Resource Recovery Facility (ARRF) in Cairns for processing. Residual waste and waste collected at Transfer Stations is transported to Springmount Waste Facility, and recyclable material is transported to the Material Recovery Facility (MRF) in Cairns for processing.

During December, 518 tonnes of waste was processed through the ARRF, 172 tonnes of waste was sent to Springmount Waste Facility and 9.2 tonnes of domestic items were recycled at the MRF.



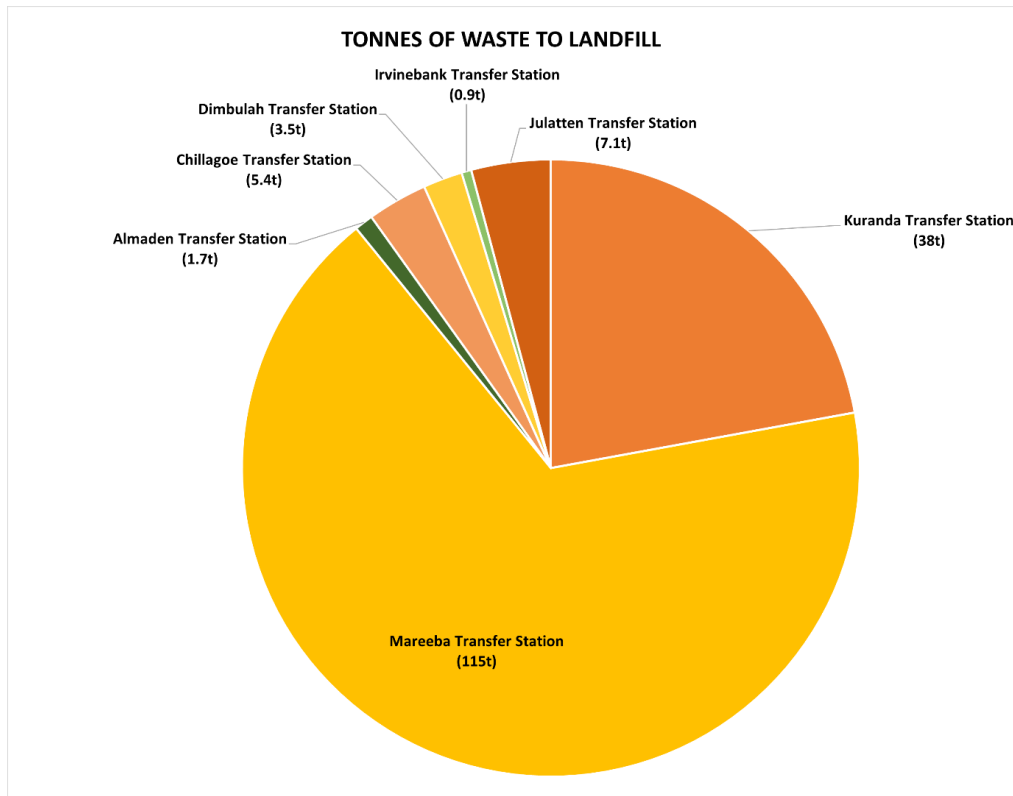
Recycling

Residents continue to recycle at the Transfer Stations. During December the highest count of recyclable items received were 1051 DrumMuster chemical drums, 441 Metal items and 356L of Engine Oil.



Transfer Station Waste

Transfer Station dry waste is transported off site to the Springmount Waste Facility. During December a total of 171 tonnes of waste was sent to landfill. Mareeba Transfer Station contributed to 115 tonnes to landfill, and Kuranda 38 tonnes.

