



# **AGENDA**

**Wednesday, 20 November 2019**

## **Ordinary Council Meeting**

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

**Date: Wednesday, 20 November 2019**

**Time: 9:00am**

**Location: Council Chambers**

**Peter Franks**  
**Chief Executive Officer**



**Order Of Business**

<b>1</b>	<b>Members in Attendance .....</b>	<b>5</b>
<b>2</b>	<b>Apologies/Leave of Absence/Absence on Council Business .....</b>	<b>5</b>
<b>3</b>	<b>Bereavements/Condolences .....</b>	<b>5</b>
<b>4</b>	<b>Declaration of any Material Personal Interests/Conflicts of Interest .....</b>	<b>5</b>
<b>5</b>	<b>Confirmation of Minutes .....</b>	<b>5</b>
<b>6</b>	<b>Business Arising out of Minutes of Previous Meeting .....</b>	<b>5</b>
<b>7</b>	<b>Deputations and Delegations.....</b>	<b>5</b>
<b>8</b>	<b>Corporate and Community Services .....</b>	<b>7</b>
8.1	Application for Conversion to Freehold of Term Lease 231412 over Lot 15 on CP862878, Locality of Watsonville .....	7
8.2	R Fanna - Reconfiguring a Lot - Subdivision (1 into 2 lots) - Lot 2 on RP727052 - 30 McGrath Road, Mareeba - RAL/19/0020.....	13
8.3	Unauthorised Sign on Mareeba Industrial Park Entrance Sign .....	29
8.4	Adoption of Consolidated Version of Subordinate Local Law No. 4 (Local Government controlled areas, facilities and roads) 2018. ....	31
8.5	Council Policy Review .....	47
8.6	Delegations Update November 2019 .....	77
8.7	Financial Statements period ending 31 October 2019.....	85
8.8	Government Grant Applications.....	97
8.9	Community Partnership Program Application .....	99
<b>9</b>	<b>Infrastructure Services.....</b>	<b>101</b>
9.1	Stormwater Infrastructure - Bundanoon Court.....	101
9.2	Infrastructure Services, Technical Services Monthly Activities Report - October 2019 .....	103
9.3	Mareeba Airport Upgrading - October 2019 Progress Report .....	111
9.4	Infrastructure Services, Waste Operations Report - October 2019 .....	115
9.5	Infrastructure Services, Water and Wastewater Group Monthly Operations Report - October 2019.....	121
9.6	Infrastructure Services, Works Section Activity Report - October 2019.....	129
<b>10</b>	<b>Confidential Reports.....</b>	<b>139</b>
<b>11</b>	<b>Business without Notice .....</b>	<b>141</b>
<b>12</b>	<b>Next Meeting of Council .....</b>	<b>141</b>
<b>13</b>	<b>For Information .....</b>	<b>143</b>
13.1	Summary of New Planning Applications & Delegated Decisions For The Month of October 2019.....	143



- 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**  

Ordinary Council Meeting - 23 October 2019
- 6 BUSINESS ARISING OUT OF MINUTES OF PREVIOUS MEETING**
- 7 DEPUTATIONS AND DELEGATIONS**



## 8 CORPORATE AND COMMUNITY SERVICES

### 8.1 APPLICATION FOR CONVERSION TO FREEHOLD OF TERM LEASE 231412 OVER LOT 15 ON CP862878, LOCALITY OF WATSONVILLE

**Date Prepared:** 28 October 2019

**Author:** Senior Planner

**Attachments:** 1. DNRME letter dated 22 October 2019 [↓](#)

---

#### EXECUTIVE SUMMARY

The Department of Natural Resources, Mine and Energy (DNRME) is considering an application for the conversion to freehold of Term Lease 231412 over Lot 15 on CP862878, situated at Mount Nolan Road, Watsonville.

Lot 15 on CP862878 has an area of 5.97 hectares and is located approximately four (4) kilometres west of Watsonville.

DNRME seeks Council's views on the conversion to freehold, the formalisation of access and whether Council has knowledge of any local non-indigenous cultural heritage values associated with the land.

#### RECOMMENDATION

That Council advise the Department of Natural Resources, Mines and Energy that Council has no objection to the conversion to freehold of Term Lease 231412 over Lot 15 on CP862878 situated at Mount Nolan Road, Watsonville, subject to Lot 15 on CP862878 being amalgamated with adjoining Lot 4281 on CP862878.

Further, Council supports the Department's plan to formalise access to the proposed lot and that Council has no knowledge of any local non-indigenous cultural heritage values associated with the land.

#### BACKGROUND

The Department of Natural Resources, Mine and Energy (DNRME) is considering an application for the conversion to freehold of Term Lease 231412 over Lot 15 on CP862878, situated at Mount Nolan Road, Watsonville.

Lot 15 on CP862878 has an area of 5.97 hectares and is located approximately 4 kilometres west of Watsonville. The land is improved by a dam and shed. Lot 15 surrounds the applicant's freehold parcel of Lot 4281 on CP862878.

Term Lease 231412 was issued for a term of thirty (30) years commencing on 8 May 2007. The lease was granted for grazing purposes. There is no suggestion that the existing use would change following the conversion to freehold.

DNRME advises that the constructed access to Lot 15 is via a formed road over unallocated State land being Lot 22 on USL21432. Whilst a dedicated 30 metre wide road reserve extends to Lot 15, the formed road is off alignment. Subject to Council's agreement, DNRME is proposing to close the unused section of road reserve and open a new 40 metre wide road reserve over the formed road.

DNRME have also requested Council's views on any local non-indigenous cultural heritage values that the department should consider when assessing this application.



**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**

Nil

**LEGAL/COMPLIANCE/POLICY IMPLICATIONS**

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

Due to the 5.97 hectare size of Lot 15 on CP862878, it is recommended that the conversion to freehold be subject to the amalgamation of Lot 15 with the applicant's adjoining freehold parcel of Lot 4281 on CP862878 (4,005m<sup>2</sup>). The amalgamation would create a single rural parcel of 6.3705 hectares.

DNRME's proposal to close a section of the existing unused road reserve and open a replacement section of road reserve over the actual formed road is supported.

The Heritage Overlay of the Mareeba Shire Council Planning Scheme 2016 does not identify any Local Heritage Areas on or adjoining the subject land.

**FINANCIAL AND RESOURCE IMPLICATIONS**

**Capital**

Nil

**Operating**

Nil



**LINK TO CORPORATE PLAN**

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

**IMPLEMENTATION/COMMUNICATION**

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

Ref number 2019/003540

22 October 2019

Mareeba Shire Council  
PO Box 154  
Mareeba QLD 4880

E: [info@msc.qld.gov.au](mailto:info@msc.qld.gov.au)

Dear Sir/Madam

**Application for the conversion of Term Lease 231412 over Lot 15 on CP862878 – Mareeba Shire Council.**

The department has received the above application. The proposed use of the land is freehold.

Copies of documents supporting the application are enclosed for your information. The enclosed Smartmap shows the subject land and the surrounding locality.

Please note, the current access to the lot is via a formed road over USL. There is a dedicated road of 30m providing access to the lot, however this road is off alignment to the onground formed access road. The current access road has been surveyed as seen on Plan CP862878 and has probably not changed since around 1993. Could council please advise if it is agreeable to having the dedicated access closed and reopened over the formed road through USL. The Department considers the most appropriate width (taking into account table drains) would be 40m as rural roads are difficult to keep within a narrow corridor.

Please advise the department of your views or requirements including any local non-indigenous cultural heritage values that the department should consider when assessing this application.

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 **22 December 2019**. If you offer an objection to the application, a full explanation stating the reason for the objection should be forwarded to this Office.

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



---

Postal :  
DNRME Cairns  
PO Box 5318  
Townsville  
4810 QLD

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

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

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

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

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

Please quote reference number 2019/003540 in any future correspondence.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Zoe Tasker', is positioned above the typed name.

Zoe TASKER  
Land Administration Officer



© 2019 Mareeba Shire Council (MSC). Based on or contains data provided by MSC and the State of Queensland Department of Natural Resources, Mines & Energy (DNRME) [2019]. In consideration of these agencies permitting use of this data you acknowledge and agree that these agencies give no warranty in relation to the data (including accuracy, reliability, completeness, currency or suitability) and accept 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.



**8.2 R FANNA - RECONFIGURING A LOT - SUBDIVISION (1 INTO 2 LOTS) - LOT 2 ON RP727052 - 30 MCGRATH ROAD, MAREEBA - RAL/19/0020**

**Date Prepared:** 5 November 2019

**Author:** Senior Planner

**Attachments:** 1. Proposal Plans [↓](#)

**APPLICATION DETAILS**

APPLICATION		PREMISES	
<b>APPLICANT</b>	R Fanna	<b>ADDRESS</b>	30 McGrath Road, Mareeba
<b>DATE LODGED</b>	6 September 2019	<b>RPD</b>	Lot 2 on RP727052
<b>TYPE OF APPROVAL</b>	Development Permit		
<b>PROPOSED DEVELOPMENT</b>	Reconfiguring a Lot - Subdivision (1 into 2 lots)		
<b>FILE NO</b>	RAL/19/0020	<b>AREA</b>	4.708 ha
<b>LODGED BY</b>	Freshwater Planning Pty Ltd	<b>OWNER</b>	R Fanna
<b>PLANNING SCHEME</b>	Mareeba Shire Council Planning Scheme 2016		
<b>ZONE</b>	Emerging Community zone		
<b>LEVEL OF ASSESSMENT</b>	Impact Assessment		
<b>SUBMISSIONS</b>	Nil		

**EXECUTIVE SUMMARY**

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

The application is impact assessable and was not required to undergo public notification.

The application and supporting material has been assessed against the Mareeba Shire Council Planning Scheme 2016 and does not conflict with any relevant planning instrument.

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

**OFFICER’S RECOMMENDATION**

- That in relation to the following development application:

APPLICATION		PREMISES	
<b>APPLICANT</b>	R Fanna	<b>ADDRESS</b>	30 McGrath Road, Mareeba
<b>DATE LODGED</b>	6 September 2019	<b>RPD</b>	Lot 2 on RP727052
<b>TYPE OF APPROVAL</b>	Development Permit		
<b>PROPOSED DEVELOPMENT</b>	Reconfiguring a Lot - Subdivision (1 into 2 lots)		

and in accordance with the Planning Act 2016, the applicant be notified that the application for a development permit for the development specified in (A) is:

Approved by Council in accordance with the approved plans/documents listed in (B), subject to assessment manager conditions in (C), assessment manager’s advice in (D), relevant period in (E), further permits in (F), and further approvals from Council listed in (G);

And

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

(A) APPROVED DEVELOPMENT: Development Permit for Reconfiguring a Lot - Subdivision (1 into 2 lots)

(B) APPROVED PLANS:

Plan/Document Number	Plan/Document Title	Prepared by	Dated
8373-LL1 Rev C	Proposed Reconfiguration of a Lot (1 lot into 2 lots)	Twine Surveys Pty Ltd	24.6.2019

(C) ASSESSMENT MANAGER’S CONDITIONS (COUNCIL)

(a) Development assessable against the Planning Scheme

1. Development must be carried out substantially in accordance with the approved plans and the facts and circumstances of the use as submitted with the application, subject to any alterations:

- found necessary by Council’s delegated officer at the time of examination of the engineering plans or during construction of the development because of particular engineering requirements; and
- to ensure compliance with the following conditions of approval.

2. Timing of Effect

2.1 The conditions of the development permit must be complied with to the satisfaction of Council’s delegated officer prior to the endorsement of the plan of survey, except where specified otherwise in these conditions of approval.

3. General

3.1 The development approval would not have been issued if not for the conditions requiring the construction of infrastructure or the payment of infrastructure charges within the conditions of approval.

3.2 The applicant/developer is responsible for the cost of necessary alterations to existing public utility mains, services or installations required by works in relation to the proposed development or any works required by condition(s) of this approval.

- 3.3 All payments or bonds required to be made to the Council pursuant to any condition of this approval must be made prior to the endorsement of the plan of survey and at the rate applicable at the time of payment.
- 3.4 The developer must relocate (in accordance with FNQROC standards) any services such as water, sewer, drainage, telecommunications and electricity that are not wholly located within the lots that are being created/serviced where required by the relevant authority unless approved by Council's delegated officer.
- 3.5 Where utilities (such as sewers on non-standard alignments) traverse lots to service another lot, easements must be created in favour of Council for access and maintenance purposes. The developer is to pay all costs (including Council's legal expenses) to prepare and register the easement documents.
- 3.6 Any existing buildings or structures (pools/tennis courts or fences) and/or incidental works that straddle the new boundaries must be altered, demolished or removed, as required, to align with the new property boundaries and/or be wholly contained within a new allotment, unless approved by Council's delegated officer.
- 3.7 All works must be designed, constructed and carried out in accordance with FNQROC Development Manual requirements and to the satisfaction of Council's delegated officer.
- 3.8 Charges

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

The applicant must pay a contribution per additional lot for provision of rural addressing at the rate identified in the Fees and Charges Schedule at the time of payment.
4. Infrastructure Services and Standards
  - 4.1 Access

An access crossover for each allotment, must be constructed from the edge of the road pavement, to the property boundary of each respective allotment, in accordance with the FNQROC Development Manual, to the satisfaction of Council's delegated officer.
  - 4.2 Stormwater Drainage

The applicant must ensure a non-worsening effect on surrounding land as a consequence of the development and must take all reasonable and practicable measures to ensure discharge occurs in compliance with the Queensland Urban Drainage Manual (QUDM) and the FNQROC Development Manual.
  - 4.3 Water Supply

A water service connection must be provided to each lot in accordance with FNQROC Development Manual standards (as amended) to the satisfaction of Council's delegated officer.

#### 4.4 On-Site Wastewater Management

At the time of construction of a new dwelling on proposed Lot 21, any associated on-site effluent disposal system must be constructed in compliance with the latest version On-Site Domestic Wastewater Management Standard (ASNZ1547) to the satisfaction of the Council's delegated officer.

#### 4.5 Electricity provision/supply

The applicant/developer must ensure that an appropriate level of electricity supply is provided to each allotment in accordance with FNQROC Development Manual standards (as amended) to the satisfaction of Council's delegated officer.

Written advice from an Electricity Service Provider is to be provided to Council indicating that an agreement has been made for the provision of power reticulation.

#### 4.6 Telecommunications

The applicant/developer must demonstrate that a connection to the national broadband network is available for each allotment, or alternatively, enter into an agreement with a telecommunication carrier to provide telecommunication services to each lot and arrange provision of necessary conduits and enveloping pipes.

### (D) ASSESSMENT MANAGER'S ADVICE

(a) An Adopted Infrastructure Charges Notice has been issued with respect to the approved development. The Adopted Infrastructure Charges Notice details the type of infrastructure charge/s, the amount of the charge/s and when the charge/s are payable.

(b) The Adopted Infrastructure Charges Notice does not include all charges or payments that are payable with respect to the approved development. A number of other charges or payments may be payable as conditions of approval. The applicable fee is set out in Council's Fees & Charges Schedule for each respective financial year.

#### (c) Water Meters/Water Service Connection

Prior to the water service connection works commencing, a Water Quotation, Connection, Disconnection Request must be lodged with Council. The cost of the required water connection will be determined based upon the assessment of the Water Quotation Request. The Water Quotation Request must be lodged and the required connection fee paid prior to the signing of the survey plan.

#### (d) Endorsement Fees

Council charges a fee for the endorsement of a Survey Plan, Community Management Statements, easement documents, and covenants. The fee is set out in Council's Fees & Charges Schedule applicable for each respective financial year.



(e) Compliance with applicable codes/policies

The development must be carried out to ensure compliance with the provisions of Council’s Local Laws, Planning Scheme Policies, Planning Scheme and Planning Scheme Codes to the extent they have not been varied by a condition of this approval.

(f) Environmental Protection and Biodiversity Conservation Act 1999

The applicant is advised that referral may be required under the *Environmental Protection and Biodiversity Conservation Act 1999* if the proposed activities are likely to have a significant impact on a matter of national environmental significance. Further information on these matters can be obtained from [www.environment.gov.au](http://www.environment.gov.au).

(g) Cultural Heritage

In carrying out the activity the applicant must take all reasonable and practicable measures to ensure that no harm is done to Aboriginal cultural heritage (the “cultural heritage duty of care”). The applicant will comply with the cultural heritage duty of care if the applicant acts in accordance with gazetted cultural heritage duty of care guidelines. An assessment of the proposed activity against the duty of care guidelines will determine whether or to what extent Aboriginal cultural heritage may be harmed by the activity. Further information on cultural heritage, together with a copy of the duty of care guidelines and cultural heritage search forms, may be obtained from [www.datsip.qld.gov.au](http://www.datsip.qld.gov.au).

(E) RELEVANT PERIOD

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

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

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

- Nil

(G) OTHER APPROVALS REQUIRED FROM COUNCIL

- Access approval arising from condition number 4.1 (Please contact Planning Section to obtain application form and applicable fee).

2. That an Adopted Infrastructure Charges Notice be issued for the following infrastructure charge/s for:

Development Type	Rate	Measure	Charge	Credit Detail	Balance
	<i>\$ per Lot</i>	<i>Lots</i>		<i>Lots</i>	
Residential	\$15,040.00	2 Lots	\$30,080.00	1 Lot - \$15,040.00	\$15,040.00
<b>TOTAL CURRENT AMOUNT OF CHARGE</b>					<b>\$15,040.00</b>

## THE SITE

The subject land is described as Lot 2 on RP727052, situated at 30 McGrath Road, Mareeba.

The land is regular in shape, having an area of 4.708 hectares with a frontage of approximately 94.38 metres to McGrath Road. McGrath Road is formed to bitumen sealed standard for the entire frontage with the subject land.

The land is improved by a dwelling house sited in the south-western corner. Ancillary structures include two (2) sheds which are located to the east of the dwelling house but within the western half of the subject land. All of the western half and some parts of the eastern half are mapped as being within a low flood hazard area.

The subject land is serviced by the Mareeba reticulated town water supply, reticulated electricity and telecommunication infrastructure.

All adjoining properties are zoned Emerging Community under the Planning Scheme and are rural residential in character.



### Map Disclaimer:

Based on or contains data provided by the State of Queensland (Department of Environment and Resource Management) (2009). In consideration of the State permitting use of this data you acknowledge and agree that the State gives no warranty in relation to the data (including accuracy, reliability, completeness, currency or suitability) and accepts no liability (including without limitation, liability in negligence) for any loss, damage or costs (including consequential damage) relating to any use of the data. Data must not be used for direct marketing or be used in breach of the privacy laws.



**Map Disclaimer:**

Based on or contains data provided by the State of Queensland (Department of Environment and Resource Management) (2009). In consideration of the State permitting use of this data you acknowledge and agree that the State gives no warranty in relation to the data (including accuracy, reliability, completeness, currency or suitability) and accepts no liability (including without limitation, liability in negligence) for any loss, damage or costs (including consequential damage) relating to any use of the data. Data must not be used for direct marketing or be used in breach of the privacy laws.

## **BACKGROUND AND CONTEXT**

Nil

## **PREVIOUS APPLICATIONS & APPROVALS**

Nil

## **DESCRIPTION OF PROPOSED DEVELOPMENT**

The development application seeks a Development Permit for Reconfiguring a Lot - Subdivision (1 into 2 lots) in accordance with the plans shown in **Attachment 1**.

The details of the proposed allotments are as follows:

- Lot 21 - 3.158 hectares, 15 metres frontage to McGrath Road;
- Lot 22 - 1.55 hectares, 79.38 metres frontage to McGrath Road.

Proposed Lot 22 will contain the established dwelling house, one shed and the associated onsite effluent disposal system. Proposed Lot 21 will contain a single large shed and will likely accommodate a new dwelling house at some time in the future.

Access to both proposed lots will be provided via FNQROC compliant property accesses off McGrath Road.

Both allotments will be serviced by reticulated town water, reticulated electricity and telecommunication services.

**REGIONAL PLAN DESIGNATION**

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

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

**PLANNING SCHEME DESIGNATIONS**

Strategic Framework:	<p><b>Land Use Categories</b></p> <ul style="list-style-type: none"> <li>▪ Investigation Area</li> </ul> <p><b>Natural Environment Elements</b></p> <ul style="list-style-type: none"> <li>▪ Biodiversity Areas</li> </ul> <p><b>Other Elements</b></p> <ul style="list-style-type: none"> <li>▪ Major Electrical Infrastructure</li> </ul>
Zone:	Emerging Community zone
Mareeba Local Plan:	Precinct G Mareeba Northern Expansion
Overlays:	Airport Environs overlay Bushfire hazard overlay Environmental significance overlay Flood hazard overlay Regional Infrastructure Corridors and Substation overlay

**RELEVANT PLANNING INSTRUMENTS**

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

**(A) Far North Queensland Regional Plan 2009-2031**

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

**(B) State Planning Policy**

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

**(C) Mareeba Shire Council Planning Scheme 2016****Strategic Framework****3.3.8 Element—Urban expansion and investigation areas**

## 3.3.8.1 Specific outcomes

- (1) *Urban expansion areas and investigation areas* are anticipated to provide for development beyond the life of the planning scheme and are preserved for this purpose, with interim development not compromising future residential development.

Comment

The reconfiguration will excise the front (proposed Lot 22) largely flood hazard constrained area from proposed Lot 21. Proposed Lot 22 contains the established dwelling house, whereas proposed Lot 21 has adequate land outside the mapped flood hazard to contain a future dwelling house.

Due to the large size of both allotments and the constraint already caused by the flood hazard mapping, the proposed development does not further compromise the future development potential of the subject land.

- (2) Well-serviced and designed greenfield residential development occurs in *urban expansion areas* of Mareeba and Kuranda only where it is planned, logically sequenced and can be efficiently serviced.

Comment

The proposed development should be considered as interim development, rather than greenfield residential development. Infrastructure necessary to service this interim development is already in place and can efficiently service the one additional allotment.

- (3) *Urban expansion areas* in Mareeba provide a range of housing options and aim for density targets of twelve dwellings per hectare by 2031.

Comment

The reconfiguration will excise the front (proposed Lot 22) largely flood hazard constrained area from proposed Lot 21. Proposed Lot 22 contains the established dwelling house, whereas proposed Lot 21 has adequate land outside the mapped flood hazard to contain a future dwelling house.

Due to the large size of both allotments and the constraint already caused by the flood hazard mapping, the proposed development does not further compromise the future development potential of the subject land.

## 3.3.8.2 Land use strategies

- (1) *Investigation areas* are to be investigated to accommodate future development beyond the life of the planning scheme. *Investigation areas* are not to be developed unless there is an insufficient supply of land for the purpose intended to be developed. The purpose of development in an *investigation area* should promote a logical land use pattern, having regard to nearby land use and the established hierarchy of *activity centres*. In the instance that new or expanded areas are investigated, these are to be supported by detailed land use investigations that must demonstrate:
- (a) need for land for the proposed land use;
  - (b) mitigation or avoidance of impacts on sensitive receiving environments;
  - (c) where involving good quality agricultural land:
    - (i) there is no alternative land available that is not good quality agricultural land; and
    - (ii) the need for future development represents a public benefit.
  - (d) suitable mitigation or offset arrangements in respect to impacts on areas of high ecological significance
  - (e) consistency with the Strategic Framework.
  - (f) consistency with State and Regional Planning requirements.

Comment

The reconfiguration will excise the front (proposed Lot 22) largely flood hazard constrained area from proposed Lot 21. Proposed Lot 22 contains the established dwelling house, whereas proposed Lot 21 has adequate land outside the mapped flood hazard to contain a future dwelling house.

Due to the large size of both allotments and the constraint already caused by the flood hazard mapping, the proposed development does not further compromise the future development potential of the subject land.

The proposed development does not conflict with the strategic framework.

**Relevant Developments Codes**

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

- 6.2.4 Emerging community zone code
- 7.2.2 Mareeba local plan code
- 8.2.2 Airport environs overlay code
- 8.2.3 Bushfire hazard overlay code
- 8.2.4 Environmental significance overlay code
- 8.2.6 Flood hazard overlay code
- 8.2.9 Regional infrastructure corridors and substations overlay code
- 9.4.2 Landscaping code
- 9.4.3 Parking and access code

- 9.4.4 Reconfiguring a lot code
- 9.4.5 Works, services and infrastructure code

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

Relevant Codes	Comments
Emerging community zone code	The application can be conditioned to comply with the codes relevant acceptable outcomes and/or performance outcomes (where no acceptable outcome is provided).
Mareeba local plan code	The application can be conditioned to comply with the codes relevant acceptable outcomes and/or performance outcomes (where no acceptable outcome is provided).
Airport environs overlay code	The application can be conditioned to comply with the codes relevant acceptable outcomes and/or performance outcomes (where no acceptable outcome is provided).
Bushfire hazard overlay code	The application can be conditioned to comply with the codes relevant acceptable outcomes and/or performance outcomes (where no acceptable outcome is provided).
Environmental significance overlay code	The application can be conditioned to comply with the codes relevant acceptable outcomes and/or performance outcomes (where no acceptable outcome is provided).
Flood hazard overlay code	The application can be conditioned to comply with the codes relevant acceptable outcomes and/or performance outcomes (where no acceptable outcome is provided).
Regional infrastructure corridors and substations overlay code	The application can be conditioned to comply with the codes relevant acceptable outcomes and/or performance outcomes (where no acceptable outcome is provided).
Landscaping code	The application can be conditioned to comply with the codes relevant acceptable outcomes and/or performance outcomes (where no acceptable outcome is provided).
Parking and access code	The application can be conditioned to comply with the codes relevant acceptable outcomes and/or performance outcomes (where no acceptable outcome is provided).
Reconfiguring a lot code	<p>The application can be conditioned to comply with the relevant acceptable outcomes or performance outcomes (where no acceptable outcome is provided) contained within the code including the following:</p> <ul style="list-style-type: none"> <li>• Acceptable Outcome AO1.1</li> </ul> <p>Refer to Planning Discussion section of report.</p>

Works, services and infrastructure code	The application can be conditioned to comply with the codes relevant acceptable outcomes and/or performance outcomes (where no acceptable outcome is provided).
---	---

**(D) Planning Scheme Policies**

The following planning scheme policies are relevant to the application:

Planning Scheme Policy 4 - FNQROC Regional Development Manual

All development works will be conditioned to be designed and constructed in accordance with the FNQROC Development Manual.

**(E) Adopted Infrastructure Charges Notice**

In accordance with Council's Adopted Infrastructure Charges Resolution (No. 2) 2019, a standard charge of \$18,800.00 generally applies to each additional residential allotment created.

As the subject land is not serviced by the reticulated sewerage network, a 20% discount is applied to the standard charge. The applicable charge for this development is \$15,040.00 per additional allotment.

**REFERRAL AGENCY**

This application did not trigger referral to a Referral Agency.

**Internal Consultation**

Technical Services.

**PUBLIC NOTIFICATION**

The development proposal was placed on public notification from 24 September 2019 to 17 October 2019. The applicant submitted the notice of compliance on 21 October 2019 advising that the public notification requirements were carried out in accordance with the requirements of the Act.

No submissions were received.

**PLANNING DISCUSSION**

Compliance with the Performance Outcomes and Acceptable Outcomes of the Reconfiguring a Lot Code is summarised as follows:

**Reconfiguring a Lot Code**

**PO1**

*Lots include an area and frontage that:*

- (a) is consistent with the design of lots in the surrounding area;*
- (b) allows the desired amenity of the zone to be achieved;*
- (c) is able to accommodate all buildings, structures and works associated with the intended land use;*



- (d) *allow the site to be provided with sufficient access;*
- (e) *considers the proximity of the land to:*
  - (i) *centres;*
  - (ii) *public transport services; and*
  - (iii) *open space; and*
- (f) *allows for the protection of environmental features; and*
- (g) *accommodates site constraints.*

**AO1.1**

*Lots provide a minimum area and frontage in accordance with **Table 9.4.4.3B**.*

Comment

The proposed development does not meet Table 9.4.4.3B minimum requirements for lot size and frontage.

