



AGENDA

Wednesday, 21 May 2025

Ordinary Council Meeting

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

Date: Wednesday, 21 May 2025

Time: 9:00 AM

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 - 16 April 2025
- 6 BUSINESS ARISING OUT OF MINUTES OF PREVIOUS MEETING**
- 7 DEPUTATIONS AND DELEGATIONS**

8 CORPORATE AND COMMUNITY SERVICES

8.1 9-11 THONGON ST KURANDA PTY LTD - MATERIAL CHANGE OF USE - MULTIPLE DWELLING (56 RESIDENTIAL UNITS) - LOTS 310 & 311 ON NR7409 - 9-11 THONGON STREET, KURANDA - MCU/23/0025

Date Prepared: 12 May 2025

Author: Senior Planner

Attachments:

1. Development Plans [↓](#)
2. Department of State Development, Infrastructure & Planning Referral Agency Response [↓](#)
3. Applicants Response to Council's Information Request [↓](#)
4. Multi-level Car Parking & Access Design Plans and Third Party Engineering Review [↓](#)

APPLICATION DETAILS

APPLICATION		PREMISES	
APPLICANT	9-11 Thongon St Kuranda Pty Ltd	ADDRESS	9-11 Thongon Street, Kuranda
DATE LODGED	2 January 2024	RPD	Lots 310 & 311 on NR7409
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Material Change of Use – Multiple Dwelling (56 Residential Units)		
FILE NO	MCU/23/0025	AREA	2,024m ²
LODGED BY	Planz Town Planning Pty Ltd	OWNER	9-11 Thongon St Kuranda Pty Ltd TTE
PLANNING SCHEME	Mareeba Shire Council Planning Scheme 2016		
ZONE	Medium density residential zone		
LEVEL OF ASSESSMENT	Code Assessment		
SUBMISSIONS	n/a		

EXECUTIVE SUMMARY

Council is in receipt of a code assessable development application described in the above application details. Being code assessable, the application was not required to undergo public notification.

The application seeks approval for a 56-unit residential complex on the fringe of Kuranda's 'village heart' precinct, directly opposite the Kuranda IGA building. Units will range in size from 1 – 3 bedrooms with the development presenting as 4 storeys high when viewed from the Thongon Street frontage (6 storeys in total when including 2 levels of basement parking).

The application and supporting material has been assessed against the Mareeba Shire Council Planning Scheme 2016. The proposed development conflicts with a significant number of assessment benchmarks in the Planning Scheme in relation to building height, site cover, building mass and bulk, scale and appearance. The residential density proposed on-site is 4 times greater than the maximum density nominated for the sites zoning, and more importantly what the Kuranda

community could reasonably expect to occur on the land under the current zoning. The stepped back façade and planter box landscaping elements incorporated into the building design will do little to visually soften the bulk and appearance of the structure given the scale of development proposed, particularly if landscape plantings fail to be maintained. The proposed development will be visually obtrusive and out of character with the predominant built form in the Kuranda Village CBD.

Furthermore, Council officers and Council's third-party consulting engineer have significant concerns in relation to the usability and efficiency of the 'cramped' 2 storey car park design as well as the on-street method of bulk waste disposal proposed.

Although it is acknowledged that additional dwellings are needed in Kuranda (with a rental vacancy rate of just 1%), this outcome should not be achieved at the detriment of village residents or where compromising Kuranda's 'village in the Rainforest' theme. It is recommended that the application be refused.

OFFICER'S RECOMMENDATION

1. That in relation to the following development application:

APPLICATION		PREMISES	
APPLICANT	9-11 Thongon St Kuranda Pty Ltd	ADDRESS	9-11 Thongon Street, Kuranda
DATE LODGED	2 January 2024	RPD	Lots 310 & 311 on NR7409
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Material Change of Use – Multiple Dwelling (56 Residential Units)		

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:

Refused by Council for reasons set out in (B).

(A) REFUSED DEVELOPMENT: Development Permit for Material Change of Use – Multiple Dwelling (56 Residential Units)

(B) ASSESSMENT MANAGER'S REASONS FOR REFUSAL:

1. The development conflicts with Overall outcomes (f) and (h) of the Medium density residential zone code:
 - *The purpose of the code will be achieved through the following overall outcomes:*
 - (f) *Development maintains a high level of residential amenity avoiding uses that introduce impacts associated with noise, hours of operation, traffic, advertising devices, visual amenity, privacy, lighting, odour and emissions;*
 - (h) *Development responds to land constraints and mitigates any adverse impacts on adjacent land uses and the environment.*
2. The development conflicts with Performance Outcome PO1 and AO1 of the Medium density residential zone code:

- **PO1 – Height**

Building height takes into consideration and respects the following:

- (a) *the height of existing buildings on adjoining premises;*
- (b) *the development potential, with respect to height, on adjoining premises.*
- (c) *the height of buildings in the vicinity of the site;*
- (d) *access to sunlight and daylight for the site and adjoining sites;*
- (e) *privacy and overlooking; and*
- (f) *site area and street frontage length.*

- **A01**

Development has a maximum building height of:

- (a) *8.5 metres; and*
- (b) *2 storeys above ground level.*

3. The development conflicts with Performance Outcome PO3 and Acceptable Outcomes A03.1 and A03.2 of the Medium density residential zone code:

- **PO3 – Siting**

Development is sited in a manner that considers and respects:

- (a) *the siting and use of adjoining premises;*
- (b) *access to sunlight and daylight for the site and adjoining sites;*
- (c) *privacy and overlooking;*
- (d) *opportunities for casual surveillance of adjoining public spaces;*
- (e) *air circulation and access to natural breezes;*
- (f) *appearance of building bulk; and*
- (g) *relationship with road corridors.*

A03.1

Buildings and structures include a minimum setback of:

- (a) *6 metres from the primary road frontage; and*
- (b) *3 metres from any secondary road frontage.*

A03.2

Buildings and structures include a minimum setback of 2 metres from side and rear boundaries.

4. The development conflicts with Performance Outcome PO5 and Acceptable Outcome A05 of the Medium density residential zone code:

PO5 – Gross floor area

Buildings and structures occupy the site in a manner that:

- (a) *makes efficient use of land;*
- (b) *is consistent with the bulk and scale of surrounding buildings; and*
- (c) *appropriately balances built and natural features.*

A05

Gross floor area does not exceed 600m².

5. The development conflicts with Performance Outcome PO7 of the Medium density residential zone code:

PO7

Development complements and integrates with the established built character of the Medium density residential zone, having regard to:

- (a) roof form and pitch;*
- (b) eaves and awnings;*
- (c) building materials, colours and textures; and*
- (d) window and door size and location.*

6. The development conflicts with Performance outcome PO9 of the Medium density residential zone code:

PO9 – Amenity

Development must not detract from the amenity of the local area, having regard to:

- (a) noise;*
- (b) hours of operation;*
- (c) traffic;*
- (d) advertising devices;*
- (e) visual amenity;*
- (f) privacy;*
- (g) lighting;*
- (h) odour; and*
- (i) emissions.*

7. The development conflicts with Overall outcomes (a), (b), (c) and (f) of the Kuranda local plan code:

The purpose of the code will be achieved through the following overall outcomes:

- (a) Development provides high standards of amenity and compliments the surrounding natural and built environment;*
- (b) Development is integrated sensitively into the built and natural environment;*
- (c) Development maintains the streetscape amenity and pedestrian scale of Upper Coondoo, Thongon and Therwine St;*
- (f) Development protects Kuranda village from visually obtrusive development;*

8. The development conflicts with Performance Outcome PO7 of the Kuranda local plan code:

PO7 – Village heart precinct

Development in the Village frame precinct and Village heart precinct is undertaken in a manner that respects the place's local character having regard to:

- (a) building height, scale, bulk, mass and proportion;*
- (b) building materials, patterns, textures, colours, and decorative elements;*
- (c) floor to ceiling height;*
- (d) roof form and pitch;*
- (e) facade articulation, detailing, stairways, and window and door proportions;*
- (f) verandahs, awnings and eaves;*
- (g) access ways, driveway crossovers, fence style and alignment;*
- (h) ancillary buildings; and*
- (i) other local character elements of the streetscape.*

Note—Refer to Planning Scheme Policy 1 – Character Area Design Guidelines for additional guidance in relation to the development outcomes sought.

9. The development conflicts with Performance Outcome PO2 of the Accommodation activities code:

PO2

Accommodation activities are provided with on-site refuse storage areas that are:

- (a) sufficient to meet the anticipated demand for refuse storage; and*
- (b) appropriately located on the site having regard to potential odour and noise impacts on uses on the site and adjoining sites.*

10. The development conflicts with Performance Outcome PO3 of the Accommodation activities code:

PO3

Accommodation activities are designed to avoid overlooking or loss of privacy for adjoining uses.

Note—These provisions apply to any adjoining use, both on an adjoining site and on the same site.

11. The development conflicts with Performance Outcome PO4 and Acceptable Outcomes AO4.1 and AO4.2 of the Accommodation activities code:

PO4

Accommodation activities are provided with sufficient private and communal open space areas which:

- (a) accommodate a range of landscape treatments, including soft and hard landscaping;*
- (b) provide a range of opportunities for passive and active recreation;*
- (c) provide a positive outlook and high quality of amenity to residents;*

AO4.1

*Development, except for Caretaker's accommodation, Dwelling house, Dual occupancy or Home based business, includes communal open space which meets or exceeds the minimum area, dimension and design parameters specified in **Table 9.3.1.3C**.*

- 12. The development conflicts with Performance Outcome PO9 and Acceptable Outcomes AO9.1 of the Accommodation activities code:

PO9

Buildings are designed to:

- (a) reduce the appearance of building bulk;*
- (b) provide visual interest through articulation and variation;*
- (c) be compatible with the embedded, historical character for the locality; and*
- (d) be compatible with the scale of surrounding buildings*

AO9.1

External walls do not exceed 10 metres in continuous length unless including a minimum of three of the following building design features and architectural elements:

- (a) a change in roof profile; or*
- (b) a change in parapet coping; or*
- (c) a change in awning design; or*
- (d) a horizontal or vertical change in the wall plane; or*

(e) a change in the exterior finishes and exterior colours of the development.

13. The development conflicts with Overall outcome (b), (c) and (d) of the Parking and access code:

The purpose of the code will be achieved through the following overall outcomes:

(b) Parking spaces and associated manoeuvring areas are safe, functional and provide equitable access;

(c) Suitable access for all types of vehicles likely to utilise a parking area is provided in a way that does not compromise the safety and efficiency of the surrounding road network;

(d) Premises are adequately serviced to meet the reasonable requirements of the development; and

14. The development conflicts with Performance Outcome PO2 and Acceptable Outcome AO2.1 of the Parking and access code:

PO2 – Vehicle crossovers

Vehicle crossovers are provided to:

(a) ensure safe and efficient access between the road and premises;

(b) minimise interference with the function and operation of roads; and

(c) minimise pedestrian to vehicle conflict.

AO2.1

Vehicular access to/from Council roads is designed and constructed in accordance with the Standard drawings in Planning Scheme Policy 4 - FNQROC Regional Development Manual.

15. The development conflicts with Performance Outcome PO4 and Acceptable Outcome AO4.1 of the Parking and access code:

PO4 – Parking area location and design

Car parking areas are located and designed to:

(a) ensure safety and efficiency in operation; and

(b) be consistent with the character of the surrounding locality.

AO4.1

Car parking spaces, access and circulation areas have dimensions in accordance with AS/NZS 2890.1 Off-street car parking.

16. The development conflicts with Performance Outcome PO5 and Acceptable Outcome AO5.1 of the Parking and access code:

PO5 – Site access and manoeuvring

Access to, and manoeuvring within, the site is designed and located to:

(a) ensure the safety and efficiency of the external road network;

(b) ensure the safety of pedestrians;

(c) provide a functional and convenient layout; and

- *(d) accommodate all vehicles intended to use the site.*

AO5.1

Access and manoeuvrability is in accordance with :

(a) AS28901 – Car Parking Facilities (Off Street Parking); and

(b) AS2890.2 – Parking Facilities (Off-street Parking) Commercial Vehicle Facilities.

Note—Proposal plans should include turning circles designed in accordance with AP34/95 (Austroads 1995) Design Vehicles and Turning Path Templates.

17. The development conflicts with Performance Outcome PO7 and Acceptable Outcomes AO7.1, AO7.2 and AO7.3 of the Parking and access code:

PO7 – Servicing

Development provides access, manoeuvring and servicing areas on site that:

- (a) accommodate a service vehicle commensurate with the likely demand generated by the use;*
- (b) do not impact on the safety or efficiency of internal car parking or manoeuvring areas;*
- (c) do not adversely impact on the safety or efficiency of the road network;*
- (d) provide for all servicing functions associated with the use; and*
- (e) are located and designed to minimise their impacts on adjoining sensitive land uses and streetscape quality.*

AO7.1

All unloading, loading, service and waste disposal areas are located:

- (a) on the site;*
- (b) to the side or rear of the building, behind the main building line;*
- (c) not adjacent to a site boundary where the adjoining property is used for a sensitive use.*

AO7.2

- *Unloading, loading, service and waste disposal areas allow service vehicles to enter and exit the site in a forward gear.*

AO7.3

*Development provides a servicing area, site access and manoeuvring areas to accommodate the applicable minimum servicing vehicle specified in **Table 9.4.3.3B**.*

18. There are not sufficient town planning grounds, or an overriding need in terms of benefit to the community to justify approval of the application despite these identified conflicts.

THE SITE

The subject land is situated opposite the Kuranda IGA building at 9 – 11 Thongon Street, Kuranda, and is more particularly described as Lots 310 and 311 on NR7409. Lots 310 and 311 are regular in shape, with an area of 1,012m² each and are both situated within the Medium density residential zone.

Both allotments slope downhill to the rear (north-east) with approximately 11-12 metres difference in elevation between the front and rear of the lots. The rear two thirds of each of the lots remain vegetated while the front third of each lot is cleared and grassed.

The land is serviced by all urban services. Land to the north and north-east is zoned Medium density residential with each lot containing a detached dwelling. Land to the south is situated within the Centre zone and includes a range and mix of commercial land uses.

**Map Disclaimer:**

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BACKGROUND AND CONTEXT

Nil

PREVIOUS APPLICATIONS & APPROVALS

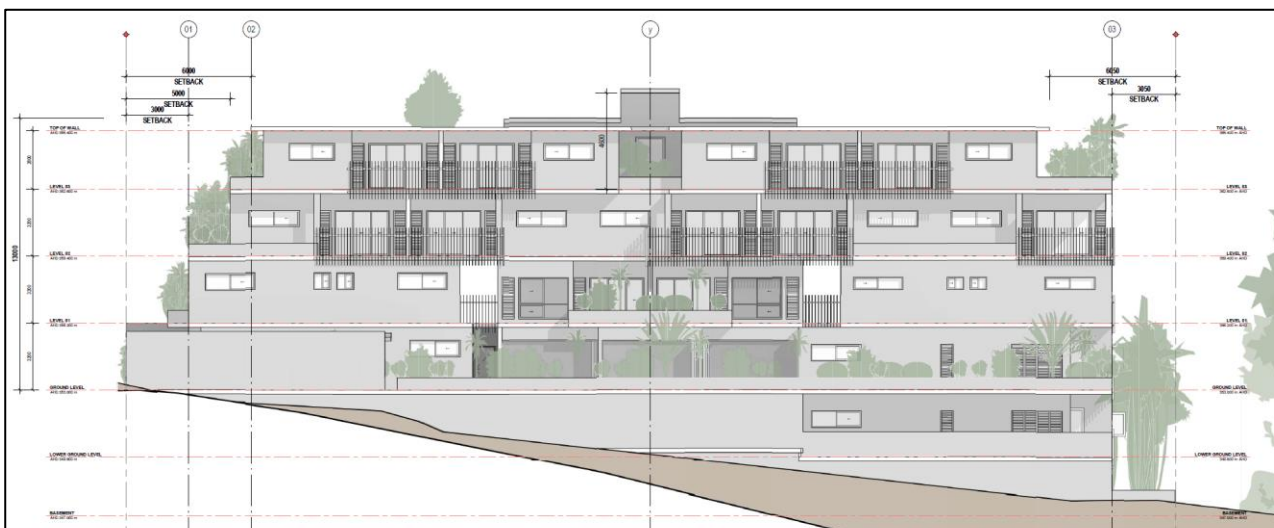
Nil

DESCRIPTION OF PROPOSED DEVELOPMENT

The development application seeks a Development Permit for Material Change of Use – Multiple Dwelling (56 Residential Units) in accordance with the plans shown in **Attachment 1**.

The proposed unit complex will have a building footprint that essentially occupies the entirety of the subject land. The unit complex will be 6 storeys high in total, however only 4 storeys will be constructed above the level of Thongon Street (ground level). The 4 storeys built above ground level will include 49 of the 56 proposed units. The storey below ground (lower ground level) will include 7 units overlooking the rear of the site (forested gully) as well as car parking while the lowest storey (basement) will include just car parking.

The below cross-section illustrates the 6 different levels in relation to the slope of the land:



The below image represents the development when viewed from Thongon Street, showing 4 storeys above ground level:



The bedroom configuration of the proposed units is as follows:

One-bedroom	Two-bedroom	Three-bedroom	TOTAL
26	22	8	56

The unit complex will be serviced by 4 bulk bins, collected by a commercial refuse truck from Thongon Street. Bulk bins will need to be wheeled out onto Thongon Street for collection. Some of the on-street car parks along the frontage of the site will need to be removed to accommodate the development access and loading zone (for bulk bin collection).

REGIONAL PLAN DESIGNATION

The subject site is included within the Urban Footprint land use category in the Far North Queensland Regional Plan 2009-2031. Kuranda is identified as a Village Activity Centre in the Regional Plan. The Regional Plan Map 3- 'Areas of Ecological Significance' also identifies the site is:

- *Strategic Rehabilitation Area*

PLANNING SCHEME DESIGNATIONS

Strategic Framework:	Land Use Categories • Residential Area
Zone:	Medium Density Residential zone
Kuranda Local Plan:	Precinct A – Village Heart
Overlays:	Airport Environs Overlay Hill and Slope Overlay Scenic Amenity Overlay Transport Infrastructure Overlay

Planning Scheme Definitions

The proposed use is defined as:

Column 1 Use	Column 2 Definition	Column 3 Examples include	Column 4 Does not include the following examples
<i>Multiple dwelling</i>	<i>Premises containing three or more dwellings for separate households.</i>	<i>Apartments, flats, units, townhouses, row housing, triplex</i>	<i>Rooming accommodation, dual occupancy, duplex, granny flat, residential care facility, retirement facility</i>

RELEVANT PLANNING INSTRUMENTS

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

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.

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.

Mareeba Shire Council Planning Scheme 2016

Relevant Developments Codes

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

- 6.2.7 Medium density residential zone code
- 7.2.1 Kuranda local plan code
- 8.2.2 Airport environs overlay code
- 8.2.8 Hill and slope overlay code
- 8.2.11 Scenic amenity overlay code
- 9.3.1 Accommodation activities code
- 9.4.2 Landscaping code
- 9.4.3 Parking and access code
- 9.4.5 Works, services and infrastructure code

The application included a planning report and assessment against the Planning Scheme. An officer assessment has found that the application does not satisfy some of the relevant overall outcomes and acceptable/performance outcomes contained within the relevant development codes as set out in the below table.

Relevant Codes	Comments
Medium density residential zone code	<p>The application conflicts with the following:</p> <ul style="list-style-type: none"> • Overall outcomes (f) and (h); • Performance outcome PO1 and acceptable outcome AO1 • Performance outcome PO3 and acceptable outcomes AO3.1 and AO3.2 • Performance outcome PO5 and acceptable outcome AO5 • Performance outcome PO7 <p>Refer to planning discussion section of report for commentary.</p>
Kuranda local plan code	<p>The application conflicts with the following:</p> <ul style="list-style-type: none"> • Overall outcomes (a), (b), (c) and (f); • Performance outcome PO7 <p>Refer to planning discussion section of report for commentary.</p>

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.
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.
Scenic amenity 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.
Accommodation activities code	<p>The application conflicts with the following:</p> <ul style="list-style-type: none"> • Performance outcome PO2 • Performance outcome PO3 • Performance outcome PO4 and acceptable outcomes AO4.1 and AO4.2 • Performance outcome PO9 and acceptable outcome AO9.1 <p>Refer to planning discussion section of report for commentary.</p>
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	<p>The application conflicts with the following:</p> <ul style="list-style-type: none"> • Overall outcomes (b), (c) and (d); • Performance outcome PO2 and acceptable outcome AO2.1 • Performance outcome PO4 and acceptable outcome AO4.1 • Performance outcome PO5 and acceptable outcome AO5.1 • Performance outcome PO7 and acceptable outcome AO7.1, AO7.2 and AO7.3 <p>Refer to planning discussion section of report for commentary.</p>
Works, services and infrastructure code	The application can be conditioned to comply with the relevant acceptable outcomes (or performance outcomes where no acceptable outcome is provided) contained within the code.

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

REFERRAL AGENCY

The application triggered referral to the Department of State Development, Infrastructure and Planning (SARA – Railways) as a Referral Agency.

That Department advised in a letter dated 16 January 2025 that they require their referral agency conditions to be attached to any approval (**Attachment 2**).

Internal Consultation

Internal - Technical Services, Water & Waste

External – NJM Engineering Consulting

PLANNING DISCUSSION

The proposed development's noncompliance with assessment benchmarks contained within the Medium density residential zone code, Kuranda local plan code, Accommodation activities code and Parking and access code are discussed as follows:

Medium density residential zone code

The purpose of the code will be achieved through the following overall outcomes:

- (f) Development maintains a high level of residential amenity avoiding uses that introduce impacts associated with noise, hours of operation, traffic, advertising devices, visual amenity, privacy, lighting, odour and emissions;*
- (h) Development responds to land constraints and mitigates any adverse impacts on adjacent land uses and the environment*

Comment

The Medium density residential zone code nominates a maximum accommodation density of 1 unit per 150m² of site area. Given this maximum nominated density, the community and adjoining residential landowners could reasonably expect up to 14 units to be constructed on-site with a built form not more than 2 storeys or 8.5 metres high. Instead, this application proposes the construction of a 56-unit residential complex, 4 storeys high (plus an additional 2 storey car parking below 'ground level' making it 6 storeys at the rear) with a building height of 12.6 metres when viewed from Thongon Street ground level. In terms of accommodation density, that proposed is 4 times greater in density than anticipated by the Planning Scheme and the community.

With this increase in residential density and scale comes an inherent increase in the likelihood of impacts on adjacent residential lots, particularly associated with domestic noise (voices, parties, dogs barking etc.), visual amenity, loss of privacy, and increases in traffic and light spillage. The majority of these impacts will be intensified as a result of the development incorporating 2 additional storeys on top of what the Planning Scheme allows for, particularly with respect to privacy, visual amenity, noise and lighting.

Council officers consider that the proposed development will negatively impact on the amenity of the area, particularly for adjacent residential land uses and is therefore in conflict with Overall outcomes (f) and (h).

- **PO1 – Height**

Building height takes into consideration and respects the following:

- (a) the height of existing buildings on adjoining premises;*
- (b) the development potential, with respect to height, on adjoining premises.*
- (c) the height of buildings in the vicinity of the site;*
- (d) access to sunlight and daylight for the site and adjoining sites;*
- (e) privacy and overlooking; and*

(f) site area and street frontage length.

AO1

Development has a maximum building height of:

- (a) 8.5 metres; and
- (b) 2 storeys above ground level.

Comment

Acceptable outcome AO1 nominates a maximum building height of 8.5 metres above ground level and no more than 2 storeys. The proposed 56-unit complex will be 6 storeys total, however, will only present as 4 storeys when viewed from Thongon Street and northern and southern adjoining allotments. The highest point of the unit complex which is the top of the lift shaft will be 14.4 metres above street level, however the majority of the structure will be 12.6 metres above Street level. The proposed development exceeds the height limits set by AO1, therefore assessment is required against higher order PO1.

The proposed building height (above ground level – Thongon Street level) of 4 storeys and 12.6 metres is significantly higher than any bulky structure in the immediate vicinity. For context, below is an image of the Kuranda IGA situated opposite the proposed development, as viewed from Thongon Street. At its highest point the IGA building is 8.8 metres above Thongon street level, with the majority of the structure being less than 6 metres high. Although being ‘tilt slab’ design, the majority of the building generally presents as a single storey structure. The unit complex’s height will exceed the highest part of the IGA building by 3.8 metres and will incorporate 4 clearly defined separate storeys. The scale and bulk of the structure itself (measuring 34 metres across the façade and a depth of 40-45 metres) will further emphasize the height limit exceedance. The development proposed will in fact become one of, if not the largest, bulkiest and tallest single structure in the Kuranda village.



The proposed development does not respect the height of existing or potential development on adjoining land and will detrimentally impact on the privacy and availability of sunlight and daylight to adjoining premises. The development conflicts with Performance Outcome PO1.

- **PO3 – Siting**

Development is sited in a manner that considers and respects:

- (a) the siting and use of adjoining premises;*
- (b) access to sunlight and daylight for the site and adjoining sites;*
- (c) privacy and overlooking;*
- (d) opportunities for casual surveillance of adjoining public spaces;*
- (e) air circulation and access to natural breezes;*
- (f) appearance of building bulk; and*
- (g) relationship with road corridors.*

AO3.1

Buildings and structures include a minimum setback of:

- (a) 6 metres from the primary road frontage; and*
- (b) 3 metres from any secondary road frontage.*

AO3.2

Buildings and structures include a minimum setback of 2 metres from side and rear boundaries.

Comment

The proposed development achieves a 3-metre setback to both the primary road frontage (Thongon Street) and the northern and southern side boundaries and is therefore non-compliant with AO3.1 and AO3.2. Assessment against PO3 is therefore required.

The proposed development does not respect the siting and use of adjoining premises, particularly the residential allotment to the north which will be presented with a 3 – 5-metre-high concrete wall built right to boundary. The second, third and fourth storeys will achieve a compliant setback, however given the scale and bulk of the building and the height of the third and fourth storeys, the development will likely have a detrimental impact on privacy and overlooking as well as access to natural breezes.

The 6 metre desired setback for the Thongon Street frontage is not achieved until the third storey as the building façade includes stepped back storeys. The scale and bulk of the structure itself (measuring 34 metres across the façade and a depth of 40-45 metres) will further emphasize the non-compliant setbacks and will likely detrimentally impact on the appearance and use of Thongon Street.

The development conflicts with PO3 and AO3.1 and AO3.2.

PO5 – Gross floor area

Buildings and structures occupy the site in a manner that:

- (a) makes efficient use of land;*
- (b) is consistent with the bulk and scale of surrounding buildings; and*
- (c) appropriately balances built and natural features.*

AO5

Gross floor area does not exceed 600m².

Comment

The subject land is made up of 2 allotments, so the total allowable gross floor area over the subject land would be 1,200m². Based on the plans submitted with the application, the proposed development will achieve a gross floor area in excess of 6,000m², or 5 times more than the maximum allowed for under acceptable outcome AO5.

Although the proposed design does make efficient use of the land and its constraints (namely slope), the bulk and scale of the development is grossly inconsistent with that of surrounding development, even the Kuranda IGA building situated opposite the subject land.

The unit development does include design elements to help minimise building bulk, such as a stepped back front façade, articulated elevations with balconies, windows and range of building materials and finishes. Additionally, planter box landscaping has also been incorporated on all sides of the development to help soften visual impact and positively contribute to the 'village in the rainforest' theme of Kuranda. However, even with these design elements incorporated, the proposed development will still present as excessive in both building bulk and scale, and will in fact become one of, if not the largest, bulkiest and tallest single structure in the Kuranda Village.

The proposed development represents a complete overdevelopment of the site in both gross floor area and height, significantly beyond that which the Kuranda community would reasonably expect to occur on the land under the current zone limitations. The development conflicts with performance outcome PO5.

PO7

Development complements and integrates with the established built character of the Medium density residential zone, having regard to:

- (d) *roof form and pitch;*
- (e) *eaves and awnings;*
- (f) *building materials, colours and textures; and*
- (d) *window and door size and location.*

Comment

Although the proposed design does make efficient use of the land and its constraints (namely slope), the bulk and scale of the development is grossly inconsistent with that of surrounding development, even the Kuranda IGA building situated opposite the subject land.

The unit development does include design elements to help minimise building bulk, such as a stepped back front façade, articulated elevations with balconies, windows and range of building materials and finishes. Additionally, planter box landscaping has also been incorporated on all sides of the development to help soften visual impact and positively contribute to the 'village in the rainforest' theme of Kuranda. However, even with these design elements incorporated, the proposed development will still present as excessive in both building bulk and scale, and will in fact become one of, if not the largest, bulkiest and tallest single structure in the Kuranda village.

The proposed development represents a complete overdevelopment of the site in both gross floor area and height, significantly beyond that which the Kuranda community would reasonably expect to occur on the land under the current zone limitations. The development will not compliment or integrate with the established built character of the area and is therefore in conflict with performance outcome PO7.

PO9 – Amenity

Development must not detract from the amenity of the local area, having regard to:

- (a) *noise;*
- (b) *hours of operation;*
- (c) *traffic;*
- (d) *advertising devices;*

- (e) *visual amenity;*
- (f) *privacy;*
- (g) *lighting;*
- (h) *odour; and*
- (i) *emissions.*

Comment

The Medium density residential zone code nominates a maximum accommodation density of 1 unit per 150m² of site area. Given this maximum nominated density, the community, and more importantly immediately adjoining residential landowners could reasonably expect up to 14 units to be constructed on-site with a built form no more than 2 storeys or 8.5 metres high. Instead, this application proposes the construction of a 56-unit complex, 4 storeys high (plus an additional 2 storey car parking below 'ground level' making it 6 storeys at the rear) with a building height of 12.6 metres when viewed from Thongon Street level. In terms of accommodation density, that proposed is 4 times greater in density than anticipated by the Planning Scheme and the community.

With this increase in residential density and scale comes an inherent increase in the likelihood of impacts on adjacent residential lots, particularly associated with domestic noise (voices, parties, dogs barking etc.), visual amenity, loss of privacy, increases in traffic and lighting. The majority of these impacts will be intensified as a result of the development incorporating 2 additional storeys on top of what the Planning Scheme allows for, particularly with respect to privacy, visual amenity and noise.

Council officers consider that the proposed development will negatively impact on the amenity of the area, particularly adjacent residential land uses and is therefore in conflict with Performance outcome PO9.

Kuranda local plan code

The purpose of the code will be achieved through the following overall outcomes:

- (a) Development provides high standards of amenity and compliments the surrounding natural and built environment;*
- (b) Development is integrated sensitively into the built and natural environment;*
- (c) Development maintains the streetscape amenity and pedestrian scale of Upper Coondoo, Thongon and Therwine St;*
- (f) Development protects Kuranda village from visually obtrusive development;*

PO7

Development in the Village frame precinct and Village heart precinct is undertaken in a manner that respects the place's local character having regard to:

- (a) building height, scale, bulk, mass and proportion;*
- (b) building materials, patterns, textures, colours, and decorative elements;*
- (c) floor to ceiling height;*
- (d) roof form and pitch;*
- (e) facade articulation, detailing, stairways, and window and door proportions;*
- (f) verandahs, awnings and eaves;*
- (g) access ways, driveway crossovers, fence style and alignment;*
- (h) ancillary buildings; and*
- (i) other local character elements of the streetscape.*

Note—Refer to Planning Scheme Policy 1 – Character Area Design Guidelines for additional guidance in relation to the development outcomes sought.

Comment

The subject land is situated within the “village heart precinct” which is an identified character area. The application failed to include a character assessment, or any consideration of Planning Scheme Policy 1 – Character Area Design Guidelines. As stated in Planning Scheme Policy 1, “onus is on the proponent to demonstrate that the design is sensitive to the character values of the area”.

The proposed 56-unit development will not replicate or respect the predominant built form or character of the village heart precinct. The application draws comparisons of scale with the Kuranda IGA building situated immediately opposite the site as a means to justify the scale of development proposed. The IGA building, which is a “tilt slab” mass concrete structure, was contentious when proposed back in 2007 (under the former 2004 Planning Scheme) and is also not considered to be consistent in appearance with the desired character outcomes sought for the village heart precinct or village in the rainforest theme of Kuranda. The presence of one out of character building does not justify the construction of another.

The development represents a gross overdevelopment of the site which has not been sensitively integrated into both the built and natural environment and will detrimentally impact on the streetscape amenity and pedestrian scale of Thongon Street, particularly considering the sheer scale and bulk of the development as well as the 0-metre setback to Thongon Street.

The unit development does include some design elements to help minimise building bulk, such as a stepped back front façade and articulated elevations with balconies and windows. Additionally, extensive planter box landscaping has also been incorporated on all sides of the development to help soften visual impact and positively contribute to the village in the rainforest theme of Kuranda. However, even with these design elements incorporated, the proposed development will still present as excessive in height, scale, mass and proportion, particularly if landscape plantings fail to be maintained.

The proposal will introduce visually obtrusive and out-of-character development into the Kuranda Village and therefore conflicts with Overall outcomes (a), (b), (c) and (f), and Performance outcome PO7.

- **Accommodation activities code**

- - **PO2**
 - *Accommodation activities are provided with on-site refuse storage areas that are:*
 - (b) *sufficient to meet the anticipated demand for refuse storage; and*
 - (b) *appropriately located on the site having regard to potential odour and noise impacts on uses on the site and adjoining sites.*

Comment

The applicants provided a Waste Management Plan prepared by MRA Environmental included within the applicant’s response to Council’s information request (**Attachment 3**). Using typical waste generation rates for multi-unit development it is anticipated that the proposed development will produce approximately 0.75m³ of general waste and approximately 0.47m³ of recyclable waste per day (5.25m³ and 3.29m³ per week respectively). The proposed bulk refuse storage area is located on the ground floor (accessible from Thongon Street) in the south-west corner of the unit complex. Recyclable waste will not be collected from site, instead, residents are required to take their own recyclable waste to the Arara Street recycling depot.

In addressing PO2(a), it is proposed to provide 4 x 1.5m³ general waste bulk bins which will need to be wheeled out onto Thongon Street manually by a waste contractor and emptied by truck once per

week. This provides for a total of 6m³ of storage for the week for general waste. Given recyclable waste needs to be removed from site by residents themselves, Council officers are sceptical that not all recyclable waste will actually be removed from site. Therefore it could be reasonable assumed that additional general waste storage is needed, potentially in the form of an additional 1.5m³ general waste bulk bin. This could be conditioned as part of any approval and is not of significant concern.

With regards to PO2(b), it is noted that the bin storage area is not likely to impact on any adjacent property, however it is also noted that this bin storage area is located in proximity to bedroom windows of Units 13, 30 and 31, as well as the private balconies of Units 13, 14, 15 and 16. Units 14, 15 and 16 are located alongside the same breezeway as the bin storage area. Commercial scale refuse storage often emits noticeable odour which is likely to impact on the residential amenity of Units 13, 14, 15, 16, 30 and 31. For this reason, the development conflicts with PO2(b).

PO3

- *Accommodation activities are designed to avoid overlooking or loss of privacy for adjoining uses.*

Note—These provisions apply to any adjoining use, both on an adjoining site and on the same site.

AO3

The windows of habitable rooms:

- (a) do not overlook the windows of a habitable room in an adjoining dwelling or accommodation unit; or*
- (b) are separated from the windows of a habitable room in an adjoining dwelling or accommodation unit by a distance greater than:*
 - (i) 2 metres at ground level; and*
 - (ii) 8 metres above ground level; or*
- (c) are treated with:*
 - (i) a minimum sill height of 1.5 metres above floor level; or*
 - (ii) fixed opaque glassed installed below 1.5 metres; or*
 - (iii) fixed external screens; or*
 - (iv) a 1.5 metre high screen fence along the common boundary.*

Comment

The application states that Acceptable Outcome AO3 will be satisfied by ensuring windows to habitable rooms will have a sill height of at least 1.5 metres. However, AO3 was developed in consideration of a maximum allowable 2 storeys, not 4 storeys. Nor does it consider private balconies which in this officer's opinion are a habitable component of each unit.

The proposed 4 Storey – 12.6m high unit complex includes unit balconies on all four sides. These balconies will have viewpoints directly into neighbouring allotments and dwelling windows, with residential allotments to the north of the site and the north-east. It is acknowledged that existing vegetation will provide some privacy buffering for the dwellings on the lots to the north-east, however this privacy will be lost if these trees are ever removed or fall on their own.

Although some degree of overlooking and loss of privacy would still occur if the units were of a smaller scale being compliant in height and number of storeys, the additional height proposed in this instance, plus the 2 additional storeys of units simply exacerbates overlooking and privacy issues, beyond what could be reasonably expected on the land. The proposed development conflicts with performance outcome PO3.

PO4

Accommodation activities are provided with sufficient private and communal open space areas which:

- (a) accommodate a range of landscape treatments, including soft and hard landscaping;*
- (b) provide a range of opportunities for passive and active recreation;*
- (c) provide a positive outlook and high quality of amenity to residents;*

AO4.1

*Development, except for Caretaker's accommodation, Dwelling house, Dual occupancy or Home-based business, includes communal open space which meets or exceeds the minimum area, dimension and design parameters specified in **Table 9.3.1.3C**.*

Comment

Table 9.3.1.3C requires that an area of communal open space of at least 50m² with a minimum dimension of 5 metres be provided and that it be separated from any habitable room by at least 3 metres. The application material states that such an area is provided on 'level 1' of the plans, however this area is shown on the plans as a 'vegetation buffer', has a minimum dimension of just 3 metres, and is overlooked by the balconies of units 1 – 7 from a distance less than 3 metres. A vegetation buffer is not considered to be a reasonable means of achieving an area of communal open space. The development does not comply with AO4.1.

Higher order PO4 seeks to ensure multiple dwelling developments are provided with sufficient communal open space to provide for a range of opportunities for passive and active recreation. Typically for development of this nature, a communal swimming pool would be provided, along with shaded picnic/BBQ areas, grassed areas for leisure and exercise, and potentially a communal gym. These facilities are provided for the direct benefit and enjoyment of residents and as a means to ensuring a high level of residential amenity is achieved on-site. This development provides no such treatments and is therefore considered to conflict with PO4.

PO9

Buildings are designed to:

- (a) reduce the appearance of building bulk;*
- (b) provide visual interest through articulation and variation;*
- (c) be compatible with the embedded, historical character for the locality; and*
- (d) be compatible with the scale of surrounding buildings*

AO9.1

External walls do not exceed 10 metres in continuous length unless including a minimum of three of the following building design features and architectural elements:

- (a) a change in roof profile; or*
- (b) a change in parapet coping; or*
- (c) a change in awning design; or*
- (d) a horizontal or vertical change in the wall plane; or*
- (e) a change in the exterior finishes and exterior colours of the development.*

Comment

The proposed development includes external walls greater than 10 metres in continuous length on all 4 residential storeys above Thongon Street level and fails to include at least 3 of the design/architectural elements listed as (a) – (e) and therefore does not comply with AO9.1. Assessment is required against higher order PO9.

The proposed 56-unit development will not replicate or respect the predominant built form, character or village in the rainforest theme of Kuranda. The development represents a gross

overdevelopment of the site which has not been sensitively integrated into both the built and natural environment and will detrimentally impact on the streetscape amenity and pedestrian scale of Thongon Street.

The unit development does include some design elements to help minimise building bulk, such as a stepped back front façade and articulated elevations with balconies and windows. Additionally, extensive planter box landscaping has also been incorporated on all sides of the development to help soften visual impact and positively contribute to the village in the rainforest theme of Kuranda. However, even with these design elements incorporated, the proposed development will still present as excessive in height, scale, mass and proportion, particularly if landscape plantings fail to be maintained.

The proposal will introduce visually obtrusive and out-of-character development into the Kuranda Village and therefore conflicts with Performance outcome PO9.

Parking and access code

The purpose of the code will be achieved through the following overall outcomes:

- (b) Parking spaces and associated manoeuvring areas are safe, functional and provide equitable access;*
- (c) Suitable access for all types of vehicles likely to utilise a parking area is provided in a way that does not compromise the safety and efficiency of the surrounding road network;*
- (d) Premises are adequately serviced to meet the reasonable requirements of the development;*

Comment

Engineering plans for the proposed multi-level parking arrangement and a review by Council's third-party consulting engineer are included as **Attachment 4**. The review provides the following commentary in relation to the off street car parking design (shown in italics):

"Off Street Car Park Design

The key concern with the proposed car park design was not just whether it meets AS/NZS 2890.1, but how it functions in practice and the risks it presents in terms of vehicle conflict and driver safety. While the standards cover general or common situations, providing minimum requirements, it does not inherently guarantee a safe or efficient outcome, particularly in a constrained layout that relies on multiple control measures for safe operation. This is acknowledged in Austroads Guide to Road Safety Part 6: Road Safety Audit guideline.

TRAFFIC SIGNAL SYSTEM

The applicant provided further detail on the traffic signal operations in which the design of the car park relies heavily on to manage vehicle movements. This level of control suggests that the layout itself does not inherently support safe and efficient circulation, requiring control mechanisms to compensate for restricted visibility and manoeuvrability.

Some potential functional and safety risks that are of concern in relation to this system are

- Mechanical and technical failures associated with the signals or detectors*
- reliance of motorists to position their vehicles at the correct location to trigger the signals and stop at designated wait locations, which in the constrained environment may require multiple manoeuvres and precise steering adjustments to achieve*

- *may require motorists to respond to signals within short distances given visibility is restricted due to the constrained environment*
- *potential that motorists will take risks for example speeding up when an amber light displays to avoid having to stop at the red signal potentially not seeing a vehicle reversing out of a parking space into the aisle*

Sufficient detail on appropriate management measures to address these risks have not been provided to demonstrate to Council the proposed car park layout can operate safely and effectively under real-world conditions, beyond just meeting technical compliance.

While similar arrangements may exist in other locations, their success depends on site-specific factors including design aspects and visibility conditions. The absence of known incidents in other locations does not necessarily confirm that the same design will function safely in this context.

VEHICLE CIRCULATION

Several key issues regarding vehicle circulation remain unresolved, raising concerns about the car park's ability to function safely and efficiently. While some previously identified issues have been addressed through design amendments, new conflicts have been identified.

A fundamental concern identified in the initial assessment remains unresolved. The layout requires drivers to make multiple steering adjustments, often needing to come to a full stop at several points to turn the wheels before proceeding. This does not reflect an efficient or user-friendly design. Compliance with section 2.5.2 of AS2890.1 in relation to intersections between circulation roadways and ramps with parking aisles being wide enough to accommodate turning vehicles using a single turn swept path has not satisfactorily been demonstrated. Further verification is also required to confirm that adequate clearances have been provided for vehicles navigating the car park, particularly when traveling or parking adjacent to columns, walls, and other fixed objects.

Additionally, significant uncertainties remain regarding the practical operation of the signal system. It is unclear how vehicles exiting certain bays or approaching stop lines from different directions or angles would reliably trigger the signals, potentially leading to operational inefficiencies and safety risks.

RAMP GRADES

While the response confirms compliance with AS2890.1 in relation to ramp grades and transitions the drawing appears to only indicate the grades of the lower ground to basement level and the detailed longitudinal section for the driveway from Thongon Street to the lower ground as requested has not been provided.

HEADROOM CLEARANCE

Based on the information provided, it cannot be satisfactorily confirmed that the required headroom clearance, as specified in the relevant standards, can be achieved. Clearance details have only been provided for the lower ramp, with no information regarding the ramp from ground level to lower ground level or the clearance above parking spaces and circulating lanes.

The available details indicate that the lower ramp provides a minimum clearance of 2.418m, leaving only 118mm for any ceiling-mounted services. While a note states that building hydraulics, mechanical, and electrical engineers will assess service placement during detailed design, essential fixtures such as sprinklers will likely need to be attached to the ceiling. This could potentially reduce clearances below the required minimum.

Additionally, no assessment has been provided regarding whether the headroom measurement at grade changes were checked as per Figure 5.3 of AS 2890.1.

RAMP WIDTH

The applicant has stated that the ramp width complies with the requirements for a one-way ramp under AS 2890.1. However, both the originally submitted drawings and the revised versions provided in response to Council's queries appear to indicate a two-way arrangement in some locations. This discrepancy requires further clarification.

A single-vehicle ramp leading from the ground floor entrance to the lower ground floor is not considered acceptable due to both safety and operational concerns, including

- A vehicle exiting may have restricted visibility of a stationary vehicle waiting to enter due to the angle of the approach. This could prevent the exiting driver from reacting in time to position the vehicle to be able to safely manoeuvre around the stationary vehicle.*
- The proposed driveway width is the minimum required for two-way traffic, meaning it relies on entering vehicles being positioned fully to the left while waiting. Any deviation could reduce clearance, making it difficult for the exiting vehicle to pass safely before the entering vehicle proceeds down the ramp.*
- Queued vehicles waiting to enter could restrict visibility of pedestrians and cyclists for the exiting vehicle*
- Extended delays due to a red light at the entry could lead to longer vehicle queues. This increases the likelihood of vehicles obstructing the footpath, forcing pedestrians to step onto the road to pass, creating a significant safety hazard.*
- Increased waiting times for entry could cause vehicle queues to extend onto the road, leading to potential traffic disruptions."*

The concerns raised in the third-party engineering review were not adequately addressed by the applicants. Instead, Council was advised to proceed with deciding the application without further design amendments.

As outlined by the third-party engineer, the proposed off-street parking arrangement fails to comply with aspects of the relevant standards, and does not provide for a safe, efficient and functional parking layout. Although a compliant number of car parking spaces has been provided on-site, the off-street parking arrangement is required to be multi-level and 'cramped' in order to cater for the excessive number of units proposed. This planning report is clear in that Council officers consider the proposal to be a gross overdevelopment of the site, at 4 times the maximum desirable residential density of zone. This overdevelopment is also reflected in the substandard off-street parking design.

The development conflicts with Overall outcomes (b), (c) and (d).

The development conflicts with Performance Outcome PO2 and Acceptable Outcome AO2.1 of the Parking and access code:

Vehicle crossovers

PO2

Vehicle crossovers are provided to:

- (a) ensure safe and efficient access between the road and premises;*
- (b) minimise interference with the function and operation of roads; and*
- (c) minimise pedestrian to vehicle conflict.*

AO2.1

- *Vehicular access to/from Council roads is designed and constructed in accordance with the Standard drawings in Planning Scheme Policy 4 - FNQROC Regional Development Manual.*

Comment

Engineering plans for the proposed access arrangement and a review by Council's third-party consulting engineer are included as **Attachment 4**. The review provides the following commentary in relation to the proposed access arrangement (shown in italics):

"Access Arrangement**DRIVEWAY AND CROSSOVER GEOMETRY**

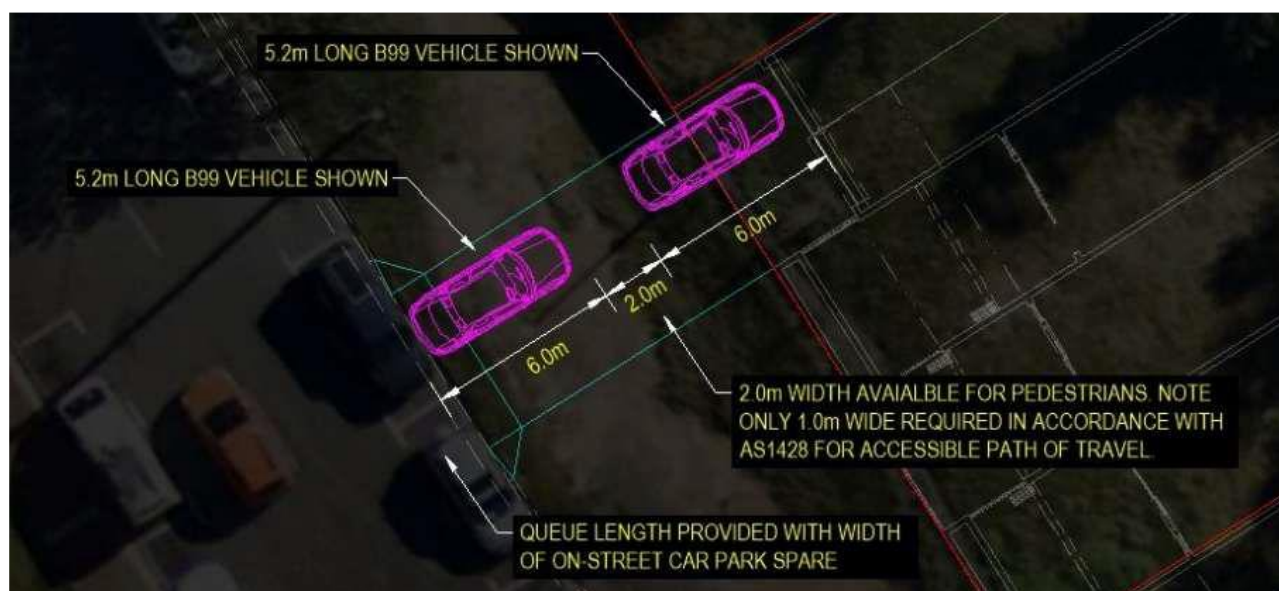
A request was made for a swept path analysis to determine the appropriate width of the crossover (including aprons) and driveway from Thongon Street. In response, the applicant stated that the crossover width was designed in accordance with AS 2890.1, claiming that this standard provides consistent and efficient design parameters, eliminating the need for swept path analysis in every development proposal. Additionally, the applicant considered the Austroads Design Vehicles and Turning Path Templates Guide, referenced in the information request, is intended for only assessing vehicle turning movements at road intersections rather than for determining access geometry to private properties or movements within car parks.

However, these statements do not necessarily reflect the intent of the standards and guides. As outlined in Section 1 of AS 2890.1, the scope of the standard is to establish minimum requirements for the design and layout of off-street parking facilities. Furthermore, the Austroads Guide to Traffic Management Part 12: Integrated Transport Assessments for Developments (Section 4.3.2) clearly states that "in all cases, each driveway needs to be wide enough to accommodate the swept paths of the types of vehicles that will use the access point." The Design Vehicles and Turning Path Templates Guide, referenced in the initial request, sets out the parameters for such analysis, and Section 3.5 explicitly states that "tangential turns must be used for the design of intersections and turns from the roadway into a property access."

Given these considerations, the applicant must provide swept path diagrams for the access crossover to demonstrate that it is of sufficient width to allow simultaneous entry and exit of vehicles, ensuring safe and efficient operation.

VEHICLE QUEUEING

The applicant was requested to amend the design so that the garage entry be set back further than the proposed 3 metres to ensure vehicle queuing can be accommodated within the property boundary, in accordance with AS 2890.1. The applicant responded that additional setback is unnecessary, considering that queuing can be accommodated as shown in the provided figure



However, this is not an acceptable solution, as vehicle queuing should not occur within the verge. The submitted drawing also indicates a 3-metre footpath offset from the building line, which does not align with the standard footpath placement specified in the FNQROC Development Manual. Furthermore, without appropriate traffic controls, there is a high likelihood that queued vehicles will encroach onto the footpath, obstructing pedestrian access.

The proposed solution also fails to comply with AS 2890.1. The standard defines the queuing area as the roadway between the property boundary and the vehicle control point and explicitly states in Section 3.4 that an off-street car park of this size must provide a minimum queuing space for two vehicles between the vehicle control point and the property boundary.

VEHICLE SIGHTLINES OF PEDESTRIANS

The response does not adequately demonstrate that sufficient sight lines have been provided for vehicles exiting the car park to ensure pedestrian safety on the footpath. The submitted diagram indicates a 'permeable' fence and garden bed within the designated clear sight area. However, as these elements are located on private property, there is no assurance that future residents will not introduce obstructions within this sight triangle. For example, garden beds may be heavily planted to provide privacy and the permeable fence replaced with privacy fencing, hence restricting clear sightlines.

Relying on the absence of future obstructions rather than incorporating a dedicated building splay at the corner is not considered an acceptable solution. To ensure long-term compliance with sight line requirements and pedestrian safety, a building splay should be provided."

The concerns raised in the third-party engineering review were not adequately addressed by the applicants. Instead, Council was advised to proceed with deciding the application without further design amendments.

As outlined by the third-party engineer, the proposed site access arrangement fails to comply with aspects of the relevant standards and does not provide for a safe and efficient access between Thongon Street and the premises. Furthermore, the proposed access arrangements are likely to interfere with the function and operation of Thongon Street and will only increase the risk of pedestrian and vehicle conflict.

The development conflicts with PO2 and AO2.1.

The development conflicts with Performance Outcome PO4 and Acceptable Outcome AO4.1 of the Parking and access code:

Parking area location and design

PO4

Car parking areas are located and designed to:

- (a) ensure safety and efficiency in operation; and*
- (b) be consistent with the character of the surrounding locality.*

AO4.1

Car parking spaces, access and circulation areas have dimensions in accordance with AS/NZS 2890.1 Off-street car parking.

Comment

Refer to commentary for Overall outcomes (b), (c) and (d) above.

As outlined by the third-party engineer, the proposed off-street parking arrangement fails to comply with aspects of the relevant standards, and does not provide for a safe, efficient and functional parking layout. Although a compliant number of car parking spaces has been provided on-site, the off-street parking arrangement is required to be multi-level and 'cramped' in order to cater for the excessive number of units proposed. This planning report is clear in that Council officers consider the proposal to be a gross overdevelopment of the site, at 4 times the maximum desirable residential density of the zone. This overdevelopment is also reflected in the substandard off-street parking design.

The development conflicts with PO4 and AO4.1.

The development conflicts with Performance Outcome PO5 and Acceptable Outcome AO5.1 of the Parking and access code:

Site access and manoeuvring

PO5

Access to, and manoeuvring within, the site is designed and located to:

- (a) ensure the safety and efficiency of the external road network;*
- (b) ensure the safety of pedestrians;*
- (c) provide a functional and convenient layout; and*
- (d) accommodate all vehicles intended to use the site.*

AO5.1

Access and manoeuvrability is in accordance with :

- (a) AS28901 – Car Parking Facilities (Off Street Parking); and*
- (b) AS2890.2 – Parking Facilities (Off-street Parking) Commercial Vehicle Facilities.*

Note—Proposal plans should include turning circles designed in accordance with AP34/95 (Austroads 1995) Design Vehicles and Turning Path Templates.

Comment

Refer to commentary above.

As outlined by the third-party engineer, the proposed off-street parking arrangement fails to comply with aspects of the relevant standards, and does not provide for a safe, efficient and functional parking layout. Although a compliant number of car parking spaces has been provided on-site, the off-street parking arrangement is required to be multi-level and 'cramped' in order to cater for the excessive number of units proposed. This planning report is clear in that Council officers consider the proposal to be a gross overdevelopment of the site, at 4 times the maximum desirable

residential density of zone. This overdevelopment is also reflected in the substandard off-street parking design.

Furthermore, the proposed site access arrangement also fails to comply with aspects of the relevant standards and does not provide for a safe and efficient access between Thongon Street and the premises. The proposed access arrangements are likely to interfere with the function and operation of Thongon Street and will only increase the risk of pedestrian and vehicle conflict.

The development conflicts with PO5 and AO5.1.

The development conflicts with Performance Outcome PO7 and Acceptable Outcomes AO7.1, AO7.2 and AO7.3 of the Parking and access code:

Servicing

PO7

Development provides access, manoeuvring and servicing areas on site that:

- (a) accommodate a service vehicle commensurate with the likely demand generated by the use;*
- (b) do not impact on the safety or efficiency of internal car parking or manoeuvring areas;*
- (c) do not adversely impact on the safety or efficiency of the road network;*
- (d) provide for all servicing functions associated with the use; and*
- (e) are located and designed to minimise their impacts on adjoining sensitive land uses and streetscape quality.*

AO7.1

All unloading, loading, service and waste disposal areas are located:

- (a) on the site;*
- (b) to the side or rear of the building, behind the main building line;*
- (c) not adjacent to a site boundary where the adjoining property is used for a sensitive use.*

AO7.2

Unloading, loading, service and waste disposal areas allow service vehicles to enter and exit the site in a forward gear.

AO7.3

*Development provides a servicing area, site access and manoeuvring areas to accommodate the applicable minimum servicing vehicle specified in **Table 9.4.3.3B**.*

Comment

Plans for the proposed on-street refuse collection and a review by Council's third-party consulting engineer are included as **Attachment 4**. The review provides the following commentary in relation to the proposed on-street refuse collection (shown in italics):

"Refuse Arrangement

A standard requirement of Council for planning approvals for developments that rely on industrial size bins to manage their waste is that provisions are made for servicing to be undertaken off-street. On street collection is considered undesirable for this purpose.

The applicant's proposal to designate on-street spaces as a Loading Zone for refuse collection, while also allowing delivery vehicles servicing nearby businesses to use the space, could create an undesirable situation. If these spaces are occupied, the refuse collection vehicle would have no choice but to operate from the travel lane, causing potential traffic disruptions. This issue persists regardless of whether the area is signed as a Loading Zone only during certain times.

To ensure an efficient and safe refuse collection process, it is recommended that the Council require all refuse collection activities to be conducted entirely on-site. The design should accommodate the expected refuse collection vehicle, allowing it to enter and exit the site in a forward gear without relying on public road space."

The intent of performance outcome PO7 and acceptable outcomes AO7.1, AO7.2 and AO7.3 is to ensure refuse disposal occurs on-site in a safe and convenient manner. The development will rely on the installation of a dedicated loading bay on Thongon Street for use by a commercial refuse contractor who will be responsible for wheeling full bulk refuse bins onto Thongon Street for collection. As outlined in Council's engineering advice, this outcome is not desirable and is likely to impact on Thongon Street pedestrians and road users.

The development conflicts with PO7, and acceptable outcomes AO7.1, AO7.2 and AO7.3.

Planning Conclusions

The following conclusions are noted with regards to the proposal:

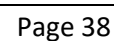
- The proposed development conflicts with a significant number of assessment benchmarks in the Planning Scheme in relation to building height, site cover, building bulk and mass, scale and appearance. The residential density proposed on-site is 4 times greater than the maximum density nominated for the sites zoning, and more importantly 4 times greater than what the Kuranda community could reasonably expect to occur on the land under the current zoning restrictions.
- The site is situated on the fringe of the village heart precinct which intends to maintain Kuranda's distinctive "village in the rainforest" theme. The bulk and scale of the proposed development fails to maintain this theme. The stepped back façade and planter box landscaping elements incorporated into the building design will do little to visually soften the bulk and appearance of the structure given the sheer size of the built form proposed, particularly if landscape plantings fail to be maintained.
- Although a compliant number of car parking spaces has been provided on-site, the off-street parking arrangement is required to be multi-level and appears 'cramped' in order to cater for the excessive number of units proposed. This planning report is clear in that Council officers consider the proposal to be a gross overdevelopment of the site, at 4 times the maximum desirable residential density allowed for in the zone. This overdevelopment is also reflected in the substandard off-street parking design.
- The proposed site access arrangement fails to comply with aspects of the relevant standards and does not provide for a safe and efficient access between Thongon Street and the premises. The proposed access arrangements are likely to interfere with the function and operation of Thongon Street and will only increase the risk of pedestrian and vehicle conflict.
- With regards to refuse disposal, the development will rely on the installation of a dedicated loading bay on Thongon Street for use by a commercial refuse contractor who will be responsible for wheeling full bulk refuse bins onto Thongon Street for collection. As outlined in Council's engineering advice, this outcome is not desirable and is likely to impact on Thongon Street pedestrians and road users alike.

Being code assessable development only, the Kuranda community has no opportunity to object to such an exceedance in residential density and building scale. In these situations, it is Council's responsibility to ensure developments generally comply with the relevant assessment benchmarks for code assessable development, keeping development in-line with community expectations.

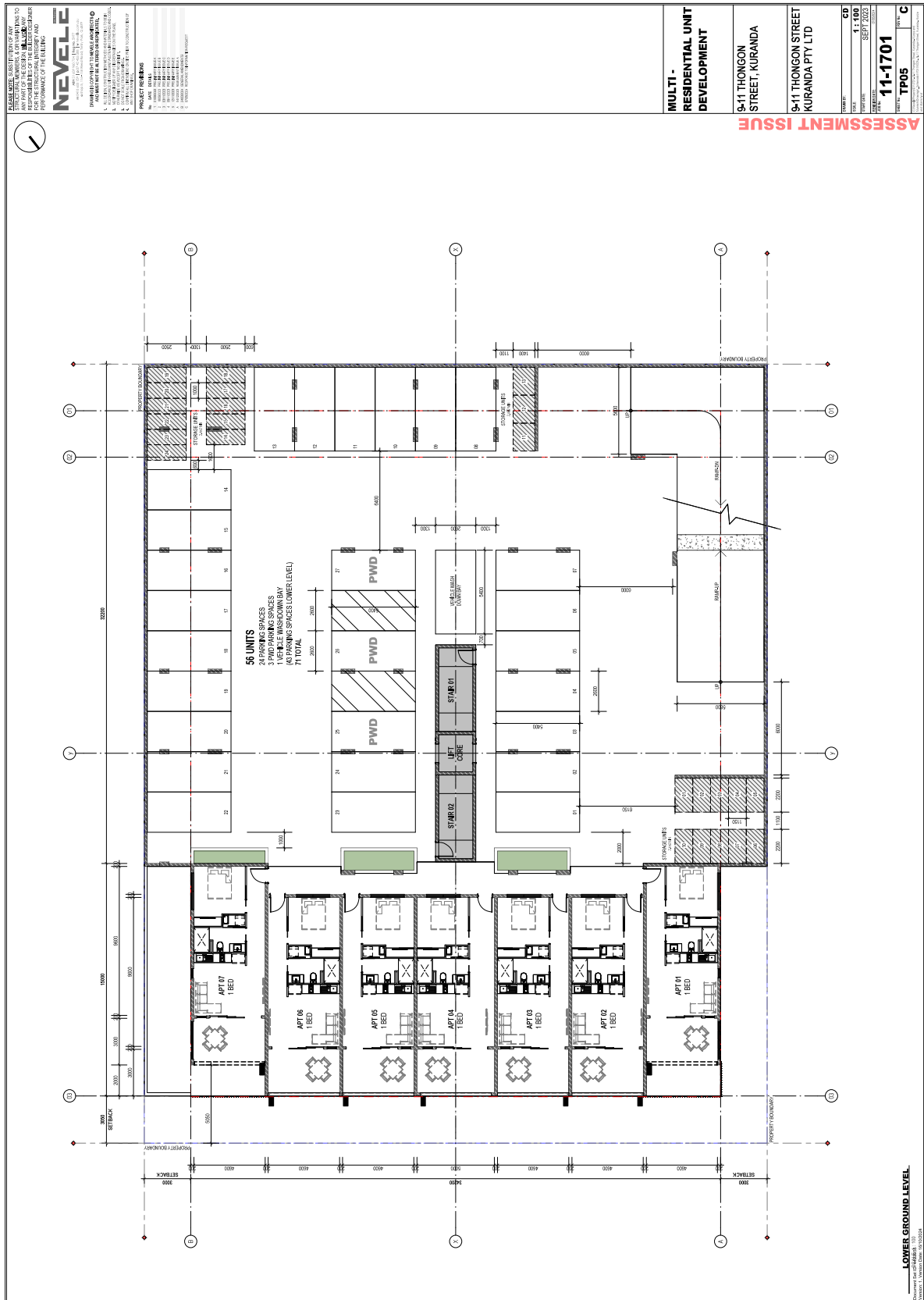
Although it is acknowledged that additional dwellings are needed in Kuranda (with a rental vacancy rate of just 1%), this outcome should not be achieved at the detriment of village residents or where compromising Kuranda's 'village in the Rainforest' theme. It is recommended that the application be refused.

[illegible]

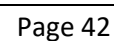




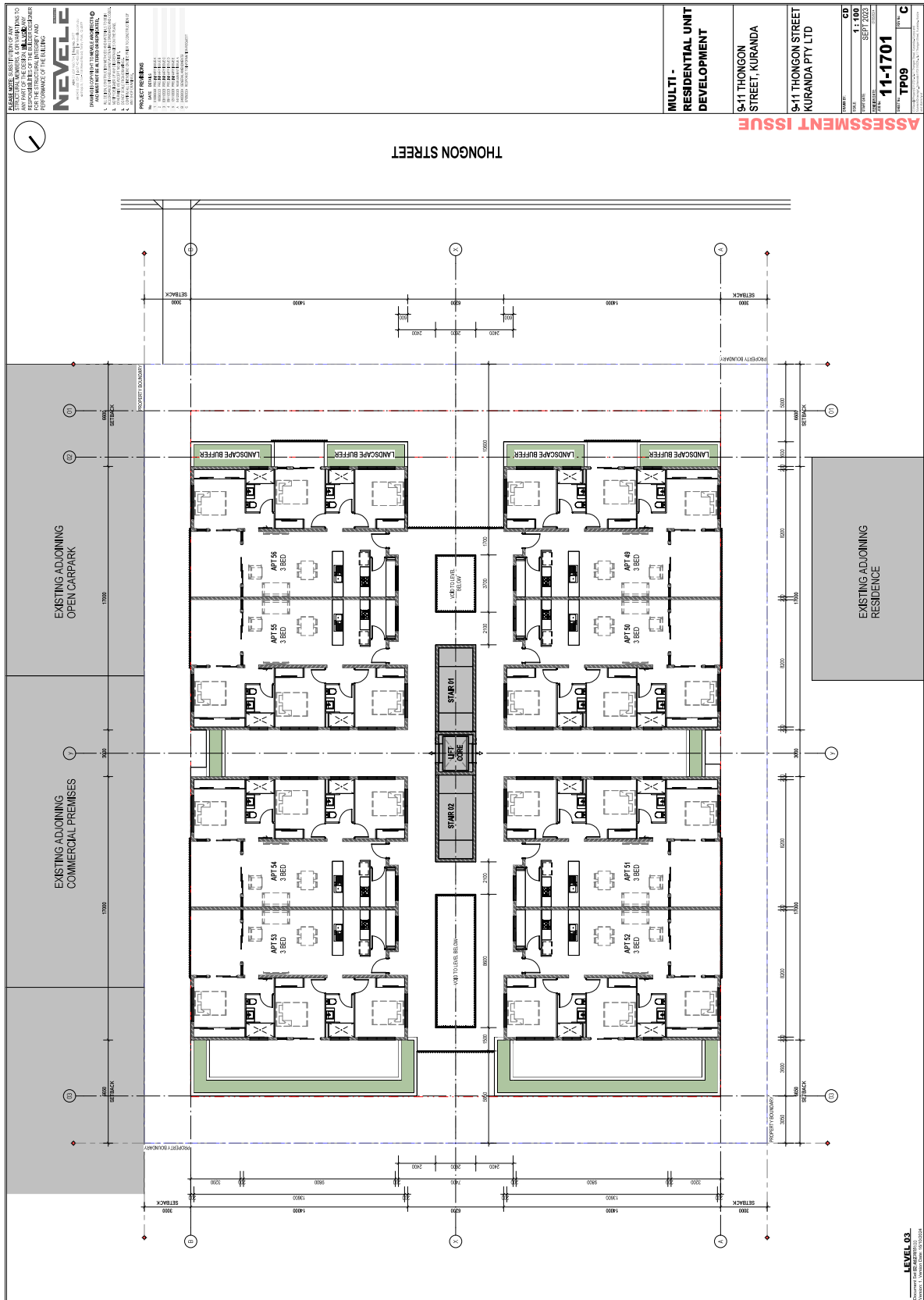


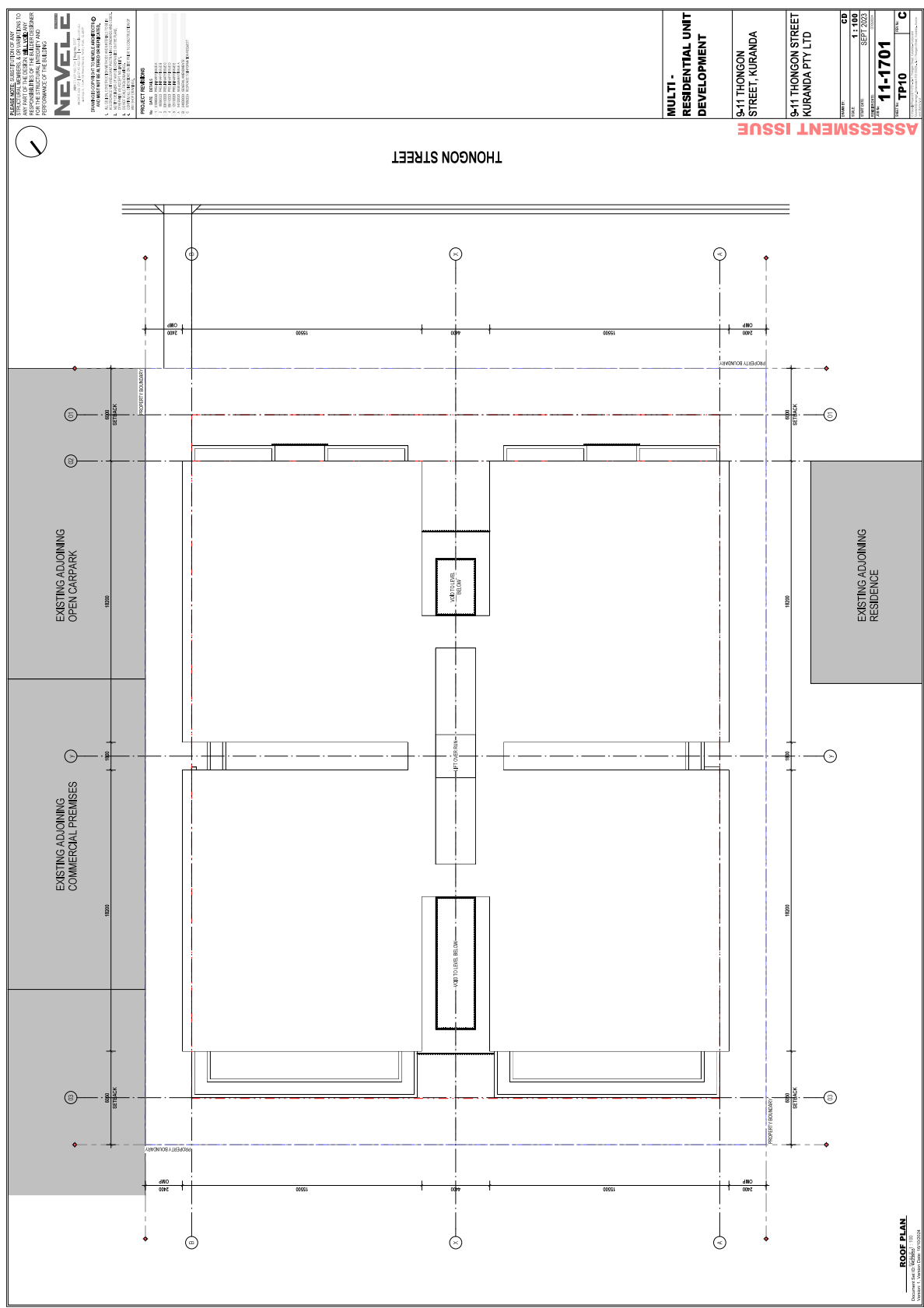




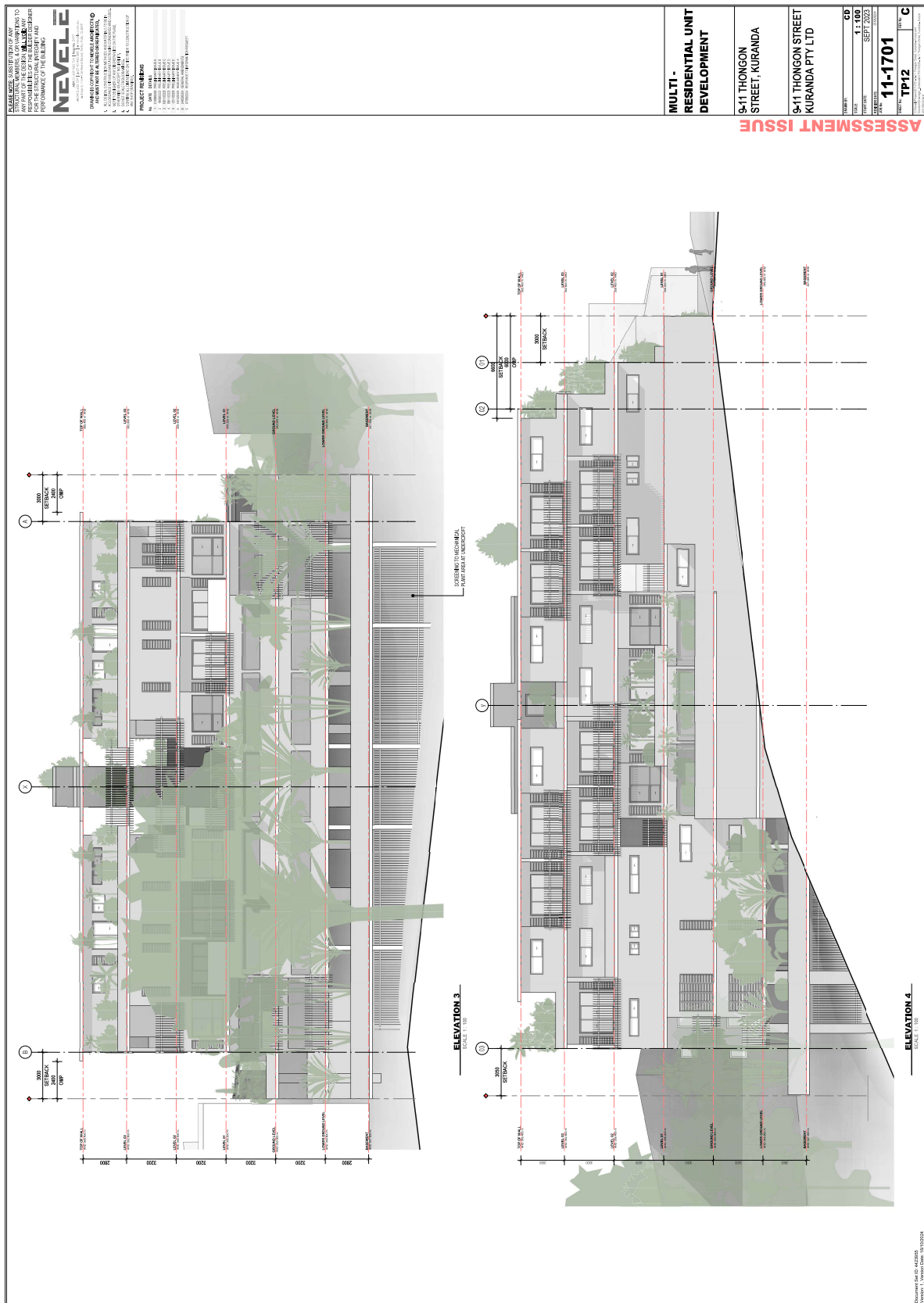












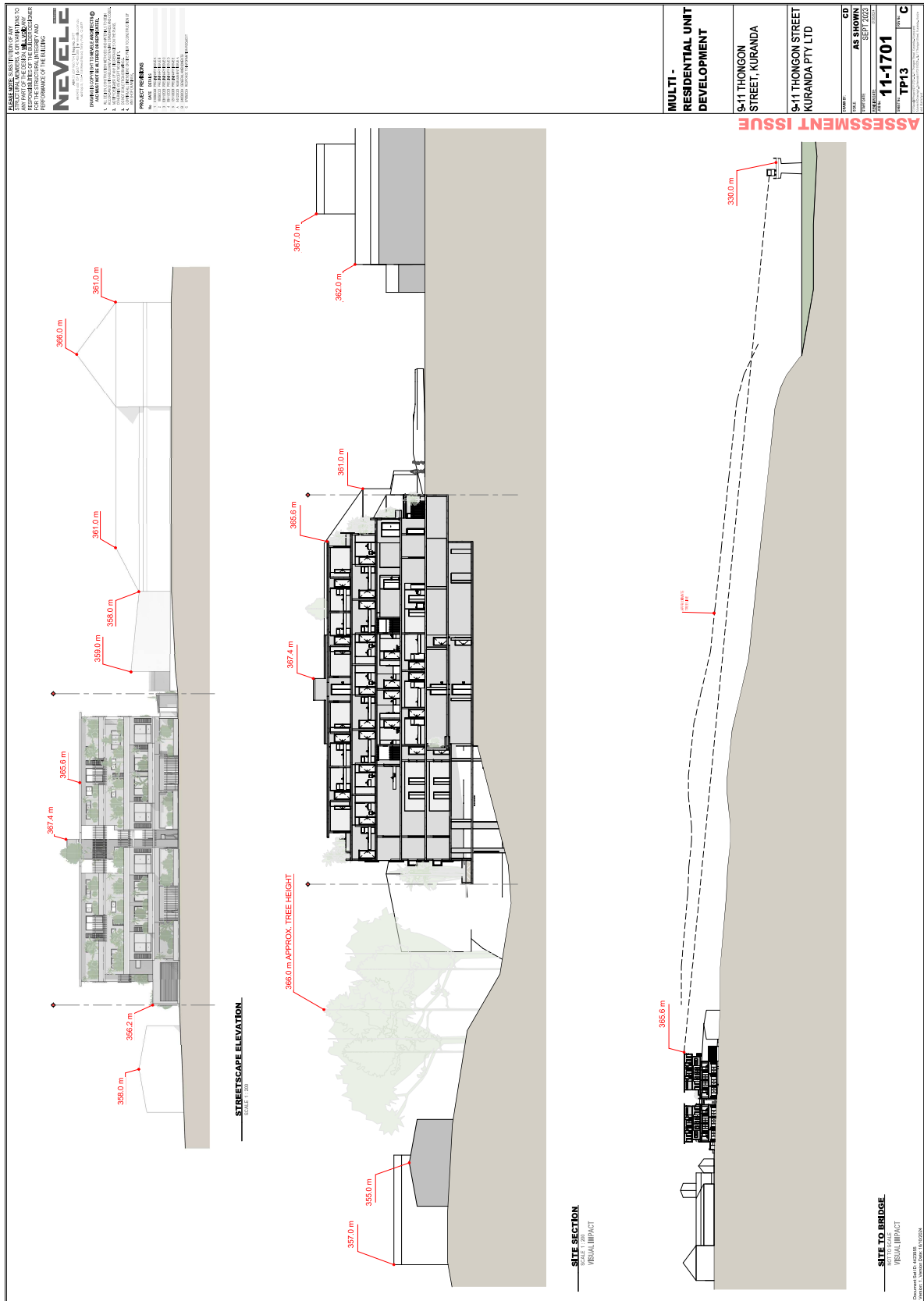
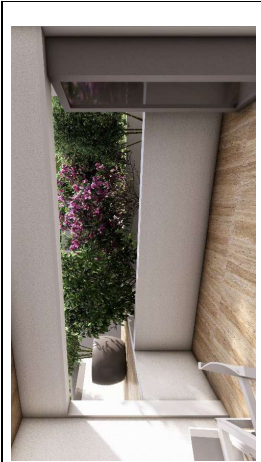
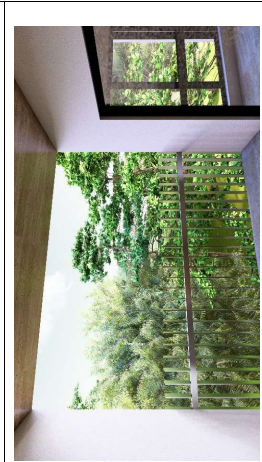

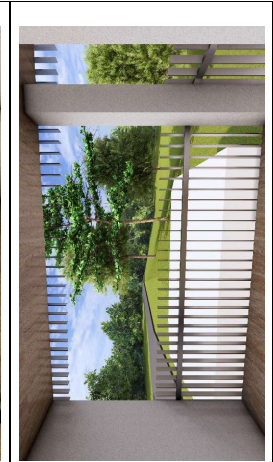




Image 01 Unit 01 Lower Ground Level Outlook to rear boundary	
Image 02 Unit 04 Lower Ground Level Outlook to rear boundary	
Image 03 Unit 20 Ground Level Outlook to rear boundary	
Image 04 Unit 23 Ground Level Outlook to rear boundary	

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<p>Image 05</p> <p>Unit 26</p> <p>Ground Level</p> <p>Outlook to side boundary</p>	
<p>Image 06</p> <p>Unit 35</p> <p>Level 01</p> <p>Outlook to rear boundary</p>	
<p>Image 07</p> <p>Unit 38</p> <p>Level 01</p> <p>Outlook to side boundary</p>	
<p>Image 08</p> <p>Unit 40</p> <p>Level 02</p> <p>Outlook to side boundary</p>	

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Version: 1, Version Date: 16/10/2024

<p>Image 09</p> <p>Unit 43</p> <p>Level 02</p> <p>Outlook to side boundary</p>	
<p>Image 10</p> <p>Unit 50</p> <p>Level 03</p> <p>Outlook to side boundary</p>	
<p>Image 11</p> <p>Unit 53</p> <p>Level 03</p> <p>Outlook to side boundary</p>	

RA6-N



SARA reference: 2401-38814 SRA
Applicant reference: P72321
Council reference: MCU/23/0025

16 January 2025

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

Attention: Brian Millard

Dear Sir/Madam

SARA referral agency response— Multiple Dwelling (56 Residential Units) at 9-11 Thongon St, Kuranda

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

The development application described below was confirmed as properly referred by the State Assessment and Referral Agency (SARA) on 25 January 2024.

Response

Outcome:	Referral agency response – with conditions
Date of response:	16 January 2025
Conditions:	The conditions in Attachment 1 must be attached to any development approval
Advice:	Advice to the applicant is in Attachment 2
Reasons:	The reasons for the referral agency response are in Attachment 3

Development details

Description:	Development permit	Material change of use for multiple dwelling (56 residential units)
SARA role:	Referral agency	
SARA trigger:	Schedule 10, Part 9, Division 4, Subdivision 1, Table 1 (Planning Regulation 2017) – Development impacting on state transport	

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

Document Set ID: 4450247
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2401-38814 SRA

infrastructure (50 or more dwellings)

SARA reference: 2401-38814 SRA
Assessment manager: Mareeba Shire Council
Street address: 9-11 Thongon Street, Kuranda
Real property description: Lot 310 on NR7409 and Lot 311 on NR7409
Applicant name: 9-11 Thongon St Kuranda Pty Ltd
Applicant contact details: C/- Planz Town Planning
PO Box 181
Edge Hill QLD 4870
info@planztp.com

Human Rights Act 2019 considerations: A consideration of the 23 fundamental human rights protected under the *Human Rights Act 2019* has been undertaken as part of this decision. It has been determined that this decision does not limit human rights.

Representations

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

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

For further information please contact Anthony Westbury, A/Senior Planning Officer, on 4037 3215 or via email CairnsSARA@dsdilgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Brett Nancarrow
Manager (Planning)

cc 9-11 Thongon St Kuranda Pty Ltd c/- Planz Town Planning, info@planztp.com

enc Attachment 1 - Referral agency conditions
Attachment 2 - Advice to the applicant
Attachment 3 - Reasons for referral agency response
Attachment 4 - Representations about a referral agency response
Attachment 5 - Documents referenced in conditions

2401-38814 SRA

Attachment 1—Referral agency conditions

(Under section 56(1)(b)(i) of the *Planning Act 2016* the following conditions must be attached to any development approval relating to this application)

No.	Conditions	Condition timing
Schedule 10, Part 9, Division 4, Subdivision 1, Table 4, Item 1 – Development impacting on state transport infrastructure—The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of the Department of Transport and Main Roads to be the enforcement authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition(s):		
1.	<p>(a) Stormwater management of the development must not cause worsening to the operating performance of the railway corridor, such that any works on the land must not:</p> <ul style="list-style-type: none"> (i) create any new discharge points for stormwater runoff onto the railway corridor; (ii) concentrate or increase the velocity of flows to the railway corridor; (iii) interfere with and/or cause damage to the existing stormwater drainage on the railway corridor; (iv) surcharge any existing culvert or drain on the railway corridor; and (v) reduce the quality of stormwater discharge onto the railway corridor. <p>(b) Submit RPEQ certification with supporting documentation to the Far North District Compliance Unit (far.north.queensland.idas@tmr.qld.gov.au) within the Department of Transport and Main Roads, confirming that the development has been designed in accordance with part (a) of this condition. The supporting documentation must include:</p> <ul style="list-style-type: none"> (i) the detailed designs for the detention tank, including a layout/design plan, sections, cross sections, elevations and outlet design; (ii) the hydraulic/hydrological analysis and calculations (including routing calculations) that demonstrate the detention tank has sufficient capacity, and the low flow outlet conduits are appropriately sized, to accommodate site flows for all the following AEP events: 63.2%, 50%, 20%, 10%, 5%, 2% and 1%; and (iii) RPEQ certified as constructed plans of the work. 	<p>(a) At all times.</p> <p>(b) Prior to obtaining development approval for operational work or building work, whichever occurs first.</p>

2401-38814 SRA

Attachment 2—Advice to the applicant

General advice	
1.	Terms and phrases used in this document are defined in the <i>Planning Act 2016</i> its regulation or the State Development Assessment Provisions (SDAP) v3.0. If a word remains undefined it has its ordinary meaning.

2401-38814 SRA

Attachment 3—Reasons for referral agency response

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

The reasons for the SARA decision are:

The proposed development, with conditions, complies with the relevant provisions of State code 6: Protection of state transport networks, of the SDAP, in that:

- The proposed development is unlikely to compromise the safety, function, and efficiency of the state-controlled road network, and the Tablelands System Railway (Cairns to Forsyth).
- Connection to the state-controlled network is via the Kennedy Highway / Rob Veivers Drive / Myola Road signalised intersection and the Kennedy Highway / Fallon Road / Warril Drive signalised intersection. These intersections can adequately accommodate, filter and distribute the increased traffic generated from the development.
- Increased stormwater and drainage flow to the railway corridor is appropriately managed to avoid adverse impacts to the Tablelands System Railway.

Material used in the assessment of the application:

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

2401-38814 SRA

Attachment 4—Representations about a referral agency response

(page left intentionally blank – attached separately)

State Assessment and Referral Agency

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ABN. 83 128 085 870
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11 October 2024

Our ref: 72321
Council ref: MCU/23/0025

Mareeba Shire Council
PO Box 154
Mareeba QLD 4880

via email: info@msc.qld.gov.au

Attention: Mr Brian Millard

**Response to Information Request – Material Change of Use (Multiple dwelling) –
9-11 Street, Kuranda – Lot 310 on NR7409 and Lot 311 on NR7409**

I refer to Council's information request dated 12 January 2024 and provide the following in response to the items raised:

Information request item 1

1. Engineering Reports (water & waste)

Engineering reports prepared by suitably qualified RPEQ's are required demonstrating that Council's existing infrastructure will be able to provide the minimum acceptable standard of service for water and sewerage reticulation. The report is required to provide:

- *A water supply reticulation analysis to determine the extent of upgrading required to reticulation mains, trunk mains, pumping facilities and storage capacity to facilitate connection of the proposed development to Council's reticulated water infrastructure. The water supply reticulation analysis must also demonstrate an adequate supply for fire-fighting purposes or identify how on-site fire-fighting storage will be achieved if the reticulated supply is not of a sufficient capacity and/or pressure.*
- *A sewerage supply reticulation analysis to determine the extent of upgrading required to existing mains, pumping facilities and treatment capacity to facilitate connection of the proposed development to Council's reticulated sewerage infrastructure.*

Response

The Engineering & Traffic Impact Assessment Report prepared by Civil Walker provided as **Attachment 1** addresses the information request item.

Information request item 2

2. Traffic Impact Assessment

Undertake a Traffic Impact Assessment (TIA), prepared by a suitably qualified RPEQ that assesses the impact of the proposed development on the local area traffic network, and which includes recommendations for required road upgrading and intersection treatments. The TIA should also address how any revised bulk refuse storage will be serviced on-site.



Response

The Engineering & Traffic Impact Assessment Report prepared by Civil Walker provided as **Attachment 1** addresses the information request item.

Information request item 3

3. Electricity Supply

Undertake a electricity supply analysis, carried out by a suitably qualified RPEQ that assess the capacity and ability of the existing reticulated electricity supply network to service the proposed development.

The electricity supply study should identify whether there is any need for back-up generators on-site to maintain critical services (water and waste) during power outages and where these back-up generators will be located.

Response

The proposed development will connect to the reticulated electricity network, with existing overhead powerlines along the road frontage to be placed underground. If necessary, the pad-mount transformer located at the corner of Coondoo and Thongon Streets will be upgraded to ensure sufficient capacity for the development.

In the event that emergency power is required to maintain essential services (such as water and waste management), an assessment will be conducted to determine the most suitable backup system. This assessment will consider options such as an internal combustion engine generator or a battery backup system to ensure reliable and sustainable support for critical infrastructure during outages.

Information request item 4

4. Telecommunications

Undertake a telecommunications analysis, carried out by a suitably qualified RPEQ that assess the capacity and ability of the surrounding telecommunications network to service the proposed development.

The analysis must determine whether the height of proposed development will have any impact on existing telecommunication services to adjoining properties, including television reception, wireless NBN services and any other satellite installations.

Response

Telecommunications services are available to the site, with current Fibre to the Node (FTTN) NBN connectivity. An upgrade to Fibre to the Premises (FTTP) is scheduled for 2025, which will enhance service quality for the development.

The subject site is not affected by volumetric controls such as a volumetric easement that provides adjoining properties with access to wireless telecommunication or other services.

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Information request item 5

5. Stormwater Analysis

Provide an analysis of the anticipated quantity and quality of stormwater drainage associated with the development and provide a provisional/conceptual Stormwater Management Plan and Stormwater Quality Management Plan (prepared by an RPEQ) for the proposed development that demonstrates compliance with AO10.1 and AO10.2 of the Works, services and infrastructure code. Through the implementation of water sensitive urban design principles, this plan must demonstrate no net increase in the discharge rate of stormwater from the developed site.

All stormwater must be discharged lawfully from the site and where it is proposed to discharge stormwater through neighbouring downstream allotments, easements will have to be established to ensure discharge occurs lawfully.

Response

The Engineering & Traffic Impact Assessment Report prepared by Civil Walker provided as **Attachment 1** addresses the information request item.

Information request item 6

6. Parking and Access

Provide a full set of dimensioned plans, including detailed swept path diagrams, prepared by a Registered Professional Engineer of Queensland (RPEQ) demonstrating that the on-site car parking, access and circulation areas (including car park dimensions) comply with AS/NZS 2890.1:2004 Parking facilities Part 1: Off-street parking (as amended). The swept path diagrams must be generated using a B99 vehicle and must include car park ramps and approaches to both ramps. A statement of compliance must be provided by the RPEQ.

Where bulk bins are to be used for refuse storage, the plans must also demonstrate how a standard sized commercial garbage collection vehicle is able to enter and exit the site in a forward gear to service the bulk bins.

Response

The Engineering & Traffic Impact Assessment Report prepared by Civil Walker provided as **Attachment 1** addresses the information request item.

Information request item 7

7. Landscape Plan

Provide a to-scale Landscape Plan prepared by a suitably qualified landscape architect or landscape designer that satisfies the requirements of the Landscaping Code.

The Landscape Plan must identify plant species to be used and how planter boxes and other landscaped areas will be managed and maintained for the life of the development.

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Response

The provision of a landscape plan in support of the application for Material Change of Use is considered to be premature as this can be addressed via reasonable and relevant conditions of approval as provided for by s65 of the *Planning Act 2016*. It is requested that Council include a condition of approval requiring the provision of relevant plans and supporting information prior to works commencing, with such information to include:

- The provision of a landscape plan for both the site and the Thongon Street road frontage detailing the use of appropriate species having regard to the site location and Planning Scheme Policy 6 – Landscaping;
- The provision of a maintenance and management plan that details the maintenance and management regime that is required to ensure the landscaping is retained for the life of the development.

Information request item 8

8. Slope Stability/Geotechnical Investigation

The majority of the subject land is mapped within the Hill and slope area (slope exceeding 15%). Provide a geotechnical report (prepared by a qualified geotechnical engineer) and prepared in accordance with Planning Scheme Policy 5 that addresses the requirements of the Hill and slope overlay code. The report should address the proposed building work as well as the clearing of the site in preparation of building works commencing.

Response

The provision of a geotechnical report in support of the Material Change of Use is considered to be premature, as this level of detail is typically required to inform building work, or filling or excavation of land. To address Council's interest in this matter, reasonable and relevant conditions of approval as provided for by s65 of the *Planning Act 2016* could include the requirement to provide a geotechnical report to Council prior to the commencement of site works. Such a report could address:

- The stability of any area of the site requiring engineering controls;
- Any impact on the stability of the Thongon Street road reserve;
- Any required comment on the certification process of structural walls.

Information request item 9

9. Needs Assessment

The proposed development is approximately 4 times greater than the residential density envisaged for the subject site by the Planning Scheme at the time of public consultation and adoption. Provide a detailed assessment of need, demand and potential impacts of the proposed development, prepared by a suitably qualified economic professional.

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Response

The proposed multiple-dwelling development will contribute to the housing supply for the Kuranda community and the broader Mareeba Shire. While not a comprehensive solution to the regional housing shortage, this development will positively impact the current housing needs by providing additional units.

The Tablelands region, including Kuranda, has one of the lowest rental vacancy rates in regional Queensland (The Cairns Post, 8 May 2022), indicating a high unmet demand for housing. The proposed development aligns with market needs and supports the Kuranda area.

Information request item 10

10. Visual Impact

Provide a visual impact assessment prepared by a suitably qualified consultant that assesses the potential visual impact of the development on the surrounding Kuranda Township and nearby residential uses. This study should include recommendations about any proposed amelioration measures.

The visual impact assessment should also demonstrate that the development will not be visible from the Kennedy Highway Scenic Route, particularly by higher vehicles such as tourist buses.

Response

The proposed development presents a form of development at the Thongon Street frontage that is consistent with the scale of the surrounding area. The building height within the surrounding streetscape has a height of 366m AHD (corner of Coondoo Street and Thongon Street) and 367m AHD opposite the site. The proposed development has a height of 367.4m AHD consistent with the established pattern of development. Sheet TP13 details the streetscape elevation and site section.

The development provides extensive areas of landscaping at each level, exemplifying the “village in a rainforest” theme through the built form. The perspectives provided within **Attachment 2** demonstrate the sight lines from various units within the development.

The subject site is removed from the Kennedy Highway Scenic Route by more than 350m and is screened from view by the existing vegetation. Sheet TP13 provides a visual representation of the change in elevation from the Kennedy Highway Scenic Route to the site from an elevated sight line from a tourist bus. This demonstrates that the site can not be viewed from the Kennedy Highway Scenic Route due to the substantial areas of vegetation that are located between the Kennedy Highway and the site.

Information request item 11

11. Air Quality/Odour

Provide an air quality and odour assessment for the proposed development, prepared by a suitably qualified RPEQ that addresses the following:

- *The potential impacts of vehicle emissions on Apartments 1- 8 and 26.*
- *The availability of natural breezes and air circulation to all apartments, in particular bedrooms with only hallway window openings.*

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- *Potential odour concerns for apartments and adjoining uses in proximity to the proposed refuse storage area or any revised/relocated refuse storage area.*

Response

Air quality and odour will be part of the assessment process for the Building Certifier on this project. This project will need to comply with Part F6 of the NCC Volume 1. The Mechanical Engineer will provide an air handling report and compliance certificate before the Building Approval can be issued and this report will contain information as to how the air handling system will control: the circulation of objectionable odours; the accumulation of harmful contamination by micro-organisms, pathogens and toxins and the availability of natural ventilation to all areas required under the NCC. Additionally, it will explain how contaminated air must be disposed of in a manner which does not unduly create a nuisance or hazard to people in the building or other property. To address Council's interest in this matter, reasonable and relevant conditions of approval as provided for by s65 of the *Planning Act 2016* could be included to require demonstration to a specified standard prior to the issue of a Development Permit for Building Work.

Information request item 12

12. Noise Impact Assessment

Provide a Noise Impact Assessment (NIA), prepared by a suitably qualified Acoustic Engineer (RPEQ) that demonstrate that the proposed development is not likely to have an unacceptable impact on the residential amenity of adjacent residential land uses. The NIA should address potential noise generated by the number of vehicles using the 2-storey parking facility, as well as upper storey outdoor residential activity (keeping in mind that the development represents a residential density approximately 4 times larger than that envisaged for the land under the Planning Scheme).

Response

The provision of a Noise Impact Assessment in support of the Material Change of Use is considered to be premature, as this level of detail is typically required to inform building work. To address Council's interest in this matter, reasonable and relevant conditions of approval as provided for by s65 of the *Planning Act 2016* could be included to require demonstration to a specified standard prior to the issue of a Development Permit for Building Work.

Information request item 13

13. Privacy Assessment

Demonstrate how the proposed development will satisfy PO9 of the Medium Density Residential Zone Code and PO3 of the Accommodation Activities Code and will not have a significant impact on the privacy of neighbouring sensitive land uses to the north and east of the site.

PO9 of the Medium Density Residential Zone Code relates to overall privacy and is not limited to window heights.

The assessment should also demonstrate how privacy will be achieved internally for apartments that contain window openings to common areas and walkways.

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Response

The proposed development has been designed to avoid overlooking adjoining premises through the inclusion of fixed screens and extensive areas of landscaping at each level. The perspectives provided within **Attachment 3** demonstrate that the sight lines from various units within the development will not have a significant impact on the privacy of neighbouring land uses, demonstrating compliance with Performance Outcome PO9 of the Medium density residential zone code.

The proposed development complies with Acceptable Outcome AO3 of the Accommodation Activities Code as windows of habitable rooms are either separated from windows of habitable rooms in adjoining dwellings by more than 8 metres or are provided with sill heights greater than 1.5m.

Information request item 14

14. External Lighting Assessment

Provide an external lighting assessment, prepared by a suitably qualified lighting engineer (RPEQ) that demonstrate that the proposed development will not have an adverse impact on the residential amenity of adjoining landowners as a result of light spillage.

Response

External lighting within the development will be designed and installed in accordance with AS/NZS 4282:2019 – *Control of the obtrusive effects of outdoor lighting*. A condition of approval could require that external lighting be certified by a suitably qualified person in accordance with the above Australian Standard. Suggested condition:

External lighting within the development site must be installed in accordance with AS/NZS 4282:2019 – Control of the obtrusive effects of outdoor lighting. The installation of external lighting must be certified by a suitably qualified person in accordance with the Australian Standard.

Information request item 15

15. Shadowing/Shading Assessment

Provide a shadowing/shading assessment, prepared by a suitably qualified professional, demonstrating that shadowing created as a result of the proposed developments building height and bulk will not adversely impact on the amenity of adjoining sensitive land uses by reducing their access to sunlight.

The assessment must also consider any impacts on existing solar power systems in the shadow/shade footprint.

Response

The plans of development provided as **Attachment 2** include shadow diagrams for the winter and summer solstice at 9am, 12pm and 3pm. These diagrams demonstrate that the proposed development will not adversely impact the amenity of adjoining sensitive uses nor will it impact existing or future rooftop solar power systems of adjoining premises.

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Information request item 16

16. Character Assessment

Provide a building character assessment, prepared by a suitably qualified professional, demonstrating how the proposed development's built form complies with the Purpose statements, overall outcomes, and Performance Outcome PO7 of the Kuranda local plan code (Village Heart Precinct) as well as Performance Outcome PO7 of the Medium density residential zone code.

Refer to Planning Scheme Policy 1 - Character Area Design Guidelines for additional guidance in relation to the development outcomes sought.

Response

The proposed development is consistent with the building form character of the Village Heart Precinct that is proximate to the site. Existing development directly opposite the site consists of tilt wall construction fronting the property boundary, with the roof, plant and equipment concealed behind the front wall. This established form of development demonstrates a transition in the architectural style from development fronting Coondoo Street and other areas of the Village Heart Precinct.

The proposed height, scale and mass are consistent with the surrounding development as detailed in the plans of development (Sheet TP13) provided as **Attachment 2**.

The development provides an articulated façade with windows, building recesses and landscaping providing a positive contribution to the village in the rainforest theme of Kuranda.

The roof form proposed reflects that of existing buildings in the streetscape as demonstrated by existing development within Thongon Street.



Figure 1: Existing development within Thongon Street.

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Information request item 17*17. Frontage Works*

Provide conceptual plans of any upgrades proposed to Thongon Street as part of the development. The plans should demonstrate and be accompanied by statements of compliance against PO8 of the Kuranda local plan code. The plans should provide footpath pavement treatments in accordance with Planning Scheme Policy 9 - Footpath Paving.

Response

Frontage works will be undertaken to the Thongon Street frontage in accordance with Planning Scheme Policy 9 - Footpath Paving. The provision of concept plans for such works in advance of a development approval being issued by Council is considered to be premature. A condition of approval could require external works to be undertaken in accordance with relevant specifications, with plans and supporting information being approved by Council prior to works commencing.

Information request item 18*18. On-site Refuse Storage*

The refuse storage area provided is not considered adequate for 56 residential units and therefore the development cannot comply with PO2 of the Accommodation activities code. It is considered reasonable that each unit be provided with 1 x 240 litre wheelie bin, or equivalent communal bulk/skip bin refuse storage.

Please amend the plans to provide adequate refuse storage. Additionally, please demonstrate how the refuse storage will be emptied/serviced.

Response

The Waste Management Plan (WMP) prepared by MRA Environmental, provided as **Attachment 4** addresses the waste storage and collection

Waste Generation – The development will generate approximately 0.75m³ of general waste and 0.47m³ of recycling waste daily. Waste generation estimates are based on standards from other local councils due to the lack of specific guidelines in Mareeba Shire's Planning Scheme.

Waste Storage and Servicing – A combined storage and servicing point will be located on the ground level at the southern boundary, accessible by a 40m path from the lift lobby. It will contain four 1.5m³ bulk bins for general waste. Since Kuranda lacks residential recycling services, residents will use the nearby community recycling depot on Arara Street.

Collection – The development falls under a commercial collection category, necessitating a private waste contractor for weekly general waste services. The collection point, accessible to a front-lift truck from Thongon Street, includes a hardstand and a ramped path to facilitate bin movement on collection days.

This WMP meets Mareeba Shire Council's waste management guidelines, focusing on minimising visual impact, safety, and accessibility.

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Information request item 19

19. Open Space

Provide a plan/s clearly identifying the areas of both private open space and communal open space. It is noted that the development lacks standard communal recreational open space inclusions such as a gymnasium, swimming pool, gaming room and usable grassed outdoor areas.

Provide details as to how the landscape buffer at the rear of the building will be accessed and maintained.

Provide details as to how the underfloor area at the rear of the development will be accessed and maintained.

Response

Acceptable Outcome AO4.1 of the Accommodation Activities Code requires communal open space to be provided in accordance with the design parameters specified in Table 9.3.1.3C. An area of the stated area and dimensions is provided on Level 1. Facilities such as a gymnasium, swimming pool or gaming room as stated in the Information request item are not proposed.

The landscape buffer area at the rear of the building is accessed from the basement level on which it is located. This level provides access to the full extent of the landscaped area.

Access to the undercroft area is provided via Stair 02 as detailed on Sheet TP04.

Information request item 20

20. Ownership Structure

Please outline the intended ownership structure of the proposed apartment complex.

Response

The potential ownership structure of the development is considered to be independent of the land use and is not linked to a relevant assessment benchmark. The strata titling of the development would result in the development being divided into individual lots (units), each with its own title. This would provide for the separate ownership of each unit while sharing ownership of common areas such as the internal driveway, parking area and common areas. The Body Corporate and Community Management Act 1997 regulates the rights and responsibilities of unit owners, the establishment of a body corporate to manage common areas and any associated internal infrastructure, and the regulation of body corporate dealings. The strata titling of unit developments is not an uncommon practice. It is not expected that Council would include a condition regarding ownership of the proposed development, nor one that would seek to restrict the development from being strata titled.

Information request item 21

21. Domestic Pets

Please outline any proposed policies in relation to pet ownership.

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Response

Council's Local Law No. 2 (Animal Management) 2018 regulates the keeping and control of animals within the local government area. Should the development be strata titled, under the Body Corporate and Community Management Act 1997 (BCCM Act), the body corporate has the authority to create and enforce bylaws that may include rules related to pets, such as whether pets are allowed, any restrictions on pet ownership (such as size or breed), and responsibilities of pet owners regarding pet behaviour, waste disposal, and potential damages caused by pets.

It is not expected that Council would include a condition regarding pet ownership within the development.

Information request item 22

22. Mail Delivery for individual units

*Amend the plans to include an internal mail delivery and storage area for the apartment complex.
Each apartment should be provided with an exclusive and secure mail storage box.*

Response

The plans of development have been amended to provide a mailbox for each dwelling adjacent to the pedestrian entry from Thongon Street, as detailed on Sheet TP06.

Information request item 23

23. Air Conditioning and Plant

Provide details of how air conditioning will be achieved to each individual apartment, and where the associated air conditioning plant will be located and how air conditioning plant will be screened from view.

Response

Air conditioning for each apartment will be supported by mechanical services and plant equipment located on the undercroft level beneath the building. Screening will be provided as needed to ensure the plant is not visible from public view. Access to this area is available via Stair 02, as shown on Sheet TP04.

Information request item 24

24. Secure Storage

Amend the proposed plans to include secure storage required under A04.4. For this scale of development with this many individual units, Council officers consider it necessary to provide secure storage at basement level.

Response

Each unit is provided with a secure storage facility that has an area of 2.4m² and a minimum height of 2.1m. These storage facilities are detailed on the plans of development on the Basement and Lower Ground Level (Sheets TP04 and TP05).

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If you require any further information, please call me.

Yours faithfully,

A handwritten signature in black ink, appearing to read "N. Huddy", written over a light grey rectangular background.

Nikki Huddy (FPIA)
Registered Planner

Att:

1. Engineering & Traffic Impact Assessment Report
2. Updated Plans of Development
3. 3d Perspectives
4. Waste Management Plan

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Thongon Street Kuranda Pty Ltd

**Proposed Multiple Dwelling Development
9-11 Thongon Street, Kuranda
Engineering & Traffic Impact Assessment Report**

262-001-001R

Revision B

October 2024

Document Set ID: 4423955
Version: 1, Version Date: 16/10/2024

Prepared by:



**GLF Developments Pty Ltd
t/a CivilWalker Consulting Engineers**

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Ref. 262-001-001R
October 2024

9-11 Thongon Street, Kuranda
Engineering Report

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1. Introduction

CivilWalker Consulting Engineers have been commissioned by Thongon Street Kuranda Pty Ltd to prepare an engineering report in support of a development application for an apartment block development at 9-11 Thongon Street, Kuranda. The development site is more formally described as Lots 310 and 311 on NR7409 and is identified in **Figure 1.1** below.

Specifically, this report responds to items within information requests received from Mareeba Shire Council (MSC) and the State Assessment and Referral Agency (SARA), which are attached as **Appendix A** and **Appendix B**, respectively. It responds to the following:

- MSC Information Request Item 1 – Water Supply Analysis.
- MSC Information Request Item 1 – Sewerage Analysis.
- MSC Information Request Item 2 – Traffic Impact Assessment.
- MSC Information Request Item 5 – Stormwater Analysis.
- SARA Information Request Item 1 – Stormwater and Overland Flow.
- MSC Information Request Item 6 – Parking and Access.



Figure 1.1 – Site Location (courtesy of Qld Globe)



2. Existing Conditions

The proposed development site consists of two land titles totalling approximately 2,024m² in size, being 1,012m² each. The site is currently vacant and bound by Thongon Street to the west, low density residential development to the north / east and commercial / retail development to the south. Additional commercial / retail development is located to the west on the opposite side of Thongon Street.

A site survey has been undertaken by Cross Solutions (refer **Appendix C**) which identifies that the front of the site is quite flat and then falls to the rear as follows:

- Approximately 352.40m AHD to 351.50m AHD, then falling to approximately 341.50m AHD at the rear along the northern boundary.
- Approximately 352.50m AHD to 351.50m AHD, then falling to approximately 348.00m AHD at the rear along the southern boundary.

As identified above, the site generally falls from west to east. The flatter portion of the site is cleared of vegetation and the steeper portion of the site at the rear is vegetated. A swale forms on the site at its rear on the batter, which drains north-east through adjacent freehold allotments towards the Kuranda Scenic Railway line and ultimate to the Barron River.

Existing services at the site frontage were identified through the abovementioned site survey, Council's on-line mapping portal and site inspection. Details of existing infrastructure within the area are as follows:

- Water reticulation main, including a fire hydrant and valve.
- Sewer gravity main, including manhole.
- Telecommunications pits / pipes.
- Overhead electrical poles and cables.
- Kerb and channel.
- Vehicular driveway crossover.
- Formalised on-street car parking.
- Road side signage.

Photographs of the site and surrounding area are provided below.



Photograph 2.1 – Development Site Road Frontage Looking South Along Thongon Street



Photograph 2.2 – Development Site Frontage Looking South-East From Thongon Street



Photograph 2.3 – Development Site Looking East From Thongon Street



Photograph 2.4 – Development Site Looking North-East From Thongon Street



Photograph 2.5 – Development Site Road Frontage Looking North Along Thongon Street



3. Proposed Development

The proposed development is described on Nevele drawings 11-1701 TP01 to TP14 (refer **Appendix D**) and involves the following:

- 6 storey residential apartment building.
- Vehicular access via Thongon Street.
- 56 residences (26 one-bedroom, 22 two-bedroom, 8 three-bedroom).
- 70 x off-street car parks (including 3 PWD spaces)
- Vehicle wash-down bay.
- 56 storage units (cages).
- Pedestrian access via Thongon Street.
- Off-street waste storage on street level.
- Landscaping and Signage.



4. MSC Information Request Item 1 – Water Analysis

4.1 Existing Network

A copy of Council's water supply infrastructure in the site vicinity was obtained from Council's online mapping service and site verification. The findings as follows:

- Water main in eastern verge of Thongon Street (travels passed site frontage).
- Water main in southern verge of Thooree Street (crosses road to Thongon Street eastern verge).

A series of hydrants and valves are also located on Thongon Street near the site.

4.2 Proposed Connection

It is proposed to connect the development to Council's network via the existing water main located within the eastern verge of Thongon Street, being the site road frontage.

4.3 Development Demand

Demand for the new development was calculated in accordance with Table 6.1 "Equivalent Demands" within the FNQROC Regional Development Manual. Table 6.1 identifies that the equivalent persons (EP) per connection for one, two and three bedroom apartments (units) are 1.0 EP, 1.6 EP and 2.2 EP respectively.

Demand from proposed development is therefore calculated as follows:

▪ One Bedroom (26 of)	= 26 x 1.0	= 26.0 EP
▪ Two Bedroom (22 of)	= 22 x 1.6	= 35.2 EP
▪ <u>Three Bedroom (8 of)</u>	<u>= 8 x 2.2</u>	<u>= 17.6 EP</u>
▪ Total		= 78.8 EP

In accordance with Council's requirements, a rate of 500 litres/EP/day was adopted. The following peaking factors were adopted to obtain flow parameters for the Mean Day Maximum Month, Peak Day and Peak Hour, as required by the FNQROC Regional Development Manual:

- Mean Day Max Month (MDMM) = 1.50 x Average Daily Consumption
- Peak Day (PD) = 2.25 x Average Daily Consumption
- Peak Hour (PH) = 1/12 x Peak Day (in hours)

Calculations to determine flow demand for the development were undertaken as detailed below:

▪ Average Day	= 500 litres/EP/day x 78.8EP = 39,400 litres/day
▪ MDMM	= 1.5 x 39,400 = 59,100 litres/day
▪ PD	= 2.25 x 39,400 = 88,650 litres/day
▪ PH	= 2.05 litres/sec

Whilst the proposed development is estimated to result in a peak hour demand of 2.05 litres/sec, to determine the additional demand compared to the previous site use, that previous site must be considered. Previous development included detached residential dwelling on each of the 1,012m² properties as shown in **Figure 4.1**.



Figure 4.1 – Previous Development (Residential Dwellings) on Site

Demand for the previous development was also calculated in accordance with Table 6.1 “Equivalent Demands” within the FNQROC Regional Development Manual, which identifies an equivalent persons (EP) per connection for single family dwellings on a lot size of between 901m² and 1,100m² as 3.1 EP, the total for both allotments therefore being 6.2 EP. Demand calculations for the previous site use are therefore calculated as follows:

- AD = 500 litres/EP/day x 6.2 EP = 3,100 litres/day
- MDMM = 1.5 x 3,100 = 4,650 litres/day
- PD = 2.25 x 3,100 = 6,975 litres/day
- PH = 0.16 litres/sec

Therefore, the additional demand due to development is estimated to be 2.05 litres/sec – 0.16 litres/sec = 1.89 litres/second.

4.4 Existing Network Pressure

Hydrant testing was undertaken by Gilboy Hydraulic Solutions on the existing water main hydrant at the property frontage on 16 April 2024 at 8:52am. Results are provided in **Appendix E**. Static pressure was recorded at 52.5m head with the logger identifying pressures over a range of flow rates up to 19 litres/sec as follows:

- 0 litres/second = 52.5m head
- 5 litres/second = 45.0m head
- 10 litres/second = 29.0m head
- 15 litres/second = 9.0m head
- 19 litres/second = 0.0m head

4.5 Assessment

For analysis, the following parameters were adopted for the peak hour demand:

- Design Flow = 1.89 litres/second
- Minimum Allowable Pressure at Floor Level = 22m head

As noted in the existing network pressure section above, static pressure (ie 0 litres/sec flow) was recorded in the main as 52.5m head. The pressure at 5 litres/second was recorded at 45.0m



head. The existing main pressure at the design flow of 1.89litres/second can be calculated by interpolation as 49.7m head.

Review of the architectural drawings identifies that floor level on the highest floor within the development will be 9.6m above the ground floor. Based on the above available head pressure (without allowing for losses through the internal water system) the floor level on the highest level is estimated to be $49.7\text{m} - 9.6\text{m} = 40.1\text{m}$. The minimum allowable pressure for residential potable water is 22m head and therefore it is considered that appropriate pressure is available for the development.

Notwithstanding, during detailed design of the building the building hydraulics designer will confirm losses through the proposed internal water system and if necessary, boost pumps will be provided on site to provide appropriate pressure to the higher floors.

4.6 Fire Fighting

Section D6.07 Part 3b(ii) identifies that Council's water supply network is not intended to cater for individual property fire-fighting flow requirements and that provision for on-lot fire-fighting requirements is the responsibility of the building owner. An appropriate fire fire-fighting system shall be designed by an appropriately qualified building hydraulics consultant during the building approval phase of the project.



5. MSC Information Request Item 2 – Sewer Analysis

5.1 Existing Network

A copy of Council's sewerage infrastructure in the site vicinity was obtained from their website. A 150mm diameter gravity main along the eastern verge of Thongon Street with a manhole located at the site frontage.

5.2 Proposed Connection

It is proposed to connect the development to Council's network via the existing sewer manhole described above.

5.3 Development Loading

Demand for the new development was calculated in accordance with Table 7.1 "Equivalent Demands" within the FNQROC Regional Development Manual. Table 7.1 identifies that the equivalent persons (EP) per connection for one, two and three bedroom apartments (units) are 1.0 EP, 1.6 EP and 2.2 EP respectively.

Demand from proposed development is therefore calculated as follows:

One Bedroom (26 of)	= 26 x 1.0	= 26.0 EP
Two Bedroom (22 of)	= 22 x 1.6	= 35.2 EP
Three Bedroom (8 of)	= 8 x 2.2	= 17.6 EP
Total		= 78.8 EP

An average dry weather flow (ADWF) of 270 litres/EP/day has also been adopted in accordance with Table 7.2 "Sewerage Loading" of the FNQROC. The sewer load calculation is as follows

$$\text{ADWF} = 78.8 \text{ EP} \times 270 \text{ litres/EP/day} = 21,276 \text{ litres/day}$$

Based on the above calculation, the ADWF sewer load from proposed development is estimated to be 21,276 litres/day. FNQROC identifies that the Peak Wet Weather Flow (PWWF) is calculated as follows:

$$\text{PWWF} = 5 \times \text{ADWF} \text{ or } C_1 \times \text{ADWF}, \text{ whichever is greater}$$

The C1 factor equation is:

$$C_1 = 15 \times \text{EP}^{-0.1587} \text{ with a minimum value of 3.5}$$

Section 5.2.2 "Sewerage" of the Queensland Government "Planning Guidelines for Water Supply and Sewerage" confirms the above FNQROC formula and further clarifies that the EP to be applied in calculating the C1 factor is, "the total equivalent population in the catchment gravitating to a pump station". An extract from the guideline is provided as **Figure 8.1** below.

$\text{PWWF} = (5 \times \text{ADWF}) \text{ or } (C_1 \times \text{ADWF}), \text{ whichever is the larger}$

$C_1 = 15 \times (\text{EP})^{-0.1587} \text{ (note: the minimum value for } C_1 = 3.5)$

In the above formulae, EP is the total equivalent population in the catchment gravitating to a pump station

Figure 5.1 – Extract from Queensland Government "Planning Guidelines for Water Supply and Sewerage"



The nearest sewer pump station is located a considerable distance from the site with a large catchment. As a catchment's loading increases, the corresponding C1 factor decreases and for large catchments, the figure is typically below 5.0. The PWWF flow has therefore been calculated based on multiplying the ADWF by a factor of 5.0:

$$\begin{aligned}\text{PWWF} &= 5.0 \times 21,276 \text{ litres/day} \\ &= 106,380 \text{ litres/day} \\ &= 1.23 \text{ litres/second}\end{aligned}$$

Similarly for water supply demand, whilst the proposed development is estimated to result in a peak hour loading of 1.23 litres/sec, to determine the additional loading compared to the previous site use, that existing use must be considered. Again, similarly for water demand, sewer loading for previous development (referencing Table 7.1 within FNQROC) = 6.2 EP (3.1 EP for each allotment). The previous site use loading is therefore calculated as follows:

- $\text{ADWF} = 270 \text{ litres/EP/day} \times 6.2 \text{ EP} = 1,674 \text{ litres/day}$
- $\text{PWWF} = 5.0 \times 1,674 \text{ litres/day} = 8,370 \text{ litres/day}$
- $\text{PWWF} = 0.10 \text{ litres/second}$

Therefore, the additional loading due to development is estimated to be 1.23 litres/sec – 0.10 litres/sec = 1.13 litres/second.

Council have requested a sewer network analysis to be undertaken for the proposed development, however Council have not provided details of the existing sewer network as part of the Dial Before You Dig request that was submitted. We note that it is typical for Council to provide a standard assessment manager condition requiring that existing sewers and pump stations downstream of the site are to be augmented to the extent necessary such that the development loading can be accommodated. Given that an analysis has not been able to be undertaken, we propose the following methodology to resolve:

- Council provided with the above proposed site loading for sewer.
- Council compares the proposed site loading against their planning estimates for the site.
- If the proposed demands are less than the planning estimates, no further work is needed other than an exchange of letters confirming no augmentation works are required.
- If the proposed loading is greater than planning demands, then Council either:
 - Run the existing Council sewer model with the provided sewer loading data to determine if augmentation is required; or
 - Provide a “snip” of the Council sewer model for the applicant’s consultant to run the analysis to determine if augmentation is required.



6. MSC Information Request Item 2 – Traffic Impact Assessment

The scope of the traffic impact assessment is to:

- Undertake a site inspection of the subject site and external road system.
- Undertake relevant existing traffic counts.
- Calculate traffic generation resulting from development.
- Undertake an assessment of the proposed development traffic generation impact on the existing road network.
- Undertake a vehicular site access analysis to determine if appropriate design vehicles can adequately manoeuvre into and out of the site, including queue analysis.
- Undertake a turn warrant assessment to determine if changes are required to the lane configurations on Thongon Street resulting from development.
- Undertake a vehicular analysis on waste collection movements.
- Assess impact on pedestrian and cyclist connectivity.
- Assessment of impact on public transport.
- Assessment of impact on Council's future transport / road network.
- Suggest measures to mitigate any adverse impacts as a result of development.

6.1 Council's Road Network

An inspection was undertaken of the subject site and external road system within the site's vicinity on 2 September 2024. The busiest intersection in the site vicinity was clearly the Thongon Street intersection with Coondoo Street. This intersection has been assessed to determine impact on Council's existing road system.

6.2 Existing Traffic Volume

Traffic counts were undertaken at the Thongon Street / Coondoo Street intersection on Wednesday 17th April 2024 between 7am – 9am and 4pm – 5:39pm (the count was scheduled to be completed at 6:00pm, however a street brawl broke out making it un-safe for the traffic counter to remain). Raw count data and a summary of the peak hour numbers is provided in **Appendix F**. The counts identified that the AM and PM peak hours were as follows:

- AM Peak 8:00am – 9:00am (168 vehicles total)
- PM Peak 4:00pm – 5:00pm (248 vehicles total)

6.3 Development Traffic Generated Volume

Traffic generation for the proposed development has been calculated considering traffic generation data sources as nominated below.

- Guide to Traffic Engineering Developments, RTA (2002)
- The Victorian Department of Planning, Transport and Infrastructure Report "Trip Generation Rates for Assessment of Development Proposals" (2014)
- The Department of Main Roads Road Planning and Design Manual Chapter 3 (2005)



In assessing the above documents, reference is made to medium and high density development and therefore the development density must first be determined. The RTA document defines medium density development as smaller units and flats (up to two bedrooms) and high density development as “CBD centres”. The Victorian publication defines medium density development as small residential developments with dwellings over three levels and is silent on high density development. The Main Roads document defines medium density development as smaller units (up to two bedrooms) and high density development as “in the CBD”.

All documents identify smaller traffic generation rates for high density development. This is because it is considered that residents will tend to walk more, rather than utilise a vehicle, given the closer proximity of services in a CBD area.

A mixture of one to three bedroom apartments is proposed and the development is removed from a significant “CBD” area. It is therefore considered that adoption of the higher generation rate for medium density is considered appropriate; this is because it is considered that residents will tend to utilise a vehicle more often than if they were located near a typical CBD area.

6.3.1 Guide to Traffic Engineering Developments, RTA (2002)

This document suggests peak hour traffic generation rates for medium density residential development of up to 0.65 trips / dwelling the peak hour.

It is noted that the above generation rates include visitors, service / delivery and on-street movements such as taxis, uber vehicles and pick-up / set-down activities.

6.3.2 Trip Generation Rates for Assessment of Development Proposals, DPTI (2014)

This document provides weighted average peak hour vehicle trips for medium density residential development of 0.53 trips / dwelling in the peak hour.

6.3.3 Road Planning Design Manual, Chapter 3, Main Roads (2005)

This document does not provide peak hour vehicle trip rates for medium density development, but rather provides a daily rate of up to 6.0 trips / day per dwelling.

6.3.4 Adopted Rate and Calculated Traffic Generation

Based on review of the above traffic generation sources, the adopted rate for the purpose of this report is the RTA (2002) document suggested value of 0.65 trips / dwelling, which includes visitors, service / delivery / waste collection vehicles and on-street movements such as taxis, uber vehicles and pick-up / set-down activities.

Table 6.1 – Proposed Development Traffic Generation

Land Use	Yield	Peak Traffic Generation Rate	Peak Traffic Generation (trips / hour)
Medium Density Residential	56 dwellings	0.65 trips / dwelling	36.4

Based on the above calculation, the additional traffic generated by the proposed development is estimated be 36.4 vehicle trips in the peak hour. This has been rounded to:

Estimated Peak Hour Generated Traffic due to Development = 37 vehicle trips



It is noted that a trip is defined as a one-way vehicular movement from one point to another and excludes any return trip. Therefore, the return movement to / from a land use is counted as a separate trip.

It is common to misinterpret that generated traffic calculations are required to be doubled to allow for return trips. This is not correct. Generated traffic calculations allow for the total number of trips associated with a land use. As noted by the definition, a single trip is either a vehicle arriving or a vehicle leaving a site. The calculated number of trips for the development is 37, which can be represented by 18 vehicles arriving and 17 vehicles leaving or any combination of arriving / leaving vehicles to obtain the total of 37 trips calculated.

6.4 Traffic Distribution

For the purpose of considering traffic impact, it has been conservatively assumed that all development traffic in the peak hours access the site via the Coondoo Street / Thongon Street intersection. This is considered conservative because a small volume of traffic is likely to access other streets / head in different directions with negligible impact on those other routes.

Traffic distribution has been adopted as shown on drawings 262-001-T01 and T02 within **Appendix F**.

6.5 Impact Assessment

All new developments may potentially affect an existing road due to:

- Increase in traffic volume.
- Increase in the number of conflict points between vehicles, pedestrians, and cyclists.
- The presence of new infrastructure, such as access roads and driveways.
- Changes to existing infrastructure.

The desired outcome of a new development is that existing road safety is not significantly worsened resulting from development. It is noted that safety is not readily quantifiable, and the condition of a road cannot be defined as being “absolutely” safe or “absolutely” unsafe. Rather, road safety is a relative measure benchmarked against an existing condition or an acceptable risk threshold. For impacts of development on road safety, risk is considered in terms of changes in the likelihood (how often an event or situation is expected to take place) and consequence (the effect, result, or outcome of something occurring).

An assessment is necessary for new developments to determine if there is likely to be any significant change to the level of road safety risk on the road resulting from development. This has been undertaken by:

- identifying the likely new risks or modification to existing risks resulting from the development; and
- recommending mitigation works to allow for a no significant worsening of safety risks resulting from development, if required.

The following sections describe the assessment undertaken.

6.5.1 Increase in Traffic Volume / Intersection Capacity

As identified in **Section 6.3.4** of this report, the additional peak hour traffic generated by development is estimated to be 37 vehicles trips. Attached drawing 262-001-T1 identifies the



existing traffic distribution based on the site count undertaken, the adopted generated traffic generation and the post-development traffic generation.

A SIDRA analysis of the Thongon Street / Coondoo Street intersection was undertaken to determine the proposed development's impact. Modelling was undertaken using SIDRA Intersection 9.1 Plus. The modelled intersection is shown in **Figure 6.1**.

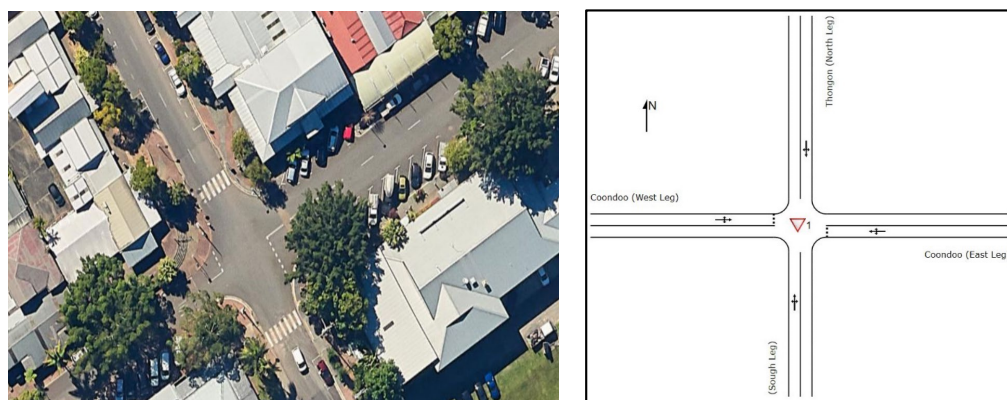


Figure 6.1 – Thongon Street / Coondoo Street Modelled Intersection

The core performance elements used to assess intersection capacity are “Degree of Saturation” and “Level of Service” based on delay. Degree of Saturation is a pass/fail performance indicator and therefore if the reported value is greater than the acceptable value for any lane or leg, then the intersection is deemed not acceptable. The following are considered acceptable performance criteria for the Degree of Saturation for different intersection types:

- Signals 0.90
- Roundabouts 0.85
- Sign Controlled 0.80
- Continuous Lanes 0.98

The Thongon / Coondoo Street intersection is a give-way “sign controlled” arrangement (priority to Thongon Street) and therefore an acceptable degree of saturation is 0.80.

Level of Service of each individual lane and leg has been assessed and compared to the allowable minimum values adopted based on road hierarchy. The following are acceptable performance criteria for Level of Service:

- Sub-Arterial Road D
- Collector Road D
- Access Road D

All road types require the same level of service and therefore “D” has been adopted.

Movement summary results from the existing intersection analysis are contained within **Appendix F. Tables 6.2 and 6.3** summarise the level of service, average delay, degree of saturation, queue length and queue capacity (adopted as approach distance for full length lanes, being the mid-block distance) in the AM and PM peak hours.

Table 6.2 – Existing Intersection Performance AM Peak

Movement	Level of Service	Average Delay (seconds)	Degree of Saturation (%)	95% Queue Length (m)	Queue Capacity (m)
Thongon Street (South Leg)					
Left Turn	A	4.6	0.035	0.1	0.8
Through	A	0.1	0.035	0.1	0.8
Right Turn	A	4.6	0.035	0.1	0.8
Coondoo Street (East Leg)					
Left Turn	A	4.6	0.023	0.1	0.7
Through	A	3.7	0.023	0.1	0.7
Right Turn	A	5.2	0.023	0.1	0.7
Thongon Street (North Leg)					
Left Turn	A	4.5	0.039	0.2	1.1
Through	A	0.1	0.039	0.2	1.1
Right Turn	A	4.5	0.039	0.2	1.1
Coondoo Street (West Leg)					
Left Turn	A	5.7	0.020	0.1	0.5
Through	A	4.7	0.020	0.1	0.5
Right Turn	A	6.2	0.020	0.1	0.5

In the AM peak, the degree of saturation is 0.039, which is considerably below the maximum performance criteria value of 0.80 being 5% of the allowable capacity. Level of Service for each lane is considerably less than the maximum “D” requirement, with all movements performing at a Level of Service “A”. All vehicle queues are well below capacity, with a maximum average queue length of 1.1m.

Table 6.3 – Existing Intersection Performance PM Peak

Movement	Level of Service	Average Delay (seconds)	Degree of Saturation (%)	95% Queue Length (m)	Queue Capacity (m)
Thongon Street (South Leg)					
Left Turn	A	4.6	0.039	0.1	0.6
Through	A	0.1	0.039	0.1	0.6
Right Turn	A	4.6	0.039	0.1	0.6
Coondoo Street (East Leg)					
Left Turn	A	4.7	0.057	0.2	1.5
Through	A	3.8	0.057	0.2	1.5
Right Turn	A	5.3	0.057	0.2	1.5



Thongon Street (North Leg)					
Left Turn	A	4.6	0.058	0.2	1.7
Through	A	0.1	0.058	0.2	1.7
Right Turn	A	4.5	0.058	0.2	1.7
Coondoo Street (West Leg)					
Left Turn	A	5.7	0.030	0.1	0.8
Through	A	4.9	0.030	0.1	0.8
Right Turn	A	6.5	0.030	0.1	0.8

In the PM peak, the degree of saturation is 0.058, which is considerably below the maximum performance criteria value of 0.80 being 7% of the allowable capacity. Level of Service for each lane is considerably less than the maximum “D” requirement, with all movements performing at a Level of Service “A”. All vehicle queues are well below capacity, with a maximum average queue length of 1.7m.

It is considered that the existing intersection is performing well within the allowable capacity which is consistent with site observations during the traffic count.

Assessment was then undertaken for the intersection with proposed development generated traffic included and the existing traffic volumes grown at 2.5% for a period of 10 years. Movement summary results for this scenario are also contained within **Appendix G. Tables 6.4** and **6.3** summarise the level of service, average delay, degree of saturation, queue length and queue capacity.

Table 6.4 – Post Development (Plus 10 Year Growth) Intersection Performance AM Peak

Movement	Level of Service	Average Delay (seconds)	Degree of Saturation (%)	95% Queue Length (m)	Queue Capacity (m)
Thongon Street (South Leg)					
Left Turn	A	4.6	0.044	0.1	1.0
Through	A	0.1	0.044	0.1	1.0
Right Turn	A	4.6	0.044	0.1	1.0
Coondoo Street (East Leg)					
Left Turn	A	4.6	0.025	0.1	0.7
Through	A	3.9	0.025	0.1	0.7
Right Turn	A	5.6	0.025	0.1	0.7
Thongon Street (North Leg)					
Left Turn	A	4.6	0.066	0.3	2.1
Through	A	0.2	0.066	0.3	2.1
Right Turn	A	4.5	0.066	0.3	2.1



Coondoo Street (West Leg)					
Left Turn	A	5.7	0.029	0.1	0.8
Through	A	4.9	0.029	0.1	0.8
Right Turn	A	6.5	0.029	0.1	0.8

In the post development AM peak, the degree of saturation is 0.066, which is considerably below the maximum performance criteria value of 0.80 being 8% of the allowable capacity. Level of Service for each lane is considerably less than the maximum "D" requirement, with all movements performing at a Level of Service "A". All vehicle queues are well below capacity, with a maximum average queue length of 2.1m.

Table 6.5 – Post Development (Plus 10 Year Growth) Intersection Performance PM Peak

Movement	Level of Service	Average Delay (seconds)	Degree of Saturation (%)	95% Queue Length (m)	Queue Capacity (m)
Thongon Street (South Leg)					
Left Turn	A	4.6	0.051	0.1	0.8
Through	A	0.1	0.051	0.1	0.8
Right Turn	A	4.7	0.051	0.1	0.8
Coondoo Street (East Leg)					
Left Turn	A	4.7	0.079	0.3	2.1
Through	A	4.1	0.079	0.3	2.1
Right Turn	A	5.8	0.079	0.3	2.1
Thongon Street (North Leg)					
Left Turn	A	4.6	0.079	0.3	2.4
Through	A	0.2	0.079	0.3	2.4
Right Turn	A	4.6	0.079	0.3	2.4
Coondoo Street (West Leg)					
Left Turn	A	5.7	0.054	0.2	1.5
Through	A	5.2	0.054	0.2	1.5
Right Turn	A	6.9	0.054	0.2	1.5

In the PM peak, the degree of saturation is 0.079, which is considerably below the maximum performance criteria value of 0.80 being 10% of the allowable capacity. Level of Service for each lane is considerably less than the maximum "D" requirement, with all movements performing at a Level of Service "A". All vehicle queues are well below capacity, with a maximum average queue length of 2.4m.

It is considered that the existing intersection will continue to perform well within the required capacity after development and in the 10 year horizon and therefore proposed development is not considered to have an adverse impact.

6.5.2 Conflict Points

The existing site contains a vehicular access crossover that was utilised for previous development (now demolished). The existing access allows for all movement access to the site (i.e. left-in, left-out, right-in and right-out). Proposed development seeks to replace the existing access crossover with an updated crossover which allows for the same all movement access. Therefore, there is no increase in conflict points between vehicles, pedestrians and cyclists. It is therefore considered reasonable to conclude that proposed development will not result in an increase in the number conflict points at the site frontage.

6.5.3 Presence of New Infrastructure / Site Access Turn Warrant Assessment

A turn warrant assessment at the proposed site access location has been undertaken in accordance with the Austroads Guide to Road Design Part 4: Intersections and Crossings to determine if any new road infrastructure in the form of turning lanes at the site frontage is required. Figure A10(b) within the Austroads Guide (reproduced as **Figure 6.2** below) provides the analysis tool to determine appropriate turn treatments based on vehicle volumes.

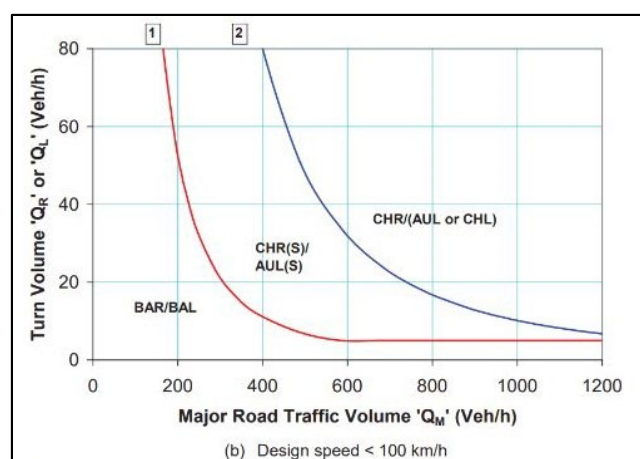


Figure 6.2 – Austroads Turn Warrants

In the post-development (plus 10 year horizon) scenario, the turn warrant parameters are as follows (refer traffic distribution on drawings 262-001-T01 and T02 for details):

AM Peak

- $Q_L = 25$ vehicles
- $Q_R = 10$ vehicles
- $Q_{T1} = 41$ vehicles
- $Q_{T2} = 83$ vehicles
- Q_m (left-hand turn) = 83 vehicles
- Q_m (right-hand turn) = $41 + 83 + 25 = 149$ vehicles

PM Peak

- $Q_L = 10$ vehicles
- $Q_R = 25$ vehicles

- $Q_{T1} = 81$ vehicles
- $Q_{T2} = 121$ vehicles
- Q_m (left-hand turn) = 121 vehicles
- Q_m (right-hand turn) = $81 + 121 + 10 = 212$ vehicles

Figures 6.3 and 6.4 below identify that for both left-hand (green line work) and right-hand (red line work) turn movements, standard BAL / BAR turn treatments are appropriate and therefore separate turn lanes are not warranted at the development access driveway.

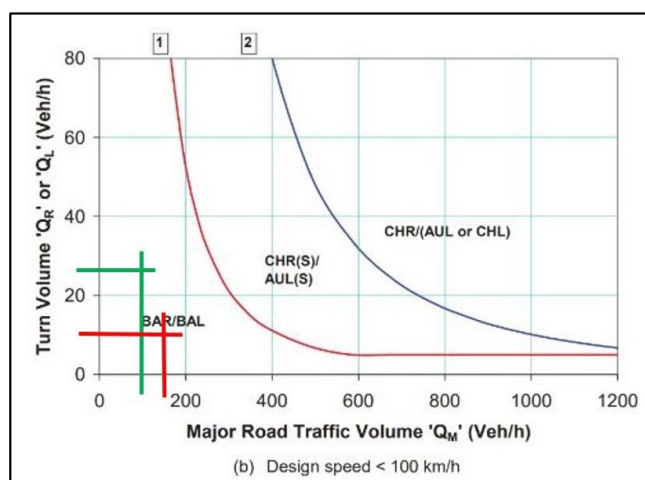


Figure 6.3 – AM Peak Hour Turn Warrant Assessment

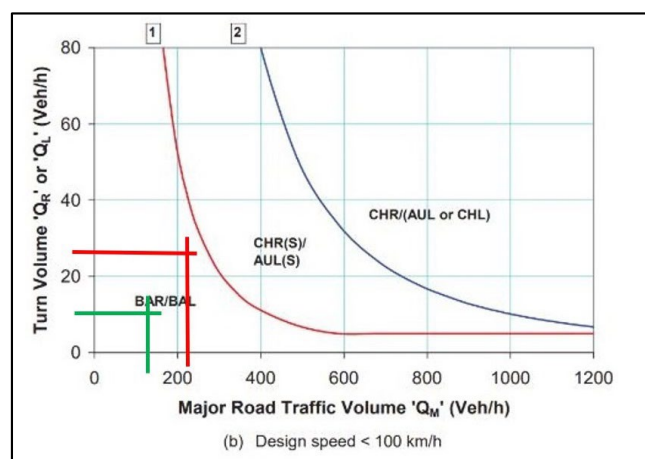


Figure 6.4 – PM Peak Hour Turn Warrant Assessment



As noted in **Section 2** of this report, existing site frontage infrastructure includes kerb / channel and a vehicular access driveway. Proposed development does not seek to introduce new infrastructure other than a new pathway for pedestrian access. The existing kerb / channel will remain and the existing vehicular access driveway will be demolished and replaced with a new FNQROC standard arrangement to suit the proposed layout.

It is therefore considered that no new infrastructure will have an adverse impact on the road network.

