



## Ordinary Meeting

**Council Chambers**  
**Date: 15 February 2017**  
**Time: 9:00am**

## AGENDA

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THE ORDINARY MEETING OF THE MAREEBA SHIRE COUNCIL WILL BE HELD AT COUNCIL CHAMBERS, ON **WEDNESDAY, 15 FEBRUARY 2017** AND THE ATTENDANCE OF EACH COUNCILLOR IS REQUESTED.

PETER FRANKS  
CHIEF EXECUTIVE OFFICER



## ORDER OF BUSINESS

MEMBERS IN ATTENDANCE

APOLOGIES/LEAVE OF ABSENCE/ABSENCE ON COUNCIL BUSINESS

BEREAVEMENTS/CONDOLENCES

DECLARATION OF ANY MATERIAL PERSONAL INTERESTS/CONFLICTS OF INTEREST

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## CORPORATE AND COMMUNITY SERVICES

### REGIONAL LAND USE PLANNING

**ITEM-1**                      **MAREEBA SHIRE COUNCIL ROAD NAMING POLICY -  
REQUEST TO INCLUDE NAME ON APPROVED ROAD  
NAMES LIST - PIAGNO**

**MEETING:**                      Ordinary

**MEETING DATE:**              15 February 2017

**REPORT OFFICER'S  
TITLE:**                          Senior Planner

**DEPARTMENT:**                Corporate and Community Services

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#### EXECUTIVE SUMMARY

*Correspondence has been received from A & L Piagno of Mareeba proposing the inclusion of an additional name on the list of approved road names under Council's Road Naming Policy ("the policy").*

*The proposed road name is **Piagno**.*

*A & L Piagno advise that the Piagno family arrived in the Mareeba/Dimbulah district in 1934 and were early pioneers in the tobacco industry (**Attachment 1**).*

*Section 2.1 of the policy explains that the reason for approved road name lists is that Council wishes to keep the links to the Mareeba Shire's local history and Aboriginal cultural heritage alive in a practical way which serves to honour our Traditional Owners, fallen soldiers, and historical identities. The Piagno family would satisfy the historical identity criteria.*

*Section 3.1.3 of the policy provides for Council to add to the list of approved road names and it is recommended that the list of approved road names for Districts 2 and 4 of the policy be amended to include the name Piagno.*

#### OFFICER'S RECOMMENDATION

"That Council in accordance with Section 3.1.3 of the Road Naming Policy, add the name **Piagno** to the list of approved road names for Districts 2 and 4."

#### BACKGROUND

Council adopted the Road Naming Policy on 21 January 2015.

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The policy is applicable to the naming of newly created roads, the naming of existing unnamed roads, and the renaming of roads.

The policy separates the Mareeba Shire local government area into six districts and maintains an approved list of road names for each district.

#### **LINK TO CORPORATE PLAN**

Nil

#### **CONSULTATION**

*Internal*

Nil

*External*

Nil

#### **LEGAL AND RISK IMPLICATIONS (STATUTORY BASIS, LEGAL AND RISKS)**

Nil

#### **POLICY IMPLICATIONS**

Section 2.1 of the policy explains that the reason for the approved road name lists is that Council wishes to keep the links to the Mareeba Shire's local history and Aboriginal cultural heritage alive in a practical way which serves to honour our Traditional Owners, fallen soldiers, and historical identities.

The Piagno family would satisfy the historical identity criteria for District 2 (Biboohra, Mareeba & Paddy's Green) and District 4 (Arriga, Dimbulah & Mutchilba) of the Mareeba Shire (**Attachment 2**).

There is no existing road named after the Piagno family within either District 2 or 4.

#### **FINANCIAL & RESOURCE IMPLICATIONS**

*Capital*

Nil

*Operating*

Nil

#### **IMPLEMENTATION/COMMUNICATION**

Subject to Council's approval, the list of approved road names will be updated to include **Piagno**.

**ATTACHMENTS**

1. Letter from A & L Piagno received 25 January 2017
2. Current list of approved road names - Districts 2 and 4 of the Road Naming Policy

***Date Prepared:***            *30 January 2017*

**ATTACHMENT 1**

2 N/A - 1/1/17  
IMS

**A & L Piagno Pty Ltd**  
**P.O Box 847 Mareeba 4880**  
**Mobile: 0417644317**  
**Email: [piagno@bigpond.com](mailto:piagno@bigpond.com)**



Mayor Tom Gilmore  
Mareeba Shire Council

Dear Sir,  
Aldo & Lyndall Piagno and families would like to apply for a street, road or park named after the Piagno Family in recognition of their contribution to the Mareeba Shire.

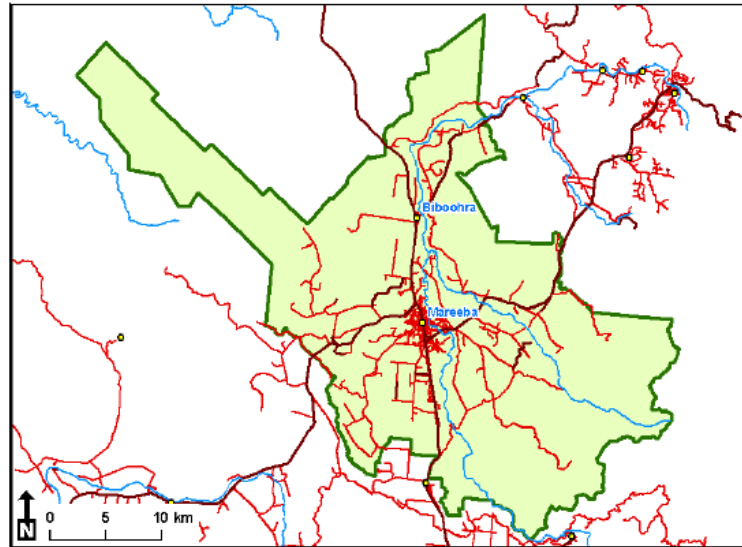
This family arrived in 1934 and were some of the first pioneers in the tobacco industry in the Mareeba Shire.

Regards  
Aldo & Lyndall Piagno



**ATTACHMENT 2**
**DISTRICT 2**

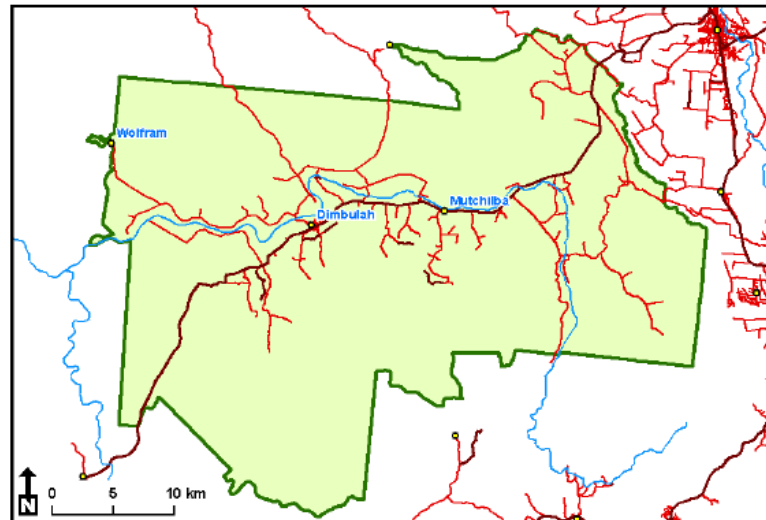
 Made up of the localities of **Biboohra, Mareeba & Paddy's Green**


Name	Source	Geographical relevance
<b>Birrell</b>	S & F Birrell Tobacco advisors of society.	
<b>Brims</b>	Mareeba residents and joinery business owners. Circa 1905-1915.	Mareeba
<b>Eakin</b>	Pioneer settlers in the Mareeba District	Mareeba
<b>Ganly</b>	Pioneer settlers in the Mareeba district	Mareeba
<b>Green</b>	Annie Green Muluridji elder with traditional association to Mareeba township area	Mareeba township
<b>Howell</b>	R.W. Howell Tobacco expert	
<b>Jimbaru</b>	Muluridji word for Spear.	Relevant around Spear creek which is a significant traditional site as well as a massacre site.
<b>Joongan</b>	Muluridji word for flying fox	Most appropriate around the Barron River
<b>Keegan</b> allocated - 21/01/2015	Francis Joseph Keegan 38 Squadron- Killed in WWII	
<b>King</b>	Thomas King Muluridji elder with traditional association with Mareeba township area	Mareeba township
<b>Lee Sye</b>	Percy Lee Sye Long term resident and earthmoving operator	Mareeba

<b>Madigan</b>	Jack Madigan Muluridji elder	Most appropriate around Eales Park in Mareeba
<b>McNeil</b>	Worked at Meatworks and on the Railway	
<b>Mitchelmore</b>	R.G. Mitchelmore Pioneer & Tobacco Farmer	
<b>Muhldorff</b>	Pioneer family	Mareeba
<b>Muluridji</b>	Tribal name with meaning "The meeting of two waters".	Refers to the meeting point of Granite Creek and the Barron River.
<b>Orchard</b>	Orchard Pioneer family Council Meeting of 1 August 2006	Mareeba
<b>Pearce</b>	Roland Lovegrove-Pearce Migrated from England chasing Gold to no avail then worked for Post Master General during WWII. After the war he settled in Mareeba, raised a family and started up a Taxi business.	Mareeba
<b>Prince</b>	Old resident of Mareeba	Mareeba
<b>Ramon</b>	K Ramon Killed in WWII	
<b>Ratton</b>	J. Ratton Killed in WWII	
<b>Russell</b>	Russell Pioneer family Council Meeting of 1 August 2006	Mareeba
<b>Seville</b>	Old resident of Mareeba, active member of community for many years.	Mareeba
<b>Simpson</b>	Barry Simpson Long term resident and media personality	Mareeba
<b>Soda</b>	Vincenzo Soda Tobacco from 1937	
<b>Tiller</b>	Colin Birdwood Tiller Killed in WWII	
<b>Timms</b>	First resident of Martin Avenue, Mareeba.	Mareeba
<b>Venture</b>	James Venture Mulligan	
<b>Weston</b>	Raymond Bruce Weston 1 Operational Support Unit Killed in Vietnam	
<b>Young</b>	R.G Young Killed in WWII	
<b>Yumba</b>	Local Aboriginal word for a housing estate in Mareeba	Within the housing estate off Mareeba- Dimbulah Rd, containing Ward, Royes and Carroll Rd.

**DISTRICT 4**

Made up of the localities of Arriga, Dimbulah &amp; Mutchilba



Name	Source	Geographical relevance
<b>Cibau</b>	P. Cibau Tobacco pioneer	
<b>Galloway</b>	Jack Healy Galloway 18 Battalion Volunteer Defence Corps Fought in WWII	Wolfram
<b>Genocchio</b>	Angelo Eugenio Genocchio 9 Labour Company Served in WWII; Arthur Genocchio Fought in Korea	Born Dimbulah
<b>Henson</b>	W. Henson Tobacco pioneer	
<b>Marsterman</b>	Early pioneer family	
<b>Reichardt</b>	W. Reichardt Tobacco pioneer	Born Dimbulah
<b>Volkman</b>	Early pioneer family	







**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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**LINK TO CORPORATE PLAN**

Nil

**CONSULTATION**

*Internal*

Nil

*External*

Nil

**LEGAL AND RISK IMPLICATIONS (STATUTORY BASIS, LEGAL AND RISKS)**

Nil

**POLICY IMPLICATIONS**

Lots 810 and 811 on C5041 are within the Centre zone of the Mareeba Shire Council Planning Scheme - July 2016. Historical aerial imagery of Chillagoe township indicates that the Post Office Hotel predates September 1949.

The existing hotel is a lawfully established land use for the purposes of the Mareeba Shire Council Planning Scheme - July 2016 and it is recommended that Council offer no objection to removal of Condition 1719659.

**FINANCIAL & RESOURCE IMPLICATIONS**

*Capital*

Nil

*Operating*

Nil

**IMPLEMENTATION/COMMUNICATION**

The Department of Justice and Attorney General will be informed of Council's decision by letter.

**ATTACHMENTS**

1. Department of Justice and Attorney General letter dated 6 February 2017

**Date Prepared:** 6 February 2017

**ATTACHMENT 1****Queensland**  
Government

Office of Liquor and Gaming Regulation

Department of  
Justice and Attorney-GeneralPlease quote: 946285 / LAB09  
Contact officer: Customer Support Team  
Contact telephone: 07 3224 7131Chief Executive Officer  
Mareeba Shire Council  
PO Box 154  
MAREEBA QLD 4880Email: [info@msc.qld.gov.au](mailto:info@msc.qld.gov.au)

Dear Sir/Madam

**POST OFFICE HOTEL (CHILLAGOE) - CHILLAGOE**  
**Real Property Description: Lots 10 & 11 of Section 8**  
**Applicant's Contact Details: Ms. Donna Burton, Phone: 4094 7119, Email:**  
**[pohotel@bigpond.com](mailto:pohotel@bigpond.com)**

An application for a variation of liquor licence for a licensed premises within your area of authority has been received at this office. Details of the application are as follows:

Applicant:	Donna Aileen Burton
Name of Premises:	Post Office Hotel (Chillagoe)
Street Address:	Cnr Queen Street & Cathedral Street, Chillagoe
Type of Licence:	Commercial Hotel

The licensee has made application to remove condition 1719659 to allow takeaway liquor sales during standard trading hours – 10:00am to 12:00am, Monday to Sunday.

Please find attached a copy of the Liquor Licence Premises Details report which outlines the current details of the liquor licence.

You are now afforded the opportunity to comment or object to the granting of the application on the grounds that the amenity, quiet or good order of the locality would be lessened.

Please advise whether you have any comments on, or objections to, the grant of the application. In accordance with section 117 of the *Liquor Act 1992* your comments or objection must be given to this office on or before the last day for filing objections. To comply with section 117 of the Act, your comments or objection should be received by 23 February 2017.

Office of Liquor and Gaming Regulation  
63 George Street  
BRISBANE QLD 4000  
Locked Bag 180  
CITY EAST QLD 4002Telephone +61 7 3224 7131  
Facsimile +61 7 3227 7047  
Email [liquorandgaminglicensing@justice.qld.gov.au](mailto:liquorandgaminglicensing@justice.qld.gov.au)  
Website [www.business.qld.gov.au/liquor-gaming](http://www.business.qld.gov.au/liquor-gaming)  
ABN 13 846 673 994



If you do not support the application, your comments or objection should include full particulars of:

- The grounds upon which the objection is made.
- The facts, evidence or reasons upon which it is based.

It is important to note that less weight will be given to statements that merely indicate that the Chief Executive Officer does not support, or objects to the application. Accordingly, any objection to this application should be supported by documentary evidence on the specific trading history of this venue and include incidents directly linked to the operation of the premises and the conduct of the licensee and their management.

If this application relates to a new licensed premises and there is no trading history to rely on, your objection may be based on anecdotal evidence, particularly in relation to the reasonable requirements of the public.

In the interests of natural justice, any comment or objection you provide may be referred to the applicant.

In considering your comments, including the likelihood of adverse health, public safety and amenity issues, the Commissioner for Liquor and Gaming may also impose licence conditions to mitigate any risk posed by the application.

The Commissioner's decision may be subject to review by the independent Queensland Civil and Administrative Tribunal. Substantiating any comments or objections as requested will ensure the Commissioner's decision is appropriately evidence-based and more capable of withstanding scrutiny in any subsequent review.

**Compliance with local town planning requirements is requested to be confirmed in your reply to this letter.**

If you require clarification on any of these matters, please do not hesitate to contact the Customer Support Team on telephone (07) 3224 7131.

Yours sincerely



**MICHAEL SARQUIS**  
**Executive Director**  
06 / 02 / 2017

Encl.


**Queensland**  
 Government

Office of Liquor and Gaming Regulation

## Liquor licence premises details

**Premise details:**

**Licence number:** 82305  
**Licence type:** Commercial Hotel  
**Status:** Issued

**Premises description:**
**MAIN PREMISES:**

CNR QUEEN STREET & CATHEDRAL STREET  
 CHILLAGOE QLD 4871  
 Phone: 07 4094 7119  
**POST OFFICE HOTEL (CHILLAGOE)**

**Real property description:**

LAND DESCRIBED AS ALLOTMENTS 10 AND 11 OF SECTION 8, COUNTY OF LYND, PARISH OF CHILLAGOE.

**Licensed area description:**

Premises situated at the corner of Queen and Cathedral Streets, Chillagoe.

**Trading hours description:**

10:00 AM to 12:00 AM Monday - Sunday

(excluding Christmas Day, New Year's Eve, Good Friday and Anzac Day, the trading hours of which are prescribed in the Liquor Act 1992)

**ID Scanner Status:**
**SNP Region:** Rest of State

**Licensee(s):**

Name	Interim authority?	Start date	To date
DONNA AILEEN BURTON	No	01-JAN-2009	

**Condition(s):**
**Standard Condition(s)**

- LL213 Pre-mixed spirits must not be sold in a single container where the size of the single container exceeds a quantity of two (2) litres. All other liquor must not be sold in a single container where the size of the single container exceeds a quantity of four (4) litres. For the purpose of this condition, a single container means a single bottle, can, cask or other single receptacle and not a number of single containers packaged together such as a carton.
- LL003 Persons under the age of 18 years shall not be in areas of the licensed premises where entertainment is being conducted at any time after 10:00pm.
- LL125 Liquor may be sold for consumption off the main licensed premises in the course of the licensee providing catering services for a function to persons genuinely attending the function for consumption by those persons at the function. This approval is subject to the condition that liquor must not be sold to a person who is unduly intoxicated. Catering to public functions is subject to approval of a commercial public event permit.

**Specific Condition(s)**

- 1719655 The Licensee, approved manager or their agent may not hold any type of credit or debit card or other document belonging to a patron which controls access to that patron's financial resources.
- 1719656 The licensee is required to keep a register of all bulk sales of liquor for consumption off the premises made to a person, or group of persons, where the sale includes either:
  - a) Beer - 45 litres (equivalent to 5 cartons of 24 x 375ml cans/stubbies) or more; or
  - b) Premixed Spirits - 45 litres (equivalent to 5 cartons of 24 x 375ml cans/stubbies) or more; or
  - c) Wine - 10 litres (equivalent to 5 x two litre casks of wine or 12 x 750ml bottles) or more; or
  - d) Spirits - 4.5 litres (equivalent to 6 x 750ml bottles) or more, or
  - e) A combination of any of the above amounting to 45 litres or more.


**Queensland**  
 Government

 Office of **Liquor and Gaming Regulation**
**Liquor licence premises details**
**Premise details:**

**Licence number:** 82305  
**Licence type:** Commercial Hotel  
**Status:** Issued

**Condition(s):**
**Specific Condition(s)**

- 1719657 The licensee is:
- a) prohibited from advertising or displaying for sale spirits for consumption off the premises in individual containers larger than 750mls; and
  - b) required to keep a register of any sales of spirits supplied in individual containers larger than 750mls.
- 1719658 The sale of fortified wine for consumption off the premises is prohibited.
- 1719659 The sale of liquor for consumption off the premises is prohibited before 12midday.
- 1719660 The register in conditions LL82305/02 and LL82305/03 must include the:
- a) date and time of the sale;
  - b) name, address and signature of the purchaser;
  - c) whether the purchaser is known to the licensee or details of the purchaser's proof of identification;
  - d) purchaser's vehicle registration number (if applicable);
  - e) liquor supplied;
  - f) address/destination of the liquor; and
  - g) name and signature of the person making the sale.
- 1719661 A licensee, approved manager or an employee or agent of the licensee and approved manager must not knowingly sell or supply liquor to any person who verbally states or records in the bulk liquor sales register, described in specific condition LL82305/06, that the liquor is to be carried into a restricted area if the quantity of liquor to be supplied exceeds the restricted area carriage limit. This condition does not apply to a person permitted to carry liquor under section 168B(2) & (3) of the Liquor Act 1992.

**Registered interest(s):**

Name	Type	Start date	To date
AUSTRALIAN AND NEW ZEALAND BANKING GROUP LIMITED	MORTGAGEE	02-FEB-2009	
JOHN FREDERICK BURTON	FREEHOLD OWNER	23-JAN-2009	
DONNA AILEEN BURTON	FREEHOLD OWNER	23-JAN-2009	

Whilst every care is taken to ensure the accurate compilation of this information, Department of Justice and Attorney-General (Incorporating the Office of Liquor and Gaming Regulation) expressly disclaims all liability for errors or omissions of any kind whatsoever (whether negligent or otherwise) or for any loss, damage or other consequence which may arise from any person relying on this information.



As a consequence of the legal advice, the interested party (owners of Lot 56) have submitted a letter to Council stating the reasons they wish to acquire the land is to realign their property boundary (Lot 56) to make the land more conducive to development. They further state that this acquisition in combination with their intended acquisition (from Department of Natural Resources and Mines) and freeholding of part of the unconstructed road which adjoins the eastern boundary of Lot 56 will make the overall (enlarged) parcel more suitable for development.

*Decision to sell the land.*

Council is not legally obligated to sell the land in question. Opinion is that should Council decide to sell the land, then that is a matter in which it may exercise sole discretion.

*Realignment of lot boundary.*

Legal opinion is that the proposed transfer could be accommodated through a realignment of the lot boundary between Lot 56 and Lot 57. Advice from Council's Planning Section is that the subsequent amended lot will, until such time as (either) Council chooses to amend its Planning Scheme or the owners of Lot 56 submit a development application, then the land (being sought) will retain its Recreation and Open Space zoning.

*Sale of land without inviting tenders or proceeding to auction.*

Council has to address specifically requirements in s236 of the Regulation in order to dispose of a 'valuable non-current asset' (land) without the need to go to tender or auction. More particularly, s236(1)(c)(iv) which deals with the disposal of land to a person who owns adjoining land.

Opinion is that each of the items, (A) to (D) under s236(1)(c)(iv) can be satisfied given the circumstances that exist for the disposal of the land.

When Council was approached by the interested party to acquire the land, the party had engaged the services of a registered valuer to provide a valuation for the parcel of land. That valuation has been provided to Council and is considered to constitute the offer to purchase the land. On advice from its solicitor, Council engaged another valuer, independent to that engaged by the interested party, to provide another valuation over the land.

As s236(3) of the Regulation requires that Council may only dispose of land if the consideration (sale price) is equal to, or more than, the market value of the land. Further, s236(5) requires that a written report about the market value of the land from a registered valuer is evidence of the market value of the land. As mentioned previously, a valuation has been received which determines the value of the land to be \$25,000 (excluding GST).

*Payment of costs*

It is also recommended that Council have the interested party undertake to pay all costs in relation to the survey and realignment of the boundary, preparation of plan/s, lodgement fees, duties and other costs reasonably incurred in this process.

*Required action for disposal of land*

Should Council determine that it wishes to dispose of the land then it will be necessary for it to make a suitable resolution as defined in s236(2) of the Regulation. In essence, Council will need to resolve that it is claiming exemption under s236(1)(c)(iv) for the disposal of a valuable non-current asset (land) to an adjoining owner other than by tender or auction.

## LINK TO CORPORATE PLAN

**ECOM 2:-** In partnership with local business, industry groups and economic and regional development organisations, continue to develop strategies to assist, strengthen, develop and promote existing and new businesses and industries.

## CONSULTATION

### *Internal*

Chief Executive Officer  
Manager Development and Governance  
Senior Planner

### *External*

King & Company Solicitors  
Interested party seeking to purchase land

## LEGAL AND RISK IMPLICATIONS (STATUTORY BASIS, LEGAL AND RISKS)

Council needs to ensure that should it decide to dispose of the land that it adheres to the requirements of the *Local Government Regulation 2012* which governs this type of action and heeds the legal advice provided from its solicitor.

## POLICY IMPLICATIONS

As stated in the legal advice Council needs to ensure that a land disposal of this type is consistent with any relevant policy.

## FINANCIAL & RESOURCE IMPLICATIONS

### *Capital*

Expenditure necessary to effect the disposal of the land could be reasonably recovered from the purchaser.

### *Operating*

Nil

## IMPLEMENTATION/COMMUNICATION

If approved, Council to communicate with the interested party and undertake action to have the area surveyed and have a contract and transfer documents prepared.

## ATTACHMENTS

3. Map identified Proposal for acquisition of part of Lot 57 SP276126 for inclusion into Lot 56 RP749632. ECM DSID: 3222038

**Date Prepared:** 3 February 2017

**CURRENT CONFIGURATION OF LAND PARCELS AND ROADS ADJOINING KEEBLE STREET MAREEBA  
- ALSO PROPOSAL FOR ACQUISITION OF PART OF LOT 57 SP276126 FOR INCLUSION INTO ADJOINING LOT 56 RP749632**







## BACKGROUND

Where Council wish to enter properties to check if dogs are registered, the AIP is to be in reference to the Animal Management Act; however where Council wish to enter properties to check if owners have a proper enclosure that prevents their dogs from escaping and wandering at large the AIP is to be in reference to the Local Government Act.

The attached AIP has been drafted to include both statutes to ensure that officers are not limited to enforcing only one requirement. It is understood that on this occasion the program aims to target properties in a particular area. However, it is recommended that the program is approved to include a greater area.

Council staff will do their best not to reduce the current service level. However, with the extent of this program, there will be some reduction in service levels. Where a priority task is received such as a dog attack or livestock on roads officers will not be expected to reach short-term targets for the program.

Council recently conducted an Approved Inspection program for the Mareeba Area (near the Mareeba Gold Club). The program proved to be successful with a number of residents registering their dogs and property enclosures were inspected to ensure compliance.

This program will be focussed on but not limited to the following areas:

- Kuranda
- Speewah
- Mt Molloy

Council has had history regarding wandering dogs across the Shire and an Approved Inspection Program to identify unregistered dogs and ineffective enclosures would be beneficial.

### Under the Animal Management Act 2008:

A **selective inspection program** provides for the selection, in accordance with the resolution, of places in the local government's area, or a particular part of the area, to be entered and inspected. A **systematic inspection program** provides for all places, or all places of a particular type, in the local government's area, or a particular part of the area, to be entered and inspected.

A program under this Act must not be for a period greater than six (6) months.

### Under the Local Government Act 2009:

A **selective inspection program** allows an authorised person to enter and inspect those properties in the local government area that have been selected in accordance with the objective criteria specified in the resolution. A **systematic inspection program** allows an authorised person to enter and inspect all properties, or all properties of a certain type in the local government area.

A program under the Act must not be for a period greater than three (3) months.

**LINK TO CORPORATE PLAN**

Key Strategic Priority - Environment - a natural and living environment that provides safety and enjoyment for the community and visitors.

**CONSULTATION***Internal*

Manager Planning & Development

*External*

Nil

**LEGAL AND RISK IMPLICATIONS (STATUTORY BASIS, LEGAL, AND RISKS)**

In order to ensure that officers' actions can be supported in any subsequent legal challenge, their powers to enter must be carried out in accordance with the provisions of the Local Government Act 2009 and the Animal Management (Cats & Dogs) Act 2008.

**POLICY IMPLICATIONS**

Nil

**FINANCIAL & RESOURCE IMPLICATIONS***Capital*

Nil

*Operating*

This program is to be carried out by Councils Local Laws Officers, with the door knock to be scheduled between existing duties. Without planning for additional resources, the existing service levels for Local Laws matters will be reduced in other areas.

The schedule for the program has not been defined; however, there will be a target of a minimum of 20 properties to be visited each day when all officers are rostered on. The roster of officers includes approved annual leave and days where there are only 2 officers rostered on.

Where a priority task is received such as a dog attack or livestock on roads officers will not be expected to reach their target for the program.

*Is the expenditure noted above included in the 2016/2017 budget?*

No

*If not you must recommend how the budget can be amended to accommodate the expenditure*

Other service levels may need to be reduced during this time.

**IMPLEMENTATION/COMMUNICATION**

Once Council resolve to conduct an Approved Inspection Program, it must be published in the public notices no sooner than 14 days and no longer than 28 days before the commencement of the program.

**ATTACHMENTS**

1. Mareeba Shire Council Approved Inspection Program - Registration and Enclosures

**Date Prepared:** 31 January 2017



**APPROVED INSPECTION PROGRAM**  
Animal Management Act 200B & Local Government Act 2009  
Dogs - Registration and Enclosures

**Introduction**

Mareeba Shire Council resolved on 15 February 2017 that

1. A selective Approved Inspection Program be carried out to ensure compliance with the registration requirements of the Animal Management (Cats & Dogs) Act 2008; and
2. A selective Approved Inspection Program be carried out to ensure compliance with section 14 of Local Law No. 2 (Animal Management) 2011 - duty to provide a proper enclosure and prevent the animal from wandering.

**Purpose of Program**

- To ensure that the owners of dogs within the Mareeba Shire council area have complied with; the registration requirements prescribed by the Animal Management (Cats & Dogs) Act 2008 and
- the duty to provide a proper enclosure to prevent the animal from wandering in Councils Local Law.

**Program Times**

The selective inspection program will commence on 1 April 2017 and terminate on 1 July 2017. It will be conducted between the hours of 6.30am and 7.00pm Monday to Sunday, with the majority of inspections to be carried out during normal working hours, or at such time depending on the circumstances of the householder.

**Properties to be Inspected**

Properties that may be inspected include properties in the town of Kuranda, Speewah, Mount Molloy and surrounds.

**Enforcement**

**Registration** - Where an Authorised Person identifies a dog as not being registered for the current year 2016/2017 an infringement notice (\$243) will be issued.

**Enclosure** - Where an Authorised Person identifies that a proper enclosure is not provide:

1. A verbal or written warning will be issued encouraging the owner to comply with a proper enclosure within 14 days.
2. Where a proper enclosure has not been provided within 14 days a Compliance Notice will be issued to the responsible person requiring them to comply within 28 days.
3. Where owners subsequently fail to comply with the Compliance notice, they will be issued an infringement notice (\$609).



Conditions which were approved by Council were based on the exceptional circumstance that one of the applicants has a medical condition that prevents her from traveling to maintain the animals.

McDermid Law have contacted council on behalf of Gail Bradshaw and Tom Smith to appeal the following two conditions:

1. The condition that Ms. Bradshaw would be required to provide a medical certificate.

As defined above council can only allow stock to be kept in an urban land where 'exceptional circumstances exist to justify the temporary approval.' The exceptional circumstance as part of the parties original appeal was that Ms Bradshaw has a medical condition and requires the horses close by to maintain the health of the horses.

2. The applicants would like approval to replace the horses when Ms Bradshaw retires the horses from competitive polo competition, and to allow them to have a maximum of 4 (four) horses permitted on the property.

The appeal does identify the horses as pets first and foremost. However, this would then contravene the 'temporary nature' that is required for approval.

## **LINK TO CORPORATE PLAN**

N/A

## **CONSULTATION**

### *Internal*

Manager Development and Governance  
Coordinator Environmental Health and Local Laws  
Senior Planner

### *External*

Nil

## **LEGAL AND RISK IMPLICATIONS (STATUTORY BASIS, LEGAL AND RISKS)**

Due to Council's local laws not allowing for issue of approvals except for exceptional circumstances and only on a temporary basis, the issue of any approval would not be underpinned by a local law and as such this could prove problematic in the event of compliance issues arising.

