

# **AGENDA**

# Wednesday, 17 July 2019

# **Ordinary Council Meeting**

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

Date: Wednesday, 17 July 2019

Time: 9:00am

**Location: Council Chambers** 

Peter Franks
Chief Executive Officer

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- 1 MEMBERS IN ATTENDANCE
- 2 APOLOGIES/LEAVE OF ABSENCE/ABSENCE ON COUNCIL BUSINESS
- 3 BEREAVEMENTS/CONDOLENCES
- 4 DECLARATION OF ANY MATERIAL PERSONAL INTERESTS/CONFLICTS OF INTEREST
- 5 CONFIRMATION OF MINUTES

Special Council Meeting - 19 June 2019
Ordinary Council Meeting - 19 June 2019

- 6 BUSINESS ARISING OUT OF MINUTES OF PREVIOUS MEETING
- 7 DEPUTATIONS AND DELEGATIONS

#### 8 CORPORATE AND COMMUNITY SERVICES

## 8.1 APPLICATION TO PURCHASE USL BEING LOT 327 ON NR4837, LOCALITY OF MAREEBA

Date Prepared: 3 July 2019

Author: Senior Planner

Attachments: 1. DNRME Letter of 20 June 2019 J

#### **EXECUTIVE SUMMARY**

An application has been made to the Department of Natural Resources, Mines and Energy (DNRME) for the purchase of unallocated State land described as Lot 327 on NR4837, situated off Leotta Road, Mareeba.

Lot 327 is a narrow strip of land separating Emerald Creek to the west from freehold Lots 231 and 232 on NR4837 to the east. The owners of Lot 232 on NR4837 seek to purchase Lot 327 and include it into Lot 232 with the proposed use of tourism, conservation and agriculture (coffee production).

DNRME seeks Council's views on the proposed purchase.

#### RECOMMENDATION

That Council advise the Department of Natural Resources, Mines and Energy that Council has no objection to the purchase of Lot 327 on NR4837 subject to the respective parts of Lot 327 being amalgamated with Lots 231 and 232 on NR4837 to ensure both Lots 231 and 232 have frontage to Emerald Creek.

## **BACKGROUND**

The Department of Natural Resources, Mines and Energy (DNRME) is considering an application to purchase unallocated State land described as Lot 327 on NR4837, situated off Leotta Road, Mareeba.

Lot 327 has an area of 30.8 hectares and is situated between Emerald Creek to the west and freehold Lots 231 and 232 on NR4837 to the east.

Lot 327 remains largely covered with native vegetation; however aerial imagery indicates some encroachments associated with the development of Lot 232. The owners of Lot 232 on NR4837 seek to purchase Lot 327 and include it into Lot 232 with the proposed use of tourism, conservation and agriculture (coffee production).

The northern-most portion of Lot 327 should be offered to the owners of Lot 231 to ensure Lot 231 maintains access to Emerald Creek.

DNRME seeks Council's views on the proposed purchase.



#### 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

#### **RISK IMPLICATIONS**

## LEGAL/COMPLIANCE/POLICY IMPLICATIONS

The subject land is zoned Rural under the Mareeba Shire Council Planning Scheme 2016.

There is no objection to the purchase of Lot 327, subject to this land being amalgamated with adjoining Lots 231 and 232.

## FINANCIAL AND RESOURCE IMPLICATIONS

#### Capital

Nil

## **Operating**

Nil

#### LINK TO CORPORATE PLAN

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

## IMPLEMENTATION/COMMUNICATION

The Department of Natural Resources, Mines and Energy will be informed of Council's decision by letter.

Author: Natasha Bauld File/Ref number: 2019/000744

Directorate/Unit: State Land Asset Management

Telephone: 07 4222 5420

#### 20 June 2019

Chief Executive Officer Mareeba Shire Council PO Box 154 MAREEBA Qld 4880

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



#### Dear Sir/Madam

#### Application to purchase unallocated State land over part of Lot 327 on plan NR4837

An application has been received to purchase unallocated State land (USL) described as Lot 327 on NR4837. The USL Lot separates Emerald Creek to the west and the applicants land (described as Lot 232 on NR4837) to the east (refer to plan and SmartMap attached).

The tenure investigation into Lot 327 has determined that the USL area was excised from a former lease at the request of the then Commissioner for Irrigation and Water Supply (CIWS), for the purpose of the area remaining under that Agency's control. However, this area was never formally tenured (i.e.: reserve, leasehold or freehold) under the ownership/trusteeship of the CIWS, or any of its successive entities. Regardless, the Water Resources Commission objected to a previous tenure application over this same area in 1990. No objection has been received from Sunwater for this current application.

Should the above-noted application be approved, part of Lot 327 on NR4837 would be included into the adjoining freehold parcel, Lot 232 on NR4837. The applicant has advised that the proposed use of the land is for 'tourism, conservation and agriculture (coffee production)'. The applicant has advised that there is currently infrastructure and improvements on the application area for the purpose of coffee production with the intention of further enhancing the tourism aspect with a day spa overlooking the creek.

Objections to the application and any views or requirements that may affect the future use of the land should be received by close of business on 15 August 2019. Should Council offer an objection to the application, a full explanation stating the reason for such objection should be forwarded to the department.

If Council wish to provide a response but are unable to do so before the due date, please contact the author before the due date to arrange a more suitable timeframe. An extension to this due date will only be granted in exceptional circumstances.

5b Sheridan Street, Cairns 4th Floor Government Offices, Building 2 PO Box 5318 Townsville Queensland 4810 Australia

Townsville.SLAMS@dnrme.qld.gov.au Telephone +61 7 4222 5420 www.dnrme.qld.gov.au ABN 59 020 847 551

If a response is not received by the due date and no alternative arrangements have been made, it will be presumed Council has no objections or requirements in relation to this matter and the application will be progressed without receipt of Council comment.

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

Should you have any questions in regard to this matter, please contact the Department on telephone 4222 5420 or by email to <a href="mailto:Townsville.SLAMS@dnrm.qld.gov.au">Townsville.SLAMS@dnrm.qld.gov.au</a>. Any hard copy correspondence received will be electronically scanned and filed. For this reason, it is recommended that any attached plans, sketches or maps be no larger than A3-sized.

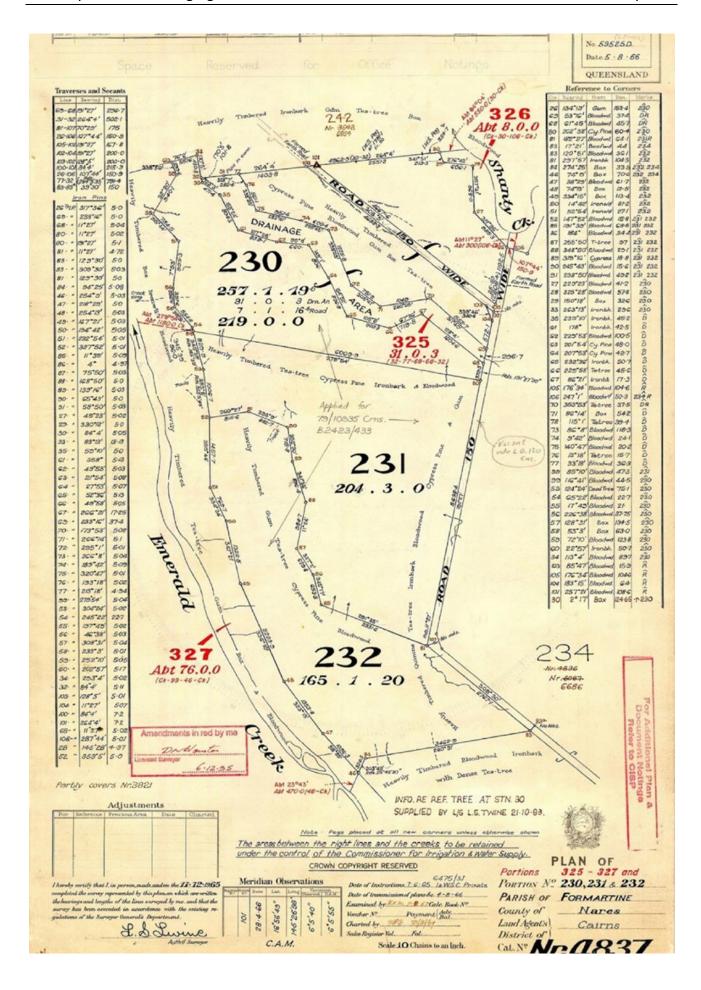
Please quote reference number 2019/000744 in any future correspondence.

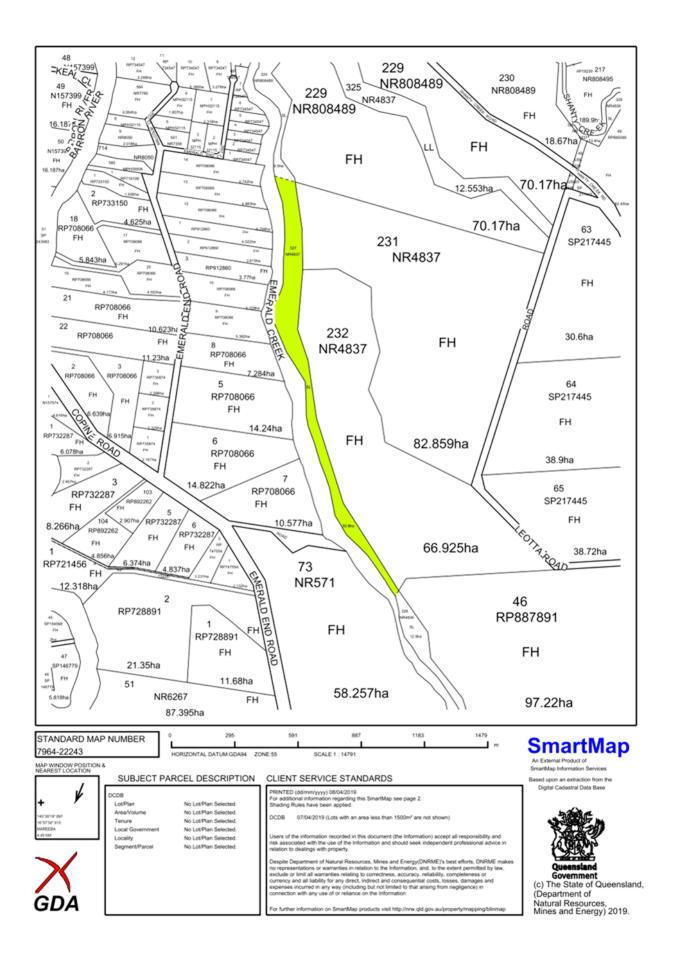
Yours sincerely



Natasha Bauld Land Officer State Land Asset Management Land Services North Region

Encs Plan NR4837 SmartMap (subject parcel)





8.2 REQUEST FOR FURTHER PERIOD (APPLICANT'S RESPONSE) - REEVER AND OCEAN PTY LTD - RECONFIGURING A LOT - SUBDIVISION (12 INTO 191 LOTS IN 8 STAGES) - LOT 22 ON SP304952 & OTHERS - 112 BARNWELL ROAD, KURANDA - RAL/18/0002

Date Prepared: 3 July 2019

Author: Senior Planner

Attachments: 1. Applicant's Request for Further Period &

2. Proposed Lot Layout J.

3. Department of State Development, Manufacturing, Infrastructure and Planning Notice of Further Agreed Period - 19 June 2019 4

APPLICATION	ON		PREMISES
APPLICANT	Reever and Ocean	ADDRESS	112 Barnwell Road,
	Pty Ltd		Kuranda
DATE REQUEST FOR	25 June 2019	RPD	Lots 17, 18, 19 on
FURTHER PERIOD LODGED			SP296830, Lot 22 on
			SP304952, Lot 95 on
			N157452, Lot 20 on
			N157423, Lot 131 on
			N157491, Lot 129 on
			NR456, Lot 290 on
			N157480 and Lot 43 on
			N157359 (formerly Lot 1 on RP703984, Lot
			20 on N157423, Lot 43 on N157359, Lot 95 on N157452, Lot 129 on NR456, Lot 131 on N157491, Lot
			290 on N157480, Lot 17 on N157227, Lot 18 on N157227, Lot 19 on N157452, Lot 22 on N157227, Lot
			2 on RP703984 and Road reserves (Barnwell Road and unnamed roads) adjoining Lots 17, 18 and 22 on
			N157227), Lots 1 and 2 on RP703984 and Lot 19 on N157452)
PROPOSED DEVELOPMENT	Application for a Deve	lopment Perr	nit for Reconfiguring a Lot -
	Subdivision (12 lots in	to 191 lots in	8 stages)
FILE NO	RAL/18/0002	OWNE	Reever and Ocean Pty
LODGED BY	wildPLAN Pty Ltd		Ltd
PLANNING SCHEME	Mareeba Shire Plannir	ng Scheme 20	04 (Amendment no. 01/11)
ZONE	Myola zone		
LEVEL OF	Code Assessment		
ASSESSMENT			
SUBMISSIONS	n/a		

#### **EXECUTIVE SUMMARY**

wildPLAN Pty Ltd acting on behalf of Reever and Ocean Pty Ltd ("the applicants") have requested that Council agree to an extension of time for the applicants to provide a response to Council's information request issued for the development application described in the above application details.

Under Development Assessment Rule 13.1, the applicants currently have until 18 July 2019 to provide a response to Council information request. The applicants have requested an extension to

2 September 2019. This is in line with the extension granted by the State and it would be unreasonable to refuse.

The information requested by Council includes matters that ought to be addressed for the benefit of all parties prior to Council making its decision. Council officers are of the opinion that the application cannot be adequately assessed without the requested information.

It is recommended that the applicants response period be extended to 2 September 2019.

#### OFFICER'S RECOMMENDATION

That Council in accordance with Development Assessment Rule 13.1 agree to an extension of time to the Applicant's Information Request Response period for Development Application RAL/18/0002 to 2 September 2019.

#### **BACKGROUND AND CONTEXT**

The applicants have been requested to provide Council with the following information to assist Council in determining the development application:

## 1. Myola Zone Code - Section 4.125 Building Siting, Scale and Amenity

Provide a detailed assessment of the proposed development against the Specific Outcomes and Probable Solutions (S1 to S4) contained in Section 4.125 of the Myola Zone Code. In particular, the subject land contains ridgelines (S2 and PS2.2) as identified on Planning Scheme Map N1.

## 2. Far North Queensland Regional Plan 2009-2031

Provide an additional detailed assessment of the proposed development against all the relevant provisions (applicable desired regional outcomes and land use policies) of the Far North Queensland Regional Plan 2009-2031. This additional assessment must include, but not be limited to, DRO1.1 Biodiversity Conservation.

## 3. Ecological Assessment Report

Provide a supporting Ecological Assessment Report prepared generally in accordance with the methodology outlined within Planning Scheme Policy 2 - Ecological Assessment Reports of the Mareeba Shire Council Planning Scheme 2016.

## 4. Water Supply Reticulation Analysis

Provide a supporting Water Supply Reticulation Analysis, prepared by a RPEQ, to determine the extent of works/upgrading required to reticulation mains, trunk mains, pumping facilities and storage capacity to facilitate connection of the proposed development to Council's reticulated water infrastructure.

The analysis must identify the proposed alignment of connection infrastructure and demonstrate that necessary tenure/land owners consent is provided for the proposed alignment.

## 5. Stormwater Analysis

Provide an analysis of the anticipated quantity and quality of stormwater drainage associated with the development and provide a provisional/conceptual Stormwater Management Plan (prepared by an RPEQ) for the proposed development. Through the implementation of water

sensitive urban design principles, this plan must demonstrate no net increase in the discharge rate of stormwater from the developed site. Stormwater drainage should be incorporated and designed as a landscape feature within the open space corridors/areas. Any minor stormwater drainage corridors not part of open space areas will be required to be incorporated into the individual allotments and restricted from development by way of easements.

## 6. On-site Effluent Disposal

Provide a site and soil evaluation report, prepared by a registered site and soil evaluator demonstrating the ability of the proposed development to accommodate on-site effluent disposal in accordance with AS/NZS1547:2000.

## 7 Geotechnical Report

Parts of the subject land have mapped slopes greater than 15 percent. Provide a supporting Geotechnical Report prepared generally in accordance with the methodology outlined within Planning Scheme Policy 5 - Geotechnical Reports of the Mareeba Shire Council Planning Scheme 2016.

## 8. Draft Infrastructure Agreement

The subject land is outside the Priority Infrastructure Area boundary for Kuranda. Provide a draft infrastructure agreement for the proposed development covering all relevant infrastructure networks.

WildPLAN Pty Ltd acting on behalf of the applicants have requested that Council agree to an extension of time for the applicants to provide a response to Council's information request (Attachment 1).

The proposed extension would give the applicants until 2 September 2019 to provide a response.

The information requested by Council includes matters that ought to be addressed for the benefit of all parties prior to Council making its decision. Council officers are of the opinion that the application cannot be adequately assessed without the requested information.

The State Assessment and Referral Agency is yet to provide its concurrence agency response for this development application and have extended their concurrence agency response due date to 2 September 2019 (Attachment 3).

The decision making period for this development application is unlikely to commence before the 2 September 2019, therefore allowing additional time for further information to be provided is recommended.

Assessment and Decision Requirements

#### **Assessment Rules**

#### **DEVELOPMENT ASSESSMENT RULES 13 AND 14 ARE RELEVANT TO THIS REQUEST:**

#### 13. Applicant's response

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

- 13.2. The applicant may respond by giving the assessing authority that made the information request, within the period stated under section 13.1-
  - (a) all of the information requested; or
  - (b) part of the information requested; or
  - (c) a notice that none of the information will be provided.
- 13.3. For any response given in accordance with sections 13.2(b) or (c), the applicant may also advise the assessing authority that it must proceed with its assessment of the application.
- 13.4. An applicant must provide a copy of any response to an information request made by a referral agency to the assessment manager.

#### 14. End of the applicant's response period

- 14.1. The applicant's response period in section 13.1 ends if-
  - (a) the applicant has responded under section 13.2(a); or
  - (b) the applicant has responded under sections 13.2(b) or (c) and the applicant has advised the assessing authority to proceed with the assessment of the application.
- 14.2. If an applicant does not respond to the information request in accordance with section 13.2 and 13.3 if applicable within the period stated under section 13.1, the assessing authority's assessment continues from the day after the day on which the period under section 13.1 would have otherwise ended.

Unlike the former Sustainable Planning Act 2009 where an application would lapse if an applicant failed to respond to an information request, under the Planning Act 2016, an application simply moves in the decision making period.

Allowing the applicant every reasonable opportunity to respond to Council's information request can only assist Council in being well informed when making its ultimate decision.

#### **Brian Millard**

**Subject:** FW: RAL/18/002 - Change of Applicant Representative to Wildplan

Attachments: WP19 002 DEV 004 - Updated DA Form 1 Rural Res.PDF

From: Dominic Hammersley < dominic@wildplan.com.au >

Sent: Tuesday, 25 June 2019 2:08 PM
To: Brian Millard < BrianM@msc.qld.gov.au>

Cc: mark@developnorth.com.au

Subject: 112 Barnwell Road, Kuranda (Council ref: RAL/18/002)

Dear Brian,

## RE: Development Application regarding Reconfiguring a Lot development at 112 Barnwell Road, Kuranda (Council ref: RAL/18/002)

Change of Applicant's Representative

I write to advise that Mark Lawson of Development North (on behalf of Reever and Ocean Pty Ltd) seeks to change the Applicant's Representative in respect of the above-referenced application to wildPLAN (previously Cardno).

An updated DA Form 1 is attached identifying this change for Council's records.

Request for Further Period (Applicant's Response)

Pursuant to section 13.1 of the Development Assessment Rules, I also write seeking an extension to the Applicant's Information Request response period to **2 September 2019**.

I understand that this timeframe is in alignment with the Applicant's SARA Information Request response period.

If you have any questions please don't hesitate to call.

Regards, Dom



P: + 61 487 967 533 E: dominic@wildplan.com.au PO Box 8028 Cairns, QLD 4870 www.wildplan.com.au

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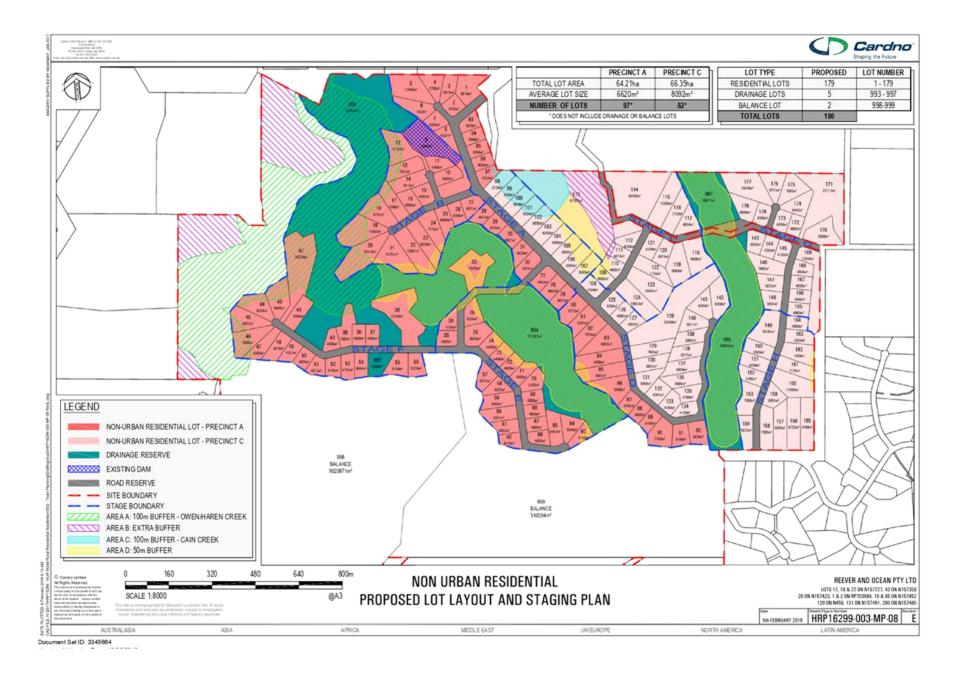


wildPLAN respectfully acknowledges the Traditional Owners, including Elders past and present, of the land and sea from where this email was sent an received.

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Item 8.2 - Attachment 2

GE35-N



Department of
State Development,
Manufacturing,
Infrastructure and Planning

Our reference: 1802-4193 SRA Your reference: RAL/18/0002

19 June 2019

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

Attention: Brian Millard

Dear Mr. Millard

#### Notice of further agreed period—referral agency assessment period

(Given under section 33.1 of the Development Assessment Rules)

The applicant has agreed to extend the Department of State Development, Manufacturing, Infrastructure and Planning's referral agency assessment period for the development application described below.

The applicant has agreed to extend the Department of State Development, Manufacturing, Infrastructure and Planning's referral agency assessment period for the development application described below.

#### Applicant details

Applicant name: Reever and Ocean Pty Ltd

Applicant contact details: c-/ Cardno, PO Box 1619

CAIRNS QLD 4870

stephen.whitaker@cardno.com.au

#### Location details

Street address: 301 Boyles Road, Kuranda

Real property description: 129NR456; 131N157491; 17SP296830; 18SP296830; 19SP296830;

20N157423; 22SP296830; 290N157480; 43N157359; 95N157452

Local government area: Mareeba Shire Council

Application details

Development permit Reconfiguring a lot for 12 into 191 lots

DA Advisory Team (DAAT) Level 13, 1 William Street BRISBANE QLD 4000 PO Box 15009 CITY EAST QLD 4002

Page 1 of 2

1802-4193 SRA

The agreed date by which the department must give its referral agency response is 2 September 2019.

For further information please contact Duncan Livingstone, Principal Planner, on 34527180 or via email DAAT@dsdmip.qld.gov.au who will be pleased to assist.

Yours sincerely

Duncan Livingstone Principal Planner

Department of State Development, Manufacturing, Infrastructure and Planning

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8.3 REQUEST FOR FURTHER PERIOD (APPLICANT'S RESPONSE) - A & A EASTON AND B MARTIN - RECONFIGURING A LOT - SUBDIVISION (1 INTO 48 LOTS IN 2 STAGES) - LOT 16 ON SP304952 - 77 BARNWELL ROAD, KURANDA - RAL/18/0001

Date Prepared: 3 July 2019

Author: Senior Planner

Attachments: 1. Applicant's Request for Further Period 4

2. Proposed Lot Layout <a>J</a>

APPLICATION	ON		PREMISES	
APPLICANT	A & A Easton and B	ADDRESS	77	Barnwell Road,
	Martin		Ku	randa
DATE REQUEST FOR	27 June 2019	RPD	Lo	t 16 on SP304952 (formerly Lot
FURTHER PERIOD LODGED			16 o	n N157227)
PROPOSED DEVELOPMENT	Application for a Development Permit for Reconfiguring a Lot -			
	Subdivision (1 lot into	48 lots in 2	stages	·)
FILE NO	RAL/18/0001 OWNER A & A Easton and E		A & A Easton and B	
LODGED BY	Develop North			Martin
PLANNING SCHEME	Mareeba Shire Plannir	ng Scheme	2004 ( <i>A</i>	Amendment no. 01/11)
ZONE	Myola zone			
LEVEL OF	Code Assessment			
ASSESSMENT				
SUBMISSIONS	n/a			

#### **EXECUTIVE SUMMARY**

Develop North acting on behalf of A & A Easton and B Martin ("the applicants") have requested that Council agree to an extension of time for the applicants to provide a response to Council's information request issued for the development application described in the above application details.

Under Development Assessment Rule 13.1, the applicants currently have until 18 July 2019 to provide a response to Council information request. The applicants have requested an extension to 2 September 2019. This is in-line with the extension granted by the State for the related application and it would be unreasonable to refuse.

The information requested by Council includes matters that ought to be addressed for the benefit of all parties prior to Council making its decision. Council officers are of the opinion that the application cannot be adequately assessed without the requested information.

It is recommended that the applicants response period be extended to 2 September 2019.

#### OFFICER'S RECOMMENDATION

That Council in accordance with Development Assessment Rule 13.1 agree to an extension of time to the Applicant's Information Request Response period for Development Application RAL/18/0001 to 2 September 2019.

#### **BACKGROUND AND CONTEXT**

The applicants have been requested to provide Council with the following information to assist Council in determining the development application:

#### 1. Myola Zone Code - Section 4.125 Building Siting, Scale and Amenity

Provide a detailed assessment of the proposed development against the Specific Outcomes and Probable Solutions (S1 to S4) contained in Section 4.125 of the Myola Zone Code. In particular, the subject land contains ridgelines (S2 and PS2.2) as identified on Planning Scheme Map N1.

## 2. Far North Queensland Regional Plan 2009-2031

Provide an additional detailed assessment of the proposed development against all the relevant provisions (applicable desired regional outcomes and land use policies) of the Far North Queensland Regional Plan 2009-2031. This additional assessment must include, but not be limited to, DRO1.1 Biodiversity Conservation.

## 3. Ecological Assessment Report

Provide a supporting Ecological Assessment Report prepared generally in accordance with the methodology outlined within Planning Scheme Policy 2 - Ecological Assessment Reports of the Mareeba Shire Council Planning Scheme 2016.

## 4. Water Supply Reticulation Analysis

Provide a supporting Water Supply Reticulation Analysis, prepared by a RPEQ, to determine the extent of works/upgrading required to reticulation mains, trunk mains, pumping facilities and storage capacity to facilitate connection of the proposed development to Council's reticulated water infrastructure.

The analysis must identify the proposed alignment of connection infrastructure and demonstrate that necessary tenure/landowners consent is provided for the proposed alignment.

## 5. Traffic Impact Assessment

Provide a supporting Traffic Impact Assessment, prepared by an RPEQ, that assesses the impact of the proposed development on the local area traffic network, and which includes recommendations for any required road upgrading and intersection treatments.

## 6. Stormwater Analysis

Provide an analysis of the anticipated quantity and quality of stormwater drainage associated with the development and provide a provisional/conceptual Stormwater Management Plan (prepared by an RPEQ) for the proposed development. Through the implementation of water sensitive urban design principles, this plan must demonstrate no net increase in the discharge rate of stormwater from the developed site. Stormwater drainage should be incorporated and designed as a landscape feature within the open space corridors/areas. Any minor stormwater drainage corridors not part of open space areas will be required to be incorporated into the individual allotments and restricted from development by way of easements.