6.5.4 Vehicle Queuing

Clause 3.4 within AS/NZS 2890.1 notes that queuing areas are to be provided at entry points to a development to allow free influx of traffic which will not adversely affect vehicular traffic or pedestrian flows at the frontage road. Table 3.3 within the Standard identifies minimum queue lengths based on car park capacity, which in this scenario is 70 car parks.

Table 3.3 within AS/NZS 2890.1 nominates that, for a facility with no more than 100 parking spaces, a minimum queueing length shall be provided, being two cars or 3% of the car park capacity, whichever is greater. The calculated queue length capacity is therefore:

Calculated Queue Capacity = $3\% \times 70 = 2.1$ cars or 2 cars, whichever is greater.

It is considered reasonable to adopt a required vehicle queue length of 2 cars. AS/NZS 2890.1 requires that a length of 6m be allocated for each vehicle and therefore a queue length of 12m is required.

Survey data identifies that the existing verge at the property frontage is 10.3m wide. The Nevele building drawings identify that the site access garage door will be offset from the frontage boundary by 3.0m. This provides a queueing distance at the site access of 13.3m to the kerb / channel which meets the minimum 12m requirement. It is therefore considered reasonable to conclude that vehicle queueing will not create an adverse impact on the road network.

6.5.5 Pedestrian Connectivity

Existing pedestrian facilities at the site frontage on Thongon Street are provided via grassed verges within the road reserve. Development does not impact on those existing arrangements, and it is therefore considered reasonable to conclude that the proposal will not adversely impact on existing pedestrian connectivity.

6.5.6 Cyclist Connectivity

There are no existing dedicated bicycle lanes at the site frontage on Thongon Street. Notwithstanding this, development does not propose to adjustments on the existing road carriageway and therefore cyclist movements would remain unaffected. It is therefore considered reasonable to conclude that the proposal will not adversely impact on existing cyclist connectivity.

6.5.7 Council's Future Transport / Road Network

The proposal does not seek to make adjustments to Council's existing road network and therefore it is considered reasonable to conclude that development will impact on Council's future transport or road network plans.



6.5.8 Public Transport

There are no designated bus routes or bus stops within the site vicinity and therefore it is considered reasonable to conclude that development will impact on the public transport network.

6.5.9 Waste Collection Vehicle Movement

Council's information request asked for commentary to be provided on how waste collection vehicles will access the proposed refuse areas. Reference is made to Section 8 "MSC Information Request Item 6 – Access and Parking" within this report which includes commentary on that item.

6.5.10 Proposed Mitigation Measures

Based on the above impact analysis, the following is noted:

- Additional traffic generated by proposed development does result in adverse impacts at the Thongon Street / Coondoo Street intersection with the intersection continuing to perform well within acceptable limits.
- A vehicle turn warrant assessment has identified that no left-in or right-in turn lanes are required for the development.
- No adjustments to Council's existing road network are proposed.
- Analysis has identified that appropriate queuing is available for vehicles entering the proposed development.
- Pedestrian connectivity is not adversely impacted by the proposal.
- Cyclist connectivity is not adversely impacted by the proposal.
- There is no adverse impact on the public transport network.

It is therefore considered that no traffic mitigation measures are required resulting from development.



7. MSC Information Request Item 5 and SARA Information Request Item 1 - Stormwater Drainage

7.1 Existing Drainage Regime

The existing site is vacant and falls to the rear. Overland sheet flow runs across the site and is collected by an existing swale drain located at the rear of the property, which drains north-east through adjacent freehold allotments towards the Kuranda scenic railway line and ultimate to the Barron River. The existing drainage regime is further described on drawing 262-001-SK05 (**Appendix G**).

7.2 Proposed Drainage Regime (The Stormwater Management Plan)

Under proposed development, the following drainage regime is proposed:

- The general fall of the land (i.e. concept earthwork arrangement) will remain as per the existing scenario with fall to the rear.
- Site run-off will be directed to grated stormwater pits on site.
- Inlet pits will capture the flow and direct it into a shallow underground drainage network.
- Roof water drainage will also be directed to the above shallow underground drainage network via a system of roof water down pipes.
- The underground drainage network will direct flow into a proposed detention system (refer **Section 7.3**).
- Controlled attenuated flow from the detention system will then outlet to the existing swale drain located at the rear of the site.

Stormwater design will be undertaken using the Rational Method in accordance with FNQROC and QUDM. A concept stormwater drainage management arrangement is shown on drawing 262-001-SK06 (**Appendix G**).

The proposed regime will result in no increase in stormwater discharge from the site and therefore no adverse impact on the adjacent freehold allotments or the Kuranda scenic railway.

7.3 Stormwater Quantity

Stormwater quantity management has been calculated based on the site as it currently exists and therefore is conservative because it does not consider the impervious areas from previous development (refer **Figure 7.1** below that shows previous dwellings located on the site) that would have generated higher flows and velocities.



Figure 7.1 – Previous Development (Residential Dwellings) on Site

The proposed development will result in an increase in impervious area for the site and therefore increased stormwater run-off. Council's planning scheme requires that there is no impact on adjacent properties or actionable nuisance resulting from increase in stormwater run-off from development (i.e. requirements from the Queensland Urban Drainage Manual, QUDM). The increase in impervious area will result in additional flow from the site into the existing swale that runs generally northward through other freehold allotments prior to outletting to the Barron River via the Kuranda scenic railway line. It is critical that proposed development does not adversely impact on those freehold allotments and the railway line.

It is therefore considered necessary that the increase in stormwater run-off from the site be appropriately attenuated so that flows and velocities leaving site are no greater than pre-development flows / velocities. This is proposed to be undertaken by introducing detention within the development.

Preliminary sizing of the volume required to limit peak discharge from the development to pre-development levels has been undertaken in accordance with the fourth edition of QUDM (2016) by calculating the effective reduction in the site's "initial loss" capabilities. The initial sizing method has been adopted and assumes that the detention structure storage volume effectively compensates for the decrease in initial loss component, while the structure low-flow discharge system compensates for the decrease in the "continuing loss rate". QUDM notes that such an assumption is considered appropriate for the initial sizing of detention basins.

QUDM notes that in the absence of a local government policy, it is recommended that the "pre-development condition" is taken as the site condition that existed 15 years prior to the proposed development. The reason for this is that if the land has existed in a specific condition for at least 15 years, then downstream lands and waterways have probably adjusted their function / use to the catchment condition. Whilst the pre-development condition is therefore considered to be that as characterised by the previous residential dwellings and other ancillary structures that were previously on site, the pre-development condition has been conservatively adopted as vacant.

QUDM recommends values of initial loss to be used in the preliminary sizing of detention basins. Pre- and post-development initial loss potentials were determined from assessment of Table 5.6.1 of QUDM. To appropriately assess these figures, the existing soil conditions needs to be understood. Geotechnical data was not available for the site at the time of writing this report; however, a site visit indicated that the existing material could be characterised as "loamy clay" (rather than "sand", "sandy loam" or "clay". The pre-development open space site has therefore been assumed "loamy clay" (i.e., Group C within Table 5.6.1 of QUDM) for surface run-off



assessment purposes. It is recommended that the material type be confirmed prior to detailed design of the detention system during the building approval phase.

To calculate the initial loss potential for the pre-development condition, the "site condition" has to be assessed. Table 5.6.1 within QUDM identifies differing conditions ranging from "bushland" to "long grass" to "bare soil". The flatter portion of the site is grassed, however the rear batter on the site is vegetated and therefore considered more appropriately categorised as bushland. Measuring from site survey, the flatter grassed section (categorised as "long grass (meadows)" (considered more appropriate than "short grass (healthy lawns)" was calculated to be 268m² and the vegetated batter (categorised as "bushland (healthy, unburnt)" was calculated to be 1,756m². Therefore, an initial loss potential for the pre-development condition has been calculated from QUDM as follows:

$$\text{Initial Loss (Pre)} = \frac{268\text{m}^2 \times 35\text{mm} + 1,756\text{m}^2 \times 30\text{mm}}{2,024\text{m}^2} = 31\text{mm}$$

The developed site will be characterised by a mixture of impervious services and landscaped areas. Landscaped areas are identified on Nevele's drawings (**Appendix C**) and measure at 406m² (refer Nevele cover drawing sheet for landscape schedule). The balance of the site (1,618m²) will be impervious. Landscaped areas have been categorised as "healthy lawns" (being conservative from an initial loss perspective) and therefore, in accordance with Table 5.6.1 of QUDM:

$$\text{Initial Loss (Post)} = \frac{406\text{m}^2 \times 30\text{mm} + 1,618\text{m}^2 \times 2\text{mm}}{2,024\text{m}^2} = 8\text{mm}$$

The preliminary calculated storage volume for development is therefore:

$$\text{Preliminary Detention Volume} = 2,024\text{m}^2 \times (31\text{mm} - 8\text{mm}) = 46.6\text{m}^3 \text{ (or 46,600 litres).}$$

It is proposed that detention tanks be adopted to provide the 46.6m³ volume and that these be located under the lower basement level. The system will operate such that low flow outlet pipes discharge stormwater into the existing rear of site swale drain so that pre-development flows and velocities are not exceeded.

Detailed design of the detention system shall be undertaken during the building approval phase of the project using an appropriate run-off routing methodology. The final detention system shall be designed under the direct supervision (and certified) by a Registered Professional Engineer of Queensland.

7.4 Stormwater Quality

FNQROC references the State Planning Policy (SPP) within the Queensland Government's Legislative framework for water quality requirements. Water Quality is covered within the SPP "State Interests Policies and Assessment Benchmarks", Part E "Environment and Heritage", which further references Table B within its Appendix 2. Table B identifies that application of water quality objectives to achieve 80% reduction in mean annual load of total suspended solids, 60% in total phosphorous, 40% in total nitrogen and 90% in gross pollutants (>5mm) is required when a development involves:

1. A material change of use for an urban purpose that involves premises 2,500m² or greater and:
 - a. will result in six or more dwellings; or
 - b. an impervious area greater than 25% of the net developable area.



2. Reconfiguring a lot for urban purposes that involves premises 2,500m² or greater and will result in six or more lots.

The proposed development site is 2,024m² and therefore does not meet the above criteria. It is therefore not subject to water quality requirements for treatment. Therefore, no water quality treatment devices are proposed.

7.5 Lawful Point of Discharge

We reference Council's comment within Item 5 of the information request that notes:

"All stormwater must be discharged lawfully from the site and where it is proposed to discharge stormwater through neighbouring downstream allotments, easements will have to be established to ensure discharge occurs lawfully."

Reference is made to Section 3.9 "Lawful Discharge of Stormwater" within the Queensland Urban Drainage Manual (QUDM) which provides a lawful point of discharge test. Specifically, Section 3.9.1 identifies the criteria for determining if a discharge point represents a "lawful point of discharge". It notes:

Will the proposed development alter the site's stormwater characteristics in a manner that may substantially damage a third party property?

- *If not, then no further steps are required to obtain tenure for a lawful point of discharge.*
- *If there is a reasonable risk of such damage, then consider issue (ii) or (iii).*

Items (ii) and (iii) then provide further guidance on how to proceed.

It is noted that the proposed development will not alter the site's stormwater characteristics in a manner that may substantially damage a third party property. The proposal is to provide detention such that post-development flows and velocities outlet to the existing swale drain which are no greater than pre-development flows and velocities (from the existing cleared site). It is noted that proposed development will provide an improved scenario over previous development on the site (now demolished) which included impervious areas that were not attenuated.

Therefore, in accordance with QUDM (which forms part of Council's planning scheme), the proposal represents a lawful point of discharge.

Whilst easements on downstream properties may pursued, freehold allotment owners are under no obligation to provide easements and therefore it is considered unreasonable for Council to require such easements to be obtained when a lawful point of discharge in accordance with QUDM is available.

7.6 SARA Items

It is noted that SARA requested details on the site and detailed contours, a concept earthworks plan, a catchment analysis, a conceptual drainage plan, confirmation that the pre-development flow scenario will be maintained, and a capacity analysis (in the event that on-site detention is not to be provided).

- A detailed site contour drawing is provided within **Appendix C**.
- The proposed concept earthworks arrangement involves excavation / filling as required to provide the required platform for the proposed building. The concept arrangement will maintain the existing regime of the site falling to the rear so as not to impact on the existing road network or adjacent properties.



- Catchment analysis for the site has been undertaken as detailed within **Section 7.3**. No external catchment analysis has been undertaken because there are no changes proposed.
- We confirm that the existing flow scenario will be maintained for the post-development condition. Bulk earthwork will maintain existing flow outlet locations and the proposed new drainage infrastructure (at all ground levels, including roof systems) will also outlet to the existing drainage swale at the rear of site via a site detention system which will be designed to attenuate post-development flows to pre-development flows in the 1%, 2%, 5%, 10%, 20%, 50% and 63.2% design events. Sizing has been undertaken in accordance with QUDM methodologies (refer **Section 7.3**) to determine the preliminary volume of detention required. Detailed design during the building approval phase will be undertaken by undertaking routing calculations in accordance with QUDM requirements.
- The concept drainage arrangement is described in **Section 7.2**.
- Capacity analysis of the existing drainage swale and the downstream railway culverts are not required because the development proposes to attenuate post-development flows to the pre-development flow volumes.



8. MSC Information Request Item 6 – Parking and Access

8.1 Site Access

The proposed new access arrangement for the site is detailed on drawing 262-001-SK01 (refer **Appendix G**). It is proposed to provide an all movement vehicular access from Thongon Street via an FNQROC standard residential concrete vehicular crossover and driveway.

8.1.1 Proposed Site Access Width

Section 3.2 within Australian Standard AS/NZS 2890.1 “Parking Facilities, Part 1: Off-Street Car Parking” provides requirements for the width of access driveways. Table 3.1 within this section describes the access facility category in relation to user class and road hierarchy.

To determine the access facility category, the car parking user class and road frontage types must first be determined. A User Class of “1A” (residential, domestic and employee parking) is considered appropriate for the proposed development, whilst a road frontage type of “local” for Thongon Street is also considered appropriate (it is not an arterial road).

For the adopted user class, adopted road frontage type and for a development with 25 – 100 car parks (there are 70 on-site car parks), an access facility category (referencing AS/NZS 2890.1) of “1” was determined.

Table 3.2 describes the access driveway width requirements for different access facility categories. Based on access facility category, a driveway width of 3.0m to 5.5m is nominated for entry with an exit width not identified. A total width of 5.6m is proposed, complying with FNQROC standard drawing S1015 (note that whilst the development is residential, the driveway arrangement is required to be of a commercial standard because there are more than two residences in the development, therefore a width of up to 6.0m is allowable).

8.1.2 Site Access Location

Section 3.2.3 describes requirements for the location of access driveways to keep conflicts between frontage road traffic and car park traffic to an acceptable minimum. At un-signalised access locations with a driveway category of “1”, driveways shall not be in sections of kerb as identified by Figure 3.1 within the standard. This figure identifies that site accesses are not permitted to be located within 6m of kerb line tangent points at intersections. The proposed new driveway location is located approximately 9.8m (to the outside edge of 1.2m wide apron) from the Thooree Street intersection kerb return and approximately 86.4m from the Coondoo Street intersection kerb return. The provided site access location therefore complies with this requirement of AS/NZS 2890.1.

8.1.3 Horizontal Sight Distance Evaluation

Clause 3.2.4 within Australian Standard AS/NZS 2890.1 nominates requirements for sight distance at access driveway exits. It notes that driveways are to be located such that there is adequate entering sight distance to on-coming traffic so that sight distance is available as required by Figure 3.2 of the Standard.

The proposed access arrangement is a combined entry / exit arrangement for domestic use. The speed limit on Thongon Street is 50km/h. Figure 3.2 within the AS/NZS 2890.1 identifies a 40m



sight distance requirement for domestic access for 50km/h. Reference is made to drawing 262-001-SK02 which provides a sight distance analysis, demonstrating compliance with the AS/NZS2890.1 requirements.

8.1.4 Vehicle Manoeuvring at Site Frontage

Large Passenger / Utility / Van Type Vehicle

A swept path analysis has been undertaken for access to the car park by an Austroads B99 vehicle whilst another B99 vehicle is exiting. This type of vehicle represents a large passenger car, utility or van. Reference is made to drawing 262-001-SK03 which demonstrates compliant manoeuvring.

Waste Collection

Bulk bins will be located on the site, however it is not proposed that the waste collection vehicle will enter the site to access the bins. The bins (being 4 x 1.5m³ general waste bulk bins, refer MRA Environmental report) will be located within the site adjacent to a proposed on-street loading zone parking space. The waste collection vehicle driver will park within the loading zone and wheel the bins to the vehicle for emptying. Reference is made to drawing 262-001-SK04 which provides further details.

8.2 Off-Street Car Parking

Proposed development will provide 90-degree parking within the ground floor car parking area. Figure 2.2 within AS/NZS 2890.1 identifies the requirements for length and width of car parking spaces for varying parking angle configurations. The required width for user class 1A (residential / domestic use) 90-degree parking is 2.4m with a length of 5.4m and a circulating aisle width of 5.8m. Reference is made to drawings 262-001-SK05 and SK06 which provided detailed confirming compliance with those requirements.

Provision has also been provided for PWD parking spaces. AS/NZS 2890.6 provides requirements for PWD and the required adjacent shared spaces, being 2.4m wide and 5.4m long. Drawings 262-001-SK05 and SK06 also provide detailed dimensions confirming compliance with these requirements.

The proposed car park arrangement also provides for blind aisles where required, which have been designed to meet the requirements of Clause 2.4.2(c) within AS/NZS2890.1 by providing a minimum length of 1.0m. Drawings 262-001-SK05 and SK06 also confirm compliance with this item.

The proposal involves two levels of car parking (the lower ground level and basement level). This includes ramps from the at ground (Thongon Street) level providing connectivity to the lower ground level (a straight ramps) and the basement level (a curved ramp). Section 2.5 within AS/NZS 2890.1 provides details on the requirements for such ramps including required width (based on radius for curved ramps) and clearance requirements to obstructions on the edge of ramps. Drawings 262-001-SK05 and SK06 provide details on how compliance is achieved. Drawings 262-001-SK07 to SK10 provide swept path analysis of the ramping areas. It is noted that because the car parking module and aisle dimensions meet the requirements of AS/NZS 2890.1, no swept path analysis is required for vehicles entering / existing the car parking spaces.



8.3 Changes to On-Street Parking

There are currently several on-street car parks formally marked at the site frontage on Thongon Street. These are proposed to be reconfigured to allow for the adjusted site access driveway and the proposed new loading zone parking space. These will be provided in accordance with the requirements of Australian Standard AS 2890.5 "Parking Facilities, Part 5: On-Street Parking".



Appendix A

Mareeba Shire Council Information Request



Mareeba
SHIRE COUNCIL

65 Rankin Street
PO Box 154 MAREEBA QLD 4880

P: 1300 308 461
F: 07 4092 3323

W: www.msc.qld.gov.au
E: info@msc.qld.gov.au

12 January 2024

Planning Officer: Brian Millard
Direct Phone: (07) 4086 4657
Our Ref: MCU/23/0025
Your Ref: 72321

9-11 Thongon Street Kuranda Pty Ltd
C/- Planz Town Planning Pty Ltd
PO Box 181
EDGE HILL QLD 4870

Dear Applicants,

Confirmation Notice

Planning Act 2016

Council acknowledges receipt of your application, which was properly made on 2 January 2024. This Confirmation Notice has been prepared in accordance with the Development Assessment Rules and contains information relevant to the processing and assessment of the application. The following details are confirmed:

APPLICATION DETAILS

Application No:	MCU/23/0025
Proposal:	Application for a Development Permit for Material Change of Use – Multiple Dwelling (56 Residential Units)
Street Address:	9 – 11 Thongon Street, Kuranda
Real Property Description:	Lot 310 & 311 on NR7409
Planning Scheme:	Mareeba Shire Council Planning Scheme 2016

TYPE OF DEVELOPMENT

The application seeks development approval for:

- Development Permit for Material Change of Use – Multiple Dwelling (56 Residential Units)

SUPERSEDED PLANNING SCHEME

Is the application for development under the Superseded Planning Scheme? **No**

CODE ASSESSMENT

Will Code Assessment be required? **Yes**

Public Office: 65 Rankin Street, Mareeba QLD 4880. Postal address: PO Box 154, Mareeba QLD 4880

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The application will be assessed against the following development codes:

- Medium density residential zone code
- Kuranda local plan code
- Airport environs overlay code
- Scenic amenity overlay code
- Accommodation activities code
- Landscaping code
- Parking and access code
- Works, services and infrastructure code

IMPACT ASSESSMENT

Will Impact Assessment be required? **No**

PUBLIC NOTIFICATION DETAILS

Is Public Notification Required? **No**

REFERRAL AGENCIES

Based on the information accompanying the lodged application, referral is required to the following referral agencies -

- Schedule 10, Part 9, Division 4, Table 1 – Aspect of development stated in schedule 20 (Purpose 1(c) – a multiple dwelling containing 50 Dwellings or more)

In accordance with section 54(1) of the Planning Act, the applicant is required to give a copy of the application to all referral agencies within 10 days, or a further period as agreed between the applicant and the assessment manager, starting the day after the confirmation notice is issued.

INFORMATION REQUEST

Has the applicant advised on the approved form that the applicant does not agree to accept an Information Request? **No**

A further Information Request is made by the assessment manager, as detailed below:

1. Engineering Reports (water & waste)

Engineering reports prepared by suitably qualified RPEQ's are required demonstrating that Council's existing infrastructure will be able to provide the minimum acceptable standard of service for water and sewerage reticulation. The report is required to provide:

- A water supply reticulation analysis to determine the extent of upgrading required to reticulation mains, trunk mains, pumping facilities and storage capacity to facilitate connection of the proposed development to Council's reticulated water infrastructure. The water supply reticulation analysis must also demonstrate an adequate supply for fire-fighting purposes or identify how on-site fire-fighting storage will be achieved if the reticulated supply is not of a sufficient capacity and/or pressure.

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- A sewerage supply reticulation analysis to determine the extent of upgrading required to existing mains, pumping facilities and treatment capacity to facilitate connection of the proposed development to Council's reticulated sewerage infrastructure.

2. Traffic Impact Assessment

Undertake a Traffic Impact Assessment (TIA), prepared by a suitably qualified RPEQ that assesses the impact of the proposed development on the local area traffic network, and which includes recommendations for required road upgrading and intersection treatments. The TIA should also address how any revised bulk refuse storage will be serviced on-site.

3. Electricity Supply

Undertake a electricity supply analysis, carried out by a suitably qualified RPEQ that assess the capacity and ability of the existing reticulated electricity supply network to service the proposed development.

The electricity supply study should identify whether there is any need for back-up generators on-site to maintain critical services (water and waste) during power outages and where these back-up generators will be located.

4. Telecommunications

Undertake a telecommunications analysis, carried out by a suitably qualified RPEQ that assess the capacity and ability of the surrounding telecommunications network to service the proposed development.

The analysis must determine whether the height of proposed development will have any impact on existing telecommunication services to adjoining properties, including television reception, wireless NBN services and any other satellite installations.

5. Stormwater Analysis

Provide an analysis of the anticipated quantity and quality of stormwater drainage associated with the development and provide a provisional/conceptual Stormwater Management Plan and Stormwater Quality Management Plan (prepared by an RPEQ) for the proposed development that demonstrates compliance with AO10.1 and AO10.2 of the Works, services and infrastructure code. Through the implementation of water sensitive urban design principles, this plan must demonstrate no net increase in the discharge rate of stormwater from the developed site.

All stormwater must be discharged lawfully from the site and where it is proposed to discharge stormwater through neighbouring downstream allotments, easements will have to be established to ensure discharge occurs lawfully.

6. Parking and Access

Provide a full set of dimensioned plans, including detailed swept path diagrams, prepared by a Registered Professional Engineer of Queensland (RPEQ) demonstrating that the on-site car parking, access and circulation areas (including car park dimensions) comply with *AS/NZS 2890.1:2004 Parking facilities Part 1: Off-street parking* (as amended). The swept path diagrams must be generated using a **B99 vehicle** and must include car park ramps and approaches to both ramps. A statement of compliance must be provided by the RPEQ.

Where bulk bins are to be used for refuse storage, the plans must also demonstrate how a standard sized commercial garbage collection vehicle is able to enter and exit the site in a forward gear to service the bulk bins.

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7. Landscape Plan

Provide a to-scale Landscape Plan prepared by a suitably qualified landscape architect or landscape designer that satisfies the requirements of the Landscaping Code.

The Landscape Plan must identify plant species to be used and how planter boxes and other landscaped areas will be managed and maintained for the life of the development.

8. Slope Stability/Geotechnical Investigation

The majority of the subject land is mapped within the Hill and slope area (slope exceeding 15%). Provide a geotechnical report (prepared by a qualified geotechnical engineer) and prepared in accordance with Planning Scheme Policy 5 that addresses the requirements of the Hill and slope overlay code. The report should address the proposed building work as well as the clearing of the site in preparation of building works commencing.

9. Needs Assessment

The proposed development is approximately 4 times greater than the residential density envisaged for the subject site by the Planning Scheme at the time of public consultation and adoption. Provide a detailed assessment of need, demand and potential impacts of the proposed development, prepared by a suitably qualified economic professional.

10. Visual Impact

Provide a visual impact assessment prepared by a suitably qualified consultant that assesses the potential visual impact of the development on the surrounding Kuranda Township and nearby residential uses. This study should include recommendations about any proposed amelioration measures.

The visual impact assessment should also demonstrate that the development will not be visible from the Kennedy Highway Scenic Route, particularly by higher vehicles such as tourist buses.

11. Air Quality/Odour

Provide an air quality and odour assessment for the proposed development, prepared by a suitably qualified RPEQ that addresses the following:

- The potential impacts of vehicle emissions on Apartments 1 – 8 and 26.
- The availability of natural breezes and air circulation to all apartments, in particular bedrooms with only hallway window openings.
- Potential odour concerns for apartments and adjoining uses in proximity to the proposed refuse storage area or any revised/relocated refuse storage area.

12. Noise Impact Assessment

Provide a Noise Impact Assessment (NIA), prepared by a suitably qualified Acoustic Engineer (RPEQ) that demonstrate that the proposed development is not likely to have an unacceptable impact on the residential amenity of adjacent residential land uses. The NIA should address potential noise generated by the number of vehicles using the 2-storey parking facility, as well as upper storey outdoor residential activity (keeping in mind that the development represents a residential density approximately 4 times larger than that envisaged for the land under the Planning Scheme).

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13. Privacy Assessment

Demonstrate how the proposed development will satisfy PO9 of the Medium Density Residential Zone Code and PO3 of the Accommodation Activities Code and will not have a significant impact on the privacy of neighbouring sensitive land uses to the north and east of the site.

PO9 of the Medium Density Residential Zone Code relates to overall privacy and is not limited to window heights.

The assessment should also demonstrate how privacy will be achieved internally for apartments that contain window openings to common areas and walkways.

14. External Lighting Assessment

Provide an external lighting assessment, prepared by a suitably qualified lighting engineer (RPEQ) that demonstrate that the proposed development will not have an adverse impact on the residential amenity of adjoining landowners as a result of light spillage.

15. Shadowing/Shading Assessment

Provide a shadowing/shading assessment, prepared by a suitably qualified professional, demonstrating that shadowing created as a result of the proposed developments building height and bulk will not adversely impact on the amenity of adjoining sensitive land uses by reducing their access to sunlight.

The assessment must also consider any impacts on existing solar power systems in the shadow/shade footprint.

16. Character Assessment

Provide a building character assessment, prepared by a suitably qualified professional, demonstrating how the proposed development's built form complies with the Purpose statements, overall outcomes, and Performance Outcome PO7 of the Kuranda local plan code (Village Heart Precinct) as well as Performance Outcome PO7 of the Medium density residential zone code.

Refer to Planning Scheme Policy 1 – Character Area Design Guidelines for additional guidance in relation to the development outcomes sought.

17. Frontage Works

Provide conceptual plans of any upgrades proposed to Thongon Street as part of the development. The plans should demonstrate and be accompanied by statements of compliance against PO8 of the Kuranda local plan code. The plans should provide footpath pavement treatments in accordance with Planning Scheme Policy 9 – Footpath Paving.

18. On-site Refuse Storage

The refuse storage area provided is not considered adequate for 56 residential units and therefore the development cannot comply with PO2 of the Accommodation activities code. It is considered reasonable that each unit be provided with 1 x 240 litre wheelie bin, or equivalent communal bulk/skip bin refuse storage.

Please amend the plans to provide adequate refuse storage. Additionally, please demonstrate how the refuse storage will be emptied/serviced.

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19. Open Space

Provide a plan/s clearly identifying the areas of both private open space and communal open space. It is noted that the development lacks standard communal recreational open space inclusions such as a gymnasium, swimming pool, gaming room and usable grassed outdoor areas.

Provide details as to how the landscape buffer at the rear of the building will be accessed and maintained.

Provide details as to how the underfloor area at the rear of the development will be accessed and maintained.

20. Ownership Structure

Please outline the intended ownership structure of the proposed apartment complex.

21. Domestic Pets

Please outline any proposed policies in relation to pet ownership.

22. Mail Delivery for individual units

Amend the plans to include an internal mail delivery and storage area for the apartment complex. Each apartment should be provided with an exclusive and secure mail storage box.

23. Air Conditioning and Plant

Provide details of how air conditioning will be achieved to each individual apartment, and where the associated air conditioning plant will be located and how air conditioning plant will be screened from view.

24. Secure Storage

Amend the proposed plans to include secure storage required under AO4.4. For this scale of development with this many individual units, Council officers consider it necessary to provide secure storage at basement level.

End of Information Request

In responding to the Information Request, *Development Assessment Rule 13* states: -

"13. Applicants Response

13.1 The period for the applicant to respond to an information request is 3 months from the date the information request was made or a further period agreed between the applicant and the assessing authority that made the information request.

13.2 The applicant may respond by giving the assessing authority that made the information request, within the period stated under section 13.1 -

- (a) all of the information requested; or*
- (b) part of the information requested; or*
- (c) a notice that none of the information will be provided.*

13.3 For any response given in accordance with sections 13.2(b) or (c), the applicant may also advise the assessing authority that it must proceed with its assessment of the application.

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13.4 *An applicant must provide a copy of any response to an information request made by a referral agency to the assessment manager."*

PROJECT TEAM

The contact details of the project team for your application are provided below. Your primary point of contact for any general enquires regarding this application is the project manager.

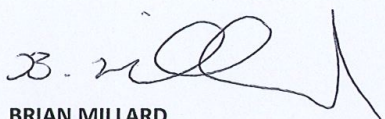
Project Manager **Brian Millard, Coordinator Planning Services** **(07) 4086 4657**

OTHER DETAILS

You can follow the progress of this application online at www.msc.qld.gov.au.

Should you have any further queries in relation to the above, please do not hesitate to contact the undersigned on the above number.

Yours faithfully



BRIAN MILLARD
COORDINATOR PLANNING SERVICES

Mareeba Shire Council

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Appendix B

State Assessment and Referral Agency Information Request

GE33-N



SARA reference: 2401-38814 SRA
Applicant reference: P72321
Council reference: MCU/23/0025

15 February 2024

9-11 Thongon St Kuranda Pty Ltd
C/- Planz Town Planning
PO Box 181
EDGE HILL QLD 4870
info@planztp.com

Attention: Nikki Huddy

Dear Sir/Madam

SARA information request - Multiple Dwelling (56 Residential Units) at 9-11 Thongon St, Kuranda

(Given under section 12 of the Development Assessment Rules)

This notice has been issued because the State Assessment and Referral Agency (SARA) has identified that information necessary to assess your application against the relevant provisions of the State Development Assessment Provisions (SDAP) has not been provided.

SDAP State code 6: Protection of State transport networks	
1.	<p><u>Issue:</u></p> <p>The application material has not demonstrated compliance with 'PO14 - PO16 Stormwater and overland flow' and 'PO19 Drainage infrastructure of State code 6: Protection of State transport networks.</p> <p>The proposal involves the construction of a multi-storey unit development that will increase the impervious area of the site and therefore also stormwater discharge. The site slopes steeply to the rear and north, towards the railway corridor. There is an existing drain within the railway corridor that likely accepts stormwater discharges from this catchment, however it is not clear whether the drain has capacity to accept increased flows.</p> <p>The referral material has not detailed an assessment of the stormwater impacts of the proposed development or how they will be managed. Stormwater runoff from the site may result in adverse impacts to the railway corridor.</p> <p><u>Action:</u></p>

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

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2401-38814 SRA

	<p>Provide a Stormwater Management Plan that demonstrates compliance with 'PO14 - PO16 Stormwater and overland flow' and 'PO19 Drainage infrastructure of State code 6: Protection of State transport networks.</p> <p>The Stormwater Management Plan should demonstrate that the management of stormwater post development can achieve a no worsening impact (on the pre-development condition) for all flood and stormwater events that exist prior to development and up to a 1% Annual Exceedance Probability (AEP). This should include at least the following flood and stormwater events: 63.2%, 50%, 20%, 10%, 5%, 2% and 1% AEP. Stormwater management for the proposed development must ensure no worsening to the railway corridor, including rail transport infrastructure, caused by peak discharges, flow velocities, water quality, sedimentation, and scour effects.</p> <p>In particular, the following should be addressed:</p> <ul style="list-style-type: none"> (i) <i>Site Detail and Contour Survey.</i> Provide a site detail and contour survey, prepared by a registered surveyor, to verify the existing drainage characteristics of the site, particularly in relation to the railway corridor. All legal points of discharge for the development site should be identified and any drainage infrastructure within or adjacent to the railway corridor that the development relies upon should be identified. See capacity analysis requirement below. (ii) <i>Concept Earthworks Plan.</i> Provide a concept earthworks plan, including cross sections/elevations, and any required supporting technical details clearly showing the location and extent of proposed excavation and filling (earthworks). The difference between existing site levels and finished/design levels should be clearly shown. (iii) <i>Catchment Analysis.</i> Provide pre-development and post-development catchment plans that clearly identify all internal catchments on the site, external catchments draining into the site, the flow paths (direction of flow) within each catchment, the size of each catchment and the legal point of discharge for each catchment. (iv) <i>Maintain the pre-development condition.</i> The pre-development flow scenario will need to be replicated in the post development condition. The site is above the level of the railway corridor and potentially runoff from the site and any upstream external catchments may flow into the railway corridor as sheet flow. This external flow will need to be accommodated by the development and not impeded. The development design will need to address any changes in stormwater discharge to the railway corridor, any concentration of flows, the capacity of existing drainage infrastructure and potential for scour/erosion which may undermine the railway corridor. (v) <i>Conceptual drainage layout.</i> Provide a conceptual stormwater drainage layout plan showing the proposed internal stormwater network on the site, including roof-water connections, pit and pipe network, field inlets and any detention basins/tanks and demonstrating how all roof and surface water flows will be collected and conveyed to the legal points of discharge. (vi) <i>Capacity analysis:</i> In the event that the development is not proposing to mitigate peak discharge, a capacity analysis will be required. Undertake hydraulic/hydrological modelling to determine if the existing drainage infrastructure in the railway corridor has the capacity to accept unmitigated peak discharge from the development site for all design events up to a 1% AEP. The capacity analysis should be based on a fully developed catchment as per the planning scheme. <p>As-constructed drawings of the drainage infrastructure in the railway corridor or alternatively a survey of the drainage infrastructure in the railway corridor are likely</p>
--	--

2401-38814 SRA

	to be required for this analysis. Please contact the railway manager (Queensland Rail) at QRPropertyWayleaves@qr.com.au in relation to the potential availability of as-constructed drawings for the railway corridor or alternatively for approval requirements to undertake a survey in the railway corridor
--	---

How to respond

You have three months to respond to this request and the due date to SARA is **15 May 2024**.

You may respond by providing either: (a) all of the information requested; (b) part of the information requested; or (c) a notice that none of the information will be provided. Further guidance on responding to an information request is provided in section 13 of the [Development Assessment Rules](#) (DA Rules).

It is recommended that you provide all the information requested above. If you decide not to provide all the information requested, your application will be assessed and decided based on the information provided to date.

You are requested to upload your response and complete the relevant tasks in [MyDAS2](#).

As SARA is a referral agency for this application, a copy of this information request will be provided to the assessment manager in accordance with section 12.4 of the DA Rules.

If you require further information or have any questions about the above, please contact Anthony Westbury, Planning Officer, on 40373215 or via email CairnsSARA@dsdilgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Brett Nancarrow
Manager (Planning)

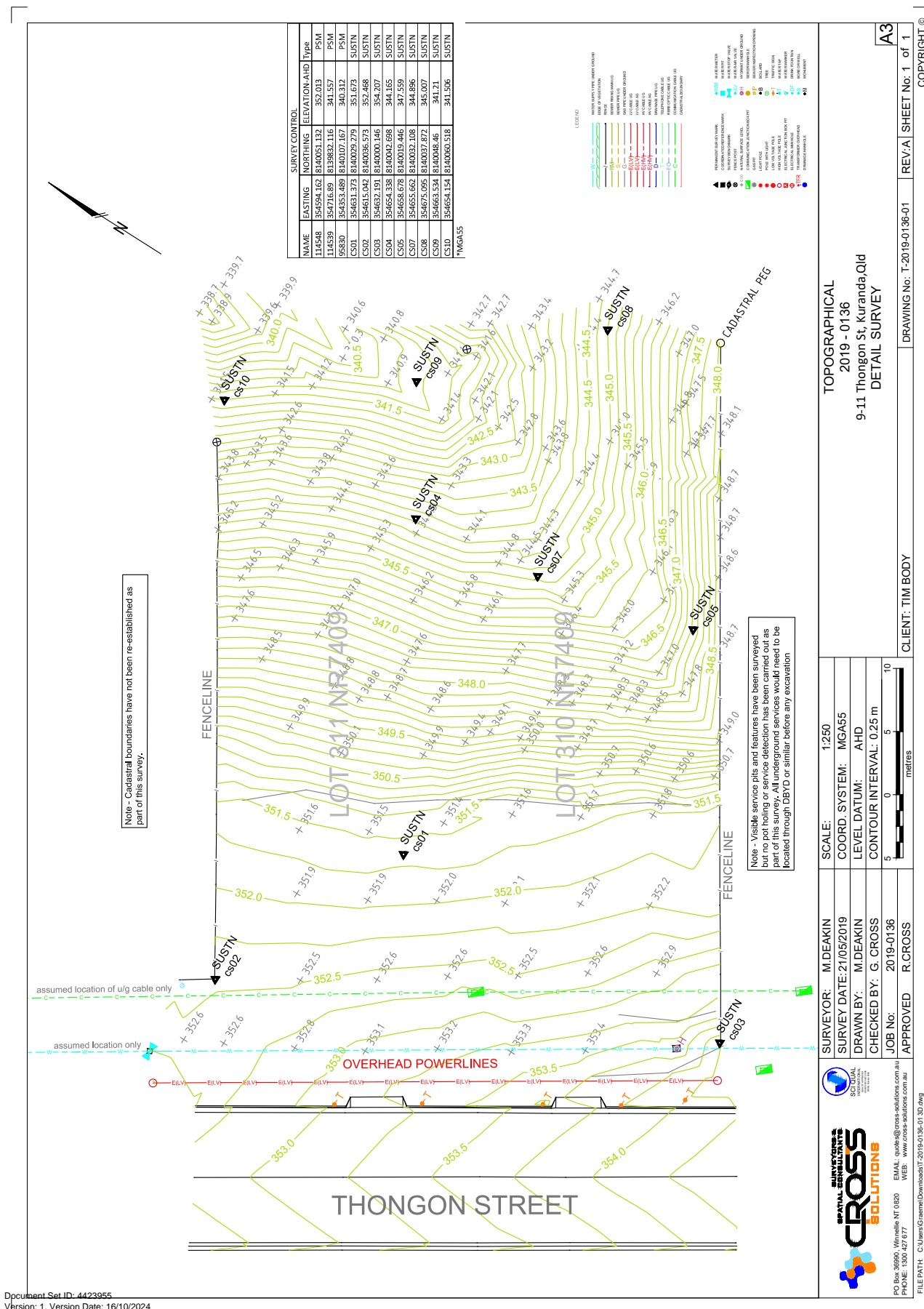
cc Mareeba Shire Council, planning@msc.qld.gov.au

Development details	
Description:	Development permit Material Change of Use for Multiple Dwelling (56 Residential Units)
SARA role:	Referral agency
SARA trigger:	Schedule 10, Part 9, Division 4, Subdivision 1, Table 1, Item 1 (Planning Regulation 2017) - Development impacting on state transport infrastructure and thresholds (more than 50 dwellings)
SARA reference:	2401-38814 SRA
Assessment criteria:	State code 6 – Protection of State transport networks



Appendix C

Site Survey Drawings

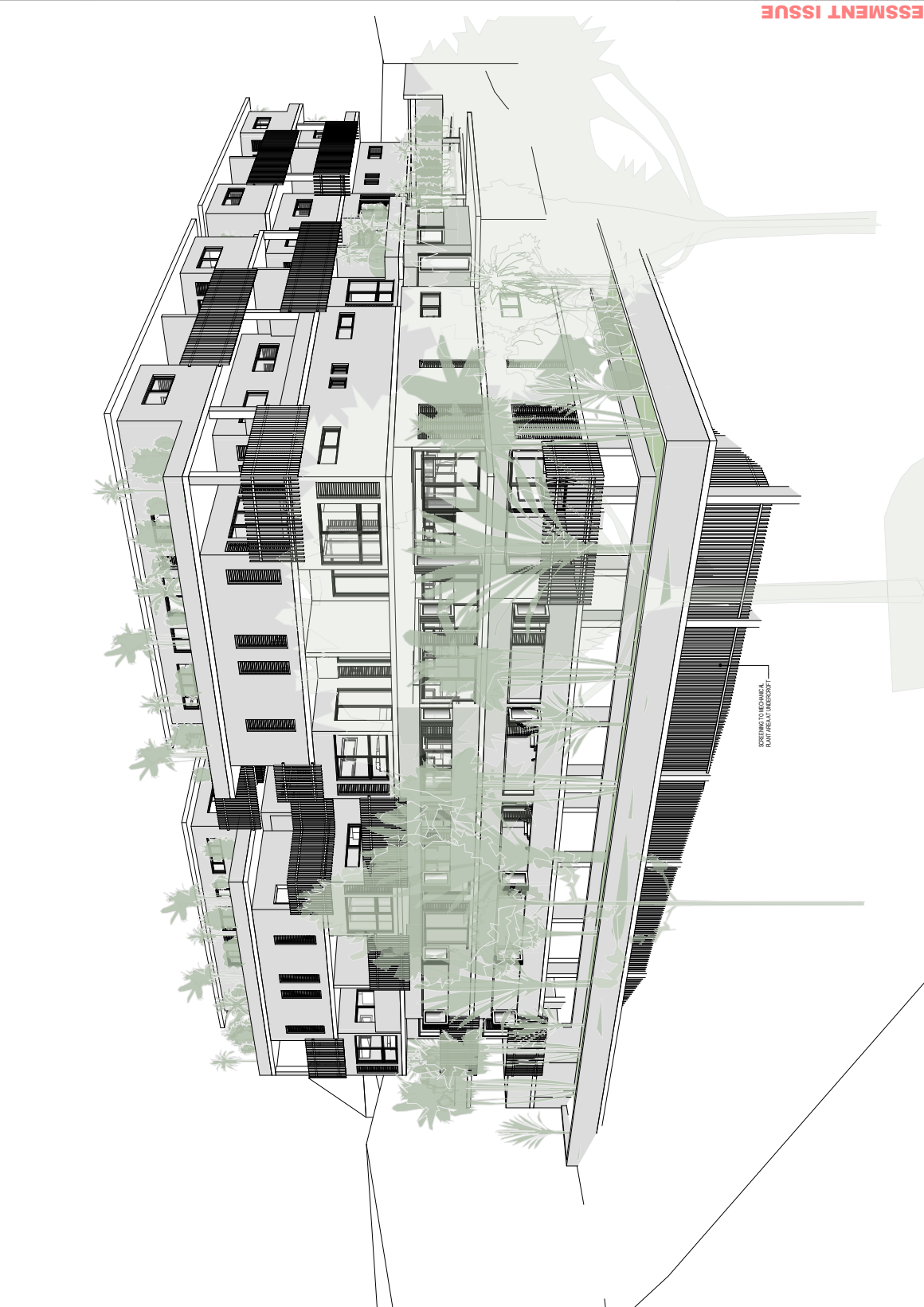




Appendix D

Nevele Drawings

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RESIDENTIAL UNIT DEVELOPMENT

9-11 THONGON STREET, KURANDA

9-11 THONGON STREET
KURANDA PTY LTD

11-1701
TP02
C

ASSESSMENT ISSUE

PLEASE NOTE: SUBSTITUTION OF ANY STRUCTURAL MATERIALS, A OR VARIATIONS TO ANY OF THE SPECIFICATIONS, OR THE RESPONSIBILITIES OF THE BUILDING DESIGNER, ARE NOT COVERED BY THIS AGREEMENT AND PERFORMANCE OF THE BUILDING.

NEVELE

PROJECT REVISIONS

NO.	DATE	REVISION
1	16/10/2024	ISSUED FOR PERMIT
2	16/10/2024	ISSUED FOR PERMIT
3	16/10/2024	ISSUED FOR PERMIT
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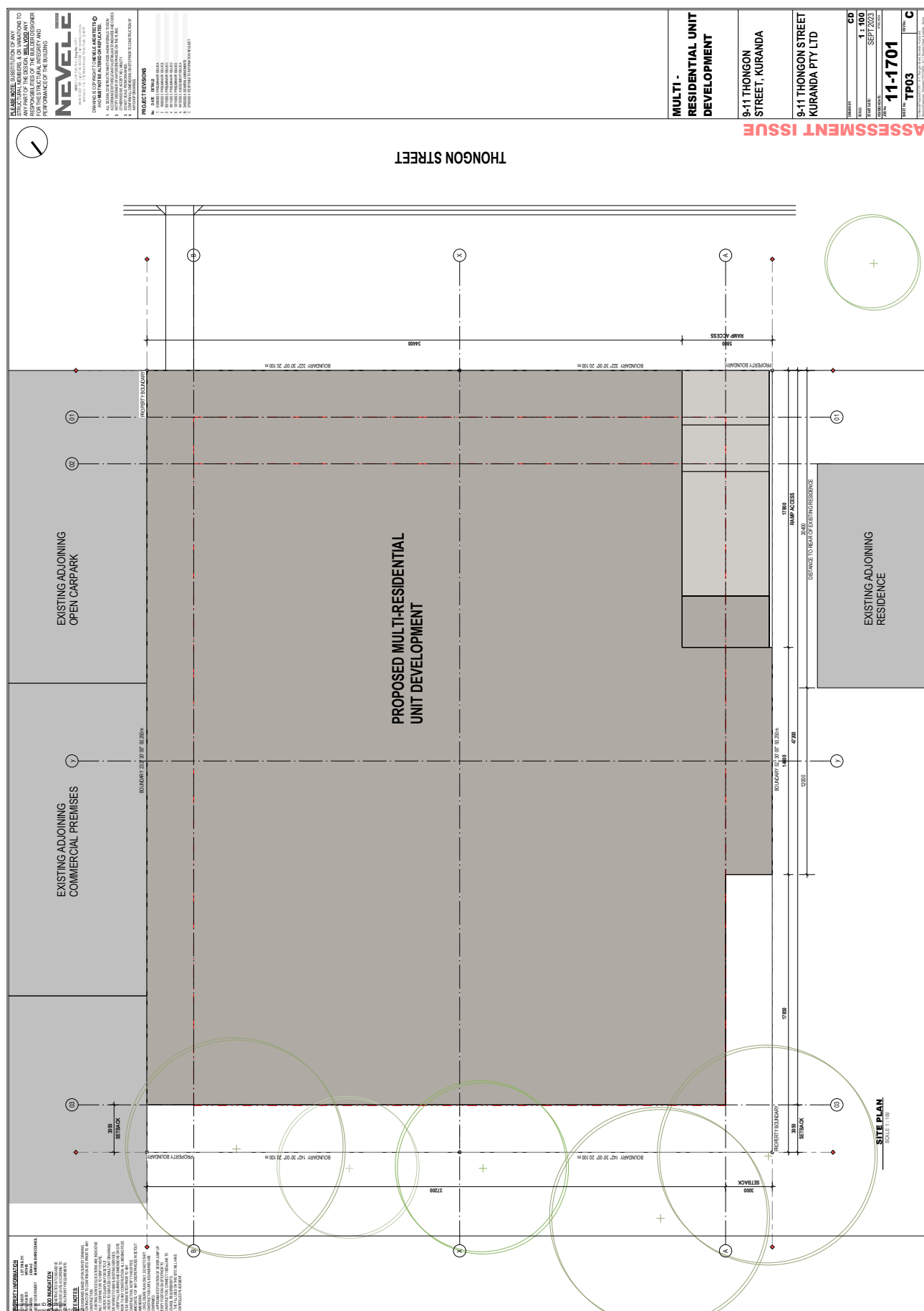
RESIDENTIAL UNIT DEVELOPMENT

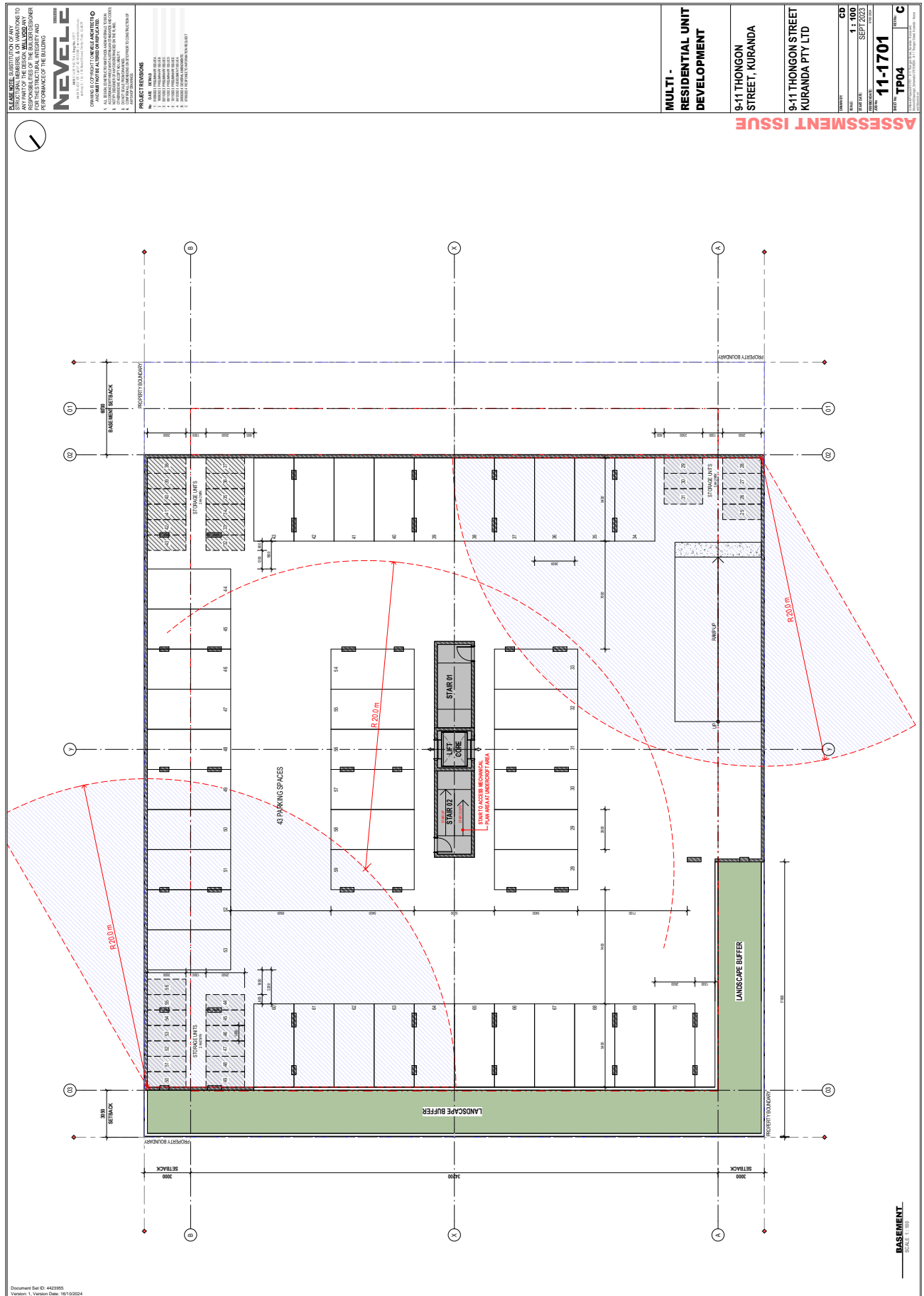
9-11 THONGON STREET, KURANDA

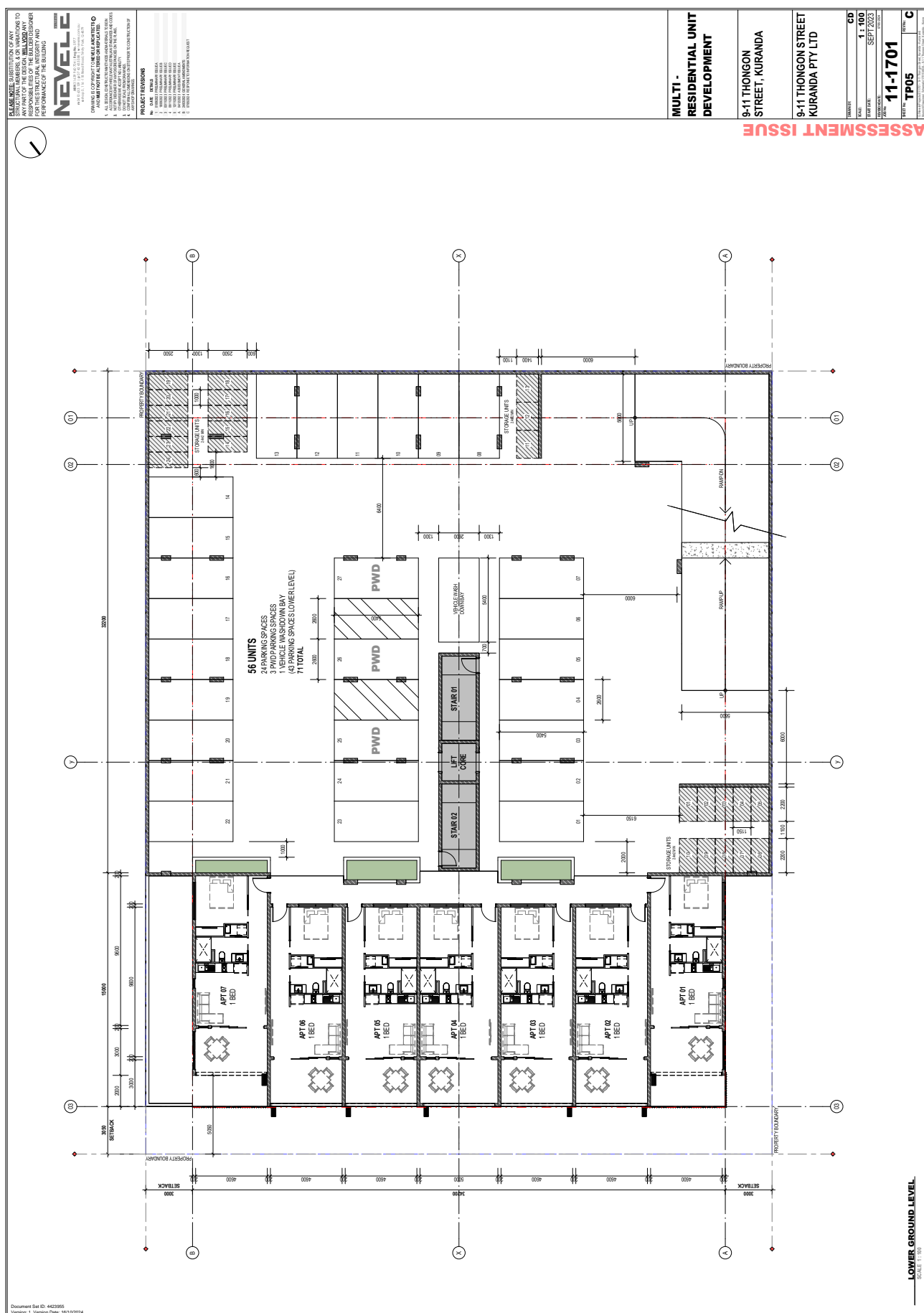
9-11 THONGON STREET
KURANDA PTY LTD

11-1701
TP02
C

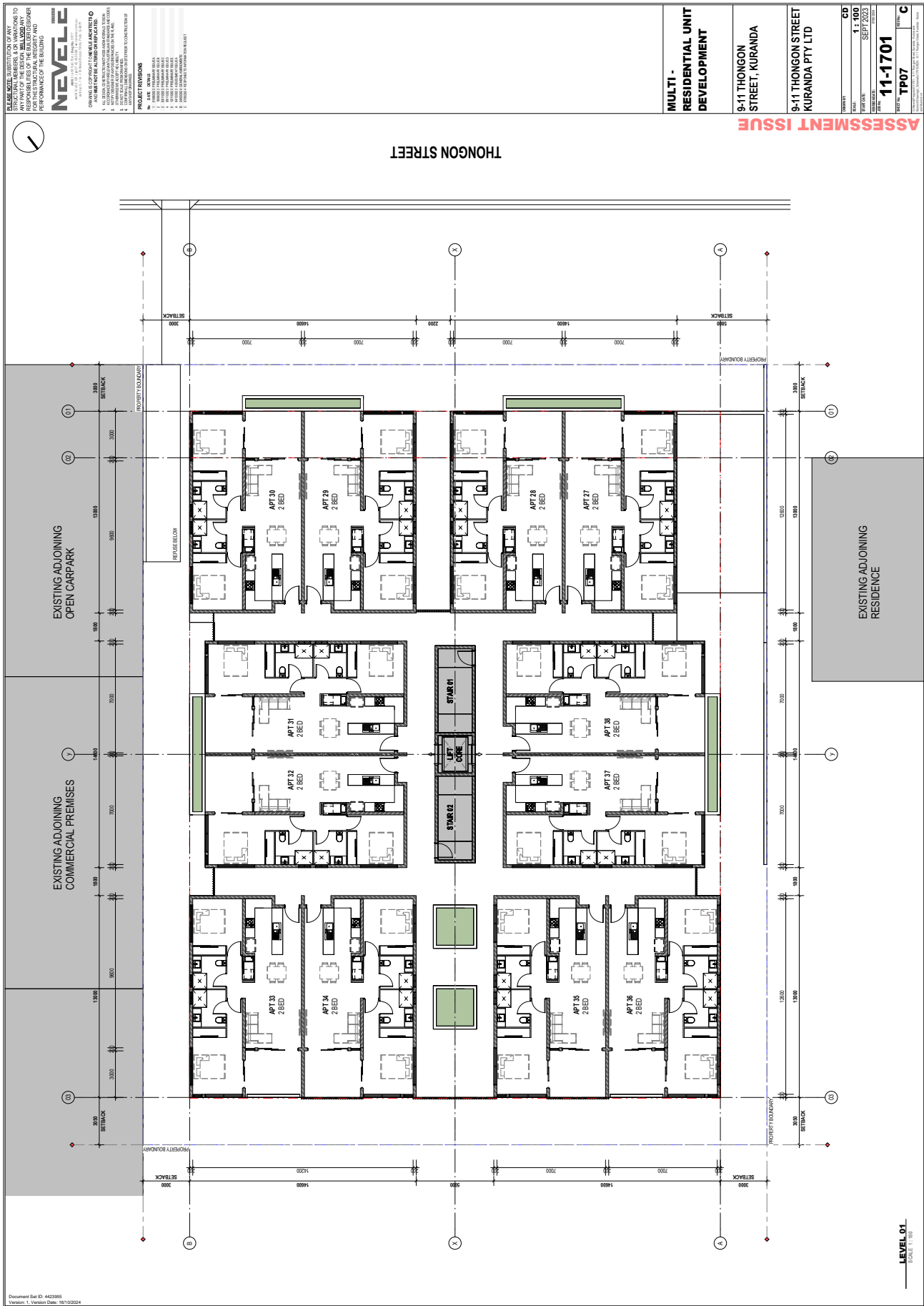
ASSESSMENT ISSUE

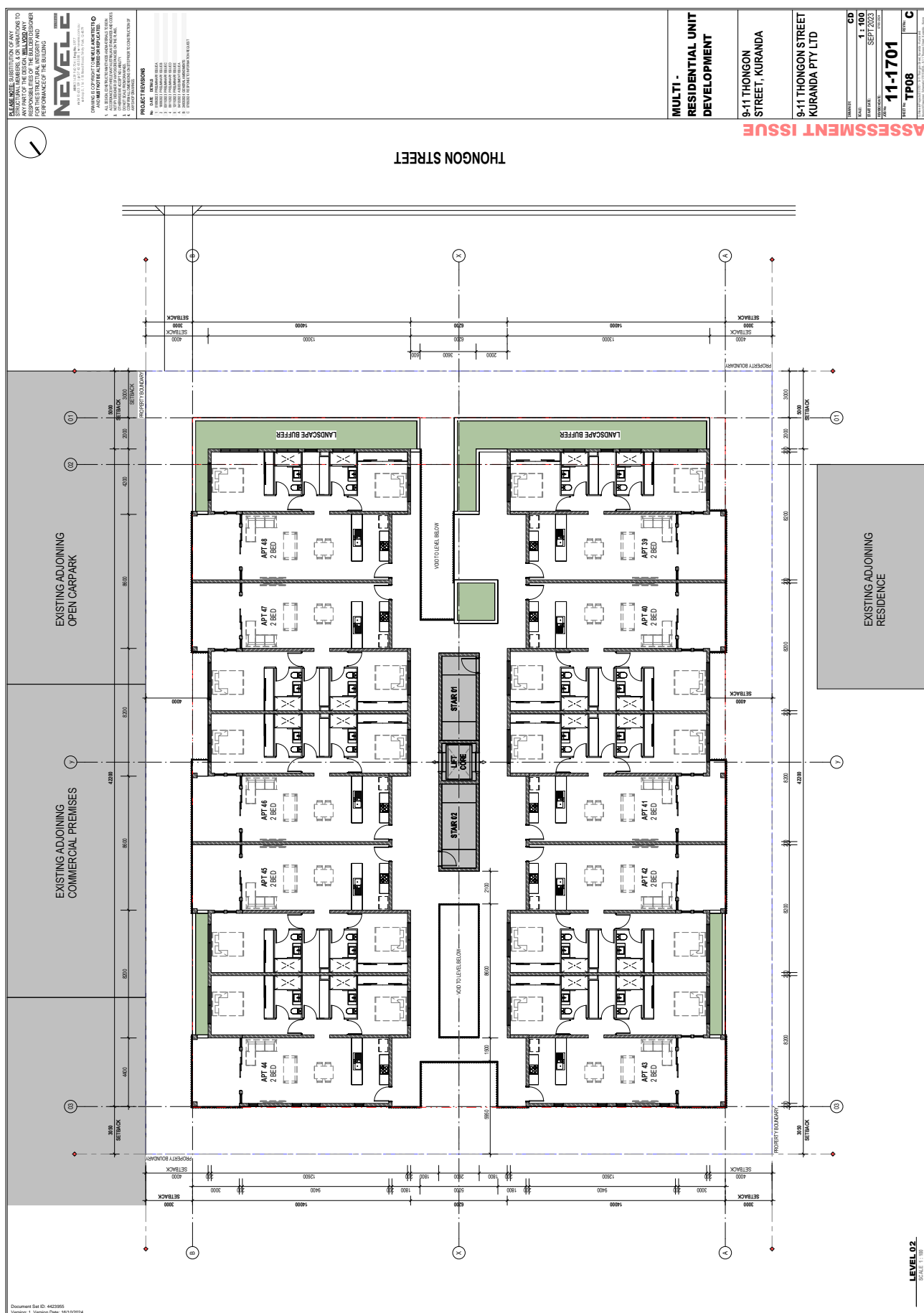


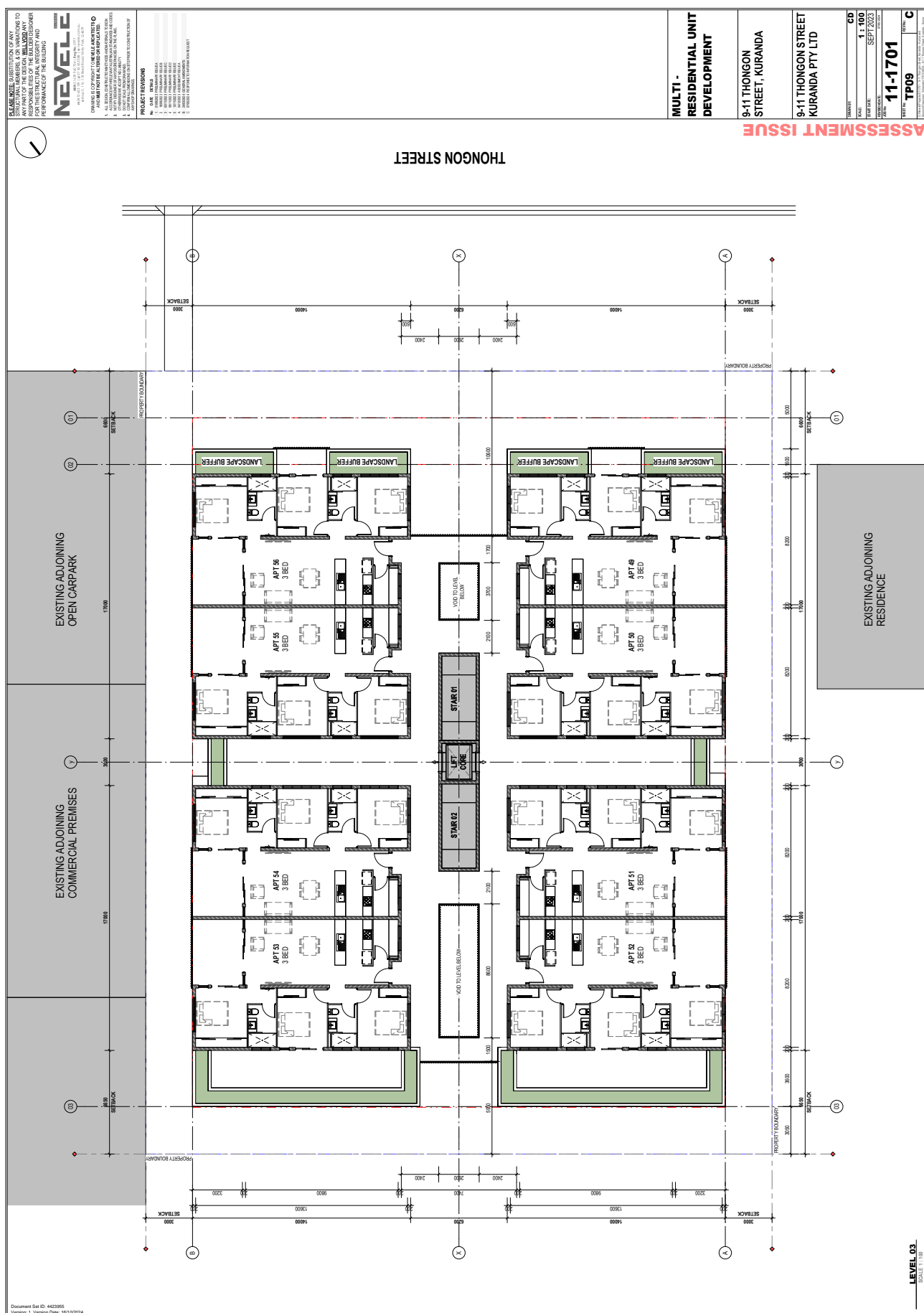


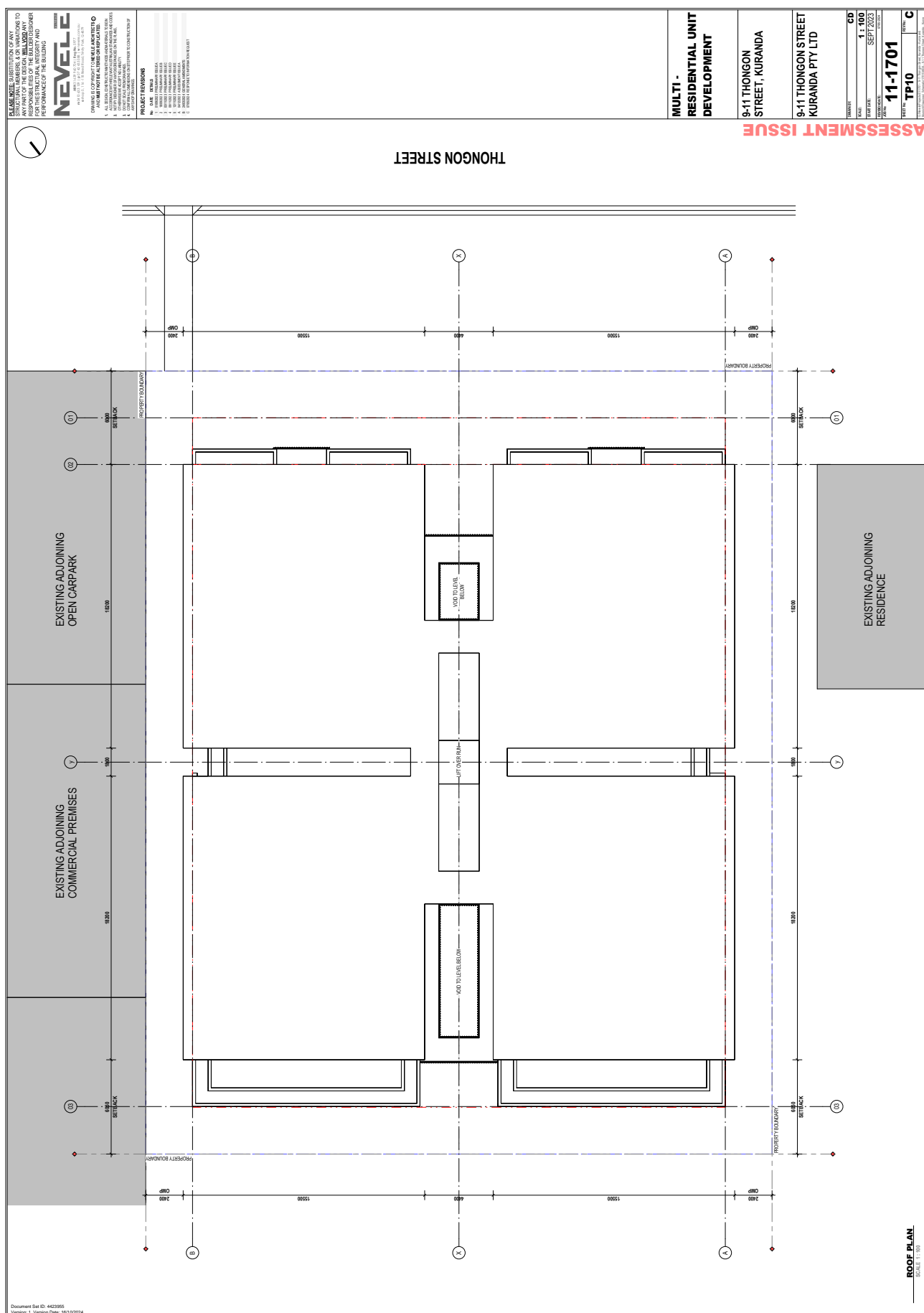




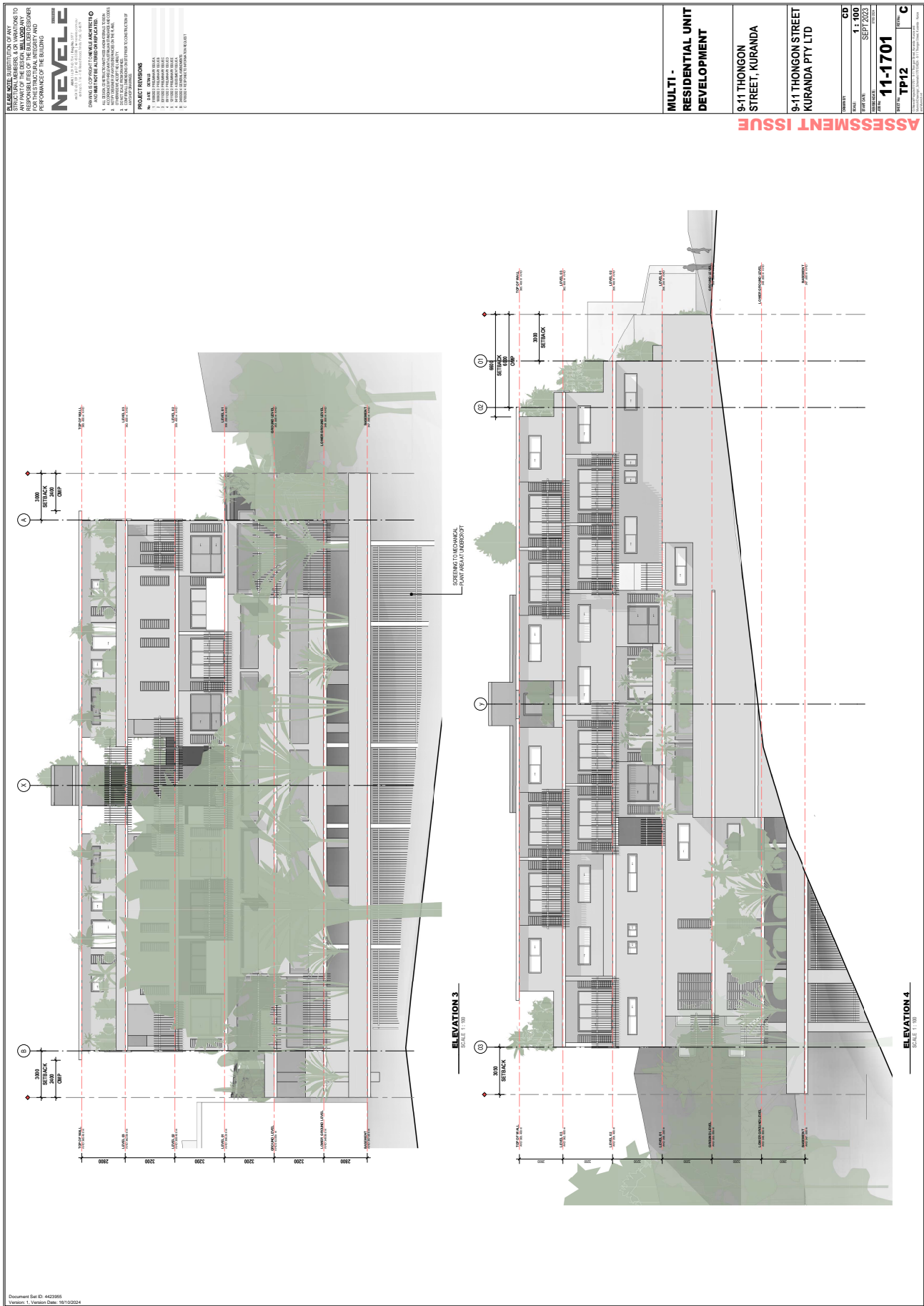












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NEVELE
ARCHITECTS
100/101, 102/103, 104/105, 106/107, 108/109, 110/111, 112/113, 114/115, 116/117, 118/119, 120/121, 122/123, 124/125, 126/127, 128/129, 130/131, 132/133, 134/135, 136/137, 138/139, 140/141, 142/143, 144/145, 146/147, 148/149, 150/151, 152/153, 154/155, 156/157, 158/159, 160/161, 162/163, 164/165, 166/167, 168/169, 170/171, 172/173, 174/175, 176/177, 178/179, 180/181, 182/183, 184/185, 186/187, 188/189, 190/191, 192/193, 194/195, 196/197, 198/199, 200/201, 202/203, 204/205, 206/207, 208/209, 210/211, 212/213, 214/215, 216/217, 218/219, 220/221, 222/223, 224/225, 226/227, 228/229, 230/231, 232/233, 234/235, 236/237, 238/239, 240/241, 242/243, 244/245, 246/247, 248/249, 250/251, 252/253, 254/255, 256/257, 258/259, 260/261, 262/263, 264/265, 266/267, 268/269, 270/271, 272/273, 274/275, 276/277, 278/279, 280/281, 282/283, 284/285, 286/287, 288/289, 290/291, 292/293, 294/295, 296/297, 298/299, 300/301, 302/303, 304/305, 306/307, 308/309, 310/311, 312/313, 314/315, 316/317, 318/319, 320/321, 322/323, 324/325, 326/327, 328/329, 330/331, 332/333, 334/335, 336/337, 338/339, 340/341, 342/343, 344/345, 346/347, 348/349, 350/351, 352/353, 354/355, 356/357, 358/359, 360/361, 362/363, 364/365, 366/367, 368/369, 370/371, 372/373, 374/375, 376/377, 378/379, 380/381, 382/383, 384/385, 386/387, 388/389, 390/391, 392/393, 394/395, 396/397, 398/399, 400/401, 402/403, 404/405, 406/407, 408/409, 410/411, 412/413, 414/415, 416/417, 418/419, 420/421, 422/423, 424/425, 426/427, 428/429, 430/431, 432/433, 434/435, 436/437, 438/439, 440/441, 442/443, 444/445, 446/447, 448/449, 450/451, 452/453, 454/455, 456/457, 458/459, 460/461, 462/463, 464/465, 466/467, 468/469, 470/471, 472/473, 474/475, 476/477, 478/479, 480/481, 482/483, 484/485, 486/487, 488/489, 490/491, 492/493, 494/495, 496/497, 498/499, 500/501, 502/503, 504/505, 506/507, 508/509, 510/511, 512/513, 514/515, 516/517, 518/519, 520/521, 522/523, 524/525, 526/527, 528/529, 530/531, 532/533, 534/535, 536/537, 538/539, 540/541, 542/543, 544/545, 546/547, 548/549, 550/551, 552/553, 554/555, 556/557, 558/559, 560/561, 562/563, 564/565, 566/567, 568/569, 570/571, 572/573, 574/575, 576/577, 578/579, 580/581, 582/583, 584/585, 586/587, 588/589, 590/591, 592/593, 594/595, 596/597, 598/599, 600/601, 602/603, 604/605, 606/607, 608/609, 610/611, 612/613, 614/615, 616/617, 618/619, 620/621, 622/623, 624/625, 626/627, 628/629, 630/631, 632/633, 634/635, 636/637, 638/639, 640/641, 642/643, 644/645, 646/647, 648/649, 650/651, 652/653, 654/655, 656/657, 658/659, 660/661, 662/663, 664/665, 666/667, 668/669, 670/671, 672/673, 674/675, 676/677, 678/679, 680/681, 682/683, 684/685, 686/687, 688/689, 690/691, 692/693, 694/695, 696/697, 698/699, 700/701, 702/703, 704/705, 706/707, 708/709, 710/711, 712/713, 714/715, 716/717, 718/719, 720/721, 722/723, 724/725, 726/727, 728/729, 730/731, 732/733, 734/735, 736/737, 738/739, 740/741, 742/743, 744/745, 746/747, 748/749, 750/751, 752/753, 754/755, 756/757, 758/759, 760/761, 762/763, 764/765, 766/767, 768/769, 770/771, 772/773, 774/775, 776/777, 778/779, 780/781, 782/783, 784/785, 786/787, 788/789, 790/791, 792/793, 794/795, 796/797, 798/799, 800/801, 802/803, 804/805, 806/807, 808/809, 810/811, 812/813, 814/815, 816/817, 818/819, 820/821, 822/823, 824/825, 826/827, 828/829, 830/831, 832/833, 834/835, 836/837, 838/839, 840/841, 842/843, 844/845, 846/847, 848/849, 850/851, 852/853, 854/855, 856/857, 858/859, 860/861, 862/863, 864/865, 866/867, 868/869, 870/871, 872/873, 874/875, 876/877, 878/879, 880/881, 882/883, 884/885, 886/887, 888/889, 890/891, 892/893, 894/895, 896/897, 898/899, 900/901, 902/903, 904/905, 906/907, 908/909, 910/911, 912/913, 914/915, 916/917, 918/919, 920/921, 922/923, 924/925, 926/927, 928/929, 930/931, 932/933, 934/935, 936/937, 938/939, 940/941, 942/943, 944/945, 946/947, 948/949, 950/951, 952/953, 954/955, 956/957, 958/959, 960/961, 962/963, 964/965, 966/967, 968/969, 970/971, 972/973, 974/975, 976/977, 978/979, 980/981, 982/983, 984/985, 986/9

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NEVELE
ARCHITECTS
10/11 THONGON STREET, KURANDA
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PROJECT REVISIONS

NO.	DATE	REVISION
1	10/11/2021	ISSUED FOR PERMIT
2	10/11/2021	ISSUED FOR PERMIT
3	10/11/2021	ISSUED FOR PERMIT
4	10/11/2021	ISSUED FOR PERMIT
5	10/11/2021	ISSUED FOR PERMIT
6	10/11/2021	ISSUED FOR PERMIT
7	10/11/2021	ISSUED FOR PERMIT
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98	10/11/2021	ISSUED FOR PERMIT
99	10/11/2021	ISSUED FOR PERMIT
100	10/11/2021	ISSUED FOR PERMIT

PROJECT REVISIONS

NO.	DATE	REVISION
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4	10/11/2021	ISSUED FOR PERMIT
5	10/11/2021	ISSUED FOR PERMIT
6	10/11/2021	ISSUED FOR PERMIT
7	10/11/2021	ISSUED FOR PERMIT



Appendix E

Water Hydrant Test

From: Declan Atkins <Declan@gilboy.com.au>
Sent: Tuesday, April 16, 2024 11:19 AM
To: Greg Gilboy <greg@gilboy.com.au>
Subject: RE: 9-11 Thongon Street, Kuranda - Hydrant Test

Hi Greg,

Hydrant Test results outside 9-11 Thongon Street, Kuranda:

16/04/24 – 8:52am

Static @ 525kPa

5l/s @ 450kPa

10l/s @ 290kPa

15l/s @ 90kPa

19l/s @ 0kPa

10.5l/s @ 350 kPa

14l/s @ 200kPa

(200 & 350kPa were recorded on the back to no flow)

Regards,

Declan Atkins

Hydraulic Services Design Cadet



Unit 4/131 Scott Street, Bungalow.

PO Box 857N, North Cairns. 4870

Phone: (07) 40515116

Email: declan@gilboy.com.au



We look forward to continuing our work association with you and thank you for your support and custom.

Document Set ID: 4423955
Version: 1, Version Date: 16/10/2024



Appendix F

Traffic Count Data



Project THONGON STREET - KURANDA

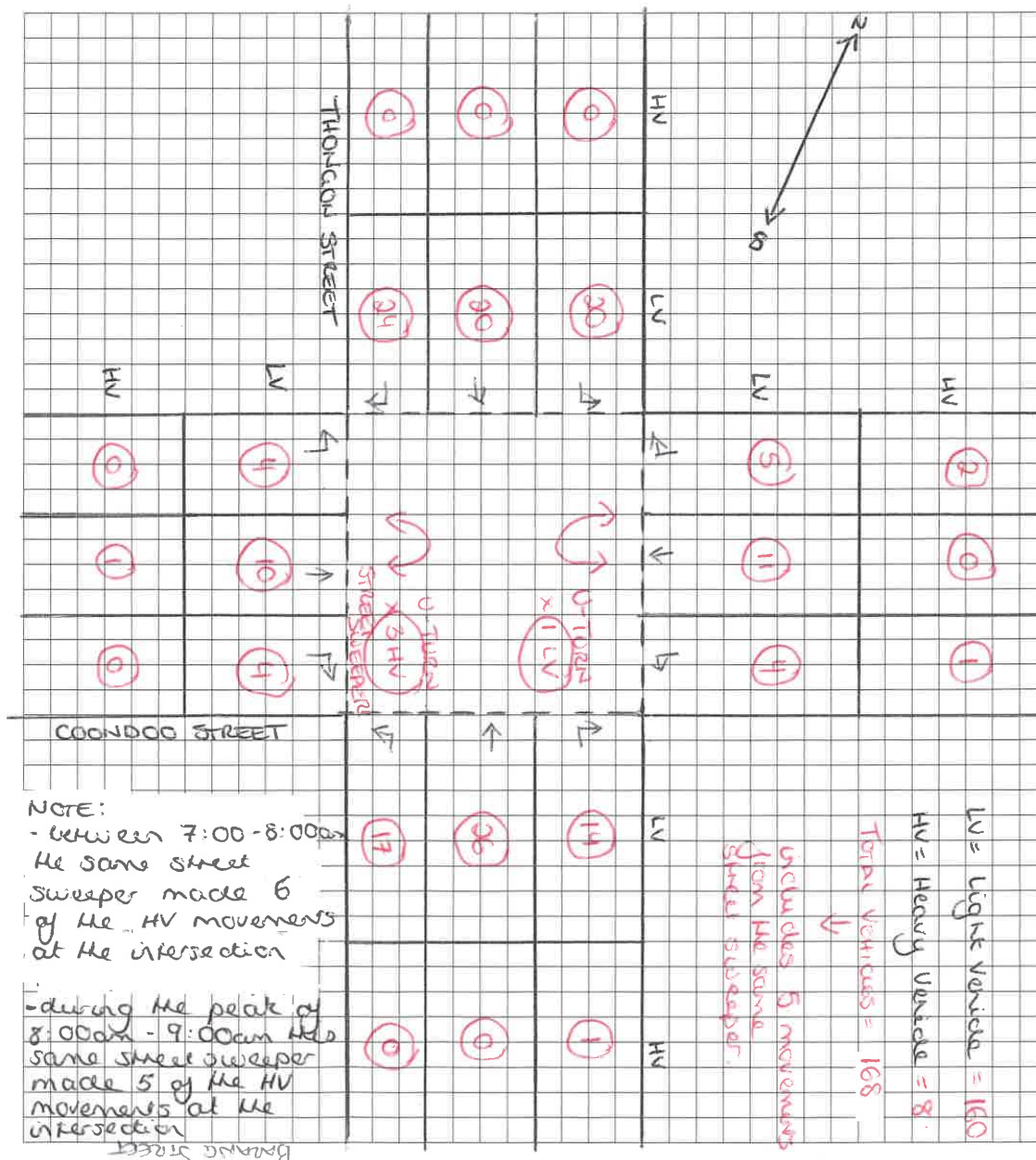
Ref 362-001

Client AM PEAK 8:00 - 9:00 am

Date 17.04.24

Subject TRAFFIC COUNT

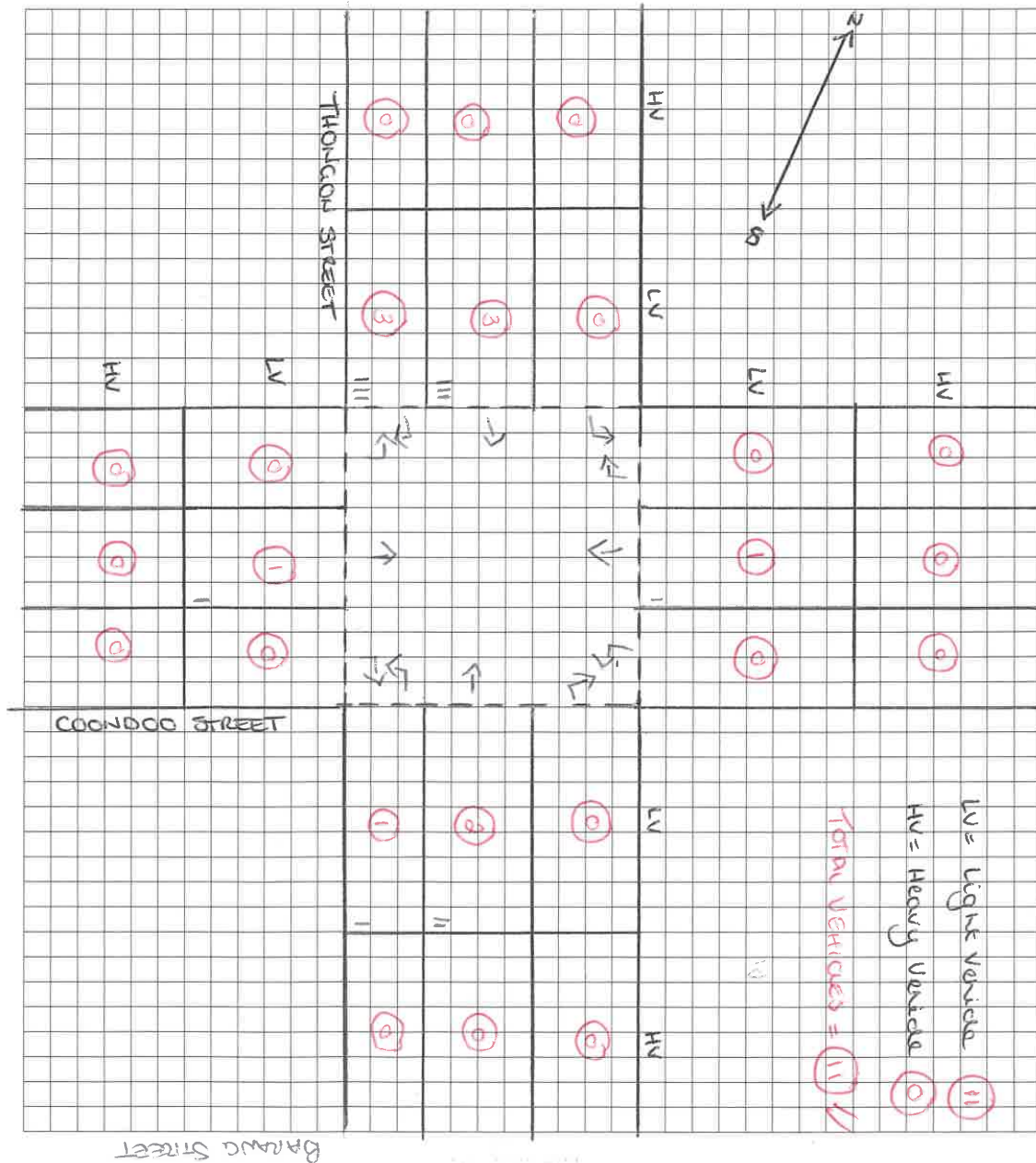
Sheet 1 of 9





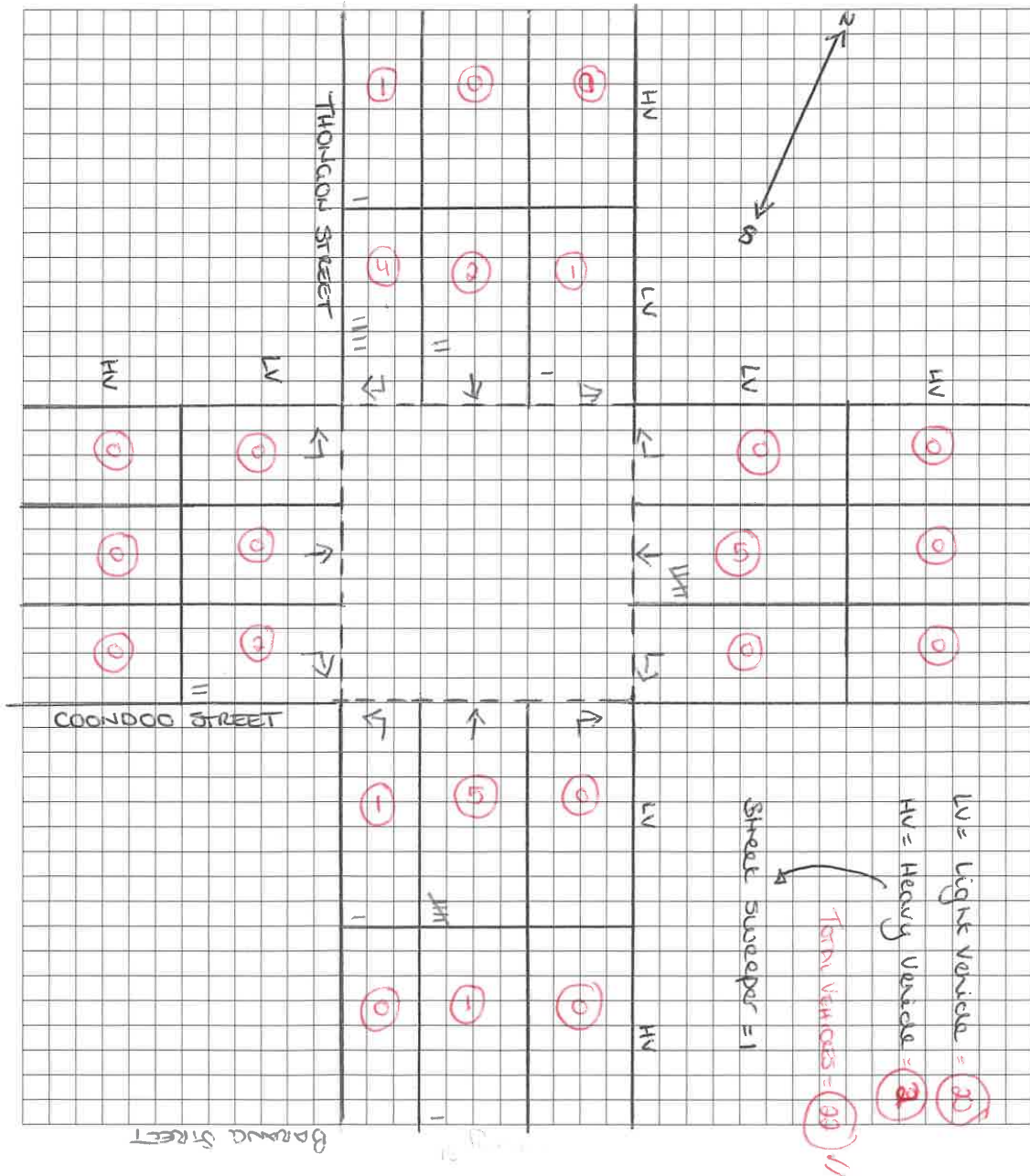
Project THONGON STREET - KURANDA
 Client _____
 Subject TRAFFIC COUNT 7:00 - 7:15 am

Ref 362-001
 Date 17.04.24
 Sheet 2 of 9



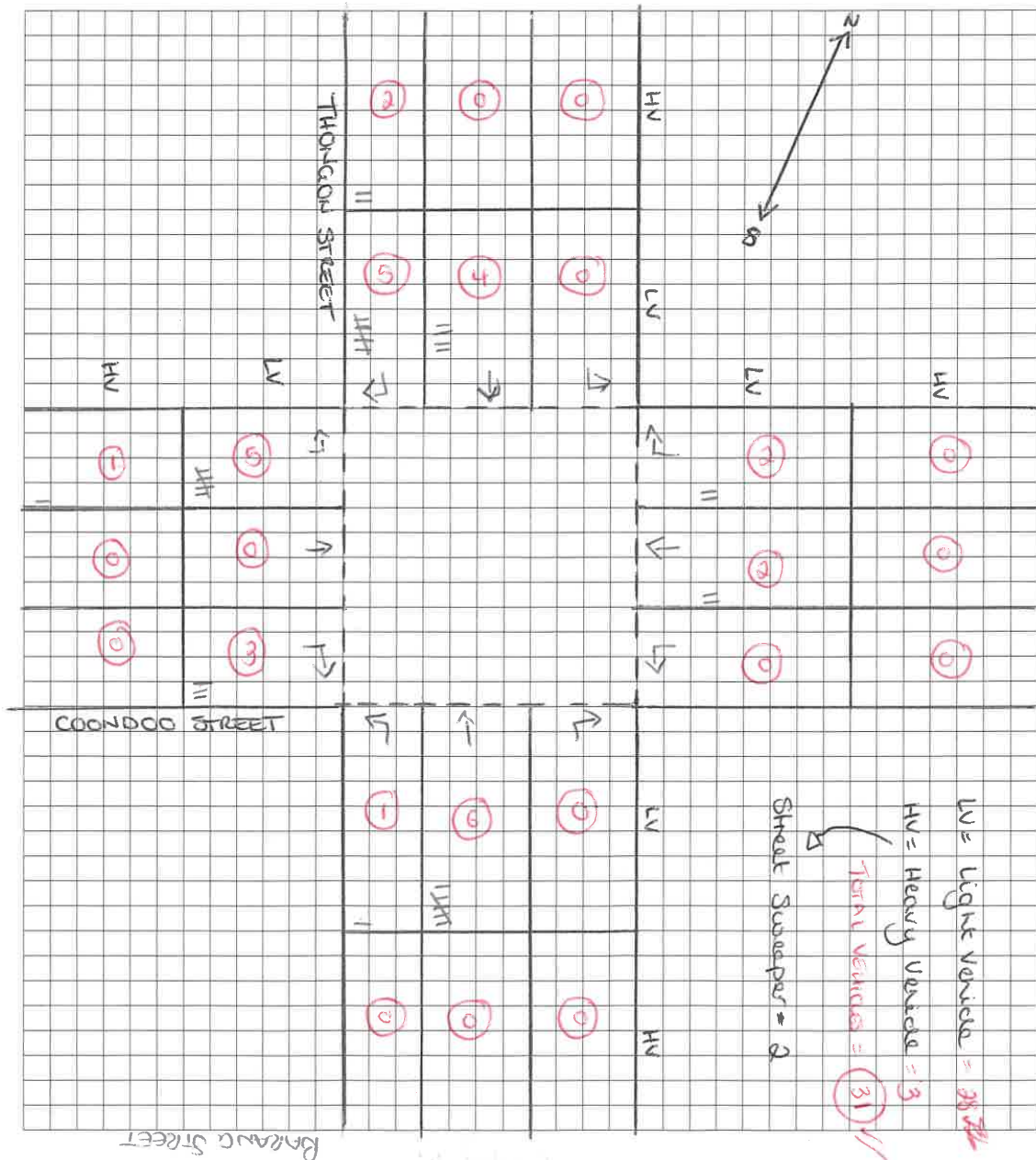


Project THONGON STREET - KURANDA Ref 262-001
 Client _____ Date 17.04.24
 Subject TRAFFIC COUNT 7:15 - 7:30 am Sheet 3 of 9



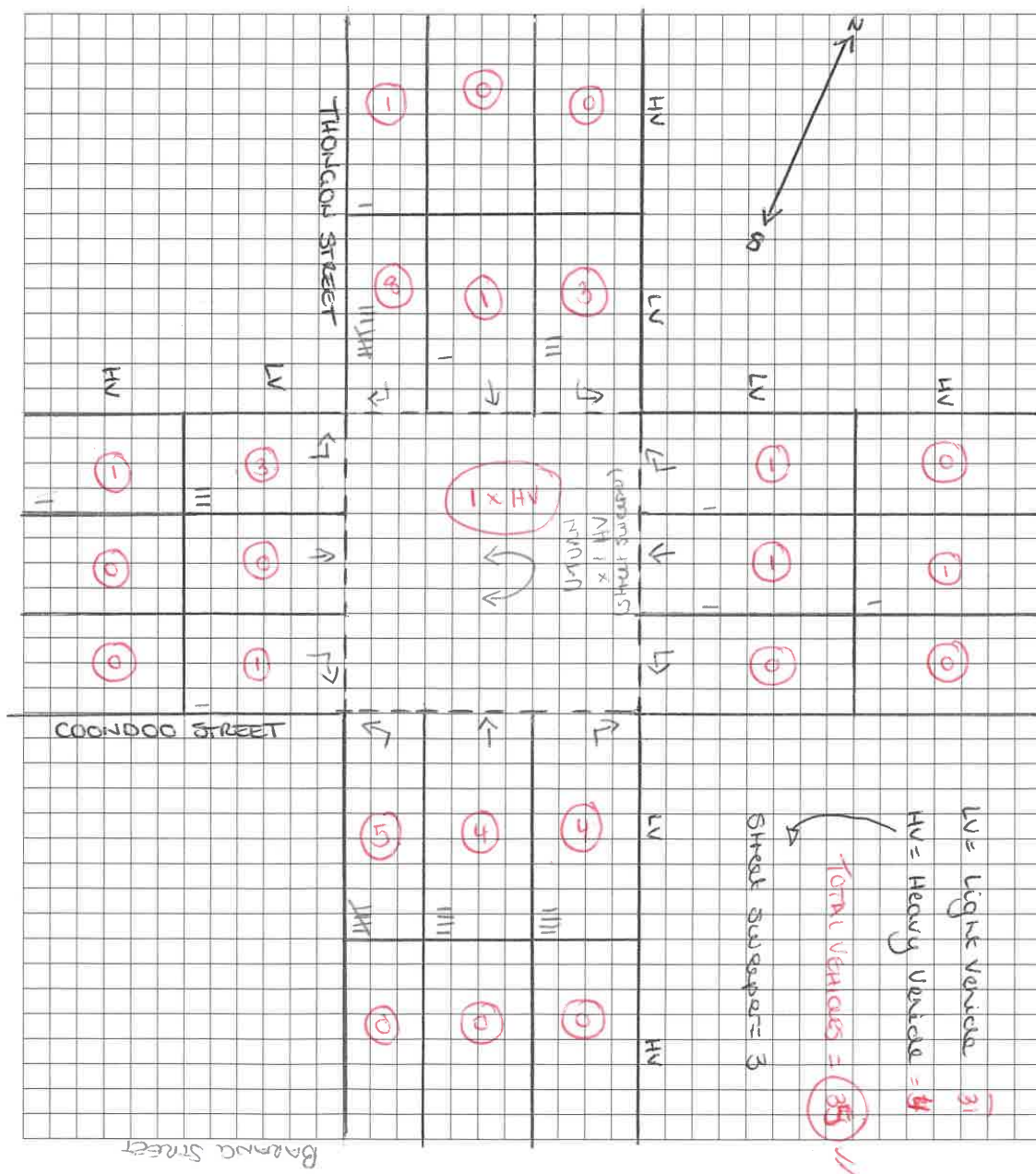


Project THONGON STREET - KURANDA Ref 262-001
 Client _____ Date 17.04.24
 Subject TRAFFIC COUNT 7:30 - 7:45am Sheet 4 of 9





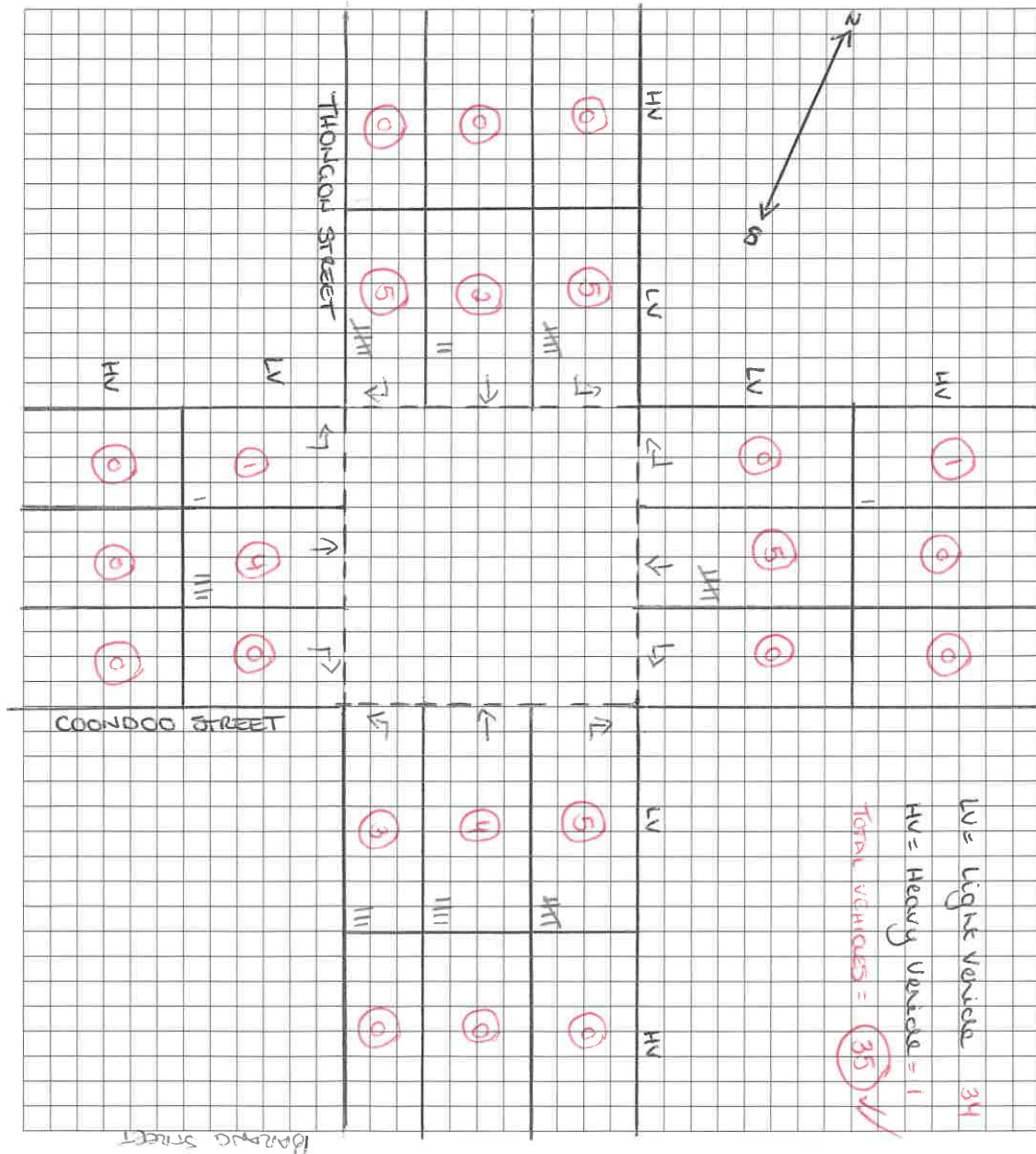
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 Client _____ Date 17.04.24
 Subject TRAFFIC COUNT 7:45 - 8:00 am Sheet 5 of 9





PEAK

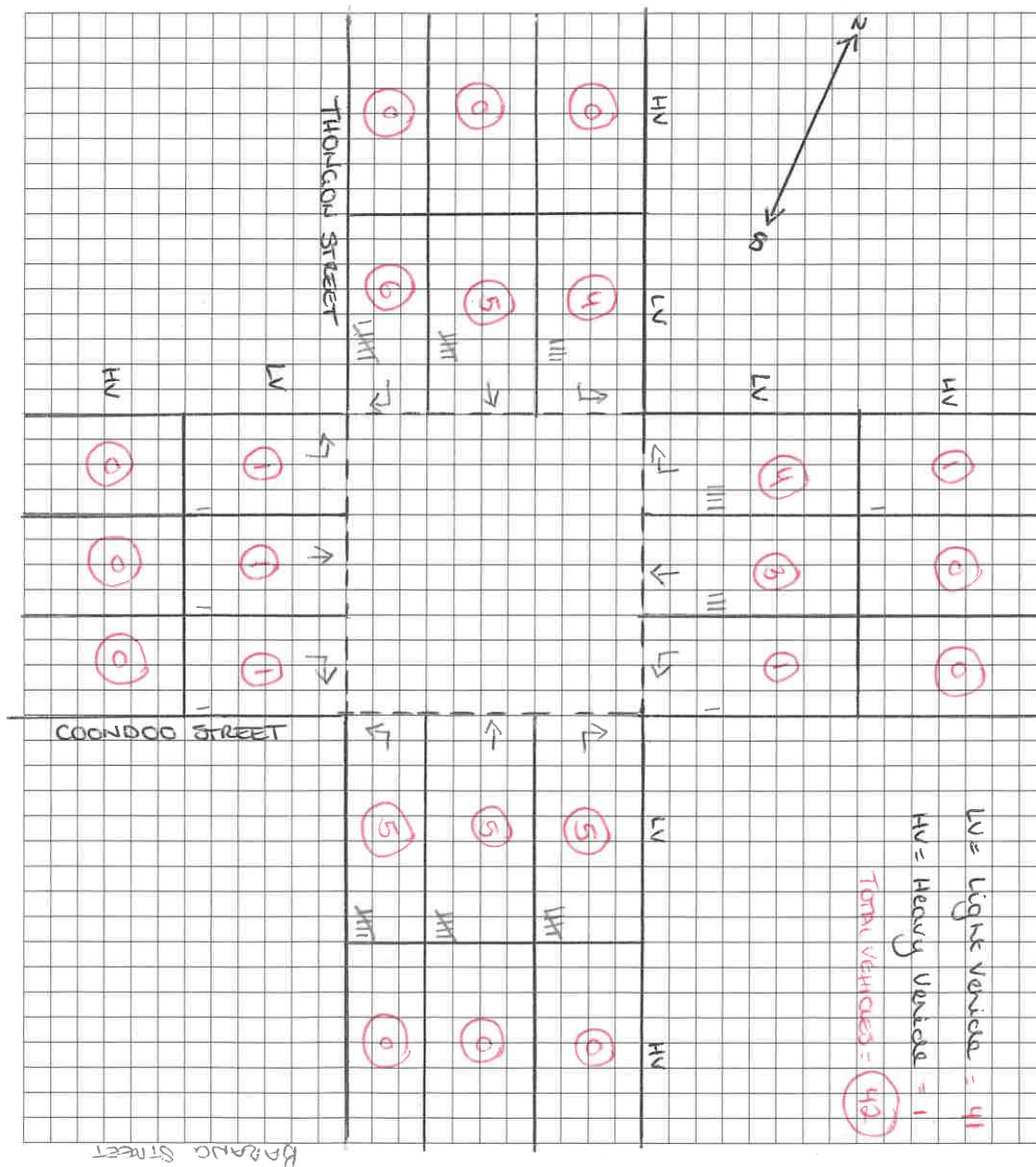
Project THONGON STREET - KURANDA Ref 362-001
 Client _____ Date 17.01.24
 Subject TRAFFIC COUNT 8:00 - 8:15 am Sheet 6 of 9





PEAK

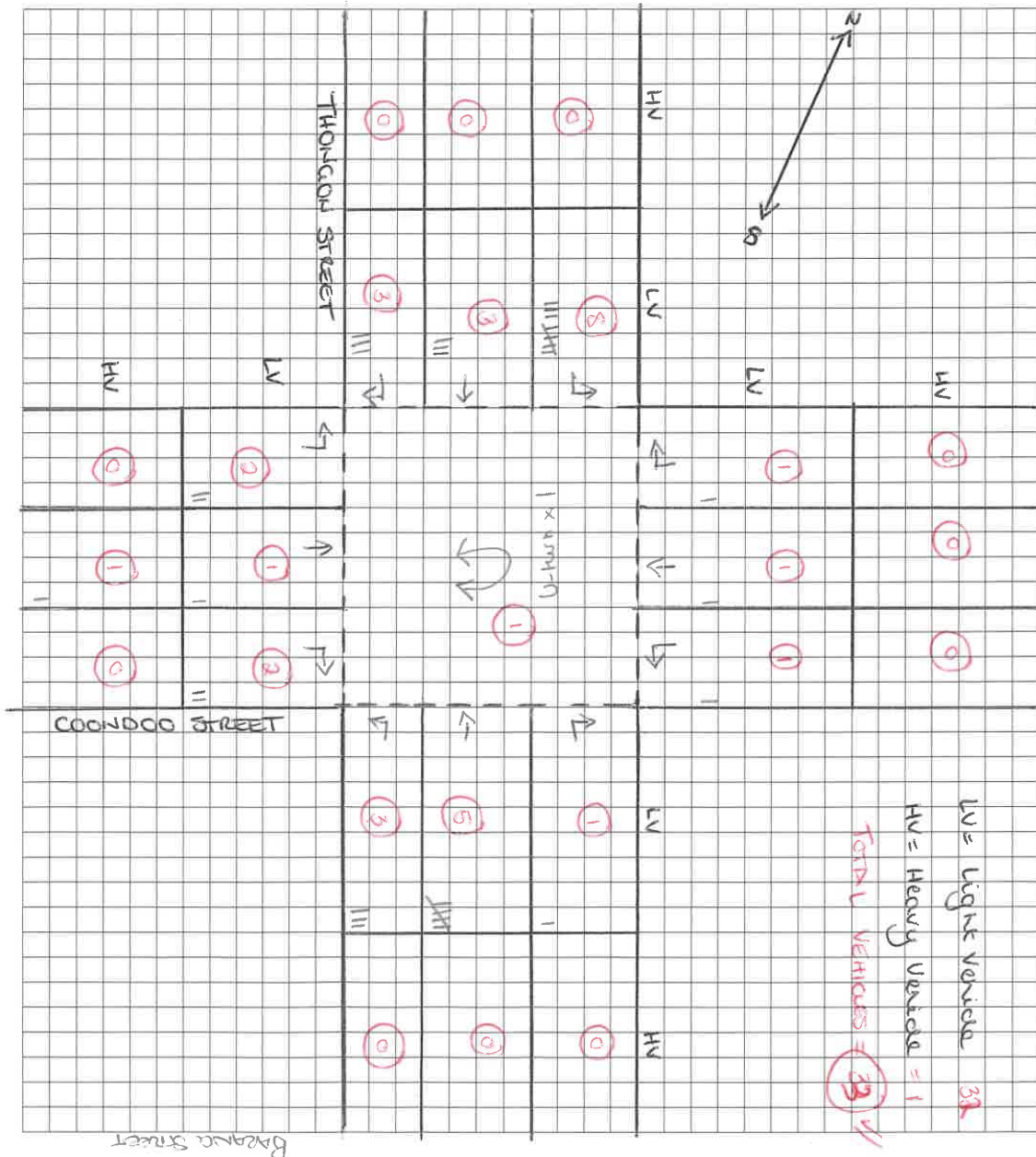
Project THONGON STREET - KURANDA Ref 362-001
 Client _____ Date 17.01.24
 Subject TRAFFIC COUNT 8:15 - 8:30 am Sheet 7 of 9





PEAK

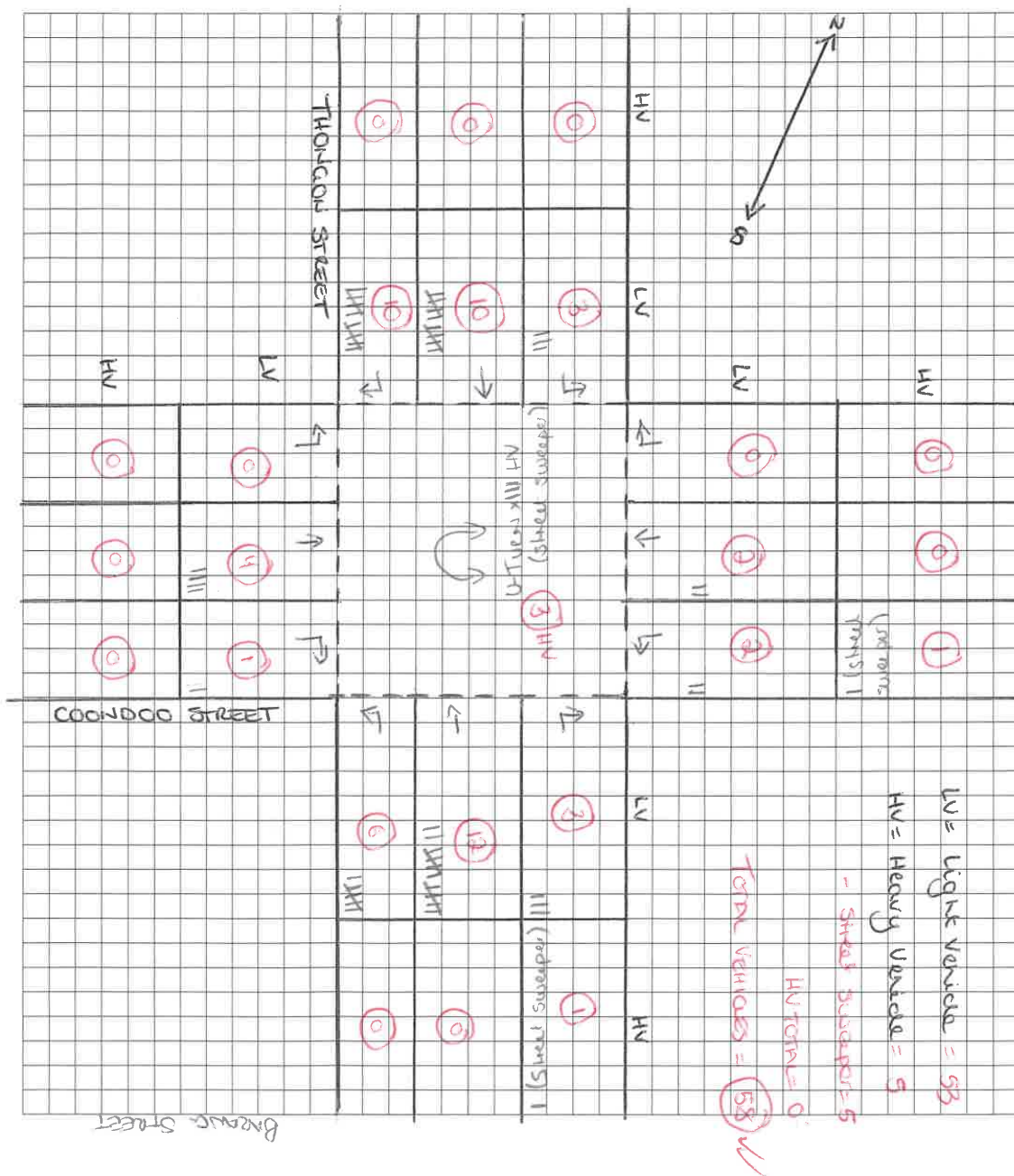
Project THONGON STREET - KURANDA Ref 362-001
 Client _____ Date 17.01.24
 Subject TRAFFIC COUNT 8:30 - 8:45 am Sheet 8 of 9





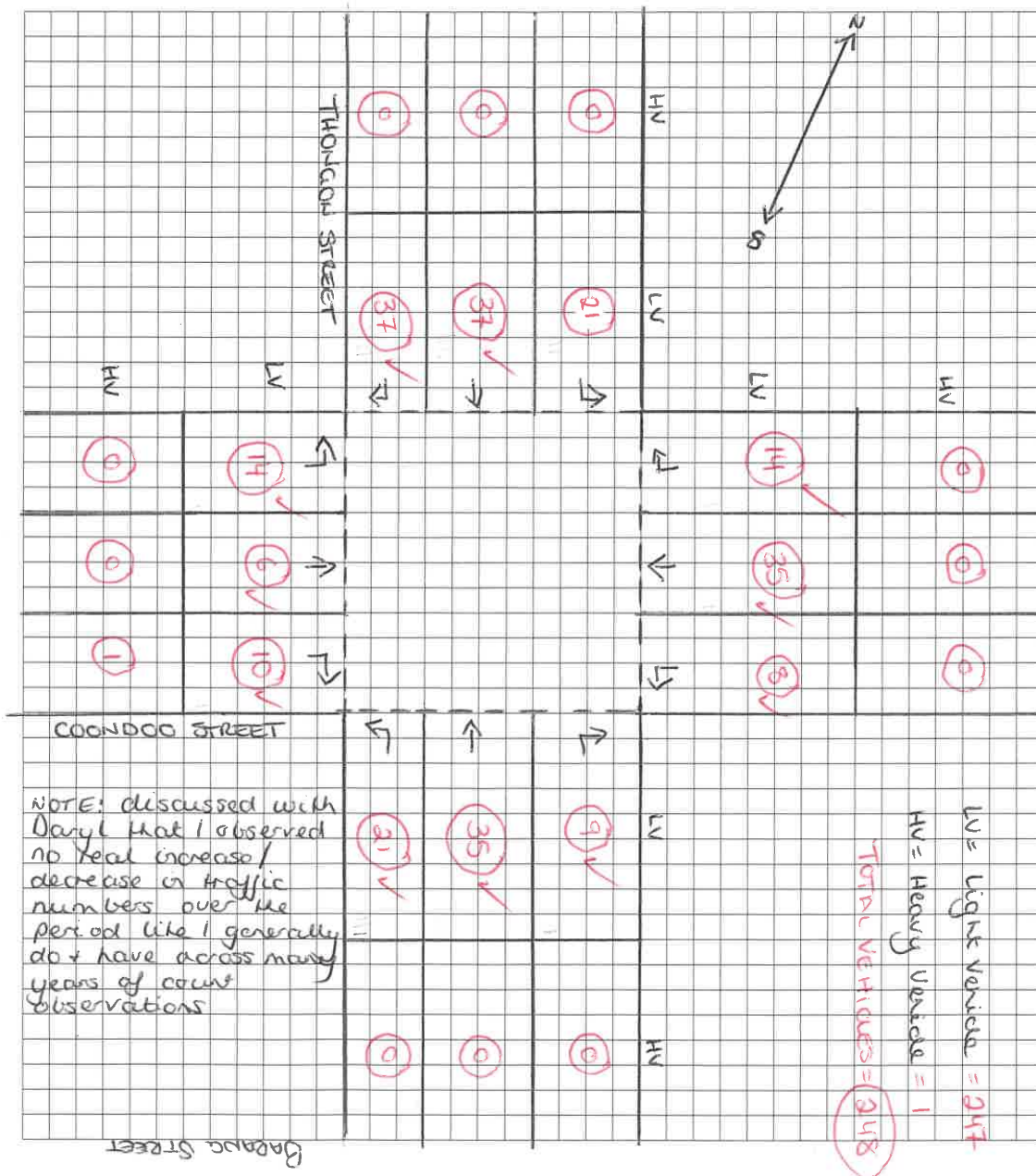
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Project THONGON STREET - KURANDA Ref 262-001
 Client _____ Date 17.01.24
 Subject TRAFFIC COUNT 8:45 - 9:00 am Sheet 9 of 9





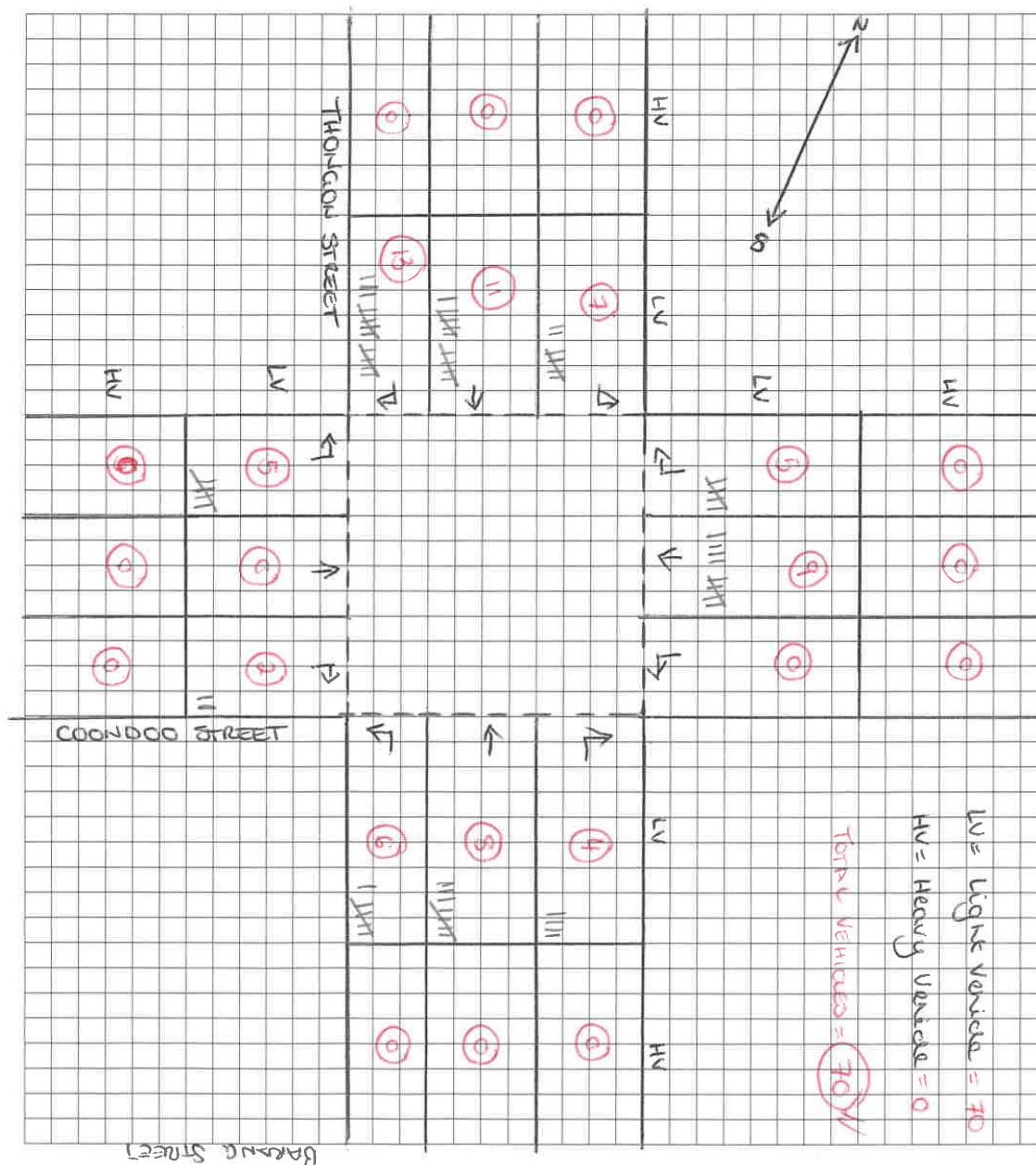
Project THONGON STREET - KURANDA Ref 262-001
 Client Pm PEAK Date 17-04-24
 Subject TRAFFIC COUNT 4:00-5:00pm Sheet 1 of 9





PEAK

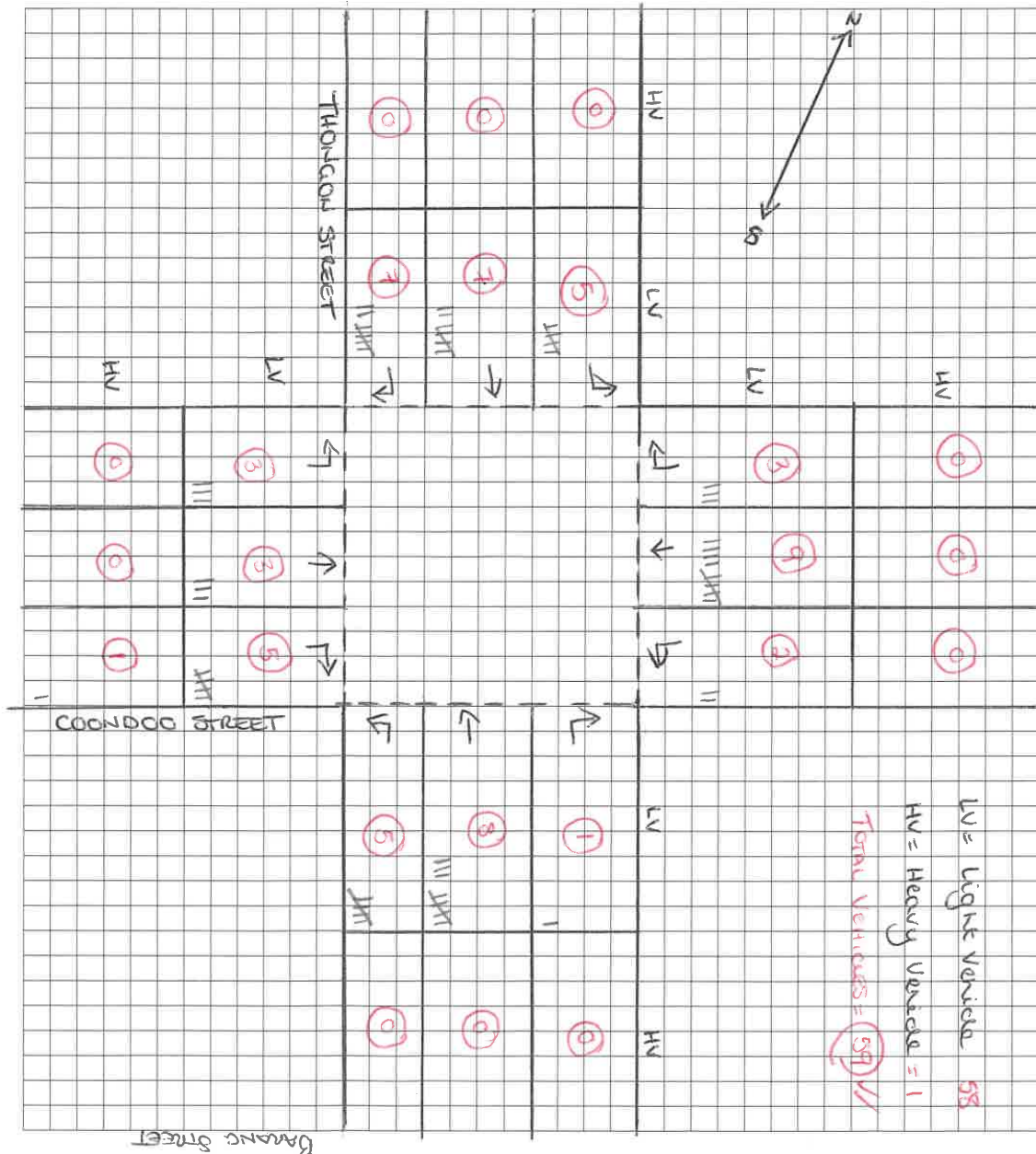
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Client _____ Date 17.04.24
Subject TRAFFIC COUNT 4:00 - 4:15 pm Sheet 2 of 9





PEAK

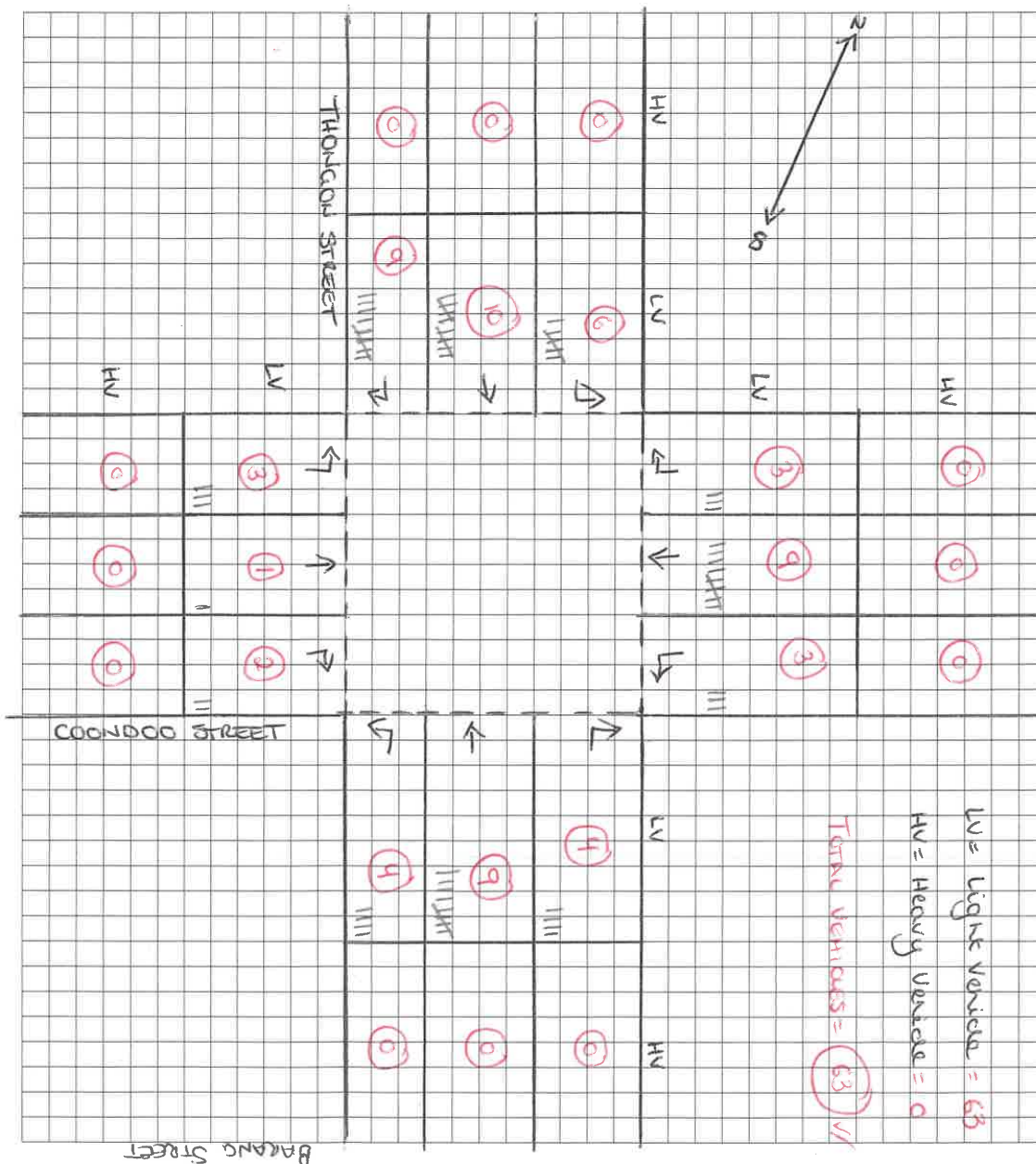
Project THONGON STREET - KURANDA Ref 262-001
 Client _____ Date 17.04.24
 Subject TRAFFIC COUNT 4:15 - 4:30 pm Sheet 3 of 9





PEAK

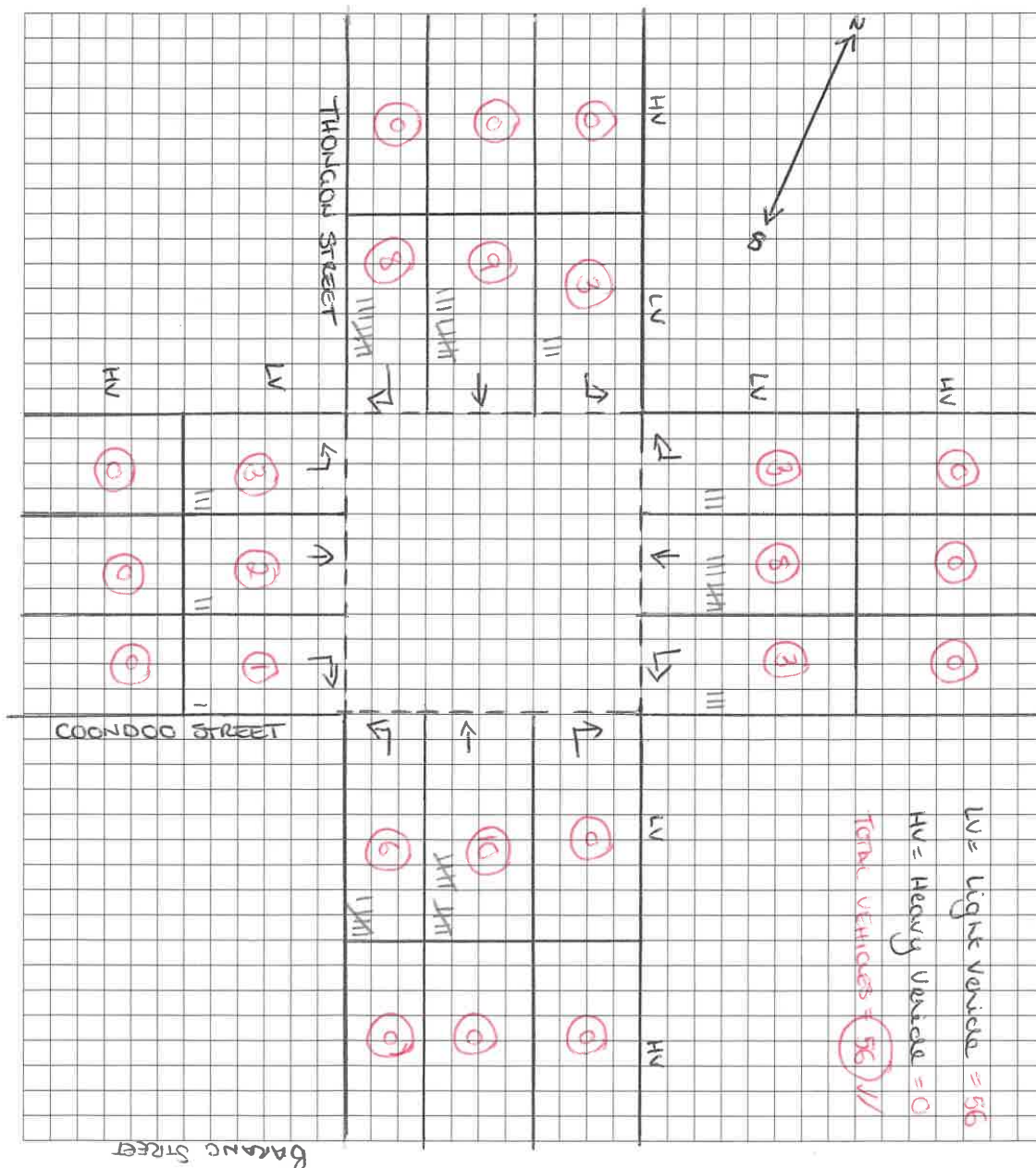
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 Client _____ Date 17.04.24
 Subject TRAFFIC COUNT 4:30 - 4:45 Sheet 4 of 9





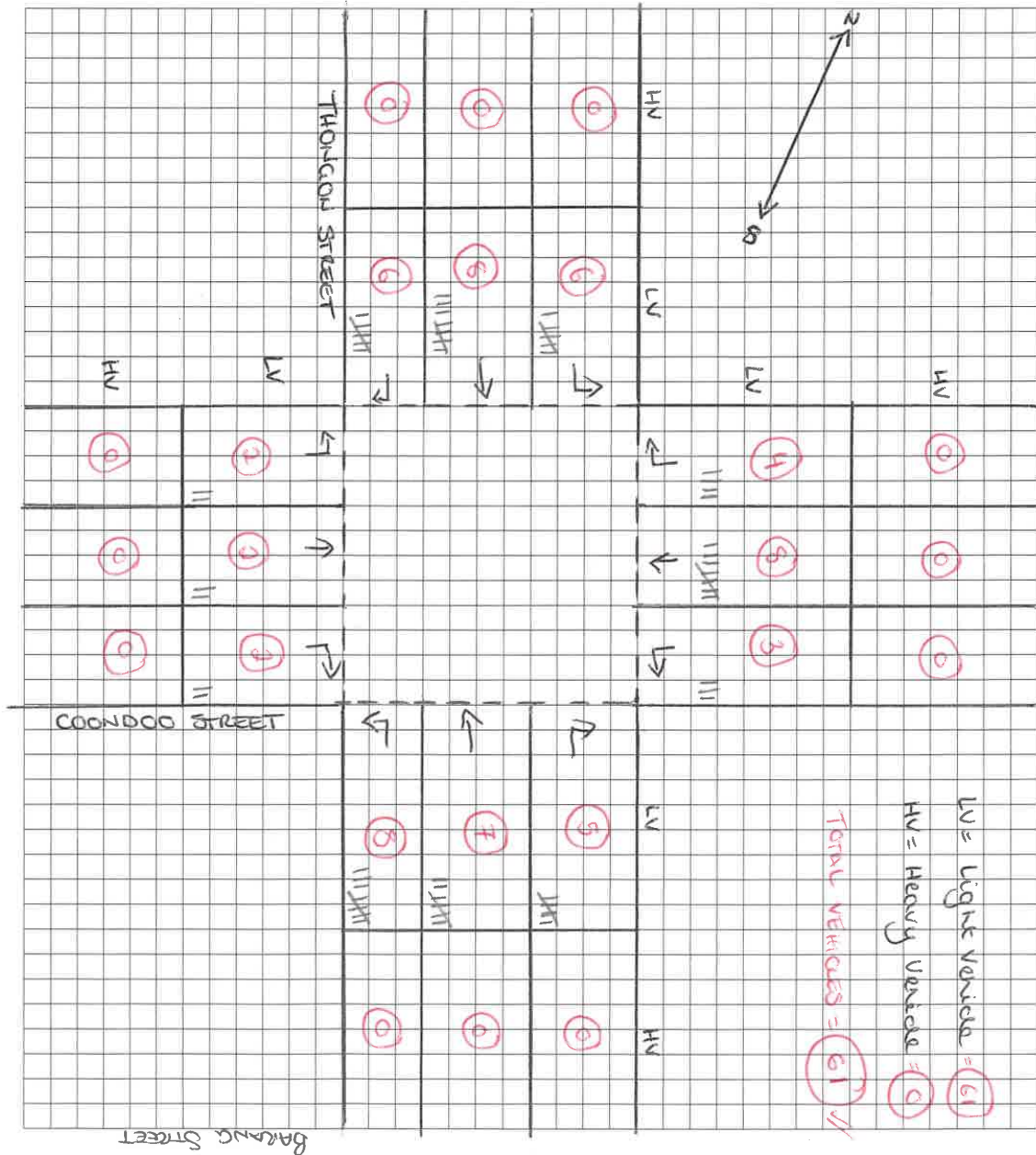
PEAK

Project THONGOW STREET - KURANDA Ref 362-001
 Client _____ Date 17.04.24
 Subject TRAFFIC COUNT 4:45 - 5:00pm Sheet 5 of 9