Notwithstanding, the proposed development will comply with performance outcome PO1.

The proposed allotments are consistent with the design of lots in the local vicinity. The proposed lots will remain rural residential in nature.

The proposed development provides for residential amenity, has sufficient space for the development to be contained outside of the flood hazard area, has existing access, is within close proximity to Mareeba, does not involve clearing vegetation and has no other constraints



<p>AMENDMENTS</p> <p>A- ORIGINAL</p> <p>B- AMEND LOT LAYOUT</p> <p>C- AMEND LOT LAYOUT</p>		<p>PROPERTY DESCRIPTION</p> <p>LOT 2 ON RP727052</p>		<p>REGISTERED OWNER</p> <p>RENZO FANNA</p>		<p>LOCAL GOVERNMENT: MSC</p> <p>LOCALITY: MAREEBA</p> <p>SITUATED AT :</p> <p>McGRATH ROAD</p>		<p>PROPOSED RECONFIGURATION</p> <p>OF A LOT (1 LOT INTO 2 LOTS)</p>		<p>TWINE SURVEYS PTY LTD</p> <p>36 Mabel St, Atherton 4883</p> <p>PO Box 146, Atherton 4883</p> <p>P 07 40911303</p> <p>E info@twinesurveys.com.au</p>	
						<p>DWG NO. 8373 - LL1</p>		<p>24.6.2019</p>		<p>REV C</p>	





**8.3 UNAUTHORISED SIGN ON MAREEBA INDUSTRIAL PARK ENTRANCE SIGN**

**Date Prepared:** 8 November 2019

**Author:** Manager Development and Governance

**Attachments:** Nil

---

**EXECUTIVE SUMMARY**

Seek to resolve a matter concerning the erection of an unauthorised sign panel on the entrance sign for the Mareeba Industrial Park. The current erected sign on the dedicated Mareeba Industrial Park Sign is intended for business located within the confines of the Industrial Park. An exception to this will require Council approval.

**RECOMMENDATION**

That Council contact the owner of the unauthorised sign panel that has been installed on the Mareeba Industrial Park entrance sign to undertake the following actions:

1. Submit an application for their sign, pay all relevant fees and satisfy all conditions relating to the erection of such a sign including the relocation of the sign panel, at their expense, to the next available space as determined by Council; or
2. Require the removal of their sign, at their expense, and subsequently re-instate the relevant panel to the condition that existed immediately prior to the erection of their sign. Failure to fulfil this requirement may require Council to undertake this action and seek recovery of costs from the owner of the unauthorised sign.

**BACKGROUND**

The entrance sign for the Mareeba Industrial Park (MIP) is located near the intersection of Barrett Street and Mulligan Highway. It displays details of businesses located within the MIP and currently consists of two (2) sets of 10 panels positioned side-by-side.

The usual process for dealing with enquiries for allocation of a sign panel is for an interested business, located within the MIP, to submit the relevant application form and pay the appropriate fees, typically \$319.00, which includes an application fee; rental for the first year; and a charge for Council's contractor to remove the allocated panel for signwriting and subsequent re-installation of the panel.

Sign panels are allocated in sequence, i.e. left to right, top to bottom. Businesses do not get to choose which space they want their sign to appear in as the next available space is allocated by Council. The intent being that there are 'no gaps' in the overall look of the MIP entrance sign. The only exception to the above is if a particular business, that has a sign, ceases to operate at the MIP. In this case their sign would be removed and the sign space would be allocated to the next sign applicant.

A recent inspection of the MIP entrance sign discovered that there has been a sign panel erected, without authorisation, on the MIP entrance sign. No application has been received by Council, nor fees paid and the sign has been erected out of sequence. Reasonably, this matter could be dealt with by Council through contact with the relevant business for them to submit an application, pay the relevant fees and have the sign placed in the next available space, however, it is complicated by

the fact that the business is not one that is located within the MIP but rather on the entrance road, i.e. Barrett Street.

In 2015 Council gave favourable consideration for an application by Marano's Fuel for allocation of a sign panel on the MIP entrance sign. Marano's was subsequently allocated the next available sign panel in sequence.

#### **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**

Contact to be made with the owner of the sign to have them undertake necessary action.

**8.4 ADOPTION OF CONSOLIDATED VERSION OF SUBORDINATE LOCAL LAW NO. 4 (LOCAL GOVERNMENT CONTROLLED AREAS, FACILITIES AND ROADS) 2018.**

**Date Prepared:** 25 October 2019

**Author:** Manager Development and Governance

**Attachments:** 1. Consolidated Subordinate Local Law No. 4 (Local Government controlled areas, facilities and roads) 2018 [↓](#)

---

**EXECUTIVE SUMMARY**

On 23 October 2019, Council adopted Amending Subordinate Local Law No. 2 (Miscellaneous Subordinate Local Laws) 2019 (“the Amending Local Law”) and the consolidated versions of Subordinate Local Law No.1 (Administration) 2018, Subordinate Local Law No.2 (Animal Management) 2018, and Subordinate Local Law No.3 (Community and Environmental Management) 2018.

Due to concerns raised regarding the consolidated Subordinate Local Law No.4 (Local Government Controlled Areas, Facilities and Roads) 2018, the adoption was deferred for a future Council meeting.

The purpose of this report is to recommend the adoption of the consolidated Subordinate Local Law No.4 (Local Government Controlled Areas, Facilities and Roads) 2018 amended by the Amending Local Law.

**RECOMMENDATION**

That Council:

1. Adopts the consolidated version of the following subordinate local law:
  - i. Subordinate Local Law No.4 (Local Government Controlled Areas, Facilities and Roads) 2018; and
2. Delegates to the Chief Executive Officer the power to take all steps necessary to comply with the requirements of section 32(4) of the *Local Government Act 2009*.

**BACKGROUND**

The Amending Local Law makes the following amendments to the local laws:

- (a) Subordinate Local Law No.4 (Local Government Controlled Areas, Facilities and Roads) 2018 to fix typographical errors and renumber schedule 1.

The Amending Local Law has been drafted in accordance with legislative requirements and was adopted on 23 October 2019.

**Consolidated Local Laws**

Pursuant to section 32 of the *Local Government Act 2009*, Council may prepare and adopt a consolidated version of a local law that combines the original local law with all the amendments made to the local law, since originally made.

Attached to this report is the consolidated version of Subordinate Local Law No.4 (Local Government Controlled Areas, Facilities and Roads) 2018 drafted in accordance with section 32 of the *Local*

*Government Act 2009*, and the “Guidelines for Drafting Local Laws” dated 4 April 2016 that incorporated all amendments made to the local laws to date.

On 23 October 2019, Council adopted Amending Subordinate Local Law No. 2 (Miscellaneous Subordinate Local Laws) 2019 (“the Amending Local Law”) and the consolidated versions of Subordinate Local Law No.1 (Administration) 2018, Subordinate Local Law No.2 (Animal Management) 2018, and Subordinate Local Law No.3 (Community and Environmental Management) 2018.

Due to concerns raised regarding the consolidated Subordinate Local Law No.4 (Local Government Controlled Areas, Facilities and Roads) 2018, the adoption was deferred for a future Council meeting. However, the concerns were in fact Subordinate Local Law No.1 (Administration) Schedule 30 Section 6 (viii) "the surface of the grid is 0.5 metres (with a tolerance of 0.1 metre) above the natural surface of the surrounding country". This condition is an ordinarily imposed condition and therefore Council can choose to not apply this condition. Council will not be applying this condition and will be considered for removal in future Local Law reviews.

This issue has been addressed and Council will now seek to adopt consolidated Subordinate Local Law No.4 (Local Government Controlled Areas, Facilities and Roads) 2018.

Once adopted the consolidated version of the local laws must be provided to the Minister for publication.

This will be carried out with the previous adoption of consolidated versions of Subordinate Local Law No.1 (Administration) 2018, Subordinate Local Law No.2 (Animal Management) 2018, and Subordinate Local Law No.3 (Community and Environmental Management) 2018.

## **RISK IMPLICATIONS**

### **Legal and Compliance**

Advice on the matters was sought to ensure the process is undertaken in accordance with the relevant legislation listed below.

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

The relevant legislative requirements are as follows:-

- (a) *Local Government Act 2009* – section 29 (local law making process);
- (b) *Local Government Act 2009* – section 121(1) (removal of unsound decisions);
- (c) *Local Government Act 2009* – section 38 (anti-competitive provisions);
- (d) *Local Government Act 2009* – section 257 (delegation of local government powers);
- (e) *Local Government Regulation 2012* – section 14 (local law register) – Act, s31;
- (f) *Local Government Regulation 2012* – section 15 (anti-competitive provisions and review procedures);
- (g) National Competition Policy – Guidelines for Conducting Reviews on Anti-Competitive Provisions and Local Laws – Version 1; and
- (h) Guidelines for Drafting Local Laws dated 4 April 2016.



**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**

Should Council adopt the Amending Local Law and Consolidated Local Law, notification will occur pursuant to section 29B and 32 of the *Local Government Act 2009*.



# **Mareeba Shire Council**

## **Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2018**

CONSOLIDATED VERSION  
as in force on 20 Novemeber 2019

**Mareeba Shire Council  
Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2018**

**Contents**

<b>Part 1</b>	<b>Preliminary.....</b>	<b>3</b>
	1 Short title.....	3
	2 Purpose and how it is to be achieved.....	3
	3 Authorising local law.....	3
	4 Definitions.....	3
<b>Part 2</b>	<b>Use of local government controlled areas, facilities and roads.....</b>	<b>4</b>
	5 Prohibited and restricted activities—Authorising local law, s 5(1).....	4
	6 Motor vehicle access in local government controlled areas—Authorising local law, s 6(1)(b).....	4
	7 Prohibited vehicles—Authorising local law, s 6(3).....	4
	8 Opening hours for local government controlled areas—Authorising local law, s 7(1).....	4
	9 Permanent closure of local government controlled area—Authorising local law, s 8(3).....	4
<b>Part 3</b>	<b>Matters affecting roads.....</b>	<b>5</b>
	10 Notice requiring owner of land adjoining road to fence land—Authorising local law, s 9(3).....	5
<b>Schedule 1</b>	<b>Prohibited activities for local government controlled areas or roads.....</b>	<b>6</b>
<b>Schedule 2</b>	<b>Restricted activities for local government controlled areas or roads.....</b>	<b>8</b>
<b>Schedule 3</b>	<b>Motor vehicle access areas in local government controlled areas.....</b>	<b>9</b>
<b>Schedule 4</b>	<b>Opening hours for local government controlled areas.....</b>	<b>10</b>
<b>Schedule 5</b>	<b>Permanent closure of local government controlled areas.....</b>	<b>11</b>
<b>Endnotes</b>	<b>.....</b>	<b>12</b>

CONSOLIDATED VERSION — AS AT 20 NOVEMBER 2019

## Part 1                      Preliminary

### 1    Short title

This subordinate local law may be cited as *Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2018*.

### 2    Purpose and how it is to be achieved

- (1) The purpose of this subordinate local law is to supplement *Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2018* in order to protect the health and safety of persons using local government controlled land, facilities, infrastructure and roads and preserve features of the natural and built environment and other aspects of the amenity of local government controlled land, facilities, infrastructure and roads.
- (2) The purpose is to be achieved by providing for—
  - (a) the regulation of access to local government controlled areas; and
  - (b) the prohibition or restriction of particular activities in local government controlled areas or roads.

### 3    Authorising local law

The making of the provisions in this subordinate local law is authorised by *Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2018* (the **authorising local law**).

### 4    Definitions

- (1) Particular words used in this subordinate local law have the same meaning as provided for in the authorising local law.
- (2) In this local law—

**authorised by an authorised person**—

  - (a) means that the action is authorised by a written authorisation signed by an authorised person; and
  - (b) does not mean an approval mentioned in section 5(b) of *Local Law No.1 (Administration) 2018*.

**camp** see *Recreation Areas Management Act 2006*, schedule.

CONSOLIDATED VERSION — AS AT 20 NOVEMBER 2019

## **Part 2 Use of local government controlled areas, facilities and roads**

### **5 Prohibited and restricted activities—Authorising local law, s 5(1)**

- (1) For section 5(1)(a) of the authorising local law, the activities prescribed in column 2 of schedule 1 are declared to be prohibited in the corresponding local government controlled area or road (or part thereof) mentioned in column 1 of schedule 1.
- (2) For section 5(1)(b) of the authorising local law, the activities prescribed in column 2 of schedule 2 are declared to be restricted in the corresponding local government controlled area or road (or part thereof) mentioned in column 1 of schedule 2, to the extent described in column 3 of schedule 2.

### **6 Motor vehicle access in local government controlled areas—Authorising local law, s 6(1)(b)**

For section 6(1)(b) of the authorising local law, the areas prescribed in column 1 of schedule 3 are declared to be motor vehicle access areas.

### **7 Prohibited vehicles—Authorising local law, s 6(3)**

For section 6(3) of the authorising local law, the specific types of motor vehicle prescribed in column 2 of schedule 3 are declared to be prohibited vehicles in the corresponding specified motor vehicle access area in column 1 of schedule 3.

### **8 Opening hours for local government controlled areas—Authorising local law, s 7(1)**

For section 7(1) of the authorising local law, the times prescribed in column 2 of schedule 4 are declared to be the opening hours for the local government controlled areas mentioned in column 1 of schedule 4.

### **9 Permanent closure of local government controlled area—Authorising local law, s 8(3)**

For section 8(3) of the authorising local law, the local government controlled areas described in schedule 5 are permanently closed to public access.

CONSOLIDATED VERSION — AS AT 20 NOVEMBER 2019

## **Part 3                      Matters affecting roads**

### **10 Notice requiring owner of land adjoining road to fence land—Authorising local law, s 9(3)**

For section 9(3) of the authorising local law, the minimum standards for a fence that is the subject of a compliance notice under section 9(2) of the authorising local law are as follows—

- (a) the fence must be constructed of materials which are of sufficient strength to prevent the animal(s) from escaping over, under or through the fence; and
- (b) where the animal(s) have the ability to dig, the fence must include a barrier installed directly below the fence to prevent the animal(s) digging its way out; and
- (c) where the animal(s) have the ability to climb or jump, the fence must be designed and constructed to a height which is sufficient to prevent the animal(s) climbing or jumping over the fence; and
- (d) where the fence includes gates or panels which can be readily opened, those gates or panels must be kept closed and latched except when in immediate use by a person entering or leaving the Premises on which the animal is kept.

CONSOLIDATED VERSION — AS AT 20 NOVEMBER 2019

### Schedule 1 Prohibited activities for local government controlled areas or roads

section 5(1)

	<p><b>Column 1</b> <b>Local government controlled area or road</b></p>	<p><b>Column 2</b> <b>Prohibited activity</b></p>
<p>1</p>	<p>All local government controlled areas and roads within the local government area</p>	<p>(a) Contravene a sign prohibiting an activity. <i>For example –</i></p> <ul style="list-style-type: none"> <li>• Diving or swimming;</li> <li>• Riding a bicycle, wheeled recreational device or wheeled toy.</li> </ul> <p>(b) Remove any turf, sand, clay, soil or other material.</p> <p>(c) Damage, interfere with, or wilfully misuse any animal, vegetation, facilities, notices, official signs, equipment or property owned by local government.</p> <p>(d) Fish, dive or jump from, or on, a bridge, structure or building.</p> <p>(e) Advertise a vehicle including a trailer, caravan, boat, motorbike for sale or hire.</p> <p>(f) Engage in conduct that in an authorised person’s opinion is dangerous or creates a risk to the safety of members of the public.</p> <p>(g) Repair a vehicle/vessel except in an emergency.</p> <p>(h) Play golf or practice.</p> <p>(i) Park, stand or leave an unregistered vehicle on a local government controlled area.</p> <p>(j) Store a vessel on a local government area.</p> <p>(k) Exercise rights of occupation or use over any local government controlled area or road.</p> <p>(l) Carry out domestic tasks, including ablutions, cooking and washing unless on infrastructure provided by the local government for that purpose.</p>

CONSOLIDATED VERSION — AS AT 20 NOVEMBER 2019

2	Parks and Reserves within the local government area	<ul style="list-style-type: none"> <li>(a) Play golf or practice golf.</li> <li>(b) Play music or musical instruments at such a volume or in such a manner, in the opinion of an authorised person, as to interfere with any other persons enjoyment of the park, reserve or drainage channel.</li> </ul>
3	All bridges and culverts within the local government area	<ul style="list-style-type: none"> <li>(a) Loiter.</li> <li>(b) Dive or jump from a bridge.</li> <li>(c) Throw or drop an object from a bridge.</li> <li>(d) Obstruct or interfere with the bridge or culvert.</li> </ul>
4	Cemeteries	<ul style="list-style-type: none"> <li>(a) Depasture any animal.</li> <li>(b) Take part in any meeting other than of a religious or commemorative nature.</li> <li>(c) Disturb or interfere with a funeral service.</li> <li>(d) Discharge a firearm except at a military funeral or other recognised type of funeral service ordinarily involving such discharge.</li> <li>(e) Damage or interfere with any grave, vault or memorial with any flowers or tokens placed thereon.</li> <li>(f) Drive any vehicle otherwise than upon a designated roadway.</li> </ul>

CONSOLIDATED VERSION — AS AT 20 NOVEMBER 2019



## Schedule 2 Restricted activities for local government controlled areas or roads

section 5(2)

	<b>Column 1 Local government controlled area or road</b>	<b>Column 2 Restricted activity</b>	<b>Column 3 Extent of restriction</b>
1	All local government controlled areas and roads	A person must not camp, sleep, occupy or remain overnight on any local government controlled area or road	The activity is permitted if— (a) authorised by a sign exhibited in the local government area; or (b) the place is located on the Queensland Heritage Trails Network; or (c) authorised by an authorised person; or (d) authorised under the conditions of an approval for a prescribed authority.
		Parking or standing a vehicle for sale or rent.	The activity is permitted if— (a) authorised by an authorised person; or (b) the vehicle is parked in an area designated by the local government for the purpose.

CONSOLIDATED VERSION — AS AT 20 NOVEMBER 2019

**Schedule 3 Motor vehicle access areas in local government controlled areas**

sections 6 and 7

<p><b>Column 1</b> <b>Motor vehicle access areas</b></p>	<p><b>Column 2</b> <b>Prohibited vehicles</b></p>
<p><i>This schedule has been intentionally left blank.</i></p>	

CONSOLIDATED VERSION — AS AT 20 NOVEMBER 2019

**Schedule 4      Opening hours for local government controlled areas**

section 8

<p><b>Column 1</b> <b>Local government controlled area</b></p>	<p><b>Column 2</b> <b>Opening hours</b></p>
<p><i>This schedule has been intentionally left blank.</i></p>	

CONSOLIDATED VERSION — AS AT 20 NOVEMBER 2019

---

**Schedule 5      Permanent closure of local government  
                         controlled areas**

section 9

*This schedule has been intentionally left blank.*

CONSOLIDATED VERSION — AS AT 20 NOVEMBER 2019

## Endnotes

### 1. Key

Key to abbreviations in list of amending local laws and annotations

<b>Key</b>	<b>Explanation</b>	<b>Key</b>	<b>Explanation</b>
amd	= amended	prec	= preceding
amdt	= amendment	prev	= previous
ch	= chapter	prov	= provision
def	= definition	pt	= part
div	= division	renum	= renumbered
hdg	= heading	rep	= repealed
ins	= inserted	s	= section
num	= numbered	sch	= schedule
om	= omitted	sdiv	= subdivision
p	= page	sub	= substituted
para	= paragraph	unnum	= Unnumbered

### 2 Table of consolidated versions

Consolidated Version No.	Amendments included	Effective	Notes
1	<i>Amending Subordinate Local Law No. 2 (Miscellaneous Subordinate Local Laws) 2019</i>	2 November 2019	

### 3 List of amending local laws

*Amending Subordinate Local Law No. 2 (Miscellaneous Subordinate Local Laws) 2019*

Commenced on 20 November 2019

CONSOLIDATED VERSION — AS AT 20 NOVEMBER 2019

**4 List of annotations**

**Schedule 1 – Prohibited activities on local government controlled areas or roads**

s1(d)                   omit 2019 No. 1 s 19(1)  
s1                        renum 2019 No. 1 s 19(2)

CONSOLIDATED VERSION — AS AT 20 NOVEMBER 2019

**8.5 COUNCIL POLICY REVIEW**

**Date Prepared:** 10 November 2019

**Author:** Manager Development and Governance

**Attachments:**

1. Updated Councillors Acceptable Requests Policy (Guideline) [↓](#)
2. Draft UCC Policy [↓](#)
3. Draft Use of Council Land for Agistment Purposes Policy [↓](#)
4. General Exemption Certificate - Queensland Heritage Places [↓](#)
5. Technical Note Parks and Gardens Maintenance [↓](#)

---

**EXECUTIVE SUMMARY**

As part of the ongoing organisation-wide compliance policy review work, amended and newly created instruments along with instruments marked for repeal are presented to Council for consideration.

**RECOMMENDATION**

That Council:

1. Adopt the following policies and procedures:
  - (a) Councillor Acceptable Requests Policy (Guideline)
  - (b) Unreasonable Complainant Conduct
  - (c) Use of Council Land for Agistment Purposes Policy
2. Repeal the following policies and procedures:
  - (a) Councillor Acceptable Requests Policy (Guideline) adopted November 2018
  - (b) Fig Tree Management Plan Coondoo Street Kuranda

**BACKGROUND****Councillor Acceptable Requests Policy (Guideline)**

Following consultation with stakeholders and review by the Economics and Governance Parliamentary Committee, the Queensland Parliament recently passed the *Local Government Electoral (Implementing Stage 2 of Belcarra) and other Legislation Amendment Bill 2019*. The major changes effective as at 18 November 2019 are:

Statutory timeframes apply to requests made to the Chief Executive Officer (CEO) with response required:

- Within 10 business days after receiving the request; or
- If the CEO deems this impractical, within 20 business days after receiving the request.

Note that where a 10-day initial response period is deemed by the CEO to be impractical, notice must be provided to the requestor advising of the reasons for such.

**Unreasonable Complainant Conduct Policy**

Council is committed to being accessible and responsive to all complainants who lodge a complaint. At the same time, Council's delivery of services to the community depends on:

- (a) Council's ability to work and perform functions in the most effective and efficient ways possible;
- (b) the health, safety and security of Councillors and staff;
- (c) Council's ability to allocate resources fairly across all the complaints received.

When complainants behave unreasonably in their dealings with Council, their conduct can significantly affect Council's operations. As a result, Council will take proactive and decisive action to manage any complainant conduct that negatively and unreasonably affects us and will support Councillors and staff to do the same in accordance with this policy

**Use of Council Land for Agistment Purposes Policy**

To provide a framework for equitable assessment of requests received from members of the community for use of Council owned or controlled vacant land for agistment purposes. An additional purpose is to assist Council with land management of large vacant land parcels.

**Fig Tree Management Plan - Coondoo Street Kuranda**

The *General Exemption Certificate - Queensland Heritage Places* and the *Parks, Gardens and Landscape-Maintenance Technical Note* provided by Queensland Heritage Council replaces the requirement for a Fig Tree Management Plan for Coondoo Street.

**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 above new policies and accompanying procedure and guideline instruments are to be published on Council's website for community reference with repealed instruments to be removed from publication.





### Councillors Acceptable Requests Policy (Guideline)

Policy Type	Governance Policy	Version:	1.0
Responsible Officer	Chief Executive Officer	Date Approved:	20 Nov 2019
Review Officer:	Chief Executive Officer	Review Due:	19 Nov 2023
Author:	Director Corporate and Community Services	Commencement:	20 Nov 2019

**1. PURPOSE**

This policy (Guidelines) sets out the requirements under the *Local Government Act 2009* (LGA) that must be observed by Councillors when seeking advice or information from an employee.<sup>1</sup>

**2. SCOPE**

This policy applies to all Councillors and employees of Mareeba Shire Council.

**3. BACKGROUND**

The Mayor and Councillors will from time to time require advice or assistance from the employees of Council to enable them to make a decision and effectively carry out their responsibilities.

The LGA requires that Council must adopt by resolution, *Acceptable Requests Guidelines*.<sup>2</sup>

Accordingly, these Guidelines are intended to provide clear guidance to the Mayor, Councillors, CEO and employees about the way in which a Councillor may:

- A. ask a Council employee to provide “advice” to assist the Councillor to carry out his or her responsibilities under the Act;<sup>3</sup> and
- B. ask the CEO, subject to any limits prescribed under a regulation, to provide “information” that Council has access to, relating to the local government.<sup>4</sup>

*Example of a limit prescribed under a regulation -  
A regulation may prescribe the maximum cost to a local government of providing information to a councillor.*

The underpinning principles and Councillors’ responsibilities under the Act are set out in Sections 4 and 12 respectively. The provisions of these Sections require Councillors to act in the interests of the residents of the local government area, to ensure effective service delivery and to be accountable to the community for the performance of the local government.

<sup>1</sup> See *Local Government Act 2009* s 170A.

<sup>2</sup> *Ibid* s 170A(7).

<sup>3</sup> *Ibid* s 170A(1).

<sup>4</sup> *Ibid* s 170A(2).

Acceptable Requests Guidelines for Councillors and Employees

**4. POLICY STATEMENT**

Requests by Councillors for assistance or advice relating to policy or complex matters should be directed to the CEO, relevant Director or Manager.

Councillors should use their judgement in directing their request to the appropriate level. Conversely, it is expected that staff should also use their judgement to advise Councillors if it would be more appropriate for the Councillor’s request to be dealt with by another staff member including a more senior staff member.

As a guide, the more complex the issue or where the Councillor request involves significant policy issues, then a Councillor should direct their request to a Manager, Director, or CEO.

For matters other than requests regarding policy or complex matters (see above), in order to carry out their responsibilities a Councillor may request assistance, advice or information from the relevant Council employee on matters that are within that employee’s scope of responsibility or knowledge provided that:

- The employee normally provides similar assistance, advice or information to either the public or other employees within Council.
- Any request for advice is made without any direction or pressure as to the conclusion or recommendation of the employee’s advice. However, direction as to the layout or level of detail of the advice or information is acceptable.
- The timeframe and methodology for the delivery of the request is reasonable having regard to the complexity of the request and the workload of the employee at the time of the request.

To assist in supporting the acceptable request guidelines Councillors are encouraged in the first instance to seek advice from the following Delegated Employees:

Department	Position
<b>Office of the Chief Executive Officer</b>	Corporate Communications Officer
	Personal Assistant to the Mayor
	Senior Executive Support Officer
<b>Corporate &amp; Community Services</b>	Director Corporate and Community Services
	Executive Support Officer
	Manager Development and Governance
	Supervisor Health and Local Laws
	Senior Planner
	Manager Finance
	Manager Systems and Customer Service
	Coordinator Customer Service
<b>Infrastructure Services</b>	Manager Community Wellbeing
	Manager Organisational Development
	Director Infrastructure Services
	Manager Water and Waste
	Manager Technical Services
	Manager Works

Statutory timeframes apply to requests made to the CEO with response required:

- Within 10 business days after receiving the request; or

Acceptable Requests Guidelines for Councillors and Employees

- If the CEO deems this impractical, within 20 business days after receiving the request.<sup>5</sup>

Note that where a 10 day initial response period is deemed by the CEO to be impractical, notice must be provided to the requestor advising of the reasons for such.<sup>6</sup>

Any Councillor who is unsure about how and when they may approach staff should seek advice from the CEO. Similarly, any staff who is unsure about the appropriateness of a request from a Councillor should seek advice from their Director or the CEO. Any conflicts arising between Councillors and staff resulting from their interactions are to be brought to the attention of the CEO or their Director.