## **POLICY IMPLICATIONS**

Nil

## **FINANCIAL & RESOURCE IMPLICATIONS**

### *Capital*

Nil



*Operating*  
Nil

#### **IMPLEMENTATION/COMMUNICATION**

Nil

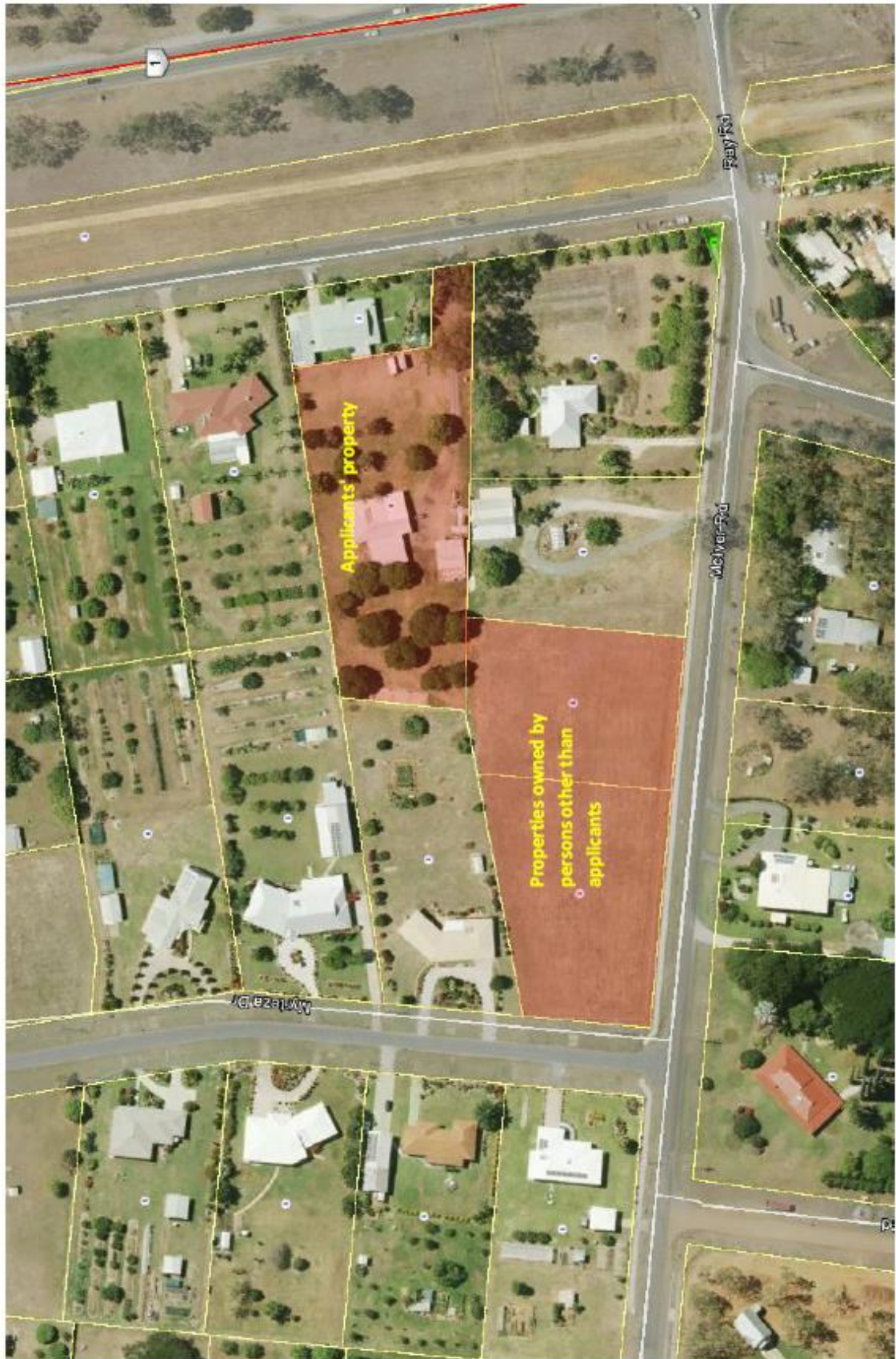
#### **ATTACHMENTS**

1. Map identifying land subject to application for Approval to Keep Stock in an Urban Area.
2. Officer Report 'APPLICATION FOR APPROVAL TO KEEP STOCK IN AN URBAN AREA' 12 October 2016

***Date Prepared:***            *3 February 2017*

ATTACHMENT 1

LAND IDENTIFIED AS BEING SUBJECT TO APPLICATION FOR APPROVAL TO KEEP STOCK IN AN URBAN AREA



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**ATTACHMENT 2**

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**Mareeba Shire Council**

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**OFFICER'S REPORT**

**SUBJECT:** APPLICATION FOR APPROVAL TO KEEP STOCK IN AN URBAN AREA

**MEETING:** Ordinary

**MEETING DATE:** 12 October 2016

**REPORT OFFICER'S TITLE:** Governance and Compliance Advisor

**DEPARTMENT:** Corporate and Community Services

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**EXECUTIVE SUMMARY**

*Council at its meeting held on 21 September 2016 considered a matter relevant to the keeping of rural animals (horses) in an urban environment. It was determined that this matter be deferred to the next meeting of Council to give officers sufficient time to prepare reasons and conditions for approval of the request.*

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

**OFFICER'S RECOMMENDATION**

"That Council grants an 'Approval to Keep Stock in an Urban Area' to allow for the keeping of horses by Gail Bradshaw and Tom Smith on land described as Lot 2 RP735977 and Lots 10-11 RP738086, subject to their adherence to the conditions detailed on the Approval."

**(A) COUNCIL'S CONDITIONS****(a) Applicant's Conditions of Approval**

1. The Applicant must provide a signed letter to Council from each property owner on which horses are to be kept advising of that property owner's consent for horses to be kept on their property. In the event that the consent of a property owner is ever withdrawn, then this Approval for keeping of horses on that property will cease.
2. The Applicant must provide a Medical Certificate from a qualified medical practitioner (as part of the annual application for renewal process) which provides evidence of her continuing treatment which prevents her from driving or otherwise being able to care for the horses if they were to be relocated.
3. This Approval only relates to the keeping of horses on the properties noted in the Schedule and is not transferable to any other property. Should there be any changes to the configuration of the land on which the horses are kept or any changes to the configuration of adjoining land, then this Approval will be withdrawn.
4. Approval is only granted for those horses that are identified on the Schedule of the initial Approval. The horses identified on the schedule must be microchipped. Also, approval is not transferable to any other horse.

5. This Approval is not an approval for the purpose of breeding or any commercial enterprise involving horses.
6. The approval holder must comply with the detailed conditions and minimum standards for keeping animals, enclosure requirements and air quality and noise control measures as set out in the attachment hereto.
7. Horses must be kept in accordance with the requirements of any existing code of practice.

(b) Approval to keep stock in an urban area

#### **1. Minimum Standards for Keeping of Animals**

The approval holder or any person responsible for the premises must:

- 1.1. Ensure the enclosure/s in which the animals are kept is cleaned regularly, and waste is disposed of in such a manner as not to create a nuisance to adjoining properties or be injurious or prejudicial to health; and
- 1.2. Take all reasonable steps to prevent the animals from making a noise or disturbance that causes a nuisance or disturbance to the occupiers of neighbouring properties; and
- 1.3. Ensure that any enclosure in which the animals are kept is properly maintained in
  - 1.3.1. a clean and sanitary condition; and
  - 1.3.2. an aesthetically acceptable condition; and
- 1.4. Ensure that the animals are wormed and vaccinated in accordance with the recommendations of the national veterinary association.

#### **2. Enclosure Requirements**

- 2.1. The size of the area to be suitably fenced is to be appropriate to the species and breed of the animals to be enclosed, so as to effectively enclose the animals within the property at all times.
- 2.2. Suitably fenced means a fence which is constructed of strong and firm materials and designed in such a way as to prevent the animals from attacking a person or escaping over, under or through the fence.
- 2.3. In any case, a part of a building or structure that does not have openings through which an animal may escape may form part of the enclosure in lieu of fencing.
- 2.4. Where gates form part of the enclosure, they must be kept closed and latched except when in actual immediate use.

#### **3. Air Quality**

- 3.1. All areas associated with the animal keeping activity must be managed to minimise nuisance and impacts caused by odour, dust or particulate matter at any sensitive place.

- 3.2. No odour associated with the animal keeping activity determined to be strong or very strong (4 to 5 intensity on German Standard VDI 3882 (1) (1992)) by Council's delegated officer is to impact upon any nearby sensitive receptor at any time, when assessed every 10 seconds over a 20 minute assessment period in one (1) location at the sensitive receptor. The odour will impact if it is determined to be present more than 25% of the 20 minute assessment period or detected at a strong or very strong intensity level more than 30 times during the 20 minute assessment period.
- 3.3. When instructed by Council, the approval holder must commission an odour/dust assessment to monitor and investigate any complaint of a nuisance. The monitoring will establish if the animal keeping activity complies with the relevant standards for odour and dust conditions determined in accordance with the Environmental Protection Policy (Air) 2008, and the monitoring data, analysis of that data and a report must be provided within 10 business days of completion of the investigation, to the satisfaction of Council's delegated officer. Where the odour/dust assessment determines that the animal keeping activity is not in compliance with the Environmental Protection Policy (Air) 2008, it must recommend mitigation measures to bring the activity into compliance.
- 3.4. Any recommendations or mitigation measures outlined in the odour/dust assessment must be implemented where practically possible within 20 business days of receiving the report findings, to the satisfaction of Council's delegated officer.
- 4. Noise Control**
- 4.1. The animal keeping activity must be managed in such a way as to prevent offensive noise levels being emitted beyond the boundaries of the subject site, as determined by Council's delegated officer.
- 4.2. When instructed by Council, the approval holder must commission a noise monitoring assessment to monitor and investigate any complaint of a nuisance. The monitoring will establish if the animal keeping activity complies with the relevant standards for noise output determined in accordance with the Environmental Protection Policy (Noise) 2008, and the monitoring data, analysis of that data and a report must be provided within 10 business days of completion of the investigation, to the satisfaction of Council's delegated officer. Where the noise monitoring assessment determines that the animal keeping activity is not in compliance with the Environmental Protection Policy (Noise) 2008, it must recommend mitigation measures to bring the activity into compliance.
- 4.3. Any recommendation or mitigation measures outlined in the noise monitoring assessment must be implemented where practically possible within 20 business days of receiving the report findings, to the satisfaction of Council's delegated officer.

These conditions may be modified or the Approval withdrawn at Council's discretion following due notice.

#### **BACKGROUND**

Council previously considered at its meeting held on 21 September 2016 matters relating to an application for Approval to Keep Stock in an Urban Area submitted by Gail Bradshaw and Tom Smith. The application referred to them keeping horses on land that they own as well as adjoining land owned by others.

As discussed at that meeting, Council has no provision within its Local Laws or Subordinate Local Laws to approve the keeping of stock upon urban land except 'temporarily' and where

4

'exceptional circumstances exist to justify the temporary approval.' Given Council's desire to find a means to allow for the applicants to continue to keep their horses on the subject land, it is suggested that they are given written approval which has clearly defined conditions which must be adhered to in order for them to keep the horses on the subject land. This approval will not be permanent, and renewal must be applied for each year, and the relevant fee paid.

Conditions which are appropriate are included above for consideration by Council and are based on the exceptional circumstance that one of the applicants has a medical condition that prevents her from travelling to maintain the animals.

**LINK TO CORPORATE PLAN**

Not applicable.

**CONSULTATION***Internal*

Manager Development and Governance  
Coordinator Environmental Health and Local Laws  
Senior Planner

*External*

Nil

**LEGAL AND RISK IMPLICATIONS (STATUTORY BASIS, LEGAL AND RISKS)**

Due to Council's local laws not allowing for issue of approvals except for exceptional circumstances and only on a temporary basis, the issue of any approval would not be underpinned by a local law and as such this could prove problematic in the event of compliance issues arising.

**POLICY IMPLICATIONS**

Nil

**FINANCIAL & RESOURCE IMPLICATIONS***Capital*

Nil

*Operating*

Nil

**IMPLEMENTATION/COMMUNICATION**

If Council decides to issue an Approval, then provision will have to be made to ensure that suitable information is captured through an application process, necessary fees paid and the conditions relevant to any Approval are clearly communicated to the parties to the Approval.

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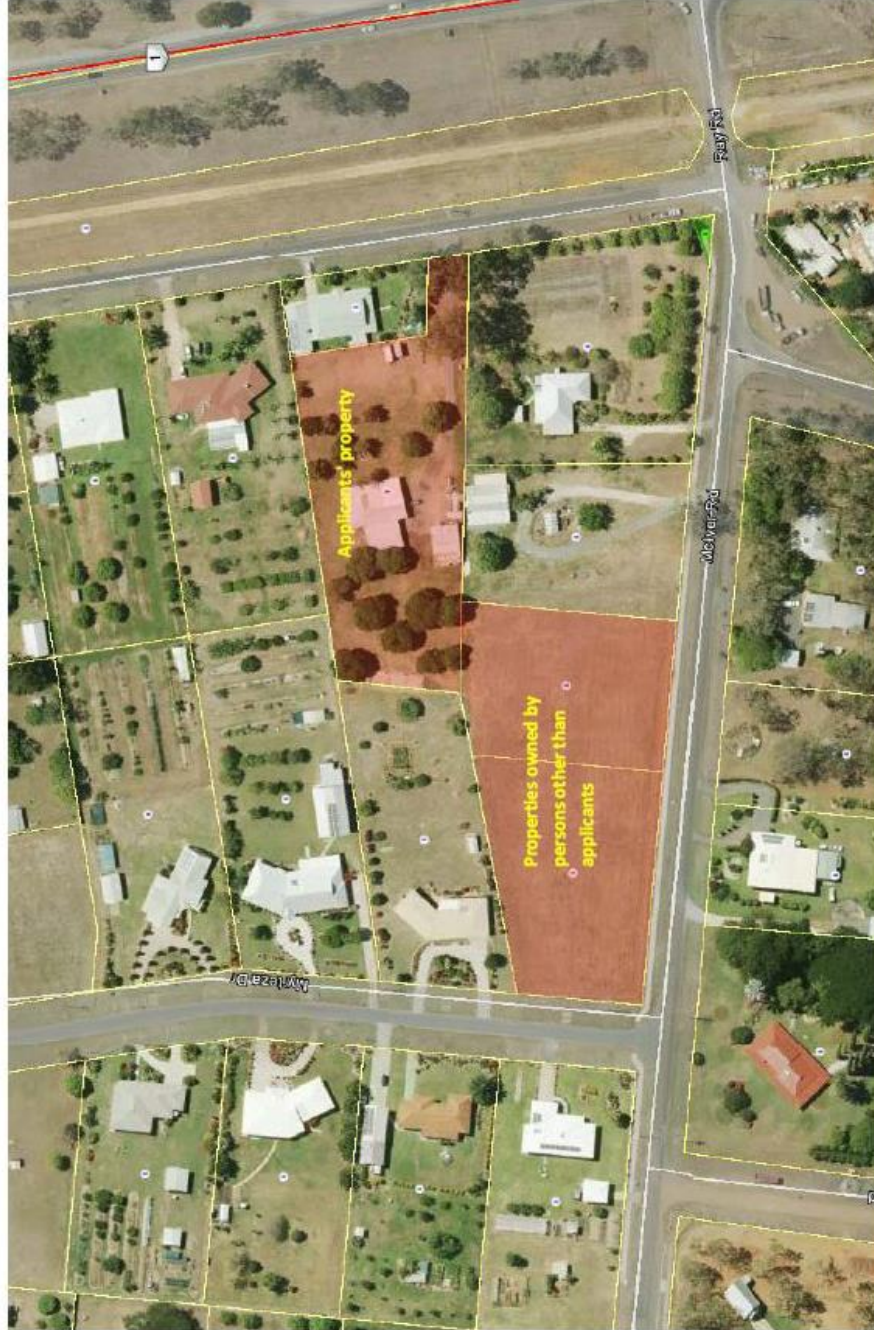
**ATTACHMENTS**

1. Map identifying land subject to application for Approval to Keep Stock in an Urban Area.  
ECM DSID: 3208072.

**Date Prepared:** 5 October 2016

**ATTACHMENT 1**

LAND IDENTIFIED AS BEING SUBJECT TO APPLICATION FOR APPROVAL TO KEEP STOCK IN AN URBAN AREA







Manager of Development and Governance

*External*

Friends of the Animals (FOTA)

Local Vets

### **LEGAL AND RISK IMPLICATIONS (STATUTORY BASIS, LEGAL AND RISKS)**

No Legal Risk or implications if the funding was approved or denied. Council would provide an in kind support donation which the organisation would have to document and keep account of how it will be used.

### **POLICY IMPLICATIONS**

Nil

### **FINANCIAL & RESOURCE IMPLICATIONS**

*Capital*

The in-kind support donation was not factored into the 2016/2017 budget.

*Operating*

Nil

### **IMPLEMENTATION/COMMUNICATION**

Communication with the organisation in the form of a letter would need to be drafted to advise that council's previous decision stands.

The organisation could also be informed that Mareeba Shire Council is currently working with the Friends of the Animals to ensure that Desexing, Animal Welfare and Responsible Pet ownership is carried out in the Mareeba Shire

### **ATTACHMENTS**

1. Correspondence regarding request for funding by Atherton and District Animal Welfare Society Inc.

**Date Prepared:** 7 February 2017



**ATHERTON & DISTRICT ANIMAL WELFARE SOCIETY**

Address: 7 Robert Street, Atherton 4883

PO Box 556 Tolga 4882

Phone 07 40914252

Email: adawsinc@gmail.com

19th December, 2016

Te Mayor and Councillors  
Mareeba Shire Council  
PO Box 154  
MAREEBA. QLD. 4880

Dear Sir and Mesdames,

Re; **Atherton & District Animal Welfare Society**  
**Pets Half Price Desexing and Microchipping Program**

Our Society was disappointed to receive your negative response to our request for financial assistance from Council towards our half price desexing and microchipping program.

We provide the abovementioned service to pensioners all year round and many of these pensioners come from your Shire. We are pleased to be able to assist these people with the desexing and microchipping of their pets however, on review we have discovered that since August 2016 we have paid in the vicinity of \$14000 to Mareeba and Kuranda Vets for pets living in your Shire.

Add to these figures the financial support we supply to the Mareeba Animal Refuge each month and the figures can be quite staggering. In the financial year 2015-2016 we supported the refuge financially to the figure of approximately \$36,000.

Our Society is happy to do this as it greatly reduces the amount of unwanted litters, dumped animals and lost animals as proven in the Tablelands Shire. Tablelands Shire has recognized the difference it makes and this year we received a grant of \$5000 from them for this support.

Our Organisation is run purely by volunteers, and our Op Shop in Atherton receives donations for resale and this is where our funds for community assistance come from. There are no paid workers so all monies raised go towards the assistance of animal refuges and hospitals on the Tablelands as well as the pet desexing and microchipping program.

...../2

Considering the amount of financial assistance given to Mareeba Shire rate payers and residents by us, we felt it necessary to address Council and ask for some financial assistance from them towards our program, and as previously mentioned we were greatly disappointed to receive your negative response.

We would therefore ask Council to reconsider their refusal of financial assistance and grant us some funds so that we can continue with the program in the year 2016-2017.

Yours faithfully  
Atherton and District Animal Welfare Society



Per I Crawford  
Secretary.



65 Rankin Street  
PO Box 154 MAREEBA QLD 4880

P: 1300 308 461  
F: 07 4092 3323

W: [www.msc.qld.gov.au](http://www.msc.qld.gov.au)  
E: [info@msc.qld.gov.au](mailto:info@msc.qld.gov.au)  
Council Ref: LOC-ANI:RAD:ks

2 December 2016

Atherton and District Animal Welfare Society Inc.  
PO Box 556  
TOLGA QLD 4883

Dear Sir/Madam

***PROPOSED ANIMAL DESEXING PROGRAM 2016/2017***

Mareeba Shire Council acknowledges your letter dated 18<sup>th</sup> October 2016 outlining the Atherton and Districts Animal Welfare Society Inc. proposed expansion of the 2016/2017 desexing program.

Council understands that the program is a great initiative and benefits the community by providing discounted desexing vouchers. Regrettably, Mareeba Shire Council cannot provide funding to this program for 2016/2017.

Council is currently committed to alternative funding for animal welfare programs in the Shire.

If you have any questions, please do not hesitate to contact Mareeba Shire Council on 1300 308 461.

Yours faithfully



**ANTHONY ARCHIE**  
MANAGER DEVELOPMENT AND GOVERNANCE



**ATHERTON & DISTRICTS ANIMAL  
WELFARE SOCIETY INC.**

SHOP 7 Robert Street, Atherton 4883  
PO Box 556 Tolga  
PHONE 40914252  
ABN 40 027 369 229  
Email: adawsinc@gmail.com

7 SP0-BMC-PON  
Mayor

18 October 2016

The Mayor and Councillors  
Mareeba Shire Council  
65 Rankin Street  
Mareeba. Qld 4880



Dear Sir and Mesdames

Re **Atherton & District Animal Welfare Society Inc**  
**Proposed Animal Desexing Program for 2016/2017**

We are writing acquaint Council with the work of the Society and to request consideration by Council to join with us in expanding the abovementioned program, which has, to date, been of great value to the Tablelands community.

Council should be aware that The Society is operated solely by volunteers and its principal activity and sole income is derived from the sale of donated clothing, furniture and general merchandise from op-shop premises at 7 Robert Street, Atherton. All net proceeds are expended exclusively towards domestic and wildlife animal projects .

We are major financial benefactors to the Mareeba Animal Refuge and Eagles Nest Wildlife hospital facility at Ravenshoe and have assisted numerous other smaller undertakings such as the Bat Hospital at Carrington and Tableland Wildlife Carers, assisting with the setting up of the Lumholz Kangaroo hospital and with various soft release projects in our area.

Recognising that veterinary costs associated with the desirable desexing of domestic pets are prohibitive to many families and pensioners the Society early in 2011 undertook a public program to meet half of such expenditure for up to two animals per family upon application. We were overwhelmed and in the short term had committed around \$30000 to the project over its timeframe.

Budget constraints forced curtailment of the program last year in that whilst relevant assistance has been made available to pensioners all year round, and it must be mentioned at this time, that many pensioners are from the Mareeba Shire, only 50 vouchers could be made available to the general public at a cost to the Society of over \$5000.

This year, with the assistance of the Tableland Regional Council, who provided funding to the value of \$5000 we were once again able to assist the community with the half price desexing and microchipping program.



Whilst no statistical evidence is available to date, there can be no doubt that these programs will have a major impact in reducing the incidence of unwanted and abandoned animals being released in the community. It follows that the pressure on those Animal Control Officers, Mareeba Animal Refuge, the RSPCA and other like organizations, has surely been reduced..

An added bonus to those who have taken advantage of our programs is that Council registration fees for their animals are substantially reduced. Registration is thus encouraged.

The Society is of the opinion that the potential benefits of these programs far outweigh the cost and it is also apparent that there is a community need for such assistance far in excess of that which the Society has so far been able to offer.

As previously stated many of the people who come to us for assistance come from your Shire and as such we would very much appreciate the opportunity to enter into discussions with your Council with a view to implementing a similar funding agreement for the year 2016/2017 and we would appreciate an opportunity of discussing Council's financial assistance with this program.

Following are details of how this program is run:-

1. To the extent possible, the Society is to continue such assistance to pensioners (before and after the program) as a separate matter;
2. Program costs to be borne equally by the Society and Council;
3. The Society to administer the program and to provide Council with full accounting;
4. Council's involvement in the program to be fully acknowledged and publicized;
5. As in the past:-
  - (a) Half cost of desexing and microchipping to be provided for a maximum of 2 animals per family;
  - (b) Applicants to choose veterinary practice
  - (c) Vouchers to be utilized within one month of issue and with proof of Vet appointment showing date and time.

All of the Mareeba Vets together with the Kuranda Vet are aware of our program and they readily advise their customers to contact us with a view of gaining a voucher for the operation and microchipping.

Thank you for your consideration and we look forward to hearing from Council in due course.

Yours sincerely  
Atherton and District Animal Welfare Society



I Crawford  
Secretary





## FINANCE

### ITEM-7 FINANCIAL STATEMENTS FOR PERIOD ENDING 31 JANUARY 2017

**MEETING:** Ordinary

**MEETING DATE:** 15 February 2017

**REPORT OFFICER'S TITLE:** Manager Finance

**DEPARTMENT:** Corporate and Community Services

#### EXECUTIVE SUMMARY

*The purpose of this report is to provide Council with an overview of financial matters for the period 1 July 2016 to 31 January 2017.*

#### OFFICER'S RECOMMENDATION

"That Council note the financial report for the period ending 31 January 2017."

#### BACKGROUND

##### Financial Summary

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

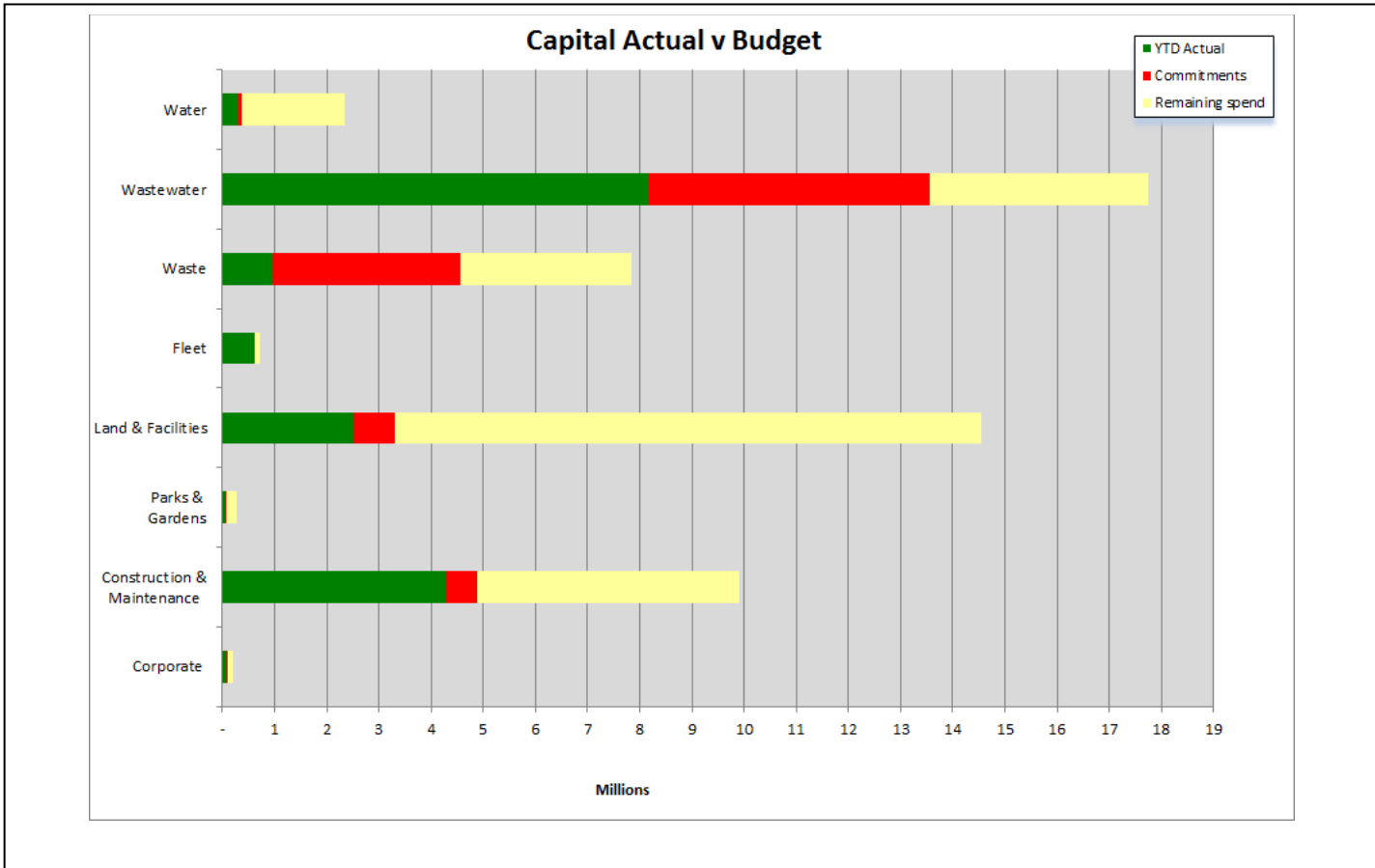
For the period ending 31 January 2017, Council shows an operational surplus of \$1,687,553 compared to a budgeted deficit of \$510,133. The reason for the majority of the surplus is additional operating grant funding and additional third party works.

#### *January 2017 - Snapshot*

Total Operating Income	\$	24,082,450
Total Operating Expenditure	\$	22,394,897
Operating Surplus	\$	1,687,553
Total Capital Income (grants, developer contributions)	\$	6,635,069
<b>Net Result - Surplus</b>	<b>\$</b>	<b>8,322,622</b>

Capital Expenditure

Total capital expenditure of \$27,260,078 (including commitments) has been spent for the period ending 31 January 2017 against the 2016/17 annual capital budget of \$53,585,546. This budget figure now includes carry overs from 2015/16 and new capital items as per the Three Month Capital Review Report that was adopted on 16 November 2016.



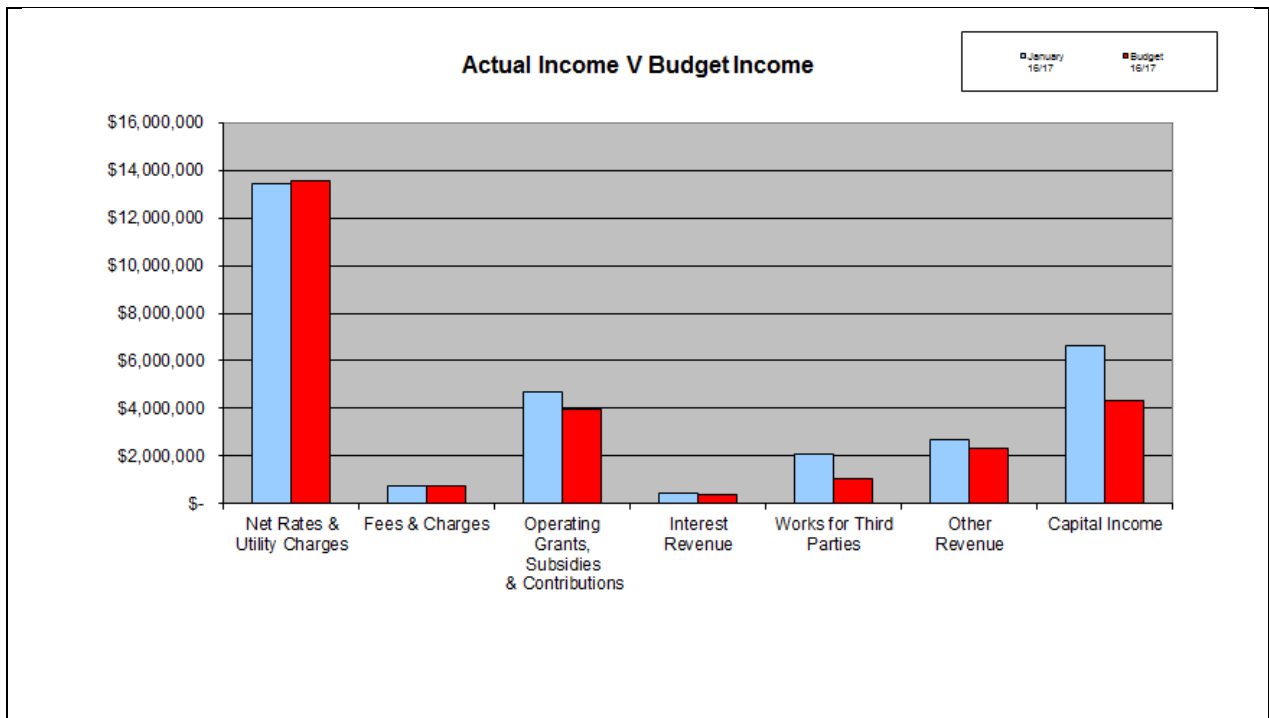
The significant remaining spend in the Land and Facilities section relates to the Mareeba Airport Re-development. It is anticipated that commitments will be made throughout the remainder of the financial year.

Other capital projects are currently tracking well against budgets.

Income Analysis

Total income (including capital income of \$6,635,069) for the period ending 31 January 2017 is \$30,717,518 compared to the YTD budget of \$26,283,989.

The graph below shows actual income against budget for the period ending 31 January 2017.