## 7. On-site Effluent Disposal

Provide a site and soil evaluation report, prepared by a registered site and soil evaluator demonstrating the ability of the proposed development to accommodate on-site effluent disposal in accordance with AS/NZS1547:2000.

## 8. Geotechnical Report

Parts of the subject land have mapped slopes greater than 15 percent. Provide a supporting Geotechnical Report prepared generally in accordance with the methodology outlined within Planning Scheme Policy 5 - Geotechnical Reports of the Mareeba Shire Council Planning Scheme 2016.

## 9. Draft Infrastructure Agreement

The subject land is outside the Priority Infrastructure Area boundary for Kuranda. Provide a draft infrastructure agreement for the proposed development covering all relevant infrastructure networks.

Develop North acting on behalf of the applicants have requested that Council agree to an extension of time for the applicants to provide a response to Council's information request (**Attachment 1**).

The proposed extension would give the applicants until 2 September 2019 to provide a response.

The information requested by Council includes matters that ought to be addressed for the benefit of all parties prior to Council making its decision. Council officers are of the opinion that the application cannot be adequately assessed without the requested information.

This development application (RAL/18/0001) is related to development application RAL/18/0002 over the adjoining KUR-Cow site. A similar information request has been issued for RAL/18/0002 and Council has also been requested to extend this information request response period to 2 September 2019.

The State Assessment and Referral Agency is yet to provide its concurrence agency response for RAL/18/0002 and have extended their concurrence agency response due date to 2 September 2019.

The decision making period of both development applications is unlikely to commence before the 2 September 2019, therefore allowing additional time for further information to be provided is recommended.

## ASSESSMENT AND DECISION REQUIREMENTS

#### **Assessment Rules**

Development Assessment Rules 13 and 14 are relevant to this request:

#### 13. Applicant's response

- 13.1. The period for the applicant to respond to an information request is three months from the date the information request was made or a further period agreed between the applicant and the assessing authority that made the information request.
- 13.2. The applicant may respond by giving the assessing authority that made the information request, within the period stated under section 13.1-
  - (a) all of the information requested; or
  - (b) part of the information requested; or
  - (c) a notice that none of the information will be provided.
- 13.3. For any response given in accordance with sections 13.2(b) or (c), the applicant may also advise the assessing authority that it must proceed with its assessment of the application.

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

## 14. End of the applicant's response period

- 14.1. The applicant's response period in section 13.1 ends if-
  - (a) the applicant has responded under section 13.2(a); or
  - (b) the applicant has responded under sections 13.2(b) or (c) and the applicant has advised the assessing authority to proceed with the assessment of the application.
- 14.2. If an applicant does not respond to the information request in accordance with section 13.2 and 13.3 if applicable within the period stated under section 13.1, the assessing authority's assessment continues from the day after the day on which the period under section 13.1 would have otherwise ended.

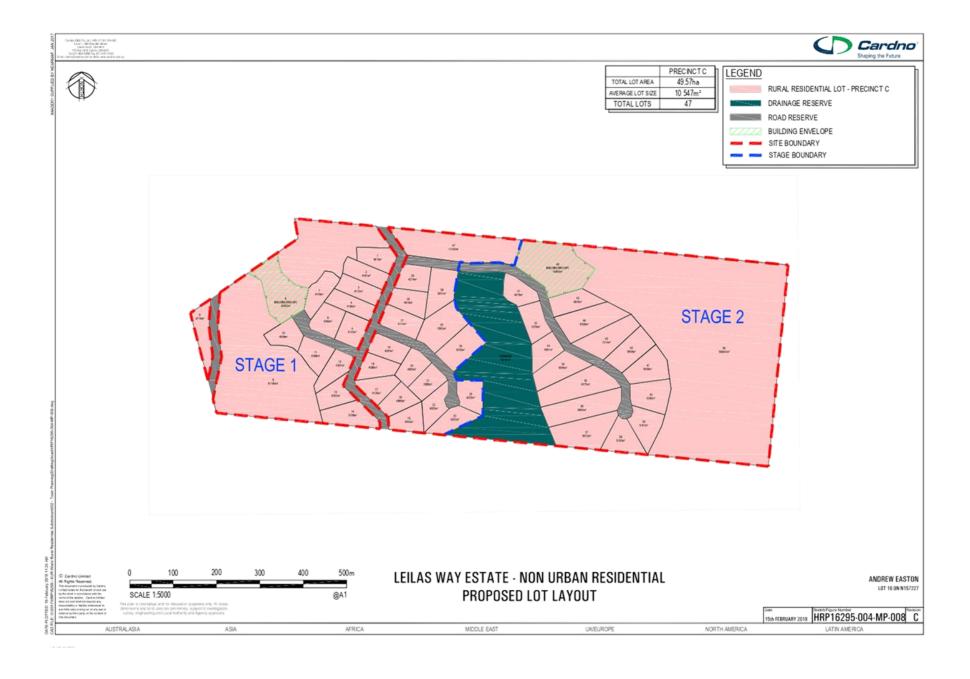
Unlike the former Sustainable Planning Act 2009 where an application would lapse if an applicant failed to respond to an information request, under the Planning Act 2016, an application simply moves in the decision making period.

Allowing the applicant every reasonable opportunity to respond to Council's information request can only assist Council in being well informed when making its ultimate decision.

#### **Brian Millard**

Subject: FW: 77 Barnwell Road, Kuranda (Council ref: RAL/18/001) From: Mark Lawson - Develop North <mark@developnorth.com.au> Date: 27 June 2019 at 13:43:51 GMT+10 To: Brian Millard < BrianM@msc.qld.gov.au > Cc: "berrylea@bigpond.com" <br/> <br/>berrylea@bigpond.com> Subject: 77 Barnwell Road, Kuranda (Council ref: RAL/18/001) Dear Brian, RE: Development Application regarding Reconfiguring a Lot development at 77 Barnwell Road, Kuranda (Council ref: RAL/18/001) Request for Further Period (Applicant's Response) On behalf of the Applicant, Andrew Easton, Adrienne P Easton & Barbara C Martin and pursuant to section 13.1 of the Development Assessment Rules, I write seeking an extension to the Applicant's Information Request response period to 2 September 2019. If you have any questions please don't hesitate to call. Kind Regards Mark Lawson Director M 0417 712 300 | E mark@developnorth.com.au | W www.developnorth.com.au

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#### 8.4 FINANCIAL STATEMENTS PERIOD ENDING 30 JUNE 2019

Date Prepared: 1 July 2019

Author: Manager Finance

Attachments: Nil

#### **EXECUTIVE SUMMARY**

The purpose of this report is to provide Council with an overview of financial matters for the period 1 July 2018 to 30 June 2019.

It should be noted that this Report does not present operational income and expenditure figures and these will be presented to Council at its next meeting on 21 August 2019, due to financial year end and the number of processes that need to occur to finalise these figures.

#### RECOMMENDATION

That Council note the financial report for the period ending 30 June 2019.

#### **BACKGROUND**

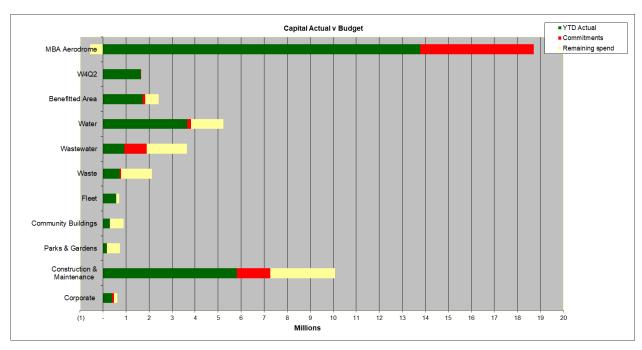
## **Financial Summary**

The Budgeted Income Statement for the year ending 30 June 2019, will be presented to Council at its next meeting on 15 August 2019, due to financial year end and the number of processes that need to occur to finalise these figures.

Work has commenced on preparing the financial statements and it is anticipated that the draft accounts will be completed by 13 August and presented to Audit Committee before external auditors commence their final audit onsite from 19 August.

## **Capital Expenditure**

Total capital expenditure of \$36,237,429 (including commitments) has been spent for the period ending 30 June 2019 against the 2018/19 adjusted annual capital budget of \$45,026,446. This budget figure now includes carry overs from 2017/18.



Capital projects that are not completed will be carried forwarded into the 2019/20 financial year. A list of these capital projects will be given to Council once 30 June figures are finalised. It should be noted that due to the on-ground conditions there will be an overspend on the airport project however the quantum is still unknown.

## **Loan Borrowings**

Council's loan balance is as follows:

Council is scheduled to pay out the outstanding balance of the old general fund loans on 17 July 2019 leaving a balance of \$4,430,768.75 which represents the loan for the sewerage treatment plant.

## **Rates and Sundry Debtors Analysis**

## **Rates and Charges**

The total rates and charges payable as at 30 June 2019 are \$1,855,572 which is broken down as follows:

	30 June 2019			e 2018
Status	No. of properties	Amount	No. of properties	Amount
Valueless land	17	667,680	77	2,330,351
Payment Arrangement	149	68,697	146	61,162
Collection House	346	855,117	305	655,984
Exhausted – awaiting sale of land	9	89,158	11	101,832
Sale of Land	-	-	-	-
Other (includes current rates)	213	174,920	380	50,514
TOTAL	971	2,071,262	1,073	3,408,842

The Rate Notices for the period ending 30 June 2019 were issued on 12 February 2019 with the discount due date being 15 March 2019. Total Gross Rates and Charges levied for this six (6) month period totalled \$16,948,888.

The Sale of Land has now been completed with all properties paying out beforehand therefore no auction was held.

Collection House collected \$116,758 for the month of June 2019.

#### **Sundry Debtors**

The total outstanding for Sundry Debtors as at 30 June 2019 is \$2,569,502 which is made up of the following:

Current	30 days	60 days	90 + days
\$2,551,024	\$11,638	\$6,283	\$557
99.3%	0.5%	0.2%	0%

#### **Procurement**

There were no emergency orders for the month.

#### **RISK IMPLICATIONS**

Nil

## **Legal/Compliance/Policy Implications**

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

#### FINANCIAL AND RESOURCE IMPLICATIONS

Nil

#### LINK TO CORPORATE PLAN

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

## IMPLEMENTATION/COMMUNICATION

Nil

#### 8.5 CORRECTION TO LIBRARY SERVICE FEES AND CHARGES FOR 2019/20

Date Prepared: 28 June 2019

Author: Coordinator Libraries

Attachments: 1. Corrected 2019/20 Library Fees and Charges U

#### **EXECUTIVE SUMMARY**

This report presents one (1) correction to the 2019/20 Library Fees and Charges that were adopted on 17 April 2019 for Council's consideration and endorsement. It also recommends a more efficient method of setting the sale price for decommissioned library items which, if supported, will require an amendment to the fees and charges.

#### **RECOMMENDATION**

That Council adopt the attached Library Service Fees and Charges for 2019/20.

#### **BACKGROUND**

The following changes are recommended for the 2019/20 Library Fees and Charges, which are attached.

#### 1. Visitor Fee

The visitor fee of \$20 should show that it is valid for a period of two (2) years, not unlimited, as was recorded in the adopted 2109/20 Library Fees and Charges.

## 2. Efficient Sale of Decommissioned Library Collection Items

It is recommended that a more efficient procedure for setting the price of library items is implemented which, if supported, will require an amendment to the 2019/20 Library Fees and Charges. It is recommended that multiple categories and prices of decommissioned library items is replaced with one (1) category noting that the sale of items is at the discretion of Library Officers with consideration given to the condition of each item when setting the sale price.

As the condition of items varies, it is difficult and time consuming to follow set sale prices for all items as senior management approval is required. As an alternative, it is recommended that staff use the schedule of recommended prices as a procedural guide when setting prices, for example, items in good condition and by more popular authors could be sold for the recommended prices listed in the current schedule. However, those items that are less popular, older or damaged, can be sold at a reduced price at the discretion of the officer without seeking Council approval, which is a more efficient way to manage the sale of decommissioned library items.

#### **RISK IMPLICATIONS**

Nil

#### LEGAL/COMPLIANCE/POLICY IMPLICATIONS

Nil

#### FINANCIAL AND RESOURCE IMPLICATIONS

#### Capital

Nil

## **Operating**

The 2019/20 Library Fees and Charges have been included in the 2019/20 budget

#### LINK TO CORPORATE PLAN

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

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

## IMPLEMENTATION/COMMUNICATION

On adoption of the amended 2019/20 Library Fees and Charges, Library Management Systems, Council's website and Library materials will be updated.

Description Cos Recov Fee (Y	very of \$97(2) of	Provision of Local Government Act	Unit	Fee/Charge \$	GST (Y/N)	
------------------------------------	--------------------	--	------	---------------	--------------	--

		and Charges		
		aries		
Charges				
Lost charge - Cost value of item plus notice charge & administration fee	N	ite	Cost + \$31.00	Y
Overdue notice fee	N	Ite	em \$5.00	Υ
Damaged item charges - items deemed unusable	N	ite	em Cost + \$15.50	Y
Visitor membership fee	N	2 ye	ears \$20.00	Y
Replacement CD/DVD cover/cases	N	ite	em \$5.50	Y
Replacement membership card	N	ca	rd \$6.00	Υ
Library bags	N	b	ag \$6.00	Υ
Sale of Library Collection Items	N	u	nit POA*	Υ
*POA – The sale of items is at the discretion of Library Officers	considering th	ition of each item.	•	
Photocopying				
Black & white - A4 per side	N	A4 p	page \$0.30	Y
Black & white - A3 per side	N	A3	page \$0.60	Y
Printing				
Black & white - A4 page	N	A4 p	page \$0.30	Y
Colour - A4 page	N	A4 i	page \$3.00	Y
Internet				
National & State Library online databases		Fr	ee FREE	
USB Stick	N	Ite	em \$12.00	Y
WIFI		Fr	ee FREE	
Full PC Use		<u> </u>	,	
Full PC Use is offered at no cost for the first hour, with fees to a	pply thereafte	nding on availability		
Library member, additional time per 1/2 hour or part thereof	N	30	min \$2.00	Y
Library member + Concession Card (Seniors, Veterans,	N	30	min \$1.00	Y
Health Care), additional time per 1/2 hour or part thereof				
Non-Library members, additional time per 1/2 hour or part thereof	N	30	min \$3.00	Y
Non-Library members, additional time per hour or part thereof	N	60	min \$6.00	Y

Page 1 of 2

Description	Cost Recovery Fee (Y/N)	Paragraph of S97(2) of LG Act 2009 under which fee is fixed	Provision of Local Government Act	Unit	Fee/Charge \$	GST (Y/N)	
-------------	-------------------------------	--	--	------	---------------	--------------	--

Inter Library Loan (ILL)				
University Loan charge	N	University Library	\$16.50	Y
Processing Charge for uncollected items	N	Uncollected item	\$15.00	Y
Replacement Inter Library Loan wrapper	N	Per item label	\$5.00	У
Freight	N	Freight per item	\$2.50	Y

Page 2 of 2

## 8.6 DTMR ACQUISITION OF LAND IN CHILLAGOE

Date Prepared: 5 July 2019

Author: Governance and Compliance Officer

Attachments: 1. Map identifying land parcels subject to DTMR land acquisition &

2. Letter from DTMR advising details of land acquisition in Chillagoe &

#### **EXECUTIVE SUMMARY**

Council has been approached by Queensland Department of Transport and Main Roads (DTMR) to acquire land in Chillagoe to remedy a 'road off alignment' issue for the Burke Developmental Road that affects a number of land parcels at the southern entrance to the community.

#### RECOMMENDATION

That Council advises DTMR that it offers no objection to the acquisition of Lot 132 C5041 on the basis that it is relinquished in its entirety and that DTMR pays fair market price.

#### **BACKGROUND**

Department of Transport and Main Roads (DTMR) has written to Council and advised of its intention to acquire various parcels of land, either in full or in part, on the southern entrance to Chillagoe that are impacted by the constructed alignment of the Burke Developmental Road (BDR). This is part of a state-wide process to accurately define the State's existing transport corridors.

A 'Notice of Intention to Resume' has been received by Council dated 5 July 2019 (see attached). Discussion between Council officers and Departmental officers has been previously undertaken as to the extent of intended resumptions. The following points are provided relevant to those parcels of land for which Council has (or may have) an interest:

- Lot 132 C5041 is vacant freehold land owned by Council. DTMR intends to resume the entirety of this lot for its stated purpose;
- Lot 135 C5041 is vacant freehold land with the owner identified as Domenico Pini (deceased estate). DTMR intends to resume the entirety of this lot for its stated purpose. It should be noted that this parcel currently has outstanding rates and charges;
- Lot 134 C5041 is State-owned land classified as Unallocated State Land. It should be noted that this parcel contains a significant part of the 'Dave the Elasmosaur' display. From preliminary discussions with Departmental officers, advice has been provided suggesting that DTMR will not look to acquire the entire parcel of land and will undertake to excise only that part of the lot that is impacted by the road.

It is understood that Council is desirous of DTMR taking the entirety of the freehold lots for which they seek to resume and with regard to Lot 132 Council has previously indicated that it expects fair market price.

## **RISK IMPLICATIONS**

#### **Financial**

DTMR will undertake its resumption process at its own cost. Council will be able to seek compensation for Lot 132.

## LEGAL/COMPLIANCE/POLICY IMPLICATIONS

Nil

## FINANCIAL AND RESOURCE IMPLICATIONS

## Capital

Nil

## **Operating**

Nil

## LINK TO CORPORATE PLAN

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

## IMPLEMENTATION/COMMUNICATION

That DTMR be advised of Council's decision relevant to its intended actions for land acquisition.

# QUEENSLAND DEPARTMENT OF TRANSPORT AND MAIN ROADS FORMALISATION OF ROAD CORRIDOR FOR BURKE DEVELOPMENTAL ROAD - CHILLAGOE LAND ACQUISITION





Our ref: Your ref: Enquiries: 495/09894

Craig Heslehurst

05 July 2019

Chief Executive Officer Mareeba Shire Council PO Box 154 Mareeba Qld 4880

Dear Sir/Madam

Mareeba Shire Transport Corridor Review Project {Burke Developmental Road (Normanton - Dimbulah)}

I refer to the Department of Transport and Main Roads' requirement for the above project and serve upon you the enclosed Notice of Intention to Resume. This is the first formal step in the resumption process. The notice and attached documentation contain information on your rights in the process, the objection procedure, and the background for the intended resumption.

Departmental officers are available to help you with any issues you wish to raise.

Enquiries regarding project issues should be referred to Susan Marshall from the Department's Far North office, Cairns on telephone 07 4045 7119.

Enquiries regarding compensation issues or the resumption process should be referred to Craig Heslehurst from the Department's Property Acquisitions and Disposals Unit, Carseldine on telephone 07 3066 8935.

Yours sincerely

Donna Brunello

Director (Property Acquisitions and Disposals)

Department of Transport and Main Roads Property Acquisitions and Disposals Floor 2 Building D 532 Beams Road Carseldine Qld 4034 GPO Box 1412 Brisbane Qld 4001 Telephone: Email: Website: ABN 07 3066 8935 craig.w.heslehurst@tmr.qld.gov.au www.tmr.qld.gov.au 39 407 690 291

## NOTICE OF INTENTION TO RESUME

# ACQUISITION OF LAND ACT 1967 TRANSPORT INFRASTRUCTURE ACT 1994 TRANSPORT PLANNING AND COORDINATION ACT 1994

File no:

495/09894

Telephone no: 07 3066 8935

Director (Property Acquisitions and Disposals)
Department of Transport and Main Roads
Floor 2, Building D, 532 Beams Road
Carseldine Qld 4034

05 July 2019

To: Chief Executive Officer Mareeba Shire Council PO Box 154 Mareeba Qld 4880

NOTICE is hereby given that in pursuance of the provisions of the Acquisition of Land Act 1967, the Transport Planning and Coordination Act 1994, and the Transport Infrastructure Act 1994, the Chief Executive, Department of Transport and Main Roads ("Chief Executive"), as constructing authority for the State of Queensland, intends to take the land described in the attached schedule and shown on attached plan R203-925 for the purpose of transport, in particular, road purposes.

The decision to commence the process for taking the land was made by District Director (Far North), Department of Transport and Main Roads, as the delegate of the Chief Executive.

Attached is Background Information for the proposed taking of the land, together with a brochure entitled "Your Property - Your Rights" which explains the acquisition process.

If you wish to object to the taking of the land, you must send an objection in writing to District Director (Far North), PO Box 6185, Cairns Qld 4870 on or before 9 August 2019. A delegate of the Chief Executive will be appointed to hear objections to the proposed resumption.

The written objection must contain:

- (a) the grounds of the objection;
- (b) the facts and circumstances relied on by you to support the grounds; and
- (c) whether you wish to appear before the Chief Executive's delegate and be heard in support of the grounds of the objection.

Any matter pertaining to the amount or payment of compensation is not a ground of objection.

If you state in your written objection that you wish to be heard in support of the grounds of your objection you may appear and be heard in the offices of Department of Transport and Main Roads situated at Floor 4, 15 Lake Street, Cairns Qld 4870 on 14 August 2019 at 10:00am. You may appear personally or by counsel, solicitor or agent.

The Chief Executive is willing to negotiate to acquire by agreement, or failing agreement, to treat as to the compensation to be paid and all consequential matters.

If the land is taken, then a claim for compensation may be served on the Chief Executive only within three years after the day the land is taken.

Item 8.6 - Attachment 2

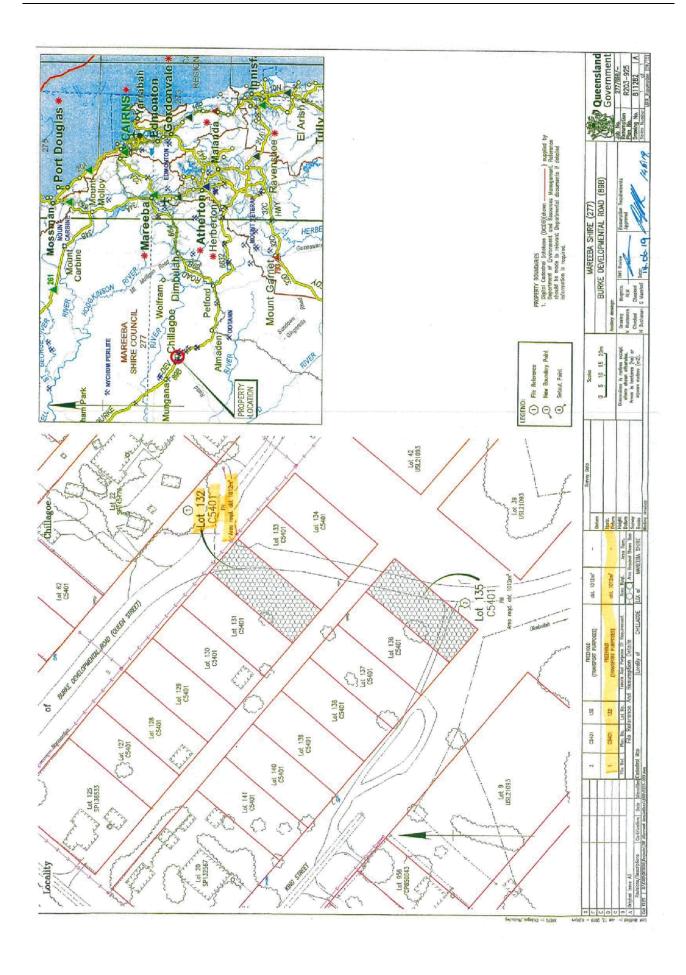
The Chief Executive may accept, and deal with, a claim for compensation served by you more than three years after the land is taken if the Chief Executive is satisfied it is reasonable in all the circumstances to do so.

If the Chief Executive does not accept a claim served by you more than three years after the land is taken you may apply to the Land Court to decide whether it is reasonable in all the circumstances for the Chief Executive to accept the claim.

**Note:** section 20(2A) of the *Acquisition of Land Act 1967* provides that, in assessing compensation, a contract, licence, agreement or other arrangement (**relevant instrument**) entered into in relation to the land after the notice of intention to resume was served on you must not be taken into consideration if the relevant instrument was entered into for the sole or dominant purpose of enabling you or another person to obtain compensation for an interest in land created under the relevant instrument.

Sched	<u>ule</u>		
Description	Area required	Title reference	Plan
Lot 132 on Crown Plan C5041	1012 sqm	20128101	R203-925

Registered proprietor: Mareeba Shire Council



## **Background Information**

Transport Corridor Review Project Far North District Proposed resumption of land for Transport Purposes Resumption Plan: R203-925

## Project Background

Revocation and declaration actions are being undertaken as part of a State-wide project to accurately define the State's existing transport corridors.

The project will produce consistently scaled and up-to-date state-wide mapping of all the state-controlled transport corridors. The improved mapping will also incorporate upgrades to those roads and will reflect the latest cadastral information available.

During the course of the project areas where the constructed state-controlled road encroaches into freehold and leasehold parcels have been identified.

In order to correct these off-alignment issues the department requires the acquisition of the land identified on Resumption Plan R203-925 for road transport purposes.

#### **Further Information**

For further information, contact Peter McNamara of the Department of Transport and Main Roads on telephone 07 4045 7210.

Department of Transport and Main Roads

## Property acquisition - Your property, your rights

The Queensland Government's responsibility to provide a better and safer transport network sometimes means that privately owned land must be acquired for transport infrastructure purposes.

This is a guide to the process for the compulsory acquisition (resumption) of interests in land and outlines rights and entitlements as set out in the Acquisition of Land Act 1967 (the Act). Some aspects of the resumption process can be complex. The Department of Transport and Main Roads' Property Officers will be pleased to assist if you have further queries on resumption matters.

If your property is affected by proposed works which may require the resumption of part or the whole of your property, staff from Transport and Main Roads will contact you. They will provide you with a plan showing the approximate location and area of the land required, together with background information on the project.

#### **Process**

The steps identified here are a general framework that applies to most resumptions, but some steps may not apply to each case.

- Initial contact advising of project impacts
- Supply of Notice of Intention to Resume and background information
- Objection procedure
- · Application to the Minister to take the land
- Taking of Land Notice published in the Queensland Government Gazette
- Assessment by independent property valuers
- Compensation claim/offer
- Compensation negotiations
- · Advance payment (if required)
- Settlement
- · Title correction

### Your questions answered

#### Can I object?

Yes, you can object to the resumption of land. The Notice of Intention to Resume will outline the procedure to follow if you wish to object. Your objection must:

- be in writing
- be made within the time specified in the Notice of Intention to Resume
- state your grounds for objection, with supporting details (the Act states that matters relating to the amount of compensation to be paid are not grounds for objection)
- state whether you also wish to be heard in support of your objection (you may appear at the objection hearing and/or be represented by a solicitor or other agent).

If you engage a consultant to help you object, these fees are your responsibility and will not be paid by the department.

#### Will my objection be considered?

Yes, all objections will be considered by an authorised delegate of the constructing authority who is usually a senior member of the project team or regional office. Following consideration of your objection a decision will be made to either:

- · proceed with the resumption
- proceed to resume an amended area
- proceed with an amended project without resumption from the subject property.

## What happens next and how is the land taken?

If after due consideration of all objections, the constructing authority is of the opinion that the land is still required for the proposed purpose, the constructing authority may apply to the Minister that the land be taken. The Minister will examine all applications (together with accompanying statements and documents). If the Minister is satisfied that the proposed resumption should proceed he/she will apply to the Executive Council to have a Taking of Land Notice published in the Queensland Government Gazette. The taking of land is effective on the day of publication of the notice in the gazette and your interest in the land is extinguished and converted into a right to claim compensation.

#### What happens if I don't wish to object?

If you choose not to object to the resumption, you may sign an Agreement to the Taking of Land. Signing an Agreement to the Taking of Land does not affect your rights to claim compensation and, in some circumstances, will shorten the resumption process.

Alternatively, you may choose not to object to the resumption and not sign an agreement, in which case no action will be required by you. If you do not object to the resumption, the resumption process for the project will continue to proceed in accordance with the time frames stated in the Notice of Intention to Resume.