**4.1 LIMITS ON REQUESTS TO THE CEO FOR INFORMATION**

Requests by Councillors to the CEO for information relating to Council are limited by the Local Government Act as follows:

- Any limit prescribed under a Regulation;<sup>7</sup> and
- Information:
  - That is a record of the regional conduct review panel or tribunal; or
  - If disclosure of the information to the Councillor would be contrary to an order of a Court or tribunal; or
  - That would be privileged from production in a legal proceeding on the ground of legal professional privilege.<sup>8</sup>

**5. REPORTING**

---

No additional reporting is required

**6. DEFINITIONS**

---

For the purpose of these Guidelines, the following definitions apply:

**Act** means the *Local Government Act 2009*.

**Advice** means an opinion or recommendation offered as a guide to action, conduct etc.

**CEO** means the Chief Executive Officer.

**Decision** means a conclusion or resolution reached after consideration.

**Information/Council Records** include letters, reports/documents, facsimiles, attachments, tapes, emails, electronic media, and/or other forms of information including discussions during meetings.

---

<sup>5</sup> Ibid s 170A(9).

<sup>6</sup> Ibid s 170A(10).

<sup>7</sup> Ibid s 170A(2). See also additional caveats at 170A(4)

<sup>8</sup> Ibid s 170A(4)

Acceptable Requests Guidelines for Councillors and Employees
--

**7. RELATED DOCUMENTS AND REFERENCES**

---

*Right to Information Act 2009 (Qld)*  
*Local Government Act 2009 (Qld)*  
*Code of Conduct for Councillors (MSC)*  
*Employee Code of Conduct (MSC)*

**8. REVIEW**

---

It is the responsibility of the Chief Executive Officer to monitor the adequacy of this policy and implement and approve appropriate changes. This policy will be formally reviewed every four (4) years or as required by Council.



### Unreasonable Complainant Conduct Policy

Policy Type	Governance Policy	Version:	1.0
Responsible Officer	Manager Development and Governance	Date Approved:	XX/XX/2019
Review Officer:	Manager Development and Governance	Review Due:	XX/XX/2023
Author:	Senior Compliance Officer	Commencement:	XX/XX/2019

#### 1. PURPOSE

To provide a framework for the responsible management of unreasonable complainant conduct (“UCC”) in alignment with Council’s *Unreasonable Complainant Conduct Procedure* and current best practice to ensure a fair and consistent approach is applied to interactions with complainants whose conduct is identified as unreasonable as defined.

#### 2. SCOPE

This policy applies across Council and will:

- become operable only where a complainant’s conduct raises the types of safety, resource and equity issues identified in the *Managing Unreasonable Complainant Conduct Practice Manual - 2<sup>nd</sup> edition*<sup>1</sup>.

#### 3. POLICY STATEMENT

Council is committed to being accessible and responsive to all complainants who lodge a complaint. At the same time, Council’s delivery of services to the community depends on:

- our ability to do our work and perform our functions in the most effective and efficient ways possible;
- the health, safety and security of our Councillors and staff;
- our ability to allocate our resources fairly across all the complaints we receive.

When complainants behave unreasonably in their dealings with Council, their conduct can significantly affect our operations. As a result, Council will take proactive and decisive action to manage any complainant conduct that negatively and unreasonably affects us and will support our Councillors and staff to do the same in accordance with this policy.

##### 3.1 UCC PRINCIPLES

Approaches to managing UCC are based upon the clear understanding that:

- All complainants are treated with fairness and respect;
- In the absence of very good reasons to the contrary, all complainants have a right to access public services;

<sup>1</sup> See NSW Ombudsman, ‘Managing Unreasonable Complainant Conduct Practice Manual - 2<sup>nd</sup> Edn’, (2012) ch 4. See also Unreasonable Complainant Conduct Procedure (MSC) s 4.

Administrative Access Scheme Policy
-------------------------------------

- All complaints are considered on their merits;
- Unreasonable complainant conduct does not preclude there being a valid issue;
- The substance of a complaint dictates the level of resources dedicated to it, not a complainant's demands or behaviour;
- Anger is an understandable and, to some degree, an acceptable emotion among frustrated complainants as long as it is not expressed through aggression or violence;
- Safety and well-being of Councillors and staff are paramount when dealing with unreasonable complainant conduct;
- This policy will **not** be applied in ways that go beyond what is appropriate and necessary to manage a complainant's conduct and any actions taken must always be proportionate to the complainant's personal circumstances;
- This policy will be applied cautiously, sparingly and in the least restrictive manner;
- The decision to change or restrict a complainant's access to Council services as a result of their behaviour will only be made at a senior management level and in accordance with Council's *Unreasonable Complainant Conduct Procedure*.

#### 4. REPORTING

---

Council will keep records of all cases where this policy is applied, including a record of the total number of cases where it is used every year. This data may be requested by the Queensland Ombudsman to conduct an overall audit and review in accordance with its administrative functions and/or to inform its work on UCC.

#### 5. DEFINITIONS

---

**Council** – means the Mareeba Shire Council including all elected representatives, employees, contractors, volunteers, a Standing or Joint Standing Committee, committee members and any entity under direct Council ownership, management, sponsorship or financial control.

**Unreasonable complainant conduct (UCC)** – means any behaviour by a current or former complainant which, because of its nature or frequency, raises substantial health, safety, resource or equity issues for the parties to a complaint.<sup>2</sup>

#### 6. RELATED DOCUMENTS AND REFERENCES

---

*Administrative Action Complaints Management Policy (MSC)*

*Managing Unreasonable Complainant Conduct Practice Manual 2<sup>nd</sup> Edn 2012 – NSW Ombudsman Unreasonable Complainant Conduct Procedure (MSC)*

#### 7. REVIEW

---

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

---

<sup>2</sup> See NSW Ombudsman, 'Managing Unreasonable Complainant Conduct Practice Manual - 2<sup>nd</sup> Edn', (2012) 6.



### Use of Council Land for Agistment Purposes Policy

Policy Type	Governance Policy	Version:	1.0
Responsible Officer	Manager Development and Governance	Date Approved:	XX/XX/2019
Review Officer:	Manager Development and Governance	Review Due:	XX/XX/2023
Author:	Senior Compliance Officer	Commencement:	XX/XX/2019

**1. PURPOSE**

To provide a framework for equitable assessment of requests received from members of the community for use of Council owned or controlled vacant land for agistment purposes. An additional purpose is to assist Council with land management of large vacant land parcels.

**2. SCOPE**

This Policy applies across Council.

**3. POLICY STATEMENT**

The following principles will apply to assessment of requests under this policy:

- Applications for use of vacant land for agistment must be made in writing and include a proposal for management of the land, fencing of the land and a rental consideration;
- Applications will be considered for use of vacant land under this policy only where such land is not subject to an existing lease or permit under a current statutory instrument;<sup>1</sup>
- Council assessment of applications will have regard to the level of demand expressed by the community for use of the subject land and any resulting escalated requirement for calling of expressions of interest by the wider community;<sup>2</sup>
- Applications may be subject to approval by resolution of Council;
- Assessment of applications will have regard to the impact upon the subject vacant land to ensure that agistment is not likely to:
  - a) Introduce a declared pest onto the land;
  - b) Spread a declared pest on the land;
  - c) Degrade the land;
  - d) Adversely affect road safety; and that
  - e) Stock to be agisted are not affected by a notifiable disease.
- Priority consideration will be afforded to landowners adjoining the subject vacant land who are affected by drought, fire or flood;

<sup>1</sup> As may exist for example under the *Land Act 1994*.

<sup>2</sup> In accordance with requirements under the *Local Government regulation 2012 s 236*.



- Where the vacant subject land is a local government controlled Reserve, the intended use must be consistent with the formally gazetted Reserve purpose;
- Where the vacant subject land is freehold land, the assessment will be subject to any requirements under Council's current Planning Scheme and any applicable statutory requirements governing use of the land;
- Any administrative costs associated with permit issue will be borne by the applicant;
- Tenure for use of vacant land will be offered via issue of a Permit to Occupy and will be issued for a maximum default term of 12 months.

**4. REPORTING**

---

Nil reporting required

**5. DEFINITIONS**

---

**Council** - means all elected representatives, officers, employees, contractors and volunteers of the Mareeba Shire Council as well as committee members and to all Council activities, including entities which Council has direct ownership, management, sponsorship or financial control.

**Council owned or controlled land** - means land for which Council is either assigned as Trustee by the State of Queensland or land that is owned by Council under freehold title.

**Vacant subject land/vacant land** - means the land which is the subject of the application for tenure and use and which holds no structures and no or minimal infrastructure upon the land surface.

**Reserve Land (Council Controlled)** - Land for which Council is Trustee and which holds a defined gazetted purpose under the *Land Act 1994 (Qld)*.

**Council Freehold Land** - Land owned by Council under freehold title.

**6. RELATED DOCUMENTS AND REFERENCES**

---

*Land Act 1994 (Qld)*

*Local Government Act 2009 (Qld)*

*Local Government Regulation 2012 (Qld)*

**7. REVIEW**

---

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



# General Exemption Certificate

## Queensland Heritage Places

This document is a General Exemption Certificate issued by the Chief Executive under the *Queensland Heritage Act 1992* and applies to all places entered in the Queensland Heritage Register. It is valid until 31 December 2019. This document may be updated from time to time. Please check the Queensland Government website for the latest version.



Prepared by: Heritage Branch, Department of Environment and Science

© State of Queensland, 2017.

The Queensland Government supports and encourages the dissemination and exchange of its information. The copyright in this publication is licensed under a Creative Commons Attribution 3.0 Australia (CC BY) licence.



Under this licence you are free, without having to seek our permission, to use this publication in accordance with the licence terms.

You must keep intact the copyright notice and attribute the State of Queensland as the source of the publication.

For more information on this licence, visit <http://creativecommons.org/licenses/by/3.0/au/deed.en>

#### **Disclaimer**

This document has been prepared with all due diligence and care, based on the best available information at the time of publication. The department holds no responsibility for any errors or omissions within this document. Any decisions made by other parties based on this document are solely the responsibility of those parties. Information contained in this document is from a number of sources and, as such, does not necessarily represent government or departmental policy.

If you need to access this document in a language other than English, please call the Translating and Interpreting Service (TIS National) on 131 450 and ask them to telephone Library Services on +61 7 3170 5470.

This publication can be made available in an alternative format (e.g. large print or audiotape) on request for people with vision impairment; phone +61 7 3170 5470 or email <[library@ehp.qld.gov.au](mailto:library@ehp.qld.gov.au)>.

December 2017

**General Exemption Certificate—Queensland Heritage Places**

**Contents**

**1. Purpose.....1**

**2. Instructions.....1**

    2.1 Read this document carefully .....1

    2.2 Understand the place’s heritage significance .....1

    2.3 Seek advice .....2

    2.4 Consult the department’s technical notes.....2

    2.5 Use qualified tradespersons.....2

    2.6 Implement conditions set out in this General Exemption Certificate .....2

    2.7 Keep a record .....2

**3. Conditions .....3**

**4. Development that may be carried out under this General Exemption Certificate .....4**

    4.1 Buildings and structures .....4

        4.1.1 Maintenance and cleaning .....4

        4.1.2 Painting .....5

        4.1.3 Minor repairs .....6

        4.1.4 Building services .....7

        4.1.5 Parks, gardens and landscapes .....8

    4.2 Safety and security.....9

    4.3 Signage.....10

    4.4 Temporary structures .....11

    4.5 Cemeteries.....11

**5. Further information .....12**

---

## General Exemption Certificate—Queensland Heritage Places

---

### 1. Purpose

The *General Exemption Certificate—Queensland Heritage Places* permits owners to carry out development on a Queensland Heritage Place (a place that is entered in the Queensland Heritage Register). Its purpose is to provide upfront permission for the ongoing maintenance and minor work necessary to keep Queensland Heritage Places in active use, good repair and optimal operational condition.

The *General Exemption Certificate—Queensland Heritage Places* is a general exemption certificate that is given without application. It is issued by the Department of Environment and Science under the *Queensland Heritage Act 1992*. It applies to all Queensland Heritage Places.

Development on a Queensland Heritage Place includes all types of work and changes to built, archaeological, natural and landscape features. This includes some type of work not normally considered development such as:

- altering, repairing, maintaining or moving a built, natural, or landscape feature
- excavating, filling or other disturbances to land that may damage, expose or move archaeological artefacts
- altering, repairing or removing artefacts that contribute to the place's cultural heritage significance, including, for example, furniture or fittings
- altering, repairing or removing building finishes that contribute to the place's cultural heritage significance, including, for example, paint, wallpaper or plaster.

Refer to the *Planning Act 2016* for a full definition of development.

By giving permission without application, the *General Exemption Certificate—Queensland Heritage Places* allows minor types of development that are not damaging to the significance of a heritage place to be carried out in a timely and regular way. Supporting technical notes provide information and guidance to owners, occupiers and contractors about how to carry out maintenance and minor work without damaging the significant fabric or features of a heritage place.

The *General Exemption Certificate—Queensland Heritage Places* is based on the principles of good conservation practice set out in *The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance 2013* (Burra Charter).

### 2. Instructions

No application is required but all work must be carried out in accordance with the requirements set out in this document. The following steps should be followed when planning to carry out work under *General Exemption Certificate—Queensland Heritage Places*.

#### 2.1 Read this document carefully

Clearly identify that the work you wish to carry out is covered by the *General Exemption Certificate—Queensland Heritage Places*. 'Permitted development' is the work and activities that may be carried out without referral to the department for assessment.

Strict limitations and conditions apply to the type and scope of work permitted and to how it is carried out. Make sure that you read and understand this document and the relevant technical notes before planning or starting any work.

Work that is not listed as permitted development in this *General Exemption Certificate—Queensland Heritage Places* requires a formal application and approval. This may be an application for an exemption certificate or a development approval. For information about these types of applications refer to the Queensland Government website: [www.qld.gov.au/environment/land/heritage/](http://www.qld.gov.au/environment/land/heritage/).

#### 2.2 Understand the place's heritage significance

Understanding why a place is important is a fundamental aspect of heritage conservation practice and the basis for making development decisions. Any person wishing to plan or carry out work at a Queensland Heritage Place should consult the entry in the Queensland Heritage Register to gain a good understanding of the cultural heritage significance of the place. Work can then be planned to avoid inadvertently damaging important heritage

---

## **General Exemption Certificate—Queensland Heritage Places**

---

features. If a conservation management plan has been prepared for a place it should also be consulted and its recommendations taken into account.

### **2.3 Seek advice**

The care of heritage places is a specialised field and often expert advice is needed. Heritage Development Officers can provide advice about the heritage significance of the place or the impact proposed development may have. For advice about the care of a heritage place contact the department on 13 QGOV (13 74 68) and ask to speak to a Heritage Development officer.

### **2.4 Consult the department's technical notes**

Heritage technical notes provide information about how to plan and undertake various types of conservation work at a Queensland Heritage Place. When planning development under the *General Exemption Certificate—Queensland Heritage Places*, the relevant technical notes should be used as a guide. Technical notes are available on the Queensland Government website: [www.qld.gov.au/environment/land/heritage/](http://www.qld.gov.au/environment/land/heritage/).

### **2.5 Use qualified tradespersons**

It is important to seek advice from qualified heritage professionals and trades people with experience in heritage conservation prior to undertaking work on a Queensland Heritage Place. To avoid expensive and irreversible mistakes, qualified and experienced persons should be used to carry out repairs or alterations to significant heritage features. To ensure a person is suitably qualified, it may be useful to request examples of their work prior to engaging their services.

### **2.6 Implement conditions set out in this General Exemption Certificate**

Development carried out under the *General Exemption Certificate—Queensland Heritage Places* must comply with conditions listed in Section 3 of this certificate, as well as the conditions that are listed under each category of development. Before commencing any work, distribute information about conditions to all persons who will be working on the heritage place. During and at the completion of the work, make regular inspections to ensure that all conditions are being met. A person who contravenes the conditions may be subject to penalty under the *Queensland Heritage Act 1992*.

### **2.7 Keep a record**

Keeping a record of maintenance and other work carried out at a heritage place is an essential aspect of heritage conservation. The department encourages owners to maintain a record of work undertaken at a place by keeping a maintenance log book to record all work carried out. As a continuous record of a place over time, a log book is a useful reference for future owners/managers of a place. The record should include a description of the work, date of completion, costs, contractors and warranties. It may also be useful to include a photographic record of work before and after completion.

---

## General Exemption Certificate—Queensland Heritage Places

---

### 3. Conditions

These conditions apply to all development carried out under the *General Exemption Certificate—Queensland Heritage Places*:

- 3.1 This exemption certificate is valid until 31 December 2019 unless it is amended or revoked by the Chief Executive.
- 3.2 The only development for which this General Exemption Certificate is given is that which is listed in Section 4 of this document.
- 3.3 Development must be specified, supervised and carried out by people with relevant knowledge, skills and experience in conservation of heritage places.
- 3.4 Development must be carried out in accordance with the applicable conditions and the relevant departmental technical notes.
- 3.5 Development must not cause damage to or removal of significant built fabric, natural features or sub-surface archaeological artefacts.
- 3.6 If development reveals previously unidentified features or items of cultural heritage significance, contact the department as soon as possible for advice on handling the situation.
- 3.7 If development disturbs or reveals archaeological artefacts, stop work immediately and give notification of the discovery to the department as per the requirements of the *Queensland Heritage Act 1992*.
- 3.8 Protect significant building fabric and other features or artefacts from incidental damage during development.
- 3.9 If damage to the heritage place occurs, immediately report the incident to the department and confirm details of the incident in writing within two business days.
- 3.10 Within five days of the receipt of a request from the department, allow departmental officers access to the heritage place to inspect and record the development.
- 3.11 For places with archaeological values (check the Queensland Heritage Register entry), excavation or disturbance of subsurface material must not extend below the current road base layer for roads and driveways, or below the level of previous ground disturbance associated with existing structures or services.

**General Exemption Certificate—Queensland Heritage Places**

**4. Development that may be carried out under this General Exemption Certificate**

**4.1 Buildings and structures**

**4.1.1 Maintenance and cleaning**

Regular maintenance and cleaning of buildings and structures helps to preserve their condition, prevent deterioration of building fabric and monitor arising maintenance issues.

Development	Conditions
Essential repair and maintenance work on an essential repair and maintenance notice given under the <i>Queensland Heritage Act 1992</i> .	<ul style="list-style-type: none"> <li>Essential repair and maintenance work must be carried out in accordance with all conditions listed on the essential repair and maintenance notice.</li> </ul>
Maintenance of a building fitting, fixture or plant and equipment to retain its condition or operation.	<ul style="list-style-type: none"> <li>Existing fittings, fixtures, plant and equipment must not be removed or damaged and new building materials must not be introduced.</li> </ul>
Non-abrasive cleaning to remove surface deposits, organic growths or graffiti.	<ul style="list-style-type: none"> <li>Cleaning must not remove or damage existing materials.</li> <li>Cleaning must not include water blasting, abrasives or chemicals.</li> <li>Cleaning must only use low pressure water (less than 100 psi at the surface being cleaned), neutral detergents, mild brushing or scrubbing with soft brushes.</li> </ul>
Removal of building elements to inspect or treat termites and other damaging insect pests.	<ul style="list-style-type: none"> <li>Inspection or treatment must not result in the permanent removal of existing building fabric unless it is beyond repair. Any areas of the building that are damaged by inspection or treatment must be returned to a sound condition matching the original building materials and details.</li> </ul>
Refixing of loose elements of a building.	<ul style="list-style-type: none"> <li>Existing fixings in sound condition must be reused and any new fixings must be of the same material and use the same method of fixing as originally used.</li> </ul>

**Technical notes**

This General Exemption is supported by the following technical note:

- Technical note: Inspection cleaning and maintenance*

**General Exemption Certificate—Queensland Heritage Places**

**4.1.2 Painting**

Maintaining surface condition of painted finishes helps to extend the workable life of a paint system and protect building fabric from deterioration.

Development	Conditions
Preparation for repainting a painted surface.	<ul style="list-style-type: none"> <li>• Preparation for painting must be by hand cleaning, hand scraping and hand sanding only.</li> <li>• Preparation for painting must not disturb or remove earlier paint layers other than those which have failed by peeling or cracking.</li> </ul>
Repainting of painted surfaces in the existing colour scheme.	<ul style="list-style-type: none"> <li>• New paint must be appropriate to the substrate and not cause damage to earlier paint layers.</li> <li>• Prior to applying new paint, apply an appropriate undercoat over existing paint work as an isolating layer to protect significant earlier layers of paint and to provide a stable basis for repainting.</li> <li>• Do not apply opaque paint to surfaces that are not already painted with an opaque paint.</li> </ul>
Buffing, oiling and varnishing to maintain an existing applied finish.	<ul style="list-style-type: none"> <li>• The composition of the oil or varnish must be the same as, or compatible with, the existing finish.</li> <li>• The method of application must not result in damage to the substrate or the finish.</li> <li>• Polyurethane coatings are not permitted.</li> </ul>

**Technical notes**

This General Exemption is supported by the following technical notes:

- *Technical note: Painting—maintenance*
- *Technical note: Painting—surface preparation*
- *Technical note: Painting—glossary*
- *Technical note: Painting—lead paint*



**General Exemption Certificate—Queensland Heritage Places**

**4.1.3 Minor repairs**

Minor repairs keep built elements in sound condition and working order and help prevent deterioration. Minor repairs should be based on the Burra Charter principle of doing as little as possible and only as much as is necessary to retain and protect the element. Replacement must only occur as a last resort when the major part of an element is beyond further maintenance.

Development	Conditions
Minor repair, removal and replacement of damaged or deteriorated building material (other than stained glass or leadlight windows).	<ul style="list-style-type: none"> <li>• Removal and replacement must only be undertaken when the original fabric is deteriorated significantly and can no longer be conserved.</li> <li>• Building materials or elements that are removed must be replaced with materials that match existing appearance, composition, detailing, size, position, finish and fixing method.</li> <li>• Replacement must not exceed 10% of the existing building material or elements.</li> <li>• Removal of original hardware and significant original fittings and fixtures is not permitted. Fittings are defined as elements fixed in place that would not damage the fabric of a place if removed, e.g. light shades, curtain rods, garden ornaments. Fixtures are defined as elements that are permanently fixed in place and would leave marks or cause damage if removed, e.g. sanitary fixtures, kitchen units, towel rails, light brackets and switches.</li> </ul>
Minor building work or propping to reinforce defective structural elements.	<ul style="list-style-type: none"> <li>• Removal of structural elements is not permitted.</li> <li>• Minor building work or propping must be carried out in concealed or unobtrusive areas.</li> </ul>
Repair or replacement of severely deteriorated structurally unsound timber or concrete stumps.	<ul style="list-style-type: none"> <li>• Replacement of more than four stumps is not permitted.</li> <li>• Replacement stumps must match original material, size and position and original ant caps. Tie down and bracing must be reused where practicable.</li> <li>• Re-levelling must not raise or lower a structure in relation to the existing floor levels.</li> </ul>

**Technical notes**

This General Exemption is supported by the following technical notes:

- *Technical note: Minor repairs—door and window hardware*
- *Technical note: Minor repairs—metal roofing*
- *Technical note: Minor repairs—metal work*
- *Technical note: Minor repairs—slate and terracotta roof tiles*
- *Technical note: Minor repairs—steel door and window*
- *Technical note: Minor repairs—stone and masonry*
- *Technical note: Minor repairs—timber*
- *Technical note: Minor repairs—timber doors and windows*

## General Exemption Certificate—Queensland Heritage Places

### 4.1.4 Building services

Repairing or upgrading existing building services or installing new services helps to maintain buildings in a habitable condition and to improve building operation.

Development	Conditions
<b>Maintenance and repair of existing services:</b>	
Electricity Telecommunications Air conditioning and heating Fire detection and control Plumbing, drainage, gas	<ul style="list-style-type: none"> <li>• Wiring and data cables must be concealed in existing service routes, cavities, voids, sub-floor or ceiling spaces only.</li> <li>• Trenching for the repair of underground services must not disturb built or landscape features. For places with identified archaeological values, trenching must be limited to the extent of existing service trenches. Reinstate ground surface on completion.</li> </ul>
<b>Upgrade and installation of services:</b>	
Generally	<ul style="list-style-type: none"> <li>• Install new fittings/equipment in unobtrusive locations.</li> <li>• Installation is only permitted when existing fittings and fixtures are not significant and original fittings/fixtures do not survive.</li> <li>• Openings up to a maximum diameter of 25mm can be made in significant fabric to facilitate insertion of wiring, data cables, ducting and pipes.</li> <li>• Trenching (see above).</li> </ul>
Electricity and telecommunications: circuit breakers, power boards, rewiring/cabling, switches and points.	<ul style="list-style-type: none"> <li>• Original power point and light switch fittings must not be removed or relocated.</li> </ul>
Electrical fittings: (such as new fans or lighting) to existing wall or ceiling mounts.	<ul style="list-style-type: none"> <li>• New fittings must be positioned in the same places as previous surface-mounted items.</li> </ul>
Air conditioning, heating and ventilation systems	<ul style="list-style-type: none"> <li>• Split systems are not to be located on prominent elevations and should not be visible from the street.</li> <li>• Ducted systems – use existing components if possible or replace in existing locations.</li> <li>• Installation of window box/wall air conditioners is not permitted.</li> <li>• Solar hot water panels are permitted in unobtrusive positions that are not visible from street or prominent views.</li> </ul>
Plumbing and drainage Metal roof vents in metal roofs Rainwater tanks	<ul style="list-style-type: none"> <li>• New plumbing must be concealed in existing cavities, subfloor and ceiling spaces only.</li> <li>• Roof vents are permitted in unobtrusive positions that are not visible from street or prominent views.</li> <li>• Replacement water tanks must match existing tanks in appearance, material, size and position.</li> </ul>
Solar panels, antennae, satellite dishes	<ul style="list-style-type: none"> <li>• Installations are not to be located on major elevations and should not be visible from the street.</li> </ul>
Insulation	<ul style="list-style-type: none"> <li>• Roof insulation and insulation in other locations that do not require the opening up of significant fabric is permitted.</li> </ul>
Minor repairs resulting from removal of non-significant service items.	<ul style="list-style-type: none"> <li>• Minor repairs must utilise materials that match existing appearance, composition, detailing, size, position, and finish of existing.</li> </ul>

**General Exemption Certificate—Queensland Heritage Places**

**Technical notes**

This General Exemption is supported by the following technical notes:

- *Technical note: Building services—maintenance and repairs*
- *Technical note: Building services—upgrades and installation*
- *Technical note: Building services—planning*
- *Technical note: Building services—lighting*
- *Technical note: Building services—heating and cooling*

**4.1.5 Parks, gardens and landscapes**

Regular maintenance and ongoing care of parks, gardens and other landscape elements helps to preserve planting schemes, keep important specimens in good health and monitor arising maintenance issues. For cleaning and repairs to monuments, memorials and garden structures see 4.1 Buildings and structures.

Development	Conditions
Pruning of trees to control size, shape, flowering and fruiting and to remove dangerous, diseased or dead vegetation.	<ul style="list-style-type: none"> <li>• Pruning must be carried out in accordance with <i>Australian Standard Pruning and Amenity of Trees AS4373</i>.</li> <li>• Do not remove more than 20% of the canopy of a tree in any two-year period, unless the work is carried out by a qualified person (for example an arborist, horticulturalist or tree surgeon) who has given a written assessment that work is required for safety reasons or the long-term health of the tree.</li> </ul>
Replanting to maintain garden beds.	<ul style="list-style-type: none"> <li>• Use plant species and planting designs that retain the character of the landscape or garden.</li> <li>• Avoid use of chemical fertilizer and chemical weed killers near masonry structures.</li> </ul>
Installation of garden sprinkler systems.	<ul style="list-style-type: none"> <li>• Position garden sprinklers so that water discharge is at least two metres away from all buildings and in-ground structures including monuments and memorials.</li> </ul>
Removal of Class 1 declared pest plant species under the <i>Land Protection (Pest and stock route management) Act 2002</i> .	<ul style="list-style-type: none"> <li>• Within two months of removal, replace the tree with a species that grows to a similar height, shape and visual appearance. Plant in the same or similar position as the removed tree.</li> </ul>
Removal of trees that have been assessed by a qualified arborist or horticulturalist as dead, dangerous or beyond curative repair.	<ul style="list-style-type: none"> <li>• Prior to removing, submit a written report prepared by a qualified person assessing the health of trees to be removed. If it is not possible to replace the removed tree with the exact same species, the report must nominate the species of replacement tree.</li> <li>• Within two months of removal, replace the removed tree. Position new plant in the same or similar position as the removed tree.</li> </ul>

**Technical notes**

This General Exemption is supported by the following technical notes:

- *Technical note: Parks, gardens and landscapes—maintenance*

**General Exemption Certificate—Queensland Heritage Places**

**4.2 Safety and security**

New and temporary security devices enhance building security and protect fragile heritage features. They allow heritage places to be used safely.