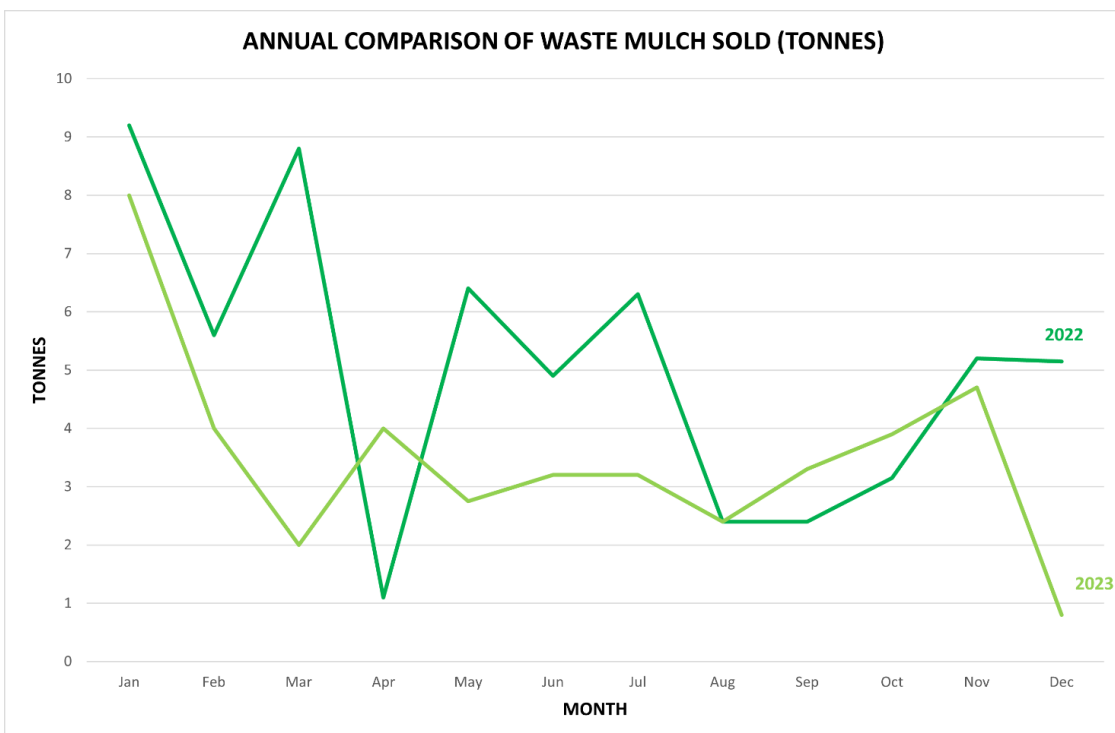
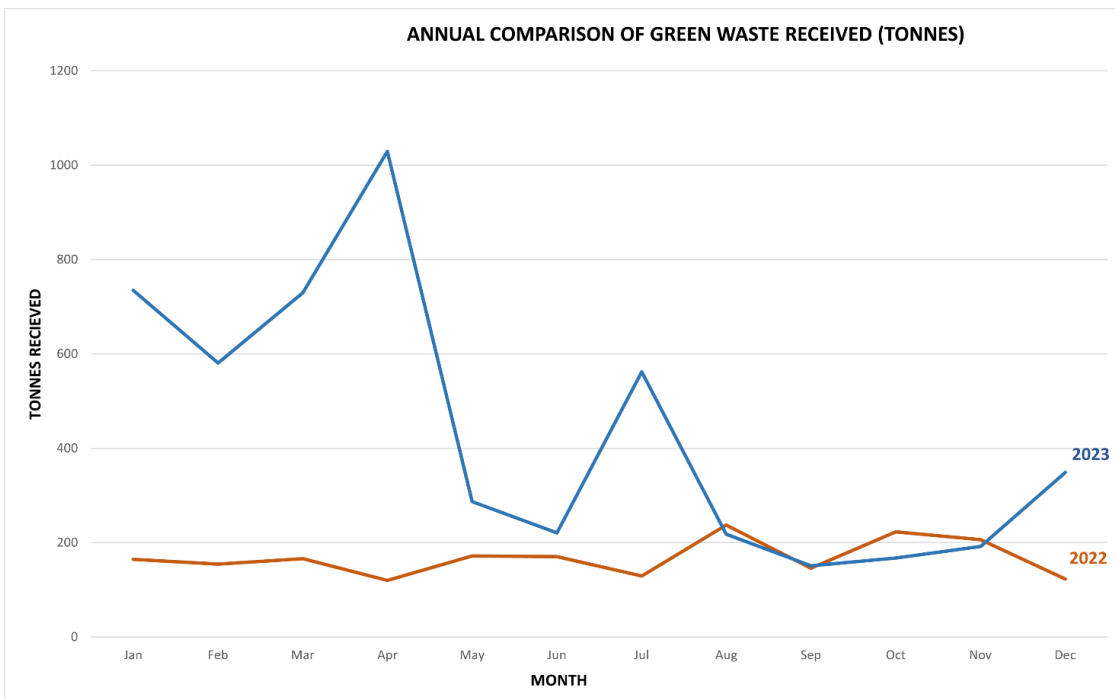


Green Waste

During December, Council received a total of 349 tonnes of green waste. Kuranda recorded 3.3 tonnes of green waste from locations registered as being potentially contaminated with Electric Ants. A total of 800 kg of waste mulch was sold during December.