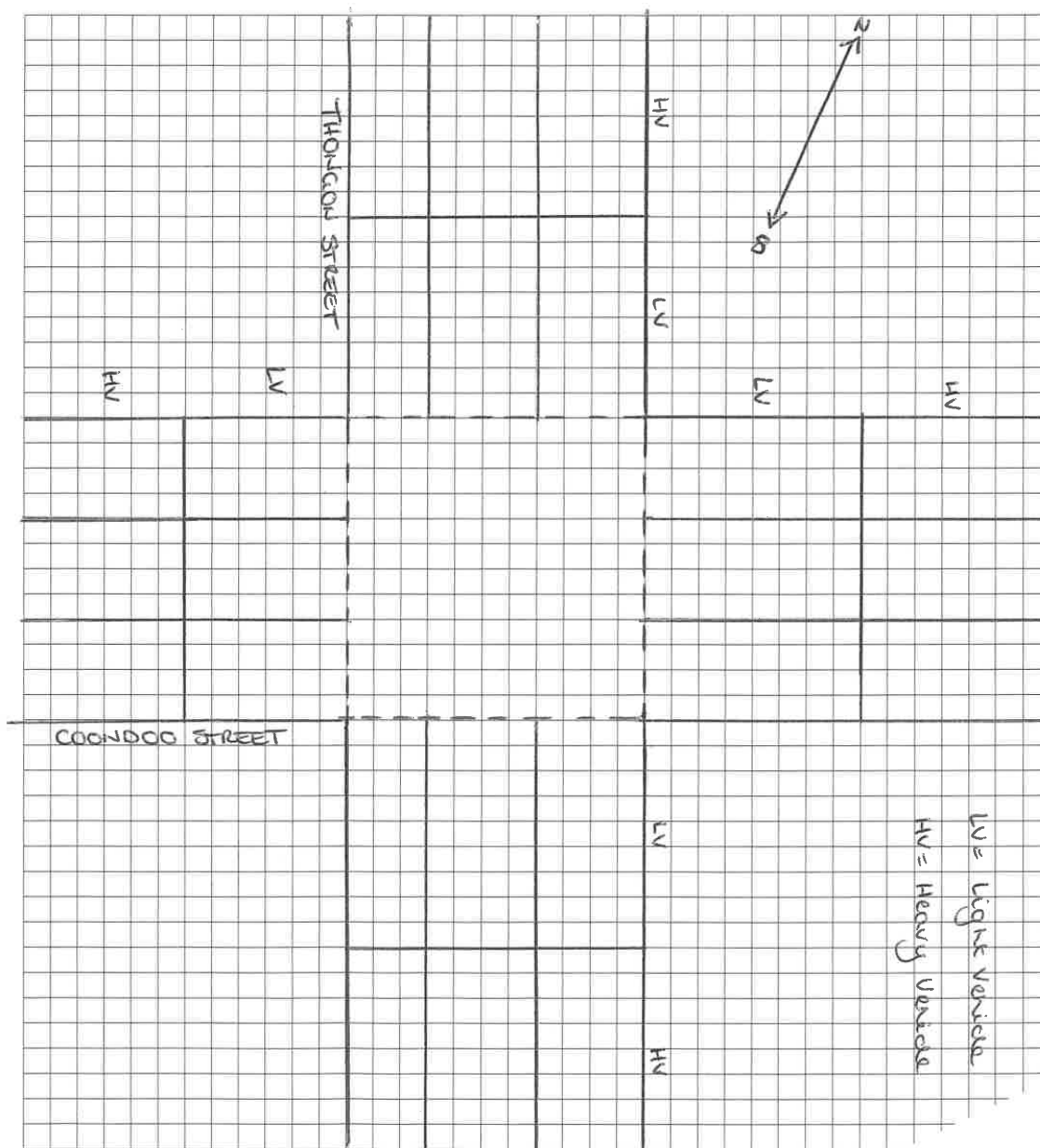


Project THONGOW STREET - KURANDA Ref 262-001
 Client _____ Date 17.04.24
 Subject TRAFFIC COUNT 5:00-5:15pm Sheet 6 of 9





Project THONGON STREET - KURANDA Ref 362-001
 Client _____ Date _____
 Subject TRAFFIC COUNT Sheet _____ of _____

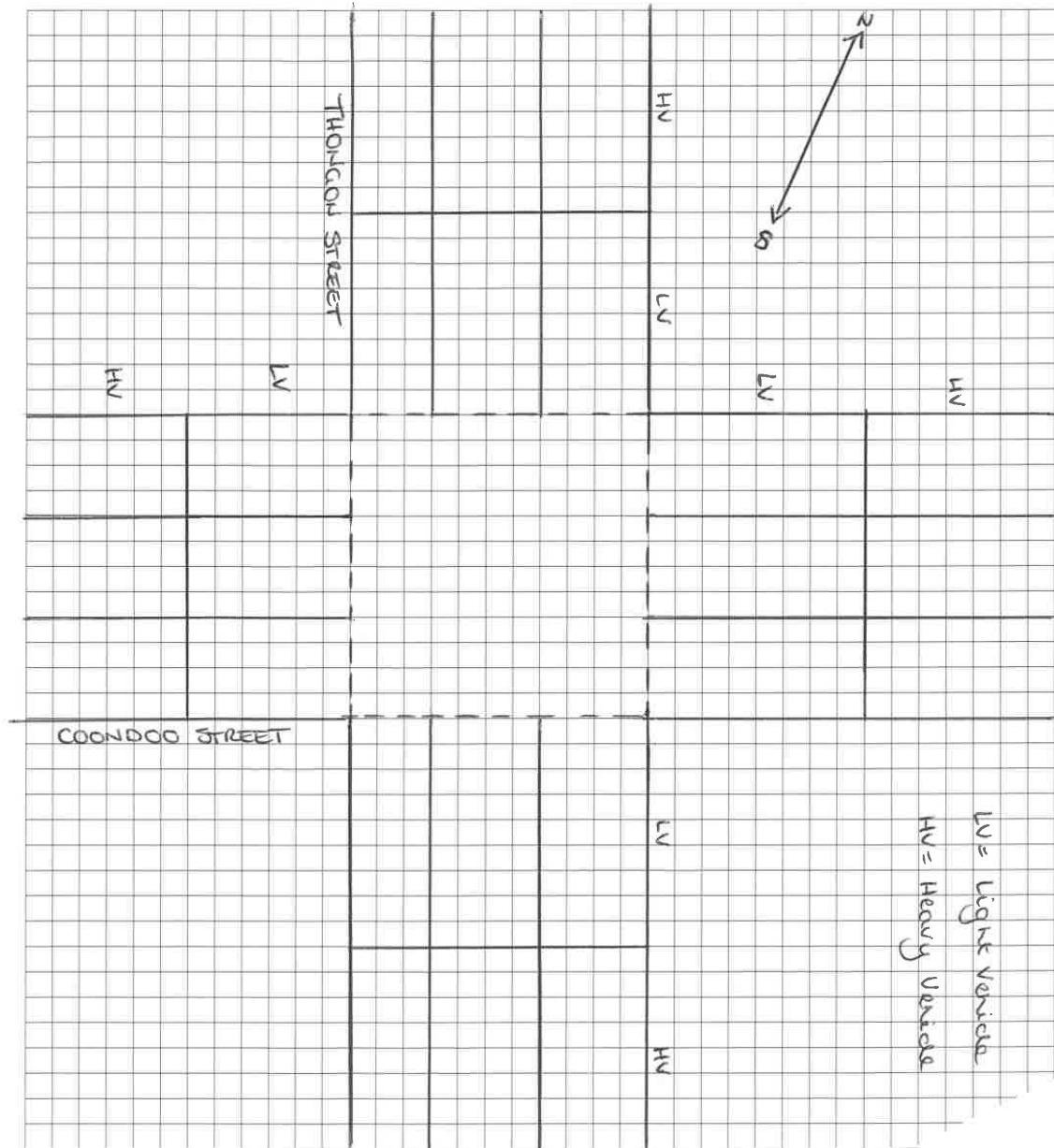


Document Set ID: 4423955
 Version: 1, Version Date: 16/10/2024



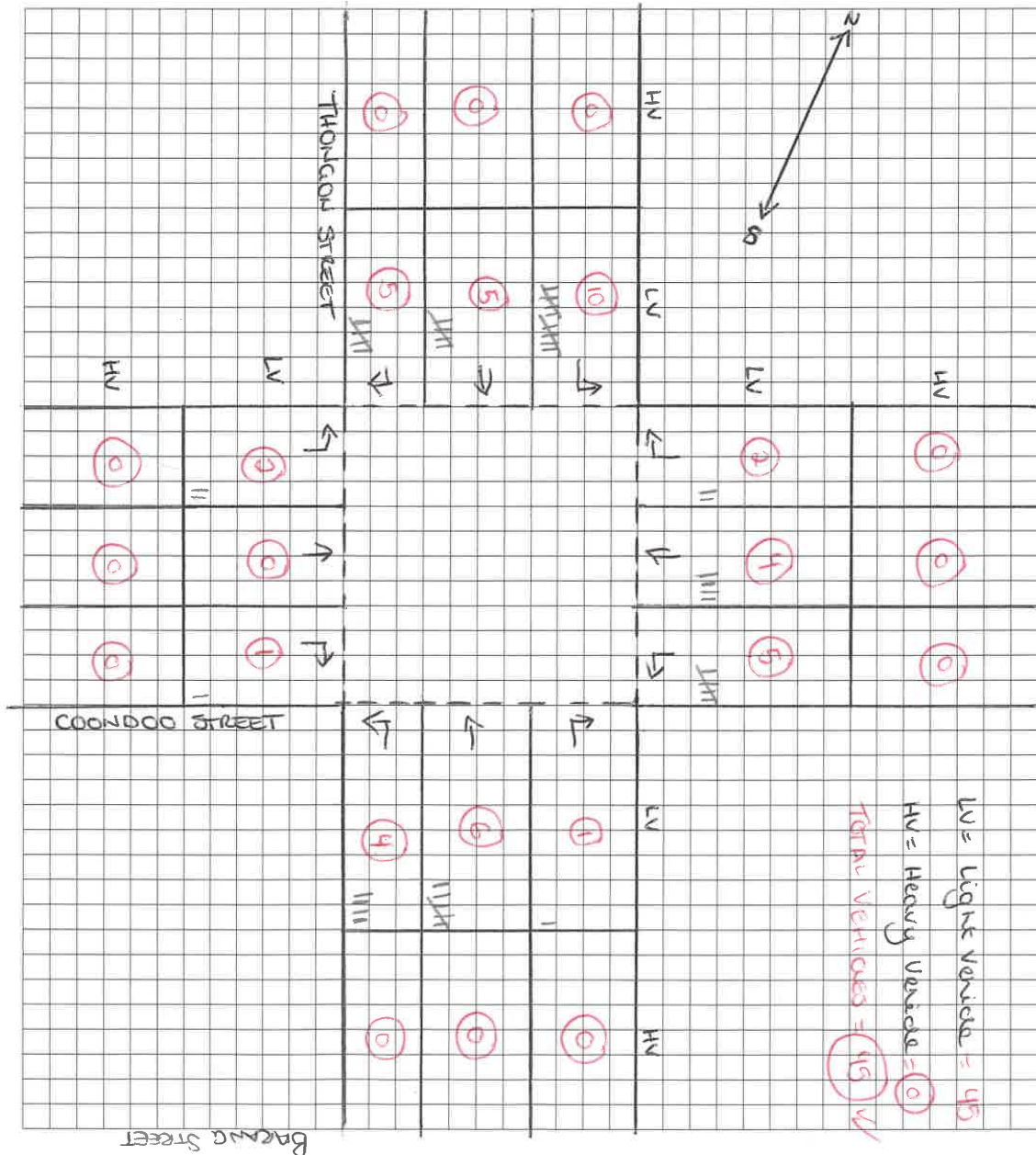
Project THONGON STREET - KURANDA
 Client _____
 Subject TRAFFIC COUNT

Ref 362-001
 Date _____
 Sheet _____ of _____



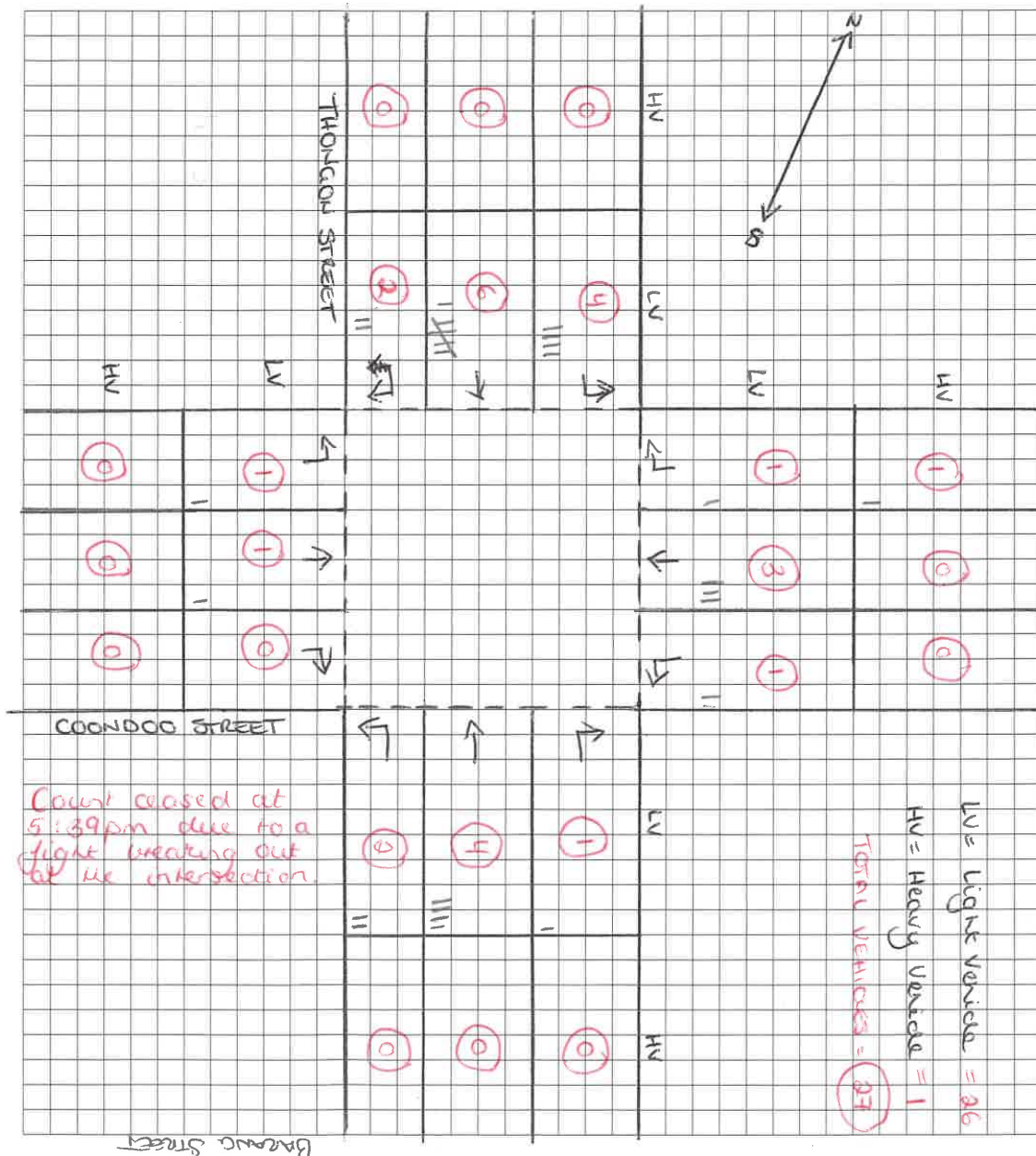


Project THONGON STREET - KURANDA Ref 262-001
 Client _____ Date 17.04.24
 Subject TRAFFIC COUNT 5:15 - 5:30pm Sheet 7 of 9



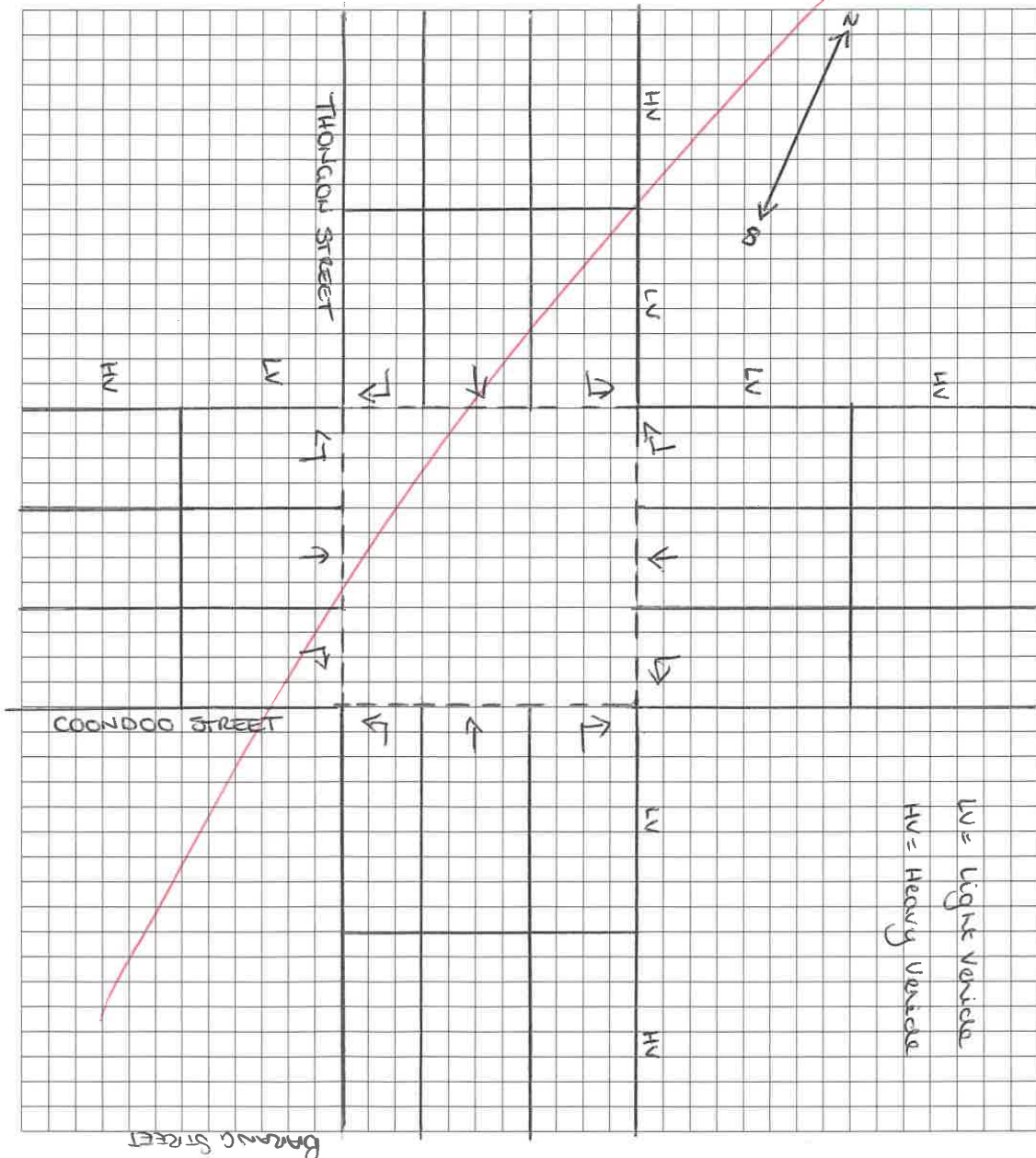


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 Client _____ Date 17.04.24
 Subject TRAFFIC COUNT 5:30 - 5:45pm 5:39pm Sheet 8 of 9





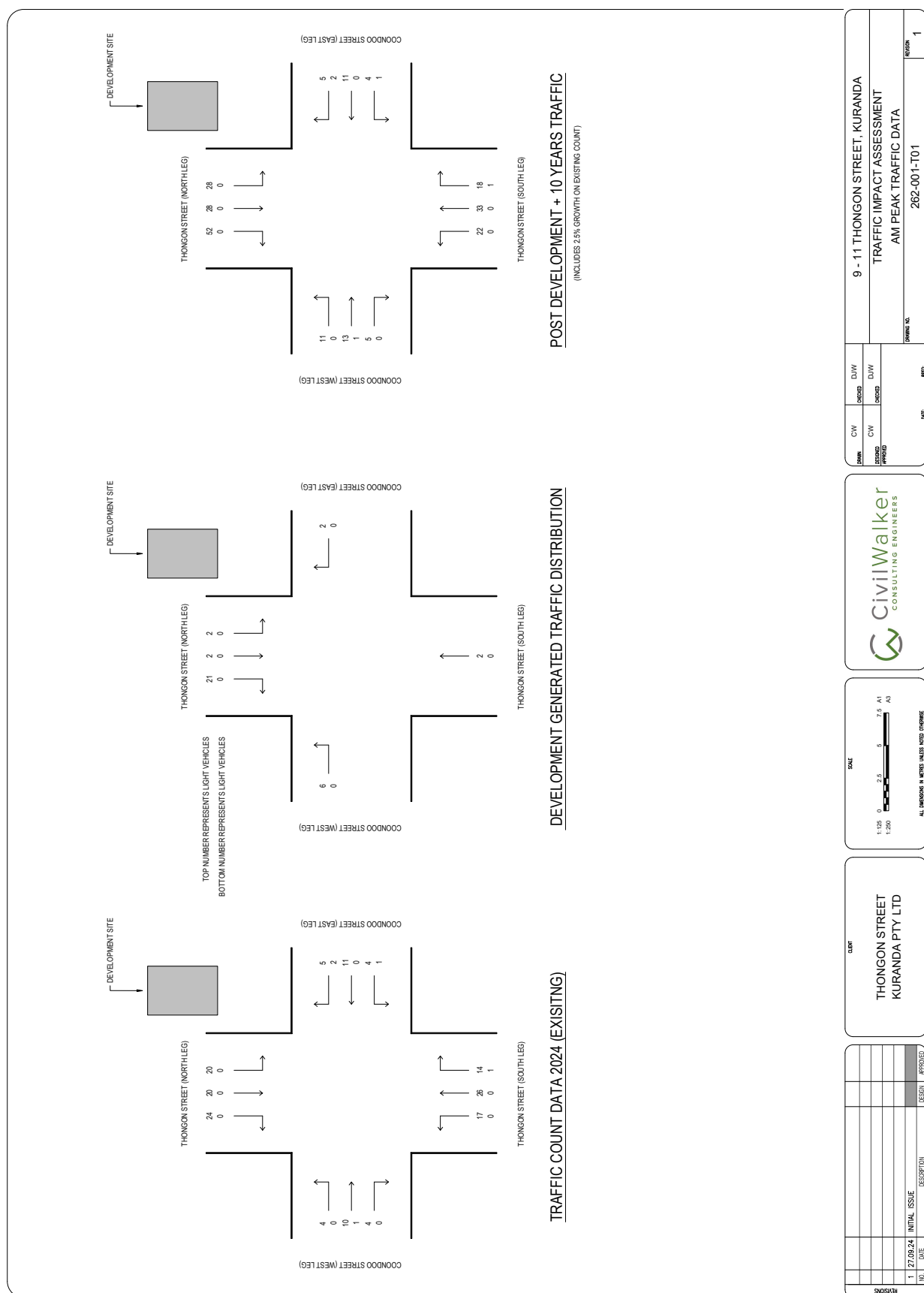
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 Subject TRAFFIC COUNT 5:45 - 6:00pm Sheet 9 of 9

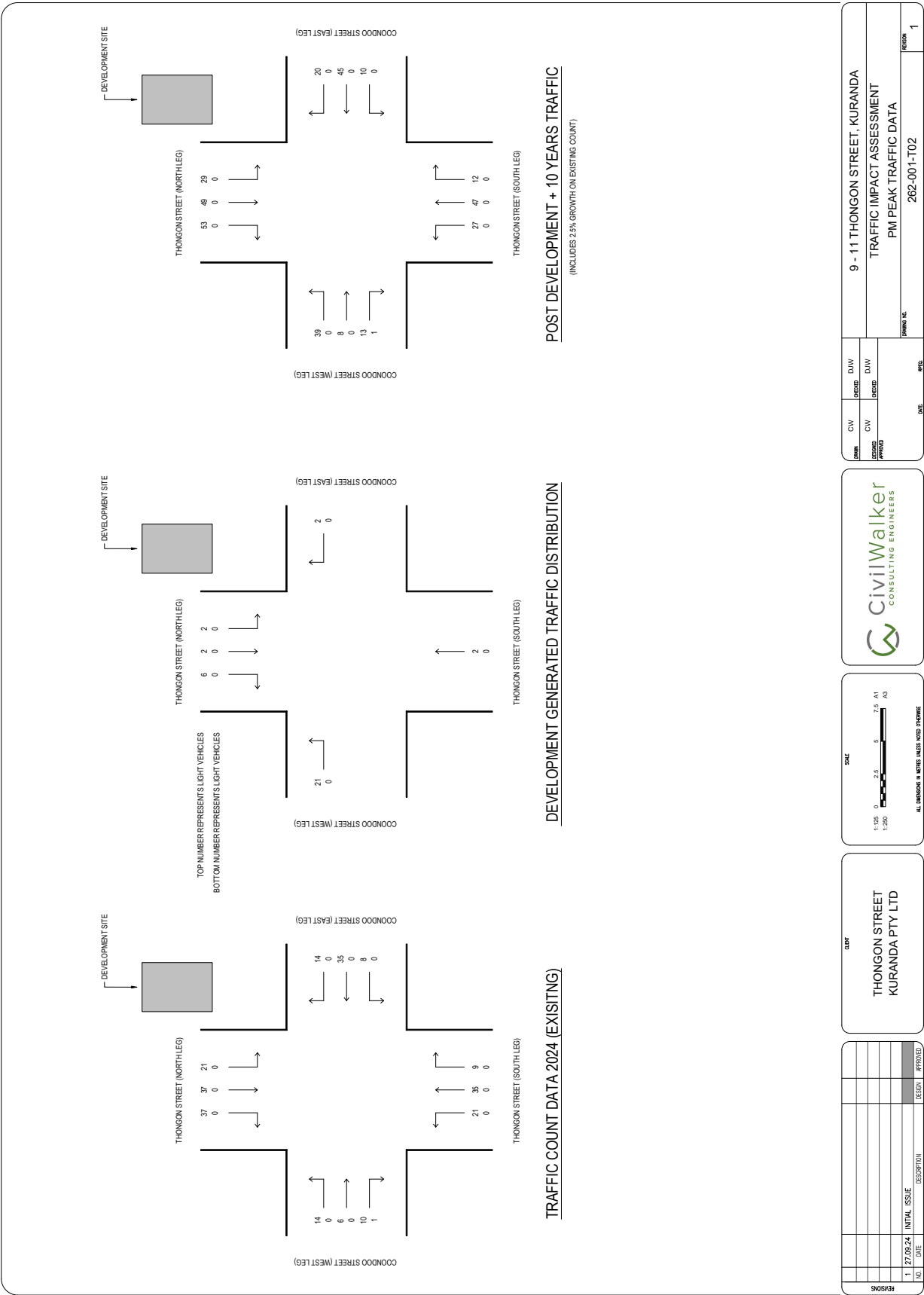




Appendix G

SIDRA Intersection Analysis Modelling Data and Results





MOVEMENT SUMMARY

▼ Site: 1 [262-001 AM Peak (Site Folder: General)]

Output produced by SIDRA INTERSECTION Version: 9.1.6.228

Thongon Street / Coondoo Street Intersection

Existing Scenario (AM Peak)

Site Category: (None)

Give-Way (Two-Way)

Vehicle Movement Performance															
Mov ID	Turn	Mov Class	Demand Flows [Total HV] [Total HV] veh/h %		Arrival Flows [Total HV] [Total HV] veh/h %		Deg. Satn	Aver. Delay	Level of Service	95% Back Of Queue [Veh. Dist] veh m		Prop. Que	Eff. Stop Rate	Aver. No. of Cycles	Aver. Speed km/h
South: Thongon (Sough Leg)															
1	L2	All MCs	19	5.6	19	5.6	0.035	4.6	LOS A	0.1	0.8	0.08	0.32	0.08	32.2
2	T1	All MCs	28	3.7	28	3.7	0.035	0.1	LOS A	0.1	0.8	0.08	0.32	0.08	45.3
3	R2	All MCs	16	6.7	16	6.7	0.035	4.6	LOS A	0.1	0.8	0.08	0.32	0.08	35.9
Approach			63	5.0	63	5.0	0.035	2.6	NA	0.1	0.8	0.08	0.32	0.08	37.6
East: Coondoo (East Leg)															
4	L2	All MCs	5	20.0	5	20.0	0.023	4.6	LOS A	0.1	0.7	0.16	0.51	0.16	32.4
5	T1	All MCs	13	8.3	13	8.3	0.023	3.7	LOS A	0.1	0.7	0.16	0.51	0.16	37.0
6	R2	All MCs	7	28.6	7	28.6	0.023	5.2	LOS A	0.1	0.7	0.16	0.51	0.16	31.1
Approach			25	16.7	25	16.7	0.023	4.3	LOS A	0.1	0.7	0.16	0.51	0.16	34.4
North: Thongon (North Leg)															
7	L2	All MCs	22	4.8	22	4.8	0.039	4.5	LOS A	0.2	1.1	0.11	0.39	0.11	27.5
8	T1	All MCs	22	4.8	22	4.8	0.039	0.1	LOS A	0.2	1.1	0.11	0.39	0.11	42.8
9	R2	All MCs	26	4.0	26	4.0	0.039	4.5	LOS A	0.2	1.1	0.11	0.39	0.11	37.3
Approach			71	4.5	71	4.5	0.039	3.1	NA	0.2	1.1	0.11	0.39	0.11	35.0
West: Coondoo (West Leg)															
10	L2	All MCs	5	20.0	5	20.0	0.020	5.7	LOS A	0.1	0.5	0.16	0.52	0.16	33.7
11	T1	All MCs	12	9.1	12	9.1	0.020	4.7	LOS A	0.1	0.5	0.16	0.52	0.16	35.3
12	R2	All MCs	5	20.0	5	20.0	0.020	6.2	LOS A	0.1	0.5	0.16	0.52	0.16	33.2
Approach			22	14.3	22	14.3	0.020	5.3	LOS A	0.1	0.5	0.16	0.52	0.16	34.4
All Vehicles			181	7.6	181	7.6	0.039	3.4	NA	0.2	1.1	0.11	0.40	0.11	35.7

Site Level of Service (LOS) Method: Delay (SIDRA). Site LOS Method is specified in the Parameter Settings dialog (Options tab).

Vehicle movement LOS values are based on average delay per movement.

Minor Road Approach LOS values are based on average delay for all vehicle movements.

NA (TWSC): Level of Service is not defined for major road approaches or the intersection as a whole for Two-Way Sign Control (HCM LOS rule).

Two-Way Sign Control Capacity Model: SIDRA Standard.

Delay Model: SIDRA Standard (Control Delay: Geometric Delay is included).

Queue Model: SIDRA queue estimation methods are used for Back of Queue and Queue at Start of Gap.

Gap-Acceptance Capacity Formula: SIDRA Standard (Akçelik M3D).

HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

Arrival Flows used in performance calculations are adjusted to include any Initial Queued Demand and Upstream Capacity Constraint effects.

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Project: C:_Projects\262-001 Thongon St\Traffic\262-001.sip9

MOVEMENT SUMMARY

▼ Site: 1 [262-001 PM Peak (Site Folder: General)]

Output produced by SIDRA INTERSECTION Version: 9.1.6.228

Thongon Street / Coondoo Street Intersection

Existing Scenario (PM Peak)

Site Category: (None)

Give-Way (Two-Way)

Vehicle Movement Performance															
Mov ID	Turn	Mov Class	Demand Flows [Total HV] veh/h %		Arrival Flows [Total HV] veh/h %		Deg. Satn v/c	Aver. Delay sec	Level of Service	95% Back Of Queue [Veh. Dist] veh m		Prop. Que	Eff. Stop Rate	Aver. No. of Cycles	Aver. Speed km/h
South: Thongon (Sough Leg)															
1	L2	All MCs	23	4.5	23	4.5	0.039	4.6	LOS A	0.1	0.6	0.07	0.28	0.07	33.0
2	T1	All MCs	38	2.8	38	2.8	0.039	0.1	LOS A	0.1	0.6	0.07	0.28	0.07	47.1
3	R2	All MCs	11	10.0	11	10.0	0.039	4.6	LOS A	0.1	0.6	0.07	0.28	0.07	36.7
Approach			72	4.4	72	4.4	0.039	2.2	NA	0.1	0.6	0.07	0.28	0.07	39.2
East: Coondoo (East Leg)															
4	L2	All MCs	9	11.1	9	11.1	0.057	4.7	LOS A	0.2	1.5	0.22	0.52	0.22	32.5
5	T1	All MCs	38	2.8	38	2.8	0.057	3.8	LOS A	0.2	1.5	0.22	0.52	0.22	37.3
6	R2	All MCs	16	6.7	16	6.7	0.057	5.3	LOS A	0.2	1.5	0.22	0.52	0.22	31.9
Approach			63	5.0	63	5.0	0.057	4.3	LOS A	0.2	1.5	0.22	0.52	0.22	35.3
North: Thongon (North Leg)															
7	L2	All MCs	23	4.5	23	4.5	0.058	4.6	LOS A	0.2	1.7	0.13	0.35	0.13	27.9
8	T1	All MCs	40	2.6	40	2.6	0.058	0.1	LOS A	0.2	1.7	0.13	0.35	0.13	43.8
9	R2	All MCs	40	2.6	40	2.6	0.058	4.5	LOS A	0.2	1.7	0.13	0.35	0.13	38.0
Approach			103	3.1	103	3.1	0.058	2.8	NA	0.2	1.7	0.13	0.35	0.13	37.0
West: Coondoo (West Leg)															
10	L2	All MCs	16	6.7	16	6.7	0.030	5.7	LOS A	0.1	0.8	0.16	0.54	0.16	33.4
11	T1	All MCs	7	14.3	7	14.3	0.030	4.9	LOS A	0.1	0.8	0.16	0.54	0.16	34.3
12	R2	All MCs	12	9.1	12	9.1	0.030	6.5	LOS A	0.1	0.8	0.16	0.54	0.16	32.9
Approach			35	9.1	35	9.1	0.030	5.8	LOS A	0.1	0.8	0.16	0.54	0.16	33.4
All Vehicles			273	4.6	273	4.6	0.058	3.4	NA	0.2	1.7	0.14	0.40	0.14	36.5

Site Level of Service (LOS) Method: Delay (SIDRA). Site LOS Method is specified in the Parameter Settings dialog (Options tab).

Vehicle movement LOS values are based on average delay per movement.

Minor Road Approach LOS values are based on average delay for all vehicle movements.

NA (TWSC): Level of Service is not defined for major road approaches or the intersection as a whole for Two-Way Sign Control (HCM LOS rule).

Two-Way Sign Control Capacity Model: SIDRA Standard.

Delay Model: SIDRA Standard (Control Delay: Geometric Delay is included).

Queue Model: SIDRA queue estimation methods are used for Back of Queue and Queue at Start of Gap.

Gap-Acceptance Capacity Formula: SIDRA Standard (Akçelik M3D).

HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

Arrival Flows used in performance calculations are adjusted to include any Initial Queued Demand and Upstream Capacity Constraint effects.

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MOVEMENT SUMMARY

▼ Site: 1 [262-001 AM Peak PD (Site Folder: General)]

Output produced by SIDRA INTERSECTION Version: 9.1.6.228

Thongon Street / Coondoo Street Intersection
Post Development Scenario (AM Peak)
Site Category: (None)
Give-Way (Two-Way)

Vehicle Movement Performance															
Mov ID	Turn	Mov Class	Demand Flows [Total HV] veh/h		Arrival Flows [Total HV] veh/h		Deg. Satn	Aver. Delay	Level of Service	95% Back Of Queue [Veh. Dist] veh m		Prop. Que	Eff. Stop Rate	Aver. No. of Cycles	Aver. Speed km/h
South: Thongon (Sough Leg)															
1	L2	All MCs	24	4.3	24	4.3	0.044	4.6	LOS A	0.1	1.0	0.10	0.32	0.10	32.2
2	T1	All MCs	36	2.9	36	2.9	0.044	0.1	LOS A	0.1	1.0	0.10	0.32	0.10	45.0
3	R2	All MCs	20	5.3	20	5.3	0.044	4.6	LOS A	0.1	1.0	0.10	0.32	0.10	35.8
Approach			80	3.9	80	3.9	0.044	2.6	NA	0.1	1.0	0.10	0.32	0.10	37.4
East: Coondoo (East Leg)															
4	L2	All MCs	5	20.0	5	20.0	0.025	4.6	LOS A	0.1	0.7	0.20	0.51	0.20	31.9
5	T1	All MCs	13	8.3	13	8.3	0.025	3.9	LOS A	0.1	0.7	0.20	0.51	0.20	36.5
6	R2	All MCs	7	28.6	7	28.6	0.025	5.6	LOS A	0.1	0.7	0.20	0.51	0.20	30.6
Approach			25	16.7	25	16.7	0.025	4.6	LOS A	0.1	0.7	0.20	0.51	0.20	33.9
North: Thongon (North Leg)															
7	L2	All MCs	31	3.4	31	3.4	0.066	4.6	LOS A	0.3	2.1	0.14	0.41	0.14	27.1
8	T1	All MCs	31	3.4	31	3.4	0.066	0.2	LOS A	0.3	2.1	0.14	0.41	0.14	41.6
9	R2	All MCs	56	1.9	56	1.9	0.066	4.5	LOS A	0.3	2.1	0.14	0.41	0.14	36.8
Approach			117	2.7	117	2.7	0.066	3.4	NA	0.3	2.1	0.14	0.41	0.14	34.8
West: Coondoo (West Leg)															
10	L2	All MCs	13	8.3	13	8.3	0.029	5.7	LOS A	0.1	0.8	0.17	0.53	0.17	33.9
11	T1	All MCs	15	7.1	15	7.1	0.029	4.9	LOS A	0.1	0.8	0.17	0.53	0.17	35.0
12	R2	All MCs	6	16.7	6	16.7	0.029	6.5	LOS A	0.1	0.8	0.17	0.53	0.17	33.1
Approach			34	9.4	34	9.4	0.029	5.5	LOS A	0.1	0.8	0.17	0.53	0.17	34.2
All Vehicles			256	5.3	256	5.3	0.066	3.5	NA	0.3	2.1	0.14	0.41	0.14	35.4

Site Level of Service (LOS) Method: Delay (SIDRA). Site LOS Method is specified in the Parameter Settings dialog (Options tab).

Vehicle movement LOS values are based on average delay per movement.

Minor Road Approach LOS values are based on average delay for all vehicle movements.

NA (TWSC): Level of Service is not defined for major road approaches or the intersection as a whole for Two-Way Sign Control (HCM LOS rule).

Two-Way Sign Control Capacity Model: SIDRA Standard.

Delay Model: SIDRA Standard (Control Delay: Geometric Delay is included).

Queue Model: SIDRA queue estimation methods are used for Back of Queue and Queue at Start of Gap.

Gap-Acceptance Capacity Formula: SIDRA Standard (Akçelik M3D).

HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

Arrival Flows used in performance calculations are adjusted to include any Initial Queued Demand and Upstream Capacity Constraint effects.

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Project: C:_Projects\262-001 Thongon St\Traffic\262-001.sip9

MOVEMENT SUMMARY

▼ Site: 1 [262-001 PM Peak PD (Site Folder: General)]

Output produced by SIDRA INTERSECTION Version: 9.1.6.228

Thongon Street / Coondoo Street Intersection

Post Development Scenario (PM Peak)

Site Category: (None)

Give-Way (Two-Way)

Vehicle Movement Performance															
Mov ID	Turn	Mov Class	Demand Flows [Total HV] veh/h		Arrival Flows [Total HV] veh/h		Deg. Satn	Aver. Delay	Level of Service	95% Back Of Queue [Veh. Dist] veh m		Prop. Que	Eff. Stop Rate	Aver. No. of Cycles	Aver. Speed km/h
South: Thongon (Sough Leg)															
1	L2	All MCs	29	3.6	29	3.6	0.051	4.6	LOS A	0.1	0.8	0.08	0.28	0.08	33.0
2	T1	All MCs	51	2.1	51	2.1	0.051	0.1	LOS A	0.1	0.8	0.08	0.28	0.08	47.0
3	R2	All MCs	14	7.7	14	7.7	0.051	4.7	LOS A	0.1	0.8	0.08	0.28	0.08	36.9
Approach			94	3.4	94	3.4	0.051	2.2	NA	0.1	0.8	0.08	0.28	0.08	39.4
East: Coondoo (East Leg)															
4	L2	All MCs	12	9.1	12	9.1	0.079	4.7	LOS A	0.3	2.1	0.27	0.54	0.27	32.1
5	T1	All MCs	48	2.2	48	2.2	0.079	4.1	LOS A	0.3	2.1	0.27	0.54	0.27	36.7
6	R2	All MCs	22	4.8	22	4.8	0.079	5.8	LOS A	0.3	2.1	0.27	0.54	0.27	31.5
Approach			82	3.8	82	3.8	0.079	4.6	LOS A	0.3	2.1	0.27	0.54	0.27	34.8
North: Thongon (North Leg)															
7	L2	All MCs	32	3.3	32	3.3	0.079	4.6	LOS A	0.3	2.4	0.16	0.37	0.16	27.7
8	T1	All MCs	53	2.0	53	2.0	0.079	0.2	LOS A	0.3	2.4	0.16	0.37	0.16	43.2
9	R2	All MCs	57	1.9	57	1.9	0.079	4.6	LOS A	0.3	2.4	0.16	0.37	0.16	37.7
Approach			141	2.2	141	2.2	0.079	3.0	NA	0.3	2.4	0.16	0.37	0.16	36.6
West: Coondoo (West Leg)															
10	L2	All MCs	42	2.5	42	2.5	0.054	5.7	LOS A	0.2	1.5	0.17	0.54	0.17	33.4
11	T1	All MCs	9	11.1	9	11.1	0.054	5.2	LOS A	0.2	1.5	0.17	0.54	0.17	34.2
12	R2	All MCs	15	7.1	15	7.1	0.054	6.9	LOS A	0.2	1.5	0.17	0.54	0.17	32.8
Approach			66	4.8	66	4.8	0.054	5.9	LOS A	0.2	1.5	0.17	0.54	0.17	33.4
All Vehicles			383	3.3	383	3.3	0.079	3.6	NA	0.3	2.4	0.17	0.41	0.17	36.1

Site Level of Service (LOS) Method: Delay (SIDRA). Site LOS Method is specified in the Parameter Settings dialog (Options tab).

Vehicle movement LOS values are based on average delay per movement.

Minor Road Approach LOS values are based on average delay for all vehicle movements.

NA (TWSC): Level of Service is not defined for major road approaches or the intersection as a whole for Two-Way Sign Control (HCM LOS rule).

Two-Way Sign Control Capacity Model: SIDRA Standard.

Delay Model: SIDRA Standard (Control Delay: Geometric Delay is included).

Queue Model: SIDRA queue estimation methods are used for Back of Queue and Queue at Start of Gap.

Gap-Acceptance Capacity Formula: SIDRA Standard (Akçelik M3D).

HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

Arrival Flows used in performance calculations are adjusted to include any Initial Queued Demand and Upstream Capacity Constraint effects.

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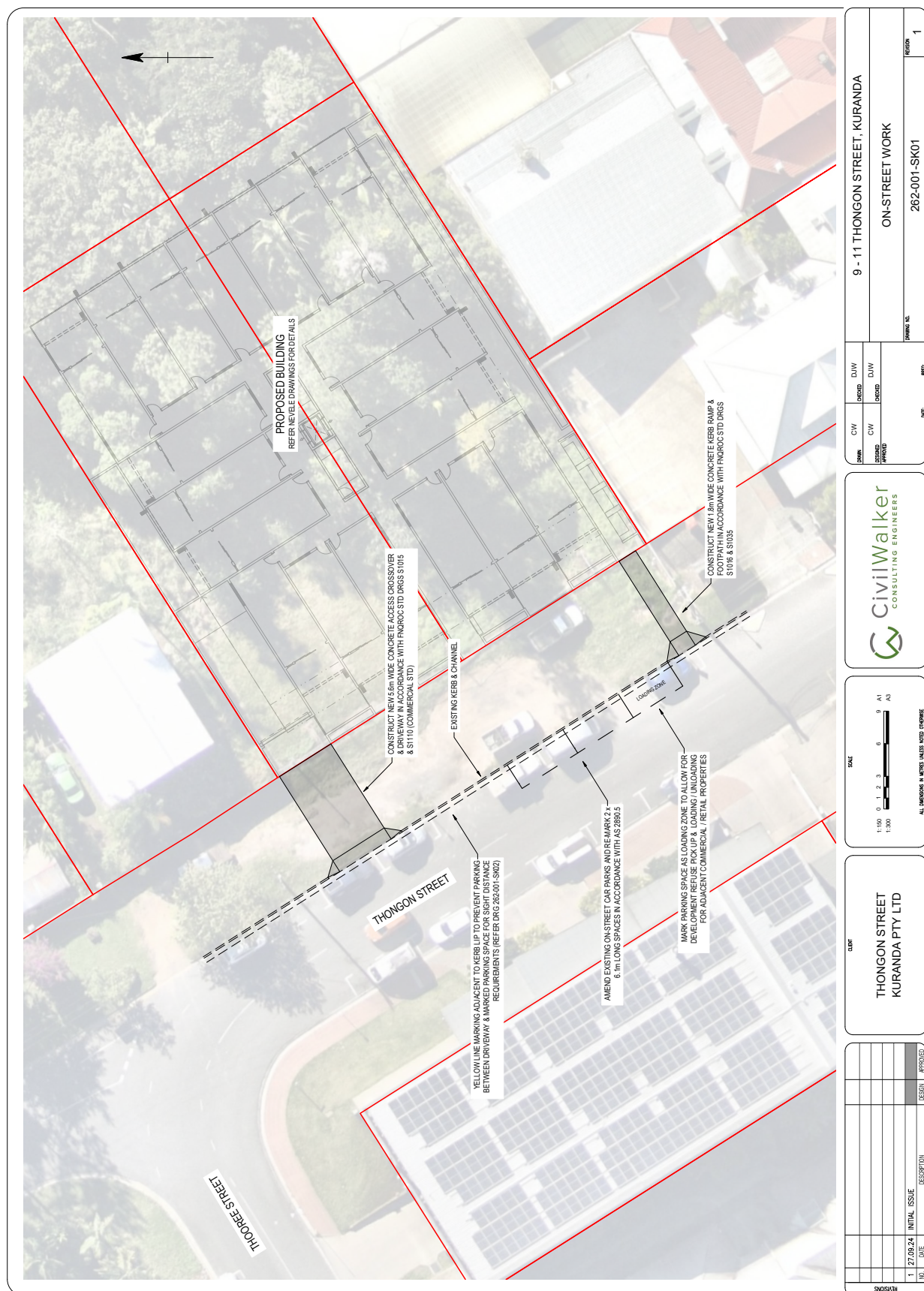
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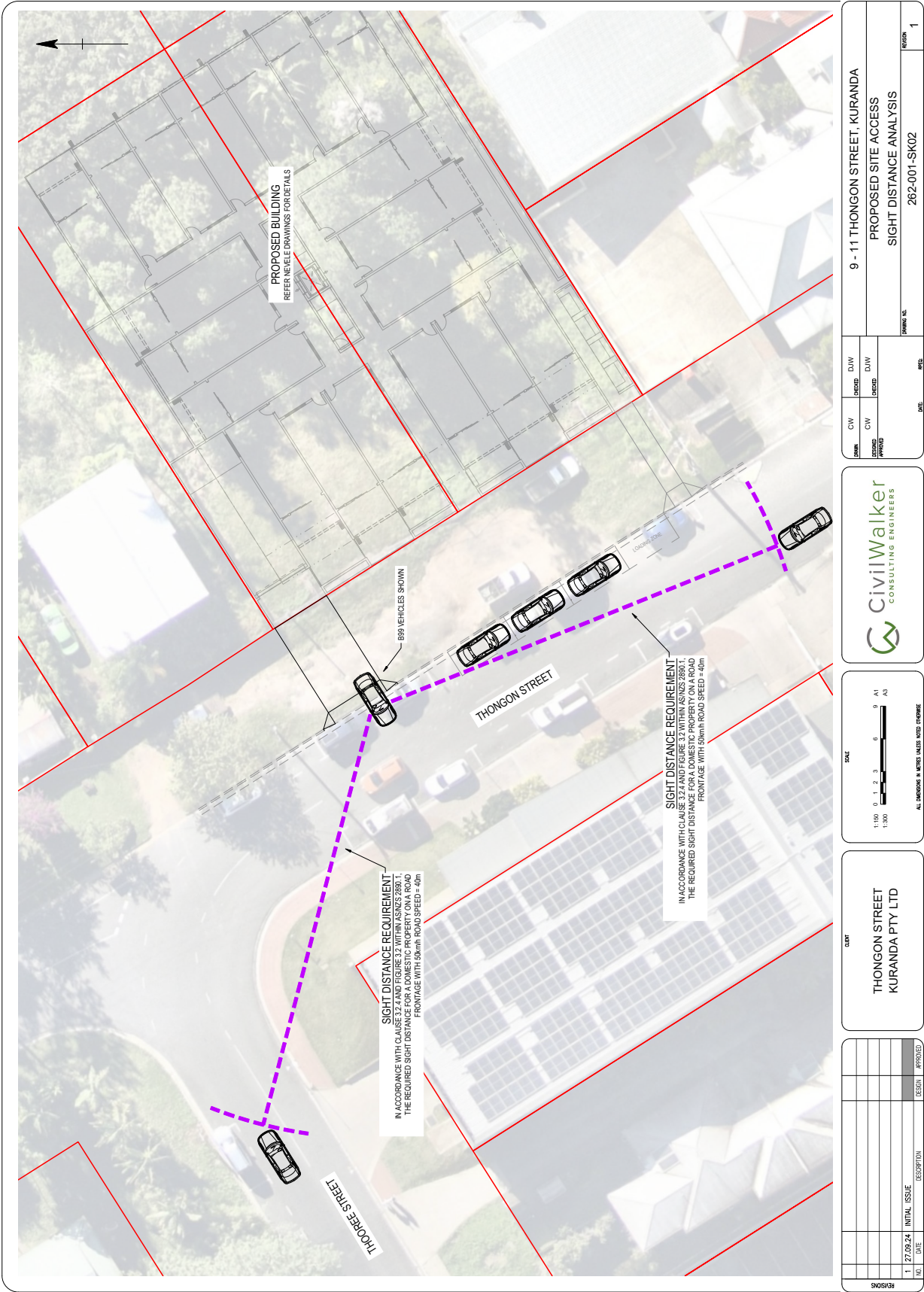
Project: C:_Projects\262-001 Thongon St\Traffic\262-001.sip9



Appendix H

CivilWalker Consulting Engineers' Drawings

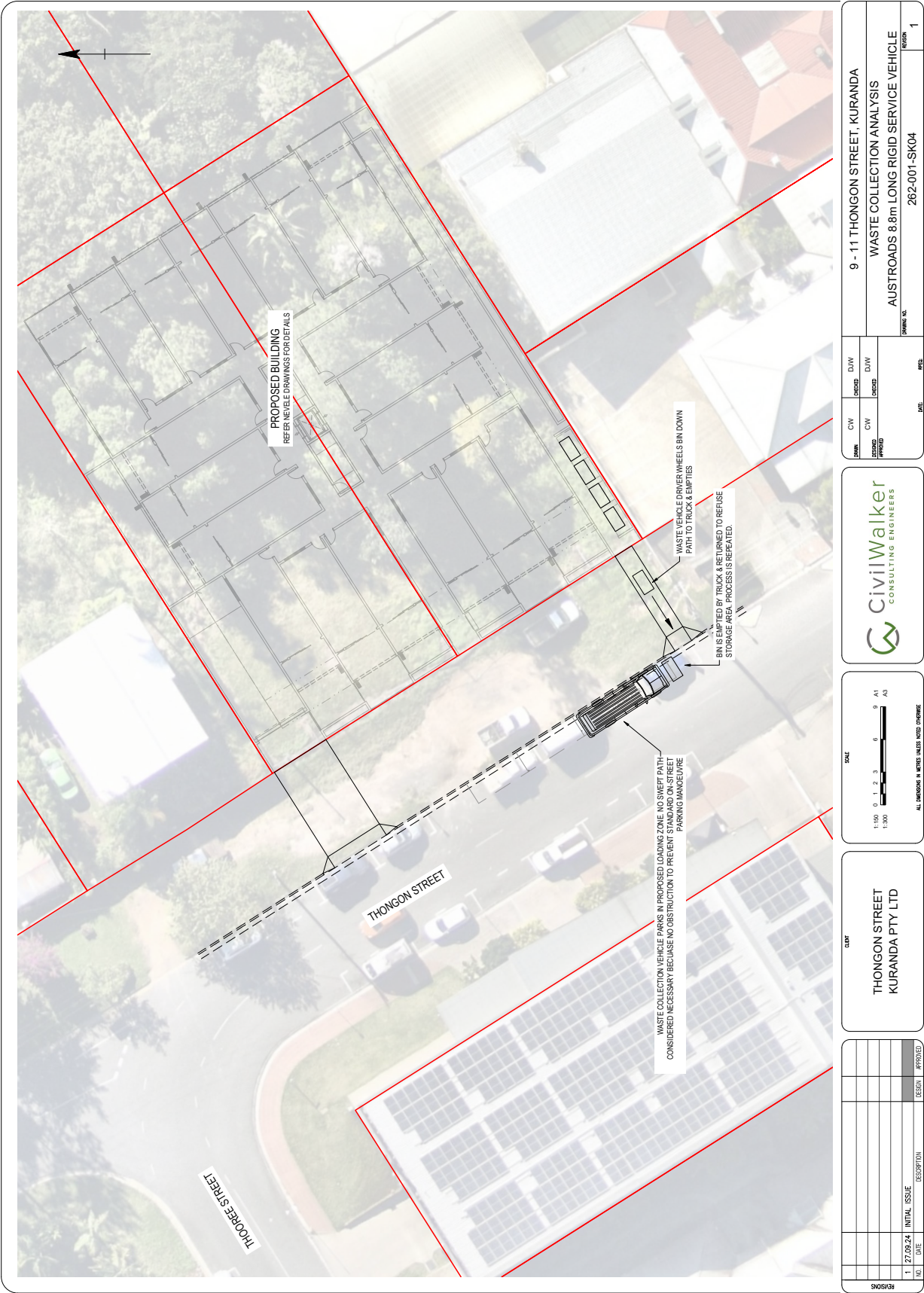




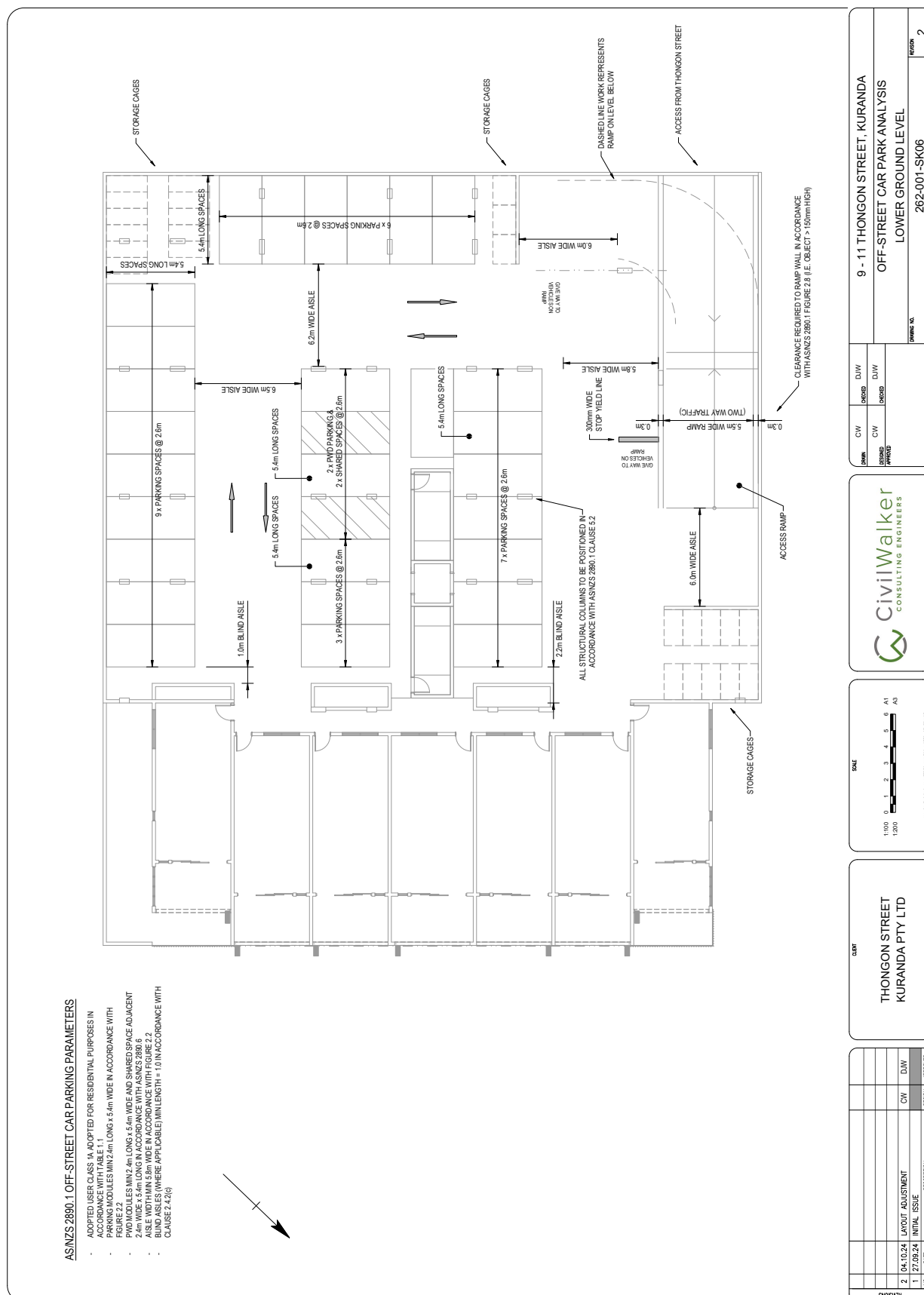
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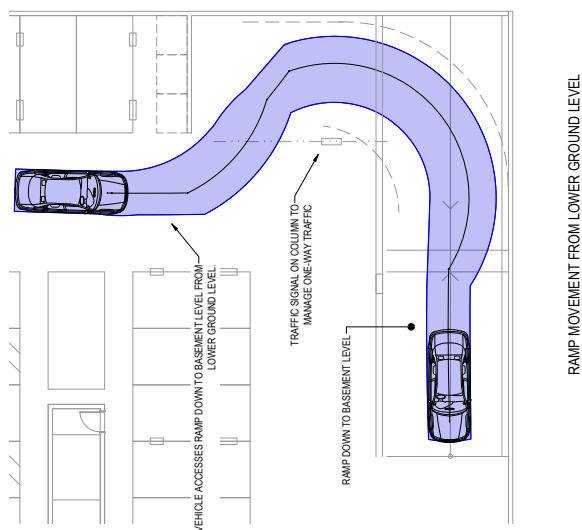
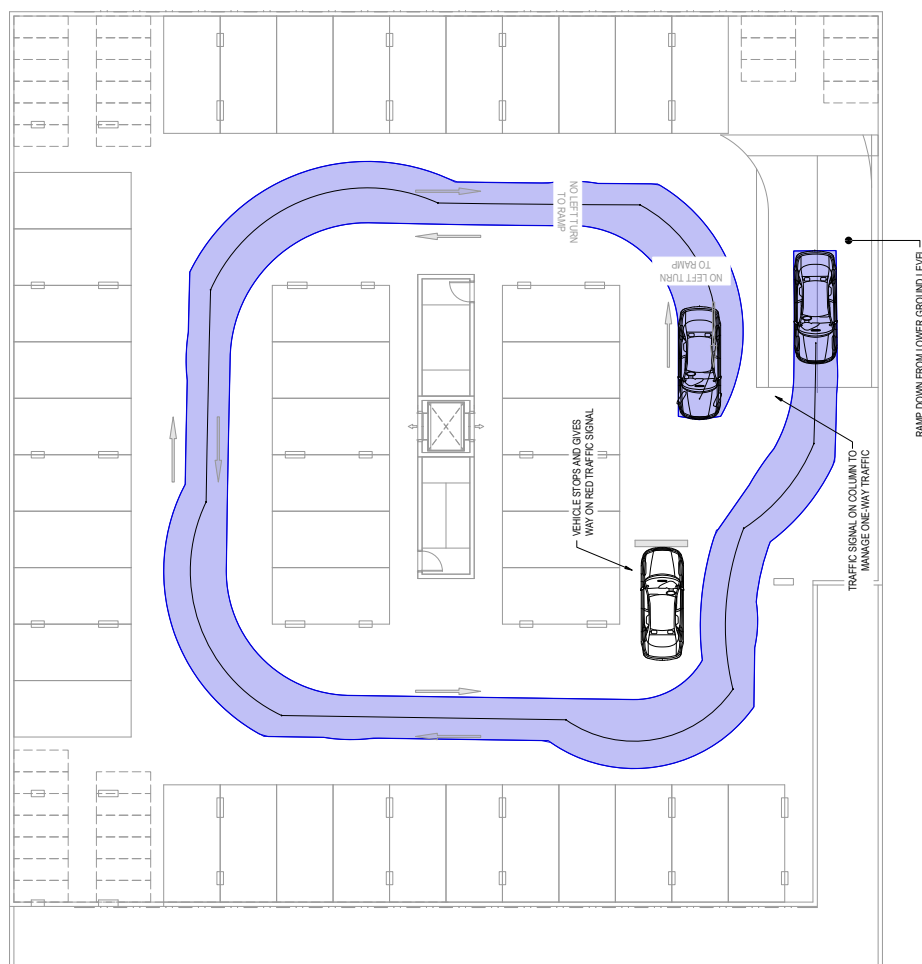
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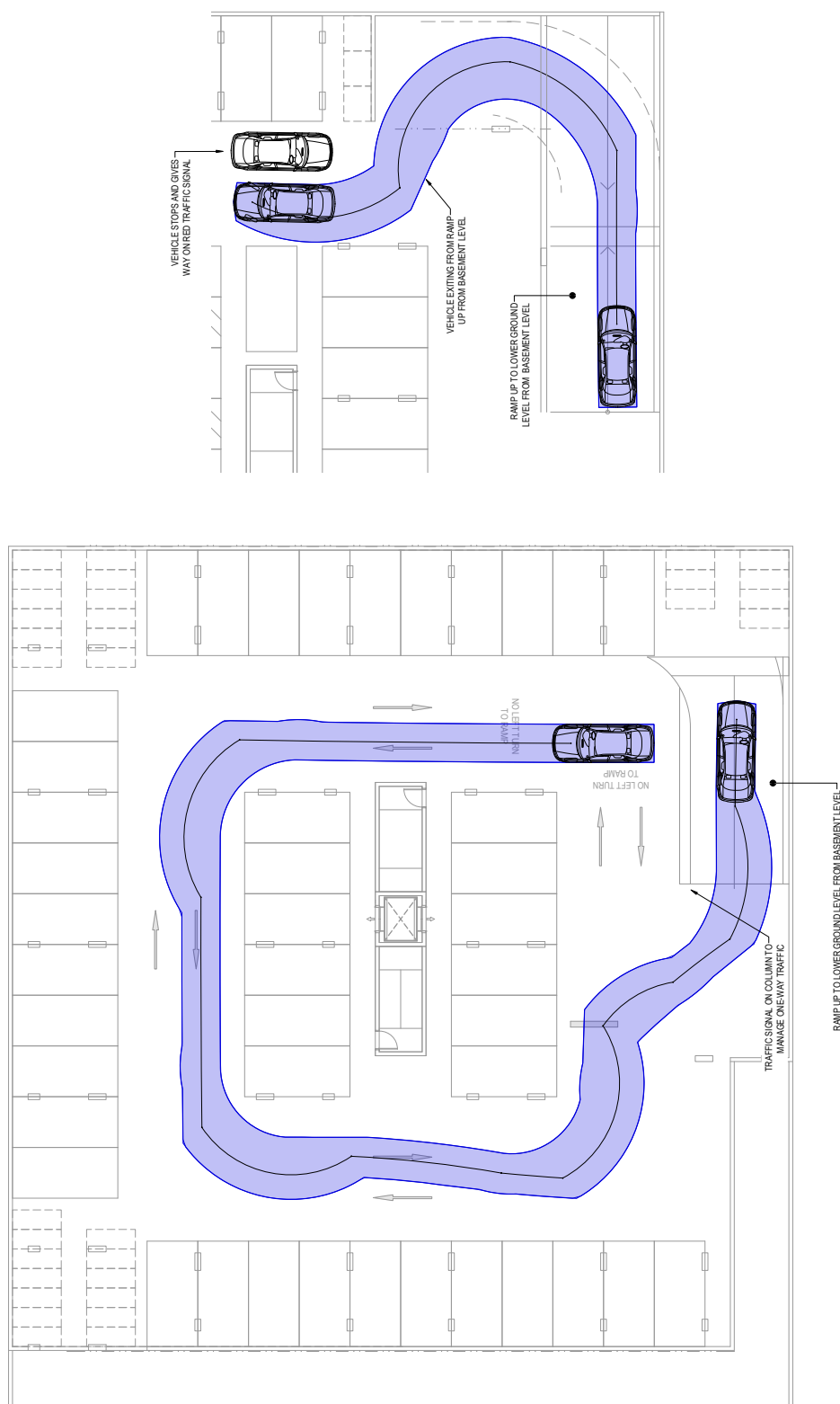
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THONGON STREET
KURANDA PTY LTD

A horizontal scale bar with alternating black and white segments. It is labeled with numbers 0, 1, 2, 3, 4, 5, and 6. Below the bar, the text '1:100' and '1:200' is printed.

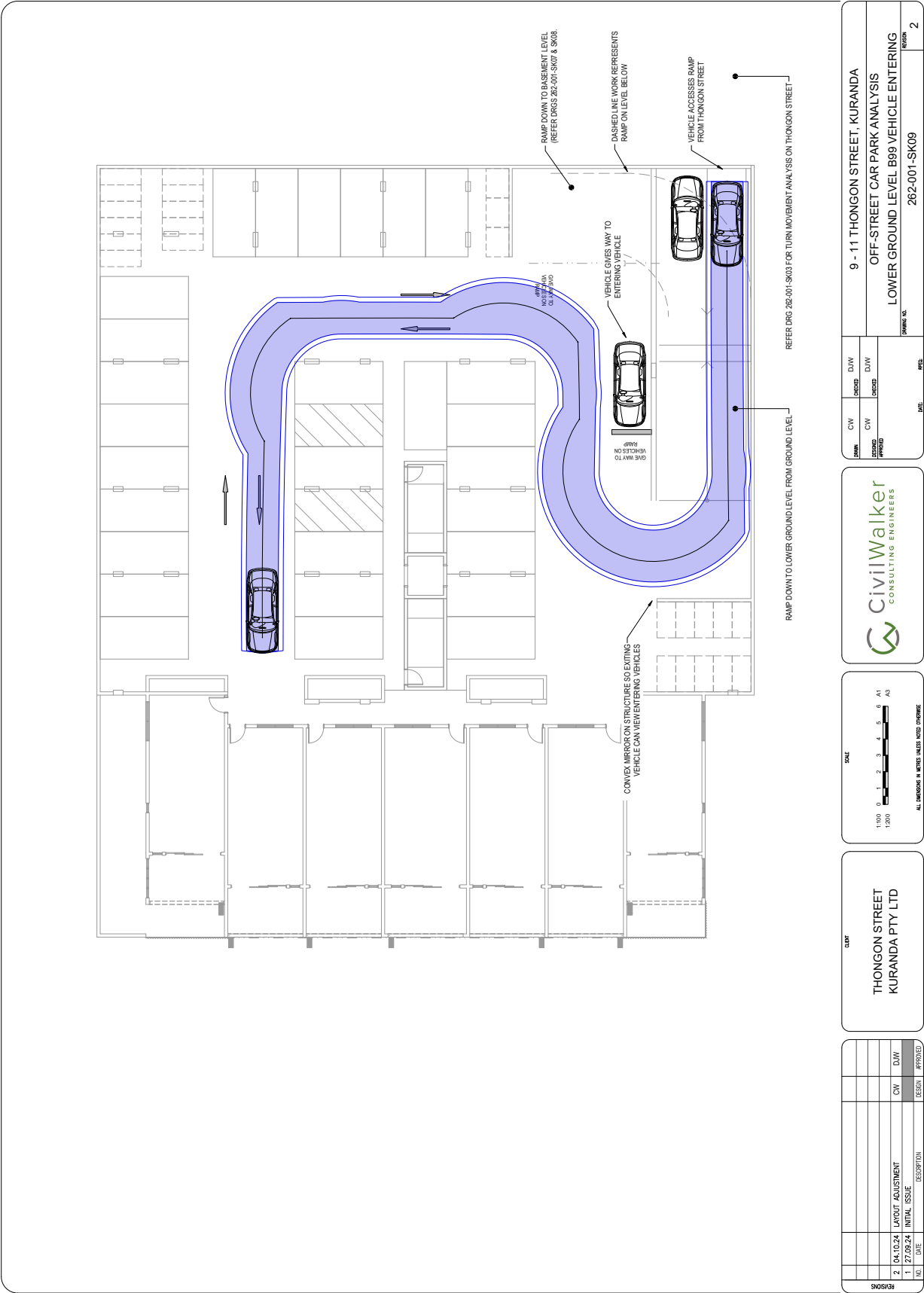


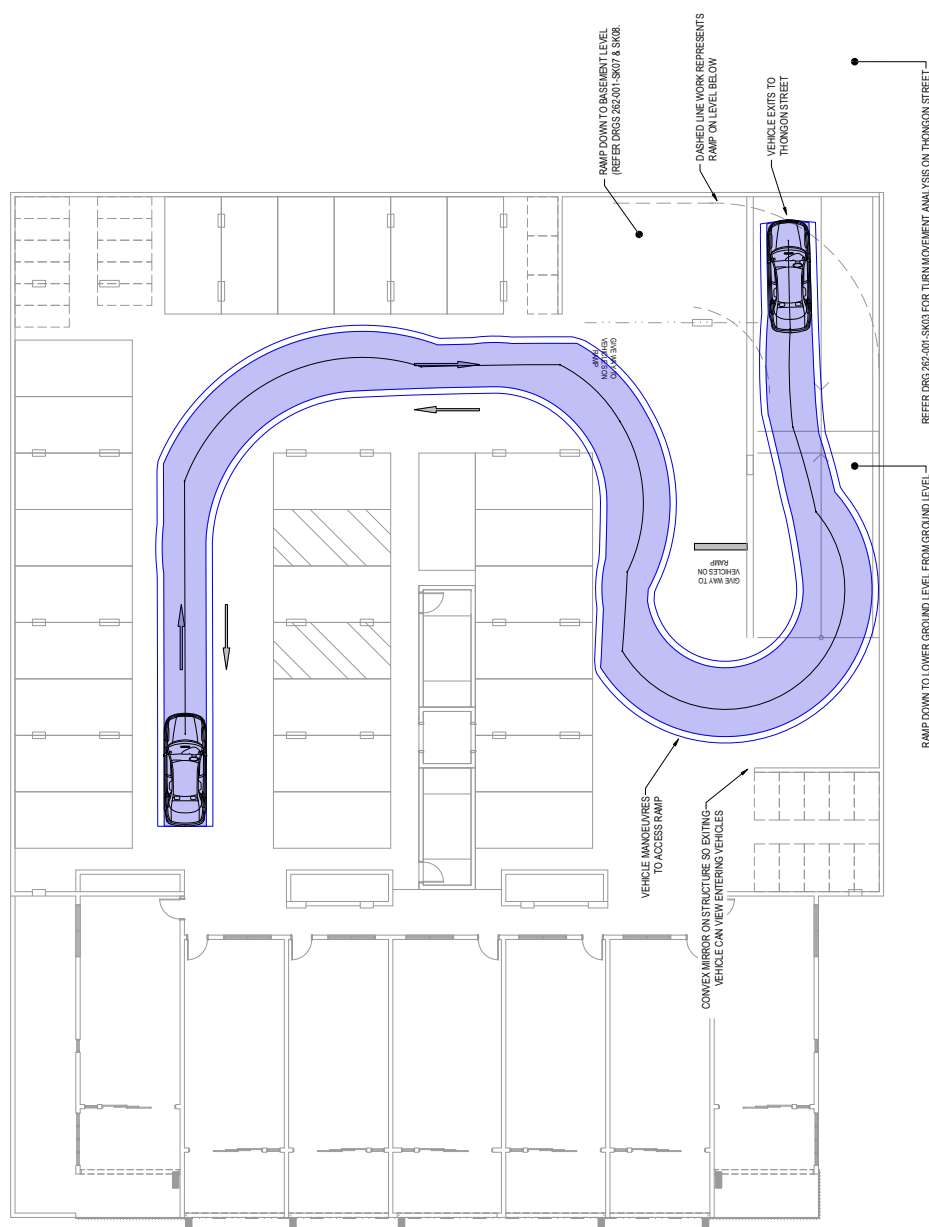
NAME	CW	OW	OW	9 - 11 THONGON STREET, KURANDA OFF-STREET CAR PARK ANALYSIS BASEMENT LEVEL B99 VEHICLE ENTERING	262-001-SK07	REVISION	1
DATE	01/01/2017	01/01/2017	01/01/2017				
BY	OW	OW	OW				



Document Set ID: 4423955
Version: 1, Version Date: 16/10/2024

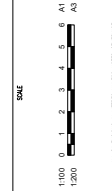
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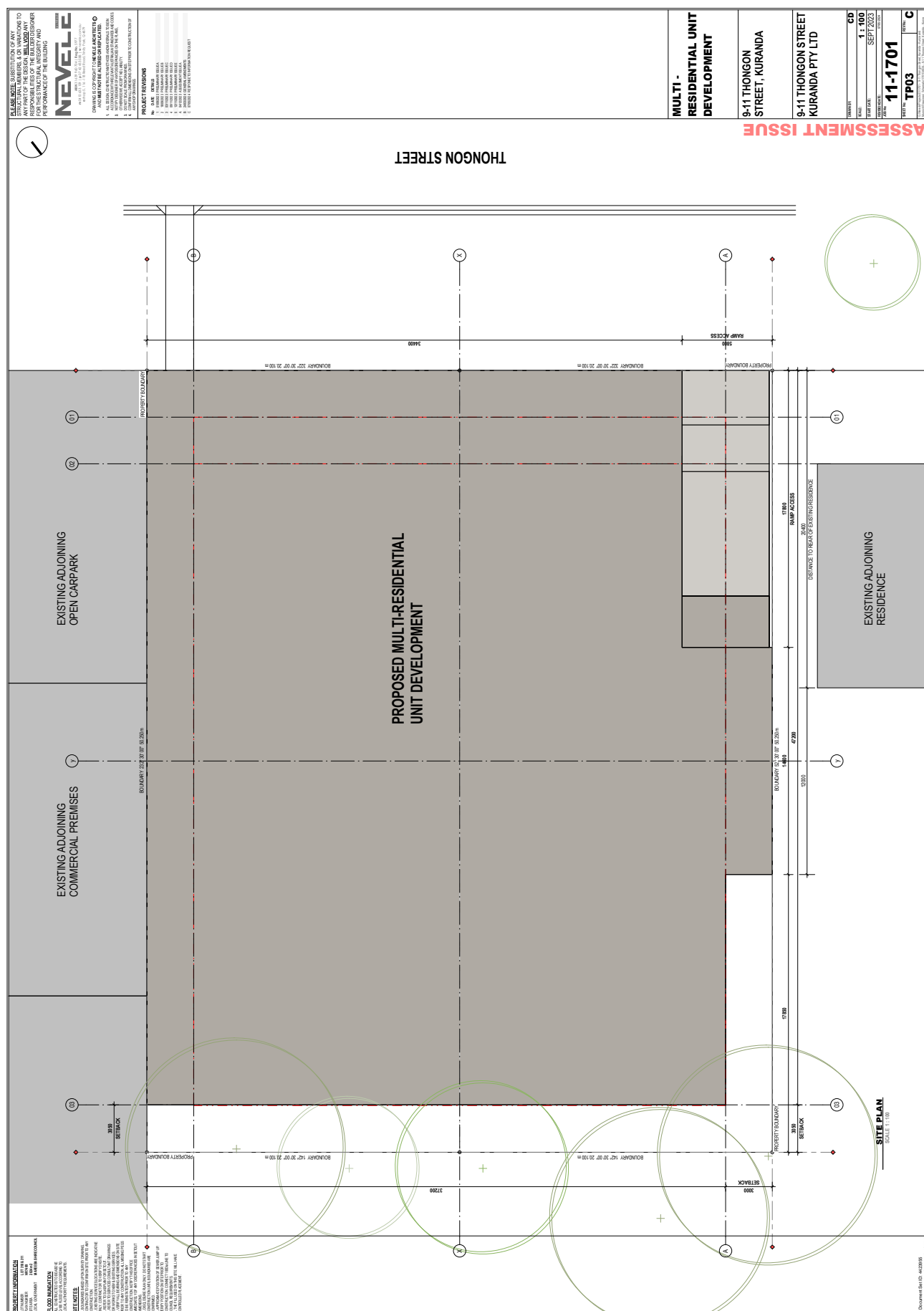
REVISIONS		DATE	DESCRIPTION	BY	CHKD
2	04.10.24	LAYOUT ADJUSTMENT			
1	27.09.24	INITIAL ISSUE			

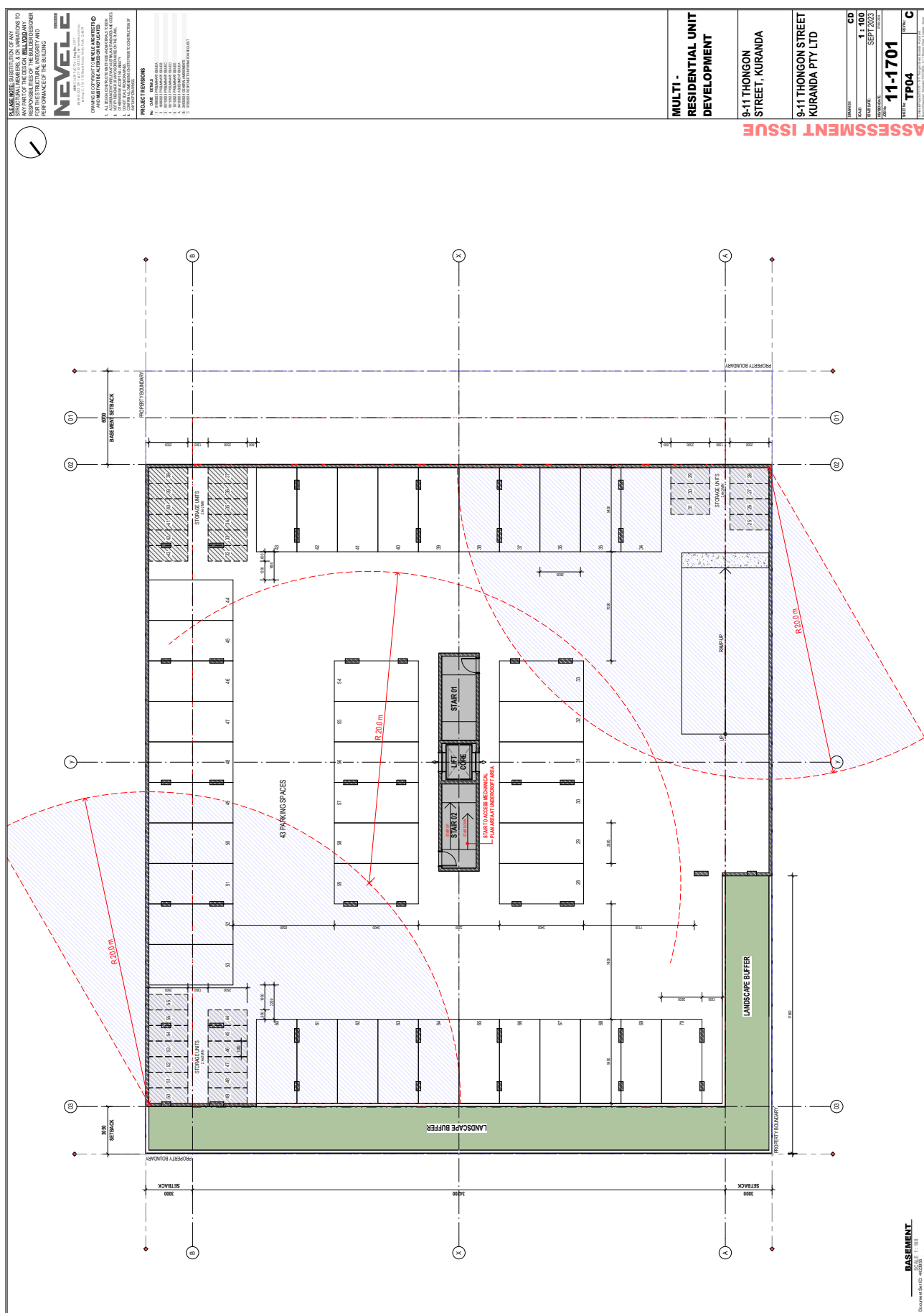
THONGON STREET
KURANDA PTY LTD

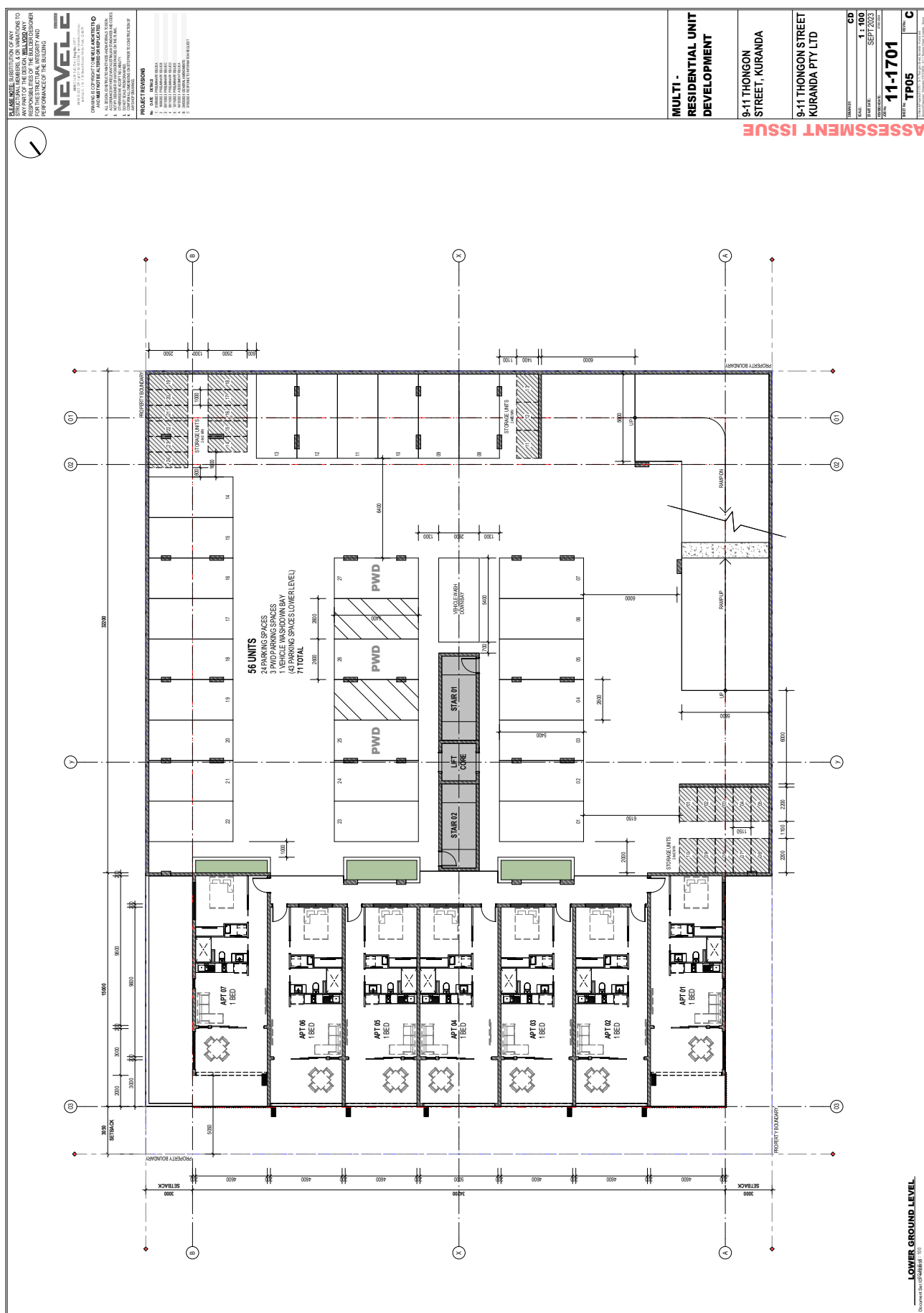


9 - 11 THONGON STREET, KURANDA	DWV	DWV	DWV
OFF-STREET CAR PARK ANALYSIS	DWV	DWV	DWV
LOWER GROUND LEVEL B99 VEHICLE EXITING	DWV	DWV	DWV
262-001-SK10	2	2	2

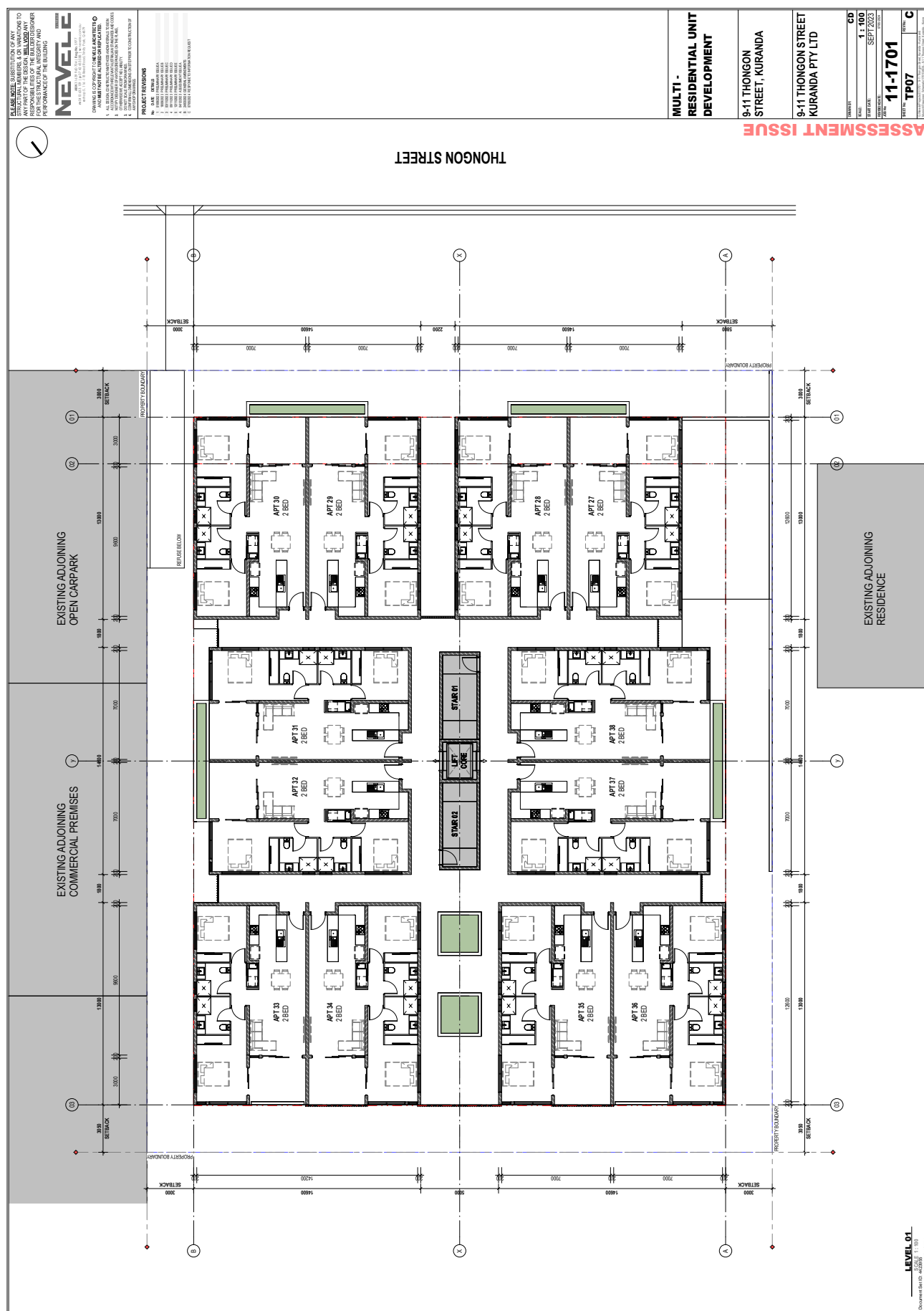
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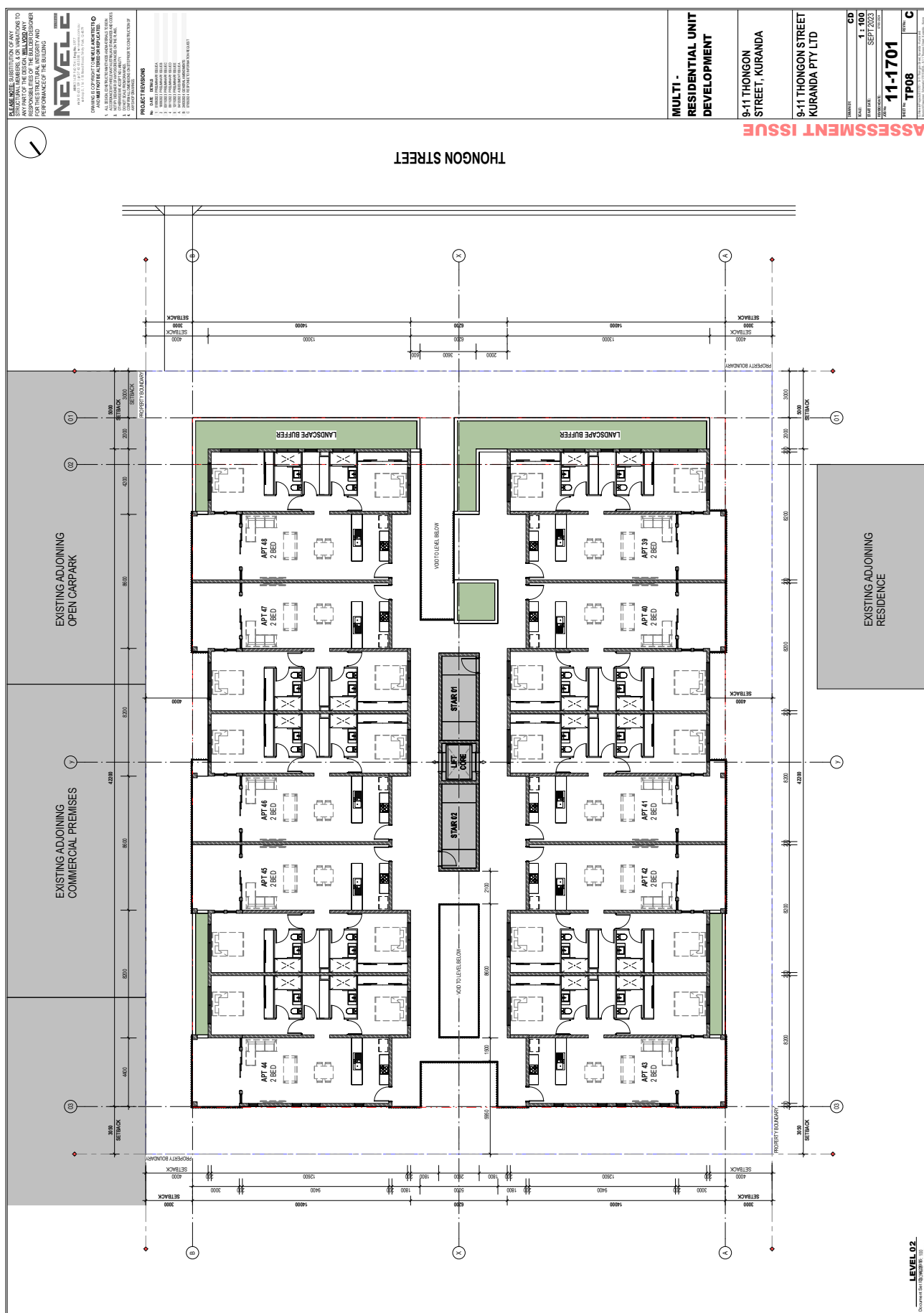


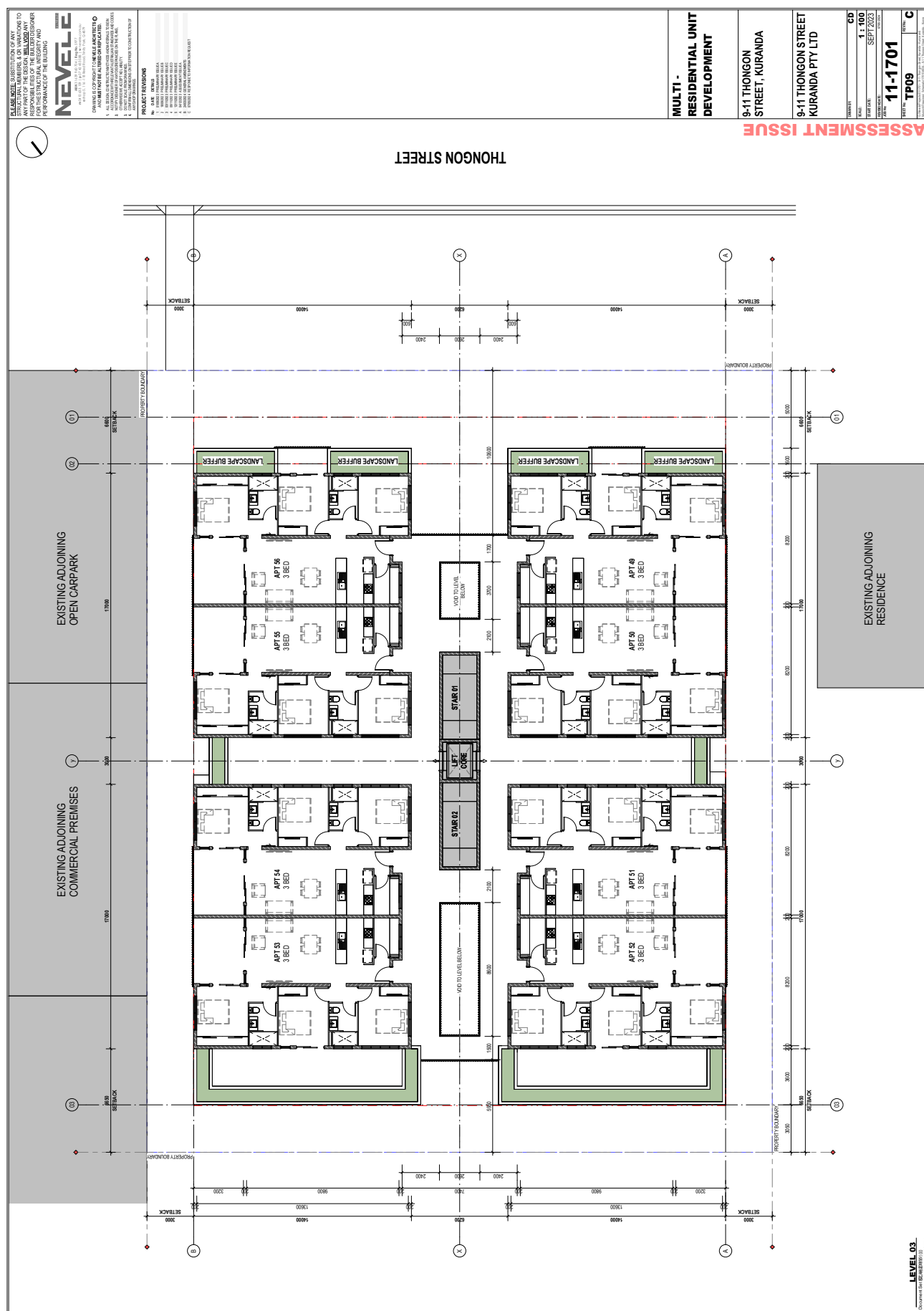


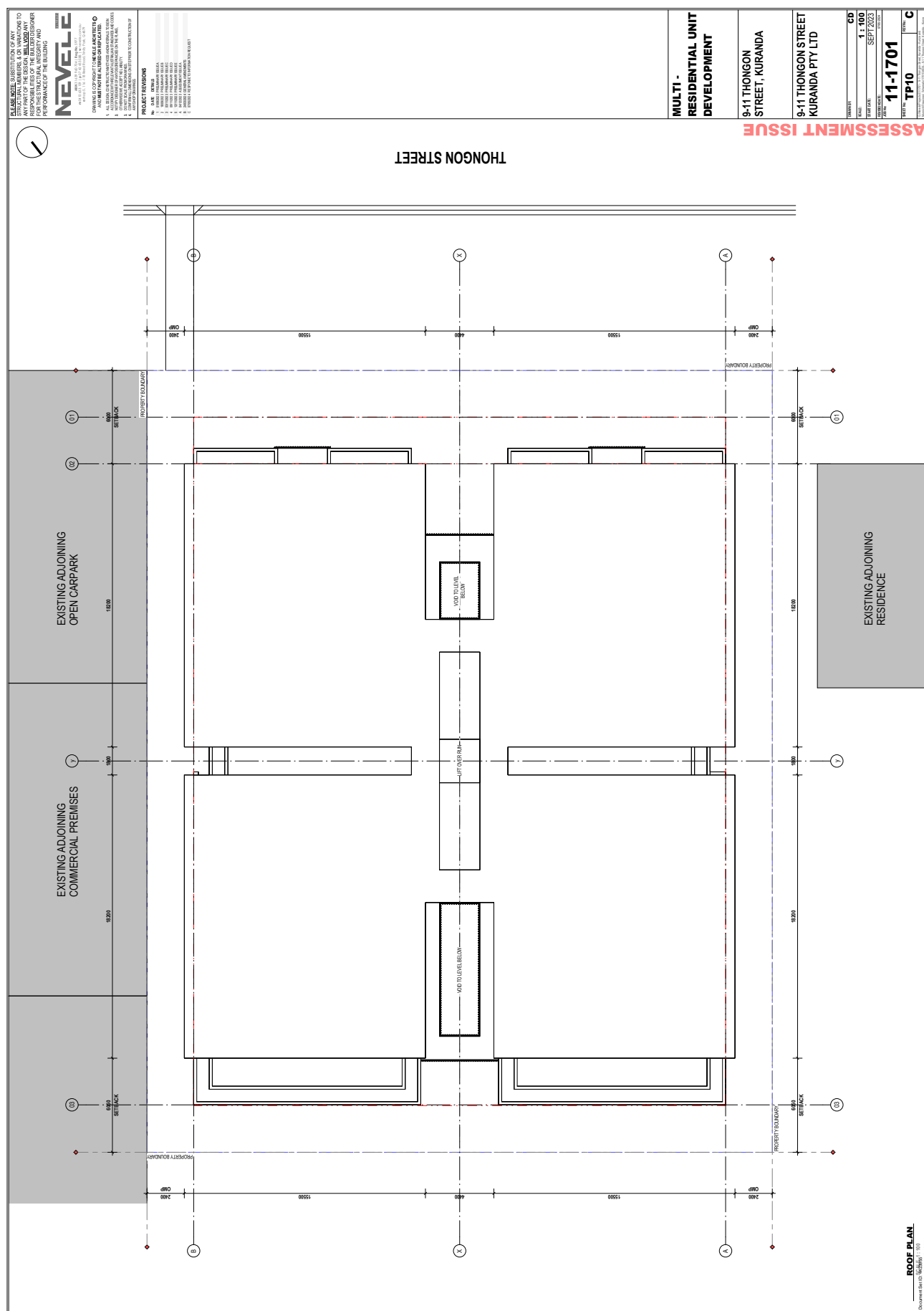




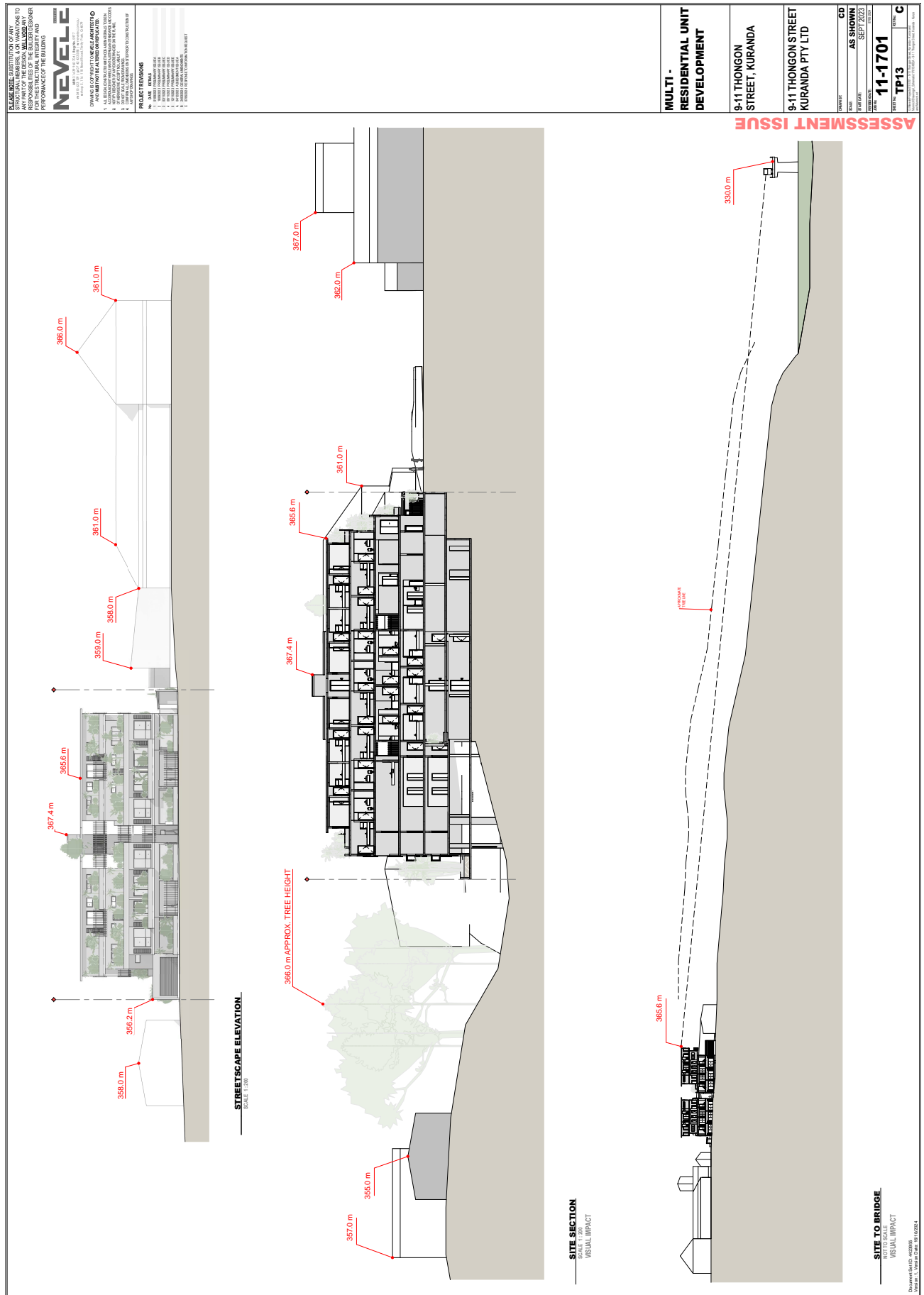





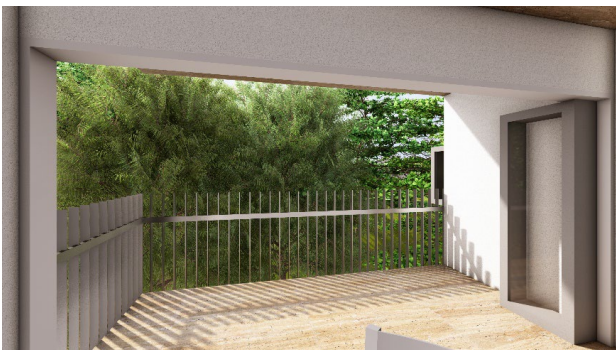













<p>Image 01</p> <p>Unit 01</p> <p>Lower Ground Level</p> <p>Outlook to rear boundary</p>	
<p>Image 02</p> <p>Unit 04</p> <p>Lower Ground Level</p> <p>Outlook to rear boundary</p>	
<p>Image 03</p> <p>Unit 20</p> <p>Ground Level</p> <p>Outlook to rear boundary</p>	
<p>Image 04</p> <p>Unit 23</p> <p>Ground Level</p> <p>Outlook to rear boundary</p>	

<p>Image 05</p> <p>Unit 26</p> <p>Ground Level</p> <p>Outlook to side boundary</p>	
<p>Image 06</p> <p>Unit 35</p> <p>Level 01</p> <p>Outlook to rear boundary</p>	
<p>Image 07</p> <p>Unit 38</p> <p>Level 01</p> <p>Outlook to side boundary</p>	
<p>Image 08</p> <p>Unit 40</p> <p>Level 02</p> <p>Outlook to side boundary</p>	

<p>Image 09</p> <p>Unit 43</p> <p>Level 02</p> <p>Outlook to side boundary</p>	
<p>Image 10</p> <p>Unit 50</p> <p>Level 03</p> <p>Outlook to side boundary</p>	
<p>Image 11</p> <p>Unit 53</p> <p>Level 03</p> <p>Outlook to side boundary</p>	



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WASTE MANAGEMENT PLAN

**9-11 THONGON ST
KURANDA QLD 4881**



CLIENT

9-11 Thongon St Kuranda Pty Ltd
September 2024

Document Set ID: 4423955
Version: 1, Version Date: 16/10/2024

9-11 Thongon St, Kuranda QLD
Waste Management Plan



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LIMITATIONS

Mark Rigby & Associates Pty Ltd (MRA Environmental) has prepared this Waste Management Plan for the sole use of 9-11 Thongon St Kuranda Pty Ltd to support a Development Application for the residential development located on 9-11 Thongon St, Kuranda QLD.

Specifically, this report supports the Development Application and relates to the waste storage and collection activities for the operational phase of the planned development generally in accordance with solid waste management outcomes in Accommodation activities code PO2 within the Mareeba Shire Council's *Planning Scheme July 2016*. This WMP will be submitted to Council as a component of the Information Request Response of the Development Application.

This report is for the sole use of 9-11 Thongon St Kuranda Pty Ltd and in relation to the Development Application to be submitted to Mareeba Shire Council. It may not contain sufficient information for the purposes of other parties, for other uses or at other locations.

We have performed our services for this project in accordance with our current professional standards. No other warranty, expressed or implied, is made as to the professional advice included in this submission.

Opinions and judgements expressed herein, which are based on our understanding and interpretation of current regulatory standards, should not be construed as legal opinions. The report also contains comments and information provided by others. MRA Environmental cannot take responsibility for advice provided by any third party.

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1.0 INTRODUCTION

1.1 BACKGROUND

MRA Environmental (MRA) has been commissioned by 9-11 Thongon St Kuranda Pty Ltd to prepare a Waste Management Plan (WMP) for the proposed residential development at 9-11 Thongon St, Kuranda QLD 4870.

It is understood that a Development Application (MCU/23/0025) has been lodged with Mareeba Shire Council (Council) and that an Information Request (IR) dated 12th January 2024 has been received. Item 18 of IR relates to on-site refuse storage and requests:

The refuse storage area provided is not considered adequate for 56 residential units and therefore the development cannot comply with PO2 of the Accommodation activities code. It is considered reasonable that each unit be provided with 1 x 240 litre wheelie bin, or equivalent communal bulk/skip bin refuse storage.

Please amend the plans to provide adequate refuse storage. Additionally, please demonstrate how the refuse storage will be emptied/serviced.

Therefore, this WMP has been prepared to address the Information Request received and ensures that the waste storage and collection activities for the operational phase of the development are generally in accordance with solid waste management outcomes in PO2 of Council's Accommodation activities code.

1.2 SITE DETAILS

The subject site is located at 9-11 Thongon St, Kuranda QLD on two (2) parcels of land described as Lots 310 & 311 on NR7409 (Refer to **Figure 1**). The site has a frontage onto Thongon Street, with commercial development generally to the south and west and residential properties generally to the north and east.

The proposed development is a single three (3) level building offering fifty-six (56) residential dwellings, consisting of 26 x 1-bedroom units, 22 x 2-bedroom units and 8 x 3-bedroom units with carparking provided on basement and lower ground levels.

1.3 PURPOSE & SCOPE OF REPORT

This report represents a Waste Management Plan for the operational phase of the development, which includes:

- Details on the anticipated type and quantity of waste (**Section 2.0**);
- Details of the waste storage room requirements and waste storage bins (**Section 3.0**); and
- Details of the proposed waste collection arrangements (**Section 4.0**).

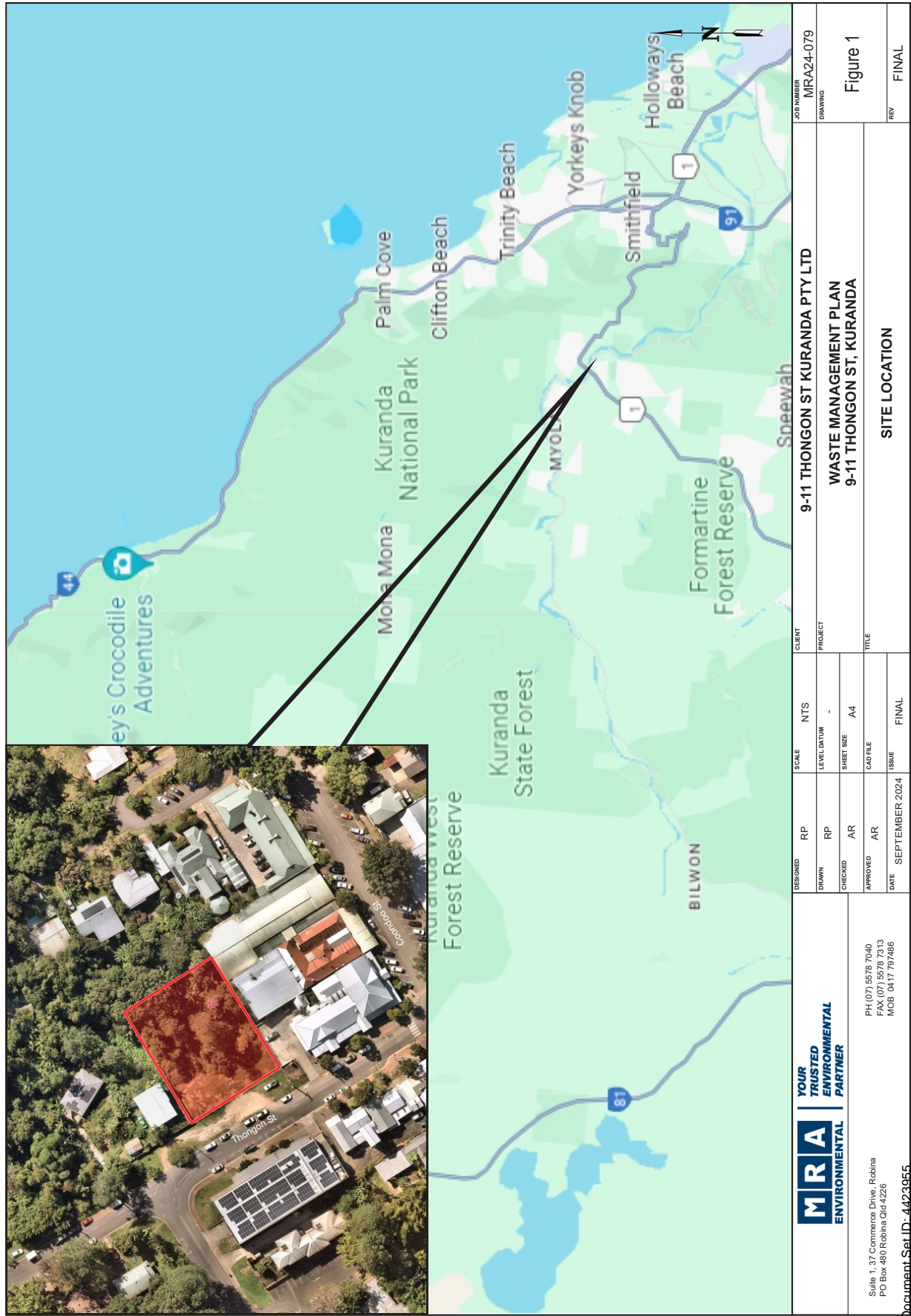
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1.4 WMP OBJECTIVES & STRUCTURE

The structure of this report will be as follows:

- An introduction including the site details, summary, purpose and scope of the report along with the objectives and structure;
- Development figures including the site location and outlining the waste storage and servicing infrastructure and locations;
- Waste quantities including the type of waste, quantities of waste based on the proposed development tenancy;
- Proposed waste storage and servicing areas including waste storage infrastructure and locations within the development; and
- Details of the waste collection including servicing frequencies, the waste servicing area and collection vehicle access.





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2.0 WASTE QUANTITIES

2.1 TYPE OF WASTE

Based on the proposed land uses identified in **Section 1.2, Table 1** below outlines the predicted types of waste that are expected to be generated from the proposed development.

Table 1: Predicted waste types to be generated

Tenancy Type	Predicted Waste Types
Residential units	General waste and recycling

2.2 WASTE QUANTITIES

Calculations of the anticipated waste quantities have been separated into the general waste and recycling components. As there are no waste generation rates provided within Mareeba Shire Council's *Planning Scheme July 2016*, it is not uncommon to utilise waste generation rates provided in other local government planning schemes.

As such, the residential waste calculations for this report were performed using typical waste generation rates as provided for multi-unit developments in Appendix A of the City of Gold Coast's *SC6.16 City Plan Policy v.11 – Solid Waste Management*.

2.3 RESIDENTIAL UNITS

The anticipated waste quantities for general waste and recycling for the proposed development are outlined below in **Table 2** and **Table 3**.

Table 2: Anticipated residential general waste quantities

Tenancy Type	No. of dwellings	Estimated Waste Generation (L/week/dwelling)	Total Required Waste Capacity (L/week)	Estimated Waste Generation (m ³ /week)	Estimated Daily Waste Generation (m ³ /day)
1 bedroom	26	80	2,080	2.08	0.30
2 bedrooms	22	100	2,200	2.20	0.31
3 bedrooms	8	120	960	0.96	0.14
TOTAL	56		5,240	5.24	0.75

Table 3: Anticipated residential recycling quantities

Tenancy Type	No. of dwellings	Estimated Recycling Generation (L/week/dwelling)	Total Required Waste Capacity (L/week)	Estimated Waste Generation (m ³ /week)	Estimated Daily Waste Generation (m ³ /day)
1 bedroom	26	50	1,300	1.30	0.19
2 bedrooms	22	60	1,320	1.32	0.19
3 bedrooms	8	80	640	0.64	0.09
TOTAL	56		3,260	3.26	0.47

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2.4 TOTAL WASTE CAPACITY

In total, the proposed residential development is anticipated to generate a total of approximately **0.75m³/day** of general waste and approximately **0.47m³/day** of recycling waste.

3.0 GENERAL WASTE STORAGE

This section outlines the general design criteria for the general waste storage point, along with a description of the proposed bins to be used.

We have been advised by Council's Waste Team that the development falls under a commercial collection category and Council does not supply wheelie bins in these instances. Therefore, a private waste contractor is required to service the development.

We understand general waste bulk bins are available to be serviced once per week in Kuranda, therefore the proposed size and number of general waste bulks bins is equivalent to sufficiently store one (1) weeks' worth of general waste generation.

We understand that residential dwellings are not provided with commingled recycling wheelie bins in Kuranda and instead Mareeba Shire Council has provided a recycling depot at the end of Arara St adjacent to the town sewer plant for community recycling. It is therefore considered appropriate that residents of the proposed development will also utilise the community recycling depot.

3.1 GENERAL WASTE STORAGE POINT & SERVICING POINT

It is proposed that there will be one (1) combined waste storage and servicing point on the ground level of the development located in a designated area on the southern boundary (Refer to **Figure 2**).

This combined storage & servicing point will house four (4) x 1.5m³ general waste bulks bins for residents to place general waste directly into the general waste bulk bins. There is an access pathway provided on ground level to the general waste storage point. The waste carting distances for residents from the lift lobby is approximately 40m.

The general waste storage point will also act as the servicing point and is discussed in more detail in **Section 4.2** below.

The general waste storage point will be designed and constructed to meet the requirements listed below:

1. Be of a sufficient size to accommodate the required bulk bins to meet the anticipated demand for general waste storage;
2. Designed to allow the bins to be easily transported to the servicing point (no steps or lips on bin carting route);

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3. Be located to minimise adverse impacts on uses on the site and the adjoining site. The waste storage point is adjacent to a carparking area on the neighbouring property;
4. Be sited and designed to be unobtrusive and screened from view from the street frontage;
5. Safe access to the waste storage point is provided including artificial lighting;
6. Constructed hardstand area with a solid concrete base or acceptable equivalent;
7. Roofed and designed to prevent entry to rainwater; and
8. Graded to fall to a drainage point that is connected to sewer and provided with a hose-cock for cleaning.

3.2 PROPOSED WASTE BINS

To ensure that the design of the combined waste storage & servicing point is sufficient, the details of the type of waste and number of bulk bins provided to accommodate the general waste generated from this development is outlined in **Table 4**.

Table 4: Details of proposed bins & servicing frequency

Waste Source	Waste Type	Estimated Waste Generation (m ³ /week)	Bins Proposed	Minimum Collection Frequency
Residential waste	General Waste	5.24	4 x 1.5m ³ general waste bulk bins	Once per week
	Recycling	3.26	Residents to take waste to the community recycling facility located on Arara St	As required

3.3 DIMENSIONS OF WASTE CONTAINERS

Table 5 below provides dimensions of the bulk bins to be used on-site. The 1.5m³ bulk bins will be composed of steel with lightweight plastic lids.

Table 5: Typical dimensions of waste storage bins

Bin Type	Volume	Length (mm)	Width/ Diameter (mm)	Height (mm)	Collection Vehicle Type
Bulk bin	1.5m ³	2,040	1,051	1,304	Front Lift Truck

3.4 DRAINAGE AND BIN WASH

Appropriately sized bin wash facilities (including nearby access to a hose-cock) will be provided in proximity to the combined waste storage & servicing point (Refer to **Figure 2**). This area will be graded to a central drainage point that is connected to sewer in accordance with trade waste requirements. It will be the responsibility of the site management to wash bins and maintain the cleanliness of the combined waste storage & servicing point.

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4.0 DETAILS OF COLLECTION

4.1 FREQUENCY

Waste servicing frequencies for general waste bulk bins for the development have been outlined in **Table 4**. The residential bulk bins are anticipated to be serviced once per week in accordance with the servicing frequency available via the private waste contractor.

4.2 WASTE SERVICING POINT

The proposed development will be serviced by a private waste contractor from Thongon Street. The combined waste storage & servicing point is on the ground level of the development located adjacent to Thongon Street (Refer to **Figure 2**).

The bulk bins will be stored on a level hardstand adjacent to the property boundary and a level pathway and ramped access to the roadside will be provided to allow for waste servicing. On collection day, the bulk bins will be removed from and returned to the waste storage point by the waste contractor for servicing.

There will be sufficient access and unobstructed vertical clearance for the front-lift waste collection vehicle (WCV) to service the development from Thongon Street. The typical dimensions for a front-lift waste collection vehicle are provided in **Table 6** below.

In addition to the requirements listed in **Section 3.1**, the combined waste storage & servicing point will reflect the following requirements:

1. Bin-carting route must allow bins to be easily manoeuvred and be devoid of steps or steep rises;
2. Positioned on a level pad within the site, adjacent to the property boundary and level with the kerbside;
3. A smooth path/ramp will be provided so that the bins can be manoeuvred for servicing without lifting the bins over raised surfaces/kerb;
4. Installation of signage to reserve the area for the WCV on the nominated service days is recommended to be erected.

4.3 COLLECTION VEHICLE ACCESS

Table 6 details the typical dimensions of the front lift waste collection vehicle that will be used to service the development.

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Table 6: Typical front-lift truck dimensions

Parameter	Front Lift truck
Height (m)	4.3
Width (m)	2.5
Length (m)	10.2
Working Height (m)	6.5
Total Tonnage (max)	27.5
Min Turning Circle (m ²)	13.2 (wall-wall)
Min Turning Circle (m ³)	12.3 (kerb-kerb)

*Note that the waste collection vehicle clearance height (working height) is to be calculated according to the following formula as a minimum:

$$\boxed{\text{SUITABLE CLEARANCE}} = \boxed{\text{VEHICLE OPERATING DIMENSION}} + \boxed{100\text{mm}} + \boxed{\text{CLEARANCE FOR SERVICES}} + \boxed{\text{CALCULATION FOR ROADWAY GRADIENT}}$$

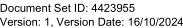
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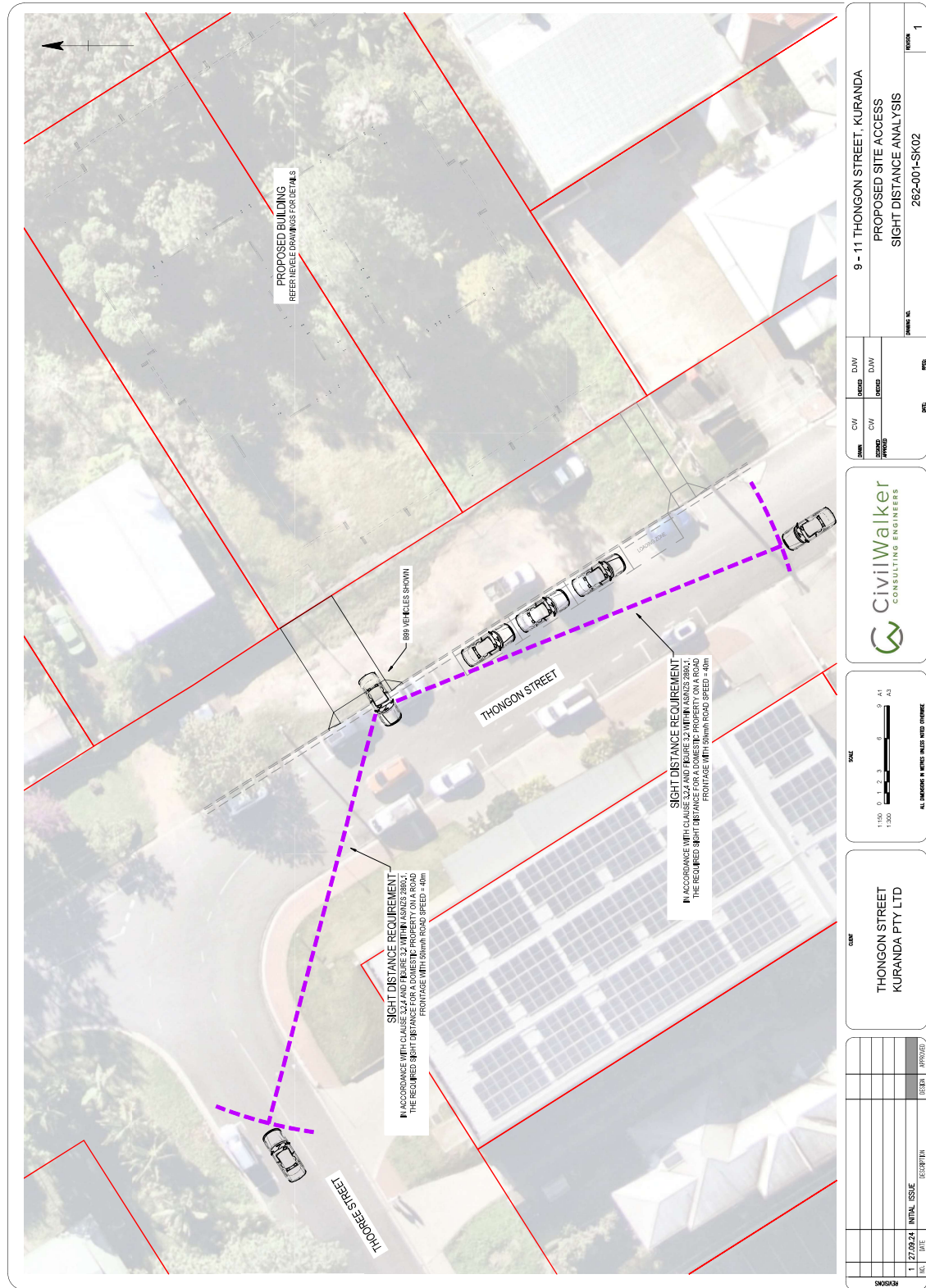


5.0 SUMMARY

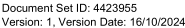
Details of this Waste Management Plan are summarised below:

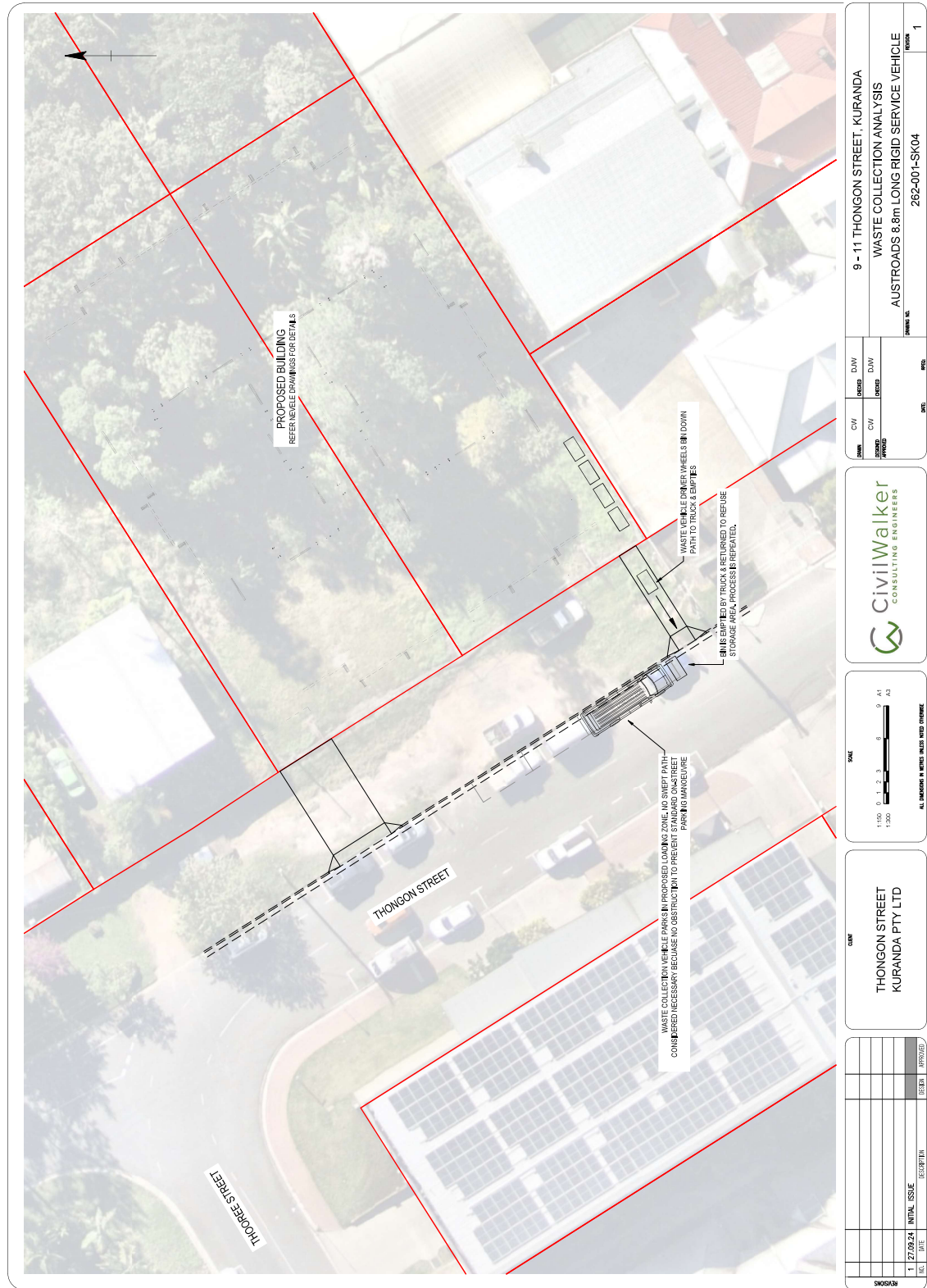
- The subject site is located at 9-11 Thongon St, Kuranda QLD on two (2) parcels of land described as Lots 310 & 311 on NR7409 (Refer to **Figure 1**). The site has a frontage onto Thongon Street, with commercial development generally to the south and west and residential properties generally to the north and east;
- The proposed development is a single three (3) level building offering fifty-six (56) residential dwellings, consisting of 26 x 1-bedroom units, 22 x 2-bedroom units and 8 x 3-bedroom units with carparking provided on basement and lower ground levels;
- As there are no waste generation rates provided within Mareeba Shire Council's *Planning Scheme July 2016*, it is not uncommon to utilise waste generation rates provided in other local government planning schemes. As such, the residential waste calculations for this report were performed using typical waste generation rates as provided for multi-unit developments in Appendix A of the City of Gold Coast's *SC6.16 City Plan Policy v.11 – Solid Waste Management*;
- In total, the proposed residential development is anticipated to generate a total of approximately **0.75m³/day** of general waste and approximately **0.47m³/day** of recycling waste;
- We have been advised by Council's Waste Team that the development falls under a commercial collection category and Council does not supply wheelie bins in these instances. Therefore, a private waste contractor is required to service the development;
- We understand general waste bulk bins are available to be serviced once per week in Kuranda, therefore the proposed size and number of general waste bulks bins is equivalent to sufficiently store one (1) weeks' worth of general waste generation;
- We understand that residential dwellings are not provided with commingled recycling wheelie bins in Kuranda and instead Mareeba Shire Council has provided a recycling depot at the end of Arara St adjacent to the town sewer plant for community recycling. It is therefore considered appropriate that residents of the proposed development will also utilise the community recycling depot;
- It is proposed that there will be one (1) combined waste storage and servicing point on the ground level of the development located in a designated area on the southern boundary (Refer to **Figure 2**);
- This combined storage & servicing point will house four (4) x 1.5m³ general waste bulks bins for residents to place general waste directly into the general waste bulk bins. There is an access pathway provided on ground level to the general waste storage point. The waste carting distances for residents from the lift lobby is approximately 40m; and
- The proposed development will be serviced by a private waste contractor from Thongon Street. The bulk bins will be stored on a level hardstand adjacent to the property boundary and a level pathway and ramped access to the roadside will be provided to allow for waste servicing. On collection day, the bulk bins will be removed from and returned to the waste storage point by the waste contractor for servicing.