Development	Conditions
Installation of temporary barriers (e.g. fencing, scaffolding or hoardings) to prevent unauthorised access or secure public safety.	<ul style="list-style-type: none"> <li>• Temporary barriers must be made stable during and after construction to prevent accidental damage.</li> <li>• Temporary barriers must be installed for a maximum of three months in any one year period.</li> <li>• Temporary barriers must not connect to existing building fabric.</li> <li>• All installations must be reversible.</li> </ul>
Installation of new surface mounted locks and rim locks.	<ul style="list-style-type: none"> <li>• Existing original hardware (such as locks and handles) must not be removed or relocated regardless of condition.</li> <li>• Where new components are visible, they must be the smallest of their type and installed in an unobtrusive location to minimise visual impact.</li> </ul>
Installation of alarms, portable fire extinguishers, detection devices, video surveillance and emergency lighting signage equipment	<ul style="list-style-type: none"> <li>• Installation of new interior sprinkler systems is not permitted.</li> <li>• Chasing for installing wiring in walls or other building surfaces is not permitted.</li> <li>• Wiring must be concealed in existing service routes, cavities, voids, sub-floor or ceiling spaces only.</li> <li>• Openings up to a maximum diameter of 25mm can be made in significant fabric to facilitate insertion of wiring.</li> <li>• Where new components are visible, they must be the smallest of their type and installed in an unobtrusive location to minimise visual impact.</li> </ul>

**Technical notes**

This General Exemption is supported by the following technical notes:

- *Technical note: Safety and security—minor and temporary works*

**General Exemption Certificate—Queensland Heritage Places**

**4.3 Signage**

Temporary signage, flags and banners help to accommodate changing needs. Local government also regulates signage and advertising under local laws.

Development	Conditions of approval
Installation of temporary signage, flags and banners.	<ul style="list-style-type: none"> <li>• Locate and size temporary signage, flags and banners to minimise visual impact and maintain views to and from the place.</li> <li>• Significant fabric must not be obscured by temporary signage, flags and banners.</li> <li>• Temporary signage must be fully removable and must not be painted directly onto significant fabric.</li> <li>• Fixings for temporary signage, flags or banners must not penetrate significant fabric.</li> <li>• Installation of illuminated signage or flag poles is not permitted.</li> <li>• Installation of temporary signage, flags or banners must be completely reversible and no evidence is to remain once items are removed.</li> <li>• Real estate signage must not be installed continuously for more than a three-month period and must be removed within ten days of sale or letting of the place.</li> </ul>
Adding names to existing memorial or honour boards.	<ul style="list-style-type: none"> <li>• Addition of names must be carried out in accordance with practices traditionally associated with the place.</li> <li>• New script must match existing craftsmanship, style, material, size, layout, spacing and colour.</li> </ul>

**Technical notes**

This General Exemption is supported by the following technical notes:

- *Technical note: Signage—minor and temporary works*
- *Technical note: Signage—installing new signs*

## General Exemption Certificate—Queensland Heritage Places

### 4.4 Temporary structures

Temporary structures can help heritage places to accommodate a wider range of uses without damaging heritage fabric.

Development	Conditions
Temporary installation of light-weight, non-permanent structures.	<ul style="list-style-type: none"> <li>• Locate temporary structures to minimise visual impact and maintain views to and from the place.</li> <li>• Temporary structures must not be erected for more than three months within a 12-month period.</li> <li>• All fragile surfaces and elements of a place (including lawns, porous surfaces, vegetation and tree root zones) must be protected from impact and damage caused by the installation and use of temporary structures.</li> <li>• Installation of temporary structures must be completely reversible and no evidence of structures is to remain once they have been removed.</li> </ul>
Temporary structures associated with the execution of a building contract (e.g. site offices, storage containers, gantries and scaffolding).	<ul style="list-style-type: none"> <li>• Temporary structures must be for approved development.</li> <li>• Temporary structures must be dismantled within fourteen days of practical completion of the building contract.</li> <li>• All fragile surfaces and elements of a place (including lawns, porous surfaces, vegetation and tree root zones) must be protected from impact and damage caused by the installation and use of temporary structures.</li> <li>• Installation of temporary structures must be completely reversible and no evidence of structures is to remain once they have been removed.</li> </ul>

### Technical notes

This General Exemption is supported by the following technical notes:

- *Technical note: Temporary structures*

### 4.5 Cemeteries

Installation of new grave plots and associated memorials and markers allows active cemeteries to continue functioning with minimum impact on significance. Also refer to 4.1 Buildings and structures and 4.2 Parks and gardens.

Development	Conditions
Excavation and other work required to make a new burial plot as part of a planned expansion of the cemetery.	<ul style="list-style-type: none"> <li>• Protect all existing cemetery features and fabric—including headstones, footstones, grave markers, memorials, grave kerbing, iron railings, grave furniture, enclosures, fences and vegetation—from damage.</li> </ul>
Erection of memorials or grave markers to new burial plots.	<ul style="list-style-type: none"> <li>• Design (including colour, materials, size and form) of new memorials and markers must be in keeping with the character of the cemetery.</li> <li>• New memorials and markers must not exceed 1200 mm in height above natural ground level.</li> <li>• Protect all existing cemetery features and fabric—including headstones, footstones, grave markers, memorials, grave kerbing, iron railings, grave furniture, enclosures, fences and vegetation—from damage.</li> </ul>

---

## General Exemption Certificate—Queensland Heritage Places

---

### 5. Further information

For more information about development carried out under the General Exemption Certificate:

- Refer to the following technical notes on the Queensland Government website at [www.qld.gov.au/environment/land/heritage/](http://www.qld.gov.au/environment/land/heritage/)

Technical notes:

- Asbestos cautionary note
  - Building services—heating and cooling
  - Building services—lighting
  - Building services—maintenance and repairs
  - Building services—planning
  - Building services—upgrades and installation
  - Minor repairs—door and window hardware
  - Minor repairs—metal work
  - Minor repairs—slate and terracotta roof tiles
  - Minor repairs—steel framed doors and windows
  - Minor repairs—stone and masonry
  - Minor repairs—timber
  - Minor repairs—timber doors and windows
  - Painting—glossary
  - Painting—lead paint
  - Painting—maintenance
  - Painting—surface preparation
  - Parks, gardens and landscapes—maintenance
  - Passive cooling in Queensland
  - Safety and security—minor and temporary works
  - Signage—installing new signs
  - Signage—minor and temporary works
  - Temporary structures
- call 13 QGOV (13 74 68) and ask to speak to a Heritage Development officer
  - visit [www.qld.gov.au/environment/land/heritage/](http://www.qld.gov.au/environment/land/heritage/)

# PARKS, GARDENS AND LANDSCAPE— MAINTENANCE

This technical note outlines good practices to be followed in maintaining important parks, gardens and landscapes and identifies maintenance activities that are approved under General Exemption Certificate—Queensland Heritage Places.

## Background

Parks, gardens and landscapes contain evidence of the layers of human activity, occupation and use over time. They reflect the time in which they were developed and about the way of life, tastes and interests of their original and subsequent owners and designers. Landscapes include scenic areas, cemeteries, stock routes, tramway routes, early coach routes, avenues of trees and individual trees. They might also be sites of significant events and are as much cultural artefacts as buildings. Original or early elements such as design, layout, plantings, fencing, paving, furniture, garden structures, culverts and abutments, should be retained and conserved.

## The Queensland Heritage Register

Some parks and some gardens are clearly identified as registered landscapes. However, many other places in the Queensland Heritage Register have landscapes that are part of the significance of the place. The Queensland Heritage Register boundary encompasses not only the building or group of buildings that may be the focus of the entry, but also includes the grounds, gardens and landscape structures and elements. Conservation of these landscapes is important for the conservation of the place as a whole and work to these areas requires approval by the department.

## Maintenance under General Exemption

Maintenance of parks, gardens and landscapes approved under General Exemption includes:

- pruning of trees to control size, shape, flowering or fruiting and removal of dangerous, diseased or dead vegetation
- replanting to maintain garden beds
- installation of garden sprinkler systems

- removal of Class 1 declared pest plant species
- removal of trees that have been assessed by a qualified arborist or horticulturist as dead, dangers or beyond curative repair.

## Pruning

Pruning of trees and shrubs is necessary to:

- control size
- improve shape, flowering or fruiting
- remove diseased, dead or dangerous material.

Pruning to 20 per cent of the crown of the tree within a period of two years can be undertaken under General Exemption. If the tree requires more than 20 per cent of its canopy removed for safety reasons or for the long-term health of the tree, a written assessment must be given and the work must be carried out by a qualified person (for example, an arborist, tree surgeon or horticulturalist). Trees should never be lopped back to a stump. Pruning must be carried out in accordance with Australian Standard AS4373 Pruning and Amenity of Trees.

## Maintaining the original character of the plantings

Registered gardens and landscapes should continue to use plants that reflect the original species used in the design. Otherwise the original character of the garden may be lost or obscured.

Replacement or additional plantings should be chosen from the range of species originally planted, or from plants that are similar in form and character and were available at the time of the original plantings. The pattern of planting in beds, rows or hedging should also match the original.



Many registered gardens and landscapes feature mature trees planted as avenues, border plantings or specimens. These trees may define the original design and character of the grounds or garden, and correct care of them is essential to maintain the significance of the landscape.

Earlier Queensland gardens often feature plantings of large native and exotic trees such as figs and pines, black beans, camphor laurels, bottle trees and bamboo groves; and the large flowering tropical trees and shrubs such as poinciana, jacarandas, albizzias, cassia, rain trees, poinsettia and frangipanis.

Where there are gaps in formal planting, it may be possible to obtain mature specimens of certain species. However, mature replacement trees may have a limited life and a number of options may need to be considered. A replacement planting program would require approval by the department and is not covered by General Exemption.

### Sprinklers

Sprinkler or irrigation systems may be installed provided they do not damage important parts of the garden, for example, garden edging, paths, significant plantings and walls. When considering landscape design, gardens and sprinkler systems should not be placed adjacent to masonry walls as this can cause damp problems for the building. Position garden sprinklers so that water discharge is at least two metres away from all buildings and in-ground structures including monuments and memorials.

Consider installing a sub-surface tape system that minimises water loss to the atmosphere.

### Pest plant species

Removal of Class 1 pest plant species under the *Land Protection (Pest and Stock Route Management) Act 2002* is permitted under General Exemption. If the removed pest plant forms part of the park, garden or landscape design it should be replaced within two months of removal with a species that grows to a similar height, shape and visual appearance. The new plant should be located in the same or a similar position as the removed plant.

### Tree removal

Trees that have been assessed by a qualified arborist or horticulturist as dead, dangerous or beyond curative repair can be removed under General Exemption following the submission to the department of a written assessment of the health of the tree to be removed. If it is not possible to replace the removed tree with the exact same species, the report must nominate the species of replacement tree.

### Good practice

Caring for parks, gardens and landscapes should include:

- investigating the history and design, the elements and the condition
- maintaining an appropriate design that fits the character of the place and the needs of the owner
- maintaining the elements.

A well thought-out maintenance program will keep parks, gardens and landscapes in good condition at a reasonable cost. Major rehabilitation following years of neglect can be expensive.

Maintenance should be based on good horticultural practice rather than current fashion. The intent of the original design and significant subsequent changes should also be respected. The maintenance program should be designed to ensure that the park, garden or landscape is viable into the future. As with all maintenance, guidelines are no substitute for specialist advice from people experienced in horticulture and heritage landscape conservation.

The following discussion outlines how to gain an understanding of your registered park, garden or landscape and provides some information about undertaking maintenance.

### Understanding registered parks, gardens and landscapes

Landscapes provide evidence of the past and of social and cultural change. They provide an opportunity to understand plants and their use and to recognise historic procedures of plant cultivation.

Landscapes may be important both in their own right and/or as settings for registered buildings. Landscape elements alter not only with the seasons but also over periods of many years, so understanding the place can be difficult. This continual change means that the maintenance of a landscape must always proceed cautiously, in conjunction with ongoing assessment. It is important to keep records of the place as it develops and as new evidence is found. It is equally important not to remove evidence that helps in understanding or interpreting the site.

### The Queensland garden

There are distinctive Queensland traditions in design and planting that can be found across all types of gardens. Very little is known about the history of Queensland landscapes and further research is needed.

## Parks, gardens and landscape—Maintenance

Avoid generalisations about Queensland landscapes and be wary of copying examples from southern states where more work has been done on the history of landscapes in these areas. Do not design or decorate the garden or landscape to a style or with details or furniture unsuited to the design of the building or landscape.

A useful reference to assist in identifying the characters of gardens and landscapes in Queensland since the 1840s is *The Oxford Companion to Australian Gardens* (see Further Reading for full reference).

### Maintaining the design

The setting and significant components of landscape must be preserved. These elements will include major landscape features, clear open spaces, shrubberies, decorative flowerbeds, garden structures, features and ornaments, edges and paths.

Regular maintenance should conserve these components and the integrity of the overall design.

### Structures and furniture

Original garden structures, walls and edges, furniture, fittings and services should be conserved in their original locations. This includes some garden and landscape structures that may now be rare including Hills hoists, domestic outhouses, farm sheds, windmills and early fences.

### Views and vistas

Important views or vistas in a garden or landscape can often become obscured by natural growth of trees and shrubs or by inappropriately placed new ones. Views and vistas may change as the landscape matures and these become important as evidence of the intent of the evolving design. To maintain significant views, prune plantings as necessary but not beyond 20 per cent of the crown.

### Landscape features and contours

The form, materials and detailing of the original landscape design should be conserved as well as retaining or replacing original plantings. For example, if the contents of an old garden bed have changed, the form of the bed should be retained.

The contours and shaping of the landscape are important. Many gardens and landscapes have terraced areas, plantings often follow the contours, and shaped mounds provide interest and contrast. These features should be conserved as an integral part of the design of the landscape.

Do not replace original straight paths or drives with curvilinear paths or drives (or vice versa), or a gravel surface with modern brick paving. Retain and repair old bitumen paths, rather than replacing them with brick or other materials.

Do not alter lawn or garden profiles adjacent to paths. Retain and repair garden edgings such as tiles—do not re-edge with modern materials such as concrete strips, or inappropriate recycled materials such as old railway sleepers.

### Care of lawns

A healthy, vigorous sward of grass is the best defence against pests, disease and weeds. Grass requires intensive and continual maintenance throughout the year, including mowing, watering, aerating, fertilising, top dressing, oversowing, weeding and control of pests and diseases.

Try to retain original grass species and varieties as they contribute to the cultural heritage significance of the place.

Although different grass species require different mowing heights, in general older sites are best left with longer grass length, especially in areas further from the buildings. When mowing, take care not to damage brick gutters, edgings, plants or garden ornaments.

Avoid mowing grass paths with mowers that are wider than the paths. Take care with brush cutters and whipper snippers near garden ornaments, edgings or significant plantings as their use can result in damage to these elements and ringbarking or plant injury.

### Care of hard landscaping elements

Fences and gates, walls, paths, paving and edging, roads and tracks, fountains, statues, furniture, culverts, etc should be regularly cleaned and maintained using methods that do not damage the fabric of the elements.

### New work

New work, such as the addition of new features, is not maintenance and cannot be undertaken under General Exemption. This will require approval by the department.

## Acknowledgment

This publication was produced in accordance with resource-sharing arrangements approved by the Australian Heritage Information Network. It contains material that was originally published as Heritage Gardens by the Heritage Council of New South Wales Technical Advisory Group for Material and Conservation October 1997 and incorporates material from Heritage Victoria Draft Guidelines for Assessment in Heritage Places.

## Further reading

Aitken, Richard and Looker, Michael (eds) 2002, The Oxford Companion to Australian Gardens, Oxford University Press, Melbourne.

Australian Garden History Society 1988, Open to View: Historic Gardens and the Public, Proceedings of the Ninth Annual Conference of the Australian Garden History Society.

Australian Garden History Society 1994, The Changing Landscape: The Garden in the Landscape, Proceedings of the Australian Garden History Society Fifteenth Annual Conference.

Betteridge, C & Tanner, H et al 1983, Historic Gardens in Australia: Guidelines for the Preparation of Conservation Plans, Australian Garden History Society, Sydney.

Cuffley, P 1991, Traditional Gardens in Australia, Five Mile Press, Melbourne.

Gilfedder F, Pichler J, Smith S 1994, Historic and Significant Gardens Technical Notes, Royal Botanic Gardens Melbourne.

Hitchmough, J D 1994, Urban Landscape Management, Inkata Press, Sydney.

Lawrence T, Norquay Pand Liffman K. 1993, Practical Tree Management - An Arborists Handbook, Inkata Press, Sydney.

Looker M, Patrick J 1987, Understanding and Maintaining your Historic Garden Produced for Ministry of Planning and Environment Victoria.

National Trust of Australia (NSW) 1993, Trees, Parks & Gardens: Conserving Landscape Values in the Urban Environment, A National Trust Seminar, National Trust of Australia (NSW), Sydney.

National Trust Queensland 1994, Conserving the Queensland House series, 12. Remaking the Garden. National Trust Queensland, Brisbane.

Papers presented at the Historic Gardens Conference, 'Rippon Lea', Melbourne, 1986, Ministry for Planning and Environment and Historic Buildings Council.

Ramsay, J, Australian Heritage Commission 1991, Parks, Gardens and Special Trees, Technical Publication No 2, Australian Government Publishing Service, Canberra.

Ramsay, J, Australian Heritage Commission 1991, How to record National Estate Values of Gardens, Australian Government Publishing Service, Canberra.

Sagazio, C (ed) 1992, The National Trust Research Manual, Investigating Buildings, Gardens and Cultural Landscapes, Allen and Unwin, Sydney.

Watts, P 1983, Historic Gardens of Victoria: A Reconnaissance, Oxford University Press, Melbourne.

Wright, TWJ 1982, Large Gardens and Parks. Maintenance, Management and Design. Granada, London, UK.

### Disclaimer

While this document has been prepared with care, it contains general information and does not profess to offer legal, professional or commercial advice. The Queensland Government accepts no liability for any external decisions or actions taken on the basis of this document. Persons should satisfy themselves independently by consulting their own professional advisors before embarking on any proposed course of action.



**8.6 DELEGATIONS UPDATE NOVEMBER 2019**

**Date Prepared:** 28 October 2019  
**Author:** Manager Development and Governance  
**Attachments:** 1. [Table of Delegable Powers](#) ↓

---

**EXECUTIVE SUMMARY**

As part of the monthly delegations update service provided by MacDonnells Law, Council is advised of amendments to various pieces of legislation that require amendments to existing delegations or new delegations to be made by Council. Also, to ensure good governance within Council the Delegations and Authorisations Policy has been reviewed.

**RECOMMENDATION**

That:

1. Council delegates the exercise of the powers contained in the attached Table of Delegable Powers, with such powers to be exercised subject to any limitations; and
2. Any prior delegations of power relating to the same matters are revoked.

**BACKGROUND**

Council has delegated to the Chief Executive Officer (CEO) the necessary statutory powers under various pieces of legislation to enable him to effectively perform the requirements of the role and efficiently manage the operations of the Council. All delegations are made subject to the limitations on the attached documentation.

This report and the recommended delegations of power to the CEO if executed by resolution of Council, will provide a base for good decision making and accountability while maintaining statutory compliance by the Mareeba Shire Council.

Council subscribes to a monthly delegation's update service provided by MacDonnells Law, under which MacDonnells review the myriad pieces of legislation that provide statutory powers to local government and they then advise the subscribing Councils of any changes to legislation that require amendment of existing delegations or new delegations to be made by Council.

The attached Tables of Delegable Power display the legislation recently reviewed by MacDonnells and the amendments or additions to be made as a result thereof.

**Land Act 1994 (Qld) ("LANA")**

The LANA was amended by the Natural Resources and Other Legislation Amendment Act 2019 which provisions commenced by proclamation on 11 October 2019.

The amendments reflect a change in policy where the Department's Chief Executive, and not the Minister, has been tasked with a number of responsibilities previously held by the Minister.

Accordingly, a number of applications under the LANA which were previously made to the Minister, are now required to be made to the Department's Chief Executive instead.

Of interest, a number of other changes were made as a result of the amending act which do not affect delegable powers, but which may be of general interest to Council. These include changes to

the Mineral Resources Act 1989, Mineral and Energy Resources (Common Provisions) Act, and Petroleum and Gas (Production and Safety) Act.

In some cases, these changes are significant, such as an introduction of a 15 year cap on the overall life of mineral or coal exploration permits, and the introduction of a new power to allow the Minister to amend the conditions of exploration permits or authorities to prospect without an application being made by the holder.

### **Heavy Vehicle National Law Act 2012 (Qld) ("HVNL")**

The HVNL was amended by the Heavy Vehicle National Law and Other Legislation Amendment Act 2019 on 12 September 2019.

The amendment to the HVNL came as a result of change in the Heavy Vehicle National Law which subsequently changed the number of the provisions. This amendment updates reinserts section 42E to reflect the renumbering and remove redundant provisions and definitions.

The delegations include powers in section 160, which on review of the HVNL, are considered to be delegable powers. These powers allow Council to apply conditions to grants of authority which are proposed to by the Regulator. Some of the more substantial changes are explained in more detail below.

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

There are legal implications for local government if management is not aware of the delegated powers and powers of authorised persons that are required for their sections to operate efficiently.

The statutory powers of employees, whether delegated to their position by the CEO or obtained as a result of an appointment as an authorised person under particular statutes, will be invalid if they cannot be supported by an instrument documenting the particulars.

In the case where Council is challenged on an action taken or a decision made by its employees, there needs to be proof that the employee held the powers required to do so. Such documentation is known as the instrument and is required for delegations, sub-delegations and appointments. Section 260 requires the CEO to establish and maintain a register of delegations and make it available to the public.

### **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**

Nil

## Delegable Powers under the Land Act 1994 ("LANA")

### CHAPTER 2 – LAND ALLOCATION

#### Part 2 – Reservations

Entity power given to	Section of LANA	Description	Date of Resolution of Delegation to CEO
Person	23A(1)	Power to apply to <a href="#">Minister-Chief Executive</a> for the allocation of a floating reservation.	
Person	23A(6)	Power to appeal against a <a href="#">Minister's-Chief Executive's</a> decision.	

### CHAPTER 3 – RESERVES, DEEDS OF GRANT IN TRUST AND ROADS

#### Part 1 – Reserves and deeds of grant in trust

##### Division 2 – Reserves

Entity power given to	Section of LANA	Description	Date of Resolution of Delegation to CEO
Local Government	34H(1)	Power to apply to the <a href="#">Minister-Chief Executive</a> to remove improvements from a revoked reserve.	

##### Division 3 – Deeds of grant in trust

Entity power given to	Section of LANA	Description	Date of Resolution of Delegation to CEO
Owner of improvements on a deed of grant in trust that has been cancelled	38G(1)	Power to apply to the <a href="#">Minister-Chief Executive</a> to remove the owner's improvements on a deed of grant in trust.	

**Division 6 – Powers of trustee**

Entity power given to	Section of LANA	Description	Date of Resolution of Delegation to CEO
<a href="#">Trustee</a> <a href="#">Lessee</a>	<a href="#">58(7)</a>	<a href="#">Power to appeal against a decision by the Minister or Chief Executive under section 58(6)</a>	

**CHAPTER 5 – MATTERS AFFECTING LAND HOLDINGS**

**Part 4 – Forfeiture**

**Division 3A – Sale of lease instead of forfeiture**

Entity power given to	Section of LANA	Description	Date of Resolution of Delegation to CEO
Relevant Local Government	240G(1)	Power to apply to the <a href="#">Minister-Chief Executive</a> for approval to sell a lease.	

**CHAPTER 6 – REGISTRATION AND DEALINGS**

**Part 4 – Dealings affecting land**

**Division 1 – Transfers**

Entity power given to	Section of LANA	Description	Date of Resolution of Delegation to CEO
Transferor	322(8)	Power to appeal against the <a href="#">Minister's-Chief Executive's</a> decision.	



**Division 3 – Subleases**

Entity power given to	Section of LANA	Description	Date of Resolution of Delegation to CEO
Sublessor	332(7 <del>8</del> )	Power to appeal against a Minister’s decision.	

**Division 3A – ~~Mediation for disputes about terms of particular subleases~~ Process for resolving disputes under particular subleases**

Subdivision 2 – Notice of dispute

Entity power given to	Section of LANA	Description	Date of Resolution of Delegation to CEO
Party to a sublease	339B(4)	<del>Power to ask the Chief Executive to refer a dispute to mediation.</del>	
Party to a sublease	339B(3)(a)(i)	<del>Power to agree on a person to conduct the mediation.</del>	
Party to a sublease	339B(3)(b)	<del>Power to decide the way in which the mediation is to be conducted.</del>	
Party to a sublease	339B(3)(c)	<del>Power to participate in mediation on behalf of the local government.</del>	
<u>Party to a sublease</u>	<u>339F(1)</u>	<u>Power to give another party to the sublease a written notice of dispute.</u>	
<u>Responder</u>	<u>339G(1)</u>	<u>Power to give a notifier of a sublease dispute a written response to the dispute notice within the specified time.</u>	
<u>Party to a sublease</u>	<u>339H(2)</u>	<u>Power to agree not to attempt to resolve the dispute by mediation and to submit the dispute to arbitration.</u>	

Subdivision 3 – Mediation

<u>Entity power given to</u>	<u>Section of LANA</u>	<u>Description</u>	<u>Date of Resolution of Delegation to CEO</u>
<u>Party to a sublease</u>	<u>339I(1)</u>	<u>Power to jointly appoint a mediator to mediate the dispute.</u>	
<u>Party to a sublease</u>	<u>339I(2)</u>	<u>Power to request a prescribed dispute resolution entity appoint a mediator.</u>	

<a href="#">Party to a sublease</a>	<a href="#">339J(1)</a>	<a href="#">Power to agree to a time for mediation</a>	
<a href="#">Party to a sublease</a>	<a href="#">339J(2)</a>	<a href="#">Power to request the mediator to set a time for the mediation.</a>	
<a href="#">Party to a sublease</a>	<a href="#">339J(4)</a>	<a href="#">Power to appoint an agent to represent the Local Government at a mediation.</a>	

**Subdivision 4 – Arbitration**

<a href="#">Entity power given to</a>	<a href="#">Section of LANA</a>	<a href="#">Description</a>	<a href="#">Date of Resolution of Delegation to CEO</a>
<a href="#">Party to a sublease</a>	<a href="#">339O(1)</a>	<a href="#">Power to appoint a single arbitrator to decide the dispute</a>	
<a href="#">Party to a sublease</a>	<a href="#">339O(2)</a>	<a href="#">Power to request a prescribed dispute resolution entity to appoint a single arbitrator to decide the dispute</a>	
<a href="#">Party to a sublease</a>	<a href="#">339R(2)</a>	<a href="#">Power to request an appointed expert participate in a hearing.</a>	
<a href="#">Party to a sublease</a>	<a href="#">339U(3)(a)</a>	<a href="#">Power to agree on how the costs of arbitration will be paid.</a>	

**Division 7 – Correcting and changing deeds of grant and leases**

<b>Entity power given to</b>	<b>Section of LANA</b>	<b>Description</b>	<b>Date of Resolution of Delegation to CEO</b>
Lessee or a person acting for the lessee	360C(2)	Power to apply to amend the description in a term lease <a href="#">or perpetual lease</a> , other than a State lease, <del>or a perpetual lease</del> if the description of the lease may be amended under section 360A(2)(a), (b) or (c).	