Description	Actual YTD	Budget YTD	Note
Net Rates & Utility Charges	13,412,552	13,520,370	
Fees & Charges	765,112	750,182	
Operating Grants, Subsidies & Contributions	4,705,540	3,942,519	<b>1</b>
Interest Received	424,709	396,858	
Works for Third Parties	2,084,429	1,032,179	<b>2</b>
Other Revenue	2,690,108	2,313,584	<b>3</b>
Capital Income	6,635,069	4,328,206	<b>4</b>

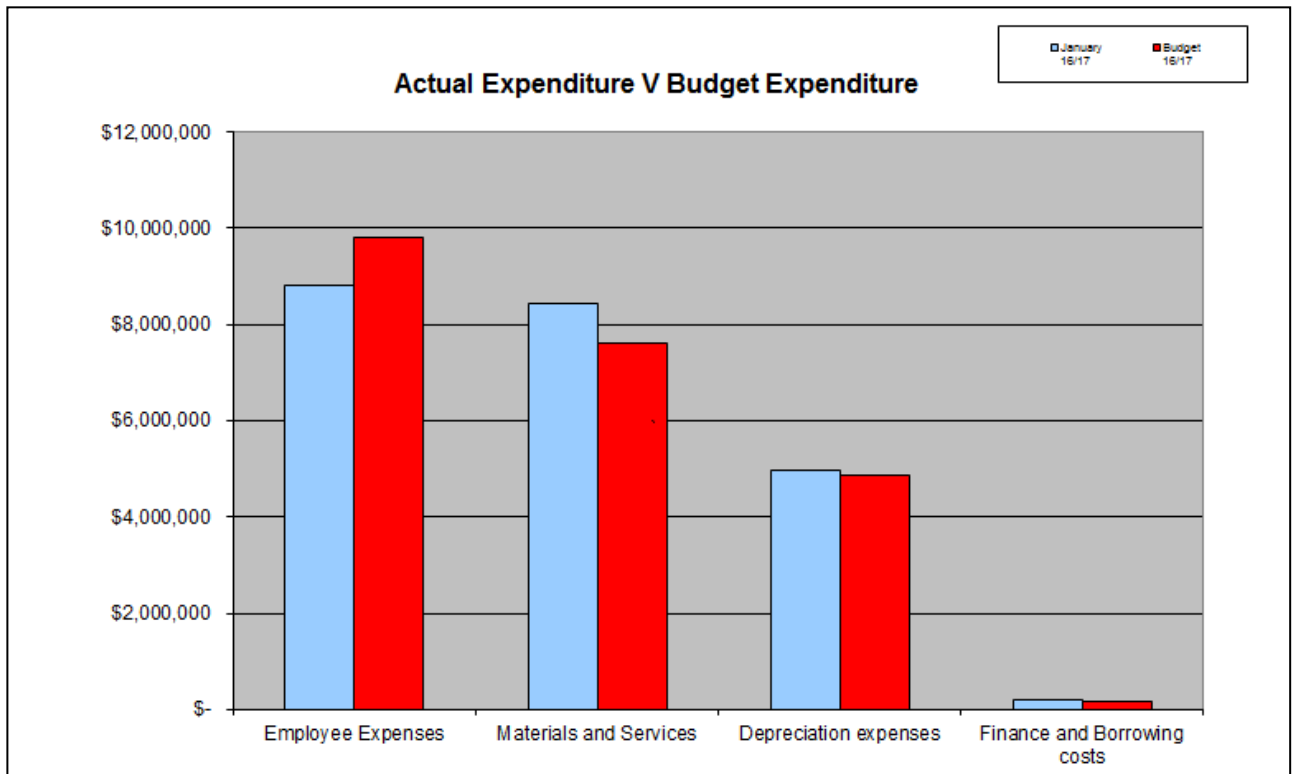
Notes:

1. Council has received an initial prepayment for NDRRA 2016 of \$957k. As the restoration works has no budget allocated, there will be an equivalent offset in expenditure.
2. Majority relates to the timing of the budget for RMPC income, and additional works of \$100k being approved on the Mossman-Mt Molloy roads, and \$576k for the BDR Gravel re-sheet works which has no budget allocated. There will be an equivalent offset in expenditure.
3. Favourable variance relates to the sale of industrial land blocks (\$202k).
4. First milestone claim for the Mareeba Airport upgrade of \$1.3M received, along with \$3M for Mareeba WWTP upgrade, \$986k for Roads to Recovery capital grant (R2R), \$133K for TIDS, \$425k for Bridges Renewal Program and \$561k for developer contributions.

### Expenditure Analysis

Total expenses for the period ending 31 January 2017 is \$22,394,897 compared to the YTD budget of \$22,465,825.

The graph below shows actual expenditure against budget for the period ending 31 January 2017.



Description	Actual YTD	Budget YTD	Note
Employee expenses	8,806,905	9,816,614	<b>1</b>
Materials & Services	8,440,546	7,610,320	<b>2</b>
Depreciation expenses	4,963,203	4,878,241	
Finance & Borrowing costs	184,243	160,650	

Notes:

1. The majority of the reported savings in employee expenses relate to staff costs being debited to construction/capital projects. Also contributing to the variance is the amount of leave staff have taken which is debited to a leave provision reserve (\$447k).
2. Expenditure for the additional DTMR works that was not budgeted for, is the main contributor to the variance, however, majority of this variance has already been recovered through Works for Third Party income above.

### Loan Borrowings

Council's loan balance as at 31 January 2017 is as follows:

QTC Loans	\$6,706,111
-----------	-------------

### **Rates and Sundry Debtors Analysis**

#### Rates and Charges

The total rates and charges payable as at 31 January 2017 is \$2,191,860. As compared to the same time last year, the total rates and charges payable as at 31 January 2017 was \$1,757,356. This reflects the change in rating methodology for unused land (Category N). The total outstanding rates for this category are \$1,025,885.

Rates will be issued on 14 February 2016 for the six (6) months January to June 2016, with the discount period closing on 17 March 2016. Total Gross Rates and Charges levied for this six (6) month period will be \$16,323,659.

Collection House collected \$96,189 for the month of January. The outstanding amount for properties currently with debt collection is \$619,668.

The Sale of Land process is now underway, with \$210,837 likely to be collected over the coming 6 months. Three of the properties have already paid their outstanding balance in full (\$38,549).

#### Sundry Debtors

The total outstanding for Sundry Debtors as at 31 January 2017 is \$2,383,188 which is made up of the following:

<b>Current</b>	<b>30 days</b>	<b>60 days</b>	<b>90 + days</b>
\$2,210,833	\$8,452	\$119,884	\$44,017
92.8%	0.4%	5.0%	1.8%

### **LINK TO CORPORATE PLAN**

Nil

### **CONSULTATION**

#### *Internal*

Director Corporate & Community Services  
 Financial Accountant

#### *External*

Nil

**LEGAL IMPLICATIONS (STATUTORY BASIS, LEGAL RISKS)**

*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.*

**POLICY IMPLICATIONS**

Nil

**FINANCIAL & RESOURCE IMPLICATIONS**

*Capital*

Nil

*Operating*

Nil

**IMPLEMENTATION/COMMUNICATION**

Nil

**ATTACHMENTS**

1. Financial Statements

**Date Prepared:** 7 February 2017



**MAREEBA SHIRE COUNCIL**
**Budgeted Income Statement by Fund  
For the period ending 31 January 2017**

	Sewerage Services		Water Services		Benefited Areas	
	Actual YTD	Budget YTD	Actual YTD	Budget YTD	Actual YTD	Budget 2016/17
<b>Revenue</b>						
Rates and utility charges	2,174,178	2,154,326	2,235,337	2,458,158	158,091	160,249
Less Discounts and Pensioner Remissions	-	-	-	-	-	-
Net Rates and Utility Charges	2,174,178	2,154,326	2,235,337	2,458,158	158,091	160,249
Fees and Charges	21,162	17,500	-	0	-	0
Operating Grants and Subsidies	-	-	25,000	0	-	0
Operating Contributions	-	-	-	0	379,057	367,200
Interest Revenue	99,444	-	41,177	33,495	30,698	20,417
Works for Third Parties	8,534	-	58,301	17,325	-	0
Other Revenue	300	-	107,170	16,333	-	0
<b>Total Operating Revenue</b>	<b>2,303,618</b>	<b>2,171,826</b>	<b>2,466,985</b>	<b>2,525,311</b>	<b>567,846</b>	<b>1,126,898</b>
<b>Expenditure</b>						
Employee Expenses	202,012	286,249	412,038	441,763	46,019	50,289
Materials and Services	720,934	816,438	1,746,831	1,482,935	107,913	142,609
Depreciation expense	511,142	523,278	713,969	719,322	58,089	82,514
Finance and Borrowing costs	75,989	82,505	-	-	-	-
<b>Total Operating Expenses</b>	<b>1,510,077</b>	<b>1,688,470</b>	<b>2,872,838</b>	<b>2,644,020</b>	<b>212,021</b>	<b>436,261</b>
<b>Operating Surplus/(Deficit)</b>	<b>793,541</b>	<b>483,356</b>	<b>(405,853)</b>	<b>(118,709)</b>	<b>355,825</b>	<b>294,037</b>
<b>Capital Income</b>						
Capital Contributions	115,754	-	120,401	0	-	-
Capital Grants and Subsidies	3,112,000	1,250,000	-	325,000	-	-
Profit/(Loss) on Sale of Asset	-	-	222	-	-	-
<b>Net Result</b>	<b>3,227,754</b>	<b>1,250,000</b>	<b>120,623</b>	<b>325,000</b>	<b>355,825</b>	<b>690,637</b>
	4,021,295	1,733,366	(285,230)	206,291	294,037	690,637



## COMMUNITY WELLBEING

### **ITEM-8                      COMMUNITY LEASING AND RATE AND SERVICE REBATES AND REMISSIONS FOR NOT FOR PROFIT GROUPS**

**MEETING:**                      Ordinary

**MEETING DATE:**            15 February 2017

**REPORT OFFICER'S  
TITLE:**                          Manager Community Wellbeing

**DEPARTMENT:**              Corporate and Community Services

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#### **EXECUTIVE SUMMARY**

*The completion of a comprehensive review of Council's community leasing arrangements has led to significant proposed policy changes.*

*This report presents the amended Council Community Leasing Policy, Rate Rebate and Remission Policy and the Community Partnerships Program Policy for approval.*

#### **OFFICER'S RECOMMENDATION**

"That Council approve the:

- Community Leasing Policy;
- Rate Rebate and Remission Policy 2017 / 18; and
- Community Partnerships Program Policy."

#### **BACKGROUND**

Council is committed to supporting the vital role that not for profit community, cultural, recreational and sporting groups play in the shire's towns and districts, making them places where people want to live, work, invest and visit. Council assistance to eligible groups could include one or more of the following: land, buildings, financial donations, interest free community loans, rate rebates and remissions, donations towards water use, and in-kind assistance.

The issuing of subsidised community leases to community groups for the exclusive occupation and use of Council land and facilities contributes to providing affordable and sustainable space for community, cultural, sporting and recreational activities. Council has more than 30 community leases with various arrangements in place regarding community group and council responsibilities.

There was a need to review these to ensure that a consistent, transparent and equitable approach be taken to community leasing arrangements, and that the level of subsidy

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enables community groups to affordably manage council land and facilities for them to be well utilised, yet the level of subsidy is sustainable by ratepayers.

During the course of the review it became evident that to be equitable, Council also needed to consider the level of rate rebates and remissions and donations for water usage offered to all community groups, not only to those leasing council facilities but also to those community groups not leasing council facilities.

### **Review Outcomes: Community Leasing Policy**

The key outcomes of the review and proposed policy amendments are that community leasing arrangements and council assistance for rate rebates and remissions and water usage donations will now be offered to eligible not for profit community groups in a fair, transparent and consistent manner. Council assistance has been set at levels that provides critical support to community groups for facilities to be well utilised, but is sustainable by ratepayers.

The proposed Community Leasing Policy provides the means to empower community groups with exclusive use of Council facilities to responsibly manage and take care of these as they see fit by providing long term security of tenure to occupy and invest in facilities, which also ensures their eligibility for government and corporate grants.

The policy proposes that a standard community lease with universal terms and conditions, roles and responsibilities be executed between Council and each community group with exclusive occupancy of Council facilities.

### **Rate Rebate and Remission Policy and Community Partnerships Program Policy**

To ensure a comprehensive review, the Rate Rebate and Remission Policy and the Community Partnerships Program Policy were also reviewed. The rate and charge remissions for community groups and assistance towards the water consumption costs of community groups, including community lessees, will be delivered through these policies respectively. Both amended policies are also attached.

Council has decided to offer the same level of rate rebates and remissions and donations for water usage to *all* eligible community groups in the shire, not only those with a community lease for the exclusive occupation of council facilities.

Council will provide assistance to eligible community groups by way of general property rate and charge remissions (for sewerage charges, water access charges, waste management levy and rural fire levy.) These remissions will be delivered through the Rate Rebate and Remission Policy. Financial assistance to eligible groups for water consumption costs will be available under the Community Partnerships Program Policy. These two policies have been amended to detail the eligibility of community groups for remissions, the remission calculation and application process and to align with the Community Leasing Policy.

Collectively, these policies cover the assistance offered by Council to eligible not for profit community groups. Council does not subsidise commercial activity and to reflect this intention, community groups will be assessed according to their level of commerciality, and assigned (by Council) to one of two community group types.

The categorisation of community groups, based on commerciality, enables Council to make available equitable and transparent assistance to community groups irrespective of whether

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or not they occupy council facilities. A higher level of assistance will be offered to Type A - Limited Commerciality Community Groups than those assessed as Type B - Substantial Commerciality Community Groups.

## **LINK TO CORPORATE PLAN**

Key Strategic Priority - Community - Communities across the area share a sense of common identity whilst retaining local diversity and enjoy equitable access to services and facilities based on effective partnerships.

**COM 2** - Conduct an analysis of current community facilities and develop a shire wide plan to guide the assessment of maintenance programmes, possible capital upgrades and community requests for new facilities.

**COM 3** - Encourage the building of strong partnerships with community, private sector and government so as to build community capacity and develop strategies to encourage and support leadership and self-responsibility in the community.

## **CONSULTATION**

### *Internal*

Mayor and Councillors  
Chief Executive Officer  
Director Corporate and Community

### *External*

Tablelands Regional Council  
Cairns Regional Council

## **LEGAL AND RISK IMPLICATIONS (STATUTORY BASIS, LEGAL AND RISKS)**

Nil

## **POLICY IMPLICATIONS**

Community Leasing Policy amended  
Rate Rebate and Remission Policy amended  
Community Partnerships Program Policy amended

## **FINANCIAL & RESOURCE IMPLICATIONS**

### *Capital*

Nil

### *Operating*

No impact on 2016/17 budget.

Amendments to the Community Partnerships Program budget for the cost of the rate rebates and remissions and donations for water usage will be considered during budget planning for

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2017/18 financial year. The cost for the revised rate rebates and remissions for community lessees is nil and to extend this to community groups not leasing council facilities is \$10,000 per annum.

### **IMPLEMENTATION/COMMUNICATION**

- The Community Leasing Policy will come into effect immediately.
- The amended rate and charge remissions and water consumption contributions will be applied in future rating periods and will not apply to the current rating period.
- Appropriate community engagement will be conducted with each community group receiving rate rebates and with community lessees depending on the level of impact of the new policy once the new policy is adopted.

### **ATTACHMENTS**

1. Community Leasing Policy
2. Rate Rebate and Remission Policy
3. Community Partnerships Program Policy

***Date Prepared:*** 6 February 2017

**ATTACHMENT 1**

# Community Leasing Policy

Council Policy <input type="checkbox"/>	Internal Policy	Guideline / Procedure <input type="checkbox"/>
Draft <input type="checkbox"/>	Final <input checked="" type="checkbox"/>	Version: 1.0
File Ref:		Policy Section:
Date Adopted: 15/2/2017		Review Date:
Author:		Review Officer:

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## 1. POLICY INTENT

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### 1.1 PREAMBLE: SUBSIDISED COMMUNITY LEASING

Subsidised community leasing recognises the significant community benefits provided by not for profit community groups. The issuing of subsidised community leases to community groups for the exclusive occupation and use of Council land and facilities contributes to providing affordable and sustainable space for community, cultural, sporting and recreational activities in a fair, consistent and transparent manner.

#### **Vital role of community groups**

Council recognises the vital role that community, cultural, recreational and sporting groups play in developing a sense of belonging and engagement in the region. Through innovative programmes and the utilisation of local knowledge, community groups help ensure that community issues are addressed, community needs are provided for and future challenges are met. In addition, community, recreational and sporting groups provide opportunities for residents to get active and enjoy healthy lifestyles. Ultimately, the availability of these types of activities significantly increase the liveability of the shire's towns and districts, making them places where people want to live, work, invest and visit.

#### **Community partnerships**

Many community, sporting and recreational activities are initiated and sustained by community partnerships involving a group, often an incorporated, not for profit association, organising the activities at facilities constructed with a mixture of community fundraising, volunteer efforts, state or commonwealth grants and Council assistance. Council's contribution to these partnerships could include one or more of the following: land, buildings, financial donations, interest free community loan, rates and services remittance or in-kind assistance.

Community leasing is another way that Mareeba Shire Council contributes to supporting not for profit community groups to deliver services and activities for the benefit of the community.

#### **Enabling community groups to take command**

Whilst Council is the owner of all property and facilities on Council owned or controlled land, including when a community group has paid for the construction of those facilities, the issuing of community leases for exclusive occupation and use, enables the community group to manage the land and facilities as it sees fit on a long term basis.

This policy is based on Council's desire to ensure that community groups are able to affordably manage Council land and facilities so they will be well used by many community members. As a show of support for community groups, Council is foregoing revenue by way of providing subsidies for rates, utilities charges and levies; offering financial assistance for water consumption; as well as absorbing the administration and legal costs associated with preparing and maintaining community leases. This support has been set at a level that is sustainable by rate-payers.

#### **A policy for our unique shire**

This policy reflects the unique characteristics, needs and issues associated with the exclusive use of Council facilities and land by not for profit groups conducting community, sport and recreational activities for community benefit in the Mareeba Shire.

## 1.2 PURPOSE

The purpose of this policy is to guide the provision of community leases and this policy will:

- a) Provide clarity on the scope and purpose of community leases;
- b) Provide clarity on the lease terms and conditions and roles and responsibilities of community lessees;
- c) Provide clear processes for groups wishing to apply for, renew and/or terminate a community lease.

## 1.3 OBJECTIVES

The objectives of the policy are to:

- a) Support community groups to conduct a wide range of community, recreational, cultural and sporting activities enhancing individual wellbeing and the liveability of the Shire by making affordable Council land and facilities available for community lease;
- b) Enable community groups with exclusive use of Council land and facilities to responsibly manage and take care of the land and facilities as they see fit;
- c) Increase the capacity of not-for-profit community groups by providing security of tenure to occupy and invest in facilities and access grants for the benefit of the community;
- d) Define a level of Council support for community lessees that considers and balances: that costs are affordable for community groups; that costs are sustainable for the shire's ratepayers and that facilities are well utilised.
- e) Recognise that Council does not subsidise commercial activities;
- f) Ensure decisions about lease conditions are made in a transparent, consistent and fair manner, whilst allowing some flexibility to take into account special circumstances.

## 2. SCOPE

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### 2.1 COMMUNITY GROUPS

#### 2.1.1 Definition of Community Groups

This policy covers leases with not-for-profit community groups which have exclusive occupancy and use of a Council facility or land to conduct community activities for community benefit.

Community groups are defined as:

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



### 2.1.2 Eligibility

- a) Groups meeting the definition of a community group, and who request exclusive use to operate community activities from a leased facility, are eligible to apply for a community lease through this policy.
- b) Factors including alignment with Council strategies, type of service provided, zoning requirements, ability to fulfil maintenance requirements and the level of community need for the activity proposed will be considered when assessing applications.
- c) This policy excludes the following groups and facilities:
  - Groups who do not meet the definition of a community group as defined in this policy at Section 2.1.1;
  - Facilities where community groups undertake only commercial activities;
  - Facilities with multiple user groups;
  - Community Halls managed by community groups;
  - Groups where religious worship is the primary purpose;
  - Political groups.

## 2.2 PRE-SCHOOL SERVICES AND CHILD CARE SERVICES

Council is not in the business of subsidising child care as it does not subsidise activities that compete with commercial ratepayers. Pre-school services that meet the following four mandatory conditions and one of the two elective conditions are eligible for a subsidised community lease:

<b>Mandatory</b>	<ul style="list-style-type: none"> <li>• Do not provide all-day care</li> <li>• Offered free of charge or at nominal rates</li> <li>• The service operates only during school terms</li> <li>• Does not receive operational government grants or subsidies</li> </ul>
<b>Elective</b>	<ul style="list-style-type: none"> <li>• The service is sessional in nature, with each session lasting no longer than four hours</li> <li>• The service is provided on a school-day based model, meaning it operates approximately the same hours as a primary school</li> </ul>

Services that do not meet these conditions are considered to be childcare centres, out of school hours services, kindergartens or other pre-school services and are not eligible for a subsidised community lease. If facilities are available, Council may lease to these services by commercial lease.

Council may however provide space to playgroups and pre-school activities which are not childcare services. Generally these types of activities don't require exclusive use of a facility, instead are using a community hall or other Council facility on a casual hire basis.

### **2.3 TYPES OF SPACES FOR COMMUNITY LEASING**

Community Leases issued under this policy cover several types of spaces. These include:

- a) Council owned land;
- b) Council owned buildings;
- c) Rooms within larger Council owned buildings (i.e. a room/office in a community centre);
- d) Land held by the Council either as a Community Purpose Reserve or other form of tenure eg. Special Lease held under the Land Act 1994;
- e) Land and/or facilities on-leased by Council.

Most of Council's community facilities and sporting fields are on reserve land controlled by Council therefore the lease is in the form of a Trustee Lease with a particular group that has exclusive occupation and use of the space.

### **2.4 OTHER AGREEMENTS AND LEASE TYPES**

This policy excludes the following types of agreements and leases:

- Commercial leases;
- Management Agreements and User Agreements for multi-use and shared facilities such as Davies Park, Geraghty Park, Borzi Park, Firth Park;
- Agreements for the community management of Council halls;
- Casual hall hire arrangements;

## **3. POLICY STATEMENT**

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### **3.1 STANDARD COMMUNITY LEASE**

A standard community lease with universal terms and conditions, roles and responsibilities will be executed between Council and each community group with exclusive occupation of Council land or facilities.

Council assistance by way of rates and services remittances and financial assistance towards water consumption costs is available to eligible community groups under the Rate Rebate and Remission Policy and the Community Partnerships Program including those community groups with a community lease with Council and this is discussed further at Section 4.2 below.

### **3.2 COUNCIL ASSISTANCE TO COMMUNITY LESSEES**

#### **3.2.1 Fair and Transparent Council Assistance**

Council is committed to supporting not for profit community groups to have access to affordable space for community activities but excludes the subsidisation of commercial activity. This assistance applies to eligible community groups in the shire, including those with a community lease for the exclusive occupation of Council land and facilities. The community group must meet the definition of "*Community Group*" at Section 2.1.1 of this Policy and the assistance is available under the Rate Rebate and Remission Policy and the Community Partnerships Program.

To reflect this purpose, community groups are assessed, according to their level of commerciality, and assigned (by Council) to one of two community group types:

- Type A Community Group - limited commerciality
- Type B Community Group - substantial commerciality.

The categorisation of a community group occupying land or facilities for community activities enables Council to make available fair, reasonable and transparent assistance to each community group, depending on their level of commerciality, irrespective of whether or not they occupy Council land or facilities. It also recognises that community groups can change over time experiencing increased or decreased levels of commerciality and the group's categorisation can be changed accordingly.

Council will offer a higher level of assistance to Type A Community Groups than those assessed as Type B Community Groups.

Council assistance available for community groups with a community lease is summarised at *Table 2. Lessee Financial Responsibilities and Council Assistance, Section 4.3.*

### **3.2.2 Assessing Type A Groups: Limited Commerciality**

The group's revenue raising streams are limited to membership fees, community donations, minor event charges, raffles and other fundraising and food canteen. If the group has a bar, then patrons are mainly members and limited profit is made.

These groups will contribute less to the costs of operating the facilities through Council subsidisation of general property rates, service charges and water consumption.

Type A Groups will be responsible for general operating costs such as electricity, maintenance, insurance and state emergency levy.

Type A Groups may be eligible for remissions from Council for general property rates and utility charges under the Rate Rebate and Remission Policy and for financial assistance towards water consumption costs under the Community Partnerships Program.

### **3.2.3 Assessing Type B Group: Substantial Commerciality**

The group's revenue raising streams include those of Type A Groups but also include the regular operation of a bar and commercial kitchen, gaming machines, charge industry recognised gate entry fees and commercial sponsorship.

Type B Groups will contribute more to the costs of operating the facilities through payment of general property rates, utility and service charges, general operating costs, maintenance, insurance and state emergency levy.

Type B Groups may be eligible for remissions from Council for general property rates and utility charges under the Rate Rebate and Remission Policy and for financial assistance towards water consumption costs under the Community Partnerships Program.

### **3.2.4 Rate Rebate and Remission Policy - Refer to Rate Rebate and Remission Policy**

The Rate Rebate and Remission Policy relates to the granting of rebates and remissions of Council rates and charges for not for profit community groups. To be eligible for rates rebates and charges remissions, applicants must meet the eligibility criteria (section 4.2.1) within the Rate Rebate and Remission Policy. The Rate Rebate and Remission Policy outlines the application and continuation processes for the remission.

### 3.2.5 Community Partnerships Program - Refer to Community Partnership Policy

Under the Community Partnerships Program (CPP), assistance is available to eligible, not for profit community organisations for financial assistance towards water consumption fees, if the annual water consumption exceeds \$100 per annum. To be eligible for financial assistance community groups must also meet the eligibility criteria (sections 8 and 9) of the Community Partnership Program Policy.

### 3.2.6 Other Council Assistance for Community Lessees

Other Council contributions to support the availability of affordable space for community activities include Council absorbing the costs associated with the preparation and maintenance of community leases, thereby not charging community lessees an Administration Fee or Rent. Similarly, legal costs will not be charged provided the standard documents are utilised.

## 3.3 LESSEE FINANCIAL RESPONSIBILITIES AND COUNCIL ASSISTANCE

Lessee responsibilities are indicated with "Yes" and the type of Council assistance available is identified.

**Table 2. Lessee Responsibilities and Council Assistance**

	<b>Community Lease Conditions</b>	<b>Lessee Responsibilities</b>	<b>Council Assistance for Eligible Type A Community Groups</b>	<b>Council Assistance for Eligible Type B Community Groups</b>
1	Term	10 years	-	-
2	Administration Fee / Rental	No	-	-
3	Legal Costs	No	-	-
4	Operating Expenses including Cleaning, Electricity, Gas, Telephone	Yes	-	-
5	General Property Rates	Yes	100% Remission	50% remission up to \$1000 per year
6	Water Access Charge	Yes	100% Remission	20% remission on total charges (water access, waste management, sewerage) up to a maximum \$200 per year.
7	Waste Management Levy	Yes	100% Remission	
8	Sewerage Charge	Yes	100% Remission	
9	Rural Fire Levy	Yes	100% Remission	100% Remission

10	Water Consumption	Yes	CPP donation for groups using >\$100 water/yr: Group 1: 35% donation of annual water costs up to a maximum \$2,000 Group 2: 35% donation of annual water costs up to a maximum \$1,000 Group 3: 35% donation of annual water costs up to a maximum \$500	
11	Waste Collection	Yes	-	-
12	State Emergency Management Levy	Yes	-	-
13	Ground maintenance	Yes	-	-
14	Building & Facilities Maintenance	Yes	-	-
15	Insurance General Building	Yes, at lessee's discretion	-	-
16	Insurance Chattels/Contents	Yes	-	-
17	Insurance Public Liability	Yes	-	-
18	WPH&S Buildings	Yes	-	-

**Explanatory Notes:**

1. All community groups will be offered a **10 year term** with a streamlined option to renew for another 10 years to ensure security of tenure and eligibility for government grants; encourage investment for improved facilities for the benefit of the community; and foster a sense of "ownership" and responsibility for managing the facilities for which the group has exclusive use.
2. **No administration fee or rent** will be charged to community lessees as Council will absorb the costs associated with the preparation and maintenance of community leases as a contribution to supporting the availability of affordable space for community activities.
3. **Legal costs** will not be charged provided the standard documents are utilised.
4. **Operating costs including cleaning, electricity, gas and telephone** will be paid by all Groups to ensure these utilities are managed in a sensible manner.
5. Under the Rate Rebate and Remission Policy, only Type B Groups with a community lease will pay **general property rates** and they will receive a **remission** of fifty percent (50%) of the general property rate up to a maximum of \$1,000 per year. A **remission** of one hundred percent (100%) is available to Type A community groups including those with a community lease.
- 6-9. Under the Rate Rebate and Remission Policy, only Type B Groups with a community lease will pay **water access charge, sewerage charge and waste management levy** and they will receive

a **charge remission** of twenty percent (up to a maximum of \$200 per year) on these total utility charges. A **charge remission** of one hundred percent (100%) is available to Type A community groups including those with a community lease. A 100% remission of the **Rural Fire Levy** applies to all eligible community groups with a community lease.

10. **Water consumption** will be paid by all community groups to ensure this resource is managed in a responsible and sustainable manner. Under the Community Partnerships Program, assistance is available to eligible, not for profit community organisations for financial assistance towards water consumption fees. Refer Section 4.2.5: CPP donation for groups using >\$100 water/year:

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

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

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

11. It is the responsibility of community groups with exclusive use of land or facilities to organise and pay for their own **waste collection service**.

12. All community groups are expected to pay the **State Emergency Management Levy** as Council is required to collect this levy and pass it onto the State Government.

13 & 14. Recognising that community lessees have exclusive occupation and use of land and/or facilities and buildings, it is reasonable to expect the group will be responsible for **grounds maintenance and all building and facilities maintenance**. However Council will consider undertaking major maintenance on a case by case basis as required.

15. Recognising that community lessees have exclusive occupation and use of facilities and buildings, it is reasonable to expect the group will be responsible for **general building and facilities insurance**. Groups may undertake to effect general building insurance, at their discretion and own expense.

16. All Groups are responsible for **insuring chattels and contents**. Council is not responsible for insuring the furniture or equipment or other unspecified contents contained within facilities and accepts no liability for equipment owned by community lessees.

17. Both Council and community lessees shall at their own cost maintain **public liability insurance** having a minimum limit of twenty million dollars.

18. All community lessees are responsible for complying with the relevant **work place health and safety** building requirements.

## **4. LEASE PROCESS**

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### **4.1 LEASE APPLICATION**

All leases presently in operation will remain so until the expiration date, unless a community lessee requests to re-negotiate a new lease under this policy. All renewal leases and new leases will be drafted in accordance with this policy.

Groups wishing to apply to Council for a new community lease under this policy can register their interest by contacting Mareeba Shire Council and submitting a Community Lease Application Form (See Attachment 1):

T: 1300 308 461  
E: [info@msc.qld.gov.au](mailto:info@msc.qld.gov.au)

When a new space becomes available for lease, Council will invite applications through open advertisement and direct notification to groups who have registered interest and to Council's Indigenous Land Use Agreement (ILUA) partners.

The following factors will be assessed when considering an application:

- Alignment with Council strategies
- Type of services and activities the group provides
- If the group is willing to share the facility and/or building
- Planning and Building requirements
- Native Title and Cultural Heritage issues
- Ability to fulfil maintenance requirements
- Level of community need for the community activity proposed or proximity to other services offered
- Accessibility of the community activity proposed
- Community group facility requirements
- An assessment of the impact of the proposed activity on open space (where the lease is on open space)
- Whether there are alternative accommodation options for the applicant.

Applications are assessed by Council Officers and a recommendation is presented to the Mayor and Councillors. If approved, the lease document will be drafted, signed and the conditions come into effect.

### **4.2 LEASE REVIEW**

Leases will be reviewed at the end of the 10 year term. Factors considered will be:

- Compliance with the core community activities as stated in the lease agreement;
- Compliance with lessee responsibilities such as maintenance and annual reporting;
- The level of community use of the facilities;
- Whether Council requires the land and/or buildings for another purpose which, in the opinion of Council, is of higher public interest;
- The commercial activities the group is undertaking.

#### **4.3 RENEWAL OF LEASES**

Subject to a satisfactory lease review as outlined at Section 5.2, a streamlined renewal process will be followed to execute a new lease for a further 10 years.

#### **4.4 COMPLIANCE WITH LEASE CONDITIONS**

Lessees pledge with Council that in accepting a lease that the Lessee shall comply with all conditions in the lease. It is the responsibility of Lessees to inform Council of any changes that impact on compliance with lease conditions, including changes in the group's level of commerciality. Non-compliance with lease conditions could result in the lease being terminated.

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

#### **5. REVIEW**

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This policy is to remain in force until otherwise determined.

#### **6. APPENDIX**

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##### **APPENDIX 1: Application to Council for a Community Lease**





## Application to Council for a Community Lease

*This form is to be completed by the interested Party and returned with any supporting documentation in a sealed envelope addressed to the Chief Executive Officer, Mareeba Shire Council.*

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### 1. Applicant Organisation's Details

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Name of interested party

---

Address of interested party

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Name of President

Telephone

Email

---

Name of Secretary

Telephone

Email

---

### 2. Please provide details of your preferred property choice

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Preferred Choice 1

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Address of property identified

---

Real Property Description

Lot Number

Plan Number

---

Detail any existing improvements /development on the property.

---

Preferred Choice 2

---

Address of property identified

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Real Property Description

Lot Number

Plan Number

---

Detail any existing improvements /development on the property.