05.7



#### How long will the resumption process take?

As a guide, the resumption process normally takes approximately four to six months from the time a Notice of Intention to Resume is issued. However, this time frame will depend on things such as the number of objections and the time taken to gain approvals.

#### Can I claim compensation?

You can claim compensation if you have a legal interest in the land taken (for example, if you are the owner, lessee or licensee). Under the Act, a claim for compensation must be served on the department within three years from the day the Taking of Land Notice is published in the gazette.

#### How do I claim?

If you have a registered interest in the land, you will receive a copy of the Taking of Land Notice and a compensation claim form for completion and return to the department as directed. You may wish to engage a registered valuer and/or solicitor to assist you in preparing and lodging your claim. Reasonable valuation and legal fees incurred in the preparation and lodgement of your claim will be reimbursed as part of the overall settlement of compensation.

#### How is compensation assessed?

Following the publication of the Taking of Land Notice in the gazette, a departmental Property Officer will be assigned to your case and will make contact with you. Next, your Property Officer will have the property independently valued and will again contact you to discuss compensation.

Assessment is based on the market value of the property (or your interest in the property) at the date of the Taking of Land Notice in accordance with the Act.

In addition to market value, you may also be eligible to claim compensation for disturbances caused by the resumption such as:

- stamp duty payable on the purchase of a replacement property of equal value
- reasonable conveyancing fees associated with the purchase of another property of equal value
- reasonable costs associated with the relocation of your business, including loss of profits
- a reasonable allowance to cover the cost of relocation of personal effects, including furniture
- reasonable charges associated with the re-establishment of your mortgage of equal value to that existing at the date of resumption
- · the cost of telephone reconnection and postal redirection
- other costs reasonably incurred in relocating to a comparable property.

To find out more about claiming compensation for disturbance issues, please contact your departmental Property Officer or call the toll free number.

#### What about GST?

Compensation payments made as a result of the resumption of property do not attract GST.

Connecting Queensland delivering transport for prosperity

#### When is compensation paid?

An offer of compensation will be made, usually after you have made a claim. The offer amount is formulated following careful consideration of all information available. If you are satisfied with the offer, settlement will be arranged. If you choose not to accept the offer, your departmental Property Officer will arrange a conference with you with a view to resolving differences in an open and conciliatory manner. If agreement on compensation cannot be reached, either party can refer the matter to the Land Court for an independent determination.

# Can I obtain an advance payment against compensation?

Yes. Following publication of the Taking of Land Notice and after your claim has been lodged in accordance with the Act, you can apply for a payment of an advance against compensation at any time. Payment of an advance does not in any way affect your right to negotiate additional compensation or to have the matter independently determined by the Land Court should we fail to reach a negotiated settlement.

#### What consultants should I engage?

When it comes to negotiating compensation, it is recommended that you engage a valuer and legal assistance. In this regard, reasonable fees incurred will be refunded in the overall settlement package. In some cases additional specialist consultants may need to be engaged. You should discuss the matter with your departmental Property Officer prior to engaging a specialist consultant.

### What if I have a mortgage?

The mortgagee is entitled to be paid the compensation (to the extent of the amount owing) unless the mortgagee advises otherwise.

#### What happens to my title?

If the department has resumed part of your land based on an approximate area, it will be surveyed at a later date. Once surveyed, the area of the resumed land could slightly increase or decrease compared with the resumption plan, however it must remain substantially the same size and shape.

The department will attend to the correction of the title for the balance of your land, to reflect the new boundary, at no cost to you.

#### Contact

For further information, please use our toll free number 1800 806 414\*. To find out more about a particular project or to locate your local regional office, visit the department's website at www.tmr.qld.gov.au

This fact sheet is intended to give you general information about the resumption process. You may wish to seek professional legal advice in your particular case.

\*Free call from anywhere in Australia, call charges apply for mobile phones and payphones. Check with your service provider for call costs.

13 QGOV (13 74 68) www.tmr.qld.gov.au | www.qld.gov.au

## 8.7 DEVELOPMENT AND GOVERNANCE QUARTERLY REPORT - APRIL TO JUNE 2019

Date Prepared: 1 July 2019

Author: Manager Development and Governance

Attachments: Nil

#### **EXECUTIVE SUMMARY**

This report presents the key activities and achievements of the Development and Governance Group for the April to June 2019 quarter.

#### **RECOMMENDATION**

That Council receive the quarterly report of the Development and Governance Group for the April to June 2019 guarter.

#### **BACKGROUND**

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

- Governance and Compliance
- Building and Plumbing
- Regional Land Use Planning
- Local Laws and Environmental Health.

The following activities have occurred during the April to June 2019 quarter and are presented below by service area:

#### **GOVERNANCE AND COMPLIANCE**

#### **Native Title**

Djungan #5 - A Form 5 Notice of Intention to Become a Party has been filed with the Federal Court on Council's behalf. Council's acting solicitors have lodged a funding application for costs incurred by Council as a respondent party.

Muluridji People #3 - A Form 5 Notice of Intention to Become a Party has been filed with the Federal Court on Council's behalf. A funding application has been lodged for costs incurred by Council as a respondent party.

There are currently six (6) Native Title claims within Mareeba Shire consisting of Wakaman #3-#5, Cairns Regional Claim Group, Djabugay-Bulway-Yirrgay-Nyakali-Guluy and Kurtijar.

A Council officer attended a June consultative meeting in Cairns hosted by the Department of Aboriginal and Torres Strait Islander Partnerships to discuss review and impending changes to the Queensland Cultural Heritage Acts which may impact upon routine mandatory cultural heritage assessments for works projects undertaken by Council.

#### **Industrial Parks**

Chillagoe Industrial Estate - nil sales or settlements occurred within the quarter. An expected settlement has not materialised with processes underway for surrender of the lease interest.

To date, 15 parcels of land, previously encumbered by lease, have been settled through purchase under the Ministerial exemption approval instrument in place until expiry of all lease interests on 1 February 2020.

Eight (8) parcels of land currently remain under lease interest and will be advertised for sale via the tender process upon expiry of all lease interests. The operator of a significant business venture impacting upon five lots has requested extension of time to consider options for purchase or yield up.

Mareeba Industrial Park - subsequent to Council's decision to increase the purchase price for land at the MIP from \$55.00/m² to \$65.00/m² effective 1 July 2019, there have been a number of enquiries from potentially interested parties for lots still available for sale. Of these enquiries, two (2) Sale Contracts and one (1) Option to purchase have eventuated. The status for land at MIP as at 30 June 2019 is as follows:

- Lot 56 SP198060 with frontages on Martin Tenni Drive and Gowan Street is subject to reconfiguration into five (5) lots consisting of one larger lot (the equivalent size of four (4) standard lots) plus a further four (4) standard lots. A Contract was executed, with deposit paid in early June for the sale of the larger lot and an Option (to purchase) the two (2) adjoining lots. It is expected that the sale will be settled in September 2019.
- Lot 46 SP198053 at 13 Effley Street Mareeba also realised an executed Contract and deposit paid in late June. This sale is also expected to settle in September 2019.
- Of the total remaining developed lots at MIP there are 12 available for sale.

## Compliance

Significant work has been undertaken on the ongoing audit processes underway across Council to improve compliance with State legislation. The phase one identification and applicability assessment of statutory obligations relevant to the building and plumbing, planning, environmental health and local laws and governance and compliance has been completed for the Development and Governance section. To undertake this work, Council has employed the use of an online portal environment deployed by the Local Government Association of Queensland.

## **Complaints**

Details of complaints received/processed during the quarter ending 30 June 2019 are displayed in the table below:

Complaints carried over from previous period (January to March 2019)	6
Complaints carried over from previous period finalised during this reporting period	5
Complaints lodged during reporting period (April to June 2019)	49
Complaints finalised during reporting period (April to June 2019)	39
Complaints still in process (not finalised) during reporting period (April to June 2019)	11

## **BUILDING AND PLUMBING**

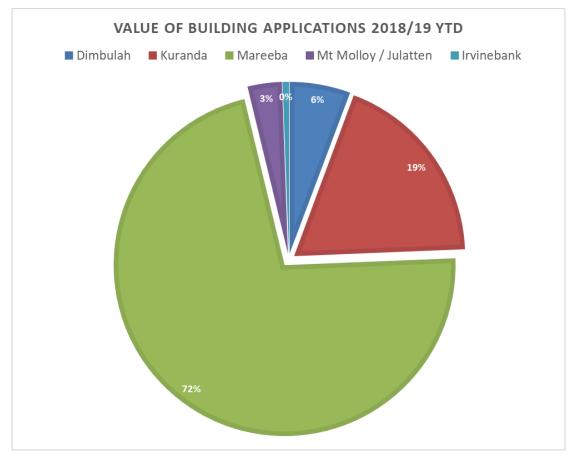
### **Building Approvals**

Year to date dwelling value of construction has stayed steady, commercial and shed construction has increased considerably. The tables below do not include the Wind Farm Construction which has been removed for greater comparable analysis.

Quarter	Apr - Jun 2019		Apr - Jun 2018	
Туре	\$	А	\$	Α
Dwellings	4,569,068	38	9,754,202	38
10A (Sheds, ETC)	1,264,412	32	1,421,282	45
Commercial	1,230,665	7	1,034,270	5
Others	78,800	3	456,600	6
Total	7,142,945	80	12,666,354	94

Year to Date	Jul 2018 - Jun 2019		Jul 2017 - Jun 2018	
Туре	\$	А	\$	А
Dwellings	25,044,84	140	20,475,073	93
10A (Sheds, ETC)	5,780,784	159	2,681,331	77
Commercial	22,649,582	34	5,562,266	28
Others	769,660	24	737,266	12
Total	54,244,859	357	29,455,896	210

The below graph summarises where construction investment is occurring across the Shire for 2018/19 financial year.



## **Regulatory Tasks**

Building and Plumbing Services had 112 customer requests this quarter of which 106 were resolved.

## **REGIONAL LAND USE PLANNING**

## **New Development Applications**

17 development applications were lodged in the June quarter 2019 compared to 22 in the June quarter 2018.

Development Applications received/approved during April to June 2019 quarter as compared to the YTD (July to June) comparisons are as follows:

	Apr - June	2018 – 2019	2017 – 2018
	2019	YTD	YTD
New Development Applications lodged	17	66	80
Decision Notices issued under delegated authority	14	44	47
Negotiated Decision Notices issued under delegated authority	1	1	0
Decision Notices issued (from Council Minutes)	3	18	33

Negotiated Decision Notices issued (from Council Minutes)	0	2	4
Extensions to relevant period issued	1	9	6
Extensions to relevant period issued (from Council Minutes)	0	1	4
Change to existing Development Approval issued	1	3	5
Referral Agency Response approvals issued under delegated authority	5	24	24
Survey Plans endorsed	9	38	31
Notices issued under SPA	0	1	2
Planning Appeals and other Court proceedings	0	0	0

### LOCAL LAWS AND ENVIRONMENTAL HEALTH

### **Environmental Health**

The Environmental Health section responded to a total of 109 enquiries, complaints and service requests for the quarter relating to the following matters:

	Apr - Jun 2019	2018 - 2019 YTD	2017 - 2018 YTD
Food Complaints	2	8	5
Food Enquiry	48	174	163
Health Enquiry	15	59	31
Pollution	17	84	125
Flying Foxes*	2	17	78
Public Health Complaint, Enquiry	20	94	27
General Service Enquiry	2	25	46
Other	3	10	8
Total	109	471	483

<sup>\*</sup>Flying Fox complaints have reduced significantly in the last year due to the tree maintenance works undertaken at the Basalt Gully and Bicentennial Lakes. 2019 is the first year the Flying Foxes did not camp in the Lakes area since 2009.

## **Notices Issued, Inspections Carried Out, Applications Processed**

	Apr - Jun	2018 - 2019	2017 - 2018
	2019	YTD	YTD
Animals Impounded	177	612	651

Regulated Parking infringements issued	100	694	552
Animal Management infringements issued	54	378	524
Local Laws Infringements issued	33	115	56
Warning letters issued	120	316	433
Compliance Notices issued	10	105	106
Food Inspections undertaken	79	254	360

## **Local Laws**

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

## **Animals**

	Apr - Jun	2018 - 2019	2017 - 2018
	2019	YTD	YTD
Dangerous Aggressive dogs	27	146	145
Missing/Lost/Found	30	130	139
Barking Complaints	82	238	296
Restrained for Collection	41	149	134
Council traps	59	201	157
Straying Animals	125	482	399
Too Many Animals	14	49	36
Enquiries, Unregistered, Hygiene, unleashed	103	500	737
Cruelty	10	19	9
Total	487	1908	2052

In the last quarter (1 April to 30 June 2019) the following impounds were recorded for dogs:

- Animal returned to owner 1st occasion for free (dog was wandering, but was registered): 42 dogs
- Animal caught wandering (not registered): 69 dogs were impounded.

## **Other Areas**

	Apr -J un 2019	2018 - 2019 YTD	2017 - 2018 YTD
Abandoned Vehicles	17	100	126
Overgrown	48	114	85
Commercial Use of Roads	29	105	94
Illegal Camping	10	41	27
Illegal Signs	12	29	13
Parking, illegal parking	27	134	112
Obstruction of Footpath	4	15	14
General Enquiries	4	17	30
Other	1	17	28
Gates and Grids	0	1	1
Total	154	570	530

## **Dog Registration**

As at the 30 June 2019 Council has a registered population of 2,794 dogs in the shire with 1,335 dog renewals outstanding.

	Apr-Jun	2018 - 2019	2017 - 2018
	2019	YTD	YTD
New Registrations*	278	869	1029
Deceased	314	414	421
Left the area	159	259	279

<sup>\*</sup>A rise in new dog registrations has been observed due to the recent Animal Inspection Program. Result of the Program will be provided to Council in the future.

## **RISK IMPLICATIONS**

Nil

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

Nil

## FINANCIAL AND RESOURCE IMPLICATIONS

## Capital

Nil

## **Operating**

Nil

## LINK TO CORPORATE PLAN

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

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

## IMPLEMENTATION/COMMUNICATION

Nil

## 8.8 OPERATIONAL PLAN 2018/19 PROGRESS REPORT APRIL - JUNE QUARTER

Date Prepared: 5 July 2019

Author: Manager Development and Governance

Attachments: 1. Operational Plan Progress Report &

#### **EXECUTIVE SUMMARY**

The attached report provides information regarding progress of the 2018/19 Operational Plan projects.

#### RECOMMENDATION

That Council receive and note the progress report on implementation of the 2018/19 Operational Plan for the April to June Quarter.

### **BACKGROUND**

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

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

The attached documents provide a progress report on actions taken up to and including the July 2018 to June 2019 period with respect to the items and projects listed in the Operational Plan.

## LEGAL/COMPLIANCE/POLICY IMPLICATIONS

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

## FINANCIAL AND RESOURCE IMPLICATIONS

#### Capital

Nil

## **Operating**

Ni

#### LINK TO CORPORATE PLAN

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

"A council that continuously looks for savings and opportunities while managing council's assets and reserves to ensure a sustainable future in a costeffective manner."

Project	Corporate Plan Ref	Corporate Plan Goal	Business Section	Performance Measures	Progress Comment
Long-term Financial Plan	FIN 2	Long-Term Financial Plan that supports effective and sustainable financial management Effective and sustainable financial management	Finance	Ensure Long Term Asset Management Plan aligns with Long Term Financial Plan and Local Government Infrastructure Plan (LGIP)	<ul> <li>Long term financial plan was adopted with 2018/19 Budget on 20 June 2018, however further refinement is currently occurring as more updated information becomes available.</li> <li>Wastewater long term financial plan completed and aligned with relevant Asset Management Sub-Plan</li> </ul>
Comprehensive Asset Revaluations  Buildings Footpaths Drainage	FIN 1	Long-Term Financial Plan that supports effective and sustainable financial management	Finance	Buildings comprehensive revaluations (remaining 50%)     Footpaths comprehensive revaluations     Drainage comprehensive revaluations	<ul> <li>Completed in May 2019</li> <li>Footpaths and Drainage registers were not ready so instead Other Infrastructure and Waste assets were revalued.</li> </ul>
Library Service Review	FIN 2	Effective and sustainable	Community Wellbeing	Finalise balance of recommendations from Service Level Review	<ul> <li>A formal review regarding progress with implementing the recommendations of the Library</li> </ul>

"A council that continuously looks for savings and opportunities while managing council's assets and reserves to ensure a sustainable future in a costeffective manner."

"A council that continuously looks for savings and opportunities while managing council's assets and reserves to ensure a sustainable future in a costeffective manner."

Project	Corporate Plan Ref	Corporate Plan Goal	Business Section	Performance Measures	Progress Comment
Full cost pricing models to ensure equitable allocation of costs across departments	FIN 3	Effective business management	Finance	<ul> <li>Review model and reporting of business</li> </ul>	<ul> <li>Model completed and included in 2018/19 budget which was adopted on 20 June 2018.</li> </ul>
Solar Farm Feasibility Project	FIN 3	Effective business management	Finance Technical Services Development & Governance	<ul> <li>Undertake an electricity profile assessment and identify suitable potential site/s</li> <li>Assess technical feasibility and financial modelling</li> <li>Adopt a solar farm feasibility report</li> <li>Commence implementation of recommendations</li> </ul>	<ul> <li>A final report has been prepared by the consultant and reviewed. The Chief Executive Officer has advised that a Solar Farm is not currently feasible for Mareeba Shie Council.</li> </ul>
Mareeba Industrial Estate Development	FIN 3	Effective business management	Technical Services Development & Governance	Review Master Plan and amend to cater for future demand	This Project has been extended to the 2019/20 Operational Plan.

"A council that continuously looks for savings and opportunities while managing council's assets and reserves to ensure a sustainable future in a costeffective manner."

Project	Corporate Plan Ref	Corporate Plan Goal	Business Section	Performance Measures	Progress Comment
Financial viability of solar electricity	FIN 3	Effective business management	Finance Technical Services Development & Governance	Undertake a review of electricity usage by facility	<ul> <li>Council has informally received a presentation regarding the positive outcome of current installation.</li> <li>Council will be using the Peak Services to identify the next sites for expansion of "rooftop" solar program.</li> </ul>
Records Management Policy	FIN 3	Effective business management	Systems & Customer Service	Records Management Policy to be endorsed by Council and implemented	<ul> <li>Records Management Policy adopted on 8 November 2018.</li> </ul>
Digital capture/cataloguing of physical record holdings	FIN 3	Effective business management	Systems & Customer Service Development & Governance	Historic Building/Plumbing/Planning record capture to be completed	<ul> <li>All historical building, plumbing, drainage records have now been scanned into Council's electronic record management system.</li> </ul>
Customer Service Standards	FIN 3	Effective business management	Systems & Customer Service	<ul> <li>Customer Service         Charter to be developed and adopted by Council     </li> <li>Monitoring and reporting to be implemented</li> </ul>	<ul> <li>Customer service charter developed, agreed upon, and implemented.</li> <li>CRM reporting portal developed and implemented.</li> </ul>

"A council that continuously looks for savings and opportunities while managing council's assets and reserves to ensure a sustainable future in a costeffective manner."

Project	Corporate	Corporate	Business	Performance Measures	Progress Comment
rioject	Plan Ref	Plan Goal	Section	renormance weasures	riogiess comment
	riali Kei	Fian Goal	Section		
ICT Strategy implementation  Internet Communications  O365 implementation (phase 1)  Audit non T1 information system suitability for Cloud migration	FIN 3	Effective business management	Systems & Customer Service All	Implement comms to support ICT     'Cloud first' strategy     Mailbox migration, Messaging, Cloud Storage     Product remediation	<ul> <li>Communications implementation complete.</li> <li>O365 implementation yet to commence.</li> <li>Work has commenced to document Technology One product customisations and integration points as part of a broader Cloud Readiness Assessment (CRA) process.</li> </ul>
Sustainable workforce	FIN 4	A skilled and sustainable workforce	Organisational Development	Training of workforce where required to improve efficiencies and safety  Review of guidelines for recruitment and retention of staff	<ul> <li>Training on-going with focus on safety and transparency including Public Interest Disclosure Awareness for all employees with specific training on handling disclosures for Managers, Governance and HR Officers</li> <li>On-going review and update of recruitment processes and position</li> </ul>

"A council that continuously looks for savings and opportunities while managing council's assets and reserves to ensure a sustainable future in a costeffective manner."

Project	Corporate Plan Ref	Corporate Plan Goal	Business Section	Performance Measures	Progress Comment
					descriptions is being conducted to ensure efficiency and legislative compliance. Upgrade to interactive electronic recruitment platform under consideration.

## Community

"An engaged community which supports and encourages effective partnerships to enhance the liveability of the shire and the wellbeing of residents in communities which are resilient and prepared for unforeseen events"

Project	Corporate Plan Ref	Corporate Plan Goal	Business Section	Performance Measures	Progress Comment
Council Website enhancements	COM 1	An engaged community	ccs	Identify needs and benefits of improved capacity and information sharing through MSC website     Content review and website enhancements to be implemented	<ul> <li>Website modifications have been made with on-going reviews to occur</li> <li>Content Review will continue as an ongoing project across all areas.</li> </ul>

## Community

"An engaged community which supports and encourages effective partnerships to enhance the liveability of the shire and the wellbeing of residents in communities which are resilient and prepared for unforeseen events"

Project	Corporate Plan Ref	Corporate Plan Goal	Business Section	Performance Measures Progress Comment
Community Engagement Policy and Strategy	COM 1	An engaged community	Community Wellbeing Development & Governance	Policy and strategy are adopted to inform and engage with the community regarding Council's operations and decisions      Due to commence late 2019
Community Wellbeing Strategy	COM 2 COM 3	An engaged community An active, safe and healthy community A community being prepared and resilient to emergencies and disasters	Community Wellbeing	Strategy is developed and adopted for the delivery of sustainable community wellbeing services and activities across the shire  Due to commence late 2019
Review Community Leasing	COM2	An active, safe and healthy community	Development & Governance	All leases reviewed, updated and executed in accordance with the Community Leasing and associated policies
CCTV Feasibility Study	COM2	An active, safe and healthy community	Systems & Customer Service	Review existing guidelines     Develop vision/strategy and associated costs  Further research and investigations required.

## Community

"An engaged community which supports and encourages effective partnerships to enhance the liveability of the shire and the wellbeing of residents in communities which are resilient and prepared for unforeseen events"

Project	Corporate Plan Ref	Corporate Plan Goal	Business Section	Performance Measures	Progress Comment
				Implement and monitor as required	

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

Project	Corporate Plan Ref	Corporate Plan Goal	Business Section	Performance Measures	Progress Comment
Asset Management Plans  Roads Facilities Parks Swimming Pools Aerodromes Footpaths Fleet Waste Stormwater	TCI 2 TCI 3	Sustainable Infrastructure for the future Safe and effective transport network Securing and managing water resources	Technical Services	Undertake data verification     Undertake condition     assessment and defect     identification across individual     asset classes.	<ul> <li>Road condition and defect assessment completed 2018.         Ongoing routine inspections underway.     </li> <li>Gates &amp; Grids assessments completed September 2018.</li> <li>Footpath Inspections continuing.</li> <li>Storm water infrastructure inspections underway expected completion August 2019.</li> <li>Condition and Asset Inspections of the Pools &amp; Dimbulah Caravan Park to occur July 2019.</li> <li>Preparation of 2019 Facility inspection program underway</li> </ul>
Community Housing Asset Management Plan	TCI 1	Sustainable Infrastructure for the future	Infrastructure Services Community Services	Monitor and review the Asset Management Plan     Ensure assets are maintained in accordance with the	<ul> <li>CHAMP completed and lodged with Department of Housing and Public Works in March 2018.</li> </ul>

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

Project	Corporate	Corporate Plan Goal	Business	Performance Measures	Progress Comment
	Plan Ref		Section		
				Community Housing Asset Management Plan	Awaiting departmental feedback and approval.      Maintenance is planned for priority works identified in the plan.      Condition assessments have been completed on nearly 75% of the properties and this data will be used to update the plan.
Bridges Asset Management	TCI 2	Sustainable Infrastructure for the future Safe and effective transport network	Infrastructure Services	Review condition assessment and defect identification program.     Document forward works renewal and upgrade program.     Document and review prioritisation and response times.     Adopt AMP and commence reporting against AMP	<ul> <li>Bridges, Major Culverts &amp;         Causeway asset management         sub-plan ready to be tabled for         adoption</li> <li>Level 1 &amp; Level 2 training course         scheduled for late July</li> </ul>

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

Project	Corporate Plan Ref	Corporate Plan Goal	Business Section	Performance Measures	Progress Comment
Water Asset Management	TCI 1	Sustainable Infrastructure for the future Securing and managing water resources	Infrastructure Services	Complete data verification     Incorporate outcomes from Mareeba Water Strategy     Document forward works renewal and upgrade program     Document and review prioritisation and response times     Adopt AMP and commence reporting against AMP	Data verification complete.      MIPP2 project with City Water Technology for the design phase of the project well advanced with initial findings provided to Council Officers for review and comment. Comments provided with City Water to have a final report to Council in August. AMP adoption will be dependent on water strategy recommendations.
Wastewater Asset Management	TCI 3	Sustainable Infrastructure for the future Securing and managing water resources	Infrastructure Services	Complete condition assessment and defect identification     Implement an ongoing prioritised condition assessment and defect identification program     Document forward works renewal and upgrade program.     Document and review prioritisation and response times.     Adopt AMP and commence reporting against AMP	Asset Management Sub-Plan     Completed

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

Project	Corporate Plan Ref	Corporate Plan Goal	Business Section	Performance Measures	Progress Comment
Local Government Infrastructure Plan (LGIP)	TCI 1	Sustainable Infrastructure for the future	Infrastructure Services Development & Governance	Finalise and adopt draft LGIP     Adopt new infrastructure charges     Continuous review and updating of trunk requirements	• Complete
Kuranda Cemetery	TCI 1	Sustainable Infrastructure for the future	Systems & Customer Service Technical Services	Identify possible sites to manage the capacity shortfall     Review suitability and provide estimates for community consultation     Prepare an implementation plan for adoption by Council	At the Council meeting on 20/02/2019 Council endorsed further investigation to determine the viability of a Lot 514 Plan SP248398 in Koah as a new cemetery to service Kuranda and surrounding communities. A funding request has been included for consideration in the 2019/20 capital budget.
Mareeba Cemetery	TCI 1	Sustainable Infrastructure for the future	Systems & Customer Service Technical Services	Identify possible sites to secure     a growth strategy	No further progress to date.

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

Project	Corporate Plan Ref	Corporate Plan Goal	Business Section	Performance Measures	Progress Comment
Kuranda Infrastructure Program	TCI 1	Sustainable Infrastructure for the future	Technical Services Works	Complete projects in accordance with Kuranda Township Masterplan	<ul> <li>Therwine Street Redevelopment Practical completion achieved.</li> <li>KIAC Wayfinding Signage Project: Detail Design to be completed August 2019. Signage replacement to be completed by end of 2019 Calendar Year.</li> <li>Centenary Park Amenities refurbishment in use and currently being monitored under Defect Liability period.</li> <li>Walking Trails projects currently in discussions with National Parks and Consultants. Detail Design of track completed, reviewing Bridge Designs and working with Aboriginal Landowners to complete Cultural Inspections.</li> </ul>

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

Project	Corporate Plan Ref	Corporate Plan Goal	Business Section	Performance Measures	Progress Comment
Mareeba CBD Traffic Study	TCI 2	Safe and effective transport network	Works Technical Services	<ul> <li>Finalise study based on community consultation</li> <li>Adopt a CBD Study</li> <li>Prepare an implementation plan and funding strategy</li> </ul>	<ul> <li>Temporary works to reflect proposed changes will be done in Rankin/Walsh St's area in July school holidays</li> </ul>
Ootann Road improvements	TCI 2	Safe and effective transport network	Works Technical Services	Complete Package 1 upgrade on time and within budget	Package 1 will reach practical completion mid-July
Anzac Avenue Bridge Rehabilitation	TCI 2	Safe and effective transport network	Works Technical Services	Complete restoration works on time and within budget	<ul> <li>Project has been postponed until April 2020 wet season dependent.</li> </ul>
Byrnes Street Water Main Upgrade	TCI 3	Securing and managing water resources	Water & Waste	Projects completed and acquitted within timeframes and agreed budget	Project has reached practical completion.