### Delegable Powers under the Heavy Vehicle National Law (Queensland) ("HVNL")

**CHAPTER 4 – VEHICLE OPERATIONS – MASS, DIMENSION AND LOADING**  
**Part 4.7 – Particular provision about mass or dimensions authority**  
**Division 2 – Obtaining consent of a relevant road manager**

Entity power given to	Section of HVNL	Description	Date of Resolution of Delegation to CEO
<u>Relevant Road Manager</u>	<u>160(1)</u>	<u>Power to consent to the grant of a mass or dimension authority subject to the specified conditions.</u>	
<u>Relevant Road Manager</u>	<u>160(2)(a)</u>	<u>Power to give the regulator a written statement that explains the road manager's decision to give consent to the grant of the authority, subject to the condition and complies with section 172.</u>	



**8.7 FINANCIAL STATEMENTS PERIOD ENDING 31 OCTOBER 2019**

**Date Prepared:** 5 November 2019

**Author:** Manager Finance

**Attachments:** 1. [Budgeted Income Statement By Fund 2018/19 Budget](#) 

**EXECUTIVE SUMMARY**

The purpose of this report is to provide Council with an overview of financial matters for the period 1 July 2019 to 31 October 2019.

**RECOMMENDATION**

That Council note the financial report for the period ending 31 October 2019.

**BACKGROUND**

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

For the period ending 31 October 2019, the actual results are in line with the year to date budget.

The budgeted figures reflect the 2019/20 Budget as adopted by Council at the 19 June 2019 meeting. There are no issues or concerns to discuss or highlight at this stage.

---

***October 2019 - Snapshot***

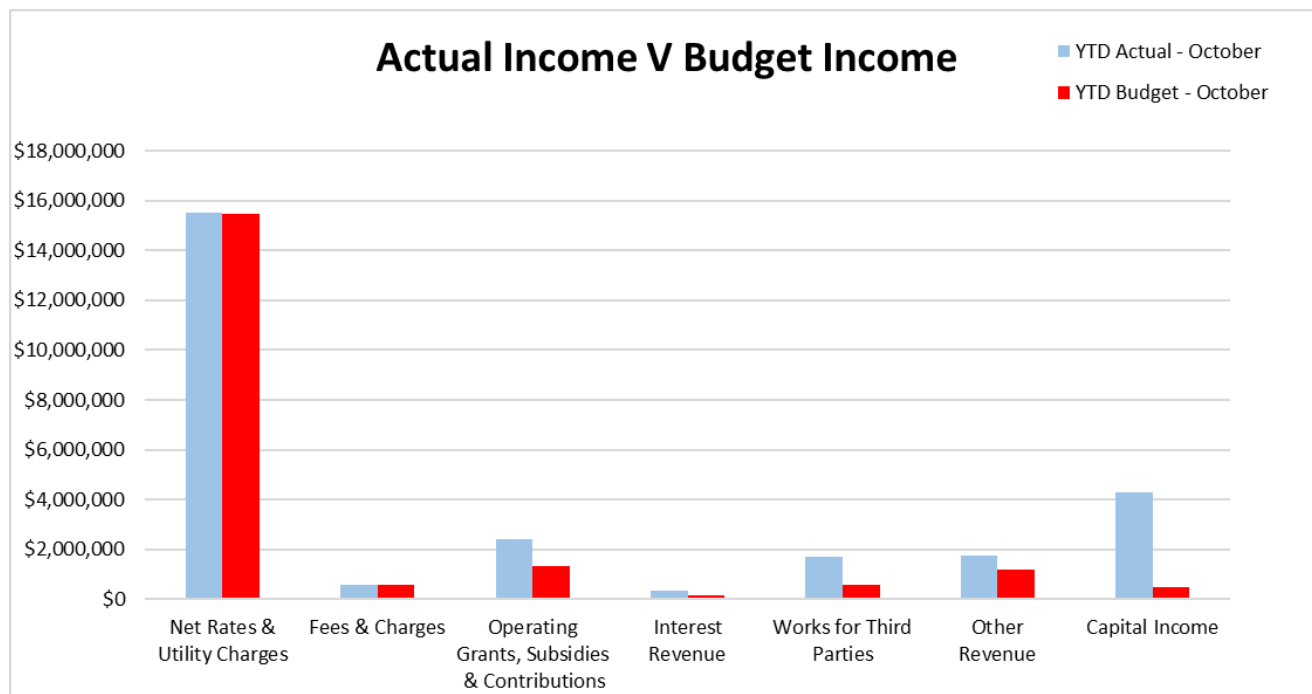
Total Operating Income	\$	22,302,809
Total Operating Expenditure	\$	18,368,946
Operating Surplus/(Deficit)	\$	3,933,863
Total Capital Income (grants, developer contributions)	\$	4,295,310
<b>Net Result - Surplus/(Deficit)</b>	<b>\$</b>	<b>8,229,173</b>

---

Income Analysis

Total income (including capital income of \$4,295,310) for the period ending 31 October 2019 is \$26,598,119 compared to the YTD budget of \$19,812,920.

The graph below shows actual income against budget for the period ending 31 October 2019.



	Actual YTD	Budget YTD	Note
Net Rates & Utility Charges	15,507,435	15,467,457	
Fees & Charges	571,683	571,106	
Operating Grants, Subsidies & Contributions	2,409,537	1,316,538	<b>1</b>
Interest Received	346,477	166,836	
Works for Third Parties	1,727,184	597,000	<b>2</b>
Other Revenue	1,740,493	1,203,935	<b>3</b>
Capital Income	4,295,310	490,048	<b>4</b>

Notes:

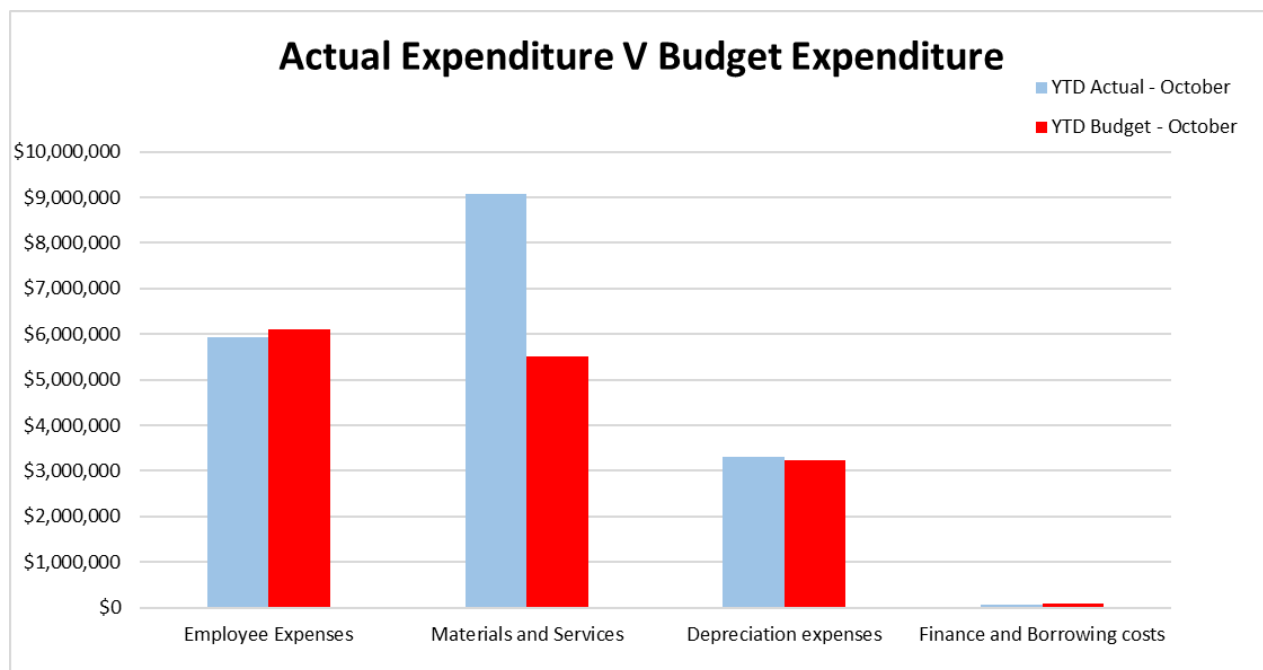
1. Favourable variance is in relation to NDRRA income received for the 2018 event (\$1.02M). This is not budgeted but will be offset with expenditure.
2. Favourable result due to 3<sup>rd</sup> party works which were not budgeted for. The associated costs form part of the operational expenses which were also not budgeted. The net impact of these additional works is likely to result in a small surplus.
3. Favourable variance due to the balance of payments through settlement of land sales at the Mareeba Industrial Estate (\$489k).

- Council has received \$4.2M in capital grants (Ootann Road, Barang Street pump station, Cedric Davies Community Hub, Airport upgrade, Dimbulah Pool filtration system) and an additional \$83k in developer contributions which are not reflected in the budget.

Expenditure Analysis

Total expenses for the period ending 31 October 2019 is \$18,368,946 compared to the YTD budget of \$14,948,863.

The graph below shows actual expenditure against budget for the period ending 31 October 2019.



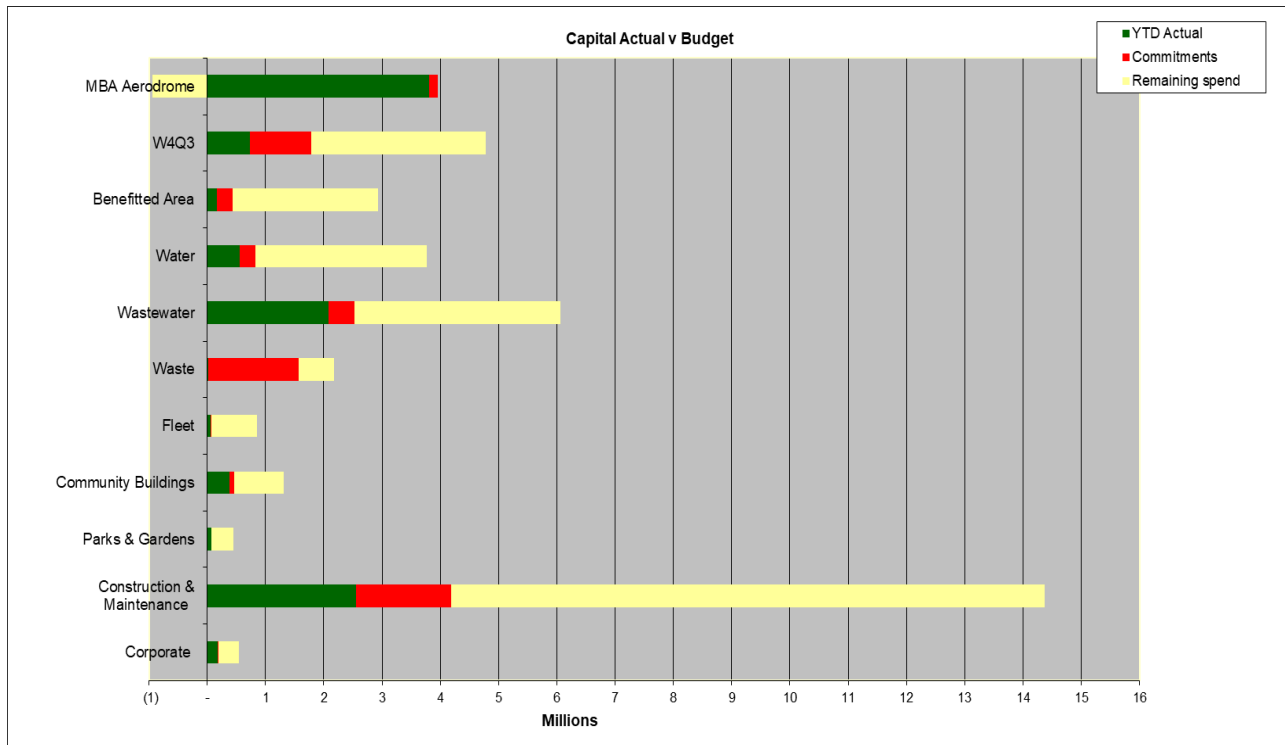
	Actual YTD	Budget YTD	Note
Employee expenses	5,938,007	6,106,665	
Materials & Services	9,066,407	5,512,115	<b>1</b>
Depreciation expenses	3,295,017	3,243,292	
Finance & Borrowing costs	69,515	86,791	

Notes:

- The majority of this variance relates to NDRRA expenditure and additional 3<sup>rd</sup> party works. This is offset by additional income and hence the financial position remains positive.

Capital Expenditure

Total capital expenditure of \$16,100,485 (including commitments) has been spent for the period ending 31 October 2019 against the 2019/20 adjusted annual capital budget of \$40,272,570. This budget figure now includes carry overs from 2018/19 of \$8,373,114 and new and additional funds required for 2019/20 capital projects of \$4,517,728.



The negative remaining spend for the Mareeba Aerodrome represents additional costs relating to on-ground conditions (rock and unsuitable subgrade), the construction of a parallel taxiway and provisional works for compliance with CASA requirements. Final project costs and funding alternatives will be prepared for Council in due course.

Loan Borrowings

Council's loan balance is as follows:

QTC Loan - Mareeba Sewerage Treatment Plant	\$4,395,375
---	-------------



**Rates and Sundry Debtors Analysis**

Rates and Charges

The total rates and charges payable as at 31 October 2019 are \$2,476,096 which is broken down as follows:

Status	31 October 2019		31 October 2018	
	No. of properties	Amount	No. of properties	Amount
Valueless land	18	871,973	77	2,616,184
Payment Arrangement	270	236,242	264	218,220
Collection House	507	1,052,508	551	1,134,320
Exhausted – awaiting sale of land	9	112,905	11	106,063
Sale of Land	8	104,303	-	-
Other (includes current rates)*	226	98,165	85	58,316
<b>TOTAL</b>	<b>1,038</b>	<b>2,476,096</b>	<b>988</b>	<b>4,133,103</b>

\* Of this total, there are 111 properties with a rates balance of less than \$10.

The Rate Notices for the period ending 31 December 2019 were issued on 12 August 2019 with the discount due date being 13 September 2019. Total Gross Rates and Charges levied for this six (6) month period totalled \$17,429,286.

As per Councils Debt Recovery Policy, 516 second reminder notices for current levy were sent on 8 October, for a total value of \$489,702. These reminder notices provide an additional 14 days to pay the outstanding amount before being sent to Collection House.

Collection House collected \$31,551 for the month of October 2019.

Council Officers are currently reviewing valueless land properties and will prepare a report for the Council. The procedure will take up to 12 months to complete.

Sundry Debtors

The total outstanding for Sundry Debtors as at 31 October 2019 is \$1,249,036 which is made up of the following:

Current	30 days	60 days	90 + days
\$1,149,344	\$21,038	\$2,313	\$76,341
92 %	1.69%	0.19%	6.12%

The majority of the current total relates to the third party works invoice to the Department of Transport and Main Roads.

**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

<b>Budgeted Income Statement by Fund 2019/20 Budget</b>
<b><u>Consolidated</u></b>

	Actual YTD	Budget YTD	2019/20 Budget
<b>Revenue</b>			
Rates and utility charges	16,466,769	16,464,207	32,928,414
Less Discounts and Pensioner Remissions	(959,334)	(996,750)	(1,993,500)
<b>Net Rates and Utility Charges</b>	<b>15,507,435</b>	<b>15,467,457</b>	<b>30,934,914</b>
Fees and Charges	571,683	571,106	1,245,717
Operating Grants and Subsidies	2,057,600	1,086,372	7,215,763
Operating Contributions	351,937	230,166	920,662
Interest Revenue	346,477	166,836	500,509
Works for Third Parties	1,727,184	597,000	1,791,000
Other Revenue	1,740,493	1,203,936	3,628,870
<b>Total Operating Revenue</b>	<b>22,302,809</b>	<b>19,322,872</b>	<b>46,237,435</b>
<b>Expenditure</b>			
Employee Expenses	5,938,007	6,106,665	18,329,611
Materials and Services	9,066,407	5,512,115	13,393,002
Depreciation expense	3,295,017	3,243,292	9,729,879
Finance and Borrowing costs	69,515	86,791	317,163
<b>Total Operating Expenses</b>	<b>18,368,946</b>	<b>14,948,863</b>	<b>41,769,655</b>
<b>Operating Surplus/(Deficit)</b>	<b>3,933,863</b>	<b>4,374,009</b>	<b>4,467,780</b>
<b>Capital Income</b>			
Capital Contributions	83,075	-	-
Capital Grants and Subsidies	4,212,235	490,048	10,428,798
Profit/(Loss) on Sale of Asset	-	-	-
<b>Total Capital Income</b>	<b>4,295,310</b>	<b>490,048</b>	<b>10,428,798</b>
<b>Net Result</b>	<b>8,229,173</b>	<b>4,864,057</b>	<b>14,896,578</b>

<b>Budgeted Income Statement by Fund 2019/20 Budget</b>
<b><u>General</u></b>

	Actual YTD	Budget YTD	2019/20 Budget
<b>Revenue</b>			
Rates and utility charges	9,063,908	8,972,475	17,944,951
Less Discounts and Pensioner Remissions	(959,334)	(996,750)	(1,993,500)
<b>Net Rates and Utility Charges</b>	<b>8,104,574</b>	<b>7,975,725</b>	<b>15,951,451</b>
Fees and Charges	568,126	571,106	1,245,717
Operating Grants and Subsidies	2,055,100	1,086,372	7,215,763
Operating Contributions	2,107	-	-
Interest Revenue	168,514	96,667	290,000
Works for Third Parties	1,689,335	581,000	1,743,000
Other Revenue	1,263,830	621,736	1,860,270
<b>Total Operating Revenue</b>	<b>13,851,586</b>	<b>10,932,605</b>	<b>28,306,201</b>
<b>Expenditure</b>			
Employee Expenses	5,420,907	5,486,729	16,494,992
Materials and Services	6,325,243	2,305,294	4,407,198
Depreciation expense	2,152,130	2,161,673	6,485,022
Finance and Borrowing costs	35,904	53,750	185,000
<b>Total Operating Expenses</b>	<b>13,934,184</b>	<b>10,007,446</b>	<b>27,572,212</b>
<b>Operating Surplus/(Deficit)</b>	<b>(82,598)</b>	<b>925,159</b>	<b>733,989</b>
<b>Capital Income</b>			
Capital Contributions	42,303	-	-
Capital Grants and Subsidies	3,932,920	490,048	8,626,298
Profit/(Loss) on Sale of Asset	-	-	-
<b>Total Capital Income</b>	<b>3,975,223</b>	<b>490,048</b>	<b>8,626,298</b>
<b>Net Result</b>	<b>3,892,625</b>	<b>1,415,207</b>	<b>9,360,287</b>

<b>Budgeted Income Statement by Fund 2019/20 Budget</b>
<b><u>Waste</u></b>

	Actual YTD	Budget YTD	2019/20 Budget
<b>Revenue</b>			
Rates and utility charges	1,916,589	1,903,299	3,806,598
Less Discounts and Pensioner Remissions	-	-	-
<b>Net Rates and Utility Charges</b>	<b>1,916,589</b>	<b>1,903,299</b>	<b>3,806,598</b>
Fees and Charges	-	-	-
Operating Grants and Subsidies	-	-	-
Operating Contributions	-	-	-
Interest Revenue	38,149	16,667	50,000
Works for Third Parties	-	-	-
Other Revenue	392,610	556,533	1,669,600
<b>Total Operating Revenue</b>	<b>2,347,348</b>	<b>2,476,499</b>	<b>5,526,198</b>
<b>Expenditure</b>			
Employee Expenses	161,005	144,295	393,821
Materials and Services	1,244,013	1,545,476	4,365,426
Depreciation expense	114,656	68,428	205,285
Finance and Borrowing costs	-	-	-
<b>Total Operating Expenses</b>	<b>1,519,584</b>	<b>1,758,199</b>	<b>4,964,532</b>
<b>Operating Surplus/(Deficit)</b>	<b>827,764</b>	<b>718,300</b>	<b>561,666</b>
<b>Capital Income</b>			
Capital Contributions	6,779	-	-
Capital Grants and Subsidies	54,314	-	190,000
Profit/(Loss) on Sale of Asset	-	-	-
<b>Total Capital Income</b>	<b>61,093</b>	<b>-</b>	<b>190,000</b>
<b>Net Result</b>	<b>888,857</b>	<b>718,300</b>	<b>751,666</b>

<b>Budgeted Income Statement by Fund 2019/20 Budget</b>
<b><u>Wastewater</u></b>

	Actual YTD	Budget YTD	2019/20 Budget
<b>Revenue</b>			
Rates and utility charges	2,493,544	2,477,187	4,954,374
Less Discounts and Pensioner Remissions	-	-	-
<b>Net Rates and Utility Charges</b>	<b>2,493,544</b>	<b>2,477,187</b>	<b>4,954,374</b>
Fees and Charges	3,557	-	-
Operating Grants and Subsidies	-	-	-
Operating Contributions	-	-	-
Interest Revenue	58,972	28,333	85,000
Works for Third Parties	-	1,000	3,000
Other Revenue	25,728	15,000	45,000
<b>Total Operating Revenue</b>	<b>2,581,801</b>	<b>2,521,520</b>	<b>5,087,374</b>
<b>Expenditure</b>			
Employee Expenses	143,798	177,042	536,235
Materials and Services	520,251	589,146	1,635,815
Depreciation expense	535,818	493,903	1,481,708
Finance and Borrowing costs	33,611	33,041	132,163
<b>Total Operating Expenses</b>	<b>1,233,478</b>	<b>1,293,132</b>	<b>3,785,921</b>
<b>Operating Surplus/(Deficit)</b>	<b>1,348,323</b>	<b>1,228,389</b>	<b>1,301,453</b>
<b>Capital Income</b>			
Capital Contributions	15,193	-	-
Capital Grants and Subsidies	225,000	-	462,500
Profit/(Loss) on Sale of Asset	-	-	-
<b>Total Capital Income</b>	<b>240,193</b>	<b>-</b>	<b>462,500</b>
<b>Net Result</b>	<b>1,588,516</b>	<b>1,228,389</b>	<b>1,763,953</b>

**Budgeted Income Statement by Fund 2019/20 Budget**

**Water**

	Actual YTD	Budget YTD	2019/20 Budget
<b>Revenue</b>			
Rates and utility charges	2,822,333	2,943,658	5,887,316
Less Discounts and Pensioner Remissions	-	-	-
<b>Net Rates and Utility Charges</b>	<b>2,822,333</b>	<b>2,943,658</b>	<b>5,887,316</b>
Fees and Charges	-	-	-
Operating Grants and Subsidies	2,500	-	-
Operating Contributions	-	-	-
Interest Revenue	41,285	8,333	25,000
Works for Third Parties	37,849	15,000	45,000
Other Revenue	27,819	10,667	32,000
<b>Total Operating Revenue</b>	<b>2,931,786</b>	<b>2,977,658</b>	<b>5,989,316</b>
<b>Expenditure</b>			
Employee Expenses	182,104	269,154	815,254
Materials and Services	883,668	954,063	2,712,759
Depreciation expense	467,723	490,631	1,471,893
Finance and Borrowing costs	-	-	-
<b>Total Operating Expenses</b>	<b>1,533,495</b>	<b>1,713,848</b>	<b>4,999,906</b>
<b>Operating Surplus/(Deficit)</b>	<b>1,398,281</b>	<b>1,263,810</b>	<b>989,410</b>
<b>Capital Income</b>			
Capital Contributions	18,800	-	-
Capital Grants and Subsidies	-	-	1,150,000
Profit/(Loss) on Sale of Asset	-	-	-
<b>Total Capital Income</b>	<b>18,800</b>	<b>-</b>	<b>1,150,000</b>
<b>Net Result</b>	<b>1,417,092</b>	<b>1,263,810</b>	<b>2,139,410</b>

<b>Budgeted Income Statement by Fund 2019/20 Budget</b>
<b><u>Benefited Area</u></b>

	Actual YTD	Budget YTD	2019/20 Budget
<b>Revenue</b>			
Rates and utility charges	170,395	167,588	335,175
Less Discounts and Pensioner Remissions	-	-	-
<b>Net Rates and Utility Charges</b>	<b>170,395</b>	<b>167,588</b>	<b>335,175</b>
Fees and Charges	-	-	-
Operating Grants and Subsidies	-	-	-
Operating Contributions	349,830	230,166	920,662
Interest Revenue	39,557	16,836	50,509
Works for Third Parties	-	-	-
Other Revenue	30,506	-	22,000
<b>Total Operating Revenue</b>	<b>590,288</b>	<b>414,590</b>	<b>1,328,346</b>
<b>Expenditure</b>			
Employee Expenses	30,192	29,446	89,309
Materials and Services	93,232	118,136	271,804
Depreciation expense	24,781	28,657	85,972
Finance and Borrowing costs	-	-	-
<b>Total Operating Expenses</b>	<b>148,205</b>	<b>176,239</b>	<b>447,085</b>
<b>Operating Surplus/(Deficit)</b>	<b>442,083</b>	<b>238,351</b>	<b>881,261</b>
<b>Capital Income</b>			
Capital Contributions	-	-	-
Capital Grants and Subsidies	-	-	-
Profit/(Loss) on Sale of Asset	-	-	-
<b>Total Capital Income</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>Net Result</b>	<b>442,083</b>	<b>238,351</b>	<b>881,261</b>



**8.8 GOVERNMENT GRANT APPLICATIONS**

**Date Prepared:** 11 October 2019  
**Author:** Senior Engagement Officer  
**Attachments:** Nil

---

**EXECUTIVE SUMMARY**

This report proposes a suitable project for each of the three (3) respective grant programs currently available to Council. Approval is sought for the delivery of these identified projects which require a commitment by Council for co-contributions.

**RECOMMENDATION**

That Council submit grant applications for the following programmes:

1. Building Better Regions Fund (Infrastructure Projects) round 4 - for the Mareeba Animal Refuge Upgrade Project and if possible also the Chillagoe Critical Water Infrastructure Upgrade Project as a second priority;
2. Building Our Regions Program round 5 - a full application following the success of the expression of interest for the Chillagoe Critical Water Infrastructure Upgrade Project; and
3. Heavy Vehicle Safety & Productivity Program round 7 - for the Springmount Road Upgrade Project.

**BACKGROUND****Mareeba Animal Refuge**

The Mareeba Animal Refuge needs to be upgraded as it has surpassed the end of its useful life. The project is eligible for funding from the Building Better Regions Fund (Infrastructure Projects) round 4, requiring an application and co-contribution.

**Chillagoe Water Reservoir**

If it is feasible under the Building Better Regions Fund (Infrastructure Projects) round 4 to lodge two (2) applications, Council will submit this as a second priority. The reservoirs are nearing the end of their life, are leaking and increased water storage capacity is needed. The replacement of the Chillagoe water reservoirs with a 500kL capacity concrete reservoir with a superior design life will increase water storage capacity and safeguard water supply. The project is eligible for funding from the Building Better Regions Fund (Infrastructure Projects) round 4, requiring an application and a co-contribution from Council.

Following the success of the expression of interest Council has been invited to submit a full application for funding from Building Our Regions Program round 5.

**Springmount Road**

Springmount Road Mareeba requires widening and sealing at section CH 7.515 to CH 8.940. The project is eligible for 50% funding from the Heavy Vehicle Safety & Productivity Program round 7. This funding requires a co-contribution of \$350,000. Council has this project listed for the 2021/22 Budget as a Transport Infrastructure Development Scheme (TIDS).