---

**3. Attach a sketch drawing of the proposed tenure area.**

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**4. Provide a brief history of the applicant organisation, including year of formation.**

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**5. Provide membership details, including number of members for the previous three years.**

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**6. What are the aims and objectives of the applicant organisation?**

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**7. Does the applicant organisation hold or intend to hold any of the following licences?**

Restricted Liquor Permit

Full Liquor Licence

Gaming Licence

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**8. Provide details of the applicant organisation's current and potential revenue raising streams?**

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**9. Does the organisation have a Business Plan? If so please attach.**

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**10. Provide details of the organisation's current financial position. Attach audited financial records or bank statements.**

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**11. Outline the organisation's proposed use of the preferred property.**

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**12. Provide details of the organisation's development plans for the preferred property.**

Description of proposed development

Reasons to justify development

Expected timeframe for development

Estimated cost of development

Outline the source of funding

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Resources required to ensure successful completion  
of development

Attach any plans of future development

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**13. What will be the frequency of use for the facility / land by your organisation? Please attach a  
schedule of planned usage.**

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**14. Will your organisation encourage shared use of the facility / land? Please attach details of shared  
usage.**

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**13. Applicant Signature**

Signed

Name

Position

Date

---

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**14. Attachments and Completion Checklist**

Copy of Certificate of Incorporation

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Copy of Constitution

---

Copy of Public Liability Cover

---

Sketch drawing of proposed tenure area

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Business Plan

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Audited financial records or bank statements

---

Plans for future development of property

---

Schedule of planned usage by organisation

---

Shared usage details

---

Completed and signed application form

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*This form is to be completed by the interested Party and returned with any supporting documentation in a  
sealed envelope addressed to the Chief Executive Officer, Mareeba Shire Council.*

**ATTACHMENT 2****Rate Rebate and Remission Policy  
2017/18**

Council Policy <input type="checkbox"/>	Internal Policy	Guideline / Procedure <input type="checkbox"/>
Draft <input type="checkbox"/>	Final <input checked="" type="checkbox"/>	Version: 1.0
File Ref:		Policy Section:
Date Adopted: 15/2/2017		Review Date:
Author:		Review Officer:

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## **1. POLICY INTENT**

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This document sets out Council policy, as per annual budget resolution, in relation to the granting of rebates and remissions on rates and charges.

## **2. SCOPE**

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This policy applies to:

- Pensioners who own and reside on their property within the Mareeba Shire Council area and who meet the requirements set out in the Pensioner Remission Policy Statement in this document.
- Not-for-Profit community, recreation and sporting groups who meet the requirements set out in the Not-for-Profit Remission Policy Statement in this document.

## **3. BACKGROUND/SUPPORTING INFORMATION**

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The *Local Government Regulation 2012* - Chapter 4, Part 10 Concessions, gives local governments the power to grant concessions for rates and charges.

A concession may only be of the following types:

- (a) a rebate of all or part of the rates or charges
- (b) an agreement to defer payment of the rates or charges
- (c) an agreement to accept a transfer of unencumbered land in full or part payment of the rates or charges

A concession may only be granted by resolution of the Council and for the Mareeba Shire Council; this is done as part of the annual budget adoption process and also noted in the adopted Revenue Statement.

## **4. POLICY STATEMENT**

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### **4.1 PENSIONER REMISSION**

Applicants for the remission of rates from the Mareeba Shire Council and the State Government must satisfy the following conditions:

- If an application is mailed in, it must be completed in detail and accompanied by a copy of both sides of the current Pensioner Concession Card (PCC) or a DVA Gold Card.
- An applicant must truthfully and correctly supply all information requested.
- The Council Pensioner Remission is allowable on only one property at a time

- A new application must be lodged if you change your address.
- Should all owners not be in receipt of a pension or allowance, a proportionate amount of remission may be payable based upon State Government Guidelines.
- If a co-owner is in a spousal or recognised de-facto relationship and is an approved pensioner and is wholly responsible for payment of all rates and charges, the subsidy will be granted in full.

#### **4.1.1 Council Pensioner Remission**

Council grants a remission of thirty percent (30%) of the general rates up to a maximum of \$240 per year to pensioners within the Mareeba Shire Council area, providing they qualify for a remission in accordance with the conditions, as set out below.

This excludes water usage charges, special rates or special charges, interest and other charges on land.

To be eligible you must be:

- A holder of a Pensioner Concession Card (PCC) or a DVA Gold Card.
- The owner or life tenant of the property which is your principal place of residence. A life tenancy can be created only by a valid Will and is effective only after the death of the property owner, or by a Supreme or Family Court Order.
- Legally responsible for the payment of local council rates and charges levied on that property.

The Council Pensioner Remission is allowable on only one property at a time and a new application must be lodged if you change your address.

The Council Pensioner Remissions can only be granted from the date on the pension card or 1 July 2015 (whichever is the latter), provided the application qualifies with Council's conditions.

Where the Council Pensioner Remission applies, Council will remit the appropriate amount off the rates notice.

#### **4.1.2 State Government Pensioner Remission**

In addition to the remission allowed by Council, the State Government Scheme for Subsidisation of Rates and Charges payable to Local Authorities by Approved Pensioners is administered by the Council and under this Scheme, a further 20% remission is allowed to approved Pensioners up to a maximum of \$200.00 per annum on rates and charges.

Where the State Government Pensioner Remission applies, Council will remit the appropriate amount off the rates notice and claim the reimbursement from the State Government.

## 4.2 COMMUNITY GROUP RATE AND CHARGE REMISSION

### 4.2.1 Eligibility

Community groups eligible for rate and charge remission are defined as:

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

Eligible community groups must:

- Operate within the boundaries of the Mareeba Shire Council;
- Own or lease and occupy the land on which the general rates are being levied and the rates notice issued in the Group's name;
- The property must not be used for residential purposes unless utilised for short-term accommodation for homeless and at risk persons or for accommodation of the aged;
- Not utilise gaming machines to raise revenue;
- In its constitution clearly prohibit any member of the Group making private profit or gain either from the ongoing operations of the Group or as a result of the distribution of assets if the Group was wound up (this condition does not apply to the owner of a cultural icon);
- Meet the definition of a not-for-profit community group;
- Not have outstanding rates on the property.
- The remission is not available on vacant land.

### 4.2.2 Types of Remissions

Council grants a remission to Council approved not-for-profit community, recreation and sporting Groups, based on the level of commerciality of the Group. Council is committed to supporting not for profit community Groups to have access to affordable space for community activities but excludes the subsidisation of commercial activity. This assistance applies to eligible community groups in the shire, irrespective of whether or not they occupy Council land or facilities.

Therefore, community Groups are assessed, according to their level of commerciality, and assigned (by Council) to one of two community group types:

- Type A Community Group - limited commerciality
- Type B Community Group - substantial commerciality.



This categorisation not only enables Council to make available fair, reasonable and transparent assistance to each community group, depending on their level of commerciality, but it also recognises that community groups can change over time experiencing increased or decreased levels of commerciality and the group's categorisation can be changed accordingly.

Council will offer a higher level of assistance to Type A Community Groups than those assessed as Type B Community Groups.

#### **4.2.2.1 Assessing Type A Groups: Limited Commerciality**

The group's revenue raising streams are limited to membership fees, community donations, minor event charges, raffles and other fundraising and food canteen. If the group has a bar, then patrons are mainly members and limited profit is made.

#### **4.2.2.2 Remissions Granted to Type A Groups**

The following rebates and remissions are available to eligible Type A Community Groups:

- Rate Remission: One hundred percent (100%) of the general property rates per year;
- Charge Remission: One hundred (100%) per year on Utility Charges (Sewerage and Water Access Charges) and the Waste Management Levy;
- Rural Fire Levy: One hundred percent (100%) of the Rural Fire Levy.
- The State Emergency Management Levy is collected by Council on behalf of the State Government so no remission or rebate from Council is available to community groups.

#### **4.2.2.3 Assessing Type B Group: Substantial Commerciality**

The group's revenue raising streams include those of Type A Groups but also include the regular operation of a bar and commercial kitchen, charge industry recognised gate entry fees and commercial sponsorship. Community groups who operate gaming machines are not eligible for rate rebates and charge remissions.

#### **4.2.2.4 Remissions Granted to Type B Groups**

The following rebates and remissions are available to eligible Type B Community Groups:

- Rate Remission: Fifty percent (50%) of the general property rates up to a maximum of \$1,000 per year;
- Charge Remission: Twenty percent (20%) up to a maximum of \$200 per year on total Utility Charges (Sewerage and Water Access Charges) and the Waste Management Levy;
- Rural Fire Levy: One hundred percent (100%) of the Rural Fire Levy.
- The State Emergency Management Levy is collected by Council on behalf of the State Government so no remission or rebate from Council is available to community groups.

#### 4.2.3 Application and Continuation of the Remission

The remission/s, if approved, will apply from the start of the rating period in which the application was successful and will be shown on the rates notice.

Applications for Rate and/or Charge Remission will only be considered for not-for-profit, community groups as defined above and which comply with all the eligibility criteria.

There is a responsibility upon the not-for-profit, community group to contact the Council when there is a change that could affect the status of the remission so as to avoid the necessity for the Group to reimburse the remission so obtained, including changes in the level of commerciality of the Group

Where the Rate and Charge Remission applies, Council will remit the appropriate amount off the rates notice.

##### 4.2.3.1 Application Process for Community Groups with Council Lease

- Council will allocate Rate Rebate and remission entitlements to eligible Community Groups with a Council Community Lease.
- It is the responsibility of the Community Group to contact Council should the Group believe it has not been granted these entitlements.
- Council may need to conduct a site inspection and / or request further information.
- If in circumstances where a Group does not fulfil its lease obligations, the remission may be cancelled.

##### 4.2.3.2 Application Process for Other Community Groups

- An initial application using the approved form must be lodged and approved applicants are reviewed annually for eligibility.
- The application must also include any two of the following supporting documentation:
  - A copy of the Group's constitution or certificate of incorporation;
  - Minutes of its most recent Annual General Meeting;
  - Incorporated groups are to provide a copy of their most recent audited financial statement (no greater than 12 months old), unincorporated groups are to provide a copy of their most recent reconciled financial statement (no greater than 12 months old);
  - Details of the Group's not-for-profit status from the Australian Taxation office or similar.

## **5. REVIEW**

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It is the responsibility of the Director Corporate and Community Services to monitor the adequacy of this policy and recommend appropriate changes. This policy will be formally reviewed annually or as required by Council.

**ATTACHMENT 3****Community Partnerships Program Policy**

Council Policy <input type="checkbox"/>	Internal Policy	Guideline / Procedure <input type="checkbox"/>
Draft <input type="checkbox"/>	Final <input checked="" type="checkbox"/>	Version: 1.0
File Ref:		Policy Section:
Date Adopted: 15/2/2017		Review Date:
Author:		Review Officer:

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## **1 POLICY INTENT**

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The Community Partnerships Program Policy enables Council to respond in a fair, transparent and consistent manner to the requests for community assistance that are best conceptualised as a "community partnership", with Council as one of the member partners.

It is directly linked to the following Corporate Plan Community Strategy (COM 3):

*"Encourage the building of strong partnerships with community, private sector and government so as to build community capacity and develop strategies to encourage and support leadership and self-responsibility in the community."*

The Community Partnerships Program Policy is aligned with the Community Leasing Policy and the Rate Rebate and Remission Policy and collectively they outline Council's policies for a wide range of assistance to eligible not for profit community groups.

## **2 PURPOSE**

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The purpose of the Community Partnerships Program (CPP) is to enhance community wellbeing and prosperity by contributing to community partnerships for events, projects and activities that deliver significant community benefits in towns, districts and the whole shire. The community benefits could include social, economic, environmental and cultural benefits.

The Community Partnerships Program is an efficient and effective means of harnessing Council and community resources to achieve community benefits, especially those that are community driven as it reinforces contributions to the event, project or activity as a shared responsibility by community partners.

## **3 WHAT IS A COMMUNITY PARTNERSHIP?**

---

A community partnership is an agreement between Council and another partnership member or members to do something together that will benefit all involved, often resulting in achievements that might not have been possible alone.

The Community Partnerships Program is about *contributory* partnerships where partnership members co-contribute to the event or activity.

Council is one partnership member and other partnership members could be individuals, community groups, sporting clubs, service clubs, and not for profit organisations.

The partnership work is most often *in addition* to the regular work of the parties involved in the community partnership.

## **4 THE COMMUNITY PARTNERSHIPS PROGRAM**

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The Community Partnerships Program manages community requests for council assistance for community partnerships.

The Community Partnerships Program Policy clearly sets out the types of assistance Council can contribute to the partnership and the process for negotiating the terms and conditions of the partnership with Council.

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**5 PROGRAM PRIORITIES AND ASSESSMENT**

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**5.1 PROGRAM PRIORITIES**

Priority will be given to requests for community partnerships:

- By not-for-profit organisations that rely on volunteers.
- That demonstrates contributions by other partnership members.
- That has a plan in place to become self-sustaining, if it is not a one off activity or event.
- That demonstrates the contribution by Council cannot be provided by any other partner and is crucial to the success of the event/activity/project.
- No other Council assistance is already provided and the level of historical assistance provided by Council is low.
- That demonstrates significant community benefits will be achieved by the partnership.
- That is financially viable.
- That aligns closely with the Mareeba Shire Council Corporate Plan.

**5.2 HOW WILL THE REQUEST BE ASSESSED?**

To apply for assistance under the Community Partnership Program, individuals and organisations should firstly contact the Community Wellbeing Officer to discuss their community partnership. A letter of request or email should then be lodged with Council detailing the community partnership and the contribution requested of Council.

Requests for community partnerships will be assessed on how well the request aligns with the Program Purpose and Priorities.

**5.3 WHEN CAN A REQUEST BE SUBMITTED?**

Requests for a Council contribution to a community partnership will be considered throughout the year, but must be submitted to Council at least six weeks before the contribution is required to allow quotes to be obtained and, where necessary, work to be scheduled.

Requests requiring a significant Council contribution that are greater than \$5000 will be considered during the annual budget planning process and must be received by Council no later than 1 February each year.

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**6 TYPE OF COUNCIL CONTRIBUTIONS**

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**6.1 CASH DONATIONS**

Council will consider contributing a cash donation to a community partnership. This includes cash for reimbursement of out of pocket expenses incurred by a community partner for approved activities.

**6.2 MAJOR COMMUNITY PARTNERSHIPS**

Council will consider contributing to major community partnerships especially for major community events, festivals and exceptional projects which demonstrate significant community, economic and /or environmental benefits and impacts and have high alignment with the Corporate Plan.

**Community Partnerships Program Policy**

Special requests for major contributions by Council to community works programs on Council owned land and reserves, that are not included in Council's Land and Facilities budget, may also be considered.

Council Officers will liaise with major community partnership members to reach agreement on specific ways that they will acknowledge Council's assistance. Discussions will also be held to ensure effective and efficient use of Council funds and to settle on a planned approach towards decreasing reliance on Council assistance.

These requests will be considered on an annual basis, during the budget planning phase. Letters of request must be received at Council by 1 February of the financial year before the contribution is required.

**6.3 IN-KIND CONTRIBUTIONS**

Council will consider requests for in-kind contributions regarding the use of Council's tables, chairs and other event equipment on the basis that the community partner agrees to collect, clean and return the equipment to Council during normal Council business hours. Council will not deliver these items and any damages must be paid for by the other community partner/s.

Requests for in-kind contributions by Council to a community partnership, such as a community event or project, will be considered throughout the year, but must be received at least 6 weeks before the in-kind contribution is required.

**6.4 RATE AND CHARGE REMISSIONS**

Another way that Council assists community groups is to grant a remission to Council approved community groups, based on the level of commerciality of the organisation. Council is committed to supporting not for profit community groups to have access to affordable space for community activities but excludes the subsidisation of commercial activity. This assistance applies to eligible community groups in the shire, irrespective of whether or not they occupy Council land or facilities.

Therefore, community groups are assessed according to their level of commerciality and assigned (by Council) to one of two community group types:

- Type A Community Group - limited commerciality
- Type B Community Group - substantial commerciality.

This categorisation not only enables Council to make available fair, reasonable and transparent assistance to each community group, depending on their level of commerciality, but it also recognises that community groups can change over time experiencing increased or decreased levels of commerciality and the group's categorisation can be changed accordingly. Council will offer a higher level of assistance to Type A Community Groups than those assessed as Type B Community Groups.

**6.4.1 Rate Rebate and Remission Policy**

The Rate Rebate and Remission Policy relates to the granting of rebates and remissions of Council rates and charges for not for profit community groups. To be eligible for rates rebates and charges remissions, applicants must meet the definition of a community group (Section 4.2) and meet the eligibility criteria (Section 4.2.1) of the Rate Rebate and Remission Policy. The Rate Rebate and Remission Policy also outlines the application and continuation processes for the remission. These requests will be considered on an annual basis, during the budget planning phase. Letters of application must be received at Council by 1 February of the financial year before the funding is required.



**Community Partnerships Program Policy**

Community groups wishing to apply for a rate remission are encouraged to read the Rate Rebate and Remission Policy before applying.

**6.4.2 Assessing Type A Groups: Limited Commerciality**

The group's revenue raising streams are limited to membership fees, community donations, minor event charges, raffles and other fundraising and food canteen. If the group has a bar, then patrons are mainly members and limited profit is made.

**6.4.3 Remissions Granted to Type A Groups**

The following rebates and remissions are available to eligible Type A Community Groups:

- Rate Remission: One hundred percent (100%) of the general property rates per year;
- Charge Remission: One hundred (100%) per year on Utility Charges (Sewerage and Water Access Charges) and the Waste Management Levy;
- Rural Fire Levy: One hundred percent (100%) of the Rural Fire Levy.

**6.4.4 Assessing Type B Group: Substantial Commerciality**

The group's revenue raising streams include those of Type A Groups but also include the regular operation of a bar and commercial kitchen, gaming machines, charge industry recognised gate entry fees and commercial sponsorship.

**6.4.5 Remissions Granted to Type B Groups**

The following rebates and remissions are available to eligible Type B Community Groups:

- Rate Remission: Fifty percent (50%) of the general property rates up to a maximum of \$1,000 per year;
- Charge Remission: Twenty percent (20%) up to a maximum of \$200 per year on total Utility Charges (Sewerage and Water Access Charges) and the Waste Management Levy;
- Rural Fire Levy: One hundred percent (100%) of the Rural Fire Levy.

**6.4.6 State Emergency Management Levy**

The State Emergency Management Levy is collected by Council on behalf of the state government, so no remission or rebate from Council is available to community groups.

**6.5 WATER CONSUMPTION FEES**

Council will consider providing a donation towards water consumption costs for eligible community groups, if water consumption exceeds \$100 per annum. To be eligible for financial assistance community groups must also meet the eligibility criteria at Sections 8 and 9 of this policy and meet the definition of a community group as defined below:

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

Eligible community groups are classified by Council into three (3) categories depending on water usage and a level of assistance is provided to each category as follows:

- Group 1:** Community groups watering playing fields and large public lawns/grounds
- Assistance:** 35% of actual annual water consumption up to a maximum \$2,000 donation
- Group 2:** Community groups watering for dust suppression eg. Horse and pony clubs, rodeo associations
- Assistance:** 35% of actual annual water consumption up to a maximum \$1,000 donation
- Group 3:** Community groups using water for human consumption and gardens
- Assistance:** 35% of actual annual water consumption up to a maximum \$500 donation

Requests for a donation for water consumption fees will be considered throughout the year and must be made in writing by letter or email to the Community Wellbeing Officer, Mareeba Shire Council. Approved requests will be paid as a donation on the rates notice to offset the costs of water consumption and will apply from the next rating period after approval is granted.

## 6.6 COMMUNITY LOANS

Council may contribute to community partnerships with not-for-profit organisations in the form of a low interest or interest-free community loan. Applications will be assessed by Council on a case by case basis, taking into consideration the purpose of the loan and the extent to which the loan is expected to benefit the community.

Requests for a community loan will be considered throughout the year, but must be submitted to Council at least six weeks before the contribution is required to allow time for the assessment process.

## 7 DELEGATED AUTHORITY

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Staff delegations are in place to simplify the process of approving requests for Council contributions to community partnerships that comply with the principles outlined in the policy.

Delegations for staff approved requests are as follows: Manager Community Wellbeing - \$500.

The Mayor and Chief Executive Officer have the delegated authority to make variations to particular circumstances regarding contributions provided under the Community Partnerships Program.

## 8 ELIGIBLE APPLICATIONS

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Eligible community applications for Council contribution to community partnerships are those where:

- a) The applicant is an incorporated association or has an auspice body.
- b) The applicant or proposed event, project or activity is based within the Mareeba Shire Council boundaries.
- c) The project or activity provides a direct benefit to residents of the Mareeba Shire Council area.
- d) The applicant is able to demonstrate financial viability and competence and the ability to

**Community Partnerships Program Policy**

- e) achieve stated goals.
- e) Incorporated groups are able to provide a copy of their most recent audited financial statement.
- f) Unincorporated groups are able to provide a copy of their most recent reconciled financial statement.
- g) The applicant is an individual who can clearly demonstrate that the project or activity they propose demonstrates community benefit and the requested Council assistance will be used for community benefit.
- h) Applications from educational providers are made for donations towards initiatives outside of Education Queensland's responsibilities and which contribute to a broader community benefit. Such applications must be lodged by the school's Parents and Citizens Association or a suitable community-based auspice body.
- i) The application clearly demonstrates it meets the Community Partnerships Program priorities at Section 5 of this policy.
- j) The application is not retrospective to recover costs already incurred, unless in exceptional circumstances.
- k) Additional eligibility criteria apply for rate rebates and charges remissions (Section 6.4) and water consumption donations (Section 6.5).

**9 INELIGIBLE APPLICATIONS**

Applications not eligible for Council assistance are those where:

- a) The applicant is a political organisation.
- b) The funds are to be used towards wages/salaries, other operating and administrative costs.
- c) The applicant is a previous recipient of Council assistance who has failed to meet the conditions of financial or in-kind support received.
- d) The applicant is a group or organisation that has an unmet debt to Council at the time of the application.
- e) An application for a cash donation is applied for retrospectively.
- f) The request is for a private business venture or activity.
- g) Projects are under litigation.
- h) The request can be or is being dealt with by other Council provision for support including specific project grants or Council works program.
- i) The funds are to cover subscription or membership fees.
- j) The applicant or event has already received \$2,000 from Council in the financial year and is not classed as a major event.
- k) Incorporated groups are not able to provide a copy of their audited financial statement.
- l) Unincorporated groups are not able to provide a copy of their reconciled financial statement.
- m) An applicant's total expenses are being met through sponsorship.
- n) The community organisation is requesting cash or in-kind assistance for maintenance of community facilities that are owned by Mareeba Shire Council. These types of requests are to be referred to the Facilities Officer.
- o) The community organisation has a lease agreement with Mareeba Shire Council and the request from the organisation is for the Community Partnerships Program to cover part or all of the costs that the community organisation has agreed to meet as part of the terms and conditions of their lease with Council. For example, costs such as contents and public liability insurance will not be paid for by Council under the Community Partnerships Program as it is the responsibility of the community organisation leasing the facility to meet these costs as per the lease agreement.

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**10 CONDITIONS**

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The following conditions apply to requests for Council assistance under this program:

- a) The application is made in writing by letter or email and submitted to the Community Wellbeing Officer Mareeba Shire Council.
- b) Two quotes from local businesses are to be submitted with the application where the cost is above \$1,000.
- c) Council donations to community organisations do not include GST.
- d) Any approved grant will lapse if not claimed within three months following the date of approval.
- e) All recipients of \$100 or more from Council through this policy are required to acknowledge the assistance of Mareeba Shire Council. This acknowledgement is to be included in promotional material for the event.
- f) The use of any part of the grant for purposes other than specified in the letter of approval is not permitted without prior approval in writing by Council.
- g) Mareeba Shire Council takes no responsibility for financial losses or physical injury incurred as a result of involvement in the supported event or activity.

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**11 FURTHER INFORMATION**

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For further information please contact:  
Community Wellbeing Officer, Mareeba Shire Council  
Tel: 1300 308 461  
Website: [www.msc.qld.gov.au](http://www.msc.qld.gov.au)

**ITEM-9 COMMUNITY MANAGEMENT OF HALLS AND ASSOCIATED FACILITIES POLICY**

**MEETING:** Ordinary

**MEETING DATE:** 15 February 2017

**REPORT OFFICER'S TITLE:** Manager, Community Wellbeing

**DEPARTMENT:** Corporate and Community Services

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**EXECUTIVE SUMMARY**

*A new policy for the community management of halls and associated facilities is presented for consideration and approval.*

*The intent of this initiative is to enable community groups to take responsibility for the utilisation and operation of the facility with support from Council in order to increase the use of the hall and facilities.*

**OFFICER'S RECOMMENDATION**

"That Council approve the Community Management of Halls & Associated Facilities Policy."

**BACKGROUND**

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

The community management of halls is a commitment by Council to re-position community halls in local communities as well used and valued community assets. Community Management Groups responsible for the management of the local hall are drawn from the community serviced by the facility, so have intimate knowledge of how best to manage the hall to increase usage in ways that suit unique local characteristics and issues. Council is committed to handing over the management of the halls to these groups and supporting their community hall management role in the community.

**PURPOSE OF THE NEW POLICY**

The purpose of this policy is to guide the implementation of Community Hall Management Agreements between Council and Management Groups, to jointly manage and operate Council-owned halls. Through the provision of a coherent framework to the Management Groups, Council will ensure that fair, equitable and ongoing usage is available to community groups and residents.

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The new Community Management of Halls and Associated Facilities policy:

- Provides clarity on the scope and purpose of Community Hall Management Agreements;
- Defines the relationships and responsibilities of Council, Management Groups and facility users;
- Provides user-friendly processes for groups seeking to formalise an agreement with Council to manage a Community Hall, and for groups seeking to hire the facility for their use;
- Details a partnership approach to the community management of halls, where Council supports the Management Group to manage the hall, encourage user-activities and increase the capability of committee members.

The new policy outlines the principles and intentions of the Community Management of Halls initiative, and affords each community with a hall the opportunity to form a Management Group, and develop a Management Agreement with Council. The Management Agreement establishes the practical application of the Policy.

### **LINK TO CORPORATE PLAN**

**COM 2:** Conduct an analysis of current community facilities and develop a Shire wide community facilities plan to guide the assessment of maintenance programmes, possible capital upgrades of existing facilities and community requests for new facilities and ensure equity of access.

**COM 3:** Encourage the building of strong partnerships with community, private sector and government so as to build community capacity and develop strategies to encourage and support leadership and self-responsibility in the community.

### **CONSULTATION**

#### *Internal*

Mayor & Councillors

CEO

Director, Corporate and Community Services

#### *External*

Mutchilba Community Centre Inc.

Geraghty Park Hall Committee

Koah Sports and Social Club Inc.

Mareeba Basketball Inc.

### **LEGAL AND RISK IMPLICATIONS (STATUTORY BASIS, LEGAL AND RISKS)**

Nil

### **POLICY IMPLICATIONS**

Nil

## FINANCIAL & RESOURCE IMPLICATIONS

### *Capital*

Nil

### *Operating*

Council retains responsibility for major maintenance, while Management Groups assume responsibility for:

- Collection of income from bookings;
- Operating expenses;
- Minor maintenance.

### *Is the expenditure noted above included in the 2016/17 budget?*

It has minimal impact as the foregone revenue from hall hire is small and halls will progressively over time be handed over to community management and budgets will be adjusted accordingly.

## IMPLEMENTATION/COMMUNICATION

External: the Community Management of Halls Policy will be provided to all Management Groups, and will be published on Council's website.

Internal: Community Wellbeing Group and Development and Governance Group will liaise to develop the plan to continue to engage with Management Groups, dependent on the current state of negotiation.

## ATTACHMENTS

1. DRAFT Community Management of Halls & Associated Facilities Policy

**Date Prepared:** 6 Feb 2017

**ATTACHMENT 1****DRAFT****Community Management of Halls &  
Associated Facilities Policy**

Council Policy <input type="checkbox"/>	Internal Policy <input type="checkbox"/>	Guideline/Procedure <input type="checkbox"/>
Draft <input checked="" type="checkbox"/>	Final <input type="checkbox"/>	Version: 1.0
File ref: POL-ADM-REC	Policy Section: Community Wellbeing	
Date Adopted:	Review Date:	
Author: Manager Community Wellbeing	Review Officer:	



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## **1. POLICY INTENT**

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### **1.1 PREAMBLE: COMMUNITY MANAGEMENT OF HALLS**

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

Historically, community halls have played a central role in facilitating social connection and cohesion by providing a place for people to gather, socialise, conduct community business, celebrations, hold fundraising events, do arts and crafts, get active with health and fitness activities and a multitude of other functions. Over the years, the level of community hall activity has significantly reduced, resulting in the halls becoming underutilised council assets.

The community management of halls is a commitment by Council to re-position community halls in local communities as well used and valued community assets. Community Management Groups responsible for the management of the local hall are drawn from the community serviced by the facility, so have intimate knowledge of how best to manage the hall to increase usage in ways that suit unique local characteristics and issues. Council is committed to handing over the management of the halls to these groups and supporting their community hall management role in the community.

## **2. PURPOSE**

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The purpose of this policy is to guide the implementation of Community Hall Management Agreements between Council and Management Groups, to jointly manage and operate Council-owned halls. Through the provision of a coherent framework to the Management Groups, Council will ensure that fair, equitable and ongoing usage is available to community groups and residents.

This policy will:

- Provide clarity on the scope and purpose of Community Hall Management Agreements;
- Define the relationships and responsibilities of Council, Management Groups and facility users;
- Provide user-friendly processes for groups seeking to formalise an agreement with Council to manage a Community Hall, and for groups seeking to hire the facility for their use;
- Detail a partnership approach to the community management of halls, where Council supports the Management Group to manage the hall, encourage user-activities and increase the capability of committee members.

### **2.1 OBJECTIVES**

The objectives of this policy are to:

- Support local Management Groups to manage community halls to become well used and valued spaces for a diverse range of community, recreational and sporting activities to enhance community connectedness, liveability and wellbeing in the Shire;

- Support the Management Group to competently manage hall usage and the facilities as they see fit;
- Increase the capacity of the Management Group by providing security of tenure to occupy and invest in facilities and access grants for the benefit of the community;
- Ensure decisions about community hall management agreements are made in a transparent, consistent and fair manner, whilst allowing some flexibility to take into account special circumstances.

### **3. SCOPE**

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#### **3.1 COMMUNITY MANAGEMENT OF HALLS**

- This policy applies to the community management of a Council owned hall by a local Management Group.
- Council will hand over the management of a community hall to a suitable local Management Group and will support the group to manage the facility.
- The hall is, and will remain, the property of the Council, however, the issuing of a Management Agreement enables the Management Group to manage the facility as it sees fit on a long term basis.

### **4. POLICY STATEMENT**

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#### **4.1 MANAGEMENT GROUP**

3.1.1 The Management Group is an incorporated not for profit community group comprising of local residents and may be an existing community group, a User Group of the hall or a group specifically established to manage the local hall.

3.1.2 It is preferred that Management Groups are incorporated legal bodies so they can insure and protect members and access government grants to conduct activities or improve facilities for community benefit.

3.1.3 The primary focus of the Management Group is to ensure the fair, equitable and ongoing usage of the facility by the Management Group, community groups, clubs, associations, societies, the general public and Council.

3.1.4 The Management Group will manage the day-to-day operation of the hall in accordance with the terms and conditions of the Community Hall Management Agreement and will be responsible for operating expenses.

3.1.5 The Management Group will aim to manage bookings and activities in such a way as to ensure full utilisation of the hall.

3.1.6 Full and adequate books of accounts and booking records will be established and kept by the Management Group and provided to Council on request.

3.1.7 The Management Group will provide Council with monthly usage statistics and operational reports by the first working day of each month, or as requested.

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The information required in the operational report will be agreed to between Council and the Management Group, and may include number of bookings, any safety concerns or incidents and maintenance or works which the Management Group has identified, or other matters agreed between the Management Group and Council.

3.1.8 Where the Management Group is also a User Group of the hall, the Management Group agrees to adopt a Usage Plan whereby the facility is available to User Groups 80% of the time.

#### **4.2 MANAGEMENT AGREEMENT**

3.2.1 A Community Hall Management Agreement (Management Agreement) grants the Management Group the right to operate, use and manage the Hall and associated facilities in accordance with the Agreement and the Usage Plan.