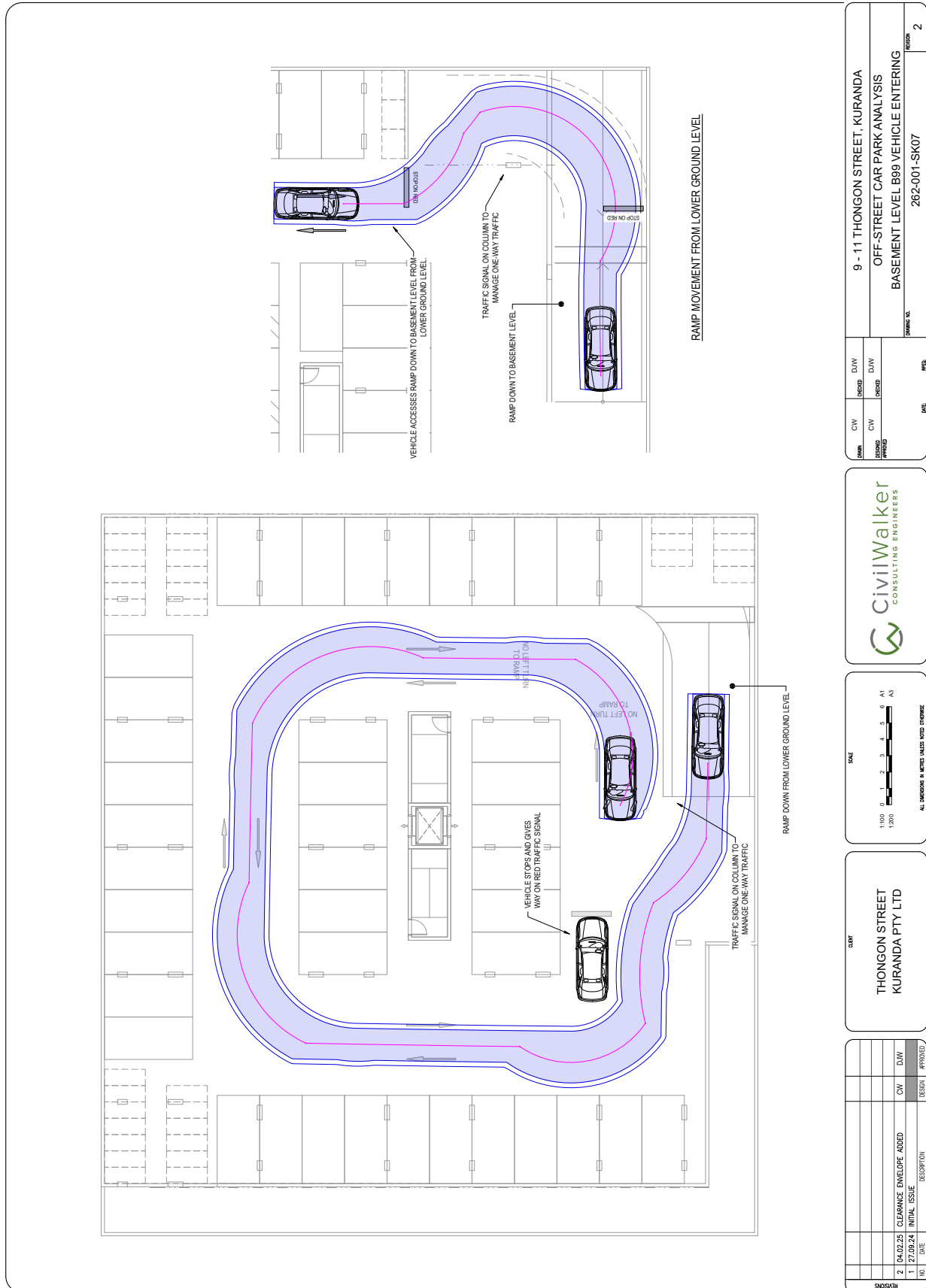


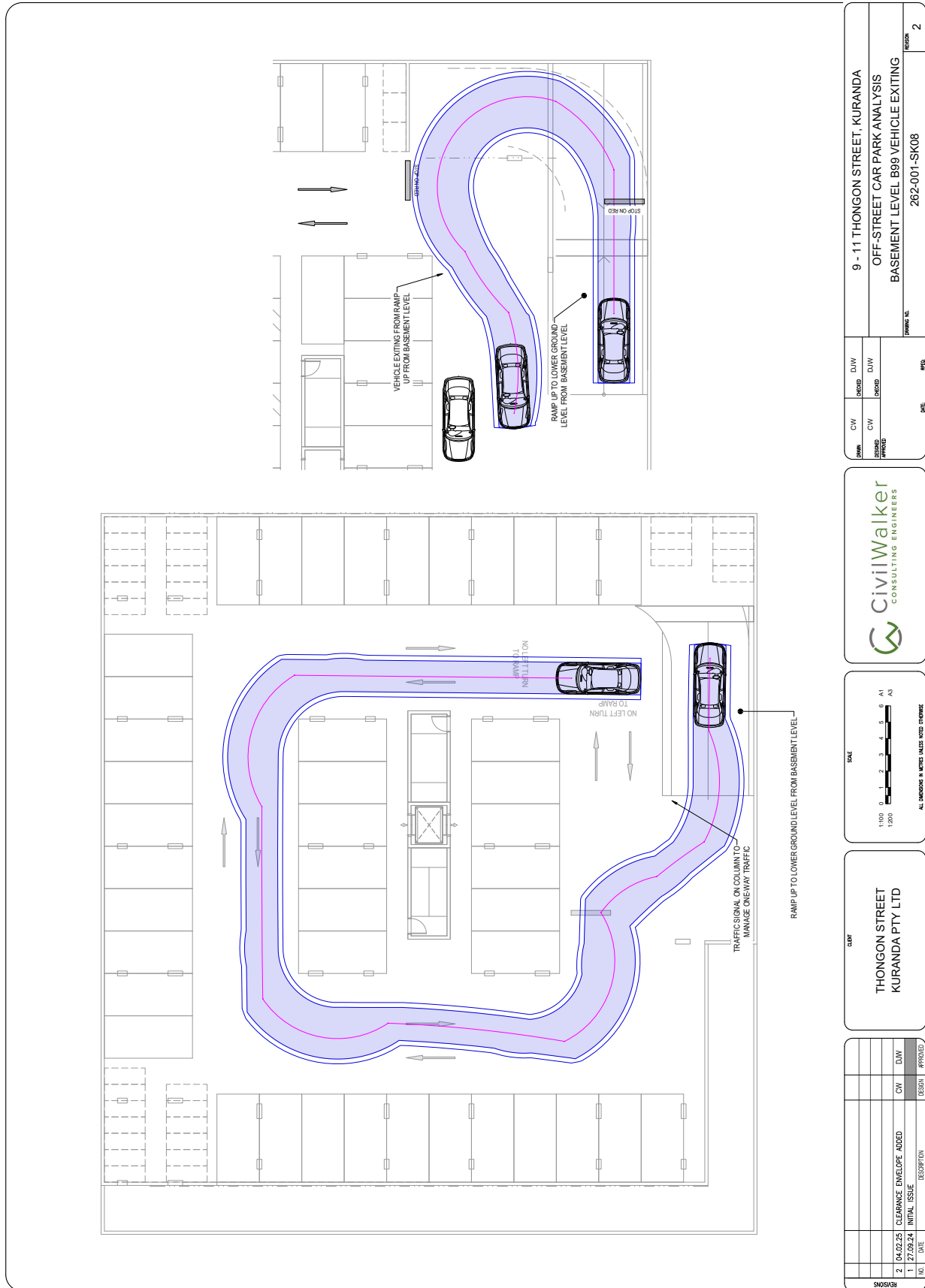
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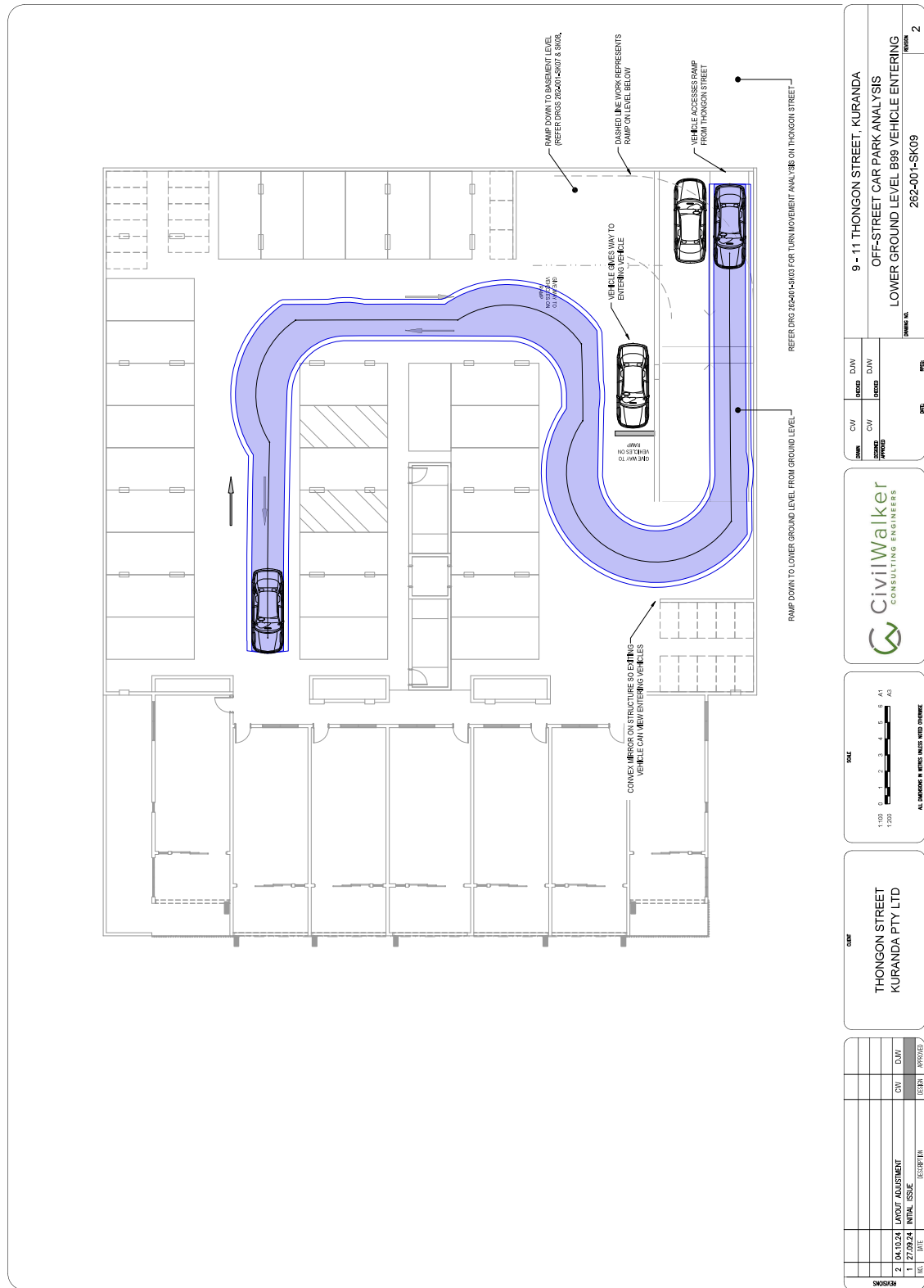


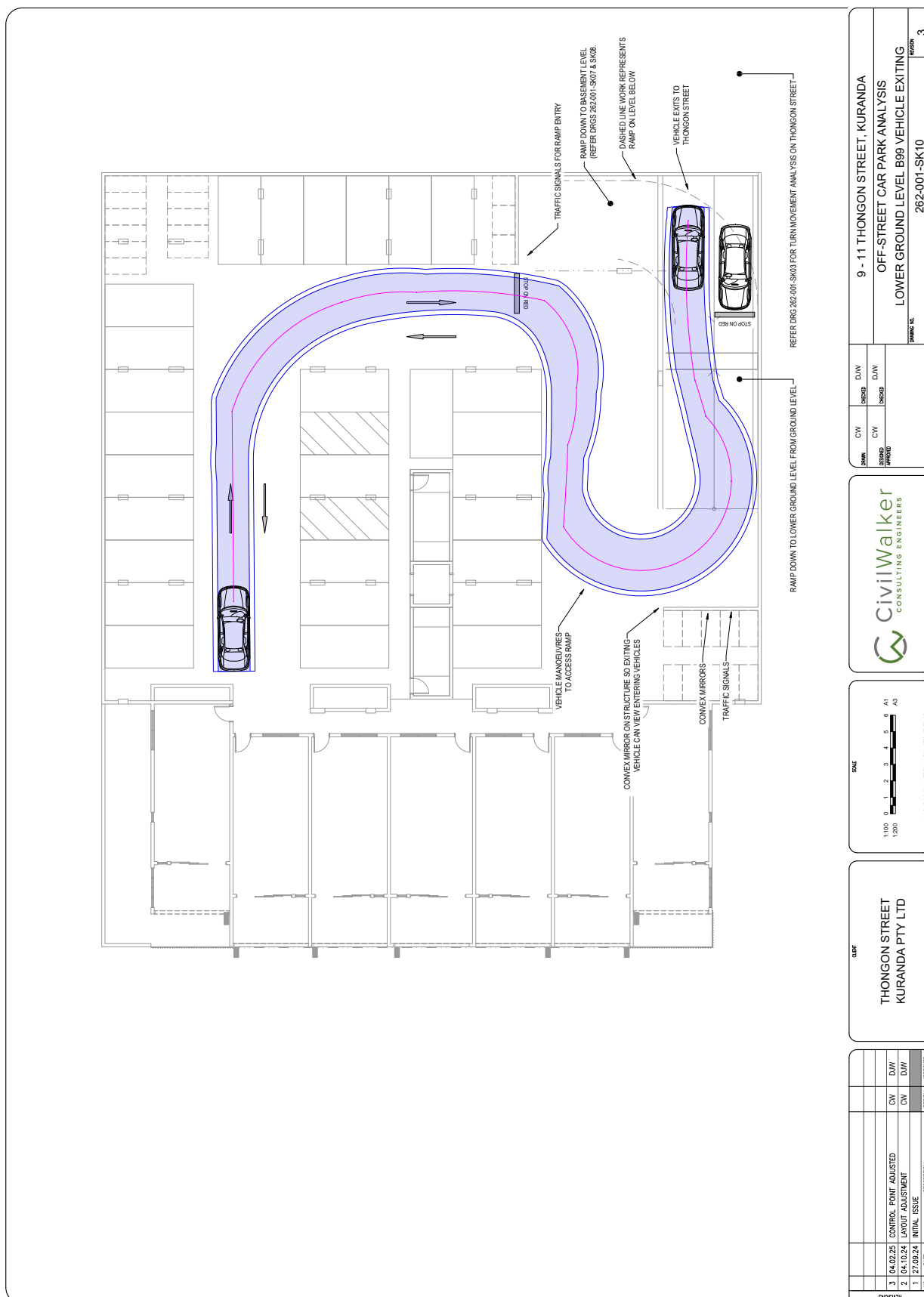


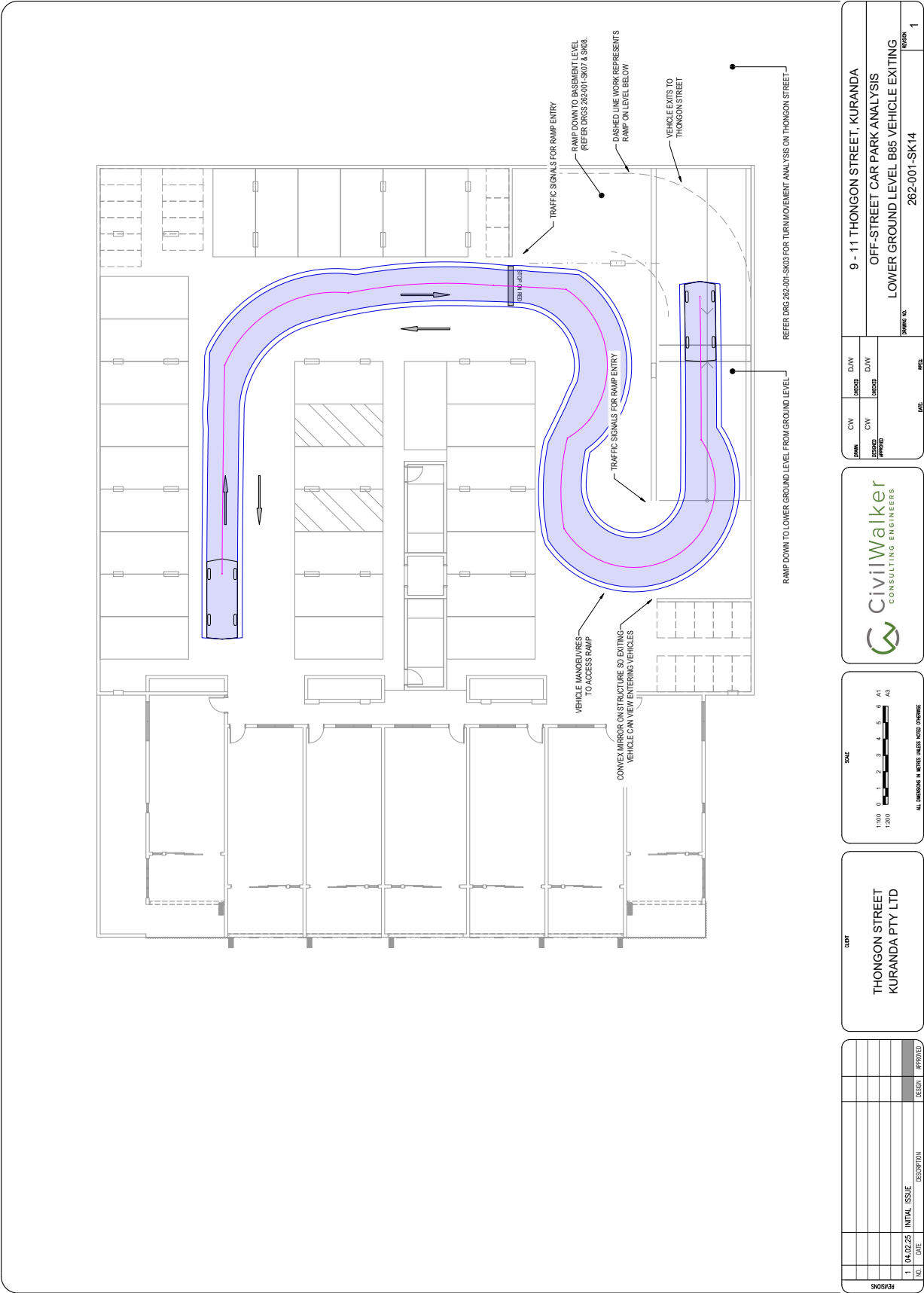
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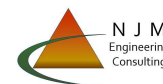








16 March 2025
Council Ref: MCU/23/0025



9-11 THONGON STREET, KURANDA - MCU (Multiple Dwelling)

TRAFFIC IMPACT AND CAR PARKING REVIEW

INTRODUCTION

NJM Engineering Consulting has been engaged by Mareeba Shire Council to undertake a review of the traffic and parking arrangements for the proposed 56-unit multiple-dwelling development at 9-11 Thongon Street, Kuranda. This review follows on from that undertaken in May 2024 based on the supporting documentation submitted with the application and a response from the applicant to issues raised in the Council's Confirmation Notice dated 12 January 2024.

The previous review identified several concerns regarding the proposal, particularly its potential impact on the external road network in relation to on-street parking. Additionally, issues were raised regarding the design of the off-street parking and access, as well as the proposed refuse collection arrangement, which relied on public on-street parking.

Council provided the applicant the opportunity to address these concerns through issue of an Information Request. A response to the request was received by Council on 24 February 2025. This report documents the review of this further information supplied and identification of any outstanding matters of concern.

COMMENTS

Following a review of the additional information provided by the applicant, it appears that while some of the requested items have been addressed, the response does not fully resolve all issues, particularly the external road network and impact on on-street parking already in high demand. Additionally, there are still deficiencies in certain design aspects of the off-street car park and in demonstrating that safety and functionality has been given adequate consideration.

Parking Impacts

While it is acknowledged that the parking provision technically complies with the planning scheme's Parking and Access Code, as outlined in Table 9.4.3.3B (which specifies 1 parking space per dwelling and 0.25 visitor parking spaces per dwelling), there are concerns regarding the adequacy of this provision.

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Given the locality is relatively remote, it is likely that car ownership will be greater than one vehicle per unit, particularly for households with two or three bedrooms. Kuranda residents have limited access to public transport, and due to the town's size, many essential services are beyond walking or cycling distance, making private vehicle use necessary.

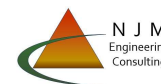
As a result, there is a significant risk that the actual parking demand will surpass the minimum provisions, leading to a high likelihood of overflow parking spilling onto on-street areas in an area that already experiences high demand.

The *Austroads Guide to Traffic Management Part 11: Parking Management Techniques* acknowledges that parking demand for specific land use is not one size that fits all. It is dynamic in nature and influenced by a number of factors varying from one location to another reflecting differences in development and employment density, availability of public transport, car ownership levels and economic vitality. The guidelines go further to acknowledge that standard parking rates stated in planning schemes are not applicable in all situations and should be applied to best suit particular circumstances considering local conditions.

For comparison purposes some examples of minimum rates from other planning schemes in North Queensland that would be relevant to this scale of development are summarised below, noting this development is providing only 70 car parking spaces.

Local Government	Multiple Dwelling Parking Rates	Requirement if applied to proposed development
Cairns Regional Council	1.25 spaces per one and two bedroom units 1.75 spaces per 3 or more bedroom units 0.25 spaces per unit for visitors	88 spaces
Townsville City Council	1.7 spaces per dwelling 0.2 spaces per dwelling for visitors	107 spaces
Cassowary Coast Regional Council	1 space per one bedroom units 1.5 spaces per two bedroom units 2 spaces per 3 or more bedroom units 0.5 spaces per unit for visitors	103 spaces

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VISITOR PARKING

Although the required visitor parking rate has been met (0.25 spaces/ unit), only eleven (11) spaces are available for general use, as three (3) are used for the provision of parking for people with disabilities and the remainder allocated to residents.

In regard to access to the visitor parking as it is located within the secure car park, the applicant has advised that the proposed arrangement is that visitors would need to call the resident they are visiting upon arrival and wait for the garage to be opened before gaining entry. Even after access is granted, there is no guarantee that a visitor parking space will be available for use which may lead to the vehicle circulating the car park. This raises safety concerns, as visitors who may be unfamiliar with the car park's traffic circulation and control measures must navigate its layout upon entry and exit. This increases the risk of confusion and potential conflicts with other vehicles within the car park

The effect associated with the visitor parking not being readily accessible also would make it more attractive to visitors to use on-street parking rather than the off-street parking.

The impact on parking in Thongon Street will be further exacerbated by the reduction in available on-street parking, resulting from the development. According to Drawing SK03, which illustrates the turning paths of vehicles accessing the site turning into Thongon Street from Thoorree Street, the existing parking spaces to the north of the access point, along with those removed for the access itself, appears to result in the loss of a total of four spaces.

Off Street Car Park Design

The key concern with the proposed car park design was not just whether it meets AS/NZS 2890.1, but how it functions in practice and the risks it presents in terms of vehicle conflict and driver safety. While the standards cover general or common situations, providing minimum requirements, it does not inherently guarantee a safe or efficient outcome, particularly in a constrained layout that relies on multiple control measures for safe operation. This is acknowledged in *Austrroads Guide to Road Safety Part 6: Road Safety Audit* guideline.

TRAFFIC SIGNAL SYSTEM

The applicant provided further detail on the traffic signal operations in which the design of the car park relies heavily on to manage vehicle movements. This level of control suggests that the layout itself does not inherently support safe and efficient circulation, requiring control mechanisms to compensate for restricted visibility and maneuverability.

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Some potential functional and safety risks that are of concern in relation to this system are

- Mechanical and technical failures associated with the signals or detectors
- reliance of motorists to position their vehicles at the correct location to trigger the signals and stop at designated wait locations, which in the constrained environment may require multiple manoeuvres and precise steering adjustments to achieve
- may require motorists to respond to signals within short distances given visibility is restricted due to the constrained environment
- potential that motorists will take risks for example speeding up when an amber light displays to avoid having to stop at the red signal potentially not seeing a vehicle reversing out of a parking space into the aisle

Sufficient detail on appropriate management measures to address these risks have not been provided to demonstrate to Council the proposed car park layout can operate safely and effectively under real-world conditions, beyond just meeting technical compliance.

While similar arrangements may exist in other locations, their success depends on site-specific factors including design aspects and visibility conditions. The absence of known incidents in other locations does not necessarily confirm that the same design will function safely in this context.

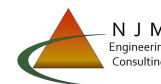
VEHICLE CIRCULATION

Several key issues regarding vehicle circulation remain unresolved, raising concerns about the car park's ability to function safely and efficiently. While some previously identified issues have been addressed through design amendments, new conflicts have been identified.

A fundamental concern identified in the initial assessment remains unresolved. The layout requires drivers to make multiple steering adjustments, often needing to come to a full stop at several points to turn the wheels before proceeding. This does not reflect an efficient or user-friendly design. Compliance with section 2.5.2 of AS2890.1 in relation to intersections between circulation roadways and ramps with parking aisles being wide enough to accommodate turning vehicles using a single turn swept path has not satisfactorily been demonstrated. Further verification is also required to confirm that adequate clearances have been provided for vehicles navigating the car park, particularly when traveling or parking adjacent to columns, walls, and other fixed objects.

Additionally, significant uncertainties remain regarding the practical operation of the signal system. It is unclear how vehicles exiting certain bays or approaching stop lines from different directions or angles would reliably trigger the signals, potentially leading to operational inefficiencies and safety risks.

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RAMP GRADES

While the response confirms compliance with AS2890.1 in relation to ramp grades and transitions the drawing appears to only indicate the grades of the lower ground to basement level and the detailed longitudinal section for the driveway from Thongon Street to the lower ground as requested has not been provided.

HEADROOM CLEARANCE

Based on the information provided, it cannot be satisfactorily confirmed that the required headroom clearance, as specified in the relevant standards, can be achieved. Clearance details have only been provided for the lower ramp, with no information regarding the ramp from ground level to lower ground level or the clearance above parking spaces and circulating lanes.

The available details indicate that the lower ramp provides a minimum clearance of 2.418m, leaving only 118mm for any ceiling-mounted services. While a note states that building hydraulics, mechanical, and electrical engineers will assess service placement during detailed design, essential fixtures such as sprinklers will likely need to be attached to the ceiling. This could potentially reduce clearances below the required minimum.

Additionally, no assessment has been provided regarding whether the headroom measurement at grade changes were checked as per Figure 5.3 of AS 2890.1.

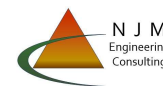
RAMP WIDTH

The applicant has stated that the ramp width complies with the requirements for a one-way ramp under AS 2890.1. However, both the originally submitted drawings and the revised versions provided in response to Council's queries appear to indicate a two-way arrangement in some locations. This discrepancy requires further clarification.

A single-vehicle ramp leading from the ground floor entrance to the lower ground floor is not considered acceptable due to both safety and operational concerns, including

- A vehicle exiting may have restricted visibility of a stationary vehicle waiting to enter due to the angle of the approach. This could prevent the exiting driver from reacting in time to position the vehicle to be able to safely manoeuvre around the stationary vehicle.
- The proposed driveway width is the minimum required for two-way traffic, meaning it relies on entering vehicles being positioned fully to the left while waiting. Any deviation could reduce clearance, making it difficult for the exiting vehicle to pass safely before the entering vehicle proceeds down the ramp.

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- Queued vehicles waiting to enter could restrict visibility of pedestrians and cyclists for the exiting vehicle
- Extended delays due to a red light at the entry could lead to longer vehicle queues. This increases the likelihood of vehicles obstructing the footpath, forcing pedestrians to step onto the road to pass, creating a significant safety hazard.
- Increased waiting times for entry could cause vehicle queues to extend onto the road, leading to potential traffic disruptions.

Access Arrangement

DRIVEWAY AND CROSSOVER GEOMETRY

A request was made for a swept path analysis to determine the appropriate width of the crossover (including aprons) and driveway from Thongon Street. In response, the applicant stated that the crossover width was designed in accordance with AS 2890.1, claiming that this standard provides consistent and efficient design parameters, eliminating the need for swept path analysis in every development proposal. Additionally, the applicant considered the Austroads *Design Vehicles and Turning Path Templates Guide*, referenced in the information request, is intended for only assessing vehicle turning movements at road intersections rather than for determining access geometry to private properties or movements within car parks.

However, these statements do not necessarily reflect the intent of the standards and guides. As outlined in Section 1 of AS 2890.1, the scope of the standard is to establish *minimum* requirements for the design and layout of off-street parking facilities. Furthermore, the Austroads *Guide to Traffic Management Part 12: Integrated Transport Assessments for Developments* (Section 4.3.2) clearly states that "in all cases, each driveway needs to be wide enough to accommodate the swept paths of the types of vehicles that will use the access point." The *Design Vehicles and Turning Path Templates Guide*, referenced in the initial request, sets out the parameters for such analysis, and Section 3.5 explicitly states that "tangential turns must be used for the design of intersections and turns from the roadway into a property access."

Given these considerations, the applicant must provide swept path diagrams for the access crossover to demonstrate that it is of sufficient width to allow simultaneous entry and exit of vehicles, ensuring safe and efficient operation.

VEHICLE QUEUEING

The applicant was requested to amend the design so that the garage entry be set back further than the proposed 3 metres to ensure vehicle queuing can be accommodated within the property

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boundary, in accordance with AS 2890.1. The applicant responded that additional setback is unnecessary, considering that queuing can be accommodated as shown in the provided figure



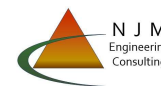
However, this is not an acceptable solution, as vehicle queuing should not occur within the verge. The submitted drawing also indicates a 3-metre footpath offset from the building line, which does not align with the standard footpath placement specified in the FNQROC Development Manual. Furthermore, without appropriate traffic controls, there is a high likelihood that queued vehicles will encroach onto the footpath, obstructing pedestrian access.

The proposed solution also fails to comply with AS 2890.1. The standard defines the queuing area as the roadway between the property boundary and the vehicle control point and explicitly states in Section 3.4 that an off-street car park of this size must provide a minimum queuing space for two vehicles between the vehicle control point and the property boundary.

VEHICLE SIGHTLINES OF PEDESTRIANS

The response does not adequately demonstrate that sufficient sight lines have been provided for vehicles exiting the car park to ensure pedestrian safety on the footpath. The submitted diagram indicates a 'permeable' fence and garden bed within the designated clear sight area. However, as these elements are located on private property, there is no assurance that future residents will not introduce obstructions within this sight triangle. For example, garden beds may be heavily planted to provide privacy and the permeable fence replaced with privacy fencing, hence restricting clear sightlines.

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Relying on the absence of future obstructions rather than incorporating a dedicated building splay at the corner is not considered an acceptable solution. To ensure long-term compliance with sight line requirements and pedestrian safety, a building splay should be provided.

Refuse Arrangement

A standard requirement of Council for planning approvals for developments that rely on industrial size bins to manage their waste is that provisions are made for servicing to be undertaken off-street. On-street collection is considered undesirable for this purpose.

The applicant's proposal to designate on-street spaces as a Loading Zone for refuse collection, while also allowing delivery vehicles servicing nearby businesses to use the space, could create an undesirable situation. If these spaces are occupied, the refuse collection vehicle would have no choice but to operate from the travel lane, causing potential traffic disruptions. This issue persists regardless of whether the area is signed as a Loading Zone only during certain times.

To ensure an efficient and safe refuse collection process, it is recommended that the Council require all refuse collection activities to be conducted entirely on-site. The design should accommodate the expected refuse collection vehicle, allowing it to enter and exit the site in a forward gear without relying on public road space.

Conclusion

Overall, the response provided by the applicant is not considered to adequately address all the concerns raised in the Information Request and demonstrate that the proposed traffic and car parking design has been thoroughly considered to ensure a safe and efficient solution. Therefore, there remains the concern that the proposed design could have the potential to adversely impact on the safety and amenity of future users of the car park and road users of Thongon Street.

With respect to the off-street car park, the liability ultimately rests with the developer to ensure a safe and functional facility for its users. However, as part of Council's duty of care in the assessment of the proposal, an option may be to require the applicant to have an independent TMR registered Road Safety Auditor, with suitable experience in the assessment of off-street car park areas, undertake an independent safety assessment. The findings and recommendation presented in the report must be certified by a RPEQ.

The internal road safety assessment must consider the functionality of the car park focusing on user safety. All aspects of the car park and its operation must be assessed such as vehicle circulation and

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potential for vehicle conflict. It should also assess the effectiveness of the proposed traffic signal control system to provide safe and efficient movement for vehicles specific to the design of the layout proposed.

In addition, it is noted that Council in the Confirmation Notice requested a statement of compliance be provided by the RPEQ for the swept path diagrams. It does not appear this was provided and the diagrams submitted do not include RPEQ certification. This therefore could also be requested as part of the road safety assessment submission.

Natasha Murray

Principal Engineer (RPEQ: 19500)
NJM ENGINEERING CONSULTING

8.2 NEGOTIATED DECISION NOTICE - NQ FARMING PTY LTD TTE - RECONFIGURING A LOT - SUBDIVISION (1 LOT INTO 27 LOTS) IN TWO (2) STAGES - LOT 453 ON SP247821 - 30 PETERS STREET, MAREEBA - RAL/23/0010

Date Prepared: 6 May 2025

Author: Coordinator Planning Services

Attachments:

1. Decision Notice dated 19 March 2025 [↓](#)
2. Applicant's representations dated 2 May 2025 [↓](#)

APPLICATION DETAILS

APPLICATION		PREMISES	
APPLICANT	NQ Farming Pty Ltd TTE	ADDRESS	30 Peters Street, Mareeba
DATE REQUEST FOR NDN LODGED	2 May 2025	RPD	Lot 453 on SP247821
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Reconfiguring a Lot – Subdivision (1 lot into 27 lots) in two (2) stages		
FILE NO	RAL/23/0010	AREA	4.7729 hectares
LODGED BY	Freshwater Planning Pty Ltd	OWNER	NQ Farming Pty Ltd TTE
PLANNING SCHEME	Mareeba Shire Council Planning Scheme 2016		
ZONE	Low Density Residential zone		
LEVEL OF ASSESSMENT	Impact Assessment		
SUBMISSIONS	One (1)		

EXECUTIVE SUMMARY

Council approved a development application described in the above application details at its meeting held on 19 March 2025, subject to conditions.

The application was impact assessable and one (1) properly made submission was received in response to public notification of the application.

Freshwater Planning Pty Ltd, on behalf of the applicant, has subsequently made written representations about Condition 4.5 (Link road to The Edge Estate – Stage 2). As a result of those representations, Council officers recommend that the requirement to provide the road reserve connection be maintained, with Condition 4.5(b) being amended to require actual road construction to the southern boundary of Lot 453 on SP247821, instead of Antonio Drive.

The recommended amendment to Condition 4.5(b) recognises that the applicant has no control over the timing of The Edge development and cannot construct a road to Antonio Drive should The Edge development not be finalised beforehand.

It is recommended that the application be approved in part.

OFFICER'S RECOMMENDATION

It is recommended that:

1. In relation to the written representations made by Freshwater Planning Pty Ltd on behalf of Sibi Girgenti Holdings Pty Ltd regarding conditions of the following development approval:

APPLICATION		PREMISES	
APPLICANT	NQ Farming Pty Ltd TTE	ADDRESS	30 Peters Street, Mareeba
DATE REQUEST FOR NDN LODGED	2 May 2025	RPD	Lot 453 on SP247821
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Reconfiguring a Lot – Subdivision (1 lot into 27 lots) in two (2) stages		

and in accordance with the Planning Act 2016,

- (a) Condition 4.5 of Council's Decision Notice issued on 19 March 2025 be amended as follows:

4.5. Link Road to The edge Estate – Stage 2.

- (a) *A 15.5 metre wide (Access Street) road reserve must be opened between the new internal road and Lot 300 on SP336263 (The Edge Estate). The road reserve must connect to the proposed road reserve to be located generally within the confines of proposed Lot 5 as shown on Drawing 1458-Co1 (marked as Link Road)*
- (b) *A new road linking the internal road to ~~Antonio Drive~~ **the southern boundary of Lot 453 on SP247821** must be designed and constructed to Access Street standard in accordance with Council's FNQROC Development Manual, as detailed in Table D.1.1*

2. A Negotiated Decision Notice be issued to the applicant and submitters advising of Council's decision.

THE SITE

The subject site is situated at 30 Peters Street, Mareeba, and is described as Lot 453 on SP247821. The site is irregular in shape, has a total area of 4.7729 hectares and is zoned Low Density Residential under the Mareeba Shire Council Planning Scheme 2016.

The site has approximately 28 metres of frontage to an unnamed/unformed road reserve off Peters Street. The final 100 metres of Peters Street before the unnamed/unformed road reserve is constructed to a 5 metre wide bitumen sealed standard.

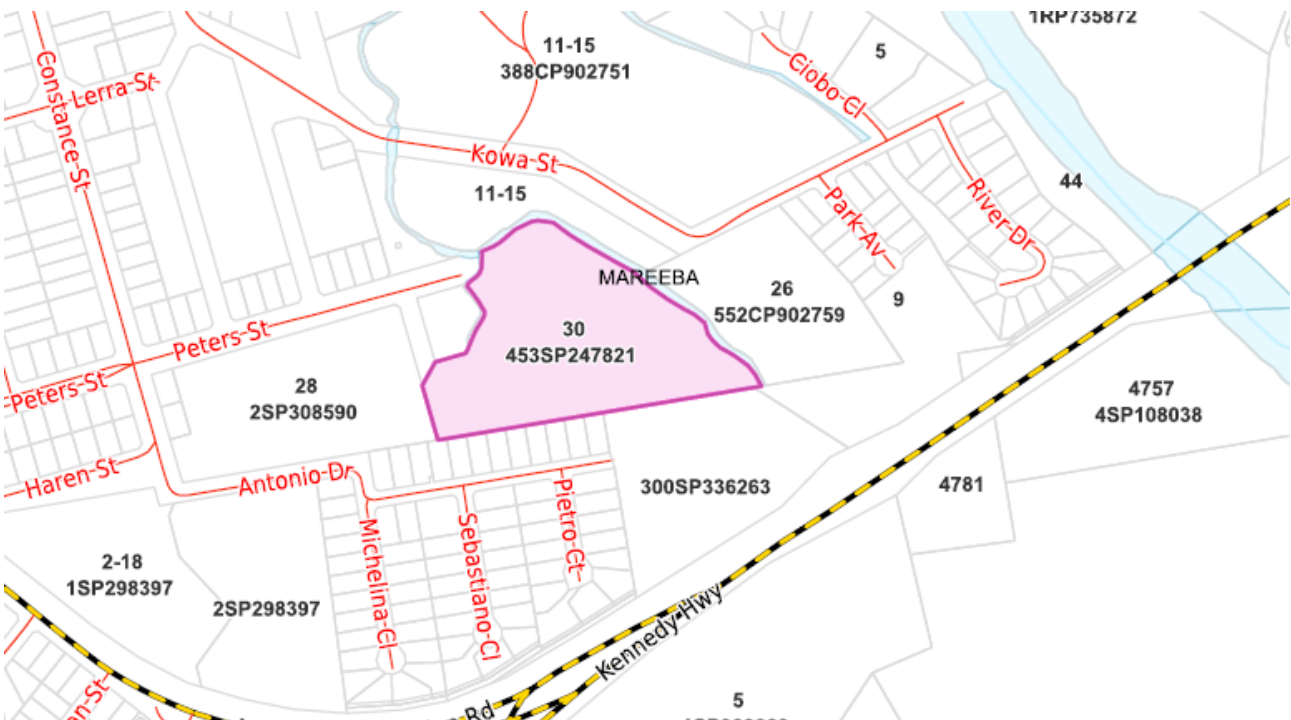
Practical access to the site is currently obtained via a private driveway off the eastern end of Peters Street.

The site is improved with a dwelling house and multiple outbuildings. The site abuts two unnamed waterways, and sparse vegetation remains along both.



Map Disclaimer:

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



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The site is within the benefitted areas for water and sewerage and both services can be made available to the development.

Land adjoining to the south is zoned *Low Density Residential* and is being developed as The Edge residential estate. The Department of Resources (Mareeba Office) is located directly to the west of the subject land and to the north-east is the Council and Main Roads depots.

BACKGROUND AND CONTEXT

Council at its Ordinary Meeting on 19 March 2025 approved an application made by Freshwater Planning Pty Ltd on behalf of NQ Farming Pty Ltd TTE for the issue of a development permit for Reconfiguring a Lot – Subdivision (1 lot into 27 lots) in two (2) stages over land described as Lot 453 on SP247821, situated at 30 Peters Street, Mareeba.

The approval was granted subject to conditions and the Decision Notice was issued on 19 March 2025 and is included as **Attachment 1**.

Freshwater Planning Pty Ltd on behalf of the applicant, has written to Council making Change Representations (**Attachment 2**) in relation to Condition 4.5 (Link road to The Edge Estate – Stage 2) and requesting the issue of a Negotiated Decision Notice.

APPLICANT'S REPRESENTATIONS

Condition 4.5

4.5 Link road to The Edge Estate – **Stage 2**

- (a) *A 15.5 metre wide (Access Street) road reserve must be opened between the new internal road and Lot 300 on SP336263 (The Edge Estate). The road reserve must connect to a proposed road reserve to be located generally within the confines of proposed Lot 5 as shown on Drawing 1458 – C01 (marked as Link Road).*
- (b) *A new road linking the new internal road to Antonio Drive must be designed and constructed to Access Street standard in accordance with Council's FNQROC Development Manual, as detailed in Table D.1.1.*

Representation by Applicant

"All conditions are acceptable except for:

4.5. Link Road to The edge Estate – Stage 2.

- (a) *A 15.5 metre wide (Access Street) road reserve must be opened between the new internal road and Lot 300 on SP336263 (The Edge Estate). The road reserve must connect to the proposed road reserve to be located generally within the confines of proposed Lot 5 as shown on Drawing 1458-Co1 (marked as Link Road)*

The client will only accept this condition if the Decision Notice for the adjoining development reflects a similar condition and is not removed later by way of an amended Decision Notice or any other agreement.

- (b) *A new road linking the internal road to Antonio Drive must be designed and constructed to Access Street standard in accordance with Council's FNQROC Development Manual, as detailed in Table D.1.1*

The client does not accept the condition that this approval conditions the design and construction of the road to Antonio Drive. It is accepted that this condition be amended to design and construct the road to the common boundary only.

An additional condition is to be included that requires the applicant to provide an alternative lot layout to reflect the changes for the Link Road, if required, and any other variations as negotiated with Council Officers."

Response

In relation to Condition 4.5(a), it is not proposed to remove the road reserve connection from either The Edge development or this development. Accordingly, the applicant's acceptance of Condition 4.5(a) is noted.

It is recommended that Condition 4.5(b) be amended to require actual road construction to the southern boundary of Lot 453 on SP247821, instead of Antonio Drive. This amendment recognises that the applicant has no control over the timing of The Edge development and cannot construct a road to Antonio Drive should The Edge development not be finalised beforehand.

Amended Condition 4.5(b) would read as follows:

- (b) *A new road linking the internal road to ~~Antonio Drive~~ **the southern boundary of Lot 453 on SP247821** must be designed and constructed to Access Street standard in accordance with Council's FNQROC Development Manual, as detailed in Table D.1.1*

The applicant's request for an additional condition to provide for a revised lot layout is unnecessary as existing Condition 1 already allows for this to occur.

65 Rankin Street
PO Box 154 MAREEBA QLD 4880

P: 1300 308 461
F: 07 4092 3323

W: www.msc.qld.gov.au
E: info@msc.qld.gov.au

19 March 2025

Planning Officer: Brian Millard
Direct Phone: 07 4086 4649
Our Reference: RAL/23/0010
Your Reference: F23/21

N Q Farming Pty Ltd TTE
C/- Freshwater Planning
17 Barron View Drive
FRESHWATER QLD 4870

Dear Applicants,

Decision Notice

Planning Act 2016

I refer to your application and advise that on 19 March 2025, Council decided to approve the application in full subject to conditions.

Details of the decision are as follows:

APPLICATION DETAILS

Application No: RAL/23/0010
Street Address: 30 Peters Street, Mareeba
Real Property Description: Lot 453 on SP247821
Planning Scheme: Mareeba Shire Council Planning Scheme 2016

DECISION DETAILS

Type of Decision: Approval
Type of Approval: Development Permit for Reconfiguration of a Lot – Subdivision
(1 lot into 27 lots) in two (2) stages
Date of Decision: 19 March 2025

Public Office: 65 Rankin Street, Mareeba QLD 4880. Postal address: PO Box 154, Mareeba QLD 4880

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CURRENCY PERIOD OF APPROVAL

The currency period for this development approval is **four (4) years** starting the day that this development approval takes effect. (Refer to Section 85 “Lapsing of approval at end of currency period” of the *Planning Act 2016*.)

INFRASTRUCTURE

Where conditions relate to the provision of infrastructure, these are non-trunk infrastructure conditions unless specifically nominated as a “**necessary infrastructure condition**” for the provision of trunk infrastructure as defined under Chapter 4 of the *Planning Act 2016*.

ASSESSMENT MANAGER CONDITIONS

(C) ASSESSMENT MANAGER’S CONDITIONS (COUNCIL)

(a) Development assessable against the Planning Scheme

1. Development must be carried out generally in accordance with the approved plans and the facts and circumstances of the use as submitted with the application, and subject to any alterations:
 - found necessary by the Council’s delegated officer at the time of examination of the engineering plans or during construction of the development because of particular engineering requirements; and
 - to ensure compliance with the following conditions of approval.
2. Timing of Effect
 - 2.1 The conditions of the development permit must be complied with to the satisfaction of Council’s delegated officer prior to the endorsement of the plan of survey for each stage of the development, or alternative documentation as approved by the Land Title Act, 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 or the Adopted Infrastructure Charges Notice must be made prior to the endorsement of the plan of survey, or alternative documentation as approved by the Land Title Act and at the rate applicable at the time of payment.

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

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

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

3.6 Charges

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

4. Infrastructure Services and Standards

4.1 Stormwater Drainage

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

(b) Prior to works commencing the applicant must submit a Stormwater Management Plan and Report prepared and certified by a suitably qualified design engineer (RPEQ) that meets or exceeds the standards of design and construction set out in the Queensland Urban Drainage Manual (QUDM) and the FNQROC Development Manual to the satisfaction of Council's delegated officer.

(c) Prior to works commencing the applicant must submit a Stormwater Quality Management Plan and Report prepared and certified by a suitably qualified design engineer (RPEQ) that meets or exceeds the standards of design and construction set out in the Urban Stormwater Quality Planning Guideline and the Queensland Water Quality Guideline to the satisfaction of Council's delegated officer.

(d) The Stormwater Quality Management Plan must include an Erosion and Sediment Control Plan that meets or exceeds the Soil Erosion and Sedimentation Control Guidelines (Institute of

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Engineers Australia) to the satisfaction of Council's delegated officer.

- (e) The applicant/developer must construct the stormwater drainage infrastructure in accordance with the approved Stormwater Management Plan and/or Stormwater Quality Management Plan and Report.
- (f) Temporary drainage is to be provided and maintained during the construction phase of the development, discharged to a lawful point and not onto the construction site.
- (g) All stormwater channels through private property must be registered, with the easement for drainage purposes in favour of Council. All documentation leading to the registration of the easement must be completed at no cost to Council.
- (h) All stormwater drainage collected from the site must be discharged to an approved legal point of discharge.
- (i) The applicant (at their cost) must video all stormwater lines and submit the video for inspection by Council's delegated officer prior to the development being taken "off maintenance" to ensure that no defects have occurred during the 12 month maintenance period.
- (j) All drainage easements must be constructed to prevent erosion. Construction may be in the form of a concrete invert, with outlet protection.

4.2 Earthworks

All earthworks must be carried out in accordance with the requirements of the FNQROC Development Manual (as amended) to the satisfaction of Council's delegated officer.

4.3 Roadworks/footpaths – Internal

- (a) The subdivision internal roads must be designed and constructed to Access Street standard in accordance with Council's FNQROC Development Manual, as detailed in Table D.1.1
- (b) Individual property access must be designed in accordance with the requirements of FNQROC Development Manual. Appropriate distances are required from intersections and tangent points in accordance with AS2890.1.

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The provision of layback/roll-over kerbing along the frontage of each allotment will satisfy this condition for all non-rear (access handle) lots.

(c) For all rear (access handle) lots:

An asphalt sealed, or concrete driveway shall be provided within each access handle of the proposed lots/s to the satisfaction of Council's delegated officer. The driveway will:

- have a minimum formation width of 3 metres.
- be constructed for the full length of the access handle.
- be formed with one-way crossfall to cater for stormwater drainage such that any stormwater runoff is contained within the access handle.
- service and utility conduits are to be provided for the full length of the concrete or sealed driveway constructed within the access handle.

(d) The diameter of the cul-de-sacs must be suitable for the largest refuse collection vehicle used throughout the shire to be able to turn around in a forward direction. Swept path diagrams must be submitted as part of the development application for Operational Works to demonstrate this requirement.

(e) A temporary asphalt vehicle turnaround at the end of all partially constructed roads must be provided of a sufficient size to turnaround a refuse collection vehicle, either in a continuous forward movement or by a three-point turn.

(f) Two (2) metre wide concrete pedestrian footpaths must be installed along one side of the internal road/s. The horizontal alignment of all footpaths must comply with the FNQROC development Manual (specifically Standard Drawing S1004A).

4.4 Roadworks - External (Peters Street and unnamed road reserve connecting to the new internal road) – Stage 1

Peters Street, from the eastern boundary of Lot 12 on M356104 (33 Peters Street), and the unnamed road reserve connecting to the new internal road, must be designed and constructed to Access Street standard in accordance with Council's FNQROC Development Manual, as detailed in Table D.1.1.

4.5 Link road to The Edge Estate – Stage 2

- (a) A 15.5 metre wide (Access Street) road reserve must be opened between the new internal road and Lot 300 on SP336263 (The Edge Estate). The road reserve must connect to a proposed road reserve to be located generally within the confines of proposed Lot 5 as shown on Drawing 1458 – C01 (marked as Link Road).
- (b) A new road linking the new internal road to Antonio Drive must be designed and constructed to Access Street standard in accordance with Council's FNQROC Development Manual, as detailed in Table D.1.1.

4.6 Water Supply

- (a) A water service connection must be provided to each proposed lot in accordance with FNQROC Development Manual standards (as amended) to the satisfaction of Council's delegated officer.
- (b) Where the existing reticulated water supply does not currently service the site or is not at an adequate capacity, the developer is required to extend or upgrade the reticulated water supply infrastructure to connect the site to Council's existing infrastructure at a point that has sufficient capacity to service the development in accordance with FNQROC Development Manual standards (as amended).

4.7 Sewerage Connection

- (a) The developer must connect the proposed development to Council's reticulated sewerage system in accordance with FNQROC Development Manual standards (as amended) to the satisfaction of Council's delegated officer.
- (b) Where sewerage connections are not available to the site, or where existing connections are not satisfactory for the proposed development, the developer is required to extend or upgrade the reticulated sewerage infrastructure to connect the site to Council's existing infrastructure at a point that has sufficient capacity to service the development in accordance with FNQROC Development Manual standards (as amended).

4.8 Electricity provision/supply

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

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

4.9 Telecommunications

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

4.10 Lighting

Prior to the issue of a development permit for Operational Works a Rate 2 lighting scheme is to be prepared by an Ergon Energy approved consultant and submitted to Council for approval. The Rate 2 lighting scheme is to be designed in accordance with the relevant Road Lighting Standard AS/NZS 1158 and the FNQROC Development Manual. The applicable lighting category is to be determined from the Road Hierarchy Table D1.1.

4.11 Street Trees

One (1) street tree must be at the planted at centre of each lot's road frontage. Corner allotments must have a street tree planted on each frontage.

All street trees must be provided in accordance with the FNQROC Development Manual - Design Manual D9 Landscaping.

Plans for the development works required under Conditions 4.1 - 4.11 must be submitted to Council for approval as part of a subsequent application for operational works.

REFERRAL AGENCIES

Not Applicable.

APPROVED PLANS

The following plans are Approved plans for the development:

Plan/Document Number	Plan/Document Title	Prepared by	Dated
9118-LL1 Rev A	Development Plan Proposed Reconfiguration of a Lot (1 Lot into 27 Lots) Staged Development	Twine Surveys Pty Ltd	26.07.2023
-	Link Road location	-	-

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ADVISORY NOTES

The following notes are included for guidance and information purposes only and do not form part of the assessment manager conditions:

(D) ASSESSMENT MANAGER'S ADVICE

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

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

- (c) Easement Documents

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

- (d) Endorsement Fees

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

- (e) Compliance with applicable codes/policies

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

- (f) 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.dccew.gov.au.

Mareeba Shire Council

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(g) 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.

(h) 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.

PROPERTY NOTES

Not Applicable.

FURTHER DEVELOPMENT PERMITS REQUIRED

- Development Permit for Operational Work

SUBMISSIONS

There were 1 (one) properly made submissions about the application. In accordance with the *Planning Act 2016*, the name, residential or business address, and electronic address of the principal submitter for each properly made submission is provided below:

Name of Principal submitter	Address
1. A & N Singh and B & C Thies	11 Antonio Drive, Mareeba QLD 4880

DECISION NOTICE

RAL/23/0010
Page 10**RIGHTS OF APPEAL**

You are entitled to appeal against this decision. A copy of the relevant appeal provisions from the *Planning Act 2016* is attached.

During the appeal period, you as the applicant may suspend your appeal period and make written representations to council about the conditions contained within the development approval. If council agrees or agrees in part with the representations, a “negotiated decision notice” will be issued. Only one “negotiated decision notice” may be given. Taking this step will defer your appeal period, which will commence again from the start the day after you receive a “negotiated decision notice”.

OTHER DETAILS

If you wish to obtain more information about Council’s decision, electronic copies are available on line at www.msc.qld.gov.au, or at Council Offices.

Yours faithfully

BRIAN MILLARD
COORDINATOR PLANNING & BUILDING

Enc: Approved Plans/Documents
 Appeal Rights
 Adopted Infrastructure Charge Notice

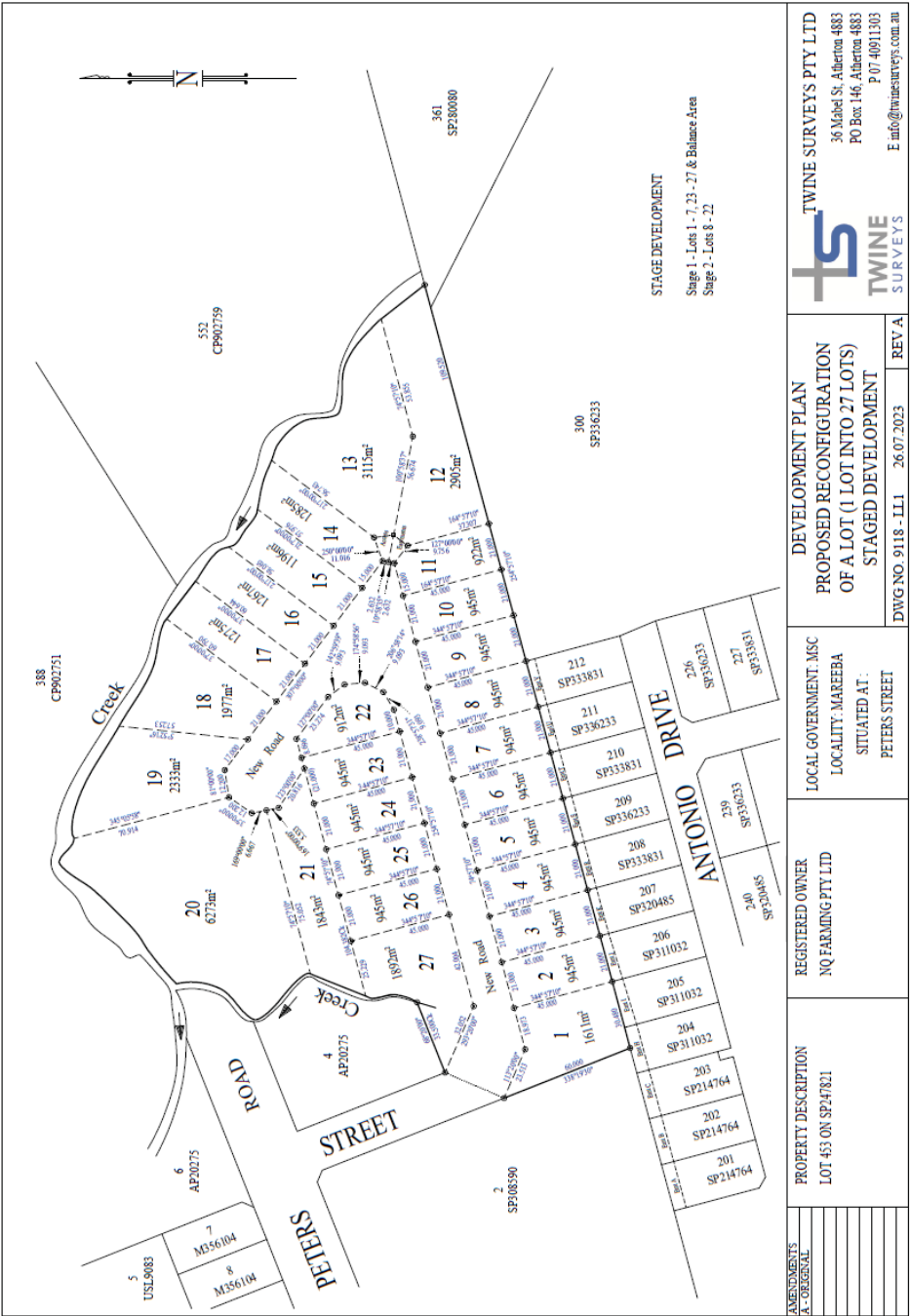
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Approved Plans/Documents



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Item 8.2 - Attachment 1

Appeal Rights

PLANNING ACT 2016 & THE PLANNING REGULATION 2017

Chapter 6 Dispute resolution

Part 1 Appeal rights

229 Appeals to tribunal or P&E Court

- (1) Schedule 1 of the Planning Act 2016 states –
 - (a) Matters that may be appealed to –
 - (i) either a tribunal or the P&E Court; or
 - (ii) only a tribunal; or
 - (iii) only the P&E Court; and
 - (b) The person-
 - (i) who may appeal a matter (**the appellant**); and
 - (ii) who is a respondent in an appeal of the matter; and
 - (iii) who is a co-respondent in an appeal of the matter; and
 - (iv) who may elect to be a co-respondent in an appeal of the matter.

(Refer to Schedule 1 of the Planning Act 2016)

- (2) An appellant may start an appeal within the appeal period.
- (3) The **appeal period** is –
 - (a) for an appeal by a building advisory agency – 10 business days after a decision notice for the decision is given to the agency; or
 - (b) for an appeal against a deemed refusal – at any time after the deemed refusal happens; or
 - (c) for an appeal against a decision of the Minister, under chapter 7, part 4, to register premises or to renew the registration of premises – 20 business days after a notice is published under section 269(3)(a) or (4); or
 - (d) for an appeal against an infrastructure charges notice – 20 business days after the infrastructure charges notice is given to the person; or
 - (e) for an appeal about a deemed approval of a development application for which a decision notice has not been given – 30 business days after the applicant gives the deemed approval notice to the assessment manager; or
 - (f) for any other appeal – 20 business days after a notice of the decision for the matter, including an enforcement notice, is given to the person.

Note –

See the P&E Court Act for the court's power to extend the appeal period.

- (4) Each respondent and co-respondent for an appeal may be heard in the appeal.
- (5) If an appeal is only about a referral agency's response, the assessment manager may apply to the tribunal or P&E Court to withdraw from the appeal.
- (6) To remove any doubt. It is declared that an appeal against an infrastructure charges notice must not be about-

- (a) the adopted charge itself; or
- (b) for a decision about an offset or refund-
 - (i) the establishment cost of trunk infrastructure identified in a LGIP; or
 - (ii) the cost of infrastructure decided using the method included in the local government's charges resolution.

230 Notice of appeal

- (1) An appellant starts an appeal by lodging, with the registrar of the tribunal or P&E Court, a notice of appeal that-
 - (a) is in the approved form; and
 - (b) succinctly states the grounds of the appeal.
- (2) The notice of appeal must be accompanied by the required fee.
- (3) The appellant or, for an appeal to a tribunal, the registrar must, within the service period, give a copy of the notice of appeal to –
 - (a) the respondent for the appeal ; and
 - (b) each co-respondent for the appeal; and
 - (c) for an appeal about a development application under schedule 1, table 1, item 1 – each principal submitter for the development application; and
 - (d) for an appeal about a change application under schedule 1, table 1, item 2 – each principal submitter for the change application; and
 - (e) each person who may elect to become a co-respondent for the appeal, other than an eligible submitter who is not a principal submitter in an appeal under paragraph (c) or (d); and
 - (f) for an appeal to the P&E Court – the chief executive; and
 - (g) for an appeal to a tribunal under another Act – any other person who the registrar considers appropriate.
- (4) The *service period* is –
 - (a) if a submitter or advice agency started the appeal in the P&E Court – 2 business days after the appeal has started; or
 - (b) otherwise – 10 business days after the appeal is started.
- (5) A notice of appeal given to a person who may elect to be a co-respondent must state the effect of subsection (6).
- (6) A person elects to be a co-respondent by filing a notice of election, in the approved form, within 10 business days after the notice of appeal is given to the person.

231 Other appeals

- (1) Subject to this chapter, schedule 1 and the P&E Court Act, unless the Supreme Court decides a decision or other matter under this Act is affected by jurisdictional error, the decision or matter is non-appealable.
- (2) The *Judicial Review Act 1991*, part 5 applies to the decision or matter to the extent it is affected by jurisdictional error.
- (3) A person who, but for subsection (1) could have made an application under the *Judicial Review Act 1991* in relation to the decision or matter, may apply under part 4 of that Act for a statement of reasons in relation to the decision or matter.
- (4) In this section –
 - decision* includes-
 - (a) conduct engaged in for the purpose of making a decision; and

DECISION NOTICE

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- (b) other conduct that relates to the making of a decision; and
- (c) the making of a decision or failure to make a decision; and
- (d) a purported decision ; and
- (e) a deemed refusal.

non-appealable, for a decision or matter, means the decision or matter-

- (a) is final and conclusive; and
- (b) may not be challenged, appealed against, reviewed, quashed, set aside or called into question in any other way under the Judicial Review Act 1991 or otherwise, whether by the Supreme Court, another court, a tribunal or another entity; and
- (c) is not subject to any declaratory, injunctive or other order of the Supreme Court, another court, a tribunal or another entity on any ground.

232 Rules of the P&E Court

- (1) A person who is appealing to the P&E Court must comply with the rules of the court that apply to the appeal.
- (2) However, the P&E Court may hear and decide an appeal even if the person has not complied with the rules of the P&E Court.

Mareeba Shire Council

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Brian Millard

From: Freshwater Planning <FreshwaterPlanning@outlook.com>
Sent: Friday, 2 May 2025 6:55 AM
To: Dee Petersen; Brian Millard
Subject: Re: RAL/23/0010 - F23/21 - Decision Notice and AICN - ROL - (1 lot into 27 lots) in two (2) stages - 30 Peters Street Mareeba - Lot 453 on SP247821 - NQ Farming Pty Ltd TTE

Good Morning Brian,

Please see below the Request for a Negotiated Decision Notice as discussed for the abovementioned Development Application.

Twine Surveys Pty have been in discussions with the Applicant and have provided the following:

All conditions are acceptable except for:

1. Link Road to The edge Estate – Stage 2.

1. A 15.5 metre wide (Access Street) road reserve must be opened between the new internal road and Lot 300 on SP336263 (The Edge Estate). The road reserve must connect to the proposed road reserve to be located generally within the confines of proposed Lot 5 as shown on Drawing 1458-Co1 (marked as Link Road)

The client will only accept this condition if the Decision Notice for the adjoining development reflects a similar condition and is not removed later by way of an amended Decision Notice or any other agreement.

2. A new road linking the internal road to Antonio Drive must be designed and constructed to Access Street standard in accordance with Council's FNQROC Development Manual, as detailed in Table D.1.1

The client does not accept the condition that this approval conditions the design and construction of the road to Antonio Drive. It is accepted that this condition be amended to design and construct the road to the common boundary only.

An additional condition is to be included that requires the applicant to provide an alternative lot layout to reflect the changes for the Link Road, if required, and any other variations as negotiated with Council Officers.

Thanks and Regards,

Matt



Matthew Andrejic
Director
Freshwater Planning Pty Ltd

M: 0402 729 004
E: freshwaterplanning@outlook.com
A: 17 Barron View Drive, Freshwater, Q4870

8.3 NEGOTIATED DECISION NOTICE - SIBI GIRGENTI HOLDINGS PTY LTD - RECONFIGURING A LOT - SUBDIVISION (1 INTO 86 LOTS) - LOT 300 ON SP336263 - ANTONIO DRIVE, MAREEBA - REC/07/0043

Date Prepared: 1 May 2025

Author: Coordinator Planning Services

Attachments:

1. Minor Change to Existing Approval dated 24 February 2025 [↓](#)
2. Applicant's representations dated 25 March 2025 [↓](#)

APPLICATION DETAILS

APPLICATION		PREMISES	
APPLICANT	Sibi Girgenti Holdings Pty Ltd	ADDRESS	Antonio Drive, Mareeba
DATE REQUEST FOR NDN LODGED	25 March 2025	RPD	Lot 300 on SP336263 (formerly Lot 1 on RP730895)
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Reconfiguring a Lot – Subdivision (1 into 80 lots)		
FILE NO	REC/07/0043	AREA	Lot 300 – 3.232 ha
LODGED BY	Freshwater Planning Pty Ltd	OWNER	Sibi Girgenti Holdings Pty Ltd
PLANNING SCHEME	Mareeba Shire Council Planning Scheme 2016 (approved under Mareeba Shire Planning Scheme 2004)		
ZONE	Low Density Residential zone		
LEVEL OF ASSESSMENT	Code Assessment		
SUBMISSIONS	n/a		

EXECUTIVE SUMMARY

Council approved a change of development approval request described in the above application details at its meeting held on 19 February 2025, subject to conditions.

The request was code assessable and was not required to undergo public notification.

Freshwater Planning Pty Ltd, on behalf of the applicant, has subsequently made written representations about Condition 14 (Road Reserve Connection). As a result of those representations, Council officers recommend that Condition 14 remain unchanged.

The applicant's request for compensation for the value of the road reserve connection is not supported as this road reserve connection is not trunk infrastructure under the Mareeba Shire Local Government Infrastructure Plan and further, it is being required for sensible town planning purposes for the ongoing benefit of the residents of The Edge development.

It is recommended that the application be refused.

OFFICER'S RECOMMENDATION

It is recommended that:

1. In relation to the written representations made by Freshwater Planning Pty Ltd on behalf of Sibi Girgenti Holdings Pty Ltd regarding conditions of the following development approval:

APPLICATION		PREMISES	
APPLICANT	Sibi Girgenti Holdings Pty Ltd	ADDRESS	Antonio Drive, Mareeba
DATE REQUEST FOR NDN LODGED	25 March 2025	RPD	Lot 300 on SP336263 (formerly Lot 1 on RP730895)
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Reconfiguring a Lot – Subdivision (1 into 80 lots)		

and in accordance with the Planning Act 2016,

- (a) Condition 14 must remain as per Council's Minor Change to an Existing Approval Decision Notice issued on 24 February 2025.
2. A written notice be issued to the applicant advising of Council's decision.

THE SITE

The subject site is situated at Antonio Drive, Mareeba, and is described as Lot 300 on SP336263. The site has an area of 3.232 hectares, is irregular in shape and is zoned Low Density Residential under the Mareeba Shire Council Planning Scheme 2016.

The site is the undeveloped balance land of The Edge Estate, with Stages 1 to 3 of the estate already constructed and comprising 65 Low Density Residential lots.

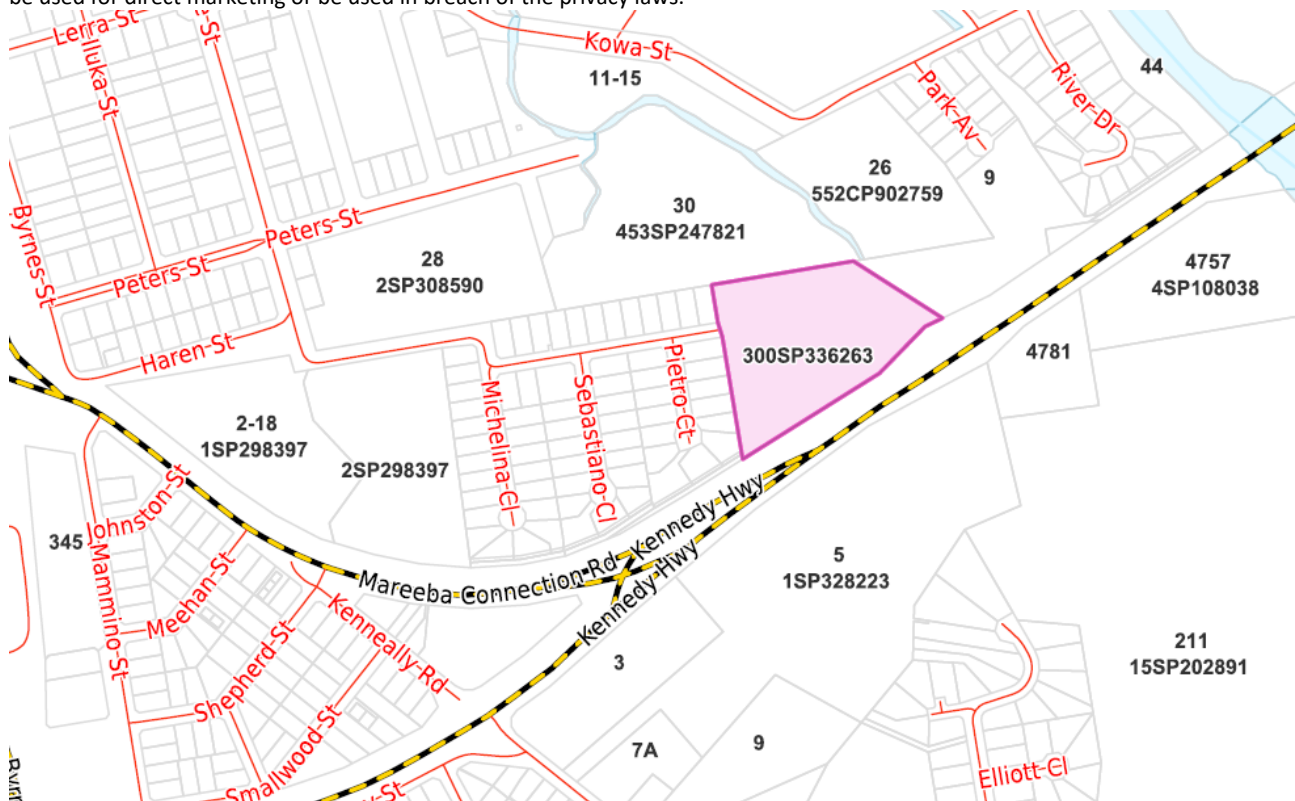
Lot 300 has frontages of 17 metres to Antonio Drive and approximately 270 metres to the Kennedy Highway. No direct access is permitted via the Kennedy Highway.

All urban services are readily available to the site.



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.



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.

BACKGROUND AND CONTEXT

On 17 May 2007, Sibi Girgenti Holdings Pty Ltd lodged an application for Reconfiguring a Lot – Subdivision (1 into 85 lots) over land then described as Lot 1 on RP730895, situated at Antonio Drive, Mareeba.

The application was referable to the Department of Main Roads (DMR) due to the site's frontage to the Kennedy Highway. DMR issued conditional approval for the development including the taking of approximately 2.49 hectares of the site for future road purposes. DMR's land requirement reduced the overall lot yield from 85 lots to 80 lots.

On 18 September 2007 Council approved the development application issuing a development permit for Reconfiguring a Lot – Subdivision (1 into 80 lots). The development is known as The Edge Estate and three (3) stages comprising of 65 of the total 80 lots have been completed.

Since 2007, the Department of Transport and Main Roads (DTMR) has determined that they no longer require land for the construction of a Kennedy Highway underpass.

In response to DTMR's changed land requirement, Freshwater Planning Pty Ltd on behalf of Sibi Girgenti Holdings Pty Ltd, made a minor change request to make various amendments to the 2007 approval. These changes allow for the development of the previously constrained DTMR land and bring the total number of residential lots to 86 lots.

The Minor Change to an Existing Approval request was approved on 19 February 2025 and an amended decision notice was issued on 24 February 2025 (**Attachment 1**).

As part of the minor change request, Council imposed new Condition 14 which requires the provision of road reserve connection to the neighbouring northern (NQ Farming – Lot 453) development. Condition 14 responds to the Mareeba Local Plan component of the Mareeba Shire Council Planning Scheme 2016 which nominates a road connection between these two developments.

Freshwater Planning Pty Ltd, on behalf of the applicant, has subsequently made written representations about Condition 14 (**Attachment 2**).

The applicant requests that Council delete Condition 14, or alternatively, give the applicant compensation for the value of the required road reserve.

APPLICANT'S REPRESENTATIONS

Condition 14

14. Road Reserve Connection

A 15.5 metre wide (Access Street) road reserve must be opened between Antonio Drive and Lot 453 on SP247821. The road reserve must be located generally within the confines of proposed Lot 5 as shown on Drawing 1458 – C01.

Representation by Applicant

"The Original Development Application, whilst containing a Road Stub Which did not go into the neighbouring property for Engineering/Service Purposes, does not contain an existing or Approved

Connection to the adjoining allotment in Peters Street. The proponents first and foremost believe that the provision of the Additional Condition 14 not to be appropriate for the Development providing an unreasonable Condition for the Development in addition to being considered unfair to the existing Residents of 'The Edge' Residential Estate. The proponents request that the Council agree to Remove the Conditioned Road Reserve Connection (Road Link) requirement and allow the developers to develop the land as per our requested Minor Change to Development Application. Freshwater Planning Pty Ltd has been provided with the following reasons, from the Developers, as to why the Council should agree to remove the required Road Linkage:

- *The Residents of the Edge have been very vocal about not requiring the Link Road. We have received numerous phone calls and visits from upset Residents. Their comments are generally consistent noting that they purchased at 'The Edge' because the Residential Development was a one way in and one way out. They did not want to be part of a bigger Subdivision or link into other Subdivisions.*
- *It is understood that Council has received a Petition in objection to the Conditioned Road Link, with some 47 signatures out of the 50 Occupied houses in the estate. This is calculated to be 94% of the Residents currently residing within 'The Edge'. This is considered to demonstrate significant objection to the Conditioned Road Link and illustrate that Council should be listening to the Residents they serve. Please note that We, as the developers, were not involved with the provided Petition.*
- *Sibi Girgenti Holdings has fought hard with the Department of Transport and Main Roads for 15 years to keep the land that was going to be Resumed by the Transport and Main Roads for a possible future underpass, which would not have allowed links into either development. It is further noted that:*
 - *Proposed Lot 5 would have formed part of that land.*
 - *Considerable expenses were incurred to achieve this.*
 - *Should the Department of Transport and Main Roads not have requested the land in 2007, the plan in our DA submission would have already been Approved, if not built already.*
- *The developer of the neighbouring Subdivision also does not want the Road Linkage.*
- *There are many other larger developments in Mareeba, some of which are the same age as and some more recent than "The Edge" development, that do not have a requirement for a Link Road (i.e. Sunbird, Riverlands Park, River Gardens, Blacks Road, Kenneally Estate, Rayfield).*

Further to this, at the Council's Ordinary Meeting in March (19 March, 2025), the Agenda included Item 10.1 from the Office of the CEO, being the Petition Objecting to the Plan of the New Access Road through Lot 5 of the Edge Estate. This Agenda Item introduced a Petition from a resident on Antonio Drive which was received by Council on 5 March 2025. This Petition objects to the plan of the new access road through Lot 5 of the Edge Estate to the new Subdivision on Lot 453 that is to be located east of the DPI off Peters Street. It is understood that the Mayor and Councillors resolved for a Report to go to the next Council Meeting, being the April Ordinary Meeting, in response to the aspects of the Petition.

It is considered that the abovementioned provides for significant appropriate reasons and justifications for the Council to agree to remove the requirement of the Road Reserve Connection. This is considered to be the most appropriate and acceptable outcome for both the Developers and the Residents within "The Edge" Residential Estate.

However, should Council wish to retain the Conditioned Road Reserve Connection as provided within the recent Minor Change to the Development Approval, the Developer proposes the following two (2) alternative options. Please note that should Council not agree to remove the Condition Road Linkage as requested above; the Developers request that Council makes it clear to the Residents of 'The Edge' that the Link Road has been retained as a requirement by Council.

Alternative Option 1 – Land swap with 232 Byrnes Street

Freshwater Planning Pty Ltd understands that the Developer of "The Edge", being Sibi Girgenti Holding Pty Ltd, is part of the Girgenti Family Group of Companies. Another of these Girgenti Family Group of Companies is Reedlodge Pty Ltd. Reedlodge has a lease of a Triangle portion of land which is owned by the State Government of which Council are Trustee for this land. Reedlodge requested to purchase this land to amalgamate to 232 Byrnes Street, Mareeba to enable the construction of a Commercial Development (Woolworths Shopping Centre). It is understood that a requirement for Council to relinquish their interest within this Leasehold Land, they (Council) have requested that Reedlodge provide a replacement Freehold Allotment. It is worth noting that if Council relinquishes their interest in the Leasehold Land, Reedlodge is further required to Freehold this parcel with the State Government purchasing the allotment. The Developers further note the following in relation to the Leasehold Allotment:

- This Allotment is landlocked and completely useless to anyone other than 232 Byrnes Street;
- The land is low and becomes swampy;
- The land has no services, with the closest services being some 50 meters away;
- The land has no road frontage or access;
- The land is within proximity (5 meters) to the Rail Corridor;
- The land has Electrical Infrastructure traversing the through the middle of Allotment;
- The land is irregular (triangle) in shape that making it constrained for any development;
- The land is Leasehold and not Freehold; and
- The land has not yet extinguished native title.

The proponents and Developers, who are a part of the Girgenti Family Group of Companies, propose that Council surrender its interest in the land to Reedlodge Pty Ltd, providing its supports in full for the freeholding and sale from the State Government to Reedlodge Pty Ltd. In return, Sibi Girgenti Holdings will also surrender 670 m² of Freehold land, generally in the location of Approved Lot 5, as required by Council's Conditioned Road Link. The Developer considers that this Land swap be an acceptable outcome as Sibi Girgenti Holdings is effectively surrendering to Council the following:

- Freehold land unencumbered land
- Asphalt sealed road frontage
- Kerb and channelling
- Sewerage connection
- Power connection
- Streetlights
- Water connection
- NBN connection

- *Storm water connection*

Alternative Option 2 – Compensation

If Council considers that, if required, Alternative Option 1 is not acceptable or achievable, then the provision of Compensation be provided for the surrender portion of Land for the Road Linkage as Conditioned by the Council. The Developers have provided Freshwater Planning Pty Ltd with the following calculated suggested Compensation:

Sales considered Land pricing for Approved Lot 5, less the Infrastructure Charges (Headworks Contribution) and Registration/Titling is \$134,500.00. These figures have been calculated based upon the following:

- *Sales Price for Approved Lot 5 valued at \$160,000.00*
- *Less \$25,500 comprising of:*
 - i. Headworks - \$21,000*
 - ii. Titles office - \$1,000*
 - iii. NBN connection - \$500*
 - iv. Power connection - \$2,000*
 - v. Hydraulic connection - \$,1000*

Totalling \$25,500.00

The Developer notes that all services either must run through or past Approved Lot 5, there for the savings by not providing connection points and titling the block is minimal. We additionally note that we have not factored in any loss of value that may be caused to the remaining development as a result of the connection.

It is considered that the abovementioned justifications and objections to the Additionally Conditioned Road Reserve Connection attached to the recently Approved Minor Change to the Development Approval provides appropriate justification for the removal of Link Road. However, if Council still requires the Road Reserve Connection, then the Developers consider the one of the aforementioned Alternative Options an acceptable outcome.

In relation to any of the proposed options provided within this letter, once Council has confirmed a Resolution, Freshwater Planning Pty Ltd or a Consultant of the Sibi Girgenti Holdings Pty Ltd will undertake the appropriate actions (lodgements, documentations, etc) to achieve the agreed upon Resolution."

Response

Condition 14 has been imposed as a condition of the respective development approvals to specifically address Performance Outcome PO8 of the Mareeba Local Plan code. This is a requirement of the Mareeba Shire Council Planning Scheme 2016 which has been in effect since July 2016.

Performance Outcome PO8 is as follows:

PO8

Development integrates the following elements identified on the Mareeba local plan maps:

- (a) open space elements;*

- (b) *indicative collector roads as higher order road linkages;*
- (c) *indicative minor roads in a similar design as shown as mapped; and*
- (d) *possible connections as important road linkages between developments.*

A08

No acceptable outcome is provided.

Figure 1 below is an extract from Local Plan Map LPM001b (Mareeba Local Plan) and clearly maps a possible connection between the two developments.

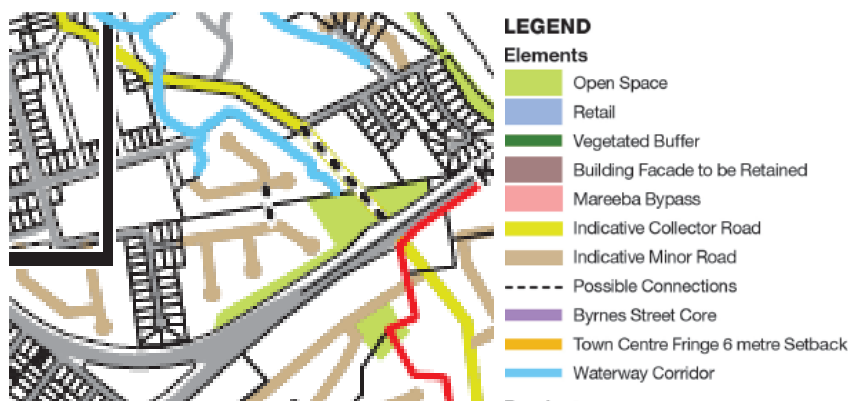


Figure 1

The intention to have a secondary road connection has been on the public record since July 2016.

In addition to the local plan requirement, it is good town planning practice to have two accesses to development wherever possible. This allows for access redundancy in the event of a natural disaster, traffic accident or the need to repair road infrastructure/underlying services. A secondary road connection also allows for improved walkability between neighbourhoods.

Council considered the petition mentioned by the applicant at its ordinary meeting on 16 April 2025 and resolved to maintain its current position in relation to the secondary road connection.

The applicant's request for compensation for the value of the road reserve connection is not supported as this road reserve connection is not trunk infrastructure under the Mareeba Shire Local Government Infrastructure Plan and further, it is being required for sensible town planning purposes for the ongoing benefit of the residents of The Edge development.

Council does not compensate developers for land used for non-trunk infrastructure such as internal drainage, roads or other development components such as landscaping and vegetation buffers.

Council officers recommend that the applicant's request to delete Condition 14 be refused and the approval be maintained unchanged in respect to the request for compensation.

65 Rankin Street
PO Box 154 MAREEBA QLD 4880

P: 1300 308 461
F: 07 4092 3323

W: www.msc.qld.gov.au
E: info@msc.qld.gov.au

24 February 2025

Planning Officer: Carl Ewin
Direct Telephone: 07 4086 4649
Our Reference: REC/07/0043

Sibi Girgenti Holdings Pty Ltd
C/- Freshwater Planning
17 Barron View Drive
FRESHWATER QLD 4870

Dear Applicants,

Minor Change to an Existing Approval *Planning Act 2016*

I refer to your request to make a minor change to an existing approval issued on 21 September 2007. On 19 February 2025, Council decided your requested changes.

Details of the decision are as follows:

APPLICATION DETAILS

Application No:	REC/07/0043
Street Address:	Antonio Drive, Mareeba
Real Property Description:	Lot 300 on SP336263 (formerly Lot 1 on RP730895)
Planning Scheme:	Mareeba Shire Council Planning Scheme 2016 (approved under Mareeba Shire Planning Scheme 2004)

DECISION DETAILS

The following type of approval had been issued:

Development Permit for Reconfiguring a Lot – Subdivision (1 into 80 lots)

In relation to the request to make a Minor Change to the Existing Approval, at the Ordinary Council meeting dated 19 February 2025, the Council Resolution included on the Decision Notice dated 21 September 2007 be amended as follows:

Resolved that Council issue:-

**Minor Change to an Existing Approval
Development Permit for Reconfiguring a Lot – Subdivision (1 into 80 86 Lots)**

Public Office: 65 Rankin Street, Mareeba QLD 4880. Postal address: PO Box 154, Mareeba QLD 4880

- A. Issue a Development Permit for the application made by Jim Papas Drafting Pty Ltd on behalf of Sibi Girgenti Holdings Pty Ltd and Novelette Pty Ltd for the reconfiguration of land described as Lot 1 on RP730895, Parish of Tinaroo, situated on the Kennedy Highway, Mareeba into ~~eighty (80)~~ **86** allotments as shown on ~~generally in accordance with~~ Drawing No 1082 SK1 Amdt E **(Stages 1 to 3) and Drawing No 1458 – C01 (Stage 4)** subject to:
- (b) Condition 1 of Council's Decision Notice issued on 21 September 2007 be deleted and an Adopted Infrastructure Charges Notice be issued in its place.
 - (c) Condition 6(iv) of Council's Decision Notice issued on 21 September 2007 be deleted and an Adopted Infrastructure Charges Notice be issued in its place.
 - (d) Condition 7(iv) of Council's Decision Notice issued on 21 September 2007 be deleted and an Adopted Infrastructure Charges Notice be issued in its place.
 - (e) Condition 9 of Council's Decision Notice issued on 21 September 2007 be deleted and an Adopted Infrastructure Charges Notice be issued in its place.
 - (f) Additional Condition 14 being included:
 - 14. Road Reserve Connection

A 15.5 metre wide (Access Street) road reserve must be opened between Antonio Drive and Lot 453 on SP247821. The road reserve must be located generally within the confines of proposed Lot 5 as shown on Drawing 1458 – C01.
 - (g) To support the issue of an Adopted infrastructure Charges Notice, additional advice clauses (a) and (b) must be included on Council's Decision Notice dated 21 September 2007 as follows:
 - (a) An Adopted Infrastructure Charges Notice has been issued with respect to the approved development. The Adopted Infrastructure Charges Notice details the type of infrastructure charge/s, the amount of the charge/s and when the charge/s are payable.
 - (b) The Adopted Infrastructure Charges Notice does not include all charges or payments that are payable with respect to the approved development. A number of other charges or payments may be payable as conditions of approval. The applicable fee is set out in Council's Fees & Charges Schedule for each respective financial year.

CURRENCY PERIOD OF APPROVAL

The currency period for this development approval is **four (4)** years starting the day that this development approval takes effect. (Refer to Section 85 "Lapsing of approval at end of currency period" of the *Planning Act 2016*.)

Mareeba Shire Council

INFRASTRUCTURE

Where conditions relate to the provision of infrastructure, these are non-trunk infrastructure conditions unless specifically nominated as a “*necessary infrastructure condition*” for the provision of trunk infrastructure as defined under Chapter 4 of the *Planning Act 2016*.

CONSOLIDATED ASSESSMENT MANAGER CONDITIONS**1. Conditions –**

Condition 1 of Council’s Decision Notice issued on 21 September 2007 be deleted and an Adopted Infrastructure Charges Notice be issued in its place.

- ~~1. To cover extra traffic movements created by this development, the applicant must contribute per additional allotment towards the augmentation of the road network in accordance with the adopted policy of Council existing at the time of payment. This contribution is to be paid prior to the signing and sealing of the Plan of Survey.~~

~~At the same time as the contribution is paid, a copy of the Plan of Survey and the Form 6 that is lodged with the Department of Natural Resources and Water for each permanent survey mark installed must also be lodged with Council prior to the signing and sealing of the Plan of Survey.~~

2. External Works

- (i) The intersection of Constance and Haren Streets is to be upgraded in accordance with the requirements of the FNQROC Development Manual.
- (ii) Constance Street (Haren to Peters Street)
 - (a) The existing bitumen seal is to be widened to the kerb and channel on the western side of Constance Street.
 - (b) Kerb and channel is to be installed on the eastern side of Constance Street, on a similar alignment to the existing kerb and channel between Peters and Lerra Street. The existing bitumen seal is to be widened to the new kerb and channel.
- (iii) Constance Street (Peters to Lerra Street)
 - (a) The existing bitumen seal is to be widened to the kerb and channel on both sides.
 - (b) Extend the existing culverts.
 - (c) Extend the kerb and channel on the eastern side of Constance Street around into Lerra Street.

Mareeba Shire Council

- (iv) The agreed value of the works required by Condition 2(ii) and 2(iii) shall be credited towards the contribution required under Condition 1.

3. General

- (i) All operational works relating to this development will be as per the FNQROC Development Manual, including the following.

- (ii) Prior to the submission of any documentation Council draws your attention to AP 1 Application Procedures with particular reference to:-

AP 1.02	Pre-Lodgement Discussion
AP 1.07	Supporting Information, in particular:-
	9 (xi) Erosion and Sediment Control Strategy (ESCS)
	9 (xvii) Landscaping Design Plan
AP 1.08-1.14	Plan Presentation
AP 1.15-1.31	Design Drawings (including asphalt intersection/ cul-de-sac details with bitumen road)

- (iii) Documentation as detailed in AP 1 should be submitted at least one (1) month prior to the proposed starting date for construction.

- (iv) Refer also to associated Mareeba Shire Council Specific Requirements and Standard Drawings.

- (v) All aspects of construction works must be undertaken to the satisfaction of the Manager Civil Works.

- (vi) Council wishes to advise the applicant of the Aboriginal Cultural Heritage Act 2003 and the Environment Protection and Biodiversity Conservation Act 1999 which may impact on this development.

- (vii) No work may commence on site until Council has approved both the:-

- (a) Erosion and Sediment Control Strategy; and
- (b) Principal Contractor's Sediment Control Plan.

4. Roadworks & Earthworks

- (i) Roadworks are to be designed and constructed in accordance with FNQROC Development Manual with particular reference to the following sections:-

DP 1	Development Principles
D1	Road Geometry
D2	Site Regrading
D3	Road Pavements (Design)
S1	Earthworks
S2	Road Pavements (Specification)
TableD1.1	Street and Road Hierarchy

Mareeba Shire Council

- (ii) Refer also to associated Mareeba Shire Council Specific Requirements and Standard Drawings, including 4% crossfall on all roads.
5. Stormwater Drainage
- (i) Stormwater drainage is to be designed and constructed in accordance with FNQROC Development Manual with particular reference to the following sections.

DP 1	Development Principles
D4	Stormwater Drainage (Design)
D5	Stormwater Quality Management
S4	Stormwater Drainage (Specification)
 - (ii) The design be such so as to minimise concentrated stormwater drainage flows. Where such flows occur drains shall be lined and treated to minimize and capture silt and other contaminants prior to discharge.
 - (iii) Refer also to Mareeba Shire Council specific requirements and site drawings.
 - (iv) For each culvert to be installed, a detailed plan and long section (upstream and downstream) of the waterway involved must be submitted as part of the "Detailed Engineering Drawings" to Council. This is to enable Council to ensure the culvert is in the correct location.
6. Water Supply
- (i) Water reticulation is to be designed and constructed in accordance with FNQROC Development Manual with particular reference to the following sections.

D5	Water Reticulation (Design)
S5	Water Reticulation (Specification)
 - (ii) Refer also to Mareeba Shire Council specific requirements and standard drawings, as listed in the FNQROC Manual.
 - (iii) All work mentioned above including laying and installation, is to be carried out to the specific requirements of Mareeba Shire Council and the satisfaction of the Manager - Civil Works.

Condition 6 (iv) of Council's Decision Notice issued on 21 September 2007 be deleted and an Adopted Infrastructure Charges Notice be issued in its place.

- ~~(iv) The applicant shall contribute to the cost of water headworks in accordance with the adopted policy of Council existing at the time of payment. This payment to be made prior to the signing and sealing of the Plan of Survey~~

Mareeba Shire Council

7. Sewerage Connection

- (i) Sewerage reticulation is to be designed and constructed in accordance with FNQROC Development Manual with particular reference to the following sections.

DP1	Development Principles
D7	Sewerage System (Design)
S6	Sewerage Reticulation (Specifications)

- (ii) Refer also to Mareeba Shire Council specific requirements and standard drawings.
- (iii) Prior to the preparation of detailed engineering drawings the applicant shall nominate the preferred connection point for the new development to discharge into the existing reticulated system.

Condition 7(iv) of Council's Decision Notice issued on 21 September 2007 be deleted and an Adopted Infrastructure Charges Notice be issued in its place.

- ~~(iv) The applicant shall contribute to the cost of sewerage headworks in accordance with the adopted policy of Council existing at the time of payment. This payment to be made prior to the signing and sealing of the Plan of Survey.~~
- (v) The Contractor is to allow in his contract price the cost for video checking (and rectification if necessary) of all new sewer work in accordance with Mareeba Shire Council's requirements.

8. Construction

- (i) As well as the requirements set out in the Design Guidelines and Specifications of the FNQROC Development Manual, Council draws your attention to CP 1 Construction Procedures which details minimum requirements acceptable to Council. Particular reference is made to the following sections.

CP 1.04	Inspection and Test Plan
CP 1.06	Contractors Erosion & Sediment Control Plan
CP 1.08	Notice to Commence Works
CP 1.09	Pre-Start Meeting

- (ii) Before any contractor can proceed on site, the applicant is to complete and submit for signing of approval to the Manager Civil Works, the "Notice of Appointment of Principal Contractor" form, stating who is to be the Principal Contractor for this development. (Council reserves the right to reject the nominated Contractor).

Mareeba Shire Council

- (iii) All construction works are to be carried out to the requirements of the FNQROC Development Manual and the specific Mareeba Shire Council requirements.
- (iv) All aspects of construction works must be undertaken to the satisfaction of the Manager Civil Works.

Condition 9 of Council's Decision Notice issued on 21 September 2007 be deleted and an Adopted Infrastructure Charges Notice be issued in its place.

- 9. ~~The Applicant shall make a contribution per additional allotment towards public open space in accordance with the adopted policy of Council existing at the time of payment. This payment to be made prior to the signing and sealing of the Plan of Survey.~~
- 10. The applicant shall provide written advice from Ergon Energy that satisfactory arrangements have been made for an underground electricity supply to be provided to the proposed allotments.
- 11. The applicant shall provide written advice from Telstra that a telephone can be made available to the proposed allotments.
- 12. All allotments shall be sited above the Q100 flood level.
- 13. The freehold section of the buffer strip required under the Department of Main Roads Concurrence Agency Response, shall be transferred into the ownership of the Department of Main Roads and not Council.

Additional Condition 14 being included:

- 14. Road Reserve Connection

A 15.5 metre wide (Access Street) road reserve must be opened between Antonio Drive and Lot 453 on SP247821. The road reserve must be located generally within the confines of proposed Lot 5 as shown on Drawing 1458 – C01.

ADVISORY NOTES

To support the issue of an Adopted infrastructure Charges Notice, additional advice clauses (a) and (b) must be included on Council's Decision Notice dated 21 September 2007 as follows:

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

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

PROPERTY NOTES

Not Applicable.

SUBMISSIONS

Not Applicable.

RIGHTS OF APPEAL

You are entitled to appeal against this decision. A copy of the relevant appeal provisions from the *Planning Act 2016* is attached.

OTHER DETAILS

If you wish to obtain more information about Council's decision, electronic copies are available on line at www.msc.qld.gov.au, or at Council Offices.

If you have any further queries in relation to the above, please contact Council on the above number.

Yours faithfully

BRIAN MILLARD
COORDINATOR PLANNING & BUILDING

DECISION NOTICE HISTORY

REC/07/0043 - Original Decision Notice dated 21 September 2007
REC/07/0043 - *Changes to an Existing Approval dated 24 February 2025*

Encl: Approved Plans/Documents
Appeal Rights
Adopted Infrastructure Charge Notice

Mareeba Shire Council

Document Set ID: 4471685
Version: 2, Version Date: 28/03/2025

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Approved Plans/Documents



Sibi Girgenti Holdings Pty Ltd and
Novelette Pty Ltd
C/- Jim Papas Drafting Pty Ltd
PO Box 413
EARLVILLE QLD 4870

Mareeba Shire Council
P.O. Box 154
65 Rankin Street
Mareeba Qld 4880

Telephone (07) 4030 3900
Facsimile (07) 4092 3323
Email ceo@msc.qld.gov.au
Web www.msc.qld.gov.au

Our Ref: REC/07/0043
Item No: 19:18.09.07
BJM:mjn

21 September 2007

Dear Sir

RECONFIGURATION APPLICATION – REC/07/0043

I refer to the Development Application lodged by you.

Please find attached the relevant Decision Notice.

Your attention is drawn to Section 3.5.17 of the Integrated Planning Act, in relation to making representations to the Assessment Manager, about the conditions of the Development Approval (copy attached).

Should you have any queries with regard to the matters raised, please direct them to me on 4030 3959.

Yours faithfully

BJ Millard
SHIRE PLANNER

Attachments

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MAREEBA SHIRE COUNCIL

DECISION NOTICE FOR DEVELOPMENT APPLICATION

Development Number:	REC/07/0043
Applicant:	Sibi Girgenti Holdings Pty Ltd
Proposal:	Eighty-five Lot Reconfiguration
Property Location:	Kennedy Highway MAREEBA QLD 4880
Real Property Description:	Lot 1 RP 730895
Referral Agencies:	Department of Main Roads Department of Natural Resources and Water
Decision Date:	18 September 2007
Decision:	Approved, Subject to Conditions
Type Of Approval:	Development Approval
Assessment Manager Conditions:	See Attached Page
Submitters to the Application:	Nil
Concurrence Agency Conditions:	Department of Main Roads Department of Natural Resources and Water
Further Development Permits Required:	Nil
Appeal Rights:	Division 8 – Appeals to Court Relating to Development Applications, attached for your information.

Andy L. Smith
A/CHIEF EXECUTIVE OFFICER

PAGE 1 OF 7

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**MAREEBA SHIRE COUNCIL****DECISION NOTICE FOR
DEVELOPMENT APPLICATION****CONDITIONS**

Resolved that Council:-

- A. Issue a Development Permit for the application made by Jim Papas Drafting Pty Ltd on behalf of Sibi Girgenti Holdings Pty Ltd and Novelette Pty Ltd for the reconfiguration of land described as Lot 1 on RP730895, Parish of Tinaroo, situated on the Kennedy Highway, Mareeba, into eighty (80) allotments as shown on Drawing No 1082 SK1 Amdt E, subject to:

COUNCIL CONDITIONS

1. To cover extra traffic movements created by this development, the applicant must contribute per additional allotment towards the augmentation of the road network in accordance with the adopted policy of Council existing at the time of payment. This contribution is to be paid prior to the signing and sealing of the Plan of Survey.

At the same time as the contribution is paid, a copy of the Plan of Survey and the Form 6 that is lodged with the Department of Natural Resources and Water for each permanent survey mark installed must also be lodged with Council prior to the signing and sealing of the Plan of Survey.

2. External Works

- (i) The intersection of Constance and Haren Streets is to be upgraded in accordance with the requirements of the FNQROC Development Manual.
- (ii) Constance Street (Haren to Peters Street)
 - (a) The existing bitumen seal is to be widened to the kerb and channel on the western side of Constance Street.
 - (b) Kerb and channel is to be installed on the eastern side of Constance Street, on a similar alignment to the existing kerb and channel between Peters and Lerra Street. The existing bitumen seal is to be widened to the new kerb and channel.

Andy L Smith
A/CHIEF EXECUTIVE OFFICER

PAGE 2 OF 7

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MAREEBA SHIRE COUNCIL

DECISION NOTICE FOR DEVELOPMENT APPLICATION

- (iii) Constance Street (Peters to Lerra Street)
 - (a) The existing bitumen seal is to be widened to the kerb and channel on both sides.
 - (b) Extend the existing culverts.
 - (c) Extend the kerb and channel on the eastern side of Constance Street around into Lerra Street.
- (iv) The agreed value of the works required by Condition 2(ii) and 2(iii) shall be credited towards the contribution required under Condition 1.

3. General


- (i) All operational works relating to this development will be as per the FNQROC Development Manual, including the following.
- (ii) Prior to the submission of any documentation Council draws your attention to AP 1 Application Procedures with particular reference to:-

AP 1.02	Pre-Lodgement Discussion
AP 1.07	Supporting Information, in particular:-
	9 (xi) Erosion and Sediment Control Strategy (ESCS)
	9 (xvii) Landscaping Design Plan
AP 1.08-1.14	Plan Presentation
AP 1.15-1.31	Design Drawings (including asphalt intersection/cul-de-sac details with bitumen road)
- (iii) Documentation as detailed in AP 1 should be submitted at least one (1) month prior to the proposed starting date for construction.
- (iv) Refer also to associated Mareeba Shire Council Specific Requirements and Standard Drawings.
- (v) All aspects of construction works must be undertaken to the satisfaction of the Manager Civil Works.

Andy L Smith
A/CHIEF EXECUTIVE OFFICER

PAGE 3 OF 7

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MAREEBA
SHIRE
SHIRE OF DIVERSITY

MAREEBA SHIRE COUNCIL

**DECISION NOTICE FOR
DEVELOPMENT APPLICATION**

(vi) Council wishes to advise the applicant of the Aboriginal Cultural Heritage Act 2003 and the Environment Protection and Biodiversity Conservation Act 1999 which may impact on this development.

(vii) No work may commence on site until Council has approved both the:-

- (a) Erosion and Sediment Control Strategy; and
- (b) Principal Contractor's Sediment Control Plan.

4. Roadworks & Earthworks

(i) Roadworks are to be designed and constructed in accordance with FNQROC Development Manual with particular reference to the following sections:-

DP 1	Development Principles
D1	Road Geometry
D2	Site Regrading
D3	Road Pavements (Design)
S1	Earthworks
S2	Road Pavements (Specification)
TableD1.1	Street and Road Hierarchy

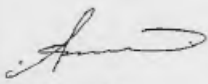
(ii) Refer also to associated Mareeba Shire Council Specific Requirements and Standard Drawings, including 4% crossfall on all roads.

5. Stormwater Drainage

(i) Stormwater drainage is to be designed and constructed in accordance with FNQROC Development Manual with particular reference to the following sections.

DP 1	Development Principles
D4	Stormwater Drainage (Design)
D5	Stormwater Quality Management
S4	Stormwater Drainage (Specification)

(ii) The design be such so as to minimise concentrated stormwater drainage flows. Where such flows occur drains shall be lined and treated to minimize and capture silt and other contaminants prior to discharge.



Andy L Smith
A/CHIEF EXECUTIVE OFFICER

PAGE 4 OF 7

*Mareeba Shire – a great place to live.
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**MAREEBA SHIRE COUNCIL****DECISION NOTICE FOR
DEVELOPMENT APPLICATION**

- (iii) Refer also to Mareeba Shire Council specific requirements and site drawings.
- (iv) For each culvert to be installed, a detailed plan and long section (upstream and downstream) of the waterway involved must be submitted as part of the "Detailed Engineering Drawings" to Council. This is to enable Council to ensure the culvert is in the correct location.

6. Water Supply

- (i) Water reticulation is to be designed and constructed in accordance with FNQROC Development Manual with particular reference to the following sections.

D5 Water Reticulation (Design)
S5 Water Reticulation (Specification)

- (ii) Refer also to Mareeba Shire Council specific requirements and standard drawings, as listed in the FNQROC Manual.
- (iii) All work mentioned above including laying and installation, is to be carried out to the specific requirements of Mareeba Shire Council and the satisfaction of the Manager - Civil Works.
- (iv) The applicant shall contribute to the cost of water headworks in accordance with the adopted policy of Council existing at the time of payment. This payment to be made prior to the signing and sealing of the Plan of Survey

7. Sewerage Connection

- (i) Sewerage reticulation is to be designed and constructed in accordance with FNQROC Development Manual with particular reference to the following sections.

DP1 Development Principles
D7 Sewerage System (Design)
S6 Sewerage Reticulation (Specifications)

- (ii) Refer also to Mareeba Shire Council specific requirements and standard drawings.

Andy L Smith
A/CHIEF EXECUTIVE OFFICER

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**MAREEBA SHIRE COUNCIL****DECISION NOTICE FOR
DEVELOPMENT APPLICATION**

- (iii) Prior to the preparation of detailed engineering drawings the applicant shall nominate the preferred connection point for the new development to discharge into the existing reticulated system.
- (iv) The applicant shall contribute to the cost of sewerage headworks in accordance with the adopted policy of Council existing at the time of payment. This payment to be made prior to the signing and sealing of the Plan of Survey.
- (v) The Contractor is to allow in his contract price the cost for video checking (and rectification if necessary) of all new sewer work in accordance with Mareeba Shire Council's requirements.

8. Construction

- (i) As well as the requirements set out in the Design Guidelines and Specifications of the FNQROC Development Manual, Council draws your attention to CP 1 Construction Procedures which details minimum requirements acceptable to Council. Particular reference is made to the following sections.

CP 1.04	Inspection and Test Plan
CP 1.06	Contractors Erosion & Sediment Control Plan
CP 1.08	Notice to Commence Works
CP 1.09	Pre-Start Meeting

- (ii) Before any contractor can proceed on site, the applicant is to complete and submit for signing of approval to the Manager Civil Works, the "Notice of Appointment of Principal Contractor" form, stating who is to be the Principal Contractor for this development. (Council reserves the right to reject the nominated Contractor).
- (iii) All construction works are to be carried out to the requirements of the FNQROC Development Manual and the specific Mareeba Shire Council requirements.
- (iv) All aspects of construction works must be undertaken to the satisfaction of the Manager Civil Works.

- 9. The Applicant shall make a contribution per additional allotment towards public open space in accordance with the adopted policy of Council existing at the time of payment. This payment to be made prior to the signing and sealing of the Plan of Survey.

Andy L Smith
A/CHIEF EXECUTIVE OFFICER

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Mareeba Shire - a great place to live.
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MAREEBA SHIRE COUNCIL

DECISION NOTICE FOR DEVELOPMENT APPLICATION

10. The applicant shall provide written advice from Ergon Energy that satisfactory arrangements have been made for an underground electricity supply to be provided to the proposed allotments.
11. The applicant shall provide written advice from Telstra that a telephone can be made available to the proposed allotments.
12. All allotments shall be sited above the Q100 flood level.
13. The freehold section of the buffer strip required under the Department of Main Roads Concurrence Agency Response, shall be transferred into the ownership of the Department of Main Roads and not Council.

MAIN ROADS CONDITIONS

Conditions as per Department of Main Roads concurrence agency response dated 7 September 2007.

DEPARTMENT OF NATURAL RESOURCES AND WATER CONDITIONS

Conditions as per Department of Natural Resources and Water concurrence agency response dated 23 July 2007.

- B. Authorise the Mayor and Chief Executive Officer to sign and seal the plan of survey when all of the above conditions have been completed to the satisfaction of the Shire Planner.

Andy L Smith
A/CHIEF EXECUTIVE OFFICER

PAGE 7 OF 7

Mareeba Shire - a great place to live.
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REC/07/0043

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Tuesday, 18 September 2007

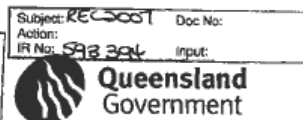
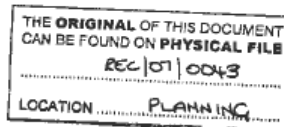


Mareeba Shire Council
Document Set ID: 4471685
Version: 2, Version Date: 28/03/2025

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Your Reference: REC/07/0043
Our Reference: IC0507A7110015
Contact: Linda Whiteley
Directorate / Unit: Planning & Development
Phone: (07) 47 607453

Department of
Natural Resources and Water

23rd July 2007

Attn: Mr. Brian Millard

Chief Executive Officer
Mareeba Shire Council
PO Box 154,
Mareeba, QLD 4880

To Whom it may concern,

Application Sibi Girgenti Pty Ltd to Reconfigure a Lot (from 1 to 85 lots) on Lot 1 on RP730895 Kennedy Highway Mareeba Shire – Referral Agency Response

I refer to the above application. The chief executive of the Department of Natural Resources and Water (concurrence agency for the application) advises as follows:

- ☐ The concurrence agency response for the application, prepared pursuant to section 3.3.16(1) of the *Integrated Planning Act 1997*, is enclosed. I look forward to receiving a copy of the decision notice for the application in due course.

Should you have any questions about the above, please contact Linda Whiteley on telephone number (07) 47 607453, quoting the above reference number.

Yours sincerely

Linda Whiteley
Natural Resource Officer

Natural Resources & Water
P O Box 5318
Townsville Queensland 4810
Australia
Telephone + 61 7 4760 7453
Facsimile + 61 7 4769 7541
Website www.nrw.qld.gov.au

DateWorks Document Number: 612575

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Referral Agency Response – Material Change of Use / Reconfiguring a Lot

s 3.3.16 Integrated Planning Act 1997

1. Application information

- 1.1. **Applicant's name:** Sibi Girgenti Pty. Ltd. & Novelette Pty. Ltd. c/- Jim Papas Drafting Pty. Ltd.
- 1.2. **Property description:** 1 RP730895 - MAREEBA SHIRE
- 1.3. **Assessment Manager/Reference:** Mareeba Shire Council – REC/07/0043
- 1.4. **Date application was referred to Department:** 30/05/2007
- 1.5. **Departmental Reference:** IC0507ATH0021 (P and E)
- 1.6. **Type/s of development sought by the application:**
 - Material Change of Use and Reconfiguring a Lot

2. Concurrence Agency response:

The Chief Executive of the Department of Natural Resources and Water directs that The Department of Natural Resources and Water has no vegetation-related requirements with this application as the application is for an urban purpose in an urban area on freehold land and the subject lots do not contain an endangered regional ecosystem.

3. Advisory Agency

Additional comments or information:

Water Management & Use

Riverine Protection

The applicant's response to the Information Request was satisfactory. In the Information Request the applicant was advised as regards the requirements of the *Water Act 2000*. In the applicant's response, it was noted that the applicant was:-

- In the process of having the property surveyed so as to determine the precise extent of the high bank of the watercourse
- Aware of what authorities were required under the *Water Act 2000* to conduct activities (such as excavation, placement of fill and destruction of vegetation) within watercourses
- Intending to exclude the riparian strip from the development and affording them some level of formal protection.

If the applicant proceeds with the development and is consistent with the above advice (as stated in the Response to a Request for Further Information), then state interests as regards the *Water Act 2000* have been satisfied and the Water Management & Use section of Natural Resources & Water have no further requirements for the development.

IDAS Referral Agency Response

DateWorks Document Number: 612575

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Aboriginal Cultural Heritage

Under section 23 of the *Aboriginal Cultural Heritage Act 2003* a person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage (the "cultural heritage duty of care"). Maximum penalties for breaching the duty of care are \$750,000 for a corporation and \$75,000 for an individual.

Applicants will comply with the duty of care in relation to Aboriginal cultural heritage if they are acting in compliance with cultural heritage duty of care guidelines gazetted under the *Aboriginal Cultural Heritage Act 2003*, available on the Department's website, or in accordance with an agreement with the Aboriginal party for the area or a cultural heritage management plan approved under part 7 of the *Aboriginal Cultural Heritage Act 2003*.

Applicants should also undertake a search of the Aboriginal Cultural Heritage Database and the Aboriginal Cultural Heritage Register, administered by the Cultural Heritage Coordination Unit, Department of Natural Resources and Water. Application forms to undertake a free search of the Cultural Heritage Register and the Database may be obtained by contacting the Cultural Heritage Coordination Unit on (07) 323 83838 or on the Department's website www.nrm.qld.gov.au/cultural_heritage.

4. Authorised Officer Signature:

Liinda Whiteley
Natural Resource Planning Officer
North Region

23rd July 2007

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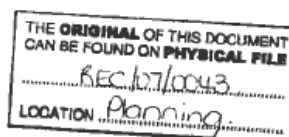
**Queensland
Government**

7 September 2007

Mr AL Smith
A/ Chief Executive Officer
Mareeba Shire Council
PO Box 154
Mareeba Qld 4880

Department of Main Roads

Dear Mr Smith



Mareeba Shire : Kennedy Highway (Cairns-Mareeba)
Situating north of intersection of the Highway & Mareeba Connection Road, Mareeba
Lot 1 on RP 730895, Parish of Tinaroo
Sibi Girgenti Holdings Pty Ltd
Proposed Reconfiguration of Lot (83 Residential Allotments, Parks & New Roads) Application
Review of Referral Agency Response (conditions apply)

I refer to:

- the above application received at the Department 30 May 2007 and 18 June 2007 requesting consideration of the above development,
- the Department's letter of conditions of development dated 27 June 2007,
- written representation from the applicant's consultant received at the Department 16 August 2007 requesting a review of condition 2,
- the Department's letter of amended conditions of development dated 30 August 2007, and
- written representation from the applicant's consultant received at the Department 6 September 2007 seeking dimensioning and easement details on DMR Plan No. PD 356.

The Department has reviewed the application and has amended condition 2 as amended in letter dated 30 August 2007. The amendment now includes an in principal approval for stormwater works and associated easement located from the proposed road reserve adjacent proposed lot 18 to the creek and approximately 14 metres wide. Please be advised DMR Plan No. PD 356 depicts a land requirement for future road purposes. Survey details to define the land requirement, and any easements thereon, will be defined at the time the applicant/landowner prepares the plan of survey of the proposed development. The Department of Main Roads will acquire/resume the land requirement including proposed stormwater works and associated easement extending between the proposed Lots 18 and 19 and the creek.

In accordance with section 3.3.17 of the *Integrated Planning Act 1997*, the Queensland Department of Main Roads, as a Concurrence Agency, has reviewed the impact of the proposed development on the State-controlled road network and requires that Council include the following retained conditions of development for the subject application:

North Queensland Region
Peninsula District
PO Box 8155
CAIRNS Queensland 4870
ABN 57 836 727 711

Our ref: 133/32A/102(2862)
Your ref: REC/07/0043
Enquiries MALCOLM HARDY
Telephone +61 7 4050 5511
Facsimile +61 7 4050 5438



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A CONDITIONS OF DEVELOPMENT

1. Permitted Road Access Location

- (i) Vehicular access between the State-controlled roads (i.e. Kennedy Highway and Mareeba Connection Road) and the proposed development shall be via Haren and Constance Streets only, to the satisfaction of Mareeba Shire Council.
- (ii) No direct vehicular access between the State-controlled roads (i.e. Kennedy Highway and Mareeba Connection Road) and the subject land is permitted.

2. Land Requirement for Future Road Purposes

- (i) The attached DMR Plan No. PD 356, dated 30/08/2007 indicates the portion of the subject land required for future road purposes. This area is hereafter referred to as the 'Exclusion Area'.
- (ii) The applicant/landowner shall not construct any structure/s nor commence any development under, on or over the 'Exclusion Area' unless the Department of Main Roads agrees to the proposed structures/works. The Department of Main Roads gives in principal approval for stormwater works and associated easement to be installed and located from the proposed road reserve adjacent proposed lot 18/19 to the creek and approximately 14 metres wide. Details of the stormwater works and associated easement within the exclusion area shall be approved by the Department prior to the installation of the stormwater works.
- (iii) Should the State of Queensland not have acquired the 'Exclusion Area' within twelve (12) months of:
 - the dating and approving of the plan of survey by Council in respect of a Reconfiguration of a Lot application creating residential allotments within 100m of the 'Exclusion Area', and
 - the applicant/landowner formally requesting, in writing, the District Director of the Cairns Office of DMR, or its successor or assign, to acquire/ resume the land,
 then parts (i) and (ii) above shall cease to have effect.

3. Road Traffic Noise & Visual Treatments

For the purposes of this condition:

- 'SCR boundary' shall be defined as the Kennedy Highway and Mareeba Connection Road boundary with the 'Exclusion Area' included in the road reserve; and
- DMR Plan PD85C Rev B (dated 03/2004) shall hereafter be referred to as the 'DMR Buffer Plan'.

(a) Creation of Buffer Strip

The applicant/landowner shall create a ten metre wide buffer strip within the subject land. The buffer strip shall be located adjacent to the SCR boundary and along the full length of the subject land's SCR boundary with adjoining proposed residential

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development, excluding the proposed Park area. This buffer strip shall be provided at no cost to Council or the State of Queensland.

The buffer strip shall be created via:

- a six metre wide freehold strip located adjacent to the SCR boundary, and
- and a four metre wide registered covenant located adjacent to and generally north of the above freehold strip generally in accordance with the DMR Buffer Plan.

The registered covenant shall:

- allow representatives of Council and the Department of Main Road to construct/maintain/upgrade/remove noise attenuation treatments and landscaping within the registered covenant,
- prevent (unless approved by Council and the Department of Main Roads) landowners from altering, damaging or destroying any noise ameliorative treatments or landscaping within the registered covenant, and
- prohibit the construction of any structures within the registered covenant except where approved/required otherwise by Council and the Department of Main Roads.

The freehold section of the buffer strip shall be created and transferred to Council ownership. The registered covenant section of the buffer strip shall be created, and the covenant agreement shall be registered in the Titles Office of the Department of Natural Resources. All three aforementioned requirements shall be completed prior to the applicant/landowner:

- seeking Council (or private certifier) approval for a development permit for carrying out building works within 100m of the SCR boundary, or
- lodging a plan of survey to Mareeba Shire Council within 100m of the SCR boundary for signing and dating,

whichever occurs first.

(b) Visual Amenity Works

The applicant/landowner shall provide landscaping in and along the full width and length of the buffer strip such that existing and future State-controlled road infrastructure, noise ameliorative works within the buffer, and on site buildings and facilities, are screened as much as practicable from each other.

The species of plants used in the landscaping works shall be in accordance with Council's standards. If Council doesn't have standards, then the only requirement is that they are native, low maintenance species which are effective at providing the necessary screening specified above. All works within the buffer strip are to comply with the requirements specified in the DMR Buffer Plan.

All landscaping of the buffer shall be completed prior to the applicant/landowner:

- seeking Council (or private certifier) approval for a development permit for carrying out building works on any part of the subject land within 100 metres of the SCR boundary, or

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- lodging a plan of survey to Mareeba Shire Council for signing and dating, where such a plan will create residential lots within 100 metres of the SCR boundary, whichever occurs first.

(c) Road Traffic Noise Ameliorative Works

(i) Location of Works

Road traffic noise ameliorative works shall be incorporated into the design of the development, and the applicant/landowner shall have regard to the design criteria specified within AS3671.

(ii) Maximum Noise Levels and Time Horizons

The following maximum road traffic noise level shall not be exceeded within 10 years of completion of the full development.

- External noise levels shall not exceed 60dB(A) 18h (free field), where existing levels measured at the deemed-to-comply setback distance are greater than 40dB(A) L90 (8h) between 10pm and 6am (free field).
- External noise levels shall not exceed 57dB(A) 18h (free field), where existing levels measured at the deemed-to-comply setback distance are less than 40dB(A) L90 (8h) between 10pm and 6am (free field).
- Internal noise levels (i.e., within buildings above the ground floor level only) shall not exceed the maximum noise levels specified in AS2107-2000.

(iii) Noise Testing

The following parameters shall be used to determine the required noise amelioration works.

- External noise levels shall be those predicted to occur on the subject land in areas likely to be frequently occupied by people for significant periods.
- For residential/accommodation development, internal noise levels shall be determined in accordance with AS2107-2000.
- Noise monitoring shall be carried out in accordance with AS2702-1984.
- Noise predictions shall be carried out in accordance with Calculation of Road Traffic Noise (CRTN88) United Kingdom Department of Transport.

(iv) Road Traffic Noise Report

The applicant/landowner shall prepare a road traffic noise report which demonstrates how the development is to be designed to conform with the above requirements. The report shall:

- predict the road traffic noise levels,
- identify the ameliorative works required within the buffer strip, the rest of the subject land, and the relevant buildings; and

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- contain all relevant information and calculations upon which the conclusions of the report are based.

The applicant/landowner shall submit the report to the Cairns Office of the Department of Main Roads, and if necessary, shall amend the report until the Department of Main Roads considers that the report reflects the requirements of this condition. The report and any subsequent amendments shall be completed prior to the applicant/landowner:

- seeking Council (or private certifier) approval for a development permit for carrying out building works within 100m of the SCR boundary; or
- lodging a plan of survey to Mareeba Shire Council within 100m of the SCR boundary for signing and dating,

whichever occurs first.

(v) Incorporation of Works into the Development

Noise ameliorative works within the buffer shall conform to the requirements of the DMR Buffer Plan.

All noise ameliorative works required within the development and the buffer shall be completed prior to the applicant/landowner:

- seeking Council (or private certifier) approval for a development permit for carrying out building works within 100 metres of the SCR boundary, or
- lodging a plan of survey to Mareeba Shire Council for signing and dating, where such a plan will create residential lots within 100 metres of the SCR boundary,

whichever occurs first.

(vi) Building Covenant

When a covenant is required by the Road Traffic Noise (acoustical) Report then the following requirements shall be met:

- The covenants shall be included on the same Plan of Survey which creates the lots which are subjected to the covenant and lodge concurrently the Plan of Survey and validly executed Covenant Form 31 referred to in the above conditions.
- Acknowledges to Main Roads that an acoustic covenant will be annexed to the REIQ contract for the relevant lots prior to execution of the Covenants Forms 31.
- Submit to Main Roads for approval a Noise Covenant Plan which shows:
 - the final layout plan with finished contour levels and highlighting lots effected by a covenant,
 - summary of noise amelioration works and covenant conditions, and
 - a table showing, pad levels in Australia Height Datum (AHD) and the type of covenant,
 prior to execution of the Covenants Forms 31.
- Submit to Main Roads, certification (RPEQ) from the civil engineer that the pad levels in (AHD) used on the Covenant Plan comply with the

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acoustical report, prior to the execution of the Covenant Form 31. If the building pad levels have risen by more than 200mm, a new acoustical assessment must be submitted. Any new works or covenants to be registered or amended as detailed in the new acoustical assessment must be completed within the above relevant timeframes.

- Submit to Main Roads a properly executed Covenant Form 31 pursuant to Land Title Act 1994, and in terms approved by the District Director covering all lots where it has not been demonstrated that condition (c)(ii) above would be met, prior to the submission of the Plan of Survey to Council for approval and dating.
- Submit to Main Roads a copy of the receipt of the Registration Confirmation Statements for the Covenants within 14 days of the receipt being forwarded to the applicant or their agents.

4. Advertising

No advertising device for the proposed development is permitted within the Kennedy Highway or Mareeba Connection Road reserves.

B REASONS

The reasons and information used in the setting of conditions detailed above include:

- Department of Main Roads Access Policy,
- Department of Main Roads Involvement in Development Applications Referrals and Assessment Guide, and
- Mareeba Shire Planning Scheme.

C GENERAL DISCUSSION

Council is requested to reflect the above conditions on its Rates Record, to ensure that the planning intentions of the conditions are secured.

This Department would appreciate a copy of Council's decision notice regarding the application.

A copy of this letter has been sent to the applicant.

Yours sincerely



Peter McNamara

A/MANAGER (CORRIDOR MANAGEMENT) PENINSULA

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Appeal Rights

PLANNING ACT 2016 & THE PLANNING REGULATION 2017

Chapter 6 Dispute resolution

Part 1 Appeal rights

229 Appeals to tribunal or P&E Court

- (1) Schedule 1 of the Planning Act 2016 states –
 - (a) Matters that may be appealed to –
 - (i) either a tribunal or the P&E Court; or
 - (ii) only a tribunal; or
 - (iii) only the P&E Court; and
 - (b) The person-
 - (i) who may appeal a matter (**the appellant**); and
 - (ii) who is a respondent in an appeal of the matter; and
 - (iii) who is a co-respondent in an appeal of the matter; and
 - (iv) who may elect to be a co-respondent in an appeal of the matter.

(Refer to Schedule 1 of the Planning Act 2016)

- (2) An appellant may start an appeal within the appeal period.
- (3) The **appeal period** is –
 - (a) for an appeal by a building advisory agency – 10 business days after a decision notice for the decision is given to the agency; or
 - (b) for an appeal against a deemed refusal – at any time after the deemed refusal happens; or
 - (c) for an appeal against a decision of the Minister, under chapter 7, part 4, to register premises or to renew the registration of premises – 20 business days after a notice is published under section 269(3)(a) or (4); or

- (d) for an appeal against an infrastructure charges notice – 20 business days after the infrastructure charges notice is given to the person; or
- (e) for an appeal about a deemed approval of a development application for which a decision notice has not been given – 30 business days after the applicant gives the deemed approval notice to the assessment manager; or
- (f) for any other appeal – 20 business days after a notice of the decision for the matter, including an enforcement notice, is given to the person.

*Note –
See the P&E Court Act for the court's power to extend the appeal period.*

- (4) Each respondent and co-respondent for an appeal may be heard in the appeal.
- (5) If an appeal is only about a referral agency's response, the assessment manager may apply to the tribunal or P&E Court to withdraw from the appeal.
- (6) To remove any doubt. It is declared that an appeal against an infrastructure charges notice must not be about-
 - (a) the adopted charge itself; or
 - (b) for a decision about an offset or refund-
 - (i) the establishment cost of trunk infrastructure identified in a LGIP; or
 - (ii) the cost of infrastructure decided using the method included in the local government's charges resolution.

230 Notice of appeal

- (1) An appellant starts an appeal by lodging, with the registrar of the tribunal or P&E Court, a notice of appeal that-
 - (a) is in the approved form; and

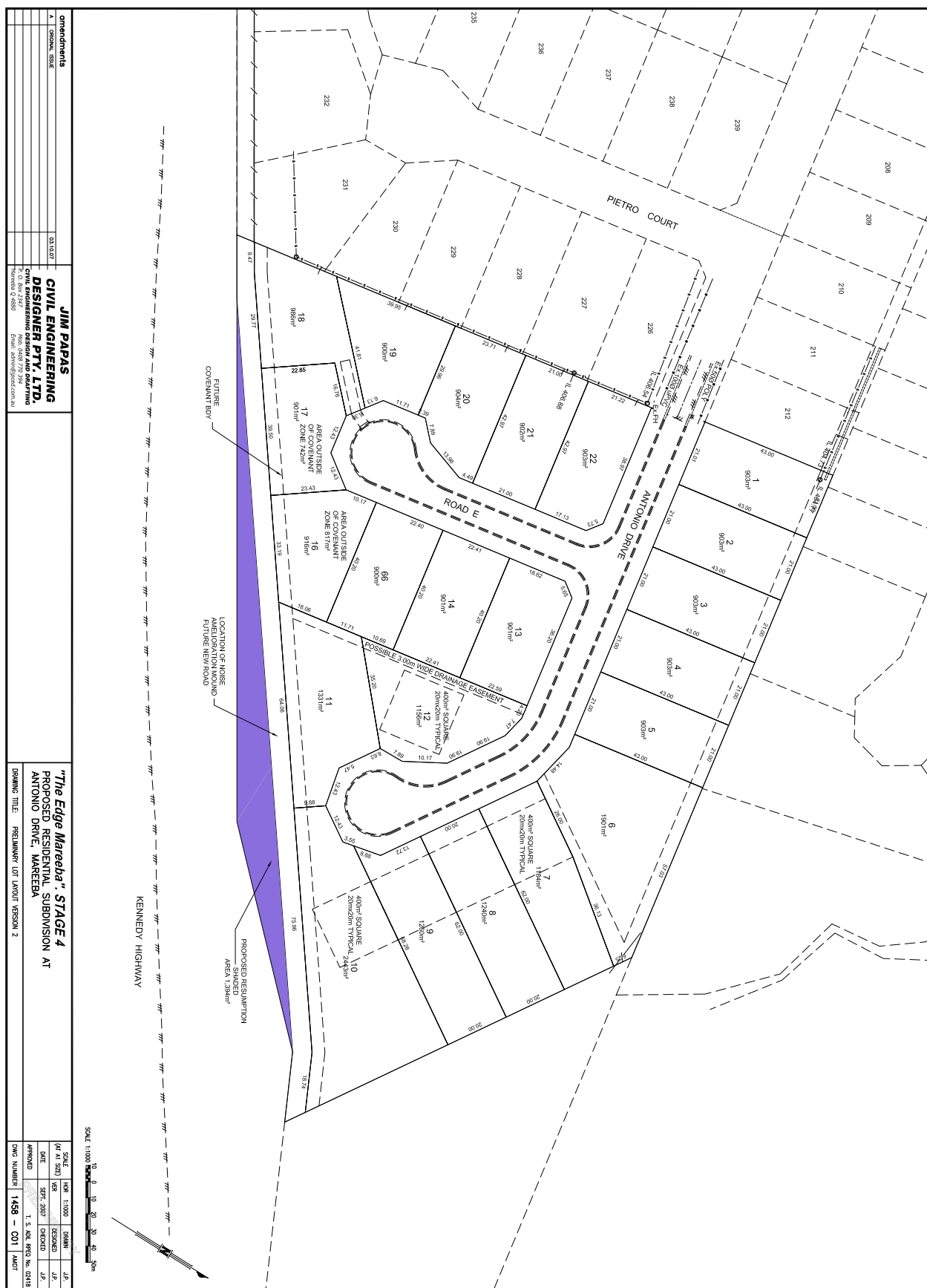
- (b) succinctly states the grounds of the appeal.
 - (2) The notice of appeal must be accompanied by the required fee.
 - (3) The appellant or, for an appeal to a tribunal, the registrar must, within the service period, give a copy of the notice of appeal to –
 - (a) the respondent for the appeal ; and
 - (b) each co-respondent for the appeal; and
 - (c) for an appeal about a development application under schedule 1, table 1, item 1 – each principal submitter for the development application; and
 - (d) for and appeal about a change application under schedule 1, table 1, item 2 – each principal submitter for the change application; and
 - (e) each person who may elect to become a co-respondent for the appeal, other than an eligible submitter who is not a principal submitter in an appeal under paragraph (c) or (d); and
 - (f) for an appeal to the P&E Court – the chief executive; and
 - (g) for an appeal to a tribunal under another Act – any other person who the registrar considers appropriate.
 - (4) The *service period* is –
 - (a) if a submitter or advice agency started the appeal in the P&E Court – 2 business days after the appeal has started; or
 - (b) otherwise – 10 business days after the appeal is started.
 - (5) A notice of appeal given to a person who may elect to be a co-respondent must state the effect of subsection (6).
 - (6) A person elects to be a co-respondent by filing a notice of election, in the approved form, within 10 business days after the notice of appeal is given to the person.
- jurisdictional error, the decision or matter is non-appealable.
- (2) The *Judicial Review Act 1991*, part 5 applies to the decision or matter to the extent it is affected by jurisdictional error.
 - (3) A person who, but for subsection (1) could have made an application under the *Judicial Review Act 1991* in relation to the decision or matter, may apply under part 4 of that Act for a statement of reasons in relation to the decision or matter.
 - (4) In this section –
 - decision* includes-
 - (a) conduct engaged in for the purpose of making a decision; and
 - (b) other conduct that relates to the making of a decision; and
 - (c) the making of a decision or failure to make a decision; and
 - (d) a purported decision ; and
 - (e) a deemed refusal.
 - non-appealable*, for a decision or matter, means the decision or matter-
 - (a) is final and conclusive; and
 - (b) may not be challenged, appealed against, reviewed, quashed, set aside or called into question in any other way under the *Judicial Review Act 1991* or otherwise, whether by the Supreme Court, another court, a tribunal or another entity; and
 - (c) is not subject to any declaratory, injunctive or other order of the Supreme Court, another court, a tribunal or another entity on any ground.

232 Rules of the P&E Court

- (1) A person who is appealing to the P&E Court must comply with the rules of the court that apply to the appeal.
- (2) However, the P&E Court may hear and decide an appeal even if the person has not complied with the rules of the P&E Court.

231 Other appeals

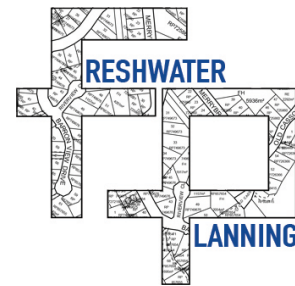
- (1) Subject to this chapter, schedule 1 and the P&E Court Act, unless the Supreme Court decides a decision or other matter under this Act is affected by



Your Ref: REC/07/0043
Our Ref: F24/08

25 March, 2025

Chief Executive Officer
Mareeba Shire Council
PO Box 154
MAREEBA QLD 4880



Attention: Brian Millard and Carl Ewin
Planning and Building Services

Dear Sir,

**RE: MINOR CHANGE TO DEVELOPMENT APPLICATION REC/07/0043
REPRESENTATIONS IN RELATION COUNCIL'S RESOLUTION
DEVELOPMENT PERMIT FOR RECONFIGURING A LOT – SUBDIVISION (ONE (1) INTO EIGHTY-SIX
(86) LOTS). THEN LOT 1 ON RP730895 AND NOW LOT 300 ON SP336263,
KENNEDY HIGHWAY, MAREEBA.**

This provision of Representations is made in relation to Council's Resolution for the Minor Change to the Existing Approval at Council's Ordinary Meeting dated 19 February 2025. The Council's Resolution included, on the Decision Notice, an Additional Condition, Being Condition 14 being. The Additional Condition is as follows:

14. Road Reserve Connection

A 15.5 metre wide (Access Street) road reserve must be opened between Antonio Drive and Lot 453 on SP247821. The road reserve must be located generally within the confines of proposed Lot 5 as shown on Drawing 1458 - C01.

The Original Development Application, whilst containing a Road Stub Which did not go into the neighbouring property for Engineering/Servicing Purposes, does not contain an existing or Approved Connection to the adjoining allotment in Peters Street. The proponents first and foremost believe that the provision of the Additional Condition 14 not to be appropriate for the Development providing an unreasonable Condition for the Development in addition to being considered unfair to the existing Residents of 'The Edge' Residential Estate. The proponents request that the Council agree to Remove the Conditioned Road Reserve Connection (Road Link) requirement and allow the developers to develop the land as per our requested Minor Change to Development Application. Freshwater Planning Pty Ltd has been provided with the following reasons, from the Developers, as to why the Council should agree to remove the required Road Linkage:

- ✚ The Residents of the Edge have been very vocal about not requiring the Link Road. We have received numerous phone calls and visits from upset Residents. Their comments are generally consistent noting that they purchased at 'The Edge' because the Residential Development was a one way in and one way out. They did not want to be part of a bigger Subdivision or link into other Subdivisions.

Freshwater Planning Pty Ltd
t/e The Freshwater Trust
ACN 603 020 220 | ABN 31 187 983 959

P: 0402729004
E: FreshwaterPlanning@outlook.com
A: 17 Barron View Drive, FRESHWATER QLD 4870

- ✚ It is understood that Council has received a Petition in objection to the Conditioned Road Link, with some 47 signatures out of the 50 Occupied houses in the estate. This is calculated to be 94% of the Residents currently residing within 'The Edge'. This is considered to demonstrate significant objection to the Conditioned Road Link and illustrate that Council should be listening to the Residents they serve. Please note that We, as the developers, were not involved with the provided Petition.
- ✚ Sibi Girgenti Holdings has fought hard with the Department of Transport and Main Roads for 15 years to keep the land that was going to be Resumed by the Transport and Main Roads for a possible future underpass, which would not have allowed links into either development. It is further noted that:
 - Proposed Lot 5 would have formed part of that land.
 - Considerable expenses were incurred to achieve this.
 - Should the Department of Transport and Main Roads not have requested the land in 2007, the plan in our DA submission would have already been Approved, if not built already.
- ✚ The developer of the neighbouring Subdivision also does not want the Road Linkage.
- ✚ There are many other larger developments in Mareeba, some of which are the same age as and some more recent than "The Edge" development, that do not have a requirement for a Link Road (i.e. Sunbird, Riverlands Park, River Gardens, Blacks Road, Kenneally Estate, Rayfield).

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Further to this, at the Council's Ordinary Meeting in March (19 March, 2025), the Agenda included Item 10.1 from the Office of the CEO, being the Petition Objecting to the Plan of the New Access Road through Lot 5 of the Edge Estate. This Agenda Item introduced a Petition from a resident on Antonio Drive which was received by Council on 5 March 2025. This Petition objects to the plan of the new access road through Lot 5 of the Edge Estate to the new Subdivision on Lot 453 that is to be located east of the DPI off Peters Street. It is understood that the Mayor and Councillors resolved for a Report to go to the next Council Meeting, being the April Ordinary Meeting, in response to the aspects of the Petition.

It is considered that the abovementioned provides for significant appropriate reasons and justifications for the Council to agree to remove the requirement of the Road Reserve Connection. This is considered to be the most appropriate and acceptable outcome for both the Developers and the Residents within "The Edge" Residential Estate.

However, should Council wish to retain the Conditioned Road Reserve Connection as provided within the recent Minor Change to the Development Approval, the Developer proposes the following two (2) alternative options. Please note that should Council not agree to remove the Condition Road Linkage as requested above; the Developers request that Council makes it clear to the Residents of 'The Edge' that the Link Road has been retained as a requirement by Council.

Alternative Option 1 – Land swap with 232 Byrnes Street

Freshwater Planning Pty Ltd understands that the Developer of "The Edge", being Sibi Girgenti Holding Pty Ltd, is part of the Girgenti Family Group of Companies. Another of these Girgenti Family Group of Companies is Reedlodge Pty Ltd. Reedlodge has a lease of a Triangle portion of land which is owned by the State Government of which Council are Trustee for this land. Reedlodge requested to purchase this land to amalgamate to 232 Byrnes Street, Mareeba to enable the construction of a Commercial Development (Woolworths Shopping Centre). It is understood that a requirement for Council to relinquish their interest within this Leasehold Land, they (Council) have requested that Reedlodge provide a replacement Freehold Allotment. It is worth noting that if Council relinquishes their interest in the Leasehold Land, Reedlodge is further required to Freehold this parcel

with the State Government purchasing the allotment. The Developers further note the following in relation to the Leasehold Allotment:

- ✚ This Allotment is landlocked and completely useless to anyone other than 232 Byrnes Street;
- ✚ The land is low and becomes swampy;
- ✚ The land has no services, with the closest services being some 50 meters away;
- ✚ The land has no road frontage or access;
- ✚ The land is within proximity (5 meters) to the Rail Corridor;
- ✚ The land has Electrical Infrastructure traversing the through the middle of Allotment;
- ✚ The land is irregular (triangle) in shape that making it constrained for any development;
- ✚ The land is Leasehold and not Freehold; and
- ✚ The land has not yet extinguished native title.

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The proponents and Developers, who are a part of the Girgenti Family Group of Companies, propose that Council surrender its interest in the land to Reedlodge Pty Ltd, providing its supports in full for the freeholding and sale from the State Government to Reedlodge Pty Ltd. In return, Sibi Girgenti Holdings will also surrender 670 m² of Freehold land, generally in the location of Approved Lot 5, as required by Council's Conditioned Road Link. The Developer considers that this Land swap be an acceptable outcome as Sibi Girgenti Holdings is effectively surrendering to Council the following:

- ✚ Freehold land unencumbered land
- ✚ Asphalt sealed road frontage
- ✚ Kerb and channelling
- ✚ Sewerage connection
- ✚ Power connection
- ✚ Streetlights
- ✚ Water connection
- ✚ NBN connection
- ✚ Storm water connection

Alternative Option 2 – Compensation

If Council considers that, if required, Alternative Option 1 is not acceptable or achievable, then the provision of Compensation be provided for the surrender portion of Land for the Road Linkage as Conditioned by the Council. The Developers have provided Freshwater Planning Pty Ltd with the following calculated suggested Compensation:

Sales considered Land pricing for Approved Lot 5, less the Infrastructure Charges (Headworks Contribution) and Registration/Titling is \$134,500.00. These figures have been calculated based upon the following:

- ✚ Sales Price for Approved Lot 5 valued at \$160,000.00
- ✚ Less \$25,500 comprising of:
 - i. Headworks - \$21,000
 - ii. Titles office - \$1,000
 - iii. NBN connection - \$500
 - iv. Power connection - \$2,000
 - v. Hydraulic connection - \$1,000
- Totalling \$25,500.00**

The Developer notes that all services either must run through or past Approved Lot 5, there for the savings by not providing connection points and titling the block is minimal. We additionally note that we have not factored in any loss of value that may be caused to the remaining development as a result of the connection.

It is considered that the abovementioned justifications and objections to the Additionally Conditioned Road Reserve Connection attached to the recently Approved Minor Change to the Development Approval provides appropriate justification for the removal of Link Road. However, if Council still requires the Road Reserve Connection, then the Developers consider the one of the aforementioned Alternative Options an acceptable outcome. Page 4

In relation to any of the proposed options provided within this letter, once Council has confirmed a Resolution, Freshwater Planning Pty Ltd or a Consultant of the Sibi Girgenti Holdings Pty Ltd will undertake the appropriate actions (lodgements, documentations, etc) to achieve the agreed upon Resolution.

This completes this Representations in relation to Council's Resolution. Please do not hesitate to contact me, in the first instance, should you require further information in relation to the matter or require a Meeting to discuss the abovementioned.

Yours faithfully,



MATTHEW ANDREJIC

FRESHWATER PLANNING PTY LTD

P: 0402729004

E: FreshwaterPlanning@outlook.com

17 Barron View Drive, FRESHWATER QLD 48707

8.4 COUNCIL POLICY REVIEW

Date Prepared: 15 April 2025

Author: Coordinator Governance & Compliance

Attachments: 1. Waste Management Kerbside Collection 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:
Waste Management Kerbside Collection Policy – adopted 17 May 2024;
2. Adopts the:
Waste Management Kerbside Collection Policy

BACKGROUND***Waste Management Kerbside Collection Policy*****Purpose**

To provide a framework for consistent decision making relevant to the delivery of Council's waste kerbside collection service within the Mareeba Shire Council jurisdiction.

Summary of amendments

1. Header matrix – Policy type field; omit Administrative; insert Governance to align with instrument publishing protocols declared in section 3.3 of Council's *Policy and Procedure Framework*; Responsible Officer and Author fields; update to align with organisational position title naming conventions
2. First page footer – remove Human Rights compatibility statement
3. Section 6 – update reference statutes.

FINANCIAL AND RESOURCE IMPLICATIONS***Capital***

Nil

Operating

Nil

LINK TO CORPORATE PLAN

Financial Sustainability and Governance: A financially sustainable Council that applies strategic decision making and good governance to deliver cost-effective services.

IMPLEMENTATION/COMMUNICATION

Policy library and website updated to publish.



Waste Management Kerbside Collection Policy

Policy Type	Governance Policy	Version:	4
Responsible Officer	Manager Water & Waste	Date Approved:	21/05/2025
Review Officer:	Director Infrastructure Services	Review Due:	21/04/2029
Author:	Manager Water & Waste	Commencement:	21/05/2025

1. PURPOSE

To provide a framework for consistent decision making relevant to the delivery of Council's waste **kerbside collection service** within the Mareeba Shire Council jurisdiction.

2. SCOPE

This policy applies to the domestic waste kerbside service for collection of mobile garbage bin (MGB) units provided by Council to residents of the Shire for the purpose of collecting and management of domestic and recyclable waste streams.

3. POLICY STATEMENT

Council delivers kerbside collection services to the community under an arrangement with a contracted third-party waste collection service provider and the content of this policy is consistent with the current contract arrangement.¹

3.1 WASTE AREA FOR KERBSIDE COLLECTION

The **Waste Area** is spatially mapped and identified as containing those properties which are rateable for a kerbside bin collection service.²

3.2 ELIGIBILITY FOR KERBSIDE COLLECTION SERVICE

All properties within the Waste Area that contain a residence are obliged to maintain a minimum of one kerbside collection service. Properties with buildings subject to a temporary occupancy permit are also eligible for a kerbside collection service.

New kerbside collection services will be assigned to a property only upon issue of a building Final Inspection Certificate (Form 21) or a Certificate of Classification for the relevant class of building.

Council may designate new areas within its local government area and determine the frequency of waste collection in accordance with a local law.³

Where a request is received for a new service and the property is not located within the Waste Area, Council will undertake the following assessment to determine feasibility of service delivery:

¹ Contract TMSC2017-20. See also Council's *Waste Management Services Strategy 2018—2027* s 3.2.3.

² Refer to policy definitions and Council's IntraMaps spatial data system 'Benefited Areas Garbage Benefited Area' overlay.

³ See *Local Law No. 6 (Waste Management) 2018* (MSC) pt 2 div 1 s 5.

Waste Management Kerbside Collection Policy

- The waste collection Contractor will undertake a road assessment of the proposed route to identify any physical constraints on the movement of waste collection vehicles;
- Council will undertake a survey of the residents along the proposed route to determine whether landowners are in favour of the collection service. More than 50% of landowners must be in favour for Council to decide to designate the new area;
- Where the number of potentially impacted landowners is less than five, Council will via resolution exercise its discretion to designate the new Waste Area.

All other requests for a kerbside collection service are subject to consideration by the Manager Water and Waste.

Commercial premises are not eligible for a kerbside collection service.

3.3 ADDITION AND CANCELLATION OF WASTE KERBSIDE COLLECTION SERVICE

Additional kerbside collection services may be provided at the written request of the landowner or a real estate agent formally acting on behalf of a landowner.