**RISK IMPLICATIONS**

Nil

**LEGAL/COMPLIANCE/POLICY IMPLICATIONS**

Nil

**FINANCIAL AND RESOURCE IMPLICATIONS**

Nil

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

Yes, with an exception for the Springmount Road Upgrade Project which requires a co-contribution of \$350,000 from the 2021/22 Budget (TIDS).

**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.

**IMPLEMENTATION/COMMUNICATION**

Nil

**8.9 COMMUNITY PARTNERSHIP PROGRAM APPLICATION**

**Date Prepared:** 11 November 2019  
**Author:** Senior Engagement Officer  
**Attachments:** Nil

---

**EXECUTIVE SUMMARY**

This report presents a request for a \$1,650 cash donation from the Speewah District Residents Association for consideration under the Community Partnerships Program.

**RECOMMENDATION**

That Council approve a one-off cash donation of \$1,650 to the Speewah District Residents Association towards the cost of relocating and refurbishing the Speewah community notice board under the Community Partnerships Program.

**BACKGROUND**

The Speewah District Residents Association owns a community notice board on road reserve, Douglas Track, Speewah and plans to relocate it to Speewah Road and refurbish it.

The Association has requested a cash donation from Council of \$1,650 towards the total cost of \$3,450.

This request is eligible for consideration under the Community Partnerships Program and the officer recommendation is that the request is supported.

**RISK IMPLICATIONS**

Nil

**LEGAL/COMPLIANCE/POLICY IMPLICATIONS**

Nil

**FINANCIAL AND RESOURCE IMPLICATIONS*****Capital***

Nil

***Operating***

Yes

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

There are funds in the 2019/20 Community Partnerships Program budget to support this request.

**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 Speewah District Residents Association will be informed of the outcome of their request.

Newspaper and social media reports are recommended regarding this item.

## 9 INFRASTRUCTURE SERVICES

### 9.1 STORMWATER INFRASTRUCTURE - BUNDANOON COURT

**Date Prepared:** 8 November 2019  
**Author:** Manager Technical Services  
**Attachments:** Nil

#### EXECUTIVE SUMMARY

Councils approval is sought to fund the remediation of scouring to the outflow of Council drainage infrastructure located downstream of the accesses to 9, 10 and 12 Bundanoon Court, prior to the onset of the 2020 wet season. The works are required to ensure no further damage occurs to the drainage infrastructure, property accesses and services.

The works will include the provision of rock materials, plant and labour required to correctly position the protective materials to limit the potential for future erosion of the drainage path.

#### RECOMMENDATION

That Council authorise works to reinstate and protect the drainage network located downstream of the access of 9, 10 and 12 Bundanoon Court.

#### BACKGROUND

Following the rain event of 2018, Council Officers were made aware of erosion within the property of 9 Bundanoon Court, Mareeba. The erosion of the gully had, at that time, exposed the private service conduits (water, telecommunication and electrical) supporting the property placing them at significant risk of failure should further rain events occur.

The landowner had requested Council relocate the private services to an alternate location to ensure long term protection, however as the services are not public infrastructure, assistance offered at the time was limited to extending rock protection over the service alignment when protective works were required for the public infrastructure immediately upstream. The property owner did not accept Council's offer.

The property was subsequently sold and Council has been approached by the new landowners of the property with a request that the previous offer be extended to them. The new landowners have already completed the works required to re-lay the private services.

If approved, the scope of works would include the reshaping of eroded gully banks and the placement of rock materials to limit future scouring. The estimated cost of works is anticipated to not exceed \$7,500 (ex GST) in total.

#### RISK IMPLICATIONS

##### Environmental

Wet season scouring of the gully has occurred, works are required to halt the progression of the scour and stabilise the surrounding banks.

**Infrastructure and Assets**

The scour has now extended to the downstream headwall of Council's drainage network. Further damage to the drainage path may result in the failure of the culvert.

**Legal and Compliance**

The landowners will be required to formally confirm their understanding that Council does not / will not accept any obligation for the ownership or maintenance of the private services or rock protection located within the property.

**FINANCIAL AND RESOURCE IMPLICATIONS*****Capital***

Works are estimated to cost \$7,500 (Ex GST) with funds to be sourced through savings in the current capital program.

***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 within the current Capital Works program.

***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.

**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

**9.2 INFRASTRUCTURE SERVICES, TECHNICAL SERVICES MONTHLY ACTIVITIES REPORT - OCTOBER 2019**

**Date Prepared:** 31 October 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 October 2019.

**RECOMMENDATION**

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

**BACKGROUND**

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

<b>DESIGN</b>	
2017/18 Capital Works	<ul style="list-style-type: none"> <li>• Anzac Avenue, Mareeba / Ceola Drive Intersection - Detailed design complete</li> <li>• Asphalt/Reseal Program - Provide assistance with Pavement marking details</li> </ul>
Works for Queensland Rd 3	<ul style="list-style-type: none"> <li>• Eales Park to Ward Street, Mareeba - Detailed design complete</li> <li>• Bailey Street, Mareeba - Detailed design complete</li> </ul>
2018/19 Capital Works	<ul style="list-style-type: none"> <li>• Mareeba Industrial Estate, Stage 16B, Keegan and Effley Street Extension - Ongoing technical support being provided to Construction.</li> <li>• Asphalt/Reseal Program - Provide ongoing assistance with pavement marking setout.</li> </ul>
2019/20 Capital Works	<ul style="list-style-type: none"> <li>• Chettle Road, Arriga, Ch 2.3-4.0 - Tender issue plans completed, ongoing support during Tender Phase.</li> <li>• Chettle Road, Arriga, Ch 5.5-7.21 - Tender issue plans completed, ongoing support during Tender Phase.</li> <li>• WWII Markers - Markers being fabricated/installed</li> <li>• Mareeba Cemetery Mausoleum - Preparation of plans</li> <li>• Jum Rum Walking Trail, Kuranda - Detailed Design</li> <li>• Anzac Avenue, Mareeba, Pedestrian Crossing - Detailed design commenced.</li> <li>• Pickford Road, Biboohra - Detailed Design commenced.</li> </ul>

Miscellaneous	<ul style="list-style-type: none"> <li>• Investigations - Provide technical assistance as required</li> <li>• NHVR Turnpaths</li> <li>• GIS Rural Address installation</li> <li>• DBYD Plans</li> <li>• As Constructed information plans for internal and external customers</li> </ul>
---------------	---

<b>SURVEY</b>	
2018/19 Capital Works	<ul style="list-style-type: none"> <li>• Mareeba Aerodrome Upgrade - New Lot Boundary Survey</li> <li>• Mareeba Industrial Estate, Stage 16B, Keegan and Effley Street Extension - Construction setout</li> </ul>
2019/20 Capital Works	<ul style="list-style-type: none"> <li>• Vaughan Street, Mareeba, Water Main Replacement - As constructed Survey</li> <li>• Chapmans Road, Julatten, Bridge Replacement - Detailed Survey</li> <li>• Pickford Road, Biboohra - Detailed Survey</li> <li>• Malone Road, Mareeba - Drainage Construction Setout</li> <li>• Jum Rum Walking Trail, Kuranda - Detailed Survey</li> <li>• Lerra Street, Mareeba - Detailed Survey</li> </ul>
Miscellaneous	<ul style="list-style-type: none"> <li>• Mareeba Landfill - Survey volume pick-up</li> <li>• BDR Project for TMR - Survey Construction Setout</li> <li>• Mareeba Industrial Estate - Amalgamation of Lots 54 &amp; 55</li> </ul>

<b>SUBDIVISIONS AND INVESTIGATIONS</b>	
Subdivisions <i>(Under Construction)</i>	<ul style="list-style-type: none"> <li>• 3 Hilltop Close, Kuranda                             <ul style="list-style-type: none"> <li>○ Ergon to relocate pillar box</li> </ul> </li> <li>• Clean Choices Carwash, Mareeba                             <ul style="list-style-type: none"> <li>○ Road edge widening constructed on northern side of Lerra Street (as constructed information to be presented)</li> </ul> </li> </ul>
On-Maintenance <i>(Monitoring for 12 months as the Defects Liability Period prior to becoming a Council Asset)</i>	<ul style="list-style-type: none"> <li>• Bundanoon Stage 2</li> <li>• Mareeba Roadhouse and Accommodation Park, Williams Close</li> <li>• The Edge Stage 2A (Antonio Drive, Mareeba)</li> <li>• 10 James Street, Mareeba - Road Widening</li> <li>• Amaroo Stage 10</li> <li>• Mt Emerald Wind Farm Portion B (Private entrance repairs)</li> </ul>
Off-Maintenance	<ul style="list-style-type: none"> <li>• Develop North (Barnwell Road Upgrade, Kuranda)</li> </ul>
Operational Works	<ul style="list-style-type: none"> <li>• 112 Barnwell property, on-going monitoring of;                             <ul style="list-style-type: none"> <li>○ Dam construction completed and being monitored</li> <li>○ Access completed and monitoring underway</li> <li>○ Nature Base Tourism Works (MCU/17/0012) completed and being monitored</li> </ul> </li> </ul>

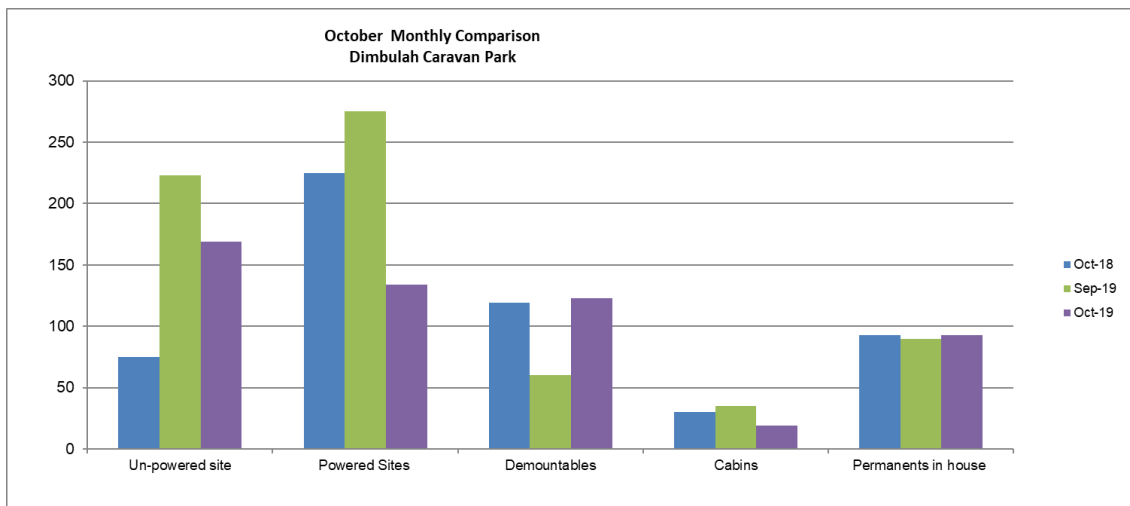


<b>PROJECT MANAGEMENT</b>	
Civil	<p><u>2017/18 Reseals Bitumen and Asphalt Programmes</u></p> <ul style="list-style-type: none"> <li>• Engaged contractor for line marking of asphalt</li> <li>• Capitalisation and close-out</li> </ul> <p><u>2018/19 Reseals Asphalt Program</u></p> <ul style="list-style-type: none"> <li>• Awarded to NQ Asphalt, commenced early July</li> </ul> <p><u>2019/20 Reseals Bitumen</u></p> <ul style="list-style-type: none"> <li>• FNQROC contract extension awarded to FGF</li> </ul> <p><u>KIAC Therwine Street Redevelopment</u></p> <ul style="list-style-type: none"> <li>• Capitalisation and close-out, minor defects to be addressed.</li> </ul> <p><u>KIAC Kuranda Wayfinding Signage</u></p> <ul style="list-style-type: none"> <li>• Design to be reviewed by KIAC</li> <li>• Quotations for fabrication of signage to be completed prior to end of 2019 year.</li> </ul> <p><u>KIAC Kuranda Barron Falls Walking Trail</u></p> <ul style="list-style-type: none"> <li>• Engagement with Queensland Parks and Wildlife</li> <li>• Native Title Cultural Heritage engagement being undertaken</li> <li>• Construction Contract awarded.</li> </ul>
Building	<p><u>Barang Street Unit Renewals:</u></p> <ul style="list-style-type: none"> <li>• Sourcing new quotations for amended scope of works.</li> </ul> <p><u>Kuranda Recreation Centre:</u></p> <ul style="list-style-type: none"> <li>• Ongoing investigation of building defects.</li> <li>• Quotations sought for roof and wall repairs.</li> </ul> <p><u>Mareeba &amp; Dimbulah Filtration Contract:</u></p> <ul style="list-style-type: none"> <li>• Mareeba pool filtration project PC - pool opened.</li> <li>• Dimbulah pool filtration project PC - pool opened.</li> </ul> <p><u>Rifle Creek Rest Area, Mt Molloy:</u></p> <ul style="list-style-type: none"> <li>• Investigation of possible improvements to septic system</li> </ul> <p><u>Depot - Various:</u></p> <ul style="list-style-type: none"> <li>• Chillagoe - Quotations sought for shed renewal.</li> <li>• Mareeba - Quotations sought for repaint external building.</li> <li>• Mareeba - Replace roof of 2 storey building.</li> <li>• Mareeba - Air-conditioner assessment undertaken.</li> <li>• Mt Molloy - Quotations Repairs to roof (Ridge capping etc)</li> </ul> <p><u>Kuranda Aquatic Centre:</u></p> <ul style="list-style-type: none"> <li>• Quotations sought to waterproof pump/filter shed.</li> </ul>
NDRRA/DRFA	<p>6-10 March 2018 Event:</p> <ul style="list-style-type: none"> <li>• Restoration Works underway;             <ul style="list-style-type: none"> <li>○ Flaggy Creek Bridge - Complete</li> <li>○ Western Roads (Chillagoe West) - Complete</li> <li>○ Mid-Western Area - Complete</li> <li>○ Dimbulah Area - Complete</li> <li>○ Mareeba-East Area - Practical Completion</li> <li>○ Airports (Mareeba and Chillagoe) - Complete</li> </ul> </li> </ul>

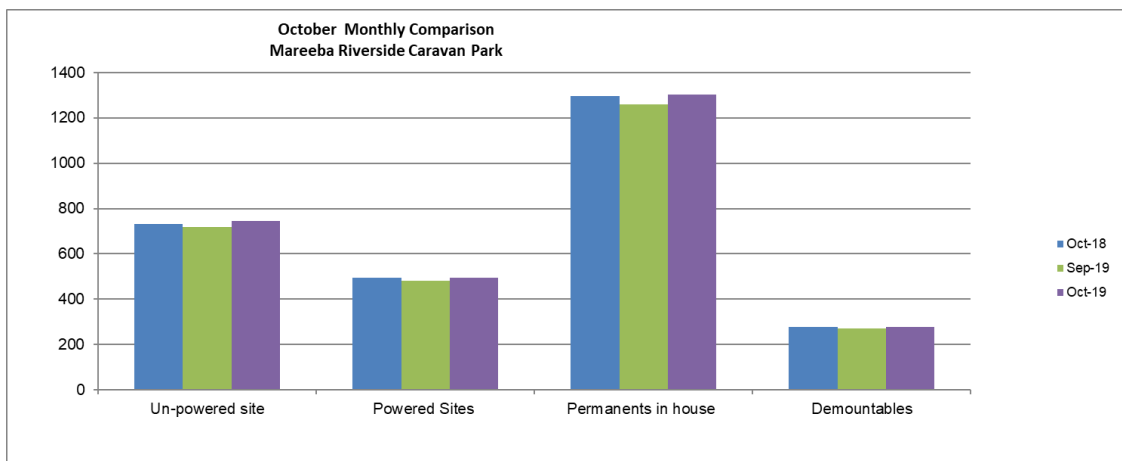
	<ul style="list-style-type: none"> <li>○ Geotech (landslips) - various to be completed prior to end of 2019                         <ul style="list-style-type: none"> <li>▪ Green Forest Road Site - Commence November</li> <li>▪ Mt Lewis Road Site - Commence November</li> <li>▪ Mt Haren Road Site - Commence November</li> </ul> </li> </ul> <p>25 January - 14 February 2019 Event:</p> <ul style="list-style-type: none"> <li>○ Emergent Works completed June 2019. Claim submitted</li> <li>○ Immediate Works Claim submitted.</li> <li>○ Preparation of the Reconstruction of Essential Public Assets program ongoing, to be submitted November 2019</li> <li>○ Bowers Street Reconstruction claim revised by QRA. Impact to be assessed.</li> </ul>
--	--

**FACILITIES**

Dimbulah Caravan Park      Total of bookings for October 2019 - 538

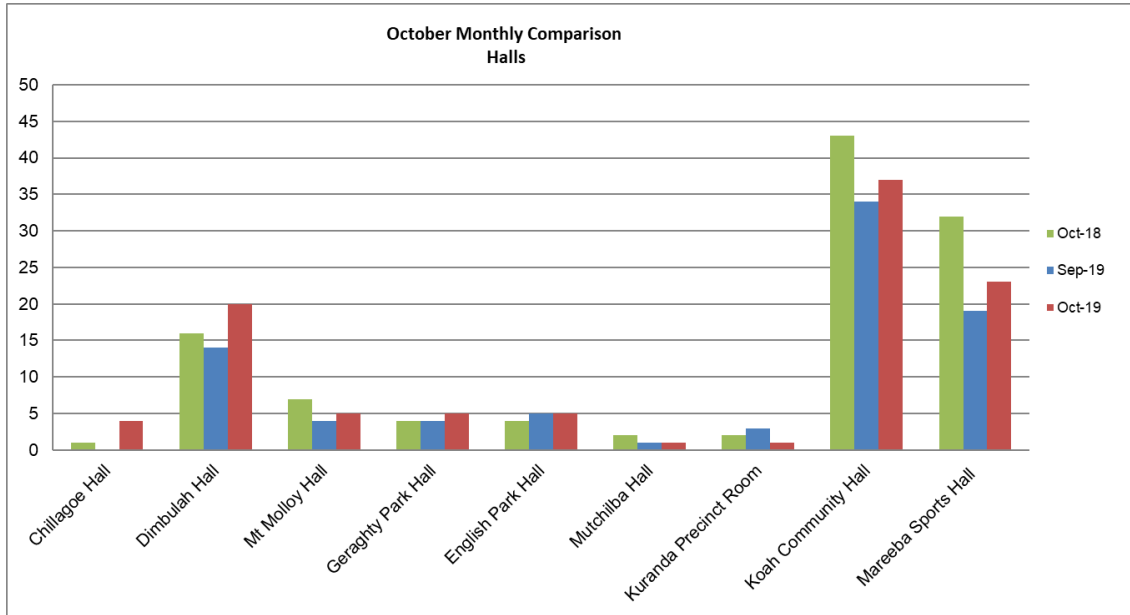


Mareeba Riverside Caravan Park      Total of bookings for October 2019 - 2821



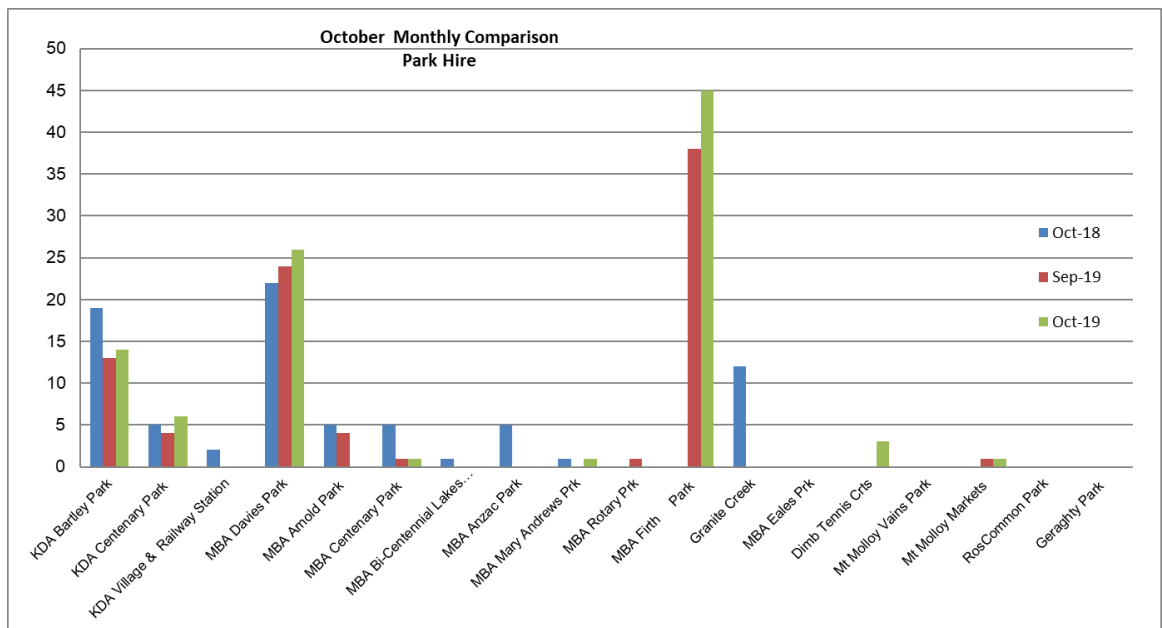
Public Halls

Total of hall bookings for October 2019 - 101



Park Hire

A total of park bookings for October 2019 - 97



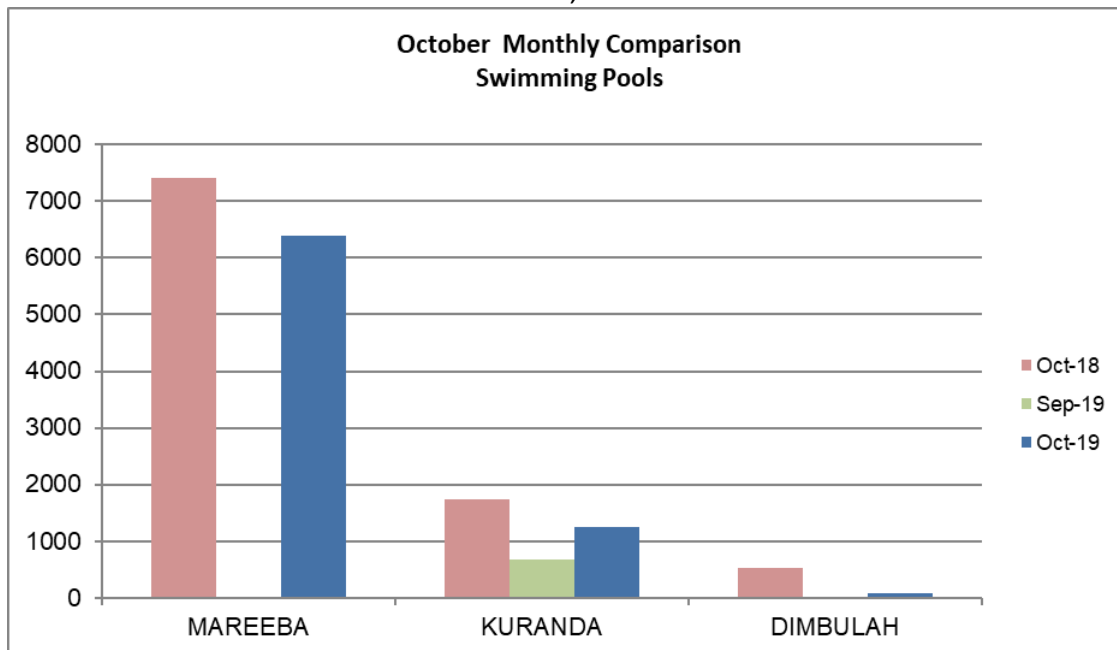
Swimming Pools

Total of patron entries for October 2019

Kuranda Aquatic Centre - 1,244

Dimbulah Pool - 85

Mareeba Pool - 6,385



VANDALISM & GRAFFITI		
Financial Year	Actuals	Comments
2015/16	\$ 2,134.00	During October 2019, six (6) reports of vandalism were recorded. <ul style="list-style-type: none"> <li>• Mareeba CWA Rest Rooms x 2</li> <li>• Mareeba Rankin Street Office</li> <li>• Mareeba Swimming Pool</li> <li>• Mareeba Centenary Park Toilets</li> <li>• Kuranda Community Precinct</li> </ul>
2016/17	\$ 16,546.00	
2017/18	\$ 23,948.00	
2018/19	\$ 14,851.00	
2019/20	\$ 7,607.16	
Currently there is no allocated budget for graffiti and vandalism; these costs are being funded within existing operational budgets.		

**RISK IMPLICATIONS**

Nil

**LEGAL/COMPLIANCE/POLICY IMPLICATIONS**

Nil

**FINANCIAL AND RESOURCE IMPLICATIONS**

**Capital**

Nil

**Operating**

Additional costs associated with graffiti and vandalism

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

No, however will be covered under existing operational 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



**9.3 MAREEBA AIRPORT UPGRADING - OCTOBER 2019 PROGRESS REPORT**

**Date Prepared:** 31 October 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 October 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.

Works completed during October included pavement marking of the runways, installation and commissioning of the airfield lighting and Bureau of Meteorology instrumentation and the energisation of electrical improvements.

November 2019 will see completion of the project, including any defect remediation, demobilisation from site and formal opening of the facility.

The works for Bureau of Meteorology included the connection of mains power to the automatic weather station, allowing the installation of improved ceilometer and visibility sensors to assist air

traffic in the region. This work was added to FGF's contract to expedite installation and was to be commissioned with the airfield lighting.

### Stakeholder Engagement

A Communication and Stakeholder Engagement Plan was developed and utilised during the project, which set out the engagement strategy for delivery phase of the project. Ongoing engagement was undertaken for the duration of the project and project newsletters were released 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 was 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 \$23,828,326. As advised in previous reports, an overrun of costs has occurred. These costs relate to on-ground conditions (rock and unsuitable subgrade) which had significant cost impacts on the aviation industrial park and then subsequently the construction of a parallel taxiway and provisional works for compliance with CASA requirements. Final project costs and funding alternatives will be prepared for Council in due course.



23 September 2019 - Sealing of Eastern Apron and Taxiway.





3 October 2019 - Runway Pavement Marking and Taxiway Arrangements.

**RISK IMPLICATIONS****Financial**

Latent conditions and potential project variations represent normal risks with complex projects, nominal allowances were provided in the initial budget however an overrun has occurred. Officers continue to seek savings and additional source of funds to address the shortfall.

**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.

**9.4 INFRASTRUCTURE SERVICES, WASTE OPERATIONS REPORT - OCTOBER 2019**

**Date Prepared:** 5 November 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 October 2019.

**RECOMMENDATION**

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

**BACKGROUND**

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

**1. Waste Operations**

- 4,137 vehicles entered Mareeba Waste Facility (to drop off or pick up waste)
- 391 vehicles deposited waste to Mareeba Landfill (total)
- 114 Suez vehicles deposited waste to Mareeba Landfill
- 39 Suez vehicles removed waste from Mareeba Waste Transfer Station (WTS) to ARRF facility in Cairns
- 17 m<sup>3</sup> of mulch was removed (purchased) from Mareeba WTS (all domestic sales)
- All transfer stations and Mareeba landfill are currently operational
- Landfill compaction level > 70% achieved.

**2. Waste Levy**

- Reporting associated with the waste levy indicates that Council has received less landfill waste to date than was forecast in the forward estimate provided under the Waste Levy.
- The amount of funds raised for commercial waste have been adequately covered by fees charged.
- The advance annual payment is projected to cover household costs over the entire year.

**3. Mareeba Waste Transfer Station Upgrade**

Work commenced on the reconfiguration of Mareeba Transfer Station in October and is expected to take approximately six (6) months to complete, figure 1 and 2.