## **Economy and Environment**

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

Project	Corporate Plan Ref	Corporate Plan Goal	Business Section	Performance Measures	Progress Comment
Waste Strategy	EAE 1	Environmentally responsible and efficient waste and wastewater management	Technical Services Works Finance	Waste Strategy adopted     Implementation of Action Plan	Completed and reported to Council in April 2019.
Water Asset Management	EAE 1	Environmentally responsible and efficient waste and wastewater management	Water and Waste	Incorporate outcomes from Mareeba Water Strategy     Monitor compliance with applicable standards and guidelines	<ul> <li>Work on the Water asset management plan underway and to be finalised once Council has the final report in August from City Water Technology on the MIPP2 project.</li> </ul>
Planning Scheme Review	EAE 2	A Sustainable Planning Scheme	Development & Governance	Review the MSC Planning Scheme and supporting documents  Amendments to be adopted by Council  Koah Rural Residential Assessment	<ul> <li>Initial Environmental Overlay review completed and next stage will occur in the next financial year.</li> <li>Following advice from the Department of State Development, Manufacturing, Infrastructure and Planning the Koah Rural Residential Assessment will not proceed.</li> </ul>

## **Economy and Environment**

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

Project	Corporate Plan Ref	Corporate Plan Goal	Business Section	Performance Measures	Progress Comment
Mareeba Airport Upgrade	EAE 3	Support and encourage industrial and commercial growth and development.	Technical Services Development & Governance	Complete construction upgrades and obtain necessary approvals and certifications from regulators      Promote the industrial lease areas	Refer to Council progress reports.
Economic Tourism development	EAE 3	Support and encourage industrial and commercial growth and development.	Community Wellbeing	Advocate and support economic tourism development     Seek advocacy and grant opportunities supporting economic growth     Where appropriate partner with industry groups to grow opportunities	<ul> <li>The review of Tourism Kuranda strategic direction is complete with a new strategic plan for destination development and marketing due in July 19.</li> <li>A study to ascertain the feasibility of developing a rail trail from Mareeba to Walkamin is underway.</li> </ul>
Aged Care Strategy	EAE 3	Support and encourage industrial and commercial growth and development.	Community Wellbeing	Advocate and support need for improved aged care opportunities	<ul> <li>A consultant will be engaged during July 2019 to explore future options for the delivery of the Community Housing Service.</li> </ul>

## **Economy and Environment**

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

Project	Corporate Plan Ref	Corporate Plan Goal	Business Section	Performance Measures	Progress Comment
				Seek alternatives for tenancy management of existing Social Housing arrangements	
Visitor Information Services	EAE 3	Support and encourage industrial and commercial growth and development.	Community Wellbeing	Investigate sustainable models for the delivery of visitor information services and destination marketing	<ul> <li>The Review of the Tourism Kuranda strategic direction is complete.</li> </ul>
Land, Pest and Fire Management	EAE 4	Our region's environmental assets are best managed while promoting economic wellbeing	Works Finance	Undertake land, pest and fire management activities throughout the Shire     Review current delivery model     Work with other organisations to undertake land, pest and fire management     Present strategy to Council for adoption	<ul> <li>90% of 2019 fire breaks installed across MSC</li> <li>Local &amp; state controlled roadsides treated for rats tail, gamba grass &amp; parthenium</li> <li>MSC working with Biosecurity, Tropical Weeds Research Catchment Management &amp; affected land owners on multi species weed removal from upper Walsh River system</li> </ul>

# **Economy and Environment**

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

Project	Corporate Plan Ref	Corporate Plan Goal	Business Section	Performance Measures	Progress Comment
Reef Guardian Council Program	EAE 4	Our region's environmental assets are best managed while promoting economic wellbeing	Water & Waste Works	Support Reef Guardian Council through continued attendance and identify and develop communication and partnership opportunities     Develop, maintain and implement an Action Plan consistent with the Reef 2050 Long term Sustainability Plan;     Provide an annual Highlights Report focusing on the progress of key projects in the Action Plan.	<ul> <li>2018/19 Action Plan adopted by Council</li> <li>Trash Racks to be installed at Bicentennial Lakes 2019/20 financial year</li> </ul>

# Governance

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

Project	Corporate Plan Ref	Corporate Plan Goal	Business Section	Performance Measures	Progress Comment
Old town amalgamation Policy	GOV 1	Ethical, accountable and transparent decision making	Development & Governance	<ul> <li>Prepare a policy to amalgamate land tenure of old towns, for example old abandoned mining towns</li> </ul>	Adopted by Council 19/06/2019
Policy Review	GOV 1	Ethical, accountable and transparent decision making	Development & Governance All	All policies to be reviewed and updated to ensure legislative and other requirements are met	<ul> <li>New strategy will be implemented in July with training on the preparation and writing policy papers.</li> </ul>
Enterprise Risk Management process	GOV 2	Strong focus on compliance and enterprise risk	Development & Governance All	Risk Register updated and adopted by Council Council Report templates updated to ensure Enterprise Risk Management process is embedded into the culture of MSC Monitor and Review risk registers and risk treatment plans	• Completed.

## Governance

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

Project	Corporate Plan Ref	Corporate Plan Goal	Business Section	Performance Measures	Progress Comment
Compliance Review	GOV 2	Strong focus on compliance and enterprise risk	Development & Governance All	Ensure all legislative requirements are being met	Preliminary work has commenced on this review.
Business Continuity  BCP review  Disaster Recovery Plan development	GOV 2	Strong focus on compliance and enterprise risk	Development & Governance Systems & Customer Service All	BCP reviewed, updated and adopted      Prepare and endorse in line with ICT Strategy to improve Disaster Recovery arrangements	BCP adopted by Council.
Complaint Management	GOV 2	Strong focus on compliance and enterprise risk	Development & Governance	Monitor & report on Level 1 complaints.	• Completed
Local Law Review	GOV 2	Strong focus on compliance and enterprise risk	Development & Governance	Undertake Annual     Review of Local Law     issues      Amend/add as     appropriate	Final implementation to be completed in August 2019.

# Governance

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

Project	Corporate Plan Ref	Corporate Plan Goal	Business Section	Performance Measures	Progress Comment
Advocacy Policy	GOV 3	Effective advocacy and strategic partnerships	Development & Governance	Identify key issues and/or opportunities for advocacy  Prepare arguments/benefits to MSC  Prepare an advocacy policy and document to ensure a whole of council approach  Prepare briefs for Councillors and State Departments which address key issues of MSC by government department	<ul> <li>Framework for policy developed.</li> <li>Consultation meetings will occur in the first quarter of 2019/20.</li> </ul>

#### 9 INFRASTRUCTURE SERVICES

# 9.1 MAREEBA AIRPORT - AVIATION INDUSTRIAL PARK LEASING

Date Prepared: 9 July 2019

Author: Director Infrastructure Services

Attachments: Nil

#### **EXECUTIVE SUMMARY**

Council is preparing to enter into lease arrangements for land at the new Aviation Industrial Park at Mareeba Airport. While there has been strong interest from the aviation industry, potential investors and recreational pilots, it is proposed to offer waiving lease fees in the first year for new leases to encourage take-up of lease sites.

#### RECOMMENDATION

That Council waives lease fees in the first year for new leases entered into prior to 30 June 2020 at Mareeba Airport Aviation Industrial Park.

#### **BACKGROUND**

Council is preparing to enter into lease arrangements for land at the new Aviation Industrial Park at Mareeba Airport. While there has been strong interest from the aviation industry, potential investors and recreational pilots, uptake of leases has been relatively slow.

Some feedback been received from the market suggests that potential lessees are generally averse to also paying full lease fees initially if they were to establish at Mareeba Airport due to the additional cost of constructing their own hangars and other infrastructure.

The objective of the Mareeba Airport Upgrade project is to provide the region with long-term employment and lasting economic benefits through establishing Mareeba Airport as a pilot training, aircraft maintenance general aviation hub. However, this intent may not be fully realised if sufficient take-up of lease sites in the Aviation Industrial Park does not occur. Furthermore, Council will be faced with the ongoing maintenance and operational costs associated with the Aviation Industrial Park, without income from leases, rates and charges to offset these costs.

Construction of the new Aviation Industrial Park at Mareeba Airport located off JRM Braes Road has been completed. Presently, the survey plan is being finalised between Council and the registered surveyor in preparation for lodgement with DNRME. Once finalised, Council will be able to commence entering into lease agreements with lessees. It is anticipated that this will be able to occur from September 2019.

Lease rates for new leases at Mareeba Airport were set in 2016 and updated in 2018, based on financial modelling which accounted for the upgrade works proposed for the Airport at that time and the increased operational costs resulting from those works.

The model was also based on the estimated lease take-up in the new Aviation Industrial Park, the existing nett cost to Council of operating the Airport (deemed to be the Community Service Obligation (CSO)), and the long-term goal of eventually making the Airport operations self-funding (excluding the existing CSO).

The modelling carried out in 2016 indicated that with reasonable lease take-up in the new Aviation Industrial Park, the nett cost to Council of operating the Airport would gradually decrease over the longer term and would eventually reach the objective of making the Airport self-funding. The lease rates that were adopted in 2016 on the above modelling were:

Leases less than 500m<sup>2</sup> in area - \$9.00 per square metre;

Leases 500m<sup>2</sup> and above in area - \$6.00 per square metre.

The business model also utilised an estimated annual CPI increase applied to the above lease rates. Lease rates were not increased in the 2017/18 financial year. Council adopted new lease rates in August 2018 which applied the annual CPI to June 2018 to lease rates for leases entered into in the 2018/19 financial year:

Leases less than 500m<sup>2</sup> in area - \$9.15 per square metre;

Leases 500m<sup>2</sup> and above in area - \$6.10 per square metre.

In addition to the annual lease fee, lessees also pay general rates and service charges (where connected) and a Waste Management Levy and the State Government's Emergency Services Levy. General rates are based on the valuation of the lease as issued by DNRME, however, a number of existing lessees pay the minimum general rate. In addition to this, Council also generates minor income through fees for landing and parking aircraft at Mareeba Airport.

In relation to one-off costs, there are the legal fees involved in preparing and registering the lease over the site and the Building Application fee for the construction of the hangar. Based on recent work done for Council, the legal fees would be between \$1,500 - \$2,500. These would be payable by the lessee on a cost-recovery basis at the time of preparing the lease.

The lease fees make up around 50% of the total estimated annual income that Council would receive from a lessee at Mareeba Airport.

It is proposed to waive the first year's lease fees for the new lessees in the Aviation Industrial Park. Lease fees would then revert to the market rate lease fees from year 2, which are based on the current lease fee plus CPI.

# **RISK IMPLICATIONS**

# **Financial**

Council is faced with the ongoing maintenance and operational costs associated with the Aviation Industrial Park, and income from leases, rates and charges is required to offset these costs. Sufficient take-up of lease sites in the Aviation Industrial Park is needed to occur to ensure financial sustainability of the Mareeba Airport over the longer term.

# LEGAL/COMPLIANCE/POLICY IMPLICATIONS

Nil

#### FINANCIAL AND RESOURCE IMPLICATIONS

#### Capital

Nil. Construction of the Mareeba Airport Aviation Industrial Park has been completed through grants from the Australian and Queensland governments.

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

Yes

## **Operating**

Additional maintenance and operational costs associated with the Aviation Industrial Park have been included in the current operational budget.

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

#### LINK TO CORPORATE PLAN

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

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

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

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

## IMPLEMENTATION/COMMUNICATION

Promotion of lease sites in Aviation Industrial Park will commence from July 2019.

#### 9.2 TRAFFIC ADVISORY COMMITTEE - MINUTES OF MEETING HELD 18 JUNE 2019

Date Prepared: 2 July 2019

Author: Director Infrastructure Services

Attachments: 1. Minutes of the Traffic Advisory Committee Meeting held 18 June 2019

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#### **EXECUTIVE SUMMARY**

The purpose of this report is to present the Minutes of the Mareeba Shire Council Traffic Advisory Committee Meeting held on Tuesday 18 June 2019 for Council's information.

The action items presented in the minutes of the Traffic Advisory Committee (TAC) are recommendations to Council. Council's endorsement or contrary view of the recommendations is required.

#### RECOMMENDATION

That Council receives the minutes of the Traffic Advisory Committee Meeting held Tuesday, 18 June 2019.

#### **BACKGROUND**

The Traffic Advisory Committee (TAC) is a consultative committee of Council established to raise community and other representative body concerns in relation to the traffic conditions with Council and the Department of Transport and Main Roads.

# **RISK IMPLICATIONS**

#### **Financial**

There are ongoing costs associated with investigation of traffic matters to ensure a safe road environment for our community. In most cases, any safety improvements on Council roads determined from these investigations will be funded from operational budgets or referred for consideration in future capital budget deliberations.

# LEGAL/COMPLIANCE/POLICY IMPLICATIONS

Nil

#### FINANCIAL AND RESOURCE IMPLICATIONS

#### Capital

Nil

#### **Operating**

Internal resources for investigation and follow up actions.

Is the expenditure noted above included in the current budget?

Nil

#### LINK TO CORPORATE PLAN

**Community:** An engaged community which supports and encourages effective partnerships to enhance the liveability of the shire and the wellbeing of residents in communities which are resilient and prepared for unforeseen events.

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

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

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

# IMPLEMENTATION/COMMUNICATION

Nil



TRAFFIC ADVISORY COMMITTEE MEETING MAREEBA BOARDROOM, 65 RANKIN STREET, MAREEBA TUESDAY, 18 JUNE 2019 9:30AM TO 10:35AM

#### **MINUTES**

#### PRESENT:

Mareeba Chamber

Queensland Police Service (QPS) -Tableland Inspector

Queensland Police Service (QPS) -

Queensland Police Service (QPS) - Constable

Transport and Main Roads (TMR - Safety & Regulation Division)

Transport and Main Roads (TMR)

Mareeba Shire Council (MSC) - Councillor

Mareeba Shire Council (MSC) - Councillor

Mareeba Shire Council (MSC) - Manager Technical Services Mareeba Shire Council (MSC) - Director Infrastructure Services

Mareeba Shire Council (MSC) - Minutes Secretary

Sam Musumeci

Russell Rhodes

Dave Saul

Derek Garner

Marita Stecko

Peter Agar

Alan Pedersen (Chair)

**Kevin Davies** 

Sam Wakeford

Glenda Kirk

Marjorie Anthony

#### **APOLOGIES:**

Queensland Police Service (QPS) - Sergeant Mareeba Shire Council (MSC) - Mayor Mareeba Shire Council (MSC) - Councillor Mareeba Shire Council (MSC) - Councillor

John Ridgway Tom Gilmore Angela Toppin Nipper Brown

#### 1. MINUTES

#### Tuesday 16 April 2019

Minutes of the Mareeba Shire Council Traffic Advisory Committee Meeting held on Tuesday, 16 April 2019 were ratified by Council at their Ordinary Meeting of 15 May 2019.

Minutes of the MSC Traffic Advisory Committee Meeting, Mareeba Boardroom, 65 Rankin Street, Mareeba Tuesday, 18 June 2019, commencing at 09:30am

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# 2. BUSINESS ARISING FROM PREVIOUS MEETING

Item	Organisation	Issue	Recommendation / Follow Up Action	Action Required by	Action Due Date
16.06-04	QPS (Insp Rolf Straatemeier)	What is required for "High Crash Zone" signs to be placed between Mareeba and Kuranda	QPS to liaise with TMR as to locations for low cost solutions  QPS checking crash rates, will review in 2 months  QPS to advise TMR of suggested locations based on statistics  Since upgrade at Brickworks Road, statistics have improved  Upgrades subject to funding availability on Kennedy Highway  TMR waiting advice on location, funding sought, assessment being  undertaken on the Kuranda Range Road to Smithfield  TMR to liaise with QPS identifying locations for high crash zone signage  TMR suggested between Gold Mine Creek to Emerald Creek or Tinaroo  Creek Road for high crash zone signs, "head on" design preferred option.  TMR to liaise with QPS to identify sites for signage, sites to be  determined after TMR complete study  TMR advised study will be completed June / July 2018  Study completed pending sign off and funding, QPS to liaise with TMR  TMR advised funding being sought  TMR announced \$43M funding for High Risk Roads which is a state  funded initiative to address key safety concerns on the state-controlled  network Kennedy Highway between Kuranda and Mareeba identified for  channelising intersections and other safety works over a three year  programme commencing 2019/20  TMR scope of works to be provided under separate cover to TAC  Members and Councillors for information  Information relating to High Risk Roads Funding emailed to Members  and Councillors on 03/05/2019  This item will be closed, and a new item created for  High Risk Roads Programme Funding		
17.03-01	MSC (Cr Nipper Brown)	Mulligan Highway - Request for signage on the northern entry into Mareeba (near Mary Andrews Park) prior to the Dimbulah Road turnoff stating all road trains must turn right. There have been instances where road trains did not turn and ended up in Byrnes Street, issued raised by trucking company	TMR to investigate TMR designing sign, TMR to provide wording TMR advised this is a work in progress, wording currently being sorted Design & wording underway by TMR; it was suggested a similar sign to that on the Ootann Road Turnoff could be used New sign currently being designed by TMR Signs approved by TMR and order placed for signage Programmed for early 2019 TMR to follow up	TMR	09/2019

Minutes of the MSC Traffic Advisory Committee Meeting, Mareeba Boardroom, 65 Rankin Street, Mareeba Tuesday, 18 June 2019, commencing at 09:30am

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ltem	Organisation	Issue	Recommendation / Follow Up Action	Action Required by	Action Due Date
18.04-05	MSC	Barron River Bridge on Anzac Avenue (John Doyle Bridge)	Bridge renewal programmed for August 2018; full closure required for	MSC	12/2019
	(Glenda Kirk)	Renewal	approx. 6 weeks; temporary traffic lights to be used to manage		
			congestion during peak times		
			Renewal will restore load limit to 44t		
			Survey complete, design in progress		
			To manage traffic flow, it is proposed temporary traffic lights will be		
			used in two locations; Anzac Ave / Kennedy Hwy and Kennedy Hwy		
			intersection south of the Heritage Centre; closing the Mareeba		
			Connection Road to through traffic; changed traffic conditions are		
			subject to the finalization of the TMP		
			Consultants engaged to undertake design		
			Pending final design		
			Construction proposed for after June 2019		
			Traffic counters deployed on Anzac Ave; data will be reviewed, and		
			recommendations made on how to best manage traffic at intersection		
			on highway; services on bridge being investigated;		
			pedestrian access options are being considered		
			Construction period is approximately 4 months		
			Commencement of on-site construction of Anzac Avenue bridge upgrade		
			deferred by MSC until April/May 2020. Proposed timing of upgrade		
			coincided with TMR's installation of traffic lights on Mareeba's main		
			street commencing August 2019 to December 2019		
			Noted		
18.09-02	MSC	TMR stock pile, near Martin Avenue	MSC and TMR to inspect following the TAC meeting of 18/09/2018	TMR	07/2019
	(Cr Kevin Davies)		TMR to follow up		
	ľ		TMR currently in discussions with RoadTek and		
			will advise when materials will be removed		
			TMR to follow up		
			Area has been cleared since the taking of these minutes		
			No further action required by this Committee,		
			resolved to remove from the minutes		
18.09-03	QPS	Parking issues at St Thomas's Catholic School; vehicles are	MSC to review parking and discuss with St Thomas's School	MSC	09/2019
	(John Ridgway)	parking on crossing on Hastie Street or on the centre island;	CRM/18/11854		
	"	there is a general lack of parking in school zone; no drop and	Short term solutions to be investigated & optional designs to be		
		go zone; bus parking zone is long; request redesign	considered		
			St Thomas's P&F Rep (Dave Saul) advised of preliminary design options		
			MSC to consider options and include in future design programme		
			MSC to review proposed design and advise Dave Saul		

Minutes of the MSC Traffic Advisory Committee Meeting, Mareeba Boardroom, 65 Rankin Street, Mareeba Tuesday, 18 June 2019, commencing at 09:30am

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Item	Organisation	Issue	Recommendation / Follow Up Action	Action Required by	Action Due Date
18.12-01	MSC	McLeod River Bridge: Works have been completed speed limit	TMR to inspect and advise	TMR	06/2019
	(Cr Alan Pedersen)	is still 60kph, can this be increased to 80kph?	Speed limit review underway by TMR		
			TMR advised 60kph to remain		
			No further action required by this Committee,		
			resolved to remove from the minutes		
18.12-05	MSC	Requests a reduction of speed limit at Biboohra to 80kph; slip	Intersection assessment underway by TMR	TMR	09/2019
	(Cr Lenore Wyatt)	lane requested on both right turns	TMR to review and advise		
8.12-06	TMR Tablelands Heavy Vehicle Management Strategy TMR advised AECOM engaged to undertake	TMR advised AECOM engaged to undertake freight study; with a view of			
			the study being completed within 6-8 months (late 2018)		
		Study currently underway			
			Preferred upgrades and new facilities across the Atherton Tablelands area		
			identified; further consultation being undertaken with key stakeholders		
			with a focus on a:		
			proposed Heavy Vehicle Rest Area on Mulligan Hwy (north of Mba)		
			proposed Heavy Vehicle Rest Area on Kennedy Hwy (west of		
			Speewah)		
			proposed Heavy Vehicle Stopping Place at the top of the Rex Range (Mt Molloy Road)		
			Study is anticipated to be completed by late 2019		
			Construction of any upgrades are currently unfunded		
			Further information published on TMR's website; link provided below		
			https://www.tmr.qld.gov.au/-/media/aboutus/corpinfo/Media/TMR-		
			Tablelands-Heavy-Vehicle-Managment-Strategy.pdf		
			Mareeba Chamber to write to Cynthia Lui making recommendations		
			Study being undertaken by TMR		
9.04-02	MSC	Proposal to remove four taxi ranks on Byrnes Street;	TAC Committee resolved to recommend Council	MSC	07/2019
	(Glenda Kirk)	providing 2 bays opposite the Post Office and 2 bays opposite	remove 4 taxi ranks on Byrnes St;		1 ., 2020
	(	Priceline Pharmacy	2 bays opposite the Post Office and 2 bays opposite Priceline Pharmacy,		
		,	reducing the total number of taxi parking bays from 8 to 4		
			Taxi operator notified of the change;		
			there are no issues with the modification		
			Line marking will be completed week ending 28/06/2019		
			Work now completed since taking of these minutes		
			No further action required by this Committee,		
			resolved to remove from the minutes		
9.04-04	MSC	A number of residents have voiced their frustration over		TMR/MSC	06/2019
	(Glenda Kirk)	Bushy Creek on Council's Facebook.	Bushy Creek during flooding		,
	, ,		signage on the Mulligan highway,		
			what signage and where will it be placed and when		
			Matter to be raised my MSC at LDMG Meeting on 24/06/2019		

Minutes of the MSC Traffic Advisory Committee Meeting, Mareeba Boardroom, 65 Rankin Street, Mareeba Tuesday, 18 June 2019, commencing at 09:30am

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Item	Organisation	Issue	Recommendation / Follow Up Action	Action Required by	Action Due Date
19.04-05	Kenneally Rd / Marinelli Est Conveyance Committee	Bus Committee requested the following issue on the Kennedy Highway be raised by Council with TMR: <u>Cobra Creek Subdivision Roadworks</u> : East of Cobra Creek on the highway at the new subdivision; the new section which is now the main lane has a deep angle on it which dips the bus to the side badly.	TMR to investigate roadworks and advise Pending advice from TMR	TMR	09/2019
19.04-07	QPS (Derek Garner)	Request for additional signage on the Mt Molloy approaches; current signage goes from 100kph to 50kph on the southern side	Pending advice from TMR	TMR	09/2019
19.06-01	MSC (Glenda Kirk)	Walsh / Rankin Streets Roundabout	Design complete; temporary works being programmed Work has commenced since taking minutes and will be completed in July 2019	MSC	
19.06-02	TMR	Traffic Lights by TMR (Stage 1): Removal of existing roundabout at Rankin / Byrnes Streets and signalise the intersection	TMR advised construction is expected to commence in August / September 2019 with completion in December 2019 Noted	TMR	

3. NEW BUSINESS FOR CONSIDERATION (Incoming Correspondence / Requests)

Item	Organisation	Issue	Recommendation / Follow Up Action	Action Required by	Action Due Date
19.06-03	MSC	Annual review of TAC Terms of Reference (ToR)	Hard copy of ToR distributed for comment	MSC	09/2019
	(Glenda Kirk)		Members to review content and provide feedback		
			through to MSC prior to next meeting		
			Draft amendments to be presented at the next meeting		

#### 4. GENERAL BUSINESS

ltem	Organisation	Issue	Recommendation / Follow Up Action	Action Required by	Action Due Date
19.06-04	TMR	Committee advised guidelines currently being developed for	TMR to email draft guidelines to MSC and	TMR	07/2019
	(Marita Stecko)	funding applications under the School Transport Infrastructure Program (STIP); program provides specific funding to improve the safety and operation for schools through new or improved infrastructure at the school and/or on the surrounding road network	advise MSC when applications are open		

Minutes of the MSC Traffic Advisory Committee Meeting, Mareeba Boardroom, 65 Rankin Street, Mareeba Tuesday, 18 June 2019, commencing at 09:30am

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Item	Organisation	Issue	Recommendation / Follow Up Action	Action Required by	Action Due Date
19.06-05	TMR	High Risk Roads Programme; state funded initiative to	Progress advice to be provided by TMR at next meeting	TMR	12/2021
	(Peter Agar)	address key safety concerns on the state-controlled network			
		Kennedy Highway between Kuranda and Mareeba identified			
		for channelising intersections and other safety works over a			
		three year			

#### 5. NEXT MEETING

Tuesday, 17 September

## Future meeting dates:

Tuesday, 03 December

#### CLOSURE

10:35AM

Minutes of the MSC Traffic Advisory Committee Meeting, Mareeba Boardroom, 65 Rankin Street, Mareeba Tuesday, 18 June 2019, commencing at 09:30am

# 9.3 INFRASTRUCTURE SERVICES, TECHNICAL SERVICES MONTHLY ACTIVITIES REPORT - JUNE 2019

Date Prepared: 14 June 2019

**Author:** Manager Technical Services

Attachments: Nil

#### **EXECUTIVE SUMMARY**

The purpose of this report is to summarise Council's Fleet, Design, Soils Lab, Survey, Quality, GIS, Project Management, Facilities and Investigation Services activities undertaken by Infrastructure Services during the month of June 2019.

## **RECOMMENDATION**

That Council receives the Infrastructure Services, Technical Services Monthly Report for the month of June 2019.