Additional kerbside collection services may be cancelled by written request of the landowner however minimum of one kerbside collection service must remain in effect at an eligible property. MGBs associated with the additional service/s are required to be returned to Council/the Contractor.

Upon completion of an approved demolition of a building provided with a kerbside collection service, the service will be cancelled. It is the responsibility of the landowner to return the MGBs to Council/the Contractor.

3.4 PROVISION OF MOBILE GARBAGE BINS (MGBS)

Eligible properties will be provided with MGBs for the purpose of disposing domestic waste and MGBs will remain the property of Council/the Contractor.

It is the responsibility of the householder to ensure MGBs are utilised for their intended purpose and not damaged by means other than due to the fair wear and tear under operation of the kerbside collection service.

3.5 REPLACEMENT OF MGBS

MGBs damaged due to the fair wear and tear of the kerbside collection service may be replaced by Council/the Contractor.

Replacement of an MGB by means other than through fair wear and tear, for example damage caused by burning, will be subject to replacement by the landowner and will incur a fee.

Where an MGB is stolen, Council will provide for one (1) replacement. Any further stolen MGBs will be subject to replacement by the landowner and will incur a fee.⁴

3.6 KERBSIDE PLACEMENT AND PRESENTATION OF MGBS⁵

MGBs must be placed on the kerbside for collection on the night before the designated collection day.

⁴ See *Local Law No. 6 (Waste Management) 2018* s 6.

⁵ *Ibid* s 10.

Waste Management Kerbside Collection Policy

MGB's must be presented at kerbside for collection so as they are easily accessible by the garbage collection vehicle.

MGBs not presented at the time that the collection service is conducted will not be eligible for a later service.

MGB's must not be over 70 kilograms in weight and must not be overfilled so as the lid will not close.

Refuse placed into MGBs must be contained so that upon tipping into the garbage collection vehicle, refuse items will not fall from the MGB and distribute into the surrounding environment.

If placing more than one MGB out for collection the MGBs must be positioned a minimum of one (1) metre apart.

Any positioning and presentation of an MGB contrary to this policy may result in non-collection of the MGB kerbside collection service.

3.7 CONTAMINATION OF MGB'S

A domestic waste MGB is supplied for the purpose of disposing waste generated in the household such as food scraps, small amounts of garden waste, nappies and other non-recyclable household material. MGBs have not been designed for and must not be used to hold timber, bricks, concrete, ash, soil, branches, white goods, construction and demolition or commercial and industrial waste streams.

Excessive contamination may result in non-collection of the MGB kerbside collection service.

3.8 EXEMPTION OF KERBSIDE COLLECTION SERVICE

Exemptions from eligibility for a kerbside collection service are subject to consideration by the Manager Water and Waste.

Exemptions may be considered based on but not limited to the following:

- The existence of a highway collection hazard along the designated collection route;
- The collection route is assessed as dangerous by the waste collection service provider.

A request for an exemption may be submitted to Council in writing by the landowner.

3.9 INFIRM KERBSIDE WASTE COLLECTION SERVICE

An 'infirm waste collection service' may be provided where the land occupier is unable, due to a physical condition, present their MGB at the kerb for collection. A request for an infirm waste collection service may be made in writing to Council via completion of the relevant form and must include:

- a) An outline of reasons for the service; and
- b) A statement from a qualified medical practitioner stating the need for the service; and
- c) A statement providing land occupier consent for Council's waste services contractor to enter upon the subject property to undertake collection of waste bins.

Waste Management Kerbside Collection Policy

Note that waste bins must be placed upon the subject property in a consistent location and to enable convenient unobstructed contractor access. The request will be subject to consideration by the Manager Water and Waste.

3.10 PRIVATE PROPERTY WASTE COLLECTION SERVICING

Any request for the garbage collection vehicle to enter private property, such as may apply to a group title unit development, will be subject to consideration by the Manager Water and Waste.

Consideration shall be given to:

- Public liability concerns
- Serviceability
- Public safety
- Infrastructure suitability
- Risk assessment outcomes

3.11 MISSED WASTE COLLECTION SERVICE

In the event of a genuine missed kerbside waste collection service, the service recipient may take their waste to their local transfer station at no charge with the prior approval from Council.

Where persons are unable to take their waste to the transfer station, Council will verify that the subject property is located within a Waste Area and is being levied appropriately for a kerbside waste collection service. If the subject property is being levied, Council will seek confirmation of that service with the Contractor and arrange for that waste to be collected where it is determined that there was a genuinely missed service.

Information is to be given to the property residence reporting the missed kerbside collection service and detailing that MGBs must be placed out for collection the night prior to the scheduled service. Council will make a record of the reported missed service and continue to monitor the service for any pattern of repetitive, non-genuine reports concerning missed collection service.

Where assessment results in the identification of repetitive, non-genuine reports concerning a missed collection service, the matter will be referred to the Manager of Water and Waste for appropriate action. Appropriate action will have regard to any relevant provisions contained within current legislation.⁶

3.12 UNCHARGED WASTE COLLECTION SERVICE

Where Council identifies that a property has been receiving a collection service(s) but is not being levied appropriately for that service, Council will:

- Commence levying for the identified number of kerbside waste collection services in accordance with section 3.2 of this policy; and
- Provide a written notice to that landowner. The written notice will advise of the number of waste collection services that have been identified and will be levied on the next property Rates Notice; and
- Provide kerbside waste collection service information to accompany the above written notice to the landowner.

⁶ See *Environmental Protection Regulation 2019* (Qld) ch 6.

Waste Management Kerbside Collection Policy

3.13 CHARGING MECHANISM - WASTE MANAGEMENT KERBSIDE COLLECTION SERVICE

One (1) kerbside waste collection service provides for weekly collection of one (1) 240 litre general waste MGB.

The kerbside waste collection service relevant to a given property will incur one charge which will be applied to the Rates Notice of the subject property. Each additional kerbside waste collection service will incur an additional charge.

4. REPORTING

- Monthly detailed waste data and summary waste data returns are reported by the Manager Water and Waste to the Queensland Government.
- An annual local government waste audit report is produced by the Manager Water and Waste for the Queensland Government.

5. DEFINITIONS

Commercial waste – means waste generated as a result of the ordinary use or occupation of commercial premises including agricultural production.

Domestic waste – means waste, other than domestic clean-up waste, green waste, recyclable waste, interceptor waste or waste discharged to a sewer, produced as a result of the ordinary use or occupation of domestic premises.

Infirm waste collection service – means an assisted bin collection service provided upon application by a land occupier in circumstances where the land occupier unable, due to a physical condition, to present their MGB at the ordinary kerbside location for collection.

Kerbside collection service – means collection of one (1) 240 litre MGB unit – denotes both the singular and the plural where multiple collection services may apply. Also refers to the entirety of Council's kerbside collection service delivery across the Waste Area (**the service**).

MGB – means 'mobile garbage bin' – a container for the storage of domestic household waste.

Owner of land to include **landowner** – takes the same meaning as defined in the *Local Government Act 2009* (Qld).⁷

Occupier – of premises means the person who has the control or management of the premises upon the land.

Waste Area – is the area is defined as the area within which Council provides a mobile kerbside waste collection service.

6. RELATED DOCUMENTS AND REFERENCES

Environmental Protection Regulation 2019 (Qld)

⁷ See *Local Government Act 2009* (Qld) sch 2.

Waste Management Kerbside Collection Policy

Local Government Act 2009 (Qld)

Local Law No. 6 (Waste Management) 2018 (MSC)

Waste Management Services Strategy 2018 - 2027 (MSC)

Waste Reduction and Recycling Act 2011 (Qld)

Waste Reduction and Recycling Regulation 2023 (Qld)

7. REVIEW

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

8.5 TRUSTEESHIP OF LOT 18 C8172 - MONTALBION

Date Prepared: 22 April 2025

Author: Coordinator Governance & Compliance

Attachments: Nil

EXECUTIVE SUMMARY

Council consent is sought to proceed with actions under the *Land Act 1994* (Qld) for the making of an application to the State for surrender of trusteeship over reserve land Lot 18 C8172, Montalbion.

RECOMMENDATION

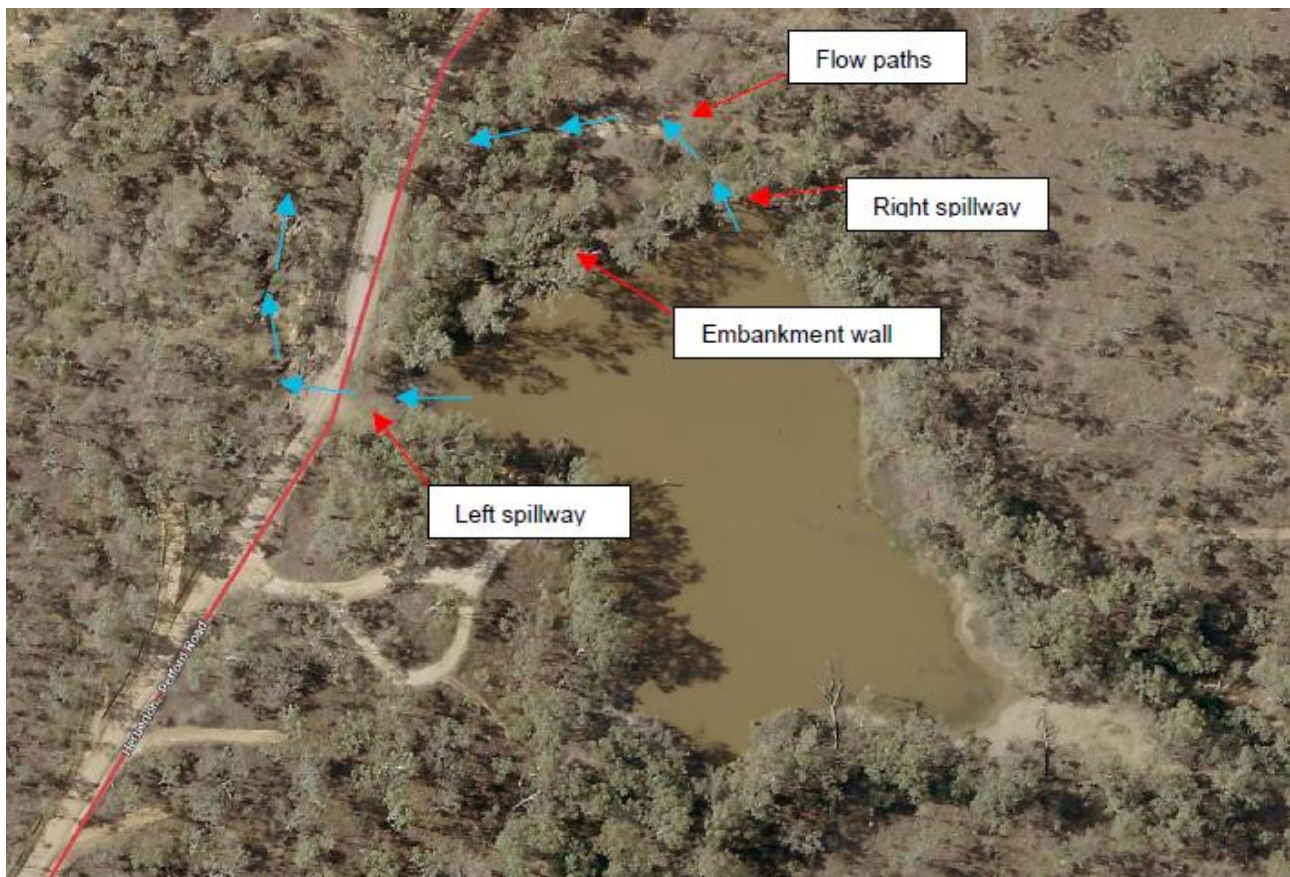
That Council consents to the undertaking of all actions necessary toward the making of a formal application to the State under section 50 of the *Land Act 1994* for surrender of Council trusteeship over the entirety of Lot 18 C8172.

BACKGROUND

82.96Ha in size, Lot 18 C8172 ("lot 18") is located on Herberton-Petford Road south-south-west of Mareeba, approximately 6km north-west of the township of Irvinebank and to the immediate south-east of the gazetted township of Montalbion. Herberton-Petford Road dissects the north-western corner of Lot 18. Lot 18 was dedicated as a reserve in 1889 and holds a primary gazetted purpose of 'Water' with sub-purpose of 'Dam'. A Native Title Determination dealing exists over Lot 18 to the Bar Barrum People. Today, Lot 18 is determined as an operational reserve land set aside under the *Land Act 1994* with Council assigned as trustee and land manager since 1941.

Improvements

Lot 18 holds a dam structure comprised of an earth embankment approximately 140m in length and 4-5m in height, with two spillway channels at the left and right abutments. The embankment is vegetated with well-established mature gum trees. The structural layout of the dam is aerially displayed in the image below.



Other than the dam, Lot 18 holds no further known structures or improvements upon the land.

Surrender of trusteeship

Lot 18 and the dam structure thereon are not presently used by Council for any purpose. In February of 2025, Council officers held discussions with officers at the relevant state Department to understand the requirements for submission of an application for surrender of trusteeship. The Department provide that prior to application, Council must undertake public consultation and record responses received. Additionally, and where possible, Council should seek to identify and nominate an alternative trustee entity. A processing period of 12 months applies for assessment of applications by the State and assessment shall have regard to the existence and current condition of any structures or improvements upon the land.

Accordingly, it is open to Council to progress actions toward lodgement of an application under section 50 of the *Land Act 1994* to surrender trusteeship of Lot 18.

FINANCIAL AND RESOURCE IMPLICATIONS

Capital

Nil

Operating

Nil

LINK TO CORPORATE PLAN

Financial Sustainability and Governance: A financially sustainable council that applies strategic decision making and good governance to deliver cost-effective services.

Community and Culture: An informed, engaged and resilient community which supports and encourages effective partnerships to deliver better outcomes.

Transport and Infrastructure: The provision of quality infrastructure to service our growing community using sound asset management principles.

Liveability and Environment: Improve the liveability of the Shire by enhancing amenity and valuing natural assets.

Economy and Growth: Promote and encourage investment in local industry to build a resilient economy.

IMPLEMENTATION/COMMUNICATION

Council officers to commence administrative actions for preparation and lodgement of an application to the State for surrender of trusteeship.

8.6 TENURE OF LOT 1 RP734346 AND LOTS 16-17 M35636 - PCYC QUEENSLAND

Date Prepared: 29 April 2025

Author: Coordinator Governance & Compliance

Attachments: 1. PCYC Queensland letter of response - 29 April 2025 [↓](#)

EXECUTIVE SUMMARY

Council consent is sought for the granting of two new freehold lease interests to the Queensland Police Youth Citizens Welfare Association representing PCYC Queensland over Lot 1 RP734346 Walsh Street Mareeba and Lots 16-17 M35636 Constance Street Mareeba.

RECOMMENDATION

That Council:

1. Determines that the exception provision 236(1)(b)(ii) of the *Local Government Regulation 2012* applies to the granting of freehold lease interests outlined in this report; and
2. Consents to the granting to Queensland Police Youth Citizens Welfare Association ACN 009 666 193 representing PCYC Queensland of a new freehold lease interest, at a peppercorn rental consideration, over Lot 1 RP734346, 136 Walsh Street Mareeba, for a term commencing 29 January 2025 to expire on 31 December 2026; and
3. Consents in principle to granting a freehold lease interest over Lots 16-17 M35636, 68-70 Constance Street Mareeba, at a peppercorn rental consideration, for a minimum term of 30 years commencing on a date as determined by the parties, provisional upon PCYC obtaining sufficient funds by 31 December 2026 to construct and operate a facility.

BACKGROUND

The lease interest held by PCYC Queensland (PCYC) represented by the Queensland Police Youth Citizens Welfare Association (QPCYWA) over Lot 1 RP734346, 136 Walsh Street Mareeba ("Lot 1") expired on 28 January 2025. On 2 April 2025, Council held a meeting with representatives of the PCYC and QPCYWA to discuss a collaborative approach to progressing suitable options available to PCYC for continued tenure in Mareeba to facilitate continued delivery by PCYC of valued youth services to the community. On 8 April 2025, Council wrote to QPCYWA to confirm the outcome of the 2 April 2025 discussions and provide details on proposed land tenure options available to PCYC.

On 29 April 2025, PCYC wrote to Council (copy attached) expressing interest in progressing with lease tenure over Lots 16-17 M35636, 68-70 Constance Street Mareeba ("Lots 16-17") for the purposes of construction of a new purpose built PCYC operations facility using existing grant funds held by QPCYWA.

By granting in principle approval PCYC will be able to source additional funds to construct a facility. Should they be unable to secure the funding by 31 December 2026, the offer will lapse.

LEGAL/COMPLIANCE/POLICY IMPLICATIONS

Section 236 of the *Local Government Regulation 2012* (Qld) (LGR) sets out the circumstances under which Council may lawfully exercise an exception from the requirement to offer lease interests via open tender processes. Specifically, section 236(1)(b)(ii) provides authority for exercise of exception

where a lease interest is granted to a 'community organisation' as defined in schedule 8 of the LGR. The PCYC Mareeba branch qualify as a community organisation as defined; more specifically as, 'an entity that carries on activities for a public purpose'. The granting of proposed lease interests described in this report thus comply with requirements under section 236 of the LGR.

FINANCIAL AND RESOURCE IMPLICATIONS

Capital

Nil

Operating

Nil

LINK TO CORPORATE PLAN

Financial Sustainability and Governance: A financially sustainable council that applies strategic decision making and good governance to deliver cost-effective services.

Community and Culture: An informed, engaged and resilient community which supports and encourages effective partnerships to deliver better outcomes.

Liveability and Environment: Improve the liveability of the Shire by enhancing amenity and valuing natural assets.

Economy and Growth: Promote and encourage investment in local industry to build a resilient economy.

IMPLEMENTATION/COMMUNICATION

Queensland Police Youth Citizens Welfare Association (QPCYWA) to be formally notified of resolution.



Mareeba Shire Council
65 Rankin Street
PO Box 154 MAREEBA QLD 4880

Date 28/04/25

RE: Land Tenure Options

Dear Mr Franks

Thank you for your letter and the Land Tenure Options presented for PCYC Mareeba as well as council's consideration of PCYC's continued interim occupancy at 136 Walsh Street Mareeba.

Following the information on potential freehold sites provided, we are pleased to let you know that our architect has been engaged and we have completed an initial consultation of building requirements.

A concept floor plan is being created which will allow for a cost estimate prior to 30 June and we can confirm interest in Lot 16 and 17. Appreciating that there will be considerations needed for car parking, and after discussion with our Architect, design may incorporate both Lot 16 and Lot 17. This will allow for more flexibility in building design, access and parking. If this design approach causes any issues for Council, we would appreciate acknowledgement promptly, as this use of space will be integral to the design process and cost estimates being completed for 30 June. Should any further discussion be required please could your team reach out to [REDACTED] in the first instance on [REDACTED] or [REDACTED].

I greatly appreciated Council's consideration of PCYC's perspective regarding the importance of continuation of a peppercorn lease for 136 Walsh Street, as well as the outcome of an extended period for a peppercorn lease from 1 July for one year. With consideration for the entire building process including approvals, tendering and construction during wet season, as well as the potential need to apply for additional funding. Although PCYC will make every effort to complete a new build within this timeframe, it is likely an extended building time will be required. With this in mind, we would like to request that a peppercorn lease is extended until such a time that the new building is completed.

We understand that Council would need to see evidence of progression to enable this and would invite a Council representative to be part of the Project Control Group. This would provide Council

PO Box 985
Slacks Creek
QLD 4127
P 07 3909 9555
Charity ABN 58 009 666 193



Building safer, healthier communities through youth development

with a regular, monthly overview of the project's progress. We would also be open to this continued arrangement being subject to meeting agreed project milestones.

We look forward to your response and the ongoing opportunity to deliver services to the Mareeba community.

Yours sincerely,



CEO PCYC Queensland

PO Box 985
Slacks Creek
QLD 4127
P 07 3909 9555
Charity ABN 58 009 666 193



8.7 TRUSTEE LEASE RENEWAL - KURANDA HORSE AND PONY CLUB INC. - LEASE A ON LOT 251 SP254842

Date Prepared: 16 April 2025

Author: Supervisor Governance & Compliance

Attachments: Nil

EXECUTIVE SUMMARY

This report seeks approval for renewal of the Community Trustee Lease held by the Kuranda Horse and Pony Club Inc. over Reserve land located on Lot 251 on SP276131 Oak Forest Road, Kuranda.

RECOMMENDATION

That Council:

1. Decides that section 236(1)(b)(ii) of the *Local Government Regulation 2012* (Qld) applies to the proposed Lease outlined in this report; and
2. Approves the grant of a lease over Lease A in Lot 251 on SP276131 to the Kuranda Horse and Pony Club Inc. for term of ten (10) years commencing 1 July 2025.

BACKGROUND

The Kuranda Horse and Pony Club Inc. currently hold a Community Trustee Lease for Lease A in Lot 251 on SP276131 Oak Forest Road, Kuranda. The lease holds a term of ten (10) years and is due to expire on 30 June 2025.

Renewal of term

Council is in receipt of correspondence dated 16 April 2025 from the Kuranda Horse and Pony Club Inc. seeking renewal of tenure for a further term of ten (10) years.

The new lease will be issued in accordance with the *Community Group Exclusive Use of Council Land and Facilities Policy*.

Assessment of group

The Kuranda Horse and Pony Club Inc. meet the definition of a Community Group and are assessed as a Type 2 Community Group under Council's *Community Group Exclusive Use of Council Land and Facilities Policy* and *Community Tenure Guidelines*.

Kuranda Horse and Pony Club Inc. have effectively managed the land since 2015 in accordance with the terms of their current lease.

RISK IMPLICATIONS

Nil

LEGAL/COMPLIANCE/POLICY IMPLICATIONS

Section 236(1)(b)(ii) of the *Local Government Regulation 2012* (Qld) (LGR) provides that a local government may dispose of an interest in land (including all or part of an interest in land such as by

lease) other than by tender auction if interest in land is disposed of to a community organisation as defined in Schedule 8 of the LGR as follows:

community organisation means—

- (a) an entity that carries on activities for a public purpose; or
- (b) another entity whose primary object is not directed at making a profit.

The entity Kuranda Horse and Pony Club Inc. conforms with this definition.

FINANCIAL AND RESOURCE IMPLICATIONS

Capital

Nil

Operating

Nil

LINK TO CORPORATE PLAN

Financial Sustainability and Governance: A financially sustainable council that applies strategic decision making and good governance to deliver cost-effective services.

Community and Culture: An informed, engaged and resilient community which supports and encourages effective partnerships to deliver better outcomes.

Liveability and Environment: Improve the liveability of the Shire by enhancing amenity and valuing natural assets.

IMPLEMENTATION/COMMUNICATION

The group is to be informed of resolution and presented with draft lease for consideration and progression.

8.8 AGREEMENT UNDER SECTION 87 OF THE NATIVE TITLE ACT 1993 (CTH) - MULURIDJI PEOPLE #3 - QUD824/2018 (PART A)

Date Prepared: 8 May 2025

Author: Coordinator Governance & Compliance

Attachments:

1. Section 87 Agreement and Consent Determination - Muluridji People #3 - Confidential
2. Determination Mapbook Part A - Muluridji People #3 - Confidential

EXECUTIVE SUMMARY

This Report seeks Council consent to agreement under section 87 of the *Native Title Act 1993* (Cth) for the Native Title claim by Muluridji People #3 which is tentatively scheduled for determination by the Court in 2025.

In order that Council's interests within each claim area are accommodated under the terms of the determination, Council is required to consent to an agreement instrument to be given effect by the Court under section 87 of the *Native Title Act 1993* (Cth).

Section 87 of the NT Act provides for powers of the Federal Court to give effect to agreement between the parties on the terms of an order of the Federal Court relevant to any matter arising out of the proceedings, in this case, determination of native title in each Determination Area on the terms set out in the draft consent determination documents.

RECOMMENDATION

That Council authorises Phil Turner of Moray and Agnew Lawyers to execute the section 87 Agreement on behalf of Council.

BACKGROUND

The following information outlines the claim for which a determination is sought over the land.

Muluridji People #3 – Federal Court file no QUD824/2018

The determination is tentatively scheduled to occur in 2025.

General Introduction and status

The Native Title Determination Application ("Application") has been made by Clancy Baker and others on behalf of the Muluridji People #3 ("the Applicant"), over part of Lot 170 CP887723, which is a single pastoral rolling term lease.

Council is a party to the Application and the determination relates to land and waters in Council's Local Government area.

The Application was lodged with the Federal Court on 14 November 2018 and has been case managed by the Federal Court since this time.

Description of the Native Title Holders

The Native Title Holders are described in Schedule 1 of the Consent Determination.

Proposed Determination

The proposed determination seeks to declare that non-exclusive native title rights and interests be determined in the Determination.

Determination Area

The Determination is over the following land and waters within Council's local government area:-

- (a) Part of Lot 170 CP887723, also known as Glen Russell.

Schedule 6 of the Determination will contain a geospatial map of the Determination Area, and an extract from the Claim is attached here.

Finalisation of the Consent Determination

It is noted that the attached s.87 Consent Determination remains watermarked with "draft", as the State and Applicant continue to review the agreement for minor drafting amendments. However, Council's interest in the Agreement is finalised. A delegation to the CEO to finalise the s. 87 Consent Determination and bring it out of draft is required, to ensure that a Council Resolution is sought within the prescribed timeframes provided to Council by the State.

RISK IMPLICATIONS

Nil

FINANCIAL AND RESOURCE IMPLICATIONS***Capital***

Nil

Operating

Nil

LINK TO CORPORATE PLAN

Financial Sustainability and Governance: A financially sustainable council that applies strategic decision making and good governance to deliver cost-effective services.

Community and Culture: An informed, engaged and resilient community which supports and encourages effective partnerships to deliver better outcomes.

IMPLEMENTATION/COMMUNICATION

Instruction to Moray & Agnew Lawyers in accordance with resolution of Council.

8.9 DELEGATIONS UPDATE MAY 2025

Date Prepared: 2 May 2025

Author: Supervisor Governance & Compliance

Attachments: 1. Delegations Register (amendment excerpt) - Council to CEO [↓](#)

EXECUTIVE SUMMARY

As part of the delegations update service provided by King & Co via the Local Government Association Queensland (LGAQ), Council is advised of updates to Legislation that require amendments to existing delegations or new delegations to be made by Council.

All legislative delegations have undergone a bi-annual review. As a result, Council Officers have undertaken a review of the full Register of Delegations at the start of May 2025. To adopt the necessary changes, a tracked excerpt of the full Register of Delegations as confined to those statutes for which amendment is required is here provided for Council for endorsement.

RECOMMENDATION

That Council:

1. Council delegates to the Chief Executive Officer all the powers appearing in the attached document titled Register of Delegations – Council to CEO with such powers to be exercised subject to any limitations and conditions declared therein; and
2. Any prior delegations of power relating to the same matters are revoked.

BACKGROUND**General**

Council has, under section 257 of the *Local Government Act 2009* (Qld) (LGA) delegated to the Chief Executive Officer (CEO), the necessary statutory powers under various pieces of legislation to enable the CEO to effectively perform the requirements of the role and efficiently manage the operations of the Council. All delegations are made subject to the limitations on the attached documentation.

Powers may be delegated to the CEO via a resolution of Council or conferred directly to the CEO under a provision of an Act or Regulation. Such delegation avoids the necessity for excessive referral of administrative matters to Council for formal resolution.

Section 260 of the LGA provides that the CEO must establish a Register of Delegations to record all delegations and that the public may inspect the Register of Delegation, and the Register must hold the particulars prescribed under section 305 of the *Local Government Regulation 2012* (Qld).

This report and the recommended update to delegations of power to the CEO, if executed by resolution of Council, provides the basis for good decision making and accountability while maintaining statutory compliance.

The attachment “Register of Delegations – Council to CEO” shows the proposed changes in tracked mode.

RISK IMPLICATIONS

Nil

LEGAL/COMPLIANCE/POLICY IMPLICATIONS

Delegations and Authorisations Policy

LINK TO CORPORATE PLAN

Financial Sustainability and Governance: A financially sustainable council that applies strategic decision making and good governance to deliver cost-effective services.

IMPLEMENTATION/COMMUNICATION

Immediate update to Register of Delegations, Instrument of Delegation and associated registers.

Register of Delegations (amendment excerpt) Council to CEO

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Document Reviewed:	14 January 2025
Reprint:	28 August 2024
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Note:	

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION
Chief Executive Officer	Power to give identifying information to particular persons.	Section 39 <i>Animal Management (Cats and Dogs) Act 2008</i>
Chief Executive Officer	Power to recognise a body supervising an exhibition in which a cat or dog is participating.	Section 42(4) <i>Animal Management (Cats and Dogs) Act 2008</i>
Chief Executive Officer	Power, as an approved entity, to:- (a) conduct an accreditation scheme to breed dogs; and (b) accredit a person as an “accredited breeder” under the accreditation scheme. ## Note: this section only applies to local governments who have been declared to be an approved entity under section 43W.	Section 43B <i>Animal Management (Cats and Dogs) Act 2008</i>
Chief Executive Officer	Power, as an approved entity, to give an accreditation number to an accredited breeder. ## Note: this section only applies to local governments who have been declared to be an approved entity under section 43W.	Section 43C <i>Animal Management (Cats and Dogs) Act 2008</i>
Chief Executive Officer	Power to apply to the chief executive to be registered as a registered breeder.	Section 43F <i>Animal Management (Cats and Dogs) Act 2008</i>
Chief Executive Officer	Power, as a registered breeder, to renew the registration and pay the relevant fee.	Section 43K <i>Animal Management (Cats and Dogs) Act 2008</i>
Chief Executive Officer	Power, as a registered breeder, to give the chief executive notice of the change.	Section 43N <i>Animal Management (Cats and Dogs) Act 2008</i>

Chief Executive Officer	Power, as the recipient of a show cause notice, to make written representations to the chief executive about why the proposed action should not be taken.	Section 43R <i>Animal Management (Cats and Dogs) Act 2008</i>
Chief Executive Officer	Power, as a supplier of a dog, to give the other person a notice containing the information listed in subsection 43ZF(1).	Section 43ZF <i>Animal Management (Cats and Dogs) Act 2008</i>
Chief Executive Officer	Power to give registration notice.	Section 49(2) <i>Animal Management (Cats and Dogs) Act 2008</i>
Chief Executive Officer	Power to keep registration form and information.	Section 51 <i>Animal Management (Cats and Dogs) Act 2008</i>
Chief Executive Officer	Power to fix the fee for the registration of a dog.	Section 52 <i>Animal Management (Cats and Dogs) Act 2008</i>
Chief Executive Officer	Power to recognise a body supervising an exhibition or an obedience trial in which a dog is participating.	Section 64(1) <i>Animal Management (Cats and Dogs) Act 2008</i>
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Chief Executive Officer	Power to make:- (a) a dangerous dog declaration; or (b) a menacing dog declaration.	Section 89(1) <i>Animal Management (Cats and Dogs) Act 2008</i>
Chief Executive Officer	Power to give a dog owner a proposed declaration notice regarding a dog.	Section 90 <i>Animal Management (Cats and Dogs) Act 2008</i>
Chief Executive Officer	Power to withdraw a proposed declaration notice regarding a dog.	Section 92 <i>Animal Management (Cats and Dogs) Act 2008</i>
Chief Executive Officer	Power to consider any written representations and evidence within a period stated in a proposed	Section 94 <i>Animal Management (Cats and Dogs) Act 2008</i>

	declaration notice and make a regulated dog declaration.	
Chief Executive Officer	Power to give an owner of a dog the subject of a regulated dog declaration, an information notice about the decision.	Section 95 <i>Animal Management (Cats and Dogs) Act 2008</i>
Chief Executive Officer	Power to destroy a surrendered regulated dog.	Section 100 <i>Animal Management (Cats and Dogs) Act 2008</i>
Chief Executive Officer	Power to destroy a surrendered prohibited dog.	Section 103E <i>Animal Management (Cats and Dogs) Act 2008</i>
Chief Executive Officer	Power to give notice of a proposed inspection program.	Section 114 <i>Animal Management (Cats and Dogs) Act 2008</i>
Chief Executive Officer	Power to include other information considered appropriate in the general register.	Section 178(e) <i>Animal Management (Cats and Dogs) Act 2008</i>
Chief Executive Officer	Power to authorise an employee to verify a copy of a document.	Section 198(1) <i>Animal Management (Cats and Dogs) Act 2008</i>
Chief Executive Officer	Power to recover necessary and reasonable costs referred to in subsection 207D(1) from the dog's owner or former owner.	Section 207D(2) <i>Animal Management (Cats and Dogs) Act 2008</i>
Chief Executive Officer	Where a local government has received a registration form in relation to a cat prior to 23 September 2013 and it has not yet given a registration notice, power to:- (a) refund the registration fee to the owner; or (b) if the local government is a declared local government—register the cat under former chapter 3, part 2; or (c) if a local government makes a local law requiring cats to be registered—register the cat under the local law.	Section 227(2) <i>Animal Management (Cats and Dogs) Act 2008</i>
Chief Executive Officer	Where a local government has received a registration fee in relation to a cat prior to 23 September 2013 and it has given a registration notice for the cat, power to refund the registration fee or a portion of the fee to the owner.	Section 228(2)(b) <i>Animal Management (Cats and Dogs) Act 2008</i>

Biosecurity Regulation 2016

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Inserted:	
Omitted/Expired:	
Note:	

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION
Chief Executive Officer	Power, as a registered biosecurity entity for a designated place, to make a biosecurity management plan.	Section 94G(1) <i>Biosecurity Regulation 2016</i>
Chief Executive Officer	Power, as an entity mentioned in subsection (1), to:- (a) keep the plan as a separate document at the place; and (b) make the plan available for inspection at the place, on request, during ordinary business hours; and (c) ensure a sign is conspicuously displayed at each management area for the plan stating that:- (i) a biosecurity management plan applies to the place; and (ii) it is an offence for a person entering, present at, or leaving the management area to fail to comply with the measures stated in the plan unless the person has a reasonable excuse.	Section 94G(4) <i>Biosecurity Regulation 2016</i>

Local Government Act 2009 - Body Corporate and Community Management (Accommodation Module) Regulation 2020

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Amended/Substituted/Renumbered:	159(6)(b)
Inserted:	
Omitted/Expired:	
Note:	

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION
Chief Executive Officer	Power, as the relevant planning body, to issue a certificate certifying the transaction has been approved or noted as required under the relevant Planning Act.	Section 174(5)(b) Body Corporate and Community Management (Accommodation Module) Regulation 2020.

*Local Government Act 2009 - Body Corporate and Community
Management (Commercial Module) Regulation 2020*

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Inserted:	
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Note:	

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION
Chief Executive Officer	Power, as the relevant planning body, to issue a certificate certifying the transaction has been approved or noted as required under the relevant Planning Act.	Section 131(5)(b) <i>Body Corporate and Community Management (Commercial Module) Regulation 2020</i> .

*Local Government Act 2009 - Body Corporate and Community
Management (Small Schemes Module) Regulation 2020*

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Inserted:	
Omitted/Expired:	
Note:	

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION
Chief Executive Officer	Power, as the relevant planning body, to issue a certificate certifying the transaction has been approved or noted as required under the relevant Planning Act.	Section 103(5)(b) <i>Body Corporate and Community Management (Small Schemes Module) Regulation 2020</i> .

*Local Government Act 2009 - Body Corporate and Community
Management (Standard Module) Regulation 2020*

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Omitted/Expired:	
Note:	

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION
Chief Executive Officer	Power, as the relevant planning body, to issue a certificate certifying the transaction has been approved or noted as required under the relevant Planning Act.	Section 184(5)(b) <i>Body Corporate and Community Management (Standard Module) Regulation 2020</i> .

Electrical Safety Act 2002

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Omitted/Expired:	57AC
Note:	

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION
Chief Executive Officer	Power as a person conducting a business or undertaking to ensure the business or undertaking is conducted in a way that is electrically safe.	Section 30 <i>Electrical Safety Act 2002</i>
Chief Executive Officer	Power as an installer to comply with the requirements of subsection 36(2).	Section 36 <i>Electrical Safety Act 2002</i>
Chief Executive Officer	Power as a repairer to comply with the requirements of subsections 37(2) and (3).	Section 37 <i>Electrical Safety Act 2002</i>
Chief Executive Officer	Power as a person in control of electrical equipment to ensure it is electrically safe.	Section 38 <i>Electrical Safety Act 2002</i>
Chief Executive Officer	Power as a person to register any matter, or record any information about a matter in the national register.	Section 48E <i>Electrical Safety Act 2002</i>
Chief Executive Officer	Power to give an electrical safety undertaking.	Section 49(1) <i>Electrical Safety Act 2002</i>
Chief Executive Officer	Power, as a person who has given an electrical safety undertaking, to, with the written agreement of the regulator:- (a) withdraw the undertaking; or (b) vary the undertaking.	Section 54(1) <i>Electrical Safety Act 2002</i>
Chief Executive Officer	Power as a person is conducting a business or undertaking that includes the performance of electrical work to ensure:- (a) the electrical work is performed by the holder of an electrical work licence that authorises the performance of the work; and	Section 57AA <i>Electrical Safety Act 2002</i>

	(b) any supervision of the electrical work is carried out by the holder of an electrical work licence that authorises the performance of the work.	
Chief Executive Officer	Power, as a relevant person, in the circumstances listed in subsection 57AB(1):- (a) keep a register of licensed workers in a way that complies with subsection 57AB(3); and (b) if asked by an inspector, make the register available for immediate inspection by the inspector.	Section 57AB <i>Electrical Safety Act 2002</i>
Chief Executive Officer	Power, as the recipient of a notice under subsection 57B(1), to give written representations to the regulator.	Section 57B(2) <i>Electrical Safety Act 2002</i>
Chief Executive Officer	Power, as the recipient of a notice under subsection 57B(1), to comply with the requirement.	Section 57B(6) <i>Electrical Safety Act 2002</i>
Chief Executive Officer	Power to comply with a requirement of an inspector to give reasonable help made under subsection 138(1)(i).	Section 138(2) <i>Electrical Safety Act 2002</i>
Chief Executive Officer	Power to comply with a requirement of an inspector made under subsection 141(1) or (3).	Section 141(11) <i>Electrical Safety Act 2002</i>
Chief Executive Officer	Power to comply with a requirement of an inspector made under subsection 141G(6) or (8).	Section 141G(9) <i>Electrical Safety Act 2002</i>
Chief Executive Officer	Power to comply with a requirement of an inspector made under subsection 141H(1).	Section 141H(2) <i>Electrical Safety Act 2002</i>
Chief Executive Officer	Power to comply with a requirement of an inspector made under subsection 141L(2).	Section 141L(3) <i>Electrical Safety Act 2002</i>
Chief Executive Officer	Power to claim compensation from the State where Council incurs loss or expense because of the exercise or purported exercise of a power under Part 11, Division 2.	Section 142B <i>Electrical Safety Act 2002</i>
Chief Executive Officer	Power to comply with a requirement of an inspector made under subsection 143(3).	Section 143(5) <i>Electrical Safety Act 2002</i>
Chief Executive Officer	Power to comply with an improvement notice.	Section 146B <i>Electrical Safety Act 2002</i>
Chief Executive Officer	Power to comply with:- (a) a direction of an inspector made under subsection (2)(a); and (b) the electrical safety protection notice.	Section 147(6) <i>Electrical Safety Act 2002</i>

Chief Executive Officer	Power to comply with an unsafe equipment notice.	Section 148(3) <i>Electrical Safety Act 2002</i>
Chief Executive Officer	Power to comply with a non-disturbance notice.	Section 149B(1) <i>Electrical Safety Act 2002</i>
Chief Executive Officer	Power to display a notice issued by an inspector that affects a Council workplace in a prominent place at or near the workplace, or part of the workplace, at which work is being carried out that is affected by the notice.	Section 149H(1) <i>Electrical Safety Act 2002</i>
Chief Executive Officer	Power, as a person affected by an original decision, to apply for the decision to be reviewed.	Section 169 <i>Electrical Safety Act 2002</i>
Chief Executive Officer	Power, as a person affected by decision listed in subparagraphs 172(a) to (e), to apply to QCAT for the decision to be reviewed.	Section 172 <i>Electrical Safety Act 2002</i>
Chief Executive Officer	Power, in the circumstances listed in subparagraphs 186A(1) and (1A), to make a written request to the WHS prosecutor that a prosecution be brought.	Sections 186A(1) and (1A) <i>Electrical Safety Act 2002</i>
Chief Executive Officer	Power, in the circumstances listed in subparagraph 186A(3), to make a written request to the WHS prosecutor to refer the matter to the Director of Public Prosecutions for consideration.	Section 186A(3) <i>Electrical Safety Act 2002</i>
Chief Executive Officer	Power to comply with an order made under Part 13, Division 3.	Section 187J(1) <i>Electrical Safety Act 2002</i>

Electrical Safety Regulation 2013

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Inserted:	120C(1)
Omitted/Expired:	18
Note:	

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION
Chief Executive Officer	Power, as a person conducting a business or undertaking at a workplace, to manage risks to health and safety associated with electrical risks at the workplace in accordance with the <i>Work Health and Safety Regulation 2011</i> , chapter 3, part 3.1.	Section 11 <i>Electrical Safety Regulation 2013</i>
Chief Executive Officer	Power, as a person conducting a business or undertaking, to ensure that electrical work is not carried out on or near energised electrical equipment other than prescribed in subsection 14(1).	Section 14 <i>Electrical Safety Regulation 2013</i>
Chief Executive Officer	Power, as a person conducting a business or undertaking, to ensure that, before electrical work is carried out on or near electrical equipment, the equipment is tested by a competent person to decide whether or not it is energised.	Section 15 <i>Electrical Safety Regulation 2013</i>
Chief Executive Officer	Power, as a person conducting a business or undertaking, to ensure that electrical equipment that has been de-energised to allow electrical work to be carried out on or near the equipment is not inadvertently re-energised while the work is being carried out.	Section 16 <i>Electrical Safety Regulation 2013</i>
Chief Executive Officer	Power, as a person conducting a business or undertaking, to ensure the steps listed in subsection 19(1) are taken before electrical work on or near energised electrical equipment commences at a workplace	Section 19 <i>Electrical Safety Regulation 2013</i>
Chief Executive Officer	Power, as a person conducting a business or undertaking, to ensure that only persons authorised by	Section 20 <i>Electrical Safety Regulation 2013</i>

	Council enter the immediate area in which electrical work on or near energised electrical equipment is being carried out.	
Chief Executive Officer	Power, as a person conducting a business or undertaking, to ensure that, while electrical work is being carried out on or near energised electrical equipment, all persons are prevented from creating an electrical risk by inadvertently making contact with an exposed energised part of the equipment.	Section 21 <i>Electrical Safety Regulation 2013</i>
Chief Executive Officer	Power, as a person conducting a business or undertaking, to ensure that electrical work on or near energised electrical equipment is carried out in accordance with the requirements of subsections 22(1) and (2).	Section 22 <i>Electrical Safety Regulation 2013</i>
Chief Executive Officer	Power, in the circumstances listed in subsection 23(1), to:- <ul style="list-style-type: none"> (a) keep a copy of the risk assessment; (b) keep a copy of the safe work method statement; (c) ensure a copy of each assessment and each statement is readily accessible to any worker engaged by Council to carry out electrical work to which the assessment or statement relates; and (d) ensure that a copy of each assessment and each statement is available for inspection under the Act. 	Section 23 <i>Electrical Safety Regulation 2013</i>
Chief Executive Officer	Power, as a person conducting a business or undertaking, to ensure workers who are required to perform, or help in performing, electrical work are competent in rescue and resuscitation in accordance with recognised practices in the electricity industry.	Section 28 <i>Electrical Safety Regulation 2013</i>
Chief Executive Officer	Power, as a person conducting a business or undertaking, to ensure Council's workers do not contravene subsection 31(1).	Section 31(2) <i>Electrical Safety Regulation 2013</i>
Chief Executive Officer	Power, as a person conducting a business or undertaking, to ensure Council's workers do not contravene subsection 32(1).	Section 32(2) <i>Electrical Safety Regulation 2013</i>
Chief Executive Officer	Power, as a person conducting a business or undertaking, to ensure, so far as is reasonably practicable, that no person, plant or thing at the workplace comes within an unsafe distance of an overhead or underground electric line.	Section 68(1) <i>Electrical Safety Regulation 2013</i>

Chief Executive Officer	Power, as a person conducting a business or undertaking, where it is not reasonably practicable, to ensure the safe distance of a person, plant or thing from an overhead or underground electric line, to take those steps required by subsection 68(2).	Section 68(2) <i>Electrical Safety Regulation 2013</i>
Chief Executive Officer	Power, as a person conducting a business or undertaking that performs electrical work on an electrical installation, to ensure the electrical installation, to the extent it is affected by the electrical work, complies with the requirements of subsection 71(1).	Section 71(1) <i>Electrical Safety Regulation 2013</i>
Chief Executive Officer	Power, as a person conducting a business or undertaking that performs work on water equipment, to ensure that a person does not contravene subsection 72(1).	Section 72(2) <i>Electrical Safety Regulation 2013</i>
Chief Executive Officer	Power, as a person conducting a business or undertaking that performs work on an electric motor, to ensure that a person does not contravene subsection 73(1).	Section 73(2) <i>Electrical Safety Regulation 2013</i>
Chief Executive Officer	Power, in the circumstances set out in section 74, to take all reasonable steps to ensure the defect is fixed.	Section 74 <i>Electrical Safety Regulation 2013</i>
Chief Executive Officer	Power, as the person in control of the electrical installation that receives electricity distributed by an electricity entity, to do those things required by subsection 76(2).	Section 76(2) <i>Electrical Safety Regulation 2013</i>
Chief Executive Officer	Power, as the person in control of the electrical installation, to ensure that any structure supporting an electric line or item of electrical equipment forming part of the electrical installation complies with the requirements of subsection 77(1).	Section 77(1) <i>Electrical Safety Regulation 2013</i>
Chief Executive Officer	Power, as the person in control of the electrical installation, to maintain, to a reasonable extent, the integrity of the insulation of any electric line, or connection to an electric line, that is part of the electrical installation	Section 78 <i>Electrical Safety Regulation 2013</i>
Chief Executive Officer	Power, as the person in control of an overhead electric line, to ensure that trees and other vegetation are trimmed, and other measures taken, to prevent contact with the line that is likely to cause injury from electric shock to any person or damage to property.	Section 79 <i>Electrical Safety Regulation 2013</i>

Chief Executive Officer	Power, as the person in control of an overhead electric line, to ensure that , if the line is disconnected from its electricity supply, the line is:- (a) dismantled as soon as practicable after disconnection; or (b) maintained so it is electrically and mechanically safe.	Section 80(1) <i>Electrical Safety Regulation 2013</i>
Chief Executive Officer	Power, as the transferor of residential land, to, on or before the date of possession for the land, give the transferee of the land written notice of whether an approved safety switch has been installed for the general purpose socket-outlets installed in the domestic residence on the land.	Section 82(1) <i>Electrical Safety Regulation 2013</i>
Chief Executive Officer	Power, as the transferor of residential land, to, within 90 days after the date of possession for the land, give the regulator a written notice stating the transfer and safety switch information.	Section 83(1) <i>Electrical Safety Regulation 2013</i>
Chief Executive Officer	Power, to have an approved safety switch installed for any general purpose socket-outlet.	Section 84(1) <i>Electrical Safety Regulation 2013</i>
Chief Executive Officer	Power, as the owner of the residential land in the circumstances set out in subsection 85(1), to ensure, within 90 days after the start date of the tenancy, that an approved safety switch is installed for any general purpose socket-outlet.	Section 85(2) <i>Electrical Safety Regulation 2013</i>
Chief Executive Officer	Power, as a person conducting a business or undertaking, to ensure that any unsafe electrical equipment at the workplace complies with subsection 101(1).	Section 101(1) <i>Electrical Safety Regulation 2013</i>
Chief Executive Officer	Power, as a person conducting a business or undertaking, to ensure that any cord extension set or flexible cable at the workplace complies with subsection 102(1).	Section 102(1) <i>Electrical Safety Regulation 2013</i>
Chief Executive Officer	Power, as a person conducting a business or undertaking, to ensure that all electrical equipment for the performance of work complies with the requirements of AS/NZS 3012 (Electrical installations—Construction and demolition sites)	Section 104(1) <i>Electrical Safety Regulation 2013</i>
Chief Executive Officer	Power, as a person conducting a business or undertaking, to ensure, for the purposes of the business or undertaking, electrical equipment mentioned in AS/NZS 3012, clause 3.1 is not fitted with a tag that includes the test or retest date for the	Section 104(3) <i>Electrical Safety Regulation 2013</i>

	equipment unless the requirements of subsection 104(3).	
Chief Executive Officer	Power, as a person with management or control of a workplace where construction work is being carried out, to ensure that all construction wiring at the workplace complies with the requirements of AS/NZS 3012 (Electrical installations—Construction and demolition sites).	Section 104(5) <i>Electrical Safety Regulation 2013</i>
Chief Executive Officer	Power, as a person conducting a business or undertaking to which section 105 applies, to ensure workers carrying out work for the person do not use a double adaptor or piggyback plug.	Section 106(2) <i>Electrical Safety Regulation 2013</i>
Chief Executive Officer	Power, as a person conducting a business or undertaking to which section 105 applies, to ensure that specified electrical equipment of the person at the workplace complies with the requirements of subsections 107(1), (3) and (4).	Section 107 <i>Electrical Safety Regulation 2013</i>
Chief Executive Officer	Power, as a person conducting a business or undertaking to which section 105 applies, to ensure that each safety switch, other than a portable safety switch, at the workplace complies with subsection 110(2).	Section 110(2) <i>Electrical Safety Regulation 2013</i>
Chief Executive Officer	Power, as a person conducting a business or undertaking to which section 105 applies, to ensure that each portable safety switch the person has at the workplace complies with subsection 110(3).	Section 110(3) <i>Electrical Safety Regulation 2013</i>
Chief Executive Officer	Power as a person conducting a business or undertaking to which section 105 applies, to ensure that each safety switch that is not working properly complies with subsection 110(4).	Section 110(4) <i>Electrical Safety Regulation 2013</i>
Chief Executive Officer	Power as a person conducting a business or undertaking to which section 111 applies, to ensure that specified electrical equipment of the person at the workplace is not used to perform work unless it complies with subsections 112(1), (2) and (3).	Section 112 <i>Electrical Safety Regulation 2013</i>
Chief Executive Officer	Power, as a person conducting a business or undertaking to which section 111 applies, to ensure that each safety switch, other than a portable safety switch, at the workplace complies with subsection 113(2).	Section 113(2) <i>Electrical Safety Regulation 2013</i>
Chief Executive Officer	Power, as a person conducting a business or undertaking to which section 111 applies, to ensure	Section 113(3) <i>Electrical Safety Regulation 2013</i>

	that each portable safety switch the person has at the workplace complies with subsection 113(3).	
Chief Executive Officer	Power, as a person conducting a business or undertaking to which section 111 applies, to ensure that each safety switch that is not working properly complies with subsection 113(4).	Section 113(4) <i>Electrical Safety Regulation 2013</i>
Chief Executive Officer	Power, as a person conducting a business or undertaking to ensure that a worker does not carry out work in the roof space of a building, or enter the roof space for the carrying out of work in another part of the building, unless the circumstances in subsection 120C(1) apply and section 120C(3) is complied with (where applicable).	Section 120C <i>Electrical Safety Regulation 2013</i>
Chief Executive Officer	Power, in the circumstances listing in subsection 209(1), before the work starts, to give the electricity entity whose works include the electric line written notice in a form approved by the electricity entity.	Section 209(2) <i>Electrical Safety Regulation 2013</i>
Chief Executive Officer	Power, in the circumstances listing in subsection 209(1), to pay the costs reasonably incurred by the electricity entity acting under subsection 209(3).	Section 209(4) <i>Electrical Safety Regulation 2013</i>
Chief Executive Officer	Power, , as a person conducting a business or undertaking, to keep a copy of the report of the examination, inspection or test for at least 5 years after the report is made.	Section 230(2) <i>Electrical Safety Regulation 2013</i>
Chief Executive Officer	Power, before installing a cathodic protection system, to:- (a) advise all relevant persons for the proposed cathodic protection system of the proposal to install the system; and (b) allow the relevant persons to examine the proposal.	Section 241(2) <i>Electrical Safety Regulation 2013</i>
Chief Executive Officer	Power, as the owner of a cathodic protection system, to ensure that the system is designed and installed in accordance with the requirements of the cathodic protection standard.	Section 242 <i>Electrical Safety Regulation 2013</i>
Chief Executive Officer	Power, as the owner of a cathodic protection system, to comply with the requirements of subsection 243(1).	Section 243(1) <i>Electrical Safety Regulation 2013</i>
Chief Executive Officer	Power, as the owner of a cathodic protection system, to perform tests.	Section 244 <i>Electrical Safety Regulation 2013</i>

Chief Executive Officer	Power, as the owner of a cathodic protection system that is a registered system, to perform further tests and interference tests.	Section 245 <i>Electrical Safety Regulation 2013</i>
Chief Executive Officer	Power, as the owner of a relevant system, to perform interference tests on all foreign structures for the system.	Section 246 <i>Electrical Safety Regulation 2013</i>
Chief Executive Officer	Power, as the owner of a cathodic protection system, where required by the regulator, to perform interference tests on a foreign structure for the system not previously tested by the owner.	Section 247 <i>Electrical Safety Regulation 2013</i>
Chief Executive Officer	Power, as the owner of a cathodic protection system in the circumstances required by subsection 248(1), to keep records of tests carried out under this division for 10 years.	Section 248(1) <i>Electrical Safety Regulation 2013</i>
Chief Executive Officer	Power, as the owner of a cathodic protection system, if asked by the regulator, to give copies of the records within 14 days after the request.	Section 248(2) <i>Electrical Safety Regulation 2013</i>
Chief Executive Officer	Power, as the owner of a cathodic protection system, if required by the regulator, to provide access to, and facilities for the testing of, the system.	Section 249(2) <i>Electrical Safety Regulation 2013</i>
Chief Executive Officer	Power, as the owner of a cathodic protection system, to ensure the system complies with the requirements of section 250 for a cathodic protection system.	Section 250 <i>Electrical Safety Regulation 2013</i>
Chief Executive Officer	Power, as the owner of a cathodic protection system, to ensure the system complies with the requirements of section 251 for a cathodic protection system.	Section 251 <i>Electrical Safety Regulation 2013</i>
Chief Executive Officer	Power, as the owner of a cathodic protection system, to ensure that the tolerances for measuring instruments used to test the system comply with the safety and technical requirements of the cathodic protection standard.	Section 252 <i>Electrical Safety Regulation 2013</i>
Chief Executive Officer	Power, as the owner of a registrable system installed on land or premises not owned by the owner of the system, to identify the location of each anode groundbed of the system by erecting as close as practicable to the anode groundbed a clearly visible, durable sign suitably and indelibly inscribed with the location of the anode groundbed and the name of the owner of the system.	Section 253 <i>Electrical Safety Regulation 2013</i>
Chief Executive Officer	Power to apply for registration of a cathodic protection system that is a registrable system and give the	Section 255 <i>Electrical Safety Regulation 2013</i>

	regulator further relevant information the regulator requires to decide the application.	
Chief Executive Officer	Power, as the owner of a registered system, to give notice of the change in name or address.	Section 259(1) <i>Electrical Safety Regulation 2013</i>
Chief Executive Officer	Power, as the owner of a registered system, to give notice of the removal or the making inoperable.	Section 261 <i>Electrical Safety Regulation 2013</i>
Chief Executive Officer	Power, as the owner of a registered system that is changed or where its method of operation is changed, to advise the regulator and give written notice complying with subsection 262(2).	Section 262(1) <i>Electrical Safety Regulation 2013</i>
Chief Executive Officer	Power, where required by the regulator, to take all or part of the action an applicant for registration of a registrable system is required to take under Part 13.	Section 262(3) <i>Electrical Safety Regulation 2013</i>
Chief Executive Officer	Power, as a person who conducts a business or undertaking, to ensure that the regulator is notified, in a way that complies with subsections (2) to (4) , immediately after becoming aware that a serious electrical incident or dangerous electrical event arising out of the conduct of the business or undertaking has occurred.	Section 265(1) <i>Electrical Safety Regulation 2013</i>
Chief Executive Officer	Power, as a person who conducts a business or undertaking, to keep a record of each serious electrical incident or dangerous electrical event for at least 5 years after the day that notice of the incident or event is given to the regulator.	Section 265(6) <i>Electrical Safety Regulation 2013</i>
Chief Executive Officer	Power, if a serious electrical incident or dangerous electrical event happens at a place, to ensure, so far as is reasonably practicable, that the site where the incident or event occurred is not disturbed until an inspector arrives at the site or any earlier time that an inspector directs.	Section 269(2) <i>Electrical Safety Regulation 2013</i>

Environmental Protection Act 1994

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Note:	

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION
Chief Executive Officer	Power, as an affected person, to make written comments to the chief executive about a TOR notice.	Sections 42 and 43 <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power to make a written submission about a submitted EIS.	Section 54 <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority, to give an applicant a notice about an application that is not a properly made application.	Section 128 <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power to agree a further period within which the applicant must give notice under section 128	Section 129 <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority, to give a notice or other document relating to an application made by joint applicants, to the principal applicant nominated in the application.	Section 130(3)(a) <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority, to make a requirement under Chapter 5 relating to an application made by joint applicants, to the principal applicant nominated in the application.	Section 130(3)(b) <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority, to refuse to allow a change to an application if the change would result in the application not being a properly made application and the applicant does not take action to make the remade application properly made.	Section 132 <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority, to give written agreement that a change to an application is a minor change.	Section 133 <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority, to determine satisfaction that the requirements under the application stage have been complied with.	Section 136(b)(i) <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority, to make a written information request to the applicant to give further information needed to assess the application.	Section 140 <i>Environmental Protection Act 1994</i>

Chief Executive Officer	Power, as an administering authority, to agree to extend the applicant's information request response period.	Sections 145 and 147 <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority, to determine not to make an information request.	Section 148(b)(i) <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority, to, by written notice to the applicant, extend the decision period and further extend the decision period with the written agreement of the applicant.	Section 168 <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority, to approve a standard application subject to the standard conditions for the relevant activity or authority.	Section 170 <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority, to approve a variation application subject to the standard conditions for the relevant activity or authority or subject to conditions which are different to the standard conditions for the activity or authority.	Section 171 <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority, to refuse a site-specific application or approve a site-specific application subject to conditions.	Section 172 <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority after making a decision under division 2, subdivision 2, to give written notice of the decision.	Section 181 <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority, to make a final decision on an application for an environmental authority.	Section 194A <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority, to issue an environmental authority.	Section 195 <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority, to include a copy of an environmental authority in the relevant register.	Section 197 <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority, to give an information notice to the applicant for an environmental authority.	Section 198(2) <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority, to give an information notice about the decision to any submitter for the application.	Section 198(4) <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority, to impose a condition on an environmental authority or draft environmental authority to which section 115 applies.	Section 203 <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority, to amend an environmental authority to correct a clerical or formal error by giving written notice to the holder but only if the amendment does not adversely affect the interests of the holder or anyone else.	Section 211 <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority, to amend an existing environmental authority issued subject to conditions to replace the existing standard conditions with new standard conditions issued by the chief executive and to	Section 213 <i>Environmental Protection Act 1994</i>

	give written notice of the amendment to the environmental authority holder.	
Chief Executive Officer	Power, as an administering authority, to make an amendment to an environmental authority:- (a) which is necessary or desirable because of a matter mentioned in section 215(2) and where the procedure required by Chapter 5, Part 6, Division 2 is followed; or (b) if the holder has agreed in writing to the amendment.	Section 215 <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority, to make particular amendments to an environmental authority in accordance with the procedure required by Chapter 5, Part 6, Division 2	Sections 216 and 219 <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority, to refuse an amendment application to which section 227A(1) applies, to require the environmental authority holder to make a site specific application and to give written notice of the refusal to the applicant.	Section 227A <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority where an amendment application is not a properly made amendment application, to give the applicant a notice stating all the matter contained in the subsection.	Section 227AAB(2) <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority where a notice has been issued under subsection 227AAB(2), to agree to a further period to take the action mentioned in subsection 227AAB(2)(c).	Section 227AAC(2) <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority after receiving an amendment application, to decide whether the proposed amendments is a minor or major amendment.	Section 228(1) <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority, to set the submission period for the application by written notice.	Section 234 <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority, to give written agreement to the continued assessment of a changed application to amend an environmental authority.	Section 237 <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority, to request further information needed to assess a changed amendment application which is not a minor change and to which the information stage applies.	Section 238(3) <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority, to decide that the notification stage be repeated in respect of a changed amendment application which would be likely to attract a submission objecting to the change.	Section 238(7) <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority, to:- (a) decide to approve or refuse an amendment application; (b) if the amendment is approved, to make other amendments to the conditions of the environmental authority;	Sections 240 & 242 <i>Environmental Protection Act 1994</i>

	(c) give notice of the decision to the applicant; and include a copy of any amended environmental authority in the register	
Chief Executive Officer	Power, as an administering authority, to decide to approve an application to amalgamate environmental authorities or refuse an amalgamation application to which section 247(1)(b) applies and impose conditions on the amalgamated environmental authority.	Section 247 <i>Environmental Protection Act 1994.</i>
Chief Executive Officer	Power, as an administering authority that decides to approve an amalgamation application, to amalgamate the existing authorities, issue it to the applicant and include a copy of it in the relevant register.	Section 248 <i>Environmental Protection Act 1994.</i>
Chief Executive Officer	Power, as an administering authority, to:- (a) de-amalgamate an environmental authority; (b) issue the de-amalgamated environmental authorities; (c) impose conditions on each de-amalgamated environmental authority to the extent necessary for the de-amalgamation; and (d) include each environmental authority in the relevant register.	Section 250C <i>Environmental Protection Act 1994.</i>
Chief Executive Officer	Power, as an administering authority, to approve or refuse an application by the holder of an environmental authority to transfer all or part of the environmental authority to another entity.	Section 254 <i>Environmental Protection Act 1994.</i>
Chief Executive Officer	Power, as an administering authority, to decide whether a final rehabilitation report includes enough information to decide that the requirements in section 264(b)(i) and 264(b)(ii) have been met.	Section 264 <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority, to make a written request to an applicant to give further information needed to assess an application to surrender an environmental authority.	Section 265 <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority, to approve or refuse a surrender application.	Section 266 <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority, after deciding a surrender application to take the steps listed in subsections 275(a) or 275(b) as applicable.	Section 275 <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority, to:- (a) cancel, suspend or extend the suspension of an environmental authority if an event mentioned in section 278(2) has occurred; (b) follow the procedures in Chapter 5, Part 11, Division 2; (c) give notice of the decision; and (d) record the action in the relevant register.	Sections 278, 279, 280, 281, 282, 283 and 284 <i>Environmental Protection Act 1994</i>

Chief Executive Officer	Power, as an administering authority in the circumstances set out in subsection 284AA(1), to cancel an environmental authority if the procedure in Chapter 5, Part 11, Division 2 is followed.	Section 284AA(2) <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority, to:- (a) approve or refuse an application made by the holder of an environmental authority to suspend or extend the suspension of the environmental authority; (b) record the decision in the appropriate register; and (c) if the decision is to refuse, give the holder an information notice about the decision	Sections 284C and 284F <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as the administering authority, to impose a condition on an environmental authority requiring the holder to give financial assurances as security for compliance with the environmental authority and for costs or expenses mentioned in section 316C.	Section 308 <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority, to decide the amount and form of financial assurance required under a condition of an environmental authority.	Section 310 <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority, to give notice of the decision under section 310.	Section 311 <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority that receives an application under section 312, to approve or refuse the application and give the applicant notice of the decision.	Section 314 <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority, to require the holder of an environmental authority for which financial assurance has been given to change the amount of the financial assurance, including giving written notice to the holder.	Section 315 <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority in the circumstances referred to in 316C, to make a claim on or realise a financial assurance.	Section 316D <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority in the circumstances set out in subsection 316E(1) and (2) give written notice to the entity who gave the EPA assurance or the entity who paid the surety.	Section 316E <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority, to decide whether to make a claim on, or realise, the EPA assurance, or to ask for payment of the costs and expenses mentioned in subsection 316D(2)(b) and give an information notice about the decision	Section 316G <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority, to:- (a) grant or refuse the temporary authority; and (b) if the decision is refuse, give an information notice for the decision.	Section 316GD <i>Environmental Protection Act 1994</i>

Chief Executive Officer	Power, as an administering authority, to:- (a) impose conditions on the authority; and (b) notify the applicant of the proposed conditions.	Section 316GE <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority, to give the temporary authority to the applicant.	Section 316GF <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as the administering authority, to give an annual notice.	Section 316I(2) <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as the administering authority, to recover from the holder of an environmental authority as a debt, outstanding annual fees.	Section 316I(4) <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority, to change the anniversary day for an environmental authority for which an annual fee is prescribed, in the circumstances provided for by section 316L(1)(a) and 316L(1)(b).	Sections 316L and 316M <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority, to give the holder:- (a) if the decision is the change the day – written notice of the decision; or (b) if the decision is not to change the day – an information notice for the decision.	Section 316N <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority to, in the circumstances specified in section 316P(1)(a) and 316P(1)(b):- (a) require the holder of the environmental authority to make a site-specific application for a new environmental authority under Chapter 5 Part 2 or make an amendment application for the authority under Chapter 5 Part 7; (b) give written notice of the proposed requirement prior to making it.	Section 316P <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority, to ask any entity for advice, comment or information about an application made under Chapter 5.	Section 316Q <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power to make submissions about a proposed ERA standard.	Section 318A <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as a person, to take measures as far as is reasonably practicable to rehabilitate or restore the environment to its condition before harm.	Section 319C(2) <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as person aware of an event, or who ought reasonably have been aware of an event, described in section 320A, to give written notice of the event, its nature and the circumstances in which it happened to the administering authority, any occupier of the affected land or any registered owner of the affected land, or by public notice.	Section 320C <i>Environmental Protection Act 1994</i>

Chief Executive Officer	Power, as employer aware of an event, or who ought reasonably have been aware of an event, described in section 320A, to give written notice of the event, its nature and the circumstances in which it happened to the administering authority, any occupier of the affected land or any registered owner of the affected land, or by public notice.	Section 320D <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as a person mentioned in section 320A(2)(a), to within 24 hours after becoming aware or the time when they ought reasonably to have become aware of an event or change mentioned in section 320A(2)(b)(i) or (ii) give the administering authority written notice of the matters stated in subsection (2).	Section 320DA(1) <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as a person mentioned in section 320A(2)(a), to within 20 business days after becoming aware or the time when they ought reasonably to have become aware of an event or change mentioned in section 320A(2)(b)(iii) give the administering authority written notice of the activity.	Section 320DA(3) <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as a local government mentioned in section 320A(3)(c), to within 20 business days after becoming aware or the time when Council ought reasonably to have become aware that the activity has been, or is being, carried out on land in its area, give the administering authority written notice.	Section 320DB(1) <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as a local government mentioned in sections 320A(3)(a) or 320A(3)(b), to within 24 hours after becoming aware or the time when Council ought reasonably to have become aware of the matter mentioned in section 320A(3)(a) or (b), give the administering authority written notice.	Section 320DB(2) <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority, to require a person to conduct or commission an environmental audit and give an environmental report about the audit.	Sections 322 and 323 <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority, to require a person to conduct or commission an environmental investigation.	Section 326B <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority, to ask for further information and extend the time for making a request under subsection (2).	Section 326F <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority, to accept the report or refuse to accept the report and to give notice of the decision.	Section 326G <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority which has accepted an environmental report under section 326G, to do 1 or more of the things listed in subsection (1).	Section 326H <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority which has refused to accept an environmental report under section 326G(4)(b), to, by written notice, require the recipient to conduct or commission another environmental investigation and submit a report on the investigation.	Section 326I <i>Environmental Protection Act 1994</i>

Chief Executive Officer	Power, as an administering authority, to require a person or public authority to apply to the administering authority for the issue of a transitional environmental program.	Section 332 <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power to apply for the issue of a transitional environmental program to the administering authority for approval.	Section 333 <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority, to by written notice require the person or public authority that submitted the draft transitional environmental authority to give further information.	Section 334(1) <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power to give the administering authority the requested information and ask the administering authority to extend the information response period.	Sections 334(3) and (4) <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power to make a submission in relation to an application for the issue of a transitional environmental program.	Section 335 <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power to give public notice of the application for the issue of a transitional environmental program.	Section 335(2) <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority, to invite parties to a conference to help it determine whether or not to approve a draft transitional environmental program.	Section 336 <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority, to seek advice, comment or information about an application for the issue of a transitional environmental program.	Section 336A <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority, to extend the period for decision about an application for the issue of a transitional environmental program and approve a transitional environmental program.	Section 337 <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority, to:- (a) approve a transitional environmental program with or without conditions; or (b) refuse to approve a transitional environmental program.	Section 339(1) and (2) <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority, to:- (a) where the administering authority approves the application issue the transitional environmental program; and (b) where the administering authority refuses the application or imposes conditions – give an information notice.	Section 340 <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority, to approve an application for a transitional environmental program if there has been substantial compliance with public notice requirements.	Section 342 <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority when issuing a transitional environmental program, to include a note in the environmental authority.	Section 343A <i>Environmental Protection Act 1994</i>

Chief Executive Officer	Power, as an administering authority, to consider and approve or refuse an application to amend a transitional environmental program.	Section 344 <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority, to amend a transitional environmental program to correct a clerical or formal error, and to give written notice of the amendment.	Section 344AA <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority, to amend a transitional environmental program, or a condition imposed on a transitional environmental program, at any time.	Section 344AB(1) <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as the holder of a transitional environmental program, to agree in writing to the amendment.	Section 344AB(1)(b) <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority, to within the relevant period amend the transitional environmental program to give effect to the amendment, issue the amended transitional environmental program to the holder and include a copy of the amended transitional environmental program in the relevant register.	Section 344AC(2) <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority, to give the holder of the transitional environmental program a proposed amendment notice.	Section 344AE(1) <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as the holder of a transitional environmental program, to make written representations to show why the proposed amendment should not be made.	Section 344AE(1)(d) <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority, to consider any written representation made by the holder of the transitional environmental program.	Section 344AF <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority, to make the amendment decision.	Section 344AG(1) <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority, to give the holder written notice of the decision not to make the proposed amendment.	Section 344AG(4) <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority, to give the holder of the transitional environmental program an information notice.	Section 344AH <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority, to cancel a transitional environmental program, give notice of the decision or record details of the decision in a register.	Section 344E <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority, to withdraw the notice or remove the record.	Section 344F <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority, to give the holder of the environmental authority a copy of the authority that does not include the note.	Section 344G <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority, to give written notice of the matters listed in section 352(1)..	Section 352 <i>Environmental Protection Act 1994</i>

Chief Executive Officer	Power, as an administering authority, to apply to the Court for an order that section 353(1) does not apply.	Section 355 <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority who has made an application to the Court under section 355, to apply to the Court for an order pending decision on the application	Section 357(2) <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as administering authority, to – <ul style="list-style-type: none"> grant an application for a temporary emissions licence, with or without conditions, as submitted or on different terms than have been requested in the application; or refuse to grant the application for a temporary emissions licence; and where necessary, give an information notice	Sections 357C, 357D, 357E and 357F <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as administering authority, to amend, cancel or suspend a temporary emissions licence.	Section 357J <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as holder of a temporary emissions licence, to give written agreement to the amendment of the licence.	Section 357J(b) <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority, to issue an environmental enforcement order.	Section 362 <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as a recipient of an environmental enforcement order, to give written notice to the buyer of the existence of the order.	Section 369C(2) <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as a recipient of an environmental enforcement order, to provide written notice of the disposal to the administering authority.	Section 369C(6) <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, in the circumstances listed in subsection (1), to give written notice of ceasing to carry out the activity to the administering authority.	Section 369D(2) <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an owner and/or occupier of land in the circumstances listed in subsection (1), to give consent to the entry.	Section 369E(2)(a) <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, in the circumstances listed in subsection (1), to give written notice of the entry to the owner and occupier of the land.	Section 369E(2)(b) <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, in the circumstances listed in subsections (1) and (2), to recover as a debt from another person who caused or permitted the contamination incident to happen, the amount of loss or expense incurred by the recipient in complying with the order.	Section 369H(2) <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority, to issue a cost recovery notice.	Section 369J(1) <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority, to recover the amount stated in the cost recovery notice from the recipient as a debt.	Section 369J(4) <i>Environmental Protection Act 1994</i>

Chief Executive Officer	Power, as an administering authority, to decide a person has a relevant connection with a company.	Section 363N(2) <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority, to issue an environmental enforcement order to a related person of the company.	Section 363P(1) <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority, to issue an environmental enforcement order under division 2 to a related person of a high risk company.	Section 369Q(1) <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as the land's owner, to:- (a) make a written submission to the administering authority in response to a show cause notice issued pursuant to section 375; (b) make the declaration mentioned in section 375(2)(e); and (c) include a copy of any investigation report mentioned in section 375(4).	Section 376 <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as the owner of land, to make an inclusion request and respond to any request for further information from the administering authority.	Sections 379B and 379C <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, to give the administering authority:- (a) a contaminated land investigation document accompanied by a declaration and a statement; and (b) a statement as owner of the land agreeing to the draft plan.	Section 390 <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as a prescribed responsible person, to make a written submission in response to a show cause notice issued pursuant to section 391.	Section 392(1) <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as a prescribed responsible person, to comply with a notice issued by the administering authority pursuant to this section.	Section 394(5) <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as a prescribed responsible person, to:- (a) obtain the consent of the owner or occupier to enter the land; (b) give the owner or occupier written notice of the intention to enter the land; (c) agree with the owner or occupier about reasonable compensation because of the loss or damage; and (d) appear in any proceeding before a court of competent jurisdiction (including instructing a legal representative to appear) where agreement about compensation cannot be reached.	Section 395 <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as a prescribed responsible person, to comply with a requirement of the administering authority given pursuant to this section.	Section 397 <i>Environmental Protection Act 1994</i>

Chief Executive Officer	Power to apply to amend a site management plan and to comply with Chapter 7, Part 8, Division 3, Subdivisions 2 to 4 as they relate to the application.	Section 402 <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as owner or occupier of land, to consent to the amendment of a site management plan for the land by the administering authority.	Section 403 <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as the person who released the contaminant, the relevant local government or the owner of the land, to prepare a draft amendment of a site management plan if requested to do so by the administering authority and to comply with Chapter 7, Part 8, Division 3, Subdivisions 2 to 5 as they relate to the draft amendment.	Section 404 <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as owner of land, to give a lessee or proposed lessee notice that particulars of the land have been recorded in the contaminated land register.	Section 407 <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an owner of land in a circumstance listed in subsection (1), to give the notice required by subsection (2).	Section 408 <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority, to require a person to provide information for the enforcement or administration of this Act.	Section 451 <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as owner or occupier of land, to consent to an authorised person's entry onto the land.	Section 452 <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as owner or occupier of land, to consent to an authorised person's entry onto the land.	Section 454 <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority, to issue a notice that an authorised person will enter land.	Section 454(3)(b) and (4) <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as the occupier of access land, to consent to an authorised person's entry onto the land.	Section 455 <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as a corporation, to comply with a written notice requiring Council to nominate an executive officer or employee who is authorised to answer a question under section 465(3).	Section 465(3) <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power as a person to whom an emergency direction is given to comply with the direction and to take the steps required by subsection (b).	Section 478 <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority, to waive payment of costs of investigation or remediation work.	Section 489 <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority, to make an application to the court for an order against a defendant for costs.	Section 501(1)(c) <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority, to carry out work or take other action reasonably necessary where a person has failed to comply with an order made under section 502.	Section 502A(2) <i>Environmental Protection Act 1994</i>

Chief Executive Officer	Power, as an administering authority, to make an application to the Court to remedy or restrain an offence against this Act.	Section 505 <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as a person who has made an application pursuant to section 505, to seek an order of the Court pending determination of the application.	Section 506 <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as the administering authority, to: (a) accept or reject an enforceable undertaking; (b) given written notice of the decision and the reasons for the decision (c) publish a copy of any undertaking on Council's website; and (d) take all reasonable steps to have any proceedings in relation to the contravention discontinued.	Section 507 <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as the administering authority, to agree in writing to the withdrawal or variation of an enforceable undertaking and to publish notice of the withdrawal or variation on Council's website.	Section 509 <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as the administering authority, to amend an enforceable undertaking by written agreement.	Section 510 <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as the administering authority, to make an amendment to an enforceable undertaking to correct a clerical or formal error and give written notice of the amendment.	Section 511 <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as the administering authority, to:- (a) amend or suspend an enforceable undertaking where satisfied one of the circumstances in subsections 512(1)(a) to (d) apply; and (b) comply with the requirements of subsection 512(2) to (7).	Section 512 <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as the administering authority, to apply to the Magistrates Court for an order if a person contravenes an enforceable undertaking.	Section 513(2) <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power to exercise all the powers of the chief executive that have been delegated to Council. (Sub-section (2) permits sub delegation of these powers to a qualified entity).	Section 516 <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, where the chief executive has delegated the powers as an administering authority to Council, to exercise those delegated powers.	Section 518(1)(a)(ii) <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as a dissatisfied person, to apply for a review of an original decision.	Section 521(1) <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as a dissatisfied person, to appeal to the Land Court against a review decision of an original decision mentioned in schedule 2, part 1.	Section 524 <i>Environmental Protection Act 1994</i>

Chief Executive Officer	Power, as a party to an appeal, to ask the Land Court to conduct or provide mediation for the appeal, participate in the mediation and attempt to settle the appeal at mediation.	Section 526 <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as a dissatisfied person, to appeal to the Planning and Environment Court against a review decision of an original decision, other than a review decision to which Chapter 11, Part 3, Division 3, Subdivision 1 of this Act applies or a review decision that relates to an original decision mentioned in Schedule 2, Part 3.	Section 531 <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an applicant for internal review of an original decision mentioned in schedule 2, part 1 or 2, to apply for a stay of the decision.	Section 539A(1) <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority, keep the registers listed in section 540(1) and keep them available for inspection.	Section 540, 541 and 542 <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority, to prepare and submit a report to the chief executive.	Section 546 <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority, to consult with the chief executive about guidelines the chief executive proposes for administering authorities.	Section 548(3) <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power to consult with the chief executive about guidelines the chief executive proposes.	Section 549(2) <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, in the circumstance referred to in subsection 574BA(1), to recover the administering authorities reasonable costs and expenses in performing the function.	Section 574BA <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as the owner or occupier of the land, to claim compensation for any compensatable effect in a proceeding brought in a court of competent jurisdiction.	Section 579(4) <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as a relevant entity to enter an information-sharing arrangement with the chief executive.	Section 579E(1) <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority, to change or cancel a condition of an environmental authority given continuing effect under section 619(2)(d) or 619(4)(d) of this Act.	Section 620 <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority, in relation to an activity being carried out under section 619(1) of this Act, to give the person carrying out the activity a development approval and a registration certificate.	Section 621 <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority, to give the registered operator for a level 1 approval for a level 1 chapter 4 activity taken to be a registration certificate under section 619, a notice stating that section 316 applies to the registration certificate.	Section 623 <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority, to amend a condition about financial assurance imposed under Chapter 13 Part 6	Section 634 <i>Environmental Protection Act 1994</i>

Chief Executive Officer	Power, as an administering authority, to consider or continue to consider, a draft transitional program submitted under section 332 or 333 before 4 April 2011 and decide whether to approve it under the unamended Act.	Section 671(2) <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority, to approve or refuse an application made by the holder of a transitional authority, to convert the conditions of the transitional authority to the standard conditions for the authority or relevant activity.	Section 697 <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority, to approve an application to convert a surrendered registration certificate to an environmental authority that has been suspended under Chapter 5, Part 11A of this Act.	Section 698B <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority, to amend an environmental authority to which a requirement applies to impose a condition about the financial assurance and to give written notice of the amendment to the authority holder.	Section 699 <i>Environmental Protection Act 1994</i>
Chief Executive Officer	Power, as an administering authority, to continue to keep a register of the environmental protection orders, direction notices and clean-up notices that were issued under the unamended Act before the commencement of the current Act.	Section 812(1) <i>Environmental Protection Act 1994</i>

Fire Services Act 1990

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DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION
Chief Executive Officer	Power as an occupier of land to ask the commissioner to give a notice under section 145B(1) of an occupier of adjoining land.	Section 145B(2) <i>Fire Services Act 1990</i>
Chief Executive Officer	Power to apply to the commissioner for a permit to light a fire on land.	Section 145C(1) <i>Fire Services Act 1990</i>
Chief Executive Officer	Power, as occupier of the land, to: (a) take all reasonable steps to extinguish or control the fire; and (b) report the existence and location of the fire to a person identified in subsection 145E(b).	Section 145E <i>Fire Services Act 1990</i>
Chief Executive Officer	Power, as occupier of land, to: (a) enter the land on which the fire is burning and any other land in order to gain access to the land where the fire is burning; and (b) take on to the land, equipment for extinguishing or controlling the fire; and (c) take all reasonable measures to extinguish or control the fire.	Section 145F(1) <i>Fire Services Act 1990</i>
Chief Executive Officer	Power to comply with a requisition notice.	Section 145G(3) <i>Fire Services Act 1990</i>
Chief Executive Officer	Power, as the occupier of a premises in or on which any dangerous goods are stored or to be stored, to provide information sought by the commissioner in a notice.	Section 146A(2) <i>Fire Services Act 1990</i>
Chief Executive Officer	Power, as the occupier of a premises in or on which any dangerous goods are stored or to be stored, to prepare an off-site emergency plan and to amend the plan.	Sections 146B, 146D and 146E <i>Fire Services Act 1990</i>
Chief Executive Officer	Power to pay to the commissioner charges for any advice or other assistance provided in preparation of an off-site emergency plan.	Section 146C(2) <i>Fire Services Act 1990</i>
Chief Executive Officer	Power to implement an off-site emergency plan.	Section 146F(1) <i>Fire Services Act 1990</i>

Chief Executive Officer	Power to give written notice to the commissioner of a change of circumstances affecting an off-site emergency plan.	Section 146G(1) <i>Fire Services Act 1990</i>
Chief Executive Officer	Power as an occupier of a building to maintain at free from obstruction adequate means of escape in the event of fire threatening any part of the building.	Section 146L(1) <i>Fire Services Act 1990</i>
Chief Executive Officer	Power as an occupier of a building to maintain at all times every prescribed fire safety installation to a standard of safety and reliability in the event of fire.	Section 146M(1) <i>Fire Services Act 1990</i>
Chief Executive Officer	Power as an occupier of a building to maintain each monitored system for the building to ensure an unacceptable number of unwanted alarms are not signalled from the system.	Section 146N(1) <i>Fire Services Act 1990</i>
Chief Executive Officer	Power, as the occupier of a building, to maintain a fire and evacuation plan and to provide instructions to prescribed persons in the building concerning the action to be taken by them in the event of fire threatening the building.	Section 146O(1) <i>Fire Services Act 1990</i>
Chief Executive Officer	Power to pay to the commissioner charges for any advice or other assistance provided in preparation of a fire and evacuation plan.	Section 146P(2) <i>Fire Services Act 1990</i>
Chief Executive Officer	Power, as the occupier or owner of a building, to comply with a notice issued by the commissioner under section 146Y(1).	Section 146Y(3) <i>Fire Services Act 1990</i>
Chief Executive Officer	Power, as the occupier of a building, to apply to the commissioner to be issued a certificate of compliance.	Section 147(1) <i>Fire Services Act 1990</i>
Chief Executive Officer	Power, as an applicant, to provide to the commissioner or the authorised fire officer such information in relation to the application as either may require.	Section 147(5) <i>Fire Services Act 1990</i>
Chief Executive Officer	Power, as the occupier of a domestic dwelling, to install smoke alarms in the dwelling.	Section 147Y(1) <i>Fire Services Act 1990</i>
Chief Executive Officer	Power, as the occupier of a domestic dwelling, to install smoke alarms in the dwelling.	Section 147Z(3) <i>Fire Services Act 1990</i>
Chief Executive Officer	Power, as the occupier of a domestic dwelling, to replace a smoke alarm in the dwelling under this section.	Section 148A <i>Fire Services Act 1990</i>
Chief Executive Officer	Power, as the lessor of a domestic dwelling, to test a smoke alarm in the dwelling under this section.	Section 148B(1) <i>Fire Services Act 1990</i>
Chief Executive Officer	Power, as the lessor of a domestic dwelling, to replace each battery in a smoke alarm in the dwelling in compliance with this section.	Section 148C(2) <i>Fire Services Act 1990</i>
Chief Executive Officer	Power, as the lessor of a domestic dwelling, to clean each smoke alarm in the dwelling under this section.	Section 148E(1) <i>Fire Services Act 1990</i>
Chief Executive Officer	Power, as the transferor of residential land to give the transferee of the land written notice of whether smoke alarms complying with this division are installed in the domestic dwelling on the land.	Section 148I(1) <i>Fire Services Act 1990</i>

Chief Executive Officer	Power, as a person given a notice under section 145G(2)(a) or Chapter 4A, part 4 to apply to QCAT for a review of the notice.	Section 148Q <i>Fire Services Act 1990</i>
Chief Executive Officer	Power to nominate a person to be an assessor.	Section 148U(2)(b)(ii) <i>Fire Services Act 1990</i>
Chief Executive Officer	Power, as the occupier or owner of premises, to comply with to provide facilities and assistance to an authorised fire officer.	Section 149T(2) <i>Fire Services Act 1990</i>
Chief Executive Officer	Power to comply with a requirement issued by an under authorised fire officer section 149U(3).	Section 149U(5) <i>Fire Services Act 1990</i>
Chief Executive Officer	Power to comply with a requirement issued by an under authorised fire officer section 149V(1).	Section 149V(2) <i>Fire Services Act 1990</i>
Chief Executive Officer	Power to comply with a requirement issued by an under authorised fire officer section 149W(2).	Section 149W(3) <i>Fire Services Act 1990</i>
Chief Executive Officer	Power, as an occupier of a place, to consent to the entry by an investigation officer.	Section 149ZH(1)(a) <i>Fire Services Act 1990</i>
Chief Executive Officer	Power to comply with a requirement issued by an authorised fire officer under section 149ZJ(3)(b).	Section 149ZK(1) <i>Fire Services Act 1990</i>
Chief Executive Officer	Power to produce to an authorised person any document or record mentioned in subsection (2)(b).	Section 152C(4) <i>Fire Services Act 1990</i>
Chief Executive Officer	Power to furnish to the commissioner a return disclosing the particulars prescribed under a regulation relating to certain properties.	Section 152J(1) <i>Fire Services Act 1990</i>
Chief Executive Officer	Power to, in respect of each financial year: (a) determine the prescribed properties within its area; and (b) determine the annual contributions payable in respect of prescribed properties by reference to the categories prescribed under a regulation made under section 108.	Section 152M(1) <i>Fire Services Act 1990</i>
Chief Executive Officer	Power to give the owner of a prescribed property a levy notice.	Section 152M(2) <i>Fire Services Act 1990</i>
Chief Executive Officer	Power to give the commissioner information which is relevant to the determination of an appeal against a local government's determination.	Section 152N(3) <i>Fire Services Act 1990</i>
Chief Executive Officer	Power to amend, revoke or revoke and give a new levy notice if the commissioner allows an appeal.	Section 156N(6) <i>Fire Services Act 1990</i>
Chief Executive Officer	Power to refund to the appellant any amount paid in respect of contributions, for the financial year to which the notice relates and for any previous financial year, in excess of the amount calculated in accordance with the commissioner's determination.	Section 156N(7) <i>Fire Services Act 1990</i>
Chief Executive Officer	Power to decide the way in which it keeps an administration fee for performing functions under the Act.	Section 152R(3) <i>Fire Services Act 1990</i>

Chief Executive Officer	Power to make payments to the department, for the fund, out of its operating fund from moneys received or recovered by the local government.	Section 152S(1) <i>Fire Services Act 1990</i>
Chief Executive Officer	Power to prepare and submit a return in the approved form	Section 152S(4) <i>Fire Services Act 1990</i>
Chief Executive Officer	Power to refuse or grant, subject to any conditions, an application to pay contributions by instalments.	Section 152V(2) <i>Fire Services Act 1990</i>
Chief Executive Officer	Power to engage a debt collector (authorised to perform a debt collection activity under the <i>Debt Collectors (Field Agents and Collection Agents) Act 2014</i>) to collect any arrears of annual contribution payable by an owner of prescribed property, and to require by notice in writing the owner to pay an amount by way of a collection fee.	Section 152ZA(1) <i>Fire Services Act 1990</i>
Chief Executive Officer	Power to contribute amounts raised via special rates or charges, or separate rates or charges, to rural fire brigades operating in Council's local government area.	Section 152ZD <i>Fire Services Act 1990</i>

Heavy Vehicle (Mass, Dimension and Loading) National Regulation

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DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION
Chief Executive Officer	Power, as a road manager, to consent to the making of an HML declaration.	Sections 13(1)(b) and 14 <i>Heavy Vehicle (Mass, Dimension and Loading) National Regulation</i>
Chief Executive Officer	Power, as a relevant road manager for an HML declaration, to consent to the making of the declaration subject to the condition that stated intelligent access conditions are imposed on the use of a stated type of HML heavy vehicle under the higher mass limits in an area or on a route to which the declaration applies.	Section 14(3) <i>Heavy Vehicle (Mass, Dimension and Loading) National Regulation</i>
Chief Executive Officer	Power, as a relevant road manager for an HML declaration, to give written reasons for a decision made under subsection 14(3) to the Regulator.	Section 14(4) <i>Heavy Vehicle (Mass, Dimension and Loading) National Regulation</i>
Chief Executive Officer	Power, as a relevant road manager for an HML declaration in the circumstances set out in subsection 18(1), to ask the Regulator to do one or more of the things listed in subsection 18(2).	Section 18 <i>Heavy Vehicle (Mass, Dimension and Loading) National Regulation</i>
Chief Executive Officer	Power, as a road manager, to consent to the granting of an HML permit.	Sections 22(1)(b) and 23 <i>Heavy Vehicle (Mass, Dimension and Loading) National Regulation</i>
Chief Executive Officer	Power, as a road manager, to consent to the granting of an HML permit subject to conditions.	Section 24(1)(a) <i>Heavy Vehicle (Mass, Dimension and Loading) National Regulation</i>
Chief Executive Officer	Power, as a road manager, to consent to amendment of an HML permit.	Section 29(4) <i>Heavy Vehicle (Mass, Dimension and Loading) National Regulation</i>

Chief Executive Officer	Power, as a road manager for a HML permit, to request the regulator to amend or cancel the permit.	Section 31(2) <i>Heavy Vehicle (Mass, Dimension and Loading) National Regulation</i>
Chief Executive Officer	Power, as a road manager, to consent to a declaration of the regulator pursuant to section 40.	Section 41(1) <i>Heavy Vehicle (Mass, Dimension and Loading) National Regulation</i>

Industrial Relations Act 2016

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DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION
Chief Executive Officer	Power, as the employer, to ask or require an employee to work additional hours if the hours are reasonable under section 26.	Section 23(2) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as the employer, to agree with an employee who is not covered by an applicable industrial instrument, to an averaging arrangement.	Section 25(1) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as the employer, to decide an employee's request for flexible working arrangements with or without conditions.	Sections 28(1) and (2) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as the employer, to give written notice of the decision on an employee's request for flexible working arrangements.	Section 28(3) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as the employer, to agree when an employee is to take annual leave.	Section 33(1) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as the employer, and where the employer and employee cannot agree when the employee is to take annual leave, to decide when the employee is to take the leave and give the applicable notice to the employee.	Section 33(3) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as the employer, to agree that an employee may take annual leave before becoming entitled to it.	Section 33(4) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as the employer, to agree to pay the employee for annual leave otherwise than in advance.	Section 35(1) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as the employer, to agree that an employee may cash out a particular amount of annual leave.	Section 37(2) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as the employer, to pay an employee for annual leave not taken on termination of employment.	Section 38(3) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as the employer, to agree to an employee taking additional unpaid carer's leave.	Section 42(4) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as the employer, to agree to an employee who is a short term casual taking additional unpaid carer's leave.	Section 43(3) <i>Industrial Relations Act 2016</i>

Chief Executive Officer	Power, as the employer, to agree to an employee who is a long term casual taking additional unpaid carer's leave.	Section 44(3) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as the employer, to require an employee to give a doctor's certificate or statutory declaration as evidence of the need to take carer's leave for more than 2 consecutive days.	Section 45(1) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as the employer, to require an employee to give a statutory declaration or evidence mentioned in section 45(3)(a) to (d) as evidence of the need to take carer's leave to care for or support a person who has experienced domestic violence.	Section 45(2) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as the employer, to require an employee to give a copy of a funeral notice or other evidence as evidence of a death resulting in the taking of bereavement leave.	Section 49(1) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as the employer, to require an employee to give evidence to satisfy a reasonable person that the employee was taking compassionate leave because the life of a member of the employee's family or household was threatened by personal illness or personal injury.	Section 49(2) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as the employer, to agree to an employee taking additional unpaid bereavement leave or compassionate leave.	Section 50 <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as the employer, to agree to an employee taking unpaid cultural leave	Section 51(2) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as the employer, to agree to an employee taking additional unpaid domestic and family violence leave.	Section 52(3) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as the employer, and where an employee has claimed domestic and family violence leave, to ask the employee for evidence that the employee has experienced domestic violence and needs to take leave as a result.	Section 54(1) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as the employer, to require the employee to provide sufficient evidence to satisfy a reasonable person that the employee is pregnant and the expected date of birth	Section 63(3)(a) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as the employer, to require the employee to provide sufficient evidence to satisfy a reasonable person that the employee's spouse is pregnant and the expected date of birth	Section 64(3)(a) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as the employer, to inform the employee his/her entitlements and obligations under chapter 2, part 3, division 8.	Section 71(2) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as the employer that has decided to implement significant change at a workplace, to advise employees on parental leave about the proposed change before it is implemented and give each employee reasonable opportunity to discuss any significant effect the change will have on the employee's position.	Section 72 <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as the employer, to agree to an employee entitled to parental leave under subdivision 2, or who is taking parental leave, making more than 1 application	Section 73(2) <i>Industrial Relations Act 2016</i>

	under subsection (1) within a 12-month period in relation to a particular instance of parental leave.	
Chief Executive Officer	Power, as the employer, to agree to an employee on parental leave, making more than 1 application under subsection (1) within a 12-month period.	Section 74(3) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as the employer, to decide an application by an employee entitled to or taking parental leave to extend parental leave if the circumstances of section 73 exist, to discuss the application and to give written notice of that decision.	Section 76 <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as the employer, to decide an application by an employee on parental leave to return to work on a part-time basis pursuant to section 74, to discuss the application and to give written notice of that decision.	Section 76 <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as the employer, to nominate a time for the employee to resume work.	Section 78(3) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as the employer, to agree to an employee taking paid sick leave or other paid leave whilst the employee is on unpaid parental leave.	Section 79(3) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as the employer, to agree to an employee on parental leave performing work on a keeping in touch day.	Section 80(1)(b) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as the employer, to agree that an employee break the period of parental leave by returning to work.	Section 81 <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as the employer, to agree to an employee on parental leave shortening the period of leave.	Section 83 <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as the employer, to give notice to the employee of the day on which the employee must return to work and, if the employee returns to work, to cancel the rest of the parental leave.	Section 84 <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as the employer of an employee whose present work is, because of pregnancy or breastfeeding, a risk to the health or safety of the employee or their unborn or newborn child, to:- (a) temporarily adjust the employee's working conditions or hours of work, or (b) transfer the employee to other appropriate work; or (c) in the circumstances in subsection 89(5), grant the employee birth-related leave, or any available paid sick leave.	Section 89 <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as the employer of a replacement employee, to give the replacement employee written notice of the temporary nature of the employment and the parent's right to return to work.	Section 92(1) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as the employer, to agree when an employee is to take long service leave.	Section 97(2) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as the employer, and where the employer and employee cannot agree when the employee is to take long service leave, to decide when the employee is to	Section 97(3) <i>Industrial Relations Act 2016</i>

	take the leave and give the applicable notice to the employee.	
Chief Executive Officer	Power, as the employer, where the employee is on long service leave and where the ordinary rate is increased or reduced, to pay the employee at the increased or reduced rate for the leave period to which the increased or reduced rate applies.	Section 98(4) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as the employer, to agree on when, and the way in which, the employee will be paid for long service leave.	Section 101 <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as the employer of a casual or regular part-time employee, to agree that the employee's entitlement to long service leave may be taken in the form of its full time equivalent.	Section 104 <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as the employer, to agree in writing with the employee that the employee be paid for all or part of an entitlement to long service leave instead of taking the leave.	Section 110(2) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as the employer, upon an employee's death, to pay the employee's legal personal representative any amount payable for the employee's entitlement to long service leave that has not already been paid.	Section 111(2) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as the employer, to ask an employee to work on a public holiday if the request is reasonable.	Section 116(2) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as the employer, to dismiss an employee if the circumstances of section 121(1) exist.	Section 121(1) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as the employer who obtains other acceptable employment for the employee or cannot pay the amount, to apply to the commission for an order reducing the amount of the redundancy pay to a stated amount the commission considers appropriate.	Section 127(2) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as the employer, to give each employee before, or as soon as practicable after, the employee starts working for the employer, the information and documents required by section 129(1).	Section 129 <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as the employer, where a magistrate has made an order about an offence against section 137(4) and that order states both alternatives of section 137(8), to decide how to comply with that order in terms of the alternatives.	Section 137(9) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as an employer, to apply to the commission to:- (a) make a modern award; or (b) make an order varying a modern award.	Section 147(2)(b) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as an employer, to apply to the commission to make an order revoking a modern award.	Section 150(3)(b)(iii) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as a person to whom a modern award applies, to apply to the commission to review the award.	Section 156(1)(b)(i) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as an employer, to make a certified agreement with 1 or more employee organisations that represent, or are entitled to represent, Council's employees, or the	Section 165 <i>Industrial Relations Act 2016</i>

	employees of Council at the time the agreement is made.	
Chief Executive Officer	Power, as an employer, to consent to the making of a bargaining award.	Section 167(a) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as a proposer, to give a notice of intention to:- (a) the other proposed parties to the negotiations; (b) if the negotiations relate to a project agreement—all relevant employee organisations and the commission.	Section 169(2) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as a recipient of a notice of intention where the negotiations:- (a) relate to a project agreement; or (b) involve a multi-employer agreement, to give written notice of Council's intention to be a party to the negotiations to the proposer and the commission.	Section 170(2) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as the employer and where the circumstances of section 171(1) exist, to take reasonable steps to ensure compliance with section 171(2).	Section 171(2) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as the employer and where the circumstances of section 171(1) exist, to give the relevant employee organisation a reasonable opportunity to represent the employee as required by section 171(4).	Section 171(4) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as the employer and where the circumstances of section 172(1) exist, to negotiate with the single bargaining unit.	Section 172(2) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as negotiating party, to negotiate in good faith and do all things listed in subsections (2) to (5).	Section 173 <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as negotiating party, where the peace obligation period has ended, to ask the commission to help the parties reach an agreement.	Section 175(1)(b) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as one of the negotiating parties, to notify the commission that the parties intend to resume negotiating without the commission's help.	Section 175(2) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as a negotiating party, to comply with an attendance notice and negotiate on Council's behalf at a conciliation conference.	Section 176(2) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as one of the negotiating parties, to apply to the commission for arbitration of the matter.	Section 178(1) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as one of the negotiating parties, to consent to the full bench referring arbitration of the matter to a commissioner sitting alone.	Section 179A(2) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as one of the negotiating parties, to agree matters with the other negotiating parties before or during an arbitration of the matter.	Section 181(1) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as a negotiating party, to agree with the other negotiating parties the nominal expiry date for the arbitration determination.	Section 183(1) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as a negotiating party, to apply to the commission for a scope order.	Section 184(1) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as a party to an agreement, to apply to the commission to certify the agreement.	Section 189(1) <i>Industrial Relations Act 2016</i>

Chief Executive Officer	Power, as a party to a proposed bargaining award, to apply to the commission to:- (a) make the bargaining award; and (b) terminate the relevant modern award.	Section 190(2) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as a person who will be covered by a proposed bargaining instrument, to take action that may be necessary to enable the commission to grant the application, including participating in a conciliation on Council's behalf.	Section 194 <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as a party to a proposed bargaining instrument, to sign it on Council's behalf.	Section 196(1)(b) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as an employer in the circumstances set out in subsection (1), to apply to the commission for a decision under subsection (3).	Section 213(3) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as the employer, on or before the nominal expiry date of a bargaining instrument, to, apply to the commission to extend the nominal expiry date.	Section 223(1) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as an employer, to apply to the commission to amend a bargaining instrument.	Section 225(1) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as an approving party, to approve an amendment to a bargaining instrument.	Section 225(2)(a)(i) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as a person to whom a bargaining instrument applies, to apply to the commission to amend the instrument in one of the ways set out in subsection (5) and to agree to any amendment.	Section 225(5) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as a party to a bargaining award or a proposed new party to the award, to, in the circumstances set out in subsection (1), apply to the commission to amend the bargaining award so the award applies to the proposed new party.	Section 226(2) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as the employer, on or before the nominal expiry date of a certified agreement or arbitration determination, to apply to the commission to terminate the agreement or determination.	Section 227(1) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as the employer, after the nominal expiry date of a certified agreement or arbitration determination, to apply to the commission to terminate the agreement or determination.	Section 228(1) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as the person who intends to terminate the agreement or determination to give all other persons to whom the agreement or determination applies, notice of the intention.	Section 228(2) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as a party to an agreement or determination that does not provide for the way it may be terminated, to agree to the agreement or determination being terminated.	Section 228(3)(b)(i) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as a negotiating party for a proposed bargaining instrument, to take protected industrial action for the proposed instrument subject to the requirements of Chapter 4, Part 8.	Section 232 <i>Industrial Relations Act 2016</i>

Chief Executive Officer	Power, as the employer intending to take the industrial action, to give notice of the intention to all of the negotiating parties for the proposed bargaining instrument, either in writing or by taking other reasonable steps to notify employees of the intended action.	Section 236 <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as the employer taking industrial action that is the lockout of an employee, to refuse to pay the employee for the period of the lockout.	Section 237(3) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as a negotiating party for a proposed bargaining instrument, to apply to the commission for an order to suspend or terminate protected industrial action for the proposed bargaining instrument being engaged in, or threatened to be engaged in.	Section 240(1) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as a negotiating party for a proposed bargaining instrument, to apply to the commission for an order to suspend or terminate protected industrial action for the proposed bargaining instrument being engaged in, where the industrial action has threatened, is threatening or would threaten:- (a) to endanger the life, personal safety or health, or welfare of the State's population or part of it; or (b) to cause significant damage to the State's economy or an important part of it.	Section 241(1) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as the employer, to apply to the registrar for a certificate stating that the employer need not negotiate with an employee organisation under chapter 4 because of a circumstance in section 171(5).	Section 242(2) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as a party to a certified agreement or a bargaining award, to sign the affidavit prepared pursuant to subsection (2) on behalf of Council.	Section 250(3) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as a relevant party subject to a direction of the commission, to comply with the direction on behalf of Council, including signing any affidavit required under subsection (3).	Section 251(4) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as a party to an industrial dispute, in the circumstances referred to in subsection (1), to give the registrar written notice of the dispute.	Section 261(1) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as a party directly involved in an industrial cause, to request the registrar act as mediator in the cause.	Section 263(a) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as a person served with an attendance notice, to attend the compulsory conference and agree to measures which attempt to prevent or settle the dispute.	Section 264(1) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as a person the subject of an order, to prepare, file and sign an affidavit under subsection (3)(c).	Section 265(3) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as a person served with a show cause notice, to show cause to the full bench at the stated time why Council should not be dealt with under section 266.	Section 265(7) <i>Industrial Relations Act 2016</i>

Chief Executive Officer	Power, as the employer, to pay or refuse to pay, an employee for a period when the employee engages in a strike.	Section 268(1) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as an employer against whom the strike was organised, engaged in or threatened, to make an application to the commission for an order for a contravention of section 268.	Section 269(2) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as a person who has been affected by a contravention of Chapter 8, Part 1, to apply to the commission for the commission to deal with the dispute.	Section 309(1) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as an applicant or an employer, to attend a conciliation conference at a stated time and place and attempt to settle the matter on behalf of Council.	Section 312(2) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as an employer, to attend a conciliation conference at a stated time and place and attempt to settle the matter on behalf of Council.	Section 318(2) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as a party, to seek further conciliation, or settle the matter, at any time before an order is made under section 321 or 322.	Section 318(5) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as the employer that has decided to dismiss 15 or more employees for economic, technological or structural reasons, to dismiss the employees if the circumstances of section 329(1) apply and give the requisite notices.	Section 329(1) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as the employer, to give each employee organisation the opportunity to consult on the ways listed in section 330(1).	Section 330 <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as the employer, to stand down an employee if the circumstances of section 333 apply.	Section 333 <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as the employer, to apply to the commission for an authorised officer's authority under section 337 to be revoked or suspended.	Section 338(1) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as the employer, to keep a time and wages record for each industrial instrument employee as required by section 339.	339(1) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as the employer and upon request by the employee, to give the employee a certificate stating the total hours recorded under section 339(1)(d) for the employee, worked out to the previous 30 June.	Section 339(5) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as the employer, to keep a time and wages record for each non-industrial instrument employee as required by section 340.	340(1) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as the employer and upon request by the employee, to give the employee a certificate stating the total hours recorded under section 340(1)(d) for the employee, worked out to the previous 30 June.	Section 340(5) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as the employer, to keep an employee register as required by section 341.	341(1) <i>Industrial Relations Act 2016</i>

Chief Executive Officer	Power, as the employer, when paying an employee wages, to give the employee a written statement as required by section 343(2).	343(1) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as the employer, when asked by the inspector to inspect, or for electronic access to, the time and wages record, to comply with the request.	344(2) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as the employer, when asked by the registrar to inspect, or for electronic access to, the time and wages record, to comply with the request.	346(2) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as the employer, when directed by the registrar, to give the employee register or index to a stated person, at a stated reasonable time and place.	346(4) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as the employer, to agree to an employee inspecting the time and wages record for that employee's particulars, as permitted by section 347(2)(a) and (b), and to give the particulars to the employee in writing.	Section 347 <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as the employer, to agree to an employee inspecting the time and wages record:- (a) more than once in any 12-month period; or (b) outside the employer's business hours; or (c) during the employee's working time.	Section 347(2) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as the employer, to require an authorised officer to produce the officer's authorisation.	Section 348(2) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as the employer, where an authorised officer fails to produce the officer's authorisation, to treat the office as a trespasser.	Section 348(5) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as the employer, when asked by the authorised officer for an item in section 350(1), to comply with the request and to refuse to comply if the circumstances of section 350(3) or 350(5) exist.	Section 350 <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as the employer, to keep an authorisation given under this section at, or in a place where it can be accessed from, a workplace of the employer in Queensland.	Section 354B <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as the employer in the circumstances set out in subsection 354C(1), to give the information referred to in subsection 354C(2).	Section 354C(2) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as an employer who has given information to the registered employee organisation under subsection 354C(2)(a), to notify the employee.	Section 354C(5) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as the employer, to keep an accurate written account of the amounts received from the prime contractor, and of the way the amounts have been disbursed or disposed of.	Section 359(4) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as the employer, to produce the account for inspection to an employee in the circumstances set out in subsection (a) to (c) and allow the employee to make a copy of the account.	Sections 359(5) and (6) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as a prime contractor served with an attachment notice, to keep from the amounts payable, or to become	Section 361(2) <i>Industrial Relations Act 2016</i>

	payable, by the prime contractor to the employer for the contracted work, an amount sufficient to satisfy:- (a) the claim for wages stated in the notice; and (b) all further claims for wages stated in notices of attachment served on the prime contractor within 7 days after the service of the first notice.	
Chief Executive Officer	Power, as a prime contractor served with an attachment notice, to pay the amount to which the notice relates to a clerk of the Magistrates Court.	Section 361(4) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as a prime contractor, to pay the amount stated in the relevant order to the employee from the amounts attached and kept in the hands of the prime contractor.	Section 362(4) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as a prime contractor, to ask the employee to sign a discharge for the amount paid for a claim for wages to which an order under section 362 relates.	Section 366 <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as the employer, where an employee's consent authorising a deduction to be made from wages is not written, to, before making the deduction, give the employee written acknowledgement of the consent.	Section 371(5) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as the employer, to pay each employee's wages at least monthly to the employee.	Section 373(1) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as the employer, where the circumstances in subsection (1) apply, to immediately at the end of the 30 days, pay the wages payable to the former employee to the public trustee.	Section 375(2) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as the employer, to recover an amount to which the employee is not entitled by deducting amounts from the employee's wages for a subsequent pay period or periods.	Section 376(2) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as the employer, where an employee ceases employment without giving the employer the notice required by an industrial instrument, to deduct from the employee's wages an amount stated by an industrial instrument.	Section 377 <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as the employer, to contribute, for eligible employees, to the approved superannuation fund at the level required by the relevant industrial instrument.	Section 394(1) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as a person who may be directly affected by the declaration, to apply to the commission for a declaration about an industrial matter.	Section 463(1) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as an employer, to apply to the commission for an interpretation of an industrial instrument, other than a certified agreement or bargaining award.	Sections 467(1) and 468(1) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as a person bound by the agreement, to apply to the commission for an interpretation of a certified agreement or bargaining award.	Sections 467(1) 468(2) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as a party to an industrial cause, to agree in writing to the parties requesting the commission to assist the parties in negotiating or resolving a matter relevant to the industrial cause, whether or not the	Sections 469(1) and (2) <i>Industrial Relations Act 2016</i>

	matter is within the jurisdiction of the commission and to agree that the request being amended.	
Chief Executive Officer	Power, as a party to an industrial cause, to agree, in writing, for the decision of the commission to bind the parties.	Section 469(4) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as a party to a dispute, to make a referral agreement with the other parties to the dispute.	Section 470(1)(b) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as a party to a dispute, in the circumstances set out in subsection (1), to apply to the commission for the commission to perform its dispute resolution functions.	Section 470(2) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as a party to a contract, in the circumstances set out in subsection (1), to apply to the commission for the commission to amend or declare void (wholly or partly) the contract.	Section 471(1) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as a person under section 474, to apply to the commission for the commission to grant an injunction:- (a) to compel compliance with an industrial instrument, a permit or this Act; or (b) to restrain or prevent a contravention, or continuance of a contravention, of an industrial instrument, a permit or this Act; or (c) for the prevention or settlement of an industrial dispute involving allegations of sexual harassment or sex or gender-based harassment.	Section 473(1) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as an employer, to apply to the full bench for the orders set out in section 479 about a demarcation dispute.	Section 479 <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as an employer, to apply to the Commission for an order declaring an entity, other than an organisation, to be an ineligible entity.	Section 483B <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as a person mentioned in section 485, to apply to the full bench or the commission for proceedings to be reopened.	Section 484(1) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as a party to proceedings, to appoint in writing, an agent to represent Council in the proceedings.	Section 529(1)(e) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as a party to an unpaid amount claim referred for conciliation, to advise the Registrar that Council does not wish to participate in conciliation.	Section 547C(4) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as a party to an unpaid amount claim referred for conciliation, to:- (a) participate in the conciliation; (b) agree on a resolution of all or part of the unpaid amount claim; and (c) sign the agreement.	Section 547G(2) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as a party to an unpaid amount claim, to apply to the industrial tribunal for the claim for an order giving effect to an agreement reached in a conciliation process.	Section 547H(1) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as a person aggrieved by a decision of the court or the full bench constituted by the president and 2 or more other members, to appeal to the Court of Appeal.	Section 554(1) <i>Industrial Relations Act 2016</i>

Chief Executive Officer	Power, as a person aggrieved by a decision of the full bench constituted by the president and 2 or more other members, to seek the leave of the Court of Appeal to appeal.	Section 554(2) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as a person aggrieved by a decision of a magistrate, to appeal to the court.	Section 556 <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as a person aggrieved by a decision of the commission, to appeal to the court.	Section 557(1) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as a person aggrieved by a decision of the commission, to seek the leave of the court to appeal.	Section 557(2) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as a person aggrieved by a decision of the registrar, to appeal to the full bench.	Section 560(1) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as a person aggrieved by a decision of the registrar, to seek the leave of the full bench to appeal.	Section 560(2) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power to apply to the industrial tribunal to allow a longer period in which to start an appeal.	Section 564(2) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as a person mentioned in column 2 of schedule 3, to apply to the relevant industrial tribunal for an order in relation to a contravention, or alleged contravention, of a civil penalty provision.	Section 572 <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as a person subject to a requirement from an inspector to produce a document, to comply with the requirement.	Section 912(2) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as an employer subject to a written demand by an inspector under subsection (1), to comply with the demand.	Section 915(2) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as an employer, to pay wages payment to an employee under the Act, a relevant industrial instrument or a permit, in accordance with the employee's written direction.	Section 928(1)(b) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as the employer in a workplace where an industrial instrument applies, to display a copy of the industrial instrument as required by section 934(2).	Section 934(2) <i>Industrial Relations Act 2016</i>
Chief Executive Officer	Power, as the employer, where a person whose employment with the employer has been terminated has asked for a certificate described in section 935(1), to give the certificate.	Section 935(2) <i>Industrial Relations Act 2016</i>

Information Privacy Act 2009

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DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION
Chief Executive Officer	Power, as agency, to transfer an individual's personal information to an entity outside Australia under certain circumstances.	Section 33 <i>Information Privacy Act 2009</i>
Chief Executive Officer	Power, as agency, to enter into a service arrangement with an entity other than an agency to provide services and to take all reasonable steps to ensure the contracted service provider is required to comply with chapter 2, part 1 or 2 and part 3.	Section 35 <i>Information Privacy Act 2009</i>
Chief Executive Officer	Power, as agency, to give access to a document created after the application for access is received.	Section 47 <i>Information Privacy Act 2009</i>
Chief Executive Officer	Power, as agency, to search for a document on a backup system if it considers the search is appropriate.	Section 49 <i>Information Privacy Act 2009</i>
Chief Executive Officer	Power, as agency, to appoint an appropriately qualified healthcare professional to make a healthcare decision in relation to an access or amendment application.	Section 50(5)(b) <i>Information Privacy Act 2009</i>
Chief Executive Officer	Power, as agency, to contact the person and tell them how the application does not comply with a relevant application requirement.	Section 53(2) <i>Information Privacy Act 2009</i>
Chief Executive Officer	Power, as agency, to refuse to deal with an access or amendment application if: (a) the application does not comply with all relevant application requirements; and (b) the applicant has been afforded a reasonable opportunity to consult with a view to making the application comply.	Section 53(3) <i>Information Privacy Act 2009</i>
Chief Executive Officer	Power, as agency, to give prescribed written notice of the decision.	Section 53(6) <i>Information Privacy Act 2009</i>
Chief Executive Officer	Power, as agency, to refuse to deal with an access application if:	Section 54 <i>Information Privacy Act 2009</i>

	<p>(a) the application should have been made under the <i>Right to Information Act</i> (because it is for access to a document other than to the extent it contains the applicant's personal information); and</p> <p>(b) reasonable efforts have been made to inform the applicant that the application:</p> <p>(i) can not be made under the <i>Information Privacy Act</i>; and</p> <p>(ii) should be made under the <i>Right to Information Act</i>; and</p> <p>(iii) may be changed so it can be made under the <i>Information Privacy Act</i>, or may be dealt with under the <i>Right to Information Act</i> by paying the application fee.</p>	
Chief Executive Officer	<p>Power, as agency, at any time before a deemed decision is taken to have been made in relation to an access or amendment application, to ask applicant for a further specified period to consider the application.</p> <p>Note: more than one request can be made (section 55(2) <i>Information Privacy Act</i>)</p>	Section 55(1) <i>Information Privacy Act 2009</i>
Chief Executive Officer	<p>Power, as agency, to continue to consider an access or amendment application, if a further specified period has been requested under section 55(1), the applicant has not refused the request, and no notice that the applicant has applied for review has been received.</p>	Section 55(3) <i>Information Privacy Act 2009</i>
Chief Executive Officer	<p>Power, as agency, to give access to a document that contains information the disclosure of which may reasonably be expected to be of concern to a government, agency, or person (a "relevant third party"), <u>only if</u> reasonably practicable steps are taken to obtain the relevant third party's views on whether:</p> <p>(a) the document is a document for Chapter 3 of the <i>Information Privacy Act</i> (document of an agency or a Minister under the <i>Right to Information Act</i>); or</p> <p>(b) the information is exempt information or contrary to public interest information.</p>	Section 56(1) <i>Information Privacy Act 2009</i>
Chief Executive Officer	<p>Power, as agency, to transfer an access or amendment application to another agency if the document is not in the original agency's possession, but is, to the original agency's knowledge, in the other agency's possession, and the other agency consents.</p>	Section 57(2) <i>Information Privacy Act 2009</i>
Chief Executive Officer	<p>Power, as agency, to refuse to deal with the application without having identified any or all of the documents, if the documents contain information of a stated kind or relate to a stated subject matter and it appears that all of the documents are comprised of exempt information</p>	Section 59 <i>Information Privacy Act 2009</i>

	(as defined in Schedule 3 of the <i>Right to Information Act</i>).	
Chief Executive Officer	Power, as agency, to refuse to deal with an access or amendment application, or, if considering two or more access or amendment applications by the applicant, all the applications, if the work involved in dealing with the application, or all the applications, would substantially and unreasonably divert the resources of Council from use in performance of Council functions.	Section 60(1) <i>Information Privacy Act 2009</i>
Chief Executive Officer	Power, as agency, to give the applicant: (a) written notice of the refusal to deal with an access or amendment application under section 60(1) <i>Information Privacy Act</i> ; and (b) a reasonable opportunity to consult.	Section 61(1) <i>Information Privacy Act 2009</i>
Chief Executive Officer	Power, as agency, to refuse to deal with a later access application for one or more of the same documents sought under the first access application by the same applicant, to the extent it is for access to documents in the first application, if the later application does not disclose any reasonable basis for seeking such access.	Section 62(3) <i>Information Privacy Act 2009</i>
Chief Executive Officer	Power, as agency, to refuse to deal with a later amendment application for one or more of the same documents sought to be amended under the first access application by the same applicant, to the extent it is for amendment to documents in the first application, if the later application does not disclose any reasonable basis for seeking such access.	Section 63(3) <i>Information Privacy Act 2009</i>
Chief Executive Officer	Power, as agency, after considering an access application, to decide whether to give access to the document and whether any access charge must be paid by the applicant.	Section 65 <i>Information Privacy Act 2009</i>
Chief Executive Officer	Power, as agency, to refuse access to a document in the same way and to the extent access can be refused under section 47 <i>Right to Information Act</i> , were access to the document applied for under that Act.	Section 67(1) <i>Information Privacy Act 2009</i>
Chief Executive Officer	Power, as agency, to give a prescribed written notice to an applicant, for an access application, of: (a) the decision on the application, including a decision to refuse to deal with the application; and (b) the fact that the document is not a document in the possession, or under the control, of Council, if this is the case.	Section 68(1) <i>Information Privacy Act 2009</i>
Chief Executive Officer	Power, as agency, to not include any exempt information or contrary to public interest information in the notice given under section 68(1) <i>Information Privacy Act</i> .	Section 68(3) <i>Information Privacy Act 2009</i>

Chief Executive Officer	Power, as agency, to give prescribed written notice to an applicant that does not include details required to be in a prescribed written notice under section 199(a) and (b) <i>Information Privacy Act</i> , but states that Council neither confirms nor denies the existence of the document, but assuming the document does exist, it would be a document to which access would be refused under section 67 <i>Information Privacy Act</i> to the extent it comprised prescribed information.	Section 69(2) <i>Information Privacy Act 2009</i>
Chief Executive Officer	Power, as agency, after considering an amendment application, to decide whether amendment of the document is permitted.	Section 70 <i>Information Privacy Act 2009</i>
Chief Executive Officer	Power, as agency, to give an applicant for an amendment application a prescribed written notice of the decision on the application.	Section 73(1) <i>Information Privacy Act 2009</i>
Chief Executive Officer	Power, as agency, to not include reasons for a decision to permit amendment of the document in the notice given under section 73(1) <i>Information Privacy Act</i> .	Section 73(2) <i>Information Privacy Act 2009</i>
Chief Executive Officer	Power, as agency, to not include any exempt information or contrary to public interest information in the notice given under section 73(1) <i>Information Privacy Act</i> .	Section 73(3) <i>Information Privacy Act 2009</i>
Chief Executive Officer	Power, as agency, if a decision to amend the document is made, to make the amendment by altering the personal information or adding an appropriate notation to the personal information.	Section 74 <i>Information Privacy Act 2009</i>
Chief Executive Officer	Power, as agency, to waive an access charge.	Sections 80, 81 and 82 <i>Information Privacy Act 2009</i>
Chief Executive Officer	Power, as agency, to refuse to give access to a document in a form requested, if it would: <ul style="list-style-type: none"> (a) interfere unreasonably with Council's operations, or (b) be detrimental to the preservation of the document, or (c) be inappropriate having regard to the physical nature of the document; or (d) involve an infringement of the copyright of a person other than the State, and give access in another form.	Section 83(4) <i>Information Privacy Act 2009</i>
Chief Executive Officer	Power, as agency, to extend the period in which an applicant may access a document.	Section 84(2) <i>Information Privacy Act 2009</i>
Chief Executive Officer	Power, as agency, to defer giving access to a document for a reasonable period if the document was prepared: <ul style="list-style-type: none"> (a) for presentation to the Assembly or a committee of the Assembly; or 	Section 87 <i>Information Privacy Act 2009</i>

	(b) for release to the media; or (c) solely for inclusion in a document prepared for a purpose in (a) or (b).	
Chief Executive Officer	Power, as agency, to delete irrelevant information from a copy of a requested document when giving access to that requested document, if the agency considers it is reasonably practicable to give access to the copy.	Section 88 <i>Information Privacy Act 2009</i>
Chief Executive Officer	Power, as agency, to give access to a copy of a document from which the exempt information has been deleted.	Section 89 <i>Information Privacy Act 2009</i>
Chief Executive Officer	Power, as agency, to give access to a copy of a document from which the contrary to public interest information has been deleted.	Section 90 <i>Information Privacy Act 2009</i>
Chief Executive Officer	Power, as agency, to direct access to the document be given instead to an appropriately qualified healthcare professional nominated by the applicant and approved by the agency, where access was refused under section 47(3)(d) of the <i>Right to Information Act</i> , as applied under the <i>Information Privacy Act</i> .	Section 92(2) <i>Information Privacy Act 2009</i>
Chief Executive Officer	Power, as agency, to conduct a particular further search or to conduct further searches directed by the information commissioner.	Section 115 <i>Information Privacy Act 2009</i>
Chief Executive Officer	Power, as agency, to apply to the information commissioner for declaration that a person is a vexatious applicant.	Section 127 <i>Information Privacy Act 2009</i>
Chief Executive Officer	Power, as agency, to apply to the information commissioner for approval to waive or modify the obligation to comply with the privacy principles.	Section 157 <i>Information Privacy Act 2009</i>
Chief Executive Officer	Power, as agency, to ask the information commissioner to extend the time within which to take action stated in a compliance notice.	Section 159 <i>Information Privacy Act 2009</i>
Chief Executive Officer	Power, as agency, to apply to QCAT, as provided under the QCAT Act, for review of the information commissioner's decision to give a compliance notice.	Section 161(1) <i>Information Privacy Act 2009</i>

Land Act 1994

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Amended/Substituted/Renumbered:	
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Omitted/Expired:	
Note:	

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION
Chief Executive Officer	Power, as a person who may take water under the Water Act 2000, section 96, to exercise a right of access, a right of grazing and a right to bring action for trespass over the adjacent land.	Section 13A(4) <i>Land Act 1994</i>
Chief Executive Officer	Power, as an adjacent owner for the land, to consent to the dedication of non-tidal watercourse land or non-tidal lake land as a reserve.	Section 13AC(1)(a) <i>Land Act 1994</i>
Chief Executive Officer	Power, as owner of land having a non-tidal boundary (watercourse) (the relevant land), to apply to the chief executive (water) to have land adjoining the relevant land (the watercourse land) declared to be former watercourse land.	Section 13B(1) <i>Land Act 1994</i>
Chief Executive Officer	Power to give notice of the person's intention to make an application pursuant to section 13B to the owners of any land that adjoins the watercourse land	Section 13B(2) <i>Land Act 1994</i>
Chief Executive Officer	Power, as an applicant under section 13B(1), to appeal against the refusal of the application.	Section 13B(6) <i>Land Act 1994</i>
Chief Executive Officer	Power, as registered owner of land, to enter an agreement with the Governor in Council to exchange all or part of the freehold land for the grant of unallocated State land.	Section 18(1) <i>Land Act 1994</i>
Chief Executive Officer	Power, as lessee of a freeholding lease, to enter an agreement with the Governor in Council to exchange all or part of the freeholding lease for a freeholding lease over unallocated state land.	Section 18(2) <i>Land Act 1994</i>
Chief Executive Officer	Power, as lessee of a term lease (other than a State lease or a perpetual lease), to enter an agreement with the Minister to exchange all or part of the term lease for a lease of unallocated State land for a term of years or in perpetuity.	Section 18(3) <i>Land Act 1994</i>

Chief Executive Officer	Power, as a person seeking to have a plan of subdivision registered in relation to the land contained in a deed of grant, deed of grant in trust or lease, to apply to the chief executive for the allocation of a floating reservation to some or all of the lots created by the plan.	Section 23A(1) <i>Land Act 1994</i>
Chief Executive Officer	Power, as an applicant under section 23A(1), to appeal against the chief executive's decision.	Section 23A(6) <i>Land Act 1994</i>
Chief Executive Officer	Power, as registered owner of the deed of grant or lessee of a freeholding lease of a reservation for a public purpose to be sold under section 24(1), to apply to the Governor in Council to buy the land.	Section 24(3) <i>Land Act 1994</i>
Chief Executive Officer	Power to appeal against the Minister's determination of the unimproved value of land to be sold under section 24(1) of the <i>Land Act 1994</i> .	Section 25(2) <i>Land Act 1994</i>
Chief Executive Officer	Power, as trustee, lessee or registered owner, to agree to the Minister's proposal to change the boundaries of a lease, deed of grant or deed of grant in trust where the Governor in Council is resuming possession of all or part of a reservation and the boundaries of the reservation are not stated in the lease, deed of grant or deed of grant in trust.	Section 26(2) <i>Land Act 1994</i>
Chief Executive Officer	Power, as lessee, registered owner or trustee, to appeal the Minister's decision to change the boundaries of a lease, deed of grant or deed of grant in trust where the Governor in Council is resuming possession of all or part of a reservation and the boundaries of the reservation are not stated in the lease, deed of grant or deed of grant in trust.	Section 26(4) <i>Land Act 1994</i>
Chief Executive Officer	Power, as lessee or registered owner, to buy a forest entitlement area under sections 24 and 25.	Section 26B(2) <i>Land Act 1994</i>
Chief Executive Officer	Power, as lessee or registered owner, to appeal against the value decided by the Minister for commercial timber on a forest entitlement area that the local government is buying.	Section 26B(8) <i>Land Act 1994</i>
Chief Executive Officer	Power, to apply to the Minister for the dedication of a reserve.	Section 31C(1) <i>Land Act 1994</i>
Chief Executive Officer	Power to give notice of the intention to apply for the dedication of a reserve.	Sections 31C(2) and 31C(3) <i>Land Act 1994</i>
Chief Executive Officer	Power, as trustee, to apply to the Minister to change the boundary of a reserve or the purpose of a reserve.	Section 31D(1) <i>Land Act 1994</i>
Chief Executive Officer	Power to give notice of the intention to change the boundary of a reserve or the purpose of a reserve.	Sections 31D(2) and 31D(3) <i>Land Act 1994</i>
Chief Executive Officer	Power, as trustee, to consult with the Minister in response to a proposed State lease over a reserve.	Section 32 <i>Land Act 1994</i>

Chief Executive Officer	Power to apply to the Minister to revoke the dedication of all or part of a reserve.	Section 34(1) <i>Land Act 1994</i>
Chief Executive Officer	Power to give notice of the intention to apply to the Minister to revoke the dedication of all or part of a reserve.	Sections 34(2) and 34(3) <i>Land Act 1994</i>
Chief Executive Officer	Power, as owner of improvements on a reserve the dedication to which has been revoked, to apply, in writing to the chief executive, to remove improvements on the reserve.	Section 34H(1) <i>Land Act 1994</i>
Chief Executive Officer	Power, as owner of improvements on a reserve the dedication to which has been revoked, to remove improvements with the written approval of the chief executive.	Section 34H(2) <i>Land Act 1994</i>
Chief Executive Officer	Power, as trustee of an operational reserve, to ask the Minister to recommend to the Governor in Council the issue of a deed of grant over the land, or a part of the land, under section 34L.	Section 34J(1) <i>Land Act 1994</i>
Chief Executive Officer	Power, as trustee of an operational reserve, to give notice of the trustee's intention to make a request under section 34J(1).	Section 34J(2) and (3) <i>Land Act 1994</i>
Chief Executive Officer	Power, as trustee of an operational reserve, to accept the Minister's offer to recommend to the Governor in Council the issue of a deed of grant over the land, or a part of the land, under section 34L.	Section 34K(3) and 403W(5) <i>Land Act 1994</i>
Chief Executive Officer	Power, as trustee of an operational reserve, to give notice of the Minister's offer to make a recommendation under section 34J(1).	Section 34K(3)(a) and (b) <i>Land Act 1994</i>
Chief Executive Officer	Power, as trustee, to apply for an additional community purpose or to amalgamate land with common purposes.	Section 38A(1) <i>Land Act 1994</i>
Chief Executive Officer	Power, as trustee, to apply for the cancellation of a deed of grant in trust under section 38.	Section 38A(2) <i>Land Act 1994</i>
Chief Executive Officer	Power, as trustee, to give notice of the intention to apply under section 38A.	Sections 38A(3) and 38A(4) <i>Land Act 1994</i>
Chief Executive Officer	Power, as owner of improvements on a deed of grant in trust that has been cancelled, to apply, in writing to the chief executive, to remove the improvements on the deed of grant in trust.	Section 38G(1) <i>Land Act 1994</i>
Chief Executive Officer	Power, as owner of improvements on a deed of grant in trust that has been cancelled, to remove the improvements with the chief executive's approval.	Section 38G(2) <i>Land Act 1994</i>
Chief Executive Officer	Power, as trustee of an operational deed of grant in trust, to ask the Minister to recommend to the Governor	Section 43B(1) <i>Land Act 1994</i>

	in Council the issue of a deed of grant over the land, or a part of the land, under section 43D.	
Chief Executive Officer	Power, as trustee of an operational deed of grant in trust, to give notice of the trustee's intention to make a request under section 43B(1).	Section 43B(2) and (3) <i>Land Act 1994</i>
Chief Executive Officer	Power, as trustee of an operational deed of grant in trust, to accept the Minister's offer to recommend to the Governor in Council the issue of a deed of grant over the land, or a part of the land, under section 43D.	Section 43C(3) and 403W(5) <i>Land Act 1994</i>
Chief Executive Officer	Power, as trustee of an operational deed of grant in trust, to give notice of the Minister's offer to make a recommendation under section 43D.	Section 43C(3)(a) and (b) <i>Land Act 1994</i>
Chief Executive Officer	Power to accept appointment as trustee.	Section 44 <i>Land Act 1994</i>
Chief Executive Officer	Power, as trustee, to advise the chief executive of change in details.	Section 45 <i>Land Act 1994</i>
Chief Executive Officer	Power, as trustee, to comply with the administrative, accounting function and other directions provided by Minister.	Sections 46 and 47 <i>Land Act 1994</i>
Chief Executive Officer	Power, as trustee, to:- (a) comply with a request of the chief executive to apply for the approval of a management plan for the trust land; and (b) comply with a request of the chief executive to make all records available for inspection by the chief executive and allow copies and notes of the records to be made; (c) register any management plan in the appropriate register	Section 48 <i>Land Act 1994</i>
Chief Executive Officer	Power, as trustee, to:- (a) allow the auditor-general, a person mentioned in section 47(1)(a) to (d), or a person authorised by the chief executive of a department, to audit the trust's financial accounts; and (b) help the conduct of the audit, including the disclosure of financial institution accounts necessary for the audit.	Section 49 <i>Land Act 1994</i>
Chief Executive Officer	Power, as trustee, to resign by signed notice of resignation given to the Minister and agree with the Minister on the day the resignation takes effect	Sections 50(1)(b) and 50(2) <i>Land Act 1994</i>
Chief Executive Officer	Power to take all necessary action for the maintenance and management of trust land.	Sections 52(1) <i>Land Act 1994</i> .
Chief Executive Officer	Power, as trustee, to apply to the Minister to take action under section 52(1) that is an inconsistent action.	Section 52AA(2)(a) <i>Land Act 1994</i> .

Chief Executive Officer	Power, as trustee, to take an inconsistent action.	Section 52AA(3) <i>Land Act 1994</i> .
Chief Executive Officer	Power, as trustee, to take action under section 52(1) that is inconsistent with the purpose for which the land is dedicated as a reserve or granted in trust if the circumstances in subsections 52AB(2)(a) and (b) are met.	Section 52AB(2) <i>Land Act 1994</i> .
Chief Executive Officer	Power, as trustee, to surrender all or part of a deed of grant in trust on terms agreed with the Minister and with the Minister's written approval.	Section 55(1) <i>Land Act 1994</i> .
Chief Executive Officer	Power, as trustee, to apply to surrender all or part of a deed of grant in trust.	Section 55A(1) <i>Land Act 1994</i>
Chief Executive Officer	Power, as trustee, to give notice of the intention to apply to surrender all or part of a deed of grant in trust.	Sections 55A(2) and 55A(3) <i>Land Act 1994</i>
Chief Executive Officer	Power, as owner of improvements on a deed of grant in trust that has been surrendered, to apply, in writing to the chief executive, to remove the improvements on the deed of grant in trust.	Section 55H(1) <i>Land Act 1994</i>
Chief Executive Officer	Power, as owner of improvements on a deed of grant in trust that has been surrendered, to remove the improvements on the deed of grant in trust with the written approval of the chief executive.	Section 55H(2) <i>Land Act 1994</i>
Chief Executive Officer	Power, as trustee, to lease all or part of the trust land if the trustee first obtains the Minister's written "in principle" approval to the lease.	Section 57(1) <i>Land Act 1994</i> .
Chief Executive Officer	Power as trustee to, without the Minister's approval, grant a trustee lease (construction) or a trustee lease (State or statutory body) over all or part of the trust land.	Section 57(3) <i>Land Act 1994</i> .
Chief Executive Officer	Power, as trustee, to register a trustee lease in the appropriate register.	Section 57(7) <i>Land Act 1994</i> .
Chief Executive Officer	Power to seek the Minister's approval to amend a trustee lease.	Section 57A(1) <i>Land Act 1994</i>
Chief Executive Officer	Power, as trustee lessee, to transfer, mortgage or sublease a trustee lease subject to the written approval of:- (a) the Minister for a sublease; or (b) otherwise, the chief executive.	Section 58(1) <i>Land Act 1994</i>
Chief Executive Officer	Power to appeal against the Minister's or chief executive's decision to refuse to allow a transfer, mortgage or sublease of a trustee lease.	Section 58(7) <i>Land Act 1994</i>
Chief Executive Officer	Power, as trustee, to issue a trustee permit to use all or part of the trust land.	Section 60(1) <i>Land Act 1994</i>
Chief Executive Officer	Power to lodge a trustee permit in the appropriate register.	Section 60(3) <i>Land Act 1994</i>

Chief Executive Officer	Power to seek consent to group trust land reserved for similar purposes together.	Section 62 <i>Land Act 1994</i>
Chief Executive Officer	Power to seek the Minister's approval for rent from a trustee lease or trustee permit to be applied to costs other than on maintenance and enhancement of the trust land.	Section 63(3) <i>Land Act 1994</i>
Chief Executive Officer	Power, as a relevant person, to apply to the Minister for written authority dispensing with the need to obtain the Minister's or chief executive's approval for relevant leases.	Section 64(1) <i>Land Act 1994</i>
Chief Executive Officer	Power, as a relevant person, to apply for approval to lease, sublease or sub-sublease trust land even if an authority is in force.	Section 64(4) <i>Land Act 1994</i>
Chief Executive Officer	Power, as trustee, to cancel a trustee lease or trustee permit if the lessee or permittee does not comply with the conditions of the lease or permit.	Section 65(1) <i>Land Act 1994</i>
Chief Executive Officer	Power to allow the trustee lessee or trustee permittee to remove the trustee lessee's or trustee permittee's improvements on the land within a reasonable time stated by the trustee.	Section 66(1) <i>Land Act 1994</i>
Chief Executive Officer	Power, as trustee of a deed of grant in trust, to mortgage a deed of grant in trust issued prior the commencement of the <i>Land Act 1994</i> , subject to the Minister's approval under section 67(4).	Section 67(2) <i>Land Act 1994</i>
Chief Executive Officer	Power to mortgage a deed of grant in trust issued after the commencement of the <i>Land Act 1994</i> subject to section 67(3)(a) and (b) and the Minister's approval under section 67(4).	Section 67(3) <i>Land Act 1994</i>
Chief Executive Officer	Power, as trustee of trust land for cemetery purposes, to repair or remove structures, monuments or tombstones from a cemetery on trust land.	Section 80(1) <i>Land Act 1994</i>
Chief Executive Officer	Power to ask the Minister that a cemetery on trust land be closed to further burials.	Section 81(1) <i>Land Act 1994</i>
Chief Executive Officer	Power to ask the Minister to re-open a cemetery previously closed for further burials.	Section 81(4) <i>Land Act 1994</i>
Chief Executive Officer	Power to agree to take on the trusteeship of a cemetery from trustees of the cemetery, and to agree on the terms of the transfer.	Section 82 <i>Land Act 1994</i> .
Chief Executive Officer	Power to seek approval from the Minister to exhume a body from a cemetery, in the absence of any local law covering the matter.	Section 83(1) <i>Land Act 1994</i> .
Chief Executive Officer	Power to apply to the Minister seeking approval to surrender land granted for an estate in fee simple for some community, public or similar purpose, the land to	Section 84(1) <i>Land Act 1994</i> .

	the State, and for the issue of a deed of grant in trust under this Act for a community or public purpose.	
Chief Executive Officer	Power to apply for land to be dedicated as a road for public use.	Section 94(2) <i>Land Act 1994</i> .
Chief Executive Officer	Power to apply to the Minister to permanently close a road.	Section 99(1) <i>Land Act 1994</i> .
Chief Executive Officer	Power to apply to the Minister to temporarily close a road.	Section 99(3) <i>Land Act 1994</i> .
Chief Executive Officer	Power, as an adjoining owner of land who makes an application to permanently close a road pursuant to section 99(1) of the <i>Land Act 1994</i> , to ask that the land be amalgamated with the adjoining owner's adjoining land upon its closure.	Section 99(4) <i>Land Act 1994</i> .
Chief Executive Officer	Power to object to a road closure application in response to a public notice.	Section 100 <i>Land Act 1994</i> .
Chief Executive Officer	Power, as a road licensee, to surrender all or part of a road licence.	Section 105(3) <i>Land Act 1994</i> .
Chief Executive Officer	Power, as registered owner of land, to apply for the simultaneous opening and closing of roads subject to the conditions in section 109A(1)(a), (b) and (c).	Section 109A(1) <i>Land Act 1994</i> .
Chief Executive Officer	Power, as registered owner, to ask the Minister to include certain matters in the deed of grant in trust issued under section 358.	Section 109A(2) <i>Land Act 1994</i> .
Chief Executive Officer	Power, as registered owner, to appeal against any conditions the Minister imposes under section 420I.	Section 109A(3) <i>Land Act 1994</i> .
Chief Executive Officer	Power, as trustee or lessee, to apply for the simultaneous opening or closing of roads subject to section 109B(1)(a), (b) and (c).	Section 109B(1) <i>Land Act 1994</i> .
Chief Executive Officer	Power to ask the Minister to include certain matters in the deed of grant in trust issued under section 358 or dedicated as a reserve under section 31A (whichever is applicable).	Section 109B(2) <i>Land Act 1994</i> .
Chief Executive Officer	Power, as lessee, to ask that the land in the road being closed be amalgamated in accordance with section 109B(3)(a) or (b) (whichever is applicable).	Section 109B(3) <i>Land Act 1994</i> .
Chief Executive Officer	Power, as trustee or lessee, to appeal against any conditions the Minister imposes under section 420I.	Section 109B(4) <i>Land Act 1994</i> .
Chief Executive Officer	Power to apply for an interest in land that may be granted without competition.	Section 120A(1) <i>Land Act 1994</i> .
Chief Executive Officer	Power, as lessee, to apply to the Minister that a lease be used for additional or fewer purposes.	Section 154 <i>Land Act 1994</i> .
Chief Executive Officer	Power, as lessee, to apply for extension of a term lease (40 years).	Section 155A(2) <i>Land Act 1994</i> .