*Figure 1 Mareeba Waste Transfer Station Upgrade east view*



*Figure 2 Mareeba Waste Transfer Station Upgrade west view*

**4. Kerbside Waste and Transfer Station Waste Bin Characterisation Audit 2019**

A waste characterisation audit of residential kerbside bins and a transfer station bin was completed in October 2019. The following key results were found:

Key Statistic	Kerbside Bin	Chillagoe Transfer Station Bin
Recyclables	28%	43%
Garden organics	12%	8%
Food and ARRF compostable	30%	30%
Average Weight	13kg	343kg/day
Container return items	6 units	520

This is the inaugural audit which has resulted in key learnings and recommendations. The data forms a baseline upon which future year's results will add value to. Data interrogation will scientifically inform appropriate and sustainable future waste treatment and disposal methods.

**5. Customer Service Waste Statistics**

Figure 3 displays customer requests logged in the Customer Request Management (CRM) system during the month of October 2019.

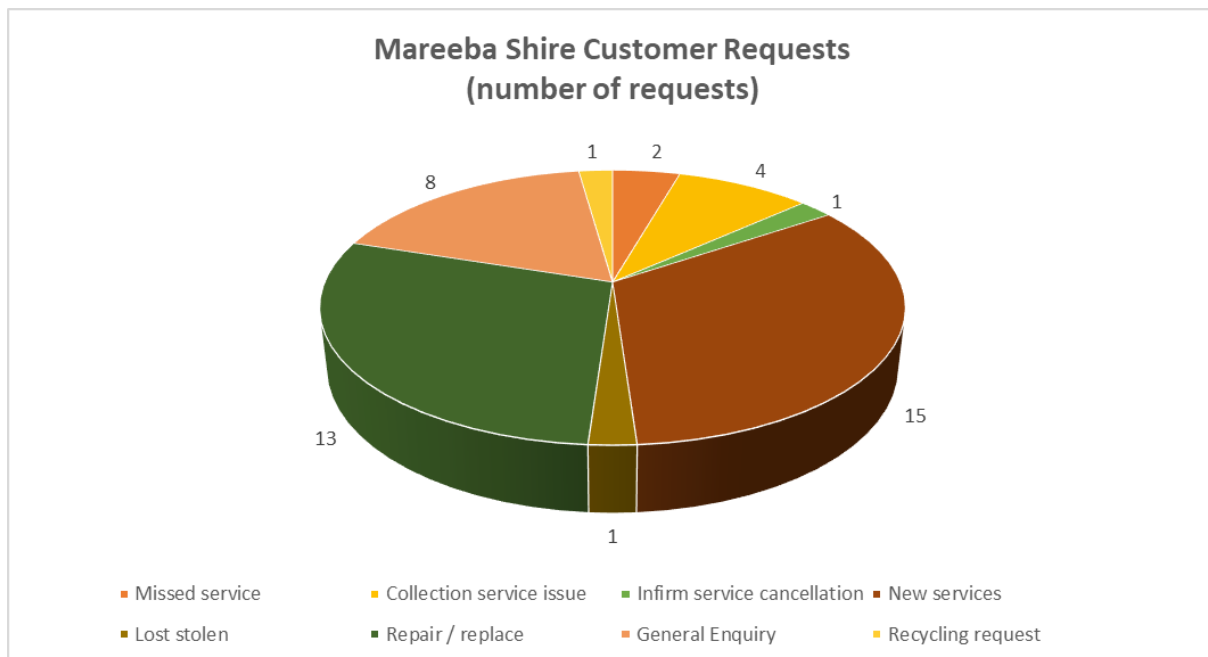


Figure 3 Customer Service Waste Statistics

**6. Waste to Mareeba Resource Recovery Area - Recycling**

Waste material collected at each of the waste transfer stations is either deposited directly to the Mareeba landfill, recycled or transported to the SUEZ Advanced Resource Recovery Facility (ARRF) in Cairns for processing.

The following pie charts are separated into recyclables recovered as whole units and recyclables in tonnages.

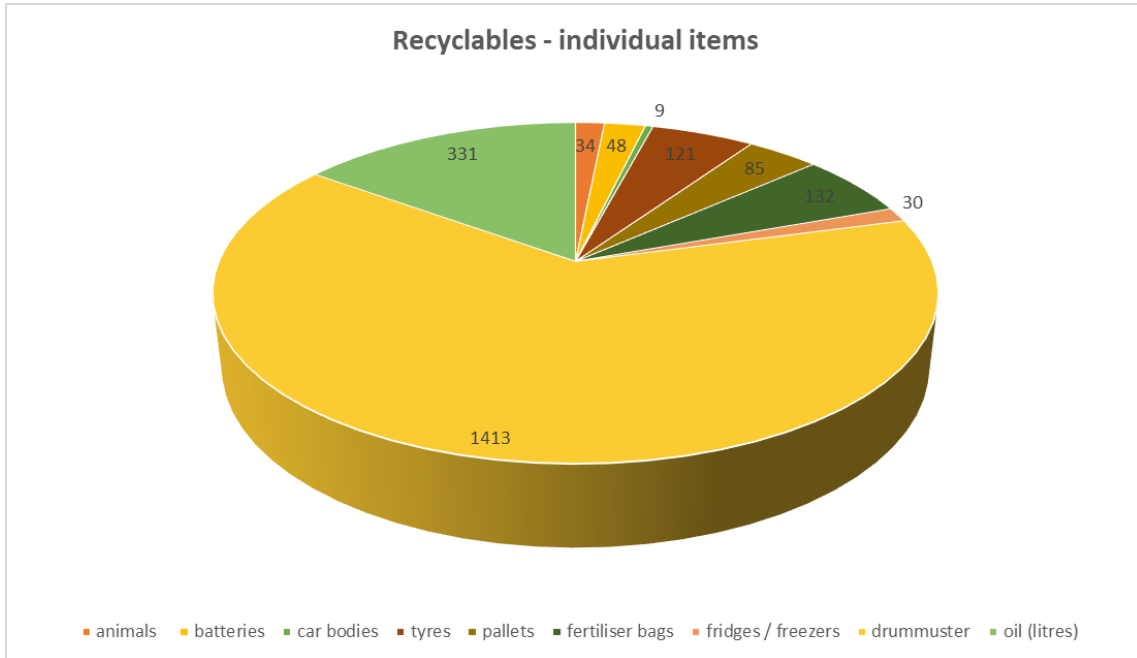


Figure 4 Individually Counted Recyclable Waste Types

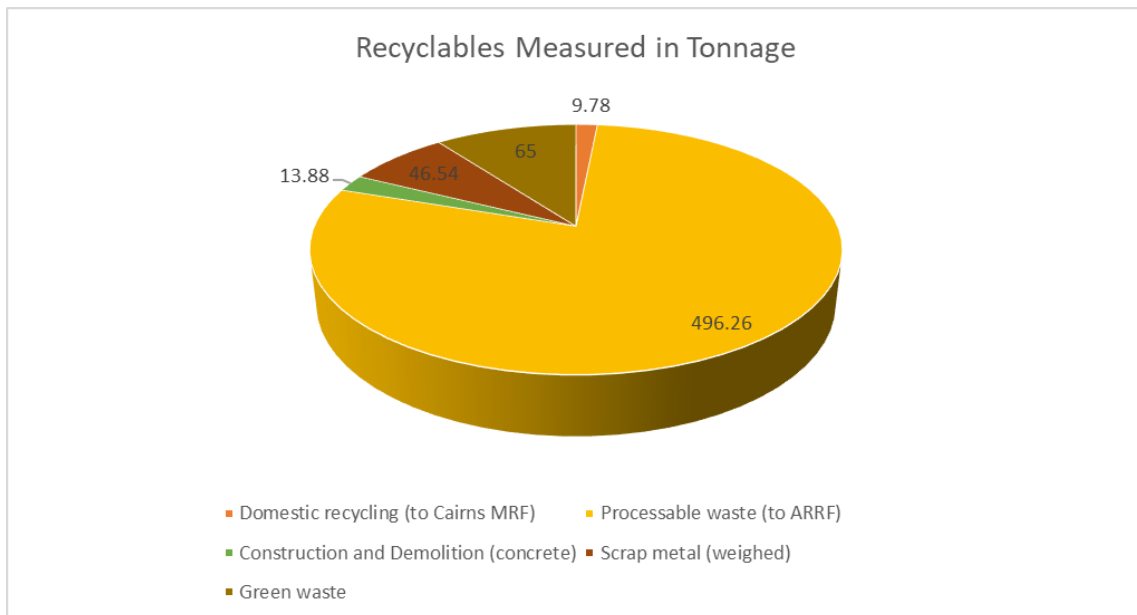


Figure 5 Recyclables measured by tonnage

**7. 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.

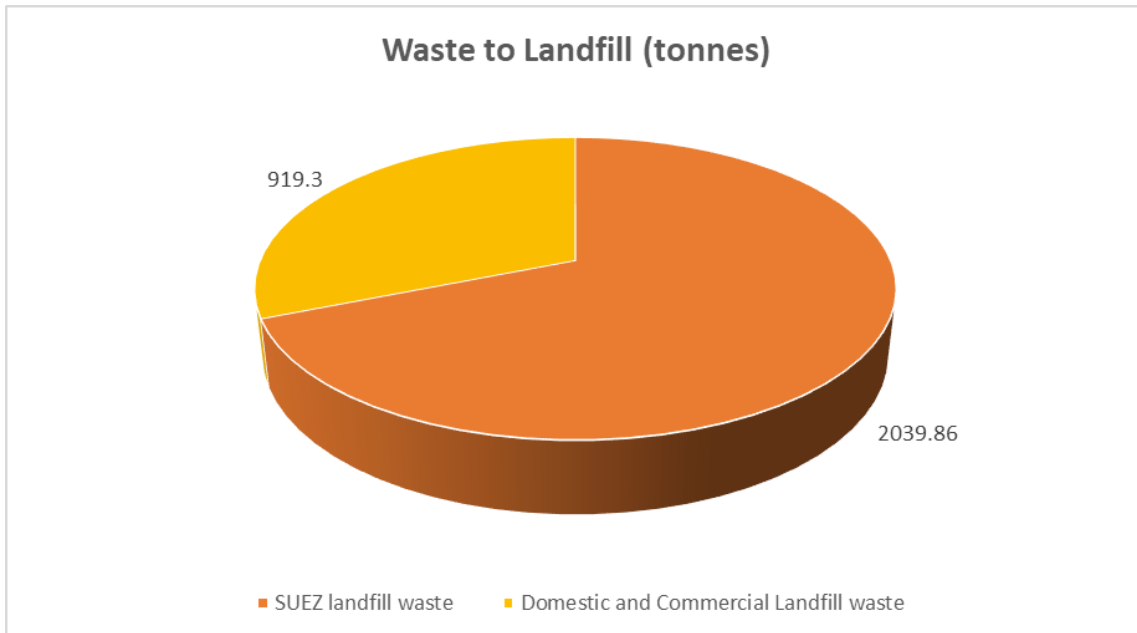


Figure 6 Waste to Landfill

**8. Illegally Dumped Waste**

36 illegally dumped tyres and 0.42 tonnes of illegally dumped general waste was received at Mareeba Resource Recovery Area and Landfill.

**RISK IMPLICATIONS**

**Environmental**

- Council holds an Environmental Authority issued under the *Environmental Protection Act 1994* to operate landfill facilities.
- Routine environmental monitoring was undertaken in October which identified a number of groundwater contaminant level exceedances which have been reported as per the Environmental Authority requirements.
- The Environmental Authority amendment process is underway.

**LEGAL/COMPLIANCE/POLICY IMPLICATIONS**

Nil

**FINANCIAL AND RESOURCE IMPLICATIONS**

**Capital**

Nil - Capital works are underway and funded as per 2019/20 capital works program.

**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



**9.5 INFRASTRUCTURE SERVICES, WATER AND WASTEWATER GROUP MONTHLY OPERATIONS REPORT - OCTOBER 2019**

**Date Prepared:** 4 November 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 October 2019.

**RECOMMENDATION**

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

**BACKGROUND****1. Capital Projects and Maintenance Works**Barang St Sewer Pump Station, Kuranda

The Barang Street Sewer Pump Station Capacity Upgrade Project achieved practical completion on 16 October ahead of the anticipated November completion date.

Investigation for new bore site for Chillagoe town water supply

Limited reliability of ground water from the three (3) existing bores used to supply the Chillagoe water treatment plant has resulted Council imposing Level 3 water restrictions on Chillagoe since November 2017. In an effort to ensure ongoing water security for Chillagoe, a project was approved in the 2019/20 capital works budget to investigate options for an alternative groundwater supply for Chillagoe.

Council was advised that there is an existing bore, approximately 100 metres deep located 6.1 kilometres west of Chillagoe, just off the Burke Developmental Road. It is understood that this bore was drilled as part of mining exploration in the area.

Serra Drilling was engaged to inspect, clean and test the bore to determine whether it would be suitable. Serra Drilling installed a pump at the 57 metre mark and a 100-hour bore test commenced Thursday 24 October and concluded Tuesday 28 October. A summary of the findings is as follows:

- The bore test yielded a constant 14 litres per second during the 100 hour test which was adequate as the target a flow rate is 10 litres per second, based on the capacity of the treatment plant.
- The standing water level of the bore at the start of the 100 hour test was 18 metres and drew down by three (3) metres to a standing water level of 39.02 metres.
- The recovery rate following conclusion of the flow test was slow and a data logger was set up to monitor the recovery rate.
- The original driller's log is for the existing bore cannot be located, so it is unknown whether the aquifer being dewatered is the main aquifer or if there was a shallower perched aquifer encountered which was dewatered during the test. The fact that the test only induced 3.40 metres of drawdown indicates that any deeper aquifers were not likely not to have been stressed fully during the test. Therefore it is difficult to predict with any certainty the long term performance of this bore and is not possible to determine how many weeks pumping would be possible before the aquifers are pumped dry. This information is critical to the verifying viability of the bore as an addition source of water for the Chillagoe town water supply.

The report on the 100-hour test contains a key recommendation, that before Council makes any decisions in relation to this bore, the bore should be retested at a much higher discharge rate in order to induce greater drawdown and stress the aquifers to gain a full understanding of long-term sustainability. Tenure of the land where the bore located will also needs to be determined by survey, as it is presently unclear whether it is within the road corridor.

While the initial investigation has been promising, further assessment should be undertaken to ascertain the tenure and long-term performance.



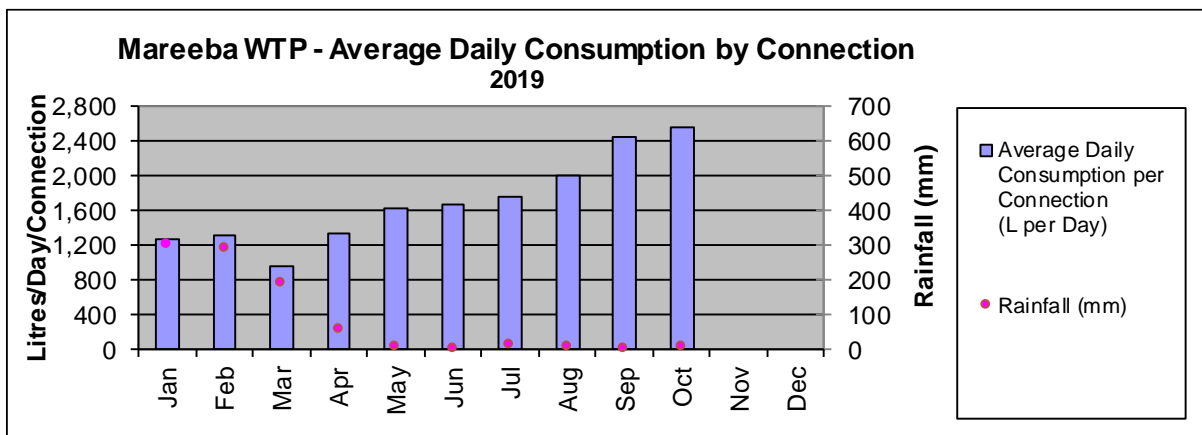
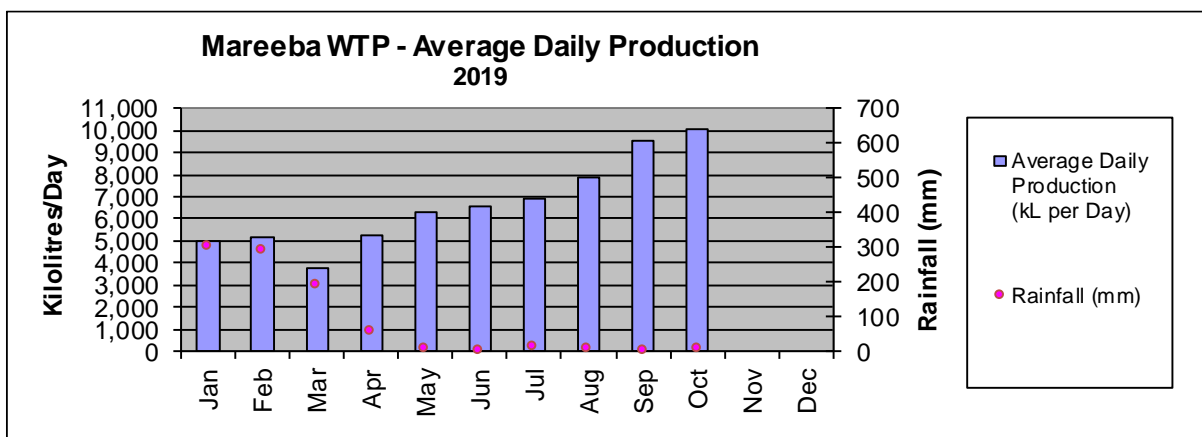
Sewer relining program update:

The majority of the 2018-2019 sewer relining project is complete ahead of the impending wet season. A key component of the relining program was to repair the house connection junctions in the Kenneally Estate area which were identified as being in poor condition. This work was performed during the late stages of October and due for completion in late November. During the course of the works, it has been identified that a more house connection junctions are in need of repair that originally anticipated from previous investigations. Council officers are working with the contractor to identify a priority schedule for rectifications and will advise Council on further works should they need to be undertaken.

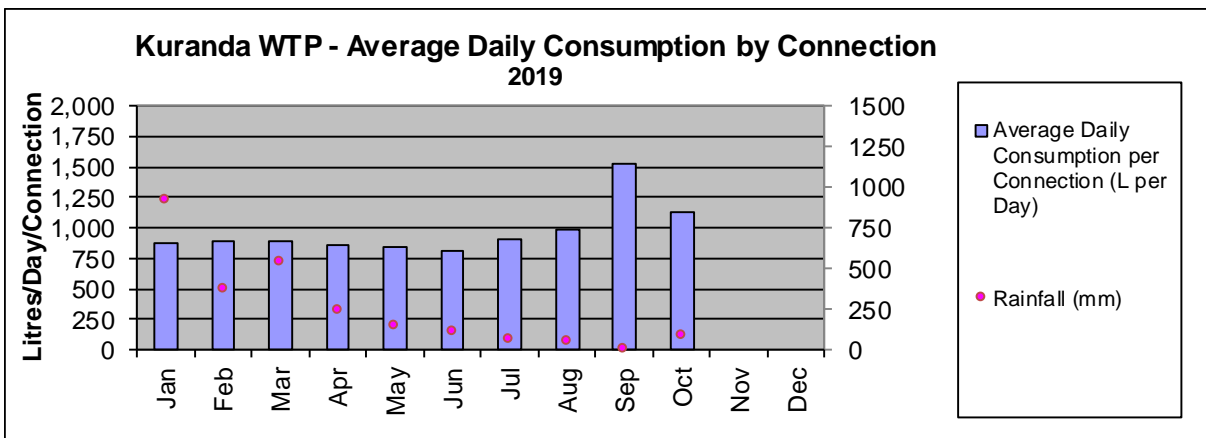
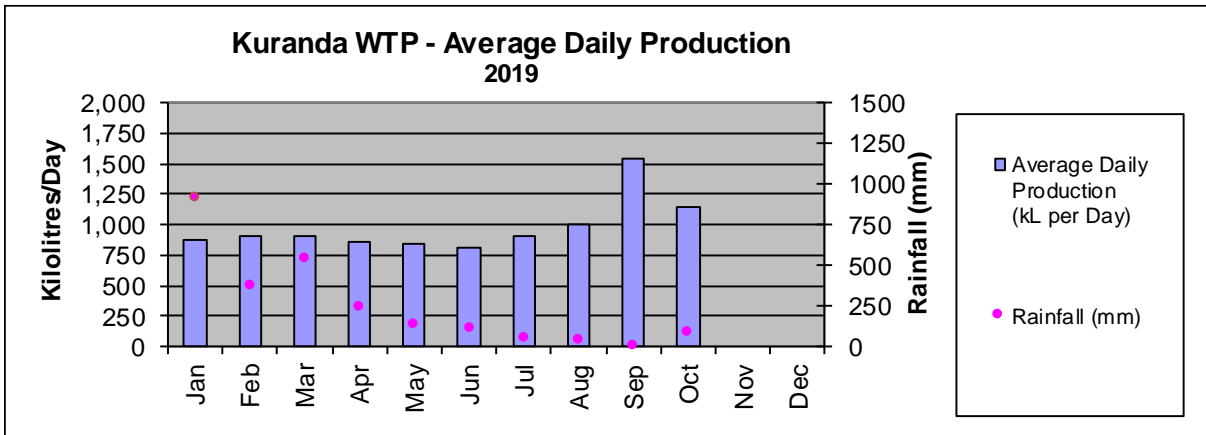
**2. Chlorine Residual Readings**

October 2019	Chlorine Residual Readings 2019 Australian Drinking Water Guidelines Maximum 5mg/L												
	Wed 2nd	Fri 4th	Mon 7th	Wed 9th	Fri 11th	Mon 14th	Wed 16th	Fri 18th	Mon 21st	Wed 23rd	Fri 25th	Mon 28th	Wed 30th
	Free Cl (mg/L)	Free Cl (mg/L)	Free Cl (mg/L)	Free Cl (mg/L)	Free Cl (mg/L)	Free Cl (mg/L)	Free Cl (mg/L)	Free Cl (mg/L)	Free Cl (mg/L)	Free Cl (mg/L)	Free Cl (mg/L)	Free Cl (mg/L)	Free Cl (mg/L)
Mary Andrews Park Mareeba	1.20	0.90	0.86	0.93	1.25	1.13	1.16	1.01	1.03	0.78	0.82	1.19	1.19
Wylandra Drive Mareeba	0.81	0.74	0.86	0.89	1.01	0.93	0.89	0.85	0.68	0.62	0.69	0.94	0.86
Gregory Terrace Kuranda	1.02	0.84	0.88	0.94	1.11	1.05	1.11	1.25	0.88	1.14	1.24	1.08	1.23
Mason Rd PS Kuranda	1.04	0.79	1.05	0.80	1.16	1.19	1.11	1.22	1.29	0.91	1.12	1.36	1.29
Chillagoe	1.20	1.24	1.18	1.08	1.15	1.25	1.27	1.22	1.18	1.25	1.18	1.10	1.19
Dimbulah	1.42	1.10	1.27	0.97	1.06	1.46	1.31	1.36	1.21	1.21	1.12	1.36	1.28

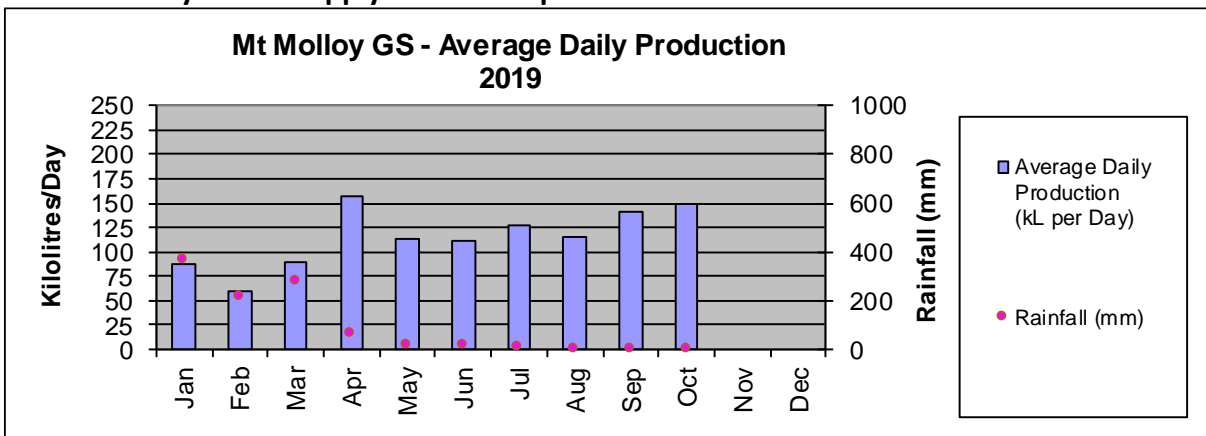
**3. Mareeba Water Supply Scheme – Operations Data**

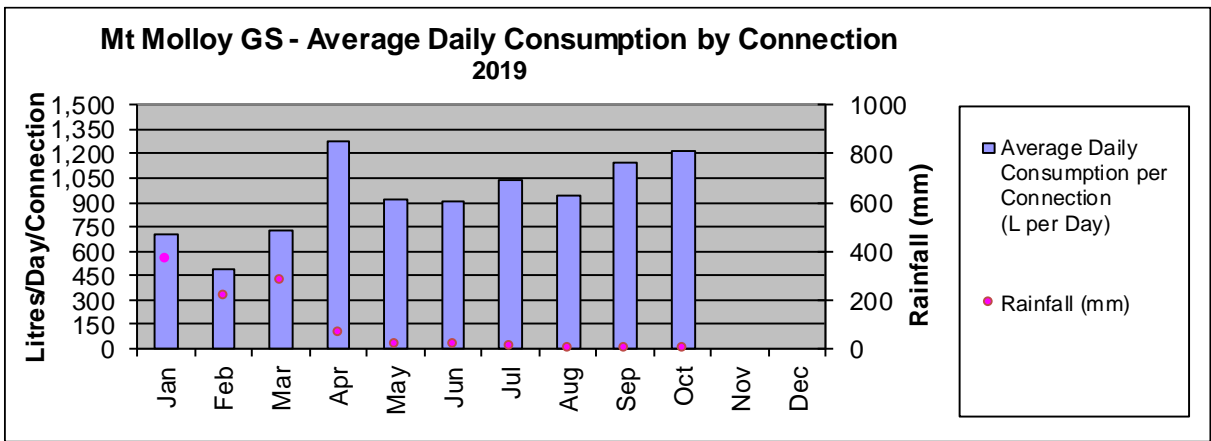


4. Kuranda Water Supply Scheme - Operations Data

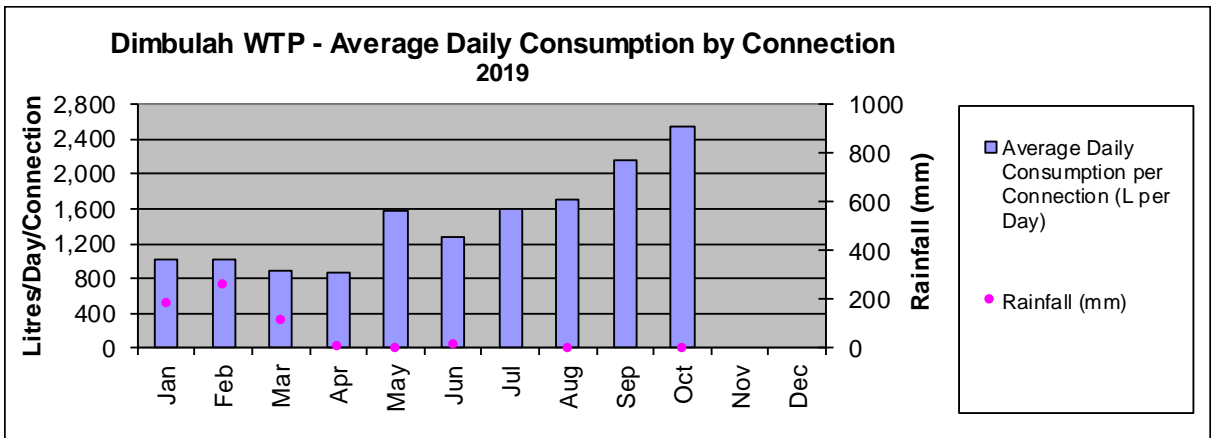
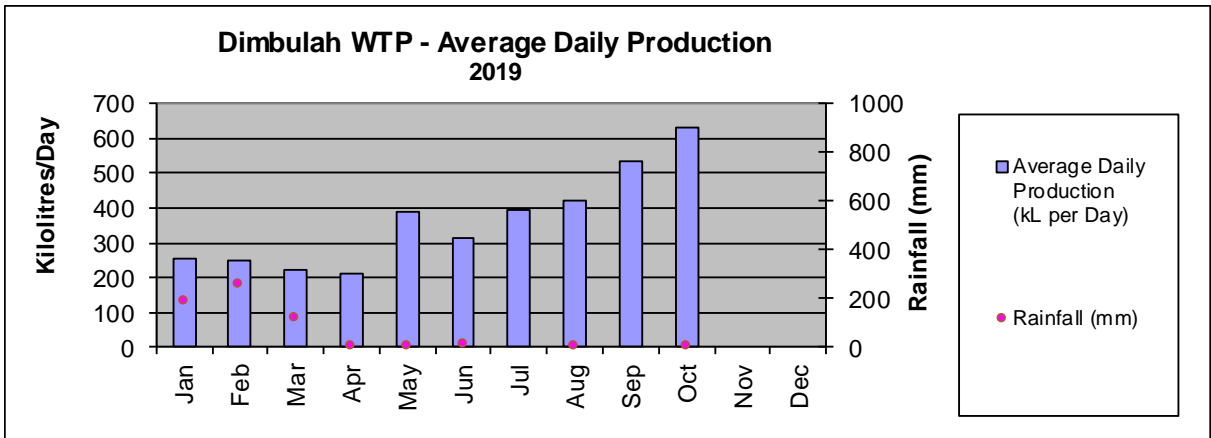