The regular Quarterly Free Green Waste Disposal Days were scheduled during early December. An additional extension to free green waste disposal was implemented following TC Jasper assist residents to dispose of cyclone and flood-related green waste.

During the regular scheduled free green days, 620 deliveries were made to total 129 tonnes. An additional 671 deliveries were made to total 139 tonnes across extended free green waste days due to Cyclone Jasper (this does not include kerbside pick-up). Free green waste associated with TC Jasper extends into mid-January.



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

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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 - DECEMBER 2023

Date Prepared: 11 January 2024

Author: Manager Works

Attachments: Nil

EXECUTIVE SUMMARY

The purpose of this report is to summarise Council's Transport Infrastructure, Parks and Gardens, TMR Routine Maintenance Performance Contract (RMPC) and Land Protection operational activities undertaken by Infrastructure Services during the month of December 2023.

RECOMMENDATION

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

BACKGROUND

A summary of works completed in December 2023 is provided below.

Transport Infrastructure

Unsealed Road Maintenance Grading

Road	Locality
Austin Road	Mona Mona
Armstrong Road	Mona Mona
Mines Road	Mareeba
Venture Road	Mareeba
Blacks Road	Mareeba
Zenel Road	Mareeba
Torrisi Road	Mareeba
Crothers Road	Kuranda
Torwood Road	Bolwarra
Bolwarra Road	Crystalbrook

General Maintenance

Activity	Area
Tree Clearing	Kuranda, Julatten, Speewah, Mt Molloy
Bitumen Patching	Paddy's Green, Mareeba, Chewko, Dimbulah
Drainage Works	Arriga, Mareeba, Mt Molloy, Mt Carbine, Julatten, Chillagoe
Signage Repairs & Replacement	Crystalbrook, Julatten, Dimbulah, Chewko, Paddy's Green
Slashing	Kuranda, Julatten
Herbicide Spraying	Gamboola, Kuranda, Chillagoe, Mutchilba
Unsealed Road Maintenance	Mareeba, Koah, Kuranda

Tropical Cyclone Jasper, Associated Rainfall and Flooding

Mareeba Shire Council received advice from the Queensland Reconstruction Authority (QRA) that Disaster Recovery Funding Arrangements (DRFA) has been activated for Tropical Cyclone Jasper, Associated Rainfall and Flooding event.

The event has impacted large portions of the shire particularly in the eastern and northern areas.

A number of roads were temporarily cut by flood water with three roads (3), Black Mountain Road, Emerald End Road and Mt Lewis Road all suffering serious asset failures that caused residents to be completely isolated for several days.

The bridge at Bushy Creek on Mt Lewis Road in Julatten was completely washed away and residents on the southern side of the bridge were impacted. A temporary track has been constructed through privately owned farm land from Mt Lewis Road to Chapmans Road to allow residents access to the Mossman – Mt Molly Road.



Remains of Bushy Creek Bridge - Mt Lewis Road, Julatten

A 2x1200mm Ø reinforced concrete pipe culvert on Black Mountain Road, Julatten was over topped by water resulting in the complete collapse of the culvert. All residents east of the collapsed culvert were isolated for eight (8) days. Access to Julatten was possible late on Tuesday, 19 December and Black Mountain Road was open to traffic late in the afternoon of Friday, 22 December after the existing pipes were relayed and backfilled with stabilised sand.



Collapsed RCP culvert – Black Mountain Road, Julatten

Temporarily repaired RCP culvert – Black Mountain Road, Julatten

A 2x2200mm Ø corrugated steel pipe culvert was completely washed away at Cobra Creek on Emerald End Road, Mareeba. All residents northwest of the culvert were isolated for four (4) days. A temporary side track was constructed incorporating a 4x900mm Ø steel pipe gravel and rock causeway.



Emerald End Road after event



Temporary Side track and causeway – Emerald End Road

Other major damage includes a number of landslips in Kuranda, significant riparian damage at the Barron Esplanade in Kuranda, the loss of a causeway on Carman Road, Arriga and the total destruction of several sections of unsealed road in Mt Molloy, Julatten and Arriga areas.