3.2.2 A Management Agreement will commence on the date it is executed and continues in perpetuity until Council or the Management Group provides written notice to the other party, three months prior to the intended end date of the agreement, or in the case that the Management Group ceases to operate.

3.2.3 The Management Group and a Council representative will review the Management Agreement on an annual basis.

#### **4.3 MANAGEMENT AND USE OF FACILITY**

3.3.1 The Management Group will take all reasonable steps to advertise and encourage shared use of the Facility by community groups, clubs, associations, societies and the general public.

3.3.2 The Management Group, if required, may utilise a small area of the Facility for administration purposes and as an office for the Management Group.

3.3.3 The Management Group will determine appropriate fees to be charged for use of the Facility and are to be set at a level to ensure full and equitable access to and availability of the Facility for the whole community.

3.3.4 The Management Group may, at its discretion, reduce or waive any fees they have set for hiring of the Facility.

3.3.5 The Management Group will have discretionary power to make certain decisions relevant to User Groups or other groups or individuals who may seek to utilise the Facility, and the extent of this discretionary power is outlined in the Management Agreement.

3.3.6 Fees derived by the Management Group in the operation and management of the Facility shall be used to cover the operating expenses for the hall and any surplus funds are to be spent on the hall following approval by Council.

## 5. SUMMARY OF RESPONSIBILITIES

**Table 2. Summary of Responsibilities**

	<b>Item</b>	<b>Management Group Responsibility</b>	<b>Council Responsibility</b>
1	Operating Expenses including Cleaning, Gas, Telephone	Yes	No
2	Electricity - shared connection with Council	Yes	Yes
3	Electricity - sole connection	Yes	No
4	Cost to Repair Property Damage	Yes	No
5	Furniture and equipment	Yes	No
6	Minor Maintenance and Refurbishments	Yes	No
7	Major Maintenance and Refurbishments	No	Yes
8	Hall User Agreements & Fee Collection	Yes	No
9	Administrative Records: including accounts, monthly usage statistics, other records reflecting the management of the facility	Yes	No
10	Advertisement of Facility for community utilisation	Yes	Yes - at its discretion and in consultation with the Management Group
11	Insurance - Contents/Chattels	Yes	No
12	Insurance General Building	Yes, at Group's discretion	No
13	Insurance - Public Liability	Yes	Yes

**Notes:**

2 & 3. Some halls have one electricity meter which is used by Council for other purposes and in such cases, electricity costs will be met by the Management Group and Council on a pro-rata basis.

6. The Management Group is responsible for all minor maintenance of the Facility, which is defined as a sensible and practical repair on a like-for-like basis for the continuance of operations, preservation, protection, repair to and upkeep, normally lasting no longer than one day. It can also include tangible changes to improve service delivery within the premises.

7. The Council is responsible for major maintenance of the Facility, 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 of time or issuing additional debt to fund it.
8. The Management Group will ensure that Hall User Agreements are in place with all User Groups and that fees are collected and accounted for appropriately.
- 11 & 12. The Council will not insure the hall, furniture or equipment contained in the facility. The Management Group may, at its discretion, insure the hall contents and or building, at its own expense.
13. Both Council and the Management Group are responsible for providing and maintaining public liability insurance.

## **6. REVIEW**

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This policy is to remain in force until otherwise determined.

## INFRASTRUCTURE SERVICES

### PROJECT MANAGEMENT

**ITEM-10**                    **MAREEBA AIRPORT REDEVELOPMENT - EOI -  
CONSTRUCTION OF RUNWAY, TAXIWAYS & AIRFIELD  
LIGHTING**

**MEETING:**                    Ordinary

**MEETING DATE:**            15 February 2017

**REPORT OFFICER'S  
TITLE:**                        Contracts and Project Management Officer

**DEPARTMENT:**              Infrastructure Services

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#### EXECUTIVE SUMMARY

*The construction of the Airside Infrastructure as part of the Mareeba Airport Upgrade comprises the works for the runway, taxiways, airfield lighting and aviation commercial precinct.*

*For Council to be able to drive the best outcomes with regard to the construction of the Mareeba Airport Upgrade – Construction of Runway, Taxiways and Airfield Lighting, it was previously resolved to invite expressions of interest under Section 228(3) of the Local Government Regulation 2012 before considering whether to invite written tenders from short-listed tenderers under Section 228(6).*

*Responses for EOI-MS2016-04 - Expressions of Interest - Mareeba Airport Upgrade: Construction of Airside Infrastructure closed at 11:00am Tuesday, 31 January 2017 and ten (10) responses were received.*

*This report provides a comparison of responses received and makes a recommendation on the shortlisting of respondents to be invited to tender on the work.*

*In conjunction with the tender process, it is proposed to invite expressions of interest from local businesses and suppliers to register interest in provision of trades, services and material for consideration by the shortlisted tenderers. Local content will also form part of the tender evaluation criteria and the recommended organisations will be encouraged to make use of local contractors as far as possible.*

#### OFFICER'S RECOMMENDATION

"That Council invite BMD Boral Joint Venture, Fulton Hogan Construction Pty Ltd, FK Gardner & Sons Pty Ltd and FGF Developments Pty Ltd to provide written tenders for the Mareeba Airport Upgrade: Construction of Airport Infrastructure."

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## **BACKGROUND**

Council has received two (2) grants - \$13M from the Queensland State Government's Royalties for Regions program and \$5M from the Australian Government's National Stronger Regions Fund - towards the upgrading of the Mareeba airport. Both these grants are for specific aspects of the proposed upgrading project.

It was resolved to invite expressions of interest (EOI) for construction of the Mareeba Airport runway, taxiways and airfield lighting, at Council's Ordinary Meeting on 21 September 2016. Further to this, it was then resolved to invite expressions of interest (EOI) for construction of the Western Lease Area in conjunction with the EOI for the runway, taxiways and airfield lighting (the "work packages"), with short-listed contractors invited to tender on the work in early 2017.

Under Section 228(3) of the Local Government Regulation 2012, Council must decide, by resolution, that it would be in the public interest to invite expressions of interest before inviting written tenders and record its reasons for making the resolution.

Construction of aircraft pavements and associated infrastructure in an operational airport environment is complex and presents hazards to aircraft and air traffic control operations. Higher standards and quality requirements exist for airport pavements compared with road pavements. Engagement of a contractor with relevant airport experience and sound construction practices will help to mitigate Council's risk of extended disruption to airport users, and help ensure that the works are completed within the required timeframes and engineering tolerances.

Inviting expressions of interest before inviting written tenders from short-listed, suitably-qualified contractors will help ensure that the selected tenderers dedicate appropriate resources to their tender as they would assess their chances of success as higher than in an open tender.

Expressions of Interest for EOI-MSC2016-04 - Mareeba Airport Upgrade: Construction of Airside Infrastructure were invited from early December 2016 and closed at 11:00am Tuesday, 31 January 2017.



Ten (10) responses were received:

<b>Respondent</b>
BMD Constructions Pty Ltd & Boral Resources (QLD) Pty Ltd (BMD Boral JV)
Fulton Hogan Construction Pty Ltd
Downer EDI Works Pty Ltd
Robinson Civil Constructions FNQ Pty Ltd
Hall Contracting Pty Ltd
Civil Mining & Construction Pty Ltd, AIMS Pty Ltd & HEH Pty Ltd Joint Venture (CMC, AIMS & HEH JV)
Airport Consultancy Group Pty Ltd
FGF Developments Pty Ltd
LDI Constructions Civil Pty Ltd
FK Gardner & Sons Pty Ltd

### Evaluation

The evaluation process has been guided by Council's Evaluation Panel Guide, outlining the method of assessment, and to ensure a consistent assessment methodology was applied.

In accordance with Council's Evaluation Panel Guide, assessment of Expressions of Interest was undertaken by a Tender Evaluation Panel (TEP) consisting of:-

- Director Infrastructure Services,
- Manager Technical Services, and
- Contracts and Project Management Officer

Following assessment of Responses for compliance with mandatory criteria, EOI Responses were assessed on the following criteria and weightings:

Relevant Experience	40%
Key Personnel & Experience	15%
Respondent's Capacity & Resources	20%
Demonstrated Understanding	25%

Scoring of the responses for this EOI resulted in the following (scores out of 10):

<b>Tenderer</b>	<b>Score</b>	<b>Rank</b>
Fulton Hogan Construction Pty Ltd	7.65	1
BMD Boral JV	7.25	2
FK Gardner & Sons Pty Ltd	7.25	2
FGF Developments Pty Ltd	6.50	4
Downer EDI Works Pty Ltd	6.25	5
Robinson Civil Constructions FNQ Pty Ltd	5.20	6
CMC, AIMS & HEH JV	5.20	6
Airport Consultancy Group Pty Ltd	4.40	8
Hall Contracting Pty Ltd	3.75	9
LDI Constructions Civil Pty Ltd	3.00	10

There were a number of high-quality submissions received from Respondents. However, as the purpose of inviting expressions of interest was to prepare a shortlist of only a handful of suitable contractors, it is recommended that a maximum of four (4) respondents be invited to tender on the work. Negotiation with a small number of tenderers will allow Council greater flexibility to negotiate tender pricing, manage risk, meet timeframes and deliver best value for money for the project and the community.

Based on the scoring, it is recommended to invite BMD Boral JV, Fulton Hogan Construction Pty Ltd, FK Gardner & Sons Pty Ltd and FGF Developments Pty Ltd to provide written tenders for the Mareeba Airport Upgrade: Construction of Airport Infrastructure.

#### BMD Boral JV

BMD Constructions Pty Ltd (BMD) and Boral Resources (QLD) Pty Ltd (Boral) have lodged a combined response based on a Joint Venture arrangement established in 2015. A copy of the Joint Venture Deed was supplied with the EOI Response. BMD and Boral have a long-standing working relationship delivering airport projects and other civil infrastructure throughout Australia. BMD is an experienced civil contractor, and Boral specialises in supply of bitumen sealing, asphalt, quarry materials and batch-mixed concrete.

Similar experience to Mareeba Airport Upgrade in terms of project scope and size includes Bendigo Airport and RAAF Amberley Airport upgrades. BMD Boral JV has adequate capability, experienced personnel and has nominated local opportunities for material supply and plant hire.

BMD Boral JV has demonstrated a clear understanding of the Mareeba Airport Upgrade project, and provided proposed staging plans, methodology, works program and management of risks.

BMD and Boral both have a presence in North Queensland with regional offices in Cairns and the Boral Quarry located within Mareeba Shire at Tichum Creek. Boral also delivered the 2015/16 bitumen resealing program for Council under a joint arrangement with other Councils through FNQROC.

#### Fulton Hogan Construction Pty Ltd

Fulton Hogan Construction Pty Ltd (Fulton Hogan) is a specialist asphalt contractor and is experienced in delivering large-scale asphalt projects, including airports throughout Australia.

Similar experience to Mareeba Airport Upgrade in terms of project scope and size includes Launceston Airport, Ballina Airport and Moranbah Airport upgrades. Fulton Hogan has adequate capability, experienced personnel and has nominated local opportunities for installation of services and other minor works.

Fulton Hogan has demonstrated a clear understanding of the project, and provided proposed staging plans, methodology, works program and management of risks.

Fulton Hogan has a presence in North Queensland with a regional office in Townsville and is currently delivering the 2016/17 bitumen resealing program for Council under a joint arrangement with other Councils through FNQROC.

#### FK Gardner & Sons Pty Ltd

FK Gardner & Sons Pty Ltd (FK Gardner) is an engineering and construction company with experience in delivering civil projects, including airports throughout Australia.

Similar experience to Mareeba airport in terms of project scope and size includes Narrabri Airport, Hughenden Airport and Bathurst Airport upgrades. FK Gardner has adequate capability, experienced personnel and has nominated local opportunities for installation of services, quarry materials and other minor works.

FK Gardner has demonstrated a clear understanding of the project, and provided two proposed staging plans, construction methodology options and works programs and addressed management of risks.

FK Gardner has a presence in North Queensland with a regional office in Cairns and is currently constructing the Cairns Performing Arts Centre for Cairns Regional Council and the Cairns Aquarium.

#### FGF Developments Pty Ltd

FGF Developments Pty Ltd is a North-Queensland civil and asphalt contractor.

Previous similar experience includes pavement and asphalt projects for Cairns Airport, and the recent Mareeba Airport Water Main Upgrade. FGF has a relatively small team of long-standing personnel with local experience and has nominated local opportunities for subcontracted electrical work and quarry material supply.

FGF has demonstrated a clear understanding of the project, and has provided a proposed construction methodology, works program and addressed management of risks.

FGF has a presence in North Queensland with its main office in Cairns and a depot in Mareeba. FGF has delivered asphalt projects to strict standards, including the international hockey field in Cairns and the Springmount Drag Strip, both of which have tighter tolerances than airport surfacing.

## Tender Process

The evaluation panel considers that inviting tenders for the whole airside construction in a single package will deliver best outcomes for Council for the following reasons:

- Reduced establishment costs by combining the work packages into a single contract;
- Reduced coordination and project management costs associated with managing only one contractor under a single contract;
- The scale of work may warrant establishment of an on-site asphalt batching plant by the successful contractor, which will lead to reduced costs, faster completion time and improved quality of work;
- Consistency in products such as airfield lighting fixtures will assist Council in managing operations and maintenance of the upgraded airport;
- Flexibility of work staging and resource allocation to drive maximum efficiencies from the project

It is proposed to invite tenders following finalisation of tender documentation in mid to late February 2017, with tenders to close by early April 2017 for award by mid-April 2017. This will allow construction to be scheduled to commence at the end of the 2016/17 wet season, with a forecast completion in late 2017.

In conjunction with the tender process, it is proposed to invite expressions of interest from local businesses and suppliers to register interest in provision of trades, services and material for consideration by the shortlisted tenderers. Local content will also form part of the tender evaluation criteria.

## **LINK TO CORPORATE PLAN**

**ECOM 3** - Undertake the management of Council's assets in accordance with the long term asset management plans developed for all infrastructure asset classes to ensure the Shire's infrastructure networks are maintained and renewed to maximise their long term benefit to industry and the community.

## **CONSULTATION**

### *Internal*

Director Infrastructure Services  
Manager Technical Services

### *External*

Australian and State governments  
Jacobs

## **LEGAL AND RISK IMPLICATIONS (STATUTORY BASIS, LEGAL AND RISKS)**

Given the size, scale and importance of this project all procurement undertaken will be reviewed by Councils probity auditor.

As detailed in the funding agreements Council has signed with the State and Australian governments, Council is required to meet various milestone and reporting targets.

To ensure that Council meets its obligations under the funding agreements, by ensuring that project is delivered on time, on budget and to a high standard, only suitably qualified contractors will be invited to tender for the construction of the airside infrastructure.

## **POLICY IMPLICATIONS**

Procurement Policy

## **FINANCIAL & RESOURCE IMPLICATIONS**

### *Capital*

The project is to be funded over the 2016/2017 and 2017/2018 financial years. Funding has been made available from the Commonwealth and State Governments for the project.

### *Operating*

To be included in future budgets.

*Is the expenditure noted above included in the 2016/2017 budget?*

Yes

## **IMPLEMENTATION/COMMUNICATION**

All communications are required to follow set out protocols within the funding agreements between the Commonwealth and State Governments.

## **ATTACHMENTS**

Nil

***Date Prepared:***                      *7 February 2017*



**ITEM-11**                      **2016-17 REGIONAL ASPHALT OVERLAY PROGRAMME**

**MEETING:**                      Ordinary

**MEETING DATE:**              15 February 2017

**REPORT OFFICER'S  
TITLE:**                      Project Manager

**DEPARTMENT:**              Infrastructure Services, Technical Services

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**EXECUTIVE SUMMARY**

*Mareeba Shire Council has participated in a regional procurement arrangement in which the Far North Queensland Regional Organisation of Councils (FNQROC) invited quotes for the delivery of the 2016-17 Regional Asphalt Overlay Programme.*

*Quotes were requested from suppliers currently registered with FNQROC under its Register of Prequalified Suppliers (ROPS) arrangement for the provision of bitumen and asphalt services.*

*This report recommends that Boral Resources Pty Ltd are engaged to deliver the program.*

*Whilst there are a number of Councils involved in the collective procurement arrangement under the banner of FNQROC, each Council will form an individual Contract with the supplier as FNQROC does not have formal delegated authority to contract on behalf of Councils.*

**OFFICER'S RECOMMENDATION**

"That Council:

1. award contract TMSC2017-03 for delivery of the Regional Asphalt Overlay Program to Boral Resources (Qld) Pty Ltd in accordance with the indicative works program and applied pricing for an estimated contract value of \$474,629.29 (inclusive GST); and
2. delegate authority to the Chief Executive Officer to negotiate, finalise and execute any and all matters in relation to these arrangements within the allocated budget.

**BACKGROUND**

Council undertakes its annual asphalt overlay program in order to maintain and upgrade its road network to a suitable standard and extend the life of its existing road infrastructure.

In the past four (4) years the utilisation of an FNQROC coordinated collective procurement arrangement for delivery of our Bitumen Reseal Programme was successful in achieving economy of scale savings and efficiencies in programme delivery, as a result a decision was made to participate in a collective regional Asphalt Overlay Programme. Cairns City Council had an existing preferred supplier arrangement in place and elected not to participate.

Utilising its established Register of Prequalified Suppliers (ROPS) arrangement FNQROC invited quotations for the delivery of the 2016-17 Regional Asphalt Overlay Programme on behalf of participating Councils listed:

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- Cassowary Coast Regional Council
- Douglas Shire Council
- Mareeba Shire Council
- Tablelands Regional Council

The Request for Quotation opened on Thursday, 17 November 2016 and closed on Friday, 16 December 2016. Three (3) submissions were received from Boral Resources, FGF Bitumen and Pioneer Nth Qld. The steering Committee comprising FNQROC representatives and Officers from each of the participating Councils evaluated submissions in accordance with the predetermined weighted evaluation criteria specified.

Section 226 of the *Local Government Regulation 2012* requires tenders be invited before Local Government enters into a large-sized contract exceeding \$200,000 (excl. GST). Under Division 3 of the Regulation there is also provision for exemption where Local Government may enter into a contractual arrangement without first inviting written tenders.

Exceptions include:

- Section 232 Exception for register of prequalified suppliers
- Section 233 Exception for preferred supplier arrangement
- Section 234 Exception for LGA arrangement
- Section 235 Other exceptions
  - (f) the contract is made with, or under an arrangement with, a government agency.

## COMMENT

Submissions were received from the following:

- Boral Resources (Qld) Pty Ltd
- FGF Bitumen Pty Ltd
- Pioneer North Queensland Pty Ltd

The submissions were evaluated against the following criteria by the evaluation panel

- Relevant Experience and Personnel
- Project Capability
- Works Program
- Local Business
- Value for Money

Recommended Respondent: Boral Resources (Qld) Pty Ltd

The Boral Resources submission offered the best value for money, significantly lower than the other submissions received and a decisive factor in determining the final weighted evaluation score.



While Council has had limited recent experience with Boral Resources in relation to delivery of asphalt overlay works they are well regarded in the industry and quality assured to deliver road maintenance services to both State and Local Government. Boral delivered the FNQROC 2015-16 Regional Bitumen Reseal Program successfully after providing a very competitive quotation and scoring well across all selection criteria including price.

FGF Bitumen and Pioneer North Queensland are both well regarded in the industry with a reputation for providing high quality asphalt works however their pricing was significantly higher than Boral Resources which influenced the outcome of the evaluation process.

### **LINK TO CORPORATE PLAN**

**ECOM 3** - Undertake the management of Council's assets in accordance with the long term asset management plans developed for all infrastructure asset classes to ensure the Shire's infrastructure networks are maintained and renewed to maximise their long term benefit to industry and the community.

### **CONSULTATION**

*Internal*

Manager Technical Services  
Manager Works

*External*

FNQROC and Council Representatives

### **LEGAL AND RISK IMPLICATIONS (STATUTORY BASIS, LEGAL AND RISKS)**

Nil

### **POLICY IMPLICATIONS**

Nil

### **FINANCIAL & RESOURCE IMPLICATIONS**

*Capital*

Yes

*Operating*

Nil

*Is the expenditure noted above included in the 2016/2017 budget?*

Yes

### **IMPLEMENTATION/COMMUNICATION**

Boral Resources have provided an indicative works program with the MSC programme tentatively scheduled to be completed in March-April 2017 however delivery is weather dependant and coordination ongoing between FNQROC member Councils.

**ATTACHMENTS**

1. Mareeba Shire Council Asphalt Overlay Program

***Date Prepared:***            *6 February 2017*

2016-17 Reseals Asphalt Overlay Programme										
Asset Class	Road Name	Locality	Asset Type	Start Chainage	End Chainage	Length	Pavement Width	Area (m <sup>2</sup> )	Surface Type Replacement	
<b>ARRIGA</b>										
Rural	Chettle Road - Inter Lotus Glen	Arriga	Bitumen	7230	7370	140	10.5	1470	DG10 Asphalt	
<b>DIMBULAH</b>										
Urban	Stephens Street	Dimbulah	Bitumen	265	280	15	4.5	68	DG10 Asphalt	
Urban	Stephens Street	Dimbulah	Bitumen	280	325	45	4.5	203	DG10 Asphalt	
Urban	Stephens Street	Dimbulah	Bitumen	325	477	152	13.3	2022	DG10 Asphalt	
Urban	Stephens Street	Dimbulah	Bitumen	325	477	152	4.5	684	DG10 Asphalt	
<b>JULATTEN</b>										
Rural	Cameron Court Cul-de-sac	Julatten	Bitumen	191	226	35	17.8	623	DG10 Asphalt	
<b>KURANDA</b>										
Urban	Butler Drive-Greene Lane Inter.	Kuranda	Bitumen	0	48	48	7.3	350	DG10 Asphalt	
Urban	Butler Drive - Gregory Terrace Inter.	Kuranda	Bitumen	0	48	48	6.9	333	DG10 Asphalt	
Urban	Salamone Drive - Gregory Terrace Inter	Kuranda	Bitumen	0	40	40	6.7	267	DG10 Asphalt	
Urban	Saddlemountain Rd - Salamone Dr Inter.	Kuranda	Bitumen	0	40	40	9.0	361	DG10 Asphalt	
Urban	Daniel Place	Kuranda	Bitumen	106	138	32	14.1	451	DG10 Asphalt	
Rural	Kuranda Cemetery Access	Kuranda	Bitumen	5	60	55	9.3	510	DG10 Asphalt	
<b>MAREEBA</b>										
Urban	Catherine Close Cul-de-sac	Mareeba	Bitumen	259	285	26	13.9	362	DG10 Asphalt	
Urban	Chewko Road	Mareeba	Bitumen	20	150	130	15.0	1950	DG10 Asphalt	
Urban	Elisa Avenue Cul-de-sac	Mareeba	Bitumen	350	375	25	13.6	340	DG10 Asphalt	
Urban	Hastie Road	Mareeba	Bitumen	1414	1534	120	9.6	1152	DG10 Asphalt	
Urban	Isabel Street Cul-de-sac	Mareeba	Bitumen	61	75	14	11.9	167	DG10 Asphalt	
Urban	Jasper Street	Mareeba	Bitumen	20	160	140	10.2	1428	DG10 Asphalt	
Urban	Love Street Cul-de-sac	Mareeba	Bitumen	130	145	15	11.7	175	DG10 Asphalt	
Urban	Melver Road	Mareeba	Bitumen	429	621	192	7.0	1344	DG10 Asphalt	
Urban	Raintree Close Cul-de-sac	Mareeba	Bitumen	50	75	25	14.1	353	DG10 Asphalt	
Urban	Rankin Street	Mareeba	Bitumen	1155	1215	60	10.3	618	DG10 Asphalt	
Urban	Byrnes St - Parking Reserve	Mareeba	Bitumen	Opposite	Coles	224	Supermarket	2546	DG10 Asphalt	
Urban	Costin St - Beames St Inter.	Mareeba	Bitumen	934	978	44	10.3	599	DG10 Asphalt	





- All external concrete walls and walkways completed for the Sequential Batch Reactor (SBR)
- Installation of hand rails and pipe supports to SBR walkways
- Internal walls and electrical installation commenced for Administration Building and Motor Control Centre (MCC)
- Commencement of wall construction for Sludge Dewatering and Blower Buildings
- Commencement of base slab construction for Chemical Dosing Area
- Installation of site electrical conduits and pits
- Commencement of site pipework installation
- Sludge dewatering press received on-site (this was a critical procurement item and has been received several weeks ahead of schedule)

Primary activities scheduled for February 2017 are the completion of concrete works for the bioreactor, continuing hydrostatic testing of the digesters and SBR, backfilling structures, installation of pipework and other services, construction and fitout of the site buildings and delivery of the SBR decanters. Downer's commissioning team will arrive on-site and civil works for the inlet works under Contract TMSC2015-09 are scheduled to commence in late February 2017.

Milestone reporting is being provided to the Australian and State Governments as required under the funding agreements. The Australian Government has paid Council \$3 million to date from National Stronger Regions Fund. Payments of \$600,000 have been received from the State Government's Building Our Regions program and the initial payment of \$123,300 has been received from the State Government's Local Government Grants and Subsidies Scheme.

#### Expenditure

The expenditure to date of \$16,003,474 includes current committals of \$5,380,638 which is primarily made up of the purchase orders raised on Downer Utilities Australia (balance of committal is \$4,750,975) for Contract TMSC2015-13 Mareeba Wastewater Treatment Plant – Design and Construction and Aqseptence Group (balance of committal is \$626,199) for Contract TMSC2015-09 Mareeba Wastewater Treatment Plant – Inlet Works. Other minor committals and expenditure are also included in the total expenditure to date.

#### **LINK TO CORPORATE PLAN**

**ECOM 3** - Undertake the management of Council's assets in accordance with the long term asset management plans developed for all infrastructure asset classes to ensure the Shire's infrastructure networks are maintained and renewed to maximise their long term benefit to industry and the community.

#### **CONSULTATION**

##### *Internal*

Director Infrastructure Services  
Manager Water & Waste

##### *External*

Contractors

**LEGAL AND RISK IMPLICATIONS (STATUTORY BASIS, LEGAL AND RISKS)**

Council has an agreed TEP with the Department of Environment and Heritage Protection which sets out various milestones for the plant development.

**POLICY IMPLICATIONS**

Nil

**FINANCIAL & RESOURCE IMPLICATIONS***Capital*

The project is to be funded over the 2016/2017 and 2017/2018 financial years. Funding has been made available from the Australian and State governments for the project.

*Operating*

To be included in future budgets.

*Is the expenditure noted above included in the 2016/2017 budget?*

Yes

**IMPLEMENTATION/COMMUNICATION**

All communications are required to follow set out protocols within the funding agreements between the Australian and State governments.

**ATTACHMENTS**

1. Progress Photographs – January 2017

**Date Prepared:** 7 February 2017



16 January 2017 - Completion of roof installation to the Admin and MCC Building



16 January 2017 - Inspection of walkways to sequential batch reactor (SBR)





31 January 2017 - Fitout of the MCC Room underway



31 January 2017 - Progress on the construction of site buildings with completion of walls to Blower Building



31 January 2017 - Commencement of base slab for Chemical Dosing Area



Given the significant rainfall we have had at the commencement of the wet season and the prediction for above average rainfall, the completion date for the project may have to be extended if the predictions are correct.

#### Airport Water Supply Upgrade

Tender TMS2016-07 for upgrade of the water supply services was awarded to FGF Developments Pty Ltd in July 2016 and work commenced from mid-August 2016. The majority of work including commissioning has now been completed. Certification of the fire-fighting system to meet QFRS requirements is scheduled by mid-February 2017.

#### Ray Road and Vicary Road Upgrade

LDI Constructions reached practical Completion in late October 2016 and will return to complete line-marking upon favourable weather conditions returning.

#### Vicary Road Leased Area Pavements

Northern Civil Earthworks were awarded the tender for the Vicary Road leased area pavements in July 2016. Construction has commenced and is scheduled for completion by late February 2017, weather permitting.

#### Airside Infrastructure

Jacobs Engineering Group has been engaged to undertake the detailed design and documentation for the runway, taxiways, airfield lighting and aviation commercial precinct (western lease area). Detailed civil design plans for the project have been completed and are attached to this report.

Expressions of Interest (EOIs) for construction of the airside infrastructure closed on 31 January 2017. EOIs have been evaluated and a recommendation for shortlisting of respondents to invite to tender of the work will be tabled at this meeting as a separate report.

The 2016/17 wet season has now commenced and forecasts for an extended wet season may delay commencement of construction of airside infrastructure, which is scheduled to commence from May 2017.

#### Stakeholder Engagement

A Communication and Stakeholder Engagement Plan has been developed, which sets out the engagement strategy for delivery phase of the project. Surveys have been distributed to current airport users to determine their usage patterns to help develop a methodology for the construction work. Further engagement work in relation to distribution of project information and engagement with local businesses regarding work opportunities on the project is underway.

#### Expenditure

Expenditure to date of \$2,935,839 comprises survey, design, ground clearing, soil testing, master planning, business planning and construction. This amount includes current committals of \$714,862 which are primarily made up of the purchase orders raised on Northern Civil Earthworks for Contract TMS2016-04 Mareeba Airport Redevelopment - Construction of Vicary Road Leased Area Pavements (\$160,565 remaining), LDI Constructions for Contract TMS2016-05 Mareeba Airport Redevelopment - Construction of Vicary Road and Ray Road (\$24,249 remaining), FGF Developments for Contract

TMSC2016-07 Mareeba Airport Redevelopment - Water Main Upgrade (\$13,849 remaining) and Jacobs Engineering Group for design (\$231,078 remaining).

### **LINK TO CORPORATE PLAN**

**ECOM 3** - Undertake the management of Council's assets in accordance with the long term asset management plans developed for all infrastructure asset classes to ensure the Shire's infrastructure networks are maintained and renewed to maximise their long term benefit to industry and the community.

### **CONSULTATION**

*Internal*

Director Infrastructure Services  
Manager Works

*External*

Australian and State governments  
Jacobs Engineering Group

### **LEGAL AND RISK IMPLICATIONS (STATUTORY BASIS, LEGAL AND RISKS)**

As detailed in the funding agreements Council has signed with the State and Australian governments, Council is required to meet various milestone and reporting targets.

### **POLICY IMPLICATIONS**

Nil

### **FINANCIAL & RESOURCE IMPLICATIONS**

*Capital*

The project is to be funded over the 2016/2017 and 2017/2018 financial years. Funding has been made available from the Australian and State Governments for the project.

*Operating*

To be included in future budgets.

*Is the expenditure noted above included in the 2016/2017 budget?*

Yes

### **IMPLEMENTATION/COMMUNICATION**

All communications are required to follow set out protocols within the funding agreements between the Commonwealth and State Governments.

**ATTACHMENTS**

1. General Arrangement Key Plan is attached for the information of Council. The complete Civil Design Plans (36 pages) will be forwarded to Council under separate cover.

***Date Prepared:***            *16 January 2017*







## TECHNICAL SERVICES

**ITEM-14**                      **APPLICATION FOR PERMANENT ROAD CLOSURE OF AN AREA OF UN-NAMED ROAD ABUTTING LOT 1 RP711203 - MYOLA ROAD MYOLA**

**MEETING:**                      Ordinary

**MEETING DATE:**            15 February 2017

**REPORT OFFICER'S TITLE:**                      Technical Officer Investigations

**DEPARTMENT:**                Infrastructure Services, Technical Services

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### EXECUTIVE SUMMARY

*Correspondence has been received from the Department of Natural Resources and Mines (DNRM) seeking Council's position on an application to permanently close an area of un-named road abutting the southern boundary of Lot 1 on RP711203 Myola Road, Myola.*

*It is understood the request for closure is to incorporate the land into the applicant's existing freehold property.*

### OFFICER'S RECOMMENDATION

"That Council advise the Department of Natural Resources and Mines that it has no objection to the permanent road closure as detailed in their letter dated 30 January 2017."

### BACKGROUND

As part of the Department of Natural Resources and Mines (DNRM) road closure application process, the DNRM requires a submission from the Road Manager prior to any decision on the application.

Accordingly, the DNRM is requesting Council's views as the Road Manager, to permanently close an area of about 1760m<sup>2</sup> of an un-named road abutting the southern boundary of Lot 1 on RP711203 and shown as Lot 1 on drawing TSV17006.

The applicant wishes to close the road to incorporate into the adjoining freehold Lot being Lot 1 on RP711203 (See Attachment 1).

There is no formed road or track maintained by Council and there are no current plans to use this section of road reserve.

**LINK TO CORPORATE PLAN**

**ECOM 3** Undertake the management of Council's assets in accordance with the long term asset management plans developed for all infrastructure asset classes to ensure the Shire's infrastructure networks are maintained and renewed to maximise their long term benefit to industry and the community.