6. Mount Molloy Water Supply Scheme - Operations Data

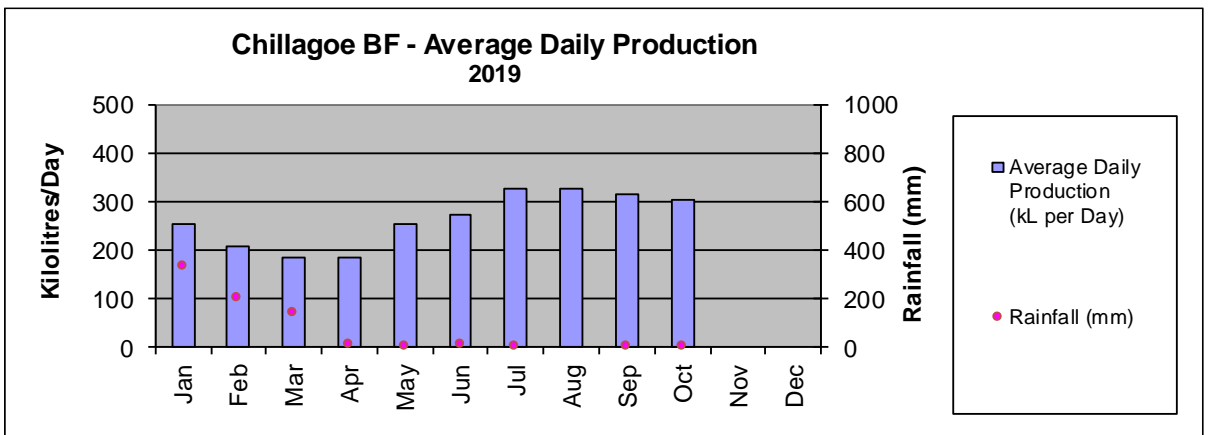


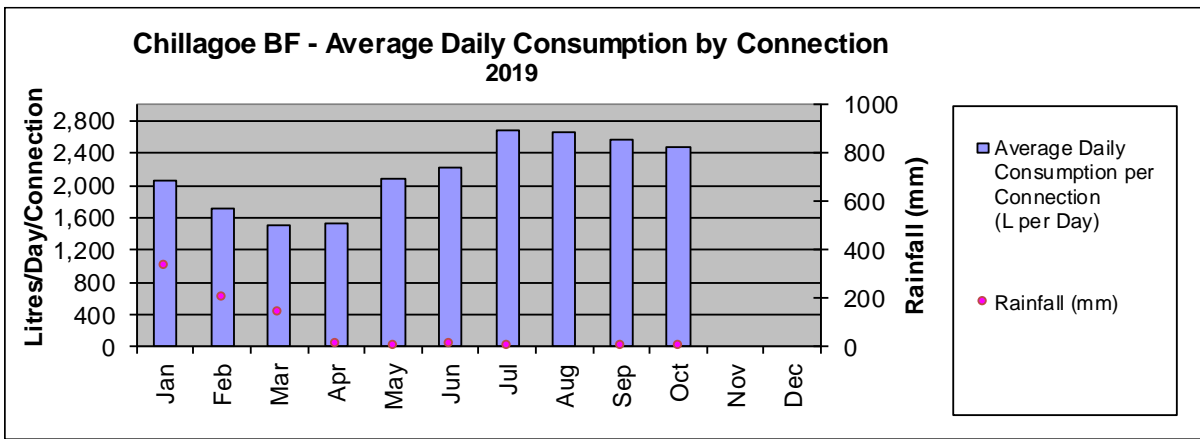


**7. Dimbulah Water Supply Scheme - Operations Data**

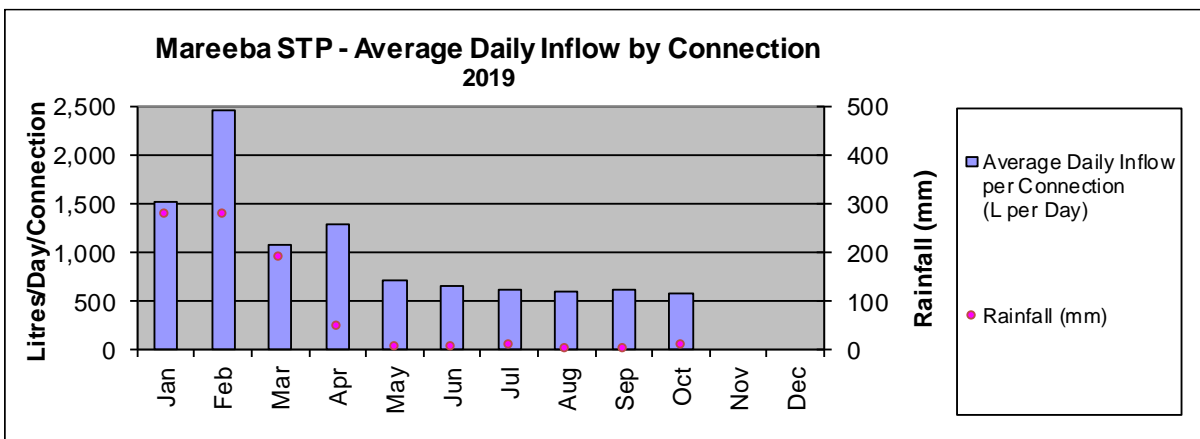
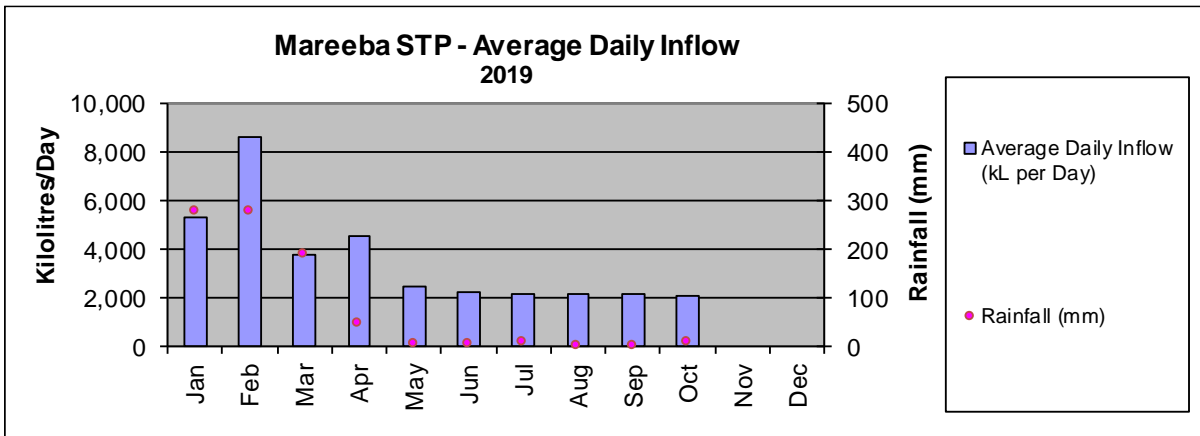


**8. Chillagoe Water Supply Scheme - Operations Data**

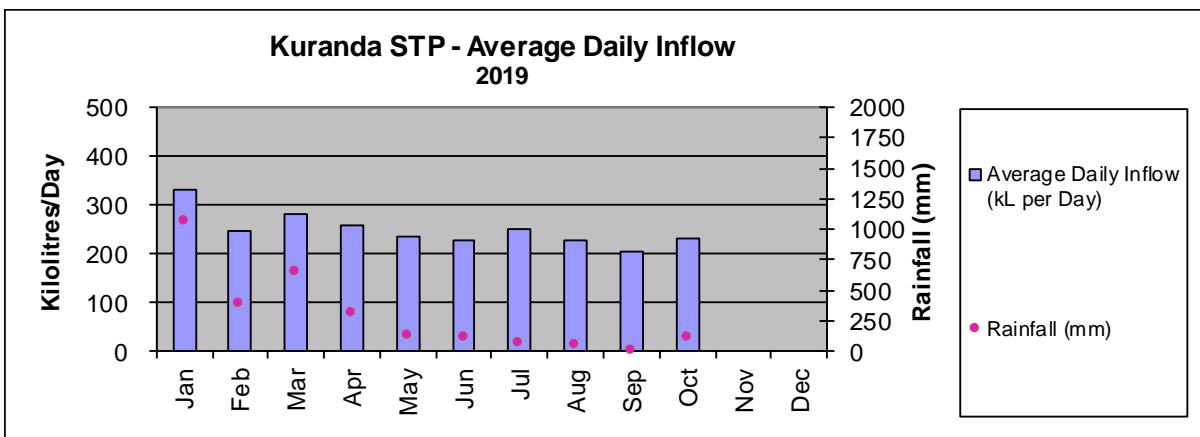


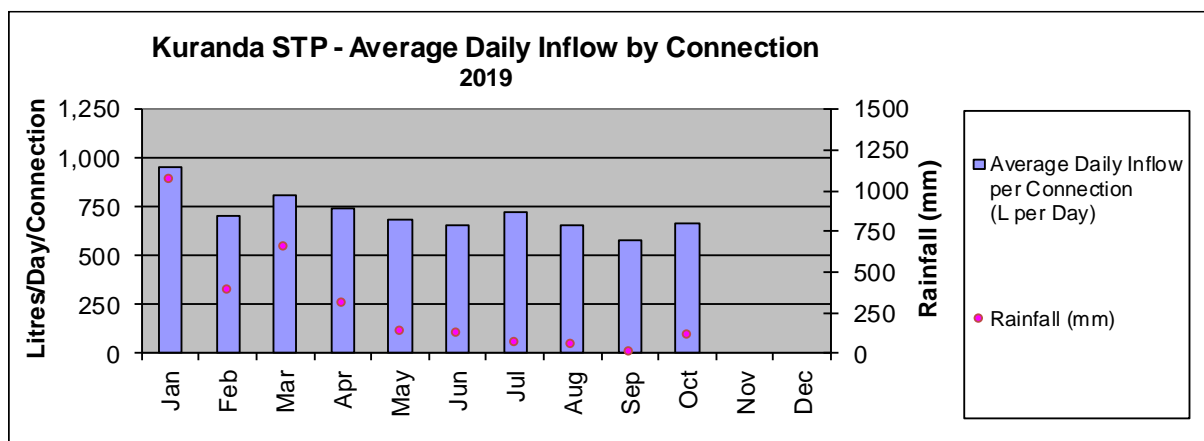


**9. Mareeba Wastewater Treatment Plant - Operations Data**



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





Water usage has remained at an increased level again during the month of October for all Council-managed water supply schemes. This can be attributed to the prolonged dry conditions combined and it should be noted that the current water usage is generally in line with the historical consumption for this time of year. Water consumption typically peaks during the months of September, October and November.

**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 2019/20 Capital Works Program.

**Operating**

All operational works are funded by the Section specific 2019/20 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.

**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





**9.6 INFRASTRUCTURE SERVICES, WORKS SECTION ACTIVITY REPORT - OCTOBER 2019****Date Prepared:** 6 November 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 October 2019.

**RECOMMENDATION**

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

**BACKGROUND****Maintenance Activities**

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

<b>Description</b>	<b>Activity</b>
Chettle Road - Arriga	Bitumen Patching
Pickford Road - Bibohra	Grading Unsealed Roads
Clacherty Road - Julatten	Bitumen Patching - Grading Unsealed Roads - Slashing
Euluma Creek Road - Julatten	Bitumen Patching - Road Furniture - Road Inspections - Slashing
Nine Mile Road - Julatten	Culvert Repairs - Grading Unsealed Roads - Road Inspections - Slashing
Black Mountain Road - Julatten	Bitumen Patching - Road Inspections - Slashing
Barron Falls Road - Kuranda	Bitumen Patching - Road Inspections - Slashing
Black Mountain Road - Kuranda	Grading Unsealed Roads - Road Furniture - Slashing
Coondoo Street - Kuranda	Concrete Footpath Maintenance - Pavement Repairs - Road Furniture - Slashing
Greenhills Road - Kuranda	Bitumen Patching
Jeffrey Road - Kuranda	Slashing - Tree Clearing / Vegetation Management
Meeroo Street - Kuranda	Bitumen Patching - Environmental Monitoring - Grading Unsealed Roads - Pavement Repairs - Road Inspections - Slashing
Myola Road - Kuranda	Bitumen Patching - Culvert Repairs - General Repairs & Maintenance - Slashing
Oak Forest Road - Kuranda	Bitumen Patching - Road Furniture - Slashing
Byrnes Street - Mareeba	Concrete Footpath Maintenance
Dawson Road - Mareeba	Tree Clearing / Vegetation Management
Strattmann Street - Mareeba	Concrete Footpath Maintenance - Road Furniture

Description	Activity
Norris Road - Mt Molloy	Slashing
Wetherby Road - Mt Molloy	Grading Unsealed Roads
L A Road - Mona Mona	Grading Unsealed Roads
Mona Mona Road - Mona Mona	Grading Unsealed Roads
Speewah Road - Speewah	Slashing

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

Annual Budget	Year to Date Budget	Year to Date Actual
\$3,541,417	\$1,230,651	\$1,465,406

The current budget overrun is due to the grading of the unsealed western roads. These works have been completed and the operational spend will decrease and come back into line with budget forecasts. The percentage overrun has fallen from 58% to 19% over the last few months and this trend is predicted to continue.

**Capital Works**

**Mareeba Industrial Park Stage 16B**

Construction works continued on Stage 16B at the Mareeba Industrial Park during October. Planning approvals from Ergon have been received and the installation of Ergon, Telstra and NBN conduiting has commenced.

Additional resources were deployed to the project in late October however the delays experienced to date will mean the project will reach practical completion in early 2020.

Current programming shows conduit installation will be finished by the end of November and subsoil drainage works will be complete early December.

All efforts will be made to complete the placement of the subbase layer and the installation of the kerb and channel prior to Christmas closedown to lower the impact of any weather events over the break.





**2018/19 Gravel Re-sheet Program**

In late September various section of Bulimba Road, west of Chillagoe, were re-sheeted with gravel won from various pits in the area. The total length of the gravel re-sheet was 7km covering an area of 34,800m<sup>2</sup> at a re-sheet depth of 100mm.





The 2018/19 Gravel Re-Sheet budget of \$600,000 is now expended.

Road	Total Re-Sheet Length(m)	m <sup>2</sup>
Bakers Rd	300	1,650
Mt Mulligan Rd	785	4,318
Walsh River Rd	1,080	3,690
Bischoff Mill Rd	410	2,050
Bryce Street	240	1,440
Bulimba Rd	6,960	34,800
George Fabris Rd	75	450
Slape Rd	1,115	5,575
<b>TOTAL</b>	<b>10,965</b>	<b>53,973</b>

**3<sup>rd</sup> Party Works DTMR CN-7741 Almaden - Chillagoe Sealing Project**

The bitumen sealing of construction works on the upgrade of the Burke Developmental Road, Ch 584.150 to Ch 585.857, is programmed for 11 November. These works will link two previously sealed sections to create 6.37km of continuous seal.

The scope of works included the installation of two major culverts, one RCP culvert, minor realignment of the existing road and the construction of a 9m wide sealed pavement.

The construction side track will be removed once sealing is complete. For this roadworks crew it will signify the completion of eight (8) months of continuous work away from Mareeba having constructed in excess of \$3M worth of roadworks at Ootann Road and the Burke Developmental Road.



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

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

Primary Location	Activity Name	
89B-Burke Dev Road	Culvert, Pipe and Pit Work	
	Repair or Replace Guide Markers	
	Pavement Repairs, Blademix/Asphalt (Minor Less Than 8 Tonne) - Includes Traffic Control	
6632-Herberton - Petford Road	Other Vegetation Control Works	
	Culvert, Pipe and Pit Work	
32A-Kennedy Highway	Rest Area Servicing	
	Asphalt Repairs	
664-Mareeba - Dimbulah Road	Repair Signs (excluding Guide Signs)	
	Culvert, Pipe and Pit Work	
	Emergency Call Out / Traffic Accident	
	Other Sign Work	
662-Mareeba Connection Road	Repair or Replace Guard Rail, Barrier Furniture	
653-Mossman - Mt Molloy Road	Roadside Litter Collection - Rural	
	Repair Signs (excluding Guide Signs)	
	Repair or Replace Guide Markers	
	Clean, Straighten and/or Paint Guide Markers	
	Emergency Call Out / Traffic Accident	
	Other Vegetation Control Works	
	Other Surface Drain Work	
34A-Mulligan Highway	Pavement Repairs, Blademix/Asphalt (Minor Less Than 8 Tonne) - Includes Traffic Control	
	Pothole Patching - Includes Traffic Control	
	Repair Signs (excluding Guide Signs)	
	Other Sign Work	
	Clean, Straighten and/or Paint Guide Markers	
	Other Furniture Repairs	
	Repair or Replace Guide Markers	
	Culvert, Pipe and Pit Work	
	Other Furniture Repairs	
	Asphalt Repairs	
	Mulligan Highway- 34B	Other Roadside Work
		Rest Area Servicing
		Clean, Straighten and/or Paint Guide Markers
		Roadside Litter Collection - Rural

The claim to TMR for the month of October 2019 was still being finalised at the time of preparing this report but is estimated to be approximately \$132,000.

**Parks and Gardens Section**

**Maintenance Activities**

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

<b>1. Location</b>
2. Parks, Library, CBD and Streets, Kuranda
3. Street Mowing, Mareeba
4. Basalt Gully and Bi-Centennial Lakes, Mareeba
5. Byrnes Street Medians - Mareeba
6. Firth Park, Mareeba
7. Arnold Park, Mareeba
8. Davies Park, Mareeba
9. Furniture & Playground Equipment, Mareeba
10. Borzi Park, Mareeba
11. Centenary Park, Mareeba
12. Mary Andrews Gardens, Mareeba
13. Esplanade, Kuranda
14. Fig Tree Management Plan - Kuranda
15. Nursery - Mareeba
16. Town Hall Park, Dimbulah
17. Sunset/Sunbird Park - Mareeba

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

<b>Annual Budget</b>	<b>Year to Date Budget</b>	<b>Year to Date Actual</b>
\$1,945,559	\$655,829	\$612,469

**Capital Works**

**Northern Town Entrance**

Approximately 1,100m of irrigation has been installed to water an avenue of 11 Ficus Benjamina trees to be planted in late November beside the Mulligan Highway at the northern entrance to Mareeba.

The area was cleared of any existing trees that were struggling to survive and graded to allow for ease of slashing.

**Bridge Section****Maintenance Activities**

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

Structure	Road	Chainage	Area
Bridge	Barron Falls Road	76	Kuranda
Major Culvert	Bilwon Road	3320	Biboohra
Major Culvert	Bilwon Road	4020	Biboohra
Bridge	Black Mountain Road	12908	Kuranda
Bridge	Black Mountain Road	2256	Kuranda
Bridge	Black Mountain Road	1130	Kuranda
Bridge	Black Mountain Road	17831	Kuranda
Bridge	Black Mountain Road	15131	Kuranda
Bridge	Black Mountain Road	5363	Kuranda
Bridge	Cardinia Boulevard	217	Speewah
Bridge	Catherine Road	325	Mutchilba
Bridge	Little Road	307	Kuranda
Major Culvert	Martin Avenue	373	Mareeba
Bridge	Mona Mona Road	1000	Mona Mona
Bridge	Mona Mona Road	7395	Mona Mona
Bridge	Myola Road	3220	Kuranda
Bridge	Oak Forest Road	593	Kuranda
Bridge	Oak Forest Road	2890	Kuranda
Bridge	Oak Forest Road	7285	Kuranda
Major Culvert	Pickford Road	2039	Biboohra
Major Culvert	Pine Close	950	Biboohra
Bridge	Speewah Road	4164	Speewah
Bridge	Stoney Creek Road	2030	Speewah

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
\$633,064	\$209,793	\$134,503



**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
\$516,878	\$154,777	\$164,059

**Parthenium:** There are currently five (5) active sites within Mareeba Shire. Four (4) are private land parcels and are being actively managed by the land owner. Officers inspect these sites on a monthly rotation to be sure that they are well managed. The other site is at the Koah waste transfer station. It is barricaded off the rest of the facility and is subject to a removal program by Land Protection Staff.

Several other land parcels in the Bilwon area have been visited to look for the presence of Parthenium. All were found to be Parthenium free.

**Multi Species Weed Clean-up on the Upper Walsh Catchment:** Weeds on the target list include: Bellyache Bush, Physic Nut, Rubber Vine, and Siam Weed. These infestations commence on the upper reaches of Emu/Gibb Creeks just below Irvinebank town. The plants are targeted in a strategic way where officers locate the source of the infestation and then treat from the source in a downstream direction. There are nine (9) affected landowners and all are working in with Mareeba Shire Council Land Protection staff on this removal program. Qld Biosecurity staff and the Tropical Weeds Research Centre also provide assistance.

**Rabbits:** Numerous Callisivirus release sites have been installed on private land parcels around Mutchilba and Dimbulah. Large numbers of rabbits have been destroyed in collaboration with the affected landowners

**Wild Dogs and Feral Pigs:** Four (4) large scale cattle properties have been coordinated into a baiting program. The land covering 45,900 hectares was treated for feral pigs and wild dogs.

**Protection of the Staaten River from invasives on the Mitchell River:** In October 2019, Land Protection staff from Mareeba Shire Council, Tablelands Regional Council, the State Land Management Unit, Biosecurity Qld, the Ewamian Rangers, National Parks and affected landowners joined forces to install a clean buffer between the Lower Lynd River, the Mitchell River and the Staaten River Catchment.

The main weeds of Bellyache Bush, Physic Nut and Siam Weed were targeted.

These weeds are established in varying densities along the Walsh and Mitchell Rivers and in the event of high flood levels can cross between catchments.

Infestations in the Lynd River were treated and mapped. The buffer between catchments that this task force established over the past three (3) years has been thoroughly inspected and none of the target species were found.

**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 and 2019/20 Capital Works Program.

***Operating***

All operational works are funded by the Section specific 2019/20 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

## **10 CONFIDENTIAL REPORTS**

### **RECOMMENDATION**

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

#### **10.1 Sale of Land Due to Rates and Charges in Arrears**

This matter is considered to be confidential under Section 275 - h of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

#### **10.2 Land Exchange Agreement**

This matter is considered to be confidential under Section 275 - e of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with contracts proposed to be made by it.



**11 BUSINESS WITHOUT NOTICE**

**12 NEXT MEETING OF COUNCIL**



**13 FOR INFORMATION**

**13.1 SUMMARY OF NEW PLANNING APPLICATIONS & DELEGATED DECISIONS FOR THE MONTH OF OCTOBER 2019**

**Date Prepared:** 4 November 2019

**Author:** Senior Planner

**Attachments:** Nil

---

Please see below information.

**Summary of new Planning Development Applications and Delegated Decisions for October 2019**

New Development Applications					
Application #	Lodgement Date	Applicant/ Address	Property Description	Application Type	Status
MCU/19/0015	2/10/2019	Christine M Kilpatrick 276 Euluma Creek Road, Julatten	Lot 206 on RP747217	Material Change of Use - Community Residence (Hospice)	In Decision stage
MCU/19/0016	29/10/2019	Mareeba Shire Council 43 Anzac Avenue, Mareeba	Lot 201 on SP213028	Material Change of Use - Club (Lawn Bowls Clubhouse), Community Use (Community Hub & Library) and Function Facility	In referral stage
RAL/19/0021	4/10/2019	Rotocult Ltd 41 Coolamon Close & Ray Road, Mareeba	Lot 24 on SP193149 & Lot 138 on SP179170	Reconfiguring a Lot - Boundary Realignment	Decision Notice issued 16/10/2019
RAL/19/0022	25/10/2019	D Martin C/- Planning Plus QLD Pty Ltd 2850 Kennedy Highway & 116 Kanervo Road, Koah	Lot 2 on SP176556 & Lot 202 on RP843530	Reconfiguring a Lot - Subdivision (2 into 6 Lots)	In referral stage
RAL/19/0023	31/10/2019	Comaray Pty Ltd 66 Country Road, Mareeba	Lot 3 on SP219118 & Lot 2 on SP188083	ROL (Boundary Realignment)	In Decision stage

Decision Notices issued under Delegated Authority					
Application #	Date of Decision Notice	Applicant	Address	Property Description	Application Type
MCU/19/0013	3/10/2019	KVN Australia Trust C/- Planz Town Planning	3727 Mareeba-Dimbulah Road, Mutchilba	Lot 225 on HG293	Material Change of Use - Rural Industry (Packing Shed)
RAL/19/0019	16/10/2019	M & T Samanes C/- U&i Town Plan	336 Fichera Road, Mareeba	Lots 2 & 3 on RP717083 and Lot 4 on SP160172	Reconfiguring a Lot - Boundary Realignment

October 2019 (Regional Land Use Planning)



RAL/19/0021	15/10/2019	Rotocult Ltd	41 Coolamon Close & Ray Road, Mareeba	Lot 24 on SP193149 & Lot 138 on SP179170	Reconfiguring a Lot - Boundary Realignment
OPW/19/0007	16/10/2019	A & A Salinovic C/- Trinity Engineering and Consultancy	72-78 Masons Road, Kuranda	Lot 100 on SP202702	Operational Works (Roadworks, Stormwater, Water Infrastructure, Drainage and Earthworks) for Development Permit RAL/18/0029

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

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

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

Extensions to Relevant Period issued					
Application #	Date of Decision	Applicant	Address	Property Description	Application Type
Nil					

October 2019 (Regional Land Use Planning)

Survey Plans endorsed					
Application #	Date	Applicant	Address	Property Description	No of Lots
DA/15/0015	25/10/2019	S & M Musumeci	Yarrabee Close & Hastie Road, Mareeba	LOTS 40, 44 & 45 ON SP298316 (CANCELLING LOT 40 ON SP284115)	3 Lots

October 2019 (Regional Land Use Planning)