Failed causeway – Carman Road



Temporarily repaired causeway – Carman Road

Customer Requests

During the month of December, the Works Group received 58 Customer Requests (CRs) with 71 resolved (resolved requests include those received prior to December 2023). The table below shows the number of requests lodged per Works Section for the month.

Month	Roads	Parks and Gardens	Pest Management
December	40	18	5

At the time of reporting, the Works Group had 110 open requests.

Requests in relation to Cyclone Jasper were logged through Council’s Disaster Management platform, and are not included in the above figures.

TMR Routine Maintenance Performance Contract (RMPC)

32A - Kennedy Highway (Cairns – Mareeba)

- Rest Area Servicing

- Emergent Works – Inspecting Roads and take photos of damage for Radar (TMR Defect Software)
- Emergent Works – Place out signs during Cyclone Jasper
- Emergent Works – Clear Landslips

34A – Mulligan Highway (Mareeba – Mt Molloy)

- Emergent Works – Place out signs and open close road as required
- Emergent Works – Inspect roads and take photos of damage for radar
- Install 2x 80km additional repeater signs at Ch 7.3 (Biboohra)

34B – Mulligan Highway (Mt Molloy – Lakeland)

- Rest Area Servicing
- Unblock Toilets at Rifle Creek
- Roadside Litter Collection
- Emergent Works & Inspecting roads and taking photos for radar
- Emergent Works – Place out signs and open close road as required

653 – Mossman-Mt Molloy Road

- Rest Area Servicing
- Roadside litter collection
- Place out warning signs in prep for wet season
- Emergent Works – Inspecting Roads and take photos of damage for Radar
- Emergent Works – Clear debris Bushy Creek
- Remove fallen tree
- Extend 80km speed zone as per Principal request

664 – Mareeba-Dimbulah Road

- Emergent Works – Place out warning signs during and after Cyclone Jasper - Clear and re-open as required
- Replace/Straighten guideposts where required - full length of road
- Install signs - Ch 4 Keep Left in centre island, Ch 30.42 RHS Train sign, Ch 33.89 LHS Train sign, Ch 46.93 RHS Call Point Dimbulah

89B – Burke Developmental Road (BDR)

- Eureka Creek Rest Area Servicing - including mowing, brush cutting and litter removal
- Emergent Works – Taking photos of Emergent Work that needs to be carried out - Event 24E
- Emergent Works – Place out warning signs during and after Cyclone Jasper
- Cleaning of inlets and outlets of pipes from Chillagoe to Fergusons Crossing as identified in the yearly pipe inspections
- Fill scour with fabric and rock along table drains at Ch 564 to Ch 579 (not Cyclone Jasper related)



BDR shoulder scour – Ch 564 to Ch 579

Parks and Open Spaces

General mowing in Mareeba, Dimbulah, Mt Molloy, Julatten, Kuranda and Chillagoe has increased due to recent rain. Sporting fields are being mowed weekly with mowing heights varying dependent on field usage. There was no mowing at Irvinebank and Biboohra in December.

Activities undertaken in December include:

- New fence panel installed at Centenary Park, Mareeba
- Town Christmas Trees were installed by early December, taken down prior to Cyclone Jasper and reinstalled before Christmas
- Vegetation management for street sweeping operation
- Burials – Mareeba x6, Kuranda x1

Land Protection

Parthenium Weed: Monthly inspections carried out on 12 sites. All landholders are complying with their biosecurity obligation. We continue to monitor all sites every 3 weeks.