**CONSULTATION**

*Internal*  
Manager Technical Services

*External*  
Nil

**LEGAL AND RISK IMPLICATIONS (STATUTORY BASIS, LEGAL AND RISKS)**

Nil

**POLICY IMPLICATIONS**

Nil

**FINANCIAL & RESOURCE IMPLICATIONS**

*Capital*  
Nil

*Operating*  
Nil

**IMPLEMENTATION/COMMUNICATION**

Following publication of Council minutes prepare and send communication to DNRM advising of Council's decision.

**ATTACHMENTS**

1. Locality Plan;
2. Correspondence received from DNRM dated 30 January 2017.

**Date Prepared:** 2 February 2017

## Proposed Road Closure Un-Named Road, Myola



Author Taylah Hopper  
File / Ref number 2017/000031  
Directorate / Unit State Land Asset Management  
Phone (07) 4222 5428



Department of  
**Natural Resources and Mines**

30 January 2017

Chief Executive Officer  
[info@msc.qld.gov.au](mailto:info@msc.qld.gov.au)

Dear Sir/Madam,

**RE: Application for permanent road closure**

The department has received the above application. The application is to:

- Permanently close an area of about 1760m<sup>2</sup> of an un-named road abutting the southern boundary of Lot 1 on RP711203 and shown as Lot 1 on drawing TSV17006

Please find enclosed a copy of the Notice published in the Government Gazette of 27 January 2017 relative to the above application.

You are requested to display the notice of Application for Closure of Road at your office for the purpose of being viewed by the public in terms of Section 100 of the *Land Act 1994*.

The applicant advises that the proposed use of the subject area will be for inclusion into their existing freehold property.

To enable full consideration to be given to this matter please submit your agency's views and/or requirements, in writing, to the Townsville DNRM by **09 March 2017**. If no reply is received by that date it will be considered that your agency has no objection to the application.

Any objections received may be viewed by other parties interested in the proposed road closure in accordance with the provisions of the *Right to Information Act 2009*.

If you wish to discuss this matter please contact Taylah Hopper on (07) 4222 5427.

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

---

Postal :  
DNRM  
PO Box 5318  
Townsville QLD 4810

Telephone : (07) 4222 5427  
Fax: (07) 4799 7533

Please quote reference number 2017/000031 in any future correspondence.

Yours sincerely



Taylah Hopper  
Land Administration Officer  
State Land Asset Management  
Service Delivery-North Region

Enc Government Gazette dated 27 January 2017  
Drawing TSV17006  
Notice of Application for Closure of Road

**NOTIFICATION OF APPROVED FORMS UNDER THE  
*Petroleum and Gas (Production and Safety) Act 2004***

**Commencement**

The following form has been approved, as an approved form under section 858 of the *Petroleum and Gas (Production and Safety) Act 2004*, by the Acting Deputy Chief Inspector Petroleum and Gas, effective from 23 January 2017 and replaces all previous versions.

**Form approved**

<b>Version No</b>	<b>Form No</b>	<b>Form Heading</b>
3a	PGR115	Type A Gas Work Queensland Gas Work Licence and Gas Work Authorisation Requirements

**Availability of form**

The form is available from the Department's website at  
<https://www.business.qld.gov.au/industry/building-construction/gas>

Daryl Brooker  
Acting Deputy Chief Inspector Petroleum and Gas  
Petroleum and Gas Inspectorate  
Mines Safety and Health

Gov. Gaz., 27 January 2017, No. 13 page 63

Brisbane

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*Land Act 1994*  
**FORMER WATERCOURSE LAND DECLARATION  
NOTICE (No 01) 2017**

**Short title**

1. This notice may be cited as the *Former Watercourse Land Declaration Notice (No 01) 2017*.

**Notice of declaration [s.13B of the Act]**

2. Notice is hereby given that the chief executive administering the *Water Act 2000* is satisfied that the requirements in section 13B(4) of the Act have been complied with and accordingly declares the non-tidal boundary watercourse land described in the Schedule to be former watercourse land.

**SCHEDULE**

3. An area of 1718 m2 contained within stations 9-8-7-6-5-4-9 (locality of Petrie) and shown as part of Yebri Creek on SP277282 to be deposited in the Department of Natural Resources and Mines.

4. This *Former Watercourse Land Declaration Notice (No 01) 2017* is made on the date this notice is published in the Gazette.

**ENDNOTES**

1. Published in the Gazette on 27 January 2017.
2. Not required to be laid before the Legislative Assembly.
3. The administering agency is the Department of Natural Resources and Mines.
4. File Reference – 2016/000572

Gov. Gaz., 27 January 2017, No. 13 page 63

Brisbane

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*Land Act 1994***OBJECTIONS TO PROPOSED ROAD CLOSURE NOTICE  
(No 04) 2017****Short title**

1. This notice may be cited as the *Objections to Proposed Road Closure Notice (No 04) 2017*.

**Application for road closure [s.100 of the Act]**

2. Applications have been made for the permanent closure of the roads mentioned in the Schedule.

**Objections**

3.(1) An objection (in writing) to a proposed road closure mentioned in the Schedule may be lodged with the Regional Service Director, Department of Natural Resources and Mines, at the regional office for the region in which the road is situated.

(2) Latest day for lodgement of objections is **9 March 2017**.

(3) Any objections received may be viewed by other parties interested in the proposed road closure under the provisions of the *Right to Information Act 2009*. If you lodge an objection, please include in your objection letter whether you would like to be consulted if this issue becomes the subject of an access request under the *Right to Information Act 2009*.

**Plans**

4. Inspection of the plans of the proposed road closures may be made at-

- (a) the Department of Natural Resources and Mines Offices at Mackay, Cairns, Brisbane and Nambour; and
- (b) the Local Government Offices of Mackay Regional, Mareeba Shire, Cook Shire, Brisbane City and Sunshine Coast Regional;

for a particular plan in that district or that local government area.

**SCHEDULE****Central Region, Mackay Office**

1 Areas totalling 4.1 ha abutting the northern boundary of Lot 17 on C124511 and the northern and western boundaries of Lot 18 on C124529 (localities of Benholme and Mirani) and shown as Sections A and B, proposed road closure on RPS Drawing 134134-1-P01 Rev B. (2016/006774 and 2016/006775)

**North Region, Cairns Office**

2 An area of about 1760 m<sup>2</sup> being the unnamed road abutting the southern boundary of Lot 1 on RP711203 (locality of Kuranda) and shown as plan of Lot 1, proposed permanent road closure on Drawing TSV17006. (2017/000031)

3 An area of 2.227 ha being part of the esplanade abutting the eastern boundary of Lot 152 on SP171834 (locality of Shelburne) and shown as plan of Lot 4 on DP288867. (2016/006253)

**South Region, Brisbane Office**

4 An area of about 119 m<sup>2</sup> being the road separating Lot 44 on RP19404 from Lot 1 on RP19413 and Lot 9 on RP206676 (locality of Wooloowin) and shown as road proposed to be permanently closed on Drawing 17/002. (2016/006464)



**South Region, Nambour Office**

5 Areas totalling about 5851 m2 being parts of the unnamed road abutting Lot 803 on SP244924 and Lot 462 on SP258245 and an area of about 1240 m2 within Kawana Way abutting Lot 462 on SP258245 (locality of Birtinya) and shown as Part 100 to Part 104, road proposed to be permanently closed on Drawing 16/306. (2016/003538)

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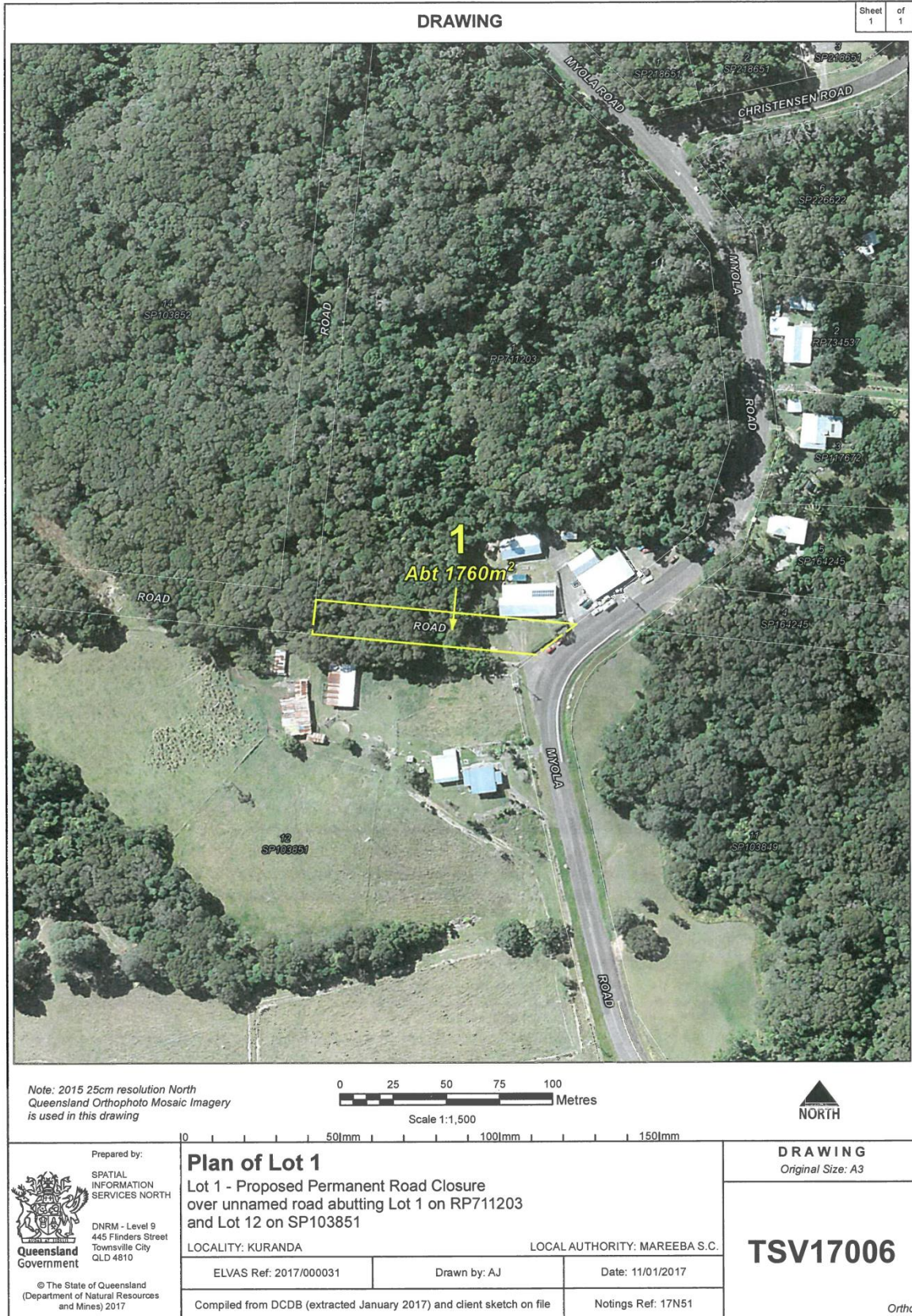
**ENDNOTES**

1. Published in the Gazette on 27 January 2017.
2. Not required to be laid before the Legislative Assembly.
3. The administering agency is the Department of Natural Resources and Mines.

Gov. Gaz., 27 January 2017, No. 13 page 63-64

Brisbane

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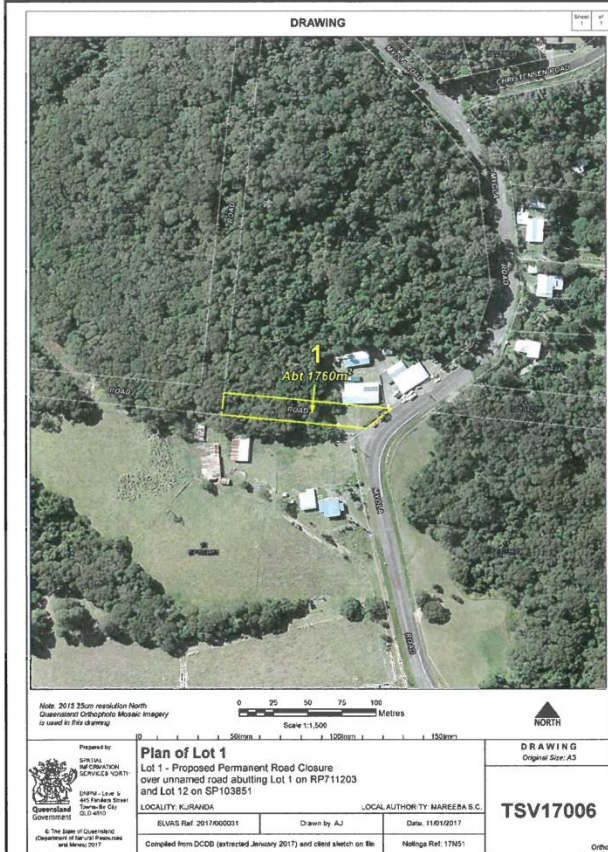
Department of Natural Resources and Mines

# Application for Closure of Road

30 January 2017

File / Ref number 2017/000031

Notice is given of an application made under section 100 of the *Land Act 1994* for the permanent closure of the road described as:



DESCRIPTION OF ROAD
<b>Description of proposed road closure:</b>
An of about 1760m2 being part of an un-named road abutting the southern boundary of Lot 1 on RP711203
<b>Locality:</b> Kuranda
<b>Local Government:</b> Mareeba Shire Council

Any person who may consider their interest affected by the application is required to submit their objections and/or enquires in writing by close of business on **09 March 2017** to the Department:

**Postal Address –**  
 DNRM Townsville  
 PO Box 5318  
 Townsville Qld 4810

**Delivery Address -**  
 DNRM Cairns  
 4<sup>th</sup> Floor, 2<sup>nd</sup> Building  
 William McCormack Place  
 5B Sheridan Street  
 Cairns Qld 4870

**Telephone:** (07) 4222 5428

**Fax:** (07) 4447 9199

**Email:** Townsville.SLAMS@dnrm.qld.gov.au

Any objections received may be viewed by other parties interested in the proposed road closure under the provisions of the *Right to Information Act 2009* (the RTI Act).

If you lodge an objection, please include in your objection letter whether you would like to be consulted if this issue becomes the subject of an access request under the RTI Act.

**LATEST DATE FOR OBJECTIONS – 09 MARCH 2017**





- Leadingham Creek Road, Dimbulah, Bridge Upgrade - GHD have provided MSC with a projected timeframe for completion of Design works end of February
- MSC Fire Evacuation Plans

#### **Soils Lab**

- External Contractors - Council provided services to 5 external agencies and Councils

#### **Survey**

- Surveys were undertaken at:
  - Mareeba Landfill
  - Rob Veivers Drive, Kuranda. Detail survey commenced
  - Heritage Centre Lease
  - Kowa Street Widening - Detail
  - Iluka Street Widening - Construction Setout
  - Kuranda Pony Club - Road Opening
  - Kuranda Transfer Station - Detail
  - Bower Road construction Setout
  - Sutherland Street Line marking
  - Mareeba Sewerage Treatment Plant, Hickling Ave - Detail
  - Mareeba Aerodrome - Tree Encroachment
  - Mareeba Aerodrome - Stage1 Earthworks Setout

#### **GIS**

- 2013/2015 imagery received from DNRM and making the high resolution imagery for Mareeba, Kuranda, Irvinebank and Chillagoe available in MapInfo
- Re-segmentation of water pipes layer, so that GIS layer can be matched to asset register for revaluation of water assets
- Re-segmentation of roads layer using chainage from the roads route layer so that roads segments in the asset register and GIS roads layer can be matched
- Generating GIS ids and creating/matching points for treatment plants in water layers
- Adding newly installed rural addresses to system and informing stakeholders (includes sending urban address changes) and internal addressing queries
- MapInfo/GIS queries and training
- Internal maps and data for grants (connectivity Ootann, BDR & bypass roads upgrades), Ootann Road, weeds, Kuranda area map for Information centre, maps for test roads to be run by Darren Sheppard, outputting layer of no name roads
- External requests such as organising for provision of flood mapping to Geoscience Australia, providing shapefiles of water and sewerage to KUR-World, Blue Care telephone book maps
- Bridge layer load limit update and creating process for merging information from asset register
- Customizing Fulcrum app for the collection of spatial and attribute data for MSC building inspections

**Technical Investigations**

- NBN Notification of Node / Pillar deployments throughout Mareeba CBD and surrounds
  - Site visit to each proposed location to establish suitability

**SUBDIVISIONS AND INVESTIGATIONS****Subdivisions**

- On Maintenance - Monitoring for 12 months as the Defects Liability Period prior to becoming a Council Asset
  - Mt Emerald Wind Farm-Irrigation Pipeline Protection Slab
  - Amaroo Stage 8
  - Amaroo Stage 7
  - Wylandra Stage 6B and 6C
  - Howe Farming - Kay Road - Drainage
  - Hoolahan Drive - Construction of easement drainage
- Off Maintenance - Council Asset
  - Bellevue Estate Stage 1A, 1B, 2 and 3
- Operational Works
  - 112 Barnwell Road - Dam Construction (100% completed and still monitoring)

**PROJECT MANAGEMENT****Building**

- Koah Hall - Place of Refuge is completed
- Kuranda SES Shed Extension - Electrical component completed
- Solar Tender - Contract awarded and contractor in negotiations with Ergon - Site visit completed - Proposed start date for installation is first week in March 2017
- Trade waste upgrade - Kowa Street Depot Workshop

**Civil****2016-17 Reseals Bitumen and Asphalt Programs**

- the bitumen reseals program is complete - defects liability period current
- outstanding line marking currently being completed IMS
- results Regional Asphalt Overlay Program procurement reported to 15 February Council meeting

**2017-18 Reseals Bitumen and Asphalt Program**

- FNQROC requested Councils provide indicative programs and budget allocations by early February

## **FLEET AND WORKSHOP SECTION**

### **Mareeba Workshop**

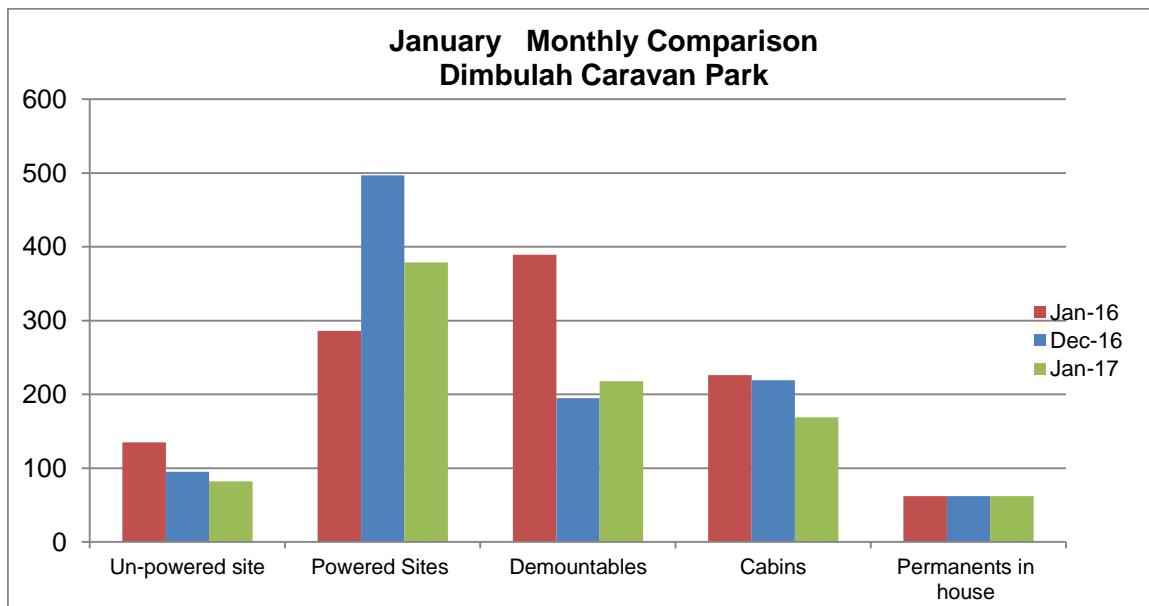
- Routine Vehicle / Plant Services 16
- Planned routine maintenance 63
- Breakdowns < 8 hrs Downtime 12
- Breakdowns > 8 Hrs Downtime 1

## **FACILITIES SECTION**

### **Caravan Parks**

#### **Dimbulah Caravan Park**

In January 2017, 910 bookings were recorded for Dimbulah Caravan Park. These figures compared to January 2016 have slightly decreased by 188.



**Figure 1. Monthly comparison Dimbulah Caravan Park**

#### **Mareeba Riverside Caravan Park**

In January 2017, 2,531 bookings were recorded for Mareeba Riverside Caravan Park. These figures compared to January 2016 have a slight decrease of 156. The new demountable accommodation is now in use.



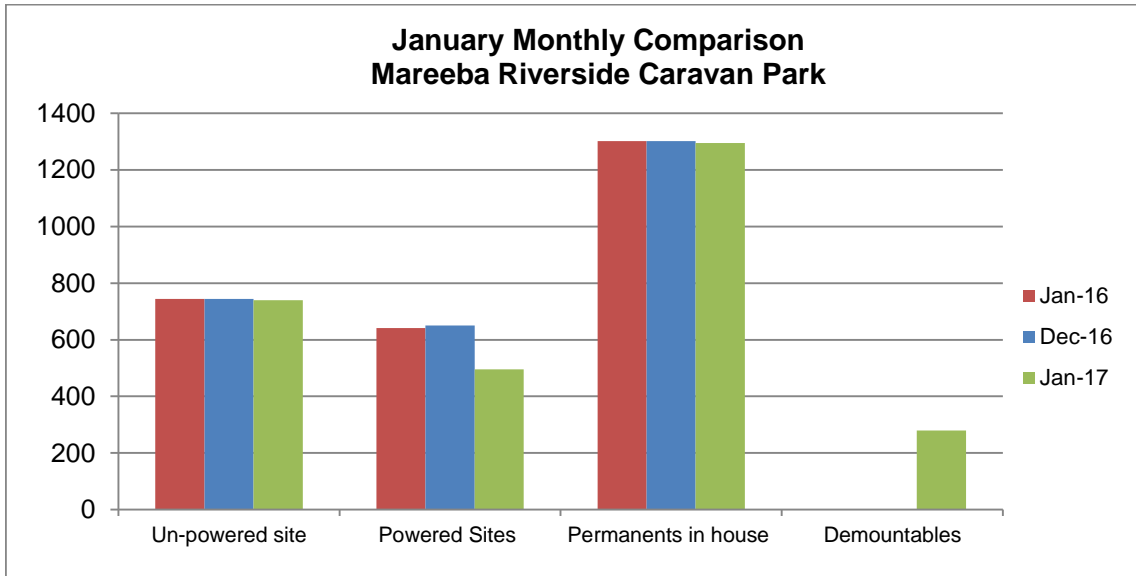


Figure 2. Monthly comparison Mareeba Riverside Caravan Park

**Public Halls**

The total number of hall bookings in January 2017 has decreased to 46 compared to last month of 75. This is due to the Christmas holidays and all clubs closed down for the year. Bookings have increased compared to January 2016 which was 21.

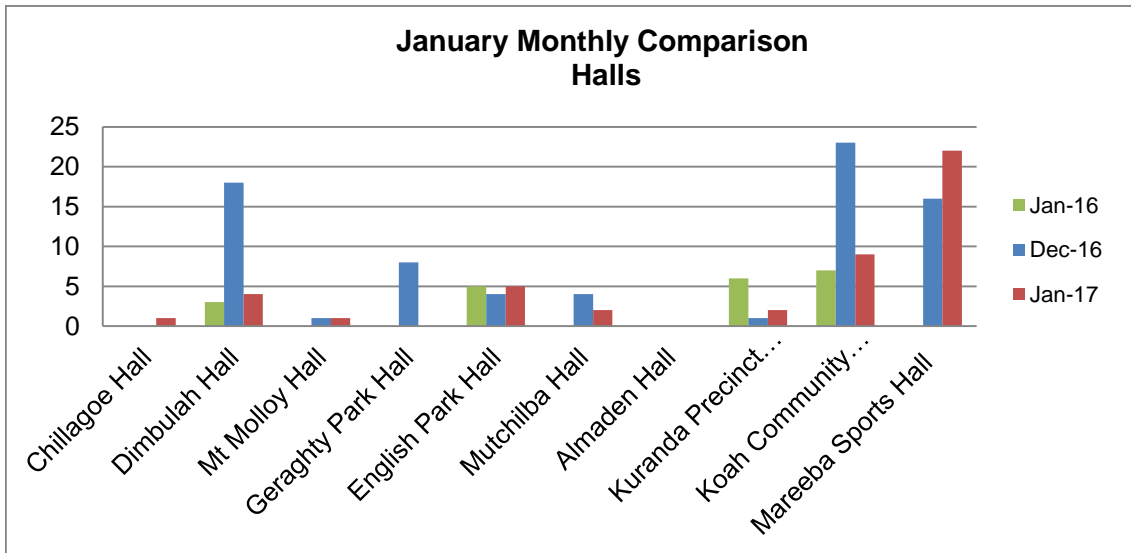
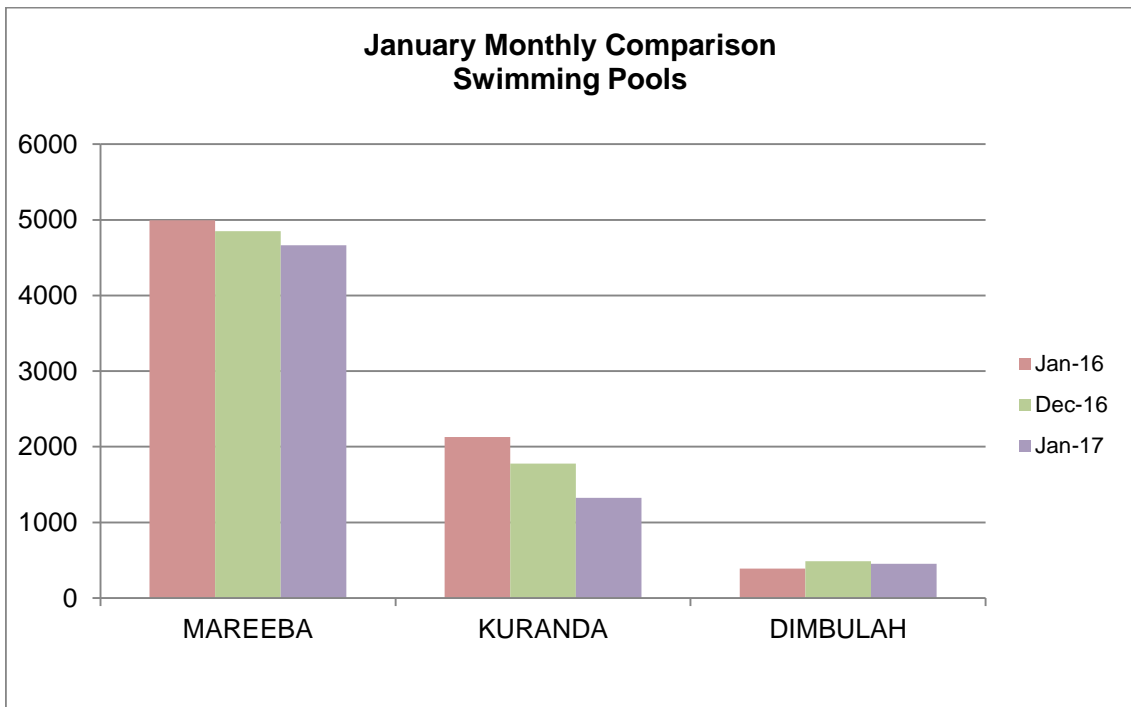


Figure 3. Monthly comparison halls

**Swimming Pools**

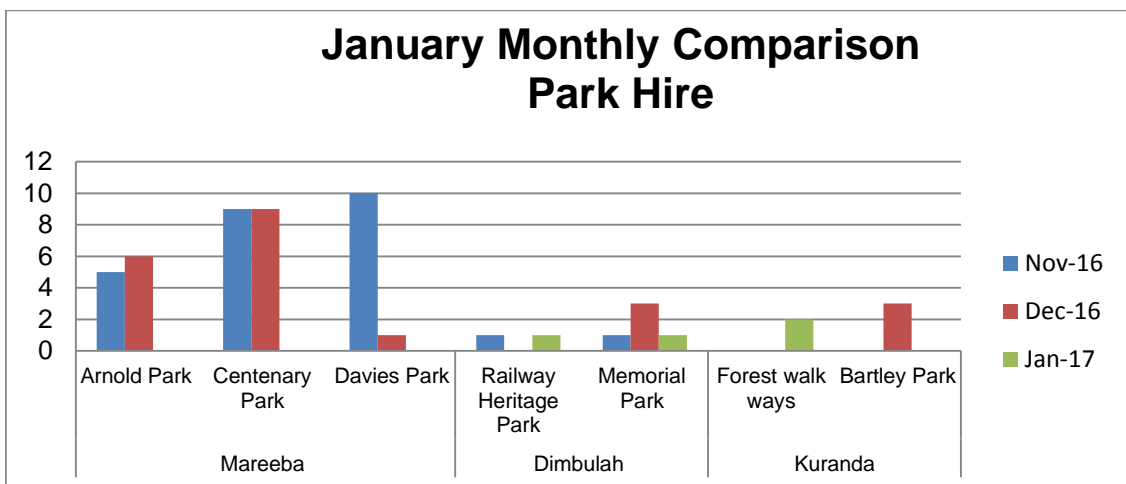
For January 2017, the total number of patrons that used all 3 pools was 6,439. This is a decrease of 1,074 compared to January 2016. Mareeba Pool had 4,664 patrons attend, Kuranda Aquatic Centre had 1,323 while Dimbulah had 452 patrons.



*Figure 4. Monthly comparison swimming pools*

**Park Hire**

Council parks recorded four (4) bookings for the month of January 2017. This is a large decrease of 18 from last month due to the festive holidays.



*Figure 5. Monthly comparison Park Hire*

## Vandalism and Graffiti

During January 2017, 4 reports of graffiti and vandalism were recorded.

- Mareeba Old Bowls Club Hall
- Mareeba Sports Hall
- Mareeba Mary Andrews Park
- Mareeba Borzi Park

Graffiti and Vandalism	Year to date actuals
2015-16	\$2,134
2016-17	\$6,629

Currently there is no allocated budget for graffiti and vandalism, these costs are being booked to operational.

## LINK TO CORPORATE PLAN

**ECOM 3** - Undertake the management of Council's assets in accordance with the long term asset management plans developed for all infrastructure asset classes to ensure the Shire's infrastructure networks are maintained and renewed to maximise their long term benefit to industry and the community.

## CONSULTATION

*Internal*  
Nil

*External*  
Nil

## LEGAL AND RISK IMPLICATIONS (STATUTORY BASIS, LEGAL AND RISKS)

Nil

## POLICY IMPLICATIONS

Nil

## FINANCIAL & RESOURCE IMPLICATIONS

*Capital*  
Nil

*Operating*  
Nil

**IMPLEMENTATION/COMMUNICATION**

Nil

**ATTACHMENTS**

Nil

***Date Prepared: 6 February 2017***

**ITEM-16****EXTENSION OF TENANCY AGREEMENT OF MT  
MOLLOY - LEASE OF HOUSE 12 FRASER ROAD  
CONFIDENTIAL****REASON FOR CONFIDENTIALITY**

This report is **CONFIDENTIAL** in accordance with Section 275(1)(e) of the Local Government Regulation 2012, which permits the meeting to be closed to the public for business relating to the following:

- (e) contracts proposed to be made by Council.



## WORKS

### ITEM-17                      **INFRASTRUCTURE SERVICES - WORKS SECTION PROGRESS REPORT - JANUARY 2017**

**MEETING:**                      Ordinary Meeting

**MEETING DATE:**              15 February 2017

**REPORT OFFICER'S  
TITLE:**                          Manager Works

**DEPARTMENT:**                Infrastructure Services, Works Group

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#### **EXECUTIVE SUMMARY**

*This report sets out works undertaken by the Transport Infrastructure, Parks and Gardens and Bridge Sections of Infrastructure Services during the month of January 2017.*

#### **OFFICER'S RECOMMENDATION**

"That Council receive and note the Infrastructure Services, Transport Infrastructure, Parks and Gardens and Bridge Sections, Progress Report for the month of January 2017."