Chief Executive Officer	Power, as lessee, to apply for extension of a term lease (50 years).	Section 155B(2) <i>Land Act 1994</i> .
Chief Executive Officer	Power, as lessee, to apply for extension of a term lease (75 years).	Section 155BA(2) <i>Land Act 1994</i> .
Chief Executive Officer	Power, as lessee, to:- (a) provide the Minister with an improvements report; (b) give the Minister information, or further information, about a building or other structure on the lease land; and (c) give the Minister a report about the condition of the buildings and other structures on the lease land.	Sections 156(2) and (4) <i>Land Act 1994</i> .
Chief Executive Officer	Power, as lessee, to within the reasonable period stated in the notice, make written submissions about any matter relevant to the reasons for the chief executive's proposal.	Section 157B(2)(a)(iii) <i>Land Act 1994</i> .
Chief Executive Officer	Power, as lessee, to apply for an offer of a new lease (a renewal application).	Section 158 <i>Land Act 1994</i> .
Chief Executive Officer	Power, as trustee, to consult with the Chief Executive.	Section 159A(2) <i>Land Act 1994</i> .
Chief Executive Officer	Power, as an applicant for a renewal application, to appeal against the chief executive's decision to refuse the renewal application if the only reason for the refusal was that the applicant had not complied with the conditions of the lease.	Section 160(3) <i>Land Act 1994</i> .
Chief Executive Officer	Power, as a lessee under a rolling term lease, to apply to the Minister for an extension of the term.	Section 164C(1) <i>Land Act 1994</i> .
Chief Executive Officer	Power, as a lessee under a rolling term lease, to appeal to the Minister's refusal of an extension of the term.	Section 164C(7) <i>Land Act 1994</i> .
Chief Executive Officer	Power, as lessee, to apply to convert a perpetual lease to freehold land and a term lease to a perpetual lease or to freehold land.	Section 166(1) <i>Land Act 1994</i> .
Chief Executive Officer	Power, as applicant for a conversion application, to appeal against the chief executive's decision to refuse the conversion application if the only reason for the refusal was that the applicant had not complied with the conditions of the lease.	Section 168(5) <i>Land Act 1994</i> .
Chief Executive Officer	Power to appeal against the chief executive's decision on the purchase price for the conversion of a lease to a deed of grant.	Section 170(2) <i>Land Act 1994</i> .
Chief Executive Officer	Power, as lessee, to apply for approval to subdivide the lease.	Section 176(1) <i>Land Act 1994</i> .
Chief Executive Officer	Power to provide a statement of Council's views on the proposed subdivision.	Section 176(2)(b) <i>Land Act 1994</i> .
Chief Executive Officer	Power to appeal against the Minister's decision to refuse an application for approval to subdivide a lease.	Section 176E <i>Land Act 1994</i> .

Chief Executive Officer	Power, as lessee of 2 or more leases, to apply to the Minister for approval to amalgamate the leases.	Section 176K(1) <i>Land Act 1994</i> .
Chief Executive Officer	Power, as a local government, to prepare a statement of Council's views on the amalgamation of 2 or more leases.	Section 176K(3)(b) <i>Land Act 1994</i> .
Chief Executive Officer	Power to give the chief executive an opinion in respect of a proposed road closure.	Section 176N <i>Land Act 1994</i> .
Chief Executive Officer	Power to consult with the chief executive regarding the issue of a permit to occupy unallocated State land, a road or a reserve.	Section 177(3) <i>Land Act 1994</i> .
Chief Executive Officer	Power to apply for a permit to occupy unallocated State land, a reserve or a road.	Section 177A(1) <i>Land Act 1994</i> .
Chief Executive Officer	Power to give notice of an intention to apply for a permit to occupy unallocated State land, a reserve or a road.	Section 177A(2) <i>Land Act 1994</i> .
Chief Executive Officer	Power, as an applicant for a permit, to enter an agreement with an adjoining owner about the maintenance of a fence.	Section 179 <i>Land Act 1994</i> .
Chief Executive Officer	Power, as a permittee, to surrender a permit to occupy on terms agreed to between the chief executive and the permittee and with the chief executive's written approval.	Section 180(2) <i>Land Act 1994</i> .
Chief Executive Officer	Power, as a relevant entity, to apply to surrender or cancel a permit to occupy.	Section 180A <i>Land Act 1994</i> .
Chief Executive Officer	Power, as a permittee for a permit that is cancelled or surrendered, to apply to remove the permittee's improvements on the permit land.	Section 180H(1) <i>Land Act 1994</i> .
Chief Executive Officer	Power, as a permittee, to remove improvements with the chief executive's written approval.	Section 180H(2) <i>Land Act 1994</i> .
Chief Executive Officer	Power, as lessee, licensee or permittee, to give the Minister or chief executive the information asked for about the lease, licence or permit.	Section 201 <i>Land Act 1994</i> .
Chief Executive Officer	Power, as lessee, licensee or permittee, to apply to change an imposed condition of the lease, licence or permit.	Section 210 <i>Land Act 1994</i> .
Chief Executive Officer	Power to appeal against the Minister's decision to change an imposed condition about the protection and sustainability of the lease land.	Section 212(3) <i>Land Act 1994</i> .
Chief Executive Officer	Power to make submissions to the Minister in response to a warning notice.	Section 214A <i>Land Act 1994</i> .
Chief Executive Officer	Power, as a lessee or licensee to whom a remedial action notice has been given, to appeal against the decision to give the notice.	Section 214B <i>Land Act 1994</i> .
Chief Executive Officer	Power, as a lessee or licensee to whom a remedial action notice has been given, to comply with the notice.	Section 214D <i>Land Act 1994</i> .

Chief Executive Officer	Power, as lessee, to appeal against the Minister's decision to reduce the term of, or impose additional conditions on, a lease.	Section 214F(3) <i>Land Act 1994</i> .
Chief Executive Officer	Power, as a person who has a lawful interest in the matters listed at section 219(3)(a), (b) and (c), to claim compensation as prescribed by the <i>Acquisition of Land Act 1967</i> .	Section 219(3) <i>Land Act 1994</i> .
Chief Executive Officer	Power, as a compensation claimant, to appeal the Minister's decision about the amount of loss, costs and expenses the claimant is entitled to claim.	Section 222(6) <i>Land Act 1994</i> .
Chief Executive Officer	Power, as owner of lawful improvements on a lease or part of lease resumed under the division, to claim compensation.	Section 225(2) <i>Land Act 1994</i> .
Chief Executive Officer	Power, as lessee, to appeal against the Minister's decision on compensation payable.	Section 226(5) <i>Land Act 1994</i> .
Chief Executive Officer	Power, as owner of lawful improvements on all or part of a reservation resumed, to claim compensation.	Section 230(2) <i>Land Act 1994</i> .
Chief Executive Officer	Power, as owner, to appeal against the Minister's decision on compensation payable.	Section 232(5) <i>Land Act 1994</i> .
Chief Executive Officer	Power, as a relevant local government of a term or a perpetual lease, to appeal against a decision under subsection (2)(b)(iv) to allow an entity other than the relevant local government to sell the lease.	Section 239(4) <i>Land Act 1994</i> .
Chief Executive Officer	Power, after receiving a notice under section 235(1) or 238(3), as a lessee of a lease, to apply in writing to the chief executive for permission to sell the lease.	Section 240E(1) <i>Land Act 1994</i> .
Chief Executive Officer	Power, as a local government, to apply to the chief executive to sell a lease.	Section 240G <i>Land Act 1994</i> .
Chief Executive Officer	Power, as lessee of a forfeited lease, to apply, in writing to the chief executive, to remove the lessee's improvements on the lease.	Section 243(1A) <i>Land Act 1994</i> .
Chief Executive Officer	Power, as lessee of a forfeited lease, to remove the improvements with the written approval of the chief executive.	Section 243(1) <i>Land Act 1994</i> .
Chief Executive Officer	Power, as a transferor or a person creating the interest, or the transferee or the person in whose favour the interest is to be created, to sign a document transferring a lease, sublease or licence or creating an interest in a lease or sublease.	Section 288(1) <i>Land Act 1994</i>
Chief Executive Officer	Power, as a transferee or the person in whose favour the interest is to be created, to authorise a legal practitioner to sign a document transferring a lease, sublease or licence or creating an interest in a lease or sublease on Council's behalf.	Section 288(1)(b) <i>Land Act 1994</i>

Chief Executive Officer	Power, as applicant, give public notice of the request as required by the registrar of titles.	Section 294(2) <i>Land Act 1994</i>
Chief Executive Officer	Power, as applicant, to satisfy the registrar of titles that the public notice has been given as required by the registrar.	Section 294(4) <i>Land Act 1994</i>
Chief Executive Officer	Power, as a person who receives a requisition notice, to:- (a) give the document or information; and (b) if required by the registrar of titles, verify it by statutory declaration and affidavit.	Section 305(2) <i>Land Act 1994</i>
Chief Executive Officer	Power, as a person who receives a requisition notice, to give the verifying document by giving a signed electronic form of the verifying document by electronic communication.	Section 305A(1) <i>Land Act 1994</i>
Chief Executive Officer	Power, as a person listing in subsection 307(1) to request to borrow a document from the registrar of titles.	Section 307(1) <i>Land Act 1994</i>
Chief Executive Officer	Power, as a person who borrowed a document, to return it to the registrar of titles.	Section 307(2) <i>Land Act 1994</i>
Chief Executive Officer	Power to make a written application to the registrar of titles to permit the applicant to relodge a document that the registrar has permitted to be withdrawn.	Section 308(4) <i>Land Act 1994</i>
Chief Executive Officer	Power to lodge a standard terms document and amend the standard terms document by lodging a further document.	Sections 318 & 319 <i>Land Act 1994</i> .
Chief Executive Officer	Power, as a person who has lodged a standard terms document, to ask the registrar of titles to withdraw it.	Section 321(1) <i>Land Act 1994</i>
Chief Executive Officer	Power, as a lessee, licensee or the holder of a sublease, to apply to transfer a lease, sublease or licence under the Act with the approval of the chief executive.	Section 322(3) <i>Land Act 1994</i>
Chief Executive Officer	Power, as a lessee, licensee or the holder of a sublease, to apply to the chief executive to extend the time mentioned in subsection 322(4).	Section 322(5) <i>Land Act 1994</i>
Chief Executive Officer	Power, as a lessee, licensee or the holder of a sublease, to appeal a decision of the chief executive not to grant the transfer of a lease, sublease or licence.	Section 322(8) <i>Land Act 1994</i>
Chief Executive Officer	Power to surrender freehold land on terms agreed between the chief executive and the registered owner and with the chief executive's written approval.	Section 327 <i>Land Act 1994</i>
Chief Executive Officer	Power to surrender a lease or part of a lease on terms agreed between the chief executive and the lessee and with the chief executive's written approval.	Section 327A <i>Land Act 1994</i>
Chief Executive Officer	Power, as a registered owner, to apply in writing to the chief executive to surrender freehold land.	Section 327B <i>Land Act 1994</i> .

Chief Executive Officer	Power, as a lessee, to apply in writing to the chief executive to surrender all or part of a lease.	Section 327C(1) <i>Land Act 1994</i> .
Chief Executive Officer	Power, as a lessee, to give notice of an intention to apply to any other person with a registered interest in the lease.	Sections 327C(2) and 327C(3) <i>Land Act 1994</i> .
Chief Executive Officer	Power, as owner of improvements on a lease that has been surrendered, to apply in writing to the chief executive to remove the owner's improvements on the lease.	Section 327I(1) <i>Land Act 1994</i>
Chief Executive Officer	Power, as owner of improvements on a lease that has been surrendered, to remove the owner's improvements with the chief executive's written approval.	Section 327I(2) <i>Land Act 1994</i>
Chief Executive Officer	Power, as sub-lessee, to give written agreement to the surrender of the sublease.	Section 328(3) <i>Land Act 1994</i> .
Chief Executive Officer	Power, as lessee, to give notice of the intention to surrender a lease.	Section 329(1) <i>Land Act 1994</i> .
Chief Executive Officer	Power to seek the Minister's approval to sublease a lease issued under the Act.	Sections 332(1) and 332(2) <i>Land Act 1994</i>
Chief Executive Officer	Power to appeal against the Minister's refusal to approve the sublease of a lease issued under the Act.	Section 332(7) <i>Land Act 1994</i>
Chief Executive Officer	Power to seek the Minister's approval to amend a sublease.	Section 336 <i>Land Act 1994</i>
Chief Executive Officer	Power, as a sublessor who under a registered sublease has lawfully re-entered and taken possession, to lodge a request for the registrar of titles to register the re-entry.	Section 339 <i>Land Act 1994</i>
Chief Executive Officer	Power, as party to a sublease, to give another party to the sublease a dispute notice and ask the responder to give information reasonably required for resolving the dispute.	Section 339F <i>Land Act 1994</i> .
Chief Executive Officer	Power, as a party to a sublease who has received a dispute notice, to respond to the dispute notice and ask for further information reasonably required for resolving the dispute.	Section 339G <i>Land Act 1994</i> .
Chief Executive Officer	Power, as a party to a sublease and where the circumstances of section 339H(1) apply, to attempt to resolve the dispute by mediation.	Section 339H(2) <i>Land Act 1994</i> .
Chief Executive Officer	Power, as a party to a sublease and a party to a dispute, to jointly appoint a mediator to mediate the dispute.	Section 339I(1) <i>Land Act 1994</i> .
Chief Executive Officer	Power, as a party to a sublease and a party to a dispute, and where the circumstances of section 339I(2) apply, to request the prescribed dispute resolution entity to appoint a mediator to mediate the dispute.	Section 339I(2) <i>Land Act 1994</i> .

Chief Executive Officer	Power, as a party to a sublease and a party to a dispute, to agree to a time for the mediation.	Section 339J(1) <i>Land Act 1994</i> .
Chief Executive Officer	Power, as a party to a sublease and a party to a dispute, and where the circumstances of section 339J(2) apply, to request the prescribed dispute resolution entity to set a time for the mediation of the dispute.	Section 339J(2) <i>Land Act 1994</i> .
Chief Executive Officer	Power, as a party to a sublease and a party to a dispute that is the subject of mediation, to participate in the mediation, agree to adjourn the mediation, and agree to a later time for the mediation.	Section 339K <i>Land Act 1994</i> .
Chief Executive Officer	Power, as a party to a sublease and a party to a dispute that is the subject of mediation, to pay Council's share of the mediator's costs of the mediation or otherwise agree with the other parties to the dispute how the costs of the mediator will be paid.	Section 339L <i>Land Act 1994</i> .
Chief Executive Officer	Power, as a party to a sublease and a party to a dispute, to jointly appoint an arbitrator to decide the dispute.	Section 339O(1) <i>Land Act 1994</i> .
Chief Executive Officer	Power, as a party to a sublease and a party to a dispute, and where the circumstances of section 339O(2) apply, to request the prescribed dispute resolution entity to appoint an arbitrator to decide the dispute.	Section 339O(2) <i>Land Act 1994</i> .
Chief Executive Officer	Power, as a party to a sublease and a party to a dispute, to agree to extend the period for the arbitrator to decide the dispute by issuing an award.	Section 339Q(3)(c) <i>Land Act 1994</i> .
Chief Executive Officer	Power, as a party to a sublease and a party to a dispute, and where the arbitrator has required, to give an appointed expert access to or copies of any relevant information, documents or other property.	Section 339R(1)(b) <i>Land Act 1994</i> .
Chief Executive Officer	Power, as a party to a sublease and a party to a dispute, to request that an appointed expert participate in a hearing.	Section 339R(2) <i>Land Act 1994</i> .
Chief Executive Officer	Power, as a party to a sublease and a party to a dispute that has been decided by arbitration, to apply to the Supreme Court to set aside the decision in certain circumstances.	Section 339T(5) <i>Land Act 1994</i> .
Chief Executive Officer	Power, as a party to a sublease and a party to a dispute that is the subject of arbitration, to pay Council's share of the arbitration costs or otherwise agree with the other parties to the dispute how the arbitration costs will be paid.	Section 339U <i>Land Act 1994</i> .
Chief Executive Officer	Power, as the registered owner or trustee, to surrender land if the description of the land is no longer correct, because of the reasons listed in section 358(1)(a) to (f).	Section 358(1) <i>Land Act 1994</i>
Chief Executive Officer	Power, as registered owner or trustee, to surrender the land contained in the registered owner's deed of grant	Section 358(2) <i>Land Act 1994</i>

	or trustee's deed of grant in trust if, on resurvey of the land, the boundaries of the land do not agree with the boundaries described in the existing deed or appropriate plan, and no doubt exists about the boundaries of the land, with the written approval of the chief executive.	
Chief Executive Officer	Power to apply to amend the description in a freeholding lease if the description of the lease may be amended under section 360(1)(a) or (d).	Section 360C(1) <i>Land Act 1994</i> .
Chief Executive Officer	Power to apply to amend the description in a term lease or a perpetual lease, other than a State lease, if the description of the lease may be amended under section 360A(2)(a), (b) or (c).	Section 360C(2) <i>Land Act 1994</i> .
Chief Executive Officer	Power to apply to amend the description in a State lease if the description of the lease may be amended under section 360B(1)(a), (b), (c) or (d).	Section 360C(3) <i>Land Act 1994</i> .
Chief Executive Officer	Power, as a lessee or a person acting for a lessee, to give notice of an intention to make an application under section 360C to amend the description of a lease.	Section 360D <i>Land Act 1994</i> .
Chief Executive Officer	Power to sign the document creating the easement where Council is the owner of the land to be benefitted, the public utility provider or the owner of the land to be burdened.	Section 363(1)(b) <i>Land Act 1994</i> .
Chief Executive Officer	Power to transfer a public utility easement to another public utility provider.	Section 369A <i>Land Act 1994</i> .
Chief Executive Officer	Power to sign a document surrendering an easement in favour of Council, where Council is one or more of the entities listed in subsections 371(2)(a) to (c).	Section 371(2) <i>Land Act 1994</i> .
Chief Executive Officer	Power to apply to the Minister for approval for a public utility easement to continue over unallocated State land when the deed of grant in trust, lease or licence ends or the dedication of the reserve is revoked.	Section 372(2) <i>Land Act 1994</i> .
Chief Executive Officer	Power to apply to the Minister for approval for a public utility easement to continue over unallocated State land when the freehold land is surrendered.	Section 372(5) <i>Land Act 1994</i> .
Chief Executive Officer	Power, as the trustee, lessee or sublessee of nonfreehold land the subject of a trust, lease or sublease, to consent to the creation of a covenant on the land.	Section 373A <i>Land Act 1994</i> .
Chief Executive Officer	Power, as covenantee, to sign a document wholly or partly discharging the covenant.	Section 373D(2) <i>Land Act 1994</i> .
Chief Executive Officer	Power, as a holder of a registered interest in the land whose interest may be affected by the proposed carbon abatement interest, to consent to the proposed grant.	Section 373U(c) <i>Land Act 1994</i> .
Chief Executive Officer	Power, as caveator, to sign the caveat.	Section 389C <i>Land Act 1994</i> .

Chief Executive Officer	Power, as an offeree, to apply for an extension.	Section 403R(3) <i>Land Act 1994</i> .
Chief Executive Officer	Power, as trustee of trust land, or as a lessee, licensee or permittee to start a proceeding in the Magistrates Court for unlawful occupation or trespass of the trust land, or a lease, licence or permit.	Section 415 <i>Land Act 1994</i> .
Chief Executive Officer	Power to make a submission in response to a notice received under the Act about a proposed application.	Section 420CB <i>Land Act 1994</i> .
Chief Executive Officer	Power to respond to a request from the Chief Executive for information listed in sections 420E(1)(a) and 420E(1)(b).	Section 420E <i>Land Act 1994</i> .
Chief Executive Officer	Power to apply to the Minister for a review of a decision.	Section 423 <i>Land Act 1994</i> .
Chief Executive Officer	Power to appeal to the Court against a decision.	Section 427 <i>Land Act 1994</i> .
Chief Executive Officer	Power to consult with the Minister about whether Council wishes to be the manager of a declared beach area. NB. this power only applies to the proposed easements A, B and C on SP143259 situated in lots 69, 71 and 72 on plan FD395, which are in the Gladstone Regional Council area (see section 79 of the <i>Land Regulation 2020</i>).	Section 431V(2) <i>Land Act 1994</i> .
Chief Executive Officer	Power to consult with the public and the owner of the lot about the use conditions to be contained in a local law applying to a declared beach area. NB. this power only applies to the proposed easements A, B and C on SP143259 situated in lots 69, 71 and 72 on plan FD395, which are in the Gladstone Regional Council area (see section 79 of the <i>Land Regulation 2020</i>).	Section 431V(3) <i>Land Act 1994</i> .
Chief Executive Officer	Power, as an interested person and owner of adjacent land, and where the circumstances of section 431ZG(1) apply, to give the chief executive written notice of the damage.	Section 431ZG <i>Land Act 1994</i> .
Chief Executive Officer	Power, as an interested person and owner of adjacent land, and where the circumstances of section 431ZH(1) apply, to enter a remediation agreement with the chief executive.	Section 431ZH(2) <i>Land Act 1994</i> .
Chief Executive Officer	Power, as an interested person and owner of adjacent land, and where the circumstances of section 431ZH(1) apply and a remediation agreement has not been made, to apply to the court to decide what remediation action, if any, will be taken.	Section 431ZH(5) <i>Land Act 1994</i> .
Chief Executive Officer	Power, as licensee, to surrender all or part of an occupation licence, on terms agreed to between the Minister and the licensee and with the Minister's written approval.	Section 481A <i>Land Act 1994</i> .

Chief Executive Officer	Power, as a public utility provider or a licensee to apply to cancel or surrender all or part of an occupation licence.	Section 481B(1) and 481B(2) <i>Land Act 1994</i> .
Chief Executive Officer	Power, to give notice of an intention to, as a public utility provider or a licensee, apply to cancel or surrender all or part of an occupation licence.	Section 481B(4) and 481B(5) <i>Land Act 1994</i> .
Chief Executive Officer	Power, as a licensee of an occupation licence that is cancelled or surrendered absolutely, to apply to remove the licensee's improvements on the licence.	Section 481J(1) <i>Land Act 1994</i> .
Chief Executive Officer	Power, as a licensee, to remove the licensee's improvements on the licence with the written approval of the Minister.	Section 481J(2) <i>Land Act 1994</i> .
Chief Executive Officer	Power, as licensee of an occupation licence, to carry out improvements or development work on the licence only with the Minister's written approval.	Section 482 <i>Land Act 1994</i> .
Chief Executive Officer	Power, as a local government, to apply to exchange the conditional deed for a reserve or deed of grant in trust with the local government as trustee or a lease granted under the <i>Land Act 1994</i> .	Section 492(1) <i>Land Act 1994</i> .
Chief Executive Officer	Power to agree to an allocation or dedication of land from the State, where the land has become an asset of the State by virtue of section 231 (repealed) of the <i>Transport Infrastructure Act 1994</i> .	Section 505(2) <i>Land Act 1994</i> .

Land Title Act 1994

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Note:	

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION
Chief Executive Officer	Power, as a person served with a written notice by the registrar, to give public notice of a request listed in subsection (1) and to satisfy the registrar that the public notification has been given.	Section 18 <i>Land Title Act 1994</i>
Chief Executive Officer	Power to undertake the searches and obtain copies of the documents described in section 35(1)	Section 35(1) <i>Land Title Act 1994</i>
Chief Executive Officer	Power, as the registered owner, to agree to a plan of subdivision and dedicating the public use land	Section 50(1)(b) <i>Land Title Act 1994</i>
Chief Executive Officer	Power, as the relevant planning body, to approve a plan of subdivision	Section 50(1)(h) <i>Land Title Act 1994</i>
Chief Executive Officer	Power, as the registered proprietor whose interests are affected by the plan, to consent to a plan of subdivision	Section 50(1)(j) <i>Land Title Act 1994</i>
Chief Executive Officer	Power, as the registered owner of a lot, to dedicate the lot as a road for public use	Section 54(1) <i>Land Title Act 1994</i>
Chief Executive Officer	Power, as the relevant planning body, to approve a dedication notice to dedicate a lot as a road for public use	Section 54(3) <i>Land Title Act 1994</i>
Chief Executive Officer	Power, as the registered owner, to sign a building management statement for registration	Section 54B(1) <i>Land Title Act 1994</i>
Chief Executive Officer	Power, as the registered owner, to sign an instrument of amendment for a building management statement	Section 54E(2) <i>Land Title Act 1994</i>
Chief Executive Officer	Power, as the registered owner of all lots to which a building management statement applies, to ask the registrar to extinguish the building management statement.	Section 54G <i>Land Title Act 1994</i>
Chief Executive Officer	Power, as the registered owner, to sign an instrument of extinguishment or partial extinguishment for a building management statement.	Section 54H(3) <i>Land Title Act 1994</i>
Chief Executive Officer	Power, as the registered owner of a lot with two or more registered owners, to request the registrar create a separate indefeasible title for the interest of each owner.	Section 57 <i>Land Title Act 1994</i>

Chief Executive Officer	Power, as a registered owner subject to a joint tenancy, to unilaterally sever the joint tenancy.	Section 59(1) <i>Land Title Act 1994</i>
Chief Executive Officer	Power, as a registered owner subject to a joint tenancy, to give notice of the severing of the joint tenancy in the way prescribed by subsection (2).	Section 59(2) <i>Land Title Act 1994</i>
Chief Executive Officer	Power to register an instrument of transfer for the transfer of a lot or interest to or from Council.	Section 60(1) <i>Land Title Act 1994</i>
Chief Executive Officer	Power to register an instrument of lease for the lease of a lot, or part of a lot, to or from Council.	Section 64 <i>Land Title Act 1994</i>
Chief Executive Officer	Power to register an instrument of amendment of a lease to or from Council.	Section 67(1) <i>Land Title Act 1994</i>
Chief Executive Officer	Power, as the relevant local government, to approve the instrument of lease where it is for reconfiguring a lot within the meaning of the <i>Planning Act 2016</i> .	Section 65(3A) <i>Land Title Act 1994</i>
Chief Executive Officer	Power, as a lessor under a registered lease who has lawfully re-entered and taken possession under the lease, to lodge a request for the registrar to register the re-entry.	Section 68(1) <i>Land Title Act 1994</i>
Chief Executive Officer	Power, as a lessor or lessee under a registered lease, to execute and register an instrument of surrender of the lease.	Section 69(1) <i>Land Title Act 1994</i>
Chief Executive Officer	Power, as a sublessee, to consent to the surrender of the lease.	Section 69(2) <i>Land Title Act 1994</i>
Chief Executive Officer	Power, as a lessor or lessee under a registered lease, to give written notice of the surrender of the lease to every registered mortgagee and registered sublessee.	Section 69(3) <i>Land Title Act 1994</i>
Chief Executive Officer	Power to register an instrument of easement benefiting or burdening land owned by Council.	Section 82(1) <i>Land Title Act 1994</i>
Chief Executive Officer	Power, as the registered owner, lessee, person entitled to the land or public utility provider, to sign an instrument of easement for particular easements.	Section 83(1)(b) <i>Land Title Act 1994</i>
Chief Executive Officer	Power, as the relevant local government, to approve the plan of survey for the creation of an easement giving access to a lot from a constructed road where it is the reconfiguring of a lot under the <i>Planning Act 2016</i> .	Section 83(2) <i>Land Title Act 1994</i>
Chief Executive Officer	Power, as the registered owner of a lot burdened by an easement in favour of a public utility provider that is not a public thoroughfare easement, to recover from the public utility provider a reasonable contribution towards the cost of keeping the part of the lot affected by the easement in a condition appropriate for enjoyment of the easement.	Section 85B(2) <i>Land Title Act 1994</i>
Chief Executive Officer	Power, as the registered owner of the lot benefited and the lot burdened by an easement, to ask the registrar to extinguish the easement.	Section 87 <i>Land Title Act 1994</i>

Chief Executive Officer	Power to register an instrument of surrender of an easement benefiting or burdening land owned by Council.	Section 90(1) <i>Land Title Act 1994</i>
Chief Executive Officer	Power to sign an instrument of surrender of an easement.	Section 90(2) <i>Land Title Act 1994</i>
Chief Executive Officer	Power, as a lessee or sublessee of a lot benefited by an easement, to consent to surrender of the easement.	Section 90(3) <i>Land Title Act 1994</i>
Chief Executive Officer	Power to register an instrument of amendment of an easement benefiting or burdening land owned by Council.	Section 91(1) <i>Land Title Act 1994</i>
Chief Executive Officer	Power, as a local government and covenantee, to register an instrument of covenant.	Section 97A <i>Land Title Act 1994</i>
Chief Executive Officer	Power, as a local government and covenantee, to register an instrument of amendment of a covenant.	Section 97C <i>Land Title Act 1994</i>
Chief Executive Officer	Power, as a local government and covenantee, to sign and register an instrument of surrender of a covenant.	Section 97D <i>Land Title Act 1994</i>
Chief Executive Officer	Power to register an instrument of profit a prendre benefiting or burdening land owned by Council.	Section 97E <i>Land Title Act 1994</i>
Chief Executive Officer	Power, as the registered owner of the lot benefited and the lot burdened by a profit a prendre, to ask the registrar to extinguish the profit a prendre.	Section 97I <i>Land Title Act 1994</i>
Chief Executive Officer	Power to register an instrument of amendment of a profit a prendre benefiting or burdening land owned by Council.	Section 97K <i>Land Title Act 1994</i>
Chief Executive Officer	Power to register an instrument of release of a profit a prendre benefiting or burdening land owned by Council	Section 97L <i>Land Title Act 1994</i>
Chief Executive Officer	Power to register instrument of carbon abatement interest for a lot owned by Council or over which Council has an interest.	Section 97O <i>Land Title Act 1994</i>
Chief Executive Officer	Power, as a holder of a registered interest in land affected by a proposed grant of a carbon abatement interest, to consent to the proposed grant.	Section 97P(c) <i>Land Title Act 1994</i>
Chief Executive Officer	Power to register instrument of amendment of a carbon abatement interest for a lot owned by Council or over which Council has an interest.	Section 97S(1) <i>Land Title Act 1994</i>
Chief Executive Officer	Power to register instrument of surrender of a carbon abatement interest for a lot owned by Council or over which Council has an interest.	Section 97U(1) <i>Land Title Act 1994</i>
Chief Executive Officer	Power to apply to be registered as owner of a lot as an adverse possessor.	Section 99(1) <i>Land Title Act 1994</i>
Chief Executive Officer	Power to withdraw an application to be registered as owner of a lot as an adverse possessor and request that all documents lodged in support of the claim be returned.	Section 100 <i>Land Title Act 1994</i>
Chief Executive Officer	Power, as a person claiming an interest in a lot the subject of an adverse possession claim, to lodge a caveat.	Section 104 <i>Land Title Act 1994</i>

Chief Executive Officer	Power, as a caveator given a written notice under subsection (1), to:- (a) start a proceeding in the Supreme Court to recover the lot; and (b) give written notice, in the way the registrar requires, to the registrar that the proceeding has started.	Section106(2) <i>Land Title Act 1994</i>
Chief Executive Officer	Power, as a caveator that does not agree to the registration of the applicant for a lesser interest in the lot, to:- (a) start a proceeding in the Supreme Court to recover the lot; and (b) give written notice, in the way the registrar requires, to the registrar that the proceeding has started.	Sections107(2) and (3) <i>Land Title Act 1994</i>
Chief Executive Officer	Power, as an applicant, to sign the plan of subdivision as if the applicant were the registered owner of the relevant lot.	Section108A <i>Land Title Act 1994</i>
Chief Executive Officer	Power, as the registered owner holding the interest in the lot as trustee, to lodge an instrument of transfer to register the interest as being held as trustee.	Section 110(1) <i>Land Title Act 1994</i>
Chief Executive Officer	Power, as a person who is beneficially entitled under a will to a lot or an interest in a lot of a deceased registered proprietor, to apply to the registrar to be registered as proprietor of the lot.	Section 112(1) <i>Land Title Act 1994</i>
Chief Executive Officer	Power, as a person mentioned in section 114(1), to apply to the Supreme Court for an order to be registered as proprietor of the lot.	Section 114(2) <i>Land Title Act 1994</i>
Chief Executive Officer	Power to lodge a caveat.	Section 122 <i>Land Title Act 1994</i>
Chief Executive Officer	Power to withdraw a caveat.	Section 125 <i>Land Title Act 1994</i>
Chief Executive Officer	Power, as a caveatee, to serve on the caveator a notice requiring the caveator to start a proceeding in a court of competent jurisdiction to establish the interest claimed under the caveat and to notify the registrar of service of the notice.	Sections 126(2) and (3) <i>Land Title Act 1994</i>
Chief Executive Officer	Power, as a caveator served with a notice under subsection (2), to:- (a) start a proceeding in a court of competent jurisdiction to establish the interest claimed under the caveat; and (b) notify the registrar that a proceeding has been started and the identity of the proceeding.	Section 126(4) <i>Land Title Act 1994</i>
Chief Executive Officer	Power, as a caveatee, to apply to the Supreme Court for an order that a caveat be removed.	Section 127(1) <i>Land Title Act 1994</i>
Chief Executive Officer	Power to lodge a request to cancel a caveat.	Section 128(1) <i>Land Title Act 1994</i>

Chief Executive Officer	Power to seek the leave of a court of competent jurisdiction to lodge a further caveat.	Section 129(2) <i>Land Title Act 1994</i>
Chief Executive Officer	Power to deposit a priority notice for a lot.	Section 139(1) <i>Land Title Act 1994</i>
Chief Executive Officer	Power to deposit a request to extend a priority notice.	Section 141(1) <i>Land Title Act 1994</i>
Chief Executive Officer	Power to deposit a request to withdraw a priority notice.	Section 143(1) <i>Land Title Act 1994</i>
Chief Executive Officer	Power, as an affected person for a lot to which a priority notice applies, to apply to the Supreme Court for an order that the priority notice be removed.	Section 144(1) <i>Land Title Act 1994</i>
Chief Executive Officer	Power to deposit a request to cancel a priority notice.	Section 145(1)(a) <i>Land Title Act 1994</i>
Chief Executive Officer	Power, as the depositor of a priority notice, to request a correction to the priority notice.	Section 149(1) <i>Land Title Act 1994</i>
Chief Executive Officer	Power to comply with a requisition given to Council by the registrar.	Section 156(3) <i>Land Title Act 1994</i>
Chief Executive Officer	Power to apply to the registrar to relodge an instrument that the registrar has permitted to be withdrawn.	Section 159(4) <i>Land Title Act 1994</i>
Chief Executive Officer	Power to comply with a requirement of the registrar to deposit an instrument for correction or cancellation.	Section 160 <i>Land Title Act 1994</i>
Chief Executive Officer	Power to comply with a requirement of the registrar to lodge a plan of survey for the lot.	Section 165 <i>Land Title Act 1994</i>
Chief Executive Officer	Power to lodge a standard terms document and amend a standard terms document on Council's behalf.	Section 169(1) <i>Land Title Act 1994</i>
Chief Executive Officer	Power to request the registrar to withdraw a standard terms document on Council's behalf	Section 172(1) <i>Land Title Act 1994</i>
Chief Executive Officer	Power, as a person affected by a correction, to apply to the Supreme Court for an order that the correction be amended or set aside.	Section 186(2) <i>Land Title Act 1994</i>
Chief Executive Officer	Power, as a person with an entitlement to compensation under section 188 or 188A, to apply to the Supreme Court for an order:- (a) for compensation to be paid by the State; (b) directing the registrar to take stated action.	Section 188B(1) <i>Land Title Act 1994</i>

Local Government Regulation 2012

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DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION
Chief Executive Officer	Power to make available for inspection at its public office, a copy of the local government's area map	Section 6(6) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to give an extract or certified copy of a local law from the local government's register of local laws where the person has paid the applicable fee.	Section 14(2) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to publish the register of local laws on Council's website.	Section 14(4) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to identify and assess each new significant business activity for possible reform involving full cost pricing, commercialising, or corporatising the activity.	Section 18 <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power, when conducting a relevant business activity, to carry out all functions described in subsections (a), and (c) to (f).	Section 41(1) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to give the competitive neutrality complaint to the competition authority as soon as is practicable.	Section 45(3) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to comply with an information requirement notice given by the competition authority.	Section 50(3) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to ensure the public can inspect a copy of the report given to Council under section 52.	Section 53 <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to give notice of the resolution made pursuant to section 55(1) to the entities listed in subsection (4).	Section 55(4) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to give the competition authority a confidentiality request.	Section 55A(2) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to establish a register of business activities to which the competitive neutrality principle applies.	Section 56(1) <i>Local Government Regulation 2012</i>

Chief Executive Officer	Power in relation to a mall to do any of the following: (a) anything necessary or desirable for developing, managing, maintaining (including cleaning), promoting or using a mall; (b) permit the use of any part of the mall on conditions it considers appropriate; (c) anything incidental to its powers mentioned in (a) or (b).	Section 58(2) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to: (a) construct, maintain, manage and regulate the use of harbours for small vessels in or over tidal waters; (b) construct, maintain, manage and regulate the use of jetties, breakwaters and ramps in or over tidal waters; and (c) to occupy and use foreshore, tidal land or tidal waters to undertake work in exercising those powers.	Section 59 <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to take all necessary steps for: (a) construction on, maintenance of or improvement of the land; and (b) regulation of the use of the land, where the land is subject to a public thoroughfare easement in Council's favour.	Section 63 <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to enter into arrangements necessary to perform the joint responsibility of the local government where a road or other work is to be, or has been, built: (a) along the boundary between two or more local government areas; and (b) partly in each of the areas.	Section 64(3) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to identify, in any way considered appropriate, parcels of rateable land to which a minimum amount of general rates apply.	Section 77(2) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to identify, in any way considered appropriate, the rating category to which each parcel of rateable land in the local government area belongs. Nb. this section is only required where Council is levying differential general rates.	Section 81(4) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to decide what rating category the land referred to in subsection (1) should be in. Nb. this section is only required where Council is levying differential general rates.	Section 82(2) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to ensure that each relevant rate notice is accompanied by, or contains, a rating category statement.	Section 88(2) <i>Local Government Regulation 2012</i>

	Nb. this section is only required where Council is levying differential general rates.	
Chief Executive Officer	Power to allow a longer period within which an owner of rateable land must give an objection notice. Nb. this section is only required where Council is levying differential general rates.	Section 90(5)(b) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power, in the circumstances referred to in subsection (1), to pay unspent special rates or charges to the current owners of the land on which the special rates or charges were levied. Nb. this section is only required where Council is levying special rates or charges.	Section 96(2) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power, in the circumstances referred to in subsection (1), to pay unspent special rates or charges (in the proportions stipulated in subsection (3)) to the current owners of the land on which the special rates or charges were levied. Nb. this section is only required where Council is levying special rates or charges.	Section 97(2) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power, in the circumstance referred to in subsection (1), to return paid special rates or charges to the person who paid them.	Section 97(2) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to levy rates or charges by a rate notice.	Sections 104 <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to include on a rate notice an amount, other than an amount for rates or charges, payable to Council.	Sections 105 <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to determine a period considered appropriate for the issue of a rate notice.	Section 107(1) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to give a rate notice and, if required, a rating category statement, electronically.	Section 108 <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power, where land becomes, or stops being, rateable land, to adjust the rates so that the rates are calculated only on the period when the land was rateable land.	Section 110 <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power, if the value of the land changes under the Land Valuation Act, to adjust the rates so that the rates are calculated on the new value of the land for the period that starts on the day the change takes effect.	Section 111 <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power, if the land is given a rating category, including a change of rating category, to adjust the general rates so that the rates are calculated on the new or changed	Section 112 <i>Local Government Regulation 2012</i>

	rating category for the period that starts on the day the land was given the new or changed rating category.	
Chief Executive Officer	Power, if the land becomes, or stops being, land on which the local government may levy special rates or charges, to adjust the rates or charges so that the rates or charges are calculated on the period when the land was land on which the local government could levy special rates or charges.	Section 113 <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power, in the circumstance of subsection (1), to adjust the rates or charges so that the rates or charges are calculated only for the period when the person was entitled to occupy the land.	Section 114 <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power, where rates or charges are paid before they are adjusted, to refund the overpaid amount of rates or charges, or recover the amount of rates or charges owing.	Section 115 <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to levy rates or charges, or adjust a rates or charges levy in a financial year, even though the resolution for making the rates or charges was made for a previous financial year.	Section 117 <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to accept an application from a ratepayer made under subsection (1)(a).	Section 122(3) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to be satisfied that a ratepayer is eligible for a concession granted pursuant to a resolution made under subsection (1)(b).	Section 122(4) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power, in the relevant circumstances of section 123, to grant a rebate of rates or charges for land occupied by pensioners.	Section 123 <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power, in the circumstances referred to in subsection (1), to refund the amount of the rebated rates or charges to the ratepayer.	Section 124(2) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to still allow a discount where satisfied that the ratepayer has been prevented, by circumstances beyond their control, from paying the rates or charges in time to get the discount.	Section 130(10) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to give a benefit that is not a discount as an inducement for payment of rates or charges before the due date for payment.	Section 131 <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power, for interest on overdue rates or charges, to decide a later day from which interest is payable.	Section 133(1)(a) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power, for interest on overdue rates or charges, to decide another way to calculate interest, if an equal or lower amount will be payable.	Section 133(2)(b) <i>Local Government Regulation 2012</i>

Chief Executive Officer	Power, for interest on overdue rates or charges, to, for a day before 1 July 2019, decide the rate of interest payable.	Section 133(3)(a) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to recover overdue rates or charges by bringing court proceedings for a debt.	Section 134 <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to give the State or government entity that has an interest in the land under a State encumbrance a notice of Council's intention to sell the land.	Section 138(3) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power, where Council has by resolution decided to sell the land, to give all interested parties a notice of intention to sell the land.	Section 140(3) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to end sale procedures at the earliest of the following: (a) Council has been paid the amount of the overdue rates or charges, and all expenses that Council has incurred in attempting to sell the land; or (b) the land has been sold; or (c) 1 year after the notice of intention to sell was given to the registered owner.	Section 141(3) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power, in circumstances where Council has ended sale procedures, to decide to sell the land again under section 140(2).	Section 141(4) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to carry out the procedures to sell land for overdue rates or charges.	Section 142 <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to set a reserve price at the auction of the land for overdue rates and charges in accordance with section 143(1).	Section 143(1) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power, if the reserve price for the land is not reached at the auction, to enter into negotiations with any bidder who attended the auction to sell the land by agreement (for a price not less than the reserve price).	Section 143(2) and (3) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power, after the day of the auction, to decide to continue to offer the land for sale by another auction, or sale by negotiation.	Section 144(1) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to end any negotiations entered into under section 143(2) when a decision is made under section 144(1).	Section 144(2) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to prepare a sales notice if Council decides to offer the land for sale by negotiation under section 144.	Section 144(4) <i>Local Government Regulation 2012</i>

Chief Executive Officer	<p>Power to:</p> <ul style="list-style-type: none"> (a) give a copy of the sales notice to each interested party who was given a notice of intention to sell the land; and (b) publish the sales notice on Council's website; and (c) display the sales notice in a conspicuous place in Council's public office; and (d) display the sales notice in a conspicuous place on the land unless it is not reasonably practicable to do so because the land is in a remote location or difficult to access; and (e) take all reasonable steps to publish the sales notice in another way to notify the public about the sale of the land. 	Section 144(5) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power, if the land is a building unit and it is not practicable to display the sales notice in a conspicuous place on the land, to display the notice in a conspicuous part of the common property for the building units.	Section 144(6) <i>Local Government Regulation 2012</i>
Chief Executive Officer	<p>Power to ensure that the price for land offered for sale by negotiation is at least –</p> <ul style="list-style-type: none"> (a) the market value of the land; or (b) the higher of the following – <ul style="list-style-type: none"> (i) the amount of the overdue rates or charges on the land; (ii) the value of the land. 	Section 144(7) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power, in the circumstances set out in subsection (1), to give the registrar of titles an appropriate form.	Section 145(2) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to use the proceeds of sale of the land for the purposes and in the order specified.	Section 146 <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power, where Council has by resolution decided to acquire the land for overdue rates or charges, to give all interested parties a notice of intention to acquire the land.	Section 149(2) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power, in the circumstances set out in subsection (1), to start the procedures to acquire land for overdue rates or charges.	Section 150(2) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power, where Council has been paid the amount of the overdue rates or charges, and all expenses that Council has incurred in attempting to acquire the land, to end the procedures for acquiring the land.	Section 150(3) <i>Local Government Regulation 2012</i>

Chief Executive Officer	Power to carry out the procedures to acquire land for overdue rates or charges.	Section 151 <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to keep a land record.	Section 154(1) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to include in a land record any other information considered appropriate.	Section 154(2)(e) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to provide access to or give copies of the land record kept by Council (including parts of the land record).	Section 155(4) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to record the details of the new owner in the land record.	Section 162 <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to keep a written record, in the way required by subsection (2), which states the matters identified in subsection (1).	Section 164 <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to discharge Council's responsibilities in a way that is consistent with the adopted 5-year corporate plan.	Section 165(4) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to spend money in a financial year before the budget is adopted if Council provides for that spending in the budget for the financial year.	Section 173(1) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to discharge Council's responsibilities in a way that is consistent with the adopted annual operational plan.	Section 174(5) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to omit information from the copies of the annual performance plan (which is part of the annual operational plan) made available to the public if subsections (3)(a) and (b) are satisfied.	Section 175(3) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to publish Council's annual report on Council's website.	Section 182(4) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to give a grant to a community organisation in the public interest and consistent with the local government's community grants policy.	Section 194 <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to spend money on entertainment or hospitality consistent with the local government's entertainment and hospitality policy.	Section 196(2) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to spend money on advertising to provide information or education that is in the public interest and consistent with the local government's advertising spending policy.	Section 197(2) <i>Local Government Regulation 2012</i>

Chief Executive Officer	Power to allow the public to inspect and purchase copies of the documents referred to in subsection (1).	Section 199(2) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to:- 1. establish a trust fund; 2. deposit trust money in a financial institution account; and 3. reconcile the assets of the trust fund with the liabilities of the trust fund at least monthly.	Section 200 <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to transfer money to or from a trust fund in accordance with section 201.	Section 201 <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to make publicly available an availability notice.	Section 201B(4) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to publish a notice given under subsection 202A(1) on Council's website.	Section 202A(2) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to establish separate accounting records for Council's:- (a) operations; and (b) its trust fund.	Section 203 <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to prepare a financial report.	Section 204 <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to:- (a) prepare an internal audit plan; (b) carry out an internal audit; (c) prepare a progress report for the internal audit; (d) assess compliance with the internal audit plan; and (e) give the documents referred to in subsection (3) to the audit committee.	Section 207 <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to appoint the members of the audit committee.	Section 210(1) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to appoint one of the members of the audit committee as chairperson.	Section 210(3) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to give the financial statements referred to in subsections (1) and (2) to the auditor-general.	Section 212 <i>Local Government Regulation 2012</i>

Chief Executive Officer	Power, in the circumstances set out in subsection (1), to give the Minister a notice and any documents about a controlled entity that Council considers to be relevant to a notifiable event.	Section 213A(2) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power, if a governing document of a Council controlled entity changes, to give the Minister a notice stating details of the change and a copy of the governing document as amended.	Section 213A(3) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power, in the circumstances set out in subsection (1), to obtain a copy of the audited financial statements of the controlled entity.	Section 213B(2) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to ensure that a copy or a link to a copy of the controlled entity's audited financial statements is published on Council's website.	Section 213B(4) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to give the department's chief executive a notice stating that Council has paid notional GST for the previous financial year.	Section 215 <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to give the public notice of a proposed resolution to apply Chapter 6, part 2 to its contracts.	Section 218(2)(b) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to allow the public to inspect and buy copies of the contracting plan that has been adopted.	Section 220(8) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to set the value limit for valuable non-current assets other than land.	Section 224(7)(b) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to invite written quotes for a medium-sized contractual arrangement.	Section 225(1) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to decide to accept a quote or to decide not to accept any of the quotes it receives for a medium-sized contractual arrangement.	Section 225(3) and (4) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to enter a medium-sized contractual arrangement after first inviting written quotes for the contract.	Section 225 <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to invite written tenders for a large-size contractual arrangement.	Section 226(1) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to enter a large-sized contractual arrangement after first inviting written tenders for the contract.	Section 226 <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to invite written tenders for a valuable non-current asset contract or to offer a non-current asset for sale by auction.	Section 227(1) <i>Local Government Regulation 2012</i>

Chief Executive Officer	Power to enter a valuable non-current asset contract after first inviting written tenders for the contract or offering the non-current asset for sale by auction.	Section 227 <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to invite expressions of interest pursuant to section 228.	Section 228(2)(b) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to take all reasonable steps to publish an invitation for tenders or expressions of interest in another way to notify the public about the tender process.	Section 228(6) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to prepare a shortlist of people from the persons who responded to the invitation for expressions of interest and to invite written tenders from those persons.	Section 228(7) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to invite all persons who submitted a tender to change their tender to take account of a change in the tender specifications.	Section 228(8) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to decide to accept a tender or not to accept any tenders it receives.	Sections 228(9) and (10) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to enter into a medium-sized contractual arrangement or large-sized contractual arrangement in accordance with a quote or tender consideration plan adopted by local government resolution.	Section 230(1) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to enter into a medium-sized contractual arrangement or large-sized contractual arrangement for services with a person on an approved contractor list.	Section 231(2) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to put together an approved contractor list in accordance with section 231(4).	Section 231(4) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to enter into a contract for a medium-sized contractual arrangement or large-sized contractual arrangement for the supply of goods or services with a supplier from a register of pre-qualified suppliers.	Section 232(2) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to establish a register of pre-qualified suppliers of particular goods or services.	Section 232(3) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to invite suppliers to tender to be on a register of pre-qualified suppliers.	Section 232(4) <i>Local Government Regulation 2012</i>

Chief Executive Officer	Power to take all reasonable steps to publish an invitation in another way to notify the public about establishing the register of pre-qualified suppliers.	Section 232(6) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to enter into a medium-sized contractual arrangement or large-sized contractual arrangement for goods or services with a preferred supplier under a preferred supplier arrangement.	Section 233(2) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to enter a preferred supplier arrangement.	Section 233(2) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to invite persons to tender for a preferred supplier arrangement.	Section 233(3) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to take all reasonable steps to publish an invitation to tender in another way to notify the public about the tender process.	Section 233(5) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to enter into a contract for goods and services under an LGA arrangement.	Section 234(1) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to enter into a medium-sized contractual arrangement or large-sized contractual arrangement in circumstances specified in section 235. <i>Nb. For subsections 235(a) and 235(b) it is a legislative precondition to the exercise of the power that Council first pass the resolution referred to in the respective subsection.</i>	Section 235 <i>Local Government Regulation 2012</i>

Chief Executive Officer	Power to dispose of a valuable non-current asset other than by tender or auction in circumstances specified in section 236. <i>Nb. For subsections 236(1)(a) to 236(1)(e) it is a legislative precondition to the exercise of the power that Council first pass the resolution referred to in subsection 236(2).</i>	Section 236 <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to publish and display relevant details of a contractual arrangement worth \$200,000.00 or more (exclusive of GST).	Section 237 <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to pay remuneration to each councillor.	Section 247(1) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power, in the circumstance identified in subsection (1), to make a submission to the remuneration commission for approval to pay a councillor an amount of remuneration of more than the maximum amount.	Section 248(2) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to make the adopted expenses reimbursement policy available for inspection and purchase by the public and to publish that policy on Council's website.	Section 251 <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to publish a notice of the days and times when ordinary meetings will be held on Council's website and in other ways considered appropriate (Council and standing committee meetings).	Section 254B(1) and (2) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to display in a conspicuous place in Council's public office a notice of the days and times when meetings will be held (Council and committee meetings).	Section 254B(3) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to notify of any change to the days and times of meetings mentioned in section 254B(1) and (3) in the same way as the meetings were previously notified.	Section 254B(4) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to give notice of each meeting or adjourned meeting to each councillor or committee member in accordance with section 254C(1) and (2).	Section 254C(1) and (2) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to make the agenda for a Council or committee meeting publicly available in accordance with section 254D(1).	Section 254D(1) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to make a related report for a Council or committee meeting publicly available in accordance with section 254D(2).	Section 254D(2) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to make a copy of the minutes of each Council or committee meeting publicly available in accordance with section 254F(6).	Section 254F(6) <i>Local Government Regulation 2012</i>

Chief Executive Officer	Power to make a copy of the confirmed minutes publicly available, and available for purchase at Council's public office in accordance with section 254F(7).	Section 254F(7) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to allow a person to take part in a meeting (Council and committee meetings) by audio link or audio visual link.	Section 254K <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to give written notice of the intention to propose the repeal or amendment of a resolution.	Section 262 <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power, as a former employer, to pay the new employer an amount for the number days of long service leave that the person is entitled to take because of the person's period of employment with the former employer.	Sections 287(1) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power, as a former employer, to provide the new employer with the information specified in subsection (3).	Sections 287(3) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to make a copy of the register of interests of each councillor available for inspection by the public at Council's public office and an extract of the register available on its website.	Sections 295(1), (2) and (3) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power where a register of interests for a councillor changes, to amend the copy and the extract to reflect the changes.	Section 295(4) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to ensure a register of interests kept under section 296A(1)(a) is available for inspection by the public at Council's public office for the period Council must keep the register.	Section 296A(2) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to do all things specified in subsection (4) in relation to Council's complaints management process and administrative action complaints.	Section 306(4) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to ensure that an extract of the register of interests for each councillor is made available for inspection under section 295 within 35 days after the commencement.	Section 364(1) <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to make a reasonable allocation of its administrative and overhead costs to each relevant activity, having regard to all of a local government's relevant activities.	Schedule 4 section 5 <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to ensure the terms on which the cost of resources is based are similar to the terms on which they are made available in conducting the relevant entity.	Schedule 4 section 6 <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to decide an amount for depreciation of an asset used in conducting a relevant activity that is appropriate in the circumstances.	Schedule 4 section 7 <i>Local Government Regulation 2012</i>

Chief Executive Officer	Power to work out tax equivalents for Commonwealth or State taxes Council is not liable to pay as a local government and keep details of the calculations.	Schedule 4 section 8 <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to take account of amounts equivalent to the cost of funds advantage obtained over commercial interest rates because of a State guarantee.	Schedule 4 section 9 <i>Local Government Regulation 2012</i>
Chief Executive Officer	Power to decide the amount for the return on capital used by a local government in conducting a relevant activity.	Schedule 4 section 10 <i>Local Government Regulation 2012</i>

Mineral Resources Act 1989

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Omitted/Expired:	
Note:	

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION
Chief Executive Officer	Power to make a note on each relevant map in Council's planning scheme.	Section 4B(3) <i>Mineral Resources Act 1989</i>
Chief Executive Officer	Power to give the chief executive a written notice for the taking of land for which mining interests are extinguished.	Section 10AAA(9) <i>Mineral Resources Act 1989</i>
Chief Executive Officer	Power to consult with the decision-maker about the granting of a new mining tenement for an area that includes acquired land.	Section 10AAC(1) <i>Mineral Resources Act 1989</i>
Chief Executive Officer	Power, as the owner of a reserve, to give written consent, with or without conditions, to a parcel prospecting permit holder entering the surface of the reserve.	Sections 19(1) and 20 <i>Mineral Resources Act 1989</i>
Chief Executive Officer	Power, as the owner of occupied land, to give written consent, with or without conditions, to a district prospecting permit holder entering the surface of the land.	Sections 19(2) and 20 <i>Mineral Resources Act 1989</i>
Chief Executive Officer	Power, as the owner of occupied land, to give written consent, with or without conditions, to a prospecting permit holder entering the land for hand mining.	Sections 19(3) and 20 <i>Mineral Resources Act 1989</i>
Chief Executive Officer	Power, as the owner of land, to apply to the chief executive to rectify the damage referred to in subsection (1) that has been caused by any activity allegedly authorised under a prospecting permit in respect of the land.	Section 26(3) <i>Mineral Resources Act 1989</i>
Chief Executive Officer	Power, as the owner of land, to give written approval to the chief executive for the refund of security for a parcel prospecting permit.	Section 26(9) <i>Mineral Resources Act 1989</i>
Chief Executive Officer	Power, as the owner of land where a person purports to enter the land under authority of a prospecting permit, to report to the chief executive that a person is not authorised to enter or be upon the land or is not	Section 34(1) <i>Mineral Resources Act 1989</i>

	complying with any condition of the prospecting permit or of any provision of the Act.	
Chief Executive Officer	Power, as the owner of land where a person purports to enter or be on the land under authority of a prospecting permit, to ask the person for proof of the person's authority to enter or be on the land.	Section 46(1) <i>Mineral Resources Act 1989</i>
Chief Executive Officer	Power, as the owner of occupied land, to give written consent, including conditions on the consent, to a person entitled to enter the land under a prospecting permit to enter the land at night.	Sections 47(1) and (5) <i>Mineral Resources Act 1989</i>
Chief Executive Officer	Power, as the owner of occupied land, to give written consent, including conditions on the consent, to a person entitled to enter the land under a parcel prospecting permit to enter the land at night.	Section 47(2) and (5) <i>Mineral Resources Act 1989</i>
Chief Executive Officer	Power, as the relevant owner of restricted land, to give written consent to an application for a mining claim on the land.	Section 51(2) <i>Mineral Resources Act 1989</i>
Chief Executive Officer	Power, as the owner of land that is a reserve, to consent to the granting of a mining claim over the land.	Section 54(a) <i>Mineral Resources Act 1989</i>
Chief Executive Officer	Power, as the owner of land that is affected by an application for a mining claim, to make a written request to the chief executive for a conference.	Section 65(1)(a) <i>Mineral Resources Act 1989</i>
Chief Executive Officer	Power to attend a section 65 conference and to reach agreement about something discussed at the conference.	Sections 66 and 69 <i>Mineral Resources Act 1989</i>
Chief Executive Officer	Power, as the owner of relevant land and/or as a relevant local government, to lodge a written objection in the approved form to an application for a mining claim and to serve a copy of the objection on the applicant.	Section 71 <i>Mineral Resources Act 1989</i>
Chief Executive Officer	Power to withdraw an objection to a mining claim by giving written notice to the entities specified in subsection (1).	Section 71A <i>Mineral Resources Act 1989</i>
Chief Executive Officer	Power, as an interested party, to agree with the applicant for a mining claim about the amount of compensation to be paid to Council and to sign the agreement.	Section 85(1)(a) and (3) <i>Mineral Resources Act 1989</i>
Chief Executive Officer	Power, as an interested party, at any time before compensation is determined by agreement, to apply in writing to the Land Court to have the Land Court determine the amount of compensation.	Section 85(4) <i>Mineral Resources Act 1989</i>
Chief Executive Officer	Power, as a party aggrieved by a determination of the Land Court made under section 85, to appeal to the Land Appeal Court against the Land Court's decision.	Section 86 <i>Mineral Resources Act 1989</i>
Chief Executive Officer	Power, as an appellant pursuant to section 86, to lodge the security in the decided form and amount.	Section 86A(5) <i>Mineral Resources Act 1989</i>
Chief Executive Officer	Power, as the owner of land that is a reserve, to give the Minister the land owner's views about further prospecting or exploration on the land.	Section 124(2) <i>Mineral Resources Act 1989</i>
Chief Executive Officer	Power, as the owner of land, to agree an amount of compensation payable in respect of the proposed use of	Section 125(10) <i>Mineral Resources Act 1989</i>

	the land as access in respect of a mining claim as a result of a variation under section 125, sign the agreement and file the agreement.	
Chief Executive Officer	Power, as the owner of land where a person purports to enter or be on the land under authority of an exploration permit, to ask the person for proof of the person's authority to enter or be on the land.	Section 167(1) <i>Mineral Resources Act 1989</i>
Chief Executive Officer	Power, as the owner of land in the area of a mineral development licence, to certify that there is no actual damage to the land that should be rectified	Section 190(8)(a) <i>Mineral Resources Act 1989</i>
Chief Executive Officer	Power, as the owner of land where a person purports to enter or be on the land under authority of a mineral development licence, to ask the person for proof of the person's authority to enter or be on the land.	Section 216(1) <i>Mineral Resources Act 1989</i>
Chief Executive Officer	Power, as the owner of land, to consent to a mining lease holder making an application to conduct drilling and other activities on land not included in the surface area covered under the lease.	Section 237(2)(d)(i) <i>Mineral Resources Act 1989</i>
Chief Executive Officer	Power, as the owner of restricted land, to consent to the making of an application for a mining lease over the land.	Section 238(1)(a) <i>Mineral Resources Act 1989</i>
Chief Executive Officer	Power to lodge an objection to an application for grant of a mining lease.	Sections 260(1) and (2) <i>Mineral Resources Act 1989</i>
Chief Executive Officer	Power to serve a copy of the objection lodged against an application for grant of a mining lease on the applicant.	Section 260(4) <i>Mineral Resources Act 1989</i>
Chief Executive Officer	Power to withdraw an objection lodged against an application for grant of a mining lease.	Section 261(1) <i>Mineral Resources Act 1989</i>
Chief Executive Officer	Power, as the owner of land that is a reserve, to give written consent to the grant of a mining lease over the surface area of the reserve.	Section 271A(2)(a) <i>Mineral Resources Act 1989</i>
Chief Executive Officer	Power, as the owner of restricted land, to give written consent to the application for the surface of restricted land for the mining lease to be included in the mining lease.	Section 275A(2)(a) <i>Mineral Resources Act 1989</i>
Chief Executive Officer	Power, as the owner of restricted land, to agree with the applicant about the compensation payable to Council for the inclusion of the surface of the land in the mining lease.	Section 275A(2)(c) <i>Mineral Resources Act 1989</i>
Chief Executive Officer	Power, as an owner of land the subject of an application to grant, renew or include the surface of restricted in a mining lease, to agree with the applicant for the lease about the amount of compensation to be paid to Council and to sign the agreement.	Sections 279(1)(a) and (3) <i>Mineral Resources Act 1989</i>
Chief Executive Officer	Power, as an owner of land the subject of a mining lease where no part of the surface area of that land is included in the lease, to agree with the holder of the lease about the amount of compensation to be paid as compensation for any damage caused to the surface of the land and to sign the agreement.	Sections 280 <i>Mineral Resources Act 1989</i>

Chief Executive Officer	Power, as a person who could be a party to an agreement under sections 279 or 280, to apply in writing to the Land Court to determine the amount of compensation.	Section 281(1) <i>Mineral Resources Act 1989</i>
Chief Executive Officer	Power, as a party aggrieved by a determination of the Land Court made under section 281, to appeal to the Land Appeal Court against the decision.	Section 282(1) <i>Mineral Resources Act 1989</i>
Chief Executive Officer	Power, as an appellant pursuant to section 282, to lodge the security in the decided form and amount.	Section 282A(5) <i>Mineral Resources Act 1989</i>
Chief Executive Officer	Power, as an owner of land in relation to a lease mentioned in section 279(1)(a) or 280(1), to agree in writing to amend the original compensation.	Section 283A(2) <i>Mineral Resources Act 1989</i>
Chief Executive Officer	Power, as an owner of land in relation to a lease mentioned in section 279(1)(a) or 280(1), to apply, in the circumstances identified in subsection (1), to the Land Court to review the original compensation.	Section 283B(2) <i>Mineral Resources Act 1989</i>
Chief Executive Officer	Power, as the owner of land, to agree with the applicant about the compensation payable to Council for the proposed use of the land as access in respect of a mining lease as a result of a variation under section 317 and to sign the agreement.	Section 317(10) <i>Mineral Resources Act 1989</i>
Chief Executive Officer	Power, as a landowner to whom a water monitoring bore is being transferred, to consent to the transfer.	Section 334ZZO <i>Mineral Resources Act 1989</i>
Chief Executive Officer	Power, as the owner of affected land, to:- (a) give consent to the entry of the land; (b) impose reasonable conditions on the entry of the land; (c) withdraw consent for entry of the land; and (d) sign an acknowledgement of the consent.	Section 344G <i>Mineral Resources Act 1989</i>
Chief Executive Officer	Power, as the owner of land, to enter a compensation agreement, to sign the agreement and to file it.	Section 345(2) <i>Mineral Resources Act 1989</i>
Chief Executive Officer	Power, as a person who could be a party to a compensation agreement, to apply in writing to the chief executive to have the Land Court decide the amount of compensation and the terms, conditions and times of its payment	Section 345(3) <i>Mineral Resources Act 1989</i>
Chief Executive Officer	Power as the owner or occupier of restricted land to consent, with or without conditions, to the entry of the land under section 386V.	Schedule 1, Section 2(1)
Chief Executive Officer	Power as the owner of occupied land to consent, with or without conditions, to the entry of the land under section 386V at night.	Schedule 1, Section 3(1)
Chief Executive Officer	Power as the owner of a reserve to impose conditions on the entry of the surface of the reserve under section 386V.	Schedule 1, Section 4

Petroleum and Gas (Production and Safety) Act 2004

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DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION
Chief Executive Officer	Power to make a submission about an application for a pipeline licence.	Section 411(2)(a)(vi) <i>Petroleum and Gas (Production and Safety) Act 2004</i>
Chief Executive Officer	Power, as a public road authority in the circumstances set out in subsection 427(1), to give the relevant pipeline licence holder a notice stating:- (a) details of the proposed road or proposed change; and (b) that the holder may, within a stated period, lodge submissions to the authority about the proposal at the office of the authority stated in the notice.	Section 427(2) <i>Petroleum and Gas (Production and Safety) Act 2004</i>
Chief Executive Officer	Power, as a public road authority in the circumstances set out in subsection 427(1), to give the holder notice of the decision to implement the proposal.	Section 427(5) <i>Petroleum and Gas (Production and Safety) Act 2004</i>
Chief Executive Officer	Power, as a public road authority in the circumstances set out in subsection 429(1), to comply with the request from the holder.	Section 429(2) <i>Petroleum and Gas (Production and Safety) Act 2004</i>
Chief Executive Officer	Power, as a public land authority in the circumstances set out in subsection 431(1), to give the holder a works direction.	Section 431(2) <i>Petroleum and Gas (Production and Safety) Act 2004</i>
Chief Executive Officer	Power, as a public land authority, to ensure the works the subject of the direction are carried out.	Section 432(2) <i>Petroleum and Gas (Production and Safety) Act 2004</i>
Chief Executive Officer	Power, as a public land authority, to recover from the holder as a debt any reasonable costs the authority incurs in ensuring the works are carried out.	Section 432(3) <i>Petroleum and Gas (Production and Safety) Act 2004</i>

Chief Executive Officer	Power, as an owner of land, to consult with the applicant about the proposed permission and conditions and lodge submissions.	Section 465(2)(c) <i>Petroleum and Gas (Production and Safety) Act 2004</i>
Chief Executive Officer	Power, as an owner of land, to agree with the authority holder that the equipment or improvements need not be removed from the land.	Section 560(3) <i>Petroleum and Gas (Production and Safety) Act 2004</i>
Chief Executive Officer	Power, as an owner or occupier of land in the circumstances set out in subsection 584(1), to claim compensation from the State.	Section 584(3) <i>Petroleum and Gas (Production and Safety) Act 2004</i>
Chief Executive Officer	Power, as an operator of an operating plant, for each stage of the plant, to make or adopt a safety management system and implement and maintain the system.	Section 674(1) <i>Petroleum and Gas (Production and Safety) Act 2004</i>
Chief Executive Officer	Power, as an operator of an operating plant, whenever the plant is operating, to:- (a) keep a copy of the safety management system for the plant or the part of the system relevant to the plant, open for inspection; (b) display, and keep displayed, in a conspicuous place at the plant a notice stating where the copy of the system is open for inspection; and (c) ensure each person who has an obligation under the system is told they have an obligation under the system within a reasonable period.	Section 676(1) <i>Petroleum and Gas (Production and Safety) Act 2004</i>
Chief Executive Officer	Power, as an operator of an operating plant, to take all reasonable steps to ensure everyone who has an obligation under the safety management system for the plant complies with their obligations.	Section 677(1) <i>Petroleum and Gas (Production and Safety) Act 2004</i>
Chief Executive Officer	Power, as an operator of an operating plant, to revise the safety management system for the plant if any of the circumstances listed in subsection 678(1) make the revision appropriate.	Section 678(1) <i>Petroleum and Gas (Production and Safety) Act 2004</i>
Chief Executive Officer	Power, as an operator of an operating plant, to:- (a) ensure resulting records for the safety management system for the plant are made and kept for a period of 7 years; and (b) whenever the plant is operating, keep a copy of the resulting records open for inspection at the place identified in subsection 678A(1)(b).	Section 678A(1) <i>Petroleum and Gas (Production and Safety) Act 2004</i>
Chief Executive Officer	Power, as an operator of an operating plant, to comply with a validation notice.	Section 679(4) <i>Petroleum and Gas (Production and Safety) Act 2004</i>
Chief Executive Officer	Power, as an operator of an operating plant, to comply with a revision notice.	Section 681(4) <i>Petroleum and Gas</i>

		<i>(Production and Safety) Act 2004</i>
Chief Executive Officer	Power, as an operator of an operating plant, to appoint a site safety manager for the site.	Section 692(1) <i>Petroleum and Gas (Production and Safety) Act 2004</i>
Chief Executive Officer	Power, as an operator of an operating plant, to comply with a notice of the chief inspector given pursuant to subsection 692(2).	Section 692(3) <i>Petroleum and Gas (Production and Safety) Act 2004</i>
Chief Executive Officer	Power, as an operator of an operating plant, to give the chief inspector a notice stating the information prescribed by regulation about the operating plant.	Section 694A(2) <i>Petroleum and Gas (Production and Safety) Act 2004</i>
Chief Executive Officer	Power as a person mentioned in subsection 699(1) to take all reasonable steps to ensure no person or property is exposed to a level of risk in relation to the operating plant that is more than an acceptable level.	Section 699(2) <i>Petroleum and Gas (Production and Safety) Act 2004</i>
Chief Executive Officer	Power, as an operator of operating plant, to notify the chief executive if a prescribed incident happens at the plant.	Section 706(2) <i>Petroleum and Gas (Production and Safety) Act 2004</i>
Chief Executive Officer	Power, as a business other than operating plant, to notify the chief executive if a prescribed incident happens in relation to a gas related device.	Section 706(2) <i>Petroleum and Gas (Production and Safety) Act 2004</i>
Chief Executive Officer	Power, as an operator of operating plant to comply with a direction given to the operator under subsection 707(3).	Section 707(4) <i>Petroleum and Gas (Production and Safety) Act 2004</i>
Chief Executive Officer	Power, as a person to whom a safety instruction applies, to comply with the instruction.	Section 708B(10) <i>Petroleum and Gas (Production and Safety) Act 2004</i>
Chief Executive Officer	Power, as a corporation, to apply to the chief inspector for a gas work authorisation for a gas device (type B) or a type of gas device (type B), other than a fuel gas refrigeration device.	Section 728(2) <i>Petroleum and Gas (Production and Safety) Act 2004</i>
Chief Executive Officer	Power to apply to the chief inspector for a type of gas device approval authority prescribed by regulation	Section 731AB <i>Petroleum and Gas (Production and Safety) Act 2004</i>
Chief Executive Officer	Power to comply with the conditions of any gas device approval authority.	Section 731AG <i>Petroleum and Gas (Production and Safety) Act 2004</i>
Chief Executive Officer	Power to apply to the chief inspector for a type of gas device approval authority prescribed by regulation	Section 731AB <i>Petroleum and Gas (Production and Safety) Act 2004</i>

Chief Executive Officer	Power, as an owner or occupier of land, to agree to a shorter period of notice to enter the land.	Section 799F(1)(b) Petroleum and Gas (Production and Safety) Act 2004
Chief Executive Officer	Power, as an owner or occupier of land, to give consent to the authorised person entering the land and sign an acknowledgement of the consent.	Section 779G(4) Petroleum and Gas (Production and Safety) Act 2004
Chief Executive Officer	Power to comply with an order made against Council.	Section 841AJ Petroleum and Gas (Production and Safety) Act 2004
Chief Executive Officer	Power to give the CEO an enforceable undertaking.	Section 841E Petroleum and Gas (Production and Safety) Act 2004
Chief Executive Officer	Power to comply with an enforceable undertaking.	Section 841H Petroleum and Gas (Production and Safety) Act 2004
Chief Executive Officer	Power to withdraw or vary an enforceable undertaking.	Section 841J Petroleum and Gas (Production and Safety) Act 2004

Petroleum and Gas (Safety) Regulation 2018

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DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION
Chief Executive Officer	Power, as a person mentioned in section 155 or 156(1)(a), to lodge a safety and health fee return.	Section 157(1) Petroleum and Gas (Safety) Regulation 2018
Chief Executive Officer	Power, as a person mentioned in section 155 or 156(1)(a), to apply to extend the period for lodging a safety and health fee return.	Section 157(2)(a) Petroleum and Gas (Safety) Regulation 2018
Chief Executive Officer	Power, as a person that has failed to lodge a safety and health fee return, under sections 157 or 158, to respond to a notice from the CEO.	Section 164(2)(b) and (3) Petroleum and Gas (Safety) Regulation 2018

Planning Act 2016

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DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION
Chief Executive Officer	Power to make submissions to the Minister about the making or amending of a State Planning instrument.	Section 10 <i>Planning Act 2016</i>
Chief Executive Officer	Power to give notice of a proposed planning scheme or proposed amendment to the chief executive and follow the process for making or amending a planning scheme. For avoidance of doubt, the power delegated includes the power to take all actions as detailed in sections 18, 20 and 26 and as required under a notice given by the chief executive or in the Minister's rules.	Sections 18, 20 and 26 <i>Planning Act 2016</i>
Chief Executive Officer	Power to apply a planning scheme as a categorising instrument in relation to prescribed tidal works in the tidal area for Council's local government area	Section 19 <i>Planning Act 2016</i>
Chief Executive Officer	Power to follow the process for the making or amending of an LGIP as set out in the Minister's rules. For avoidance of doubt, the power delegated includes the power to take all actions as detailed in sections 21 and 26 and as required in the Minister's rules.	Sections 21 and 26 <i>Planning Act 2016</i>
Chief Executive Officer	Power to follow the process for the making or amending of a planning scheme policy as set out in the Minister's rules. For avoidance of doubt, the power delegated includes the power to take all actions as detailed in sections 22 and 26 and as required in the Minister's rules.	Sections 22 and 26 <i>Planning Act 2016</i>
Chief Executive Officer	Power to follow the process for the making or amending of a TLPI as set out in the Minister's rules. For avoidance of doubt, the power delegated includes the power to take all actions as detailed in sections 23 and 26 and as required in the Minister's rules.	Sections 23 and 26 <i>Planning Act 2016</i>
Chief Executive Officer	Power to follow the process for repealing a TLPI or planning scheme policy. For avoidance of doubt, the power delegated includes the power to take all actions as detailed in section 24.	Section 24 <i>Planning Act 2016</i>
Chief Executive Officer	Power to review a planning scheme and a LGIP and follow the process for the review as set out in the Minister's rules. For avoidance of doubt, the power delegated includes the power to take all actions as	Sections 25 and 26 <i>Planning Act 2016</i>

	detailed in sections 25 and 26 and as required in the Minister's rules.	
Chief Executive Officer	Power to decide whether or not to agree to a superseded planning scheme request and give notice of the decision.	Section 29 <i>Planning Act 2016</i>
Chief Executive Officer	Power to decide a compensation claim. For avoidance of doubt, the power delegated includes the power to take all actions and consider all matters detailed in sections 32 and 33.	Sections 32 and 33 <i>Planning Act 2016</i>
Chief Executive Officer	Power to make or amend a designation and follow the process in the designation process rules. For avoidance of doubt, the power delegated includes the power to take all actions and consider all matters detailed in sections 35, 36, 37, 38 and the designation process rules.	Sections 35, 36, 37 and 38 <i>Planning Act 2016</i>
Chief Executive Officer	Power, as an affected party, to make submissions about the proposal to the Minister.	Section 37(4) <i>Planning Act 2016</i>
Chief Executive Officer	Power to extend the duration of a designation. For avoidance of doubt, the power delegated includes the power to take all actions as detailed in section 39.	Section 39 <i>Planning Act 2016</i>
Chief Executive Officer	Power to repeal a designation made by Council. For avoidance of doubt, the power delegated includes the power to take all actions and consider all matters as detailed in sections 40 and 41.	Sections 40 and 41 <i>Planning Act 2016</i>
Chief Executive Officer	Power, as an owner of an interest in designated premises, to request a designator to repeal a designation made by the designator on the basis that the designation is causing the owner hardship.	Section 41(1) <i>Planning Act 2016</i>
Chief Executive Officer	Power to include a note about the making, amendment, extension or repeal of a designation in Council's planning scheme. For avoidance of doubt, the power delegated includes the power to take all actions as detailed in section 42.	Section 42 <i>Planning Act 2016</i>
Chief Executive Officer	Power, as the assessment manager and where the circumstances of section 45(6) apply, to give the weight considered appropriate in the circumstances to the documents referenced in section 45(8).	Section 45(8) <i>Planning Act 2016</i>
Chief Executive Officer	Power to give an exemption certificate for the development. For avoidance of doubt, the power delegated includes the power to take all actions as detailed in section 46.	Section 46 <i>Planning Act 2016</i>
Chief Executive Officer	Power to act as the "assessment manager" for all development applications, change representations, cancellation applications and extension applications received by Council under Chapter 3 of the <i>Planning Act 2016</i> . For avoidance of doubt, the power delegated includes the power to take all actions of an assessment manager and consider all matters as detailed in sections 48, 51, 53, 54, 59, 60, 61, 62, 63, 64, 65, 67, 71, 75, 76, 84, 85, 86, 87, 93 100, 101, 105, 107 and 109 of the <i>Planning Act 2016</i> .	Sections 48, 51, 53, 54, 59, 60, 61, 62, 63, 64, 65, 67, 71, 75, 76, 84, 85, 86, 87, 93, 100, 101, 105, 107 and 109 <i>Planning Act 2016</i>

Chief Executive Officer	Power to keep a list of persons who are appropriately qualified to be an assessment manager in relation to a particular type of development.	Section 48(3)(b) <i>Planning Act 2016</i>
Chief Executive Officer	Power to enter an agreement with a person on Council's list of persons who are appropriately qualified to be an assessment manager in relation to a particular type of development.	Section 48(3)(d) <i>Planning Act 2016</i>
Chief Executive Officer	Power, as the owner of premises, to give written consent to the making of the development application.	Section 51(2)
Chief Executive Officer	Power to act as a "referral agency" for all development applications and cancellation applications received by Council as a referral agency under Chapter 3 of the <i>Planning Act 2016</i> . For avoidance of doubt, the power delegated includes the power to take all actions of a referral agency and consider all matters as detailed in sections 46, 54, 55, 56, 57, 65, 66, 67, 84, 85, 100, 107 and 109 of the <i>Planning Act 2016</i> .	Sections 46, 54, 55, 56, 57, 65, 66, 67, 84, 85, 100, 107 and 109 <i>Planning Act 2016</i>
Chief Executive Officer	Power to consult with the Minister about making or amending the instrument mentioned in subsection (8)(c).	Section 64(9)
Chief Executive Officer	Power to act as a "responsible entity" for all change applications received by Council as a responsible entity under Chapter 3 of the <i>Planning Act 2016</i> . For avoidance of doubt, the power delegated includes the power to take all actions of a responsible entity and consider all matters as detailed in sections 78A, 79, 80, 81, 81A, 81B, 82, 83, 93, 100, 105, 107 and 109 of the <i>Planning Act 2016</i> .	Sections 78A, 79, 80, 81, 81A, 81B, 82, 83, 93 and 100, 105, 107 and 109 <i>Planning Act 2016</i>
Chief Executive Officer	Power to act as an "affected entity" for all change applications received by Council as an affected entity under Chapter 3 of the <i>Planning Act 2016</i> . For avoidance of doubt, the power delegated includes the power to take all actions of an affected entity and consider all matters as detailed in section 80 of the <i>Planning Act 2016</i> .	Section 80 <i>Planning Act 2016</i>
Chief Executive Officer	Power to act as an "additional referral agency" for a change application where section 82A applies. For the avoidance of doubt, the power delegated includes the power to take all actions of an additional referral agency and consider all matters as detailed in section 82A of the <i>Planning Act 2016</i> .	Section 82A <i>Planning Act 2016</i>
Chief Executive Officer	Power, as the owner of land, to give written consent to the cancellation application.	Section 84(3)(b)(i) <i>Planning Act 2016</i>
Chief Executive Officer	Power, as a public utility, to give written consent to the cancellation application.	Section 84(3)(b)(iii) <i>Planning Act 2016</i>
Chief Executive Officer	Power, as the owner of land, to give written consent to the extension application.	Section 86(2)(b)(ii) <i>Planning Act 2016</i>
Chief Executive Officer	Power to note an approval referred to in subsection (1) on Council's planning scheme and give notice of the approval to the chief executive.	Section 89 <i>Planning Act 2016</i>

Chief Executive Officer	Power to comply with a direction given by the Minister.	Section 93(2) <i>Planning Act 2016</i>
Chief Executive Officer	Power to make submissions in response to a proposed call in notice received by Council.	Section 102 <i>Planning Act 2016</i>
Chief Executive Officer	Power, as the decision-maker, to give the Minister reasonable help.	Section 105(3) <i>Planning Act 2016</i>
Chief Executive Officer	Power to make representations to the Minister about the proposed declaration.	Section 106C(3)(f) <i>Planning Act 2016</i>
Chief Executive Officer	Power to make representations to the Minister about the proposed amendment.	Section 106HB(2)(a)(vi) <i>Planning Act 2016</i>
Chief Executive Officer	Power to make representations to the Minister about the proposed revocation.	Section 106HD(2)(a)(vi) <i>Planning Act 2016</i>
Chief Executive Officer	Power, as a decision-maker, to:- (a) give all reasonable help the chief executive requires to assess or decide the application; and (b) if the declaration notice for the application directs the decision-maker to assess the application or a stated part of the application—assess the application or part.	Section 106K <i>Planning Act 2016</i>
Chief Executive Officer	Power, as a participating local government for a distributor-retailer, to enter a break-up agreement about the charges break-up and publish a copy of the agreement on the local government's website.	Section 115 <i>Planning Act 2016</i>
Chief Executive Officer	Power to carry out the steps required after making a charges resolution.	Section 118 <i>Planning Act 2016</i>
Chief Executive Officer	Power to give an infrastructure charges notice. For avoidance of doubt, the power delegated includes the power to take all actions and consider all matters as detailed in sections 119, 120, 121 and 129.	Sections 119, 120, 121 and 129 <i>Planning Act 2016</i>
Chief Executive Officer	Power, as a local government that gave an infrastructure charges notice, to agree with the recipient about:- a) whether the levied charge may be paid other than as required under section 122, including whether it may be paid by instalments; and/or b) whether infrastructure may be provided instead of paying all or part of the levied charge.	Section 123 <i>Planning Act 2016</i>
Chief Executive Officer	Power, as a local government, to consider representations made on an infrastructure charges notice and, issue a negotiated notice or give a decision notice.	Section 125 <i>Planning Act 2016</i>
Chief Executive Officer	Power, as a local government with a LGIP that identifies adequate trunk infrastructure to service the subject premises, to impose a development condition requiring either or both of the following to be provided at a stated time: a) the identified infrastructure; and/or	Section 128(1) <i>Planning Act 2016</i>

	b) different trunk infrastructure delivering the same desired standard of service.	
Chief Executive Officer	Power, as a local government with a LGIP that does not identify adequate trunk infrastructure to service the subject premises, to impose a development condition requiring development infrastructure necessary to service the premises to be provided at a stated time.	Section 128(2) <i>Planning Act 2016</i>
Chief Executive Officer	Power, as a local government, to impose an extra payment condition. For avoidance of doubt, the power delegated includes the power to take all actions and consider all matters as detailed in sections 130, 131, 132, 133, 134 and 135.	Sections 130, 131, 132, 133, 134 and 135 <i>Planning Act 2016</i>
Chief Executive Officer	Power in the circumstances referred to in subsection (1) to, by notice given to the applicant, amend the infrastructure charges notice.	Section 137 <i>Planning Act 2016</i>
Chief Executive Officer	Power, as a local government, to consider and decide a conversion application. For avoidance of doubt, the power delegated includes the power to take all actions and consider all matters as detailed in sections 140, 141 and 142	Sections 140, 141 and 142 <i>Planning Act 2016</i>
Chief Executive Officer	Power, as a local government, to agree with an applicant that a levied charge, for the purpose of its recovery, is not taken to be rates.	Section 144(2) <i>Planning Act 2016</i>
Chief Executive Officer	Power, as a local government, to impose a development condition about non-trunk infrastructure.	Section 145 <i>Planning Act 2016</i>
Chief Executive Officer	Power in the circumstances referred to in subsection (1) to:- (a) pay the amount of the levied charge to the State infrastructure provider; and (b) agree with the State infrastructure provider and the person who provided the replacement infrastructure about when the amount of the levied charge will be paid.	Section 149 <i>Planning Act 2016</i>
Chief Executive Officer	Power, as a local government, to enter an infrastructure agreement. For avoidance of doubt, the power delegated includes the power to take all actions and consider all matters as detailed in Chapter 4, Part 4.	Chapter 4, Part 4 <i>Planning Act 2016</i>
Chief Executive Officer	Power, as an enforcement authority, to give a show cause notice.	Section 167 <i>Planning Act 2016</i>
Chief Executive Officer	Power, as an enforcement authority, to give an enforcement notice.	Section 168 <i>Planning Act 2016</i>
Chief Executive Officer	Power to consult with a private certifier before giving an enforcement notice.	Section 169 <i>Planning Act 2016</i>
Chief Executive Officer	Power to give notice of the giving or withdrawal of an enforcement notice to the chief executive.	Section 170 <i>Planning Act 2016</i>

Chief Executive Officer	Power to bring offence proceedings for an offence against the Act.	Section 174 <i>Planning Act 2016</i>
Chief Executive Officer	Power to consent to proceedings being brought on behalf of the corporation.	Section 175(1)(a) <i>Planning Act 2016</i>
Chief Executive Officer	Power, as an enforcement authority, to:- (a) take the action required under the enforcement order; and (b) recover the reasonable cost of taking the action as a debt to the authority from the defendant.	Section 176(10) <i>Planning Act 2016</i>
Chief Executive Officer	Power, as an enforcement authority in an offence proceeding, to apply for an order for the payment of the expenses.	Section 178(1)(b) <i>Planning Act 2016</i>
Chief Executive Officer	Power to start proceedings in the P&E Court for an enforcement order.	Section 180 <i>Planning Act 2016</i>
Chief Executive Officer	Power, as an enforcement authority, to:- (a) take the action required under the enforcement order; and (b) recover the reasonable cost of taking the action as a debt to the authority from the respondent.	Section 180(13) <i>Planning Act 2016</i>
Chief Executive Officer	Power to apply to the P&E Court to cancel or change an enforcement order or interim enforcement order.	Section 181(4) <i>Planning Act 2016</i>
Chief Executive Officer	Power, as an enforcement authority in an offence proceeding, to apply for a disposal order.	Section 214 <i>Planning Act 2016</i>
Chief Executive Officer	Power to make a claim for compensation from the State where Council incurs loss because of the exercise, or purported exercise, of a power by or for an inspector.	Section 221 <i>Planning Act 2016</i>
Chief Executive Officer	Power as an appellant to start an appeal.	Sections 229(2) and 230 <i>Planning Act 2016</i>
Chief Executive Officer	Power as a respondent or co-respondent to be heard in an appeal.	Section 229(4) <i>Planning Act 2016</i>
Chief Executive Officer	Power, where an appeal is only about a referral agency's response, to apply to the tribunal or P&E Court to withdraw from the appeal.	Section 229(5) <i>Planning Act 2016</i>
Chief Executive Officer	Power to elect to be a co-respondent in an appeal.	Section 230(6) <i>Planning Act 2016</i>
Chief Executive Officer	Power to start proceedings for a declaration by a tribunal. For avoidance of doubt, the power delegated includes the power to take all actions detailed in sections 239(1), 240 and 241.	Sections 239(1), 240 and 241, <i>Planning Act 2016</i>
Chief Executive Officer	Power to give the registrar information that the registrar reasonably requires for the proceedings.	Section 246(2) <i>Planning Act 2016</i>
Chief Executive Officer	Power to appear as a party to a tribunal proceeding.	Section 248 <i>Planning Act 2016</i>

Chief Executive Officer	Power to make submissions to the tribunal.	Section 249 <i>Planning Act 2016</i>
Chief Executive Officer	Power to give notice to the Registrar once a tribunal's direction or order has been complied with.	Section 257 <i>Planning Act 2016</i>
Chief Executive Officer	Power to agree to the terms of the easement.	Section 263B(2)(b) <i>Planning Act 2016</i>
Chief Executive Officer	Power, as a public sector entity in the circumstances in subsection 263F(1), to give notice to the previous owner of the land.	Section 263F(2) <i>Planning Act 2016</i>
Chief Executive Officer	Power, as a public sector entity, before giving a notice under subsection 263F(2), to take an easement over all or part of the land to ensure the structural and operational integrity of any development infrastructure on the land.	Section 263F(4) <i>Planning Act 2016</i>
Chief Executive Officer	Power, as a public sector entity in the circumstances in subsection 263G(1), to by notice, offer the land for sale to the previous owner of the land at a price decided by the public sector entity.	Section 263G(2) <i>Planning Act 2016</i>
Chief Executive Officer	Power, as a public sector entity in the circumstances in subsection 263G(3), to dispose of the land.	Section 263G(4) <i>Planning Act 2016</i>
Chief Executive Officer	Power, as a public sector entity in the circumstances in subsection 263G(1), to decide the price for the land.	Sections 263G(2), (4) and (5) <i>Planning Act 2016</i>
Chief Executive Officer	Power to give an applicant the planning and development certificate applied for.	Section 265 <i>Planning Act 2016</i>
Chief Executive Officer	Power to note the registration of premises on Council's planning scheme.	Section 267(13) <i>Planning Act 2016</i>
Chief Executive Officer	Power to note the registration of premises on Council's planning scheme.	Section 268A(9) <i>Planning Act 2016</i>
Chief Executive Officer	Power, as an owner of premises in an affected area, before entering into a lease of the premises with a person, to give a notice that states :- (a) the premises are in an affected area; and (b) that restrictions may apply to the person in taking proceedings about emissions from registered premises in the affected area.	Section 270 <i>Planning Act 2016</i>
Chief Executive Officer	Power to serve a document and give a copy of the document as permitted by section 275B.	Section 275B <i>Planning Act 2016</i>
Chief Executive Officer	Power to consult with the chief executive about an application for a temporary use licence made under section 275H.	Section 275HA <i>Planning Act 2016</i>
Chief Executive Officer	Power to consult with the chief executive about an application to extend a temporary use licence made under section 275LB.	Section 275LC <i>Planning Act 2016</i>

Chief Executive Officer	Power to consult with the chief executive about an application to amend a temporary use licence made under section 275LG.	Section 275LH <i>Planning Act 2016</i>
Chief Executive Officer	Power to consider whether matters in subsection (2) apply in relation to a plan application made by an applicant who is not the owner of the premises to which the plan application relates. NB this power only applies to the Ipswich CC.	Section 275V(3) <i>Planning Act 2016</i>
Chief Executive Officer	Power to approve a plan application under the Springfield structure plan in the circumstances set out in section 275W. NB this power only applies to the Ipswich CC.	Section 275W <i>Planning Act 2016</i>
Chief Executive Officer	Power to ask the applicant for further information about the non-SCG application. NB this power only applies to the Ipswich CC.	Section 275Y(3) <i>Planning Act 2016</i>
Chief Executive Officer	Power to refuse to decide non-SCG plan application until application complies with subsections (2) or (3). NB this power only applies to the Ipswich CC.	Section 275Y(4) <i>Planning Act 2016</i>
Chief Executive Officer	Power to have regard to statement about particular matters set out in subsection (1). NB this power only applies to the Ipswich CC.	Section 275Z(2) <i>Planning Act 2016</i>
Chief Executive Officer	Power to have regard to representations made under subsection (2). NB this power only applies to the Ipswich CC.	Section 275ZAA(2) <i>Planning Act 2016</i>
Chief Executive Officer	Power to notify particular entities set out in section of decisions about non-SCG applications. NB this power only applies to the Ipswich CC.	Section 275ZA <i>Planning Act 2016</i>
Chief Executive Officer	Power to confer with parties under the Springfield structure plan, section 11.1.3, in circumstances where entity elects to join a dispute under subsection (2). NB this power only applies to the Ipswich CC.	Section 275ZF(3)(a) <i>Planning Act 2016</i>
Chief Executive Officer	Power to give new decision notice in circumstances where, in resolving a dispute, parties agree to the assessment manager for the development application or change application giving a new decision notice for the application. NB this power only applies to the Ipswich CC.	Section 275ZH(2)(a) <i>Planning Act 2016</i>
Chief Executive Officer	Power to give replacement infrastructure charges notice to application in circumstances where in resolving a dispute parties agree to the assessment manager for the development application or change application giving a new decision notice for the application. NB this power only applies to the Ipswich CC.	Section 275ZH(2)(c) <i>Planning Act 2016</i>

Chief Executive Officer	Power to make an amendment of a type specified in subsection (1) by following the process set out in the rules. For avoidance of doubt, the power delegated includes the power to take all actions as detailed in the rules.	Section 293(5) <i>Planning Act 2016</i>
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Planning and Environment Court Act 2016

Document Reviewed:	20 January 2025
Reprint:	29 November 2024
Amended/Substituted/Renumbered:	
Inserted:	

Omitted/Expired:	
Note:	

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION
Chief Executive Officer	Power to start a declaratory proceeding.	Section 11(1) <i>Planning and Environment Court Act 2016</i>
Chief Executive Officer	Power, as the assessment manager, to start a declaratory proceeding for a matter done, to be done or that should have been done in relation to the call in or declaration.	Section 12(3) <i>Planning and Environment Court Act 2016</i>
Chief Executive Officer	Power, as a party to a P&E Court proceeding, to participate in an ADR process.	Section 16 <i>Planning and Environment Court Act 2016</i>
Chief Executive Officer	Power, as a party, to confer with the ADR registrar about the way to conduct the P&E Court proceeding.	Section 16(3) <i>Planning and Environment Court Act 2016</i>
Chief Executive Officer	Power, as a party to a P&E Court proceeding, to agree to the resolution of all or part of the dispute in an ADR process.	Section 18(1) <i>Planning and Environment Court Act 2016</i>
Chief Executive Officer	Power, as a party to a P&E Court proceeding who has agreed on resolution of the dispute, to sign the resolution agreement.	Section 18(1) <i>Planning and Environment Court Act 2016</i>
Chief Executive Officer	Power, as a party to a P&E Court proceeding, to apply to the P&E Court for an order giving effect to an agreement reached as a result of an ADR process.	Section 20(1) <i>Planning and Environment Court Act 2016</i>
Chief Executive Officer	Power, as a party to a P&E Court proceeding, to agree to the ADR registrar or mediator disclosing information acquired as part of the ADR process.	Section 21(2)(a) <i>Planning and Environment Court Act 2016</i>
Chief Executive Officer	Power, as a party to a P&E Court proceeding for which the ADR registrar is exercising, or has exercised, a power, to apply for a court review.	Section 26(2) <i>Planning and Environment Court Act 2016</i>
Chief Executive Officer	Power, as a party to a P&E Court proceeding, to consent in writing to the ADR registrar making an order or direction in the proceeding.	Section 27(1)(a) <i>Planning and Environment Court Act 2016</i>
Chief Executive Officer	Power to consent to a person starting a declaratory proceeding or a proceeding for an enforcement order under the Planning Act on behalf of Council.	Section 41(2)(a) <i>Planning and Environment Court Act 2016</i>
Chief Executive Officer	Power to pay the expenses, including legal costs, incurred by the representative in relation to the proceeding.	Section 41(3) <i>Planning and Environment Court Act 2016</i>
Chief Executive Officer	Power, as a party to a P&E Court proceeding, to appeal a decision in the proceeding.	Section 63(1) <i>Planning and Environment Court Act 2016</i>
Chief Executive Officer	Power to apply to the Court of Appeal for leave to appeal.	Section 64(1) <i>Planning and Environment Court Act 2016</i>

Chief Executive Officer	Power to file and serve a Notice of Appeal following the granting of leave by the Court of Appeal.	Section 64(2) <i>Planning and Environment Court Act 2016</i>
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Plumbing and Drainage Regulation 2019

Document Reviewed:	20 January 2025
Reprint:	17 January 2025
Amended/Substituted/Renumbered:	35(2)
Inserted:	
Omitted/Expired:	
Note:	

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION
Chief Executive Officer	Power to apply to the chief executive for a treatment plant approval.	Section 16(1) <i>Plumbing and Drainage Regulation 2019</i>
Chief Executive Officer	Power to apply to the chief executive to amend a treatment plant approval.	Section 16(2) <i>Plumbing and Drainage Regulation 2019</i>
Chief Executive Officer	Power to give the chief executive the information asked for under subsection (2).	Section 17(3) <i>Plumbing and Drainage Regulation 2019</i>
Chief Executive Officer	Power, as the new holder, to give the chief executive notice of the transfer in the approved form.	Section 24(2) <i>Plumbing and Drainage Regulation 2019</i>
Chief Executive Officer	Power to comply with a notice issued by the chief executive under subsection (1)	Section 26(2) <i>Plumbing and Drainage Regulation 2019</i>
Chief Executive Officer	Power, as the owner of premises, to consent to the entry of the premises to carry out the inspection of the treatment plant.	Section 27(c) <i>Plumbing and Drainage Regulation 2019</i>
Chief Executive Officer	Power, as the holder of a treatment plant approval, to make written representations about the show cause notice to the chief executive.	Section 29(1) <i>Plumbing and Drainage Regulation 2019</i>
Chief Executive Officer	Power, as the holder of a traditional treatment plant approval, to apply for a further transitional treatment plant approval.	Section 35(2) <i>Plumbing and Drainage Regulation 2019</i>
Chief Executive Officer	Power, where Council makes a fast-track work declaration or fast-track opt-out declaration, to:- (a) publish the declaration on Council's website; (b) give a copy of the declaration to the chief executive; (c) if Council is a participating local government for a distributor retailer – give a copy of the declaration to the distributor retailer; (d) ensure a copy of the declaration may be inspected, free of charge, at Council's public office.	Section 41 <i>Plumbing and Drainage Regulation 2019</i>
Chief Executive Officer	Power, in a circumstance listed in subsection (1), to give the applicant an information request.	Section 45(2) <i>Plumbing and Drainage Regulation 2019</i>
Chief Executive Officer	Power to consider each properly made application and decide to:- (a) approve the application with or without conditions; or (b) refuse the application.	Section 46 <i>Plumbing and Drainage Regulation 2019</i>
Chief Executive Officer	Power, where Council decides to approve an application, to:- (a) issue a permit, or an amended permit, to the applicant; and	Section 48 <i>Plumbing and Drainage Regulation 2019</i>

	(b) give a copy of the permit, or amended permit, to each entity listed in subsection (b).	
Chief Executive Officer	Power, in a circumstance listed in subsection (1), to give an information notice about the decision.	Section 50(2) <i>Plumbing and Drainage Regulation 2019</i>
Chief Executive Officer	Power to give written consent for an application relating to SEQ water work.	Section 53(f)(i) <i>Plumbing and Drainage Regulation 2019</i>
Chief Executive Officer	Power to give written consent for an application relating to SEQ sewerage work.	Section 53(g)(i) <i>Plumbing and Drainage Regulation 2019</i>
Chief Executive Officer	Power, where Council has issued a permit and has not given a final inspection certificate for the work carried out under the permit at least 3 months before the permit is to end, to give notice of the day the permit is to end to the entities listed in subsection (3).	Section 59(3) <i>Plumbing and Drainage Regulation 2019</i>
Chief Executive Officer	Power in the circumstances listed in the subsection (1), to allow the responsible person to give a covered work declaration for the work.	Section 67(2) <i>Plumbing and Drainage Regulation 2019</i>
Chief Executive Officer	Power to inspect the work if the public sector entity asks Council to inspect the work under subsection (2).	Section 68(3) <i>Plumbing and Drainage Regulation 2019</i>
Chief Executive Officer	Power to, instead of inspecting on-site sewage work, allow an appropriate person to give Council an on-site sewage work declaration.	Section 69(2) <i>Plumbing and Drainage Regulation 2019</i>
Chief Executive Officer	Power, where Council has passed a resolution under subsection (1), to:- (a) publish each declaration on its website; (b) give the chief executive a copy of the declaration; (c) ensure the declaration may be inspected, free of charge, at the local government's public office; and (d) ensure each remote area declaration includes a map identifying the remote area.	Section 71(2) <i>Plumbing and Drainage Regulation 2019</i>
Chief Executive Officer	Power, in the circumstances identified in subsection (1), to decide to:- (a) accept the remote area compliance notice; or (b) otherwise, refuse to accept the notice.	Section 73(2) <i>Plumbing and Drainage Regulation 2019</i>
Chief Executive Officer	Power, in the circumstances identified in subsection (1) and where Council has made a decision under subsection (2), to give the responsible person a decision notice.	Section 73(3) <i>Plumbing and Drainage Regulation 2019</i>
Chief Executive Officer	Power, in the circumstances identified in subsection (1) and where Council has refused to accept the remote area compliance notice, to ensure the decision notice includes, or is accompanied by, an information notice.	Section 73(4) <i>Plumbing and Drainage Regulation 2019</i>

Chief Executive Officer	Power, where Council is taken to have decided to refuse to accept the remote area compliance notice, to give an information notice about the decision.	Section 73(6) <i>Plumbing and Drainage Regulation 2019</i>
Chief Executive Officer	Power, in the circumstances identified in subsection (1), to amend the approved plan so that it correctly represents the work carried out under the permit.	Section 75(2) <i>Plumbing and Drainage Regulation 2019</i>
Chief Executive Officer	Power to give an inspection certificate for the work to the responsible person for the work.	Section 83(1) <i>Plumbing and Drainage Regulation 2019</i>
Chief Executive Officer	Power to give a final inspection certificate for the work to the responsible person for the work.	Section 84(1) <i>Plumbing and Drainage Regulation 2019</i>
Chief Executive Officer	Power to give a copy of the final inspection certificate to the entities listed in subsection (1).	Section 86(1) <i>Plumbing and Drainage Regulation 2019</i>
Chief Executive Officer	Power, where Council receives a notice under subsection (2), to comply with the notice.	Section 86(3) <i>Plumbing and Drainage Regulation 2019</i>
Chief Executive Officer	Power, where Council is taken under subsection (2) to have decided to refuse to give an inspection certificate or final inspection certified, to give an information notice about the decision.	Section 87(3) <i>Plumbing and Drainage Regulation 2019</i>
Chief Executive Officer	Power, where Council considers that a responsible person has not complied with the action notice, to give a copy of the notice to the owner of the premises.	Section 98(3) <i>Plumbing and Drainage Regulation 2019</i>
Chief Executive Officer	Power to establish a program for:- (a) registering each testable backflow prevention device installed at premises in Council's area; (b) monitor the maintenance and testing of each device.	Section 101 <i>Plumbing and Drainage Regulation 2019</i>
Chief Executive Officer	Power, in the circumstances listed in subsection (1), to:- (a) remove the obstruction or fix the damage; and (b) fairly apportion the reasonable cost of removing the obstruction or fixing the damage between the owners; and (c) recover as a debt from each owner, the owner's share of the cost.	Section 107(2) <i>Plumbing and Drainage Regulation 2019</i>
Chief Executive Officer	Power, in the circumstances listed in subsection (1), to require by notice to the owner of the old building and the owner of the new building:- (a) the owner of the old building to change the affected vents; and (b) the owner of the new building to pay the owner of the old building the reasonable cost of changing the affected vents.	Section 108(2) <i>Plumbing and Drainage Regulation 2019</i>
Chief Executive Officer	Power to keep a register containing each document listed in subsection (1).	Section 112 <i>Plumbing and Drainage Regulation 2019</i>

Chief Executive Officer	Power to keep a register containing each notice given to Council under section 102(2) or 103(3).	Section 113 <i>Plumbing and Drainage Regulation 2019</i>
Chief Executive Officer	Power to keep a register containing each service report for a greywater use facility or on-site sewage facility given to Council under section 106.	Section 114 <i>Plumbing and Drainage Regulation 2019</i>
Chief Executive Officer	Power to keep a register containing a copy of each show cause notice and enforcement notice given by Council.	Section 115(1) <i>Plumbing and Drainage Regulation 2019</i>
Chief Executive Officer	Power to remove a notice mentioned in subsection (1) from the register if the premises to which the notice relates are demolished or removed.	Section 115(2) <i>Plumbing and Drainage Regulation 2019</i>
Chief Executive Officer	Power, in relation to each register kept under part 8, division 2, to allow a person to:- (a) inspect the register, free of charge, at Council's public office; or (b) buy a copy of an entry in the register for not more than the reasonable cost of producing the copy.	Section 116 <i>Plumbing and Drainage Regulation 2019</i>

Public Health Act 2005

Document Reviewed:	20 January 2025
Reprint:	5 December 2024
Amended/Substituted/Renumbered:	
Inserted:	
Omitted/Expired:	
Note:	

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION
Chief Executive Officer	Power to administer and enforce the Act regarding local government public health risks and a regulation made under section 61 stating that the regulation is to be administered and enforced by local governments only.	Section 13 <i>Public Health Act 2005</i>
Chief Executive Officer	Power, as an issuing authority, to apply to a magistrate for an order enforcing a public health order (an enforcement order).	Section 24(2) <i>Public Health Act 2005</i>
Chief Executive Officer	Power, as an issuing authority, to enter a place to take steps to remove or reduce the risk to public health from the public health risk or prevent the risk to public health from recurring, if ordered by a magistrate.	Section 27(2)(b) <i>Public Health Act 2005</i>
Chief Executive Officer	Power, as an issuing authority, to recover the amount, plus interest, a person has been ordered to pay under an enforcement order as an overdue rate payable to Council under the <i>Local Government Act 2009</i> .	Section 31 <i>Public Health Act 2005</i>
Chief Executive Officer	Power to lodge a request to register with the registrar of titles, in the appropriate form over the land, an unpaid amount, including interest, that is payable to Council under an enforcement order relating to a public health risk on land owned by a person as a charge on the land.	Section 32 <i>Public Health Act 2005</i>
Chief Executive Officer	Power to consult with the chief executive before the chief executive authorises a prevention and control program which relates to Council's local government area.	Section 36(5) <i>Public Health Act 2005</i>
Chief Executive Officer	Power, as a water service provider ¹ , to inform the authorised person that Council believes that it has complied with an improvement notice issued under this division.	Section 57B <i>Public Health Act 2005</i>
Chief Executive Officer	Power to enter into an agreement with the chief executive for the disclosure of confidential information.	Sections 84(1)(b)(i) and (2)(a), 226(1)(b)(i) and (2)(a),

		244(1)(b)(i) and (2)(a), and 269(1)(b)(i) and (2)(a) <i>Public Health Act 2005</i>
Chief Executive Officer	Power, as a person in charge of an education and care service or QEC approved service to take any of the actions mentioned in subsection 160B(1).	Section 160B <i>Public Health Act 2005</i>
Chief Executive Officer	Power, as a person in charge of an education and care service or QEC approved service to take any of the actions mentioned in subsection 160C(1).	Section 160C <i>Public Health Act 2005</i>
Chief Executive Officer	Power, where given a notice under section 313E(2), to publish the pollution notice.	Section 313E(3) <i>Public Health Act 2005</i>
Chief Executive Officer	Power, where Council incurs loss because of the exercise or purported exercise of a power by or for the chief executive under chapter 7A, to claim compensation from the State.	Section 313H <i>Public Health Act 2005</i>
Chief Executive Officer	Power, as a relevant person, to take all reasonable steps to ensure a person who works at a business, activity or undertaking owned, controlled or operated by the relevant person does not disclose the relevant information to anyone else, or use the relevant information, unless the relevant information is disclosed in compliance with the subsection.	Section 362MAF(4) <i>Public Health Act 2005</i>
Chief Executive Officer	Power, as a relevant person in the circumstances listed in subsection 362MAH(1), to disclose the relevant information in compliance with the subsection.	Section 362MAH(2) <i>Public Health Act 2005</i>
Chief Executive Officer	Power, as an issuing authority, to enter the place, at reasonable times, to take the steps stated in a public health order where the person has failed to comply the order.	Section 388(2) <i>Public Health Act 2005</i>
Chief Executive Officer	Power, as an issuing authority, to give the occupier and owner of a place a notice required under the section, where an authorised person intends to enter the place to take steps required under a public health order.	Section 393(2) <i>Public Health Act 2005</i>
Chief Executive Officer	Power, as an issuing authority, to recover the amount payable, including interest, of the reasonable costs and expenses incurred by Council in exercising powers under section 388 or 405 as an overdue rate payable to Council under the <i>Local Government Act 2009</i> .	Section 406 <i>Public Health Act 2005</i>
Chief Executive Officer	Power, as an issuing authority, to lodge with the registrar of titles, in the appropriate form over the land, a request to register an unpaid amount, including interest, that is payable to Council for steps taken by it on land owned by a person as a charge on the land.	Section 407 <i>Public Health Act 2005</i>
Chief Executive Officer	Power, as an owner of a thing seized by an authorised person, to inspect the thing and, if it is a document, to copy it.	Section 415 <i>Public Health Act 2005</i>

Chief Executive Officer	Power to apply to the court for an order against a person convicted of an offence against the Act for the payment of the costs Council has incurred in taking a thing or doing something else during the investigation of the offence.	Section 443(1)(b) <i>Public Health Act 2005</i>
Chief Executive Officer	Power to deal with a thing forfeited as Council considers appropriate, including destroying the thing.	Section 446 <i>Public Health Act 2005</i>
Chief Executive Officer	Power, as an owner of a thing forfeited to a relevant entity under section 413(1), to appeal against a decision resulting in the forfeiture of the thing.	Section 450 <i>Public Health Act 2005</i>
Chief Executive Officer	Power to recover contribution from a prescribed person.	Section 454B(3) <i>Public Health Act 2005</i>
Chief Executive Officer	Power to comply with the indemnity conditions in relation to each asbestos-related event to which the official conduct relates.	Section 454C(2) <i>Public Health Act 2005</i>
Chief Executive Officer	Power to give notice of the proceeding to the State.	Section 454CA(2) <i>Public Health Act 2005</i>
Chief Executive Officer	Power to ensure each authorised person who exercises powers under the Act in relation to an asbestos-related event has satisfactorily completed the training prescribed by regulation.	Section 454G <i>Public Health Act 2005</i>
Chief Executive Officer	Power to keep the records prescribed in subsections 454I(1), (2) for each asbestos-related event.	Section 454I <i>Public Health Act 2005</i>

Public Interest Disclosure Act 2010

Document Reviewed:	20 January 2025
Reprint:	30 August 2024
Amended/Substituted/Renumbered:	
Inserted:	
Omitted/Expired:	
Note:	

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION
Chief Executive Officer	Power to: (a) decide not to investigate or deal with a public interest disclosure in certain circumstances; and (b) give written reasons for a decision not to investigate.	Section 30(1) and (2) <i>Public Interest Disclosure Act 2010</i>
Chief Executive Officer	Power to refer a disclosure to another public sector entity in certain circumstances.	Section 31(1) and (2) <i>Public Interest Disclosure Act 2010</i>
Chief Executive Officer	Power to give a person making a disclosure, or an entity referring a disclosure, reasonable information about the disclosure.	Section 32(1) and (2) <i>Public Interest Disclosure Act 2010</i>

Public Records Act 2002

Document Reviewed:	27 July 2023
Reprint:	01 March 2023
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Note:	Repealed

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION
	(a)	

Public Records Act 2023

Document Reviewed:	25 January 2025
Reprint:	5 December 2024
Amended/Substituted/Renumbered:	
Inserted:	
Omitted/Expired:	
Note:	New Register

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION
Chief Executive Officer	Power to comply with any relevant standards, and have regard to any relevant policy and guidelines, made by the archivist.	Section 12 <i>Public Records Act 2023</i>
Chief Executive Officer	Power to ensure Council's records are made in a way that accurately shows:- (a) the actions or decisions of Council; and (b) the matters that inform or contextualise the actions or decisions of	Section 14(1) <i>Public Records Act 2023</i>
Chief Executive Officer	Power to keep the public records made by Council.	Section 14(2) <i>Public Records Act 2023</i>
Chief Executive Officer	Power to ensure the safe keeping and preservation of Council's records.	Section 15(1) <i>Public Records Act 2023</i>
Chief Executive Officer	Power to arrange for another entity, other than the archives, to store a public record for Council in a way that complies with subsection 15(2).	Section 15(2) <i>Public Records Act 2023</i>
Chief Executive Officer	Power, in the circumstance in subsection 19(1), to take all reasonable steps to ensure the public record maintains its integrity and remains able to be produced or made available.	Section 19(2) <i>Public Records Act 2023</i>
Chief Executive Officer	Power to apply to the archivist to dispose of a public record or a class of public record.	Section 20(1)(a) <i>Public Records Act 2023</i>
Chief Executive Officer	Power to give written notice to the State archivist of the existence of a public record in Council's possession which is:- (a) more than 25 years old; or (b) of permanent value, regardless of its age, and at risk of loss or damage.	Section 21 <i>Public Records Act 2023</i>
Chief Executive Officer	Power to give a public record in Council's possession, which is of permanent value, to the State archivist.	Section 25(1) <i>Public Records Act 2023</i>
Chief Executive Officer	Power to make a submission about the archivist's proposed action under subsection 26(2).	Section 26(3)(d) <i>Public Records Act 2023</i>
Chief Executive Officer	Power to give the archivist a restricted access notice.	Section 28 <i>Public Records Act 2023</i>

Chief Executive Officer	Power to agree with the archivist on the day, as stated in the restricted access notice, that the restricted access period starts.	Section 31(3) <i>Public Records Act 2023</i>
Chief Executive Officer	Power to give the archivist a new notice.	Section 32(2) <i>Public Records Act 2023</i>
Chief Executive Officer	Power to refer a dispute about changing the original notice to the committee.	Section 32(4) <i>Public Records Act 2023</i>
Chief Executive Officer	Power to apply to the archivist for access to a restricted record.	Section 36 <i>Public Records Act 2023</i>
Chief Executive Officer	Power, where the archivist gives notice for a restricted record asking whether an applicant may access the record, to give a notice:- (a) approving the applicant accessing the restricted record with or without reasonable conditions; or (b) refusing the applicant accessing the restricted record; and (c) where necessary, advise the archivist about why it has done so.	Sections 38(2) and (5) <i>Public Records Act 2023</i>
Chief Executive Officer	Power to refer a dispute about access to the restricted record, or whether the conditions for access are reasonable, to the committee.	Section 38(5) <i>Public Records Act 2023</i>
Chief Executive Officer	Power to make an arrangement with the archivist for public records of permanent value to be stored in, or accessed from, a place other than the archives repository.	Section 48 <i>Public Records Act 2023</i>
Chief Executive Officer	Power to apply to the committee for a review of a decision made by the archivist refusing to authorise the disposal of a particular public record or class of public record.	Section 61(1) <i>Public Records Act 2023</i>
Chief Executive Officer	Power to comply with a notice from the archivist request a report about the matters listed in subsection 80(2).	Section 80(4) <i>Public Records Act 2023</i>
Chief Executive Officer	Power to comply with a notice from the archivist to give the public record to the archivist or someone else stated in the notice.	Section 80(3) <i>Public Records Act 2023</i>

Right to Information Act 2009

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DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION
Chief Executive Officer	Power to disclose information under a publication scheme, without limiting another way Council may disclose information.	Section 22 <i>Right to Information Act 2009</i>
Chief Executive Officer	Power to give access to a document created after the application is received but before notice is given under section 54.	Section 27(2) <i>Right to Information Act 2009</i>
Chief Executive Officer	Power to search for a document from a backup system if Council considers the search appropriate.	Section 29(2) <i>Right to Information Act 2009</i>
Chief Executive Officer	Power to appoint an appropriately qualified healthcare professional to make a healthcare decision in relation to an access application.	Section 30(5)(b) <i>Right to Information Act 2009</i>
Chief Executive Officer	Power, as an agency, to participate in an external review.	Section 89(1) <i>Right to Information Act 2009</i>
Chief Executive Officer	Power to apply to the information commissioner to participate in an external review if Council is affected by the decision the subject of the external review.	Section 89(2) <i>Right to Information Act 2009</i>
Chief Executive Officer	Power to apply to the information commissioner to allow Council further time to deal with the access application which has become the subject of an application for an external review concerning a deemed decision in relation to an access application.	Section 93(1) <i>Right to Information Act 2009</i>
Chief Executive Officer	Power to comply with a reasonable request from the Commissioner for further assistance with an external review.	Section 96(1) <i>Right to Information Act 2009</i>
Chief Executive Officer	Power to make oral or written submissions to the Commissioner in an external review.	Section 97(2)(b) <i>Right to Information Act 2009</i>
Chief Executive Officer	Power to seek the approval of the Commissioner for Council to be represented by another person in an external review and to appoint the representative.	Section 97(3) <i>Right to Information Act 2009</i>

Chief Executive Officer	Power to respond to a preliminary inquiry from the Commissioner.	Section 98 <i>Right to Information Act 2009</i>
Chief Executive Officer	Power to give the applicant for external review and the commissioner an additional statement containing further and better particulars of the reasons for the decision.	Section 99(1) <i>Right to Information Act 2009</i>
Chief Executive Officer	Power to give the commissioner full and free access at all reasonable times to the documents of the agency or Minister concerned, including documents protected by legal professional privilege.	Section 100 <i>Right to Information Act 2009</i>
Chief Executive Officer	Power to give the commissioner a written transcript of the words recorded or contained in a document and a written document created using equipment that is usually available to Council for retrieving or collating stored information.	Sections 101(2) and (3) <i>Right to Information Act 2009</i>
Chief Executive Officer	Power to conduct a particular further search, or further searches, for a document when required to by the commissioner.	Section 102 <i>Right to Information Act 2009</i>
Chief Executive Officer	Power to comply with a notice issued by the commissioner pursuant to this section.	Section 103 <i>Right to Information Act 2009</i>
Chief Executive Officer	Power, as a participant in an external review, to apply to the information commissioner to correct an error in a written decision of the commissioner.	Section 111(2) <i>Right to Information Act 2009</i>
Chief Executive Officer	Power, as an agency, to apply to the information commissioner for the declaration of an applicant as a vexatious applicant.	Section 114(1) <i>Right to Information Act 2009</i>
Chief Executive Officer	Power, as a participant in an external review, to make a request to the information commissioner to refer a question of law arising on an external review to the Queensland Civil and Administrative Tribunal.	Section 118 (1) <i>Right to Information Act 2009</i>
Chief Executive Officer	Power, as a participant in an external review, to appeal to the appeal tribunal against a decision of the information commissioner on the external review.	Section 119 <i>Right to Information Act 2009</i>
Chief Executive Officer	Power to make an application to the information commissioner to extend the 10 year period during which disclosure of certain information cannot be made.	Schedule 4, Part 4, section 1(3) <i>Right to Information Act 2009</i>

Security of Critical Infrastructure Act 2018

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DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION
Chief Executive Officer	Power to make submissions to the Minister about the draft rules or amendments to be made for the purposes of section 18A.	Section 18AA(2)(a)(ii) <i>Security of Critical Infrastructure Act 2018</i> (Cth)
Chief Executive Officer	Power, as a reporting entity for a critical infrastructure asset, to give the Secretary:- (a) the operational information in relation to the asset the interest and control information in relation to the entity and the asset.	Section 23(2) <i>Security of Critical Infrastructure Act 2018</i> (Cth)
Chief Executive Officer	Power, as a reporting entity for a critical infrastructure asset, to give the Secretary information in relation to a notifiable event.	Section 24(2) <i>Security of Critical Infrastructure Act 2018</i> (Cth)
Chief Executive Officer	Power to make submissions to the Minister about the draft rules or amendments to be made for the purposes of section 30AB.	Section 30ABA(2)(a)(ii) <i>Security of Critical Infrastructure Act 2018</i> (Cth)
Chief Executive Officer	Power, as a responsible entity for one or more critical infrastructure assets, to adopt and maintain a critical infrastructure risk management program that applies to the entity.	Section 30AC <i>Security of Critical Infrastructure Act 2018</i> (Cth)
Chief Executive Officer	Power, as a responsible entity for one or more critical infrastructure assets, to comply with a critical infrastructure risk management program.	Section 30AD <i>Security of Critical Infrastructure Act 2018</i> (Cth)
Chief Executive Officer	Power, as a responsible entity for one or more critical infrastructure assets, to review a critical infrastructure risk management program.	Section 30AE <i>Security of Critical Infrastructure Act 2018</i> (Cth)
Chief Executive Officer	Power, as a responsible entity for one or more critical infrastructure assets, to update a critical infrastructure risk management program.	Section 30AF <i>Security of Critical Infrastructure Act 2018</i> (Cth)
Chief Executive Officer	Power, as a responsible entity for one or more critical infrastructure assets that has a critical infrastructure risk	Section 30AG(2) <i>Security of Critical</i>

	management program that applies to the entity, to give an annual report to the entity prescribed in section 30AG(2).	<i>Infrastructure Act 2018 (Cth)</i>
Chief Executive Officer	Power to make submissions to the Minister about the draft rules or amendments to be made for the purposes of section 30AH or AK.	Section 30AL(2)(a)(ii) <i>Security of Critical Infrastructure Act 2018 (Cth)</i>
Chief Executive Officer	Power to make submissions to the Secretary about the rules or amendments.	Section 30AM(3)(a)(ii) <i>Security of Critical Infrastructure Act 2018 (Cth)</i>
Chief Executive Officer	Power to make submissions to the Minister about the draft rules or amendments to be made for the purposes of subsection 30ANA(2)(f).	Section 30ANB(2)(a)(ii) <i>Security of Critical Infrastructure Act 2018 (Cth)</i>
Chief Executive Officer	Power, as a responsible entity for one or more critical infrastructure assets that are covered by subsection 30AB(4), (5) or (6), to give an annual report to the entity prescribed in section 30AQ(2).	Section 30AQ(2) <i>Security of Critical Infrastructure Act 2018 (Cth)</i>
Chief Executive Officer	Power to make submissions to the Minister about the draft rules or amendments to be made for the purposes of subsection 30BB.	Section 30BBA(2)(a)(ii) <i>Security of Critical Infrastructure Act 2018 (Cth)</i>
Chief Executive Officer	Power, in the circumstances set out in subsection 30BC(1), to give the relevant Commonwealth body a report about the cyber security incident.	Section 30BC <i>Security of Critical Infrastructure Act 2018 (Cth)</i>
Chief Executive Officer	Power, in the circumstances set out in subsection 30BD(1), to give the relevant Commonwealth body a report about the cyber security incident.	Section 30BD <i>Security of Critical Infrastructure Act 2018 (Cth)</i>
Chief Executive Officer	Power to make submissions to the Minister about the draft rules or amendments to be made for the purposes of subsection 30BEA(b).	Section 30BEB(2)(b) <i>Security of Critical Infrastructure Act 2018 (Cth)</i>
Chief Executive Officer	Power, as a responsible entity for a system of national significance, to consult with the Secretary about the giving of a notice pursuant to subsection 30CB(1).	Section 30CB(5)(a) <i>Security of Critical Infrastructure Act 2018 (Cth)</i>
Chief Executive Officer	Power, as a responsible entity for a system of national significance in the circumstances set out in subsection 30CD(b), to adopt and maintain an incident response plan that applies to the system and cyber security incidents.	Section 30CD <i>Security of Critical Infrastructure Act 2018 (Cth)</i>
Chief Executive Officer	Power, as a responsible entity for a system of national significance that has adopted an incident response plan that applies to the entity, to comply with the plan.	Section 30CE <i>Security of Critical Infrastructure Act 2018 (Cth)</i>
Chief Executive Officer	Power, as a responsible entity for a system of national significance that has adopted an incident response plan that applies to the entity, to review the plan.	Section 30CF <i>Security of Critical Infrastructure Act 2018 (Cth)</i>
Chief Executive Officer	Power, as a responsible entity for a system of national significance that has adopted an incident response plan that applies to the entity, to update the plan.	Section 30CG <i>Security of Critical Infrastructure Act 2018 (Cth)</i>

Chief Executive Officer	Power, as a responsible entity for a system of national significance that has adopted an incident response plan that applies to the entity, to give a copy of the plan, or the varied plan, to the Secretary.	Section 30CH <i>Security of Critical Infrastructure Act 2018</i> (Cth)
Chief Executive Officer	Power to consult with the Secretary about a proposed requirement to undertake a cyber security exercise.	Section 30CM(6)(a) <i>Security of Critical Infrastructure Act 2018</i> (Cth)
Chief Executive Officer	Power to comply with a notice given under section 30CM.	Section 30CP <i>Security of Critical Infrastructure Act 2018</i> (Cth)
Chief Executive Officer	Power to, in the circumstances listed in subsection 30CQ(1):- (a) prepare an evaluation report relating to the cyber security exercise; and give a copy to the Secretary.	Section 30CQ(1) <i>Security of Critical Infrastructure Act 2018</i> (Cth)
Chief Executive Officer	Power to consult with the Secretary about a proposed notice under section 30CR.	Section 30CR(4)(a) <i>Security of Critical Infrastructure Act 2018</i> (Cth)
Chief Executive Officer	Power to comply with a requirement given under subsection 30CR(2).	Section 30CR <i>Security of Critical Infrastructure Act 2018</i> (Cth)
Chief Executive Officer	Power to consult with the Secretary about a proposed notice under section 30CU.	Section 30CU(4)(a) <i>Security of Critical Infrastructure Act 2018</i> (Cth)
Chief Executive Officer	Power to comply with a requirement given under subsection 30CU.	Section 30CV <i>Security of Critical Infrastructure Act 2018</i> (Cth)
Chief Executive Officer	Power to consult with the Secretary about a proposal to make a written request to have a designated officer undertake a vulnerability assessment under section 30CW.	Section 30CW(4)(a) <i>Security of Critical Infrastructure Act 2018</i> (Cth)
Chief Executive Officer	Power to comply with a notice given under subsection 30CW(5).	Section 30CX <i>Security of Critical Infrastructure Act 2018</i> (Cth)
Chief Executive Officer	Power to, in the circumstances listed in subsection 30CZ(1):- (a) prepare a vulnerability assessment report relating to the assessment; and give a copy to the Secretary.	Section 30CZ(1) <i>Security of Critical Infrastructure Act 2018</i> (Cth)
Chief Executive Officer	Power, as the relevant entity or a responsible entity for the system of national significance to, consult with the Secretary about a proposed:- (a) system information periodic reporting notice; or system information event-based reporting notice.	Section 30DD <i>Security of Critical Infrastructure Act 2018</i> (Cth)

Chief Executive Officer	Power, as the recipient of a system information periodic reporting notice or a system information event-based reporting notice, to comply with the notice.	Section 30DF <i>Security of Critical Infrastructure Act 2018</i> (Cth)
Chief Executive Officer	Power, as the relevant entity or a responsible entity for the system of national significance, to consult with the Secretary about a proposed system information software notice.	Section 30DK <i>Security of Critical Infrastructure Act 2018</i> (Cth)
Chief Executive Officer	Power, as the recipient of a system information software notice, to comply with the notice.	Section 30DM <i>Security of Critical Infrastructure Act 2018</i> (Cth)
Chief Executive Officer	Power, as the recipient of a direction given by the Minister under subsection 32(2), to comply with the direction.	Section 34 <i>Security of Critical Infrastructure Act 2018</i> (Cth)
Chief Executive Officer	Power, as a specified entity, to make submissions to the Minister about a proposed authorisation under subsection 35AB(2)(c) or (d).	Section 35AD(1) <i>Security of Critical Infrastructure Act 2018</i> (Cth)
Chief Executive Officer	Power, as an entity prescribed in subsections 35AD(2)(a) or (b), to make submissions to the Minister about a proposed authorisation under subsection 35AB(2)(e) or (f).	Section 35AD(2) <i>Security of Critical Infrastructure Act 2018</i> (Cth)
Chief Executive Officer	Power, as an entity prescribed in subsection 35AK(2), to consult with the Secretary about a proposed direction under subsection 35AK(2).	Section 35AK(6) <i>Security of Critical Infrastructure Act 2018</i> (Cth)
Chief Executive Officer	Power, as the recipient of a direction given by the Secretary under section 35AK, to comply with the direction.	Section 35AM <i>Security of Critical Infrastructure Act 2018</i> (Cth)
Chief Executive Officer	Power, as the recipient of a direction given by the Secretary under section 35AQ, to comply with the direction.	Section 35AT <i>Security of Critical Infrastructure Act 2018</i> (Cth)
Chief Executive Officer	Power, as the recipient of a requirement under subsection 35BB(1), to comply with the requirement.	Section 35BB <i>Security of Critical Infrastructure Act 2018</i> (Cth)
Chief Executive Officer	Power, as the recipient of a notice under subsection 37(2), to comply with the notice.	Section 37 <i>Security of Critical Infrastructure Act 2018</i> (Cth)
Chief Executive Officer	Power, as an entity, to make a record of, use or disclose protected information for the purposes contained in section 41.	Section 41 <i>Security of Critical Infrastructure Act 2018</i> (Cth)
Chief Executive Officer	Power, as an entity to whom the protected information relates, to disclose the protected information pursuant to one or more of the powers contained in section 43E.	Section 43E <i>Security of Critical Infrastructure Act 2018</i> (Cth)
Chief Executive Officer	Power, as an entity, to make a record of, use or disclose protected information for the purposes contained in section 44.	Section 44 <i>Security of Critical Infrastructure Act 2018</i> (Cth)
Chief Executive Officer	Power, as a responsible entity for an asset, to make submissions to the Minister about a proposed declaration under section 51.	Section 51A(1)(b) <i>Security of Critical Infrastructure Act 2018</i> (Cth)

Chief Executive Officer	Power, as a first entity in the circumstances listed in subsection 52(1), to notify the Secretary of the information listed in subsection 52(2).	Section 52(2) <i>Security of Critical Infrastructure Act 2018 (Cth)</i>
Chief Executive Officer	Power, as a responsible entity for an asset, to make submissions to the Minister about a proposed declaration under section 52B.	Section 52C(1)(b) <i>Security of Critical Infrastructure Act 2018 (Cth)</i>
Chief Executive Officer	Power, as a first entity in the circumstances listed in subsection 52D(1), to notify the Secretary of the information listed in subsection 52D(2).	Section 52D(2) <i>Security of Critical Infrastructure Act 2018 (Cth)</i>
Chief Executive Officer	Power, as the responsible entity for an asset declared under subsection 52B(1) to be a system of national significance, to by written notice request the Secretary to review whether the asset is of national significance.	Section 52E(2) <i>Security of Critical Infrastructure Act 2018 (Cth)</i>
Chief Executive Officer	Power, as the responsible entity for an asset declared under subsection 52B(1) to be a system of national significance, to consult with the Secretary about the review.	Section 52E(4) <i>Security of Critical Infrastructure Act 2018 (Cth)</i>
Chief Executive Officer	Power, as an entity in the circumstances listed in subsection 60AA(1), to institute proceedings for the recovery of compensation from the Commonwealth.	Section 60AA(2) <i>Security of Critical Infrastructure Act 2018 (Cth)</i>

State Penalties Enforcement Act 1999

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DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION
Chief Executive Officer	Power, as administering authority, to approve a form for an infringement notice.	Section 15(1) <i>State Penalties Enforcement Act 1999</i>
Chief Executive Officer	Power, as administering authority, to approve (or refuse where the conditions in this section have not been complied with) an application for payment of a fine by instalments.	Section 23 <i>State Penalties Enforcement Act 1999</i>
Chief Executive Officer	Power, as administering authority, to submit particulars required for registration of approval of instalment payments with the State Penalties Enforcement Registry.	Section 24(1) <i>State Penalties Enforcement Act 1999</i>
Chief Executive Officer	Power, as administering authority, to withdraw an infringement notice at any time before the fine is satisfied in full and take the steps required by subsection (2).	Sections 28(1) and (2) <i>State Penalties Enforcement Act 1999</i>
Chief Executive Officer	Power, as an approved sponsor, to apply to the registrar on behalf of the subject applicant for a work and development order to satisfy all or part of the enforceable amount of the applicant's SPER debt.	Section 32J(1) <i>State Penalties Enforcement Act 1999</i>
Chief Executive Officer	Power, as an approved sponsor, to undertake an eligibility assessment.	Section 32K(1) <i>State Penalties Enforcement Act 1999</i>
Chief Executive Officer	Power, as an approved sponsor, to give the registrar evidence to support the eligibility assessment.	Section 32K(2) <i>State Penalties Enforcement Act 1999</i>
Chief Executive Officer	Power, as an approved sponsor, to apply to SPER on behalf of the individual for an increase in the order amount.	Section 32O(1) <i>State Penalties Enforcement Act 1999</i>
Chief Executive Officer	Power, as an approved sponsor, to withdraw the work and development order because the approved sponsor is unable to continue as the approved sponsor.	Section 32P(1) <i>State Penalties Enforcement Act 1999</i>

Chief Executive Officer	Power, as the recipient of a notice under section 32L, 32O or 32Q, to apply, as provided under the QCAT Act, to QCAT for a review of the decision.	Section 32S <i>State Penalties Enforcement Act 1999</i>
Chief Executive Officer	Power, as administering authority in the circumstances listed in subsections 33(1)(a) to (d), to give the State Penalties Enforcement Registry a default certificate for the infringement notice offence.	Section 33(1) <i>State Penalties Enforcement Act 1999</i>
Chief Executive Officer	Power, as administering authority who has given a default certificate under subsection 33(1), to pay the registration fee.	Section 33(3) <i>State Penalties Enforcement Act 1999</i>
Chief Executive Officer	Power, as administering authority who has given a default certificate under subsection 33(1), to give an amended default certificate to the State Penalties Enforcement Registry.	Section 33(7) <i>State Penalties Enforcement Act 1999</i>
Chief Executive Officer	Power, as an approved sponsor who has the agreement of the debtor, to apply on behalf of the debtor under part 3B for:- (a) work and development order to satisfy the amount of the order; or (b) if the debtor is subject to a work and development order – a variation of the order.	Section 41(2) <i>State Penalties Enforcement Act 1999</i>
Chief Executive Officer	Power, as administering authority, to (a) accept payment of the fine in full; or (b) issue a fresh infringement notice where the registrar has cancelled an enforcement notice and referred the matter back to Council.	Section 57(4) <i>State Penalties Enforcement Act 1999</i>
Chief Executive Officer	Power, as an employer who pays earnings to an employee for whom a fine collection notice for redirection of the enforcement debtor's earnings is in force, to when paying the earnings, deduct an amount from the earnings as required under Part 5, Division 4.	Section 81 <i>State Penalties Enforcement Act 1999</i>
Chief Executive Officer	Power, as an employer who deducts an amount from an employee's earnings under a fine collection notice, to pay the amount to the registrar and give to the registrar a return in the approved form.	Section 84(1) <i>State Penalties Enforcement Act 1999</i>
Chief Executive Officer	Power, as an employer who does not deduct an amount from an employee's earnings under a fine collection notice, give to the registrar a return in the approved form.	Section 84(2) <i>State Penalties Enforcement Act 1999</i>
Chief Executive Officer	Power, as an employer who pays earnings to an employee while a fine collection notice relating to the employee is in force, to give the employee the written notice required under the subsection.	Section 84(3) <i>State Penalties Enforcement Act 1999</i>
Chief Executive Officer	Power, where an employee to whom a fine collection notice relates stops being an employee while the notice	Section 84(4) <i>State Penalties Enforcement Act 1999</i>

	is in force, to give the registrar the written notice of that fact.	
Chief Executive Officer	Power, as an employer, to keep the records required to be kept by this section.	Section 94 <i>State Penalties Enforcement Act 1999</i>
Chief Executive Officer	Power, as an administering authority, to state any matter in subsection (2) is evidence of the matter.	Section 157(2) <i>State Penalties Enforcement Act 1999</i>
Chief Executive Officer	Power, as an administering authority, to request the Registrar to give a certificate under subsection (3).	Section 157(4) <i>State Penalties Enforcement Act 1999</i>
Chief Executive Officer	Power to approve forms for use as infringement notices.	Section 162 <i>State Penalties Enforcement Act 1999</i>

Tobacco and Other Smoking Products Act 1998

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DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION
Chief Executive Officer	Power to consult with the Department about a proposed local law under section 154.	Section 155 <i>Tobacco and Other Smoking Products Act 1998</i>
Chief Executive Officer	Power to respond to a request for information from the chief executive about a local law made under section 154.	Section 156 <i>Tobacco and Other Smoking Products Act 1998</i>
Chief Executive Officer	Power to administer and enforce Part 7, divisions 4 to 8 and Part 8, division 4 of the Act.	Sections 165 and 166 <i>Tobacco and Other Smoking Products Act 1998</i>
Chief Executive Officer	Power to respond to a request for information from the chief executive about the local government's administration and enforcement.	Section 167 <i>Tobacco and Other Smoking Products Act 1998</i>
Chief Executive Officer	Power, as an occupier of a place, to give consent to an authorised person to enter the place.	Section 181(1)(a) <i>Tobacco and Other Smoking Products Act 1998</i>
Chief Executive Officer	Power, as an occupier of a place, to sign an acknowledgement confirming that consent to enter the place was given to an authorised person.	Section 182(3) <i>Tobacco and other Smoking Products Act 1998</i>
Chief Executive Officer	Power, as a person required to give the authorised person reasonable help under section 187(3)(f), to comply with the requirement.	Section 188(1) <i>Tobacco and other Smoking Products Act 1998</i>
Chief Executive Officer	Power, as a person given a requirement under section 187(3)(g), to comply with the requirement.	Section 189(1) <i>Tobacco and other Smoking Products Act 1998</i>
Chief Executive Officer	Power, as an owner of a seized thing, to inspect the thing seized by an authorised person and, if it is a document, to copy it.	Section 209(1) <i>Tobacco and Other Smoking Products Act 1998</i>