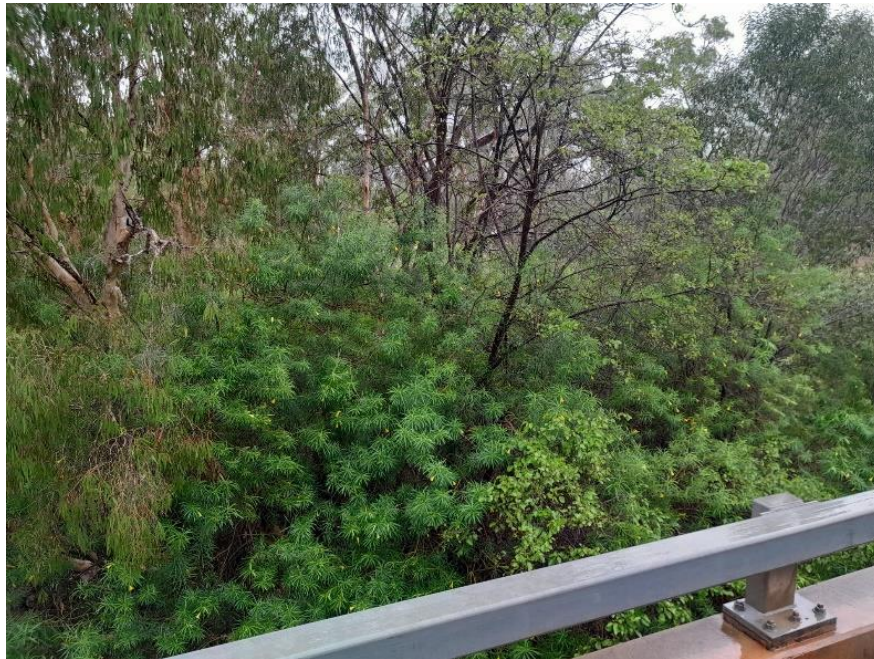
Amazon Frogbit: Hand removal of young Frogbit continued along the lower end of Chinaman Creek. Unfortunately, during the survey, a small patch was found approximately 20m from Jennings Road. The young plants were herbicide treated. It was disappointing to find this outbreak as the top end of Chinaman Creek had remained clear of Frogbit for the past 2 years.

Pond Apple: Pond Apple works have been completed on Rocky Creek. Plants found were cut down and the stumps herbicide treated. There has been a significant reduction in plants found compared to previous years. The survey will be extended to include the Barron River.

TMR Works: Third party works on behalf of TMR has commenced on state-controlled roads. The target species for this round of works are Rubbervine on the Mulligan Highway and Yellow Oleander on the Herberton–Petford Road and the Burke Developmental Road.

Wild dogs: Baiting was undertaken at one (1) property in the Biboohra area.

Feral pigs: Six (6) feral pigs were trapped at Cedar Park, Speewah.



1.

2. *Yellow Oleander at Emu Creek Bridge, Petford*

FINANCIAL AND RESOURCE IMPLICATIONS

Operating

All operational works are funded by the section specific 2023/24 maintenance budgets.

LINK TO CORPORATE PLAN

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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 CONFIDENTIAL REPORTS

Nil

11 BUSINESS WITHOUT NOTICE

12 NEXT MEETING OF COUNCIL

13 FOR INFORMATION

13.1 TOURISM & ECONOMIC DEVELOPMENT QUARTERLY REPORT

Date Prepared: 10 January 2024
Author: Development Officer
Attachments: Nil

TOURISM & ECONOMIC DEVELOPMENT

This report provides information relating to Council tourism and economic development activity for the Mareeba Shire region during the second quarter of the financial year, October 2023 – December 2023.

1. Small Business Friendly Council

During November two Small Business Support Pop-Up Hubs were held in the Mareeba Shire, one in Kuranda and one in Mareeba. These hubs were held in partnership with the Department of Youth Justice, Employment, Small Business and Training. This was an opportunity for local business to connect and learn about government assistance such as grants, programs, and incentives. Two industry workforce advisors were in attendance to offer advice and assistance to employers to develop workforce plans and access government programs and funding initiatives that support workforce attraction and retention.



An opportunity to meet the Employment, Small Business and Training team and connect with Industry Workforce Advisor's (IWA) Eleanor Crosby (Business and Information and Technology IWA) or Darryl Ladbrook (Electrotechnology and Utilities IWA).

Register for a 20 minute one-on-one appointment

- Find out more about the types of support DYJESBT provides:
 - Apprenticeships and Traineeships
 - funding for Vocational Training
 - funding for Community Based Organisations and Social Enterprises
 - grants and support programs for small business, including up to \$20k in employment incentives
- Industry Workforce Advisor services:
 - Advice and assistance to employers to develop workforce plans, and access government programs and funding initiatives that support workforce attraction and retention.

 **DATE:** 14 November 2023
TIME: 9am-11am
LOCATION: Riley's Cafe & Bar 2/15 Coondoo St, Kuranda

 **DATE:** 14 November 2023
TIME: 1pm-3pm
LOCATION: Mareeba Library 43 Anzac Ave, Mareeba

RSVP via the QR Code

This is an opportunity for business to connect and learn about government assistance such as grants, programs and incentives.