#### **BACKGROUND**

##### **Works Group**

##### **Maintenance Activities**

Maintenance activities accruing more than \$1,000 in expenditure were carried out in January at the following locations:

Description	Activity
Bower Road, Arriga	Culvert repairs, spraying
Tyrconnell Road, Arriga	Clean inlet/outlets culverts, spraying
Bilwon Road, Biboohra	Culvert repairs, grading unsealed roads
Narcotic Creek Road, Chewko	Bitumen patching, clean inlet/outlets culverts, grading unsealed roads, spraying
Braund Road, Dimbulah	Culvert repairs, slashing, tree clearing / vegetation management
Delacy Road, Dimbulah	Culvert repairs
Leadingham Creek Road, Dimbulah	Bitumen patching, clean inlet/outlets culverts, culvert repairs, road inspections, slashing, vandalism repairs
Raleigh Street, Dimbulah	Culvert repairs, mowing, slashing, vandalism repairs
Rainforest Drive, Julatten	Slashing
Black Mountain Road, Julatten	clean inlet/outlets culverts, slashing
Clohesy River Road, Koah	Grading unsealed roads
Streil Road, Koah	Grading unsealed roads
Barron Falls Road, Kuranda	General repairs, maintenance, slashing, tree clearing / vegetation management
Black Mountain Road, Kuranda	Slashing, tree clearing / vegetation management
Masons Road - Kuranda	Pavement repairs, slashing
Myola Road, Kuranda	Bitumen patching, slashing, tree clearing / vegetation management
Chewko Road, Mareeba	Bitumen patching, clean inlet/outlets culverts, spraying
Emerald End Road, Mareeba	Clean inlet/outlets culverts, grading unsealed roads
McGrath Road, Mareeba	Bitumen patching, culvert repairs

Description	Activity
Roiko Road, Mareeba	Clean inlet/outlets culverts
Tinaroo Creek Road, Mareeba	Bitumen patching, road furniture, spraying, vandalism repairs
Wylandra Drive, Mareeba	Culvert repairs, clean inlet/outlets culverts
Fraser Road, Mt Molloy	Pavement repairs, slashing
Main Street, Mt Molloy	Road furniture, slashing
Fumar Road, Mutchilba	Pavement repairs, grading unsealed roads, road inspections
Springmount Road, Mutchilba	Bitumen patching, slashing, spraying
Brooks Road, Paddy's Green	Grading unsealed roads, spraying
Fassio Road, Paddy's Green	Grading unsealed roads, spraying
Springs Road, Paddy's Green	Clean Inlet/Outlets culverts, Spraying

The table below shows the current budget position of road maintenance for Mareeba Shire Council.

Annual Budget	Year to Date Budget	Year to Date Actual
\$3,294,997	\$1,919,015	\$1,682,073

### Capital Works

No capital works were undertaken in January, apart from a small amount of line marking and erosion control at the Myola Road widening project, due to the Christmas Break, staff annual leave and wet weather.

The work crews have been concentrating on culvert repairs, repairing scours on unsealed roads, cleaning culvert inlet/outlets and bitumen patching as is normal for this time of the year.

Given favourable weather in February the Iluka Street Widening and Sealing to Kerb and the Ray Road Rehabilitation and Widening projects will commence.



### TMR Routine Maintenance Performance Contract (RMPC)

Routine maintenance activities were undertaken during January 2017 at the following location;

Primary Location	Activity Name
Burke Developmental Road	Emergency call out / traffic accident
	Herbicide spraying, includes traffic control
	Other roadside work
	Other surface drain work
Herberton / Petford Road	Other vegetation control works
Kennedy Highway- Cairns/Mareeba	Pothole patching, includes traffic control
	Rest area servicing
Mareeba / Dimbulah Road	Herbicide spraying, includes traffic control
	Other bituminous surface work
	Pothole patching, includes traffic control
	Repair guide signs
	Tractor slashing (rural) includes (2)x traffic control
Mossman / Mt Molloy Road	Emergency call out / traffic accident
	Herbicide spraying includes traffic control
	Other roadside work
	Other vegetation control works
	Pothole patching includes traffic control
	Repair or replace guide markers
	Roadside litter collection, rural
	Tractor slashing, rural includes (2)x traffic Control
Mulligan Highway - Mareeba / Mt Molloy Road	Herbicide spraying includes traffic control
	Pavement repairs, gravel (Mech. < 500m <sup>2</sup> per 1km) includes traffic control
	Pothole patching includes traffic control
	Repair signs (excluding guide signs)

Primary Location	Activity Name
Mulligan Highway - Mt Molloy - Lakeland	Repair guide signs
	Repair or replace guide markers
	Rest area servicing
	Roadside litter collection (rural)
	Install new and/or relocate old signs Standard B Size(800x600) and 1 post
	Other vegetation control works
	Pothole patching includes traffic control

The total claim to DTMR for the works listed above for the month of January 2017 was \$137,001.39.

### Parks and Gardens Section

#### Maintenance Activities

Parks and Gardens maintenance activities accruing more than \$1,000 in expenditure were carried out in January at the following locations:

Location
Parks and Gardens, Chillagoe
Basalt Gully and Bi-Centennial Lakes, Mareeba
Mary Andrews Gardens, Mareeba
Arnold Park, Mareeba
Centenary Park, Mareeba
Byrnes Street Medians, Mareeba
Council Office and Library, Mareeba
Molloy Road Approaches, Mareeba
Margarita English Park, Julatten
Parks, Library, CBD and Streets, Kuranda
Esplanade Kuranda
Town Hall Park, Dimbulah
Borzi Park, Mareeba
Davies Park, Mareeba
Firth Park, Mareeba
Vains Park, Mt Molloy
Rec Reserves including Tennis Court, Chillagoe
Street Mowing, Mareeba
Tree Removal, North
Pressure Cleaning CBD Footpaths, Kuranda
Erect and Dismantle Christmas Decorations, Mareeba
Mowing and Maintenance, Irvinebank

The table below shows the current budget position of Parks and Gardens maintenance for Mareeba Shire Council.

Annual Budget	Year to Date Budget	Year to Date Actual
\$1,545,967	\$896,232	\$1,003,258

### **Bridge Section**

Annual Budget	Year to Date Budget	Year to Date Actual
\$514,697	\$299,418	\$177,226

Mareeba Shire Council's bridge inspection program has been formalised and is operating under a works order system. 332 bridges and major culverts have been identified as requiring inspection within our local roads network.

To date, 277 inspections have been completed.

### **Land Protection Section**

**4 Tropical Weeds:** Work was carried out in collaboration with affected landowners, contractors, and Biosecurity Queensland staff. Council officers surveyed for, removed when found and added to our mapping program all Kusters Curse seedlings in the Euluma Creek/Clacherty Road Julatten area.

*Miconia racemosa* and *M. Calvescens* were targeted in and around Kuranda Township. Again landowners and the 4 Tropical Weeds crew from Biosecurity Queensland assisted in the search and destroy program.

***Pond Apple:*** This tree that is native to Central, North and South America has been transported into many other tropical countries for use as rootstock for Custard Apple trees. Some low lying orchards in Kuranda were found with pond apple trees growing from below the grafts in abandoned orchards along Jum Rum Creek where it has escaped into the creek and wetland systems around the town surrounds. The seeds of the fruit are eaten by feral pigs and cassowaries and these animals have aided the plant to be well distributed in those wet areas.

Council staff has worked with The Barron Catchment staff and landowners in a long running program to remove all pond Apple trees from our area. No mature trees have been found for many years now and we are at the stage where officers do three visits per year looking for and removing seedlings. We are very close to being able to report the invasive tree eradicated from wetlands, dams, creeks and the Barron River at Kuranda.

***Parthenium Weed:*** Land Protection staff carries out monthly visits on all our mapped active sites to ensure that the affected landowners are managing to remove all plants on their land prior to the plants setting flowers. We were ready to report that there was only one active site known in our Council area, but as a result of property inspections carried out in January a new incursion has been located. It appears to have started by the owners feeding grain to their poultry. This is a common way for *Parthenium* seeds to be transported. We access most of our feed grains from the Central Highlands where *Parthenium* is rife and despite all efforts by the grain producers to sell clean grain, some consignments are contaminated with weed seeds.

***Lion's Tail:*** Only one known infestation of this weed of primary production and environmentally sensitive land is known to exist in our Shire. This site is on Wrotham Park Station. We have thoroughly surveyed all the surrounding country by motorbike, horse and helicopter and are sure that we have located and contained the area of infestation. It is mapped on to Council's GIS. We visit the site 3 times per year and are aided in this work by the station owner and staff and as the Burke Developmental Road passes through the site, DTMR is a contributor to the removal program. We are seeing a steady decline in the area and density of the plant to the extent some of the sites are now free of the pest.

Land Protection staff revisited the area and treated all plants that were found earlier this month and have arranged for the station staff to monitor the site over the wet season when officers are not able to access the site.

***Rubbervine and Caltrop:*** As a prevention of spread program Land Protection staff treated all the borrow pits and gravel scrapes on the Hurricane Road. This work was in conjunction with the DTMR sponsored weed clean-up of the Mulligan Highway.

***Feral Pigs:*** Staff continued to construct permanent silo traps for feral pigs in strategic locations throughout the shire. In all twenty traps will be constructed on private land parcels

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and this work is jointly funded by Council and the Northern Gulf Resource Management Group. It is the landowner's responsibility to operate the traps and to dispose of the captured pigs.

Council officers have also been engaged in laying toxic baits for pigs on some of the pastoral holdings as well as closer in cattle operations and fruit blocks.

<b>Annual Budget</b>	<b>Year to Date Budget</b>	<b>Year to Date Actual</b>
\$394,729	\$242,185	\$273,065

### **LINK TO CORPORATE PLAN**

**ECOM 3** - Undertake the management of Council's assets in accordance with the long term asset management plans developed for all infrastructure asset classes to ensure the Shire's infrastructure networks are maintained and renewed to maximise their long term benefit to industry and the community.

### **CONSULTATION**

Internal  
Infrastructure Services staff

External  
Nil

### **LEGAL AND RISK IMPLICATIONS (STATUTORY BASIS, LEGAL AND RISKS)**

Nil

### **POLICY IMPLICATIONS**

Nil

### **FINANCIAL & RESOURCE IMPLICATIONS**

Capital  
Included in 2016/2017 budget

Operating  
Included in 2016/2017 budget

Is the expenditure noted above included in the 2016/2017 budget?  
Yes

### **IMPLEMENTATION/COMMUNICATION**

Advice is provided to residents and businesses affected by any activities.

**ATTACHMENTS**

Nil

**Date Prepared:**        *3 February 2017*



## WATER & WASTE

### **ITEM-18                      INFRASTRUCTURE SERVICES - WASTE OPERATIONS REPORT - JANUARY 2017**

**MEETING:**                      Ordinary

**MEETING DATE:**            15 February 2017

**REPORT OFFICER'S  
TITLE:**                         Manager Water and Waste

**DEPARTMENT:**             Infrastructure Services, Water and Waste Group

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#### **EXECUTIVE SUMMARY**

*This report summarises Council's Waste activities undertaken by the Infrastructure Services Department during the month of January 2017.*

#### **OFFICER'S RECOMMENDATION**

"That Council receive and note the Infrastructure Services, Waste Operations Progress Report for January 2017."

#### **Summary of Waste Activities**

The following is a 'snapshot' of the waste activities undertaken during the month of January 2017.

##### **1. Waste Operations**

- 5,886 vehicles entered Mareeba waste facility (to drop off or pick up waste).
- 497 vehicles deposited waste to Mareeba Landfill (total).
- 305 Suez vehicles deposited waste to Mareeba Landfill.
- 46 Suez vehicles removed waste from Mareeba WTS to recycling facility in Cairns.
- 242m<sup>3</sup> of mulch sold (165 in bulk sales and 77 in small lots less than 3 m<sup>3</sup>).
- 3.4 Tonnes of recyclable material transported to Cairns MRF (including chemical drums).
- All transfer stations and Mareeba landfill are currently operational.

##### **2. Old Mareeba Landfill Capping Project**

- Shaping of the landfill mound is approximately 90% completed.
-

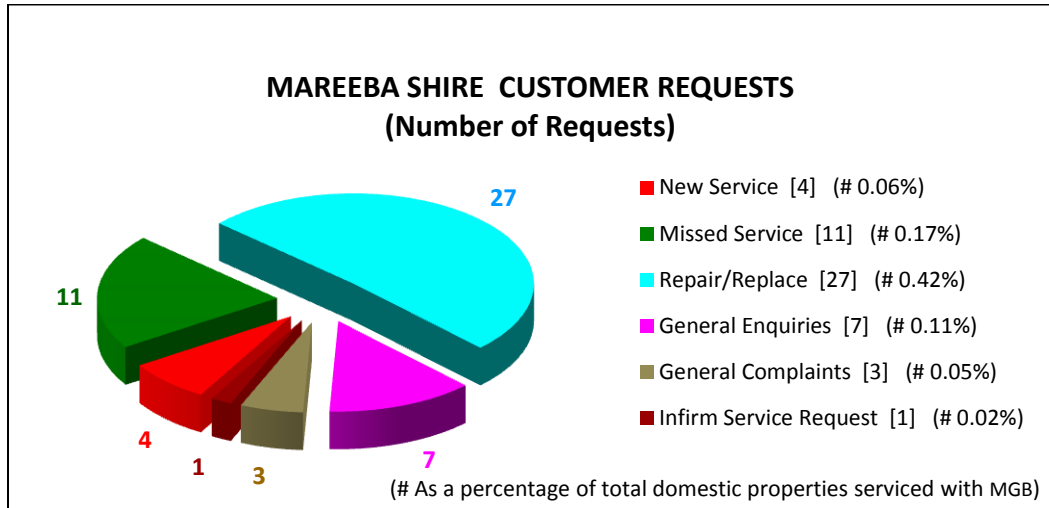
- Once shaping is completed, installation of the leachate and drainage system will commence.
- This will be followed by the placement of a 300mm layer (to cover the waste) before the placement of the LLDPE (linear low-density polyethylene) liner.





### 3. Customer Service Waste Statistics

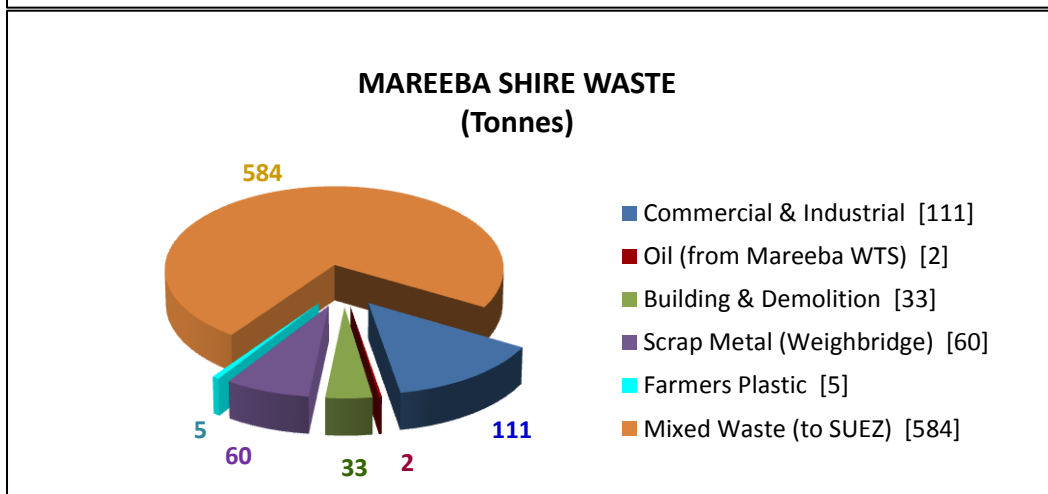
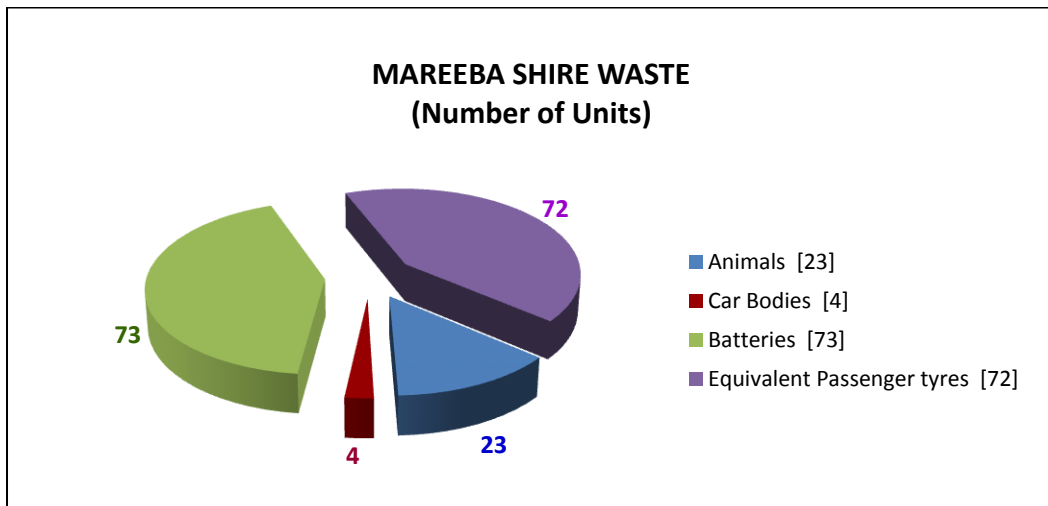
The following graph displays customer requests logged in the Customer Request Management (CRM) system during the month of January 2017.



### 4. Waste Collected at Each of the Transfer Stations

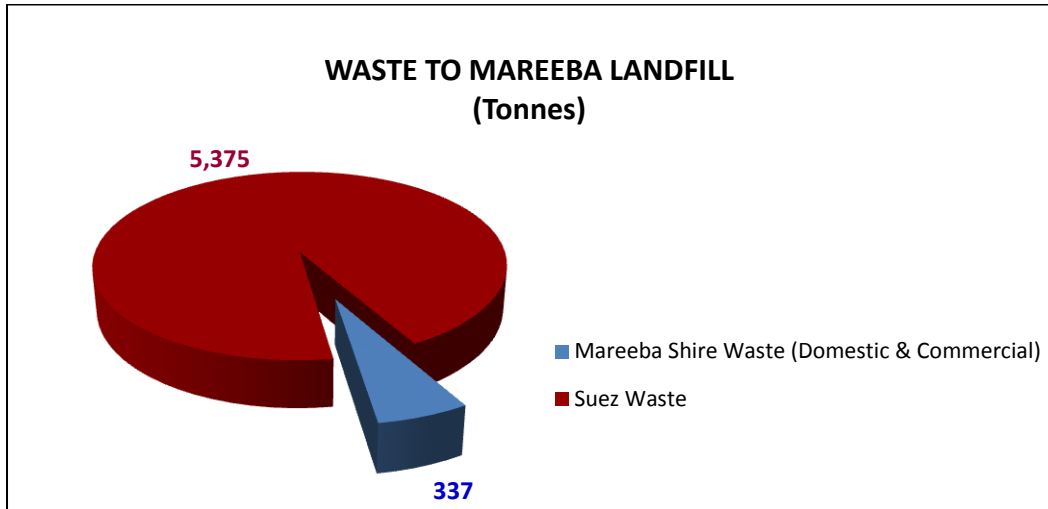
Waste material collected at each of the waste transfer stations is either deposited directly to the Mareeba landfill, recycled or transported to the Suez facility in Cairns for processing.

The following pie charts are separated into waste received as whole units and waste received as accrued tonnage.



**5. Waste to Mareeba Landfill**

The Mareeba Shire waste shown in the pie chart below is the waste collected at each of the waste transfer stations (Mareeba included), and deposited directly to the Mareeba landfill. The commercial waste shown below is derived from the Suez recycling plant in Cairns and deposited into the Mareeba landfill.



**6. Revenue**

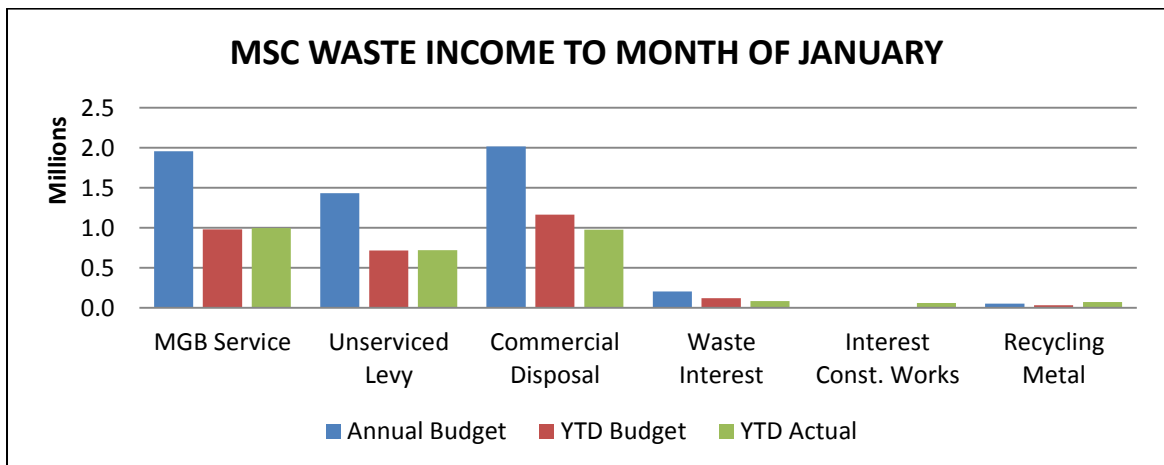
The income is derived from:

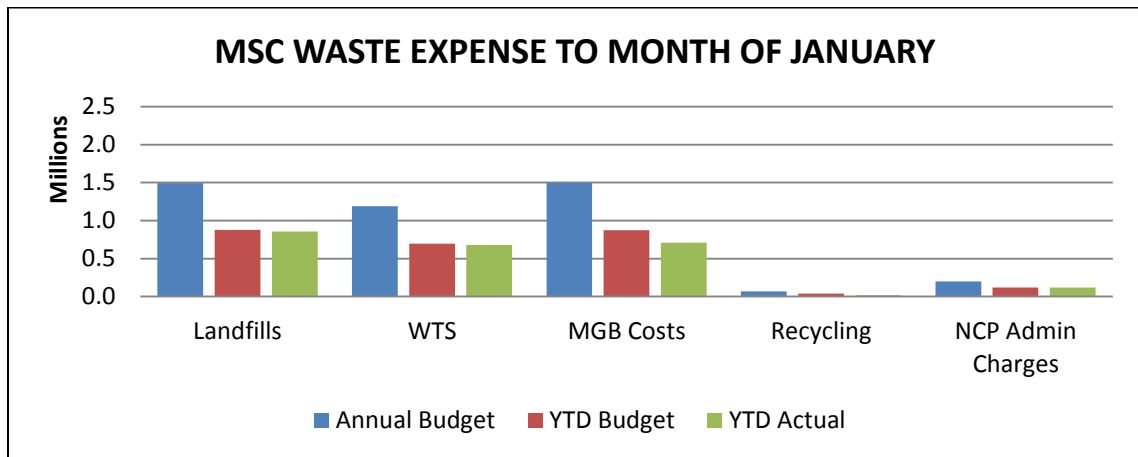
- Commercial disposal (predominantly Suez)
- Interest earned
- Interest on Constrained Works
- Recycling (steel, batteries)
- Rates

The expenditure is derived from:

- Waste administration
- Landfill management
- Transfer station management

**7. Financial Operational Budget Information Per Budget Section Overall**





**LINK TO CORPORATE PLAN**

**ECON 3** Undertake the management of Council's assets in accordance with the long term asset management plans developed for all infrastructure asset classes to ensure the Shire's infrastructure networks are maintained and renewed to maximise their long term benefit to industry and the community.

**GOV 3** Undertake a whole of council service level review to establish sustainable operational costs across core local government business and consult with communities.

**CONSULTATION**

*Internal*  
Director Infrastructure Services  
Waste Staff

*External*  
Nil

**LEGAL AND RISK IMPLICATIONS (STATUTORY BASIS, LEGAL AND RISKS)**

Nil

**POLICY IMPLICATIONS**

Nil

**FINANCIAL & RESOURCE IMPLICATIONS**

*Capital*  
Nil

*Operating*  
Nil

*Is the expenditure noted above included in the 2016/2017 budget?*

Yes

**IMPLEMENTATION/COMMUNICATION**

Nil

**ATTACHMENTS**

Nil

***Date Prepared:***            *3 February 2017*



**ITEM-19                                    INFRASTRUCTURE SERVICES - WATER AND  
WASTEWATER GROUP - MONTHLY OPERATIONS -  
JANUARY 2017**

**MEETING:**                            Ordinary

**MEETING DATE:**                15 February 2017

**REPORT OFFICER'S  
TITLE:**                                Manager Water and Waste

**DEPARTMENT:**                  Infrastructure Services, Water and Waste Group

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**EXECUTIVE SUMMARY**

*The purpose of this report is to summarise Council's Water and Wastewater activities undertaken by the Infrastructure Services Department during the month of January 2017.*

**OFFICER'S RECOMMENDATION**

"That Council receive and note the January 2017 Monthly Water and Wastewater Report."

**LINK TO CORPORATE PLAN**

**GOV 3** Undertake a whole of Council service level review to establish sustainable operational costs across core local government business and consult with communities.

**1. Capital and Maintenance Works Projects**

- Pre-start meeting held with FGF on 1 February for the Kuranda Suburban Water Security Upgrade project.
  - Hydrant maintenance is progressing well. The Queensland Fire Emergency Services undertake Audits in Mareeba and provides Council with a list of required repairs. Since September 171 hydrants have been repaired as per the audits in Mareeba water reticulation network area.
  - During the air scouring process, we now inspect/test/clean and paint every hydrant in the area we are in - this compliments the scouring work well as it eliminates any "downtime" before and after the scouring for the day.
  - Approximately 4 - 6 weeks of air scouring work is left in Mareeba. Some of which may require weekend or night works to complete to minimise interruptions to businesses.
  - Areas requiring hydrant maintenance are: Kuranda, Mt Molloy, Dimbulah and Chillagoe. These areas will be done over the coming year.
  - Once the air scouring program has been completed the Sewer Fogging Program will commence.
  - Wastewater Reticulation Service Inspection and Maintenance of Mareeba Shire Council's sewerage pump stations and landfill leachate system is carried out by
-

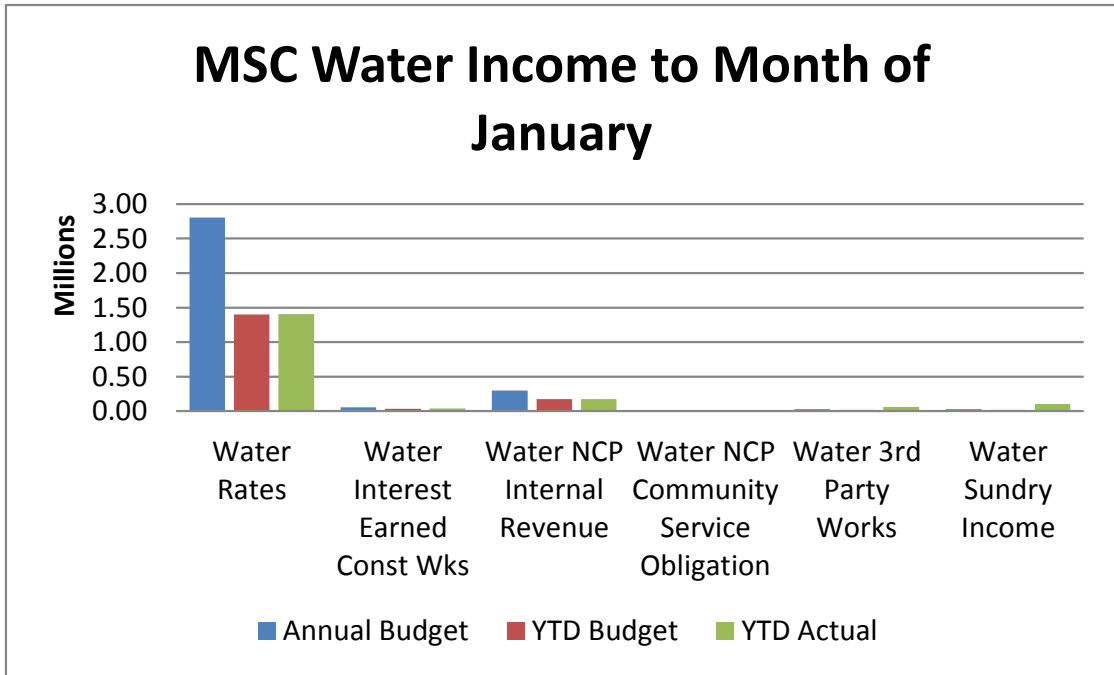
Zylem Water Solutions on a quarterly basis. An example of the reports on the pump stations and equipment will be presented to Councillors under separate cover.

**2. Environmental Monitoring - Treatment**

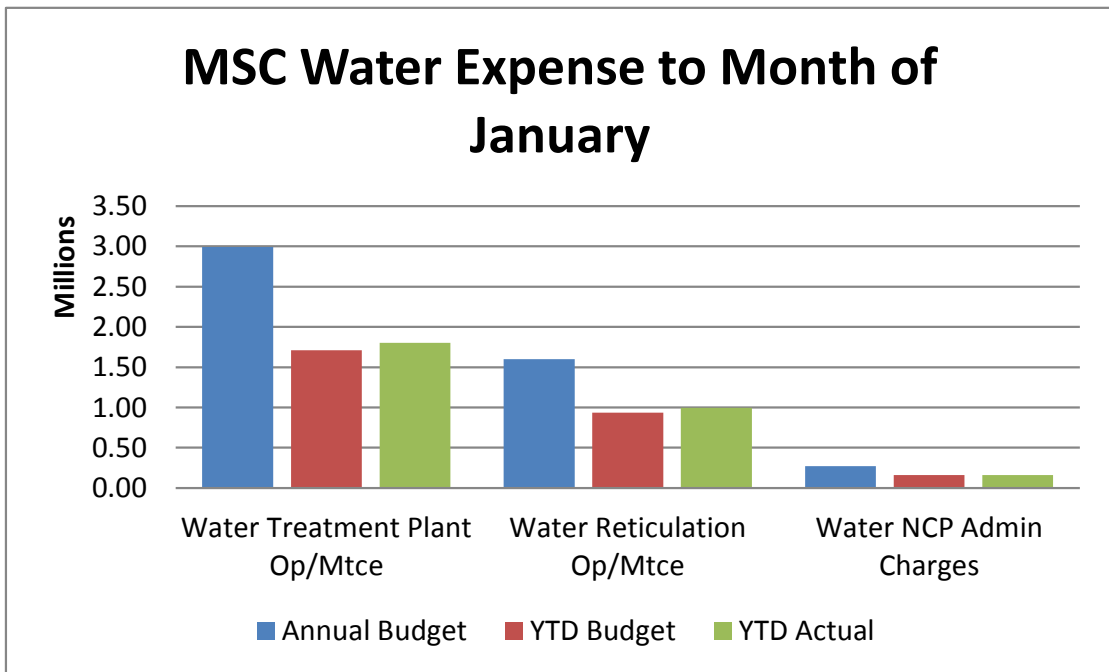
- Mareeba STP compliant with Transitional Environmental Plan (TEP).
- Kuranda STP remains compliant with licence conditions.