*Transport Operations (Road Use Management—Road Rules)
Regulation 2009*

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DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION
Chief Executive Officer	Power to issue a commercial vehicle identification label for the purposes of stopping in a loading zone.	Section 179(1)(c) <i>Transport Operations (Road Use Management—Road Rules) Regulation 2009</i>
Chief Executive Officer	Power to issue a permit to lead more than one animal on a road.	Section 301(4) <i>Transport Operations (Road Use Management—Road Rules) Regulation 2009</i>

Waste Reduction and Recycling Act 2011

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DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION
<i>Waste Reduction and Recycling Act 2011</i>	<p>NOTE: The State (via DERM as it was previously known) has delegated certain powers of the chief executive to local governments under section 263(1)(b) of the <i>Waste Reduction and Recycling Act 2011</i>. This has been done via:</p> <ul style="list-style-type: none"> the Waste Reduction and Recycling (Local Government) Delegation (No. 1) 2015. <p>The delegations specifically include the power to sub-delegate to an “appropriately qualified entity”</p>	
Chief Executive Officer	Power to make an exempt waste application to the chief executive.	Section 28 <i>Waste Reduction and Recycling Act 2011</i>
Chief Executive Officer	Power to provide further information or documents for an exempt waste application if required by the chief executive.	Section 29 <i>Waste Reduction and Recycling Act 2011</i>
Chief Executive Officer	Power to agree with the chief executive about extending the time for providing further information or documents for an exempt waste application.	Section 29(2) <i>Waste Reduction and Recycling Act 2011</i>
Chief Executive Officer	Power, as the holder of an approval of waste as exempt waste, to request an amendment of the approval, and agree with the chief executive to the amendment of the approval.	Section 33 <i>Waste Reduction and Recycling Act 2011</i>
Chief Executive Officer	Power, as the holder of an approval of waste as exempt waste, to make submissions in response to a notice from the chief executive about cancelling or amending the approval.	Section 34(3)(e) <i>Waste Reduction and Recycling Act 2011</i>
Chief Executive Officer	Power, in conducting a recycling activity prescribed by regulation, to make a residue waste discounting application to the chief executive.	Section 44(1) <i>Waste Reduction and Recycling Act 2011</i>
Chief Executive Officer	Power, as the applicant for a residue waste discounting application, to provide further information or documents for the application if required by the chief executive.	Section 45 <i>Waste Reduction and Recycling Act 2011</i>
Chief Executive Officer	Power to agree with the chief executive about extending the time for providing further information or documents for a waste residue discounting application.	Section 45(2) <i>Waste Reduction and Recycling Act 2011</i>

Chief Executive Officer	Power, as the holder of an approval of a discounted rate for the waste levy for residue waste, to request an amendment of the approval, and agree with the chief executive to the amendment of the approval.	Section 49 <i>Waste Reduction and Recycling Act 2011</i>
Chief Executive Officer	Power, as the holder of an approval of a discounted rate for the waste levy for residue waste, to make submissions in response to a notice from the chief executive about cancelling or amending the approval.	Section 50(3)(e) <i>Waste Reduction and Recycling Act 2011</i>
Chief Executive Officer	Power, as the operator of a waste disposal site, to receive and request delivery information for waste.	Section 53 <i>Waste Reduction and Recycling Act 2011</i>
Chief Executive Officer	Power, as the operator of a resource recovery and transfer facility, to receive and request delivery information for waste.	Section 54 <i>Waste Reduction and Recycling Act 2011</i>
Chief Executive Officer	Power, as the operator of a levyable waste disposal site, to pay the chief executive the waste levy, including any interest.	Section 56 <i>Waste Reduction and Recycling Act 2011</i>
Chief Executive Officer	Power, as the operator of a waste disposal site in the waste levy zone, to ensure a weighbridge is installed and operates at the site, is brought back into operation if out of operation, and give notice to the chief executive where the weighbridge is out of operation and brought back into operation, as required by sections 56 and 57. NOTE: an exemption may apply until 30 June 2029 pursuant to chapter 16, part 3, division 2.	Sections 56 and 57 <i>Waste Reduction and Recycling Act 2011</i>
Chief Executive Officer	Power to measure and record waste as required by sections 59, 60 and 61. NOTE: an exemption may apply until 30 June 2029 pursuant to chapter 16, part 3, division 2.	Sections 59, 60 and 61 <i>Waste Reduction and Recycling Act 2011</i>
Chief Executive Officer	Power, as the operator of a waste disposal site, to agree with the chief executive about an alternative way to measure and record the waste.	Section 60(3) <i>Waste Reduction and Recycling Act 2011</i>
Chief Executive Officer	Power, as the operator of a waste disposal site and where the chief executive has given Council a notice under section 63(2), to install, maintain and operate a monitoring system as required by the notice, and comply with sections 64, 65 and 66.	Sections 63, 64, 65 and 66 <i>Waste Reduction and Recycling Act 2011</i>
Chief Executive Officer	Power, as the operator of a levyable waste disposal site, to carry out volumetric surveys, ensure volumetric surveys are carried out, and give the chief executive copies of the results of the volumetric surveys as required by sections 67, 68 and 69.	Sections 67, 68 and 69 <i>Waste Reduction and Recycling Act 2011</i>
Chief Executive Officer	Power, as the operator of a levyable waste disposal site, to give the chief executive a waste data return.	Section 72 <i>Waste Reduction and Recycling Act 2011</i>
Chief Executive Officer	Power, as the operator of a levyable waste disposal site, to keep the documents stipulated in section 72A.	Section 72A <i>Waste Reduction and Recycling Act 2011</i>

Chief Executive Officer	Power, as the operator of a levyable waste disposal site, to apply to the chief executive to enter a waste levy instalment agreement, and enter the agreement.	Section 72C <i>Waste Reduction and Recycling Act 2011</i>
Chief Executive Officer	Power, as the operator of a levyable waste disposal site, to apply to the chief executive for an amendment of a waste levy instalment agreement, and enter the amendment agreement.	Section 72D <i>Waste Reduction and Recycling Act 2011</i>
Chief Executive Officer	Power, as the operator of a levyable waste disposal site, to apply to the chief executive for an extension of time to pay a waste levy amount.	Section 72G <i>Waste Reduction and Recycling Act 2011</i>
Chief Executive Officer	Power, as the operator of a levyable waste disposal site, to apply to the chief executive for an extension of time to submit a waste data return and pay a waste levy amount.	Section 72H <i>Waste Reduction and Recycling Act 2011</i>
Chief Executive Officer	Power, as the operator of a levyable waste disposal site where the chief executive has decided an estimated waste levy amount under section 72J, to adjust the waste levy amount payable if a different amount is decided under a review of the chief executive's decision on the estimated waste levy amount.	Section 72J(3)(c) <i>Waste Reduction and Recycling Act 2011</i>
Chief Executive Officer	Power, as the operator or former operator of a waste disposal site who is eligible for a bad debt credit, to apply to the chief executive for relief.	Section 72L <i>Waste Reduction and Recycling Act 2011</i>
Chief Executive Officer	Power to respond to a notice from the chief executive requiring further reasonable information or documents about the application for a bad debt credit.	Section 72M(1) <i>Waste Reduction and Recycling Act 2011</i>
Chief Executive Officer	Power to agree with the chief executive about extending the time for providing the further information or documents.	Section 72M(2) <i>Waste Reduction and Recycling Act 2011</i>
Chief Executive Officer	Power, as the operator of a waste disposal site, to declare an area within the site as a resource recovery area by giving the chief executive notice of a proposed resource recovery area.	Sections 72R and 72S <i>Waste Reduction and Recycling Act 2011</i>
Chief Executive Officer	Power, as the operator of a waste disposal site with a resource recovery area, to amend the declaration as a resource recovery area by giving the chief executive notice of the proposed amendment.	Section 72U <i>Waste Reduction and Recycling Act 2011</i>
Chief Executive Officer	Power, as the operator of a waste disposal site with a resource recovery area, to cancel the declaration as a resource recovery area by giving the chief executive notice of the proposed cancellation.	Section 72V <i>Waste Reduction and Recycling Act 2011</i>
Chief Executive Officer	Power, as the operator of a waste disposal site with a resource recovery area, to:- (a) make a written submission to the chief executive; or	Section 72VA(3)(e) <i>Waste Reduction and Recycling Act 2011</i>

	(b) take stated actions.	
Chief Executive Officer	Power, as the operator of a waste disposal site with a resource recovery area and where the chief executive proposes to revoke the declaration, to make submissions to the chief executive to show why the declaration should not be revoked.	Section 72W <i>Waste Reduction and Recycling Act 2011</i>
Chief Executive Officer	Power, as the operator of a waste disposal site with a resource recovery area, to keep the documents and results stipulated in section 72X.	Section 72X <i>Waste Reduction and Recycling Act 2011</i>
Chief Executive Officer	Power, as the operator of a resource recovery area at a waste disposal site in the waste levy zone, to carry out volumetric surveys, ensure volumetric surveys are carried out and give the chief executive a copy of the results of the volumetric survey as required by section 72Y.	Section 72Y <i>Waste Reduction and Recycling Act 2011</i>
Chief Executive Officer	Power, as the operator of a resource recovery area at a waste disposal site not in the waste levy zone, to carry out volumetric surveys, ensure volumetric surveys are carried out and give the chief executive a copy of the results of the volumetric survey as required by section 72Z.	Section 72Z <i>Waste Reduction and Recycling Act 2011</i>
Chief Executive Officer	Power, as the operator of a waste disposal site that has declared, or claims to have declared, a resource recovery area under section 72S, to ensure that the resource recovery area complies with section 73A(2).	Section 73A <i>Waste Reduction and Recycling Act 2011</i>
Chief Executive Officer	Power, as the operator of a waste disposal site that has declared a resource recovery area and there is a change to the physical barrier or points of access for the resource recovery area that does not change the boundaries of the area, to amend the plan of the waste disposal site, and give the chief executive notice and a copy of the amended plan.	Section 73C(2) <i>Waste Reduction and Recycling Act 2011</i>
Chief Executive Officer	Power, as the operator of a waste disposal site that has declared a resource recovery area and there is a change to the recycling activities, to advise the chief executive of the change.	Section 73C(3) <i>Waste Reduction and Recycling Act 2011</i>
Chief Executive Officer	Power, as the operator of a waste disposal site that has declared a resource recovery area and there is a change to the entity having responsibility for the operation of the resource recovery area, to advise the chief executive of the change.	Section 73C(4) <i>Waste Reduction and Recycling Act 2011</i>
Chief Executive Officer	Power to request payment of an additional amount for the financial year to further mitigate the direct effects of the waste levy on households.	Section 73DB(1) <i>Waste Reduction and Recycling Act 2011</i>

Chief Executive Officer	Power to use a relevant payment to mitigate the direct effects of the waste levy on households in the local government's local government area.	Section 73DC(1) <i>Waste Reduction and Recycling Act 2011</i>
Chief Executive Officer	Power to ensure the first rates notice issued to an entity after receiving a relevant payment state the matters listed in subsection 73DD(1).	Section 73DD(1) <i>Waste Reduction and Recycling Act 2011</i>
Chief Executive Officer	Power to satisfy the Chief Executive that Council has informed the intended recipients of the misinformation of how the misinformation is false or misleading.	Section 73DE(2) <i>Waste Reduction and Recycling Act 2011</i>
Chief Executive Officer	Power to apply to the chief executive for accreditation as scheme manager for a voluntary product stewardship scheme.	Section 89 <i>Waste Reduction and Recycling Act 2011</i>
Chief Executive Officer	Power, as a participant in an accredited stewardship scheme, to amend the scheme by agreement with all other participants in the scheme.	Section 95 <i>Waste Reduction and Recycling Act 2011</i>
Chief Executive Officer	Power, as scheme manager of an accredited stewardship scheme that the minister is proposing to revoke, to make written submissions to show why the proposed action to revoke the accreditation should not be taken.	Section 97 <i>Waste Reduction and Recycling Act 2011</i>
Chief Executive Officer	Power to claim a refund amount for an empty container under chapter 4, part 3B, division 3, subdivision 1.	Sections 99S(1) and 99U(1) <i>Waste Reduction and Recycling Act 2011</i>
Chief Executive Officer	Power, as the operator of a container refund point, to accept the container and pay the person the refund amount for the container.	Section 99S(2) <i>Waste Reduction and Recycling Act 2011</i>
Chief Executive Officer	Power, as the operator of a container refund point, to:- (a) keep each refund declaration given to the operator for at least 5 years after the declaration was given; (b) for the proof of identity document mentioned in section 99T(3)(c) that accompanied the declaration, make a copy of the proof of identity document and keep the copy with the declaration for at least 5 years after the declaration was given; (c) if asked by an authorised person - produce the declaration and copy of the proof of identity document for inspection by the authorised person.	Section 99Y(1) <i>Waste Reduction and Recycling Act 2011</i>
Chief Executive Officer	Power, as the operator of a container refund point, to enter a container collection agreement with the Organisation.	Section 99ZA <i>Waste Reduction and Recycling Act 2011</i>
Chief Executive Officer	Power, as the operator of a container refund point, to claim a collection amount from the Organisation for containers collected.	Section 99ZB <i>Waste Reduction and Recycling Act 2011</i>

Chief Executive Officer	Power, as the operator of a material recovery facility, to enter a material recovery agreement with the Organisation.	Section 99ZF <i>Waste Reduction and Recycling Act 2011</i>
Chief Executive Officer	Power, as the operator of a material recovery facility, to claim the recovery amount from the Organisation.	Section 99ZH <i>Waste Reduction and Recycling Act 2011</i>
Chief Executive Officer	Power, as the operator of a material recovery facility, to comply with the recovery amount protocol.	Section 99ZL <i>Waste Reduction and Recycling Act 2011</i>
Chief Executive Officer	Power, as delegate of the chief executive administering the Act, to give a notice to an adult person.	Section 110 <i>Waste Reduction and Recycling Act 2011</i>
Chief Executive Officer	Power, as delegate of the chief executive administering the Act, to give a notice to an adult person.	Section 111 <i>Waste Reduction and Recycling Act 2011</i>
Chief Executive Officer	Power, as delegate of the chief executive administering the Act, to direct a responsible entity to collect material from premises.	Section 112 <i>Waste Reduction and Recycling Act 2011</i>
Chief Executive Officer	Power, as a local government, to prepare and implement a waste reduction and recycling plan	Section 123 <i>Waste Reduction and Recycling Act 2011</i>
Chief Executive Officer	Power to make written submissions where the chief executive intends to prepare a waste reduction and recycling plan for the local government to address an aspect that is relevant to the local government.	Section 128 <i>Waste Reduction and Recycling Act 2011</i>
Chief Executive Officer	Power, as a local government, to give the chief executive a report about the operation, in the financial year, of all the local government's waste reduction and recycling plans in force in its local government area.	Section 147 <i>Waste Reduction and Recycling Act 2011</i>
Chief Executive Officer	Power, as a reporting entity, to give the chief executive a report about the entity's receiving, sorting, recycling, treatment or disposal of waste in the financial year.	Section 152 <i>Waste Reduction and Recycling Act 2011</i>
Chief Executive Officer	Power to make a submission about a potential end of waste code	Section 160 <i>Waste Reduction and Recycling Act 2011</i>
Chief Executive Officer	Power to make a submission about a draft end of waste code	Section 165 <i>Waste Reduction and Recycling Act 2011</i>
Chief Executive Officer	Power to apply to amend an end of waste code	Section 168 <i>Waste Reduction and Recycling Act 2011</i>
Chief Executive Officer	Power, in relation to an end of waste code which the chief executive proposes to amend, cancel or suspend, to make written submissions about the proposed action.	Section 172 <i>Waste Reduction and Recycling Act 2011</i>

Chief Executive Officer	Power to give the chief executive a notice stating that Council intends to become a registered resource producer for the code.	Section 173B(1) <i>Waste Reduction and Recycling Act 2011</i>
Chief Executive Officer	Power to give the chief executive a notice in the approved form.	Section 173B(3) <i>Waste Reduction and Recycling Act 2011</i>
Chief Executive Officer	Power to make a submission in response to a notice issued by the chief executive.	Section 173D <i>Waste Reduction and Recycling Act 2011</i>
Chief Executive Officer	Power to respond to a request for advice, comment or information about the operation of an end of waste code issued by the chief executive.	Section 173H <i>Waste Reduction and Recycling Act 2011</i>
Chief Executive Officer	Power to apply to the chief executive for an end of waste approval to conduct a trial for 1 kind of waste.	Section 173I <i>Waste Reduction and Recycling Act 2011</i>
Chief Executive Officer	Power to comply with the conditions of an end of waste approval.	Section 173K <i>Waste Reduction and Recycling Act 2011</i>
Chief Executive Officer	Power to apply to the chief executive to extend an end of waste approval.	Section 173L <i>Waste Reduction and Recycling Act 2011</i>
Chief Executive Officer	Power to apply to the chief executive to amend an end of waste approval.	Section 173M <i>Waste Reduction and Recycling Act 2011</i>
Chief Executive Officer	Power to apply to the chief executive to transfer an end of waste approval.	Section 173O <i>Waste Reduction and Recycling Act 2011</i>
Chief Executive Officer	Power to respond to a request from the chief executive for advice, comment or information about the operation of Chapter 8, Part 3.	Section 173Q <i>Waste Reduction and Recycling Act 2011</i>
Chief Executive Officer	Power to respond to a request from the chief executive for further information or documents required to decide an application under chapter 8A.	Section 173T <i>Waste Reduction and Recycling Act 2011</i>
Chief Executive Officer	Power to respond to a show cause notice from the chief executive.	Section 173ZB <i>Waste Reduction and Recycling Act 2011</i>
Chief Executive Officer	Power to surrender an approval by giving notice to the chief executive officer.	Section 173ZE <i>Waste Reduction and Recycling Act 2011</i>
Chief Executive Officer	Power to respond to a notice from the chief executive requiring information about an approval.	Section 173ZF <i>Waste Reduction and Recycling Act 2011</i>

Chief Executive Officer	Power, where given, or entitled to be given, an information notice for a decision, to apply to the chief executive for an internal review of the decision.	Section 175 <i>Waste Reduction and Recycling Act 2011</i>
Chief Executive Officer	Power to, as delegate of the chief executive administering the Act, apply for an internal review of the decision.	Section 175 <i>Waste Reduction and Recycling Act 2011</i>
Chief Executive Officer	Power to, as delegate of the chief executive administering the Act, extend the time for making an internal review application.	Section 176(2) <i>Waste Reduction and Recycling Act 2011</i>
Chief Executive Officer	Power, where an internal review application has been made, to apply for a stay of the original decision.	Section 177 <i>Waste Reduction and Recycling Act 2011</i>
Chief Executive Officer	Power to, as delegate of the chief executive administering the Act, conduct an internal review of the original decision and decide the internal review application.	Section 178 <i>Waste Reduction and Recycling Act 2011</i>
Chief Executive Officer	Power to, as delegate of the chief executive administering the Act, give notice of an internal review decision.	Section 179 <i>Waste Reduction and Recycling Act 2011</i>
Chief Executive Officer	Power, where given, or entitled to be given, a QCAT information notice under section 179 of the <i>Waste Reduction and Recycling Act 2011</i> , to apply to QCAT, under the QCAT Act, for external review of the decision.	Section 180 <i>Waste Reduction and Recycling Act 2011</i>
Chief Executive Officer	Power, as delegate of the chief executive administering the Act, to appoint a person as an authorised person.	Section 183 <i>Waste Reduction and Recycling Act 2011</i> and
Chief Executive Officer	Power, as delegate of the chief executive administering the Act, to issue an identity card to an authorised person.	Section 187 <i>Waste Reduction and Recycling Act 2011</i>
Chief Executive Officer	Power, as delegate of the chief executive administering the Act, to give a show cause notice.	Section 246 <i>Waste Reduction and Recycling Act 2011</i>
Chief Executive Officer	Power, as delegate of the chief executive administering the Act, to give a compliance notice.	Sections 248 and 249 <i>Waste Reduction and Recycling Act 2011</i>
Chief Executive Officer	Power, as delegate of the chief executive administering the Act, to give a notice requiring the person to commission a waste audit and to provide a waste report on the audit.	Sections 253 <i>Waste Reduction and Recycling Act 2011</i>
Chief Executive Officer	Power to bring a proceeding in a Magistrates Court for an order to remedy or restrain an offence against the Act. or a threatened or anticipated offence against the Act.	Sections 261 <i>Waste Reduction and Recycling Act 2011</i>

Chief Executive Officer	Power, as an operator of a levyable waste disposable site, to apply to the chief executive for an exemption during the transition period from the requirements of section 57.	Sections 317(2) <i>Waste Reduction and Recycling Act 2011</i>
Chief Executive Officer	Power, as an entity having responsibility for the operation of a resource recovery area for a waste disposal site in the waste levy zone, to carry out a volumetric survey, ensure a volumetric survey is carried out, give a copy of the results of the volumetric survey to the chief executive, and keep a copy of the results as required by section 324.	Sections 324 <i>Waste Reduction and Recycling Act 2011</i>
Chief Executive Officer	Power, as an operator of a small site, to give the chief executive written notice of a proposed alternative methodology for measuring and recording waste at the site and implement that alternative methodology. NOTE: this section only applies until 30 June 2021.	Sections 325 <i>Waste Reduction and Recycling Act 2011</i>

Water Act 2000

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DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION
Chief Executive Officer	Power, as a service provider directed to impose water restrictions under section 25D, to provide the Minister with a response stating the way it intends to ensure the restrictions are complied with.	Section 25C(d)(iii) <i>Water Act 2000</i>
Chief Executive Officer	Power, as a service provider directed to achieve outcomes, to provide the Minister with a response stating: 1. its intended actions to achieve those outcomes; and 2. if the actions include restrictions; how it intends to ensure compliance with the restrictions.	Section 25C(d)(v) <i>Water Act 2000</i>
Chief Executive Officer	Power, as a service provider, to comply with a direction given under a water supply emergency declaration.	Section 25E <i>Water Act 2000</i>
Chief Executive Officer	Power, as a service provider and to the extent stated in a declaration or regulation, to recover, as a debt due, from Council's customers or other service providers: (a) contributions made by the State; and (b) costs in section 250(1) <i>Water Act 2000</i> to the extent approved by the Minister; and (c) the rate of return.	Section 25O <i>Water Act 2000</i>
Chief Executive Officer	Power, as a service provider, to apply to the Minister for compensation for loss or damage because of actions taken under Chapter 1A, Part 1 <i>Water Act 2000</i> and to provide other relevant information required by the Minister.	Section 25R <i>Water Act 2000</i>
Chief Executive Officer	Power, as a service provider who has made an application under section 25R, to provide the information the Minister requires to decide the application.	Section 25T <i>Water Act 2000</i>
Chief Executive Officer	Power, as a service provider, to comply with a notice requiring information issued by the chief executive.	Section 25Y <i>Water Act 2000</i>
Chief Executive Officer	Power, as a service provider, to apply for written approval to restrict the use of subartesian water by a customer of the water service provider in an area if the water is taken, other than for stock purposes, for a purpose mentioned in subsections 25ZA(1)(a) or (b).	Section 25ZA(1) <i>Water Act 2000</i>

Chief Executive Officer	Power, as a service provider, to respond to a request for further information about the application from the chief executive.	Section 25ZA(3) <i>Water Act 2000</i>
Chief Executive Officer	Power, as a water service provider in the circumstance provided in subsection (1), to impose a restriction on the use of subartesian water by a customer of the water service provider in an area.	Section 25ZE <i>Water Act 2000</i>
Chief Executive Officer	Power, as a person who is completing works that have been started, to give the chief executive notice about the works by the day stated in the moratorium notice.	Section 30(3)(d) <i>Water Act 2000</i>
Chief Executive Officer	Power, as an owner of land, to stop construction of the work by the completion day and apply to the Minister for an extension of the completion day.	Section 33(2) <i>Water Act 2000</i>
Chief Executive Officer	Power, as person who is authorised, or has an entitlement to take or interfere with water, to provide information requested by the chief executive under section 35.	Section 35 <i>Water Act 2000</i>
Chief Executive Officer	Power, as an owner of land, to give the chief executive an owner's notice.	Section 36 <i>Water Act 2000</i>
Chief Executive Officer	Power, as a resource operations licence holder, to consult with the chief executive about the proposed temporary release of water from the reserve.	Section 40B(3) <i>Water Act 2000</i>
Chief Executive Officer	Power to respond to a notice of public consultation on a proposed water plan.	Section 44 <i>Water Act 2000</i>
Chief Executive Officer	Power to make a submission on a draft water plan.	Section 46 <i>Water Act 2000</i>
Chief Executive Officer	Power to make a submission in response to a notice of the Minister's intention to postpone the expiry of a water plan.	Section 54 <i>Water Act 2000</i>
Chief Executive Officer	Power to make submissions in response to a notice of the making of a draft water use plan.	Section 61 <i>Water Act 2000</i>
Chief Executive Officer	Power to consult with the chief executive about the amendment or replacement of a water management protocol.	Section 69(2)(c) <i>Water Act 2000</i>
Chief Executive Officer	Power to make submissions in response to a notice of the making of a draft water entitlement notice.	Section 72 <i>Water Act 2000</i>
Chief Executive Officer	Power to take water for any of the purposes referred to in section 93.	Section 93 <i>Water Act 2000</i>
Chief Executive Officer	Power to interfere with water for any of the purposes referred to in section 94.	Section 94 <i>Water Act 2000</i>
Chief Executive Officer	Power as owner of land to take water for stock or domestic purposes.	Section 96 <i>Water Act 2000</i>
Chief Executive Officer	Power to take overland flow water that is not more than the volume necessary to satisfy the requirements of;- (a) an environmental authority; or (b) a development permit for carrying out an environmentally relevant activity.	Section 97(1) <i>Water Act 2000</i>
Chief Executive Officer	Power to interfere with the flow water by impoundment if the interference is not more than is necessary to satisfy the requirements of an environmental authority.	Section 97(2) <i>Water Act 2000</i>

Chief Executive Officer	Power, as a constructing authority or water service provider, to take water to operate public showers or toilets.	Section 99(1) <i>Water Act 2000</i>
Chief Executive Officer	Power, as a constructing authority, to take water to construct or maintain infrastructure.	Section 99(2) <i>Water Act 2000</i>
Chief Executive Officer	Power, subject to any relevant alteration or limitation prescribed under a moratorium notice, water plan or a regulation under section 1046 to:- (a) take water to carry out an activity prescribed by regulation; (b) take overland flow water; (c) take or interfere with underground water; (d) take water that has been collected in a dam other than a dam across a watercourse or lake.	Section 101(1) <i>Water Act 2000</i>
Chief Executive Officer	Power to, in a water plan area, subject to any relevant alteration or limitation prescribed under a moratorium notice:- (a) take water up to a volume stated in the water plan for the area; (b) take water if doing so is necessary to carry out an activity stated in the water plan for the area; (c) interfere with water to the extent stated in the water plan for the area.	Section 102(1) <i>Water Act 2000</i>
Chief Executive Officer	Power to, where there is no water plan or where the water plan for the area does not provide for the taking or interfering with water up to a volume stated in the plan, subject to any relevant alteration or limitation prescribed under a moratorium notice:- (a) take water up to a volume prescribed by regulation; (b) interfere with water to the extent prescribed by regulation.	Section 102(3) <i>Water Act 2000</i>
Chief Executive Officer	Power, as an owner of land, to take water from a watercourse, lake or spring for stock or domestic purposes in the circumstances described in subsections (a) or (b).	Section 103 <i>Water Act 2000</i>
Chief Executive Officer	Power, as an owner of a parcel or parcels of land, to apply for a water licence for the parcel or parcels.	Section 107 <i>Water Act 2000</i>
Chief Executive Officer	Power, as a prescribed entity, to apply for a water licence for taking water or interfering with the flow of water.	Section 107(4) <i>Water Act 2000</i>
Chief Executive Officer	Power, as an entity mentioned in subsection (1), to apply for a transmission water licence.	Section 108 <i>Water Act 2000</i>
Chief Executive Officer	Power to comply with a requirement for additional information received from the chief executive and to verify the information by statutory declaration.	Section 111 <i>Water Act 2000</i>
Chief Executive Officer	Power to public a copy of the public submissions notice in compliance with a notice received from the chief executive.	Section 112 (4) & (5) <i>Water Act 2000</i>
Chief Executive Officer	Power to give the chief executive evidence of the publication.	Section 112(6) <i>Water Act 2000</i>

Chief Executive Officer	Power to apply for 1 or more dealings with a water licence, take all steps to progress the application and give notice of the application (if required).	Sections 121, 122, 123, 126 and 127 <i>Water Act 2000</i>
Chief Executive Officer	Power to apply to have a water licence reinstated.	Section 125 <i>Water Act 2000</i>
Chief Executive Officer	Power to comply with a requirement for additional information received from the chief executive and to verify the information by statutory declaration.	Section 128 <i>Water Act 2000</i>
Chief Executive Officer	Power to respond to a show cause notice issued by the chief executive pursuant to subsection (3).	Section 134 <i>Water Act 2000</i>
Chief Executive Officer	Power to surrender a water licence.	Section 136 <i>Water Act 2000</i>
Chief Executive Officer	Power to apply for a water permit for an activity.	Section 137 <i>Water Act 2000</i>
Chief Executive Officer	Power, if the chief executive requires, to give additional information about an application.	Section 137A <i>Water Act 2000</i>
Chief Executive Officer	Power, as an allocation holder and as a resource operations licence holder to enter a supply contract for the allocation.	Section 147(4) <i>Water Act 2000</i>
Chief Executive Officer	Power, as a licence holder, to require the allocation holder to give reasonable security for supplying and storing the allocation.	Section 149 <i>Water Act 2000</i>
Chief Executive Officer	Power to respond to a requirement from the chief executive to give additional information about the correction and to verify the information by statutory declaration.	Section 151 <i>Water Act 2000</i>
Chief Executive Officer	Power, as a licence holder in a circumstance prescribed in subsection (1), to agree that the obligation on the water allocation holder to pay a charge has been satisfied.	Section 154(2) <i>Water Act 2000</i>
Chief Executive Officer	Power, as a licence holder in a circumstance prescribed in subsection (1), to give notice in the approved form to the chief executive of an agreement reached under subsection (2).	Section 154(3) <i>Water Act 2000</i>
Chief Executive Officer	Power, as an allocation holder in a circumstance prescribed in subsection (1), to give a disclosure statement and acknowledgement notice for the water allocation before entering a contract for the transfer or lease of the water allocation.	Section 155 <i>Water Act 2000</i>
Chief Executive Officer	Power, as a water allocation holder who proposes to transfer or lease a water allocation not managed under a resource operations licence, to give the chief executive notice of the proposed transfer or lease.	Section 157 <i>Water Act 2000</i>
Chief Executive Officer	Power, as a water allocation holder, to apply to the chief executive for a water allocation dealing, other than a transfer or lease, under the water allocation dealing rules and to take all steps to comply with the rules.	Section 159 <i>Water Act 2000</i>
Chief Executive Officer	Power, as a water allocation holder given a certificate under sections 157 or 159, to lodge it with the registrar.	Section 161 <i>Water Act 2000</i>
Chief Executive Officer	Power, as a water allocation holder, to surrender the water allocation by agreement with the chief executive.	Section 162(1) <i>Water Act 2000</i>
Chief Executive Officer	Power, as the holder of a water allocation managed under a resource operations licence or a distribution	Section 162(2) <i>Water Act 2000</i>

	operations licence, to consent to the surrender of the water allocation with or without conditions.	
Chief Executive Officer	Power, as the holder of a resource operations licence or distribution operations licence, to otherwise agree with the chief executive about the liability for fees under the supply contract or distribution arrangements.	Section 162(3) <i>Water Act 2000</i>
Chief Executive Officer	Power, as the holder of water allocation, to respond to a show cause notice as to why the allocation should not be forfeited.	Section 164(2) <i>Water Act 2000</i>
Chief Executive Officer	Power, as a person having an entitlement to exercise a power of sale in relation to a water allocation, to give notice of the proposed exercise of the power to any person having a registered interest in the water allocation.	Section 166(5) <i>Water Act 2000</i>
Chief Executive Officer	Power, as a person having an entitlement to exercise a power of sale in relation to a water allocation, to apply an amount received on the sale of the water allocation in the way mentioned in section 164(7).	Section 166(6) <i>Water Act 2000</i>
Chief Executive Officer	Power to search and obtain copies of documents in the water allocations register and pay any fees associated with the request.	Section 175 <i>Water Act 2000</i>
Chief Executive Officer	Power, as a nominator, to give the chief executive notice in the approved form nominating a nominee to be the holder of a distribution operations licence.	Section 178 <i>Water Act 2000</i>
Chief Executive Officer	Power, as an entity mentioned in section 176(2) to apply for a resource operations licence for existing or proposed water infrastructure.	Section 181(1) <i>Water Act 2000</i>
Chief Executive Officer	Power, as an entity mentioned in section 177(2) to apply for a distribution operations licence for existing or proposed water infrastructure.	Section 181(2) <i>Water Act 2000</i>
Chief Executive Officer	Power, as the holder of a resource operations licence or a distribution operations licence, to consult with the chief executive about a proposed amendment of the licence.	Section 183(3) <i>Water Act 2000</i>
Chief Executive Officer	Power, as the holder of a resource operations licence in the circumstances listed in subsection (4), to ask the chief executive to refer the proposed change to the rules to a referral panel.	Section 183(6) <i>Water Act 2000</i>
Chief Executive Officer	Power, as the holder of a resource operations licence or a distribution operations licence, to apply to the chief executive to amend the licence and pay any fee associated with the application.	Section 184(1) <i>Water Act 2000</i>
Chief Executive Officer	Power, as the holder of a resource operations licence in the circumstances listed in subsection (4), to ask the chief executive to refer the proposed change to the rules to a referral panel.	Section 184(6) <i>Water Act 2000</i>
Chief Executive Officer	Power, as the holder of a resource operations licence or a distribution operations licence, to agree with the chief executive about the amendment of the licence.	Section 186 <i>Water Act 2000</i>
Chief Executive Officer	Power, as the holder of a resource operations licence or the holder of a distribution operations licence or the	Section 187 <i>Water Act 2000</i>

	current infrastructure owner, to apply to the chief executive to transfer the licence and pay any fee associated with the application.	
Chief Executive Officer	Power, as the current infrastructure owner or incoming owner, to give written consent to the application to transfer.	Section 188 <i>Water Act 2000</i>
Chief Executive Officer	Power to comply with a requirement of the chief executive to give additional information about the application and to verify the information by statutory declaration.	Section 189 <i>Water Act 2000</i>
Chief Executive Officer	Power, as the holder of a resource operations licence or a distribution operations licence, to apply to the chief executive to amalgamate the licence with another licence in the same water supply scheme and pay any fee associated with the application.	Section 193 <i>Water Act 2000</i>
Chief Executive Officer	Power, as the holder of a resource operations licence or distribution operations licence, or the water infrastructure owner, to respond to a show cause notice issued by the chief executive about the proposed cancellation of the licence.	Section 195(1) <i>Water Act 2000</i>
Chief Executive Officer	Power, as the holder of a resource operations licence or a distribution operations licence, to agree with the chief executive that the licence is no longer required and that it can be cancelled.	Section 196 <i>Water Act 2000</i>
Chief Executive Officer	Power, as the holder of a resource operations licence or a distribution operations licence, to prepare the operations manual and submit it together with the sufficient information to the chief executive for approval.	Section 197 <i>Water Act 2000</i>
Chief Executive Officer	Power, as the holder of a resource operations licence or a distribution operations licence, to publish the approved operations manual on Council's website.	Section 198(3) <i>Water Act 2000</i>
Chief Executive Officer	Power, as the holder of a resource operations licence or a distribution operations licence, to apply to the chief executive to have those parts of the operations manual that were not approved referred to a referral panel.	Section 199(3) <i>Water Act 2000</i>
Chief Executive Officer	Power, as the holder of a resource operations licence or a distribution operations licence, to apply to the chief executive to amend or replace an operations manual.	Section 200(1) <i>Water Act 2000</i>
Chief Executive Officer	Power, as the holder of a relevant licence, to apply to the chief executive to amend the relevant licence.	Section 200(4) <i>Water Act 2000</i>
Chief Executive Officer	Power, as the holder of the licence, to publish a statement of the changes made to the operations manual.	Section 200(6) <i>Water Act 2000</i>
Chief Executive Officer	Power, in the circumstances prescribed in subsections (1) or (3), to review the operations manual and apply to the chief executive to amend it.	Section 201 <i>Water Act 2000</i>
Chief Executive Officer	Power, as an entity referred to in subsection (1), to give an authorised person free and uninterrupted access to the water infrastructure to which the licence applies and any records relating to the water infrastructure.	Section 203(2) <i>Water Act 2000</i>

Chief Executive Officer	Power, as a relevant entity given a direction under section 203B(1), to comply with the direction.	Section 203D <i>Water Act 2000</i>
Chief Executive Officer	Power to apply for an operations licence.	Section 206 <i>Water Act 2000</i>
Chief Executive Officer	Power to comply with a requirement of the chief executive to give additional information about the application and to verify the information by statutory declaration.	Section 207 <i>Water Act 2000</i>
Chief Executive Officer	Power to apply to the chief executive to amend an operations licence.	Section 211 <i>Water Act 2000</i>
Chief Executive Officer	Power, as the holder of an operations licence, to respond to a show cause notice issued by the chief executive about the proposed amendment or cancellation of the licence.	Section 212 <i>Water Act 2000</i>
Chief Executive Officer	Power, as the holder of an operations licence, to consent to a different day being stated in the operations licence.	Section 213(4) <i>Water Act 2000</i>
Chief Executive Officer	Power, as a licensee or a new water entitlement holder, in circumstances where subsection (2) applies, to consent to the amendment including the new holder instead of the previous holder.	Section 213(5) <i>Water Act 2000</i>
Chief Executive Officer	Power, as a licensee, to apply to transfer the operations licence and pay any fee associated with the application.	Section 215 <i>Water Act 2000</i>
Chief Executive Officer	Power, as a licensee, to surrender an operations licence by giving the chief executive a notice of surrender	Section 216 <i>Water Act 2000</i>
Chief Executive Officer	Power to apply to the chief executive for a permit to destroy vegetation, excavate or place fill in a watercourse, lake or spring.	Section 218 <i>Water Act 2000</i>
Chief Executive Officer	Power as the registered owner of land to consent to the making of an application for a permit to destroy vegetation, excavate or place fill in a watercourse, lake or spring.	Section 218(3) <i>Water Act 2000</i>
Chief Executive Officer	Power to comply with a requirement of the chief executive to give additional information about the application and to verify the information by statutory declaration.	Section 219 <i>Water Act 2000</i>
Chief Executive Officer	Power, as a permittee, to respond to a show cause notice issued by the chief executive about the proposed amendment or cancellation of a riverine protection permit.	Section 222 <i>Water Act 2000</i>
Chief Executive Officer	Power, as an owner of land to comply with a notice issued by the chief executive pursuant to subsection (3).	Section 225(5) <i>Water Act 2000</i>
Chief Executive Officer	Power to apply for an allocation of quarry material.	Section 227 <i>Water Act 2000</i>
Chief Executive Officer	Power to comply with a requirement of the chief executive to give additional information about the application, to pay the chief executive the reasonable amount and to verify the information by statutory declaration.	Section 228 <i>Water Act 2000</i>
Chief Executive Officer	Power, as an allocation notice holder, to apply to transfer all or part of the allocation to another person and pay any fee associated with the application.	Section 235 <i>Water Act 2000</i>
Chief Executive Officer	Power, as an allocation notice holder, to apply to renew the allocation notice before it expires.	Section 236 <i>Water Act 2000</i>

Chief Executive Officer	Power, as an allocation holder, to respond to a show cause notice issued by the chief executive about the proposed amendment, suspension or cancellation of the allocation notice.	Section 237 <i>Water Act 2000</i>
Chief Executive Officer	Power, as an allocation holder, to surrender the allocation notice by giving the chief executive a notice of surrender.	Section 239 <i>Water Act 2000</i>
Chief Executive Officer	Power, as an allocation holder, to pay the royalty or price payable for quarry material removed under the allocation notice.	Section 240 <i>Water Act 2000</i>
Chief Executive Officer	Power to make written submissions in response to a notice published pursuant to section 345 of the <i>Water Act 2000</i>	Section 345 <i>Water Act 2000</i>
Chief Executive Officer	Power to prepare a draft water security program	Section 354 <i>Water Act 2000</i>
Chief Executive Officer	Power to prepare a revised draft water security program	Section 357(4)m <i>Water Act 2000</i>
Chief Executive Officer	Power to decide not to prepare a revised draft water security program	Section 357(6) <i>Water Act 2000</i>
Chief Executive Officer	Power to finalise a water security program	Section 358 <i>Water Act 2000</i>
Chief Executive Officer	Power to review a water security program	Section 359 <i>Water Act 2000</i>
Chief Executive Officer	Power to amend a water security program	Section 360 <i>Water Act 2000</i>
Chief Executive Officer	Power, as a bulk water party, to amend a bulk water supply agreement	Section 360H <i>Water Act 2000</i>
Chief Executive Officer	Power, as a bulk water party to an amended bulk water supply agreement, to respond to Minister's notice under section 360I	Section 360I <i>Water Act 2000</i>
Chief Executive Officer	Power, as a code regulated entity to make submissions to the Minister about the making or amending of the bulk water code	Section 360U <i>Water Act 2000</i>
Chief Executive Officer	Power to make a submission to the responsible entity about a proposed underground water impact report or final report and give a copy of the submission to the chief executive.	Section 382 <i>Water Act 2000</i>
Chief Executive Officer	Power, as an owner of land, to comply with any reasonable request by the holder made under subsection (1).	Section 404 <i>Water Act 2000</i>
Chief Executive Officer	Power, as an owner of a water bore the holder reasonably believes has an impaired capacity, to negotiate and enter into an agreement with the holder about the matters listed in subsection (2).	Section 406 <i>Water Act 2000</i>
Chief Executive Officer	Power, as an owner of a water bore, to comply with any reasonable request by the tenure holder made under subsection (1).	Section 416 <i>Water Act 2000</i>
Chief Executive Officer	Power, as an owner of a water bore for which a responsible tenure holder has undertaken a bore assessment under division 2, to negotiate and enter into make good agreement for the bore.	Section 423 <i>Water Act 2000</i>
Chief Executive Officer	Power, as an owner of a water bore who has entered a make good agreement for the bore, to terminate the agreement within the cooling off period by giving	Section 423A <i>Water Act 2000</i>

	written notice to the responsible tenure holder for the water bore.	
Chief Executive Officer	Power, as a party to a make good agreement, in the circumstances specified in subsection (1), to:- (a) give a notice under subsection (2); and (b) negotiate a variation of a make good agreement for the water bore.	Section 424 <i>Water Act 2000</i>
Chief Executive Officer	Power, as a party to a dispute referred to in section 425, to give the other party and the chief executive a conference election notice.	Section 426(2)(a) <i>Water Act 2000</i>
Chief Executive Officer	Power, as a party to a dispute referred to in section 425, to give the other party an ADR election notice.	Section 426(2)(b) <i>Water Act 2000</i>
Chief Executive Officer	Power, as a party to a dispute referred to in section 425 who is given an ADR election notice, to accept or refuse the type of ADR and the ADR facilitator proposed in the notice.	Section 426(6) <i>Water Act 2000</i>
Chief Executive Officer	Power, as a party to a dispute referred to in section 425 who has given an ADR election notice and where the party given the ADR election notice has not accepted the type of ADR or ADR facilitator under section 426(6), to make another proposal, or obtain a decision from the Land Court or prescribed ADR institute about the matter not accepted, and, for a decision from the Land Court or prescribed ADR institute, give the other party notice of the decision.	Sections 426(7) and 426(8) <i>Water Act 2000</i>
Chief Executive Officer	Power, as a party to a dispute referred to in section 425 and where an ADR election notice has been given under section 426(2)(b), to use all reasonable endeavours to resolve the dispute.	Section 427(2) <i>Water Act 2000</i>
Chief Executive Officer	Power, as a party to a dispute referred to in section 425 and where a conference election notice or an ADR election notice has been given, to ask for and agree to a longer period to apply instead of the usual period.	Section 427(3) <i>Water Act 2000</i>
Chief Executive Officer	Power, as a party to a dispute referred to in section 425, to attend a conference.	Section 429(1) <i>Water Act 2000</i>
Chief Executive Officer	Power, as a party to a dispute referred to in section 425, to seek the authorised officer's approval for someone else to be present at the conference.	Section 429(3) <i>Water Act 2000</i>
Chief Executive Officer	Power, as a party to a dispute referred to in section 425, to agree to the other party being represented by a lawyer.	Section 429(4) <i>Water Act 2000</i>
Chief Executive Officer	Power, as a party who attended the conference where the other party did not attend, to apply to the Land Court for Council's costs.	Section 430 <i>Water Act 2000</i>
Chief Executive Officer	Power, as a party to a dispute referred to in section 425, to negotiate an agreement about the matters the subject of the conference and to sign the agreement on Council's behalf.	Section 433 <i>Water Act 2000</i>
Chief Executive Officer	Power, as a party to a dispute referred to in section 425 where a conference election notice or ADR election	Section 433A(2) <i>Water Act 2000</i>

	notice has been given and the dispute has not resolved by the end of the period under section 427(2) or (4), to give an arbitration election notice.	
Chief Executive Officer	Power, as a party to a dispute referred to in section 425 and where an arbitration election notice has been given, to accept or refuse the request for arbitration.	Section 433A(4) <i>Water Act 2000</i>
Chief Executive Officer	Power, as a party to a dispute referred to in section 425 and where an arbitration election notice has been given, to jointly appoint an arbitrator.	Section 433A(5) <i>Water Act 2000</i>
Chief Executive Officer	Power, as a party to a dispute referred to in section 425, the party giving an arbitration election notice and where the parties do not jointly appoint an arbitrator under section 433A(5), to require a prescribed arbitration institute to appoint an arbitrator.	Section 433A(6) <i>Water Act 2000</i>
Chief Executive Officer	Power, as a party to a dispute referred to in section 425 that is the subject of arbitration, to pay the fees and expenses of the arbitrator as required by section 433E.	Section 433E <i>Water Act 2000</i>
Chief Executive Officer	Power, as party to the dispute or who attended the conference or ADR under section 425 of the <i>Water Act 2000</i> , to apply to the Land Court to decide the matter the subject of the election notice issued under section 425 of the <i>Water Act 2000</i> .	Section 434(3) <i>Water Act 2000</i>
Chief Executive Officer	Power, as an owner of a water bore, to comply with a requirement of the chief executive to give the information referred to in subsection (2).	Section 454 <i>Water Act 2000</i>
Chief Executive Officer	Power to make a submission in response to a proposal to amend the establishment regulation for a water authority.	Section 556 <i>Water Act 2000</i>
Chief Executive Officer	Power, as a landholder who receives a notice from the chief executive, to make a submission regarding a proposed amalgamation or dissolution of water authorities.	Section 692 <i>Water Act 2000</i>
Chief Executive Officer	Power, as a relevant registered owner of land in the authority area, to enter a closed water activity agreement.	Section 695A <i>Water Act 2000</i>
Chief Executive Officer	Power to agree in writing with the water authority to a proposed transfer by the water authority to the local government of all or part of the authority's functions and on how to implement the proposed transfer.	Section 700A(1)(a)(i) <i>Water Act 2000</i>
Chief Executive Officer	Power, together with a water authority, to notify the Minister of their agreement about the proposed transfer and on how it is to be implemented and ask for the Minister's approval of the proposed transfer.	Section 700A(1)(b) <i>Water Act 2000</i>
Chief Executive Officer	Power to comply with a requirement of the Minister made under this subsection.	Section 700A(2) <i>Water Act 2000</i>
Chief Executive Officer	Power, as interested person who has been given an information notice or compliance notice by the chief executive, to apply for an internal review of the original decision to give the notice.	Section 862 <i>Water Act 2000</i>

Chief Executive Officer	Power, as interested person who applied for an internal review under section 862 of the <i>Water Act 2000</i> , to appeal against, or apply for a review of, the review decision.	Section 877 <i>Water Act 2000</i>
Chief Executive Officer	Power, as lessee of the leased land, to provide written consent to arrangements about the route the person may use across the lessee's land for the removal of the quarry material.	Section 966(2)(a) <i>Water Act 2000</i>
Chief Executive Officer	Power to make submissions to the chief executive in response to a show cause notice issued pursuant to section 972H(2) and to comply with any notice issued pursuant to section 972H(3).	Sections 972H(2) and (3) <i>Water Act 2000</i>
Chief Executive Officer	Power to make submissions to the chief executive in response to a show cause notice issued pursuant to section 972I(1) and to comply with any notice issued pursuant to section 972I(2).	Sections 972I(1) and (2) <i>Water Act 2000</i>
Chief Executive Officer	Power to make submissions to the chief executive in response to a show cause notice issued pursuant to section 972J(2) and to comply with any notice issued pursuant to section 972J(3).	Sections 972J(2) and (3) <i>Water Act 2000</i>
Chief Executive Officer	Power to as an occupier to consent to entry of land by a measurement contractor.	Sections 977(2) and (3) <i>Water Act 2000</i>
Chief Executive Officer	Power to claim compensation from a measurement contractor if Council incurs loss or expense because of the exercise or purported exercise of a power under the Act by a measurement contractor.	Section 980(1) <i>Water Act 2000</i>
Chief Executive Officer	Power to give a claim for compensation under Chapter 8, Part 3 to the chief executive.	Section 988 <i>Water Act 2000</i>
Chief Executive Officer	Power, if one of the stated authorities, to have a supply contract with SEQ Water for Council's water entitlement.	Section 992C <i>Water Act 2000</i>
Chief Executive Officer	Power, as a client, to consent to the disclosure of commercially sensitive information.	Section 1010A(2) <i>Water Act 2000</i>
Chief Executive Officer	Power, as an owner of land to which the expired licence attached, to apply to the chief executive:- (a) to reinstate the licence and make a validating declaration; or (b) to replace the licence and make a validating declaration.	Section 1273A <i>Water Act 2000</i>
Chief Executive Officer	Power, as holder of the new licence, to request the chief executive to make a validating declaration in relation to the licence.	Section 1273B <i>Water Act 2000</i>
Chief Executive Officer	Power, as a holder of a distribution operations licence or a resource operations licence, to consent to the chief executive amending the licence without complying with the provisions of chapter 2, part 3, division 5, subdivision 2.	Section 1288 <i>Water Act 2000</i>

Work Health and Safety Act 2011

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Reprint:	29 November 2024
Amended/Substituted/Renumbered:	
Inserted:	
Omitted/Expired:	
Note:	

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION
Chief Executive Officer	Power to notify the regulator after becoming aware a notifiable incident has occurred	Section 38 <i>Work Health and Safety Act 2011</i>
Chief Executive Officer	Power to consult with workers who are, or are likely to be, directly affected by a matter relating to work health or safety	Sections 47 and 48 <i>Work Health and Safety Act 2011</i>
Chief Executive Officer	Power to notify workers who work for the business or undertaking in writing about the matters in subsection 50B(2)(a).	Section 50B(2)(a) <i>Work Health and Safety Act 2011</i>
Chief Executive Officer	Power to invite the workers to ask the person to facilitate an election for 1 or more health and safety representatives under section 50.	Section 50B(2)(b) <i>Work Health and Safety Act 2011</i>
Chief Executive Officer	Power to facilitate the negotiation and agreement on work groups to be represented by health and safety representatives. For the avoidance of doubt the power delegated includes all powers found in sections 51 to 54.	Sections 51 to 54 <i>Work Health and Safety Act 2011</i>
Chief Executive Officer	Power to provide the resources, facilities and assistance that are reasonably necessary or are prescribed under a regulation to enable elections to be conducted.	Sections 61(4) <i>Work Health and Safety Act 2011</i>
Chief Executive Officer	Power to make an application to the commission to disqualify a health and safety representative.	Section 65 <i>Work Health and Safety Act 2011</i>
Chief Executive Officer	Power to comply with the general obligations of a person conducting a business or undertaking provided in section 70.	Section 70 <i>Work Health and Safety Act 2011</i>
Chief Executive Officer	Power to refuse on reasonable grounds to grant access to the workplace to a person assisting a health and safety representative for a workgroup.	Section 71(5) <i>Work Health and Safety Act 2011</i>
Chief Executive Officer	Power, as person conducting a business or undertaking, to refuse to grant access to information mentioned in section 70(1)(c) if the information is confidential commercial information.	Section 71(7) <i>Work Health and Safety Act 2011</i>

Chief Executive Officer	Power, as person conducting a business or undertaking, to comply with the obligations to train health and safety representatives.	Section 72 <i>Work Health and Safety Act 2011</i>
Chief Executive Officer	Power, in the circumstances identified in subsection 72(5), to ask the regulator to appoint an inspector to assist in resolving the matter.	Section 72(5) <i>Work Health and Safety Act 2011</i>
Chief Executive Officer	Power to ask the regulator to appoint an inspector to decide the matter.	Section 76(5) <i>Work Health and Safety Act 2011</i>
Chief Executive Officer	Power as a person conducting a business or undertaking to comply with subsections (a) to (c).	Section 74 <i>Work Health and Safety Act 2011</i>
Chief Executive Officer	Power to establish a health and safety committee. For the avoidance of doubt the power delegated includes all powers found in sections 75 to 78.	Sections 75 to 78 <i>Work Health and Safety Act 2011</i>
Chief Executive Officer	Power, as a party to an issue, to resolve the issue in accordance with an agreed procedure or the default procedure.	Section 80 and 81 <i>Work Health and Safety Act 2011</i>
Chief Executive Officer	Power to ask the regulator to appoint an inspector to assist in resolving the issue.	Section 82(2) <i>Work Health and Safety Act 2011</i>
Chief Executive Officer	Power as a person conducting a business or undertaking receives a cease work notice under subsection (1), to direct the workers a direction about those matters listed in subsection 85(7).	Section 85(7) <i>Work Health and Safety Act 2011</i>
Chief Executive Officer	Power to direct the worker to carry out suitable alternative work at the same or another workplace.	Section 87 <i>Work Health and Safety Act 2011</i>
Chief Executive Officer	Power to ask the regulator to appoint an inspector to attend the workplace to assist in resolving an issue arising from a cessation of work.	Section 89 <i>Work Health and Safety Act 2011</i>
Chief Executive Officer	Power to give a copy of the provisional improvement notice to the regulator.	Section 97A <i>Work Health and Safety Act 2011</i>
Chief Executive Officer	Power to give the industrial registrar written notice of the dispute.	Section 102B <i>Work Health and Safety Act 2011</i>
Chief Executive Officer	Power to appeal a decision of the Commission given under Part 5, Division 7A.	Section 102G <i>Work Health and Safety Act 2011</i>
Chief Executive Officer	Power, as a person conducting a business or undertaking, to appoint a work health and safety officer for that business or undertaking.	Section 103A <i>Work Health and Safety Act 2011</i>
Chief Executive Officer	Power, as a person conducting a business or undertaking, to instruct a work health and safety officer to take reasonable action to eliminate or minimise risks to health and safety.	Section 103F <i>Work Health and Safety Act 2011</i>
Chief Executive Officer	Power to apply to the commission for an order under section 112 about engaging in or inducing discriminatory or coercive conduct.	Section 112 <i>Work Health and Safety Act 2011</i>
Chief Executive Officer	Power to apply to the Commission to revoke a WHS entry permit.	Section 138 <i>Work Health and Safety Act 2011</i>
Chief Executive Officer	Power to appeal a decision of the commission.	Section 140 <i>Work Health and Safety Act 2011</i>
Chief Executive Officer	Power to ask the regulator to appoint an inspector to attend the workplace to assist in resolving the dispute.	Section 141 <i>Work Health and Safety Act 2011</i>
Chief Executive Officer	Power to apply to the Commission for it to deal with the dispute.	Section 142(4) <i>Work Health and Safety Act 2011</i>

Chief Executive Officer	Power to comply with a notice served by the regulator.	Section 155(5) <i>Work Health and Safety Act 2011</i>
Chief Executive Officer	Power to comply with a requirement issued under section 171.	Section 171(6) <i>Work Health and Safety Act 2011</i>
Chief Executive Officer	Power to apply to the regulator for the return of a seized thing.	Section 180 <i>Work Health and Safety Act 2011</i>
Chief Executive Officer	Power to demand that the regulator allow the CEO to inspect a seized thing and if the seized thing is a document to make copies of it.	Section 181 <i>Work Health and Safety Act 2011</i>
Chief Executive Officer	Power to claim compensation from the State.	Section 184 <i>Work Health and Safety Act 2011</i>
Chief Executive Officer	Power to make a written undertaking (a WHS undertaking) in connection with a matter relating to a contravention or alleged contravention of the <i>Work Health and Safety Act</i> .	Section 216 <i>Work Health and Safety Act 2011</i>
Chief Executive Officer	Power, as a person who has made a WHS undertaking, to at any time, with the agreement of the regulator, withdraw the undertaking or vary the undertaking.	Section 221 <i>Work Health and Safety Act 2011</i>
Chief Executive Officer	Power, as an eligible person in relation to a reviewable decision to apply to the regulator for an internal review of the decision.	Section 224 <i>Work Health and Safety Act 2011</i>
Chief Executive Officer	Power, as an eligible person to apply to the external review body for review of a reviewable decision made by the regulator or a decision made, or taken to have been made, on an internal review.	Section 229 to 229E <i>Work Health and Safety Act 2011</i>
Chief Executive Officer	Power to appeal a decision of the commission.	Section 229F <i>Work Health and Safety Act 2011</i>
Chief Executive Officer	Power to, in the circumstances provided in subsections (1) or (1A), make a written request to the WHS prosecutor that a prosecution be brought.	Sections 231(1) and (1A) <i>Work Health and Safety Act 2011</i>
Chief Executive Officer	Power to, in the circumstances provided in subsection (3), request the WHS prosecutor to refer the matter to the director of public prosecutions.	Section 231(3) <i>Work Health and Safety Act 2011</i>

Work Health and Safety Regulation 2011

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Amended/Substituted/Renumbered:	
Inserted:	55G
Omitted/Expired:	
Note:	

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION
Chief Executive Officer	Power, as an approved RTO, to grant a person a certificate of authority.	Section 31B <i>Work Health and Safety Regulation 2011</i>
Chief Executive Officer	Power, as a person conducting a business or undertaking at a workplace, to prepare, maintain and implement an emergency plan.	Section 43 <i>Work Health and Safety Regulation 2011</i>
Chief Executive Officer	Power, as a person conducting a business or undertaking, to manage psychosocial risks under part 3.1.	Section 55C <i>Work Health and Safety Regulation 2011</i>
Chief Executive Officer	Power, as a person conducting a business or undertaking, to review and, as necessary, revise the control measures if a person reports sexual harassment or sex or gender-based harassment at work.	Section 55G <i>Work Health and Safety Regulation 2011</i>
Chief Executive Officer	Power, as a person conducting a business or undertaking at a workplace, to maintain a written record of the evidence provided under subsections (1), (2) and (3).	Section 85(4) <i>Work Health and Safety Regulation 2011</i>
Chief Executive Officer	Power to apply to the regulator for a licence to carry out demolition work.	Section 144B <i>Work Health and Safety Regulation 2011</i>
Chief Executive Officer	Power to make a submission to the regulator in relation to a proposed refusal	Section 144I <i>Work Health and Safety Regulation 2011</i>
Chief Executive Officer	Power, as a holder of a licence to carry out demolition work, to make a submission to the regulator in relation to a proposed amendment to a licence.	Section 144P <i>Work Health and Safety Regulation 2011</i>
Chief Executive Officer	Power, as a holder of a licence to carry out demolition work to apply to the regulator to amend the licence.	Section 144Q(1) <i>Work Health and Safety Regulation 2011</i>
Chief Executive Officer	Power after receiving a written notice of intention to refuse an application to amend the licence from the regulator, to make a submission to the regulator in relation to the proposed refusal.	Section 144Q(2) <i>Work Health and Safety Regulation 2011</i>
Chief Executive Officer	Power to apply to the regulator for a replacement document.	Section 144U <i>Work Health and Safety Regulation 2011</i>
Chief Executive Officer	Power, as a holder of a licence to carry out demolition work to voluntarily surrender the licence document to the regulator.	Section 144V <i>Work Health and Safety Regulation 2011</i>

Chief Executive Officer	Power, as a holder of a licence to carry out demolition work, to apply to the regulator for renewal of the licence.	Sections 144VA, 144VB <i>Work Health and Safety Regulation 2011</i>
Chief Executive Officer	Power, as a holder of a licence to carry out demolition work to make a submission to the regulator in relation to the proposed suspension, cancellation and/or disqualification.	Section 144Y <i>Work Health and Safety Regulation 2011</i>
Chief Executive Officer	Power, as a person with management or control of an item of plant stated in schedule 5, part 2, to apply to the regulator for the registration of that item of plant.	Section 265 <i>Work Health and Safety Regulation 2011</i>
Chief Executive Officer	Power to respond to a notice from the regulator on a proposal to refuse registration of an item of plant stated in schedule 5, part 2.	Section 270(1)(b) <i>Work Health and Safety Regulation 2011</i>
Chief Executive Officer	Power to respond to a notice from the regulator on a proposal to cancel the registration of an item of plant stated in schedule 5, part 2.	Section 288C <i>Work Health and Safety Regulation 2011</i>
Chief Executive Officer	Power to return the registration document for an item of plant stated in schedule 5, part 2 to the regulator.	Section 288D <i>Work Health and Safety Regulation 2011</i>
Chief Executive Officer	Power, as a person conducting a business or undertaking, to obtain the current safety data sheet for a hazardous chemical used at a workplace	Section 344 <i>Work Health and Safety Regulation 2011</i>
Chief Executive Officer	Power, as a person conducting a business or undertaking, to prepare and maintain a register of hazardous chemical used at a workplace	Section 346 <i>Work Health and Safety Regulation 2011</i>
Chief Executive Officer	Power to apply in writing to the regulator for authorisation to use, handle or store a prohibited carcinogen or restricted carcinogen	Section 383 <i>Work Health and Safety Regulation 2011</i>
Chief Executive Officer	Power to ensure that all asbestos or asbestos contaminated material at a workplace is identified by a competent person.	Section 422(1) <i>Work Health and Safety Regulation 2011</i>
Chief Executive Officer	Power to ensure that the presence and location of all asbestos or asbestos contaminated material at a workplace is clearly indicated and if practicable labelled.	Section 424 <i>Work Health and Safety Regulation 2011</i>
Chief Executive Officer	Power to prepare, maintain and review an asbestos register for each workplace.	Sections 425(1) and 426 <i>Work Health and Safety Regulation 2011</i>
Chief Executive Officer	Power to prepare, maintain and review an asbestos management plan for each workplace.	Sections 429 and 430 <i>Work Health and Safety Regulation 2011</i>
Chief Executive Officer	Power, as an eligible person in relation to a reviewable decision set out in section 676 of the <i>Work Health and Safety Regulation</i> , to apply to the regulator for an internal review of a decision.	Section 678(1) <i>Work Health and Safety Regulation 2011</i>
Chief Executive Officer	Power, as an eligible person in relation to a reviewable decision under section 89(5), 118(5), 256(5), 269(5) or 497(5) of the <i>Work Health and Safety Regulation</i> to apply to the regulator for an internal review of the decision.	Section 678(2) <i>Work Health and Safety Regulation 2011</i>
Chief Executive Officer	Power, as an eligible person to apply to QCAT for an external review of reviewable decision made by the	Section 683 <i>Work Health and Safety Regulation 2011</i>

	regulator or of a decision made, or taken to have been made, on an internal review.	
Chief Executive Officer	Power to apply for an exemption from compliance with any provision of the <i>Work Health and Safety Regulation</i> .	Section 684 <i>Work Health and Safety Regulation 2011</i>

Workers Compensation and Rehabilitation Act 2003

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Note:	New Register

DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION
Chief Executive Officer	Power, as an employer, to give the worker a statement providing information about the workers' compensation scheme.	Section 46B <i>Workers' Compensation and Rehabilitation Act 2003</i>
Chief Executive Officer	Power, as an employer, to insure and keep insured all Council's employees and Councillors.	Section 48 <i>Workers' Compensation and Rehabilitation Act 2003</i>
Chief Executive Officer	Power, as an employer, to pay a premium notice issued by WorkCover.	Section 54(7) <i>Workers' Compensation and Rehabilitation Act 2003</i>
Chief Executive Officer	Power, as an employer, to pay a reassessment premium notice issued by WorkCover.	Section 56(5) <i>Workers' Compensation and Rehabilitation Act 2003</i>
Chief Executive Officer	Power, as an employer, to apply to WorkCover for a waiver or reduction of a penalty for contravening section 48.	Section 57(3) <i>Workers' Compensation and Rehabilitation Act 2003</i>
Chief Executive Officer	Power, as an employer, to object to a default assessment issued by WorkCover.	Section 58(6) <i>Workers' Compensation and Rehabilitation Act 2003</i>
Chief Executive Officer	Power, as an employer, to pay a default assessment notice issued by WorkCover.	Section 58(10) <i>Workers' Compensation and Rehabilitation Act 2003</i>
Chief Executive Officer	Power, as an employer, to apply to WorkCover for a waiver or reduction of an additional premium.	Section 64(2) <i>Workers' Compensation and Rehabilitation Act 2003</i>
Chief Executive Officer	Power, as an employer who is not a self-insurer, and who is or is required to have accident insurance, to pay the weekly payment of compensation payable to an injured worker during the excess period.	Section 66(2) <i>Workers' Compensation and Rehabilitation Act 2003</i>
Chief Executive Officer	Power, as an employer, to apply to WorkCover for a waiver or reduction of a penalty provided in section 66(6).	Section 66(7) <i>Workers' Compensation and Rehabilitation Act 2003</i>
Chief Executive Officer	Power, as a local government self-insurer, to cover councillors under the self-insurer's licence.	Section 68A(1) <i>Workers' Compensation and Rehabilitation Act 2003</i>

Chief Executive Officer	Power, as a local government self-insurer, to notify the councillors and the Regulator of its decision to cover councillors under the self-insurer's licence.	Section 68A(3) <i>Workers' Compensation and Rehabilitation Act 2003</i>
Chief Executive Officer	Power to apply to the Regulator to be licensed as a self-insurer, as described in Chapter 2, Part 4.	Sections 69 and 70 <i>Workers' Compensation and Rehabilitation Act 2003</i>
Chief Executive Officer	Power, as a prospective self-insurer, to make a submission to the Regulator about a decision to refuse an application to be licensed as a self-insurer.	Section 77(3) <i>Workers' Compensation and Rehabilitation Act 2003</i>
Chief Executive Officer	Power, as self-insurer, to apply to renew a self-insurer licence or to notify the Regulator that Council intends not to apply for renewal.	Section 79 <i>Workers' Compensation and Rehabilitation Act 2003</i>
Chief Executive Officer	Power, as self-insurer, to make a submission to the Regulator about a decision to refuse an application to renew a self-insurer licence.	Section 80(3) <i>Workers' Compensation and Rehabilitation Act 2003</i>
Chief Executive Officer	Power, as a self-insurer, to pay the annual levy to the Regulator.	Section 81 <i>Workers' Compensation and Rehabilitation Act 2003</i>
Chief Executive Officer	Power, as a self-insurer, to comply with the conditions imposed on the licence under the Regulation and by the Regulator.	Section 83 <i>Workers' Compensation and Rehabilitation Act 2003</i>
Chief Executive Officer	Power, as a self-insurer, to lodge security with the Regulator before the issue or renewal of a self-insurer licence.	Section 84 <i>Workers' Compensation and Rehabilitation Act 2003</i>
Chief Executive Officer	Power, as a self-insurer, to obtain a contract of reinsurance of liabilities and lodge the contract with the Regulator.	Section 86 <i>Workers' Compensation and Rehabilitation Act 2003</i>
Chief Executive Officer	Power, as a self-insurer, to exercise all of the powers identified in section 92 in relation to the self-insurer's workers.	Section 92 <i>Workers' Compensation and Rehabilitation Act 2003</i>
Chief Executive Officer	Power, as a local government self-insurer, to exercise all of the powers identified in section 92A in relation to councillors covered by the self-insurer's licence.	Section 92A <i>Workers' Compensation and Rehabilitation Act 2003</i>
Chief Executive Officer	Power, as a local government self-insurer, to keep the documents identified in sections 93 and 93A.	Sections 93 and 93A <i>Workers' Compensation and Rehabilitation Act 2003</i>
Chief Executive Officer	Power, as a self-insurer, to comply with a notice to give documents issued by the Regulator under this section.	Section 94 <i>Workers' Compensation and Rehabilitation Act 2003</i>
Chief Executive Officer	Power, as a self-insurer, to respond to a written notice issued by the Regulator under this section.	Section 96 <i>Workers' Compensation and Rehabilitation Act 2003</i>
Chief Executive Officer	Power, as a self-insurer, to send a written notice to the Regulator seeking to cancel a self-insurer licence.	Section 97 <i>Workers' Compensation and Rehabilitation Act 2003</i>
Chief Executive Officer	Power, as former self-insurer, to request the Regulator to allow Council to continue to exercise the powers referred to in sections 92 and/or 92A.	Section 100(2) <i>Workers' Compensation and Rehabilitation Act 2003</i>

Chief Executive Officer	Power, as a former self-insurer, to request the return of the balance of the section 84 security from the Regulator.	Section 103 <i>Workers' Compensation and Rehabilitation Act 2003</i>
Chief Executive Officer	Power, as an employer, to ask the Regulator to approve the amount provided for in the industrial instrument for the purposes of section 107B of the <i>Workers' Compensation and Rehabilitation Act 2003</i> .	Section 107E(2) <i>Workers' Compensation and Rehabilitation Act 2003</i>
Chief Executive Officer	Power, as an employer, to appeal the Regulator's decision to refuse to approve the amount provided for in the industrial instrument under Chapter 13 of the <i>Workers' Compensation and Rehabilitation Act 2003</i> .	Section 107E(6) <i>Workers' Compensation and Rehabilitation Act 2003</i>
Chief Executive Officer	Power, as a self-insurer, to pay compensation for an injury sustained by a worker.	Section 109(1) <i>Workers' Compensation and Rehabilitation Act 2003</i>
Chief Executive Officer	Power, as an employer, to pay a worker an amount, either in compensation or instead of compensation, in the circumstances provided for in subsection 109(5).	Section 109(5) <i>Workers' Compensation and Rehabilitation Act 2003</i>
Chief Executive Officer	Power, as an employer, to apply to WorkCover for a waiver or reduction of a penalty provided in section 109A.	Section 109A(4) <i>Workers' Compensation and Rehabilitation Act 2003</i>
Chief Executive Officer	Power, as an employer whose worker sustains an injury for which compensation may be payable, to complete a report in the approved form and give the report to the insurer.	Section 133 <i>Workers' Compensation and Rehabilitation Act 2003</i>
Chief Executive Officer	Power, as an employer to give the insurer written notice in the approved form if:- (a) a worker asks the employer for compensation for an injury sustained by the worker; or (b) the employer pays the worker an amount, either in compensation or instead of compensation, that is payable by the employer as a self-insurer or WorkCover under the Act for an injury sustained by the worker.	Section 133A <i>Workers' Compensation and Rehabilitation Act 2003</i>
Chief Executive Officer	Power, as an employer, to pay compensation to an injured worker for the day the worker stops work because of the injury.	Section 144 <i>Workers' Compensation and Rehabilitation Act 2003</i>
Chief Executive Officer	Power, as an employer, to pay the amount of the first charge or the whole of the damages to the insurer.	Section 207B(4) <i>Workers' Compensation and Rehabilitation Act 2003</i>
Chief Executive Officer	Power, as an employer, to appoint a Rehabilitation and Return to Work Coordinator where the employer meets the criteria prescribed under a regulation.	Section 226(1) <i>Workers' Compensation and Rehabilitation Act 2003</i>
Chief Executive Officer	Power, as an employer, to give the insurer the prescribed details of a person appointed as a Rehabilitation and Return to Work Coordinator and details of any change to the prescribed details.	Sections 226(4) and 226(5) <i>Workers' Compensation and Rehabilitation Act 2003</i>
Chief Executive Officer	Power, as an employer, to prepare and have in place a workplace rehabilitation policy and procedure, and review those policies and procedures every 3 years.	Section 227 <i>Workers' Compensation and Rehabilitation Act 2003</i>

Chief Executive Officer	Power, as an employer of a worker who has sustained an injury to comply with subsection 228(1).	Section 228(1) <i>Workers' Compensation and Rehabilitation Act 2003</i>
Chief Executive Officer	Power to form an opinion that it is not practicable to provide the worker with rehabilitation in the form of a suitable duties program and give the insurer written notice stating the evidence relied on to support the opinion.	Section 228(2) <i>Workers' Compensation and Rehabilitation Act 2003</i>
Chief Executive Officer	Power, as an employer other than a self-insurer, to apply to WorkCover for a waiver or reduction of a penalty provided in section 229.	Section 229(4) <i>Workers' Compensation and Rehabilitation Act 2003</i>
Chief Executive Officer	Power, where a labour hire worker supplied to Council sustains an injury, to cooperate with the worker's employer by taking all reasonable steps to support the employer to meet the employer's obligations under section 228.	Section 229A(1) <i>Workers' Compensation and Rehabilitation Act 2003</i>
Chief Executive Officer	Power, as an employer against whom negligence is alleged, to cooperate fully with and give WorkCover all information and access to documents in relation to the claim.	Section 280 <i>Workers' Compensation and Rehabilitation Act 2003</i>
Chief Executive Officer	Power, as a self-insurer against whom a proceeding for damages has been brought, to conduct the proceedings and/or settle the claim.	Section 300(6) <i>Workers' Compensation and Rehabilitation Act 2003</i>
Chief Executive Officer	Power, as an employer, other than a self-insurer, against whom a proceeding for damages has been brought, to execute all documents and do everything that WorkCover considers reasonably necessary to allow the proceedings to be conducted by it.	Section 300(7) <i>Workers' Compensation and Rehabilitation Act 2003</i>
Chief Executive Officer	Power, as an employer, to take any action required to be taken in a code of practice made by the Minister under section 486A.	Section 486B(2) <i>Workers' Compensation and Rehabilitation Act 2003</i>
Chief Executive Officer	Power to comply with the requirement of an authorised person to give information or produce documents required under section 532C.	Section 532C <i>Workers' Compensation and Rehabilitation Act 2003</i>
Chief Executive Officer	Power, as an employer or contractor, to keep the documents about workers, and contracts for the performance of work, prescribed under a regulation.	Section 532D <i>Workers' Compensation and Rehabilitation Act 2003</i>
Chief Executive Officer	Power, as an employer who is not a self-insurer, to comply with the requirements of section 537A(2).	Section 537A(2) <i>Workers' Compensation and Rehabilitation Act 2003</i>
Chief Executive Officer	Power, as a person to whom a compliance notice has been given, to apply to the Regulator for a review of the compliance notice and provide an further information necessary for the review.	Section 537D <i>Workers' Compensation and Rehabilitation Act 2003</i>
Chief Executive Officer	Power, as an applicant for a review of a compliance notice, to apply to appeal the Regulator's decision to the industrial commission.	Section 537E <i>Workers' Compensation and Rehabilitation Act 2003</i>

Chief Executive Officer	Power, as a person to whom a compliance notice has been given, to take action, or refrain from taking action, as stated in the notice.	Section 537F <i>Workers' Compensation and Rehabilitation Act 2003</i>
Chief Executive Officer	Power to apply for a review of a decision identified in section 540(1) of the <i>Workers' Compensation and Rehabilitation Act 2003</i> and to take all steps necessary to conduct the application and to appear at the hearing.	Section 541 <i>Workers' Compensation and Rehabilitation Act 2003</i>
Chief Executive Officer	Power to appeal to an appeal body against the following decisions of the Regulator or the insurer: (a) a review decision, other than a decision to return a matter to a decision-maker under section 545 of the <i>Workers' Compensation and Rehabilitation Act 2003</i> ; and (b) a decision under Chapter 3 or Chapter 4 of the <i>Workers' Compensation and Rehabilitation Act 2003</i> that is not a decision mentioned in section 540(1) (a non-reviewable decision), (c) and to take all steps necessary to file and serve the notice of appeal and conduct the appeal, to appear at any conference in the proceeding and to appear at the hearing.	Section 549, 550, 552A and 554 <i>Workers' Compensation and Rehabilitation Act 2003</i>
Chief Executive Officer	Power to seek the consent of the other party or the leave of the appeal body for Council to be represented by a lawyer at a conference under section 552A or at the hearing of an appeal.	552B <i>Workers' Compensation and Rehabilitation Act 2003</i>
Chief Executive Officer	Power to appeal against a decision of the Regulator identified in section 567 of the <i>Workers' Compensation and Rehabilitation Act 2003</i> and to take all steps necessary to file and serve the notice of appeal and conduct the appeal, to appear at any conference in the proceeding and to appear at the hearing.	Section 568 <i>Workers' Compensation and Rehabilitation Act 2003</i>
Chief Executive Officer	Power, as a prospective employer, to request in writing that a prospective worker disclose to Council the worker's pre-existing injury or medical condition, if any.	Section 571B <i>Workers' Compensation and Rehabilitation Act 2003</i>
Chief Executive Officer	Power, as a principal contractor for a construction project to, by written notice, to ask the relevant contractor for a copy of a required document.	Section 576C <i>Workers' Compensation and Rehabilitation Act 2003</i>

Limitations to the Exercise of Powers

1. Where Council in its budget or by resolution allocates an amount for the expenditure of Council funds in relation to a particular matter, in exercising delegated power in relation to that matter, the delegate will only commit Council to reasonably foreseeable expenditure up to the amount allocated.
2. The delegate will not exercise any delegated power in relation to a matter which, to the delegate's knowledge, adversely affects, or is likely to adversely affect, Council's relations with the public at large.
3. The delegate will not exercise any delegated power contrary to a resolution or other decision of Council (including a policy decision relating to the matter).
4. The delegate will not exercise any delegated power in a manner, or which has the foreseeable effect, of being contrary to an adopted Council policy or procedure.
5. The delegate will only exercise a delegated power under this resolution in a manner which complies with the requirements of Council's Planning Scheme, and any exercise of power which involves a departure from or variation of those requirements will only be undertaken by Council.
6. The delegate will not exercise any delegated power which cannot lawfully be the subject of delegation by Council.

8.10 FINANCIAL STATEMENTS PERIOD ENDING 30 APRIL 2025**Date Prepared:** 2 May 2025**Author:** Manager Finance

Attachments: 1. Budgeted Income Statement for April 2025 [↓](#)
 2. 2025 Interim Audit Report [↓](#)

EXECUTIVE SUMMARY

The purpose of this report is to provide Council with an overview of financial matters for the period 1 July 2024 to 30 April 2025.

RECOMMENDATION

That Council receives;

1. the Financial Report for the period ending 30 April 2025
2. the 2025 Interim Audit Report.

BACKGROUND

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

For the period ending 30 April 2025, 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.

The budgeted figures reflect the 2024/25 Budget as adopted by Council at the 17 July 2024 meeting.

<i>April 2025 – Snapshot</i>	Actuals YTD	Budget YTD
Council Operating Income	\$ 61,381,699	55,404,617
Council Operating Expenditure	\$ 42,781,824	42,902,326
Council Operating Surplus/(Deficit)	\$ 18,599,875	12,502,291
Disaster Recovery Funding Arrangement - deficit	\$ (2,561,364)	-
Total Operating Surplus/(Deficit)	\$ 16,038,511	12,502,291
Total Capital Income	\$ 13,028,532	4,861,335
Net Result - Surplus/(Deficit)	\$ 29,067,043	17,363,626

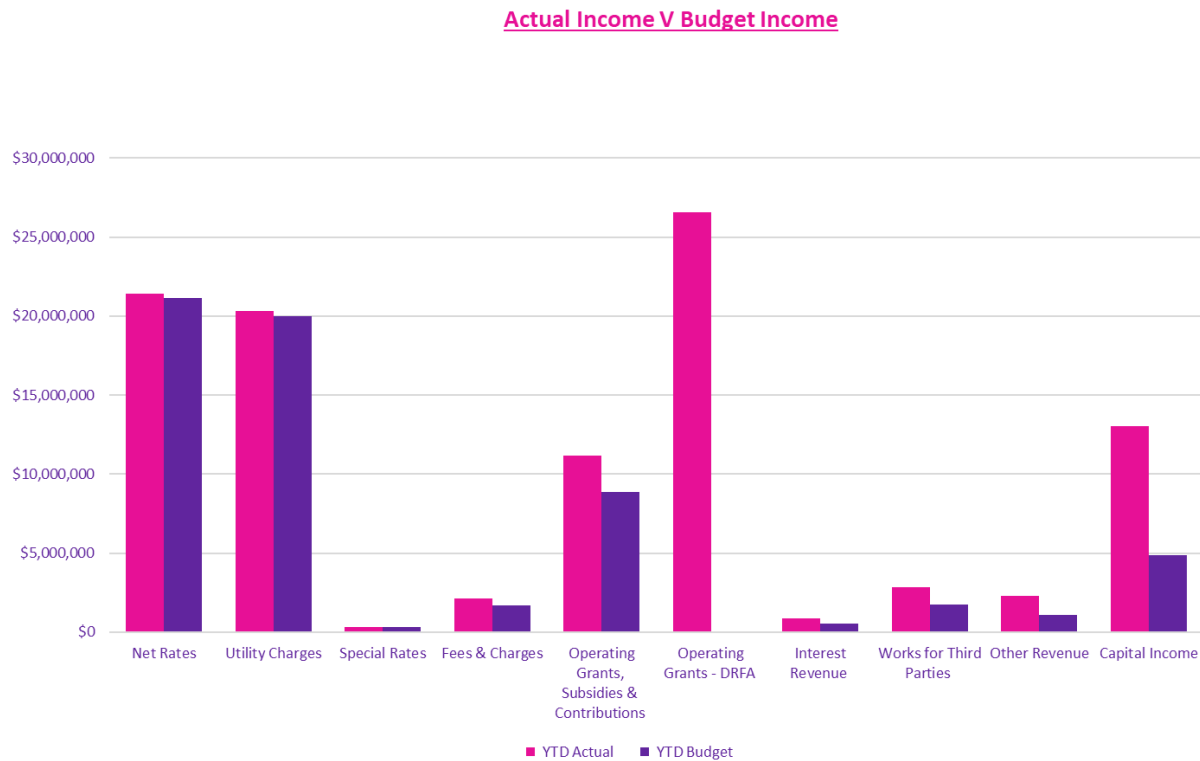
Council's significant operating surplus is a result of rate notices being issued for the period January to June 2025, reflecting the full annual income from rates up to 30 June.

While Disaster Recovery Funding Arrangements (DRFA) generally has a net-zero impact on Council's finances, there are timing differences when the expenditure is incurred and income received, even between years. The budget also does not include any provision for DRFA.

Income Analysis

Total income (inclusive of capital income of \$13,028,532) for the period ending 30 April 2025 is \$100,970,776 compared to the YTD budget of \$60,265,952.

The graph below shows actual income against budget for the period ending 30 April 2025.



	Actual YTD	Budget YTD	Note
Net Rates	21,389,080	21,116,999	1
Utility Charges	20,323,009	20,009,582	
Special Rates and Charges	302,235	321,477	
Fees and Charges	2,132,908	1,701,079	2
Operating Grants, Subsidies and Contributions	11,169,443	8,876,093	3
Operating Grants, Subsidies - DRFA	26,560,545	-	4
Interest Received	891,927	565,000	
Works for Third Parties	2,863,663	1,725,000	5
Other Revenue	2,309,434	1,089,387	6
Capital Income	13,028,532	4,861,335	7

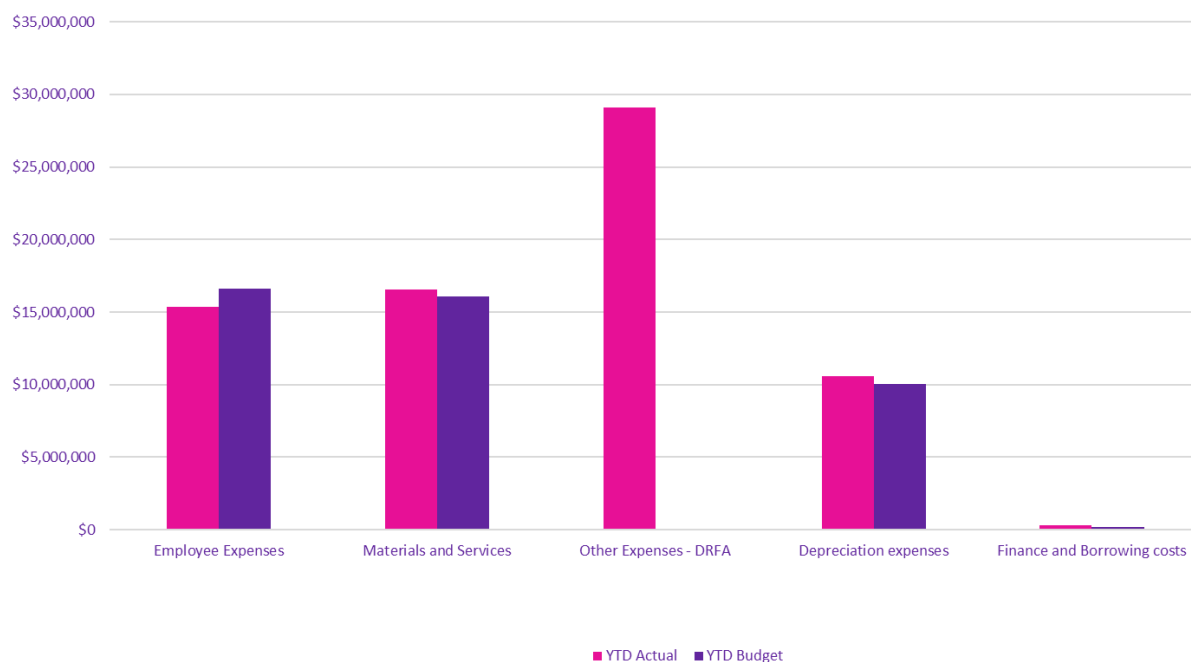
Notes:

1. Rates for the period ending 30 June 2025 were issued 24 February 2025 with the discount date being 28 March 2025. It is likely that approximately \$277k of this revenue will remain unrecovered due to a ratepayer with multiple properties being in bankruptcy.
2. Revenue from Local Laws and building, plumbing and planning applications are trending higher than budget. Also contributing to the variance is \$78k for 2025/26 annual food licence fees that were raised in April.
3. The variance is due to the one-off payment of the Kuranda Infrastructure Levy by the State.
4. The favourable variance for DRFA restoration works arises as this revenue is not budgeted for. An expenditure offset will occur against this revenue.
5. Favourable result due to third party works not budgeted for as well as Road Maintenance Performance Contract (RMPC) income received. RMPC income budget is allocated equally over 12-month period, however actual income (reported) is not following the same trend. This will be the same for expenditure. These results will equalise with the budget by 30 June.
6. To date, seven (7) lots have been sold at the Mareeba Industrial Park, generating a gross value of \$890k.
7. Capital income represents interest on constrained works, capital grants, fleet capital insurance recoveries and developer contributions received.

Expenditure Analysis

Total expenses for the period ending 30 April 2025 is \$71,903,733 compared to the YTD budget of \$42,902,326. The graph below shows actual expenditure against budget for the period ending 30 April 2025.

Actual Expenditure V Budget Expenditure



	Actual YTD	Budget YTD	Note
--	------------	------------	------

Employee Expenses	15,369,885	16,593,060	1
Materials and Services	16,546,275	16,095,745	2
Other Expenses - DRFA	29,121,909	-	3
Depreciation Expenses	10,577,605	10,027,595	
Finance and Borrowing Costs	288,059	185,926	4

Notes:

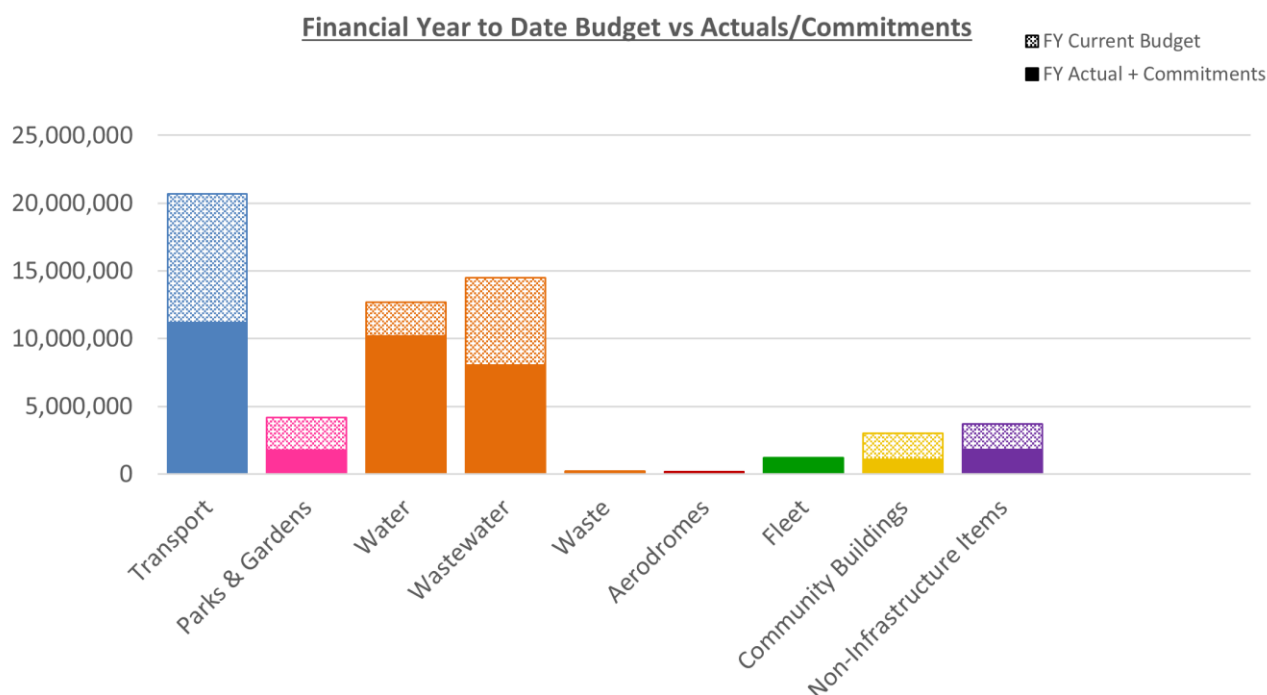
1. No significant issues are identified. The variance in employee expenses is due to a timing issue between the fortnightly pay processing and the report preparation, actual-planned staff absences, vacancies, and staff working on capital projects.
2. The majority of the variance is due to expenditure on unbudgeted third party works and the RMPC expenditure trend.
3. The variance relates to the expenditure incurred for the DRFA restoration works which is not budgeted for. This expenditure will be offset against income.
4. The variance is in relation to write-offs for various sundry items relating to floating plant and road signs.

Vandalism Expenses

To date this financial year, a total of \$57,187 has been spent on repairs and maintenance due to vandalism. These costs include employee expenses and materials and services.

Capital Expenditure

Total capital expenditure of \$35,559,335 (including commitments) has been spent for the period ending 30 April 2025 against the 2024/25 annual capital budget of \$54,142,906.

Loan Borrowings

Council's loan balance is \$5,297,143 as at 30 April 2025.

Rates and Charges

The total rates and charges payable as at 30 April 2025 are \$3,688,982 which is broken down as follows:

	30 April 2025		30 April 2024	
Status	No. of properties	Amount	No. of properties	Amount
Valueless Land	1	5,831	3	97,494
Payment Arrangement	264	288,707	253	255,085
Collection House	198	981,488	527	1,560,552
Exhausted – awaiting sale of land*	20	1,263,573	21	633,496
Sale of Land	13	195,641	7	68,931
Other (includes supplementary rates notices)	675	953,742	173	91,766
TOTAL	1,171	3,688,982	984	2,707,324

*11 Mining Lease properties with a total outstanding rates balance of \$1,189,945 are in Bankruptcy

The variance between April this year and April last year is due to timing. Rate Notices were issued two weeks later this year compared to the previous year, resulting in all subsequent reminder notices also being delayed.

Rate Notices for the period ending 30 June 2025 were issued on 24 February 2025, with the discount due date of 28 March 2025.

During the month of April:

- 961 first reminder notices, amounting to \$2,779,098.91, were issued on 7 April 2025 and were due on 21 April 2025.
- Additionally, 478 second reminder notices, totalling \$700,421.59, were sent to the print house on 28 April 2025.
- Collection House collected \$60,884 for the month of April 2025.

On 20 March 2025, 14 Notices of Intention were issued to those properties identified under Sale of Land. One property has paid in full.

Sundry Debtors

The total outstanding for Sundry Debtors as at 30 April 2025 is \$232,818 which is made up of the following:

Current	30 days	60 days	90 + days
\$203,689	\$12,866	\$13,721	\$2,542
87%	6%	6%	1%

Procurement

There were no emergency purchase orders for the month of April 2025.

2025 Interim Audit Report

Auditors were onsite from 14 to 17 April to conduct the preliminary audit. The report is attached. No issues were identified.

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

Financial Sustainability and Governance: A financially sustainable council that applies strategic decision making and good governance to deliver cost-effective services.

IMPLEMENTATION/COMMUNICATION

Nil

Budgeted Income Statement by Fund 2024/25 Budget

Consolidated			
	Actual YTD	Budget YTD	2024/25 Budget
Revenue			
Rates and utility charges	44,429,437	43,846,904	43,846,904
Less Discounts and Pensioner Remissions	(2,415,113)	(2,398,846)	(2,398,846)
Net Rates and Utility Charges	42,014,324	41,448,058	41,448,058
Fees and Charges	2,132,908	1,701,079	2,075,409
Operating Grants and Subsidies	35,581,098	8,831,093	9,272,056
Operating Contributions	2,148,890	45,000	54,000
Interest Revenue	891,927	565,000	678,000
Works for Third Parties	2,863,663	1,725,000	2,070,000
Other Revenue	2,309,434	1,089,387	1,267,130
Total Operating Revenue	87,942,244	55,404,617	56,864,653
Expenditure			
Employee Expenses	15,369,885	16,593,060	20,088,968
Materials and Services	45,668,184	16,095,745	18,879,298
Depreciation expense	10,577,605	10,027,595	12,033,115
Finance and Borrowing costs	288,059	185,926	238,828
Total Operating Expenses	71,903,733	42,902,325	51,240,209
Operating Surplus/(Deficit)	16,038,511	12,502,292	5,624,444
Capital Income			
Capital Contributions	522,224	-	-
Capital Grants and Subsidies	11,501,983	4,711,335	9,422,669
Capital Income Other	168,090	-	-
Interest on Contributions/Reserves	1,728,646	-	-
Donated Assets	-	-	-
Profit/(Loss) on Sale of Asset	(892,411)	150,000	180,000
Total Capital Income	13,028,532	4,861,335	9,602,669
Net Result	29,067,043	17,363,627	15,227,113

Budgeted Income Statement by Fund 2024/25 Budget

General			
	Actual YTD	Budget YTD	2024/25 Budget
Revenue			
Rates and utility charges	23,974,554	23,705,538	23,705,538
Less Discounts and Pensioner Remissions	(2,415,113)	(2,398,846)	(2,398,846)
Net Rates and Utility Charges	21,559,441	21,306,692.00	21,306,692
Fees and Charges	1,417,814	1,099,995	1,246,360
Operating Grants and Subsidies	8,681,086	8,758,593	9,185,056
Operating Contributions	-	-	-
Interest Revenue	337,552	390,000	468,000
Works for Third Parties	2,830,788	1,725,000	2,070,000
Other Revenue	2,146,793	900,220	1,040,130
Total Operating Revenue	36,973,474	34,180,500	35,316,238
Expenditure			
Employee Expenses	13,440,679	14,686,967	17,795,080
Materials and Services	8,051,215	7,252,787	8,336,168
Depreciation expense	7,314,113	7,097,880	8,517,457
Finance and Borrowing costs	212,993	111,573	139,691
Total Operating Expenses	29,019,000	29,149,207	34,788,396
Operating Surplus/(Deficit)	7,954,474	5,031,293	527,842
Capital Income			
Capital Contributions	521,860	-	-
Capital Grants and Subsidies	5,819,836	2,238,752	4,477,504
Capital Income Other	168,090	-	-
Interest on Contributions/Reserves	1,406,111	-	-
Donated Assets	-	-	-
Profit/(Loss) on Sale of Asset	(554,363)	150,000	180,000
Total Capital Income	7,361,534	2,388,752	4,657,504
Net Result	15,316,008	7,420,045	5,185,346

Budgeted Income Statement by Fund 2024/25 Budget

Disaster Recovery Funding			
	Actual YTD	Budget YTD	2024/25 Budget
Revenue			
Rates and utility charges	-	-	-
Less Discounts and Pensioner Remissions	-	-	-
Net Rates and Utility Charges	-	-	-
Fees and Charges	-	-	-
Operating Grants and Subsidies	26,560,545	-	-
Operating Contributions	-	-	-
Interest Revenue	-	-	-
Works for Third Parties	-	-	-
Other Revenue	-	-	-
Total Operating Revenue	26,560,545	-	-
Expenditure			
Employee Expenses	168,730	-	-
Materials and Services	28,953,179	-	-
Depreciation expense	-	-	-
Finance and Borrowing costs	-	-	-
Total Operating Expenses	29,121,909	-	-
Operating Surplus/(Deficit)	(2,561,364)	-	-
Capital Income			
Capital Contributions	-	-	-
Capital Grants and Subsidies	-	-	-
Capital Income Other	-	-	-
Interest on Contributions/Reserves	-	-	-
Donated Assets	-	-	-
Profit/(Loss) on Sale of Asset	-	-	-
Total Capital Income	-	-	-
Net Result	(2,561,364)	-	-

Budgeted Income Statement by Fund 2024/25 Budget

Waste			
	Actual YTD	Budget YTD	2024/25 Budget
Revenue			
Rates and utility charges	4,912,249	4,797,668	4,797,668
Less Discounts and Pensioner Remissions	-	-	-
Net Rates and Utility Charges	4,912,249	4,797,668	4,797,668
Fees and Charges	523,812	479,834	683,549
Operating Grants and Subsidies	324,890	-	-
Operating Contributions	56,284	45,000	54,000
Interest Revenue	86,903	50,000	60,000
Works for Third Parties	22,091	-	-
Other Revenue	122,285	164,167	197,000
Total Operating Revenue	6,048,514	5,536,669	5,792,217
Expenditure			
Employee Expenses	151,482	152,573	183,095
Materials and Services	3,806,530	4,227,416	5,165,787
Depreciation expense	204,490	192,047	230,456
Finance and Borrowing costs	-	-	-
Total Operating Expenses	4,162,502	4,572,036	5,579,338
Operating Surplus/(Deficit)	1,886,012	964,633	212,879
Capital Income			
Capital Contributions	-	-	-
Capital Grants and Subsidies	-	-	-
Capital Income Other	-	-	-
Interest on Contributions/Reserves	108,551	-	-
Donated Assets	-	-	-
Profit/(Loss) on Sale of Asset	-	-	-
Total Capital Income	108,551	-	-
Net Result	1,994,563	964,633	212,879

Budgeted Income Statement by Fund 2024/25 Budget

Wastewater			
	Actual YTD	Budget YTD	2024/25 Budget
Revenue			
Rates and utility charges	6,515,300	6,452,227	6,452,227
Less Discounts and Pensioner Remissions	-	-	-
Net Rates and Utility Charges	6,515,300	6,452,227	6,452,227
Fees and Charges	69,135	59,167	71,000
Operating Grants and Subsidies	-	-	-
Operating Contributions	-	-	-
Interest Revenue	217,990	83,333	100,000
Works for Third Parties	3,775	-	-
Other Revenue	-	-	-
Total Operating Revenue	6,806,200	6,594,727	6,623,227
Expenditure			
Employee Expenses	619,011	581,003	697,878
Materials and Services	1,777,857	1,690,285	2,011,082
Depreciation expense	1,634,716	1,444,917	1,733,901
Finance and Borrowing costs	75,066	74,353	99,137
Total Operating Expenses	4,106,650	3,790,558	4,541,998
Operating Surplus/(Deficit)	2,699,550	2,804,169	2,081,229
Capital Income			
Capital Contributions	364	-	-
Capital Grants and Subsidies	2,323,915	1,350,250	2,700,500
Capital Income Other	-	-	-
Interest on Contributions/Reserves	146,876	-	-
Donated Assets	-	-	-
Profit/(Loss) on Sale of Asset	(338,048)	-	-
Total Capital Income	2,133,107	1,350,250	2,700,500
Net Result	4,832,657	4,154,419	4,781,729

Budgeted Income Statement by Fund 2024/25 Budget

Water			
	Actual YTD	Budget YTD	2024/25 Budget
Revenue			
Rates and utility charges	8,895,459	8,759,687	8,759,687
Less Discounts and Pensioner Remissions	-	-	-
Net Rates and Utility Charges	8,895,459	8,759,687	8,759,687
Fees and Charges	122,147	62,083	74,500
Operating Grants and Subsidies	14,577	72,500	87,000
Operating Contributions	-	-	-
Interest Revenue	209,401	41,667	50,000
Works for Third Parties	7,009	-	-
Other Revenue	40,356	25,000	30,000
Total Operating Revenue	9,288,949	8,960,937	9,001,187
Expenditure			
Employee Expenses	989,290	1,172,517	1,412,915
Materials and Services	3,012,130	2,879,340	3,319,161
Depreciation expense	1,369,227	1,239,828	1,487,794
Finance and Borrowing costs	-	-	-
Total Operating Expenses	5,370,647	5,291,685	6,219,870
Operating Surplus/(Deficit)	3,918,302	3,669,252	2,781,317
Capital Income			
Capital Contributions	-	-	-
Capital Grants and Subsidies	3,358,232	1,122,333	2,244,665
Capital Income Other	-	-	-
Interest on Contributions/Reserves	67,108	-	-
Donated Assets	-	-	-
Profit/(Loss) on Sale of Asset	-	-	-
Total Capital Income	3,425,340	1,122,333	2,244,665
Net Result	7,343,642	4,791,585	5,025,982

Budgeted Income Statement by Fund 2024/25 Budget

Benefited Area			
	Actual YTD	Budget YTD	2024/25 Budget
Revenue			
Rates and utility charges	131,875	131,784	131,784
Less Discounts and Pensioner Remissions	-	-	-
Net Rates and Utility Charges	131,875	131,784	131,784
Fees and Charges	-	-	-
Operating Grants and Subsidies	-	-	-
Operating Contributions	2,092,606	-	-
Interest Revenue	40,081	-	-
Works for Third Parties	-	-	-
Other Revenue	-	-	-
Total Operating Revenue	2,264,562	131,784	131,784
Expenditure			
Employee Expenses	693	-	-
Materials and Services	67,273	45,917	47,100
Depreciation expense	55,059	52,923	63,507
Finance and Borrowing costs	-	-	-
Total Operating Expenses	123,025	98,840	110,607
Operating Surplus/(Deficit)	2,141,537	32,944	21,177
Capital Income			
Capital Contributions	-	-	-
Capital Grants and Subsidies	-	-	-
Capital Income Other	-	-	-
Interest on Contributions/Reserves	-	-	-
Donated Assets	-	-	-
Profit/(Loss) on Sale of Asset	-	-	-
Total Capital Income	-	-	-
Net Result	2,141,537	32,944	21,177



2025 INTERIM REPORT

Mareeba Shire Council

2 May 2025



Mrs Angela Toppin
Mayor
Mareeba Shire Council

Dear Mrs Toppin

2025 Interim report

We present our interim report for Mareeba Shire Council for the financial year ending 30 June 2025. This report details the results of our interim work performed to 28 February 2025. Under section 213 of the Local Government Regulation 2012, you must present a copy of this report at your council's next ordinary meeting.

Results of our interim audit

In this phase, we assessed the design and implementation of your internal controls relevant to the financial report, and whether they are operating effectively. We assessed the key controls we intend to rely on in auditing your financial statements. Our audit does not assess all controls that management has implemented across the organisation.

Deficiencies:

- One resolved pending audit clearance from prior year
- One from prior year is work-in-progress

Based on the results of our testing completed to date, we have determined your internal control environment does support an audit strategy where we can rely upon your entity's controls.

Refer to section 2 *Matters Previously Reported* for further details.

I'd like to thank your team for the positive engagement over our interim testing. If you have any questions or would like to discuss the audit report, please contact me on 4046 8888 or Kelly Graham on 4046 8868.

Yours sincerely

Shona Cram
Engagement Leader

Enc.

cc. Peter Franks, Chief Executive officer
John Andrejic, Chair of the Audit Committee

1. Status of issues

Internal control issues

The following table identifies the number of deficiencies in internal controls and other matters we have identified. There were no internal control issues identified during our interim visit. Refer to section 2 *Matters previously reported* for the status of previously raised issues.

Year and status	Significant deficiencies	Deficiencies	Other matters*
Current year issues	-	-	-
Prior year issues – unresolved	-	2	-
Total issues	-	2	-

Note: *Queensland Audit Office only tracks resolution of other matters where management has committed to implementing action.

Our ratings are as follows. For more information and detail on our rating definitions, please see the webpage here: www.qao.qld.gov.au/information-internal-controls or scan the QR code.



2025 Interim report

CONTENTS

2. Matters previously reported

The following table summarises the status of deficiencies, financial reporting issues, and other matters previously reported to you.

Ref.	Rating	Issue	Status
24CR-1	S	Journal entries posted by senior members of the finance team not reviewed Journal entries prepared by senior members of the finance team are not always reviewed by someone other than the preparer.	Status: Resolved <i>2025 interim update:</i> A new control has been implemented. Journal entries that senior officers have prepared and posted under their own approval are included in a report which is independently reviewed each month.
24CR-2	D	Activities of privileged users are not monitored or reviewed Council does not have appropriate controls in place to monitor and detect unauthorised activities or transactions that could be made in its financial reporting system. Of particular risk, are those that may be made by users with high levels of system access (known as privileged users). We also observed that council does not maintain a centralised record of all changes to applications and the IT environment.	Status: Work-in-progress <i>2025 interim update:</i> Council is currently undertaking a risk assessment based on the recommendation and will look to implement practical measures to mitigate the risk. Responsible officer: Manager Information Systems Action date: 30 June 2025
24CR-3	D	Deficiencies in the property, plant and equipment accounting processes We identified deficiencies in the accounting for property, plant, and equipment. These deficiencies, while not material, result in overstated asset balances, understated depreciation and disposal gains/losses, and inaccurate financial reporting.	Status: Resolved pending audit clearance <i>2025 interim update:</i> Management note the findings in relation to timely removal of disposed assets and transfer of completed projects were due to the loss of key staff and limited resources. We understand management has also reviewed their approach to accounting for partial disposals. Audit to verify as part of our year-end audit testing during the final audit visit.



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Audit Office**
Better public services



8.11 OPERATIONAL PLAN 2024/25 PROGRESS REPORT

Date Prepared: 13 March 2025

Author: Director Corporate and Community Services

Attachments: 1. Operational Plan Progress Report January to March 2025 [↓](#)

EXECUTIVE SUMMARY

The attached report provides information regarding the progress of the 2024/25 Operational Plan projects.

RECOMMENDATION

That Council receives and notes the progress report on the implementation of the 2024/25 Operational Plan for the period January to March 2025.

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 2024/25 on 15 May 2024 and the amended plan with updated Corporate Plan references was adopted 21 August 2024.

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***Capital***

Nil

Operating

Nil

Financial Sustainability and Governance						
“A financially sustainable council that applies strategic decision making and good governance to deliver cost-effective services.”						
Project	Corporate Plan Ref	Corporate Plan Goal	Business Section	Performance Measures	Actions Taken January to March 2025	Progress: Not commenced In Progress Completed
Long-term Financial Plan	FG 1	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 	<ul style="list-style-type: none"> LTFF and LTAMP for proposed Budget 2025/26 are being updated 	<ul style="list-style-type: none"> In progress
Comprehensive Asset Revaluations: <ul style="list-style-type: none"> Roads Drainage 	FG 1 TI 2	Effective and sustainable financial management Infrastructure for the future	Finance	<ul style="list-style-type: none"> Comprehensive revaluations 	<ul style="list-style-type: none"> Asset revaluation data is under review for implementation as part of the 2024/25 financial year 	<ul style="list-style-type: none"> In progress
Internal Access to Financial Information	FG 2 FG 3	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 in-house training and support 	<ul style="list-style-type: none"> Continued improvement on reporting options and training available as requested 	<ul style="list-style-type: none"> In progress
Information Systems Strategy implementation	FG 2	Effective business management	Information Systems	<ul style="list-style-type: none"> Continue to provide further system enhancements Transition Technology One to CAnywhere 	<ul style="list-style-type: none"> Work continuing on the transition to Employee Self Service (ESS) 	<ul style="list-style-type: none"> In progress
Sustainable Workforce	FG 3	A skilled and sustainable workforce	Human Resources	<ul style="list-style-type: none"> Training and development of to improve efficiencies and ensure workplace safety 	<ul style="list-style-type: none"> Organisation training program continues to meet the requirements of Council Recruitment has commenced for the role of HR Specialist Recruitment and Training has commenced which will 	<ul style="list-style-type: none"> In progress

Financial Sustainability and Governance						
“A financially sustainable council that applies strategic decision making and good governance to deliver cost-effective services.”						
Project	Corporate Plan Ref	Corporate Plan Goal	Business Section	Performance Measures	Actions Taken January to March 2025	Progress: Not commenced In Progress Completed
Workforce Management	FG 3	A skilled and sustainable workforce	All	<ul style="list-style-type: none"> Review Recruitment Process & Employer Branding initiatives 	<p>support future employment development program delivery, training needs assessment and delivery</p> <ul style="list-style-type: none"> Recruitment has commenced for the role of HR Specialist Recruitment and Training to support future employee attraction, selection, onboarding and retention initiatives. 	<ul style="list-style-type: none"> In progress
Cybersecurity Enhancements	FG 4	Effective governance	Information Systems	<ul style="list-style-type: none"> Continue to monitor security measures as defined by the ACSC Essential 8 Renew incident cyber response partnership Continue Cyber Awareness and Response Training 	<ul style="list-style-type: none"> Continued implementation of ACSC Essential 8 mitigation strategies 	<ul style="list-style-type: none"> In progress
Compliance Monitoring	FG 4	Effective governance	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"> Full compliance with employee related legislative requirements met, All requirements of LGW mutual risk obligations program completed and no outstanding requirements. Safety Management System in place and being implemented. 	<ul style="list-style-type: none"> In progress

Community and Culture						
“An informed, engaged and resilient community which supports and encourages effective partnerships to deliver better outcomes.”						
Project	Corporate Plan Ref	Corporate Plan Goal	Business Section	Performance Measures	Actions Taken January to March 2025	Progress: Not commenced In Progress Completed
Arts Connection to Tourism	CC 2	A vibrant and healthy community	Customer & Community	<ul style="list-style-type: none"> Implementation of public mural action plan 	<ul style="list-style-type: none"> Geraghty Park Hall mural completed. Community arts and cultural priorities consultation completed. Expression of interest opened for Kuranda mural. 	<ul style="list-style-type: none"> In Progress
Enhanced Online Presence	CC 1	An engaged community	All	<ul style="list-style-type: none"> Improved access to online information and services 	<ul style="list-style-type: none"> Community assistance section of MSC website updated for clarity and ease of use. 	<ul style="list-style-type: none"> In Progress
Community Safety	CC 2 EG 2	A vibrant and healthy community Effective strategic partnerships	Customer & Community Office of the CEO	<ul style="list-style-type: none"> Advocate for community safety 	<ul style="list-style-type: none"> Collaborating for Community Safety meeting held 4 March 2025. Meetings held with Queensland Police Service to discuss crime escalation in Kuranda. Concerns about crime escalation within aged housing area raised with Member for Cook. 	<ul style="list-style-type: none"> In Progress
Disaster Resilience	CC 3	A resilient community	Customer & Community Office of the CEO	<ul style="list-style-type: none"> Promote resilience through Get Ready initiatives 	<ul style="list-style-type: none"> Royal Flying Doctors Service Community and Wellbeing Service promoted. Red Cross Emergency Redi workshops promoted. 	<ul style="list-style-type: none"> In progress

Transport and Infrastructure						
“The provision of quality infrastructure to service our growing community using sound asset management principles.”						
Project	Corporate Plan Ref	Corporate Plan Goal	Business Section	Performance Measures	Actions Taken January to March 2025	Progress: Not commenced In Progress Completed
Review Asset Management Plans across asset classes	TI 1 TI 2 LE 1 FG 1	Safe, reliable and resilient infrastructure Sustainable Infrastructure for the future Attractive and accessible public facilities Effective and sustainable financial management	Assets & Projects Technical Services Finance	<ul style="list-style-type: none"> Undertake data verification Undertake condition assessment and defect identification across individual asset classes. Document and review prioritisation 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"> Continuous review of asset registers Continuous review of Asset Management Plan and sub-plans 	<ul style="list-style-type: none"> In progress
Restoration of assets	TI 1	Safe, reliable and resilient infrastructure	Technical Services Works	<ul style="list-style-type: none"> Rectify Disaster impacted infrastructure assets in accordance with QRA/DRFA guidelines and approvals 	<ul style="list-style-type: none"> Bushy Creek Bridge, Jarawee Road sites nearing completion Emerald End Road Culvert, Carman Road Culvert nearing completion DRFA Manager recruitment finalised Tenders for restoration of damage underway 	<ul style="list-style-type: none"> In progress
Secure Water Supply	TI 1	Safe, reliable and resilient infrastructure	Water & Waste	<ul style="list-style-type: none"> Implement water treatment asset renewal projects 	<ul style="list-style-type: none"> New water filtration project completed and commissioned Installation of new water mains 	<ul style="list-style-type: none"> In progress

Liveability and Environment						
“Improve the liveability of the Shire by enhancing amenity and valuing natural assets”						
Project	Corporate Plan Ref	Corporate Plan Goal	Business Section	Performance Measures	Actions Taken January to March 2025	Progress: Not commenced In Progress Completed
Waste Management Services Strategy	LE 3	Environmentally responsible service delivery	Water & Waste Finance	<ul style="list-style-type: none">Review and update Waste Strategy to align with Regional Waste Plan and Council’s future waste management needs	<ul style="list-style-type: none">Regional coordinator commenced duties with FNQROCExpression of Interest for Council’s Waste Management Services are under review	<ul style="list-style-type: none">Regional members met with a workshop to progress regional plan.
Planning Scheme Review	LE 2	Sustainable Planning and protection of environmental assets	Development & Governance	<ul style="list-style-type: none">Undertake 10 Year review of MSC Planning Scheme and supporting documentsPrepare scope of works and community profile for 10 Year review	<ul style="list-style-type: none">Grant application submitted to State Government for funds to undertake Planning Scheme Review to identify amendments to facilitate timely residential housing development	<ul style="list-style-type: none">In progress
Reef Guardian Council	LE 2	Sustainable Planning and protection of environmental assets	Technical Services	<ul style="list-style-type: none">Implement Reef Guardian Action Plan	<ul style="list-style-type: none">Implementation of Action Plan continuesSewer manhole refurbishment underway	<ul style="list-style-type: none">In progress
Parks and Open Spaces Strategy	LE 1	Attractive and accessible public facilities	Assets & Projects	<ul style="list-style-type: none">Complete planned construction for financial year	<ul style="list-style-type: none">Projects are nearing completion under 3 Year Action Plan	<ul style="list-style-type: none">In progress

Economy and Growth						
"Promote and encourage investment in local industry to build a resilient economy."						
Project	Corporate Plan Ref	Corporate Plan Goal	Business Section	Performance Measures	Actions Taken January to March 2025	Progress: Not commenced In Progress Completed
Strategic Partnerships	EG 2 CC 2 TI 2 LE 1	Effective strategic partnerships A vibrant and healthy community Sustainable Infrastructure for the future Attractive and accessible public facilities	Office of the CEO	<ul style="list-style-type: none"> Continue active participation in FNQROC Continue to Advocate to State and Federal Governments for key priorities 	<ul style="list-style-type: none"> Ongoing FNQROC meetings FNQROC delegation to State and Federal Government scheduled for later in the year. 	<ul style="list-style-type: none"> In progress
Housing Strategy	EG 1	Sustainable economic development and growth	Development & Governance	<ul style="list-style-type: none"> Implement Local Housing Action Plan (LHAP) 	<ul style="list-style-type: none"> Awaiting notification regarding application to Queensland Government for grant funds to identify appropriate amendments to the Mareeba Shire Council Planning Scheme to increase the rate, density, and diversity of residential housing to better meet the needs of the changing population and help build more houses faster 	<ul style="list-style-type: none"> In progress
Mareeba Industrial Estate	EG 1	Sustainable economic development and growth	Development & Governance Technical Services	<ul style="list-style-type: none"> Adopt Masterplan Implement staged development Continue promotion and marketing through external agent 	<ul style="list-style-type: none"> Design of Masterplan is progressing and expected to be finalised in Q4 2024/25 All developed sites now sold 	<ul style="list-style-type: none"> In progress

Economy and Growth “Promote and encourage investment in local industry to build a resilient economy.”						
Project	Corporate Plan Ref	Corporate Plan Goal	Business Section	Performance Measures	Actions Taken January to March 2025	Progress: Not commenced In Progress Completed
Tom Gilmore Mareeba Aviation Industrial Precinct	EG 1 EG 2	Sustainable economic development and growth Effective strategic partnerships	Tourism & Economic Development	<ul style="list-style-type: none"> Produce Promotional Strategy Promote development 	<ul style="list-style-type: none"> Further investment continues Development opportunity promoted by Council website, social media and e-newsletter Engagement continues with airport user group and FNQ Aviation Museum 	<ul style="list-style-type: none"> In progress

8.12 FNQ AVIATION COMMUNITY LOAN APPLICATION

Date Prepared: 2 May 2025
Author: Manager Customer and Community Services
Attachments: Nil

EXECUTIVE SUMMARY

This report details a request from Far North Queensland Aviation Museum Ltd (FNQAM) through Council’s Community Partnership Program by way of an interest free Community Loan of \$12,000.

RECOMMENDATION

That Council approves the request from Far North Queensland Aviation Museum for a \$12,000 interest free community loan.

BACKGROUND

Council has received a request from Far North Queensland Aviation Museum Ltd (FNQAM) for an interest-free community loan of \$12,000 to be used to install a 26kW solar power system at their leased premises located at Lot 20 JRM Braes Road, Mareeba.

FNQAM

In 2020, FNQ Aviation Museum entered into a 20-year lease with Council. The agreement covers three (3) properties located at the Mareeba Airport. FNQ Aviation Museum is operated as a not-for-profit company and charity, solely by volunteers.

FNQ Aviation Museum is registered as a public company limited by guarantee and as a charity with the ACNC.

Community Benefit

FNQAM, open to the public since 2022, operates on Thursday and Saturday mornings and plans to expand hours in 2025 with new facilities and volunteer support. It offers school visits, guided tours aligned with STEM and history curricula, and workforce skills training for young and disadvantaged individuals. Ongoing projects like virtual reality, simulators, and 3D printing will raise power needs, making energy-saving solutions like solar power crucial to reinvest in exhibits, enhance volunteer facilities, and grow training programs.

Community Partnerships Program 2024/25

Loan Purpose:	Install a solar power system
Loan Amount:	\$12,000
Loan Term:	36 Months
Repayment Frequency:	\$333.33 Monthly
Interest Rate:	4.151%
Foregone Interest:	\$783.43 for the loan term (approximately \$261.14 per annum)

Conditions:

- Loan funds must be used for the agreed purpose.
- FNQAM must contact Council's Financial Accountant within three (3) months of approval (approval date 21 May 2025) to accept the offer of loan finance and to progress the loan documentation and funding arrangements.
- Where the loan funds are not fully expended, any remaining loan funds are to be returned to Council.
- As a Community Lease holder, FNQAM must comply with all relevant local, state and federal legislation and regulations and obtaining all relevant approvals and meeting the conditions of those approvals.

RISK IMPLICATIONS**Financial**

Financial risk to Council is reduced by Council's completion of due diligence checks and review of the groups recent audited financial records.

Is the expenditure noted above included in the current budget?

Yes. The foregone interest value will be covered by funds allocated to new in-kind requests under the CPP budget for 2024/25.

Operating

Foregone interest will be recorded as an in-kind contribution in the Community Partnerships Program budget.

LINK TO CORPORATE PLAN

Community and Culture: An informed, engaged and resilient community which supports and encourages effective partnerships to deliver better outcomes.

IMPLEMENTATION/COMMUNICATION

FNQAM will be advised by the Customer and Community Services Department, the outcome of the request and the Finance Department will formalise the offer documentation with FNQAM, noting the conditions outlined in this report.

8.13 KURANDA AMPHITHEATRE INC. COMMUNITY LOAN APPLICATION

Date Prepared: 8 May 2025

Author: Manager Customer and Community Services

Attachments: Nil

EXECUTIVE SUMMARY

This report details a request from Kuranda Amphitheatre Society Inc. for an interest free community loan of \$6,000.

RECOMMENDATION

That Council approves the request from Kuranda Amphitheatre Society Inc. for a \$6,000 interest free community loan.

BACKGROUND

Council has received a request from Kuranda Amphitheatre Society Inc. for an interest -free community loan of \$6,000 to be used to undertake roof repairs in preparation for the installation of a solar power system at their leased premises, at Lot 531 SP276120, Barron Falls Road Kuranda.

Kuranda Amphitheatre Society

In 1994 Kuranda Amphitheatre Society Inc. entered into a 30-year lease with Council. The agreement covers a parcel of land, Lease A, in Lot 531 SP276120, Barron Falls Road Kuranda. A lease renewal is being negotiated.

Community Benefit

Kuranda Amphitheatre is a unique, community-run performance venue in the rainforests of Far North Queensland operated and managed by Kuranda Amphitheatre Society Inc.

The venue hosts a range of live performances on its main concert stage and 'Understage' venue. Created, built, and managed by the people of Kuranda since 1980, Kuranda Amphitheatre is available for national and international acts, festivals, dance, theatre, and performing arts, as well as seminars, workshops, and community activities.

The venue is a vibrant hub for the performing arts, cultural events, youth activities and community togetherness. It is part of the Kuranda fabric, providing local artists a venue to perform, while contributing to the economy of Kuranda with its many large events.

Community Loan

Loan Purpose:	Undertake roof repairs needed to support solar power system project
Loan Amount:	\$6,000
Loan Term:	36 Months (with option to repay earlier)
Repayment Frequency:	\$166.65 Monthly
Interest Rate:	3.764%
Foregone Interest:	\$354.53 for the loan term

Conditions:

- Loan funds must be used for the agreed purpose.
- Kuranda Amphitheatre Society Inc. must contact Council's Financial Accountant within three months of approval (approval date 21 May 2025) to accept the offer of loan finance and to progress the loan documentation and funding arrangements.
- Where the loan funds are not fully expended, any remaining loan funds are to be returned to Council.
- As a Community Lease holder, Kuranda Amphitheatre Society Inc. must comply with all relevant local, state and federal legislation and regulations and obtaining all relevant approvals and meeting the conditions of those approvals.

RISK IMPLICATIONS**Financial**

Financial risk to Council is reduced by Council's completion of due diligence checks.

LEGAL/COMPLIANCE/POLICY IMPLICATIONS

Nil.

FINANCIAL AND RESOURCE IMPLICATIONS***Capital***

Nil.

Is the expenditure noted above included in the current budget?

The foregone interest value will be covered by funds allocated to new in-kind requests under the Community Partnership Program budget for 2024/25.

Operating

Nil.

LINK TO CORPORATE PLAN

Community and Culture: An informed, engaged and resilient community which supports and encourages effective partnerships to deliver better outcomes.

Economy and Growth: Promote and encourage investment in local industry to build a resilient economy.

IMPLEMENTATION/COMMUNICATION

Kuranda Amphitheatre Inc. will be advised of the outcome of the request and the Finance Department will formalise the loan.

8.14 CEMETERIES FEES AND CHARGES 2025/2026

Date Prepared: 6 May 2025

Author: Manager Customer and Community Services

Attachments: 1. Cemeteries Fees and Charges 2025/2026 [↓](#)

EXECUTIVE SUMMARY

This report details the proposed cemeteries fees and charges for 2025/2026.

RECOMMENDATION

That Council adopts the Cemeteries Fees and Charges 2025/2026.

BACKGROUND

Council, as part of its budgetary process and under the legislation of the Local Government Act, is required to adopt a Schedule of Fees and Charges.

Section 97 of *Local Government Act 2009* prescribes the circumstances where a Local Government may set a cost-recovery fee. This section also prescribes that a cost-recovery fee must not be more than the cost to the local government of taking the action for which the fee is charged.

Costs for services are reviewed annually. The 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***Capital***

Nil

Operating

Nil

LINK TO CORPORATE PLAN

Financial Sustainability and Governance: A financially sustainable council that applies strategic decision making and good governance to deliver cost-effective services.

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.

Name	Cost Recovery	Unit	Year 25/26 Fee (incl. GST if applic.)	Legislation
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Mareeba Shire Council

Council as part of its budgetary process and under the legislation of the Local Government Act is required to adopt a Schedule of Fees and Charges each year.

Section 97 of Local Government Act 2009 prescribes the circumstances where a Local Government may set a cost-recovery fee. This section also prescribes that a cost-recovery fee must not be more than the cost to the local government of taking the action for which the fee is charged. Costs for services are reviewed annually, with the full cost recovery model applied wherever possible. The cost recovery fees represent the cost recovery fees set by Council at the date of the budget resolution. Council may alter any of the cost recovery fees in this booklet by resolution at any time prior to the next budget resolution. The cost recovery fees in this resolution have been set by reference to specified exemptions from GST determined by the Federal Government under Division 81 of the GST legislation. Council reserves the right to alter the GST status of any cost recovery fee in accordance with any changes made to the Division 81 list. All cost-recovery fees detailed are fixed in accordance with relevant State Government legislation, Council's Local Laws and Council policies.

Cemeteries

50% non-resident burial and reservation surcharge

Non-Resident definition:

A person who was not a resident or ratepayer of the Mareeba Shire at the time of their death. An exemption applies if the deceased was a resident of the Shire for 10 years or more in their lifetime.

Interment

- Interment Fees and Charges are in addition to the reservation fee.
- Second and subsequent interments in the same plot do not incur a reservation fee.

Interment – Grave	N/A	plot	\$1,986.00	
Interment Child – Grave (Less than 9 years old)	N/A	plot	\$993.00	
Above Ground Vault, Mausoleum Wall, Mausoleum Free Standing	N/A	plot	\$686.00	
Ashes (includes installation of plaque where applicable)	N/A	niche	\$515.00	
Ashes (In ground)	N/A	plot	\$515.00	
Private Land Interment Application	N/A	application	\$276.00	

Interment Surcharge

Weekends and public holidays, Grave	N/A	interment	\$1,434.00	
Weekends and public holidays, Above Ground vaults, Mausoleum Wall, Mausoleum Free Standing, Ashes Niche and Ground	N/A	interment	\$941.00	

Shelter and Chair Hire

Hire of shelter and chairs	N/A	1 shelter/10 chairs	\$130.00	
Hire of additional shelter and chairs	N/A	1 shelter/10 chairs	\$44.00	

Plaque

Cost of plaque including freight	N/A	plaque	POA	
Plaque installation – Lawn Cemetery	N/A	plaque	\$199.00	
Plaque installation – Niche (if not installed at interment)	N/A	plaque	\$199.00	
Cost of plaque restoration including freight	N/A	plaque	POA	

Name	Cost Recovery	Unit	Year 25/26 Fee (incl. GST if applic.)	Legislation
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Plaque [continued]

Plaque renovation – Remove, arrange restore, re-install	N/A	per request	\$244.00	
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Reservation

Grave, Above Ground Vault	N/A	plot	\$664.00	
Child – Grave, Above Ground Vault (less than 9 years old)	N/A	plot	\$333.00	
Mausoleum Wall	N/A	plot	\$8,100.00	
Mausoleum Free Standing	N/A	plot	\$4,418.00	
Niche (Single)	N/A	niche	\$428.00	
Niche (Double)	N/A	niche	\$497.00	
Double Depth Burial - Kuranda Heights	N/A	plot	\$996.00	

Miscellaneous

Construction of a memorial	N/A	plot	\$359.00	
Exhumation	N/A	plot	Cost	
Removal of slab or headstone	N/A	plot	Cost	
Concrete Pillars	N/A	pillar	\$306.00	
Surrender or Transfer an Interment Right (Reservation)	N/A	reservation	\$98.00	

8.15 FACILITY HIRE FEES AND CHARGES 2025/2026

Date Prepared: 6 May 2025

Author: Manager Customer and Community Services

Attachments: 1. Facility Hire Fees and Charges 2025/2026 [↓](#)

EXECUTIVE SUMMARY

This report details the proposed facility hire fees and charges for 2025/2026.

RECOMMENDATION

That Council adopts the Facility Hire Fees and Charges 2025/2026.

BACKGROUND

Council, as part of its budgetary process and under the legislation of the Local Government Act, is required to adopt a Schedule of Fees and Charges.

Section 97 of Local Government Act 2009 prescribes the circumstances where a Local Government may set a cost-recovery fee. This section also prescribes that a cost-recovery fee must not be more than the cost to the local government of taking the action for which the fee is charged.

Costs for services are reviewed annually. The fees and charges have been recommended on a discounted community service obligation by direction of Council.

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

Nil

FINANCIAL AND RESOURCE IMPLICATIONS***Capital***

Nil

Operating

Nil

LINK TO CORPORATE PLAN

Financial Sustainability and Governance: A financially sustainable council that applies strategic decision making and good governance to deliver cost-effective services.

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.

Name	Cost Recovery	Unit	Year 25/26 Fee (incl. GST if applic.)	Legislation
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Mareeba Shire Council

Council as part of its budgetary process and under the legislation of the Local Government Act is required to adopt a Schedule of Fees and Charges each year.

Section 97 of Local Government Act 2009 prescribes the circumstances where a Local Government may set a cost-recovery fee. This section also prescribes that a cost- recovery fee must not be more than the cost to the local government of taking the action for which the fee is charged. Costs for services are reviewed annually, with the full cost recovery model applied wherever possible. The cost recovery fees represent the cost recovery fees set by Council at the date of the budget resolution. Council may alter any of the cost recovery fees in this booklet by resolution at any time prior to the next budget resolution. The cost recovery fees in this resolution have been set by reference to specified exemptions from GST determined by the Federal Government under Division 81 of the GST legislation. Council reserves the right to alter the GST status of any cost recovery fee in accordance with any changes made to the Division 81 list. All cost-recovery fees detailed are fixed in accordance with relevant State Government legislation, Council's Local Laws and Council policies.

Name	Cost Recovery	Unit	Year 25/26 Fee (incl. GST if applic.)	Legislation
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Facility Hire

(a) Standard Fees

Apply to an organisation, group, individual and event that:

- Operates for profit with high commerciality or corporate sponsorship; or
- Receives State or Federal funding and is holding an event which is within the scope of their funding.

(b) Concession Fees

Apply to events/activities with considerable community benefits, but there may be some limited commerciality regarding the hirer, or the event/activity as follows:

- Benefits individuals such as a private event/function eg. birthday party, wake.
- Sporting, social or cultural events/games that primarily benefit club or group members rather than the general public that is not run for profit and only charge a 'break even' entry fee eg. regional sporting carnival, basketball competition, special school event, arts masterclasses.
- Community organisation fundraising activities. Council support must be acknowledged in any publicity by the hirer.

(c) Community Benefit Fees

Apply to not-for-profit hirers relying on volunteers for events/activities that deliver widespread community benefit and have free or low cost (\$5 max) entry. The hirer must meet the following conditions:

1. Is a community group that:
 - Is a not for profit, incorporated association or group of persons or individuals with the primary aim of conducting activities and providing services for community benefit; and
 - Relies predominantly on volunteer labour, community fundraising, membership fees and donations; and
 - Does not receive state or federal government operational grants and does not have a fee for service model. OR
2. Is a religious group holding an activity/event for which no entry fee is charged and is open to the general public including gatherings for worship. OR
3. Is a government funded not-for-profit community service operating an activity or event that is outside the scope of its funding agreement. Council support must be acknowledged in any publicity by the hirer.

Alcohol on Premises

Council will not authorise 'alcohol on premise' for all locations, additional conditions may be required prior to approval, if given.

Assistance in Booking Process

For additional Information or assistance in making a booking, please contact Council.

Conditions of Hire

Please see facility hire application kit for a full list of "Conditions of Hire"

Minimum Hall Hire

Users should consider required time to setup, packup and cleanup venue in their hire times. Minimum hire hours are developed to give users time to meet their base requirements.

Noise Control

The playing of pre-recorded or live amplified music is not to exceed the sound levels specified in the Environmental Protection Regulation 1988. Should the noise level exceed that specified in the Environmental Protection Regulation 1988, the bond will be forfeited to Council.

Name	Cost Recovery	Unit	Year 25/26 Fee (incl. GST if applic.)	Legislation
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Penalties

Key Return Policy – lost/not returned – broken locks etc

N/A

As advised

Council may request payment to cover any costs incurred for replacement items, including keys, locks etc

Bond

Halls & Hub - Alcohol on Premises - Bond refundable (refer to Conditions of Hire)

N/A

occurrence

\$500.00

Bond required when alcohol will be available/served on premises

Storage Cages - Refundable Security Bond

N/A

term

\$200.00

Cedric Davies Community Hub

- Full day hire is from 7 am to midnight
- Hourly Rate is a minimum of 2 hours

Standard (a) - Full Day Hire	N/A	day	\$665.00	
Standard (a) - Hourly Rate	N/A	hour	\$100.00	
Concession (b) - Full Day Hire	N/A	day	\$333.00	
Concession (b) - Hourly Rate	N/A	hour	\$49.00	
Community Benefit (c) - Full Day Hire	N/A	day	\$110.00	
Community Benefit (c) - Hourly Rate	N/A	hour	\$13.00	

Community Halls

- Full day hire is from 7 am to midnight
- Hourly Rate is a minimum of 2 hours

Standard (a) - Full Day Hire	N/A	day	\$206.00	
Standard (a) - Hourly Rate	N/A	hour	\$25.00	
Concession (b) - Full Day Hire	N/A	day	\$100.00	
Concession (b) - Hourly Rate	N/A	hour	\$8.00	
Community Benefit (c) - Full Day Hire	N/A	day	\$44.00	
Community Benefit (c) - Hourly Rate	N/A	hour	\$5.00	

Kuranda Community Precinct Storage Cages

- Hire period must be paid in full.
- Minimum application is 12 months

Storage Unit A: 3.80m x 3.87m	N/A	year	\$250.00	
Storage Unit B: 2.52 x 1.85m	N/A	year	\$185.00	

Mareeba Library Meeting Room

Standard (a) - Hourly Rate	N/A	hour	\$50.00	
Concession (b) - Hourly Rate	N/A	hour	\$5.00	
Community Benefit (c) - Hourly Rate	N/A	hourly	No charge	

Park light hire

Minimum 4 hours	N/A	hour	\$17.00	
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Name	Cost Recovery	Unit	Year 25/26 Fee (incl. GST if applic.)	Legislation
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Circus

Hire	N/A	occurrence	POA	
Contact Council for application				
Security Bond	N/A	occurrence	POA	
Deposit or part thereof of bond may be refunded depending upon condition which grounds are left in				

8.16 LIBRARIES FEES AND CHARGES 2025/2026

Date Prepared: 6 May 2025

Author: Manager Customer and Community Services

Attachments: 1. Libraries Fees and Charges 2025/2026 [↓](#)

EXECUTIVE SUMMARY

This report details the proposed Libraries Service Fees and Charges for 2025/2026.

RECOMMENDATION

That Council adopts the Libraries Fees and Charges 2025/2026.

BACKGROUND

Council, as part of its budgetary process and under the legislation of the Local Government Act, is required to adopt a Schedule of Fees and Charges.

Section 97 of *Local Government Act 2009* prescribes the circumstances where a Local Government may set a cost-recovery fee. This section also prescribes that a cost-recovery fee must not be more than the cost to the local government of taking the action for which the fee is charged.

Costs for services are reviewed annually. The 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***Capital***

Nil

Operating

Nil

LINK TO CORPORATE PLAN

Financial Sustainability and Governance: A financially sustainable council that applies strategic decision making and good governance to deliver cost-effective services.

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. They will also be updated in Library Management Systems and on Library promotional materials as required.

Name	Cost Recovery	Unit	Year 25/26 Fee (incl. GST if applic.)	Legislation
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Mareeba Shire Council

Council as part of its budgetary process and under the legislation of the Local Government Act is required to adopt a Schedule of Fees and Charges each year.

Section 97 of Local Government Act 2009 prescribes the circumstances where a Local Government may set a cost-recovery fee. This section also prescribes that a cost- recovery fee must not be more than the cost to the local government of taking the action for which the fee is charged. Costs for services are reviewed annually, with the full cost recovery model applied wherever possible. The cost recovery fees represent the cost recovery fees set by Council at the date of the budget resolution. Council may alter any of the cost recovery fees in this booklet by resolution at any time prior to the next budget resolution. The cost recovery fees in this resolution have been set by reference to specified exemptions from GST determined by the Federal Government under Division 81 of the GST legislation. Council reserves the right to alter the GST status of any cost recovery fee in accordance with any changes made to the Division 81 list. All cost-recovery fees detailed are fixed in accordance with relevant State Government legislation, Council's Local Laws and Council policies.

Libraries

Charges

Lost or Damaged Item Charge	N/A	item	\$25.00	
Overdue notice fee	N/A	Item	\$2.60	
Visitor membership fee	N/A	Item	No charge	
No fee charged to encourage visits to the Shire and extend the visitor stay				
Replacement membership card	N/A	card	\$6.00	

Inter Library Loan (ILL)

University Loan charge	N/A	university library	\$34.00	
Processing Charge for uncollected Inter Library Loans	N/A	uncollected item	\$17.00	
Replacement Inter Library Loan wrapper	N/A	item label	\$6.40	
Freight	N/A	item	\$2.50	

Full PC Use

No cost for the first hour, with fees to apply thereafter depending on availability.

Library member, additional time per 1/2 hour or part thereof	N/A	30 min	\$2.20	
Library member + Concession Card (Seniors, Veterans, Health Care), additional time per 1/2 hour or part thereof	N/A	30 min	\$1.00	
Non-Library members, additional time per 1/2 hour or part thereof	N/A	30 min	\$3.30	
Non-Library members, additional time per hour or part thereof	N/A	60 min	\$6.40	

Internet

National & State Library online databases	N/A	hour	No charge	
USB Stick	N/A	item	\$5.00	
WIFI	N/A	hour	No charge	

Sales

Library Coordinator has delegated authority to vary the cost of sale of library collections items at any time for operational reasons.

Name	Cost Recovery	Unit	Year 25/26 Fee (incl. GST if applic.)	Legislation
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Sales [continued]

Coffee sales	N/A	cup	\$4.00	
Library bags	N/A	bag	\$8.00	
Sale of Library Collection Items – Magazines	N/A	unit	\$0.50	
Sale of Library Collection Items	N/A	unit	\$2.10	

Photocopying and Printing

Photocopying - A4 per side - Black & White	N/A	A4 page	\$0.40	
Photocopying - A4 per side - Colour	N/A	A4 page	\$1.10	
Photocopying - A3 per side - Black & White	N/A	A3 page	\$0.80	
Photocopying - A3 per side - Colour	N/A	A3 page	\$2.20	
Printing - A4 page - Black & White	N/A	A4 page	\$0.50	
Printing - A4 page - Colour	N/A	A4 page	\$1.50	

8.17 MAREEBA CBD PROJECT BLUEPRINT STAKEHOLDER REFERENCE GROUP APPOINTMENT

Date Prepared: 12 May 2025

Author: Manager Customer and Community Services

Attachments: Nil

EXECUTIVE SUMMARY

The main purpose of the Project Blueprint Stakeholder Reference Group (Blueprint SRG) is to provide information, advice and recommendations for Council consideration on the development of construction ready plans to address pedestrian accessibility and amenity issues in the Mareeba CBD.