## **BACKGROUND**

Below is a summary of the activities undertaken by the Technical Services section for the month of June 2019:

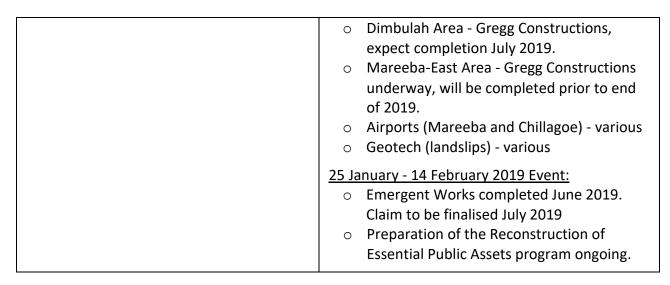
DESIGN			
2017/18 Capital Works	Anzac Avenue, Mareeba / Ceola Drive     Intersection - Detailed design being reviewed		
Works for Queensland Rd 2	Julatten School Bus Turnaround - Site technical advice		
2018/19 Capital Works	<ul> <li>Railway Avenue, Mareeba, Car Park - Area Design</li> <li>RV Parking signage</li> <li>Mareeba Industrial Estate, Stage 16B, Keegan and Effley Street Extension - Preliminary civil design drawings being reviewed</li> </ul>		
2019/20 Capital Works	<ul> <li>Chettle Road, Arriga, Ch 2.3-4.0 - Detailed design being reviewed</li> <li>WWII Markers - Procurement of Markers.</li> <li>Byrnes Street, Mareeba - Landscaping design eastern side</li> </ul>		
Miscellaneous	<ul> <li>Traffic Counters - Installation at various locations</li> <li>Installation of rural addresses</li> <li>DBYD plans</li> <li>As-constructed plans for external customers</li> <li>As-constructed plans for Dimbulah Cemetery</li> <li>Watsonville - Road reserve layouts</li> <li>Kuranda State School - Car park signage upgrade</li> </ul>		

	<ul> <li>Mareeba Sewerage Treatment Plant - SunWater Pipe crossing</li> <li>Mareeba Landfill - General arrangement plan</li> </ul>
SURVEY	
2018/19 Capital Works	<ul> <li>Ootann Road CH78.2-80.2 (Package 2), Almaden</li> <li>Construction setout</li> <li>Mareeba Aerodrome Upgrade - New Lot Boundary Survey</li> </ul>
2019/20 Capital Works	<ul> <li>Rankin Street and Walsh Street, Temporary Works - Pavement Marking Setout</li> <li>Bailey Street, Mareeba - Detailed Design being undertaken</li> <li>Chettle Road, Arriga, Ch5.5-7.21 - Detailed Survey</li> </ul>
Works for Queensland Rd 2	• Julatten School Bus Turnaround - Construction setout
Miscellaneous	<ul> <li>Mareeba Landfill - Survey volume pick-up</li> <li>Mareeba landfill - RRA Survey</li> <li>Dimbulah Pool / Caravan Park Lease Areas</li> <li>Clacherty Street, Julatten - Water Main Asconstructed</li> </ul>

SUBDIVISIONS AND INVESTIGATIONS			
Subdivisions (Under Construction)	<ul> <li>Bundanoon Stage 2         <ul> <li>Sewer main being constructed</li> <li>Water main being constructed</li> </ul> </li> <li>Mareeba Roadhouse and Accommodation Park Williams Close         <ul> <li>Internal Building works</li> <li>Asphalt inspected and requires repairs</li> </ul> </li> <li>3 Hilltop Close, Kuranda         <ul> <li>Earthworks</li> </ul> </li> </ul>		
On-Maintenance (Monitoring for 12 months as the Defects Liability Period prior to becoming a Council Asset)	<ul> <li>The Edge Stage 2A (Antonio Drive, Mareeba)</li> <li>10 James Street, Mareeba - Road Widening</li> <li>8-10 Forest Close, Kuranda</li> <li>Rodeo Acres Pty Ltd (Mareeba - Dimbulah Road)</li> <li>Kanjini Co-Op Ltd Stage 2 (Emerald Falls Road, Mareeba)</li> <li>Develop North (Barnwell Road Upgrade)</li> <li>Amaroo Stage 10</li> <li>Mt Emerald Wind Farm Portion B (Private Entrance Repairs)</li> </ul>		
Off-Maintenance	Amaroo Stage 9		
Operational Works	<ul><li>112 Barnwell property, on-going monitoring of;</li><li>Dam construction completed and being monitored</li></ul>		

<ul> <li>Access completed and monitoring underway</li> <li>Nature Base Tourism Works (MCU/17/0012)</li> <li>completed and being monitored</li> </ul>

PROJECT MANAGEMENT	
Civil	<ul> <li>2017/18 Reseals Bitumen and Asphalt</li> <li>Programmes</li> <li>Engaged contractor for line marking of asphalt</li> <li>Capitalisation and close-out</li> </ul>
	<ul> <li>2018/19 Reseals Bitumen Program</li> <li>Reseal program and line marking complete</li> <li>2018/19 Reseals Asphalt Program</li> <li>Awarded to NQ Asphalt, commenced early July</li> <li>2019/20 Reseals Bitumen</li> <li>FNQROC contract extension awarded to FGF</li> <li>KIAC Therwine Street Redevelopment</li> <li>Capitalisation and close-out, minor defects to be addressed.</li> <li>KIAC Kuranda Wayfinding Signage</li> <li>Sign style endorsed by KIAC</li> <li>Aspect completing detail designs and location plans</li> <li>KIAC Kuranda Barron Falls Walking Trail</li> <li>Engagement with Queensland Parks and Wildlife</li> <li>Native Title Cultural Heritage engagement being undertaken</li> </ul>
Building	Arnold Park: Installation of additional Electrical Services Barang Street Unit Renewals: Preparation of Tenders for the Renewal of Units Kuranda Recreation Centre: Investigation of building defects in preparation of sourcing quotes for repairs. Rifle Creek Rest Area, Mt Molloy: Investigation of septic system to address ongoing blockage concerns.  6-10 March 2018 Event: Emergent Works completed, negotiated claim
	<ul> <li>approved QRA</li> <li>Restoration Works underway;</li> <li>James Creek Crossing - Completed</li> <li>Flaggy Creek Bridge - Currently Underway</li> <li>Western Roads (Chillagoe West) - Watto's         <ul> <li>Earthmoving expect completion July 2019.</li> </ul> </li> <li>Mid-Western Area - Watto's Earthmoving underway, will be completed prior to end of 2019.</li> </ul>

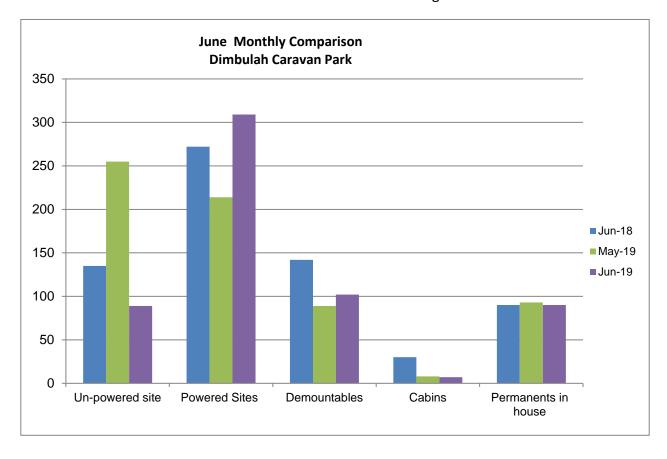


FLEET	
Tender	Fleet Management and Tracking System
	<ul> <li>Further evaluation and clarification being sought</li> </ul>
	from shortlisted tenders.

# **FACILITIES**

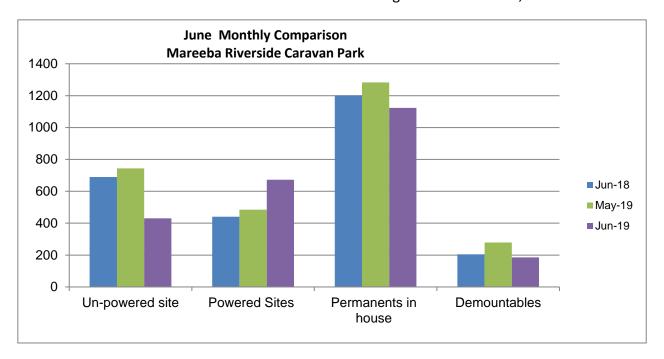
Dimbulah Caravan Park

Total of bookings for June 2019 - 597



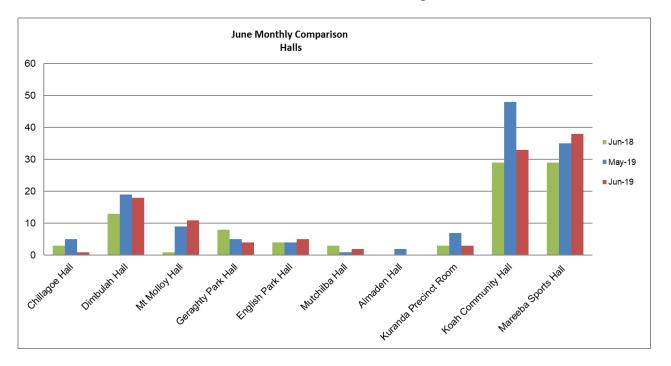
Mareeba Riverside Caravan Park

Total of bookings for June 2019 - 2,410



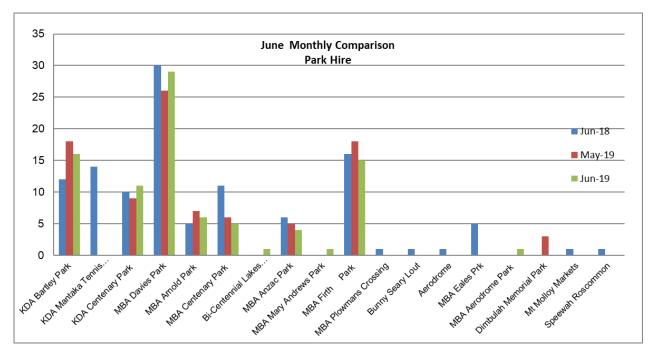
**Public Halls** 

Total of hall bookings for June 2019 - 115



## Park Hire

# A total of park bookings for June 2019 - 89



**Swimming Pools** 

Dimbulah Pool closed 19 April for the winter period. Kuranda Aquatic Centre closed 1 June to 31 July for winter period.

Mareeba closed early for winter period on 16 May due to one of the filter tanks failing.

VANDALISM & GRAFFITI			
Financial Year	Actuals	Comments	
2015-16	\$ 2,134	During June 2019, two reports of vandalism were	
2016-17	\$ 16,546	recorded.	
2017-18	\$ 23,948	Mareeba Old Bowls Club	
2018-19	\$ 14,851	Mareeba Borzi Park - gates	

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

## **RISK IMPLICATIONS**

Nil

# LEGAL/COMPLIANCE/POLICY IMPLICATIONS

Nil

# FINANCIAL AND RESOURCE IMPLICATIONS

# Capital

Projects funded through the Capital Works Program, with savings being found to address unexpected costs.

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

Yes

## **Operating**

Additional costs associated with graffiti and vandalism

Is the expenditure noted above included in the current budget?

No

*If not you must recommend how the budget can be amended to accommodate the expenditure* Savings will be sought within the budget, where possible.

#### LINK TO CORPORATE PLAN

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

**Community:** An engaged community which supports and encourages effective partnerships to enhance the liveability of the shire and the wellbeing of residents in communities which are resilient and prepared for unforeseen events.

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

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

#### IMPLEMENTATION/COMMUNICATION

This report provides Council with an update as to the month's deliverables by the Technical Services group.

#### 9.4 MAREEBA AIRPORT UPGRADING - JUNE 2019 PROGRESS REPORT

Date Prepared: 14 June 2019

Author: Manager Technical Services

Attachments: Nil

#### **EXECUTIVE SUMMARY**

Council has received grant funding from the Australian and Queensland governments towards the upgrading of the Mareeba Airport.

At its Ordinary Meeting of 21 March 2018, Council resolved to award Contract TMSC2017-27 Mareeba Airport Upgrade to FGF Developments Pty Ltd, with works commencing onsite mid-April 2018.

The purpose of this report is to provide an update on progress of the Mareeba Airport Upgrade project.

#### RECOMMENDATION

That Council receives the June 2019 progress report on the Mareeba Airport Upgrade Project.

## **BACKGROUND**

### **Funding**

Council has received \$13 million from the Queensland State Government's Royalties for Regions program and \$5 million from the Australian Government's National Stronger Regions Fund towards the upgrading of the Mareeba Airport.

Additional funding of \$5 million has been secured under the Australian Government's Building Better Regions Fund (BBRF) to undertake lengthening and strengthening of the runway, taxiways and airfield ground lighting, bringing the total project budget to \$23 million.

# **Programme and Progress**

A programme of works has been prepared which reflects the works and commitment made by Council in the funding agreements. This programme will be updated at fortnightly meetings of the Project Team, which includes Council, FGF and Council's Consultant Contract Management representatives (Trinity Engineering Consultants).

The aviation commercial precinct is substantially complete, with Stage 1 officially opened on 7 March 2019.

The works to upgrade the airfield lighting, runway and taxiway upgrades is ongoing. Wet weather during the May/June 2019 period continued to impact progress, however, works completed during June included the sealing of Taxiway E and the completion of pavement works of the western runway extension. Airfield lighting works will continue for the life of the project.

Works scheduled for July include the sealing & line-marking of the western extension and commencement of pavement strengthening activities to the eastern runway. The project is scheduled for completion in late September 2019, weather permitting.

The Bureau of Meteorology has engaged Council to install mains power to the automatic weather station, which will allow the installation of improved ceilometer and visibility sensors to assist air traffic in the region. This work has been added to FGF's contract to expedite installation.

## **Stakeholder Engagement**

A Communication and Stakeholder Engagement Plan has been developed, which sets out the engagement strategy for delivery phase of the project. Ongoing engagement will be undertaken for the duration of the project. Project newsletters are planned for release as necessary.

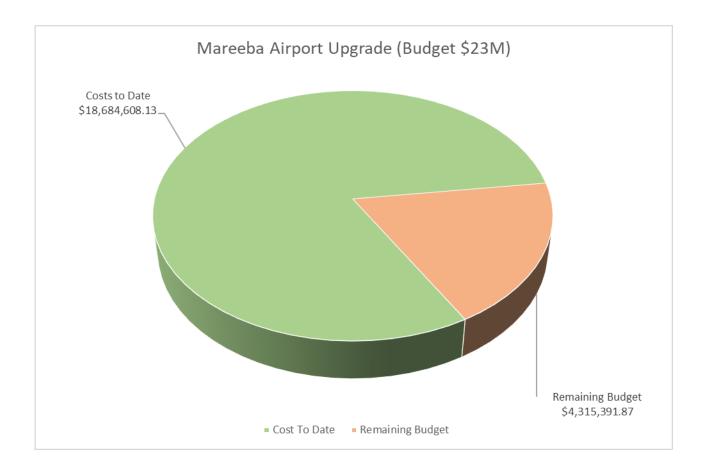
The Method of Working Plan (MOWP) for the runway works was distributed to aerodrome users in December 2018 as per CASA requirements. A MOWP is required for runway and runway strip works that have direct impact on aircraft operations to advise users of the timing and staging of works. The runway work has been staged to minimise impact on users by maintaining operations under reduced runway operating lengths during construction.

# **Aviation Commercial Precinct Leasing Opportunities**

To date, applications have been received for leasing of two (2) sites within the new aviation commercial precinct. Council has received many enquiries regarding leasing of land, with further lease applications expected now that Stage 1 is complete.

# **Expenditure**

Expenditure to date is reflected within the chart below. Noting that the entire budget is fully committed and overruns are expected.





3 June 2019 - Sealing Taxiway E



26 June 2019 - 1st Stage Sealing Western Runway Extension

### **RISK IMPLICATIONS**

#### **Financial**

Latent conditions and potential project variations represent normal risks with complex projects, nominal allowances have been made and this will result in an overrun.

# LEGAL/COMPLIANCE/POLICY IMPLICATIONS

The contract is being managed under Australian Standard AS4000-1997 Conditions of Contract. Tender and procurement activities have been completed in accordance with Council's procurement policy.

#### FINANCIAL AND RESOURCE IMPLICATIONS

# Capital

Funding for this project has been made available from the Australian and State Governments. Minor ineligible expenditure, including funds spent prior to commencement of the grant agreements is to be met by Mareeba Shire Council.

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

Yes

# **Operating**

Nil

#### LINK TO CORPORATE PLAN

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

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

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

## IMPLEMENTATION/COMMUNICATION

This purpose of this report is to provide Council with an update as to progress of the Project. No additional actions required at this time.

All communication in relation to the project shall be in accordance with the protocols outlined in the deeds of agreement with the Australian and Queensland governments.

# 9.5 TENDER EVALUATION TMSC2019-13 REPLACEMENT OF POOL WATER TREATMENT INFRASTRUCTURE AT THE MAREEBA AND DIMBULAH SWIMMING POOLS

Date Prepared: 10 July 2019

Author: Manager Technical Services

Attachments: Nil

#### **EXECUTIVE SUMMARY**

Tender TMSC2019-13 Replacement of Pool Water Treatment Infrastructure at the Mareeba and Dimbulah Swimming Pools closed 11 June 2019 and was awarded 24 June 2019 under delegated authority after consultation with the Councillors.

The report provides a comparison of tenders received for Council's information.

#### RECOMMENDATION

That Council notes the awarding of Tender TMSC2019-13 Replacement of Pool Water Treatment Infrastructure at the Mareeba and Dimbulah Swimming Pools to Swimplex Aquatics Pty Ltd for the lump sum amount of \$767,454.60 (including GST).

#### **BACKGROUND**

Tender TMSC2019-13 Replacement of Pool Water Treatment Infrastructure at the Mareeba and Dimbulah Swimming Pools closed 11 June 2019.

To ensure delivery of long lead-time materials within the time constraints of the project, Council resolved at its Ordinary Meeting of 19 June 2019 to delegate authority to the Chief Executive Officer under Section 239 of the Local Government Regulation 2012 to enter into, negotiate and finalise the Contract after consultation with Councillors.

Tenders closed on 11 June 2019 and four (4) tenders were received from three (3) tenderers

A summary of the tenders received is set out below.

Tenderer	Amount	Amount
renderer	(excluding GST)	(including GST)
Alto Pacific Pty Ltd	\$ 650,010.39	\$ 715,011.43
Swimplex Aquatics (Proposal 1)	\$ 641,264.00	\$ 705,390.40
Swimplex Aquatics (Proposal 2)	\$ 697,686.00	\$ 767,454.60
Taylor Builders Pty Ltd	\$1,390,500.00	\$1,529,550.00

Tenders were assessed in accordance with the evaluation criteria stated in the tender documentation:

Criteria	Weighting
Tendered Price	40%
Relevant Experience	15%
Key Personnel Skills and Experience	15%

Total	100%
Demonstrated Understanding	20%
Respondent's Resources	10%

Price is a calculated formula dependent on the actual tender received against the median of all prices received. Scores for the other criteria are subject to assessment of the tenderer's performance against each of the criteria.

A summary of the evaluation scores when assessed against the complete project are provided below.

Tenderer	Evaluation Score	Rank
Alto Pacific Pty Ltd	93.28	3
Swimplex Aquatics (Proposal 1 - Waterco Filter)	96.81	2
Swimplex Aquatics (Proposal 2 - Chadson Filter)	97.74	1
Taylor Builders Pty Ltd	11.16	4

Both Alto Pacific Pty Ltd and Swimplex Aquatics Pty Ltd have the technical and practical experience to complete the project, with Taylor Builders submitting very limited documentation to support their tender.

Swimplex Aquatic Pty Ltd (Proposal 2) was assessed as the preferred tender. Although slightly more expensive, the cost remains within the available budget and the tenderer's proposed filters, manufactured by Chadson will provide products made in, and well represented throughout Australia.

Swimplex Aquatics Pty Ltd has been awarded the work in accordance with the delegated authority on 24 June 2019.

#### FINANCIAL AND RESOURCE IMPLICATIONS

# Capital

Included in 2019/20 capital works budget.

#### LINK TO CORPORATE PLAN

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

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

# IMPLEMENTATION/COMMUNICATION

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

# 9.6 APPLICATION FOR PERMANENT ROAD CLOSURE OF LAND ABUTTING LOT 453 ON HG672, RA 2951 MAREEBA-DIMBULAH ROAD, MUTCHILBA.

Date Prepared: 4 July 2019

Author: Technical Officer (Investigations)

Attachments: 1. Initial Correspondence U

2. Proponent Supplied Map J

3. Lot 453 on HG672  $\sqrt{ }$ 

4. Oct 2001 - DNRM Letter to Council 😃

5. Dec 2001 - MSC Letter to DNRM U

6. July 2003 - DNRM Letter to Landowner J

#### **EXECUTIVE SUMMARY**

Correspondence has been received from a proponent seeking Council's views regarding an application for permanent road closure of a parcel of road reserve abutting Lot 453 on HG672, RA 2951 Mareeba-Dimbulah Road, Mutchilba.

#### **RECOMMENDATION**

That Council as the Road Manager, advise the proponent and the Department of Natural Resources, Mines and Energy that:

- 1. Council is not the Road Manager of the Mareeba-Dimbulah Road and is unable to authorise the road closure as Council is not trustee of the reserve; and
- 2. Council objects to the permanent closure of road reserve with the reasons being; that the road reserve area is used for access to the Walsh River for recreational and maintenance purposes and the road area is used by the public for its dedicated purpose.

## **BACKGROUND**

As part of the Department of Natural Resources, Mines and Energy (DNRME) road closure application process, DNRME requires a submission from the Road Manager prior to any decision being finalised. In this instance, the request for closure has been made over the State-controlled road network managed by the Department of Transport and Main Roads (TMR). However, as there is potential for the application to affect future local (Council) requirements, Council's position has been sought.

Initial correspondence (Attachment 1) requested Council's views on the permanent closure of the existing road reserve which abuts Lot 453 on HG672, RA 2951 Mareeba-Dimbulah Road, Mutchilba.

The proponent advises that the current use of this land is for public access to the Walsh River and that some conflict has occurred between the proponent and member/s of the public. The land is a fire hazard with little to no vegetation management. Access to the relevant authorities for road or rail works would always be available. If closure is granted, the land would be amalgamated into their existing freehold property, with their intentions being to fence the boundary with an option to graze livestock. These reasons form the basis of the proponent's interest in acquiring the land.

The Mareeba-Dimbulah Road is a State-controlled road corridor, managed by TMR. Council undertakes maintenance works in this area under its current 'Road Maintenance Performance Contract' (RMPC) with TMR.

Attached with the proponent's initial correspondence is communication where TMR advise that:

- In principle they do not object to this proposal.
- They would expect the road closure area to encroach no less than 35m from the existing road centreline.
- If any agency objects to the proposal, TMR as road manager would not provide consent.

Telstra infrastructure is contained within the sought-after road reserve as well as a sealed section of redundant Mareeba-Dimbulah Road. This road terminates at the site of the demolished old Walsh River Bridge (Attachment 2 & 3).

There is no Council Infrastructure currently contained within the sought-after land, however, there is potential for the application to affect future local (Council) access if vegetation management and or maintenance activities are to be undertaken.

Access arrangements of any third-party utility provider would need to be given consideration before closure is granted.

A former landowner of Lot 453 on HG672 applied for road closure over a similar parcel of land in 2001 (Attachment 4). This application was considered at the 18 December 2001 Council meeting, with resolution (Attachment 5) being, "THAT Council hereby resolves to object to the temporary road closure over part of the Mareeba Dimbulah Road adjoining Lot 453 on HG672, Parish of Masterton as shown on Plan CNS01/115 as it is used for recreation purposes."

In July of 2003 DNRM advised the then landowner that their application was unsuccessful (Attachment 6).

It is the officer's opinion that this current application for road closure should not be supported with the reasons being:

- That the road reserve area is used for public access to the Walsh River for recreational purposes;
- That the Road Manager (TMR or MSC) may require access to the river and surrounding area for maintenance activities;
- The road area is used by the public for its dedicated purpose.

### **RISK IMPLICATIONS**

# **Infrastructure and Assets**

Reduction in road area may present an impediment to future use and/or maintenance activities.

#### **Legal and Compliance**

Council is delegated with the authority of Road Manager for local (Council) roads, therefore the needs of the transport network are considered prior to DNRME providing a final position to road closures.

# **Legal/Compliance/Policy Implications**

Council is delegated with the authority of Road Manager and is therefore required to consider the needs of the future transport network.

#### FINANCIAL AND RESOURCE IMPLICATIONS

#### Capital

Nil

# **Operating**

Nil

#### LINK TO CORPORATE PLAN

**Community:** An engaged community which supports and encourages effective partnerships to enhance the liveability of the shire and the wellbeing of residents in communities which are resilient and prepared for unforeseen events.

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

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

# IMPLEMENTATION/COMMUNICATION

Following resolution, Council Officers will notify DNRME and the proponent of the outcome.

## **Mark Campman**

From: Renee Duxbury < renee.duxbury@mccinc.org.au>

Sent: Friday, 26 April 2019 1:13 PM

To: Info (Shared)

Subject: Renee Duxbury submits request for Council views regarding proposed purchase of

vacant State Land next to 2951 Mareeba-Dimbulah Road Mutchilba

Categories: Added to ECM

#### To whom it may concern;

My partner and i are interested in purchasing some vacant land next to our property. We have sought informal approval from TMR, however we have been advised to seek approval from Mareeba Shire council and SLAM prior to proceeding in making a formal application to TMR. We have had a response from TMR as per the below email. I would greatly appreciate your consideration into this matter and i look forward to your response.

Cheers

Renee Duxbury 0423103808

\_\_\_\_\_

#### Good morning Brian,

My apologies for the delay in getting back to you.

Approval to permanently or temporarily close a road falls under the jurisdiction of the State Land Asset Management (SLAM) unit of the Department of Natural Resources, Mines and Energy. During the assessment process SLAM will seek feedback from any stakeholders such as TMR, Mareeba Shire Council and possibly others.

I have sought feedback from the District and our Rail Corridor Management team in Brisbane. I can advise that in principal TMR does not object to your proposal. The department would expect the road closure area to encroach no less than 35m from the existing road centreline.

Moving forward I would encourage you to discuss your proposal with Mareeba Shire Council and the SLAM team. If you proceed to a formal application you will be asked to provide a survey plan of the proposed closure area and a formal response from TMR as the Road Manager (this formal response is called a Part C). To save unnecessary application fees I would ensure you know what each agencies response may be prior to applying. Please note, if any agency does not support your proposal then TMR would not give consent as Road Manager.

If you do proceed to application, please get back in contact with me requesting a Part C be completed by TMR. You will need to provide me with your formal plan of the proposed closure area.

I trust the above assists. If you have any further questions or need clarification on the above, I may be contacted on the numbers below.

#### Susie Marshall

Program Support Coordinator (Far North) | North Queensland Region

1

# Program Delivery & Operations | Infrastructure Management & Delivery Division | Department of Transport and Main Roads

Floor 5 | Cairns Corporate Tower | 15 Lake Street | Cairns Qld 4870 PO Box 6185 | Cairns Qld 4870

P: (07) 40457119 | F: (07) 40457138 E: susan.m.marshall@tmr.qld.gov.au

W: www.tmr.qld.gov.au

From: Brian Craig <bri>drianc@honeycombes.com.au>

Sent: Tuesday, 12 March 2019 7:40 PM

To: Cairns.Office < cairns.office@tmr.qld.gov.au>

**Subject:** attention susie marshell. 2951 mareeba dimbulah rd mutchilba. hi susie sorry it took so long to get back to you i had to wait for drone photos, thanks again for your help

Attention: Susie marshal

Enquire for purchase of unused land and rd closure.

Address: 2951mareeba Dimbulah rd Mutchilba.

This land is between my property and Mareeba Dimbulah rd at a guess it would possibly be 4 acres.

The land has on it the old bitumen rd to the old Walsh river crossing, a few trees and hilly scrub land between Mareeba/Dimbulah rd and the old rd.

My reasons for interest in purchasing this land.

(current use for this land) is used for is public access to the river, i thought it would be okay but frequently, fires are lit even when fire restrictions are in place, rubbish is left at river bank from empty beer cans to old engine oil, unregistered pets are taken to river and resulted in a pet dog, being unsupervised, entered my property and attacked poultry. (Land maintenance) in the dry season, this land is a fire hazard, it is not slashed or weed spray controlled.

(My intentions with land) if purchased I would fence the boundary adjoining to my property, my options would vary to grazing a few cattle or horses to what scrub land there is.

(Rail way and river access) if I had ownership of land and for some reason if access was needed for government work reasons to Rd Bridge or rail bridge that access would always be available.

I have provided a picture of my land and enquiring land.

In the blue area is land I am enquiring about and in the red is the land I own. Kind regards Brian Craig.

\*

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Item 9.6 - Attachment 1

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Opinions contained in this email do not necessarily reflect the opinions of the Department of Transport and Main Roads, or endorsed organisations utilising the same infrastructure.