**3. Budget - Water**

**Graphical - Revenue**



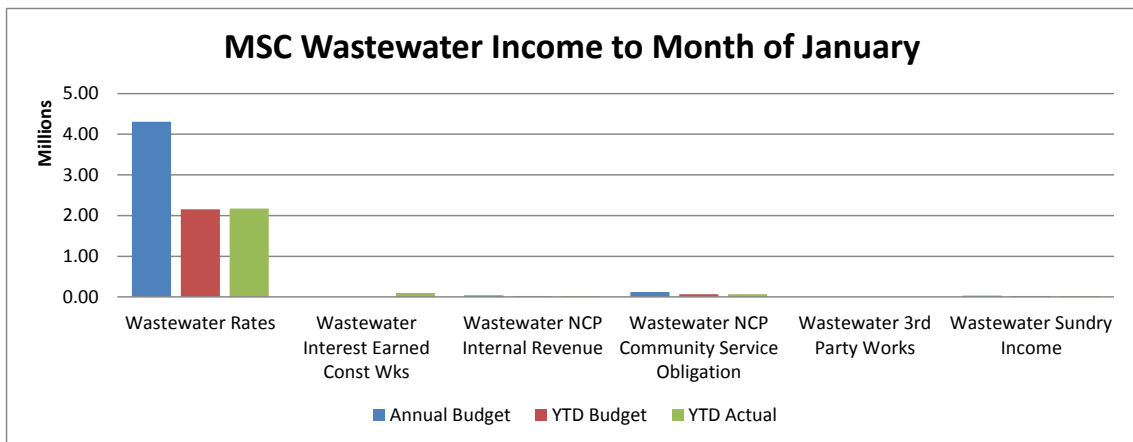
**Graphical – Expense**



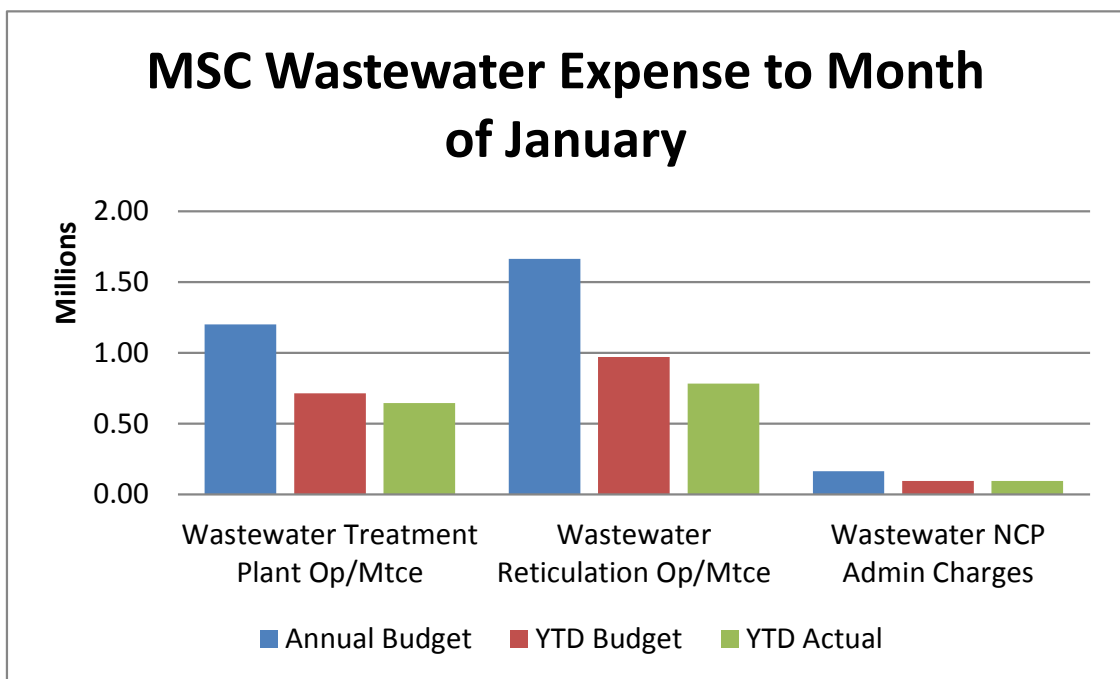


#### 4. Budget - Wastewater

##### Graphical - Revenue



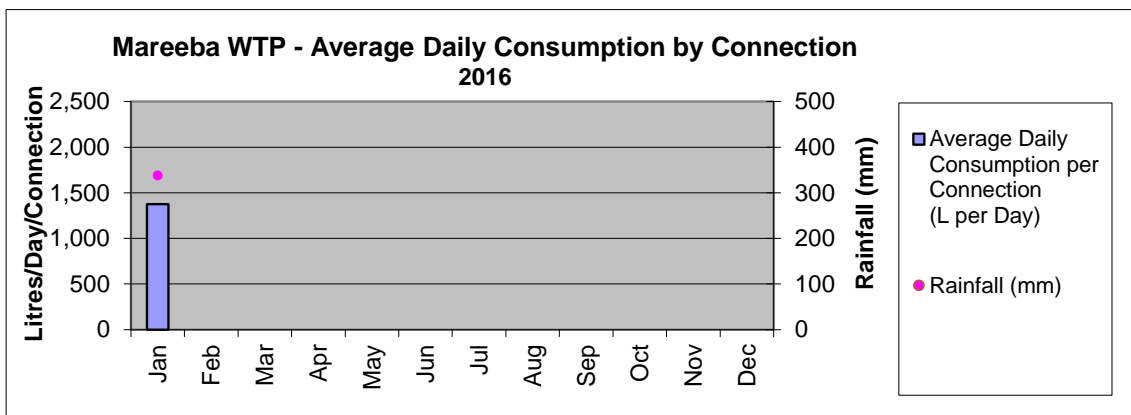
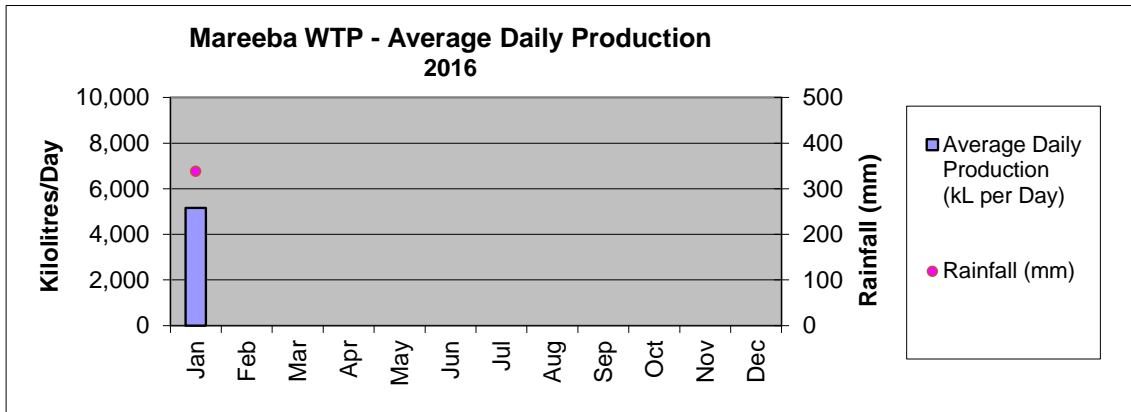
##### Graphical - Expense



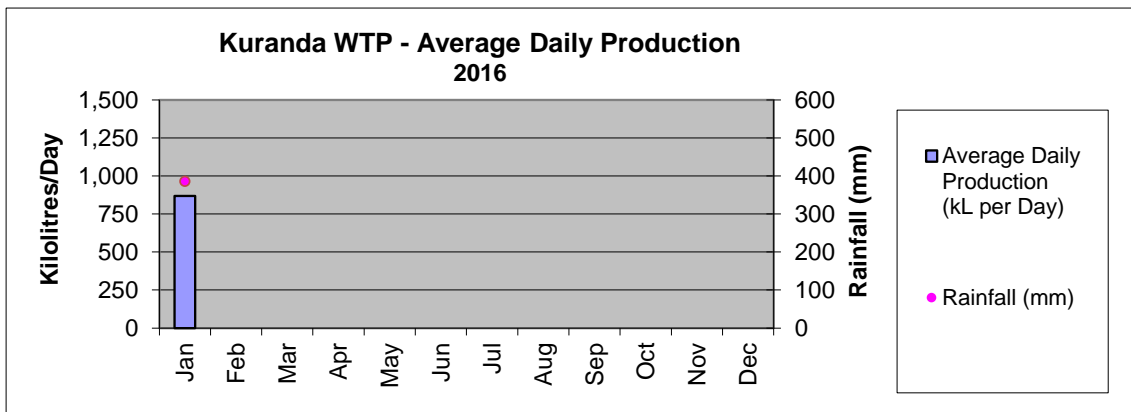
#### 5. Chlorine Residual Readings

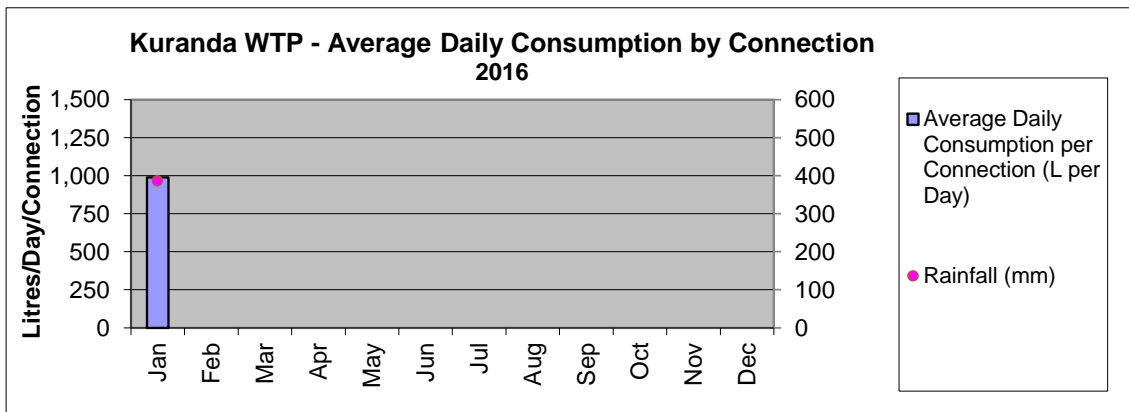
January 2017	Chlorine Residual Readings 2017												
	Australian Drinking Water Guidelines Maximum 5mg/L												
	Mon 2nd	Wed 4th	Fri 6th	Mon 9th	Wed 11th	Fri 13th	Mon 16th	Wed 18th	Fri 20th	Mon 23rd	Wed 25th	Fri 27th	Mon 30th
Free Cl (mg/L)	Free Cl (mg/L)	Free Cl (mg/L)	Free Cl (mg/L)	Free Cl (mg/L)	Free Cl (mg/L)	Free Cl (mg/L)	Free Cl (mg/L)	Free Cl (mg/L)	Free Cl (mg/L)	Free Cl (mg/L)	Free Cl (mg/L)	Free Cl (mg/L)	Free Cl (mg/L)
Mareeba Rankine St	1.07	1.08	1.10	1.12	1.11	1.26	1.26	1.20	1.25	1.25	1.14	1.10	0.95
Wylandra Drive Mareeba	0.81	0.61	0.44	0.47	0.40	0.42	0.59	0.64	0.61	0.68	0.67	0.53	0.42
Gregory Terrace Kuranda	0.81	0.61	0.44	0.47	0.40	0.42	0.59	0.64	0.61	0.68	0.67	0.53	0.42
Mason Rd PS Kuranda	0.75	1.04	0.85	0.89	0.71	1.11	1.01	1.04	0.94	0.98	0.75	1.22	0.83
Chillagoe	1.21	1.19	1.22	1.07	1.01	0.97	1.26	0.99	1.20	1.10	1.20	1.44	1.01
Dimbulah	1.02	0.87	1.09	0.89	0.89	0.85	0.84	0.92	1.08	1.06	1.21	1.32	1.29

**6. Mareeba Water Supply Scheme – Operations Data**

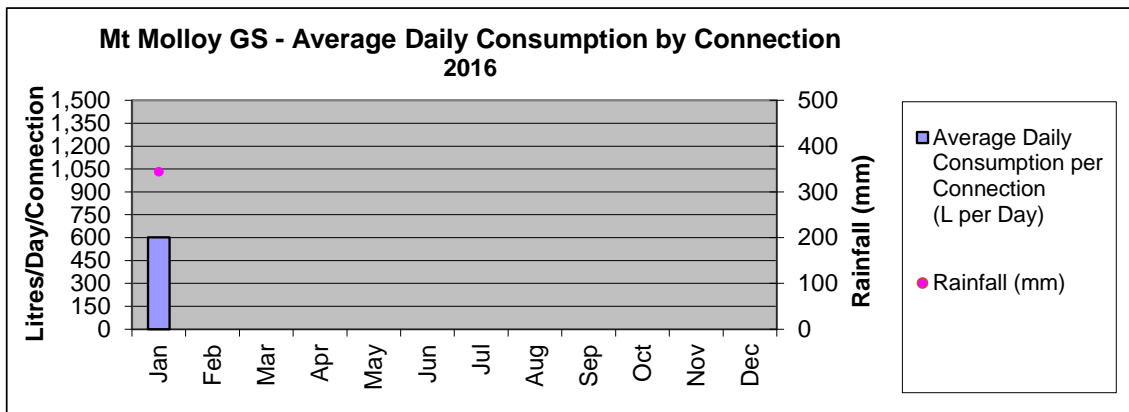
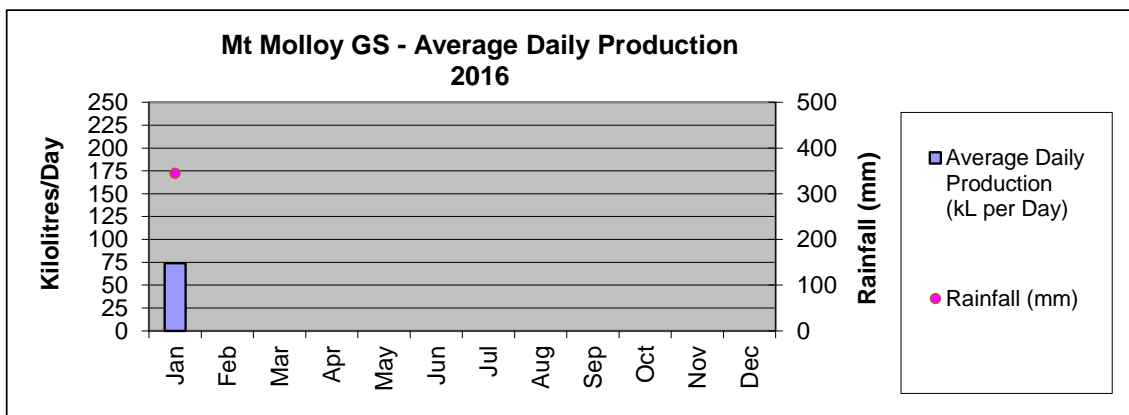


**7. Kuranda Water Supply Scheme - Operations Data**

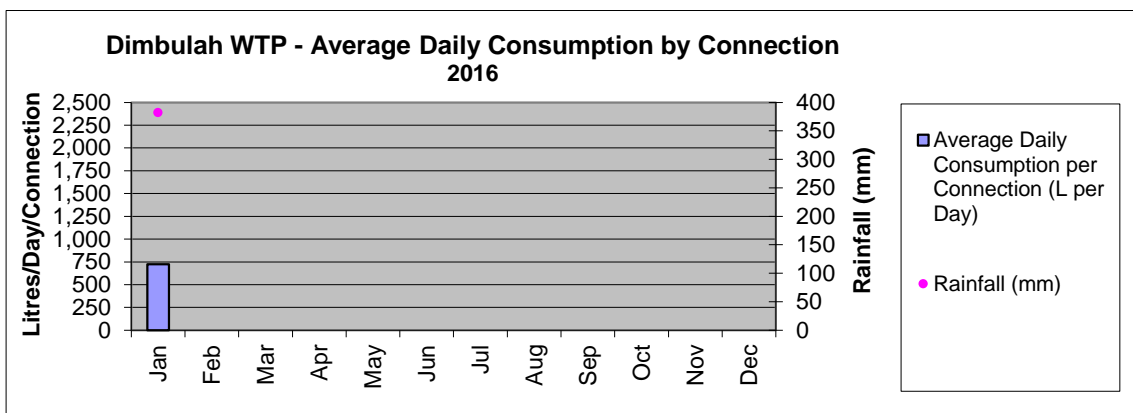
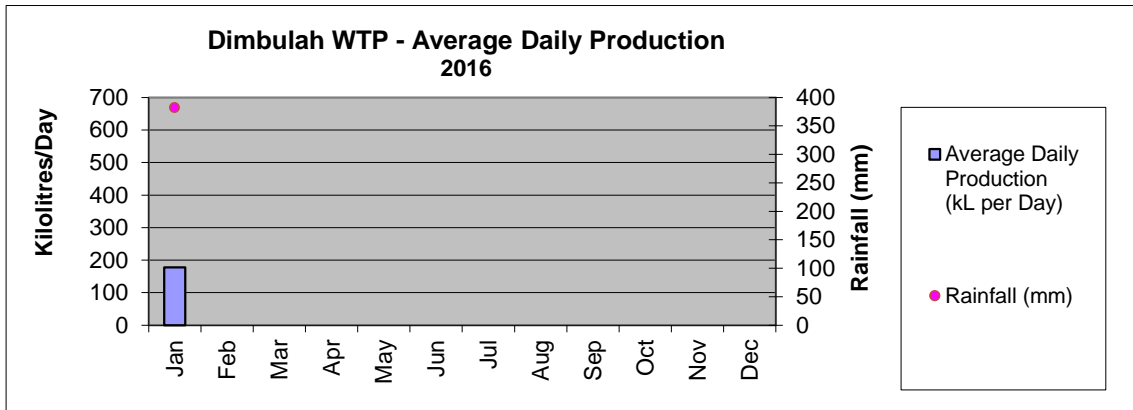




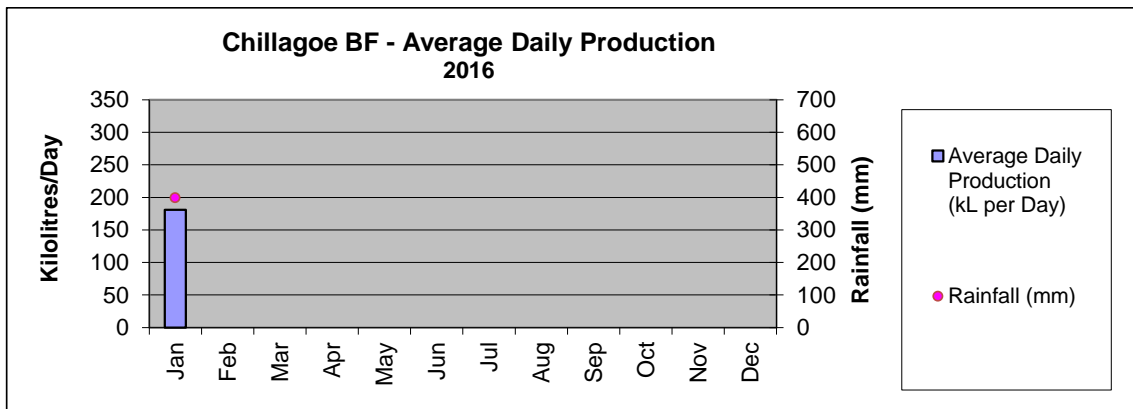
**8. Mount Molloy Water Supply Scheme - Operations Data**

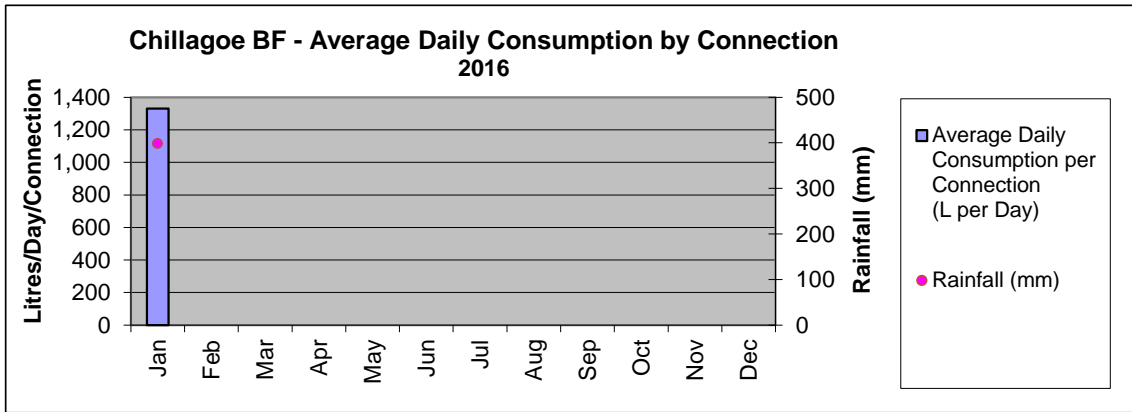


**9. Dimbulah Water Supply Scheme - Operations Data**

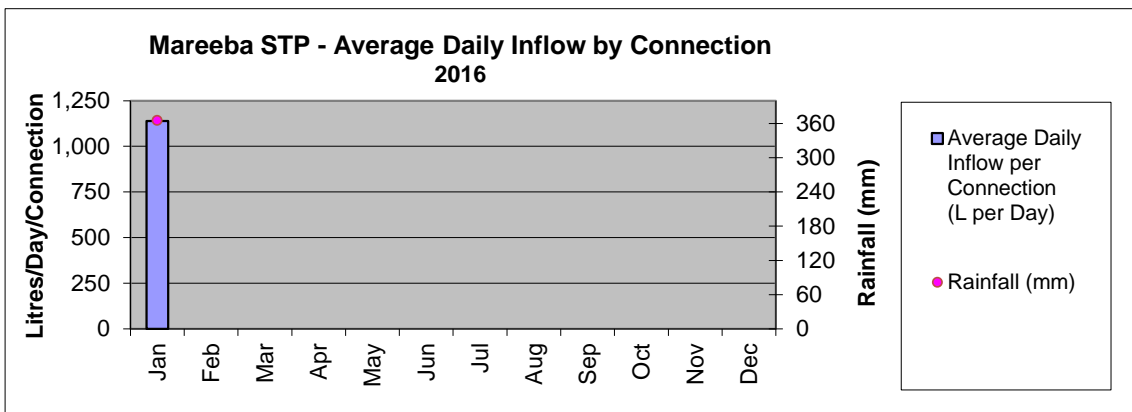
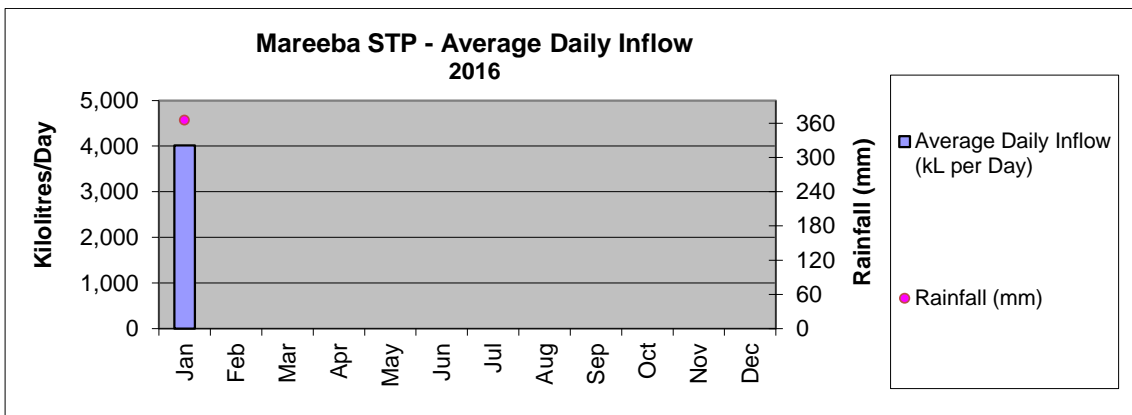


**10. Chillagoe Water Supply Scheme - Operations Data**

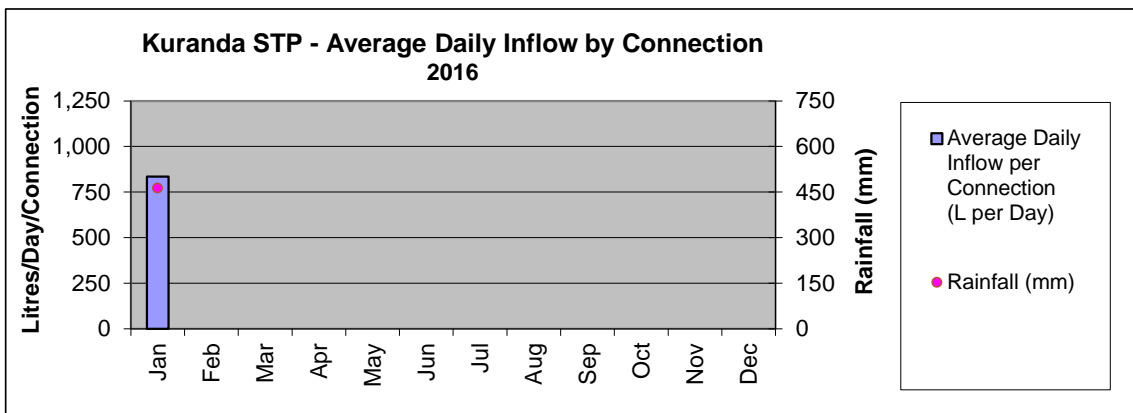
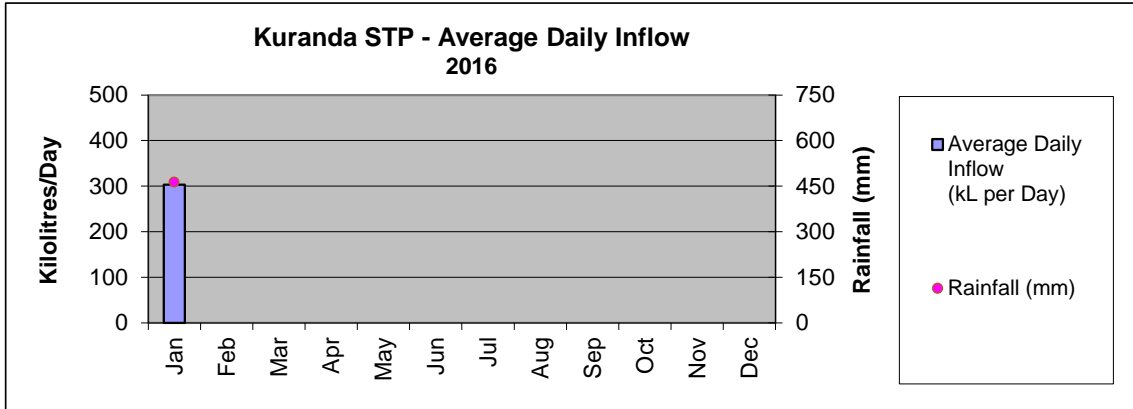




**11. Mareeba Wastewater Treatment Plant - Operations Data**



**12. Kuranda Wastewater Treatment Plant - Operations Data**



**Date Prepared:** 3 February 2017

**ITEM-20****TENDER EVALUATION CONTRACT 75457 - WASTE &  
RECYCLING COLLECTION FOR MAREEBA SHIRE  
COUNCIL CONFIDENTIAL****REASON FOR CONFIDENTIALITY**

This report is **CONFIDENTIAL** in accordance with Section 275(1)(e) of the Local Government Regulation 2012, which permits the meeting to be closed to the public for business relating to the following:

- (e) contracts proposed to be made by Council.





## CHIEF EXECUTIVE OFFICER

### ITEM-21 COUNCILLORS ATTENDANCE AT CONFERENCES 2017

<b>MEETING:</b>	Ordinary
<b>MEETING DATE:</b>	15 February 2017
<b>REPORT OFFICER'S TITLE:</b>	CEO
<b>DEPARTMENT:</b>	Office of the Chief Executive Officer

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### EXECUTIVE SUMMARY

*There are a number of conferences held each year that are targeted to Mayors, Councillors, CEOs and CFO's. They provide the opportunity for Councils to gather together and learn from peers and industry groups.*

*The purpose of this report is to obtain Council approval for the following four (4) conferences:*

- 1. LGAQ 5<sup>th</sup> Local Government Financial Sustainability Summit: This summit will be held in Cairns at the Shangri-La Hotel on 29 & 30 March 2017 and will be attended by Cr Brown, Cr Graham and Cr Toppin.*
- 2. LGAQ Elected Member Update: This forum will be held in Atherton at Tablelands Regional Council on 4 April 2017 and will be attended by Cr Toppin and Councillor Graham.*
- 3. Elected Member Course - Strategic Planning: This training will be held in Cairns on 23 June 2017 and will be attended by Cr Toppin.*
- 4. North Queensland Local Government Association Annual Conference: This conference will be hosted by Tablelands Regional Council 26-28 July 2017 and will be attended by the Mayor, Cr Brown, Cr Graham, Cr Toppin and Cr Wyatt*

### OFFICER'S RECOMMENDATION

"That Council approve the attendance of Councillors at the following conferences:

1. LGAQ 5<sup>th</sup> Local Government Financial Sustainability Summit 29 & 30 March 2017, to be attended by Cr Brown, Cr Graham and Cr Toppin.
  2. LGAQ Elected Member Update 4 April 2017, to be attended by Cr Toppin and Councillor Graham.
  3. Elected Member Course - Strategic Planning 23 June 2017, to be attended by Cr Toppin.
  4. North Queensland Local Government Association Annual Conference 26-28 July 2017 to be attended by the Mayor, Cr Brown, Cr Graham, Cr Toppin and Cr Wyatt."
-

## **BACKGROUND**

As stated above, there are a number of conferences held each year that are specifically targeting Mayors, Councillors, CEO's and CFO's.

Bridging the Divide, the 5<sup>th</sup> Local Government Financial Sustainability Summit is an opportunity for Councils to gather and learn from peers and industry experts.

The LGAQ Elected Member Update will provide the opportunity for Councillors and senior staff to discuss key concepts of collaboration, leadership and community service.

Elected Member Course Strategic Planning uses existing legislation as its basis to explore the way in which local governments are required to plan for the future. Legislation establishes links between planning objectives, funding and reporting. Links planning, policy development and major strategy documents such as asset management and infrastructure plans.

The North Queensland Local Government Association Annual Conference will assist Councillors to identify and create solutions for key issues facing Local Government, provide new skills for adapting to changing environments and enable sharing of good practices.

It is recommended that Councillors attend the conferences to enhance their knowledge of local government practices.

## **LINK TO CORPORATE PLAN**

**GOV1** Develop an achievable long term financial plan that underpins Council's long term financial sustainability.

## **CONSULTATION**

*Internal*  
CEO  
Councillors

*External*  
Nil

## **LEGAL AND RISK IMPLICATIONS (STATUTORY BASIS, LEGAL AND RISKS)**

Nil

## **POLICY IMPLICATIONS**

Nil

## **FINANCIAL & RESOURCE IMPLICATIONS**

*Capital*  
Nil

*Operating*

Registration fees applicable for each event

*Is the expenditure noted above included in the 2016/2017 budget?*

Yes

#### **IMPLEMENTATION/COMMUNICATION**

Nil

#### **ATTACHMENTS**

Nil



**ITEM-22****DEED OF SETTLEMENT CONFIDENTIAL****REASON FOR CONFIDENTIALITY**

This report is **CONFIDENTIAL** in accordance with Section 275(1)(e) of the Local Government Regulation 2012, which permits the meeting to be closed to the public for business relating to the following:

- (e) contracts proposed to be made by Council.

## **BUSINESS WITHOUT NOTICE**

## **NEXT MEETING OF COUNCIL**

The next meeting of Council will be held at 9:00 am on Wednesday 15 March 2017

# APPENDIX - FOR INFORMATION

## SUMMARY OF NEW PLANNING APPLICATIONS & DELEGATED DECISIONS FOR THE MONTH OF JANUARY 2017

### Summary of new Planning Development Applications and Delegated Decisions for January 2017

New Development Applications					
Application #	Lodgement Date	Applicant/ Address	Property Description	Application Type	Status
DA/17/0001	27/1/2017	Macnard Pty Ltd 22 Iluka Street & 313 Byrnes Street, Mareeba	Lot 1 on SP245578 & Lot 83 on M35645	Material Change of Use - Motor Showroom - Light	In referral stage.

Decision Notices issued under Delegated Authority					
Application #	Date of Decision Notice	Applicant	Address	Property Description	Application Type
DA/16/0062	16/1/2017	S & F Derakhshan	8-10 Forest Close, Kuranda	Lot 3 on SP146500 & Lot 11 on RP851466	Reconfiguring a Lot - Subdivision (2 into 3 lots)
DA/16/0058	30/1/2017	Ratch Australia Corporation Limited	Kippin Drive, Arriga	Lot 2 on SP231871	Material Change of Use - Transport Depot (Contractor's Yard)
DA/16/0064	30/1/2017	Prime Constructions QLD Pty Ltd	2-8 & 10 Karobean Drive, Mareeba	Lot 1 & 2 on SP273691	Reconfiguring a Lot - Subdivision (2 into 3 lots)

Notices issued under SPA				
Type of notice	Date issued	Land Owner	Address	Nature of alleged offence
Show Cause	18/1/2017	S & F Derakhshan	8 Forest Close, Kuranda	Carrying out assessable development without effective development permit (dual occupancy)

January 2017 (Regional Land Use Planning)