2. Mareeba Shire Local Tourism Organisation (LTO)

The first Mareeba Shire Tourism industry networking event was held at The Orchids function venue in Bibohra in October. There were 25 attendees at the event who took the opportunity to mingle and hear from tourism industry expert, Nikki Giumelli.



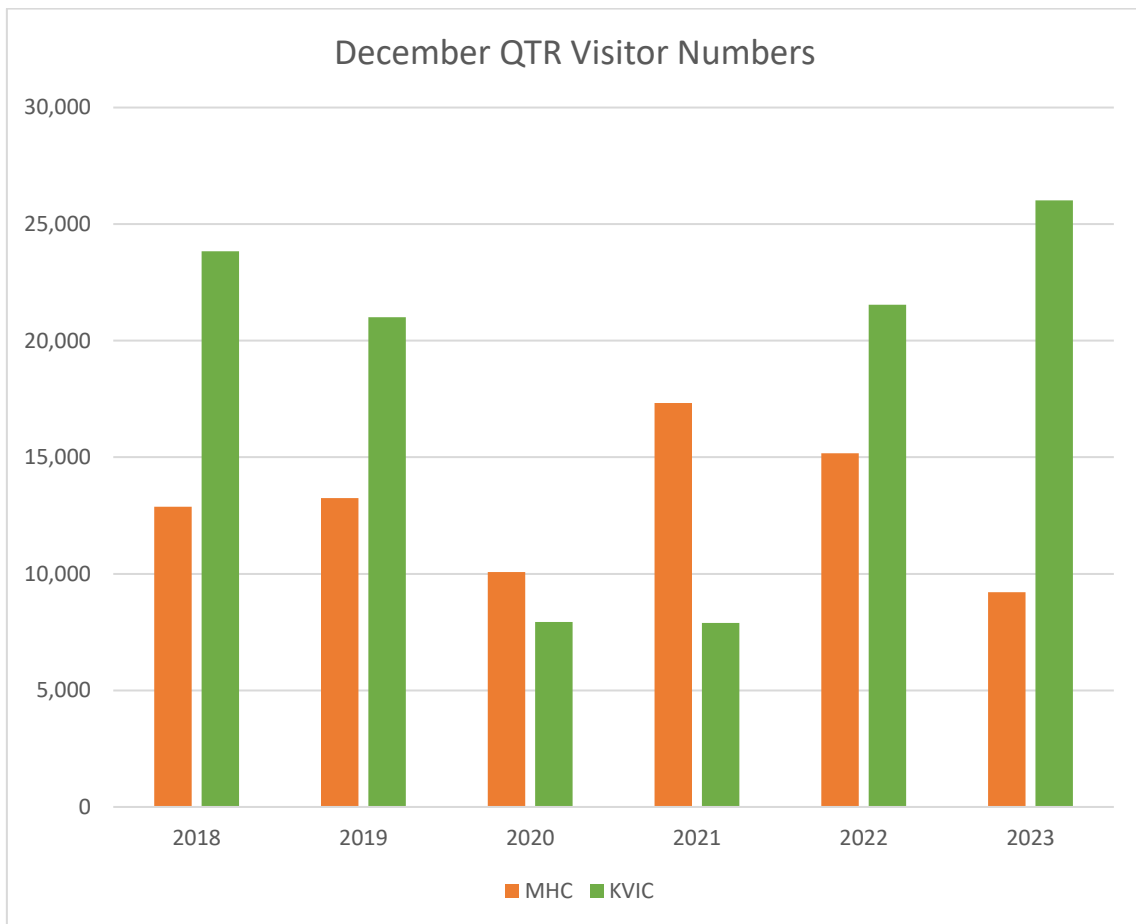
Tourism Tropical North Queensland (TTNQ) in collaboration with Mareeba Shire Tourism, held a prioritisation workshop in **Kuranda** for the preparation of the TTNQ Destination Management Plan for 2023-2032. The first round of workshops helped set the direction and is summarised in the [Directions Paper](#). Setting a clear direction for the evolution of tourism in Tropical North Queensland over the next decade is vital to our economy, our community and our precious natural environment.



TTNQ Directions Paper page 25

3. Visitor Information Centre (VIC) Update

The data is collected by the Kuranda Visitor Information Centre (KVIC) and the Visitor Information Centre at the Mareeba Heritage Centre (MHC). Visitor data is all visitors to the Mareeba Centre which includes the Visitor Information Centre as well as patrons of the Centre's café, museum, and retail shop.