To ensure the needs of the community are met, a diverse representation across demographics, cultures and interest to promote a diversity of voices, and a balance of interests from community focussed applicants will be selected.

The Mareeba CBD Project Blueprint Stakeholder Reference Group is appointed by Council under the Local Government Regulation 2012.

RECOMMENDATION

That Council

1. Appoints Cr Braes as the Chair of the Mareeba CBD Project Blueprint Stakeholder Reference Group; and
2. Delegates authority to the Mayor, Cr Toppin, and Group Chair, Cr Braes, to appoint the members of the Stakeholder Reference Group.

BACKGROUND

Project Blueprint is funded by the Australian Government Regional Precincts and Partnerships Program (RPPP) to provide construction-ready plans to revitalise the Mareeba CBD between Herberton St and Lloyd St and between Constance St and Railway Avenue.

To ensure Project Blueprint meets the needs and aspirations of the community, a Stakeholder Reference Group will be formed. The Mareeba CBD Project Blueprint Stakeholder Reference Group may include:

- Councillor Representative (Chair) – Cr Braes
- Mareeba Chamber of Commerce (MCOC) (1 representative)
- Queensland Police Service (QPS) (1 representative)
- Disability Advocacy Group and Organisations (1 representative)
- CBD business operator (1 representative)
- CBD property owner (1 representative)
- Muluridji Aboriginal Corporation (1 representative)
- Queensland Trucking Association (QTA) (1 representative)

- Mareeba Shire Local Tourism Organisation (LTO) (1 representative)
- Collaborating for Community Safety Group (CCSG) (1 representative)
- CBD resident (1 representative)
- Community (3 representatives)

Nominations from CBD business operators, property owners and residents, and the general community Group closed 12pm, Monday 12 May 2025.

RISK IMPLICATIONS

Political and Reputational

Nil

LEGAL/COMPLIANCE/POLICY IMPLICATIONS

Nil

FINANCIAL AND RESOURCE IMPLICATIONS

Nil

LINK TO CORPORATE PLAN

Community and Culture: An informed, engaged and resilient community which supports and encourages effective partnerships to deliver better outcomes.

Transport and Infrastructure: The provision of quality infrastructure to service our growing community using sound asset management principles.

Liveability and Environment: Improve the liveability of the Shire by enhancing amenity and valuing natural assets.

Economy and Growth: Promote and encourage investment in local industry to build a resilient economy.

IMPLEMENTATION/COMMUNICATION

The Group will be established as outlined in the Terms of Reference.

9 INFRASTRUCTURE SERVICES

9.1 INFRASTRUCTURE SERVICES, CAPITAL WORKS MONTHLY REPORT - APRIL 2025

Date Prepared: 17 April 2025

Author: Manager Assets and Projects

Attachments:

1. Capital Works Summary - April 2025 [↓](#)
2. Capital Works Highlights - April 2025 [↓](#)

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 April 2025.

RECOMMENDATION

That Council receives the Infrastructure Services Capital Works Monthly Report for the month of April 2025.

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

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 2024/25 Capital Works Program.

LINK TO CORPORATE PLAN

Transport and Infrastructure: The provision of quality infrastructure to service our growing community using sound asset management principles.

IMPLEMENTATION/COMMUNICATION

Infrastructure Services Capital Works Summary Report - April 2025



Project Code	Project Description	Project Comment	Project Stage
Program: 01 - Rural and Urban Roads Reseal Program (Renewal)			
CP0003731	24/25 Bitumen & Asphalt Reseal Program	Reseal preparation works are completed & the works will commence 14 May weather dependent.	Construction
CP00835	DRFA Gully Betterment	Complete (Final report to be provided).	Completed
Program: 02 - Gravel Resheet			
CP0003732	24/25 Gravel Resheet Program	No resheeting programmed until after 2025 wet season	Construction
Program: 03 - Urban Streets			
CP0001023	Recovery Way (WTS) Rehab Ch 0.176-0.272	Works will be undertaken after wet season & Herb/Constance intersection project	Construction
CP0002069	MBA Chewko Rd Rehab/Widen & Seal	Practical completion reached 24/04/2025. Line marking will be installed late May.	Construction
CP00795	TIDS 23-27 Herberton/Constance Inter	Five traffic islands remain to be poured. Pavement works will be completed the week of 28 April followed by chip sealing & asphaltting. Practical completion is estimated to be mid-May.	Construction
CP00797	TIDS 22/23 24/25 Rankin/Walsh St R'bout	Detailed Design & Documentation Engagement 90% completed. Tender Specification being developed by Consultant for handover to MSC Projects Team.	Design
Program: 04 - Rural Roads			
CP0002040	KDA KIA08 Barron Falls/Masons Rd/L-out	Survey is underway, design to be scheduled	Planning
CP0002041	KDA KIA09 Barron Falls Rd Thongon-Mason	Survey is underway, design to be scheduled.	Planning
CP0002048	KDA Kuranda Heights Rd Intersection	Survey complete, design to be scheduled.	Planning
CP0002050	MBA McIver Rd Rehab & Widen	Designs to be completed prior to end of year 2025 by external consultant. Survey and soil investigations complete.	Planning
CP0002060	KDA Oak Forest Rd Rehab & Widen	Survey complete, design to be scheduled.	Planning
CP0002066	DIM Leafgold Weir Rd Widen Curves	Design to be finalised May 2025	Design
CP00801	TIDS Ootann Rd Section 1&2 Widen & Seal	Works recommenced on site 28/04/2025. In the coming weeks the formation will be trimmed to subgrade level, tested & road base carting will commence 14/05/2025.	Construction
Program: 05 - Bridges			
CP0001558	MBA Tinaroo Creek Rd Ada Creek Causeway	Design to be completed June 2025 by external consultant. Survey and soil investigations complete.	Planning
CP0001564	KDA Oak Forest Rd, Barron River Bridge	The Contractor proposes to commence bridge work in mid-July if the river height is conducive. Decking timber has been procured in preparation.	Construction
CP00841	Bolton Rd Inspect/Design/Repl Girders	Girder replacement commenced 28/04/2025 & is expected to be complete in 7 to 10 days weather permitting.	Construction
Program: 06 - Drainage			

Infrastructure Services Capital Works Summary Report - April 2025



Project Code	Project Description	Project Comment	Project Stage
CP0001598	24/25 Renew Minor Culverts & Drainage	Temporary RCP repair works completed at Park Avenue. Full repairs will be undertaken after 2025 wet season.	Construction
CP0003689	MBA CBD Drainage Upgrade Stage 1	Project planning will be undertaken in conjunction with the Mareeba CBD Blueprint Project	On Hold
CP0003690	MBA Ray Rd Culvert Upgrade	On hold pending outcome of Ray Road Drainage Study.	Planning
CP0003695	Irvinebank Jessie St/Rubina Tce Upgrade	Investigations will be scheduled in 2025.	Not Commenced
CP0003830	Hastie Road - Stormwater	Project completed December 2024	Completed
CP00844	MBA Amaroo Drainage Upgrades	Quotes will be called to undertake this work post wet season.	Construction
CP00938	Tilse Street Upgrade Drainage	Built infrastructure on-maintenance, authorisation of final payment to develop provided.	Completed
Program: 07 - Traffic Facilities			
Program: 08 - Parking			
CP00846	MBA Heritage Centre Carpark Connection	The footpath layout has been finalised and the RFQ documents prepared. Commencement to be in conjunction with perimeter fence works late May-June, 2025.	Procurement
Program: 09 - Footpaths			
CP0001026	23/24 Footpath Renewal Program	Atherton Street and Lloyd Street footpath sections complete. Further sites for renewal are currently under assessment.	Construction
CP0001665	Mt Molloy Footpath & Furniture Refurb	Design to be scheduled	Planning
CP0001666	KDA Barron Falls Rd Replace Footpath	Survey is underway, design to be scheduled	Design
CP0001687	KDA WNP Arara St Footpath Missing Link	Design being finalised in preparation for procurement	Design
CP0001742	MBA WNP Constance-Lloyd St Footpath	Works are complete.	Completed
Program: 10 - Parks and Gardens			
CP0001029	Kda Com Precinct Parks Upgrade	Planning & Development ongoing 2025	Planning
CP0001803	Julatten Geraghty Pk Refurb Playground	Further community engagement and planning continuing.	Planning
CP0001805	MBA Bicentennial Lakes Northern	The tender has closed and the submission results to be reported to the 21 May Council Meeting.	Procurement
CP0001871	MBA Centenary Park Upgrade Fencing	Works program on hold, to coincide with Centenary Park footpath project.	Construction
CP0003670	MBA Amaroo Park Shade	Tender documents being prepared in preparation for procurement.	Planning
CP00809	MBA Bicentennial Lakes (Southern) D&C	Slides embankment fence installation is 80% complete.	Construction
CP00860	KDA Anzac Park Landscaping	Plaque posts have been fabricated. Plaque format and wording being finalised prior to ordering.	Completed

Infrastructure Services Capital Works Summary Report - April 2025



Project Code	Project Description	Project Comment	Project Stage
CP00861	KDA Coondoo Street Refurb	<p>The upper Coondoo Street pavement, soft landscaping and stone works is 95% complete. The contractor has commenced pavement works in lower Coondoo Street with works expected to continue through to early June 2025.</p> <p>The upper Coondoo LED lighting upgrade has been completed. The streetlights and fig tree bud lighting have been commissioned and are operating.</p> <p>Ergon propose to undertake the lower Coondoo Street streetlighting upgrade works in the second half of 2025.</p>	Construction
Program: 11 - Water			
CP0001038	23/24 Retic Valve/Hyd Replace Program	New valves have been sourced and will be installed at Lerra and Byrnes Streets intersection subject to scheduling and contractor availability.	Construction
CP0002670	FY24/25 - WTP Minor Infrastructure	Works are underway and will be completed by mid to late May pending delivery of equipment.	Construction
CP0002671	FY24/25 - Water Main Replacement	Hort Street completed. Lloyd Street watermain commenced and near completion. Byrnes Street crossings to commence 12 May.	Construction
CP0002672	FY24/25 - KDA WTP Turbidity Meters	Installation and commissioning works completed.	Completed
CP0002675	FY24/25 - Replace Chlorine Analysers	Works completed	Completed
CP0002677	FY24/25 - Telemetry/SCADA Upgrades	Following on from project scoping late 2024 works commenced March 2025.	Construction
CP0002680	FY24/25 - Hydrants & Valve Renewal	Works to commence once all materials have arrived and will be scheduled once the Herberton/Constance Street Roundabout is complete to minimise traffic disruption.	Construction
CP0002682	FY24/25 - Irvinebank Ibis Dam PS	Waiting on servicing and inspection before obtaining pricing from suppliers on new equipment.	Construction
CP0002683	FY24/25 - DIM WTP Pump Replacement	Pump will be assessed during routine servicing in May though it is unlikely the pump needs to be replaced.	Planning
CP0002684	FY24/25 - Smart Meters Replacement	Installation works on new receiver in Kuranda completed. Taggle to provide early access to new meters for trial in areas with connectivity issues.	Construction
CP0002762	FY24/25 - MBA WTP Refurbish Clarifiers	Works well advanced on stripping out Clarifier One.	Construction
CP0002764	MOL Replace Hunter Ck Weir	GHD to do inspection as soon as weather permits.	Construction
CP0002921	MBA Booster Pump Station Relocation	Centenary Park Pump station works commenced offsite.	Construction
CP0003667	FY24/25 Irvinebank Ibis Dam Valves	Valves selected, electrical schematics being produced.	Procurement
CP0003668	CHI Renew Water Line	This project will only be done in 2024-2025 if there are residual funds left over from replacing water mains in Mareeba and Mt Molloy in 2024-2025.	On Hold
CP0003734	MBA WTP Fuel Pod For Generator	Procurement stage	Procurement
CP00878	MBA Decommission Basalt St Elevated Tank	The water tower has been isolated, and the reservoir section needs to be cleaned. A permanent closure and lockout of the feed line is anticipated to occur by mid-year.	Construction

Infrastructure Services Capital Works Summary Report - April 2025



Project Code	Project Description	Project Comment	Project Stage
CP00879	MBA Decommission Granite Ck Pump Station	Pump set has been removed and taken away to remove pump veins that won't be required at the relocated site of Centenary Park.	Construction
Program: 12 - Wastewater			
CP0001041	Mba WWTP Inlet Works Replacements	Works now completed and we are waiting on contractor to provide invoicing for payment then the project can be closed out.	Completed
CP0001043	Atherton St Pump Station Refurb	Project subject to grant funding.	On Hold
CP0001047	23/24 WW CCTV & Relining Program	Works completed.	Completed
CP0001050	Kennedy Hwy PS Control Board Upgrade	Switchboard installed and commissioned. Waiting on final invoice	Completed
CP0001053	23/24 WWPS Refurbishment Program	Works substantially completed.	Construction
CP0002474	FY24/25 - MBA Sewer CCTV & Reline Prog	CCTV works continuing. Works to be completed mid 2025.	Construction
CP0002475	FY24/25 - WW Pump Station Ancillary	Contractor manufacturing new safety lids to be compliant with modern standards. Once manufacturing has been completed site works will commence.	Construction
CP0002476	FY24/25 - WW Reticulation Pumps Renewal	Project complete	Completed
CP0002477	FY24/25 - Telemetry/SCADA Upgrades	Contractor progressing with investigating processes and systems relevant to alarming and code deployment.	Construction
CP0002479	FY24/25 - Pump Station Generators x 2	W&W fabricator manufacturing housings for generators ready for installation.	Construction
CP0002480	FY24/25 - Manhole Rehab & Replace	Works to recommence late May.	Construction
CP0002481	FY24/25 - MBA Constance St Rising Main	Waiting for deed of agreement from Queensland Government so project can commence.	Design
CP0002482	FY24/25 - KDA WWTP Renew Control Panels	Electrical works are now completed.	Completed
CP0003715	KDA WWTP Renew 6x4m Shed	Contractor has commenced works despite ongoing inclement weather in Kuranda. Actual project works will be completed by 30 June.	Construction
CP0003722	KDA WWTP Renew 6x6m Shed	Contractor has commenced works despite ongoing inclement weather in Kuranda. Actual project works will be completed by 30 June.	Construction
CP00889	22/23 MBA Sewer CCTV & Relining	Works are currently in progress in Kuranda. Reports are anticipated to be received within the coming weeks.	Construction
Program: 13 - Waste			
CP0002216	KDA WTS New Ablution Block	Construction works completed. Awaiting final certification.	Construction
CP0002220	MBA TS Leachate Pump Annual Program	There has been some safety issues highlighted with accessing the pumps, this is now under review and a methodology will be developed to mitigate any risks. Pumps will then also be reassessed for replacement during the scheduled May servicing.	Planning
CP0002221	MBA TS Leachate PS Pump	New pump on order with a reasonably long lead time on delivery.	Procurement

Infrastructure Services Capital Works Summary Report - April 2025



Project Code	Project Description	Project Comment	Project Stage
Program: 14 - Aerodromes			
CP0000947	Mareeba Aerodrome Safety & Repairs	Works completed. Chubb servicing all hydrants.	Completed
CP0003899	MBA Aerodrome Drainage Improvements	Replacement animal swing gates installed, drain design underway. Design Drain remains too wet for works.	
Program: 15 - Fleet			
CP0001071	Fleet Replace #1231 Toyota WW	Project Complete	Completed
CP0003738	Replace Asset 741 Street Sweeper	Truck waiting on delivery, expected date of delivery June 2025	Procurement
CP0003739	Replace Asset 620 Job Truck	Truck currently having body fabricated, delivery June 2025	Procurement
CP0003740	Replace Asset 1255 Toyota Hilux	Vehicle delivered, waiting for body to be fabricated	Procurement
CP0003741	Replace Asset 1274 Toyota Hilux	Vehicle delivered, waiting on body fabrication	Procurement
CP0003773	Replace Asset 1307 Mit. Pajero INSURANCE	Project Complete	Completed
CP0003776	Replace Unit 5422 Tool Trailer INSURANCE	Trailer delivered, waiting on canopy to be fabricated	Planning
CP0003826	Replace Asset 1244/6263 L'cruiser INSUR	Vehicle delivered, 25/04/2025. Spray unit in service	Procurement
Program: 16 - Depots and Council Offices			
Program: 17 - Community Buildings			
CP0001059	Mba/Dim Aquatic Condition Assessment	RFQ to be released to market prior to end of Fin Year.	Planning
CP0001632	24/25 Amenities Refurbishment Program	Funds to be carried over to 2025-26 program so that the Pat Kinnear Park toilet in Chillagoe can be upgraded to an accessible and DDA compliant toilet.	Procurement
CP0001637	KDA Library Paint & Roof Improvements	Contract to refurbish gutters and flashings awarded to Brett Seawright Plumbing. Construction works to commence early June 2025.	Construction
CP0001639	Annual Minor Building Refurbishment	Cenotaph Plinth works complete. Extra handrail to the Mareeba Sports Hall Entry stairway in procurement.	Construction
CP0001664	Annual Facilities LED Lighting	Contract awarded to Brad Owens Electrical for the installation of LED lighting to the Kuranda Recreational Centre Tennis courts. Works have commenced.	Construction
CP0002909	DIM Memorial Hall Park Lighting Upgrade	All works completed.	Completed
CP0003718	MBA Davies Park Field 2 Lighting Upgrade	Works on hold. Awaiting suitable funding.	On Hold
CP0003729	MBA Aquatic Centre Pool Expansion Joints	Pool Lessee advised expansion joints planned for reseal by End of May 2025.	Construction
CP0003756	MBA Davies Park Field 1 Lighting Upgrade	Luminaires and headframes installed and lights operational. New distribution boards to be installed early May.	Construction
CP00793	MBA Women's Restroom Refurb	To be completed in conjunction with the Mareeba CBD Blueprint Project	Planning
CP00909	KDA Aquatic Cnt 25m Pool Aquaris Upgrade	Pump replacement at Kuranda Aquatic Centre underway. Works to be completed prior end of financial year.	Procurement
CP00941	23/24 Park/Sporting LED Lights Arnold Pk	Contract awarded to Brad Owens Electrical. Construction commenced.	Construction

Infrastructure Services Capital Works Summary Report - April 2025



Project Code	Project Description	Project Comment	Project Stage
Program: 18 - Non-Infrastructure Items			
CP0001085	Mba Cemetery Expansion Planning	Inception meeting held with Community Dep and Technical Services Team to commence layout development, Targeted for June 2025.	Planning
CP0003684	MBA New Cemetery Lawn Plaque on Beam	Additional irrigation works to be undertaken	Construction
CP0003716	MBA Smartnet GPS Base Replacement	Works Complete, capitalisation of project required.	Completed
CP0003717	KDA Heights Cemetery Lawn Plaque on Beam	Additional irrigation works to be undertaken	Construction
CP0003754	Mareeba CBD Blueprint	Tender has been awarded to GHD and project planning has commenced. All milestones are currently being met.	Planning
CP00446	Kuranda New Cemetery	All works completed.	Completed
CP00932	MBA MIP Expansion	Masterplan at 95% design stage. Stage 11 construction plans anticipated for completion Mid June 2025. Meeting with MSC Real Estate Agents, Consultant and Council Staff undertaken.	Design

Infrastructure Services Capital Works Report Project Highlights – April 2025



Project Name: Herberton/Constance Streets Intersection Upgrade

Program: Urban Streets

Background

The Far North Queensland Regional Roads and Transport Group (FNQRRTG) Works Program for the 2024-2025 financial year contained a non LRRS (Local Roads of Regional Significance) project for Mareeba Shire Council to 50% fund the upgrade of the Herberton Street/ Constance Street intersection. The funding is provided by the Queensland State Government through the Transport Infrastructure Development Scheme. (TIDS).

Scope of Works

The scope of works includes the installation of a roundabout, a number of traffic islands, kerbing, footpath extensions and light pole relocations.

Progress Update

During April, all pavement works were completed. The southern and eastern sides of the intersection were primer sealed and asphalted and the light footings were poured.

Works will achieve practical completion early May with full completion estimated to be mid-May 2025, following line marking and road furniture installation.



Bitumen seal



Light pole footing



Pavement replacement



Traffic island prior to infill

Infrastructure Services Capital Works Report Project Highlights – April 2025



Project Name: Chewko Road Rehabilitation, Widen and Seal

Program: Urban Streets

Background

The FNQRRTG Works Program for the 2024-2025 financial year contained a LRRS (Local Roads of Regional Significance) project for Mareeba Shire Council to 50% fund the rehabilitation and widening of a section of Chewko Road, Mareeba. The funding is provided by the Queensland State Government through the Transport Infrastructure Development Scheme (TIDS).

Scope of Works

The scope of works includes the relocation of a water main, upgrade accesses, widen and seal the existing pavement and drainage improvements.

Progress Update

During April all pavement works were completed including the removal and replacement of a failing subgrade section at the eastern end of the project. The 16mm/10mm bitumen seal was installed mid-April and the final asphaltting works were carried out on 24 April signalling practical completion for the project. Full completion is estimated to be mid-May with the application of line marking.



Start of project



Adjacent to Borzi Park



Heading towards Spanish Club and Pony Club



Asphaltting at the Chewko/Reynolds intersection

Infrastructure Services Capital Works Report Project Highlights – April 2025



Project Name: Ootann Road Section 1 and 2 Widen and Seal

Program: Rural Roads

Background

Ootann Road is a 90km long important freight link that is mostly unsealed. This project will seal 4.2km of gravel road over two sections. The initiative is funded by the Australian Government, with contributions from the Queensland Government Transport Infrastructure Development Scheme and Mareeba Shire Council.

Scope of Works

The scope of works includes the widening, sealing and drainage upgrade of two (2) unsealed sections of Ootann Road. Section 1 is from Ch 79.69 to Ch 81.99 and Section 2 is from Ch 75.72 to Ch 77.68.

Progress Update

The construction crew tasked with the Ootann Road project re-established on site 15 April. Works to be undertaken this calendar year include the trimming and testing of the existing subgrade layer of Section 1 prior to importing road base. Road base carting operations are programmed to commence 14 May. Once the base layer has been compacted and trimmed to height Section 1 will be bitumen sealed.



Watering existing subgrade prior to trimming

Trimming of existing subgrade

Infrastructure Services Capital Works Report Project Highlights – April 2025



Project Name: Mareeba Water Plant Clarifier Upgrade Project

Program: Water

Background

As part of Council's 10-year water strategy, the Mareeba Water Treatment Plant is being progressively upgraded to boost the capacity of water that can be treated and distributed to the community. The Mareeba Water Treatment Plant is currently producing 200 litres per second, which is below its capacity due to the ageing infrastructure's inability to operate at peak performance. The clarifiers are a critical component in the water processing chain and require an upgrade to relieve the pressure on the filtration system and enable the production of more water for the community (250L/s).

Scope of Works

- Replacement of Clarifier 1 sludge rake and centre drive, including new power and control cabling;
- Replacement of all 4 X flocculator mixers with new mixers and VFDs, including new power and control cabling;
- Replacement of concrete panel platform with new steel structure;
- Replacement of handrails with marine grade aluminium or 316 stainless-steel and standard kick-plates;
- Replacement of covered area on Clarifier 1 with a new roof; and
- Supply and install new automated polymer make-up and dosing system, including new dosing pumps and dosing lines from the proposed new location in the Main Control Building.

Progress Update:

Installation of new chemical dosing equipment is progressing well.



Installation of new chemical dosing equipment.

Infrastructure Services Capital Works Report Project Highlights – April 2025



Project Name: 2024-2025 Water Main Renewal Program (Stage 2)

Program: Water

Background

As part of Council's 10-year Water Strategy, ageing water mains are being replaced and upgraded throughout the Shire. An allocation has been provided in the 2024/25 capital works program to replace failing and ageing asbestos cement (AC) composition watermain at (5) five locations within the Mareeba township.

Scope of Works

The scope of works includes the supply and installation of PVC Supermain and Ductile Iron Concrete Lined (DACL) on road crossings, in addition to new service connections, valves and hydrants are being installed.

Progress Update

Works have progressed well with no major interruptions to the scheduled program. Hort Street, Middlemiss Street and Lloyd Street pipelines have been installed, with upcoming connections to watermain on Byrnes Street to complete the works.



Installation of 100mm Ductile Iron pipe. Hort Street, Mareeba



Trenching works on the corner Middlemiss and Walsh Streets, Mareeba.

Infrastructure Services Capital Works Report Project Highlights – April 2025



Project Name: Davies Park, Mareeba Lighting Upgrade – Field One

Program: Facilities

Background

In 2022, the Mareeba Gladiators Rugby League Club developed a Preliminary Master Plan and audit report for Davies Park. The audit revealed that the existing lighting for both Field One and Field Two was outdated and did not meet the Australian Standards for training, amateur match play, and semi-professional match play and needed to be upgraded.

This project received a funding contribution of \$172,699 (excluding GST) from the Queensland Government Minor Infrastructure and Inclusive Facilities Fund.

Scope of Works

Upgrade works to Field One lighting include:

- New Distribution Boards
- Existing Main Switchboard modifications
- Submain cables to Distribution Boards
- Luminaires and General lighting sub-circuit cabling
- Diming and Lighting control
- Recover / disconnection of existing services, outlets and Luminaires
- Design and construct Luminaire Headframe
- Undertake all necessary testing required and record all results.

Progress Update:

Works commenced in January for the prefabrication of luminaire headframes and main switchboard upgrades. Installation of luminaire headframes and luminaires to the four light poles were successfully conducted in mid-April 2025, allowing for the full operation of the lights for the Mareeba Leagues Club's Anzac Day match. Further works to upgrade the distribution boards for the four (4) light poles to commence mid-May.

Infrastructure Services Capital Works Report Project Highlights – April 2025



Installation of headframes



Completed headframe and luminaires



Anzac Day Night Game 2025

Infrastructure Services Capital Works Report Project Highlights – April 2025



Project Name: Kuranda Recreation Centre Tennis Court Fence Replacement

Program: Community Buildings

Background

The tennis court at Kuranda Recreation Centre has been valued and utilised by the local community for many years. Following condition assessments of various recreational and sporting facilities across the Shire, Council officers identified the need to replace rust-affected posts on the outer perimeter fence of the tennis court.

Scope of Works

- Remove and retain wire mesh
- Remove and replace all fence posts
- Reinstall wire mesh fencing

Progress Update:

Works commenced in late February and were finalised in April.



Kuranda Recreation Centre New Tennis Court Fence

Infrastructure Services Capital Works Report

Project Highlights – April 2025



Project Name: Coondoo Street and Centenary Park Kuranda Streetscape

Program: Footpaths and Parks and Open Spaces

Background:

This project received a funding contribution of \$200,000 (excluding GST) from the Queensland Government Building Bush Tourism Program.

This project brings together several projects from the Kuranda Township Infrastructure Masterplan 2021- 2031 to deliver infrastructure and improvements that enhance the 'Village in the Rainforest' as a unique, authentic experience for residents and tourists alike, by improving safety, accessibility, connection with the environment and integration between the activities of residents and tourists.

The included projects are:

- Centenary Park Upgrade (Pathways Component Only)
- Upgrade of planter boxes and garden bed planting through the CBD areas (Coondoo Street)
- Coondoo Street Upper Refurbishment (footpaths, lighting, tree bud lighting)
- Coondoo Street Lower Lighting Upgrade

Scope of Work:

Footpaths Pavement Safety Improvements

Work will include renewed sections of footpath and relaying of pavers to repair cracks and uneven surfaces. The work will match the look and feel of the current footpaths. Footpaths are not being fully replaced. Some minor footpath repairs will also be undertaken in Centenary Park.

Gardens Planter Box Maintenance

The existing plantings in the Coondoo Street planter boxes will be revamped and plant species consolidated. Competing plants will be removed as required to protect the fig trees.

Streetlighting Upgrades and Fig Tree Fairy Lights Installation

Works will see existing streetlights along upper Coondoo Street being upgraded with new poles and LED fixtures. The design of the upgraded fixtures will maintain the current heritage look.

Lighting upgrades will provide an opportunity for businesses in Kuranda to extend trading into the evening and night. The existing lighting at the base of the fig trees will be replaced with lighting pillars to service the fairy lights and provide 240 v power outlet options for potential street events.

Ergon will also upgrade the lower Coondoo Street lighting later in 2025.

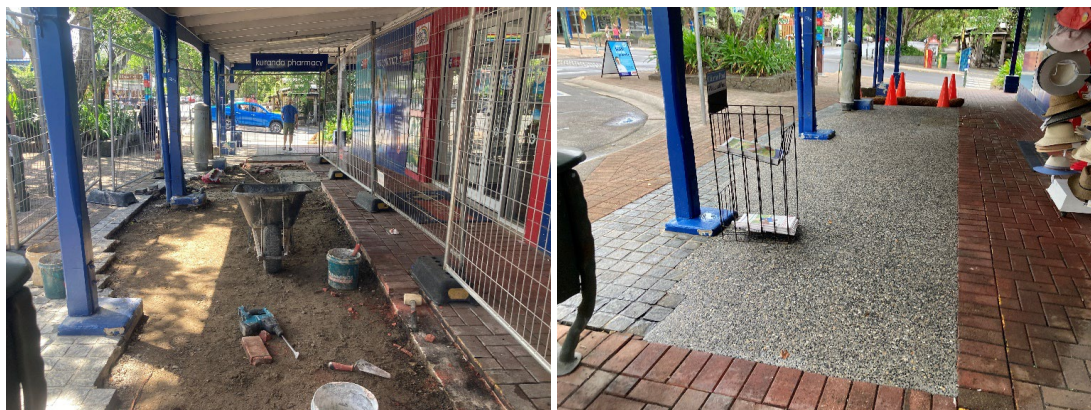
Works Progress:

The pavement upgrade works in upper Coondoo St is 95% complete. Slab replacement, paver and cobble reinstatement and garden bed stone wall repairs are ongoing with the contractor having commenced work in lower Coondoo Street. Works are expected to be complete in early-mid June.

The upper Coondoo Street garden beds and fig tree planter boxes have been refreshed with invasive species removed or thinned out and the beds mulched. The irrigation reticulation has been repaired by the contractor as required.

The lighting contractor has commissioned the LED streetlights and fig tree bud lights.

Infrastructure Services Capital Works Report Project Highlights – April 2025



Replacement of Displaced Slab in Front of the Chemist - Corner of Coondoo & Thongon Streets



**Infrastructure Services Capital Works Report
Project Highlights – April 2025**



Upper Coondoo Street Bud and Street Lighting Upgrade



Upper Coondoo Street Bud and Street Lighting Upgrade

TENDER AWARD - T-MSC2025-13 MANHOLE REFURBISHMENT PROGRAM

Date Prepared: 7 May 2025
Author: Project Manager
Attachments: Nil

EXECUTIVE SUMMARY

The purpose of this report is to provide Council with an assessment of the tenders received for T-MSC2025-13 Manhole Refurbishment Program.

RECOMMENDATION

That the Council awards Tender T-MSC2025-13 Manhole Refurbishment Program to Flowpro Pty Ltd for the amount of \$ 501,260.60 (excl. GST).

BACKGROUND

Council is seeking to remediate sewer manholes within the Mareeba and Kuranda Sewerage Reticulation networks to reduce inflow and infiltration. This initiative is part of the Council's three (3) year Barron River Catchment Sewer Infrastructure Upgrade project, jointly funded by the Australian Government's Reef Guardian Councils Program and the Queensland Government's 2024-27 Works for Queensland Program. The project aims to enhance the sewerage network in Mareeba and Kuranda, reducing the risk of sewage overflows into the Barron River catchment and ultimately the Great Barrier Reef.

Recent investigations and condition assessments on manholes within the catchment have been used to identify the sewer manholes which require remediation works.

The tendered scope of works includes complete remediation of 155 sewer manholes located within private and public property within Mareeba. The works will be carried out across three (3) separate locations within Mareeba, specifically along Peters Street to Atherton Street, Atherton Street to Granite Creek and the Mareeba West township area. The work to be performed under this contract comprises the provision of all materials, plant and labour and the performance of all operations necessary for the complete and proper rehabilitation of the nominated sewer manholes.

Tenders were invited from suitably qualified and experienced contractors and closed on Thursday, 17 April 2025.

Tenders Received

Two (2) submissions were received. A summary of the tender prices at opening is provided below;

Tenderer	Tendered Price (excluding GST)
NQ Wastetrans	\$ 1,010,343
FloPro	\$ 501,260

Tender Assessment

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

Criteria	Weighting
Tendered Price	40%
Relevant Experience	15%
Key Personnel Skills and Experience	15%
Tenderer's Resources	10%
Demonstrated Understanding	20%
Total	100%

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

Officers sought post-tender clarification from the two (2) respondents and responses were received Friday, 2 May 2025. NQ Wastetrans requested to withdraw their Tender submission at that time and was not further considered.

Flowpro's tender was conforming, providing all necessary information within the tender response schedules.

A summary of the Tender assessment, incorporating the evaluation against conformance, price and non-priced base criteria, resulted in the ranking of submissions displayed below;

Tenderer	Score (100%)	Rank
Flowpro	70.5%	1
NQ Wastetrans	N/A	N/A

Based on the tender assessment, Flowpro Pty Ltd was identified as advantageous for Council and the contractor was assessed as capable of completing the works within the specification and conditions as detailed in the invitation to tender.

RISK IMPLICATIONS

Financial

Council will have allocated funding under the 2025/26 capital budget.

Infrastructure and Assets

The wastewater reticulation infrastructure requires renewal to reduce inflow and infiltration into the sewer network.

LEGAL/COMPLIANCE/POLICY IMPLICATIONS

Works will meet Council's regulation obligations under its Environmental Authority.

FINANCIAL AND RESOURCE IMPLICATIONS***Capital***

Yes.

Is the expenditure noted above included in the current budget?

The project is jointly funded by the Australian Government's Reef Guardian Councils Program and the Queensland Government's 2024-27 Works for Queensland Program.

LINK TO CORPORATE PLAN

Financial Sustainability and Governance: A financially sustainable council that applies strategic decision making and good governance to deliver cost-effective services.

Transport and Infrastructure: The provision of quality infrastructure to service our growing community using sound asset management principles.

Liveability and Environment: Improve the liveability of the Shire by enhancing amenity and valuing natural assets.

IMPLEMENTATION/COMMUNICATION

Tenderers will be notified of the outcome of this report. Residents that are impacted by the works will be notified prior to commencement.

9.3 TENDER AWARD - T-MS2025-12 NORTHERN BICENTENNIAL LAKES & PARKLAND UPGRADE

Date Prepared: 9 May 2025
Author: Project Manager Civil
Attachments: Nil

EXECUTIVE SUMMARY

The purpose of this report is to provide Council with an assessment of the tenders received for T-MS2025-12 Northern Bicentennial Lakes and Parkland Upgrade.

RECOMMENDATION

That Council awards Tender T-MS2025-12 Northern Bicentennial Lakes and Parkland Upgrade to NQ Wastetrans Pty Ltd for the amount of \$1,304,221.88 (excl. GST).

BACKGROUND

The Mareeba Bicentennial Lakes and Parkland Upgrade Project has received a funding contribution from the Australian Government's Growing Regions program. The objectives of this project are to upgrade lake and parkland areas to improve accessibility and promote physical activity.

The project was identified in the Bicentennial Lakes Masterplan and the Parks and Open Spaces Strategy with the precinct also being a key component of the Mareeba Walking Network Plan. The project will improve the water quality in the northern Bicentennial Lakes and to enhance the park's overall amenity. The project seeks to enhance the liveability of Mareeba Shire by offering additional outdoor and open spaces, encouraging people to stay active and enjoy the natural environment.

The tendered scope of works includes:

- Reshape and redefine the existing lakes to provide a self-sustainable eco system;
- Narrow the waterway in key areas to remove stagnant areas and maximise the capacity of the lake footprint with fresh water, reducing areas where sediment and nutrients can deposit;
- Construction of a new boardwalk, viewing deck, embankment stabilisation and vegetation treatment, lookout and interpretive information node and information maps;
- Supply and installation of bench seating, shade shelters, table settings, bin, drinking water fountain, directional and educational signage, information maps and access gate;
- New footpath lake loop track and footpath accessibility upgrades; and
- New on-street carparking.

Tender Evaluation

Tender T-MS2025-12 was advertised publicly through 'Vendor Panel' on Tuesday 25 March 2025 and closed at 11:00am, Wednesday 16 April 2025.

Tenders Received

At the closure of T-MSC2025-12 five (5) submissions were received. A summary of the tender prices at opening is provided below:

Tenderer	Tendered Price (excluding GST)
NQ Wastetrans Pty Ltd	\$1,304,221.88
HEH Civil Pty Ltd	\$2,406,804.78
MGN Civil Pty Ltd	\$1,683,567.40
Durack Civil Pty Ltd	\$2,910,307.17
Bonadio Family Trust – Bono’s Excavations	\$1,995,593.11

Tender Assessment

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

Criteria	Weighting
Value For Money (Tendered Price)	40%
Demonstrated Experience	30%
Relevant Skills and Experience	20%
Local Content	10%
Total	100%

Each tender was evaluated and scored against the criteria, with the criteria scores then weighted to provide a total weighted score for each submission. Additionally, each tender has been assessed for conformance, compliance and discrepancies, against the requested response schedules. During the Tender Assessment process, Council officers sought clarifications where required to confirm the pricing structure and the Tenderers understanding of the scope of works.

A summary of the Tender assessment, incorporating the evaluation against conformance, price and non-priced base criteria, resulted in the ranking of submissions displayed below.

Tenderer	Score (100%)	Rank
NQ Wastetrans Pty Ltd	79.0	1
HEH Civil Pty Ltd	67.7	3
MGN Civil Pty Ltd	76.9	2
Durack Civil Pty Ltd	58.2	5
DC Bonadio Family Trust – Bono’s Excavations	60.0	4

NQ Wastetrans received the highest score and their tender was the only submission received that is within the price range of the project budget allocation.

RISK IMPLICATIONS**Financial**

The rock fill quantities have the potential to change due as the competency and saturation of the lake's base material is unknown. This may lead to a variation to the contract but is expected to be covered within the project's budget contingency.

LEGAL/COMPLIANCE/POLICY IMPLICATIONS

There is a State Assessment and Referral Agency (SARA) approval for a development application associated with the project, particularly related to the fill works within the waterway, which is conditional on compliance with the Operational Works conditions specified.

FINANCIAL AND RESOURCE IMPLICATIONS**Capital**

The project is funded through the Australian Government's Growing Regions program and Council.

Is the expenditure noted above included in the current budget?

Yes.

LINK TO CORPORATE PLAN

Financial Sustainability and Governance: A financially sustainable council that applies strategic decision making and good governance to deliver cost-effective services.

Community and Culture: An informed, engaged and resilient community which supports and encourages effective partnerships to deliver better outcomes.

Transport and Infrastructure: The provision of quality infrastructure to service our growing community using sound asset management principles.

Liveability and Environment: Improve the liveability of the Shire by enhancing amenity and valuing natural assets.

IMPLEMENTATION/COMMUNICATION

Tenderers will be notified of the outcome of this report. The Community will be advised of the project schedule as sections of the parklands and its footpaths will need to be closed to the public during construction.

9.4 INFRASTRUCTURE SERVICES, DISASTER RECOVERY OPERATIONS REPORT - APRIL 2025**Date Prepared:** 9 May 2025**Author:** Manager Disaster Recovery**Attachments:** 1. April Major Project Summary [↓](#)**EXECUTIVE SUMMARY**

The purpose of this report is to outline to progress of Council's activities funded under the Disaster Recovery Funding Arrangements (DRFA) during the month of April 2025.

RECOMMENDATION

That Council:

1. receives the Infrastructure Services, Disaster Recovery Operations Report for April 2025; and
2. Notes that the restoration works for the 2025 event will be undertaken as variations to the 2024 contracts where necessary.

BACKGROUND

The Disaster Recovery Funding Arrangements (DRFA) is a jointly funded program between the Australian Government and State Government, providing financial assistance to help communities recover from eligible disasters. Current projects and their respective weather events are provided herein.

2022 DRFA – Far North Queensland Low Pressure Trough, 1 – 7 February 2022

Project Name	Update
T-MSC2023-16 Gamboola Crossing	All works completed and financials finalised. Project to be removed from future reports.
T-MSC2023-12 Gully Betterment Program	All works completed and financials finalised. Project to be removed from future reports.

All works associated with the 2022 DRFA Program have been finalised.

2023 DRFA – Northern and Central Queensland Monsoon and Flooding, 20 December 2022 – 30 April 2023

Project Name	Update
Mount Mulligan Road Rain Gauge reinstatement	All works completed and financials finalised. Project to be removed from future reports.
T-MSC2024-06 – MSC DRFA 2023 Eastern Roads Package	Ikin Civil Pty Ltd engaged to deliver contract. Sealed works complete.
T-MSC2024-07 – MSC DRFA 2023 Dimbulah Roads Package	Keltone Construction Pty Ltd engaged to deliver contract. Works on Hurricane & Karma Water Road 90% complete.

Project Name	Update
	Works commenced on Kondaparinga & Mt Mulligan-Kondaparinga Road. Works forecast for completion June 2025.
T-MSC2024-08 – MSC DRFA 2023 Mid-Western Roads Package	All works completed and financials finalised. Project to be removed from future reports.
T-MSC2024-09 – MSC DRFA 2023 Western Roads Package	MC Group Pty Ltd engaged to deliver contract. Works to commence on Bulimba and Blackdown Road after access is re-established (currently underway).

2024 DRFA – Tropical cyclone Jasper, associated rainfall and flooding, 13 – 28 December 2023

Reconstruction of Essential Public Assets (REPA) Projects

Project Name	Update
T-MSC2023-04 Kuranda Landslip Remediation	All works completed and financials finalised. Project to be removed from future reports.
T-MSC2024-10 Jarawee Road Stabilisation	Civform Pty Ltd engaged to deliver contract. Works underway on site. Abutment A wingwalls complete. Abutment B ongoing. Works scheduled to be completed 30 June 2025.
T-MSC2024-13 Bushy Creek Bridge	Davbridge Pty Ltd engaged to deliver contract. Bridge works complete. Minor defects forecast to be completed May 2025.
T-MSC2024-15 Emerald End Culvert Construction	Terra Novus is engaged to deliver contract. Upstream concrete works complete (apron, wing walls, headwall and batter protection). Backfilling complete. Construction of pavement and guard rails outstanding. Scheduled for completion June 2025.
T-MSC2024-16 Carman Road Culvert Construction	Terra Novus Pty Ltd is engaged to deliver contract. Base slab and aprons poured. Landing of culverts underway. Scheduled completion early June 2025.
T-MSC2024-33 – MSC DRFA 2024 Eastern Roads Package	Council has resolved to award contract to Ikin Civil Pty Ltd. Finalisation of scope is being sought from QRA prior to Contract award.
T-MSC2024-34 – MSC DRFA 2024 Western Roads Package	Council has resolved to award contract to Gregg Construction Pty Ltd. Finalisation of scope is being sought from QRA prior to Contract award.

Project Name	Update
T-MSC2024-36 – MSC DRFA 2024 Dimbulah Roads Package	Council has resolved to award contract to Cheshire Contractors Pty Ltd. Finalisation of scope is being sought from QRA prior to Contract award.
T-MSC2024-35 – MSC DRFA 2024 Mid-Western Roads Package	Council has resolved to award contract to Gregg Construction Pty Ltd. Finalisation of scope is being sought from QRA prior to Contract award.
Black Mountain Road Culvert Replacement	Funding approval has been received from QRA. Design phase currently underway.
MSC DRFA 2024 Landslip Program	Funding approvals have been received from QRA for geotechnical sites on the following roads: <ul style="list-style-type: none"> • Ivicvic Road (Mareeba) • 2 x Mount Haren Road (Kuranda) • Warril Drive (Kuranda) Design phase currently underway.
Hastie Road Embankment	QRA Funding approval received for Hastie Road Embankment restoration.

Clean-up Program (exceptional circumstances package)

Funding was made available to eligible local governments and state agencies that require extraordinary assistance to undertake assessments and conduct extraordinary clean-up activities of rivers, waterways, beaches, community and recreational assets and National Parks and to support removal and disposal of disaster related debris.

All approved works under this program were completed in late 2024. Reconciliation of costs for reimbursement is underway.

Water & Sewer Program (exceptional circumstances package)

In December 2024, a Water and Sewerage Infrastructure Package was announced, and is available to Mareeba Shire Council, Cook Shire Council and Douglas Shire Council.

The objectives of the Water and Sewerage Infrastructure Package is to restore essential water and sewerage infrastructure that was damaged by the event and ensure essential services are delivered to the community, accelerating recovery and relieving distress.

In addition to request for reimbursement of immediate and emergency costs, the following submissions have been lodged to QRA:

- 1) Lloyd Street Sewer Main Works
- 2) Kuranda Water Treatment Plant Works

Guidelines for the funding program have been received. As of March 2025, no approvals for the projects have been received.

Project Name	Update
T-MSC2025-08 – MSC Water and Waste Program Management Services	Recommendation provided to council for award of services at May 2025 meeting.
T-MSC2025-09 – Lloyd Street Sewer Replacement Project	Tenders closed 2 May 2025. Evaluation of tenders is currently underway.
T-MSC2025-10 – Kuranda WTP Infrastructure Project	Jacobs Group engaged for design. Design to be staged for embankment reconstruction and sludge thickener.

Betterment Fund (exceptional circumstances package)

The Betterment Fund is available to eligible local government areas in Queensland impacted by the Tropical Cyclone Jasper, associated rainfall and flooding, 13 - 28 December 2023. It is jointly funded by the Australian and Queensland Governments. The objectives of the Betterment Fund are to restore essential public assets damaged in TC Jasper to a more resilient standard.

Submissions have been lodged to QRA and are currently being reviewed.

Local Recovery and Resilience Grants (LRRG)

Local Recovery and Resilience Grants are available to eligible local councils significantly impacted by Tropical Cyclone Jasper, 13 - 28 December 2023 in Far North Queensland. Funding will help councils address economic, social and community recovery needs and support future resilience measures.

A submission has been lodged for this grant. No movement for the month of April.

2025 DRFA – North and Far North Tropical Low 29 January – 28 February 2025

Event Activation

Council has been activated for QRA eligible event North and Far North Tropical Low 29 January – 28 February 2025. Council has been activated for:

- 1) Counter Disaster Operations (CDO)
- 2) Reconstruction of Essential Public Assets (REPA)

Project Management Services

The contract for project management was awarded to ARO Industries at the Council meeting of 19 March 2025. A project inception meeting has been held with the contractor.

Emergency Works

The Emergency Works period has ended for roads accessible since the commencement of the event. Emergency Works are ongoing/being scheduled for roads that have been inaccessible.

Reconstruction of Essential Public Assets (REPA) Projects

Scoping of REPA associated with the event is currently underway.

To more efficiently deliver the scope associated with the 2025 event, it is proposed that these approvals will be treated as variations to the 2024 roads contracts depending on Contractor availability and progress. Any works not delivered in this way would be tendered as per Council's Procurement Policy.

RISK IMPLICATIONS**Financial**

Funding arrangements state that eligible expenditure is reimbursed.

Expenditure is considered eligible when:

- 1) Extraordinary costs are incurred that could normally not be absorbed by, or reasonably managed within, the local government or state agency's financial, human and other resource capacity, and
- 2) Costs are directly associated with the delivery of eligible works on eligible essential public assets that have been damaged by an activated eligible disaster.

No ineligible cost reported for active projects. Risk of ineligible expenditure is mitigated through engagement of suitably qualified consultants.

LINK TO CORPORATE PLAN

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Community and Culture: An informed, engaged and resilient community which supports and encourages effective partnerships to deliver better outcomes.

Transport and Infrastructure: The provision of quality infrastructure to service our growing community using sound asset management principles.

Economy and Growth: Promote and encourage investment in local industry to build a resilient economy.

**Infrastructure Services Disaster Recovery Operations
Major Projects Summary – April 2025**



2024 DRFA – Tropical cyclone Jasper, associated rainfall and flooding, 13 – 28 December 2023

T-MS2024-10 Jarawee Road Stabilisation



Project Manager:

ARO Industries Pty Ltd

Contractor:

Civform Pty Ltd (design & construct)

Status:

Works ongoing

Mareeba Shire Council (MSC) engaged ARO Industries Pty Ltd (ARO) for the provision of engineering design and project management services for remediation works at the culvert failure on Jarawee Road, Kuranda. The culvert was damaged as a result of the Tropical cyclone Jasper, associated rainfall and flooding, 13 – 28 December 2023 weather event.

As a result of an alternative tender, Civform was engaged for the design and construction of a reinforced concrete bridge with pedestrian lane in lieu of a culvert structure. Construction commenced September 2024 and is ongoing.

MSC was granted funding through the Queensland Reconstruction Authority (QRA) to undertake construction of the bridge.

Major updates for the month include:

- 1) Abutment A complete.
- 2) Abutment B works progressing.

**Infrastructure Services Disaster Recovery Operations
Major Projects Summary – April 2025**



T-MS2023-15 Emerald End Culvert Construction



Project Manager/Designer: ARO Industries Pty Ltd/Trinity Engineering and Consulting Pty Ltd
Contractor: Terra Novus Pty Ltd
Status: **Works ongoing**

Mareeba Shire Council (MSC) engaged Trinity Engineering and Consulting Pty Ltd (TEC) for engineering design and ARO Industries Pty Ltd (ARO) for project management services for the construction of a RCBC structure across Cobra Creek on Emerald End Road, Mareeba. The existing crossing was damaged as a result of the Tropical Cyclone Jasper, associated rainfall and flooding, 12 – 28 December 2025 weather event.

MSC was granted funding through the Queensland Reconstruction Authority (QRA) to undertake construction of the causeway.

Terra Novus Pty Ltd is engaged to deliver the works. Construction is currently for completion June 2025.

Major updates for the month include:

- 1) Upstream concrete works complete
- 2) Upstream batter protection complete.
- 3) Road pavement works ongoing.

**Infrastructure Services Disaster Recovery Operations
Major Projects Summary – April 2025**



T-MSC2023-16 Carman Road Culvert Construction



Project Manager/Designer: ARO Industries Pty Ltd/Trinity Engineering and Consulting Pty Ltd
Contractor: Terra Novus Pty Ltd
Status: **Works ongoing**

Mareeba Shire Council (MSC) engaged Trinity Engineering and Consulting Pty Ltd (TEC) for engineering design and ARO Industries Pty Ltd (ARO) for project management services for the construction of a causeway on Carman Road. The existing crossing was damaged as a result of the Tropical Cyclone Jasper, associated rainfall and flooding, 12 – 28 December 2025 weather event.

MSC was granted funding through the Queensland Reconstruction Authority (QRA) to undertake construction of the causeway.

Terra Novus Pty Ltd is engaged to deliver the works and is scheduled to be completed June 2025.

Major updates for the month include:

- 1) Base slab and aprons poured.
- 2) Culvert placement underway.

9.5 TENDER AWARD - T-MSC2025-08 DRFA WATER AND WASTE PROGRAM MANAGEMENT SERVICES

Date Prepared: 9 May 2025

Author: Manager Disaster Recovery

Attachments: Nil

EXECUTIVE SUMMARY

The purpose of this report is to inform Council of the assessment of tender submissions for T-MSC2025-08 DRFA Water and Waste Program Management and provide recommendation on award of the tender.

RECOMMENDATION

That Council awards the contract for T-MSC2025-08 DRFA Water and Waste Program Management to ARO Industries Pty Ltd for the value of \$352,400.00 (excl. GST).

BACKGROUND

The Disaster Recovery Funding Arrangements (DRFA) is joint Commonwealth and State government funding, providing financial assistance to help communities recover from eligible disasters. The Queensland Reconstruction Authority (QRA) manages the DRFA in Queensland, working with local councils and delivery agencies to restore infrastructure damaged by natural disasters.

Mareeba Shire Council is eligible for a Water and Sewerage Infrastructure Package, available to eligible local government areas in Queensland impacted by the Tropical Cyclone Jasper, associated rainfall and flooding, 13 - 28 December 2023. It is jointly funded by the Australian and Queensland Governments.

The objectives of the Water and Sewerage Infrastructure Package are to restore essential water and sewerage infrastructure that was damaged by the event and ensure essential services are delivered to the community, accelerating recovery and relieving distress.

Council has undertaken a competitive tender process to source project management services for the delivery of DRFA funded water and sewer projects, once approval is received from QRA for contractors to be engaged. The engagement is to provide Council with the following services:

- 1) Hold a prestart meeting for each project. Provide agenda and minutes for the meeting.
- 2) Assess suitability of required documentation prior to possession of site and issue correspondence once conditions are satisfied.
- 3) Assess, provide advice and issue documentation associated with claims made under the contract including but not limited to variations, delays and latent conditions.
- 4) Assess Contractor monthly progress claims and provide documentation in format nominated by the Principal.

- 5) Carry out construction supervision services to ensure scope and quality outcomes are achieved, including sign off-of inspection and test plans and other quality checks as required by the relevant construction contract.
- 6) Ensure contractors and other persons engaged to carry out work are carrying out that work in compliance with all applicable laws, including WHS legislation and codes of practice relating to WHS and environmental legislation.
- 7) Provide advice to the Principal on the risk profile and exposure of the program of works.
- 8) Program management performance reporting including budget forecasting, program progress, risks, issues, and any other relevant information to assist the Principal with reporting.
- 9) Liaise with the Principals designer for all engineering queries relating to the Construction Issue documentation.

The engagement is to be completed on a time basis (hourly rates). These are monitored throughout the delivery to ensure they align to budgets. The costs provided by respondents are based on an estimate of hours required to deliver the contracts.

The following consultants were invited to submit a tender for the works:

- 1) ARO Industries Pty Ltd
- 2) Jacobs Group (Australia) Pty Ltd
- 3) Copelin Civil Project Management Services

TENDERS RECEIVED

Council invited tenders from the beforementioned consultants through 'VendorPanel' on 7 March 2025. Tenders closed 11:00am, on Tuesday, 20 March 2025, with two (2) submissions received.

A summary of the tender prices at opening is provided below.

Tenderer	Price (excl GST)
ARO Industries Pty Ltd	\$352,400.00
Jacobs Group (Australia) Pty Ltd	\$259,028.00*

**Cost estimate for less than requested hours provided in lieu of requested format; rates provided utilised for the purpose of assessment.*

TENDER ASSESSMENT

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

Criteria	Criteria Weighting (%)
Relevant skills and experience	15%
Demonstrated Understanding	25%
Key Personnel	10%
Local Content	10%
Value for Money	40%

Each submission assessed, was evaluated and scored against the criteria, with the criteria scores then weighted to provide a total weighted score for each submission. Additionally, each has been

assessed for conformance, compliance and discrepancies, against the requested response schedules.

Inclusions/exclusions and departures provided by respondents were taken into consideration during the assessment of tenders.

Jacobs provided various departures from the conditions of contract were not able to be accepted by Council and Jacobs' offer was removed from assessment.

SUMMARY

A summary of the Tender assessment and evaluation against conformance, price and non-price criteria, resulted in the ranking of submissions displayed below.

Tenderer	Non-Price (%)	Price (%)	Total Score (%)	Ranking
ARO Industries Pty Ltd	57.0	40.0	97.0	1
Jacobs Group (Australia) Pty Ltd	NA	NA	NA	NA

RISK IMPLICATIONS

Financial

Funding of this engagement is to be reimbursed under the DRFA Water and Sewerage Infrastructure Package. The package is jointly funded by the Australian and Queensland Governments to support Queensland communities in their recovery from the Tropical Cyclone Jasper, associated rainfall and flooding, 13 - 28 December 2023 event.

Based on the funding guidelines received by Council, funding under this program is capped, and the cost of the engagement will be monitored throughout delivery.

Funding approval has not been granted by QRA at the time of writing of this report. Tender documentation stated that the consultant is to not accrue any costs in relation to the engagement until directed to commence works by Council. This will ensure that no costs are accrued until Council is eligible for reimbursement.

Infrastructure and Assets

The engagement will be superintendent services for the delivery of the Lloyd Street Sewer Reconstruction Project and the Kuranda Water Treatment Plant Infrastructure Project(s), subject to QRA approval.

Legal and Compliance

Tenders were sought in-line with Council's Procurement Policy.

FINANCIAL AND RESOURCE IMPLICATIONS

Capital

Nil. All eligible costs are able to be sought for reimbursement through DRFA.

Operating

Nil. All eligible costs are able to be sought for reimbursement through DRFA.

LINK TO CORPORATE PLAN

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Economy and Growth: Promote and encourage investment in local industry to build a resilient economy.

IMPLEMENTATION/COMMUNICATION

Application has been made to the QRA for project funding and tenderers will be kept informed of the approval status as required.

9.6 INFRASTRUCTURE SERVICES, TECHNICAL SERVICES OPERATIONS REPORT - APRIL 2025**Date Prepared:** 17 April 2025**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 April 2025.

RECOMMENDATION

That Council receives the Infrastructure Services, Technical Services Operations Report for April 2025.

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

Investigation activities undertaken in April included:

Activity	Current Requests	Closed Requests
Road Infrastructure Review	72	45
Drainage Investigations	46	14
NHVR Permit Applications	0	17
Traffic Count Surveys	0	0
Parks Investigations	4	2
Aerodromes	0	1
Miscellaneous e.g. Planning; Local Laws	21	23
Before You Dig Requests	0	58

Soil Laboratory:

Council's Soil Laboratory provides NATA-accredited soil and material testing for internal and external services. The laboratory delivered 174 tests in April, with the majority being for external clients.

GIS:

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.

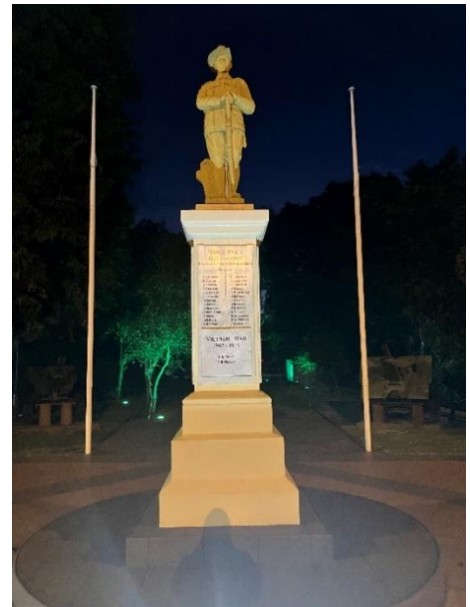
Operational Works and Subdivisions:

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	On-Maintenance
Mareeba	Emerald End Road and Country Road – Stage 3	On-Maintenance
Mareeba	Emerald End Road and Country Road – Stage 4	Under Construction
Mareeba	The Rise: Catherine Atherton Dr – Stage 3 (Drainage)	On-Maintenance
Mareeba	Amaroo Stage 13a (Drainage)	On-Maintenance
Mareeba	Amaroo Stage 13b	On-Maintenance
Mareeba	Prestige Gardens Stage 5-6	On-Maintenance
Mareeba	Mareeba Roadhouse & Accommodation Park, Williams Close	On-Maintenance - Monitoring
Mareeba	7 Kenneally Road	On-Maintenance
Mareeba	9 Kenneally Road	Under Construction
Mareeba	McIver Road, St Stephen's College	Under Construction
Kuranda	2-6 Black Mountain Road	Under Construction
Kuranda	Jum Rum Rainforest Estate Stage 2, Fallon Road	Under construction
Kuranda	Myola Heights – Christensen Road	On-Maintenance

Facilities

Facility	Works completed
Anzac Park, Mareeba	Repaired and replaced the lighting in preparation for ANZAC Day.
Dimbulah Depot Amenities	Upgrade the hot water system .
Coondoo Street Shelters	Performed roof cleaning and conducted general maintenance tasks.
Davies Park, Netball Toilet Block	Apply epoxy to the flooring.



Anzac Park, Mareeba – Lighting



Davies Park Netball Toilet Block floors



Coondoo Street Shelters – before



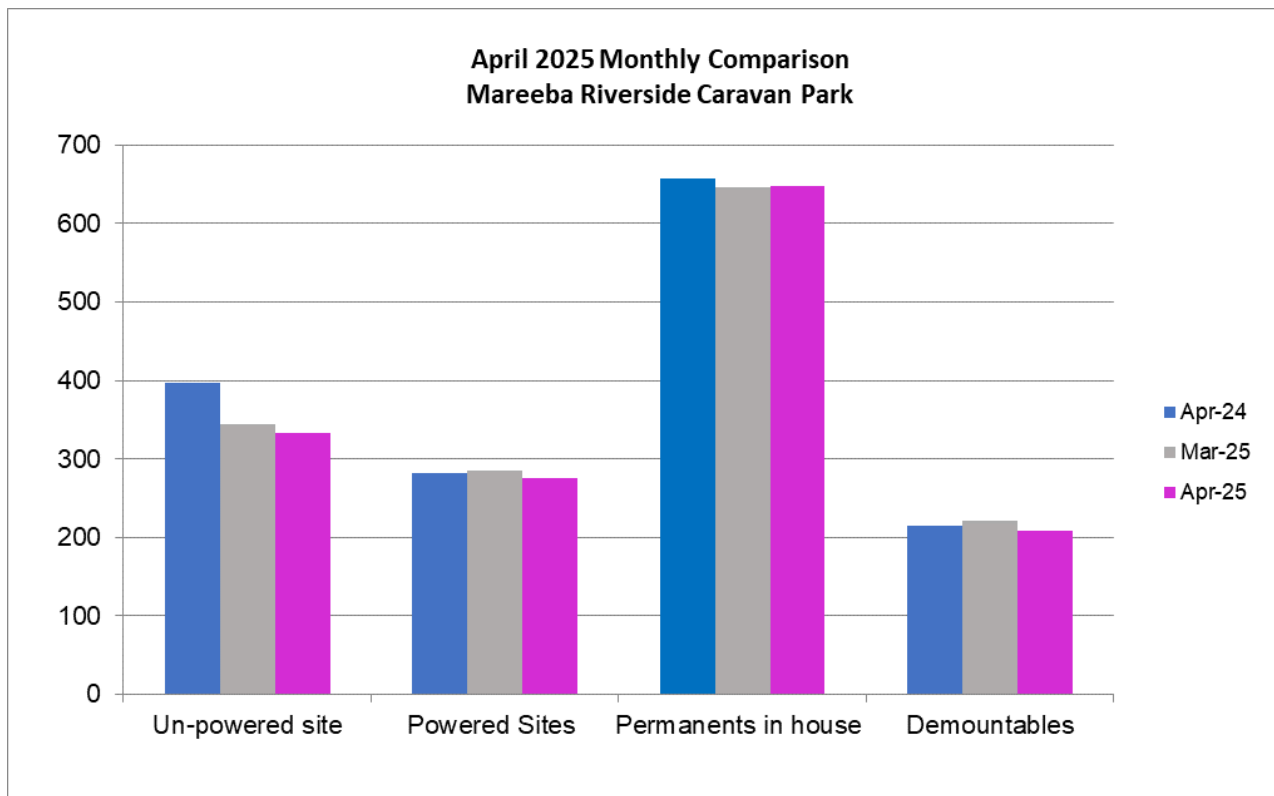
Coondoo Street Shelters - after

Preventative Maintenance

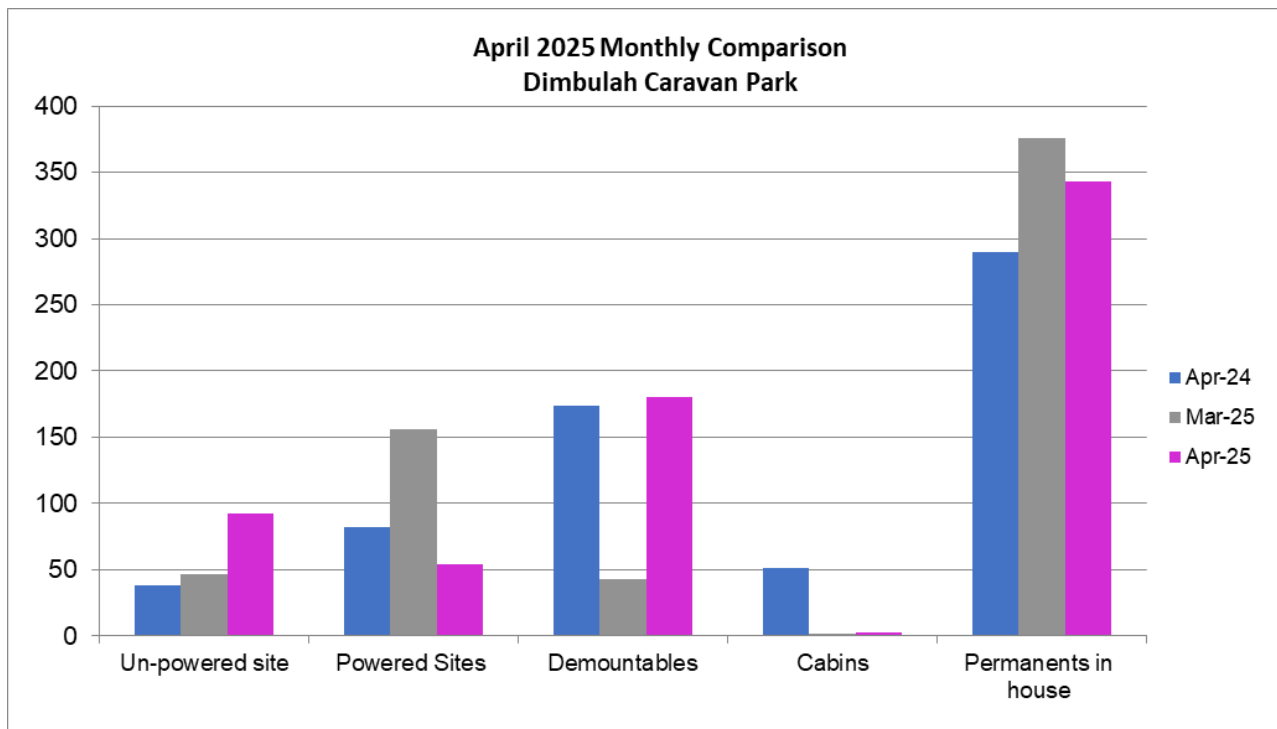
- The maintenance of air conditioning units has been finalized for all buildings.
- The RCD and tagging tests have been successfully completed on the council buildings.

Caravan Parks:

Mareeba Riverside Caravan Park utilisation for has generally remained stable.

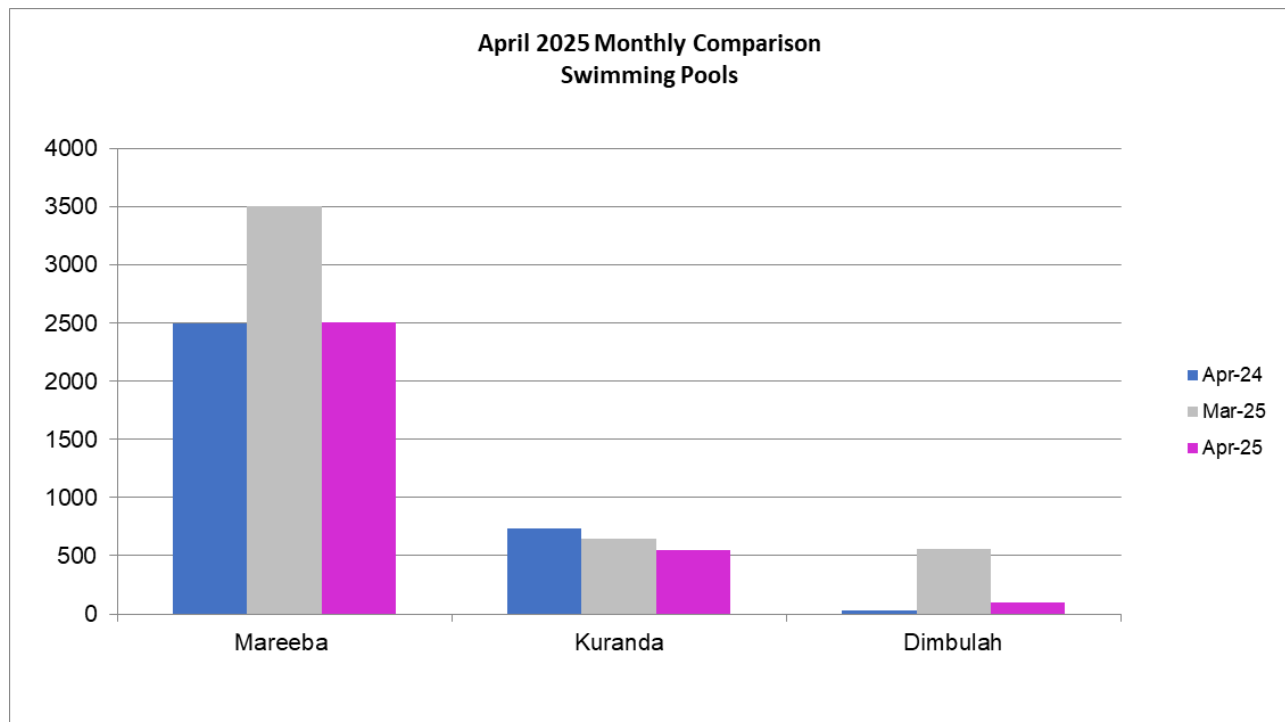


Dimbulah Caravan Park overall user numbers have generally remained stable against previous year's numbers.



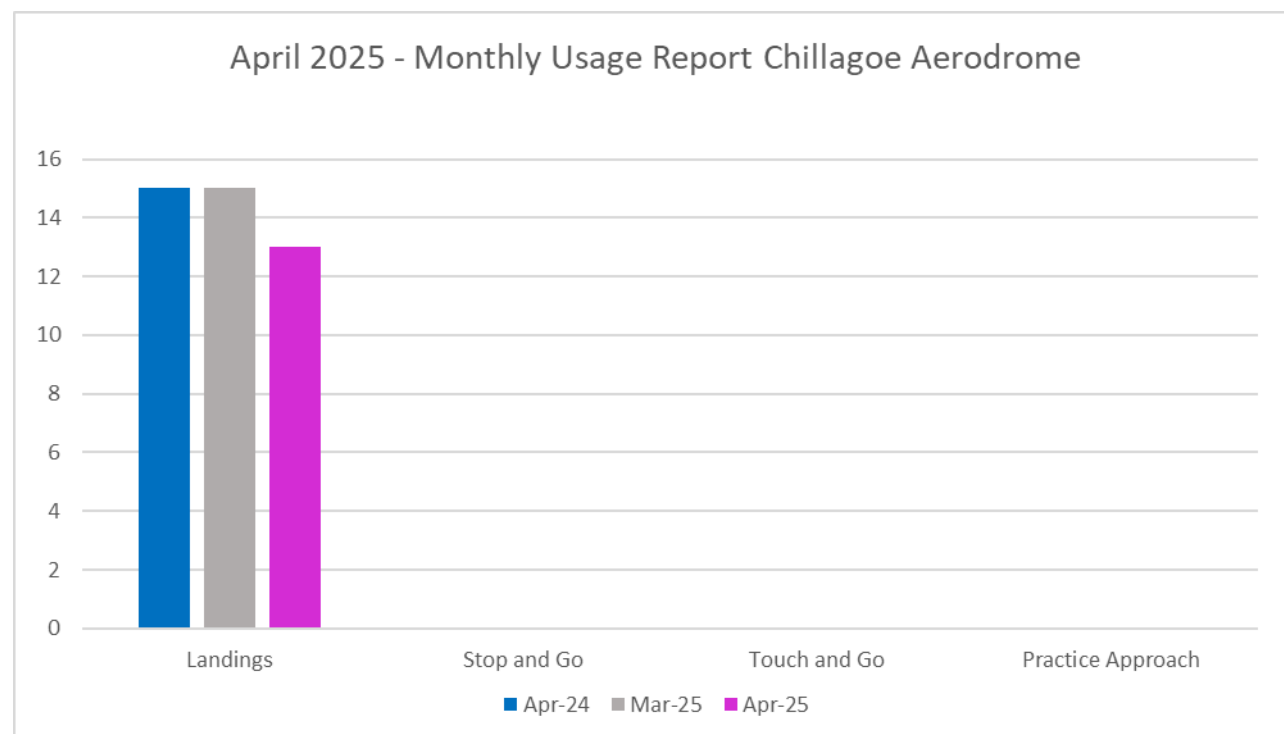
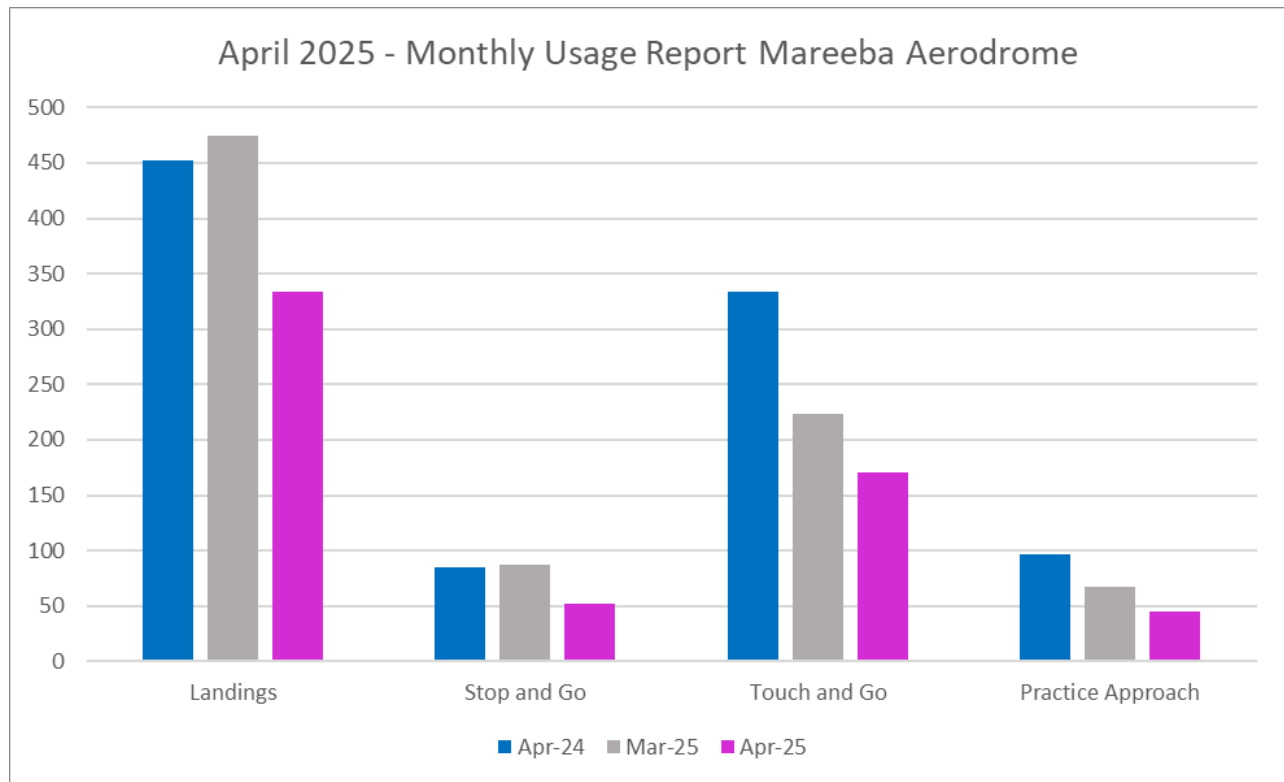
Aquatic Centres

Attendance has seen a reduction across all facilities, which is expected as winter months approach.



Aerodromes:

The data recorded below is current for the month of April, 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.



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Economy and Growth: Promote and encourage investment in local industry to build a resilient economy.

IMPLEMENTATION/COMMUNICATION

Nil

9.7 TECHNICAL SERVICES FEES AND CHARGES 2025/2026

Date Prepared: 9 May 2025

Author: Manager Technical Services

Attachments:

1. Advertising Signage - Fees and Charges 2025/2026 [↓](#)
2. Aerodromes - Fees and Charges 2025/2026 [↓](#)
3. Gates & Grids - Fees and Charges 2025/2026 [↓](#)
4. Rural Addressing - Fees and Charges 2025/2026 [↓](#)

EXECUTIVE SUMMARY

This report details the proposed Advertising Signage, Aerodrome, Gates & Grids and Rural Addressing fees and charges for 2025/2026.

RECOMMENDATION

That Council adopts the Technical Services 2025/2026 fees and charges schedules for Advertising Signage, Aerodromes, Gates & Grids and Rural Addressing.

BACKGROUND

Council, as part of its budgetary process and under the legislation of the Local Government Act, is required to adopt a Schedule of Fees and Charges.

Section 97 of *Local Government Act 2009* prescribes the circumstances where a Local Government may set a cost-recovery fee. This section also prescribes that a cost-recovery fee must not be more than the cost to the local government of taking the action for which the fee is charged.

Costs for services are reviewed annually. The fees and charges have been recommended on either full cost recovery, discounted community service obligation by direction of Council or based on a set percentage increase on the previous financial year.

RISK IMPLICATIONS

Nil

LEGAL/COMPLIANCE/POLICY IMPLICATIONS

Council must be able to demonstrate that the cost recovery fees are no more than the cost of providing the service. Council may set a fee that is lower than the calculated cost where it is deemed appropriate.

FINANCIAL AND RESOURCE IMPLICATIONS***Capital***

Nil

Operating

Nil

LINK TO CORPORATE PLAN

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Economy and Growth: Promote and encourage investment in local industry to build a resilient economy.

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.

Name	Cost Recovery	Unit	Year 25/26 Fee (incl. GST if applic.)	Legislation
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Mareeba Shire Council

Council as part of its budgetary process and under the legislation of the Local Government Act is required to adopt a Schedule of Fees and Charges each year.

Section 97 of Local Government Act 2009 prescribes the circumstances where a Local Government may set a cost-recovery fee. This section also prescribes that a cost-recovery fee must not be more than the cost to the local government of taking the action for which the fee is charged. Costs for services are reviewed annually, with the full cost recovery model applied wherever possible. The cost recovery fees represent the cost recovery fees set by Council at the date of the budget resolution. Council may alter any of the cost recovery fees in this booklet by resolution at any time prior to the next budget resolution. The cost recovery fees in this resolution have been set by reference to specified exemptions from GST determined by the Federal Government under Division 81 of the GST legislation. Council reserves the right to alter the GST status of any cost recovery fee in accordance with any changes made to the Division 81 list. All cost-recovery fees detailed are fixed in accordance with relevant State Government legislation, Council's Local Laws and Council policies.

Advertising Signage

Applies to Mareeba Industrial Estate (MIP) and Mareeba Airport Aviation Industrial Park.

Supply of Blank Sign Panel (one-off fee)	N/A	application	\$67.00	
One (1) year rental on signage space	N/A	application	\$67.00	
Removal of a sign panel by a Council-authorized contractor	N/A	occurrence	\$245.00	
Bond payable for new applications for sign panel	N/A	application	\$300.00	

Name	Cost Recovery	Unit	Year 25/26 Fee (incl. GST if applic.)	Legislation
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Mareeba Shire Council

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Aerodromes

Administration

Mareeba and Chillagoe

Airside Access Permit Application - Person	N/A	5 year permit	\$50.00	
Airside Access Permit Application - Vehicle	N/A	5 year permit	\$25.00	
Airside Access - Provision of Key	N/A	key	\$20.00	
Airside Access - Replacement Key	N/A	key	\$150.00	
Aerodrome Reporting Officer call-out Fee		call-out	\$250.00	

Landing Fees

Annual (Mareeba Only) - Flight Training Only

Annualised landing fees at Mareeba Airport for aircraft under 2,000kg	N/A	annum	\$2,320.00	
Annualised landing fees at Mareeba Airport for aircraft between 2,000kg and 5,700kg	N/A	annum	\$4,535.00	
Annualised landing fees at Mareeba Airport for aircraft between 5,700kg and 7,500kg	N/A	annum	\$6,700.00	

Per Landing (Mareeba and Chillagoe)

Repetitive operations charged at one landing per hour (where an aircraft makes more than one landing per hour)

Fixed Wing Aircraft and Helicopters (MTOW – maximum take-off weight less than 2,000kg)	N/A	tonne per landing	\$7.75	
Fixed Wing Aircraft (MTOW – maximum take-off weight 2,000kg to 5,700kg)	N/A	tonne per landing	\$13.00	
Helicopters (MTOW – maximum take-off weight 2,000kg to 5,700kg)	N/A	tonne per landing	\$11.00	
Fixed Wing Aircraft and Helicopters (MTOW – maximum take-off weight greater than 5,700kg)	N/A	tonne per landing	\$21.00	

Parking

Grassed Areas Parking

Mareeba Parking less than 5,700kg	N/A	day	\$3.35	
Mareeba Parking of aircraft 5,700kg and above	N/A	day or part thereof	\$36.00	

continued on next page ...

Page 2 of 3

Name	Cost Recovery	Unit	Year 25/26 Fee (incl. GST if applic.)	Legislation
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Grassed Areas Parking [continued]

Mareeba Parking – per year less than 5,700kg	N/A	year	\$515.00	
On application to be paid in advance for 12 month period direct to MSC				

Hardstand Parking

Mareeba Parking less than 5,700kg	N/A	day	\$4.65	
Mareeba Parking of aircraft 5,700kg and above	N/A	day or part thereof	\$41.00	
Mareeba Parking – per year less than 5,700kg	N/A	year	\$721.00	
On application to be paid in advance for 12 month period direct to MSC				

Repairs

Mareeba and Chillagoe

Repair of Damage to Airfield Infrastructure	N/A		TBA	
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Name	Cost Recovery	Unit	Year 25/26 Fee (incl. GST if applic.)	Legislation
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Mareeba Shire Council

Council as part of its budgetary process and under the legislation of the Local Government Act is required to adopt a Schedule of Fees and Charges each year.

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Gates and Grids

Application for approval	N/A	application	\$380.00	LL1 s8 LGA2009 s97(2)(a)
Application for renewal of approval	N/A	permit	\$55.00	LL1 s14 LGA2009 s97(2)(a)
Renewal of approval (Minimum of 5)	N/A	property	\$275.00	LL1 s14 LGA2009 s97(2)(a)
Fee for re-inspection	N/A	inspection	\$220.00	LL1 s8 LGA2009 s97(2)(a)
Transfer of Gate/Grid (change of ownership)	N/A	application	\$55.00	LL1 s15 LGA2009 s97(2)(a)

Name	Cost Recovery	Unit	Year 25/26 Fee (incl. GST if applic.)	Legislation
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Mareeba Shire Council

Council as part of its budgetary process and under the legislation of the Local Government Act is required to adopt a Schedule of Fees and Charges each year.

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Rural Addressing

New Rural Address	(a)	application	\$360.00	
Replacement Rural Address	(a)	application	\$300.00	
Replacement Number	N/A	each	\$4.75	
Replacement Number Sleeve	N/A	each	\$37.00	
Replacement Post	N/A	each	\$30.00	

9.8 INFRASTRUCTURE SERVICES, WATER AND WASTE OPERATIONS REPORT - APRIL 2025**Date Prepared:** 17 April 2025**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 April 2025.

RECOMMENDATION

That Council receives the Infrastructure Services, Water and Waste Operations Report for April 2025.

BACKGROUND**Water and Wastewater Treatment:**

All treatment plants are generally performing satisfactorily. Interim measures are in place to address damage to Kuranda Water Treatment Plant intake infrastructure which resulted from Cyclone Jasper and ongoing rain.

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)	6791	940	222	308	109
Number of Connections	4141	1053	127	246	111
Average daily water consumption per connection (L)	1640	893	1751	1251	984

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

Wastewater Treatment	Mareeba	Kuranda
Wastewater Plant average daily treatment (kL)	4928	177
Number of Connections	3519	356
Average daily inflow per connection (L)	1400	498

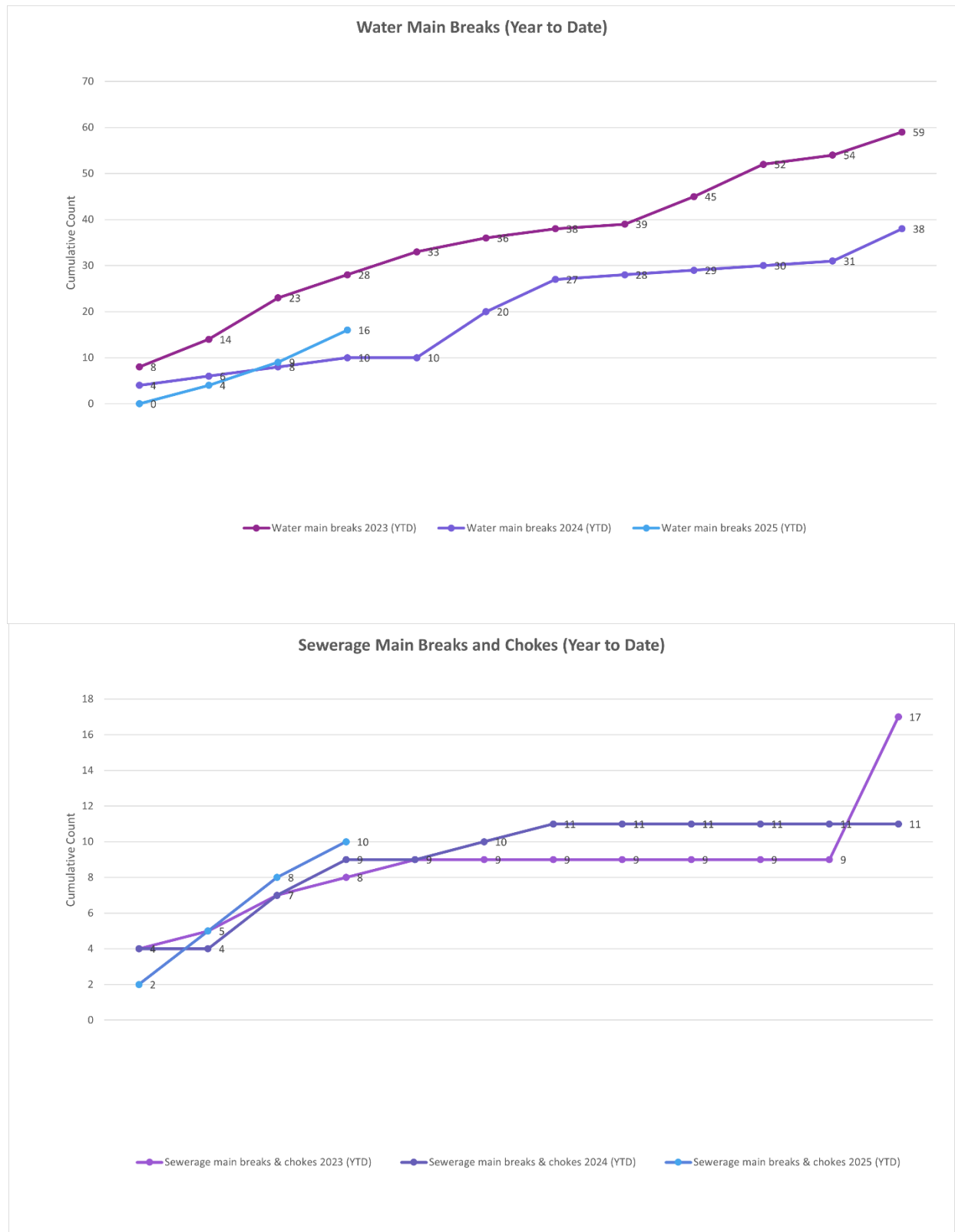
Water and Wastewater Reticulation:

Council's water reticulation crew attended one (6) water main breaks and two (2) sewer main breaks/chokes this month, and average response times were within targets set out in Council's customer service standard for water services.

The temporary solution to address the blockage of the Lloyd Street sewer in Mareeba continues to operate to mitigate wastewater discharges to the Barron River. Tender has been issued for the project works on a long-term solution. The various regulators are satisfied with Council's response

to the incident which is now closed out and they have advised that no regulatory action against Council will be taken.

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



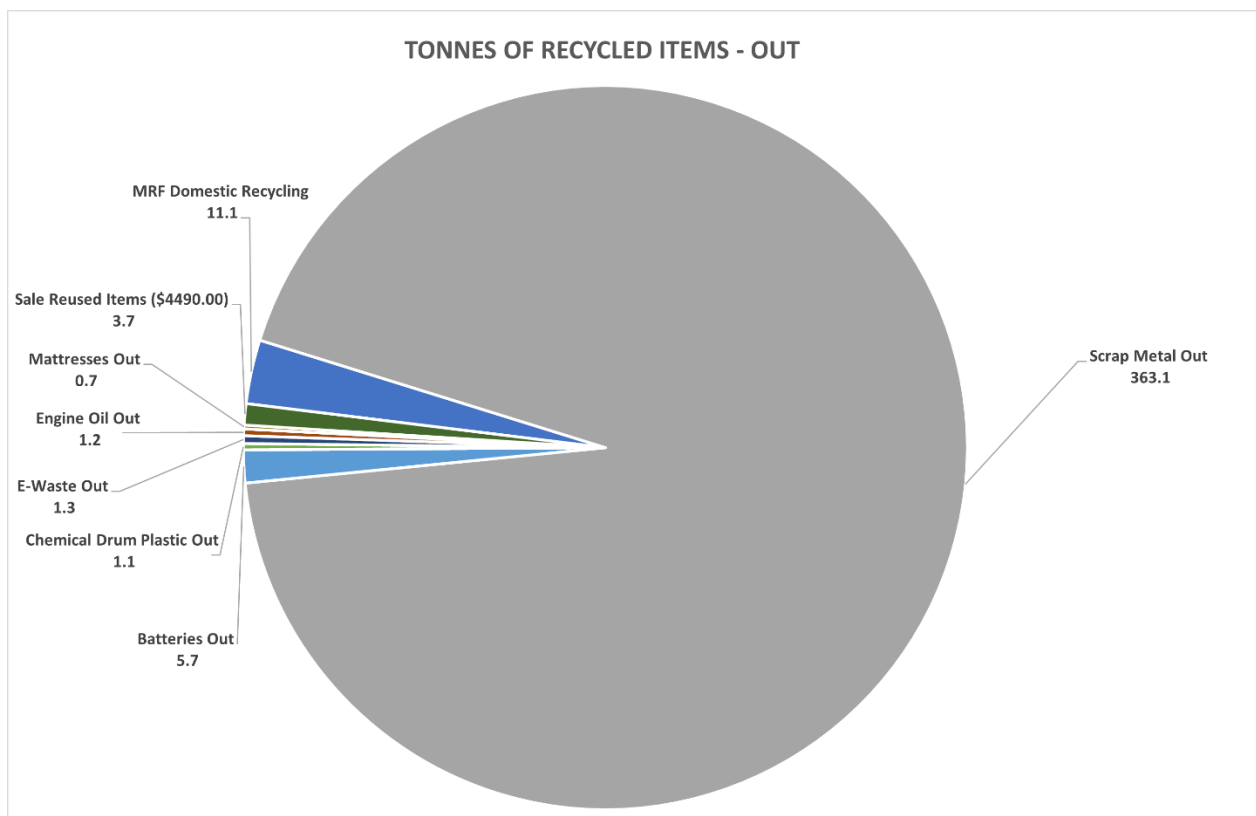
Waste Operations:

Under normal conditions, 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.

On 23 January 2025, a fire started on the tipping floor of the ARRF in Cairns, resulting in Veolia being unable to process waste material in accordance with Contract 1396.

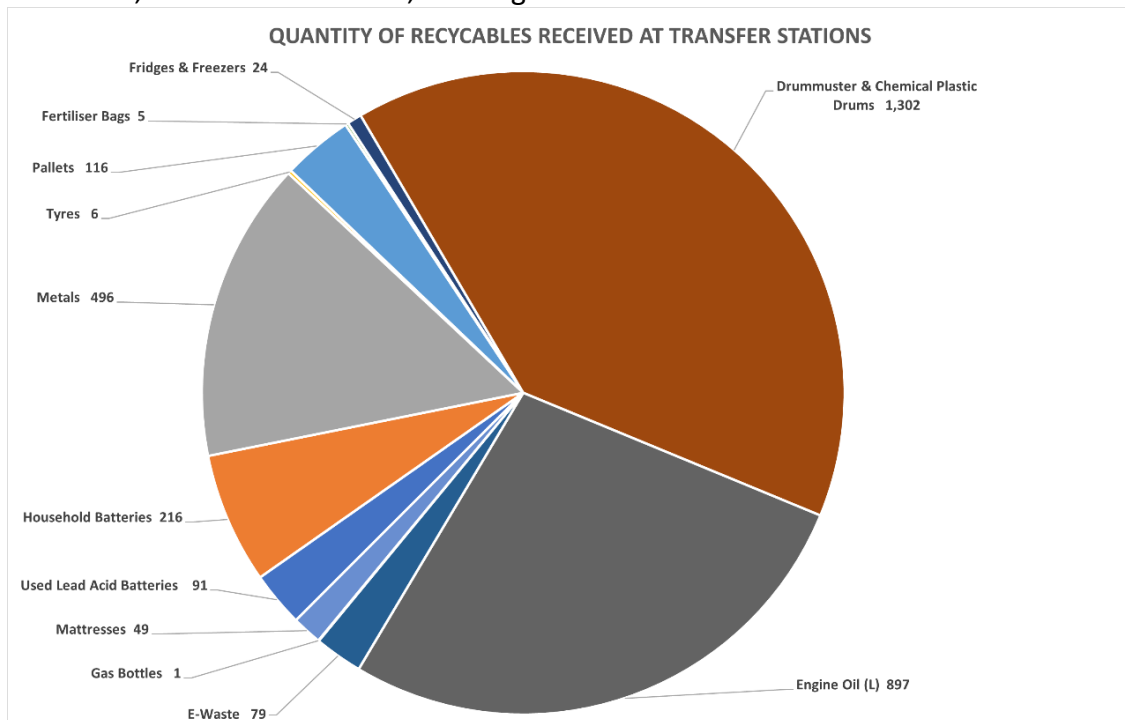
During April, all waste collected in kerbside trucks has been transported directly to Springmount Waste Facility rather than being sent down to Cairns for processing. A long-term arrangement is currently being negotiated.

During April, no waste was processed through the ARRF, 730.88 tonnes of waste was sent to Springmount Waste Facility and 11.1 tonnes of domestic items were recycled at the MRF.



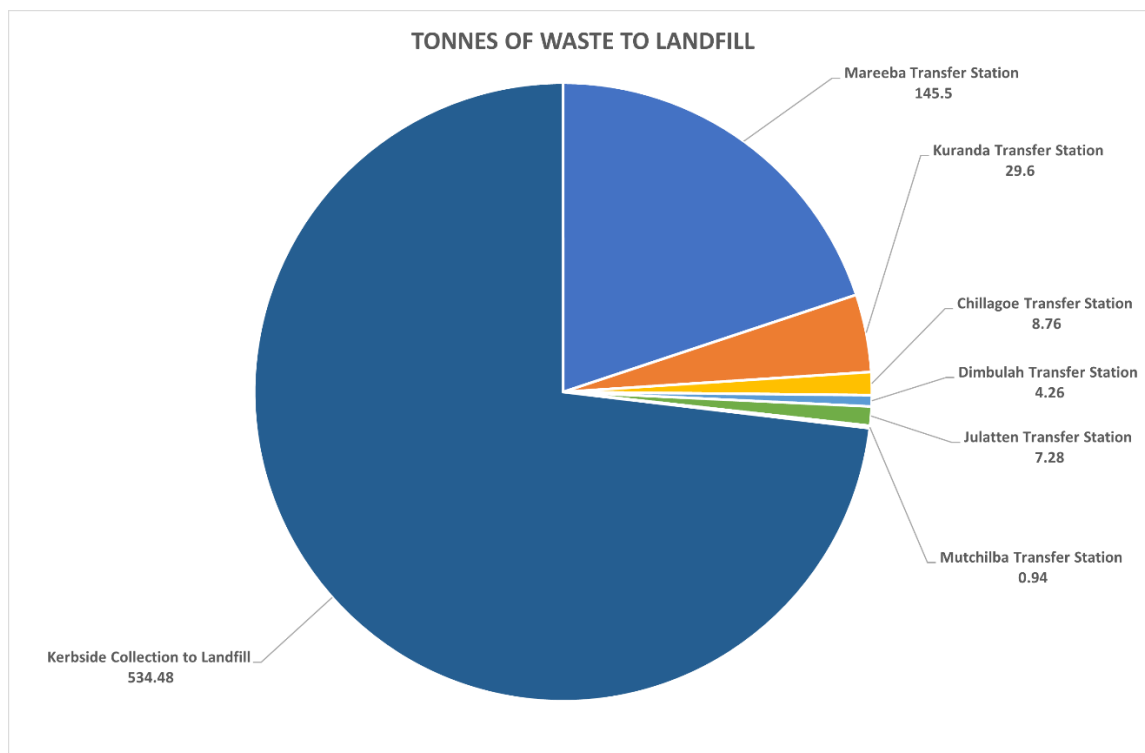
Recycling

Residents continue to recycle at the Transfer Stations. During April the highest count of recyclable received were 1,302 Chemical drums, 897 Engine oil and 496 Metals.



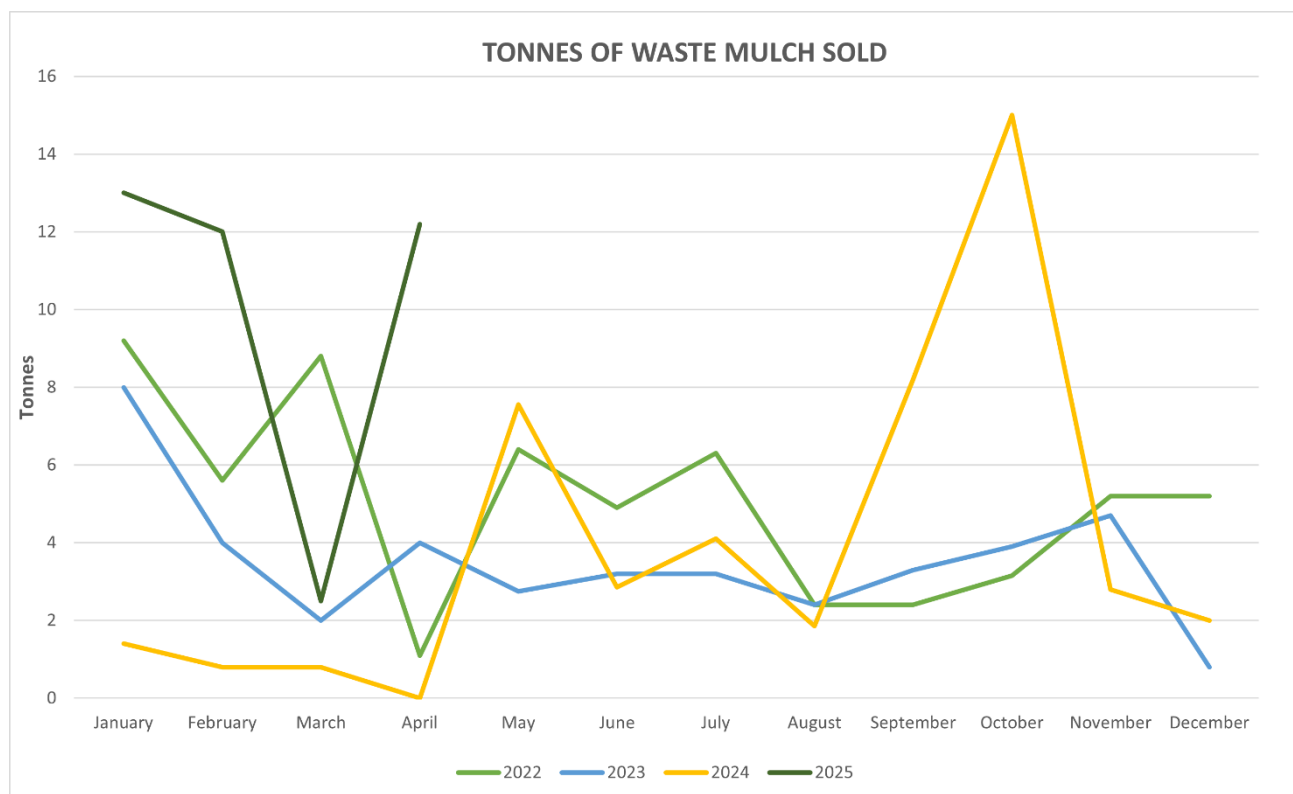
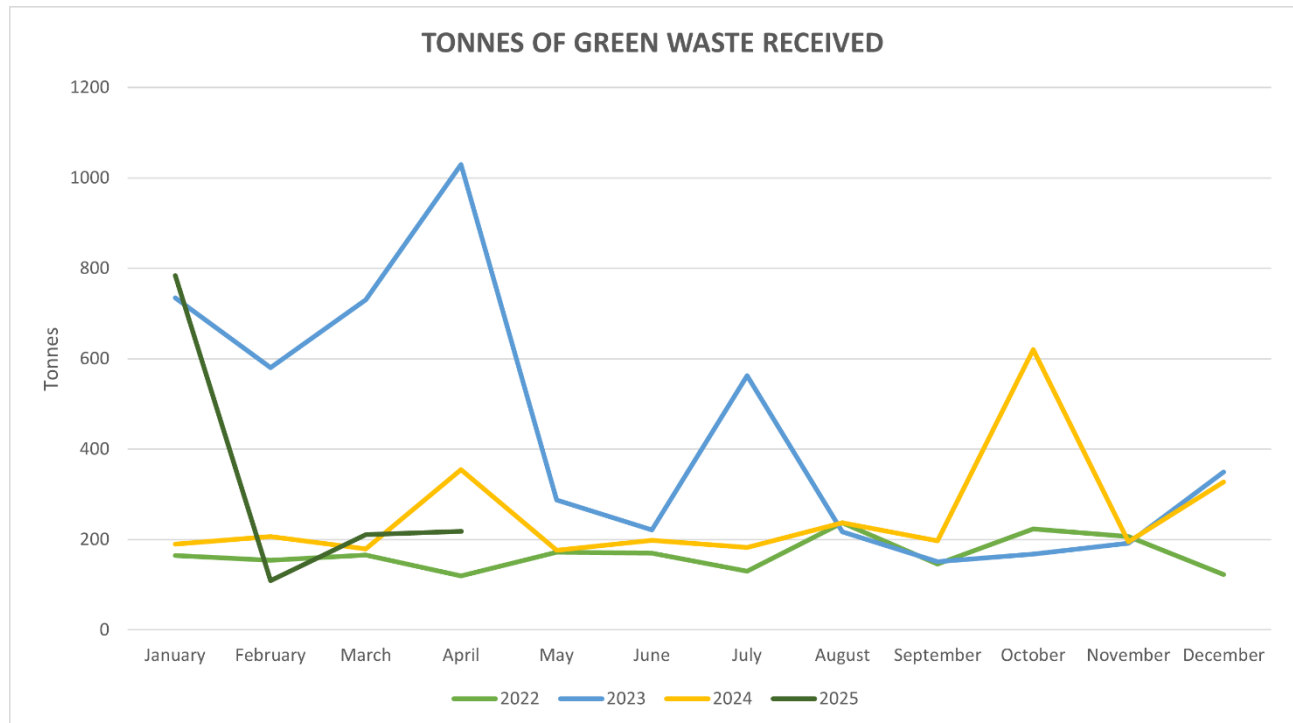
Kerbside Collection Waste and Transfer Station Waste

Kerbside collection waste and Transfer Station dry waste is transported off site to the Springmount Waste Facility. During April a total of 730.88 tonnes of waste was sent to landfill from transfer station dry waste and kerbside collection waste. Kerbside collection contributed 534.48 tonnes to landfill, Mareeba Transfer Station contributed to 145.5 tonnes, and Kuranda 29.6 tonnes.



Green Waste:

During April, Council received a total of 217.89 tonnes of green waste. 12.20 tonnes of mulch was sold. Kuranda recorded 6.09 tonnes of green waste from locations registered as being potentially contaminated with Electric Ants.



RISK IMPLICATIONS**Environmental**

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

LEGAL/COMPLIANCE/POLICY IMPLICATIONS

Nil

FINANCIAL AND RESOURCE IMPLICATIONS***Capital***

Nil

Operating

Nil

LINK TO CORPORATE PLAN

Financial Sustainability and Governance: A financially sustainable council that applies strategic decision making and good governance to deliver cost-effective services.

Transport and Infrastructure: The provision of quality infrastructure to service our growing community using sound asset management principles.

Economy and Growth: Promote and encourage investment in local industry to build a resilient economy.

IMPLEMENTATION/COMMUNICATION

Nil

9.9 INFRASTRUCTURE SERVICES, WORKS SECTION ACTIVITY REPORT - APRIL 2025**Date Prepared:** 9 May 2025**Author:** Manager Works**Attachments:** Nil**EXECUTIVE SUMMARY**

The purpose of this report is to summarise Council's Transport Infrastructure, Parks and Open Spaces, TMR Routine Maintenance Performance Contract (RMPC) and Land Protection operational activities undertaken by Infrastructure Services during the month of April 2025.

RECOMMENDATION

That Council receives the Infrastructure Services, Works Progress Report for the month of April 2025.

BACKGROUND

A summary of works completed in April 2025 is provided below.

Transport InfrastructureGeneral Maintenance

The major maintenance activities carried out in April are listed below;

Activity	Location
Unsealed Road Grading	Armstrong Road, Austin Road, Bischoff Mill Road, Black Mountain Road, Black Mountain Road, Julatten, Bump Track, Eichblatt Road, James Street, Watsonville, Jeffrey Road, Jessie Street, Lockyer Lane, Mt Mulligan Road, Ootann Road, Pashen Road, Riley Road, Sandridge Road, Shiffron Road, Toy Creek Road, Walsh River Road, West Bischoff Mill Road, Wetherby Road, Zaicz Road
Bitumen Patching	Bilwon, Julatten, Mareeba
Emergent Works	Mt Mulgrave, Mt Molloy
Tree Clearing	Julatten
Herbicide Spraying - Area	Dimbulah, Eureka, Wolfram, Mt Molloy, Mareeba, Paddy's Green, Arriga, Chillagoe, Bibbohra
Slashing - Area	Dimbulah, Mutchilba, Koah, Speewah, Julatten, Mt Molloy, Wolfram, Mareeba
Road Signage	Black Mountain Road Kuranda, Ericson Road, Frew Street, Kennedy Street, Linedale Road, Mary Jane Drive, Mutchilba Road, Narcotic Creek Road, Pin Road, Quinn Road, Raleigh Street
Illegal Dumping	Algoma Road, Leadingham Creek Road, Wolfram Road

Customer Requests

During April, the Works Group received 124 Customer Requests (CRs) with 223 resolved (resolved requests include those received prior to March 2025). The table below shows the number of requests lodged per Works Section for the month.

Month	Roads	Parks and Gardens	Pest Management
April	94	28	2

At the time of reporting, the Works Group had 120 open requests.

2025 DRFA Emergent Works

Mareeba Shire Council received advice from the Queensland Reconstruction Authority (QRA) that Disaster Recovery Funding Arrangements (DRFA) has been activated for the North and Far North Tropical Low 29 January – 28 February 2025 event.

The 90 day emergent period concluded on 28 April, 2025. Several areas in the western parts of the shire have obtained emergent works extension of time due to limited access during the original emergent works period.

A total of 107 roads across the shire were affected by the event.

TMR Routine Maintenance Performance Contract (RMPC)**32A - Kennedy Highway (Cairns - Mareeba)**

- Rest Area Servicing - Edmund Kennedy Bridge

34A - Mulligan Highway (Mareeba - Mt Molloy)

- Removal of all wet season warning signs
- Rural slashing two (2) cut width - Brady Road to Mt Molloy
- Pothole patching at various locations

34B - Mulligan Highway (Mt Molloy - Lakeland)

- Rest Area servicing at Rifle Creek
- Roadside litter collection - Rifle Creek and Mt Carbine Truck Stop
- Rural slashing Rifle Creek to Desailly Range
- Pothole patching at various locations
- Supply only- 2 x Spear Creek and 1 x Holmes Creek signs
- Cut and poison suckers/regrowth in cuttings along length of road
- Rifle Creek Rest Area - replace stolen showerhead and tap handles

653 – Mossman-Mt Molloy Road

- Rest Area servicing at Hunter Creek
- Roadside litter collection - Hunter Creek, Environ Park and Lyons Park
- Rural slashing Mt Molloy to Mossman - full cut both sides where possible
- Clean up roofing screws that were scattered on road
- Install 2x Bushy Creek and 2x Hunter Creek signage
- Removal of wet season warning signs

6632 - Herberton-Petford Road

- Remove dead tree at Pipe 45
- Emergent Work – Road inspection and photographing existing and completed emergent works
- Emergent Work - Clearing silt from causeways and major road repairs along gravel section of road from Petford to Irvinebank

664 - Mareeba-Dimbulah Road

- Herbicide spraying full length of road
- Pothole patching at various locations

89B - Burke Developmental Road (BDR)

- Herbicide spraying full length of road
- Eureka Creek Rest Area servicing and ground maintenance
- Emergent Work - Clear silt off Little Pump Creek Almaden
- Emergent Work – Road inspection and photographing existing and completed emergent works

Parks and Open Spaces

Description	Comment
Mowing	Mareeba, Dimbulah, Kuranda, Mt Molloy/Julatten, and Chillagoe mowing is on schedule. Vegetation growth is slowing and mowing now roughly every 12 to 15 days.
Playing fields mowing	All playing fields now mowed weekly at 50mm
General maintenance	Herbicide spraying has been done weekly on the areas mowed the week before as the weather permits.
Gurney Crew	Cleaning in Mareeba three (3) hours early morning four (4) days per week. Kuranda streets two (2) hours two (2) days per week. Pressure cleaning of Mt Molloy and Dimbulah tennis courts.
Playgrounds	Safety “D” shackles replaced on “Basket Swing” at Centenary Park Kuranda. One (1) fence panel replaced at Centenary Park Liberty swing in Mareeba.
Projects	Assist Perosa Landscaping with Coondoo Street Planter box upgrades in Kuranda.
Slashing	Northern approaches to Mareeba, Hastie and Emerald End Roads. Commence firebreaks slashing.
Burials	Mareeba Cemetery <ul style="list-style-type: none"> • Four (4) in-ground interments in Lawn Plaque on Beam • One (1) Mausoleum Wall interment • Two (2) in ground interments in Headstone on Beam • One (1) above ground vault interment • Three (3) ash interments in Columbarium Wall

Description	Comment
LOA	Mareeba Cemetery and Pioneer Cemetery maintenance. LOA's now assisting in Dimbulah each Monday and have worked at Dimbulah Cemetery, Barooga Gardens and the Dimbulah Tennis Courts.
Fire Management	Herbicide fire breaks in Mareeba
Events	Anzac Day events shire-wide

Land Protection

Parthenium Weed: Inspections carried out on all sites. All landholders are complying with their biosecurity obligation.

Gamba Grass: Foliar spray Gamba Grass on local roadsides from Mareeba to Dimbulah and Tinaroo Creek/Henry Hannam areas.

TMR works: *Gamba Grass* - Foliar spray on Kennedy Highway to TRC boundary.

Thatch Grass: Land protection staff assisted the Department of Primary Industries (DPI) in the collection and spread of Thatch grass in the MSC area. The department is researching Thatch grass management and control.

Electric ants: Sentinel site surveys at MSC transfer stations, samples sent to DPI for identification and no suspect ants were found.

Feral Pigs: Two (2) pigs trapped in Koah. 1080 baiting carried out for pigs in the Dimbulah area.



Gamba Grass – post treatment

FINANCIAL AND RESOURCE IMPLICATIONS***Operating***

All operational works are funded by the section specific 2024/25 maintenance budgets.

LINK TO CORPORATE PLAN

Financial Sustainability and Governance: A financially sustainable council that applies strategic decision making and good governance to deliver cost-effective services.

Community and Culture: An informed, engaged and resilient community which supports and encourages effective partnerships to deliver better outcomes.

Transport and Infrastructure: The provision of quality infrastructure to service our growing community using sound asset management principles.

Liveability and Environment: Improve the liveability of the Shire by enhancing amenity and valuing natural assets.

Economy and Growth: Promote and encourage investment in local industry to build a resilient economy.

IMPLEMENTATION/COMMUNICATION

Nil

10 OFFICE OF THE CEO

10.1 LTO MANAGEMENT OF KURANDA VISITOR INFORMATION CENTRE

Date Prepared: 9 May 2025

Author: Tourism & Economic Development Officer

Attachments: 1. KVIC Management Agreement [↓](#)

RECOMMENDATION

That Council enters into a one-year management agreement of the Kuranda Visitor Information Centre with Mareeba Shire Tourism Inc Local Tourism Organisation effective from 1 July 2025.

BACKGROUND

This report seeks Council's approval to proceed with a one-year management agreement with Mareeba Shire Tourism Inc Local Tourism Organisation (LTO) for the management of the Kuranda Visitor Information Centre (KVIC). This will give the opportunity to arrange a formal lease. This model is based on the current successful partnership between Council and the Mareeba Heritage Museum and Visitor Information Centre (MHC).

Visitor Information Services are essential for the supply and distribution of information about the Mareeba Shire to visitors both locally and internationally. The Kuranda Visitor Information Centre (KVIC) is a key resource in promoting the Kuranda Village and broader Mareeba Shire destinations.

This proposal seeks to more closely connect post-arrival visitor services with the tourism activities already being delivered by the Mareeba Shire Tourism LTO, thereby enhancing the overall visitor experience and supporting continued growth in the local tourism sector. By trialling the model over a 12-month period, Council can assess operational outcomes and stakeholder satisfaction before entering any longer-term arrangements.

MANAGEMENT AGREEMENT DETAILS

The key components of the proposed arrangement are:

- **One-Year Management Agreement:** A management agreement instrument will be issued to the LTO for the 2025-26 period. This initial term allows Council to test the model and evaluate outcomes.
- **Leasing and Land Management:** Council will use this period to further investigate and finalise leasing arrangements and land management plan requirements associated with the KVIC.
- **Council Responsibilities:** Under the proposed agreement, Council will continue to be responsible for major maintenance and cleaning of the KVIC facility.
- **Funding and Management Fee:** The management fee of \$126,774 p.a. This is based on the current operational cost.

RISK IMPLICATIONS**Financial**

The management fee of \$126,774 proposed is as per Council's direct operating cost for the KVIC in the 2025-26 budget.

Infrastructure and Assets

Council will continue to cover the costs for depreciation, cleaning and major maintenance for the Centre building.

LEGAL/COMPLIANCE/POLICY IMPLICATIONS

As this is a new model for the KVIC, a one-year term is proposed to allow assessment and adjustments if required.

FINANCIAL AND RESOURCE IMPLICATIONS***Capital***

Nil

Operating

Nil

Is the expenditure noted above included in the current budget?

Yes

LINK TO CORPORATE PLAN

Financial Sustainability and Governance: A financially sustainable council that applies strategic decision making and good governance to deliver cost-effective services.

Community and Culture: An informed, engaged and resilient community which supports and encourages effective partnerships to deliver better outcomes.

Economy and Growth: Promote and encourage investment in local industry to build a resilient economy.

IMPLEMENTATION/COMMUNICATION

Nil



**KURANDA VISITOR INFORMATION CENTRE
MANAGEMENT AGREEMENT
2025-26**

**MAREEBA SHIRE COUNCIL
AND
MAREEBA SHIRE TOURISM INC**

1. PARTIES TO THE AGREEMENT

- a) Mareeba Shire Council ABN 39 114 383 874 (Council)
- b) Mareeba Shire Tourism Inc. ABN 69 350 075 417 (Board)

2. RECITALS

- a) The Centre is a Council owned facility on a reserve held in trust by Council for park and recreation purposes, that being Reserve R81 - Lot 13 on K4019.
- b) By entering into this Agreement, Council agrees to granting the Board exclusive use and occupancy of the Centre pursuant to the terms and conditions contained in the Agreement.
- c) Council agrees to provide financial assistance to the Board to manage and operate the Centre in accordance with the terms and conditions contained in this Agreement.
- d) The Board agrees to manage and operate the Centre in accordance with the terms and conditions contained in this Agreement.
- e) The Board agrees to deliver visitor information services at the Centre as contracted by Council in accordance with the terms and conditions contained in this Agreement.

3. DEFINITIONS

Employee means a permanent or casual employee of the Board.

Kuranda Visitor Information Centre means the main building at the Centre housing the visitor information centre, retail outlet, staff toilet, and staff office.

Management Agreement (Agreement) means the terms and conditions contained in this Agreement as varied or amended from time to time.

Mareeba Shire Tourism Inc. (Board) means the incorporated and community-based organisation managed by a voluntary Board of Directors, a party to this Agreement.

Mareeba Shire Council (Council) is the Trustee for the land on Reserve R81 - Lot 13 on K4019 and the owner as party to this Agreement.

Minor Maintenance means the planned and responsive minor maintenance of all the buildings and facilities at the Centre, which is defined as a sensible and practical repair on a like for like basis for the continuance of preservation, protection, repair, and upkeep, normally lasting no longer than one day. It can also include tangible changes to improve service delivery within the premises. Minor maintenance is carried out in accordance with the guidelines at Appendix 2 and the service level schedule for minor maintenance of the Main Centre Building at Appendix 3.

Major Maintenance means the non-routine scheduling or infrequent major maintenance which generally requires the setting aside of funds over a period or issuing additional debt to fund it. Major maintenance carried out is in accordance with the guidelines at Appendix 2.

Museum Collection (Collection) means items on display inside the Centre Building.

Retail Outlet means the retail outlet at the Centre that complements the visitor information centre activities and services.

Visitor Information Centre (VIC) means the post-arrival visitor services provided to passing visitors.

Visitor Information Centre Grant (VIC Grant) means the grant provided by Council to the Board to deliver visitor information services as contracted by Council. The VIC Grant is indexed annually in accordance with Mareeba Shire Council's Long Term Financial Plan.

Volunteer means an unpaid worker of the Board.

4. BACKGROUND

- a) The Kuranda Visitor Information Centre was opened in May 2000, operating 7 days a week 364 days a year, from what is now the Historical Society building.
- b) A new centre was constructed in the current location in 2014 and has been the recipient of many industry awards.
- c) The centre plays an important role in tourism in the Mareeba Shire district and the wider Tablelands region. Centre visitor numbers vary from 50 to 100 guests per day in low season and upwards of 400 visitors per day in peak season.
- d) The Kuranda Visitor Information Centre provides:
 - i. a friendly, helpful, professional and unbiased Visitor Information service to the Public.
 - ii. an effective and efficient distribution outlet for tourism products with comprehensive and accurate information on the local area, local region, and neighbouring regions.
 - iii. encourages extended length of stays and increased visitor expenditure and dispersal in the region
- e) The Centre continues to rely on local volunteers to operate and volunteers work with paid staff to deliver visitor information services. The ongoing recruitment, training and support of volunteers is critical to the continued success of the Centre.
- f) The Board and Council have agreed to enter a one (1) year Management Agreement, effective 1 July 2025, with substantially the same terms and conditions.

5. BOARD ROLES AND RESPONSIBILITIES

5.1 Services and Activities

-
- a) The Board will:
 - i. Occupy and manage the Centre.
 - ii. Deliver visitor information services on behalf of Council in accordance with the operational conditions at Appendix 1.
 - b) The Board may deliver other complementary services and conduct other complementary activities at its own expense, including but not limited to, a retail store and community events venue.
 - c) The Board will consult with Council regarding any significant changes or new initiatives in relation to the complementary services and activities the Board may decide to conduct at the Centre at its own expense.

5.2 Finances

The Board will:

- a) Be entitled to all income from the operation of the Centre including retail sales, commission on bookings, donations, membership, hire of facilities and equipment, subletting, and entry fees.
- b) Manage an annual VIC Grant from Council to deliver visitor information services as contracted by Council.
- c) Manage the finances for the operation of the Centre.
- d) Pay all operational costs for the Centre including, but not limited to, staffing, telephone, internet, water charges, property rates and service charges, cost of removal of commercial rubbish, accreditation, minor maintenance, volunteer insurance, contents insurance and other current and future operational costs.

5.3 Staff and Volunteers

The Board will:

- a) Recruit, employ and manage all employees.
- b) Attract, train, and support all volunteers.
- c) Meet all relevant employment standards.
- d) Provide a safe workplace for all employees, volunteers and visitors and report to Council any injury incidents, together with supporting documentation, reports, and evidence for Council to be reasonably satisfied its legal obligations have been discharged.

5.5 Insurances

- a) The Board will provide and maintain the following insurance cover for the term of this Agreement:

-
- i. Personal work cover insurance to cover paid and volunteer employees, eligible persons, self-employed contractors, directors, trustees, and partners.
 - ii. Public liability insurance in an amount not less than \$20,000,000 in respect of any one occurrence and for an unlimited number of claims; and
 - iii. Product liability insurance in an amount not less than \$5,000,000 in respect of any one occurrence and for an unlimited number of claims; and
 - iv. Professional indemnity insurance in an amount not less than \$10,000,000 in respect of any one occurrence and for an unlimited number of claims; and
 - v. Contents insurance for equipment, furniture, displays and interpretive information within the Centre Building,
- b) The Board must, upon receipt of a written request at any time from Council, produce evidence that the insurances required have been affected and maintained.

5.6 Maintenance and Asset Management

The Board will:

- a) Provide and maintain the Centre facilities and equipment including phone, computers, photocopier, printer, and consumables required for the efficient operation of the Centre.
- b) Be responsible for both planned and responsive minor maintenance of the *Centre Building* in accordance with the Minor and Major Centre Maintenance Guidelines at Appendix 2, and in accordance with the Main Centre Building Planned Minor Maintenance Schedule at Appendix 3, and any other minor maintenance at the Board's discretion.
- c) Notify Council immediately of any major repairs required to the Centre Building (Refer Appendix 2).
- d) Obtain prior Council approval for any planned changes or additions to any fixtures or upgrades to the buildings and facilities at the Centre and ensure these meet all legislative requirements.

5.7 Acknowledgement, Branding and Media Management

The Board will:

- a) Advertise and promote the Centre to attract visitors.

-
- b) Acknowledge Council's financial contribution to the Board and operation of the Centre by including Council's logo and the tag line "Proudly sponsored by Mareeba Shire Council" on all marketing and promotional material and media associated with all Centre services, activities, and events.
 - c) Seek approval from the Chief Executive Officer, Mareeba Shire Council, for all media if the content involves Council, including but not limited to, major maintenance work at the Centre.

5.8 Community Involvement

- a) The Board will develop and implement a Community Partnerships Plan to encourage community and business involvement in the Centre's activities as well as the operation and upkeep of the Centre.
- b) Community involvement is an integral element of the Centre's operational model. This could include volunteering for the VIC, in-kind contributions and working-bees, government funded programs such as Work for the Dole and community service, cash donations, fundraising, sponsorship, membership, and volunteering for the Board of Directors.

6. COUNCIL ROLES AND RESPONSIBILITIES

6.1 Services and Activities

Council will:

- a) Allow signage appropriate for the advertisement of the Centre, subject to prior consultation and approval by Council.
- b) Provide information, advice, and assistance for the effective and efficient delivery of visitor information services and for other matters as appropriate or requested by the Board.

6.2 Finances

For the term of this Agreement, Council will:

- a) Provide an annual VIC Grant to the Board to deliver visitor information services as contracted by Council which is indexed annually in accordance with Council's Long Term Financial Plan.

6.3 Insurances

- a) For the duration of this Agreement, Council will provide and maintain Public Liability Insurance for not less than \$600,000,000 in respect of Council's responsibilities at the Centre.
- b) The Main Centre Building is fully insured under Council's Self-Insurance Policy.

6.4 Maintenance and Asset Management

Council will:

- a) Be responsible for major maintenance of the Main Centre Building in accordance with the Minor and Major Centre Maintenance Guidelines (Refer Appendix 2)
- b) Provide a schedule of planned minor maintenance for the Main Centre Building (Refer Appendix 5) for implementation by the Board (Refer Appendix 3). The schedule is based on Council's service levels and funded in the Council donation.
- c) Be responsible for cleaning of the centre and for the provision of toilet paper and soap in the staff toilet in the Centre Building.
- d) Be responsible for maintenance of grounds at the front of the Centre and all the grounds of the surrounding park area.
- e) Make available the equipment and furniture associated with the retail shop and visitor information services to the Board to perform the services in accordance with this Agreement.

7. TERMS OF THE AGREEMENT

- a) The Agreement is for one (1) year, commencing 1st July 2025 and ending 30th June 2026.
- b) Either party may request a review of the Agreement after four (4) months of the date of signing of this Agreement.
- c) Three (3) months before the expiration of this agreement, negotiations will commence for a new agreement.

8. CONFIDENTIALITY

- a) The Board will keep confidential all business-related information received from the Council during this agreement and will not disclose same without Council's prior written consent.
- b) The Board must only use the Confidential Information for the purpose of performing the contracted service for Council.

9. GRIEVANCE

In the event of a dispute arising between the Board and Council, in the first instance both parties agree to use their best endeavours to attempt to resolve the matter. If agreement has not been reached within a reasonable time, either party can refer the matter to an external mediator.

10. TERMINATION

-
- a) In all circumstances other than a material breach of the contract, Council or the Board reserves the right to terminate this Agreement at any time with two months' notice to be given by either party or as agreed to by both parties. A Breach of Contract is where either party materially fails to adhere to this Agreement.
 - b) Council may terminate this Agreement effective immediately if Council considers, in its absolute discretion, that the Board:
 - i. Is not a fit and proper entity to perform the services and manage the Centre;
 - ii. Cannot perform its obligations in accordance with the Agreement.
 - c) If this Agreement is not terminated pursuant to subclause 10(a) or 10(b) of this clause, then this Agreement shall come to an end on the Expiry Date, unless otherwise agreed by Council and Board.
 - d) Within one (1) week of the Expiry Date (or within one (1) week of the earlier termination of this Agreement, if this Agreement is terminated earlier than the Expiry Date), the Board must return any part of the Funding Amount paid to the Board which was not expended in accordance with the Agreement.

11. GOVERNING LAW

This agreement shall be construed in accordance with and be governed by the laws of the State of Queensland and the parties hereby submit to the non-exclusive jurisdiction of the Courts of Queensland.

12. COUNCIL CONTACT AND REPRESENTATION

- a) Council's Tourism and Economic Development Officer will be the first point of contact by the Board for all matters relating to this Agreement, apart from maintenance or leasing matters.
- b) Council's Facilities Officer will be the first point of contact by the Board for maintenance matters.
- c) Council's Governance and Compliance Supervisor will be the first point of contact by the Board for leasing matters.
- d) The Board must invite a Mareeba Shire Councillor to participate as a member of the Mareeba Shire Tourism Inc. Board of Directors.

13. REPORTING

13.1 Financial Reporting

- a) The Board will provide Council a copy of the audited annual financial statements after endorsement at the Annual General Meeting.

13.2 Annual Reports to Council

- a) The Board will make an Annual Presentation to Councillors during Council's annual budget planning cycle in March/April. This report will include achievements and issues from the current financial year which are of strategic significance, as identified in the Operational Plan.
- b) The Board will provide Council with an Operational Plan and Budget for the next financial year by 31 May each year.
- c) The Board will provide Council an Annual Progress Report detailing the achievements and outcomes of activities set in the Operational Plan. This written report will be provided to Council within one calendar month after the end of the financial year.

The Annual Progress Report will include:

- i. Trends in daily visitor numbers to the Centre;
- ii. Events and initiatives conducted to attract visitors to the Centre;
- iii. Significant issues regarding the delivery of visitor information services;
- iv. Activities to attract and retain community involvement in the operation of the Centre;
- v. Progress report on the implementation of the Main Centre Building Planned Minor Maintenance Schedule;
- vi. Other issues deemed of significance by the Board or requested by Council.

13.3 Monthly Visitor Statistics

- a) The Board will collect daily visitor numbers and report monthly on these to Council's Tourism and Economic Development Officer

14. PAYMENT SCHEDULE

- a) For the life of this Agreement, and as per the terms and conditions of this Agreement, Council will provide financial assistance to the Board, which in 2025/26 is \$126,774 ex GST and will be paid as follows:
 - i. Council will provide an annual VIC Grant to the Board to deliver visitor information services as contracted by Council which is indexed annually in accordance with Council's Long Term Financial Plan. The 2025/26 VIC Grant is \$126,774 (ex GST).
- b) Council will assist the Board to identify ways it can become more financially self-sufficient.

-
- c) Council will make the annual payment for the VIC Grant and Funding Allocation on the following conditions:
 - i. Council has endorsed the annual Mareeba Shire Tourism Action Plan and Annual Budget presented by the Board to Council; and
 - ii. The Board has satisfactorily met the reporting requirements at Section 13.
 - d) Council will make the annual payment on or as soon after 1 July each year as is practicable on presentation of an invoice by the Board.

15. APPENDICES

The Board agrees:

- a) to be bound by the policies and requirements set out in the Appendices; and
- b) that Council can amend or expand the appendices at any time on the giving of three (3) months' notice in consultation with the Board.

16. AGREEMENT EXECUTION

Executed by the parties as an Agreement:

Chief Executive Officer, Mareeba Shire Council
in the presence of:

Witness

Peter Franks, Chief Executive Officer

Name (please print)

Date

Chair, Mareeba Shire Tourism Inc.
in the presence of:

Witness

Cr Lenore Wyatt, Chair

Name (please print)

Date

APPENDIX 1
Kuranda Visitor Information Centre Operating Conditions

The Board will deliver visitor information services on behalf of Council in accordance with the following principles, guidelines, and policies:

1. Deliver local and regional information to passing visitors to enhance the visitor experience and extend visitor stays.
2. Ensure brochure displays are in accordance with the intent and purpose of the Visitor Information Centres Brochure Display Policy.
3. Work cooperatively with the Mareeba Shire Council and Tablelands Regional Council Visitor Information Centre network and participate in appropriate cooperative advertising.
4. Collect daily visitor numbers and report monthly on these to Council's Tourism and Economic Development Officer.
5. Adopt Mareeba Shire Council branding, and where appropriate, local and regional tourism branding.
6. Manage an effective visitor complaint process that includes documenting and advising local companies of visitor concerns and advising relevant authorities and visitor information centres as needed.
7. Work in collaborative partnership with tourism operators, Mareeba Shire Council and local and regional tourism promotion bodies to promote and develop tourism in the shire and wider region.

APPENDIX 2
Minor and Major Centre Maintenance Guidelines

1. Minor Maintenance

Mareeba Shire Tourism Inc. is responsible for all minor maintenance of the Centre, both planned and responsive, which is defined as a sensible and practical repair on a like for like basis for the continuance of 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 premises.

Examples include, but are not limited to:

- Regular maintenance and repairs for air-conditioners; computers, communications equipment.
- Gutter and roof cleaning.
- Insect and pest control.

2. Major Maintenance

Mareeba Shire Council is responsible for major maintenance of the Main Centre Building, which 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 a period or issuing additional debt to fund it.

Examples include, but are not limited to:

- Re-roofing an entire building.
- Replacing tiling throughout an entire building.
- Replacing an air conditioning system
- Re-painting the interior and/or exterior of an entire building.

The major repairs including, but not limited to those identified below should be immediately notified to Council:

- A burst water service or a serious water service leak.
- A blocked or broken lavatory system.
- A serious roof leak.
- A gas leak.
- A dangerous electrical fault.
- Flooding or serious flood damage.
- Serious storm, fire or impact damage.
- A failure or breakdown of the gas, electricity or water supply to the premises.
- A breakdown of an essential service or appliance on the premises for hot water, cooking or heating.
- A fault or damage that makes the premises unsafe or insecure.
- A fault or damage likely to injure a person, damage property or unduly inconvenience a tenant.
- A serious fault in a staircase, lift or other common area of the premises that unduly inconveniences a tenant in gaining access to or using the premises.

APPENDIX 3
Main Centre Building Planned Minor Maintenance Schedule

The schedule of planned minor maintenance is for implementation by the Board, is based on Council service levels, and is funded in the Council grant.

#	Project Description	Location	Stage	Scheduling	Included in Council Grant
1	Air conditioners	Centre Building	Service	6 monthly	Yes
3	Clean external roof and gutters	Centre Building	Maintenance	Annual	Yes
4	Electrical Test/Tag	Centre Building	Service	Annual	Yes
5	Fire Extinguishers & Exit Lighting	Centre Building	Service	6 monthly	Yes
6	Pest Control - annual inspection	Centre Building	Service	Annual	Yes

APPENDIX 4

Summary of Financial Responsibilities for the Term of this Agreement

Item	Board	Council
Cash Assistance: \$126,774 ex GST 2025/26		
Visitor Information Centre Grant (VIC Grant): <ul style="list-style-type: none"> \$126,774 ex GST in 2025/26 Indexed annually by Long Term Financial Plan 	No	Annual grant paid in full in July
Centre Building		
Minor Maintenance	Yes	
Major Maintenance		Yes
Insurance		Yes
Cleaning and maintenance in Main Centre Building including toilet		Yes
Other Insurances		
Chattels/Contents Insurance inside Main Centre Building (excluding museum collection items)	Yes	
Public Liability Insurance	Yes	
Volunteer Worker Insurance	Yes	
Other operational expenses		
Operational expenses including cleaning, electricity, gas, telephone, staff wages, etc	Yes	
General Property Rates, Service Charges and Levies: <ul style="list-style-type: none"> Eligible for remissions as per Rate Rebate and Remissions Policy; Eligible for water usage donation as per Community Partnerships Program 	Yes	
Waste Collection	Yes	
WPH&S Buildings	Yes	

11 CONFIDENTIAL REPORTS

Nil

12 BUSINESS WITHOUT NOTICE

13 NEXT MEETING OF COUNCIL

14 FOR INFORMATION

14.1 SUMMARY OF NEW PLANNING APPLICATIONS & DELEGATED DECISIONS FOR THE MONTH OF APRIL 2025
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Date Prepared: 6 May 2025

Author: Planning Technical Support Officer

Attachments: Nil

Please see below information.

Summary of new Planning Development Applications and Delegated Decisions for April 2025

New Development Applications					
Application #	Lodgement Date	Applicant/Address	Property Description	Application Type	Status
MCU/25/0007	04/04/2025	Northern Suppliers Pty Ltd C/- Urban Sync 80-88 Byrnes Street Mareeba	Lot 45 on SP167408	MCU - Indoor sport and recreation	Assessment Stage
MCU/25/0008	17/04/2025	G Eade C/- Scope Town Planning 54 Byrnes Street Mareeba	Lot 2 on RP700540 and Lot 9 on M35611	MCU – Warehouse	Assessment Stage
MCU/25/0009	24/04/2025	M McDougall C/- Aspire Town Planning 8392 Mulligan Hwy Desailly	Lot 22 on SP302231	MCU - Tourist Park	Assessment Stage
MCU/25/0010	24/04/2025	O and K D'Aiotti C/- Sarah Rizvi 7 Harriman Street, Kuranda	Lot 1 on NR838300	MCU - Dual Occupancy	Assessment Stage
RAL/25/0006	9/04/2025	A and A Cifuentes C/- U&I Town Plan 186 McGrath Road, Mareeba	Lot 81 on SP179215	ROL - (1 into 2 Lots)	Assessment Stage
RAL/25/0007	9/04/2025	K Kuskopf & C Goes C/- Twine Surveys 1074 Springmount Road and Cascade Close Mutchilba	Lot 121 on SP903075 & Lot 5 on SP198648	ROL - Boundary Realignment	Assessment Stage
RAL/25/0008	11/04/2025	K Kaegi & A Nagasawa C/- Buildable Approvals 60 Wright Road & 685 Koah Road, Koah	Lot 2 on RP712377 and Lot 1 on RP712377	ROL - Boundary Realignment - (2 lots into 2 lots)	Decision Stage
RAL/25/0009	23/04/2025	Conmat No 2 Pty Ltd TTE C/- Freshwater Planning Country Road Mareeba	Lot 200 on SP342245 & Lot 30 on SP342245	ROL - (2 Lots into 38 lots)	Assessment Stage

April 2025 (Regional Land Use Planning)

Decision Notices issued under Delegated Authority					
Application #	Date of Decision Notice	Applicant	Address	Property Description	Application Type
OPW/25/0001	29/04/2025	Ergon Energy Corporation Limited C/- A Cobcroft	Kennedy Highway, Ellery Road and Substation Access Road, Mareeba	Lot 84 on SP332272	Development Permit for Operational Works (Earthworks, Drainage Works and Access Works) Associated with Turkinjie Substation Expansion
RAL/25/0003	2/05/2025	Murhop Pty Ltd C/- wildPLAN Pty Ltd	15 and 17 Platypus Close, Kuranda	Lots 5 & 6 on RP892268	Development Permit for Reconfiguration of a Lot Boundary Realignment
RAL/25/0004	10/04/2025	A and G Kavanagh C/- Freshwater Planning Pty Ltd	96 Mary Jane Drive, Julatten	Lot 9 on SP174887	Development Permit for Reconfiguration of a Lot – Subdivision (1 into 3 Lots) and creating an access easement
RAL/25/0008	29/04/2025	K Kaegi & A Nagasawa C/- Buildable Approvals	60 Wright Road and 685 Koah Road, Koah	Lots 1 & 2 on RP712377	Development Permit for Reconfiguration of a Lot Boundary Realignment (2 lots into 2 lots)
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					

April 2025 (Regional Land Use Planning)

Referral Agency Response Decision Notices issued under Delegated Authority					
Application #	Date of Decision	Applicant	Address	Property Description	Application Type
CAR/25/0005	15/04/2025	J & O Parry C/- Baker Building Certification Pty Ltd	Country Road, Mareeba	Lot 4 on SP295184	Referral agency response for building work (class 10a shed) assessable against the Mareeba Shire Council Planning Scheme 2016 (GFA Dispensation) & building work as per item 1 in schedule 9, part 3, division 2, table 3 of the <i>Planning Regulation 2017</i> (road boundary setback)
CAR/25/0006	14/04/2025	A Jenkins & N Gordon Builders C/- Rapid Building Approvals	Blacks Road, Mareeba	Lot 22 on SP349368	Referral Agency Response for building works assessable against the Mareeba Shire Council Planning Scheme 2016 - Flood Hazard Overlay Code
CAR/25/0007	17/04/2025	M Newcombe C/- Northern Building Approvals	1028 Bilwon Road, Bibbohra	Lot 11 on SP195696	Referral agency response for building work (class 1a dwelling) assessable against the Mareeba Shire Council Planning Scheme 2016 (Flood hazard overlay code) & building work as per item 1 in schedule 9, part 3, division 2, table 3 of the <i>Planning Regulation 2017</i> (road boundary setback)

Extensions to Relevant Period issued					
Application #	Date of Decision	Applicant	Address	Property Description	Application Type
Nil					

Survey Plans Endorsed					
Application #	Date	Applicant	Address	Property Description	No of Lots
DA/16/0023	4/04/2025	L Mosch C/- Twine Surveys Pty Ltd	57 Morrow Road, Mount Mulligan Road and Leadingham Creek Road, Dimbulah	Plan of Lots 91 – 93 on SP345989 (Cancelling Lot 191 on SP336258)	3
RAL/21/0024	8/04/2025	Sibi Girgenti Holdings Pty Ltd C/- Salvatore Girgenti	Paula Court, Mareeba	Plan of Lots 11 and 100 on SP352784 (Cancelling Lot 100 on SP346006)	1

April 2025 (Regional Land Use Planning)