\*\*\*\*\*\*\*\*\*\*

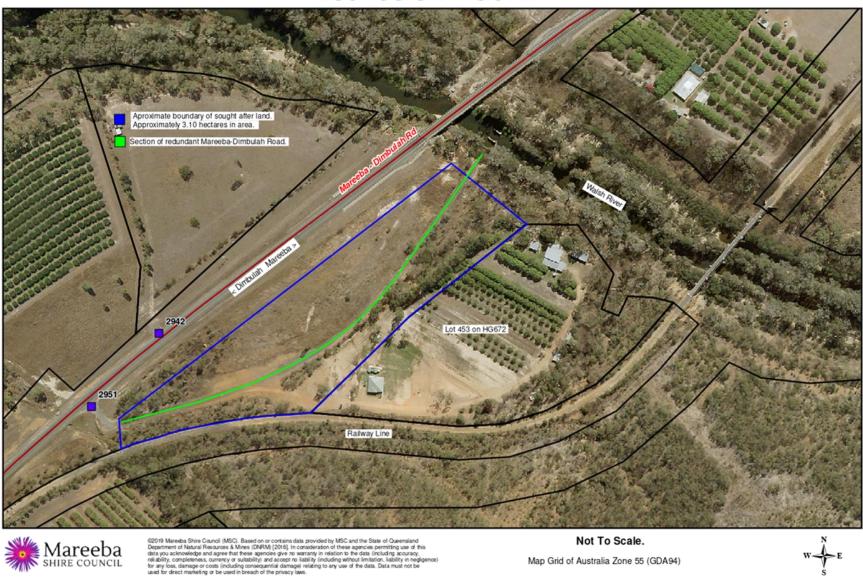
<2951 mareeba dimbulah rd.jpg>

Ordinary Council Meeting Agenda



Item 9.6 - Attachment 2

## Lot 453 on HG672



Author: Leah Slade Our Ref: CNS/20463

Your Ref:

Unit: State Land Asset Management



10 October 2001

The Chief Executive Officer Mareeba Shire Council PO Box 154 MAREEBA QLD 4880 Req No Entered File No LS 5

File: LAND -TENRE DEALINGS 
Action CEO Corp Serv Serv Mayor

Info

Reply or Report

Dear Sir

RE PROPOSED TEMPORARY ROAD CLOSURE OVER PART OF MAREEBA-DIMBULAH
ROAD ADJOINING LOT 453 ON HG672

APPLICANT: LAWRENCE RALEIGH

I forward herewith a copy of a Notice published in the Government Gazette of 21 September 2001, No. 13, page 178 relative to an application by Lawrence Raleigh for temporary closure of an area of about 2.14 ha being part of Mareeba-Dimbulah Road abutting part of the north-western boundary of Lot 453 on HG672 and shown as Lot 3 on Drawing CNS01/115, parish of Masterton, locality of Dimbulah, and Plans showing the road in question.

Please advise this Department of your Council's views on the application and, if an objection is lodged thereto, supply the reason for such objection.

If Council has no objection to the proposed closure please advise whether Council has any requirements for zoning of the subject area.

Any objections received may be viewed by other parties interested in the proposed road closure under the provisions of the Freedom of Information Act 1992.

It would be appreciated if the Notice could be exhibited in a conspicuous position in your office.

The applicant has advised that the proposed use of the subject area is for grazing purposes.

It is noted that the latest date for objections is 15 November 2001.

Please quote reference number CNS/20463 in any future correspondence.

Yours sincerely

Coch Stade

A/ LAND ADMINISTRATION OFFICER STATE LAND ASSET MANAGEMENT Ground Floor
Cairns Corporate Tower
15 Lake Street Cairns
PO Box 937 Cairns
Queensland 4870 Australia
Telephone: (07) 4039 8419
Facsimile: (07) 4051 0851
Email: leah.slade@dnr.qld.gov.au
Website: www.dur.qld.gov.au

# OBJECTIONS TO PROPOSED ROAD CLOSURE NOTICE (No 24) 2001

This notice may be cited as the Objections to Proposed Road Closure Notice (No 24) 2001.

Application for road closure [s.100 of the Act]
2. Applications have been made for the permanent or temporary 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

(2) Latest day for longement of objections is 15 NOVEMBER 2001.

(3) Any objections received may be viewed by other parties interested in the proposed road closure under the provisions of the Freedom of Information Act 1992. Plans

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

the Department of Natural Resources and Mines Offices at Caims,

Caboolitare, Ipswich, Toowoomba and Dalby; and the Local Government Offices of Douglas, Cairns, Mareeba, Caboolitare, Gatton, Toowoomba and Chinchilla;

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

		SCHEDULE	
Reference No.	Applicant	Sinuation	Parish
	PEI	RMANENT CLOSURE	
CNS/ 7532	S.J. Pisox	Cairns Office An area of 7980 m2 being part of Trezise Road abutting part of the westers boundary of Lot 1 on SP126927 and shown as Lot 1 on PER4246 on Drawing CNS01/121.	
CNS	Wernace Pty	An area of about 43 m2 in strata being	Cairas
20458	1.td	part of Spence Street abutting part of the north-western boundary of Lot 6 on RP701095 and shows as Lot 1 on	city of Cairos
Same and the		Drawing CNS01/109.	
CNS/ 02362	W. & R. Tilse	An area of about 542 m2 being part of Chewko Road, Mareebs abusing the north- eastern boundary of Lot 1 on NR7651 and	town of
		shows as Lot A on Drawing CNS01/120.	
CNS	S.	The road intersecting Lot 6 on	Whyanbeel
20471	Scomazzon	RP898230 and shown as Lot A on Drawing CNS00/376	locality of Finlay Vale
CNS/	R.	Part of the road abutting the southern	Whyanbeel,
20318	Scomazzon	boundary of the northern severance of Lot 8 on RP898230 and shown as Lot C on Drawing CNS00/376.	locality of
CNS/	D.	Part of the road abutting the southern	Whyanbeel
20471	Scomazzon	boundary of the northern severance of	

on Drawing CNS00/376.

		EDULE CONTINUED	
Référence No.	Applican:	Situation	Parish
CAB/	Caboolture	Caboolture Office As area of about 2000 m2 abutting the	Woorim,
001832	Shire Council	40 on RP62926 and BUP2140 and	locality of Boogaree
CAB/	Caboolture	shown as Lot 1 on AP6453.  As area of about 280 m2 in the vicinity	Woorim.
001833	Shire Council	of Lot 12 on RP107379 and shown as	locality of
222.040.0		Lot 1 on AP6454. Ipswich Office	Bongaree
IPS/	R.J. & Y.	As area of about 2300 m2 being part of	Gatton,
020246	Dobson	Tenthill Creek Road abutting the western boundary of Lot 17 on RP163704 as	locality of Gatton
		shown on Drawing 01/048. Toowoomba Office	
TA2001/	Toowoombs	An area of about 7650 m2 abutting the	Drayton.
3364		south-castern and western boundaries of	locality of
		Let 191 on AG1450 as shown on Drawing DD 2001/89.	Drayton
		PORARY CLOSURE	
CNS/	L. Raleigh	An area of about 2.14 ha being part of	Masterton.
20463	35555	Mareeba-Dimbulah Road abutting part	locality of
		of the north-western boundary of Lot	Dimbulah
	1	453 on HG672 and shown as Lot 3 on	
		Drawing CNS01/115.  Daiby Office	
DBY	L&P.	An area of about 26.1 ha abutting the	Buchan,
030245	Geist	southern boundary of Lot 32 on LY220	locality of
		as shown on Drawing DD 2001/96.	Burocluith

**ENDNOTES** 

Published in the Gazette on 21 September 2001.

Not required to be laid before the Legislative Assembly.

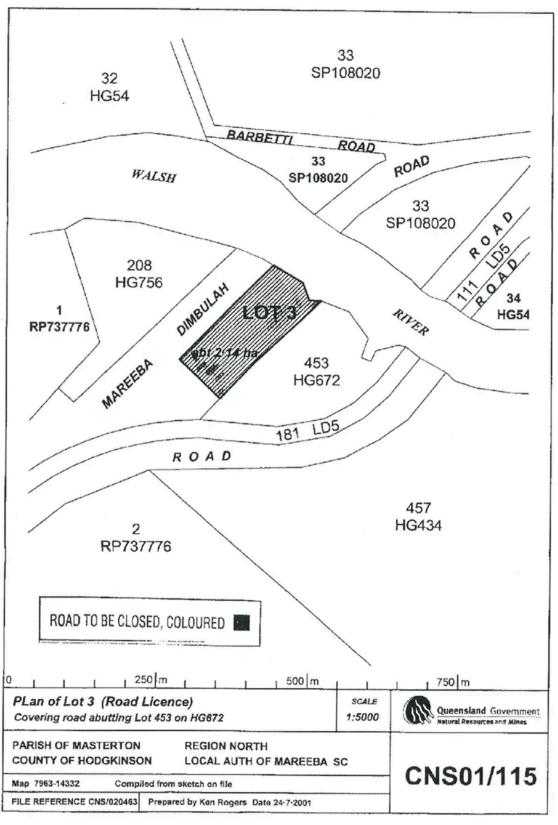
The administering agency is the Department of Natural Resources and Mines.

Gov. Gaz., 21st September, 2001, No. 13, page 178

G. A. Nicholson, Acting Government Printer, Queensland

©The State of Queensland 2001.

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3/3



## MAREEBA SHIRE COUNCIL

65 Rankin Street, Mareeba 4880

Telephone (07) 4030 3900 Facsimile (07) 4092 3323 Email ceo@msc.qld.gov.au

Please address all con The Chief Executive Officer P.O. Box 154 Mareeba 4880 Queensland

IN REPLY PLEASE QUOTE REFERENCE

 $L5/5\ 103502\ Mtg\ 18/12/01-2.6.3\ JPMB:DLB$ Your Ref: CNS/20463

20 December 2001

Department of Natural Resources & Mines PO Box 937 CAIRNS QLD 4870

Attention: Leah Slade

Dear Sir/Madam

PROPOSED TEMPORARY ROAD CLOSURE OVER PART OF MAREEBA-DIMBULAH ROAD, PARISH OF MASTERTON - LAWRENCE RALEIGH

I refer to your letter dated 10 October 2001 in relation to the above and advise that this matter was considered by Council at its General Meeting held on 18 December 2001.

Council resolved as follows:

THAT Council hereby resolves to object to the temporary road closure over part of the Mareeba Dimbulah Road adjoining Lot 453 on HG672, Parish of Masterton as shown on Plan CNS01/115 as it is used for recreation purposes.

Should you have any queries regarding the above, please direct them to Council's Shire Planner, Mr Max Boudan, on  $40\,303\,931$ .

Yours faithfully

for LC Rojahn ACTING CHIEF EXECUTIVE OFFICER If you telephone ask for:

Max Bowlan \_\_\_ Commented [MSC1]: Page: 1 INSERT Name of Contact Officer

Commented [MSC2]: Page: 1 INSERT Folder Number's IR Number Resolution Number Author Ref

Item 9.6 - Attachment 5 Page 114



Author: Leah Slade Our Ref: CNS/20463 Your Ref: Unit: Land Management and Use Subject Folder Doc No Natural Resources and Mines L5/5 R No CEO Enviro Health Roads 17 July 2003 £ Action Mgr Corp Serv Animal Control Design equire Finance Parks & Gardens ï Rates Research & Dev Lawrence Rafeigh and Only PO Box 12 Mgr Civil Works MUTCHILBA QLD:487 Water & Sewer

Dear Mr Raleigh

#### APPLICATION FOR TEMPORARY CLOSURE OVER PART OF MAREEBA RE: **DIMBULAH ROAD**

Reference is made to your application for temporary road closure over part of the Mareeba Dimbulah road adjoining your Lot 453 on HG672 as shown on Drawing CNS01/115.

You are hereby advised that your application for temporary road closure cannot receive favourable consideration.

In accordance with section 99(3)(c) of the Land Act 1994, the Minister may refuse a road closure application if the Minister is satisfied that the road is or may be used regularly by the public as a road.

Departmental investigations have revealed that the road area is used by the public for its dedicated purpose.

The outcome of these investigations is supported by Council's objections to the application. Council requires the area to remain in its current form (as road open for public use).

Pursuant to section 101(3) of the Land Act 1994, the Minister must refuse the road closure application, as the Minister is satisfied that the road is still needed.

Please do not hesitate to contact this office if you require further clarification of the above decision.

Yours sincerely

Leah Slade **Land Officer** 

For MF Cranitch

Regional Manager Natural Resource Management and Use North Region

State Government Building 5B Sheridan Street, Cairns PO Box 937, Cairns Q4870 Queensland 4870 Australia Telephone: (07) 4039 8598 Facsimile: (07) 4051 0851

Email: lcab.slade@nrm.qld.gov.au Website: www.nrm.qld.gov.au

Item 9.6 - Attachment 6 Page 115 . . .

B/C The Chief Executive Officer Mareeba Shire Council PO Box 154 MAREEBA QLD 4880

Your reference: L5/5 103502 Mtg 19/2/02 - 2.6.1 BJM:DLB

Our reference: CNS/20463

For your information.

Yours sincerely

Land Officer

For MF Cranitch

Regional Manager

Natural Resource Management and Use

**North Region** 

27.

## 9.7 INFRASTRUCTURE SERVICES, WORKS SECTION ACTIVITY REPORT - JUNE 2019

Date Prepared: 2 July 2019

Author: Manager Works

Attachments: Nil

#### **EXECUTIVE SUMMARY**

The purpose of this report is to summarise Council's Transport Infrastructure, Parks and Gardens, Bridge and Pest Management activities undertaken by Infrastructure Services during the month of June 2019.

#### RECOMMENDATION

That Council receives the Infrastructure Services, Works Progress Report for the month of June 2019.

#### **BACKGROUND**

## **Maintenance Activities**

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

Description	Activity
Ootann Road, Almaden	Clean inlet/outlets culverts, grading unsealed roads
Bower Road, Arriga	Slashing
Kimalo Road, Arriga	Slashing
Tyrconnell Road, Arriga	Slashing
Fossilbrook Road, Barwidgi	Grading unsealed roads
Bilwon Road, Biboohra	Slashing
Hodzic Road, Biboohra	Slashing
Hume Road, Biboohra	Drainage, general road maintenance, slashing
Fisher Road, Biboohra	Grading unsealed roads
Torwood Road, Bolwarra	Clean inlet/outlets culverts
Tower Street, Chillagoe	Tree clearing / vegetation management
Kennedy Street, Dimbulah	Clean inlet/outlets culverts
Veness Road, Dimbulah	Clean inlet/outlets culverts
Amber Road, Fossilbrook	Grading unsealed roads
Bulleringa Road, Fossilbrook	Grading unsealed roads
Drumduff Road, Highbury	Grading unsealed roads
Hales Siding Road, Irvinebank	Grading unsealed roads
Clacherty Road, Julatten	Bitumen patching, road inspections, slashing
Euluma Creek Road, Julatten	Bitumen patching, slashing
Morrish Road, Julatten	Bitumen patching, grading unsealed roads, road
	Inspections, Slashing
Mount Perseverance Road, Julatten	Bitumen patching, road inspections, slashing
Nine Mile Road, Julatten	Bitumen patching, slashing

Description	Activity
Pinnacle Road, Julatten	Bitumen patching, clean inlet/outlets culverts,
	slashing
Koah Road, Koah	Bitumen patching, clean inlet/outlets culverts,
	grading unsealed roads, road furniture, road
	inspections, slashing
Black Mountain Road, Kuranda	Grading unsealed roads, road inspections, slashing
Fairyland Road, Kuranda	Grading unsealed roads, slashing
Rob Veivers Drive, Kuranda	Bitumen patching, concrete footpath maintenance,
	slashing
Adil Road, Mareeba	Grading unsealed roads, slashing
Beaufort Road, Mareeba	Slashing
Blacks Road, Mareeba	Grading unsealed roads, slashing
Cobra Road, Mareeba	Grading unsealed roads
Emerald Falls Road, Mareeba	Grading unsealed roads
Lockwood Road, Mareeba	Grading unsealed roads
McGrath Road, Mareeba	General repairs & maintenance, grading unsealed
	roads, slashing
Mines Road, Mareeba	Grading unsealed roads, slashing
Peters Road, Mareeba	Grading unsealed roads, slashing
Ray Road, Mareeba	Administration & supervision, slashing
Studt Road, Mareeba	Grading unsealed roads, slashing
Venture Road, Mareeba	Grading unsealed roads, slashing
Wetherby Road, Mt Molloy	Bitumen patching, clean inlet/outlets culverts,
	drainage, general road maintenance, grading
	unsealed roads, slashing
Mount Mulgrave Road, Mt Mulgrave	Grading unsealed roads
Armstrong Road, Mona Mona	Grading unsealed roads, road inspections
Collins Weir Road, Mutchilba	Slashing
Springmount Road, Mutchilba	Slashing
West Dawson Road, Mutchilba	Clean inlet/outlets culverts
Oaky Valley Avenue, Mutchilba	Slashing
Fassio Road, Paddys Green	Grading unsealed roads
William Smith Drive, Speewah	Drainage general road maintenance
Springfield Road, Springfield	Grading unsealed roads
Walsh River Road, Watsonville	Grading unsealed roads

The table below shows the current budget position of Transport Infrastructure operations for Mareeba Shire Council at the end of June.

Annual Budget	Year to Date Budget	Year to Date Actual			
\$3,527,238	\$3,527,238	\$3,367,350			

## **Capital Works**

#### Springmount Road, Widening, Upgrade and Seal

Construction work commenced in late August 2018 on the widening upgrade and sealing of Springmount Road between Middle Creek Road and Oaky Valley Avenue.

The road widening was sealed in mid-November and line marked prior to the Christmas closedown.

Works on the widening of the major culvert at Middle Creek was completed in the first week of May with the asphalting of the culvert approaches installed on Friday, 3 May 2019.

Line marking was installed 25 June 2019.

This project was the final of the Mareeba Shire Council-TIDS funded projects for 2018/19.





## **Ootann Road Upgrade, Widening and Sealing**

Works commenced in late March on the Ootann Road Upgrade Project. The scope of the works includes the widening and sealing of 2.0km of road between Ch 78.2km to Ch 80.2km, installation of new culverts and some minor road realignment.

This project is the second section of Ootann Road to be upgraded under the Northern Australia Beef Roads Program. This \$1.32 million project is 80% funded by the Australian Government with the remainder funded by the Department of Transport and Main Roads Transport Infrastructure Development Scheme (TIDS) and Mareeba Shire Council.

All road base has been delivered with the first 1km of the project programmed for sealing on 11 July and the final seal is scheduled for 17 July 2019.

Additional rock removal costs for the project were approximately \$130,000. Project costs are currently estimated to be overrun the original budget by approximately 10%, with the overrun to be funded from underspends on other projects.









## Hillview Road Boggy Creek Bridge Upgrade

In June 2017 a Level 3 Condition and Load Assessment Report was presented to Council stating that the current condition of the timber bridge was poor and the load limit for the bridge was to be reduced to 7 tonnes until an upgrade was carried out.

Funding for the upgrade was secured through the Work for Queensland Two grant program and a design to replace the existing timber bridge was commissioned.

Works commenced late April on the upgrade of Boggy Creek Bridge. The ongoing wet has meant that the construction time has been considerably more than originally estimated causing a minor cost overrun. The additional costs were covered under the 2018/19 Roads To Recovery funding.

The asphalt deck wearing surface was installed on 18 June 2019 and the project is now complete.





## **Julatten School Bus Turnaround**

The Julatten School Bus Turnaround project is funded under the Work for Queensland Two grant program and was undertaken to reduce the safety risk for students boarding and alighting from school buses at the front of the school.

The scope of works includes the extension of existing car park along Button Close, additional asphalt sealing, new kerb and channel, modifying the existing traffic island to aid traffic movement and the installation of a new concrete footpath.

The project was completed at the end of June and was delivered on time and within budget.







## Barron Street Bridge, Koah

In June 2017, Council received a Level III Condition and Load Assessment Report recommending that the signed load limit for Barron Street Bridge in Koah remain at 9 tonnes. The eight (8) girders of the first two (2) spans were restored in-situ using structure fill and high strength fibre wrap in late 2017.

The third span has now been restored by replacing the two upstream girders and the bridge is now functioning at T44 capacity.

The final restoration was undertaken using Road To Recovery funding and completed Council's R2R commitments for the 2018/19 funding arrangement.



## **TMR Routine Maintenance Performance Contract (RMPC)**

Routine maintenance activities were undertaken during June 2019 at the following locations:

Primary Location	Activity Name		
Kennedy Highway - Cairns/Mareeba	Rest Area Servicing		
Kennedy Highway - Mareeba/Ravenshoe	Roadside Litter Collection - Rural		
Mulligan Highway - ( Mareeba - Mt Molloy)	Other Surface Drain Work		
Mulligan Highway - (Mt Molloy- Boundary)	Rest Area Servicing		
	Other Sign Work		
	Roadside Litter Collection - Rural		
Mossman - Mt Molloy Road	Other Vegetation Control Works		
	Roadside Litter Collection - Rural		
	Pothole Patching - Includes Traffic Control		

The claim to TMR for the month of June 2019 was still being finalised at the time of preparing this report but is estimated to be approximately \$118,000.

## **Parks and Gardens Section**

#### **Maintenance Activities**

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

1.	Location
2.	Street Mowing, Mareeba
3.	Byrnes Street Medians, Mareeba
4.	Parks, Library, CBD and Streets, Kuranda
5.	Furniture and Playground Equipment, Mareeba
6.	Davies Park, Mareeba
7.	Borzi Park, Mareeba
8.	Centenary Park, Mareeba
9.	Sunset / Sunbird Park, Mareeba
10.	Basalt Gully and Bi-Centennial Lakes, Mareeba
11.	Library Garden Beds, Kuranda
12.	Firth Park, Mareeba
13.	Fig Tree Management Plan, Kuranda
14.	Arnold Park, Mareeba
15.	Drainage Easements, Mareeba
16.	Margeritha English Park; Highland Drive, Julatten
17.	River Gardens Estate; Sound buffer, Mareeba
18.	Mowing and Maintenance, Irvinebank
19.	Pool and Carpark, Kuranda

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

Annual Budget	Year to Date Budget	Year to Date Actual			
\$1,849,034	\$1,849,034	\$1,783,205			

## **Bridge Section**

#### **Maintenance Activities**

Bridge inspection and maintenance activities were carried out in June 2019 at the following locations:

Structure	Road	Chainage	Area
Bridge	Barron Street	343	Koah
Causeway	L A Road	1290	Mona Mona
Causeway	Armstrong Road	4034	Mona Mona
Causeway	Henry Hannam Drive	3398	Mareeba
Bridge	Butchers Creek Road	572	Mt Carbine
Causeway	Henry Hannam Drive	11276	Mareeba
Causeway	Wetherby Road	4054	Mt Molloy
Causeway	Wetherby Road	8141	Mt Molloy
Bridge	Chapmans Road	600	Julatten
Major Culvert	Bakers Road	239	Mt Molloy
Causeway	Black Mountain Road	43468	Julatten
Causeway	Mt Perseverance Road	1368	Julatten
Major Culvert	McDougal Road	990	Julatten
Bridge	Bakers Road	15364	Mt Molloy
Major Culvert	Mary Jane Drive	121	Julatten
Major Culvert	Rankin Street	730	Mareeba
Major Culvert	Martin Avenue	373	Mareeba

The table below shows the current budget position of Bridge operations for Mareeba Shire Council.

Annual Budget	Year to Date Budget	Year to Date Actual		
\$565,468	\$565,468	\$344,860		

#### **Land Protection Section**

The table below shows the current budget position for Land Protection operations for Mareeba Shire Council.

Annual Budget	Year to Date Budget	Year to Date Actual		
\$461,679	\$461,679	\$438,166		

**Parthenium Weed:** Land Protection staff carried out surveillance and inspections on several properties seen to be at risk of infestation (nil found) and also revisited the known sites to ensure that the affected landowner is dealing with the problem in a timely way.

**Siam Weed:** 15km of creek line on Back Creek (Walsh River Catchment) was inspected. Seeds were bagged and deep buried at Mareeba Landfill. New incursions were mapped and all plants found were removed.

Surveyed the full length of Emu Creek from Back Creek to the Walsh River. All plants found were dealt with as above.

Officers were assisted in this work by each of the affected landowners

**Upper Walsh River Multi Weeds Clean-up**: The full Length of Emu Creek was inspected searching for and removing all the targeted pests. Assistance was provided by landowners who border on the creek. Plants targeted were Bellyache Bush, Rubber Vine, Physic Nut.

**Bellyache Green:** The Koah incursion has been revisited and with the help of the landowner the whole property has been inspected and all plants and fruiting material has been destroyed

**Wild Dogs:** Officers have carried out coordinated wild dog baiting on broad scale cattle operations to the south of Chillagoe. A total of 13 land parcels covering 359,630 hectares has been treated.

**Feral Pigs:** Feral pigs have been targeted using fully integrated controls. Fruit blocks, cane paddocks, lifestyle blocks and cattle, sheep and goat operations have been treated.

**Gulf Pest Taskforce Workshop:** This workshop was held in Cloncurry with Land Managers from Primary Production Properties, Catchment Management Groups, Ranger Groups, Council Operators and Mines and Utilities.

These workshops give officers the opportunity to see what other agency issues are and how the work that we all do individually affects those who are working on the same catchments.

It also gives staff the chance to show case council initiatives as preventative projects that stop up stream weeds from infesting their lands and so convince them that they should be assisting in the work.

Six (6) other agencies have agreed to assist Land Protection officers with Bellyache Bush eradication on the Lynd River at Highbury and Wrotham Park.



Pig Trap Bellyache Bush

## **RISK IMPLICATIONS**

Nil

## LEGAL/COMPLIANCE/POLICY IMPLICATIONS

Nil

#### FINANCIAL AND RESOURCE IMPLICATIONS

#### Capital

All capital works are listed in and funded by the 2018/19 Capital Works Program.

## **Operating**

All operational works are funded by the Section specific 2018/19 maintenance budgets.

#### LINK TO CORPORATE PLAN

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

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

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

## IMPLEMENTATION/COMMUNICATION

Nil

# 9.8 INFRASTRUCTURE SERVICES, WATER AND WASTEWATER GROUP MONTHLY OPERATIONS REPORT - JUNE 2019

Date Prepared: 3 July 2019

Author: Manager Water and Waste

Attachments: Nil

#### **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 June 2019.

#### **RECOMMENDATION**

That Council receives the Infrastructure Services, Water and Wastewater Progress Report for the month of June 2019.

#### **BACKGROUND**

## 1. Capital Projects and Maintenance Works

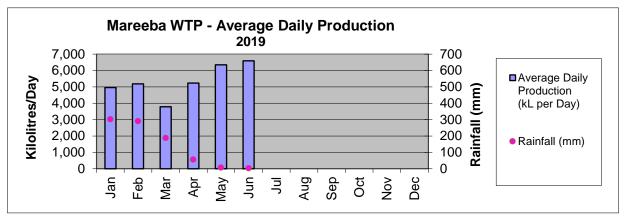
Mareeba Industrial Park Stage 16 B Water and Sewerage Reticulation works under way with works being undertaken by FGF Developments.