Visitor numbers through the Kuranda Visitor centre for the December quarter 2023 continue to be record highs for the centre.

There were some great reviews received during the quarter for both visitor centres.



Jhon Velásquez
Local Guide · 9 reviews · 2 photos

★★★★★ 3 weeks ago **NEW**

I explored the Kuranda Visitor Information Center for attraction ideas and was pleasantly surprised. Besides Cairns tourism details, the center showcased rare insects unique to Kuranda. The welcoming staff, enthusiastic about sharing insights, made the visit delightful. Even without a specific agenda, I recommend stepping inside for a warm welcome and the chance to explore not only tourist information but also the fascinating world of Kuranda's uncommon insects.



Marina Ly
27 reviews · 18 photos

★★★★★ 2 weeks ago **NEW**

Wonderful little community historic museum! A lot of detail about Mareeba and the local region and it's development



More volunteers for both Visitor Information Centres are needed. Volunteers contribute enormously to the success of the visitor centres and without their time, dedication and passion, the centres could not function.

5. Shire Destination Marketing - Print

Print promotional material was produced for the following publications:

- Corner block advert in the [Explore FNQ Drive Map](#) – Cairns, Tablelands, Cardwell edition.

HISTORY, FOOD & ADVENTURE



Mareeba Heritage Museum & Visitor Centre
Phone (07) 4092 5674
www.mareebaheritagecentre.com.au

Kuranda Visitor Information Centre
Phone (07) 4093 9311
www.kuranda.org



Kuranda | Mareeba | Chillagoe | Mt Molloy | Irvinebank

- 1/3 page advertisement in the 2024 edition of the [Drive QLD](#) magazine.



LINK TO CORPORATE PLAN

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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

13.2 SUMMARY OF NEW PLANNING APPLICATIONS & DELEGATED DECISIONS FOR THE MONTH OF DECEMBER 2023

Date Prepared: 2 January 2024

Author: Senior Planner

Attachments: Nil

Please see below information.

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

New Development Applications					
Application #	Lodgement Date	Applicant/ Address	Property Description	Application Type	Status
MCU/23/0025	19/12/2023	9-11 Thongon St Kuranda Pty Ltd TTE C/- Planz Town Planning 9-11 Thongon Street Kuranda QLD 4881	Lot 310 on NR7409 and Lot 311 on NR7409	MCU Multiple dwelling	Application Stage

Decision Notices issued under Delegated Authority					
Application #	Date of Decision Notice	Applicant	Address	Property Description	Application Type
MCU/23/0024	21/12/2023	Mareeba Leagues Club C/- Brazier Motti Pty Ltd	Doyle Street and Riodan Street Mareeba	Lot 13 on CP861033	MCU Club (Leagues Club Expansion)

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					

Referral Agency Response Decision Notices issued under Delegated Authority					
Application #	Date of Decision	Applicant	Address	Property Description	Application Type
CAR/23/0015	1/12/2023	B Turner and T Taylor C/- Emergent Building Approvals	8 Hoolahan Drive Mareeba	Lot 2 on SP208342	Referral agency response for material change of use - dwelling house (secondary dwelling) assessable against the Residential dwelling house and outbuilding overlay code
CAR/23/0016	11/12/2023	M and V Lister All Construction Approvals	Dominkovic Close Koah	Lot 19 on SP237162	Referral agency response for material change of use - dwelling house (secondary dwelling) assessable against the Residential dwelling house and outbuilding overlay code.

December 2023 (Regional Land Use Planning)

Extensions to Relevant Period issued					
Application #	Date of Decision	Applicant	Address	Property Description	Application Type
REC/10/0023	1/12/2023	K Rankine	382 Bilwon Road Biboohra	Lot 221 on SP292117	ROL Subdivision (1 into 3 Lots)

Survey Plans Endorsed					
Application #	Date	Applicant	Address	Property Description	No of Lots
REC/07/0052	18/12/2023	Hockey Machinery Sales Pty Ltd C/- Twine Surveys Pty Ltd	Summer Street Mareeba	Lot 81 and 100 on SP345975 (Cancelling Lot 100 on SP342221)	2
DA/14/0031	14/12/2023	J Portelli	863 Mulligan Road Dimbulah	Lot 871, 872 & 874 on SP298290 (Cancelling Lot 872 on SP289727)	3

December 2023 (Regional Land Use Planning)