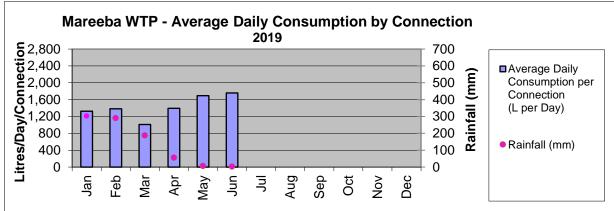


## 2. Chlorine Residual Readings

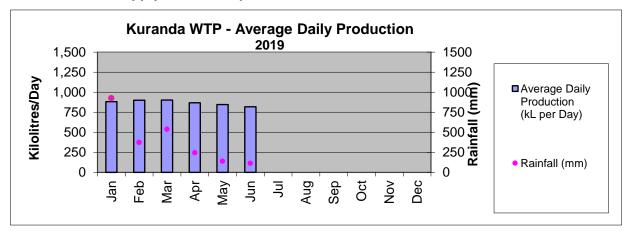
		Chlorine Residual Readings 2019 Australian Drinking Water Guidelines Maximum 5mg/L										
June 2019	Mon 3rd	Wed 5th	Fri 7th	Mon 10th	Wed 12th	Fri 14th	Mon 17th	Wed 19th	Fri 21st	Mon 24th	Wed 26th	Fri 28th
	Free CI (mg/L)	Free Cl (mg/L)	Free Cl (mg/L)	Free Cl (mg/L)	Free CI (mg/L)	Free CI (mg/L)	Free CI (mg/L)	Free CI (mg/L)	Free Cl (mg/L)	Free CI (mg/L)	Free CI (mg/L)	Free CI (mg/L)
Mary Andrews Park Mareeba	1.15	1.13	1.50	1.23	1.30	1.18	1.37	1.20	1.35	1.35	1.30	1.28
Wylandra Drive Mareeba	1.01	0.81	0.82	0.86	0.93	1.04	0.82	0.91	1.05	1.11	1.17	1.29
Gregory Terrace Kuranda	1.01	1.14	1.06	1.10	0.91	1.10	1.29	1.12	1.08	1.11	1.02	1.27
Mason Rd PS Kuranda	1.17	1.26	1.24	1.29	1.12	1.15	1.08	1.24	1.34	1.38	1.24	1.32
Chillagoe	1.05	1.18	1.02	1.02	0.98	0.97	1.05	0.98	1.17	1.24	1.04	0.95
Dimbulah	1.35	1.38	1.55	1.32	1.41	1.32	1.56	1.44	1.43	1.34	1.28	1.24

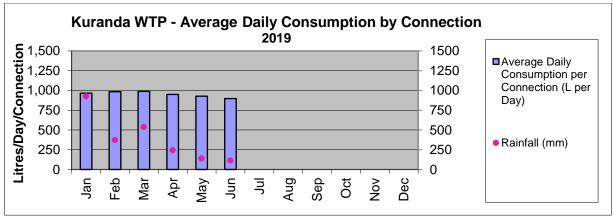
## 3. Mareeba Water Supply Scheme – Operations Data



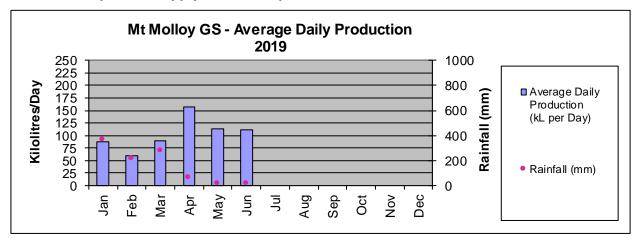


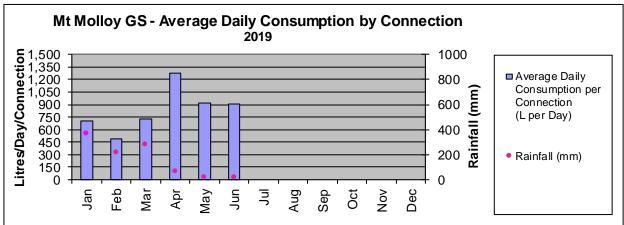
## 4. Kuranda Water Supply Scheme - Operations Data



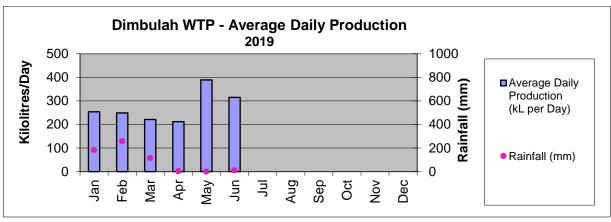


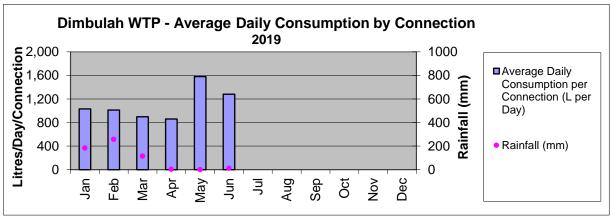
## 6. Mount Molloy Water Supply Scheme - Operations Data



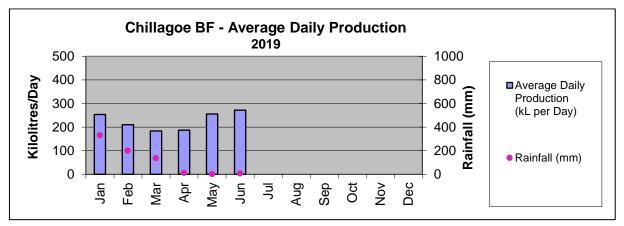


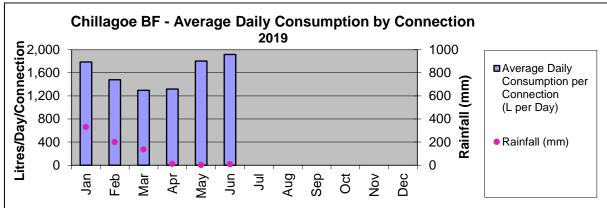
## 7. Dimbulah Water Supply Scheme - Operations Data



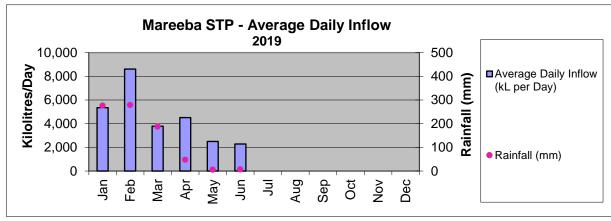


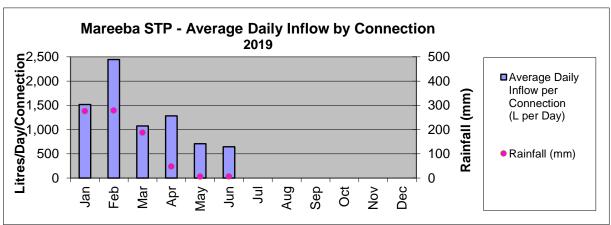
## 8. Chillagoe Water Supply Scheme - Operations Data



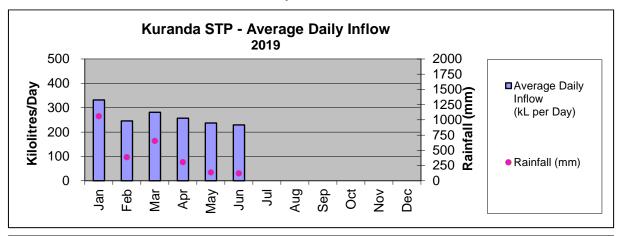


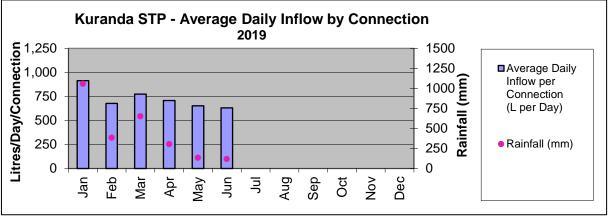
## 9. Mareeba Wastewater Treatment Plant - Operations Data





#### 10. Kuranda Wastewater Treatment Plant - Operations Data





#### **RISK IMPLICATIONS**

Nil

#### LEGAL/COMPLIANCE/POLICY IMPLICATIONS

As a drinking water service provider, Mareeba Shire Council is required under the *Water Supply* (Safety and Reliability) Act 2008 to comply with various legislative and statutory requirements. Council holds an environmental authority issued under the *Environmental Protection Act 1994* to operate water and wastewater treatment facilities.

#### FINANCIAL AND RESOURCE IMPLICATIONS

#### Capital

All capital works are listed in and funded by the 2018/19 Capital Works Program.

#### **Operating**

All operational works are funded by the Section specific 2018/19 maintenance budgets.

#### LINK TO CORPORATE PLAN

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

**Community:** An engaged community which supports and encourages effective partnerships to enhance the liveability of the shire and the wellbeing of residents in communities which are resilient and prepared for unforeseen events.

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

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

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

## IMPLEMENTATION/COMMUNICATION

Nil

## 9.9 INFRASTRUCTURE SERVICES, WASTE OPERATIONS REPORT - JUNE 2019

Date Prepared: 4 July 2019

Author: Manager Water and Waste

Attachments: Nil

#### **EXECUTIVE SUMMARY**

The purpose of this report is to summarise Council's Waste activities undertaken by the Infrastructure Services Department during the month of June 2019.

#### **RECOMMENDATION**

That Council receives the Infrastructure Services, Waste Operations Progress Report for June 2019.

#### **BACKGROUND**

The following is a 'snapshot' of the waste activities undertaken during the month of June 2019.

## 1. Waste Operations

- 5,054 vehicles entered Mareeba waste facility (to drop off or pick up waste)
- 387 vehicles deposited waste to Mareeba Landfill (total)
- 122 Suez vehicles deposited waste to Mareeba Landfill
- 33 Suez vehicles removed waste from Mareeba Waste Transfer Station (WTS) to recycling facility in Cairns
- 66.5 m³ of mulch (purchased) removed from Mareeba WTS (2.5 m³ in bulk sales and 64 m³ in small lots)
- 226 separate vehicles removed free waste
- All transfer stations and Mareeba landfill are currently operational

## 2. Capital Works

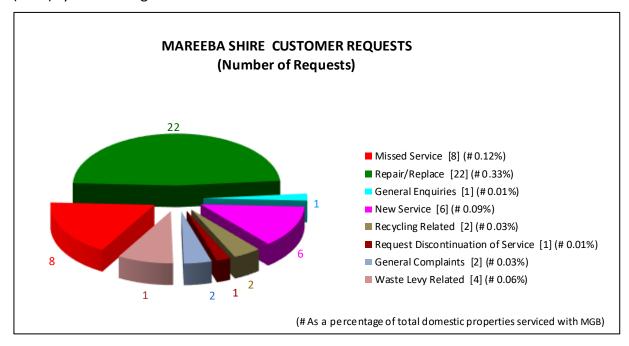
Gate house extensions have been completed.





#### 3. Customer Service Waste Statistics

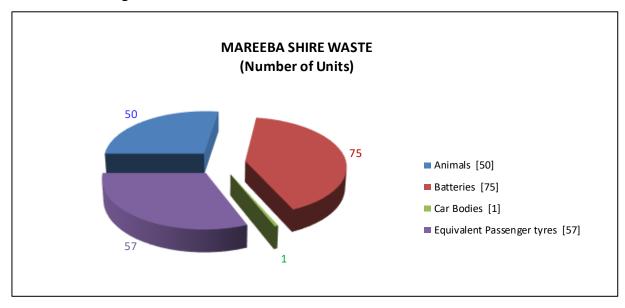
The following graph displays customer requests logged in the Customer Request Management (CRM) system during the month of June 2019.

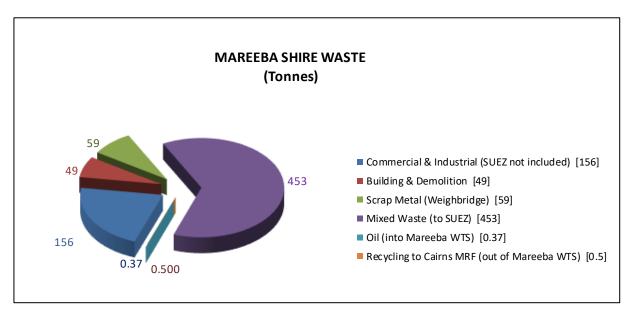


## 4. Waste Collected at Each of the Transfer Stations

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.

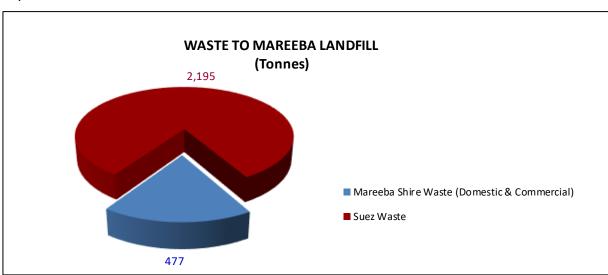
The following pie charts are separated into waste received as whole units and waste received as accrued tonnage.





#### 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.



#### **RISK IMPLICATIONS**

## **Environmental**

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

## LEGAL/COMPLIANCE/POLICY IMPLICATIONS

Nil

#### FINANCIAL AND RESOURCE IMPLICATIONS

#### Capital

Nil

## **Operating**

Nil

#### LINK TO CORPORATE PLAN

**Community:** An engaged community which supports and encourages effective partnerships to enhance the liveability of the shire and the wellbeing of residents in communities which are resilient and prepared for unforeseen events.

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

## IMPLEMENTATION/COMMUNICATION

Nil

#### 9.10 WASTE FEES AND CHARGES

Date Prepared: 4 July 2019

Author: Technical Officer (Waste)

Attachments: 1. Updated Flyer Detailing Changes U

2. Updated Fees and Charges **U** 

#### **EXECUTIVE SUMMARY**

Council has received correspondence from the Australian Taxation Office (ATO) regarding the application of Goods and Services Tax (GST) to the Queensland State Waste Levy. Council is required to apply 10% GST on top of the \$75 per tonne Waste Levy. Councils fees and charges will need to be modified to account for this requirement.

#### RECOMMENDATION

That Council adopts the amended 2019-20 Waste Fees and Charges as attached from 1 July 2019.

#### **BACKGROUND**

Council as part of its budgetary process and under the legislation of the Local Government Act is required to adopt a Schedule of Fees and Charges each year.

Section 97 of *Local Government Act 2009* prescribes the circumstances where a Local Government may set a cost-recovery fee. This section also prescribes that a cost-recovery fee must not be more than the cost to the local government of taking the action for which the fee is charged.

Costs for services are reviewed annually. The fees and charges have been recommended on either full cost recovery, discounted community service obligation by direction of Council or based on a set percentage increase on the previous financial year.

The Queensland Government is introducing a levy ("Waste Levy") on waste going to landfill from 1 July 2019. The levy applies to all waste which is disposed of in a landfill. The Waste Levy is charged at \$75 per tonne for general waste (municipal solid waste, commercial and industrial, construction and demolition). Higher levies apply for regulated wastes.

As a landfill operator, Council is required to pay the Waste Levy to the Queensland Government and is responsible for determining how the levy is passed on to their customers, for example, through increased fees at the gate. The Schedule of Fees and Charges shows where the Queensland Government waste levy has been applied. Following recent correspondence from the ATO, Council is also required to apply 10% GST on top of the Waste Levy and this is shown on the updated Schedule.

It is proposed to not pass on the GST costs to customers for smaller transactions as the administration of such transactions would cost more than the revenue gained. Council will absorb these costs at Transfer Stations which are projected to amount to less than \$2,000 over the 2019-20 financial year.

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## **Risk Implications**

## **Legal and Compliance**

Local Government Act 2009.

Waste Management and Recycling Act (Waste Levy Amendments) 2019.

#### **Legal/Compliance/Policy Implications**

Council must be able to demonstrate that the cost recovery fees are no more than the cost of providing the service. Council is able to set a fee that is lower than the calculated cost where it is deemed appropriate.

#### **Financial and Resource Implications**

#### Capital

Nil

## **Operating**

Nil

#### **Link to Corporate Plan**

**Community:** An engaged community which supports and encourages effective partnerships to enhance the liveability of the shire and the wellbeing of residents in communities which are resilient and prepared for unforeseen events.

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

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

## Implementation/Communication

The fees and charges detailed in this report will be included in the 2019-2020 Register of Cost Recovery Fees and will be published on Council's Website.

#### **Key Communication Messages – Internal Use Only**

Nil

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Ordinary Council Meeting Agenda

## A guide to how much it cost dispose of Waste at Mareeba Shire Council Waste Management Facilities

Anything you would gut in your office Bin.  Large Bully Items Journal Country Count Flyer'  Examples: dothes, food waste, broken glass, careful plastic objects Shire Country India Cost to dispose per tonne: \$75  Total Cost to dispose per tonne: \$150  Deemed Weight for use at Mareeba Almaden, Chillagoe, Dimbulah, Irvinebank, Julatten, Kuranda, Mount Carbine, Mount Molly & Mutchilba Waste Trailer'  Ute or Van (No Trailer)  Ute or Van (No Trailer)  Large Bully Items John Shire Country	Commercial Waste: Waste generate by commercial activities (Farm waste, Business waste and Construction and Demolition waste)												
Solve Council Charge per Tonne: \$75 \$75 \$75 \$75 \$150 \$150 \$200 kgs \$250 kgs \$400 kgs \$250 kgs \$400 kgs \$14.00	Types of Commercial Waste: General Waste, Bulky Waste, Recycling Waste, Construction & Demolition Waste, Green Waste & Scrap Metal Waste												
Examples: dothers, food wate, broken glass, used plastics, Paper & currents, regist large plastic objects plas		ould put in	Large Bulky Items								Anything made of metal which ca not be placed in the kerbside bin		
Total Cost to dispose per tonne: \$75 \$75 \$75 \$75 \$180 \$0.00 \$75 \$75 \$75  Total Cost to dispose per tonne: \$150 \$150 \$150 \$180 \$0.00 \$75 \$75  Car (No Trailer)  Ute or Van (No Trailer)  Ute or Van (No Trailer)  Car with single axle Trailer  Total Cost to dispose per tonne: \$150 \$150 \$150 \$150 \$150 \$150 \$150 \$150	General Waste	waste, broken glass, used plastics , Paper &		carpets, rugs & large		aluminium & steel cans and containers,		concrete, bricks, broken wood, metal and plasterboard etc	b tr Green Waste	lippings, ranches, tree runks, palm eaves and other egetative	Scrap Metal	Examples: fridge, freezer, microwave oven, washing machine larger Scrap metal pieces	
\$150 \$150 \$180 \$150  Deemed Weight for use at Mareeba Almaden, Chillagoe, Dimbulah, Irvinebank, Julatten, Kuranda, Mount Carbine, Mount Molly & Mutchilba Waste Transfer Stations.  Car (No Trailer)  Ute or Van (No Trailer)  Car with single axle Trailer  Ute or Van single axles Trailer  Vehicles Larger than 4 tonne  \$50 kgs\$  200 kgs  250 kgs  400 kgs  Only accepted at \$7.50 \$30.00 \$37.50 \$60.00  \$\$9.00 \$36.00 \$45.00 \$81.00  \$\$81.00 \$81.00 \$Mareeba Resour \$9.00 \$14.00  Recovery Area  Air conditioners & Non degassed Gas Bottles. See Fees and Charges 2019 .	per Tonne:	Tonne:	per Tonne:	Tonne:	per Tonne:	Tonne:	per Tonne:	Tonne:		Tonne:	Degassed <sup>1</sup> :	Items Not Degassed: See Fees	
Deemed Weight for use at Mareeba Almaden, Chillagoe, Dimbulah, Irvinebank, Julatten, Kuranda, Mount Carbine, Mount Molly & Mutchilba Waste Transfer Stations. <sup>2</sup> Car (No Trailer)  Ute or Van (No Trailer)  Car with single axle Trailer <sup>3</sup> Ute or Van single axles Trailer <sup>3</sup> Vehicles Larger than 4 tonne  50 kgs  250 kgs  400 kgs  60.00  537.50  \$60.00  \$9.00  \$36.00  \$45.00  \$45.00  \$81.00  Mareeba Resour  \$N/A  \$7.00  \$9.00  \$9.00  \$14.00  Recovery Area  Air conditioners & Non degassed Gas Bottles. See Fees and Charges 2019.												and Charges 2019-2020	
50 kgs 200 kgs 250 kgs 400 kgs  \$ 7.50 \$ 30.00 \$ 37.50 \$ 60.00  \$ 9.00 \$ 36.00 \$ 45.00 \$ 81.00  \$ N/A \$ 7.00 \$ 9.00 \$ 14.00  The individual Items are charged separately to weight, these items include Mattresses, Pallets, Tyres, Concrete, Non degassed Fridges, Non degassed Air conditioners & Non degassed Gas Bottles. See Fees and Charges 2019 .													
50 kgs 200 kgs 250 kgs 400 kgs  \$ 7.50 \$ 30.00 \$ 37.50 \$ 60.00  \$ 9.00 \$ 36.00 \$ 45.00 \$ 81.00  \$ N/A \$ 7.00 \$ 9.00 \$ 14.00  Recovery Area  1. See Individual Items are charged separately to weight, these items include Mattresses, Pallets, Tyres, Concrete, Non degassed Fridges, Non degassed Air conditioners & Non degassed Gas Bottles. See Fees and Charges 2019 .	Car (No	o Trailer)	Uteor	· Van (No Trailer)	С	ar with single axlo	e Trailer³	railer <sup>3</sup> Ute or Van single axles Trailer <sup>3</sup>		Vehicles Larger than 4 tonne		nne	
Solution Sol													
\$ 9.00 \$ 36.00 \$ 45.00 \$ 81.00 Mareeba Resour \$ N/A \$ 7.00 \$ 9.00 \$ 14.00 Recovery Area Air conditioners & Non degassed Gas Bottles. See Fees and Charges 2019 .	5	0 kgs		200 kgs		250 kgs	5	40	0 kgs		_	_	
\$ N/A \$ 7.00 \$ 9.00 \$ 14.00 Recovery Area  1. Individual Items are charged separately to weight, these items include Mattresses, Pallets, Tyres, Concrete, Non degassed Fridges, Non degassed  Air conditioners & Non degassed Gas Bottles. See Fees and Charges 2019 .	<b>A</b> 📇 🕳 💲	7.50	\$	30.00		\$ 37.50		\$ 60	0.00	Only accepted at			
1. Individual Items are charged separately to weight, these items include Mattresses, Pallets, Tyres, Concrete, Non degassed Fridges, Non degassed  Air conditioners & Non degassed Gas Bottles. See Fees and Charges 2019.	Ge 🔠 💲 !	9.00	\$	36.00		\$ 45.00		\$ 81.00		Mareeba Resource			
<ol> <li>Individual Items are charged separately to weight, these items include Mattresses, Pallets, Tyres, Concrete, Non degassed Fridges, Non degassed</li> <li>Air conditioners &amp; Non degassed Gas Bottles. See Fees and Charges 2019.</li> </ol>		N/A		7.00	\$ 9.00 \$ 14				\$ 14.00		Recovery Area.		
2 Deemed Weights are taken from the Waste and Recycling Act Regulation 2019 OLD	1. Individud	_											
2. Deemed Weights are taken from the waste and necycling Act negalation 2019 QLD.	2. Deemed Weights are taken from the Waste and Recycling Act Regulation 2019 QLD.										Designated as		
3. Dual axle Trailers will incur a larger deemed weight and cost.  Commercial Was  4. This document is to be used as a Guide only and is superseded by the Council Fees and Charges 2019–2020.	3. Dual axle Trailers will incur a larger deemed weight and cost.										Commercial Waste		

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R	Recovery of S	Paragraph of S97(2) of LG Act 2009 under which fee	Unit	Fee/Charge \$	QLD Levy + GST	Total Cost (\$)	GST (Y/N)	
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		2	019/20 Fee	es and Charg	ges			
			· W	/aste				
Non-Charged Waste Disposal								
Up to 200kg (trailer or utility load)* 1				trailer or utility				
per month	N			load	No charge	\$0.00	\$0.00	
* excludes regulated waste (eg tyres, ask at the Operator's discretion. A fee will be			•	charged at commer	cial rates and m	ay be directed	to Mareeba Waste Transfer St	ation
Car bodies - must have fluids and tyres removed - EACH				each	No charge	\$0.00	\$0.00	
Motor bikes - must have fluids and								
tyres removed - EACH				each	No charge	\$0.00	\$0.00	
Air conditioners and fridges - must be								
degassed				each	No charge	\$0.00	\$0.00	
E-Waste				Each	No Charge	\$0.00	\$0.00	
				trailer or utility				
Domestic Green Waste				load	No charge	\$0.00	\$0.00	
Scrap Metal				Each	No Charge	\$0.00	\$0.00	
				trailer or utility				
Domestic Recyclables				load	No Charge	\$0.00	\$0.00	
Car Batteries				each	No Charge	\$0.00	\$0.00	
Charged Waste Disposal								
MSW - Municipal Solid Waste	N			tonne	\$90.00	\$0.00	\$90.00	Υ
C&I - Commercial and Industrial	N			tonne	\$75.00	\$82.50	\$157.50	Y
C&D - Construction and Demolition	N			tonne	\$75.00	\$82.50	\$157.50	Y
Mattresses	N			each	\$25.00	\$3.00	\$28.00	Y
Concrete	N			tonne	\$20.00	\$0.00	\$20.00	Y
Green waste (Commercial)	Υ			tonne	\$35.00	\$0.00	\$35.00	
Pallets	Y			Each	\$3.00	\$0.00	\$3.00	

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Description	Cost Recovery Fee (Y/N)	Paragraph of S97(2) of LG Act 2009 under which fee	Provision of Local Government Act	Unit	Fee/Charge \$	QLD Levy + GST	Total Cost (\$)	GST (Y/N)
Boundahloo (Communici)								
Recyclables (Commercial)	T	T	I	I				
Includes HDPE, PET, Aluminum and								
steel cans, glass, other packaging								
items labelled as recyclable.	N			tonne	\$180.00	\$0.00	\$180.00	Y
Scrap Metal -								
Car Bodies with fluids and or tyres	N			each	\$50.00	\$0.00	\$50.00	Y
Motor bikes - with fluids and or tyres	N			each	\$15.00	\$0.00	\$15.00	Y
White goods - fridges/freezers must be degassed (sorting fee will apply if goods are in fridges or freezers \$115.00)	N			each	\$115.00	\$0.00	\$115.00	Y
White goods, air conditioners not de-				-	¥===:::	<b>V</b> 2.00	<b>¥</b> 22000	
gassed \$25.00	N			each	\$25.00	\$0.00	\$25.00	Y
Gas bottles - must be degassed	N			each	\$5.00	\$0.00	\$5.00	Y
Dead Animals								
Small animal - each - (cat, small dog, possum - disposed as wet waste)	N			each	\$4.60	\$0.40	\$5.00	Y
Medium animal - each (wallaby, large dog, calf, goat, pig - disposed as wet waste)	N			each	\$17.75	\$2.25	\$20.00	Y
Regulated Waste								
Oil (excludes cooking oils)	N			litre	50c per litre	\$0.00	50c per litre	N
Asbestos NOT accepted at any MSC Lan Paint (wet) will not be accepted  Tyres	dfill or Was	te Transfer	Site					
Passenger	N			each	\$10.00	\$0.00	\$10.00	Y
Light truck	N			each	\$12.00	\$0.00	\$12.00	Y

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Description	Cost Recovery Fee (Y/N)	Paragraph of \$97(2) of LG Act 2009 under which fee	Provision of Local Government Act	Unit	Fee/Charge \$	QLD Levy + GST	Total Cost (\$)	GST (Y/N)
							I	Y
Truck	N			each	\$25.00	\$0.00	\$25.00	
Super Single	N			each	\$50.00	\$0.00	\$50.00	Y
Solid Small - Up to 0.3m high	N			each	\$20.00	\$0.00	\$20.00	Y
Solid Medium - 0.3m - 0.45m	N			each	\$35.00	\$0.00	\$35.00	Y
Solid Large - 0.45 - 0.6m	N			each	\$45.00	\$0.00	\$45.00	Y
Solid XL - Greater than 0.6m	N			each	\$60.00	\$0.00	\$60.00	Y
Tractor Small - Up to 1m high	N			each	\$85.00	\$0.00	\$85.00	Y
Tractor large - 1m - 2m	N			each	\$150.00	\$0.00	\$150.00	Y
Fork Lift small - Up to 0.3m high	N			each	\$15.00	\$0.00	\$15.00	Y
Fork Lift Medium3m - 0.45m	N			each	\$20.00	\$0.00	\$20.00	Y
Fork Lift Large - 0.45m - 0.6m	N			each	\$30.00	\$0.00	\$30.00	Y
Grader	N			each	\$120.00	\$0.00	\$120.00	Y
Motor Cycle	N			each	\$8.00	\$0.00	\$8.00	Y
Earth Mover Small - Up to 1m high	N			each	\$120.00	\$0.00	\$120.00	Y
Earth Mover Medium - 1m - 1.5m	N			each	\$240.00	\$0.00	\$240.00	Y
Earth mover large - 1.5m - 2m	N			each	\$500.00	\$0.00	\$500.00	Y
Passenger with rim	N			each	\$10.00	\$0.00	\$10.00	Y
Light Truck with rim	N			each	\$16.00	\$0.00	\$16.00	Y

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Description	Cost Recovery Fee (Y/N)	Paragraph of S97(2) of LG Act 2009 under which fee	Provision of Local Government Act	Unit	Fee/Charge \$	QLD Levy + GST	Total Cost (\$)	GST (Y/N)
Truck with rim	N			each	\$36.00	\$0.00	\$36.00	Y
Bobcat	N			each	\$15.00	\$0.00	\$15.00	Y
Miscellaneous charges								
Minimum fee commercial waste - weight bridge charge				Each	\$20.00	\$0.00	\$20.00	
Sorting fee - Required if mixed load requires sorting by Council staff. PER M3	N			cubic metre	\$115.00	\$0.00	\$115.00	Y
Mulch Purchase			ı	cable metre	<b>V113.00</b>	\$0.00	<b>V113.00</b>	
Box trailer or utility load - self load	N			cubic metre	\$12.00	\$0.00	\$12.00	Y
Box trailer or utility load - machine to load	N			cubic metre	\$16.00	\$0.00	\$16.00	Y
Purchases greater than 500m3 (in one instance)	N			>500m³	\$10.00 per m³	\$0.00	\$10.00 per m <sup>3</sup>	Y
Minimum fee commercial waste - weigh bridge charge	N			each	\$20.00	\$0.00	\$20.00	Y

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## 10 OFFICE OF THE CEO

# 10.1 MSC SHOW HOLIDAYS 2020

Date Prepared: 14 June 2019

Author: Chief Executive Officer

Attachments: Nil

#### **EXECUTIVE SUMMARY**

Council has been contacted by the Office of Industrial Relations with regard to the declaration of a Show Holiday for 2020. Council is required to put in a request for the declaration of show holidays before 19 July 2019. This report recommends the current situation where three (3) separate dates are allocated across three (3) separate areas of the Shire linking them to the shows closest to them.

#### RECOMMENDATION

That Council request the Office of Industrial Relations to declare the following show holidays within the Mareeba Shire for 2020:

7 July 2020 for the parishes of Irvinebank, Myosotis and Western, which links to the Atherton Annual Show;

17 July 2020 for the Mareeba Shire Council area excluding the parishes of Irvinebank, Myosotis, Western, Mowbray, Salisbury, Riflemead and that part of the parish of Garioch located north of Hunter and Rifle Creeks, which links to the Cairns Annual Show;

20 July 2020 for the parishes of Mowbray, Salisbury, Riflemead and that part of the parish of Garioch located north of Hunter and Rifle Creeks, which links to the Mossman Annual Show.

#### **BACKGROUND**

The Holidays Act 1983 provides for the declaration of a show holiday within a Local Government area and Council has been advised that if it wishes to have such a holiday/s declared, a request must be submitted to the State Government before 19 July 2019.

As the Mareeba Shire does not have an Annual Agricultural, Horticultural or Industrial Show, it has previously linked these holidays to other Annual Shows in the region and has linked specific parishes to specific shows.

Below is an extract from the State Government's Show Holiday listing for 2019 in which the various parishes have dates declared and to which shows they link. These holidays were declared by the State following a request made by the Mareeba Shire Council last year.

09	Mareeba Shire - that part of Mareeba district within the parishes of	Atherton
July	Irvinebank, Myosotis and Western; the communities of Malanda,	Annual
	Atherton and Herberton and the districts of Ravenshoe, Mt Garnet, Millaa	Show
	Millaa and Yungaburra.	

19 July	Mareeba Shire - excluding the parishes of Irvinebank, Myosotis, Western, Mowbray, Salisbury, Riflemead and that part of the parish of Garioch located north of Hunter and Rifle Creeks.	Cairns Annual Show
22 July	Mareeba Shire - that part of the Mareeba district within the parishes of Mowbray, Salisbury, Riflemead and that part of the parish of Garioch located north of Hunter and Rifle Creeks.	Mossman Annual Show

# **RISK IMPLICATIONS**

Nil

# LEGAL/COMPLIANCE/POLICY IMPLICATIONS

Nil

# FINANCIAL AND RESOURCE IMPLICATIONS

# Capital

Nil

# **Operating**

Nil

# LINK TO CORPORATE PLAN

**Community:** An engaged community which supports and encourages effective partnerships to enhance the liveability of the shire and the wellbeing of residents in communities which are resilient and prepared for unforeseen events.

# IMPLEMENTATION/COMMUNICATION

The Office of Industrial Relations will be informed that these dates are based on the current years calendar and have not been finalised by the various show societies. Should they change the department will be informed.

# 10.2 MOTION TO THE ANNUAL LGAQ CONFERENCE

Date Prepared: 27 June 2019

Author: Chief Executive Officer

Attachments: 1. FNQROC Board Paper IR Issues &

2. MSC Motion 4

#### **EXECUTIVE SUMMARY**

At the Far North Queensland Regional Organisation of Councils (FNQROC) meeting a motion was put and adopted regarding Section 171 (1) of the Queensland Industrial Relations Act. Part of the motion was to the effect that a motion be put to the Local Government Association of Queensland (LGAQ) annual conference requesting the LGAQ pursue the issue of this section with the relevant Ministers. The FNQROC cannot put a motion to the LGAQ but can support a motion. It is therefore proposed that Mareeba Shire as well as Cairns and Cassowary Coast Regional Councils all put up the same motion which will be supported by the FNQROC.

A copy of the report and recommendation to the FNQROC is attached to this report as well as the proposed motion to the LGAQ from Mareeba Shire.

#### RECOMMENDATION

That Council submits a motion to the Annual Local Government Association of Queensland Conference for them to lobby the State Government to amend section 171 (1) to remove the requirement that all negotiating parties are required to propose to make a certified agreement.

#### **BACKGROUND**

When the new Industrial Relations Act 2016 (Act) commenced on the 1 March 2017 a number of significant changes were implemented. One of these has had a very detrimental effect to employees and Council and this was Section 171 (1) of the act. This section makes it a requirement that all parties, the Employer and the all the Unions must agree to put a draft EBA to the staff for a vote. The interpretation of this section was made by the full bench of the Industrial Relations Commission in a case involving Brisbane City Council.

Council began negotiations in June 2017 and after a range of issues were resolved got to a point in July 2018 when the parties actually at the table came to an agreement. Four (4) of the five (5) Unions approved it to go to the vote on the day but The Services Union (TSU) representative said she needed final approval from the executives in Brisbane. In August 2018 the TSU came back with a list of 25 items they wanted changed. Council and the other Unions indicated they had finished negotiations and were not prepared to recommence negotiations.

The staff who were entitled to be TSU members collected signatures from 85% of these eligible for a petition to the TSU asking that the draft agreement be put to the vote. The TSU executive declined stating they were representing their members and not eligible staff. While the exact numbers are not known there are very few TSU members.

As a result Council cannot put the draft agreement to the vote and the staff have been missing out on potential benefits for a year now. It is only due to the reasonableness of Council that the staff

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have received the offered and agreed pay increases. Council recognises that the reason that the agreement has not been finalised is due to the TSU and not the staff.

While the legislation requires that an agreement is between the Council and the Unions, in reality the agreement details the employment conditions of the staff and having legislation that allows a Union the ability to prevent the staff from deciding if they accept a proposed agreement or not is simply unfair and unreasonable.

This motion does not attempt to deal with a number of the inherent unfair provisions of the Act but rather just the one single provision that precludes the staff from voting on an agreement unless all the Unions agree.

# **RISK IMPLICATIONS**

Nil

# LEGAL/COMPLIANCE/POLICY IMPLICATIONS

Nil

# FINANCIAL AND RESOURCE IMPLICATIONS

# Capital

Nil

# **Operating**

Nil

# LINK TO CORPORATE PLAN

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

# IMPLEMENTATION/COMMUNICATION

The Motion will be forwarded to the LGAQ and will be combined with other similar motions. Councils delegate at the Annual Conference may be required to speak to the motion.

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FNQROC MEETING	
17 JUNE 2019	

#### **FNQROC BOARD PAPER - IR ISSUES**

#6088593

# **RECOMMENDATION:**

# That FNQROC:

- 1. Write to the Minister for Local Government outlining the concerns with section 171(1) of the Industrial Relations Act and request this be reviewed;
- 2. Write to the Minister for Industrial Relations outlining the concerns with section 171(1) of the Industrial Relations Act and request this be reviewed;
- 3. Write to the LGAQ outlining the concerns with section 171(1) of the Industrial Relations Act and request this be reviewed; and
- 4. Lodge an annual conference motion outlining the concerns with section 171 (1) of the Industrial Relations Act and request LGAQ to pursue this issue with the relevant Ministers.

#### **EXECUTIVE SUMMARY:**

The Industrial Relations Act 2016 (Act) commenced on the 1 March 2017 which brought some significant changes for Local Government in particular collective bargaining provisions.

For many Council such as Cairns, Mareeba and Cassowary Coast it is Section 171(1) of the Industrial Relation Actions Act 2016 (Act) that has caused the most angst with the bargaining process.

Section 171 of the Act states:

# 171 Proposed bargaining instrument to be given to employees for approval

- (1) This section applies if, during negotiations under this chapter, the negotiating parties propose to—
  - (a) make a certified agreement, other than an excluded instrument; or
  - (b) seek the making of a bargaining award.

In the matter before the Queensland Industrial Relations Commission and Brisbane City Council the full bench stated:

"In our view, the negotiating parties did not propose to make a certified agreement and, as such s 171 has not been engaged. Section 171 is only engaged when all the negotiating parties propose to make a certified agreement".

In practical terms this means that one union (where there might be up to nine unions to the agreement) can stop an agreement going to the employees for a vote. This one union may have no current members.

Therefore, despite all parties bargaining in good faith and reaching consensus on the majority of issues there is no mechanism for the employees, who are directly impacted on the agreement to have their say.

This means that if a bargaining deadlock is reached, the employer will not have the option of taking the best offer straight to an employee vote.

As a result of this legislation we have seen longer bargaining timeframes, increased industrial action and employee and employer frustration with the current process.

The Act has safeguards in place to ensure parties to the certified agreement negotiate in good faith and that employees are not disadvantaged.

It is also worth noting that this requirement for all unions to agree before employees are allowed to vote is completely at odds with the Fair Work Act 2009 which allows a vote of employees without reaching agreement with the union.

Given the difficulties being experienced with the legislation, it is proposed FNQROC lobby on behalf of member Councils for this to be reviewed.

# **BACKGROUND:**

A comprehensive review of Queensland's industrial relations laws resulted in a major overhaul of Queensland industrial relations framework resulting in the new Act commencing on 1 March 2017.

Whilst there were a number of new provisions in the Act such as s165 which effectively veto's any opportunity for an employee collective agreement (unless relevant unions agree), it is the provisions of s171 that has caused Councils the most concern.

Under this provision a certified agreement must be consented to by the employer and relevant unions prior to a vote being conducted. This means that if a bargaining deadlock is reached, the employer will not have the option of taking the best offer straight to an employee vote.

There is a requirement for all parties to negotiate in good faith which must always be observed. The Act should be amended to allow for an employer to put an offer to a vote of all employees so all employees are afforded the opportunity to have a say via the voting process.

If it were to be fair, equitable and democratic – every employee is entitled to an equal say however this is not the case at present.

Outlined below are three case studies which illustrate the issues being experienced by member Councils:

#### The Mareeba Council Experience

In 2014 Mareeba Shire Council (MSC) negotiated an employee enterprise agreement under the Queensland Industrial Relations Act 1999 with the Queensland Local Government Industry Award - State 2014 as the parent award.

With the introduction of the Industrial Relations Act 2016, the expiry date of this employee agreement was brought forward. Thus, in June 2017 MSC commenced negotiations for a new agreement with the 5 unions who had employees in the workforce who were eligible to be their members.

Negotiations stalled in July 2017 pending resolution of a dispute relating to the status of employee elected members of the former enterprise bargaining committee. Negotiations recommenced in September 2017 with employee elected members excluded from the negotiation table.

Negotiations again stalled in October 2017 with unions taking protected industrial action in February and March 2018.

In June 2018, negotiations recommenced with 'in principle' agreement being reached by all parties on 6 July 2018. At this time the TSU representative advised that the negotiated agreement would need to be reviewed by their executive in Brisbane before formal agreement could be confirmed and the agreement go to a vote of employees.

The agreement negotiated included increased benefits in the form of higher annual wage increases and a Mareeba Allowance for all employees, as well as maintaining all existing entitlements.

In August 2018, the TSU advised that they wished to recommence negotiations and would be seeking changes to 25 clauses. When told of this development, a representative for the other 4 unions advised MSC that negotiations had been finalised in July and they would not be returning to the negotiation table.

As a result of this impasse, employees who were entitled to be members of the TSU drafted a petition requested that the union allow the agreement that had been agreed in July, to go to a vote of employees. The petition was signed by 85% of these employees. The TSU refused, responding that it 'only negotiates on behalf of members' and that it is 'not tasked to represent persons who are not members'.

This has left all Stream A employees who are not members of the union, disenfranchised and unable to have any say regarding their employment conditions.

In summary, for the last 11 months, the provisions of Section 171 have enabled one union to deny all MSC employees from having their say regarding their employment conditions and potentially denied them the significant benefits negotiated in good faith. This applies not only to employees who are eligible to be its members, but also to employees who are members or are eligible to be members of the 4 other unions party to the negotiations.

#### The Cairns Regional Council Experience

In the case of Cairns, negotiations have taken place since June 2017 consisting of monthly 2 day meetings. During negotiations Council committed to retaining employee's current terms and conditions. Six wage offers were made by Council.

In July 2018 the Unions presented a wage offer that differed with managements by 2% in the 1 July 2018 increase. The Unions stated they were happy with all other terms and conditions. Therefore, for close to 12 months Cairns Regional Council has been unable to put an offer to the vote as a result of a 2% impasse.

Cairns Regional Council has been firm that this wage offer was its final. At this point the offer should have been allowed to go to the employees for a vote.

Instead, another 12 months of negotiation occurred, protected industrial action taken and QIRC conciliation on both a Scope Order application and outstanding issues. All with no meaningful outcome. The proposed agreement now being agreed by all parties is no different to the offer presented in July 2018.

In summary, Cairns Regional Council should have had the ability to put the proposed agreement to its employees 12 months ago for them to have their say. This ability is denied by the operation of section 171 – the employees can only vote when all nine unions say they can.

# The Cassowary Coast Council Experience

Cassowary Coast Regional Council commenced negotiations for a new certified agreement in April 2018 with negotiation meetings occurring on 24 April, 10 May, 22 May, 5 June, 19 June, 5 July and 3 October 2018.

Unions organisers frequently attended meetings having not prepared i.e. not followed up on matters they had agreed at previous meetings, in order to advance negotiations, not familiarised themselves with the content of the existing certified agreement and incorrectly quoting content or seeking argument for content which already existed in the current certified agreement. They frequently had not reviewed documentation, were confused about what had already been discussed and agreed in principle (despite being issued with documentation which tracked that) and in the case of some unions, claiming that they did not have authority to agree in principle on simple matters for negotiation.

The lack of preparation and familiarity with the content not only wasted time and protracted negotiations; it also led to unions providing incorrect information to the workforce that did attend meetings with them. This led to confusion, unnecessary fear, delay and disenchantment amongst the workforce, which might have been avoided had Council and unions with coverage for a majority of the workforce, had the opportunity of having put an offer to employees

During the negotiation process, the Unions were not unified on certain matters being negotiated and from their own statements at the negotiating table and away from the negotiating table, it was clear that Unions with minority membership were controlling the negotiating agenda and preventing progress in achieving agreement. This occurred on

matters which were never agreed and where Council had made it clear, supported by rational explanation, could not be agreed by Council.

Despite Union organisers and delegates of Unions which would represent a valid majority of the workforce being satisfied with substantive matters of the negotiation and a valid majority of employees potentially accepting an offer at times much earlier in the bargaining process, those unions (which were inclined to agree and present an offer for vote to the workforce) or Council could take an offer to a vote to employees because \$171 destroys the confidence of even the Unions to do so. This is because they too know that certification of an agreement is not achievable unless all parties propose to make the certified agreement.

This situation has led to protracted conciliation (currently 4 months) which for Unions and employees has not achieved compensation for the loss had an agreement been made earlier.

Employees have increasingly expressed their frustration to Council about a vote not being able to progress and the certification of an agreement being delayed, which also means the delay to pay increases being paid. This frustration is compounded with employees as well as council and the community, in the context of a local regional economy which is depressed and would benefit from the economic injection of affordable pay increases being able to be spent in the community sooner.

Apart from the lost time due to protracted negotiations (which have achieved no substantial change) and which represent;

- a loss of productivity to Council and for the community;
- pay rises which could have potentially been received earlier and which would have provided greater compensation to employees when compared to the amount they have lost due to not being in a position to vote and achieve a valid majority for certification of an agreement earlier;

employees are the party that has lost most. This is seemingly at the peril of unions that have minority representation within the workforce.

Considering that one of the core principles underpinning the Industrial Relations Act is fairness, the practical realities demonstrate a huge contradiction.

In January of 2019 CCRC sought assistance from the QIRC with the making of a certified agreement. We have participated in at least 6 conciliation sessions and on 2 occasions were confident of having reached an outcome where we were confident that we had the in principle agreement of all unions and would be able to proceed to a vote and then certify an agreement. Our confidence was boosted by the Unions stating in the Commission that they accepted the Commissioner's recommendation that they strongly recommend Council's offer to employees and that they would communicate in those terms to employees.

Council is in possession of e-mailed communication to employees from one Union which demonstrates that despite their undertaking in conciliation, their communication to the limited number of employees who are members did not. Employees and Union delegates have also stated that communication at paid meetings did not emphasise the Commissioner's recommendation that Council's offer be accepted and instead

encouraged further dispute. The majority of the workforce at Cassowary Coast Regional Council is not interested in further dispute. They are interested in resolution and receiving what they know is a fair pay rise and good additional conditions that have been achieved through negotiation. This has also been validated through very low participation in industrial action beyond the first strike, including a withdrawal of overtime bans before the date for their effect occurred.

Two other Unions with minor representation have sought to delay progression of agreeing to support the making of agreement by advancing false information, the subject of rumour and/or oppositional behaviour, by linking a non-related industrial relations matter to the conciliated certified agreement negotiations.

The Commissioner has stated in our most recent conciliation that he believes that he has all but exhausted the options for conciliation and that he may exercise his option to refer the matter to compulsory arbitration. He has stated that if that occurs the matter may not be heard by a full bench until the early part of 2020. This would provide a further delay with the prospect of no back pay for employees and further loss of earnings for employees.

The protraction of process, significantly contributed to by not being able to initiate a vote by employees without all unions agreeing, continues to be disruptive to employee relations and morale for CCRC; a relatively small regional Council where infection caused by such infiltration into culture is difficult for a workforce and community who continue to do it tough, to focus their efforts on constructive community building and improvement.

#### **NEXT STEPS PROPOSED:**

Given the difficulties being experienced with the legislation, it is proposed FNQROC lobby on behalf of member Councils for this to be reviewed. It is proposed this include:

- Write to the Minister for Local Government outlining the concerns with section 171(1) of the Industrial Relations Act and request this be reviewed;
- 2. Write to the Minister for Industrial Relations outlining the concerns with section 171(1) of the Industrial Relations Act and request this be reviewed;
- 3. Write to the LGAQ outlining the concerns with section 171(1) of the Industrial Relations Act and request this be reviewed; and
- Lodge an annual conference motion outlining the concerns with section 171 (1) of the Industrial Relations Act and request LGAQ to pursue this issue with the relevant Ministers.

## ATTACHMENTS:

Draft letter to the Minister

#### Dear Minister

#### Concerns over Section 171 of the Queensland Industrial Relations Act 2016

The introduction of the Industrial Relations Act 2016 has caused serious concerns for Councils, specifically in relation to enterprise bargaining.

For many Councils such as Cairns, Mareeba and Cassowary Coast it is Section 171 of the Industrial Relation Actions Act 2016 (Act) that has caused the most angst with the bargaining process.

Section 171 of the Act states:

#### 171 Proposed bargaining instrument to be given to employees for approval

- (1) This section applies if, during negotiations under this chapter, the negotiating parties propose to—
  - (a) make a certified agreement, other than an excluded instrument; or
  - (b) seek the making of a bargaining award.

In the matter before the Queensland Industrial Relations Commission and Brisbane City Council the full bench stated:

"In our view, the negotiating parties did not propose to make a certified agreement and, as such s 171 has not been engaged. Section 171 is only engaged when all the negotiating parties propose to make a certified agreement".

In practical terms this means that one union (where there might be up to nine respondents to the agreement) can stop an agreement going to the employees for a vote. This one union may have no current members.

Therefore, despite all parties bargaining in good faith and reaching consensus on the majority of issues there is no mechanism for the employees, who are directly impacted on the agreement to have their say.

This means that if a bargaining deadlock is reached, the employer will not have the option of taking the best offer straight to an employee vote (as was the case in the past).

As a result of this legislation we have seen longer bargaining timeframes, increased industrial action and employee and employer frustration with the current process.

We respectfully request an urgent review into this issue. We are able to provide real case studies that illustrate the practical difficulties being experienced. These practical difficulties are causing significant angst amongst the majority of local government employees who are not members of a union and are denied the ability to vote on agreements which directly affect them.

#### Motion

That the Local Government Association of Queensland lobby the State Government to amend section 171 (1) to remove the requirement that **all** negotiating parties are required to propose to make a certified agreement.

#### Background

In a recent matter before the Queensland Industrial Relations Commission and Brisbane City Council, the full bench stated:

"In our view, the negotiating parties did not propose to make a certified agreement and, as such s 171 has not been engaged. Section 171 is only engaged when **all** the negotiating parties propose to make a certified agreement."

In practical terms this means that one union can stop an agreement going to the employees for a vote. This one union may have no current members.

Despite all parties bargaining in good faith and reaching consensus on a majority of issues there is no mechanism for the employees, who are directly impacted by the agreement to have their say. If a bargaining deadlock is reached, the employer does not have the option of taking the best offer straight to an employee vote, as was the case in the past.

As a result of this legislation, a number of councils within the FNQROC region have seen longer bargaining timeframes, increased industrial action and employee and employer frustration with the current process.

We have one example where Section 171 has enabled one union with no members to deny all council employees from having their say regarding an agreement negotiated in good faith.

#### Desired outcome

An urgent review into this issue and the practical difficulties which are causing significant angst amongst the majority of local government employees who are denied the ability to vote on agreements which directly affect them in a timely manner.

Date of Council resolution

Resolution number

11 CONFIDENTIAL REPORTS

Nil

- 12 BUSINESS WITHOUT NOTICE
- 13 NEXT MEETING OF COUNCIL

# 14 FOR INFORMATION

14.1 SUMMARY OF NEW PLANNING APPLICATIONS & DELEGATED DECISIONS FOR THE MONTH OF JUNE 2019

Date Prepared: 3 July 2019

Author: Senior Planner

Attachments: Nil

Please see below information.

# Summary of new Planning Development Applications and Delegated Decisions for June 2019

New Develo	New Development Applications							
Application #	Lodgement Date	Applicant/ Address	Property Description	Application Type	Status			
RAL/19/0011	03/06/2019	John Anderson C/- Urban Sync 437 Koah Road, Koah	Lot 272 on NR6957	ROL (1 into 8 Lots)	In referral stage			
RAL/19/0012	07/06/2019	Carole Kenyon 6 Warril Drive, Kuranda	Lot 74 on RP742969	ROL (1 into 2 Lots)	Decision Notice issued 27/06/2019			
RAL/19/0013	10/06/2019	Mareeba Shire Council 20-26 Martin Tenni Drive, Mareeba	Lot 56 on SP198060	ROL (1 into 5 Lots)	Decision Notice issued 19/06/2019			
RAL/19/0014	24/06/2019	Robert Taylor 242 Tyrconnell Road, Mareeba	Lot 135 on SP284535	ROL (1 into 3 Lots)	In Decision stage			
RAL/19/0015	28/06/2019	Tanya Blake C/- Victor G Feros Town Planning 8 Debel Close, Mareeba	Lot 6 on RP903630	ROL (1 into 2 Lots)	In Confirmation stage			
MCU/19/0008	19/06/2019	Ross Patane C/- U&I Town Plan 49 Fichera Road, Mareeba	Lots 1, 2 & 3 RP711195	MCU - Non-Resident Workforce Accommodation (45 Beds) & Caretaker's Residence - ROL - Boundary Realignment & Access Easement	In Public Notification stage			
MCU/19/0009	27/06/2019	Anton Demolitions Pty Ltd C/- Urban Sync 3276 & 3278 Mulligan Highway, Mount Molloy	Lots 2 & 3 SP223151	MCU High impact industry (Concrete Recycling Yard)	In Confirmation stage			

June 2019 (Regional Land Use Planning)

MCU/19/0016	28/06/2019	G & S Horner C/- U&I Town Plan 2 Emerald Heights Road, Mareeba	Lot 11 on RP748324	MCU Animal keeping (Stables)	In Confirmation stage
OPW/19/000	21/06/2019	Joshua Selke 2-4 Thongon Street KURANDA	Lot 3 on RP804493	Op Works - Earthworks	In Confirmation stage

Decision No	Decision Notices issued under Delegated Authority							
Application #	Date of Decision Notice	Applicant	Address	Property Description	Application Type			
MCU/19/0005	27/06/2019	Pione er North QLD Pty Ltd C/- RPS Australia East Pty Ltd	Bower Road, Mareeba	Lot 7 on RP800492	Material Change of Use - Extractive Industry (Expansion)			
MCU/19/0006	21/06/2019	Ngoonbi Community Services Indigenous Corporation C/- Gilvear Planning Pty Ltd	36 Coondoo Street, Kuranda	Lot 714 on NR7409	Material Change of Use - Low Impact Industry (Mechanics Workshop)			
MCU/19/0007	05/06/2019	Nathan & Sharee Walmsley C/- Emergent Building Approvals	3224 Mareeba - Dimbulah Road, Mutchilba	Lot 450 on HG575	Material Change of Use - Dwelling House (Secondary Dwelling)			
RAL/19/0007	11/06/2019	Irwin Reid C/- U&i Town Plan	12 Powell Road, Mareeba	Lot 8 on SP167414	Reconfiguration of a Lot - Subdivision (1 into 2 Lots)			
RAL/19/0009	04/06/2019	Rosella Sub TC Pty Ltd TTE C/- RPS Australia East Pty Ltd	2332 Mareeba - Dimbulah Road, Arriga	Lot 155 on SP202897 and Lot 156 on SP202896	Reconfiguration of a Lot - Boundary Realignment			
RAL/19/0012	27/06/2019	Carole A Kenyon	6 Warril Drive, Kuranda	Lot 74 on RP742969	Reconfiguring a Lot - Subdivision (1 into 2 Lots)			

June 2019 (Regional Land Use Planning)

RAL/19/0013	19/06/2019	Mareeba Shire Council			Reconfiguration of a Lot - Subdivision (1 into 5 Lots)
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Change to Existing Development Approval issued						
Application #	Date of Decision	Applicant	Address	Property Description	Application Type	
DA/15/0045	27/06/2019	P Gibbs C/- Flanagan Consulting Group	244 Kanervo Road, Koah	Lot 17 on SP219912	Reconfiguring a Lot - Subdivision (1 into 4 Lots) (1 into 2 Lots)	

Referral Agency Response Decision Notices issued under Delegated Authority						
Application #	Date of Decision	Applicant	Address	Property Description	Application Type	
CAR/19/0012	13/06/2019	J Ritchie C/- Emergent Building Approvals	61 Speewah Road, Speewah	Lot 83 on RP734453	Referral agency response for building work assessable against the Mareeba Shire Council Planning Scheme 2016.	
CAR/19/0013	21/06/2019	Darren M Heatley C/- GMA Certification Group	147 Mount Lewis Road, Julatten	Lot 2 on RP729240	Referral agency response for building works assessable against the Mareeba Shire Council Planning Scheme 2016 - Environmental Significance Overlay Code	

Extensions to Relevant Period issued							
Application #	Date of Decision	Applicant	Address	Property Description	Application Type		
DA/15/0022	03/06/2019	Benjamin Fielder & Serena Hooper	Cedar Park Road, Koah	Lot 1 on SP289732	MCU Caretakers Residence & ROL (1 into 4 Lots)		

# Survey Plans endorsed

June 2019 (Regional Land Use Planning)

Application #	Date	Applicant	Address	Property Description	No of Lots
DA/17/0008	11/06/2019	Milena Cek	23 Wright Road, Mareeba	LOTS 6 & 7 & EASEMENT A IN LOT 7 ON SP301852 (CANCELLING LOT 4 ON RP733075)	1 into 2 Lots

June 2019 (Regional Land Use Planning)